# 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 11 judges and exercises jurisdiction over criminal and traffic court, and civil/small claims (not exceeding $2,000). The General District Court 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 28 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 2008 is a major expansion to the Jennings Judicial Center, anticipated to be complete in spring/summer 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 FY 2004, the Circuit Court recorded 476,862 documents, more than double the average for the last 15 years. Although the number of documents processed moderated due to rising interest rates and a subsequent slowdown in the number of refinances, 376,776 documents were recorded in FY 2005 and 354,688 documents were recorded in FY 2006. This workload still represents a substantial increase over earlier 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 1,158 users in FY 2005 to 1,992 users in FY 2006, an increase of 72.0 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 three years where it has seen more than a 19.6 percent increase in total cases. In particular, the Traffic caseload increased by 53,641 new cases or 28.9 percent in calendar year 2006 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 2006, interpretation services were provided for 19,364 clients, including 17,079 Spanish clients, 1,276 Korean clients, 543 Vietnamese clients, and 466 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 2006, visitors to the court facilities totaled 1,300,318 with 488,453 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.

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 1.

# Judicial Administration Program Area Summary

## 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 24,187 prisoners to and from these courts in FY 2006. 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 634 jail days in FY 2006, 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 47 citizens/interns volunteer a total of 5,400 hours in FY 2006.

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 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan |
|---|---|---|---|---|
| Authorized Positions/Staff Years | | | | |
| Regular | 344/ 343 | 354/ 353 | 360/ 359 | 360/ 359 |
| Exempt | 28/ 28 | 28/ 28 | 28/ 28 | 28/ 28 |
| State | 139/ 132 | 140/ 133 | 139/ 132.5 | 139/ 132.5 |
| Expenditures: | | | | |
| Personnel Services | $22,652,269 | $24,216,639 | $24,216,639 | $24,922,125 |
| Operating Expenses | 7,038,458 | 7,283,297 | 7,444,864 | 6,999,213 |
| Capital Equipment | 147,620 | 0 | 27,038 | 0 |
| **Total Expenditures** | **$29,838,347** | **$31,499,936** | **$31,688,541** | **$31,921,338** |
| **Income** | **$26,550,502** | **$26,051,766** | **$24,241,883** | **$24,339,670** |
| **Net Cost to the County** | **$3,287,845** | **$5,448,170** | **$7,446,658** | **$7,581,668** |

## Program Area Summary by Agency

| Agency | FY 2006 Actual | FY 2007 Adopted Budget Plan | FY 2007 Revised Budget Plan | FY 2008 Advertised Budget Plan |
|---|---|---|---|---|
| Circuit Court and Records | $9,556,911 | $10,253,225 | $10,677,182 | $10,450,912 |
| Office of the Commonwealth's Attorney | 1,897,173 | 2,210,408 | 2,210,408 | 2,321,460 |
| General District Court | 2,003,105 | 2,229,288 | 2,256,407 | 2,285,064 |
| Office of the Sheriff | 16,381,158 | 16,807,015 | 16,544,544 | 16,863,902 |
| **Total Expenditures** | **$29,838,347** | **$31,499,936** | **$31,688,541** | **$31,921,338** |

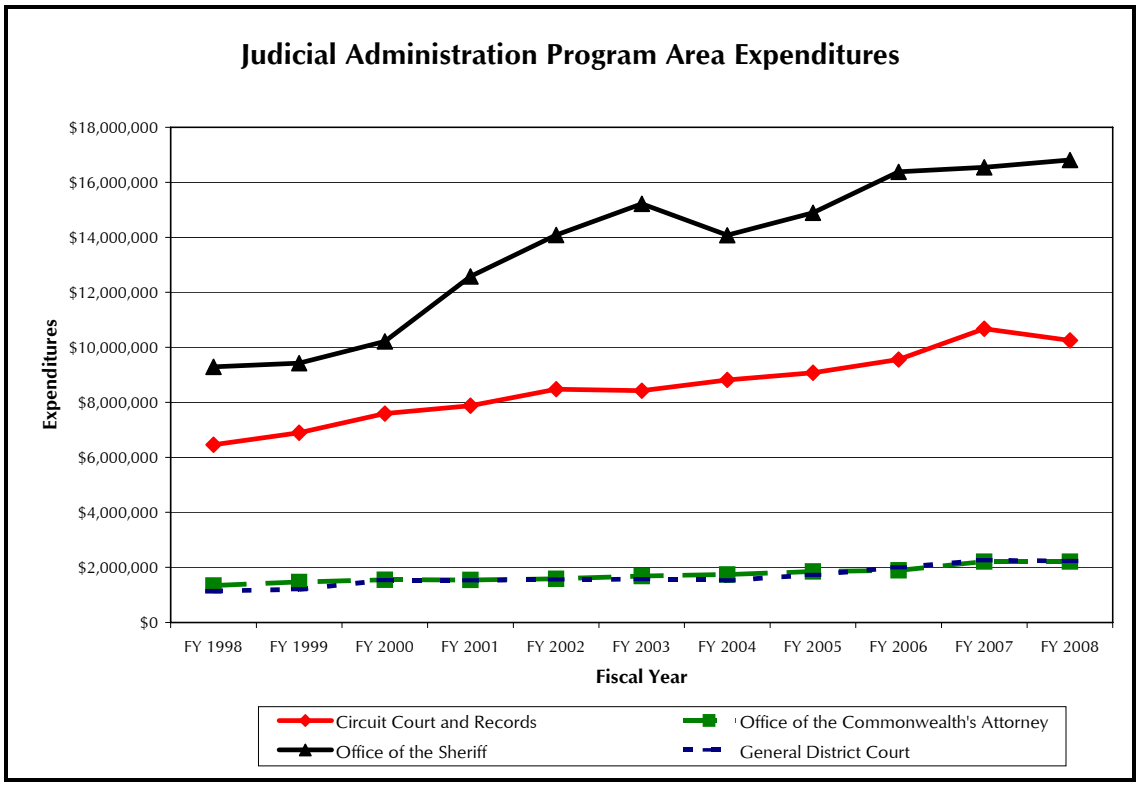
## Budget Trends

For FY 2008, the recommended funding level of $31,921,338 for the Judicial Administration program area comprises 2.7 percent of the total recommended General Fund expenditures of $1,203,872,635. It also includes 388 or 3.2 percent of total authorized positions for FY 2008 (not including state positions).

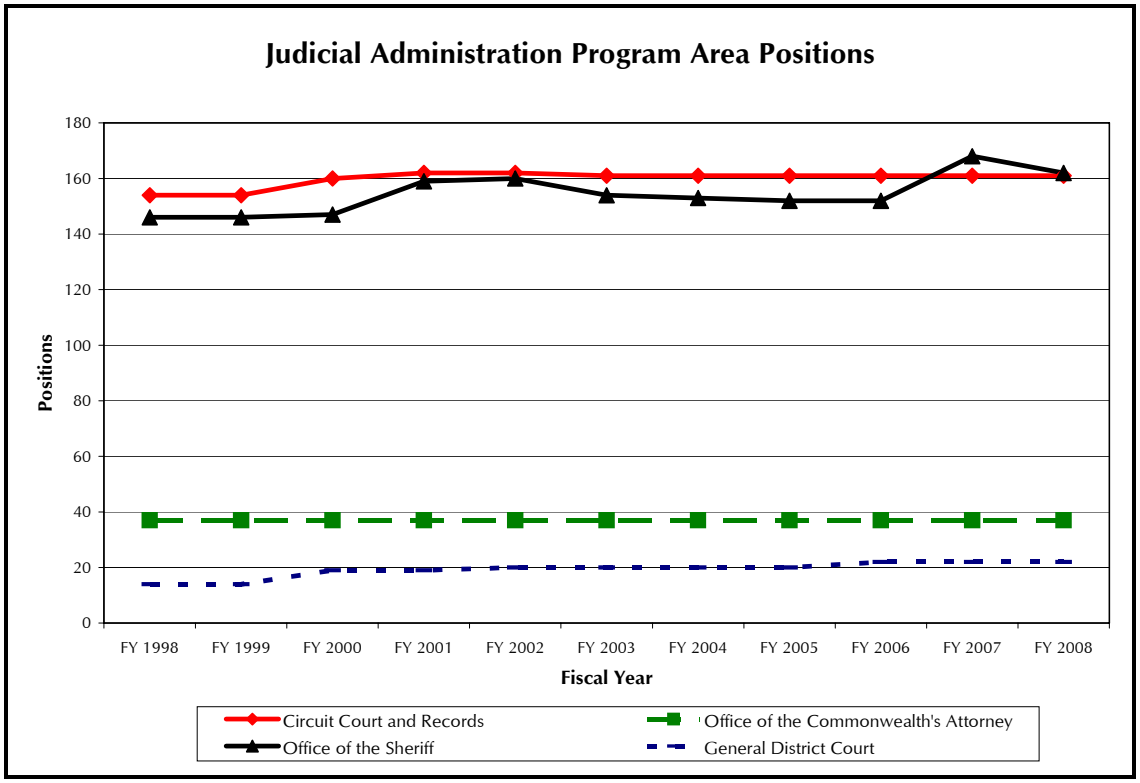
Judicial Administration program area expenditures will increase by $232,797 or 0.7 percent, over the *FY 2007 Revised Budget Plan* expenditure level, primarily associated with Personnel Services costs related to salary adjustments necessary to support the County's compensation program. It should be noted that the FY 2008 funding level reflects an increase of $421,402, or 1.3 percent, over the FY 2007 Adopted Budget Plan funding level. It is important to note that revenue, predominantly for fines and forfeitures, offsets a majority of the costs of this program area. For FY 2008, projected revenue of $24,339,670 represents 76.2 percent of total expenditures.

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

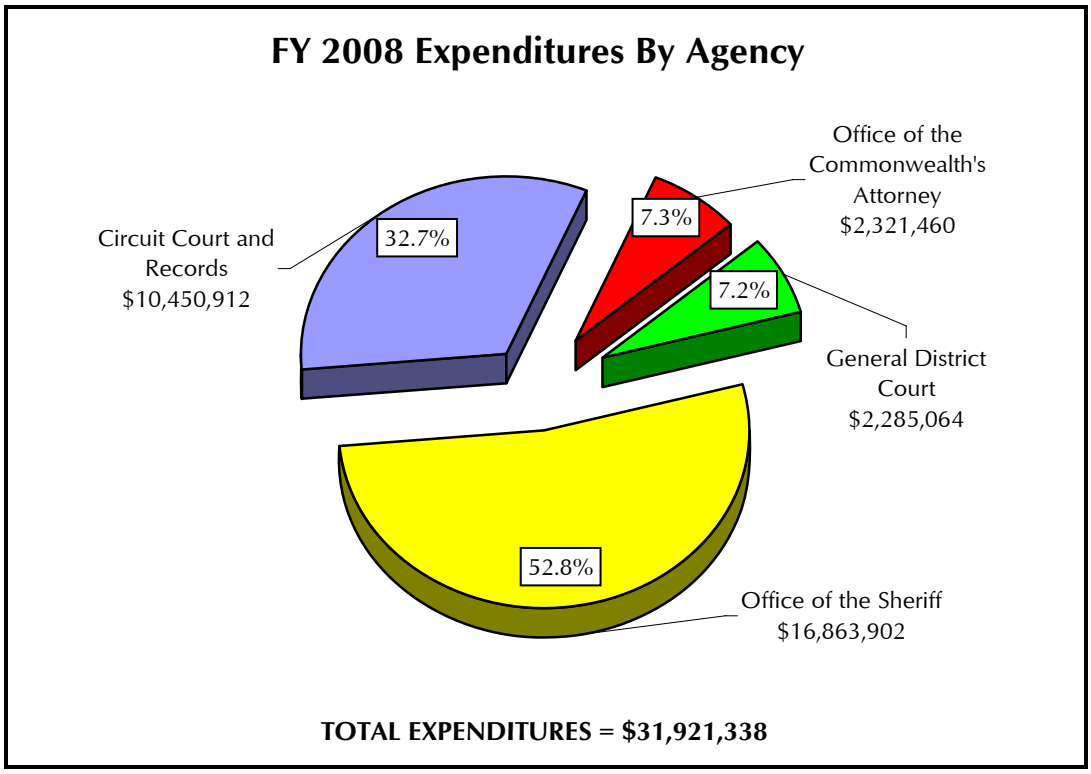
## Trends in Expenditures and Positions

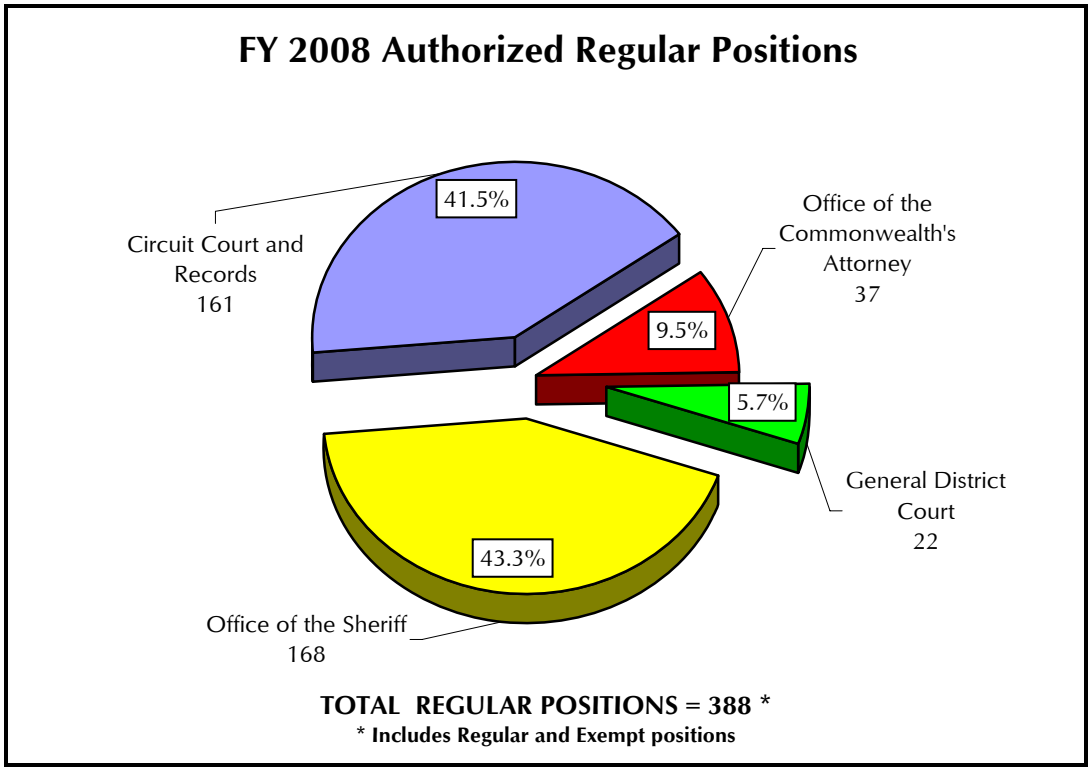



Note: The spike in expenditures during FY 2003 for the Office of the Sheriff was due to two payments made to the consultant for the Illegal Alien Grant, based on the timing of the grant award. In addition, FY 2003 overtime costs were higher than anticipated due to turnover.



## FY 2008 Expenditures and Positions by Agency



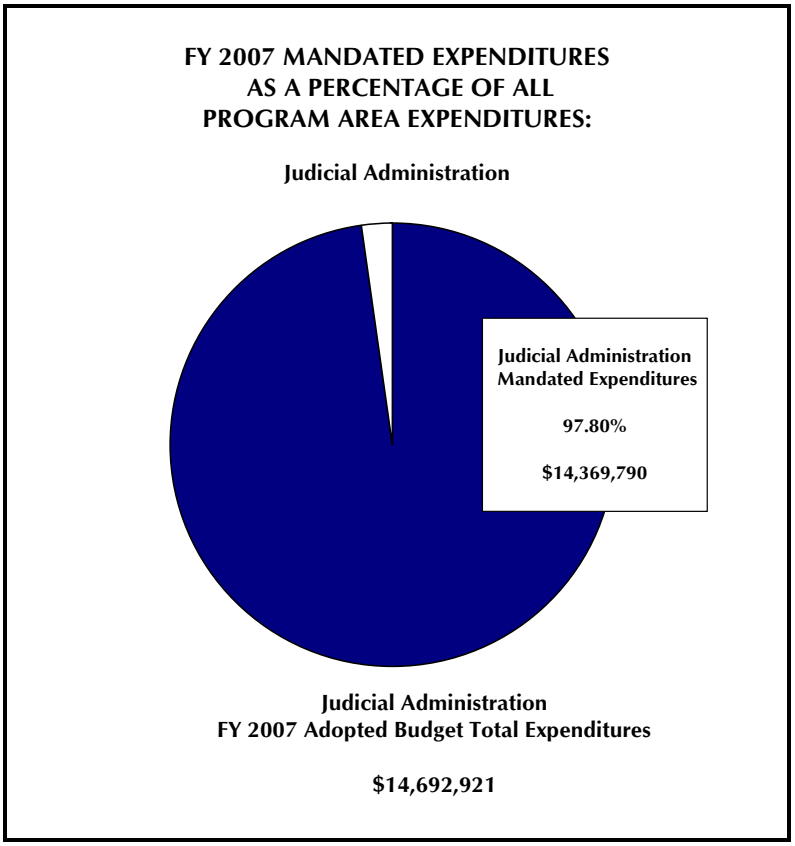



## Federal and State Mandates

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 2007, the agencies in this program area (excluding the Office of the Sheriff as noted above) anticipate spending $14.4 million to comply with federal and state mandates, receiving $22.0 million in revenue (to include federal, state, and user fee/other revenue), for a net savings to the County of $7.6 million. This net savings is primarily a result of the user fee/other revenue received by the courts for fines and fees.

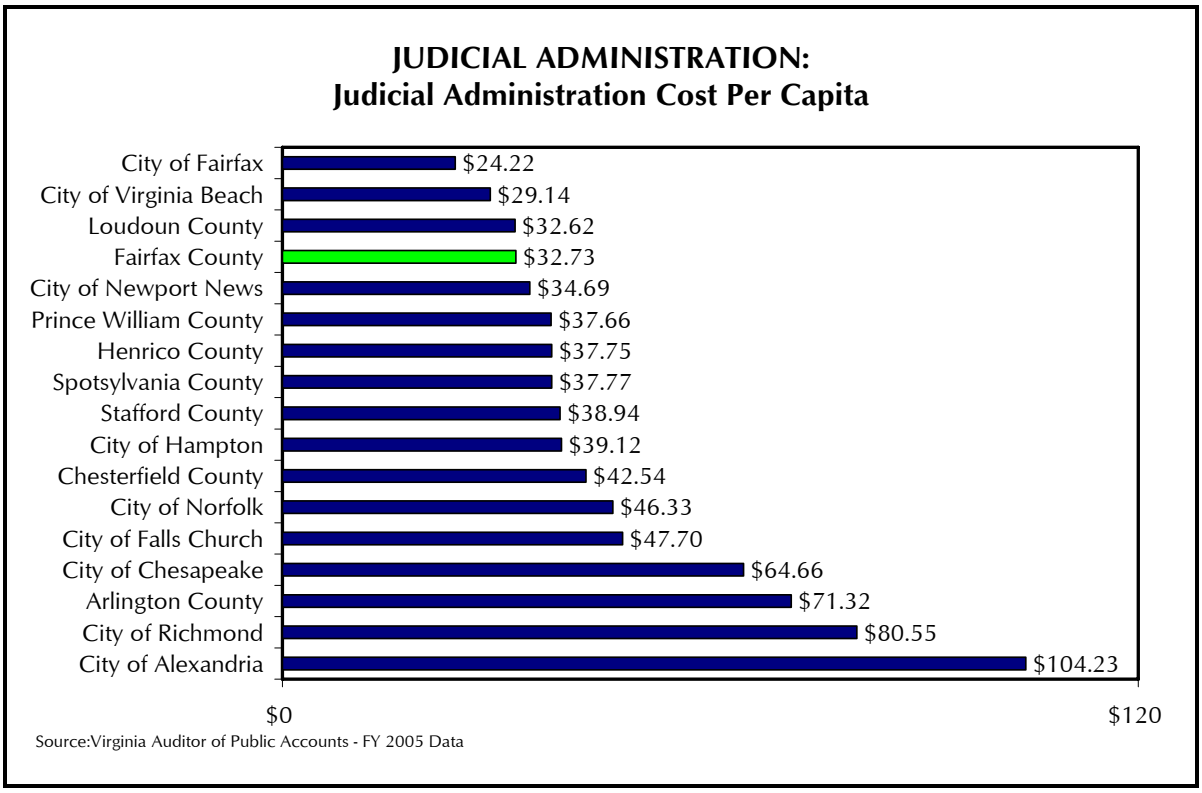


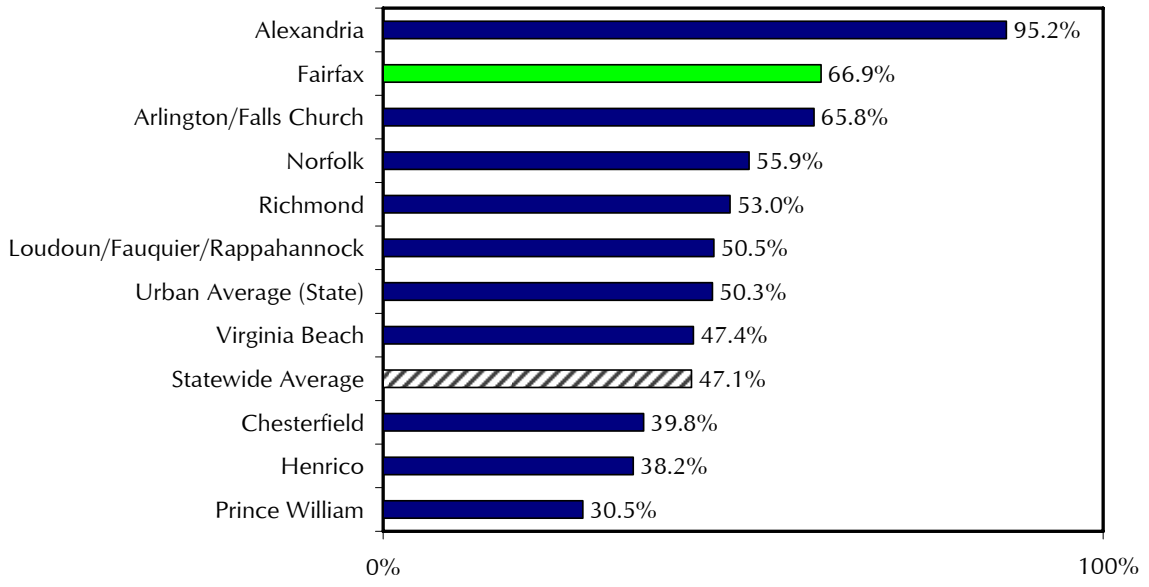
## Benchmarking

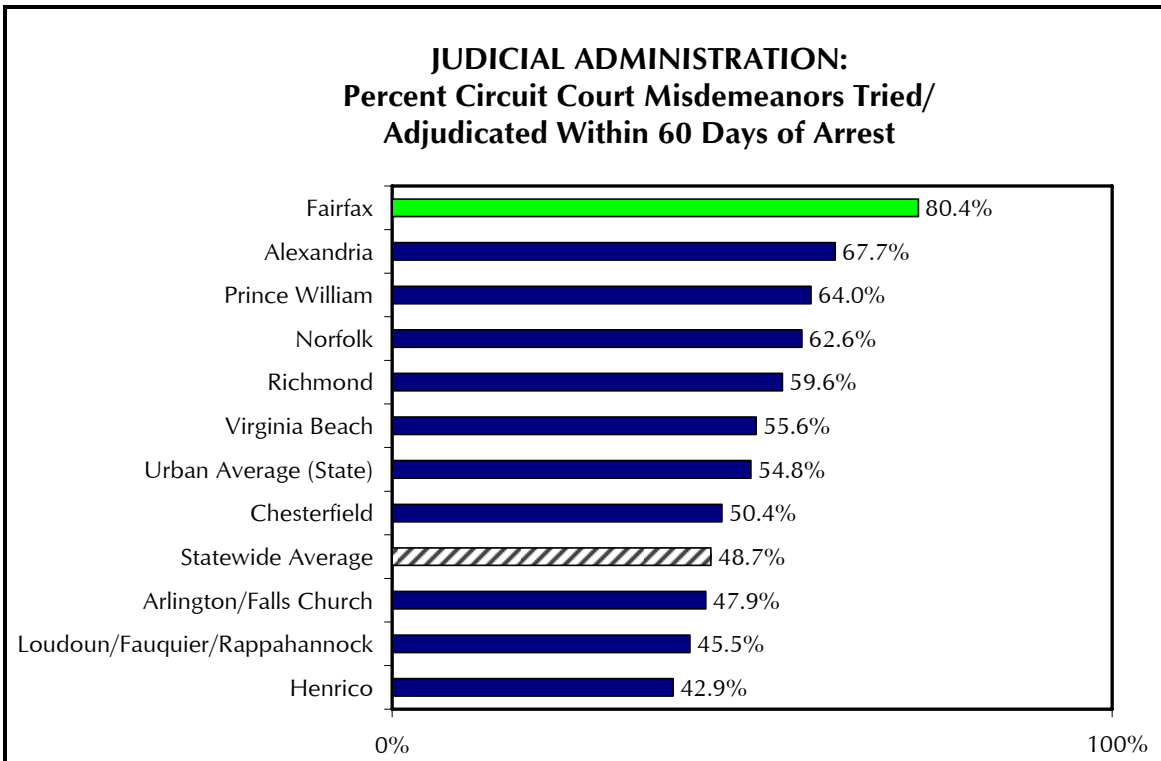
As a means of demonstrating accountability to the public for results achieved, benchmarking data have been included in the annual budget since the FY 2005 Budget. These data are included in each of the Program Area Summaries in Volume 1 (General Fund) and Volume 2 (Other Funds) as available. To illustrate program efficiency, 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 are included. FY 2005 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 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 among the lowest cost per capita rates in the Judicial Administration program area for Northern Virginia localities and other large Virginia jurisdictions.

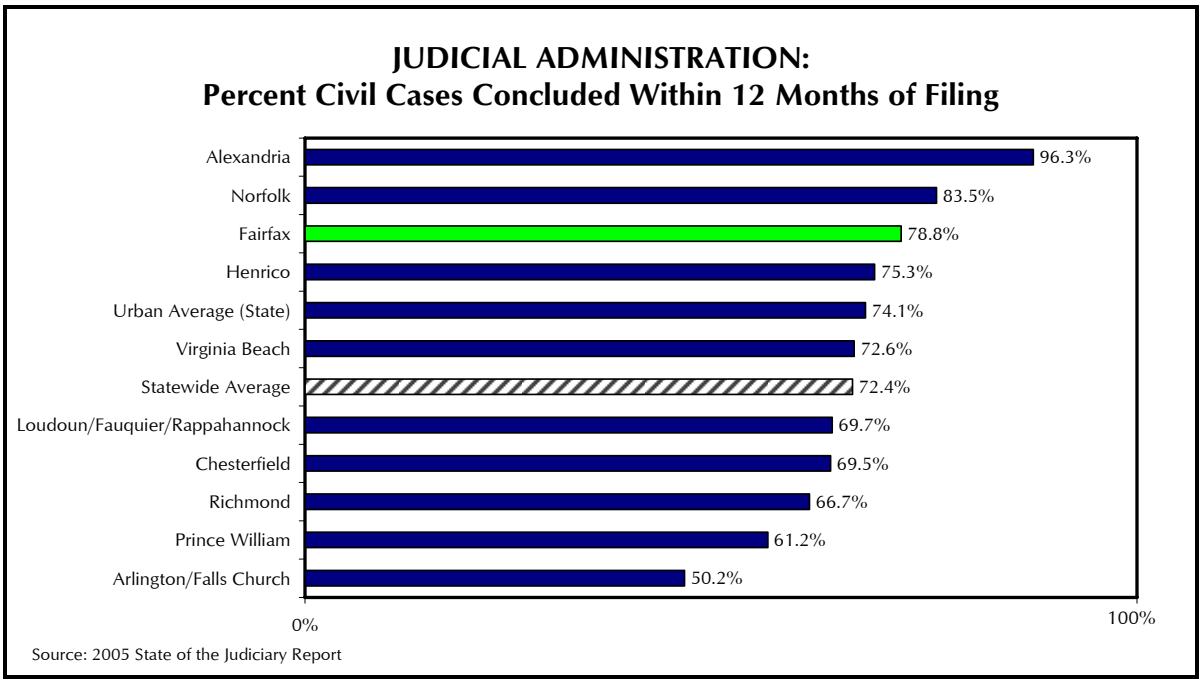
While a major portion of Fairfax County's comparative performance data for other program areas comes from the International City/County Management Association's (ICMA) benchmarking effort, judicial administration is not a service area that is addressed in that program. However, the State Supreme Court produces an extensive report on the annual "State of the Judiciary." The most recent report available is for Calendar Year 2005. 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.

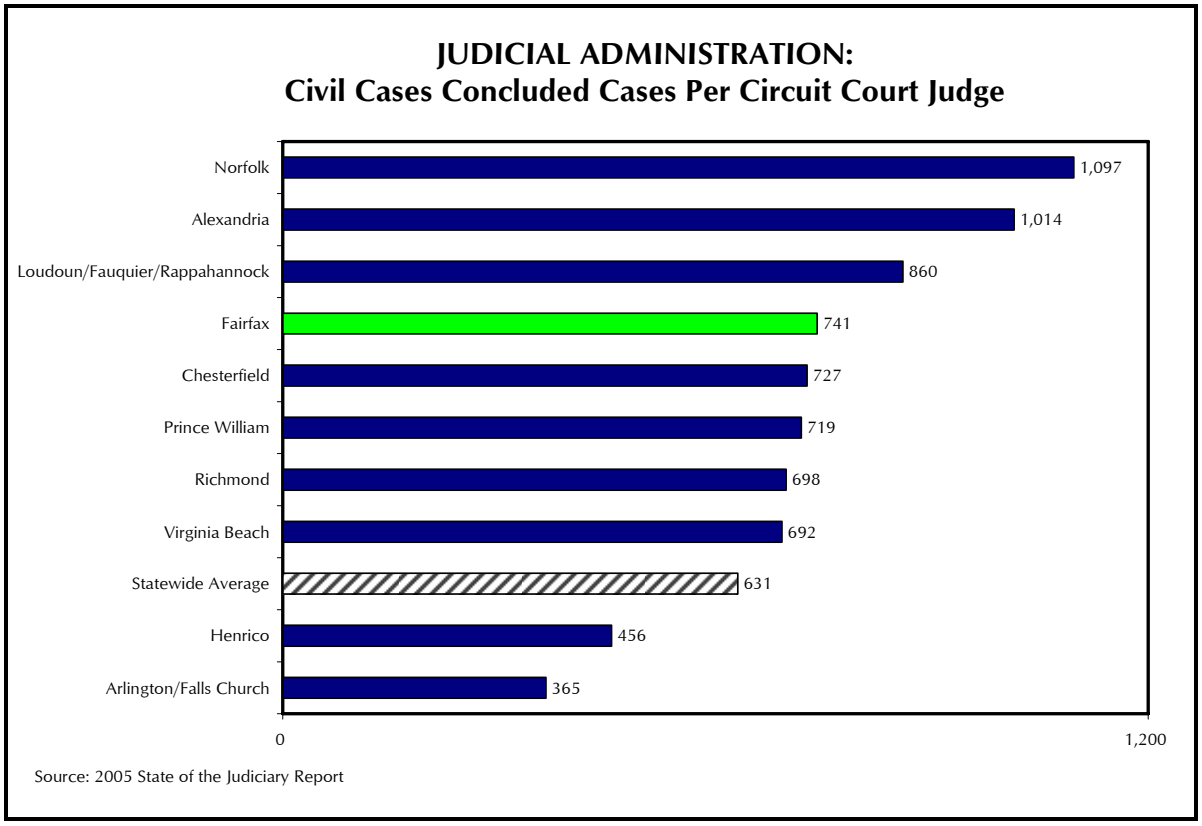
As can be seen on the following page, 66.9 percent of felony cases in Fairfax's Nineteenth Circuit in 2006 were tried/adjudicated within 120 days of arrest. Among all 31 circuits in the Commonwealth, the Nineteenth ranked third in 2005 and was considerably above the statewide average of 47.1 percent. In terms of the percentage of misdemeanors tried/adjudicated within 60 days of arrest, Fairfax County ranked first in the state at 80.4 percent. The statewide average was 48.7 percent.

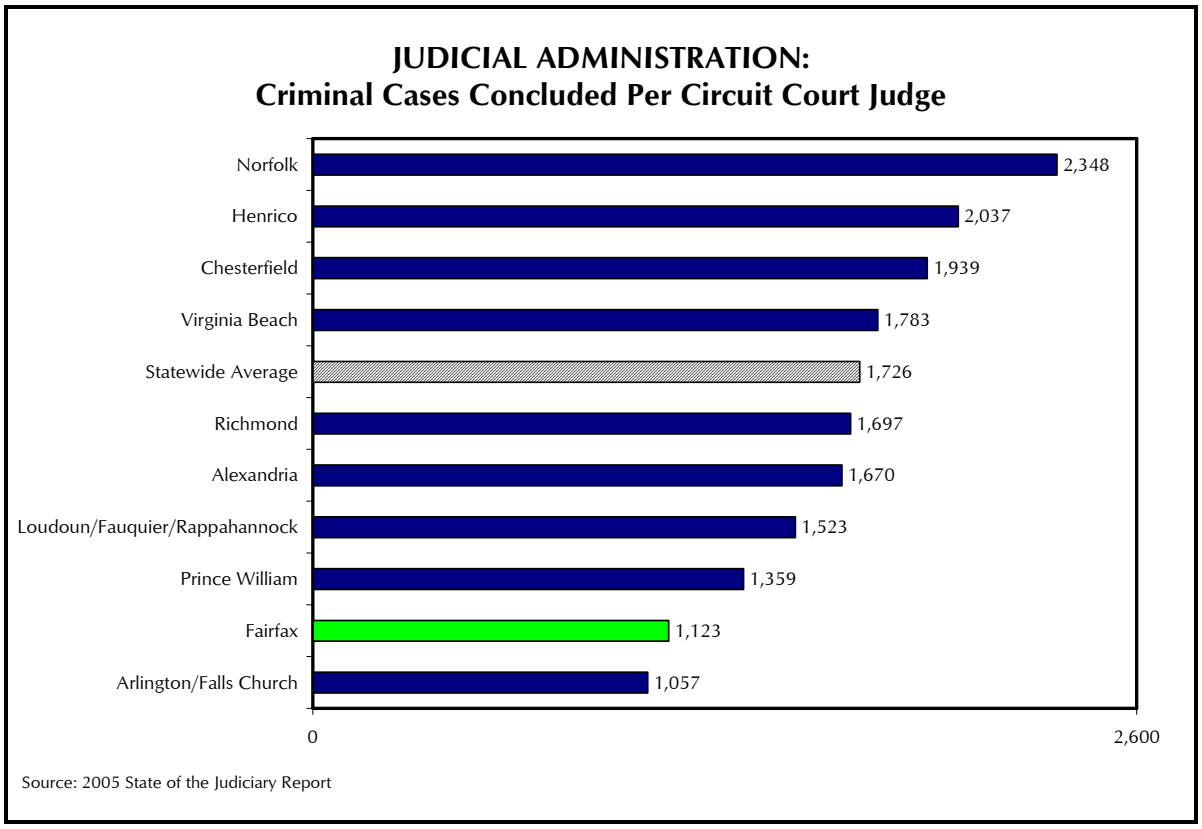


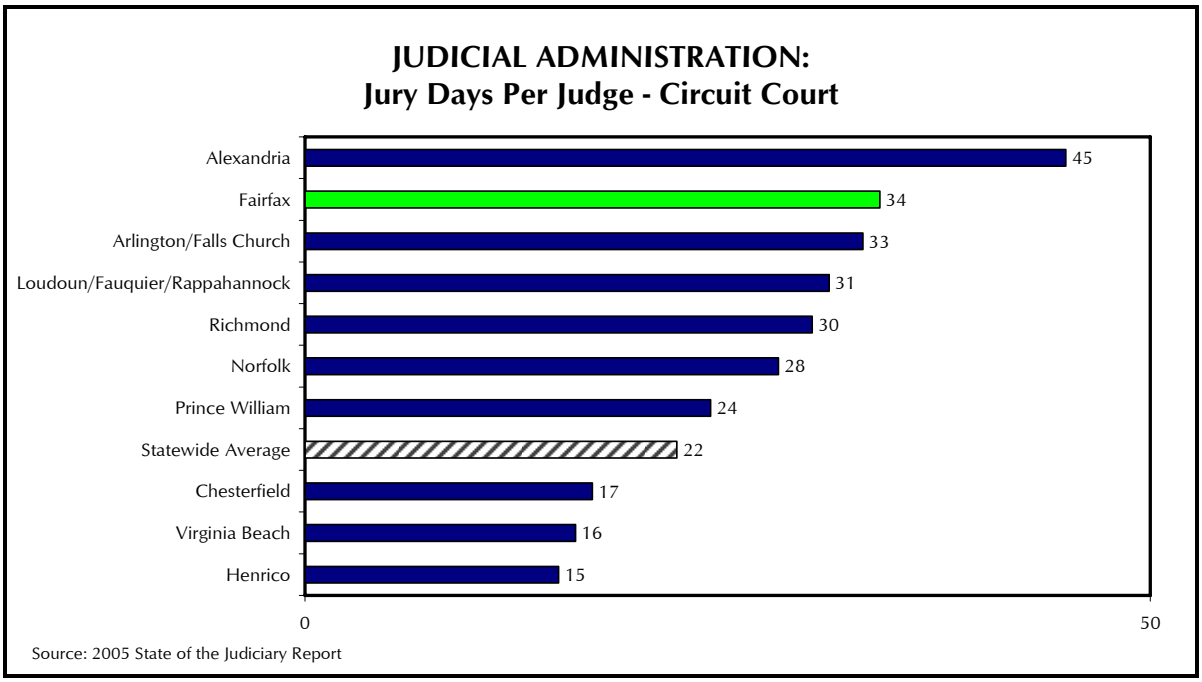

JUDICIAL ADMINISTRATION:
Percent Circuit Court Felonies Tried/
Adjudicated Within 120 Days of Arrest
Alexandria 95.2%
Fairfax 66.9%
Arlington/Falls Church 65.8%
Norfolk 55.9%
Richmond 53.0%
Loudoun/Fauquier/Rappahannock 50.5%
Urban Average (State) 50.3%
Virginia Beach 47.4%
Statewide Average 47.1%
Chesterfield 39.8%
Henrico 38.2%
Prince William 30.5%
0%
100%
Source: 2005 State of the Judiciary Report

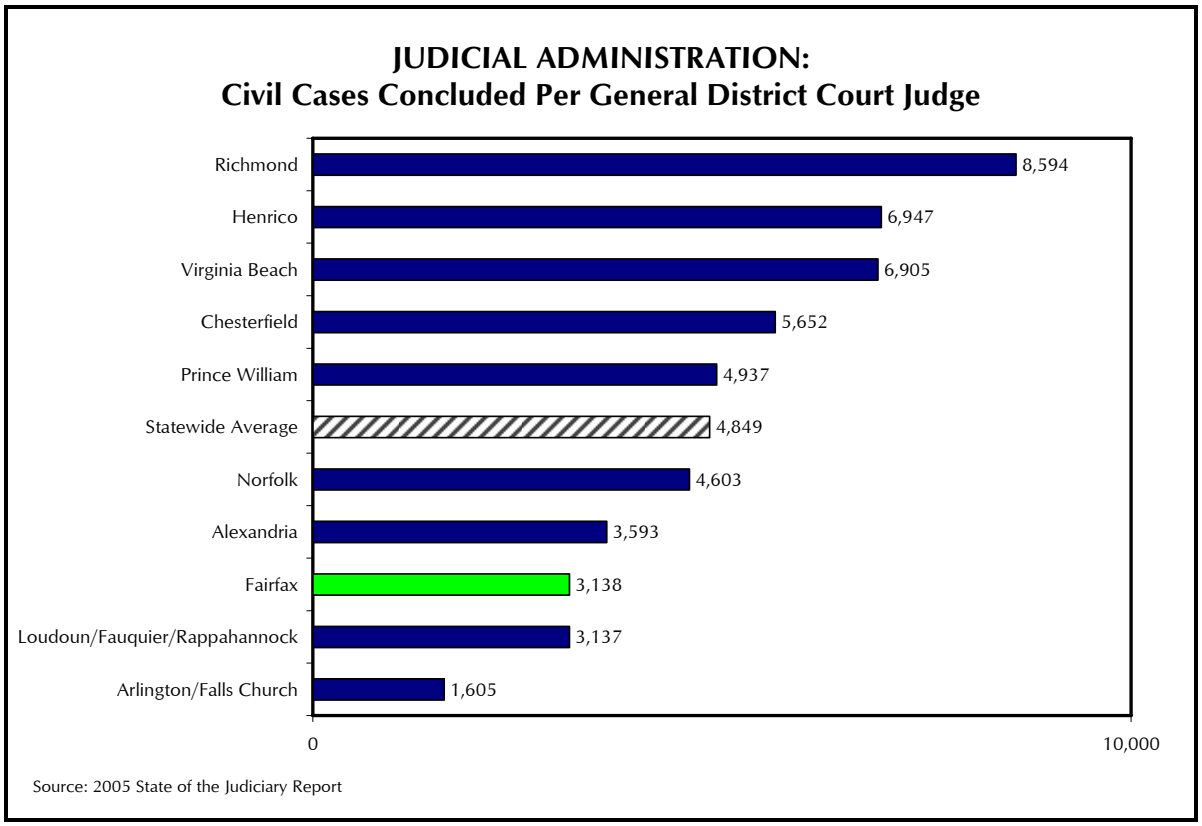

JUDICIAL ADMINISTRATION:
Percent Circuit Court Misdemeanors Tried/
Adjudicated Within 60 Days of Arrest
Fairfax 80.4%
Alexandria 67.7%
Prince William 64.0%
Norfolk 62.6%
Richmond 59.6%
Virginia Beach 55.6%
Urban Average (State) 54.8%
Chesterfield 50.4%
Statewide Average 48.7%
Arlington/Falls Church 47.9%
Loudoun/Fauquier/Rappahannock 45.5%
Henrico 42.9%
0%
100%
Source: 2005 State of the Judiciary Report

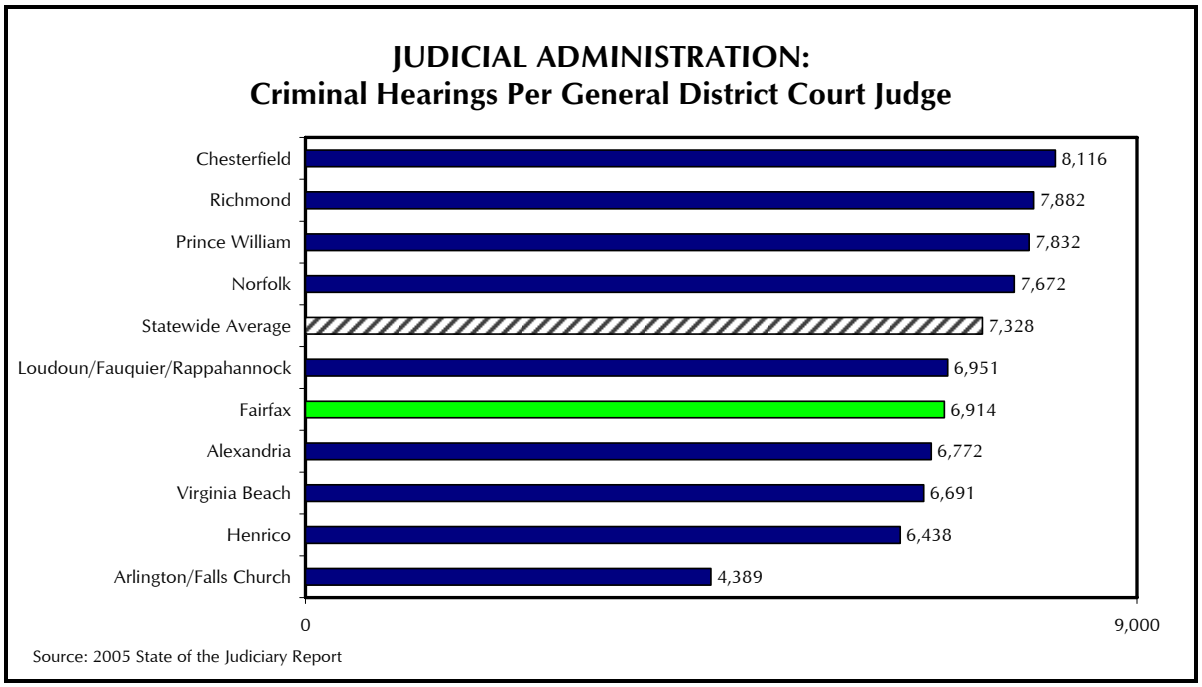

JUDICIAL ADMINISTRATION:
Percent Civil Cases Concluded Within 12 Months of Filing
Alexandria 96.3%
Norfolk 83.5%
Fairfax 78.8%
Henrico 75.3%
Urban Average (State) 74.1%
Virginia Beach 72.6%
Statewide Average 72.4%
Loudoun/Fauquier/Rappahannock 69.7%
Chesterfield 69.5%
Richmond 66.7%
Prince William 61.2%
Arlington/Falls Church 50.2%
0%
100%
Source: 2005 State of the Judiciary Report

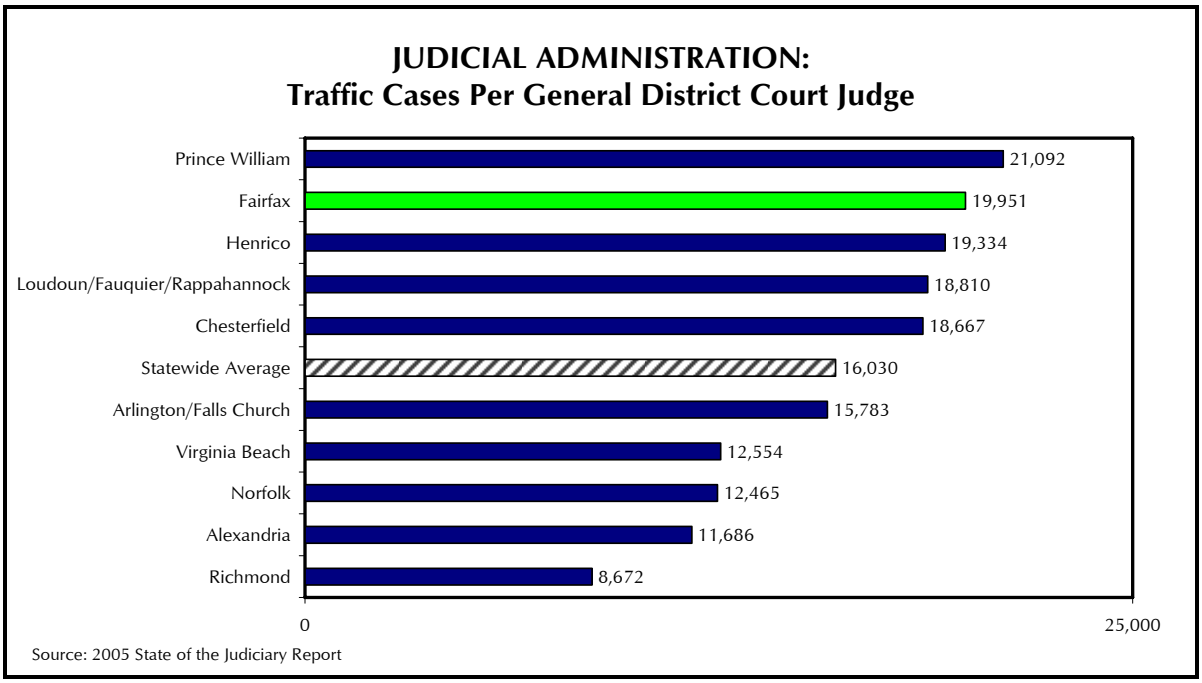

JUDICIAL ADMINISTRATION:
Civil Cases Concluded Cases Per Circuit Court Judge
Norfolk 1,097
Alexandria 1,014
Loudoun/Fauquier/Rappahannock 860
Fairfax 741
Chesterfield 727
Prince William 719
Richmond 698
Virginia Beach 692
Statewide Average 631
Henrico 456
Arlington/Falls Church 365
0
1,200
Source: 2005 State of the Judiciary Report

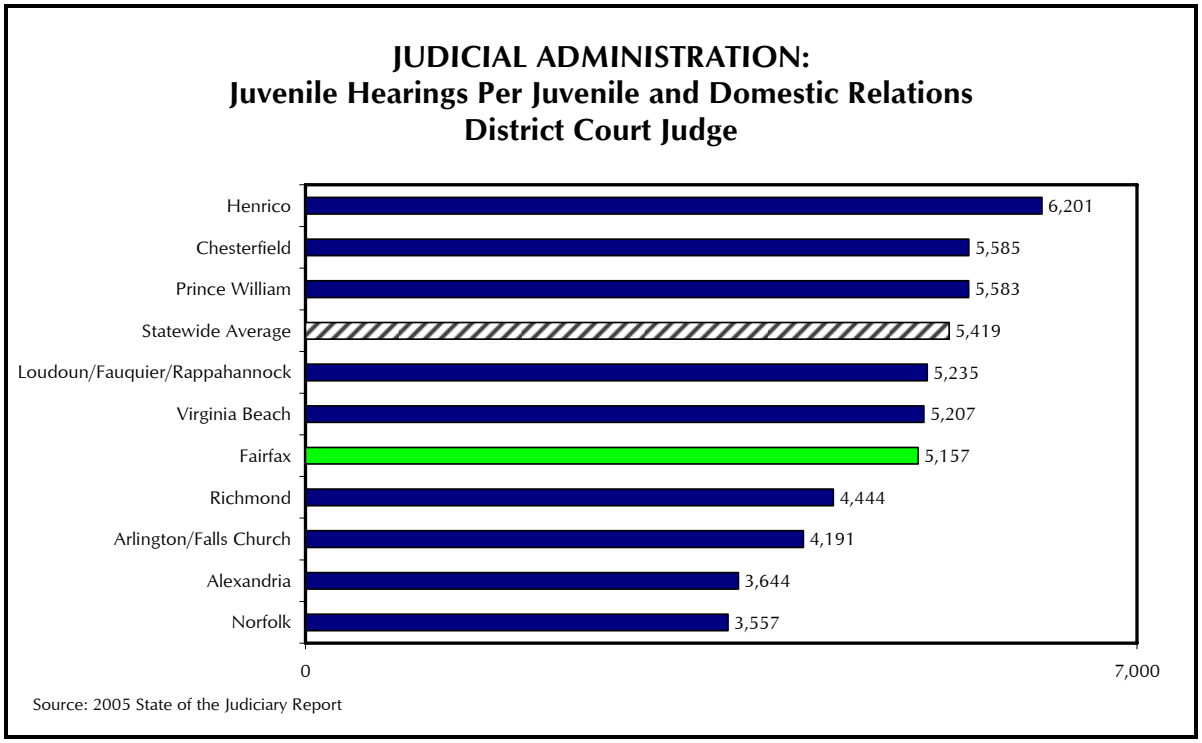

JUDICIAL ADMINISTRATION:
Criminal Cases Concluded Per Circuit Court Judge
Norfolk
2,348
Henrico
2,037
Chesterfield
1,939
Virginia Beach
1,783
Statewide Average
1,726
Richmond
1,697
Alexandria
1,670
Loudoun/Fauquier/Rappahannock
1,523
Prince William
1,359
Fairfax
1,123
Arlington/Falls Church
1,057
0
2,600
Source: 2005 State of the Judiciary Report

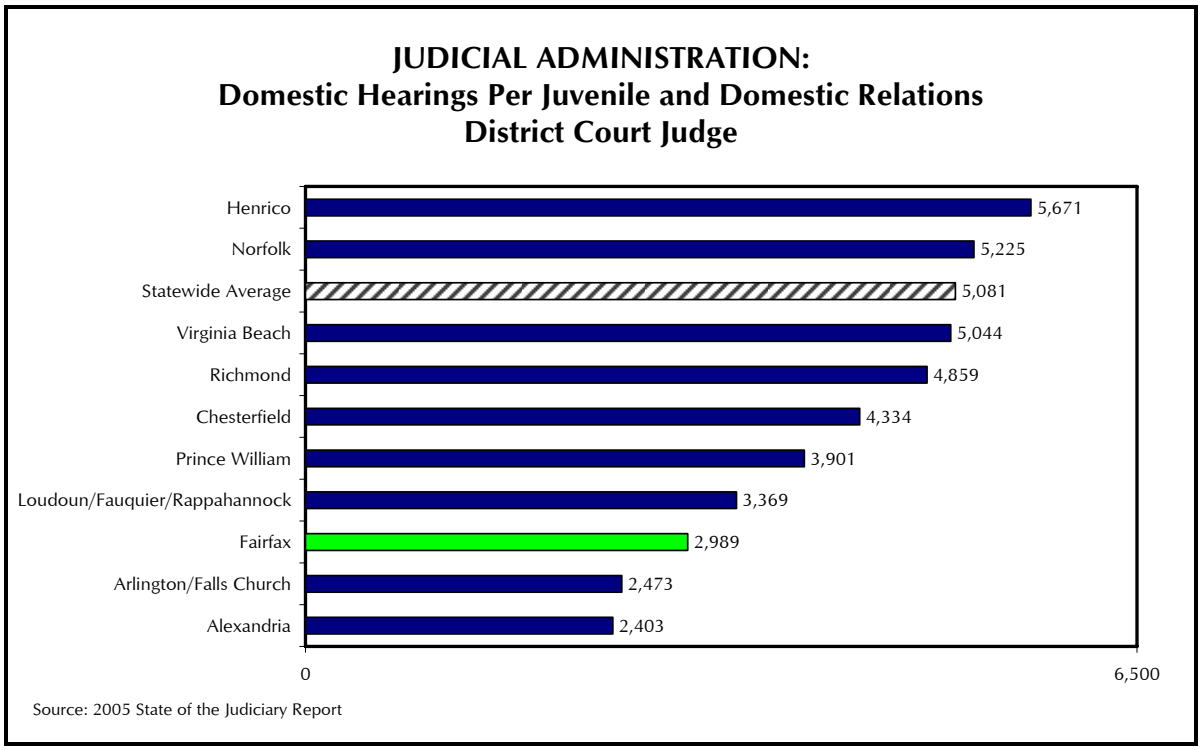

JUDICIAL ADMINISTRATION:
Jury Days Per Judge - Circuit Court
Alexandria
45
Fairfax
34
Arlington/Falls Church
33
Loudoun/Fauquier/Rappahannock
31
Richmond
30
Norfolk
28
Prince William
24
Statewide Average
22
Chesterfield
17
Virginia Beach
16
Henrico
15
0
50
Source: 2005 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Civil Cases Concluded Per General District Court Judge
Richmond
8,594
Henrico
6,947
Virginia Beach
6,905
Chesterfield
5,652
Prince William
4,937
Statewide Average
4,849
Norfolk
4,603
Alexandria
3,593
Fairfax
3,138
Loudoun/Fauquier/Rappahannock
3,137
Arlington/Falls Church
1,605
0
10,000
Source: 2005 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Criminal Hearings Per General District Court Judge
Chesterfield
8,116
Richmond
7,882
Prince William
7,832
Norfolk
7,672
Statewide Average
7,328
Loudoun/Fauquier/Rappahannock
6,951
Fairfax
6,914
Alexandria
6,772
Virginia Beach
6,691
Henrico
6,438
Arlington/Falls Church
4,389
0
9,000
Source: 2005 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Traffic Cases Per General District Court Judge
Prince William 21,092
Fairfax 19,951
Henrico 19,334
Loudoun/Fauquier/Rappahannock 18,810
Chesterfield 18,667
Statewide Average 16,030
Arlington/Falls Church 15,783
Virginia Beach 12,554
Norfolk 12,465
Alexandria 11,686
Richmond 8,672
0
25,000
Source: 2005 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Juvenile Hearings Per Juvenile and Domestic Relations
District Court Judge
Henrico 6,201
Chesterfield 5,585
Prince William 5,583
Statewide Average 5,419
Loudoun/Fauquier/Rappahannock 5,235
Virginia Beach 5,207
Fairfax 5,157
Richmond 4,444
Arlington/Falls Church 4,191
Alexandria 3,644
Norfolk 3,557
0
7,000
Source: 2005 State of the Judiciary Report


JUDICIAL ADMINISTRATION:
Domestic Hearings Per Juvenile and Domestic Relations
District Court Judge
Henrico
5,671
Norfolk
5,225
Statewide Average
5,081
Virginia Beach
5,044
Richmond
4,859
Chesterfield
4,334
Prince William
3,901
Loudoun/Fauquier/Rappahannock
3,369
Fairfax
2,989
Arlington/Falls Church
2,473
Alexandria
2,403
0
6,500
Source: 2005 State of the Judiciary Report