

Clerk of the Circuit Court

DESCRIPTION

The Circuit Court Clerk's Office is a Constitutional Office headed by the Circuit Court Clerk, an elected County official. The Clerk's Office performs many duties including administering oaths to law enforcement and government officials, qualifying ministers to perform weddings, issuing marriage licenses, issuing concealed weapons permits, and storing election records. The four primary responsibilities however, are: maintenance of certain public records, probate, administration of the court system and collection of fines, costs, taxes, and fees which are payable to various government entities. These responsibilities are described fully below:

Maintenance of records: The Clerk's Office is a repository for copies of documents, such as deeds, plats, and deeds of trust, pertaining to land. These records are indexed and are available to the public for examination. The Clerk's Office also maintains and indexes judgments and Uniform Commercial Code Financing Statements.

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

Administration of the Circuit Court: The Clerk's Office is responsible for maintaining official court records for civil and criminal litigation cases that are filed with the Circuit Court. The Clerk's Office maintains the Court's dockets, which are a list of the active cases pending in the Circuit Court. The Clerk's Office also issues subpoenas and summons in connection with ongoing litigation, and prepares records for cases that are appealed to appellate courts. Jury coordination is also handled by the Clerk.

Collection of fees, court costs, fines, and taxes: The Circuit Court Clerk's Office collects several million dollars annually. Most transactions handled by the Clerk's Office generate income that is transferred to State and local governments. In addition, in FY01, the Clerk's Office generated more excess fees than were budgeted for Hanover County that were not earmarked by state law for any specific purpose.

GOALS AND OBJECTIVES

- Continue reorganization of Clerk's Office, focusing on docket clean up, exhibit disposal, evidence room reorganization, acquisition of appropriate office furniture to accommodate workflows, indexing backscanned documents, cross training and acquiring sufficient personnel to staff the office.

SERVICE LEVELS

	<u>FY02</u> <u>Budget</u>	<u>FY02</u> <u>Actual</u>	<u>FY03</u> <u>Budget</u>	<u>FY03</u> <u>Forecast</u>	<u>FY04</u> <u>Budget</u>
Per capita cost of operating department	\$ 8.04	\$ 8.44	\$ 8.36		\$ 8.38
Number of Deeds recorded		27,636	25,000	28,500	30,000
Number of Wills recorded		341	350	340	340
Number of Marriage Licenses recorded		530	540	620	620
Number of Notaries processed		330	350	339	340
Judgments docketed and released		3,139	3,460	3,984	4,100
Criminal charges handled		1,541	1,653	1,872	1,900
Civil cases filed		936	1,031	1,169	1,170
Concealed weapon permits issued				540	540

Approximately 175 jurors are summoned monthly for jury service lasting one month. The number actually serving on juries varies according to the number of jury trials during the month.

BUDGET HIGHLIGHTS

FY03

The FY03 budget contains funding for two Deputy Clerks, resulting in the increase in salaries and fringe benefits. The decrease in operating expenses results from a savings in printing costs due to the Clerk's initiative to digitalize records.

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BUDGET HIGHLIGHTS (continued)

FY04

The increase in salaries and fringe benefits is the result of a position reclassification. All operating expenditures are funded at a maintenance level.

BUDGET SUMMARY

Expenditures

	FY02	FY02	FY03	FY04	Percent
	<u>Budget</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>	<u>Change</u>
Circuit Court Clerk					
Salaries and Fringe Benefits	\$ 586,919	\$ 597,499	\$ 667,736	\$ 701,011	5.0%
Operating Expenditures	134,216	159,485	113,275	113,803	0.5%
Capital Outlay	12,000	12,817	-	-	0.0%
Total Expenditures	\$ 733,135	\$ 769,801	\$ 781,011	\$ 814,814	4.3%

Revenue

State Share of Local Offices	\$ 477,000	\$ 465,049	\$ 406,000	\$ 379,000	-6.7%
Transfer Fees	5,000	25,379	5,000	5,000	0.0%
Commonwealth's Attorney's Fees	3,000	3,026	4,000	4,000	0.0%
Excess Fees	114,000	279,599	118,000	232,000	96.6%
Law Library Fees	-	-	26,000	27,000	3.8%
Juror Reimbursement	-	-	13,000	13,000	0.0%
Total Department Generated Revenue	\$ 599,000	\$ 773,053	\$ 572,000	\$ 660,000	15.4%
Generated Revenue Percent of Budget	81.7%	100.4%	73.2%	81.0%	

Other General Fund Revenue

Other General Fund Revenue	\$ 134,135	\$ (3,252)	\$ 209,011	\$ 154,814	-25.9%
Other General Fund Percent of Budget	18.3%	-0.4%	26.8%	19.0%	
Full-time Positions	12	12	14	14	0.0%
Part-time Positions	4	4	4	4	0.0%
Full-time Equivalents	14.6	14.6	14.6	14.6	0.0%

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FUTURE FUNDING ISSUES	FY05	FY06	FY07	FY08
	<u>Plan</u>	<u>Plan</u>	<u>Plan</u>	<u>Plan</u>
Salaries and Fringe Benefits	\$ 722,041	\$ 773,881	\$ 797,097	\$ 821,010
Operating Expenditures	134,648	112,609	115,425	118,310
Capital Outlay	-	12,000	-	-
Total Expenditures	\$ 856,689	\$ 898,490	\$ 912,522	\$ 939,320
<u>Revenue</u>				
State Share of Local Offices	\$ 405,000	\$ 415,000	\$ 426,000	\$ 436,000
Transfer Fees	6,000	6,000	6,000	6,000
Commonwealth's Attorney's Fees	4,000	5,000	5,000	5,000
Excess Fees	239,000	247,000	256,000	265,000
Law Library Fees	28,000	29,000	30,000	31,000
Juror Reimbursement	14,000	14,000	15,000	15,000
Total Department Generated Revenue	\$ 696,000	\$ 716,000	\$ 738,000	\$ 758,000
Generated Revenue Percent of Budget	81.2%	79.7%	80.9%	80.7%
Other General Fund Revenue	\$ 160,689	\$ 182,490	\$ 174,522	\$ 181,320
Other General Fund Percent of Budget	18.8%	20.3%	19.1%	19.3%
Full-time Positions	14	15	15	15
Part-time Positions	4	4	4	4
Full-time Equivalents	14.6	15.6	15.6	15.6

The FY06 plan for the Clerk's Office includes high density files and a Deputy Clerk. All other funding is maintenance level.