

107TH CONGRESS
1ST SESSION

H. R. 2657

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2001

Mr. DELAY (for himself, Ms. NORTON, Mrs. MORELLA, and Mr. TOM DAVIS of Virginia) introduced the following bill; which was referred to the Committee on Government Reform

A BILL

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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “District of Columbia
3 Family Court Act of 2001”.

4 **SEC. 2. REDESIGNATION OF FAMILY DIVISION AS FAMILY**
5 **COURT OF THE SUPERIOR COURT.**

6 (a) IN GENERAL.—Section 11–902, District of Co-
7 lumbia Code, is amended to read as follows:

8 **“§ 11–902. Organization of the court**

9 “(a) IN GENERAL.—The Superior Court shall consist
10 of the Family Court of the Superior Court and the fol-
11 lowing divisions of the Superior Court:

12 “(1) The Civil Division.

13 “(2) The Criminal Division.

14 “(3) The Probate Division.

15 “(4) The Tax Division.

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

19 “(c) DESIGNATION OF PRESIDING JUDGE OF FAMILY
20 COURT.—The chief judge of the Superior Court shall des-
21 ignate one of the judges assigned to the Family Court of
22 the Superior Court to serve as the presiding judge of the
23 Family Court of the Superior Court.

24 “(d) JURISDICTION DESCRIBED.—The Family Court
25 shall have exclusive jurisdiction over the actions, applica-
26 tions, determinations, adjudications, and proceedings de-

1 scribed in section 11–1101, except that those actions with-
2 in the jurisdiction of the Domestic Violence Unit (a section
3 of the Civil Division, Criminal Division, and the Family
4 Court) pursuant to Administrative Order No. 96–25 (Oc-
5 tober 31, 1996) shall remain in that Unit.”.

6 (b) CONFORMING AMENDMENT TO CHAPTER 9.—
7 Section 11–906(b), District of Columbia Code, is amended
8 by inserting “the Family Court and” before “the various
9 divisions”.

10 (c) CONFORMING AMENDMENTS TO CHAPTER 11.—

11 (1) The heading for chapter 11 of title 11, District of Co-
12 lumbia, is amended by striking “FAMILY DIVISION” and
13 inserting “FAMILY COURT”.

14 (2) Section 11–1101, District of Columbia Code, is
15 amended by striking “Family Division” and inserting
16 “Family Court”.

17 (3) The item relating to chapter 11 in the table of
18 chapters for title 11, District of Columbia, is amended by
19 striking “FAMILY DIVISION” and inserting “FAMILY
20 COURT”.

21 (d) CONFORMING AMENDMENTS TO TITLE 16.—

22 (1) CALCULATION OF CHILD SUPPORT.—Sec-
23 tion 16–916.1(o)(6), District of Columbia Code, is
24 amended by striking “Family Division” and insert-
25 ing “Family Court of the Superior Court”.

1 (2) EXPEDITED JUDICIAL HEARING OF CASES
2 BROUGHT BEFORE HEARING COMMISSIONERS.—Sec-
3 tion 16–924, District of Columbia Code, is amended
4 by striking “Family Division” each place it appears
5 in subsections (a) and (f) and inserting “Family
6 Court”.

7 (3) GENERAL REFERENCES TO PRO-
8 CEEDINGS.—Chapter 23 of title 16, District of Co-
9 lumbia Code, is amended by inserting after section
10 16–2301 the following new section:

11 **“§ 16–2301.1. References deemed to refer to Family**
12 **Court of the Superior Court**

13 “Upon the effective date of the District of Columbia
14 Family Court Act of 2001, any reference in this chapter
15 or any other Federal or District of Columbia law, Execu-
16 tive order, rule, regulation, delegation of authority, or any
17 document of or pertaining to the Family Division of the
18 Superior Court of the District of Columbia shall be
19 deemed to refer to the Family Court of the Superior Court
20 of the District of Columbia.”.

21 (4) CLERICAL AMENDMENT.—The table of sec-
22 tions for subchapter I of chapter 23 of title 16, Dis-
23 trict of Columbia, is amended by inserting after the
24 item relating to section 16–2301 the following new
25 item:

“16–2301.1. References deemed to refer to Family Court of the Superior Court.”

1 **SEC. 3. APPOINTMENT AND ASSIGNMENT OF JUDGES; NUM-**
2 **BER AND QUALIFICATIONS.**

3 (a) NUMBER OF JUDGES FOR FAMILY COURT;
4 QUALIFICATIONS AND TERMS OF SERVICE.—Chapter 9 of
5 title 11, District of Columbia Code, is amended by insert-
6 ing after section 11–908 the following new section:

7 **“§ 11–908A. Special rules regarding assignment and**
8 **service of judges of Family Court**

9 “(a) NUMBER OF JUDGES.—The number of judges
10 serving on the Family Court of the Superior Court at any
11 time may not be—

12 “(1) less than the number of judges determined
13 by the chief judge of the Superior Court to be need-
14 ed to serve on the Family Court under the transition
15 plan for the Family Court prepared and submitted
16 to the President and Congress under section 3(b) of
17 the District of Columbia Family Court Act of 2001;
18 or

19 “(2) greater than 15.

20 “(b) QUALIFICATIONS.—The chief judge may not as-
21 sign an individual to serve on the Family Court of the
22 Superior Court unless—

23 “(1) the individual has training or expertise in
24 family law;

1 “(2) the individual certifies to the chief judge
2 that the individual intends to serve the full term of
3 service, except that this paragraph shall not apply
4 with respect to individuals serving as senior judges
5 under section 11–1504; and

6 “(3) the individual certifies to the chief judge
7 that the individual will participate in the ongoing
8 training programs carried out for judges of the
9 Family Court under section 11–1104(c).

10 “(c) TERM OF SERVICE.—

11 “(1) IN GENERAL.—Except as provided in para-
12 graph (2), an individual assigned to serve as a judge
13 of the Family Court of the Superior Court shall
14 serve for a term of 5 years.

15 “(2) SPECIAL RULE FOR JUDGES SERVING ON
16 SUPERIOR COURT ON DATE OF ENACTMENT OF FAM-
17 ILY COURT ACT.—

18 “(A) IN GENERAL.—An individual assigned
19 to serve as a judge of the Family Court of the
20 Superior Court who is serving as a judge of the
21 Superior Court on the date of the enactment of
22 the District of Columbia Family Court Act of
23 2001 shall serve for a term of not fewer than
24 3 years.

1 “(B) REDUCTION OF PERIOD FOR JUDGES
2 SERVING IN FAMILY DIVISION.—In the case of
3 a judge of the Superior Court who is serving as
4 a judge in the Family Division of the Court on
5 the date of the enactment of the District of Co-
6 lumbia Family Court Act of 2001, the 3-year
7 term applicable under subparagraph (A) shall
8 be reduced by the length of any period of con-
9 secutive service as a judge in such Division as
10 of the date of the enactment of such Act.

11 “(3) ASSIGNMENT FOR ADDITIONAL SERVICE.—
12 After the term of service of a judge of the Family
13 Court (as described in paragraph (1) or paragraph
14 (2)) expires, at the judge’s request the judge may be
15 assigned for additional service on the Family Court
16 for a period of such duration (consistent with section
17 431(c) of the District of Columbia Home Rule Act)
18 as the chief judge may provide.

19 “(4) PERMITTING SERVICE ON FAMILY COURT
20 FOR ENTIRE TERM.—At the request of the judge, a
21 judge may serve as a judge of the Family Court for
22 the judge’s entire term of service as a judge of the
23 Superior Court under section 431(c) of the District
24 of Columbia Home Rule Act.

1 “(d) REASSIGNMENT TO OTHER DIVISIONS.—The
2 chief judge may reassign a judge of the Family Court to
3 any division of the Superior Court if the chief judge deter-
4 mines that the judge is unable to continue serving in the
5 Family Court.”.

6 (b) PLAN FOR FAMILY COURT TRANSITION.—

7 (1) IN GENERAL.—Not later than 90 days after
8 the date of the enactment of this Act, the chief
9 judge of the Superior Court of the District of Co-
10 lumbia shall prepare and submit to the President
11 and Congress a transition plan for the Family Court
12 of the Superior Court, and shall include in the plan
13 the following:

14 (A) The chief judge’s determination of the
15 number of judges needed to serve on the Family
16 Court.

17 (B) The chief judge’s determination of the
18 role and function of the presiding judge of the
19 Family Court.

20 (C) The chief judge’s determination of the
21 number of magistrate judges of the Family
22 Court needed for appointment under section
23 11–1732, District of Columbia Code.

24 (D) The chief judge’s determination of the
25 appropriate functions of such magistrate

1 judges, together with the compensation of and
2 other personnel matters pertaining to such
3 magistrate judges.

4 (E) A plan for case flow, case manage-
5 ment, and staffing needs (including the needs
6 for both judicial and nonjudicial personnel) for
7 the Family Court.

8 (F) A description of how the Superior
9 Court will meet the requirements of section 11–
10 1104(a), District of Columbia Code (as added
11 by section 4(a)), regarding the promulgation of
12 rules to enforce the “one family, one judge” re-
13 quirement for cases and proceedings in the
14 Family Court.

15 (G) An analysis of the needs of the Family
16 Court for space, equipment, and other physical
17 plant requirements, as determined in consulta-
18 tion with the Administrator of General Services.

19 (H) An analysis of the success of the use
20 of magistrate judges under the expedited ap-
21 pointment procedures established under section
22 6(d) in reducing the number of pending actions
23 and proceedings within the jurisdiction of the
24 Family Court (as described in section 11–

1 902(d), District of Columbia, as amended by
2 subsection (a)).

3 (I) Consistent with the requirements of
4 paragraph (2), a proposal and timetable for the
5 disposition of actions and proceedings pending
6 in the Family Division of the Superior Court as
7 of the date of the enactment of this Act (to-
8 gether with actions and proceedings described
9 in section 11–1101, District of Columbia Code,
10 which were initiated in the Family Division but
11 remain pending in other Divisions of the Supe-
12 rior Court as of such date) in a manner con-
13 sistent with applicable Federal and District of
14 Columbia law and best practices, including (but
15 not limited to) best practices developed by the
16 American Bar Association and the National
17 Council of Juvenile and Family Court Judges.

18 (2) DISPOSITION AND TRANSFER OF PENDING
19 ACTIONS AND PROCEEDINGS.—The chief judge of
20 the Superior Court shall take such actions as may
21 be necessary to provide for the earliest practicable
22 disposition of actions and proceedings pending in the
23 Family Division of the Superior Court as of the date
24 of the enactment of this Act (together with actions
25 and proceedings described in section 11–1101, Dis-

1 trict of Columbia Code, which were initiated in the
2 Family Division but remain pending in other Divi-
3 sions of the Superior Court as of such date), but in
4 no event may any such action or proceeding remain
5 pending longer than 18 months after the date the
6 chief judge submits the transition plan required
7 under paragraph (1) to the President and Congress.

8 (3) TRANSFER OF ACTIONS AND PRO-
9 CEEDINGS.—The chief judge of the Superior Court
10 shall take such steps as may be required to ensure
11 that each action or proceeding within the jurisdiction
12 of the Family Court of the Superior Court (as de-
13 scribed in section 11–902(d), District of Columbia
14 Code, as amended by subsection (a)) which is pend-
15 ing as of the effective date described in section 9 is
16 transferred or otherwise assigned to the Family
17 Court immediately upon such date.

18 (4) EFFECTIVE DATE OF IMPLEMENTATION OF
19 PLAN.—The chief judge of the Superior Court may
20 not take any action to implement the transition plan
21 under this subsection until the expiration of the 30-
22 day period which begins on the date the chief judge
23 submits the plan to the President and Congress
24 under paragraph (1).

1 (c) TRANSITION TO APPROPRIATE NUMBER OF
2 JUDGES.—

3 (1) ANALYSIS BY CHIEF JUDGE OF SUPERIOR
4 COURT.—The chief judge of the Superior Court of
5 the District of Columbia shall include in the transi-
6 tion plan prepared under subsection (b)—

7 (A) the chief judge’s determination of the
8 number of individuals serving as judges of the
9 Superior Court who meet the qualifications for
10 judges of the Family Court of the Superior
11 Court under section 11–908A, District of Co-
12 lumbia Code (as added by subsection (a)); and

13 (B) if the chief judge determines that the
14 number of individuals described in subpara-
15 graph (A) is less than the number of individuals
16 the chief judge is required to assign to the
17 Family Court under such section, a request
18 that the President appoint (in accordance with
19 section 433 of the District of Columbia Home
20 Rule Act) such additional number of individuals
21 to serve on the Superior Court who meet the
22 qualifications for judges of the Family Court
23 under such section as may be required to enable
24 the chief judge to make the required number of
25 assignments.

1 (2) ONE-TIME APPOINTMENT OF ADDITIONAL
2 JUDGES TO SUPERIOR COURT FOR SERVICE ON FAM-
3 ILY COURT.—If the President receives a request
4 from the chief judge of the Superior Court of the
5 District of Columbia under paragraph (1)(B), the
6 President (in accordance with section 433 of the
7 District of Columbia Home Rule Act) shall appoint
8 additional judges to the Superior Court who meet
9 the qualifications for judges of the Family Court in
10 a number equal to the number of additional appoint-
11 ments so requested by the chief judge, and each
12 judge so appointed shall be assigned by the chief
13 judge to serve on the Family Court of the Superior
14 Court.

15 (3) ROLE OF DISTRICT OF COLUMBIA JUDICIAL
16 NOMINATION COMMISSION.—For purposes of section
17 434(d)(1) of the District of Columbia Home Rule
18 Act, the submission of a request from the chief
19 judge of the Superior Court of the District of Co-
20 lumbia under paragraph (1)(B) shall be deemed to
21 create a number of vacancies in the position of judge
22 of the Superior Court equal to the number of addi-
23 tional appointments so requested by the chief judge.
24 In carrying out this paragraph, the District of Co-
25 lumbia Judicial Nomination Commission shall re-

1 cruit individuals for possible nomination and ap-
2 pointment to the Superior Court who meet the quali-
3 fications for judges of the Family Court of the Supe-
4 rior Court.

5 (4) JUDGES APPOINTED UNDER ONE-TIME AP-
6 POINTMENT PROCEDURES NOT TO COUNT AGAINST
7 LIMIT ON NUMBER OF SUPERIOR COURT JUDGES.—

8 Any judge who is appointed to the Superior Court
9 of the District of Columbia pursuant to the one-time
10 appointment procedures under this subsection for
11 assignment to the Family Court of the Superior
12 Court shall be appointed without regard to the limit
13 on the number of judges of the Superior Court
14 under section 11–903, District of Columbia Code.
15 Any judge who is appointed to the Superior Court
16 under any procedures other than the one-time ap-
17 pointment procedures under this subsection shall
18 count against such limit, without regard to whether
19 or not the judge is appointed to replace a judge ap-
20 pointed under the one-time appointment procedures
21 under this subsection or is otherwise assigned to the
22 Family Court of the Superior Court.

23 (d) REPORT BY COMPTROLLER GENERAL.—

24 (1) IN GENERAL.—Not later than 2 years after
25 the date of the enactment of this Act, the Comp-

1 troller General shall prepare and submit to Congress
2 and the chief judge of the Superior Court of the Dis-
3 trict of Columbia a report on the implementation of
4 this Act (including the effect of the transition plan
5 under subsection (b) on the implementation of this
6 Act), and shall include in the report the following:

7 (A) An analysis of the procedures used to
8 make the initial appointments of judges of the
9 Family Court under this Act and the amend-
10 ments made by this Act, including an analysis
11 of the time required to make such appointments
12 and the effect of the qualification requirements
13 for judges of the Court (including requirements
14 relating to the length of service on the Court)
15 on the time required to make such appoint-
16 ments.

17 (B) An analysis of the impact of mag-
18 istrate judges for the Family Court (including
19 the expedited initial appointment of magistrate
20 judges for the Court under section 6(d)) on the
21 workload of judges and other personnel of the
22 Court.

23 (C) An analysis of the number of judges
24 needed for the Family Court, including an anal-
25 ysis of how the number may be affected by the

1 qualification requirements for judges, the avail-
2 ability of magistrate judges, and other provi-
3 sions of this Act or the amendments made by
4 this Act.

5 (D) An analysis of the timeliness of the
6 resolution and disposition of pending actions
7 and proceedings required under the transition
8 plan (as described in subsection (b)(1)(I) and
9 (b)(2)), including an analysis of the effect of
10 the availability of magistrate judges on the time
11 required to resolve and dispose of such actions
12 and proceedings.

13 (2) SUBMISSION TO CHIEF JUDGE OF SUPERIOR
14 COURT.—Prior to submitting the report under para-
15 graph (1) to Congress, the Comptroller General shall
16 provide a preliminary version of the report to the
17 chief judge of the Superior Court and shall take any
18 comments and recommendations of the chief judge
19 into consideration in preparing the final version of
20 the report.

21 (e) ONGOING REPORTS ON PENDING CASES AND
22 PROCEEDINGS.—

23 (1) IN GENERAL.—The chief judge of the Supe-
24 rior Court of the District of Columbia shall submit
25 a status report to the President and Congress on the

1 disposition of actions and proceedings pending in the
2 Family Division of the Superior Court as of the date
3 of the enactment of this Act (together with actions
4 and proceedings described in section 11–1101, Dis-
5 trict of Columbia Code, which were initiated in the
6 Family Division but remain pending in other Divi-
7 sions of the Superior Court as of such date) and the
8 extent to which the Court is in compliance with the
9 requirements of this Act regarding the timetable for
10 the disposition of such actions and proceedings.

11 (2) TIMING OF REPORTS.—The chief judge of
12 the Superior Court shall submit the report required
13 under paragraph (1) not later than 6 months after
14 submitting the transition plan under subsection (b)
15 and every 6 months thereafter until the final disposi-
16 tion or transfer to the Family Court of all of the ac-
17 tions and proceedings described in such paragraph.

18 (f) CONFORMING AMENDMENT.—The first sentence
19 of section 11–908(a), District of Columbia Code, is
20 amended by striking “The chief judge” and inserting
21 “Subject to section 11–908A, the chief judge”.

22 (g) CLERICAL AMENDMENT.—The table of sections
23 for chapter 9 of title 11, District of Columbia Code, is
24 amended by inserting after the item relating to section
25 11–908 the following new item:

“11-908A. Special rules regarding assignment and service of judges of Family Court.”.

1 **SEC. 4. IMPROVING ADMINISTRATION OF CASES AND PRO-**
 2 **CEEDINGS IN FAMILY COURT.**

3 (a) IN GENERAL.—Chapter 11 of title 11, District
 4 of Columbia, is amended by adding at the end the fol-
 5 lowing new sections:

6 **“§ 11-1102. Use of alternative dispute resolution**

7 “To the greatest extent practicable and safe, cases
 8 and proceedings in the Family Court of the Superior
 9 Court shall be resolved through alternative dispute resolu-
 10 tion procedures, in accordance with such rules as the Su-
 11 perior Court may promulgate.

12 **“§ 11-1103. Standards of practice for appointed coun-**
 13 **sel**

14 “The Superior Court shall establish standards of
 15 practice for attorneys appointed as counsel in the Family
 16 Court of the Superior Court.

17 **“§ 11-1104. Administration**

18 (a) ‘ONE FAMILY, ONE JUDGE’ REQUIREMENT FOR
 19 CASES AND PROCEEDINGS.—

20 “(1) IN GENERAL.—The Superior Court shall
 21 promulgate rules for the Family Court which require
 22 all issues within the jurisdiction of the Family Court
 23 concerning one family or one child to be decided by

1 one judge, to the greatest extent practicable, fea-
2 sible, and lawful.

3 “(2) SPECIFIC REQUIREMENTS.—Under the
4 rules promulgated by the Superior Court under
5 paragraph (1), to the greatest extent practicable,
6 feasible, and lawful—

7 “(A) if an individual who is a party to an
8 action or proceeding assigned to the Family
9 Court has an immediate family or household
10 member who is a party to another action or
11 proceeding assigned to the Family Court, the
12 individual’s action or proceeding shall be as-
13 signed to the same judge or magistrate judge to
14 whom the immediate family member’s action or
15 proceeding is assigned; and

16 “(B) if an individual who is a party to an
17 action or proceeding assigned to the Family
18 Court becomes a party to another action or pro-
19 ceeding assigned to the Family Court, the indi-
20 vidual’s subsequent action or proceeding shall
21 be assigned to the same judge or magistrate
22 judge to whom the individual’s initial action or
23 proceeding is assigned.

24 “(b) RETENTION OF JURISDICTION OVER CASES.—
25 Any action or proceeding assigned to the Family Court

1 of the Superior Court shall remain under the jurisdiction
2 of the Family Court until the action or proceeding is fi-
3 nally disposed. If the judge to whom the action or pro-
4 ceeding is assigned ceases to serve on the Family Court
5 prior to the final disposition of the action or proceeding,
6 the presiding judge of the Family Court shall ensure that
7 the matter or proceeding is reassigned to a judge serving
8 on the Family Court, unless there are extraordinary cir-
9 cumstances, subject to approval and certification by the
10 presiding judge and based on appropriate documentation
11 in the record, which demonstrate that a case is nearing
12 permanency and that changing judges would both delay
13 that goal and result in a violation of the Adoption and
14 Safe Families Act of 1997 (or an amendment made by
15 such Act).

16 “(c) TRAINING PROGRAM.—

17 “(1) IN GENERAL.—The presiding judge of the
18 Family Court shall carry out an ongoing program to
19 provide training in family law and related matters
20 for judges of the Family Court, other judges of the
21 Superior Court, and appropriate nonjudicial per-
22 sonnel, and shall include in the program information
23 and instruction regarding the following:

24 “(A) Child development.

25 “(B) Family dynamics.

1 “(C) Relevant Federal and District of Co-
2 lumbia laws.

3 “(D) Permanency planning principles and
4 practices.

5 “(E) Recognizing the risk factors for child
6 abuse.

7 “(F) Any other matters the presiding
8 judge considers appropriate.

9 “(2) USE OF CROSS-TRAINING.—The program
10 carried out under this section shall use the resources
11 of lawyers and legal professionals, social workers,
12 and experts in the field of child development and
13 other related fields.

14 “(d) ACCESSIBILITY OF MATERIALS, SERVICES, AND
15 PROCEEDINGS; PROMOTION OF ‘FAMILY-FRIENDLY’ EN-
16 VIRONMENT.—

17 “(1) IN GENERAL.—To the greatest extent
18 practicable, the chief judge of the Superior Court
19 shall ensure that the materials and services provided
20 by the Family Court are understandable and acces-
21 sible to the individuals and families served by the
22 Court, and that the Court carries out its duties in
23 a manner which reflects the special needs of families
24 with children.

1 “(2) LOCATION OF PROCEEDINGS.—To the
2 maximum extent feasible, safe, and practicable,
3 cases and proceedings in the Family Court shall be
4 conducted at locations readily accessible to the par-
5 ties involved.

6 “(e) INTEGRATED COMPUTERIZED CASE TRACKING
7 AND MANAGEMENT SYSTEM.—The Executive Officer of
8 the District of Columbia courts under section 11–1703
9 shall work with the Joint Committee on Judicial Adminis-
10 tration in the District of Columbia—

11 “(1) to ensure that all records and materials of
12 cases and proceedings in the Family Court are
13 stored and maintained in electronic format accessible
14 by computers for the use of judges, magistrate
15 judges, and nonjudicial personnel of the Family
16 Court, and for the use of other appropriate offices
17 of the District government in accordance with the
18 plan for integrating computer systems prepared by
19 the Mayor of the District of Columbia under section
20 4(c) of the District of Columbia Family Court Act
21 of 2001;

22 “(2) to establish and operate an electronic
23 tracking and management system for cases and pro-
24 ceedings in the Family Court for the use of judges
25 and nonjudicial personnel of the Family Court, using

1 the records and materials stored and maintained
2 pursuant to paragraph (1); and

3 “(3) to expand such system to cover all divi-
4 sions of the Superior Court as soon as practicable.

5 **“§ 11-1105. Social services and other related services**

6 “(a) ON-SITE COORDINATION OF SERVICES AND IN-
7 FORMATION.—

8 “(1) IN GENERAL.—The Mayor of the District
9 of Columbia, in consultation with the chief judge of
10 the Superior Court, shall ensure that representatives
11 of the appropriate offices of the District government
12 which provide social services and other related serv-
13 ices to individuals and families served by the Family
14 Court (including the District of Columbia Public
15 Schools, the District of Columbia Housing Author-
16 ity, the Child and Family Services Agency, the Of-
17 fice of the Corporation Counsel, the Metropolitan
18 Police Department, the Department of Health, and
19 other offices determined by the Mayor) are available
20 on-site at the Family Court to coordinate the provi-
21 sion of such services and information regarding such
22 services to such individuals and families.

23 “(2) DUTIES OF HEADS OF OFFICES.—The
24 head of each office described in paragraph (1), in-
25 cluding the Superintendent of the District of Colum-

1 bia Public Schools and the Director of the District
2 of Columbia Housing Authority, shall provide the
3 Mayor with such information, assistance, and serv-
4 ices as the Mayor may require to carry out such
5 paragraph.

6 “(b) APPOINTMENT OF SOCIAL SERVICES LIAISON
7 WITH FAMILY COURT.—The Mayor of the District of Co-
8 lumbia shall appoint an individual to serve as a liaison
9 between the Family Court and the District government for
10 purposes of subsection (a) and for coordinating the deliv-
11 ery of services provided by the District government with
12 the activities of the Family Court and for providing infor-
13 mation to the judges, magistrate judges, and nonjudicial
14 personnel of the Court regarding the services available
15 from the District government to the individuals and fami-
16 lies served by the Court. The Mayor shall provide on an
17 ongoing basis information to the chief judge of the Supe-
18 rior Court and the presiding judge of the Family Court
19 regarding the services of the District government which
20 are available for the individuals and families served by the
21 Family Court.

22 “(c) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Mayor of the Dis-
24 trict of Columbia for each fiscal year such sums as may
25 be necessary to carry out this section.

1 **“§ 11–1106. Reports to Congress**

2 “Not later than 90 days after the end of each cal-
3 endar year, the chief judge of the Superior Court shall
4 submit a report to Congress on the activities of the Family
5 Court during the year, and shall include in the report the
6 following:

7 “(1) The chief judge’s assessment of the pro-
8 ductivity and success of the use of alternative dis-
9 pute resolution pursuant to section 11–1102.

10 “(2) Goals and timetables to improve the Fam-
11 ily Court’s performance in the following year.

12 “(3) Information on the extent to which the
13 Court met deadlines and standards applicable under
14 Federal and District of Columbia law to the review
15 and disposition of actions and proceedings under the
16 Court’s jurisdiction during the year.

17 “(4) Information on the progress made in find-
18 ing and utilizing suitable locations and space for the
19 Family Court.

20 “(5) Information on any factors which are not
21 under the control of the Family Court which inter-
22 fere with or prevent the Court from carrying out its
23 responsibilities in the most effective manner possible.

24 “(6) Based on outcome measures derived
25 through the use of the information stored in elec-
26 tronic format under section 11–1104(d), an analysis

1 of the Court’s efficiency and effectiveness in man-
2 aging its case load during the year, including an
3 analysis of the time required to dispose of actions
4 and proceedings among the various categories of the
5 Court’s jurisdiction, as prescribed by applicable law
6 and best practices, including (but not limited to)
7 best practices developed by the American Bar Asso-
8 ciation and the National Council of Juvenile and
9 Family Court Judges.

10 “(7) If the Court failed to meet the deadlines,
11 standards, and outcome measures described in the
12 previous paragraphs, a proposed remedial action
13 plan to address the failure.”.

14 (b) EXPEDITED APPEALS FOR CERTAIN FAMILY
15 COURT ACTIONS AND PROCEEDINGS.—Section 11–721,
16 District of Columbia Code, is amended by adding at the
17 end the following new subsection:

18 “(g) Any appeal from an order of the Family Court
19 of the District of Columbia terminating parental rights or
20 granting or denying a petition to adopt shall receive expe-
21 dited review by the District of Columbia Court of Appeals
22 and shall be certified by the appellant.”.

23 (c) PLAN FOR INTEGRATING COMPUTER SYSTEMS.—

24 (1) IN GENERAL.—Not later than 6 months
25 after the date of the enactment of this Act, the

1 Mayor of the District of Columbia shall submit to
2 the President and Congress a plan for integrating
3 the computer systems of the District government
4 with the computer systems of the Superior Court of
5 the District of Columbia so that the Family Court
6 of the Superior Court and the appropriate offices of
7 the District government which provide social services
8 and other related services to individuals and families
9 served by the Family Court of the Superior Court
10 (including the District of Columbia Public Schools,
11 the District of Columbia Housing Authority, the
12 Child and Family Services Agency, the Office of the
13 Corporation Counsel, the Metropolitan Police De-
14 partment, the Department of Health, and other of-
15 fices determined by the Mayor) will be able to access
16 and share information on the individuals and fami-
17 lies served by the Family Court.

18 (2) AUTHORIZATION OF APPROPRIATIONS.—

19 There are authorized to be appropriated to the
20 Mayor of the District of Columbia such sums as may
21 be necessary to carry out paragraph (1).

22 (d) CLERICAL AMENDMENT.—The table of sections
23 for chapter 11 of title 11, District of Columbia Code, is
24 amended by adding at the end the following new items:

“11–1102. Use of alternative dispute resolution.

“11–1103. Standards of practice for appointed counsel.

“11–1104. Administration.

“11–1105. Social services and other related services.
 “11–1106. Reports to Congress.”.

1 **SEC. 5. TREATMENT OF HEARING COMMISSIONERS AS**
 2 **MAGISTRATE JUDGES.**

3 (a) IN GENERAL.—

4 (1) REDESIGNATION OF TITLE.—Section 11–
 5 1732, District of Columbia Code, is amended—

6 (A) by striking “hearing commissioners”
 7 each place it appears in subsection (a), sub-
 8 section (b), subsection (d), subsection (i), sub-
 9 section (l), and subsection (n) and inserting
 10 “magistrate judges”;

11 (B) by striking “hearing commissioner”
 12 each place it appears in subsection (b), sub-
 13 section (c), subsection (e), subsection (f), sub-
 14 section (g), subsection (h), and subsection (j)
 15 and inserting “magistrate judge”;

16 (C) by striking “hearing commissioner’s”
 17 each place it appears in subsection (e) and sub-
 18 section (k) and inserting “magistrate judge’s”;

19 (D) by striking “Hearing commissioners”
 20 each place it appears in subsections (b), (d),
 21 and (i) and inserting “Magistrate judges”; and

22 (E) in the heading, by striking “**Hearing**
 23 **commissioners**” and inserting “**Mag-**
 24 **istrate Judges**”.

1 (2) CONFORMING AMENDMENTS.—(A) Section
2 11–1732(c)(3), District of Columbia Code, is amend-
3 ed by striking “, except that” and all that follows
4 and inserting a period.

5 (B) Section 16–924, District of Columbia Code,
6 is amended—

7 (i) by striking “hearing commissioner”
8 each place it appears and inserting “magistrate
9 judge”; and

10 (ii) in subsection (f), by striking “hearing
11 commissioner’s” and inserting “magistrate
12 judge’s”.

13 (3) CLERICAL AMENDMENT.—The item relating
14 to section 11–1732 of the table of sections of chap-
15 ter 17 of title 11, D.C. Code, is amended to read as
16 follows:

“11–1732. Magistrate judges.”.

17 (b) TRANSITION PROVISION REGARDING HEARING
18 COMMISSIONERS.—Any individual serving as a hearing
19 commissioner under section 11–1732 of the District of Co-
20 lumbia Code as of the date of the enactment of this Act
21 shall serve the remainder of such individual’s term as a
22 magistrate judge, and may be reappointed as a magistrate
23 judge in accordance with section 11–1732(d), District of
24 Columbia Code, except that any individual serving as a
25 hearing commissioner as of the date of the enactment of

1 this Act who was appointed as a hearing commissioner
2 prior to the effective date of section 11–1732 of the Dis-
3 trict of Columbia Code shall not be required to be a resi-
4 dent of the District of Columbia to be eligible to be re-
5 appointed.

6 (c) EFFECTIVE DATE.—The amendments made by
7 this section shall take effect on the date of the enactment
8 of this Act.

9 **SEC. 6. SPECIAL RULES FOR MAGISTRATE JUDGES OF FAM-**
10 **ILY COURT.**

11 (a) IN GENERAL.—Chapter 17 of title 11, District
12 of Columbia Code, is amended by inserting after section
13 11–1732 the following new section:

14 **“§ 11–1732A. Special rules for magistrate judges of**
15 **Family Court of the Superior Court**

16 “(a) USE OF SOCIAL WORKERS IN ADVISORY MERIT
17 SELECTION PANEL.—The advisory selection merit panel
18 used in the selection of magistrate judges for the Family
19 Court of the Superior Court under section 11–1732(b)
20 shall include certified social workers specializing in child
21 welfare matters who are residents of the District and who
22 are not employees of the District of Columbia Courts.

23 “(b) SPECIAL QUALIFICATIONS.—Notwithstanding
24 section 11–1732(c), no individual shall be appointed as a

1 magistrate judge for the Family Court of the Superior
2 Court unless that individual—

3 “(1) is a citizen of the United States;

4 “(2) is an active member of the unified District
5 of Columbia Bar;

6 “(3) for the 5 years immediately preceding the
7 appointment has been engaged in the active practice
8 of law in the District, has been on the faculty of a
9 law school in the District, or has been employed as
10 a lawyer by the United States or District govern-
11 ment, or any combination thereof;

12 “(4) has not fewer than 3 years of training or
13 experience in the practice of family law; and

14 “(5) is a bona fide resident of the District of
15 Columbia and has maintained an actual place of
16 abode in the District for at least 90 days imme-
17 diately prior to appointment (or becomes a bona fide
18 resident of the District of Columbia and maintains
19 an actual place of abode in the District not later
20 than 90 days after appointment), and retains such
21 residency during service as a magistrate.

22 “(c) SERVICE OF CURRENT HEARING COMMIS-
23 SIONERS.—Those individuals serving as hearing commis-
24 sioners under section 11–1732 on the effective date of this
25 section who meet the qualifications described in subsection

1 (b)(4) may request to be appointed as magistrate judges
2 for the Family Court of the Superior Court under such
3 section.

4 “(d) FUNCTIONS.—A magistrate judge, when specifi-
5 cally designated by the presiding judge of the Family
6 Court of the Superior Court, and subject to the rules of
7 the Superior Court and the right of review under section
8 11–1732(k), may perform the following functions:

9 “(1) Administer oaths and affirmations and
10 take acknowledgements.

11 “(2) Subject to the rules of the Superior Court
12 and applicable Federal and District of Columbia law,
13 conduct hearings, make findings and enter interim
14 and final orders or judgments in uncontested or con-
15 tested proceedings within the jurisdiction of the
16 Family Court of the Superior Court (as described in
17 section 11–1101), excluding jury trials and trials of
18 felony cases, as assigned by the presiding judge of
19 the Family Court.

20 “(3) Subject to the rules of the Superior Court,
21 enter an order punishing an individual for contempt,
22 except that no individual may be detained pursuant
23 to the authority of this paragraph for longer than
24 180 days.

1 “(e) LOCATION OF PROCEEDINGS.—To the maximum
2 extent feasible, safe, and practicable, magistrate judges of
3 the Family Court of the Superior Court shall conduct pro-
4 ceedings at locations readily accessible to the parties in-
5 volved.

6 “(f) TRAINING.—The Family Court of the Superior
7 Court shall ensure that all magistrate judges of the Fam-
8 ily Court receive training to enable them to fulfill their
9 responsibilities, including specialized training in family
10 law and related matters.”.

11 (b) CONFORMING AMENDMENTS.—(1) Section 11–
12 1732(a), District of Columbia Code, is amended by insert-
13 ing after “the duties enumerated in subsection (j) of this
14 section” the following: “(or, in the case of magistrate
15 judges for the Family Court of the Superior Court, the
16 duties enumerated in section 11–1732A(d))”.

17 (2) Section 11–1732(c), District of Columbia Code,
18 is amended by striking “No individual” and inserting “Ex-
19 cept as provided in section 11–1732A(b), no individual”.

20 (3) Section 11–1732(k), District of Columbia Code,
21 is amended—

22 (A) by striking “subsection (j),” and inserting
23 the following: “subsection (j) (or proceedings and
24 hearings under section 11–1732A(d), in the case of

1 magistrate judges for the Family Court of the Supe-
2 rior Court),”]; and

3 (B) by inserting after “appropriate division”
4 the following: “(or, in the case of an order or judg-
5 ment of a magistrate judge of the Family Court of
6 the Superior Court, by a judge of the Family
7 Court)”.

8 (4) Section 11–1732(l), District of Columbia Code,
9 is amended by inserting after “responsibilities” the fol-
10 lowing: “(subject to the requirements of section 11–
11 1732A(f) in the case of magistrate judges of the Family
12 Court of the Superior Court)”.

13 (c) CLERICAL AMENDMENT.—The table of sections
14 for subchapter II of chapter 17 of title 11, District of Co-
15 lumbia, is amended by inserting after the item relating
16 to section 11–1732 the following new item:

“11–1732A. Special rules for magistrate judges of Family Court of the Superior
Court.”.

17 (d) EFFECTIVE DATE.—

18 (1) IN GENERAL.—The amendments made by
19 this section shall take effect on the date of the en-
20 actment of this Act.

21 (2) EXPEDITED INITIAL APPOINTMENTS.—

22 (A) IN GENERAL.—Not later than 30 days
23 after the date of the enactment of this Act, the
24 chief judge of the Superior Court of the District

1 of Columbia shall appoint not more than 5 indi-
2 viduals to serve as magistrate judges for the
3 Family Division of the Superior Court in ac-
4 cordance with the requirements of sections 11-
5 1732 and 11-1732A, District of Columbia Code
6 (as added by subsection (a)).

7 (B) APPOINTMENTS MADE WITHOUT RE-
8 GARD TO SELECTION PANEL.—Sections 11-
9 1732(b) and 11-1732A(a), District of Columbia
10 Code (as added by subsection (a)) shall not
11 apply with respect to any magistrate judge ap-
12 pointed under this paragraph.

13 (C) PRIORITY FOR CERTAIN ACTIONS AND
14 PROCEEDINGS.—The chief judge of the Supe-
15 rior Court and the presiding judge of the Fam-
16 ily Division of the Superior Court (acting joint-
17 ly) shall first assign and transfer to the mag-
18 istrate judges appointed under this paragraph
19 actions and proceedings described as follows:

20 (i) The action or proceeding involves
21 an allegation of abuse or neglect.

22 (ii) The action or proceeding was ini-
23 tiated in the Family Division prior to the
24 2-year period which ends on the date of
25 the enactment of this Act.

1 (iii) The judge to whom the action or
2 proceeding is assigned as of the date of the
3 enactment of this Act is not assigned to
4 the Family Division.

5 (3) SPECIAL REFERENCES DURING TRANSI-
6 TION.—During the period which begins on the date
7 of the enactment of this Act and ends on the effec-
8 tive date described in section 9, any reference to the
9 Family Court of the Superior Court of the District
10 of Columbia in any provision of law added or amend-
11 ed by this section shall be deemed to be a reference
12 to the Family Division of the Superior Court of the
13 District of Columbia.

14 **SEC. 7. SENSE OF CONGRESS REGARDING BORDER AGREE-**
15 **MENT WITH MARYLAND AND VIRGINIA.**

16 It is the sense of Congress that the State of Mary-
17 land, the Commonwealth of Virginia, and the District of
18 Columbia should promptly enter into a border agreement
19 to facilitate the timely and safe placement of children in
20 the District of Columbia's welfare system in foster and
21 kinship homes and other facilities in Maryland and Vir-
22 ginia.

23 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

24 There are authorized to be appropriated to the Dis-
25 trict of Columbia courts such sums as may be necessary

1 to carry out this Act and the amendments made by this
2 Act, including sums necessary for salaries and expenses
3 and capital improvements for the District of Columbia
4 courthouse facilities.

5 **SEC. 9. EFFECTIVE DATE.**

6 The amendments made by sections 2 and 4 shall take
7 effect on the first date occurring after the date of the en-
8 actment of this Act on which 10 individuals who meet the
9 qualifications described in section 11–908A, District of
10 Columbia Code (as added by section 3(a)) are available
11 to be assigned by the chief judge of the Superior Court
12 of the District of Columbia to serve as associate judges
13 of the Family Court of the Superior Court (as certified
14 by the chief judge).

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