

# SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

**BILL NO.** House Bill 917

**PRINTER NO.** 2302

**AMOUNT**

No Fiscal Impact

**FUND**

General Fund

**DATE INTRODUCED**

April 17, 2023

**PRIME SPONSOR**

Representative Shusterman

**DESCRIPTION**

House Bill 917 amends Title 42 (Judiciary and Judicial Procedure) to establish the Uniform Family Law Arbitration Act (UFLAA) creating the statutory framework for arbitration of family law disputes in the Commonwealth.

Chapter 73 (Arbitration) is amended by adding a Subchapter D (Uniform Family Law Arbitration). This new subchapter statutorily provides for a voluntary, private arbitration process to resolve disputes, rather than following a lengthy court process.

During the arbitration process, an arbitrator provides each party a right to be heard, to present evidence material to the family law dispute and to cross-examine witnesses. An arbitration hearing need not be recorded unless required by the arbitrator, provided by the arbitration agreement or requested by a party.

This new subchapter does not authorize an arbitrator to make an award which:

- 1) Grants a divorce or annulment;
- 2) Terminates parental rights;
- 3) Grants an adoption or a guardianship of a child or incapacitated individual; or
- 4) Determines the status of a child under Ch. 63 (relating to juvenile matters).

The legislation provides that an arbitrator shall make an award in a record, dated and signed by the arbitrator and shall provide notice of the award to each party.

The arbitration process is paid for by the parties involved in the arbitration.

Unless the parties involved in the arbitration otherwise agree in a record, an arbitrator may allocate arbitration fees, attorney fees, expert witness fees and other costs to the parties.

This act shall take effect in 60 days.

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## **FISCAL IMPACT:**

Expenses related to the arbitration process provided for in this legislation are assessed upon the parties involved in the family law dispute. Therefore, enactment of this legislation will have no fiscal impact on Commonwealth funds.