

By Mrs. Pines of Boston, petition of Lois G. Pines and another relative to the dissolution of marriage. The Judiciary.

The Commonwealth of Massachusetts

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

AN ACT RELATIVE TO 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. Court approval of a dissolution of marriage
2 agreement shall have the full force and effect of a decree nisi of
3 divorce. A proceeding for dissolution of marriage shall commence
4 with the filing of (1) a petition for dissolution of marriage by
5 both parties and (2) a dissolution agreement executed by them.
6 Both the petition and the agreement shall be filed in the probate
7 court for the county where either the husband or the wife resides
8 at the time of filing. The court shall approve the terms of the
9 agreement within thirty days from the date of filing if it finds
10 after considering

11 (1) the economic circumstances of the parties shown by the
12 dissolution agreement according to the terms of Chapter 208
13 Section 17A.

14 (2) any other evidence the court may order the parties to
15 produce, including evidence of attempt to reconcile that the
16 dissolution agreement has made proper provision for custody,
17 support, maintenance and property disposition. In the event that
18 the court does not approve the agreement, it shall be null and
19 void and of no further effect between the parties.

20 Section 2. The dissolution agreement may be amended at any
21 time by the court upon a petition for modification by either
22 party and presentation of satisfactory evidence of a change in

23 circumstances warranting modification. The court may also
24 suggest modifications of the agreement and condition its approv-
25 al on such modification. Any amendment to the agreement
26 must be preceded by notice to each of the spouses and a hearing.
27 In the case of failure to reach an agreement on a satisfactory
28 modification, the court shall follow the procedure outlined in
29 Chapter 208, section 33.

30 *Section 3.* At the conclusion of a one-year period from the
31 date of filing, the court shall enter a decree of dissolution of
32 marriage in accordance with the terms of the dissolution
33 agreement approved by the court upon a showing by either party
34 that that party has substantially complied with the terms of the
35 agreement.

36 *Section 4.* Upon the entry of a decree of dissolution of
37 marriage the dissolution agreement filed in accordance with
38 section one shall continue to have the full force and effect of an
39 order of the court.

40 *Section 5.* The provisions of sections twenty-three to forty-
41 seven, inclusive, of chapter two hundred and eight shall apply to
42 proceedings under this chapter except that the entry of a decree
43 of dissolution of marriage shall, immediately upon its entry, have
44 the effect of a decree absolute of divorce.

45 *Section 6.* No evidence of marital misconduct shall be
46 admissible in any proceeding under this chapter.