Department of Planning and Budget
2007 Fiscal Impact Statement

1. Bill Number SB1168

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

2. Patron Stolle

3. Committee Senate Courts of Justice

4. Title Waiver on compensation cap for court-appointed attorneys.

5. Summary/Purpose: Provides that court-appointed counsel may request a waiver of the limitations on compensation by submitting the request, in writing, accompanied by a detailed accounting of the time expended on the representation and the justification for the waiver, to the appropriate court. If the court determines that the request is justified, it shall be sent to the Executive Secretary of the Supreme Court of Virginia for approval. If approved by the Executive Secretary, the court shall direct that payment be made.

6. Fiscal Impact Estimates are: Preliminary (see Item 8)

7. Budget amendment necessary: No

8. Fiscal implications: The Governor's proposed budget contains $9 million to allow for the waiver of statutory fee caps in atypical cases. Under this proposal, the Supreme Court of Virginia would collect specific data that would in turn allow decision makers to understand the breath of the court-appointed counsel compensation issue. In addition, the Governor's proposed budget includes language to continue studying the issue of compensation for court-appointed counsel.

9. Specific agency or political subdivisions affected: Courts

10. Technical amendment necessary: No

11. Other comments: Same as HB2361**.**

Date: 01/17/07 / RMT
Document: G:\FIS 2007\SB1168.Doc Reginald Thompson