

BARTO FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2650

(Reference to printed bill)

1 Page 1, strike lines 2 through 9

2 Renumber to conform

3 After line 34, insert:

4 "Sec. 2. Section 25-381.18, Arizona Revised Statutes, is amended to  
5 read:

6 25-381.18. Dissolution of marriage; legal separation;  
7 annulment; stay of right to file; jurisdiction  
8 for pending actions

9 A. During a period beginning on the filing of a petition for  
10 conciliation and continuing until sixty days after the filing of the petition  
11 for conciliation, neither spouse shall file any action for annulment,  
12 dissolution of marriage or legal separation, and, on the filing of a petition  
13 for conciliation, proceedings then pending in the superior court are stayed  
14 and the case shall be transferred to the conciliation court for hearing and  
15 further disposition as provided in this article. All restraining, support,  
16 maintenance or custody orders issued by the superior court remain in full  
17 force and effect until vacated or modified by the conciliation court or until  
18 they expire by their own terms.

19 B. IF EITHER PARTY WANTS TO EXTEND THE STAY UNDER SUBSECTION A, THAT  
20 PARTY SHALL FILE A PETITION WITH THE COURT STATING THE BASIS FOR THE  
21 EXTENSION WHICH MAY INCLUDE A PLAN FOR RECONCILIATION OR A COUNSELING  
22 SCHEDULE. THE COURT SHALL GRANT THE EXTENSION OF UP TO ONE HUNDRED TWENTY  
23 DAYS UNLESS THE OTHER PARTY ESTABLISHES GOOD CAUSE FOR PROCEEDING WITHOUT  
24 DELAY.

25 ~~B.~~ C. If, however, after the expiration of the period prescribed in  
26 subsection A AND ANY EXTENSION GRANTED UNDER SUBSECTION B, the controversy  
27 between the spouses has not been terminated, either spouse may institute  
28 proceedings for annulment of marriage, dissolution of marriage or legal  
29 separation by filing in the clerk's office additional pleadings complying  
30 with the requirements relating to annulment of marriage, dissolution of

1 marriage or legal separation, respectively, or either spouse may proceed with  
2 the action previously stayed, and the conciliation court has full  
3 jurisdiction to hear, try and determine the action for annulment of marriage,  
4 dissolution of marriage or legal separation and to retain jurisdiction of the  
5 case for further hearings on decrees or orders to be made. The conciliation  
6 provisions of this article may be used in regard to postdissolution problems  
7 concerning maintenance support, parenting time or contempt or for  
8 modification based on changed conditions in the discretion of the  
9 conciliation court.

10 ~~E~~. D. On the filing of an action for annulment, dissolution of  
11 marriage or legal separation and after the expiration of sixty days from the  
12 service or the acceptance of service of process on or by the defendant,  
13 neither spouse without the consent of the other may file a petition invoking  
14 the jurisdiction of the conciliation court, as long as the domestic relations  
15 case remains pending, unless it appears to the court that the filing will not  
16 delay the orderly processes of the pending action, in which event the court  
17 may accept the petition and the filing of the petition has the same effect as  
18 the filing of any such petition within such sixty days after the service or  
19 acceptance of process."

20 Amend title to conform

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NANCY K. BARTO

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3/18/10  
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