

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 17.1-278 of the Code of Virginia, relating to additional fees in certain*  
3 *courts; use by the Virginia State Bar.*

4 [H 1172]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 17.1-278 of the Code of Virginia is amended and reenacted as follows:**

8 § 17.1-278. Additional fees in certain courts; use by Virginia State Bar.

9 In addition to the fees prescribed by §§ 16.1-69.48:2 and *subdivision A 13 of § 17.1-275 A 43* and to  
10 be collected by the clerk of the circuit or general district court upon the filing of papers for the  
11 commencement of civil actions in such courts, the following additional fees shall be collected in all  
12 cities and counties in which civil legal representation is provided for the poor, without charge, by a  
13 nonprofit legal aid program organized under the auspices of the Virginia State Bar: (i) upon  
14 commencement of an action whether at law or in chancery in such circuit court, an additional fee of  
15 ~~four dollars~~ \$5 and (ii) upon commencement of a civil action in such general district court, an additional  
16 fee of ~~four dollars~~ \$5.

17 The additional fees prescribed by this action shall be collected by the clerk at the time of the filing.  
18 The amounts so collected shall be paid by the clerk to the state treasury and credited as follows: (i)  
19 ~~three dollars~~ \$4 to a special fund within the Virginia State Bar fund to be designated the Legal Aid  
20 Services Fund, and (ii) ~~one dollar~~ \$1 to the general fund for funding of the district courts of the  
21 Commonwealth. Such amount for the district courts shall be used to assist indigent litigants. Such  
22 amounts credited to the Legal Aid Services Fund shall be disbursed by the Virginia State Bar by check  
23 from the State Treasurer upon a warrant of the Comptroller to nonprofit legal aid programs organized  
24 under the auspices of the Virginia State Bar through the Legal Services Corporation of Virginia to assist  
25 in defraying the costs of such programs. However, the additional fees prescribed by this section shall not  
26 be collected in actions initiated by any local government or by the Commonwealth.

27 **2. That the provisions of this act shall only become effective if the general appropriation act for**  
28 **the period July 1, 2004, through June 30, 2006, passed during the 2004 Session of the General**  
29 **Assembly and signed into law by the Governor, includes an appropriation of general funds for a**  
30 **total of 49 additional positions amongst the general district courts, juvenile and domestic**  
31 **relations district courts, and combined district courts, such additional positions being in addition**  
32 **to the total positions for such courts as of June 30, 2004; and if such appropriation is included as**  
33 **provided herein, then the provisions of this act shall expire on July 1, 2006.**

ENROLLED

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