

EXECUTIVE SECRETARY
KARL R. HADE

**ASSISTANT EXECUTIVE SECRETARY &
LEGAL COUNSEL**
EDWARD M. MACON

COURT IMPROVEMENT PROGRAM
SANDRA L. KARISON, DIRECTOR

EDUCATIONAL SERVICES
CAROLINE E. KIRKPATRICK, DIRECTOR

FISCAL SERVICES
JOHN B. RICKMAN, DIRECTOR

HUMAN RESOURCES
RENÉE FLEMING MILLS, DIRECTOR

SUPREME COURT OF VIRGINIA



OFFICE OF THE EXECUTIVE SECRETARY
100 NORTH NINTH STREET
RICHMOND, VIRGINIA 23219-2334
(804) 786-6455

JUDICIAL INFORMATION TECHNOLOGY
ROBERT L. SMITH, DIRECTOR

JUDICIAL PLANNING
CYRIL W. MILLER, JR., DIRECTOR

JUDICIAL SERVICES
PAUL F. DELOSH, DIRECTOR

LEGAL RESEARCH
STEVEN L. DALLE MURA, DIRECTOR

LEGISLATIVE & PUBLIC RELATIONS
KRISTI S. WRIGHT, DIRECTOR

MAGISTRATE SERVICES
MASON L. BYRD, DIRECTOR

November 2, 2017

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

The Honorable Thomas K. Norment, Jr., Co-Chairman
Senate Finance Committee
P.O. Box 6205
Williamsburg, VA 23188

The Honorable Emmett W. Hanger, Jr., Co-Chairman
Senate Finance Committee
P.O. Box 2
Mount Solon, VA 22843-0002

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 Norment, Hanger, 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 first quarter of fiscal year 2018 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 (7/1/17-9/30/17)**

| Category of Offense | Number of Charges | Amount Paid |
|------------------------------------|-------------------|----------------------|
| Adult Offenders: | | |
| Misdemeanors | 25,871 | \$ 3,429,614 |
| Felony ≤ 20 years | 21,215 | \$ 7,871,598 |
| Felony > 20 years | 2,135 | \$ 2,444,939 |
| Capital Murder | 15 | \$ 355,978 |
| Total: | 49,236 | \$ 14,102,129 |
| Juvenile Offenders: | | |
| Misdemeanors | 2,886 | \$ 402,527 |
| Felony ≤ 20 years | 1,159 | \$ 205,647 |
| Felony > 20 years | 125 | \$ 34,627 |
| Total: | 4,170 | \$ 642,801 |
| Adult + Juvenile Offenders: | | |
| Grand Total: | 53,406 | \$ 14,744,930 |

During the first quarter of fiscal year 2018, 2,716 requests for waivers of statutory fee caps were submitted seeking a total of \$ 1,580,547 and 2,599 requests for waivers were approved for a total of \$ 1,455,520 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 (7/1/17-9/30/17)**

| Category of Offense | Waivers Approved | | | Waivers Denied | |
|------------------------------------|-------------------|---------------------|---------------------|-------------------|------------------|
| | Number of Waivers | Amount Requested | Amount Approved | Number of Waivers | Amount Requested |
| Adult Offenders: | | | | | |
| Misdemeanors | 1,208 | \$ 292,942 | \$ 267,068 | 66 | \$ 23,512 |
| Felony ≤ 20 years | 866 | \$ 749,507 | \$ 703,173 | 30 | \$ 11,708 |
| Felony > 20 years | 154 | \$ 376,835 | \$ 368,801 | 1 | \$ 850 |
| Total: | 2,228 | \$ 1,419,284 | \$ 1,339,042 | 97 | \$ 36,070 |
| Juvenile Offenders: | | | | | |
| Misdemeanors | 185 | \$ 43,045 | \$ 41,310 | 12 | \$ 2,808 |
| Felony ≤ 20 years | 159 | \$ 58,631 | \$ 56,416 | 8 | \$ 1,957 |
| Felony > 20 years | 27 | \$ 18,752 | \$ 18,752 | - | - |
| Total: | 371 | \$ 120,428 | \$ 116,478 | 20 | \$ 4,765 |
| Adult + Juvenile Offenders: | | | | | |
| Grand Total: | 2,599 | \$ 1,539,712 | \$ 1,455,520 | 117 | \$ 40,835 |

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 (by eMM)

Karl R. Hade

KRH:jrp

cc: The Honorable Janet D. Howell
The Honorable Richard L. Saslaw
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 Mark D. Obenshain
The Honorable George L. Barker
The Honorable Siobhan S. Dunnavant
The Honorable Richard H. Stuart
The Honorable Rosalyn R. Dance
The Honorable R. Steven Landes
The Honorable Riley E. Ingram
The Honorable M. Kirkland Cox
The Honorable John M. O'Bannon, III
The Honorable L. Scott Lingamfelter
The Honorable Charles D. Poindexter
The Honorable James P. Massie, III
The Honorable Christopher K. Peace
The Honorable Thomas A. Greason
The Honorable Barry D. Knight
The Honorable Richard L. Anderson
The Honorable T. Scott Garrett
The Honorable Christopher P. Stolle
The Honorable L. Nick Rush
The Honorable Luke E. Torian
The Honorable Daun Sessoms Hester
The Honorable Mark D. Sickles
The Honorable Matthew James
The Honorable Betsy B. Carr
The Honorable Delores L. McQuinn
The Honorable Lashrecse D. Aird
Adam Rosatelli, Senate Finance Committee
David Reynolds, House Appropriations Committee
Division of Legislative Automated Systems