

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 23-05**

Continuing Legal Education for Criminal Justice Act Attorneys

WHEREAS, by Administrative Order 02-33, issued on December 3, 2002, the Chief Judge determined that it is appropriate to require attorneys receiving appointments by this Court under the Criminal Justice Act (CJA) to complete relevant continuing legal education courses (CLE), and

WHEREAS, many attorneys have joined the CJA Panel since the issuance of Administrative Order 02-33; and

WHEREAS, upon consideration of the foregoing, it is

ORDERED, that the following requirements and procedures are hereby promulgated and made applicable to Panel Attorneys (both full and provisional) practicing in the Superior Court of the District of Columbia:

I. Required Annual Credit Hours

A. Panel Attorneys practicing in the Superior Court of the District of Columbia shall complete eight hours of mandatory CLE each year.

B. Panel Attorneys are not permitted to carry over credits from one calendar year to another.

II. Calculation of Credits/Hours

A. To accrue an hour of CLE credit, a class must be at least fifty minutes duration; classes of only a half an hour duration do not count toward the CLE requirement.

B. Classes must be offered in the year for which credit is requested, i.e. attorneys may only take a 2023 class for credit in 2023.

C. Programs put on by the following institutions shall automatically qualify for CLE credits, provided the subject matter for an individual course falls within one of the subject matter categories that is approved below:

1. D.C. Public Defender Service
2. Superior Court Trial Lawyers' Association
3. D.C. Association of Criminal Defense Lawyers
4. National Association of Criminal Defense Lawyers
5. Federal Defender Training Program
6. National Institute for Trial Advocacy (NITA)

III. Subject Areas Which Qualify for CLE Credits

A. Classes in the following subject areas will qualify for CLE credits:

1. Substantive criminal law, including traffic law
2. Criminal procedure
3. Evidence
4. Trial advocacy
5. Forensic issues that may arise in a criminal trial
6. Ethics
7. Immigration law
8. Investigation
9. Sentencing and diversion alternatives in the D.C. Superior Court

B. At least one credit hour must be in ethics. No particular number of credit hours in any of the other above-listed subjects will be required to satisfy the remaining seven hour requirement.

C. To qualify for course credit, courses must be focused on training and be of a reasonable caliber and seriousness rather than simply a complaint or dialogue session.

IV. Governing Body to Decide Acceptable Courses.

A. The CJA Panel Selection Committee (“Committee”) shall decide which courses are acceptable for CLE credit.

B. The Committee shall have the following responsibilities: (1) to decide which courses are acceptable for CLE credit; (2) to recommend to the Chief Judge of the Superior Court what CLE requirements should be imposed on the newly admitted members of the Panel.

V. Maintenance of Records of Compliance.

A. The Public Defender Service (PDS) and the Superior Court Trial Lawyers’ Association (SCTLA) shall maintain and keep records of attorneys’ attendance at their programs. They will compile and submit a list to the Court of those attorneys and the number of credit hours to which each attorney is entitled.

B. The Superior Court of the District of Columbia shall maintain and keep the records of attorney compliance and administer compliance.

VI. Reporting Attendance at CLE Classes.

A. The reporting of attendance at CLE classes must be on a form that includes the date of the course, the title of the course, the course sponsor, a syllabus, the number of hours over which the course was conducted, certification of compliance, and the attorney’s certification, by his or her signature, that the attorney has attended the course and that the information on the form is true and accurate.

B. Attorneys do not need to individually report attendance at any CLE class sponsored by PDS or SCTLTA.

VII. Repercussions if Panel Member is not in Compliance.

A. If the CLE requirements set forth in this order have not been fulfilled by October 31st of the calendar year, an attorney shall become ineligible for new appointments, but may fulfill the requirements during an automatic grace period of two months till the end of the calendar year.

B. If the attorney is out of compliance for as long as ten months plus the two-month grace period, then the attorney shall lose his or her place on his or her respective panel and must re-apply.

VIII. Granting Exceptions to the CLE Requirement.

Exceptions to the requirement that a Panel member complete eight hours of CLE within a given calendar year will be granted only upon a showing that an attorney was in an extended trial of at least six months' duration, personally suffered from a serious and extended illness, or otherwise suffered from an exceptional hardship.

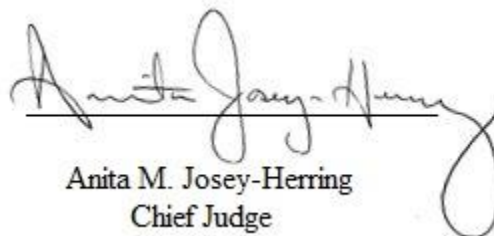
IX. Effective Date of CLE Requirement.

A. The requirements set forth above begin on January 1st of each calendar year.

B. A warning letter shall be sent out two months before October 31st, i.e., by September 1st of each year.

C. For current members of the Panel, the requirement to complete eight hours of CLE courses by October 31, 2023 with a two-month grace period, is effective January 1, 2023.

SO ORDERED.



Anita M. Josey-Herring
Chief Judge

Date: May 2, 2023

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