

*Report on the Response of the
Commonwealth's Attorneys' Services Council
to the Impact of the Aging of Virginia's
Population*

April 2008

Executive Summary / Agency Description

The Commonwealth's Attorneys' Services Council (CASC) provides continuing legal education, training and technical assistance to Virginia's prosecuting attorneys. CASC focuses specifically on Virginia's 120 independently-elected Commonwealth's Attorneys and their approximately 700 assistants. All prosecutors benefit from quality training for relevant core knowledge and skills, supplemented by specialized training and information in response to emerging legislative, judicial and societal developments.

CASC offers prosecutors statewide and regional training courses to ensure cost-effective opportunities to meet Virginia's professional requirements regarding continuing legal education while improving prosecution skills and criminal law knowledge. CASC provides administrative support and technical assistance to Commonwealth's Attorneys' offices by providing a prosecutorial case management system, the "Virginia Commonwealth's Attorneys' Information System" (VCAIS); the CASC Resource Center, an on-line databank created in 2005 providing prosecutor access to appellate briefs, legal memoranda, court forms, training outlines, and information about expert witnesses; a gang database of information collected from public safety agencies and gang investigators for distribution to prosecutors and law enforcement and a bi-monthly gang news update; the CASC website, for news of training opportunities and on-line program registration; a weekly email update of relevant Virginia and federal court decisions, legislative actions, and topical news; and an annual legislative update and an information package for training local law enforcement on new laws.

Impact of Aging Population on CASC

The Commonwealth's Attorneys' Services Council does not provide services to the public at large. The agency thus is not affected directly in the nature and quality of customer services by reason of the aging of Virginia's population. The age of the customer population served by CASC can be expected to remain fairly stable. The relatively low pay for new prosecutors results generally in younger, less-experienced attorneys taking entry-level positions and also leaving public service at a relatively young age for more compensation in the private sector. The steady increase in relatively youthful Assistant Commonwealth's Attorneys statewide likely will offset any aging trend among more experienced prosecutors. CASC recognizes the criminal justice interests in an aging population and includes elder law and elder abuse topical training in statewide programs.

The ability of CASC itself to deliver services necessarily will be impacted by aging. The average age of CASC staff is approximately 48 years. CASC relies on experienced faculty members from local prosecutor offices and law enforcement agencies. Long-time faculty members who reach retirement age also can be expected to "retire" from their volunteer teaching activities.

1. To the extent such data is available, the number of persons who received services from the agency in the past fiscal year who fell into each of the following age ranges: 65-74; 75-84; and 85 and older. If the agency can provide data that compares such numbers to numbers of senior citizens served in the past, please do so. If the agency lacks specific information about the numbers of senior citizens it serves, but has other evidence indicating that it is serving more or fewer senior citizens than it has in the past, please describe the basis for that estimation.

The Commonwealth's Attorneys' Services Council does not provide services to the public at large. Rather, the agency provides training and support services to Virginia's 120 independently elected Commonwealth's Attorneys and approximately 700 assistants. The agency does not track information concerning the ages of Virginia's prosecutors. Anecdotal evidence, however, suggests that salary limitations, lack of retirement benefits, and recent increases in state-wide staffing levels all have contributed to an overall younger corps of prosecutors in the Commonwealth.

2. Identify the agency services that are utilized by senior citizens 65 and older in significant numbers. Indicate whether the agency has the capacity at present to serve all interested seniors or whether the demand for certain services exceeds the agency's capacity. If so, does the agency maintain waiting lists for services?

The Commonwealth's Attorneys' Services Council does not offer special services tailored for any particular age group, and all services provided are equally available to all Virginia prosecutors, whatever their ages.

3. Identify current agency programs, specifically designed to serve seniors 65 and older, that fall into any of the following six categories: Health Care/Wellness; Education; Public Safety; Recreation; Financial Security (including Housing); and Transportation.

The Commonwealth's Attorneys' Services Council does not provide services specifically designed to serve seniors or any other identifiable age group.

4. Identify the extent to which your agency provides "consumer-oriented" publications and websites online that are designed to be "senior-friendly." If the information you currently provide is not readily accessible to seniors, identify any steps your agency is taking to improve accessibility.

The Commonwealth's Attorneys' Services Council does not provide "consumer-oriented" publications or online information services specifically designed to serve seniors or any other identifiable age group.

5. Describe the effect that the aging of the agency's own workforce will have on its ability to deliver services. Consider the number of retirements expected in the next two years, the effect these retirements might have (e.g., loss of leadership or institutional knowledge

in certain programs), how losses might be replaced (e.g., promotions or transfers, recruitment, use of wage staff, including retirees, reengineering, outsourcing), and the costs or savings from the replacements (e.g., staff development cost, salary savings). This item might be addressed by summarizing relevant portions of the agency's workforce plan.

The agency is not affected directly in the nature and quality of the services it offers to its customers, but the ability of CASC itself to deliver services may be impacted by aging. CASC has hired more experienced legal staff to obtain the benefits of experience and the average age of CASC's 7-person staff now is approximately 48 years. Within the next five years, CASC can anticipate the need to replace at least one staff member because of retirement. Recruitment and training of new staff will require additional resources and will adversely affect agency operations because of the small size of the agency. Losing just one staff member out of the Williamsburg office is a manpower reduction of around 17% and losing our sole IT engineer would cripple VCAIS (case management) installations and maintenance.

Institutional knowledge certainly is at risk, but more because of the small size of overall staff. In the past 2 ½ years, 5 of 7 staff members have been replaced, and the agency must rely significantly on our corps of volunteer faculty from the prosecutors ranks to fill gaps in institutional knowledge. At the same time, because the agency often attracts the assistance of experienced, and more "senior," prosecutors, we are faced not only with the impending retirement of long-time friends of the agency, but also the "promotion" of prosecutors to the bench. CASC's approach has been to continually seek out, identify and recruit promising new faculty over time to fill in and eventually lead established training programs.

6. Describe any other services or programs that the agency has implemented or plans to implement in the future to address the impact of the aging of Virginia's population.

The Commonwealth's Attorneys' Services Council currently does not provide services or programs intended to address an aging population. CASC's 2007 Spring Institute included training for prosecutors specifically addressing identifying and prosecuting elder abuse in the criminal courts.

Pursuant to legislation enacted by the Virginia General Assembly of Virginia, the Commonwealth's Attorneys' Services Council submits this report of its progress in addressing the impact of the aging of Virginia's population.

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Robert Q. Harris, Director
Commonwealth's Attorneys' Services Council
P. O. Box 3549
Williamsburg, VA 23187-3549
Phone: (757) 253-4153
Fax: (757) 253-7159

Email: RQHARR@wm.edu