

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

SUPREME COURT OF VIRGINIA



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

HUMAN RESOURCES
RENÉE 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 6, 2012

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

The Honorable Walter A. Stosch, Chairman
Senate Finance Committee
Senate of Virginia
Innsbrook Centre
4551 Cox Road, Suite 110
Glen Allen, Virginia 23060-6740

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

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

Dear Governor McDonnell and Chairmen Stosch 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 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
 3rd Quarter, Cumulative (7/1/11-3/31/12)**

| Category of Offense | Number of Charges | Amount Paid |
|------------------------------------|-------------------|----------------------|
| Adult Offenders: | | |
| Misdemeanors | 86,592 | \$ 11,365,984 |
| Felony ≤ 20 years | 65,077 | \$ 21,778,496 |
| Felony > 20 years | 6,430 | \$ 6,309,166 |
| Felony Unclassified | - | - |
| Capital Murder | 35 | \$ 1,267,410 |
| Total: | 158,134 | \$ 40,721,056 |
| Juvenile Offenders: | | |
| Misdemeanors | 12,421 | \$ 1,674,122 |
| Felony ≤ 20 years | 3,718 | \$ 570,313 |
| Felony > 20 years | 441 | \$ 112,225 |
| Felony Unclassified | - | - |
| Total: | 16,580 | \$ 2,356,660 |
| Adult + Juvenile Offenders: | | |
| Grand Total: | 174,714 | \$ 43,077,716 |

During the first three quarters of fiscal year 2012, 8,205 requests for waivers of statutory fee caps were submitted seeking a total of \$ 3,529,203.00, and 7,758 requests for waivers were approved for a total of \$ 3,117,743.00 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 (7/1/11-3/31/12)**

| Category of Offense | Waivers Approved | | | Waivers Denied | |
|------------------------------------|-------------------|---------------------|---------------------|-------------------|-------------------|
| | Number of Waivers | Amount Requested | Amount Approved | Number of Waivers | Amount Requested |
| Adult Offenders: | | | | | |
| Misdemeanors | 4,293 | \$ 939,659 | \$ 870,833 | 266 | \$ 39,462 |
| Felony ≤ 20 years | 1,748 | \$ 1,191,227 | \$ 1,100,048 | 103 | \$ 52,778 |
| Felony > 20 years | 360 | \$ 941,141 | \$ 829,525 | 16 | \$ 21,044 |
| Total: | 6,401 | \$ 3,072,027 | \$ 2,800,406 | 385 | \$ 113,284 |
| Juvenile Offenders: | | | | | |
| Misdemeanors | 839 | \$ 156,337 | \$ 151,301 | 45 | \$ 8,280 |
| Felony ≤ 20 years | 416 | \$ 118,243 | \$ 111,034 | 17 | \$ 3,472 |
| Felony > 20 years | 102 | \$ 57,560 | \$ 55,002 | - | - |
| Total: | 1,357 | \$ 332,140 | \$ 317,337 | 62 | \$ 11,752 |
| Adult + Juvenile Offenders: | | | | | |
| Grand Total: | 7,758 | \$ 3,404,167 | \$ 3,117,743 | 447 | \$ 125,036 |

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 Charles J. Colgan
The Honorable Janet D. Howell
The Honorable Richard L. Saslaw
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 Stephen D. Newman
The Honorable Frank M. Ruff, Jr.
The Honorable Frank W. Wagner
The Honorable Ryan T. McDougale
The Honorable Jill Holtzman Vogel
The Honorable M. Kirkland Cox
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 Edward T. Scott
The Honorable Christopher K. Peace
The Honorable Thomas A. Greason
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