



District of Columbia Courts
500 Indiana Avenue, N.W.
Washington, D.C. 20001



STATEMENT OF
ERIC T. WASHINGTON
CHAIR, JOINT COMMITTEE ON JUDICIAL ADMINISTRATION IN THE DISTRICT OF COLUMBIA AND
CHIEF JUDGE, DISTRICT OF COLUMBIA COURT OF APPEALS

BEFORE THE
SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT
HOUSE APPROPRIATIONS COMMITTEE

MARCH 18, 2013

Good afternoon, Mr. Chairman, Ranking Member Serrano, and members of the Subcommittee. I am Eric T. Washington and I am here in my capacity as Chair of the Joint Committee on Judicial Administration in the District of Columbia, which is the policy-making body for the District of Columbia Courts. With me is Lee F. Satterfield, Chief Judge of the Superior Court of the District of Columbia. We thank you for having us here this afternoon and appreciate this opportunity, in the absence of a budget submission, to update you on key aspects of the work of the D.C. Courts.

Earlier this month the Courts introduced to our employees our third five-year strategic plan, entitled *Open to All, Trusted, by All, Justice for All*. This title is also our vision for serving the public in the District of Columbia. The Courts' strategic plan provides the framework for our budget submission, our court operations through division-level management action plans, called "MAPs," and our employee performance plans. All Court initiatives must support the goals and objectives of our strategic plan.

Enhancing Case Resolution in the Court of Appeals

In support of the Plan's first goal, Fair and Timely Case Resolution, the Court of Appeals has been working over several years to enhance the timely resolution of cases. According to statistics compiled by the National Center for State Courts, the D.C. Court of Appeals has the highest caseload per capita of any jurisdiction and, despite our small population, the second highest number of case filings of any jurisdiction without an intermediate appellate court.

We appreciate the support of the President and Congress for a new case management system and additional judicial law clerks to help us in this effort to expedite case processing. The new technology helps the Court manage this large caseload and connect to the Superior Court case management system, from which we are now able to obtain the trial record electronically, which has increased efficiency. The Court has revised its internal operating procedures to function more efficiently. We are pleased to report that these efforts have begun to show results. The Court of Appeals has reduced its median time on appeal to 352 days, the lowest in

several years, but more work remains to be done. In the Superior Court, the trial court, courtwide performance measures were adopted to address case processing activities, court operations, and performance. A multi-year business intelligence initiative was established to enhance performance analysis, reporting, and public accountability

Helping Litigants Without Lawyers

To support our second strategic goal, Access to Justice, the D.C. Courts host several self help centers for litigants without lawyers, in partnership with the D.C. Bar, the Legal Aid Society, local law firms, the city's law schools, and non-profit organizations. Not surprisingly, given the struggling economy, the number of people seeking assistance is growing. For example, our Family Court Self Help Center assisted more than 8,000 people in 2012, a 30% increase over 2009. Through these collaborations, the Courts provide part-time self help centers in a number of other subjects in which litigants frequently do not have the assistance of an attorney: domestic violence, consumer law, landlord tenant, small claims, tax sales, and probate. Through these centers, thousands of vulnerable citizens get free help with their legal matters.

In addition, we are very pleased with new judicial ethics rules that enhance access to justice for unrepresented litigants. Our new Code of Judicial Conduct, which became effective in January 2012, includes a provision on the judge's role. According to the Code, "judges should make reasonable accommodations" to help these litigants understand court proceedings and be heard. For example, the judge may consider providing information about the proceedings, asking neutral questions, or explaining the basis for a ruling.

Building a Great Place to Work

A Strong Judiciary and Workforce, Goal 3 of the Strategic Plan, recognizes that the D.C. Courts' greatest asset is our staff. Following employee feedback on the Federal Viewpoint survey, the Courts sponsored wellness and work life balance initiatives and worked to improve internal communication. In addition, to promote the Courts' strategic goals of employee engagement and enhanced productivity and service to the public, the Courts are transforming the Human Resources Division from a reactive paper-processing operation into a strategic partner that will help lead the Courts in developing the workforce of the future. Again, we appreciate the support of Congress and the President for financing in FY 2012 two of four positions identified as critical to effect this conversion. The Courts have automated several human resources functions, including implementation of an automated applicant tracking system, that helps the Courts manage recruitment and hiring to ensure that the best candidates fill open positions, and a web-based electronic personnel file that employees can access from their desks.

Infrastructure

The fourth goal of our strategic plan, A Sound Infrastructure, requires that the Courts maintain adequate facilities, security, and technology for the administration of justice. The D.C. Courts occupy over 1.2 million square feet of space in Judiciary Square as well as leased space around

the city for support functions and juvenile probation. The Courts' capital program over the past decade has been guided by our Facilities Master Plan, which identifies space requirements and lays out a plan to meet them. To date, we have moved administrative support functions to leased space; renovated three buildings constructed in the 1930's; relocated two major operating divisions, the Civil Division and the Family Court, as well as the Domestic Violence Unit within the Moultrie Courthouse; completed restoration of the Historic Courthouse for the Court of Appeals; renovated Arraignment Court; and completed the 6th Floor renovation of the Moultrie Courthouse. We are grateful to the Congress and the President for supporting these improvements.

Now the Courts' focus is on the Moultrie Courthouse, the primary home of our trial court. With your support, we are adding new space to the building and continuing to modernize the infrastructure and renovate worn and outdated spaces. Work is underway on the addition to the Moultrie Courthouse. The project will add 175,000 gross square feet of new and renovated space by expanding the building along its south side. This addition will permit the Courts to complete consolidation of Family Court and courthouse-based juvenile probation functions in one location in the courthouse, which will make it easier for the public to access these services. The additional space will also enable the Courts to return support functions from leased space to Judiciary Square. Construction will be particularly challenging as the court must continue to operate in the building. Funds were appropriated in fiscal 2010 to begin design and in fiscal 2012 to commence construction. We are scheduled to break ground later this year.

Maintenance of court facilities remains a herculean task, and one that is absolutely critical to protecting the substantial public investment represented by recent renovations. As new mechanical systems in our modernized buildings complete warranty periods, the Courts must continue preventive maintenance and make any needed repairs. The Moultrie Courthouse requires substantial maintenance, as many of its systems have reached the end of their expected life. The Courts will complete installation of a new roof next month, and the original adult holding facility is nearing the end of a major renovation to meet current health and safety, accessibility, and security standards.

The D.C. Courts are challenged each day to provide a safe environment for the public, as we have over 500 prisoners in the courthouse each day, nearly 10,000 visitors to our Judiciary Square facilities, and we conduct court proceedings in five different buildings and provide probation services throughout the District. Incidents in courthouses around the nation emphasize the need for enhanced security. The U.S. Marshals Service manages prisoners, ensures judicial safety, and secures criminal courtrooms. Contractual security officers secure building entrances, corridors, and some additional courtrooms. Regular security assessments conducted by the Marshals Service identify areas that require additional attention. A recent assessment identified the need for additional contractual security officers to meet the Courts' security requirements. The Courts have reconfigured building entrances and recently upgraded security screening equipment and our access control system, which permits an employee's ID badge to open certain courthouse doors. The Courts' Continuity of Operations Plan provides for the administration of justice in the event of an emergency.

Juvenile Probation

The Superior Court provides juvenile probation supervision in the District of Columbia, supporting Strategic Goal 5, Public Trust and Confidence. The Court examines best practices and data to implement innovative programs to promote public safety and rehabilitation. Building on existing probation reporting centers, the Court has opened new community-based probation Drop-In Centers to serve young men in three of the four quadrants of the District. Thanks to the support of Congress and the President, the Court is preparing to open an additional center for young women. Youth who might otherwise need to be in a secure facility report to the Drop-In Centers after school and on Saturdays for tutoring, counseling, vocational training, and community service. The Drop-In Centers show promising results in protecting public safety and rehabilitating juveniles under court supervision. We are proud to report that the average recidivism rate is 10% among juveniles supervised at the first center we opened (in 2008), and is 9% at the second center (opened in 2011), compared to the national recidivism rate of 25%.

Impact of the Sequestration

The budget reductions required by the sequestration will negatively impact the achievement of our strategic objectives and, in the long term, our service to the public. Despite having a substantial number of vacancies in our workforce, the Courts implemented a hiring freeze to reduce personnel costs. To meet the Courts' short-term workforce needs, we have instituted cross training of court employees. However, in the long term, with 10,000 people visiting the D.C. Courts in person each day, adequate staffing levels are critical to the timely administration of justice and the provision of quality services to the public we serve. Adequate staffing levels are also necessary to maintain a strong judiciary and workforce. In addition to the savings achieved through the hiring freeze, the Courts have also reduced or terminated contractual services that do not impact case processing, like rodent control and building maintenance, but that do jeopardize the physical environment for the public and court staff. In addition, reductions to the Courts' capital budget will delay projects that fulfill the Courts' strategic goal to provide a sound infrastructure for the administration of justice, and such delays will undoubtedly result in increased long-term costs. Finally, we have taken steps to control the costs associated with the representation of indigent criminal defendants in the District of Columbia by instituting new case calendaring plans to increase case processing efficiency and reduce attorney waiting time and by establishing flat fee arrangements for appropriate types of representations.

Conclusion

Mr. Chairman, Ranking Member Serrano, the District of Columbia Courts are dedicated to the fair administration of justice for the people of our Nation's Capital and are committed to responsible stewardship of the public's funds as we strive to realize our vision of a court system that is open to all, trusted by all, with justice for all. I thank you for this opportunity to address

the Subcommittee. Chief Judge Satterfield and I would be happy to answer any questions you may have.