

# Alaska State Legislature

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## Representative Fred Dyson

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### House Approves Legal Separation Bill

#### **HB 196 Lets Couples Split Assets, Set Custody Short of Divorce**

(JUNEAU) – Couples in Alaska having marital problems, but who do not want to divorce, could instead obtain a legal separation under House Bill 196, which passed the House unanimously today.

Rep. Fred Dyson (R-Eagle River) sponsored the bill on behalf of individuals reluctant to divorce due to religious or other reasons, but who need protection from the hazards of legal, financial and parental involvement with a partner having problems. Such problems could include drug or alcohol abuse, criminal activity or domestic violence.

“Unfortunately, not every marriage is a happy one,” said Dyson. “In such cases a legal separation could be very valuable option, allowing space and safety to both partners while they work on their individual and relationship problems separately.”

HB 196 would let couples apply to state courts for a decree of legal separation, under which they could divide their material assets and debts, determine custody of children, and establish other conditions of their separation on an interim or permanent basis.

If the partners decided later to end the marriage, they would have to make a separate petition to the court, and their separation would become part of any divorce or annulment decree. Likewise, if they decided to reconcile, they would have to petition the court to vacate the legal separation decree.

“This is actually a very pro-family piece of legislation, because it provides couples an intermediate step before the irrevocable decision to end a marriage in divorce,” Dyson said.

About 5,500 to 6,000 Alaskans marry each year, and from 3,500 to 4,000 residents divorce each year, according to state records. Based on other states’ experience with legal separations, only about 1 percent of Alaskans seeking divorces will opt instead for separations – but those couples would still enjoy the possibility of reconciliation, he said.

HB 196 moves next to the Senate for consideration.

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