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## SUPREME COURT OF VIRGINIA



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December 14, 2017

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, Virginia 22843-0002

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

The Honorable Mark D. Obenshain  
Chairman, Senate Courts of Justice Committee  
P.O. Box 555  
Harrisonburg, Virginia 22803

The Honorable Robert B. Bell  
Acting-Chairman, House Courts of Justice Committee  
2309 Finch Court  
Charlottesville, Virginia 22911

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, Item 40, Paragraph K, of the 2016 Appropriation Act, provided funding “for the Supreme Court of Virginia to contract with the National Center for State Courts [NCSC] to reevaluate the November 2013 results of the weighted caseload system study that measured and compared judicial caseloads throughout the Commonwealth” on the circuit, general district, and juvenile and domestic relations district court levels. In response, the Supreme Court of Virginia's Office of the Executive Secretary contracted with the NCSC. In addition to the

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factors considered during the previous study, the NCSC also considered factors identified by the Supreme Court such as the use of interpreters, law clerks, the effect of pro se litigants on judicial time, and the effect of population growth or decline. In light of the detailed study conducted by the NCSC, the Committee on District Courts did not conduct a study regarding the need for new district court judgeships this year. On December 13, the Executive Committee of the Committee on District Courts adopted the NCSC's report and recommendations.

Consistent with the 2017 *Virginia Judicial Workload Assessment Report* ("Report"), the Committee on District Courts recommends that the General Assembly authorize and fund the number of judges identified in the Report as needed in each of the districts. Specifically, the Report recommends increasing by one the number of authorized general district court judgeships in the Fifth, Sixth, Twenty-first, Twenty-fifth, Twenty-eighth, and Thirty-second Districts, and by one the number of authorized juvenile and domestic relations district court judgeships in the Sixth, Thirteenth, Nineteenth, and Thirtieth Districts.

The Report also reveals that three juvenile and domestic relations district court judgeships currently authorized are not supported by caseloads in the districts for which they are authorized (one each in the Second, Tenth, and Fifteenth Judicial Districts). The Committee on District Courts recommends reducing by one the number of authorized judgeships in each of these districts as the number of funded and filled judgeships in these districts corresponds with the newly recommended number of authorized judgeships.

Please find enclosed Exhibits 16 and 17 from the NCSC report which outline the "Judge Need" for the district courts, lists of the current and announced general district and juvenile and domestic relations district court vacancies as of December 12, 2017, and a statement showing the costs for the creation of a new district court judgeship. In accordance with Item 40, Paragraph D of the 2017 Appropriation Act, the fiscal impact for the creation of each new district court judgeship will be \$264,334.

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

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cc: The Honorable Susan C. Schaar, Clerk  
The Honorable G. Paul Nardo, Clerk  
Mr. Adam Rosatelli, Senate Finance Committee  
Mr. David Reynolds, House Appropriations Committee  
Ms. Shannon Heard, Division of Legislative Services

JUDGESHIP COSTS  
SALARY EFFECTIVE 7/10/17

		<u>District</u>
SALARY		\$154,017
RETIREMENT	41.97%	64,641
GROUP LIFE	1.31%	2,018
RETIREE HEALTH INS.	1.18%	1,817
FICA BASE	127,200 @7.65%	9,731
FICA (above cap)	26,817 @1.45%	389
HEALTH		20,388
DEF COMP MATCH		480
PERSONAL COMPUTER		2,500
SUB/RET JUDGES:		
DISTRICT AVG. EXP. PER JUDGE		7,760
FICA SUB JUDGE		594
TOTAL		 \$264,334

DISTRICT SUBSTITUTE BASED ON 31.04 DAYS @ \$250.00 (CY2016)

## Current and Announced Judicial Vacancies

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

\*"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, 2016.

Source: People Soft, 2017

**Prepared by: Department of Judicial Planning, 12/12/2017**

**Exhibit 16: General District Court Implied Need, using 1.15/.9 rounding rule**

District	Authorized Judgeships (FTE)	Funded Judges (FTE)	Total Need (FTE)	Current Workload per Judge	Judge Need (FTE) rounded 1.15/.9	Final Workload per Judge
1	4	4	4.16	1.04	4	1.04
2	7	7	6.43	.92	7	.92
3	2	3	1.88	.63	2	.94
4	6	5	5.75	1.15	6	.96
5	2	2	2.62	1.31	3	.87
6	4	4	5.01	1.25	5	1.00
7	4	4	3.44	.86	4	.86
8	3	3	2.80	.93	3	.93
9	3	3	3.13	1.04	3	1.04
10	3	3	2.52	.84	3	.84
11	3	3	2.48	.83	3	.83
12	5	5	5.53	1.11	5	1.11
13	6	6	6.05	1.01	6	1.01
14	5	5	4.80	.96	5	.96
15	8	7	8.06	1.15	8	1.01
16	4	4	4.01	1.00	4	1.00
17	3	3	2.54	.85	3	.85
18	2	2	1.61	.80	2	.80
19	11	10	12.07	1.21	11	1.10
20	4	4	3.44	.86	4	.86
21	1	1	1.25	1.25	2	.63
22	2	2	2.22	1.11	2	1.11
23	4	4	3.79	.95	4	.95
24	3	3	3.05	1.02	3	1.02
25	3	3	3.45	1.15	4	.86
26	5	5	5.33	1.07	5	1.07
27	5	4	5.05	1.26	5	1.01
28	2	2	2.46	1.23	3	.82
29	2	2	1.70	.85	2	.85
30	2	2	1.42	.71	2	.71
31	5	5	5.05	1.01	5	1.01
32	1	1	1.30	1.30	2	.65
	124	121	124.42	1.03	130	.96

**Exhibit 17: Juvenile and Domestic Relations District Court Implied Need, using 1.15/.9 rounding rule**

District	Authorized Judgeships (FTE)	Funded Judges (FTE)	Total Need (FTE)	Current Workload per Judge	Judge Need (FTE)	Final Workload per Judge
1	4	3	3.53	1.18	4	.88
2	7	6	6.20	1.03	6	1.03
3	3	3	2.61	.87	3	.87
4	5	5	4.76	.95	5	.95
5	2	2	2.28	1.14	2	1.14
6	2	2	2.39	1.20	3	.80
7	4	4	3.54	.88	4	.88
8	3	3	2.93	.98	3	.98
9	4	3	3.82	1.27	4	.95
10	4	3	3.11	1.04	3	1.04
11	3	2	2.44	1.22	3	.81
12	6	6	5.77	.96	6	.96
13	4	4	4.69	1.17	5	.94
14	5	5	5.15	1.03	5	1.03
15	10	9	9.62	1.07	9	1.07
16	6	5	6.14	1.23	6	1.02
17	2	2	1.60	.80	2	.80
18	2	2	1.83	.91	2	.91
19	7	7	8.82	1.26	8	1.10
20	3	3	3.33	1.11	3	1.11
21	2	2	2.20	1.10	2	1.10
22	4	4	3.62	.91	4	.91
23	5	5	4.78	.96	5	.96
24	6	5	5.86	1.17	6	.98
25	5	4	4.62	1.16	5	.92
26	7	6	7.11	1.19	7	1.02
27	5	5	4.83	.97	5	.97
28	3	3	2.67	.89	3	.89
29	3	3	3.27	1.09	3	1.09
30	2	2	2.30	1.15	3	.77
31	5	5	5.39	1.08	5	1.08
32	1	1	.84	.84	1	.84
	134	124	132.06	1.06	135	.98