

Department of Planning and Budget

2016 Fiscal Impact Statement

1. Bill Number: SB173

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

2. Patron: Surovell

3. Committee: Senate Committee for Courts of Justice

4. Title: Petition for child custody or visitation

5. Summary: The bill 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 40

7. Fiscal Impact Estimates: Preliminary (see Item #8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), managing consolidated petitions would be considerably more complex than the current custody and visitation petitions because a single petition would encompass multiple children and multiple discrete legal issues. The case management system (“CMS”) currently used by courts would require extensive programming changes because the current system is a legal case-based system whereas the provisions of this bill would necessitate the implementation of a family-based system. The programming changes required would include changes to existing user interface screens, database architecture, system functionality, batch reports and various other associated systems. In order to integrate consolidated petition modules without compromising existing data tables, OES would need to create a new set of tables within the database. The estimated fiscal impact of this proposed legislation on the OES is a one-time cost \$481,000.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: According to OES, a delayed effective date of one year (July 1, 2017) will be necessary to allow time to undertake the reprogramming, clerk staff training and other administrative tasks associated with this change in case processing.

11. Other Comments: None