

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 16.1-267 of the Code of Virginia, relating to compensation of appointed*  
3 *counsel.*

4  
5 Approved

[H 45]

6 **Be it enacted by the General Assembly of Virginia:**  
7 **1. That § 16.1-267 of the Code of Virginia is amended and reenacted as follows:**

8 § 16.1-267. Compensation of appointed counsel.

9 A. When the court appoints counsel to represent a child pursuant to *subsection A of* § 16.1-266 A  
10 and, after an investigation by the court services unit, finds that the parents are financially able to pay for  
11 the attorney and refuse to do so, the court shall assess costs against the ~~parent~~ *parents* for such legal  
12 services in the *maximum* amount *of that* awarded the attorney by the court under the circumstances of  
13 the case, considering such factors as the ability of the parents to pay and the nature and extent of the  
14 counsel's duties in the case. Such amount shall not exceed \$100 if the action is in circuit court or the  
15 maximum amount specified in subdivision 1 of § 19.2-163 if the action is in district court.

16 When the court appoints counsel to represent a child pursuant to *subsection B of* § 16.1-266 B and,  
17 after an investigation by the court services unit, finds that the parents are financially able to pay for the  
18 attorney in whole or in part and refuse to do so, the court shall assess costs in whole or in part against  
19 the parents for such legal services in the amount awarded the attorney by the court. Such amount shall  
20 not exceed \$100 if the action is in circuit court or the maximum amount specified in subdivision 1 of  
21 § 19.2-163 if the action is in district court. In determining the financial ability of the parents to pay for  
22 an attorney to represent the child, the court shall utilize the financial statement required by § 19.2-159.

23 In all other cases, except as provided in § 16.1-343, counsel appointed to represent a child shall be  
24 compensated for his services pursuant to § 19.2-163.

25 B. When the court appoints counsel to represent a parent, guardian or other adult pursuant to  
26 § 16.1-266, such counsel shall be compensated for his services pursuant to § 19.2-163.

ENROLLED

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