



Albemarle County

Legislation Text

File #: 19-344, **Version:** 1

AGENDA DATE: 6/19/2019

TITLE:

Circuit Court Agreement and Supplemental Funding Request

SUBJECT/PROPOSAL/REQUEST: Authorize the Circuit Court to hire a full-time legal services assistant to assist new judge

ITEM TYPE: Consent Action Item

STAFF CONTACT(S): Richardson, Kamptner, Letteri, Allshouse L., Bowman, Taylor

PRESENTER (S): N/A

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: Albemarle County is part of the Sixteenth Judicial District of Virginia and is served by a Circuit Court, General District Court, Juvenile and Domestic Relations Court, and Magistrate's Office. In addition to Albemarle County, the 16th District includes the City of Charlottesville, and Culpeper, Fluvanna, Goochland, Greene, Louisa, Madison and Orange Counties. Currently, Albemarle County's Circuit Court is served by one full time judge, Cheryl Higgins, whose salary and benefits are covered by the State Compensation Board ("Comp Board"). As is usual and customary in Virginia, the County also supports expenditures of the court that are not covered by the Compensation Board, such as the salary and benefits of a full-time legal assistant for Judge Higgins.

STRATEGIC PLAN: Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: Recently, due to increasing caseloads, the State appointed a second judge, Claude Worrell, to assist the localities of Albemarle, Greene, and the City of Charlottesville. As with other judges appointed to the district, the salary and benefit costs associated with the new judge will be covered in full by the State Comp Board. Judge Worrell has approached the localities to which he is assigned with a request to fund a full-time legal services assistant to assist him with administrative duties customarily required with circuit court operations. Further, given that he will be sitting two days in Albemarle County and one day in the City of Charlottesville, Judge Worrell has requested a permanent office in the County's court complex and that his new legal assistant be a part of the County's pay plan.

Staff has drafted a cost-sharing Agreement for the Board's consideration (Attachment A). The Agreement outlines the hiring of a Legal Services Assistant who will be employed by Albemarle County (similar to Denise Hodges who serves Judge Higgins), subject to a fully executed cost-sharing Agreement between the City of Charlottesville, Greene County, and Albemarle County in which Greene County and Charlottesville agree to contribute to Albemarle 40% and 20%, respectively, of all costs incurred by Albemarle in connection with providing Legal Assistant services, including the costs of providing office space and supplies.

BUDGET IMPACT: Based on the costs to the County of providing a Legal Assistant for Judge Higgins, staff estimates the total cost of a new assistant, including benefits, office and supply costs, at approximately \$80,000 per year, with approximately \$48,000 to be contributed by Charlottesville and Greene, for a net cost to Albemarle of approximately \$32,000 in FY 20. These amounts are approximate, and exact amounts will be determined prior to staff's submission of an appropriation request based on approval of the Agreement by all parties. Because this expense was not anticipated in the FY 20 budget, OMB recommends the use of the FY 20 Reserve for Contingency for the County's portion of this cost for the first year.

RECOMMENDATION:

Staff recommends that the Board adopt the attached Resolution (Attachment B) approving the Agreement. Once the Agreement is fully executed by all the parties, staff will request the Board approve an appropriation request for the position and will request that the Board authorize staff to proceed with the recruitment of a Legal Services Assistant for Judge Worrell, with a start date of July 1, or as soon thereafter as possible.

ATTACHMENTS:

Attachment A - Draft Agreement

Attachment B - Resolution