

By Mr. Atkins of Acton, petition of Chester G. Atkins and other members of the House and another relative to the dissolution of certain marriages. The Judiciary.

**The Commonwealth of Massachusetts**

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

**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 Chapter 208 of the General Laws is hereby amended by  
2 inserting after section 20A the following sections: —

3 *Section 20B.* The bond of matrimony may be dissolved by  
4 those persons who have lived separate and apart for one year in  
5 accordance with a signed dissolution agreement, filed with  
6 court approval within thirty days of the execution thereof, in  
7 the probate court for the county where either the husband or  
8 the wife resides at the time of filing, are eligible to file a  
9 petition for dissolution of marriage. The court shall approve  
10 the filing of a dissolution agreement if it finds, after consider-  
11 ing the economic circumstances of the parties shown by the  
12 dissolution agreement, and any other evidence the court may  
13 order the parties to produce that the dissolution agreement has  
14 made proper provisions for custody, support, maintenance and  
15 property disposition including the equitable division of all  
16 property acquired during the marriage. Upon such approval and  
17 filing, the agreement shall have the full force and effect as an  
18 order of the court.

19 *Section 20C.* A proceeding for dissolution of marriage shall  
20 begin with the filing of a petition for dissolution of marriage  
21 entitled, "In re the Marriage of \_\_\_\_\_ and \_\_\_\_\_"  
22 and may be filed by one or both parties to the dissolution  
23 agreement. When filed by both parties no process need issue  
24 and the petition shall be ready for hearing upon the filing  
25 thereof.

26 The court shall enter a decree of dissolution of marriage in  
27 accordance with the dissolution agreement if it finds, after  
28 considering the economic circumstances of the parties shown  
29 by the dissolution agreement, and any other evidence the court  
30 may order the parties to produce that the dissolution agree-  
31 ment has made proper provisions for custody, support and  
32 maintenance and property disposition including the equitable  
33 division of all property acquired during the marriage.

34 The court may request the parties to submit a revised dis-  
35 solution agreement and if the parties fail to agree on a revised  
36 dissolution agreement the court shall make orders for the  
37 disposition of custody, support, maintenance and property:  
38 considering the length of the marriage, the age, health, station,  
39 occupation, amount and sources of income, vocational skills,  
40 employability, estates, liabilities of each of the parties, and the  
41 opportunity of each for future acquisition of capital assets and  
42 income.

43 Upon the entry of a decree of dissolution of marriage the  
44 dissolution agreement shall continue to have the full force and  
45 effect of an order of the court.

46 *Section 20D.* The dissolution agreement may be amended at  
47 any time with court approval and after the entry of a decree of  
48 dissolution of marriage may be amended by the court upon a  
49 petition of modification by either party and presentation of  
50 satisfactory evidence of a change in circumstances warranting  
51 modification. A dissolution agreement shall become void and of  
52 no effect if no petition for dissolution of marriage is filed  
53 within two years of the filing of the dissolution agreement  
54 unless the agreement expressly provides to the contrary.

55 *Section 20E.* No evidence of marital misconduct shall be  
56 admissible in any hearing for dissolution of marriage.