

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB248ER

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

2. Patron: Howell

3. Committee: Passed Both Houses

4. Title: Additional fees in certain courts; use by Virginia State Bar

5. Summary: Increases the civil action filing fee in circuit and district court to \$10. Currently, the fee is \$5. The additional \$5 would be deposited into the Legal Aid Services Fund.

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

7. Budget Amendment Necessary: Yes, Item 49

8. Fiscal Implications: Currently, there is a \$5 fee collected upon commencement of a civil action in circuit or general district court of which \$4 of this fee is designated for the Legal Aid Services Fund. The most recent caseload statistic information shows 102,917 civil cases commenced in circuit court, 886,969 new civil cases in district court and an additional 98,506 civil support cases, for a total of 1,088,392 cases per year; an additional \$5 for each case could potentially provide an additional \$5.4 million per year for the Legal Aid Services Fund. There would be some staff time involved to update the courts Financial Management System; however, this cost would be minimal and could be absorbed within current resources allocated to the courts.

According to Legal Services Corporation, the legal aid services fund would not receive 100 percent of the \$5.4 million cited above because of the numerous exceptions to when the civil fee would apply. For FY07, based on the current \$5 fee collected, the legal aid services fund received \$3.4 million in state filing fee revenue. The Senate budget appropriated \$4.25 million in FY09 and FY10 for Legal Services Corporation as a result of the anticipated revenue from this legislation, while the House took no action in their budget.

9. Specific Agency or Political Subdivisions Affected: Courts, Virginia State Bar

10. Technical Amendment Necessary: No

11. Other Comments: Same as HB1499

Date: 4/1/2008 dpb

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