

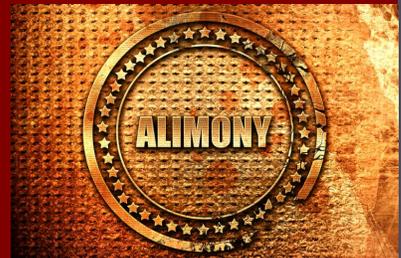


MASS ALIMONY REFORM

Alimony- "The payment of support from an Ex-Spouse with the Ability to Pay to an Ex-Spouse in Need, for a Reasonable Length of Time"

**Mass Alimony Reform
213 Main Street, suite 201
Hudson, Ma 01249**

May 19, 2017



Dear, Jim

**Joint Committee on the
Judiciary**

**Public Hearing Was Held on
Monday, May 15, 2017**



The Joint Committee on the Judiciary was the NEXT and most important step.

The Following is the Massachusetts Legislative Process.

1. Bill Filing Date: Bills must be filed by the 3rd Friday of

January. This session it was January 20, 2017. **Done!**

2. Co-Sponsors: In order for a Bill to get traction, it needs "Co-Sponsors". This session, Senate and House Co-Sponsors can sign on until February 4, 2017 **Done!**

3. Committees:

The Bills are then assigned to a Committee. In the case of our Bill, H 740, was assigned to the Joint Committee on the Judiciary. The Committees are required to hold public hearings on the Bill.

"We had at least 50 people tell their story and testify

" **Done!**

Several highly respected Family Law Attorneys testified in favor of H 740.

Among them was Atty. David Lee and Atty. David Cherney



Atty. David Lee urging the passage of H 740

Greed vs. Need

There were three alimony receivers testifying about the harm that H 740 would do to them if passed. Ironically, after hearing their stories, they were perfect examples of why there are Deviation Factors that a Judge could use to allow for their continued alimony.

In one case, the receiving ex spouse is in her early 70's, working several jobs and doing her best to stay above water. The ex husband retired many years ago and supposedly is doing very well financially. The amount of money paid for alimony per week is by most standards meager. This is not a question of greed, it is a question of need. Although the amount of alimony is a minor amount, it is major to the recipient.

What would you do if you were the Judge??

Alimony - "The payment of support from an Ex-Spouse with the Ability to Pay to an Ex-Spouse in Need, for a Reasonable Length of Time"

More about the Hearing.....

There has been much talk about the article by Louise Sloane in last Sunday's Boston Globe magazine.

The timing was perfect and Louise was at the hearing to testify on the issue of Cohabitation.

Concern about the Constitutionality of H 740.

I was able to deal with the issue by contacting Atty. Carmen Legato. Atty. Legato is an expert on Constitutional Law and is a member of the Washington DC Bar. He has clerked for several Supreme Court Justices and is extremely well respected.

After explaining the issue, he agreed to study the issue and drafted a Memorandum in support of the Constitutionality of H 740. This Memorandum along with other materials was given to the Committee who's members seemed very appreciative.

To all of you who attended and testified, we owe you much gratitude for stepping up to the plate.



Rep. Jim Cantwell, Rep. Sheila Harrington

with Steve Hitner

NEXT.....

4. The Executive Hearing: The Bill then goes to an Executive Hearing where it is recommended to the Clerk one of three things.

- a. The bill ought to pass**
- b. The bill ought not to pass**
- c. The bill ought be put into a study (usually the kiss of death.**

5. Three Readings: If the Bill gets a favorable report, it then goes to a process known as "Three Readings"

6. The First Reading: is by the Branch who sponsored the Bill. In our case, the House. If it gets a favorable vote, it will then go to the Committee on "Steering and Policy" or "Ways and Means".

7. Second Reading: - If the Bill get a Favorable report, it goes to be heard on the Floor. It is here that it is discussed and usually where amendments occur.

8. Third Reading: -If the Bill gets a Favorable report, it goes to the "Committee on Bills" where it is reviewed for technicalities and proper citations. It can again be debated and amended.

9. Engrossed: If released from the Committee on Third Reading, the bill is brought before the membership for debate and a vote on "passage of the bill to be engrossed."

10. If the bill is engrossed: it is sent to the other chamber to repeat the Three Reading process and engrossment.

11. The Governor Signs the Bill into Law.

Remember, "If we let up we lose, and we are not losing because we are not letting up!"

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Your financial support is greatly appreciated!

Feel free to call me or e-mail me with any questions.

Stephen K. Hitner, President, Mass Alimony Reform

Divorce Coach, Consultant, and Mediator

Member, 2011 Alimony Reform Task Force

Member, Massachusetts Council on Family Mediation

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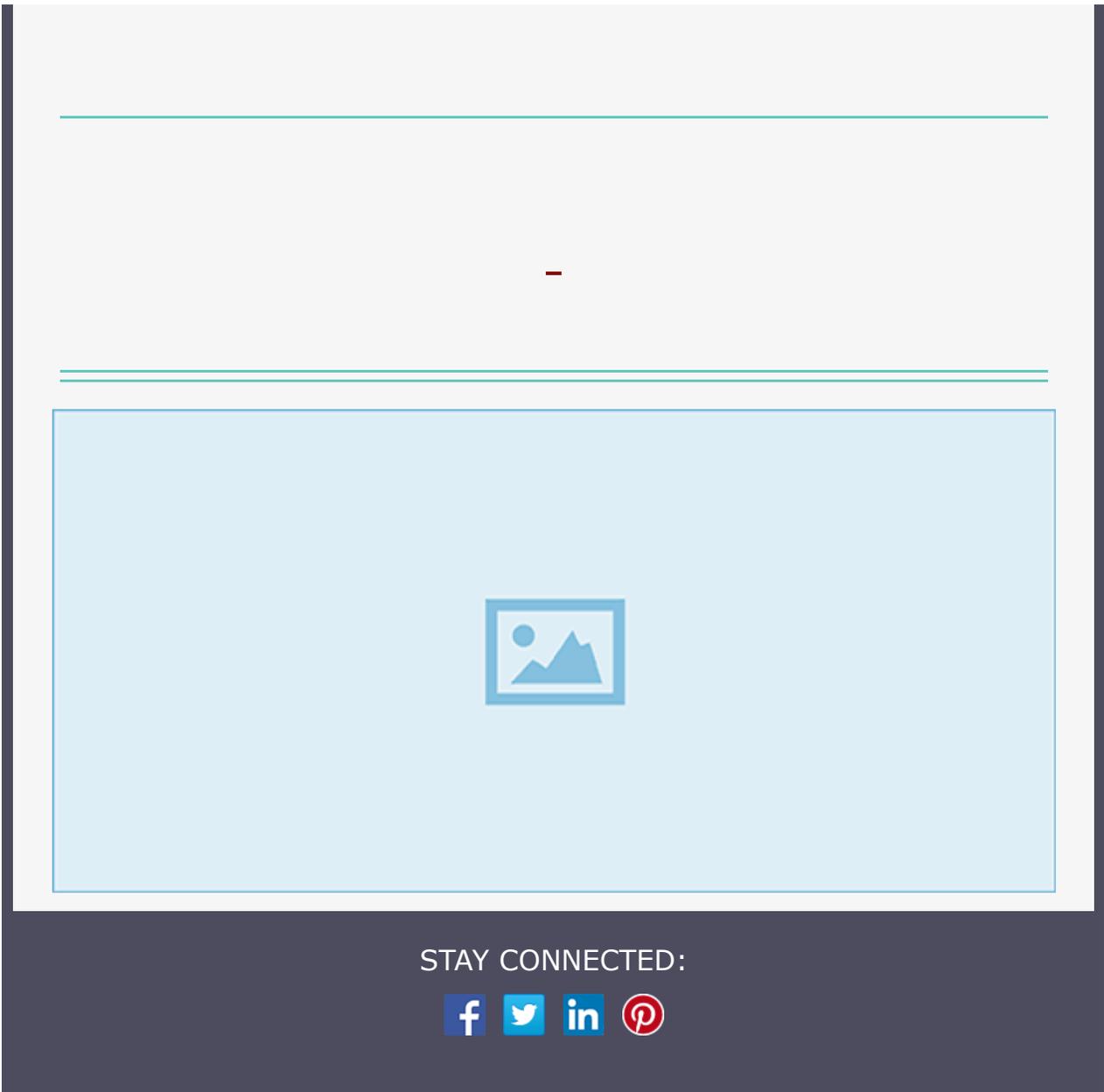
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