

JLBC Fiscal Note

BILL # SB 1658

SPONSOR: Finchem

PREPARED BY: Jacob Cross Mayhew

TITLE: legal decision-making; jury trial

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, and would require that the court either set a trial date within 120 days of the request or appoint an arbitrator to hear the matter. The bill would also require that these jury trials take priority over other civil cases.

Estimated Impact

We estimate the bill would result in increased county costs associated with the additional workload required to conduct a jury trial or to appoint an arbitrator in these cases. 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 lack sufficient information to estimate this cost in advance.

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) Custody and parenting time filings made up 5.48% of total domestic filings statewide in 2025 (3,043 out of 55,551).
- 2) 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.

2/26/26