

# Judicial

The adopted 2002-04 budget for Judicial agencies contains a net increase of \$26.3 million GF for the biennium when compared to the adjusted appropriation for current operations. This total reflects new spending of \$34.8 million, offset by \$8.4 million in reductions.

The new spending includes \$23.2 million to meet projected Criminal Fund expenditures and \$7.0 million for the Public Defender Commission. The reductions involve projected savings in the Criminal Fund for indigent defense resulting from increased activities by the Public Defender Commission.

The General Assembly restored the 6 percent across-the-board reductions of \$9.7 million each year which were proposed in the budget as introduced. Language is included, however, directing the Judicial Department to transfer estimated unexpended balances of \$1,000,000 each year in general funds, representing efficiency savings.

- **Supreme Court of Virginia**
  - ***Social Security Tax Base Increase*** Provides \$5,208 GF each year for increased Social Security taxes on the salaries for justices.
  - ***Guardian ad Litem Reimbursement***. Adopted language that requires the Supreme Court to actively manage the Guardian ad Litem program. Further, it requires that the Juvenile and Domestic and Circuit Courts institute a requirement that parents, where able, reimburse the court for Guardian ad Litem fees. The budget assumes an annual savings of \$2.9 million in reimbursements.
- **Court of Appeals of Virginia**
  - ***Social Security Tax Base Increase*** Provides \$8,184 GF each year for increased Social Security taxes on the salaries for judges.
- **Circuit Courts**
  - ***Criminal Fund***. Includes \$11.6 million GF each year for increased expenses projected in the Criminal Fund. (These funds are distributed to the Circuit, General District, Juvenile and Domestic Relations District, and Combined District Courts.)
  - ***Senate Bill 537***. Includes \$40,000 each year from the general fund for the increased cost to the Criminal Fund resulting from SB 537,

which expands the right to counsel in certain cases involving termination of parental rights.

- **Senate Bill 538.** Includes \$167,680 each year from the general fund for the increased cost to the Criminal Fund resulting from SB 538, which provides for additional foster care hearings. This is a federal mandate.
- **Social Security Tax Base Increase.** Provides \$111,600 GF each year for increased Social Security taxes on the salaries for judges.
- **General District Courts**
  - **Social Security Tax Base Increase.** Provides \$92,256 GF each year for increased Social Security taxes on the salaries for judges.
  - **New Judgeships Approved in 2001.** Includes \$374,698 GF and 2.0 FTE positions each year for the new judgeships approved by the 2001 General Assembly.
  - **New Staff Positions.** Includes \$878,500 GF and 25.0 FTE positions each year for the District Courts, to be allocated by the Committee on District Courts based on the committee's staffing guidelines. The additional funds result from the adoption of House Bill 151.
  - **Increased Fees and Fines.** Includes language directing that the fee for processing misdemeanors or traffic violation cases is increased by \$12, and the filing fee for civil actions is increased by \$4, consistent with SB 150 of 2002. This language is applied to the General District, Juvenile and Domestic Relations District, and Combined District Courts.
- **Juvenile and Domestic Relations District Courts**
  - **Social Security Tax Base Increase.** Provides \$81,840 GF each year for increased Social Security taxes on the salaries for judges.
  - **New Judgeships Approved in 2001.** Includes \$374,698 GF and 2.0 FTE positions each year for the new judgeships approved by the 2001 General Assembly.
- **Public Defender Commission**
  - **Norfolk Public Defender.** Includes \$1.4 million the first year and \$1.8 million the second year, and 34.0 FTE positions in each year

from the general fund, to establish a new Public Defender office in the City of Norfolk, pursuant to House Bill 242.

- A companion amendment to the Judicial Department Reversion Clearing Account captures a related savings in the Criminal Fund of \$1.8 million the first year and \$2.8 million the second year.
- The projected net savings from creation of the Norfolk Public Defender office total \$1.4 million over two years.
- **Capital Defense Units.** Includes \$1.8 million GF the first year and \$1.9 million GF the second year and 12.0 FTE positions to establish four capital defense units for the defense of indigent offenders charged with capital offenses, pursuant to Senate Bill 317.
  - A companion amendment to the Criminal Fund includes corresponding reductions of \$1.8 million the first year and \$1.9 million the second year.
- **Virginia State Bar**
  - **Information Management System.** Adds \$500,000 NGF the first year to complete the integration of several computer systems to share a common database for accounting, membership, mandatory continuing education, and disciplinary action.
  - **Legal Aid.** Provides \$878,500 NGF each year for the Legal Services Corporation of Virginia for legal aid, consistent with the provisions of House Bill 151.
    - The source of the special funds is an increase from \$2 to \$4 in the civil filing fee in Circuit and District Courts which is allocated to legal aid.
    - HB 151 provides that one dollar of the increase will go to legal aid (NGF), and the other one dollar of the increase will go to the District Courts (GF).
- **Judicial Department Reversion Clearing Account**
  - **Across-the-Board Reductions.** The General Assembly restored \$9.7 million each year to eliminate the proposed 6 percent across-the-board reductions included in the budget, as introduced. Language was added, however, directing the Judicial Department to revert to

the general fund of the state treasury an amount estimated at \$1.0 million each year, representing efficiency savings generated by judicial agencies.