



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:

HB0385 - Require evidence discovery in CPS cases (Carlson, Jennifer)

Status: As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>	<u>FY 2026</u> <u>Difference</u>	<u>FY 2027</u> <u>Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 385 revises discovery procedures in child abuse and neglect proceedings and requires the department to disclose information upon request to parents who are parties to the proceeding. The Department of Public Health and Human Services currently discloses requested documents during proceedings under MCA 43-3-422(4).

FISCAL ANALYSIS


Technical Notes:

- There could be challenges maintaining confidentiality between parents if HB 385 does not expressly provide that MCA 41-2-205 (confidentiality statute) still applies.
- Subsection (9), which provides that any party or agent of a party may not discourage or obstruct communication between any person and any party or otherwise obstruct a party's investigation of the case, may violate the attorney ethics/professional responsibility provision that an attorney for a party may not communicate directly with another party whom the attorney knows to be represented by counsel.

NOT SIGNED BY SPONSOR

Sponsor's Initials

Date



Budget Director's Initials



Date