

2019 Regular Session

SENATE CONCURRENT RESOLUTION NO. 107

BY SENATOR MIZELL

COUNSELING/GUIDANCE. Creates the Task Force on Incentives for Premarital and Pre-Divorce Counseling.

A CONCURRENT RESOLUTION

To create the Task Force on 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.

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 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, 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

1 marital success rate higher than those who do not participate in premarital counseling; and

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

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

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

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

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

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

26 WHEREAS, a task force is the best vehicle to study and make recommendations
27 regarding legislation that incentivizes premarital counseling and pre-divorce counseling for
28 couples with children, and both would serve as a means to protect children from the
29 devastation of family fragmentation and as a means of directly impacting the state budget.

30 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana creates the Task

1 Force on Incentives for Premarital Counseling and Pre-Divorce Counseling to study possible
2 incentives to promote premarital counseling and pre-divorce counseling and to make policy
3 recommendations to the legislature.

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

6 (1) The president of the Senate, or his designee, who shall serve as chairman.

7 (2) The speaker of the House of Representatives or his designee.

8 (3) The attorney general or his designee.

9 (4) The chairman of the Senate Select Committee on Women and Children or her
10 designee.

11 (5) The secretary of the Department of Children and Family Services or her designee.

12 (6) One member appointed by the Louisiana Baptist Convention, Office of Public
13 Policy.

14 (7) One member appointed by the Archdiocese of New Orleans, Office of Marriage
15 and Family Life.

16 (8) One member appointed by the Louisiana Family Forum.

17 (9) One member who is a family court judge or district court judge who has
18 jurisdiction over divorce matters and who is appointed by the Louisiana District Judges
19 Association.

20 (10) The legislative auditor, or his designee, who shall serve as a nonvoting member
21 of the task force.

22 BE IT FURTHER RESOLVED that task force members shall serve without
23 compensation or reimbursement of expense, other than what may be afforded by their
24 appointing authority; legislative members of the task force shall receive the same per diem
25 and reimbursement of travel expenses as provided for attendance at legislative committee
26 meetings under the rules of the respective house in which they serve.

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

30 BE IT FURTHER RESOLVED that a majority of the membership of the task force

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

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

5 BE IT FURTHER RESOLVED that the Task Force on Premarital Counseling and
6 Pre-Divorce Counseling shall be abolished on December 31, 2020.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by Carla S. Roberts.

	DIGEST	
SCR 107 Original	2019 Regular Session	Mizell

Creates the Task Force on 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.