

By Mrs. Gray of Framingham, petition of Barbara E. Gray and Sharon M. Pollard that provision be made for financial disclosure in divorce actions. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty.

AN ACT PROVIDING FOR FINANCIAL DISCLOSURE IN DIVORCE ACTIONS.

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 striking
2 out section 34, as most recently amended by chapter 565 of the acts
3 of 1974, and inserting in place thereof the following section: —

4 Upon a divorce or upon petition at any time after a divorce, the
5 court may order either of the parties to pay alimony to the other. In
6 addition to or in lieu of an order to pay alimony, the court may
7 assign to either the husband or the wife all or any part of the estate
8 of the other. In determining the amount of alimony, if any, to be
9 paid, or in fixing the nature and value of the property, if any, to be
10 so assigned, the court, after hearing the witnesses, if any, of each
11 party, shall consider the length of the marriage, the contributions
12 of the parties during the marriage, the age, health, stations, occu-
13 pation, amount and sources of income, vocational skills, employa-
14 bility, estate, liabilities and needs of each of the parties and the
15 opportunity of each for future acquisition of capital assets and
16 income. In order to aid the court in this determination both parties,
17 regardless of the nature of the divorce, shall submit individual
18 financial statements for the prior three years to this action as well
19 as a complete list of assets. Said parties shall indicate which income
20 and assets are jointly owned and which are individually owned.
21 Failure to submit such statements by one or both of the parties
22 may, in the court's discretion, act as a bar to any further action in
23 the proceeding by the non-discloser. The court may also consider
24 the contribution of each of the parties in the acquisition, preserva-
25 tion or appreciation in value of their respective estates.

