

# 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 Worker's 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 Indigent Defense Commission and the Virginia Criminal Sentencing Commission.



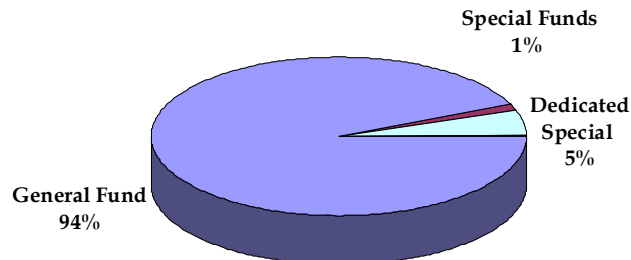
## JUDICIAL DEPARTMENT INCLUDES:

- Supreme Court of Virginia
- Court of Appeals of Virginia
- Circuit Courts
- General District Courts
- Juvenile and Domestic Relations District Courts
- Combined District Courts
- Magistrate System
- Board of Bar Examiners
- Judicial Inquiry and Review Commission
- Indigent Defense Commission
- Virginia Criminal Sentencing Commission
- Virginia State Bar

## Financing of the Judicial Department\*

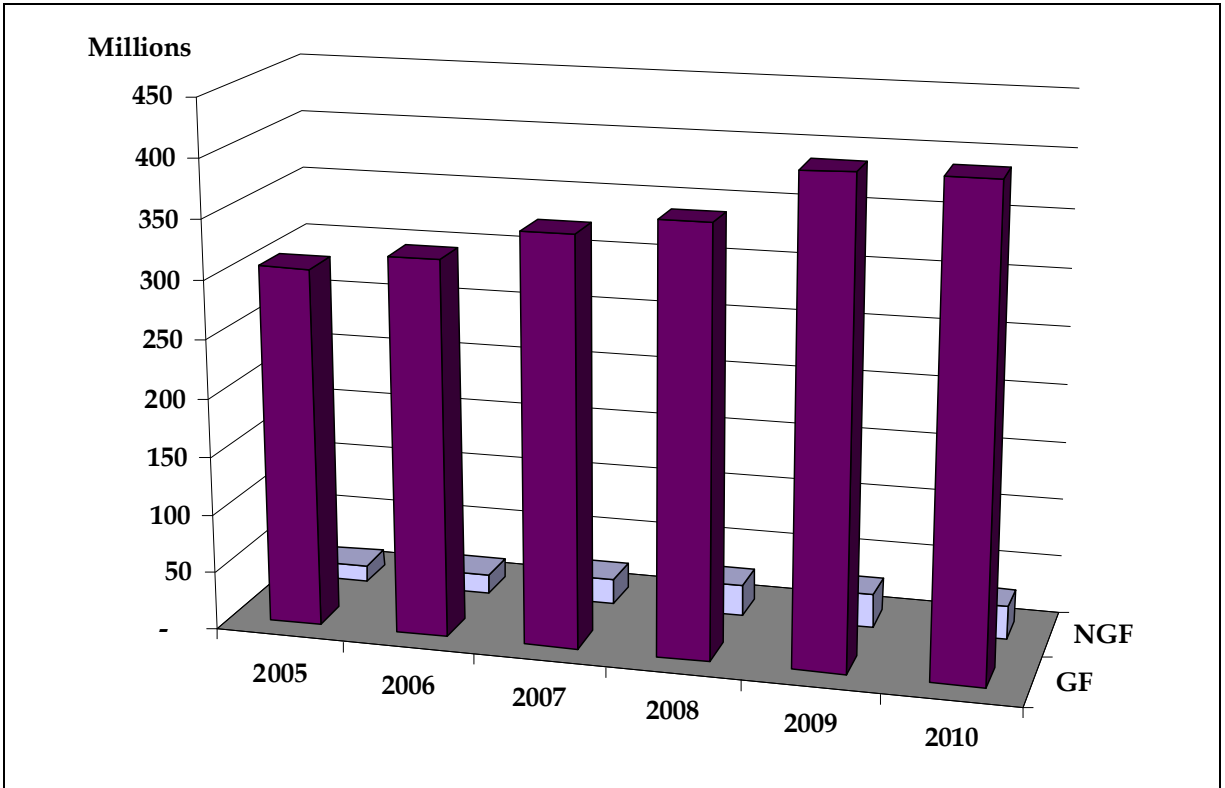
Based on 2008 - 2010 Proposed Operating Budget

\*Funds with totals less than 1% have not been included





# Judicial Department Operating Budget History



## Supreme Court of Virginia

The Supreme Court of Virginia provides an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

### Operating Budget History

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$17,850,457	\$535,571	109.63
2006 Appropriation	\$19,541,699	\$1,517,828	118.63
2007 Appropriation	\$23,900,542	\$6,709,860	124.63
2008 Appropriation	\$51,933,171	\$11,005,890	136.63

### New Operating Budget Summary

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$31,692,351	\$11,921,107	145.63
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$31,692,351	\$11,921,107	145.63
2010 Base Budget	\$33,692,351	\$11,696,107	145.63
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$33,692,351	\$11,696,107	145.63

### Recommended Operating Budget Addenda

► **Amend language dealing with the reimbursement of judges' travel expense**

Amends language reimbursing judges for commuting expenses outside their domicile, where travel is greater than 25 miles between a judge's residence and the courthouse.

## Court of Appeals of Virginia

The Court of Appeals of Virginia provides an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

### Operating Budget History

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$5,864,977	\$0	55.13
2006 Appropriation	\$6,794,916	\$0	66.13
2007 Appropriation	\$7,096,364	\$0	66.13
2008 Appropriation	\$7,220,528	\$0	69.13

### New Operating Budget Summary

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$8,332,856	\$0	69.13
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$8,332,856	\$0	69.13
2010 Base Budget	\$8,332,856	\$0	69.13
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$8,332,856	\$0	69.13

## Circuit Courts

The Circuit Courts provide an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

### Operating Budget History

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$71,659,520	\$300,000	162.00
2006 Appropriation	\$80,354,941	\$300,000	163.00
2007 Appropriation	\$87,378,958	\$300,000	164.00
2008 Appropriation	\$85,967,603	\$300,000	164.00

### New Operating Budget Summary

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$96,235,870	\$300,000	164.00
2009 Addenda	\$5,408,000	\$0	0.00
2009 TOTAL	\$101,643,870	\$300,000	164.00
2010 Base Budget	\$96,155,870	\$300,000	164.00
2010 Addenda	\$5,408,000	\$0	0.00
2010 TOTAL	\$101,563,870	\$300,000	164.00

### Recommended Operating Budget Addenda

► **Add funding to Criminal Fund**

Provides additional funds to pay court costs of low-income persons. The major expenditure in this fund is for the services of court-appointed attorneys for indigent defendants in criminal cases. For each year, \$5.4 million (GF).

## General District Courts

The General District Courts provide an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

### Operating Budget History

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$77,758,040	\$0	989.10
2006 Appropriation	\$78,260,049	\$0	990.10
2007 Appropriation	\$83,798,982	\$0	1,018.10
2008 Appropriation	\$83,521,482	\$0	1,018.10

### New Operating Budget Summary

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$95,007,422	\$0	1,018.10
2009 Addenda	\$610,076	\$0	0.00
2009 TOTAL	\$95,617,498	\$0	1,018.10
2010 Base Budget	\$95,007,422	\$0	1,018.10
2010 Addenda	\$610,076	\$0	0.00
2010 TOTAL	\$95,617,498	\$0	1,018.10

### Recommended Operating Budget Addenda

**General District Courts (Continued)**

► **Provide additional funding for Involuntary Mental Commitment**

Increases funding to pay costs related to the involuntary commitment of indigent persons for mental health evaluation and care. Costs are for attorneys, special justices, interpreters, and witnesses, if applicable, while an individual is detained. For each year, \$610,076 (GF).

**Juvenile and Domestic Relations District Courts**

The Juvenile and Domestic Relations District Courts provide an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

**Operating Budget History**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2005 Appropriation	\$64,567,027	\$0	589.10
2006 Appropriation	\$63,314,963	\$0	590.10
2007 Appropriation	\$66,330,279	\$0	594.10
2008 Appropriation	\$66,142,779	\$0	594.10

**New Operating Budget Summary**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2009 Base Budget	\$75,852,401	\$0	594.10
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$75,852,401	\$0	594.10
2010 Base Budget	\$75,852,401	\$0	594.10
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$75,852,401	\$0	594.10

**Combined District Courts**

The Combined District Courts provide an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

**Operating Budget History**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2005 Appropriation	\$18,252,505	\$0	204.55
2006 Appropriation	\$17,795,661	\$0	204.55
2007 Appropriation	\$18,448,785	\$0	204.55
2008 Appropriation	\$18,373,785	\$0	204.55

**New Operating Budget Summary**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2009 Base Budget	\$22,096,468	\$0	204.55
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$22,096,468	\$0	204.55
2010 Base Budget	\$22,096,468	\$0	204.55
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$22,096,468	\$0	204.55

**Magistrate System**

The magistrate system provides an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the United States and Virginia constitutions.

**Operating Budget History**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2005 Appropriation	\$19,360,534	\$0	400.20
2006 Appropriation	\$19,360,963	\$0	400.20
2007 Appropriation	\$20,955,406	\$0	400.20
2008 Appropriation	\$20,794,631	\$0	400.20

**New Operating Budget Summary**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2009 Base Budget	\$27,498,173	\$0	435.20
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$27,498,173	\$0	435.20
2010 Base Budget	\$28,185,653	\$0	446.20
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$28,185,653	\$0	446.20

**Board of Bar Examiners**

The Virginia Board of Bar Examiners is empowered to prepare, administer and grade the Virginia Bar Examination and license those applicants who pass the exam and who are otherwise qualified to practice law in Virginia.

**Operating Budget History**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2005 Appropriation	\$0	\$997,828	5.00
2006 Appropriation	\$0	\$993,828	5.00
2007 Appropriation	\$0	\$1,210,715	7.00
2008 Appropriation	\$0	\$1,254,060	7.00

**New Operating Budget Summary**

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$0	\$1,382,237	7.00
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$0	\$1,382,237	7.00
2010 Base Budget	\$0	\$1,364,507	7.00
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$0	\$1,364,507	7.00

**New Operating Budget Summary**

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$43,132,492	\$167,079	540.00
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$43,132,492	\$167,079	540.00
2010 Base Budget	\$43,132,492	\$167,079	540.00
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$43,132,492	\$167,079	540.00

**Judicial Inquiry and Review Commission**

The mission of the Judicial Inquiry and Review Commission is to investigate charges of judicial misconduct or serious mental or physical disability.

**Operating Budget History**

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$480,491	\$0	3.00
2006 Appropriation	\$481,464	\$0	3.00
2007 Appropriation	\$519,064	\$0	3.00
2008 Appropriation	\$514,951	\$0	3.00

**New Operating Budget Summary**

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$568,368	\$0	3.00
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$568,368	\$0	3.00
2010 Base Budget	\$568,368	\$0	3.00
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$568,368	\$0	3.00

**Indigent Defense Commission**

The Virginia Indigent Defense Commission will support the Commonwealth's Constitutional obligation to provide legal representation to indigent criminal defendants through the administration of a state public defender system and the certification of court appointed counsel.

**Operating Budget History**

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$28,363,168	\$10,000	464.00
2006 Appropriation	\$32,050,979	\$10,000	482.00
2007 Appropriation	\$36,152,445	\$10,000	514.00
2008 Appropriation	\$39,647,664	\$10,000	540.00

**Virginia Criminal Sentencing Commission**

The Mission of The Virginia Criminal Sentencing Commission is to develop, implement, maintain, and continually update a discretionary sentencing guidelines system to assist the judiciary in the imposition of felony sentences in the Commonwealth, to establish rational and consistent sentencing standards which reduce unwarranted sentencing disparity, to conduct criminological research on felony recidivism in order to develop, implement and maintain offender risk assessment instruments that are predictive of the future likelihood of a return to criminal conduct, to integrate offender risk assessment instruments into the felony sentencing guidelines system, to review proposed legislation and estimate the future correctional costs of new initiatives, and to maintain a felony sentencing guidelines system that emphasizes the accountability of the offender and of the criminal justice system to the citizens of the Commonwealth and fosters public confidence in Virginia's justice system.

**Operating Budget History**

	General Fund	Nongeneral Fund	Positions
2005 Appropriation	\$850,198	\$35,000	10.00
2006 Appropriation	\$851,171	\$35,000	10.00
2007 Appropriation	\$906,528	\$70,000	10.00
2008 Appropriation	\$900,897	\$70,000	10.00

**New Operating Budget Summary**

	General Fund	Nongeneral Fund	Positions
2009 Base Budget	\$980,960	\$70,000	10.00
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$980,960	\$70,000	10.00
2010 Base Budget	\$980,960	\$70,000	10.00
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$980,960	\$70,000	10.00

**Virginia State Bar**

The mission of the Virginia State Bar, as an administrative agency of the Supreme Court of Virginia, is (1) to regulate the legal profession of Virginia; (2) to advance the availability and quality of legal services provided to the people of Virginia; and (3) to assist in improving the legal profession and the judicial system.

**Operating Budget History**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2005 Appropriation	\$2,145,015	\$11,977,317	85.00
2006 Appropriation	\$2,145,015	\$13,474,369	85.00
2007 Appropriation	\$2,395,015	\$14,154,397	89.00
2008 Appropriation	\$2,520,015	\$15,276,669	89.00

**New Operating Budget Summary**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2009 Base Budget	\$2,520,000	\$20,350,458	89.00
2009 Addenda	\$0	\$0	0.00
2009 TOTAL	\$2,520,000	\$20,350,458	89.00
2010 Base Budget	\$2,520,000	\$20,350,458	89.00
2010 Addenda	\$0	\$0	0.00
2010 TOTAL	\$2,520,000	\$20,350,458	89.00

**Judicial Department Reversion Clearing Account****Operating Budget History**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2005 Appropriation	(\$1,000,000)	\$0	0.00
2006 Appropriation	\$0	\$0	0.00
2007 Appropriation	\$0	\$0	0.00
2008 Appropriation	\$0	\$0	0.00

**New Operating Budget Summary**

	<b>General Fund</b>	<b>Nongeneral Fund</b>	<b>Positions</b>
2009 Addenda	(\$2,009,850)	\$0	0.00
2009 TOTAL	(\$2,009,850)	\$0	0.00
2010 Addenda	(\$3,022,600)	\$0	0.00
2010 TOTAL	(\$3,022,600)	\$0	0.00

**Recommended Operating Budget Addenda****► Implement targeted reductions**

Implements targeted reductions for 2009 and 2010 included in Governor Kaine's 2008-2010 Budget Reduction Plan. Reduction details can be found in Part D of this document. For 2009, a decrease of \$2.0 million (GF). For 2010, a decrease of \$3.0 million (GF).