

HOUSE No. 4883

By Mr. Lawton of Brockton, petition of Mark E. Lawton for legislation to require the court to enter all necessary orders concerning the care, custody and support of children before a libel for divorce may be filed. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT REQUIRING THE COURT TO ENTER ALL NECESSARY ORDERS CONCERNING THE CARE, CUSTODY AND SUPPORT OF CHILDREN BEFORE A LIBEL FOR DIVORCE MAY BE FILED.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 208 of the General Laws is hereby amended by striking
2 out section 6B and inserting in place thereof the following sec-
3 tion:—

4 *Section 6B.* No libel for divorce shall be filed in the superior
5 court or probate court of any county unless, at the time of the filing
6 of such libel, the parties thereto have been living apart for a period
7 of not less than thirty days and the libellant so certifies on the libel;
8 provided, however, that the court may, after a hearing *ex parte*,
9 waive said requirements; and provided, *after a hearing ex parte*,
10 *that the court has entered all necessary orders concerning the care,*
11 *custody and support of any minor children.*

