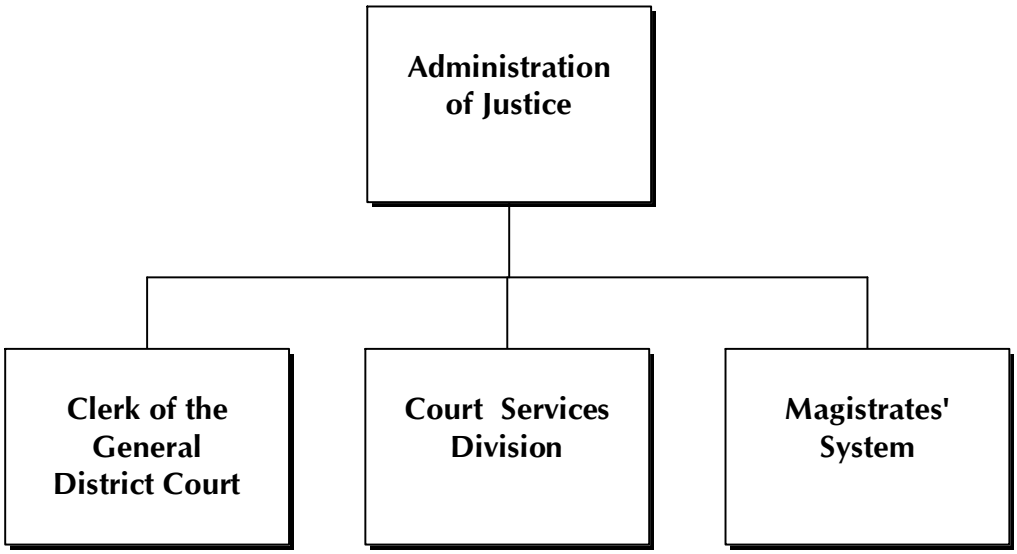
General District Court



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.

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[1]				
Regular	22/ 22	22/ 22	22/ 22	22/ 22
State	124/ 117.5	124/ 117.5	123/ 116.5	123/ 116.5
Expenditures:				
Personnel Services	$1,387,220	$1,494,739	$1,494,739	$1,560,901
Operating Expenses	881,974	863,263	929,599	863,263
Capital Equipment	0	0	0	0
Total Expenditures	**$2,269,194**	**$2,358,002**	**$2,424,338**	**$2,424,164**
Income:				
Courthouse Maintenance Fees	$398,802	$385,152	$385,152	$385,152
General District Court Fines/Interest	82,645	94,118	94,118	94,118
General District Court Fines	7,016,495	10,217,877	7,993,032	8,072,962
Recovered Costs - General District Court	116,993	128,047	116,668	120,168
State Reimbursement - General District Court	84,361	67,293	67,293	67,293
Total Income	**$7,699,296**	**$10,892,487**	**$8,656,263**	**$8,739,693**
Net Cost to the County	**($5,430,102)**	**($8,534,485)**	**($6,231,925)**	**($6,315,529)**

[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.

General District Court

Position Summary

	Administration of Justice		Clerk of the General District Court		Court Services Division
1	Chief Judge S	1	Clerk of the General District Court S	1	Probation Supervisor II
10	General District Judges S	1	Chief Deputy Clerk S	1	Probation Supervisor I
1	Secretary S	3	Division Supervisors S	1	Probation Counselor III
		5	Staff Analysts S	4	Probation Counselors II
	Magistrates' System	9	Section Supervisors S	5	Probation Counselors I
1	Chief Magistrate S	61	Deputy Clerks S, 4 PT	1	Volunteer Services Coordinator II
30	Magistrates S, 9 PT			1	Administrative Assistant IV
				1	Administrative Assistant III
				5	Administrative Assistants II
				1	Network/Telecommunications Analyst II
				1	Management Analyst II

TOTAL POSITIONS
145 Positions / 138.5 Staff Years
9/9.0 SYE Grant Positions in Fund 102, Federal/State Grant Fund

S Denotes State Positions
PT Denotes Part-time Positions

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** **$66,336**
  As part of the *FY 2008 Carryover Review*, the Board of Supervisors approved encumbered funding of $66,336 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.

Indicator	Prior Year Actuals FY 2006 Actual	FY 2007 Actual	FY 2008 Estimate/Actual	Current Estimate FY 2009	Future Estimate FY 2010
Output:					
Pretrial interviews/investigations conducted	7,665	7,597	7,670 / 7,590	7,600	7,600
Supervised Released Program annual enrollment	1,011	880	1,018 / 723	900	723
Probation program annual enrollment	1,092	1,369	1,098 / 1,455	1,200	1,455
Efficiency:					
Average investigations conducted per shift	11	10	11 / 10	11	10
Average daily SRP caseload per Probation Officer	24	30	22 / 25	22	25
Average daily probation caseload per Probation Officer	63	65	57 / 93	60	93
Service Quality:					
Percent of recommendations accepted for defendants' release	96%	96%	96% / 97%	95%	95%
Average failure to appear rate on return court dates	11%	11%	10% / 7%	12%	12%
New arrest violation rate	7%	7%	7% / 5%	7%	7%
Outcome:					
Percent of staff recommendations accepted by the Judiciary	96%	97%	96% / 98%	96%	96%
Percent of SRP cases successfully closed	81%	77%	81% / 86%	81%	81%
Percent of probation cases successfully closed	75%	76%	75% / 77%	75%	75%

Performance Measurement Results

All services provided by the Court Services Division (CSD) address the agency mission. 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, manages volunteer services, and answers questions about the judicial process for the public.

Pretrial Investigations

Pretrial Investigations provide information about a defendant to the judiciary (magistrates and judges) in order to assist them in making informed decisions about defendant's release/detention status. The pretrial investigation process has several components: defendant's interview, phone calls to references (family, employers, neighbors, etc.) to verify the defendant's information, and 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. This information is used by the magistrates at the initial bail hearing. In FY 2008, this resulted in an earlier release of 139 qualified defendants, thus reducing the length of incarceration resulting in a cost savings. If a defendant remains incarcerated, the investigation information is utilized once again, this time by a judge at the advisement hearing. Based on 7,590 investigations during FY 2008, the staff made the following recommendations to the judiciary, which were accepted 98 percent of the time in FY 2008: Personal Recognizance release (248 defendants), Supervised Release Program for community supervision (723 defendants), bond amount increased (42 defendants), bond amount decreased (1,064 defendants), and bond amount remained the same (3,617 defendants). Additionally, this information was available for 2,535 bond motion hearings in GDC and the Circuit Court in

FY 2008. Another cost savings is realized through Court Services jail review process, which helps to ensure defendants do not spend more time in jail than necessary while awaiting their trial. In FY 2008, an additional 2,255 incarcerated defendants were reviewed again by pretrial staff to determine any actions that might reduce the length of pretrial incarceration. This resulted in a savings of 537 jail days by advancing cases to earlier court dates, releasing defendants on personal recognizance when appropriate, and through placement in the Supervised Release Program (SRP). Also, 57 court appointed attorneys were assigned through jail review, further reducing delays in the judicial process caused by postponing initial court hearings to have an attorney appointed or retained before trial.

Supervised Release and Probation

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). In FY 2008, there were 723 new referrals from the Circuit Court, General District Court, and, occasionally, the Juvenile and Domestic Relations District Court. Probation counselors may be 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 statewide average failure to appear rate (FTA) is 10 percent for urban programs that typically have large caseloads similar to Fairfax. In FY 2008, the FTA rate for defendants monitored by SRP was 7 percent (49 defendants FTA out of 693 cases closed).

In FY 2008, SRP referrals were reduced by 18 percent (from 880 new referrals in FY 2007 to 723 in FY 2008) in order to offset an increase in probation services (higher enrollment and for longer periods of time). Because SRP cases require a greater degree of supervision and reporting requirements, assignments must be limited based on the number of probation referrals that a counselor is assigned. Probation enrollment increased by 6 percent (from 1,369 to 1,455) in FY 2008. Plus, the ordered length of supervision increased 23 percent from 220,397 days in FY 2007 to 270,382 days in FY 2008. This, coupled with a Probation Counselor II position vacancy, resulted in a 43 percent increase in caseload per probation counselor (from 65 cases per counselor in FY 2007 to 93 cases in FY 2008), well above the state standard of 40 pretrial cases or 60 probation cases per probation counselor.

In FY 2008, 77 percent of probationers successfully completed the conditions of probation. Those on probation are held accountable to the community for their criminal behavior and are required to perform community service, pay restitution to victims, and pay fines and court costs. Probationers completed 9,428 hours of community service, paid $288,810 in restitution to victims, and paid $141,994 for fines and court costs.

Other Programs

In April 2007, the Alcohol Diversion Program (ADP) was instituted to provide alcohol education to underage drinkers and to relieve the court's dockets by expediting these cases through the system. This program targets those aged 18 to 20, who would otherwise be convicted, and offers a means for them to successfully complete an alcohol program mandated by the Code of Virginia. In FY 2008, services were provided to 265 offenders with a successful completion rate of 82 percent.

The Driving on Suspension (DOS) program, which assists defendants charged with driving on a suspended license gain reinstatement, had 289 new referrals in FY 2008 with a success rate of 77 percent. Success in the DOS program is defined as full payment of fines and costs and reinstatement of the defendant's driver's license.

Administrative Unit and Volunteer/Intern Unit

Court Services' Administrative Unit, which includes the Volunteer/Intern Unit, is responsible for assigning court appointed counsel as ordered by the Court and for scheduling court interpretation services for those who are non-English speaking, hearing-impaired, or speech-impaired. In FY 2008, the Volunteer/Intern Unit performed 5,655 financial interviews to assist the judges in determining defendant's eligibility for court appointed counsel. Based on this information and the judges' decisions, the Administrative Unit assigned and processed paperwork for court appointed attorneys on 15,504 cases.

In FY 2008, Spanish interpretation services for the courts came under the management of state-hired court interpreters. CSD's Administrative Unit continues to schedule all other language interpretation services, which can include daily requests (Korean and Vietnamese) or more unusual languages, which can be difficult and time consuming to arrange.

Effectiveness

The task of collecting and analyzing data to measure Court Services' effectiveness is necessary 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 executive management meetings to discuss relevant issues.