

Introduced by

Representatives Muscha, Hunskor, K. Koppelman, Ruby

Senators Larsen, Mathern, Sitte, Wanzek

1 A BILL for an Act to create and enact a new section to chapter 14-05 of the North Dakota  
2 Century Code, relating to a mandatory education program for parties to a divorce proceeding  
3 involving parental rights and responsibilities; and to provide for a legislative management study.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 14-05 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Divorce proceeding involving parental rights and responsibilities - Education**  
8 **program required - Exception.**

9 1. In an action for divorce which includes the issue of parental rights and responsibilities,  
10 as defined in section 14-09-00.1, and which does not include substantiated allegations  
11 of domestic abuse or other showing of good cause, the court shall order the parties to  
12 the action to participate in an education program regarding the impact of divorce on  
13 children.

14 2. The court shall prepare a list of appropriate education program providers. The  
15 education program may be an online or a classroom program. The parties are  
16 responsible for the fees or costs of the education program. The court may assess the  
17 fees or costs of the education program as the court deems equitable. The court shall  
18 adopt rules to define the standards for the education program.

19 3. A final decree may not be granted or a final order may not be entered until each party  
20 submits to the court certification of completion of the education program. The court  
21 may impose sanctions for the failure of a party to the proceedings to comply with the  
22 requirements of this section.

23 **SECTION 2. LEGISLATIVE MANAGEMENT STUDY - MARRIAGE AND DIVORCE LAWS.**

24 During the 2013-14 interim, the legislative management shall consider studying the state's laws

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Legislative Assembly

1 regarding marriage and divorce. The study must include a review of options for strengthening  
2 the institution of marriage and reducing the incidents of divorce in the state, including premarital  
3 education, marriage counseling, parenting education, and the implementation of predivorce  
4 requirements, such as divorce-effects education and waiting periods. The study must include a  
5 review of the minimum standards established by the court for the divorce education programs  
6 and the efficacy of the programs in the state. The legislative management shall report its  
7 findings and recommendations, together with any legislation necessary to implement those  
8 recommendations, to the sixty-fourth legislative assembly.