Judicial Administration Program Area Summary

Overview

The four agencies in this program area – Circuit Court and Records, Office of the Commonwealth's Attorney, General District Court and the Office of the Sheriff – are all dedicated to providing equal access for the fair and timely resolution of court cases. The Circuit Court, with 15 judges, has jurisdiction in criminal cases that involve a possible sentence to the State Penitentiary as well as misdemeanor appeals. It also has civil jurisdiction for adoptions, divorces and lawsuits where the claim exceeds $15,000. The General District Court has ten judges and exercises jurisdiction over criminal and traffic court, and civil/small claims (not exceeding $2,000). The General District Court also assists defendants who request court-appointed counsel or interpretation services, interviews defendants in jail in order to assist judges and magistrates with release decisions, operates a supervised release program, and provides probation services to convicted misdemeanants and convicted non-violent felons.

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. He is elected by the voters of Fairfax County and Fairfax City and is responsible for the prosecution of crimes. The Office of the Sheriff falls under two program areas – Judicial Administration and Public Safety. In the Judicial Administration program area, approximately 26 percent of the agency staff ensure courtroom and courthouse security, as well as provide service of legal process, contributing to the swift and impartial adjudication of all criminal and civil matters before the courts.

A major development affecting this program area in FY 2007 is a major expansion to the Jennings Judicial Center, anticipated to be complete in April 2007. This expansion includes a 316,000-square-foot addition to the existing building including courtrooms, chambers, office space, necessary support spaces, and site improvements. The expansion will consolidate court services, reduce overcrowding, allow after-hour access to the public law library and other court clerk functions, and provide additional courtroom space. The Courthouse Expansion is greatly needed to keep pace with the growth in population which has had a direct impact on caseload growth, translating into additional judges and support staff.

Strategic Direction

As part of the countywide focus on developing strategic plans, agencies took steps to establish or update their vision and values statements; perform environmental scans; and define strategies for achieving their missions. These are then linked to the overall County Core Purpose and Vision Elements (see adjacent box). Common themes in the Judicial Administration program area include:

- Equal access to justice
- Fair and timely resolution of cases
- Effective use of technology
- Volunteer utilization
- Courthouse security

COUNTY CORE PURPOSE

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County by:

- Maintaining Safe and Caring Communities
- Building Livable Spaces
- Practicing Environmental Stewardship
- Connecting People and Places
- Creating a Culture of Engagement
- Maintaining Healthy Economies
- Exercising Corporate Stewardship

A high workload continues to challenge each of the agencies in the Judicial Administration program area. These workloads require each of the affected agencies to find ways to leverage constant or even decreasing resources in the face of increasing demands, largely due to the growing population.

In 2004, the Circuit Court recorded 476,862 documents, more than double the average for the last 15 years. Although the number of documents processed in 2005 moderated due to rising interest rates and a subsequent slowdown in the number of refinances, 376,776 documents were recorded. This workload still represents a substantial increase over previous years' averages. Prior to the automated recording system, land documents were manually processed. Through advanced technologies such as digital imaging and electronic filing, the Circuit Court continues to revolutionize the manner in which court documents are recorded, filed and accessed. For instance, public access of court records is available through the Court's Public Access Network (CPAN), which is a secure remote access system. CPAN users increased from 505 users in FY 2004 to 1,158 users in FY 2005, an increase of 129.3 percent. Usage of CPAN as well as the Court Automated Recording System (CARS) can be used to research 31 million land record images for use in buying, selling and developing properties in Fairfax County. The CPAN and CARS capabilities, which are utilized by Circuit Court staff, other County agencies, banks, mortgage and title companies, law firms and the general public, also provide access to information about law and chancery matters, civil case enforcement, civil and criminal service information, real estate assessments, and delinquent real estate tax information. Forms available on the Circuit Court Web site now allow for certain documents to be filed electronically and provide residents with the ability to complete their juror questionnaires on-line. The Circuit Court will continue to research advancements which will permit more forms to be filed electronically in the coming years.

In the Office of the Commonwealth's Attorney, the caseload of the office is substantial and is one of the highest per prosecutor in the Commonwealth. For example, it handles such offenses as murder, rape, robbery, burglary and illegal drug sales, from arrest to trial. It prosecutes a wide variety of misdemeanor and traffic cases, including more than 4,000 driving under-the-influence violations, as well as thousands of assaults and petty thefts.

The General District Court has also been impacted by increases in caseload, especially in the last two years where it has seen more than a 22.0 percent increase in total cases. In particular, the Traffic caseload increased by 58,441 new cases or 31.4 percent in calendar year 2005 over the calendar year 2003 amount. Another factor impacting workload requirements is the increasingly diverse population served. Additional resources need to be utilized to translate forms, signage, Web site information, and automated phone system messaging. In FY 2005, interpretation services were provided for 17,220 clients, including 15,466 Spanish clients, 1,007 Korean clients, 325 Vietnamese clients, and 422 clients of various other languages. Overcoming language and cultural barriers is crucial to providing a diverse clientele with quality services. The General District Court is also looking to technology as one way to help handle the increased workload more effectively. For instance, Court Services is working with the County Department of Information and Technology (DIT) to interface systems in an effort to avoid multiple data entry, delays and hindered productivity.

The expansion of the Judicial Center will give rise to new demands for the Sheriff's Office. In FY 2005, visitors to the court facilities totaled 1,147,169 with 496,080 court cases heard. Visitors are expected to increase in response to a growing population in the County as well as in the region. The Sheriff's Office will continue to ensure that there is no corresponding increase in security risks and will continue to provide the highest degree of safety to the residents of Fairfax County. To help provide the necessary level of security within the expanded Courthouse, 6/6.0 SYE positions, including 5/5.0 SYE Deputy Sheriff II positions and 1/1.0 SYE Deputy Sheriff I position have been included for FY 2007.

More on each agency in this program area can be found in the individual narratives that follow this section. The complete budget narrative pertaining to the Office of the Sheriff can be found in the Public Safety program area section of Volume I.

Linkage to County Vision Elements

This program area supports the following four of the seven County Vision Elements:

- Maintaining Safe and Caring Communities
- Connecting People and Places
- Creating a Culture of Engagement
- Exercising Corporate Stewardship

Predominant among the strategic priorities of this program area is the **Maintaining Safe and Caring Communities** vision element. All four of the agencies work in concert to realize that vision. The Sheriff's Office provides security for judges and courtrooms located in the County, as well as the City of Fairfax and the Towns of Herndon and Vienna. It was responsible for safely escorting 24,670 prisoners to and from these courts in FY 2005. After defendants are booked, the staff in the General District Court's Pre-Trial Release Program performs a review to determine which defendants can be released at the initial bail hearing instead of at the arraignment hearing. This saved 721 jail days in FY 2005, reducing the cost of incarceration, while ensuring that the public is at minimal risk. The state-mandated Pre-Trial Risk Assessment instrument is used to improve the assessment of defendants' risk factors. All three courts – Circuit, General District, and Juvenile and Domestic Relations District (in the Public Safety program area) work closely to create a standardized list of qualified foreign language interpreters to ensure that only the most qualified are used in the courtroom, thus affording equal access to non-English petitioners before the court. The General District Court is continuing to develop training programs related to cultural awareness and the use of interpreters and is working with the state to re-administer certification examinations to increase the number of available interpreters. The courts are also increasing the number of volunteers recruited and are expanding their duties to help address a growing workload without adding paid positions. Managing community service is another key function of the General District Court, which had 63 citizens/interns volunteer a total of 6,021 hours in FY 2005.

As discussed, Judicial Administration agencies are using technology extensively to address the **Connecting People and Places** vision element. The Circuit Court is continually making additional forms available on their Web site. These forms are consistent in form and processing capabilities with state and County paper forms and are interactive, meaning that the public can access and complete them conveniently at home, saving unnecessary trips to the Judicial Center. Residents also have access to juror information 24 hours a day, seven days a week through the Web and the telephone, allowing them access when they need it, not just when staff is available. Through the Court's Public Access Network, or CPAN, public access of court records is available through a secure remote access system.

This program area also emphasizes the use of volunteers as critical to **Creating a Culture of Engagement**. As noted above under the **Maintaining Safe and Caring Communities** vision element, the number and scope of volunteer opportunities have been expanded. This helps leverage scarce resources as volunteers provide support for administrative, accounting and technology functions. This also helps them to better understand the role the courts play in the community and connects them to their local government. Volunteer opportunities are not only advertised through Volunteer Fairfax, but are also posted on the County Web site to provide easier and more widespread access.

Managing in a resource-constrained environment, while the service population and accompanying needs are increasing, presents a challenge to be creative if agencies are to fulfill their missions. As an example of **Exercising Corporate Stewardship**, the courts implemented a case management e-filing system with imaging components to place case information on the Internet, providing attorneys and others with 24/7 access to court calendars and information screens.

Judicial Administration Program Area Summary

Program Area Summary by Character

Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Authorized Positions/Staff Years				
Regular	342/ 341	343/ 342	344/ 343	350/ 349
Exempt	28/ 28	28/ 28	28/ 28	28/ 28
State	139/ 132	139/ 132	139/ 132	139/ 132
Expenditures:				
Personnel Services	$21,196,779	$22,134,189	$22,493,163	$24,002,139
Operating Expenses	6,262,487	6,442,477	6,597,910	7,231,796
Capital Equipment	82,792	0	106,850	0
Total Expenditures	**$27,542,058**	**$28,576,666**	**$29,197,923**	**$31,233,935**
Income	**$25,676,042**	**$19,688,734**	**$25,709,641**	**$26,051,766**
Net Cost to the County	**$1,866,016**	**$8,887,932**	**$3,488,282**	**$5,182,169**

Program Area Summary by Agency

Agency	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan
Circuit Court and Records	$9,073,973	$9,737,048	$10,011,893	$10,253,225
Office of the Commonwealth's Attorney	1,847,417	2,067,546	2,073,881	2,210,408
General District Court	1,729,551	1,986,031	2,037,762	2,206,288
Office of the Sheriff	14,891,117	14,786,041	15,074,387	16,564,014
Total Expenditures	**$27,542,058**	**$28,576,666**	**$29,197,923**	**$31,233,935**

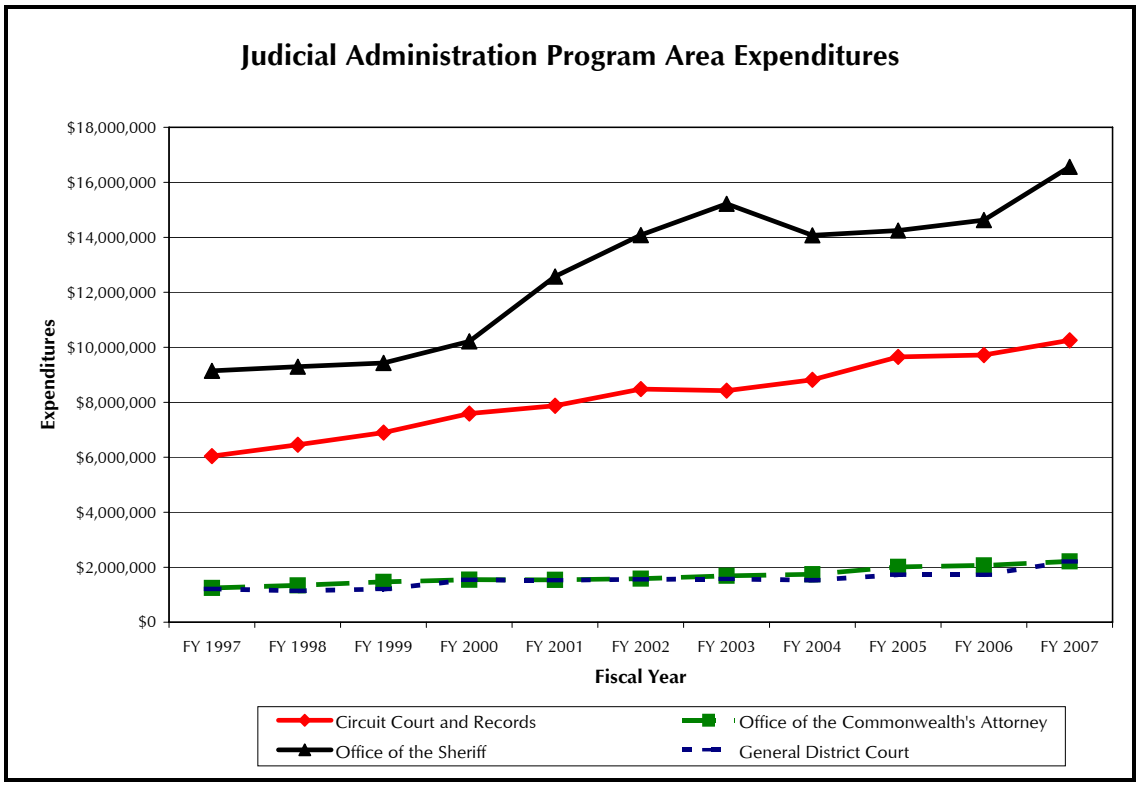
Budget Trends

For FY 2007, the recommended funding level of $31,233,935 for the Judicial Administration program area comprises 2.7 percent of the total recommended General Fund expenditures of $1,166,552,092. It also includes 378 or 3.2 percent of total authorized positions for FY 2007 (not including state positions).

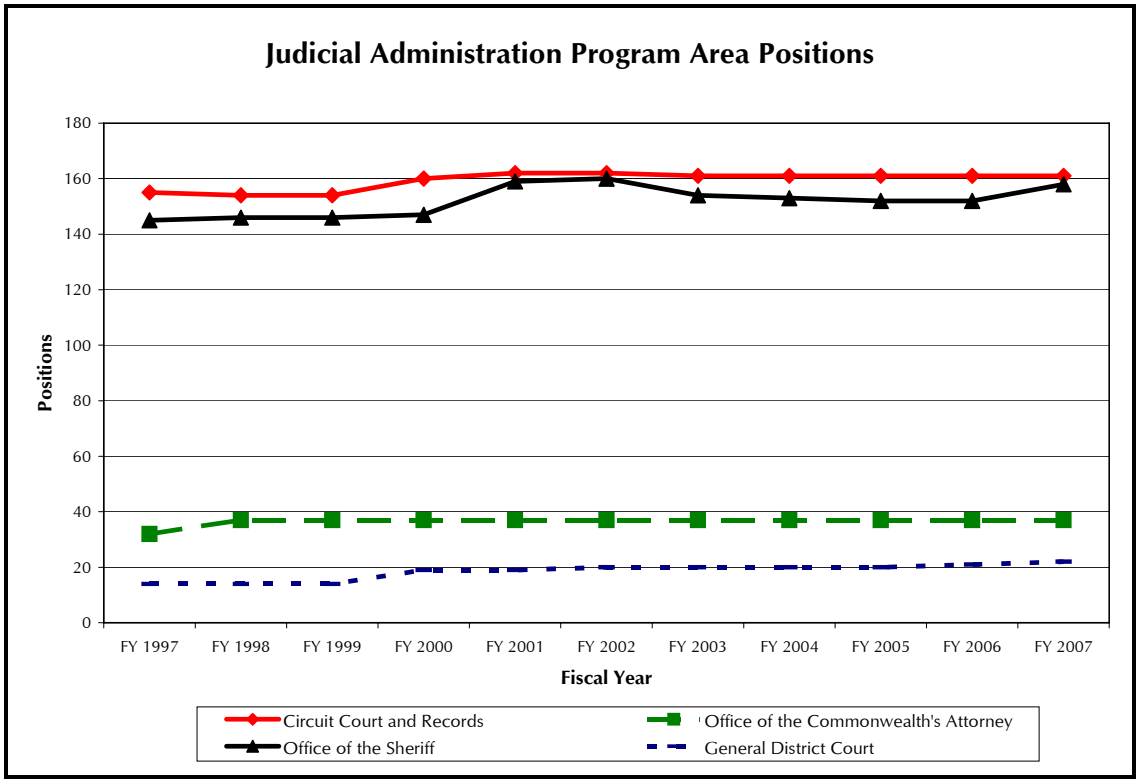
Judicial Administration program area expenditures will increase by $2,036,012, or 7.0 percent, over the *FY 2006 Revised Budget Plan* expenditure level. This increase represents 4.8 percent of the total General Fund direct expenditure increases in FY 2007 and is primarily associated with Personnel Services costs related to salary adjustments necessary to support the County's compensation program, as well as increases to the shift differential rate and holiday pay for all the agencies in this program area. In addition, the increase is due to the addition of 5/5.0 SYE Deputy Sheriff II positions and 1/1.0 SYE Deputy Sheriff I position in the Office of the Sheriff to provide the necessary level of security within the expanded Courthouse. It is important to note that revenue, predominantly for fines and forfeitures, offsets a majority of the costs of this program area. For FY 2007, projected revenue of $26,051,766 represents 83.4 percent of total expenditures.

The graphs on the following page illustrate funding and position trends for the four agencies in this program area.

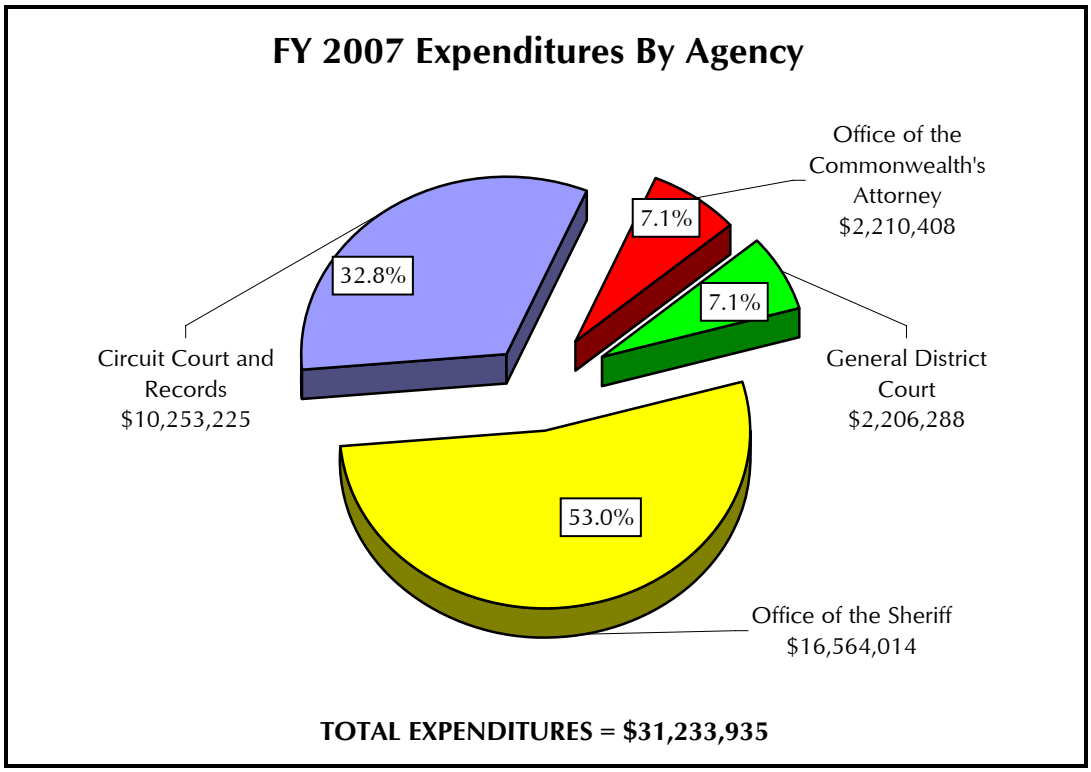
Trends in Expenditures and Positions

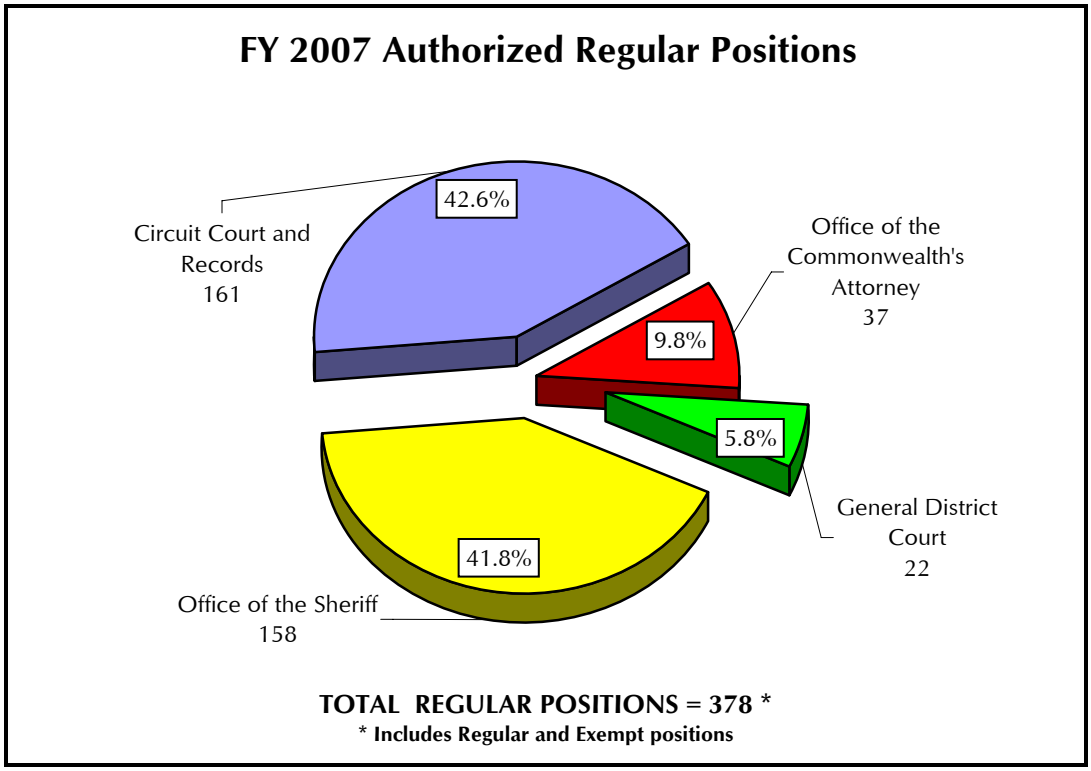


Note: The spike in expenditures during FY 2003 for the Office of the Sheriff was due to two payments made to the consultant for the Illegal Alien Grant, based on the timing of the grant award. In addition, FY 2003 overtime costs were higher than anticipated due to turnover.



FY 2007 Expenditures and Positions by Agency



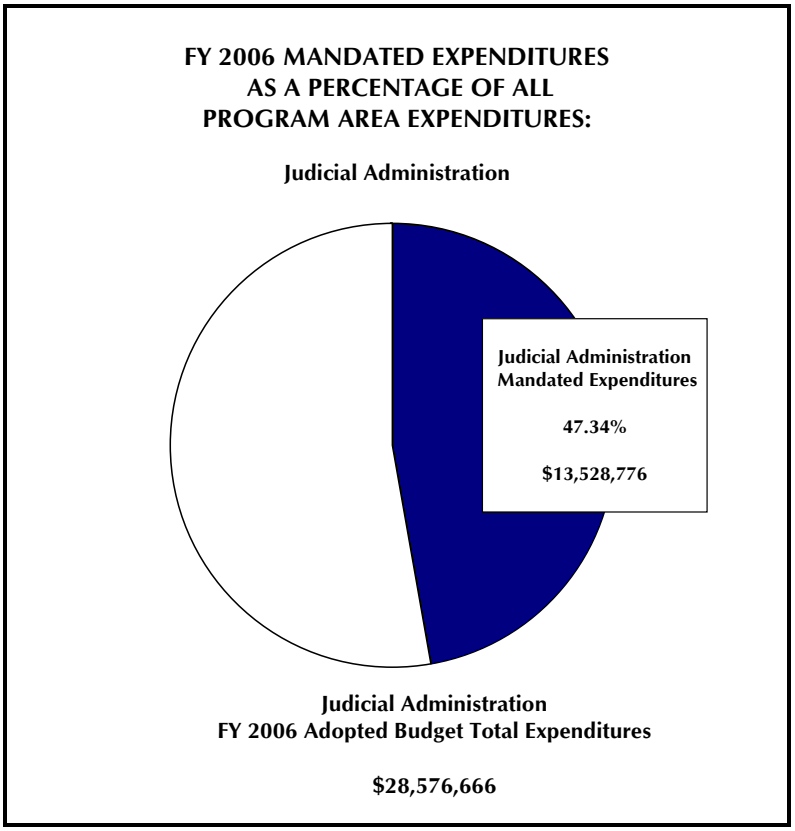


Federal and State Mandates

For purposes of compiling federal and state mandate data, the Office of the Sheriff is reflected entirely in the Public Safety program area. Thus only mandate data pertaining to the remaining three agencies is reflected in this section. These three agencies are primarily driven by state code and thus function almost entirely as a result of state mandate.

Circuit Court and Records operates under state code for all of its programs including civil and criminal case management, as well as land records and probate services. The Commonwealth Attorney is a state constitutional officer; this agency too only operates programs, such as the prosecution of criminal cases, which are mandated by state law. The Code of Virginia has established the 19th District Court to Fairfax County and the City of Fairfax, and currently operates with ten judges. General District Court is part of the judicial branch of the state of Virginia, with most of its programs state mandated and state funded. The expenditures for the majority of the agency are located and supported by the state budget, including traffic court and civil cases. A portion of the General District Court - Court Services Division, which manages services such as interpretation and pretrial community supervision to defendants awaiting trail, however is locally funded and only partially mandated. The non-mandated portion of this Division is maintained as a result of local public policy.

In FY 2006, the agencies in this program area (excluding the Office of the Sheriff as noted above) anticipate spending $13.5 million to comply with federal and state mandates, receiving $15.9 million in revenue (to include federal, state, and user fee/other revenue), for a net savings to the County of $2.4 million. This net savings is primarily a result of the user fee/other revenue received by the courts for fines and fees.

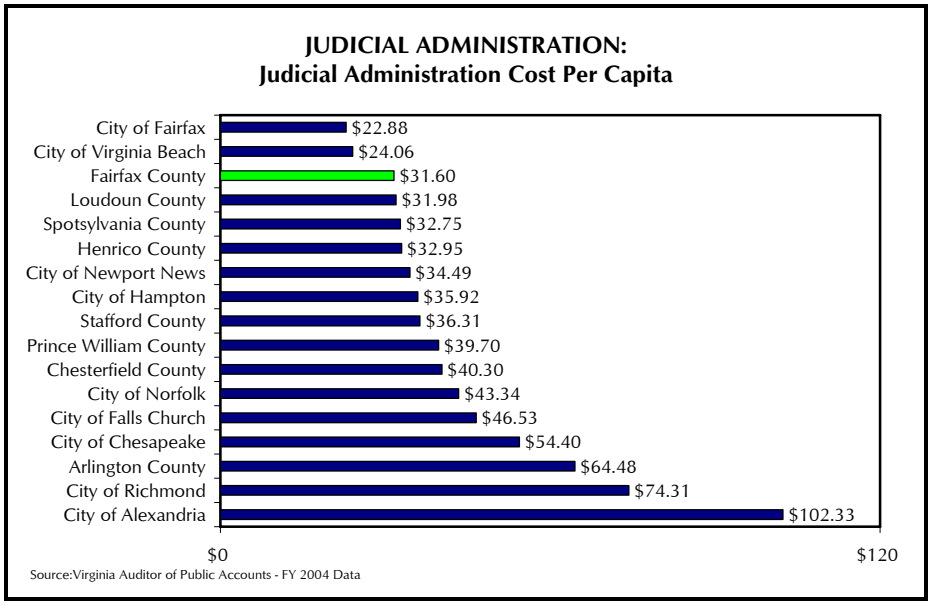


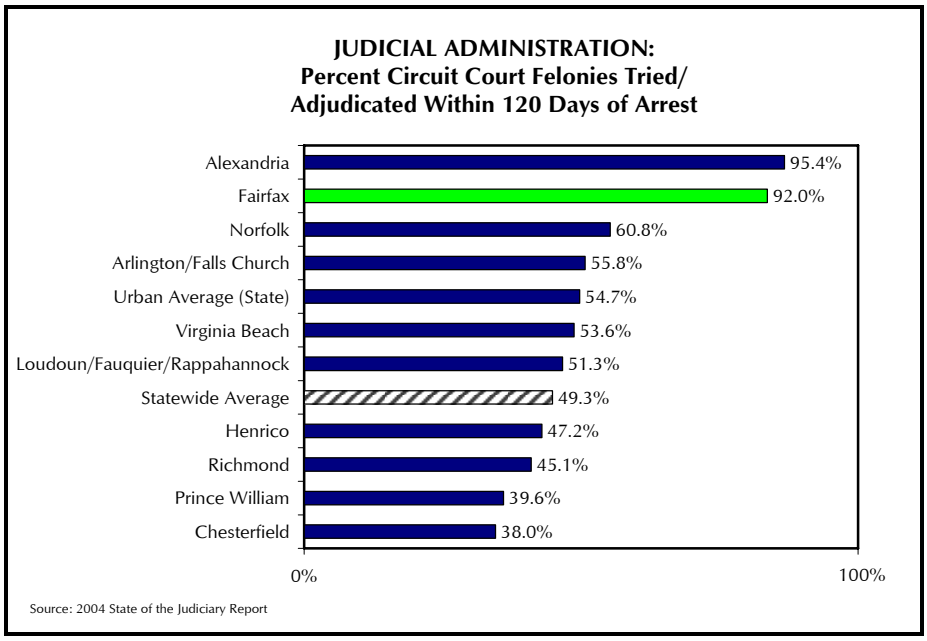
Benchmarking

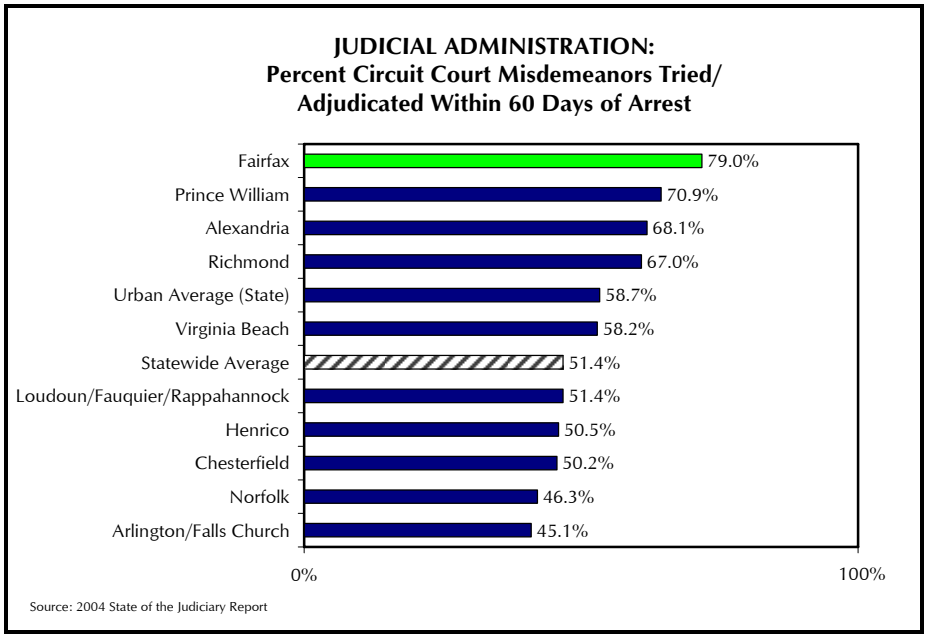
Since the FY 2005 Budget, benchmarking data have been included in the annual budget as a means of demonstrating accountability to the public for results achieved. These data are included in each of the Program Area Summaries in Volume 1 and now in Other Funds (Volume 2) as available. As part of an effort to identify additional performance benchmarks, data collected by the Auditor of Public Accounts (APA) for the Commonwealth of Virginia that show cost per capita in each of the seven program areas were included for the first time in the FY 2006 Budget. FY 2004 represents the most recent year for which data are available due to the time required to collect and verify the data. An advantage to including these APA data is the comparability. In Virginia, local governments follow stringent guidelines regarding the classification of program area expenses. Cost data are provided annually to the APA for review and compilation in an annual report. Since these data are not prepared by any one jurisdiction, their objectivity is less questionable than they would be if collected by one of the participants. In addition, a standard methodology is consistently followed, allowing comparison over time. For each of the program areas, these comparisons of cost per capita are the first benchmarks shown in these sections. As seen below, Fairfax County has one of the lowest cost per capita rates in the Judicial Administration program area among Northern Virginia localities and other large Virginia jurisdictions.

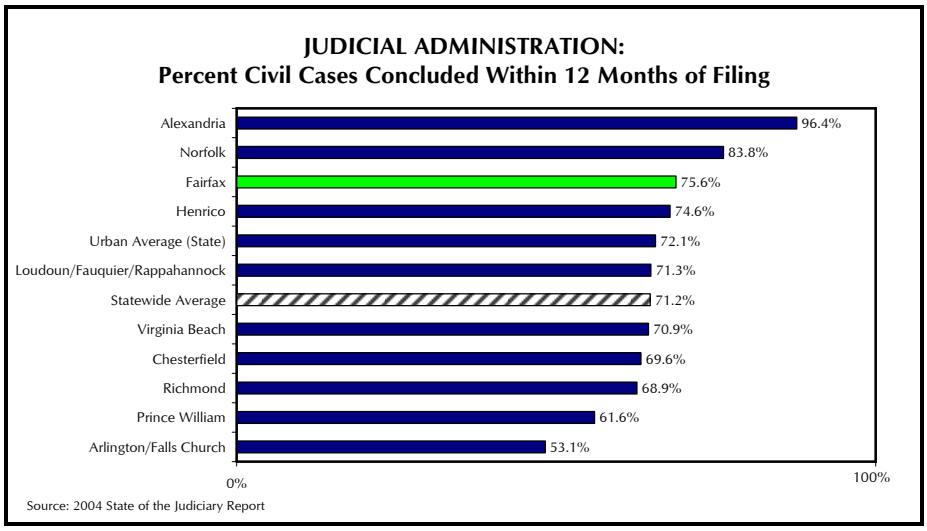
While a major portion of Fairfax County's comparative performance data comes from the International City/County Management Association's (ICMA) benchmarking effort, judicial administration is not a service area that is addressed in that program. However, the State Supreme Court produces an extensive report on the annual "State of the Judiciary." The most recent report available is for Calendar Year 2004. This report provides detailed data for each of the districts in the Commonwealth of Virginia and addresses Circuit, General District and Juvenile and Domestic Relations District Courts. Trends within each district are provided, as are comparisons to state averages. The charts shown below reflect data from this report.

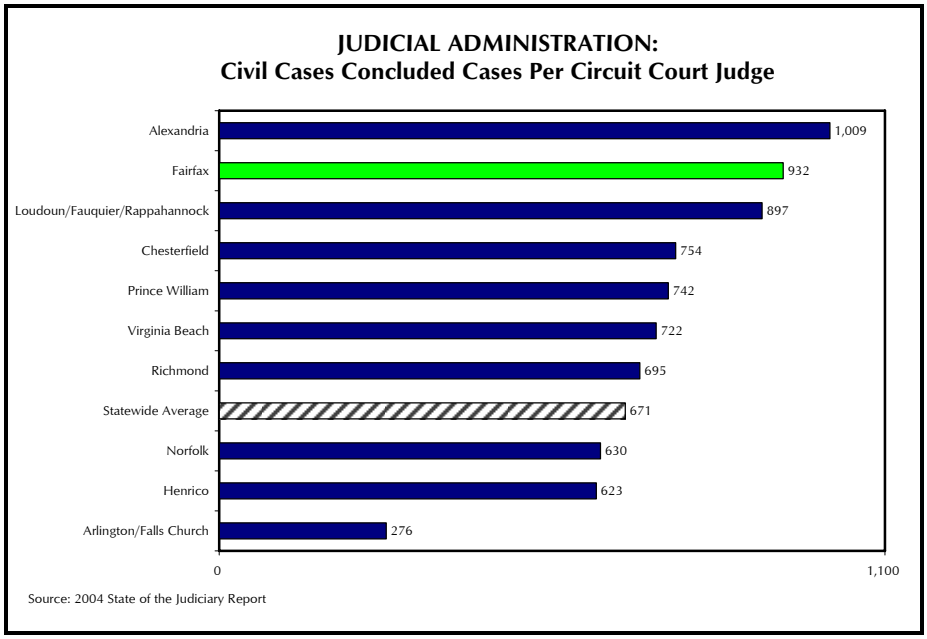
As can be seen on the following page, 92.0 percent of felony cases in Fairfax's Nineteenth Circuit in 2004 were tried/adjudicated within 120 days of arrest, attesting to the timeliness of justice in Fairfax County. Among the 31 circuits in the Commonwealth, the Nineteenth ranked second in 2004 and was considerably above the statewide average of 49.3 percent. In terms of the percentage of misdemeanors tried/adjudicated within 60 days of arrest, Fairfax County ranked first in the state at 79.0 percent. The statewide average was 51.4 percent.

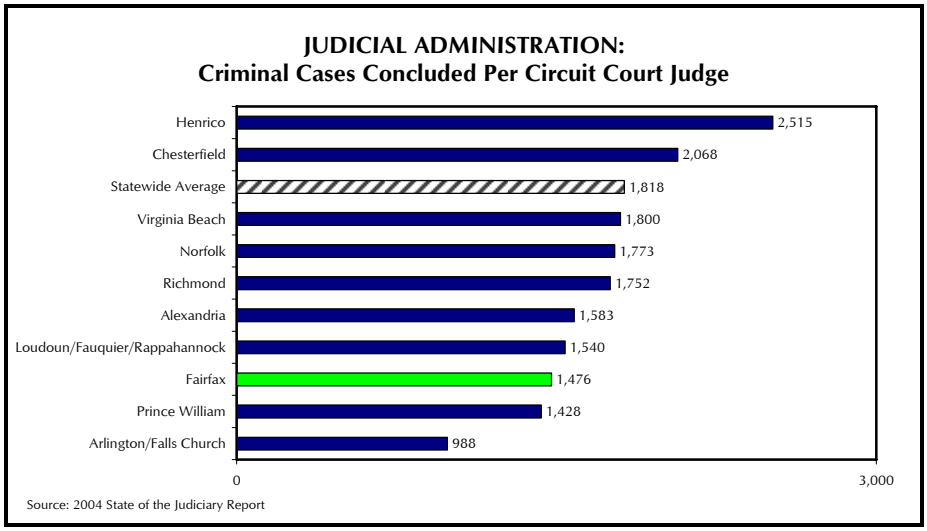


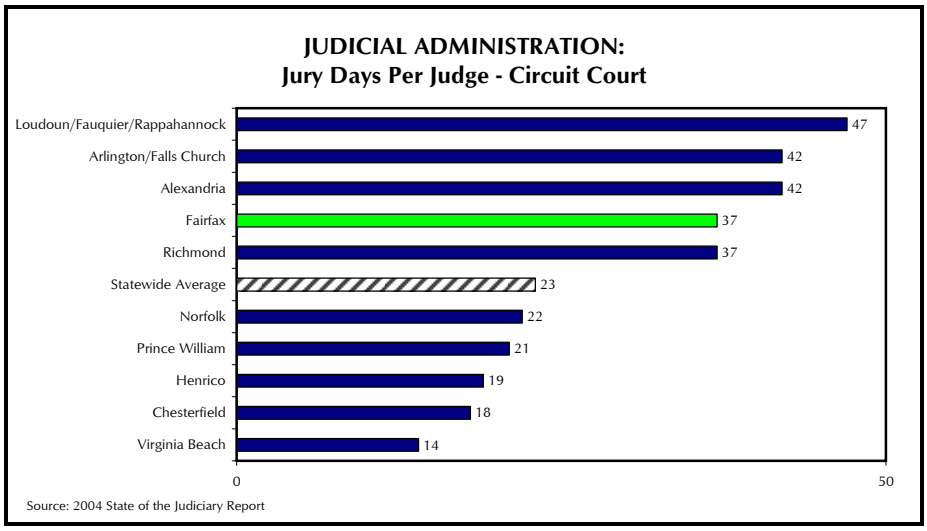

JUDICIAL ADMINISTRATION:
Percent Circuit Court Felonies Tried/
Adjudicated Within 120 Days of Arrest
Alexandria 95.4%
Fairfax 92.0%
Norfolk 60.8%
Arlington/Falls Church 55.8%
Urban Average (State) 54.7%
Virginia Beach 53.6%
Loudoun/Fauquier/Rappahannock 51.3%
Statewide Average 49.3%
Henrico 47.2%
Richmond 45.1%
Prince William 39.6%
Chesterfield 38.0%
0%
100%
Source: 2004 State of the Judiciary Report

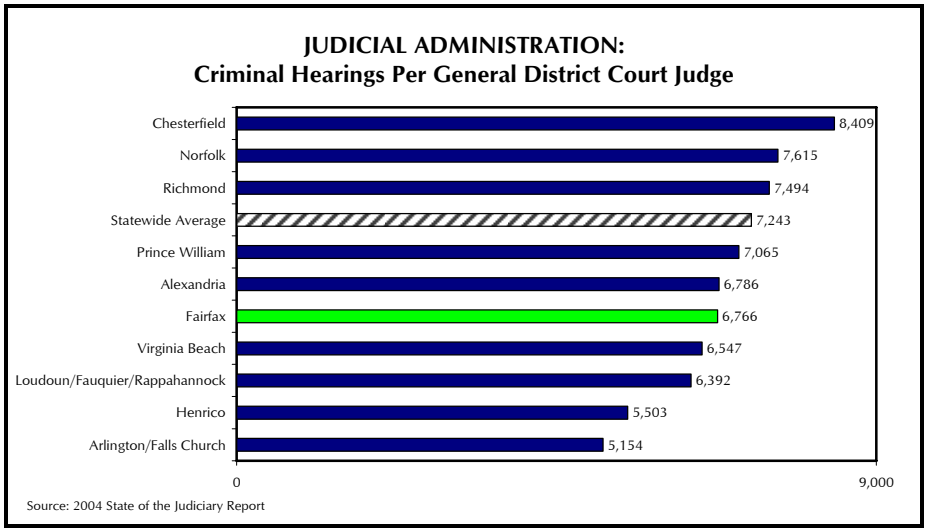

JUDICIAL ADMINISTRATION:
Percent Circuit Court Misdemeanors Tried/
Adjudicated Within 60 Days of Arrest
Fairfax 79.0%
Prince William 70.9%
Alexandria 68.1%
Richmond 67.0%
Urban Average (State) 58.7%
Virginia Beach 58.2%
Statewide Average 51.4%
Loudoun/Fauquier/Rappahannock 51.4%
Henrico 50.5%
Chesterfield 50.2%
Norfolk 46.3%
Arlington/Falls Church 45.1%
0%
100%
Source: 2004 State of the Judiciary Report

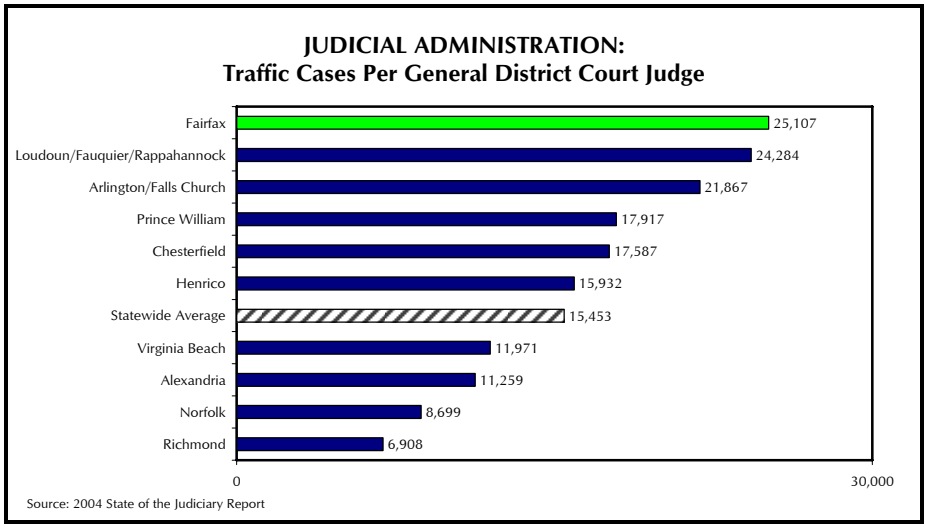

JUDICIAL ADMINISTRATION:
Percent Civil Cases Concluded Within 12 Months of Filing
Alexandria 96.4%
Norfolk 83.8%
Fairfax 75.6%
Henrico 74.6%
Urban Average (State) 72.1%
Loudoun/Fauquier/Rappahannock 71.3%
Statewide Average 71.2%
Virginia Beach 70.9%
Chesterfield 69.6%
Richmond 68.9%
Prince William 61.6%
Arlington/Falls Church 53.1%
0%
100%
Source: 2004 State of the Judiciary Report

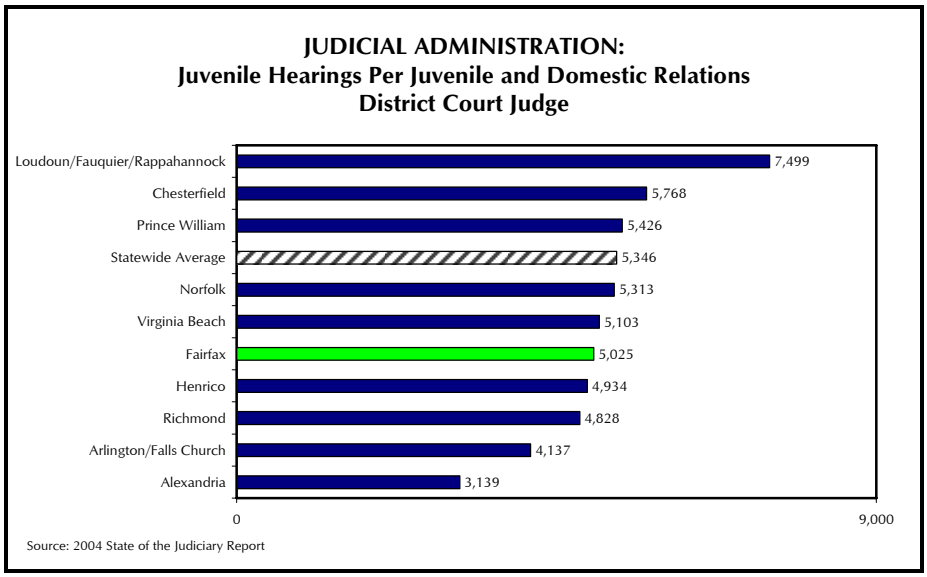

JUDICIAL ADMINISTRATION:
Civil Cases Concluded Cases Per Circuit Court Judge
Alexandria 1,009
Fairfax 932
Loudoun/Fauquier/Rappahannock 897
Chesterfield 754
Prince William 742
Virginia Beach 722
Richmond 695
Statewide Average 671
Norfolk 630
Henrico 623
Arlington/Falls Church 276
0
1,100
Source: 2004 State of the Judiciary Report

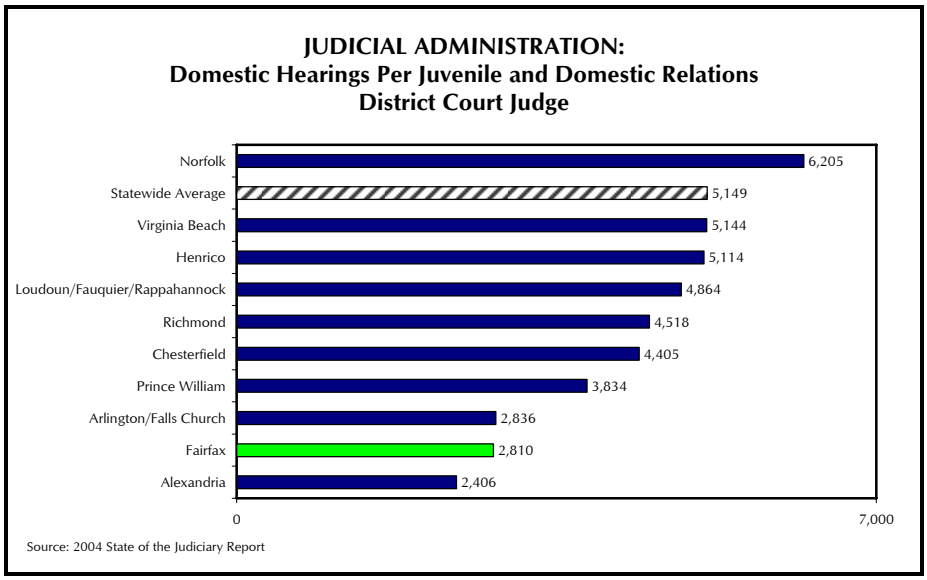

JUDICIAL ADMINISTRATION:
Criminal Cases Concluded Per Circuit Court Judge
Henrico 2,515
Chesterfield 2,068
Statewide Average 1,818
Virginia Beach 1,800
Norfolk 1,773
Richmond 1,752
Alexandria 1,583
Loudoun/Fauquier/Rappahannock 1,540
Fairfax 1,476
Prince William 1,428
Arlington/Falls Church 988
0
3,000
Source: 2004 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Jury Days Per Judge - Circuit Court
Loudoun/Fauquier/Rappahannock 47
Arlington/Falls Church 42
Alexandria 42
Fairfax 37
Richmond 37
Statewide Average 23
Norfolk 22
Prince William 21
Henrico 19
Chesterfield 18
Virginia Beach 14
0
50
Source: 2004 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Criminal Hearings Per General District Court Judge
Chesterfield 8,409
Norfolk 7,615
Richmond 7,494
Statewide Average 7,243
Prince William 7,065
Alexandria 6,786
Fairfax 6,766
Virginia Beach 6,547
Loudoun/Fauquier/Rappahannock 6,392
Henrico 5,503
Arlington/Falls Church 5,154
0
9,000
Source: 2004 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Traffic Cases Per General District Court Judge
Fairfax 25,107
Loudoun/Fauquier/Rappahannock 24,284
Arlington/Falls Church 21,867
Prince William 17,917
Chesterfield 17,587
Henrico 15,932
Statewide Average 15,453
Virginia Beach 11,971
Alexandria 11,259
Norfolk 8,699
Richmond 6,908
0
30,000
Source: 2004 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Juvenile Hearings Per Juvenile and Domestic Relations
District Court Judge
Loudoun/Fauquier/Rappahannock 7,499
Chesterfield 5,768
Prince William 5,426
Statewide Average 5,346
Norfolk 5,313
Virginia Beach 5,103
Fairfax 5,025
Henrico 4,934
Richmond 4,828
Arlington/Falls Church 4,137
Alexandria 3,139
0
9,000
Source: 2004 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Domestic Hearings Per Juvenile and Domestic Relations
District Court Judge
Norfolk 6,205
Statewide Average 5,149
Virginia Beach 5,144
Henrico 5,114
Loudoun/Fauquier/Rappahannock 4,864
Richmond 4,518
Chesterfield 4,405
Prince William 3,834
Arlington/Falls Church 2,836
Fairfax 2,810
Alexandria 2,406
0
7,000
Source: 2004 State of the Judiciary Report