

Judicial Department

Adopted Adjustments (\$ in millions)				
	FY 2017 Adopted		FY 2018 Adopted	
	<u>GF</u>	<u>NGF</u>	<u>GF</u>	<u>NGF</u>
2016-18 Base Budget, Ch. 665	\$455.4	\$34.3	\$455.4	\$34.3
Increases	30.0	0.4	30.7	0.4
Decreases	(0.9)	(1.5)	(0.9)	(1.5)
\$ Net Change	29.1	(1.1)	29.9	(1.1)
Chapter 780 (HB 30, as Adopted)	\$484.5	\$33.2	\$485.3	\$33.2
% Change	6.4%	(3.2%)	6.6%	(3.2%)
FTEs	3,267.71	103.00	3,267.71	103.00
# Change	6.00	0.00	6.00	0.00

- **Supreme Court of Virginia**

- *Criminal Fund.* Adds \$1.8 million GF each year for increased costs associated with the Criminal Fund. These funds are distributed to the Circuit, General District, Juvenile and Domestic Relations District, and Combined District Courts in the budget as introduced.
- *Involuntary Mental Commitment Fund.* Adds \$1.1 million GF each year for projected increased costs associated with commitment hearings.
- *Waivers for Court-Appointed Counsel.* Includes \$450,000 GF each year to meet the projected cost of waivers for higher fees for court-appointed counsel for indigent defendants in criminal cases.
- *Fees for Counsel in Commitment Hearings.* Adds \$60,625 GF each year to increase the fees for court-appointed attorneys in commitment proceedings from \$25 to \$150 per case, pursuant to Chapter 474 of the 2016 Acts of Assembly (HB 364).
- *Payments to Mediators.* Provides \$310,000 GF each year to reflect the cost to the Criminal Fund of paying mediators separately for two functions in cases that

involve both adult and juvenile matters, pursuant to Chapter 507 of the 2016 Acts of Assembly (HB 287).

- *Fees for Mediators.* Adds \$303,000 GF each year to increase the fee paid to mediators from \$100 to \$120 per appointment.
- *Drug Courts.* Includes \$300,000 GF the first year and \$960,000 GF the second year for drug courts in jurisdictions with high drug caseloads, to be allocated by the Drug Treatment Court Advisory Committee to existing drug courts which have not previously received state funding.
- *Drug Court Pilot Programs.* Adds \$100,000 GF each year for two pilot programs, one each in Norfolk and Henrico County, to test the effectiveness of non-narcotic, non-addictive prescription treatment regimens. A language amendment is also included directing the Executive Secretary of the Supreme Court to identify eligible adult drug court sites for participation in this pilot program.
- *Judicial Caseload and Staffing Study.* Provides \$250,000 GF the first year to contract with the National Center for State Courts to update the 2013 study. The updated study is due to the General Assembly in November 2017.
- *Space Needs Study.* Includes language directing the Executive Secretary of the Supreme Court to develop a plan for meeting future space needs at Capitol Square for the Supreme Court of Virginia and the Court of Appeals of Virginia.
- *Court Technology Fund.* Includes a base budget reduction of \$11.5 million NGF each year to reflect actual revenues for the court technology fund. The source of the nongeneral fund revenue is the \$10 filing fee added on to each civil case in Circuit and District courts. This is a technical adjustment to align the appropriation for the fund with actual revenue collections.
- *Electronic Case Files Submission System.* Adds \$175,950 GF the first year to develop an electronic system to transmit papers between courts for cases appealed from the general district to the circuit court. This amendment represents the fiscal impact of Chapter 612 of the 2016 Acts of Assembly (HB 64).

- **Indigent Defense Commission**

- *Sentencing Advocates.* Provides \$267,059 GF the first year and \$337,337 GF the second year and 5 positions to serve as sentencing advocates in the six remaining public defender offices which do not have such positions. The sentencing advocates serve as experts on sentencing alternatives, community programs, and mental health and substance abuse treatment resources available to the court. The first-year amount assumes a hiring date of September 1, 2016.

- The five new sentencing advocates would be assigned to the six Public Defender Offices in Winchester, Staunton, Martinsville, Pulaski, Bedford and Petersburg. The Winchester and Staunton offices currently have a part-time sentencing advocate, so this amendment would allow the commission to convert those positions to full-time status.
 - *Telephone System.* Provides a net increase of \$565,983 GF the first year and \$87,621 GF the second year and 1 position to install a new Voice Over Internet Protocol (VOIP) telephone system. The total cost in the first year is estimated at \$901,992, which would be offset by savings of \$336,009 in legacy system costs.
- **Virginia Criminal Sentencing Commission**
 - *Immediate Sanctions Pilot Program.* Includes language extending the four pilot programs for an additional year, until July 1, 2017, so that the evaluation can be completed before the General Assembly makes decisions concerning whether or not to extend the program.
 - *Sentencing Data.* Adds language to provide for electronic transmission of data from the circuit courts to the commission for research and evaluation purposes.
- **Virginia State Bar**
 - *Community Tax Law Project.* Adds \$25,000 GF each year for legal assistance in tax matters for low-income Virginians. This proposed amendment increases the funding for this non-profit organization from \$50,000 to \$75,000 each year.
 - *Filing Fees.* Includes a base budget reduction of \$0.5 million NGF each year to reflect the decline in filing fee revenues collected by the Circuit Courts. These revenues are transferred to the Legal Services Corporation of Virginia for distribution to legal aid programs. This is a technical adjustment to align the appropriation with actual revenue collections.
- **Judicial Department Reversion Clearing Account**
 - *Filling Vacant Judgeships.* Adds \$877,395 GF each year, along with language authorizing 18 vacant judgeships to be filled as of July 1, 2016, and one vacant judgeship to be filled as of August 1, 2016. This has the effect of increasing the number of funded judgeships from 405 to 408, consistent with the caseload and staffing study conducted by the National Center for State Courts.
 - *District Court Clerks and Deputy Clerks Salary Plan.* Includes \$1.6 million GF the first year and \$2.5 million GF the second year for a compensation initiative for

district court clerks and deputy clerks, effective November 10, 2016. The plan is subject to approval by the Committee on District Courts.