

EXECUTIVE SECRETARY
KARL R. HADE

**ASSISTANT EXECUTIVE SECRETARY &
LEGAL COUNSEL**
EDWARD M. MACON

COURT IMPROVEMENT PROGRAM
LELIA BAUM HOPPER, DIRECTOR

EDUCATIONAL SERVICES
CAROLINE E. KIRKPATRICK, DIRECTOR

FISCAL SERVICES
JOHN B. RICKMAN, DIRECTOR

HISTORICAL COMMISSION
MELINDA LEWIS, DIRECTOR

SUPREME COURT OF VIRGINIA



OFFICE OF THE EXECUTIVE SECRETARY
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219-2334
(804) 786-6455

HUMAN RESOURCES
RENEE FLEMING MILLS, DIRECTOR

JUDICIAL INFORMATION TECHNOLOGY
ROBERT L. SMITH, DIRECTOR

JUDICIAL PLANNING
CYRIL W. MILLER, JR., DIRECTOR

JUDICIAL SERVICES
PAUL F. DELOSH, DIRECTOR

LEGAL RESEARCH
STEVEN L. DALLE MURA, DIRECTOR

LEGISLATIVE & PUBLIC RELATIONS
KATYA N. HERNDON, DIRECTOR

April 19, 2010

The Honorable Robert F. McDonnell
Governor of Virginia
Patrick Henry Building, 3rd Floor
1111 East Broad Street
Richmond, VA 23219

The Honorable Charles J. Colgan, Chairman
Senate Finance Committee
Senate of Virginia
10660 Aviation Lane
Manassas, Virginia 20110-2701

The Honorable Lacey E. Putney, Chairman
House Appropriations Committee
Virginia House of Delegates
P.O. Box 127
Bedford, Virginia 24523

RE: Quarterly Report pursuant to Va. Code § 19.2-163

Dear Governor McDonnell and Chairmen Colgan and Putney:

Virginia Code § 19.2-163 requires the Executive Secretary to report to the Governor, members of the House Appropriations Committee and members of the Senate Finance Committee, on a quarterly basis, “the number and category of offenses charged involving adult and juvenile offenders in cases in which court-appointed counsel is assigned” and “the amounts paid by waiver above the initial cap to court-appointed counsel.”

The enclosed table details the vouchers submitted for compensation by court-appointed counsel during the first three quarters of FY2010 reflect the number and category of offenses charged involving adult and juvenile offenders as set forth in the table below.

**Number and Category of Offenses Charged Involving Adult and Juvenile Offenders
 in Cases With Court-Appointed Counsel Assigned
 3rd Quarter, Cumulative (7/1/09 – 3/31/10)**

Category of Offense	Number of Charges	Amount Paid
Adult Offenders:		
Misdemeanors	86,986	\$ 11,440,729
Felony ≤ 20 years	62,996	\$ 21,188,871
Felony > 20 years	6,041	\$ 5,878,992
Felony Unclassified	-	-
Capital Murder	47	\$ 1,421,119
Total:	156,070	\$ 39,929,711
Juvenile Offenders:		
Misdemeanors	13,262	\$ 1,815,812
Felony ≤ 20 years	4,433	\$ 703,816
Felony > 20 years	584	\$ 132,866
Felony Unclassified	-	-
Total:	18,279	\$ 2,652,494
Adult + Juvenile Offenders:		
Grand Total:	174,349	\$ 42,582,205

Since July 1, 2009, 10,440 requests for waivers of statutory fee caps have been submitted seeking a total of \$ 4,314,894 and 10,217 requests for waivers have been approved for a total of \$ 3,951,751 paid to court-appointed attorneys above the initial statutory fee cap. A breakdown of the waivers requested by category of offense charged and type of offender is provided in the table below.

**Waivers Requested by Court-Appointed Counsel Above the Initial Cap
 by Category of Offense Charged and Type of Offender
 3rd Quarter, Cumulative (7/1/09 – 3/31/10)**

Category of Offense	Waivers Approved			Waivers Denied	
	Number of Waivers	Amount Requested	Amount Approved	Number of Waivers	Amount Requested
Adult Offenders:					
Misdemeanors	5,442	\$ 1,064,820	\$ 994,506	115	\$ 18,112
Felony ≤ 20 years	2,454	\$ 1,635,870	\$ 1,512,407	65	\$ 30,189
Felony > 20 years	393	\$ 1,123,013	\$ 1,034,797	6	\$ 4,940
Total:	8,289	\$ 3,823,703	\$ 3,541,710	186	\$ 53,241
Juvenile Offenders:					
Misdemeanors	1,151	\$ 207,312	\$ 198,719	30	\$ 5,068
Felony ≤ 20 years	646	\$ 162,933	\$ 155,686	6	\$ 645
Felony > 20 years	131	\$ 61,392	\$ 55,636	1	\$ 600
Total:	1,928	\$ 431,637	\$ 410,041	37	\$ 6,313
Adult + Juvenile Offenders:					
Grand Total:	10,217	\$ 4,255,340	\$ 3,951,751	223	\$ 59,554

If you have any questions regarding this report, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,



Karl R. Hade

KRH:jrp

cc: The Honorable William C. Wampler, Jr.
The Honorable Walter A. Stosch
The Honorable R. Edward Houck
The Honorable Janet D. Howell
The Honorable Richard L. Saslaw
The Honorable Frederick M. Quayle
The Honorable Thomas K. Norment, Jr.
The Honorable Emmett W. Hanger, Jr.
The Honorable John C. Watkins
The Honorable Yvonne B. Miller
The Honorable Henry L. Marsh, III
The Honorable L. Louise Lucas
The Honorable Mary Margaret Whipple
The Honorable W. Roscoe Reynolds
The Honorable Harvey B. Morgan
The Honorable Robert Tata
The Honorable Riley E. Ingram
The Honorable Joe T. May
The Honorable Beverly J. Sherwood
The Honorable M. Kirkland Cox
The Honorable R. Steven Landes
The Honorable S. Chris Jones
The Honorable John M. O'Bannon, III
The Honorable L. Scott Lingamfelter
The Honorable Charles D. Poindexter
The Honorable James P. Massie, III
The Honorable Watkins M. Abbitt, Jr.
The Honorable Clarence E. Phillips
The Honorable James M. Scott
The Honorable Johnny S. Joannou
The Honorable Robert H. Brink
The Honorable Onzlee Ware
The Honorable Algie T. Howell, Jr.
The Honorable Mamye E. BaCote
The Honorable Rosalyn R. Dance
Richard E. Hickman, Jr., Senate Finance Committee
Michael Jay, House Appropriations Committee
Division of Legislative Automated Systems