# Department of Planning and Budget
## 2012 Fiscal Impact Statement

1. **Bill Number:** SB583

   **House of Origin** ☒ Introduced ☐ Substitute ☐ Engrossed

   **Second House** ☐ In Committee ☐ Substitute ☐ Enrolled

2. **Patron:** Edwards

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

4. **Title:** Courts not of record; circuit court hearing; termination of juvenile court jurisdiction; objections

5. **Summary:** Provides, in certain violent felony cases, for a juvenile's right to appeal to the circuit court the attorney for the Commonwealth's decision to certify that the juvenile's case be transferred to the circuit court for trial as an adult. If the juvenile appeals the decision to transfer, the circuit court will conduct a hearing on the merits, using factors currently used by the juvenile and domestic relations district court for transfer decisions.

6. **Budget Amendment Necessary**: No

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

8. **Fiscal Implications:** For the class of felony charges specified in subsection C of § 16.1-269.1, the attorney for the Commonwealth has the discretion to seek the certification of that charge to circuit court for trial of the juvenile as an adult, upon a finding of probable cause. This bill would permit the appeal of that certification to circuit court for consideration of whether the juvenile is a proper person to remain within the jurisdiction of the circuit court or should be remanded back to juvenile court. The class of potential appeals under this bill represents cases already tried in circuit court. Thus, this bill would not increase the number of trials of this class of cases.

   The only potential impact would be the number of appeal hearings conducted in circuit court generated by this bill. During 2011, charges against 322 juveniles were certified from juvenile court to circuit court under subsection C of § 16.1-69.1. While it is not possible to predict what percentage of those cases would involve an appeal of the certification, the fiscal impact of these new appeals could be accommodated with current court resources.

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

10. **Technical Amendment Necessary:** No

11. **Other Comments:** Same as HB1198

**Date:** January 26, 2012
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