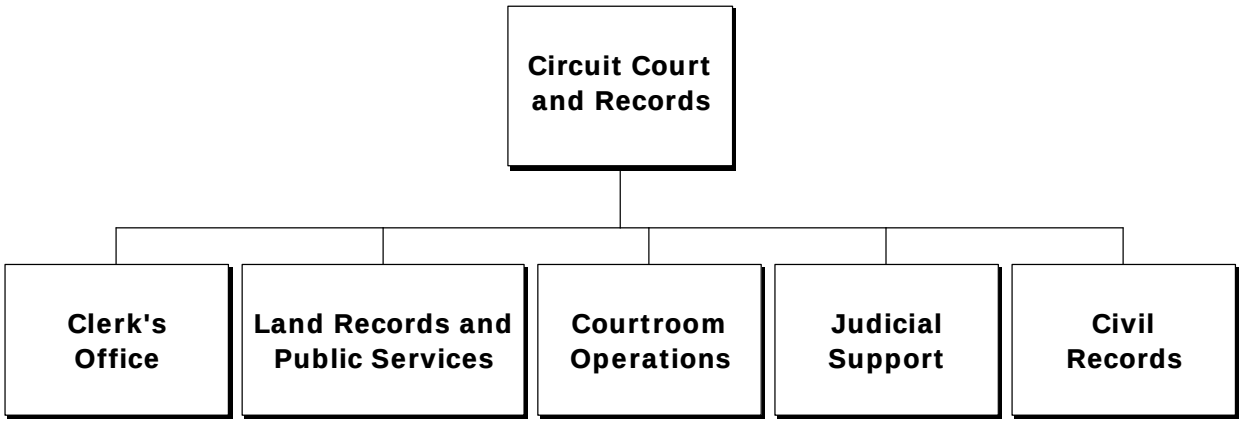
Circuit Court and Records



Mission

To provide administrative support to the 19th 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 $15,000. Public services include issuance of marriage licenses, processing notary commissions, probating wills, recording business certification of trade names, financing statements and docketing judgments. The Circuit Court collects recordation taxes and filing fees as well as fines, costs and restitution in criminal cases. Public access of court records is available on site or through the Court's Public Access Network (CPAN), a secure remote access system.

High Performance through Process Improvement

Circuit Court staff has been challenged to maintain a high level of performance in spite of the current business climate where resources are limited, customer demands are high and state mandates remain unchanged. In order to accomplish this goal and to align it with the strategic direction of this organization, continuous process evaluation occurs in all departments.

The agency has evaluated current processes and procedures and identified challenges, backlogs and bottlenecks. As a result of this analysis, actions have been implemented to address these issues. These processes will continue to be analyzed and reevaluated in all areas of the Court in order to better serve its customers. Implementation of these processes is not the end, but rather the beginning of a progressive plan to anticipate and meet the needs of the court's users.

High Performance through Technology

Fairfax Circuit Court has been recognized as a leader in implementing technologies that benefit both internal and external customers. These technologies enhance the agency's ability to deliver outstanding customer service. The agency remains committed to utilizing new technologies to continue as a high performing organization.

In FY 2011, a new file tracking system (Radio Frequency Identification (RFID)) was installed throughout the Circuit Court allowing for a more efficient way of locating and tracking case files. Initially, over 195,000 files from the current case management system were loaded into the new software and as a new case file is opened it will have a RFID label attached. The chip embedded in the label is the element that

allows antennas to track and locate the file. Antennas have been positioned in key areas throughout the Circuit Court allowing an optimized read range to recognize the chip that has been tagged to the file.

This technology locates missing files like a metal detector in a fraction of the time and routes them to the person who is waiting for the files. Through a computer or a RFID mobile tracker, the functionality exists to locate files, check out files to specific people, view which files are checked out as well as view the cases on any of the dockets.

An Online Scheduling System (OSS) is being developed through a collaborative effort between Circuit Court and Fairfax County Department of Information Technology (DIT). This system will allow attorneys to set their civil trial dates online. Phase I of OSS will specifically focus on Civil Law cases, followed closely by Phase 2 which will focus domestic disputes. The system will give attorneys the ability to collaborate interactively and streamline the process of setting a trial date. The primary attorneys will need to agree on a trial date, including length of trial and whether a jury is requested or not.

Approximately 43,000 Fairfax County and City of Fairfax residents receive juror questionnaires each year, to create a jury pool of approximately 22,000 possible jurors. Residents receiving questionnaires have the option to complete their questionnaire online, obtain reporting dates by phone or from the Circuit Court website, have questions answered through interactive phone usage and request service history, all without staff assistance, 24/7, at their convenience.

The Land Records Division recorded 196,465 documents in FY 2010, an increase of 6 percent over FY 2009. This figure includes 21,362 that were recorded electronically, a 24 percent increase over documents filed electronically from FY 2009. Fifty seven companies currently use the Electronic Filing System (EFS) and the number grows weekly. Electronic recording is an ongoing effort and is currently being tested by more and more customers with positive results. The customer now has the ability to record 37 document types electronically. With further development and implementation of this system, it is anticipated that the number of documents filed in this manner will increase even more throughout the business community of Fairfax County.

The Commonwealth of Virginia has passed legislation which requires the Clerk of Circuit Court to redact the social security numbers (SSN) from all images which are in automated systems that are viewable via secure remote access. Fairfax Circuit Court has identified nearly 39 million images currently online and viewable through CPAN. To comply with the redaction legislation, a solicitation was issued and an award was made in May of 2010. Redaction of the backfile records is expected to be completed by the end of FY 2012.

High Performance through Diversity

Nearly one in five Americans speaks a language other than English at home. Fairfax County is no exception to this rule. Changing demographics within the County has continued to make the County extremely diverse. The Fairfax Circuit Court provides a very high quality of service to ensure equal access to the judicial system for all persons regardless of their ability to communicate effectively in the spoken English language. In addition, the Circuit Court employs many bilingual employees in the Civil and Public Services Divisions who help translate legal forms, answer procedural questions and provide information. As positions become available in these areas of the Court, the agency recruits, hires, and certifies bilingual staff to assist the public in a variety of languages. There are frequently requirements for trained interpreters to service individuals in their court cases. The role of a court interpreter or translator is to remove the language barrier so that all those with limited English proficiency who come before the

Court have equal access to justice. Court interpreters are a vital and indispensable tool in fulfilling the Court's obligation.

The Fairfax Circuit Court Clerk's office provides interpreters for all of its criminal cases and for some civil cases that qualify as well. In 2010, the Court provided interpreters in over 29 different languages. The Virginia Supreme Court certifies all of the Court's Spanish interpreters and the Court uses approved, trained and qualified interpreters for all other languages.

High Performance through Partnerships

The Circuit Court partners with volunteer organizations and learning institutions to create a volunteer program for the public and internships for college students. Volunteers bring varied skills and experience to assist the Court in performing tasks that benefit its customers and afford residents an opportunity to contribute to the welfare of their community as well as develop marketable skills and work experience. College students get to apply traditional academic classroom learning to an actual work environment in order to develop personal and professional skills for future career development and placement and to fulfill college requirements. Some interns are pursuing degrees in Criminal Justice that require a formal internship in order to graduate. An internship in the Circuit Court affords students an opportunity to earn college credit while learning the processes and procedures of the Court. Students in law school or planning to attend law school who volunteer become familiar with the behind-the-scenes workings of the Circuit Court. This experience is valuable to them in their future practice of law.

Both interns and volunteers enrich the Circuit Court by bringing new knowledge and skills to the workplace, and have been a valuable resource given recent fiscal constraints. In FY 2010, volunteers and interns worked over 2,300 hours, assisting staff in accomplishing their work assignments.

High Performance through Succession Planning

In the next few years, the Circuit Court will encounter many challenges due to the retirement of experienced employees, an increased workload without staff increases, and continuous technological changes impacting work processes. In order to meet these challenges and provide superior service to residents, the Circuit Court is continually looking at improving work processes, implementing new technologies, and developing its employees.

In the coming year, the Court will be exploring ways to transfer knowledge of key employees that will be retiring to avoid negatively impacting the operations of the Circuit Court. The agency will also be assessing what competencies are needed now and in the future so that it have a qualified applicant pool with the necessary skills and knowledge needed to replace key personnel who depart through promotion, retirement, or separation.

From recruiting the right candidate to developing new leadership from within, succession planning is essential for the Circuit Court to meets its strategic goals.

Budget and Staff Resources

Agency Summary					
Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	133 / 133	133 / 133	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	$8,021,728	$8,034,599	$8,034,599	$8,034,599	$8,034,599
Operating Expenses	1,814,981	1,998,576	2,374,378	1,998,576	1,998,576
Capital Equipment	19,282	0	25,300	0	0
Total Expenditures	**$9,855,991**	**$10,033,175**	**$10,434,277**	**$10,033,175**	**$10,033,175**
Income:					
Land Transfer Fees	$26,414	$29,232	$29,232	$29,232	$29,232
Courthouse Maintenance Fees	6,604	102,186	6,604	6,604	6,604
Circuit Court Fines and Penalties	160,544	166,279	166,279	153,192	153,192
Copy Machine Revenue	72,433	79,946	79,946	79,946	79,946
County Clerk Fees	5,204,827	5,894,539	4,513,138	4,626,050	4,626,050
City of Fairfax Contract	213,572	213,572	179,080	179,080	179,080
Recovered Costs - Circuit Court	74	200	200	200	200
CPAN	297,017	317,606	317,606	317,606	317,606
State Shared Retirement - Circuit Court	163,794	143,185	143,185	143,185	143,185
Total Income	**$6,145,279**	**$6,946,745**	**$5,435,270**	**$5,535,095**	**$5,535,095**
Net Cost to the County	**$3,710,712**	**$3,086,430**	**$4,999,007**	**$4,498,080**	**$4,498,080**

FY 2012 Funding Adjustments

The following funding adjustments from the FY 2011 Adopted Budget Plan are necessary to support the FY 2012 program. Included are all adjustments recommended by the County Executive that were approved by the Board of Supervisors, as well as any additional Board of Supervisors' actions, as approved in the adoption of the budget on April 26, 2011.

- **Employee Compensation** **$0**
  It should be noted that no funding is included for pay for performance or market rate adjustments in FY 2012.

- **Reductions** **$0**
  It should be noted that no reductions to balance the FY 2012 budget are included in this agency based on the limited ability to generate additional personnel savings.

Changes to FY 2011 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2011 Revised Budget Plan since passage of the FY 2011 Adopted Budget Plan. Included are all adjustments made as part of the FY 2010 Carryover Review, FY 2011 Third Quarter Review, and all other approved changes through April 12, 2011:

- **Carryover Adjustments** **$401,102**
  As part of the *FY 2010 Carryover Review*, the Board of Supervisors approved encumbered funding of $401,102 in Operating Expenses for the purchase of high speed scanners and for contractual, design and construction costs.

- **Position Changes** **$0**
  As part of the FY 2011 review of County position categories, a conversion of 4/4.0 SYE positions has been made. The status of limited term positions was reviewed in light of recent changes to federal regulations related to health care and other federal tax requirements. As a result of this review a number of existing limited term positions have been converted to Merit Regular status.

Cost Centers

The Circuit Court and Records has five cost centers including Land Records and Public Services, Courtroom Operations, the Clerk's Office, Civil Records and Judicial Support.

Land Records and Public Services

Funding Summary					
Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	38 / 38	38 / 38	38 / 38	42 / 42	38 / 38
Total Expenditures	**$2,309,587**	**$2,537,442**	**$2,612,500**	**$2,537,442**	**$2,537,442**

Position Summary					
1	Management Analyst II	4	Administrative Assistants IV	1	Assistant Archivist
1	Administrative Associate	15	Administrative Assistants III	2	Legal Records/Services Managers
7	Administrative Assistants V	7	Administrative Assistants II		
TOTAL POSITIONS					
38 Positions /38.0 Staff Years					

Key Performance Measures

Goal

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

Objectives

- To maintain an average turnaround time of 10 days in returning recorded documents.

- To maintain the current base of Court Public Access Network (CPAN) users who access court information remotely, as measured by Court Public Access Network (CPAN) connections.

- To maintain an average fiduciary appointment waiting time of 1 week in order to serve the probate needs of Fairfax County residents in a timely manner.

Indicator	Prior Year Actuals FY 2008 Actual	FY 2009 Actual	FY 2010 Estimate/Actual	Current Estimate FY 2011	Future Estimate FY 2012
Output:					
Land Documents Recorded	192,532	185,347	185,347 / 196,465	208,252	220,747
CPAN users served to date	2,104	1,081	1,081 / 1,016	1,016	1,016
Fiduciary appointments scheduled per day	21	21	21 / 21	21	21
Efficiency:					
Cost per recorded document	$6.72	$5.48	$5.48 / $6.28	$5.92	$5.59
Revenue per paid CPAN connection	$221	$600	$600 / $600	$600	$600
Cost per appointment	$96.29	$91.61	$99.35 / $92.90	$102.44	$92.90
Service Quality:					
Turnaround time in returning recorded document (days)	5	13	13 / 7	10	10
Percentage point change of additional CPAN information available from off-site location	4	4	4 / 4	4	4
Average probate appointment book waiting time (in weeks)	1.0	1.0	1.0 / 1.0	1.0	1.0
Outcome:					
Percent change in time to return documents	(44%)	160%	0% / (46%)	43%	0%
Percent change of CPAN connections	(4.0%)	(48.6%)	0.0% / (6.0%)	0.0%	0.0%
Percent change in waiting time	0.0%	0.0%	0.0% / 0.0%	0.0%	0.0%

Performance Measurement Results

Land Records

The number of days to return a document decreased approximately 46 percent in FY 2010. This is mainly due to a significantly higher usage of the Electronic Filing System (EFS) in FY 2010. While the number of recordings increased in FY 2010, higher use of the EFS reduced the number of documents that need to be returned manually. It should be noted that two additional recording processes will be moved to the Land Records section during FY 2011 as a result of process improvements in the Court.

CPAN

In FY 2010, the number of paying CPAN subscribers decreased by 6 percent from the prior year. At the request of County officials, effective July 1, 2008, the Clerk raised the remote access subscription from $25.00 per user to the statutory maximum of $50.00 per user. While recordings have increased slightly, the number of CPAN users is projected to remain stable until the economy improves significantly.

PROBATE

In FY 2010, the number of probate appointments remained constant with those in FY 2009. This meets the objective of maintaining an average time for obtaining a Probate appointment at one week.

Courtroom Operations

Funding Summary					
Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	37 / 37	37 / 37	38 / 38	37 / 37	38 / 38
Total Expenditures	**$1,908,871**	**$1,970,263**	**$1,970,263**	**$1,970,263**	**$1,970,263**

Position Summary					
1	Management Analyst II	17	Administrative Assistants V	16	Administrative Assistants III
1	Administrative Associate	1	Administrative Assistant IV	2	Legal Records/Services Managers
TOTAL POSITIONS					
38 Positions / 38.0 Staff Years					

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.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2008 Actual	FY 2009 Actual	FY 2010 Estimate/Actual	FY 2011	FY 2012
Output:					
Average number of residents called each day for jury selection	72.7	74.0	76.0 / 70.0	73.0	73.0
Efficiency:					
Cost per juror called for jury selection	$57.18	$48.91	$45.58 / $48.91	$48.91	$48.91
Service Quality:					
Percent jury utilization	104%	98%	100% / 91%	100%	100%
Outcome:					
Percentage point change in juror utilization rate	(3)	(6)	2 / (7)	9	0

Performance Measurement Results

The jury clerk's office contacts the attorneys a few days prior to every scheduled jury trial to determine the likelihood of the case settling or proceeding to trial. Based upon this information from the attorney, the number of jurors needed for the jury trials in a given day is calculated and called to serve. Despite this contact, many cases still settle at the last minute. In FY 2010 more cases settled at the last minute which decreased the utilization rate.

Clerk's Office

Funding Summary					
Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	13 / 13	13 / 13	15 / 15	13 / 13	15 / 15
Exempt	9 / 9	9 / 9	9 / 9	9 / 9	9 / 9
Total Expenditures	**$2,765,022**	**$2,650,079**	**$2,976,123**	**$2,650,079**	**$2,650,079**

Position Summary					
1	Management Analyst IV	1	Info. Tech. Technician I	1	County Clerk (Elected) E
1	Human Resources Generalist II	1	Business Analyst IV	1	Deputy County Clerk E
1	Programmer Analyst IV	1	Financial Specialist II	1	Chief of Administrative Services E
1	Programmer Analyst II	1	Financial Specialist I	2	Management Analysts III E
1	Info. Tech. Program Mgr. I	3	Administrative Assistants IV	1	Management Analyst II E
1	Network/Telecom. Analyst III	1	Administrative Assistant II	1	Administrative Assistant IV E
1	Info. Tech. Technician III			2	Administrative Assistants III E
TOTAL POSITIONS					
24 Positions / 24.0 Staff Years			**E Denotes Exempt Positions**		

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 provide professional technical support to Circuit Court internal and external customers while maintaining the number of "Help Desk" requests at 9,000.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2008 Actual	FY 2009 Actual	FY 2010 Estimate/Actual	FY 2011	FY 2012
Output:					
Number of "Help Desk" requests received (phone & email)	NA	13,396	12,598 / 10,068	9,000	9,000
Efficiency:					
Cost per request received (phone + email)	NA	$10.45	$8.00 / $12.45	$13.92	$13.92
Service Quality:					
Average time (minutes) addressing request	NA	10.0	10.0 / 27.0	19.0	19.0
Outcome:					
Percentage change in number of requests (phone & email) received	NA	NA	(6%) / (25%)	(11%)	0%

Performance Measurement Results

The number of Help Desk requests decreased by almost 25 percent in FY 2010. However, the average time increased in addressing each request rose to 27 minutes from 10 minutes in FY 2009. This increase is partly due to a staffing issue that was addressed by establishing a limited term part time position in the 4th quarter of FY 2010. This limited term position has allowed the Clerk's Office to consistently track and log calls, respond by email to help desk requests and close out calls in a more efficient manner.

Judicial Support

Funding Summary					
Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	2 / 2	2 / 2	2 / 2	2 / 2	2 / 2
Exempt	15 / 15	15 / 15	15 / 15	15 / 15	15 / 15
State	15 / 15	15 / 15	15 / 15	15 / 15	15 / 15
Total Expenditures	**$932,989**	**$1,248,072**	**$1,248,072**	**$1,248,072**	**$1,248,072**

Position Summary			
1	Chief Judge S	1	Administrative Assistant V
14	Judges S	1	Administrative Assistant IV
15	Judicial Law Clerks E		
TOTAL POSITIONS		E Denotes Exempt Positions	
32 Positions / 32.0 Staff Years		S Denotes State Positions	

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.

Performance Measurement Results

This cost center is designed strictly for the support of the judges of the Circuit Court, who are state employees. The 15 law clerks are personally selected and hired by the judges. They are exempt employees, who serve a one-year term (with an occasional one or two serving a two-year term) and they provide assistance to the judges. As a result, performance measures are not calculated for this cost center.

Civil Records

Funding Summary					
Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	43 / 43	43 / 43	44 / 44	43 / 43	44 / 44
Total Expenditures	**$1,939,522**	**$1,627,319**	**$1,627,319**	**$1,627,319**	**$1,627,319**

Position Summary			
1	Management Analyst II	4	Administrative Assistants IV
2	Legal Records/Svcs. Mgrs.	25	Administrative Assistants III
3	Administrative Assistants V	9	Administrative Assistants II
TOTAL POSITIONS			
44 Positions / 44.0 Staff Years			

Key Performance Measures

Goal

To ensure efficient civil case intake, processing, records management and timely scheduling of cases brought before the Judges of the 19th Judicial Circuit.

Objectives

- To achieve a final disposition rate of 86 percent for Law cases finalized within 1 year of the initial filing date. The state average is 75 percent and the voluntary case processing guidelines adopted by the Judicial Council recommends 90 percent disposition of cases filed within one year of initial filing.

- To achieve a final disposition rate of 99 percent for Domestic cases finalized within 15 months of the initial filing date. The state average is 90 percent and the voluntary case processing guidelines adopted by the Judicial Council recommends 98 percent disposition of cases filed within 18 months of initial filing.

Indicator	Prior Year Actuals FY 2008 Actual	FY 2009 Actual	FY 2010 Estimate/Actual	Current Estimate FY 2011	Future Estimate FY 2012
Output:					
Law cases concluded through the Differentiated Case Tracking Program (DCTP)	2,640	3,363	3,363 / 4,105	4,020	4,020
Domestic cases concluded through the Differentiated Case Tracking Program (DCTP)	4,582	4,427	4,775 / 4,524	4,524	4,524
Efficiency:					
Cost per Law case concluded in DCTP	$138.91	$117.39	$117.39 / $92.00	$80.86	$80.86
Cost per Domestic case concluded in DCTP	$71.29	$74.76	$74.76 / $72.72	$72.72	$72.72
Service Quality:					
Percent of DCTP Law cases concluded within one year	84%	86%	85% / 88%	86%	86%
Percent of DCTP Domestic cases concluded within 15 months of initial filing	97%	97%	97% / 99%	99%	99%
Outcome:					
Percentage point change of DCTP Law caseload concluded within one year	4	2	(1) / 2	(2)	0
Percentage point change of DCTP Domestic caseload concluded within 15 months of initial filing	1	0	0 / 2	0	0

Performance Measurement Results

DCTP Law Cases

In FY 2010 additional types of law cases were added to the program (DCTP) resulting in more cases achieving a final disposition within the 12 months of the initial filing date. However, due to a grant position being lost in this area, it is anticipated that the number of cases concluded in 12 months will decrease in FY 2011 and then stabilize in FY 2012.

DCTP Domestic Cases

The number of domestic cases filed in FY 2010 increased resulting in more being finalized within the 15 months of the initial filing by adjusting the priorities of other tasks.