

Department of Planning and Budget 2014 Fiscal Impact Statement

1. **Bill Number:** SB443ER

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

2. **Patron:** Norment

3. **Committee:** Passed Both Houses

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. The legislation 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 reliance and use of interpreters in circuit, general district and juvenile and domestic relations courts in the Commonwealth. The legislation also authorizes the Chief Justice of the Virginia Supreme Court to designate any judge serving in any circuit or district where the number of authorized judgeships is reduced after July 1, 2014, to provide judicial assistance to any circuit or district court, as appropriate.

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

7. **Fiscal Impact Estimates:** Final (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> | 402 |

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, 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. Judgeship costs include salary, fringe benefits, substitute judge costs and office expenses.

The enrolled bill 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 this enrolled bill can be implemented with existing agency resources.

Also, the enrolled bill requires OES to gather data on the reliance and use 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

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