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# SUPREME COURT OF VIRGINIA



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October 26, 2015

The Honorable Terry McAuliffe  
Governor of Virginia  
P.O. Box 1475  
Richmond, VA 23218

The Honorable Charles J. Colgan, Co-Chairman  
Senate Finance Committee  
10660 Aviation Lane  
Manassas, VA 20110-2701

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

The Honorable S. Chris Jones, Chairman  
House Appropriations Committee  
P.O. Box 5059  
Suffolk, VA 23435

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

Dear Governor McAuliffe and Chairmen Colgan, Stosch, and Jones:

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 1st quarter of fiscal year 2016 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  
1st Quarter, (7/1/15-9/30/15)**

Category of Offense	Number of Charges	Amount Paid
<b>Adult Offenders:</b>		
Misdemeanors	28,402	\$ 3,620,565
Felony < 20 years	21,423	\$ 7,381,012
Felony > 20 years	2,065	\$ 2,127,154
Capital Murder	16	\$ 627,975
<b>Total:</b>	<b>51,906</b>	<b>\$ 13,756,706</b>
<b>Juvenile Offenders:</b>		
Misdemeanors	3,528	\$ 466,500
Felony < 20 years	1,097	\$ 156,037
Felony > 20 years	111	\$ 20,533
<b>Total:</b>	<b>4,736</b>	<b>\$ 643,070</b>
<b>Adult + Juvenile Offenders:</b>		
<b>Grand Total:</b>	<b>56,642</b>	<b>\$ 14,399,776</b>

During 1st quarter of fiscal year 2016, 1,606 requests for waivers of statutory fee caps were submitted seeking a total of \$ 729,536, and 1,435 requests for waivers were approved for a total of \$ 636,763 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, (7/1/15-9/30/15)**

Category of Offense	Waivers Approved			Waivers Denied	
	Number of Waivers	Amount Requested	Amount Approved	Number of Waivers	Amount Requested
<b>Adult Offenders:</b>					
Misdemeanors	829	\$ 169,808	\$ 155,015	109	\$ 18,283
Felony ≤ 20 years	341	\$ 258,306	\$ 231,080	44	\$ 22,005
Felony > 20 years	62	\$ 201,820	\$ 198,886	4	\$ 2,505
<b>Total:</b>	<b>1,232</b>	<b>\$ 629,934</b>	<b>\$ 584,981</b>	<b>157</b>	<b>\$ 42,793</b>
<b>Juvenile Offenders:</b>					
Misdemeanors	135	\$ 31,511	\$ 30,731	13	\$ 2,138
Felony ≤ 20 years	57	\$ 16,588	\$ 14,793	1	\$ 294
Felony > 20 years	11	\$ 6,278	\$ 6,258	-	\$ -
<b>Total:</b>	<b>203</b>	<b>\$ 54,377</b>	<b>\$ 51,782</b>	<b>14</b>	<b>\$ 2,432</b>
<b>Adult + Juvenile Offenders:</b>					
<b>Grand Total:</b>	<b>1,435</b>	<b>\$ 684,311</b>	<b>\$ 636,763</b>	<b>171</b>	<b>\$ 45,225</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 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 Charles W. Carrico, Sr.  
The Honorable Kenneth C. Alexander  
The Honorable Richard L. Anderson  
The Honorable Mamye E. BaCote  
The Honorable Betsy B. Carr  
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 Riley E. Ingram  
The Honorable Matthew James  
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 Mark D. Sickles  
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