

Sixty-second  
Legislative Assembly  
of North Dakota

**SENATE BILL NO. 2367**

Introduced by

Senators Larsen, Sitte, Wanzek

Representatives Grande, Koppelman, Ruby

1 A BILL for an Act to create and enact a new section to chapter 14-05 of the North Dakota  
2 Century Code, relating to a waiting period for divorce and to mandatory marital counseling.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new section to chapter 14-05 of the North Dakota Century Code is created  
5 and enacted as follows:

6 **Divorce proceeding - Waiting period - Mandatory marital counseling.**

- 7 1. In an action for divorce which includes the issue of parental rights and responsibilities  
8 and which does not include substantiated allegations of domestic abuse, the court  
9 may not issue a final order for at least twelve months from the date of the filing of the  
10 petition.
- 11 2. Within the twelve-month waiting period, the adult parties to the action shall participate  
12 jointly or separately in at least ten 1-hour marital counseling sessions. The marital  
13 counseling, which may be provided by a paid or volunteer counselor, clergy member,  
14 or any state-certified or licensed marriage mediator, must include at least four  
15 sessions that focus on postmarital financial planning.
- 16 3. The court may not require both parents to attend the same course at the same time.  
17 Each party shall arrange for participation in the marital counseling sessions. The  
18 parties are responsible for the fees or costs of the marital counseling sessions. The  
19 court may assess the counseling fees or costs as the court deems equitable.
- 20 4. A final decree may not be granted or a final order may not be entered until each party  
21 submits to the court certification of completion of the marital counseling.