

SENATE BILL 2324

By Haile

AN ACT to amend Tennessee Code Annotated, Title 36
and Title 37, relative to children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-6-404(b), is amended by deleting "§ 36-6-106 (a)(1)-(15)" and substituting "§ 36-6-106(a)".

SECTION 2. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following as a new section:

37-1-193. Attorney's fees in child-related proceedings.

A prevailing party may recover reasonable attorney's fees, court costs, and other litigation expenses, which may be fixed and allowed in the court's discretion, from the nonprevailing party in a proceeding before the juvenile court that concerns the custody or visitation of a child, the relocation of a parent with a child, the support of a child, or the adjudication of a child as dependent and neglected, whether at an initial hearing or at a subsequent hearing. However, an award of attorney's fees, costs, or expenses under this section shall not be made for or against the department.

SECTION 3. Tennessee Code Annotated, Section 37-1-103(d), is amended by adding the following as a new subdivision:

(4) Notwithstanding this subsection (d), in the event a child is alleged to be dependent and neglected and is removed from the physical custody of the original custodial parent, the court having original jurisdiction or the court exercising temporary jurisdiction may enter an order temporarily suspending the current child support obligation during the pendency of the dependency and neglect proceeding.

SECTION 4. Tennessee Code Annotated, Title 37, Chapter 1, Part 1, is amended by adding the following as a new section:

37-1-194. Parent education seminar in juvenile cases.

(a)

(1) In a proceeding before a juvenile court to establish or modify the custody or a permanent parenting schedule of a child born to parents who were not married to each other, each parent must attend a parent educational seminar. This requirement applies upon the adjudication of parentage under title 36, chapter 2, and in any post-parentage proceedings to modify custody or visitation.

(2) Each parent must complete the seminar as soon as practicable after legal parentage has been established or after the petition for modification is filed and before the court enters a final order adjudicating or modifying the permanent parenting arrangement.

(b) The parent educational seminar required by this section must conform to the standards as described in § 36-6-408. The seminar must:

(1) Be at least four (4) hours in duration, educational in nature, and not designed for individual therapy;

(2) Instruct parents on how to protect and enhance their child's emotional well-being during and after the proceeding;

(3) Inform parents about the court process and teach co-parenting skills, including techniques for reducing conflict; and

(4) Include the following:

(A) At least one (1) thirty-minute video on adverse childhood experiences, as described in § 36-6-408; and

(B) A discussion on topics such as alternative dispute resolution, the judicial process, and domestic violence, as described in § 36-6-408.

(c) A minor child shall not attend or participate in the seminar.

(d) The fees or costs of attending the seminar is the responsibility of the parties.

The court may assess or allocate the fees between the parents as the court deems equitable. If a parent is indigent, then the court shall waive the fee for that parent upon proper motion or affidavit.

(e) Each parent must file a certificate of completion with the juvenile court clerk as proof of compliance with the seminar requirement. A court shall not deny the entry of an order for failure of a party to attend the educational session.

(f)

(1) If the court finds good cause, then the court may waive the seminar requirement for one (1) or both parents. Good cause may include:

(A) A significant history of domestic violence between the parties that would make joint participation unsafe;

(B) A party's prolonged absence or inability to participate; or

(C) Another circumstance in which requiring the seminar would be impractical, counterproductive, or contrary to the child's best interest.

(2) A motion for waiver may be made by a party or by the court on the court's own initiative. If the court waives the requirement, then the court's order shall state the specific reasons constituting good cause.

(3) Attendance at the parent educational seminar is not required solely upon the establishment of parentage in cases in which a petition for custody, visitation, or modification of a parenting schedule is not pending.

(g)

(1) A parent who willfully fails or refuses to attend the seminar as ordered, absent a waiver, pursuant to subsection (f), or unavoidable circumstances, may be punished as a contempt of court.

(2) If a parent unjustifiably fails to attend or complete the seminar, then the court shall consider such failure as a factor in making custody and visitation determinations. The court may treat noncompliance as evidence of the parent's lack of good faith and cooperation. However, the court shall not refuse to adjudicate the parent's rights solely due to failure to attend the seminar.

(h)

(1) In a proceeding where a child is alleged or adjudicated to be dependent and neglected or in a juvenile proceeding under this chapter, the juvenile court, in its discretion, may order any parent, legal guardian, or custodian of the child to attend the parent educational seminar described in this section if the court finds that doing so would likely be beneficial to the child's best interests or to the resolution of the case for the purpose of utilizing parent education as a tool in appropriate cases, including circumstances in which the court determines the seminar may improve parenting skills or reduce conflict.

(2) If the court orders attendance, then all requirements pursuant to this section regarding seminar content, fee waivers, proof of completion, and enforcement apply to the extent practicable.

SECTION 5. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 6. This act takes effect July 1, 2026, the public welfare requiring it.

Amendment No. 1 to SB2324

Gardenhire
Signature of Sponsor

AMEND Senate Bill No. 2324*

House Bill No. 2429

by inserting the following new SECTION 5 and renumbering the current SECTION 5 and subsequent section accordingly:

SECTION 5. Tennessee Code Annotated, Section 36-8-103, is amended by adding the following as a new subsection:

(h) This chapter does not supersede, repeal, or abrogate any provision of statutory law, court rule, case law, or order issued by a court. This chapter does not limit the authority of a court or judicial officer, including judges and magistrates, to issue or enforce orders pursuant to law, rule, or judicial precedent.