Disaster Recovery in the Circuit Court

Description

Interview with Jeff Small, Circuit Court Clerk of the City of Fredericksburg, Virginia

by Julie Ann Rutledge

Describe yourself and what you do as the Clerk of the Circuit Court of the City Fredericksburg?

As Clerk of the Circuit Court of the City of Fredericksburg, I manage the greatest Clerk Deputies in Virginia. The Circuit Court Clerkâ??s Office is responsible for recording and maintaining Land Records, Judgements and Wills. We also open Criminal and Civil cases and maintain the files for those court cases. In addition, we also are responsible for Marriage Licenses, Concealed Handgun Permits, to Administer Probates and much, much more.

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Tell us about your â??Specialâ?? Deputy Clerk?

That would be Annie. Annie Small has been â??employedâ?? in the Fredericksburg Circuit Court since November 17, 2014, when she was paw-printed and became Virginiaâ??s first â??K-9 Deputy Clerkâ?? for the City of Fredericksburg. Annie is a 6-year old chocolate Labrador Retriever, who was adopted by Jeff Small in 2012, after she failed the final step of a course at Auburn Universityâ??s College of Veterinary Medicine that prepares dogs for work with law enforcement agencies. After his other lab Bernie passes away, Jeff began bringing Annie to work with him. Check out a video of Annie at work on fredericksburg.com

{see article by Pamela Gould â??Annieâ?• Small in the Freelance Star published on 4/12/2015}

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What is your background and how long have you been clerk, what is your term?

I have a Biology degree from George Mason University and a Law Degree from NOVA Southeastern University. I have practiced Criminal Defense Law, I have been a Prosecutor for the Commonwealth Attorneyâ??s Office and I have owned a Small Business since 1998. I am currently serving my 6th year of an 8-year term as the Clerk of the Circuit Court for the City of Fredericksburg. I also serve on the Executive Committee of the VCCCA (Virginia Circuit Court Clerkâ??s Association)

What is the Statute that governs the Disaster Recovery Plan for Circuit Court Clerks in Virginia?

As of July 1st, 2017, the Code of Virginia 46.1-8617.1-258.3:C, requires the Clerkâ??s Offices in Virginia to have in place a *Continuity of Operations and Disaster Recovery Plan*

Describe are the statutory requirements for Circuit Court Clerks in the Commonwealth of Virginia:

The requirements are few. The statute states only that the Clerkâ??s are to have a disaster recovery plan

Tell us about the Committee that was developed to address this statute:

Iâ??m not sure about a Committee formed specifically to address the statute. I serve on the Executive Committee of the VCCCA and know that we have discussed it. Most Clerkâ??s Offices have, over the years, created systems of redundancy and backups both onsite and offsite. When the Legislature made it a priority and put it into law, I know that in Fredericksburg we were already prepared and it was a simple process

What is your role and your involvement with this Committee?

My role was to discuss it with the other members of the Executive Committee. Again, most Clerkâ??s Offices were already backing up records in multiple places and putting together the plan was pretty easy. We decided as a Committee to support the Legislature in their passing of this law and to the best of my knowledge we didnâ??t ask for any changes to the law as proposed or passed

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Tell us about how you developed your plan and what the process involved?

We were lucky. The backbone was already there, we just needed to put it into the correct written format. Charles Sterne of the Fredericksburg Fire Department has specific training in creating continuity of Operation and Disaster Plans and created one for our Fire Department. Here is where it gets even better! His wife, Kathy M. Sterne, is the Clerk of the Circuit Court of Stafford County and he helped to create one for her and sat down with us and together we created a plan for the City of Fredericksburg

What is the COOP Plan (Continuing Operations Plan)? What is the deadline for this?

The COOP (Continuity of Operation Plan) is the step-by-step on how we can get back up and running to serve the public in the event of a disaster. For instance, in the event of a flood or fire and the building must be evacuated, how will we continue operations? We have a plan to get the staff out safely, work with the Sheriff and the City to assess damages, get the building occupiable and do our data recovery, so that we can begin to continue operations such as recording Deeds, issuing Marriage Licenses, open Criminal and Civil cases, etc. We are working with Kathy Sterne, the Clerk in Stafford, to come up with a COOP plan that, in the event her building is down we can set-up work stations here so that she and her Deputy Clerks can conduct business, and vice versa if our building is down we can set-up work stations in her office so that we can continue to conduct business for the public

How will the Disaster Recovery Plan and the COOP Plan help the public?

The Plans will help the public in that it is a roadmap that protects their records. Court records are the official record that tells the world for instance that you own your house, that you are married, that your loan was paid off. If any of those records are lost, it can cause chaos in your life! We have a plan to backup those records and recover them in the event of disaster, so that you donâ??t have to worry

about trying to deal with the issues I mentioned above.

What additional plans do you have for the Fredericksburg Circuit Court?

I am so glad that you asked. As pertains to the title community in the City we have begun November 1, 2017 to index every plat in a separate searchable database, also available online through our SRA program. No longer will you have to know the Book and Page number in order to find a plat. This index will allow you to search a plat by GPIN number, Book and Page, Instrument number, Grantor and Grantee and Address when available. It is so exciting because we are so frustrated at the inability to quickly and easily access plats. Also, we continue to apply for and use grants to restore records in our archives. Finally, I and the VCCCA are working with the title community and banking lobby to restructure fees for recording instruments in Virginia. We are trying to make certain flat fees, so that it is easier for you to know how much it will cost to record certain documents and to keep the fee consistent among the different localities that you record in. This project is in the beginning stages, but I am hopeful consensus will be formed and we can get it done.

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