

HOUSE BILL NO. 477

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE KOTT

Introduced: 2/7/96

Referred: Health, Education and Social Services, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to mandatory educational courses for parents who seek a divorce
2 or dissolution."

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 * **Section 1.** AS 25.24 is amended by adding a new section to read:

5 Sec. 25.24.920. EDUCATIONAL COURSES FOR PARENTS WHO SEEK
6 A DIVORCE OR DISSOLUTION OF MARRIAGE. As a condition of granting a
7 decree of divorce or dissolution, a court shall require that parties who have minor
8 children must present evidence that they have attended and completed an educational
9 course administered under (c) of this section that instructs the parties about divorce or
10 dissolution, as appropriate, and

11 (1) its potential effects on their children;

12 (2) its potential effects on their family relationships; and

13 (3) the parties' financial responsibilities for their children.

14 (b) A court, on its own motion or on the motion of one of the parties, may

1 waive the requirement in (a) of this section for a particular party or for the parties in
2 a particular action if the court determines that course attendance and completion are
3 not necessary, appropriate, feasible, or in the best interest of the parties.

4 (c) The administrative director of courts shall administer the course required
5 under (a) of this section through contracts with public or private entities. The contract
6 must provide for the recoupment of administrative expenses through the costs charged
7 to individual parties under (d) of this section.

8 (d) Except as provided in (e) of this section, each party ordered to attend an
9 educational course under this section shall bear the expense of the course and, in
10 addition, pay a fee determined by the court system to be sufficient to cover the
11 administrative expenses of the administrative director of courts under (c) of this
12 section.

13 (e) A party who is unable to pay the costs imposed under (d) of this section
14 may attend the required course without payment upon a prima facie showing of
15 inability to pay as evidenced by an affidavit of inability to pay that must be filed with
16 the court. In those situations, the contractor shall be reimbursed for its costs by the
17 court, subject to the availability of appropriations for this purpose. Before a decree
18 of divorce or dissolution may be granted in an action governed by this section, the
19 court shall make a final review and determination of the ability of a party to pay for
20 the costs imposed under (d) of this section and may order the payment of the costs by
21 a person who filed an affidavit of inability to pay under this subsection if the court
22 determines at the final review that the person is able to pay the costs.

23 * **Sec. 2. APPLICABILITY.** The requirements of this Act apply to actions for divorce or
24 dissolution that are filed on or after the effective date of this Act.