

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 37.1-89 of the Code of Virginia, relating to fees for court-appointed*  
3 *professionals who participate in adult involuntary commitment proceedings.*

4  
5 Approved

[H 596]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That § 37.1-89 of the Code of Virginia is amended and reenacted as follows:**

8 § 37.1-89. Fees and expenses.

9 Any special justice as defined in § 37.1-88 and any district court substitute judge who presides over  
10 hearings pursuant to the provisions of §§ 37.1-67.1 through 37.1-67.4 shall receive a fee of ~~fifty-seven~~  
11 ~~dollars and fifty cents~~ *eighty-six dollars and twenty-five cents* for each commitment hearing and his  
12 necessary mileage. Any special justice and any district court substitute judge who presides over a  
13 hearing shall receive a fee of ~~twenty-eight dollars and seventy-five cents~~ *forty-three dollars and*  
14 *twenty-five cents* for each certification hearing and each order under § 37.1-134.21 ruling on competency  
15 or treatment and his necessary mileage. Every physician, psychologist or other mental health  
16 professional, or interpreter for the deaf appointed pursuant to § 37.1-67.5 who is not regularly employed  
17 by the Commonwealth of Virginia who is required to serve as a witness or as an interpreter for the  
18 Commonwealth in any proceeding under this chapter shall receive a fee of ~~fifty dollars~~ *seventy-five*  
19 *dollars* and his necessary expenses for each commitment hearing in which he serves. Every physician,  
20 psychologist or other mental health professional, or interpreter for the deaf appointed pursuant to  
21 § 37.1-67.5 who is not regularly employed by the Commonwealth and who is required to serve as a  
22 witness or as an interpreter for the Commonwealth in any proceeding under this chapter shall receive a  
23 fee of ~~twenty-five dollars~~ *forty-three dollars and twenty-five cents* and necessary expenses for each  
24 certification hearing in which he serves. Other witnesses regularly summoned before a judge under the  
25 provisions of this chapter shall receive such compensation for their attendance and mileage as is allowed  
26 witnesses summoned to testify before grand juries. Every attorney appointed under § 37.1-65.1 or  
27 §§ 37.1-67.1 through 37.1-67.4 shall receive a fee of ~~fifty dollars~~ *seventy-five dollars* and his necessary  
28 expenses for each commitment hearing. Every attorney appointed shall receive a fee of ~~twenty-five~~  
29 ~~dollars~~ *forty-three dollars and twenty-five cents* and his necessary expenses for each certification hearing  
30 and each proceeding under § 37.1-134.21. Except as hereinafter provided, all expenses incurred,  
31 including the fees, attendance and mileage aforesaid, shall be paid by the Commonwealth. Any such  
32 fees, costs and expenses incurred in connection with an examination or hearing for an admission  
33 pursuant to § 37.1-65.1 or §§ 37.1-67.1 through 37.1-67.4 in carrying out the provisions of this chapter  
34 or in connection with a proceeding under § 37.1-134.21, when paid by the Commonwealth, shall be  
35 recoverable by the Commonwealth from the person who is the subject of the examination, hearing or  
36 proceeding, or from his estate. Such collection or recovery may be undertaken by the Department. All  
37 such fees, costs and expenses, if collected or recovered by the Department, shall be refunded to the  
38 Commonwealth. No such fees or costs shall be recovered, however, from the person who is the subject  
39 of the examination or his estate when no good cause for his admission exists or when the recovery  
40 would create an undue financial hardship.

ENROLLED

HB596ER