

Office of Regulatory Management
Economic Review Form

Agency name	Department of Juvenile Justice
Virginia Administrative Code (VAC) Chapter citation(s)	6VAC35-20
VAC Chapter title(s)	Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities
Action title	Periodic Review of the Regulation Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs and Facilities
Date this document prepared	
Regulatory Stage (including Issuance of Guidance Documents)	Proposed

Cost Benefit Analysis

Complete Tables 1a and 1b for all regulatory actions. You do not need to complete Table 1c if the regulatory action is required by state statute or federal statute or regulation and leaves no discretion in its implementation.

Table 1a should provide analysis for the regulatory approach you are taking. Table 1b should provide analysis for the approach of leaving the current regulations intact (i.e., no further change is implemented). Table 1c should provide analysis for at least one alternative approach. You should not limit yourself to one alternative, however, and can add additional charts as needed.

Report both direct and indirect costs and benefits that can be monetized in Boxes 1 and 2. Report direct and indirect costs and benefits that cannot be monetized in Box 4. See the ORM Regulatory Economic Analysis Manual for additional guidance.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no quantifiable direct costs from the proposed changes.</p> <p>Indirect Costs: There are no quantifiable indirect costs from the proposed changes.</p> <p>Direct Benefits: There are no quantifiable direct benefits from the proposed changes.</p> <p>Indirect Benefits: There are no quantifiable indirect benefits from the proposed changes.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None
(3) Net Monetized Benefit	\$ 0.00	
(4) Other Costs & Benefits (Non-Monetized)	<p>There are no costs resulting from the proposed changes to this chapter. The changes are (i) to make technical corrections and clarifications to the language and (ii) eliminate unnecessary provisions and significantly reduce a provision that far exceeds the statutory requirement. The changes will, however, have some benefit to the department and the entities it regulates. For example, the changes make the regulation clearer and easier to understand, which is a benefit for both the department and the regulated entities. The elimination of an entirely procedural section and much of another section that far exceeds the statute benefits the department by reducing unnecessary requirements.</p>	
(5) Information Sources	<p>Code of Virginia §§ 16.1-233, 66-10, and 66-24 Regulatory text and proposed text for 6VAC35-20 DIBR for 6VAC35-20</p>	

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: There are no quantifiable direct costs created by maintaining the status quo.</p> <p>Indirect Costs: There are no quantifiable indirect costs created by maintaining the status quo.</p>	
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	<p>Direct Benefits: There are no quantifiable direct benefits to maintaining the status quo.</p> <p>Indirect Benefits: There are no quantifiable indirect benefits to maintaining the status quo.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None
(3) Net Monetized Benefit	None	
(4) Other Costs & Benefits (Non-Monetized)	<p>The main non-monetary cost to maintaining the status quo is that the department will continue to have a regulation that is sometimes confusing and difficult to understand. The regulation also will continue to contain unneeded provisions. These make the department’s certification unit’s job more difficult and make it harder for regulated entities to understand the certification process.</p>	
(5) Information Sources	<p>Regulatory text for 6VAC35-20</p> <p>Proposed regulatory text for 6VAC35-20</p>	

Table 1c: Costs and Benefits under Alternative Approach(es)

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The only viable approach other than the status quo or amending the regulation is to repeal the regulation. This approach would not have any quantifiable direct costs associated with it. Repeal could, however, raise the risk of legal action against the department if, as is likely, facilities and programs became less compliant with the department’s regulations and put at risk the health, welfare, and safety of the juveniles in the department’s care. This result could be very costly for the department and the Commonwealth.</p> <p>Indirect Costs: Repealing the regulation would have no quantifiable indirect costs associated with it.</p> <p>Direct Benefits: Repeal also would have no quantifiable direct benefits as the department would have to retain staff to assess compliance with regulations, even without this regulatory framework.</p> <p>Indirect Benefits: Repeal of the regulation would have no quantifiable indirect benefits associated with it.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None
(3) Net Monetized Benefit	\$0	
(4) Other Costs & Benefits (Non-Monetized)	<p>Repeal of this regulation is not recommended. The regulation establishes the structure and expectations for compliance with the board’s regulations and establishes the audit and certification process. Without the regulation and its certification framework, the audit and certification of programs and facilities would be at risk of changing with each administration or each turnover in management. Such changes would cause confusion among department personnel and the regulated programs and facilities and would be far less effective than retaining and amending the regulation. The true cost would be programs and facilities that are less well-regulated and that could risk the health, welfare, and safety of the juveniles in the department’s care.</p>	
(5) Information Sources	Regulatory text for 6VAC35-20	

Impact on Local Partners

Use this chart to describe impacts on local partners. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 2: Impact on Local Partners

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The amendments to the regulation will create no direct costs for local partners since the regulation will retain most of the same processes local partners have been accustomed to for many years. The amendments do remove certain unnecessary provisions, but this will not create a cost for the local partners.</p> <p>Indirect Costs: The amendments to the regulation will create no indirect costs for local partners since the regulation will retain most of the same processes local partners have been accustomed to for many years. The amendments do remove certain unnecessary provisions, but this will not create any indirect costs for local partners.</p> <p>Direct Benefits: The amendments to the regulation will not create any direct benefits because the processes remain largely the same.</p> <p>Indirect Benefits: The amendments to the regulation will not create any indirect benefits because the processes remain largely the same.</p>
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(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None
(3) Other Costs & Benefits (Non-Monetized)	Local partners will benefit from the amendments to this regulation because the regulatory language will be clearer and easier to understand. This will help the department and the local partners to work together more effectively and efficiently and will reduce the likelihood of improper interpretations of the regulation’s provisions.	
(4) Assistance		
(5) Information Sources	Regulatory text for 6VAC35-20 Proposed regulatory text for 6VAC35-20	

Impacts on Families

Use this chart to describe impacts on families. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 3: Impact on Families

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The proposed regulatory changes will have no direct cost for families.</p> <p>Indirect Costs: The proposed regulatory changes will have no indirect cost for families.</p> <p>Direct Benefits: The proposed regulatory changes will have no direct benefits for families.</p> <p>Indirect Benefits: The proposed regulatory changes will have no indirect benefits for families.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None

(3) Other Costs & Benefits (Non-Monetized)	The proposed regulatory changes are intended to make the regulation clearer and easier to understand. The regulation itself establishes the audit and certification processes for Virginia’s juvenile facilities and programs which help ensure compliance with juvenile residential and non-residential regulations. This, then, benefits families who have children in Virginia’s juvenile justice system by helping ensure their health, welfare, and safety.
(4) Information Sources	Regulatory text for 6VAC35-20 Proposed regulatory text for 6VAC35-20

Impacts on Small Businesses

Use this chart to describe impacts on small businesses. See Part 8 of the ORM Cost Impact Analysis Guidance for additional guidance.

Table 4: Impact on Small Businesses

(1) Direct & Indirect Costs & Benefits (Monetized)	<p>Direct Costs: The proposed regulatory changes impose no direct costs on small businesses.</p> <p>Indirect Costs: The proposed regulatory changes impose no indirect costs on small businesses.</p> <p>Direct Benefits: The proposed regulatory changes will result in no direct benefits for small businesses.</p> <p>Indirect Benefits: The proposed regulatory changes will result in no indirect benefits for small businesses.</p>	
(2) Present Monetized Values	Direct & Indirect Costs	Direct & Indirect Benefits
	(a) None	(b) None
(3) Other Costs & Benefits (Non-Monetized)	This regulation does not pertain to nor involve small businesses, so there will be no impact of any kind on them.	
(4) Alternatives	None.	
(5) Information Sources	Regulatory text for 6VAC35-20 Proposed regulatory text for 6VAC35-20	

Changes to Number of Regulatory Requirements**Table 5: Regulatory Reduction**

For each individual action, please fill out the appropriate chart to reflect any change in regulatory requirements, costs, regulatory stringency, or the overall length of any guidance documents.

Change in Regulatory Requirements

VAC Section(s) Involved*	Authority of Change	Initial Count	Additions	Subtractions	Total Net Change in Requirements
20-10	(M/A):	0	0		0
	(D/A):	1	0	1	-1
	(M/R):	0	0		0
	(D/R):	1			0
20-31	(M/A):	0	0	0	0
	(D/A):	0	3	0	+3
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
20-35	(M/A):	0	0	0	0
	(D/A):	3	0	1	-1
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
20.37	(M/A):	1	0	0	
	(D/A):	17	0	12	-12
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
20-50	(M/A):	0	0	0	0
	(D/A):	5	0	5	-5
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
20-69	(M/A):	0	0	0	0
	(D/A):	3	0	0	0
	(M/R):	0	0	0	0
	(D/R):	7	0	1	-1
20-80	(M/A):	0	0	0	0
	(D/A):	3	0	1	-1

	(M/R):	0	0	0	0
	(D/R):	4	0	0	0
20-85	(M/A):	0	0	0	0
	(D/A):	2	0	0	0
	(M/R):	0	0	0	0
	(D/R):	5	0	3	-3
20-91	(M/A):	0	0	0	0
	(D/A):	8	0	6	-6
	(M/R):	0	0	0	0
	(D/R):	9	0	1	-1
20-92	(M/A):	0	0	0	0
	(D/A):	0	0	0	0
	(M/R):	0	0	0	0
	(D/R):	12	0	1	-1
20-93	(M/A):	0	0	0	0
	(D/A):	8	0	2	-2
	(M/R):	0	0	0	0
	(D/R):	1	0	0	0
20-100	(M/A):	0	0	0	0
	(D/A):	24	1	0	+1
	(M/R):	0	0	0	0
	(D/R):	0	0	0	0
20-220	(M/A):	0	0	0	0
	(D/A):	1	0	0	0
	(M/R):	0	0	0	0
	(D/R):	5	0	1	-1
Grand Total of Changes in Requirements:					(M/A):0
					(D/A):-24
					(M/R):0
					(D/R):-7

Key:

Please use the following coding if change is mandatory or discretionary and whether it affects externally regulated parties or only the agency itself:

(M/A): Mandatory requirements mandated by federal and/or state statute affecting the agency itself

(D/A): Discretionary requirements affecting agency itself

(M/R): Mandatory requirements mandated by federal and/or state statute affecting external parties, including other agencies

(D/R): Discretionary requirements affecting external parties, including other agencies

Cost Reductions or Increases (if applicable)

VAC Section(s) Involved*	Description of Regulatory Requirement	Initial Cost	New Cost	Overall Cost Savings/Increases

Other Decreases or Increases in Regulatory Stringency (if applicable)

VAC Section(s) Involved*	Description of Regulatory Change	Overview of How It Reduces or Increases Regulatory Burden

Length of Guidance Documents (only applicable if guidance document is being revised)

Title of Guidance Document	Original Word Count	New Word Count	Net Change in Word Count

*If the agency is modifying a guidance document that has regulatory requirements, it should report any change in requirements in the appropriate chart(s).