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# SUPREME COURT OF VIRGINIA



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October 31, 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  
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 following table details the vouchers submitted for compensation by court-appointed counsel during the first quarter of fiscal year 2012 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  
 1<sup>st</sup> Quarter, Cumulative (7/1/11-9/30/11)**

Category of Offense	Number of Charges	Amount Paid
<b>Adult Offenders:</b>		
Misdemeanors	29,211	\$ 3,846,892
Felony ≤ 20 years	21,681	\$ 7,368,070
Felony > 20 years	2,275	\$ 2,235,847
Felony Unclassified	-	-
Capital Murder	22	\$ 369,990
<b>Total:</b>	<b>53,189</b>	<b>\$ 13,820,799</b>
<b>Juvenile Offenders:</b>		
Misdemeanors	4,267	\$ 583,136
Felony ≤ 20 years	1,268	\$ 204,016
Felony > 20 years	146	\$ 47,201
Felony Unclassified	-	-
<b>Total:</b>	<b>5,681</b>	<b>\$ 834,353</b>
<b>Adult + Juvenile Offenders:</b>		
<b>Grand Total:</b>	<b>58,870</b>	<b>\$ 14,655,152</b>

During the first quarter of fiscal year 2012, 2,832 requests for waivers of statutory fee caps were submitted seeking a total of \$ 1,253,068, and 2,691 requests for waivers were approved for a total of \$ 1,159,225 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  
 1st Quarter, Cumulative (7/1/11-9/30/11)**

Waivers Approved				Waivers Denied	
Category of Offense	Number of Waivers	Amount Requested	Amount Approved	Number of Waivers	Amount Requested
<b>Adult Offenders:</b>					
Misdemeanors	1,422	\$ 315,428	\$ 301,354	90	\$ 14,940
Felony ≤ 20 years	625	\$ 458,714	\$ 429,134	33	\$ 14,503
Felony > 20 years	131	\$ 310,871	\$ 297,041	4	\$ 2,622
<b>Total:</b>	<b>2,178</b>	<b>\$ 1,085,013</b>	<b>\$ 1,027,529</b>	<b>127</b>	<b>\$ 32,065</b>
<b>Juvenile Offenders:</b>					
Misdemeanors	310	\$ 59,007	\$ 58,035	10	\$ 1,377
Felony ≤ 20 years	157	\$ 46,370	\$ 45,335	4	\$ 480
Felony > 20 years	46	\$ 28,756	\$ 28,326	-	-
<b>Total:</b>	<b>513</b>	<b>\$ 134,133</b>	<b>\$ 131,696</b>	<b>14</b>	<b>\$ 1,857</b>
<b>Adult + Juvenile Offenders:</b>					
<b>Grand Total:</b>	<b>2,691</b>	<b>\$ 1,219,146</b>	<b>\$ 1,159,225</b>	<b>141</b>	<b>\$ 33,922</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 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