

**Department of Fiscal Services**  
Maryland General Assembly

**FISCAL NOTE**

Senate Bill 367 (Senator Hafer)  
Judicial Proceedings

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**Divorce - Educational Seminar on Effects on Children**

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This bill requires the parties to a divorce action in which issues of child support, custody, or visitation are present to attend an educational seminar designed to educate parents about the effects of a divorce on the lives of children.

The Court of Appeals is required to adopt rules for implementation of the bill which must (1) provide for the content of such seminars; (2) require seminar completion within a certain time; (3) establish sanctions for failure to complete a seminar; and (4) establish a fee to fund the cost of the seminars that must be assessed as costs and may be waived under appropriate circumstances. The rules may not exempt parties if there is evidence of domestic violence.

Information about a party obtained from an educational seminar is not admissible during the action for divorce; parties may not be required to attend seminars together. The bill applies to all divorce actions filed on or after October 1, 1996.

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**Fiscal Summary**

**State Effect:** Indeterminate increase in general fund expenditures and revenues as discussed below.

**Local Effect:** None.

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## **Fiscal Analysis**

**State Revenues:** Revenues derived from the collection of required fees would be used only to cover the costs of the seminars, and would offset expenditures for the seminars in all instances where fees are not waived. Accordingly, revenues are not affected.

**State Expenditures:** Expenditures for the costs of the seminars are not affected due to the offsetting revenues from fees referred to above, unless waivers are granted. The granting of waivers would give rise to greater expenditures than revenues for the seminars. However, the extent of such an imbalance of cost recovery is difficult to quantify in advance of knowing the extent to which waivers are granted.

While the Administrative Office of the Courts (AOC) advises that during fiscal 1995 there were 31,529 cases for divorce and annulment of marriages, it cannot identify the percentage of those cases that involved custody, support, or visitation issues. The AOC further advises that some indeterminate costs would be involved in the exercise of the rule-making authority by the Court of Appeals, and that there may be some costs relating to compliance monitoring, fee collection, "sanction" impositioning, and security in those cases involving domestic violence.

The Department of Fiscal Services advises that in the absence of information regarding the percentage of cases, contested or uncontested, wherein the issues of custody, support, or visitation are present, it is difficult to determine need and thus to project potential administrative/enforcement costs. This department further advises that any projection of such costs is dependent upon the nature and extent of the rules adopted by the Court of Appeals, and thus is not quantifiable at this time.

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**Information Source(s):** Judiciary (Administrative Office of the Courts), Department of Fiscal Services

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