

Parental Divorce Reduction Act

Overview of Parental Divorce Reduction Act

- The Parental Divorce Reduction Act is a new proposal to reduce unnecessary divorce.
- A broad consensus of studies finds that divorce has serious negative lifelong psychological consequences for children, and costs taxpayers billions of dollars annually. A significant number of these divorces are unnecessary. The goal of this Act is to reduce “unnecessary” divorces where minor children are involved.
- Before filing for divorce, parents of minor children will be required to participate in four to eight hours of face-to-face divorce education classes. The classes will provide information on the effects of divorce on children and adults and teach research-based communication and other relationship skills that help strengthen marriages.
- After completing the classes, parents will need to wait an additional eight months before they may file for divorce, a period that may serve as an opportunity for reflection and reconciliation.
- Exceptions are made for a spouse who is physically abused, abandoned for eighteen months, married to a partner who is incarcerated for five years, or married to someone addicted to alcohol or drugs who refuses to seek treatment and rehabilitation.
- The legislation is budget neutral, requiring the divorcing parties to pay for the cost of the divorce education. TANF funds, when available, may be used to help defray the divorce education fees for the indigent. The cost to the couple should be modest and not exceed \$100-200.
- Online divorce education modules will be made available for persons in rural areas or elsewhere who do not have access to face to face divorce education.

This approach is based on recent studies that find that about one-third of divorcing couples report an interest in reconciliation, and the promising results from evaluation of marriage education programs which have now been launched in all 50 states.



Summary of the Parental Divorce Reduction Act

Section 1. Title. The act is entitled the Parental Divorce Reduction Act to make clear that only parents of minor children are covered by the Act.

Section 2. Purpose. The Act is designed to reduce unnecessary divorce, decrease parental conflict and litigation surrounding divorce, and educate parents regarding the impact of divorce on families. Recent research indicates that at least 1/3 of all couples planning to divorce are open to reconciliation which strongly suggests that the divorce rate can be reduced by up to 1/3 over a five year period in any state which passes this legislation. Research also indicates that divorce has substantial detrimental effects on children and family finances, and increases the likelihood of divorce in subsequent marriages.

Section 3. Prerequisites and Exemptions. Prior to filing for divorce, parents of minors are required to complete a divorce reduction curriculum (“DRC”) and undergo an eight-month waiting period. Those exempt from these prerequisites include victims of domestic violence, spouses of felons and sex offenders, spouses who have been abandoned for eighteen months, and spouses of alcoholics and drug addicts who refuse rehabilitation.

Once a spouse has filed for divorce, it may be too late to save the marriage, though not always. Many couples who first complete a divorce education program will then decide not to file for divorce, thereby saving many marriages, reducing the harmful effects of divorce on children, and saving taxpayers hundreds of millions, if not billions, of dollars each year in every state that passes this legislation. Divorce education classes will be offered under the auspices of government, universities, or community or faith-based organizations with a proven history of providing marriage education designed to save marriages and reduce divorce. Online and video components will be offered for those living in rural or other underserved areas. Post-filing additional on-line modules will be available to help those who are interested in working further on their marriages, but will also focus on helping couples who are determined to divorce protect their children as much as possible from the negative consequences of divorce as well as learn co-parenting skills.



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Section 4. Components of Divorce Reduction Curriculum. A DRC, which shall be six hours in length, taught by trained and certified professionals and attended by couples, either separately or together, shall be comprised of the following components:

- The Effects of Divorce on Children---Parents will be educated about the negative consequences of divorce on children. Plans are to develop a video for instructors to supplement the face-to-face presentation.
- The Effects of Divorce on Adults---The curriculum will educate parents about post-divorce unhappiness, the extent to which second and third marriages end in divorce, and the regrets faced by many divorced people after following through with divorce. Classes will also inform parents about financial consequences and the decreased time most fathers see their children after divorce.
- The Benefits of Reconciling and Restoring Marriages--The DRC will address the benefits to both parents and children of reconciliation.
- The Skills for Healthy Relationships—These classes will teach skills currently taught in most marriage education classes such as communication skills, conflict resolution, and financial literacy. The classes will also address parenting skills and overcoming infidelity, and provide information about substance abuse, domestic violence and mental health and where to go for help with these problems.
- Miscellaneous Information about Reconciliation and Relationship Education.

The statute is satisfied when both parties complete the classes or one party completes the classes and gives the other written notice of the time and place of a DRC program. Courts will have the power to order compliance.



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Section 5. Reconciliation Period. An eight-month reconciliation period begins after the DRC has been completed. After completion of this period, either parent may file for divorce. The reconciliation period may be the most important component of the legislation because it provides time and opportunity for parents to reflect carefully on their decision, and continue to pursue additional follow up services to strengthen their marriage and reconcile, if possible. Without the DRC and waiting period, many couples will otherwise precipitously file for divorce.

Section 6. Accreditation of Divorce Education Providers. The state department of human services secretary has the authority to accredit divorce education curricula in consultation with domestic violence organizations and experts during the curriculum development process.

Section 7. Online Classes. In rural or other areas where DRC are not available, the secretary of human services must approve on-line courses. When on-line courses are not available, the DRC is waived.

Section 8. Funding. Parties are responsible for the cost of their own classes. DRC providers must, however, have a fee schedule that accommodates low income couples. TANF funds may be used to assist needy families, and courts also have the power to order fee waivers for indigent parties. Cost should not exceed \$100-\$200.

Section 9. Effective Date of Status. The law should go into effect six months to one year after passage to give the department of human services time to develop the accreditation process.



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