Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: Am. Sub. H.B. 461 of the 129th G.A. **Date**: November 28, 2012

Status: As Passed by the Senate **Sponsor**: Rep. Stebelton

Local Impact Statement Procedure Required: No

Contents: Collaborative family law process

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- Courts of common pleas may incur a no more than minimal one-time increase in expenditures to establish a collaborative family law process.
- The reduction in the number of motions, hearings, and filings associated with certain family law cases filed in courts of common pleas could result in greater efficiencies and savings for courts, as additional time and effort could be expended on other cases and duties. Additionally, utilization of the process could potentially lead to a minimal reduction in costs associated with handling family law cases.

Detailed Fiscal Analysis

The bill's collaborative family law process could lead to a reduction in the number of motions, hearings, and filings associated with certain family law cases filed in courts of common pleas. These reductions could result in greater efficiencies for courts by reducing the amount of time and other resources expended on the disposition of certain cases thereby allowing additional time and effort to be expended on other cases and the performance of other duties. In addition, the availability and utilization of the process could potentially lead to a minimal reduction in costs for the court associated with handling family law cases. To the extent that a court chooses to utilize the process, some start-up costs could be incurred. These one-time costs, including training for court personnel, are not likely to exceed minimal.

The collaborative family law process is a voluntary alternate legal procedure entered into by both parties. The parties, along with their attorneys, agree to work out the issues involved in their dispute outside the court system and present their agreement to the court for approval. The process is similar to mediation but differs in that there is no neutral third party, or mediator, at the center of the process. Instead, each party is represented by counsel in the resolution of the dispute with the intent to reach an agreed-to petition for dissolution. The collaborative family law process is currently used by courts in several states, including some in Ohio. Codification of the process may lead to a more widespread use.

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