

Department of Planning and Budget 2003 Fiscal Impact Statement

1. Bill Number SB1147

House of Origin Introduced Substitute Engrossed

Second House In Committee Substitute Enrolled

2. Patron Stolle

3. Committee Senate Courts of Justice

4. Title Fees for services of juvenile and domestic relations district court

5. Summary/Purpose: The introduced legislation proposes to amend the Code of Virginia by adding a section numbered 16.1 -69.48:5 which provides for a \$10 filing fee for initial commencement of a case in the juvenile court concerning custody, visitation, or support of a child.

6. Fiscal Impact Estimates are: Preliminary. See item #8.

7. Budget amendment necessary: Yes. Item 444.

8. Fiscal implications: The fiscal implications of this legislation are uncertain. According to the Department of Juvenile Justice (DJJ), there were approximately 61,000 petitions filed in FY02. If each petition carried with it a \$10 fee, \$615,000 in revenue would be generated. However, DJJ advises that it was informed by staff of the Supreme Court that § 17.1 -606 of the Code of Virginia directs that fees be waived if the person filing the petition is indigent. Therefore, a significant portion of the persons filing these petitions may qualify as indigent, thus no fees will be collected from this population potentially significantly reducing the revenue collected.

DJJ further advises that additional staff would likely be needed to process the fees, account for the cash and checks, and deliver said collections to the Office of the Clerk of the Court. DJJ estimates that each regular transaction would take approximately 15 minutes. Projected across the Commonwealth that would require additional clerk positions at an annual cost of approximately \$220,000. If Probation Officers were used for this function the costs would rise to approximately \$360,000 annually. The Supreme Court thought that processing time could be as much as 30 minutes, raising expenses to \$490,000 and \$800,000, respectively.

Given the significant questions remaining, it is difficult to precisely estimate the likely revenue or costs of adding this fee.

9. Specific agency or political subdivisions affected: Department of Juvenile Justice, Clerks of the Courts.

10. Technical amendment necessary: No.

11. Other comments: This legislation is similar to HB2444. DJJ has indicated that while having the Clerk of the Court collect the new fee would ease its workload, it would still likely take additional time to determine if the fees had been paid before processing the petition.

Date: 01/27/03/MEM

Document: G:\Fis\03\Djj\Sb1147.Doc MichaelMcMahon

cc:Secretary of Public Safety