

This bill also calls for a program administrator who will be tasked with contacting defendants who are not able to be reached via SMS message sent to a cell phone number. It is estimated that five additional employees would be necessary to fulfill the function of reaching out to such defendants. The average annual cost for a deputy clerk is \$81,205, including salary and benefits, and thus the expected ongoing cost to contact defendants who can't be reached via SMS messages is \$406,025.

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2026 General Assembly Session
State Fiscal Impact Statement

General Fund Expenditure Impact:

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
Supreme Court		\$4,266,483	\$906,025	\$906,025	\$906,025	\$906,025
TOTAL		\$4,266,483	\$906,025	\$906,025	\$906,025	\$906,025

Position Impact:

<u>Agency</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>	<u>FY2031</u>
Supreme Court		5	5	5	5	5
TOTAL		5	5	5	5	5

Fiscal Analysis:

This bill establishes the Court Date Reminder Program, which would require the Office of the Executive Secretary (OES) of the Supreme Court of Virginia to develop a system that reminds criminal defendants to appear in court by sending a text message to any defendant, as well as the parent of a juvenile defendant, who has a criminal case or traffic infraction in general district court or circuit court. The message would be required to be sent one week prior to the scheduled court appearance and again the day before the scheduled appearance. The notification is required to include the time and location of the hearing in addition to court closures affecting the appearance, information on opting out of future notifications, contact information for the court, consequences of failing to appear, and how to resolve the matter online. Defendants who fail to appear at a scheduled court appearance or fail to pay a ticket by the required payment date will receive a notification within two days regarding the consequences of failing to appear. In situations where the telephone number received from the defendant is not able to receive text messages, the program administrator or his designee may use other communication methods to contact such defendant by telephone, email, or other internet-based technology.

The OES currently offers the Court Alert Subscription System (CASS), which is an opt-in service that allows users to be notified of upcoming hearings regarding subscribed-to cases. The structure of CASS can be enhanced to accommodate the provisions of this legislation, though the necessary updates will be extensive across multiple systems that are maintained by OES. The systems will need to, among other things, include fields allowing for the input of multiple cell phone numbers (for parents of juveniles), establish a closure notice system, send notifications based on payment information, assess and send dispositional information for default judgments, and provide the ramifications of the default judgments. The estimated cost for modifying the electronic systems to implement these requirements is \$4,266,483.

Additionally, the information that is to be included within the notifications is much more extensive than what is currently being transmitted, and it will be sent to more phone numbers than the current opt-in system. The estimated annual cost of sending more SMS notifications with more comprehensive information for hearings

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is \$350,000. The estimated annual cost for sending SMS notifications for payment due alerts, issuance of a capias, guilt in absentia, and driver's license suspensions is \$150,000.

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Other: Identical bills are SB475 and SB442.