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# SUPREME COURT OF VIRGINIA



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April 19, 2011

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

The Honorable Charles J. Colgan, Chairman  
Senate Finance Committee  
Senate of Virginia  
Room 626  
P.O. Box 396  
Richmond, Virginia 23218

The Honorable Lacey E. Putney, Chairman  
House Appropriations Committee  
Virginia House of Delegates  
General Assembly Building  
Room 947  
P.O. Box 406  
Richmond, Virginia 23218

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 following table details the vouchers submitted for compensation by court-appointed counsel during the first three quarters of fiscal year 2011 and reflects the number and category of offenses charged involving adult and juvenile offenders:

**Number and Category of Offenses Charged Involving Adult and Juvenile Offenders  
 in Cases With Court-Appointed Counsel Assigned  
 3rd Quarter, Cumulative (7/1/10-3/31/11)**

Category of Offense	Number of Charges	Amount Paid
<b>Adult Offenders:</b>		
Misdemeanors	86,038	\$ 11,092,087
Felony ≤ 20 years	64,952	\$ 21,353,504
Felony > 20 years	6,415	\$ 6,043,047
Felony Unclassified	-	-
Capital Murder	42	\$ 1,623,469
<b>Total:</b>	<b>157,447</b>	<b>\$ 40,112,107</b>
<b>Juvenile Offenders:</b>		
Misdemeanors	12,415	\$ 1,652,718
Felony ≤ 20 years	3,737	\$ 572,387
Felony > 20 years	500	\$ 92,707
Felony Unclassified	-	-
<b>Total:</b>	<b>16,652</b>	<b>\$ 2,317,812</b>
<b>Adult + Juvenile Offenders:</b>		
<b>Grand Total:</b>	<b>174,099</b>	<b>\$ 42,429,919</b>

Since July 1, 2010, 7,227 requests for waivers of statutory fee caps have been submitted seeking a total of \$ 2,863,469 and 6,849 requests for waivers have been approved for a total of \$ 2,571,681 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  
 3<sup>rd</sup> Quarter, Cumulative (7/1/10-3/31/11)**

Category of Offense	Waivers Approved			Waivers Denied	
	Number of Waivers	Amount Requested	Amount Approved	Number of Waivers	Amount Requested
<b>Adult Offenders:</b>					
Misdemeanors	3,841	\$ 798,102	\$ 741,712	216	\$ 44,222
Felony ≤ 20 years	1,578	\$ 936,316	\$ 870,049	106	\$ 38,803
Felony > 20 years	292	\$ 743,916	\$ 697,658	14	\$ 13,454
<b>Total:</b>	<b>5,711</b>	<b>\$ 2,478,334</b>	<b>\$ 2,309,419</b>	<b>336</b>	<b>\$ 96,479</b>
<b>Juvenile Offenders:</b>					
Misdemeanors	703	\$ 140,605	\$ 132,965	32	\$ 5,724
Felony ≤ 20 years	363	\$ 108,978	\$ 99,711	9	\$ 2,004
Felony > 20 years	72	\$ 31,105	\$ 29,586	1	\$ 240
<b>Total:</b>	<b>1,138</b>	<b>\$ 31,105</b>	<b>\$ 262,262</b>	<b>42</b>	<b>\$ 7,968</b>
<b>Adult + Juvenile Offenders:</b>					
<b>Grand Total:</b>	<b>6,849</b>	<b>\$ 2,759,022</b>	<b>\$ 2,571,681</b>	<b>378</b>	<b>\$ 104,447</b>

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 Algje 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