

## Department of Planning and Budget 2014 Fiscal Impact Statement

**1. Bill Number:** HB606S1

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

**2. Patron:** Miller

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

**4. Title:** Number of circuit and district court judges

**5. Summary:** Increases and decreases the number of circuit, general district, and juvenile court judges authorized for each judicial circuit and district in accordance with a study report issued by the National Center for State Courts. These adjustments are recommended by the Judicial Council and by the Committee on District Courts. It also requires the courts to gather empirical data and report to the Chairmen of House Appropriations and Senate Finances Committees by November 1, 2015 on the use of interpreters, cases involving pro se litigants, judge travel time and the use of prosecutors in misdemeanor cases.

**6. Budget Amendment Necessary:** Yes, Items 39, 40 and 41

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

**8. Fiscal Implications:** Currently, § 16.1-69.6.1 (district) and § 17.1-507 (circuit) of the Code of Virginia authorizes a total of 402 judgeships as shown in the table below:

<i>Court</i>	<i>Number authorized judgeships</i>
Circuit	158
General District	127
Juvenile and Domestic Relations	117
<i>Total</i>	<b>402</b>

As of January 15, 2014, there are 44 current or announced judgeship vacancies. Since the Governor's introduced budget eliminated the requirement for the judiciary to revert judgeship savings back to the general fund, there is sufficient existing appropriation in the budgets of the court system to fill the currently authorized vacant judgeships.

The NCSC report concluded 429 total judgeships are needed to meet the workload requirements of the court system. Although the report showed judgeships should be increased in some judicial districts/circuits and decreased in others, according to the Office of the Executive Secretary of the Supreme Court (OES), a net increase of 27 judgeships is needed. For each of the 27 judgeships that are filled, the cost would be \$284,047 for each circuit court

judgeship and \$259,369 for each general district court and juvenile and domestic relations court judgeship. The costs include salary, fringe benefits, substitute judge costs and office expenses.

The Senate substitute to the proposed legislation reduces total authorized general district court judgeships by 3, increases juvenile and domestic relations court judgeships by 17 and increases circuit court judgeships by 13 for a net increase in total judgeships of 27. The provisions of the Senate substitute can be implemented with existing agency resources.

Also, the Senate substitute requires OES to gather data on the impact of interpreters on judicial workloads and report recommendations to the Chairmen of the House Appropriations and Senate Finance Committees by November 1, 2015. According to OES, this requirement can be accomplished utilizing existing resources.

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

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None