



## Clerk of the Circuit Court

The Clerk of the Circuit Court is a Constitutional Officer. The Clerk's Office performs multiple services for residents, business professionals, and judges. The Clerk's Office works to facilitate the orderly conduct of governmental, judicial, commercial, and quasi-legal affairs for the residents of Loudoun County by collecting the appropriate taxes and fees; processing legal documents; retaining permanent court records, land records, judgment records, and legal documents; providing public inspection of permanent records; and providing efficient administration of court cases and Clerk's Office services. The Code of Virginia mandates more than 800 duties for the Clerk of the Circuit Court meaning this entity offers a wide variety of services to the residents of Loudoun County.

### Clerk of the Circuit Court's Program

#### Clerk of the Circuit Court

Provides services including issuance of marriage licenses, recording of deeds and land documents, coordinating juror services for jury trials, probate of wills and estates, assisting judges with courtroom proceedings, managing court files and legal documents, preserving historic court papers and many other services. The Clerk of the Circuit Court is organized into nine divisions: Criminal Case Management, Civil Case Management, Deed and Judgment Recording, Probate, Judicial Services, Jury Management, Historic Records and Deed Research, Administrative, and Public Services.

**Clerk of the Circuit Court****Budget Analysis****Department Financial and FTE Summary<sup>1</sup>**

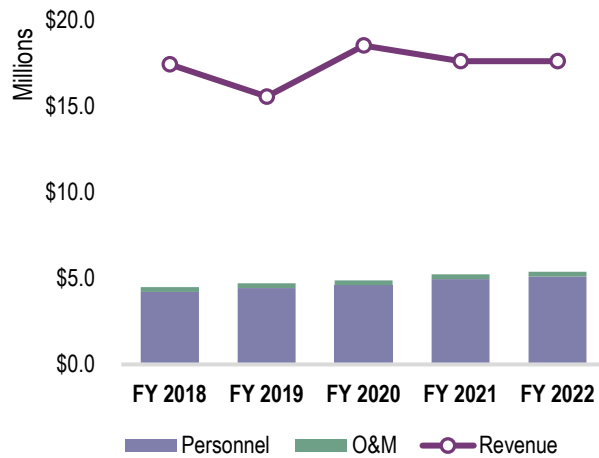
	FY 2018 Actual	FY 2019 Actual	FY 2020 Adopted	FY 2021 Proposed	FY 2022 Projected
<b>Expenditures</b>					
Personnel	\$4,216,886	\$4,444,793	\$4,612,017	\$4,955,326	\$5,103,986
Operating and Maintenance	274,576	275,501	273,186	275,756	278,514
<b>Total – Expenditures</b>	<b>\$4,491,462</b>	<b>\$4,720,294</b>	<b>\$4,885,203</b>	<b>\$5,231,082</b>	<b>\$5,382,500</b>
<b>Revenues</b>					
Other Local Taxes	\$11,715,471	\$10,289,868	\$12,550,000	\$12,050,000	\$12,050,000
Permits, Fees, and Licenses	12,389	12,060	10,000	10,000	10,000
Charges for Services	931,324	801,875	995,000	995,000	995,000
Recovered Costs	225,119	161,640	38,809	38,809	38,809
Intergovernmental – Commonwealth	4,559,292	4,302,883	4,936,585	4,536,585	4,536,585
<b>Total – Revenues</b>	<b>\$17,443,595</b>	<b>\$15,568,326</b>	<b>\$18,530,394</b>	<b>\$17,630,394</b>	<b>\$17,630,394</b>
<b>Local Tax Funding</b>	<b>\$(12,952,133)</b>	<b>\$(10,848,032)</b>	<b>\$(13,645,191)</b>	<b>\$(12,399,312)</b>	<b>\$(12,247,894)</b>
<b>FTE</b>	<b>48.00</b>	<b>49.00</b>	<b>50.00</b>	<b>51.00</b>	<b>51.00</b>

<sup>1</sup> Sums may not equal due to rounding.



## Clerk of the Circuit Court

### Revenue and Expenditure History



#### Revenue/Local Tax Funding

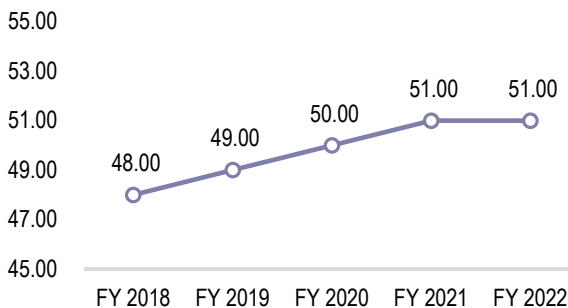
As shown, the Office of the Clerk of the Circuit Court is funded by program-generated revenue (100 percent). Program-generated revenue consists primarily of recordation taxes (68 percent).

#### Expenditure

The majority of the Clerk's expenditure budget (95 percent) is dedicated to personnel costs. Increases in personnel costs have been driven by additional staffing as outlined in the Staffing/FTE History section, a 3.5 percent merit increase and 3 percent market adjustment for FY 2019, a 3.0 percent merit increase and a 2 percent market adjustment for FY 2020, and adjustments in FY 2020 to reflect a new classification and compensation system approved by the

Board of Supervisors (Board) in November 2019.

### Staffing/FTE History



FY 2018: 1.00 FTE civil case management clerk

FY 2019: 1.00 FTE historic records clerk

FY 2020: 1.00 FTE jury management team lead

The Clerk of the Circuit Court's expenditures have increased primarily due to personnel costs, which make up 95 percent of the Office's expenditures. Increases in personnel have been driven by higher compensation and the addition of new positions in the last several years. Revenue estimates for FY 2021 have been adjusted to reflect anticipated revenues based on historical trends, particularly for recordation taxes and grantor's taxes. As noted above, recordation taxes reflect 68 percent of the Clerk's revenue.

In FY 2020, the Board added 1.00 FTE for a jury management team lead. This position is filled and supports the primary functions of the Jury Services Division, which include ensuring that an adequate pool of jurors exists and assisting jurors through the process once they are present. Overall, this position allows for the workload to be better divided among staff and to maintain the current level of service as the demand for jury trials increases.

As the population of the County has grown, so has the number of cases being heard, and this number is anticipated to continue growing. Additionally, in FY 2020, the Circuit Court received an additional judge to hear cases in the 20<sup>th</sup> Judicial Circuit Court. The Clerk's Office is projecting a workload increase from both the growth in population and from the addition of a fifth judge regularly presiding in Loudoun County.

For FY 2021, the Office's budget request focuses on the thematic area of judicial administration.



## Clerk of the Circuit Court

### Judicial Administration

Loudoun, Fauquier, and Rappahannock counties are part of the 20<sup>th</sup> Judicial Circuit in Virginia. Circuit court judges appointed to the 20<sup>th</sup> Judicial Circuit are authorized to adjudicate cases in all three circuit courts. Previously, the judge in Fauquier County only presided over cases in Fauquier and Rappahannock counties while the four judges in Loudoun County typically remain exclusively in Loudoun. However, this approach changed when the judge in Fauquier County retired in November 2019 and Judge James E. Plowman commenced his tenure in the 20<sup>th</sup> Judicial Circuit as a circuit court judge. The 20<sup>th</sup> Judicial Circuit Court judges have decided to manage the docket differently, resulting in five resident judges regularly presiding at the Loudoun County Circuit Court. In addition to having five resident judges in the circuit court, the use of retired and visiting judges to assist with the court docket will continue in FY 2021. In FY 2019, visiting judges were deployed 222 days out of maximum 238 days that judges are present annually. The deployment of retired judges and the presence of five resident judges in the Loudoun County Circuit Court requires an additional resource for the judicial services team.

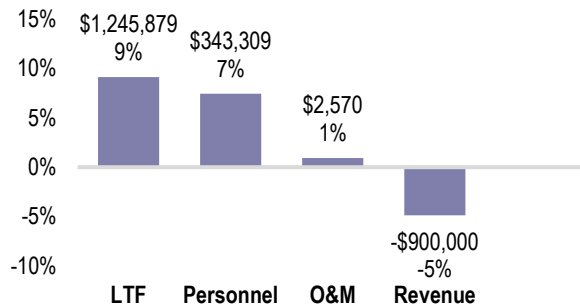
The Judicial Services Division includes a division manager and six (6.00 FTE) courtroom clerks. Each court proceeding (civil and criminal) requires the presence of a member of the courtroom clerk team to assist a judge with the proceedings. Courtroom clerks are responsible for monitoring the status of a criminal case, issuing relevant paperwork for the Sheriff's Office (jail transfer), preparation of conviction and sentencing orders, other criminal court orders, data entry of relevant court transactions in the case management database, operation of the digital audio recording system, administration of oaths, tracking status of jurors in a jury trial, and other relevant judicial support services during the court hearing, bench trial, or jury trial. Implemented in the Loudoun County Circuit Court in April 2019, the Adult Drug Court is held weekly and prior to the normal court dockets and requires a courtroom clerk to be present to assist the judges during these proceedings. Adult Drug Court requires the preparation of legal paperwork and court orders prior to and after each weekly hearing. As the number of court hearings and trials increases from the deployment of more judges in Loudoun County Circuit Court, other workload also increases including: scheduling court reporters for criminal court proceedings, coordinating foreign language interpreters for court hearings and trials, and preparing pre-trial paperwork.

With the number of judicial support activities increasing, the need for a new supervisorial position is critical. The proposed courtroom clerk supervisor position is requested to properly maintain service levels to meet judicial operation requirements for the judges as well as other county departments and other external agencies. This position will be responsible for making courtroom assignments for staff, scheduling court reporters and foreign language interpreters, and other essential supervisory duties. This position will assist the judges (resident and retired) when other team members are fully deployed or otherwise unavailable for courtroom assignments due to other court case commitments or out of the office. Without this resource, the Office expects overtime costs will increase over the next few fiscal years as there will be insufficient staff to provide courtroom proceeding support to the judges. In addition, without this position, the Office anticipates that customers will experience some impact on the processing time of critical legal processes. Delays in completing criminal case paperwork, criminal court orders, and criminal case financial oversight carries significant risks to due process and state mandates. This position is necessary to ensure efficient and accurate delivery of information and services, transmission of critical public safety information, dissemination of accurate sentencing and conviction data, and processing of accurate financial data for other internal divisions, external agencies, and internal county departments.



## Clerk of the Circuit Court

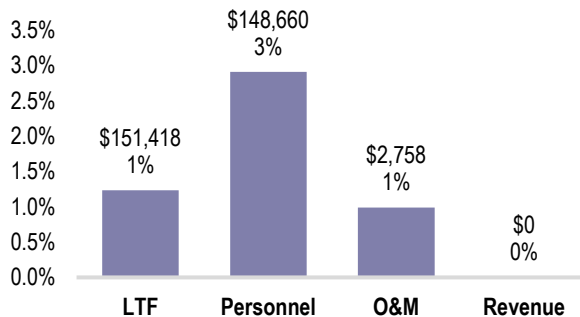
### Percent Change from Adopted FY 2020 to Proposed FY 2021



#### Reasons for Change:

**Personnel:** ↑ 1.00 FTE, general pay changes ||  
**O&M:** ↑ internal services || **Revenue:** ↓  
 adjustments to recordation taxes and grantor's  
 taxes to align with historical trends

### Percent Change from Proposed FY 2021 to Projected FY 2022



#### Reasons for Change:

**Personnel:** ↑ 3 percent || **O&M:** ↑ 1 percent  
 || **Revenue:** ↔



## Clerk of the Circuit Court

FY 2021 Proposed Resource Requests<sup>1</sup>

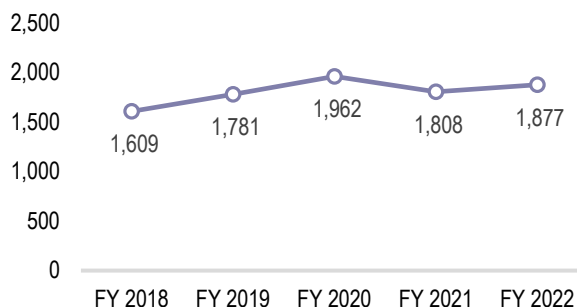
Priority 1: Courtroom Clerk Supervisor						
<b>Personnel:</b>	<b>O&amp;M:</b>	<b>Capital:</b>	<b>Reallocation:</b>	<b>Revenue:</b>	<b>LTF:</b>	<b>FTE:</b>
\$93,068	\$5,980	\$3,750	\$0	\$0	\$102,798	1.00
<b>Details</b>			<b>Overview</b>			
<b>Service Level:</b>	Current Service Level Request		<ul style="list-style-type: none"><li>• The number of criminal, civil, and juvenile appeals court hearings is expected to increase with the addition of a fifth judge regularly presiding in the Loudoun County Circuit Court and the continued use of retired and visiting judges to assist with the court docket.</li><li>• Position will maintain service level less of than 2,000 court hearings per courtroom clerk.</li><li>• Position will make courtroom assignments, schedule court reporters and foreign language interpreters, and perform other essential supervisory duties.</li></ul>			
<b>Mandates:</b>	Federal/State Mandate					
<b>PM Highlight:</b>	Number of court hearings (criminal, civil, and juvenile appeal) per courtroom clerk					
<b>Program:</b>	Judicial Services					
<b>Positions:</b>	1 Courtroom Clerk Supervisor					
<b>Theme:</b>	Judicial Administration					
<b>One-time Costs:</b>	\$9,005					
<b>Recurring Costs:</b>	\$93,793					
<b>Department Total</b>						
<b>Personnel:</b>	<b>O&amp;M:</b>	<b>Capital:</b>	<b>Reallocation:</b>	<b>Revenue:</b>	<b>LTF:</b>	<b>FTE:</b>
\$93,068	\$5,980	\$3,750	\$0	\$0	\$102,798	1.00

<sup>1</sup> The requests presented display total cost, including the acquisition of vehicles, technology, and office furniture (as applicable). Funds for these items are shown in the Non-Departmental section, page 6-2.



## Clerk of the Circuit Court

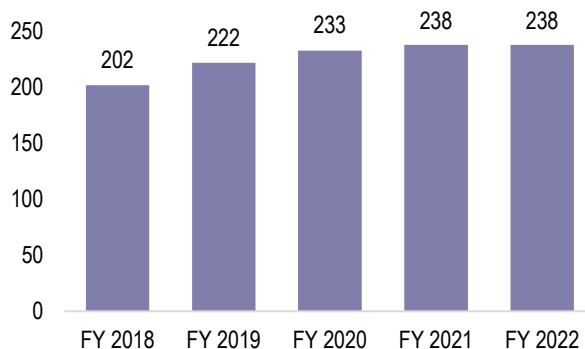
### Key Measures<sup>1</sup>



**Objective:** Support and assist the judges of the 20th judicial circuit in criminal and civil court hearings.

**Measure:** Number of court hearings (criminal, civil, and juvenile appeal) per courtroom clerk.

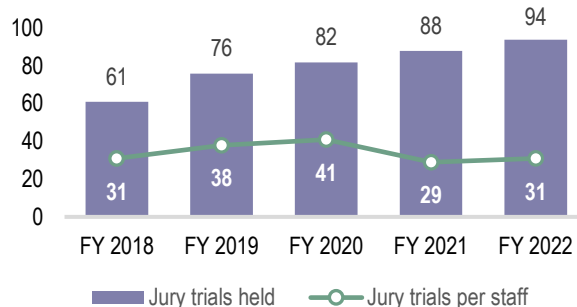
*The FY 2021 requested courtroom clerk supervisor position will maintain service level of less than 2,000 court hearings per courtroom clerk.*



**Objective:** Support and assist the judges of the 20th judicial circuit in criminal and civil court hearings.

**Measure:** Number of days annually with a visiting judge.<sup>2</sup>

*The requested courtroom clerk supervisor position will support the increased workload associated with regular deployment of visiting judges and the presence of five resident judges regularly presiding in the Loudoun County Circuit Court.*



**Objective:** Provide jury management services to support criminal and civil jury trials.

**Measure:** Jury trials held and jury trials per staff.

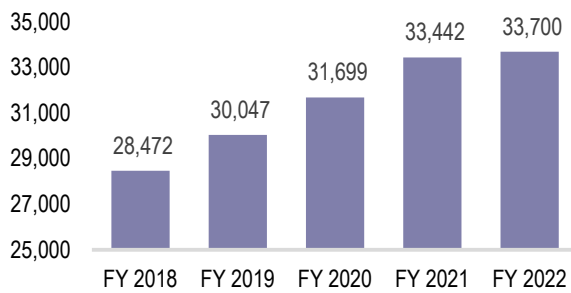
*The FY 2020 Adopted Budget added a jury management team lead position, reducing the workload per staff member.*

<sup>1</sup> For key measures that relate to resources included in the Proposed Budget, FY 2021 and FY 2022 data reflect the estimated impact of these resources.

<sup>2</sup> Court is held Monday through Friday except for County holidays. There is also no court held approximately 10 other days a year. The maximum number of days for a judge to be present is 238 days each year.



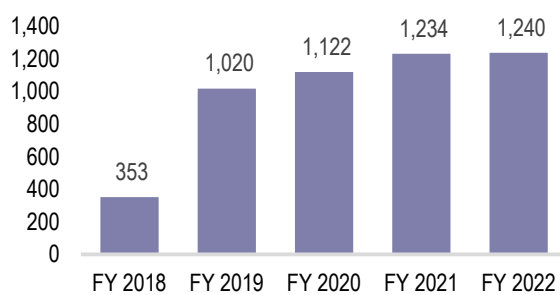
## Clerk of the Circuit Court



**Objective:** Support preservation and public access to historic court records of Loudoun through the use of the latest conservation, storage, and electronic technology.

**Measure:** Number of scanned images of historic court records.

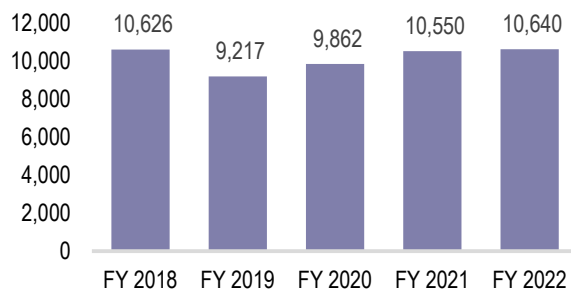
*This measure shows the increase in number of historic records that are being preserved through scanning technologies.*



**Objective:** Support preservation and public access to historic court records of Loudoun through the use of the latest conservation, storage, and electronic technology.

**Measure:** Number of visitors to historic records division public outreach and education programs.

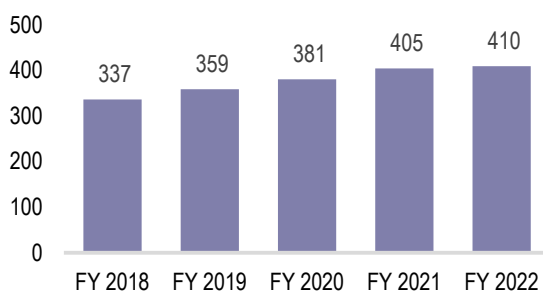
*The FY 2019 Adopted Budget added a historic records clerk, increasing public awareness of historic records through the use of public outreach and education.*



**Objective:** Review, process, and transmit court orders in civil court cases to counsel, litigants, and other appropriate local and state government agencies.

**Measure:** Number of civil court orders processed.

*The addition of a civil case management clerk in FY 2018 Adopted Budget helps ensure orders are processed and transmitted to appropriate parties in a timely manner and within the guidelines of the Code of Virginia.*



**Objective:** Provide IT Help Desk support to the Clerk of Circuit Court, other agencies of the courts complex and the Virginia Department of Judicial Information Technology

**Measure:** Number of Help Desk support requests.

*This measure demonstrates a steady increase in the number of Help Desk support requests.*