

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

**SESSION LAW 2001-152
SENATE BILL 739**

AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES, LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED MARRIAGE AND FAMILY THERAPISTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 8-53.6 reads as rewritten:

"§ 8-53.6. No disclosure in alimony and divorce actions.

In an action pursuant to G.S. ~~50-5~~, 50-5.1, 50-6, 50-7, ~~50-16.2~~ 50-16.2A, and ~~50-16.3~~ 50-16.3A if either or both of the parties have sought and obtained marital counseling by a licensed physician, licensed psychologist, licensed psychological associate, licensed clinical social worker, or certified marital family therapist, licensed marriage and family therapist, the person or persons rendering such counseling shall not be competent to testify in the action concerning information acquired while rendering such counseling."

SECTION 2. G.S. 8-53.7 reads as rewritten:

"§ 8-53.7. Social worker privilege.

No person engaged in delivery of private social work services, duly certified pursuant to Chapter 90B of the General Statutes shall be required to disclose any information which he or she may have acquired in rendering professional social services, and which information was necessary to enable him or her to render professional social services: provided, that the presiding judge of a superior or district court may compel such disclosure, if in the court's opinion the same is necessary to a proper administration of justice and such disclosure is not prohibited by G.S. 8-53.6 or any other statute or regulation."

SECTION 3. This act becomes effective October 1, 2001, and applies to information acquired on or after that date.

In the General Assembly read three times and ratified this the 22nd day of May, 2001.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives

s/ Michael F. Easley
Governor

Approved 11:26 a.m. this 31st day of May, 2001