

Department of Planning and Budget

2015 Fiscal Impact Statement

1. **Bill Number:** SB1028

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

2. **Patron:** Marsden

3. **Committee:** Senate Finance

4. **Title:** Compensation of court-appointed counsel; waivers.

5. **Summary:** Allows court-appointed counsel for parents in child welfare cases to submit a waiver application for additional compensation of \$120 in district court and \$158 for cases appealed to the circuit court.

6. **Budget Amendment Necessary:** Yes, Items 39 and 41

7. **Fiscal Impact Estimates:** Preliminary (see Item #8)

8. **Fiscal Implications:** According to the Office of the Executive Secretary of the Supreme Court (OES) most of the parents in the cases impacted by this bill are indigent and require court appointed counsel.

The juvenile and domestic relations district court (J&DR) cases impacted by this legislation involve issues such as abuse and neglect, custody relief, entrustment, foster care review, permanency and child at risk. According to the Office of the Executive Secretary of the Supreme Court, the total fiscal impact of this bill on juvenile and domestic relations district courts is estimated to be \$3.1 million. The following table shows the cost breakdown between case types based on a 4 year average of the number of cases heard in juvenile and domestic relations district courts around the Commonwealth:

Case Types	4 year average of cases	Estimated Cost
Abuse/Custody/Foster Care/ Permanency cases	23,945	\$2,873,400
Termination of parental rights cases	1,682	\$201,840
Total for all cases		\$3,075,240

A number of these cases are appealed to the circuit court. The following table shows the cost breakdown between case types based on a 4 year average of the number of cases heard in circuit courts:

Case Types	4 year average of cases	Estimated Cost
Abuse/Custody/Foster Care/ Permanency cases	1,596	\$252,168
Termination of parental rights cases	336	\$53,088
Total for all cases		\$305,256

It is possible that the fiscal impact on the court system as a whole, juvenile and domestic relations courts and circuit courts, could approach \$3.4 million.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: Same as HB2087 and similar to HB1863

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