

Special Justices

Special justices are judicial officers appointed by chief circuit court judges and are specially authorized by statute to hear certain mental health commitment matters. The chief judge of each judicial circuit may appoint one or more special justices for the purpose of conducting these hearings that would otherwise be conducted by a judge. These individuals may be retired judges or attorneys licensed to practice law in the Commonwealth of Virginia. Special justices serve under the supervision and at the pleasure of the chief judge making the appointment. Pursuant to [Va. Code § 37.2-803](#), each special justice shall be appointed for a period of up to six years and may be reappointed to serve for additional periods of up to six years. In October of 2008 the Judicial Council of Virginia approved [Training Standards and Appointment Guidelines for Special Justices](#) handling adult and juvenile civil commitment hearings. All special justices are required to complete an initial minimum training program, as well as an annual mental health law update, prescribed by the Executive Secretary of the Supreme Court.

Cases Involving Adults

An individual designated to sit as a special justice may preside over certain cases involving adults including, but not limited to, cases involving voluntary and involuntary civil commitments and admissions. A special justice may authorize treatment for a mental or physical disorder on behalf of an adult person. Special justices may also authorize emergency treatment prior to trial and may issue a temporary detention order (TDO) for such treatment. See [Va. Code § 37.2-100](#).

Cases Involving Juveniles

Effective July 1, 2007, special justices are also expressly authorized to preside over certain proceedings involving juveniles, including authorization of inpatient mental health treatment for juveniles; admission of juveniles to mental health facilities with the consent of a parent; emergency admission of juveniles to mental health facilities, including juveniles already in detention or shelter care pursuant to an order of a juvenile and domestic relations court; and involuntary commitment of juveniles to mental health facilities. See [Va. Code § 16.1-336](#).