

Judicial

The budget, as introduced, for the Judicial Department for FY 2010 includes one change when compared to Chapter 781 of the 2009 Acts of Assembly (the appropriation act for the 2008-10 biennium) which is an increase of \$300,000 for the Involuntary Mental Commitment Fund.

The introduced budget for the 2010-12 biennium results in a net decrease of \$6.5 million from the general fund (0.8 percent below Chapter 781 of the 2009 Acts of Assembly). Of this net reduction, \$5.8 million represents the distribution of the reductions from central appropriations which were included in Chapter 781. The major new changes include: a transfer of \$9.2 million each year from the Criminal Fund to support the creation of three new public defender offices; an increase of \$150,000 each year for involuntary mental commitments; a reduction of \$100,000 each year in general fund support for legal aid; increased operating expenses for the State Board of Bar Examiners; and, reduced operating expenses for the Virginia State Bar. With these changes, the biennial budget, as introduced, for the Judicial Department includes \$807.5 million from the general fund, \$64.5 million from nongeneral funds, and 3,290.7 positions from all funds.

HB/SB 29

- **General District Courts**
 - *Involuntary Mental Commitment Fund.* Includes \$300,000 from the general fund for the cost of involuntary mental commitments.

HB/SB 30

- **Supreme Court of Virginia**
 - *Drug Courts.* Includes language directing that no funds used to support drug court programs shall be provided to programs that serve first-time substance abuse offenders only or do not include probation violators. However, this restriction would not apply to juvenile drug courts. This is one of a series of recommendations of the Task Force on Alternatives for Non-Violent Offenders.
 - *Pilot Programs for Probation Violators.* Includes language establishing, in two circuit courts, pilot programs for dealing with probation violators, based on a program developed in Hawaii. The language directs that the Chief Justice shall designate the circuits in which the programs will be implemented. The language expresses the intent that the programs be served by district probation offices that have, or are in the process of adopting evidence based practices. The language further expresses the intent that the Department of Corrections and the respective Sheriffs and Commonwealth's Attorneys shall cooperate with the Supreme Court in developing the procedures for these pilot programs. This is one of a series of recommendations of the Task Force on Alternatives for Non-Violent Offenders.

- **Circuit Courts**
 - *Criminal Fund.* Includes a reduction of \$9.2 million each year from the general fund to support the creation of three new public defender offices serving Chesterfield, Henrico and Prince William Counties. A companion amendment to the Indigent Defense Commission adds \$9.0 million the first year and \$8.5 million the second year to establish these three new offices. This results in a net savings of \$0.2 million the first year and \$0.7 million the second year.
- **General District Courts**
 - *Involuntary Mental Commitments.* Provides \$150,000 each year from the general fund for the Involuntary Mental Commitment Fund.
- **Juvenile and Domestic Relations District Courts**
 - *Appointment of Counsel.* Provides \$30,240 each year from the general fund for court-appointed counsel for persons in juvenile correctional facilities. Companion legislation will be introduced authorizing expenditures for this purpose from the Criminal Fund.
- **Board of Bar Examiners**
 - *Increased Operating Expenses.* Provides \$81,970 the first year and \$81,115 the second year from nongeneral funds from bar examination fees for increased operating expenses. These increased expenses include office space rental, the cost of renting the Roanoke Civic Center for bar examinations, fees charged to administer the Multistate Bar Examination, employee leave payouts, conversion of one wage employee to full-time status, and a high-density mobile filing system.
- **Indigent Defense Commission**
 - *New Public Defender Offices.* Provides \$9.0 million the first year and \$8.5 million the second year from the general fund to establish new public defender offices in Chesterfield, Henrico and Prince William Counties. A companion amendment to the Circuit Courts transfers funds from the Criminal Fund for this purpose.
- **Virginia State Bar**
 - *Legal Aid.* Reduces funding to the Virginia Legal Services Corporation by \$100,000 each year from the general fund.
 - *Office Expenses.* Reduces funding for printing, postage and rental costs by \$112,828 each year from nongeneral funds.