



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** [H.B. 467 of the 128th G.A.](#)

**Date:** May 25, 2010

**Status:** As Introduced

**Sponsor:** Reps. Harwood and Blessing

**Local Impact Statement Procedure Required:** No — Minimal cost

**Contents:** Collaborative family law process

### State Fiscal Highlights

- The bill could lead to a no more than minimal annual reduction in locally collected state filing fee revenues deposited in the General Revenue Fund (GRF), as there may be a decrease in the number of family law actions generating fees.

### Local Fiscal Highlights

- Courts of common pleas may incur a no more than minimal one-time expense to establish a collaborative family law process.
- The diversion of family law cases could lead to greater efficiencies and savings, as the availability of this process may permit a court of common pleas to spend additional time on other matters and potentially minimally reduce costs associated with the handling of family law cases.
- If family law cases that would have previously been heard exclusively in the court of common pleas are instead decided as part of a collaborative family law process, then local fees associated with these cases would be reduced. The annual loss in those revenues, which are typically deposited in the county treasury or designated court funds, is expected to be no more than minimal.

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## Detailed Fiscal Analysis

The bill's collaborative family law process will in all likelihood divert some cases from the dockets of the courts of common pleas in Ohio. The diversion of these cases could lead to greater efficiencies and savings, as the availability of this process may permit a court to spend additional time on other matters and potentially minimally reduce costs associated with the handling of family law cases. Creating the collaborative family law process will require some funding for start-up costs to provide training to court personnel, changes to court forms, and so forth. These one-time costs are not expected to exceed minimal.

If these cases that would have previously been heard exclusively in the court of common pleas are instead decided as part of a collaborative family law process, then state and local fees associated with these cases would be reduced. The annual loss in those revenues, which are typically deposited in the state General Revenue Fund (GRF), county treasury, and designated court funds, is expected to be no more than 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 decisions to the court for approval. The process is similar to mediation but differs in that instead of having the mediator working to resolve the dispute with the parties, each party is represented by counsel working to find solutions to the dispute. According to discussions between LSC fiscal staff and court personnel familiar with collaborative family law, the process has over a 90% success rate.