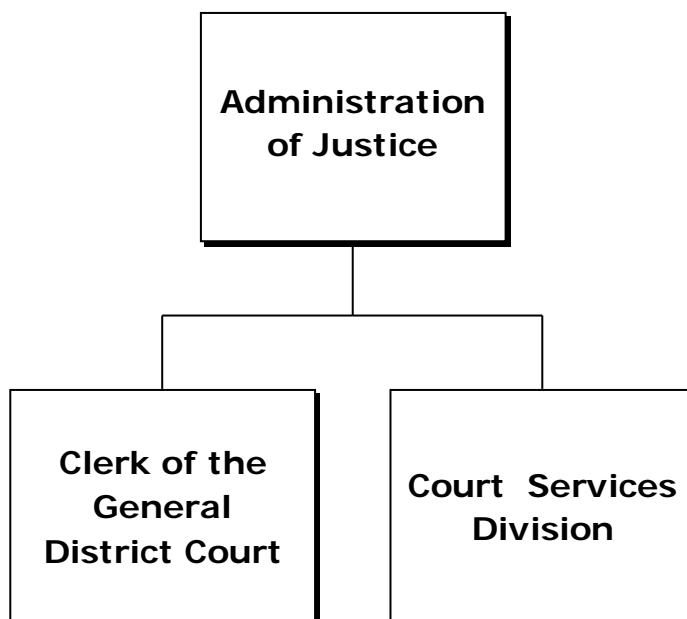


General District Court



Mission

The court's mission is to provide an independent, accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law, and to protect all rights and liberties guaranteed by the United States and Virginia Constitutions. The Court Services Division serves the Courts and the community by providing information, client supervision and a wide range of services while advocating public safety.

AGENCY DASHBOARD				
Key Data		FY 2015	FY 2016	FY 2017
1.	Average Daily Caseload per Probation Counselor (Includes Supervised Release Program and Probation Cases) ¹	111	96	79
2.	Number of Record Checks Conducted	25,660	25,117	27,518
3.	Pretrial Interviews/Investigations Conducted	5,113	4,661	4,769
4.	Court Caseload	316,727	310,879	302,665
5.	Estimated Cost Savings to County through Supervision	\$6,324,480	\$6,567,936	\$8,959,947

¹ Despite a 35 percent increase in intensive supervision placements, caseload per probation counselor decreased but remains well above the state benchmark of 40 Supervised Release Program (SRP) cases or 60 Probation cases, but not both. General District Court caseload per probation counselor was 31 SRP cases plus 48 Probation cases, totaling an average daily caseload of 79 in FY 2017.

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 of the GDC's Office.

The GDC is part of the judicial branch of the state government. Its judges and deputized court 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 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 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 General District Court's total caseload from FY 2015 through FY 2019 (estimated).

Type of Case	FY 2015 Actual	FY 2016 Actual	FY 2017 Actual	FY 2018 Estimate	FY 2019 Estimate
Criminal	25,434	26,197	27,571	27,571	27,571
Traffic	254,543	249,494	239,458	239,458	239,458
Civil	36,750	35,188	35,636	35,636	35,636
TOTAL	316,727	310,879	302,665	302,665	302,665

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 an

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

independent, accessible, responsive forum for the just resolution of disputes while advocating Public Safety.

Staffing and Resources: 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 intensive supervision services in lieu of incarceration, and administrative case support to GDC, Circuit Court, and 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 in FY 2017, the average daily caseload per probation counselor has decreased but still remains above the state benchmark. While the actual number of placements fluctuates each year, this indicator takes into account the actual number of days of supervision each placement required. At the close of FY 2017, the average daily caseload per probation counselor was 79 cases total, 31 intensive Supervised Release Program (SRP) cases plus 48 probation cases. The state standard is 40 SRP cases *or* 60 Probation cases, *but not both*, per probation counselor. With the addition of five Probation Counselors in FY 2018, the average caseload per Counselor is expected to continue to decrease; however, it could be offset by an increase in the number of inmates found eligible for intensive supervision through Diversion First and from implementation of a new assessment tool in the first quarter of FY 2018 that results in more inmates being eligible for release from incarceration on intensive supervision.

Cost-Saving Programs: Community supervision programs, including the Diversion First initiative, save the County an estimated \$8.9 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 \$5.9 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 \$3.0 million due to the reduction in costs to house inmates in the Adult Detention Center (ADC).

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

General District Court

Savings to County (Estimate based on FY 2017 Actuals)	Supervised Release Program	Probation
Number of placements	1,646	1,076
Number of active supervision days	179,942	278,432
Percent of defendants likely to remain incarcerated without SRP	15%	5%
Estimated jail days saved	26,991	13,922
Cost to house inmate for one day	\$219	\$219
Estimated Savings to County	\$5,911,029	\$3,048,918

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

The Volunteer Unit recorded 1,520 hours performed by volunteers in FY 2017, equal to a 0.7 full-time position. Volunteer hours have been reduced 59 percent since elimination of the Volunteer Coordinator position during an FY 2010 budget reduction process (3,749 hours in FY 2010 to 1,520 hours in FY 2017). In FY 2017, volunteers conducted nine percent more client interviews for eligibility for court-appointed attorneys compared to the previous years.

The Clerk's Office performs case and financial management, including collection of \$13.3 million in revenue per year for the County. Approximately \$7.8 million is collected for General District Court fines, court costs, interest on local charges, attorney fees and for courthouse maintenance and \$3.5 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 \$2.0 million for the Towns of Vienna and Herndon and for Toll Road and Hot Lanes operators as well as over \$18 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 2017, there were 302,665 new case filings in the Clerk's Office which is comprised of 83 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](#). Previously monitored by the Court Services Division, the Clerk's Office conducts mental health monitoring that provides defense attorneys, the courts, and mental health staff with prompt updates on status and expedites processing of mental health cases.

As part of the [FY 2017 Adopted Budget Plan](#), the Board approved a 15 percent local salary supplement for eligible Clerk's Office deputized staff. The salary supplement for the Clerk's Office assists with employee retention, provides more equitable compensation, provides comparable salaries to surrounding jurisdictions, improves service delivery, and reduces 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) in order to 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 administers 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.

General District Court

Shared Resources: Criminal Record Specialists in the Pretrial Evaluation Unit are 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 monitor that no further criminal activity occurs. Criminal Record Specialists provided 27,518 criminal record checks in FY 2017, up 10 percent compared to 25,117 record checks in FY 2016, 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.

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

The highly effective DOS program served 268 clients in FY 2017, a decrease of five percent compared to 282 clients in FY 2016. The program assists participants in preparing for and navigating the requirements of license reinstatement.

The ADP program clients increased three percent from the previous year, serving 35 clients in FY 2017 up from 34 clients in FY 2016. In recent years, overall program participation declined due to fewer underage drinking charges, often issued at concerts attended by college students and the institution of on-campus diversion programs.

The VTD program screened 231 Veterans for program eligibility and provided active supervision to 14 Veterans in FY 2017. There were five total closures with three successful graduates after a roughly 13-18 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 2018, there were 10 Veteran participants with several Veterans under consideration for the program.

In collaboration with the Community Services Board, the Diversion First program identifies and screens incarcerated individuals for mental health needs with the aim of diverting qualified individuals to treatment in lieu of incarceration while under intensive court supervision. During the last half of FY 2017 and the first quarter of FY 2018, 342 defendants were placed in the Diversion First Program based on positive results from the initial simple mental health screen and ordered to have a full mental health evaluation and/or treatment. Of the 214 clients administered an advanced screening, 91 percent indicated a need for a more in-depth mental health evaluation. In the end, 178 defendants were formally referred for an in-depth mental health evaluation, 61 percent of whom were not already engaged in treatment. The number of intensive supervision participants is growing, in turn reducing the jail population, as clients are supervised in the community with access to treatment.

Restitution collections totaled \$374,648 in FY 2017, a 2.5 percent increase from \$365,670 in FY 2016 and community service hours performed increased 50 percent to 3,173 hours in FY 2017 compared to 2,122 hours in FY 2016.

General District Court

Diversity: Interpreter assignments have increased 97 percent since FY 2010 (714 assignments in FY 2010 to 1,410 assignments in FY 2017) 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 increased by 12 percent from 13,917 assignments in FY 2016 to 15,608 in FY 2017.

Budget and Staff Resources ^{1, 2}

Category	FY 2017 Actual	FY 2018 Adopted	FY 2018 Revised	FY 2019 Advertised
FUNDING				
Expenditures:				
Personnel Services	\$2,542,163	\$3,225,884	\$3,225,884	\$3,322,251
Operating Expenses	895,715	909,165	1,358,691	909,165
Total Expenditures	\$3,437,878	\$4,135,049	\$4,584,575	\$4,231,416
Income:				
Courthouse Maintenance Fees	\$379,577	\$355,953	\$355,953	\$355,953
General District Court Fines/Interest	146,449	134,492	147,649	147,649
General District Court Fines	7,237,711	6,475,925	6,475,925	6,540,684
Recovered Costs - General District Court	80,963	81,391	84,552	84,552
State Reimbursement - General District Court	85,161	85,265	85,265	85,265
Total Income	\$7,929,861	\$7,133,026	\$7,149,344	\$7,214,103
NET COST TO THE COUNTY	(\$4,491,983)	(\$2,997,977)	(\$2,564,769)	(\$2,982,687)
AUTHORIZED POSITIONS/FULL-TIME EQUIVALENT (FTE)				
Regular	28 / 28	33 / 33	33 / 33	33 / 33
State	117 / 114.1	117 / 114.1	117 / 114.1	117 / 114.1
<u>Administration of Justice</u>		<u>Clerk of the General District Court</u> ¹	<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 Supervisors I
	<u>Office of the Public Defender</u> ²	16 Supervising Deputy Clerks S	13	Probation Counselors II
1	Public Defender S	65 Deputy Clerks S, 7 PT	5	Probation Counselors I
1	Chief Dep. Public Defender S		1	Network/Telecom. Analyst II
4	Sr. Asst. Public Defenders S		1	Management Analyst II
8	Attorney II Public Defenders S		1	Administrative Assistant V
7	Entry Level Public Defenders S		2	Administrative Assistants III
1	Office Manager S		5	Administrative Assistants II
1	Assistant Office Manager S			
<u>TOTAL POSITIONS</u>		S	Denotes State Positions	
150 Positions / 147.1 FTE		PT	Denotes Part-time Positions	

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 2019 Funding Adjustments

The following funding adjustments from the FY 2018 Adopted Budget Plan are necessary to support the FY 2019 program.

- ◆ **Employee Compensation** **\$96,367**
An increase of \$96,367 in Personnel Services includes \$49,646 for a 2.25 percent market rate adjustment (MRA) for all employees and \$46,721 for performance-based and longevity increases for non-uniformed merit employees, both effective July 2018.

Changes to FY 2018 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2018 Revised Budget Plan since passage of the FY 2018 Adopted Budget Plan. Included are all adjustments made as part of the FY 2017 Carryover Review, and all other approved changes through December 31, 2017.

- ◆ **Carryover Adjustments** **\$449,526**
As part of the FY 2017 Carryover Review, the Board of Supervisors approved encumbered funding of \$140,196. An additional \$309,330 unencumbered funding was approved in Operating Expenses to support a joint GDC/CSB Diversion First initiative to fund closed-wall offices in the Fairfax County Courthouse for CSB mental health evaluators, support coordinators, and Court Probation Officers, as well as to provide training.

Key Performance Measures

Indicator	Prior Year Actuals			Current Estimate	Future Estimate
	FY 2015 Actual	FY 2016 Actual	FY 2017 Estimate/Actual	FY 2018	FY 2019
General District Court					
Percent of staff recommendations accepted by the Judiciary	98%	97%	96%/96%	96%	96%
Percent of SRP cases successfully closed	86%	81%	80%/76%	76%	76%
Percent of probation cases successfully closed	81%	80%	75%/73%	73%	73%

A complete list of performance measures can be viewed at
<https://www.fairfaxcounty.gov/budget/fy-2019-advertised-performance-measures-pm>

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

General District Court

Information Center (NCIC), the Virginia Crime Information Network (VCIN), local criminal records, DMV, and court records throughout the Commonwealth for pending charges. In FY 2017, 4,769 pretrial investigations were conducted, an increase of two percent from FY 2016 where 4,661 investigations were conducted, attributed to an increase in referrals and magistrates releasing individuals later in the process so investigations were not required. The percent of staff bond recommendations accepted by the Judiciary was 96 percent in FY 2017 and continues to meet the 96 percent target.

Supervised Release Program (SRP) and Probation Program

SRP placements increased 35 percent from 1,220 placements in FY 2016 to 1,646 placements in FY 2017, following an increase of seven percent the previous year. This significant increase is mainly due to the implementation of Diversion First, an intensive supervision program for mental health clients, who are supervised in the community in lieu of incarceration. The implementation of a recommendation instrument for pretrial supervision eligibility in early FY 2018 is expected to increase the number of those eligible for pretrial supervision. The SRP caseload is projected to increase 40 percent from 1,646 cases in FY 2017 to 2,311 cases by FY 2023.

Referrals, both SRP and Probation, are primarily by magistrates or General District Court judges and from mental health screenings and evaluations. The program provides intensive supervision and monitoring of lower risk defendants who might otherwise remain in the jail while awaiting trial and serves higher needs clients through Diversion First. In FY 2017, the percent of SRP cases successfully closed was 76 percent, lower than the target for this measure of 80 percent. This is due to an increase of higher needs clients who typically have lower success rates.

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 they must appear for all court dates. Probation caseloads decreased six percent in FY 2017 (1,145 cases in FY 2016 compared to 1,076 in FY 2017), 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 73 percent.