

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ORDER 07-18

(Performance Measures – Time to Disposition and Excludable Time)

WHEREAS, Strategy 5.2.1 of *Committed to Justice in the Nation's Capital, Strategic Plan of the District of Columbia Courts 2003-2007*, sets forth the goal of adopting recognized court performance standards; and

WHEREAS, in 2005 the Joint Committee on Judicial Administration approved *time to disposition* as one of thirteen courtwide performance measures in fulfillment of Strategy 5.2.1 of the *2003-2007 Strategic Plan*; and

WHEREAS, a Performance Standards workgroup recognized the need for a system-wide approach to successfully implement *time to disposition* standards and therefore consulted with many different institutions, agencies, and individuals having key roles in case processing to develop time standards in Superior Court; and

WHEREAS, *time to disposition* standards help to ensure that parties receive timely case resolution, further the interests of litigants and the public in timely justice, help to assure effective utilization of resources, and promote high quality justice; and

WHEREAS, an examination of best practices indicates that periods of case inactivity beyond the court's control, known as *excludable time*, should be subtracted from *time to disposition* calculations; and

WHEREAS, time standards are separate and distinct from statutory time limits that are imposed on the Court by the U.S. or D.C. Codes or by case law, and shall be superseded by statutory time limits where applicable, unless such statutory requirements are waived; and

WHEREAS, on April 5, 2007 the Performance Standards workgroup unanimously approved the *time to disposition* standards and *excludable time* categories;

NOW, THEREFORE, it is by the Court,

ORDERED, that these *time to disposition* standards with *excludable time* categories, issued herewith (copy of which is attached to this order), are hereby adopted for use until further order of the Court; and it is further,

ORDERED, these standards shall apply to all cases filed in all divisions on and after October 1, 2007.

ORDERED, that the standards will be disseminated to the District of Columbia Bar and all agencies and institutions involved in case processing to encourage the

establishment of practices to help achieve the Court's *time to disposition* standards; and it is further,

ORDERED, that the standards will be incorporated in interim reports and in fully automated *time to disposition* reports as soon as development of the Court's Integrated Justice Information System permits; and it is further,

ORDERED.

SO ORDERED.

BY THE COURT

July 31, 2007

/s/

Rufus G. King, III
Chief Judge

Copies to:

Judges
Senior Judges
Magistrate Judges
Division Directors
Executive Officer
Clerk of the Court
Library
Daily Washington Law Reporter
Gideon Website
DC Bar Webmaster

**Performance Standards
Time to Disposition and Excludable Time Measures**

Division	Case Type	Standard (from filing to disposition unless otherwise noted)
Civil	General Civil II complaints	75% within 12 months 90% within 18 months 100% within 24 months
	Civil I complaints	50% within 24 months 100% within 36 months
	Administrative proceedings and Judge-in-Chambers	95% within 45 days 100% within 90 days
	Merit Personnel Act and Other Agency Appeals	95% within 12 months 100% within 18 months
	Traffic Adjudication Appeals	60% within 90 days 90% within 180 days 100% within 1 year
	Libel of Information	80% within 10 months 100% within 14 months
	Collection and Subrogation Cases	95% within 24 months 100% within 30 months
	Title 47 Tax Lien Cases	95% within 24 months 100% within 36 months
	Landlord Tenant Non-Jury Cases	65% within 45 days 85% within 100 days 100% within 150 days
	Landlord Tenant Jury Cases	100% within 9 months
	Small Claims and Conciliation Non-Jury Cases	98% within 240 days 100% within 1 year
	Small Claims and Conciliation Jury Cases	100% within 9 months
	Criminal	Felony I
Other Felony (Felony II and AFTC) ¹		75% within 6 months 90% within 9 months 98% within 12 months

¹It should be noted that for defendants detained pursuant to D.C. Code § 23-1322 (b)(1), there is a statutory requirement that the case be tried within 100 days of the date of detention. Barring a waiver of this statutory requirement, such cases remain under a shorter time constraint than our performance standards allow.

	U.S./D.C./Traffic Misdemeanor (Trial Track)	75% within 3 months 90% within 6 months 98% within 9 months
	U.S./D.C. Misdemeanor (Diversion Track)	<u>Community Service/First Time Offenders:</u> 75% within 7 months 90% within 8 months 98% within 9 months <u>Programs for Behavioral Changes or Avoidance of Re-arrest:</u> 75% within 6 months 90% within 9 months 98% within 12 months
	U.S. Misdemeanor Drug Possession	75% within 4 months 90% within 6 months 98% within 9 months
Domestic Violence	Civil (Protection Orders) ²	TPO: 99% within same day 80% within 30 days or less 95% within 60 days
	Criminal	75% within 90 days 90% within 180 days 98% within 12 months
	Criminal: Deferred Sentencing	95% within 12 months

²Request for Temporary Protection Order is same day as filing pursuant to Superior Court Rule 7A (a). Hearing on petition for Civil Protection Order is within 14 days pursuant to Superior Court Rule 7A (c) and D.C. Code §16 1004 (d). Hearing for Criminal Contempt (violation of civil protection order) is within 14 days pursuant to Superior Court Rule 12 (e) (1).

Family Court	Abuse/Neglect	<u>Child not removed from home:</u> 100% within 45 days ³ <u>Child removed from home:</u> 100% within 105 days ³
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³Pursuant to D.C. Code §16-2316.

Permanency (via reunification, adoption, guardianship, custody, or other planned permanent living arrangement)	TBD ⁴
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Child Support	TBD ⁴
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Delinquency (Securely Detained Only)	<u>Juveniles held in secure detention (initial hearing to disposition):</u> Serious: 100% within 45 days ⁵ Most Serious: 100% within 60 days ⁵
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⁵Pursuant to Juvenile Rule 32.

Delinquency (Non-Securely Detained or Released)	TBD ⁴
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Divorce/Custody	<u>Uncontested:</u> TBD ⁴ <u>Contested - Domestic 1:</u> TBD ⁴ <u>Contested - Domestic 2:</u> TBD ⁴
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Mental Health	TBD ⁴
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Mental Retardation	TBD ⁴
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Probate	Decedents Estate: Small Estate	95% within 120 days
	Decedents Estate: Large Unsupervised	95% within 1125 days
	Supervised	95% within 1125 days

Tax

Civil

TBD⁴

Criminal

TBD⁴

⁴Standards for these cases are still in development and will be reflected in an amended time to disposition standards document.