

General District Court

Mission

The General District Court’s mission is to provide an independent, accessible, responsive forum for the just resolution of disputes to preserve the rule of law, and to protect all rights and liberties guaranteed by the United States and Virginia Constitutions. The Court Services Division serves the Courts and the community by providing information, client supervision and a wide range of services while advocating public safety.

Connection to the Countywide Strategic Plan

The Fairfax County Board of Supervisors adopted the first-ever Countywide Strategic Plan on October 5, 2021. The Countywide Strategic Plan serves as a road map to help guide future work, focusing on the 10 Community Outcome Areas that represent the issues of greatest importance to the community, and uses our One Fairfax equity policy to invest in people and places that have limited access to opportunity. On February 20, 2024, the second Annual Report on the work of the strategic plan was released to the public. The report contains point-in-time progress highlights for each of the community outcome areas, plus three data dashboards and data stories that are being replicated across all of the outcome areas, and a number of additional initiatives to embed the elements of the plan within department-level work. The report also includes a Year Three Implementation Model, which will engage hundreds of County subject-matter experts to identify and champion the specific strategies that will move forward to implementation under the guidance of the Board of Supervisors. For more information on the Countywide Strategic Plan, please visit www.fairfaxcounty.gov/strategicplan. The General District Court primarily supports the following Community Outcome Area:



Community Outcome Area	Vision Statement
Safety and Security	<i>All people feel safe at home, school, work and in the community.</i>

Focus

The General District Court (GDC or Court) operates under the administrative guidance of the Office of the Executive Secretary of the Supreme Court of Virginia and the Committee on District Courts. It administers justice in the matters before the Court. The Court’s operations include the County Court Services Division and the State GDC Clerk’s Office.

The GDC is part of the judicial branch of the Commonwealth of Virginia. Judges and deputized court personnel staff the Civil Division, Criminal Division, Traffic Division, Payments Division, and Administration Division and are primarily state-funded and supplemented locally. They provide extensive public service to residents, are critical to the judicial process, and collect revenue for the County. The Court Services Division (CSD) is funded primarily with County funds and supplemented by a state grant, and its positions are County positions. The CSD is comprised of four units: The Pretrial Evaluation Unit, the Supervision Unit (Supervised Release Program and Probation Program), the Administrative Unit, and the Volunteer/Intern Unit. The CSD collects and provides information on incarcerated defendants to assist judges and magistrates with release decisions; provides pretrial community supervision to defendants awaiting trial and supplies probation services to convicted misdemeanants and convicted non-violent felons (Class 5 and 6). The CSD also manages court-

appointed counsel services and provides adult supervision services to the Circuit Court and Juvenile and Domestic Relations District Court (JDRDC).

County and state financial constraints and limited grant funding affect staffing and the level of service that the agency can provide. Increases in caseload, legislative changes, and increases in reporting requirements also have a major impact on how the Court operates. Since these factors are outside the Court's control, it is often difficult to anticipate trends and future needs.

The following chart highlights the General District Court's total court caseload from FY 2021 through FY 2025 (estimated).

Type of Case	FY 2021 Actual	FY 2022 Actual	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
Criminal	15,713	16,909	24,058	25,261	25,261
Traffic	73,487	102,768	134,494	141,219	141,219
Civil	<u>29,462</u>	<u>29,027</u>	<u>32,548</u>	<u>34,175</u>	<u>34,175</u>
Total	118,662	148,704	191,100	200,655	200,655

In FY 2023, total caseloads or new case filings increased 29 percent from the previous year. Traffic and Criminal cases increased 31 percent and 42 percent, respectively. Civil cases increased 12 percent as federal rent relief programs and eviction moratoriums implemented during the COVID-19 pandemic ended in late FY 2023. Civil Commitments, a subset of Civil cases that relate to mental health, have doubled between FY 2019 and FY 2023.

The agency has identified key drivers that impact future initiatives and guide the Court Services Division's goals and objectives. All are aligned with the mission of the Court: to provide an independent, accessible, responsive forum for the just resolution of disputes while advocating public safety.

Staffing and Resources

The Diversion First initiative is a multiagency collaboration to reduce the number of people with mental illness in local jails by diverting non-violent offenders experiencing mental health crisis to treatment instead of incarceration. These cases often involve clients with dual diagnoses requiring intensive supervision, significant coordination, multiple hearings, and increased status reporting. Probation counselors provide community supervision, judges perform legal research, case file review, and draft legal documents, and court staff improve coordination between legal, medical and treatment providers.

In addition to County support, the operation of CSD depends on funding from a state grant from the Virginia Department of Criminal Justice Services.

Caseload

The average daily caseload per probation counselor remains above the state benchmark as inmates are released from jail to community supervision. Caseloads fluctuate based on program placements and actual number of days of supervision each placement requires. The length of supervision per Supervised Release Program (SRP) placement has increased 39 percent in the last five years (97 days per placement in FY 2019 to 135 days in FY 2023) as probationers were supervised for longer periods. The average daily caseload per probation counselor position declined 1 percent from 81 in FY 2022 to 80 in FY 2023. The state standard is 40 SRP cases or 60 Probation cases per probation counselor, but not both.

The number of intensive SRP cases decreased 9 percent from the previous year and has increased 23 percent since the Diversion First initiative began in FY 2018.

Value of Community Supervision

Community supervision programs, including the Diversion First initiative, provide community supervision in lieu of incarceration for qualifying lower risk defendants. This improves resident outcomes as they can more readily access treatment and services, maintain employment, housing, and family responsibilities, and maintain public safety, while also reducing the Adult Detention Center (ADC) population. Probation Counselors provide supervision through a Supervised Release Program which increases the estimated jail days saved.

Value of Community Supervision (Estimate based on FY 2023 Actuals)	Supervised Release Program	Probation
Number of placements	2,299	912
Number of active supervision days	310,369	326,620
Percent defendants likely to remain incarcerated without SRP	15%	5%
Estimated jail days saved	46,555	16,331

See the Performance Measurement Results section for more detail on SRP and Probation Program statistics.

In FY 2023, the Volunteer Unit recorded no hours performed by volunteers, the same as in FY 2022 and FY 2021, down from 1,198 hours in FY 2020 as volunteers declined to work to protect their health during the COVID-19 pandemic. Therefore, staff and judges conducted client interviews for eligibility for court-appointed attorneys in the absence of volunteers.

The Clerk’s Office performs case and financial management, including collection of \$4.7 million in revenue in FY 2023 for the County, up 18 percent from \$4.0 million in FY 2022. Approximately \$3.3 million is collected for General District Court fines, court costs, interest on local charges, attorney fees and for courthouse maintenance, and \$1.4 million is collected for other County agencies such as the Office of the Sheriff and Police Department, and the Law Library. The Clerk’s Office collects an additional \$1.8 million for the Towns of Vienna and Herndon and for Toll Road and Hot Lanes operators as well as \$8.5 million in revenue for the Commonwealth of Virginia. Some County revenue collected offsets expenditures for legal counsel for indigent defendants on County charges and a small fraction of revenue is from postage reimbursement from the state. The Clerk’s Office is composed of approximately 104 state employees who support 12 state Judges. The Clerk’s Office operates 11 to 12 courtrooms every morning and eight to 10 courtrooms each afternoon. It operates in four distinct locations, daily at the Fairfax County Courthouse, twice a week at the City of Fairfax Courthouse, and weekly in the Towns of Vienna and Herndon. The office is the face of the court to the public and serves hundreds of thousands of residents through more than 20 public service counters, telephone call center, and electronic filing of many court documents. It is an integral part of the GDC and is supported by the County in accordance with the Code of Virginia. Previously monitored by the Court Services Division, the Clerk’s Office conducts mental health monitoring that provides Judges, defense attorneys, the courts, and mental health staff with prompt updates on status and expedites processing of mental health cases to improve outcomes for this vulnerable population. The Competency & Compliance Review Docket expedites hearings, reducing the typical wait time for hearing while incarcerated by 88 percent (120 days in jail down to 14 days in jail). Residents are evaluated to determine mental competency. These hearings are expedited producing a cost avoidance as residents wait time for a hearing is reduced.

State Salary Supplements

As part of the FY 2017 Adopted Budget Plan, the Board approved a 15 percent local salary supplement for eligible Clerk's Office deputized staff. The salary supplement assists with employee retention, provides more equitable compensation, provides comparable salaries to surrounding jurisdictions, improves service delivery, and reduces the risk that residents' civil liberties are negatively impacted.

A local salary supplement was also approved for eligible state positions in the Office of the Public Defender (OPD) in FY 2017 to raise their salaries to be consistent with their counterparts at the Office of the Commonwealth's Attorney. It should be noted that in the FY 2021 Adopted Budget Plan salary supplements for the OPD were standardized at 15 percent moving forward for all new hires. In addition, the FY 2022 Adopted Budget Plan extended supplements to the remaining support staff in the OPD and included a 15 percent local salary supplement for District 29 Probation and Parole Office staff in Fairfax County and the City of Fairfax. The salary supplement assists with employee retention and reduces the number of vacant case manager positions for the supervision of offenders. The Administrative Unit of the Court Services Division administers the salary supplement for the Clerk's Office, Office of the Public Defender, and the Probation and Parole Office; however, it has no authority or oversight of responsibilities for those offices.

Shared Resources

Criminal Record Specialists in the Pretrial Evaluation Unit are the primary providers of mandated criminal record checks, rather than the arresting officer, which allows police officers to return to their public safety duties more quickly. Criminal record checks are also provided to the judiciary of the GDC, Circuit Court and JDRDC to assist with bond determination, and to the Opportunities, Alternatives & Resources Program (OAR) and the Court Services Division Supervision Unit who determine eligibility for placement into various programs and monitor that no further criminal activity has occurred. Criminal Record Specialists provided 18,717 record checks in FY 2023, up 19 percent compared to 15,737 in FY 2022, mainly from the Police Department seeking more criminal arrest warrants.

Additional critical and effective CSD programs for the community include the Alcohol Diversion Program (ADP), the Veterans Treatment Docket (VTD), the Driving on Suspended Program (DOS), and Diversion First.

The Alcohol Diversion Program clients increased 157 percent from seven clients in FY 2022 to 18 clients in FY 2023. The increase is attributed to the return to college campus in-person learning resulting in an increase in underage drinking charges, often issued at concerts attended by college students.

The Veterans Treatment Docket program provided active supervision to 29 Veterans in FY 2023, an increase of 71 percent compared to 17 in FY 2022. The VTD provides roughly 13 to 22 months of intensive program participation to address issues such as substance abuse, post-traumatic stress disorder, mental health issues, and traumatic brain injury. At the beginning of FY 2024, there were 22 participants, a 175 percent increase compared to the beginning of FY 2023 with eight participants. VTD administration continues under the Fairfax-Falls Church Community Services Board (CSB), with continued collaboration with the CSD and the State Probation & Parole Office.

The Driving on Suspended Program served 26 clients in FY 2023, a 28 percent decrease from 36 clients in FY 2022. The decline in past years is attributed to program effectiveness. The program assists participants in preparing for and navigating the requirements of license reinstatement.

In collaboration with the CSB, the Diversion First program identifies and screens incarcerated individuals for mental health needs with the aim of diverting qualified individuals to treatment in lieu of incarceration while under intensive court supervision. In FY 2023, the Mental Health Docket and the Competency & Compliance Docket eliminated an estimated 14,386 jail days through supervision in lieu of incarceration, a decrease of 10 percent from the previous year. At arraignments, 345 individuals were placed on SRP with a release plan including mental health evaluation, outpatient or residential treatment plans, and/or referral to jail diversion, an increase of 14 percent from 302 in FY 2022. In FY 2023, 26 percent (857 of 3,336 total) SRP placements had behavioral health concerns, down from 36 percent the prior year. There were 495 defendants who scored positive on the brief jail mental health screening, down from 553 the prior year and 49 percent of those were administered an advanced screening and needed further assessment compared to 42 percent the prior year. Of that group, 87 percent were referred to treatment. There were 287 total advanced screenings administered in FY 2023, an increase of 9 percent from FY 2022. There were 334 individuals referred to CSB for a mental health evaluation, down 9 percent from FY 2022. In total, there were 247 individuals referred to mental health treatment, 6 percent more than the prior year. The number of intensive supervision participants is growing as more and more clients are supervised in the community.

Restitution collections totaled \$202,593, a 27 percent decrease from \$278,268 in FY 2022 partially attributed to overall economic volatility. Community service hours performed increased 63 percent from 1,342 hours in FY 2022 to 2,193 hours in FY 2023.

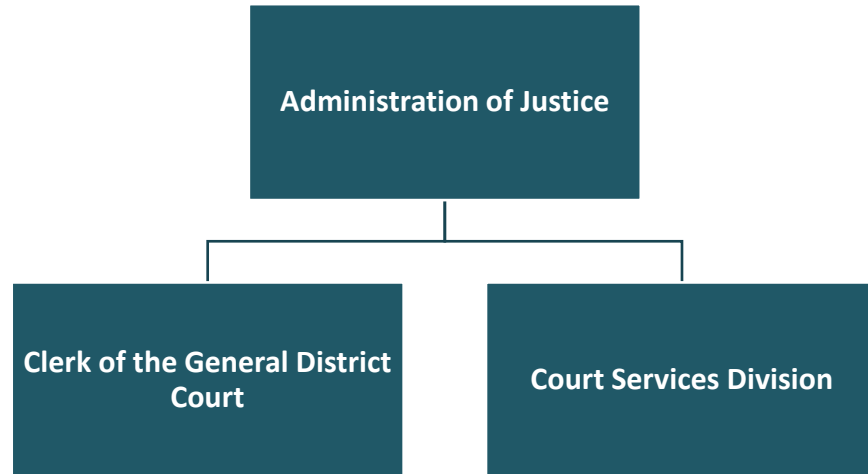
Diversity

Interpreter assignments increased 15 percent in FY 2023 to 1,354 assignments. The CSD staff previously managed interpretation services for languages other than Spanish however, in early FY 2024, the Clerk's Office assumed this responsibility. CSD continues to recruit bilingual probation counselors to allow for effective management of the caseload of Spanish-speaking clients to improve equity in service delivery.

Court appointed attorneys are assigned to indigent defendants to ensure they have adequate legal representation when conviction could result in jail time. Attorney assignments increased 54 percent from 11,339 assignments in FY 2022 to 17,501 assignments in FY 2023, reflective of the increase in new case filings, particularly charges that carry the possibility of jail time, after emerging from the COVID-19 pandemic as well as increased financial need of clients often seen during turbulent economic times.

The addition of valuable risk assessment tools and an increase in mandatory reporting requirements have increased the workload, but have also improved equity, allowing more inmates to qualify for community supervision in lieu of incarceration. Additionally, a satellite office provides a remote location to provide services to reduce residents' transportation barriers.

Organizational Chart



Budget and Staff Resources

Category	FY 2023 Actual	FY 2024 Adopted	FY 2024 Revised	FY 2025 Advertised
FUNDING				
Expenditures:				
Personnel Services	\$3,927,461	\$5,279,442	\$5,229,442	\$5,812,161
Operating Expenses	909,489	922,559	1,231,725	928,116
Total Expenditures	\$4,836,950	\$6,202,001	\$6,461,167	\$6,740,277
Income:				
Courthouse Maintenance Fees	\$174,629	\$152,280	\$315,105	\$322,156
General District Court Fines/Interest	60,737	68,856	68,856	68,856
General District Court Fines	3,002,053	2,673,845	3,490,500	3,665,025
Recovered Costs - General District Court	40,364	31,340	40,364	40,364
State Reimbursement - General District Court	42,123	85,265	85,265	85,265
Total Income	\$3,319,906	\$3,011,586	\$4,000,090	\$4,181,666
NET COST TO THE COUNTY	\$1,517,044	\$3,190,415	\$2,461,077	\$2,558,611
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)				
Regular	41 / 41	41 / 41	41 / 41	45 / 45
State	212 / 207	212 / 207	212 / 207.5	212 / 207.5

This department has 8/8.0 FTE Grant Positions in Fund 50000, Federal-State Grants.

FY 2025 Funding Adjustments

The following funding adjustments from the FY 2024 Adopted Budget Plan are necessary to support the FY 2025 program:

Employee Compensation **\$138,380**

An increase of \$138,380 in Personnel Services includes \$69,520 for a 2.00 percent market rate adjustment (MRA) for all employees and \$58,229 for performance-based and longevity increases for non-uniformed merit employees, both effective July 2024. The remaining increase of \$10,631 is included for employee pay increases for specific job classes identified in the County's benchmark class survey of comparator jurisdictions.

Probation Counselor II Positions \$355,636

An increase of \$355,636 and 4/4.0 FTE new Probation Counselor II positions is included to support the Court Services Division of the Fairfax County General District Court. These positions are needed to support the growing number of non-violent offenders experiencing a mental health crisis who are being diverted from incarceration to treatment. This funding includes \$335,636 in Personnel Services and \$20,000 in Operating Expenses. It should be noted that an increase of \$178,962 in Fringe Benefits funding is included in Agency 89, Employee Benefits, for a total cost of \$534,598 in FY 2025. For further information on Fringe Benefits, please refer to Agency 89, Employee Benefits, narrative in the Nondepartmental program area of Volume 1.

Salary Supplement for Eligible State Employees \$138,703

An increase of \$138,703 is included for salary supplements to eligible state positions. The County provides 15 percent supplements to identified state positions. This increase is a result of a 5 percent salary increase from the state as part of FY 2023, an additional 2 percent salary increase from the state in December of 2023, and an additional 2 percent salary increase for only the Clerk’s Office. Of this total, \$62,452 will support state positions in the Clerk’s Office, \$31,022 will support positions in the Office of the Public Defender, and the remaining \$45,229 will support positions in the Fairfax District 29 Probation and Parole Office.

Reductions (\$94,443)

A decrease of \$94,443 reflects reductions utilized to balance the FY 2025 budget. The following table provides details on the specific reductions:

Title	Impact	Positions	FTE	Reduction
Realize Savings in Personnel Services	This reduction realizes savings of \$80,000 in the General District Court Personnel Services budget and is based on actual spending associated with current staffing levels. It is not expected this reduction will have a negative impact on agency operations since it aligns budget to actual expenditures.	0	0.0	\$80,000
Reduce Operating Budget due to Efficiencies and Cost Savings	As a result of the COVID-19 pandemic and the County’s shift to a hybrid in-office and telework policy, the General District Court has identified efficiencies and cost savings in general office supplies, maintenance and repair, and certifications. It is not expected this reduction will have a negative impact on agency operations.	0	0.0	\$14,443

**Changes to
FY 2024
Adopted
Budget Plan**

The following funding adjustments reflect all approved changes in the FY 2024 Revised Budget Plan since passage of the FY 2024 Adopted Budget Plan. Included are all adjustments made as part of the FY 2023 Carryover Review and all other approved changes through December 31, 2023.

Carryover Adjustments \$259,166

As part of the FY 2023 Carryover Review, the Board of Supervisors approved funding of \$259,166 in Operating Expenses due to encumbered carryover.

Performance Measurement Results by Community Outcome Area

Safety and Security

All services provided by the Court Services Division (CSD) address the agency mission. CSD provides information on incarcerated defendants, provides pretrial and post-trial community supervision, manages the court-appointed attorney system for indigent defendants, and answers questions about the judicial process for the public. In order to address and advance the agency's mission, CSD also actively advocates for public safety within the community.

Pretrial Investigations

The Pretrial Evaluation Unit provides critical information about defendants to the judiciary (magistrates and judges) to assist them in making informed decisions about defendants' release/detention status. The investigation process has several components: defendant's interview, phone calls to references (family, employers, neighbors, etc.), and extensive record checks to include the National Crime Information Center (NCIC), the Virginia Crime Information Network (VCIN), local criminal records, Virginia Department of Motor Vehicles, and court records throughout the Commonwealth of Virginia for pending charges. In FY 2023, 6,394 pretrial investigations were conducted, a 44 percent increase from FY 2022 where 4,447 investigations were conducted. This growth is attributed to increases in arrests and referrals which are still rebounding after the decline due to the COVID-19 pandemic. The percentage of staff bond recommendations accepted by the Judiciary was 83 percent in FY 2023 falling below the 88 percent target.

Supervised Release Program and Probation Program

In FY 2023, SRP placements increased 19 percent with 2,299 placements in FY 2023 compared to 1,927 placements in FY 2022, while total days of supervision per placement decreased 5 percent as clients were supervised for shorter periods.

Referrals to SRP and Probation are primarily initiated by magistrates or General District Court judges but may also result from mental health screenings and evaluations. The program provides intensive supervision and monitoring of lower risk defendants who might otherwise remain in jail while awaiting trial in addition to serving higher needs clients through Diversion First. In FY 2023, the percent of SRP cases successfully closed was 75 percent, higher than the target measure of 74 percent, which was adjusted to account for an increase in supervision of higher risk and higher needs clients.

Probation placements decreased 3 percent from 942 placements in FY 2022 to 912 placements in FY 2023. However, total days of supervision for clients on Probation increased 13 percent in FY 2023 due to longer periods of supervision per client. Caseloads in the Supervised Release Program and Probation vary from year to year based on the number and types of arrests. An increase in SRP cases has a far greater impact on staffing than an increase in standard probation cases. The percent of probation cases successfully closed was 75 percent, greater than the target of 73 percent.

Probation counselors in the Probation Unit supervise both SRP clients and those referred to probation at the final court date by court order. Probation counselors are required to see defendants either bi-monthly or weekly and must conduct weekly telephone check-ins and random drug testing. With each contact, it is strongly reinforced to the defendant that, to successfully complete the program, there must be no new violations of the law and that they must appear for all court dates.

Community Outcome Area	FY 2021 Actual	FY 2022 Actual	FY 2023 Estimate	FY 2023 Actual	FY 2024 Estimate	FY 2025 Estimate
Safety and Security						
Effective and Equitable Administration of Justice						
Percent of staff recommendations accepted by the Judiciary	89%	89%	88%	83%	83%	83%
Percent of SRP cases successfully closed	78%	75%	74%	75%	74%	74%
Percent of probation cases successfully closed	79%	79%	73%	75%	73%	73%

A complete list of performance measures can be viewed at <https://www.fairfaxcounty.gov/budget/fy-2025-advertised-performance-measures-pm>