

SENATE CONCURRENT RESOLUTION NO. 107

BY SENATOR MIZELL AND REPRESENTATIVES AMEDEE, EDMONDS AND GAROFALO

A CONCURRENT RESOLUTION

To create the Task Force on Benefits of Marriage and Incentives for Premarital Counseling and Pre-Divorce Counseling to study the benefits of marriage and the possible incentives to promote premarital counseling and pre-divorce counseling and to make policy recommendations to the legislature.

WHEREAS, according to an article in the *Wall Street Journal*, the 2016 Census data evidences the fact that Louisiana has the fourth highest divorce rate in the country; and

WHEREAS, the high divorce rate and children born to parents without the benefit of marriage contributes, in part, to the fact that forty-four percent of Louisiana children live in single-parent households in 2019; and

WHEREAS, increased divorce correlates to an increase in poverty for women and children with the average household income after divorce dropping forty percent for women and children, according to the Marriage and Religion Research Institute; and

WHEREAS, an increase in divorce rates has brought about increased budgetary issues for the state of Louisiana, and a 2008 study published by the Institute for American Values estimated that, at that time, Louisiana incurred about six hundred seventy million dollars each year in state and local government spending on family fragmentation costs; and

WHEREAS, in a joint report in late 2015 from Princeton University and the Brookings Institute's David Ribar from the University of Melbourne, it states "Reams of social science and medical research convincingly show that children who are raised by their married, biological parents enjoy better physical, cognitive and emotional outcomes, on average, than children raised in other circumstances. ...[R]esearchers have been able to make a strong case that marriage has causal impacts on outcomes such as children's schooling, their social and emotional adjustment, and their employment, marriage and mental health as adults."; and

WHEREAS, as cited in a study published by Brigham Young University, ninety-two

percent of couples believe that marriage preparation is important and that same publication indicated that couples who participate in premarital counseling experience a thirty percent higher marital success rate than those who do not participate in premarital counseling; and

WHEREAS, the Family Court Review published 2011 research which revealed that couples already in the divorce process indicated that twenty-five percent of the time married parents of minor children believed that the marriage could be saved and more than thirty-three percent indicated that they had an interest in reconciling the marriage; and

WHEREAS, if premarital and pre-divorce counseling results in just a thirty-three percent reduction in divorce, a savings of about two hundred twenty-three million dollars each year would be saved by the taxpayers of the state of Louisiana; and

WHEREAS, also if premarital and pre-divorce counseling would result in just a thirty-three percent reduction in divorce, an estimated five thousand Louisiana children each year would be spared the devastation of a broken family; research shows children of divorce are more than two times as likely as the children of intact biological families to suffer serious social, emotional, educational, behavioral, and psychological troubles; and

WHEREAS, the Legislature of Louisiana has championed laws which support maintaining the intact family because current law mandates that couples with minor children must wait one year as a cooling-off period before a divorce is granted; and

WHEREAS, states have recognized the benefits of counseling, even if it is limited to parenting classes; some states, including Louisiana, give judges discretion to allow courts to order parenting classes for divorcing couples; and

WHEREAS, according to the National Healthy Marriages Resource Center, at least seven states (Florida, Georgia, Maryland, Minnesota, Oklahoma, Tennessee, and Texas) incentivize premarital counseling and the course lengths vary with a mix of communications, finances, family planning, expectations for the future, personal values, heritage, religion, roles, conflict resolution, and intimacy, and such state incentives also vary as to the course costs and economic incentives; and

WHEREAS, a task force is the best vehicle to study and make recommendations regarding legislation that incentivizes marriage, premarital counseling, and pre-divorce counseling for couples with children, and both would serve as a means to protect children

from the devastation of family fragmentation and as a means of directly impacting the state budget.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana creates the Task Force on Benefits of Marriage and Incentives for Premarital Counseling and Pre-Divorce Counseling to study possible incentives to promote premarital counseling and pre-divorce counseling and to make policy recommendations to the legislature.

THEREFORE, BE IT RESOLVED that the task force shall be comprised of the following members:

- (1) The president of the Senate, or his designee, who shall serve as chairman.
- (2) The speaker of the House of Representatives or his designee.
- (3) The attorney general or his designee.
- (4) The chairman of the Senate Select Committee on Women and Children or her designee.
- (5) The secretary of the Department of Children and Family Services or her designee.
- (6) One member appointed by the Louisiana Baptist Convention, Office of Public Policy.
- (7) One member appointed by the Archdiocese of New Orleans, Office of Marriage and Family Life.
- (8) One member appointed by the Louisiana Family Forum.
- (9) One member who is a family court judge or district court judge who has jurisdiction over divorce matters and who is appointed by the Louisiana District Judges Association.
- (10) The legislative auditor, or his designee, who shall serve as a nonvoting member of the task force.
- (11) The chairman of the Marriage-Persons Committee of the Louisiana State Law Institute or his designee.

BE IT FURTHER RESOLVED that task force members shall serve without compensation or reimbursement of expense, other than what may be afforded by their appointing authority; legislative members of the task force shall receive the same per diem and reimbursement of travel expenses as provided for attendance at legislative committee

meetings under the rules of the respective house in which they serve.

BE IT FURTHER RESOLVED that the names of the appointees and their designees to the task force shall be submitted to the Senate Select Committee on Women and Children by August 15, 2019.

BE IT FURTHER RESOLVED that a majority of the membership of the task force constitutes a quorum and that if all task force members have not been appointed by September 1, 2019, a majority of the appointed membership shall constitute a quorum.

BE IT FURTHER RESOLVED that no later than December 28, 2020, the task force shall prepare a written report of its findings and recommendations to the legislature.

BE IT FURTHER RESOLVED that the Task Force on Benefits of Marriage and Incentives for Premarital Counseling and Pre-Divorce Counseling shall be abolished on December 31, 2020.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES