



**Colorado
Legislative
Council
Staff**

HB16-1258

FISCAL NOTE

FISCAL IMPACT: State Local Statutory Public Entity Conditional No Fiscal Impact

Drafting Number: LLS 16-0989
Prime Sponsor(s): Rep. Melton
Sen. Lundberg

Date: February 17, 2016
Bill Status: House Judiciary
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BILL TOPIC: COURT CLERKS POSTING OF SERVICE

Summary of Legislation

Current law mandates that clerks of court post the process for notice of a divorce proceeding on a bulletin board in their office when one party cannot be reached. This bill adds the option that clerks can post the process on a bulletin board *or* the website of the district court in which the case was filed.

Background

If one spouse cannot be reached with personal service of notice that the other spouse has filed for divorce, the court can order that the notice be published in a newspaper in the county where the case was filed. On the day of publication, the clerk of court must post a copy of the process for 35 consecutive days on a bulletin board in his or her office, must mail a copy of the process to the spouse at his or her last known address, and must place a certificate of posting and mailing in the file for the case.

Assessment

The bill allows clerks of court to choose whether to post the process on a bulletin board or on the court's website. As the bill does not mandate any change in procedure, but instead offers two options requiring equal effort, no change to workload or to revenue or expenditures is expected, and the bill is assessed as having no fiscal impact.

Effective Date

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

State and Local Government Contacts

Information Technology Judicial