

## Department of Planning and Budget 2001 Fiscal Impact Statement

**1. Bill Number** HB2072

<b>House of Origin</b>	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron** Howell

**3. Committee** H. Courts of Justice

**4. Title** Prisoner appearance in district court and attorney disciplinary proceedings

**5. Summary/Purpose:**

The bill requires that prisoners be transported to a juvenile and domestic relations district court when the judge determines the prisoner's presence is essential in proceedings regarding child welfare type cases. There is also a provision for transporting prisoners to Virginia State Bar disciplinary hearings. If a private party requests the presence of the prisoner, then the costs of transportation may be taxed as costs, but not if the prisoner is transported due to a request by a state agency or upon motion of the court. In addition, the bill allows courts, in civil cases, to use telephonic communication systems and electronic video and audio communication systems to provide for the appearance of an incarcerated party or a witness or when otherwise authorized by the court, but it does not require the acquisition of such equipment.

**6. Fiscal Impact Estimates are:** Tentative, see #8 below.

**7. Budget amendment necessary:** No.

**8. Fiscal implications:**

The fiscal impact of this bill will depend on the number of persons transported, what entity is requesting the appearance of the person, and the costs collected if requested by a private party. There could be a fiscal impact on the various sheriff's departments that may be called upon to transport the effected prisoners to the site for the hearing and back. To the extent to which there may be some prisoners transported without the costs being taxed, this bill may have a fiscal impact on sheriff's departments.

According to the Office of the Executive Secretary of the Supreme Court, there may be a workload impact resulting from this bill. However, the increase in workload could be absorbed within the court system. This bill may result in some hearings in juvenile and domestic relations district court taking longer, due to the presence of additional witnesses or participants. If the workload increases due to the longer proceedings, then additional judgeships and clerk positions may have to be added.

**9. Specific agency or political subdivisions affected:** The court system, the Compensation Board.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 01/15/01 / jlm

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cc: Secretary of Administration

Page 2  
HB 2072

H. Courts of Justice