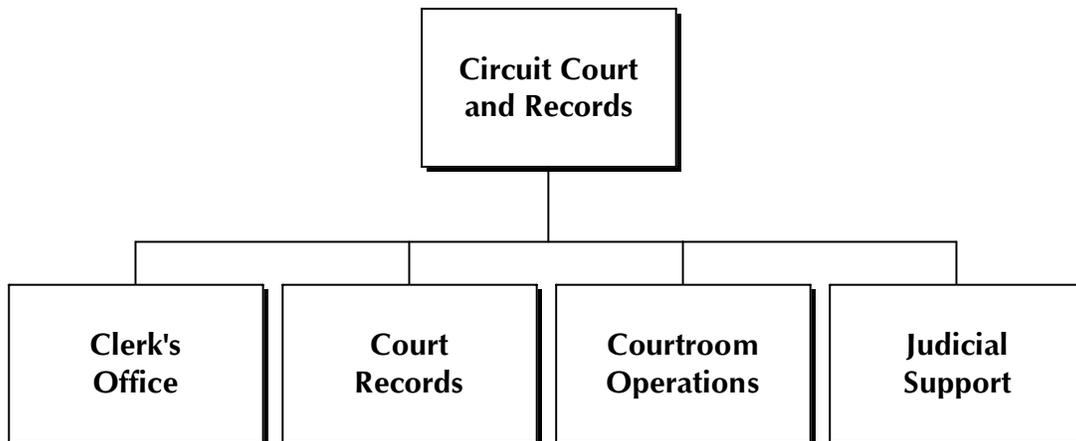


# Circuit Court and Records



## Mission

To provide administrative support to the 19<sup>th</sup> Judicial Circuit; to preserve, maintain and protect the public records; and to offer public services with equal access to all in accordance with the Code of Virginia.

## Focus

The Circuit Court has jurisdiction in Criminal and Civil cases and provides appellate authority in which an appeal may be taken from a lower tribunal. Criminal cases involve a possible sentence to the State Penitentiary and misdemeanor appeals. Civil jurisdiction provides for adoptions, divorces, and controversies where the claim exceeds \$15,000. Public services include issuance of marriage licenses, processing notary commissions, probating wills, recording business certification of any trade names, and docketing judgments. The Circuit Court collects recordation taxes and provides true copies of documents that are of record in this office. Public access of court records are available on site or through the Court's Public Access Network, a secure remote access system known as CPAN.

The Land Records Division recorded 376,776 documents in FY 2005 generating \$9,220,755 in revenue. The number of documents represents a decrease of 21 percent from FY 2004. As anticipated last year, the number of Deeds of Trust and Certificate of Satisfaction recorded has decreased due to a slowdown in the number of refinances due to rising interest rates. It is anticipated that in FY 2006 and FY 2007, the number of recordings will be at a similar level as experienced in FY 2005.

Land Records also recorded 14,072 documents electronically in FY 2005. This represents 11.69 percent of the total Certificates of Satisfaction (120,360) that were recorded. Certificates of Satisfaction are the only documents that are recorded electronically at this time. It is anticipated that the electronic recording of documents will continue to grow as it becomes a widely accepted practice in the industry and as the document types available for electronic filing expands. As the number of documents recorded electronically increases, the collection of recordation fees and recordation of documents will become more efficient. The electronic filing system currently in use is provided by a vendor and is limited to one particular document type, the mortgage release. The Clerk's office has its own initiative to create an electronic filing system that will be capable of recording all document types in a format that will be accessible to large and small businesses. The Clerk's service will also provide the ability to electronically file documents at a lower cost to the customer.

## THINKING STRATEGICALLY

Strategic issues for the Department include:

- Developing workforce plans to address increasing workload requirements;
- Leveraging technology to provide for increased efficiencies in courtroom operations; and
- Improving communications and addressing cultural diversity by increasing availability of volunteers and translators.

## Circuit Court and Records

In Phase I of the Court Modernization project, the Court's new case management system, FullCourt, was implemented in October 2004 as the replacement for the Circuit Court's legacy mainframe systems. This court-wide implementation has enabled the Circuit Court to realign staffing for coverage in critically understaffed areas through the elimination of duplicate data entry. This will ultimately result in a reduction of the case backlog and more timely case closure.

Expanded use of FullCourt will also enable the Court to achieve compliance with the state's financial audit tracking requirements. The financial audit trail provided by FullCourt should eventually result in more favorable reviews from the Office of the Auditor of Public Accounts. Another benefit of this project will be increased staff effectiveness resulting from the availability of added information and functionality.

In Phase II, the Circuit Court is putting in place a foundation for an E-Court project to include E-forms and E-filing of case documents. The project will include implementation of court-wide imaging and in-depth workflows using FullCourt and document management software for overall case management. The availability of additional specific online case information and document images will significantly reduce the need to frequently retrieve files for viewing.

As the diversity of the customer base increases, the Clerk's Office is faced with the responsibility of managing multiple languages spoken in this Court. This results in the necessity to provide staff training in order to better serve non-English speaking customers. The needs of the multicultural population are also being addressed through the development of standards for interpreters and the better utilization of multilingual staff members. In addition, the staff is charged with more responsibilities and skill requirements in order to provide better customer service for the Court's diverse customer base.

The Circuit Court has begun a major initiative to reorganize the Court to create a higher performing organization. A three-pronged approach is underway including workflow, workforce and succession planning.

### New Initiatives and Recent Accomplishments in Support of the Fairfax County Vision

 <b>Maintaining Safe and Caring Communities</b>	<b>Recent Success</b>	<b>FY 2007 Initiative</b>
With the General District Court and Juvenile and Domestic Relations Court, the Circuit Court created a standardized list of qualified interpreters for the Fairfax County Courts. Developed standardized procedures to ensure that only the most qualified foreign language interpreters are used in the courtroom. Continue to develop in-house training programs related to cultural awareness and the use of foreign language interpreters. Working with the state to begin re-administering the certification examination for Spanish interpreters to increase the number of certified interpreters available for the Spanish-speaking customer base.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
 <b>Connecting People and Places</b>	<b>Recent Success</b>	<b>FY 2007 Initiative</b>
Continue to provide additional forms on the Circuit Court's Web site that are consistent with state and County printed forms. Investigate technology advancements such as digital signature which will permit more forms to be filed electronically.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

## Circuit Court and Records

 <b>Connecting People and Places</b>	<b>Recent Success</b>	<b>FY 2007 Initiative</b>
<p>Provided residents the capability to complete the juror questionnaire on-line. The questionnaire was sent to 45,000 residents of Fairfax County and Fairfax City to build a jury pool for 2006. Answering the questionnaire is the initial step in creating the jury pool. In addition, certain processes that currently require a staff person will be accomplished interactively through the phone system. These accomplishments provide increased availability, efficiency and convenience for citizens.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<p>Expand usage of the Courts Public Access Network (CPAN) and the Court Automated Recording System (CARS) which are used to research 31 million land record images for use in buying, selling, and developing properties in Fairfax County. CPAN and CARS are used by Circuit Court staff, other County agencies, banks, mortgage companies, title companies, law firms and the general public. These subscription services provide residents with information about law and chancery matters, civil case information, civil and criminal service information 24/7, real estate assessments and delinquent real estate tax information. CPAN has expanded from local Fairfax County users to users in more than 12 states and the District of Columbia. It has grown from 505 users in FY 2004 to 1,158 users in FY 2005.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
 <b>Creating a Culture of Engagement</b>	<b>Recent Success</b>	<b>FY 2007 Initiative</b>
<p>Continue a volunteer program in order to alleviate workload by utilizing the skills and abilities of Fairfax County residents. Volunteers are used in the areas of administrative support, accounting and technology. In addition to advertising on VolunteerFairfax.org, descriptions of volunteer opportunities will be posted on the Circuit Court Web site to enable easier access to volunteer information.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
 <b>Exercising Corporate Stewardship</b>	<b>Recent Success</b>	<b>FY 2007 Initiative</b>
<p>The FullCourt case management system will enable the Circuit Court to add e-filing and imaging components to facilitate availability of case information to the public and staff. The addition of these components will allow for the placement of case information on the Court's public and CPAN subscriber Web sites. This will provide judges, attorneys, County staff and constituents with nearly 24/7 access to court calendars and information screens. Phase II implementation of e-filing and imaging will be initiated in FY 2006.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

# Circuit Court and Records

## Budget and Staff Resources

Agency Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	137/ 137	137/ 137	137/ 137	137/ 137
Exempt	24/ 24	24/ 24	24/ 24	24/ 24
State	15/ 15	15/ 15	15/ 15	15/ 15
Expenditures:				
Personnel Services	\$6,932,505	\$7,720,466	\$7,817,591	\$8,155,828
Operating Expenses	2,097,191	2,016,582	2,155,162	2,097,397
Capital Equipment	44,277	0	39,140	0
<b>Total Expenditures</b>	<b>\$9,073,973</b>	<b>\$9,737,048</b>	<b>\$10,011,893</b>	<b>\$10,253,225</b>
Income:				
Land Transfer Fees	\$68,923	\$39,935	\$39,935	\$39,935
Courthouse Maintenance Fees	5,820	5,494	5,947	6,065
Circuit Court Fines and Penalties	111,680	153,376	153,376	153,376
Copy Machine Revenue	77,189	79,946	79,946	79,946
County Clerk Fees	11,146,506	7,931,686	11,146,506	11,146,506
City of Fairfax Contract	1,655	1,655	96,444	98,661
Recovered Costs - Circuit Court	935	4,164	935	935
CPAN	217,318	141,682	217,318	217,318
State Shared Retirement - Circuit Court	89,787	89,374	89,374	91,161
<b>Total Income</b>	<b>\$11,719,813</b>	<b>\$8,447,312</b>	<b>\$11,829,781</b>	<b>\$11,833,903</b>
<b>Net Cost to the County</b>	<b>(\$2,645,840)</b>	<b>\$1,289,736</b>	<b>(\$1,817,888)</b>	<b>(\$1,580,678)</b>

## FY 2007 Funding Adjustments

The following funding adjustments from the FY 2006 Revised Budget Plan are necessary to support the FY 2007 program:

- ◆ **Employee Compensation** **\$338,237**  
 An increase of \$338,237 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.
- ◆ **Intergovernmental Charges** **\$24,315**  
 An increase of \$24,315 is due to intergovernmental charges. Of this total, an increase of \$19,221 is for Information Technology charges based on the agency's historic usage of mainframe applications and \$5,094 is for Department of Vehicle Services charges based on anticipated charges for fuel, vehicle replacement, and maintenance costs.
- ◆ **Other Adjustments** **(\$121,220)**  
 A net decrease of \$121,220 is due to a reduction of \$138,580 in Operating Expenses and \$39,140 in Capital Equipment attributable to one-time expenses included as part of the FY 2005 Carryover Review, partially offset by an increase \$56,500 in Operating Expenses for software maintenance costs associated with the FullCourt system.

# Circuit Court and Records

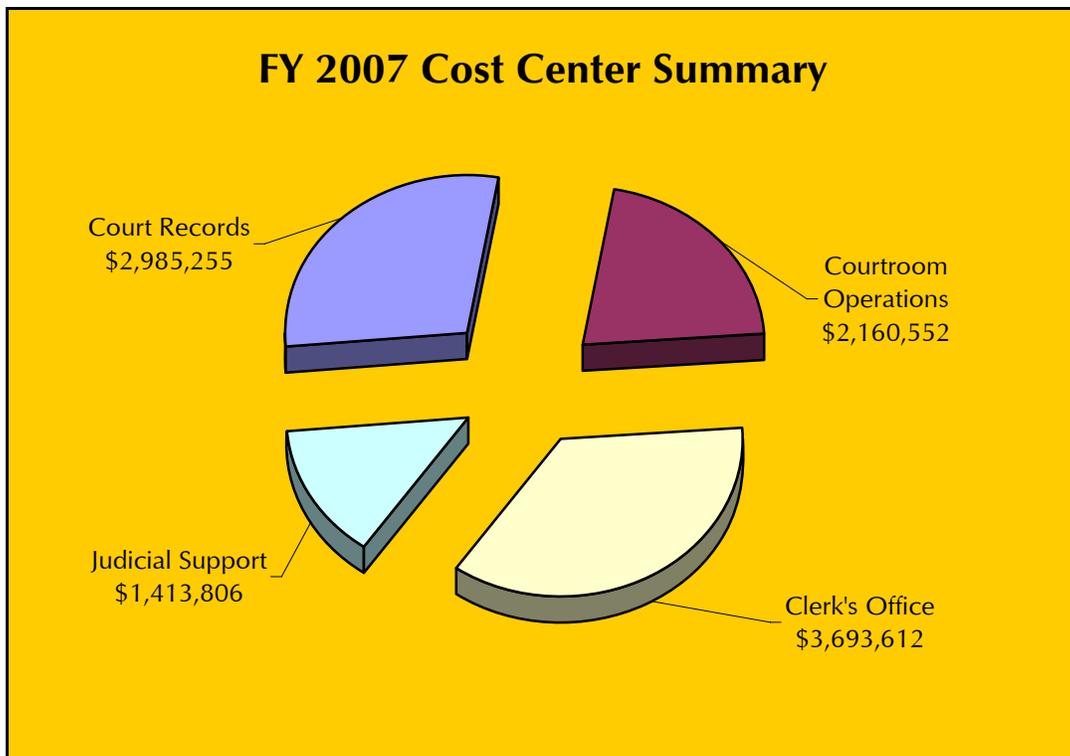
## Changes to FY 2006 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2006 Revised Budget Plan since passage of the FY 2006 Adopted Budget Plan. Included are all adjustments made as part of the FY 2005 Carryover Review and all other approved changes through December 31, 2005:

- ◆ **Carryover Adjustments** **\$274,845**  
As part of the FY 2005 Carryover Review, an increase of \$274,845 was included. Of this total, an amount of \$177,720 reflects encumbered carryover approved by the Board of Supervisors while the remaining funding of \$97,125 in Personnel Services was included to increase the salaries of law clerks based on a market study conducted by the Department of Human Resources.

## Cost Centers

The Circuit Court and Records has four cost centers including Court Records, Courtroom Operations, the Clerk's Office, and Judicial Support.



# Circuit Court and Records

## Court Records

Funding Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	51/ 51	51/ 51	48/ 48	48/ 48
<b>Total Expenditures</b>	<b>\$2,560,244</b>	<b>\$2,896,661</b>	<b>\$3,006,158</b>	<b>\$2,985,255</b>

Position Summary					
2	Legal Records/Services Managers	17	Administrative Assistants III	1	Archives Technician
1	Administrative Assistant V	24	Administrative Assistants II		
3	Administrative Assistants IV				
<b>TOTAL POSITIONS</b>					
<b>48 Positions /48.0 Staff Years</b>					

## Key Performance Measures

### Goal

To record, preserve, safeguard and provide convenient access to all recorded documents and instruments pertaining to land, property, and all other matters brought before the Court; and to coordinate the retention, archiving and disposition of those documents in accordance with the Code of Virginia.

### Objectives

- ◆ To achieve a turnaround time of 30 days in returning documents.
- ◆ To improve and expand the flow of information between the Circuit Court, other County agencies, and the public by increasing remote public access service usage, as measured by Citizen Public Access Network (CPAN) connections, by 10 percentage points.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Output:</b>					
Land Documents Recorded	462,384	476,862	500,000 / 376,776	350,000	350,000
CPAN users served to date	475	505	550 / 1,158	1,418	1,418
<b>Efficiency:</b>					
Cost per recorded document	\$2.53	\$2.35	\$2.61 / \$2.55	\$2.81	\$2.87
Revenue per paid CPAN connection	\$107	\$271	\$325 / \$300	\$300	\$300
<b>Service Quality:</b>					
Turnaround time in returning recorded document (days)	49	43	39 / 36	30	30
Percent change of CPAN connections	24.0%	6.3%	8.9% / 129.3%	22.5%	0.0%

## Circuit Court and Records

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Outcome:</b>					
Percent change in time to return documents	40%	(12%)	(9%) / (16%)	(17%)	0%
Percentage point change of additional CPAN information available from off-site location	9	14	10 / 10	10	10

### Performance Measurement Results

Turnaround time in returning recorded documents was reduced from 43 days in FY 2004 to 36 days in FY 2005 primarily due to a decrease in the volume of records processed. In FY 2005, 21 percent fewer documents were recorded than in FY 2004. It should be noted that the FY 2006 and FY 2007 efficiency estimates include projected salary increases for agency employees.

CPAN users increased from 505 in FY 2004 to 1,158 in FY 2005, an increase of nearly 130 percent. The increase is primarily attributable to the secure remote access standards set forth by the Virginia Information Technologies Agency (VITA) in January 2004. This required Clerks to obtain individual subscriber agreements from each user rather than having corporate accounts. In addition, the available recorded information increases by approximately 10 percent each year.

### Courtroom Operations

Funding Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	42/ 42	42/ 42	42/ 42	42/ 42
<b>Total Expenditures</b>	<b>\$1,924,823</b>	<b>\$2,117,727</b>	<b>\$2,117,727</b>	<b>\$2,160,552</b>

Position Summary				
18 Administrative Assistants V	2 Legal Records/Services Managers	16 Administrative Assistants III		
3 Administrative Assistants IV		3 Administrative Assistants II		
<b>TOTAL POSITIONS</b>				
42 Positions / 42.0 Staff Years				
1/1.0 SYE Grant Position in Fund 102, Federal/State Grant Fund				

### Key Performance Measures

#### Goal

To provide full administrative and clerical support in order to accomplish the appropriate and prompt resolution of all cases and jury functions referred to the 19<sup>th</sup> Judicial Circuit.

#### Objectives

- ◆ To efficiently process County residents serving as jurors by maintaining the daily rate of utilization at no less than 100 percent, in order to minimize the impact on the personal and professional lives of the residents of Fairfax County who are called upon to perform their civic duty.

# Circuit Court and Records

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Output:</b>					
Average number of residents called each day for jury selection	71.0	74.3	71.0 / 67.2	67.0	67.0
<b>Efficiency:</b>					
Cost per juror called for jury selection	\$42.65	\$46.44	\$42.90 / \$49.69	\$52.62	\$52.94
<b>Service Quality:</b>					
Percent jury utilization	108%	99%	108% / 100%	100%	100%
<b>Outcome:</b>					
Percentage point change in juror utilization rate	2	(9)	9 / 1	0	0

## Performance Measurement Results

The number of jurors brought into Circuit Court to serve on cases is a result of the number of cases on the docket as of 4:00 p.m. the day prior to the date of service. A formula is used to ensure that sufficient jurors are available for *voir dire* (impaneling of jury) on each case. If a case settles after 4:00 p.m. and prior to 9:00 a.m. the number of jurors calculated and called for that particular case become extra jurors. It should be noted that the FY 2006 and FY 2007 efficiency estimates include projected salary increases for agency employees.

## Clerk's Office

Funding Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	37/ 37	37/ 37	40/ 40	40/ 40
Exempt	8/ 8	8/ 8	8/ 8	8/ 8
<b>Total Expenditures</b>	<b>\$3,454,584</b>	<b>\$3,461,831</b>	<b>\$3,528,345</b>	<b>\$3,693,612</b>

Position Summary				
1 Management Analyst II	1 Accountant II	1 County Clerk (Elected) E		
1 Management Analyst I	1 Accountant I	1 Deputy County Clerk E		
1 Legal Records/Services Manager	5 Administrative Assistants V	1 Chief of Administrative Services E		
1 Programmer Analyst IV	4 Administrative Assistants IV	1 Management Analyst III E		
1 Programmer Analyst III	2 Administrative Assistants III	1 Management Analyst II E		
2 Programmer Analysts II	14 Administrative Assistants II	1 Administrative Assistant IV E		
2 Network/Telecom. Analysts III	1 Administrative Associate	1 Administrative Assistant III E		
1 Network/Telecom. Analyst II	1 Info. Tech. Program Mgr. I	1 Administrative Assistant II E		
1 Info. Tech Technician I				
<b>TOTAL POSITIONS</b>				
48 Positions / 48.0 Staff Years			E Denotes Exempt Positions	

# Circuit Court and Records

## Key Performance Measures

### Goal

To provide effective management of the various components and employees of the Clerk's office in order to produce efficient and effective service to the legal community and the general public.

### Objectives

- ◆ To maintain an average fiduciary appointment waiting time of 1 week in order to serve the probate needs of Fairfax County residents in a timely manner.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Output:</b>					
Fiduciary appointments scheduled per day	29	27	30 / 26	26	26
<b>Efficiency:</b>					
Cost per appointment	\$48.77	\$47.94	\$51.85 / \$55.72	\$60.55	\$62.42
<b>Service Quality:</b>					
Average probate appointment book waiting time (in weeks)	1.0	5.0	2.5 / 1.0	1.0	1.0
<b>Outcome:</b>					
Percent change in waiting time	0.0%	400.0%	(50.0%) / (80.0%)	0.0%	0.0%

## Performance Measurement Results

In FY 2004, staff illness and vacancies precluded the Probate section from handling the workload in the same timeframe as had been done in previous years. The vacancies that presented themselves in FY 2004 were filled and staff was fully proficient in all required procedures in FY 2005. It should be noted that the FY 2006 and FY 2007 efficiency estimates include projected salary increases for agency employees.

## Judicial Support

Funding Summary				
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	7/ 7	7/ 7	7/ 7	7/ 7
Exempt	16/ 16	16/ 16	16/ 16	16/ 16
State	15/ 15	15/ 15	15/ 15	15/ 15
<b>Total Expenditures</b>	<b>\$1,134,322</b>	<b>\$1,260,829</b>	<b>\$1,359,663</b>	<b>\$1,413,806</b>

Position Summary			
1 Chief Judge S	1 Management Analyst III E	4 Administrative Assistants IV	
14 Judges S	2 Administrative Assistants V	1 Management Analyst II	
15 Judicial Law Clerks E			
<b>TOTAL POSITIONS</b>		<b>E Denotes Exempt Position</b>	
<b>38 Positions / 38.0 Staff Years</b>		<b>S Denotes State Position</b>	

# Circuit Court and Records

## Key Performance Measures

### Goal

To provide full administrative support and clerical services to the Judges of the 19<sup>th</sup> Circuit in order to ensure appropriate and prompt resolution of cases.

### Objectives

- ◆ To maintain the law case processing and disposition rate at 92 percent. The state average is 75 percent and the voluntary case processing guidelines adopted by the Judicial Council recommend 90 percent disposition of law cases filed within one year.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Output:</b>					
Law cases concluded through the Differential Case Tracking Program (DCTP)	3,660	3,173	4,000 / 2,825	3,000	30,000
<b>Efficiency:</b>					
Cost per case concluded in DCTP	\$150.26	\$131.00	\$136.26 / \$186.62	\$180.91	\$186.91
<b>Service Quality:</b>					
Percent of DCTP cases concluded within one year	86%	81%	86% / 92%	92%	92%
<b>Outcome:</b>					
Percentage point change of DCTP caseload concluded within one year	1	(5)	5 / 11	0	0

## Performance Measurement Results

Prior to FY 2005, the primary case management system used in the Docket Control Tracking Program (DCTP) for Chancery cases was a County mainframe system. At the same time, one of the components of FullCourt was also being used for scheduling and maintaining calendars. This resulted in an inefficient use of time. Now that FullCourt is the one and only system being used, the ability to conclude cases within one year of the filing date has increased. It should be noted that the FY 2006 and FY 2007 efficiency estimates include projected salary increases for agency employees.