

Judicial

Proposed amendments for the Judicial Department for the 2008-10 biennium result in a net increase of \$7.0 million from the general fund, or 0.8 percent above the budget approved by the 2008 General Assembly. The only increases are \$5.4 million each year for the Criminal Fund and \$610,076 each year for the Involuntary Mental Commitment Fund. Total budget reductions include \$2.0 million the first year and \$3.0 million the second year. The recommended changes result in a total budget of \$817.4 million GF for the 2008-10 biennium.

The proposed amendments eliminate the salary increases for justices and judges scheduled to take effect on November 25, 2009. However, the proposed amendments do not eliminate the salary increases for justices and judges which took effect on November 25, 2008, consistent with Article VI, Section 9 of the Constitution of Virginia, which states "The salary of any justice or judge may not be diminished during his term of office".

- **Supreme Court of Virginia**

- ***Hiring Delay.*** Saves \$850,900 GF the first year and \$1.5 million GF the second year by delaying hiring for vacant positions by 90 days.
- ***Elimination of Positions.*** Saves \$146,400 GF the first year and \$292,800 GF the second year by eliminating three positions. This action results in three layoffs.
- ***Judges' Annual and Sick Leave Balances.*** Saves \$147,250 GF the first year and \$294,500 GF the second year by eliminating the payment in cash of accrued annual and sick leave balances for district judges upon their retirement. (Annual and sick leave is not provided for Circuit Court judges, so there are no balances available to be paid upon their retirement.)
- ***Judges' Commuting Expenses.*** Adds language to clarify that the reimbursement of Circuit and District court judges for commuting expenses outside of their domicile is to be limited to those cases where (i) the commuting distance between the judge's residence and the courthouse exceeds 25 miles, and (ii) the residence and the courthouse are in different jurisdictions.
- ***Judges' Education and Training.*** Saves \$148,000 GF the first year and \$338,000 GF the second year by canceling or reducing the length of selected judges' training conferences.
- ***Court Employees' Training.*** Saves \$120,000 GF the first year by canceling court employees' training.
- ***Other Reductions.*** Saves \$130,000 GF each year by reducing out-of-state travel, publications, printing, postage, and contracts for services.

- **Circuit Courts**
 - *Criminal Fund.* Provides an additional \$5.4 million GF each year to address projected expenditure increases for the Criminal Fund, including both Circuit and District Courts.

- **General District Courts**
 - *Involuntary Mental Commitment Fund.* Provides \$610,076 GF each year to cover expected judicial cost increases in this fund. A companion amendment to the Department of Medical Assistance Services provides additional funding for the hospitalization portion of the fund.

- **Judicial Inquiry and Review Commission**
 - *Budget Reductions.* Saves \$6,300 GF each year.

- **Virginia Criminal Sentencing Commission**
 - *Budget Reductions.* Saves \$11,000 GF each year.

- **Indigent Defense Commission**
 - *Budget Reductions.* Saves \$450,000 GF each year through hiring delays and other savings.