

**Department of Planning and Budget
2004 Fiscal Impact Statement**

1. Bill Number HB45

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron Reese

3. Committee Courts of Justice

4. Title Compensation for Court appointed Counsel-Circuit Court

5. Summary/Purpose: Eliminates the \$100 cap on compensation a circuit court may award to an attorney appointed to represent a child pursuant to subsection A of § 16.1-266. The compensation is assessed as costs against parents who are financially able to pay for an attorney but refuse to do so. The bill permits the court to assess as costs against the parents the maximum amount the court awards the attorney. The bill retains the cap on compensation in the general district court.

6. No Fiscal Impact

7. Budget amendment necessary: No

8. Fiscal implications: This bill should not have any fiscal impact because the Appropriations Act (Item 34, Chapter 1042) now provides that, in the case of an appointment of a guardian *ad litem* for a child in juvenile and domestic relations district court (and for those cases on appeal to circuit court), the court shall assess the costs of the guardian *ad litem* against the parents, based upon their ability to pay. Therefore, this assessment is currently being done, for a wider range of types of cases and for both circuit court and juvenile and domestic relations district court.

9. Specific agency or political subdivisions affected: Courts

10. Technical amendment necessary: No

11. Other comments: No

Date: 01/19/04 / TMB

Document: F:\tmb\leg04\hb45.doc