

**DISTRICT OF COLUMBIA COURTS**  
**Summary**  
**Fiscal Year 2013**

Comprised of the Court of Appeals, the Superior Court, and the Court System, the District of Columbia Courts constitute the Judicial Branch of the District of Columbia government. The mission of the District of Columbia Courts is to protect rights and liberties, uphold and interpret the law, and resolve disputes peacefully, fairly and effectively in the Nation's Capital. To support the Courts' achievement of its mission in fiscal year 2013, the Courts request \$349,181,000 for operations and capital improvements. Of this amount, \$13,185,000 is requested for the Court of Appeals; \$114,988,000 is requested for the Superior Court; \$67,618,000 is requested for the Court System; and \$153,390,000 is requested for capital improvements for courthouse facilities. In addition, the Courts request \$50,000,000 for the Defender Services account.

The D.C. Courts' budget request is austere, due to the economic challenges facing our Nation, and incorporates cost savings to help offset requested increases. The FY 2013 request includes operating budget reductions of \$660,000 and increases of \$2,700,000, representing a tiny net increase of \$2,040,000 (1%) and 6 full-time equivalent (FTE) positions over the FY 2012 level as well as a capital budget increase of \$114 million to support critical space and security needs outlined in the Facilities Master Plan and to maintain the Courts' infrastructure of five buildings and 1.2 million gross square feet of space.

Chart 1, at p. 9, provides the organizational structure of the Courts, an overview of the request is provided at Table 1 on p. 10, and a summary is at Table 2, pp. 11-12.

**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:

- 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;
- enhancement to the Family Court, with the relocation of the clerk's offices to space adjacent to the Central Family Intake Center on the JM Level of the Moultrie Courthouse;
- renovation of the arraignment courtroom in the Moultrie Courthouse, including electronic messaging and other technology improvements to enhance operational efficiency and public understanding of and access to proceedings;
- creation of self-help centers in partnership with the D.C. Bar to assist unrepresented litigants in Family Court, Landlord Tenant and Small Claims courts, and Probate and Tax matters;

- implementation of our second five-year strategic plan, *Delivering Justice 2008-2012*, 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 and initiation of a multi-year business intelligence initiative to enhance performance analysis, reporting, and public accountability;
- installation of a new case management system for the Court of Appeals in July 2011, thereby ensuring complete electronic access to information on all cases and easy retrieval of information from the trial court to enhance case processing and judicial decision-making;
- enhancing accessibility to information by the public through the Courts' website, including on-line access to juror services and civil, criminal, domestic violence, tax, and probate case docket information;
- development and ongoing updating of a Continuity of Operations Plan (COOP) to ensure the continued administration of justice in an emergency, and upgrading of life safety systems to enhance security and safety of the public and court personnel in the Courts' facilities;
- initiation of "Building a Great Place to Work" program, 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 to ensure that our employees are highly productive, fully engaged, and providing excellent public service. Preliminary results of the follow-up survey in October 2011 indicate improvement in these and other areas.
- 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 complete facilities upgrades 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;
- 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;
- implementation of the iCivics program in charter schools to teach students about our government and the rights and responsibilities of citizenship, thereby inspiring young people

to participate actively in society, and to enhance public trust and confidence in the judicial system.

- operation of eight community courts, including the D.C. & Traffic Community Court, which won a 2010 Momentum Award, 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 of a Mental Health Diversion Court to address the special needs of defendants suffering from mental illnesses, including a mental health clinic in the courthouse that has served over 1,000 defendants;
- operation of specialized courts for families in need: the Fathering Court, which won a “Bright Idea Award” from the Harvard University Ash Center for Democratic Governance and Innovation, provides job training and parenting education to fathers re-entering the community from incarceration, helping them pay their child support and become active in their children’s lives; and the Family Treatment Court provides residential substance abuse treatment to mothers in the child welfare system, keeping their children with them, rather than placing the children in foster care, during treatment;
- initiation of enhanced case processing opportunities for persons with housing problems, including a Housing Conditions Calendar, where tenants can file expedited actions to enforce housing code violations;
- expansion of e-filing, which facilitates access to the court, reduces duplicative data entry thereby improving the quality of court data, and enhances efficiency at the Courts and other agencies, to nearly all civil actions, government filings in juvenile matters and abuse and neglect cases, and 90% of criminal cases; early data indicate a 50% decrease in the time required to process new criminal cases because the data and documents are in the case management system when the defendant appears before the judge;
- 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 Balanced and Restorative Justice Drop-In Centers in Southeast, Northeast, and Southwest 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;
- participation in Operation Safe Surrender in August 2011, a collaborative program with other criminal justice agencies that allows persons with outstanding warrants for non-violent felonies or misdemeanors in the District to surrender voluntarily in a safe environment, resulting in enhanced public safety and confidence in the justice system, with just over 800 defendants resolving outstanding warrants and their criminal cases.
- creation 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 Probate Court to visit adult wards under court supervision,

report on the services being provided, and 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; newly renovated space for the Family Court and Civil Division in the Moultrie Courthouse; new space for the Landlord Tenant and Small Claims courts and juvenile probation in Building B; and renovated space in Building A for the Crime Victims Compensation Program and the Multi-Door and Probate Divisions.
- 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 2011;
- disposition of 2,029 cases in the Court of Appeals and 108,286 cases in the Superior Court (FY 2011 statistics).

### **FY 2013 Request Summary**

The D.C. Courts second five-year Strategic Plan, which guides court operations through 2012, reflects input from the community, justice system agencies, and individuals served by the Courts, including litigants and their family members, victims, witnesses, attorneys, jurors, and others who were asked to assess their needs, views, and expectations of the Courts. The Courts’ divisions have developed Management Action Plans (MAP’s) which prioritize their activities and align them with courtwide goals and strategies. The FY 2013 budget request incorporates the Courts’ strategic issues and includes performance projections for all core functions. To build on past accomplishments and to enhance service to the public in the District of Columbia during FY 2013, the Courts request additional resources as outlined below.

### **FY 2013 Operating Budget: Summary by Strategic Goal**

Listed below are the Courts’ strategic issues and 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
- **Strategic Issue 2:** Access to justice
- **Strategic Issue 3:** A strong judiciary and workforce
- **Strategic Issue 4:** A sound infrastructure
- **Strategic Issue 5:** Security and disaster preparedness
- **Strategic Issue 6:** Public trust and confidence

#### ***Strategic Issue 1: Fair and timely case resolution--\$191,000 and 2 FTEs***

*Fair and impartial court processes are essential to the just resolution of disputes. We must ensure that cases are resolved on the merits in accordance with the rule*

*of law, while providing due process and equal protection. Court proceedings and treatment of litigants must be free of bias as well as the appearance of bias. At the same time, courts must resolve cases in a timely manner and avoid undue delay. The effective administration of justice requires a careful balancing of the goals of fairness and timeliness.*

The FY 2013 request includes \$191,000 and 2 FTEs to ensure fair and timely case resolution in the Court of Appeals with the assistance of staff for an appellate mediation program.

***Strategic Issue 3: Strong Judiciary and Workforce--\$274,000 and 2FTEs***

*The effective administration of justice depends upon a team of judicial officers and court personnel who are committed to public service and well-prepared to perform their duties. Continuing professional education and training is vital, since we administer justice in a constantly changing legal, technological, and social environment. Our workforce must reflect the diversity of the community we serve in order to maintain the trust and confidence of the public.*

The FY 2013 request includes \$274,000 and 2 FTEs to address the Courts' strategic issue of promoting a strong judiciary and workforce by fostering the strategic transformation of the Human Resources Division by, among other things, engaging in succession planning, increasing automation for customer service, and providing increased leadership and policy support to court management.

***Strategic Issue 4: Sound Infrastructure--\$350,000***

*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.*

The FY 2013 request includes \$350,000 to address the Courts' strategic issue of maintaining a sound infrastructure by maintaining the newly renovated Building C and its grounds, including utilities, cleaning, landscaping services, and ongoing repairs and upkeep. In addition, as discussed below, the capital budget request includes resources to enhance the Courts' infrastructure.

***Strategic Issue 5: Security and Disaster Preparedness--\$201,000 and 2 FTEs***

*The people of the District of Columbia must have confidence that their courts are safe and secure and will continue to operate during an emergency or disaster. Heightened security risks in the Nation's Capital pose significant challenges which we must continuously assess and for which we must plan diligently. Court personnel must perform their daily duties without concern for their safety or that of the public and must respond quickly and effectively in the event of an emergency.*

The FY 2013 request includes \$201,000 and 2 FTEs to address the Courts' strategic issue of security and disaster preparedness by addressing risks identified in security assessment reports, including provision of security equipment and hiring of dedicated staff to strengthen screening mail coming into the courthouse. In addition, as discussed below, the capital budget request includes resources to enhance the physical security of the court campus.

### ***Built-In Increases--\$1,684,000***

To maintain the current level of service, the FY 2013 request also includes \$1,684,000 for within-grade increases. Honoring Administration direction to Federal agencies, the Courts have not requested additional resources (estimated at \$692,000) to finance the proposed half-percent cost of living adjustment for employees.

### **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 2013 capital request totals \$53,390,000. This request focuses on the Moultrie Courthouse, safety and security, and building maintenance.

The Courts' capital budget is structured to continue progress in implementing the *Facilities Master Plan*, originally completed by the General Services Administration (GSA) in December 2002, with an update completed in 2009 to address facilities requirements through 2018. The updated *Facilities Master Plan* projects a shortfall of 87,575 occupiable square foot over the next ten years for court operations and identifies needed maintenance and improvements to existing facilities. The updated plan continues to recommend the three-part approach to meet the Courts' space shortfall that was originally identified in 2002 and is in progress: (1) restoration of the Historic Courthouse at 430 E Street for the D.C. Court of Appeals, thereby making additional space available in the Moultrie Courthouse for trial court operations; (2) construction of an addition to the Moultrie Courthouse to provide fully consolidated and state-of-the-art Family Court facilities; and (3) reoccupation of Building C, a court building adjacent to the Historic Courthouse that has until recently been used by the D.C. Government.

With the support of the President and Congress, the Courts have made significant progress in implementing the *Facilities Master Plan*. In a major milestone, the restoration of the Historic Courthouse was completed April 15, 2009. The renovation of Building C was completed in February 13, 2012, when the Multi-Door Dispute Resolution and Information Technology Divisions moved into the building. Buildings A and B have been renovated and now house our Landlord Tenant and Small Claims courts and Probate Division, freeing space in the Moultrie Courthouse. A separate Family Court entrance and expanded facilities, including a Central Intake Center and child-friendly waiting area, have been constructed in the Moultrie Courthouse on the JM Level, a new Juvenile Holding Facility has been constructed, and Family Court clerks offices moved into adjacent space in February 2011. This space was freed in March 2009 when the Civil Division moved to newly-renovated space on the 5<sup>th</sup> Floor of Moultrie. The 6<sup>th</sup> Floor of

Moultrie, vacated by the Court of Appeals in 2009, was completed in January 2011 and now houses chambers and a dining room for judges, the Superior Court Library, the Executive Office, and the General Counsel's Office. The renovation project has begun for the Adult Holding facility, and U.S. Marshals Service administrative space is complete.

***Moultrie Courthouse.*** In the next several years, as the D.C. Courts continue to implement the Facilities Master Plan, the Moultrie Courthouse, the Courts' largest building by far, will be the focus of most capital projects. The Facilities Master Plan addresses the Courts' space shortfall by expanding the Moultrie Courthouse. This new construction will contain six criminal-capable trial courtrooms, 21 judge's chambers, and office space. The Moultrie Courthouse Addition will fulfill the Family Court mandate by consolidating Social Services and all other Family Court functions on two levels of the Moultrie Courthouse.

A significant portion of the FY 2013 capital budget request, \$65 million, is for the Moultrie Courthouse Addition (C Street Expansion). This addition will add 108,000 square feet of new and renovated space to the Moultrie Courthouse and expand the building along the south façade at C Street. The full funding for the construction phase of this project is distributed over three fiscal years, beginning with an appropriation of \$18 million in FY 2012.

The capital budget request includes \$21.18 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, to make the building more inviting to the public, and to meet modern standards.

The request also includes \$16.28 million for the Courtrooms and Chambers project to renovate five hearing rooms and courtrooms and to construct and upgrade judicial chambers.

***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 \$15 million to improve physical safety through perimeter security enhancements, lighting/signage upgrades, and, most urgently, construction of a secure facility for screening incoming mail.

***Infrastructure Maintenance.*** The capital budget also includes a request for \$33.8 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. The Courts request \$7.15 million for the HVAC, Electrical, and Plumbing Upgrades project to continue work on main electrical upgrades in the Moultrie Courthouse and to replace HVAC equipment as components pass their useful life. To create additional public restrooms to meet current code requirements, \$2.46 million is requested. The \$1.29 million requested for Fire and Security will finance a sprinkler system for the Moultrie Courthouse as part of the ongoing fire sprinkler program for the building. In addition, \$18.9 million is requested for General Repair Projects, for, among other things, ADA accessibility, safety repairs, Moultrie Courthouse roof replacement, and continued replacement of fixtures, lighting, flooring, ceiling tiles and other capital investments as required. To keep the elevators

and escalators in working order, \$500,000 is in the request. Finally, \$3.5 million is requested for technology infrastructure enhancements.

***Additional Master Plan Activities.*** The Capital Budget also includes \$2.13 million to reconfigure space and begin returning divisions from leased offices 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 \$50,000,000. In recent years, the Courts have focused on improving the financial management and 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 only 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 attorneys appointed in these cases are well-qualified, 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 engaged an independent accounting firm to undertake a study (1) analyzing and quantifying the liability associated with appointed counsel who had received vouchers but not submitted them for payment, (2) developing a methodology to recognize obligations, and (3) projecting future resource requirements. The Courts sought to improve the alignment of our financial statements, which under generally accepted accounting principles recognize this liability, with our financial system, which had recorded these obligations only upon payment. The Defender Services account had 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 were 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.

### **Appropriations Language and Legislative Proposal Request**

The FY 2013 Budget Request includes a proposal for legislation authorizing the D.C. Courts to address budget challenges and reshape the workforce by offering voluntary separation incentive payments, or buyouts.

Chart 1  
 DISTRICT OF COLUMBIA COURTS  
 Organizational Structure

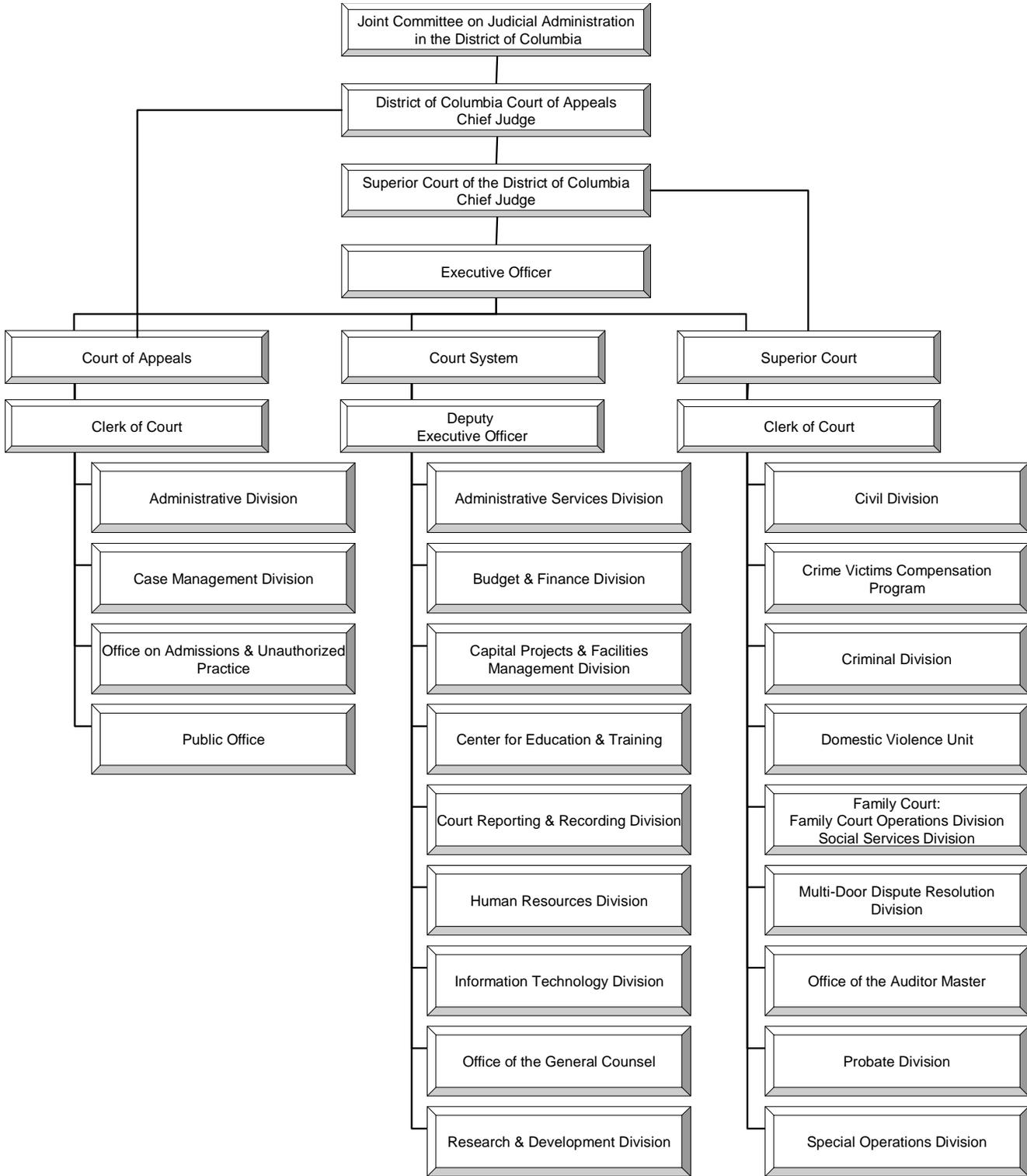


Table 1  
**DISTRICT OF COLUMBIA COURTS**  
**FY 2013 Budget Justification**  
 Overview of Request  
 (in dollars)

	FY 2012 <u>Enacted</u>	FY 2013 <u>Request</u>	Difference <u>FY 2012/2013</u>
Court of Appeals	12,830,000	13,185,000	355,000
Superior Court	114,209,000	114,988,000	779,000
Court System	<u>66,712,000</u>	<u>67,618,000</u>	<u>906,000</u>
Subtotal, Operations	193,751,000	195,791,000	2,040,000
Capital	49,090,000	153,390,000	114,300,000
Total, Federal Payment	242,841,000	349,181,000	116,340,000
Defender Services	55,000,000	50,000,000	-5,000,000

**Table 2**  
**DISTRICT OF COLUMBIA COURTS**  
**FY 2013 Budget Justification**  
**Summary Table**

	Request <u>Amount</u>	<u>FTE</u>
<b>District of Columbia Court of Appeals</b>		
<b>FY 2012 Enacted</b>	<b>12,830,000</b>	<b>103</b>
Requested Base Adjustments:		
A. <i>Fair and Timely Case Resolution:</i>		
1. Enhancing Case Resolutions	<u>191,000</u>	<u>2</u>
<i>Subtotal</i>	<i>191,000</i>	<i>2</i>
B. <i>Built-In Cost Increases:</i>		
1. Within-Grade Increases	<u>164,000</u>	<u>-</u>
<i>Subtotal</i>	<i>164,000</i>	<i>-</i>
<b>FY 2013 Budget, Court of Appeals</b>	<b>13,185,000</b>	<b>105</b>
<b>Superior Court of the District of Columbia</b>		
<b>FY 2012 Level</b>	<b>114,209,000</b>	<b>947</b>
<i>Cost Savings</i>	<i>- 250,000</i>	
Requested Base Adjustments:		
A. <i>Built-In Cost Increases:</i>		
1. Within-Grade Increases	<u>1,029,000</u>	<u>-</u>
<i>Subtotal</i>	<i>1,029,000</i>	<i>-</i>
<b>FY 2013 Budget, Superior Court</b>	<b>114,988,000</b>	<b>947</b>
<b>District of Columbia Court System</b>		
<b>FY 2012 Level</b>	<b>66,712,000</b>	<b>294</b>
<i>Cost Savings</i>	<i>- 410,000</i>	
Requested Base Adjustments:		
A. <i>Strategic Issue 3: A Strong Judiciary and Workforce</i>		
1. Strategic Human Resources (Human Resources Division)	<u>274,000</u>	<u>2</u>
<i>Subtotal</i>	<i>374,000</i>	<i>2</i>
B. <i>Strategic Issue 4: A Sound Infrastructure</i>		
1. Facilities Services for New Building (Capital Projects & Facilities Management Division)	<u>350,000</u>	<u>-</u>
<i>Subtotal</i>	<i>350,000</i>	<i>-</i>
C. <i>Strategic Issue 5: Security and Disaster Preparedness</i>		
1. Enhancing Public Security (Initiatives Section)	<u>201,000</u>	<u>2</u>
<i>Subtotal</i>	<i>694,000</i>	<i>2</i>
D. <i>Built-In Cost Increases:</i>		
1. Within-Grade Increases	<u>491,000</u>	<u>-</u>
<i>Subtotal</i>	<i>491,000</i>	<i>-</i>
<b>FY 2013 Budget, Court System</b>	<b>67,618,000</b>	<b>298</b>
<b>Grand Total, Operating Budget</b>	<b>195,791,000</b>	<b>1,350</b>

**DISTRICT OF COLUMBIA COURTS**  
**Capital Improvements**  
FY 2013 Budget Justification  
Summary Table

	<u>Request</u>
Renovations, Improvements & Expansions	
1. Moultrie Courthouse Renovation & Reorganization	21,180,000
2. Moultrie Courthouse Addition	65,000,000
3. Building A Modernization	1,610,000
4. Building B Modernization	520,000
5. Courtrooms and Judges Chambers	16,280,000
6. Campus Security, Signage and Lighting	<u>15,000,000</u>
<i>Subtotal, Renovations, Improvements &amp; Expansions</i>	<i>119,590,000</i>
Maintain Existing Infrastructure	
1. HVAC Electrical and Plumbing Upgrades	7,150,000
2. Restroom Improvements	2,460,000
3. Fire and Security Alarm Systems	1,290,000
4. General Repair Projects	18,900,000
5. Elevator and Escalator Repairs and Replacement	500,000
6. Technology Infrastructure	<u>3,500,000</u>
<i>Subtotal, Maintain Existing Infrastructure</i>	<i>33,800,000</i>
<b>FY 2013 Budget, Capital Improvements</b>	<b>153,390,000</b>

**DISTRICT OF COLUMBIA COURTS**  
**Defender Services**  
FY 2013 Budget Justification  
Summary Table

<b>FY 2012 Level</b>	<u>55,000,000</u>
<i>Cost Savings</i>	<i><u>- 5,000,000</u></i>
<b>FY 2013 Budget, Defender Services</b>	<b>50,000,000</b>