

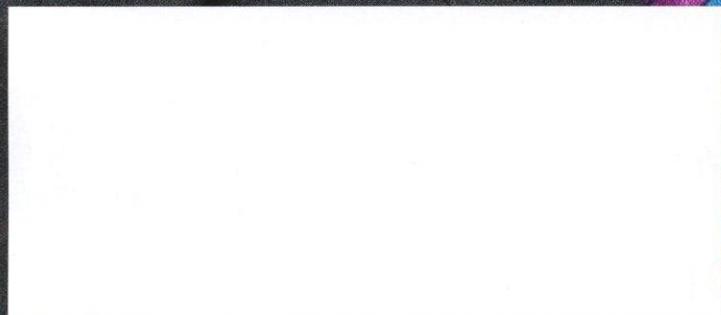
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A Conversation with

**Chief Judge  
Lee F. Satterfield**



D.C. Bar Celebrates  
**40 Years**

# Q&A



Interview by  
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## A Conversation With Chief Judge Lee F. Satterfield

Now in the last year of his first term as chief judge of the Superior Court of the District of Columbia, Lee F. Satterfield has built on the strong foundation left by former Chief Judge Rufus G. King III by overseeing ongoing court projects, including renovation work on the H. Carl Moultrie Courthouse and technology improvements, while forging ahead with new initiatives on areas such as courthouse security and court accountability methods. *Washington Lawyer* recently sat down with Satterfield to discuss past and current court improvements, as well as his vision for the court.

**This is the end of your first term as chief judge of the D.C. Superior Court. Are you happy with your accomplishments? Has court staff been supportive of your efforts?**

I think that former Chief Judge Rufus King left the court in good shape. I'm trying to continue to improve the court in ways that benefit the community, but I got a good launching pad from what he left behind. I think the court has improved in some areas during my term, not necessarily because I've been chief judge, but because I have a strong leadership team—my presiding and deputy presiding judges and the senior managers in the court—who make it all happen. The court staff has been extremely supportive of what I'm trying to do and of my vision for the court as we go forward. The accomplishments that have been made during my term really should be attributed to them.

I think the court staff know they can come to me if they have an idea, whether it's something we've tried before and didn't work or [it's] a new idea, and I will listen to it and implement it if it has the potential to improve our services to the public or make something better and the time is right.

**What major court initiatives have you worked on since becoming chief judge?**

There are some initiatives that started during Chief Judge King's term that I continue to focus on, like performance measures put in place so that we can improve how the court manages cases. Infrastructure improvements continue to be a major focus, which I knew coming in as chief judge because I had served on the Joint Committee on Judicial Administration.

During my time as chief judge, the Court of Appeals moved out of the Moultrie Courthouse and into the Historic Courthouse, which left a nice, big space up on the sixth floor for us. But the improvements are still ongoing. We're now renovating all of the cell blocks behind the courtrooms; this means that the judges have to relocate for a period of time, which can be difficult for them.

A little more than a year ago, we had to move out of the C-10 (arraignment) courtroom while it was being renovated. But being temporarily relocated gave the court an opportunity to become more efficient. We moved arraignments/presentments into a smaller courtroom on the second

floor, which meant that people in custody had to be transported up and down the stairs. We had to become more efficient in regards to when we brought people up, who we brought up, and when their cases were ready. Now that we're back in C-10, we don't bring into the courtroom people whom the U.S. Attorney's Office is not charging with a crime, and that's a result of the relocation. There's now a system where we verify the no-charge decision and get the arrested individual released from downstairs. We are ending C-10 proceedings earlier in the day than we ever before.

Another area I wanted to focus on was access to justice. This is a perennial issue, made worse by the tough economic times we have had in recent years. The Superior Court has taken a number of steps to try to address the needs of self-represented parties and ensure that their rights are not limited because of a lack of ability to afford an attorney. One thing I did early in my tenure as chief judge was to set up a training session for all Superior Court judges to provide information to them on how to best handle self-represented parties, to best assist them in presenting their case, without taking sides.

Another initiative I'm proud of, and incredibly grateful to the D.C. Bar Pro Bono Program for, are the various self-help and resource centers. We began with the Family Court Self-Help Center in November 2002, which initially was staffed solely by Bar volunteers, and now is staffed



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by court employees with assistance from Bar members. Over 7,500 people were assisted by the Family Court Self-Help Center in 2011 alone. In the years since, we have teamed up with the Bar to set up a Pro-Se-Plus Divorce Clinic and a similar Pro-Se-Plus Custody Clinic, [as well as] resource centers for landlord-tenant, small claims, tax sale, probate, and . . . consumer law [issues]. Just this past year we teamed up with Bread for the City, Legal Aid Society, and the D.C. Bar Pro Bono Program to launch a Child Support Resource Center.

One specific area within access to justice that deserved focus was the issue of the difficulty for tenants to seek redress for housing code violations other than in response to a landlord's suit to evict or by filing a civil actions case, which would take many months to resolve. This issue was a priority of mine, and I asked Judge [Melvin] Wright, who is now the presiding judge of the Civil Division, to work with the various stakeholders—landlords, tenants and the legal clinics that represent them, [the D.C. Department of Consumer and Regulatory Affairs], and others—to develop an approach that is efficient, fair, and easily accessible to all tenants, especially those not represented by counsel. Starting in the spring of 2010, the Housing Conditions Calendar allows tenants to sue landlords for D.C. Housing Code violations on an expedited basis. Cases have the first hearing scheduled less than a month after the suit is filed. The filing fee is low (\$15) and the forms for the Housing Conditions Calendar were designed to be accessible to pro se parties.

#### **What has the court done to address the issue of unrepresented litigants?**

That is another area I knew I wanted to focus on—enhancing the court's ability to manage cases involving self-represented litigants. It's a difficult situation because the court is a neutral arbitrator, but when you're dealing with self-represented litigants, as we do more and more, you have to make sure there is procedural balance and due process while making sure you're

not playing the role of advocate for either side. The court staff has undergone some major training and education in this area. The District of Columbia Courts recently adopted a new Code of Judicial Conduct that contains more information about dealing with self-represented litigants that I think frees the judges to work more on this issue, [whereas] the ethical restraints [before the code was updated] prevented some judges from playing a greater role.

#### **How helpful has the D.C. Bar been in assisting litigants at Superior Court?**

The partnership the court has with the D.C. Bar has been instrumental in helping litigants. We have always had a wonderful working relationship with the Bar. I think we're a strong court because we have a strong Bar leadership.

We also have a lot of strong court employees who have been here for years. I've been getting to know them through something I implemented, where every month my staff will invite five to 10 court employees to a brown bag lunch where they can discuss with me their concerns and ideas. I never leave these meetings not feeling more empowered to do a better job. Often I will hear different employees express the same concerns; if I hear a pattern of complaints that concerns me, I'll use that information to implement changes.

I apply the same method to get to know the communities in the District better. I've met with Advisory Neighborhood Commission (ANC) members of each ward, and that has given me a wealth of information about how the communities operate as well as . . . community contacts. Not only does this allow ANC members to voice their concerns, it's also a way for them to become more familiar with the court system so they can leave with a better understanding and a willingness to work with us.

There will be a new juvenile drop-in center (the Balanced and Restorative Justice Drop-In Center) opening in Southwest soon, and there have been people who are concerned with having this in their

neighborhood. Having a relationship with some of the ANC members helps the court to better explain why this is being done and how it's going to benefit this community and make it safer. This one in Southwest will be the court's third juvenile drop-in center (the others are in Southeast, opened in 2007, and Northeast, opened just last year) and we're working on opening a fourth one that will be for females only.

#### **Speaking of juveniles, didn't the court make changes to its Juvenile Drug Court Program by combining it with another program this past year?**

Coming in as chief judge, I wanted to examine all of the court's programs and initiatives; we create these things and then they're here 10 years later, whether they're effective or not. So I evaluate current programs and initiatives, and when starting something new, [I] include an evaluation component to it so that in a year or two we can look at it and ask if it's effective, and if it's not, then we can use our resources somewhere else. This is what we're doing with an initiative we started this year where the community court calendar is being expanded to include all misdemeanors throughout the city, with a judge, or in one case, a team of judges, hearing all misdemeanor cases from a single police district. Juvenile drug court was one of those initiatives that had been around for years, and while it started off with a bang, it just hadn't been doing as well in recent years. We determined that the majority of children in drug court were not that successful, often because substance abuse was a way of handling a mental health issue. We decided to take a different direction and have those juveniles participate in our juvenile behavioral diversion program so that we can more effectively deal with the mental health issues that a lot of our juvenile defenders have.

#### **How is the court doing as far as judicial resources?**

When I came on as chief judge, there were two areas of the court that really needed

additional judicial resources. To use a football analogy, everybody is on the field and there's nobody on the sidelines in case there's an injury. If something happens to a judge, I have to call on my senior (retired) judges to fill in.

But the court has gotten some new judge slots since I've been chief judge. I've used those slots to support the two areas most in need of help, one of which was the landlord and tenant court. Can you

one to go and repeatedly ask for additional resources, especially in these hard economic times. And I think that the caseloads are actually lower now in a number of our divisions because less crime is being committed in the District. While the Criminal Division is still quite busy, if you look at today's number of cases versus four or five years ago, you can see there's been a decrease.

Having lower criminal caseloads has allowed the court to be more innovative

for going forward with a new model this year. Partnering with the city, the Pretrial Services Agency, [Court Services and Offender Supervision Agency (CSOSA)], U.S. Attorney's Office [for the District of Columbia], and the defense bar, we began a new project in January, assigning judges to misdemeanor calendars with cases divided by police district. This not only gives us the chance to reduce re-offenders by applying some of



imagine being the last citizen called when there are 100 cases on the docket and just one judge, and you've been there since 9 a.m.? So we added a part-time judge for the landlord and tenant court. In addition, the Civil Division has been good about having other judges sit in on the court all the time. Every day we have two judges available for landlord and tenant court, one in the main courtroom, and then cases can be sent to the judge in another courtroom. I also used the new judge slot to help the Probate Division, which has had only two judges throughout its history. I'm not done yet; I'm looking at each division's resources to see if they are being used efficiently and if we need to make changes in terms of judicial resources.

My view is that the court has the resources to do what it needs to do. I'm not

and to do more than just call cases, try them, and put them before a jury. [An example is] this new misdemeanor initiative we're doing, which came out of an evaluation we did of the East of the River Community Court (started by then Chief Judge King) that showed our community court approach had a positive impact on the community by reducing the number of re-offenders. The evaluations are not done internally but by a national organization that [is an expert] in the field. This way we can have an objective evaluation that we can use when we are asking for more resources. We're not asking for new resources to just ask for them, we're asking because we think they can be used to benefit the community in some way.

The evaluation of the East of the River Community Court was the incen-

the original community court practices, it also gives judges another opportunity to learn more about particular communities.

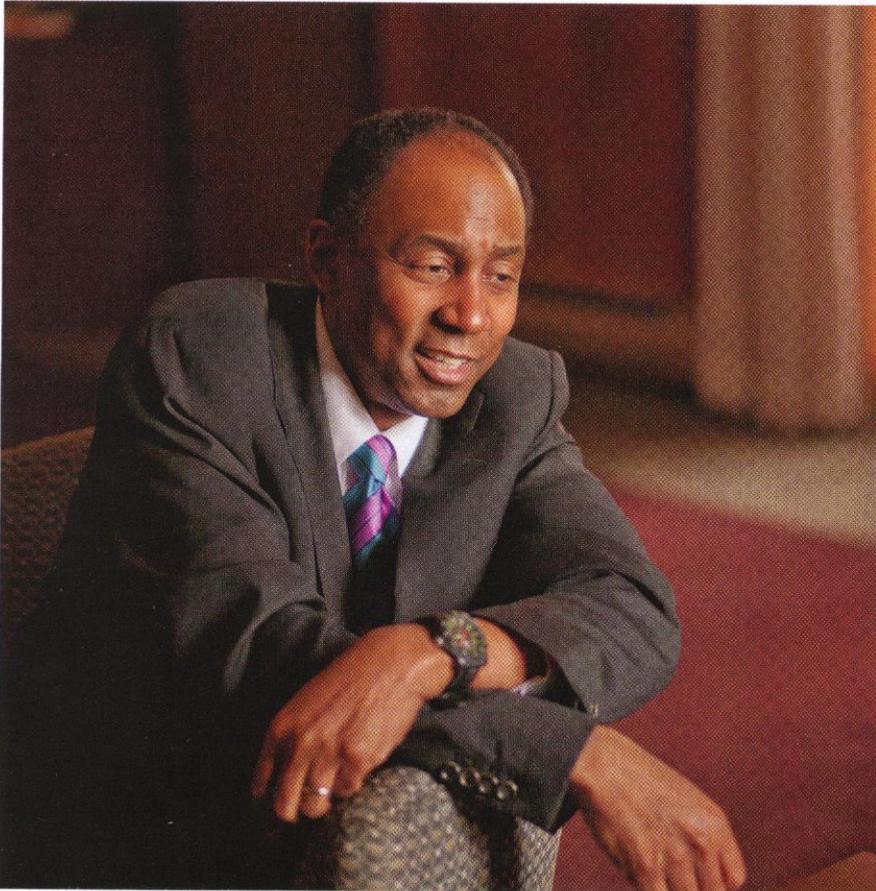
The judges on the community courts will attend meetings with advisory groups and ANC members so they know what issues are there in the community in which their calendar is focused. However, they continue to maintain their judicial independence when it comes to cases before them. There will be an evaluation component to the new community court approach so that a year from now, we'll know if something is not working as well as it could and be able to try to improve it.

**How far along is the court with infrastructure improvements?**

It just keeps going. The Moultrie Courthouse was built in 1976 and it never had a

# Q&A

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facelift until recently. And once you finish giving part of the building a facelift, it's time to start something else.

The Superior Court first experienced major changes because of the Family Court Act that had us put all family court operations in one particular area. Then there was the restoration of the Historic Courthouse so that the D.C. Court of Appeals could move out of Moultrie. And the work won't be ending during my time as chief judge. While I knew when I became chief judge that this was going to be part of my job, it's much more complex than I thought it would be and it's an ongoing process that I have to continue to address. Once we were done renovating the sixth floor vacated by the Court of

Appeals, we had to move right on to renovating the arraignment court, and now every cell block behind every courtroom in this building is being upgraded. While renovating the cell blocks, the Criminal Division judges can't sit in their courtroom for six weeks because they need a cell block in order to operate. I had to kick myself out of my own courtroom!

#### **Did the Court of Appeals' move to the Historic Courthouse help with the lack of space issue?**

We are still stretched for space here; we won't get to where we need to be until we're fortunate enough to [build] an addition to this building. That said, the Court of Appeals' space on the sixth floor did

help tremendously. We've used it as office space for judges and as space to train and do the mandatory meeting that the board of judges have once a month.

#### **Are all the courtrooms going to be renovated?**

Yes, eventually all the courtrooms will be renovated and will have enhanced technology and security. About three years ago we built what we call the "high-technology courtroom" so that we could see what technology works best for our trial court system. That project was one of the first things I worked on as chief judge, and Judge [Herbert] Dixon has been so instrumental in making it work. While the renovated courtrooms won't be as equipped as Judge Dixon's, they will have those technologies that we have found to be most valuable. Actually, one of the mandates for the court from the federal executive branch is to utilize technology to reduce costs. We never had a high-tech courtroom before so it's about time.

#### **Is the court still working to improve its jury duty system?**

That is another initiative I've been interested in working on. I want to try to do more for our citizens who are required to come to the courthouse for jury service. I mean that in terms of trying to increase the time between when people are called in for jury duty. As of now we call in people every two years. To accomplish this we have to, for one, not give a pass to those who don't show up for jury duty. What started with Chief Judge King—what I've continued—is to make those who don't show up come to the courthouse for a hearing on why they ignored their jury summons. I issue warrants for people who don't show up to that hearing.

We also study the jury utilization rate, which is the rate at which qualified jurors are sent to a courtroom for *voir dire*. If we bring in 100 jurors in one day and only 50 of them make it to a courtroom, that's a poor utilization rate, a rate of just 50

percent and I've just wasted 50 people's time. The court has a new computer system that produces utilization rates so they can be studied. My goal is to always have a utilization rate in the 90s [percentile], and we're hitting that mark most but not all of the time, so there's more work to be done.

Court staff has been supportive of these efforts. The Criminal Division judges on our Felony II calendars have agreed to ask for only a certain number of jurors; they'll ask for a Felony II panel, which is a certain number of jurors, and not go above that. This allows us to better predict how many jurors will be needed for that month. We've had some challenges recently because the Superior Court used to provide the U.S. District Court for the District of Columbia with juror names, but now they've created their own jury wheel so there are individuals who may get a jury duty summons from me and one from Chief Judge [Royce] Lamberth the same week.

**How has the court enhanced security, and what has the reaction been like?**

I've made security enhancements at the court a priority . . . because there's never been a horrible incident happen in the Moultrie Courthouse before, and I want to make sure that it stays that way. Because of the enhancements, it's now harder to get into the building, which has upset some people, but it's important that the security staff take their time when letting people in the courthouse. I did a presentation at last spring's Judicial Conference about all the things that people have tried to sneak into our courthouse, things like a knife in a lipstick case or a knife in a crucifix. I tell people to think of coming to court like going to the airport where you know you can't bring certain items.

One of the things we're doing to try to reduce the lines is having more staggered calendars instead of just having everybody show up at 9:30 a.m. We also have three entrances, but since everybody wants to use the one on Indiana Avenue, we have greeters out there to move people with disabilities or with small children to the front of the line, or move people to another entrance. A security station on the C level was opened so that jurors and some lawyers could enter the courthouse there. There have been some complaints about D.C. Bar members not being able to bypass security, but we just don't have the staff or resources to police this. Some courts allow bar members to bypass security, but these are in places with much smaller bars. Also, once you open it up

for one segment of the public, you have to open it up for all. It's a question of how much risk you want to take.

I have a goal of doing this job without ever having to explain to any family member that their loved one got seriously injured because someone brought a weapon into the courthouse. For instance, less than two years ago we had someone come into the courthouse with a water bottle that had bleach in it that we didn't know about. This person tried to throw the water laced with bleach on a litigant and missed, but the fumes from it made one of our employees sick. We could have said that no more water bottles would be allowed in the courthouse, but we didn't do that. We're also trying to be mindful that we live in a day and age where people have the technology that they have, including camera phones. While there is a rule against bringing cameras into the courthouse, everybody has a camera on their phone, which is why I issued an administrative order a few months ago to try to lay down some guidelines on how we're going to handle these new technologies.

**What projects and initiatives do you think will occupy a lot of your time going forward?**

Well, the infrastructure work will continue, which certainly will occupy a great deal of my time. The court will also continue to hold itself accountable to the community through our performance measures. I always say that either we evaluate ourselves or somebody else will do it for us. The best way to lose your judicial independence is not to police yourself. We're one court and even though we may have individual judges, we need to act as one court. When we do, we can be great rather than just good.

For instance, former Chief Judge [Fred] Ugast started the Civil Delay Reduction Program in our Civil Division, which has been highly successful over the years in giving people certainty as to when their case is going to go to trial. If you file a civil case at the court, you'll know within a couple of months when your trial will be held. We've been balancing trial certainty with efficiency, and sometimes we move more toward the side of trial certainty. Last year not one Felony II trial was continued because a judge was not available. If one Felony II judge has two trials ready to go, another judge steps up and hears the case for his or her colleague so that the case does not have to be continued to a later date. The court can only do

something like this if the judges help each other, if they don't just say, "This is my calendar, I'm done with it and that's it."

All of our cases are Superior Court cases. One of my jobs as chief judge is to divide the business of the court so that it's more efficient, but that doesn't mean that just because one judge has a particular case that his or her colleague's case isn't a Superior Court case. We have to think of ourselves as Superior Court judges responsible for all the cases, not just the ones that the chief judge put on your calendar.

I've seen some wonderful examples of this, and I've seen examples where we don't work as a team and then the legislature limits our discretion. The situation leading up to the Family Court Act was an example of the latter. Everybody was managing their own cases and doing their own thing with the child welfare cases, and then something tragic happened and Congress got involved and instituted the "one family, one judge" requirement. [D.C. Delegate] Eleanor Holmes Norton and others on the Hill made sure that bill worked for us, and our appropriators have seen to it that the court has sufficient funding to ensure that child welfare cases get the level of attention and expertise they deserve.

One thing I like to stress is that we can make these types of changes on our own. We have the expertise, we have the training. I don't want to inhibit quality decision making, but we are responsible for not delaying justice. That old saying "Justice delayed is justice denied" is true. If we act as one court, we can be not just good but great.

**The D.C. Bar is celebrating its 40th anniversary in April. What are your thoughts on the Bar's relationship with the Superior Court?**

I began having closer relations with the Bar when I was presiding judge of the family court, where members of the Bar were very instrumental in a number of its initiatives—our Family Court Self-Help Center, work on access to justice issues, and many others. So I've been grateful to the Bar and its members for a number of years now; we can't do our work without their participation. Many courts across the country don't have the same relationship with their bar as we do. The District has a great bar, and it's fabulous to see it celebrating its 40th anniversary.

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