



Judicial System of Virginia

Executive Amendments to 2006-2008
Biennial Budget

Supreme Court of Virginia
Office of the Executive Secretary
January 16, 2007



Supreme Court of Virginia

- Provide funding to evaluate drug court programs
 - \$100,000 (GF) in Executive budget to help pay for Drug Court evaluations.
 - Drug Court Treatment Act (2004 Session, HB1430) assigns administrative oversight responsibility to the Supreme Court of Virginia.



Supreme Court of Virginia

- Provide funding to evaluate drug court programs
 - Drug Court Treatment Act requires the SCV to perform ongoing evaluations of the Drug Court Programs and report the results to the General Assembly on an annual basis.
 - 29 Drug Courts operational in Virginia.
 - Previous evaluation efforts funded through federal grants.



Supreme Court of Virginia

- Provide matching funds for federal grant to assist in court improvement
 - \$735,580 (NGF) awarded to OES by U.S. Department of Health & Human Services.
 - \$245,200 (GF) in Executive budget to meet required state match.



Supreme Court of Virginia

- Provide matching funds for federal grant to assist in court improvement
 - Federal grants used to support effective court processing of cases involving children in foster care and compliance with state/federal laws.
 - As of 1/1/07, Virginia had 8,164 foster children
 - Without state match, Title IV-E funding and compliance with federal Child & Family Services Review for Virginia DSS would be in jeopardy.



Supreme Court of Virginia

- Provide funding for foreign language interpreters
 - \$767,230 (GF) included in Executive budget to fund 10 foreign language interpreter positions (Pilot program).
 - FY2006, foreign language interpreters were needed in approximately 60,000 cases at a cost of \$3.6 million dollars.
 - 75% of these cases were heard in only six jurisdictions.



Supreme Court of Virginia

- Court appointed attorney rate increase
 - \$9.0 million (GF) included in Executive budget to allow Executive Secretary to waive the current maximum fee caps for court appointed counsel in atypical cases.
 - Supreme Court of Virginia is responsible for administration of the Criminal Fund.



Supreme Court of Virginia

- Court appointed attorney rate increase
 - HB2361 & SB1168 would require a court appointed attorney to submit a detailed accounting of the time they spent on the case.
 - This legislation would allow court appointed attorneys to request a waiver of the maximum cap. The judge may approve if he/she feels the case warrants the waiver.
 - Final approval of the waiver is required by the Executive Secretary.



Supreme Court of Virginia

- Court appointed attorney rate increase
 - OES plans to enhance the existing data collection system that is used to process Criminal Fund vouchers. These enhancements would allow OES to collect the data necessary to more accurately forecast the fiscal impact of any future proposed changes to compensation for court appointed attorneys.



Circuit Courts

- **Redistribute Criminal Fund allocations**
 - Executive amendment to decrease Criminal Fund by \$3.3 million (GF) due to anticipated savings resulting from a proposed staffing increase for public defenders offices.
 - OES has expressed concerns to DPB as to whether or not these savings will be fully realized in the first year due to recruitment and hiring problems experienced by the Indigent Defense Commission.



Circuit Courts

- Increase payment rate for forensic evaluations
 - \$525,000 (GF) included in Executive budget to increase rates paid to expert evaluators that conduct mental health evaluations to determine a defendant's competency to stand trial, sanity at time of offense and pre-sentence evaluations.



Circuit Courts

- Increase payment rate for forensic evaluations
 - Currently, utilize a community based approach for mental health evaluations.
 - FY2006, courts ordered approximately 2,000 mental health evaluations at a cost of \$621,912.
 - Rates have not increased in over 20 years.
 - If unable to find community based evaluators, courts will be required to rely on DMHMRSAS facility staff to perform evaluations on an inpatient basis. Estimated cost of this approach could exceed \$20 million.



Court Technology Fund

➤ Passed by the 2006 General Assembly to help the Supreme Court of Virginia modernize its technology infrastructure and automated systems that are used by the 326 courts and 125 magistrate offices across the Commonwealth.



Court Technology Fund

- As of 12/31/06, approximately \$2.1 million dollars had been receipted into the Court Technology Fund.
- To date, approximately \$2.0 million dollars have been expended for the following improvements:
 - Mainframe computer upgrade
 - Additional data storage capacity
 - Increased telecommunications bandwidth
 - Improved telecommunications network availability by adding network redundancy



Questions?