

By Mr. Hannon of Quincy (by request), petition of Marilyn D. Hanabury for legislation to establish incompatibility of the parties as grounds for divorce and making certain other changes in the divorce laws. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT PROVIDING THAT INCOMPATIBILITY OF THE PARTIES SHALL BE A GROUND FOR DIVORCE AND MAKING CERTAIN OTHER CHANGES IN THE DIVORCE LAWS.

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 1. Section 1 of chapter 208 of the General Laws,
2 as appearing in the Tercentenary Edition, is hereby amended
3 by inserting at the end the words: — or for incompatibility of
4 the parties.

1 SECTION 2. Said chapter 208 is hereby further amended by
2 inserting after section 16 the following section: —

3 *Section 16A.* Any justice of the superior court or judge of a
4 probate court wherein any libel for divorce is pending may
5 appoint a trained person or persons to counsel the parties for
6 the purpose of avoiding the divorce. The compensation of any
7 person so appointed shall be fixed by the court.

1 SECTION 3. Said chapter 208 is hereby further amended by
2 inserting after section 18, the following section: —

3 *Section 18A.* The court may appoint a guardian and *ad*
4 *litem* to represent any minor child of the parties.

1 SECTION 4. Section 21 of said chapter 208, as amended by
2 section 1 of chapter 181 of the acts of 1934, is hereby further

3 amended by striking out the first sentence and inserting in
4 place thereof the following sentence: - Decrees of divorce shall
5 in the first instance be decrees *nisi*, and shall become absolute
6 after the expiration of three months from the entry thereof,
7 unless the court within said period, for sufficient cause, upon
8 the application of any party interested, otherwise orders.