

### Fiscal Estimate - 2011 Session

Original
  Updated
  Corrected
  Supplemental

<b>LRB Number</b> 11-0235/1	<b>Introduction Number</b> AB-0042	
<b>Description</b> Presumption and conclusive determination of paternity on basis of genetic test results and orders that may be granted on the basis of genetic test results		
<b>Fiscal Effect</b>		
<b>State:</b> <input type="checkbox"/> No State Fiscal Effect <input checked="" type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input checked="" type="checkbox"/> Decrease Costs		
<b>Local:</b> <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input checked="" type="checkbox"/> Increase Costs      3. <input type="checkbox"/> Increase Revenue      5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities 2. <input checked="" type="checkbox"/> Decrease Costs      4. <input type="checkbox"/> Decrease Revenue <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
<b>Fund Sources Affected</b> <b>Affected Ch. 20 Appropriations</b> <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
<b>Agency/Prepared By</b> CTS/ Nancy Rottier (608) 267-9733	<b>Authorized Signature</b> Nancy Rottier (608) 267-9733	<b>Date</b> 3/22/2011

## Fiscal Estimate Narratives

CTS 3/22/2011

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<b>Description</b> Presumption and conclusive determination of paternity on basis of genetic test results and orders that may be granted on the basis of genetic test results					

### Assumptions Used in Arriving at Fiscal Estimate

AB 42 would establish a legal presumption and determination of paternity based on DNA testing. The determination of paternity would be made administratively by the child support agency if certain conditions were met as a result of DNA tests. Currently, paternity is determined by a court after a hearing, with the court issuing a paternity judgment.

According to court statistics for the calendar years 2008-2010, an average of 14, 289 paternity cases were opened per year.

It is impossible to predict how many additional or fewer court proceedings will be brought under the terms of this bill. If a determination of paternity would be made administratively, as allowed by the bill, it could reduce the number of hearings held by the courts. If the number of hearings decreased, there could be savings in court personnel time. Court proceedings require judge, court reporter, and court staff time. These costs are borne by both the state and the county.

But the statutes would still require the courts to determine other issues related to paternity, including custody, placement, and child support. In many counties, it is the current practice to combine the paternity determination hearing with a hearing on temporary custody, placement and child support. In those counties, the number of hearings is unlikely to change and there would likely be no fiscal effect.

To estimate the impact of this proposal on the workload of the court system, we have relied on the Judicial Needs Assessment 2006, submitted to the Director of State Courts by the National Center for State Courts. For this study, all Wisconsin judges and court commissioners participated in a time study designed to measure the time spent processing different types of cases from initial filing to final resolution. According to the time study, each paternity case involved an average of 104.7 minutes of judicial time. This figure includes all uncontested and contested paternity actions. It would also include all issues related to paternity actions: determination of paternity, custody, placement, child support, etc. Based on this information, this bill is likely to result in only a small change to this amount of judicial time.

An accurate estimate of the court system's additional or decreased costs is impossible with the data available.

### Long-Range Fiscal Implications