

Email text sent to Governor Northam, by Terri D. Rea, Clerk of Court, Harrisonburg/Rockingham Juvenile & Domestic Relations District Court; August 17, 2020.

Words cannot describe my disappointment, not for me as an individual, but as a manager who has been placed in a position with absolutely zero ability to assist struggling employees due to an overwhelming sense of ignorance and irreverence of leaders and decision makers in regard to a faction of state employees.

Just who do I think I am, you must be asking yourself? I am a state employee, employed by the Judicial Branch to manage a group of state employees who provide access to justice for your voters, constituents and community members. I am an employee and Clerk of Court for the District Courts of Virginia and I, personally am struggling to make sense of the world we are now living in. An environment where hard working and dedicated employees are taken advantage of at every opportunity yet remain faithful to the ideals that their job and their role in this state government, can actually and will make a difference in someone's life, regardless of how unappreciated they may feel for their efforts.

At the onset of the COVID-19 virus, nearly 1600 employees have put themselves and their families at risk every Monday through Friday since March when this pandemic began. Contrary to popular belief, the district courts have not closed their doors, they have not had remote work opportunities, they have not been safe in the work environments they are required to be in and most importantly, their families have not been secure in the knowledge that their job is truly worth the risks they take, especially at the disconcerting salary levels the district court employees have been subjected to over the past 25 years. The disastrous position the district courts have been placed in long before the pandemic should have been concerning before. I have never understood, how state representatives could possibly believe short staffing a judicial institution that can have such an overwhelming impact in a community was the right thing to do? It should be a well-known fact that the district courts have been short-staffed and running between 60-80% staffed across the state for years now. Every attempt to gain ground and correct the short staffing issues has been addressed time and time again only to be renounced with more proof, more statistics, more anything, just to put off the inevitable. When finally in 2019, we achieved some success and headway after years of fruitless attempts, and 90 out of 270 much needed positions were agreed to be funded this year; instead, they were simply frozen with the wave of a hand and without consideration of the implications.

The pandemic did bring rise to the need for a judicial emergency order issued by the Chief Justice of the Supreme Court, tolling certain cases. This may be the confusion with every article written regarding the judiciary during this critical time, assuming the courts closed their doors. Unfortunately, this is not the reality. There are numerous levels of court processes, court cases and court types. The District Court system is classified as the "lower courts". I believe it may be this exact misnomer that leads unknowing constituents and leaders to believe those courts are the unimportant courts. It is true, districts courts do not hold jury trials; they do not hear cases of multi-million-dollar rulings, and they do not set precedence on cases of national interests. Instead, the district courts hear cases involving disputes among community members, domestic violence, custody, visitation and support, crimes against families, crimes against children, abuse and neglect of children and placement of safe homes through foster care. District Courts hear the violent crimes and assaults to determine merit before those cases go forward to "higher" courts. Although, not popular right now, they hear those cases law enforcement brings forward to include traffic, misdemeanor and felony charges and landlord and tenant disputes. All the things that are important to an *individual* facing a crisis in their lives. Just because some cases were tolled though the use of the judicial emergency, doesn't mean district courts were halted. People still needed protection from stalking, anger, fear and intimidation from others and domestic violence. Children still needed to be protected and still needed to be removed from unsafe

environments. Divorces may have been tolled, but separating families still encountered emergency situations to determine the safest environment and placement of their children. Police departments continued to make arrests and bail determinations still needed to be heard. Life continued to go on even during a quarantine, just as districts courts continued to do business as best we could while dealing with employee illnesses, virus exposure, rioting and protests on our way to work and on the court house steps, in addition to addressing family and children accommodations in this crisis environment.

The reality for district courts before the pandemic was to hear as many cases as possible and as quickly as we could regardless of whether there was enough time in a regularly scheduled workday. Overtime, mostly uncompensated, was an expectation not an anomaly for clerks, deputy clerks and even Judges. The issuance of an emergency order tolling certain types of cases was not as simple as just issuing an order. Cases in our courts are set months in advance. The public already had to experience multiple hearing dates to have their cases concluded. The amount of work to continue the cases that could not be heard due to the pandemic crisis was a full-time job for every employee; the amount of complaints and concerns from the public of when *their* very important case would be heard is and has been constant. The backlog of cases to be managed, scheduled and heard on already crammed packed dockets are beyond manageable and definitely do not meet previous expectations. Social distancing standards are tying our hands. Trying to accommodate each of the new filings, giving priority to previously continued cases and trying to manage a defeated staff worried about their children and the increasing risks of exposure as each customer and court case is heard should fall above and beyond the concept in recognizing district court employees as ESSENTIAL personnel. However, that identification has been woefully overlooked and not once expressed or recognized for their sacrifices.

Of most recent concern and recently clarified, CARES Act funds sent to local governments will help to provide a form of hazard pay for those employees who have placed themselves at risk during the pandemic and will in the future. However, it has been shared, the funds received by localities are intended to be utilized only for county employees. District court employees housed in local courthouses, where we have struggled to obtain safety gear for our employees from those same local governments, cannot be counted as county employees and we should search for similar funds from the state. A state that cannot fully staff District Courts? A state that is searching and approving methods to get the minimum wage to \$15 an hour, when all they can provide District Court employees with, is a starting salary less than that goal, even though the amount of training is so extensive, there is a 2 year training track for the average employee?

As I sit here with tissue in hand, coughing and struggling with drafting this letter, and patiently awaiting the results of my COVID test in quarantine; an exposure, I might add, I received from my work as a District Court employee; from someone who obviously did not respond to the entrance questions with 100% honesty and the precautionary mask wearing did not protect me from. Moments like this really make me wonder why I work and live in such a state that obviously has such little regard for one of its group of employees? The plights of schoolteachers have been heard and addressed by the school closures; the concerns of DMV employees have been heard, since their offices closed their doors for weeks, now months on end. The most difficult thing about it all, is this is not new. I have been employed by the District Court system for 12 years. For those 12 years, I have been part of a team that is and has been constantly fighting and struggling for a voice to be heard for these nearly 1600 employees. Employees who appear to be such a forgotten entity for so long, it truly feels as if it has become a habit to say a resounding NO to any requests from the judiciary. Our struggle and the mere fact we must struggle reflects the lack of concern for employees, who happen to encompass a 95% staff of women, and we are all exhausted. It is just a matter of time before we lose many of these tireless, hardworking and dedicated women, because so many of them are mothers of children that do not have a school to send their children to; mothers whose salary doesn't even come close to the amount of money it is going to cost to provide appropriate child care, tutoring assistance or monitoring for their

children's virtual education. The remaining women we hope will stay are estimated to be well over the age of 40, who will have to still work uncompensated overtime to accommodate the loss of those that cannot afford to remain a district court employee. We have already experienced the loss of some retirement eligible employees during this crisis.

I could go on to list a myriad of issues that district court employees endure daily, instead I plead for your assistance to help us keep the employees we have by providing us with some form of relief or recognition. Simply approving a salary adjustment or bonus for those employees working through this crisis day after day would be an amazing morale booster and most importantly, reconsidering the status of our unfunded vacant positions. The funding for 90 positions this year, and 30 positions next year has already been approved by the General Assembly; all 120 of those positions just need to be unfrozen and accelerated for the emergency crisis facing district court employees NOW. Only you have that power. Do the right thing, show the district court employees that they do matter and their sacrifices have not gone unnoticed.