



Judicial Services

March 2021



Judicial Services Agencies

Juvenile and Domestic Relations District Court General District Court Circuit Court Clerk's Office Judges Chambers Public Defender's Office Commonwealth's Attorney



Juvenile and Domestic Relations Court (J&DR)

J&DR Budget Request



- As a result of segmented dockets and caseload limits, as well as limited filings by the public during the first half of 2020, J&DR is at this time not anticipating a significant increase in cases. We are currently operating within our guidelines for processing of new matters.
- New filings at this time are still around 20% lower than they were for this month in 2020, although steadily increasing.
- As a result, while always needed and appreciated, an extra clerical position in our court would not have the large impact it would for other courts.
- We urge the funding of the proposed position, but would ask that it be assigned to the budget of the General District Court, which is anticipating larger imminent need.

J&DR Budget Request



- We anticipate being able to utilize other positions in the near future, particularly given the recent renovations to our clerical workspace and increasing case intake.
- Our current staffing level is below needed levels for expected growth in cases. These had decreased by 25-45% from 2019, depending on category.
- Protective orders and child abuse cases represented increases of 55% and 25%, respectively, from 2019, with remands from the circuit court increasing by 18.7%

J&DR Budget Request



- Once all numbers come back to expected levels in late 2021, we will again be in need of additional staff.
- We appreciate the Board's consideration of the needs of the Juvenile and Domestic Relations District Court.



Judicial Services Agencies

Juvenile and Domestic Relations District Court General District Court Circuit Court Clerk's Office Judges Chambers Public Defender's Office Commonwealth's Attorney



General District Court

AGENDA



Service Overview Challenges Unfunded Requests Long-Term Needs Summary

Service Overview



<u>Who We Serve</u>	Where We Serve		
Prince William County, the City of Manassas, the City of Manassas Park, Towns of Quantico, Haymarket, Dumfries, and Occoquan	Prince William County Judicial Center, 2 nd floor		
How We Serve	Our Mission		
We serve the public by assisting with case information, filings, payment of	Our daily mission is to ensure we provide timely access to justice in the most		

information, filings, payment of fines/costs, and inquiries. This involves providing customer service to all doing business with General District Court in person and telephonically. Our daily mission is to ensure we provide timely access to justice in the most efficient and effective way possible even given the challenges we face with being short staffed and limited spacing.

Challenges



- Currently staffed at 69.5%
- Keeping up with demands of increasing caseload and public
- Lack of technology to assist clerks with workload
- No incentive to reward overworked employees
- Limited space in clerks' offices
- Limited space in Judicial Center for those doing business along with limited parking for public and employees

Unfunded Requests



- Fiscal year 2021 We did not receive two previously budgeted positions
- Fiscal year 2022 We will only be receiving one of the two previously budgeted positions

Long Term Needs



- This building is at maximum capacity; it cannot accommodate the increasing population, caseload, mandated file storage, and needs of those working and doing business here. Either an expansion or new facility will need to be considered in order to continue efficient operations.
- Technology that will assist understaffed clerk's offices with daily inquires and requests of the public. If public terminals and kiosks can eliminate some of a clerk's daily workload, long term affects will be providing a path for access to justice and promote a healthier morale amongst staff.

Summary



• In summary, the General District Court is responsible for resolving disputes for citizens and meeting the needs of the public in an efficient, timely manner which ultimately provides access to justice. Whether that be calling to find out the amount of a traffic ticket, requesting a copy of a case disposition, appearing as a witness in a case, or assisting a landlord with unlawful detainer proceedings; we are here to serve. However, when the services we provide are impacted due to being severely understaffed and operating in a building that cannot accommodate the increasing population then we are no longer successful in our mission.



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Judicial Services

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Circuit Court Clerk

Jacqueline C. Smith, Esq. FY22 Board of County Supervisors' Budget Work Session







Unlike other courts, the Circuit Court is comprised of two separate and independent agencies:

Circuit Court Clerk & Circuit Court Judges

These two agencies work together to manage judicial functions including:

- Criminal Misdemeanor & Felony Court Cases
- Civil Court Cases over \$25,000.00
- Appeals from General District Court & Juvenile Domestic Relations Court

Unique Circuit Court Structure



- The Circuit Court Clerk handles additional mandates including:
 - Collection of \$25.6M in Annual County, City and Town Revenues
 - Creation & Digitization of Daily Legal Record- More than 250,000 pages per month
 - Issuance or Renewal of 10,085 Concealed Handgun Permits Annually
 - Probate of Wills, Trusts & Estates
 - Operation of Jury System & Grand Jury System
 - Creation of Daily Circuit Court Dockets
 - Collection & Distribution of Restitution for Victims of Crime
 - Protection & Destruction of Election Ballots
 - Collection, Creation & Maintenance of all Land Records and associated revenues
 - Preservation of 300 years of Historic Documents
 - Maintenance of Fire House Rosters to Ensure Maintenance of Member Benefits
 - Administration & Recordation of Oaths for Elected officials, Fire and Rescue, Police, Political Appointees, Notaries Public & Court Witnesses
 - Marriage Licenses and Civil Wedding Ceremonies
 - Operation of the Public Law Library & Resident Legal Self-Help Center

Clerk's Service Levels



- The Circuit Court Clerk's Office has remained **fully operational** throughout the COVID-19 health crisis
- While coping with the challenges of the pandemic, the Clerk's Office has seen a 3-year increase in statutorily mandated workload of 37.38%
- The largest workload increases have been in Handgun Permits (+75%) and Land Deed Recordation (+65%)
- The Clerk's Office did not see an increase in staff during this period
- In order to maintain mandated service levels for the taxpayer, the Clerk has obtained and invested state and federal grant monies over the past three years to improve courthouse infrastructure and employ technology whenever possible

Clerk's Service Levels



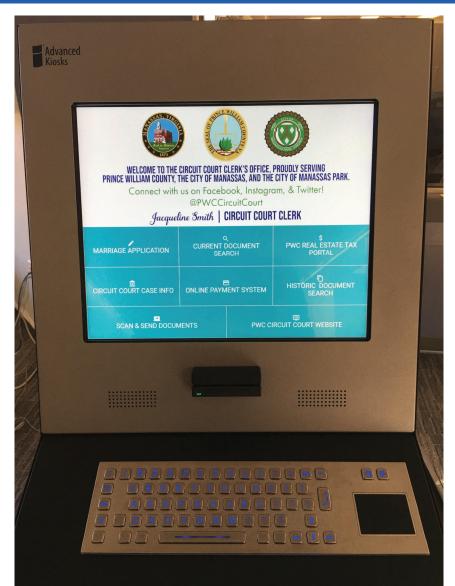
- Courthouse Infrastructure Improvements
 - Glass protected customer service counters
 - Double the number of customer service counters
 - Added space for social distancing
 - Enhanced land record fire protection
 - Enhanced security
 - Improved wayfinding
 - Better Customer Experience



Clerk's Service Levels



- Technology Improvements
 - Kiosk Pay Stations
 - Kiosk Records Research
 - 24-7 E-Mail Customer Service
 - Optional E-Filing for Civil Cases, Criminal Cases and Resident Services
 - Optional E-Court for certain hearings and civil trials
 - Optional E-Probate of Wills, Trusts and Estates
 - Optional E-Licensing for Marriage
 - Online Access to Court Records
 - Better Customer Experience



Budget Initiative



Deputy Clerk – Court & Records Management (1 FTE)

Expenditure	\$79,152 (\$68,560 ongoing)
General Fund Impact	\$79,152

- This addition will address workload increases in the Clerk's office by processing land recordings and associated tax collection prompted by mortgage refinancing at low interest rates, as well as performing other needed office filings.
- The new deputy court clerk will also support and assist the judges in the courtroom. This cost includes \$68,560 in on-going funding and \$10,592 in one-time costs associated with the position.
- Service Level Impacts The additional position will provide courtroom support, technical administrative, customer service, and operational support to Court Case Management.

Circuit Court Clerk



Connect with us!



@PWCCircuitCourt



Circuit Court Judges Chambers

Circuit Court Case Loads



- The Circuit Court hears a wide variety of cases including but not limited to guardianship appointments, divorce proceedings, complex civil litigation, multi-litigant tort actions, land use actions, felony criminal matters, concealed handgun permits.
- Circuit Court filings have increased from 7,686 new filings in 2000 to 20,638 new filings in 2020.
- In the past twenty years, the Circuit Court has gone from five judges to six judges.

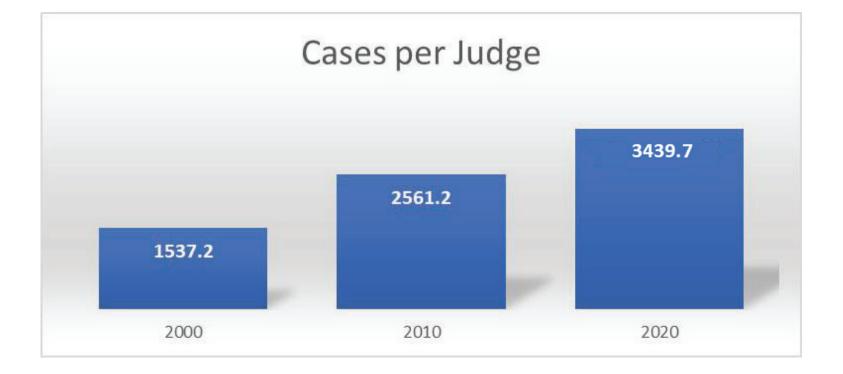
Circuit Court Case Loads



Year	Civil & Misc. Cases Commenced	Criminal Cases Commenced	Total Cases Commenced	Jury Trial Days Civil	Jury Trial Days Criminal
2000	4,562	3,124	7,686	91	70
2010	8,288	4,518	12,806	97	64
2020	17,033	3,605	20, 638	9 (appx.)	8 (appx.)

Circuit Court Case Loads

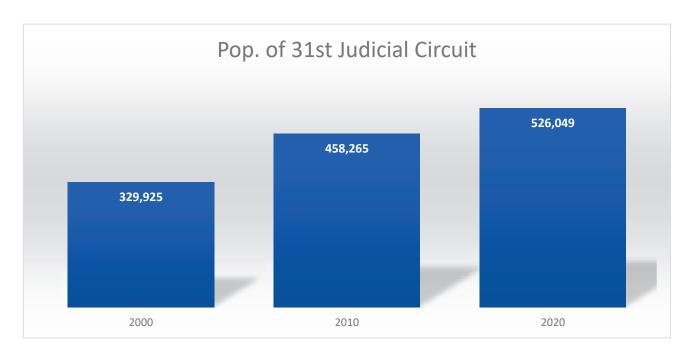




31st Judicial Circuit Population



• Over the past 20 years, the population served by this Court has increased dramatically and judicial resources have not kept up.



2021 Projections



- As the Court continues to operate during these unprecedented times, we will be working to overcome the year-long backlog of criminal and civil jury trials.
- It is anticipated that criminal jury trials will increase exponentially with new law changes.
- The Circuit Court resumed criminal jury trials on March 1, 2021 but we only have the capacity to conduct one jury trial at a time.
- There are approximately 300 jury trials (civil and criminal) scheduled in the next 6 months.

Clerical Support Needed



With an increase in case filings, many administrative duties have fallen to the law clerks hired to assist the judges:

- Sending emails notifying counsel of pre-trial conference procedures
- Case setting sheets for criminal and civil matters
- Check lists for divorces, name changes, adoptions, etc.
- Calling/emailing/drafting letters for divorces, name changes, adoptions, etc. to pro se parties
- Rescheduling cases/motions
- Rescheduling due to COVID continuances (mostly sentencing)
- Dividing up Motions Day dockets
- Correcting the docket when items have not been removed or scheduled properly
- Scanning various items into CIS
- Scheduling discretionary docket cases
- Preparing sentencing (Some of our admin do this for a few judges but some law clerks are tasked with this because we do not have enough admin to cover all the judges.
- Answering phone calls on the status of orders (usually divorces)
- Filtering through orders that come to Chambers (about 1/3 of the orders we receive are not fully endorsed, are proposed orders for cases that are on the Motion's Day dockets, or more recently are things that have already been entered)
- Notifying the clerk's office of improperly scanned items or items missing from the file

Friday Motion's Day Dockets



- Every Friday the Circuit Court hears civil motions.
- Each judge can hear upwards of 25 different civil motions on its Friday docket.
- Most Friday motions are legally intensive. Friday is the Court's busiest day, and we are without clerical support to handle these complex matters.

Circuit Court Budget Request



• We appreciate the Board's consideration of the needs of the Circuit Court.



Judicial Services

Juvenile and Domestic Relations District Court General District Court Circuit Court Clerk's Office Judges Chambers Public Defender's Office Commonwealth's Attorney



Public Defender's Office



Judicial Services

Juvenile and Domestic Relations District Court General District Court Circuit Court Clerk's Office Judges Chambers Public Defender's Office Commonwealth's Attorney

Commonwealth's Attorney

Commonwealth's Attorney

Who are we and what do we do?

Prosecutes Misdemeanor Crimes in General District	Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court		Prosecutes ALL cases in Circuit Court	Traffic Cases
Court				Forfeiture
Prosecutes Felony Crimes in General	r (crimes in luvenile			Expungements
District Court				Other Mandated Services
Common	Discovery			
Services for ALL victims of crimes		Services for Victims requiring court support		

Services for ALL victims of crimes

- The Victim Witness Program engages with community events to spread awareness of services available
- Victim Witness Program Director speaks to all new PWCPD recruits at the Academy.
- Law Enforcement Officers, Magistrates, Judges etc. refer clients to the Victim Witness Program.
- The Victim Witness Program assists ALL victims and witnesses of crimes
- Services include:
 - Informing victims of their rights
 - Information about available social services
 - Crisis intervention
 - Interpretation services
 - Individual advocacy
 - Counseling
 - Advance Notification of case information
 - and more

Services for ALL victims of crimes

- Victim Witness Program Case Managers work closely with clients impacted by crime
- Case Managers give clients confidence in the legal system
- Client/Victim cooperation is often critical (especially in Domestic Violence Cases)
- Victim Witness Program is often overlooked- but it's a lifeline for many
- The Victim Witness Program's Awareness efforts have increased the number of clients significantly
- Case Managers currently exceed recommended number of clients

Use of the Victim Witness Assistance Program has grown significantly in the past 5 years.

Growth is expected to continue.

Services for ALL victims of crimes

- Outreach to potential clients in recent years highly successful
- Number of services provided has increased significantly

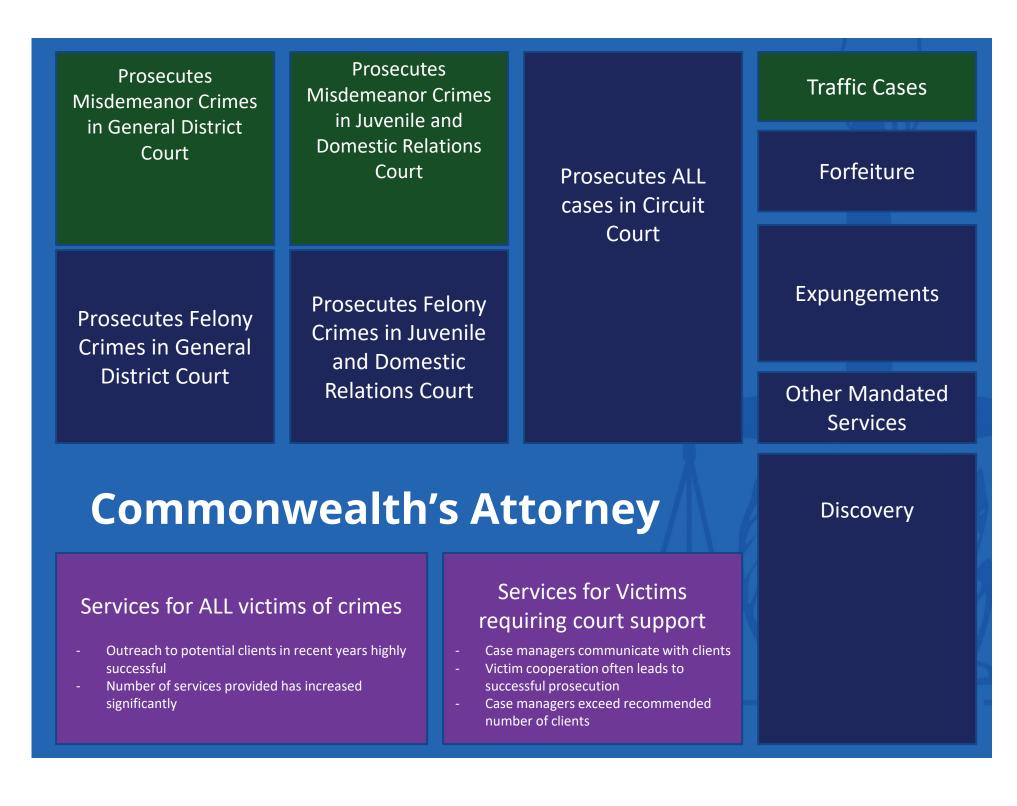
- Case managers communicate with clients
- Victim cooperation often leads to successful prosecution
- Case managers exceed recommended number of clients



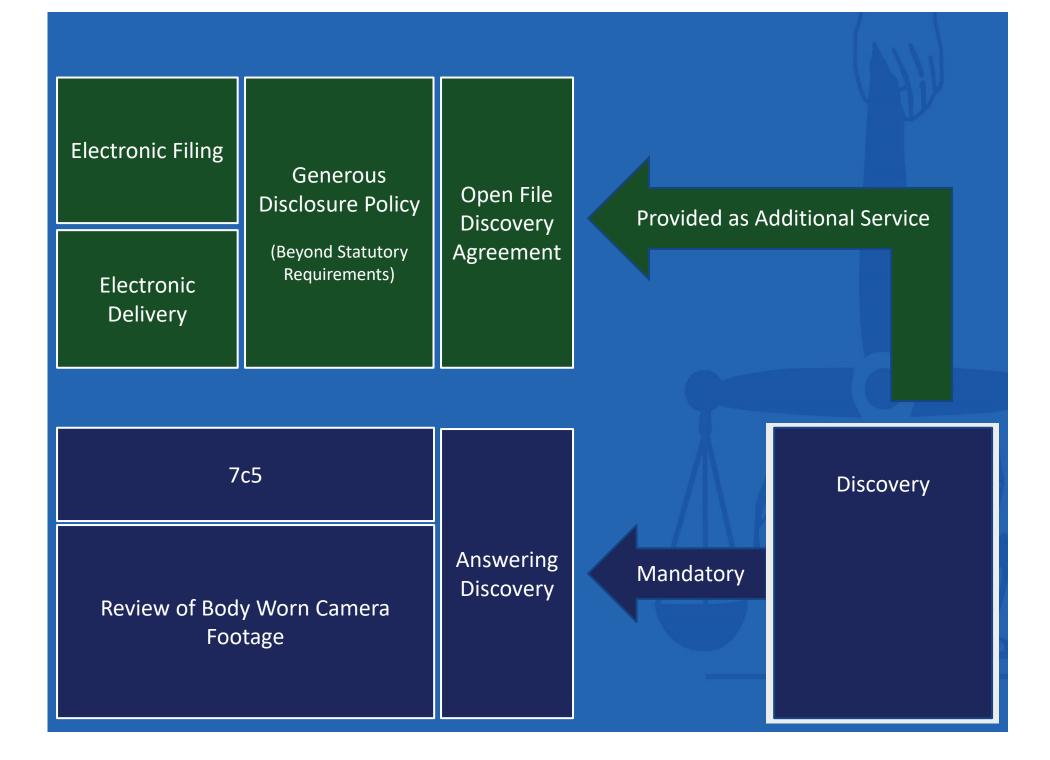
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Discovery



Discovery is more **complete** and more **accessible** than any time in this county's history.

Discovery

- 7c5
- Open File
- Generous Disclosure Policy
- Electronic Filing and Delivery

Prosecutes Misdemeanor Crimes in General District	Prosecute Misdemeanor in Juvenile	Crimes		Traffic Cases
Court	Domestic Relations Court		Prosecutes ALL cases in Circuit Court	Forfeiture
Prosecutes Felony Crimes in General	Prosecutes Felony Crimes in Juvenile and Domestic Relations Court			Expungements
District Court				Other Mandated Services
Common	Discovery			
 Services for ALL victims of crimes Outreach to potential clients in recent years highly successful Number of services provided has increased significantly 		req - Case - Victin succo - Case	ervices for Victims uiring court support managers communicate with clients m cooperation often leads to essful prosecution managers exceed recommended ber of clients	 7c5 Open File Generous Disclosure Policy Electronic Filing and Delivery

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Critical Misdemeanor Services:

- Domestic Violence Cases
- Driving Under the Influence Cases

Additional Misdemeanor Services:

- Other Misdemeanor Offenses
- Misdemeanor cases with a defense attorney present

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Critical Misdemeanor Services:

- Domestic Violence Cases
- Driving Under the Influence Cases

Additional Misdemeanor Services:

- Other Misdemeanor Offenses
- Misdemeanor cases with a defense attorney present

- CRITICAL ISSUE DURING PANDEMIC
- Victim cooperation is typically a factor in these cases.
- Prevent recidivism
- Prevent death or injury to victim

- Prevent recidivism
- Prevent death or injury to victim

- Driving Under the Influence Cases
- Other Misdemeanor Cases

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Domestic Violence Cases Other Misdemeanor Cases

- Driving Under the Influence Cases
- Other Misdemeanor Cases

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Domestic Violence CasesOther Misdemeanor Cases

Traffic Cases

The Commonwealth's Attorney Prosecutes Misdemeanor and Traffic Cases as an Additional Service to the Community

- Driving Under the Influence Cases
- Other Misdemeanor Cases

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Domestic Violence CasesOther Misdemeanor Cases

Traffic Cases

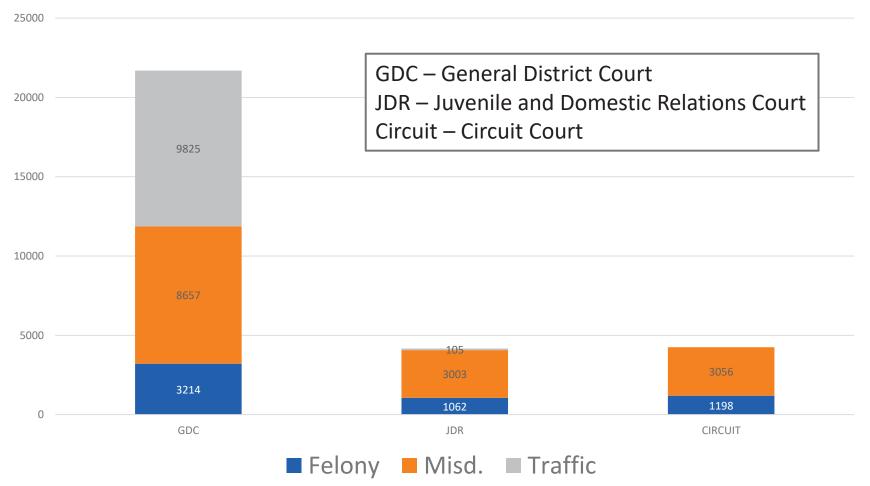
The Commonwealth's Attorney Prosecutes Misdemeanor and Traffic Cases as an Additional Service to the Community

The Commonwealth's Attorney is not required to provide these services.

PWC Filings by Mandate



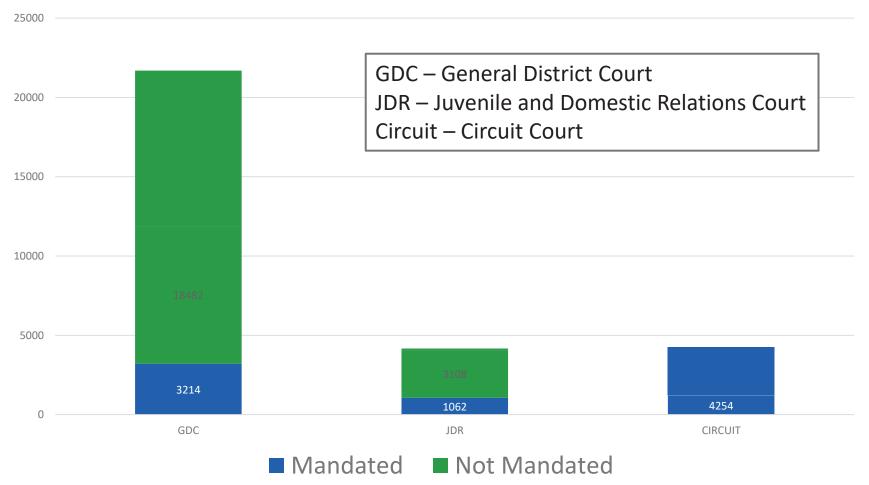
Prince William County Filings by Category and Level of Court (January-September 2019)



PWC Filings by Mandate



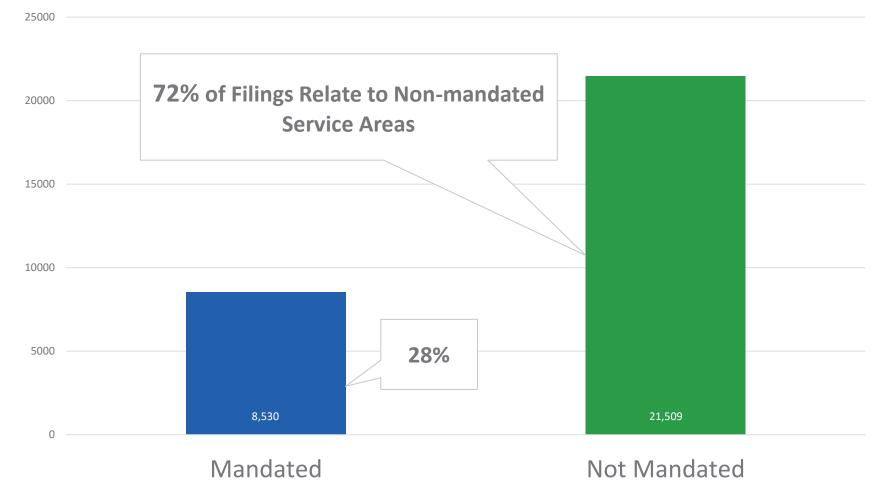
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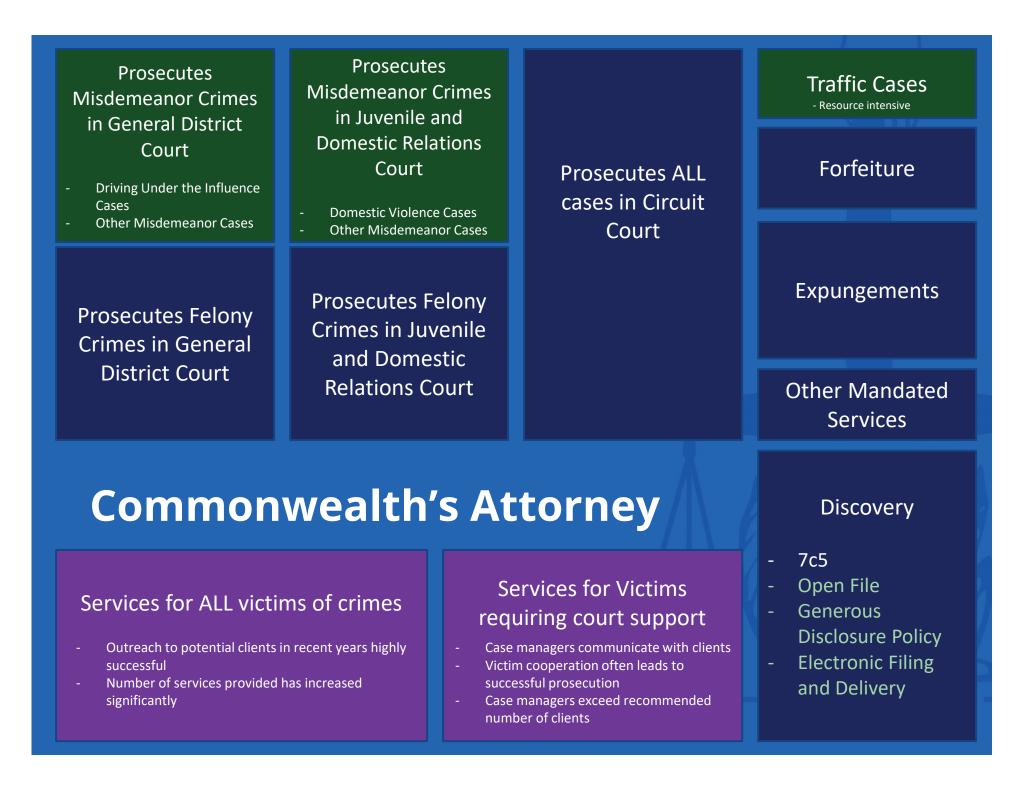
PWC Filings by Mandate



Prince William County Filings by Mandate (January-September 2019)



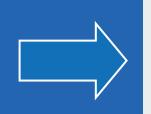




Prosecutes ALL cases in Circuit Court



Prosecutes ALL cases in Circuit Court



Prosecutes ALL cases in Circuit Court Prosecutors seek judicial outcomes by going to court



Prosecutes ALL cases in Circuit Court Prosecutors seek judicial outcomes by going to court

The results impact the Compensation Board (CB) Performance Measures

Compensation Board Performance Measures

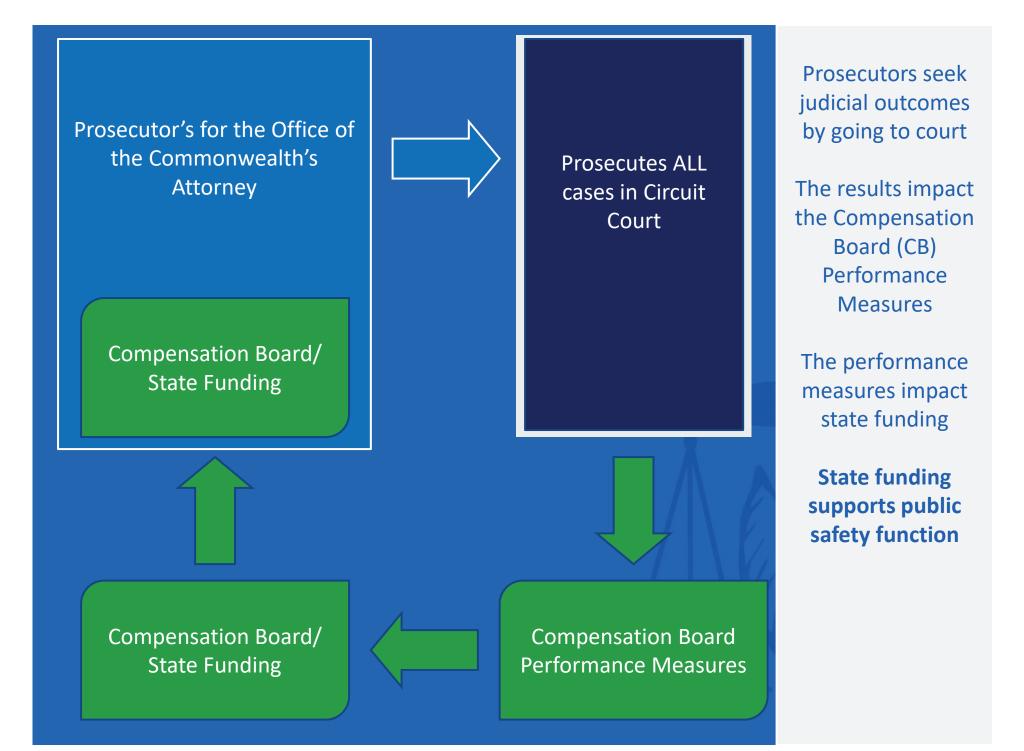


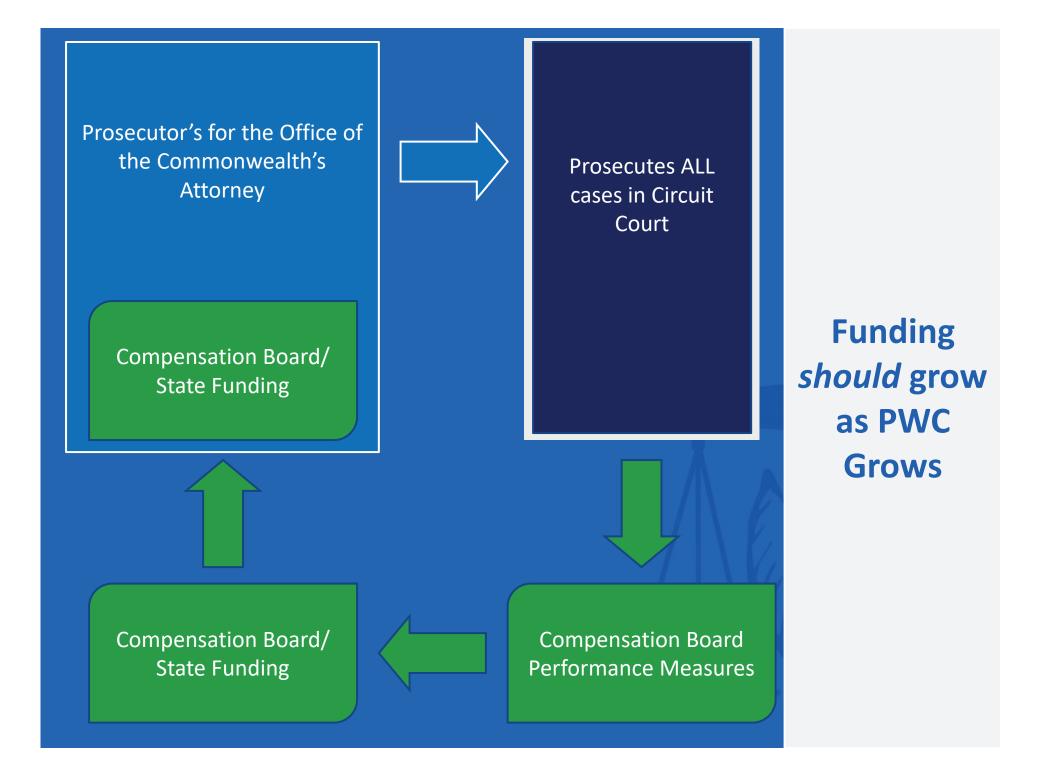
Prosecutes ALL cases in Circuit Court Prosecutors seek judicial outcomes by going to court

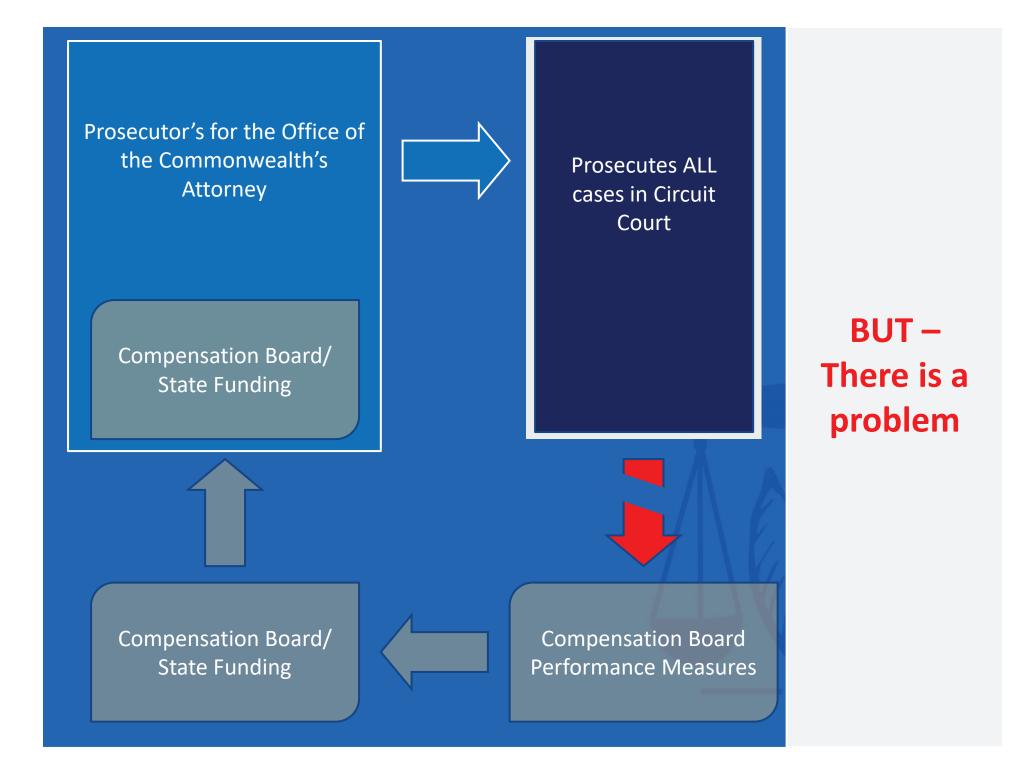
The results impact the Compensation Board (CB) Performance Measures

The performance measures impact state funding

Compensation Board/ State Funding Compensation Board Performance Measures









Average Felony Sentencing Events CY15-17

Average Felony Defendants CY15-17

Similar Sized Offices Receive Additional State Funds

(Closest Three Offices in Size Represented)

The Yellow and Blue Bars show a Jurisdiction's Compensation Board Performance Measures

The Green Bar indicates the sum of the Performance Measures **Compensation Board Performance Measures**



The Compensation Board Performance Measures consider the Last Three Calendar Years

Prince William County has historically low performance measures

The formula is as follows:

of Attorneys = Workload Total (3yr avg felony defendants + 3yr avg sentencing events)
Factor



Average Felony Sentencing Events CY15-17

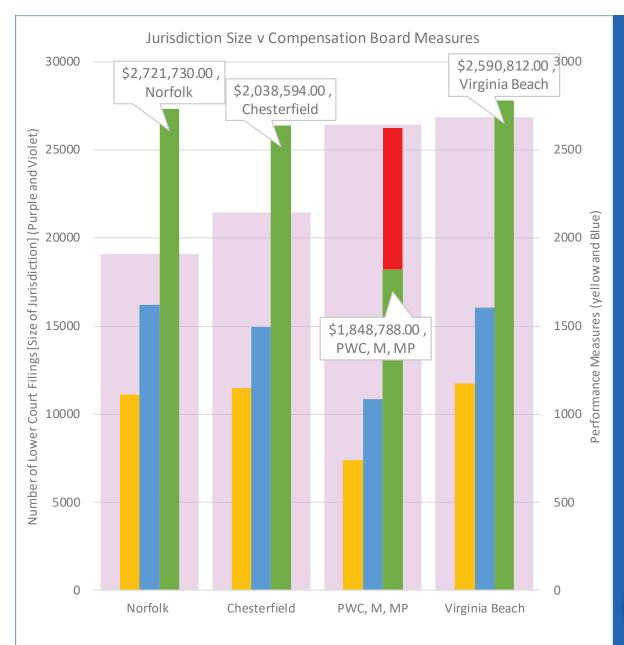
Average Felony Defendants CY15-17

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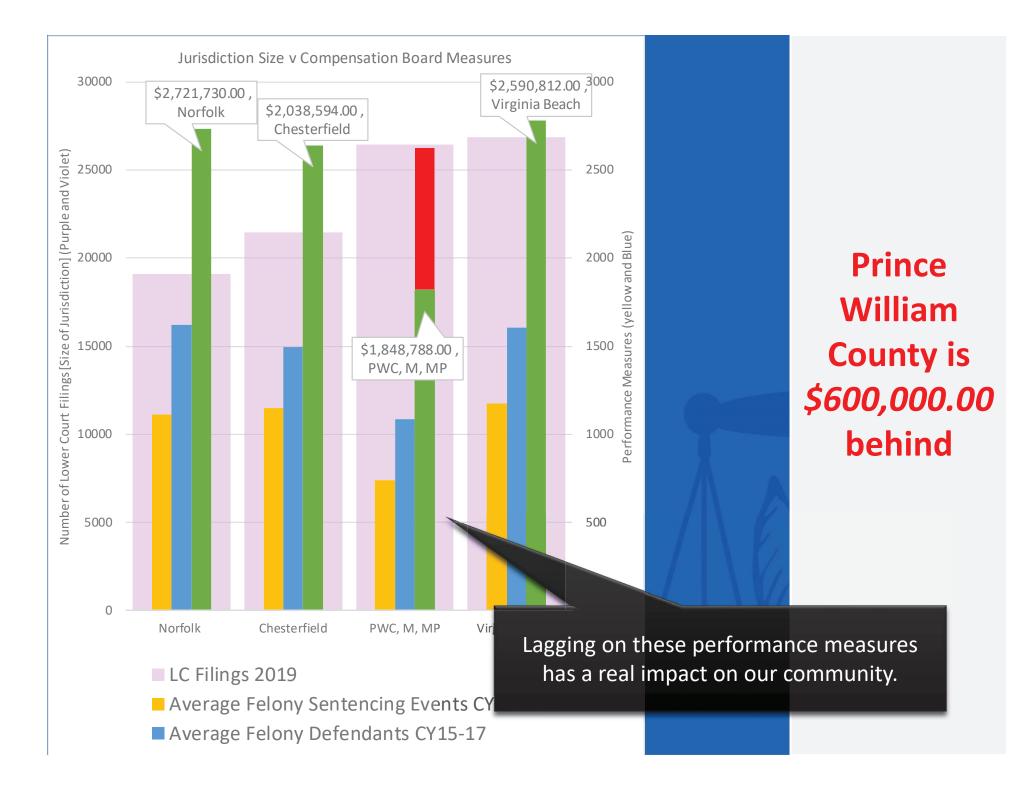
The Yellow and Blue Bars show a Jurisdiction's Compensation Board Performance Measures

The Green Bar indicates the sum of the Performance Measures



LC Filings 2019 (Size of a Jurisdiction)
 Average Felony Sentencing Events CY15-17
 Average Felony Defendants CY15-17

Prince William County is \$600,000.00 behind



Compensation Board Performance Measures



Performance Measures are designed to narrowly quantify performance in <u>mandated</u> service areas.

Performance Measures indicate Prince William County prosecution function has been historically below par.



Lagging on these performance measures has a real impact on our community.



Jury Sentencing Reform's Passed in the 2021 Legislative Session will <u>increase the number of jury</u> <u>trials</u>

Jury Trials are resource intensive.

Prosecutes ALL cases in Circuit Court

- \$600,000 deficit in state funding
- New Jury Sentencing Reform Will Lead to Additional Jury Trials
- Critical Public Safety Cases
- Public Interest Cases
- Civil matters

The most critical cases are brought before the Circuit Court and it is imperative that resources are made available for Circuit Court proceedings.

Prosecutes Misdemeanor Crimes in General District	Prosecute Misdemeanor in Juvenile a	Crimes		Traffic Cases
Court - Driving Under the Influence Cases	Domestic Rela Court - Domestic Violence		Prosecutes ALL cases in Circuit	Forfeiture
- Other Misdemeanor Cases Prosecutes Felony Crimes in General	- Other Misdemean Prosecutes F Crimes in Juv and Dome	elony venile	Court - \$600,000 deficit in state funding - New Jury Sentencing Reform Will Lead to	
District Court	Relations Court		Additional Jury Trials Critical Public Safety Cases Public Interest Cases Civil matters 	Other Mandated Services
Common	wealth	's At	torney	Discovery
 Services for ALL victims of crimes Outreach to potential clients in recent years highly successful Number of services provided has increased significantly 		 Services for Victims requiring court support Case managers communicate with clients Victim cooperation often leads to successful prosecution Case managers exceed recommended number of clients 		 7c5 Open File Generous Disclosure Policy Electronic Filing and Delivery

Commonwealth's Attorney

Why are we here?

Prosecutes Misdemeanor Crimes in General District Court

- Driving Under the Influence Cases
- Other Misdemeanor Cases

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Domestic Violence Cases Other Misdemeanor Cases

Prosecutes Felony Crimes in General District Court Prosecutes Felony Crimes in Juvenile and Domestic Relations Court

Prosecutes ALL cases in Circuit Court

Traffic Cases

- Resource intensive

- \$600,000 deficit in state funding
- New Jury Sentencing Reform Will Lead to Additional Jury Trials
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Commonwealth's Attorney

Why are we here?

Prosecutes Misdemeanor Crimes in General District Court

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- Other Misdemeanor Cases

Prosecutes Misdemeanor Crimes in Juvenile and Domestic Relations Court

Domestic Violence Cases Other Misdemeanor Cases

Prosecutes Felony Crimes in General District Court Prosecutes Felony Crimes in Juvenile and Domestic Relations Court

Prosecutes ALL cases in Circuit Court

Traffic Cases

- Resource intensive

- \$600,000 deficit in state funding
- New Jury Sentencing Reform Will Lead to Additional Jury Trials
- Critical Public Safety Cases
- Public Interest Cases
- Civil matters

Why are we here?

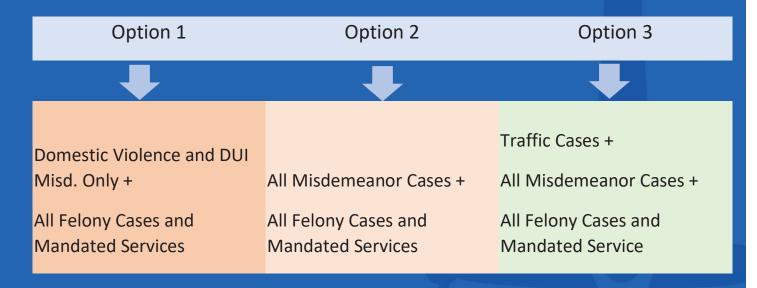
Prosecuting misdemeanor and traffic cases is unsustainable at the current staffing levels.

<u>Inaction</u> or <u>insufficient action</u> will severely reduce services

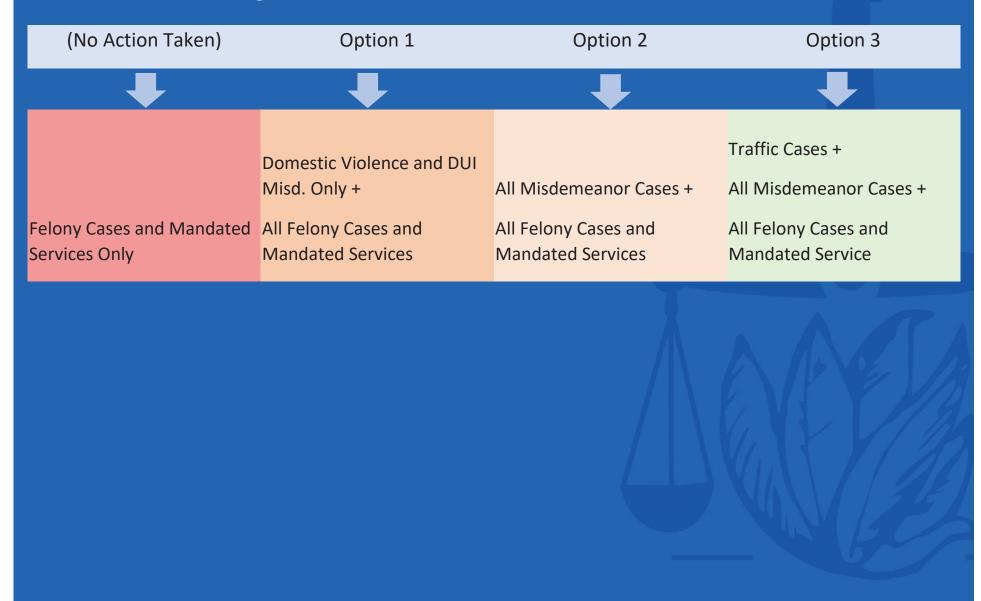
Felony Cases and Mandated Services Only

(No Action Taken)

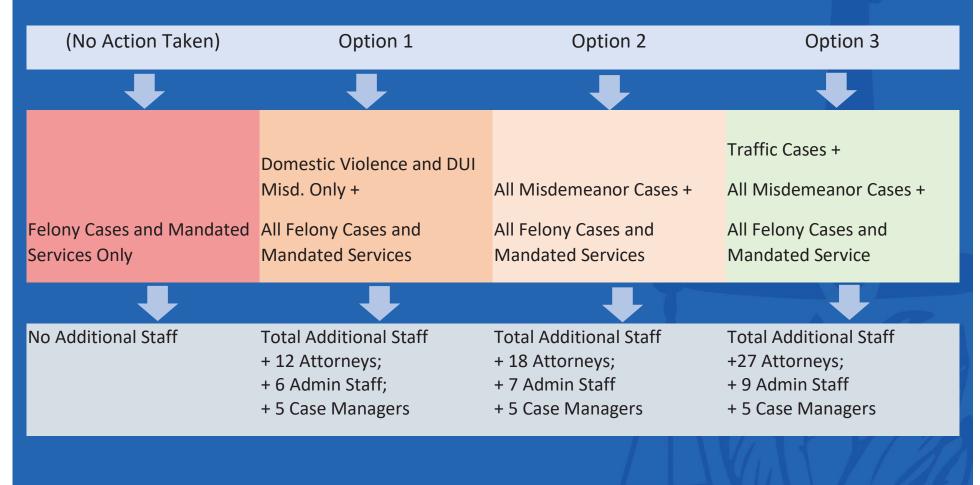
Options to avoid a reduction in services were presented to the County Executive



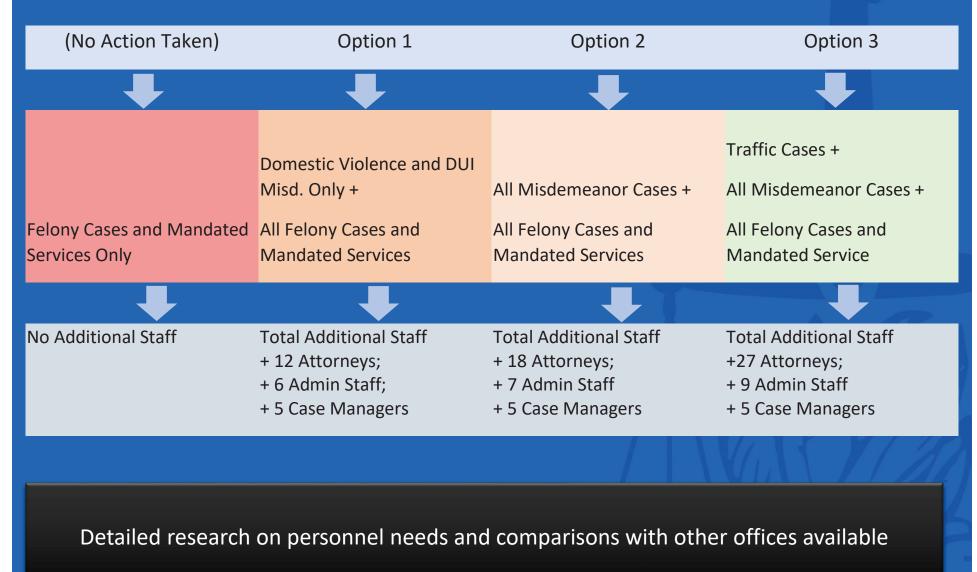
<u>Inaction</u> or <u>insufficient action</u> will severely reduce services



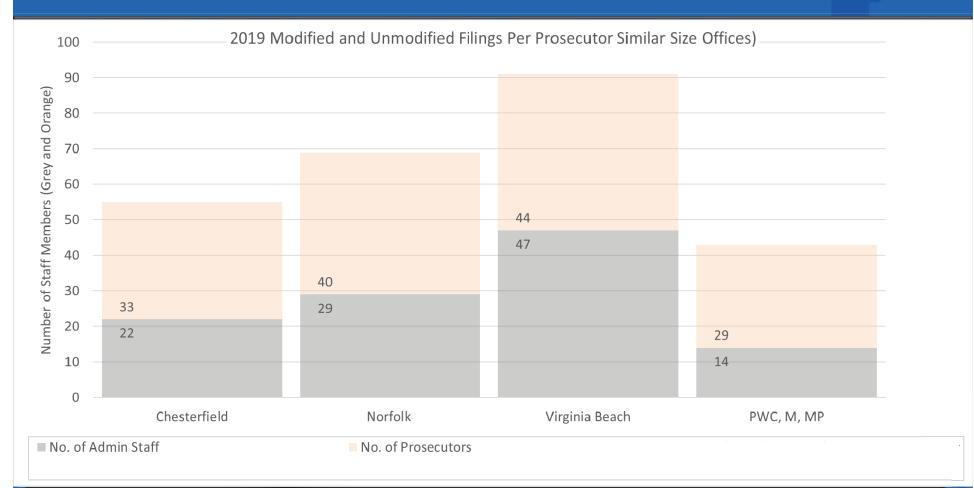
Personnel Needed



Personnel Needed

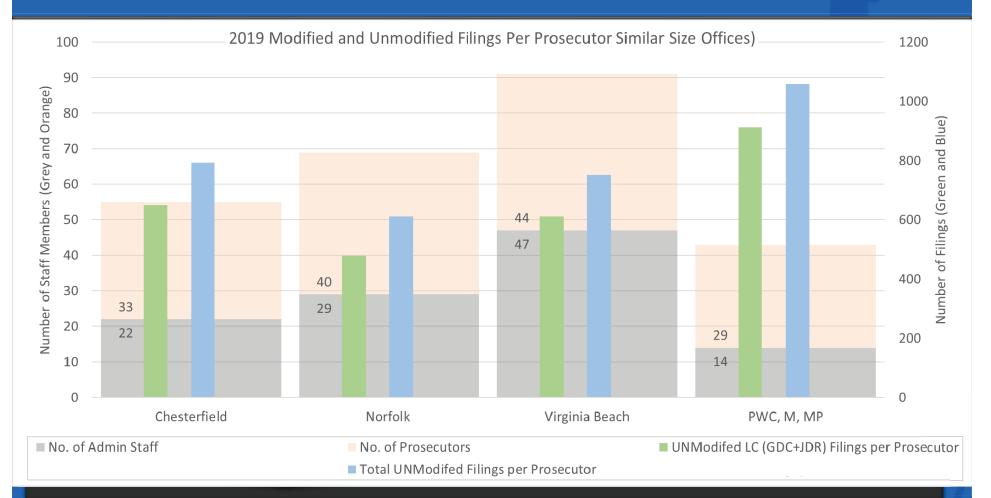


Similar Sized Offices have far more Prosecutors and Staff



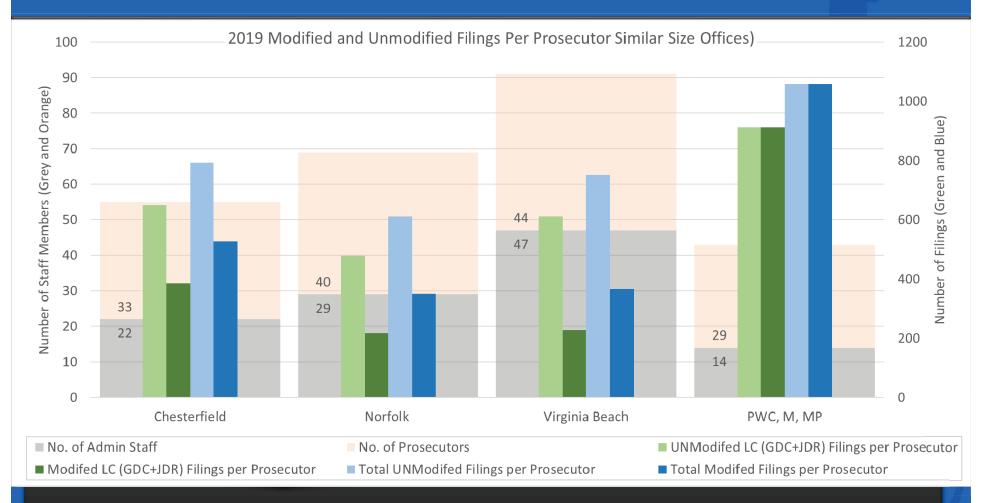
Detailed research on personnel needs and comparisons with other offices available

Similar Sized Offices have far more Prosecutors and Staff



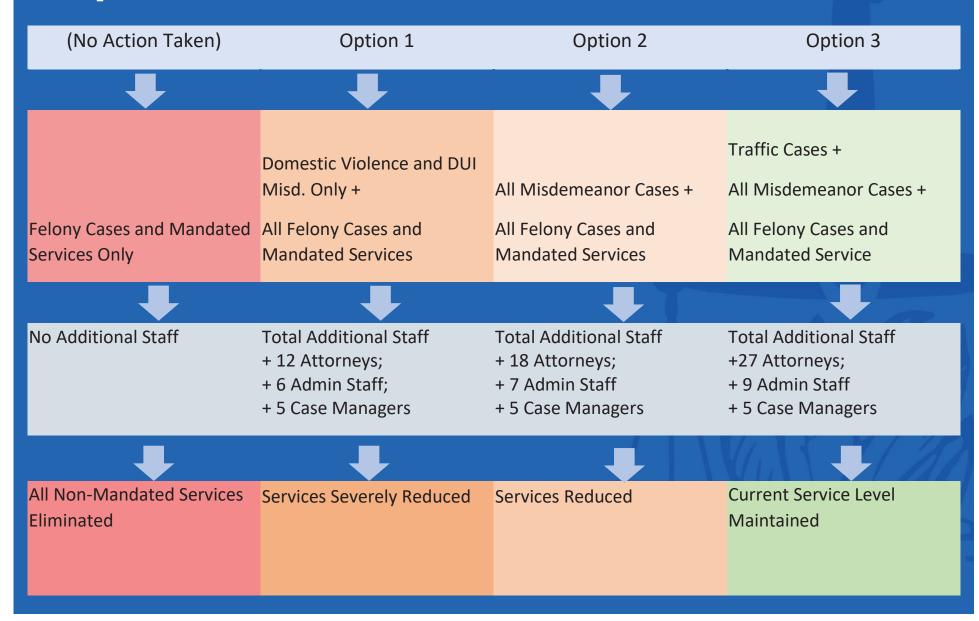
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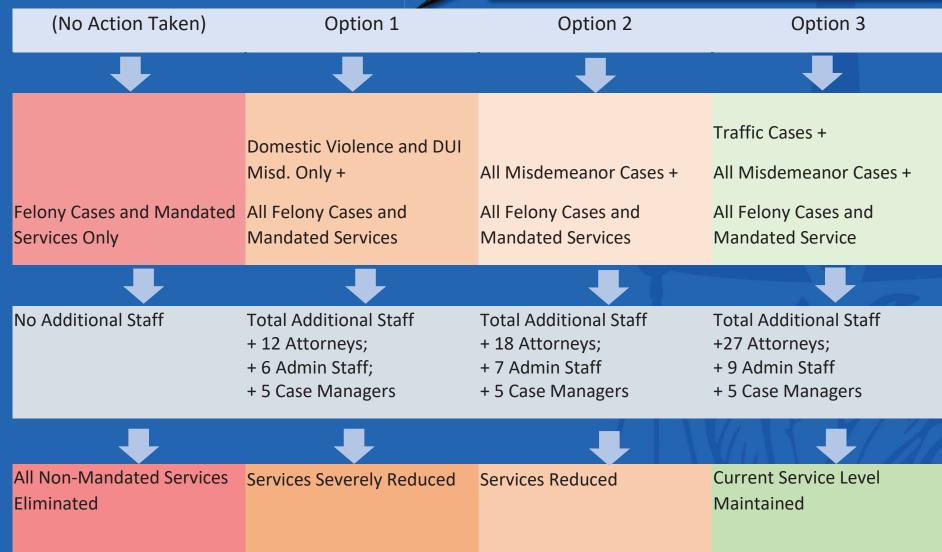


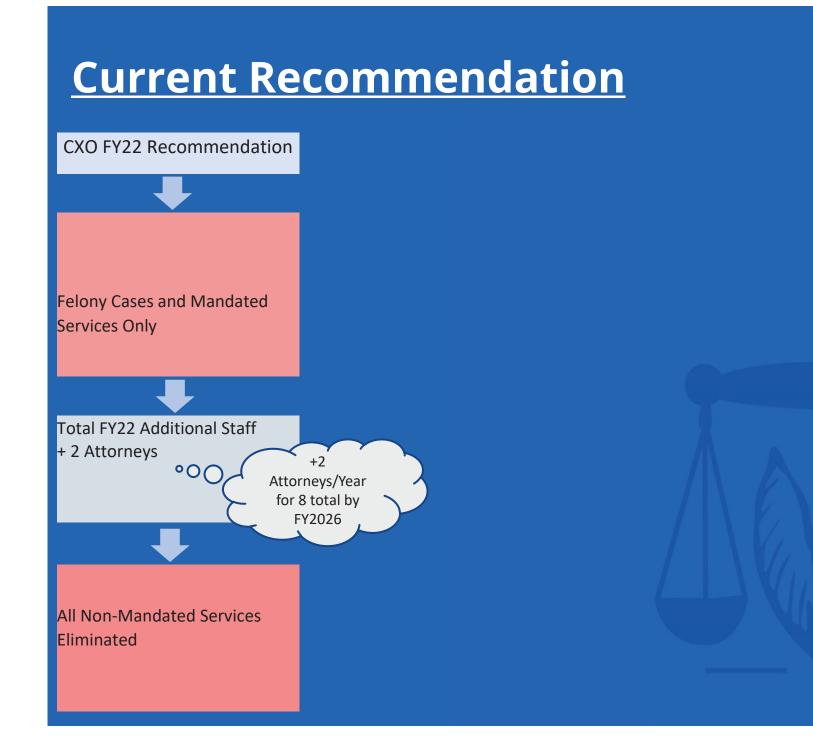
Detailed research on personnel needs and comparisons with other offices available

Impact on Services Provided

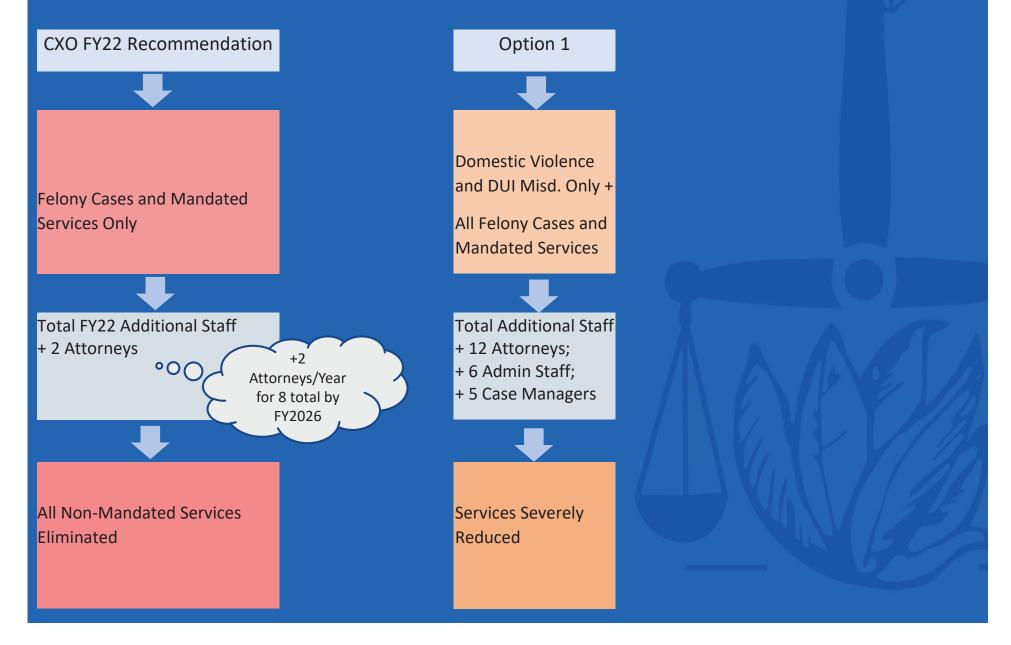


Option 1 is the bare minimum. Impact on Services Product OUI and Domestic Violence services should be continued.

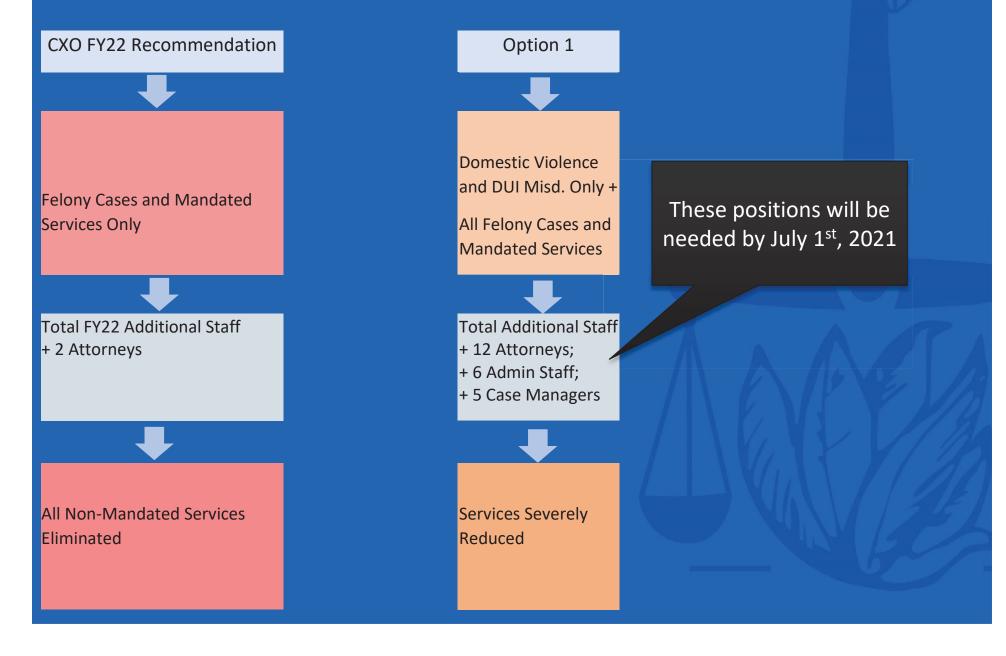




Current Recommendation v. Minimum

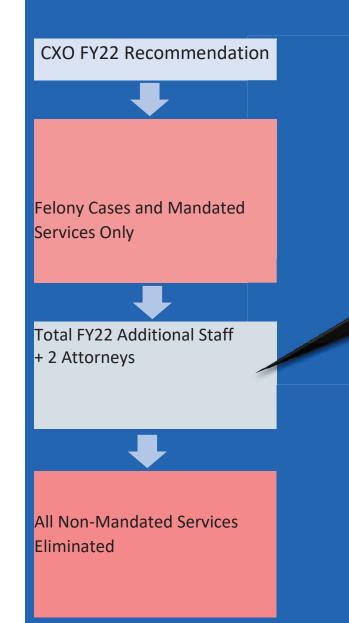


Current Recommendation v. Minimum

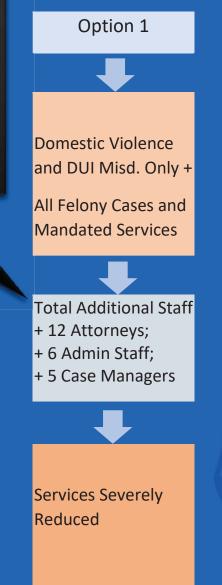


Current Recommendation v. Minimum





This recommendation falls short of the positions needed to maintain critical services. A phased implementation (3 years) of this plan would be sufficient to provide the most essential services



Option 1

Domestic Violence and DUI Misd. Only +

All Felony Cases and Mandated Services

Total Additional Staff + 12 Attorneys; + 6 Admin Staff; + 5 Case Managers

Services Severely Reduced A phased implementation (3 years) of this plan would be sufficient to provide the most essential services

FY22	FY23	FY24
+5 Attorneys	+4 Attorneys	+3 Attorneys
+3 Admin Staff	+2 Admin Staff	+1 Admin Staff
+1 Case Manager	+2 Case Manager	+3 Case Manager

Option 1

Domestic Violence and DUI Misd. Only +

All Felony Cases and Mandated Services

Total Additional Staff + 12 Attorneys; + 6 Admin Staff; + 5 Case Managers

Services Severely Reduced

Option 1: Phased Implementation

- Allows most critical services to continue
- Staffing will continue to be a critical need even if this plan is implemented
- Certain services may be reduced
- This plan represents the absolute minimum additional personnel required to fulfill essential non-mandated services

FY22	FY23	FY24
+5 Attorneys	+4 Attorneys	+3 Attorneys
+3 Admin Staff	+2 Admin Staff	+1 Admin Staff
+1 Case Manager	+2 Case Manager	+3 Case Manager

Thank you for your time. It is an honor to serve our Community.



Option 1: Phased Implementation

- Allows most critical services to continue
- Staffing will continue to be a critical need even if this plan is implemented
- Certain services may be reduced
- This plan represents the absolute minimum additional personnel required to fulfill essential non-mandated services

FY22	FY23	FY24
+5 Attorneys +3 Admin Staff +1 Case Manager	+4 Attorneys +2 Admin Staff +2 Case Manager	+3 Attorneys +1 Admin Staff +3 Case Manager

Thank you for your time. It is an honor to serve our Community.

Please help us continue to do so in every way we can.



Judicial Services

Juvenile and Domestic Relations District Court General District Court Circuit Court Clerk's Office Judges Chambers Public Defender's Office Commonwealth's Attorney