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December 8, 2015

The General Assembly of Virginia
Division of Legislative Automated Systems
201 North 9th Street
General Assembly Building, Suite 660
Richmond, Virginia 23219

Dear Senators and Delegates:

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 are authorized. The Committee on District Courts recommends the authorization of one new general district judgeship in the 25th Judicial District, and one new juvenile and domestic relations district court judgeship in the 19th Judicial District effective July 1, 2016. Please find enclosed a report outlining the workload analysis for each judicial district referenced above, and the fiscal impact statement for these judgeships. As you will see, the financial impact for the creation of each new district court judgeship will be \$274,791.

As you are aware, in December 2013, the Executive Committee of the Committee on District Courts adopted the National Center for State Courts' report and recommendations contained in the Virginia Judicial Workload Assessment Report. Based on the recommendations made in the Report, the number of judicial positions in the districts authorized in Va. Code § 16.1-69.6:1 were amended and became effective July 1, 2014. The assessments and recommendations made in the Report remain pertinent, and authorized judicial positions in the district courts are still unfilled. Please find enclosed a list of the current and announced general district and juvenile and domestic relations district court vacancies as of December 8, 2015.

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

With best wishes, I am

Very truly yours,

Handwritten signature of Karl R. Hade in black ink.

Karl R. Hade

KRH:jrp
Enclosures

cc: Mr. Richard E. Hickman, Jr., Senate Finance Committee
Mr. Michael Jay, House Appropriations Committee
Ms. Mary Kate Felch, Division of Legislative Services

Recalculation of Judicial Need in the 25th General District Court and the 19th Juvenile and Domestic Relations District Court December, 2015

Utilizing the methodology that assessed judicial need in the 2013 Virginia Judicial Assessment Study, new implied need figures were calculated using 2015 annualized filings data for the 25th General District and the 19th Juvenile and Domestic Relations District Courts. These calculations are shown in the tables below. Each district's total workload in minutes was calculated by multiplying the number of annual filings for each case type by the corresponding case weight. The results were added together for all case types to determine the total workload. The district total workload was then divided by judicial year value to yield the implied judge need. According to the Virginia Judicial Workload Assessment Report, for multi-jurisdiction general district courts, the judicial year value is 67,392 minutes and was used for the 25th district. For single-jurisdiction juvenile and domestic relations district courts, the judicial year value is 71,280 minutes and was used for the 19th district. In addition to these calculations, an additional 0.1 full time equivalent (FTE) was added to each district's judicial need to compensate for the additional non-case-related duties of the chief judge. For the 19th Juvenile and Domestic Relations District Court, an additional adjustment was made to account for the use of interpreters based upon the results of the 2015 Virginia Court Interpreter Study. In the initial study, implied need figures were rounded using the equal proportions method (EPM) as shown below.

Table 1

District	Authorized Judges	Virginia Judicial Workload Assessment Study				2015 Annualized Filings	
		Implied Need (FTE)	Implied Need w/chief (FTE)	Interpreter Study w/ Multiplier (FTE)	Implied Need w/EPM Rounding (FTE)	Implied Need (FTE)	Implied Need w/chief (FTE)
25th General District Court	3	3.4	3.5		3.0	3.7	3.8
19th JDR District Court	7	6.5	6.6	6.7	7.0	7.5	7.6

Judicial Need Calculations

The 25th District

The 25th District has an implied need of 3.8 general district court judges based upon 2015 annualized filings data. This implied need of 3.8 is an increase from the 2013 study that determined a need of 3.5 judges, which was rounded down to 3 judges, consistent with the rounding method used to determine judicial need in the 2013 study. The 2015 implied need of 3.8 was rounded up increasing the judicial need to 4 FTE general district court judges.

Table 2

Case Type	2015 Annualized Filings	2013 Quality-Adjusted Case Weights (minutes)	Workload (minutes)
Felony	2,532	13	32,916
Garnishment	2,426	0.8	1,940
General Civil	5,009	3.4	17,029
Infraction/ Civil Violation	48,633	2	97,266
Involuntary Civil Commitments	243	6	1,458
Landlord /Tenant	1,967	2.4	4,720
Misdemeanor	17,663	5	88,313
Protective Orders	401	15	6,008
Total Workload (minutes)			249,649
Judge Year Value (minutes)			67,392
Implied Judge Need (FTE)			3.7
Chief Judge Adjustment (FTE)			0.1
Total Implied Judge Need (FTE)			3.8

Judicial Need Calculations (continued)

The 19th District

The 19th District has an implied need of 7.6 juvenile and domestic relations district court judges based upon 2015 annualized filings data. This implied need is an increase from the 2013 study which determined a need of 6.6 FTE judges, and that was, consistent with the rounding method used in 2013, rounded up to 7 judges. In addition to the adjustments made for the use of interpreters in the initial 2013 study, Fairfax was among 16 JDR courts that were studied further to determine the impact of interpreter use during proceedings. The increase of filings as well as the impact of interpreters led to an increase need of 1.0 judge, which results in an implied need of 8 juvenile and domestic relations district court judges.

Table 3

Case Type	2015 Annualized Filings	2015 Annualized Filings w/o Interpreter (77.4%)	2015 Annualized Filings w/Interpreter (22.6%)	2013 Quality-Adjusted Case Weights (minutes)	Case Weights Multiplied by ratio of time (1.3)	Workload w/Interpreter (minutes)	Workload w/o Interpreter (minutes)	Total Workload (minutes)
Adult Criminal	4,794	3,711	1,083	15	20	21,127	55,658	76,785
Adult Protective Orders	887	686	200	27	35	7,032	18,526	25,558
Child Dependency	1,737	1,344	393	39	51	19,903	52,433	72,336
Child in Need of Services/Supervision	78	60	18	126	164	2,887	7,607	10,494
Custody and Visitation	7,902	6,116	1,786	20	26	46,432	122,323	168,755
Delinquency	2,838	2,197	641	20	26	16,676	43,932	60,608
Juvenile Miscellaneous	2,679	2,074	605	9	12	7,084	18,662	25,746
Juvenile Protective Orders	14	10	3	27	35	107	282	389
Support	5,289	4,094	1,195	14	18	21,755	57,312	79,066
Traffic	1,572	1,217	355	9	12	4,157	10,951	15,107
						Total Workload (minutes)		534,846
						Judge Year Value (minutes)		71,280
						Implied Judge Need (FTE)		7.5
						Chief Judge Adjustment (FTE)		0.1
						Total Implied Judge Need (FTE)		7.6

Annualized filings based upon Jan.- Aug. 2015 filings

Case weights were presented in the 2013 Virginia Judicial Workload Assessment Report.

Interpreter case weight adjustments were presented in the 2015 Virginia Court Interpreter Study: Impact of Interpreter Activity on Judicial Workload.

Current and Announced Judicial Vacancies

Circuit/District	Circuit		General District		J&DR District	
	Authorized*	Vacancies	Authorized*	Vacancies	Authorized*	Vacancies
1	5	1	4	-	4	1
2	9	-	7	-	7	-
2A			1	-	1	-
3	4	-	2	-	3	-
4	8	-	6	1	5	-
5	3	-	2	-	2	1
6	3	1	4	-	2	-
7	6	1	4	-	4	-
8	3	-	3	1	3	-
9	4	-	3	-	4	1
10	4	-	3	-	4	1
11	3	-	3	-	3	1
12	6	-	5	-	6	-
13	8	1	6	-	4	-
14	5	-	5	-	5	-
15	11	1	8	3	10	1
16	6	1	4	1	6	1
17	3	-	3	-	2	1
18	4	1	2	-	2	-
19	15	2	11	2	7	1
20	5	-	4	-	3	-
21	2	-	1	1	2	-
22	5	1	2	-	4	-
23	5	1	4	-	5	-
24	5	-	3	1	6	1
25	5	2	3	1	5	1
26	8	-	5	-	7	1
27	7	1	5	1	5	-
28	4	1	2	-	3	-
29	5	-	2	-	3	1
30	4	-	2	-	2	-
31	6	-	5	1	5	-
State	171	15	124	13	134	13

*"Authorized Judges" refers to the maximum number of judges stated in Virginia Code § 17.1-507 (circuit) and § 16.1-69.6:1 (district) as of July 1, 2014.

Source: People Soft, 2015

Prepared by: Department of Judicial Planning, 12/8/2015

JUDGESHIP COSTS
SALARY EFFECTIVE 8/10/15

		<u>District</u>
SALARY		\$149,531
RETIREMENT	55.02%	82,272
GROUP LIFE	1.19%	1,779
RETIREE HEALTH INS.	1.05%	1,570
FICA BASE	118,500 @7.65%	9,065
FICA (above cap)	31,031 @1.45%	450
HEALTH		17,124
DEF COMP MATCH		480
PERSONAL COMPUTER		2,500
SUB/RET JUDGES:		
DISTRICT AVG.EXP. PER JUDGE		9,308
FICA SUB JUDGE		712
TOTAL		\$274,791

DISTRICT SUBSTITUTE BASED ON 37.23 DAYS @ \$250.00 (CY2014)