2026 Special Session I

Budget Bill - HB30 (Enrolled)

Indigent Defense Commission

Item 40	First Year - FY2027	Second Year - FY2028
Legal Defense (32700)	**$98,481,234**	**$98,481,234**
Criminal Indigent Defense Services (32701)	$93,670,914	$93,670,914
Legal Defense Regulatory Services (32703)	$255,344	$255,344
Administrative Services (32722)	$4,554,976	$4,554,976
Fund Sources:		
General	$93,595,773	$93,595,773
Special	$4,885,461	$4,885,461

Authority: §§ 19.2-163.01 through 19.2-163.8, Code of Virginia

A. Pursuant to § 19.2-163.01, Code of Virginia, the Executive Director of the Indigent Defense Commission shall serve at the pleasure of the commission.

B. Out of the amounts in this Item, $200,000 the first year and $200,000 the second year from the general fund is provided to support two positions to enforce and monitor compliance with the new Standards of Practice for court-appointed counsel.

C. Out of the amounts in this item, $6,558,009 the first year and $6,558,009 the second year from the general fund is provided to hire additional public defender positions to address increased workloads and reduce turnover in offices across the Commonwealth. The Commission may direct a portion of the funding for salary adjustments, including increasing starting salaries for attorneys and adjusting salaries for current staff to address turnover rates within the offices.

D. The Commission shall convene a workgroup to assess the feasibility of creating an Appellate Defender Office.

E. Out of the amounts in this item, funding is provided for three positions for the Fairfax Indigent Defense Commission to provide public defender services to the Town of Herndon, the Town of Vienna, and the City of Fairfax.

F.1. The Indigent Defense Commission, in consultation with the Executive Secretary of the Supreme Court or his designee, shall convene a work group composed of all relevant stakeholders, including the Attorney General or his designee and representatives from the Compensation Board, the Virginia State Crime Commission, the Virginia Joint Legislative Audit and Review Commission, the Virginia Court Clerks' Association, the Virginia Association of Commonwealth's Attorneys, the Virginia Probation and Parole Association, staff from the House Appropriations and Senate Finance and Appropriations Committees, and two criminal justice reform organizations with relevant expertise.

2. The work group shall examine fees, fines, and other financial assessments imposed in criminal prosecutions, including amounts assessed and collected by type of offense, any guidelines or data related to the fees assessed for various types of cases, use of collected funds to include any programs such funds support, state and local reimbursement, imposition of costs on delinquent accounts, and practices used by other states. The work group shall submit an interim executive summary and report of its findings and recommendations to the Governor and the General Assembly by November 1, 2026, and a final report no later than November 1, 2027.