



Judicial Department

The Judicial Department includes Virginia's system of courts. It has responsibility for legal proceedings for criminal offenses and civil issues, including custody and control of children, divorce and other family matters, traffic offenses, and the appointment of electoral boards. The courts also review decisions of quasi-judicial agencies such as the Virginia Workers' Compensation Commission and State Corporation Commission. The courts order funding for indigent defense through the "criminal fund" and for involuntary mental commitments through the "involuntary mental commitment fund." In addition to the court system, the Judicial Department includes other agencies that regulate the legal profession, as well as the Public Defender Commission and the Virginia Criminal Sentencing Commission.

Summary of recommended funding for Judicial agencies

Agency	Fiscal year 2003			Fiscal year 2004		
	GF	NGF	All funds	GF	NGF	All funds
Supreme Court of Virginia	17.4	0.5	17.8	17.4	0.5	17.9
Court of Appeals of Virginia	5.7	0.0	5.7	5.7	0.0	5.7
Circuit Courts	79.9	0.2	80.1	79.8	0.2	80.0
General District Courts	72.9	0.0	72.9	72.7	0.0	72.7
Juvenile and Domestic Relations District Courts	54.3	0.0	54.3	54.2	0.0	54.2
Combined District Courts	16.3	0.0	16.3	16.3	0.0	16.3
Magistrate System	18.6	0.0	18.6	18.6	0.0	18.6
Board of Bar Examiners	0.9	0.0	0.9	0.9	0.0	0.9
Judicial Inquiry and Review Commission	0.5	0.0	0.5	0.5	0.0	0.5
Public Defender Commission	22.1	0.0	22.1	22.7	0.0	22.7
Virginia Criminal Sentencing Commission	0.8	<0.1	0.9	0.8	<0.1	0.9
Virginia State Bar	2.1	11.3	13.4	2.1	10.8	12.9
Judicial Department Reversion Clearing Account	(1.8)	0.0	(1.8)	(2.8)	0.0	(2.8)
Total for Judicial	289.7	12.0	301.7	288.9	11.5	300.4

Dollars in millions. Figures may not add due to rounding. See notes to this table on page B-1.

Supreme Court of Virginia

Budget reductions:

- ▶ **Implement October executive reductions.** Decreases appropriation to reflect budget reductions announced in October 2002. The agency will reduce out-of-state training for judges and technology training, reduce overtime, implement a hiring delay for classified employees, and reduce printing and mailing costs. The reductions do not result in any layoffs. For 2003, a reduction of \$261,500 (GF). For 2004, a reduction of \$275,000 (GF).

Court of Appeals of Virginia

- ▶ **Implement October executive reductions.** Decreases appropriation to reflect budget reductions announced in October 2002. The agency will reduce overtime and training costs. The reductions do not result in any layoffs. For each year, \$32,000 (GF).

Circuit Courts

Recommended amendments:

- ▶ **Impose additional DUI fee.** Imposes an additional fee of \$100 for anyone convicted of driving under the influence (DUI). This fee increase will be applicable in Circuit and District Courts. The revenue derived from this fee will be deposited into the general fund to cover state costs associated with DUI testing services and the state's Breathalyzer Training and Certification Program.
- ▶ **Increase Intensified Drug Enforcement Jurisdiction Fund.** Increases the amount of the fee collected for the Intensified Drug Enforcement Jurisdiction Fund by one dollar, from two dollars to three dollars. This fee increase will be applicable in Circuit and District Courts.

General District Courts

Budget reductions:

- ▶ **Implement October executive reductions.** Decreases appropriation to reflect budget reductions announced in October 2002. The agency will reduce the number of days allowed for the use of substitute judges, institute a 60-day hiring delay, and reduce the usage of wage personnel. The reductions do not result in any layoffs. For 2003, a reduction of \$512,945 (GF). For 2004, a reduction of \$621,741 (GF).

Juvenile and Domestic Relations District Courts

Budget reductions:

- ▶ **Implement October executive reductions.** Decreases appropriation to reflect budget reductions announced in October 2002. The agency will reduce Alternative Dispute Resolution (mediation) settlement conferences, reduce the number of days allowed for the use of substitute judges, institute a 60-day hiring delay, and reduce the usage of wage personnel. The reductions do not result in any layoffs. For 2003, a reduction of \$396,350 (GF). For 2004, a reduction of \$453,195 (GF).

Other amendments:

- ▶ **Increase funds for criminal indigent defense.** Additional funds to pay the court costs of low-income persons. The Criminal Fund is a descriptive title for the various statutes that require the payment of court costs and allowances. The major expenditure in this fund is for the services of court appointed attorneys for indigent defendants in criminal cases. For each year, \$2.0 million (GF).

Combined District Courts

Budget reductions:

- ▶ **Implement October executive reductions.** Decreases appropriation to reflect budget reductions announced in October 2002. The agency will reduce the number of days allowed for the use of substitute judges, institute a 60-day hiring delay, and reduce the usage of wage personnel. The reductions do not result in any layoffs. For 2003, a reduction of \$110,077 (GF). For 2004, a reduction of \$127,568 (GF).

Magistrate System

Budget reductions:

- ▶ **Implement October executive reductions.** Decreases appropriation to reflect budget reductions announced in October 2002. The agency will implement a 60-day hiring delay for vacant Magistrate positions. This adjustment does not result in any layoffs. For 2003, a reduction of \$126,163 (GF). For 2004, a reduction of \$161,146 (GF).

Board of Bar Examiners

No recommended amendments

Judicial Inquiry and Review Commission

No recommended amendments

Public Defender Commission

No recommended amendments

Virginia Criminal Sentencing Commission

Recommended amendments:

- ▶ **Adjust recommendation criteria for nonviolent risk assessment instrument.** Authorizes the Sentencing Commission to adjust the criteria that it uses to recommend alternative sentencing for non-

violent felony offenders. The action is contained in Budget Bill language, and has no direct budget impact.

- ▶ **Develop sentencing guidelines for technical violators.** Authorizes the Sentencing Commission to develop discretionary guidelines for judges to use in imposing sentences on offenders on probation who commit technical violations of the conditions of their probation. This action is contained in Budget Bill language, and has no direct budget impact.

Virginia State Bar

Recommended amendments:

- ▶ **Provide funding for office space increase.** A technical adjustment to provide additional funding for costs associated with increased office space for the Alexandria office. For 2003, an increase of \$12,460 (NGF). For 2004, an increase of \$21,500 (NGF).
- ▶ **Adjust funding for increased Attorney General fees and one-time health insurance plan consultant.** A technical adjustment to provide additional appropriation to fund an increase in administrative fees charged by the Office of the Attorney General and to fund costs associated with a health insurance plan consultant. For 2003, an increase of \$46,655 (NGF). For 2004, an increase of \$33,500 (NGF).

Judicial Department Reversion Clearing Account

No recommended amendments



Judicial Department

Detail Tables

	Fiscal Year 2003			Fiscal Year 2004		
	General	Nongeneral	All Funds	General	Nongeneral	All Funds
SUPREME COURT						
2002-2004 legislative appropriation	17,616,680	478,786	18,095,466	17,672,326	478,786	18,151,112
Budget reductions:						
► Implement October executive reductions	(261,500)	0	(261,500)	(275,000)	0	(275,000)
Subtotal budget reductions	(261,500)	0	(261,500)	(275,000)	0	(275,000)
Total recommended amendments	(261,500)	0	(261,500)	(275,000)	0	(275,000)
Total recommended funding	17,355,180	478,786	17,833,966	17,397,326	478,786	17,876,112
% change over legislative appropriation	(1.48%)	0%	(1.45%)	(1.56%)	0%	(1.52%)
Position level:						
2002-2004 legislative appropriation	108.63	1.00	109.63	108.63	1.00	109.63
Recommended amendments	0	0	0	0	0	0
Total recommended positions	108.63	1.00	109.63	108.63	1.00	109.63
COURT OF APPEALS OF VIRGINIA						
2002-2004 legislative appropriation	5,698,341	0	5,698,341	5,704,776	0	5,704,776
Budget reductions:						
► Implement October executive reductions	(32,000)	0	(32,000)	(32,000)	0	(32,000)
Subtotal budget reductions	(32,000)	0	(32,000)	(32,000)	0	(32,000)
Total recommended amendments	(32,000)	0	(32,000)	(32,000)	0	(32,000)
Total recommended funding	5,666,341	0	5,666,341	5,672,776	0	5,672,776
% change over legislative appropriation	(0.56%)	0%	(0.56%)	(0.56%)	0%	(0.56%)
Position level:						
2002-2004 legislative appropriation	55.13	0	55.13	55.13	0	55.13
Recommended amendments	0	0	0	0	0	0
Total recommended positions	55.13	0	55.13	55.13	0	55.13
CIRCUIT COURTS						
2002-2004 legislative appropriation	79,920,857	198,600	80,119,457	79,774,857	198,600	79,973,457
Total recommended funding	79,920,857	198,600	80,119,457	79,774,857	198,600	79,973,457
% change over legislative appropriation	0%	0%	0%	0%	0%	0%

	Fiscal Year 2003			Fiscal Year 2004		
	General	Nongeneral	All Funds	General	Nongeneral	All Funds
Position level:						
2002-2004 legislative appropriation	157.00	0	157.00	157.00	0	157.00
Recommended amendments	0	0	0	0	0	0
Total recommended positions	157.00	0	157.00	157.00	0	157.00
GENERAL DISTRICT COURTS						
2002-2004 legislative appropriation	73,367,131	0	73,367,131	73,367,131	0	73,367,131
Budget reductions:						
▶ Implement October executive reductions	(512,945)	0	(512,945)	(621,741)	0	(621,741)
Subtotal budget reductions	(512,945)	0	(512,945)	(621,741)	0	(621,741)
Total recommended amendments	(512,945)	0	(512,945)	(621,741)	0	(621,741)
Total recommended funding	72,854,186	0	72,854,186	72,745,390	0	72,745,390
% change over legislative appropriation	(0.70%)	0%	(0.70%)	(0.85%)	0%	(0.85%)
Position level:						
2002-2004 legislative appropriation	948.20	0	948.20	948.20	0	948.20
Recommended amendments	0	0	0	0	0	0
Total recommended positions	948.20	0	948.20	948.20	0	948.20
JUVENILE AND DOMESTIC RELATIONS DISTRICT COURTS						
2002-2004 legislative appropriation	52,694,933	0	52,694,933	52,694,933	0	52,694,933
Budget reductions:						
▶ Implement October executive reductions	(396,350)	0	(396,350)	(453,195)	0	(453,195)
Subtotal budget reductions	(396,350)	0	(396,350)	(453,195)	0	(453,195)
Other amendments:						
▶ Increase funds for criminal indigent defense	2,000,000	0	2,000,000	2,000,000	0	2,000,000
Subtotal other amendments	2,000,000	0	2,000,000	2,000,000	0	2,000,000
Total recommended amendments	1,603,650	0	1,603,650	1,546,805	0	1,546,805
Total recommended funding	54,298,583	0	54,298,583	54,241,738	0	54,241,738
% change over legislative appropriation	3.04%	0%	3.04%	2.94%	0%	2.94%
Position level:						
2002-2004 legislative appropriation	561.80	0	561.80	561.80	0	561.80
Recommended amendments	0	0	0	0	0	0
Total recommended positions	561.80	0	561.80	561.80	0	561.80
COMBINED DISTRICT COURTS						
2002-2004 legislative appropriation	16,409,066	0	16,409,066	16,409,066	0	16,409,066
Budget reductions:						
▶ Implement October executive reductions	(110,077)	0	(110,077)	(127,568)	0	(127,568)
Subtotal budget reductions	(110,077)	0	(110,077)	(127,568)	0	(127,568)
Total recommended amendments	(110,077)	0	(110,077)	(127,568)	0	(127,568)

See notes to these tables on page B-2.

	Fiscal Year 2003			Fiscal Year 2004		
	General	Nongeneral	All Funds	General	Nongeneral	All Funds
Total recommended funding	16,298,989	0	16,298,989	16,281,498	0	16,281,498
% change over legislative appropriation	(0.67%)	0%	(0.67%)	(0.78%)	0%	(0.78%)
Position level:						
2002-2004 legislative appropriation	222.75	0	222.75	222.75	0	222.75
Recommended amendments	0	0	0	0	0	0
Total recommended positions	222.75	0	222.75	222.75	0	222.75
MAGISTRATE SYSTEM						
2002-2004 legislative appropriation	18,769,326	0	18,769,326	18,770,607	0	18,770,607
Budget reductions:						
► Implement October executive reductions	(126,163)	0	(126,163)	(161,146)	0	(161,146)
Subtotal budget reductions	(126,163)	0	(126,163)	(161,146)	0	(161,146)
Total recommended amendments	(126,163)	0	(126,163)	(161,146)	0	(161,146)
Total recommended funding	18,643,163	0	18,643,163	18,609,461	0	18,609,461
% change over legislative appropriation	(0.67%)	0%	(0.67%)	(0.86%)	0%	(0.86%)
Position level:						
2002-2004 legislative appropriation	399.20	0	399.20	399.20	0	399.20
Recommended amendments	0	0	0	0	0	0
Total recommended positions	399.20	0	399.20	399.20	0	399.20
BOARD OF BAR EXAMINERS						
2002-2004 legislative appropriation	914,859	0	914,859	914,859	0	914,859
Total recommended funding	914,859	0	914,859	914,859	0	914,859
% change over legislative appropriation	0%	0%	0%	0%	0%	0%
Position level:						
2002-2004 legislative appropriation	5.00	0	5.00	5.00	0	5.00
Recommended amendments	0	0	0	0	0	0
Total recommended positions	5.00	0	5.00	5.00	0	5.00
JUDICIAL INQUIRY AND REVIEW COMMISSION						
2002-2004 legislative appropriation	461,248	0	461,248	462,725	0	462,725
Total recommended funding	461,248	0	461,248	462,725	0	462,725
% change over legislative appropriation	0%	0%	0%	0%	0%	0%
Position level:						
2002-2004 legislative appropriation	3.00	0	3.00	3.00	0	3.00
Recommended amendments	0	0	0	0	0	0
Total recommended positions	3.00	0	3.00	3.00	0	3.00

	Fiscal Year 2003			Fiscal Year 2004		
	General	Nongeneral	All Funds	General	Nongeneral	All Funds
PUBLIC DEFENDER COMMISSION						
2002-2004 legislative appropriation	22,089,767	0	22,089,767	22,666,785	0	22,666,785
Total recommended funding	22,089,767	0	22,089,767	22,666,785	0	22,666,785
% change over legislative appropriation	0%	0%	0%	0%	0%	0%
Position level:						
2002-2004 legislative appropriation	346.00	0	346.00	346.00	0	346.00
Recommended amendments	0	0	0	0	0	0
Total recommended positions	346.00	0	346.00	346.00	0	346.00
VIRGINIA CRIMINAL SENTENCING COMMISSION						
2002-2004 legislative appropriation	822,340	35,000	857,340	823,817	35,000	858,817
Total recommended funding	822,340	35,000	857,340	823,817	35,000	858,817
% change over legislative appropriation	0%	0%	0%	0%	0%	0%
Position level:						
2002-2004 legislative appropriation	10.00	0	10.00	10.00	0	10.00
Recommended amendments	0	0	0	0	0	0
Total recommended positions	10.00	0	10.00	10.00	0	10.00
VIRGINIA STATE BAR						
2002-2004 legislative appropriation	2,145,000	11,211,264	13,356,264	2,145,000	10,711,264	12,856,264
Other amendments:						
▶ Provide funding for office space increase	0	12,460	12,460	0	21,500	21,500
▶ Adjust funding for increased Attorney General fees and one-time health insurance plan consultant	0	46,655	46,655	0	33,500	33,500
Subtotal other amendments	0	59,115	59,115	0	55,000	55,000
Total recommended amendments	0	59,115	59,115	0	55,000	55,000
Total recommended funding	2,145,000	11,270,379	13,415,379	2,145,000	10,766,264	12,911,264
% change over legislative appropriation	0%	0.53%	0.44%	0%	0.51%	0.43%
Position level:						
2002-2004 legislative appropriation	0	79.50	79.50	0	79.50	79.50
Recommended amendments	0	0	0	0	0	0
Total recommended positions	0	79.50	79.50	0	79.50	79.50
JUDICIAL DEPARTMENT REVERSION CLEARING ACCOUNT						
2002-2004 legislative appropriation	(1,754,249)	0	(1,754,249)	(2,806,799)	0	(2,806,799)
Total recommended funding	(1,754,249)	0	(1,754,249)	(2,806,799)	0	(2,806,799)
% change over legislative appropriation	0%	0%	0%	0%	0%	0%

	Fiscal Year 2003			Fiscal Year 2004		
	General	Nongeneral	All Funds	General	Nongeneral	All Funds
Position level:						
2002-2004 legislative appropriation	0	0	0	0	0	0
Recommended amendments	0	0	0	0	0	0
Total recommended positions	0	0	0	0	0	0
 TOTAL FOR JUDICIAL						
Grand total recommended funds	289,716,264	11,982,765	301,699,029	288,929,433	11,478,650	300,408,083
Grand total recommended positions	2,816.71	80.50	2,897.21	2,816.71	80.50	2,897.21