HOUSE . . . . No. 1312

The Commonwealth of Massachusetts

_____

PRESENTED BY:

Sean Garballey, (BY REQUEST)

_____

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing the child's voice in family courts.

_____

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Jack Libresco	_52 Huntington Rd. Arlington, MA 02474_	_1/15/2015_

HOUSE . . . . No. 1312

By Mr. Garballey of Arlington (by request), a petition (accompanied by bill, House, No. 1312) of Jack Libresco relative to the preferences of the child in divorce proceedings. The Judiciary.

The Commonwealth of Massachusetts

_____

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

_____

An Act establishing the child's voice in family courts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1   SECTION 1. Section 31 of chapter 208 of the General Laws as appearing in the 2014

2 Official Edition, is hereby amended by inserting after the word "health" in line 19 the following

3 paragraph:

4   When the child turns 12, the court must include in its judgment the child's preferences.

5 The court shall grant the child the option to give both oral and written testimony before a judge

6 as a witness in court or in the judge's chambers, or through a representative such as attorney for

7 the child, or Guardian ad Litem regarding what the child determines to be in his or her own best

8 interest.

9   SECTION 2. Section 31 of chapter 208 of the General Laws as appearing in the 2014

10 Official Edition, is hereby amended by inserting after the word "determined" in line 42 the

11 following sentence:

12   When the child turns 12, the shared custody implementation plan shall also include the

13 child's preferences on the length and frequency of visits and the dates on which visits occur.