

# CIRCUIT COURT CLERK

## DESCRIPTION

The Circuit Court Clerk is a Constitutional Officer elected for a term of eight years, who serves as the administrative officer of the Circuit Court, oversees the registry of deeds, and adjudicates all probate matters. The Circuit Court Clerk is responsible for maintaining and administering the files in felony cases, claims over \$25,000, matters including adoptions and divorces, disputes concerning wills and estates, controversies involving property, misdemeanors, and civil appeals from the General District and Juvenile Courts. The Clerk is responsible for collecting fines, costs in criminal cases, recordation fees and taxes, and maintains a financial system to track the collections and remittances for reporting to the State, and to local governments.

The Clerk issues and maintains marriage licenses entered by the office and issues concealed handgun permits. Land records are retained permanently by the Clerk and include deeds, surveys, wills, the indices for judgments, financing statements, and assumed names (or partnership names). The land records section of the Clerk's office contains a portion of the history of the County of Henrico and preserves this history for future generations.

## OBJECTIVES

- To provide fair and equal access to all public records using modern technology.
- To protect and preserve records of the courts and county.
- To professionally and efficiently assist the general public and attorneys using the office.

## FISCAL YEAR 2024 SUMMARY

### Annual Fiscal Plan

Description	FY22	FY23	FY24	Change
	Actual	Original	Approved	23 to 24
Personnel	\$ 2,409,097	\$ 2,723,775	\$ 3,044,016	11.8%
Operation	347,258	227,608	227,608	0.0%
Capital	0	0	0	0.0%
Total	<u>\$ 2,756,355</u>	<u>\$ 2,951,383</u>	<u>\$ 3,271,624</u>	<u>10.9%</u>
Personnel Complement*	39	39	39	0

\*Note: All Budget years reflect 1 Complement II position, 37 Complement III positions and 1 Complement IV position.

## PERFORMANCE MEASURES

Performance Measures				
	FY22	FY23	FY24	Change 23 to 24
<b>Workload Measures</b>				
Civil Cases Commenced	4,909	4,971	4,950	(21)
Criminal Cases Commenced	5,450	6,075	5,850	(225)
Number of Wills and Administrations Recorded	1,179	1,274	1,245	(29)
Marriage License Issued	2,211	2,326	2,295	(31)
Number of Judgments Docketed	25,211	18,881	19,100	219
Concealed Weapon Permits Issued	3,736	3,722	3,725	3
Land Recordings	64,339	41,520	41,500	(20)

## BUDGET HIGHLIGHTS

The Circuit Court Clerk's budget of \$3,271,624 represents an increase of \$320,241, or 10.9%, from the FY23 approved budget. This increase is driven by increases to the personnel component by \$320,241, or 11.8% for rising salary, healthcare, and employee benefit costs. The operating component remains unchanged from that of FY23.

The table to the right reflects actuals for FY13 through FY22 as well as the budget forecast for FY23 and FY24 for both State and County funding. In FY12, the State contributed \$1,138,564, or 53.7%. By comparison, in FY22 the State contributed \$1,455,394 or 52.8%. State funding represents only those salary reimbursements provided by the Compensation Board and excludes Clerk Excess Fees, State Recordation Taxes, and the Clerk's Technology Trust Fund. Following a 2020 legislative session, State Recordation Taxes were redistributed to fund the Hampton Roads Regional Transit Fund. In addition, the County portion represents the difference between the Compensation Board revenues and actuals and/or budget for the Circuit Court Clerk's Office.

Fiscal Year	State Funding	County Funding	% County
FY13	1,160,474	1,318,458	53.2%
FY14	1,226,908	1,255,521	50.6%
FY15	1,185,219	1,394,247	54.1%
FY16	1,258,458	1,330,081	51.4%
FY17	1,274,703	1,405,108	52.4%
FY18	1,304,033	1,468,495	53.0%
FY19	1,296,933	1,378,163	51.5%
FY20	1,334,481	1,309,374	50.5%
FY21	1,372,624	1,297,682	48.6%
FY22	1,455,394	1,300,961	47.2%
FY23*	1,450,000	1,501,383	50.9%
FY24*	1,475,000	1,692,554	53.4%
*FY23 and FY24 forecasted estimates.			

## DEPARTMENTAL HIGHLIGHTS

From 2014 through 2021, the Circuit Court Clerk's Office worked hard to digitalize office records and make them available online. The Office began by scanning in State and County Highway Plat Books, military discharge documents, and Board of Supervisors minutes. The Office then started accepting e-recorded land documents for the 4 basic document types and then extended it to all document types. Currently, approximately 85-90% of land document filing is done electronically. The Office accepts digital vouchers from court appointed attorneys, submits appeals to the Court of Appeals digitally, and accepts appeals from the District Court and the Juvenile and Domestic

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Relations Court digitally. The Office used digital certifications with DocuSign for many of its civil and criminal appeals, saving time and money on postage and paper fees. The Office also accepts e-filed documents from attorneys in civil cases, who register through the Office of the Executive Secretary.

In 2023 digital images of land records back to 1781 were released on January 16th. All real estate documents in the Courts Building starting with Deed Book 1 have now been saved digitally. The Office tripled the number of attorneys using e-filing in civil cases. The Office posted e-filing information with the Richmond Bar Association, sent out e-filing information with its civil pleadings, spoke with attorneys who still paper file their cases with the Office, and worked with Judges to share e-filing information with the civil attorneys at the annual Henrico Bar Association Breakfast.

The Office instituted a probate initiative in 2022. The Office visited every funeral home in the County and provided updated written information on its probate process and available probate resources. The Office did a series of probate lectures for funeral homes, hospice groups, funeral home partnership groups, independent living facilities, and at both monthly Tuckahoe Town Hall meetings in October 2022. The Office streamlined the appointment process within the office and can have an applicant in for an appointment within a couple of days of their submission. The Office strove to remove mystery surrounding the process and to work collaboratively with other agencies involved with the different stages of the probate process to help its customers through a difficult period of their lives.

Working with the Henrico County Police and Sheriff Offices, all weapons, drugs, and other evidence in criminal cases that were eligible for destruction have been destroyed. The Office remains current and has developed more streamlined office practices and paperwork to maintain this.

The Office was awarded \$55,609 to restore 8 books from the late 1700s to early 1800s, its largest grant to date and its 6<sup>th</sup> consecutive year of receiving restoration grants. The Office will now turn its attention to records from the early to mid-1700s stored at the Library of VA, to see which documents are most in need of restoration for future grant applications.