

Clerk of the Circuit Court

DESCRIPTION

The Hanover County Circuit Court Clerk's Office is a creation of the Virginia constitution and is headed by an elected Circuit Court Clerk. Its four primary responsibilities are maintenance of certain public records, 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, and issuing marriage licenses and concealed weapons permits. The office's primary responsibilities are described 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, financing statements, wills, and court orders.

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

Circuit Court: The Clerk's Office is responsible for maintaining official court records for civil and criminal litigation cases. The Clerk's Office maintains the Court's dockets, which are a list of the active cases pending in the Circuit Court. It also 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 1000 criminal court orders annually. 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 that is transferred to State and local governments. It also collects clerk's fees on most transactions. The clerk's fees collected in excess of the office's authorized expenses are distributed to the state and county government.

GOALS AND OBJECTIVES

- Continue docket clean up and complete exhibit and evidence disposal;
- Correct errors in data converted to digital database; and
- Improve the Clerk's Office's land records management system by implementing a schedule to replace aging equipment.

SERVICE LEVELS

	FY04 Budget	FY04 Actual	FY05 Budget	FY05 Forecast	FY06 Budget
Per capita cost of operating department	\$8.68	\$9.82	\$9.93		\$ 11.46
Land records recorded	25,000	33,997	30,000	28,000	30,000
Wills probated/Administrators appointed	350	383	340	340	340
Marriage Licenses issued	540	528	620	575	575
Notary public appointments processed	350	379	340	425	425
Judgments docketed	3,460	2,540	2,500	2,500	2,500
Criminal cases	1,653	1,833	1,900	1,900	1,915
Civil cases filed	1,031	972	1,170	1,150	1,150
Concealed weapon permits issued		797	540	540	600

Note: FY04 service levels for notary publics, judgments docketed, civil and criminal cases filed and concealed handgun permits issued are calendar year 2003 totals.

BUDGET HIGHLIGHTS

FY05

Salaries and fringe benefits increased due to higher VRS contributions and health insurance costs along with the addition of two Deputy Clerk III positions during the year to aid the office with its increased workload. Additional funding is provided in operating expenditures for printing and binding, court appointed attorney fees (due to accounting change), and juror costs (for which additional revenue is received). The increase in capital outlay is due to funding for high density file cabinets and book repair.

BUDGET HIGHLIGHTS (continued)

FY06

Salaries and fringe benefits increased due to continued higher health insurance costs and the reclassification of two positions. The large increase in operating expenditures is primarily due to the budgeting of the Technology Trust grant from the Compensation Board. Capital outlay funding for two work stations in the Records Room and a work station for an employee hired in FY05.

BUDGET SUMMARY

Expenditures

	FY04	FY04	FY05	FY06	Percent
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Circuit Court Clerk	<u>Budget</u>	<u>Actual</u>	<u>Budget</u>	<u>Budget</u>	<u>Change</u>
Salaries and Fringe Benefits	\$ 701,011	\$ 774,042	\$ 803,400	\$ 866,670	7.9%
Operating Expenditures	113,803	147,831	135,877	252,344	85.7%
Capital Outlay	-	-	12,000	-	-100.0%
Total Expenditures	\$ 814,814	\$ 921,873	\$ 951,277	\$ 1,119,014	17.6%
Revenue					
State Share of Local Offices	\$ 379,000	\$ 405,570	\$ 379,000	\$ 423,000	11.6%
Transfer Fees	5,000	4,214	5,000	5,000	0.0%
Tax on Wills	18,000	20,367	19,000	20,000	5.3%
Commonwealth's Attorney's Fees	4,000	4,156	4,000	4,000	0.0%
Excess Fees	232,000	473,698	418,000	482,000	15.3%
Law Library Fees	27,000	15,985	28,000	13,000	-53.6%
Juror Reimbursement	13,000	9,510	13,000	13,000	0.0%
Technology Trust Fund	-	74,075	-	110,000	100.0%
Total Department Generated Revenue	\$ 678,000	\$ 1,007,575	\$ 866,000	\$ 1,070,000	23.6%
Generated Revenue Percent of Budget	83.2%	109.3%	91.0%	95.6%	
Other General Fund Revenue	\$ 136,814	\$ (85,702)	\$ 85,277	\$ 49,014	-42.5%
Other General Fund Percent of Budget	16.8%	-9.3%	9.0%	4.4%	
Full-time Positions	14	14	16	16	0.0%
Part-time Positions	4	4	4	10	150.0%
Full-time Equivalents	14.6	14.6	16.6	17.5	5.4%

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FUTURE FUNDING ISSUES

	FY07	FY08	FY09	FY10
	<u>Plan</u>	<u>Plan</u>	<u>Plan</u>	<u>Plan</u>
Salaries and Fringe Benefits	\$ 903,070	\$ 973,586	\$ 1,014,476	\$ 1,057,084
Operating Expenditures	259,283	266,414	273,740	281,268
Capital Outlay	12,000	3,581	-	-
Total Expenditures	\$ 1,174,353	\$ 1,243,580	\$ 1,288,216	\$ 1,338,352

Revenue

State Share of Local Offices	\$ 434,000	\$ 445,000	\$ 456,000	\$ 467,000
Transfer Fees	5,000	5,000	5,000	5,000
Tax on Wills	21,000	22,000	23,000	24,000
Commonwealth's Attorney's Fees	4,000	4,000	4,000	4,000
Excess Fees	496,000	511,000	526,000	542,000
Law Library Fees	13,000	13,000	13,000	13,000
Juror Reimbursement	13,000	13,000	13,000	13,000
Technology Trust Fund	113,000	116,000	119,000	123,000
Total Department Generated Revenue	\$ 1,099,000	\$ 1,129,000	\$ 1,159,000	\$ 1,191,000
Generated Revenue Percent of Budget	93.6%	90.8%	90.0%	89.0%

Other General Fund Revenue

Other General Fund Revenue	\$ 75,353	\$ 114,580	\$ 129,216	\$ 147,352
Other General Fund Percent of Budget	6.4%	9.2%	10.0%	11.0%

Full-time Positions	16	17	17	17
Part-time Positions	10	10	10	10
Full-time Equivalents	17.5	18.5	18.5	18.5

The plan includes funding for a high density file cabinet in FY07 and an additional Deputy Clerk in FY08.