

**District of Columbia Courts
FY 2012 Budget Justification
Appropriations Language**

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, [\$247,400,000] \$347,962,000 to be allocated as follows: for the District of Columbia Court of Appeals, [\$12,998,000] \$13,183,000, of which not to exceed [\$1,500] \$2,500 is for official reception and representation expenses; for the District of Columbia Superior Court, [\$110,149,000] \$115,353,000, of which not to exceed [\$1,500] \$2,500 is for official reception and representation expenses; for the District of Columbia Court System, [\$65,253,000] \$70,206,000, of which not to exceed [\$1,500] \$2,500 is for official reception and representation expenses; and [\$59,000,000] \$149,220,000, to remain available until September 30, [2012] 2013, for capital improvements for District of Columbia courthouse facilities[, including structural improvements to the District of Columbia cell block at the Moultrie Courthouse, of which \$13,670,000 is for renovation of courtrooms and chambers in the Moultrie Courthouse]: *Provided*, That funds made available for capital improvements shall be expended consistent with the [General Services Administration (GSA)] *District of Columbia Courts* master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the *General Services Administration* (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than [\$1,000,000] \$3,000,000 of the funds provided under this heading among the items and entities funded under this heading [for operations, and not more than 4 percent of the funds provided under this heading for facilities] *but no such allocation shall be increased by more than 10 percent*.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments [for counsel] authorized under section 21-2060, D.C. Official Code (relating to [representation] *services* provided under the District of Columbia Guardianship, Protective

Proceedings, and Durable Power of Attorney Act of 1986), \$55,000,000, to remain available until expended: *Provided*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That not more than \$10,000,000 of the funds provided in this account may be transferred to, and merged with, funds made available under the heading 'Federal Payment to the District of Columbia Courts' for District of Columbia Courthouse facilities.

ACCOUNT: FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS	
Proposed change	Amended Language: "For salaries and expenses for the District of Columbia Courts, . . . to be allocated as follows: for the District of Columbia Court of Appeals, . . . of which not to exceed [\$1,500] \$2,500 is for official reception and representation expenses; for the District of Columbia Superior Court, . . . of which not to exceed [\$1,500] \$2,500 is for official reception and representation expenses; for the District of Columbia Court System, . . . of which not to exceed [\$1,500] \$2,500 is for official reception and representation expenses;"
Purpose	Changes the amount of funds available for official reception and representation expenses to \$2,500, the amount included in the D.C. Courts' fiscal year 2010 appropriation.
Justification	The Courts request a modest increase in funds for official reception and representation purposes to meet responsibilities such as to support legal education in the District (home to six law schools), to work with D.C. Bar committees of volunteers, and to host the high number of international guests who visit the D.C. Courts to learn about legal systems in democratic societies. The amount requested would restore the sum appropriated in fiscal year 2010, is commensurate with small federal agencies, and is considerably less than the representation funds of other District officials. For example, the Mayor, Council Chair, and several other District officials each have \$10,600 available for official reception and representation expenses.

ACCOUNT: FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Proposed change Deleted Language: “, including structural improvements to the District of Columbia cell block at the Moultrie Courthouse, of which \$13,670,000 is for renovation of courtrooms and chambers in the Moultrie Courthouse”.

Purpose Deletes outdated language that is no longer necessary.

Justification The structural improvements to the cellblock have been fully funded in prior years, and the phased construction work is scheduled to be complete in fiscal year 2013. In addition, the \$13,670,000 for renovations of courtrooms and chambers in the Moultrie Courthouse was specifically for the fiscal year 2011 appropriation.

Proposed change Amended Language: “*Provided*, That funds made available for capital improvements shall be expended consistent with the [General Services Administration (GSA)] *District of Columbia Courts* master plan study and building evaluation report”

Purpose Updates the language to reflect the District of Columbia Courts’ revised master plan study.

Justification In November 2009, the District of Columbia Courts completed an update of the comprehensive Master Plan for Facilities originally conducted through the General Services Administration in 2002. The revised study builds on the 2002 master plan, outlining the progress made in implementing the 2002 master plan and extending the planning horizon for the Courts’ facilities to 2018.

ACCOUNT: FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Proposed change Amended Language: “That 30 days after providing written notice to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the District of Columbia Courts may reallocate not more than [\$1,000,000] *\$3,000,000* of the funds provided under this heading among the items and entities funded under this heading [for operations, and not more than 4 percent of the funds provided under this heading for facilities] *but no such allocation shall be increased by more than 10 percent.*”

Purpose Changes the amount that the Courts may reallocate among court entities and limits the amount by which the funds for any entity may be increased.

Justification The three entities of the District of Columbia Courts, the Court of Appeals, the Superior Court, and the Court System comprise a unified court system. As the three entities work together to develop new means of serving the public, executing their mission, and advancing administrative efficiencies, they require the authority to shift resources among themselves, for example, to accommodate administrative reorganizations. Current authority, which is limited to \$1,000,000, has proven inadequate for necessary programmatic and administrative modifications.

ACCOUNT: DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Proposed change	Amended Language: “and payments [for counsel] authorized under section 21-2060, D.C. Official Code (relating to [representation] <i>services</i> provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986)”
Purpose	Adjust appropriations language to coincide with provisions of the authorizing language in the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986, D.C. Official Code Sec. 21-2060
Justification	This language is necessary to clarify that the appropriation finances payments for all court-appointed persons authorized under section 21-2060, D.C. Official Code. This provision authorizes payment to a “visitor, attorney, examiner, conservator, special conservator, guardian ad litem, or guardian” as approved by the court “in connection with a guardianship or protective arrangement.”

ACCOUNT: DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Proposed change	Added Language: “ Provided further, That not more than \$10,000,000 of the funds provided in this account may be transferred to, and merged with, funds made available under the heading ‘Federal Payment to the District of Columbia Courts’ for District of Columbia Courthouse facilities.”
Purpose	Permits the transfer of up to \$10,000,000 from the Defender Services account to the Federal Payment to the District of Columbia Courts account for capital improvements for District of Columbia courthouse facilities, to be available until September 30, 2013.
Justification	Improved accounting methodology in the Defender Services account has resulted in an unobligated balance in excess of projected liabilities. Transfer of up to \$10,000,000 to the capital improvements account will permit the Courts to further progress in implementing the <i>Facilities Master Plan</i> , including the renovation, reorganization and addition to the Moultrie Courthouse.