

# Department of Planning and Budget

## 2011 Fiscal Impact Statement

**1. Bill Number:** SB774S1

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

**2. Patron:** McEachin

**3. Committee:** Senate Courts of Justice

**4. Title:** Increase civil jurisdictional limit of general district courts

**5. Summary:** Increases from \$15,000 to \$25,000 the maximum civil jurisdictional limit of general district courts.

**6. Budget Amendment Necessary:** No

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

**8. Fiscal Implications:** This legislation could result in reducing the workload of circuit courts, but could also result in some loss of fees collected to the general fund. The potential loss to the general fund cannot be identified as the number of cases currently brought in circuit court but potentially brought in general district court is uncertain.

Currently, there are approximately 4,600 civil cases brought annually in all the circuit courts with an *ad damnum* between \$15,000 and \$25,000. This number represents less than the average number of civil hearings conducted by one general district court judge in a year. Since any increase in the general district caseload would be spread statewide, it is expected that any additional impact to the caseload of the general district courts could be managed.

However, such a case brought in circuit court generates a base filing fee of \$100, while if that case were to be filed in general district court under an enacted Senate Bill 774, it would generate a base filing fee of \$30. Therefore, if all the cases eligible to be brought in general district court under Senate Bill 774 were to be brought in general district court, there would be \$322,000 less collected in filing fees. Any lost circuit court filing fees would be borne two-thirds by the Commonwealth and one-third by affected localities.

The Supreme Court cannot predict how many of the cases eligible to be shifted from circuit court to general district court will be brought in general district court, although it is likely to expect that the vast majority will be. It's important to note, though, that some of these cases which could now be decided in general district court could be appealed, where they would incur the circuit court filing fee, in addition to the general district court filing fee. This could offset some of the potentially lost revenues noted above.

**9. Specific Agency or Political Subdivisions Affected:** Courts

**10. Technical Amendment Necessary:** No

**11. Other Comments:** Same as HB1590H1

**Date:** January 28, 2011

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