

House Engrossed

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

HOUSE BILL 2650

AN ACT

AMENDING SECTIONS 25-351 AND 25-381.18, ARIZONA REVISED STATUTES; RELATING TO
DOMESTIC RELATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 25-351, Arizona Revised Statutes, is amended to
3 read:

4 25-351. Domestic relations education; plan; administration

5 A. ~~On or before January 1, 1997,~~ The superior court in each county
6 shall adopt and implement an educational program for the purpose of educating
7 persons about the ~~impacts that~~ IMPACT OF divorce, ~~the restructuring of~~
8 ~~families and judicial involvement have~~ on ADULTS AND children.

9 B. The supreme court shall adopt minimum standards for educational
10 programs. The presiding judge of the superior court in each county shall
11 submit an educational program plan to the supreme court for approval. The
12 plan shall be consistent with the minimum standards that are adopted by the
13 supreme court, including the length and nature of the program, the
14 qualifications of program providers and the means by which the program will
15 be evaluated and maintained. BEGINNING JANUARY 1, 2012, THESE STANDARDS
16 SHALL REQUIRE THAT EDUCATIONAL PROGRAMS AT A MINIMUM INCLUDE INSTRUCTION
17 RELATED TO ALL OF THE FOLLOWING:

18 1. THE EMOTIONAL, PSYCHOLOGICAL, FINANCIAL, PHYSICAL AND OTHER
19 SHORT-TERM AND LONG-TERM EFFECTS OF DIVORCE ON ADULTS AND CHILDREN.

20 2. OPTIONS AVAILABLE AS ALTERNATIVES TO DIVORCE.

21 3. RESOURCES AVAILABLE TO IMPROVE OR STRENGTHEN MARRIAGE.

22 4. THE LEGAL PROCESS OF DIVORCE AND OPTIONS AVAILABLE FOR MEDIATION.

23 5. RESOURCES AVAILABLE AFTER DIVORCE.

24 C. The presiding judge of the superior court or a judge who is
25 designated by the presiding judge shall administer the program in each county
26 and may provide or contract with political subdivisions in this state or
27 private entities to provide the program to participants who are required to
28 attend.

29 Sec. 2. Section 25-381.18, Arizona Revised Statutes, is amended to
30 read:

31 25-381.18. Dissolution of marriage; legal separation;
32 annulment; stay of right to file; jurisdiction for
33 pending actions

34 A. During a period beginning on the filing of a petition for
35 conciliation and continuing until sixty days after the filing of the petition
36 for conciliation, neither spouse shall file any action for annulment,
37 dissolution of marriage or legal separation, and, on the filing of a petition
38 for conciliation, proceedings then pending in the superior court are stayed
39 and the case shall be transferred to the conciliation court for hearing and
40 further disposition as provided in this article. All restraining, support,
41 maintenance or custody orders issued by the superior court remain in full
42 force and effect until vacated or modified by the conciliation court or until
43 they expire by their own terms.

44 B. IF EITHER PARTY WANTS TO EXTEND THE STAY UNDER SUBSECTION A, THAT
45 PARTY SHALL FILE A PETITION WITH THE COURT STATING THE BASIS FOR THE

1 EXTENSION, WHICH MAY INCLUDE A PLAN FOR RECONCILIATION OR A COUNSELING
2 SCHEDULE. THE COURT SHALL GRANT AN EXTENSION OF UP TO ONE HUNDRED TWENTY
3 DAYS UNLESS THE OTHER PARTY ESTABLISHES GOOD CAUSE FOR PROCEEDING WITHOUT
4 DELAY.

5 ~~B.~~ C. If, however, after the expiration of the period prescribed in
6 subsection A AND ANY EXTENSION GRANTED UNDER SUBSECTION B, the controversy
7 between the spouses has not been terminated, either spouse may institute
8 proceedings for annulment of marriage, dissolution of marriage or legal
9 separation by filing in the clerk's office additional pleadings complying
10 with the requirements relating to annulment of marriage, dissolution of
11 marriage or legal separation, respectively, or either spouse may proceed with
12 the action previously stayed, and the conciliation court has full
13 jurisdiction to hear, try and determine the action for annulment of marriage,
14 dissolution of marriage or legal separation and to retain jurisdiction of the
15 case for further hearings on decrees or orders to be made. The conciliation
16 provisions of this article may be used in regard to postdissolution problems
17 concerning maintenance support, parenting time or contempt or for
18 modification based on changed conditions in the discretion of the
19 conciliation court.

20 ~~C.~~ D. On the filing of an action for annulment, dissolution of
21 marriage or legal separation and after the expiration of sixty days from the
22 service or the acceptance of service of process on or by the defendant,
23 neither spouse without the consent of the other may file a petition invoking
24 the jurisdiction of the conciliation court, as long as the domestic relations
25 case remains pending, unless it appears to the court that the filing will not
26 delay the orderly processes of the pending action, in which event the court
27 may accept the petition and the filing of the petition has the same effect as
28 the filing of any such petition within such sixty days after the service or
29 acceptance of process.