

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 19.2-175 of the Code of Virginia, relating to compensation of experts in*
3 *criminal cases.*

4 [S 191]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 19.2-175 of the Code of Virginia is amended and reenacted as follows:**8 **§ 19.2-175. Compensation of experts.**

9 Each psychiatrist, clinical psychologist, or other expert appointed by the court to render professional
10 service pursuant to § 19.2-168.1, 19.2-169.1, 19.2-169.5, 19.2-182.8, 19.2-182.9, or 19.2-301, who is not
11 regularly employed by the Commonwealth of Virginia, except by the University of Virginia School of
12 Medicine and the Virginia Commonwealth University School of Medicine, shall receive a reasonable fee
13 for such service. For any psychiatrist, clinical psychologist, or other expert appointed by the court to
14 render such professional services who is regularly employed by the Commonwealth of Virginia, except
15 by the University of Virginia School of Medicine or the Virginia Commonwealth University School of
16 Medicine, the fee shall be paid only for professional services provided during nonstate hours that have
17 been approved by his employing agency as being beyond the scope of his state employment duties. The
18 fee shall be determined in each instance by the court that appointed the expert, in accordance with
19 guidelines established by the Supreme Court after consultation with the Department of Behavioral Health
20 and Developmental Services. Except in aggravated murder cases pursuant to § 18.2-31, the fee shall not
21 exceed ~~\$750~~ *\$1,200*, but in addition, if any such expert is required to appear as a witness in any hearing
22 held pursuant to such sections, he shall receive mileage and a fee of \$100 for each day during which he
23 is required so to serve. An itemized account of expense, duly sworn to, must be presented to the court,
24 and when allowed shall be certified to the Supreme Court for payment out of the state treasury; and be
25 charged against the appropriations made to pay criminal charges. Allowance for the fee and for the per
26 diem authorized shall also be made by order of the court, duly certified to the Supreme Court for
27 payment out of the appropriation to pay criminal charges.

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