Department of Planning and Budget
2016 Fiscal Impact Statement

1. **Bill Number:** SB77

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

2. **Patron:** Wexton

3. **Committee:** Senate Committee for Courts of Justice

4. **Title:** Filing fees; motions to modify custody or visitation orders

5. **Summary:** Provides for a $25 filing fee for any motion filed in the juvenile and domestic relations district court to modify a custody or visitation order

6. **Budget Amendment Necessary**: No

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

8. **Fiscal Implications**: This bill would extend the current $25 filing fee for petitions in custody and visitation matters to also apply to motions to modify a custody or visitation order. The provision of the bill also states, on line 18-19, "However, only one $25 fee shall be required for all custody and visitation petitions or motions simultaneously initiated by a single petitioner." At this time, it cannot be determined how many motions (or petitions) would be covered by a single fee.

   According to the Office of the Executive Secretary of the Supreme Court of Virginia (OES), there were 123,558 petitions and motions filed in custody and visitation proceedings in juvenile and domestic relations district courts in calendar year 2014. OES estimates 30 percent of these filings were motions (37,067) and 70 percent were petitions (86,491). A number of those petitions were simultaneously initiated by a single petitioner, thus requiring only one fee, while other petitioners were granted in forma pauperis status (and could file without a fee). Therefore, the 86,491 petitions generated $757,802 in filing fees from the $25 filing fee. Since only 35 percent(($757,802/25)/86,491) of petition filings generated fees, if it is assumed that a similar percentage of the motions under the proposal will generate filing fees, the annual revenue impact is estimated to be $324,325.

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

10. **Technical Amendment Necessary:** No

11. **Other Comments:** None