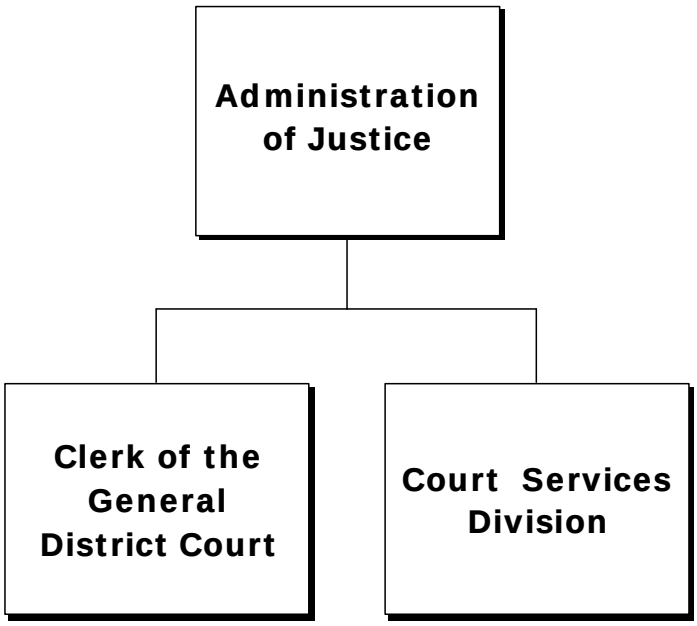
General District Court



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.

AGENCY DASHBOARD			
Key Data	FY 2010	FY 2011	FY 2012
1. Court Caseload	334,971	328,580	313,369
2. Number of Record Checks Conducted	27,665	27,099	27,108
3. Pretrial Interviews/Investigations Conducted	6,151	5,909	5,742
4. Supervised Release Program Annual Enrollment	908	951	930
5. Probation Program Annual Enrollment	1,300	1,353	1,304
6. Average Daily Caseload per Probation Officer	73	80	78
7. Percent Total Operating Budget Allocated to Mandated Services & Computer Services	76	79	81

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 the County Court Services Division and the State Clerk's Office.

The General District Court is part of the judicial branch of the state government. Its judges and clerical staff that comprise the Civil Division, Criminal Division, Traffic Division, and Administration are entirely state funded. The Court Services Division (CSD), however, is funded primarily with County funds and

supplemented by 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 collects and provides information on incarcerated defendants to assist judges and magistrates with release decisions; provides pretrial community supervision to defendants awaiting trial, and supplies 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 Court and Juvenile and Domestic Relations District Court (JDRDC).

General District Court supports the following County Vision Element:

Maintaining Safe and Caring Communities

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.

The following chart highlights the General District Court's total caseload from FY 2010 through FY 2014 (estimated).

Type of Case	FY 2010 Actual	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate	FY 2014 Estimate
Criminal	27,216	25,617	25,612	25,612	25,612
Traffic	260,496	257,081	242,374	250,000	300,000
Civil	47,259	45,882	45,383	45,383	45,383
TOTAL	**334,971**	**328,580**	**313,369**	**320,995**	**370,995**

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 from the County and from state grants from the Department of Criminal Justice Services (DCJS). In FY 2014, anticipated reductions in state grant funding as well as proposed cuts in County funding pose a significant concern for the agency.

In the past three fiscal years, the state grant awards for the Comprehensive Community Corrections and Pretrial Services Grants have been reduced. In FY 2011, a reduction of 5.46 percent ($39,969) was imposed, followed by a 5.5 percent reduction ($40,697) in FY 2012, and a reduction of 4.65 percent ($33,980) in FY 2013. To manage these reductions in the grant funding and the rising costs of fringe benefits assessed against the grant for grant staff, three grant positions (one part-time Probation Counselor I, one part-time Administrative Assistant II, and one full-time Probation Counselor II) were eliminated during FY 2011 and one grant position (full-time Probation Counselor II) has not been filled since May of 2012 and may be eliminated in future years due to lack of funding. Reductions in funding for training opportunities for all CSD staff were also imposed. Similar reductions in state grant funding are anticipated for FY 2014 and FY 2015. Additional increases in fringe benefits and pay increases for

County merit staff, with no anticipated increase in grant funding, may require further reductions in staffing in the future, which will impact services to both clients and the courts.

Due to limited staffing, the average caseload per Probation Counselor continues to significantly exceed the state average, which directly increases the potential for error in supervision and the risk to public safety. This trend is expected to continue in FY 2014 and will be exacerbated if any Probation Counselor positions are eliminated due to either county budget reductions or further reductions in state grants.

Caseload: The Supervision Unit is a cost-saving alternative to incarceration that provides supervision of defendants both pretrial and after conviction. Supervision in the community reduces recidivism and improves community safety. In FY 2012, the average Probation Counselor (case manager) supervised a caseload that far exceeded the state average, supervising an average of 105 cases (27 Supervised Release Program [SRP] cases AND 78 Probation cases) compared to the state average of either 40 SRP cases OR 60 Probation cases, not both.

In FY 2012, 930 placements were made into the Supervised Release Program (SRP) primarily by magistrates or General District Court judges. The program also accepts referrals from the Circuit Court and the Juvenile and Domestic Relations District Court (JDRDC). Based on statistics from the Pretrial Community Corrections database (PTCC) on SRP clients, the number of active supervision days totaled 93,426. It is difficult to calculate accurately the savings accrued by entry into SRP as many defendants might have made bond if not placed into SRP. However, an estimated 15 percent would likely have remained incarcerated until trial or sentencing. Using this estimate, it is calculated that a minimum of 14,014 jail days are saved yearly. The cost to house an inmate is $161 per day according to the Fairfax County Sheriff's Department. Thus, the dollar savings to the County is estimated at $2,256,254 and could be much higher.

Pretrial investigations decreased slightly 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. Probation placements decreased by approximately 3.6 percent in FY 2012, largely offsetting an increase of 4.1 percent the previous year.

Criminal Record Specialists in the Pretrial Evaluation Unit were the primary providers of 27,108 criminal record checks in FY 2012 mainly for police seeking criminal arrest warrants. Using Criminal Record Specialists to perform this mandated function, rather than the arresting officer, allows police to return to their public safety duties more quickly. Criminal record checks were also provided to the judiciary of the General District Court, Circuit Court, and JDRDC to assist with bond determination, and to the Alcohol Safety Action Program (ASAP), the Opportunities, Alternatives & Resources Program (OAR), and the Court Services Supervision Unit who determine eligibility for placement into various programs and monitor that no further criminal activity occurs.

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 2012, volunteers performed 3,499 hours of work, equal to almost two full-time positions. Volunteers conducted 4,314 client interviews for eligibility for court appointed attorneys, a total similar to the previous year. Attorney assignments remained relatively flat from the previous year when they increased 27 percent due to an increase in indigent defendants (13,213 attorney assignments were made in FY 2012 compared to 13,994 in FY 2011 up from 11,011 in FY 2010).

In FY 2012, the highly effective DOS program served 12 percent more clients (337 clients in FY 2012 from 302 clients in FY 2011) by assisting them to prepare for and navigate through requirements for license reinstatement. The number of ADP program clients dropped 23 percent from the previous year (206 ADP clients in FY 2012 from 267 clients in FY 2011) attributed to fewer underage drinking charges, often issued at concerts attended by college students. Restitution collections dropped approximately 3 percent ($415,105 in FY 2012 from $431,461 in FY 2011) and community service hours performed dropped 16.5 percent (9,137 hours in FY 2011 to 7,841 hours in FY 2012) paralleling an overall decrease in probation cases.

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. In FY 2012, 70 defendants were tracked, an increase of 17 percent from FY 2011 (60 defendants tracked). Additionally, the Protective Order Tracking Program monitored 93 clients with high risk behavior to ensure that judges were properly advised in cases where protective orders were authorized to protect victims of stalking or other violent crimes.

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 2012, interpreter assignments increased 17 percent (864 in FY 2012 from 738 in FY 2011). Recruitment of bilingual probation counselors allows for effective management of the caseload of Spanish speaking clients and ensures equitable services are provided.

Budget and Staff Resources[1]

Category	FY 2012 Actual	FY 2013 Adopted	FY 2013 Revised	FY 2014 Advertised	FY 2014 Adopted
FUNDING					
Expenditures:					
Personnel Services	$1,150,193	$1,232,046	$1,232,046	$1,246,542	$1,246,542
Operating Expenses	965,659	961,772	1,028,720	961,772	961,772
Capital Equipment	10,665	0	10,977	0	0
Total Expenditures	$2,126,517	$2,193,818	$2,271,743	$2,208,314	$2,208,314
Income:					
Courthouse Maintenance Fees	$490,783	$481,480	$481,480	$481,480	$481,480
General District Court Fines/Interest	92,409	96,000	96,000	96,000	96,000
General District Court Fines	7,831,028	7,670,029	8,065,960	8,307,930	8,307,930
Recovered Costs - General District Court	137,273	134,406	134,406	134,406	134,406
State Reimbursement - General District Court	85,265	67,293	85,265	85,265	85,265
Total Income	$8,636,758	$8,449,208	$8,863,111	$9,105,081	$9,105,081
NET COST TO THE COUNTY	($6,510,241)	($6,255,390)	($6,591,368)	($6,896,767)	($6,896,767)
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	21 / 21	21 / 21	21 / 21	21 / 21	21 / 21
State	93 / 91.1	93 / 91.1	94 / 91.1	94 / 91.1	94 / 91.1

[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.

	Administration of Justice		Clerk of the General District Court		Court Services Division
1	Chief Judge S	1	Clerk of the General District Court S	1	Probation Supervisor II
10	General District Judges S	1	Chief Deputy Clerk S	1	Probation Supervisor I
1	Secretary S	3	Division Supervisors S	1	Probation Counselor III
		5	Staff Analysts S, 1 PT	4	Probation Counselors II
		11	Section Supervisors S	5	Probation Counselors I
		61	Deputy Clerks S, 6 PT	1	Administrative Assistant IV
				1	Administrative Assistant III
				5	Administrative Assistants II
				1	Network/Telecom. Analyst II
				1	Management Analyst II

TOTAL POSITIONS
115 Positions / 112.1 FTE (94/91.1FTE State, 21/21.0 FTE County)

S Denotes State Position
PT Denotes Part-time Position

This agency has 9/8.8 FTE Grant Positions in Fund 50000, Federal/State Grants.

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** **$14,496**
  An increase of $14,496 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.

- **Reductions** **$0**
  It should be noted that no reductions to balance the FY 2014 budget are included in this agency based on the limited ability to generate additional personnel savings.

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** **$77,925**
  As part of the *FY 2013 Carryover Review*, the Board of Supervisors approved encumbered funding of $77,925 in Operating Expenses.

Key Performance Measures

Indicator	Prior Year Actuals FY 2010 Actual	FY 2011 Actual	FY 2012 Estimate/Actual	Current Estimate FY 2013	Future Estimate FY 2014
General District Court					
Percent of staff recommendations accepted by the Judiciary	99%	98%	96% / 97%	96%	96%
Percent of SRP cases successfully closed	87%	87%	86% / 89%	86%	86%
Percent of probation cases successfully closed	78%	80%	75% / 77%	75%	75%

A complete list of performance measures can be viewed at www.fairfaxcounty.gov/dmb/fy2014/adopted/pm/85.pdf

Performance Measurement Results

All services provided by the Court Services Division (CSD) address the agency mission. CSD provides information on incarcerated defendants, provides pretrial and post-trial community supervision, manages the court-appointed attorney system for indigent defendants, manages interpretation services for the non-English speaking and hearing impaired population, manages volunteer services, and answers questions about the judicial process for the public.

Pretrial Investigations

The Pretrial Evaluation Unit provides 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 2012, the percent of staff bond recommendations accepted by the Judiciary continued to exceed the 96 percent target.

Supervised Release Program (SRP) and Probation Program

The Supervision Unit provides misdemeanant and felony inmates awaiting trial an alternative to incarceration through intensive community supervision. 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 2012, the percent of SRP cases successfully closed was 89 percent. This represents a two percentage point increase over FY 2011 and exceeds the target of 86 percent.

The Probation Counselors in the Probation Unit supervise both SRP clients and those referred to probation at the final court date by court order. Probation Counselors are required to see defendants either bi-monthly or weekly and must conduct weekly telephone check-ins and random 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. The percent of probation cases successfully closed was 77 percent, a full two percentage points above the 75 percent target. Caseloads in the Supervised Release Program (SRP) and Probation vary from year to year based on the number and types of arrests.