

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number SB 247

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 J. Howell

3. Committee Senate Courts of Justice

4. Title Appointment of Counsel & Guardians Ad Litem in Involuntary Mental Commitment Hearings and Proceedings

5. Summary/Purpose: Provides that a court shall appoint a guardian ad litem and counsel for a minor for involuntary commitment hearings and proceedings for the judicial approval of the admission for inpatient treatment of a minor 14 years of age or older over his objections.

6. Fiscal Impact Estimates: Indeterminate (see Item 8)

7. Budget amendment necessary: No

8. Fiscal implications: According to the Supreme Court of Virginia, the total cost is unknown, but believed to be an amount which can be managed within existing resources. The change to §16.1-339 would require the appointment of an attorney for all commitment hearings conducted for minors 14 years of age or older who object to commitment. This will require an additional \$100 per case. Since this type of case is not captured independently in the case management system, a precise count of these cases is not available. However, based on anecdotal evidence, the frequency of these cases is quite limited.

In addition, the change to §16.1-341 would require the appointment of a guardian ad litem for juvenile commitment hearings. This will require an additional \$130 per case based on the assumption of two hours of time for the guardian ad litem, with one hour for time out of court and one hour for time in court. Since this type of case is not captured independently in the case management system, a precise count of these cases is not available. However, based on anecdotal evidence, the frequency of these cases is quite limited.

The courts will likely be able to absorb the additional cost associated with implementing this bill within existing resources.

9. Specific agency or political subdivisions affected: Courts.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 1/25/08 DPB

Document: G:\FIS 2008\SB247.Doc Reginald Thompson