

Legislative Fiscal Bureau

Fiscal Note

HF 22 - Joint Physical Care (LSB 1381 YH)

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Fiscal Note Version — New

Description

House File 22 provides that if the Judicial Branch awards joint legal custody of a child to both parents, then the Court should award joint physical care to both parents as well, unless there is clear and convincing evidence that joint physical care is not in the best interest of the child.

Assumptions

1. House File 22 would increase the amount of time the courts devote to temporary and permanent custody hearings.
2. In calendar year 2002, there were approximately 10,000 dissolutions filed involving children and approximately 2,000 modifications filed involving children.
3. The average amount of time a District Court Judge, court reporter, and court attendant spend on a dissolution case is 103 minutes. This average includes parties with children and those without. The average cost for court time is \$170.
4. House File 22 may require the Child Support Guidelines to be amended to address joint physical care. The Supreme Court is scheduled to review the Guidelines in 2004.
5. The State share of child support collections depends on the amount of child support ordered, collected, and retained by the State on behalf of families on the Family Investment Program (FIP). Over time, if joint physical care is ordered more often, there may be a decrease in child support collections. The State share of child support collections is used to fund FIP assistance.

Fiscal Impact

The fiscal impact for House File 22 cannot be determined. House File 22 could potentially increase the amount of time spent on temporary and permanent custody hearings, which would increase costs associated with the Court. The cost for the Judicial Branch to hear one case is \$170. House File 22 may also result in a decrease in child support collections over time.

Sources

Judicial Branch
Department of Human Services

/s/ Dennis C Prouty

March 19, 2003

The fiscal note and correctional impact statement for this bill was prepared pursuant to Joint Rule 17 and pursuant to Section 2.56, Code of Iowa. Data used in developing this fiscal note and correctional impact statement are available from the Legislative Fiscal Bureau to members of the Legislature upon request.
