



SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE
STATEMENT OF ESTIMATED FISCAL IMPACT
(803)734-0640 • RFA.SC.GOV/IMPACTS

Bill Number: S. 0151
Author: Shealy
Requestor: Senate Judiciary
Date: February 13, 2015
Subject: Child Custody
RFA Analyst(s): Fulmer, Shealy

Estimate of Fiscal Impact

	FY 2015-16	FY 2016-17
State Expenditure		
General Fund	\$2,742,600	N/A
Other and Federal	N/A	N/A
Full-Time Equivalent Position(s)	0.00	0.00
State Revenue		
General Fund	N/A	N/A
Other and Federal	N/A	N/A
Local Expenditure	N/A	N/A
Local Revenue	N/A	N/A

Fiscal Impact Summary

This bill would have an expenditure impact of at least \$2,742,600 to the General Fund. There would be no expenditure impact to Federal Funds or Other Funds.

Explanation of Fiscal Impact

State Expenditure

This bill would amend Title 63 of the South Carolina Children's Code, Chapter 15 concerning child custody and visitation.

Department of Social Services. The department indicates there would be no expenditure impact to General Fund, Federal Funds, and Other Funds.

Judicial Department. The Judicial Department states that passage of this bill would likely result in significant costs to the General Fund. Section 63-15-220 requires the court in child custody matters to provide mediation services, if requested, to parents at no additional costs in order to develop a parenting plan or shared parenting plan. In fiscal year 2013-14, 5,224 child custody and/or visitation cases were filed in the South Carolina Family Courts. Also, 17,191 divorce cases, some of which may have involved child custody matters, were filed in the state for fiscal year 2013-2014. The statewide availability of pro bono mediators is minimal, if available at all.

Pursuant to South Carolina Alternative Dispute Resolution (ADR) Rule 9, a court appointed mediator is compensated at a rate of \$175 per hour and is reimbursed for mileage and certain expenses advanced by the mediator, not to exceed \$150. ADR Rule 6 requires parties to participate in at least three hours of mediation, unless an agreement is reached sooner. Taking these costs for mediation services into account, mediation could cost \$525 per case plus mileage and certain expenses at a minimum. The expenditure impact to the General Fund would be at least \$2,742,600 using only the child custody/visitation case numbers from fiscal year 2013-14. Data to help on the number or cost of mediation services for divorce cases involving custody matters are not available.

State Revenue

N/A

Local Expenditure

N/A

Local Revenue

N/A



Frank A. Rainwater, Executive Director