

HB 1124 -- FAMILY LAW CASES RESPONSIVE PLEADING

SPONSOR: Beard

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Civil and Criminal Proceedings by a vote of 10 to 2.

This bill requires the responding party to file a response to any motion to modify a child support, spousal maintenance, or child custody judgment.

PROPOSERS: Supporters say that responsive pleadings are essential to civil law and are required in every other type of civil matter. However, currently there is no requirement to file a responsive pleading when a motion to modify a child support, spousal maintenance, or child custody judgment. The result is that people do not file the motion, the judge grants a default motion against them, and then they file a motion to set aside the judgment. This leads to a very inefficient use of judicial resources. This bill will alleviate this poor use of resources by requiring the defending party to file a responsive pleading.

Testifying for the bill was Representative Beard.

OPPOSERS: There was no opposition voiced to the committee.