

Office of Commonwealth's Attorney

Commonwealth's Attorney

Focus

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. As such, he is not an officer or employee of the County from which he was elected. In this jurisdiction, the Commonwealth's Attorney is elected by voters of Fairfax City and Fairfax County.

The Office of the Commonwealth's Attorney (OCA) is charged primarily with the prosecution of crime. This office prosecutes criminal and traffic matters in the Fairfax County General District Court, criminal and delinquency matters in the Juvenile and Domestic Relations District Court, and all felony cases in the Fairfax County Circuit Court. The office handles both the violation of County ordinances and the violation of state statutes.

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, thousands of assaults, and thousands of petty thefts.

State law specifically mandates certain duties for the Commonwealth's Attorney. He is charged with advising the Grand Jury relative to their duties, representing the Electoral Board in certain election matters, and advising any officers or employees of Fairfax City or Fairfax County on matters involving conflict of interest. On a daily basis, the OCA works with numerous law enforcement units (e.g., State Police, Fairfax County Police, Fairfax City Police, the Town of Herndon and Town of Vienna Police, game wardens and humane agents) in the course of investigations and in response to questions concerning criminal law.



The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia (the Commonwealth seal is depicted above), elected by the voters of Fairfax City and Fairfax County.

Office of Commonwealth's Attorney

Budget and Staff Resources

Agency Summary				
Category	FY 2008 Actual	FY 2009 Adopted Budget Plan	FY 2009 Revised Budget Plan	FY 2010 Baseline Budget
Authorized Positions/Staff Years				
Regular	36/ 35.5	36/ 35.5	36/ 36	36/ 36
Exempt	1/ 1	1/ 1	1/ 1	1/ 1
Expenditures:				
Personnel Services	\$2,169,883	\$2,739,243	\$2,739,243	\$2,875,806
Operating Expenses	119,274	87,684	90,212	87,684
Capital Equipment	0	0	0	0
Total Expenditures	\$2,289,157	\$2,826,927	\$2,829,455	\$2,963,490
Income:				
Commonwealth's Attorney Fees	\$13,566	\$14,140	\$12,828	\$13,085
City of Fairfax Contract	39,745	43,223	57,131	57,702
State Shared Retirement - Commonwealth's Attorney	45,398	43,265	42,832	42,832
State Shared Commonwealth's Attorney Expenses	1,482,355	1,413,288	1,399,155	1,399,155
State Reimbursement Commonwealth's Attorney Witness	31,431	16,400	16,400	16,400
Total Income	\$1,612,495	\$1,530,316	\$1,528,346	\$1,529,174
Net Cost to the County	\$676,662	\$1,296,611	\$1,301,109	\$1,434,316

Position Summary					
1	Commonwealth's Attorney E	17	Assistant Commonwealth's Attorneys II	1	Paralegal Assistant
1	Chief Deputy Commonwealth's Attorney			1	Administrative Assistant IV
3	Deputy Commonwealth's Attorneys	1	Chief of Administrative Services	3	Administrative Assistants III
2	Sr. Assistant Commonwealth's Attorneys	1	Management Analyst I	1	Administrative Assistant II
4	Assistant Commonwealth's Attorneys III	1	Computer Systems Analyst I		
TOTAL POSITIONS					
37 Positions / 37.0 Staff Years					E Denotes Exempt Position

Changes to FY 2009 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2009 Revised Budget Plan since passage of the FY 2009 Adopted Budget Plan. Included are all adjustments made as part of the FY 2008 Carryover Review and all other approved changes through September 15, 2008:

- ◆ **Carryover Adjustments** **\$2,528**
As part of the FY 2008 Carryover Review, the Board of Supervisors approved encumbered funding of \$2,528 in Operating Expenses.

Key Performance Measures

No Performance Indicators are available for this agency.

Objectives

- ◆ To continue to prosecute all criminal cases in Fairfax County and all felony cases occurring in the City of Fairfax, for which sufficient evidence is available to support charges.