

Department of Planning and Budget 2004 Fiscal Impact Statement

1. Bill Number Senate Bill 96

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Jeannemarie Devolites

3. Committee Courts of Justice

4. Title Support orders; portion may be appealed

5. Summary/Purpose: This bill provides that part of a support order of a juvenile and domestic relations district court may be appealed without appealing the entire order and that no appeal bond is required if the finding of a support arrearage is not appealed and support is not suspended during the pendency of the appeal.

6. Fiscal impact is preliminary

Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2003-04	-	-	-
2004-05	\$627,299	-	General Fund
	\$1,217,700		Nongeneral Fund
2005-06	\$627,299	-	General Fund
	\$1,217,700		Nongeneral Fund
2006-07	\$627,299	-	General Fund
	\$1,217,700		Nongeneral Fund
2007-08	\$627,299	-	General Fund
	\$1,217,700		Nongeneral Fund
2008-09	\$627,299	-	General Fund
	\$1,217,700		Nongeneral Fund
2009-10	\$627,299	-	General Fund
	\$1,217,700		Nongeneral Fund

7. Budget amendment necessary: Yes. Item 361.

8. Fiscal implications: Any Juvenile and Domestic Relations Court (JDR) case can be appealed, but only if an appeal bond is posted to ensure child support will be paid if the custodial parent prevails in the appeal. With the passage of Senate Bill 96, the Department of Social Services assumes that the number of appeals will increase dramatically thus requiring the Division of Child Support Enforcement (DCSE) to hire additional attorneys, court specialists and administrative staff to cover the overflow of cases from JDR.

In 2003, there were 56,097 show cause hearings in juvenile court. Of these cases, 90 percent resulted in convictions and 3.9 percent of the cases were appealed to the circuit court. The department estimates that this legislation would cause that number to increase to 50 percent of the cases (or about 25,000). The current legal costs for DCSE is approximately \$4.1

million each year or about \$73 per hearing. Assuming a proportionate increase in legal expenditures to the number of additional cases, DCSE would require an additional \$1.8 million each year. This would require \$627,299 general fund to match federal IV-D reimbursement of \$1,217,700 per year.

9. Specific agency or political subdivisions affected:

Department of Social Services
Department of Juvenile Justice

10. Technical amendment necessary: None

11. Other comments: None

Date: 01/16/04 / kwm

Document: G:\2004 Fiscal Year\Efis\Sb96.Doc

cc: Secretary of Health and Human Resources