Department of Planning and Budget
2014 Fiscal Impact Statement

1. **Bill Number:** HB438

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

2. **Patron:** LeMunyon

3. **Committee:** House Appropriations

4. **Title:** Petition for child custody or visitation.

5. **Summary:** Provides that issues of child custody or visitation may be included in a single petition in juvenile and domestic relations district court, and that such issues may be included in a single petition involving two or more children, if such children have the same parents or legal guardians. The bill also provides that if a person, agency, or institution is authorized to inspect the case files relating to any juvenile subject to such a petition, the person, agency, or institution may inspect the entire case file related to the petition. The bill further provides that the court records in a case where a single petition for multiple children has been filed will be expunged after the youngest child subject to the petition has reached 19 years of age and five years have elapsed since the last hearing in the case.

6. **Budget Amendment Necessary**: Yes, Item 41

7. **Fiscal Impact Estimates:** Preliminary

    7a. Expenditure Impact:

Fiscal Year	Dollars	Fund
2015	$315,000	General Fund

8. **Fiscal Implications:** This legislation would likely decrease the number of separate petitions resulting in the filing of consolidated petitions. These consolidated petitions would be more complex with multiple children and multiple discrete legal issues. According to the Office of the Executive Secretary of the Supreme Court (OES), the increased complexity of the petitions will require extensive programming changes to the court system's automated case management system ("CMS"). This assessment is based on the required change from a legal proceeding-based system to a family-based system capable of handling these new consolidated petitions.

    The programming changes would consist of changes to existing user interface screens, database architecture, system functionality, batch reports, and various other associated systems. Consolidated petitions will associate much more data with a single case than is possible in the current database. Since modifying existing tables to handle the additional information would introduce an excessive level of risk to other areas of CMS, much of the

case information associated with consolidated petitions will be stored in a new set of tables within that database.

Having cases stored in a new area of the database means many other areas of the CMS application must be modified to account for the cases in those tables. Some areas of existing functionality of CMS that must be changed to handle the consolidated petitions include searches for parties' names, case numbers or attorneys, the means by which these proceedings generate either initial pleadings for service or subsequent form pleadings or orders, the creation of docket information and the transmission of case data from juvenile and domestic relations court to circuit court when cases are appealed. It is estimated that the reprogramming of CMS required by this legislation will cost $315,000.

9. **Specific Agency or Political Subdivisions Affected:** Courts

10. **Technical Amendment Necessary:** No

11. **Other Comments:** Same as HB250