

A Report of
THE JUDICIAL COUNCIL OF VIRGINIA
To the
GENERAL ASSEMBLY
and
SUPREME COURT OF VIRGINIA
1976



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ACQUISITIONS

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LAWRENCE W. I'ANSON

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OF VIRGINIA**

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January 12, 1977

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TO:

The General Assembly
and
Supreme Court of Virginia

In accordance with the provisions of Section 17-227,
Code of Virginia, the Judicial Council of Virginia hereby
submits to the General Assembly and to the Supreme Court
of Virginia a report of recommendations agreed upon during
1976.



Lawrence W. I'Anson
Chief Justice and Chairman
of the Judicial Council
of Virginia

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Chairman

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Honorable Walter A. Page, Judge of the Fourth Judicial Circuit, Norfolk, Virginia

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**Honorable Alex H. Sands, Jr., Judge of the Thirteenth Judicial Circuit, Richmond,
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Honorable Rayner V. Snead, Judge of the Twentieth Judicial Circuit, Washington,
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Honorable Frederick L. Hoback, Judge of the Twenty-Third Judicial Circuit,
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Robert N. Baldwin, Ex-Officio Secretary

*By invitation of the Chief Justice

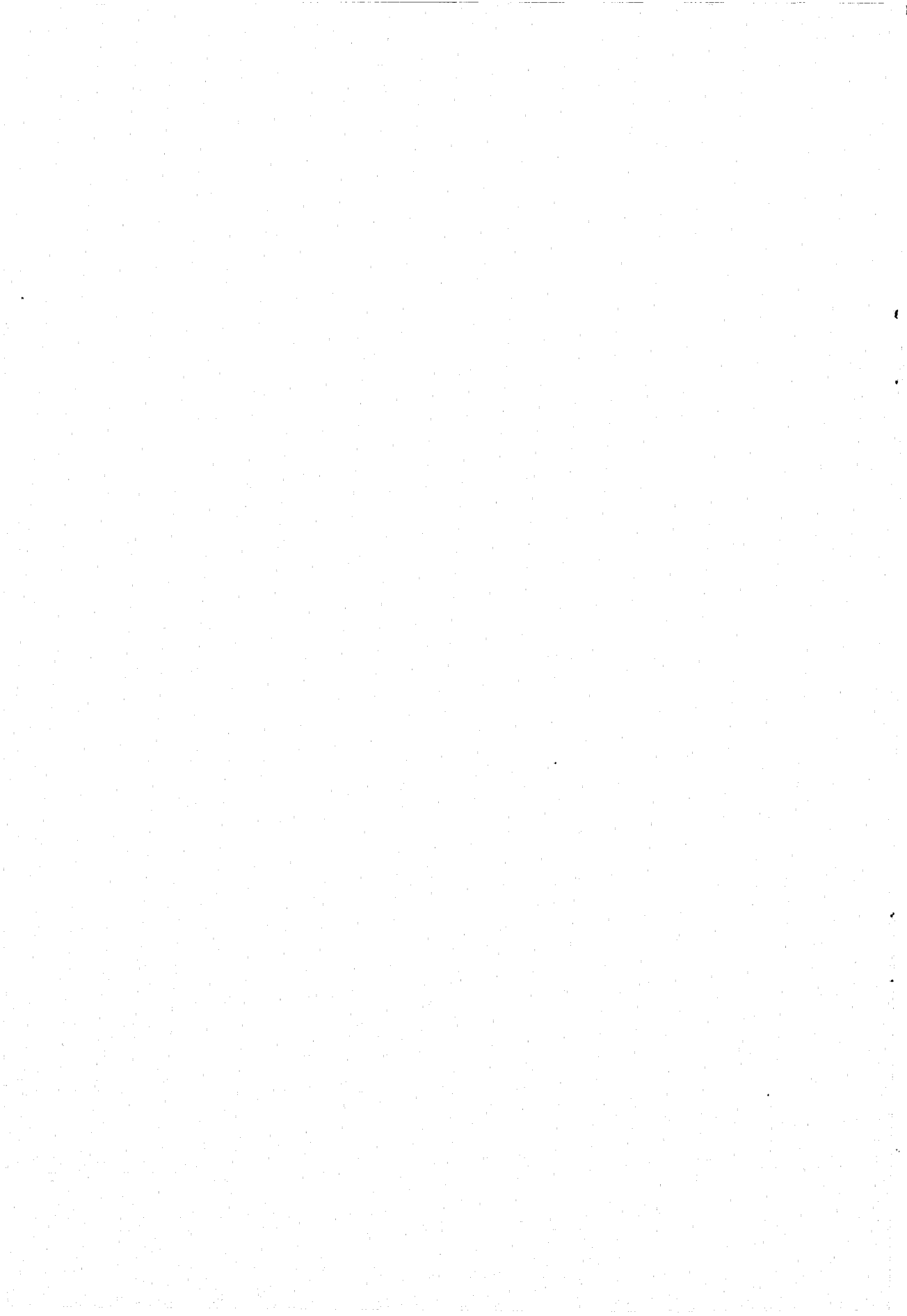
**Hon. Alex H. Sands, Jr., retired September 1, 1976. Hon. Charles S. Russell, Judge
of the Seventeenth Judicial Circuit, is a current member.

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REPORT OF THE JUDICIAL COUNCIL*

Our court system is poised at a very pivotal juncture in its history. The Court Reorganization of 1973 brought many changes aimed at modernizing the previous system. These changes were necessary to allow the courts to adapt to the circumstances of a new era and the problems inherent in the rising volume and complexity of modern litigation. The next challenge is to improve procedures and administrative techniques within the court structure to facilitate the total implementation of the Court Reorganization concepts.

In this regard the Judicial Council has assumed increasing responsibility. Special emphasis has been placed on judicial planning. We are moving away from crisis management in the judicial branch and looking more toward long-range professional planning. The involvement of judges at all levels is an integral factor in this new comprehensive approach.

During 1975 the Judicial Council addressed two major concerns. These areas of study embraced the review of the Rules of Court and the need or lack of need for additional judges of circuit courts.

RULES OF COURT

The Judicial Council is required by Section 17-225 of the Code of Virginia "to make a continuous study of the organization and the rules and methods of procedure and practice of the judicial system of the Commonwealth". In the area of Rules of Court, the Judicial Council has been called upon continually during the past year to study and to make recommendations.

Based upon the Judicial Council's recommendations, the Supreme Court has entered the orders included in Appendix Seven for the purpose of which has been either to add a new Rule or to amend an existing Rule.

*Detailed statistics concerning the work of the Supreme Court of Virginia and the business of the circuit and district courts of the Commonwealth during 1975 are included in the Commonwealth of Virginia State of the Judiciary Report for 1975 prepared by the Office of Executive Secretary of the Supreme Court of Virginia and provided to each member of the General Assembly.

ADDITIONAL JUDGES

The Judicial Council is charged with the duty of studying the need for additional circuit court judges. Likewise, the Council has the responsibility of studying the desirability and feasibility of altering the boundaries of any judicial circuit.

In 1975 the Judicial Council altered its procedures in determining the necessity for additional circuit court judges and changes in circuit lines. Prior to this change, cases commenced and population were primary guidelines. Recognizing the inadequacies of total reliance on these criteria, the Council adopted a dual analysis mechanism.

Based on the belief that the caseload statistics should continue to be a vital element in determining the overall judicial work load of a circuit, the Council commissioned the National Center for State Courts to develop a caseload reporting and work load analysis system which would generate accurate uniform data on filings and depositions by case type for all Virginia circuit courts. Such a system will provide the Council with comparable caseload information in order to improve management of current resources and long-range planning.

Notwithstanding the development of more reliable statistical data, the Council realized that the total perspective of judicial work load could not be obtained from raw statistics. The absolute number of cases is not a sufficiently revealing figure for understanding the business of the courts. Analysis of the composition of the courts' caseload reveals different proportions of civil and criminal cases commenced in the circuit courts throughout the Commonwealth. Population density and comparative size, levels of income, and levels of industrialization all contribute to differences in demand for court services and differences in the meaning of the gross statistics. For this reason, the Council inaugurated as an additional phase of the review process, the personal interview, and local visitation requirement.

As the administrative office for the judicial system, the Office of the Executive Secretary was advised that in addition to providing a thorough statistical evaluation of the judicial work load, visits should be conducted to each circuit requesting an additional judge in order to review the court dockets and to interview the judges, clerks, commonwealth attorneys, members of the bar, and other such individuals having a knowledge of the court system in that circuit.

With the establishment of the new procedures, the Judicial Council has received a comprehensive report of the work load of the judges in the circuits seeking additional resources, both as to the raw statistical data and as to the more subjective personal views of the individuals involved. The attached Appendices include appropriate statistical information. After considering all available information, the Council has concluded that additional judges should be authorized in a circuit whenever all procedures short of adding a judge have been exhausted; whenever the administrative efficiency of the court is at a high level; and whenever the existing judges are working to maximum capacity and still are unable to handle the caseload in the expeditious fashion desired by the bar and general public. The only way to assure the sound, effective, and speedy administration of justice is to insure that sufficient judicial resources are available.

With this premise as a guide, the Judicial Council hereby recommends the creation of additional circuit court judges in the Fifth, Fourteenth, and Twenty-Third Judicial Circuits. The Council further recommends that no judge be added in the Ninth Judicial Circuit, and that Prince William County be separated from the Nineteenth Circuit and District and established as an independent circuit and district. Comments and statistics concerning these recommendations follow.

FIFTH JUDICIAL CIRCUIT

Request for One Additional Judge to be Shared with the First Judicial Circuit

The Fifth Judicial Circuit is comprised of the cities of Suffolk and Franklin, and the counties of Southampton and Isle of Wight. The Circuit currently has two authorized judgeships.

The population of the Circuit was estimated at 92,700 in 1974, or 46,350 per judge. Projections indicate that the population will reach 96,000 by 1980. The city of Suffolk has slightly more than half of the Circuit's population and is expected to experience most of the predicted population growth in the Circuit. Removal of the tolls from area bridges and tunnels is expected to precipitate a migration of population to this section. In addition to the actual population, this Circuit serves as a major means of ingress and egress to the Norfolk-Portsmouth-Virginia Beach areas and, therefore, the court system serves many more people than actually reside in the Circuit.

The 1975 commenced caseload of the Fifth Judicial Circuit was 2,505 cases, or 1,253 cases per judge. Suffolk accounted for 1,457 of these cases, while Isle of Wight and Southampton reported 487 and 561 cases respectively. During the first six months of 1976 there were 1,183 commenced cases.

In 1975, 2,201 cases were concluded which exceeded the disposition level of 1974 by nearly 150 cases. The concluded caseload of 1,243 cases between January and June 1976 was 85 more cases than the first half of 1975.

The composition of the commenced caseload for the Circuit in 1975 was 30 percent law, 24 percent equity, 20 percent felony, and 25 percent misdemeanor.

Jury trials totaled 81 for the Circuit in 1975, which was 29 more trials than the Circuit experienced in 1974. Jury trials have increased significantly in 1976. During the first six months, the Circuit reported 64 jury trials. The increase was primarily a result of more felony jury trials in Isle of Wight and Southampton Counties.

Based on the data contained in this report, the Fifth Judicial Circuit is expected to continue to average a 5.2 percent increase or approximately 130 more cases per year up through 1980.

In analyzing the caseload of the Circuit, it is important to note that while the total caseload is growing, the number of misdemeanor cases has decreased. This shift in composition has a sharp impact on the judicial work load. While the drop in misdemeanors reduces the increase in overall caseload, the work load is actually increased at a greater rate than shown by the statistics, in that the types of cases which are increasing are generally more time consuming from the judicial viewpoint than are misdemeanors.

In the consideration of this request, the Council discovered that there was difficulty in granting reasonably early trial dates. Civil cases are currently being set six months in advance. Further, representatives of the bar strongly expressed the contention that there was a need for a resident judge in Southampton County. Not only was travel reported as burdensome to the judges, but the lawyers in Southampton felt that they were substantially hampered by the lack of judicial availability at the present time.

As can be seen from the statistics included in Appendix One, the Fifth Circuit ranks second in cases commenced per judge when compared with all other rural circuits. Likewise, the Circuit ranks second in reference to cases concluded per judge of the rural circuits.

In view of the foregoing facts, as well as the statistics presented in Appendix One, the Council recommends the approval of the request that an additional circuit judge be added in the Fifth Judicial Circuit.

The request for an additional judgeship in the Fifth Judicial Circuit indicated a willingness, should such a position be authorized to assist the First Judicial Circuit.

Chesapeake City is the only locality incorporated in the First Judicial Circuit. The Circuit has two authorized judgeships.

The population of Chesapeake in 1974 was estimated at 100,800, or 50,400 per judge and is expected to reach 105,000 by 1980.

The 1975 caseload for the Circuit was 1,974 commenced cases or 987 per judge. While the 1975 caseload declined from the 1974 caseload of 2,096 cases, the commenced caseload for the first six months in 1976 of 1,075 cases was 52 more cases than the same period in 1975.

The work load in the First Judicial Circuit, establishes a need for assistance in that Circuit. The primary problem appears to be one of unequal distribution of the work load caused by the physical separation of the two divisions of the court. One division is located in South Norfolk where mainly civil cases are heard. The other division is nine miles away at Great Bridge and is predominantly concerned with the criminal matters. Even with this separation of locations, the Council feels that a better distribution of the work load must be achieved so as to facilitate speedy disposition of the caseload. The judges should move interchangeably between the two locations as the volume dictates. The Council further recommends that prompt action be taken by the appropriate local officials to insure that these two court buildings are combined in one location. Such a consolidation would increase efficiency substantially and would alleviate the need for additional judicial resources at the present time.

Until such consolidation of these courts facilities can be achieved, the Council

recommends that a judge or judges of the Fifth Judicial Circuit be designated to provide judicial assistance to the First Circuit.

NINTH JUDICIAL CIRCUIT Request for Relief by Partial Circuit Realignment or Judicial Assistance

The Ninth Judicial Circuit serves ten localities in the middle peninsula area and covers 1,876 square miles. The Circuit currently has two authorized judgeships.

The population of the Circuit has demonstrated continuous growth in recent years with the 1974 population estimated at 124,900 or 62,450 per judge. The population is expected to continue to grow at the rate of 2.2 percent per year through 1980, when the population is expected to reach 141,700.

The commenced caseload for the Circuit reached 2,120 cases or 1,060 per judge in 1975. The increase of 109 cases over the 1974 level was primarily a result of increased felony cases in Gloucester, Middlesex, Williamsburg, and James City County. The commenced caseload for the first half of 1976 was 1,314 cases (see Appendix Two for caseload statistics).

During 1975, a decline in law and misdemeanor cases combined with an increase in felony cases brought about a shift in the composition of the commenced caseload to include a significantly higher percentage of felony cases. The composition of the commenced caseload for 1975 was 22 percent law, 39 percent equity, 28 percent felony, and 11 percent misdemeanor.

Jury trials rose sharply in 1975, as 135 jury trials were reported. The additional 45 jury trials in 1975 represented a 50 percent increase. There were 52 reported jury trials for the first half of 1976, this was slightly higher than the value for the first six months of 1975.

Based on the past data from 1966 to 1975, it is estimated that the caseload will continue to average an annual increase of 7.5 percent, or approximately 180 additional new cases per year.

In reviewing the caseload commenced per judge for rural circuits, the Ninth Circuit ranks fifth with an average of 1,060 cases commenced per judge. This caseload must be considered in view of the fact that a large portion of the Circuit's increase has stemmed from the increase in felony cases in Gloucester County. While the caseload in Gloucester has increased, the actual work load increase has not been significant as the caseload suggests due to the use of multiple indictments against individual defendants.

The major difficulties involved in the Ninth Circuit are the numerous jurisdictions and the large geographic area which must be served. With a substantial amount of travel time necessitated, the judges' ability to rapidly dispose of the work load is significantly reduced. Likewise, the Circuit is split by the York River which creates greater coordination problems.

During the past year, the Chief Justice has designated both retired and active judges to assist the Circuit during peak or emergency periods. The Council is of the opinion that the Circuit will continue to need judicial assistance of this nature in the coming years. However, the Council feels that a realignment of the work load assignments can reduce this need to a minimum and eliminate the necessity for an additional judge. A division of the work load so that no judge has primary responsibility for more than five counties should achieve this result.

Since the need for occasional judicial assistance may continue to exist even after the redistribution of work load as suggested above, the Council recommends that this assistance be provided through designations of a judge or judges from the Fourteenth and Fifteenth Circuits. The Council has recommended the creation of an additional judge in the Fourteenth Judicial Circuit on condition that the judges of that Circuit provide assistance to the Ninth Circuit as needed. The realignment of the work load, together with the assistance from retired judges and the judges of the Fourteenth and

Fifteenth Circuits should allow the caseload of the Circuit to be processed in a prompt and efficient fashion without the addition of a new judge.

FOURTEENTH JUDICIAL CIRCUIT Request for One Additional Judge

Henrico County is the only locality designated in the Fourteenth Judicial Circuit. Currently, the Circuit has three authorized judgeships.

The caseload in 1975 was 3,207 commenced cases which was 366 more cases than occurred in 1974. The 1974 caseload of 2,841 commenced cases was also a significant increase over the 1973 caseload. During 1974, the increase in the commenced caseload was primarily a result of misdemeanor cases and law cases. The 1974 increase of 474 commenced cases was more closely tied to civil cases as law cases increased by 147 and equity cases rose by 171 additional cases. During the first six months of 1976, the commenced caseload was 1,646 and is projected at approximately 3,300 for the entire year.

The 1974 concluded caseload of 2,922 cases reflected 481 more dispositions than occurred in 1974. While dispositions increased the pending caseload also grew by 396 cases. From January to June of 1976, 1,649 cases were concluded. This compares to 1,434 cases for the first six months of 1975.

The composition of the commenced caseload in 1975 was 19 percent law, 42 percent equity, 15 percent felony, and 24 percent misdemeanor. During 1975 each category of case — law, equity, felony, and misdemeanor, increased in terms of cases commenced, concluded, and pending.

Based on the caseload figures from 1966 and primarily those from 1970 to 1976, the Fourteenth Judicial Circuit's commenced caseload should average a 7.9 percent annual increase, or approximately 280 additional cases per year up through 1980.

The increase in judicial work load in Henrico County has been directly related to the population growth of the county. In 1960, Henrico County had 117,339 residents. This figure has grown to an estimated 166,200 with an expected increase to 194,500 by 1980. This rapid growth has occasioned a corresponding increase in the need for court services. The 1966 caseload of 1,528 cases commenced has more than doubled to 3,207 cases commenced in 1975 (see Appendix Three for caseload statistics).

The changing character of the Henrico population likewise has contributed to the rising judicial work load. Henrico is no longer a true "bedroom" community, as the County has been subject to substantial industrial and business growth in the past ten years. The influx of business enterprise has naturally stimulated litigation. Similarly, the County is served by a large practicing bar which affects the volume of court business. Henrico has 127 active members of the bar, but is also served by the 1,027 members of the Richmond Bar.

In analyzing the activity of the Henrico Circuit Court, it was determined that civil cases were being set as far in advance as April 1977. This delay has precipitated criticism although all concerned acknowledge that the existing judges are working at maximum capacity.

Another significant factor in the work load analysis is the sharp rise in the number of jury trials. In 1973, there were 45 jury trials, while this figure had risen to 90 in 1975. It is generally conceded that a jury trial is more time consuming and demanding from the judicial perspective than a non-jury matter.

Furthermore, the number of motions filed in criminal cases appears to have risen drastically, thereby increasing the amount of time spent per criminal case. This increase is attributed to the desire of court-appointed attorneys to insure that every conceivable avenue of defense is explored so as to preclude later complaints of ineffective representation.

In addition to the increased court work load, the judges of the Fourteenth Judicial Circuit have been called upon to serve on various statewide commissions, councils, and committees. This service is necessary and is to the long-range benefit of the entire judicial system, but it has contributed to the burden of these judges.

The Council feels that the quality of service rendered by the existing judges in Henrico is exceptionally high, but is likely to suffer in the future if relief is not granted. In order to continue the present level of judicial services, the Council recommends the approval of the request for an additional circuit judge in the Fourteenth Judicial Circuit. Furthermore, the Council is of the opinion that with the creation of this additional judgeship the judges of the Fourteenth Circuit will have sufficient time to provide significant assistance to the Ninth Judicial Circuit.

The counties of New Kent and Charles City are located in the Ninth Circuit but are adjacent to Henrico County. With the denial of the request for a new judge in the Ninth Circuit, it is anticipated that judicial assistance will be needed from other circuits. The close proximity of New Kent and Charles City Counties to Henrico County as well as the reduced caseload burden due to the addition of a judge in the Fourteenth Circuit facilitate the feasibility of this assistance being provided by the judges in Henrico. Therefore, this recommendation is subject to the condition that a judge or judges of the Fourteenth Judicial Circuit be designated to provide such judicial assistance to the Ninth Judicial Circuit.

TWENTY-THIRD JUDICIAL CIRCUIT

Request for One Additional Judge

The Twenty-Third Judicial Circuit is comprised of Roanoke County, Roanoke City, and Salem City. Currently, the Circuit has four authorized judgeships.

The population as reported for 1974 by the Tayloe Murphy Institute was 188,300 or 47,075 per judge. It is estimated that the Circuit will experience a 1.65 percent annual increase in population through 1980 when the population should reach 207,700.

The commenced caseload reached 5,645 cases in 1976, which was a significant increase over the 1974 caseload of 4,554 (see Appendix Four for caseload statistics). The large increase of 1,091 cases was primarily a result of criminal cases, as felonies increased by 508 cases and misdemeanors increased by 417 cases. Roanoke City contributed almost 80 percent of the Circuit's increase from 1974 to 1975. The Circuit reported 2,830 commenced cases for the first six months of 1976 as compared to 2,803 in 1975.

The concluded caseload also showed a sharp rise in 1975 as 5,228 cases were concluded. Despite the higher disposition level the pending caseload rose by over 450 cases. From January to June, 1976, there were 2,699 concluded cases, while in 1975, for the same period 2,347 cases were concluded. The pending caseload at the end of June 1976, was 4,111 cases.

As indicated by the commenced cases, the composition of the caseload shifted to criminal cases as a result of large gains experienced in the felony and misdemeanor caseload. The composition of the commenced caseload for 1975 was 19 percent law, 33 percent equity, 23 percent felony, and 25 percent misdemeanor.

Jury trials for the circuit in 1975 totaled 113. There were 63 reported jury trials for the first half of 1976, as compared to 56 trials for the same period in 1975.

Based on the data contained in this report, it is expected that the Twenty-Third Judicial Circuit will follow its past trend and average a 6.2 percent increase or approximately 350 additional new cases per year.

The judicial work load of the Twenty-Third Circuit is influenced most by the fact that the Roanoke Valley is the financial, educational, cultural, legal, and shopping center for the southwestern portion of the state. Because of this capacity the courts are

required to serve a greater number of people than actually reside in the Roanoke area. The very nature of the metropolitan area creates the need for court services in that the influx of people produces crime and the influx of business produces litigation.

In 1966, there were 2,929 cases commenced. By 1975, this figure has soared to 5,645. Current projections suggest that the caseload will rise to 7,200 by 1980. Even with the addition of a fifth judge, this caseload would be extremely heavy. Without a new judge, it would be impossible to handle in an effective fashion.

In 1975, the average number of cases commenced per judge was 1,015 when all circuit courts are considered. When considering only the city and urban courts, the figure is 1,061. The judges of the Twenty-Third Circuit commenced 1,411 cases per judge. This caseload commenced ranks first when compared to all city and urban circuits. It should also be noted that the Twenty-Third Circuit ranked first in both the number of felony and misdemeanor cases commenced for city and urban circuits.

One point of concern is the affect of the extended illnesses experienced by the judges of the Circuit. Both Judges Ernest Ballou and Robert Rogers have undergone extensive medical treatment over the past year. After much investigation on this topic, the Council is satisfied that the work load burden being experienced by the judges at this time is not due to the absences or lack of productivity of these two judges during their illnesses. On the contrary, the members of the bar expressed astonishment and admiration at the ability of these judges to carry full work loads during these illnesses. This conclusion is also supported by the fact that the judges of the Twenty-Third Circuit concluded 1,307 cases per judge in 1975. This figure ranks second when considering the city and urban circuits and is substantially above the statewide average of 982.

Based on these facts, as well as the statistics presented in Appendix Four, the Council recommends the approval of the request that an additional circuit judge be added in the Twenty-Third Judicial Circuit.

NINETEENTH JUDICIAL CIRCUIT AND DISTRICT

Legislation was introduced at the 1976 session of the General Assembly to alter the composition of the existing Nineteenth Judicial Circuit and District by creating two separate circuits and districts with the following composition:

A. Cities of Falls Church, Fairfax, and the county of Fairfax.

B. Cities of Manassas, Manassas Park, and the county of Prince William.

Action was deferred pending study by the Judicial Council.

The Nineteenth Judicial Circuit is comprised of Fairfax County, Fairfax City, Falls Church City, Prince William County, and the newly chartered cities of Manassas and Manassas Park. With the addition of one judgeship on February 1, 1976, the Circuit currently has ten authorized judgeships. Eight of the judges serve principally in Fairfax, while the remaining two judges serve in Prince William.

The population of the Circuit was estimated at 686,000 in 1974, and is projected to reach 831,000 by 1980. The population is presently balanced between the eight judges in Fairfax at 68,575 persons per judge and the two judges in Prince William with 69,000 persons per judge. The population of Prince William is expected to grow at a faster percentage rate (4.8%) than is that of Fairfax (3%).

The 1976 data for January through June indicates similar caseloads per judge in Fairfax and Prince William. Converting the six months of data to annual figures reflects 1,072 cases commenced per judge in Fairfax while the value is 1,089 cases per judge for Prince William. The concluded caseloads per judge for the two localities are also similar. The pending caseload in Fairfax was 1,545 cases per judge at the end of June while the Prince William pending caseload was 1,211 per judge (see Appendix Five for caseload statistics).

The composition of the commenced cases for the Circuit for the first half of 1976 was 32 percent law, 45 percent equity, 12 percent felony, and 11 percent misdemeanor. The composition of caseloads for Fairfax and Prince William were similar except that Prince William's caseload had a higher concentration of felonies (20%) than did Fairfax (10.5%).

Based on the caseload figures for the last ten years, the caseload in Fairfax is expected to average approximately 650 to 700 additional new cases per year for a 7.4 percent annual increase through 1980. The caseload in Prince William is estimated to gain approximately 250 new cases per year for a 10 percent annual increase.

Investigation of this proposal produced two predominant reasons for the separation. First, the county of Prince William has reached sufficient size to become an independent circuit, both with reference to population and from a judicial workload perspective. The 1974 population estimate for Prince William County was 138,000. Other jurisdictions with similar population levels are separate independently constituted circuits.

Second, most observers advise that there is no community of interest between the residents of Prince William and Fairfax. While the populations are similarly composed, there seems to be no other degree of relationship or commonality. The issue of geographic pride pervades this request.

There is some evidence that the Nineteenth Circuit is reaching a point of becoming too cumbersome. With ten judges presently serving the Circuit, the coordination and control problems are excessive. New and better administrative practices could be instituted to help improve the Circuit's efficiency if the separation were accomplished.

Some complaints have been received from members of the Prince William Bar concerning the difficulty in contacting a judge or the inconvenience in contacting a judge or the inconvenience of having to drive to Fairfax to deal with the judges. The separation would provide increased judicial availability for the bar and general public in Prince William County. At the same time, having two judges spend full time in Prince William would allow greater concentration on the Prince William docket thereby facilitating the prompt disposition of matters on that docket.

General District Courts

The Nineteenth General District Courts of Fairfax County, Fairfax City, Falls Church, and Prince William County are currently served by nine judges. One judge is considered part time and works two days per week.

Two of the judges serve Prince William County court while the remaining judges handle the courts in Fairfax County, Fairfax City, and Falls Church. Should the District be split with the two judges in Prince William and the remaining judges in the northern part of the District, the caseloads would be similar. Converting six months of data to annual figures reflects 16,610 new cases per judge for the judges remaining in the Nineteenth District, while the judges allocated to Prince William would begin 21,324 per judge.

Juvenile and Domestic Relations Court

The Juvenile and Domestic Relations Courts in the Nineteenth District are currently served by five judges. Three of the five judges serve in the Fairfax-Falls Church courts. Two judges serve in Prince William County, however, one of these judges also serves two days per week in the Fairfax County Juvenile and Domestic Relations Court. If a split is made in the District, the caseloads for the Juvenile and Domestic Relations judges will not be similar. Neither a three/two split nor a four/one split will balance the caseloads.

Substitute Judges

There are currently fourteen designated substitute judges in the Nineteenth District. The proposed split of the District will result in the Fairfax-Falls Church area being served by eleven substitute judges while Prince William will have three substitute judges.

Magistrate System

The proposed split of the Nineteenth Circuit will have no effect on the Magistrate System. Currently, only the magistrates serving in Prince William County serve under the state system. Fairfax County, Fairfax City, and Falls Church City are served by special magistrate systems.

The proposed split will have three primary affects on the district courts. First, regardless of the allocation of the juvenile and domestic relations judges, an unbalanced caseload will be created. Prince William cannot adequately provide service without two juvenile and domestic relations district court judges. At the same time Fairfax will be unable to handle its caseload with the three remaining authorized judges. To correct this situation may require the addition of one juvenile and domestic relations district court judge.

Second, four of the five existing juvenile and domestic relations district court judges reside in Fairfax County. Should two judges be allocated to Prince William County, it will be necessary to place a grandfather clause in § 16.1-69.16 to allow for an exception to the residence requirement (see Appendix Six).

Third, only three of the fourteen substitute judges authorized for the district currently reside in Prince William County. The eleven substitute judges remaining in the Nineteenth District would be sufficient, however, three substitute judges will not be satisfactory for the new district. In accordance with § 16.1-69.14, it will be necessary for the Committee on District Courts to authorize at least one, and possibly two, additional substitute judges in Prince William.

Interviews conducted with local circuit and district judges as well as members of the bar indicated unanimous support for this proposed separation. No one contacted expressed any opposition to the proposal.

Pursuant to the preceding facts, and the statistical data included in Appendix Five, the Council recommends approval of the proposal that the Nineteenth Judicial Circuit and District be divided into two distinct circuits and districts with the following composition:

Nineteenth Judicial Circuit and District — Cities of Falls Church, Fairfax, and the county of Fairfax

Thirty-First Judicial Circuit and District — Cities of Manassas, Manassas Park, and the county of Prince William

The Council further recommends that the newly created circuit and district both be designated as the Thirty-First. This is in keeping with the policy of having the corresponding circuit and district assigned the same number. In order to achieve this goal the present Thirty-First District composed of the counties of Accomack and Northampton must be renumbered. Since those two counties are presently a part of the Second Judicial Circuit (Virginia Beach), the Council recommends that on the district level they may be designated as District Two-A (Virginia Beach constitutes District Two). This will allow the greatest uniformity of numbering between the circuits and districts.

APPENDIX ONE
THE FIRST AND FIFTH
JUDICIAL CIRCUITS
JUDICIAL WORKLOAD ANALYSIS

FIFTH JUDICIAL CIRCUIT

<u>Authorized Judgeships</u>	<u>Judges</u>	<u>Term</u>	<u>Principal Locality</u>
2	James C. Godwin George F. Whitley	2/1/76-1/31/84 2/1/76-1/31/84	Suffolk City Isle of Wight Southampton

1975 CASELOAD PER JUDGE (2 Judgeships)

	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Total*</u>
Cases Commenced	381	310	255	308	1253
Cases Concluded	294	297	237	273	1101
Cases Pending	407	454	102	99	1062
Jury Trials	13	-	25	3	41

Population** per judge - 46,350

* figures may not equal total due to rounding

** Population estimate by Tayloe Murphy Institute for 1974

POPULATION DATA

	<u>Isle of Wight</u>	<u>Franklin City</u>	<u>Southampton</u>	<u>Suffolk City</u>	<u>Total</u>
1960*	17,164	7,264	19,934	43,975	88,334
1970*	18,285	6,888	18,582	45,024	88,771
1974**	19,300	7,100	18,500	47,800	92,700
1980*	20,000	6,600	18,000	51,400	96,000

* Division of State Planning & Community Affairs

** Tayloe Murphy Institute

FIFTH JUDICIAL CIRCUIT

Annual Summary Data 1966-1975

<u>Year</u>	<u>Cases Commenced</u>	<u>Cases Concluded</u>	<u>Cases Pending</u>	<u>Jury Trials</u>
1966	1591	1553	1100	49
1967	1287	1368	1048	33
1968	1319	1150	1057	43
1969	1569	1445	1280	27
1970	2148	1853	1444	40
1971	1908	1928	1357	45
1972	1929	1729	1370	49
1973	1978	1737	1581	59
1974	2426	2055	1924	52
1975	2505	2201	2123	81
1976*	1183	1243	2063	64

*January - June

FIFTH JUDICIAL CIRCUIT

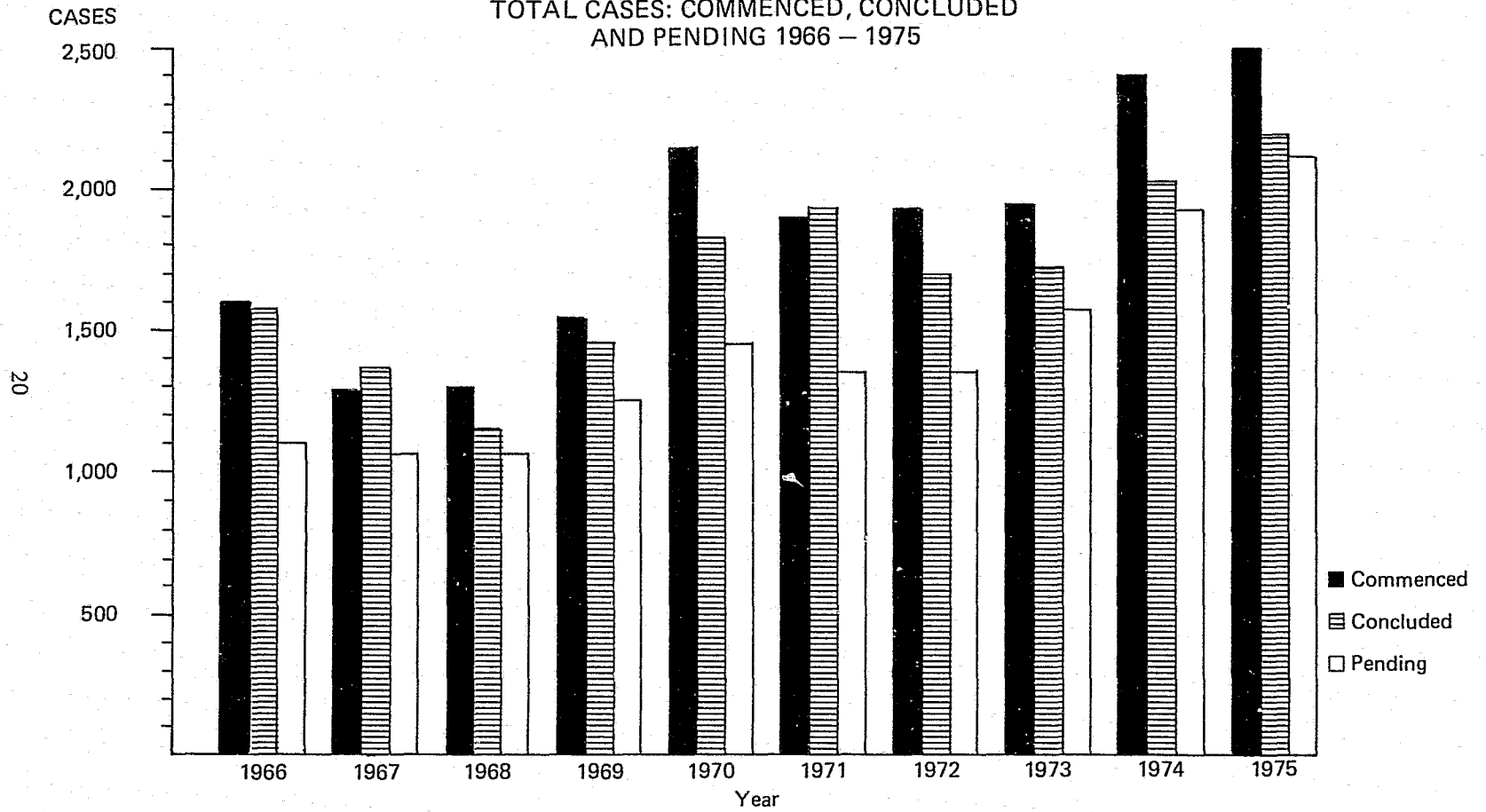
	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	369	353	266	603	1591	349	324	272	608	1553
1967	367	356	195	369	1287	377	356	225	410	1368
1968*	390	386	208	335	1319	352	315	175	308	1150
1969	418	408	234	509	1569	397	409	211	428	1445
1970	523	488	302	835	2148	443	434	248	728	1853
1971	466	454	410	578	1908	484	564	333	547	1928
1972	473	505	456	495	1929	461	449	369	450	1729
1973	508	482	430	558	1978	379	441	360	557	1737
1974	608	617	453	748	2426	480	494	414	667	2055
1975	761	620	509	615	2505	588	594	473	546	2201
1976**	375	290	235	283	1183	366	274	298	305	1243

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	330	637	71	62	1100	37	10	2	49
1967	315	639	50	44	1048	19	8	6	33
1968*	308	645	60	44	1057	28	14	1	43
1969	373	704	78	125	1280	23	4		27
1970	433	743	97	171	1444	25	11	4	40
1971	436	691	96	134	1357	30	11	4	45
1972	372	778	107	122	1370	31	11	7	49
1973	501	834	155	91	1581	38	17	4	59
1974	631	936	191	166	1924	31	18	3	52
1975	813	908	204	198	2123	25	50	6	81
1976**	926	926	138	73	2063	23	39	2	64

* See 1968 Figures on Suffolk City Summary

** January - June

FIFTH JUDICIAL CIRCUIT
TOTAL CASES: COMMENCED, CONCLUDED
AND PENDING 1966 - 1975



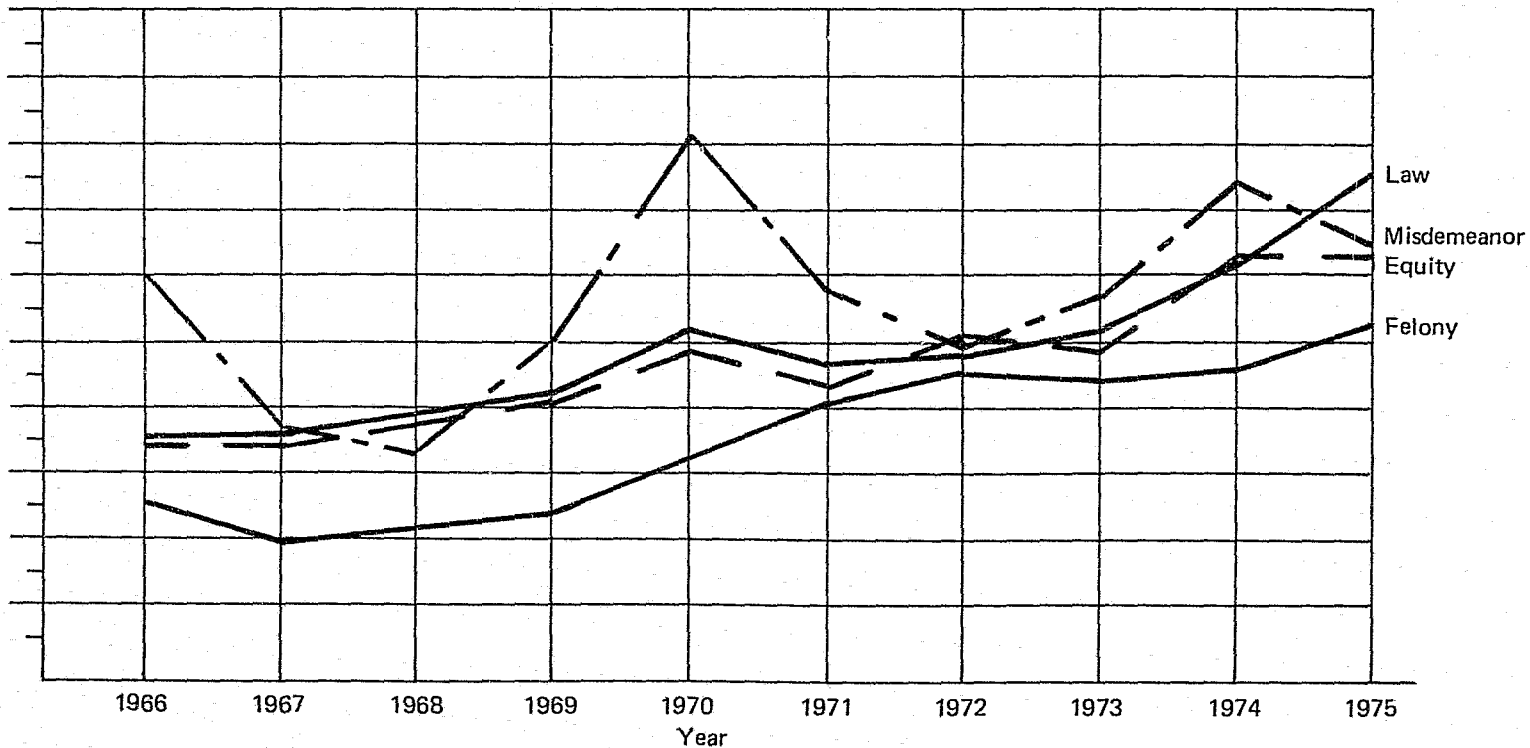
FIFTH JUDICIAL CIRCUIT
 CASES COMMENCED BY TYPE OF CASE:
 LAW, EQUITY, FELONY OR MISDEMEANOR

CASES

1,000

500

21



SUFFOLK CITY*

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	195	230	129	536	1090	221	210	137	547	1115
1967	217	230	111	263	761	199	220	130	309	858
1968**	230	230	77	185	695	204	190	65	182	641
1969	218	279	143	392	1032	231	282	114	328	955
1970	328	362	170	604	1464	247	317	134	534	1232
1971	265	304	268	464	1301	277	327	213	424	1241
1972	290	336	314	387	1327	289	320	216	341	1166
1973	335	271	230	416	1252	256	259	193	438	1146
1974	367	393	199	570	1529	314	313	177	483	1287
1975	410	349	246	452	1457	292	316	272	406	1286
1976***	203	145	108	214	670	182	136	117	243	678

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	196	325	42	49	612	24	5	1	30
1967	207	332	32	32	603	12	4	4	20
1968**	160	303	22	8	493	18	8		26
1969	193	359	41	72	665	12	13	2	27
1970	255	389	47	77	768	17	6		23
1971	256	415	65	75	811	14	6		20
1972	255	428	66	71	810	15	10	2	27
1973	334	450	81	32	897	26	9		35
1974	389	510	100	126	1125	16	5	2	23
1975	516	489	51	135	1191	17	15	4	36
1976***	541	500	39	3	1083	13	6	2	21

* Includes Nansemond (1966-1973)

** Only Nansemond, Suffolk City Reports Not Filed 1968

* January - June

ISLE OF WIGHT COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	114	42	47	38	241	70	324	272	608	1553
1967	84	47	32	79	242	113	54	38	68	273
1968	98	61	45	86	290	85	47	41	84	257
1969	119	49	27	64	259	74	57	30	56	217
1970	108	50	55	160	373	124	50	48	145	367
1971	134	73	90	77	374	114	67	52	72	305
1972	109	69	65	55	298	89	61	83	48	281
1973	108	83	100	90	381	57	58	79	68	262
1974	153	98	153	105	509	100	64	138	101	403
1975	132	119	123	113	487	119	90	90	88	387
1976*	68	46	54	60	228	79	47	95	48	269

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	67	39	6	2	114	4	3		7
1967	39	32		7	78	1	1	1	3
1968	52	46	4	9	111	2	1		3
1969	95	35	8	17	155	5	1		6
1970	78	35	10	36	159	2	1	2	5
1971	106	49	7	15	177	6	3	1	10
1972	52	90	10	15	167	11		2	13
1973	103	115	31	22	271	7	2	2	11
1974	156	149	46	13	364	9	5		14
1975	169	178	79	38	464	5	21	2	28
1976*	158	177	38	50	423	5	20		25

* January - June

SOUTHAMPTON COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	60	81	90	29	260	58	71	81	29	239
1967	66	79	52	27	224	65	82	57	33	237
1968	89	95	86	64	334	63	78	69	42	252
1969	81	80	64	53	278	92	70	67	44	273
1970	87	76	77	71	311	72	67	66	49	254
1971	67	77	52	37	233	93	170	68	51	382
1972	74	100	77	53	304	83	68	70	61	282
1973	65	128	100	52	345	66	124	88	51	329
1974	88	126	101	73	388	66	117	99	83	365
1975	219	152	140	50	561	177	188	111	52	528
1976*	104	99	73	9	285	105	91	86	14	296

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	67	273	23	11	374	10	2	1	13
1967	69	275	18	5	367	6	3	1	10
1968	96	296	34	27	453	8	5	1	14
1969	85	310	29	36	460	6	1		7
1970	100	319	40	58	517	6	4	2	12
1971	74	227	24	44	369	10	2	3	15
1972	65	260	31	36	392	5	1	3	9
1973	64	269	43	37	413	5	6	2	13
1974	86	277	45	27	435	6	8	1	15
1975	128	241	74	25	468	3	14	4	21
1976*	227	249	61	20	557	5	13		18

* January - June

FIFTH JUDICIAL CIRCUIT

January—December 1975

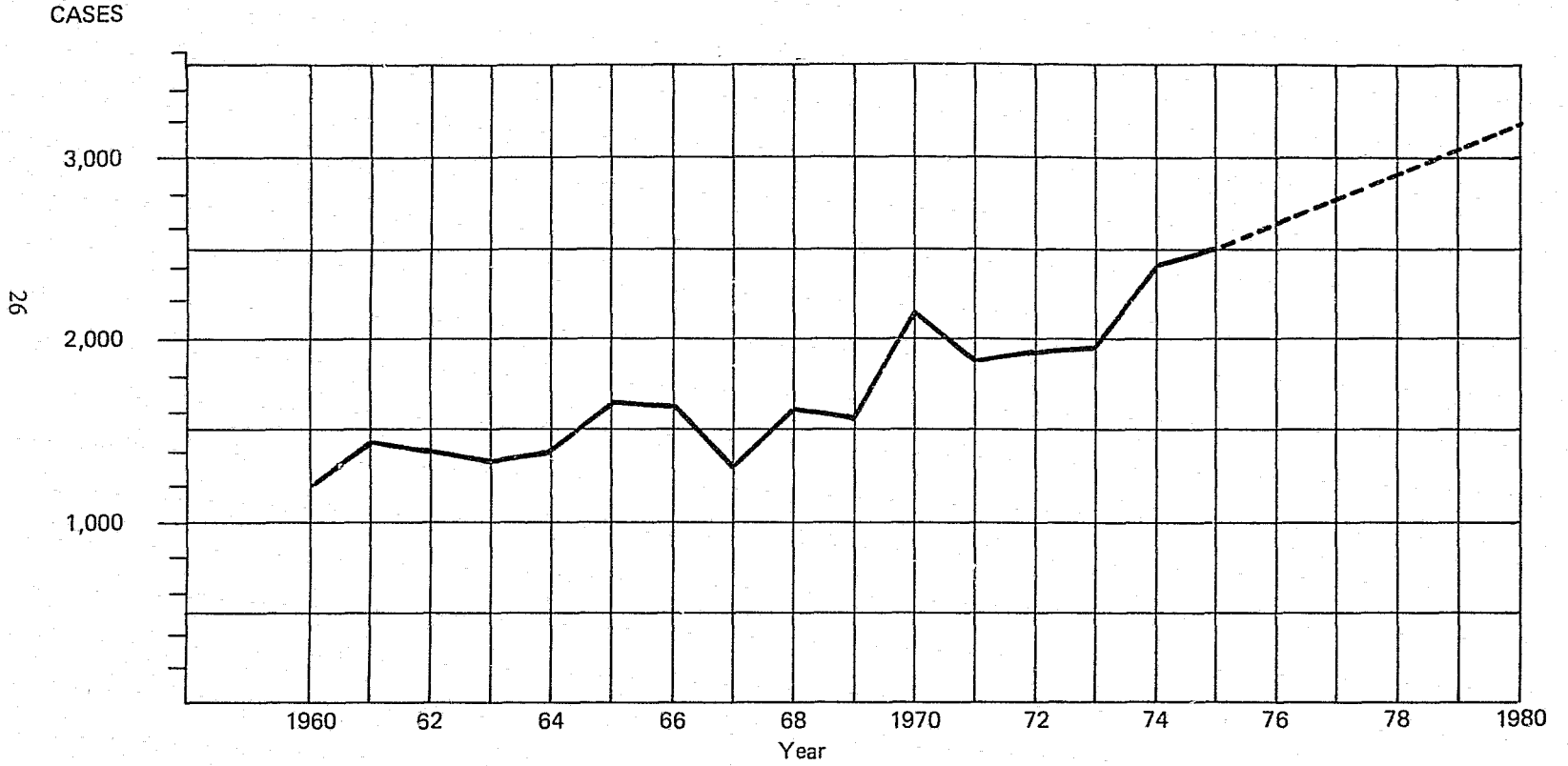
	<u>Law</u>	<u>Cases Commenced</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Isle of Wight	132	119	123	113	487
Southampton	219	152	140	50	561
Suffolk City	<u>410</u>	<u>349</u>	<u>246</u>	<u>452</u>	<u>1457</u>
TOTAL	761	620	509	615	2505

	<u>Law</u>	<u>Cases Concluded</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Isle of Wight	119	90	90	88	387
Southampton	177	188	111	52	528
Suffolk City	<u>292</u>	<u>316</u>	<u>272</u>	<u>406</u>	<u>1286</u>
TOTAL	588	594	473	546	2201

	<u>Law</u>	<u>Cases Pending</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Isle of Wight	169	178	79	38	464
Southampton	128	241	74	25	468
Suffolk City	<u>516</u>	<u>489</u>	<u>51</u>	<u>135</u>	<u>1191</u>
TOTAL	813	908	204	198	2123

	<u>Law</u>	<u>Jury Trials</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Felonies</u>			
Isle of Wight	5	21		2	24
Southampton	3	14		0	21
Suffolk City	<u>17</u>	<u>15</u>		<u>4</u>	<u>36</u>
TOTAL	25	50		6	81

FIFTH JUDICIAL CIRCUIT
TOTAL CASES COMMENCED 1960 – 1975
WITH PROJECTION FOR 1976 – 1980



FIFTH JUDICIAL CIRCUIT

CIVIL CASES

<u>Actions At Law</u>	1973	1974	1975	1976*
Law actions commenced during year	508	608	761	375
Law actions concluded during year by final order	379	480	588	366
Law actions pending on docket end of year	501	631	813	926
Number of law actions in which a jury was empanelled during year	38	31	25	23
Number of days spent in jury trials during year	30	30	27	22
Number of days spent in law trials without a jury during year	31	18	21	9
Number of law orders entered during year not final	181	208	341	176
 <u>Chancery Causes</u>				
Chancery causes commenced during year	482	617	620	290
Chancery causes concluded during year by final decree or order	441	494	594	274
Chancery causes pending on docket end of year	834	936	908	926
Chancery decrees and orders entered during year not final	454	440	407	221
Number of days spent in trials of chancery causes	3	2	1	1

*January - June

FIFTH JUDICIAL CIRCUIT

CRIMINAL CASES

<u>Felonies</u>	1973	1974	1975	1976*
Felonies commenced during year	430	453	509	235
Felonies concluded during year	360	414	473	298
Felonies pending on docket end of year	155	191	204	138
Number of felony cases in which a jury was empanelled during year	17	18	50	39
Number of days spent in jury trials during year	14	15	21	18
Number of felony cases tried without a jury during year	494	354	579	268
Number of felony orders entered during year not final	276	537	602	329
<u>Misdemeanors</u>				
Misdemeanors commenced during year	558	748	615	283
Misdemeanors concluded during year	557	667	546	305
Misdemeanors pending on docket end of year	91	166	198	73
Number of misdemeanor cases in which a jury was empanelled during year	4	3	6	2
Number of misdemeanor cases tried without a jury during year	488	706	551	293
TOTAL COMMENCED CASES	1978	2426	2505	1183
TOTAL CONCLUDED CASES	1737	2055	2201	1243
TOTAL PENDING CASES	1581	1924	2123	2063
TOTAL JURY TRIALS	59	52	81	64

*January - June

POPULATION PER CIRCUIT COURT JUDGE

1975

<u>Circuit</u>	<u>Population*</u>	<u>No. of Judges</u>	<u>Population/Judge</u>	<u>Rank</u>
1	100,800	2	50,400	10
2	254,000	6	42,333	24
3	109,500	3	36,500	27
4	289,200	9	32,133	29
5	92,700	2	46,350	15
6	90,700	2	45,350	20
7	136,400	3	45,467	19
8	126,800	2	63,400	3
9	124,900	2	62,450	4
10	134,500	2	67,250	2
11	96,400	2	48,200	12
12	114,600	2	57,300	7
13	233,100	8	29,138	30
14	166,200	3	55,400	8
15	182,600	4	45,650	17
16	171,500	4	42,875	23
17	153,200	4	38,300	26
18	108,300	3	36,100	28
19	686,600	9	76,289	1
20	79,300	2	39,650	25
21	89,300	2	44,650	22
22	138,200	3	46,067	16
23	188,300	4	47,075	14
24	194,100	4	48,525	11
25	160,400	3	53,467	9
26	185,600	3	61,867	5
27	176,800	3	58,933	6
28	91,300	2	45,650	17
29	141,800	3	47,267	13
30	90,600	2	45,300	21
TOTAL	4,908,000	103	47,650	

*Figures Tayloe Murphy Institute--Figures rounded to nearest hundred

RURAL JUDICIAL CIRCUITS

Average Number of Cases Commenced
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
5	2	381 (1)	310 (11)	255 (5)	308 (3)	1253 (2)
6	2	244 (4)	349 (7)	218 (12)	110 (15)	920 (10)
9	2	232 (9)	410 (1)	300 (2)	118 (11)	1060 (5)
10	2	239 (5)	381 (5)	268 (3)	185 (6)	1073 (4)
11	2	189 (12)	324 (10)	244 (7)	114 (13)	871 (12)
15	4	288 (2)	305 (12)	222 (11)	136 (10)	950 (8)
16	4	175 (14)	301 (13)	205 (13)	89 (16)	770 (16)
20	2	218 (10)	299 (14)	183 (14)	33 (17)	733 (17)
21	2	281 (3)	276 (16)	320 (1)	614 (1)	1491 (1)
22	3	147 (17)	255 (17)	250 (6)	290 (2)	943 (9)
24	4	211 (11)	363 (6)	256 (4)	196 (5)	1026 (6)
25	3	233 (8)	402 (2)	243 (8)	222 (4)	1100 (3)
26	3	164 (15)	401 (3)	235 (9)	112 (14)	912 (11)
27	3	188 (13)	386 (4)	232 (10)	173 (7)	978 (7)
28	2	134 (16)	341 (8)	162 (15)	168 (9)	804 (14)
29	3	238 (6)	299 (14)	122 (16)	128 (11)	788 (15)
30	2	237 (7)	341 (8)	86 (17)	170 (8)	833 (13)
Average for Rural Circuit Judges		223	338	224	186	970

Note—The numbers in parentheses indicate the rank of the circuit among the seventeen rural circuits for each category.

* Figures may not sum to total due to rounding.

RURAL JUDICIAL CIRCUITS

Average Number of Cases Concluded
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
5	2	294 (1)	297 (11)	237 (8)	273 (3)	1101 (2)
6	2	226 (4)	303 (10)	193 (13)	84 (15)	805 (11)
9	2	246 (3)	416 (1)	282 (2)	115 (13)	1058 (3)
10	2	179 (14)	334 (6)	242 (6)	169 (8)	923 (8)
11	2	192 (9)	253 (15)	244 (5)	125 (1)	812 (10)
15	4	271 (2)	278 (12)	232 (10)	147 (10)	928 (7)
16	4	183 (12)	274 (13)	210 (11)	80 (16)	747 (14)
20	2	188 (11)	315 (9)	152 (14)	28 (17)	682 (17)
21	2	213 (6)	192 (17)	354 (1)	1111 (1)	1869 (1)
22	3	136 (15)	231 (16)	240 (7)	281 (2)	888 (9)
24	4	208 (8)	407 (2)	255 (4)	202 (4)	1073 (4)
25	3	190 (10)	339 (5)	233 (9)	170 (7)	932 (6)
26	3	130 (16)	388 (3)	272 (3)	115 (13)	905 (12)
27	3	183 (2)	374 (4)	203 (12)	174 (6)	935 (5)
28	2	107 (17)	331 (8)	147 (15)	149 (9)	733 (15)
29	3	212 (5)	334 (6)	134 (16)	124 (12)	804 (13)
30	2	209 (7)	261 (14)	68 (17)	187 (5)	724 (16)
Average for Rural Circuit Judges		198	313	218	149	878

Note— The numbers in parentheses indicate the rank of the circuit among the seventeen rural circuits for each category.

* Figures may not sum to total due to rounding.

RURAL JUDICIAL CIRCUITS

Average Number of Cases Pending
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
5	2	407 (3)	454 (8)	102 (2)	99 (3)	1062 (4)
6	2	138 (14)	386 (11)	79 (5)	40 (7)	642 (4)
9	2	238 (7)	488 (5)	84 (3)	38 (9)	847 (6)
10	2	474 (1)	1074 (1)	81 (4)	47 (6)	1676 (1)
11	2	166 (13)	465 (7)	66 (9)	17 (15)	713 (10)
15	4	205 (10)	399 (9)	37 (17)	28 (11)	669 (13)
16	4	345 (4)	631 (4)	48 (14)	40 (7)	1060 (5)
20	2	261 (9)	385 (1)	77 (6)	14 (17)	736 (9)
21	2	297 (5)	284 (17)	51 (12)	140 (1)	771 (7)
22	3	59 (17)	391 (10)	45 (16)	16 (16)	511 (16)
24	4	199 (11)	316 (15)	46 (15)	24 (13)	585 (12)
25	3	229 (8)	1015 (2)	118 (1)	115 (2)	1477 (2)
26	3	240 (6)	375 (13)	62 (10)	21 (14)	698 (11)
27	3	117 (15)	353 (14)	67 (8)	24 (12)	561 (15)
28	2	84 (16)	305 (16)	49 (13)	33 (10)	470 (17)
29	3	174 (12)	468 (6)	60 (11)	62 (5)	765 (8)
30	2	419 (2)	855 (3)	73 (7)	86 (4)	1433 (3)
Average for Rural Circuit Judges		238	508	67	50	863

Note—The numbers in parentheses indicate the rank of the circuit among the seventeen rural circuits in each category.

* Figures may not sum to total due to rounding.

FIRST JUDICIAL CIRCUIT
CHESAPEAKE

<u>Authorized Judgeships</u>	<u>Judges</u>	<u>Term</u>
2	Jerry G. Bray William H. Hodges	2/1/69-1/31/77 2/2/72-2/1/80

1975 CASELOAD PER JUDGE (2 Judgeships)

	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Total*</u>
Cases Commenced	314	444	146	83	987
Cases Concluded	336	486	155	72	1046
Cases Pending	285	521	35	15	856
Jury Trials	41	—	15	1	57

Population** per judge — 50,400

* Figures may not equal total due to rounding

** Population estimate by Tayloe Murphy Institute

POPULATION DATA

CHESAPEAKE

<u>Year</u>	<u>Population</u>
1960*	66,447
1970*	89,580
1974**	100,800
1980*	105,000

* Division of State Planning & Community Affairs

** Tayloe Murphy Institute

FIRST JUDICIAL CIRCUIT

Annual Summary Data 1966—1975

<u>Year</u>	<u>Cases Commenced</u>	<u>Cases Concluded</u>	<u>Cases Pending</u>	<u>Jury Trials</u>
1966	1681	2529	2345	66
1967	1965	1736	2344	95
1968	1759	1749	2341	84
1969	1892	1708	2527	90
1970	1770	1866	2357	83
1971	1741	1627	2484	71
1972	1787	2061	2247	67
1973	1932	2474	2013	51
1974	2096	1961	1846	87
1975	1974	2092	1711	114
1976*	1075	992	1778	99

*January - June

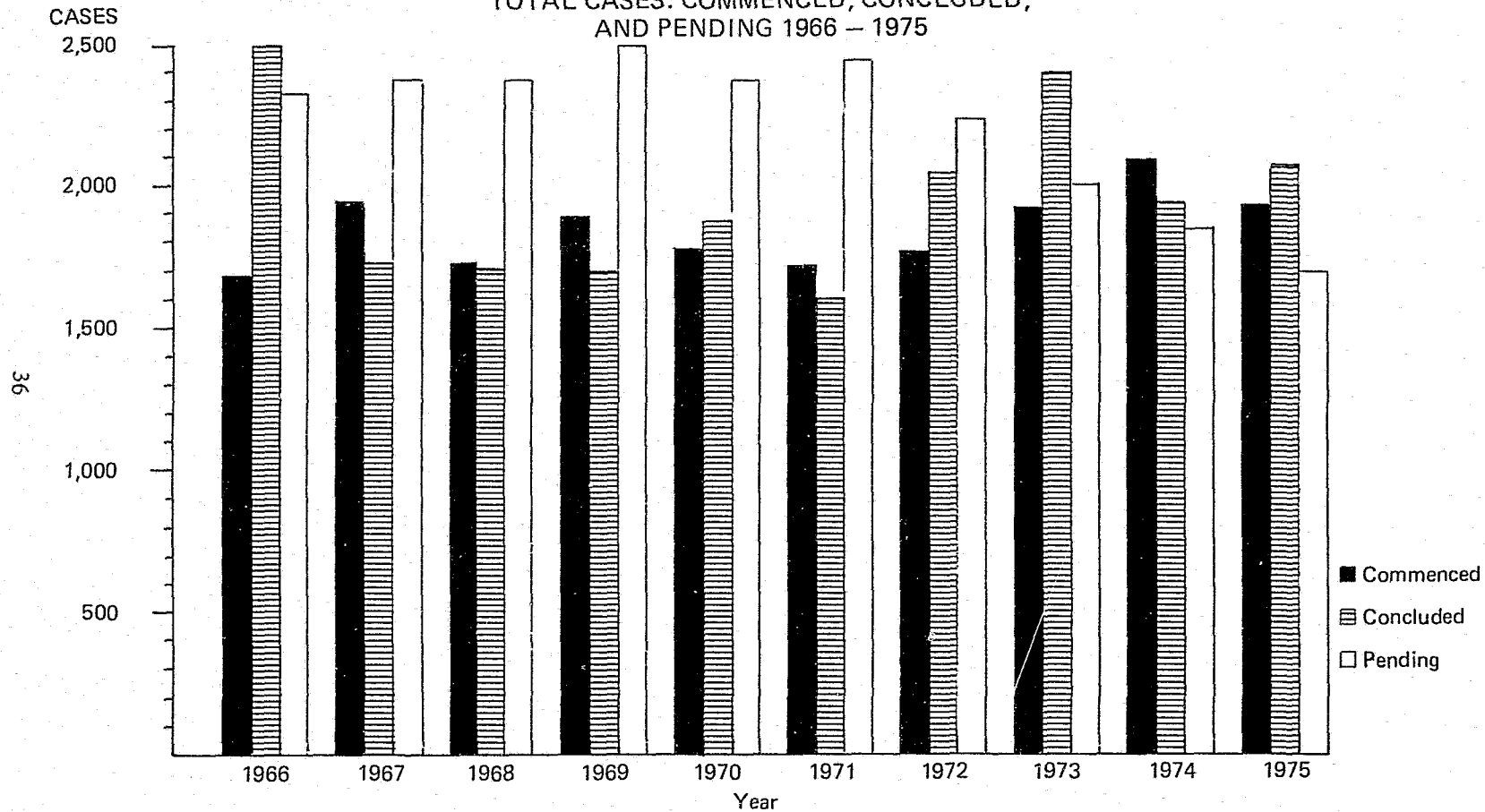
CHESAPEAKE CITY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	583	728	121	249	1681	557	1599	127	246	2529
1967	654	765	163	383	1965	629	639	121	347	1736
1968	562	759	117	321	1759	570	770	115	294	1749
1969	657	747	122	366	1892	616	634	104	354	1708
1970	564	755	132	319	1770	631	737	141	357	1866
1971	556	790	115	280	1741	551	717	104	255	1627
1972	617	719	238	213	1787	703	877	259	222	2061
1973	577	895	193	267	1932	711	1306	231	226	2474
1974	675	890	332	199	2096	667	843	267	184	1961
1975	628	888	292	166	1974	667	972	310	143	2092
1976*	320	440	200	115	1075	275	393	200	124	992

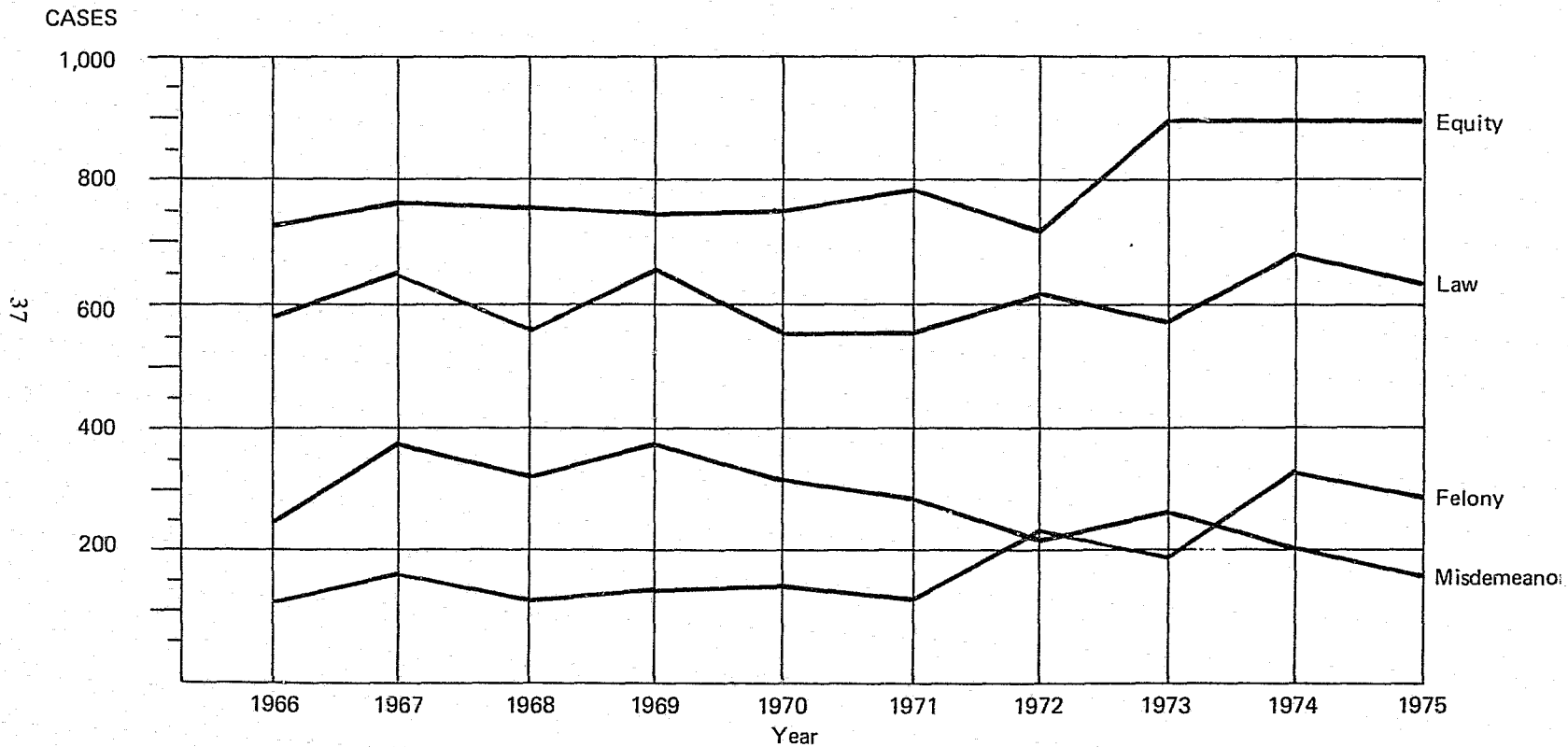
	Cases Pending					Cases Concluded			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	930	1312	52	51	2345	55	8	3	66
1967	837	1438	45	24	2344	49	29	17	95
1968	829	1427	37	48	2341	63	11	10	84
1969	820	1542	55	60	2527	57	18	15	90
1970	803	1486	46	22	2357	70	12	1	83
1971	818	1552	57	57	2484	58	9	4	71
1972	732	1399	68	48	2247	49	15	3	67
1973	810	1099	51	53	2013	45	5	1	51
1974	608	1146	83	9	1846	64	19	4	87
1975	569	1042	70	30	1711	82	30	2	114
1976*	596	1089	70	23	1778	43	33	1	77

* January - June

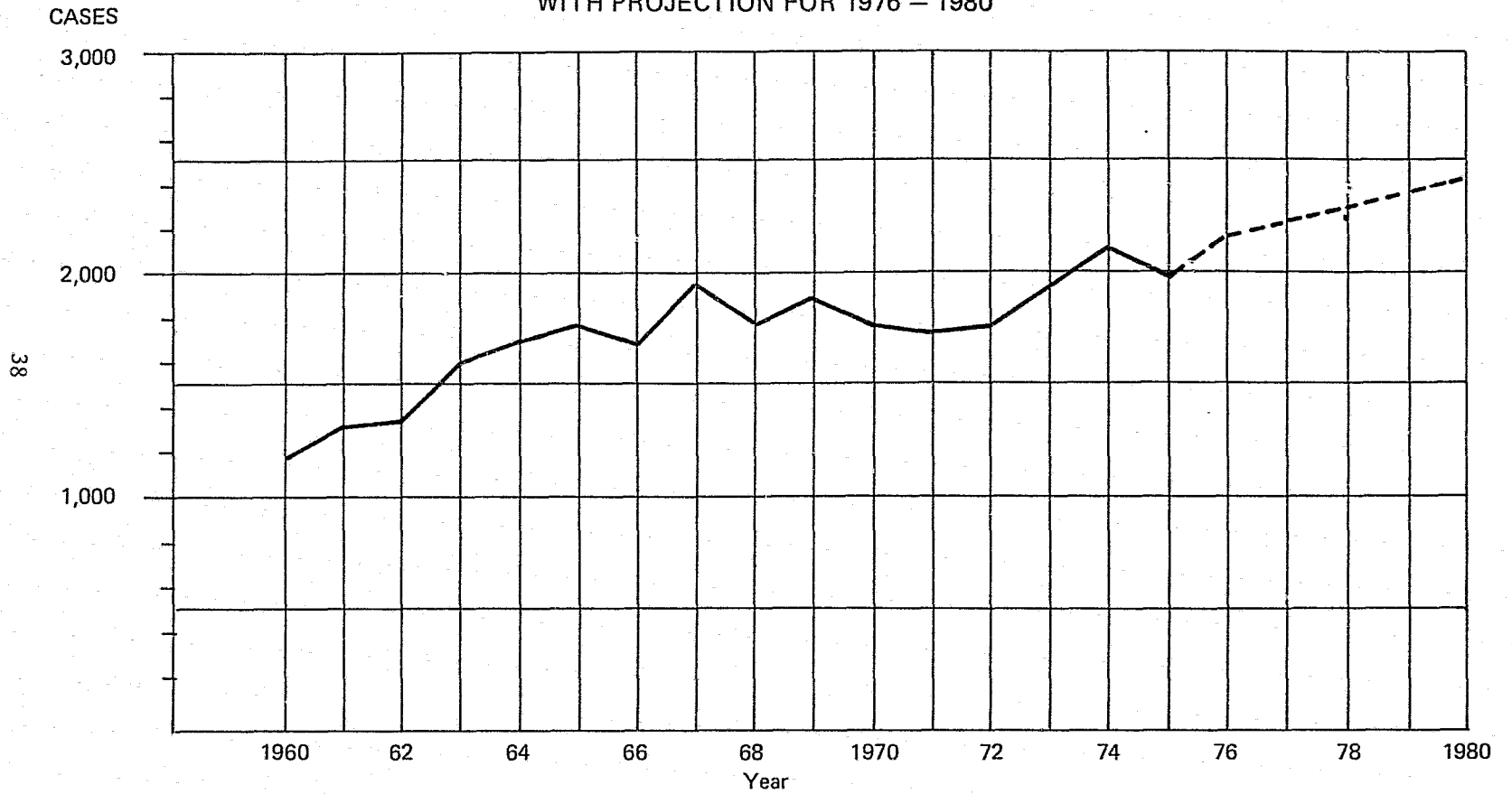
FIRST JUDICIAL CIRCUIT
TOTAL CASES: COMMENCED, CONCLUDED,
AND PENDING 1966 - 1975



**FIRST JUDICIAL CIRCUIT
CASES COMMENCED BY TYPE OF CASE:
LAW, EQUITY, FELONY OR MISDEMEANOR**



FIRST JUDICIAL CIRCUIT
TOTAL CASES COMMENCED 1960 – 1975
WITH PROJECTION FOR 1976 – 1980



FIRST JUDICIAL CIRCUIT

CIVIL CASES

<u>Actions At Law</u>	1973	1974	1975	1976*
Law actions commenced during year	577	675	628	320
Law actions concluded during year by final order	711	667	667	275
Law actions pending on docket end of year	810	608	569	596
Number of law actions in which a jury was empanelled during year	45	64	82	43
Number of days spent in jury trials during year	49	51	74	36
Number of days spent in law trials without a jury during year	38	52	55	26
Number of law orders entered during year not final	478	541	459	284
<u>Chancery Causes</u>				
Chancery causes commenced during year	895	890	888	440
Chancery causes concluded during year by final decree or order	1306	843	972	393
Chancery causes pending on docket end of year	1099	1146	1042	1089
Chancery decrees and orders entered during year not final	1608	1757	1719	779
Number of days spent in trials of chancery causes	4	2		

*January - June

FIRST JUDICIAL CIRCUIT

CRIMINAL CASES

<u>Felonies</u>	1973	1974	1975	1976*
Felonies commenced during year	193	332	292	200
Felonies concluded during year	231	267	310	200
Felonies pending on docket end of year	51	83	70	70
Number of felony cases in which a jury was empanelled during year	5	19	30	33
Number of days spent in jury trials during year	6	21	30	27
Number of felony cases tried without a jury during year	223	208	246	169
Number of felony orders entered during year not final	333	314	301	180
<u>Misdemeanors</u>				
Misdemeanors commenced during year	267	199	166	115
Misdemeanors concluded during year	226	184	143	124
Misdemeanors pending on docket end of year	53	9	30	23
Number of misdemeanor cases in which a jury was empanelled during year	1	4	2	1
Number of misdemeanor cases tried without a jury during year	227	164	132	124
TOTAL COMMENCED CASES	1932	2096	1974	1075
TOTAL CONCLUDED CASES	2474	1961	2092	992
TOTAL PENDING CASES	2013	1846	1711	1778
TOTAL JURY TRIALS	51	87	114	99

*January - June

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Commenced
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	314 (4)	444 (6)	146 (12)	83 (12)	987 (10)
2	6	271 (6)	416 (8)	219 (7)	219 (6)	1125 (6)
3	3	335 (2)	318 (9)	238 (4)	317 (2)	1208 (2)
4	9	255 (8)	244 (12)	236 (6)	282 (3)	1017 (9)
7	3	218 (9)	431 (7)	315 (2)	220 (5)	1184 (3)
8	2	291 (5)	485 (3)	176 (8)	140 (9)	1092 (8)
12	2	172 (13)	555 (1)	238 (4)	194 (7)	1158 (4)
13	8	332 (3)	213 (13)	269 (3)	165 (8)	979 (11)
14	3	205 (11)	452 (5)	161 (10)	251 (4)	1069 (7)
17	4	213 (10)	277 (11)	158 (11)	5 (13)	653 (13)
18	3	196 (12)	305 (10)	162 (9)	114 (10)	777 (12)
19	9	374 (1)	526 (2)	121 (13)	112 (11)	1133 (5)
23	4	263 (7)	472 (4)	329 (1)	348 (1)	1411 (1)
Average for City & Urban Circuit Judges		265	395	213	188	1061

Note The number in parentheses indicates the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Concluded
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	336 (2)	486 (3)	155 (10)	72 (12)	1046 (5)
2	6	200 (8)	404 (8)	193 (7)	209 (6)	1006 (9)
3	3	580 (1)	285 (10)	283 (3)	341 (1)	1489 (1)
4	9	234 (6)	269 (11)	238 (5)	290 (3)	1031 (6)
7	3	219 (7)	464 (5)	296 (2)	212 (5)	1191 (3)
8	2	294 (4)	422 (7)	182 (8)	131 (9)	1028 (7)
12	2	173 (10)	548 (1)	200 (6)	175 (7)	1095 (4)
13	8	332 (3)	198 (12)	270 (4)	166 (8)	965 (11)
14	3	159 (13)	457 (6)	142 (12)	216 (4)	974 (10)
17	4	173 (10)	320 (9)	175 (9)	10 (13)	677 (13)
18	3	160 (12)	157 (13)	150 (11)	124 (10)	681 (12)
19	9	281 (5)	515 (2)	116 (13)	99 (11)	1010 (8)
23	4	197 (9)	473 (4)	303 (1)	334 (2)	1307 (2)
Average for City & Urban Circuit Judges		257	384	208	183	1038

Note— The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

* Figures may not sum to total due to rounding.

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Pending
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	285 (5)	521 (7)	35 (13)	15 (12)	856 (9)
2	6	343 (3)	417 (11)	98 (2)	58 (5)	917 (8)
3	3	173 (12)	658 (4)	43 (11)	116 (1)	990 (6)
4	9	242 (9)	296 (12)	64 (8)	35 (7)	637 (12)
7	3	183 (11)	443 (10)	94 (4)	30 (9)	750 (11)
8	2	260 (7)	843 (1)	40 (12)	41 (6)	1183 (2)
12	2	152 (13)	486 (8)	104 (1)	72 (3)	813 (10)
13	8	258 (8)	270 (13)	44 (10)	11 (13)	583 (13)
14	3	210 (10)	715 (3)	63 (9)	91 (2)	1079 (3)
17	4	402 (2)	458 (9)	77 (6)	33 (8)	971 (7)
18	3	339 (4)	581 (5)	82 (5)	15 (11)	1017 (4)
19	9	756 (1)	795 (2)	75 (7)	26 (10)	1652 (1)
23	4	273 (6)	579 (6)	96 (3)	60 (4)	1008 (5)
Average for City & Urban Circuit Judges		298	543	70	46	958

Note—The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

* Figures may not sum to total due to rounding.

APPENDIX TWO
THE NINTH JUDICIAL CIRCUIT
JUDICIAL WORKLOAD ANALYSIS

NINTH JUDICIAL CIRCUIT

<u>Authorized Judgeships</u>	<u>Judges</u>	<u>Term</u>	<u>Principal Locality</u>
2	Robert T. Armistead	2/1/73-1/31/81	York Williamsburg & James City
	John E. DeHardit	2/1/70-1/21/78	Charles City Co. Gloucester King & Queen King William Mathews Middlesex New Kent

1975 CASELOAD PER JUDGE

	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Total*</u>
Cases Commenced	232	410	300	118	1060
Cases Concluded	246	416	282	115	1058
Cases Pending	238	488	84	38	847
Jury Trials	30	—	31	8	68

Population** per judge — 62,450

* Figures may not equal total due to rounding.

** Population estimate by Tayloe Murphy Institute for 1974

NINTH JUDICIAL CIRCUIT

Annual Summary Data 1966-1975

<u>Year</u>	<u>Cases Commenced</u>	<u>Cases Concluded</u>	<u>Cases Pending</u>	<u>Jury Trials</u>
1966	1174	1082	1034	56
1967	1084	1036	1041	98
1968	1222	1200	1031	76
1969	1298	1189	1115	75
1970	1474	1315	1268	84
1971	1377	1382	1261	68
1972	1639	1464	1412	115
1973	1696	1597	1457	101
1974	2011	1833	1614	90
1975	2120	2115	1693	135
1976*	1314	1235	2047	52

*January - June

NINTH JUDICIAL CIRCUIT

	Cases Commenced					Cases Concluded				
	Law	Equity	Felony	Misdemeanor	Total	Law	Equity	Felony	Misdemeanor	Total
1966	335	506	207	126	1174	317	457	183	125	1082
1967	263	525	159	137	1084	283	478	166	109	1036
1968	379	488	222	133	1222	353	513	205	129	1200
1969	316	620	202	160	1298	276	553	195	165	1189
1970	349	658	208	259	1474	337	514	209	255	1315
1971	301	631	215	211	1377	346	634	218	184	1382
1972	400	704	317	218	1639	284	650	293	237	1464
1973	426	680	355	235	1696	413	682	299	203	1597
1974	540	826	372	273	2011	421	781	381	250	1833
1975	464	820	600	236	2120	491	832	563	229	2115
1976*	207	452	505**	150	1314	203	395	490	147	1235

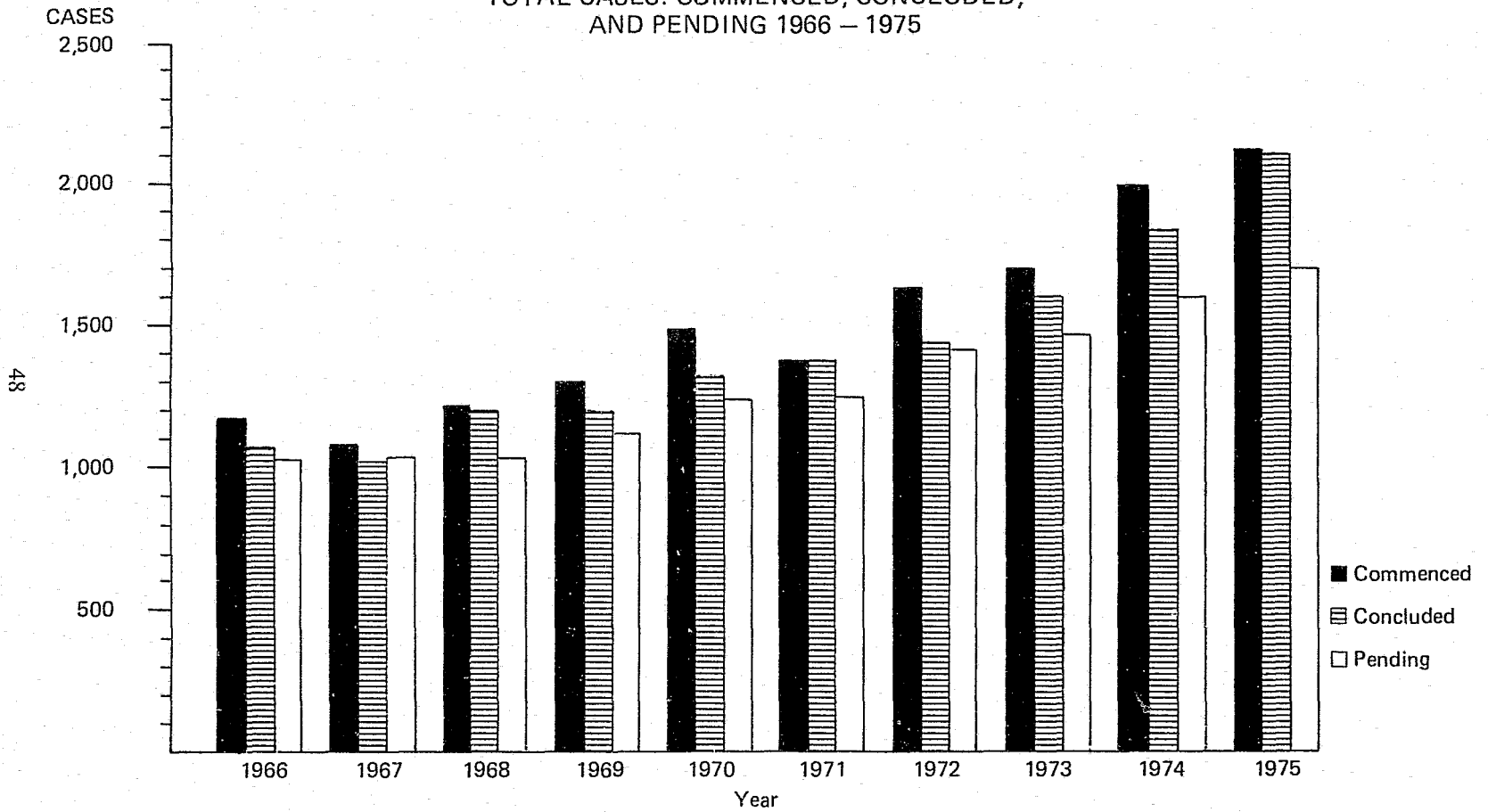
	Cases Pending					Jury Trials			
	Law	Equity	Felony	Misdemeanor	Total	Law	Felony	Misdemeanor	Total
1966	241	687	74	32	1034	18	26	12	56
1967	195	736	65	45	1041	65	16	17	98
1968	221	685	77	48	1031	51	12	13	76
1969	259	737	85	34	1115	40	19	16	75
1970	253	861	86	41	1268	62	7	15	84
1971	243	893	80	45	1261	37	12	19	68
1972	361	920	100	31	1412	69	17	29	115
1973	372	919	105	61	1457	57	27	17	101
1974	507	936	90	81	1614	43	23	24	90
1975	475	975	167	76	1693	59	61	15	135
1976*	468	1258***	255**	66	2047	22	25	5	52

* January - June

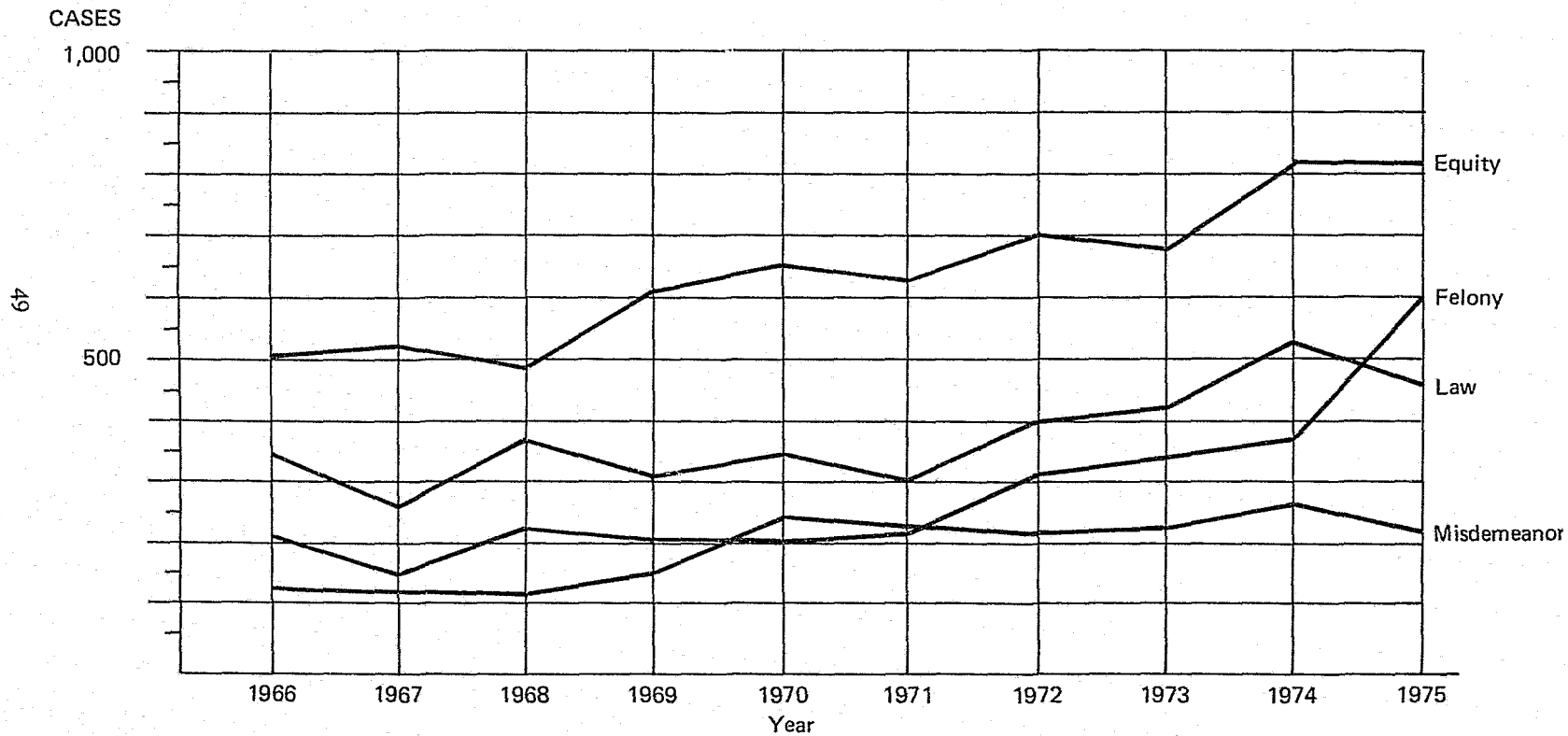
** See Gloucester felony Caseload

*** See York Equity Caseload

NINTH JUDICIAL CIRCUIT
TOTAL CASES: COMMENCED, CONCLUDED,
AND PENDING 1966 - 1975



**NINTH JUDICIAL CIRCUIT
 CASES COMMENCED BY TYPE OF CASE:
 LAW, EQUITY, FELONY OR MISDEMEANOR**



CHARLES CITY COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	24	19	16	11	70	24	14	20	14	72
1967	10	21	14	9	54	15	26	7	6	54
1968	26	15	25	6	72	21	15	25	7	68
1969	9	25	13	10	57	10	16	13	11	50
1970	36	25	10	13	84	30	18	9	9	66
1971	19	19	15	13	66	22	21	11	12	66
1972	17	25	26	1	69	6	19	25	1	51
1973	17	35	21	4	77	30	46	18	5	99
1974	22	31	13	8	74	21	46	18	4	89
1975	20	29	20	7	76	13	31	22	8	74
1976*	15	23	6	1	45	9	17	10	2	38

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	13	46	2		61		2		2
1967	8	41	4	2	55	1		1	2
1968	13	41	4	1	59	2		2	4
1969	12	50	4		66	1	2		3
1970	19	59	5	4	87	2			2
1971	16	57	9	1	83				
1972	27	63	10	1	101	3	1		4
1973	14	51	13		78		2		2
1974	15	39	10	2	66	4			4
1975	22	37	8	1	68		4	4	4
1976*	28	43	4	0	75	1	4	0	5

* January - June

GLOUCESTER COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	41	59	43	33	176	36	71	42	24	173
1967	42	47	28	15	132	44	38	27	16	125
1968	53	49	29	30	161	51	51	32	30	164
1969	35	83	20	25	163	38	75	24	26	163
1970	37	89	36	21	183	33	67	29	28	157
1971	39	102	24	19	184	46	84	27	15	172
1972	54	90	23	44	211	41	75	25	42	183
1973	74	73	34	30	211	59	90	27	31	207
1974	55	84	38	30	207	54	107	38	26	225
1975	62	120	99	41	322	58	63	107	31	259
1976*	21	67	274**	54	416	25	67	180	46	318

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	40	124	11	12	187	3	5	3	11
1967	38	133	12	11	194	5	1	5	11
1968	40	131	9	11	191	3	3	2	8
1969	35	139	4	9	187	7	4	5	16
1970	14	170	11	2	224	3	2	2	7
1971	34	188	8	6	236	8	2	5	15
1972	47	203	6	9	265	6	2	12	20
1973	62	186	13	8	269	6	2	5	13
1974	63	163	13	12	251	3	7	9	19
1975	67	231	5	22	325	1	16	2	19
1976*	63	231	100**	30	424	1	12	1	14

* January - June

** These Figures Checked and Verified with Clerk

KING AND QUEEN COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	18	26	14	4	62	16	14	15	4	49
1967	23	36	18	16	93	15	25	9	4	53
1968	16	48	12	3	79	23	40	15	7	85
1969	15	48	6	5	74	16	55	6	3	80
1970	19	40	13	2	74	16	35	11	2	64
1971	17	22	17	2	58	10	31	20	4	65
1972	17	25	16	2	60	19	62	18	2	101
1973	9	23	14	6	52	10	24	12	4	50
1974	31	60	9	13	113	19	48	14	10	91
1975	20	33	8	8	69	26	26	5	8	65
1976*	3	7	10	9	29	7	12	3	10	32

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	4	88		1	93				
1967	12	99	9	4	124			1	1
1968	5	107	6		118		3	3	6
1969	4	100	6	2	112			1	1
1970	7	105	8	2	122				
1971	14	96	5		115		1	1	2
1972	13	59	3		75	2			2
1973	10	58	5	2	75				
1974	22	70		5	97			1	1
1975	20	77	3	5	105	6		3	9
1976*	16	72	10	4	102	0	0	2	2

* January - June

KING WILLIAM COUNTY

	Cases Commenced					Cases Concluded				
	Law	Equity	Felony	Misdemeanor	Total	Law	Equity	Felony	Misdemeanor	Total
1966	18	28	26	13	85	13	33	6	9	61
1967	14	41	17	11	83	29	32	38	10	109
1968	19	24	14	11	68	16	49	19	10	94
1969	16	50	10	10	86	13	29	7	11	60
1970	17	35	8	21	81	14	15	11	28	68
1971	13	26	8	10	57	20	26	6	4	56
1972	16	21	12	12	61	12	33	9	16	70
1973	10	37	14	11	72	14	33	17	6	70
1974	28	26	22	31	107	15	37	16	22	90
1975	29	43	39	30	141	16	30	24	39	109
1976*	13	19	18	5	55	10	13	23	8	54

53

	Cases Pending					Jury Trials			
	Law	Equity	Felony	Misdemeanor	Total	Law	Felony	Misdemeanor	Total
1966	20	90	28	6	144	1	1	1	3
1967	5	99	7	7	118	2			4
1968	8	75	2	8	93	2	3	2	7
1969	11	96	5	7	119	1	1	1	3
1970	14	116	2		132	1	1	6	8
1971	7	116	4	6	133	1		2	3
1972	11	104	7	2	124	1	4	1	6
1973	7	108	4	7	126	4			4
1974	20	97	10	16	143	1	1	3	5
1975	33	110	25	7	175		1	7	8
1976*	36	116	20	4	176	0	2	1	3

* January - June

MATHEWS COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	17	19	6	4	46	7	17	9	11	44
1967	20	12	4	4	40	15	23	3	1	42
1968	27	12	10	9	58	23	12	3	5	43
1969	25	22	30	11	88	23	19	29	11	82
1970	19	28	9	9	65	22	19	13	4	58
1971	19	28	10	15	72	18	25	11	15	69
1972	9	24	9	7	49	6	19	6	10	41
1973	27	25	11	11	74	24	31	11	3	69
1974	21	33	27	28	109	15	24	27	22	88
1975	13	32	18	11	74	19	36	15	22	92
1976*	5	20	5	11	41	8	14	6	9	37

54

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	13	41		1	55		1	3	4
1967	16	30	3	3	52	1		1	2
1968	19	30	8	6	63	6		2	8
1969	17	30	9	1	57	4	5	3	12
1970	14	33	5	6	58			2	2
1971	15	36	2	3	56	2	2	4	8
1972	18	41	5		64	1	1	3	5
1973	20	39	5	8	72	5	3		8
1974	26	46	5	14	91	3	4	2	9
1975	20	42	8	4	74	4	1	5	5
1976*	17	48	7	6	78	2	0	0	2

* January - June

MIDDLESEX COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	24	23	11	5	63	15	27	11	3	56
1967	13	18	5	12	48	9	13	10	12	44
1968	7	24	19	7	57	11	19	10	5	45
1969	13	38	3	4	58	5	61	8	4	78
1970	23	38	5	13	79	25	21	8	16	70
1971	30	28	3	7	68	24	69	3	7	103
1972	23	33	17	12	85	23	29	16	13	81
1973	22	27	11	10	70	25	22	12	8	67
1974	38	43	10	20	111	25	28	11	21	85
1975	53	42	66	11	172	36	43	30	6	115
1976*	16	27	4	2	49	17	15	37	5	74

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	15	93	12	2	122		1	1	2
1967	16	99	8	2	125	1	4	2	7
1968	10	104	13	4	131	1	1		2
1969	18	81	8	5	112				
1970	16	98	5	4	123	3	2	1	6
1971	21	57	5	4	87	1	1		2
1972	21	56	6	3	86	1			1
1973	18	61	5	5	89	3	2		5
1974	31	76	5	3	115		2	1	3
1975	48	75	41	8	172		24	1	25
1976*	47	87	8	5	147	0	0	0	0

* January - June

NEW KENT COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	25	25	22	15	87	21	28	20	18	87
1967	8	41	4	13	66	20	39	8	10	77
1968	23	22	11	12	68	16	35	8	11	70
1969	42	28	13	15	98	20	19	11	17	67
1970	35	29	22	19	105	46	26	24	19	115
1971	18	29	19	17	83	27	30	22	12	91
1972	50	41	26	8	125	24	32	21	13	90
1973	25	38	23	28	114	36	33	18	21	108
1974	40	62	25	41	168	30	53	33	29	145
1975	45	50	24	30	149	41	57	13	41	152
1976*	15	29	7	17	68	23	28	16	18	85

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	18	44	7	4	73	2	3	3	8
1967	6	46	2	2	56	24	7	4	35
1968	13	33	5	3	54	1	1	1	3
1969	35	42	7	1	85	3	1	3	7
1970	24	45	5	1	75	8	1	1	10
1971	16	57	9	1	83	4		2	6
1972	41	50	7	1	99	4			4
1973	30	55	12	8	105	1	2		3
1974	40	64	4	20	128	3		1	4
1975	44	57	15	9	125	4	1		5
1976*	36	58	6	8	108	3	5	1	9

* January - June

YORK COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	87	185	23	23	318	95	157	23	27	302
1967	71	125	32	33	261	70	151	30	29	280
1968	85	163	34	34	316	80	155	30	36	301
1969	90	181	29	48	348	80	143	32	45	300
1970	73	214	38	116	441	60	212	35	109	416
1971	94	198	35	86	413	102	191	35	86	414
1972	106	238	73	82	499	78	209	63	82	432
1973	122	215	51	87	475	112	211	52	83	458
1974	137	273	81	55	546	102	258	93	60	513
1975	105	254	119	33	511	142	290	150	20	602
1976*	68	147	56	24	295	53	131	90	15	289

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	56	57	3		116	6		1	7
1967	37	31	5	4	77	8	1		9
1968	42	39	9	2	92	19		1	20
1969	52	63	6	1	122	14	4		18
1970	65	64	9	8	146	33	1	2	36
1971	57	71	3	4	135	13	2	3	18
1972	85	100	13	4	202	35	2	1	38
1973	95	104	13	8	220	10	1	9	20
1974	130	119	1	3	253	6	2	6	14
1975	97	75		3	175	8	1		10
1976*	101	319**	46	2	468	10			10

* January - June

** April 1976 - Recount of Docket Made

WILLIAMSBURG CITY & JAMES CITY COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	81	122	46	18	267	90	96	37	15	238
1967	62	184	37	24	307	66	131	34	21	252
1968	123	131	68	21	343	112	137	63	18	330
1969	71	145	78	32	326	71	136	65	37	309
1970	90	160	67	45	362	91	101	69	40	301
1971	71	179	84	42	376	77	157	83	29	346
1972	108	207	115	50	480	75	172	110	58	415
1973	120	207	176	48	551	103	192	132	42	469
1974	168	214	147	47	576	140	180	131	56	507
1975	117	217	207	65	606	140	256	197	54	647
1976*	51	113	125	27	316	51	98	125	34	308

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	62	104	11	6	183	6	13		19
1967	57	158	15	10	240	23	3	1	27
1968	71	125	21	13	230	17	1		18
1969	75	136	36	8	255	10	2	3	15
1970	80	171	36	14	301	12		1	13
1971	63	215	35	20	333	8	4	2	14
1972	98	244	43	11	396	16	7	12	35
1973	116	257	35	15	423	28	15	3	46
1974	160	262	42	6	470	23	7	1	31
1975	124	271	62	17	474	36	13	1	50
1976*	124	284	54	7	469	5	2	0	7

* January - June

NINTH JUDICIAL CIRCUIT

1975 Caseload

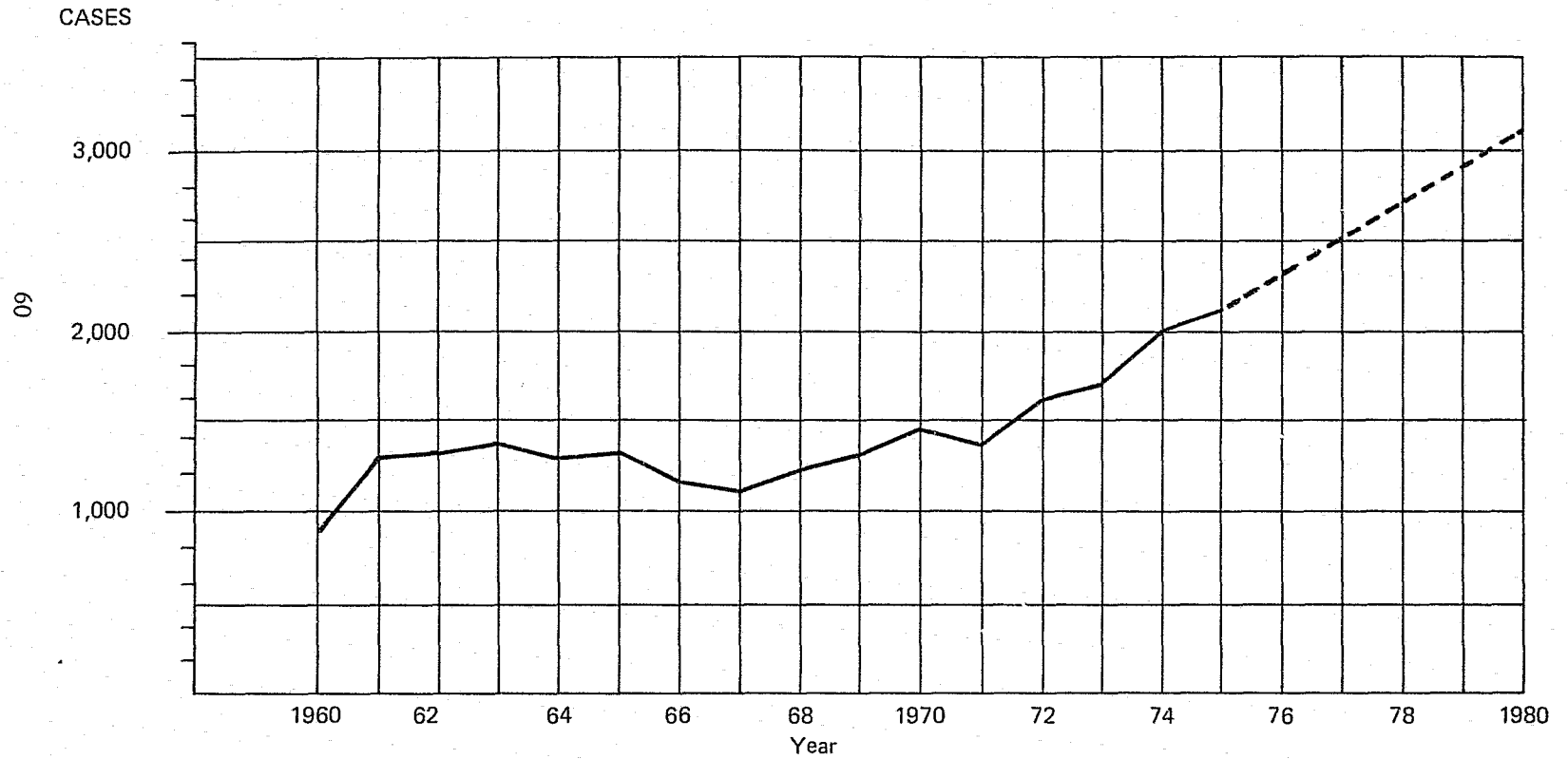
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
Charles City	20	29	20	7	76	13	31	22	8	74
Gloucester	62	120	99	41	322	58	63	107	31	259
King & Queen	20	33	8	8	69	26	26	5	8	65
King William	29	43	39	30	141	16	30	24	39	109
Mathews	13	32	18	11	74	19	36	15	22	92
Middlesex	53	42	66	11	172	36	43	30	6	115
New Kent	45	50	24	30	149	41	57	13	41	152
York	105	254	119	33	511	142	290	150	20	602
Williamsburg & James City	117	217	207	65	606	140	256	197	54	647
TOTAL	464	820	600	236	2120	491	832	563	229	2115

Cases Pending

Jury Trials

	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
Charles City	22	37	8	1	68		4		4
Gloucester	67	231	5	22	325	1	16	2	19
King & Queen	20	77	3	5	105	6		3	9
King William	33	110	25	7	175		1	7	8
Mathews	20	42	8	4	74	4	1		5
Middlesex	48	75	41	8	172		24	1	25
New Kent	44	57	15	9	125	4	1		5
York	97	75		3	175	8	1	1	10
Williamsburg & James City	124	271	62	17	474	36	13	1	50
TOTAL	475	975	167	76	1693	59	61	15	135

NINTH JUDICIAL CIRCUIT
TOTAL CASES COMMENCED 1960 – 1975
WITH PROJECTION FOR 1976 – 1980



NINTH JUDICIAL CIRCUIT PROJECTIONS

Cases Commenced

<u>Year</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1976	502	859	670	249	2280
1977	542	900	744	264	2450
1978	587	946	823	279	2635
1979	634	994	908	294	2830
1980	686	1047	1003	309	3045

Caseload Per Judge

<u>Year</u>	<u>Cases Commenced</u>	<u>2 Judges</u>	<u>3 Judges</u>
1976	2280	1140	
1977	2450	1225	817
1978	2635	1318	878
1979	2830	1415	943
1980	3045	1522	1015

Estimated Population

<u>Year</u>	<u>Population</u>	<u>Population Per Judge</u>	
		<u>2 Judges</u>	<u>3 Judges</u>
1976	130,300	65,150	
1977	133,100	66,500	44,366
1978	136,000	68,000	45,333
1979	138,900	69,450	46,300
1980	141,700	70,850	47,233

NINTH JUDICIAL CIRCUIT

CIVIL CASES

<u>Actions At Law</u>	1973	1974	1975	1976*
Law actions commenced during year	426	540	464	207
Law actions concluded during year by final order	413	421	491	203
Law actions pending on docket end of year	372	507	475	468
Number of law actions in which a jury was empanelled during year	57	43	59	22
Number of days spent in jury trials during year	59	36	50	24
Number of days spent in law trials without a jury during year	98	121	117	72
Number of law orders entered during year not final	495	607	818	405

Chancery Causes

Chancery causes commenced during year	680	826	820	452
Chancery causes concluded during year by final decree or order	682	781	832	395
Chancery causes pending on docket end of year	919	936	975	1258
Chancery decrees and orders entered during year not final	895	1020	1009	486
Number of days spent in trials of chancery causes	68	97	129	50

*January - June

NINTH JUDICIAL CIRCUIT

CRIMINAL CASES

<u>Felonies</u>	1973	1974	1975	1976*
Felonies commenced during year	355	372	600	505
Felonies concluded during year	299	381	563	490
Felonies pending on docket end of year	105	90	167	255
Number of felony cases in which a jury was empanelled during year	27	23	61	25
Number of days spent in jury trials during year	52	46	51	20
Number of felony cases tried without a jury during year	225	301	512	508
Number of felony orders entered during year not final	460	546	933	991
<u>Misdemeanors</u>				
Misdemeanors commenced during year	235	273	236	150
Misdemeanors concluded during year	203	250	229	147
Misdemeanors pending on docket end of year	61	81	76	66
Number of misdemeanor cases in which a jury was empanelled during year	17	24	15	5
Number of misdemeanor cases tried without a jury during year	146	210	188	123
TOTAL COMMENCED CASES	1696	2011	2120	1314
TOTAL CONCLUDED CASES	1597	1833	2115	1235
TOTAL PENDING CASES	1457	1614	1693	2047
TOTAL JURY TRIALS	101	90	135	52

*January - June

NINTH JUDICIAL CIRCUIT

Population Data

	<u>1960*</u>	<u>1970*</u>	<u>1974**</u>	<u>1980*</u>
Charles City County	5,492	6,158	6,500	7,500
Gloucester	11,919	14,059	16,700	18,000
King & Queen	5,889	5,491	5,600	5,500
King William	7,563	7,497	7,900	7,800
Mathews	7,121	7,168	7,900	8,100
Middlesex	6,319	6,295	6,500	6,800
New Kent	4,504	5,300	6,800	7,500
York	21,143	33,203	37,600	45,000
Williamsburg	8,362	9,069	10,100	10,500
James City County	<u>10,449</u>	<u>17,853</u>	<u>19,300</u>	<u>25,000</u>
	88,761	112,093	124,900	141,700

* Division of State Planning and Community Affairs

** Tayloe Murphy Institute

POPULATION PER CIRCUIT COURT JUDGE

1975

<u>Circuit</u>	<u>Population*</u>	<u>No. of Judges</u>	<u>Population/Judge</u>	<u>Rank</u>
1	100,800	2	50,400	10
2	254,000	6	42,333	24
3	109,500	3	36,500	27
4	289,200	9	32,133	29
5	92,700	2	46,350	15
6	90,700	2	45,350	20
7	136,400	3	45,467	19
8	126,800	2	63,400	3
9	124,900	2	62,450	4
10	134,500	2	67,250	2
11	96,400	2	48,200	12
12	114,600	2	57,300	7
13	233,100	8	29,138	30
14	166,200	3	55,400	8
15	182,600	4	45,650	17
16	171,500	4	42,875	23
17	153,200	4	38,300	26
18	108,300	3	36,100	28
19	686,600	9	76,289	1
20	79,300	2	39,650	25
21	89,300	2	44,650	22
22	138,200	3	46,067	16
23	188,300	4	47,075	14
24	194,100	4	48,525	11
25	160,400	3	53,467	9
26	185,600	3	61,867	5
27	176,800	3	58,933	6
28	91,300	2	45,650	17
29	141,800	3	47,267	13
30	90,600	2	45,300	21
TOTAL	4,908,000	103	47,650	

*Figures Tayloe Murphy Institute—Figures rounded to nearest hundred

RURAL JUDICIAL CIRCUITS

Average Number of Cases Commenced
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
5	2	381 (1)	310 (11)	255 (5)	308 (3)	1253 (2)
6	2	244 (4)	349 (7)	218 (12)	110 (15)	920 (10)
9	2	232 (9)	410 (1)	300 (2)	118 (11)	1060 (5)
10	2	239 (5)	381 (5)	268 (3)	185 (6)	1073 (4)
11	2	189 (12)	324 (10)	244 (7)	144 (13)	871 (12)
15	4	288 (2)	305 (12)	222 (11)	136 (10)	950 (8)
16	4	175 (14)	301 (13)	205 (13)	89 (16)	770 (16)
20	2	218 (10)	299 (14)	183 (14)	33 (17)	733 (17)
21	2	281 (3)	276 (16)	320 (1)	614 (1)	1491 (1)
22	3	147 (17)	255 (17)	250 (6)	290 (2)	943 (9)
24	4	211 (11)	363 (6)	256 (4)	196 (5)	1026 (6)
25	3	233 (8)	402 (2)	243 (8)	222 (4)	1100 (3)
26	3	164 (15)	401 (3)	235 (9)	112 (14)	912 (11)
27	3	188 (13)	386 (4)	232 (10)	173 (7)	978 (7)
28	2	134 (16)	341 (8)	162 (15)	168 (9)	804 (14)
29	3	238 (6)	299 (14)	122 (16)	128 (11)	788 (13)
30	2	237 (7)	341 (8)	86 (17)	170 (8)	833 (13)
Average for Rural Circuit Judges		223	338	224	186	970

Note--The numbers in parentheses indicate the rank of the circuit among the seventeen rural circuits for each category.

*Figures may not sum to total due to rounding.

RURAL JUDICIAL CIRCUITS

Average Number of Cases Concluded
Per Judge for the Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
5	2	294 (1)	297 (11)	237 (8)	273 (3)	1101 (2)
6	2	226 (4)	303 (10)	193 (13)	84 (15)	805 (11)
9	2	246 (3)	416 (1)	282 (2)	115 (13)	1058 (3)
10	2	179 (14)	334 (6)	242 (6)	169 (8)	923 (8)
11	2	192 (9)	253 (15)	244 (5)	125 (1)	812 (10)
15	4	271 (2)	278 (12)	232 (10)	147 (10)	928 (7)
16	4	183 (12)	274 (13)	210 (11)	80 (16)	747 (14)
20	2	188 (11)	315 (9)	152 (14)	28 (17)	682 (17)
21	2	213 (6)	192 (17)	354 (1)	1111 (1)	1869 (1)
22	3	136 (15)	231 (16)	240 (7)	281 (2)	888 (9)
24	4	208 (8)	407 (2)	255 (4)	202 (4)	1073 (4)
25	3	190 (10)	339 (5)	233 (9)	170 (7)	932 (6)
26	3	130 (16)	388 (3)	272 (3)	115 (13)	905 (12)
27	3	183 (2)	374 (4)	203 (12)	174 (6)	935 (5)
28	2	107 (17)	331 (8)	147 (15)	149 (9)	733 (15)
29	3	212 (5)	334 (6)	134 (16)	124 (12)	804 (13)
30	2	209 (7)	261 (14)	68 (17)	187 (5)	724 (16)
Average for Rural Circuit Judges		198	313	218	149	878

Note—The numbers in parentheses indicate the rank of the circuit among the seventeen rural circuits for each category.

*Figures may not sum to total due to rounding.

RURAL JUDICIAL CIRCUITS

Average Number of Cases Pending
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
5	2	407 (3)	454 (8)	102 (2)	99 (3)	1062 (4)
6	2	138 (14)	386 (11)	79 (5)	40 (7)	642 (4)
9	2	238 (7)	488 (5)	84 (3)	38 (9)	847 (6)
10	2	474 (1)	1074 (1)	81 (4)	47 (6)	1676 (1)
11	2	166 (13)	465 (7)	66 (9)	17 (15)	713 (10)
15	4	205 (10)	399 (9)	37 (17)	28 (11)	669 (13)
16	4	345 (4)	631 (4)	48 (14)	40 (7)	1060 (5)
20	2	261 (9)	385 (12)	77 (6)	14 (17)	736 (9)
21	2	297 (5)	284 (17)	51 (12)	140 (1)	771 (7)
22	3	59 (17)	391 (10)	45 (16)	16 (16)	511 (16)
24	4	199 (11)	316 (15)	46 (15)	24 (13)	585 (12)
25	3	229 (8)	1015 (2)	118 (1)	115 (2)	1477 (2)
26	3	240 (6)	375 (13)	62 (10)	21 (14)	698 (11)
27	3	117 (15)	353 (14)	67 (8)	24 (12)	561 (15)
28	2	84 (16)	305 (16)	49 (13)	33 (10)	470 (17)
29	3	174 (12)	468 (6)	60 (11)	62 (5)	765 (8)
30	2	419 (2)	855 (3)	73 (7)	86 (4)	1433 (3)
Average for Rural Circuit Judges		238	508	67	50	863

Note--The numbers in parentheses indicate the rank of the circuit among the seventeen rural circuits for each category.

*Figures may not sum to total due to rounding.

APPENDIX THREE
THE FOURTEENTH JUDICIAL CIRCUIT
JUDICIAL WORKLOAD ANALYSIS

FOURTEENTH JUDICIAL CIRCUIT

<u>Authorized Judgeships</u>	<u>Judges</u>	<u>Term</u>
3	E. Ballard Baker John W. Knowles Edmund Waller Hening, Jr.	2/1/75-1/31/83 2/1/69-1/31/77 2/1/76-1/31/84

1975 CASELOAD PER JUDGE (3 Judgeships)

	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Total*</u>
Cases Commenced	205	452	161	251	1069
Cases Concluded	159	457	142	216	974
Cases Pending	210	715	63	91	1079
Jury Trials	14	—	12	4	30

Population** per judge — 55,400

* Figures may not equal total due to rounding

** Population estimate by Tayloe Murphy Institute for 1974

POPULATION DATA FOR HENRICO COUNTY

<u>Year</u>	<u>Population</u>
1960	117,339*
1970	154,364*
1974	166,200**
1980	194,500*

* Division of State Planning and Community Affairs, March 1975

** Tayloe Murphy Institute, August 1975

FOURTEENTH JUDICIAL CIRCUIT

Annual Summary Data 1966-1975

<u>Year</u>	<u>Cases Commenced</u>	<u>Cases Concluded</u>	<u>Cases Pending</u>	<u>Jury Trials</u>
1966	1528	1422	1959	59
1967	1636	1620	1975	53
1968	1789	1840	1981	53
1969	1978	1794	2165	62
1970	2158	2075	2248	61
1971	2193	2161	2280	46
1972	2279	2127	2432	47
1973	2367	2242	2557	45
1974	2841	2441	2842	62
1975	3207	2922	3238	90
1976*	1646	1649	3235	36

*January - June

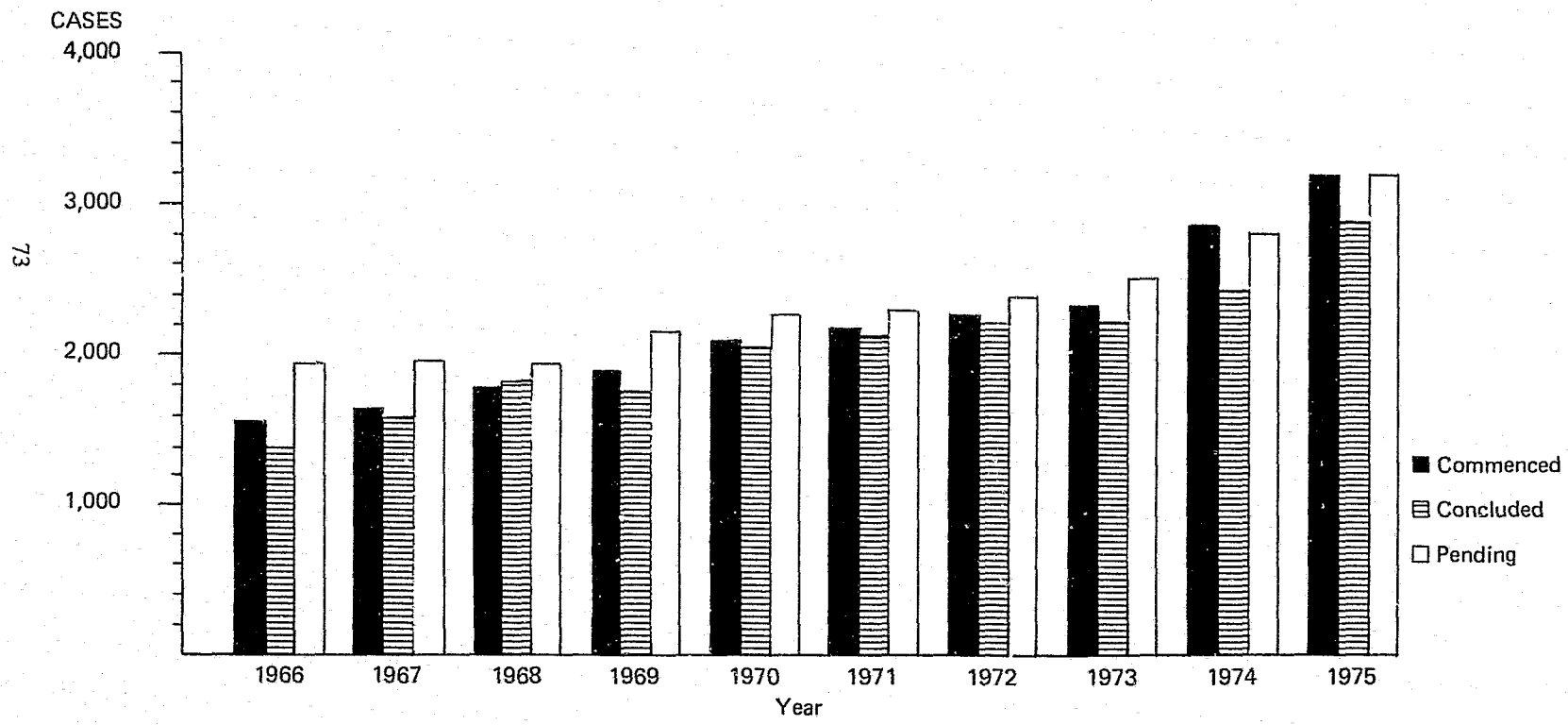
HENRICO COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	390	724	141	273	1528	422	664	119	217	1422
1967	404	814	143	275	1636	412	822	124	262	1620
1968	383	879	118	409	1789	402	826	156	456	1840
1969	397	975	164	442	1978	423	841	140	390	1794
1970	393	1063	233	469	2158	401	981	208	485	2075
1971	384	1063	229	517	2193	364	1064	239	494	2161
1972	369	1171	266	473	2279	321	1041	277	488	2127
1973	372	1174	348	473	2367	377	1134	286	445	2242
1974	519	1345	428	549	2841	395	1082	420	544	2441
1975	615	1356	484	752	3207	478	1370	427	647	2922
1976*	338	675	263	370	1646	257	705	260	427	1649

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	367	1467	43	82	1959	44	6	9	59
1967	359	1459	62	95	1975	35	11	7	53
1968	340	1512	36	93	1981	42	2	9	53
1969	314	1646	60	145	2165	35	15	12	62
1970	306	1728	85	129	2248	42	8	11	61
1971	326	1727	75	152	2280	37	5	4	46
1972	374	1857	64	137	2432	31	7	9	47
1973	369	1897	126	165	2557	28	11	6	45
1974	493	2050	132	167	2842	32	22	8	62
1975	631	2146	189	272	3238	43	35	12	90
1976*	712	2116	192	215	3235	20	8	8	36

* January - June

FOURTEENTH JUDICIAL CIRCUIT
TOTAL CASES: COMMENCED, CONCLUDED
AND PENDING 1966 - 1975



FOURTEENTH JUDICIAL CIRCUIT PROJECTIONS

Cases Commenced

<u>Year</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1976	678	1352	528	742	3300
1977	733	1425	590	812	3560
1978	792	1503	657	888	3840
1979	855	1587	729	969	4140
1980	922	1677	806	1055	4460

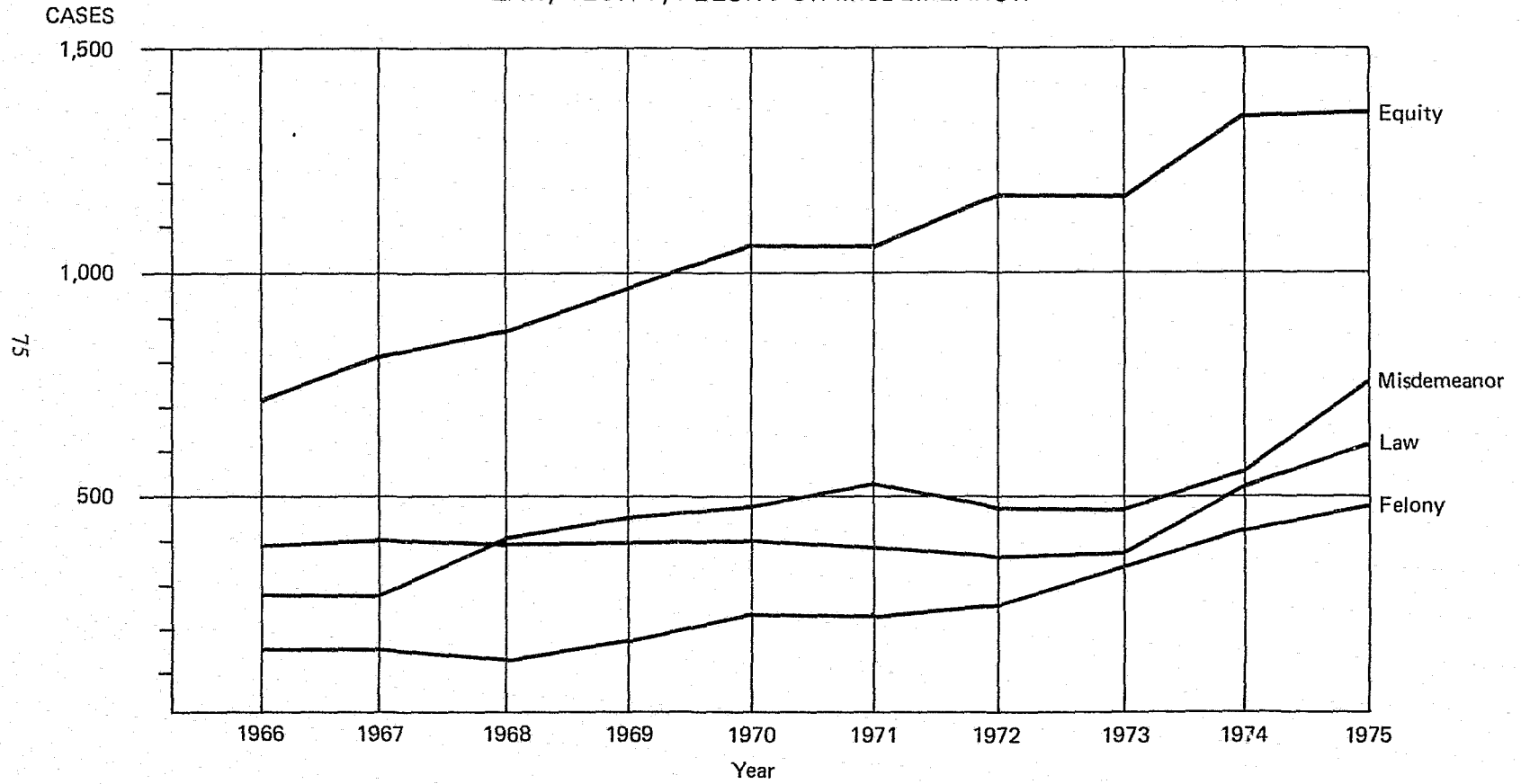
Caseload Per Judge

<u>Year</u>	<u>Cases Commenced</u>	<u>3 Judges</u>	<u>4 Judges</u>
1976	3300	1100	
1977	3560	1187	890
1978	3840	1280	960
1979	4140	1380	1035
1980	4460	1487	1115

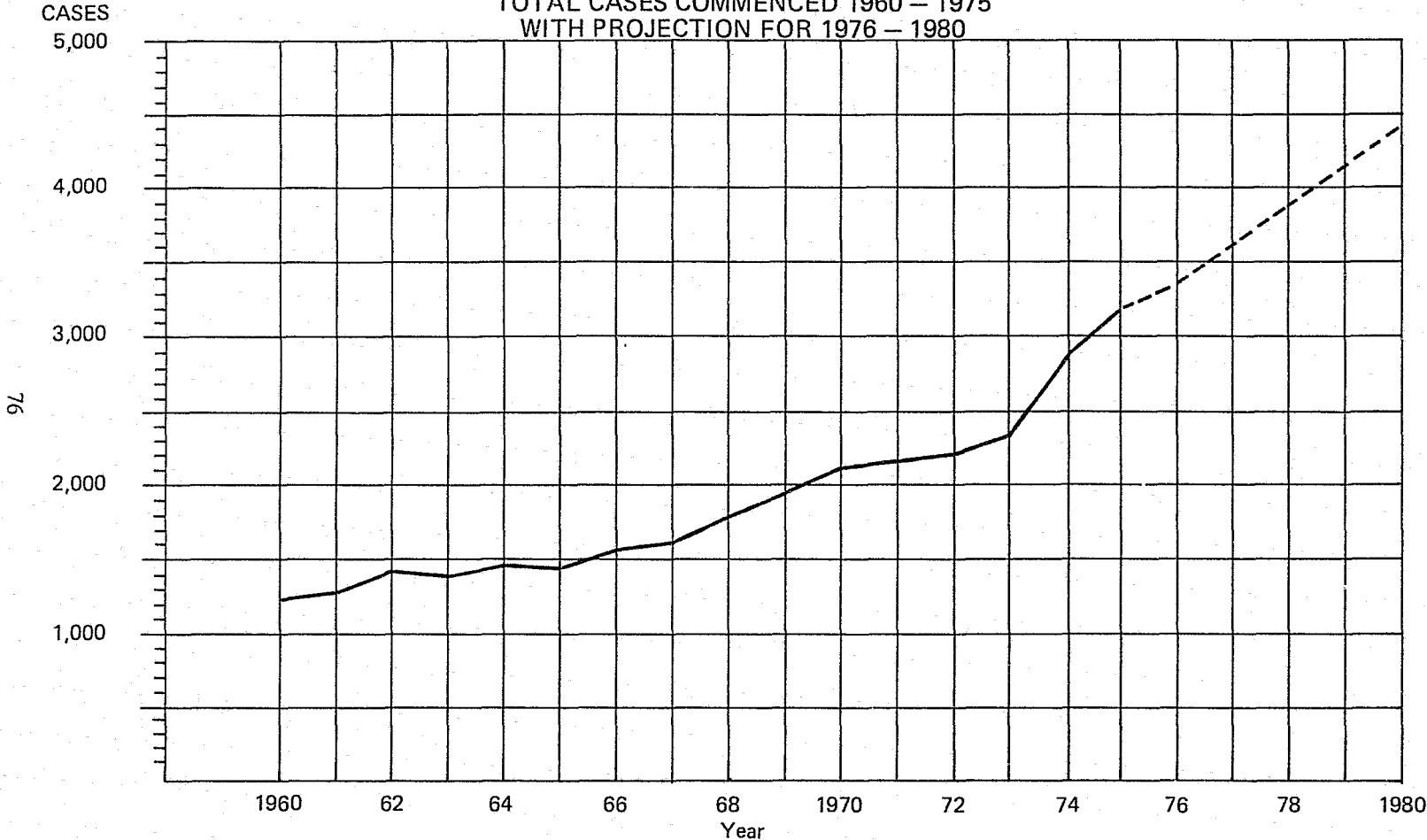
Estimated Population

<u>Year</u>	<u>Population</u>	<u>Population Per Judge</u>	
		<u>3 Judges</u>	<u>4 Judges</u>
1976	173,900	57,967	
1977	177,900	59,300	44,475
1978	182,000	60,667	45,500
1979	186,200	62,067	46,550
1980	194,500	64,833	48,625

FOURTEENTH JUDICIAL CIRCUIT
CASES COMMENCED BY TYPE OF CASE:
LAW, EQUITY, FELONY OR MISDEMEANOR



FOURTEENTH JUDICIAL CIRCUIT
TOTAL CASES COMMENCED 1960 - 1975
WITH PROJECTION FOR 1976 - 1980



FOURTEENTH JUDICIAL CIRCUIT

CIVIL CASES

<u>Actions At Law</u>	1973	1974	1975	1976*
Law actions commenced during year	372	519	615	338
Law actions concluded during year by final order	377	395	478	257
Law actions pending on docket end of year	369	493	631	712
Number of law actions in which a jury was empanelled during year	28	32	43	20
Number of days spent in jury trials during year	35	39	51	25
Number of days spent in law trials without a jury during year	58	155	390	237
Number of law orders entered during year not final	492	495	909	393
 <u>Chancery Causes</u>				
Chancery causes commenced during year	1171	1345	1356	675
Chancery causes concluded during year by final decree or order	1134	1082	1370	705
Chancery causes pending on docket end of year	1897	2050	2146	2116
Chancery decrees and orders entered during year not final	1248	1284	1362	774
Number of days spent in trials of chancery causes	26	5	2	6

*January - June

FOURTEENTH JUDICIAL CIRCUIT

CRIMINAL CASES

<u>Felonies</u>	1973	1974	1975	1976*
Felonies commenced during year	348	428	484	263
Felonies concluded during year	286	420	427	260
Felonies pending on docket end of year	126	132	189	192
Number of felony cases in which a jury was empanelled during year	11	22	35	8
Number of days spent in jury trials during year	11	20	48	11
Number of felony cases tried without a jury during year	284	377	390	252
Number of felony orders entered during year not final	546	1082	893	553
<u>Misdemeanors</u>				
Misdemeanors commenced during year	473	549	752	370
Misdemeanors concluded during year	445	544	647	427
Misdemeanors pending on docket end of year	165	167	272	215
Number of misdemeanor cases in which a jury was empanelled during year	6	8	12	8
Number of misdemeanor cases tried without a jury during year	327	516	647	378
TOTAL COMMENCED CASES	2367	2841	3207	1646
TOTAL CONCLUDED CASES	2242	2441	2922	1649
TOTAL PENDING CASES	2557	2842	3238	3235
TOTAL JURY TRIALS	45	62	90	36

*January - June

POPULATION PER CIRCUIT COURT JUDGE

1975

<u>Circuit</u>	<u>Population*</u>	<u>No. of Judges</u>	<u>Population/Judge</u>	<u>Rank</u>
1	100,800	2	50,400	10
2	254,000	6	42,333	24
3	109,500	3	36,500	27
4	289,200	9	32,133	29
5	92,700	2	46,350	15
6	90,700	2	45,350	20
7	136,400	3	45,467	19
8	126,800	2	63,400	3
9	124,900	2	62,450	4
10	134,500	2	67,250	2
11	96,400	2	48,200	12
12	114,600	2	57,300	7
13	233,100	8	29,138	30
14	166,200	3	55,400	8
15	182,600	4	45,650	17
16	171,500	4	42,875	23
17	153,200	4	38,300	26
18	108,300	3	36,100	28
19	686,600	9	76,289	1
20	79,300	2	39,650	25
21	89,300	2	44,650	22
22	138,200	3	46,067	16
23	188,300	4	47,075	14
24	194,100	4	48,525	11
25	160,400	3	53,467	9
26	185,600	3	61,867	5
27	176,800	3	58,933	6
28	91,300	2	45,650	17
29	141,800	3	47,267	13
30	90,600	2	45,300	21
TOTAL	4,908,000	103	47,650	

*Figures Tayloe Murphy Institute--Figures rounded to nearest hundred

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Commenced
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	314 (4)	444 (6)	146 (12)	83 (12)	987 (10)
2	6	271 (6)	416 (8)	219 (7)	219 (6)	1125 (6)
3	3	335 (2)	318 (9)	238 (4)	317 (2)	1208 (2)
4	9	255 (8)	244 (12)	236 (6)	282 (3)	1017 (9)
7	3	218 (9)	431 (7)	315 (2)	220 (5)	1184 (3)
8	2	291 (5)	485 (3)	176 (8)	140 (9)	1092 (8)
12	2	172 (13)	555 (1)	238 (4)	194 (7)	1158 (4)
13	8	332 (3)	213 (13)	269 (3)	165 (8)	979 (11)
14	3	205 (11)	452 (5)	161 (10)	251 (4)	1069 (7)
17	4	213 (10)	277 (11)	158 (11)	5 (13)	653 (13)
18	3	196 (12)	305 (10)	162 (9)	114 (10)	777 (12)
19	9	374 (1)	526 (2)	121 (13)	112 (11)	1133 (5)
23	4	263 (7)	472 (4)	329 (1)	348 (1)	1411 (1)
Average for City & Urban Circuit Judges		265	395	213	188	1061

Note--- The number in parentheses indicates the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Concluded
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	336 (2)	486 (3)	155 (10)	72 (12)	1046 (5)
2	6	200 (8)	404 (8)	193 (7)	209 (6)	1006 (9)
3	3	580 (1)	285 (10)	283 (3)	341 (1)	1489 (1)
4	9	234 (6)	269 (11)	238 (5)	290 (3)	1031 (6)
7	3	219 (7)	464 (5)	296 (2)	212 (5)	1191 (3)
8	2	294 (4)	422 (7)	182 (8)	131 (9)	1028 (7)
12	2	173 (10)	548 (1)	200 (6)	175 (7)	1095 (4)
13	8	332 (3)	198 (12)	270 (4)	166 (8)	965 (11)
14	3	159 (13)	457 (6)	142 (12)	216 (4)	974 (10)
17	4	173 (10)	320 (9)	175 (9)	10 (13)	677 (13)
18	3	160 (12)	157 (13)	150 (11)	124 (10)	681 (12)
19	9	281 (5)	515 (2)	116 (13)	99 (11)	1010 (8)
23	4	197 (9)	473 (4)	303 (1)	334 (2)	1307 (2)
Average for City & Urban Circuit Judges		257	384	208	183	1038

Note The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Pending
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	285 (5)	521 (7)	35 (13)	15 (12)	856 (9)
2	6	343 (3)	417 (11)	98 (2)	58 (5)	917 (8)
3	3	173 (12)	658 (4)	43 (11)	116 (1)	990 (6)
4	9	242 (9)	296 (12)	64 (8)	35 (7)	637 (12)
7	3	183 (11)	443 (10)	94 (4)	30 (9)	750 (11)
8	2	260 (7)	843 (1)	40 (12)	41 (6)	1183 (2)
12	2	152 (13)	486 (8)	104 (1)	72 (3)	813 (10)
13	8	258 (8)	270 (13)	44 (10)	11 (13)	583 (13)
14	3	210 (10)	715 (3)	63 (9)	91 (2)	1079 (3)
17	4	402 (2)	458 (9)	77 (6)	33 (8)	971 (7)
18	3	339 (4)	581 (5)	82 (5)	15 (11)	1017 (4)
19	9	756 (1)	795 (2)	75 (7)	26 (10)	1652 (1)
23	4	273 (6)	579 (6)	96 (3)	60 (4)	1008 (5)
Average for City & Urban Circuit Judges		290	543	70	46	958

Note -- The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

APPENDIX FOUR
THE TWENTY-THIRD JUDICIAL CIRCUIT
JUDICIAL WORKLOAD ANALYSIS

TWENTY-THIRD JUDICIAL CIRCUIT

<u>Authorized Judgeships</u>	<u>Judges</u>	<u>Term</u>	<u>Principal Locality</u>
4	Ernest W. Ballou	2/1/73-1/31/81	Roanoke City
	Jack B. Coulter	4/1/75-3/31/83	Roanoke City & Co.
	Frederick L. Hoback	2/1/72-1/31/80	Roanoke Co. + Salem
	Robert J. Rogers	2/1/74-1/31/82	Roanoke City

1975 CASELOAD PER JUDGE (4 Judgeships)

	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Total*</u>
Cases Commenced	263	472	329	348	1411
Cases Concluded	197	473	303	334	1307
Cases Pending	273	579	96	60	1008
Jury Trials	9	—	15	4	28

Population** per judge — 47,075

* Figures may not equal total due to rounding

** Population estimate by Tayloe Murphy Institute for 1974

POPULATION DATA

<u>Year</u>	<u>Roanoke Co.</u>	<u>Roanoke City</u>	<u>Salem City</u>	<u>Total</u>
1960*	42,135	97,110	19,558	158,803
1970*	67,339	97,115	21,982	181,436
1974**	76,800	88,900	22,600	188,300
1980*	95,000	88,000	24,700	207,700

* Division of State Planning and Community Affairs

** Tayloe Murphy Institute

TWENTY-THIRD JUDICIAL CIRCUIT

Annual Summary Data 1966-1975

<u>Year</u>	<u>Cases Commenced</u>	<u>Cases Concluded</u>	<u>Cases Pending</u>	<u>Jury Trials</u>
1966	2929	2816	2172	169
1967	3022	2989	2211	105
1968	3103	2902	2393	144
1969	3559	3173	2622	132
1970	4132	3784	2963	184
1971	4422	3994	3382	165
1972	4582	4063	3844	146
1973	4419	4799	3235	127
1974	4554	4197	3576	109
1975	5645	5228	4030	113
1976*	2830	2699	4111	63

*January - June

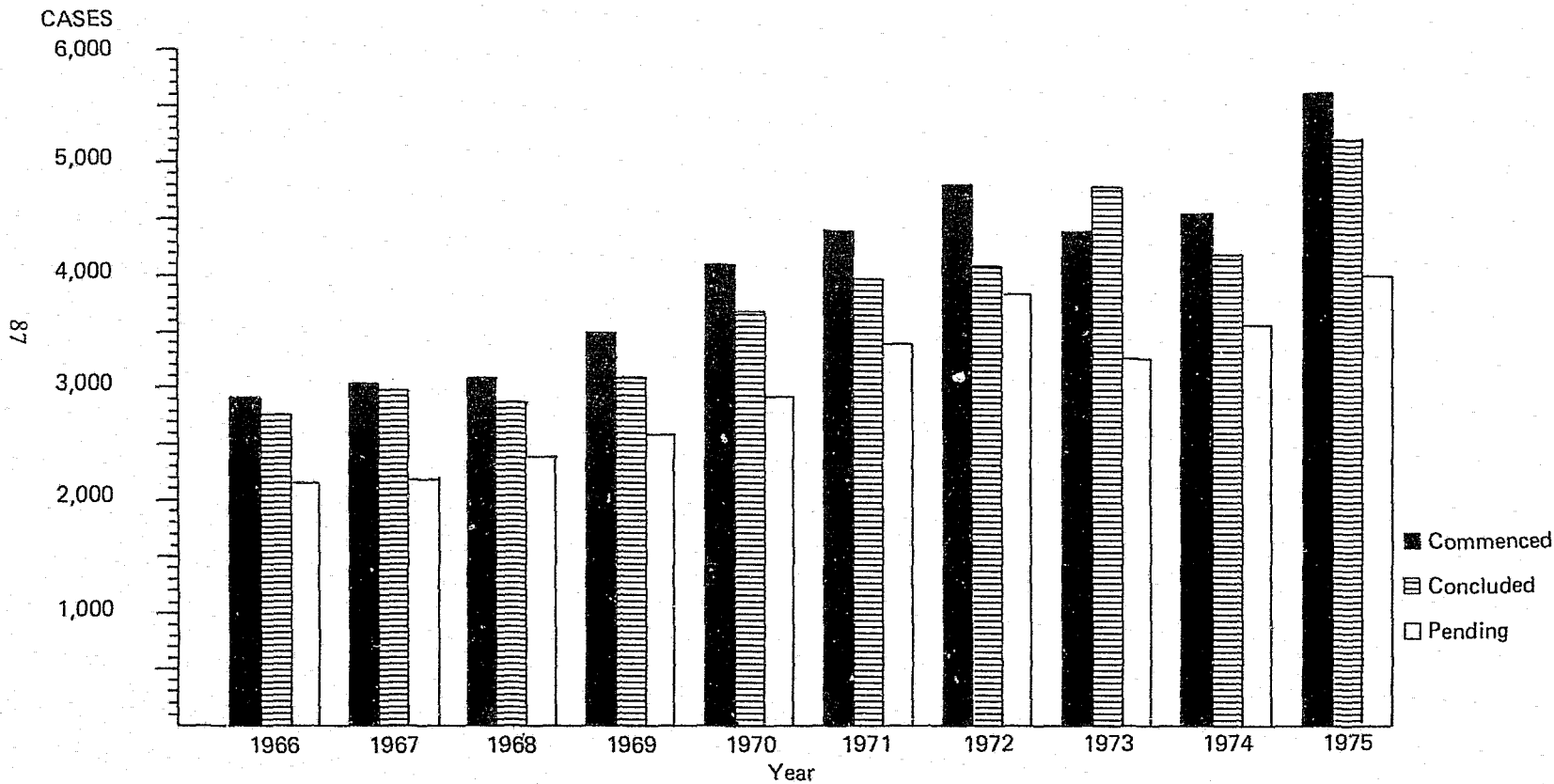
TWENTY-THIRD JUDICIAL CIRCUIT

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	646	1109	334	840	2929	580	997	330	909	2816
1967	656	1141	320	905	3022	663	1099	309	918	2989
1968	685	1258	359	801	3103	633	1142	361	766	2902
1969	759	1392	530	878	3559	498	1240	544	891	3173
1970	881	1496	637	1118	4132	831	1250	582	1121	3784
1971	818	1710	690	1204	4422	807	1340	631	1216	3994
1972	787	1732	1108	955	4582	670	1531	947	915	4063
1973	798	1662	869	1090	4419	823	1969	911	1096	4799
1974	902	1870	806	976	4554	699	1746	312	940	4197
1975	1051	1887	1314	1393	5645	788	1892	1211	1337	5228
1976*	517	865	803	645	2830	422	878	787	612	2699

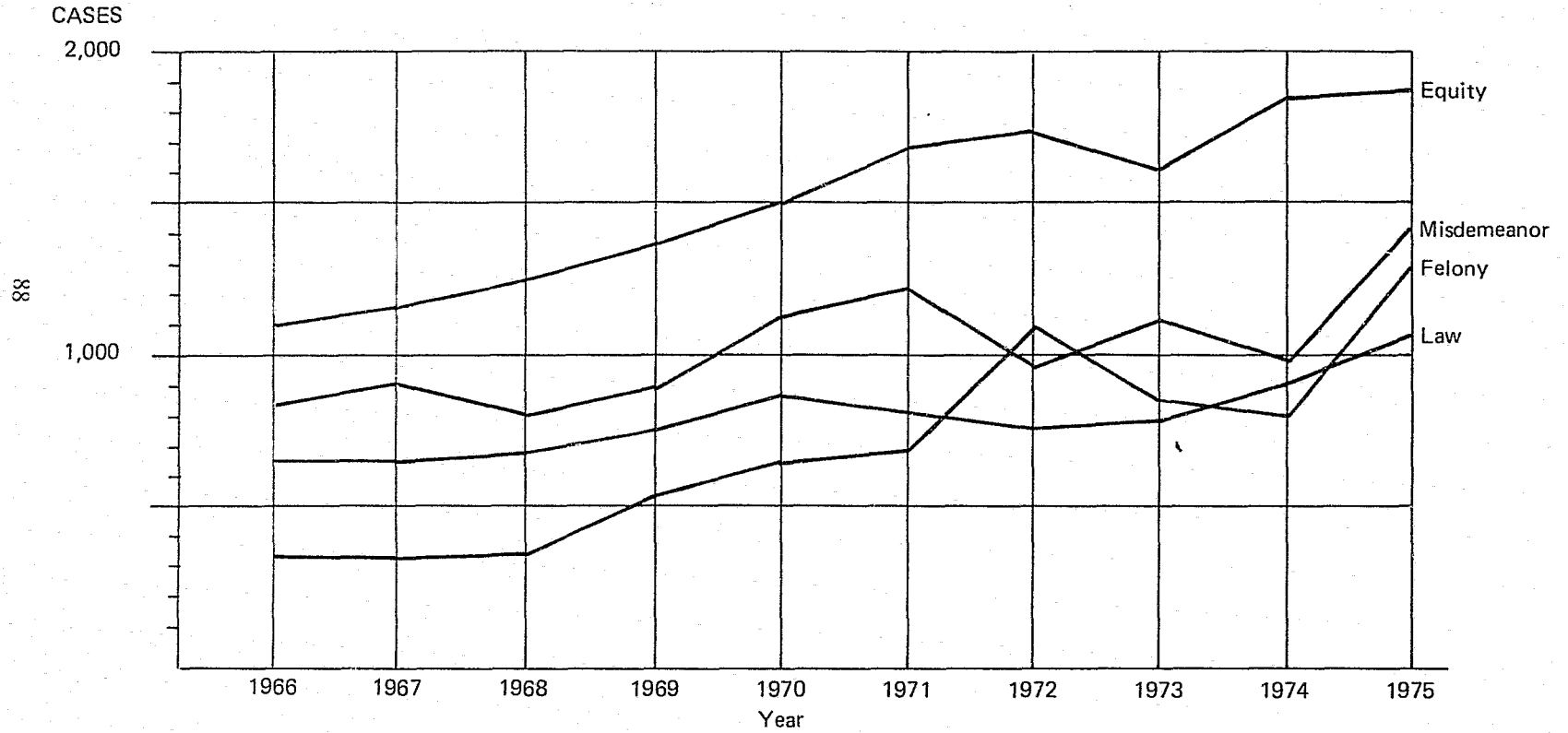
	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	514	1478	43	137	2172	68	43	58	169
1967	507	1520	63	121	2211	54	26	25	105
1968	559	1636	61	137	2393	58	52	34	144
1969	603	1819	62	138	2622	49	41	42	132
1970	655	2055	118	135	2963	69	39	76	184
1971	666	2417	176	123	3382	56	53	56	165
1972	745	2598	338	163	3844	42	64	40	146
1973	666	2184	243	142	3235	65	36	26	127
1974	868	2310	231	167	3576	47	41	21	109
1975	1093	2315	384	238	4030	36	61	16	113
1976*	1156	2302	400	253	4111	31	24	8	63

* January - June

TWENTY-THIRD JUDICIAL CIRCUIT
TOTAL CASES: COMMENCED, CONCLUDED
AND PENDING 1966 - 1975



**TWENTY-THIRD JUDICIAL CIRCUIT
 CASES COMMENCED BY TYPE OF CASE:
 LAW, EQUITY, FELONY OR MISDEMEANOR**



ROANOKE CITY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	430	657	262	740	2089	384	576	258	826	2044
1967	463	668	230	802	2163	482	648	223	806	2159
1968	454	762	289	636	2141	410	691	285	624	2010
1969	520	733	422	720	2395	265	646	429	731	2071
1970	566	729	497	984	2776	543	640	441	975	2599
1971	540	852	538	1065	2995	491	704	500	1080	2775
1972	514	957	770	824	3065	442	750	687	798	2677
1973	496	900	654	966	3016	552	1289	678	969	3488
1974	554	905	506	845	2810	421	879	546	819	2665
1975	604	915	901	1256	3676	477	919	796	1214	3406
1976*	320	461	489	601	1871	213	384	507	550	1654

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	365	967	27	106	1465	45	35	45	125
1967	346	987	44	102	1479	35	24	22	81
1968	390	1058	48	114	1610	36	39	24	99
1969	414	1145	41	103	1703	40	36	29	105
1970	437	1234	97	112	1880	56	33	69	158
1971	486	1382	135	97	2100	39	47	48	134
1972	558	1589	218	123	2488	36	54	37	127
1973	502	1200	194	120	2016	42	30	24	96
1974	635	1226	154	146	2161	30	31	18	79
1975	762	1222	304	188	2476	26	48	13	87
1976*	869	1299	286	239	2693	21	18	8	47

* January - June

ROANOKE COUNTY

Cases Commenced

Cases Concluded

	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	216	452	72	100	840	196	421	72	83	772
1967	193	473	90	103	859	181	451	86	112	830
1968	199	383	56	128	766	204	412	68	122	806
1969	177	473	75	110	835	191	480	82	115	868
1970	259	598	99	90	1046	249	472	99	96	916
1971	216	691	109	87	1103	242	495	101	86	924
1972	178	631	271	90	1170	164	619	193	79	1055
1973	232	598	169	72	1071	201	536	192	67	966
1974	263	725	230	87	1305	211	670	202	73	1156
1975	382	769	343	88	1582	262	730	336	83	1411
1976*	156	304	249	31	740	164	379	239	44	826

Cases Pending

Jury Trials

	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	149	511	16	31	707	23	8	13	44
1967	161	533	19	19	732	19	2	3	24
1968	156	504	7	16	683	21	13	7	41
1969	157	531	16	25	729	8	5	13	26
1970	159	658	17	19	853	12	6	7	25
1971	133	846	25	20	1024	13	6	8	27
1972	126	858	103	31	1118	5	4	2	11
1973	104	813	29	16	962	22	6	1	29
1974	155	870	55	15	1096	15	8	3	26
1975	236	917	70	39	1262	4	10	2	16
1976*	196	842	30	8	1126	8	6		14

* January - June

SALEM CITY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1968*	32	113	14	37	196	19	39	8	30	96
1969	62	186	33	48	329	42	114	33	45	234
1970	56	169	41	44	310	39	138	42	50	269
1971	62	167	43	52	324	74	141	30	50	295
1972	95	144	67	41	347	64	162	67	38	331
1973	70	164	46	52	332	70	144	41	60	315
1974	85	240	70	44	439	67	197	64	48	376
1975	65	203	70	49	387	49	243	79	40	411
1976**	41	100	65	13	219	45	115	41	18	219

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1968*	13	74	6	7	100	1		3	4
1969	32	143	5	10	190	1			1
1970	59	163	4	4	230	1			1
1971	47	189	16	6	258	4			4
1972	61	151	17	9	238	1	6	1	8
1973	60	171	20	6	257	1		1	2
1974	77	214	22	6	319	2	2		4
1975	95	176	10	11	292	6	3	1	10
1976**	91	161	34	6	292	2			2

* Salem Became a City January 1, 1968

** January - June

TWENTY-THIRD JUDICIAL CIRCUIT

January-December 1975

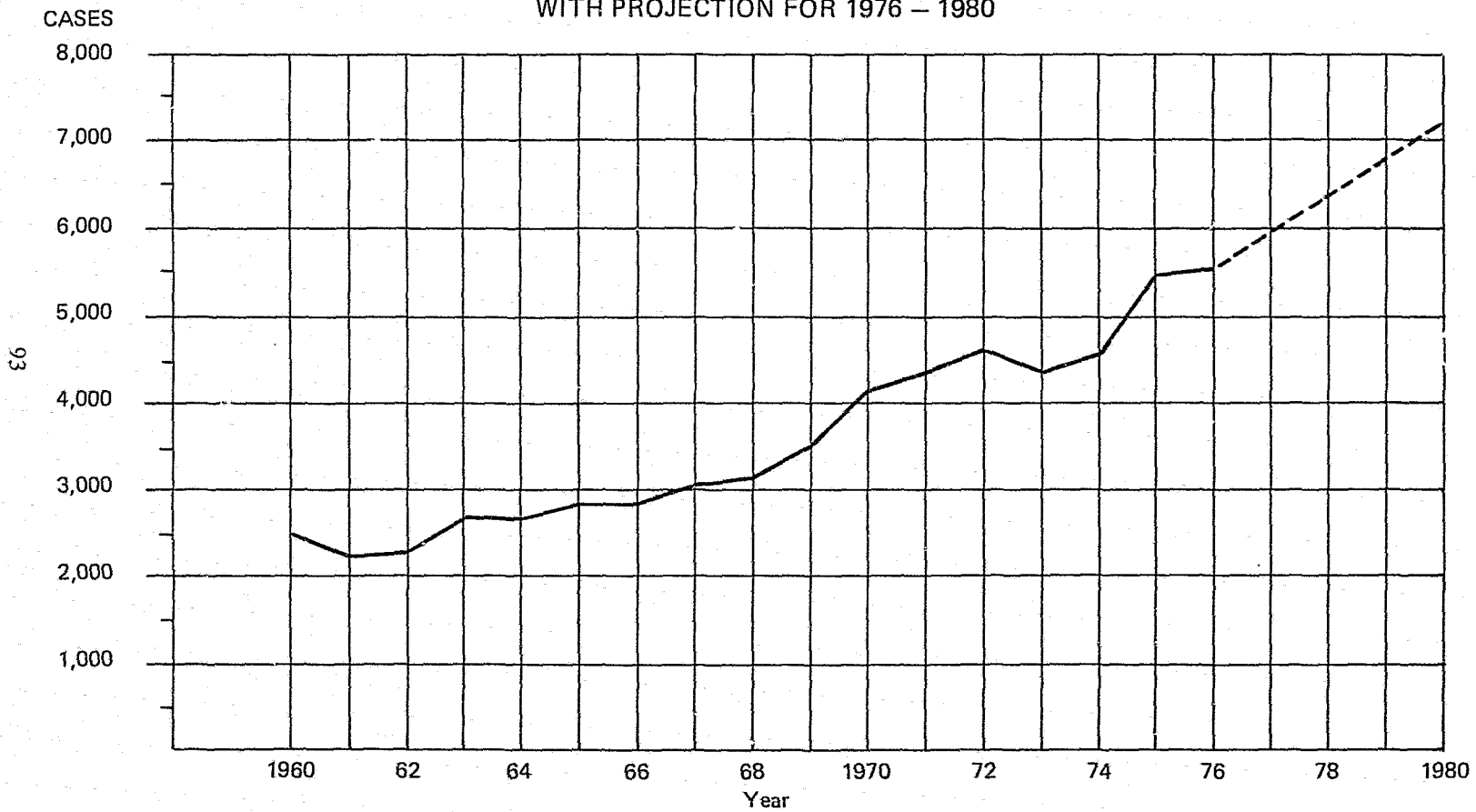
	<u>Law</u>	<u>Cases Commenced</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Roanoke County	382	769	343	88	1582
Roanoke City	604	915	901	1256	3676
Salem City	<u>65</u>	<u>203</u>	<u>70</u>	<u>49</u>	<u>387</u>
TOTAL	1051	1887	1314	1393	5645

	<u>Law</u>	<u>Cases Concluded</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Roanoke County	262	730	336	83	1411
Roanoke City	477	919	796	1214	3406
Salem City	<u>49</u>	<u>243</u>	<u>29</u>	<u>40</u>	<u>411</u>
TOTAL	788	1892	1211	1337	5228

	<u>Law</u>	<u>Cases Pending</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Roanoke County	236	917	70	39	1262
Roanoke City	762	1222	304	188	2476
Salem City	<u>95</u>	<u>176</u>	<u>10</u>	<u>11</u>	<u>292</u>
TOTAL	1093	2315	384	238	4030

	<u>Law</u>	<u>Jury Trials</u>	<u>Misdemeanors</u>	<u>Total</u>
		<u>Felonies</u>		
Roanoke County	4	10	2	16
Roanoke City	26	48	13	87
Salem City	<u>6</u>	<u>3</u>	<u>1</u>	<u>10</u>
TOTAL	36	61	16	113

TWENTY-THIRD JUDICIAL CIRCUIT
TOTAL CASES COMMENCED 1960 – 1975
WITH PROJECTION FOR 1976 – 1980





CONTINUED

1 OF 2

TWENTY-THIRD JUDICIAL CIRCUIT PROJECTIONS

Cases Commenced

<u>Year</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1976	1052	1888	1315	1394	5650
1977	1116	2006	1396	1481	6000
1978	1188	2133	1485	1574	6380
1979	1263	2267	1579	1673	6780
1980	1341	2406	1676	1776	7200

Caseload Per Judge

<u>Year</u>	<u>Cases Commenced</u>	<u>4 Judges</u>	<u>5 Judges</u>
1976	5650	1412	
1977	6000	1500	1200
1978	6380	1595	1276
1979	6780	1695	1356
1980	7200	1800	1440

Estimated Population

<u>Year</u>	<u>Population</u>	<u>Population Per Judge</u>	
		<u>4 Judges</u>	<u>5 Judges</u>
1976	194,550	48,638	
1977	197,750	49,438	39,550
1978	201,000	50,250	40,200
1979	204,350	51,087	40,870
1980	207,700	51,925	41,540

TWENTY-THIRD JUDICIAL CIRCUIT

CIVIL CASES

<u>Actions At Law</u>	1973	1974	1975	1976*
Law actions commenced during year	798	902	1051	517
Law actions concluded during year by final order	823	699	788	422
Law actions pending on docket end of year	666	868	1093	1156
Number of law actions in which a jury was empanelled during year	65	47	36	31
Number of days spent in jury trials during year	79	52	41	44
Number of days spent in law trials without a jury during year	166	183	192	96
Number of law orders entered during year not final	546	556	651	355
<u>Chancery Causes</u>				
Chancery causes commenced during year	1662	1870	1887	865
Chancery causes concluded during year by final decree or order	1969	1746	1892	878
Chancery causes pending on docket end of year	2184	2310	2315	2302
Chancery decrees and orders entered during year not final	1673	1785	1896	882
Number of days spent in trials of chancery causes	160	177	155	53

*January - June

TWENTY-THIRD JUDICIAL COURT

CRIMINAL CASES

<u>Felonies</u>	1973	1974	1975	1976*
Felonies commenced during year	869	806	1314	803
Felonies concluded during year	911	812	1211	787
Felonies pending on docket end of year	243	231	384	400
Number of felony cases in which a jury was empanelled during year	36	41	61	24
Number of days spent in jury trials during year	50	52	73	26
Number of felony cases tried without a jury during year	644	671	993	581
Number of felony orders entered during year not final	466	420	722	466
<u>Misdemeanors</u>				
Misdemeanors commenced during year	1090	976	1393	645
Misdemeanors concluded during year	1096	940	1337	612
Misdemeanors pending on docket end of year	142	167	238	253
Number of misdemeanor cases in which a jury was empanelled during year	26	21	16	8
Number of misdemeanor cases tried without a jury during year	876	752	1084	481
TOTAL COMMENCED CASES	4419	4554	5645	2830
TOTAL CONCLUDED CASES	4799	4197	5228	2699
TOTAL PENDING CASES	3235	3576	4030	4111
TOTAL JURY TRIALS	127	109	113	63

*January - June

POPULATION PER CIRCUIT COURT JUDGE

1975

<u>Circuit</u>	<u>Population*</u>	<u>No. of Judges</u>	<u>Population/Judge</u>	<u>Rank</u>
1	100,800	2	50,400	10
2	254,000	6	42,333	24
3	109,500	3	36,500	27
4	289,200	9	32,133	29
5	92,700	2	46,350	15
6	90,700	2	45,350	20
7	136,400	3	45,467	19
8	126,800	2	63,400	3
9	124,900	2	62,450	4
10	134,500	2	67,250	2
11	96,400	2	48,200	12
12	114,600	2	57,300	7
13	233,100	8	29,138	30
14	166,200	3	55,400	8
15	182,600	4	45,650	17
16	171,500	4	42,875	23
17	153,200	4	38,300	26
18	108,300	3	36,100	28
19	686,600	9	76,289	1
20	79,300	2	39,650	25
21	89,300	2	44,650	22
22	138,200	3	46,067	16
23	188,300	4	47,075	14
24	194,100	4	48,525	11
25	160,400	3	53,467	9
26	185,600	3	61,867	5
27	176,800	3	58,933	6
28	91,300	2	45,650	17
29	141,800	3	47,267	13
30	90,600	2	45,300	21
TOTAL	4,908,000	103	47,650	

*Figures Tayloe Murphy Institute--Figures rounded to nearest hundred

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Commenced
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	314 (4)	444 (6)	146 (12)	83 (12)	987 (10)
2	6	271 (6)	416 (8)	219 (7)	219 (6)	1125 (6)
3	3	335 (2)	318 (9)	238 (4)	317 (2)	1208 (2)
4	9	255 (8)	244 (12)	236 (6)	282 (3)	1017 (9)
7	3	218 (9)	431 (7)	315 (2)	220 (5)	1184 (3)
8	2	291 (5)	485 (3)	176 (8)	140 (9)	1092 (8)
12	2	172 (13)	555 (1)	238 (4)	194 (7)	1158 (4)
13	8	332 (3)	213 (13)	269 (3)	165 (8)	979 (11)
14	3	205 (11)	452 (5)	161 (10)	251 (4)	1069 (7)
17	4	213 (10)	277 (11)	158 (11)	5 (13)	653 (13)
18	3	196 (12)	305 (10)	162 (9)	114 (10)	777 (12)
19	9	374 (1)	526 (2)	121 (13)	112 (11)	1133 (5)
23	4	263 (7)	472 (4)	329 (1)	348 (1)	1411 (1)
Average for City & Urban Circuit Judges		265	395	213	188	1061

Note — The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Concluded
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	336 (2)	486 (3)	155 (10)	72 (12)	1046 (5)
2	6	200 (8)	404 (8)	193 (7)	209 (6)	1006 (9)
3	3	580 (1)	285 (10)	283 (3)	341 (1)	1489 (1)
4	9	234 (6)	269 (11)	238 (5)	290 (3)	1031 (6)
7	3	219 (7)	464 (5)	296 (2)	212 (5)	1191 (3)
8	2	294 (4)	422 (7)	182 (8)	131 (9)	1028 (7)
12	2	173 (10)	548 (1)	200 (6)	175 (7)	1095 (4)
13	8	332 (3)	198 (12)	270 (4)	166 (8)	965 (11)
14	3	159 (13)	457 (6)	142 (12)	216 (4)	974 (10)
17	4	173 (10)	320 (9)	175 (9)	10 (15)	677 (13)
18	3	160 (12)	157 (13)	150 (11)	124 (10)	681 (12)
19	9	281 (5)	515 (2)	116 (13)	99 (11)	1010 (8)
23	4	197 (9)	473 (4)	303 (1)	334 (2)	1307 (2)
Average for City & Urban Circuit Judges		257	384	208	183	1038

Note -- The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

CITY & URBAN JUDICIAL CIRCUITS

Average Number of Cases Pending
Per Judge For The Year 1975

<u>Circuit</u>	<u># Of Judges</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total*</u>
1	2	285 (5)	521 (7)	35 (13)	15 (12)	856 (9)
2	6	343 (3)	417 (11)	98 (2)	58 (5)	917 (8)
3	3	173 (12)	658 (4)	43 (11)	116 (1)	990 (6)
4	9	242 (9)	296 (12)	64 (8)	35 (7)	637 (12)
7	3	183 (11)	443 (10)	94 (4)	30 (9)	750 (11)
8	2	260 (7)	843 (1)	40 (12)	41 (6)	1183 (2)
12	2	152 (13)	486 (8)	104 (1)	72 (3)	813 (10)
13	8	258 (8)	270 (13)	44 (10)	11 (13)	583 (13)
14	3	210 (10)	715 (3)	63 (9)	91 (2)	1079 (3)
17	4	402 (2)	458 (9)	77 (6)	33 (8)	971 (7)
18	3	339 (4)	581 (5)	82 (5)	15 (11)	1017 (4)
19	9	756 (1)	795 (2)	75 (7)	26 (10)	1652 (1)
23	4	273 (6)	579 (6)	96 (3)	60 (4)	1008 (5)
Average for City & Urban Circuit Judges		298	543	70	46	958

Note — The numbers in parentheses indicate the rank of the circuit among the thirteen urban and city circuits for each category.

*Figures may not sum to total due to rounding.

APPENDIX FIVE
THE NINETEENTH JUDICIAL CIRCUIT
AND DISTRICT
A REVIEW OF CIRCUIT AND DISTRICT
GEOGRAPHIC COMPOSITION

NINETEENTH JUDICIAL CIRCUIT

<u>Authorized Judgeships</u>		<u>Judges</u>	<u>Term</u>	<u>Principal Locality</u>
10	1	James C. Cacheris	1/28/72-1/27/80	Fairfax
	2	Richard J. Jamborsky	2/1/76-1/31/84	Fairfax
	3	Barnard F. Jennings	2/1/73-1/31/81	Fairfax
	4	James Keith	2/1/72-1/31/80	Fairfax
	5	Thomas J. Middleton, Jr.	4/1/75-3/31/83	Fairfax
	6	Burch Millsap	2/1/69-1/31/77	Fairfax
	7	Lewis D. Morris	2/1/69-1/31/77	Fairfax
	8	William G. Plummer	2/1/73-1/31/81	Fairfax
	9	Arthur W. Sinclair	2/1/75-1/31/85	Prince William
	10	Percy Thornton, Jr.	2/1/69-1/31/77	Prince William

<u>Caseload</u>	<u>Fairfax*** (8 Judges)</u>	<u>Prince William (2 Judges)</u>	<u>19th Circuit (10 Judges)</u>
Cases Commenced Per Judge*	1072	1089	1076
Cases Concluded Per Judge*	1099	1070	1093
Cases Pending Per Judge*	1545	1211	1478
Jury Trials Per Judge*	72	55	69

	<u>Population**</u>	<u>Fairfax*** (8 Judges)</u>	<u>Population Per Judge Prince William (2 Judges)</u>	<u>19th Circuit (10 Judges)</u>
Fairfax***	548,600	68,575		
Prince William	138,000		69,000	
19th Circuit	686,600			68,660

* Based on Projection of 1976 Caseload made with January-June Data

** Based on 1974 Tayloe Murphy Estimate

*** Includes Fairfax City & Falls Church

NINETEENTH JUDICIAL CIRCUIT

Annual Summary Data 1966-1975

<u>Year</u>	<u>Cases Commenced</u>	<u>Cases Concluded</u>	<u>Cases Pending</u>	<u>Jury Trials</u>
1966	4,878	3,803	10,792	189
1967	5,414	4,230	12,023	208
1968	5,706	6,001	11,660	250
1969	5,766	5,626	11,788	273
1970	6,406	5,280	12,616	368
1971	6,895	6,508	13,007	366
1972	7,386	6,312	11,771	325
1973	8,007	7,220	12,350	430
1974	8,790	7,201	13,653	402
1975	10,195	9,094	14,868	507
1976*	5,378	5,465	14,781	346

*January - June

NINETEENTH JUDICIAL CIRCUIT

	Cases Commenced					Cases Concluded				
	Law	Equity	Felony	Misdemeanor	Total	Law	Equity	Felony	Misdemeanor	Total
1966	2097	2152	290	339	4878	1453	1815	261	274	3803
1967	2134	2510	338	432	5414	1666	1894	273	397	4230
1968	2138	2597	441	530	5706	2026	3106	388	481	6001
1969	2053	2727	456	530	5766	1963	2565	505	593	5626
1970	2394	2945	496	571	6406	1852	2373	430	625	5280
1971	2422	3128	676	669	6895	2472	2859	568	609	6508
1972	2504	3439	786	657	7386	2272	2714	727	599	6312
1973	2614	3858	904	631	8007	2566	3324	789	541	7220
1974	3009	4104	968	709	8790	2348	3360	862	631	7201
1975	3363	4735	1093	1004	10,195	2526	4632	1048	691	9094
1976*	1726	2406	671	575	5378	1857	2297	703	508	5465

	Cases Pending					Jury Trials			
	Law	Equity	Felony	Misdemeanor	Total	Law	Felony	Misdemeanor	Total
1966	4559	5846	182	205	10,792	152	26	11	189
1967	4967	6562	248	246	12,023	152	41	15	208
1968	4979	6053	313	315	11,660	145	76	29	250
1969	5070	6218	258	242	11,788	178	65	30	273
1970	5612	6490	326	188	12,616	235	75	58	368
1971	5567	6816	423	201	13,007	243	79	44	366
1972	5241	5779	493	258	11,771	213	67	45	325
1973	5262	6225	504	359	12,350	272	114	44	430
1974	5923	6969	610	151	13,653	234	108	60	402
1975	6805	7154	672	237	14,868	250	161	96	507
1976*	6674	7163	640	304	14,781	226	84	36	346

*January - June

FAIRFAX

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	1715	1783	164	284	3946	1170	1487	148	232	3037
1967	1827	2096	181	388	4492	1349	1509	144	346	3348
1968	1830	2082	311	459	4682	1732	2674	218	407	5031
1969	1679	2231	329	419	4658	1676	2126	371	480	4653
1970	1996	2384	331	490	5201	1526	1858	330	545	4259
1971	2060	2575	440	554	5629	2023	2383	382	507	5295
1972	2072	2769	487	586	5914	1982	2197	471	511	5161
1973	2162	3136	471	507	6276	2227	2637	414	421	5699
1974	2475	3283	627	587	6972	1783	2639	553	533	5508
1975	2740	3680	775	850	8045	2014	3602	737	755	7108
1976*	1430	1916	450	493	4289	1598	1856	507	434	4395

	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	4108	5326	115	167	9716	140	23	10	173
1967	4526	6013	153	215	10,907	134	33	14	181
1968	4524	5421	258	267	10,470	118	50	27	195
1969	4528	5529	210	206	10,473	156	57	30	243
1970	4998	5755	213	151	11,117	203	69	56	328
1971	5046	5947	274	167	11,434	211	60	40	311
1972	4595	4757	300	241	9893	193	60	45	298
1973	4531	5150	357	327	10,365	249	100	43	392
1974	5223	5794	431	81	11,529	190	98	57	345
1975	5949	5872	469	176	12,466	212	135	89	436
1976*	5781	5932	412	235	12,360	191	69	31	291

* January - June

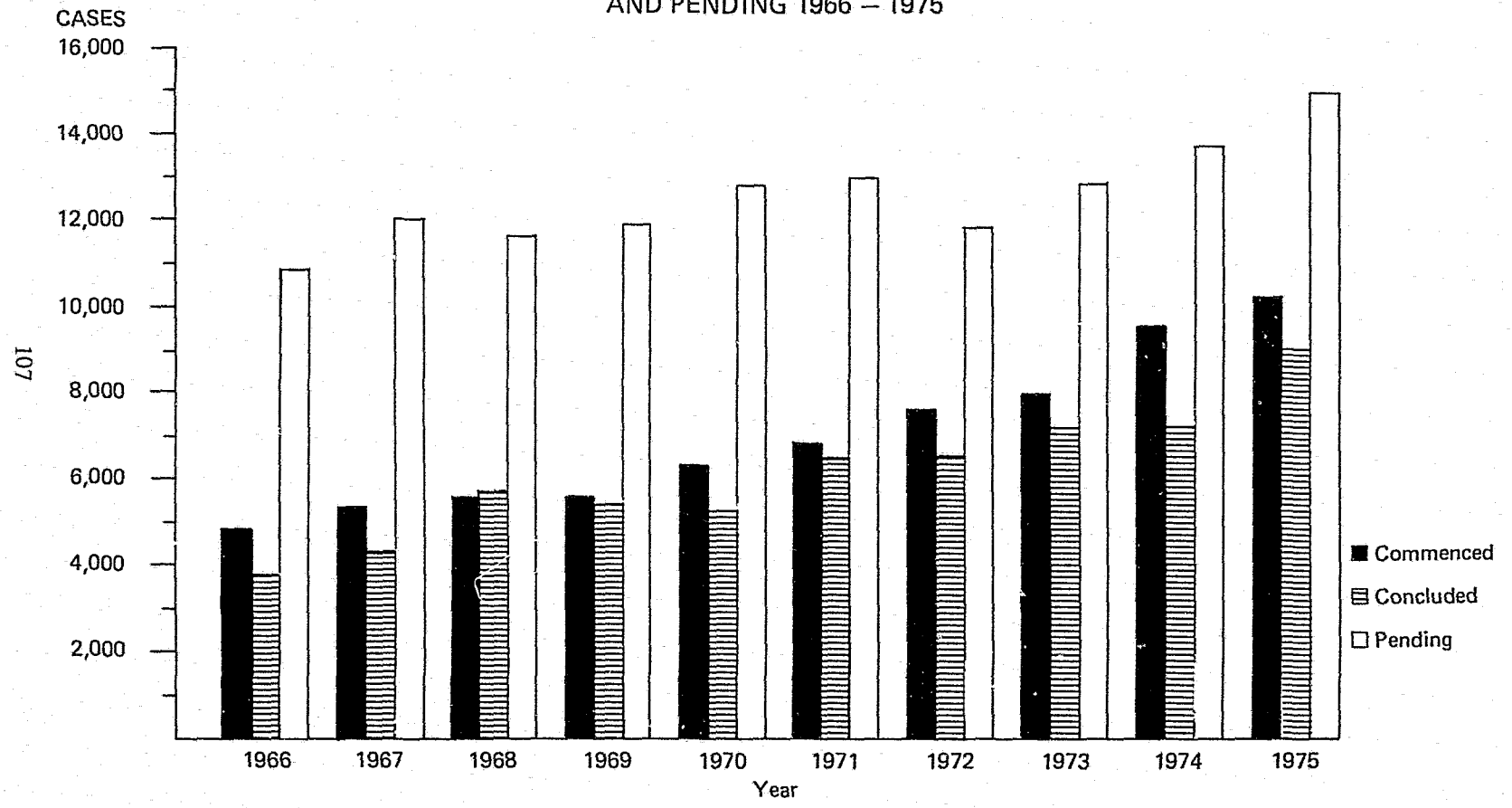
PRINCE WILLIAM COUNTY

	Cases Commenced					Cases Concluded				
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	382	369	126	55	932	283	328	113	42	766
1967	307	414	157	44	922	317	385	129	51	882
1968	308	515	130	71	1024	294	432	170	74	970
1969	374	496	127	111	1108	287	439	134	113	973
1970	398	561	165	81	1205	326	515	100	80	1021
1971	362	553	236	115	1266	449	476	186	102	1213
1972	432	670	299	71	1472	290	517	256	88	1151
1973	452	722	433	124	1731	339	687	375	120	1521
1974	534	821	341	122	1818	565	721	309	98	1693
1975	623	1055	318	154	2150	512	1030	308	136	1986
1976*	296	490	221	82	1089	259	541	196	74	1070

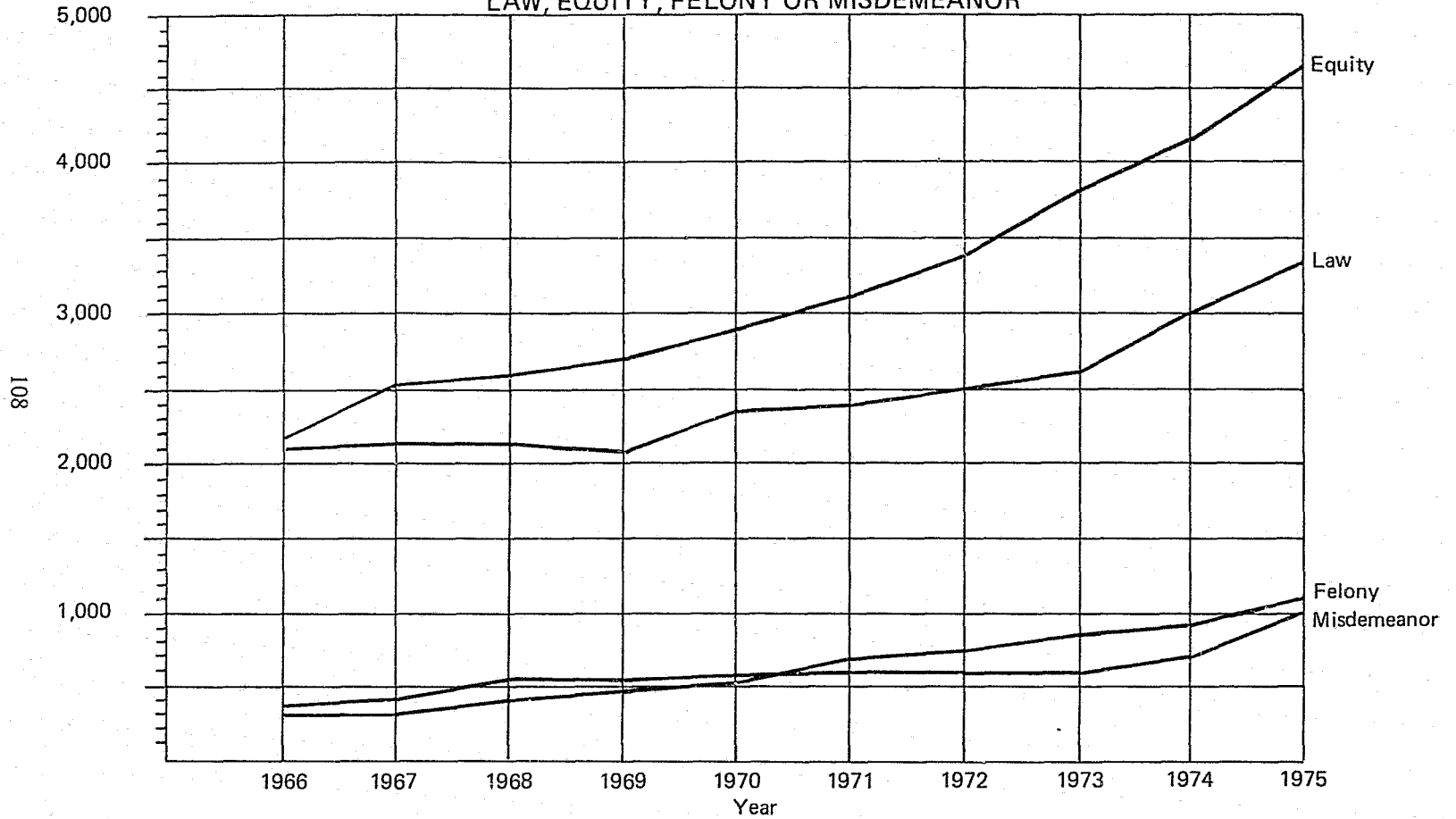
	Cases Pending					Jury Trials			
	<u>Law</u>	<u>Equity</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>	<u>Law</u>	<u>Felony</u>	<u>Misdemeanor</u>	<u>Total</u>
1966	451	520	67	38	1076	12	3	1	16
1967	441	549	95	31	1116	18	8	1	27
1968	455	632	55	48	1190	27	26	2	55
1969	542	689	48	36	1315	22	8		30
1970	614	735	113	37	1499	32	6	2	40
1971	521	869	149	34	1573	32	19	4	55
1972	646	1022	193	17	1878	20	7		27
1973	731	1075	147	32	1985	23	14	1	38
1974	700	1175	179	70	2124	44	10	3	57
1975	856	1282	203	61	2402	38	26	7	71
1976*	893	1231	228	69	2421	35	15	5	55

* January - June

NINETEENTH JUDICIAL CIRCUIT
TOTAL CASES: COMMENCED, CONCLUDED
AND PENDING 1966 - 1975



NINETEENTH JUDICIAL CIRCUIT
CASES COMMENCED BY TYPE OF CASE:
LAW, EQUITY, FELONY OR MISDEMEANOR



NINETEENTH JUDICIAL CIRCUIT

January—December 1975

	<u>Law</u>	<u>Cases Commenced</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Fairfax	2740	3680	775	850	8045
Prince William	<u>623</u>	<u>1055</u>	<u>318</u>	<u>154</u>	<u>2150</u>
TOTAL	3363	4735	1093	1004	10,195

	<u>Law</u>	<u>Cases Concluded</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Fairfax	2014	3602	737	755	7108
Prince William	<u>512</u>	<u>1030</u>	<u>308</u>	<u>136</u>	<u>1986</u>
TOTAL	2526	4632	1045	891	9094

	<u>Law</u>	<u>Cases Pending as of December 31, 1975</u>			<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	
Fairfax	5949	5872	469	176	12,466
Prince William	<u>858</u>	<u>1282</u>	<u>203</u>	<u>61</u>	<u>2,402</u>
TOTAL	6805	7154	672	237	14,868

	<u>Law</u>	<u>Jury Trials</u>		<u>Total</u>
		<u>Felonies</u>	<u>Misdemeanors</u>	
Fairfax	212	135	89	436
Prince William	<u>38</u>	<u>26</u>	<u>7</u>	<u>71</u>
TOTAL	250	161	96	507

NINETEENTH JUDICIAL CIRCUIT

January—June 1976

	<u>Law</u>	<u>Cases Commenced</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Fairfax	1430	1916	450	493	4289
Prince William	<u>296</u>	<u>490</u>	<u>221</u>	<u>82</u>	<u>1089</u>
TOTAL	1726	2406	671	575	5378

	<u>Law</u>	<u>Cases Concluded</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Fairfax	1598	1856	507	434	4395
Prince William	<u>259</u>	<u>541</u>	<u>196</u>	<u>74</u>	<u>1070</u>
TOTAL	1857	2397	703	508	5465

	<u>Law</u>	<u>Cases Pending</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Equity</u>	<u>Felonies</u>		
Fairfax	5781	5932	412	235	12,360
Prince William	<u>893</u>	<u>1231</u>	<u>228</u>	<u>69</u>	<u>2,421</u>
TOTAL	6674	7163	640	304	14,781

	<u>Law</u>	<u>Jury Trials</u>		<u>Misdemeanors</u>	<u>Total</u>
		<u>Felonies</u>			
Fairfax	191	69		31	291
Prince William	<u>35</u>	<u>15</u>		<u>5</u>	<u>55</u>
TOTAL	226	84		36	346

NINETEENTH JUDICIAL CIRCUIT

Projected January—December 1976
Based on January—June Data
A Comparison of Caseload Per Judge

	<u>Cases Commenced Per Judge</u>			<u>Misdemeanors</u>	<u>Total*</u>
	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>		
Fairfax (8)	358	479	113	123	1072
Prince William (2)	<u>296</u>	<u>490</u>	<u>221</u>	<u>82</u>	<u>1089</u>
CIRCUIT (10)	345	481	134	115	1076

	<u>Cases Concluded Per Judge</u>			<u>Misdemeanors</u>	<u>Total</u>
	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>		
Fairfax (8)	400	464	126	109	1099
Prince William (2)	<u>259</u>	<u>541</u>	<u>196</u>	<u>74</u>	<u>1070</u>
CIRCUIT (10)	371	479	141	102	1093

	<u>Cases Pending Per Judge</u>			<u>Misdemeanors</u>	<u>Total</u>
	<u>Law</u>	<u>Equity</u>	<u>Felonies</u>		
Fairfax (8)	723	742	52	29	1545
Prince William (2)	<u>447</u>	<u>616</u>	<u>114</u>	<u>35</u>	<u>1211</u>
CIRCUIT (10)	667	716	64	30	1478

	<u>Jury Trials Per Judge</u>		<u>Misdemeanors</u>	<u>Total</u>
	<u>Law</u>	<u>Felonies</u>		
Fairfax (8)	48	17	8	73
Prince William (2)	<u>35</u>	<u>15</u>	<u>5</u>	<u>55</u>
CIRCUIT (10)	45	17	7	69

*Figures may not sum to total due to rounding.

NINETEENTH JUDICIAL CIRCUIT PROJECTIONS

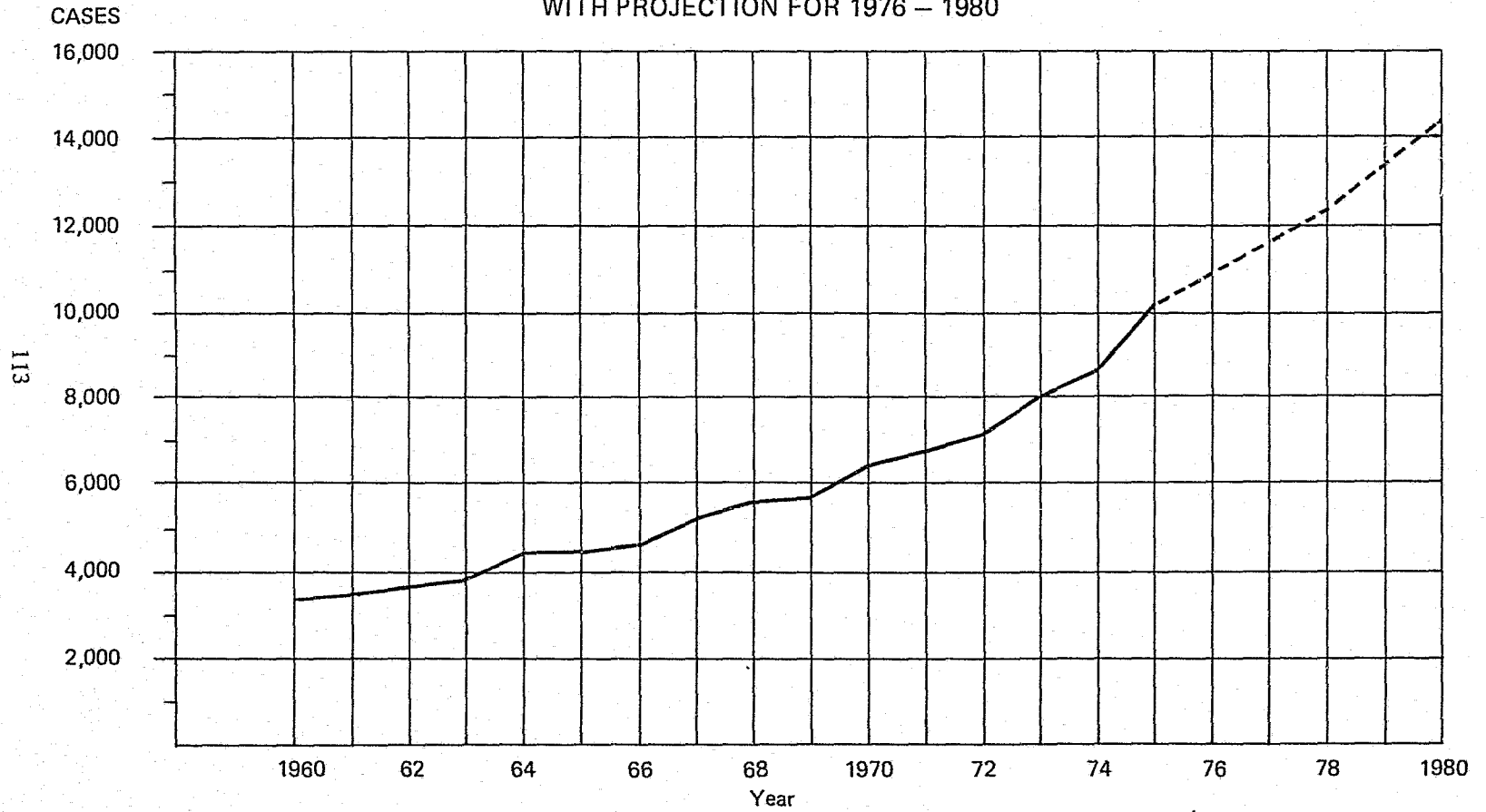
<u>YEAR</u>	<u>FAIRFAX</u>	<u>PRINCE WILLIAM</u>	<u>TOTAL</u>
1975	8,045	2,150	10,195
1976 Jan-June	4,289	1,089	5,378
1976	8,578	2,178	10,756
1977	9,212	2,395	11,599
1978	9,894	2,635	12,515
1979	10,626	2,898	13,504
1980	11,413	3,188	14,571

PROJECTIONS BASED ON DATA FROM
1966 THROUGH JUNE, 1976

PROJECTED CASELOAD PER JUDGE

<u>YEAR</u>	<u>FAIRFAX</u> 8 Judges	<u>PRINCE WILLIAM</u> 2 Judges	<u>19th CIRCUIT</u> 10 Judges
1976	1,072	1,089	1,076
1977	1,152	1,198	1,160
1978	1,237	1,317	1,252
1979	1,328	1,449	1,350
1980	1,427	1,594	1,457

**NINETEENTH JUDICIAL CIRCUIT
TOTAL CASES COMMENCED 1960 – 1975
WITH PROJECTION FOR 1976 – 1980**



NINETEENTH JUDICIAL CIRCUIT

	<u>Population Data</u>			
	<u>1960*</u>	<u>1970*</u>	<u>1974**</u>	<u>1980*</u>
Fairfax City	13,585	22,009	20,200	21,000
Falls Church	10,192	10,772	12,000	10,000
Fairfax County	248,897	455,032	516,400	620,000
Prince William	<u>50,164</u>	<u>134,700</u>	<u>138,000</u>	<u>180,000</u>
	322,838	622,513	686,600	831,000
			<u>1974</u>	<u>1980</u>
Fairfax, Fairfax City & Falls Church			548,600	651,000
Population Per Judge (8 Judges)			68,575	81,375
Prince William County			138,000	180,000
Population Per Judge (2 Judges)			69,000	90,000

* Population Projections, Virginia Counties and cities 1980-2000, Division of State Planning & Community Affairs, March, 1975

** Tayloe Murphy Institute, Estimates of Population of Virginia Counties and Cities: July 1, 1973 and July 1, 1974, August, 1975

NINETEENTH JUDICIAL DISTRICT

Fairfax

Prince William

General District Court Judges

<u>Judges</u>	<u>Term</u>	<u>Judges</u>	<u>Term</u>
Lewis H. Griffith	2/01/75-01/31/81	William W. May	2/01/74-1/31/80
J. Mason Grove	2/01/74-01/31/80	William R. Murphey	1/01/76-1/31/82
G. William Hammer	7/01/76-06/30/82		
Robert M. Hurst	2/01/74-01/31/80		
Martin E. Morris	2/01/74-01/31/80		
John A. Rothrock	2/01/74-01/31/80		
Quin S. Elson*	9/01/74-09/01/78		

* Part-time 2 days/week

Juvenile and Domestic Relations Court Judges

Philip N. Brophy	2/01/74-01/31/80	Raymond O. Kellam*	7/01/76-6/30/82
Frank L. Deierhoi	2/01/74-01/31/80	Herman Whisenant	2/01/74-1/31/80
Arnold B. Kassabian	4/01/76-3/31/82		

Substitute Judges

Alphonse J. Audet, Jr.	7/08/74-01/31/80	W. Hill Brown	7/01/74-1/31/80
F. Bruce Bach	7/09/74-01/31/80	Thomas G. Underwood	7/01/74-1/31/80
Charles F. Geschickter, Jr.	7/09/74-01/31/80	Edwin P. Latimer	4/14/75-1/31/80
Justin M. Holme	1/01/74-12/31/76		
Richard T. Horan	4/14/75-01/31/80		
Frank D. Swart	7/05/74-01/31/80		
Gerald R. Walsh	1/01/73-12/31/76		
Robert C. Watson	7/03/74-01/31/80		
Robert C. Whitestone	1/01/73-12/31/76		
Richard J. Coltin	7/19/76-7/18/82		
Sidney Z. Lieberman	7/6/76-7/5/82		

* Judge Kellam sits two days per week in Fairfax County Juvenile and Domestic Relations District Court.

NINETEENTH JUDICIAL DISTRICT

Uniform Docketing Caseload Statistics January—June 1976

	<u>Fairfax County General District Court*</u>		<u>Civil</u>	<u>Total</u>
	<u>Criminal</u>	<u>Traffic</u>		
Cases	5,234	32,734	6,214	44,182
Hearings	9,688	45,674	11,800	67,162
Dispositions	4,670	33,678	7,598	45,946
Hearings/Case	1.85	1.40	1.90	1.52

	<u>Fairfax City General District Court</u>		<u>Civil</u>	<u>Total</u>
	<u>Criminal</u>	<u>Traffic</u>		
Cases	512	2,725	See County	3,237
Hearings	988	3,568	See County	4,556
Dispositions	620	3,060	See County	3,680
Hearings/Case	1.92	1.30	See County	1.40

	<u>Falls Church General District Court*</u>		<u>Civil</u>	<u>Total</u>
	<u>Criminal</u>	<u>Traffic</u>		
Cases	479	1,827	132	2,438
Hearings	1,227	2,478	233	3,938
Dispositions	740	2,061	158	2,959
Hearings/Case	256	1.36	1.75	1.62

	<u>Prince William County</u>		<u>Civil</u>	<u>Total</u>
	<u>Criminal</u>	<u>Traffic</u>		
Cases	2,151	17,167	2,005	21,323
Hearings	3,699	19,474	2,653	25,826
Dispositions	2,428	16,290	1,852	20,570
Hearings/Case	1.71	1.13	1.32	1.21

A Comparison of Fairfax—Falls Church and Prince William County General District Courts

	<u>Total New Cases for Six Months</u>		<u>Civil</u>	<u>Total</u>
	<u>Criminal</u>	<u>Traffic</u>		
Fairfax—Falls Church	6,225	37,286	6,346	49,857
Prince William	2,151	17,167	2,005	21,323

	<u>Caseload Per Judge for Six Months</u>		<u>Civil</u>	<u>Total</u>
	<u>Criminal</u>	<u>Traffic</u>		
Fairfax—Falls Church	1,038	6,214	1,058	8,310
Prince William	1,076	8,583	1,003	10,662

*Fairfax County and Falls Church figures have been adjusted to reflect six months figures based on three and four months of data respectively.

NINETEENTH JUDICIAL DISTRICT

Uniform Docketing Caseload Statistics January—June 1976

Fairfax County Juvenile and Domestic Relations District Court*

	<u>Juvenile</u>	<u>Adult</u>	<u>Total</u>
Cases	6,375	1,403	7,778
Hearings	7,797	1,796	9,593
Dispositions	618	11	629
Hearings/Case	1.22	1.28	1.23

Falls Church Juvenile and Domestic Relations District Court

	<u>Juvenile</u>	<u>Adult</u>	<u>Total</u>
Cases	121	24	145
Hearings	225	49	274
Dispositions	168	23	191
Hearings/Case	1.86	2.04	1.89

Prince William County Juvenile and Domestic Relations District Court

	<u>Juvenile</u>	<u>Adult</u>	<u>Total</u>
Cases	2,176	509	2,685
Hearings	4,330	1,258	5,588
Dispositions	2,953	565	3,518
Hearings/Case	2.01	2.47	2.08

A Comparison of Fairfax—Falls Church and Prince William County Juvenile and Domestic Relations District Court

Total New Cases For Six Months

	<u>Juvenile</u>	<u>Adult</u>	<u>Total</u>
Fairfax—Falls Church	6,496	1,427	7,923
Prince William County	2,176	509	2,685

Caseload Per Judge For Six Months

	<u>Juvenile</u>	<u>Adult</u>	<u>Total</u>
Fairfax—Falls Church (3 Judges)	2,165	476	2,641
Prince William County (2 Judges)**	1,088	255	1,343

* Fairfax County figures have been adjusted to reflect six month figures based on four months of data. Note—Fairfax County handles juvenile and domestic relations cases for Fairfax City.

** Currently Judge Kellam sits two days per week in Fairfax County. These figures reflect the caseload per judge if the district was split and Judge Kellam was assigned to Prince William County.

Note: If the judges were split, four to Fairfax and one to Prince William the caseloads would also be unbalanced.

Fairfax (4 judges)	1980 Cases/Judge
Prince William (1 judge)	2685 Cases/Judge

APPENDIX SIX
PROPOSED LEGISLATIVE AMENDMENTS

Proposed amendment to Section 17-119.1:1.

§ 17-119.1:1. Judicial circuits. – (1) The city of Chesapeake shall constitute the first circuit.

(2) The city of Virginia Beach and the counties of Accomack and Northampton shall constitute the second circuit.

(3) The city of Portsmouth shall constitute the third circuit.

(4) The city of Norfolk shall constitute the fourth circuit.

(5) The cities of Franklin and Suffolk and the counties of Isle of Wight and Southampton shall constitute the fifth circuit.

(6) The cities of Emporia and Hopewell and the counties of Prince George, Surry, Sussex, Greenville, and Brunswick shall constitute the sixth circuit.

(7) The city of Newport News shall constitute the seventh circuit.

(8) The city of Hampton shall constitute the eighth circuit.

(9) The city of Williamsburg and the counties of York, James City, Charles City, New Kent, Gloucester, Mathews, Middlesex, King William, and King and Queen, shall constitute the ninth circuit.

(10) The city of South Boston and the counties of Cumberland, Buckingham, Appomattox, Prince Edward, Charlotte, Lunenburg, Mecklenburg, and Halifax shall constitute the tenth circuit.

(11) The city of Petersburg and the counties of Dinwiddie, Nottoway, Amelia and Powhatan shall constitute the eleventh circuit.

(12) The city of Colonial Heights and the county of Chesterfield shall constitute the twelfth circuit.

(13) The city of Richmond shall constitute the thirteenth circuit.

(14) The county of Henrico shall constitute the fourteenth circuit.

(15) The city of Fredericksburg and the counties of King George, Stafford, Spotsylvania, Caroline, Hanover, Lancaster, Northumberland, Westmoreland, Richmond, and Essex shall constitute the fifteenth circuit.

(16) The city of Charlottesville and the counties of Madison, Greene, Albemarle, Fluvanna, Goochland, Louisa, Orange, and Culpeper shall constitute the sixteenth circuit.

(17) The county of Arlington shall constitute the seventeenth circuit.

(18) The city of Alexandria shall constitute the eighteenth circuit.

(19) The cities of Falls Church ~~and Fairfax Manassas and Manassas Park~~ and the ~~counties~~ county of Fairfax ~~and Prince William~~ shall constitute the nineteenth circuit.

(20) The counties of Loudoun, Fauquier, and Rappahannock shall constitute the twentieth circuit.

(21) The city of Martinsville and the counties of Patrick and Henry shall constitute the twenty-first circuit.

(22) The city of Danville and the counties of Pittsylvania and Franklin shall constitute the twenty-second circuit.

(23) The cities of Roanoke and Salem and the county of Roanoke shall constitute the twenty-third circuit.

(24) The cities of Lynchburg, Waynesboro and Bedford and the counties of Nelson, Amherst, Campbell and Bedford shall constitute the twenty-fourth circuit.

(25) The cities of Covington, Lexington, Staunton, Buena Vista and Clifton Forge and the counties of Highland, Augusta, Rockbridge, Bath, Allegheny, Botetourt, and Craig shall constitute the twenty-fifth circuit.

(26) The cities of Harrisonburg and Winchester and the counties of Frederick, Clarke, Warren, Shenandoah, Page and Rockingham shall constitute the twenty-sixth circuit.

(27) The cities of Galax and Radford and the counties of Pulaski, Wythe, Carroll, Montgomery, Floyd and Grayson shall constitute the twenty-seventh circuit.

(28) The city of Bristol and the counties of Smyth and Washington shall constitute the twenty-eighth circuit.

(29) The counties of Giles, Bland, Tazewell, Buchanan, Russell and Dickenson shall constitute the twenty-ninth circuit.

(30) The city of Norton and the counties of Wise, Scott and Lee shall constitute the thirtieth circuit.

(31) The cities of Manassas, Manassas Park and the county of Prince William shall constitute the thirty-first circuit.

Proposed amendment to Section 16.1-69.6.

§ 16.1-69.6. Establishment of districts. — On and after July one, nineteen hundred seventy-three, the Commonwealth shall be divided into districts encompassing all counties and cities in the Commonwealth to provide a basis for the sound and efficient administration of the courts not of record, as follows:

(1) The city of Chesapeake shall constitute the first district.

(2) The city of Virginia Beach shall constitute the second district.

(2A) The counties of Accomack and Northampton shall constitute district two-A.

(3) The city of Portsmouth shall constitute the third district.

(4) The city of Norfolk shall constitute the fourth district.

(5) The cities of Franklin and Suffolk and the counties of Isle of Wight and Southampton shall constitute the fifth district.

(6) The cities of Emporia and Hopewell and the counties of Prince George, Surry, Sussex, Greensville and Brunswick shall constitute the sixth district.

(7) The city of Newport News shall constitute the seventh district.

(8) The city of Hampton shall constitute the eighth district.

(9) The city of Williamsburg and the counties of York, James City, Charles City, New Kent, Gloucester, Mathews, Middlesex, King William and King and Queen shall constitute the ninth district.

(10) The city of South Boston and the counties of Cumberland, Buckingham, Appomattox, Prince Edward, Charlotte, Lunenburg, Mecklenburg and Halifax shall constitute the tenth district.

(11) The city of Petersburg and the counties of Dinwiddie, Nottoway, Amelia and Powhatan shall constitute the eleventh district.

(12) The city of Colonial Heights and the county of Chesterfield shall constitute the twelfth district.

(13) The city of Richmond shall constitute the thirteenth district.

(14) The county of Henrico shall constitute the fourteenth district.

(15) The city of Fredericksburg and the counties of King George, Stafford, Spotsylvania, Caroline, Hanover, Lancaster, Northumberland, Westmoreland, Richmond and Essex shall constitute the fifteenth district.

(16) The city of Charlottesville and the counties of Madison, Greene, Albemarle, Fluvanna, Goochland, Louisa, Orange and Culpeper shall constitute the sixteenth district.

(17) The county of Arlington shall constitute the seventeenth district.

(18) The city of Alexandria shall constitute the eighteenth district.

(19) The cities of Falls Church and ~~Fairfax Manassas and Manassas Park~~ and the ~~counties-~~ county of Fairfax and Prince William shall constitute the nineteenth district.

(20) The counties of Loudoun, Fauquier and Rappahannock shall constitute the twentieth district.

(21) The city of Martinsville and the counties of Patrick and Henry shall constitute the twenty-first district.

(22) The city of Danville and the counties of Pittsylvania and Franklin shall constitute the twenty-second district.

(23) The cities of Roanoke and Salem and the county of Roanoke shall constitute the twenty-third district.

(24) The cities of Lynchburg, Waynesboro and Bedford and the counties of Nelson, Amherst, Campbell and Bedford shall constitute the twenty-fourth district.

(25) The cities of Covington, Lexington, Staunton, Buena Vista and Clifton Forge and the counties of Highland, Augusta, Rockbridge, Bath, Alleghany, Botetourt and Craig shall constitute the twenty-fifth district.

(26) The cities of Harrisonburg and Winchester and the counties of Frederick, Clarke, Warren, Shenandoah, Page and Rockingham shall constitute the twenty-sixth district.

(27) The cities of Galax and Radford and the counties of Pulaski, Wythe, Carroll, Montgomery, Floyd and Grayson shall constitute the twenty-seventh district.

(28) The city of Bristol and the counties of Smyth and Washington shall constitute the twenty-eighth district.

(29) The counties of Giles, Bland, Tazewell, Buchanan, Russell and Dickenson shall constitute the twenty-ninth district.

(30) The city of Norton and the counties of Wise, Scott and Lee shall constitute the thirtieth district.

~~(31) The counties of Accomack and Northampton shall constitute the thirty-first district.~~

(31) The cities of Manassas, Manassas Park and the county of Prince William shall constitute the thirty-first district.

Proposed amendment to Section 16.1-69.6:1.

§ 16.1-69.6:1. Number of judges – For the several judicial districts there shall be full-time general district court judges and juvenile and domestic relations district court judges, the number as hereinafter set forth, who shall during their service reside within their respective districts, except as provided in § 16.1-69.16, and whose compensation and powers shall be the same as now and hereafter prescribed for general district court judges and juvenile and domestic relations district court judges.

The number of judges of the districts shall be as follows:

	General District Court Judges	Juvenile and Domestic Relations District Court Judges
First	2	-1- <u>2*</u>
Second	3	2
<u>Two-A</u>	<u>The General and Juvenile and Domestic Relations District Court – 1</u>	
Third	2	2
Fourth	-3- <u>4*</u>	3
Fifth	2	1
Sixth	2	2
Seventh	3	2
Eighth	2	2
Ninth	2	2
Tenth	3	2
Eleventh	2	2
Twelfth	2	1

	General District Court Judges	Juvenile and Domestic Relations District Court Judges
Thirteenth	7	4
Fourteenth	3	2
Fifteenth	4	2
Sixteenth	3	2
Seventeenth	4	2
Eighteenth	2	1
Nineteenth	8 6	5 3
Twentieth	2	1
Twenty-First	2	1
Twenty-Second	2	2
Twenty-Third	5	2
Twenty-Fourth	3	2
Twenty-Fifth	4	3
Twenty-Sixth	3	2
Twenty-Seventh	3	2
Twenty-Eighth	2	1
Twenty-Ninth	3	2
Thirtieth	2	1
Thirty-First	The General and Juvenile and Domestic Relations District Court	
<u>Thirty-First</u>	<u>2</u>	<u>2</u>

That the election or appointment of any district judge shall be subject to the provisions of § 16.1-69.9:3.

*Changes recommended by the Committee on District Courts pursuant to § 16.1-69.10.

Proposed amendment to Section 17-119.1:2.

§ 17-119.1:2. Number of judges; residence requirements; compensation, powers, etc. – For the several judicial circuits there shall be judges, the number as hereinafter set forth, who shall during their service reside within their respective circuit and whose compensation and powers shall be the same as now and hereafter prescribed for circuit judges. The judges in office when this shall take effect shall continue in office for the term for which elected or appointed.

The number of judges of the circuits shall be as follows:

- First – 2
- Second – 6
- Third – 3
- Fourth – 9
- Fifth – ~~2~~ 3
- Sixth – 2
- Seventh – 3
- Eighth – 2
- Ninth – 2
- Tenth – 2

The judges of the Fifth Circuit shall render assistance on a regular basis to the judges of the First Circuit by designation of the Chief Justice of the Supreme Court.

Eleventh - 2
 Twelfth - 2
 Thirteenth - 9
 Fourteenth - ~~3~~ 4

The judges of the Fourteenth Circuit shall render assistance on a regular basis to the judges of the Ninth Circuit by designation of the Chief Justice of the Supreme Court.

Fifteenth - 4
 Sixteenth - 4
 Seventeenth - 4
 Eighteenth - 3
 Nineteenth -

~~and on and after February one, nineteen hundred seventy six,~~
~~10-~~ 8

Twentieth - 2
 Twenty-first - 2
 Twenty-second - 3
 Twenty-third - ~~4~~ 5
 Twenty-fourth - 4
 Twenty-fifth - 3
 Twenty-sixth - 3
 Twenty-seventh - 3
 Twenty-eighth - 2
 Twenty-ninth - 3
 Thirtieth - 2
 Thirty-first - 2

On and after January one, nineteen hundred seventy-five, no additional circuit court judge shall be authorized or provided for any judicial circuit unless and until the Judicial Council shall have made a study of the need for such additional circuit court judge, and shall have reported its findings and recommendations to the Courts of Justice Committees of the House of Delegates and Senate. Nor shall the boundary of any judicial circuit be changed unless and until a study shall have been made by the Judicial Council and a report of its findings and recommendations made to said committees.

Proposed amendment to Chapter 779, Acts of Assembly, 1976.

§ 14. For Operating Expenses.

CIRCUIT COURTS

	First Year	Second Year
Item 16		
Adjudication of legal cases -----	\$ 1,879,575	\$ 1,921,775 <u>\$ 1,972,175</u>

Out of this appropriation the following salaries and compensation shall be paid:

a. Judges, each at -----
 \$41,000 the first year, \$42,000 the second year.

Such salaries shall represent the total compensation from all sources for circuit court judges, including all supplements formerly paid by the various localities.

Notwithstanding the apportionment provided in SB 495, the State shall pay one-half of the salary increase granted by the amended section for circuit court judges receiving no local supplements on March 1, 1976.

b. Compensation to sheriffs, sergeants and their deputies for attendance upon the circuit courts, as authorized by § 14.1-72, Code of Virginia -----
 \$1,000 the first year, \$1,000 the second year.

	First Year	Second Year
Item 17		
Expenses necessarily incurred on official business by judges of circuit courts, including clerk hire not exceeding \$300 a year for each judge -----	\$ 21,300	\$ 21,300
Item 18		
Other court costs and expenses, as provided by law----- a sum sufficient, estimated at-----	\$ 5,461,980	\$ 5,944,270
Out of this appropriation shall be paid the State's share of the following expenses:		
a. Expenses incident to the representation by a court-appointed attorney of an indigent prisoner who is proceeded against in conformity with the provisions of § 53.296, Code of Virginia, including the payment of counsel fees as fixed by the court; the expenses shall be paid upon receipt of an appropriate order from the Circuit Court of the City of Richmond.		
b. Expenses incident to the prosecution of a petition for a writ of habeas corpus by an indigent petitioner, including the payment of counsel fees as fixed by the court; the expenses shall be paid upon receipt of an appropriate order from a circuit court.		
 Total for Circuit Courts -----	 <u>\$ 7,362,855</u>	 \$ 7,887,345 <u>\$ 7,937,745</u>

Proposed amendment to Section 16.1-69.16.

§ 16.1-69.16. *Residence requirements.* -- Every judge or substitute judge of a district court shall, during his term of office, reside within the boundaries of the district in which he serves as set out in § 16.1-69.6; provided, that judges and substitute judges in office on ~~July one, nineteen hundred seventy three~~ January one, nineteen hundred seventy seven, or who are otherwise eligible may continue in office and shall be eligible for reappointment or reelection to successive terms in accordance with the provisions of § 16.1-69.10.

APPENDIX SEVEN
AMENDMENTS TO RULES OF COURT

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Tuesday the 15th day of June, 1976.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be, and they are hereby, amended in the following respects, effective July 1, 1976:

(1) Rule 5:15 is amended to read:

"Rule 5:15. Transmission of Record.

"The clerk shall retain the record for twenty-one days after the notice of appeal has been filed with the clerk pursuant to Rule 5:6 or, if the notice of appeal states that a transcript or statement will thereafter be filed, the clerk shall retain the record for twenty-one days after the filing in his office of such transcript or statement or, if objection is made to the transcript or statement pursuant to Rule 5:11, the clerk shall retain the record for twenty-one days after the objection is acted upon by the judge. The clerk shall then forthwith transmit the record to the clerk of this Court at Richmond; provided, however, that, notwithstanding that the foregoing periods of retention may not have expired, the clerk shall transmit the record sooner if requested in writing by counsel for all parties to the appeal and shall, whether or not so requested, transmit the record in time for delivery to the clerk of this Court within four months after entry of the judgment appealed from or within any shorter period prescribed by statute. The clerk's failure to transmit the record as herein provided shall not be ground for dismissal of the appeal by this Court.

"Comment: The change eliminates the former references to assignments of error. The addition of the language at the end of the first sentence requires the clerk to retain the record until after disputes concerning the transcript or written statement have been resolved. New language in the proviso of the second sentence requires delivery of the record to the clerk of this Court within the time fixed by statute (Code Section 9-489), notwithstanding that the periods of retention prescribed in the first sentence of the rule may not have expired. The requirement that the record be filed with the clerk of this Court at Richmond conforms to a major change in procedure: petitions for appeal may be filed only with the clerk of this Court in Richmond as prescribed by the 1976 amendments to Section 8-475, et seq."

(2) Rule 5:19 is amended to read:

"Rule 5:19. Special Rules Applicable to Appeals from the Industrial Commission.

"(a) Rules 5:6 through 5:15 (except Rule 5:13) do not apply to appeals from the Industrial Commission.

"(b) No appeal from an order of the Commission shall be allowed unless, within 15 days after entry of the order appealed from, or within fifteen days after receipt of notice by registered mail of the order appealed from, counsel files with the clerk* a notice of appeal which shall state whether the appellant challenges the sufficiency of the evidence to support the findings of the Commission.

"(c) The record on appeal from the Commission shall consist of the originals or copies of the notice of appeal, the employer's first report, medical reports, applications for hearings, the transcript of any hearing, depositions, interrogatories and answers to interrogatories, and commissioner's opinions and opinions of the Commission,

*See Rule 5:1.

together with such other material as may be certified by the clerk to be a part of the record. The record shall be prepared and certified by the clerk, and shall conform as nearly as practicable to the requirements of Rule 5:14, provided that, unless it is stated in the notice of appeal that the appellant challenges the sufficiency of the evidence to support the findings of the Commission, the clerk need not prepare or certify the transcript of any hearing.

“(d) The record shall, as soon as it is certified by the clerk, be transmitted by him to the clerk of this Court at Richmond.

“(e) The petition for appeal shall be filed in the office of the clerk of this Court. Before the petition is filed or presented, a copy of the petition for appeal shall be mailed or delivered to counsel for the appellee.*

“(f) The petition for appeal shall comply with the provisions of Rules 5:21 and 5:22.

“Comment: The only changes are conforming changes relating to the mandatory filing of the petition for appeal and the record with the clerk of this Court (effective July 1, 1976) and the postponement of the assignment of errors (effective September 1, 1976). Counsel should note the requirement of present law that a petition for appeal from an order of the Industrial Commission must be filed within thirty days from the date of such order or within thirty days after receipt of notice sent by registered mail of such order. Code §§ 8-489, 65.1-98.”

(3) Rule 5:22 is amended to read:

“Rule 5:22. Statements Required in Petition for Appeal.

“There shall be included at the end of the petition for appeal a certificate giving the following information:

(a) The names of all appellants and appellees, the names and addresses of counsel for each party (including, in the case of appeals from the State Corporation Commission, counsel for the Commission and the Attorney General), and the address of any party not represented by counsel. The clerk of this Court will rely on the information so furnished in issuing the certificate required by Rule 5:30.

“(b) Whether counsel desires to state orally the reasons for granting the petition.

“(c) Whether supersedeas is requested.

“(d) The date of mailing or delivery of the petition to opposing counsel.*

“Comment: The change eliminates former paragraph (b) to conform the rule to the new requirement that all petitions for appeal shall be filed in the office of the clerk of this Court in Richmond.”

(4) Rule 5:24 is amended to read:

“Rule 5:24. Time and Place For Filing Petition for Appeal.

“The petition for appeal shall be filed with the clerk of this Court within four months after entry of the judgment appealed from unless a shorter period is prescribed

*See Rule 5:1.

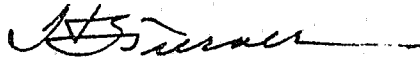
by statute. Three typed copies shall be filed. Carbon copies are acceptable. The petition shall be deemed timely filed if it is mailed postage prepaid to the clerk of this Court by registered or certified mail and if the official receipt therefor is exhibited upon demand of the clerk or any party and it shows mailing within the prescribed time limits.

“Comment: This rule incorporates the changes prescribed by the 1976 amendments to Code Section 8-475 et seq. requiring the filing of petitions for appeal with the clerk of this Court in Richmond and permitting timely filing by mail under the prescribed circumstances. The rule also prescribes the time for filing the petition for appeal in accordance with present law. The time limit for filing a petition for appeal is made jurisdictional by Code Section 8-489.”

In pursuance of the provisions of the Code of 1950, § 8-86.1, as amended, it is ordered that the amendments to the Rules as adopted shall be certified to every court of record in this State.

A Copy,

Teste:



Clerk

In the Supreme Court of Virginia held at the Supreme Court Building in the City of Richmond on Wednesday the 14th day of July, 1976.

It is ordered that the Rules heretofore adopted and promulgated by this Court and now in effect be, and they are hereby, amended in the following respects, effective September 1, 1976:

(1) Rule 1:1 is amended to read:

“Rule 1:1. Finality of Judgments, Orders and Decrees.

“All final judgments, orders, and decrees, irrespective of terms of court, shall remain under the control of the trial court and subject to be modified, vacated, or suspended for twenty-one days after the date of entry, and no longer. But notwithstanding the finality of the judgment, in a criminal case the trial court may postpone execution of the sentence in order to give the accused an opportunity to apply for a writ of error and supersedeas; such postponement, however, shall not extend the time limits hereinafter prescribed for applying for a writ of error.

“Comment: The first sentence is changed to add authority for the trial court to suspend, by order entered within twenty-one days, a final judgment pending disposition of a motion for a new trial, a petition for rehearing, or a like pleading. The

new material following the semicolon in the second sentence is intended to eliminate misunderstanding concerning the effect of postponement of execution of sentence in a criminal case.”

(2) Rule 1:12 is amended to read:

“Rule 1:12. Copies of Pleadings and Requests for Subpoenas Duces Tecum to Be Furnished.

“All pleadings not otherwise required to be served and requests for subpoenas duces tecum shall be served on each counsel of record by delivering or mailing a copy to him on or before the day of filing.

“At the foot of such pleadings and requests shall be appended either acceptance of service or a certificate of counsel that copies were served as this Rule requires, showing the date of delivery or mailing.

“Comment: New language in this rule requires service of requests for subpoenas duces tecum upon each counsel of record.”

(3) Rule 1:15 is amended to read:

“Rule 1:15. Local Rules of Court.

“(a) Whenever a local rule is prescribed by a circuit court it shall be spread upon the order book and a copy with the date of entry shall be forthwith posted in the clerk’s office, filed with the executive secretary of the Supreme Court, and furnished to attorneys regularly practicing before that circuit court; and whenever an attorney becomes counsel of record in any proceedings in a circuit court in which he does not regularly practice, it shall be his responsibility to ascertain the rules of that court and abide thereby. The clerk shall, upon request, promptly furnish a copy of all rules then in force and effect.

“(b) Whenever a local rule is prescribed by a circuit court providing for the orderly management of the civil docket by use of the praecipe system, the praecipe shall be substantially in the form appearing in the appendix of forms at the end of this Part One.

“(c) Whenever a local rule is prescribed by a circuit court providing for the submission of instructions prior to trial, such local rule shall be substantially in the form appearing in the appendix of forms at the end of this Part One.

“(d) The chief judges of the circuit and district courts shall on or before December 31 of each year furnish the executive secretary of the Supreme Court, on forms provided by him, current general information relating to the management of the courts within each circuit and district. This information shall be assembled and published on or before July 1 of each year as an appendix to the Rules of the Supreme Court.

APPENDIX OF FORMS

1. Praecipe (Rule 1:15 (b))

VIRGINIA: IN THE CIRCUIT COURT OF THE

_____	:	
Plaintiff	:	
	:	
v.	:	AT LAW NO. _____
	:	or
_____	:	IN CHANCERY NO. _____
Defendant	:	

P R A E C I P E

I certify that the above styled cause is matured for trial on its merits and request the Clerk to place it on the docket to be called on _____ to be set for trial *with* () or *without* () a jury. date of next docket call

Dated this _____ day of _____, 19 _____.

Counsel for _____

CERTIFICATE OF SERVICE

I certify that on the _____ day of _____, 19 _____, I mailed or delivered a true copy of the foregoing praecipe to all counsel of record herein pursuant to the provisions of Rule 1:12 of the Rules of the Supreme Court of Virginia, and served a true copy upon parties not represented by counsel, if any.

Counsel for _____

2. Instructions (Rule 1:15 (c))

Counsel for all parties, unless compliance is waived by the court, shall, two days before a civil jury trial date, submit to the court a copy of all instructions such counsel proposes to request, noting thereon the authority or authorities upon which he relies for such instructions. Counsel are not required to exchange copies of proposed instructions. This rule shall not preclude the offering of additional instructions at the trial.

“Comment: The only change in paragraph (a) from the present rule is to require the filing of local rules with the executive secretary of the Supreme Court rather than with the executive director of the State Bar.

“Paragraphs (b) and (c) are recommended to provide suggested forms for those circuits using the praecipe system in calling the civil docket and/or those courts requiring that instructions be submitted prior to trial. There is no requirement that circuit courts adopt such rules; however, should they do so, the procedure will be uniform in circuits having such rules.

“Paragraph (d) provides for the publication as an appendix to the Rules of the Supreme Court of current information on each circuit and district court to meet the present problems confronting attorneys and litigants in ascertaining general information and local procedures. This information would include the name, location, and telephone number of the court and clerk’s office; names of judges and clerk; terms of court, including when grand juries are convened and docket call procedures in civil and criminal cases; procedures including pretrial conferences and furnishing of instructions prior to trial; motion days, etc.”

(4) Rule 3:5 is amended to read:

“Rule 3:5. Defendant’s Response.

“A defendant may within twenty-one days after service on him of the notice of motion for judgment file in the clerk’s office his pleadings in response, and if he fails to file a pleading he is in default. A motion for a bill of particulars shall be deemed a pleading in response. Pleas of the general issue are abolished. If a defendant files no other pleading than grounds of defense, he shall file his grounds of defense within said time.

“Comment: This rule has been changed by the addition of the second sentence. Although that sentence reverses the statement of the Supreme Court in Williams v. Service Incorporated, 199 Va. 326, 328-9 (1957), it is to be noted that a motion for a bill of particulars is a pleading under Rule 3:16 (a) and that a response to a vague pleading is difficult and often useless in defining the issues.”

(5) Rule 3A:1. is amended to read:

“Rule 3A:1. Scope.

“These rules govern criminal proceedings in circuit and district courts (except proceedings concerning a child in a juvenile and domestic relations district court) and before the magistrates defined in Rule 3A:2. Special statutes applicable to practices and procedures in juvenile and domestic relations district courts are incorporated herein by this reference and in such cases shall prevail over the general rule set forth in Part 3A.

“Comment: While Part 3A of the Rules of the Supreme Court applies to district courts, the language in Rule 3A:1 is amended to make clear that these rules apply in all criminal cases in district courts except those involving juveniles.”

(6) Rule 5:4 is amended to read:

“Rule 5:4. Motions.

"All motions, except for the qualification of attorneys at law to practice in this Court, shall be in writing and filed with the clerk of this Court.* Three copies shall be filed. Carbon copies are acceptable. No motion shall be argued orally except by leave of court.

"Comment: The second and third sentences are new."

(7) Rule 5:6 is amended to read:

"Rule 5:6. Notice of Appeal.

"No appeal shall be allowed unless, within thirty days after entry of final judgment, counsel files with the clerk* a notice of appeal. The notice of appeal shall contain a statement whether or not any transcript or statement of facts, testimony or other incidents of the case is to be thereafter filed.**

"Comment: This revision eliminates the necessity of filing assignments of error with the notice of appeal. Nevertheless, assignments of error are still required and, in accordance with Rule 5:21, must be incorporated in the petition for appeal."

(8) Rule 5:7 is amended to read:

"Rule 5:7. Extension of Time.

"The filing of the notice of appeal (Rule 5:6), the transcript or written statement (Rule 5:9), the petition for appeal (Rule 5:24), and the record (Rule 5:15) within the time prescribed is mandatory. The time is not extended by the filing of a motion for a new trial, a petition for rehearing, or a like pleading unless the final judgment is modified, vacated, or suspended by the trial court pursuant to Rule 1:1, in which case the time for filing shall be computed from the date of the final judgment entered following such modification, vacation, or suspension.

"Comment: The content of this rule is new and intended to alert parties to the mandatory nature of time limits. The content of old Rule 5:7 relating to the necessity for timely objections and proper assignments of error now appears in Rule 5:21."

(9) Rule 5:8 is amended to read:

"Rule 5:8. Contents of Record on Appeal from a Court.

"The following constitute the record on appeal from a court:

"(a) The original papers and exhibits filed or lodged in the clerk's office of the court below, including any report of a commissioner in chancery and the accompanying depositions and other papers;

"(b) each instruction marked "given" or "refused" and initialed by the judge;

"(c) each exhibit offered in evidence (whether admitted or rejected) and initialed by the judge;

*See Rule 5:1.

**See Rule 5:9.

“(d) the original draft signed or initialed by the judge, or a copy, of each order by the court below;

“(e) any opinion or memorandum decision rendered by the judge of the court below; and

“(f) the transcript of any hearing or a written statement of facts, testimony or other incidents of the case when made a part of the record as provided in Rule 5:9.

“Comment: Paragraph (a) has been enlarged to eliminate confusion that has arisen in certain trial courts. Otherwise, the rule is unchanged.”

(10) Rule 5:9 is amended to read:

“Rule 5:9. Transcript or Written Statement.

“(a) The transcript of any hearing becomes a part of the record when the judge of the court below so directs in the final judgment or by order entered before or within twenty-one days after entry of final judgment, whether or not the transcript has been prepared at the time of entry of the order, and when the transcript is filed in the office of the clerk* within sixty days after entry of final judgment. But no such order shall be entered at a time when the transcript has not been prepared if any party objects to its entry.

“(b) The transcript of any hearing also becomes a part of the record when, within sixty days after entry of the final judgment, the transcript is filed in the office of the clerk* and a notice signed by counsel for the appellant* is filed in the office of the clerk* identifying the transcript and reciting its delivery to the clerk. There shall be appended to the notice either a certificate of counsel for the appellant* that a copy of the notice has been mailed to opposing counsel* or an acceptance of service of such notice by opposing counsel.*

“(c) A written statement of facts, testimony or other incidents of the case becomes a part of the record when:

“(i) a copy is mailed or delivered within sixty days after entry of final judgment to opposing counsel* together with notice signed by counsel for the appellant that the statement will be presented to the judge no earlier than ten days nor later than fifteen days after such notice; and

“(ii) the statement is signed by the judge and filed in the office of the clerk.* The judge shall sign the statement within ten days after its presentation to him unless objection is made and may sign the statement forthwith if it is signed by counsel for all parties.

“Comment: Paragraphs (b) and (c) are amended to make clear that notice of filing a transcript or statement must be signed by counsel for the appellant. See Towler v. Commonwealth, 216 Va. 533 (1976). Further changes in paragraph (c) reduce from twenty to fifteen days the maximum period for notice of tendering a written statement and impose a time limit on signature of the statement by the judge.”

*See Rule 5:1.

(11) Rule 5:11 is amended to read:

"Rule 5:11. Objections to Transcript or Written Statement; Correction.

"Any party may object to a transcript or written statement on the ground that it is erroneous or incomplete. Notice of such objection specifying the errors alleged or the deficiencies asserted shall be filed with the clerk* and a copy shall be tendered to the judge within ten days after the transcript or written statement is filed in the office of the clerk* or, if the transcript or written statement is filed before the notice of appeal is filed, within ten days either overrule the objection, make any corrections that he deems required, include any accurate additions to make the record complete or certify the respect in which the record is incomplete, and sign the transcript or written statement to verify its accuracy. The judge's signature, without more, constitutes his certification that the procedural requirements of Rule 5:9 and this Rule have been complied with.

"The judge may, after notice to counsel and hearing, correct the transcript or written statement at any time while the record remains in the clerk's office.

"Comment: The rule has been broadened to include the written statement. The last sentence of the first paragraph is omitted because the assignments of error have not yet been filed."

(12) Rule 5:13 is amended to read:

"Rule 5:13. Preparation of the Record.

"The clerk shall prepare the record as soon as possible after the notice of appeal is filed. In the event of multiple appeals in the same case or in cases tried together below, only one record need be prepared and transmitted.

"Comment: The change eliminates the former reference to assignments of error."

(13) Rule 5:18 is amended to read:

"Rule 5:18. Special Rules Applicable to Appeals from the State Corporation Commission.

"(a) Applicability: Rules 5:6 through 5:15 do not apply to appeals from the State Corporation Commission except as otherwise specified herein.

"(b) Party: For the purposes of this Rule, the Commission, the Attorney General, the applicant or petitioner, every person who filed a notice of protest with the Commission and every person who made an appearance in person or by counsel at any hearing in any proceeding before the Commission shall be the parties to such proceeding. Upon the request of any party, the clerk of the Commission shall prepare and certify a list of all parties (including their addresses and the names and addresses of their counsel) to a proceeding before the Commission. Initially, the parties to an appeal from an order in a proceeding shall be the parties to that proceeding, but the number of parties to an appeal may thereafter be limited as hereinafter provided. Service upon a party represented by counsel shall be made upon his counsel.

"(c) Notice of Appeal: No appeal from an order of the Commission shall be allowed unless, within thirty days after entry of the order appealed from, counsel files

*See Rule 5:1.

in the office of the clerk* of the Commission a notice of appeal, a copy of which has been mailed or delivered to each party to the appeal and appended to which is either an acceptance of such service or a certificate showing the date of delivery or mailing. All appeals from the same order shall be deemed to be a single consolidated case in this Court unless this Court shall order a severance for convenience of hearing.

“(d) Record: The clerk of the Commission shall prepare and certify the record as soon as possible after the notice of appeal is filed and shall, as soon as it has been certified by him, transmit it to the clerk of this Court. In the event of multiple appeals in the same case or in cases tried together below, only one record need be prepared and transmitted.

“(e) Contents of Record: The record on appeal from the Commission shall consist of all notices of appeal, any application or petition, all orders entered in the case by the Commission, the opinions, the transcript of any testimony received, and all exhibits accepted or rejected, together with such other material as may be certified by the clerk of the Commission to be a part of the record. The record shall conform as nearly as practicable to the requirements of Rule 5:14.

“(f) Alignment of Parties: Within twenty-one days after the notice of appeal shall have been filed in the office of the clerk of the Commission, each party who intends to participate in the appeal shall file in the office of the clerk* of the Commission and shall mail to every other party a notice that he intends to participate as an appellant or as an appellee. Every party who seeks reversal or modification of the order appealed from shall be deemed an appellant, and every party who seeks affirmance of the order appealed from shall be deemed an appellee. Every party who does not file such a notice and every party who, having filed such a notice as an appellant, does not thereafter file a petition for appeal shall be deemed no longer to be a party to the appeal, and no further papers need be served on him. Notwithstanding the foregoing provisions, (1) a necessary party who does not file such a notice or petition for appeal shall be deemed an appellee, and (2) the Commission need not file such a notice and shall be deemed an appellee.

“(g) Petition for Appeal: The petition(s) for appeal shall comply with Rule 5:22 and shall be filed in the office of the clerk* of this Court by each party deemed to be an appellant who shall, before the petition is filed, mail or deliver a copy to every other party to the appeal. Unless the petition for appeal contains a prayer for a writ of supersedeas, it need only identify the order appealed from, with its date, and contain a prayer that the appeal be granted. Oral argument on the petition shall not be allowed nor will a brief in opposition be received. If the petition prays for a writ of supersedeas, it shall contain such statements of the facts and argument as shall be necessary for an understanding of the question presented. In that event, a brief in opposition will be received and oral argument granted as in the case of a petition for appeal from a court.

“(h) Award of Appeal: When the notice of appeal, the record and the petition(s) for appeal appear to have been filed in the manner provided herein and within the time provided herein and by law, the clerk of this Court shall forthwith enter an order awarding the appeal, requiring such bond as he shall deem proper. His action shall be subject to review by this Court.

“(i) Assignments of Error: Within ten days after the issuance by the clerk of this Court of his certificate pursuant to Rule 5:30, each party appellant shall file

*See Rule 5:1.

assignments of error in the office of the clerk* of this Court and mail a copy thereof to every other party to the appeal.

“(j) Further Proceedings: Further proceedings in this Court shall conform to Rules 5:30 through 5:55, provided that (i) the time within which the appellee may file with the clerk* of this Court a designation of the additional parts of the record that he wishes included in the appendix (Rule 5:36 (a)) shall be extended to thirty days after the date of the certificate of the clerk of this Court pursuant to Rule 5:30 that an appeal has been awarded; and (ii) the time within which the opening brief of the appellant shall be filed in the office of the clerk* of this Court shall be extended to fifty days after such date.

“(k) Additional Brief: An appellant who seeks relief different from that sought by another appellant may file an answering brief at the time prescribed for filing the brief of appellee.

“Comment: Again this rule has been subjected to substantial revision. The rule was initially adopted in 1972 and thereafter revised. In its form before this amendment, there were inconsistencies and conflicts with other rules.

“The Commission normally writes its opinion only after the notice of appeal has been filed. It is very difficult to file accurate assignments of error until the opinion is available for review and it seems unfair, because the Court will not notice unassigned error (Rule 5:21), to require that assignments of error be filed before the opinion has been filed. Moreover, filing assignments of error before the appeal is awarded serves no purpose because all appeals from the Commission are as of right. So the rule now provides that assignments of error are to be filed ten days after the appeal is awarded (i).

“It is equally difficult to designate the record until the assignments of error are available. Commission counsel considers it impossible to accomplish this task within ten days because the records involved are often voluminous and this time has been extended by ten days (j).

“The other problem is the alignment of parties, of whom there are often a large number. The Commission has adopted new rules of practice redefining parties who appear before it and its distinction between protestants and interveners has caused some confusion on appeals. The revised paragraph (h) of the rule as heretofore in effect has not been altogether satisfactory. The new rule requires the clerk of the Commission to determine who the parties are initially (b), directs that all be notified of the appeal (c) and provides that they line up promptly as appellants, appellees or non-participants (f). Every party who wishes reversal or modification of the order appealed from must be an appellant, file a petition for appeal and conform to all rules relating to the appellant. Every party seeking affirmance must be an appellee. Cross-error is abolished, but an appellant may file an answering brief at the time fixed for the brief of appellee.”

(14) Rule 5:20 is amended to read:

“Rule 5:20. Assignment of Cross Error in Certain Cases. Rescinded. Reserved for Future Use.

“Comment: Old rule 5:20 is rescinded. Its content now appears in several other rules relating to the State Corporation Commission and the Industrial Commission.”

*See Rule 5:1.

(15) Rule 5:21 is amended to read:

“Rule 5:21. Form and Contents of Petition for Appeal; Assignments of Error; Objections in Trial Courts; Effect of Failure to Assign Error.”

“The petition for appeal shall contain assignments of error and, except in the case of an appeal from the State Corporation Commission, the form, contents and length of the petition for appeal shall conform in all respects to the requirements for the appellant’s opening brief. Error will not be sustained to any ruling below unless the objection was stated with reasonable certainty at the time of the ruling, except for good cause shown or to enable this Court to attain the ends of justice. Only errors assigned in the petition for appeal will be noticed by this Court and no error not so assigned will be admitted as a ground for reversal of a decision below. An assignment of error which merely states that the judgment is contrary to the law and the evidence is not sufficient.

“Comment: The first sentence accomplishes a major change in procedure: the assignment of error in the petition for appeal. The second and third sentences reintroduce as to all appeals the rules established in former Rules 5:7, 5:18(c), and 5:19(c). The last sentence is added to incorporate existing law and to encourage specificity in assignments of error.”

(16) Rule 5:27 is amended to read:

“Rule 5:27. Brief in Opposition.”

“Within fourteen days after the date on which the copy of the petition is mailed or delivered to counsel for the appellee,* he may file a written brief in opposition to granting the appeal and he may include in his brief assignments of cross-error. No cross-error not then assigned will be noticed by this Court. Counsel for the appellee* will not be heard orally. Three typed copies shall be filed. Carbon copies are acceptable. Within the same time he shall mail or deliver a copy to counsel for the appellant.* In a criminal case, the Commonwealth’s Attorney shall file a brief within twenty-one days after the date a copy of the petition is mailed or delivered to him. The brief shall be filed in the office of the clerk of this Court. Except by special permission of a Justice, the brief shall not exceed twenty-five pages, excluding appendices setting forth exhibits or other documents. If the brief exceeds ten pages, it shall contain a subject index and table of cases alphabetically arranged.

“When it clearly appears that an appeal ought to be allowed or denied without further delay, an appeal may be allowed or denied before the filing of the brief in opposition.

“Comment: The change provides for the assignment of cross-error in the appellee’s brief in opposition. No appeal, however, is granted on the basis of an assignment of cross-error alone. Cross-error will not be considered unless the appellant’s petition for appeal is granted. An appellee desiring to assert error notwithstanding refusal of the appellant’s petition must file his own notice of appeal within the required time (Rule 5:6) and his separate petition for appeal meeting all time limits and other requirements applicable to petitions for appeal.”

*See Rule 5:1.

(17) Rule 5:36 is amended to read:

"Rule 5:36. Determination of Contents of Appendix; Cost of Producing.

"(a) The parties are encouraged to agree as to the contents of the appendix. In the absence of agreement, the appellant shall, not more than ten days after the date of the certificate of the clerk of this court pursuant to Rule 5:30 that an appeal has been awarded, file with the clerk of this Court* a designation of the parts of the record that he intends to include in the appendix as germane to his assignments of error. Not more than ten days after appellant's designation is filed, counsel for appellee shall file with the clerk of this Court* a designation of the additional parts of the record that he wishes included as germane to the assignments of error and of any cross-error. The appellant shall include in the appendix the parts thus designated, together with any traditional parts he considers germane to the assignments of cross-error.

"(b) Unless the parties otherwise agree, the cost of producing the appendix shall initially be paid by the appellant, but if the appellant considers that parts of the record designated by the appellee for inclusion are unnecessary for the determination of the issue presented, he may so advise the appellee, and the appellee shall advance the cost of including such parts. The cost of producing the appendix shall be taxed as costs in the case.

"Comment: The change eliminates the former references in paragraph (a) to the State Corporation Commission and the Industrial Commission."

(18) Rule 5:55 is amended to read:

"Rule 5:55. Settlement Pending Appeal.

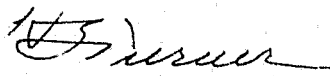
"When a case has been settled at any time after the record or petition for appeal has been filed, it shall be the duty of counsel to notify the clerk of this Court that the case has been settled. If counsel certifies that the terms of the settlement require further proceedings in the lower court, an order of remand may be entered by a single justice.

"Comment: The change requires notification to the clerk of this Court of settlement only if the petition for appeal or record has been filed."

In pursuance of the provisions of the Code of 1950, § 8-86.1, as amended, it is ordered that the amendments to the Rules as adopted shall be certified to every court of record in this State.

A Copy,

Teste:


Clerk

*See Rule 5:1.

APPENDIX EIGHT
RESOLUTIONS OF JUDICIAL COUNCIL

MEMORIAL RESOLUTION TO
CHIEF JUSTICE JOHN WILLIAM EGGLESTON

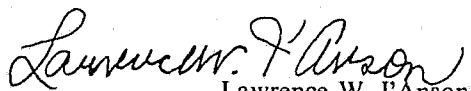
The Judicial Council of Virginia solemnly notes its regret upon the death of Chief Justice John William Eggleston and the members wish their expression of sympathy to be recorded.

Chief Justice Eggleston was born in Charlotte Court House, Virginia on June 18, 1886; in 1912 he married Ella Watkins Carrington (also of Charlotte Court House) who survives him along with one of their two daughters, two grandchildren, and five great-grandchildren. He received his B.A., M.A., LL.B., and Honorary Doctor of Law Degree from Washington and Lee University; he was admitted to the Virginia State Bar in 1909 and began the practice of law in Norfolk, Virginia in 1910.

Chief Justice Eggleston served in the Senate of Virginia from 1932 to 1935. He was appointed by Governor George C. Peery to the Supreme Court of Appeals of Virginia in 1935. In 1958 he became Chief Justice. Skilled in the law, his thirty-five year tenure on the Supreme Court bench was distinguished by the many outstanding and far-reaching majority opinions.

As Chief Justice he was the presiding officer of the Judicial Council of Virginia until his retirement in 1969. In this capacity he exerted his full energy to improving the judicial system of this Commonwealth. He strove for efficiency in procedures and practice. That he approached his goal is evidenced by the sound judicial system which we now enjoy; yet, following the precepts of his guiding years, the Council continues to study and reevaluate our judicial system always striving to further improve the administration of justice. This is his monument of achievement and his legacy to this Council and to the Commonwealth.

The Secretary is requested to record this Memorial Resolution in the minutes of the meeting of the Judicial Council held this 11th day of October, 1976, and to present a copy thereof to Mrs. John William Eggleston.


Lawrence W. F. Anson
Chief Justice of the Supreme Court
of Virginia and Chairman of the
Judicial Council of Virginia

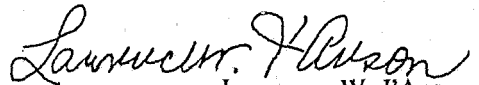
JUDICIAL COUNCIL OF VIRGINIA
RESOLUTION

WHEREAS, the Honorable Alexander Hamilton Sands, Jr., Judge of the Thirteenth Judicial Circuit of the Commonwealth of Virginia, advised the Governor of Virginia of his intention to retire from the bench on August 31, 1976, and

WHEREAS, he has been a member of the Judicial Council of Virginia since his appointment on December 5, 1963, by the Honorable John W. Eggleston, and has served on Committees of Council including the Chairmanships of the Committees on Revision of Canons of Judicial Conduct and Proposed Amendments to Jury Statutes, and

WHEREAS, he has performed his duties with ability and distinction and devoted himself to the improvement of the judicial standards in this Commonwealth and has won the great respect and affection of each member of the Judicial Council,

NOW, THEREFORE, BE IT RESOLVED BY THE JUDICIAL COUNCIL OF VIRGINIA that the members thereof hereby record their respect and appreciation for the contribution to justice by Honorable Alexander Hamilton Sands, Jr., and extend to him their sincere wish that he may have a long retirement accompanied by good health and happiness.



Lawrence W. P'Anson
Chief Justice of the Supreme Court
of Virginia and Chairman of the
Judicial Council of Virginia

END