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House BILL NO. 253

INTRODUCED BY *Benny Barakat* *John W. Ryan* *Heather Smith* *Tim Small* *Bernie*  
*J. Bohlinger* *Eck*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COURT TO ORDER THE PARTIES IN A PROCEEDING FOR DISSOLUTION OF MARRIAGE INVOLVING MINOR CHILDREN TO ATTEND AN EDUCATIONAL PROGRAM CONCERNING THE EFFECTS OF DISSOLUTION OF MARRIAGE ON CHILDREN."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Court-ordered educational program on effects of dissolution of marriage**

**on children.** (1) In a proceeding for dissolution of marriage involving a minor child or in a custody modification proceeding involving a minor child, a court may on its own motion order the parties, excluding the minor child, to attend an educational program concerning the effects of dissolution of marriage on children if the court finds that it would be in the best interest of the minor child. The program may be divided into sessions, which in the aggregate may not exceed 4 hours in duration. The program must be educational in nature and may not be designed for individual therapy.

(2) Any facts presented at an educational session resulting from a referral under this section may not be considered in a dissolution of a marriage or a custody modification proceeding, nor may a report resulting from an educational session become part of the record of the dissolution or proceeding unless the parties have stipulated in writing to the contrary.

(3) The fees or costs of an educational session under this section must be borne by the parties and may be assessed by the court in an equitable manner.

**NEW SECTION. Section 2. Codification instruction.** [Section 1] is intended to be codified as an

integral part of Title 40, chapter 4, part 2, and the provisions of Title 40, chapter 4, part 2, apply to [section 1].

-END-

## 1 HOUSE BILL NO. 253

2 INTRODUCED BY BARNHART, HARPER, RYAN, KEATING, BOHLINGER, ECK, L. SMITH, TUSS,  
3 WENNEMAR  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A COURT TO ORDER THE PARTIES IN A  
6 PROCEEDING FOR DISSOLUTION OF MARRIAGE INVOLVING MINOR CHILDREN TO ATTEND AN  
7 EDUCATIONAL PROGRAM CONCERNING THE EFFECTS OF DISSOLUTION OF MARRIAGE ON CHILDREN."  
8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
10

11 NEW SECTION. Section 1. Court-ordered educational program on effects of dissolution of  
12 marriage on children. (1) In a proceeding for dissolution of marriage involving a minor child or in a custody  
13 modification proceeding involving a minor child, a court ~~may on its own motion order~~ SHALL INFORM the  
14 parties, excluding the minor child, ~~to attend an~~ OF AVAILABLE educational ~~program~~ PROGRAMS  
15 concerning the effects of dissolution of marriage on children AND, if the court finds that it would be in the  
16 best interest of the minor child, MAY ORDER THE PARTIES TO ATTEND A PROGRAM. The program may  
17 be divided into sessions, which in the aggregate may not exceed 4 hours in duration. The program must  
18 be educational in nature and may not be designed for individual therapy.

19 (2) Any facts presented at an educational session resulting from a referral under this section may  
20 not be considered in a dissolution of a marriage or a custody modification proceeding, nor may a report  
21 resulting from an educational session become part of the record of the dissolution or proceeding unless the  
22 parties have stipulated in writing to the contrary.

23 (3) The fees or costs of an educational session under this section must be borne by the parties  
24 and may be assessed by the court in an equitable manner.  
25

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27 integral part of Title 40, chapter 4, part 2, and the provisions of Title 40, chapter 4, part 2, apply to  
28 [section 1].  
29

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11 **NEW SECTION. Section 1. Court-ordered educational program on effects of dissolution of marriage**  
12 **on children.** (1) In a proceeding for dissolution of marriage involving a minor child or in a custody  
13 modification proceeding involving a minor child, a court ~~may on its own motion order~~ **SHALL INFORM** the  
14 parties, excluding the minor child, ~~to attend an~~ **OF AVAILABLE educational program PROGRAMS** concerning  
15 the effects of dissolution of marriage on children **AND**, if the court finds that it would be in the best interest  
16 of the minor child, **MAY ORDER THE PARTIES TO ATTEND A PROGRAM.** The program may be divided into  
17 sessions, ~~which in the aggregate may not exceed 4 hours in duration.~~ The program must be educational  
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29 -END-

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Court-ordered educational program on effects of dissolution of marriage on children.** (1) In a proceeding for dissolution of marriage involving a minor child or in a custody modification proceeding involving a minor child, a court ~~may on its own motion order~~ **SHALL INFORM** the parties, excluding the minor child, ~~to attend an~~ **OF AVAILABLE educational program PROGRAMS** concerning the effects of dissolution of marriage on children **AND**, if the court finds that it would be in the best interest of the minor child, **MAY ORDER THE PARTIES TO ATTEND A PROGRAM**. The program may be divided into sessions, ~~which in the aggregate may not exceed 4 hours in duration~~. The program must be educational in nature and may not be designed for individual therapy.

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