

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 2022 SUMMARY

Description	FY20 Actual	FY21 Original	FY22 Approved	Change 21 to 22
Personnel	\$ 2,316,209	\$ 2,351,974	\$ 2,575,338	9.5%
Operation	327,646	216,703	227,608	5.0%
Capital	0	0	0	0.0%
Total	\$ 2,643,855	\$ 2,568,677	\$ 2,802,946	9.1%
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

	FY20	FY21	FY22	Change 21 to 22
Workload Measures				
Civil Cases Commenced	2,467	2,350	2,408	58
Criminal Cases Commenced	5,551	4,652	5,150	498
Number of Wills and Administrations Recorded	1,020	1,137	1,090	(47)
Marriage License Issued	2,019	2,344	2,150	(194)
Number of Judgments Docketed	18,377	15,448	16,110	662
Concealed Weapon Permits Issued	3,002	6,795	4,150	(2,645)
Land Recordings	42,750	57,027	50,575	(6,452)

BUDGET HIGHLIGHTS

The Circuit Court Clerk's budget of \$2,802,946 represents an increase of \$234,269, or 9.1 percent, from the FY2020-21 approved budget. This increase is driven by increases in the personnel component and the restoration of previously reduced operating funds due to the COVID-19 pandemic. The personnel component was increased by \$223,364, or 9.5 percent, due to the rising costs of healthcare and increased salaries that are part of the updated compensation plan for FY22. The operating component increased by \$10,905, or 5 percent.

The table to the right reflects actuals for FY2010-11 through FY2019-20 as well as the budget forecast for FY2020-21 and FY2021-22 for both State and County funding. In FY2010-11, the State was contributing \$1,156,485 or 49.5 percent. By comparison, in FY2019-20 the State contributed \$1,334,481 or 49.5 percent. This represents no change in the share of total funding over this time period. 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. 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	1,334,481	1,309,374	50.5%
2020-21*	1,270,000	1,298,677	50.6%
2021-22*	1,350,000	1,366,528	50.3%
<i>*FY21 and FY22 forecasted estimates.</i>			

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.

Circuit Court Clerk

From 2014 to 2018, the Clerk's Office implemented an on-line system for Officers of the Court to remotely access criminal and civil records, expanded the use of credit cards, digitized land records back to 1947, scanned in forty years of State Highway Plat Books and made them available on-line, added digital will indexes dating back to 1781, scanned in all Military discharge documents, began e-recording four basic document types in the Record Room, and replaced recording equipment in each of the Circuit Courts. In 2018 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. Further improvements included 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.

While many agencies curtailed services, closed to the public or limited public access, or required appointments to enter, the Henrico Circuit Court Clerk's Office remained open to the public. As a result, the office not only served Henrico County residents, but also residents of other jurisdictions, who could not get into their own Clerks' Offices when needed. The Clerk's Office protected staff and customers by having plexiglass barriers installed at customer service windows and in probate offices, encouraged the use of e-recording and e-access services, created an Information table in the hallway with forms, information and a drop box, and even provided curbside service for customers unable to enter the courthouse due to COVID barriers.

During 2020, the Clerk's Office expanded the use of digital certifications with DocuSign. Certified copies of criminal orders are now being sent out digitally to attorneys, CCP, ASAP, probation and other government agencies. This will be extended to attorneys in civil cases in 2021. The Clerk's Office also received the 5th consecutive Library of VA grant for \$20,303 to restore 4 aging land record books from the 1800s. The Clerk's Office had an analysis of the criminal division completed and re-structured that section, resulting in greater cross-training and additional clerks trained for in court service. Lastly, the Clerk's Office outfitted 6 employees with the ability to telework, so that the Clerk's Office could keep essential services going had COVID caused the office or county to close for any period of time.