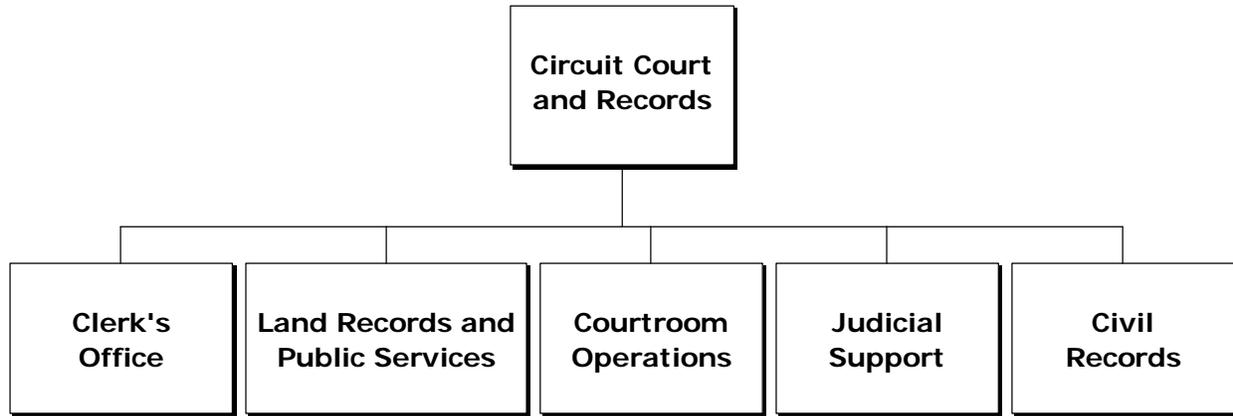


Circuit Court and Records



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.

AGENCY DASHBOARD			
Key Data	FY 2010	FY 2011	FY 2012
1. Public Records Held	39,594,635	41,099,915	44,614,094
2. Criminal Case	7,272	7,031	7,195
3. Civil Cases	19,193	19,414	19,123
4. Probate Cases	2,182	2,105	3,230
5. Land Recordings	196,465	205,650	212,644
6. Marriage Licenses, Trade Names, Financing Statements, Notaries	12,423	12,507	12,507
7. Jurors called to court for cases	9,804	10,294	9,911

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.

In civil cases, the Circuit Court has concurrent jurisdiction with the General District Court over claims from \$4,500 to \$25,000 and exclusive original jurisdiction over monetary claims exceeding \$25,000. The Circuit Court also has jurisdiction over other matters including, attachments, adoptions, divorce proceedings, disputes concerning wills, trusts and estates, and controversies involving property.

In criminal cases, the Circuit Court has jurisdiction over the trial of all felonies (offenses that may be punished by imprisonment of more than one year) where a grand jury has indicted individuals. Additionally, the Circuit Court has jurisdiction over misdemeanor offenses (offenses carrying a penalty of 12 months or less) that were appealed from district court or a grand jury indictment.

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The Circuit Court has appellate jurisdiction over appeals from General District Court and Juvenile and Domestic Relations District Court. Appeals from these district courts are heard de novo, that is, the cases are tried from the beginning as though there had been no prior trial. The parties have a right to a jury trial in the Circuit Court. The appellate jurisdiction also extends to appeals from certain administrative agencies.

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 are increasing. 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.

Circuit Court and Records supports the following County Vision Elements:



Maintaining Safe and Caring Communities



Creating a Culture of Engagement



Connecting People and Places



Exercising Corporate Stewardship

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. This system has the ability to give as close to real time as possible read of where the files are located, which has significantly reduced the amount of time spent locating files. The system was introduced into the criminal evidence management in FY 2012 by covering the vault areas. Immediate inventory and easier retrieval of evidence as well as chain of evidence will be documented with RFID. In an effort to insure the security and integrity of the evidence retained by the court, this process will also be included with older evidence already in court's possession.

Approximately 60,000 Fairfax County and City of Fairfax residents receive juror questionnaires each year to create a jury pool to accommodate a one day one trial system in this court. Once a juror serves a day or the duration of one case their duty is complete for at least 3 years. 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.

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The Land Records Division recorded 212,644 documents in FY 2012, an increase of 3.4 percent over FY 2011. This figure includes 44,000 that were recorded electronically, a 16 percent increase over documents filed electronically from FY 2011. The Electronic Filing System (EFS) is currently used by 130 companies which is a 33 percent increase over FY 2011 and the number grows weekly. The option of EFS has established a system for the business community to experience cost cutting measures, more timely recordings and overall improved customer service.

The Commonwealth of Virginia passed legislation which required the Clerk of Circuit Court to redact social security numbers (SSN) from all images that are viewable via secure remote access by July, 2012. The Circuit Court met the deadline and the redaction system was put into production ahead of schedule. Thirty nine million images were reviewed for SSNs on CPAN. All back-file images that included SSNs were redacted and all day forward images are currently being reviewed as they are processed and if any SSNs are found they are redacted prior to being made available on CPAN.

Interpreters

Nearly one in five Americans speaks a language other than English at home and Fairfax County exceeds that statistic. 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. Moreover, the Circuit Court employs many multilingual employees in the Civil, Criminal and Public Service Divisions, who help translate legal forms, answer procedural questions and provide basic court information. The court is obligated to provide court interpreters for translation where a language barrier exists in all criminal cases and in some civil cases. This process meets the code requirement 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.

In 2012, the Court provided interpreters in over 34 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. In addition, the Circuit Court provides sign language interpreters for both civil and criminal cases through the Virginia Department of Deaf and Hard of Hearing.

Interns and Volunteers

The Circuit Court has partnered 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 our customers and afford citizens an opportunity to contribute to the welfare of their community as well as develop marketable skills and work experience. Due to budgetary constraints, it has been necessary to hold some positions vacant in FY 2012. Volunteers helped to bridge this staffing gap by performing tasks which enabled our staff to keep up with their daily workload. College students apply traditional academic classroom learning to an actual work environment in order to develop personal and professional skills for future career development and placement while fulfilling college requirements.

The Court also has current law students who assist law clerks and judges with legal writing and research. This experience is valuable to them in their career decisions and in the future practice of law and provides them with first-hand knowledge of the practices and procedures of Circuit Court.

History

In FY 2013 Circuit Court Historic Records moved its permanent location to a newly restored area in the Historic Court House. This new location provides appropriate documents storage as well as increasing

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the opportunity for the Circuit Court Historic Records to better reach the public and to make the documents in their collection more available for viewing and research by the public.

Historic Records is responsible for the Court Records dating to the founding of Fairfax County in 1742. This record room holds documents from the first 200+ years of the County's existence. This room is equipped to assist family historians working on their genealogy, residents interested in the origin of their homes and neighborhoods, students working on projects involving court cases and local history and others interested in the origins of Fairfax County.

Budget and Staff Resources

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
FUNDING					
Expenditures:					
Personnel Services	\$7,942,275	\$8,466,437	\$8,477,810	\$8,463,676	\$8,463,676
Operating Expenses	2,042,589	1,998,576	2,086,200	1,998,576	1,998,576
Capital Equipment	0	0	23,692	0	0
Total Expenditures	\$9,984,864	\$10,465,013	\$10,587,702	\$10,462,252	\$10,462,252
Income:					
Land Transfer Fees	\$23,726	\$24,000	\$24,000	\$24,000	\$24,000
Courthouse Maintenance Fees	40,226	42,390	42,390	42,390	42,390
Circuit Court Fines and Penalties	153,612	168,000	153,612	153,612	153,612
Copy Machine Revenue	71,436	79,946	71,436	71,436	71,436
County Clerk Fees	5,220,338	4,626,050	5,392,416	5,392,416	5,392,416
City of Fairfax Contract	151,573	190,841	206,636	206,636	206,636
Recovered Costs - Circuit Court	85	200	200	200	200
CPAN	175,052	317,606	317,606	317,606	317,606
State Shared Retirement - Circuit Court	174,914	143,185	151,033	151,033	171,033
Total Income	\$6,010,962	\$5,592,218	\$6,359,329	\$6,359,329	\$6,379,329
NET COST TO THE COUNTY	\$3,973,902	\$4,872,795	\$4,228,373	\$4,102,923	\$4,082,923
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	137 / 137	139 / 139	139 / 139	139 / 139	139 / 139
Exempt	24 / 24	24 / 24	24 / 24	24 / 24	24 / 24
State	15 / 15	15 / 15	15 / 15	15 / 15	15 / 15

FY 2014 Funding Adjustments

The following funding adjustments from the FY 2013 Adopted Budget Plan are necessary to support the FY 2014 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 30, 2013.

- ◆ **Employee Compensation** **\$102,883**
 An increase of \$102,883 in Personnel Services reflects the full year impact of the FY 2013 2.5 percent performance-based scale and salary increase, effective January 2013, for non-uniformed employees. It should be noted that no funding is included for additional employee compensation for this department in FY 2014.

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- ◆ **Language Skills Proficiency Pay** **\$11,373**
An increase of \$11,373 in Personnel Services has been included to reallocate funding from Agency 89 for the Language Skills and Proficiency Pay program.

- ◆ **Reductions** **(\$117,017)**
A decrease of \$117,017 reflects the following reduction utilized to balance the FY 2014 budget:

Title	Impact	Posn	FTE	Reduction
Manage Vacancies and Overtime	Previous year budget reductions have forced the agency to hold positions vacant in order to achieve savings, and this further reduction will make an already difficult situation that much harder to manage. As positions continue to be held vacant, the need for work to be performed outside of the 40 hour work week inadvertently also increases. However, the agency will work to manage a reduction in overtime to achieve additional savings. These vacancies and a reduction in overtime will affect the service quality to the public and requires the Court to manage at significantly less than full proficiency.	0	0.00	\$117,017

Changes to FY 2013 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2013 Revised Budget Plan since passage of the FY 2013 Adopted Budget Plan. Included are all adjustments made as part of the FY 2012 Carryover Review, FY 2013 Third Quarter Review, and all other approved changes through April 23, 2013.

- ◆ **Carryover Adjustments** **\$122,689**
As part of the *FY 2012 Carryover Review*, the Board of Supervisors approved encumbered funding of \$71,316 primarily for hearing room renovations, operation and maintenance services, and software upgrades. The Board of Supervisors also approved unencumbered funding of \$40,000 to fund expenses associated with moving the Historical Records Center. As part of an Administrative Adjustment to reallocate funding from Agency 89, Employee Benefits, for the Language Skills and Proficiency Pay program, an additional \$11,373 was added to the Circuit Court's budget.

Cost Centers

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

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Land Records and Public Services

This cost center exists to record, preserve, safeguard and provide access to all recorded documents and instruments pertaining to land, property and judgments. The Public Service division issues marriage licenses and processes notary public commissions and trade names. Probate services records and qualifies fiduciaries for estate, trust and guardianship matters.

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
EXPENDITURES					
Total Expenditures	\$2,109,811	\$2,662,185	\$2,730,726	\$2,659,177	\$2,659,177
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	38 / 38	40 / 40	40 / 40	40 / 40	40 / 40
1 Management Analyst II	4	Admin. Assistants IV		1 Assistant Archivist	
1 Admin. Associate	17	Admin. Assistants III		2 Legal Records/Services Managers	
7 Admin. Assistants V	7	Admin. Assistants II			
TOTAL POSITIONS					
40 Positions /40.0 FTE					

Courtroom Operations

The Courtroom Operations cost center provides full administrative and clerical support to the 19th Judicial Court in order to accomplish the efficient and prompt resolution of all cases and jury functions according to the Code of Virginia.

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
EXPENDITURES					
Total Expenditures	\$2,041,120	\$2,061,692	\$2,073,065	\$2,069,519	\$2,069,519
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	38 / 38	38 / 38	38 / 38	38 / 38	38 / 38
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 FTE					

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Clerk's Office

The Clerk's Office Cost Center provides effective management of technical support and other agency-wide components to produce efficient and effective service to the legal community, the general public as well as internal customers of the County.

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
EXPENDITURES					
Total Expenditures	\$2,934,482	\$2,728,265	\$2,741,210	\$2,725,487	\$2,725,487
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	15 / 15	15 / 15	15 / 15	15 / 15	15 / 15
Exempt	9 / 9	9 / 9	9 / 9	9 / 9	9 / 9
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 III	1	Administrative Assistant IV E	
1 Info. Tech. Technician III			2	Administrative Assistants III E	
TOTAL POSITIONS					
24 Positions / 24.0 FTE			E Denotes Exempt Position		

Judicial Support

This Cost Center provides full administrative support and clerical services to the Judges of the 19th Circuit to ensure appropriate and prompt resolution of cases.

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
EXPENDITURES					
Total Expenditures	\$900,958	\$1,295,962	\$1,325,792	\$1,293,938	\$1,293,938
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
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
1 Chief Judge S	1	Administrative Assistant V			
14 Judges S	1	Administrative Assistant IV			
15 Judicial Law Clerks E					
TOTAL POSITIONS					
32 Positions / 32.0 FTE			E Denotes Exempt Position S Denotes State Position		

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Civil Records

This cost center is responsible for records management and the coordination of the retention and archiving of cases. It also processes the filing of new civil cases and subsequent documents to ensure efficient and timely resolution of civil cases brought before the Judges of the 19th Judicial Circuit.

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
EXPENDITURES					
Total Expenditures	\$1,998,493	\$1,716,909	\$1,716,909	\$1,714,131	\$1,714,131
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	44 / 44	44 / 44	44 / 44	44 / 44	44 / 44
1 Management Analyst II		4	4	4	4
2 Legal Records/Services Managers		25	25	25	25
3 Administrative Assistants V		9	9	9	9
TOTAL POSITIONS					
44 Positions / 44.0 FTE					

Key Performance Measures

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2010 Actual	FY 2011 Actual	FY 2012 Estimate/Actual	FY 2013	FY 2014
Land Records and Public Services					
Percent change in time to return documents	(46%)	57%	(9%) / 127%	(60%)	0%
Percent change of CPAN connections	(6.0%)	0.0%	0.0% / 0.0%	0.0%	2.1%
Percent change in waiting time	0.0%	200.0%	(33.0%) / (26.6%)	(9.1%)	0.0%
Courtroom Operations					
Percentage point change in juror utilization rate	(7)	(1)	0 / (1)	1	0
Clerk's Office					
Percentage change in number of requests (phone & email) received	(25%)	7%	(17%) / 1%	(18%)	0%
Civil Records					
Percentage point change of DCTP Law caseload concluded within one year	2	3	0 / 0	0	0
Percentage point change of DCTP Domestic caseload concluded within 15 months of initial filing	2	(1)	0 / 0	0	0

A complete list of performance measures can be viewed at www.fairfaxcounty.gov/dmb/fy2014/adopted/pm/80.pdf

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Performance Measurement Results

There was a zero percent point change in Differentiated Case Tracking Program (DCTP) Domestic caseloads concluded within fifteen months, as the rate remained at ninety-eight percent in FY 2012. The state average is 90 percent and the Judicial Council recommends 98 percent within 18 months of initial trial. Law Cases achieved a final disposition of 91 percent of the cases filed within 12 months. The state average is 75 percent and the Judicial Council recommends 90 percent. In both Law and Domestic cases, the Circuit Court exceeds the recommended percentage by the Judicial Council.

In FY 2012, Fairfax County residents were able to get a fiduciary appointment within 2.2 weeks, a 26.6 percent decrease from FY 2011 which is a significant improvement over the agency's 3.0 week waiting time in FY 2011. The number of residents called in for jury trials is based on a calculation devised by the clerks of the Circuit Court and used each day when summonsed jurors are requested to appear the next morning. The number of cases settling at the last minute affects the utilization rate of those called into the court. The utilization rate of eighty-nine percent is a one percentage point decrease from FY 2011 to FY 2012. The Court Public Access Network (CPAN) is a subscription based connection whereby court information can be accessed remotely. In FY 2012, the number of connections increased. These subscriptions are mainly used by Title Companies which allows them to do title searches from their office, day or night. This also reduces traffic on the road and at the courthouse. The number of documents recorded Land Records increased 3.4 percent in FY 2012. With the economy slump, the numbers of land documents decreased each year for the past few years resulting in management decisions to hold positions vacant in that section. That vacancy factor caused the 127 percent increase and delay in time to return documents as well as an increase in the number of recorded documents this past year.