

## **Judge Anita M. Josey-Herring**

### **Biography**

Anita M. Josey-Herring was born in Portsmouth, Virginia and raised in the Tidewater area. She received a B.A. degree from Virginia Commonwealth University in Richmond, Virginia in 1982, and a Juris Doctorate in 1987 from Georgetown University Law Center in Washington, D.C.

While attending Georgetown Law Center's Evening Division, Judge Josey-Herring was a member of the Legal Ethics Law Journal and was employed full-time as a paralegal specialist at the United States Department of Labor (DOL) from 1984-1985. In that capacity, she reviewed complaints filed by DOL employees concerning disparate treatment in the work place and made recommendations for handling those cases. Between 1985-1987, Judge Josey-Herring worked as a law clerk in the United States Department of Energy Solicitor's Office and investigated violations of Department of Energy regulations by oil companies falsely claiming small refiner entitlement bias benefits.

Upon graduating from Georgetown in 1987, she obtained a judicial clerkship with the Honorable Herbert B. Dixon, Jr. in the Superior Court for the District of Columbia. As a judicial clerk, she worked on a variety of civil law issues including family law, contract disputes, and landlord and tenant issues.

In 1988, Judge Josey-Herring joined the Public Defender Service for the District of Columbia as a staff attorney. While in the trial division, she handled a heavy caseload and litigated juvenile, misdemeanor and felony cases in the Superior Court and supervised junior staff attorneys. She also served in the appellate division, arguing cases before the District of Columbia Court of Appeals.

In 1994, while handling serious felonies and homicide cases, Judge Josey-Herring was appointed by the Board of Trustees of the Public Defender Service to the position of Deputy Director of the agency. As Deputy Director, Judge Josey-Herring assisted the Director in all aspects of management and administration, including budgetary decision-making and supervision of agency staff. She also directly supervised the Investigations Division, the Prisoner Rights Program, and the Criminal Justice Act Office, which is responsible for coordinating the appointment of counsel in all criminal cases in the District of Columbia. In addition, she administered the agency's grant funded programs and coordinated the attorney and law clerk hiring programs. She also monitored the agency's personnel policies for compliance with personnel law and handled personnel matters along with the Director. In addition, she testified before the Council of the District of Columbia on proposed criminal law legislation and other matters.

Over the last several years, Judge Josey-Herring has been a guest lecturer at Howard University School of Law, Georgetown University Law Center, the Catholic University Columbus School of Law, and the Washington College of Law at the American University. She has also served as a guest faculty member in Harvard Law School's Trial Advocacy Workshop in 1995, 1996, 1997, 2000, 2004, 2006 and 2007. She was also a faculty member at the National Legal Aid and Defender Agency Training Conference in 1994 and the National Institute of Trial Advocacy (NITA) at Georgetown Law Center in 1997, 1999, 2000, and 2003. Additionally, she has lectured and provided training to local criminal law practitioners on various criminal topics at the Criminal Practice Institute.

In addition to the District of Columbia Bar and the Bar of the Supreme Court of the United States, Judge Josey-Herring is a member of several legal organizations. She is also a board member of the National Council of Juvenile and Family Court Judges and the former Lead Model Court Judge for the District's Family Court. She is also a member of the board of the Student Support Center which supports charter schools. Over the years Judge Josey-Herring has participated in many community activities and tutored fourth and fifth grade girls at Malcolm X Elementary School in Southeast Washington. In 1994, she served on the Superior Court's Task Force on Families and Violence and was a member of the Superior Court's Domestic Violence Council, co-chairing the Treatment Subcommittee that was responsible for developing treatment plans for children, victims and batterers of domestic violence from 1994 to 1996. Judge Josey-Herring is also the President-Elect of the Washington Bar Association of the Judicial Council.

In 1997, Judge Josey-Herring received her appointment as an Associate Judge on the Superior Court for the District of Columbia. As an Associate Judge, she has served in the Criminal and Family Divisions of the court and is currently assigned to the Civil Division. In those assignments Judge Josey-Herring has handled hundreds of trials, hearings, motions and other case related matters. In September 2000, Judge Josey-Herring was appointed by the Chief Judge to serve as Deputy Presiding Judge of the Family Division, now known as the Family Court. The Family Court is a multi-jurisdictional court and includes the following branches: Adoptions, Domestic Relations, Juvenile, Neglect and Abuse, Marriage Bureau, Mental Health, Mental Retardation and Paternity and Support. Judge Josey-Herring has handled juvenile, mental health, domestic relations, paternity and support, neglect and abuse and adoption matters. Judge Josey-Herring served as the Deputy Presiding Judge of the Family Court from September 2000 until December 2005.

As the Deputy Presiding Judge of the Family Court, she and the Presiding Judge managed the daily affairs of that court, including the 30 other judges assigned to the Family Court. Moreover, Judge Josey-Herring, along with the Chief Judge, the Presiding Judge and key judicial and Executive Office staff, handled the myriad legislative matters affecting the Family Court. Judge Josey-Herring played a significant leadership role in the reorganization and transition of the Family Division to the Family Court during the implementation of the requirements of the Family Court Act of 2001. Judge Josey-

Herring also led numerous initiatives to improve the quality of justice and service to litigants and attorneys alike. For example, Judge Josey-Herring led the initiative to develop the Family Treatment Court, a highly regarded court program, which provides services to mothers with substance abuse issues who were adjudicated of neglecting their children, including drug treatment, housing, mental health treatment, parenting classes, educational and medical services. The children of Family Treatment Court participants are also provided educational, medical and other necessary services to address their needs. Judge Josey-Herring presided over the Family Treatment Court calendar from its inception and worked collaboratively with District agencies to develop the program and coordinate the delivery of services provided by government agencies, private organizations and non-profits for the parents and children in the program. Prior to the establishment of the Family Treatment Court, Judge Josey-Herring presided over the Juvenile Drug Court for two years. In that role, she collaborated with District officials to obtain detoxification treatment for drug-addicted youth who were not able to break the cycle of drug use without such intervention.

In her role as Deputy Presiding Judge, Judge Josey-Herring also chaired the Family Court's Juvenile Subcommittee for four years. Under her leadership, the subcommittee developed attorney practice standards for counsel representing juveniles charged with acts of delinquency or as Persons In Need of Supervision (PINS). Those practice standards were adopted by the Chief Judge and formalized in an administrative order and are, in part, the basis by which the court annually evaluates attorneys handling juvenile cases. As part of the Juvenile Subcommittee, Judge Josey-Herring initiated the establishment of the Juvenile Sex Offender Program, which is managed and operated by the Court Social Services Division of the Family Court. The program was created to address the growing number of very youthful offenders charged with sex offenses or inappropriate physical contact with other children. The Juvenile Sex Offender Program engages both the youth and his or her parents and employs a behavior modification approach designed to reduce recidivism.

In addition, under Judge Josey-Herring's leadership, the Juvenile Subcommittee of the Family Court drafted proposed juvenile rules to implement the Omnibus Juvenile Justice Act of 2004. The Act substantially changed substantive and procedural law affecting juveniles in the District of Columbia, and the proposed rules were drafted to reflect the new law and to provide guidance for practitioners, judges and lawyers in the implementation and use of that law.

Judge Josey-Herring also chaired the committee that reviewed the Family Court's compliance with the Adoptions and Safe Families Act (ASFA). The committee developed form court orders that would assist the court to increase compliance with the legal requirements of ASFA. The form court orders were later adopted by the Chief Judge through an administrative order and are utilized by Family Court judges in neglect and abuse proceedings. Use of those court orders has resulted in a significant increase in the court's compliance with federal and local ASFA standards. This increased compliance has been critical, given the congressional oversight of the District of

Columbia Courts in general, and the congressional monitoring of the activities of the Family Court in particular.

To address the educational needs of more than 4,000 children who are referred to the Family Court each year, Judge Josey-Herring, with the assistance of the Friends of the Superior Court, implemented a reading program in the Family Court. The "Hooked on Books Program" makes books readily available to children and caretakers. Each Family Court Judge is encouraged to give books to families at every court hearing. A variety of organizations and members of the public donate books to this program. The distribution of books adds to the family-friendly environment in the Family Court and encourages reading amongst court users.

In January 2006, the Chief Judge appointed Judge Josey-Herring to the position of Presiding Judge of the Family Court. As Presiding Judge of the Family Court, Judge Josey-Herring is responsible for the operations of the Family Court along with the Deputy Presiding Judge. During her tenure as Presiding Judge, several Family Court initiatives have been launched. In 2007, the Family Court piloted the Program for Agreement and Cooperation (PAC) in Domestic Relations contested custody cases, providing parents and children with counseling and education in order to reduce parental discord and protect the children's well being. In the PAC Program, mental health professionals counsel parents about the adverse impact of conflict on their children, while in simultaneous but separate sessions, participating children receive psychological support to address emotional issues arising out of contested custody disputes.

In 2007, the Family Court also established the Fathering Court Program, which prepares parents leaving prison with outstanding child support arrears to become contributing and involved parental figures in their children's lives. District and federal agencies provide substance abuse treatment and educational training to program participants to ready them for the workforce. Parents in the program are also provided an array of social services to address underlying problems which compromise their ability to parent and pay child support. Working with District service providers, the court monitors and enforces outstanding child support arrears and holds participants accountable as they increase their ability to pay child support.

During Judge Josey-Herring's tenure as Presiding Judge, the Neglect and Abuse Subcommittee has focused on children's educational needs, prepared older teens for adulthood, and produced a neglect and abuse practice guide. The Education Workgroup of the Neglect and Abuse Subcommittee also developed an Educational Checklist to measure key educational benchmarks of children in the neglect and abuse systems. The Educational Checklist is designed to focus judges, attorneys and social workers on the child's educational status and enable stakeholders to begin educational planning and advocacy on the child's behalf.

The Preparing Youth for Adulthood program (PYA) was also piloted in 2007 to assist teenagers in the neglect and abuse system with planning towards their independence. Participating youth actively engage with the PYA calendar judge to

develop a plan that focuses on life skills, education, employment, health and other needs. PYA also identifies individuals in the child's life who are willing to make a long-term commitment and play a supportive role in their future. In another initiative during her tenure as Presiding Judge, members of the Bench Book Workgroup produced a comprehensive Bench Book for judges handling neglect and abuse cases. The Bench Book covers a wide variety of topics, including legal and psycho-social issues, and it is a "best practice" guide for judges handling child welfare cases.

Since becoming Presiding Judge, Judge Josey-Herring has also worked with key Family Court Operations and technology staff to develop codes to track a variety of measures in delinquency cases. The ability to track critical data in delinquency cases has improved the court's ability to be accountable to local officials and the public. Also, utilizing Family Court appropriations and grant funding, the Family Court's Social Services Division (CSS) opened a Drop-In Center in Southeast Washington. The Drop-In Center, which is located in the heart of Ward 8, makes supervision and services more accessible to youth in that community. Participating youth are not only supervised by probation officers, but they also receive individual or family counseling, tutoring, and the opportunity to participate in recreational and other activities developed by CSS and District partners. In 2008, CSS will open a similar community Drop-In-Center for juveniles in the delinquency system in Northeast Washington.

In addition to those initiatives that are a part of the Family Court, Judge Josey-Herring has been involved with numerous other programs to benefit the community. From 2004 to 2006, she led a Truancy Prevention Program at Kramer Middle School in Southeast Washington, and since 2007, she has led the Truancy Prevention Program at Garnett Patterson Middle School in Northwest Washington. During the school year, Judge Josey-Herring meets weekly with youth and their families in the selected schools for 10 to 12 weeks to promote school attendance and improved grades among youth in the program. Since 2006, Judge Josey-Herring has also chaired the District's Truancy Task Force, which coordinates other anti-truancy efforts in the District of Columbia.

In 2005, Judge Josey-Herring chaired the Juvenile Subcommittee of the Juvenile Detention Alternatives Initiative (JDAI) sponsored by the Annie E. Casey Foundation. The JDAI focuses on reducing the unnecessary detention of low and moderate level offenders who can be served in the community and will not present a public safety risk. Since 2006, Judge Josey-Herring has chaired the JDAI, and she and key stakeholders have helped to eliminate the number of youth in secure confinement awaiting placement in a shelter home. This effort has also helped to reduce the number of youth in pre-trial secure confinement by 30 percent.

In 2007 and 2008, Judge Josey-Herring and the Chief Judge worked with a variety of District officials, including the General Counsel to the Mayor, the chairs of the Council's Judiciary and Human Services Committees, the Director of the Department of Youth Services Administration, and the staff and Director of the Court Social Services Division, to develop a Memorandum of Understanding (MOU) regarding case processing standards in juvenile cases in order to decrease the amount of time between initial

hearing, trial and disposition. The MOU requires agencies serving our youth to provide the court with all evaluations and assessments completed within the previous twelve months for those children who enter the juvenile system, so that those reports may be used at that child's disposition. The ability to access existing evaluations and assessments reduces the time between adjudication and disposition and eliminates duplicative assessments. The MOU also required the implementation of Family Team meetings in cases where a youth who is not a risk to public safety is detained solely because a parent or guardian refuses to have the youth return home or is incapable due to mental health or substance abuse problems to supervise the child. The MOU also provided for a substance abuse specialist from the District's Addiction Prevention and Recovery Administration to have staff on-site at the court to assess youth for substance abuse and treatment.

Judge Josey-Herring has dedicated her entire legal career to public service. As a judge, she has been a member of several important court committees, serving both the Superior Court generally and the Family Court specifically. As a citizen, she has served on several boards and commissions and has been involved with numerous projects and programs to improve the community. In all of her work, whether with efforts inside or outside of the court, Judge Josey-Herring has maintained a longstanding, sustained and committed focus on initiatives to improve the systems, services and outcomes for our children.