



Colorado Legislative Council Staff Fiscal Note
STATE
FISCAL IMPACT

Drafting Number: LLS 12-0762
Prime Sponsor(s): Rep. Labuda
 Sen. Carroll

Date: February 9, 2012
Bill Status: House Judiciary
Fiscal Analyst: Bill Zepernick (303-866-4777)

TITLE: CONCERNING THE ABILITY OF A COURT TO ENTER A DECREE OF LEGAL SEPARATION IN CERTAIN CIRCUMSTANCES WITHOUT THE APPEARANCE OF THE PARTIES.

Fiscal Impact Summary	FY 2012-2013	FY 2013-2014
State Revenue		
State Expenditures General Fund	Minimal reduction. See State Expenditures section.	
FTE Position Change		
Effective Date: July 1, 2012.		
Appropriation Summary for FY 2012-2013: None required.		
Local Government Impact: None.		

Summary of Legislation

For persons seeking a legal separation who are in a marriage with no children and who have entered into a written agreement on the division of marital property, the bill allows the court to enter a decree of legal separation by affidavit without the appearance of either party. This bill aligns the procedures for legal separation with that of dissolution of marriage.

State Expenditures

The bill is expected to reduce workload in the courts by a small amount. Each year there are about 1,000 legal separation cases. Cases meeting the criteria in the bill for decree by affidavit without the appearance of the parties are expected to make up a small percentage of these total cases. Also, cases meeting the criteria in which parties agree on the terms of separation and with no children typically take very little court time, further limiting the potential time savings to the trial courts. Therefore, no change in appropriations is required at this time.

Departments Contacted

Judicial