
Compensation Board Funding & Staffing for Constitutional Offices

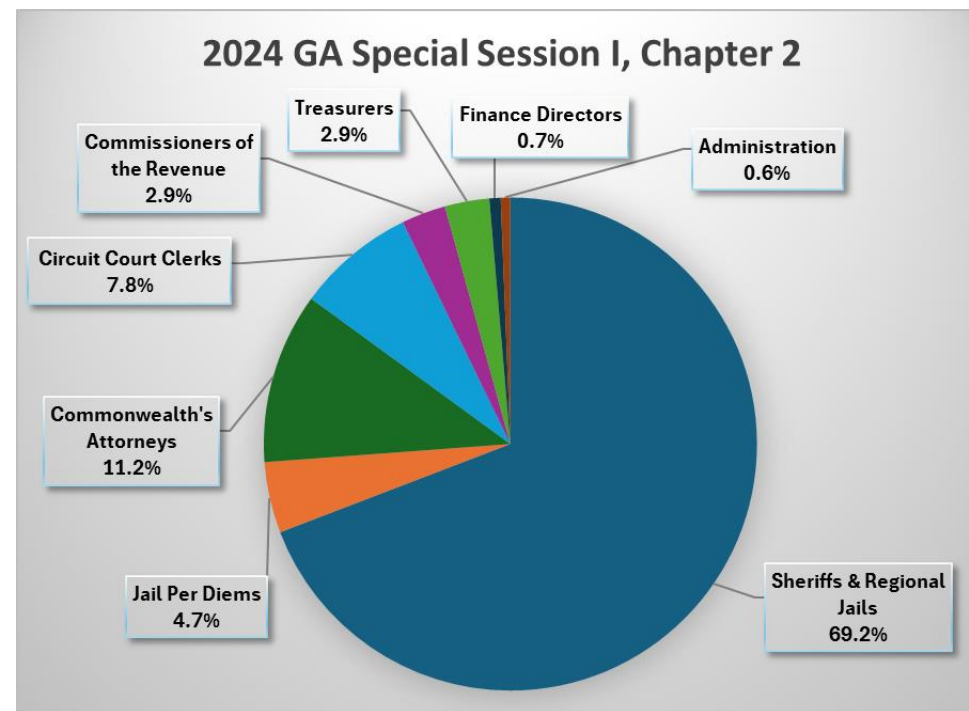
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Compensation Board
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Overview of Compensation Board Funding, Supporting Staffing for Constitutional Officers

- Mission of the Compensation Board set out in law: “fix and determine what constitutes a fair and reasonable budget for the participation of the Commonwealth toward the total cost of the office” for all of Virginia’s locally elected Constitutional Officers.

Key Points:

- Fair and reasonable (treat everyone the same, using objective criteria in the allocation of state funds)
- State’s share (set by the General Assembly, not intended to cover all expenses for operating offices)
- FY25 Appropriation for Compensation Board totals \$939M
- 99% of funding appropriated for constitutional office groups supports salaries for allocated positions; 4.7% of overall appropriation supports jail per diem payments.
- Since the early 1990’s, the Compensation Board uses workload-based staffing standards for the determination of need and allocation of positions in constitutional offices.



Staffing Standards - Sheriffs and Regional Jails

- Staffing standards for Sheriffs are defined through a combination of requirements established in the Code of Virginia and in the Appropriation Act, as well as by Compensation Board policy, with separate standards for each Sheriff's office responsibility carried out by sworn deputies
 - Law Enforcement – standard is based on Code §15.2-1609.1, prescribing the allocation of 1 deputy per 1,500 locality population in Counties where the Sheriff provides primary law enforcement (1,900 deputy positions currently allocated)
 - Deputy position funding is currently short by 371 positions in FY25; estimated at 381 in FY26 based on population; Current deputy to population ratio averages 1:1,730; growth last funded in FY08
 - Court Security and Service of Civil Process - standard is based on Appropriation Act language and a prior time study, determining deputy staffing based on numbers of court days and civil papers received for service. Additional consideration includes behavioral health transportation and extraditions (1,124 deputy positions currently allocated)
 - Corrections deputies and Regional Jail Officers - staffing is based on individual jail operating needs determined through an individual facility study, with Appropriation Act language providing a maximum of 1 deputy per 3 beds of jail operating capacity for base staffing, and 1 deputy per 5 inmates of average daily population above capacity (7,064 deputy and regional jail officer positions currently allocated)

Staffing Standards – Commonwealth’s Attorneys

- Separate staffing standards for Commonwealth’s Attorneys’ offices identify needs for Attorney positions and for administrative support staff, including paralegals
- Commonwealth funding for Assistant Commonwealth’s Attorneys is based on felony caseload and excludes discretionary misdemeanor prosecution; Commonwealth funding for administrative support and paralegal positions is based on ratios of 1 administrative position for every 2 attorney positions due in the office, and 1 paralegal position for every 4 attorney positions due in the office
- Staffing standards for Assistant Commonwealth’s Attorneys were recently updated through an extensive two-year workload and time study conducted by contract with the National Center for State Courts
- In FY25, new funding was provided for 29 Assistant Commonwealth’s Attorney positions and 18 Paralegal positions to be allocated across offices
 - There are currently 728 Attorney positions allocated (including 120 elected Commonwealth’s Attorneys and 608 Assistant Commonwealth’s Attorneys); attorney position funding is currently short by 235 additional positions in FY25/26 (excluding discretionary misdemeanor workload)
 - There are currently 496 administrative support and paralegal positions allocated; administrative position funding is currently short by 133 additional positions and paralegal position funding is currently short by 115 additional positions in FY25/FY26

Staffing Standards – Commonwealth’s Attorneys

Workload – Time Study

- Previous standards for attorneys were based on more generic measures of relative workload, including counts of defendants in felony cases, and counts of final sentencing events post conviction
- 95% of all elected and assistant Commonwealth’s Attorneys participated in the data collection period gathering all time and activities over 13 weeks; study also included extensive participation by elected and assistant Commonwealth’s Attorneys in surveys, advisory committees, focus groups and quality adjustment groups
- New standards for attorneys are based on extensive weighted caseload data across all courts, including problem-solving/specialty court dockets (drug, behavioral health, veterans, etc) but also include time factors to account for non-court and non-case related specific activities as well (diversion, body-worn camera review, FOIA, expungement/rights restoration, and other civil statutory responsibilities, etc.)
 - Other innovations include extensive case filings analysis to produce defendant-based cases for weighting according to most serious offense
- The workload study provides a separate methodology to account for misdemeanor work to inform staff needs in that area. However, Compensation Board staffing standards do not incorporate this work for Commonwealth funding

Staffing Standards – Circuit Court Clerks

- Staffing standards for deputy clerks and support staff in Circuit Court Clerks' offices were developed and approved by the Compensation Board in conjunction with a committee of Clerks over 15 years ago, with periodic reviews of workload definitions
- Circuit Court Clerks are responsible not only for the administration of the court and court related workload, but also have hundreds of responsibilities defined in the Code of Virginia; thus, transactional workload is also an important component of their staffing standards, which includes weighted workload related to:
 - Criminal and Civil Cases
 - Transactions impacting Land Records (Wills & Estates, Deeds of Trust, Judgments, Financing Statements)
 - Processing/handling of Marriage Licenses, Game Licenses, Fictitious Names, Qualifying Notaries, Processing Concealed Handgun Permits, handling of Restitution, etc.
- There are currently 1,122 elected Circuit Court Clerk and deputy positions allocated; under the current deputy clerk staffing standards methodology, position funding is short by 37 additional positions in FY25/26
- Pursuant to language and funding approved by the 2024 General Assembly, the Compensation Board is currently contracting with the National Center for State Courts to conduct a workload and time study for Circuit Court Clerks' offices over the next year. Planning is underway to account for court and transactional workload, including a preliminary review of impacts under legislation related to sealing and expungement of court records

Staffing Standards – Commissioners of the Revenue

- Staffing standards for deputy commissioners and support staff in Commissioners of the Revenue offices were developed and approved by the Compensation Board in conjunction with a committee of Commissioners over 10 years ago, with periodic reviews and updates of workload items and definitions
- Commissioners of the Revenue are the chief tax assessing officers in their localities, administering assessments for businesses and individuals; staffing standards for these offices are based on weighted workload transactions in the areas of:
 - Real Estate and Personal Property tax assessments
 - Business License fees, Machinery and Tool and Merchants capital taxes, Excise taxes
 - Tax relief programs, assisting citizens with state income tax returns, and providing DMV services, etc.
- There are currently 850 elected Commissioner of the Revenue and deputy positions allocated; under the deputy commissioners' staffing standards methodology, position funding is short by 156 additional positions in FY25/26

Staffing Standards – Treasurers & Finance Directors

- Staffing standards for deputy treasurers and support staff in Treasurers' offices were also developed and approved by the Compensation Board in conjunction with a committee of Treasurers approximately 15 years ago, with periodic reviews and updates of workload items and definitions. Treasurers have been reviewing potential changes in the past year and a renewed time study is currently under consideration.
- Treasurers are the chief financial officers in their localities, collecting taxes and local fees and processing payments on behalf of their localities; staffing standards for these offices are based on weighted workload transactions in the areas of:
 - Real Estate and Personal Property tax collections; License tax collections and permit fee collections
 - Financial management, including investment management, some state income tax and DMV processing.
- There are currently 853 elected Treasurer and deputy positions allocated; under the deputy treasurers' staffing standards methodology, position funding is short by 146 additional positions in FY25/26
- In 6 localities, an appointed Director of Finance handles all duties of both the Treasurer and Commissioner of the Revenue where those offices are not present, and staffing standards are combined to reflect the duties of both offices to develop a standard for position needs. There are currently 276 Finance Director and deputy positions allocated; under the combined methodologies, position funding is short by 101 additional positions in FY25/26

Thank You

Questions?

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