

RESOLUTION

IN SUPPORT OF THE FUNDING AND FILLING OF JUDICIAL VACANCIES IN THE COMMONWEALTH OF VIRGINIA

WHEREAS, the statewide bars listed below represent thousands of lawyers in the Commonwealth of Virginia; and

WHEREAS, the undersigned statewide bars actively advocate for law reform and to improve the administration of justice and to enhance access to justice; and

WHEREAS, the Commonwealth of Virginia has an outstanding judiciary that is one of the finest in the nation; and

WHEREAS, in 2010, the General Assembly froze the filling of judicial vacancies in the absence of funding by the General Assembly for any such vacancies; and

WHEREAS, in 2011, there were 35 existing and anticipated judicial vacancies and 21 were funded; and

WHEREAS, in 2012, there were 48 judicial vacancies and 34 were funded; and

WHEREAS, in 2013, it is anticipated there will be 49 judicial vacancies and only 32 were funded (as well as funding for one additional new judgeship); and

WHEREAS, in 2010, when the freeze on filling judicial vacancies began, Virginia had 402 authorized judgeships in the Commonwealth; and

WHEREAS, Virginia now has only 386 funded judgeships; and

WHEREAS, while the number of funded judgeships has declined, Virginia's population has continued to grow; and

WHEREAS, in 2012, Virginia had an annual fiscal budget of about \$42 billion; and

WHEREAS, less than 1 percent of Virginia's 2012 budget (\$381 million) was allocated to the operations of Virginia's judiciary; and

WHEREAS, in 2012, Virginia's courts collected approximately \$661 million for the Commonwealth's treasury; and

WHEREAS, in her State of the Judiciary Address to the Judicial Conference of Virginia in May, 2013, Supreme Court of Virginia Chief Justice Cynthia D. Kinser called on the executive and legislative branches to work together to fund and fill all vacant judgeships across the Commonwealth; and

WHEREAS, Chief Justice Kinser also encouraged efforts to build support for Virginia's judiciary and for the funding and filling of existing and anticipated vacancies; and

WHEREAS, unfilled judicial vacancies, and the resulting case overload in our courts, create a severe detriment to the sound and efficient administration of our judicial system in the Commonwealth and hinder access to justice by our citizens and businesses; and

WHEREAS, the undersigned bars believe that the funding and filling of judiciary vacancies will increase access to justice and will aid in the administration of justice in our courts; and

WHEREAS, the bars further believe that when our courts operate efficiently, our economy benefits and Virginia's reputation as a place where businesses want to locate, remain, and transact business is enhanced; and

WHEREAS, the failure to act now to support our judiciary and the funding and filling of judicial vacancies is likely to result in longer times to resolve cases and, as a result, access to justice will be delayed and, in some cases, denied; and

WHEREAS, the funding and filling of all judicial vacancies will help ensure that Virginia's judiciary remains, as it is now, among the very best in the nation and that no one is denied prompt and certain access to justice; and

WHEREAS, the statewide bars encourage Virginia's executive and legislative branches to work together to fund and fill all vacant judgeships in Virginia; and

WHEREAS, the statewide bars believe that the funding and filling of all existing and anticipated judicial vacancies is critical to the sound and efficient administration of our judicial system and the preservation of ready access to justice by our citizens and businesses.

NOW, THEREFORE, BE IT RESOLVED, that the undersigned statewide bars fully support the funding and filling of all existing and anticipated judicial vacancies in Virginia.

ADOPTED this 12th day of September, 2013 by the following Virginia Statewide Bar Associations:



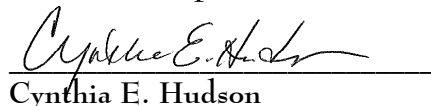
Nhon Nguyen
President, Asian Pacific American Bar Association of Virginia, Inc.



Michele S. Cumberland
President, Virginia Creditors Bar Association



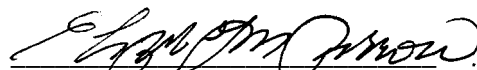
Manuel E. Leiva
President, Hispanic Bar Association of Virginia



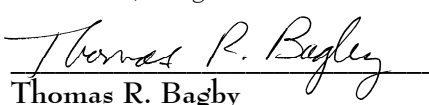
Cynthia E. Hudson
President, Local Government Attorneys of Virginia



Vincereetta Taylor Chiles
President, Old Dominion Bar Association



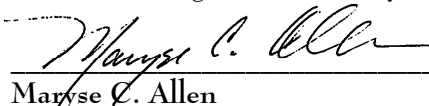
Elizabeth Guilbert Perrow
President, Virginia Association of Defense Attorneys



Thomas R. Bagby
President, The Virginia Bar Association



Barbara S. Williams
President, Virginia Trial Lawyers Association



Mayse C. Allen
President, Virginia Women Attorneys Association