



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [H.B. 121 of the 129th G.A.](#)

**Date:** March 7, 2011

**Status:** As Introduced

**Sponsor:** Rep. Rosenberger

**Local Impact Statement Procedure Required:** No

**Contents:** Child custody and visitation rights of parents called to active military service

### State Fiscal Highlights

- No direct fiscal effect on the state.

### Local Fiscal Highlights

- The divisions of the courts of common pleas with jurisdiction over domestic relations cases may need to expend more time and effort in child custody proceedings where a parent has been called to or is on active military service. This could include additional filings, motions, hearings, and findings and orders, the cost of which will be no more than minimal annually. The number of child custody proceedings that might be affected is expected to be extremely small, especially in the context of the court's overall annual caseload.

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## Detailed Fiscal Analysis

### **Court of common pleas expenditures**

The bill amends existing domestic relations law to require or prohibit certain actions by the court, specifically as it relates to the allocation or modification of parental rights or responsibilities when considering child custody and parenting time orders and one of the parent's has been called to or is on active military service.

As a result of these changes, the division of the court of common pleas with jurisdiction over domestic relations matters may need, in certain circumstances, to schedule additional time for hearings, motions, and the issuance of orders and findings for custody or parenting time order modification cases. Additionally, the disposition of certain matters would likely be delayed, perhaps for a significant amount of time, as the bill requires the court to stay any custody or parenting time order modification proceeding if a parent is unable to participate in the proceedings due to active military status. The court is also required to permit a parent actively serving in the military to participate and present evidence in proceedings via electronic means upon request. The likely fiscal effect of this mix of required, permitted, and prohibited actions on the domestic relations division of individual courts of common pleas will be no more than minimal annually, as the number of child custody proceedings affected would be extremely small in the context of the court's overall caseload.