

By Mr. Saltonstall, a petition of Neil L. Chayet for legislation relative to the social well-being of adults and children involved in the dissolution of marriage. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO THE SOCIAL WELL-BEING OF ADULTS AND CHILDREN INVOLVED IN THE DISSOLUTION OF MARRIAGE.

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 of Chapter 208 of the General Laws is hereby
2 amended by striking out said section 1, as most recently
3 amended by Chapter 585 of the Acts of 1967, and inserting in
4 place thereof the following section: —

5 *Section 1.* A divorce from the bond of matrimony may be
6 decreed for: adultery; impotency; utter desertion continued
7 for two consecutive years next prior to the filing of the libel;
8 gross and confirmed habits of intoxication caused by the vol-
9 untary and excessive use of intoxicating liquor, opium or other
10 drugs; cruel and abusive treatment; on the libel of the wife, if
11 the husband, being of sufficient ability, grossly or wantonly
12 and cruelly refuses or neglects to provide suitable maintenance
13 for her; or, on the libel of either the husband or the wife, if
14 the husband and wife have lived apart for one year next prior
15 to the filing of the libel pursuant to a written agreement of
16 separation executed by the husband and wife, which agree-
17 ment has been filed in the registry of probate for the county
18 in which either party resides and which agreement has, at the
19 commencement of the one year period of living apart, been
20 approved by a probate judge after due consideration of the
21 adequacy of the provisions of said agreement with regard to
22 the needs of the parties and the children, if any, of the mar-
23 riage. In the event that the judge does not approve the agree-

24 ment filed pursuant to this section, said agreement shall be
 25 null and void and of no further effect between the parties.
 26 A divorce may be granted at the conclusion of the one year
 27 period of living apart upon a showing that the parties have
 28 complied with said agreement.