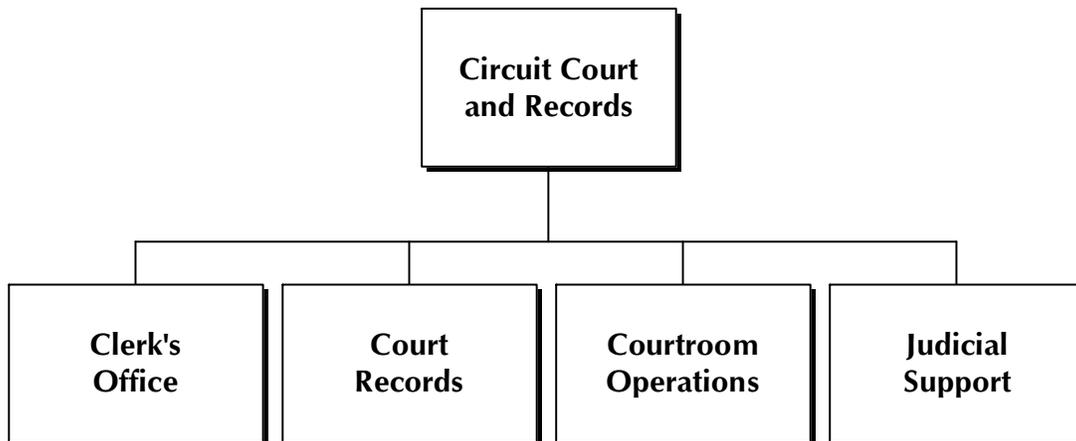


Circuit Court and Records



Mission

To provide administrative support to the Judicial Circuit; to preserve, maintain and protect the public records; and to offer public services with equal access to all in accordance with the Code of Virginia.

Focus

The Circuit Court has jurisdiction in Criminal and Civil cases and provides appellate authority in which an appeal may be taken from a lower tribunal. Criminal cases involve a possible sentence to the State Penitentiary and misdemeanor appeals. Civil jurisdiction provides for adoptions, divorces and controversies where the claim exceeds \$20,000. Civil public service includes proper issuance of marriage licenses, processing notary commissions, probating wills, recording business certification of any trade names and collection of recordation taxes as well as providing true copies of documents that are of record in this office. All land recording transactions and judgments are docketed and made available for public viewing.

In FY 2003, the Land Records department recorded 462,384 documents, resulting in \$8,786,922 of revenue collected from land documents. This is an increase of 34 percent over the previous year and a 58 percent increase over FY 2002. These figures represent record-breaking years. As noted in the *FY 2003 Carryover Review*, an increase in revenue for the County was attributed to increased collection activity in the Real Estate and delinquent property tax categories and higher Recordation and Deed of Conveyance and Clerk's fee receipts resulting from continued low mortgage rates. After the magnitude of real estate activity over the past few years, some cooling was anticipated in the housing market. However, this has not materialized. The Federal Reserve's decision to cut interest rates further during FY 2003 in order to stimulate the sluggish economy continued to fuel the housing market and the volume of refinancings which drive Recordation and Deed of Conveyance receipts and other revenue categories that are affected by the market.

THINKING STRATEGICALLY

Strategic challenges for the Department include:

- o Developing workforce plans to address increasing workload requirements;
- o Leveraging technology to provide for increased efficiencies in courtroom operations; and
- o Improving communications and addressing cultural diversity by increasing availability of volunteers and translators.

Circuit Court and Records

Prior to our automated recording system, land documents were manually processed through 12 steps (representing approximately 42 million pages handled) during the recording process. Through advanced technologies, such as digital imaging and electronic filing, the Clerk's office is revolutionizing the manner in which court documents are recorded and filed. While these technologies are a major improvement in public service to all users of this recording and retrieval system, the technologies have not fully addressed the high volume workload of the Land Records staff. Automation has removed six of the twelve manual steps required to process Land Records' documents, and translates into the elimination of nearly 21 million pages that must be handled. The staff, however, still needs to manually process the equivalent of another 21 million pages. Therefore, while automation has significantly increased our ability to record and return documents, the need to increase staffing to meet the workload requirements still exists.

With a change to the Code of Virginia in 2003, allowing expanded use of e-filing, an authorized party can enter into an agreement with the Clerk and electronically file any type of land document. Prior to this Code change only government or quasi-government agencies could file one particular document type, the mortgage release. The Clerk's office currently has an e-filing system through a vendor that handles only the mortgage release. In the past calendar year, over 10 percent of all mortgage releases have been processed electronically with this system. The Clerk's office is currently working on an initiative to create its own e-filing system that will process all document types at a lower cost to the customer. With the development of this system, it is possible that 40 percent of all land recordings will be filed electronically within a 5-year period. This will increase convenience for the customer but will not significantly reduce the overall workload for the next 3-5 years.

The Code of Virginia articulates the order in which land records documents must be processed. As a result, electronically filed documents will be processed after normal office hours. Hardware components differ for e-filing vs. over the counter recordings. The Technology Trust Fund will be used to acquire some of the additional hardware components needed to operate this e-filing system.

Implementation of a new civil/criminal case management system entitled Full Court in FY 2004 and the addition of e-filing /imaging components in FY 2005 will enable multiple users to access a file simultaneously. In addition to saving time and resources the electronic format provides a protected record in a secure environment for the court documents. Traditionally, only one paper file was available and was subject to loss damage and single person usage. Since the implementation of the existing 25 year old mainframe case management system, cases have risen significantly. In addition, Code of Virginia changes have required additional labor intensive functions from case initiation to case closure. These labor intensive procedures have increased the processing time which has resulted in significant backlogs, particularly in the Criminal Division. The Full Court system provides components that allow data entry once that will populate a number of documents for processing. As an example, in criminal cases for non-payment of court costs, the driver's license revocation to the Department of Motor Vehicles as well as Set-Off Debt documents to the Department of Taxation could be done by one staff person or the same file could be worked with simultaneously. This eventually will result in reduction of the backlog and more timely case closure.

Another area of focus is an increasingly diverse customer base, as well as a diverse staff, is resulting in changing requirements to accommodate the multiple languages spoken and added responsibilities and skill requirements for staff.

The Circuit Court in conjunction with the competencies requirements of the National Association for Court Management (NACM) and the strategic planning initiative is developing guidelines and training programs to address ever changing job requirements primarily due to technological advances for staff. The agency is aligning the Circuit Court's mission and vision and values to that of the County and NACM. The agency is assessing their specific customers and staff needs, developing programs, resolving issues and improving their performance as a result.

Circuit Court and Records

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

 Maintaining Safe and Caring Communities	Recent Success	FY 2005 Initiative	Cost Center
Continued to develop procedures to ensure that only the most qualified foreign language interpreters are used in the courtroom. Following the success of a cultural awareness training program in April, 2003, currently developing in-house training programs related to cultural awareness and the use of foreign language interpreters. Working with the General District Court and Juvenile & Domestic Relations District Court to create a standardized list of qualified interpreters for the Fairfax Courts.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Judicial Support
 Connecting People and Places	Recent Success	FY 2005 Initiative	Cost Center
Forms are continuously being added and enhanced on the Circuit Court's website to be consistent in format and processing capabilities with state and County forms. Technology advancements will also be investigated regarding digital signature and other issues which would permit these forms to be filed electronically. These forms are interactive, which means that the public can access these forms, fill them out in the privacy of their own home or office and print as many copies as needed for filing.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Agencywide
Provide citizens access to juror information through the web and telephone interactively 24 hours a day. This will have the potential to benefit approximately 30,000 possible jurors each year.		<input checked="" type="checkbox"/>	Courtroom Operations
Instrumental in initiating a code change that will allow for the expansion of types of electronically recorded documents in Land Records. An initial pilot (FY 2003) allowed for government or quasi government agencies to electronically file mortgage releases (funded with FY 2003 agency funds). This code change has expanded the opportunity to have any authorized party enter into an agreement with the Clerk and file electronically <i>any</i> type of land document. The Technology Trust Fund will be used in FY 2005 to acquire some of the hardware to operate this e-filing system. If the system is fully funded, it is estimated that 40 percent of land records may be filed electronically within 5 years.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Land Records

Circuit Court and Records

 Connecting People and Places	Recent Success	FY 2005 Initiative	Cost Center
<p>The Court's Public Access Network (CPAN) in conjunction with CARS (Court Automated Recording System) is used by Circuit Court staff, other County agencies, banks, mortgage companies, title companies, law firms and the general public to access and research more than 27 million land records images for use in buying, selling and developing properties in Fairfax County. This subscription service provides citizens with information about law and chancery matters, civil case information, civil and criminal service information 24/7, real estate assessments and delinquent real estate tax information. CPAN has expanded from local Fairfax County users to users in more than 12 states and the District of Columbia. The Circuit Court expects continued growth in both numbers of users across the United States who can obtain up-to-the-minute, real time information about land recordings in Fairfax County.</p>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Land Records
 Creating a Culture of Engagement	Recent Success	FY 2005 Initiative	Cost Center
<p>Developing volunteer program in order to utilize the skills and abilities of Fairfax County citizens. Volunteers are needed in the areas of administrative support, accounting and technology. This program helps to alleviate increased workload as well as connect with the community. Initially the program had only been advertised on VolunteerFairfax.org. In the future the descriptions of volunteer opportunities will be posted on the Circuit Court website as well, to enable easier access to volunteer information.</p>		<input checked="" type="checkbox"/>	Agencywide
 Corporate Stewardship	Recent Success	FY 2005 Initiative	Cost Center
<p>The Full Court case management e-filing and imaging components will enable clerks to place case information on a website providing attorneys and constituents with 24/7 access to court calendars and information screens. Full Court will start with Phase I implementation in February or March FY 2004. Partial funding for Full Court is in Fund 104 in FY 2004 and in the Technology Trust Fund for FY 2004 and FY 2005 for Phase I.</p>		<input checked="" type="checkbox"/>	Agencywide

Circuit Court and Records

Budget and Staff Resources

Agency Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	137/ 137	137/ 137	137/ 137	137/ 137	137/ 137
Exempt	24/ 24	24/ 24	24/ 24	24/ 24	24/ 24
State	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
Expenditures:					
Personnel Services	\$6,616,200	\$6,829,693	\$7,051,853	\$7,479,296	\$7,479,296
Operating Expenses	1,800,529	1,889,140	2,388,987	1,962,359	1,962,359
Capital Equipment	6,997	0	15,600	0	0
Total Expenditures	\$8,423,726	\$8,718,833	\$9,456,440	\$9,441,655	\$9,441,655
Income:					
Land Transfer Fees	\$38,926	\$38,010	\$38,010	\$38,010	\$38,010
Courthouse Maintenance Fees	5,494	5,637	5,494	5,494	5,494
Circuit Court Fines and Penalties	122,572	145,177	122,572	126,249	126,249
Copy Machine Revenue	51,459	0	57,868	58,000	58,000
County Clerk Fees	10,575,581	6,723,985	10,575,581	6,662,616	7,931,686
City of Fairfax Contract	75,056	76,557	89,785	89,785	89,785
Recovered Costs - Circuit Court	1,989	4,164	4,164	4,164	4,164
CPAN	49,593	0	61,158	62,380	62,380
State Shared Retirement - Circuit Court	83,967	82,669	82,669	82,669	82,669
Total Income	\$11,004,637	\$7,076,199	\$11,037,301	\$7,129,367	\$8,398,437
Net Cost to the County	(\$2,580,911)	\$1,642,634	(\$1,580,861)	\$2,312,288	\$1,043,218

FY 2005 Funding Adjustments

The following funding adjustments from the FY 2004 Revised Budget Plan are necessary to support the FY 2005 program:

- ◆ **Employee Compensation** **\$427,443**
 An increase of \$427,443 in Personnel Services associated with salary adjustments of \$277,443 necessary to support the County's compensation program and increased exempt limited-term salaries of \$150,000 in order to address the significant workload in the Land Records section and provide for the timely recordation of documents in the Land Records section.
- ◆ **Information Technology** **\$2,558**
 An increase of \$2,558 results from an adjustment to Information Technology Infrastructure charges.
- ◆ **Carryover Adjustments** **(\$444,786)**
 A decrease of \$444,786 in Operating Expenses due to the Carryover of one-time expenses as part of the FY 2003 Carryover Review.

Circuit Court and Records

Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2005 Advertised Budget Plan, as approved by the Board of Supervisors on April 26, 2004:

- ◆ The Board of Supervisors made no adjustments to this agency.

Changes to FY 2004 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2004 Revised Budget Plan since passage of the FY 2004 Adopted Budget Plan. Included are all adjustments made as part of the FY 2003 Carryover Review and all other approved changes through December 31, 2003:

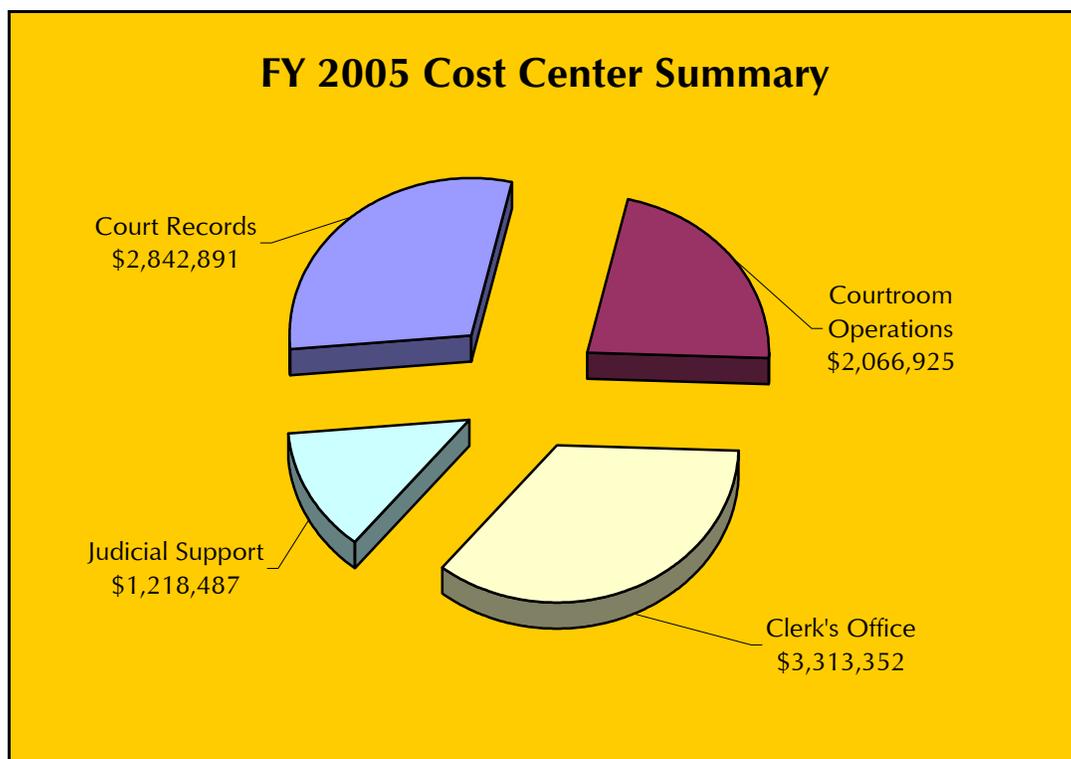
- ◆ **Carryover Adjustments** **\$737,607**
Encumbered carryover of \$444,786 in Operating Expenses and the restoration of \$292,821 including \$222,160 in Personnel Services to restore funding for overtime and exempt limited-term salaries for efforts in Land Records as well as additional funding of \$70,661 to provide for the purchase of the Full Court software.

The following funding adjustments reflect all approved changes to the FY 2004 Revised Budget Plan from January 1, 2004 through April 19, 2004. Included are all adjustments made as part of the FY 2004 Third Quarter Review:

- ◆ The Board of Supervisors made no adjustments to this agency.

Cost Centers

The Circuit Court and Records has four cost centers including Court Records, Courtroom Operations, the Clerk's Office, and Judicial Support.



Circuit Court and Records

Court Records

Funding Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	52/ 52	52/ 52	52/ 52	52/ 52	52/ 52
Total Expenditures	\$2,434,378	\$2,470,062	\$2,633,986	\$2,842,891	\$2,842,891

Position Summary					
2	Legal Records/Services Managers	5	Administrative Assistants III	1	Archives Technician
5	Administrative Assistants IV	37	Administrative Assistants II	2	Administrative Assistants I
TOTAL POSITIONS					
52 Positions / 52.0 Staff Years					

Key Performance Measures

Goal

To record, preserve, safeguard and provide convenient access to all recorded documents and instruments pertaining to land, property, and all other matters brought before the Court; and to coordinate the retention, archiving and disposition of those documents in accordance with the [Code of Virginia](#).

Objectives

- ◆ To achieve a turnaround time of 49 days in returning documents.
- ◆ To improve and expand the flow of information between the Circuit Court, other County agencies, and the public by increasing remote public access service usage, as measured by Citizen Public Access Network (CPAN) connections, by 5.0 percent.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Output:					
Land Documents Recorded	291,583	345,772	375,000 / 462,384	500,000	500,000
CPAN users served to date	245	383	400 / 475	500	525
Efficiency:					
Cost per recorded document	\$3.82	\$3.65	\$3.48 / \$2.53	\$2.61	\$2.70
Revenue per paid CPAN connection	\$262	\$269	\$300 / \$107	\$112	\$116
Service Quality:					
Turnaround time in returning recorded document (days)	30	35	30 / 49	49	49
Percentage point change of additional CPAN information available from off-site location	35	13	10 / 9	14	14

Circuit Court and Records

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Outcome:					
Percent change in time to return documents	3%	(19%)	19% / 42%	0%	0%
Percent change of CPAN connections	84.0%	56.0%	5.0% / 24.0%	5.0%	5.0%

Performance Measurement Results

The influx of recordings in FY 2003 has resulted in increased time to return documents after they have been recorded. Documents presented over the counter for recording are processed and returned in a shorter period of time than those that are received by mail. When additional staff is available (limited term summer help) the processing time to return documents decreases.

In FY 2003 two adjustments were made to the CPAN fee resulting in the elimination of the Clerks Fee and a reduction in the monthly computer charge from \$50.00 to \$25.00. This entire amount is a County fee and sent directly to the County. The reductions were made to increase subscribers and encourage regular users, such as title companies and lawyers to conduct their research from their home or office, instead of conducting research at the courthouse. The result was an increase of almost one hundred subscribers. Due to the low interest rates the volume of recordings increased. Without this network the process of title searches would have been chaos in the record room. The number of available public access computers would have been inadequate and the space would have been congested and cramped. In addition, parking congestion is alleviated when fewer people need to actually come to the Public Safety Center to do their work.

Courtroom Operations

Funding Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	42/ 42	42/ 42	42/ 42	42/ 42	42/ 42
Total Expenditures	\$1,818,094	\$1,963,795	\$2,010,105	\$2,066,925	\$2,066,925

Position Summary					
2	Administrative Assistants V	2	Legal Records/Services Managers	12	Court Clerks I
2	Administrative Assistants IV	16	Court Clerks II	8	Administrative Assistants II
TOTAL POSITIONS					
42 Positions / 42.0 Staff Years					
1/1.0 SYE Grant Position in Fund 102, Federal/State Grant Fund					

Key Performance Measures

Goal

To provide full administrative and clerical support in order to accomplish the appropriate and prompt resolution of all cases and jury functions referred to the 19th Judicial Circuit.

Objectives

- ◆ To efficiently process County residents serving as jurors by maintaining the daily rate of utilization at no less than 100 percent, in order to minimize the impact on the personal and professional lives of the residents of Fairfax County who are called upon to perform their civic duty.

Circuit Court and Records

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Output:					
Average number of residents called each day for jury selection	83.0	88.5	90.0 / 71.0	71.0	71.0
Efficiency:					
Cost per resident called for jury selection	\$43.24	\$40.60	\$40.96 / \$42.65	\$42.98	\$43.33
Service Quality:					
Percent jury utilization	110%	106%	106% / 108%	108%	108%
Outcome:					
Percentage point change in juror utilization rate	5	7	0 / 2	0	0

Performance Measurement Results

Circuit Court has been able to maintain a high utilization rate of jurors called in each day to perform their civic duty. Terms of service continue to stay at 2 weeks, with an occasional three week term, to minimize the disruption to personal and professional lives of the citizens of Fairfax County.

Clerk's Office

Funding Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	35/ 35	35/ 35	36/ 36	36/ 36	36/ 36
Exempt	8/ 8	8/ 8	8/ 8	8/ 8	8/ 8
Total Expenditures	\$3,038,758	\$3,111,556	\$3,637,072	\$3,313,352	\$3,313,352

Position Summary					
1 Management Analyst II	1 Accountant II	1 County Clerk (Elected) E			
1 Management Analyst I	1 Accountant I	1 Deputy County Clerk E			
1 Legal Records/Services Manager	1 Administrative Assistant V	1 Chief of Administrative Services E			
1 Programmer Analyst IV	2 Administrative Assistants IV	1 Management Analyst III E			
1 Information Technician	16 Administrative Assistants II	1 Management Analyst II E			
1 Programmer Analyst III	5 Court Clerks II	1 Administrative Assistant IV E			
2 Programmer Analysts II	1 Court Clerk I	1 Administrative Assistant III E			
1 Network/Telecom. Analyst II		1 Administrative Assistant II E			
TOTAL POSITIONS		E Denotes Exempt Positions			
44 Positions / 44.0 Staff Years					

Key Performance Measures

Goal

To provide effective management of the various components and employees of the Clerk's office in order to produce efficient and effective service to the legal community and the general public.

Objectives

- ◆ To maintain an average fiduciary appointment waiting time of 1.0 week in order to serve the probate needs of Fairfax County residents in a timely manner.

Circuit Court and Records

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Output:					
Fiduciary appointments scheduled per day	27	30	30 / 29	30	30
Efficiency:					
Cost per appointment	\$47.67	\$49.70	\$51.25 / \$48.77	\$51.85	\$54.11
Service Quality:					
Average probate appointment book waiting time (in weeks)	1.0	1.0	1.0 / 1.0	1.0	1.0
Outcome:					
Percent change in waiting time	0.0%	0.0%	0.0% / 0.0%	0.0%	0.0%

Performance Measurement Results

The time it takes to obtain a fiduciary appointment continues to remain at 1.0 week. Emergencies and those who walk-in without an appointment are served as soon as staff is available.

Judicial Support

Funding Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	8/ 8	8/ 8	7/ 7	7/ 7	7/ 7
Exempt	16/ 16	16/ 16	16/ 16	16/ 16	16/ 16
State	15/ 15	15/ 15	15/ 15	15/ 15	15/ 15
Total Expenditures	\$1,132,496	\$1,173,420	\$1,175,277	\$1,218,487	\$1,218,487

Position Summary					
1 Chief Judge S	1 Management Analyst III E	4 Administrative Assistants IV			
14 Judges S	11 Management Analysts I E	1 Management Analyst II			
4 Law Clerks E	2 Administrative Assistants V				
TOTAL POSITIONS			E Denotes Exempt Position		
38 Positions / 38.0 Staff Years			S Denotes State Position		

Key Performance Measures

Goal

To provide full administrative support and clerical services to the Judges of the 19th Circuit in order to ensure appropriate and prompt resolution of cases.

Objectives

- ◆ To maintain the law case processing and disposition rate of 86 percent, with a target of 90 percent, for cases disposed of within one year of the filing date. The State average is 75 percent and the voluntary case processing guidelines adopted by the Judicial Council recommend 90 percent disposition of law cases filed within one year.

Circuit Court and Records

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2001 Actual	FY 2002 Actual	FY 2003 Estimate/Actual	FY 2004	FY 2005
Output:					
Law cases concluded through the Differential Case Tracking Program (DCTP)	3,661	3,250	3,500 / 3,660	4,000	NA
Efficiency:					
Cost per case concluded in DCTP	\$134.52	\$160.34	\$155.52 / \$150.26	\$136.26	NA
Service Quality:					
Percent of DCTP cases concluded within one year	82%	85%	86% / 86%	86%	NA
Outcome:					
Percentage point change of DCTP caseload concluded within one year	(1)	3	1 / 1	0	NA

Performance Measurement Results

An outcome cannot be predicted for FY 2005 at this time. Chancery cases (such as divorce) have been added to this program and will be measured as well. However, due to different completion times, a different measurement may become necessary.