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SENATE BILL NO. 1053

Offered January 14, 2015

Prefiled January 12, 2015

A BILL to amend and reenact § 19.2-182 of the Code of Virginia, relating to civil commitment hearings; fees; compensation.

Patron—McDougle

Referred to Committee for Courts of Justice**Be it enacted by the General Assembly of Virginia:****1. That § 19.2-182 of the Code of Virginia is amended and reenacted as follows:****§ 19.2-182. Representation by counsel in proceeding for commitment.**

A. In any proceeding for commitment under this title, the judge before whom or upon whose order the proceeding is being held, shall ascertain if the person whose commitment is sought is represented by counsel. If the person is not represented by counsel, the judge shall appoint an attorney at law to represent ~~him~~ such person in the proceeding. The attorney shall receive a fee of ~~twenty-five dollars~~ \$75 for his services, to be paid by the Commonwealth. *However, an attorney appointed by a circuit court to represent an acquittee who was acquitted of a felony by reason of insanity in a hearing to assess the need for inpatient hospitalization pursuant to § 19.2-182.5 shall be compensated on an hourly basis at a rate set by the Supreme Court of Virginia, provided such total compensation shall not exceed \$445, to be paid by the Commonwealth.*

B. Any attorney representing any person in any proceeding for commitment under this title shall, prior to such proceeding, personally consult with such person.

INTRODUCED

SB1053