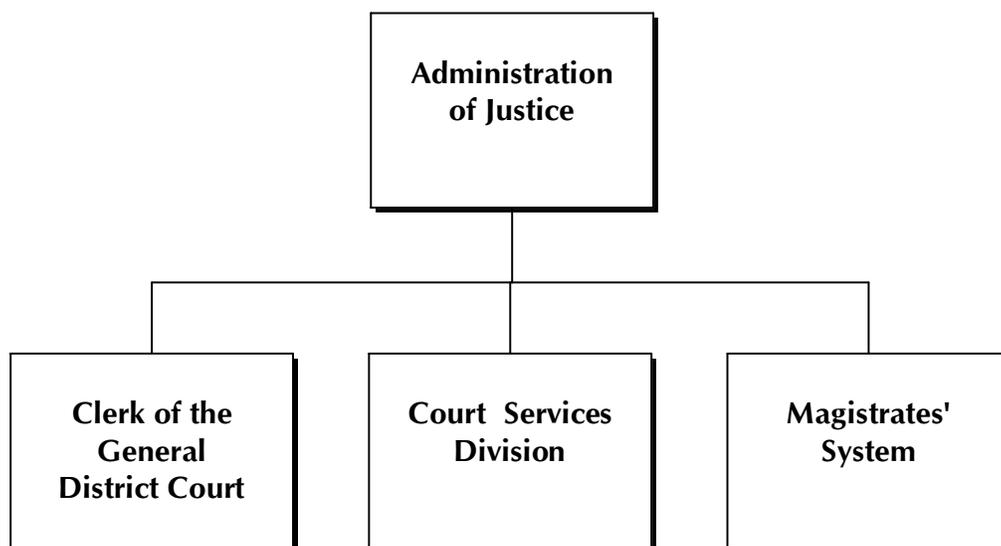


General District Court



Mission

To provide equal access for the fair and timely resolution of court cases. The Court Services Division serves the Courts and the community by providing information, client supervision and a wide range of services in a professional manner while advocating public safety.

Focus

The General District Court (GDC) operates under the administrative guidance of the Office of the Executive Secretary of the Supreme Court of the Commonwealth of Virginia and the Committee on District Courts. It administers justice in the matters before the Court. The Court's operations include three divisions – Civil/Small Claims, Criminal and Traffic Court, as well as the Magistrate's Office and Court Services.

The General District Court is part of the judicial branch of the state government and its clerical office staff is almost entirely state funded. The Court Services Division (CSD), however, is primarily County funded. The CSD conducts interviews and provides investigation information on incarcerated defendants to assist judges and magistrates with release decisions; pretrial community supervision to defendants awaiting trial; and, probation services to convicted misdemeanants and convicted non-violent felons (Class 5 and Class 6). The CSD also manages court-appointed counsel and interpretation services and provides some services to the Circuit and Juvenile and Domestic Relations District Courts.

County financial constraints and restricted state grant funding affect staffing and the level of service that the agency can provide. New caseload and legislative changes also have a major impact on how the Court operates. Since both of these factors are outside the Court's control, it is often difficult to anticipate trends and future needs. GDC's total caseload increased from 259,293 new cases in calendar year (CY) 2003 to 310,168 new cases in CY 2006.

THINKING STRATEGICALLY

Strategic issues for the department include:

- o Improving the efficiency and effectiveness of daily court operations;
- o Increasing community awareness and participation in the Volunteer Intern Unit; and
- o Improving methods to increase compliance with conditions of supervised release.

General District Court's new cases have shown slight fluctuations in CY 2007, but are expected to remain consistent with CY 2006's total caseload. Criminal and Traffic caseloads are totally dependant on the time and effort initiated by the Fairfax County Police Department and the magistrates. Increased traffic

General District Court

enforcement programs produce sudden, unforeseen increases in the traffic docket. The history of the Court shows heavier traffic caseloads in the second half of the calendar year.

The civil court case count fluctuates as the economy changes. It is expected that the civil caseload will remain consistent in CY 2007.

Type of Case	CY 2003 Actual	CY 2004 Actual	CY 2005 Actual	CY 2006 Actual	CY 2007 Estimate
Criminal	24,921	25,668	26,724	26,599	26,599
Traffic	185,842	225,720	244,286	239,483	239,483
Civil	46,848	44,566	45,344	44,086	44,086
Small Claims ¹	1,682	1,698	NA	NA	NA
TOTAL ²	259,293	297,652	316,354	310,168	310,168

¹ Beginning in CY 2005, Small Claims case statistics were combined with Civil cases.

² In CY 2005, the state's methodology for identifying cases changed, resulting in different case totals than reported in previous budget documents.

The agency has identified three key drivers that impact future initiatives and guide the Court Services Division's goals and objectives. All are carefully aligned with the mission of the Court: to provide access and fair resolution of court cases while advocating public safety.

Staffing and Resources: The operation of CSD depends on funding received from Fairfax County and state grants. Increased funding for the program within the past two years has improved the staffing issues. In FY 2006, CSD received 2/2.0 SYE Probation Counselor II positions due to increased caseload and the need to provide safety to the community by adequately supervising offenders. Although the County funded two additional Probation Counselor II positions, the client ratio to Probation Counselor remained high and in the FY 2007 the state grant provided funding for an additional 1/1.0 SYE Probation Counselor II position. In FY 2006, there was a 16 percent increase in the Supervised Release Program (SRP) caseload and eight percent decline in the Probation caseload. Increases in the SRP caseload have a greater impact on the staff due to the intensity of the supervision: clients' contact is weekly vs. monthly, more written court reports required, etc. The staff time dedicated to SRP defendant vs. probation is recognized by the Department of Criminal Justice Services (DCJS) in the client/staff ratio formula: 40 SRP defendants for one Probation Counselor or 60 probationers for one Probation Counselor. It should be noted that CSD Probation Counselors have dual caseloads, both SRP defendants and probationers. In FY 2006, each Probation Counselor has had a daily average caseload of 24 pretrial defendants and 63 probationers.

In an attempt to respond to current trends, one approach has been more effective use of technology. Court Services was selected by the Department of Criminal Justice Services as a test site for the upgrade and enhancement features to the state automated case management system, Pre-Trial Community Corrections (PT/CC). GDC has a Probation Counselor who is an active participant on the PT/CC Advisory Committee, which is responsible for making recommendations regarding upgrades and enhancements to the PT/CC system. CSD has been cited by DCJS as a model program for our proficient use of PT/CC. Another approach has been the work of the CSD Management Team which continues to meet in an effort to work smarter. The team discusses and brainstorms ways to improve the work environment, increase productivity, create a sense of ownership, and empower the staff.

Caseload: In past years, the number of clients referred by the Court to CSD programs has significantly increased. In FY 2003, pretrial enrollments increased by 22 percent and probation enrollments increased by 18 percent. In FY 2004, pretrial enrollments increased again by 37 percent and probation enrollments increased by 4 percent. An unanticipated 54 percent growth in probation referrals in FY 2005 required CSD to reduce the pretrial enrollments by 33 percent. This action was necessary because the caseload had become unmanageable for existing staff, thus reduction was required to safeguard public safety and to maintain the integrity of the program. Because of additional funding for staff received in FY 2006, CSD was able to increase the SRP caseload by 16 percent. It is very important that the caseloads don't grow too quickly and become unmanageable. CSD is dedicated to providing professional quality service to maintain safe and caring communities.

General District Court

Community Resources: The mental health services crisis across the nation and in the County has recently received much attention in the media. In FY 2005, 30 percent or 354 of the probationers in the County were referred for counseling services, and in FY 2006 the referrals increased to 35 percent or 382 probationers. Additionally, some services are not available through the County (such as sex offenders' treatment). The Probation Officers are challenged to find reliable and affordable treatment providers that can provide services in a timely manner to meet the deadlines imposed by the Courts.

Diversity: According to the U.S. Census, 30 percent of Fairfax County's population speaks a language other than English at home. The General District Court serves an increasingly diverse population. Increased resources need to be utilized in the future to translate forms, signage, web site information and automated phone system messaging. CSD staff manages the interpretation services for the GDC. In FY 2006, interpretation services were provided for 19,364 clients (a 13 percent increase), including 17,079 Spanish speaking clients, 1,276 Korean speaking clients, 543 Vietnamese speaking clients, and 466 clients of various other languages. Bilingual professional staff must continue to be hired and retained. In FY 2006, approximately 28 percent (an increase from 18 percent in FY 2005) of the clients in the Supervised Release Program (SRP) and 12 percent (remained the same as in FY 2005) of the probation clients are Hispanic and speak little or no English. Bilingual probation counselors are required in order to effectively and efficiently manage the caseload. Overcoming language, cultural and disability barriers is crucial in providing a diverse population with quality services. The staff must operate with a high level of cultural competency to interact with an increasingly diverse population.

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

 Maintaining Safe and Caring Communities	Recent Success	FY 2008 Initiative
In FY 2006, the Supervised Release Program increased by 16 percent from 872 to 1,011 defendants. The staff met this challenge and has managed to meet the clients' needs insuring that 81 percent complied with conditions of release.	✓	
Continue to administer the state-mandated Pretrial Risk Assessment instrument which improves the assessment of defendants' risk factors for bond determination by the judiciary. The Risk Assessment is a key component of the pretrial investigations and validates the staff's recommendations. In FY 2006, staff completed 7,665 investigations on incarcerated defendants. The investigation information is also used in bond motion hearings heard in GDC and Circuit Court.	✓	✓
Continue to recruit and retain volunteers while expanding their duties to provide a wider range of services to the Courts. In FY 2006, citizens/interns volunteered approximately 5,400 hours and completed 1,118 financial interviews that are used to determine eligibility for court-appointed counsel.	✓	✓
In FY 2006, CSD was successful in establishing a viable list of community service worksites. Probation Counselors are, during direct placements, cutting out the placement fees charged by other agencies and eliminating one reason why some offenders delay or refuse to comply. In FY 2006, offenders successfully completed just under 6,200 hours of community service.	✓	✓

General District Court

Budget and Staff Resources

Agency Summary				
Category	FY 2006 Actual	FY 2007 Adopted Budget Plan	FY 2007 Revised Budget Plan	FY 2008 Advertised Budget Plan
Authorized Positions/Staff Years ¹				
Regular	22/ 22	22/ 22	22/ 22	22/ 22
State	124/ 117	125/ 118	124/ 117.5	124/ 117.5
Expenditures:				
Personnel Services	\$1,253,518	\$1,374,025	\$1,374,025	\$1,421,801
Operating Expenses	749,587	855,263	882,382	863,263
Capital Equipment	0	0	0	0
Total Expenditures	\$2,003,105	\$2,229,288	\$2,256,407	\$2,285,064
Income:				
Courthouse Maintenance Fees	\$381,973	\$377,600	\$377,600	\$377,600
General District Court Fines/Interest	100,222	111,413	111,413	111,413
General District Court Fines	7,928,662	8,136,512	8,136,512	8,136,512
Miscellaneous Revenue	0	2,500	0	0
Recovered Costs - General District Court	113,852	107,306	116,925	120,433
State Reimbursement - General District Court	64,052	59,224	65,974	67,293
Total Income	\$8,588,761	\$8,794,555	\$8,808,424	\$8,813,251
Net Cost to the County	(\$6,585,656)	(\$6,565,267)	(\$6,552,017)	(\$6,528,187)

¹ State positions are totally funded by the state. However, the County provides Capital Equipment and partial funding support for Operating Expenses for these positions.

Position Summary		
<u>Administration of Justice</u>	<u>Clerk of the General District Court</u>	<u>Court Services Division</u>
1 Chief Judge S		1 Probation Supervisor II
10 General District Judges S	1 Clerk of the General District Court S	1 Probation Supervisor I
1 Secretary S	1 Chief Deputy Clerk S	1 Probation Counselor III
	3 Division Supervisors S	4 Probation Counselors II
	5 Staff Analysts S	5 Probation Counselors I
	9 Section Supervisors S	1 Volunteer Services Coordinator II
1 Chief Magistrate S	61 Deputy Clerks S, 4 PT	1 Administrative Assistant IV
31 Magistrates S, 9 PT		1 Administrative Assistant III
		5 Administrative Assistants II
		1 Network/Telecommunications Analyst II
		1 Management Analyst II
TOTAL POSITIONS		
146 Positions / 139.5 Staff Years		S Denotes State Positions
9/9.0 SYE Grant Positions in Fund 102, Federal/State Grant Fund		PT Denotes Part-time Positions

General District Court

FY 2008 Funding Adjustments

The following funding adjustments from the FY 2007 Revised Budget Plan are necessary to support the FY 2008 program:

- ◆ **Employee Compensation** **\$62,138**
An increase of \$62,138 in Personnel Services is associated with salary adjustments necessary to support the County's compensation program.
- ◆ **Personnel Services Reduction** **(\$14,362)**
A decrease of \$14,362 in Personnel Services as part of an across-the-board reduction to meet budget limitations based on available revenues as a result of a flattening residential real estate market.
- ◆ **Operating Expenses Adjustments** **(\$19,119)**
A net decrease of \$19,119 in Operating Expenses due to a decrease of \$27,119 in one-time funding for encumbered items included in the FY 2006 Carryover Review partially offset by an increase of \$8,000 in the PC Replacement Program based on the number of PCs scheduled to be replaced in FY 2008, according to the four-year replacement cycle.

Changes to FY 2007 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2007 Revised Budget Plan since passage of the FY 2007 Adopted Budget Plan. Included are all adjustments made as part of the FY 2006 Carryover Review and all other approved changes through December 31, 2006:

- ◆ **Carryover Adjustments** **\$27,119**
As part of the FY 2006 Carryover Review, the Board of Supervisors approved encumbered carryover of \$27,119 in Operating Expenses.

Key Performance Measures

Goal

The goal for the Court Services Division is to serve the Courts and the community by providing information, client supervision and a wide range of services in a professional manner while advocating public safety.

Objectives

- ◆ To have 96 percent of the staff bond recommendations, which are based on thorough investigation and sound judgment, accepted by the Judiciary in accordance with legal statute in order to protect public safety.
- ◆ To achieve 81 percent successful closure of the Supervised Release Program (SRP) cases by closely supervising defendants' compliance with the conditions of release.
- ◆ To close 75 percent of the probation cases successfully by closely supervising the probationers' compliance with the conditions of probation.

General District Court

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2004 Actual	FY 2005 Actual	FY 2006 Estimate/Actual	FY 2007	FY 2008
Output:					
Pretrial interviews/investigations conducted	7,622	7,629	7,782 / 7,665	7,669	7,670
Supervised Released Program annual enrollment	1,309	872	916 / 1,011	1,014	1,018
Probation program annual enrollment	768	1,181	1,228 / 1,092	1,095	1,098
Efficiency:					
Average investigations conducted per shift	11	11	11 / 11	11	11
Average daily SRP caseload per Probation Officer	46	32	29 / 24	22	22
Average daily probation caseload per Probation Officer	56	73	66 / 63	57	57
Service Quality:					
Percent of recommendations accepted for defendants' release	96%	98%	96% / 96%	96%	96%
Average failure to appear rate on return court dates	10%	10%	10% / 9%	9%	9%
New arrest violation rate	6%	4%	5% / 5%	5%	5%
Outcome:					
Percent of staff recommendations accepted by the Judiciary	98%	97%	97% / 96%	96%	96%
Percent of SRP cases successfully closed	82%	87%	83% / 81%	81%	81%
Percent of probation cases successfully closed	75%	76%	74% / 75%	75%	75%

Performance Measurement Results

All services provided by the Court Services Division (CSD) address the agency mission to administer justice. CSD provides pretrial and post-trial community supervision, manages the court-appointed attorney system for indigent defendants, manages interpretation services for the non-English speaking or hearing impaired population, and answers questions about the judicial process for the public.

Pretrial investigations provide information about the defendants to the judiciary to assist them in making informed decisions about defendants' release/detention status. Pretrial investigation has several components: defendant's interview, call to references (family, employers, neighbors) to verify the defendant's information, extensive record checks to include the National Crime Information Center (NCIC), the Virginia Crime Information Network (VCIN), local criminal records, DMV, and court records for pending charges. Based on this collection of information the staff makes the following recommendations to the judiciary: Personal Recognizance release, Third Party release, Supervised Release Program for community supervision, bond amount increased, bond amount decreased, bond amount remained the same, and no bond. This information is used by the magistrates at the initial bail hearing, resulting in an earlier release of qualified defendants, and thus reducing the length of incarceration. If the defendant remains incarcerated, the investigation information is used at the arraignment hearing. Additionally, it is also used for bond motion hearings in GDC and the Circuit Court.

General District Court

In FY 2006, the estimated number of pretrial investigations was too optimistic in light of the actual historical data. Through the years, the trends in the number of arrests and new cases have shown modest growth. Changes in the makeup and philosophy of the judiciary impact the acceptance rate of the staff recommendations. More effort will be made to familiarize incoming staff with the CSD pretrial evaluation process. Therefore, the estimates for FY 2007 and FY 2008 have been adjusted, accordingly.

The Supervised Release Program (SRP) provides intensive community supervision of misdemeanor and felony defendants between arrest and final court date. SRP enables qualified defendants to return to the community under strict supervision and maintain employment and family responsibilities. It also helps alleviate overcrowding at the Fairfax County Adult Detention Center (ADC). Defendants are referred from the Circuit, General District, and occasionally, the Juvenile & Domestic Relations District Courts. Probation Counselors are required to see defendants bi-monthly or weekly and conduct weekly telephone check-ins and drug testing. With each contact, it is strongly reinforced to the defendant that, to successfully complete the program, there are to be no new violations of the law and that they must appear for all court dates. The Department of Criminal Justice Services (DCJS) indicates that the State failure to appear rate (FTA) for courts averages 10 percent for urban programs with large caseloads. CSD's FTA rate for FY 2006 was nine percent.

Due to the intensity of supervision and the added reporting requirements, an increase in SRP cases has a greater impact on the probation counselors' workload than handling cases referred after trial for probation. To preserve the integrity of the program, to protect public safety, and to offset the 54 percent increase in the Probation Program caseload, the Supervised Release Program (SRP) was reduced by 33 percent (from 1,309 in FY 2004 to 872 in FY 2005). With the addition of two Probation Counselor II positions in FY 2006, the enrollment in the Supervised Release Program increased by 16 percent to 1,011.

In FY 2005, the significant increase of 54 percent in cases referred for probation services was partially due to utilization of the Driving on Suspended license diversion program (DOS) and the strong support of the judges. In FY 2006, there was an eight percent decline in probation referrals. Factors contributing to the FY 2006 decline include: the number of new criminal cases in GDC declined, the DOS program initial growth period ended and the program is stabilizing, and the number of transfer-in cases (Fairfax County residents arrested in other jurisdictions) declined. In FY 2006, 75 percent of the probationers successfully completed the program. Through close community supervision defendants/offenders are held accountable for their compliance with court orders which may include paying restitution to a victim(s), paying court costs and fines (revenue for the county and state), and completing community service hours (giving back to the their communities). In FY 2006, CSD collected \$281,055 in restitution payments, \$100,686 in court costs and fines, and supervised the completion of 6,182 community service hours.

The task of collecting and analyzing data is necessary to measure Court Services' effectiveness in fulfilling its goals and objectives. CSD is accomplishing this task through a continuous recidivist study, statistical reports, aligning performance elements/outcomes to the mission and goals of the agency, and continuous executive management meetings to discuss relevant issues.