

Department of Planning and Budget

2007 Fiscal Impact Statement

1. Bill Number HB2660

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron Marsden

3. Committee Courts of Justice

4. Title Investigation of the social history of juveniles prior to commitment.

5. Summary/Purpose: Requires the court to order an investigation of a juvenile's social history prior to commitment. Under present law, such an investigation is not required prior to the final order.

6. Fiscal Impact Estimates are: PRELIMINARY; See Item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: According to the Department of Juvenile Justice (DJJ), the proposed legislation would have no significant impact on court service units. Under present law, investigations are not required prior to the final order. However, in accordance with regulations (6VAC35-150-150 and 6VAC35-150-160), if not completed prior to disposition, at the order of the court, an investigation meeting all the requirements of § 16.1-273 must be completed following disposition. DJJ procedures, established in accordance with these regulations, require that such investigations are completed prior to admission/legal transfer to DJJ.

Another potential impact could be with the processing time of cases moving through the juvenile and domestic relations or circuit courts. The proposal may result in some delay in the dispositions of cases where (a) a plea agreement may have been reached, or (b) the judge feels that sufficient information is available to proceed with disposition/sentence without the availability of a social history investigation. Because a social history will be required for every juvenile prior to commitment, the proposed legislation could result in a juvenile remaining in detention longer than under current practice. Virginia Code §16.1-277.1(C) provides that a juvenile will be held in detention for a maximum of 30 days between adjudication and final disposition. It is possible that the delay caused by the amendments will extend stays in detention up to the full 30 days.

However, it is possible that if social history investigations are completed prior to a disposition of commitment to DJJ, juveniles, who might otherwise be committed, may receive other dispositions/sentences based on the information provided through the investigation.

9. Specific agency or political subdivisions affected: Department of Juvenile Justice and juvenile and domestic relations district and circuit courts statewide.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 01/25/07 / jgc

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cc: Secretary of Public Safety