

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 12-02**

(Re-establishment of Family Court Attorney Panels)

WHEREAS, Administrative Order 09-07, issued on June 12, 2009, required the re-establishment of the Family Court Attorney Panels and directed the Family Court Panel Oversight Committee (“Family Court Panel Committee”) to receive and evaluate applications; and

WHEREAS, the Family Court Panel Committee submitted to the Chief Judge its Final Report on its procedures for evaluating applications and recommended names of attorneys eligible for appointment as provisional members of the CCAN Panel, for appointment as counsel to parties in neglect and related proceedings for a one year provisional period (“Provisional Panel”); appointment of attorneys as guardians *ad litem* (“GAL Panel”); as counsel to parties in neglect and related proceedings (“CCAN Panel”); as special education attorneys (“SEA Panel”); and as counsel to respondents in juvenile proceedings (“Juvenile Panel”); and

WHEREAS, the Family Court also requires the appointment of counsel to represent parties in proceedings concerning Persons In Need Of Supervision (PINS) as defined in D.C. Code § 16-2301(8)(A)(i)-(iii), (B); the Committee has, during the process of its review of applicants to the Juvenile Panel determined counsel qualified and experienced in PINS proceedings, and therefore submitted to the Chief Judge recommended names of attorneys for appointment as counsel in a newly constituted “PINS Panel”; and

WHEREAS, the Chief Judge is satisfied that the recommendations of the Family Court Panel Committee with respect to the attorneys to be placed on the Family Court Attorney Panels have been made after careful study and consideration of each attorney eligible to be considered and should be accepted in their entirety without change; and

WHEREAS, it is in the best interest of the administration of justice for the Family Court Attorney Panels to be reconstituted at this time;

NOW, THEREFORE, it is by the Court,

ORDERED, that the Provisional Panel shall consist of the attorneys as recommended by the Committee and listed in Appendix 1 attached hereto; that the GAL Panel shall consist of the attorneys as recommended by the Committee and listed in Appendix 2 attached hereto; that the CCAN Panel shall consist of the attorneys as recommended by the Committee and listed in Appendix 3 attached hereto; that the SEA Panel shall consist of the attorneys as recommended by the Committee and listed in Appendix 4 attached hereto; that the Juvenile Panel shall consist of the attorneys as recommended by the Committee and listed in Appendix 5 attached hereto; and that the PINS Panel shall consist of the attorneys as recommended by the Committee and listed in Appendix 6 attached hereto; it is further

ORDERED, that absent suspension or removal, the GAL, CCAN, SEA, Juvenile and PINS attorneys listed in Appendices 2, 3, 4, 5, and 6 are appointed to the designated panel(s) for a period of four (4) years, at which time they must submit an application for reappointment, pending the determination of which they may remain a member of the relevant panel(s), and if reappointed, every four (4) years thereafter; it is further

ORDERED, that the Provisional attorneys listed in Appendix 1 shall be eligible to accept appointment as counsel to parties in neglect and related proceedings for a period of one (1) year, at which time they must further apply to become full members of any Family Court Panel for the remaining years of the term, pending the determination of which they may remain Provisional Panel members; it is further

ORDERED, that effective this date, judicial officers of the Superior Court, when appointing counsel in juvenile cases and in all neglect and related proceedings, shall appoint only attorneys listed on the appropriate Family Court Panel if counsel is seeking compensation under the Criminal Justice Act or compensation under the Child Abuse and Neglect Act, except as provided below; it is further

ORDERED, that nothing herein shall affect the authority of a judicial officer to appoint a CCAN Panel attorney as a GAL when necessary to meet the needs of the Family Court; it is further

ORDERED, that in all instances when a non-Panel attorney is appointed, the judicial officer making the appointment shall do so by a written Order issued at the time of appointment setting forth in detail the particular exceptional circumstances requiring appointment of a non-Panel attorney in the case; and, further, that without such an Order detailing the particular circumstances requiring appointment of a non-Panel attorney in the case, a voucher shall not be issued and payment shall not be made for work on the case, but rather the attorney shall be deemed to have done the work *pro bono publico*; it is further

ORDERED, that attorneys in neglect and related proceedings shall complete pre-service CCAN training prior to appointment; it is further

ORDERED, that it is hereby established as a goal that as soon as practicable, but in any event no later than six (6) months from the date of this order, judicial officers presiding over neglect and related proceedings in which the GALs are compensated from CCAN funds, but are not on the GAL Panel, shall replace the GAL with a GAL Panel attorney, or a CCAN Panel attorney if necessary to meet the needs of the Family Court, unless to do so is not in the best interest of the child; it is further

ORDERED, that it is hereby established as a goal that within six (6) months from the date of this order, judicial officers presiding over neglect and related proceedings in which attorneys represent interested parties and are compensated from CCAN funds, but are not on either the GAL or CCAN Panel, shall replace counsel with an appropriate Panel attorney, unless to do so is not in the interests of justice; it is further

ORDERED, that judicial officers presiding over juvenile cases in which counsel are compensated from CJA funds, but are not on the Juvenile Panel, shall exercise their discretion to determine whether a replacement of a non-Panel attorney with a Panel attorney is in the interests of justice; it is further

ORDERED, that an exception to the rule precluding the appointment of attorneys who are not on the applicable Family Court Panel shall be made for attorneys appointed by the Court of Appeals in a pending appeal in post-appellate proceedings on remand before the trial court; it is further

ORDERED, that an attorney's membership on the Panel(s) is conditioned upon his or her compliance with all Administrative Orders setting an annual cap for attorney compensation for appointed representation and providing representation in conformance with the applicable Attorney Practice Standards for Child Abuse and Neglect, adopted by Administrative Order 03-07; for Representing Juveniles Charged with Delinquency or as Persons in Need of Supervision, adopted by Administrative Order 04-13; and/or for Special Education Panel Attorneys, adopted by Administrative Order 09-03; it is further

ORDERED, that, with the exception of attorneys appointed to the Provisional Panel or those wishing to apply to the newly created PINS Panel, any eligible attorney who filed an application prior to September 1, 2011 and who was a member of the District of Columbia Bar at the time of the application, and who was not appointed to the Panel must wait at least eighteen (18) months from the date of this Order to reapply; and it is further

ORDERED, that this Administrative Order shall take effect February 27, 2012.

SO ORDERED.

BY THE COURT

DATE: February 27, 2012

/s/
Lee F. Satterfield
Chief Judge

Copies to:

Judges
Senior Judges
Magistrate Judges
Executive Officer
Clerk of the Court

Division Directors
Director, CCAN Office
Library
Daily Washington Law Reporter