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14105084D SENATE BILL NO. 443

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations on March 3, 2014)

(Patron Prior to Substitute—Senator Norment)

A BILL to amend and reenact §§ 16.1-69.6:1 and 17.1-507 of the Code of Virginia, relating to number of judges.

Be it enacted by the General Assembly of Virginia:

## 1. That §§ 16.1-69.6:1 and 17.1-507 of the Code of Virginia are amended and reenacted as follows: § 16.1-69.6:1. Number of judges.

For the several judicial districts there shall be full-time general district court judges and juvenile and domestic relations district court judges, the number as hereinafter set forth, who shall during their service reside within their respective districts, except as provided in § 16.1-69.16, and whose compensation and powers shall be the same as now and hereafter prescribed for general district court judges and juvenile and domestic relations district court judges.

The number of judges of the districts shall be as follows:

17	The number of juages			Juvenile and Domestic	
18		General Dist	rict	Court Relations District	
19		Judge	es	Court Judges	
20	First	4	3	3	
21	Second	7		7 6	
22	Two-A	1		1	
23	Third	3	2	<del>3</del> 2	
24	Fourth	6	5	5	
<b>25</b>	Fifth	3	2	2	
26	Sixth	4		2	
27	Seventh	4	3	4 3	
28	Eighth	3		3	
29	Ninth	3		3	
<b>30</b>	Tenth	3	2	3	
31	Eleventh	2	3	2	
32	Twelfth	4	5	<del>5</del> 6	
33	Thirteenth	8	6	<del>5</del> 4	
34	Fourteenth	4	5	5	
35	Fifteenth	6	8	7 9	
<b>36</b>	Sixteenth	4		4 6	
37	Seventeenth	4	2	<del>2</del> 1	
38	Eighteenth	2	1	<del>2</del> 1	
<b>39</b>	Nineteenth	<del>11</del>	10	<del>8</del> 6	
40	Twentieth	4	3	3	
41	Twenty-first	2	1	2	
<b>42</b>	Twenty-second	2		3 4	
43	Twenty-third	5	4	4	
44	Twenty-fourth	4	3	<del>5</del> 6	
45	Twenty-fifth	5	3	4	
46	The general distric	The general district court judges of the twenty-fifth district shall			
47	<del>render assistance c</del>	render assistance on a regular basis to the general district court			
48	<del>judges of the twent</del>	y-sixth district	by	appropriate designation.	
<b>49</b>	Twenty-sixth	4	5	<del>5</del> 6	
<b>50</b>	Twenty-seventh	5	4	4 5	
51	Twenty-eighth	2		2	
<b>52</b>	Twenty-ninth	3	1	<del>2</del> 3	
53	Thirtieth	2	1	2	
54	Thirty-first	4	5	5	

The election or appointment of any district judge shall be subject to the provisions of § 16.1-69.9:3.

SB443H1 2 of 4

§ 17.1-507. Number of judges; residence requirement; compensation; powers; etc.

A. For the several judicial circuits there shall be judges, the number as hereinafter set forth, who shall during their service reside within their respective circuits and whose compensation and powers shall be the same as now and hereafter prescribed for circuit judges.

The number of judges of the circuits shall be as follows:

61 First - 5 4 Second - 108 62 Third - 5 4 63 Fourth - 9 8 64 65 Fifth - 3 Sixth - 2 66 Seventh - 5 6 67 68 Eighth - 42 69 Ninth - 4 Tenth - 3 4 70 71 Eleventh - 3 2 **72** Twelfth - 5 6 73 Thirteenth - 8 7 74 Fourteenth - 5 75 Fifteenth - 9 11 76 Sixteenth - 5 77 Seventeenth - 42 **78** Eighteenth - 3 4 Nineteenth - 15 14 **79** 80 Twentieth - 4 81 Twenty-first - 3 2 Twenty-second - 4 82 83 Twenty-third - 6 5 84 Twenty-fourth - 5 85 Twenty-fifth - 4 5 86 Twenty-sixth - 5 7 87 Twenty-seventh - 5 7 88 Twenty-eighth - 3 89 Twenty-ninth - 4 5 90 Thirtieth - 3 91 Thirty-first - 5

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107 108 B. No additional circuit court judge shall be authorized or provided for any judicial circuit until the Judicial Council has made a study of the need for such additional circuit court judge and has reported its findings and recommendations to the Courts of Justice Committees of the House of Delegates and Senate. The boundary of any judicial circuit shall not be changed until a study has been made by the Judicial Council and a report of its findings and recommendations made to said Committees.

C. If the Judicial Council finds the need for an additional circuit court judge after a study is made pursuant to subsection B, the study shall be made available to the Compensation Board and the Courts of Justice Committees of the House of Delegates and Senate and Council shall publish notice of such finding in a publication of general circulation among attorneys licensed to practice in the Commonwealth. The Compensation Board shall make a study of the need to provide additional courtroom security and deputy court clerk staffing. This study shall be reported to the Courts of Justice Committees of the House of Delegates and the Senate, and to the Department of Planning and Budget.

- 2. That the provisions of this act reducing the number of authorized judgeships in the Second Judicial Circuit shall become effective upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court, except that the number of authorized judgeships in the Circuit Court of the Second Judicial Circuit shall be reduced to nine on the effective date of this act.
- 3. That the provisions of this act reducing the number of authorized judgeships in the Eighth Judicial Circuit shall become effective upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court, except that the number of authorized judgeships in the Circuit Court of the Eighth Judicial Circuit shall be reduced to three on the effective date of this act.
- 4. That the provisions of this act reducing the number of authorized judgeships in the Seventeenth Judicial Circuit shall become effective upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court, except that the number of authorized judgeships in

117 the Circuit Court of the Seventeenth Judicial Circuit shall be reduced to three on the effective

- 118 date of this act.
- 119 5. That the provisions of this act reducing the number of authorized judgeships in the Twenty-first
- 120 Judicial Circuit shall become effective upon the death, resignation, or retirement on or after
- 121 January 1, 2014, of any judge of that court.
- 122 6. That the provisions of this act reducing the number of authorized judgeships in the General
- 123 District Court of the First Judicial District shall become effective upon the death, resignation, or
- retirement on or after January 1, 2014, of any judge of that court.
- 125 7. That the provisions of this act reducing the number of authorized judgeships in the General
- 126 District Court of the Third Judicial District shall become effective upon the death, resignation, or
- retirement on or after January 1, 2014, of any judge of that court.
- 128 8. That the provisions of this act reducing the number of authorized judgeships in the General
- 129 District Court of the Fifth Judicial District shall become effective upon the death, resignation, or
- 130 retirement on or after January 1, 2014, of any judge of that court.
- 131 9. That the provisions of this act reducing the number of authorized judgeships in the General
- 132 District Court of the Seventh Judicial District shall become effective upon the death, resignation,
- or retirement on or after January 1, 2014, of any judge of that court.
- 134 10. That the provisions of this act reducing the number of authorized judgeships in the General
- 135 District Court of the Tenth Judicial District shall become effective upon the death, resignation, or
- retirement on or after January 1, 2014, of any judge of that court.
- 137 11. That the provisions of this act reducing the number of authorized judgeships in the General
- 138 District Court of the Thirteenth Judicial District shall become effective upon the death,
- 139 resignation, or retirement on or after January 1, 2014, of any judge of that court, except that the
- 140 number of authorized judgeships in the General District Court of the Thirteenth Judicial District
- 141 shall be reduced to seven on the effective date of this act.
- 142 12. That the provisions of this act reducing the number of authorized judgeships in the General
- 143 District Court of the Seventeenth Judicial District shall become effective upon the death,
- 144 resignation, or retirement on or after January 1, 2014, of any judge of that court, except that the
- 145 number of authorized judgeships in the General District Court of the Seventeenth Judicial District
- 146 shall be reduced to three on the effective date of this act.
- 147 13. That the provisions of this act reducing the number of authorized judgeships in the General
- 148 District Court of the Eighteenth Judicial District shall become effective upon the death, 149 resignation, or retirement on or after January 1, 2014, of any judge of that court.
- 150 14. That the provisions of this act reducing the number of authorized judgeships in the General
- 151 District Court of the Twentieth Judicial District shall become effective upon the death, resignation,
- 152 or retirement on or after January 1, 2014, of any judge of that court.
- 153 15. That the provisions of this act reducing the number of authorized judgeships in the General
- 154 District Court of the Twenty-fifth Judicial District shall become effective upon the death,
- resignation, or retirement on or after January 1, 2014, of any judge of that court, except that the
- 156 number of authorized judgeships in the General District Court of the Twenty-fifth Judicial District
- 157 shall be reduced to four on the effective date of this act.
- 158 16. That the provisions of this act reducing the number of authorized judgeships in the General
- 159 District Court of the Twenty-ninth Judicial District shall become effective upon the death,
- 160 resignation, or retirement on or after January 1, 2014, of any judge of that court.
- 161 17. That the provisions of this act reducing the number of authorized judgeships in the General
- 162 District Court of the Thirtieth Judicial District shall become effective upon the death, resignation,
- or retirement on or after January 1, 2014, of any judge of that court.
- 18. That the provisions of this act reducing the number of authorized judgeships in the Juvenile and Domestic Relations District Court of the Third Judicial District shall become effective upon
- 166 the death, resignation, or retirement on or after January 1, 2014, of any judge of that court.
- 167 19. That the provisions of this act reducing the number of authorized judgeships in the Juvenile
- and Domestic Relations District Court of the Seventh Judicial District shall become effective upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court.
- 170 20. That the provisions of this act reducing the number of authorized judgeships in the Juvenile
- 171 and Domestic Relations District Court of the Thirteenth Judicial District shall become effective
- upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court.
- 173 21. That the provisions of this act reducing the number of authorized judgeships in the Juvenile
- and Domestic Relations District Court of the Seventeenth Judicial District shall become effective upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court.
- 176 22. That the provisions of this act reducing the number of authorized judgeships in the Juvenile
- 177 and Domestic Relations District Court of the Eighteenth Judicial District shall become effective
- 178 upon the death, resignation, or retirement on or after January 1, 2014, of any judge of that court.

SB443H1 4 of 4

- 179 23. That the number of authorized judgeships in the Juvenile and Domestic Relations District
- 180 Court of the Nineteenth Judicial District shall be reduced to seven effective upon the death,
- 181 resignation, or retirement on or after January 1, 2014, of any judge of that court and shall be
- reduced to six effective upon the death, resignation, or retirement on or after January 1, 2014, of
- 183 any second judge of that court.
- 184 24. That in order to assess more accurately the added weight to be given cases (i) requiring the
- use of interpreters and (ii) involving pro se litigants in circuit, general district, and juvenile courts
- 186 of the Commonwealth, and in order to better evaluate the impact of (a) travel time and (b) the use
- 187 of prosecutors in misdemeanor cases in district courts, the Virginia Supreme Court shall gather
- 188 empirical data on these issues and make recommendations to the Chairmen of the House
- 189 Appropriations and Senate Finance Committees and the Chairmen of the House and Senate
- 190 Committees for Courts of Justice by November 1, 2015.