

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-175 of the Code of Virginia, relating to compensation of experts in*  
3 *criminal cases.*

4 [H 2368]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-175 of the Code of Virginia is amended and reenacted as follows:**

8 § 19.2-175. Compensation of experts.

9 Each psychiatrist, clinical psychologist or other expert appointed by the court to render professional  
10 service pursuant to §§ 19.2-168.1, 19.2-169.1, 19.2-169.5, subsection A of § 19.2-176, §§ 19.2-182.8,  
11 19.2-182.9, 19.2-264.3:1, 19.2-264.3:3 or § 19.2-301, who is not regularly employed by the  
12 Commonwealth of Virginia except by the University of Virginia School of Medicine and the Medical  
13 College of Virginia Commonwealth University, shall receive a reasonable fee for such service. For any  
14 psychiatrist, clinical psychologist, or other expert appointed by the court to render such professional  
15 services who is regularly employed by the Commonwealth of Virginia, except by the University of  
16 Virginia School of Medicine or the Medical College of Virginia Commonwealth University, the fee shall  
17 be paid only for professional services provided during nonstate hours that have been approved by his  
18 employing agency as being beyond the scope of his state employment duties. The fee shall be  
19 determined in each instance by the court that appointed the expert, in accordance with guidelines  
20 established by the Supreme Court after consultation with the Department of Mental Health, Mental  
21 Retardation and Substance Abuse Services. Except in capital murder cases the fee shall not exceed \$400  
22 \$750, but in addition if any such expert is required to appear as a witness in any hearing held pursuant  
23 to such sections, he shall receive mileage and a fee of \$100 for each day during which he is required so  
24 to serve. An itemized account of expense, duly sworn to, must be presented to the court, and when  
25 allowed shall be certified to the Supreme Court for payment out of the state treasury, and be charged  
26 against the appropriations made to pay criminal charges. Allowance for the fee and for the per diem  
27 authorized shall also be made by order of the court, duly certified to the Supreme Court for payment out  
28 of the appropriation to pay criminal charges.

ENROLLED

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