

HOUSE BILL NO. 1258

Introduced by

Representatives Sandvig, Callahan, Kempenich

Senators Lindaas, Nalewaja, Watne

1 A BILL for an Act to create and enact three new sections to chapter 14-05 of the North Dakota
2 Century Code, relating to parenting education before a divorce.

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
5 created and enacted as follows:

6 **Divorce proceeding - Waiting period - Mandatory parenting education.** In an action
7 for divorce which involves the issue of child custody or visitation, the district court may not issue
8 a final order for at least ninety days from the date of filing the petition. The ninety-day period
9 may be waived by the court for good cause shown and without objection by either party. Within
10 the ninety-day waiting period, the adult parties to the action shall participate in a court-approved
11 parenting education course. A final decree may not be granted or a final order may not be
12 entered until the parties have participated in the course. A party who has a demonstrable
13 history of domestic violence must be ordered to participate in a parenting education course that
14 includes education regarding domestic violence, its prevention, and its effect upon a child. The
15 court may waive or delay participation in a parenting education course for good cause, including
16 a default by any of the parties. Participation in the course is not required if the proceeding
17 involves termination of parental rights of any of the parties.

18 **SECTION 2.** A new section to chapter 14-05 of the North Dakota Century Code is
19 created and enacted as follows:

20 **Parenting education course requirements - Fees - Exceptions - Rulemaking**
21 **authority.**

22 1. Each judicial district shall certify approved parenting education courses for those
23 parties required to participate in this type of course. An approved course may be
24 provided by a public or private entity. The parenting education course, in order to

1 be approved by the court, must consist of at least four hours of instruction and, at a
2 minimum, provide instruction regarding the following issues:

- 3 a. Information on the developmental stages of a child;
- 4 b. Adjustment of a child to parental separation;
- 5 c. Dispute resolution and conflict management;
- 6 d. Guidelines for visitation;
- 7 e. Stress reduction in children; and
- 8 f. Cooperative parenting.

9 2. The court may not require both parents to attend the same course at the same
10 time.

11 3. Each party shall arrange for participation in the course. The parties are
12 responsible for the fees or costs of the course. The court may assess the fees or
13 costs as the court deems equitable. If the court determines that both parents are
14 indigent, the court may not impose the cost of the course on the parents.

15 4. Each party shall submit certification of completion of the course to the court before
16 the court grants a final decree or entry of an order.

17 **SECTION 3.** A new section to chapter 14-05 of the North Dakota Century Code is
18 created and enacted as follows:

19 **Supreme court - Rulemaking authority.** The supreme court may adopt rules to
20 implement this Act.