



Economic Impact Analysis Virginia Department of Planning and Budget

22 VAC 40-810 – Fees for Court Services Provided by the Local Department of Social Services

Department of Social Services

December 27, 2006

Summary of the Proposed Regulation

The State Board of Social Services (board) proposes to repeal its Fees for Court Services regulation because, in part, its language is duplicated in a more comprehensive regulation currently being promulgated (22 VAC 40-201) and because, in part, specific court fees listed in this regulation have been supplanted by different fees charged by different local Departments of Social Services.

Result of Analysis

The benefits likely exceed the costs for this proposed regulatory change.

Estimated Economic Impact

Currently, the regulation which governs the fees that the Department of Social Services (DSS) may charge for custody investigations, adoption services, non-agency (private) placement adoption studies and for supervising visitation both mandates that DSS charge individuals with lower than median income incrementally lower fees and sets a dollar amount for these fees. DSS reports that this regulation was promulgated at a time when the Code of Virginia mandated all local Departments of Social Services (LDSS) charge the same fees.

The board proposes to repeal this regulation partly because changes to the Code of Virginia allow LDSS to charge non-uniform fees which reflect the actual cost of providing court services in each locality. This change in the Code renders the part of this regulation that references specific fee amounts obsolete. The parts of this regulation that are not obsolete have been reproduced verbatim in comprehensive Permanency Services regulations (22 VAC 40-201-190) currently being promulgated by DSS. Those Permanency Services regulations also

formalize LDSS authority to set court services fees. The public will likely benefit from this repeal as it will remove now erroneous information about the cost of court services from the public domain.

Businesses and Entities Affected

This regulatory change will affect all individuals who pay fees for court services to LDSS. Although there are no statewide statistics collected for most categories of court services, DSS reports that a minimum of 1,649 non-agency (private) adoption studies were initiated by various LDSS during 2005.

Localities Particularly Affected

This regulatory change will affect all localities in the Commonwealth.

Projected Impact on Employment

This regulatory change will likely not affect employment in the Commonwealth.

Effects on the Use and Value of Private Property

This regulatory change will likely not affect the use or value of private property in the Commonwealth.

Small Businesses: Costs and Other Effects

Small businesses in the Commonwealth are unlikely to incur any expenses on account of this regulatory change.

Small Businesses: Alternative Method that Minimizes Adverse Impact

Small businesses in the Commonwealth are unlikely to incur any expenses on account of this regulatory change.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or

other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.