

## Clerk of the Circuit Court

### DESCRIPTION

The Circuit Court Clerk's Office was created by the Virginia constitution and is headed by an elected Circuit Court Clerk. Its four primary responsibilities are maintenance of public records pertaining to real estate, probate, the court system, and collection of fines, costs, taxes, and fees. The Clerk's Office also performs many other duties such as administering oaths to law enforcement and government officials, qualifying ministers to perform weddings, storing election records, jury coordination, and issuing marriage licenses and concealed handgun permits.

Maintenance of public records: The Clerk's Office is a repository for copies of documents pertaining to real estate such as deeds, plats, and deeds of trust. The Clerk's Office also maintains judgments, financing statements, wills, and court orders. These records are indexed and are available to the public for examination.

Probate: The Clerk's Office has the responsibility for admitting wills to probate, qualifying executors and administrators, and maintaining copies of fiduciary accounting records.

Court system: The Clerk's Office maintains the official court records for civil and criminal cases and the Court's dockets. It issues subpoenas and summons and prepares records for cases that are appealed to appellate courts. Deputy clerks staff courtrooms while court is in session and draft over 2,300 criminal court orders annually.

Collection of fees, court costs, fines, and taxes: The Clerk's Office collects several million dollars annually that are transferred to state and local governments. It also collects clerk's fees on most transactions.

### BUDGET SUMMARY

	<b>FY10 Actual</b>	<b>FY11 Budget</b>	<b>FY12 Budget</b>	<b>FY11 to FY12</b>	<b>FY13 Plan</b>
<b>Expenditures</b>					
Personnel	\$ 1,144,241	\$ 1,146,404	\$ 1,191,579	3.9%	\$ 1,209,268
Operating	190,989	177,090	150,186	(15.2%)	150,186
<b>Total Expenditures</b>	<b>\$ 1,335,230</b>	<b>\$ 1,323,494</b>	<b>\$ 1,341,765</b>	<b>1.4%</b>	<b>\$ 1,359,454</b>
<b>Revenues</b>					
Intergovernmental Revenue	\$ 546,981	\$ 547,000	\$ 554,053	1.3%	\$ 564,000
Other Revenue	222,381	214,788	193,388	(10.0%)	199,788
General Fund Revenue	565,868	561,706	594,324	5.8%	595,666
<b>Total Revenue</b>	<b>\$ 1,335,230</b>	<b>\$ 1,323,494</b>	<b>\$ 1,341,765</b>	<b>1.4%</b>	<b>\$ 1,359,454</b>
Generated Revenue Percent	57.6%	57.6%	55.7%		56.2%
General Fund Percent	42.4%	42.4%	44.3%		43.8%
Full-time Positions	18	18	17	(5.6%)	17
Part-time Positions	8	8	8	0.0%	8
Full-time Equivalents	18.5	18.5	17.5	(5.4%)	17.5

*Note: While the functions and services provided by the Circuit Court Clerk's Office generate more revenue than reported, only Excess Fee revenue and those revenues provided by the State to help fund the operations of the Office are reflected.*

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## **BUDGET HIGHLIGHTS**

The Clerk of the Circuit Court's Office performs a variety of support functions for the Circuit Court and legal recordations (e.g., property, wills). The Clerk's Office has funding from the State Technology Trust Fund that is held on behalf of Hanover County. The Clerk's Office has one vacant Deputy Clerk position that is unfunded for the FY11 and FY12 budget years. The overall operational

budget has decreased and the Clerk has leveraged remote access fees to cover maintenance costs for the land records system in FY12, shifting the cost away from the general fund. The overall increase in the total budget is attributed to the compensation adjustment and the increased cost of healthcare.

## **GOALS AND OBJECTIVES**

- Continue work on digital imaging system by implementing a system of long term support and maintenance;
- Continue process of verifying and correcting backfiled converted data in the digital imaging system; and
- Secure sufficient staff to fully process historically neglected tasks such as evidence destruction.

## **SERVICE LEVELS**

	<u>FY10 Actual</u>	<u>FY11 Budget</u>	<u>FY11 Forecast</u>	<u>FY12 Budget</u>
Per capita cost of operating department	\$13.37	\$13.11	\$13.11	\$13.04
Land records recorded	17,164	21,000	16,500	18,000
Wills probated/Administrators appointed	367	340	350	350
Marriage Licenses issued	514	550	550	550
Notary public appointments processed	387	450	390	390
Judgments docketed	3,740	3,400	3,800	3,600
Criminal cases	2,485	2,150	2,350	2,350
Civil cases filed	1,125	1,200	1,150	1,200
Concealed weapon permits issued	840	700	800	700