
By Mr. Weinberg of Boston, petition of Norman S. Weinberg and another for legislation to amend the law prescribing the requirements for the filing of a petition for separate support. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT TO AMEND THE REQUIREMENTS FOR THE FILING OF A PETITION FOR SEPARATE SUPPORT.

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

1 Section 32 of chapter 209 of the General Laws is hereby
2 amended by striking out said section 32 and inserting in place
3 thereof the following section:—

4 *Section 32.* If a husband fails without justifiable cause to
5 provide suitable support for his wife, or deserts her, or if the
6 wife has justifiable cause for living apart from her husband,
7 or if the husband is deserted by his wife or has justifiable
8 cause for living apart from his wife, whether or not he or
9 she is actually living apart, the probate court may, upon his
10 or her petition, or if he or she is incompetent due to mental
11 illness or mental retardation, upon petition of the guardian
12 or next friend, prohibit the husband or wife from imposing
13 any restraint on the personal liberty of the other during such
14 time as the court by its order may direct or until further
15 order of the court thereon and upon the application of the
16 husband or wife or of the guardian of either the court may
17 make further orders relative to the support of the wife and the
18 care, custody and maintenance of their minor children, may
19 determine with which of their parents the children or any of
20 them shall remain and may, from time to time upon similar
21 application revise and alter such order or make a new order
22 or decree as the circumstances of the parents or the benefit
23 of the children may require.

24 Upon request by the court, state police, local police or pro-
 25 bation officers shall make an investigation in relation to any
 26 proceeding hereunder and report to the court. Every such re-
 27 port shall be in writing and shall become part of the records of
 28 such proceedings.