

Judicial Administration Program Area Summary

Overview

The four agencies in this program area: Circuit Court and Records, Office of the Commonwealth's Attorney, General District Court and the Office of the Sheriff, are all dedicated to providing equal access for the fair and timely resolution of court cases. High workloads continue to challenge each of the agencies in the Judicial Administration program area. These workloads require each of the affected agencies to find ways to leverage decreasing resources in the face of increasing demands, largely due to the growing population.

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.

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. As such, he is not an officer or employee of the County from which he was elected. In this jurisdiction, the Commonwealth's Attorney is elected by voters of Fairfax City and Fairfax County. The Office of the Commonwealth's Attorney (OCA) is charged primarily with the prosecution of crime. This office prosecutes criminal and traffic matters in the Fairfax County General District Court, criminal and delinquency matters in the Juvenile and Domestic Relations District Court, and all felony cases in the Fairfax County Circuit Court. The office handles both the violation of County ordinances and the violation of state statutes. The caseload of the office is substantial and is one of the highest per prosecutor in the Commonwealth. The OCA handles such offenses as murder, rape, robbery, burglary and illegal drug sales, from arrest to trial. It prosecutes a wide variety of misdemeanor and traffic cases, including more than 4,000 driving under-the-influence violations, thousands of assaults, and thousands of petty thefts.

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.

The Office of the Sheriff falls under two program areas – Judicial Administration and Public Safety. The main focus under Judicial Administration is the security of courtrooms and County courthouses and the service of legal process which contributes to the swift and impartial adjudication of all criminal and civil matters brought before the courts. The court caseloads in the Fairfax County judicial system have experienced steady growth for the past ten years. In FY 2010, nearly 436,000 court cases were heard. Furthermore, the Jennings Judicial Center averages over 5,500 individuals entering the center daily. The

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Sheriff's Office will continue to ensure that there is no corresponding increase in security risks and will continue to provide the highest degree of safety to the residents of Fairfax County.

Strategic Direction

As part of the countywide focus on developing strategic plans, agencies took steps to establish or update their vision and values statements; perform environmental scans; and define strategies for achieving their missions. These are then linked to the overall County Core Purpose and Vision Elements (see adjacent box). Common themes in the Judicial Administration program area include:

- Equal access to justice
- Fair and timely resolution of cases
- Effective use of technology
- Volunteer utilization
- Courthouse security

COUNTY CORE PURPOSE

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County by:

- Maintaining Safe and Caring Communities
- Building Livable Spaces
- Practicing Environmental Stewardship
- Connecting People and Places
- Creating a Culture of Engagement
- Maintaining Healthy Economies
- Exercising Corporate Stewardship

More on each agency in this program area can be found in the individual narratives that follow this section. The complete budget narrative pertaining to the Office of the Sheriff can be found in the Public Safety program area section of Volume 1.

Program Area Summary by Character

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	358 / 358	358 / 358	362 / 362	361 / 361	362 / 362
Exempt	28 / 28	28 / 28	28 / 28	28 / 28	28 / 28
State	135 / 132.6	135 / 132.6	135 / 132.6	135 / 132.6	135 / 132.6
Expenditures:					
Personnel Services	\$24,519,524	\$24,980,379	\$24,480,945	\$24,510,945	\$24,510,945
Operating Expenses	6,638,170	6,761,293	8,000,434	6,896,293	7,071,293
Capital Equipment	19,282	0	25,300	0	0
Total Expenditures	\$31,176,976	\$31,741,672	\$32,506,679	\$31,407,238	\$31,582,238
Income	\$20,025,435	\$21,386,915	\$20,587,319	\$20,694,790	\$20,694,790
Net Cost to the County	\$11,151,541	\$10,354,757	\$11,919,360	\$10,712,448	\$10,887,448

Program Area Summary by Agency

Category	FY 2010 Actual	FY 2011 Adopted Budget Plan	FY 2011 Revised Budget Plan	FY 2012 Advertised Budget Plan	FY 2012 Adopted Budget Plan
Circuit Court and Records	\$9,855,991	\$10,033,175	\$10,434,277	\$10,033,175	\$10,033,175
Office of the Commonwealth's Attorney	2,535,239	2,545,464	2,525,464	2,525,464	2,525,464
General District Court	2,322,902	2,029,128	2,234,811	2,149,128	2,149,128
Office of the Sheriff	16,462,844	17,133,905	17,312,127	16,699,471	16,874,471
Total Expenditures	\$31,176,976	\$31,741,672	\$32,506,679	\$31,407,238	\$31,582,238

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Budget Trends

The FY 2012 Adopted Budget Plan funding level of \$31,582,238 for the Judicial Administration program area comprises 2.6 percent of the total recommended General Fund expenditures of \$1,236,415,028, and reflects in a decrease of \$159,434, or 0.5 percent, from the FY 2011 Adopted Budget Plan expenditure level. This decrease is primarily attributable to the funding reductions in the Office of the Sheriff and the Office of the Commonwealth's Attorney required to balance the FY 2012 budget, partially offset by a small increase in the General District Court for increased costs associated with court-appointed attorneys for indigent defendants. It should be noted that no funding is included for pay for performance or merit awards in FY 2012.

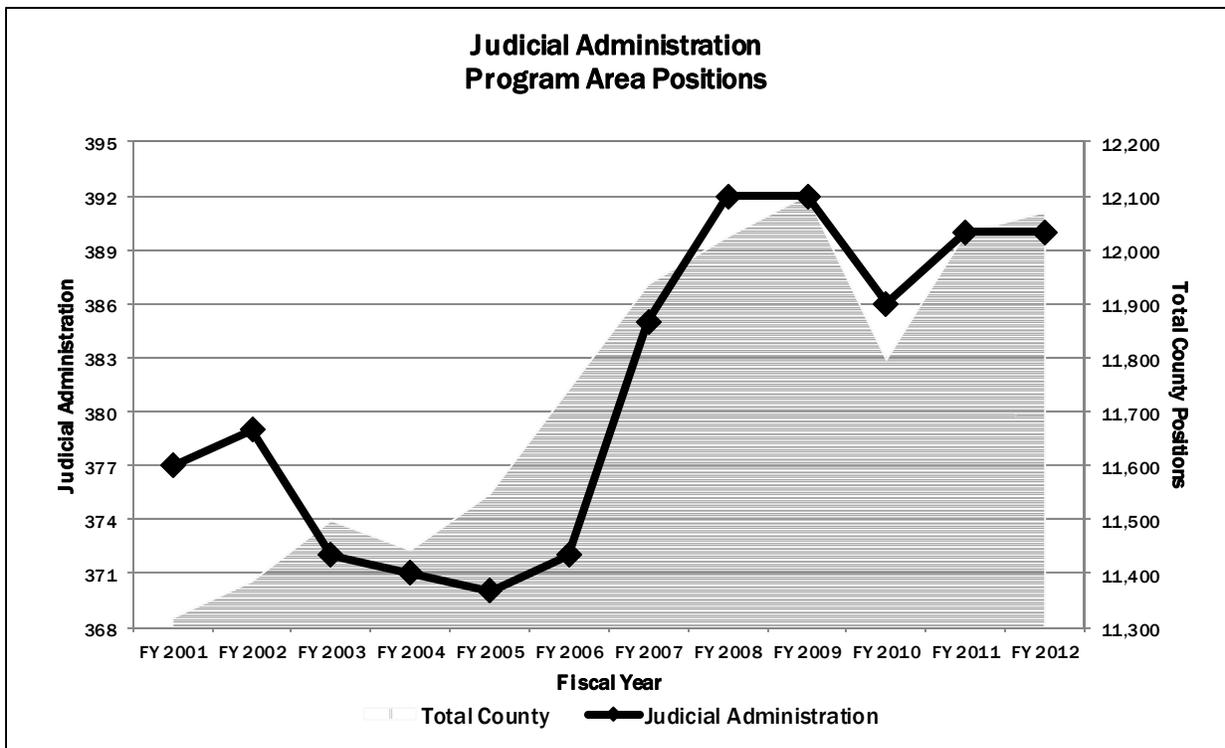
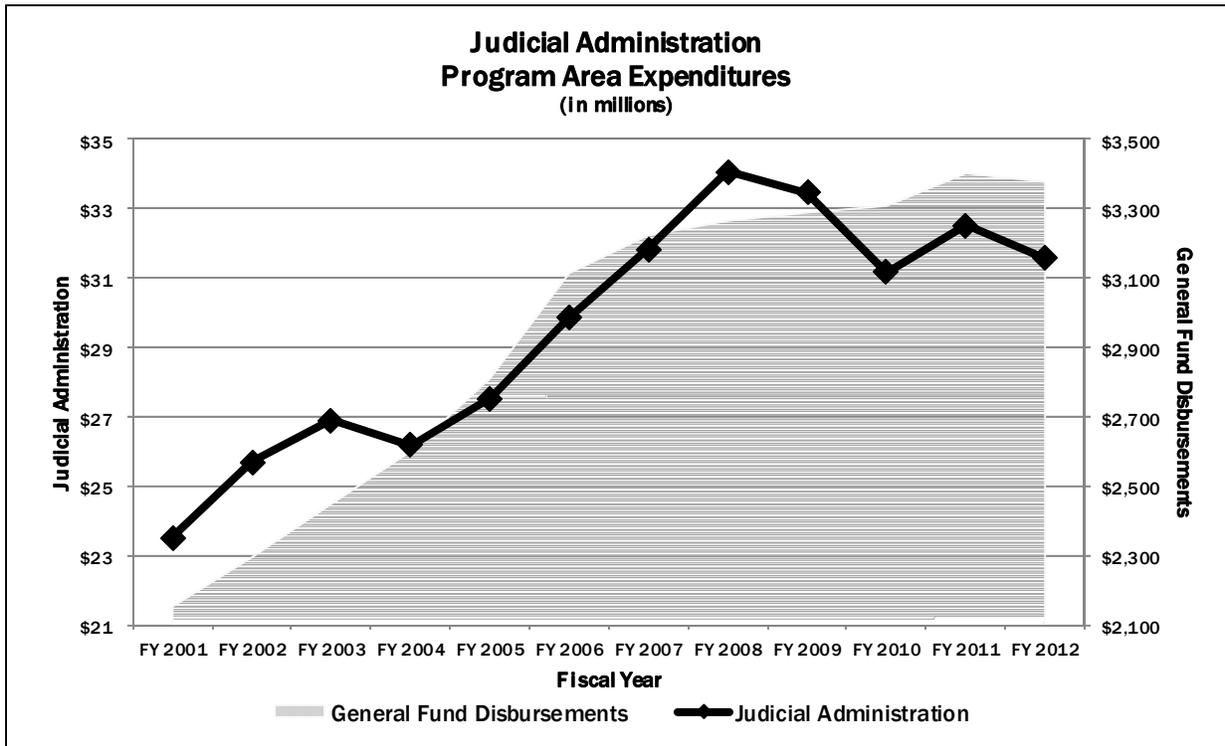
The Judicial Administration program area includes 390 positions (not including state positions), which is unchanged from the *FY 2011 Revised Budget Plan* level.

The agencies in this program area contribute to the preservation of public records, provide state mandated services, prosecute criminal offenses, and secure detention and court facilities. Reductions were made with the goal of maintaining core functions of the court and judicial processes. These strategies include utilizing existing staff to oversee various programs, as well as streamlining processes to meet mandated constraints efficiently and effectively. In the Office of the Commonwealth's Attorney, a reduction of \$20,000 will require the agency to continue holding positions vacant. As three of the vacant positions are attorneys, this reduction will impact the caseloads of existing prosecutors. In order to absorb this impact, prosecutors will have to prepare for cases during evening and weekend hours more frequently. In the Office of the Sheriff, reductions will be taken in both the Public Safety and Judicial Administration program areas and are primarily the result of the agency's ability to significantly reduce overtime spending. Being fully staffed has allowed the agency to create and implement service efficiencies that require less agency staff time and less overtime. Furthermore, staff training has been scaled back to minimum required levels.

The charts on the following page illustrate funding and position trends for the agencies in this program area compared to countywide expenditure and position trends.

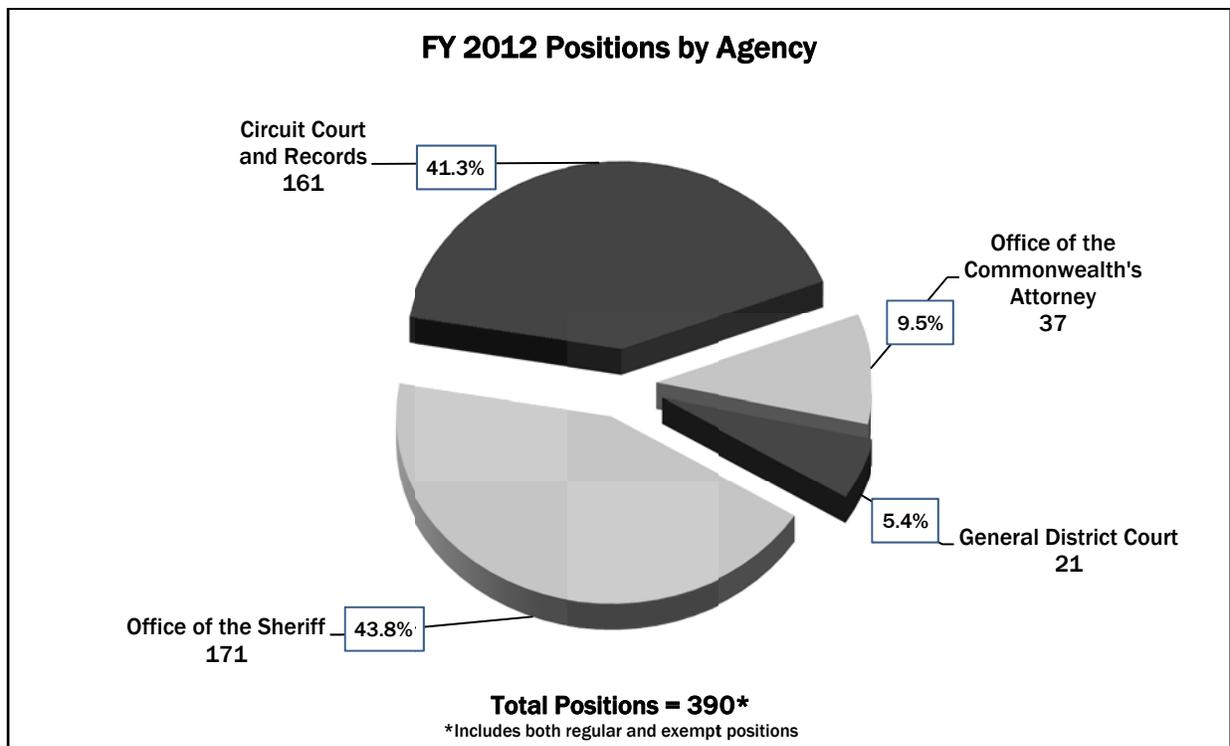
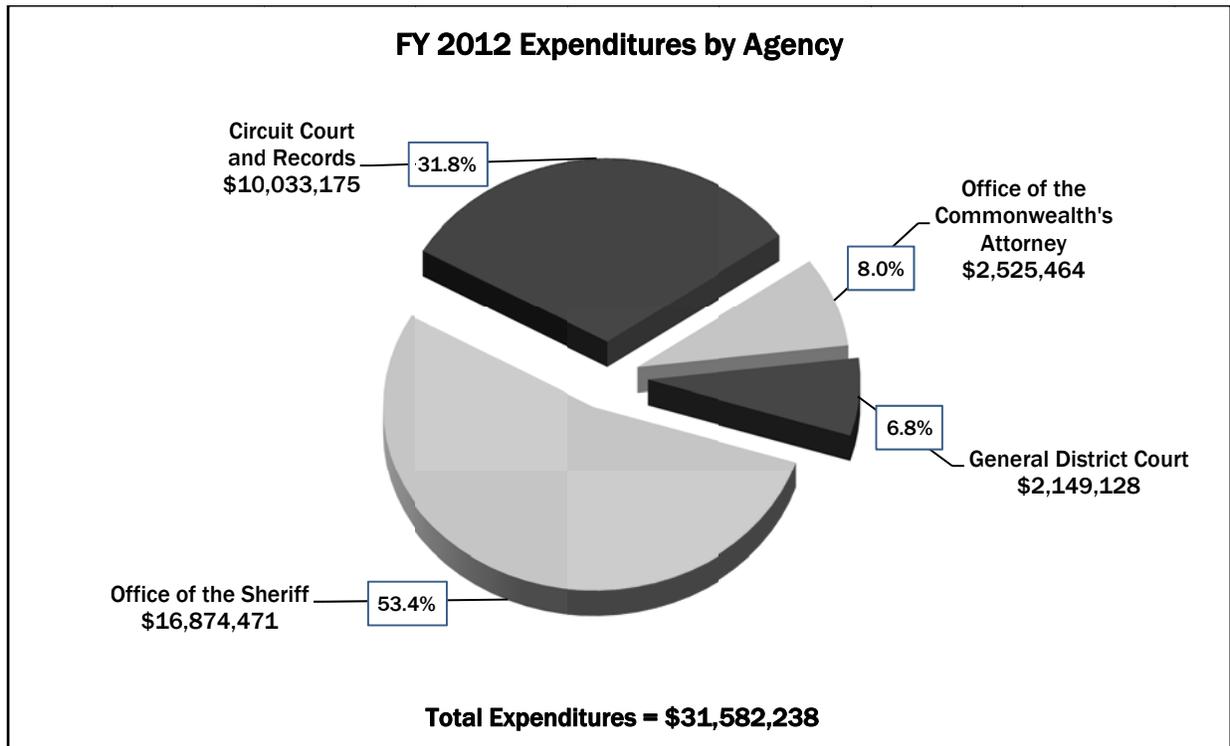
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Trends in Expenditures and Positions



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FY 2012 Expenditures and Positions by Agency



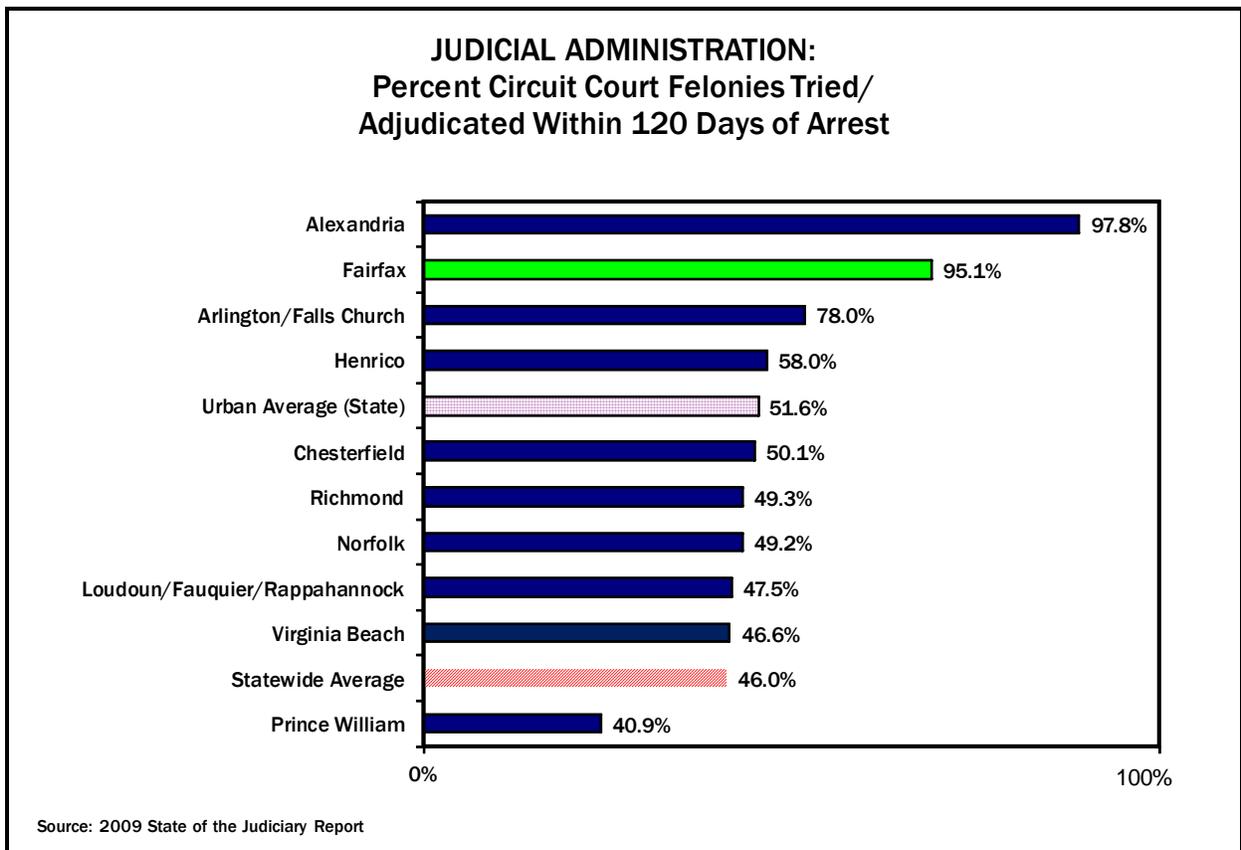
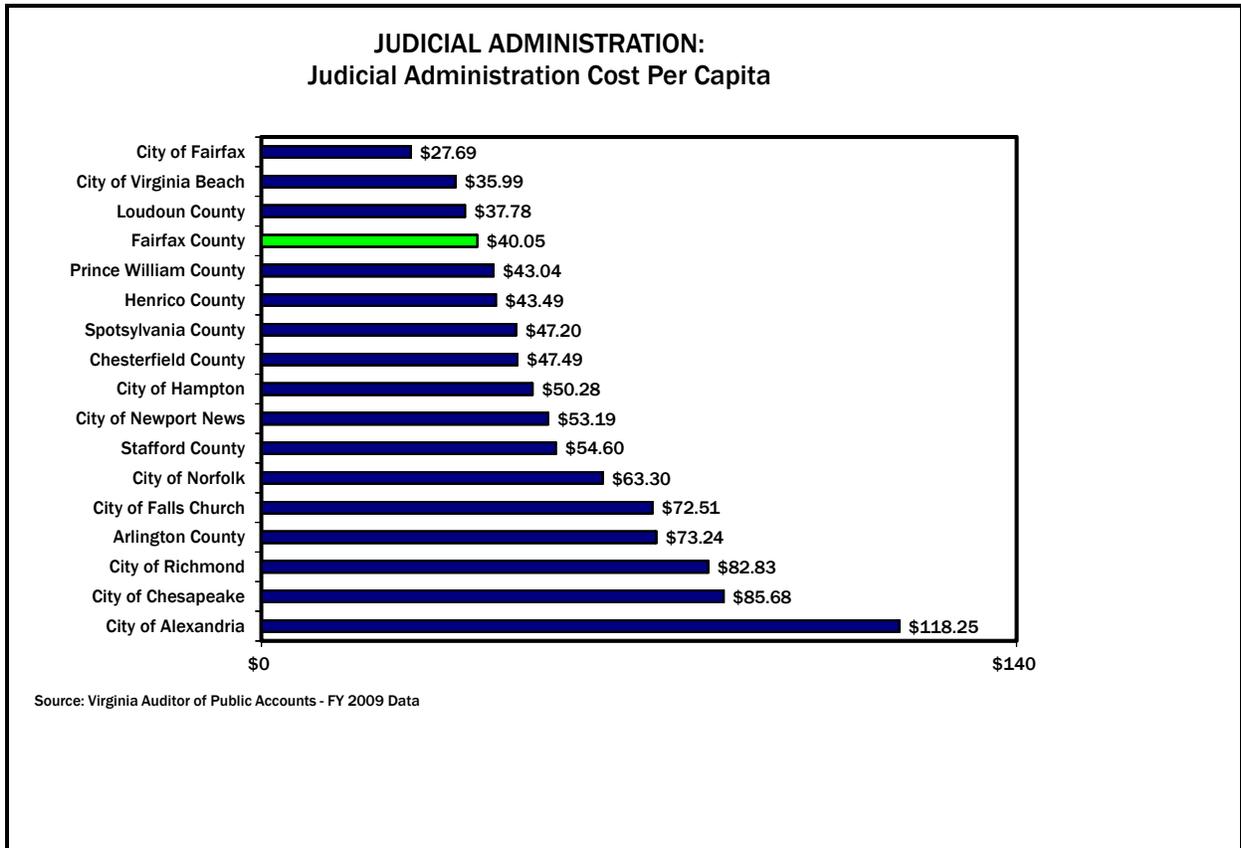
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Benchmarking

As a means of demonstrating accountability to the public for results achieved, benchmarking data have been included in the annual budget since the FY 2005 Budget. These data are included in each of the Program Area Summaries in Volume 1 (General Fund) and Volume 2 (Other Funds) as available. To illustrate program efficiency, data collected by the Auditor of Public Accounts (APA) for the Commonwealth of Virginia that show cost per capita in each of the seven program areas are included. FY 2009 represents the most recent year for which data are available due to the time required to collect and verify the data. An advantage to including these APA data is comparability. In Virginia, local governments follow stringent guidelines regarding the classification of program area expenses. Cost data are provided annually to the APA for review and compilation in an annual report. Since these data are not prepared by any one jurisdiction, their objectivity is less questionable than they would be if collected by one of the participants. In addition, a standard methodology is consistently followed, allowing comparison over time. For each of the program areas, these comparisons of cost per capita are the first benchmarks shown in these sections. As seen below, Fairfax County has among the lowest cost per capita rates in the Judicial Administration program area for Northern Virginia localities and other large Virginia jurisdictions.

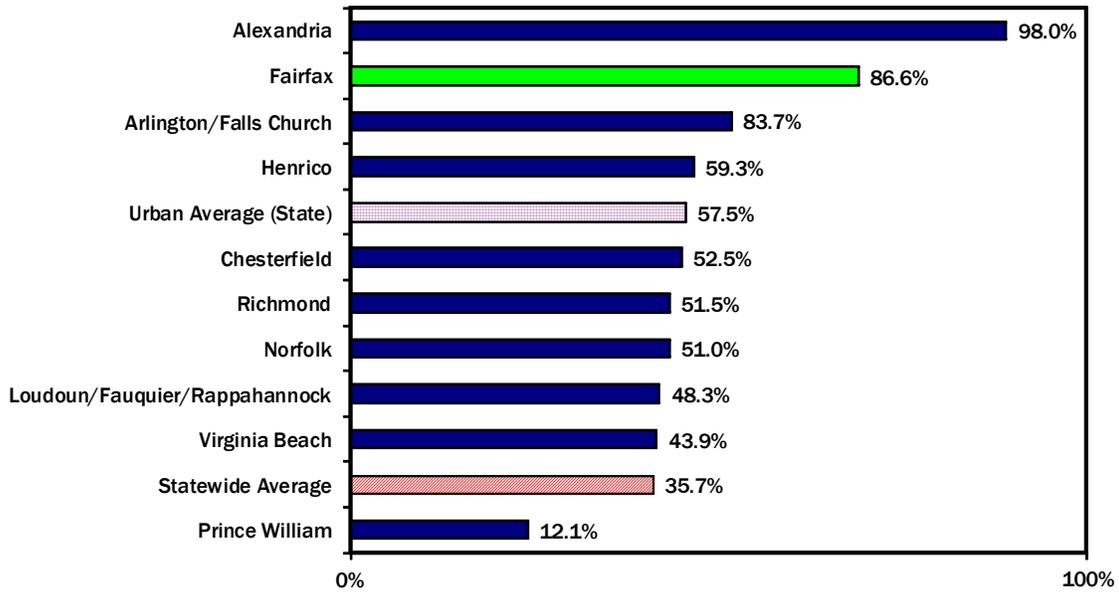
While a major portion of Fairfax County's comparative performance data for other program areas comes from the International City/County Management Association's (ICMA) benchmarking effort, judicial administration is not a service area that is addressed in that program. However, the State Supreme Court produces an extensive report on the annual "State of the Judiciary." The most recent report available is for Calendar Year 2009. This report provides detailed data for each of the districts in the Commonwealth of Virginia and addresses the Circuit Court, General District Court, and Juvenile and Domestic Relations District Court. Trends within each district are provided, as are comparisons to state averages. In addition, in some instances, urban averages for cities are also illustrated to show comparison to statewide averages. The charts shown on the next few pages reflect data from this report.

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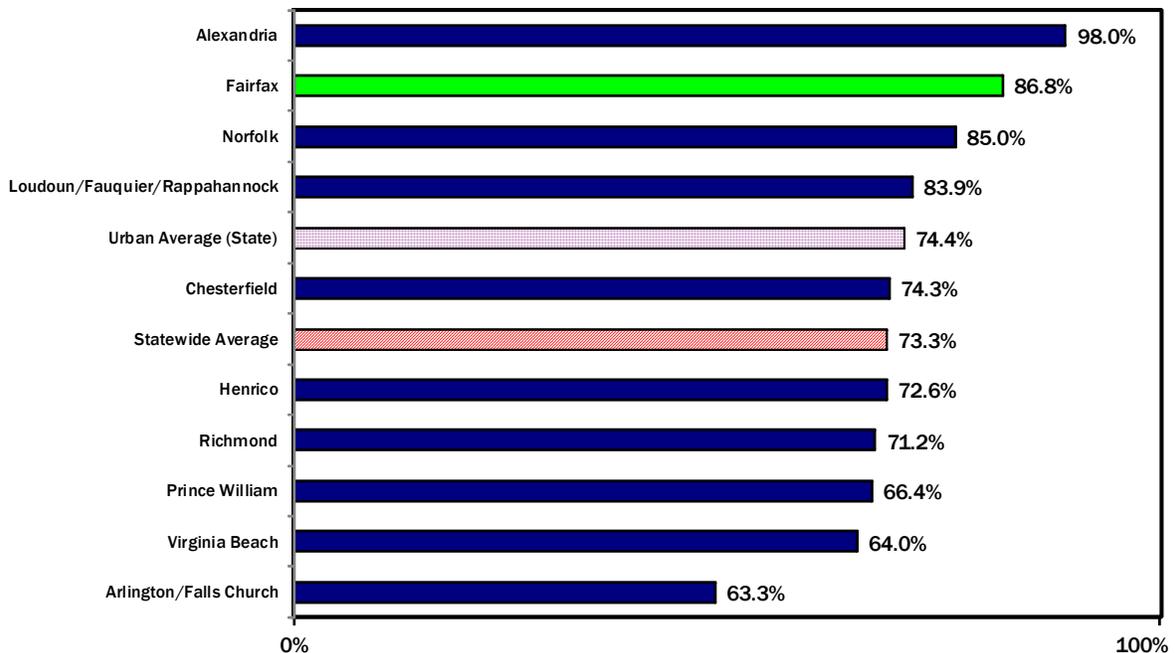
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JUDICIAL ADMINISTRATION: Percent Circuit Court Misdemeanors Tried/ Adjudicated Within 60 Days of Arrest



Source: 2009 State of the Judiciary Report

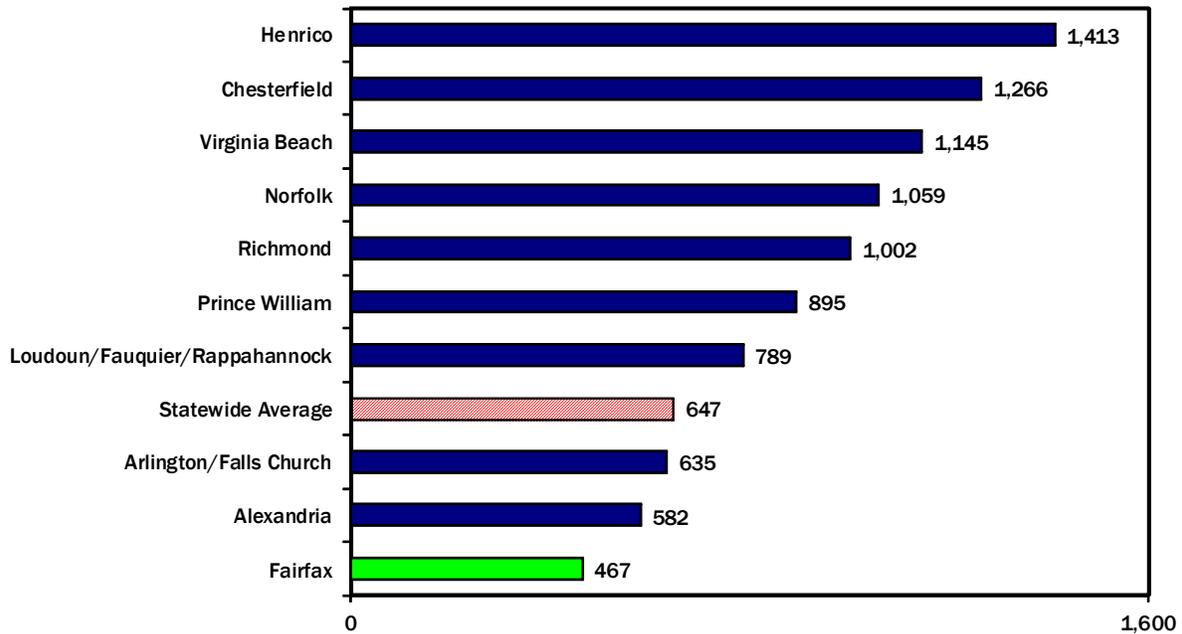
JUDICIAL ADMINISTRATION: Percent Civil Cases Concluded Within 12 Months of Filing



Source: 2009 State of the Judiciary Report

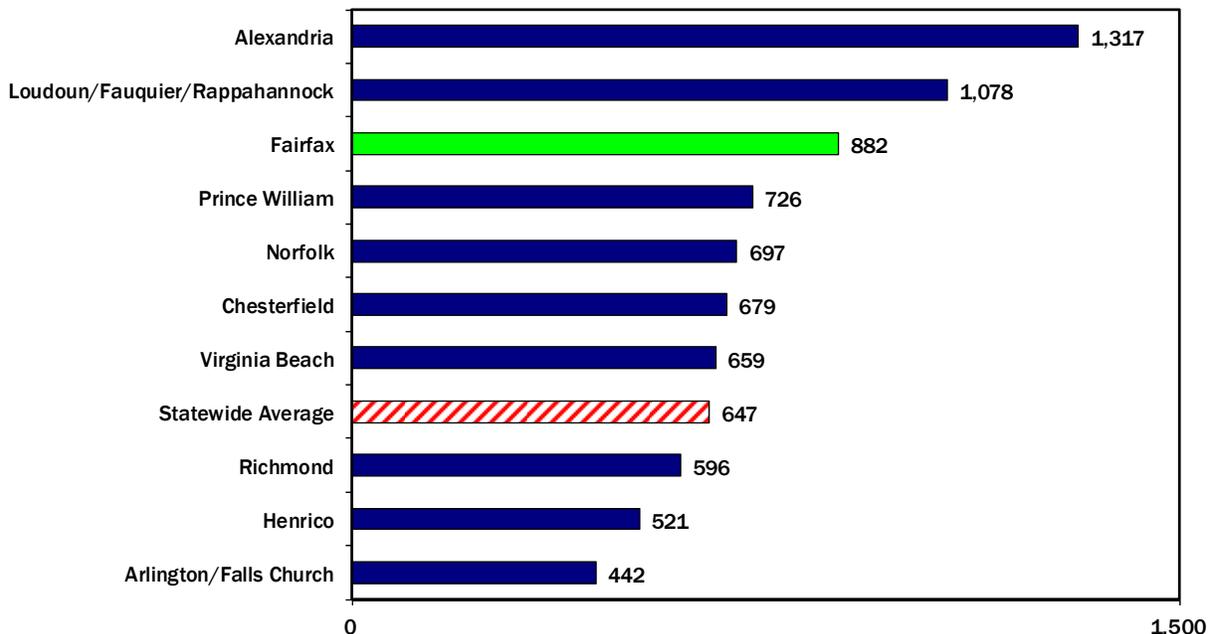
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JUDICIAL ADMINISTRATION: Criminal Cases Concluded Per Circuit Court Judge



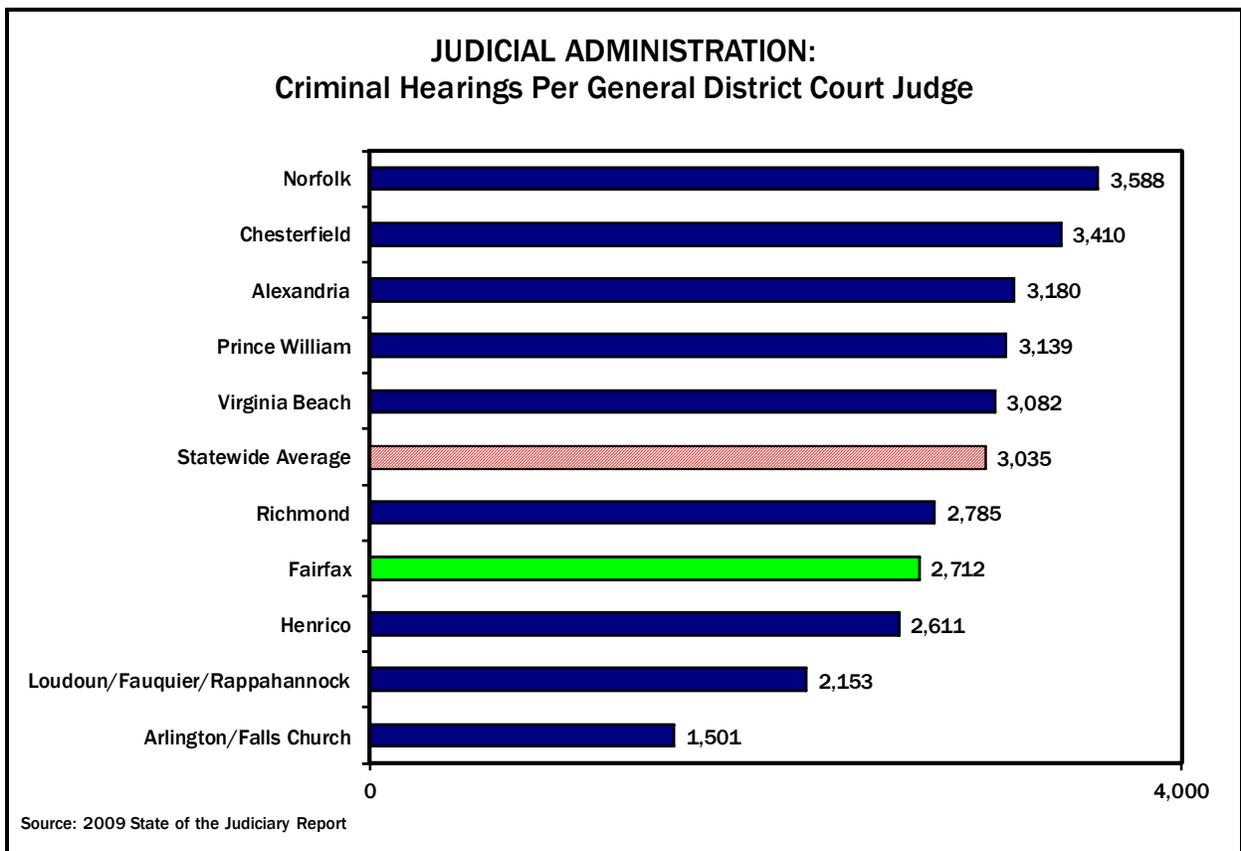
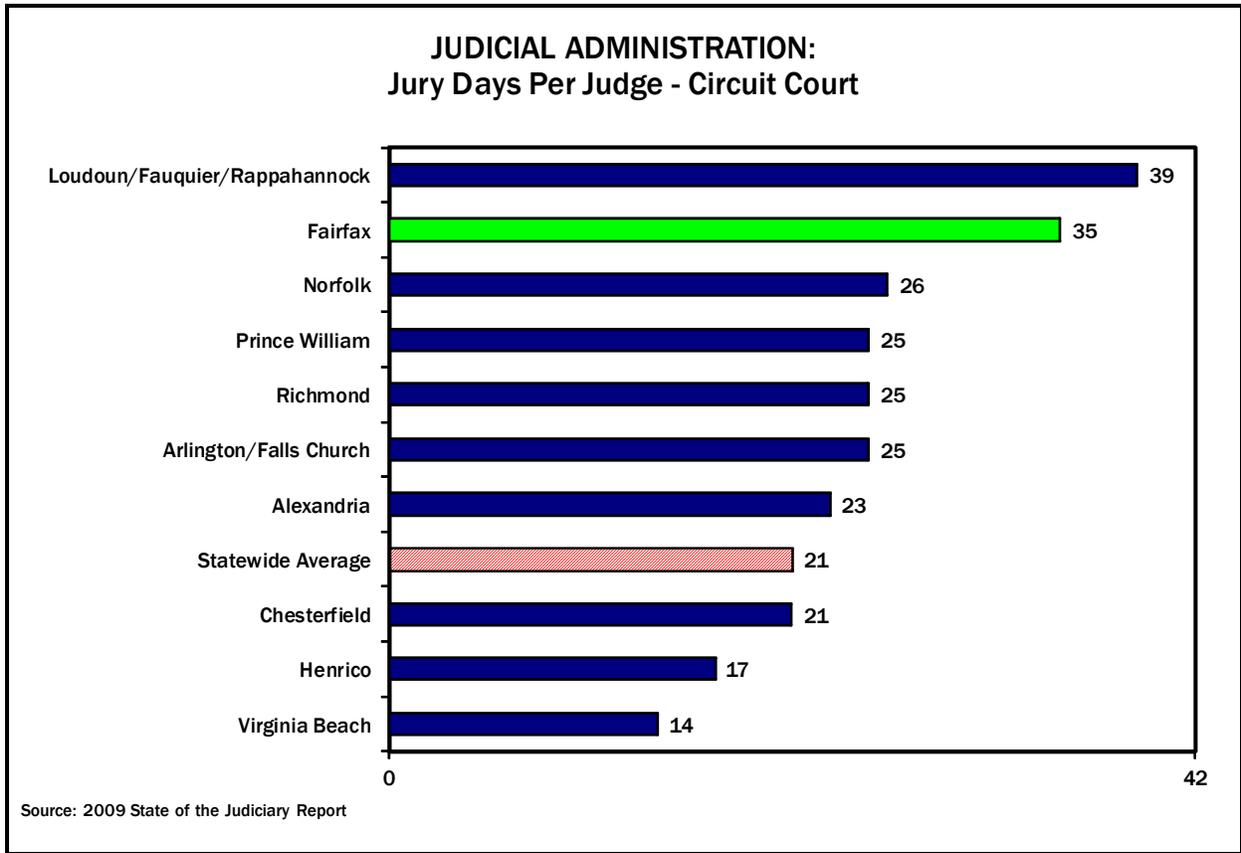
Source: 2009 State of the Judiciary Report

JUDICIAL ADMINISTRATION: Civil Cases Concluded Cases Per Circuit Court Judge

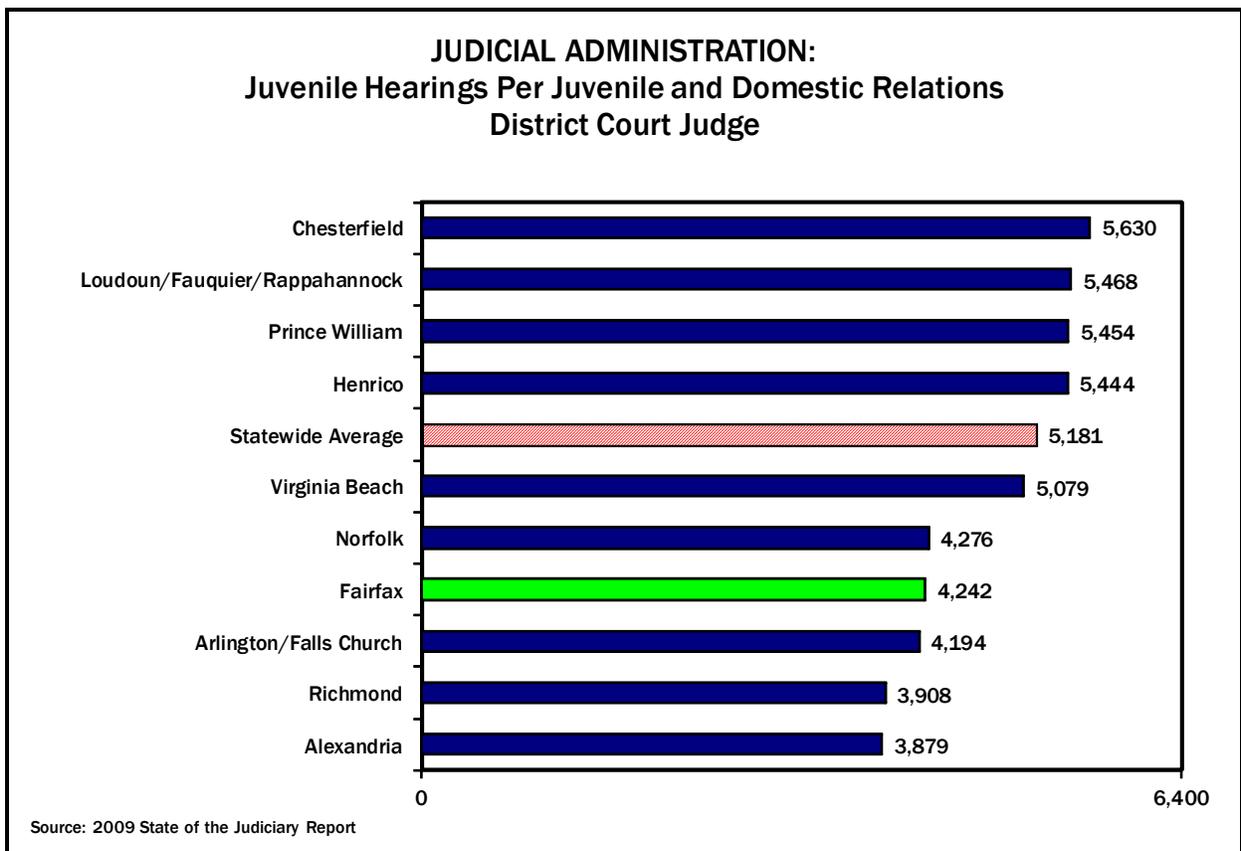
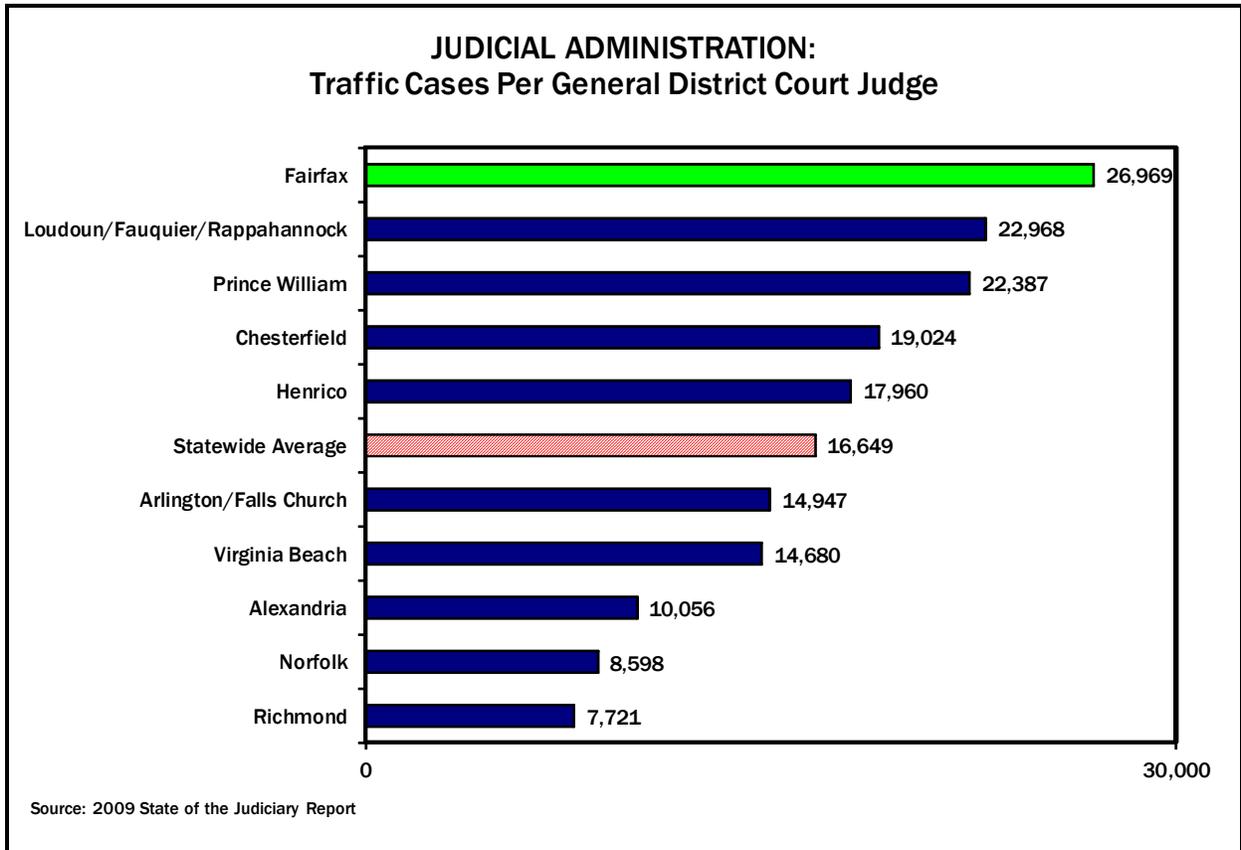


Source: 2009 State of the Judiciary Report

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