

*Colorado Legislative Council Staff Fiscal Note***NO FISCAL IMPACT**

Drafting Number: LLS 14-1026
Prime Sponsor(s): Rep. Court
Sen. Newell

Date: April 3, 2014
Bill Status: House Judiciary
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SHORT TITLE: SEVEN-DAY COURT TIME INTERVALS

Summary of Legislation

This bill modifies current law to establish time intervals based on a "rule of seven" for various statutory legal processes. Seven-day intervals are used to compute filing deadlines and other significant dates following an initial act. The bill affects statutes relating to:

- appeals of workers' compensation cases;
- appeals of the certification of a class action lawsuit;
- a contested order concerning child custody issued by the court of another state;
- procedures for an urban renewal authority to obtain property by eminent domain; and
- the period during which a recorded notice of lis pendens may affect title to real property.

In statutes affected by this bill, a timeframe is enlarged to the next seven-day interval.

Background

On December 14, 2011, the Colorado Supreme Court adopted Rule Change 2011(18) and Rule Change 2011(19). These rule changes apply to various legal procedures and modify to multiples of seven days the computation of time intervals between events in the legal process, with subsequent events to occur on the same day of the week as the initiating act. This "rule of seven" avoids filing deadlines and other crucial dates that were previously calculated to fall on weekends. Most affected court rules correspond with statutes modified in a conforming manner by Senate Bill 12-175 and House Bill 13-1126. This bill contains time intervals that were not included in those bills.

Assessment

The bill has a negligible effect on the workload of the Judicial Branch. The rule of seven has generally been observed in Colorado courts since 2012, when Supreme Court rule changes and SB 12-175 took effect. For example, an amendment to Colorado Appellate Rule 52 (b)(3) has been effective since January 1, 2012, requiring a party to petition the Colorado Supreme Court within 28 days of denial of a motion for rehearing by the Court of Appeals. The bill does not affect caseload or the effort required to handle current cases, and codifies current practice in most cases. New appropriations are not required to implement this bill.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Judicial Branch
Personnel and Administration
Labor and Employment

District Attorneys
Clerks and Recorders
Human Services

Law
Counties
Municipalities