

**Statement of the
Joint Committee on Judicial Administration
In the District of Columbia
By Chief Judge Eric T. Washington**

**To the Subcommittee on Financial Services and General Government
Committee on Appropriations
U.S. House of Representatives
May 5, 2011**

Congressman Diaz-Balart, Congressman Serrano, Subcommittee members, thank you for this opportunity to discuss the fiscal year 2012 budget request of the District of Columbia Courts. I am Eric T. Washington, and I am the Chair of the Joint Committee on Judicial Administration in the District of Columbia, the policy-making body for the District of Columbia Courts. I also serve as Chief Judge of the District of Columbia Court of Appeals.

As you may know, this jurisdiction has a two-tier court system comprised of the D.C. Court of Appeals, our court of last resort, and the Superior Court of the District of Columbia, a trial court of general jurisdiction. Administrative support functions for our Courts are provided by what is known as the Court System.

INTRODUCTION

We live in a changing environment, facing new challenges to our nation, our Nation's Capital, and our court system. Whatever challenges we face, the fair and effective administration of justice remains crucial to our way of life. The District of Columbia Courts are committed to responding to the changing needs of our society, and meeting these new challenges. We have been steadfast in our mission, which is to protect rights and liberties, uphold and interpret the law, and resolve disputes peacefully, fairly and efficiently in the Nation's Capital. Through our Strategic Plan, the D.C. Courts strive to resolve cases fairly and timely; broaden access to justice and service to the public; build a strong judiciary and workforce; improve court facilities and technology; provide a safe and secure environment; and build trust and confidence in our courts. We appreciate the support of Congress and the President, which makes possible the achievement of these goals for our community.

To support the achievement of our mission and goals in fiscal year 2012, the Courts request \$347,962,000 for operations and capital improvements. Of this amount, \$13,183,000 is requested for the Court of Appeals; \$115,353,000 is requested for the Superior Court; \$70,206,000 is requested for the Court System; and \$149,220,000 is requested for capital improvements for courthouse facilities. In addition, the Courts request \$55,000,000 for the Defender Services account.

The D.C. Courts are committed to fiscal prudence and sound financial management. The FY 2012 budget request represents an operating budget increase of \$13.4 million (7%) and 29 full-time equivalent (FTE) positions over the FY 2011 enacted level. A capital budget increase

of \$91.6 million is requested to support critical space and security needs and to maintain the Courts' infrastructure of five buildings and 1.1 million gross square feet of space.

RECENT ACHIEVEMENTS

The Courts look forward to continued success in enhancing our services to the community, modernizing and securing our facilities, and measuring our performance to ensure accountability to the public we serve. We are proud of the Courts' recent achievements that include the following:

- completion in April 2009 of the restoration of the Historic Courthouse for the D.C. Court of Appeals, a building of importance both to the people of the District of Columbia, due to its historical and architectural significance, and to the Courts to meet critical space shortages in the trial court;
- development of a *Master Plan for Judiciary Square*, an urban design and renewal plan to revitalize this historic area of the District of Columbia that dates to the original L'Enfant Plan for the Nation's Capital, which was approved in August 2005 by the National Capital Planning Commission (NCPC);
- creation of self-help centers in collaboration with the D.C. Bar to assist unrepresented litigants in Family Court, Landlord Tenant and Small Claims courts, and Probate and Tax matters;
- adoption of our second five-year strategic plan, *Delivering Justice 2008-2012*, and development of a third five-year strategic plan to ensure that the Courts' goals, functions, and resources are strategically aligned for maximum efficiency and effectiveness;
- adoption of courtwide performance measures to monitor and assess case processing activities, court operations and performance in order to enhance public accountability;
- installation of a new case management systems in the Superior Court of the District of Columbia and the District of Columbia Court of Appeals, thereby ensuring complete information on all persons and cases to enhance case processing and judicial decision-making;
- launch of the Building a Great Place to Work initiative□, including 78% participation in the 2009 Human Capital Survey; based on the results of the survey, initiatives and teams were established in the areas of health and wellness, work/life balance, internal communications and performance management.
- improvement of the adult holding facilities and construction of new U.S. Marshals Service administrative space in the Moultrie Courthouse, with a comprehensive long-term plan for facilities upgrades to be completed in fiscal 2013 and construction of a new, separate Juvenile Holding facility, completed in May 2009, meeting current standards;

- establishment of the District of Columbia Access to Justice Commission, by the Court of Appeals, to enhance access to civil justice for all persons without regard to economic status;
- implementation of a comprehensive revision of Court of Appeals rules of practice to reduce expenses associated with record preparation, the first such revision since the mid-1980's;
- adoption of an appellate mediation program to assist parties in reaching satisfactory case outcomes more expeditiously, thereby saving the public and the Court of Appeals time and money;
- initiation of two programs by the Court of Appeals to enhance public access and trust and confidence in the judiciary: (1) the Court hears oral arguments at community law schools through the Education Outreach Initiative, and (2) the Court broadcasts oral arguments live over the Internet;
- operation of two community courts, the D.C. & Traffic Community Court and the East of the River Community Court, to enhance service to the community by addressing quality of life crimes through a blend of therapeutic and restorative justice (i.e., solve the underlying issue causing the criminal behavior and restore, or pay back, the community) and initiation of a Mental Health Court pilot program to address the special needs of defendants suffering from mental illnesses;
- implementation and expansion of e-filing from a handful of complex civil cases to nearly all civil actions, to government filings in juvenile matters, and to abuse and neglect cases, with development underway to expand to other case types;
- initiation of new juvenile probation programs by the Family Court Social Services Division to enhance public safety and rehabilitation of juveniles, including the Leaders of Today in Solidarity (LOTS) program to address the needs of female juveniles; the first Balanced and Restorative Justice Drop-In Centers in Southeast and Northeast D.C. to provide community-based juvenile probation supervision and services; and the restructuring of supervision for male juveniles to a seamless, one youth/family, one probation officer model;
- initiation of a Guardianship Assistance Program to improve services provided to incapacitated adults through a collaborative program in which master degree social work students at local universities are appointed by the Court to visit adult wards under Court supervision and to report to Court on the services being provided to these wards and to work with the guardians appointed by the Court to address any unmet needs of the wards;
- implementation and updating of a 10-year *D.C. Courts Master Plan for Facilities (Facilities Master Plan)*, resulting in comprehensive space renovation and facilities upgrades; renovated space for the Civil Division in the Moultrie Courthouse; new space for the Landlord Tenant and Small Claims courts and juvenile probation in Building B; renovated space in Building A for the Crime Victims Compensation Program and the Multi-Door and

Probate Divisions; renovated space on the JM-level to consolidate Family Court Clerk's offices; and new space on the 6th floor of the Moultrie Courthouse that was formerly occupied by the D.C. Court of Appeals;

- continuation of sound fiscal management, including a transition to Federal financial statements and "unqualified" opinions on the Courts' annual independent financial audits conducted in accordance with OMB Circular No. A-133 for fiscal years 2000 through 2010;
- disposition of 1,881 cases in the Court of Appeals and 105,437 cases in the Superior Court (2010 statistics).

OPERATING BUDGET PRIORITIES

The highest priorities in the Courts' operating budget request include (1) \$2,605,000 for programs to enhance public safety. To further the rehabilitation of juvenile girls on probation and build on recent initiatives serving this population, a dedicated space for a drop-in center is necessary to provide intensive services tailored to the needs of these girls. The District of Columbia does not have a facility to securely detain juvenile girls, so the Court's Drop-In Center will provide an option to protect public safety while keeping the girls in the community, where they can build better relationships with their families. To enhance the safety of domestic violence victims, three additional staff are needed to enter protection orders into the police database within 24 hours of issuance by a judge so that the police can enforce the orders during this very vulnerable period for victims. (2) The request includes \$491,000 to enhance efforts underway to enhance employee engagement. A highly engaged workforce results in employees who are willing to put forth discretionary effort in the performance of their jobs, and enhanced organizational performance, leading to improved public service. To support the employee engagement effort, funding is needed for two human resources manager staff positions and a position focused on internal and external communications to address the findings of the 2009 Human Capital Survey findings in the areas of performance management, work/life balance and internal communications. Also, critical to employment engagement and the accomplishment of the Court's mission and goals is a strong judicial leadership team. Funding is requested to establish a judicial leadership development program for judges who serve in administrative positions. (3) To comply with a new legal interpretation of the Civil Rights Act of 1964, which requires all institutions receiving federal funds to provide interpreters for all limited English proficient persons, regardless of their ability to pay, and to meet the increasing demand for foreign and sign language interpreters who ensure that litigants are able to understand and participate in court proceedings, the Courts require \$500,000 to secure the services of additional interpreters. (4) As part of the Courts' continuing efforts to provide a safe and secure environment for the administration of justice, \$493,000 is needed to provide the minimum baseline security improvements at court facilities, including a dedicated staff person for the access control system and additional security cameras, x-ray machines and security officer equipment. (5) To protect the mission critical software and databases from potentially devastating security threats, \$137,000 is requested for an IT staff dedicated to this function. (6) To strengthen families and parent/child relationships in child support cases, \$74,000 is requested for a staff person for the award-winning Fathering Court Program to assess the employment and treatment needs of fathers reentering the community following incarceration. (7) To support the

enforcement of court orders by enhancing the collection of fines and fees, \$192,000 is required for two additional staff.

CAPITAL BUDGET PRIORITY

As the Courts continue to implement the *Facilities Master Plan* for our five buildings and 1.1 million gross square feet of space, resources for capital improvements remain critical priorities. The FY 2012 capital budget reflects an increase of \$91.6 million over the FY 2011 level. The Moultrie Courthouse, the Courts' largest building, is the focus of most of the Courts' capital projects. Funding is needed to continue the renovation and reorganization of the interior of the Moultrie Courthouse, and backfill the space to be vacated in 2011. The creation of additional courtrooms is critical to the provision of adequate facilities to conduct court proceedings. The maintenance of the existing infrastructure, including mechanical systems and structural repairs, is necessary to ensure the safety of the building occupants and preserve the integrity of the historic structures. The Moultrie Courthouse Addition, which is the final component of addressing the Court's space shortfall, will add 108,000 square feet of new and renovated space to the Moultrie Courthouse. The Courts have a decade long history of completing projects on time and within budget.

THE PRESIDENT'S RECOMMENDATION

I am very pleased that the President's Recommendation for FY 2012 supports our most important priority items: enhancing public safety through the establishment of a drop-in center for juvenile girls, staff to enhance the safety of domestic violence victims, and the implementation of much needed security improvements at court facilities. Also supported are the initiatives to improve employee engagement, enhance access to justice through the securing of additional foreign language and sign language interpreters, and protect mission critical information systems from security threats. The President's Recommendation also finances the continuation of much needed infrastructure work, the creation of new criminal and civil courtrooms, and the reconfiguration of the Moultrie Courthouse level to optimize space usage. Continued implementation of the *Facilities Master Plan* process of renovating vacated offices and moving court operations into modern space is also supported. Partial funding is provided for the Moultrie Courthouse Addition—a key component of the plan for addressing the Court's space shortfall.

The Courts' budget request includes several initiatives needed to keep our capital projects on the schedule established by our *Facilities Master Plan* that are not supported this year in the President's Recommendation. For example, additional funding for the Moultrie Courthouse Addition and campus security, signage and lighting enhancements will need to be addressed in future years. As we have learned, any delay in construction projects significantly increases their cost.

D.C. COURTS INFRASTRUCTURE

The Courts' capital budget has been a primary focus of our budget request for several years. The District of Columbia Courts serve approximately 10,000 courthouse visitors each day, process more than 100,000 cases each year, and employ a staff of 1,200 who directly serve the public, process the cases, and provide administrative support. The District of Columbia Courts are among the busiest and most productive court systems in the United States.

The Courts' capital needs are significant because we are responsible for 1.1 million gross square feet of space in Judiciary Square and five buildings, including the Moultrie Courthouse, one of the busiest and most heavily visited public buildings in the District of Columbia. The ages of the Courts' buildings ranges from 30 years to 200 years. Our funding requirements include projects critical to maintaining, preserving, and building safe and functional courthouse facilities essential to meeting the heavy demands of the administration of justice in our Nation's Capital. To effectively meet these demands, the Courts' facilities must be both functional and emblematic of their public significance and character.

Facilities that provide adequate and efficiently designed space are essential to enhance the administration of justice, simplify public interaction with courts, and improve access to justice for all. In contrast, facilities with inadequate space for employees to perform their work, with evidence of long-deferred maintenance and repair, and with inefficient layouts can detract from the public perception of the dignity and importance of a court and impair its ability to function in the community. This negative perception impacts public trust and confidence in courts, a nationally recognized critical requirement for the effective administration of justice.

With the support of the President and Congress over several years, the Courts have invested significant resources in improving our facilities both for the public engaged in court matters and for the local community. However, more work remains to be done. The Courts' FY 2012 budget request seeks resources to meet health and safety building codes and to provide secure and appropriate facilities for the public. The halls of justice in the District of Columbia must be well maintained, efficient, and adequately sized to inspire the confidence of the members of the public who enter our buildings.

The Courts' facilities plans will also enhance the efficient administration of justice and improve public access to justice in this jurisdiction by co-locating related functions. The restoration of the Historic Courthouse for the Court of Appeals, for example, provided the public with a single location for services that were formerly found on different floors and in different buildings from most Court of Appeals offices. Offices related to the Family Court, such as juvenile probation, are being consolidated in the Moultrie Courthouse, which will be made possible only as we renovate space and add an addition to the courthouse. Upon the completion of the addition, all court support divisions will return from leased space to newly renovated space, resulting in long-term cost savings. More efficient location of these offices will not only facilitate public access to the Courts, but will also enhance the efficiency of operations.

Facilities in the Courts' Strategic Plan

The capital projects included in this request are an integral part of the Courts' Strategic Plan, entitled *Delivering Justice*, which covers the period from 2008-2012. The Strategic Plan articulates the mission, vision, and values of the Courts in light of current initiatives, recent trends, and future challenges. It addresses issues such as fair and timely case resolution, the increasing presence of litigants without legal representation, increasing cultural diversity, economic disparity, complex social problems of court-involved individuals, rapidly evolving technology, enhanced public accountability, competition for skilled personnel, and increased security risks.

“A Sound Infrastructure” is the Plan’s Strategic Issue 4. The Strategic Plan states--

Court facilities must support efficient operations and command respect for the independence and importance of the judicial branch in preserving a stable community. Modern technology must be employed to achieve administrative efficiencies and enhance the public’s access to court information and services.

Historic Judiciary Square

The D.C. Courts are primarily located in Judiciary Square, with some satellite offices and field units in other locations. The historical and architectural significance of Judiciary Square lend dignity to the important business conducted by the Courts and, at the same time, complicate efforts to upgrade or alter the structures within the square. Great care has been exercised in the restoration of the Historic Courthouse, the centerpiece of the square, to preserve the character not only of the building, but also of Judiciary Square. As one of the original and remaining historic green spaces identified in Pierre L’Enfant’s plan for the capital of a new nation, Judiciary Square is of keen interest to the Nation’s Capital.

Buildings A, B, and C, dating from the 1930’s, are situated symmetrically along the view corridor comprised of the National Building Museum, the Old Courthouse, and John Marshall Park and form part of the historic, formal composition of Judiciary Square. The Moultrie Courthouse, although not historic, is also located along the view corridor and reinforces the symmetry of Judiciary Square through its similar form and material to the municipal building located across the John Marshall Plaza.

Judiciary Square Master Plan

The National Capital Planning Commission (NCPC) required that the D.C. Courts develop a *Judiciary Square Master Plan* – essentially an urban design plan – before any construction by the Courts and others could be commenced in the area. The D.C. Courts worked with all stakeholders on the Plan, including the United States Court of Appeals for the Armed Forces, the National Law Enforcement Officers Memorial Fund (Memorial Fund), the Newseum, and the Metropolitan Police Department. The *Judiciary Square Master Plan* was approved in August 2005.

The *Judiciary Square Master Plan* resolves important technical issues related to access, service, circulation, and security within a rapidly changing and publicly oriented area of the District, while re-establishing the importance of this historic setting in the “City of Washington.” It provides a comprehensive framework for capital construction for all local entities, and it lays the groundwork for the regulatory approval process with the National Capital Planning Commission, the U.S. Commission of Fine Arts, the District of Columbia Office of Historic Preservation, the District of Columbia Office of Planning, and the District of Columbia Department of Transportation, among others. The *Judiciary Square Master Plan* will ensure the preservation of one of the last green spaces in the District of Columbia awaiting revitalization, incorporating areas where the public can gather and relax, and creating a campus-like environment where citizens can feel safe and secure.

Master Plan for D.C. Courts Facilities

The Courts worked with the General Services Administration (GSA) on a number of capital projects since fiscal year 1999, when the Courts assumed capital project responsibility from the District’s Department of Public Works. In 1999, GSA produced a study for the renovation of the Historic Courthouse to house the D.C. Court of Appeals. In 2001, GSA prepared Building Evaluation Reports that assessed the condition of the D.C. Courts’ facilities. These projects culminated in the development of the first *Master Plan for D.C. Courts Facilities*, which delineates the Courts’ space requirements and provides a blueprint for optimal space utilization, both in the near and long term. An update of the Facilities Master Plan was completed in May 2009. This update reviewed the recommendations of the 2002 Master Plan while taking into account the significant facility improvements completed by the D.C. Courts as well as operational changes that have taken place since 2002. The *District of Columbia Courts Master Plan for Facilities May 2009 (Facilities Master Plan)*, incorporates significant research, analysis, and planning by experts in architecture, urban design and planning. The Master Plan addresses the Courts’ space needs through 2018. The Plan identified a space shortfall for the Courts of 87,575 square feet of space projected in the next decade and provided recommendations for meeting this shortfall.

The experts proposed to meet the Courts’ space needs through the three mechanisms identified in the original 2002 Facilities Master Plan, already in progress: (1) renovation of the Historic Courthouse for the District of Columbia Court of Appeals, to free critically needed space in the Moultrie Courthouse for trial court operations (completed in 2009); (2) construction of an addition to the Moultrie Courthouse, to include a separately accessible Family Court facility; and (3) the reoccupation and renovation of Building C (construction commenced on schedule in 2010). In addition, the Plan determined that all court facilities must be modernized and upgraded to meet health and safety standards and to function with greater efficiency.

Overview of the D.C. Courts’ Facilities

The Courts currently maintain five buildings in Judiciary Square: the Historic Courthouse at 430 E Street, the Moultrie Courthouse at 500 Indiana Avenue, N.W., and Buildings A and B, which are located between 4th and 5th Streets and E and F Streets, N.W. In addition, Building C was returned to the Courts’ inventory from the District and is currently

under renovation.

Historic Courthouse

The Historic Courthouse, built from 1821 to 1881, is one of the oldest public buildings in the District of Columbia. Inside the Historic Courthouse, Daniel Webster and Francis Scott Key practiced law and John Surratt was tried for his part in the assassination of President Abraham Lincoln. The architectural and historical significance of the Historic Courthouse led to its listing on the National Register of Historic Places and its designation as an official project of Save America's Treasures.

The restoration of the Historic Courthouse for use by the District of Columbia Court of Appeals, pivotal to meeting the growing space needs of the court system, was completed April 15, 2009, thanks to the support of the President and Congress. Investment in this restoration not only has improved efficiencies by co-locating the offices that support the Court of Appeals, but also provided 37,000 square feet of space for renovation and reorganization in the Moultrie Courthouse for the Superior Court. The restoration of the Historic Courthouse for use as a functioning court building has also preserved an historic treasure of our nation and imparted new life to one of the most significant historic buildings and precincts in Washington, D.C. It not only meets the needs of the Court but benefits the community through an approach that strengthens a public institution, restores a historic landmark, and stimulates neighborhood economic activity.

Moultrie Courthouse

The Moultrie Courthouse is uniquely designed to meet the needs of a busy trial court. It has three separate and secure circulation systems – for judges, the public, and the large number of prisoners brought to the courthouse each day. Built in 1978 for 44 trial judges, today it is strained beyond capacity to accommodate 62 trial judges and 25 magistrate judges, as well as senior judges and more than 1,000 support staff members. Currently, the Moultrie Courthouse provides space for most Superior Court, and Family Court operations and clerk's offices. Essential criminal justice and social service agencies also occupy office space in the Moultrie Courthouse. The Courts have clearly outgrown the space available in the Moultrie Courthouse. The space is inadequate for this high volume court system to serve the public in a safe, appropriately dignified, and well maintained setting.

Buildings A, B, and C

Buildings A and B, dating from the 1930's, have been renovated and modernized for court operations and currently house the Probate Division, Landlord and Tenant, Small Claims, and Probate Courts, Multi-Door Dispute Resolution Division and some Social Services functions. The Building C restoration project is fully funded. Design for the restoration of Building C for the D.C. Courts' Information Technology Division and Multi-Door Dispute Resolution Division is complete and construction is in progress. The restoration will provide modern office space and bring the building into compliance with all current building, mechanical, electrical, fire, life safety, health, and accessibility codes. This project involves

restoration of 27,300 s.f. and the Courts are seeking a Leadership in Energy and Environmental Design (LEED) “Gold” certification for this building.

COMPLETE BUDGET REQUEST SUMMARY

To build on past accomplishments and to enhance service to the public in the District of Columbia, the Courts require additional resources in FY 2012 as outlined below. Without targeted investments in critical areas, the quality of justice in the Nation’s Capital will be compromised.

FY 2012 Operating Budget: Summary by Strategic Goal

Listed below are the Courts’ requested additional operating budget resources to ensure that we perform our mission with quality, professionalism, efficiency, and fiscal integrity:

Strategic Issue 1: Fair and timely case resolution--\$1,237,000 and 6 FTEs

The FY 2012 request includes \$1,237,000 and 6 FTEs to ensure fair and timely case resolution, including \$595,000 to provide special advocates (CASAs) for abused and neglected children; \$173,000 and 3 FTEs to keep pace with higher domestic violence caseloads; \$161,000 and 1 FTE to provide additional leadership to and management of alternative dispute resolution programs; \$161,000 and 1 FTE to increase the capacity of the General Counsel’s office to conduct legal analyses and provide accurate and timely information to judges and court staff; \$103,000 to update reference materials in judges’ chambers and \$44,000 and 1 FTE to ensure the timely processing of court mail.

Strategic Issue 2: Access to Justice--\$500,000

The FY 2012 request includes \$500,000 to enhance access to justice by meeting increased demand for foreign language and sign language interpreters who permit the public to participate fully in court proceedings.

Strategic Issue 3: Strong Judiciary and Workforce--\$808,000 and 7 FTEs

The FY 2012 request includes \$808,000 and 7 FTEs to address the Courts’ strategic issue of fostering a strong judiciary and workforce, including \$528,000 and 4 FTEs to foster the strategic transformation of the Human Resources by, among other things, developing a courtwide human resources plan, engaging in succession planning, increasing automation for customer service, and providing increased support to court management; \$100,000 for leadership training for Superior Court judicial officers; \$81,000 for 1 FTE to enhance the professional development and continuing education of court personnel; and \$99,000 and 2 FTEs to coordinate the ordering and distribution of supplies.

Strategic Issue 4: Sound Infrastructure--\$570,000 and 7 FTEs

The FY 2012 request includes \$570,000 and 7 FTEs to address the Courts' strategic issue of maintaining a sound infrastructure, including \$270,000 for 4 FTEs to provide increased facility engineering support for the Court facilities, which includes five buildings in Judiciary Square in 2012 (Moultrie Courthouse, Historic Courthouse, Buildings A, B, and C) as well as leased space at Gallery Place and probation field units in each quadrant in the city; \$163,000 for 2 FTEs to address the audiovisual and courtroom technology service requests; and \$137,000 for 1 FTE to enhance the security of court information. In addition, as discussed below, the capital budget request includes resources to enhance the Courts' infrastructure.

Strategic Issue 5: Security and Disaster Preparedness--\$1,160,000 and 2 FTEs

The FY 2012 request includes \$1,160,000 and 2 FTEs to address the Courts' strategic issue of security and disaster preparedness including \$1,110,000 and 2 FTEs to address needs identified by security assessments, including additional security cameras, a back-up to the electronic access control system, and dedicated staff to strengthen security operations management and \$50,000 to enhance security by providing uniforms to facilitate identification and visibility of support staff. In addition, as discussed below, the capital budget request includes resources to enhance the physical security of the court campus.

Strategic Issue 6: Public Trust and Confidence--\$3,214,000 and 7 FTEs

The FY 2012 request includes \$3,214,000 and 7 FTEs to address the Courts' strategic issue of engendering public trust and confidence, including \$2,522,000 to enhance public safety and reduce recidivism among juvenile girls under court supervision by creating a drop-in center for supervision and services; \$384,000 and 4 FTEs to support the enforcement of court orders by enhancing the collection of fines and fees; \$234,000 to enhance external and internal communications, thereby improving community outreach, local government relationships, and employee satisfaction and productivity; and \$74,000 and 1 FTE to strengthen families and parent/child relationships in child support cases.

Built-In Increases--\$5,736,000

To maintain the current level of service, the FY 2012 request also includes \$2,100,000 for non-pay inflationary cost increases and \$3,636,000 for within-grade increases. A cost of living adjustment is not included.

Capital Budget Request: Infrastructure Investments

To support the Courts' Strategic Issue 4: A Sound Infrastructure as well as Strategic Issue 5: Security and Disaster Preparedness by ensuring the health and safety of those conducting business in our buildings, maintaining and improving the condition of court facilities, and addressing the space needs of court operations, the FY 2012 capital request totals \$149,220,000. This request focuses on the Moultrie Courthouse, safety and security, and building maintenance.

Moultrie Courthouse. A significant portion of the FY 2012 capital budget request, \$60.50

million, is for the Moultrie Courthouse Addition (C Street Expansion). This addition will add 108,000 s.f. of new and renovated space to the Moultrie Courthouse and expand the building along the south façade at C Street. The full funding request for this project is distributed over three fiscal years.

The capital budget request includes \$21.01 million to continue the renovation and reorganization of the interior of the Moultrie Courthouse, which allows the Courts to move operations and functions within the courthouse in order to consolidate the Family Court in contiguous space on the John Marshall level.

The request also includes \$18.13 million for the Courtrooms and Chambers project to renovate two large courtrooms and create one new criminal-capable courtroom and two new civil courtrooms as well as renovating eight associate judges' and senior judges' chambers as they become available.

Security. The Courts, like many public institutions, face security threats to daily operations and individual judges. In addition, the Courts face unique security risks due to the presence of hundreds of prisoners in the Moultrie Courthouse each day. The Courts' request includes \$20.22 million to improve physical safety through perimeter security enhancements and lighting/signage upgrades.

Infrastructure Maintenance. The capital budget also includes a request for \$25.75 million to maintain and upgrade the Courts' facilities. Mechanical systems and structural repairs are necessary in order to ensure the safety of building occupants and to preserve the integrity of these historic structures. Continuing work on a 2006 study that found the electrical system in the Moultrie Courthouse to pose a danger to workers, the Courts request \$5.15 million for the HVAC, Electrical, and Plumbing Upgrades project. To renovate restrooms heavily used by the public and court staff, \$1.03 million is requested. The \$1.29 million requested for Fire and Security will finance a sprinkler system for the Moultrie Courthouse, as recommended by GSA and U.S. Marshals Service studies. In addition, \$13.78 million is requested for General Repair Projects, for, among other things, ADA accessibility, safety repairs, Moultrie Courthouse roof replacement, and continued replacement of doors and windows and continued cleaning of the exterior of the Courts' buildings. Finally, \$4.5 million is requested for technology infrastructure enhancements.

Additional Master Plan Activities. The Capital Budget also includes \$1.7 million to begin returning support divisions from leased space to newly-vacated space in Judiciary Square.

Defender Services Budget Request

To support the Courts' Strategic Issue 2: Access to Justice, the Defender Services request totals \$55,000,000. In recent years, the Courts have devoted particular attention to improving the financial management and reforming the administration of the Defender Services programs. For example, the Courts have significantly revised the Criminal Justice Act (CJA) Plan for representation of indigent defendants to ensure that expenses are reasonable and the program is properly managed, and developed CJA attorney panels to ensure that highly qualified attorneys represent indigent defendants. In addition, the Courts have developed a new Counsel for Child Abuse and Neglect (CCAN) Plan for Family Court cases, adopting attorney practice standards and requiring attorney training and screening to ensure that well-qualified attorneys are appointed in these cases, and contracting for Guardian *ad litem* (GAL) services to enhance representation of abused and neglected children. The Guardianship Program for incapacitated adults has also been revised, imposing a training requirement on attorneys participating in the program.

Most recently, to strengthen financial management of the Defender Services accounts, the Courts have engaged an independent accounting firm to undertake a study (1) analyzing and quantifying the liability associated with appointed counsel who have received vouchers but have not submitted them for payment, (2) developing a methodology to recognize obligations, and (3) projecting future resource requirements. The Courts seek to improve the alignment of our financial statements, which under generally accepted accounting principles recognize this liability, with our financial system, which records these obligations upon payment. The Defender Services account has maintained a carryover balance from year to year to cover those vouchers that had been issued in prior years (at the time an attorney was appointed to a case) but not yet submitted for payment.

The study's recommendations are compelling: (1) obligation of new vouchers upon issuance instead of upon submission for payment and (2) obligation of existing vouchers that have been issued but not yet submitted for payment. The Courts began to implement these recommendations in FY 2010, converting the liability reflected in the existing vouchers to obligations in the financial system (using the carryover balance in the Defender Services account) and recording obligations at the time new vouchers are issued.

CONCLUSION

Congressman Diaz-Balart, Congressman Serrano, Subcommittee members, the District of Columbia Courts have long enjoyed a national reputation for excellence. We are proud of the Courts' record of administering justice in a fair, accessible, and cost-efficient manner. Adequate funding for the Courts' FY 2012 priorities is critical to our success, not only in the next year but also as we implement plans to continue to provide high quality service to the community in the future. We appreciate the President's support for the Courts' funding needs in 2012 and the support we have received in the past from the Congress. We look forward to working with you throughout the appropriations process, and we thank you for this opportunity to discuss the FY 2012 budget request of the District of Columbia Courts.