

**STATE
FISCAL IMPACT**

Drafting Number: LLS 13-0592

Date: January 22, 2013

Prime Sponsor(s): Rep. Wright

Bill Status: House Judiciary

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TITLE: CONCERNING STATUTORILY ESTABLISHED TIME INTERVALS.

Fiscal Impact Summary	FY 2013-2014	FY 2014-2015
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: The bill takes effect upon the signature of the governor, or upon becoming law without his signature, and applies to legal procedures computed based on an initial date on or after July 1, 2013.		
Appropriation Summary for FY 2013-2014: None required.		
Local Government Impact: None.		

Summary of Legislation

This bill modifies current law to establish time intervals based on a "rule of seven" for various statutory legal processes. Seven-day intervals are used to compute filing deadlines and other significant dates following an initial act. The bill affects statutes relating to:

- appeals of unemployment benefits cases;
- appeals to the Colorado Supreme Court;
- a teacher's appeal of dismissal by the school board;
- appeals of a trial court decision under the State Administrative Procedures Act; and
- appeals by members of the Colorado National Guard prosecuted in a court martial.

In general, *but not in all cases*, the timeframe for a responsive act is enlarged to the next seven-day interval.

Background

On December 14, 2011, the Colorado Supreme Court adopted Rule Change 2011(18) and Rule Change 2011(19). These rule changes were intended to modify to multiples of seven days the computation of time intervals between events in the legal process, with subsequent events to occur on the same day of the week as the initiating act. This "rule of seven" avoids filing deadlines and other crucial dates that were previously calculated to fall on weekends and the resulting ambiguity and inconsistency about how such weekend deadlines are resolved.

Supreme Court rule changes adopted seven-day time intervals applicable to civil procedure, criminal procedure, juvenile cases, appellate cases, municipal courts, probate, adoption petitions, and other miscellaneous court rules. Most affected court rules correspond with statutes modified in a conforming manner by Senate Bill 12-175. This bill contains time intervals that were omitted from SB 12-175.

State Expenditures

The bill has a negligible effect on the workload of the Judicial Branch. The rule of seven has generally been observed in Colorado courts since 2012, when Supreme Court rule changes and SB 12-175 took effect. For example, an amendment to Colorado Appellate Rule 52 (b)(3) has been effective since January 1, 2012, requiring a party to petition the Colorado Supreme Court within 28 days of denial of a motion for rehearing by the Court of Appeals. The bill does not affect caseload or the effort required to handle current cases, and codifies current practice in most cases. New appropriations are not required to implement this bill.

Departments Contacted

Judicial Branch
Human Services
Municipalities
Law

Personnel and Administration
Corrections
Local Affairs

District Attorneys
Public Safety
Counties