

HOUSE BILL No. 1684

DIGEST OF INTRODUCED BILL

Citations Affected: IC 31-15-2.

Synopsis: Irretrievable breakdown of marriage. Provides that if the parties to a petition for dissolution of marriage are the parents of one or more minor children for whom the parties have legal and physical custody, and the sole ground for dissolution of the marriage asserted in the petition is irretrievable breakdown of the marriage, a court may enter a dissolution decree only if: (1) at least one party to the petition presents a witness at the final hearing on the petition who testifies to affirm the irretrievable breakdown of the marriage; or (2) the parties can show cause as to why the petition should be granted. Specifies the individuals who may provide testimony as to the irretrievable breakdown of the marriage, and provides that an individual other than a licensed counselor may not have received any form of compensation for acting as a witness.

Effective: July 1, 2025.

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January 21, 2025, read first time and referred to Committee on Judiciary.



First Regular Session of the 124th General Assembly (2025)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1684

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 31-15-2-13 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. **Subject to section**
3 **14.5 of this chapter**, at least sixty (60) days after a petition is filed in
4 an action for dissolution of marriage under section 2 of this chapter, the
5 court may enter a summary dissolution decree without holding a final
6 hearing under this chapter if there have been filed with the court
7 verified pleadings, signed by both parties, containing:
8 (1) a written waiver of final hearing; and
9 (2) either:
10 (A) a statement that there are no contested issues in the action;
11 or
12 (B) a written agreement made in accordance with section 17
13 of this chapter that settles any contested issues between the
14 parties.
15 SECTION 2. IC 31-15-2-14.5 IS ADDED TO THE INDIANA
16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2025]: **Sec. 14.5. (a) This section applies if:**



1 (1) the parties to a petition for dissolution of marriage are the
 2 parents of one (1) or more minor children for whom the
 3 parties have legal and physical custody; and

4 (2) the sole ground for dissolution of the marriage asserted in
 5 the petition under section 5(a)(2)(E) of this chapter is
 6 irretrievable breakdown of the marriage under section 3(1) of
 7 this chapter.

8 (b) A court may enter a dissolution decree with respect to a
 9 petition for dissolution of marriage described in subsection (a) only
 10 if:

11 (1) at least one (1) party to the petition presents a witness at
 12 the final hearing on the petition who testifies to affirm the
 13 irretrievable breakdown of the marriage; or

14 (2) the parties can show cause as to why the petition should be
 15 granted.

16 (c) A court may accept the testimony of any of the following
 17 individuals as a witness for a party under subsection (b)(1):

18 (1) The officiant of the marriage.

19 (2) An individual who was a signed witness to the marriage.

20 (3) A parent or sibling of the party.

21 (4) A friend of the party who has known the party for at least
 22 sixty (60) days.

23 (5) A religious leader with knowledge of the marriage.

24 (6) A licensed counselor with knowledge of the marriage.

25 (d) A court may not accept for purposes of subsection (b)(1) the
 26 testimony of:

27 (1) an attorney representing a party to the petition for
 28 dissolution; or

29 (2) an individual described in subsection (c)(1) through (c)(5)
 30 who has received any form of compensation for acting as a
 31 witness at the final hearing.

32 SECTION 3. IC 31-15-2-15 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) At the final
 34 hearing on a petition for dissolution of marriage the court shall
 35 consider evidence, including:

36 (1) agreements and verified pleadings filed with the court; and

37 (2) if section 14.5 of this chapter applies to the petition:

38 (A) the testimony of witnesses under section 14.5(b)(1) of
 39 this chapter; or

40 (B) the assertion of cause by the parties to the petition
 41 under section 14.5(b)(2) of this chapter.

42 (b) If the court finds that the material allegations of the petition are



- 1 true, the court:
- 2 (1) shall enter a dissolution decree as provided in section 16 of
- 3 this chapter; or
- 4 (2) if the court finds that there is a reasonable possibility of
- 5 reconciliation, may continue the matter and order the parties to
- 6 seek reconciliation through any available counseling.
- 7 ~~(b)~~ (c) At any time forty-five (45) days after the date of a
- 8 continuance:
- 9 (1) either party may move for the dissolution of the marriage; and
- 10 (2) the court may enter a dissolution decree as provided in section
- 11 16 of this chapter.
- 12 ~~(c)~~ (d) If no motion for the dissolution is filed, the matter shall be,
- 13 automatically and without further action by the court, dismissed after
- 14 the expiration of ninety (90) days from the date of continuance.
- 15 SECTION 4. IC 31-15-2-16 IS AMENDED TO READ AS
- 16 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) The court shall
- 17 enter a dissolution decree:
- 18 (1) when the court has made the findings required by section 15
- 19 of this chapter; or
- 20 (2) **if section 14.5 of this chapter does not apply to the petition**
- 21 **for dissolution**, upon the filing of pleadings under section 13 of
- 22 this chapter.
- 23 The decree may include orders as provided for in this article.
- 24 (b) A dissolution decree is final when entered, subject to the right
- 25 of appeal.
- 26 (c) An appeal from the provisions of a dissolution decree that does
- 27 not challenge the findings as to the dissolution of the marriage does not
- 28 delay the finality of the provision of the decree that dissolves the
- 29 marriage, so that the parties may remarry pending appeal.

