

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: SB106ER

| | | | |
|------------------------|---------------------------------------|-------------------------------------|--|
| House of Origin | <input type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input checked="" type="checkbox"/> Enrolled |

2. Patron: Surovell

3. Committee: Passed Both Houses

4. Title: Evaluation of retired circuit and district court judges under recall.

5. Summary: The proposed bill requires that any retired district court judges recalled to service by the Chief Justice of the Supreme Court must have been found qualified within the preceding three years by the Senate Committee on the Judiciary and the House Committee for Courts of Justice.

Further, the bill allows the Chief Justice to recall and authorize any judge of a district court whose retirement becomes effective during the interim period between regularly scheduled sessions of the General Assembly to sit in recall either to (i) hear a specific case or cases pursuant to the provisions of § 16.1-69.35, which designation shall continue in effect for the duration of the case or cases, or (ii) perform, for a period of time not to exceed 90 days at any one time, such judicial duties in any district court as the Chief Justice shall deem in the public interest for the expeditious disposition of the business of the courts.

The bill states that all retired district court judges who have requested to sit in recall must be evaluated during the final year of the three-year period following qualification by the Senate Committee on the Judiciary and the House Committee for Courts of Justice using an evaluation form prepared and distributed by the Office of the Executive Secretary of the Supreme Court of Virginia. An annual report containing the results of such evaluations conducted that year must be prepared and transmitted to the Senate Committee on the Judiciary and the House Committee for Courts of Justice by the first day of the next regular session of the General Assembly.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final (see Item 8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court (OES), the proposed bill is not expected to create a material fiscal impact on the court system.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None