

**Fifty-seventh Legislative Assembly of North Dakota
In Regular Session Commencing Tuesday, January 9, 2001**

HOUSE CONCURRENT RESOLUTION NO. 3054
(Representatives Devlin, Price, Severson, Weisz)
(Senators Fischer, Lee)

A concurrent resolution directing the Legislative Council to study the impact on domestic relations law of using the term "parental responsibility" in lieu of "custody" and "parenting time" in lieu of "visitation".

WHEREAS, more than half of all civil actions filed in district courts involve domestic relations cases, including divorce, separation, custody proceedings, support actions, adoptions, and paternity proceedings; and

WHEREAS, the existing judicial system provides for an adversarial proceeding for domestic relations cases which often compounds the negative impact of family dissolutions; and

WHEREAS, state law provides that a mother and father have equal rights with regard to the care, custody, education, and control of the children of the marriage; and

WHEREAS, the concept of mutual parental responsibility should be encouraged; and

WHEREAS, typically, the most acrimonious portion of a divorce proceeding involves the custody and visitation issues; and

WHEREAS, as used in domestic relations law, the terms "custody" and "visitation" have the effect of alienating parties;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

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 the Fifty-eighth Legislative Assembly.

Speaker of the House

President of the Senate

Chief Clerk of the House

Secretary of the Senate

Filed in this office this _____ day of _____, 2001,
at _____ o'clock _____ M.

Secretary of State