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# SUPREME COURT OF VIRGINIA



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April 11, 2014

The Honorable Terry McAuliffe  
Governor of Virginia  
Patrick Henry Building, 3<sup>rd</sup> Floor  
1111 East Broad Street  
Richmond, VA 23219

The Honorable Charles J. Colgan, Co-Chairman  
Senate Finance Committee  
Senate of Virginia  
General Assembly Building, Room 326  
Richmond, Virginia 23219

The Honorable Walter A. Stosch, Co-Chairman  
Senate Finance Committee  
Senate of Virginia  
General Assembly Building, Room 626  
Richmond, Virginia 23219

The Honorable S. Chris Jones, Chairman  
House Appropriations Committee  
Virginia House of Delegates  
General Assembly Building, Room 948  
Richmond, Virginia 23218

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

Dear Governor McAuliffe and Chairmen Colgan, 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 2014 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 (7/1/13-12/31/13)**

Category of Offense	Number of Charges	Amount Paid
<b>Adult Offenders:</b>		
Misdemeanors	56,106	\$ 7,365,614
Felony ≤ 20 years	43,286	\$ 14,828,510
Felony > 20 years	4,300	\$ 4,343,589
Felony Unclassified	-	-
Capital Murder	37	\$ 1,458,597
<b>Total:</b>	<b>103,729</b>	<b>\$ 27,996,310</b>
<b>Juvenile Offenders:</b>		
Misdemeanors	7,127	\$ 954,449
Felony ≤ 20 years	2,073	\$ 316,261
Felony > 20 years	261	\$ 64,038
Felony Unclassified	-	-
<b>Total:</b>	<b>9,461</b>	<b>\$ 1,334,748</b>
<b>Adult + Juvenile Offenders:</b>		
<b>Grand Total:</b>	<b>113,190</b>	<b>\$ 29,331,058</b>

During the first two quarters of fiscal year 2014, 4,960 requests for waivers of statutory fee caps were submitted seeking a total of \$ 2,365,968, and 4,692 requests for waivers were approved for a total of \$ 2,117,393 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 (7/1/13-12/31/13)**

Waivers Approved				Waivers Denied	
Category of Offense	Number of Waivers	Amount Requested	Amount Approved	Number of Waivers	Amount Requested
<b>Adult Offenders:</b>					
Misdemeanors	2,673	\$ 594,836	\$ 543,436	173	\$ 28,318
Felony ≤ 20 years	1,156	\$ 928,841	\$ 830,274	55	\$ 23,280
Felony > 20 years	216	\$ 605,814	\$ 580,930	1	\$ 850
<b>Total:</b>	<b>4,045</b>	<b>\$ 2,129,491</b>	<b>\$ 1,954,640</b>	<b>229</b>	<b>\$ 52,448</b>
<b>Juvenile Offenders:</b>					
Misdemeanors	390	\$ 81,169	\$ 74,554	20	\$ 2,701
Felony ≤ 20 years	210	\$ 60,358	\$ 56,756	18	\$ 3,354
Felony > 20 years	47	\$ 35,917	\$ 31,443	1	\$ 530
<b>Total:</b>	<b>647</b>	<b>\$ 177,444</b>	<b>\$ 162,753</b>	<b>39</b>	<b>\$ 6,585</b>
<b>Adult + Juvenile Offenders:</b>					
<b>Grand Total:</b>	<b>4,692</b>	<b>\$ 2,306,935</b>	<b>\$ 2,117,393</b>	<b>268</b>	<b>\$ 59,033</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 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 Henry L. Marsh III  
The Honorable L. Louise Lucas  
The Honorable Frank M. Ruff, Jr.  
The Honorable Frank W. Wagner  
The Honorable John S. Edwards  
The Honorable Phillip P. Puckett  
The Honorable Linda T. Puller  
The Honorable R. Creigh Deeds  
The Honorable Mamie E. Locke  
The Honorable A. Donald McEachin  
The Honorable Richard L. Anderson  
The Honorable , Mamy E. BaCote  
The Honorable Robert H. Brink  
The Honorable M. Kirkland Cox  
The Honorable Rosalyn R. Dance  
The Honorable T. Scott Garrett  
The Honorable Thomas A. (Tag) Greason  
The Honorable Daun Sessoms Hester  
The Honorable Algie T. Howell, Jr.  
The Honorable Riley E. Ingram  
The Honorable Johnny S. Joannou  
The Honorable Barry D. Knight  
The Honorable R. Steven Landes  
The Honorable L. Scott Lingamfelter  
The Honorable James P. (Jimmie) Massie III  
The Honorable John M. O'Bannon III  
The Honorable Christopher K. Peace  
The Honorable Charles D. Poindexter  
The Honorable Edward T. Scott  
The Honorable Christopher P. Stolle  
The Honorable Luke E. Torian  
Richard E. Hickman, Jr., Senate Finance Committee  
Michael Jay, House Appropriations Committee  
Division of Legislative Automated Systems