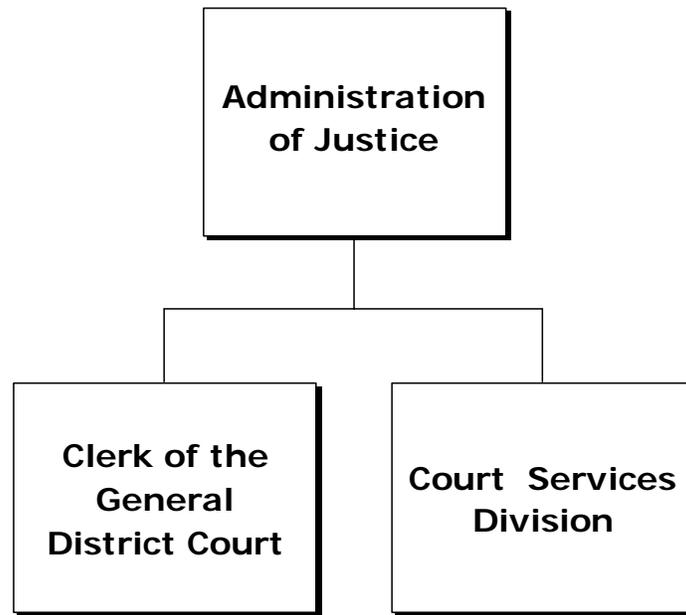


General District Court



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 – Court Services Division and Civil, Criminal and Traffic Courts.

The General District Court is part of the judicial branch of the state government and its judges and clerical staff are entirely state funded. The Court Services Division (CSD), however, is primarily funded with County funds and state grants and all of its positions are County merit positions. The CSD is comprised of four units, the Pretrial Evaluation Unit, the Supervision Unit (Supervised Release Program and Probation Program), the Administrative Unit, and the Volunteer/Intern Unit. 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 pretrial adult supervision 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 2009 through FY 2013 (estimated).

Type of Case	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual	FY 2012 Estimate	FY 2013 Estimate
Criminal	29,400	27,216	25,617	25,617	25,617
Traffic	268,858	260,496	257,081	268,858	288,858
Civil	46,982	47,259	45,882	45,882	45,882
TOTAL	345,240	334,971	328,580	340,357	360,357

The agency has identified four key drivers that impact future initiatives and guide the CSD'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 from the County and from State grants from the Department of Criminal Justice Services (DCJS). In FY 2013, anticipated reductions in state grant funding as well as proposed cuts in County funding pose significant concern as a reduction in critical and often mandated services appears inevitable. In FY 2012 and FY 2013, projected salary savings as a result of turnover and management of vacancies should prevent shortfalls in Personnel.

In both FY 2011 and FY 2012, a 5.5 percent reduction (\$40,697) in state aid to the County for the Comprehensive Community Corrections and Pretrial Services Grant was imposed. To compensate for these reductions, two grant exempt limited term positions (one Probation Counselor I and one Administrative Assistant II) and one full-time grant position (Probation Counselor II) were eliminated and training for grant staff was reduced.

As a result of these staffing losses, the average caseload per Probation Counselor exceeds the state average, thereby increasing the potential for error in supervision and increased risk for public safety. In FY 2011, the average caseload per Probation Counselor was 109 total cases (29 Supervised Release Program [SRP] cases *and* 80 Probation cases) compared to the state average of either 40 SRP cases *or* 60 Probation cases, not both. This trend is expected to continue in FY 2013 and will be exacerbated if any Probation Counselor positions are eliminated due to County budget reductions.

Caseload: The CSD experienced a 5 percent increase in pretrial placements into the Supervised Release Program (SRP), saving approximately 471 inmate jail days or an estimated \$69,000 to the County in FY 2011, coinciding with a 4 percent growth in probation placements. Fluctuation in SRP placements is somewhat influenced by CSD recommendations, whereas, probation placements are solely at the judges' discretion. Pretrial investigations decreased 4 percent compared to the previous year due to a reduced number of arrests and magistrates releasing individuals earlier in the process so that investigations were not required. *See Performance Measurements for actuals.*

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 Protective Order Tracking Service.

In FY 2011, volunteers performed 3,567 hours of work, equal to almost two full-time positions. Volunteers conducted 4,751 client interviews for eligibility for court appointed attorneys, similar to the previous year. Attorney assignments increased 27 percent due to an increase in indigent defendants (13,994 attorney assignments made in FY 2011 from 11,011 in FY 2010).

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In FY 2011, both the ADP program and the DOS program, which helps clients prepare for license reinstatement, dropped 13 percent from the previous year (262 ADP clients in FY 2011 from 300 clients in FY 2010; 302 DOS clients in FY 2011 from 348 clients in FY 2010). Restitution collections increased 29 percent (\$431,461 in FY 2011 from \$335,568 in FY 2010), while community service hours dropped 22 percent (9,137 in FY 2011 from 11,787 in FY 2010) as a result of fewer clients.

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, 60 cases of which were tracked in FY 2011. Additionally, the Protective Order Tracking Program ensures that judges are advised of information regarding 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 interpretation services for languages other than Spanish, including sign-language. In FY 2011, interpreter assignments increased 3 percent (738 in FY 2011 from 714 in FY 2010). Recruitment of bilingual probation counselors allows for effective management of the caseload of Spanish speaking clients. Bilingual staff continues to be hired and retained to ensure equitable services are provided.

Budget and Staff Resources

Agency Summary					
Category	FY 2011 Actual	FY 2012 Adopted Budget Plan	FY 2012 Revised Budget Plan	FY 2013 Advertised Budget Plan	FY 2013 Adopted Budget Plan
Authorized Positions/Staff Years¹					
Regular	21 / 21	21 / 21	21 / 21	21 / 21	21 / 21
State	93 / 91.1	93 / 91.1	93 / 91.1	93 / 91.1	93 / 91.1
Expenditures:					
Personnel Services	\$1,184,700	\$1,165,865	\$1,183,442	\$1,217,550	\$1,232,046
Operating Expenses	968,617	983,263	1,049,616	961,772	961,772
Capital Equipment	0	0	0	0	0
Total Expenditures	\$2,153,317	\$2,149,128	\$2,233,058	\$2,179,322	\$2,193,818
Income:					
Courthouse Maintenance Fees	\$449,531	\$448,356	\$472,005	\$481,480	\$481,480
General District Court Fines/Interest	98,474	96,000	96,000	96,000	96,000
General District Court Fines	7,670,029	8,072,962	7,670,029	7,670,029	7,670,029
Recovered Costs - General District					
Court	134,406	128,000	134,406	134,406	134,406
State Reimbursement - General District					
Court	82,956	67,293	67,293	67,293	67,293
Total Income	\$8,435,396	\$8,812,611	\$8,439,733	\$8,449,208	\$8,449,208
Net Cost to the County	(\$6,282,079)	(\$6,663,483)	(\$6,206,675)	(\$6,269,886)	(\$6,255,390)

¹ 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.

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Position Summary		
<p><u>Administration of Justice</u></p> <p>1 Chief Judge S 10 General District Judges S 1 Secretary S</p>	<p><u>Clerk of the General District Court</u></p> <p>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</p>	<p><u>Court Services Division</u></p> <p>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</p>
TOTAL POSITIONS		
114 Positions / 112.1 Staff Years		S Denotes State Positions
9/8.8 SYE Grant Positions in Fund 102, Federal/State Grant Fund		PT Denotes Part-time Positions

FY 2013 Funding Adjustments

The following funding adjustments from the FY 2012 Adopted Budget Plan are necessary to support the FY 2013 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 May 1, 2012.

- Employee Compensation** **\$40,169**
 An increase of \$40,169 in Personnel Services reflects \$25,673 for a 2.18 percent market rate adjustment (MRA) in FY 2013, effective July 2012, and \$14,496 for a 2.50 percent performance-based scale and salary increase for non-uniformed merit employees, effective January 2013.
- Full Year Impact of FY 2012 Market Rate Adjustment** **\$26,012**
 As part of the FY 2011 *Carryover Review*, the Board of Supervisors approved an increase of \$26,012 in Personnel Services primarily associated with a 2.0 percent market rate adjustment (MRA), effective September 24, 2011.
- Reductions** **(\$21,491)**
 A decrease of \$21,491 reflects the following reduction utilized to balance the FY 2013 budget:

Title	Impact	Posn	SYE	Reduction
Decrease Operating Expenses for Court Operations	This reduction will be absorbed through cuts to operating expenses, specifically cuts to the Court's Printing and Binding budget (\$17,191 savings) and the Computer Microfiche budget (\$4,300 savings). The reduction impacts the availability of newly published written material provided to employees as reference material and to the public and other local agencies such as the Fairfax Bar Association. In addition, some computer related expenses will need to be reduced or absorbed elsewhere within the agency's budget.	0	0.0	\$21,491

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Changes to FY 2012 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2012 Revised Budget Plan since passage of the FY 2012 Adopted Budget Plan. Included are all adjustments made as part of the FY 2011 Carryover Review, FY 2012 Third Quarter Review, and all other approved changes through April 24, 2012.

- ◆ **Carryover Adjustments** **\$83,930**
As part of the FY 2011 Carryover Review, the Board of Supervisors approved funding of \$17,577 in Personnel Services for a 2.0 percent market rate adjustment, effective September 24, 2011. In addition, the Board approved encumbered funding of \$66,353 in Operating Expenses.

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.

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2009 Actual	FY 2010 Actual	FY 2011 Estimate/Actual	FY 2012	FY 2013
Output:					
Pretrial interviews/investigations conducted	7,246	6,151	7,000 / 5,909	6,000	6,000
Supervised Released Program annual enrollment	785	908	875 / 951	875	875
Probation program annual enrollment	1,562	1,300	1,300 / 1,353	1,300	1,300
Efficiency:					
Average investigations conducted per shift	10	8	10 / 8	8	8
Average daily SRP caseload per Probation Officer	24	26	26 / 29	26	26
Average daily probation caseload per Probation Officer	71	73	77 / 80	77	77

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Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2009 Actual	FY 2010 Actual	FY 2011 Estimate/Actual	FY 2012	FY 2013
Service Quality:					
Percent of recommendations accepted for defendants' release	93%	95%	93% / 93%	93%	93%
Average failure to appear rate on return court dates	6%	6%	7% / 5%	7%	7%
New arrest violation rate	3%	3%	5% / 4%	5%	5%
Outcome:					
Percent of staff recommendations accepted by the Judiciary	98%	99%	96% / 98%	96%	96%
Percent of SRP cases successfully closed	88%	87%	86% / 87%	86%	86%
Percent of probation cases successfully closed	80%	78%	75% / 80%	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 critical 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.), 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 throughout the Commonwealth for pending charges. In FY 2011, pretrial investigations dropped 4 percent from FY 2010 (6,151 in FY 2010 to 5,909 in FY 2011) due to a reduced number of arrests and magistrates releasing individuals earlier in the process so that investigations were not required.

Supervised Release and Probation

Caseloads in the Supervised Release Program (SRP) and Probation vary from year to year based on the number and types of arrests. Post-conviction probation is ordered solely at the judges' discretion.

The 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, as well as alleviating overcrowding at the Fairfax County Adult Detention Center (ADC), reducing costs to the County for housing inmates. In FY 2011, there was a 5 percent increase in new placements (951 in FY 2011 from 908 in FY 2010) from the Circuit, General District, and occasionally, the Juvenile and Domestic Relations District Court and other jurisdictions. 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. Probation caseloads increased 4 percent from FY 2010 (1,353 cases in FY 2011 compared to 1,300 cases in FY 2010).