

# 2009 ANNUAL REPORT

## CIRCUIT COURT CLERK'S OFFICE



GEORGE E. SCHAEFER, III  
CLERK

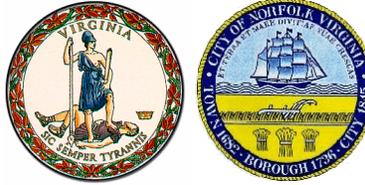
**Clerk of Court**  
George E. Schaefer

**Chief Deputy**  
Thomas A. Larson

**Executive Assistant**  
Cheryl Dougherty

**Comptroller**  
Nicholas D. Georges

# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE CLERK FOURTH JUDICIAL CIRCUIT NORFOLK CIRCUIT COURT

100 Saint Paul's Boulevard  
Norfolk, Virginia 23510  
(757) 664-4580

### Supervising Deputies

**Criminal**  
DaVida M. Davis

**Civil**  
Anthony Fuller

**Licenses, Permits and  
Finance**  
Gerald L. Stokes

**Wills, Estates and  
Deeds**  
Michele M. Evans

To: The Honorable City Council Members and City Manager  
From: George Schaefer, Clerk of Circuit Court

CC: Budget Director, Circuit Court Chief Judge

Subj: Annual State of the Circuit Court Clerk's Office Report

Date: March 30, 2010

Ladies and Gentlemen;

It is with great pleasure that I present this report on the state of the Circuit Court Clerk's Office to you. As I enter my 7<sup>th</sup> year as the Circuit Court Clerk, I can only express to you my sincere appreciation for the partnership that we have maintained and continue to develop with virtually every department within the city.

The repeated downturn in the economy has been the driving force throughout 2009, showing a steady downward trend in the housing market. Revenue generated for the City of Norfolk and the Commonwealth of Virginia declined over the twelve month period. We experienced an upswing in the August/September/October timeframe giving hope that the economy in Norfolk was on a rebound. Revenue dipped again in November but increased in December, indicating what looks to be a slow and tedious economic rebound.

Continuing to highlight my commitment to increased productivity, reduced costs and enhanced public access to the courts, my office has completed the digital effort stated in the 2008 report and expanded the Criminal Case Files to include most of 1995 and 1996. This means that we now have Criminal Case Files in digital format, readily accessible from 1995 to present as well as over 40 years of Land Records and Marriage Licenses. As we proceed into the fiscal year 2011 budget process, we are confident that sufficient funds can be

allocated to complete the state mandated requirement on the Civil Case Files. This process will result in a savings of over \$2,000,000.00 in construction costs for any new courthouse. Our partnership with the Office of the Executive Secretary of the Supreme Court of Virginia has seen an explosion across the Commonwealth as 39 courts began adopting the methods that my office has put in place. Some of these methods are outlined below:

1. E-filing of court documents – We are completing the final stages to begin e-filing civil cases in the 4<sup>th</sup> quarter of 2010. Development is almost complete and will be launched in the 4<sup>th</sup> Circuit for testing and evaluation.
2. Digital Document Control – This has been the single largest contributor of productivity savings to date. We continue to digitize our files and have reached the following milestones:
  - a. Criminal files – 1995 through present day files digitized
  - b. Civil files digitized back to January 1, 2006
  - c. Land Records – Digitized back to January 1968
  - d. Marriage Licenses – Digitized back to April 1968
  - e. Judgments – Digitized back to January 1990
  - f. Finance Statements, Miscellaneous and Wills – Digitized back to March 1993
  - g. General Miscellaneous files – Digitized back to March 1930
3. Case View – Case view has seen a dramatic increase in usage over the past year. This system has allowed members of the Virginia State Bar to gain remote access to our Criminal and Civil case files, easing the burden on our staff and resources. We are preparing a new release that will increase capacity, speed and usability.
4. We continue to be an integral part of the redesign of the Supreme Court Case and Financial Management Systems, Electronic Recording Workgroup as well as the electronic data exchange group established by the United States Office of Justice Programs (USOJP) through the National Center for State Courts (NCSC).

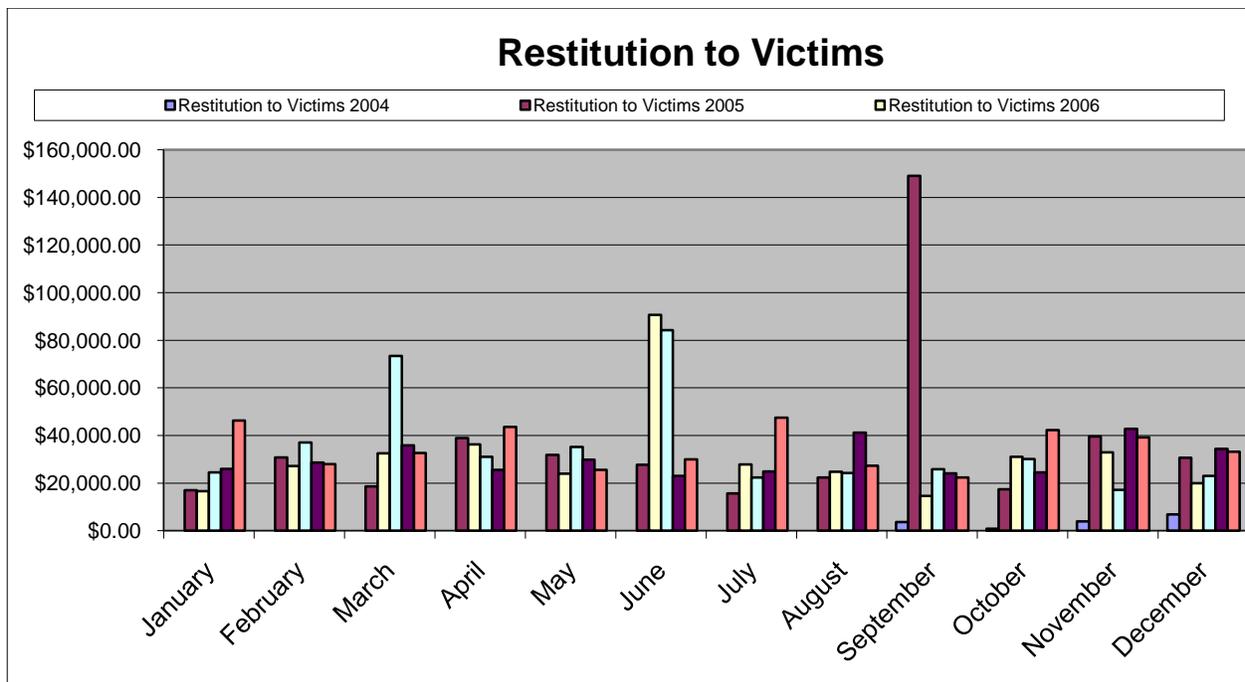
Technology advances helped us continue to provide services at a level consistent to what the citizen's expect. However, even technology has its limitations. Drastic cuts to the state budget this year forced me to reduce my workforce nearly 20% from 51 full-time to 41 full-time plus 1 part-timer. Layoffs of such magnitude had consequences and like many Clerks Office around the Commonwealth, we struggled initially to handle the workload. A concerted effort by my management team to identify inefficient business practices, consolidate operations and revise procedures, enabled us to regain our footing and, I believe, will allow us to run this office effectively with less resources in the years ahead.

2009 was a relatively stable year as far as the number of Criminal Cases commenced and completed. We have seen a large increase in the number of Civil Cases filed in this court. Concealed Weapons Permits are still on the rise continuing the trend from last year. Will documents executed during the past year have decreased slightly from 2008. Deed recordings remain at the lowest levels that we have seen in years. Since the single largest revenue stream

comes from the recordation of land records, the decline in deeds has resulted in significantly lower revenue realized during 2009.

As General Receiver my office has continued to provide the best value to the citizens for which we are holding funds. By lowering the costs associated with the management of those funds and negotiating a higher interest rate, we have been able to add roughly 6% to each of the 450 individual accounts that we manage.

We continue receipting and disbursing restitution payments to victims. Since actively pursuing funds through the Tax Set-off program, we have been able to recoup more funds owed to victims. We also developed additional steps now being put in place by the Commonwealth's Attorney to ensure collection capabilities for restitution. The Clerk's Office has collected and disbursed over \$418,000.00 to victims in the 4<sup>th</sup> Circuit.



Secure Remote Access to Real Estate records continues to be popular with Title Examiners, Attorneys, Law Enforcement and the Federal and State Government. We remain in partnership with several City of Norfolk Departments: City Attorney, Real Estate, Planning and Codes Administration, HRUBS, and Health and Human Services; providing access as needed.

We continue to maintain our presence as an integral part of the Electronic Recording Workgroup through the Virginia Information Technology Agency (VITA) as well as the electronic data exchange group established by the United States Office of Justice Programs (USOJP) through the National Center for State Courts (NCSC).

The importance of our participation in these groups is evidenced by the total number of cases, both criminal and civil filed this past year as well as the ever increasing numbers of marriage licenses, concealed weapons permits, judgments, restitution, time to pay plans, etc. that are processed by this office.

Examples:

Criminal Cases concluded in CY09: 9,513 (down 4%)

Civil Cases opened in CY09: 6,238 (down 0.9%)

Will documents processed in CY09: 8,789 (up 17.6%)

Land Record documents processed in CY09: 36,452 (down 3%)

Digital records produced: 1,638,761

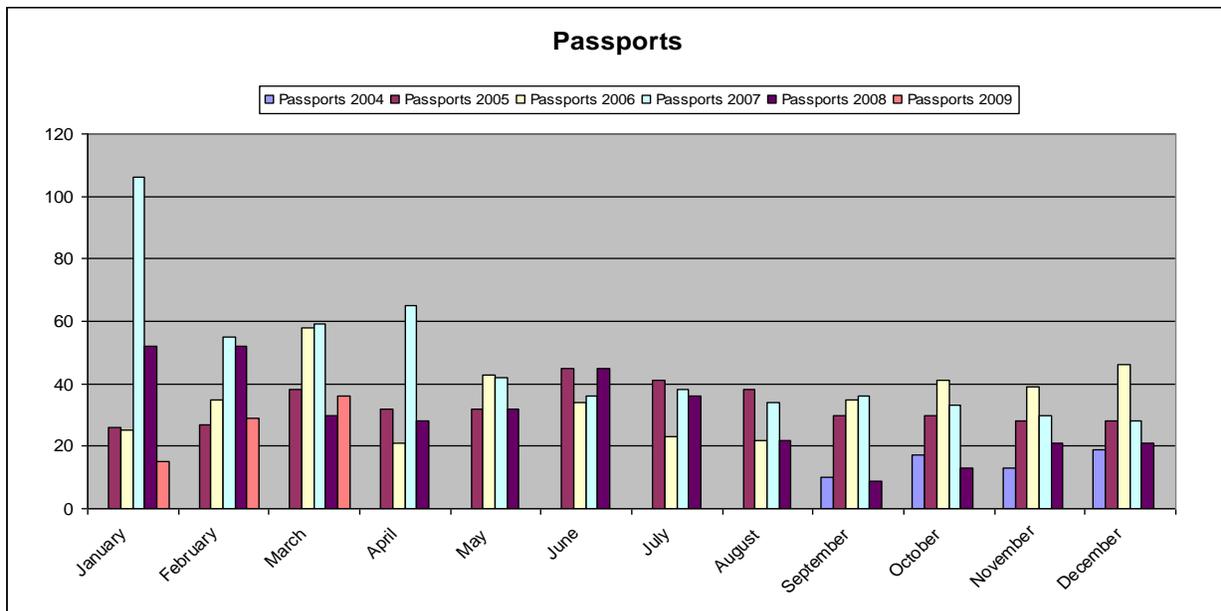
From the numbers above, our overall case filings are stable.

Home sales continue to lag both in new construction and previously occupied. Land record transactions decreased 3% from 2008 which does show a significant improvement over the 21.7% decrease over 2007. We are slightly lower than the national average.

Working closely with Sheriff's Office staff, we have been able to "forgive" over \$165,000.00 dollars in court cost debt in exchange for community service work performed by 176 inmates in the Sheriff's Office Work Release Program.

We continue to review each area of revenue on both the state and local level, ensuring a maximum collection of costs for the city and state treasury.

Passport Services continue to be in demand. We have processed 393 passport applications in 2009; a 9.9% increase.



Cash flow through this office was just over \$55 million dollars in calendar year 2008, a 4% decrease over 2008.

Please find attached statistics from 2009. I have included, as a part of this package, graphs that we employ to determine the ebb and flow of the activities at the courthouse. This gives us the ability to manage our staff efficiently and foresee problem areas.

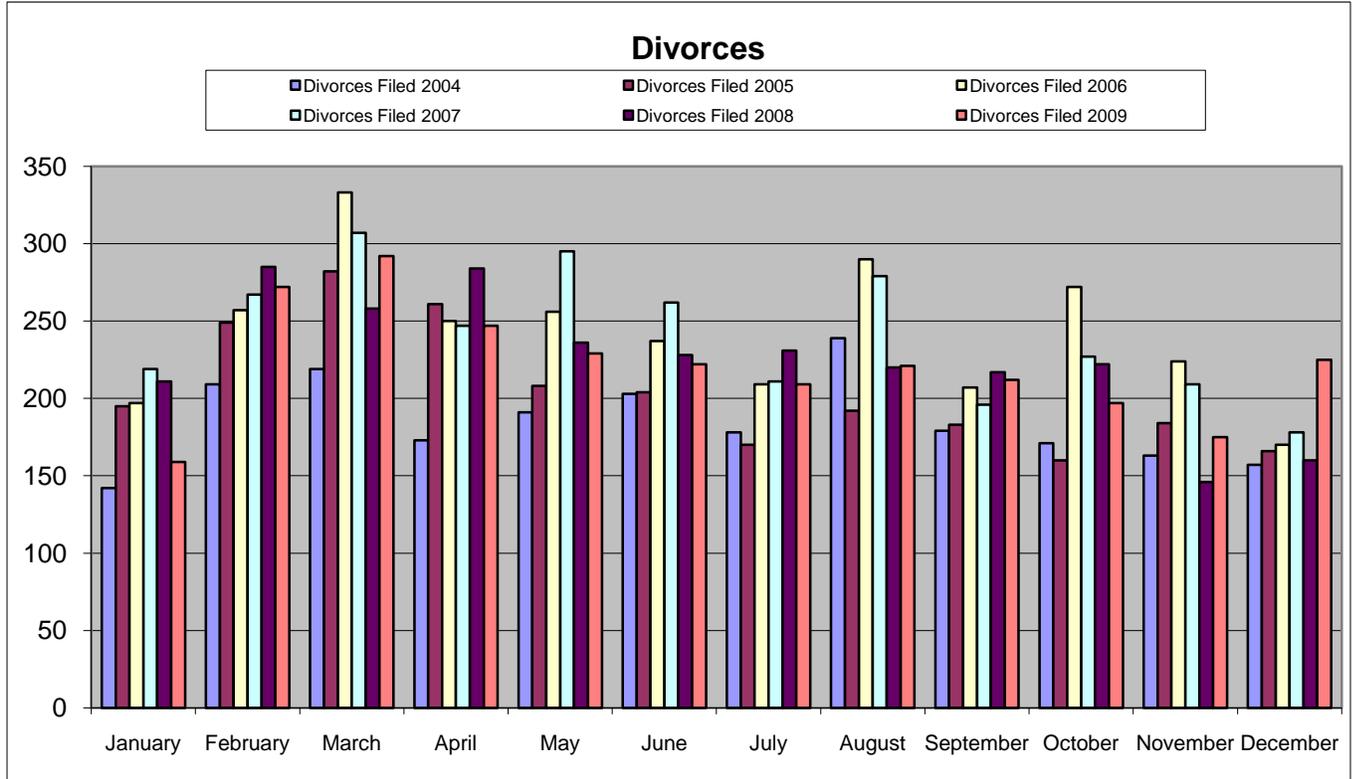
Thank you for your time and I look forward to a continued partnership between the Circuit Court and the City we serve.

Very truly yours;

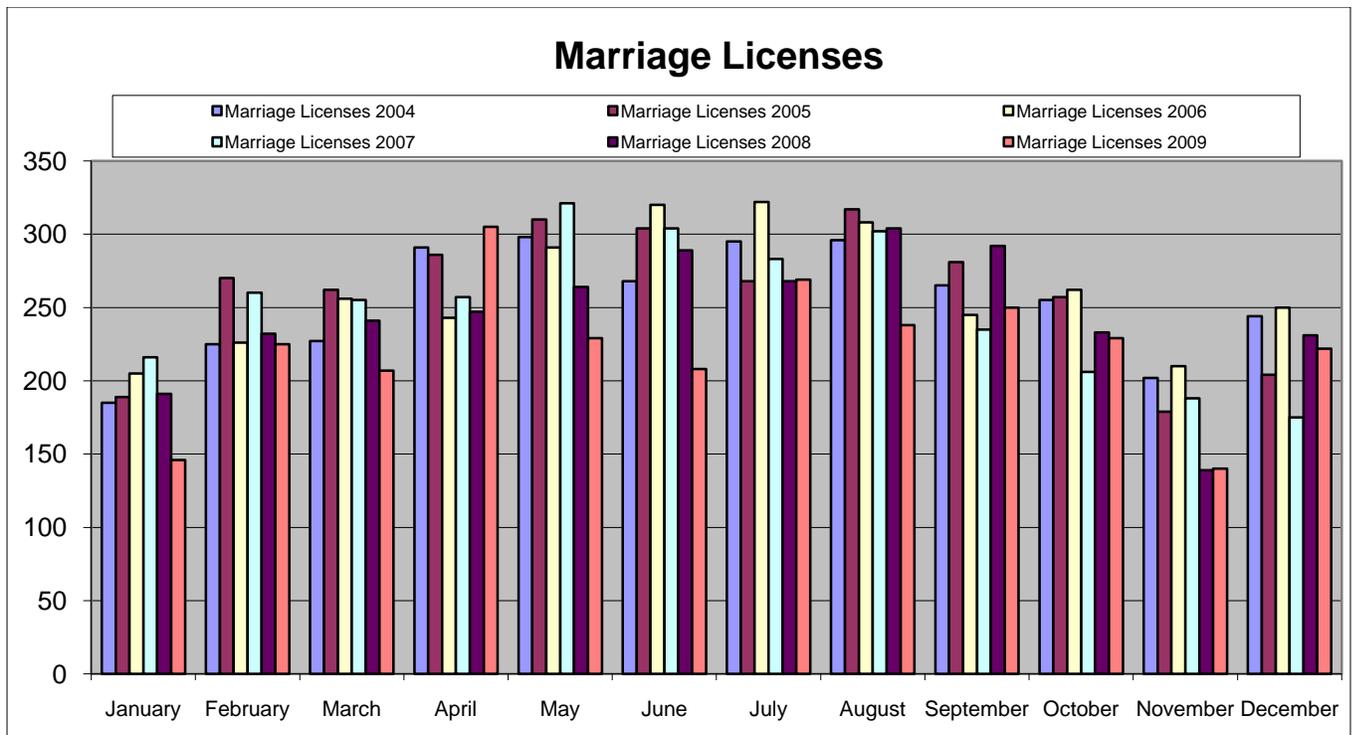
A handwritten signature in black ink that reads "George E. Schaefer". The signature is written in a cursive style with a large initial "G" and "S".

George E. Schaefer  
Clerk of Circuit Court

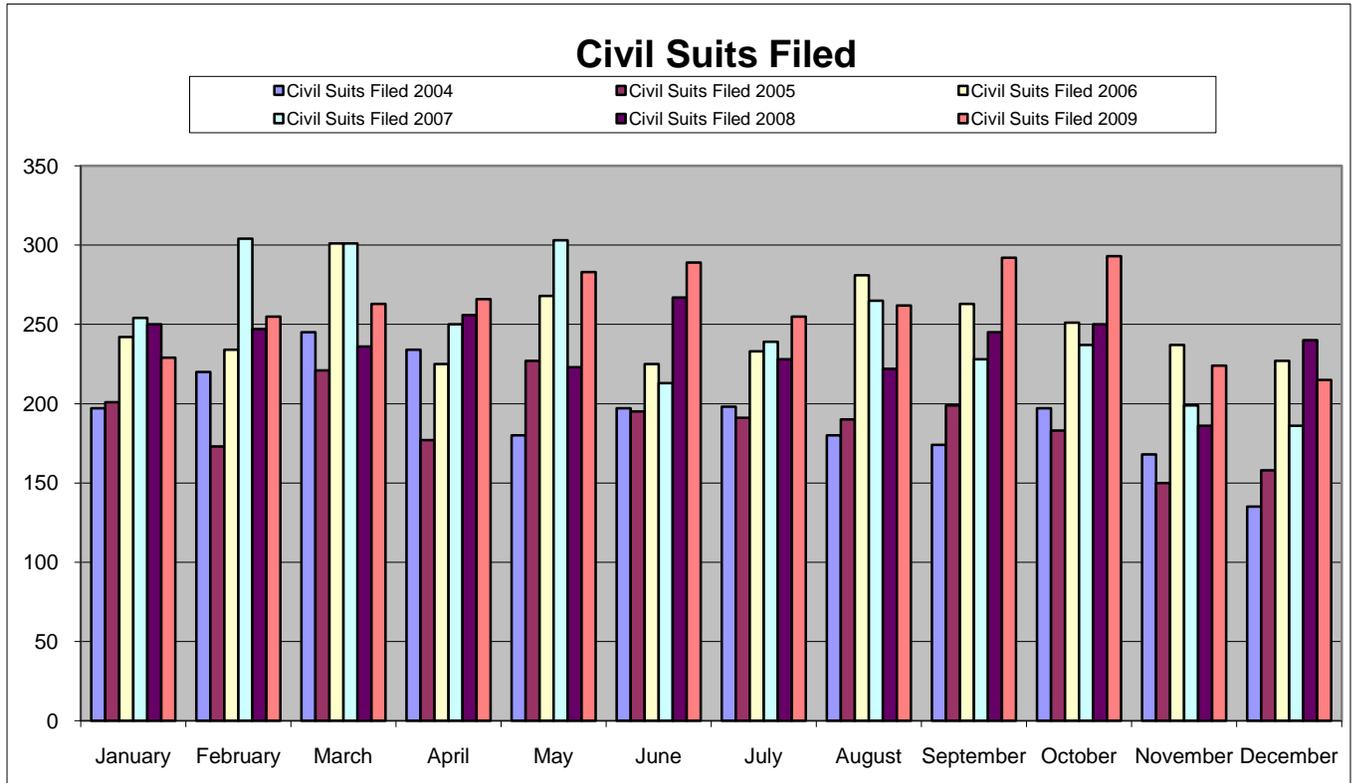
**Divorces Filed in 2009 – 2,660**



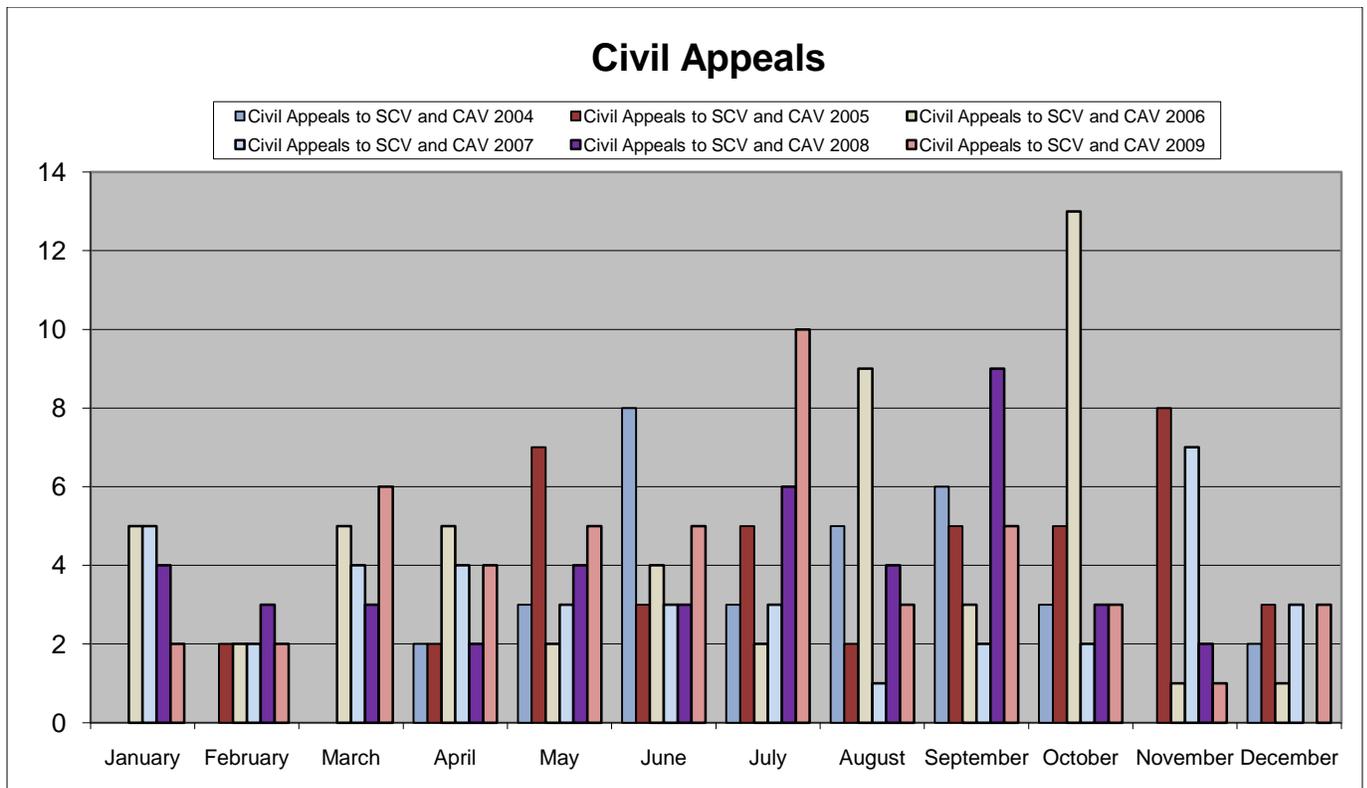
**Marriage License Applications in 2009 – 2,668**



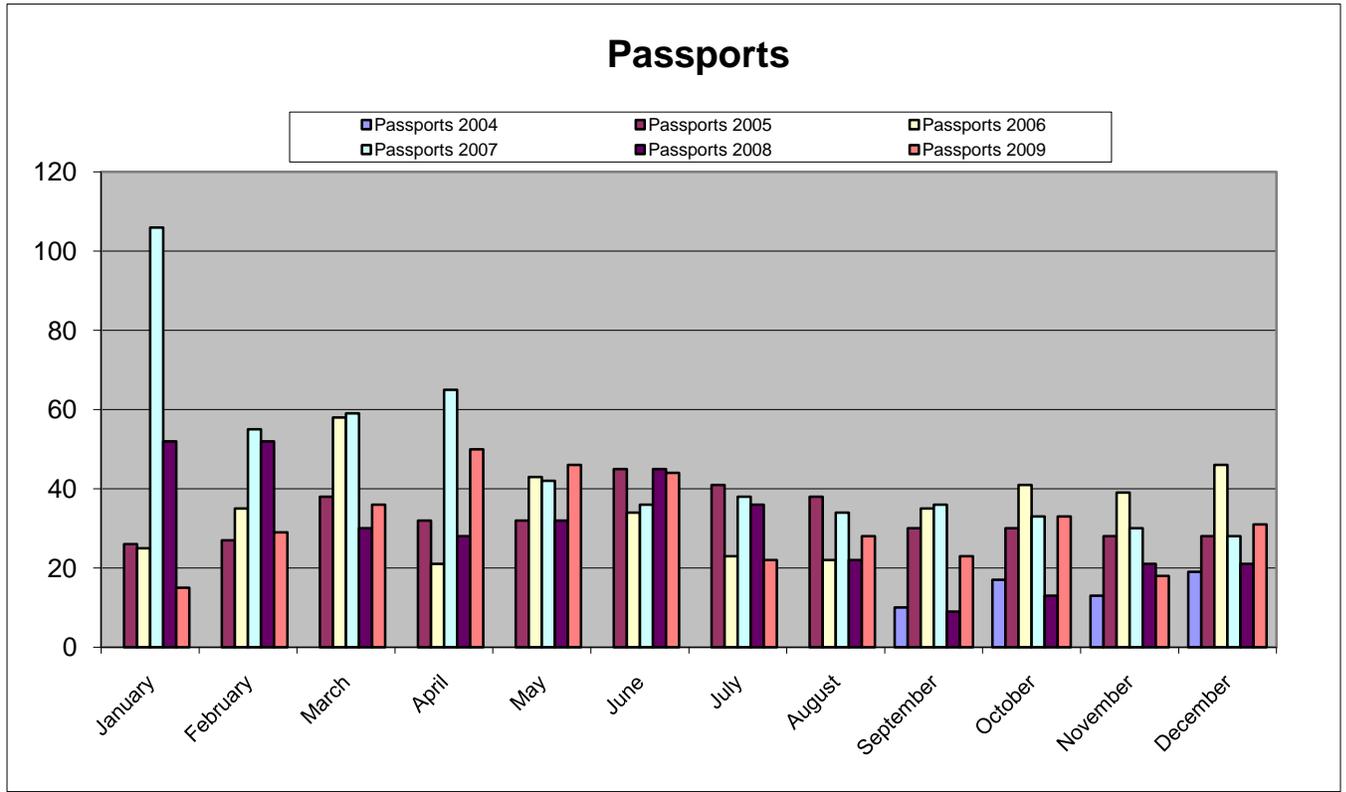
**Civil Suits Filed in 2009 – 3,126**



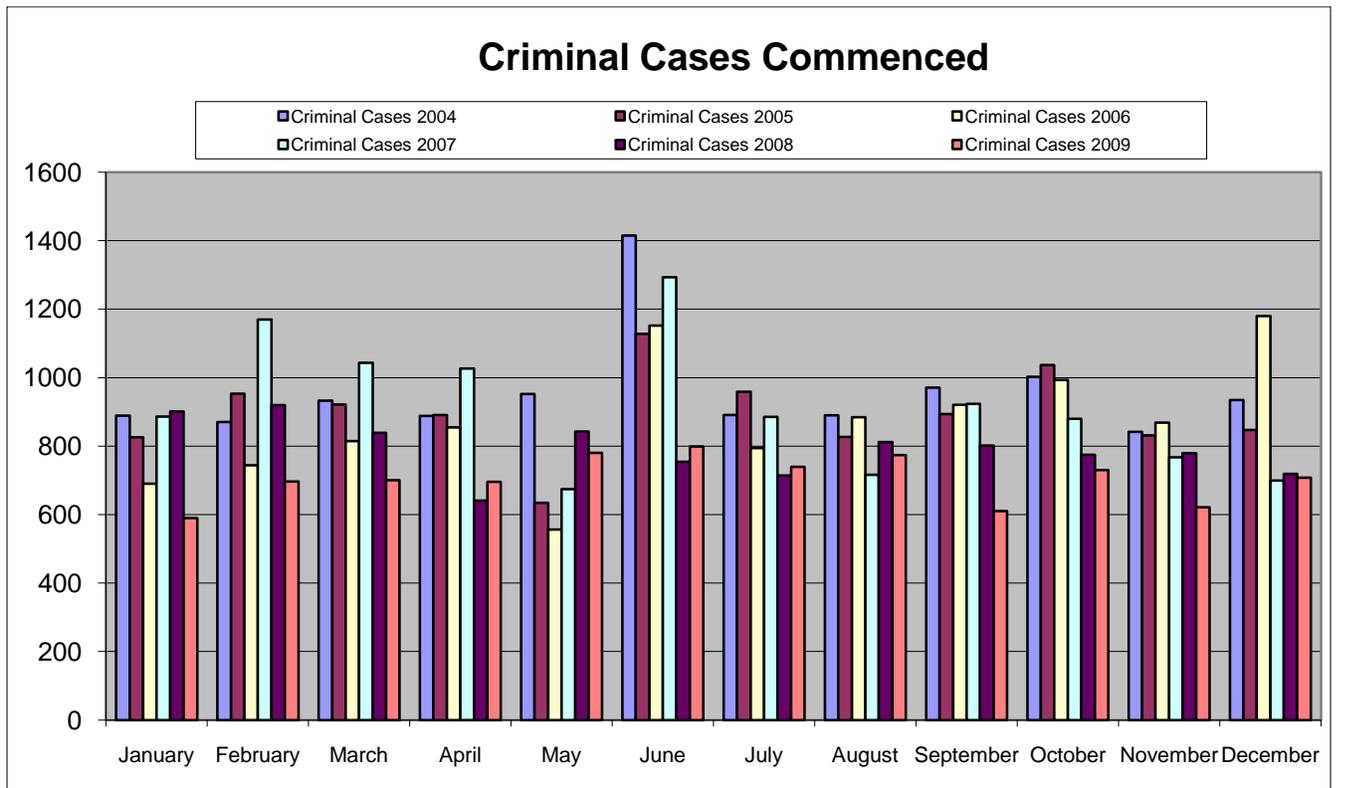
**Civil Appeals Processed to SCV in 2009 - 49**



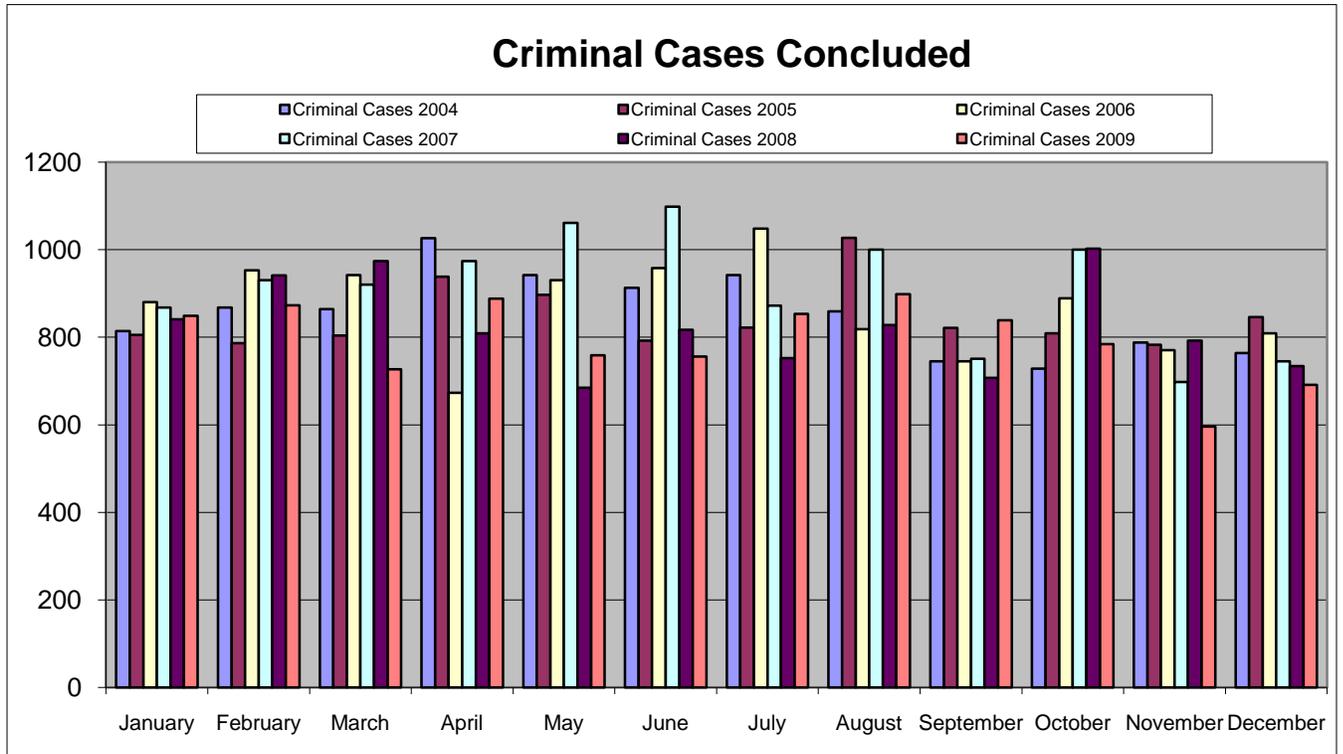
**Passport Applications Processed in 2009 - 375**



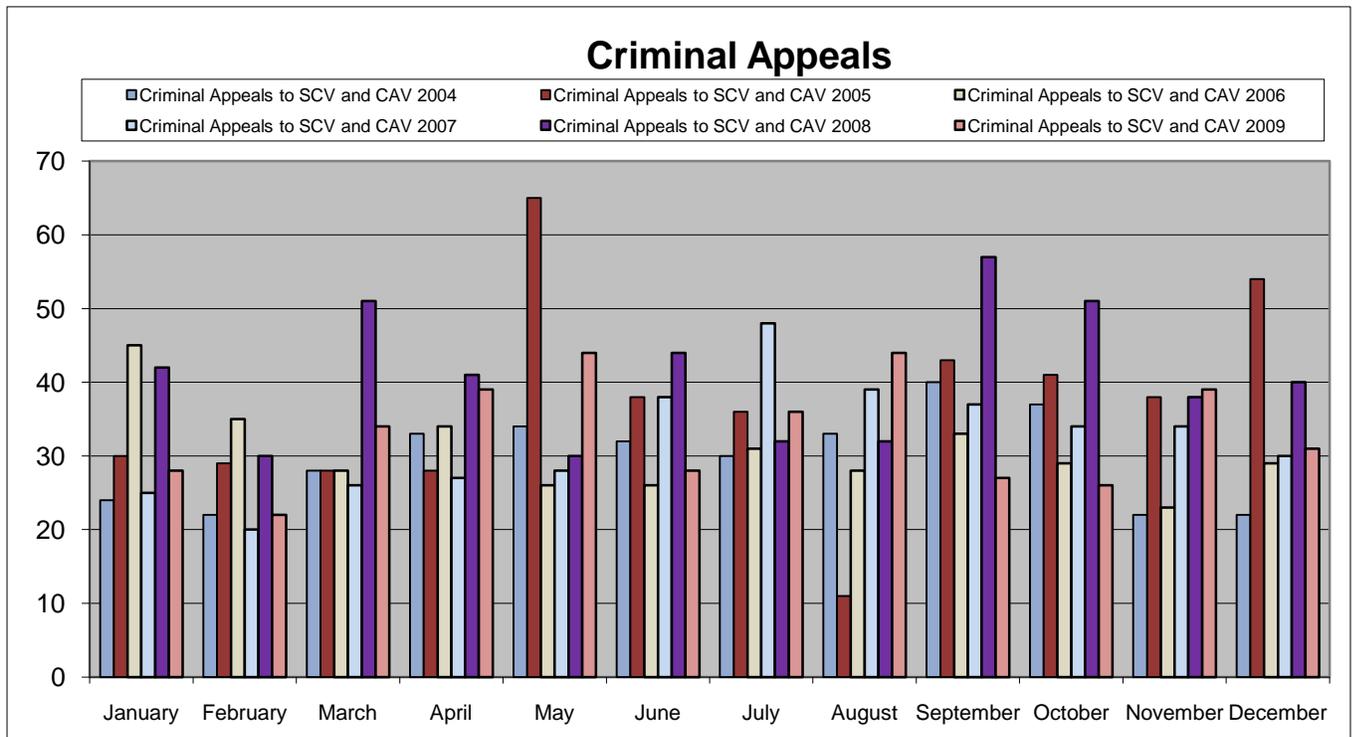
**Criminal Cases Commenced in 2009 – 8,444**



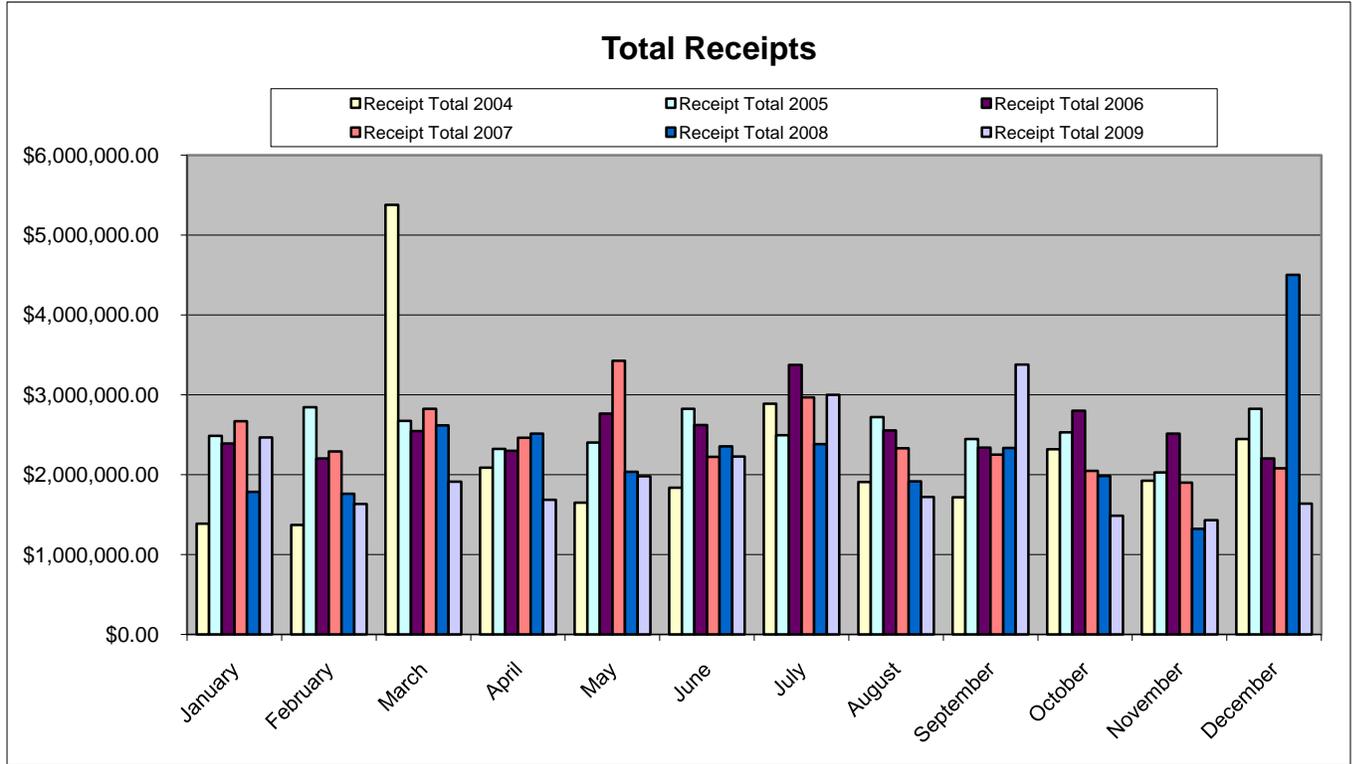
**Criminal Cases Concluded in 2009 – 9,513**



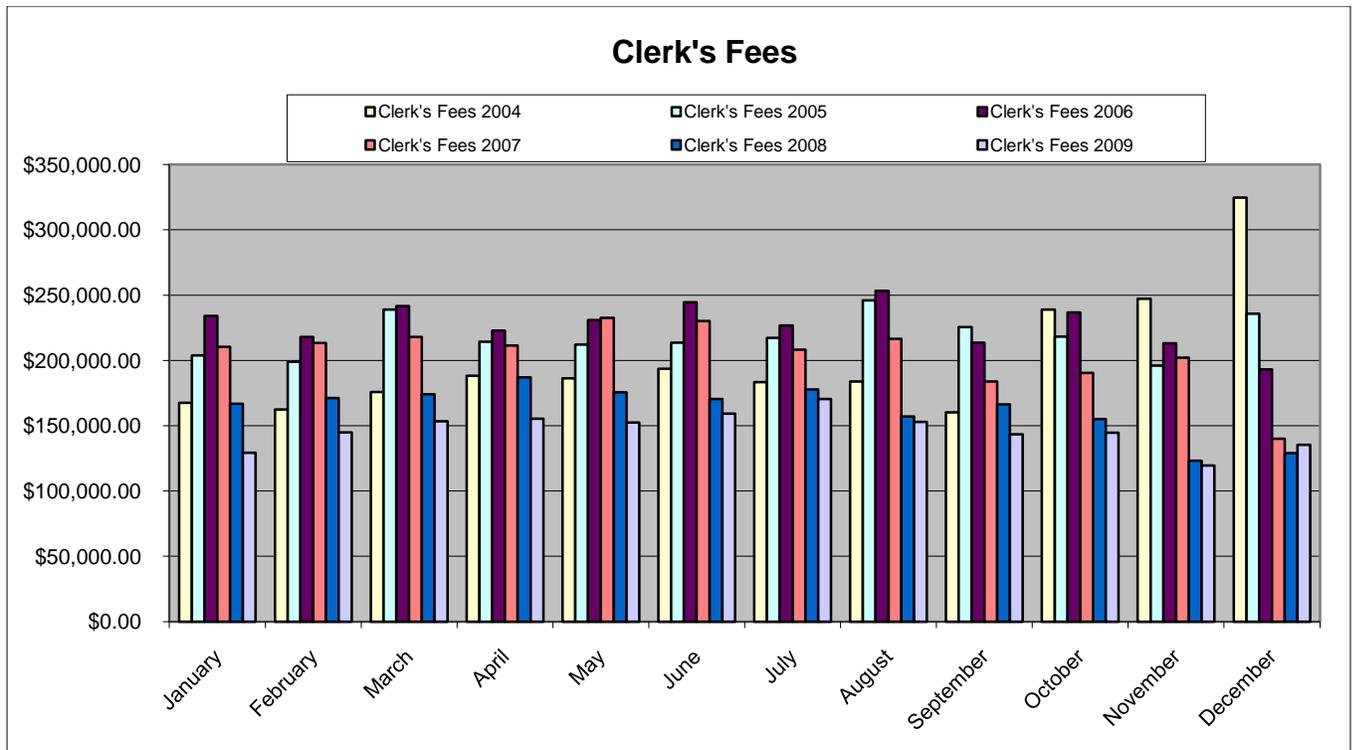
**Criminal Appeals Processed to CAV in 2009 - 398**



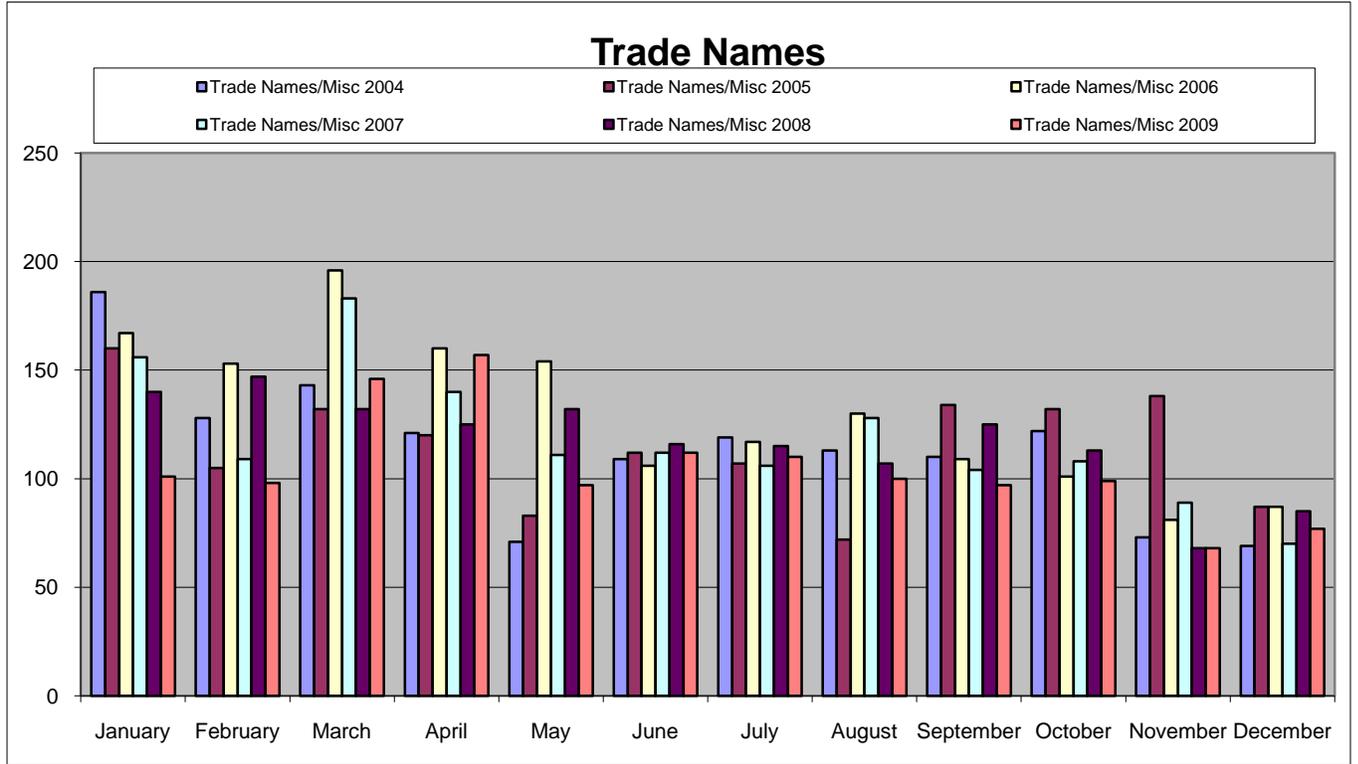
**Total Receipts for 2009 - \$24,549,782.90**



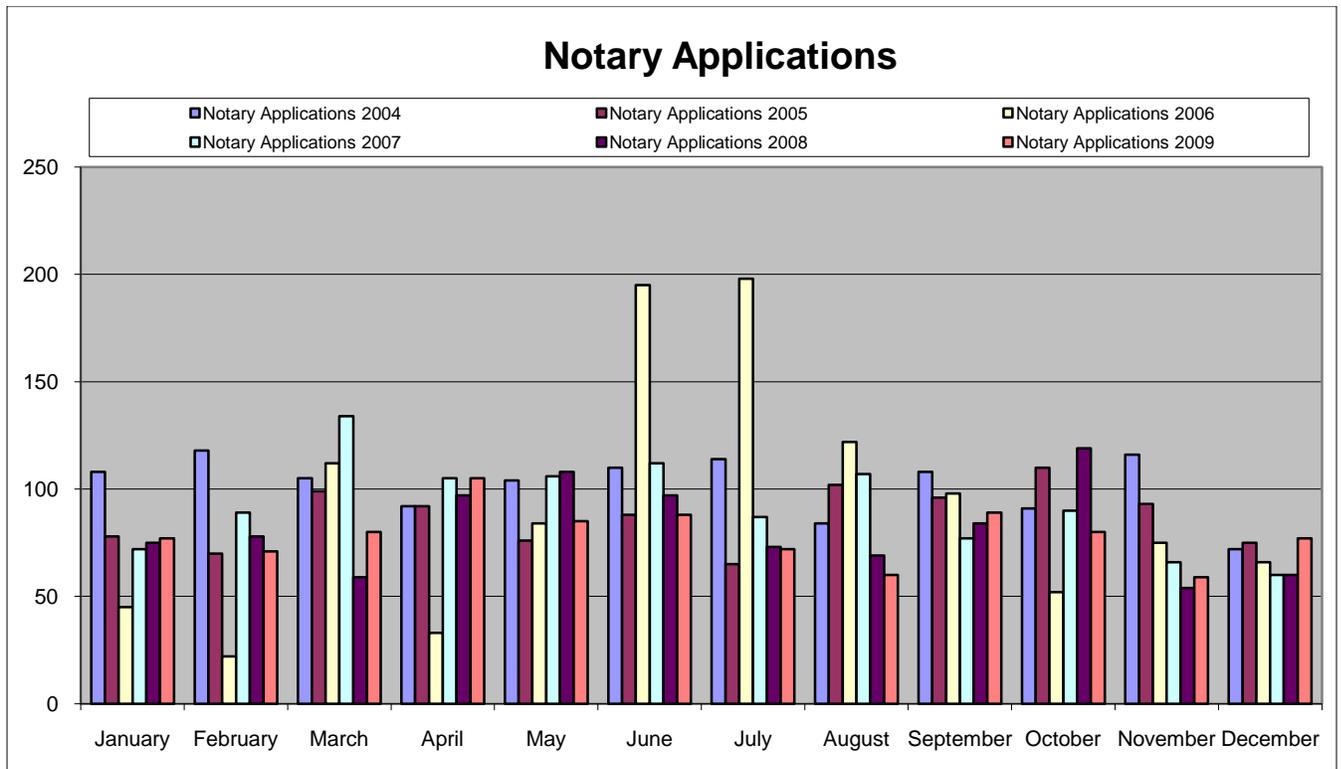
**Clerk's Fees Collected in 2009 - \$1,625,589.43**



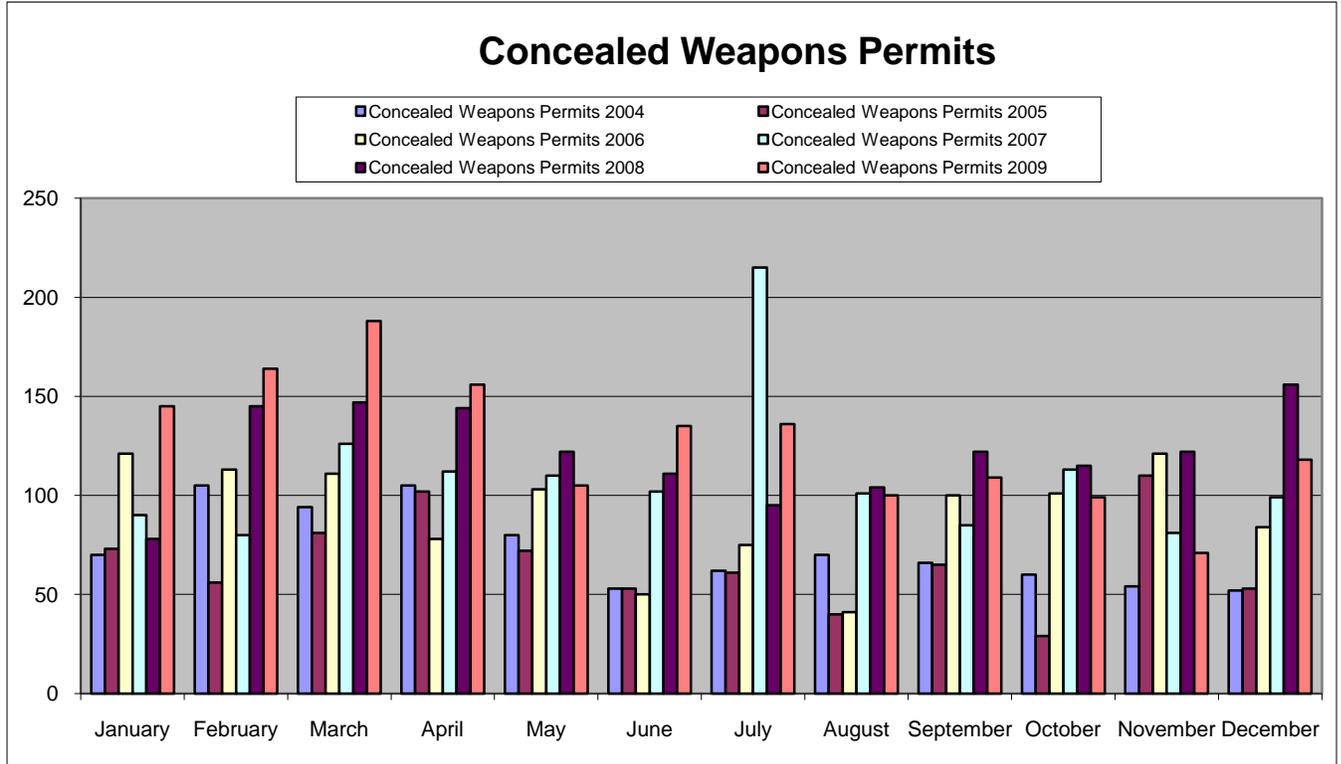
**Trade Name Applications Processed in 2009 – 1,262**



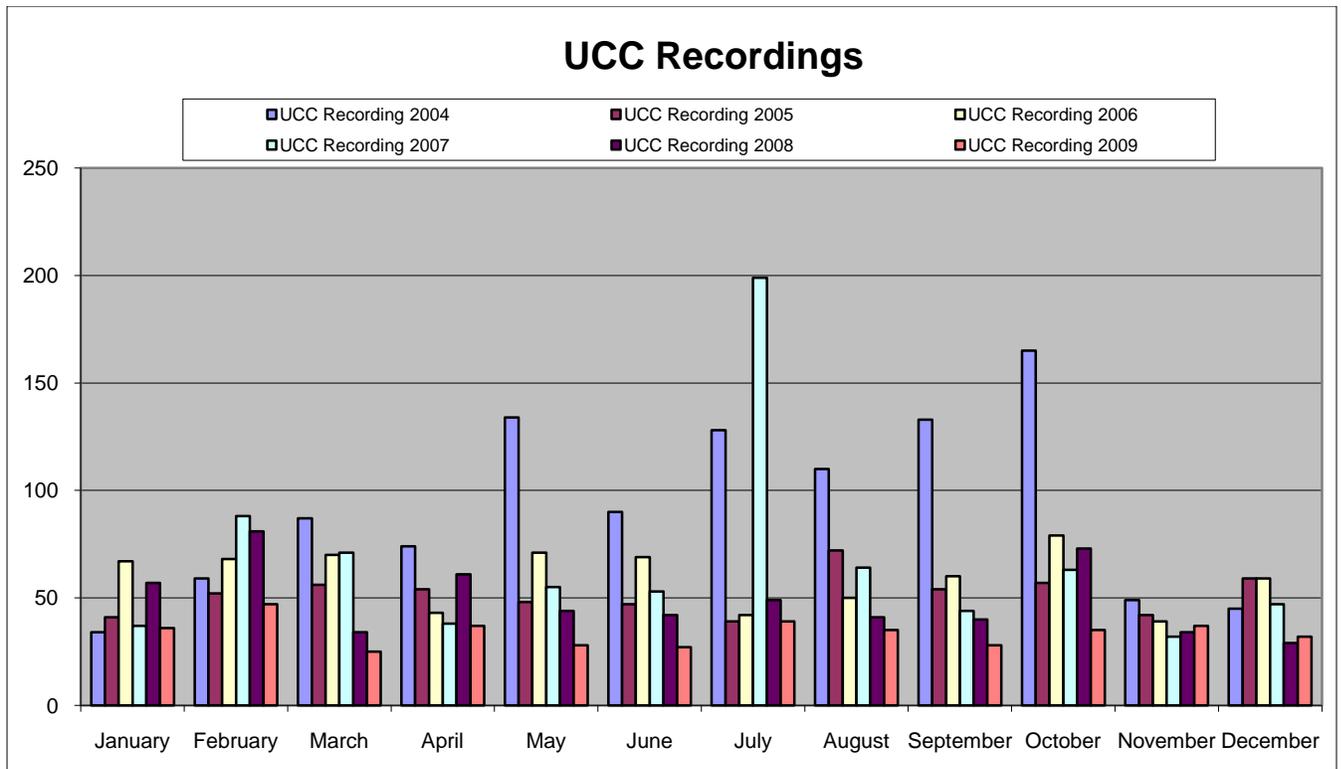
**Notary Applications Processed in 2009 - 943**



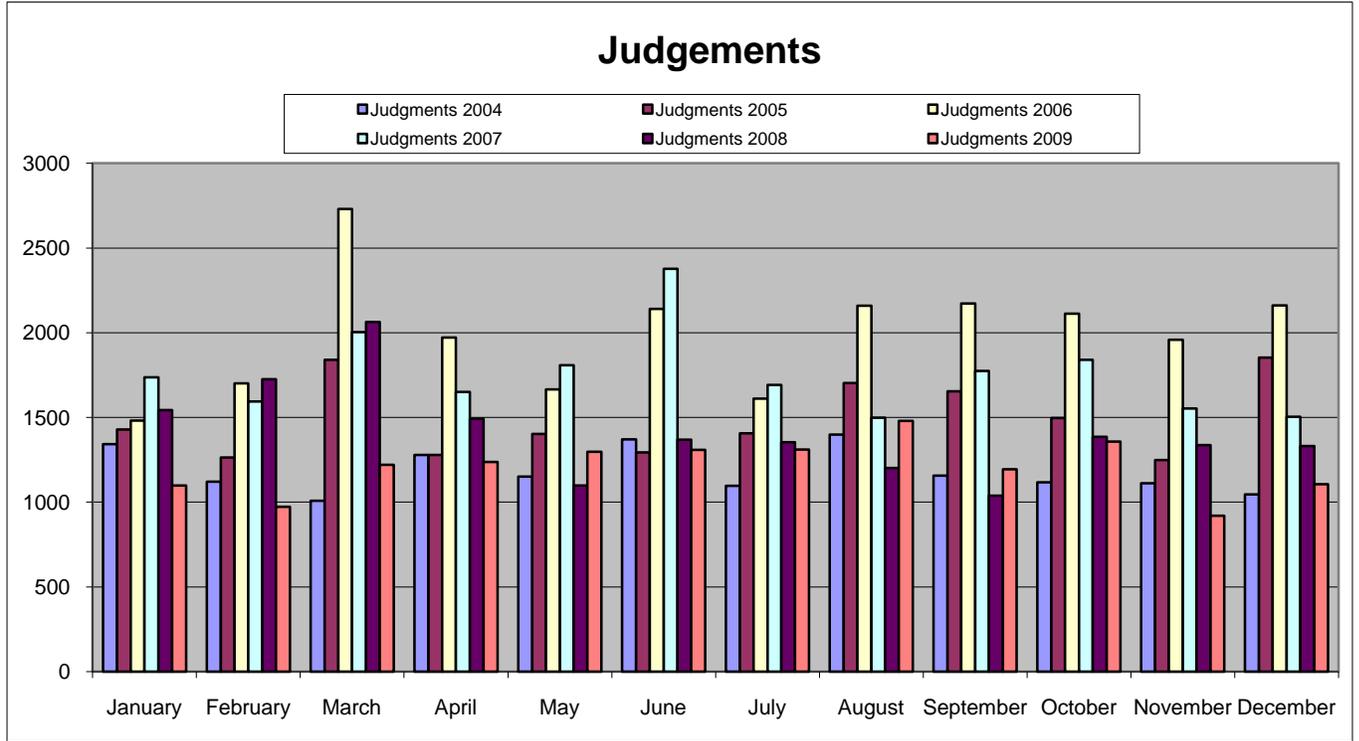
**Concealed Weapons Permits Issued in 2009 – 1,526**



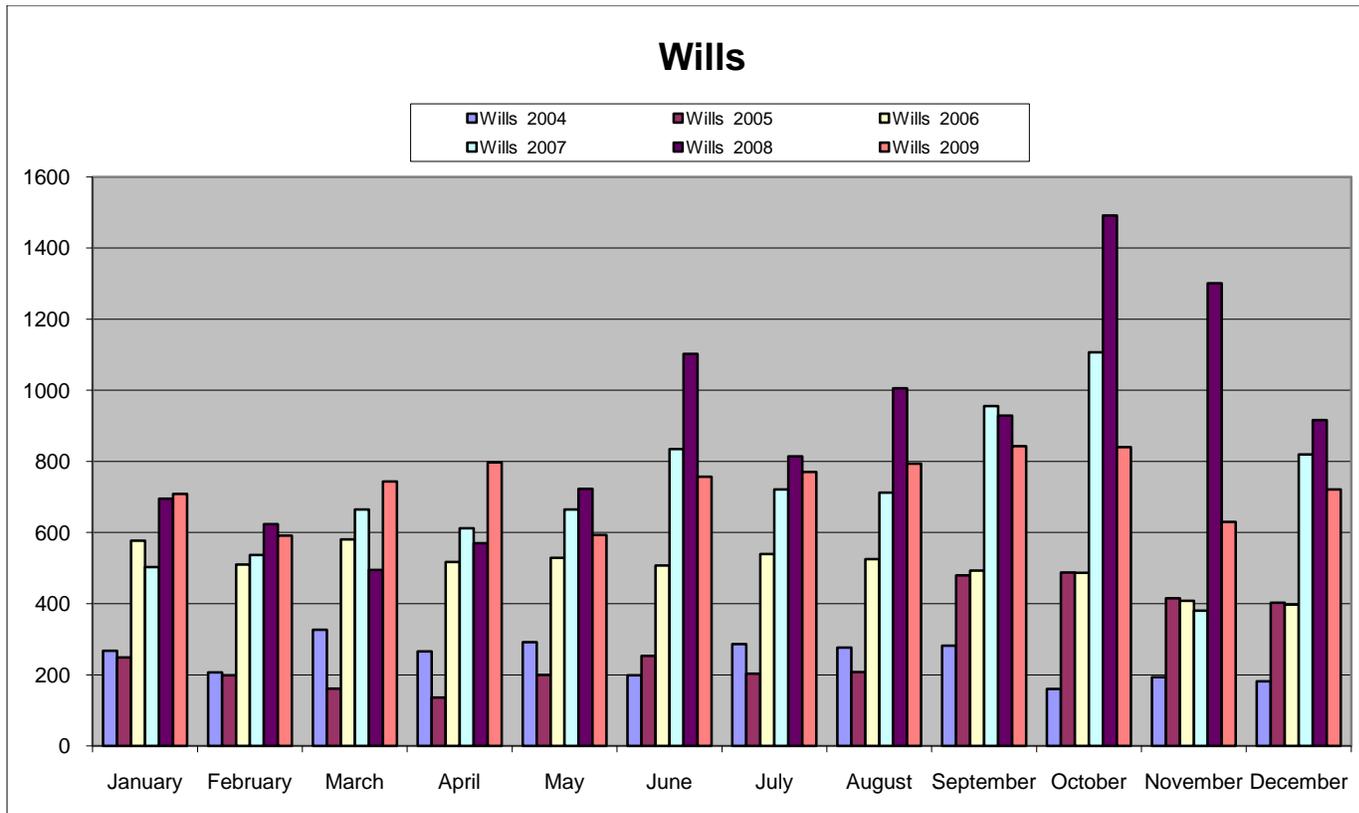
**UCC Recordings in 2009 - 406**



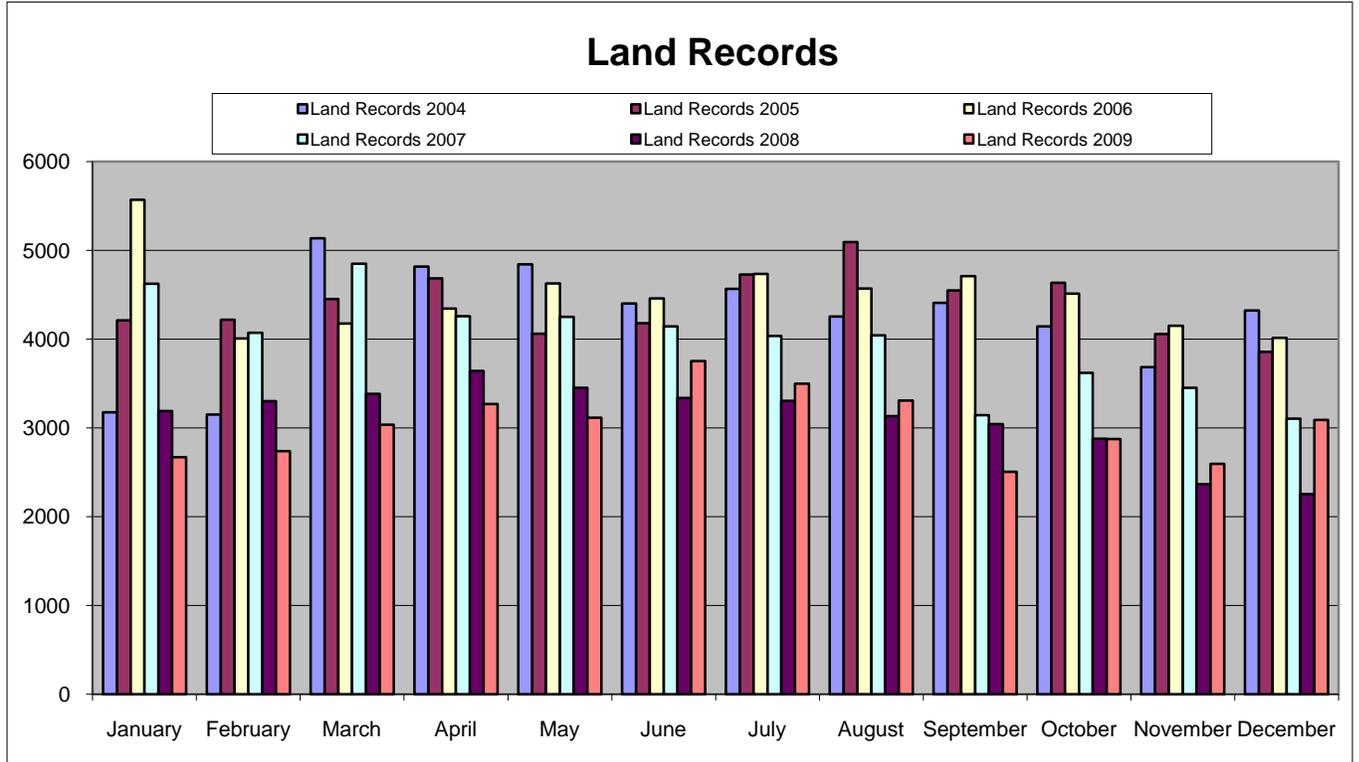
**Judgments Recorded in 2009 – 14,503**



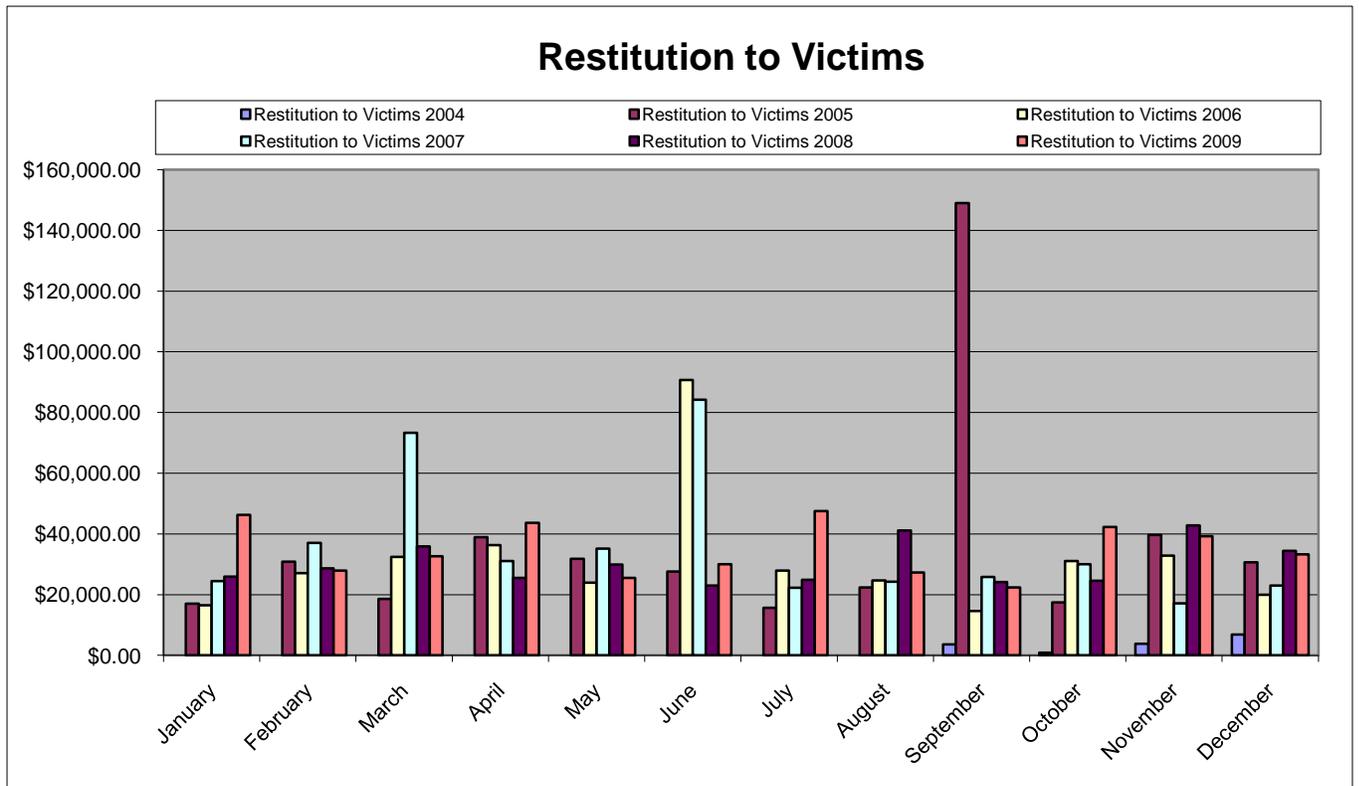
**Wills Probated in 2009 – 8,788**



**Land Recordation's in 2009 – 36,452**



**Restitution collected and paid out to Victims in 2009 - \$418,003.24**



Liens Attached in 2009 - 193

