Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

PUBLISHED: 2/17/2026 2:01 PM **ORIGINAL**

Bill Number: HB768 E **Patron:** Herring
Bill Title: Custody and visitation arrangements for minor; custody evaluation.

Bill Summary: As engrossed, provides that a circuit or district court may order a custody evaluation to assist with determining the custody or visitation arrangements for a minor. Current law provides that such custody evaluations can be ordered in a proceeding for custody or visitation before a juvenile and domestic relations district court.

Budget Amendment Necessary: No **Items Impacted:** n/a

Fiscal Summary: No fiscal impact.

Fiscal Analysis: This legislation provides authority for any circuit or district court to order a custody evaluation as part of the process to determine the custody or visitation arrangements for a minor; current law provides this authority to only juvenile and domestic relations district courts. As engrossed, the legislation removes the requirement that the custody evaluation must be conducted in accordance with subsection H of § 16.1-278.15 of the Code of Virginia. The Department of Social Services (DSS) maintains that the provisions of this legislation impact only private custody matters and not matters connected to foster care placements; therefore, there is no anticipated impact to DSS or local departments of social services. The Office of the Executive Secretary of the Supreme Court of Virginia does not anticipate an impact to the Courts system resulting from this legislation.

Other: n/a