

Judicial

The adopted budget for the Judicial Department results in a net increase of \$14.9 million GF (2.1 percent) when compared to Chapters 3 and 10, 2006 Special Session I (approved October 25, 2006). Major increases include \$8.2 million for increased fees for court-appointed counsel, and \$3.8 million for increased staffing and salary increases for public defender offices which is expected to be offset by savings of \$2.3 million in the Criminal Fund.

- **Supreme Court of Virginia**

- ***Court-Appointed Attorney Fees.*** Provides \$8.2 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. Funding is provided pursuant to House Bill 2361 and Senate Bill 1168.
 - An additional \$100,000 GF and two positions are provided the second year to enable the Executive Secretary of the Supreme Court to capture and analyze additional data concerning the hours of work performed by court-appointed counsel. The amendment expresses legislative intent that the Supreme Court will allocate funds from the Courts Technology Fund as needed for any systems modifications required to support this effort.
- ***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.
 - A savings of \$840,000 GF the second year in the Criminal Fund is included as a result of this initiative, resulting from reduced expenditures in the Criminal Fund to hire contract interpreters on an hourly basis.
- ***Additional Salary Increase for Judges.*** Provides \$1.8 million GF the second year for an additional four percent salary increase for judges, effective November 25, 2007. When combined with the four percent across-the-board salary increase included in the Central Appropriations for all state employees, judges will receive an eight percent increase.
- ***Additional Salary Increase for Other Judicial Employees.*** Provides \$2.0 million GF the second year for an additional four percent salary increase for other state employees of the state court system, effective November 25, 2007. When combined with the four percent across-the-board salary increase included in the Central Appropriations for all state employees, these employees will receive an eight percent increase.

- *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.
- **Court of Appeals of Virginia**
 - *Salary of the Chief Judge.* Adds language authorizing an increase in the salary of the Chief Judge of the Court of Appeals of Virginia. This increase was authorized by the 2006 General Assembly, but was inadvertently omitted in enrolling.
 - *Additional Positions.* Includes \$146,680 GF and three positions the second year for an additional deputy clerk and two additional assistant clerks.
- **Circuit Courts**
 - *Criminal Fund.* Reduces funding for the Criminal Fund by \$2.3 million GF in the second year based on anticipated savings from staffing increases and salary adjustments designed to reduce turnover included in companion amendments for public defender offices.
 - *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 \$1.5 million GF in the second year to increase the base salaries for attorneys and support staff in public defender offices by nine percent.
 - When combined with the four percent across-the-board increase contained in Central Appropriations for all state employees, these employees will receive a 13 percent salary increase.
- ***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 and Salaries.*** Provides \$833,280 GF and eight positions to strengthen public defender offices that handle capital cases. This allocation also includes funding for a 24 percent increase in the base salaries for public defenders in capital units, effective November 25, 2007.
 - When combined with the four percent across-the-board increase contained in Central Appropriations for all state employees, these capital defense attorneys will receive a 28 percent salary increase.

- **Virginia State Bar**

- ***Client’s Protection Fund Fee Increase.*** Provides \$1.0 million NGF in the second year for deposit into the Clients’ Protection Fund from increased annual fees imposed upon members of the Virginia State Bar by the Supreme Court of Virginia, pursuant to Senate Bill 1426.