Virginia Department of Planning and Budget

Economic Impact Analysis

6 VAC 35-20 Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities
Department of Juvenile Justice
Town Hall Action/Stage: 6678 / 11053 Proposed
August 20, 2026

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia (Code) and Executive Order 17 (2026). The analysis presented below represents DPB's best estimate of the potential economic impacts as of the date of this analysis.[1]

Summary of the Proposed Amendments to Regulation

The Board of Juvenile Justice proposes to allow remote audit of certain programs/offices on youth and to clarify the regulatory text and better reflect the current practices in the regulation.

Background

This regulation pertains to the Department of Juvenile Justice's (DJJ's) responsibility to monitor and audit juvenile residential facilities and programs, Virginia Juvenile Community Crime Control Act (VJCCCA) programs, and offices on youth and to certify residential facilities and state-operated and local court service units that are part of Virginia's juvenile justice system. The regulation also describes the various methods by which DJJ measures and enforces compliance with its regulations governing those facilities and programs.

According to DJJ, the proposed changes in this action generally seek to clarify vague and hard-to-follow language, correct areas of the regulation that violate the Virginia Code Commission's 2016 standards governing the development of regulations, repeal or substantially reduce sections of the regulation that are procedural in nature and align terms and regulatory

[1] See Code § 2.2-4007.04 (A).

requirements with current practices in the field. The proposal also seeks to reduce areas where the regulatory text merely repeats what is required by the Code of Virginia. Several of the changes are notable as explained below.

1) DJJ proposes to add telephone or electronic contact, along with visits to the VJCCCA programs or offices on youth as avenues for accomplishing monitoring when a program or office has been found noncompliant during an audit.
2) DJJ proposes to remove procedural provisions dealing with summary orders of suspension that the department believes should never have been included in the regulation. However, DJJ notes that it has never issued a summary suspension order.
3) DJJ proposes adding community placement programs to the list of entities/programs that must be certified. Currently, these programs operate under the terms of the contract they sign with the department. However, DJJ proposes to make some of the contract requirements as part of the regulation.
4) The proposal would clarify the appeal process for a finding of noncompliance during an audit and add that if the results of the appeal to the certification manager's supervisor are unsatisfactory, the program or facility administrator may make further appeal to the director within 15 business days of receipt of the decision. The director shall issue a decision and notify the facility or program administrator within 15 business days of receiving the appeal. To gather more information or to organize a hearing on the appeal, the director may delay the finding for an additional 30 days. DJJ states that the changes in this category would not affect the overall process of an appeal.
5) Another proposed change would add videoconference as an option for a program of facility administrator when appearing for certification action by the director. According to DJJ, this has been the practice at least since 2020.

According to DJJ, all other changes are intended to clarify or simplify language in the regulation.

Estimated Benefits and Costs

According to DJJ, being able to conduct remote audits on VJCCCA programs or offices on youth has two benefits. First, it would save money on travel costs. Onsite audits can take multiple days, requiring not only travel time and other incidental costs, but also lodging costs. Second, it would help avoid exhausting the audit team. The five-person (or so) audit team must

cover court service units, detention centers, a correctional center and group homes across the Commonwealth. Allowing remote audits, when appropriate, is expected to relieve some of the burdens of travel for the audit team.

It appears that none of the remaining changes would have a discernible effect on the current processes for monitoring, approval, and certification of juvenile justice programs and facilities. Thus, the remaining proposed changes are mainly beneficial in that they would clarify requirements and update the regulatory text to better reflect practices followed by DJJ.

Businesses and Other Entities Affected

DJJ currently audits and certifies 32 court service units; 24 juvenile detention centers; one juvenile correctional center; 16 group homes, shelter care facilities, transitional living programs, and independent living programs; and six VJCCCA programs/offices. No program or facility appear to be disproportionately affected.

The Code requires DPB to assess whether an adverse impact may result from the proposed regulation.[2] An adverse impact is indicated if there is any increase in net cost or reduction in net benefit for any entity, even if the benefits exceed the costs for all entities combined.[3] As noted above, the proposal would mainly allow remote audits for certain programs and offices; and clarify regulatory text and incorporate the current practices followed by DJJ. Thus, no adverse impact is indicated.

Small Businesses[4] Affected:[5]

The proposed changes do not adversely affect small businesses.

[2] See Code § 2.2-4007.04 (D).
[3] Statute does not define "adverse impact," state whether only Virginia entities should be considered, nor indicate whether an adverse impact results from regulatory requirements mandated by legislation. As a result, DPB has adopted a definition of adverse impact that assesses changes in net costs and benefits for each affected Virginia entity that directly results from discretionary changes to the regulation.
[4] Pursuant to § 2.2-4007.04 of the Code of Virginia, small business is defined as "a business entity, including its affiliates, that (i) is independently owned and operated and (ii) employs fewer than 500 full-time employees or has gross annual sales of less than $6 million."
[5] See Code § 2.2-4007.04 (A.2). and Code § 2.2-4007.1 (C).

Localities[6] Affected[7]

The proposed changes do not appear to have an economic impact on localities, nor do they appear to disproportionately affect any locality.

Projected Impact on Employment

The proposed remote audit for VJCCCA programs/offices is expected to improve efficiency of the audit team, but this action as a whole does not appear to affect total employment.

Effects on the Use and Value of Private Property

No effects on the use and value of private property nor on real estate development costs are expected.

[6] "Locality" can refer to either local governments or the locations in the Commonwealth where the activities relevant to the regulatory change are most likely to occur.
[7] Code § 2.2-4007.04 defines "particularly affected" as bearing disproportionate material impact.