

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ORDER NO. 02-15

WHEREAS, the appointment of counsel for any person in the District of Columbia who is financially unable to obtain adequate representation and who is a juvenile and alleged to be delinquent or in need of supervision is governed by the provisions of the Criminal Justice Act, D.C. Code Ann. §§ 11-2601 to –2609 (2001);

WHEREAS, that Act provides, in relevant part, that counsel appointed pursuant to the Act “shall in every case be selected from panels of attorneys designated and approved by the courts,” D.C. Code Ann. § 11-2602 (2001);

WHEREAS, the Superior Court has not recently designated and approved panels of attorneys from which counsel are to be selected to provide representation under the Act to indigents in the Superior Court who are juveniles and alleged to be delinquent or in need of supervision;

WHEREAS, compliance with the requirements of the Act dictate that such panels be designated and approved by the Superior Court for representation in the Superior Court;

WHEREAS, the Joint Explanatory Statement of the Committee of the Conference in the recent Appropriations Act for the District of Columbia states:

The conferees strongly urge the D.C. Superior Court to evaluate the quality of the legal services rendered by lawyers appointed under the Criminal Justice Act to handle juvenile delinquency cases. The Court is urged to take immediate, affirmative steps to ensure that lawyers who lack the requisite training, experience and skill are not appointed to delinquency cases.

WHEREAS, selection of attorneys from such panels will assist the Superior Court in complying with its statutory obligation under the Criminal Justice Act, its

constitutional obligation to provide effective assistance of counsel to indigents in juvenile cases and its oversight responsibility to promote the selection of attorneys with a high level of advocacy skills;

WHEREAS, the designation and approval of such panels will improve the administration of justice in the Superior Court;

WHEREAS, D.C. Code Ann. §16-2304(b)(5) (2001) provides for appointment of a guardian *ad litem* who is an attorney to represent the child in every neglect and termination of parental rights proceedings;

WHEREAS, to promote the best interests of children in neglect proceedings, the Court sometimes must appoint a special education advocate;

WHEREAS, D.C. Code Ann. §16-2304(b)(1) and (b)(4)(B) (2001) provide, under certain circumstances in neglect and termination of parental rights proceedings, for appointment of counsel for parents, guardians, custodians, and caretakers who are financially unable to obtain adequate representation;

WHEREAS, designation and approval of panels of attorneys from which attorneys will be selected to serve as guardians *ad litem* and special education advocates for children and to represent other parties in neglect and termination of parental rights proceedings will assist the Superior Court in complying with its obligations to act in the best interests of such children and with providing effective assistance of counsel to such other parties and with performing its oversight responsibility to promote the selection of attorneys with a high level of advocacy skills, and will improve the administration of justice in the Superior Court;

NOW, THEREFORE, it is hereby:

Copies to:

Judges

Magistrate Judges

Executive Officer

Clerk of the Court

Division Directors

Director, CCAN Office

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