

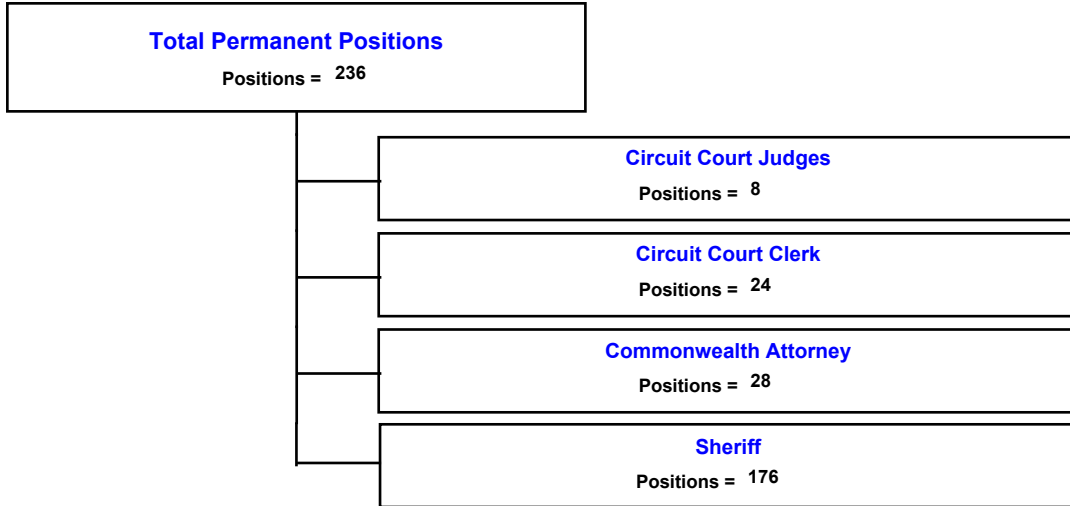
Judicial

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Judicial

Business Center Organizational Chart



**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

Judicial

Description of Services Provided

This business center includes civil and criminal agencies pertaining to the prosecution and adjudication such as the Circuit Court Judges, Circuit Court Clerk, Magistrate, General District Court, Juvenile and Domestic Relations court, Juvenile Court Services, the Sheriff and the Commonwealth Attorney. Services provided include the provision of a judicial procedure for the enforcement of State laws and City ordinances, assisting the Circuit Court Judges as well as maintaining and preserving court documents; hearing criminal, traffic and civil cases, and protecting the welfare of the child and family. Also included is the prevention and reduction of juvenile delinquency and the provision of constitutional and municipal services for the City of Portsmouth.

Business Units	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Circuit Court Judges	387,793	423,857	423,857	462,222
Circuit Court Clerk	1,242,127	1,369,479	1,372,983	1,307,628
Magistrate	7,498	8,367	8,367	19,362
General District Court	33,692	45,646	45,646	47,214
Juvenile And Domestic Relations Court	733,546	803,435	803,435	814,635
Juvenile Court Services	294,003	331,689	331,689	373,313
Commonwealth Attorney	1,864,153	1,882,782	1,882,782	1,912,269
Sheriff	10,140,929	10,845,130	10,857,010	10,838,486
Total Budget	14,703,742	15,710,385	15,725,769	15,775,129
Total Permanent Positions	233	234	236	236

Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	14,703,742	15,710,385	15,725,769	15,775,129
Total Funding	14,703,742	15,710,385	15,725,769	15,775,129

**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

**Judicial
Circuit Court Judges**

Business Unit Mission Statement

The Circuit Court Judges have the primary responsibility of providing a judicial procedure for the enforcement of state laws and city ordinances.

Description of Services Provided

- Trial of Appeals from the General District Court and Juvenile and Domestic Relations Court.
- Set bonds in criminal cases.
- Trial of Appeals of grievability relative to City grievances.
- Hear certain appeals for Virginia Employment Commission.
- Issue Capias' (Warrants) for those persons failing to appear for court hearing dates.
- Trial Support and Custody matters relative to divorce actions and on appeal from Juvenile and Domestic Relations Court.
- Prepare Venire Facias (list of potential jurors) on a monthly basis.
- Preside over Grand Jury, which meets monthly.
- Hear Mental/Incompetence Petitions (appoints guardians, etc.)
- Appoint and Swear-In Magistrate, Probation Officers and Special Police Officers.
- Appoint members of the Board of Zoning Appeals, Equalization Board, Chesapeake Bay Bridge Tunnel Commission and Electoral Board.
- Appoint Judges of the General District Court and the Juvenile and Domestic Relations Court when a vacancy occurs and the Legislature is not in session and substitute judges.
- Appoint Marriage Commissioners.
- Appoint Commissioners in Chancery to hear evidence and report finding to the Court in divorce cases.
- Appoint Trustees of religious congregations.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Salaries	245,715	265,596	265,596	276,459
Benefits	73,029	76,490	76,490	91,233
Contractual Services	5,408	11,615	11,615	11,847
Materials and Supplies	27,053	30,673	30,673	31,284
Other Operating Expenses	18,473	19,013	19,013	19,394
Internal Service Charges & Expenses	10,368	20,470	20,470	16,417
Net Budget	380,046	423,857	423,857	446,634
Capital Outlay	-	-	-	15,588
Total Budget	380,046	423,857	423,857	462,222
Total Permanent Positions	7	7	7	8

Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	387,793	423,857	423,857	462,222
Total Funding	387,793	423,857	423,857	462,222

Major Budget Variances

In FY '07, a new Circuit Court judge will be appointed. The judge will require a secretary and supplies to perform the judgeship's responsibilities.

**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

**Judicial
Circuit Court Clerk**

Business Unit Mission Statement

The Clerk of Circuit Court is a constitutional elected officer for a term of eight years. This office is responsible for assisting the four Circuit Court Judges as well as, maintaining and preserving all court documents. All pleadings and orders relating to civil claims, criminal cases and appeals are filed with the Clerk of Circuit Court. Land records, judgments, gun permits, UCC financial statements, fictitious names, bonds, marriage licenses, game licenses, military discharges, registration of ministers, oaths of office, notaries, elections and referenda are recorded in this office. The Clerk of Circuit court is responsible for processing all probate and estate records as well as issues relating to the appointment of guardians and conservators.

Description of Services Provided

Listed below are the services provided by the office of the Clerk of Circuit Court:

- Recording and indexing deeds,
- Executing bonds
- Probating wills
- Recording charters and partnerships
- Issuing notaries
- Qualifying ministers to perform marriage ceremonies
- Administering oaths
- Issuing concealed weapon permits
- Recording and indexing judgments
- Issuing hunting and fishing licenses
- Issuing marriage licenses
- Processing all adoption proceedings
- Preparing records for the Virginia Court of Appeals, Supreme Court of Virginia,
United States District Court and United States Supreme Court
- Processing indictments and bench warrants in criminal cases
- Processing warrants in misdemeanor cases
- Keeping minutes and preparing court orders in court proceedings
- Processing payments for fines and cost in criminal cases.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Salaries	756,221	802,266	802,266	742,348
Benefits	240,676	256,953	256,953	275,063
Contractual Services	90,533	142,473	145,977	148,367
Materials and Supplies	34,543	48,359	48,359	42,319
Other Operating Expenses	14,718	23,652	23,652	24,650
Internal Service Charges & Expenses	67,361	95,776	95,776	74,881
Net Budget	1,204,052	1,369,479	1,372,983	1,307,628
Total Budget	1,204,052	1,369,479	1,372,983	1,307,628
Total Permanent Positions	24	24	24	24

Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	1,242,127	1,369,479	1,372,983	1,307,628
Total Funding	1,242,127	1,369,479	1,372,983	1,307,628

**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

**Judicial
Magistrate**

Business Unit Mission Statement

The Office of the Magistrate traces its development through centuries of English and American history in the Commonwealth of Virginia. The magistrates are part of the Judicial System and act as a buffer between law enforcement and society. Our principle function is to provide independent, unbiased review of complaints brought to the office by anyone who may enter.

Description of Services Provided

The primary goal for the Office of the Magistrate is to provide courteous, efficient, unbiased professional services to law-enforcement officers, mental health professionals, medical doctors and citizens.

The future goal of the Magistrate staff would be enhancements to include equipment with highly technical automation to produce more information and a professional office environment to give better service to the clients that we serve.

Our daily functions include, the issuance of warrants of arrest, search warrants, summonses, subpoenas, bail bond, civil and criminal temporary detention orders, medical temporary detention orders and emergency protective orders.

When a person is arrested in this jurisdiction, they are either admitted to bail or committed to jail.

We also take guilty pleas and prepayments of traffic infractions and Class 4 misdemeanors.

The Magistrate's Office also serves the Portsmouth City Jail and the Hampton Roads Regional Jail, which houses inmates for the Hampton Roads area.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Contractual Services	2,263	2,568	2,568	2,663
Materials and Supplies	2,262	2,424	2,424	2,472
Other Operating Expenses	900	1,202	1,202	1,326
Internal Service Charges & Expenses	2,074	2,173	2,173	2,901
Net Budget	7,498	8,367	8,367	9,362
Capital Outlay	-	-	-	10,000
Total Budget	7,498	8,367	8,367	19,362
Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	7,498	8,367	8,367	19,362
Total Funding	7,498	8,367	8,367	19,362

**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

**Judicial
General District Court**

Business Unit Mission Statement

The Portsmouth General District Court has the primary responsibility of hearing the criminal, traffic and civil cases within the Third Judicial District of Virginia. The General District Court does not conduct jury trials. A judge hears all cases in this court. Fines collected for violations of City ordinances are paid into the treasury of Portsmouth. All fines collected for violation of State law are paid in the State Treasury. The amount of court cost is set by the State Legislature. The court cannot suspend or waive costs.

Description of Services Provided

CIVIL CASES: The General District Court decides civil suits involving amounts of money up to \$15,000. A suit is begun by filing a civil warrant or motion for judgement with the clerk of the court and paying a fee. Small claims are those civil suits involving amounts of money of \$1,000 or less and are within the exclusive jurisdiction of this court.

CRIMINAL CASES: The General District Court decides cases in which a person charges with a misdemeanor. A misdemeanor is any charge which carries a penalty of no more than one year in jail or a fine of up to \$2,500 or both.

The General District Court holds preliminary hearings in felony cases. Any charge which may be punishable by more than one year in jail is a felony. Preliminary hearings are held to determine whether there is enough evidence to justify holding the defendant for a grand jury hearing. The grand jury determines whether the accused will be indicted and held for trial by the Circuit Court.

Each defendant in a criminal case is presumed innocent until proven guilty beyond a reasonable doubt. Upon consideration of evidence, the judge decides the question of guilt or innocence and on the finding of guilt determines which penalty, if any, is proper and lawful.

TRAFFIC CASES: The General District Court hears cases in which a person is charged with a traffic offense. Most traffic offenses are infractions, which are punishable by a fine but no jail penalty. (Cases involving awards to individuals for damages in connection with traffic violations are civil in nature.) If you are convicted of certain traffic violations the Virginia Division of Motor Vehicles will assess points against your driver's license. This is an administrative actions by DMV and is in addition to any sentence imposed by the judge.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Contractual Services	14,391	22,228	21,228	23,735
Materials and Supplies	6,593	6,657	7,657	7,810
Other Operating Expenses	4,093	7,976	7,976	8,135
Internal Service Charges & Expenses	8,616	8,785	8,785	7,534
Net Budget	33,692	45,646	45,646	47,214
Total Budget	33,692	45,646	45,646	47,214

Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	33,692	45,646	45,646	47,214
Total Funding	33,692	45,646	45,646	47,214

**Judicial
Juvenile And Domestic Relations Court**

Business Unit Mission Statement

The Juvenile and Domestic Relations District Court is a component of the unified court system of the Commonwealth of Virginia subordinate to the Supreme Court and subject to the administrative supervision of the Chief Justice of the Supreme Court in accordance with Chapter 4.1 of Title 16.1 Code of Virginia. The purpose of the Juvenile and Domestic Relations District Court is to protect the welfare of the child and family. This court provides impartial and timely services to litigants and the paramount concern is the protection of victim's rights and liberties in accordance with the Code of Virginia.

Description of Services Provided

The goal of the Juvenile and Domestic Relations District Court is to protect the welfare of the child and family. The court does this by exercising exclusive original jurisdiction over cases involving the following:

- >Children alleged to be delinquent, abused, neglected, in need of services, supervision and status offender.
- >Children charged with violating traffic laws.
- >Children subject to entrustment agreements and proceedings seeking termination of residual parental rights.
- >Proceedings filed pursuant to "The Psychiatric Inpatient Treatment of Minors Act".
- >Under specific statutory provisions judicial consent requisite that of a parent including emergency, surgical/medical treatment.
- >Petitions seeking support, custody or visitation of a child.
- >Petitions seeking spousal support.
- >Petitions seeking emancipation, parentage determination, approval of standby guardians and judicial authorization of abortion without notice to an unauthorized person.
- >Petitions and protective orders in cases of family abuse and the issuance of emergency protective orders.
- >Prosecution of persons charged with offenses against children and offenses wherein a family or household member is the victim.
- >Petitions for enforcement of administrative support orders and de novo appeals from the State Department of Social Services per Section 63.1-249 et. seq of the Code of Virginia.
- >Presentation of driver's license to drivers under the age of 18.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Contractual Services	722,385	783,554	783,554	799,026
Materials and Supplies	1,216	2,500	2,500	2,500
Other Operating Expenses	5,696	8,200	8,200	8,240
Internal Service Charges & Expenses	4,248	9,181	9,181	4,869
Net Budget	733,546	803,435	803,435	814,635
Total Budget	733,546	803,435	803,435	814,635
Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	733,546	803,435	803,435	814,635
Total Funding	733,546	803,435	803,435	814,635

Judicial Juvenile Court Services

Business Unit Mission Statement

The mission of the Department of Juvenile Justice is to protect the public through a balanced approach of comprehensive services that prevent and reduce juvenile delinquency through partnerships with families, schools, communities, law enforcement and other state agencies, while providing the opportunity for delinquent youth to develop into responsible and productive citizens. Third District Juvenile Court Services (Portsmouth Court Services) is a sub-organizational community entity within the Commonwealth of Virginia's Department of Juvenile Justice (1 of 31 throughout the Commonwealth) and serves the City Of Portsmouth and the Portsmouth Juvenile and Domestic Relations Court.

Description of Services Provided

The Juvenile Court Services Unit utilizes pre-dispositional and post-dispositional programs/services, which are obtained through referrals to the Tidewater Regional Group Home Commission (TRGHC). These programs/services compliment the intake, probation, parole and social history services provided to the Portsmouth Juvenile and Domestic Relations Court by the Third District Court Service Unit. They provide critical alternatives to secure detention referrals at a substantial cost savings. Examples of these services include residential group homes including predisposition crisis homes, and non-residential in-home counseling, outreach supervision, electronic monitoring and juvenile conference committees. These services, in conjunction with probation and parole supervision, emphasize public safety, accountability, and rehabilitation in regard to youth brought before intake for delinquency complaints and coming before the Portsmouth Juvenile and Domestic Relations Court. The budgeted dollars supplement Virginia Community Crime Control Act (VJCCCA) funds provided to TRGHC for locality services by the Commonwealth of Virginia. Due to the fact that four years ago, those VJCCCA funds were reduced by 51%, the Juvenile Court Services Unit is operating with a significantly reduced overall budget regarding pre and post disposition services and placements ordered by the Juvenile and Domestic Relations Court for delinquent youths.

Juvenile Court Services include:

- Intake processing of juvenile and domestic relations matters for the Court that includes the use of diversionary alternatives to court and the processing of matters referred to the Portsmouth Juvenile and Domestic Relations docket.
- Court ordered pre-dispositional investigations and recommendations to assist the Portsmouth Juvenile and Domestic Relations Court in making final dispositions which includes the use of Tidewater Regional Group Home residential and non-residential services.
- Probation supervision
- Parole supervision
- Special services/placement referrals to to the Tidewater Regional Group Home Commission and other entities to support Portsmouth Juvenile and Domestic Relations Court dispositions, including referrals to enhance probation and parole supervision.

<u>Expenditure Categories</u>	<u>FY 2005 Actual</u>	<u>FY 2006 Adopted</u>	<u>FY 2006 Amended</u>	<u>FY 2007 Adopted</u>
Contractual Services	282,245	326,988	326,988	336,315
Materials and Supplies	636	404	404	412
Other Operating Expenses	55	202	202	206
Internal Service Charges & Expenses	11,067	4,095	4,095	11,032
Net Budget	294,003	331,689	331,689	347,965
Capital Outlay	-	-	-	25,348
Total Budget	294,003	331,689	331,689	373,313

<u>Funding Sources</u>	<u>FY 2005 Actual</u>	<u>FY 2006 Adopted</u>	<u>FY 2006 Amended</u>	<u>FY 2007 Adopted</u>
001 General Fund	294,003	331,689	331,689	373,313
Total Funding	294,003	331,689	331,689	373,313

Major Budget Variances

The Portsmouth Court Service Unit's referrals to the Tidewater Regional Group Home Commission were subject to rate increases in FY 2006. Examples: Chesapeake Regional Group Home's rate of \$124.93 was increased to \$135.00 per day for an increase of 8.06%. Westhaven Group Home's rate of \$137.68 was increased to \$149.00 per day for an 8.22% increase. In-Home Services rate increased from \$47.25 to \$51.00 for a 7.93% increase. Challenge Outreach monitoring services rate increased from \$37.13 to \$39.00 for a 5.03% increase. Electronic Monitoring services which are coupled with Outreach monitoring increased from \$4.09 to \$4.25 for a 3.91% increase. The Juvenile Court service Unit is attempting to maintain its level of services in response to the dispositions of the Portsmouth Juvenile and Domestic Relations Court in order to insure appropriate placements, services and monitoring toward the public safety of the community.

**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

**Judicial
Commonwealth Attorney**

Business Unit Mission Statement

In affiliation with the City of Portsmouth, the Commonwealth Attorney's Office mission is to courageously and aggressively challenge individual criminal activity; to oppose crime and promote justice without fear of personal, professional, or political consequences; to execute justice without regard to race, religion, gender, political affiliation or socio-economic status; to employ all the department's resources objectively fostering a crime free community while nurturing strong moral development and personal responsibility; and finally to earn the citizenry's trust and respect in which we are honored to serve within Portsmouth and throughout the Commonwealth of Virginia.

Description of Services Provided

For the City of Portsmouth, the Commonwealth's Attorney, Earle C. Mobley, is served by a Chief Deputy Commonwealth Attorney, two Deputy Commonwealth Attorneys, and twelve Assistant Commonwealth Attorneys. The Office Administrator supervises one paralegal, one investigator, one public information officer, nine secretaries and eight grant related appointees.

The Commonwealth's Attorney also administers three grant programs. They are the Exile Grant, Victim Witness, and V-Stop. To provide direct services for criminal victims and witnesses, the Victim Witness Grant provides funding for seven full time appointees. Dedicated to the prosecution of violence against women, the V-Stop Grant provides funding for an attorney and a legal secretary. Dedicated to prosecuting those illegally possessing firearms, the Exile Grant provides funding for an attorney.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Salaries	1,335,097	1,374,517	1,374,517	1,384,171
Benefits	374,597	366,328	366,328	387,070
Contractual Services	11,174	15,313	15,313	15,809
Materials and Supplies	23,382	31,645	31,645	29,055
Other Operating Expenses	24,325	37,191	37,191	31,662
Internal Service Charges & Expenses	45,429	57,788	57,788	64,502
Net Budget	1,814,004	1,882,782	1,882,782	1,912,269
Total Budget	1,814,004	1,882,782	1,882,782	1,912,269
Total Permanent Positions	26	28	28	28

Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	1,864,153	1,882,782	1,882,782	1,912,269
Total Funding	1,864,153	1,882,782	1,882,782	1,912,269

**City of Portsmouth
Fiscal Year 2007 Adopted Budget**

**Judicial
Sheriff**

Business Unit Mission Statement

To serve and protect the citizens of Portsmouth with compassion, understanding, unquestioned integrity, total dedication, and genuine pride in our community and ourselves.

Description of Services Provided

The Portsmouth Sheriff's Office has the primary responsibility for the care and custody of all inmates within the jail facility. We provide secure court operations and serve over 10,000 court documents annually. The office establishes goals, services and operations of the jail facility, as well as for other divisions within the office.

We offer humane care and custody of inmates and the protection of the community from those incarcerated in the jail. The Sheriff's Office maintains a police lock-up where deputies book prisoners into the jail as opposed to having police officers perform the task. The Court Security Division maintains security for all courts and transportation of prisoners to and from court, to other correctional facilities, and to court ordered destinations. We are also responsible for service of all civil and criminal process directed by the courts or other legal authority. We provide funeral escorts to the citizens of Portsmouth. The Criminal Apprehension Unit serves all criminal warrants. The Inmate Work Program makes available a volunteer program whereby qualifying inmates may carry out public service work, i.e., individuals work in a variety of city departments, litter control, mowing services, etc. The Training Division provides training for all new deputies, as well as keeping current mandated in-service training for established personnel. Community Corrections provides an alternative method of supervision other than incarceration. The Sheriff's Office also maintains a Traffic Safety Unit ensuring the safe operation of vehicles on the city streets.

Expenditure Categories	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
Salaries	5,299,432	6,045,513	6,045,513	5,744,975
Benefits	1,708,581	1,883,747	1,883,747	1,869,826
Contractual Services	986,332	926,354	926,354	947,010
Materials and Supplies	697,481	734,750	734,750	761,642
Other Operating Expenses	85,507	107,280	119,160	108,348
Internal Service Charges & Expenses	1,138,400	1,147,486	1,147,486	1,406,685
Net Budget	9,915,733	10,845,130	10,857,010	10,838,486
Total Budget	9,915,733	10,845,130	10,857,010	10,838,486
Total Permanent Positions	176	175	177	176
Funding Sources	FY 2005 Actual	FY 2006 Adopted	FY 2006 Amended	FY 2007 Adopted
001 General Fund	10,140,929	10,845,130	10,857,010	10,838,486
Total Funding	10,140,929	10,845,130	10,857,010	10,838,486