

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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SENATE BILL 739  
Judiciary I Committee Substitute Adopted 4/9/01  
House Committee Substitute Favorable 5/15/01

Short Title: Psych. Assoc./Clinical Social Worker Privilege.

(Public)

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Sponsors:

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Referred to:

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April 2, 2001

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND PRIVILEGED COMMUNICATIONS PROTECTION IN  
2 DOMESTIC ACTIONS TO LICENSED PSYCHOLOGICAL ASSOCIATES,  
3 LICENSED CLINICAL SOCIAL WORKERS, AND LICENSED MARRIAGE  
4 AND FAMILY THERAPISTS.  
5

6 The General Assembly of North Carolina enacts:

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

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

9 In an action pursuant to G.S. ~~50-5~~, 50-5.1, 50-6, 50-7, ~~50-16.2~~ 50-16.2A, and  
10 ~~50-16.3~~ 50-16.3A if either or both of the parties have sought and obtained marital  
11 counseling by a licensed physician, licensed psychologist, licensed psychological  
12 associate, licensed clinical social worker, or ~~certified marital family therapist, licensed~~  
13 marriage and family therapist, the person or persons rendering such counseling shall not  
14 be competent to testify in the action concerning information acquired while rendering  
15 such counseling."

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

17 "**§ 8-53.7. Social worker privilege.**

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

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