



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 Summary¹**

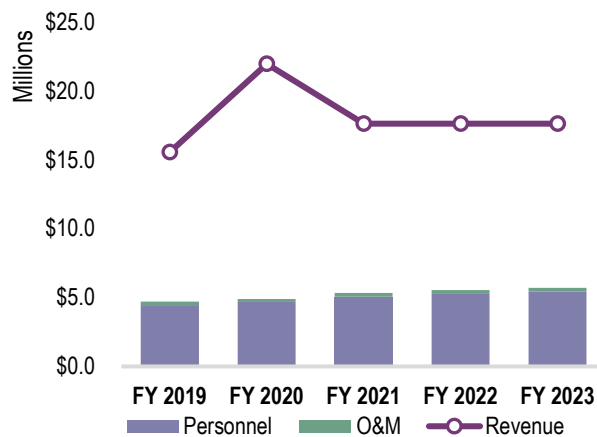
	FY 2019 Actual	FY 2020 Actual	FY 2021 Adopted	FY 2022 Proposed	FY 2023 Projected
Expenditures					
Personnel	\$4,444,793	\$4,690,268	\$5,059,857	\$5,266,771	\$5,424,774
Operating and Maintenance	275,501	214,261	275,756	275,293	278,046
Total – Expenditures	\$4,720,294	\$4,904,528	\$5,335,613	\$5,542,064	\$5,702,820
Revenues					
Other Local Taxes	\$10,289,868	\$15,579,156	\$12,050,000	\$12,050,000	\$12,050,000
Permits, Fees, and Licenses	\$12,060	\$12,451	\$10,000	\$10,000	\$10,000
Charges for Services	801,875	1,350,129	995,000	995,000	995,000
Recovered Costs	161,640	96,714	39,513	39,513	39,513
Intergovernmental – Commonwealth	4,302,883	4,937,986	4,536,585	4,536,585	4,536,585
Total – Revenues	\$15,568,326	\$21,976,435	\$17,631,098	\$17,631,098	\$17,631,098
Local Tax Funding	\$(10,848,032)	\$(17,071,907)	\$(12,295,485)	\$(12,089,034)	\$(11,928,278)
FTE	49.00	50.00	51.00	52.00	52.00

¹ Sums may not equal due to rounding.



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Revenue and Expenditure History



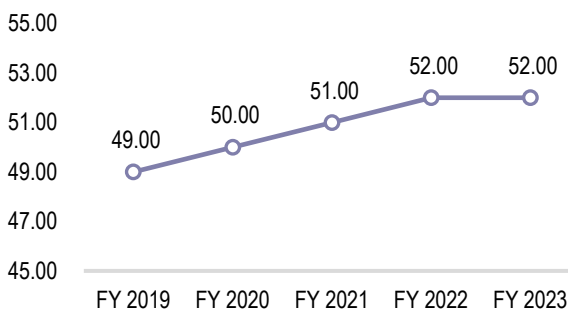
Revenue/Local Tax Funding

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. Major drivers of personnel increases are additional staffing as outlined in the Staffing/FTE History section, market and merit increases in each fiscal year, adjustments in FY 2020 and 2021 to reflect a new classification and compensation system approved by the Board in November 2019, and a 3.5 percent merit increase for FY 2021.

Staffing/FTE History



FY 2019: 1.00 FTE historic records clerk

FY 2020: 1.00 FTE jury management team lead

FY 2021: 1.00 FTE courtroom clerk supervisor

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 2022 have been adjusted to reflect anticipated revenues based on trends, particularly for recordation taxes and grantor's taxes. As noted above, recordation taxes reflect 67 percent of the Clerk's revenue.

The FY 2021 Adopted Budget included a courtroom clerk supervisor (1.00 FTE). Due to the unclear economic picture resulting from the COVID-19 pandemic, when the Board of Supervisors adopted the FY 2021 Budget, most new expenditures, including new positions, were frozen until revenues are determined available to support those expenditures. On December 15, 2020, the Board unfroze the courtroom clerk supervisor position with the initial release of frozen expenditures and positions. Due to COVID-19 social distancing guidelines, jury trials were not held from April 2020 to January 2021. The Virginia Supreme Court approved the Circuit Court Judges' jury trial transition plan, which resumes jury trials. To address the backlog of criminal jury trials, the transition plan includes regularly conducting three criminal jury trials per week. Each court proceeding (civil and criminal) requires the presence of a member of the courtroom clerk team to assist a judge with the proceedings. The courtroom clerk supervisor position will ensure a sufficient number of clerks in each court room. The position will schedule courtroom assignments, court reporters, and foreign language interpreters and perform other essential supervisory duties. The Clerk's Office is projecting a workload increase from the resumption of jury trials in 2021, the growth



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in population, and the FY 2020 addition of a fifth judge regularly presiding in Loudoun County. Overall, this position allows for workload to be better divided among staff.

The FY 2022 Proposed Budget includes a position focused on the thematic area of judicial administration.

Judicial Administration

To address increased workload related to land records recordings and public services, including notary oaths and marriage licenses, the FY 2022 Proposed Budget includes an additional clerk in the land records and public services division.

Since March 2020, there has been a tremendous growth in land records recordings due to the low interest rates, which has greatly increased the number of refinances. The number of land records recordings through the first two quarters of FY 2021 (71,676) represents a 93 percent increase from the number of land record recordings through the first two quarters of FY 2020 (37,065). Projections indicate that from FY 2020 to FY 2021 there will be a 60 percent increase in the number of land records recordings. There is no indication that the increase in land records recordings will decrease in the near future. Service delivery will be affected without the proper staffing to record, scan, index, and perform quality assurance on the recorded land records documents. Without the requested position, the Office anticipates delays in recording of mailed-in land record documents, creating a backlog of land records recording. A backlog causes significant delays in recording documents for members of the public, title companies, and real estate attorneys, which can result in real estate title issues. Without this position, the Office anticipates delays in data entry, indexing, and quality assurance of recordings. This position will ensure efficient and accurate transmission of deed information to the Virginia Department of Taxation and the County Commissioner of the Revenue's Office, which is required for the assessment of property.

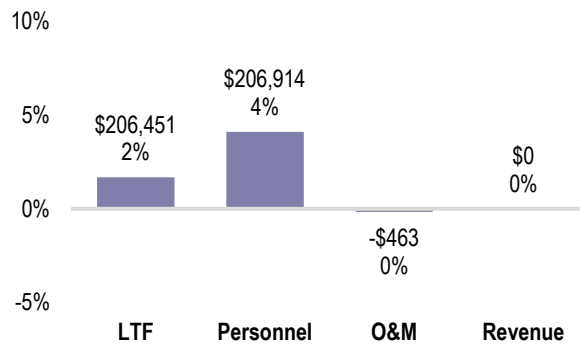
In addition to increased workload for land record recordings, workload for notary oaths and marriage licenses also has increased. To address COVID-19 social distancing requirements, the Clerk's Office offers virtual appointments for notary oaths and marriage licenses. Virtual services increased the workload for this division, as staff are assigned to manage and run virtual services as well as manage ongoing in-person appointments. Due to COVID-19, the Office only provides services by appointment. Without the proper resources, the Office will not be able to keep up with requests for notary oaths and marriage license appointments. Per the Secretary of the Commonwealth and the Code of Virginia § 47.1-9, a notary only has 60 days to take their oath before the Clerk. With a backlog of appointments, some notary public customers may not be able to take the oath within the required timeframe. Due to increased demand for public services, the division has had to reduce service level for marriage licenses by only offering marriage license services to Loudoun County residents. This position will address increased demand for public services and help the division return to normal service level, offering marriage licenses to any couple applying that meets the parameters of being married in Virginia within the next 60 days.

To meet the demand for land record recordings and public services, the division has implemented an overtime policy allowing up to eight hours of overtime each week per staff member. Without the requested position, the Office expects overtime will remain necessary to meet service level demands. The additional clerk position will alleviate workload within the division, allowing the division to become more efficient in the management of land records recording processing, issuance of marriage licenses and notary oaths, and decrease overtime for the division.



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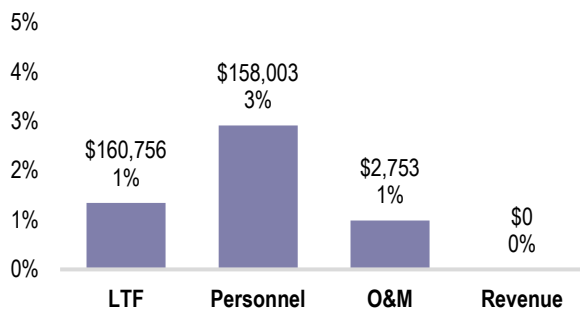
Percent Change from Adopted FY 2021 to Proposed FY 2022



Reasons for Change:

Personnel: ↑ 1.00 FTE, general pay changes ||
O&M: ↓ internal services || **Revenue:** ↔ based on long-term trends, no adjustments to recordation taxes and grantor's taxes

Percent Change from Proposed FY 2022 to Projected FY 2023



Reasons for Change:

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



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FY 2022 Proposed Resource Requests¹

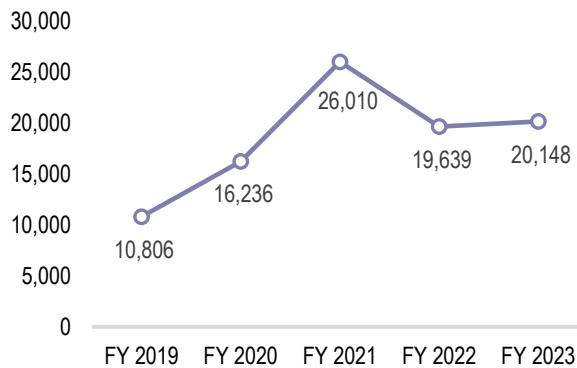
Priority 1: Recording Clerk						
Personnel:	O&M:	Capital:	Reallocation:	Revenue:	LTF:	FTE:
\$70,094	\$5,825	\$0	\$0	\$0	\$75,919	1.00
Details			Overview			
Service Level:	Current Service Level Request		<ul style="list-style-type: none">• Due to low interest rates, there has been a tremendous growth in land records recordings: the number of land records recordings through the first two quarters of FY 2021 (71,676) represents a 93 percent increase from the number of land record recordings through the first two quarters of FY 2020 (37,065). An additional clerk is necessary to address increased workload.• The addition of virtual appointments for notary oaths and marriage licenses has increased the workload of the office as in person appointments are also ongoing.• Due to increased demand for services, this unit has had to reduce current service level and only provide marriage licenses to Loudoun County residents. This position will address increased demand and help the unit return to current service level.			
Mandates:	Federal/State Mandate					
PM Highlight:	Number of land records recordings per deputy clerk; number of marriage licenses and notary oaths issued; Number of concealed handgun permits issued					
Program:	Recording and Public Services					
Positions:	1 Recording Clerk					
Theme:	Judicial Administration					
One-time Costs:	\$5,150					
Recurring Costs:	\$70,675					
Department Total						
Personnel:	O&M:	Capital:	Reallocation:	Revenue:	LTF:	FTE:
\$70,094	\$5,825	\$0	\$0	\$0	\$75,919	1.00

¹ 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.



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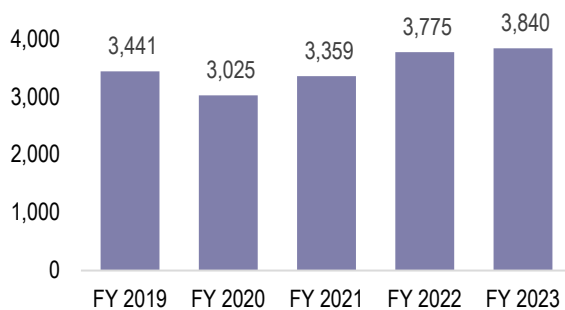
Key Measures¹



Objective: Review deed recordings to ensure compliance with law, collect the appropriate amount of state and county taxes for the transactions, and record the deeds among the land records for public inspection.

Measure: Number of land records recordings per deputy clerk.

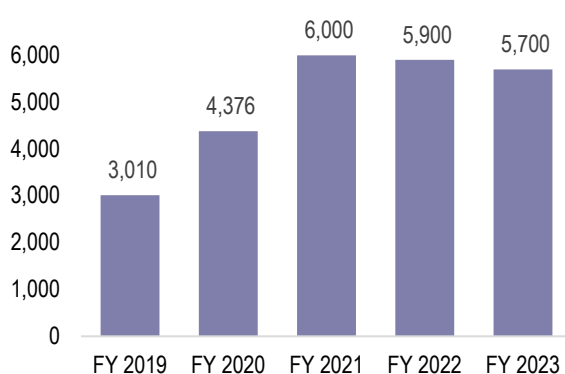
The recording clerk position included in the FY 2022 Proposed Budget will maintain a workload of approximately 20,000 land records recordings per deputy clerk.



Objective: Issue marriage licenses and notary commissions and oaths.

Measure: Number of marriage licenses and notary oaths issued.

Due to COVID-19 social distancing guidelines, the Office currently provides in-person and virtual meetings by appointment only. The FY 2022 recording clerk position is requested to maintain this service level and to support staffing at the front counter when walk-in appointments resume.



Objective: Annually issue Concealed Handgun Permits within 45 days per the Code of Virginia.

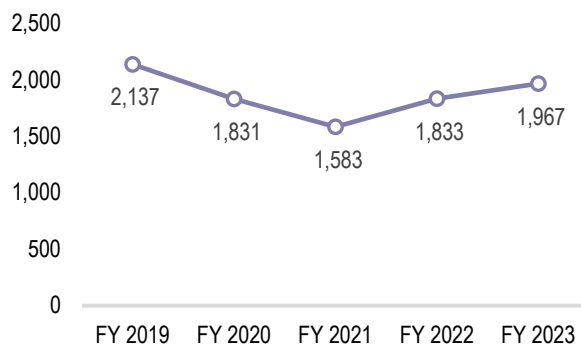
Measure: Number of concealed handgun permits issued.

The FY 2022 recording clerk position will support the growing demand for public services, including applications for concealed handgun permits.

¹ For key measures that relate to resources included in the Proposed Budget, FY 2022 and FY 2023 data reflect the estimated impact of these resources.



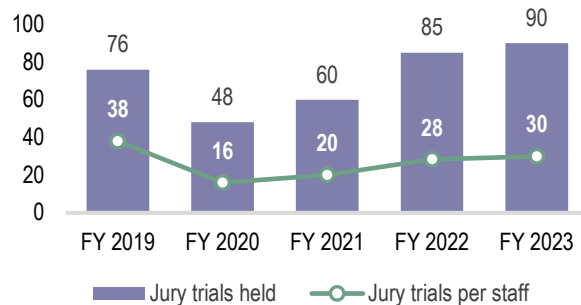
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Objective: Support and assist the judges of the 20th judicial circuit in criminal and civil court hearings.

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

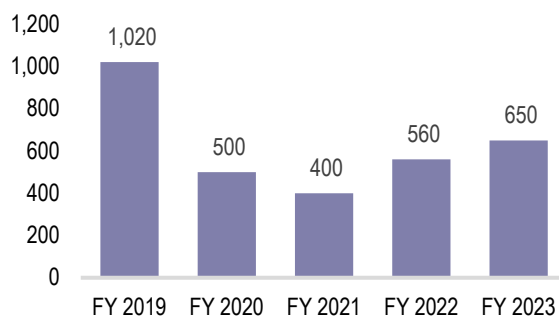
The FY 2021 courtroom clerk supervisor position will maintain service level of less than 2,000 court hearings per courtroom clerk.



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

Measure: Jury trials held and jury trials per staff.

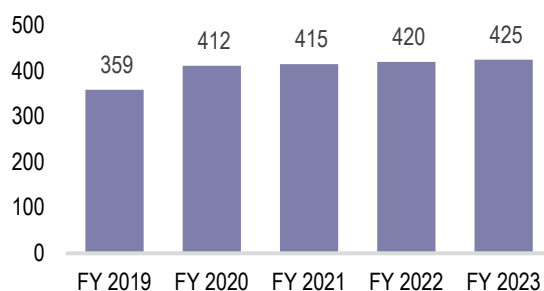
The FY 2020 Adopted Budget added a jury management team lead position, reducing the workload per staff member. Due to COVID-19 social distancing guidelines, jury trials were not held from March 4, 2020 to January 5, 2021, reducing the number of trials per staff.



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 public outreach and education. Starting in April 2020, this division's only accepted phone and email requests due to COVID-19. In October 2020, the division opened to the public by appointment only.



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.