

'No-fault' divorce measure clears Senate subcommittee

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A "no fault" divorce bill passed its first legislative hurdle yesterday when it was approved by a Senate subcommittee without dissent.

The measure deletes the present eight grounds for divorce and replaces them with one — an "irretrievable breakdown of the marriage relationship."

In addition, the bill eliminates a section of the law that requires witnesses to testify in court that one of the partners is responsible for the marriage breakdown.

Many divorce cases now are a "charade" because one partner must blame the other even though both agree that the marriage should be ended amicably, Robert Levy, law professor at the University of Minnesota, told the subcommittee.

He said the no-fault measure will provide "a dignified manner of terminating a marriage" in most cases.

The bill also would erase the term "divorce" from law books, and replace it with "dissolution."

Present grounds for divorce that would be eliminated under the measure are adultery, impotency, a "course of conduct detrimental to the marriage relationship," imprisonment, desertion, habitual drunkenness, commitment to a mental institution and lengthy separation.

Sen. Allan Spear, Minneapolis DFLer and chief

author of the bill, said 10 or 11 states, including Iowa, have a no-fault divorce law similar to the one proposed.

Although no opponents to the bill appeared at yesterday's hearing, Sen. Jerome Blatz, Bloomington conservative and a subcommittee member, said he doesn't think the measure will make much difference in actual practice.

Any couple that wants a divorce can get it despite the required causes now listed in state law, he said.

Spear contended his measure will remove the "sham, acrimony and hypocrisy" now involved in divorce cases in which both partners want to end the marriage.

The measure now goes to the Senate Judiciary Committee.