

thing that sometimes the two parties would agree that whichever one was being sued for divorce would not challenge it and would just go along with it; but there could be mistreatment, failure to do this duty or that duty associated with marriage, and whatever else was there, but when no-fault came in, the only allegation you have to make is that the marriage is irretrievably broken. It took away a lot of these lurid trials where there was a lot of back and forth accusations, many of them totally untrue, and in the proceedings it was found out they were untrue. So divorce wouldn't be the only basis for a divorce, I mean adultery.

SENATOR WITEK: Well, I am speaking of some of the custody, you know, that is going on, custody battles that are going on, or I guess I am thinking if deserts is the one that, you know, the word in there that you don't like, if you don't like that one word, if you are saying it is not applicable to both individuals in a relationship if we have it written this way, then why don't we just strike out that word instead of taking this out in case...because I think, I am not the only one that is interested in trying to help with this situation, and I do know that there was some big huge court battles way back when, and that is why they went to no-fault divorce, but I am saying I think there is enough body of evidence now, after 20 some years or however long it has been, to say that we might have to go back and revisit some of that no-fault divorce area and cause might be, at least in cases of child custody, some of this might come in handy, and so why should we take it out now?

SENATOR CHAMBERS: The difficulty, Senator Witek, is that even when this was attempted, a charge would be brought, it was difficult to prove that there was sexual intercourse. There was one case where neighbors across the alley literally complained about this woman living with this man in his trailer. They saw her sometimes in a housecoat, sometimes in jeans, and other things, dressed the way a woman should dress. They said when she came outside, she was feeding the ducks and chickens. One woman could look directly from her bathroom into the bedroom of the trailer,...

SENATOR HALL PRESIDING

SENATOR HALL: One minute.

SENATOR CHAMBERS: ...and people gave all this kind of