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December 29, 2006

The Honorable David B. Albo
Chairman, House Courts of Justice Committee
6367 Rolling Mill Place, Suite 102
Springfield, VA 22152

The Honorable Kenneth W. Stolle
Chairman, Senate Courts of Justice Committee
2101 Parks Ave., Suite 700
Virginia Beach, VA 23451

The Honorable Vincent F. Callahan, Jr.
Chairman, House Appropriations Committee
P.O. Box 1173
McLean, VA 22101

The Honorable John H. Chichester
Chairman, Senate Finance Committee
P. O. Box 904
Fredericksburg, VA 22404

Dear Mr. Chairmen:

Virginia Code § 16.1-69.10 provides that the Committee on District Courts shall make a study and report to the General Assembly on the number of district court judges needed and the districts for which they should be authorized. The Committee on District Courts recommends the authorization of three new general district judgeships (one each in the second, eleventh and twenty-sixth judicial districts), and two new juvenile and domestic relations judgeships (one each in the first and twenty-eighth judicial districts). The Committee on District Courts also recommends that the General Assembly amend § 16.1-69.6:1 to reflect the addition of these new judgeships. Please find enclosed the reports outlining the workload analysis for each judicial district referenced above,

and the fiscal impact statement for these judgeships. As you will see, the financial impact for the creation of each new district court judgeship will be \$210,113.

If you have any questions, please do not hesitate to contact me. With best wishes, I am

Very truly yours,

A handwritten signature in black ink, appearing to read 'KRH', written in a cursive style.

Karl R. Hade

KRH:bsw

Enclosures

cc: The Honorable Susan C. Schaar, Clerk
The Honorable Bruce F. Jamerson, Clerk
Mr. Richard E. Hickman, Jr., Senate Finance Staff
Mr. Michael Jay, House Appropriations Staff
Ms. Mary Kate Felch, Division of Legislative Services
Division of Legislative Automated Services



Judicial Workload Analysis The Second Judicial District

General District Court

The Second Judicial District serves the City of Virginia Beach. Figures from the U. S. Census Bureau indicate that the estimated 2005 population of the area is 438,415 residents. This represents an increase of 3.1% over 2000 population figures.

Seven general district court judges are authorized for the Second District. Serving currently are Virginia Ladd Cochran, Calvin R. Depew Jr., W. Edward Hudgins Jr., Pamela E. Hutchens, Teresa N. McCrimmon, Robert L. Simpson Jr. and Gene A. Woolard. The district is requesting an additional judgeship.

Utilization of Substitute and Retired Recalled Judges

In 2005, the judges of the Second District used approximately 186.5 days for substitute and retired recalled judges, an average of 26.6 days per judge. This was below the 2005 state average of 28.4 days per district court judge.

Review of 2005 Caseload

Data for the Second District show 178,472 new cases were filed in 2005, down 3.3% from the number reported in the previous year. The number of new criminal cases decreased 3.6% to total 23,557 with the number of new traffic cases rising 0.8% to total 84,476. Civil cases fell by 7.7% and totaled 70,439. The total number of hearings held fell 2.8% to total 183,056.

In 2005, the seven judges serving in the Second District averaged 25,496 new cases and 26,151 hearings per judge. These averages were the 17th and 19th highest, respectively, among the 32 districts in 2005. The average number of new cases per judge in the Second in 2005 was 376 cases below the statewide average (25,872 new cases per judge) and 190 cases below the 2005 urban average (25,686 new cases per judge). Judges in the Second held 26,151 hearings each, compared to the statewide average of 28,207 hearings

and the average for urban districts in 2005 of 27,762 hearings per judge. The general district judges averaged 3,365 criminal cases, 12,068 traffic, and 10,063 civil cases in 2005, compared to the statewide averages of 3,115 criminal cases, 15,589 traffic, and 7,169 civil cases per judge.

Caseload Trends for 2006

Based on historical trends, the caseload in the Second District is expected to increase this year. New cases are projected to increase 0.6% to reach 179,473 in 2006, while the number of hearings is expected to increase 0.6% to total 184,218.

With these changes, the seven judges of the district would average a total of 25,639 new cases per judge and 26,317 hearings per judge. Cases per judge would fall below the 2005 average for urban districts (25,686) by 47 cases. Statewide, the 2006 average is expected to be 26,037 new cases per judge. The Second would fall below this by 398 cases.

The number of hearings per judge in the district is expected to total 26,317. This number of hearings is 1,445 fewer than the 2005 urban average (27,762 hearings held) and would be 2,158 below the projected state average for 2006 (28,475).

Effect on Workload if the Additional Judgeship Request is Granted

If the additional judgeship request is granted, the eight judges in the Second would average 22,434 new cases, 3,252 less than the 2005 urban average (25,686) and 3,603 cases below the projected average for judges statewide in 2006 (26,037). The judges would also hold an average of 23,027 hearings, 4,735 less than the 2005 urban average (27,762) and 5,448 less than the expected state average in 2006 of 28,475 hearings per judge.

The Second Judicial District 2005 AT A GLANCE	
Population	438,415
New Cases	
Criminal	23,557
Traffic	84,476
Civil	70,439
Total	178,472
Hearings	183,056
Judges	7.0
New Cases/Judge	
Second	25,496
State Average	25,872
Urban Average	25,686
Hearings/Judge	
Second	26,151
State Average	28,207
Urban Average	27,762
2006 FORECAST*	
New Cases/Judge	
With 7 Judges	25,639
With 8 Judges	22,434
State (2005)	25,872
State (2006)*	26,037
Urban (2005)	25,686
Hearings/Judge	
With 7 Judges	26,317
With 8 Judges	23,027
State (2005)	28,207
State (2006)*	28,475
Urban (2005)	27,762
* Forecast based on historical data.	



Judicial Workload Analysis

The Eleventh Judicial District

General District Court

The Eleventh Judicial District serves the localities of Amelia, Dinwiddie, Nottoway, Powhatan, Petersburg. Figures from the U. S. Census Bureau indicate that the estimated 2005 population of the area is 112,426 residents. This represents an increase of 4.3% over 2000 population figures.

Two general district court judges are authorized for the Eleventh District. Serving currently are Garland L. Bigley, and Lucretia A. Carrico. The district is requesting an additional judgeship.

Utilization of Substitute and Retired Recalled Judges

In 2005, the judges of the Eleventh District used approximately 55.3 days for substitute and retired recalled judges, an average of 27.6 days per judge. This was below the 2005 state average of 28.4 days per district court judge.

Review of 2005 Caseload

Data for the Eleventh District show 57,106 new cases were filed in 2005, up 4.0% from the number reported in the previous year. The number of new criminal cases increased 1.9% to total 8,316 with the number of new traffic cases falling 0.2% to total 33,065. Civil cases increased by 15.5% and totaled 15,725. The total number of hearings held rose 2.9% to total 71,760.

In 2005, the two judges serving in the Eleventh District averaged 28,553 new cases and 35,880 hearings per judge. These averages were the 8th and 2nd highest, respectively, among the 32 districts in 2005. The average number of new cases per judge in the Eleventh in 2005 was 2,681 cases above the statewide average (25,872 new cases per judge) and 2,455 cases above the 2005 rural average (26,098 new cases per judge). Judges in the Eleventh held 35,880 hearings each, compared to the statewide average of 28,207 hearings and the average for rural districts in 2005 of 28,747 hearings per judge. The general district judges averaged 4,158

criminal cases, 16,533 traffic, and 7,863 civil cases in 2005, compared to the statewide averages of 3,115 criminal cases, 15,589 traffic, and 7,169 civil cases per judge.

Caseload Trends for 2006

Based on historical trends, the caseload in the Eleventh District is expected to increase this year. New cases are projected to increase 0.1% to reach 57,164 in 2006, while the number of hearings is expected to increase 0.3% to total 71,970.

With these changes, the two judges of the district would average a total of 28,582 new cases per judge and 35,985 hearings per judge. Cases per judge would exceed the 2005 average for rural districts (26,098) by 2,484 cases. Statewide, the 2006 average is expected to be 26,037 new cases per judge. The Eleventh would exceed this by 2,545 cases.

The number of hearings per judge in the district is expected to total 35,985. This number of hearings is 7,238 more than the 2005 rural average (28,747 hearings held) and would be 7,510 above the projected state average for 2006 (28,475).

Effect on Workload if the Additional Judgeship Request is Granted

If the additional judgeship request is granted, the three judges in the Eleventh would average 19,055 new cases, 7,043 less than the 2005 rural average (26,098) and 6,982 cases below the projected average for judges statewide in 2006 (26,037). The judges would also hold an average of 23,990 hearings, 4,757 less than the 2005 rural average (28,747) and 4,485 less than the expected state average in 2006 of 28,475 hearings per judge.

The Eleventh Judicial District 2005 AT A GLANCE	
Population	112,426
New Cases	
Criminal	8,316
Traffic	33,065
Civil	15,725
Total	57,106
Hearings	71,760
Judges	2.0
New Cases/Judge	
Eleventh	28,553
State Average	25,872
Rural Average	26,098
Hearings/Judge	
Eleventh	35,880
State Average	28,207
Rural Average	28,747
2006 FORECAST*	
New Cases/Judge	
With 2 Judges	28,582
With 3 Judges	19,055
State (2005)	25,872
State (2006)*	26,037
Rural (2005)	26,098
Hearings/Judge	
With 2 Judges	35,985
With 3 Judges	23,990
State (2005)	28,207
State (2006)*	28,475
Rural (2005)	28,747
* Forecast based on historical data.	



Judicial Workload Analysis

The Twenty-Sixth Judicial District

General District Court

The Twenty-Sixth Judicial District serves the City of Clarke. Figures from the U. S. Census Bureau indicate that the estimated 2005 population of the area is 318,707 residents. This represents an increase of 8.6% over 2000 population figures.

Four general district court judges are authorized for the Twenty-Sixth District. Serving currently are W. Dale Houff, Norman deV. Morrison, John A. Paul, and David Shaw Whitacre. In addition, Judge Heatwole of the Twenty-Fifth Judicial District assists in the Twenty-Sixth approximately 30% of his time. The district is requesting an additional judgeship.

Utilization of Substitute and Retired Recalled Judges

In 2005, the judges of the Twenty-Sixth District used approximately 94.5 days for substitute and retired recalled judges, an average of 22.0 days per judge. This was below the 2005 state average of 28.4 days per district court judge.

Review of 2005 Caseload

Data for the Twenty-Sixth District show 127,228 new cases were filed in 2005, down 3.4% from the number reported in the previous year. The number of new criminal cases decreased 4.9% to total 15,015 with the number of new traffic cases falling 2.9% to total 76,657. Civil cases fell by 3.7% and totaled 35,556. The total number of hearings held fell 4.3% to total 141,534.

In 2005, the four judges serving in the Twenty-Sixth District averaged 29,588 new cases and 32,915 hearings per judge. These averages were 5th and 6th highest, respectively, among the 32 districts in 2005. The average number of new cases per judge in the Twenty-Sixth in 2005 was 3,716 cases above the statewide average (25,872 new cases per judge) and 3,490 cases above the 2005 rural average (26,098 new cases per judge). Judges in the Twenty-Sixth

held 32,915 hearings each, compared to the statewide average of 28,207 hearings and the average for rural districts in 2005 of 28,747 hearings per judge. The general district judges averaged 3,492 criminal cases, 17,827 traffic, and 8,269 civil cases in 2005, compared to the statewide averages of 3,115 criminal cases, 15,589 traffic, and 7,169 civil cases per judge.

Caseload Trends for 2006

Based on historical trends, the caseload in the Twenty-Sixth District is expected to increase this year. New cases are projected to increase 2.0% to reach 129,739 in 2006, while the number of hearings is expected to increase 2.3% to total 144,748.

With these changes, the four judges of the district would average a total of 30,172 new cases per judge and 33,662 hearings per judge. Cases per judge would exceed the 2005 average for rural districts (26,098) by 4,074 cases. Statewide, the 2006 average is expected to be 26,037 new cases per judge. The Twenty-Sixth would exceed this by 4,135 cases.

The number of hearings per judge in the district is expected to total 33,662. This number of hearings is 4,915 more than the 2005 rural average (28,747 hearings held) and would be 5,187 above the projected state average for 2006 (28,475).

Effect on Workload if the Additional Judgeship Request is Granted

If the additional judgeship request is granted, the five judges in the Twenty-Sixth would average 25,948 new cases, 150 less than the 2005 rural average (26,098) and 89 cases below the projected average for judges statewide in 2006 (26,037). The judges would also hold an average of 28,950 hearings, 203 more than the 2005 rural average (28,747) and 474 more than the expected state average in 2006 of 28,475 hearings per judge.

The Twenty-Sixth Judicial District 2005 AT A GLANCE

Population	318,707
New Cases	
Criminal	15,015
Traffic	76,657
Civil	35,556
Total	127,228

Hearings	141,534
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Judges	4.3
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New Cases/Judge	
Twenty-Sixth	29,588
State Average	25,872
Rural Average	26,098

Hearings/Judge	
Twenty-Sixth	32,915
State Average	28,207
Rural Average	28,747

2006 FORECAST*

New Cases/Judge	
With 4.3 Judges	30,172
With 5 Judges	25,948
With 5.3 Judges	24,479
State (2005)	25,872
State (2006)*	26,037
Rural (2005)	26,098

Hearings/Judge	
With 4.3 Judges	33,662
With 5 Judges	28,950
With 5.3 Judges	27,311
State (2005)	28,207
State (2006)*	28,475
Rural (2005)	28,747



Judicial Workload Analysis The First Judicial District

J&DR District Court

The First Judicial District serves the city of Chesapeake. According to the U.S. Census Bureau, the estimated 2005 population of the area stood at 218,968 residents. This represents an increase 9.9% over 2000 population figures.

Three juvenile and domestic relations district court judges are authorized for the First District. Serving currently are Rufus A. Banks Jr., Eileen Anita Olds and Larry D. Willis. This district is requesting a new judgeship.

Utilization of Substitute and Retired Recalled Judges

In 2005, the judges of the First J&DR District used approximately 79.5 days for substitute and retired recalled judges, an average of 26.5 days per judge. This was below the 2005 state average of 28.4 days per district court judge.

Review of 2005 Caseload

Data for the First District show 16,078 new cases were filed in 2005, up 0.9% from the number reported in the previous year. The number of new juvenile cases decreased 0.4% to total 8,897 with the number of new domestic relations cases rising 2.6% to total 7,181. The total number of hearings held rose 1.6% to total 35,801.

In 2005, the three judges serving in the First District averaged 5,359 new cases and 11,934 hearings per judge. These averages were the 6th and 8th highest, respectively, among the 32 districts in 2005. The average number of new cases per judge in the First in 2005 was 734 cases above the statewide average (4,625 new cases per judge) and 965 cases above the 2005 urban average (4,394 new cases per judge). Judges in the First held 11,934 hearings each, compared to the statewide average of 10,500 hearings and the average for urban districts in 2005 of 10,128 hearings per judge. The J&DR judges averaged 2,966 juvenile cases and 2,394 domestic relations cases in 2005, compared to the statewide averages of 2,450 juvenile

cases and 2,175 domestic relations cases per judge.

Caseload Trends for 2006

Based on historical trends, the caseload in the First Judicial District is expected to increase next year. New cases are projected to increase 2.4% to reach 16,469 in 2006, while the number of hearings is expected to increase 2.1% to total 36,563.

With these changes, the three judges of the district would average a total of 5,490 new cases per judge and 12,188 hearings per judge. Cases per judge would exceed the 2005 average for urban districts (4,394) by 1,096 cases. Statewide, the 2006 average is expected to be 4,698 new cases per judge. The First District would exceed this by 791 cases.

The number of hearings per judge in the district is expected to total 12,188. This number of hearings is 2,060 more than the 2005 urban average (10,128 hearings held) and would be 1,483 above the projected state average for 2006 (10,705).

Effect on Workload if the Additional Judgeship Request is Granted

If the additional judgeship request is granted, the four judges in the First District would average 4,117 new cases, 277 less than the 2005 urban average (4,394) and 581 cases below the projected average for judges statewide in 2006 (4,698). The judges would also hold an average of 9,141 hearings, 987 less than the 2005 urban average (10,128) and 1,564 less than the expected state average in 2006 of 10,705 hearings per judge.

The First Judicial District 2005 AT A GLANCE	
Population	218,968
New Cases	
Juvenile	8,897
Adult	7,181
Total	16,078
Hearings	35,801
Judges	3.0
New Cases/Judge	
First	5,359
State	4,625
Urban	4,394
Hearings/Judge	
First	11,934
State	10,500
Urban	10,128
2006 FORECAST*	
New Cases/Judge	
With 3 Judges	5,490
With 4 Judges	4,117
State (2005)	4,625
State (2006)	4,698
Urban (2005)	4,394
Hearings/Judge	
With 3 Judges	12,188
With 4 Judges	9,141
State (2005)	10,500
State (2006)	10,705
Urban (2005)	10,128

* Forecast based on historical data.



Judicial Workload Analysis

The Twenty-Eighth Judicial District

J&DR District Court

The Twenty-Eighth Judicial District serves the localities of Bristol, Smyth, and Washington. According to the U. S. Census Bureau, the estimated 2005 population of the area stood at 102,060 residents. This represents an increase of 0.6% over 2000 population figures.

Two juvenile and domestic relations district court judges are authorized for the Twenty-Eighth District. Serving currently are Charles F. Lincoln and Eugene E. Lohman. This district is requesting an additional judgeship.

Utilization of Substitute and Retired Recalled Judges

In 2005, the judges of the Twenty-Eighth J&DR District used approximately 48.5 days for substitute and retired recalled judges, an average of 24.3 days per judge. This was below the 2005 state average of 28.4 days per district court judge.

Review of 2005 Caseload

Data for the Twenty-Eighth District show 11,327 new cases were filed in 2005, up 13.2% from the number reported in the previous year. The number of new juvenile cases increased 17.4% to total 6,166 with the number of new domestic relations cases rising 8.7% to total 5,161. The total number of hearings held rose 8.7% to total 24,136.

In 2005, the two judges serving in the Twenty-Eighth District averaged 5,664 new cases and 12,068 hearings per judge. These averages were the 4th and 5th highest, respectively, among the 32 districts in 2005. The average number of new cases per judge in the Twenty-Eighth in 2005 was 1,039 cases above the statewide average (4,625 new cases per judge) and 796 cases above the 2005 rural average (4,868 new cases per judge). Judges in the Twenty-Eighth held 12,068 hearings each, compared to the statewide average of 10,500 hearings and the average for rural districts in 2005 of 10,892 hearings per judge. The J&DR judges averaged 3,083 juvenile cases

and 2,581 domestic relations cases in 2005, compared to the statewide averages of 2,450 juvenile cases and 2,175 domestic relations cases per judge.

Caseload Trends for 2006

Based on historical trends, the caseload in the Twenty-Eighth Judicial District is expected to increase next year. New cases are projected to increase 4.0% to reach 11,783 in 2006, while the number of hearings is expected to increase 3.7% to total 25,029.

With these changes, the two judges of the district would average a total of 5,891 new cases per judge and 12,514 hearings per judge. Cases per judge would exceed the 2005 average for rural districts (4,868) by 1,023 cases. Statewide, the 2006 average is expected to be 4,698 new cases per judge. The Twenty-Eighth District would exceed this by 1,193 cases.

The number of hearings per judge in the district is expected to total 12,514. This number of hearings is 1,622 more than the 2005 rural average (10,892 hearings held) and would be 1,809 above the projected state average for 2006 (10,705).

Effect on Workload if the Additional Judgeship Request is Granted

If the additional judgeship request is granted, the three judges in the Twenty-Eighth District would average 3,928 new cases, 940 less than the 2005 rural average (4,868) and 771 cases below the projected average for judges statewide in 2006 (4,698). The judges would also hold an average of 8,343 hearings, 2,549 less than the 2005 rural average (10,892) and 2,362 less than the expected state average in 2006 of 10,705 hearings per judge.

The Twenty-Eighth Judicial District 2005 AT A GLANCE	
Population	102,060
New Cases	
Juvenile	6,166
Adult	5,161
Total	11,327
Hearings	24,136
Judges	2.0
New Cases/Judge	
Twenty-Eighth	5,664
State	4,625
Rural	4,868
Hearings/Judge	
Twenty-Eighth	12,068
State	10,500
Rural	10,892
2006 FORECAST*	
New Cases/Judge	
With 2 Judges	5,891
With 3 Judges	3,928
State (2005)	4,625
State (2006)	4,698
Rural (2005)	4,868
Hearings/Judge	
With 2 Judges	12,514
With 3 Judges	8,343
State (2005)	10,500
State (2006)	10,705
Rural (2005)	10,892

* Forecast based on historical data.

DISTRICT COURT JUDGESHIP COSTS
SALARY EFFECTIVE 11/25/06

		District
SALARY		\$129,202
RETIREMENT	41.47%	53,580
GROUP LIFE	1.13%	1,460
RETIREE HEALTH INS.	1.07%	1,382
FICA BASE	94,200 @7.65%	7,206
FICA (above cap)	35,002 @1.45%	508
HEALTH		8,176
Def. Comp Match		480
PERSONAL COMPUTER		2,500
SUB/RET JUDGES:		
DISTRICT AVG.EXP. PER JUDGE		5,220
Fica Sub Judge		399
TOTAL		 \$210,113

DISTRICT SUBSTITUTE BASED ON 26.1 DAYS @ \$200.00