

Department of Planning and Budget

2003 Fiscal Impact Statement

1. **Bill Number** HB2444E

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

2. **Patron** Griffith

3. **Committee** Senate Court of Justice

4. **Title** Fees for services of juvenile and domestic relations district court

5. **Summary/Purpose:** The introduced legislation proposes to amend the Code of Virginia by adding a section numbered 16.1 -69.48:5 which provides for a \$25 filing fee for initial commencement of a case in the juvenile court concerning custody, visitation, or support of a child.

6. **Fiscal Impact Estimates are:** Preliminary. See item #8.

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

8. **Fiscal implications:** The fiscal impact of this legislation is uncertain. According to the Department of Juvenile Justice (DJJ), there were approximately 61,000 petitions filed in FY02. If each petition carried with it a \$25 fee, \$1.5 million in revenue could potentially be generated. However, DJJ advises that it was informed by staff of the Supreme Court that § 17.1 -606 of the Code of Virginia directs that fees be waived if the person filing the petition is indigent. Therefore, a percentage of the persons filing these petitions may qualify as indigent, thus no fees will be collected from this population, potentially reducing the revenue collected. It is difficult to precisely estimate the likely revenue to be generated by this fee. It was noted in a subcommittee meeting that this legislation was intended, in part, to reduce the number of unmerited petitions being filed. Should that occur, the revenues would be reduced further. Given these variables, it is likely that actual revenues collected will be much less than the potential maximum of \$1.5 million.

The Department of Juvenile Justice further advises that this legislation as amended requires that the fee be paid to the Clerk of the Court, thereby eliminating any costs to DJJ reported in an earlier fiscal impact statement.

9. **Specific agency or political subdivisions affected:** Clerks of the Courts.

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

11. **Other comments:** None.

Date: 02/05/03/MEM

Document: G:\Fis\03\Djj\Hb2444.Doc Michael McMahon

cc: Secretary of Public Safety