2010 Session

Budget Bill - HB30 (Introduced)

Bill Order » Judicial Department » Item 39

Supreme Court

Item 39	First Year - FY2011	Second Year - FY2012
Administrative and Support Services (39900)	**$27,833,906**	**$27,833,906**
General Management and Direction (39901)	$27,833,906	$27,833,906
Fund Sources:		
General	$17,388,300	$17,388,300
Special	$174,375	$174,375
Trust and Agency	$104,280	$104,280
Dedicated Special Revenue	$9,000,000	$9,000,000
Federal Trust	$1,166,951	$1,166,951

Authority: §§ 16.1-69.30, 16.1-69.33, 17.1-314 through 17.1-320 and 17.1-502, Code of Virginia.

A. The Executive Secretary of the Supreme Court shall submit a monthly summary to the Chairmen of the House Appropriations and Senate Finance Committees and to the Director, Department of Planning and Budget, which will report the number of individuals for whom legal or medical services were provided and the nature and cost of such services as are authorized for payment from the criminal fund or the involuntary mental commitment fund.

B. Notwithstanding the provisions of § 19.2-326, Code of Virginia, the amount of attorney's fees allowed counsel for indigent defendants in appeals to the Supreme Court shall be in the discretion of the Supreme Court.

C. The Chief Justice is authorized to reallocate legal support staff between the Supreme Court and the Court of Appeals of Virginia, in order to meet changing workload demands.

D. Prior to January 1 of each year, the Judicial Council and the Committee on District Courts are requested to submit a fiscal impact assessment of their recommendations for the creation of any new judgeships, including the cost of judicial retirement, to the Chairmen of the House and Senate Committees on Courts of Justice, and the House Appropriations and Senate Finance Committees.

E. Included in this Item is $3,750,000 the first year and $3,750,000 the second year from the general fund, which may support computer system improvements for the several circuit and district courts.

F. Given the continued concern about providing adequate compensation levels for court-appointed attorneys providing criminal indigent defense in the Commonwealth, the Executive Secretary of the Supreme Court, in conjunction with the Governor, Attorney General, Indigent Defense Commission, representatives of the Indigent Defense Stakeholders Group and Chairmen of the House and Senate Courts of Justice Committees, shall continue to study and evaluate all available options to enhance Virginia's Indigent Defense System.

G. In addition to any filing fee or other fee permitted by law, an electronic access fee may be charged for each case filed electronically pursuant to Rule 1:17 of the Rules of the Supreme Court of Virginia. The amount of this fee shall be set by the Supreme Court of Virginia. Moneys collected pursuant to this fee shall be deposited into the State Treasury to the credit of the Courts Technology Fund established pursuant to § 17.1-132, to be used to support the costs of statewide electronic filing systems.

H. Included in the appropriation for this item is $104,280 the first year and $104,280 the second year from the Circuit Court Clerks Technology Fund established pursuant to § 17.1-279.A, Code of Virginia.

I. No state funds used to support the operation of drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. This restriction shall not apply to juvenile drug court programs.

J. There is hereby established, in two circuit courts, pilot programs for dealing with probation violations, to be based on the principles used for the HOPE program developed in Hawaii. The Chief Justice shall designate the circuits in which the programs will be implemented. To the extent feasible, such circuits should be served by probation and parole district offices that have adopted, or are in the process of adopting, evidence based practices. The Department of Corrections and the respective sheriffs and Commonwealth's attorneys shall cooperate with the Supreme Court in developing the procedures to be used in these pilot programs. The Executive Secretary of the Supreme Court shall submit an annual report on June 30 of each year on the progress of the pilot programs to the Chairmen of the Senate and House Committees on Courts of Justice, the Chairmen of the Senate Finance and House Appropriations Committees, the Secretary of Public Safety, and the Director, Department of Planning and Budget.