

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 31

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO DIVORCE; AMENDING SECTION 32-716, IDAHO CODE, TO REVISE A PROVI-
2 SION REGARDING WHEN A FINAL DECREE SHALL BE ENTERED.
3

4 Be It Enacted by the Legislature of the State of Idaho:

5 SECTION 1. That Section 32-716, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 32-716. RECONCILIATION PROCEEDINGS. No hearing on the merits upon
8 grounds for divorce shall be held in any action for divorce, and no final de-
9 cree of a court of competent jurisdiction shall be entered in any such case,
10 except as hereinafter provided, until at least twenty-one (201) days after
11 the commencement of the action and service of process. During such period of
12 twenty-one (201) days, or at any time subsequent and prior to entry of final
13 decree therein, the court, upon application of one (1) of the parties, may
14 require a conference of the parties with a person or persons of his choos-
15 ing, or persons selected by the court, in order to determine whether or not a
16 reconciliation between the parties is practicable; provided, however, that
17 nothing herein shall prevent the court from making such interim orders as may
18 be just and equitable; provided, further, that nothing herein shall prevent
19 the court from proceeding to try the matter on the merits and enter a final
20 decree of divorce upon the agreement of both parties and with both parties
21 present in person or represented by counsel at such trial.

22 In any action of divorce where grounds for divorce have been estab-
23 lished, if the court finds that attempts at reconciliation are practicable
24 and to the best interest of the family, the court may stay the proceedings for
25 a period not to exceed ninety (90) days where there are minor children in the
26 family.

27 The reconciliation procedures herein provided shall not be construed
28 as a condonation on the part of either spouse of acts that may constitute
29 grounds for divorce.