

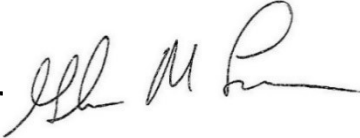
Government of the District of Columbia
Office of the Chief Financial Officer



Glen Lee
Chief Financial Officer

MEMORANDUM

TO: The Honorable Phil Mendelson
Chairman, Council of the District of Columbia

FROM: Glen Lee
Chief Financial Officer 

DATE: September 26, 2023

SUBJECT: Fiscal Impact Statement – Grounds for Divorce, Legal Separation, and Annulment Amendment Act of 2023

REFERENCE: B25-42, Draft Committee Print as provided to the Office of Revenue Analysis on August 30, 2023

Conclusion

Funds are sufficient in the fiscal year 2024 through fiscal year 2027 budget and financial plan to implement the bill.

Background

Under current law, divorces in the District of Columbia can be granted after a 6-month waiting period if both parties have mutually and voluntarily lived apart (mutual separation), or after a one-year waiting period if one party does not agree to the separation or divorce. The bill eliminates these waiting periods, providing grounds for divorce if one or both parties assert that they no longer wish to be married. The bill also eliminates the one-year waiting period for legal separation that applies in cases where one of the parties does not agree to the separation.

The bill adds an additional clause to one factor that is used in determining alimony and property distribution. Specifically, it adds consideration of any history of physical, emotional, or financial abuse by one spouse against the other. Finally, the bill provides authority for a judge to award exclusive use of the family home to one party while legal proceedings regarding custody, alimony, or child support are still ongoing¹, based on the judge's determination that it is just, equitable and reasonable, and considers all relevant factors (such as the best interest of any minor children).

¹¹ Specifically, in a pendente lite hearing.

The Honorable Phil Mendelson

FIS: "Grounds for Divorce, Legal Separation, and Annulment Amendment Act of 2023." B25-42, Committee print as provided to the Office of Revenue Analysis on August 30, 2023

Financial Plan Impact

Funds are sufficient in the fiscal year 2024 through fiscal year 2027 budget and financial plan to implement the bill. The District of Columbia Courts, which adjudicates divorce proceedings for DC residents, can carry out this legislation within its current budget.