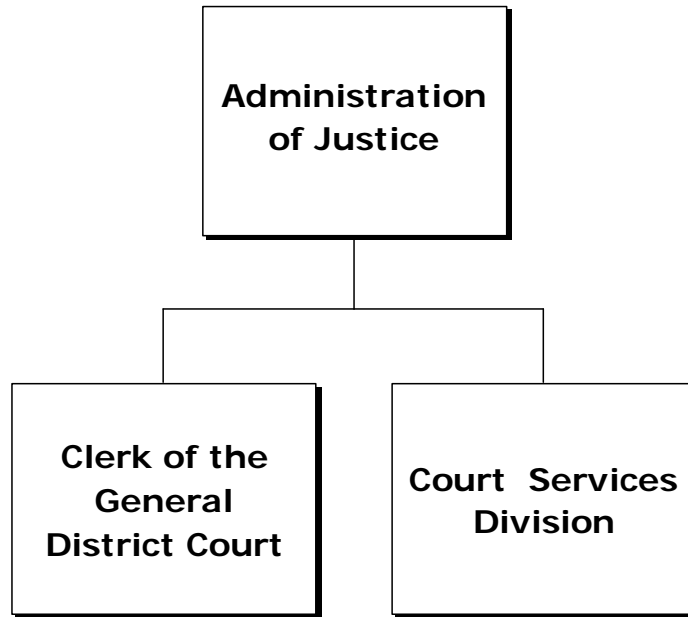


General District Court



Mission

The court's mission is 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 2014	FY 2015	FY 2016
1. Average Daily Caseload per Probation Counselor (Includes Supervised Release Program and Probation Cases)	104	111	96
2. Number of Record Checks Conducted	26,604	25,660	25,117
3. Pretrial Interviews/Investigations Conducted	5,433	5,113	4,661
4. Court Caseload	313,055	316,727	310,879
5. Estimated Cost Savings to County through Supervision	\$5,187,380	\$6,324,480	\$6,567,936



General District Court

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 GDC 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 primarily state funded and supplemented locally. They provide extensive public service to citizens, are critical to the judicial process, and collect revenue

for the County. The Court Services Division (CSD) 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 adult supervision services to the Circuit and Juvenile and Domestic Relations District Courts (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, legislative changes and increases in reporting requirements 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 GDC's total caseload from FY 2014 through FY 2018 (estimated).

Type of Case	FY 2014 Actual	FY 2015 Actual	FY 2016 Actual	FY 2017 Estimate	FY 2018 Estimate
Criminal	24,615	25,434	26,197	26,197	26,197
Traffic	249,280	254,543	249,494	254,484	259,574
Civil	39,160	36,750	35,188	35,188	35,188
TOTAL	313,055	316,727	310,879	315,869	320,959

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.

General District Court supports the following County Vision Elements:

-  **Maintaining Safe and Caring Communities**
-  **Connecting People and Places**
-  **Maintaining Healthy Economies**
-  **Exercising Corporate Stewardship**

General District Court

Staffing and Resources: Since FY 2016 the agency has added 12/12.0 FTE merit positions to the CSD. As part of the FY 2016 Adopted Budget Plan, 2/2.0 FTE Probation Counselors were added to support growth in intensive supervision caseload including supervision of Veterans who often suffers from substance abuse, mental health, and/or post-traumatic stress disorder or traumatic brain injury. As part of the FY 2017 Adopted Budget Plan, and FY 2018 Adopted Budget Plan a total of 10/10.0 FTE additional positions, including nine Probation Counselors and one Administrative Assistant, were included to support the Diversion First initiative which is a multiagency collaboration between the Office of the Sheriff, Police Department, Fire and Rescue Department, Fairfax County Court System, and the Fairfax-Falls Church Community Services Board to reduce the number of people with mental illness in local jails by diverting non-violent offenders experiencing mental health crises to treatment instead of incarceration. These positions will allow GDC to provide additional pretrial services, community supervision in lieu of incarceration, and administrative case support to GDC, Circuit Court, and the Juvenile & Domestic Relations District Court (JDRDC). These cases will involve clients with dual diagnoses requiring intensive supervision, significant coordination, and multiple hearings/status reports.

In addition to County support, the operation of CSD depends on funding from a State grant from the Department of Criminal Justice Services (DCJS) and a federal grant from the Department of Justice Bureau of Justice Assistance.

Caseload: As a result of the additional positions noted above, the average daily caseload per probation counselor is more closely aligned with the state benchmark; however, it still remains above the state standard. While the actual number of referrals may increase and decrease each year, this indicator takes into account the actual number of days of supervision each referral required. At the close of FY 2016, the average daily caseload per probation counselor was 96 cases total, 30 intensive Supervised Release Program (SRP) cases plus 66 probation cases. The state standard is 40 SRP cases *or* 60 Probation cases, *but not both*, per probation counselor. With the addition of Probation Counselors in both FY 2017 and FY 2018, the average caseload per Counselor is projected to decrease.

Cost-Saving Programs: Community supervision programs save the County an estimated \$6.6 million per year. The Supervised Release Program (SRP) allows supervision of lower risk defendants awaiting trial in lieu of incarceration. The estimated savings to the County if 15 percent of the inmate population were supervised through the SRP program in lieu of incarceration is \$3.8 million. Assuming that just 5 percent of the inmate population after conviction was placed on probation rather than being incarcerated, additional savings to the County are estimated at \$2.8 million due to the reduction in costs to house inmates in the Adult Detention Center (ADC).

The SRP program serves Circuit Court and the JDRDC and also enables qualified defendants to return to the community and maintain employment and family responsibilities, in addition to alleviating overcrowding in the ADC.

Savings to County (Estimate based on FY 2016 Actuals)	Supervised Release Program	Probation
Number of placements	1,120	1,145
Number of active supervision days	132,292	287,279
Percent of defendants likely to remain incarcerated without SRP	15%	5%
Estimated jail days saved	19,844	14,364
Cost to house inmate for one day	\$192	\$192
Estimated Savings to County	\$3,810,048	\$2,757,888

See Performance Measurements for more detail on Supervised Release Program (SRP) and Probation Program statistics.

General District Court

The Volunteer Unit recorded 1,740 hours performed by volunteers in FY 2016, equal to one full-time position. Volunteer hours have been reduced 78 percent since elimination of the Volunteer Coordinator position during an FY 2008 budget reduction process (7,901 hours in FY 2008 to 1,740 hours in FY 2016). In FY 2016, volunteers conducted five percent more client interviews for eligibility for court appointed attorneys.

The Clerk's Office performs case and financial management, including collection of \$11.7 million in revenue per year for the County. Approximately \$6.7 million is collected for General District Court fines, court costs, interest on local charges, attorney fees and for courthouse maintenance and \$3.3 million is collected for other County agencies such as the Sheriff's Department, Police Department, and the Law Library. The Clerk's Office collects an additional \$1.7 million for the Towns of Vienna and Herndon and for Toll Road and Hot Lanes operators as well as over \$20 million in revenue for the State of Virginia. Some County revenue collected offsets expenditures for legal counsel for indigent defendants on County charges and a small fraction of revenue is from postage reimbursement from the state. In FY 2016, there were 310,879 new case filings in the Clerk's Office which is comprised of approximately 80 state employees who support 11 state Judges (10 Judges are currently funded). The Clerk's Office operates 11-12 courtrooms daily and in three distinct locations, Fairfax on a daily basis and in the Towns of Vienna and Herndon on a weekly basis. The office is the face of the court to the public and serves thousands of citizens through its over 20 public services counters and demanding telephone call center. It is an integral part of the GDC and is supported by the County according to the Code of Virginia.

As part of the FY 2017 Adopted Budget Plan, the Board approved a 15 percent local salary supplement for eligible Clerk's Office staff. As noted above, these individuals are an integral part of the criminal justice system and provide extensive services to Fairfax citizens and other Fairfax agencies. A salary supplement for the Clerk's Office is intended to assist with employee retention, provide more equitable compensation, provide comparable salaries to surrounding jurisdictions, improve service delivery, and reduce the risk that citizens' civil liberties are negatively impacted. A local salary supplement was also approved for eligible state positions in the Office of the Public Defender (OPD) at a level which will raise their salaries to be consistent with their counterparts at the Office of the Commonwealth's Attorney. The Administrative Unit of the Court Services Division will administer the salary supplement for the Clerk's Office and the Office of the Public Defender; however, it has no authority or oversight responsibilities for those offices.

Shared Resources: Criminal Record Specialists in the Pretrial Evaluation Unit were the primary providers of mandated criminal record checks, rather than the arresting officer, which allows police to return to their public safety duties more quickly. Criminal record checks were also provided to the judiciary of the GDC, 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 monitors that no further criminal activity occurs. Criminal Record Specialists provided 25,117 criminal record checks in FY 2016, down 2 percent compared to 25,660 record checks in FY 2015, mainly for police seeking criminal arrest warrants.

The agency's only Network Telecommunications Analyst II position continues to be part of a shared Court Department of Information Technology (Court DIT) team in order to improve efficiencies among the GDC and the JDRDC.

General District Court

Community Resources: Additional critical and effective CSD programs for the community include Mental Health Competency/Sanity Monitoring Service, the Alcohol Diversion Program (ADP), the Driving on Suspended Program (DOS), the Veterans Treatment Docket (VTD), and the newest program Diversion First that is being implemented in FY 2017. Fluctuations in referrals, enrollments, and totals collected are not synonymous with changes in caseload per probation officer.

Mental Health case monitoring, a time intensive caseload, has increased 50 percent over five years with 90 defendants tracked in FY 2016 up from 60 in FY 2011. Monitoring of mental health defendants by probation staff provides a liaison between defense attorneys, the courts, and mental health staff to ensure a timely completion of mental health/sanity evaluations.

The highly effective DOS program served 282 clients in FY 2016, a decrease of 3 percent compared to 291 clients in FY 2015. The program assists participants in preparing for and navigating the requirements of license reinstatement.

The ADP program clients decreased 60 percent from the previous year, serving 34 clients in FY 2016 down from 58 clients in FY 2015, attributed to less underage drinking charges, often issued at concerts attended by college students and the institution of on-campus diversion programs.

The VTD program screened 158 Veterans for program eligibility in the last half of FY 2016, as a Program Coordinator and staff were hired in the last quarter of FY 2016 and the first quarter of FY 2017. In FY 2016, three veterans graduated from the program after a 16-17 month intensive program to address issues such as substance abuse, mental health, post-traumatic stress disorder, and traumatic brain injury. At the beginning of FY 2017, there were 10 Veteran participants with several Veterans under consideration for the program.

Restitution collections totaled \$365,670 in FY 2016, a two percent increase from \$316,012 in FY 2015 and community service hours performed decreased almost 40 percent to 2,122 hours in FY 2016 compared to 3,543 hours in FY 2015 as a result of the success of on-campus alcohol diversion programs.

Diversity: Interpreter assignments have increased 48 percent since FY 2010 (714 assignments in FY 2010 to 1,056 assignments in FY 2016) due to increasing diversity of clients and increased access and awareness about language services. The CSD staff manages interpretation services for languages other than Spanish, including sign-language. Recruitment of bilingual probation counselors allows for effective management of the caseload of Spanish speaking clients and ensures equitable services are provided.

Court appointed attorneys are assigned to indigent defendants to ensure they have adequate legal representation when conviction could result in jail time. Attorney assignments remained relatively flat in FY 2016 with 13,917 assignments compared to 13,817 assignments in FY 2015.

General District Court

Budget and Staff Resources^{1, 2}

Category	FY 2016 Actual	FY 2017 Adopted	FY 2017 Revised	FY 2018 Advertised	FY 2018 Adopted
FUNDING					
Expenditures:					
Personnel Services	\$1,378,782	\$2,871,116	\$2,852,456	\$2,908,190	\$3,225,884
Operating Expenses	960,735	912,356	1,056,283	904,047	909,165
Capital Equipment	0	0	0	0	0
Total Expenditures	\$2,339,517	\$3,783,472	\$3,908,739	\$3,812,237	\$4,135,049
Income:					
Courthouse Maintenance Fees	\$345,053	\$355,953	\$355,953	\$355,953	\$355,953
General District Court Fines/Interest	134,492	127,574	134,492	134,492	134,492
General District Court Fines	6,148,575	7,088,297	6,443,706	6,475,925	6,475,925
Recovered Costs - General District Court	78,062	93,466	81,391	81,391	81,391
State Reimbursement - General District Court	92,677	85,265	85,265	85,265	85,265
Total Income	\$6,798,859	\$7,750,555	\$7,100,807	\$7,133,026	\$7,133,026
NET COST TO THE COUNTY	(\$4,459,342)	(\$3,967,083)	(\$3,192,068)	(\$3,320,789)	(\$2,997,977)
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)					
Regular	23 / 23	28 / 28	28 / 28	28 / 28	33 / 33
State	94 / 91.1	117 / 114.1	117 / 114.1	117 / 114.1	117 / 114.1

<u>Administration of Justice</u>	<u>Clerk of the General District Court¹</u>	<u>Court Services Division</u>
1 Chief Judge S		1 Manager, Gen. Dist. Court Services
10 General District Judges S	1 Clerk of the General District Court S	1 Probation Supervisor II
	1 Chief Deputy Clerk S	3 Probation Counselors III (1)
<u>Office of the Public Defender²</u>	16 Supervising Deputy Clerks S	13 Probation Counselors II (4)
1 Public Defender S	65 Deputy Clerks S, 7 PT	5 Probation Counselors I
1 Chief Dep. Public Defender S		1 Administrative Assistant IV
4 Sr. Asst. Public Defenders S		2 Administrative Assistants III
8 Attorney II Public Defenders S		5 Administrative Assistants II
7 Entry Level Public Defenders S		1 Network/Telecom. Analyst II
1 Office Manager S		1 Management Analyst II
1 Assistant Office Manager S		

PT Denotes Part-time Positions
S Denotes State Positions
() Denotes New Positions

TOTAL POSITIONS
150 Positions (5) / 147.1 FTE (5.0)

This department has 8/8.0 FTE Grant Positions in Fund 50000, Federal-State Grants.

¹ It should be noted that Personnel Services-related costs for Clerk of the General District Court state positions are primarily funded by the state; however, the County does provide a salary supplement as well as miscellaneous operating support for these positions.

² In FY 2017, 23/23.0 FTE Office of the Public Defender (OPD) positions were added to the state position count only to administer the pay supplement for state employees approved as part of the FY 2017 Adopted Budget Plan. The County does not provide any other support for OPD positions.

General District Court

FY 2018 Funding Adjustments

The following funding adjustments from the FY 2017 Adopted Budget Plan are necessary to support the FY 2018 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 2, 2017.

- \$37,074**

◆ **Employee Compensation**
 An increase of \$37,074 in Personnel Services is for performance-based and longevity increases for non-uniformed merit employees effective July 2017.
- \$322,812**

◆ **Diversion First**
 An increase of \$322,812 and 5/5.0 FTE positions is required to support the second year of the County's successful Diversion First initiative. Diversion First is a multiagency collaboration between the Police Department, Office of the Sheriff, Fire and Rescue Department, Fairfax County Court System, and the Fairfax-Falls Church Community Services Board to reduce the number of people with mental illness in the County jail by diverting low-risk offenders experiencing a mental health crisis to treatment rather than bring them to jail. These positions will allow the General District Court to provide additional pretrial services, community supervision in lieu of incarceration, and administrative case support. These cases will involve clients with dual diagnoses requiring intensive supervision, significant coordination, and multiple hearings/status reports. It should be noted that an increase of \$147,188 in Fringe Benefits funding is included in Agency 89, Employee Benefits, for a total cost of \$470,000 in FY 2018. For further information on Fringe Benefits, please refer to the Agency 89, Employee Benefits, narrative in the Nondepartmental program area section of Volume 1.
- (\$8,309)**

◆ **Reductions**
 A decrease of \$8,309 reflects reductions utilized to balance the FY 2018 budget. The following table provides details on the specific reduction:

Title	Impact	Posn	FTE	Reduction
Reduce Operating Expenses	This reduction is achieved through efficiencies that have been implemented such as reducing the number of printed notices and forms for staff and the public. These include information on navigating the judicial process such as fine, payment, and appeal information as well as amounts owed and upcoming court dates. Recent automation has decreased the number of notices printed, resulting in the public and legal community relying on online information in lieu of printed information. Reductions in printing will likely have no significant negative effect on day-to-day business operations nor on the public.	0	0.0	\$8,309

General District Court

Changes to FY 2017 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2017 Revised Budget Plan since passage of the FY 2017 Adopted Budget Plan. Included are all adjustments made as part of the FY 2016 Carryover Review, FY 2017 Third Quarter Review, and all other approved changes through April 30, 2017.

- ◆ **Carryover Adjustments** **\$134,597**
 As part of the FY 2016 Carryover Review, the Board of Supervisors approved encumbered funding of \$127,238 in Operating Expenses primarily for office furniture in the judges’ chambers, software upgrades, architectural fees, construction costs and training. In addition, unencumbered funding of \$7,359 was approved as part of the Incentive Reinvestment Initiative that allowed agencies to identify savings and efficiencies in FY 2016 and have a portion returned to reinvest in employees.

- ◆ **Incentive Reinvestment Initiative** **(\$9,330)**
 A net decrease of \$9,330 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 2017 Third Quarter Review. The remaining 50 percent was retained by the agency to be reinvested in employee training, conferences and other employee development and succession planning opportunities.

Key Performance Measures

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2014 Actual	FY 2015 Actual	FY 2016 Estimate/Actual	FY 2017	FY 2018
General District Court					
Percent of staff recommendations accepted by the Judiciary	99%	98%	96%/97%	96%	96%
Percent of SRP cases successfully closed	87%	86%	86%/81%	80%	80%
Percent of probation cases successfully closed	79%	81%	75%/80%	75%	75%

A complete list of performance measures can be viewed at www.fairfaxcounty.gov/dmb/fy2018/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 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 2016, 4,661 pretrial

General District Court

investigations were conducted, a decrease of approximately nine percent from FY 2015 where 5,113 investigations were conducted, attributed to a decrease in referrals and magistrates releasing individuals later in the process so that investigations were not required. The percent of staff bond recommendations accepted by the Judiciary was 97 percent in FY 2016 and continues to exceed the 96 percent target.

Supervised Release Program (SRP) and Probation Program

SRP placements increased seven percent from 1,136 placements in FY 2015 to 1,220 placements in FY 2016, following an increase of nine percent the previous year. Referrals are primarily by magistrates or General District Court judges. The program provides intensive supervision and monitoring of lower risk defendants who might otherwise remain the jail while awaiting trial. In FY 2016, the percent of SRP cases successfully closed was 81 percent.

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 two percent in FY 2016 (1,168 cases in FY 2015 compared to 1,145 in FY 2016), despite an increase in criminal arrests. Caseloads in the Supervised Release Program (SRP) and Probation vary from year to year based on the number and types of arrests. An increase in SRP cases has a far greater impact on staffing than an increase in standard probation cases. The percent of probation cases successfully closed was 80 percent, exceeding the target of 75 percent by five percentage points.