

Judicial

The Governor's proposed amendments for the Judicial Department result in a net increase of \$11.2 million GF when compared to Chapters 3 and 10, 2006 Special Session I (approved October 25, 2006). Major increases include \$9.0 million for increased fees for court-appointed counsel, and \$3.5 million for increased staffing and salary increases for public defender offices (which is expected to be offset by savings of \$3.3 million in the Criminal Fund).

- **Supreme Court of Virginia**

- ***Court-Appointed Attorney Fees.*** Provides \$9.0 million GF in the second year to authorize the Executive Secretary of the Supreme Court to waive the statutory limits on fees for court-appointed counsel for indigent defendants in criminal cases, upon approval of the presiding judge, where a higher fee is justified.
 - Language is included to encourage continued study of this issue by the Executive Secretary, in conjunction with the Governor, Attorney General, Indigent Defense Commission, the Indigent Defense Stakeholders Group, and the Chairmen of the House and Senate Courts of Justice Committees.
- ***Foreign Language Interpreters.*** Includes \$767,230 GF and ten positions in the second year to provide interpreters to ensure that non-English speaking parties and criminal defendants have equal access to the courts.
- ***Matching Funds for Federal Grants.*** Includes \$245,200 GF and \$735,580 NGF in the second year for the state match for three federal grants under the state court improvement program.
- ***Drug Court Evaluation.*** Provides \$100,000 GF in the second year for evaluation of the effectiveness of local drug treatment courts.

- **Circuit Courts**

- ***Criminal Fund.*** Reduces funding for the Criminal Fund by \$3.3 million GF in the second year based on anticipated savings from staffing increases for public defender offices. A companion amendment provides increased funds for the public defenders.
- ***Forensic Evaluations.*** Includes \$525,000 GF in the second year to increase the payment rate under the Criminal Fund for expert forensic mental health evaluations.

- **Virginia State Bar**

- ***Legal Aid.*** Provides \$375,000 GF in the second year for Virginia's 37 legal aid programs that provide legal assistance in civil cases.

- **Board of Bar Examiners**

- *Office Operations, Salaries and Positions.* Provides \$100,226 NGF in the first year, \$143,571 NGF in the second year, and one position, for various expenses including office space relocation costs, salary increases, a part-time position, and conversion of an existing part-time position to full-time status. The part-time position will work with the Character and Fitness Committee, to perform ad-hoc investigations, prepare for hearings, review applicant files for accuracy and completeness, and maintain hearing records. The new position is a database forms manager to implement electronic filing of bar exam and admission on motion applications.

- **Indigent Defense Commission**

- *Salary Increases.* Provides \$1.2 million GF in the second year to increase the base salaries for attorneys in public defender offices by ten percent.
- *Increased Public Defender Staffing.* Adds \$1.5 million GF and 16.0 positions in the second year to strengthen existing public defender offices, and an additional two positions to staff the commission's new Standards and Practice Division. A companion amendment to the Criminal Fund recognizes the savings anticipated from the increase in public defender staffing and the corresponding decrease in costs for court-appointed counsel.
- *Increased Capital Defender Staffing.* Provides \$833,280 GF and eight positions to strengthen public defender offices that handle capital cases. This proposal also includes funding for a 25 percent increase in the base salaries for public defenders in capital units.