

House Study Bill 4

Conference Committee Text

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1 1 Section 1. Section [598.8](#), Code 1995, is amended to read as
1 2 follows:
1 3 598.8 HEARINGS.
1 4 1.

~~Hearings~~

~~Except as otherwise provided in subsection 2,~~

1 5 hearings for dissolution of marriage shall be held in open
1 6 court upon the oral testimony of witnesses, or upon the
1 7 depositions of such witnesses taken as in other equitable
1 8 actions or taken by a commissioner appointed by the court.
1 9

~~However, the~~

~~The court may in its discretion close the~~

1 10 hearing. Hearings held for the purpose of determining child
1 11 custody may be limited in attendance by the court.

1 12 2. The court may enter a decree of dissolution without a
1 13 hearing if all of the following conditions have been met:

1 14 a. The parties have certified in writing that there has
1 15 been a breakdown of the marriage relationship to the extent
1 16 that the legitimate objects of matrimony have been destroyed
1 17 and there remains no reasonable likelihood that the marriage
1 18 can be preserved.

1 19 b. All documents required by the court and by statute have
1 20 been filed.

1 21 c. The parties have entered into a written agreement
1 22 settling all of the issues involved in the dissolution of
1 23 marriage.

1 24 EXPLANATION

1 25 This bill permits the court to enter an order for
1 26 dissolution of marriage without a hearing if the parties to
1 27 the dissolution have certified in writing that there has been
1 28 a breakdown in the marriage relationship, if all required
1 29 documents have been filed, and if the parties have entered
1 30 into a written agreement settling all of the issues involved
1 31 in the dissolution of marriage.

1 32 The court currently must hold a dissolution of marriage
1 33 hearing but may close or limit attendance at certain hearings.

1 34 LSB 1028HH 76

1 35 lh/cf/24