

HOUSE CONCURRENT RESOLUTION NO. 3054

Introduced by

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**
18 **OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

19 That the Legislative Council study the impact on domestic relations law of using the
20 term "parental responsibility" in lieu of "custody" and "parenting time" in lieu of "visitation"; and

21 **BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and
22 recommendations, together with any legislation required to implement the recommendations, to
23 the Fifty-eighth Legislative Assembly.