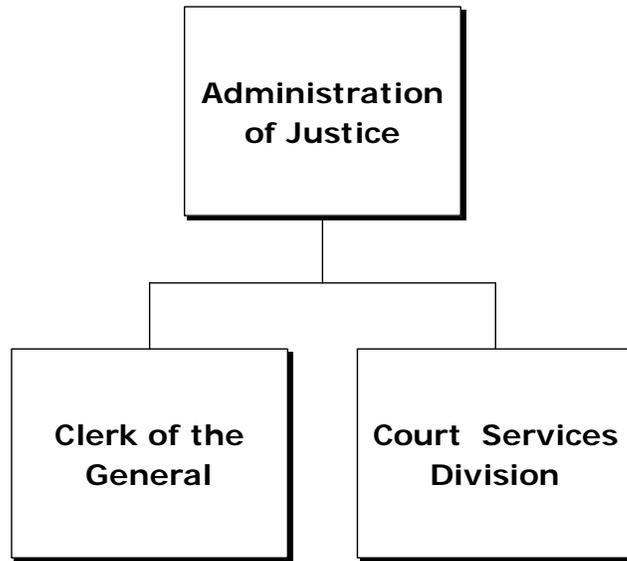


General District Court



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 two divisions – Civil/Small Claims, Criminal and Traffic Court 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 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 and state financial constraints and limited grant funding affect staffing and the level of service that the agency can provide. Increases in caseload and legislative changes also have a major impact on how the Court operates. Since all of these factors are outside the Court's control, it is often difficult to anticipate trends and future needs.

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The following chart highlights the General District Court's total caseload from FY 2008 through FY 2012 (estimated).

Type of Case	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 Estimate	FY 2012 Estimate
Criminal	28,519	29,400	27,216	29,400	29,400
Traffic	264,099	268,858	260,496	249,531	268,858
Civil	44,153	46,982	47,259	47,259	47,259
TOTAL	336,771	345,240	334,971	326,190	345,517

The agency has identified four 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 from the Department of Criminal Justice Services (DCJS) as well as a recent limited federal grant. In FY 2011, a 5.5 percent, or \$39,969, reduction in state aid to Fairfax County for the Comprehensive Community Corrections and Pretrial Services Grant forced the termination of two exempt limited term employees including a Probation Counselor and an Administrative Assistant II. In addition, there was a reduction in staff training for evaluations in an evidence based practice system. Budget constraint challenges are expected to continue in FY 2012.

Caseload:

In FY 2010, there was a 12 percent increase in Pretrial placements into the Supervised Release Program (SRP). This increase in SRP, coupled with steady growth over the past four years in probation referrals, partially off-set a 17 percent reduction in placements in the Probation Program during FY 2010. Fluctuation in SRP placements is somewhat controlled by CSD recommendations, whereas, Probation placements are solely at the judges' discretion. Thus, CSD was able to allow more defendants into SRP as probation referrals declined. Probation Counselor caseloads remained above the state standard.

Community Resources: Additional critical and effective CSD programs include the Volunteer/Intern Program, Alcohol Diversion Program (ADP), Driving on Suspended Program (DOS), Mental Health Competency/Sanity Monitoring Service, and Preliminary Protective Order Tracking Service. Mental Health Monitoring continues to provide a liaison between defense attorneys, the courts, and mental health staff to ensure a timely completion of mental health/sanity evaluations. With the current rise in mental health cases, this program is critical. Additionally, the Preliminary Protective Order Tracking Program ensures that the Judge is advised of information regarding preliminary protective orders authorized for victims of stalking or other violent crimes and victim impact statements to ensure public safety.

Diversity: Overcoming language, cultural, and disability barriers is crucial in providing equitable services to a diverse population. The CSD staff manages the interpretation services for languages other than Spanish as well as recruiting bilingual Probation Counselors to effectively manage the caseload of Spanish speaking clients. Bilingual staff continue to be hired and retained to ensure equitable services are provided.

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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	21 / 21	21 / 21	21 / 21	21 / 21	21 / 21
State	120 / 117.6	93 / 91.1	93 / 91.1	93 / 91.1	93 / 91.1
Expenditures:					
Personnel Services	\$1,423,194	\$1,165,865	\$1,165,865	\$1,165,865	\$1,165,865
Operating Expenses	899,708	863,263	1,068,946	983,263	983,263
Capital Equipment	0	0	0	0	0
Total Expenditures	\$2,322,902	\$2,029,128	\$2,234,811	\$2,149,128	\$2,149,128
Income:					
Courthouse Maintenance Fees General District Court	\$346,257	\$385,152	\$440,710	\$448,356	\$448,356
Fines/Interest General District Court Fines	94,339	96,000	96,000	96,000	96,000
Recovered Costs - General District Court	6,837,394	8,072,962	8,072,962	8,072,962	8,072,962
State Reimbursement - General District Court	135,146	128,000	128,000	128,000	128,000
	90,314	67,293	67,293	67,293	67,293
Total Income	\$7,503,450	\$8,749,407	\$8,804,965	\$8,812,611	\$8,812,611
Net Cost to the County	(\$5,180,548)	(\$6,720,279)	(\$6,570,154)	(\$6,663,483)	(\$6,663,483)

It should be noted that Personnel Services-related costs for state positions are totally funded by the state; however, the County does provide partial Operating Expenses and Capital Equipment support for these positions.

Position Summary		
<u>Administration of Justice</u> 1 Chief Judge S 10 General District Judges S 1 Secretary S	<u>Clerk of the General District Court</u> 1 Clerk of the General District Court S 1 Chief Deputy Clerk S 3 Division Supervisors S 5 Staff Analysts S, 1 PT 12 Section Supervisors S 59 Deputy Clerks S, 4 PT	<u>Court Services Division</u> 1 Probation Supervisor II 1 Probation Supervisor I 1 Probation Counselor III 4 Probation Counselors II 5 Probation Counselors I 1 Administrative Assistant IV 1 Administrative Assistant III 5 Administrative Assistants II 1 Network/Telecom. Analyst II 1 Management Analyst II
TOTAL POSITIONS		
114 Positions / 112.1 Staff Years		S Denotes State Positions
9/8.5 SYE Grant Positions in Fund 102, Federal/State Grant Fund		PT Denotes Part-time Positions

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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.

- ◆ **Carryover Adjustments** **\$120,000**
A net increase of \$120,000 due to recurring adjustments made as part of the *FY 2010 Carryover Review*. This funding provides for increased costs associated with court-appointed attorneys for indigent defendants.

- ◆ **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** **\$205,683**
As part of the *FY 2010 Carryover Review*, the Board of Supervisors approved encumbered funding of \$85,683 in Operating Expenses. The remaining increase of \$120,000 provides for costs associated with court-appointed attorneys for indigent defendants. The current economic conditions have increased the number of overall requests for, and appointments of, court appointed attorneys as the indigent defendant population increases.

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 86 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.

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Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2008 Actual	FY 2009 Actual	FY 2010 Estimate/Actual	FY 2011	FY 2012
Output:					
Pretrial interviews/investigations conducted	7,590	7,246	7,600 / 6,151	7,000	7,000
Supervised Released Program annual enrollment	723	785	723 / 878	875	875
Probation program annual enrollment	1,455	1,562	1,455 / 1,300	1,300	1,300
Efficiency:					
Average investigations conducted per shift	10	10	10 / 8	10	10
Average daily SRP caseload per Probation Officer	25	24	25 / 26	26	26
Average daily probation caseload per Probation Officer	93	71	93 / 73	77	77
Service Quality:					
Percent of recommendations accepted for defendants' release	97%	93%	95% / 95%	93%	93%
Average failure to appear rate on return court dates	7%	6%	12% / 6%	7%	7%
New arrest violation rate	5%	3%	7% / 3%	5%	5%
Outcome:					
Percent of staff recommendations accepted by the Judiciary	98%	98%	96% / 99%	96%	96%
Percent of SRP cases successfully closed	86%	88%	81% / 87%	86%	86%
Percent of probation cases successfully closed	77%	80%	75% / 78%	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 defendants to the judiciary (magistrates and judges) in order to assist them in making informed decisions about defendants' 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. In FY 2010, pretrial investigations were lower than both the FY 2009 actual and FY 2010 estimate due to a reduced number of arrests and magistrates releasing individuals earlier in the process so that investigations were not required.

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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 2010, there were 878 new placements from the Circuit, General District, and occasionally, the Juvenile and Domestic Relations District Court. Probation Counselors are 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 must be no new violations of the law and that they must appear for all court dates.

Caseloads in the Supervised Release Program and in Probation vary from year to year based on the number and types of arrests. The Probation caseload (which declined from 1,562 to 1,300 in FY 2010) also varies according to each judge's decision to refer various cases for supervision.