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# The Virginia Judicial System: Organization and Structure

W. Clark Williams Jr.

*University of Richmond*, [cwilliam@richmond.edu](mailto:cwilliam@richmond.edu)

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## CHAPTER 1

# THE VIRGINIA JUDICIAL SYSTEM: ORGANIZATION AND STRUCTURE

W. Clark Williams, Jr.

*T.C. Williams School of Law / University of Richmond*

1.1	INTRODUCTION .....	1
1.2	SUPREME COURT OF VIRGINIA .....	1
1.201	In General .....	1
1.202	Original Jurisdiction .....	2
1.203	Appellate Jurisdiction .....	2
1.3	COURT OF APPEALS OF VIRGINIA .....	4
1.301	In General .....	4
1.302	Original Jurisdiction .....	4
1.303	Appellate Jurisdiction .....	5
1.4	CIRCUIT COURTS .....	7
1.401	In General .....	7
1.402	Original Jurisdiction .....	8
1.403	Appellate Jurisdiction .....	8
1.5	DISTRICT COURTS .....	9
1.501	In General .....	9
1.502	General District Courts .....	9
1.503	Juvenile and Domestic Relations District Courts .....	10

## CHAPTER 1

# THE VIRGINIA JUDICIAL SYSTEM: ORGANIZATION AND STRUCTURE

### 1.1 INTRODUCTION

The judicial power of the Commonwealth of Virginia is vested in the Supreme Court and such other courts as the General Assembly may establish by statute.<sup>1</sup> The Chief Justice of the Supreme Court serves as the administrative head of the judicial system.<sup>2</sup>

The “other courts” established by the General Assembly are the Court of Appeals of Virginia,<sup>3</sup> circuit courts,<sup>4</sup> which are courts of record,<sup>5</sup> and district courts, which are courts not of record.<sup>6</sup> Judges of the district courts are classified as either general district court judges or judges of the juvenile and domestic relations district courts, each with separate areas of limited jurisdiction at the district court level.

### 1.2 SUPREME COURT OF VIRGINIA<sup>7</sup>

**1.201 In General.** The Supreme Court of Virginia consists of seven justices,<sup>8</sup> who are elected by a majority vote of both houses of the General Assembly to serve terms of 12 years and who are eligible for re-election.<sup>9</sup> The Chief Justice is elected by a majority vote of the justices and serves a term of four years.<sup>10</sup> The Supreme Court sits in Richmond and has one term per year,<sup>11</sup> beginning in September. Sessions are

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<sup>1</sup> Va. Const. art. VI, § 1.

<sup>2</sup> Va. Const. art. VI, § 4.

<sup>3</sup> Va. Code tit. 17.1, ch. 4.

<sup>4</sup> Va. Code tit. 17.1, ch. 5.

<sup>5</sup> Va. Const. art. VI, § 1.

<sup>6</sup> Va. Code tit. 16.1, ch. 4.1; Va. Const. art. VI, § 8.

<sup>7</sup> Before 1973, the Supreme Court was known as the Supreme Court of Appeals.

<sup>8</sup> The Constitution provides that the General Assembly may increase the number of justices up to 11 but may not decrease the number below 7 justices. Va. Const. art. VI, § 2.

<sup>9</sup> Va. Const. art. VI, § 7. Interim appointments are made by the Governor to fill existing vacancies on the court that occur while the General Assembly is not in session. Those appointments last until 30 days after the next session of the General Assembly begins. *Id.* Vacancies that occur while the General Assembly is in session, or that will occur on a date certain between sessions of the Assembly, may be filled by the Assembly by election of a successor at the session preceding the date of the vacancy. Va. Code § 17.1-303.

<sup>10</sup> Va. Code § 17.1-300.

<sup>11</sup> Va. Code § 17.1-304(A).

commenced at such times as the court directs.<sup>12</sup> The court may sit en banc or in divisions of three,<sup>13</sup> and the concurrence of at least three judges is required for a decision to become the judgment of the court.<sup>14</sup> If one justice of a division dissents from a decision of the division or certifies a conflict between the decision of the division and a prior decision of the court, the case will be reheard by the court sitting en banc.<sup>15</sup>

**1.202 Original Jurisdiction.** The original jurisdiction of the Supreme Court of Virginia is limited by the state constitution to the following proceedings:<sup>16</sup>

1. Habeas corpus;<sup>17</sup>
2. Mandamus;<sup>18</sup>
3. Prohibition;<sup>19</sup>
4. Matters of judicial censure, retirement, and removal;<sup>20</sup> and
5. To answer questions of state law certified by a federal court or the highest appellate court of another state.

**1.203 Appellate Jurisdiction.**

**A. In General.** With the creation of the Court of Appeals of Virginia in 1985,<sup>21</sup> the appellate jurisdiction of the Supreme Court of Virginia was divided into two general categories: direct appeal of certain decisions from the circuit courts and the State Corporation Commission, and appellate review of certain decisions from the Court of Appeals. *All* appeals to the Supreme Court are discretionary (through the petition for appeal) *except* for appeals from the State Corporation Commission<sup>22</sup> and

<sup>12</sup> *Id.* Special sessions may also be called by the Supreme Court or on request of the Governor. Va. Code §§ 17.1-305, -306.

<sup>13</sup> Va. Code § 17.1-308. At least four justices must be present on an en banc panel. Va. R. 5:3.

<sup>14</sup> *Id.* A decision declaring a law invalid under either the Constitution of Virginia or the Constitution of the United States requires a concurrence of at least a majority of all justices of the court. Va. Code § 17.1-308.

<sup>15</sup> Va. Code § 17.1-308.

<sup>16</sup> Va. Const. art. VI, § 1. Justices of the Supreme Court also have statutory jurisdiction to grant expedited review to a party for or against whom injunctive relief has been granted or denied by a judge of the circuit court. Va. Code § 8.01-626.

<sup>17</sup> Va. Code § 17.1-310.

<sup>18</sup> Va. Code § 17.1-309.

<sup>19</sup> *Id.*

<sup>20</sup> These powers are exercised in conjunction with the Judicial Inquiry and Review Commission, which serves as an investigative body. Va. Code § 17.1-906; *see* Va. Const. art. VI, §§ 1, 10.

<sup>21</sup> Va. Code § 17.1-400 *et seq.*

<sup>22</sup> Va. Const. art. IX, § 4; Va. Code §§ 12.1-39, 17.1-406.

from a conviction in the circuit court in which a sentence of death is imposed.<sup>23</sup> For these cases, appeal will lie as a matter of right.

**B. Direct Appeal.** The Supreme Court has jurisdiction over an appeal directly from a final decision in:

1. Civil cases in the circuit court where the matter in controversy exceeds \$500,<sup>24</sup> *except*:
  - a. Those cases that are appeals of decisions by an administrative agency,<sup>25</sup> and
  - b. Juvenile or domestic relations cases,<sup>26</sup>
2. Criminal cases in which the death penalty has been imposed;<sup>27</sup>
3. A habeas corpus proceeding before a circuit court;<sup>28</sup>
4. Proceedings before the State Corporation Commission;<sup>29</sup>
5. Cases before a three-judge panel to revoke a license to practice law in Virginia;<sup>30</sup> and
6. Certain other civil cases involving matters not merely pecuniary.<sup>31</sup>

**C. Appeals from the Court of Appeals.** The Supreme Court also has appellate jurisdiction to review, as a matter of the court's discretion, decisions of the Court of Appeals in:

1. Cases resulting in conviction of a felony;
2. Any case involving a substantial constitutional question; and
3. Any case involving a matter of significant precedential value.<sup>32</sup>

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<sup>23</sup> Va. Code §§ 17.1-313, -406; Va. R. 5:22.

<sup>24</sup> Va. Code §§ 8.01-670, -672.

<sup>25</sup> Va. Code § 17.1-405.

<sup>26</sup> *Id.*

<sup>27</sup> Va. Code §§ 17.1-313, -406; Va. R. 5:22.

<sup>28</sup> Va. Code § 17.1-406. This provision was added by the General Assembly in 1985 specifically to terminate the jurisdiction of the Court of Appeals to hear appeals from a circuit court order involving petition for a writ of habeas corpus. *White v. Garraghty*, 2 Va. App. 117, 341 S.E.2d 402 (1986).

<sup>29</sup> Va. Const. art. IX, § 4; Va. Code §§ 12.1-39, 17.1-406.

<sup>30</sup> Va. Code § 54.1-3935.

<sup>31</sup> See Va. Code §§ 8.01-670, -672.

<sup>32</sup> Va. Code § 17.1-410, -411; see also Va. Code §§ 19.2-317, -398, -401.

**D. Certification from the Court of Appeals.** In addition to those cases in which a final decision of the Court of Appeals may be appealed to the Supreme Court, the Supreme Court—either on motion of the Court of Appeals or on its own motion—may certify a case pending before the Court of Appeals for immediate transfer of appellate jurisdiction to the Supreme Court.<sup>33</sup>

### 1.3 COURT OF APPEALS OF VIRGINIA

**1.301 In General.** In 1985, the General Assembly created an intermediate appellate court, known as the Court of Appeals of Virginia.<sup>34</sup> The court consists of eleven judges, who are elected by a majority vote of the General Assembly to serve eight-year terms.<sup>35</sup> The Chief Judge is elected by a majority vote of the judges of the Court of Appeals to serve a term of four years.<sup>36</sup> The Chief Judge may appoint a retired Supreme Court justice or a retired judge of the Court of Appeals or a circuit court of Virginia to fulfill the duties of an absent or disabled judge of the Court of Appeals or to assist the Court of Appeals in reviewing petitions for appeal to reduce congestion or backlog in the court's docket.<sup>37</sup> The court sits at various geographic locations in the commonwealth, as designated by the Chief Judge, to provide convenient access to citizens throughout the commonwealth.<sup>38</sup> Judges sit in panels of three, with rotating membership and cases assigned upon designation by the Chief Judge.<sup>39</sup> In addition, the Court of Appeals sits en banc<sup>40</sup> to review a decision by a panel of the court whenever there is a dissent by a member of the panel<sup>41</sup> or a member of the panel certifies that the decision of the panel conflicts with a prior decision of the court. In either instance, three other judges of the Court of Appeals must concur with the request for the en banc hearing.<sup>42</sup>

**1.302 Original Jurisdiction.** The original jurisdiction of the Court of Appeals is limited by statute to those cases “over which it would have appellate

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<sup>33</sup> Va. Code § 17.1-409. Criteria for such certification are: (i) that the case is of such public importance as to justify transfer and require prompt decision by the Supreme Court or (ii) that the overcrowded docket of the Court of Appeals warrants transfer. *Id.*

<sup>34</sup> Va. Code § 17.1-400 *et seq.*

<sup>35</sup> Va. Code § 17.1-400. Provisions for filling interim vacancies are the same as those for a vacancy on the Supreme Court. *See* Va. Code § 17.1-400(A).

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*

<sup>38</sup> Va. Code § 17.1-402.

<sup>39</sup> *Id.*

<sup>40</sup> An en banc hearing requires the presence of at least eight judges of the Court of Appeals, and a concurrence of a majority of the judges sitting is required to reverse a decision by a panel of the court. Va. Code § 17.1-402(E).

<sup>41</sup> An aggrieved party must request the en banc hearing in this instance. Va. Code § 17.1-402(D).

<sup>42</sup> *Id.*

jurisdiction<sup>43</sup> to issue writs of mandamus, prohibition, or habeas corpus<sup>44</sup> as well as the power to punish for contempt.<sup>45</sup>

### 1.303 Appellate Jurisdiction.

**A. In General.** In determining the appellate jurisdiction of the Court of Appeals, two significant inquiries must be made: (i) whether appeal lies as a matter of right or is discretionary and (ii) whether the decision of the Court of Appeals is final or may be subject to further review by the Supreme Court.

#### B. Matter of Right Versus Discretionary.

**1. Matter of Right.** Appeal will lie *as a matter of right* to the Court of Appeals from a final decision or an interlocutory order granting or denying injunctive relief in the following cases:

- a. Decisions by a circuit court, on appeal from (i) a decision by an administrative agency, or (ii) a grievance hearing decision pursuant to section 2.2-3005 of the Virginia Code;<sup>46</sup>
- b. Decisions by the Virginia Workers' Compensation Commission;<sup>47</sup> and
- c. Decisions from the circuit court in juvenile and domestic relations cases.<sup>48</sup>

**2. Discretionary.** Appeal is discretionary (a party must petition for appeal to the Court of Appeals) from final decisions in the following cases:

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<sup>43</sup> Va. Code § 17.1-404. See *infra* ¶ 1.303. *White v. Garraghty*, 2 Va. App. 117, 341 S.E.2d 402 (1986).

<sup>44</sup> The Court of Appeals has no jurisdiction to hear habeas corpus appeals arising from convictions where the death penalty has been imposed. *Peterson v. Bass*, 2 Va. App. 314, 343 S.E.2d 475 (1986). Moreover, unlike the Supreme Court, the Court of Appeals' original jurisdiction to issue writs of habeas corpus does not extend to cases of conviction of one held under criminal process. *Bullock v. Department of Corr.*, 1 Va. App. 70, 334 S.E.2d 150, *cert. denied*, 106 S. Ct. 576 (1985).

<sup>45</sup> Va. Code § 17.1-404. Judges of the Court of Appeals also have limited jurisdiction to grant expedited review of circuit court orders granting or denying injunctive relief, provided again that the case is one over which the Court of Appeals "would have appellate jurisdiction." *Id.*; see Va. Code § 8.01-626.

<sup>46</sup> Va. Code § 17.1-405(1). This category of appeals is not limited to cases involving only those agencies defined in the Administrative Process Act as administrative agencies. *County of Roanoke v. Friendship Manor Apartment Vill. Corp.*, No. 0394-85 (Va. Ct. App. Sept. 14, 1985). But the term "administrative agency" used to define the appellate jurisdiction of the Court of Appeals does *not* include a local school board (*Schwartz v. Highland County Sch. Bd.*, 2 Va. App. 554, 346 S.E.2d 544 (1986)) or a board of zoning appeals (*Virginia Beach Beautification Comm'n v. Board of Zoning Appeals*, 231 Va. 415, 344 S.E.2d 899 (1986)).

<sup>47</sup> Va. Code § 17.1-405(2).

<sup>48</sup> Decisions within this branch of appellate jurisdiction include those involving divorce, custody, spousal or child support, adoption, the control or disposition of a child, any other domestic relations matter arising under title 16.1 or title 20 of the Virginia Code, and a final grievance hearing decision pursuant to section 2.2-3007(B). Va. Code § 17.1-405(3).

- a. Criminal convictions by the circuit court;<sup>49</sup>
- b. Traffic infraction convictions by the circuit court;<sup>50</sup>
- c. Proceedings in a circuit court on an application for a concealed weapons permit;<sup>51</sup>
- d. Final orders of the circuit court involving involuntary medical and mental health treatment of prisoners;<sup>52</sup> and
- e. Final circuit court orders for declaratory or injunctive relief involving a violation of an individual's right to religious freedom.<sup>53</sup>

The Court of Appeals has no *appellate* jurisdiction over circuit court decisions on petitions for writs of habeas corpus.<sup>54</sup>

### C. Availability of Further Review in the Supreme Court.

1. **Final Review.** In certain cases within its appellate jurisdiction, the decision of the Court of Appeals is *final* and no further appeal will lie to the Supreme Court. Those cases include:

- a. Traffic infraction and misdemeanor convictions where no incarceration is imposed;
- b. Cases originating before the Workers' Compensation Commission;
- c. Cases originating before any other administrative agency (except the State Corporation Commission);
- d. Juvenile and domestic relations cases;
- e. Appeals in felony cases by the Commonwealth, before impaneling a jury or receipt of evidence in a non-jury trial, from an order prohibiting certain evidence or dismissing a warrant, information, or indictment; and

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<sup>49</sup> Except those cases in which the death penalty has been imposed. Va. Code § 17.1-406. *See supra* ¶ 1.203 (appellate jurisdiction of the Supreme Court).

<sup>50</sup> Va. Code § 17.1-406.

<sup>51</sup> *Id.*

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> Va. Code § 17.1-406(B).



- f. Appeals involving involuntary medical and mental health treatment of prisoners.<sup>55</sup>

**2. Discretionary Review.** The Supreme Court in its discretion, on petition for appeal, will review decisions of the Court of Appeals in cases involving:

- a. Felony convictions;
- b. Traffic infraction and misdemeanor convictions where incarceration is imposed;
- c. A substantial constitutional question; and
- d. Matters of significant precedential value.<sup>56</sup>

**3. Cases Certified for Transfer by the Supreme Court.** Notwithstanding the statutory grant of exclusive ("final") appellate jurisdiction to the Court of Appeals in certain cases mentioned above, *any* case that is properly before the Court of Appeals may be certified for transfer to and by the Supreme Court.<sup>57</sup>

## 1.4 CIRCUIT COURTS

**1.401 In General.** The circuit court is the trial court of general jurisdiction in Virginia. Since a major reorganization of the trial court system by the General Assembly in 1973,<sup>58</sup> the commonwealth now has thirty-one judicial circuits, each with a statutorily prescribed territorial jurisdiction.<sup>59</sup> Judges of the circuit courts are elected by a majority vote of each house of the General Assembly for terms of eight years and must reside within the circuit in which they sit.<sup>60</sup> The chief judge of each circuit is selected by majority vote of the judges of that circuit for a term of two years and serves as the administrative head of the circuit.<sup>61</sup>

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<sup>55</sup> Va. Code § 17.1-410. The decision in the Court of Appeals is final in these cases *unless* the case involves a question of constitutional law or has significant precedential value. *Id.* The felony charge orders in which the decision of the Court of Appeals is final are those for which appeal is permitted by the Commonwealth pursuant to sections 19.2-398 and 19.2-401 of the Virginia Code.

<sup>56</sup> Va. Code §§ 17.1-410, -411.

<sup>57</sup> Va. Code § 17.1-409. *See supra* ¶ 1.203(D) (discussion concerning certification for transfer from the Court of Appeals).

<sup>58</sup> Act of Mar. 20, 1973, 1973 Va. Acts ch. 544.

<sup>59</sup> Va. Code § 17.1-506.

<sup>60</sup> Va. Const. art. VI, § 7. Interim vacancies are filled by appointment of the Governor, but those appointments expire 30 days after the beginning of the next session of the General Assembly. *Id.*

<sup>61</sup> Va. Code § 17.1-501.

### 1.402 Original Jurisdiction.

**A. Civil.** The circuit courts have exclusive original jurisdiction in all civil cases, in chancery and at law, in which the amount in controversy exceeds \$15,000 and concurrent jurisdiction with the general district courts in civil actions involving claims between \$4,500 and \$15,000.<sup>62</sup> But they do not have jurisdiction over proceedings that have been assigned to other courts or tribunals, including certain juvenile and domestic relations matters,<sup>63</sup> and workers' compensation cases.<sup>64</sup> The civil jurisdiction of the circuit courts includes proceedings by quo warranto and issuance of writs of mandamus, prohibition, and certiorari to the lower courts.<sup>65</sup>

**B. Criminal.** The circuit courts have original jurisdiction of all indictments for felonies<sup>66</sup> and of presentments, informations, and indictments for misdemeanors<sup>67</sup> committed within their respective circuits. In felony cases, a preliminary hearing is first held in the district court of competent jurisdiction. The district court judge hears the evidence and determines whether probable cause exists to certify the charge to the grand jury.<sup>68</sup>

**1.403 Appellate Jurisdiction.** In addition to its role as the trial court of general jurisdiction, the circuit court also has appellate jurisdiction of all cases, civil and criminal, in which an appeal may be taken from the judgment of a district court.<sup>69</sup> Cases appealed to the circuit court from the district court are tried de novo in the circuit court.<sup>70</sup> The trial de novo in circuit court includes a right to jury determination in both civil<sup>71</sup> and criminal<sup>72</sup> appeals from the district court.

Circuit courts also have jurisdiction to review—but not to rehear by trial de novo—decisions of administrative agencies,<sup>73</sup> the Virginia Employment Commission,<sup>74</sup> and boards of zoning appeals.<sup>75</sup>

<sup>62</sup> Va. Code §§ 16.1-77, 17.1-513. The general district courts have exclusive jurisdiction of civil claims in an amount not exceeding \$4,500. *Id.*

<sup>63</sup> Va. Code § 16.1-241. *See infra* ¶ 1.503 (discussing the jurisdiction of the juvenile and domestic relations district courts).

<sup>64</sup> Va. Code § 65.2-100 *et seq.* Exclusive jurisdiction here rests with the Virginia Workers' Compensation Commission.

<sup>65</sup> Va. Code § 17.1-513.

<sup>66</sup> *Id.*

<sup>67</sup> *Id.*; *see also* Va. Code § 19.2-239.

<sup>68</sup> Va. Code §§ 16.1-127, 19.2-183 *et seq.*

<sup>69</sup> Va. Code § 17.1-513. This includes judgments from both the general district courts and the juvenile and domestic relations district courts. For the original jurisdiction of these courts, see paragraph 1.5 of this chapter.

<sup>70</sup> Va. Code §§ 16.1-106, -113 (civil actions), -132, -136 (criminal cases).

<sup>71</sup> Provided the amount in controversy exceeds \$50. Va. Code § 16.1-113.

<sup>72</sup> Va. Code § 16.1-136.

<sup>73</sup> *See* Va. Code §§ 2.2-4025 to -4029.

<sup>74</sup> Va. Code § 60.2-625.

<sup>75</sup> Va. Code § 15.2-2314.

## 1.5 DISTRICT COURTS

**1.501 In General.** Pursuant to the authority vested in it by the Constitution of Virginia,<sup>76</sup> the General Assembly in 1973 enacted a substantial reorganization of the then-existing courts of limited jurisdiction. The commonwealth was divided into thirty-one territorial “districts,” each containing a district court with limited subject matter jurisdiction within its own geographic boundaries.<sup>77</sup> The system of district courts—also known as “courts not of record”<sup>78</sup>—in turn was divided into two categories of subject matter jurisdiction: general district courts and juvenile and domestic relations district courts.

District judges are elected by a majority vote of each house of the General Assembly for terms of six years.<sup>79</sup> They must serve full-time<sup>80</sup> and reside within their respective districts.<sup>81</sup> A district judge may not serve as judge of both the general district court and the juvenile and domestic relations district court, nor may he or she serve in more than one district.<sup>82</sup> In each district there is one chief general district judge and one juvenile and domestic relations district judge, each chosen by the judges of the respective districts.<sup>83</sup>

The district courts have only original (trial) jurisdiction; they have no appellate jurisdiction. There is no right to jury trial in the district court;<sup>84</sup> all cases are heard by the district judge. All appeals are de novo to the circuit court.

### 1.502 General District Courts.

**A. Civil Jurisdiction.** The general district courts are given jurisdiction of “small claims” that do not exceed a value of \$15,000 in controversy.<sup>85</sup> That jurisdiction is exclusive for claims of \$4,500 or less and is concurrent with the circuit court for claims between \$4,500 and \$15,000.<sup>86</sup> The civil jurisdiction of the general district court also includes attachment claims up to \$15,000,<sup>87</sup> partition of tangible

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<sup>76</sup> Va. Const. art. VI, § 8.

<sup>77</sup> Va. Code § 16.1-69.6.

<sup>78</sup> Va. Const. art. VI, § 8.

<sup>79</sup> Va. Code § 16.1-69.9.

<sup>80</sup> Va. Code § 16.1-69.6:1.

<sup>81</sup> Va. Code § 16.1-69.16. But judges already in service before the creation of the districts within the district court system are exempted from this requirement, even for successive re-elections to the office.

<sup>82</sup> Va. Code § 16.1-69.10.

<sup>83</sup> Va. Code § 16.1-69.11.

<sup>84</sup> The right to jury trial is afforded only in the trial court of record, the circuit court, under constitutional mandate in civil cases (Va. Const. art. I, § 11) and in criminal cases (Va. Const. art. I, § 8). The right to ultimate determination by a jury is protected by the statutorily prescribed appeal de novo to the circuit court.

<sup>85</sup> Va. Code § 16.1-77. The amount in controversy maximum requirement was increased from \$10,000 in 1997.

<sup>86</sup> *Id.* The minimum amount in controversy in circuit court was increased from \$3,000 to \$4,500 in 2002.

<sup>87</sup> *Id.*

personal property up to \$15,000 in value,<sup>88</sup> actions for unlawful entry and detainer,<sup>89</sup> and mental incompetency commitment proceedings.<sup>90</sup> The general district court does not have jurisdiction to try title to land.<sup>91</sup>

**B. Criminal and Traffic Offenses.** The general district court has original jurisdiction over adult misdemeanors and violations of the ordinances, laws, and bylaws of the counties, cities, or towns within its district, including traffic offenses.<sup>92</sup> The general district court also conducts preliminary hearings in felony cases.<sup>93</sup>

**1.503 Juvenile and Domestic Relations District Courts.** The juvenile and domestic relations district courts have exclusive original jurisdiction, with limited statutory exceptions, of civil and criminal matters affecting juveniles<sup>94</sup> and, to a lesser extent, family members. The statutory grant of jurisdiction is comprehensive and detailed<sup>95</sup> and includes matters involving:

1. Delinquents;<sup>96</sup>
2. Children in need of services<sup>97</sup> or supervision;<sup>98</sup>
3. Abused or neglected children;
4. Juveniles charged with traffic offenses;
5. Abused spouses;
6. Adults accused of spousal or child abuse or neglect;
7. Adults involved in disputes concerning the support, visitation, or custody of a child;<sup>99</sup>
8. Abandonment of children;

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<sup>88</sup> Va. Code § 16.1-77.2.

<sup>89</sup> Va. Code § 16.1-77.

<sup>90</sup> Va. Code § 16.1-69.28.

<sup>91</sup> *Addison v. Salyer*, 185 Va. 644, 40 S.E.2d 260 (1946).

<sup>92</sup> Va. Code § 16.1-123.1; *cf.* Va. Code § 16.1-126.

<sup>93</sup> Va. Code § 16.1-127.

<sup>94</sup> "Juvenile" is defined as a person under age 18. Va. Code § 16.1-228.

<sup>95</sup> *See generally* Va. Code § 16.1-241.

<sup>96</sup> Defined as a child or an adult who, prior to his eighteenth birthday, has committed an act designated a crime. Va. Code § 16.1-228.

<sup>97</sup> Defined as a child who presents a serious threat to himself or, if under 14, to another. *Id.*

<sup>98</sup> Defined as a child who is habitually truant or habitually runs away from home under certain circumstances.

<sup>99</sup> That jurisdiction is concurrent with the circuit court. Va. Code §§ 16.1-241, -244.

9. Termination of parental rights or responsibilities;<sup>100</sup>
10. Spousal support;
11. Civil commitment of a mentally ill or retarded person;<sup>101</sup>
12. Judicial consent for emergency medical or surgical treatment of a child;  
and
13. Adoption and foster care.

The juvenile and domestic relations district court is under a statutory duty to protect the confidentiality of juveniles coming before the court.<sup>102</sup>

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<sup>100</sup> *Id.*

<sup>101</sup> *Id.*

<sup>102</sup> *See generally* Va. Code § 16.1-299 *et seq.*