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# SUPREME COURT OF VIRGINIA



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December 20, 2013

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

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

The Honorable Thomas K. Norment, Jr.  
Chairman, Senate Courts of Justice Committee  
P.O. Box 6205  
Williamsburg, Virginia 23188

The Honorable David B. Albo  
Chairman, House Courts of Justice Committee  
6367 Rolling Mill Place, Suite 102  
Springfield, VA 22152

Dear Chairmen:

Virginia Code § 16.1-69.10 provides that the Committee on District Courts shall make a study and report to the General Assembly on the number of district court judges needed and the districts for which they shall be authorized.

As you are aware, Chapter 601, Virginia Acts of Assembly (2012), directed the Supreme Court of Virginia to "develop and implement a weighted caseload system to precisely measure and compare judicial caseloads throughout the Commonwealth on the circuit court, general district court, and juvenile and domestic relations district court levels." In response to the legislation, the Supreme Court of Virginia's Office of the Executive Secretary contracted with the National Center for State Courts (NCSC) to develop a weighted caseload system for Virginia's trial courts. In light of the detailed study conducted by the National Center for State Courts, the Committee on District Courts did not conduct a study regarding the need for new district court judgeships this year. On December 5, The Executive Committee of the Committee on District Courts adopted the National Center for State Courts' report and recommendations.

In the *Virginia Judicial Workload Assessment Report*, The National Center for State Courts recommended that the General Assembly consider filling judicial vacancies and, in some cases creating new judicial positions in districts where the weighted caseload model shows a need for additional judicial resources. Based on the *Virginia Judicial Workload Assessment Report*, the Committee on District Courts recommends the authorization of seven new general district court judgeships (one each in the Eleventh, Twelfth, Fourteenth, Twenty-sixth, and Thirty-first Judicial Districts, and two in the Fifteenth Judicial District), and 19 new juvenile and domestic relations district court judgeships (one each in the First, Ninth, Tenth, Eleventh, Twelfth, Twenty-second, Twenty-third, Twenty-fourth, Twenty-fifth, Twenty-seventh, Twenty-eighth, and Twenty-ninth Judicial Districts; two each in the Sixteenth and Twenty-sixth Judicial Districts; and three in the Fifteenth Judicial District). Additionally, the weighted caseload study reveals that 10 general district court judgeships currently authorized are not supported by caseload in the districts for which they are authorized (one each in the Third, Fifth, Seventeenth, Twenty-first, Twenty-third, and Twenty-fourth Judicial Districts, and two each in the Thirteenth and Twenty-fifth Judicial Districts), and that two juvenile and domestic relations district court judgeships are not supported by caseload in the districts for which they are authorized (one each in the Thirteenth and Nineteenth Judicial Districts). Six of these authorized general district court judgeships (one each in the Thirteenth, Seventeenth, Twenty-first, Twenty-third, Twenty-fourth, and Twenty-fifth Judicial Districts), and one authorized juvenile and domestic relations district court judgeship (in the Thirteenth Judicial District) can be reallocated if a current/announced judicial vacancy in each of these district courts is left unfilled.

Please find enclosed Exhibits 12 and 13 from the NCSC report which outline the "Summary of Judicial Need and Availability" for the district courts, lists of the current and announced general district and juvenile and domestic relations district court vacancies, as of December 17, 2013, and a statement showing the costs for the creation of a new district court judgeship. In accordance with Item 40, Paragraph D of the Appropriations act, Chapter 806, 2013 Virginia Acts of Assembly, the fiscal impact for the creation of each new district court judgeship will be \$259,369.

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

With best wishes, I am

Very truly yours,



Karl R. Hade

KRH: jrp  
Enclosures

cc: The Honorable Susan C. Schaar, Clerk  
The Honorable G. Paul Nardo, Clerk  
Mr. Richard E. Hickman, Jr., Senate Finance Committee  
Mr. Michael Jay, House Appropriations Committee  
Ms. Mary Kate Felch, Division of Legislative Services

**Exhibit 12: General District Court - Summary of Judicial Need and Availability**

District	Implied Need (FTE)	Implied Need w/ chief (FTE)	Implied Need with EPM Rounding (FTE)	Total Authorized Judges	Judicial Need*
1	3.7	3.8	4	4	
2	7.1	7.2	7	7	
2A	1.0	1.1	1	1	
3	1.9	2.0	2	3	- 1
4	5.6	5.7	6	6	
5	2.3	2.4	2	3	- 1
6	4.4	4.5	4	4	
7	3.7	3.8	4	4	
8	2.9	3.0	3	3	
9	3.0	3.1	3	3	
10	2.5	2.6	3	3	
11	2.9	3.0	3	2	1
12	5.3	5.4	5	4	1
13	6.3	6.4	6	8	- 2
14	5.0	5.1	5	4	1
15	7.8	7.9	8	6	2
16	4.1	4.2	4	4	
17	2.6	2.7	3	4	- 1
18	1.3	1.4	2	2	
19	10.5	10.6	11	11	
20	3.4	3.5	4	4	
21	1.1	1.2	1	2	- 1
22	2.2	2.3	2	2	
23	4.3	4.4	4	5	- 1
24	3.3	3.4	3	4	- 1
25	3.4	3.5	3	5	- 2
26	5.2	5.3	5	4	1
27	4.7	4.8	5	5	
28	2.1	2.2	2	2	
29	1.6	1.7	2	2**	
30	1.3	1.4	2	2	
31	5.2	5.3	5	4	1
	121.7	124.9	124	127	- 3

\*A positive number indicates additional judicial need beyond the number of current authorized judges

\*\*Although there are three general district court judges authorized by the Code of Virginia for the Twenty-ninth Judicial District, the General Assembly has, on a long term basis, only authorized filling two of these judgeships.

**Exhibit 13: Juvenile and Domestic Relations District Court - Summary of Judicial Need and Availability**

District	Implied Need (FTE)	Implied Need w/ chief (FTE)	Implied Need with EPM Rounding (FTE)	Total Authorized Judges	Judicial Need*
1	3.4	3.5	4	3	1
2	6.5	6.6	7	7	
2A	.8	.9	1	1	
3	2.7	2.8	3	3	
4	5.1	5.2	5	5	
5	2.2	2.3	2	2	
6	2.4	2.5	2	2	
7	3.7	3.8	4	4	
8	2.9	3.0	3	3	
9	3.6	3.7	4	3	1
10	3.5	3.6	4	3	1
11	2.6	2.7	3	2	1
12	5.9	6.0	6	5	1
13	4.3	4.4	4	5	- 1
14	5.3	5.4	5	5	
15	9.8	9.9	10	7	3
16	5.9	6.0	6	4	2
17	1.6	1.7	2	2	
18	1.7	1.8	2	2	
19	6.5	6.6	7	8	- 1
20	3.3	3.4	3	3	
21	2.2	2.3	2	2	
22	3.9	4.0	4	3	1
23	4.7	4.8	5	4	1
24	5.8	5.9	6	5	1
25	4.7	4.8	5	4	1
26	6.6	6.7	7	5	2
27	5.3	5.4	5	4	1
28	2.6	2.7	3	2	1
29	3.0	3.1	3	2	1
30	2.1	2.2	2	2	
31	5.3	5.4	5	5	
	129.9	133.1	134	117	17

\*A positive number indicates additional judicial need beyond the number of current authorized judges

General District Court - Current/Announced Judicial Vacancies as of 12/17/13

District	Authorized Judgeships	NCSC Recommendation	Current or Announced Vacancy
1	4	4	
2	7	7	1
2A	1	1	
3	3	2	
4	6	6	1
5	3	2	
6	4	4	1
7	4	4	
8	3	3	
9	3	3	
10	3	3	
11	2	3	
12	4	5	
13	8	6	1
14	4	5	
15	6	8	2
16	4	4	
17	4	3	1
18	2	2	
19	11	11	1
20	4	4	
21	2	1	1
22	2	2	
23	5	4	1
24	4	3	1
25	5	3	1
26	4	5	
27	5	5	1
28	2	2	
29	2	2	
30	2	2	
31	4	5	1
	127	124	14

J&DR Court - Current/Announced Judicial Vacancies as of 12/17/13

District	Authorized Judgeships	NCSC Recommendation	Current or Announced Vacancy
1	3	4	
2	7	7	1
2A	1	1	
3	3	3	
4	5	5	
5	2	2	
6	2	2	
7	4	4	
8	3	3	
9	3	4	
10	3	4	
11	2	3	
12	5	6	
13	5	4	1
14	5	5	
15	7	10	
16	4	6	
17	2	2	
18	2	2	
19	8	7	
20	3	3	
21	2	2	
22	3	4	
23	4	5	1
24	5	6	
25	4	5	1
26	5	7	
27	4	5	
28	2	3	
29	2	3	
30	2	2	
31	5	5	1
	117	134	5

## New District Court Judgeship Costs

### 2014-16 Biennium

				District Court
Salary (July 25, 2013)				\$ 146,599
VRS Rate*		51.66%		75,733
Group Life *		1.32%		1,935
Retire Health Ins.*		1.17%		1,715
FICA Base	\$113,700	7.65%		8,698
FICA (above cap)	(\$113,700)	1.45%		477
Health Ins. (family plan - 2013-14 fiscal year)				15,852
Deferred Comp Match				480
Substitute Judges (Avg expense per judge)				7,880
<b>Total</b>				<b>\$ 259,369</b>
* Rates based on VRS Board recommended rates for the 2014-16 biennium.				