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# SUPREME COURT OF VIRGINIA



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January 26, 2012

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 Walter A. Stosch, Chairman  
Senate Finance Committee  
Senate of Virginia  
General Assembly Building, Room 621  
Capitol Square  
Richmond, Virginia 23219

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 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 two 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  
 2<sup>nd</sup> Quarter, Cumulative (7/1/11-12/30/11)**

Category of Offense	Number of Charges	Amount Paid
<b>Adult Offenders:</b>		
Misdemeanors	56,265	\$ 7,394,820
Felony ≤ 20 years	41,801	\$ 14,087,926
Felony > 20 years	4,192	\$ 4,109,467
Felony Unclassified		
Capital Murder	29	\$ 809,684
<b>Total:</b>	<b>102,287</b>	<b>\$ 26,401,897</b>
<b>Juvenile Offenders:</b>		
Misdemeanors	8,030	\$ 1,087,661
Felony ≤ 20 years	2,364	\$ 373,293
Felony > 20 years	273	\$ 76,748
Felony Unclassified		
<b>Total:</b>	<b>10,667</b>	<b>\$ 1,537,702</b>
<b>Adult + Juvenile Offenders:</b>		
<b>Grand Total:</b>	<b>112,954</b>	<b>\$ 27,939,599</b>

During the first two quarters of fiscal year 2012, 5,489 requests for waivers of statutory fee caps were submitted seeking a total of \$ 2,326,128, and 5,189 requests for waivers were approved for a total of \$ 2,052,871 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.

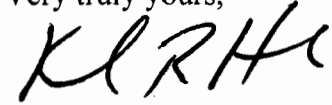
**Waivers Requested by Court-Appointed Counsel Above the Initial Cap  
 by Category of Offense Charged and Type of Offender  
 2<sup>nd</sup> Quarter, Cumulative (7/1/11-12/30/11)**

Category of Offense	Waivers Approved			Waivers Denied	
	Number of Waivers	Amount Requested	Amount Approved	Number of Waivers	Amount Requested
<b>Adult Offenders:</b>					
Misdemeanors	2,832	\$ 619,075	\$ 578,302	190	\$ 27,335
Felony ≤ 20 years	1,194	\$ 820,552	\$ 760,308	66	\$ 40,041
Felony > 20 years	223	\$ 566,707	\$ 493,222	9	\$ 12,791
<b>Total:</b>	<b>4,249</b>	<b>\$ 2,006,334</b>	<b>\$ 1,831,832</b>	<b>265</b>	<b>\$ 80,167</b>
<b>Juvenile Offenders:</b>					
Misdemeanors	572	\$ 105,179	\$ 101,444	20	\$ 4,665
Felony ≤ 20 years	289	\$ 84,454	\$ 78,949	15	\$ 2,685
Felony > 20 years	79	\$ 42,644	\$ 40,646	-	-
<b>Total:</b>	<b>940</b>	<b>\$ 232,277</b>	<b>\$ 221,039</b>	<b>35</b>	<b>\$ 7,350</b>
<b>Adult + Juvenile Offenders:</b>					
<b>Grand Total:</b>	<b>5,189</b>	<b>\$ 2,238,611</b>	<b>\$ 2,052,871</b>	<b>300</b>	<b>\$ 87,517</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 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 Poindexter, Charles D.  
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