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Governor's domestic relations committee report

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FOR IMMEDIATE RELEASE

Changes in Montana marriage and divorce laws were recommended in a 38-page report submitted to Gov. Tim Babcock Tuesday by the Governor's Committee on Domestic Relations. The recommendations are, according to the committee, "a beginning in what should be, over the next few years, a complete evaluation and modification of Montana family law."

The committee, headed by Dean Robert E. Sullivan of the Montana State University Law School, recommends abolition of contract and common law marriages, tightening of restrictions on teenage marriages, adoption of a statewide uniform marriage application form and refusal of a marriage license to applicants under the influence of intoxicants or narcotics.

The report asks for a compulsory 30-day "cooling off" period between the filing of a divorce action and the hearing by the district court and for a compulsory six-month waiting period between divorce and remarriage. It also recommends bringing Montana law into line with that of most other states by making the father legally responsible for the support of an illegitimate child.

The committee agrees with the State Department of Public Instruction that young people should receive education for marriage and family responsibility, that such a course should not be compulsory, should be taught by skilled people, and should not include sex instruction.

Committee recommendations are taken from existing laws of other jurisdictions, Dean Sullivan said. Many of the recommendations are new to Montana, but they have been tested and proved effective elsewhere, he pointed out.

(more)
Establishment of the committee was requested by a Montana Senate resolution of February 1961. The committee, appointed by Gov. Donald Nutter, was organized in October 1961. Since the Legislature made no provision for financing its work, members have served without reimbursement.

Serving on the committee with Dean Sullivan were Rev. Edward E. Courtney, Rev. James J. Flynn, Dr. Betty S. Gilson, Judge L. C. Gulbrandson, Patrick F. Hooks, Rabbi Samuel Horowitz, Rev. Alvin J. House, Judge LeRoy L. McKinnon, Rev. Walter J. Moris, Mrs. Walter Needham, Dr. Richard L. Peterson, George P. Sarsfield and Mrs. Kathryn K. Sinclair. Mrs. Bess Reed and Edward Schiller were consultants to the committee.

The committee's studies were made in five general areas: Marriage, divorce, annulment, support and determination of parentage of illegitimate children, and education in the high school for family responsibility. A summary of committee recommendations in these areas follows: