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Folder Title: 01/08/2002 [H.R. 2657] [2]



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

January 2, 2002

THE DIRECTOR

'02 JAN 2 PM 7:05

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

H.R. 2657 would make several changes to the way that the Family Division of the Superior Court of the District of Columbia is structured and administered. A description of the bill's major provisions follows. Other provisions are described in the Attachment.

Family Court. The bill would redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and would require the chief judge of the Superior Court to designate one of the judges assigned to the Family Court to serve as presiding judge of the Family Court. Except for cases assigned to, or already pending in, a cross-jurisdictional unit of the Superior Court (such as the Domestic Violence Unit), the bill would grant the Family Court original jurisdiction over family law issues brought before the Superior Court such as child abuse and neglect cases, child custody hearings, and divorce, adoption, and paternity proceedings. The bill would also require that any appeal from a decision of the Family Court terminating parental rights or granting or denying a petition to adopt would have to receive expedited review by the District of Columbia Court of Appeals.

Disposition of cases. The enrolled bill would require the Family Court to establish a "one family, one judge" policy requiring, to the greatest extent possible, one judge to handle all matters in the court involving one child or one family. Most cases assigned to the Family Court would remain within the Court until final resolution. However, the enrolled bill would specify certain procedures under which a judge who is rotating out of the Family Court could retain a Family Court case for up to 12 months after leaving the court. The bill would also require the Family Court, to the greatest extent possible, to resolve cases and proceedings through alternative dispute resolution procedures in accordance with rules established by the Superior Court.

Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

H.R. 2657 would require judges appointed to serve on the Family Court from outside of the Superior Court to: (1) have training or experience in family law; (2) agree to participate in ongoing training programs; and (3) serve for a five-year term. Judges already serving on the Superior Court would be required to serve for at least three years. The bill would grant the chief judge the authority to reassign judges outside of the Family Court before the end of their term if such reassignment is in the interest of justice.

Transition plan. The chief judge of the Superior Court would be required to prepare and submit to the President and to Congress a transition plan for the Family Court within 90 days of enactment, including: (1) a determination of the number of judges and magistrates needed to serve on the court; (2) a determination of the role and function of the presiding judge of the Family Court; (3) a description of case flow, management and staffing needs; and (4) a proposal to carry out the disposition of child abuse and neglect cases pending in the Superior Court. The bill would require the chief judge to provide for the transfer or disposition of these cases within 18 months of filing the transition plan. The chief judge would also be required to submit a progress report to Congress every six months on the disposition of these cases.

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Appropriations. The FY 2002 appropriations act for the District of Columbia (Public Law 107-96) included a Federal payment of \$24 million to carry out this Act.

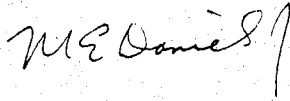
Agency Views

The Department of Justice advises that "[t]he family court would give abuse and neglect cases the priority and consistency that they deserve," and "would be a significant contribution to improving the child welfare system in the District of Columbia."

The Mayor of the District of Columbia states that the enrolled bill "is a critical component of our efforts to reform the District's child welfare system" and "includes key provisions that will lead to better adjudicative outcomes for vulnerable children."

Conclusion and Recommendations

We join the Department of Justice, the District of Columbia, and the Court Services and Offender Supervision Agency in recommending approval of H.R. 2657, which passed the Senate by unanimous consent and the House by a vote of 418 to 1.

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Mitchell E. Daniels, Jr.
Director

Enclosures

Other Provisions of H.R. 2657

H.R. 2657 would require the Mayor of the District of Columbia to ensure that representatives of D.C. social services agencies are available at the Family Court to coordinate the provision of social services for those appearing in court. The Mayor would be required to appoint an individual to act as liaison between the Family Court and the District government for this purpose.

The bill would also require the District to prepare a plan for integrating the computer systems of the District government with the computer systems of the Superior Court. In accordance with the plan, all records and materials of the Family Court would have to be stored and maintained in electronic format accessible to staff of the Family Court and other offices of the District government. The bill would also require the establishment of an electronic case tracking and management system for these materials.

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The bill expresses the sense of Congress that the District of Columbia, Maryland and Virginia should enter into an agreement to facilitate the timely and safe placement of children in the District's child welfare system. It also expresses the sense of the Senate that the chief judge and the presiding judge should encourage the use of Court Appointed Special Advocates in Family Court proceedings.



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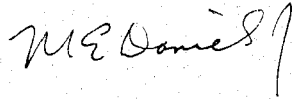
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U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Justice Department on the enrolled bill H.R. 2657, the "District of Columbia Family Court Act of 2001." The Justice Department recommends approval of the bill.

The Family Court Act of 2001 would create a new family court within the Superior Court of the District of Columbia. This new court would handle child abuse and neglect cases, divorce, juvenile justice, commitment of mental retardation and mental ill individuals, and related matters. The bill would authorize up to 15 judges who had training or expertise in family law and who volunteered to serve on the family court. Three and five-year terms of services are required, although any judge could volunteer to serve a longer term. If necessary, additional slots would be created so that the family court could be fully staffed. The bill also provides for the temporary reassignment of judges to the family court in emergency situations. In addition, the bill would create new positions for magistrate judges with the aim that increased staffing would help the District of Columbia comply with the Adoption and Safe Families Act by moving abused and neglected children into permanent placements (either with their biological families or with foster or adoptive families) within the Federal time limits.

To the extent practicable, the family court would follow the principle of "one family-one judge" and the use of alternative dispute resolution procedures. The bill calls for improved standards of practice for appointed counsel and more training of judges and magistrate judges in such areas as child development, family dynamics, and risk factors for child abuse. It also calls for a greater degree of cooperation and coordination (through co-location and improved technology) among the agencies that are charged with serving children. Internal and external analysis and reporting requirements will make close monitoring of implementation of the new court possible.

The family court would give abuse and neglect cases the priority and consistency that they deserve. It would be a significant contribution to improving the child welfare system in the

District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Houser / DAA6
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

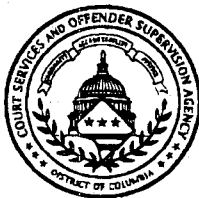
The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PMSubject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
1-3-02. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



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Appropriations. The FY 2002 appropriations act for the District of Columbia (Public Law 107-96) included a Federal payment of \$24 million to carry out this Act.

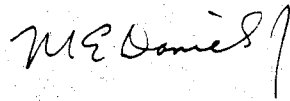
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Conclusion and Recommendations

We join the Department of Justice, the District of Columbia, and the Court Services and Offender Supervision Agency in recommending approval of H.R. 2657, which passed the Senate by unanimous consent and the House by a vote of 418 to 1.

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Mitchell E. Daniels, Jr.
Director

Enclosures

Other Provisions of H.R. 2657

H.R. 2657 would require the Mayor of the District of Columbia to ensure that representatives of D.C. social services agencies are available at the Family Court to coordinate the provision of social services for those appearing in court. The Mayor would be required to appoint an individual to act as liaison between the Family Court and the District government for this purpose.

The bill would also require the District to prepare a plan for integrating the computer systems of the District government with the computer systems of the Superior Court. In accordance with the plan, all records and materials of the Family Court would have to be stored and maintained in electronic format accessible to staff of the Family Court and other offices of the District government. The bill would also require the establishment of an electronic case tracking and management system for these materials.

In consultation with the presiding judge of the Family Court, the chief judge of the Superior Court would be required to carry out a program of training in family law to judges, magistrates, attorneys, and other non-judicial personnel of the Family Court and to other judges of the Superior Court who are assigned Family Court cases. Also, to the greatest extent possible, the chief judge and presiding judge would be required to ensure that materials, services, and proceedings are understandable and accessible to individuals and families served by the Court.

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The enrolled bill would also require the chief judge and the presiding judge to submit to Congress: (1) a plan, in consultation with the General Services Administration, within a year of enactment on the feasibility of constructing or acquiring permanent facilities for the Family Court; and (2) an analysis of the impact of using Family Court magistrate judges on reducing the backlog of cases pending in the Family Court.

The bill would also require the Comptroller General to report, within two years of enactment, on the implementation of the bill's provisions, including an analysis of the initial appointments of judges to the Family Court; the impact of magistrate judges on the workload of judges and other court personnel; the number of judges needed for the Family Court; and an analysis of the timeliness of the resolution and disposition of cases.

The bill expresses the sense of Congress that the District of Columbia, Maryland and Virginia should enter into an agreement to facilitate the timely and safe placement of children in the District's child welfare system. It also expresses the sense of the Senate that the chief judge and the presiding judge should encourage the use of Court Appointed Special Advocates in Family Court proceedings.



U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Justice Department on the enrolled bill H.R. 2657, the "District of Columbia Family Court Act of 2001." The Justice Department recommends approval of the bill.

The Family Court Act of 2001 would create a new family court within the Superior Court of the District of Columbia. This new court would handle child abuse and neglect cases, divorce, juvenile justice, commitment of mental retardation and mental ill individuals, and related matters. The bill would authorize up to 15 judges who had training or expertise in family law and who volunteered to serve on the family court. Three and five-year terms of services are required, although any judge could volunteer to serve a longer term. If necessary, additional slots would be created so that the family court could be fully staffed. The bill also provides for the temporary reassignment of judges to the family court in emergency situations. In addition, the bill would create new positions for magistrate judges with the aim that increased staffing would help the District of Columbia comply with the Adoption and Safe Families Act by moving abused and neglected children into permanent placements (either with their biological families or with foster or adoptive families) within the Federal time limits.

To the extent practicable, the family court would follow the principle of "one family-one judge" and the use of alternative dispute resolution procedures. The bill calls for improved standards of practice for appointed counsel and more training of judges and magistrate judges in such areas as child development, family dynamics, and risk factors for child abuse. It also calls for a greater degree of cooperation and coordination (through co-location and improved technology) among the agencies that are charged with serving children. Internal and external analysis and reporting requirements will make close monitoring of implementation of the new court possible.

The family court would give abuse and neglect cases the priority and consistency that they deserve. It would be a significant contribution to improving the child welfare system in the

District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Houser / OAG
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

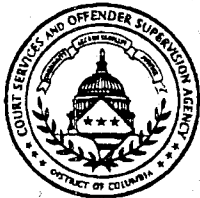
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Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

 *** TX REPORT ***

TRANSMISSION OK

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SS/ RM NO. 505276

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PM

Subject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☒	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
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REMARKS:

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RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 2 10 10 AM '02

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

H.R. 2657 would make several changes to the way that the Family Division of the Superior Court of the District of Columbia is structured and administered. A description of the bill's major provisions follows. Other provisions are described in the Attachment.

Family Court. The bill would redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and would require the chief judge of the Superior Court to designate one of the judges assigned to the Family Court to serve as presiding judge of the Family Court. Except for cases assigned to, or already pending in, a cross-jurisdictional unit of the Superior Court (such as the Domestic Violence Unit), the bill would grant the Family Court original jurisdiction over family law issues brought before the Superior Court such as child abuse and neglect cases, child custody hearings, and divorce, adoption, and paternity proceedings. The bill would also require that any appeal from a decision of the Family Court terminating parental rights or granting or denying a petition to adopt would have to receive expedited review by the District of Columbia Court of Appeals.

Disposition of cases. The enrolled bill would require the Family Court to establish a "one family, one judge" policy requiring, to the greatest extent possible, one judge to handle all matters in the court involving one child or one family. Most cases assigned to the Family Court would remain within the Court until final resolution. However, the enrolled bill would specify certain procedures under which a judge who is rotating out of the Family Court could retain a Family Court case for up to 12 months after leaving the court. The bill would also require the Family Court, to the greatest extent possible, to resolve cases and proceedings through alternative dispute resolution procedures in accordance with rules established by the Superior Court.

Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

H.R. 2657 would require judges appointed to serve on the Family Court from outside of the Superior Court to: (1) have training or experience in family law; (2) agree to participate in ongoing training programs; and (3) serve for a five-year term. Judges already serving on the Superior Court would be required to serve for at least three years. The bill would grant the chief judge the authority to reassign judges outside of the Family Court before the end of their term if such reassignment is in the interest of justice.

Transition plan. The chief judge of the Superior Court would be required to prepare and submit to the President and to Congress a transition plan for the Family Court within 90 days of enactment, including: (1) a determination of the number of judges and magistrates needed to serve on the court; (2) a determination of the role and function of the presiding judge of the Family Court; (3) a description of case flow, management and staffing needs; and (4) a proposal to carry out the disposition of child abuse and neglect cases pending in the Superior Court. The bill would require the chief judge to provide for the transfer or disposition of these cases within 18 months of filing the transition plan. The chief judge would also be required to submit a progress report to Congress every six months on the disposition of these cases.

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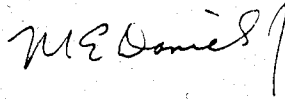
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Mitchell E. Daniels, Jr.
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U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

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Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Hovsen / DAAG
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

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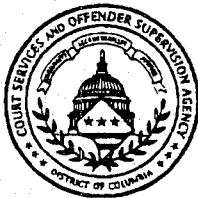
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Sincerely,

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Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

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CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

 *** TX REPORT ***

TRANSMISSION OK

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WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PMSubject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
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GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
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REMARKS:

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RESPONSE:

Harriet E. Miers
Assistant to the President
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Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 2 10 10 AM '02

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

H.R. 2657 would make several changes to the way that the Family Division of the Superior Court of the District of Columbia is structured and administered. A description of the bill's major provisions follows. Other provisions are described in the Attachment.

Family Court. The bill would redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and would require the chief judge of the Superior Court to designate one of the judges assigned to the Family Court to serve as presiding judge of the Family Court. Except for cases assigned to, or already pending in, a cross-jurisdictional unit of the Superior Court (such as the Domestic Violence Unit), the bill would grant the Family Court original jurisdiction over family law issues brought before the Superior Court such as child abuse and neglect cases, child custody hearings, and divorce, adoption, and paternity proceedings. The bill would also require that any appeal from a decision of the Family Court terminating parental rights or granting or denying a petition to adopt would have to receive expedited review by the District of Columbia Court of Appeals.

Disposition of cases. The enrolled bill would require the Family Court to establish a "one family, one judge" policy requiring, to the greatest extent possible, one judge to handle all matters in the court involving one child or one family. Most cases assigned to the Family Court would remain within the Court until final resolution. However, the enrolled bill would specify certain procedures under which a judge who is rotating out of the Family Court could retain a Family Court case for up to 12 months after leaving the court. The bill would also require the Family Court, to the greatest extent possible, to resolve cases and proceedings through alternative dispute resolution procedures in accordance with rules established by the Superior Court.

Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

H.R. 2657 would require judges appointed to serve on the Family Court from outside of the Superior Court to: (1) have training or experience in family law; (2) agree to participate in ongoing training programs; and (3) serve for a five-year term. Judges already serving on the Superior Court would be required to serve for at least three years. The bill would grant the chief judge the authority to reassign judges outside of the Family Court before the end of their term if such reassignment is in the interest of justice.

Transition plan. The chief judge of the Superior Court would be required to prepare and submit to the President and to Congress a transition plan for the Family Court within 90 days of enactment, including: (1) a determination of the number of judges and magistrates needed to serve on the court; (2) a determination of the role and function of the presiding judge of the Family Court; (3) a description of case flow, management and staffing needs; and (4) a proposal to carry out the disposition of child abuse and neglect cases pending in the Superior Court. The bill would require the chief judge to provide for the transfer or disposition of these cases within 18 months of filing the transition plan. The chief judge would also be required to submit a progress report to Congress every six months on the disposition of these cases.

Magistrate judges. The bill would redesignate hearing commissioners of the Superior Court as magistrate judges. Magistrate judges would be given the authority to administer oaths, conduct hearings, make findings, and enter final orders or judgments. Magistrate judges of the Family Court and of the Domestic Violence Unit would be required to have specific qualifications, including experience in family law. Magistrate judges of the Family Court would have to be appointed by the chief judge and the presiding judge no later than 60 days after enactment in order to assist in the implementation of the transition plan for the Family Court. In doing so, these magistrates would be first assigned by the chief judge of the Superior Court and the presiding judge of the Family Court to cases involving allegations of abuse or neglect that were filed more than two years prior to enactment and that are currently being handled by judges outside of the Family Division.

Appropriations. The FY 2002 appropriations act for the District of Columbia (Public Law 107-96) included a Federal payment of \$24 million to carry out this Act.

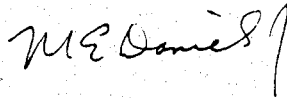
Agency Views

The Department of Justice advises that "[t]he family court would give abuse and neglect cases the priority and consistency that they deserve," and "would be a significant contribution to improving the child welfare system in the District of Columbia."

The Mayor of the District of Columbia states that the enrolled bill "is a critical component of our efforts to reform the District's child welfare system" and "includes key provisions that will lead to better adjudicative outcomes for vulnerable children."

Conclusion and Recommendations

We join the Department of Justice, the District of Columbia, and the Court Services and Offender Supervision Agency in recommending approval of H.R. 2657, which passed the Senate by unanimous consent and the House by a vote of 418 to 1.

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Mitchell E. Daniels, Jr.
Director

Enclosures

Other Provisions of H.R. 2657

H.R. 2657 would require the Mayor of the District of Columbia to ensure that representatives of D.C. social services agencies are available at the Family Court to coordinate the provision of social services for those appearing in court. The Mayor would be required to appoint an individual to act as liaison between the Family Court and the District government for this purpose.

The bill would also require the District to prepare a plan for integrating the computer systems of the District government with the computer systems of the Superior Court. In accordance with the plan, all records and materials of the Family Court would have to be stored and maintained in electronic format accessible to staff of the Family Court and other offices of the District government. The bill would also require the establishment of an electronic case tracking and management system for these materials.

In consultation with the presiding judge of the Family Court, the chief judge of the Superior Court would be required to carry out a program of training in family law to judges, magistrates, attorneys, and other non-judicial personnel of the Family Court and to other judges of the Superior Court who are assigned Family Court cases. Also, to the greatest extent possible, the chief judge and presiding judge would be required to ensure that materials, services, and proceedings are understandable and accessible to individuals and families served by the Court.

The bill would require the chief judge of the Superior Court to submit a report to Congress within 90 days of the end of each year on the activities of the Family Court during that year, including information on: (1) the extent to which applicable deadlines, standards, and timetables were met; and (2) the number, status, recruitment, and reassignment of judges on the Family Court.

The enrolled bill would also require the chief judge and the presiding judge to submit to Congress: (1) a plan, in consultation with the General Services Administration, within a year of enactment on the feasibility of constructing or acquiring permanent facilities for the Family Court; and (2) an analysis of the impact of using Family Court magistrate judges on reducing the backlog of cases pending in the Family Court.

The bill would also require the Comptroller General to report, within two years of enactment, on the implementation of the bill's provisions, including an analysis of the initial appointments of judges to the Family Court; the impact of magistrate judges on the workload of judges and other court personnel; the number of judges needed for the Family Court; and an analysis of the timeliness of the resolution and disposition of cases.

The bill expresses the sense of Congress that the District of Columbia, Maryland and Virginia should enter into an agreement to facilitate the timely and safe placement of children in the District's child welfare system. It also expresses the sense of the Senate that the chief judge and the presiding judge should encourage the use of Court Appointed Special Advocates in Family Court proceedings.



U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Justice Department on the enrolled bill H.R. 2657, the "District of Columbia Family Court Act of 2001." The Justice Department recommends approval of the bill.

The Family Court Act of 2001 would create a new family court within the Superior Court of the District of Columbia. This new court would handle child abuse and neglect cases, divorce, juvenile justice, commitment of mental retardation and mental ill individuals, and related matters. The bill would authorize up to 15 judges who had training or expertise in family law and who volunteered to serve on the family court. Three and five-year terms of services are required, although any judge could volunteer to serve a longer term. If necessary, additional slots would be created so that the family court could be fully staffed. The bill also provides for the temporary reassignment of judges to the family court in emergency situations. In addition, the bill would create new positions for magistrate judges with the aim that increased staffing would help the District of Columbia comply with the Adoption and Safe Families Act by moving abused and neglected children into permanent placements (either with their biological families or with foster or adoptive families) within the Federal time limits.

To the extent practicable, the family court would follow the principle of "one family-one judge" and the use of alternative dispute resolution procedures. The bill calls for improved standards of practice for appointed counsel and more training of judges and magistrate judges in such areas as child development, family dynamics, and risk factors for child abuse. It also calls for a greater degree of cooperation and coordination (through co-location and improved technology) among the agencies that are charged with serving children. Internal and external analysis and reporting requirements will make close monitoring of implementation of the new court possible.

The family court would give abuse and neglect cases the priority and consistency that they deserve. It would be a significant contribution to improving the child welfare system in the

District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Hovsen / OAG
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

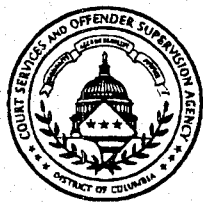
The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



Court Services and Offender Supervision Agency for the District of Columbia

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

 *** TX REPORT ***

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WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PM

Subject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
 1-3-02. THANK YOU.

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BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

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RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 21 11:00

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget

Approval

Department of Justice

Approval

District of Columbia

Approval

Court Services and Offender Supervision Agency

Approval

General Services Administration

No objection (Informally)

Office of Personnel Management

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Department of Health and Human Services

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Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

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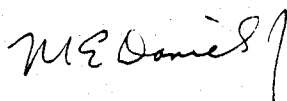
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Mitchell E. Daniels, Jr.
Director

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U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

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District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Thorsen / DAA6
for DJB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

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Sincerely,

A handwritten signature in cursive script that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

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Sincerely,

Jasper Ormond
Interim Director

 *** TX REPORT ***

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SS/ RM NO. 505276

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PMSubject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
 1-3-02. THANK YOU.

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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 2 10 02

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

H.R. 2657 would make several changes to the way that the Family Division of the Superior Court of the District of Columbia is structured and administered. A description of the bill's major provisions follows. Other provisions are described in the Attachment.

Family Court. The bill would redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and would require the chief judge of the Superior Court to designate one of the judges assigned to the Family Court to serve as presiding judge of the Family Court. Except for cases assigned to, or already pending in, a cross-jurisdictional unit of the Superior Court (such as the Domestic Violence Unit), the bill would grant the Family Court original jurisdiction over family law issues brought before the Superior Court such as child abuse and neglect cases, child custody hearings, and divorce, adoption, and paternity proceedings. The bill would also require that any appeal from a decision of the Family Court terminating parental rights or granting or denying a petition to adopt would have to receive expedited review by the District of Columbia Court of Appeals.

Disposition of cases. The enrolled bill would require the Family Court to establish a "one family, one judge" policy requiring, to the greatest extent possible, one judge to handle all matters in the court involving one child or one family. Most cases assigned to the Family Court would remain within the Court until final resolution. However, the enrolled bill would specify certain procedures under which a judge who is rotating out of the Family Court could retain a Family Court case for up to 12 months after leaving the court. The bill would also require the Family Court, to the greatest extent possible, to resolve cases and proceedings through alternative dispute resolution procedures in accordance with rules established by the Superior Court.

Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

H.R. 2657 would require judges appointed to serve on the Family Court from outside of the Superior Court to: (1) have training or experience in family law; (2) agree to participate in ongoing training programs; and (3) serve for a five-year term. Judges already serving on the Superior Court would be required to serve for at least three years. The bill would grant the chief judge the authority to reassign judges outside of the Family Court before the end of their term if such reassignment is in the interest of justice.

Transition plan. The chief judge of the Superior Court would be required to prepare and submit to the President and to Congress a transition plan for the Family Court within 90 days of enactment, including: (1) a determination of the number of judges and magistrates needed to serve on the court; (2) a determination of the role and function of the presiding judge of the Family Court; (3) a description of case flow, management and staffing needs; and (4) a proposal to carry out the disposition of child abuse and neglect cases pending in the Superior Court. The bill would require the chief judge to provide for the transfer or disposition of these cases within 18 months of filing the transition plan. The chief judge would also be required to submit a progress report to Congress every six months on the disposition of these cases.

Magistrate judges. The bill would redesignate hearing commissioners of the Superior Court as magistrate judges. Magistrate judges would be given the authority to administer oaths, conduct hearings, make findings, and enter final orders or judgments. Magistrate judges of the Family Court and of the Domestic Violence Unit would be required to have specific qualifications, including experience in family law. Magistrate judges of the Family Court would have to be appointed by the chief judge and the presiding judge no later than 60 days after enactment in order to assist in the implementation of the transition plan for the Family Court. In doing so, these magistrates would be first assigned by the chief judge of the Superior Court and the presiding judge of the Family Court to cases involving allegations of abuse or neglect that were filed more than two years prior to enactment and that are currently being handled by judges outside of the Family Division.

Appropriations. The FY 2002 appropriations act for the District of Columbia (Public Law 107-96) included a Federal payment of \$24 million to carry out this Act.

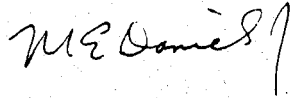
Agency Views

The Department of Justice advises that "[t]he family court would give abuse and neglect cases the priority and consistency that they deserve," and "would be a significant contribution to improving the child welfare system in the District of Columbia."

The Mayor of the District of Columbia states that the enrolled bill "is a critical component of our efforts to reform the District's child welfare system" and "includes key provisions that will lead to better adjudicative outcomes for vulnerable children."

Conclusion and Recommendations

We join the Department of Justice, the District of Columbia, and the Court Services and Offender Supervision Agency in recommending approval of H.R. 2657, which passed the Senate by unanimous consent and the House by a vote of 418 to 1.

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Mitchell E. Daniels, Jr.
Director

Enclosures

Other Provisions of H.R. 2657

H.R. 2657 would require the Mayor of the District of Columbia to ensure that representatives of D.C. social services agencies are available at the Family Court to coordinate the provision of social services for those appearing in court. The Mayor would be required to appoint an individual to act as liaison between the Family Court and the District government for this purpose.

The bill would also require the District to prepare a plan for integrating the computer systems of the District government with the computer systems of the Superior Court. In accordance with the plan, all records and materials of the Family Court would have to be stored and maintained in electronic format accessible to staff of the Family Court and other offices of the District government. The bill would also require the establishment of an electronic case tracking and management system for these materials.

In consultation with the presiding judge of the Family Court, the chief judge of the Superior Court would be required to carry out a program of training in family law to judges, magistrates, attorneys, and other non-judicial personnel of the Family Court and to other judges of the Superior Court who are assigned Family Court cases. Also, to the greatest extent possible, the chief judge and presiding judge would be required to ensure that materials, services, and proceedings are understandable and accessible to individuals and families served by the Court.

The bill would require the chief judge of the Superior Court to submit a report to Congress within 90 days of the end of each year on the activities of the Family Court during that year, including information on: (1) the extent to which applicable deadlines, standards, and timetables were met; and (2) the number, status, recruitment, and reassignment of judges on the Family Court.

The enrolled bill would also require the chief judge and the presiding judge to submit to Congress: (1) a plan, in consultation with the General Services Administration, within a year of enactment on the feasibility of constructing or acquiring permanent facilities for the Family Court; and (2) an analysis of the impact of using Family Court magistrate judges on reducing the backlog of cases pending in the Family Court.

The bill would also require the Comptroller General to report, within two years of enactment, on the implementation of the bill's provisions, including an analysis of the initial appointments of judges to the Family Court; the impact of magistrate judges on the workload of judges and other court personnel; the number of judges needed for the Family Court; and an analysis of the timeliness of the resolution and disposition of cases.

The bill expresses the sense of Congress that the District of Columbia, Maryland and Virginia should enter into an agreement to facilitate the timely and safe placement of children in the District's child welfare system. It also expresses the sense of the Senate that the chief judge and the presiding judge should encourage the use of Court Appointed Special Advocates in Family Court proceedings.



U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Justice Department on the enrolled bill H.R. 2657, the "District of Columbia Family Court Act of 2001." The Justice Department recommends approval of the bill.

The Family Court Act of 2001 would create a new family court within the Superior Court of the District of Columbia. This new court would handle child abuse and neglect cases, divorce, juvenile justice, commitment of mental retardation and mental ill individuals, and related matters. The bill would authorize up to 15 judges who had training or expertise in family law and who volunteered to serve on the family court. Three and five-year terms of services are required, although any judge could volunteer to serve a longer term. If necessary, additional slots would be created so that the family court could be fully staffed. The bill also provides for the temporary reassignment of judges to the family court in emergency situations. In addition, the bill would create new positions for magistrate judges with the aim that increased staffing would help the District of Columbia comply with the Adoption and Safe Families Act by moving abused and neglected children into permanent placements (either with their biological families or with foster or adoptive families) within the Federal time limits.

To the extent practicable, the family court would follow the principle of "one family-one judge" and the use of alternative dispute resolution procedures. The bill calls for improved standards of practice for appointed counsel and more training of judges and magistrate judges in such areas as child development, family dynamics, and risk factors for child abuse. It also calls for a greater degree of cooperation and coordination (through co-location and improved technology) among the agencies that are charged with serving children. Internal and external analysis and reporting requirements will make close monitoring of implementation of the new court possible.

The family court would give abuse and neglect cases the priority and consistency that they deserve. It would be a significant contribution to improving the child welfare system in the

District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Thomas / DAAG
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

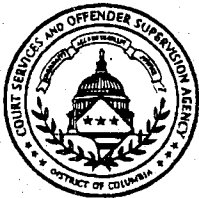
The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

WHITE HOUSE STAFFING MEMORANDUM

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OK

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 25 7:00

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

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Office of Management and Budget	Approval
Department of Justice	Approval
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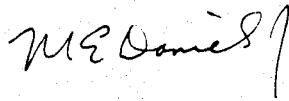
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U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

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Sincerely,

*Carl Houser / DAA6
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Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
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725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

SSI/ RM NO. 505276 02 JAN 3 PM 4:08

WHITE HOUSE STAFFING MEMORANDUM

BRAD

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PM

Subject: H.R. 2657 - DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY, 1-3-02. THANK YOU.

No comments — Chris Bartolomeo

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PMSubject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

02 JAN 3 PM 3:41

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

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1-3-02. THANK YOU.

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 2 2002

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

H.R. 2657 would make several changes to the way that the Family Division of the Superior Court of the District of Columbia is structured and administered. A description of the bill's major provisions follows. Other provisions are described in the Attachment.

Family Court. The bill would redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and would require the chief judge of the Superior Court to designate one of the judges assigned to the Family Court to serve as presiding judge of the Family Court. Except for cases assigned to, or already pending in, a cross-jurisdictional unit of the Superior Court (such as the Domestic Violence Unit), the bill would grant the Family Court original jurisdiction over family law issues brought before the Superior Court such as child abuse and neglect cases, child custody hearings, and divorce, adoption, and paternity proceedings. The bill would also require that any appeal from a decision of the Family Court terminating parental rights or granting or denying a petition to adopt would have to receive expedited review by the District of Columbia Court of Appeals.

Disposition of cases. The enrolled bill would require the Family Court to establish a "one family, one judge" policy requiring, to the greatest extent possible, one judge to handle all matters in the court involving one child or one family. Most cases assigned to the Family Court would remain within the Court until final resolution. However, the enrolled bill would specify certain procedures under which a judge who is rotating out of the Family Court could retain a Family Court case for up to 12 months after leaving the court. The bill would also require the Family Court, to the greatest extent possible, to resolve cases and proceedings through alternative dispute resolution procedures in accordance with rules established by the Superior Court.

Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

H.R. 2657 would require judges appointed to serve on the Family Court from outside of the Superior Court to: (1) have training or experience in family law; (2) agree to participate in ongoing training programs; and (3) serve for a five-year term. Judges already serving on the Superior Court would be required to serve for at least three years. The bill would grant the chief judge the authority to reassign judges outside of the Family Court before the end of their term if such reassignment is in the interest of justice.

Transition plan. The chief judge of the Superior Court would be required to prepare and submit to the President and to Congress a transition plan for the Family Court within 90 days of enactment, including: (1) a determination of the number of judges and magistrates needed to serve on the court; (2) a determination of the role and function of the presiding judge of the Family Court; (3) a description of case flow, management and staffing needs; and (4) a proposal to carry out the disposition of child abuse and neglect cases pending in the Superior Court. The bill would require the chief judge to provide for the transfer or disposition of these cases within 18 months of filing the transition plan. The chief judge would also be required to submit a progress report to Congress every six months on the disposition of these cases.

Magistrate judges. The bill would redesignate hearing commissioners of the Superior Court as magistrate judges. Magistrate judges would be given the authority to administer oaths, conduct hearings, make findings, and enter final orders or judgments. Magistrate judges of the Family Court and of the Domestic Violence Unit would be required to have specific qualifications, including experience in family law. Magistrate judges of the Family Court would have to be appointed by the chief judge and the presiding judge no later than 60 days after enactment in order to assist in the implementation of the transition plan for the Family Court. In doing so, these magistrates would be first assigned by the chief judge of the Superior Court and the presiding judge of the Family Court to cases involving allegations of abuse or neglect that were filed more than two years prior to enactment and that are currently being handled by judges outside of the Family Division.

Appropriations. The FY 2002 appropriations act for the District of Columbia (Public Law 107-96) included a Federal payment of \$24 million to carry out this Act.

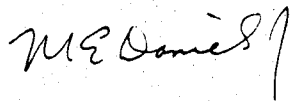
Agency Views

The Department of Justice advises that "[t]he family court would give abuse and neglect cases the priority and consistency that they deserve," and "would be a significant contribution to improving the child welfare system in the District of Columbia."

The Mayor of the District of Columbia states that the enrolled bill "is a critical component of our efforts to reform the District's child welfare system" and "includes key provisions that will lead to better adjudicative outcomes for vulnerable children."

Conclusion and Recommendations

We join the Department of Justice, the District of Columbia, and the Court Services and Offender Supervision Agency in recommending approval of H.R. 2657, which passed the Senate by unanimous consent and the House by a vote of 418 to 1.

A handwritten signature in black ink, appearing to read "ME Daniels".

Mitchell E. Daniels, Jr.
Director

Enclosures

Other Provisions of H.R. 2657

H.R. 2657 would require the Mayor of the District of Columbia to ensure that representatives of D.C. social services agencies are available at the Family Court to coordinate the provision of social services for those appearing in court. The Mayor would be required to appoint an individual to act as liaison between the Family Court and the District government for this purpose.

The bill would also require the District to prepare a plan for integrating the computer systems of the District government with the computer systems of the Superior Court. In accordance with the plan, all records and materials of the Family Court would have to be stored and maintained in electronic format accessible to staff of the Family Court and other offices of the District government. The bill would also require the establishment of an electronic case tracking and management system for these materials.

In consultation with the presiding judge of the Family Court, the chief judge of the Superior Court would be required to carry out a program of training in family law to judges, magistrates, attorneys, and other non-judicial personnel of the Family Court and to other judges of the Superior Court who are assigned Family Court cases. Also, to the greatest extent possible, the chief judge and presiding judge would be required to ensure that materials, services, and proceedings are understandable and accessible to individuals and families served by the Court.

The bill would require the chief judge of the Superior Court to submit a report to Congress within 90 days of the end of each year on the activities of the Family Court during that year, including information on: (1) the extent to which applicable deadlines, standards, and timetables were met; and (2) the number, status, recruitment, and reassignment of judges on the Family Court.

The enrolled bill would also require the chief judge and the presiding judge to submit to Congress: (1) a plan, in consultation with the General Services Administration, within a year of enactment on the feasibility of constructing or acquiring permanent facilities for the Family Court; and (2) an analysis of the impact of using Family Court magistrate judges on reducing the backlog of cases pending in the Family Court.

The bill would also require the Comptroller General to report, within two years of enactment, on the implementation of the bill's provisions, including an analysis of the initial appointments of judges to the Family Court; the impact of magistrate judges on the workload of judges and other court personnel; the number of judges needed for the Family Court; and an analysis of the timeliness of the resolution and disposition of cases.

The bill expresses the sense of Congress that the District of Columbia, Maryland and Virginia should enter into an agreement to facilitate the timely and safe placement of children in the District's child welfare system. It also expresses the sense of the Senate that the chief judge and the presiding judge should encourage the use of Court Appointed Special Advocates in Family Court proceedings.



U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Justice Department on the enrolled bill H.R. 2657, the "District of Columbia Family Court Act of 2001." The Justice Department recommends approval of the bill.

The Family Court Act of 2001 would create a new family court within the Superior Court of the District of Columbia. This new court would handle child abuse and neglect cases, divorce, juvenile justice, commitment of mental retardation and mental ill individuals, and related matters. The bill would authorize up to 15 judges who had training or expertise in family law and who volunteered to serve on the family court. Three and five-year terms of services are required, although any judge could volunteer to serve a longer term. If necessary, additional slots would be created so that the family court could be fully staffed. The bill also provides for the temporary reassignment of judges to the family court in emergency situations. In addition, the bill would create new positions for magistrate judges with the aim that increased staffing would help the District of Columbia comply with the Adoption and Safe Families Act by moving abused and neglected children into permanent placements (either with their biological families or with foster or adoptive families) within the Federal time limits.

To the extent practicable, the family court would follow the principle of "one family-one judge" and the use of alternative dispute resolution procedures. The bill calls for improved standards of practice for appointed counsel and more training of judges and magistrate judges in such areas as child development, family dynamics, and risk factors for child abuse. It also calls for a greater degree of cooperation and coordination (through co-location and improved technology) among the agencies that are charged with serving children. Internal and external analysis and reporting requirements will make close monitoring of implementation of the new court possible.

The family court would give abuse and neglect cases the priority and consistency that they deserve. It would be a significant contribution to improving the child welfare system in the

District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Hovser / OAG
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

A handwritten signature in cursive script that reads "Anthony A. Williams".

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director



02 JAN 3 PM 3:37

OFFICE OF THE VICE PRESIDENT
WASHINGTON

January 3, 2002

MEMORANDUM FOR HARRIET MIERS
STAFF SECRETARY

FROM: JONATHAN BURKS 
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: H.R. 2657 – District of Columbia Family Court Act

The Office of the Vice President has reviewed the above-referenced draft and concurs in the recommendation to sign the enrolled bill.

SS/ RM NO. 505276

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PMSubject: H.R. 2657 - DISTRICT OF COLUMBIA FAMILY COURT ACT

02 JAN 3 PM 3:37

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
1-3-02. THANK YOU.

RESPONSE:

NO COMMENT

EX-100 PRESIDENT
WH STAFFING MEMORANDUM
2002 JAN -2 PM 10:13

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

SS/ RM NO.

505276

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PM

02 JAN 3 PM 12:57

Subject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
1-3-02. THANK YOU.

RESPONSE:

1/3/02
No objection
[Signature]
Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702
[Signature]

WHITE HOUSE STAFFING MEMORANDUM

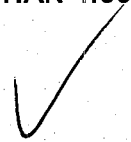
Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PMSubject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

02 JAN 3 PM 3:05

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY, 1-3-02. THANK YOU.



RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

102 JAN 2 - 1100

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

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Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

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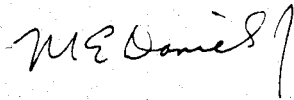
Agency Views

The Department of Justice advises that "[t]he family court would give abuse and neglect cases the priority and consistency that they deserve," and "would be a significant contribution to improving the child welfare system in the District of Columbia."

The Mayor of the District of Columbia states that the enrolled bill "is a critical component of our efforts to reform the District's child welfare system" and "includes key provisions that will lead to better adjudicative outcomes for vulnerable children."

Conclusion and Recommendations

We join the Department of Justice, the District of Columbia, and the Court Services and Offender Supervision Agency in recommending approval of H.R. 2657, which passed the Senate by unanimous consent and the House by a vote of 418 to 1.

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Mitchell E. Daniels, Jr.
Director

Enclosures

Other Provisions of H.R. 2657

H.R. 2657 would require the Mayor of the District of Columbia to ensure that representatives of D.C. social services agencies are available at the Family Court to coordinate the provision of social services for those appearing in court. The Mayor would be required to appoint an individual to act as liaison between the Family Court and the District government for this purpose.

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The bill would require the chief judge of the Superior Court to submit a report to Congress within 90 days of the end of each year on the activities of the Family Court during that year, including information on: (1) the extent to which applicable deadlines, standards, and timetables were met; and (2) the number, status, recruitment, and reassignment of judges on the Family Court.

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The bill would also require the Comptroller General to report, within two years of enactment, on the implementation of the bill's provisions, including an analysis of the initial appointments of judges to the Family Court; the impact of magistrate judges on the workload of judges and other court personnel; the number of judges needed for the Family Court; and an analysis of the timeliness of the resolution and disposition of cases.

The bill expresses the sense of Congress that the District of Columbia, Maryland and Virginia should enter into an agreement to facilitate the timely and safe placement of children in the District's child welfare system. It also expresses the sense of the Senate that the chief judge and the presiding judge should encourage the use of Court Appointed Special Advocates in Family Court proceedings.



U.S. Department of Justice

Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

The Honorable Mitchell Daniels
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Daniels:

This responds to your request for the views and recommendation of the Justice Department on the enrolled bill H.R. 2657, the "District of Columbia Family Court Act of 2001." The Justice Department recommends approval of the bill.

The Family Court Act of 2001 would create a new family court within the Superior Court of the District of Columbia. This new court would handle child abuse and neglect cases, divorce, juvenile justice, commitment of mental retardation and mental ill individuals, and related matters. The bill would authorize up to 15 judges who had training or expertise in family law and who volunteered to serve on the family court. Three and five-year terms of services are required, although any judge could volunteer to serve a longer term. If necessary, additional slots would be created so that the family court could be fully staffed. The bill also provides for the temporary reassignment of judges to the family court in emergency situations. In addition, the bill would create new positions for magistrate judges with the aim that increased staffing would help the District of Columbia comply with the Adoption and Safe Families Act by moving abused and neglected children into permanent placements (either with their biological families or with foster or adoptive families) within the Federal time limits.

To the extent practicable, the family court would follow the principle of "one family-one judge" and the use of alternative dispute resolution procedures. The bill calls for improved standards of practice for appointed counsel and more training of judges and magistrate judges in such areas as child development, family dynamics, and risk factors for child abuse. It also calls for a greater degree of cooperation and coordination (through co-location and improved technology) among the agencies that are charged with serving children. Internal and external analysis and reporting requirements will make close monitoring of implementation of the new court possible.

The family court would give abuse and neglect cases the priority and consistency that they deserve. It would be a significant contribution to improving the child welfare system in the

District of Columbia. We note that Representative Tom DeLay initially sponsored H.R. 2657 and that it passed the House and the Senate by substantial bipartisan majorities.

Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Houser / DAA6
for DTB*

Daniel J. Bryant
Assistant Attorney General



ANTHONY A. WILLIAMS
MAYOR

December 21, 2001

The Honorable Mitchell E. Daniels, Jr.
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Daniels:

This responds to your request for my views and recommendations on the enrolled bill, H.R. 2657, "The District of Columbia Family Court Act of 2001." For the reasons set forth below, I strongly recommend that the President approve the bill.

The District of Columbia Family Court Act of 2001 is a critical component of our efforts to reform the District's child welfare system. The Act would create an appropriately resourced family court within the Superior Court of the District of Columbia. The legislation includes key provisions that will lead to better adjudicative outcomes for vulnerable children, including the following: staffing by a dedicated cohort of experienced and trained judges who will remain in the family court for fixed terms of service that are of an appropriate duration; restrictions on the transfer of cases out of the family court; use of alternative dispute resolution methods; standards of practice for appointed counsel; implementation of the one-family one-judge case assignment model; on-site coordination of social services; development of a plan for integration of multi-agency information systems; and, the expedited initial appointment of Magistrate Judges. The establishment of the family court in the District of Columbia will enhance the quality of our child welfare adjudications and accelerate permanency – central goals of federal and local law.

Thank you for the opportunity to present my views on this important legislation. Please do not hesitate to contact me or my General Counsel, Grace M. Lopes, if you have any questions or require additional information.

Sincerely,

Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

The Court Services and Offender Supervision Agency (CSOSA) has been asked by the Office of Management and Budget to comment on HR2167, the District of Columbia Family Court Act of 2001.

CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-2-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-3-02, 4:00 PM

02 JAN 3 PM 7:59

Subject: H.R. 2657 -- DISTRICT OF COLUMBIA FAMILY COURT ACT

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO 	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☐	☐
FLEISCHER	☒	☐	RIDGE	☐	☐
GERSON	☒	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

PLEASE SEND COMMENTS TO STAFF SECRETARY NO LATER THAN 4:00 PM THURSDAY,
1-3-02. THANK YOU.

RESPONSE:

legislation office (Howard) - de

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

02 JAN 2 2002

January 2, 2002

THE DIRECTOR

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 2657 - District of Columbia Family Court Act of 2001
Sponsors - Rep. DeLay (R) Texas and 3 cosponsors

Last Day for Action

January 8, 2002 - Tuesday

Purpose

Redesignates the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and makes structural and administrative changes affecting the Court's operations, including rules regarding the assignment and service of Family Court judges.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
District of Columbia	Approval
Court Services and Offender Supervision Agency	Approval
General Services Administration	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)

Discussion

Background. Under the Constitution, Congress has exclusive jurisdiction over the District of Columbia, including over its local courts. The District of Columbia Superior Court was established by Public Law 91-358 in 1970 as a court of general jurisdiction with five branches: family, civil, criminal, tax, and probate. Currently the Court has 58 judges and one chief judge. The judges are appointed by the President and confirmed by the Congress. The President makes his selection from a list of three names provided to him by the District of Columbia Judicial Nominations Commission.

Concern about the Court's role in handling cases of abused and neglected children was heightened as a result of newspaper coverage of the death of 23-month old Brianna Blackmond, a child under court supervision who died in January 2000 after a judge returned her to her troubled home without conducting a formal hearing. According to the Senate Governmental Affairs Committee Report on H.R. 2657, "the dispersal of abuse and neglect cases to all 59 judges" has contributed to shortcomings that the enrolled bill is intended to address.

H.R. 2657 would make several changes to the way that the Family Division of the Superior Court of the District of Columbia is structured and administered. A description of the bill's major provisions follows. Other provisions are described in the Attachment.

Family Court. The bill would redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court and would require the chief judge of the Superior Court to designate one of the judges assigned to the Family Court to serve as presiding judge of the Family Court. Except for cases assigned to, or already pending in, a cross-jurisdictional unit of the Superior Court (such as the Domestic Violence Unit), the bill would grant the Family Court original jurisdiction over family law issues brought before the Superior Court such as child abuse and neglect cases, child custody hearings, and divorce, adoption, and paternity proceedings. The bill would also require that any appeal from a decision of the Family Court terminating parental rights or granting or denying a petition to adopt would have to receive expedited review by the District of Columbia Court of Appeals.

Disposition of cases. The enrolled bill would require the Family Court to establish a "one family, one judge" policy requiring, to the greatest extent possible, one judge to handle all matters in the court involving one child or one family. Most cases assigned to the Family Court would remain within the Court until final resolution. However, the enrolled bill would specify certain procedures under which a judge who is rotating out of the Family Court could retain a Family Court case for up to 12 months after leaving the court. The bill would also require the Family Court, to the greatest extent possible, to resolve cases and proceedings through alternative dispute resolution procedures in accordance with rules established by the Superior Court.

Judges. The bill would limit the number of judges serving on the Family Court to a maximum of 15. (There are currently 12 judges in the Family Division. However, all 59 Superior Court judges review child welfare cases in addition to their other duties.) The chief judge of the Superior Court could temporarily assign qualified judges from other divisions of the Superior Court to the Family Court if an emergency situation creates a need for more than 15 judges. In those situations, the chief judge would be required to report to the President and to Congress with justification for the action. If the total number of judges serving on the Family Court is less than 15 and the chief judge is unable to find volunteers in other divisions of the Superior Court to serve on the Family Court to maintain the maximum of 15 judges, H.R. 2657 would authorize the chief judge to recruit new judges to serve on the Family Court. Such recruitment would be authorized even if it meant exceeding the total cap of 59 judges serving on the Superior Court. To do so, however, the chief judge would be required to obtain the approval of the District of Columbia's Joint Committee on Judicial Administration and to report to Congress on why it is necessary to exceed the cap.

H.R. 2657 would require judges appointed to serve on the Family Court from outside of the Superior Court to: (1) have training or experience in family law; (2) agree to participate in ongoing training programs; and (3) serve for a five-year term. Judges already serving on the Superior Court would be required to serve for at least three years. The bill would grant the chief judge the authority to reassign judges outside of the Family Court before the end of their term if such reassignment is in the interest of justice.

Transition plan. The chief judge of the Superior Court would be required to prepare and submit to the President and to Congress a transition plan for the Family Court within 90 days of enactment, including: (1) a determination of the number of judges and magistrates needed to serve on the court; (2) a determination of the role and function of the presiding judge of the Family Court; (3) a description of case flow, management and staffing needs; and (4) a proposal to carry out the disposition of child abuse and neglect cases pending in the Superior Court. The bill would require the chief judge to provide for the transfer or disposition of these cases within 18 months of filing the transition plan. The chief judge would also be required to submit a progress report to Congress every six months on the disposition of these cases.

Magistrate judges. The bill would redesignate hearing commissioners of the Superior Court as magistrate judges. Magistrate judges would be given the authority to administer oaths, conduct hearings, make findings, and enter final orders or judgments. Magistrate judges of the Family Court and of the Domestic Violence Unit would be required to have specific qualifications, including experience in family law. Magistrate judges of the Family Court would have to be appointed by the chief judge and the presiding judge no later than 60 days after enactment in order to assist in the implementation of the transition plan for the Family Court. In doing so, these magistrates would be first assigned by the chief judge of the Superior Court and the presiding judge of the Family Court to cases involving allegations of abuse or neglect that were filed more than two years prior to enactment and that are currently being handled by judges outside of the Family Division.

Appropriations. The FY 2002 appropriations act for the District of Columbia (Public Law 107-96) included a Federal payment of \$24 million to carry out this Act.

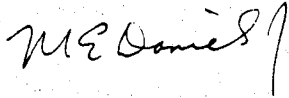
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Office of Legislative Affairs

Washington, D.C. 20530

December 21, 2001

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Washington, D.C. 20503

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Thank you for the opportunity to present our views. Please feel free to call upon us if we may be of additional assistance.

Sincerely,

*Carl Hovser / DAAG
for DTB*

Daniel J. Bryant
Assistant Attorney General



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MAYOR

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Office of Management and Budget
725 17th Street, NW
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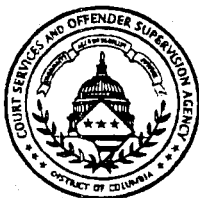
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Sincerely,

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Anthony A. Williams
Mayor



**Court Services and Offender Supervision Agency
for the District of Columbia**

Office of the Director

December 21, 2001

Oscar Gonzalez
Legislative Liaison
Office of Management and Budget
Washington, DC 20503

Dear Mr. Gonzalez:

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CSOSA supports this bill, which will establish a family court within the DC Superior Court. We recommend that it be signed into law without delay.

Sincerely,

Jasper Ormond
Interim Director

One Hundred Seventh Congress of the United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

To amend title 11, District of Columbia Code, to redesignate the Family Division of the Superior Court of the District of Columbia as the Family Court of the Superior Court, to recruit and retain trained and experienced judges to serve in the Family Court, to promote consistency and efficiency in the assignment of judges to the Family Court and in the consideration of actions and proceedings in the Family Court, and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Family Court Act of 2001".

SEC. 2. REDESIGNATION OF FAMILY DIVISION AS FAMILY COURT OF THE SUPERIOR COURT.

(a) IN GENERAL.—Section 11-902, District of Columbia Code, is amended to read as follows:

"§ 11-902. Organization of the court

"(a) IN GENERAL.—The Superior Court shall consist of the following:

- "(1) The Civil Division.
- "(2) The Criminal Division.
- "(3) The Family Court.
- "(4) The Probate Division.
- "(5) The Tax Division.

"(b) BRANCHES.—The divisions of the Superior Court may be divided into such branches as the Superior Court may by rule prescribe.

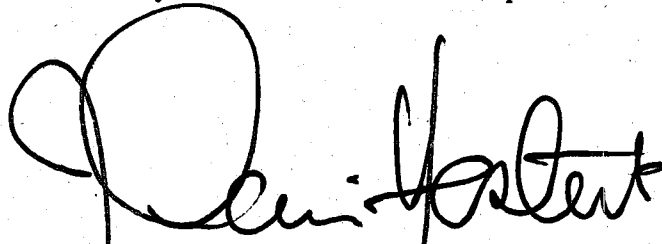
"(c) DESIGNATION OF PRESIDING JUDGE OF FAMILY COURT.—The chief judge of the Superior Court shall designate one of the judges assigned to the Family Court of the Superior Court to serve as the presiding judge of the Family Court of the Superior Court.

"(d) JURISDICTION DESCRIBED.—The Family Court shall have original jurisdiction over the actions, applications, determinations, adjudications, and proceedings described in section 11-1101. Actions, applications, determinations, adjudications, and proceedings being assigned to cross-jurisdictional units established by the Superior Court, including the Domestic Violence Unit, on the date of enactment of this section may continue to be so assigned after the date of enactment of this section."

H. R. 2657—18

SEC. 11. EFFECTIVE DATE.

The amendments made by this Act shall take effect upon enactment of this Act.

A large, stylized handwritten signature in black ink, appearing to read "Dennis Hastert".

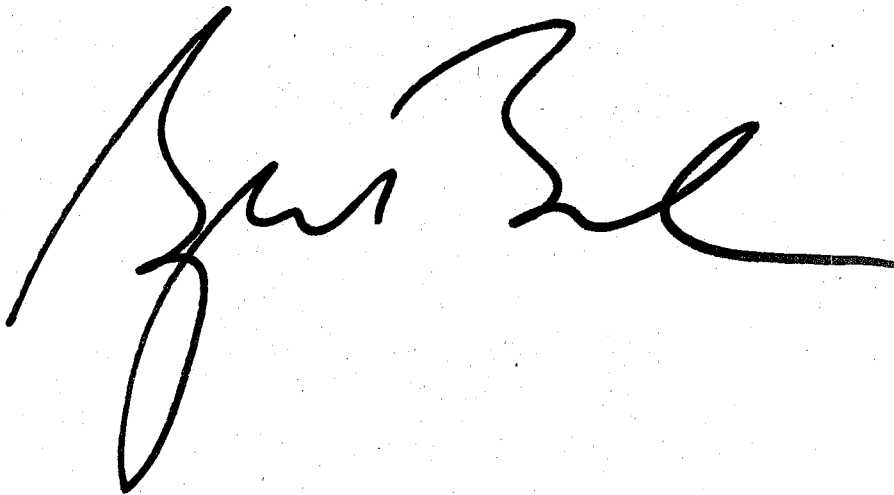
Speaker of the House of Representatives.

A large, stylized handwritten signature in black ink, appearing to read "Dick Cheney".

*~~Vice President of the United States and~~
President of the Senate, pro tempore.*

APPROVED

JAN 8 2002

A large, stylized handwritten signature in black ink, appearing to read "George W. Bush".