

# Appendix

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# Non-Case-Related Events

# Non-Case-Related Events

	General District Staff Day Value	General District Staff Day Value %	J&DR District Staff Day Value	J&DR District Staff Day Value %	Combined Staff Day Value	Combined Staff Day Value %
<b>Non-Case-Related (Minutes)*</b>						
Bookkeeping	19	3.9%	15	3.1%	20	4.2%
Education & Training	11	2.3%	10	2.1%	3	0.6%
General Administration	31	6.5%	31	6.5%	23	4.8%
Human Resources	6	1.2%	4	0.9%	2	0.4%
JDR Licensing Ceremony	0	0.0%	1	0.2%	0	0.1%
Leave	13	2.7%	13	2.7%	15	3.0%
Local Responsibilities	4	0.8%	5	1.1%	5	1.0%
Meetings	5	1.1%	5	1.1%	4	0.8%
Staffing Model Collection	7	1.5%	6	1.2%	8	1.6%
Work-Related Travel	1	0.2%	1	0.2%	2	0.3%
						* Lunch Not Included

- Bookkeeping (for bookkeepers only; financial processing other than fines, e.g., monthly bank statement, etc.)
- Cross Designations (when two courts work on the same case, but only one court gets CMS count for it)
- Customer Service (busy counter work, mass mail operations, mass filing, mass scanning)
- DC-40's (Court-Appointed Attorney)
- Education & Training (seminars, lectures, in-house training, etc.)
- Expungements
- General Administration (ordering office supplies, software installation, communication with the OES, etc.)
- Human Resources/Personnel
- JDR Licensing Ceremony (J&DR/Combined courts only)
- Leave (all leave taken: Annual, Sick, Personal, Holiday; leave due to Self and Family)
- Local Responsibilities
- Lunch & Breaks
- Meetings (Staff, Other Court Related)
- Staffing Model Data Collection (time spent filling out and submitting this form)
- Work-Related Travel

# Current 2018 Weights

## Current 2019 Weights (minutes)

		Weights
<b>General District</b>	Felony	73.0
	Garnishment	33.0
	General Civil	48.0
	Infraction/Civil Violation	15.0
	Involuntary Civil Commitments	18.3
	Landlord /Tenant	29.0
	Misdemeanor	42.0
	Other	15.0
	Protective Orders	100.0

		Weights
<b>Juvenile &amp; Domestic Relations</b>	Adult Criminal	85.5
	Adult Protective Orders	100.0
	Child Dependency	221.2
	Child in Need of Services/Supervision	193.0
	Custody and Visitation	87.0
	Delinquency	101.0
	Juvenile Miscellaneous	60.8
	Juvenile Protective Orders	100.0
	Mental Health - Adult & Juvenile	56.0
	Support	84.7
	Traffic	78.8

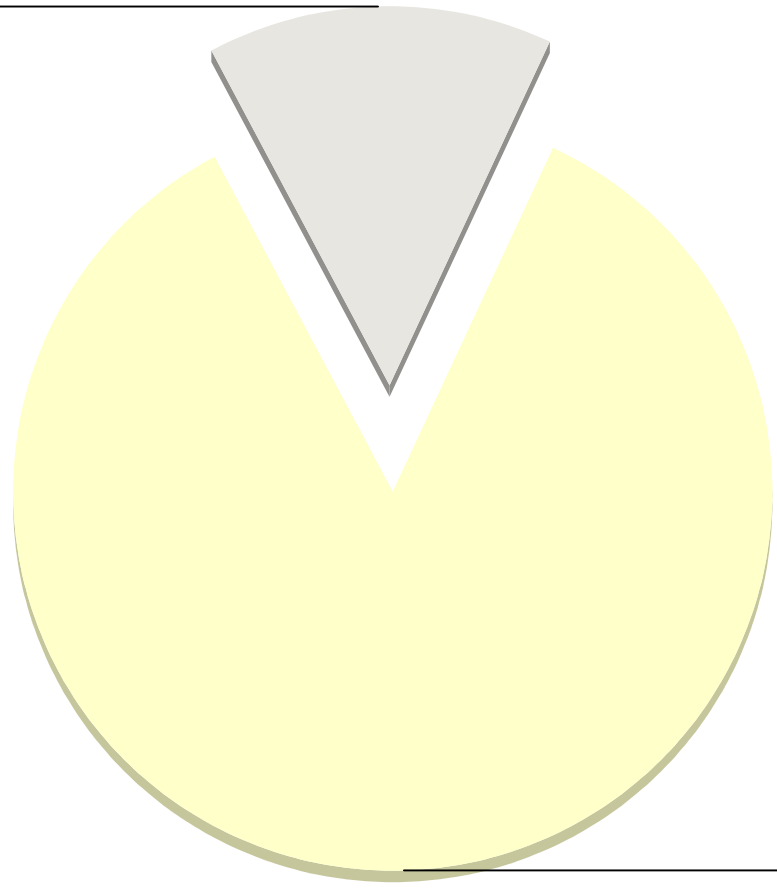
# Staffing Report 2019



		Grand Total	General District	Juvenile & Domestic Relations	Combined
<b>Grand Total</b>	# of Courts	192	77	72	43
	Current FTE (Authorized)	1,581.9	881.2	529.8	170.9
	FTE Need	1,857.6	1,057.0	605.0	195.6
	FTE Additional Need	275.7	175.8	75.2	24.7
	% Staffing Need	85.2%	83.4%	87.6%	87.4%
<b>Understaffed Courts</b>	# of Courts	131	63	46	22
	Current FTE (Authorized)	1,297.7	791.7	405.7	100.3
	FTE Need	1,577.4	969.5	481.9	126.0
	FTE Additional Need	279.7	177.8	76.2	25.7
	% Staffing Need	82.3%	81.7%	84.2%	79.6%
<b>Fully Staffed</b>	# of Courts	57	12	25	20
	Current FTE (Authorized)	237.7	49.5	121.1	67.1
	FTE Need	237.7	49.5	121.1	67.1
	FTE Additional Need	0.0	0.0	0.0	0.0
	% Staffing Need	100.0%	100.0%	100.0%	100.0%
<b>Overstaffed Courts</b>	# of Courts	4	2	1	1
	Current FTE (Authorized)	46.5	40.0	3.0	3.5
	FTE Need	42.5	38.0	2.0	2.5
	FTE Additional Need	-4.0	-2.0	-1.0	-1.0
	% Staffing Need	109.4%	105.3%	150.0%	140.0%

## FTE Additional Need

275.7



1,581.9

Current FTE



# 2019 District Courts of Virginia Clerk Staffing



Court Type	District & Court	Authorized FTE	FTE Need	Additional Need	FTE % Need
<b>General District</b>	1 Chesapeake	30.0	42.8	12.8	70.1%
	2 Virginia Beach	58.0	64.5	6.5	89.9%
	3 Portsmouth	19.0	18.0	-1.0	105.6%
	4 Norfolk	54.0	56.0	2.0	96.4%
	5 Isle Of Wight	3.8	5.0	1.2	76.0%
	Suffolk	9.0	11.0	2.0	81.8%
	7 Newport News	31.0	32.0	1.0	96.9%
	8 Hampton	24.0	27.0	3.0	88.9%
	9 Gloucester	3.6	4.7	1.1	76.6%
	King George	4.0	5.0	1.0	80.0%
	Mathews/Middlesex	3.0	3.0	0.0	100.0%
	New Kent	3.5	4.0	0.5	87.5%
	Wmsbg-James City	6.5	8.0	1.5	81.3%
	York	5.8	7.5	1.7	77.3%
	10 Appomattox	2.0	2.0	0.0	100.0%
	Charlotte	2.0	2.0	0.0	100.0%
	Halifax	4.5	4.9	0.4	91.8%
	Mecklenburg	6.5	6.6	0.1	98.5%
	11 Petersburg	10.0	13.0	3.0	76.9%
	12 Chesterfield	31.0	42.8	11.8	72.4%
Colonial Heights	5.0	5.7	0.7	87.7%	
13 Richmond	59.0	62.0	3.0	95.2%	
14 Henrico	37.0	48.0	11.0	77.1%	
15 Caroline	5.5	6.0	0.5	91.7%	
Fredericksburg	10.5	16.0	5.5	65.6%	
Hanover	11.0	13.0	2.0	84.6%	
King William/King&Queen	3.0	4.0	1.0	75.0%	
Lancaster	2.0	2.0	0.0	100.0%	
Northumberland	2.0	2.0	0.0	100.0%	
Spotsylvania	11.0	13.4	2.4	82.1%	
Stafford	11.0	15.5	4.5	71.0%	
Westmoreland	2.0	2.4	0.4	83.3%	
16 Albemarle	9.5	11.6	2.1	81.9%	
Charlottesville	7.6	8.0	0.4	95.0%	
Culpeper	4.8	6.0	1.2	80.0%	
Louisa	3.0	3.0	0.0	100.0%	
Orange	3.0	3.7	0.7	81.1%	
17 Arlington	21.0	20.0	-1.0	105.0%	
18 Alexandria	13.0	15.0	2.0	86.7%	
19 Fairfax City	3.5	3.5	0.0	100.0%	
Fairfax County	80.1	102.0	21.9	78.5%	
20 Fauquier	6.0	7.0	1.0	85.7%	

# 2019 District Courts of Virginia Clerk Staffing



Court Type	District & Court	Authorized FTE	FTE Need	Additional Need	FTE % Need
General District	20 Loudoun	17.0	25.0	8.0	68.0%
	21 Henry/Martinsville	9.0	9.5	0.5	94.7%
	Patrick	2.0	2.5	0.5	80.0%
	22 Danville	8.0	9.0	1.0	88.9%
	Franklin County	5.0	5.5	0.5	90.9%
	Pittsylvania	4.3	4.9	0.6	87.8%
	23 Roanoke City	22.0	22.5	0.5	97.8%
	Roanoke County	8.5	10.0	1.5	85.0%
	24 Amherst	3.8	4.7	0.9	80.9%
	Bedford	5.0	6.0	1.0	83.3%
	Campbell	5.0	5.0	0.0	100.0%
	Lynchburg	12.0	12.0	0.0	100.0%
	Nelson	2.0	2.0	0.0	100.0%
	25 Augusta	6.0	7.6	1.6	78.9%
	Lexington/Rockbridge	5.0	7.0	2.0	71.4%
	Staunton	3.5	4.5	1.0	77.8%
	Waynesboro	3.0	4.0	1.0	75.0%
	26 Clarke	2.0	2.0	0.0	100.0%
	Frederick/Winchester	11.0	15.0	4.0	73.3%
	Harrisonbrg/Rockingham	13.0	19.0	6.0	68.4%
	Page	2.6	3.0	0.4	86.7%
	Shenandoah	5.0	6.0	1.0	83.3%
	Warren	4.6	5.0	0.4	92.0%
	27 Carroll	5.6	8.8	3.2	63.6%
	Montgomery	11.0	11.0	0.0	100.0%
	Pulaski	5.0	6.0	1.0	83.3%
	Wythe	7.0	9.0	2.0	77.8%
	28 Bristol	4.0	4.5	0.5	88.9%
	Smyth	6.0	9.8	3.8	61.2%
	Washington	7.0	10.0	3.0	70.0%
	29 Tazewell	6.0	6.8	0.8	88.2%
	30 Wise	5.5	6.0	0.5	91.7%
31 Prince William	34.5	50.0	15.5	69.0%	
32 Accomack	4.0	6.4	2.4	62.5%	
Northampton	4.6	7.4	2.8	62.2%	
<b>Total</b>		<b>881.2</b>	<b>1,057.0</b>	<b>175.8</b>	<b>83.4%</b>
Juvenile & Domestic	1 Chesapeake	16.0	20.0	4.0	80.0%
	2 Virginia Beach	37.0	39.6	2.6	93.4%
	3 Portsmouth	13.0	14.0	1.0	92.9%
	4 Norfolk	25.0	27.5	2.5	90.9%
	5 Isle Of Wight	2.0	2.7	0.7	74.1%
Suffolk	6.0	7.5	1.5	80.0%	

# 2019 District Courts of Virginia Clerk Staffing



Court Type	District & Court	Authorized FTE	FTE Need	Additional Need	FTE % Need
Juvenile & Domestic	7 Newport News	18.0	18.0	0.0	100.0%
	8 Hampton	12.6	16.0	3.4	78.8%
	9 Gloucester/Mathews/Md'sex	5.0	5.0	0.0	100.0%
	King William/King & Queen	2.0	2.0	0.0	100.0%
	New Kent	2.0	2.0	0.0	100.0%
	Wmsbg-James City	4.0	6.0	2.0	66.7%
	York	4.4	4.5	0.1	97.8%
	10 Appomattox	2.0	2.0	0.0	100.0%
	Charlotte	2.0	2.0	0.0	100.0%
	Halifax	3.5	3.5	0.0	100.0%
	Mecklenburg	3.0	3.6	0.6	83.3%
	11 Petersburg	5.6	5.7	0.1	98.2%
	12 Chesterfield	22.5	25.8	3.3	87.2%
	Colonial Heights	2.0	2.0	0.0	100.0%
	13 Richmond	26.0	26.0	0.0	100.0%
	14 Henrico	23.5	24.6	1.1	95.5%
	15 Caroline	3.0	3.7	0.7	81.1%
	Fredericksburg	3.0	4.0	1.0	75.0%
	Hanover	6.0	6.8	0.8	88.2%
	Lancaster/Northumberland	2.6	2.6	0.0	100.0%
	Spotsylvania	10.0	12.0	2.0	83.3%
	Stafford	11.0	13.5	2.5	81.5%
	Westmoreland	2.0	2.0	0.0	100.0%
	16 Albemarle/Charlottesville	9.0	11.0	2.0	81.8%
	Culpeper	4.6	6.0	1.4	76.7%
	Louisa	3.0	3.8	0.8	78.9%
	Orange	2.0	3.6	1.6	55.6%
	17 Arlington	7.0	7.0	0.0	100.0%
	18 Alexandria	7.0	7.7	0.7	90.9%
	19 Fairfax County	34.0	43.6	9.6	78.0%
	20 Fauquier	4.0	4.0	0.0	100.0%
	Loudoun	8.5	9.9	1.4	85.9%
	21 Henry	5.5	6.5	1.0	84.6%
	Martinsville	2.0	2.0	0.0	100.0%
	Patrick	2.0	2.0	0.0	100.0%
22 Danville	6.0	6.0	0.0	100.0%	
Franklin County	5.0	6.0	1.0	83.3%	
Pittsylvania	4.6	5.5	0.9	83.6%	
23 Roanoke City	13.6	15.7	2.1	86.6%	
Roanoke County	5.8	6.9	1.1	84.1%	
24 Amherst	3.0	4.0	1.0	75.0%	
Bedford	7.5	8.4	0.9	89.3%	
Campbell	5.0	5.0	0.0	100.0%	

# 2019 District Courts of Virginia Clerk Staffing



Court Type	District & Court	Authorized FTE	FTE Need	Additional Need	FTE % Need
Juvenile & Domestic	24 Lynchburg	8.0	11.0	3.0	72.7%
	Nelson	2.0	2.0	0.0	100.0%
	25 Augusta/Staunton	8.0	10.5	2.5	76.2%
	Lexington/Rockbridge	2.5	3.0	0.5	83.3%
	Waynesboro	3.0	4.0	1.0	75.0%
	26 Clarke	2.0	2.0	0.0	100.0%
	Frederick/Winchester	8.5	11.0	2.5	77.3%
	Harrisonburg/Rockingham	8.0	11.0	3.0	72.7%
	Page	2.5	3.0	0.5	83.3%
	Shenandoah	3.0	4.5	1.5	66.7%
	Warren	4.0	5.0	1.0	80.0%
	27 Carroll	2.5	3.6	1.1	69.4%
	Montgomery	5.0	5.0	0.0	100.0%
	Pulaski	4.0	4.7	0.7	85.1%
	Wythe	3.5	3.7	0.2	94.6%
	28 Bristol	3.0	3.0	0.0	100.0%
	Smyth	4.0	4.0	0.0	100.0%
	Washington	5.0	5.0	0.0	100.0%
	29 Tazewell	4.0	4.8	0.8	83.3%
	30 Wise/Norton	5.0	5.0	0.0	100.0%
	31 Prince William	23.5	26.0	2.5	90.4%
	32 Accomack	3.0	2.0	-1.0	150.0%
	Northampton	2.0	2.0	0.0	100.0%
	<b>Total</b>		<b>529.8</b>	<b>605.0</b>	<b>75.2</b>
Combined	5 Franklin City	3.0	3.0	0.0	100.0%
	Southampton	4.0	5.0	1.0	80.0%
	6 Brunswick	6.0	10.0	4.0	60.0%
	Greensville/Emporia	13.0	14.0	1.0	92.9%
	Hopewell	8.8	11.6	2.8	75.9%
	Prince George	7.5	7.5	0.0	100.0%
	Surry	2.0	2.0	0.0	100.0%
	Sussex	6.0	8.8	2.8	68.2%
	9 Charles City	2.0	2.0	0.0	100.0%
	10 Buckingham	2.8	3.0	0.2	93.3%
	Cumberland	2.0	2.5	0.5	80.0%
	Lunenburg	2.0	2.0	0.0	100.0%
	Prince Edward	5.0	5.0	0.0	100.0%
	11 Amelia	3.0	3.0	0.0	100.0%
	Dinwiddie	8.0	8.0	0.0	100.0%
	Nottoway	3.0	4.0	1.0	75.0%
	Powhatan	3.6	4.5	0.9	80.0%
	15 Essex	3.6	3.6	0.0	100.0%
	Richmond	2.0	2.0	0.0	100.0%
	16 Fluvanna	2.6	3.4	0.8	76.5%

# 2019 District Courts of Virginia Clerk Staffing



Court Type	District & Court	Authorized FTE	FTE Need	Additional Need	FTE % Need	
Combined	16 Goochland	4.0	4.0	0.0	100.0%	
	Greene	3.0	3.5	0.5	85.7%	
	Madison	2.8	3.0	0.2	93.3%	
	17 Falls Church	3.5	2.5	-1.0	140.0%	
	20 Rappahannock	2.0	2.0	0.0	100.0%	
	23 Salem	5.6	7.0	1.4	80.0%	
	25 Alleghany	5.5	5.5	0.0	100.0%	
	Bath	2.0	2.0	0.0	100.0%	
	Botetourt	5.5	6.8	1.3	80.9%	
	Buena Vista	2.0	2.0	0.0	100.0%	
	Craig	2.0	2.0	0.0	100.0%	
	Highland	2.0	2.0	0.0	100.0%	
	27 Bland	2.5	3.5	1.0	71.4%	
	Floyd	2.0	2.0	0.0	100.0%	
	Galax	3.5	3.5	0.0	100.0%	
	Giles	4.0	5.0	1.0	80.0%	
	Grayson	2.0	2.6	0.6	76.9%	
	Radford	4.0	4.0	0.0	100.0%	
	29 Buchanan	5.6	5.9	0.3	94.9%	
	Dickenson	3.5	3.9	0.4	89.7%	
	Russell	6.0	7.0	1.0	85.7%	
	30 Lee	4.0	5.5	1.5	72.7%	
	Scott	4.0	5.5	1.5	72.7%	
	<b>Total</b>		170.9	195.6	24.7	87.4%
	<b>GRAND TOTAL</b>		<b>1,581.9</b>	<b>1,857.6</b>	<b>275.7</b>	

# Legislative Factors

# Legislative Factors

## 2011

Legislation expanded access to **non-family abuse protective orders** in general district courts, resulting in the number of protective order cases in the general district courts increasing by almost 200%.

## 2018

Significant legislative changes to **restitution** have resulted in the following:

- Increased paperwork and scheduling for the clerk;
- Increased number of required hearings for which a clerk must be present in the courtroom; and
- Required reporting by the clerk to the Criminal Injuries Compensation Fund of unclaimed restitution.

## 2015

Legislation significantly expanded the misdemeanors for which **DNA** is to be collected. For each conviction, the clerk is required to access the Local Inmate Data System (LIDS) to determine if a sample has been previously taken from the defendant, and if not, prepare an order for the judge to sign ordering DNA collection.

## 2019

Extensive statutory changes on **fingerprinting** included a requirement that the court (i.e., clerk) determine on each case if fingerprint information has been received from law enforcement.

The legislative creation of an **eviction diversion** pilot program in four localities, with an expectation that it will expand statewide, will result in additional responsibilities for clerks, both in the pilot courts and statewide.

Legislation related to **bail and bondsmen** has resulted in the following:

- Additional process for clerks related to a bondsman's surety capias requiring the processing of a new petition and receipting of the required deposit; and
- Increased responsibility of the clerks to notify DCJS and a bondsman's employer if a forfeited bond has not been paid as required.

## 2017

A Rule of Court and subsequent legislation placed a renewed emphasis on the availability of **payment plans** for persons who owe fines, costs and restitution. With this renewed emphasis, the number of such plans, the time required of clerks to process them and any associated payments has increased.

# New Judgeships



## **Judicial Planning**

### **Effect of New Judge Survey (via email)**

**6/14/2019**

#### Survey Questions

1. How did you prepare for the new judge?
2. Were there any work duties that got shifted due to the new judge's arrival?
3. Did dockets change and how did you cover additional court days, if any?
4. Were there any other unforeseen issues with integrating in a new judge in your court?

#### Summary of Responses (17 Respondents)

In order to prepare for a new judge, clerks are responsible for ordering and setting up equipment/robe, preparing orders and special session notices, and other administrative tasks related to bringing in a new employee. If the locality does not have the infrastructure to support a new position, meetings commence to solicit funding for more space from local officials. Additionally, scheduling and room assigning becomes a huge challenge. If a room is in the process of being prepared for a new judge but not yet ready, there are courtroom rotations. This means that the court cannot operate at capacity and take full advantage of having a new judge. In some instances, courts cannot operate at capacity because of the lack of clerks being able to sit in the courtroom.

Clerks also meet with the new judge prior to taking the bench to discuss preferences (i.e. type of cases, stationary, name plate, etc.) and those preferences have to be exacted prior to the arrival of the new judge.

One of the resounding issues related to a new judge being added without support staff is that a clerk will have to be in the court and away from his/her other duties which strains the operation. In some courts, court days doubled causing an even heavier burden on the clerks which is exacerbated when clerk's offices are already understaffed.

Clerks often donate their leave because they cannot use it or operations would be negatively impacted. Furthermore, they work over 40 hours a week with no comp time given which if given wouldn't be able to be used due to the strain on the office workforce.

There is a high turnover rate due to low wages, long hours, and overwhelming and challenging workloads (i.e. challenging customers). This turnover causes an immediate strain on office operations and longer term issues arise as new people need to be trained. Some employees quit without notice as well. Employee retention is a common concern across the group surveyed. In some courts (understaffed), courts have to close if there aren't enough staff available on a given day (i.e. medical emergency).

## **Judicial Planning**

### **Effect of New Judge Survey (via email)**

**6/14/2019**

Some courts had dockets that changed while others did not. For the ones that did change, there were shifts to accommodate a new judge's presence, preferences, and skill set.

Some unforeseen issues include wifi capabilities (new routers and extenders had to be ordered), delayed courtroom renovations, preparation of bench notes for new judges, and adjustments to working relationships between the new judge and current staff.

# Training Requirements



**GENERAL DISTRICT COURT**

**NEW EMPLOYEE  
TRAINING STANDARDS**

## New Employee Training Standards

The training schedule and checklists are to assist you in training and documenting the progress of new employees. This is intended to be a guideline - - not an all-inclusive training document. There are additional blocks for your use to add to the list. We hope that along with the On-Line Basic Course and one-day classroom Basic Course, you will find these checklists beneficial in the training process.

### Training Schedule

#### Day One:

- Introduction to Judges
  - Complete required paperwork for oath of office
  - Presiding Judge administer oath of office
- Introduction to Staff
- Building Tour
- Provide Employee Handbook
- Review Office Policies
  - Dress Policy
  - Leave Policy
  - Internet/Personal Phone (cell phones) Usage
  - Confidentiality/Neutrality of Clerk's office
  - Judicial Conduct Policy
- Review Work Schedule, Lunch Schedule
- Review Office Layout (pending cases, finalized cases)
- Customer Service Expectations
- Review Standards and Expectations
- Review Job Description and Duties
- Assign Mentor

### **Week One (Orientation Checklist):**

- Review Purposes and Responsibilities
- Telephone
  - Function
  - Etiquette
- Copier Basics
- Computer Basics
- E-Mail
  - Set up signature line
  - Etiquette
- Skype for Business
- Intranet Orientation
  - Review [Unlocking the Resources of Judicial Services](#) (Located under Training & Conference Information > Court Training Materials> General District)
- Emergency Evacuation/Inclement Weather Policy
- GCMS Basics
- Forms
- Interpreters
  - Location of [Telephone Interpreting Services](#)
- Review [Basic Course](#) Judicial System Overview
- Customer Service
- Case Imaging

### **Week Two:**

- Review Basic Course - General District Case Types
- Review Basic Course - Criminal/Traffic Overview
- Introduce Flow of Traffic Procedures to Include Basic Case Processing
- Traffic/Criminal Quick Reference Guide
- Observe Traffic Court
- Review Basic Course - Criminal/Traffic
- Introduce Flow of Criminal Procedures to Include Basic Case Processing
- Observe Criminal Court

**Week Three:**

- Review Basic Course - Civil
- Civil Quick Reference Guide
- Checklist for Civil Procedures
- Observe Civil Court

**Week Four:**

- Review Basic Course - Miscellaneous Matters
- Front Counter Orientation
- FAS Overview

**Month Two**

- Begin Training in Position (Checklists provided)

**Month Six**

- 6 Month Evaluation
- Bankruptcy
- Civil Commitments
- Protective Orders
- Expungement Process

**One Year**

- One Year Evaluation
- Recommend at least one refresher course per year

## Purposes and Responsibilities of Courts

# Purposes and Responsibilities of Courts

This list was developed by Judges throughout the United States to identify the courts purposes and responsibilities. So, as you look at this list, think about your daily role as it relates to each.

- 1. To do individual justice in individual cases.**  
While the judge's responsibility is to review the evidence and apply the law to make a decision on the case, you play an important role in the judge's ability to make the decision. Accurate case preparation and documentation is crucial.
- 2. To appear to do justice in individual cases.**  
The court must stay neutral and show no favoritism to either party.
- 3. To provide a forum for resolution of legal disputes**  
The role of the court is to provide individuals a forum for their cases to be heard without bias. Statistics show that people care more about the opportunity to be heard than they do about the actual outcome of the case.
- 4. To protect citizens from arbitrary use of government power.**  
The same Code of Virginia that applies to the citizens of the Commonwealth, applies to the government.
- 5. To provide a formal record of legal status.**  
Even though the district courts are not a court of record, we share information with other agencies. It is extremely important that from indexing a case to final disposition the entry and documentation are accurate.
- 6. To deter criminal behavior.**  
Deterrence is not just about the person standing before the judge, but also what the rest of the community sees in sentencing.
- 7. To rehabilitate persons convicted of a crime.**  
The court's role is to evaluate what services can be provided for an offender. The clerk's office role is to expedite the disposition to the appropriate agency who will providing these services.
- 8. To separate convicted persons from society.**  
Unfortunately, some individuals must ultimately be separated from society for the safety of others.



## Orientation Checklist

ORIENTATION CHECKLIST			
Training Task	Explained by Trainer (Date & trainer's initials)	Understood by Trainee (Date & trainee's initials)	Comments
<b>PHONES</b>			
Phone # 999-999-9999			
Basic Phone Operation			
Phone etiquette			
State specific name of court and your name. (i.e. Richmond General District Court, this is Susie, how may I help you?)			
Ask before putting on hold			
<ul style="list-style-type: none"> <li>Transferring calls</li> </ul>			
<ul style="list-style-type: none"> <li>Use discretion when giving out information</li> </ul>			
<b>VOICE MAIL</b>			
Change password			
Create Internal/External greeting			
Retrieve messages			
Change greeting for out of office			
<b>COPIER/ FAX BASICS</b>			
Fax # 999-999-9999			
Sending			
Receiving			
Changing Toner			
Replacing Paper			
Two-sided Copies			
<b>COMPUTER BASICS</b>			
Signing on Network (password)			
Signing off Network correctly			
Review existing Desktop Icons			
<ul style="list-style-type: none"> <li>Outlook</li> </ul>			
<ul style="list-style-type: none"> <li>District Forms</li> </ul>			
<ul style="list-style-type: none"> <li>GDC Docket</li> </ul>			
<ul style="list-style-type: none"> <li>Local Network Drive</li> </ul>			

<b>ORIENTATION CHECKLIST</b>			
<b>Training Task</b>	<b>Explained by Trainer</b> (Date & trainer's initials)	<b>Understood by Trainee</b> (Date & trainee's initials)	<b>Comments</b>
<b>SUPREME COURT INTRANET</b>			
Court Directory			
Forms			
E Registration			
Human Resources			
<ul style="list-style-type: none"> <li>• Benefits</li> </ul>			
<ul style="list-style-type: none"> <li>• Review Judicial Code of Conduct</li> </ul>			
Legal Links			
Department of Judicial Services (DJS)			
<ul style="list-style-type: none"> <li>• Manuals</li> </ul>			
<ul style="list-style-type: none"> <li>• Training Calendar</li> </ul>			
<ul style="list-style-type: none"> <li>• Quick Reference Info</li> </ul>			
<ul style="list-style-type: none"> <li>• Program Updates</li> </ul>			
<ul style="list-style-type: none"> <li>• Court-Appointed Counsel Handbook</li> </ul>			
Links:			
<ul style="list-style-type: none"> <li>• Certified Court-Appointed Attorney</li> </ul>			
<ul style="list-style-type: none"> <li>• Certified Guardian Ad Litem</li> </ul>			
<ul style="list-style-type: none"> <li>• Certified Interpreters</li> </ul>			
<b>SKYPE FOR BUSINESS</b>			
Discuss and explain proper usage			
<b>OUTLOOK</b>			
Discuss and explain proper usage			
Create a signature line			
Creating & sending an e-mail			
Reply & Reply to All w/ history			
CC & BCC (Copying Parties)			
Attachments			
Forwarding an e-mail			
Deleting an e-mail			
Creating folders			
Restoring message			
Out of Office Reply			



## Pre-Court Orientation Checklist

PRE-COURT ORIENTATION CHECKLIST			
Training Task	Explained by Trainer (Date & trainer's initials)	Understood by Trainee (Date & trainee's initials)	Comments
<b>GCMS COMPUTER TRAINING</b>			
<b>Basics:</b>			
Logging on GCMS			
Signing Off/Exiting GCMS			
Restart computer			
Locking your computer			
<b>Main/Home Menu:</b>			
Criminal/Traffic Entry			
Case Inquiry			
Case Update			
Hearing/Disposition Inquiry			
Hearing/Disposition Update			
Name Index			
Hearing Search			
Service Menu			
Hearing Disposition Mass Update			
Hearing/Disposition Fines/Costs Mass Update			
Witness Entry/Inquiry/Update			
Master Menu (Main Menu)			
Batch Report Selection Menu			
<b>Civil Entry:</b>			
Case Inquiry			
Case Update			
Hearing/Disposition Inquiry			
Hearing/Disposition Update			
Name Index			
Hearing Search			
Service and Reports Menu			
Additional Plaintiff/Defendant Menu			

<b>PRE-COURT ORIENTATION CHECKLIST</b>			
<b>Training Task</b>	<b>Explained by Trainer</b> (Date & trainer's initials)	<b>Understood by Trainee</b> (Date & trainee's initials)	<b>Comments</b>
<b>Civil Entry (cont'd):</b>			
Garnishment/Interrogatory Menu			
Civil Interface Update			
Master Menu (Main Menu)			
Batch Report Selection Menu			
Hearing Disposition Mass Update			
Witness Entry/Inquiry/ Update			
Entry of DC-412, WARRANT IN DEBT			
Entry of DC-421, SUMMONS FOR UNLAWFUL DETAINER			
Processing miscellaneous case types			
Processing of Counterclaims, Cross-Warrants and Third-Party Claims			
Transportation of Incarcerated Witnesses			
Servicemembers Civil Relief Act Requirements			
DC-325, REQUEST FOR WITNESS SUBPOENA			
Issuing DC-326, WITNESS SUBPOENAS			
DC-336, REQUEST AND ORDER FOR SUBPOENA DUCES TECUM			
Issuing DC-336, SUBPOENA DUCES TECUM			
Bill of Particulars			
Grounds of Defense			
Small Claims Division			
Locating Interpreters for Deaf and Non-English-Speaking Persons			
<b>Criminal Entry:</b>			
Entry Warrants			
Entry/Process Extradition Warrants			

<b>PRE-COURT ORIENTATION CHECKLIST</b>			
<b>Training Task</b>	<b>Explained by Trainer</b> (Date & trainer's initials)	<b>Understood by Trainee</b> (Date & trainee's initials)	<b>Comments</b>
<b>Criminal Entry (cont'd):</b> DC-301, REQUEST FOR CONFIDENTIALITY BY CRIME VICTIM			
Sealing Pre-Trial Services Report			
Issuing DC-334, APPOINTMENT OF COUNSEL			
Issuing DC-335, TRIAL WITHOUT AN ATTORNEY			
Issuing DC-354, TRANSPORTATION ORDER			
Issuing DC-355, CONTINUED CUSTODY			
Issuing DC-330, RECOGNIZANCE			
DC-325, REQUEST FOR WITNESS SUBPOENA			
Issuing DC-326, WITNESS SUBPOENA			
DC-336, REQUEST AND ORDER FOR SUBPOENA DUCES TECUM			
Issuing DC-336, SUBPOENA DUCES TECUM			
Locating Interpreters for Deaf and Non-English Speaking Persons			
<b>Protective Orders:</b> DC-621, NON-DISCLOSURE ADDENDUM ACCOMPANYING PROTECTIVE ORDER PETITIONS			
Entering DC-382, EMERGENCY PROTECTIVE ORDER			
Processing DC-383, PETITION FOR PROTECTIVE ORDER			
Entering/Issuing DC-384, PRELIMINARY PROTECTIVE ORDER			
Entering/Issuing DC-385, PROTECTIVE ORDER			

<b>PRE-COURT ORIENTATION CHECKLIST</b>			
<b>Training Task</b>	<b>Explained by Trainer</b> (Date & trainer's initials)	<b>Understood by Trainee</b> (Date & trainee's initials)	<b>Comments</b>
<b>Protective Orders (cont'd):</b> Entering/Processing DC-630, MOTION TO AMEND PROTECTIVE ORDERS			
<b>Civil Commitments:</b> Entering in GCMS- ECO, TDO, Mental Commitments, Judicial Authorizations etc.			
CCRE Processing			
Confidentiality			
<b>Bankruptcy:</b> Types of bankruptcy			
Procedure in traffic and criminal cases			
Procedures in civil cases			
<b>Bond Forfeitures:</b> Time Constraints			
Entering/Processing DC-482, SHOW CAUSE SUMMONS (BOND FORFEITURE)			
Refunding a previously forfeited bond			
<b>SCANNING</b>			
Quality Assurance			
Review scanning categories			
<b>OTHER (OFFICE SPECIFIC)</b>			

## Front Counter Orientation Checklist

FRONT COUNTER ORIENTATION CHECKLIST			
Training Task	Explained by Trainer (Date & trainer's initials)	Understood by Trainee (Date & trainer's initials)	Comments
<b>FINANCIAL</b>			
Preparing DC-333 Financial Statement			
Receipting Payments:			
• Traffic			
• Criminal			
• Civil			
Receipting Traffic Pre-Payments			
Receipting multiple payment types			
Receipting multiple payments from one check/credit card			
Receipting Traffic Partial Pre-Payments (Insufficient payments)			
Receipting Payments less than Total Balance Due			
Receipting Copy Fees			
Receipting Filing Fees			
Receipting Restitution			
Use of "close" field			
Preparing DC-210, ACKNOWLEDGEMENT OF SUSPENSION AND REVOCATION OF DRIVER'S LICENSE			
Preparing Time-To-Pay (restoration) Agreements			
Receipting Appeal Fees			
End-of-Day Reports			
End-of-Day Drawer Balancing			
<b>APPEALS</b>			
Preparing Notice of Appeal			
• DC-370, NOTICE OF APPEAL CRIMINAL			
• DC-475, NOTICE OF APPEAL CIVIL			





## Court and Post-Court Orientation Checklist

COURT AND POST-COURT ORIENTATION CHECKLIST			
Training Task	Explained by Trainer (Date & trainer's initials)	Understood by Trainee (Date & trainer's initials)	Comments
<b>GENERAL FILE PREPARATION</b>			
<b>DOCKET PREPARATION</b>			
Print Addendum Docket			
Dockets pulled one-week prior			
<ul style="list-style-type: none"> <li>Put files in order of docket</li> </ul>			
<b>DOCKET PREPARATION- FOR EACH FILE</b>			
<ul style="list-style-type: none"> <li>Check for Companion Cases</li> </ul>			
<ul style="list-style-type: none"> <li>Check for Judicial Recusals / Designations</li> </ul>			
Verify all witnesses on witness list have been subpoenaed			
<b>For Incarcerated Parties, Verify</b> Transportation Order was issued			
Use of videoconferencing if available to conduct counsel determination/bail hearing			
<b>COURTROOM ASSISTANCE</b>			
Assist Judge			
Explain courtroom etiquette/policies/procedures			
<b>Cases for Advisement</b>			
<b>If attorney is appointed, make copies and notify attorney of court date</b>			
Verify all necessary paperwork has been completed			
DC-334, REQUEST FOR APPOINTMENT OF LAWYER			
DC-335, TRIAL WITHOUT A LAWYER			
Continue in GCMS			
Prepare DC-326, WITNESS SUBPOENA For those requested			
File case in pending file			

<b>COURT AND POST-COURT ORIENTATION CHECKLIST</b>			
<b>Training Task</b>	<b>Explained by Trainer</b> (Date & trainer's initials)	<b>Understood by Trainee</b> (Date & trainer's initials)	<b>Comments</b>
<b>If Attorney is Retained</b>			
Verify letter of representation in file			
Continue in GCMS			
Prepare DC-326, WITNESS SUBPOENA For those requested			
File in pending file			
<b>Criminal/Traffic Cases</b>			
<b>If Bond Changed</b> , Prepare DC-355, ORDER FOR CONTINUED CUSTODY			
<b>If Defendant to remain incarcerated with no changes</b> , Prepare DC-355, ORDER FOR CONTINUED CUSTODY			
<b>If Case if Finalized</b> , Prepare DC-356, DISPOSITION NOTICE			
Bond/Release/Recognizance from Jail			
Update GCMS as appropriate			
Enter costs & fines in GCMS			
Restitution			
Substance Abuse Screening Assessment and Treatment			
Revocation of Driver's License			
Cash bonds			
Failure to appear			
CCRE processing/CC-1390			
Bond Forfeiture			
Traffic School			
Complied with Law			
DUI/Refusal			
DC-358, MOTION TO REOPEN/REHEAR			
Appeals			
Surety's Capias			

<b>COURT AND POST-COURT ORIENTATION CHECKLIST</b>			
<b>Training Task</b>	<b>Explained by Trainer</b> (Date & trainer's initials)	<b>Understood by Trainee</b> (Date & trainer's initials)	<b>Comments</b>
<b>Civil Cases</b>			
Update GCMS as necessary			
<b>If continued, Prepare DC-326, WITNESS SUBPOENA for those requested</b>			
File case in pending file			
Execution of Judgments			
DC-465, ABSTRACT OF JUDGMENT			
Levy			
DC-451, GARNISHMENT SUMMONS			
Writs of Possession			
DC-440, SUMMONS TO ANSWER INTERROGATORIES			
DC-368, MOTION TO REOPEN/REHEAR			
Appeals			
DC-458, NOTICE OF SATISFACTION			
CC-1414, PETITION FOR PROCEEDING IN CIVIL CASE WITHOUT PAYMENT OF FEES OR COSTS			
<b>DOCKET CLEAN-UP</b>			
Copy & distribute orders to all parties and counsel			
Document Parties & Counsel and Date Copied on Original Order			
If Fingerprints Required, Provide copies of warrants or summonses to bailiff for fingerprinting			
If Incarcerated and Judge dismisses or case is nolle prossed, Prepare DC-353, Release Order			
Document costs & fines on court papers			
Attach original order in case file			
Finalize or continue case in GCMS as required			



**Summary of Training Required for New Deputy Clerks  
in the Juvenile and Domestic Relations District Courts of Virginia**

In addition to duties related to office work, such as training on office equipment and case and financial systems, office layout, office policies, use of training and resource materials, and customer service protocols and expectations, there are five distinct areas of case processing and financial processing in the JDR Court: adult criminal and family abuse protective orders, adult child and spousal support, juvenile civil, juvenile traffic and delinquency, and financial account set-up and receipting. To become fully trained on processing in the JDR Court, education in all of the areas detailed in each section below, is required. On average, this process can take up to 2 + years.

**Adult Criminal and Family Abuse Protective Orders**

- Jurisdiction and venue
- Warrants of arrest and release on bail
- Bail bondsmen and surety's capias
- Purpose and use of offense tracking numbers
- Virginia State Police Code Table and Virginia Crime Codes
- Commitment to jail and search warrants
- Request for victim confidentiality
- Case indexing in the JDR case management system (JCMS), case imaging and file assembly and related district forms
- Arraignments, cross over arraignments and video arraignments
- Indigency determination, waiver of counsel, appointment of counsel and intent to hire
- Bond hearings and release orders
- Transportation orders
- Preliminary hearings and certification to the grand jury
- Subpoenas for witness
- Motions to Continue and motions for discovery
- Mental condition of defendant, incompetency to stand trial and coordination with the Department of Behavioral Health and Developmental Services
- Notice to CCRE of order regarding competency
- Interpreters for the Deaf and Non-English speaking persons (all cases)
- Recall of process
- Confidentiality and sealing of pre-trial reports
- Docket preparation and trial
- Adjudicatory hearing and disposition
- Failure to appear and bond forfeiture proceedings
- CCRE processing, fingerprints and DNA collection
- Pre-conviction probation for first time offenders

Sentencing and jail forms  
Assessment of fines, costs and restitution  
Court Reporter fees, witness fees and psychological testing fees (Chart of Allowances)  
Payment agreements, interest and collections  
DC 40 processing for court appointed counsel  
Appeals and motions to rehear  
Active duty military notices  
Expungement and early expungement procedures  
Emergency protective orders  
Servicemembers Civil Relief Act requirements  
Family abuse and acts of violence (19.2) protective order petitions, affidavits and orders  
Non-disclosure requirements and forms  
Time limitations for hearings on protective orders  
Protective order forms and service of process  
Appointment of GALs to represent individuals under §8.01-9.  
VCIN entry of a protective order  
Motion to modify a protective order and dissolution of a protective order  
Motion for show cause/failure to obey a protective order  
Registration of a foreign family abuse protective order  
Extension of a protective order  
Violation of a protective order warrant and disposition  
Firearm prohibitions and protective orders

### **Adult Child and Spousal Support**

Confidentiality of child support documents  
In state child support petition and motion to amend a current child support order  
Petition and warrant for desertion/non-support, both with affidavit and without affidavit  
Researching child support orders in a file  
Division of Child Support Enforcement services and filings  
Uniform Interstate Family Support (UIFSA) cases  
Requests to act as initiating tribunal for an order to be heard and entered in another state  
Finalizing a request from another state's initiating tribunal to hear and enter a support order in Virginia  
Registration of non-Virginia child support orders  
Divorce remands which include child support  
Servicemembers Civil Relief Act  
Case indexing in the JDR case management system (JCMS), case imaging and file assembly and related district forms  
Service of process

Processing parentage test orders, determination of paternity and testing fees in child support  
Pendite lite child support orders  
Respondent's request for income deduction order  
Wage withholding order processing  
Virginia child support guideline processing and Civilware  
Orders for civil support  
Petitions and motions to amend spousal support  
Fees associated with spousal support  
Motions for show cause for failure to pay child support  
Arraignment and trial of show cause motion  
Indigency determination, waiver of counsel, appointment of counsel and intent to hire  
Purge clauses and release orders  
Disposition orders and jail time  
Appeals of child support orders and spousal support orders  
Appeal bonds, accrual bonds and appearance bonds  
Withdrawal of appeals in child support  
Fines and costs in child support  
Reducing arrearages to judgment  
Petition and order to suspend driver's license for failure to pay child support  
Restricted driver's license procedures  
Expungement of child support and spousal support cases

## **Juvenile Civil**

Petition and Motion to Amend Custody and Visitation  
Case numbering, indexing, scanning and docketing  
Pre-trial conference and full custody hearings  
UCCJEA (Uniform Child Custody Jurisdiction and Enforcement Act)  
Non-Disclosure requests  
Mediation Referrals and processing agreements  
Educational seminars required  
Service requirements and processing orders of publication  
Custody and visitation orders and child specificity  
Appointment of guardian ad litem and reimbursement of fees  
Motion for homestudy and GAL reports, dissemination to counsel of record  
Filing fees, service fees and application to proceed without fees  
Pendite lite orders and final custody orders  
Appeals and writ tax and fees  
Expedited Enforcement of Custody Orders  
Exparte hearing, issuance of show cause and hearing  
Registration of Foreign Custody Orders  
Requirements of registration and notice to parties  
Petition for Consent for Adoption



- Required documents, notice and investigations
- Time limitations
- Appointment of counsel
- Petition for Special Immigrant Juvenile Status
  - Anticipated filings from federal attorneys
- Petition for Emergency Medical Treatment
  - Forms and time limitations
- Petition for Paternity
  - Fees
  - Parentage test order and acknowledgement of paternity
  - Labcorp billing and orders determining parentage
- Petition for the Judicial Authorization of an Abortion
  - Deep confidentiality
  - Forms and time limitations
  - Guardian ad litem and court appointed counsel
  - Notice of hearing
  - Appeals
- Petition for Involuntary Mental Commitments (objecting and non-objecting minor)
  - ECOs and TDOs
  - Forms and service
  - Required evaluations
  - Time limitations
  - Timeline for mandatory outpatient treatment and review hearings
  - Appointment of counsel
  - Notice to CCRE of commitment
- Petition for Emancipation
  - Required fees and forms
  - Appointment of a GAL
  - Effects of emancipation on future filings
- Petition for Standby Guardianship
  - Entry, appointment of counsel and forms
  - Triggering events, court approval and termination of guardianship
- Divorce remand which includes custody and visitation
  - Review of divorce decree structure
  - Entry into JCMS and file assembly
- Status offenses
- Petition for Child in Need of Supervision
  - Definition and statutory dispositions
  - Case entry, imaging, scheduling, notice and forms
  - Attorney advisement
  - Local truancy program, if applicable
- Parental Participation Petition
  - Case entry, imaging, scheduling, notice and forms
- Petition for Child in Need of Services
  - Definition and statutory dispositions
  - Case entry, imaging, scheduling, notice and forms
  - Attorney advisement and appointment of a GAL
  - Custody transfer to agency

**Petition Alleging Abuse and Neglect seeking a Preliminary Child Protective Order**  
**Petition Alleging Abuse and Neglect seeking an Emergency Removal Order**  
**Petition for Relief of Custody**  
**Petition to Approve Entrustment Agreements**  
**Petition for Foster Care Review and Permanency Planning Hearings**  
**Petition to Terminate Residual Parental Rights**  
**Petition for Annual Foster Care Reviews and Adoption Progress Report Reviews**  
**Petition for Continuing Services Agreement**

The above, bolded case types represent the most complicated cases before the JDR Court and require extensive training in dependency case processing. Clerks and deputy clerks play a vital role in the accurate processing of these cases. They are on the front lines in working with litigants and other agencies. Understanding the timelines and forms is a requirement in working for the court and annual training is recommended by DJS. The following areas are covered during training.

- Abuse, Neglect and Foster Care Statutes
- Relief of Custody and Entrustment pleadings
- Case numbering and entry, and accurate coding in each case, to include case type, hearing type, continuance codes and final disposition codes
- Timeline and required hearings
- Indian Child Welfare Act
- Interstate Compact on the Placement of Children
- Grounds for adjudication of abuse and neglect
- Definition and use of assigned goals for children
- Counsel for parties, parents and guardian ad litem appointments for children
- Proper notice of hearings and scheduling
- Transportation of incarcerated witnesses
- Extensive training on forms (25 forms)
- Title IV-E findings and federal requirements
- Appeals

## **Juvenile Traffic and Delinquency**

- Traffic infractions and traffic misdemeanors
- §16.1-260 – which juvenile charges can appear on a uniform summons and when a petition is necessary
- Local ordinances and state codes
- Virginia State Police Code Table
- Prepayable Offenses and Uniform Fine Schedule
- Subpoenas for witnesses
- Dismissal by compliance with law
- Law enforcement officer schedules and court dates
- Case entry, scanning, file preparation and preparing a docket
- Tried in absentia
- Fines, costs and restitution
- Suspension of license, working with DMV and restricted driver's licenses

DMV interface and manual abstracts  
Waiver of trial and plea of guilty for juveniles  
Charges which require an attorney advisement  
Assessment of counsel fees against parents  
Driver Improvement Clinics and local practice  
Review of the RDL matrix specific to juvenile case processing  
Administrative suspension of driver's license  
DUI refusals and VASAP requirements  
Petition for delinquency  
Diversion programs/Possession of marijuana  
Intake office and probationary services through the CSU  
Processing of a child taken into immediate custody  
Delinquency case entry, imaging and file preparation  
Service of process on juvenile and parents  
Attorney advisement/requirements on felonies  
Detention hearings and time limitations  
Bail considerations for juveniles  
Competency to stand trial, evaluation and restoration  
Compensation of experts  
Juvenile 14 and older charged with a felony  
    Violent juvenile felonies  
    Transfer hearing  
    Preliminary hearing  
    Time limitations  
    Motions from Commonwealth and notices to counsel of record  
    Confidentiality of proceedings and records  
    Conviction in circuit court and future hearings in JDR Court  
    Ancillary crimes  
    Order to close hearing  
    Commitment and incarceration/reviews required  
    Social history reports  
Dispositions set out in §16.1-278.8 and .9  
Custody transfer to agency  
Notice to school superintendent of certain dispositions  
Fines and restitution  
CCRE reporting and fingerprint cards  
Appeals of bond and disposition

### **Financial Account Set-up and Receipting**

Receipting of fines, costs and restitution

Assessment and receipting of GAL fees  
Receipting of bonds  
Receipting of filing fees and service fees  
TTP policies and payment plans  
Community service in lieu of fines and costs  
Individual account establishment on parents  
Prepayments  
Credit card payments and refunds  
Browsing accounts and account histories

# **Court Clerk Positions Decision Package**

## Decision Package

<b>Judicial Court Clerk Positions</b>	
<b>Overview</b>	
Agency	General District Courts (114)
Biennium	2020-2022
Budget Round	Initial Bill
Category	Caseload or workload adjustments
DPB Initiated	No
Exclude from Bud Doc	No
Source of Request	Agency
Region	
Approp. Act Language Required?	No
Legislation Required?	No
Enterprise Strategy	
Last Saved	9/26/2019 04:04 PM
<b>Agency Narrative</b>	
<p><b>Agency Description</b></p> <p>This amendment is requesting funds for additional district court clerk positions for FY 2021 and FY 2022. Based on the Judicial System's staffing model an additional 60 FTE's are needed for FY 2021 and an additional 60 FTE's for a total of 120 FTE's for FY 2022 to meet the increasing workloads. The request is for the most critical needs in the district court clerk offices throughout the Commonwealth.</p> <p><b>Consequences of not funding/Justification</b></p> <p>This amendment is requesting funds for additional district court clerk positions. Based on the Judicial System's staffing model an additional 60 FTE's are needed for FY 2021 and an additional 60 FTE's for a total of 120 FTEs for FY 2022. The request is for the most "critical need" court clerk offices throughout the Commonwealth.</p> <p>The most prevalent negative consequences of insufficient staff within the district court clerks' offices include: backlogs in case processing; delays in placing new cases on the docket; backlogs in accounting; closing the clerks' offices early to the public to enable processing; turnover of experienced staff due to job pressures resulting in loss of knowledgeable personnel and replacement with less skilled personnel; and higher error rates. Additional examples of problems arising from clerk's office staff not being able to process cases or administrative functions timely include:</p> <ol style="list-style-type: none"> <li>1) A backlog in processing jail cards, which could result in delays in releasing individuals from jail;</li> <li>2) Satisfied judgments not being timely processed, which could negatively impact an individual's credit, possibly delaying a major purchase such as a home or car;</li> <li>3) Garnishments not released affect individuals' paychecks as money continues to be deducted;</li> <li>4) Backlogs in accounting delay collection of fines and costs thereby affecting Commonwealth and local revenues;</li> <li>5) Increases in non-English speaking persons requires a greater time commitment from clerks' offices to locate interpreters, with such need occurring in both urban and rural areas, and which can result in delay of the scheduled case if an interpreter is not timely found; and</li> <li>6) Reduction in the public's trust and confidence in the Judicial System when such delays negatively impact their lives and/or ability to access the courts in a timely matter;</li> </ol> <p><b>Alternatives considered (must list at least one)</b></p> <p>The court system is continuously enhancing automation in order to more efficiently address workload and customer service issues. The system has considered alternatives if enough staffing cannot be obtained. One option is to reduce services, such as to have fewer hours open for public service so that more personnel time can be focused on case processing. Another option is to request personnel from individual localities. In 1973, however, local courts became the unified State district court system, and the State assumed responsibility for district court system personnel funding. Therefore, there is no management or public policy reason that localities should fund state employee positions.</p>	

**Explanations and Methodologies**

The court system determines the number of additional personnel needed by using a Staffing Model. The Staffing Model analyzes three criteria: workload, administrative responsibilities, and subjective criteria. Only the workload and administrative portions of the Model were used in preparing this budget request.

Through intensive on-site studies, weights in the form of minutes have been determined for each of the 19 case types captured in the District Court Statistical System. The weights represent the average time required to process each of the representative cases from the time it enters the court system until it is concluded. These weights measure only the tasks associated specifically with a case, such as: processing summons or warrants, preparing the docket, court associated functions (attend court, update automated system, assess fines/costs, process jail card), appeals, enforcement actions on unpaid fines and costs, and processing continuances.

The second aspect of the Staffing Model addresses time spent on administrative functions. This measures the amount of time spent on activities that are not associated with any one individual case, such as answering general inquiries, tax set-off, accounting, court appointed counsel, secretarial support, involuntary commitment processing, obtaining substitute judges. The administrative factor of ".37" means that for every hour spent in the clerk's office 22 minutes is needed to perform administrative tasks. This finding was consistent with other states' courts. The Staffing Model calculates the time required to complete the workload resulting from case filings and administrative responsibilities. Computing the number of employees required is a simple matter of dividing the Staffing Model time requirement by the annual work time per employee. The court system's calculation is based on a 40-hour workweek for full-time personnel reduced by holidays and average leave time as well as a little less than one day per month of training time per employee. The 10 days was determined through consideration of the annual conferences, regional trainings, CLE requirements, new employee orientations of one to two weeks, and office staff meetings and training sessions. The system's intent is to place a very high priority on training and performance management and ensure time for its inclusion in each clerk's management planning. In order to provide services to all citizens and residents the Code of Virginia requires that each locality have a court. Keeping offices open for public service 40 hours each week, even if the caseload volume by itself does not support a 40-hour workload, requires at least minimal staffing for each office. The minimum staffing level has been determined to be 2.0 FTE and is a change from the previous 1.2 FTE. Maintaining a clerk's office with only one full time employee has created inefficiencies. With two (2) employees the clerks' offices will be staffed to man the courtroom, ensure phones are answered, the public is served and fines and costs collected. In finalizing its budget request, the Committee on District Courts (CDC) evaluates each court individually considering not only the objective criteria of the Staffing Model but also the staffing levels local managers believe they need.

**Summary Grid**

ObjectType	FY 2021 Req	FY 2022 Req	FY 2023 Req	FY 2024 Req	FY 2025 Req	FY 2026 Req
General Fund Dollars	\$3,728,031	\$7,456,002	\$7,456,062	\$7,456,062	\$7,456,062	\$7,456,062
Nongeneral Fund Dollars	\$0	\$0	\$0	\$0	\$0	\$0
General Fund Positions	60.00	120.00	120.00	120.00	120.00	120.00
Nongeneral Fund Positions	0.00	0.00	0.00	0.00	0.00	0.00
General Fund Transfers	\$0	\$0	\$0	\$0	\$0	\$0
General Fund Revenue	\$0	\$0	\$0	\$0	\$0	\$0
Layoffs	0	0	0	0	0	0
Additions to Balance	\$0	\$0	\$0	\$0	\$0	\$0

**Total Service Grid Summarized By Program and Fund Detail**

[More Details](#)

Program Code	Program Name	FY 2021 Req	FY 2022 Req
3211	Pre-Trial, Trial, and Appellate Processes	\$3,728,031	\$7,456,062
	<b>Totals</b>	<b>\$3,728,031</b>	<b>\$7,456,062</b>

Fund Code	Fund Name	FY 2021 Req	FY 2022 Req
01000	General Fund	\$3,728,031	\$7,456,062
	<b>Totals</b>	<b>\$3,728,031</b>	<b>\$7,456,062</b>

**Position Planning Grid Summarized By Program**

[More Details](#)

Program Code	Program Name	FY 2021 Req	FY 2022 Req
321	Pre-Trial, Trial, and Appellate Processes	60.00	120.00

# Suggested Resources



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- “Severe staffing shortages grind courts to a halt” by Dean Balsamini and Kathianne Boniello, April 24, 2016
- “Virginia’s Deplorable Equal Pay Gap – What Can Be Done?” by Kate Miceli, Esq. and Colleen M. Quinn, Esq., May 15, 2019