



General District Court

Lines of Business

Proposed FY 2010 Budget Reductions

15% Reduction = \$363,625

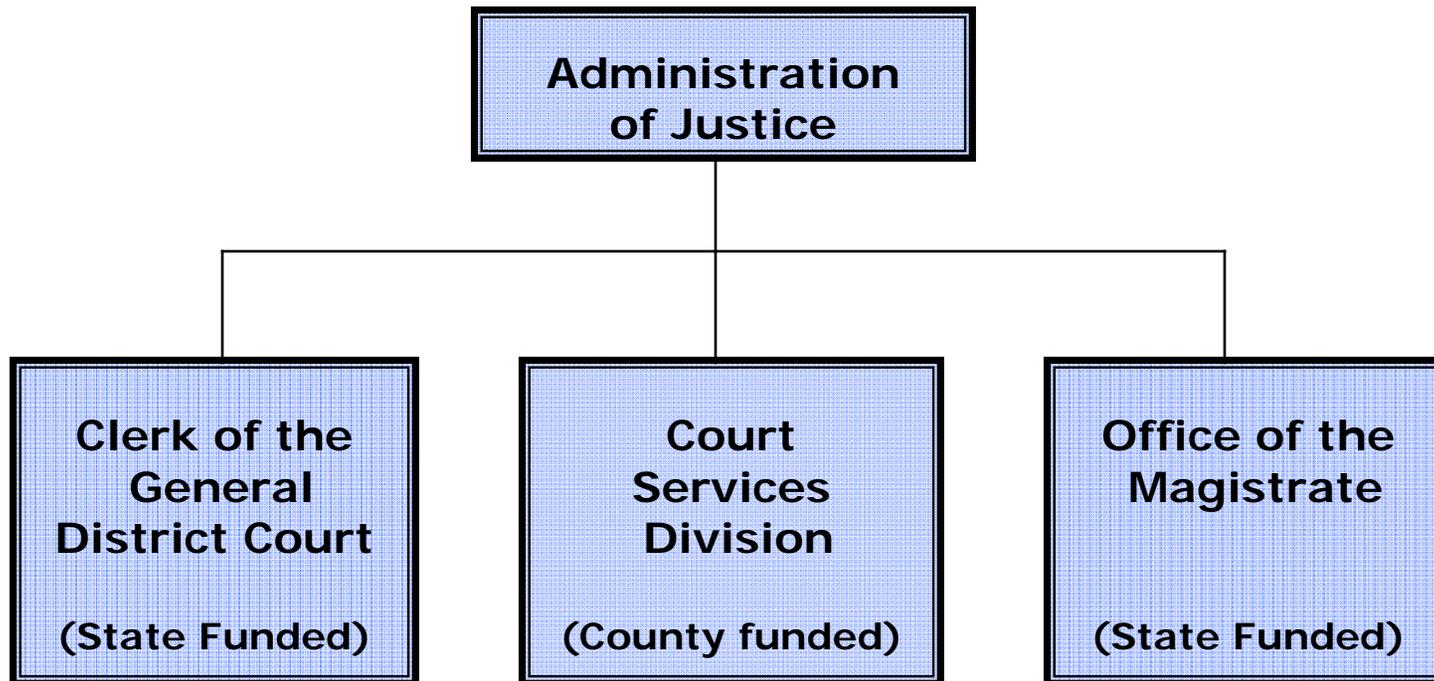
December 5, 2008

Agency Mission and Vision



The **mission** of the General District Court is to provide equal access for the fair and timely resolution of court cases.

The **vision** of 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.



General District Court (GDC)

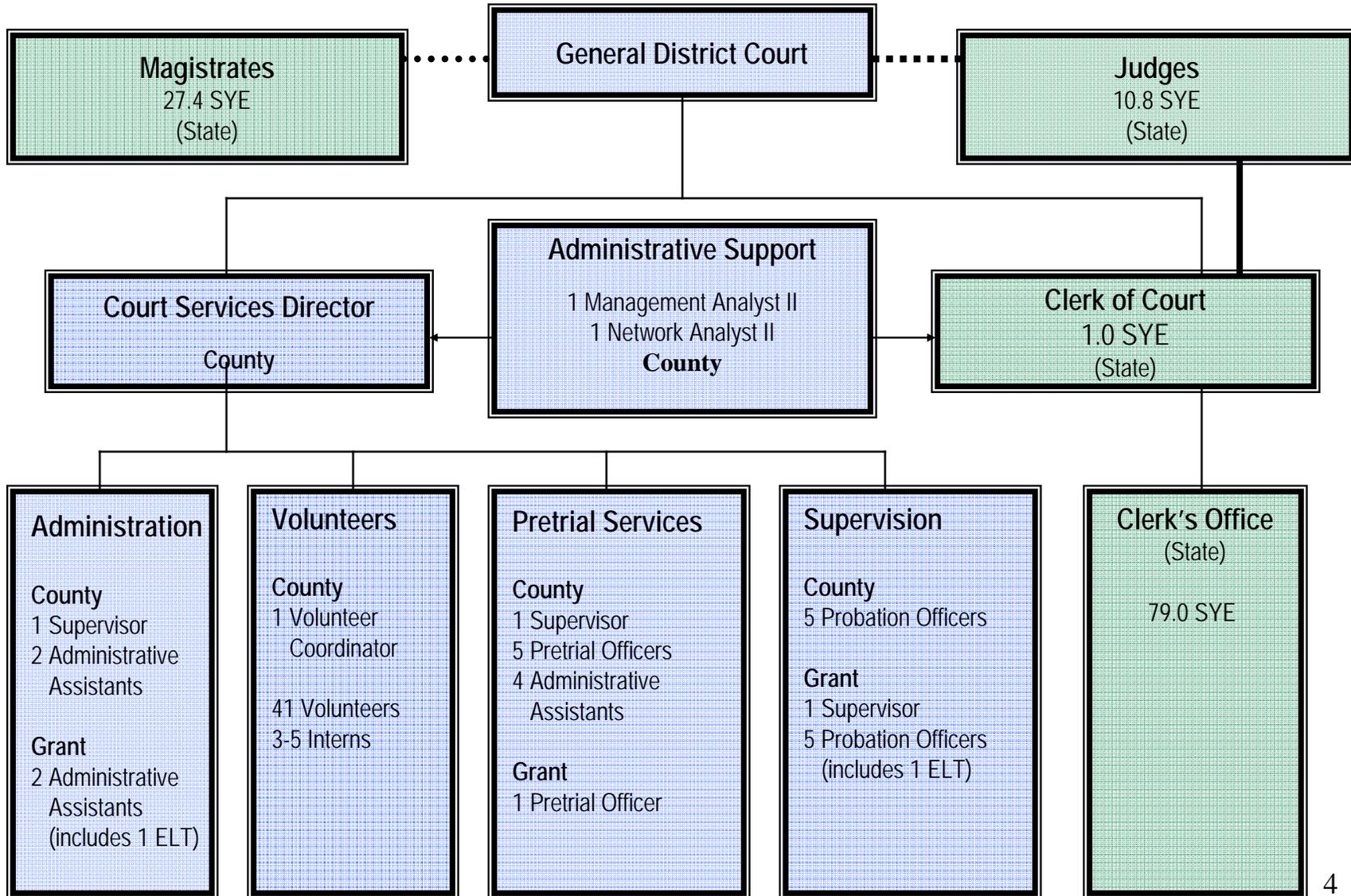
- ◆ **The General District Court is State funded.**
- ◆ **The Magistrates' Office is State funded and receives a County supplement for magistrate salaries.**
- ◆ **The Court Services Division is County funded.**

In accordance with the Code of Virginia, the GDC hears matters involving:

- Adults charged with traffic violations
- Adults charged with criminal misdemeanors
- Preliminary hearings in felony cases
- Civil suits and Small Claims cases

Organizational Chart

General District Court



FY 2008: Court Services Division

Four Units of the Court Services Division

- ◆ **Pretrial Evaluation Unit**
- ◆ **Supervision Unit**
 - Supervised Release Program (SRP)
 - Probation Program
- ◆ **Administrative Unit**
- ◆ **Volunteer/Intern Unit**

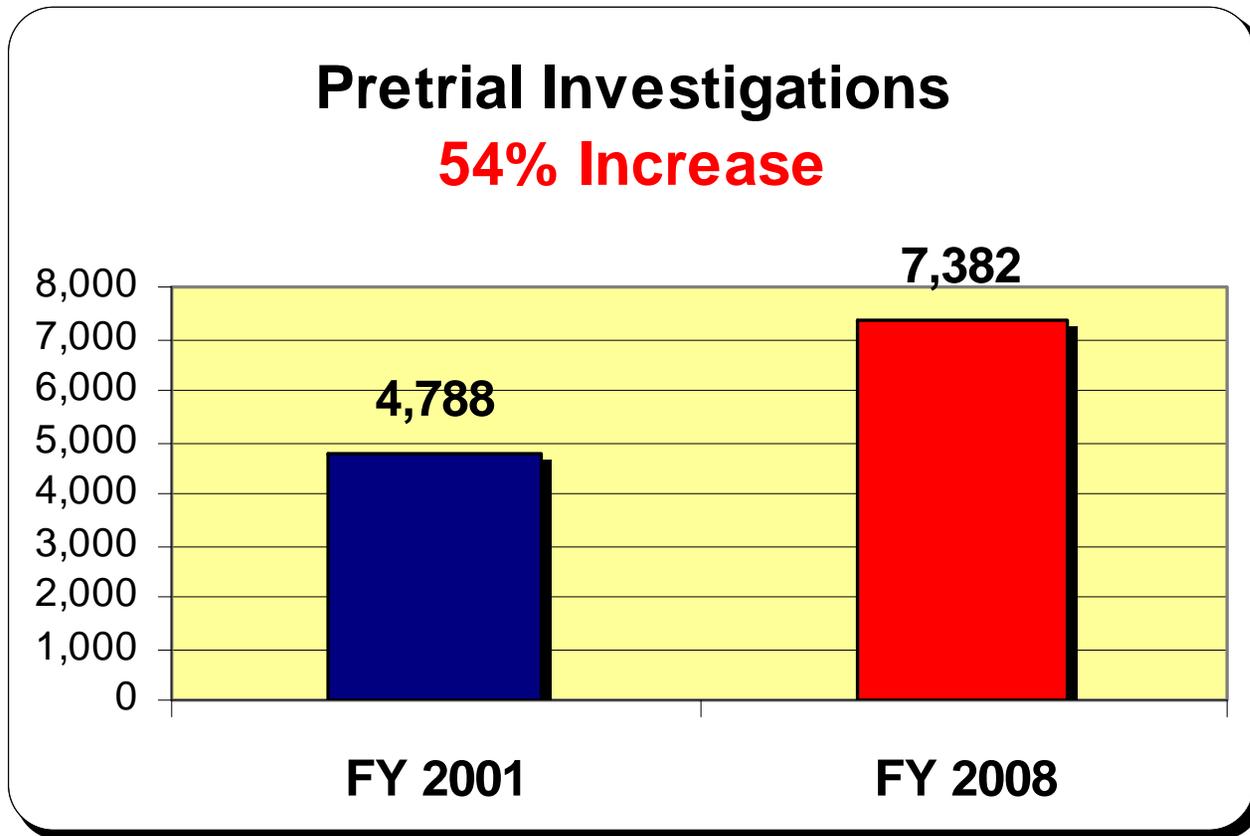
Value

Pretrial Evaluation Unit

Co-located with Magistrate's Office in the Adult Detention Center (ADC)

- ◆ **Advocates public safety**
 - Conducts comprehensive investigations about defendants
 - Makes recommendations to Magistrates and Judges regarding defendants' bond status
- ◆ Is a **cost-saving program** that ensures eligible defendants early release from ADC thereby reducing the jail population
- ◆ Ensures the **judiciary is informed** of active protective orders, history of violent crime, victim impact statements, and outstanding warrants
- ◆ **Provides mandated criminal record checks** for police seeking arrest warrants, thereby allowing the police a quick return to active duty
- ◆ Ensures qualified **indigent defendants** receive earlier assignments of court appointed counsel as mandated

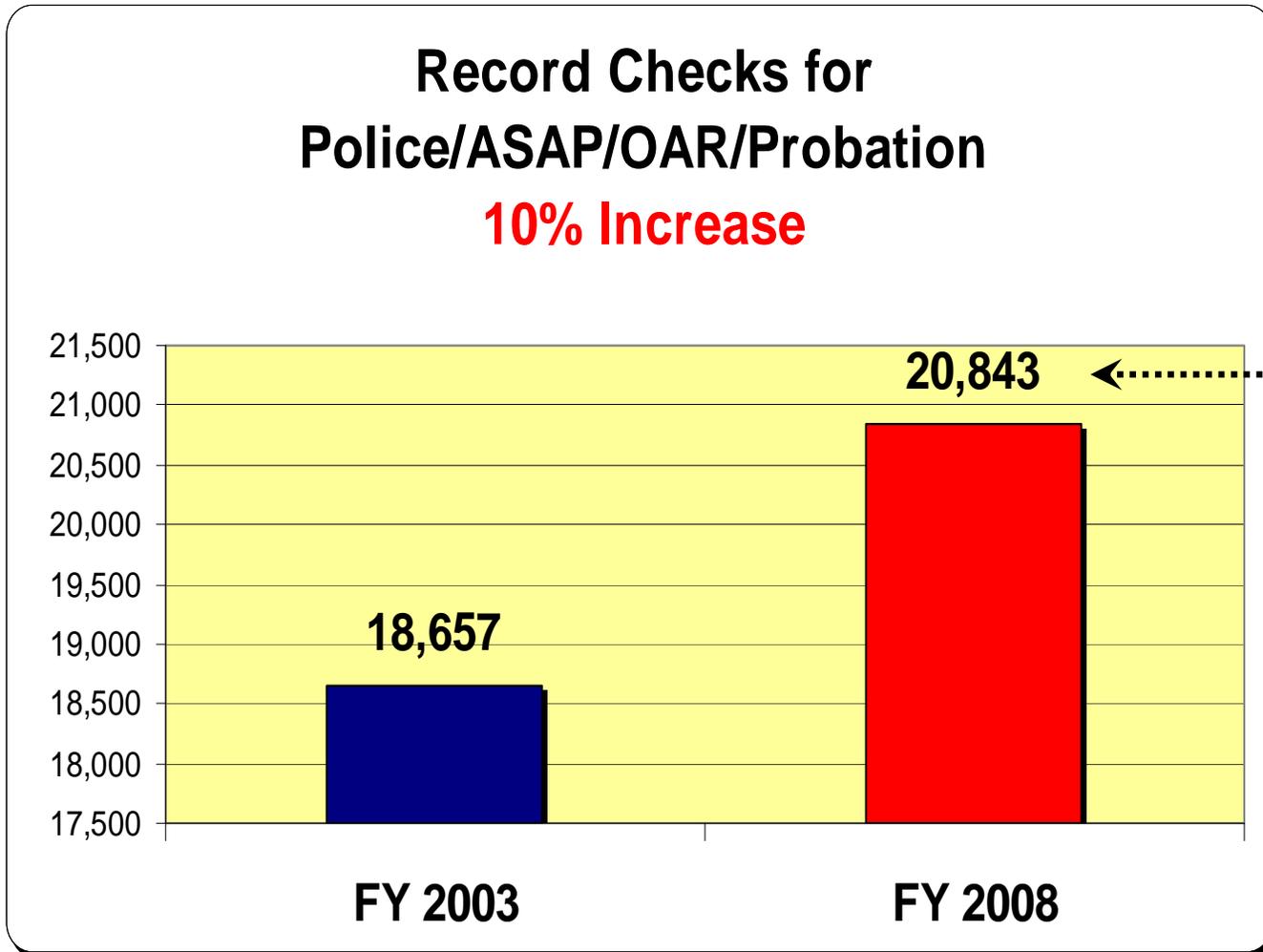
Growth Since 2001: **Pretrial Evaluation Unit**



Financial Interviews for J&DR Court
Up 89%

(2,015 in FY 2008 from 1,064 in FY 2001)

Growth Since 2001: **Pretrial Evaluation Unit**



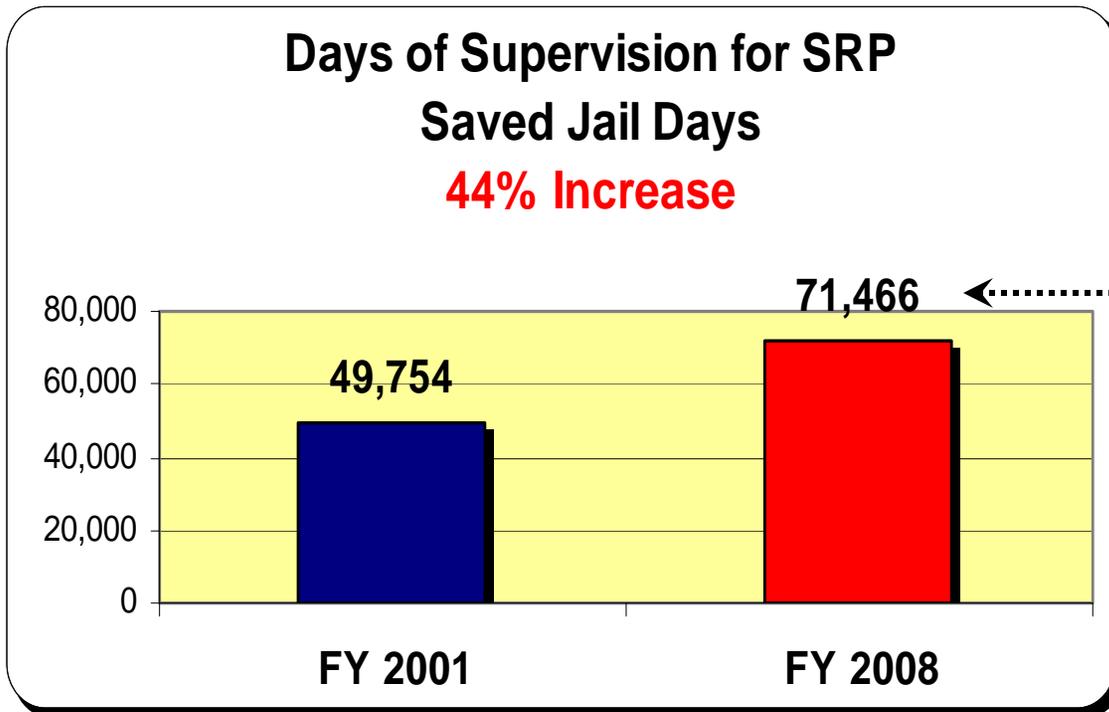
12,672
Record Checks
for Police
Up 9%
(12,672 in FY 2008
from
11,599 in FY 2003)

Value

Supervision Unit: Supervised Release Program

- ◆ Is a **cost-saving program** that alleviates the jail population
- ◆ Provides **intense community supervision** of defendants between arrest and final court date
- ◆ Allows **defendants to return to work** to support themselves and their families
- ◆ Allows defendants more timely **access to treatment options**
- ◆ Reinforces the County mission of **maintaining safe and caring communities**

Growth Since 2001: **Supervised Release Program**



\$142 per day is the estimated cost of inmate incarceration according to the Sheriff's Department

**New Pretrial Supervision Cases
Up 15%**

(723 in FY 2008 from 626 in FY 2001)

**Failure to Appear Rate
Under 6.9%**

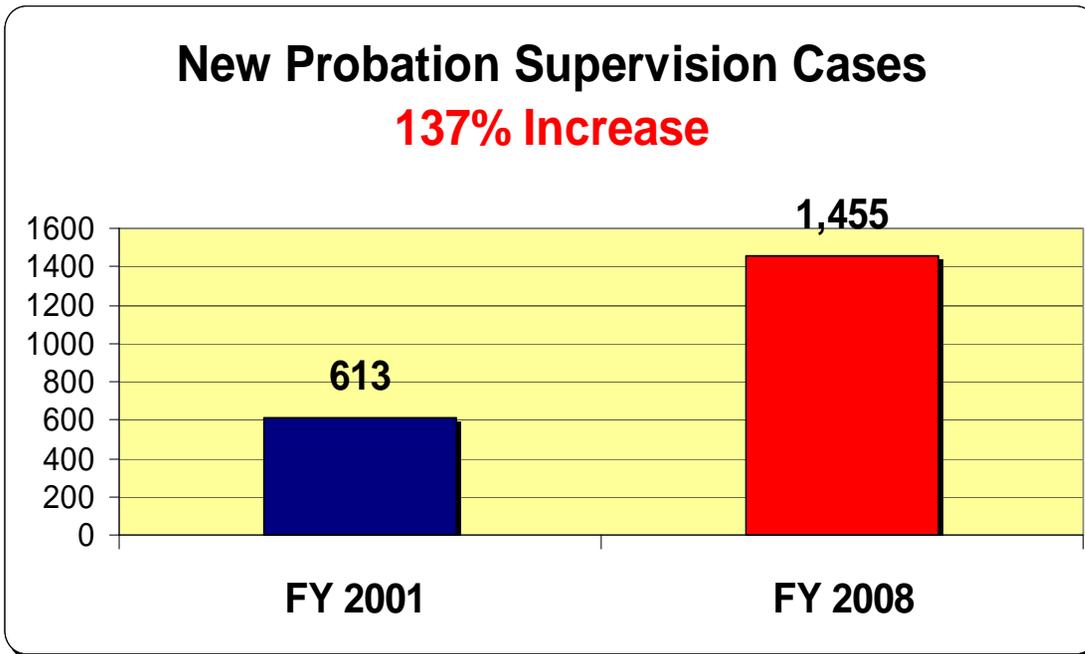
(6.9% in FY 2008 compared to 12% in FY 2001)

Value

Supervision Unit: Probation Program

- ◆ Provides **sentencing options** to the judiciary
- ◆ **Cost-saving program** that provides an alternative to jail for convicted defendants
- ◆ Provides **community supervision** of offenders including those with gang affiliations, sex offenses, domestic violence charges, and mental health issues
- ◆ Makes referrals to appropriate **treatment programs**
- ◆ Monitors **community service** hours performed by offenders
- ◆ Ensures **restitution** is paid to citizen/victims
- ◆ Monitor payments of **finances and court costs**

Growth Since 2001: Probation Program



Referrals To Treatment Programs
Up 277%

(635 in FY 2008 from 168 in FY 2001)

Hours of Community Service Performed
Up 1350%

(9,428 in FY 2008 from 650 hours in FY 2001)

Restitution Collected for Victims
Up 130%

(\$288,810 in FY 2008 from \$125,840 in FY 2001)

Court Cost Collected
Up 187%

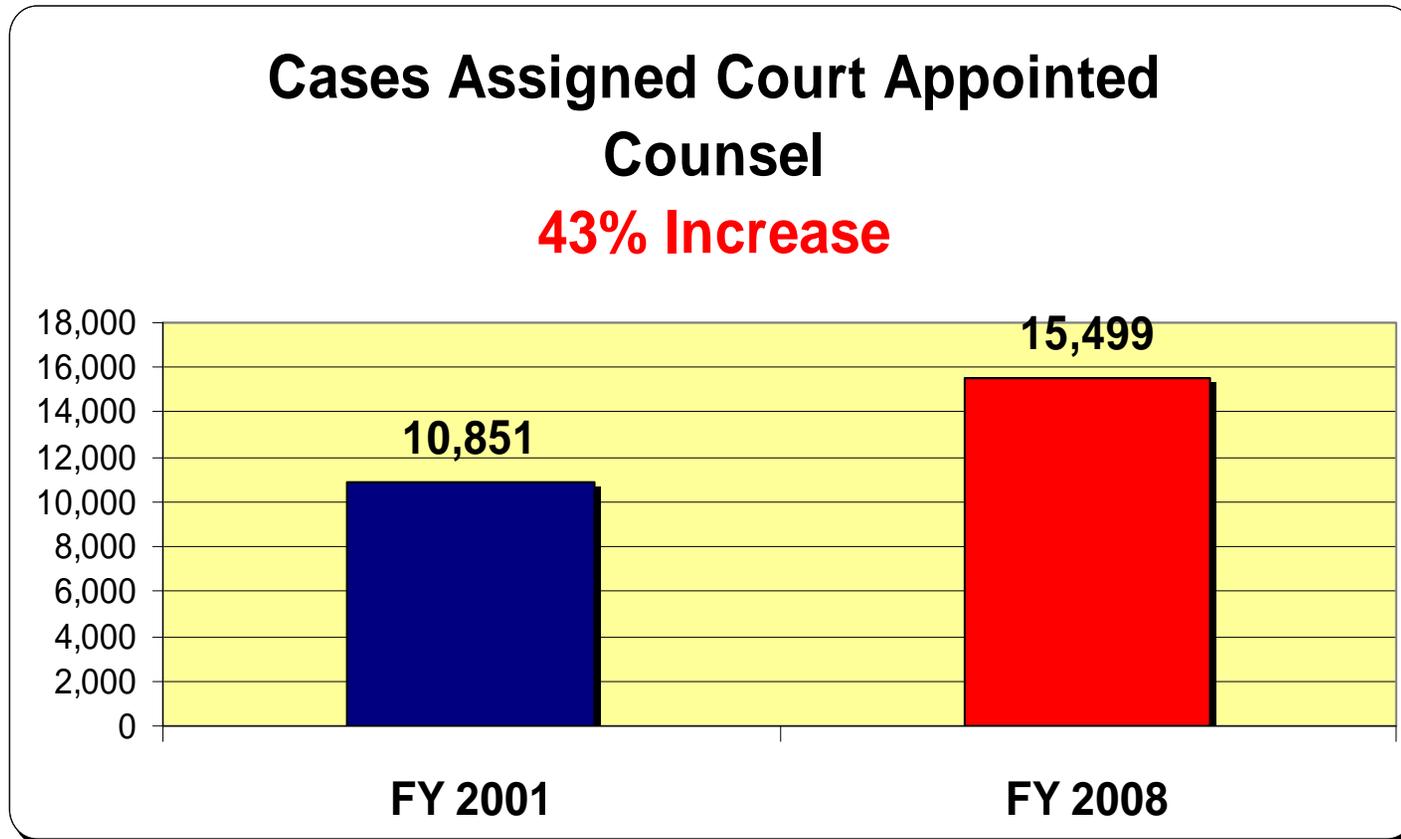
(\$141,994 in FY 2008 from \$49,391 in FY 2001)

Value

Administrative Unit

- ◆ Ensures timely assignment of **court appointed attorneys** as mandated
- ◆ Appoints **interpreters** for non-English speaking defendants and witnesses as mandated
- ◆ Provides **public support** in a high-volume office in person and by telephone
- ◆ Supports **Payroll and Human Resources** functions for County staff
- ◆ Manages **procurement** of goods and services

Growth Since 2001: Administration Unit



Value

Volunteer/Intern Unit

Discussed further in Reduction Priority Segment

- ◆ **Provides support** to agency and public
- ◆ Conducts **financial interviews** to determine defendants' eligibility for court appointed counsel as mandated
- ◆ Enrolls defendants in **driver improvement class** and **fine option program**
- ◆ Responds to a high volume of **public inquiries** by phone
- ◆ Assists at Information Desks in the courthouse and helps the public **locate courtrooms and offices**
- ◆ Assists with **administrative duties**

Agency Strategic Focus



- ◆ General District Court is directly aligned with the larger County vision of maintaining safe and caring communities. The agency's overall strategic focus has been on achieving the mission and vision by:
 - Incorporating a balanced approach which includes community safety, holding clients accountable, and providing vital services to criminal justice agencies
 - Developing a complete continuum of evaluation, community supervision, and treatment services
 - Incorporating evidence based practices into existing services
 - Reducing operational costs to the county by providing alternatives to incarceration
 - Providing essential administrative services to the court to ensure the timely adjudication of cases
 - Developing diversion programs to benefit the courts and citizenry
- ◆ As part of the Balanced Scorecard approach, the agency prepared a Strategy Map that was integrated into the ongoing strategic planning process by focusing on the need to routinely review our operations, and ensure their efficiency and effectiveness. The agency strives to be responsive to the needs of the court and community.

Agency Growth Since FY 2001



Growth in Expenditures

FY 2001: \$1.52 million - FY 2009: \$2.36 million

- an increase of \$0.84 million or 54.77%
- an average annual increase of 5.61%

Majority of the growth in expenditures is attributed to:

Personnel costs increased \$469,269 (65%)

- annual allocation for pay for performance
- funding to support three additional Probation Officer II positions added between FY 2001 and FY 2006

Magistrate Supplement – Adopted in FY 2006 by BOS

- \$304,665 in personnel costs as compared to FY 2001

Growth Factors Since FY 2001

Growth in Positions/Staff Year Equivalency (SYE)

Overall Growth: FY 2001: 19/19.0 - FY 2009: 22/22.0

An increase of 3/3.0 SYE

- 1 Probation Officer II in FY 2002
- 2 Probation Officer II in FY 2006

What factors are driving growth in positions?

- ◆ Increase in probation cases from 613 (FY 2001) to 1,455 (FY 2008), an increase of 137%
 - Supervision standard for probation officers is 40 pretrial cases or 60 probation cases per officer
 - In FY 2008, there was a 43% increase in caseload per probation officer
 - 65 cases/officer in FY 2007 to **93 cases/officer in FY 2008**
 - Officers carry a dual caseload of both Probation cases and Pretrial cases.
- ◆ Creation of two new probation diversion programs requested by the judiciary

New Programs Since FY 2001



- ◆ **Alcohol Diversion Program (ADP)**

The Alcohol Diversion Program (ADP) is designed to provide education and probation supervision for adults (age 18 to 20) charged with Underage Possession of Alcohol. Successful completion results in a dismissal of the case.

- ◆ **Driving on Suspended Program (DOS)**

The DOS Program is designed to provide probation supervision and services for those whose driver's license has been suspended for *administrative* reasons. Successful completion results in reinstatement of the license and dismissal of the case.

- ◆ **Mental Health Competency/Sanity Monitoring Service**

This service acts as a liaison between defense attorneys, the courts, and mental health staff to ensure a timely completion of mental health/sanity evaluations.

- ◆ **Preliminary Protective Order Tracking Service**

This service ensures that the court is advised of information regarding preliminary protective orders authorized for victims of stalking or other violent crimes and victim impact statements to ensure public safety.

LOBS Summary Table:

FY 2008 Adopted Budget Plan Data

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Y



<i>Number</i>	<i>LOB Title</i>	<i>Net LOB Cost</i>	<i>LOB Number of Positions</i>	<i>LOB SYE</i>
85-01	Operational Support for the General District Court	(\$7,733,955)	0	0.0
85-02	Pretrial Services	\$784,962	16	16.0
85-03	Community Supervision Services	\$420,806	6	6.0
TOTAL		(\$6,528,187)	22	22.0

\$8,813,251 in projected Revenue accounts for the negative Net LOB Cost

FY 2008 Actual Revenue \$7,699,295

- Courthouse Maintenance Fees \$398,802
- Interest on Fines \$ 82,645
- Fines \$7,016,495
- Recovery of Legal Service Fees \$116,993
- State Reimbursement for Postage \$84,361

Agency Reduction Priorities

Reduction Philosophy



Guiding Principles for Selecting and Prioritizing Reductions

- ◆ Potential impact on Public Safety
- ◆ Ensuring Due Process
- ◆ Fulfilling essential mandates for supervision of misdemeanor offenders
- ◆ Providing critical services to clients
- ◆ Maintain cost savings to county
- ◆ Judicial Input

Reduction Priority 1



LOB #85-01: Operational Support – Eliminate Magistrate Supplemental Funding

Total Net Reduction \$321,551; Total Position Reduction 0.0/0.0 SYEs

- ◆ Eliminates County supplemental funding to Magistrate salaries
- ◆ FY 2009 \$307,645 allocation; FY 2010 projected allocation \$321,551

What the Office of the Magistrate Does

The function of the Magistrate, as a judicial officer of the Commonwealth of Virginia, is to provide an independent and unbiased review of complaints brought to the office by citizens and law enforcement officers. Magistrates issue arrest warrants, summonses, and search warrants and determine and set bond requirements.

Priority 1: Eliminate Magistrate Supplemental Funding



Historical Data

- ◆ Adopted by the BOS in FY 2006 when \$261,849 was allocated
- ◆ Fully supported by the General District Court
- ◆ Full time Magistrates receive \$10,497 to \$13,151 annually
- ◆ Legislation enacted July 1, 2008
 - Provides for a sunset provision on Magistrate supplements
 - No Magistrate hired after July 1, 2008 may receive a supplement
 - Any supplements paid to existing Magistrates on June 30, 2008 may not be increased after July 1 and will expire upon resignation or retirement

Priority 1: Eliminate Magistrate Supplemental Funding

Impact of Reduction

- ◆ Reduces the ability to retain qualified Magistrates
- ◆ Magistrate salaries will be below entry level salaries of:
 - Police Officers
 - Deputy Sheriffs
 - Intake and Probation Officers
- ◆ If eliminated, cannot be reinstated in the future
- ◆ No impact on county staffing

Reduction Priority 2



LOB #85-02: Pretrial Services – Eliminate Volunteer Coordinator II Position

Total Net Reduction \$42,074; Total Position Reduction 1.0/1.0 SYEs

What This Position Does

- ◆ Recruits and trains volunteers/interns to perform support services for the public and paid-staff such as:
 - Conducting financial interviews to determine defendants' eligibility for court appointed counsel as mandated
 - Enrolling defendants in driver improvement class and fine option program
 - Responding to a high volume of public inquiries by phone
 - Assisting at Information Desks in the courthouse and helps the public locate courtrooms and offices
 - Assisting with administrative duties
- ◆ Manages volunteer/intern quality and productivity
- ◆ Collects and analyzes statistical data to best utilize cost-saving resources
- ◆ Facilitates a connection between community and court system

Priority 2: Eliminate Volunteer Coordinator II Position

Who We Serve

- ◆ Public
- ◆ General District Court
- ◆ Circuit Court
- ◆ City of Fairfax General District Court
- ◆ Town of Herndon
- ◆ Town of Vienna

Why We Do It

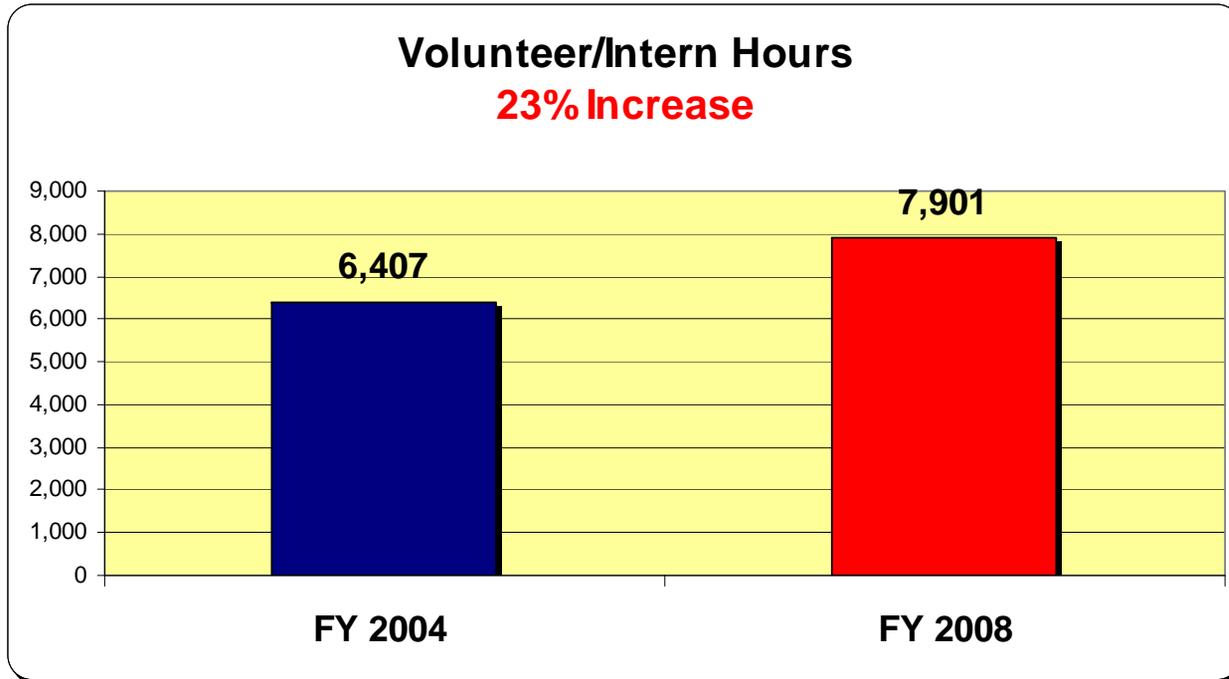
- ◆ Mandated by the Code of Virginia
- ◆ §19.2-159 Determination of indigency; guidelines; appointment of counsel.
- ◆ To reduce the public wait time by providing adequate staffing to accommodate demand
- ◆ To ensure the public is well informed
- ◆ To best utilize paid-staff resources
- ◆ To involve the community as volunteers and provide educational opportunities for interns

Priority 2: Eliminate Volunteer Coordinator II Position

Impact of Reduction

- ◆ No full-time dedicated position to recruit, train, manage, and analyze volunteer/intern resource
- ◆ Decrease in community volunteers and interns
- ◆ Decline of cost-saving program
- ◆ Decrease in public assistance by phone and in person
- ◆ Public is less informed
- ◆ Longer public wait times to perform financial interviews
- ◆ Decrease in quality assurance measures
- ◆ Increased demand on paid and current volunteer/intern staff
- ◆ Reduced ties to the community volunteer pool and limits opportunity for internships

Growth Since 2001: **Volunteer/Intern Unit**



41
Volunteers/Interns
In
Program

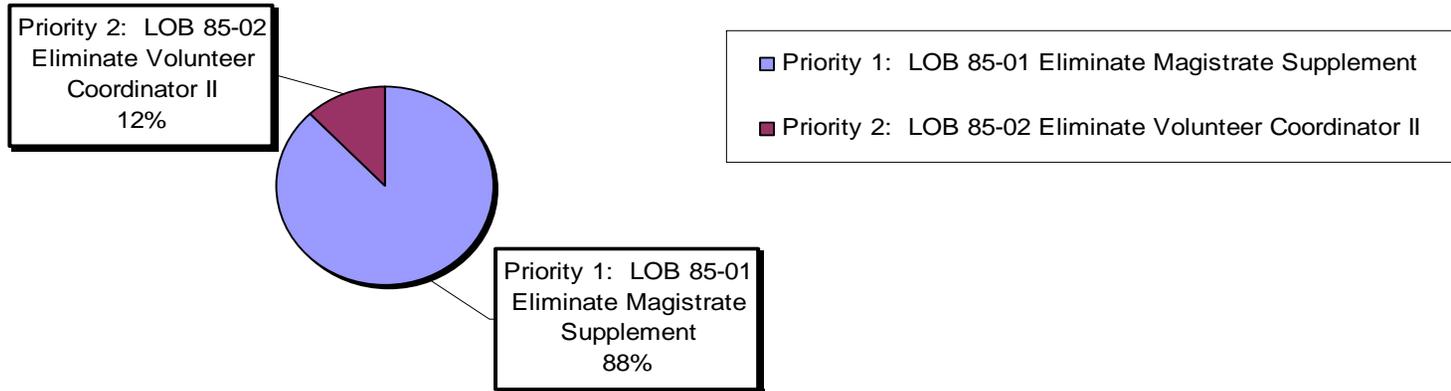
5,655
Financial
Interviews Conducted
By Volunteers
in
FY 2008

Agency Reduction Priorities

Reduction Summary

Priority Ranking	Reduction Description	Positions	SYE	Net Reduction
1	Eliminate Magistrate Supplement	0	0.0	\$321,551
2	Eliminate Volunteer Coordinator II Position	1	1.0	\$42,074
TOTAL REDUCTION		1	1.0	\$363,625

Reduction as Percent of Agency Target



Other Agency Considerations

Impact of Reduction/Elimination of Other Units

- ◆ Increase in the time a defendant remains incarcerated in the Adult Detention Center from arrest to trial
- ◆ Increase cost to County as jail population increases
- ◆ Defendants are unable to work and support themselves and their families
- ◆ Defendants are delayed in receiving substance abuse or mental health treatment
- ◆ Increase in caseload per Pretrial and Probation Officer further exceeding standards
- ◆ Elimination of effective programs requested by the judiciary
- ◆ Reduced criminal record check support to Police, Magistrate, and other Courts currently served

Impact of Reduction/Elimination of Other Units

- ◆ Reduced oversight of mental health cases
- ◆ Limited resources to perform protective order, violent criminal history, or outstanding warrant checks
- ◆ Judiciary and Magistrates not fully informed when making bond/release decisions
- ◆ Limited sentencing options
- ◆ Increase in time to assign court appointed counsel or interpreters for non-English speaking defendants or witnesses
- ◆ Due Process violated
- ◆ Failure to support the County mission of maintaining safe and caring communities

Other Agency Reduction Considerations

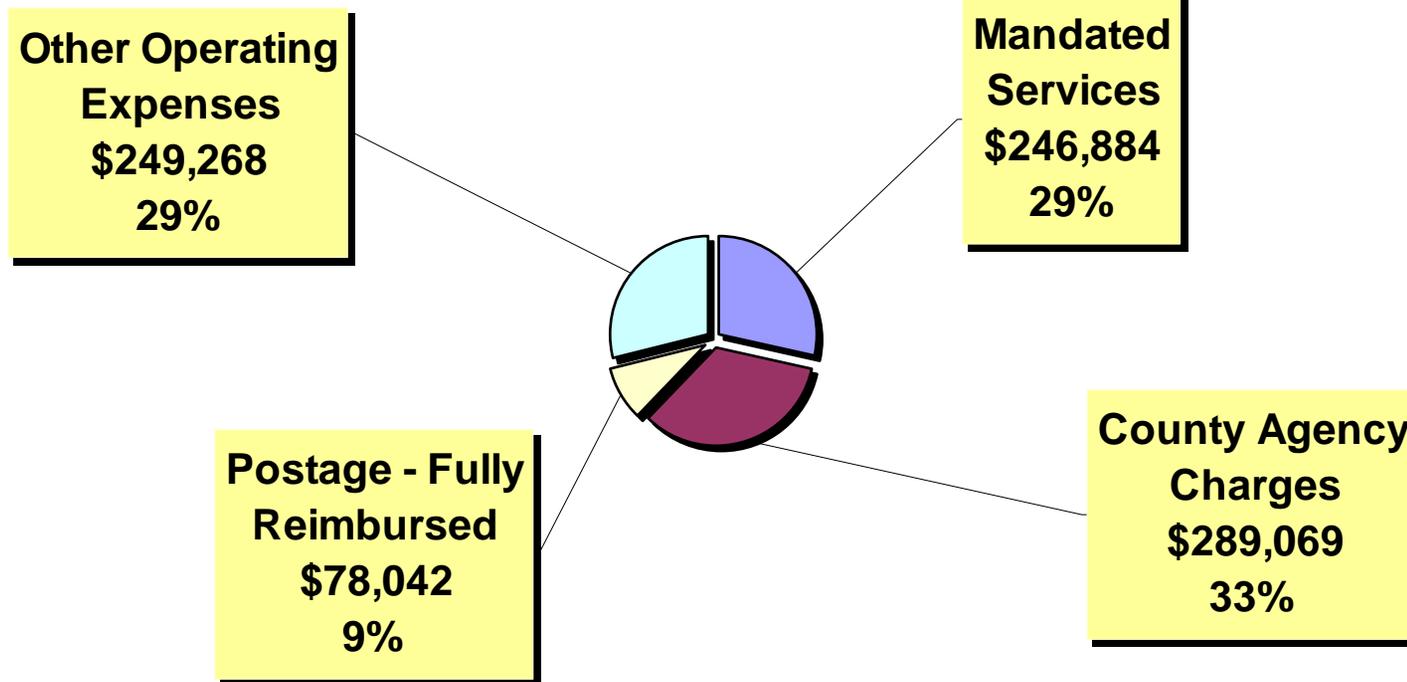
Mandated Services, County Agency Charges, Fully Reimbursable Expenditures

\$863,263 allocated in Operational Support in FY 2009

- ◆ **29% (\$246,884) funds mandated services**
 - Legal Services for indigent defendants, lab test, Interjurisdictional payments
- ◆ **33% (\$289,069) funds County Agency charges**
 - Information Processing Services, PC Replacement Program
- ◆ **9% (\$78,042) is fully reimbursable by the State**
 - Postage
- ◆ **29% (\$249,268) funds necessary Operating Expenses**
 - Including \$70,000 for telephone services
 - Code of Virginia requires the County to fund furniture, equipment, and operating expenses

Mandated Services, County Agency Charges, Fully Reimbursable Expenditures

FY 2009 Expenditures by Type



Questions and Answers

