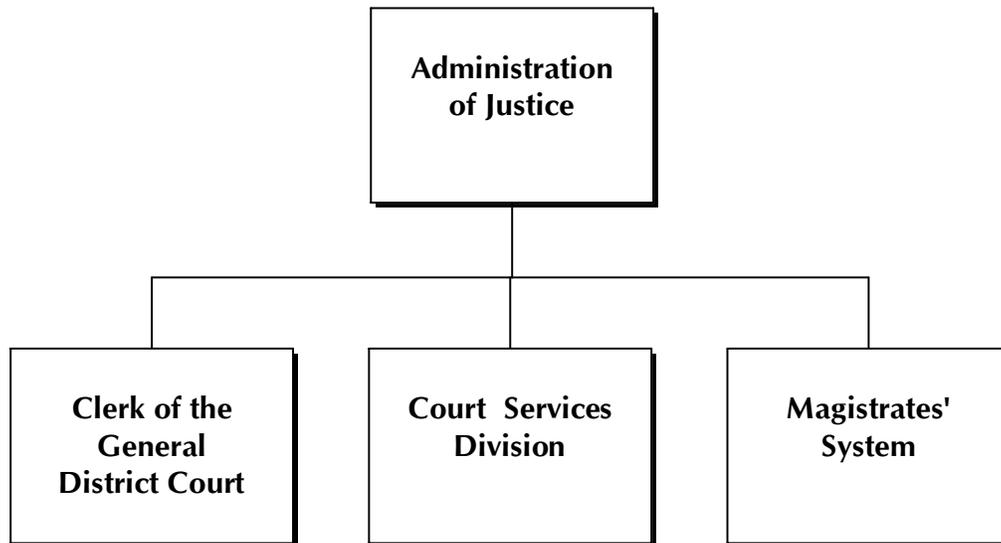


# General District Court



## 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 256,575 new cases in calendar year (CY) 2002 to 316,478 new cases in CY 2005.

New cases in the Criminal Division, which increased 4.1 percent in CY 2005, have slight fluctuations but tend to remain relatively constant.

### 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

The Traffic caseload increased by 8.2 percent in CY 2005. Increased efforts in traffic enforcement, largely due to the Fairfax County Police Department's special programs such as Smooth Operator, have resulted in greater revenue for the County. The County's revenue from fines increased by \$2,182,896 from \$6,271,263 in CY 2004 to \$8,454,159 in CY 2005.

In CY 2005, Civil/Small Claims experienced a small decrease in new cases.

Type of Case	CY 2002 Actual	CY 2003 Actual	CY 2004 Actual	CY 2005 Actual	CY 2006 Estimate
Criminal	25,881	24,921	25,668	26,726	25,668
Traffic	181,451	185,842	225,720	244,283	230,688
Civil	47,592	46,848	44,566	45,469	46,452
Small Claims*	1,651	1,682	1,698	NA	NA
TOTAL	256,575	259,293	297,652	316,478	302,808

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

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. Because of local and state budget constraints, it is an increasingly difficult challenge to provide the services mandated by legislation and to maintain quality service. Although there was a modest increase in the state grant funding for FY 2006, it was not sufficient to compensate for the past five years of flat funding. Due to years of flat grant funding, funds for operational expenses were depleted to support rising personnel costs. In FY 2004, one Probation Counselor II grant position was eliminated to provide continuing support for the remaining eight grant positions. Because the FY 2006 increase was modest, the funding could only support the addition of one Probation Counselor I as a part-time limited term employee. CSD has experienced a high turnover rate in its Case Management Unit adding to the stress and workload of the existing staff. Probation Counselors have accepted positions with the federal government that offer smaller caseloads and a substantial increase in salary with fringe benefits. This trend is projected to continue until the pay scale and workload are adjusted. In an attempt to respond to the budget constraints and staff turnover trends, one approach has been the more effective use of technology. Court Services is working with the County Department of Information Technology (DIT) to interface systems in an effort to avoid multiple data entry, delays and hindered productivity. Currently, CSD relies on six data systems to collect all the necessary information on clients and their cases. Having these systems interface would increase staff productivity. Two of the systems that were designed by DIT are in the process of being interfaced with further improvements expected in the near future.

The other divisions of the General District Court are totally staffed with state funded personnel. Since the state pay scale is lower than the County's and the state has not provided step increases, the staff turnover continues at a high rate, exceeding 30 percent in FY 2005.

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.

**Caseload:** In the past two 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 the integrity of the program.

# General District Court

**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 2005, interpretation services were provided for 17,220 clients, including 15,466 Spanish clients, 1,007 Korean clients, 325 Vietnamese clients, and 422 clients of various other languages. Bilingual professional staff must continue to be hired and retained. Approximately 18 percent of the clients in the Supervised Release Program (SRP) and 12 percent of the probation clients are Hispanic and speak little or no English. Bilingual probation officers are required in order to effectively and efficiently manage the caseload. Overcoming language, cultural and disability barriers is crucial in providing diverse clientele 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

 <b>Maintaining Safe and Caring Communities</b>	<b>Recent Success</b>	<b>FY 2007 Initiative</b>
In FY 2005 offenders referred to the Probation Program increased by 54 percent from 768 to 1,181 offenders. The staff met this challenge and has managed to meet the clients’ needs insuring that 76 percent complied with conditions of probation.	☑	
Continue the implementation of 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 investigation. In FY 2005, staff completed 7,629 investigations on incarcerated defendants.	☑	☑
Continue to increase the number of volunteers recruited and retained while expanding their duties to provide a wider range of services to the Court and other criminal justice agencies. In FY 2005, 63 citizens/interns volunteered a total of 6,021 hours.	☑	☑
Continue the CSD initiative of Probation Officers placing offenders in community service worksites which lowers the costs to clients while improving their success rate. In FY 2005, offenders successfully completed 6,266 hours of community service, an increase of 5.5 percent over the 5,942 hours completed in FY 2004.	☑	☑

# General District Court

## Budget and Staff Resources

Agency Summary					
Category	FY 2005 Actual	FY 2006 Adopted Budget Plan	FY 2006 Revised Budget Plan	FY 2007 Advertised Budget Plan	FY 2007 Adopted Budget Plan
Authorized Positions/Staff Years <sup>1</sup>					
Regular	20/ 20	21/ 21	22/ 22	22/ 22	22/ 22
State	124/ 117	124/ 117	124/ 117	124/ 117	125/ 118
Expenditures:					
Personnel Services	\$995,912	\$983,550	\$1,245,399	\$1,374,025	\$1,374,025
Operating Expenses	733,639	1,002,481	927,363	832,263	855,263
Capital Equipment	0	0	0	0	0
<b>Total Expenditures</b>	<b>\$1,729,551</b>	<b>\$1,986,031</b>	<b>\$2,172,762</b>	<b>\$2,206,288</b>	<b>\$2,229,288</b>
Income:					
Courthouse Maintenance Fees	\$362,316	\$294,328	\$370,195	\$377,600	\$377,600
General District Court Fines/Interest	111,413	98,433	111,413	111,413	111,413
General District Court Fines	7,899,526	5,541,109	7,899,526	8,136,512	8,136,512
Miscellaneous Revenue	378	2,500	2,500	2,500	2,500
Recovered Costs - General District Court	105,957	79,282	107,306	107,306	107,306
State Reimbursement - General District Court	78,038	59,224	59,224	59,224	59,224
<b>Total Income</b>	<b>\$8,557,628</b>	<b>\$6,074,876</b>	<b>\$8,550,164</b>	<b>\$8,794,555</b>	<b>\$8,794,555</b>
<b>Net Cost to the County</b>	<b>(\$6,828,077)</b>	<b>(\$4,088,845)</b>	<b>(\$6,377,402)</b>	<b>(\$6,588,267)</b>	<b>(\$6,565,267)</b>

<sup>1</sup> 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		
<p><b><u>Administration of Justice</u></b></p> <p>1 Chief Judge S</p> <p>10 General District Judges S</p> <p>1 Secretary S</p> <p><b><u>Magistrates' System</u></b></p> <p>1 Chief Magistrate S</p> <p>31 Magistrates S, 9 PT</p>	<p><b><u>Clerk of the General District Court</u></b></p> <p>1 Clerk of the General District Court S</p> <p>1 Chief Deputy Clerk S</p> <p>3 Division Supervisors S</p> <p>5 Staff Analysts S</p> <p>10 Section Supervisors S</p> <p>61 Deputy Clerks S, 5 PT</p>	<p><b><u>Court Services Division</u></b></p> <p>1 Probation Supervisor II</p> <p>1 Probation Supervisor I</p> <p>5 Probation Counselors II</p> <p>5 Probation Counselors I</p> <p>1 Volunteer Services Coordinator II</p> <p>1 Administrative Assistant IV</p> <p>1 Administrative Assistant III</p> <p>5 Administrative Assistants II</p> <p>1 Network/Telecommunications Analyst II</p> <p>1 Management Analyst II</p>
<p><b>TOTAL POSITIONS</b>            147 Positions / 140.0 Staff Years            8/8.0 SYE Grant Positions in Fund 102, Federal/State Grant Fund</p>		
<p>S Denotes State Positions            PT Denotes Part-time Positions</p>		

# General District Court

## FY 2007 Funding Adjustments

The following funding adjustments from the FY 2006 Revised Budget Plan are necessary to support the FY 2007 program:

- ◆ **Employee Compensation** **\$128,626**  
An increase of \$128,626 in Personnel Services is associated with salary adjustments necessary to support the County's compensation program, including full year funding for 1/1.0 SYE Probation Counselor II position that was established in early FY 2006; additional funds for limited term positions to provide increased relief efforts in the Court Services Division; and funds for an increase in the shift differential rate to \$0.90 for the evening shift and \$1.30 for the midnight shift.
- ◆ **Operating Expenses Adjustments** **\$39,900**  
A net increase of \$39,990 in Operating Expenses includes \$13,517 for Information Technology charges based on the agency's historic usage of mainframe applications; \$13,114 for additional costs associated with the United State Postal Service postage rate increases effective January 8, 2006; \$15,000 for escalating costs for translation services; and \$50,000 for other various court-related operating costs. These increases are partially offset by a decrease of \$51,731 due to one-time funding for encumbered items included in the FY 2005 Carryover Review.

## Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2007 Advertised Budget Plan, as approved by the Board of Supervisors on May 1, 2006:

- ◆ **Costs for an Additional Judge** **\$23,000**  
Funding of \$23,000 in Operating Expenses was included for costs associated with an additional Judge beginning on July 1, 2006. The funding will provide for renovations and furnishings for the Judge's chambers.

## Changes to FY 2006 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2006 Revised Budget Plan since passage of the FY 2006 Adopted Budget Plan. Included are all adjustments made as part of the FY 2005 Carryover Review and all other approved changes through December 31, 2005:

- ◆ **Carryover Adjustments** **\$51,731**  
As part of the FY 2005 Carryover Review, the Board of Supervisors approved encumbered carryover of \$51,731 in Operating Expenses.
- ◆ **Position Redirection** **\$0**  
Due to significant increases in caseloads in recent years, the County Executive approved the redirection of an existing position from within the County workforce to the General District Court for the establishment of 1/1.0 SYE Probation Counselor II position to address workload issues in the Court Services Division.

The following funding adjustments reflect all approved changes to the FY 2006 Revised Budget Plan from January 1, 2006 through April 24, 2006. Included are all adjustments made as part of the FY 2006 Third Quarter Review:

- ◆ **Third Quarter Adjustments** **\$135,000**  
As part of the FY 2006 Third Quarter Review, funding of \$135,000 in Operating Expenses was included to provide for additional postage and other operating costs including printing, telecommunications and other operating expenses.

# General District Court

## 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 increase by 2 percent, from 7,782 to 7,936 the number of investigations provided on eligible defendants awaiting trial in the Adult Detention Center (ADC) so judicial officers can make informed decisions about release of defendants.
- ◆ To provide defendants with needed services at the initial contact, thus reducing the need to take jail review action on 5 percent or less of the GDC cases awaiting trial in the Adult Detention Center after arraignment to ensure that cases progress in a timely manner through the judicial system.
- ◆ To increase the annual enrollment of defendants in Supervised Release Program (SRP) by 5 percent, from 916 cases referred annually to 962 cases, an objective established with the Virginia Department of Criminal Justice Services (DCJS) to reduce jail overcrowding.
- ◆ To increase annual enrollment of probation referrals by 4 percent, from 1,228 cases to 1,277 cases annually, an objective established with the Virginia Department of Criminal Justice Services (DCJS) to reduce jail overcrowding.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Output:</b>					
Pretrial interviews/investigations conducted	5,721	7,622	7,775 / 7,629	7,782	7,936
Pretrial cases processed in jail review	2,531	1,998	2,038 / 1,837	1,745	1,658
Supervised Released Program (SRP) annual new enrollment	959	1,309	1,375 / 872	916	962
Probation program annual new enrollment	742	768	799 / 1,181	1,228	1,277
<b>Efficiency:</b>					
Investigations per evaluator per shift	7	11	11 / 11	11	11
Jail cases processed daily per staff member	10	8	8 / 7	7	6
Daily SRP caseload per Probation Counselor	38	46	49 / 32	29	27
Daily probation caseload per Probation Counselor	59	56	59 / 73	66	61

# General District Court

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2003 Actual	FY 2004 Actual	FY 2005 Estimate/Actual	FY 2006	FY 2007
<b>Service Quality:</b>					
Percent of evaluator staff recommendations accepted by judicial officers	94%	98%	97% / 97%	97%	97%
Percent of eligible defendants released through the jail review process	3%	2%	3% / 1%	1%	1%
Percent of SRP referrals that successfully complete the program	87%	82%	83% / 87%	83%	83%
Percent of probation cases successfully closed	74%	75%	72% / 76%	74%	74%
<b>Outcome:</b>					
Percent of investigations presented at arraignment	75%	68%	70% / 71%	72%	74%
Percent of pretrial investigations resulting in the defendant's release	NA	NA	14% / 13%	14%	14%
Percent of cases where jail review action was taken	NA	NA	5% / 2%	2%	2%
Percent of expedited releases	2%	2%	2% / 1%	1%	1%
Percent change in pretrial SRP enrollment	22%	37%	5% / (33%)	5%	5%
Percent change in probation enrollments	18%	4%	4% / 54%	4%	4%

## 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. The utilization of pretrial investigation information has increased because this information is now being used by the magistrates at the initial bail hearing, resulting in earlier release of qualified defendants and a savings in jail days.

Jail review is an additional process to ensure incarcerated defendants are expedited through the judicial system. The objective, however, is to provide defendants with the needed services at the initial contact, thus decreasing the number of actions required in the jail review process. In FY 2005, the staff saved 721 days of jail time through the jail review process by expediting cases, processing cases for court appointed counsel and securing defendants' release into the Supervised Release Program (SRP). Decreasing the number of actions taken during the jail review process by earlier intervention typically results in saving more jail days.

## General District Court

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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, and 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 to weekly and conduct weekly telephone check-ins and drug testing. Due to the intensity of supervision and 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. There was a significant increase of 54 percent (from 768 in FY 2004 to 1,181 in FY 2005) in the Probation Program referrals. 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 one Probation Counselor II in FY 2006, the enrollment in SRP is expected to increase 5 percent in FY 2006 and FY 2007.

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. If resources allow, there is greater potential for growth in the DOS program, which benefits the courts, individuals and the community by bringing defendants into compliance with the law through the payment of previously uncollected court fines.

The success rate for clients referred to the SRP and probation programs has remained high due to the diligence of the Court Services staff. In FY 2005, 87 percent of the SRP defendants successfully completed the program and 76 percent of the probationers successfully completed their program.

The time consuming 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 high performance issues.

Both the Supervised Release Program and the Probation Program will continue to grow in the future. However, limited staffing and budgetary constraints will challenge the agency to maintain a high quality of service while ensuring the preservation of a safe and caring community.