

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, divorces, disputes concerning wills and estates, controversies involving property, misdemeanor 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 2021 SUMMARY

Annual Fiscal Plan

Description	FY19	FY20	FY21	Change
	Actual	Original	Approved	20 to 21
Personnel	\$ 2,283,349	\$ 2,472,715	\$ 2,351,974	(4.9%)
Operation	384,424	228,108	216,703	(5.0%)
Capital	0	0	0	0.0%
Total	<u>\$ 2,667,773</u>	<u>\$ 2,700,823</u>	<u>\$ 2,568,677</u>	<u>(4.9%)</u>
Personnel Complement*	39	39	39	0

Note: The FY2020-21 Budget reflects the Circuit Court Clerk positions as Complement II positions.

PERFORMANCE MEASURES

	FY19	FY20	FY21	Change 20 to 21
Workload Measures				
Civil Cases Commenced	5,493	5,600	5,750	150
Criminal Cases Commenced	5,554	5,750	5,600	(150)
Number of Wills and Administrations Recorded	994	1,000	1,020	20
Number of Instruments Recorded in Deed Books	40,194	41,000	41,500	500
Marriage Licenses Issued	1,969	2,000	2,100	100
Number of Judgments Docketed	17,567	18,500	18,650	150
Concealed Weapon Permits Issued	3,230	3,600	3,500	(100)

BUDGET HIGHLIGHTS

The Circuit Court Clerk's budget of \$2,568,677 represents a decrease of \$132,146 or 4.9 percent from the FY2019-20 approved budget. This decrease is driven by a reduction in the personnel component and reflecting increased benefit costs offset by the projected impact of the pandemic related hiring freeze. The operating component was also reduced by \$11,405 or 5.0 percent to assist the County in offsetting the projected revenue reductions related to the pandemic.

The table reflects actuals for FY2010-11 through FY2018-19 as well as the budget forecast for FY2019-20 and FY2020-21 for both State and County funding. In FY2010-11, the State was contributing \$1,156,485 or 49.5 percent. By comparison, in FY2018-19 the State contributed \$1,296,933 or 48.5 percent. This represents a 1.0 percent decrease in the share of total funding over this time period. State funding represents only those reimbursements provided by the Compensation Board and excludes Clerk Excess Fees, State Recordation Taxes, and the Clerk's Technology Trust 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
2010-11	1,156,485	1,178,984	50.5%
2011-12	1,138,564	1,322,374	53.7%
2012-13	1,160,474	1,318,458	53.2%
2013-14	1,226,908	1,255,521	50.6%
2014-15	1,185,219	1,394,247	54.1%
2015-16	1,258,458	1,330,081	51.4%
2016-17	1,274,703	1,405,108	52.4%
2017-18	1,304,033	1,468,495	53.0%
2018-19	1,296,933	1,378,163	51.5%
2019-20*	1,300,000	1,400,823	51.8%
2020-21*	1,270,000	1,298,677	50.5%

*FY20 and FY21 forecasted estimates.

DEPARTMENTAL HIGHLIGHTS

Pursuant to Virginia Code Section 17.1-279, the Clerk collects a \$5.00 technology fee on all instruments recorded in the land books, judgments docketed, and all civil suits commenced. Of this total, \$4.00 is reimbursed to the locality by the Compensation Board to support technology efforts within the Clerk's office. This revenue source is not included in the County's original budget but is appropriated during the fiscal year as the Compensation Board makes funds available to implement technology projects within the office.

In 2014, the Clerk implemented an on-line system for Officers of the Court to remotely access criminal and civil records. This system is offered to attorneys and their staff by a paid subscription.

Circuit Court Clerk

In 2016, the Clerk's Office expanded the use of credit cards to the Record Room, Civil Division, Probate Department, and Concealed Weapon Permits. Three informational pamphlets were created for the Probate, Record Room, and the Civil division to give customers a helpful resource. Record Room staff scanned forty years of State Highway Plat Books and made them available on-line, which saved \$20,450 in outside vendor costs. The office received two grants from the Library of Virginia to digitalize and restore two older books, which were showing signs of deterioration.

In 2017, the Clerk's Office added 17 years to the digitalized land record system, with grantor/grantee images going back to January 1973. The office also began e-recording four basic document types in the Record Room. Also, in 2017, the Clerk's Office was awarded a 2nd grant, from the Library of Virginia, to both digitalize and restore two older books. The Clerk's Office replaced all the aging recording equipment in each of the five Circuit Courts, which includes handheld audio devices for the hearing impaired. Hundreds of hours were spent shredding both used and unused primary, special election, and general election ballots.

In 2018, the Clerk's Office continued to digitize records to make them more accessible, prevent further deterioration of the aging books, and help with disaster recovery efforts. Another 26 years of land record images were added to the digital system, which now span back to 1947. This addition has enabled title examiners to perform residential and commercial searches via the internet. The Clerk's Office also added digital will indexes dating back to 1781, so users can easily locate the will's book and page numbers. Military discharge documents were all digitized too. The Clerk's Office received its 3rd consecutive Library of Virginia grant to refurbish two older books from the late 1800s which were starting to deteriorate. The two books were also scanned as digital images to protect Henrico's history. The Clerk of Court was certified as a Master Clerk by the Virginia Circuit Court Clerk's Association.

In 2019, the Clerk's Office digitized the Board of Supervisors minutes back to January 1906 to protect this important part of Henrico County's history. Verification will take until 2020 but once complete these records will be made available to the public. Further improvements include the Record Room accepting all real estate filings through e-recording, expediting the filing and recording times of documents in Henrico County. Clerk E-Pass was implemented enabling customers to request copies of marriage licenses, deeds, court orders, and other documents online. This tool allows the Office to provide copies and certified copies using electronic certifications and signatures within hours of a request. This method is much more cost efficient and less time intensive than the traditional paper copies, hand stamped certifications, and eliminates mail delays.