

## Attachment F: Virginia Courts in Brief

**Virginia's Judicial System:** Supreme Court, Court of Appeals, circuit courts, district courts, and magistrates.

**Magistrates** provide an independent review of complaints brought by police officers, sheriff's departments, and citizens. Magistrates issue warrants, summonses, bonds, search warrants, and subpoenas.

**The General District Court** decides all criminal offenses involving city or county ordinances, all misdemeanors (charges which carries a penalty of up to one year in jail or a fine of \$2,500) and traffic offenses. There are no jury trials. A judge decides guilt or innocence and determines a penalty. The General District Court hears civil cases (e.g., damages sustained in automobile accidents or payment on past due debts) in amounts under \$15,000. Claims for less than \$4,500 must begin here.

The General District Court holds a preliminary hearing in felony cases (any charge that may be punishable by more than one year in jail). These hearings determine whether there is sufficient evidence to justify holding the defendant for a grand jury hearing.

**The Juvenile and Domestic Relations District Court** in Virginia handles cases involving delinquents, juveniles accused of traffic violations, and children in need of services. In Virginia, a *juvenile* is any person under 18. A *delinquent* is a juvenile who has committed an act that would be a crime if committed by an adult.

Juvenile courts protect the confidentiality of all juveniles coming before the court, and rehabilitate or treat, rather than punish them. The welfare of the child and the family is the court's main concern.

### Circuit Courts

The only trial court of general jurisdiction in Virginia is the Circuit Court. The circuit courts have jurisdiction over the following:

#### Civil Claims:

- over \$4,500 but not exceeding \$15,000, concurrent jurisdiction with general district courts
- exceeding \$15,000, exclusive original jurisdiction

#### Criminal Cases:

- all felonies, offenses that may be punished by commitment to the state penitentiary
- misdemeanor charges originating from a grand jury indictment.

#### Appeals:

- appeals from the General District Court or Juvenile and Domestic Relations District Court
- appeals from administrative agencies.

At the beginning of each term of the Circuit Court, a grand jury is convened. The grand jury determines whether accused individuals will be indicted and held for trial in the Circuit Court.

### Court of Appeals

The Court of Appeals of Virginia hears appeals of all decisions of the circuit courts in traffic violations and in criminal cases, except where a sentence of death has been imposed; decisions of the circuit courts involving domestic relations matters; and appeals from administrative agencies.

### Supreme Court

Although the Supreme Court of Virginia possesses both original and appellate jurisdiction, its primary function is to review decisions of lower courts. Virginia does not allow an appeal to the Supreme Court as a matter of right except in certain cases, such as those involving the death penalty.

*Adapted from: Virginia Courts in Brief*