

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number SB 738ER

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

2. Patron K. Cuccinelli

3. Committee Passed Both Houses

4. Title Special Justices for Psychiatric Inpatient Commitment of Minors Act

5. Summary/Purpose: This bill allows special justices to perform mental commitment hearings of juveniles.

6. Fiscal Impact Estimates are: Final (see Item 8)

6a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2007-08	\$22,166 - \$88,665		GF
2008-09	\$22,166 - \$88,665		GF
2009-10	\$22,166 - \$88,665		GF

7. Budget amendment necessary: No

8. Fiscal implications: When a special justice conducts a mental commitment hearing, that person is paid \$86.25 per hearing. Sitting juvenile judges who conduct such hearings do not receive any compensation for those hearings in addition to their allotted salary.

During the past year, 1,328 mental commitment hearings for juveniles were conducted; 1,028, or about 77 percent were conducted by juvenile judges, the remainder by special justices. If all of the mental commitment hearings of juveniles currently conducted by judges (1,028 hearings) were to be conducted by special justices, then the annual fiscal impact of this legislation on the Involuntary Mental Commitment Fund allocated to the Supreme Court of Virginia would be \$88,665. The court is unable to predict at this time, however, what percentage of the commitment hearings currently conducted by judges would be conducted by special justices. Therefore, the estimated additional funds that needs to be allocated to the Involuntary Mental Commitment Fund ranges from \$22,166 (special justices will conduct 25 percent of these hearings) to \$88,665 (special justices conduct 100 percent of these hearings).

In the General Assembly conferees budget report, no funding was provided for this legislation. Although the potential cost of this legislation could negatively impact the Involuntary Mental Commitment Fund, it is likely that the fund can absorb this cost.

9. Specific agency or political subdivisions affected: Courts.

10. Technical amendment necessary: No.

11. Other comments: This bill incorporates SB1269 and is similar to HB2530.

Date: 03-12-07 / RMT

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