

By Mr. Flaherty of Boston, petition of Michael F. Flaherty, William J. Flynn, Jr., and another relative to judgments and findings of facts in divorce actions in the Commonwealth. The Judiciary.

**The Commonwealth of Massachusetts**

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

AN ACT REQUIRING JUDGES TO ENTER JUDGMENTS AND TO MAKE FINDINGS OF FACTS AND CONCLUSIONS OF LAW THEREON WITHIN SPECIFIED PERIODS OF TIME.

*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 34 of chapter 208 of the General Laws is amended by  
2 inserting the following Section 34 as amended: —

3 *Section 34.* Alimony; assignment of estate; determination of  
4 amount.

5 Upon divorce or upon motion in an action brought at any time  
6 after a divorce, the court may make a judgment for either of the  
7 parties to pay alimony to the other. In addition to or in lieu of a  
8 judgment to pay alimony, the court may assign to either husband  
9 or wife all or any part of the estate of the other. In determining the  
10 amount of alimony, if any, to be paid, or in fixing the nature and  
11 value of the property, if any, to be so assigned, the court, after  
12 hearing the witnesses, if any, of each party, shall consider the  
13 length of the marriage, the conduct of the parties during the  
14 marriage, the age, health, station, occupation, amount and sources  
15 of income, vocational skills, employability, estate, liabilities and  
16 needs of each of the parties and the opportunity of each for future  
17 acquisition of capital assets and incomes The court may also  
18 consider the contribution of each of the parties in the acquisition,  
19 preservation or appreciation in value of their respective estates and  
20 the contribution of each of the parties as a homemaker to the  
21 family unit. The court after it has completed hearings involving all

22 of the issues required under this section shall enter a judgment  
23 within thirty days. In the event of an appeal of said judgment the  
24 court shall, within sixty days thereof, find the facts specially and  
25 state separately its conclusions of law thereon. All appropriate  
26 rules of court shall be in conformity with this section.