

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 2023 SUMMARY

Annual Fiscal Plan

Description	FY21	FY22	FY23	Change
	Actual	Original	Approved	22 to 23
Personnel	\$ 2,373,104	\$ 2,575,338	\$ 2,723,775	5.8%
Operation	297,202	227,608	227,608	0.0%
Capital	0	0	0	0.0%
Total	<u>\$ 2,670,306</u>	<u>\$ 2,802,946</u>	<u>\$ 2,951,383</u>	<u>5.3%</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				
	FY21	FY22	FY23	Change 22 to 23
Workload Measures				
Civil Cases Commenced	2,383	4,909	4,000	(909)
Criminal Cases Commenced	4,660	5,450	5,150	(300)
Number of Wills and Administrations Recorded	1,127	1,179	1,200	21
Marriage License Issued	2,346	2,211	2,150	(61)
Number of Judgments Docketed	18,377	25,211	23,000	(2,211)
Concealed Weapon Permits Issued	6,783	3,736	4,150	414
Land Recordings	57,027	64,339	62,000	(2,339)

BUDGET HIGHLIGHTS

The Circuit Court Clerk's budget of \$2,951,383 represents an increase of \$148,437, or 5.3%, from the FY22 approved budget. This increase is driven by increases in the personnel component by \$148,437, or 5.8%, due to the rising costs of healthcare and increased salaries that are part of the updated compensation plan for FY23. The operating component remains constant to that of FY22.

The table to the right reflects actuals for FY12 through FY21 as well as the budget forecast for FY22 and FY23 for both State and County funding. In FY12, the State contributed \$1,138,564, or 53.7%. By comparison, in FY21 the State contributed \$1,372,624, or 48.2%. 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
FY12	1,138,564	1,322,374	53.7%
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*	1,350,000	1,452,996	51.8%
FY23*	1,450,000	1,501,383	50.9%
*FY22 and FY23 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.

Circuit Court Clerk

From 2014 to 2018, the Clerk's Office implemented an online 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 online, 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, and 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, 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. 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.

In 2021, the Clerk's Office operated in person with no breaks in service and continued working on digitalization and restoration projects. The Office started to offer e-filing to attorneys in civil cases in January 2021 and have enrolled numerous attorneys and law firms over the past year. The Office concluded and released will indexes and images back to 1781. The Office had land record images scanned back to 1781 at the end of 2021 and hopes to have them verified and released by the end of 2022. The Office is in the process of having its marriage license indexes and images digitalized back to the early 1900s and will release them by fall of 2022. The Office digitalized the notary application process and moved them to its land record room, to reduce foot traffic in its main lobby. The Office received \$22,301.50 in grants from the Library of Virginia in 2021 to refurbish four books from the early 1800s. In 2022, the Office is reaching for the stars and has applied for eight grants totaling \$55,609.50 to restore will books and county court minute books from the late 1700s and early 1800s.