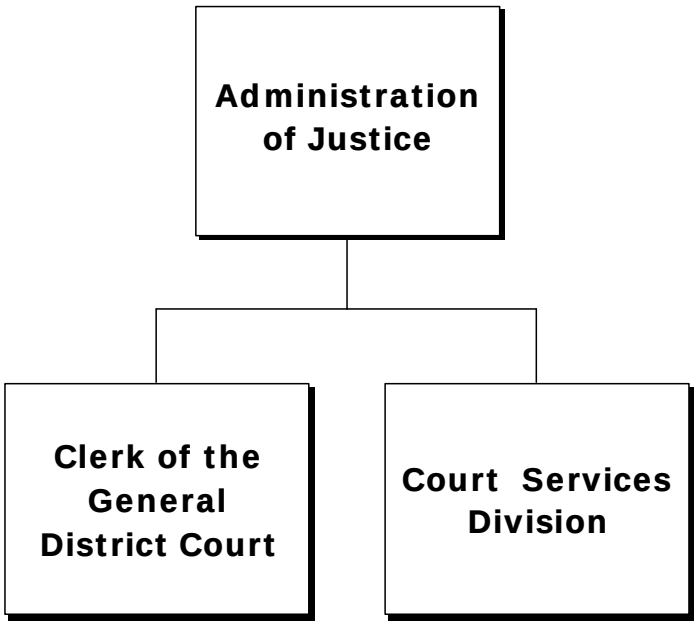
General District Court



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 2011	FY 2012	FY 2013
1. Court Caseload	328,580	313,369	310,883
2. Number of Record Checks Conducted	27,099	27,108	27,196
3. Pretrial Interviews/Investigations Conducted	5,909	5,742	5,960
4. Supervised Release Program Annual Enrollment	951	930	985
5. Probation Program Annual Enrollment	1,353	1,304	1,286
6. Average Daily Caseload per Probation Officer	80	78	76
7. Percent Total Operating Budget Allocated to Mandated Services & Computer Services	79	79	79

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.

General District Court supports the following County Vision Element:

Maintaining Safe and Caring Communities

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 composed 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).

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 2011 through FY 2015 (estimated).

Type of Case	FY 2011 Actual	FY 2012 Actual	FY 2013 Actual	FY 2014 Estimate	FY 2015 Estimate
Criminal	25,617	25,612	25,244	25,244	25,244
Traffic	257,081	242,374	243,719	250,000	260,000
Civil	45,882	45,383	41,920	41,920	41,920
TOTAL	**328,580**	**313,369**	**310,883**	**317,164**	**327,164**

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, an increase in funding of $20,838 was partially due to the state raise increase ($12,863) and an increase in training funding ($7,975). This state funding relief will allow the continuation of critical and often mandated services.

In the past three fiscal years, the state grant awards for the Comprehensive Community Corrections and Pretrial Services were reduced. Beginning 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. It is only in FY 2014 that funding was restored to manageable levels. 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 full-time Probation Counselor II, one part-time Probation Counselor I, and one part-time Administrative Assistant II) were eliminated during FY 2011 and one grant position (full-time Probation Counselor II) was eliminated in FY 2013 and later re-established as a non-merit position when state funding levels increased. Reductions in state grant funding are not anticipated for FY 2015 and FY 2016. 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. Any reductions 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 2015.

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 2013, the average Probation Counselor (case manager) supervised a caseload that far exceeded the state average, supervising an average of 102 cases (26 Supervised Release Program [SRP] cases AND 76 Probation cases) compared to the state average of either 40 SRP cases or 60 Probation cases, not both.

In FY 2013, 985 placements were made into the Supervised Release Program (SRP) primarily by magistrates or General District Court judges, an increase of 6 percent from FY 2012 (930 placements). The program provides intensive supervision and monitoring of lower risk defendants who might otherwise remain the jail while awaiting trial. It also accepts referrals from the Circuit Court and the Juvenile and Domestic Relations District Court. Based on statistics from the Pretrial Community Corrections database (PTCC) on SRP clients, the number of active supervision days totaled 94,131. 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 14,120 jail days are saved yearly. The cost to house an inmate is $170 per day according to the Fairfax County Sheriff's Department. Thus, the dollar savings to the County is estimated at $2,400,400 and could be much higher.

Pretrial investigations increased nearly 4 percent in FY 2013 compared to the previous year due to an increase in the number of arrests and magistrates releasing individuals later in the process so that investigations were required. Probation placements decreased by just over 1 percent in FY 2013. Additional details are available in the agency's Performance Measurement section.

Criminal Record Specialists in the Pretrial Evaluation Unit were the primary providers of 27,196 criminal record checks in FY 2013, which remained flat compared to 27,108 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 2013, volunteers performed 3,347 hours of work, equal to almost two full-time positions. Volunteers conducted 4,167 client interviews for eligibility for court appointed attorneys, a total similar to the previous year. Attorney assignments decreased by 1 percent in FY 2013 due to a slight decrease in the number of indigent defendants requesting court appointed attorneys. In FY 2011, the court experienced a 27 percent increase in the number of appointments (13,994 in FY 2011 from 11,011 in FY 2010). This number remained relatively unchanged in FY 2012 (13,213) and FY 2013 (13,031).

In FY 2013, the highly effective DOS program served 13 percent fewer clients (292 clients in FY 2013 compared to 337 in FY 2012). This program prepares individuals to navigate through requirements for license reinstatement. The ADP program clients increased 20 percent from the previous year (206 ADP clients in FY 2012 compared to 248 clients in FY 2013) attributed to more underage drinking charges. Restitution collections dropped more than 12 percent ($362,886 in FY 2013 from $415,105 in FY 2012) and community service hours performed increased over 2 percent (7,841 hours in FY 2012 to 8,032 hours in FY 2013) along with 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 2013, 80 defendants were tracked, an increase of 14 percent from FY 2012 (70 defendants tracked) following a 10 percent increase in FY 2011 (60 defendants tracked). Additionally, the Protective Order Tracking Program monitored 86 clients in FY 2013, a 7 percent decrease from FY 2012 (93 clients monitored). This program monitors 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 2013, interpreter assignments increased 12 percent (969 in FY 2013 compared to 864 in FY 2012). 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 2013 Actual	FY 2014 Adopted	FY 2014 Revised	FY 2015 Advertised	FY 2015 Adopted
FUNDING					
Expenditures:					
Personnel Services	$1,158,625	$1,246,542	$1,251,926	$1,262,438	$1,274,759
Operating Expenses	885,555	961,772	987,602	978,772	961,772
Capital Equipment	5,477	0	0	0	0
Total Expenditures	$2,049,657	$2,208,314	$2,239,528	$2,241,210	$2,236,531
Income:					
Courthouse Maintenance Fees	$419,439	$481,480	$419,439	$419,439	$419,439
General District Court Fines/Interest	124,570	96,000	96,000	96,000	96,000
General District Court Fines	8,400,456	8,307,930	8,307,930	8,307,930	8,307,930
Recovered Costs - General District Court	122,767	134,406	124,046	125,275	125,275
State Reimbursement - General District Court	82,628	85,265	85,265	85,265	85,265
Total Income	$9,149,860	$9,105,081	$9,032,680	$9,033,909	$9,033,909
NET COST TO THE COUNTY	($7,100,203)	($6,896,767)	($6,793,152)	($6,792,699)	($6,797,378)
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	21 / 21	21 / 21	21 / 21	21 / 21	21 / 21
State	94 / 91.1	94 / 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 department has 8/8.0 FTE Grant Positions in Fund 50000, Federal-State Grants.

FY 2015 Funding Adjustments

The following funding adjustments from the FY 2014 Adopted Budget Plan are necessary to support the FY 2015 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 29, 2014.

- **Employee Compensation** **$28,217**
  An increase of $28,217 in Personnel Services includes $15,896 for a 1.29 percent market rate adjustment (MRA) for all employees and $12,321 for a 1.00 percent salary increase for non-uniformed employees, both effective July 2014

Changes to FY 2014 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2014 Revised Budget Plan since passage of the FY 2014 Adopted Budget Plan. Included are all adjustments made as part of the FY 2013 Carryover Review, FY 2014 Third Quarter Review, and all other approved changes through April 30, 2014.

- **Incentive Reinvestment Initiative** **($6,233)**
  A net decrease of $6,233 reflects 50 percent of the savings generated as the result of careful management of agency expenditures during the fiscal year and was returned to the General Fund as part of the *FY 2014 Third Quarter Review*. The remaining 50 percent will be retained by the agency to be reinvested in employee training, conferences and other employee development and succession planning opportunities. This initiative was approved by the Board of Supervisors on December 3, 2013.

- **Carryover Adjustments** **$37,447**
  As part of the *FY 2013 Carryover Review*, the Board of Supervisors approved funding of $37,447, including $17,850 in Personnel Services for a one-time compensation adjustment of $850 for merit employees paid in November 2013 and encumbered funding of $19,597 primarily for seating in public areas of the Courthouse and for Audio/Visual technical equipment for an agency training room.

Key Performance Measures

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2011 Actual	FY 2012 Actual	FY 2013 Estimate/Actual	FY 2014	FY 2015
General District Court					
Percent of staff recommendations accepted by the Judiciary	98%	97%	96%/98%	96%	96%
Percent of SRP cases successfully closed	87%	89%	86%/86%	86%	86%
Percent of probation cases successfully closed	80%	77%	75%/77%	75%	75%

A complete list of performance measures can be viewed at www.fairfaxcounty.gov/dmb/fy2015/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 2013, pretrial investigations increased close to four percent from FY 2012 (5,742 in FY 2012 compared to 5,960 in FY 2013) due to a decrease in referrals and magistrates releasing individuals later in the process so that investigations were required. 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 2013, there was an increase of 6 percent in new SRP placements (930 in FY 2012 to 985 in FY 2013) from the Circuit, General District, and occasionally, the Juvenile & Domestic Relations District Court and other jurisdictions. In FY 2013, the percent of SRP cases successfully closed was 86 percent, matching the target for this measure.

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. Probation caseloads decreased slightly by 1.4 percent in FY 2013 (1,286 cases in FY 2013 compared to 1,304 cases in FY 2012), coinciding with a similar decrease in criminal arrests. The percent of probation cases successfully closed remained at 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.