

House Appropriations General Government Sub-Committee



Briefing on Judicial Vacancies and Budget

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Judicial Vacancies

- The following information regarding judicial vacancies applies to the judicial circuits and districts as currently drawn. Additionally, the mandatory retirement projections are based on current law requiring judicial retirement at age 70.
- HB1990 and SB1240 propose new boundaries for judicial circuits/districts.
- HB1497, HB1890 and SB1066 propose raising the judicial retirement age to 73.

Circuit Courts with a Judicial Vacancy – 2011

<u>Circuit/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Commenced Cases Per Judge	2012 Projected Commenced Cases Per Judge
Thirtieth Circuit – 3 Judges Lee, Scott, Wise	4,116 (2 Judges)	4,116 (2 Judges)	4,116 (2 Judges)
Tenth Circuit - 3 Judges Appomattox, Buckingham, Charlotte, Cumberland, Halifax, Lunenburg, Mecklenburg, Prince Edward	2,170 (3 Judges)	3,255 (2 Judges)	3,255 (2 Judges)
Twenty-seventh Circuit – 5 Judges Bland, Carroll, Floyd, Giles, Grayson, Montgomery, Pulaski, Radford, Wythe	3,120 (4 Judges)	3,120 (4 Judges)	3,120 (4 Judges)
Fifteenth Circuit - 8 Judges Caroline, Essex, Fredericksburg, Hanover, King George, Lancaster, Northumberland, Richmond Co., Spotsylvania, Stafford, Westmoreland	2,907 (7 Judges)	2,907 (7 Judges)	2,907 (7 Judges)
Fifth Circuit – 3 Judges Isle of Wight, Southampton, Suffolk	2,877 (2 Judges)	2,877 (2 Judges)	2,877 (2 Judges)

Note: 2009 Average Commenced Cases per Judge – 1,837

Circuit Courts with a Judicial Vacancy – 2011

<u>Circuit/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Commenced Cases Per Judge	2012 Projected Commenced Cases Per Judge
Twentieth Circuit – 4 Judges Fauquier, Loudoun, Rappahannock	2,045 (4 Judges)	2,726 (3 Judges)	2,726 (3 Judges)
Eleventh Circuit – 3 Judges Amelia, Dinwiddie, Nottoway, Petersburg, Powhatan	2,598 (2 Judges)	2,598 (2 Judges)	2,598 (2 Judges)
Fourteenth Circuit – 5 Judges Henrico	2,068 (5 Judges)	2,586 (4 Judges)	3,447 (3 Judges)
Ninth Circuit – 4 Judges Charles City, Gloucester, James City County/Williamsburg, King and Queen, King William, Mathews, Middlesex, New Kent, York/Poquoson	2,540 (3 Judges)	2,540 (3 Judges)	2,540 (3 Judges)
Twenty-fourth Circuit – 5 Judges Amherst, Bedford, Campbell, Lynchburg, Nelson	2,116 (4 Judges)	2,116 (4 Judges)	2,116 (4 Judges)
Seventeenth Circuit – 4 Judges Arlington	1,126 (4 Judges)	1,501 (3 Judges)	1,501 (3 Judges)

Note: 2009 Average Commenced Cases per Judge – 1,837

Circuit Courts with a Judicial Vacancy – 2012

<u>Circuit/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Commenced Cases Per Judge	2012 Projected Commenced Cases Per Judge
Sixth Circuit – 2 Judges Brunswick, Greenville, Hopewell, Prince George, Surry, Sussex	2,298 (2 Judges)	2,298 (2 Judges)	4,596 (1 Judge)
Fourteenth Circuit – 5 Judges Henrico	2,068 (5 Judges)	2,586 (4 Judges)	3,447 (3 Judges)
Eighteenth Circuit – 3 Judges Alexandria	2,071 (3 Judges)	2,071 (3 Judges)	3,107 (2 Judges)
Second Circuit - 10 Judges Accomack, Northampton, Virginia Beach	1,884 (9 Judges)	2,119 (8 Judges)	2,422 (7 Judges)
Thirteenth Circuit – 8 Judges Richmond City	1,933 (7 Judges)	1,933 (7 Judges)	2,255 (6 Judges)

Note: 2009 Average Commenced Cases per Judge – 1,837

General District Courts with a Judicial Vacancy – 2011

<u>District/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Commenced Cases Per Judge	2012 Projected Commenced Cases Per Judge
Sixth District – 4 Judges Brunswick, Emporia, Greenville, Hopewell, Prince George, Surry, Sussex	41,509 (3 Judges)	62,264 (2 Judges)	62,264 (2 Judges)
Twelfth District – 4 Judges Chesterfield, Colonial Heights	33,009 (4 Judges)	44,012 (3 Judges)	44,012 (3 Judges)
Twentieth District – 4 Judges Fauquier, Loudoun, Rappahannock	36,167 (3 Judges)	36,167 (3 Judges)	36,167 (3 Judges)
Nineteenth District – 11 Judges Fairfax	33,205 (10 Judges)	33,205 (10 Judges)	33,205 (10 Judges)
Second District - 7 Judges Virginia Beach	32,482 (6 Judges)	32,482 (6 Judges)	38,979 (5 Judges)
Twenty-seventh District – 5 Judges Bland, Carroll, Floyd, Galax, Giles, Grayson, Montgomery, Pulaski, Radford, Wythe	25,640 (5 Judges)	32,050 (4 Judges)	32,050 (4 Judges)

Note: 2009 Average Commenced Cases per Judge – 26,929

General District Courts with a Judicial Vacancy – 2011

<u>District/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Commenced Cases Per Judge	2012 Projected Commenced Cases Per Judge
Seventeenth District – 4 Judges Arlington, Falls Church	19,630 (4 Judges)	26,173 (3 Judges)	26,173 (3 Judges)
Twenty-fifth District – 4.7 Judges Alleghany, Augusta, Bath, Botetourt, Buena Vista, Craig, Highland, Lexington/Rockbridge, Staunton, Waynesboro	25,288 (3.70 Judges)	25,288 (3.70 Judges)	25,288 (3.70 Judges)
Thirteenth District – 8 Judges Richmond City	25,143 (7 Judges)	25,143 (7 Judges)	25,143 (7 Judges)

Note: 2009 Average Commenced Cases per Judge – 26,929

General District Courts with a Judicial Vacancy – 2012

<u>District/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Commenced Cases Per Judge	2012 Projected Commenced Cases Per Judge
Second District - 7 Judges Virginia Beach	32,482 (6 Judges)	32,482 (6 Judges)	38,979 (5 Judges)
Fourth District – 6 Judges Norfolk	22,390 (6 Judges)	22,390 (6 Judges)	26,868 (5 Judges)

Note: 2009 Average Commenced Cases per Judge – 26,929

Juvenile and Domestic Relations District Courts with a Judicial Vacancy 2011

<u>District/Localities</u>	2010 Commenced Cases Per Judge	2011 Projected Cases Per Judge	2012 Projected Cases Per Judge
Eleventh District – 2 Judges Amelia, Dinwiddie, Nottoway, Petersburg, Powhatan	9,889 (1 Judge)	9,889 (1 Judge)	9,889 (1 Judge)
Twenty-seventh District – 4 Judges Bland, Carroll, Floyd, Galax, Giles, Grayson, Montgomery, Pulaski, Radford, Wythe	6,436 (3 Judges)	6,436 (3 Judges)	6,436 (3 Judges)
Fifteenth District – 7 Judges Caroline, Essex, Hanover, King George, Lancaster, Northumberland, Richmond County, Spotsylvania, Stafford, Westmoreland	6,131 (6 Judges)	6,131 (6 Judges)	6,131 (6 Judges)
Fourteenth District – 5 Judges Henrico	5,478 (4 Judges)	5,478 (4 Judges)	5,478 (4 Judges)

Note: 2009 Average Commenced Cases per Judge – 4,385

Projected Savings for Judicial Vacancies - FY 2010-11				
Vacant Judgeships as of 7/1/10				
	Number	Savings	Number	Total
	Of Judges	Per Month	Of Months	Savings
Circuit	8	\$ 15,405	12	\$ 1,478,880
Gen District	6	13,521	12	973,512
JDR	4	13,521	12	649,008
	18			\$ 3,101,400
Mandatory/Voluntary Judicial Retirements as of 1/24/11				
	Retirement	Savings	Number	Total
Circuit:	Date	Per Month	Of Months	Savings
Judge Carico	9/16/10	\$ 15,405	9	\$ 138,645
Judge Tyler	2/1/11	15,405	4.5	69,323
Judge Miller	2/1/11	15,405	4.5	69,323
Judge Prosser	2/1/11	15,405	4.5	69,323
Judge Kendrick	2/1/11	15,405	4.5	69,323
Judge Blanton	4/1/11	15,405	2.5	38,513
General District:				
Judge Turner	12/31/10	13,521	5.5	74,366
Judge Palmer	2/1/11	13,521	4.5	60,845
Judge Murphey	3/31/10	13,521	2.5	33,803
Judge Clarke	5/1/11	13,521	1.5	20,282
				\$ 643,742
		Total Projected Savings		\$ 3,745,142
		Appropriation Reduction Amt		3,980,151
		Difference		\$ (235,010)

Projected Savings for Judicial Vacancies - FY 2011-12				
Vacant Judgeships as of 7/1/11				
	Number	Savings	Number	Total
	Of Judges	Per Month	Of Months	Savings
Circuit	14	\$ 15,405	12	\$ 2,588,040
Gen District	10	13,521	12	1,622,520
JDR	4	13,521	12	649,008
	28			\$ 4,859,568
Mandatory/Voluntary Judicial Retirements as of 1/24/11				
	Retirement	Savings	Number	Total
	Date	Per Month	Of Months	Savings
Circuit (5)	2/1/11	\$ 15,405	4.5	\$ 346,613
District (2)	2/1/11	13,521	4.5	121,689
				\$ 468,302
		Total Projected Savings		\$ 5,327,870
		Appropriation Reduction Amt		6,531,919
		Difference		\$ (1,204,050)

Criminal Fund Appropriation

Criminal Fund Appropriation			
<i>Actual Expenditures:</i>			
	2007-08	2008-09	2009-10
Regular	\$100,768,241	\$99,765,750	\$101,622,123
Waivers	\$1,845,170	\$4,199,991	\$4,199,984
Total	\$102,613,411	\$103,965,741	\$105,822,107
<i>Current Appropriation:</i>			
		Governor's	
	2010-11	Budget Bill	Total
Regular	\$97,304,076	\$5,362,371	\$102,666,447
Waivers	\$4,200,000	\$0	\$4,200,000
Total	\$101,504,076	\$5,362,371	\$106,866,447

Criminal Fund Expenditures

Criminal Fund Expenditures				
Expenditure Categories:				
		2007-08	2008-09	2009-10
Court-Appointed Counsel				
	<i>Capital Murder</i>	\$ 2,304,124	\$ 2,254,830	\$ 2,263,884
	<i>Felony Charges</i>	35,370,288	36,846,024	37,749,645
	<i>Misdemeanor Charges</i>	15,627,749	17,137,256	17,760,715
	<i>Other</i>	7,561,122	6,551,350	6,416,666
	<i>Total (Include Waivers)</i>	60,863,283	62,789,460	64,190,910
Guardian ad Litem				
		16,167,045	17,489,838	19,084,225
Court Reporters				
		7,707,063	7,836,609	7,580,942
Interpreters				
		4,480,622	3,860,790	3,976,257
Jurors				
		2,331,833	2,301,708	2,174,985
Extradition Allowances				
		2,803,940	2,559,459	1,999,889
Compensation of Experts				
		2,076,645	1,965,774	1,875,930
Mediation				
		1,024,800	1,124,000	1,183,700
Sexually Violent Predators				
		499,844	733,379	965,193
Other				
		4,658,335	3,304,724	2,790,075
	Total Expenditures	\$ 102,613,410	\$ 103,965,741	\$ 105,822,106