

JLBC Fiscal Note

BILL # SB 1330

TITLE: family court; right to jury

SPONSOR: Finchem

PREPARED BY: Jacob Cross Mayhew

STATUS: As Introduced

Description

The bill would allow a parent to request a jury trial to determine an award of parenting time or legal decision-making if during a proceeding the parent is awarded less than 35 percent parenting time or no legal decision-making authority.

Estimated Impact

We estimate the bill would result in increased county costs of up to \$1.0 million associated with the additional workload required to conduct a jury trial relative to a bench trial before a judge. The magnitude of the cost will ultimately depend on the number of actual proceedings requested to be held before a jury, as well as the proportion of those cases in which one party receives less than 35% of parenting time and the jury trial provision is therefore triggered.

We have asked the Administrative Office of the Courts (AOC) for their perspective on the fiscal impact of the bill, but they have not yet responded to our request.

Analysis

Our estimate includes the following assumptions:

- 1) AOC previously estimated a statewide cost of \$18.9 million in additional staff and jury costs for a bill during the 2025 session that would have allowed jury trials in all domestic proceedings. AOC's estimate assumed 25% of cases would request a jury trial.
- 2) Custody and parenting time filings made up 5.48% of total domestic filings statewide in 2025 (3,043 out of 55,551).
- 3) Using AOC's prior estimate, the additional staff and jury costs for jury trials in only parenting time and custody cases would be approximately \$1.0 million.
- 4) Equal custody arrangements are the most common outcome of parenting time proceedings in the state of Arizona. Instances where one parent is awarded less than 35% custody is a small subset of the overall filing volume. As a result, we believe our estimate should be considered the upper bound.

2/25/26