

Department of Planning and Budget 2014 Fiscal Impact Statement

1. **Bill Number:** HB606H1

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Miller

3. **Committee:** Senate Committee on Courts of Justice

4. **Title:** Number of circuit and district court judges

5. **Summary:** Increases and decreases the number of circuit, general district, and juvenile court judges authorized for each judicial circuit and district in accordance with a study report issued by the National Center for State Courts. These adjustments are recommended by the Judicial Council and by the Committee on District Courts. It also requires the courts to gather empirical data and report to the Chairmen of House Appropriations and Senate Finances Committees by November 1, 2015 on the use of interpreters, cases involving pro se litigants, judge travel time and the use of prosecutors in misdemeanor cases.

6. **Budget Amendment Necessary:** Yes, Items 39, 40 and 41

7. **Fiscal Impact Estimates:** Indeterminate (see Item #8)

8. **Fiscal Implications:** Currently, § 16.1-69.6.1 (district) and § 17.1-507 (circuit) of the Code of Virginia authorizes a total of 402 judgeships as shown in the table below:

<i>Court</i>	<i>Number authorized judgeships</i>
Circuit	158
General District	127
Juvenile and Domestic Relations	117
<i>Total</i>	402

As of January 15, 2014, there are 44 current or announced judgeship vacancies. Since the Governor's introduced budget eliminated the requirement for the judiciary to revert judgeship savings back to the general fund, there is sufficient existing appropriation in the budgets of the court system to fill the currently authorized vacant judgeships.

The NCSC report concluded 429 total judgeships are needed to meet the workload requirements of the court system. Although the report showed judgeships should be increased in some judicial districts/circuits and decreased in others, according to the Office of the Executive Secretary of the Supreme Court, a net increase of 27 judgeships is needed. For each of the 27 judgeships that are filled, the cost would be \$284,047 for each circuit court

judgeship and \$259,369 for each general district court and juvenile and domestic relations court judgeship. The costs include salary, fringe benefits, substitute judge costs and office expenses.

According to the Executive Secretary of the Supreme Court, the substitute bill will have a fiscal impact as most of the data sought by enactment clause 21 is not currently captured by courts. The amount of this fiscal impact cannot be determined as it would be based on the additional data and analysis required to meet the provisions of the bill.

9. Specific Agency or Political Subdivisions Affected: Courts, localities

10. Technical Amendment Necessary: No

11. Other Comments: None