Fifty-seventh Legislative Assembly of North Dakota

HOUSE CONCURRENT RESOLUTION NO. 3054

Introduced by

20

21

22

23

the Fifty-eighth Legislative Assembly.

Representatives Devlin, Price, Severson, Weisz Senators Fischer, Lee

1 A concurrent resolution directing the Legislative Council to study the impact on domestic 2 relations law of using the term "parental responsibility" in lieu of "custody" and "parenting time" 3 in lieu of "visitation". 4 WHEREAS, more than half of all civil actions filed in district courts involve domestic 5 relations cases, including divorce, separation, custody proceedings, support actions, adoptions, 6 and paternity proceedings; and 7 WHEREAS, the existing judicial system provides for an adversarial proceeding for 8 domestic relations cases which often compounds the negative impact of family dissolutions; 9 and 10 WHEREAS, state law provides that a mother and father have equal rights with regard to 11 the care, custody, education, and control of the children of the marriage; and 12 WHEREAS, the concept of mutual parental responsibility should be encouraged; and 13 WHEREAS, typically, the most acrimonious portion of a divorce proceeding involves the 14 custody and visitation issues; and 15 WHEREAS, as used in domestic relations law, the terms "custody" and "visitation" have 16 the effect of alienating parties; 17 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN: 18 19 That the Legislative Council study the impact on domestic relations law of using the

term "parental responsibility" in lieu of "custody" and "parenting time" in lieu of "visitation"; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and

recommendations, together with any legislation required to implement the recommendations, to