

**Status of Secure Remote Access in Clerks' Offices  
Mid-FY05 Survey and Report**

**March 2005**

*Compensation Board*

## Status of Secure Remote Access in Clerks' Offices Survey and Report

### Section One – 3 Question Survey for Clerks

Purpose of the Survey To poll 120 Clerks for accurate status of secure remote access to land records in Clerks offices on or before General Assembly deadline of July 1, 2006.

#### Clerks' Survey – Secure Remote Access

1. Currently, is this Clerk's office providing secure<sup>1</sup> remote access<sup>2</sup> to land records<sup>3</sup>?
2. If not, what is your planned implementation date?
3. If you have no implementation date what are the obstacles you face in meeting the deadline of July 1, 2006?
  - a) Identify obstacles that are a detailed or specific nature. For example, funding, time, vendor issues, or other obstacles the Compensation Board may be able to assist you in addressing.
  - b) Identify obstacles that are less concrete or more difficult to address. For example, local political / privacy issues, space needs, or issues that indirectly influence your implementation ability, etc.

The Clerks' Technology Committee administered the survey with Yvonne Smith, Henrico Circuit Court Clerk, taking the lead to electronically send the survey to 120 Clerks. During February and March 2005 responses to the three questions were forwarded to the Compensation Board for summary and report.

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<sup>1</sup> "secure" requirements are outlined in *Security Standard for Restricted Remote Access to Documents on Court-Controlled Websites, COV ITRM Standard SEC2001-01.1* and *COV ITRM Standard SEC2003-01.1* by VITA-Virginia Information Technologies Agency, December 2001 and 2003.

<sup>2</sup> "remote access" is defined in the 2003 VITA security standards as allowing "inspection can be made without the need to physically visit the courthouse where the court record is maintained".

<sup>3</sup> "land records" is defined as "deeds, deeds of trust, maps, and plats" in *Modernizing Land Records in Virginia, Final Report*, by the Land Records Management Task Force, January 1, 1998.

## Status of Secure Remote Access in Clerks' Offices Survey and Report

### Section Two – Results of Questions 1 and 2

1. *Currently, is this Clerk's office providing secure remote access to land records?*

Out of the 120 Clerks surveyed 116 responded, or a 96.6% response rate. Of the 116 respondents, 16 Clerks stated that they are currently offering SRA to land records on a full or limited basis, 14%. The remaining 100 Clerks, 86%, responded that they are not currently offering SRA to land records,

2. *If not, what is your planned implementation date?*

Of the 116 Clerks who responded to the survey 104 answered this question, 90%, with these results:

<i>Implementation Date</i>	<i>#</i>	<i>%</i>
Deadline of July 1, 2006	46	40
Sometime in 2005	16	14
No date / date unknown	15	13
Sometime in 2006, prior to deadline	8	7
Ready now but holding back	6	5
Prior to date of survey	5	4
Waiting on Vendor for implementation date	5	4
Not until I have to	2	2
Miscellaneous-Not until move into new courthouse	1	1
<b>TOTAL</b>	<b>104</b>	

Percentages were rounded up to nearest whole number.

## Status of Secure Remote Access in Clerks' Offices Survey and Report

### Matrix - Current SRA and Implementation Date by Locality

LOC	Locality	Clerk	Vendor	Current SRA	Implementation Date
001	ACCOMACK	SAMUEL H. COOPER, JR.	ILS	N	July 1, 2006
003	ALBEMARLE	SHELBY J. MARSHALL	Cott	N	July 1, 2006
005	ALLEGHANY	MICHAEL D. WOLFE	SCV	N	July 1, 2006
007	AMELIA	MARILYN L. WILSON	ILS	N	during FY05
009	AMHERST	ROY C. MAYO, III	Cott	N	July 1, 2006
011	APPOMATTOX	BARBARA R. WILLIAMS	ILS	N	no specific date
013	ARLINGTON	DAVID A. BELL	In-House	Y	
015	AUGUSTA	JOHN B. DAVIS	SCV	N	July 1, 2006
017	BATH	DARLENE CARPENTER	SCV	N	December 2005
019	BEDFORD	CAROL W. BLACK	SCV	N	April 1, 2005
021	BLAND	RONALD B. HALL	SCV	N	
023	BOTETOURT	TOMMY L. MOORE	SCV	N	July 1, 2006
025	BRUNSWICK	V. EARL STANLEY, JR.	SCV	N	July 1, 2005
027	BUCHANAN	JIM BEVINS	Cott	N	No
029	BUCKINGHAM	MALCOLM A. BOOKER, JR.	ILS	N	not sure of implementation date
031	CAMPBELL	DEBORAH E. HUGHES	SCV	N	waiting for SCV
033	CAROLINE	RAY S. CAMPBELL	BIS or Logan ???	N	July 1, 2005
035	CARROLL	CAROLYN H. HONEYCUTT	Logan	Y	
036	CHARLES CITY	THOMAS R. WILLIAMS	BIS	N	waiting for BIS
037	CHARLOTTE	STUART B. FALLEN	SCV		
041	CHESTERFIELD	JUDY L. WORTHINGTON	Logan	N	July 1, 2006
043	CLARKE	HELEN BUTTS	Logan	N	January 2006
045	CRAIG	PEGGY BOSTIC	SCV	N	unknown
047	CULPEPER	PATRICIA M. PAYNE	SCV	N	July 2005
049	CUMBERLAND	CAROL OWNBY	ILS	N	July 1, 2006
051	DICKENSON	JOSEPH H. TATE	SCV	N	July 1, 2006
053	DINWIDDIE	ANNIE L. WILLIAMS	Cott	N	No
057	ESSEX	GAYLE ASHWORTH	Cott	N	few months
059	FAIRFAX	JOHN T. FREY	PEC or In-House??	Y	
061	FAUQUIER	GAIL BARB	Cott	N	ready anytime
063	FLOYD	WENDELL G. PETERS	SCV	N	unknown
065	FLUVANNA	BOUSON E. PETERSON, JR.	Logan	N	July 1, 2006
067	FRANKLIN	ALICE S. HALL	Logan	N	January 1, 2006
069	FREDERICK	REBECCA P HOGAN	SCV	N	end of this year
071	GILES	SCARLET B. RATCLIFFE	ILS	N	July 1, 2006
073	GLOUCESTER	C. ANN GENTRY	SCV	N	No

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075	GOOCHLAND	L.G.TURNER	SCV	N	July 1, 2006
077	GRAYSON	CHARLES T STURGILL	SCV	N	unknown
079	GREENE	MARIE C. DURRER	Cott	N	No
081	GREENSVILLE	ROBERT WRENN	SCV	N	No
083	HALIFAX	ROBERT W. CONNER	SCV	N	July 1, 2006
085	HANOVER	FRANK HARGROVE, JR.	AmCad	N	Sometime in 2006 prior to deadline
087	HENRICO	YVONNE G. SMITH	ILS-Indexing; In-House	N	July 1, 2006
089	HENRY	VICKIE HELMSTUTLER	SCV	N	July 1, 2006
091	HIGHLAND	SUE K. DUDLEY	SCV	N	July 1, 2006
093	ISLE OF WIGHT	WILLIAM E. LAINE, JR.	SCV	N	July 1, 2006
095	JAMES CITY	BETSY WOOLRIDGE	SCV	Y	
097	KING AND QUEEN	DEBORAH F. LONGEST	SCV	N	not until absolutely have to
099	KING GEORGE	CHARLES V MASON	AmCad	N	April 1, 2005
101	KING WILLIAM	PATRICIA NORMAN	SCV	N	July 1, 2006
103	LANCASTER	CONSTANCE KENNEDY	SCV	N	ready anytime
105	LEE	BEVERLY R. ANDERSON	SCV	N	2006 or before
107	LOUDOUN	GARY CLEMENS	AmCad	Y	February 2004
109	LOUISA	SUSAN HOPKINS	Cott	N	early fall 2005
111	LUNENBURG	GORDON F ERBY	SCV		
113	MADISON	CAROLINE WATTS	SCV	N	July 1, 2006
115	MATHEWS	E. EUGENE CALLIS, III	Cott	N	no date at this time
117	MECKLENBURG	E.E. COLEMAN, JR.	SCV	N	July 1, 2006
119	MIDDLESEX	PEGGY WALTON	Cott	N	after move into new Courthouse
121	MONTGOMERY	ALLAN BURKE	ILS	N	summer 2005
125	NELSON	J. (Judy) STEVENS SMYTHERS	SCV	Y	
127	NEW KENT	KAREN A. BUTLER	Logan	N	2006
131	NORTHAMPTON	TRACI L. JOHNSON	SCV	Y	July 1, 2006
133	NORTHUMBERLAND	J. STEVE THOMAS, SR.	ILS	N	Beginning 2006
135	NOTTOWAY	JAMES W. KING	ILS	N	July 1, 2006
137	ORANGE	LINDA S. TIMMONS	SCV	N	summer or fall 2005
139	PAGE	C. R. WILSON	ILS	N	July 1, 2006
141	PATRICK	SUSAN C. GASPERINI	SCV	N	July 1, 2006
143	PITTSYLVANIA	H. F. HAYMORE, JR.	SCV	N	January 2006
145	POWHATAN	WILLIAM E. MAXEY, JR.	ILS	N	July 1, 2006
147	PRINCE EDWARD	EARLMA R. BLESSING	ILS	N	Not yet
149	PRINCE GEORGE	BISHOP KNOTT, JR.	SCV	Y	

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LOC	Locality	Clerk	Vendor	Current SRA	Implementation Date
153	PRINCE WILLIAM	DAVID C. MABIE	AmCad & Document Technology Systems	Y	August 2001
155	PULASKI	R. GLENNWOOD LOOKABILL	Eagle	Y	January 1, 2004
157	RAPPAHANNOCK	LUCY D. BRUCE	SCV	N	Ready to go but holding back
159	RICHMOND CO.	ROSA S. FORRESTER	ILS	N	Janaury 2006
161	ROANOKE CO.	STEVEN A. MCGRAW	SCV	N	July 1, 2006
163	ROCKBRIDGE	BRUCE PATTERSON	SCV	N	waiting for SCV
165	ROCKINGHAM	L. WAYNE HARPER	AmCad	N	Sept 1, 2005
167	RUSSELL	DOLLIE COMPTON	ILS	N	no implementation date
169	SCOTT	MARK (BO) TAYLOR	BIS	N	ready to go back on line with secure access
171	SHENANDOAH	DENISE F. BARB	SCV	N	July 1, 2006
173	SMYTH	JIMMY L. WARREN	SCV	N	July 1, 2006
175	SOUTHAMPTON	WAYNE M. COSBY	SCV	N	July 1, 2006
177	SPOTSYLVANIA	PAUL METZGER	ILS	N	July 1, 2005
179	STAFFORD	BARBARA A. DECATUR	SCV	N	??
181	SURRY	GAIL CLAYTON	Logan	N	June 1, 2006
183	SUSSEX	GARY M. WILLIAMS	Logan	N	July 1, 2006
185	TAZEWELL	JAMES E. BLEVINS	SCV	N	ready anytime
187	WARREN	JENNIFER R. SIMS	SCV	Y	March 2004
191	WASHINGTON	KATHY P. CRANE	SCV	N	SCV to provide in next few months
193	WESTMORELAND	GWYNNE J. CHATHAM	Cott	N	July 1, 2006
195	WISE	J. JACK KENNEDY, JR.	SCV		
197	WYTHE	HAYDEN H. HORNEY	SCV	N	not sure
199	YORK	LYNN JENKINS	Reams	N	July 1, 2006
510	ALEXANDRIA	EDWARD SEMONIAN	SCV	N	July 1, 2006
520	BRISTOL	TERRY ROHR	SCV	N	July 1, 2006
530	BUENA VISTA	CHRISTOPHER COLEMAN	SCV	N	end of calendar year
540	CHARLOTTESVILLE	PAUL C. GARRETT	Logan	N	July 1, 2006
550	CHESAPEAKE	FAYE W. MITCHELL	Logan	N	July 1, 2006
570	COLONIAL HEIGHTS	STACY L. STAFFORD	AmCad	N	fall 2005
590	DANVILLE	GERALD A. GIBSON	SCV	Y	
630	FREDERICKSBURG	SHARRON S. MITCHELL	SCV	N	July 2005
650	HAMPTON	LINDA BATCHELOR SMITH	SCV		
670	HOPEWELL	KAY H. RACKLEY	SCV	N	July 1, 2006

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680	LYNCHBURG	LARRY PALMER	SCV	N	no specific date
690	MARTINSVILLE	ASHBY R. PRITCHETT	Reams	Y	
700	NEWPORT NEWS	REX A. DAVIS	In-House	Y	past 5 or 6 years
710	NORFOLK	GEORGE E. SCHAEFER	SCV	Y	
730	PETERSBURG	BENJAMIN O. SCOTT	ILS	N	July 1, 2006 but ready to go now
740	PORTSMOUTH	CYNTHIA MORRISON	SCV	N	July 1, 2006
750	RADFORD	ZELDA S. VAUGHN	ILS	N	Dec. 31, 2005
760	RICHMOND	BEVILL M. DEAN	SCV		
764	RICHMOND	BEVILL M. DEAN	SCV	N	July 1, 2006
770	ROANOKE	MARK HARTMAN	SCV	N	July 1, 2006
775	SALEM	CHANCE CRAWFORD	SCV		
790	STAUNTON	THOMAS E. ROBERTS	SCV	N	waiting for SCV
800	SUFFOLK	W. RANDOLPH CARTER, JR.	SCV	N	July 1, 2006
810	VIRGINIA BEACH	TINA E. SINNEN	AmCad	Y	
820	WAYNESBORO	A. NICOLE ARMENTROUT	SCV	N	July 1, 2006
840	WINCHESTER	TERRY H. WHITTLE	SCV	N	end of this year

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### Section Three – Results of Question 3

3. If you have no implementation date what are the obstacles you face in meeting the deadline of July 1, 2006?

Of the 116 respondents 93 Clerks, 80%, offered comments on the obstacles they face in meeting the deadline of July 1, 2006. Most Clerks offered a multiple listing of obstacles:

<i>Obstacle</i>	<i>#</i>	<i>%</i>
Insufficient funding	31	18
Privacy issues	23	13
Miscellaneous	14	8
Waiting on Vendor	11	6
Back scanning / data conversion problems	10	6
No obstacles	10	6
Time constraints in meeting the deadline	8	5
Locality funding support	7	4
Liability concerns	7	4
Vendor problems	7	4
Not enough staff to do the work of LR	7	4
Insufficient subscribers	6	4
Space / Wiring inappropriate	6	4
Waiting on General Assembly legislation	5	3
Privacy concerns from Public---no SRA	5	3
Funds for equipment / software upgrades	4	2
SRA indexes only	4	2
Local governing body support	3	2
SRA for Real Estate Assessment only	3	2
N/A	2	1
SRA Vendor not hired	1	0.5

#### **TOTAL COMMENTS**

**174**

Percentages were rounded up to the nearest whole number. Ten or more comments were offered on a variety of topics: insufficient funding, privacy issues, waiting on vendor, back scanning / data conversion problems, and no obstacles. A total of 174 comments were given.

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Miscellaneous and other comments include:

- Title searchers indicate that is too costly per month to subscribe for access;
- Not one penny will be paid by the Clerk or locality for secure remote access;
- Waiting on the General Assembly to make up its mind what records should or should not be available;
- Fear of making bad decisions rushing to meet the deadline;
- Secure remote access is available only to Real Estate Assessment;
- I have 400 subscribers---a huge success. I strongly encourage all Clerks to start remote access system;
- Records online means additional work for a small office---this is not high on my priority list;
- Secure remote access for indices only for \$25 fee;
- I am ready to go back online secure access. I receive requests everyday but I expect to get blasted from county residents;
- Lack of funding to make the land records system compatible with locality system--the test program has problems and no user-friendly;
- Fear I will not be able to continue secure remote access because of annual cost. I am making a good faith effort to comply with the General Assembly;
- I am smaller court but wasn't included in those that got extra money this year;
- I have some subscribers but (locality name) put a moratorium on future subscribers until General Assembly writes Code that protects us from liability;
- I am replacing the (vendor name) system with my own case management system, but I heard that DMV and State Police are refusing to interface with any system other than (vendor name). Is this true? Is this legal?
- My locality is asking what funding is the state providing; and
- I want clear transmission of my documents before flipping the switch.

## Status of Secure Remote Access in Clerks' Offices Survey and Report

### Section Four – Conclusions and Actions

#### Implementation Date for SRA

Of the 104 Clerks who responded to question 2:

- 75 Clerks (72%) are currently offering secure remote access to land records or plan to meet the deadline;
- 21 Clerks (20%) are unaware of an implementation date or waiting on their vendor for a date; and
- 8 Clerks (8%) are holding back on implementing SRA for various reasons.

Nearly 3 out of 4 Clerks who responded to this question have either met the deadline for SRA or are planning to meet the deadline given by the General Assembly, July 1, 2006.

#### Funding

42 Clerks (45%) out of the 93 who responded to question 3 reported funding as an obstacle in providing SRA to land records by the deadline. It appears that the primary obstacle faced by Clerks in meeting the July 1, 2006 deadline is funding. The Compensation Board staff anticipates that the FY06 budget allocation for Clerks will address this issue. The Compensation Board provided each Clerk with a revenue estimate for TTF on March 11, 2005. Additionally, the Compensation Board projects up to \$1.8 million in \$1 funding may be available for allocation to smaller offices. The Compensation Board will meet with leadership of the Virginia Circuit Clerks Association and the Clerks Technology Committee in the spring of 2005 to develop recommendations for the allocation of \$1 in FY06.

#### Privacy and Liability

40 Clerks (43%) reported privacy, liability, and legislation issues as obstacles in meeting SRA by the deadline. SB998, 2005 General Assembly session, will address immunity issues of the Clerk. The Virginia Circuit Clerks Association and the Clerks Technology Committee will alert the Clerks of the status of this legislation. SB998 can be found at <http://leg1.state.va.us/cgi-bin/legp504.exe?ses=051&typ=bil&val=sb998> on the Virginia General Assembly / Code of Virginia web site.

#### Technical Obstacles

23 Clerks (25%) reported technical problems as obstacles in meeting the SRA deadline (vendor, back scanning, and data conversion problems, and inappropriate space and wiring). With 1 in 4 Clerks reporting technical obstacles in meeting the 7/1/06 deadline, Compensation Board staff will follow-up with this issue in the fall of 2005 as part of the annual TTF progress report.

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