



**Colorado  
Legislative  
Council  
Staff**

**HB16-1258**

**FISCAL NOTE**

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

**Drafting Number:** LLS 16-0989

**Date:** February 17, 2016

**Prime Sponsor(s):** Rep. Melton

**Bill Status:** House Judiciary

Sen. Lundberg

**Fiscal Analyst:** Amanda Hayden (303-866-4918)

**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