

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 11.
ORGANIZATION AND JURISDICTION OF
THE COURTS.

CHAPTER 26.
REPRESENTATION OF INDIGENTS IN CRIMINAL
CASES.

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DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 26. REPRESENTATION OF INDIGENTS IN
CRIMINAL CASES.

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CHAPTER 26. REPRESENTATION OF INDIGENTS IN CRIMINAL CASES.

§ 11-2601. PLAN FOR FURNISHING REPRESENTATION OF INDIGENTS IN CRIMINAL CASES.

The Joint Committee on Judicial Administration shall place in operation, within ninety days after the effective date of this chapter, in the District of Columbia a plan for furnishing representation to any person in the District of Columbia who is financially unable to obtain adequate representation --

- (1) who is charged with a felony, or misdemeanor, or other offense for which the sixth amendment to the Constitution requires the appointment of counsel or for whom, in a case in which such person faces loss of liberty, any law of the District of Columbia requires the appointment of counsel;
- (2) who is under arrest, when such representation is required by law;
- (3) who is charged with violating a condition of probation or parole in custody as a material witness, or seeking collateral relief, as provided in --
 - (A) Section 23-110 of the District of Columbia Official Code (remedies on motion attacking sentence),
 - (B) Chapter 7 of Title 23 of the District of Columbia Official Code (extradition and fugitives from justice),
 - (C) Chapter 19 of Title 16 of the District of Columbia Official Code (habeas corpus),
 - (D) Section 928 of the Act of March 8, 1901 (D.C. Official Code, sec. 24- 502) (commitment of a mentally ill person while serving sentence);
- (4) who is subject to proceedings pursuant to Chapter 5 of Title 21 of the District of Columbia Official Code (hospitalization of the mentally ill);
- (5) who is a juvenile and alleged to be delinquent or in need of supervision.

Representation under the plan shall include counsel and investigative, expert, and other services necessary for an adequate defense. The plan shall include a provision for private attorneys, attorneys furnished by the Public Defender Service, and attorneys and qualified students participating in clinical programs.

(Sept. 3, 1974, 88 Stat. 1090, Pub. L. 93-412, § 2; June 13, 1994, Pub. L. 103-266, § 1(b)(116), 108 Stat. 713.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2601.

1973 Ed., § 11-2601.

Emergency Act Amendments

For temporary amendment of section, see § 505 of the Omnibus Budget Support Emergency Act of 1995 (D.C. Act 11-44, April 28, 1995, 42 DCR 2217) and § 805 of the Omnibus Budget Support Congressional Review Emergency Act of 1995 (D.C. Act 11-124, July 27, 1995, 42 DCR 4160).

Section 1001(b) of D.C. Act 11-44 provided that § 505 of that act shall expire on October 1, 1995.

Section 1701(b) of D.C. Act 11-124 provided that § 805 of that act shall expire on October 1, 1995.

Miscellaneous Notes

Appropriations approved: Public Law 103-334, 108 Stat. 2577, the District of Columbia Appropriations Act, 1995, provided that funds appropriated for expenses under § 11-2601 et seq. for the fiscal year ending September 30, 1995, shall be available for obligations incurred under the Act in each fiscal year since

inception in fiscal year 1975.

Appropriations approved: Public Law 104-194, 110 Stat. 2358, the District of Columbia Appropriations Act, 1997, provided that funds appropriated for expenses under § 11-2601 et seq. (the District of Columbia Criminal Justice Act, 88 Stat. 1090; Pub. L. 93-412) for the fiscal year ending September 30, 1997, shall be available for obligations incurred under the Act in each fiscal year since inception in fiscal year 1975.

§ 11-2602. APPOINTMENT OF COUNSEL.

Counsel furnishing representation under the plan shall in every case be selected from panels of attorneys designated and approved by the courts. In all cases where a person faces a loss of liberty and the Constitution or any other law requires the appointment of counsel, the court shall advise the defendant or respondent that he or she has the right to be represented by counsel and that counsel will be appointed to represent the defendant or respondent if such person is financially unable to obtain counsel. Unless the defendant or respondent waives representation by counsel, the court, if satisfied after appropriate inquiry that the defendant or respondent is financially unable to obtain counsel, shall appoint counsel to represent that person. Such appointment may be made retroactive to include any representation furnished pursuant to the plan prior to appointment. The court shall appoint separate counsel for defendants or respondents having interests that cannot properly be represented by the same counsel, or when other good cause is shown. In all cases covered by this Act where the appointment of counsel is discretionary, the defendant or respondent shall be advised that counsel may be appointed to represent the defendant or respondent if such person is financially unable to obtain counsel, and the court shall in all such cases advise the defendant or respondent of the manner and procedures by which such person may request the appointment of counsel.

(Sept. 3, 1974, 88 Stat. 1090, Pub. L. 93-412, § 2; June 13, 1994, Pub. L. 103-266, §§ 1(b)(117)-(119), 108 Stat. 713.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2602.

1973 Ed., § 11-2602.

References in Text

"This Act," referred to in the last sentence of this section, appears in the original but probably should read "this chapter."

§ 11-2603. DURATION AND SUBSTITUTION OF APPOINTMENTS.

A person for whom counsel is appointed shall be represented at every stage of the proceedings from such person's initial appearance before the court through appeals, including ancillary matters appropriate to the proceedings. If at any time after the appointment of counsel the court finds that the person is financially able to obtain counsel or to make partial payment for the representation, it may terminate the appointment of counsel or authorize payment as provided in section 2606 of this chapter [11-2606], as the interests of justice may dictate. If at any stage of the proceedings, including an appeal, the court finds that the person is financially unable to pay counsel whom such person had retained, it may appoint counsel as provided in section 2602 [11-2602], and authorize payment as provided in section 2604 [11-2604], as the interests of justice may dictate. The court may, in the interest of justice, substitute one appointed counsel for another at any stage of the proceedings.

(Sept. 3, 1974, 88 Stat. 1091, Pub. L. 93-412, § 2; June 13, 1994, Pub. L. 103-266, § 1(b)(120), 108 Stat. 713.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2603.

1973 Ed., § 11-2603.

§ 11-2604. PAYMENT FOR REPRESENTATION.

(a) Any attorney appointed pursuant to this chapter shall, at the conclusion of the representation or any segment thereof, be compensated at a fixed rate of \$90 per hour. Such attorney shall be reimbursed for expenses reasonably incurred.

(b) The compensation to be paid to an attorney appointed pursuant to this chapter shall not exceed the following maximum amounts:

(1) For representation of a defendant before the Superior Court of the District of Columbia for misdemeanors or felonies, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant before the United States magistrate judge or the district court for misdemeanors or felonies (as the case may be).

(2) For representation of a defendant before the District of Columbia Court of Appeals, the maximum amount set forth in section 3006A(d)(2) of title 18, United States Code, for representation of a defendant in an appellate court.

(3) For representation of a defendant in post-trial matters for misdemeanors or felonies, the amount applicable under paragraph (1) for misdemeanors or felonies (as the case may be).

(c) Claims for compensation and reimbursement in excess of any maximum amount provided in subsection (b) of this section may be approved for extended or complex representation whenever such payment is necessary to provide fair compensation. Any such request for payment shall be submitted by the attorney for approval by the chief judge of the Superior Court upon recommendation of the presiding judge in the case or, in cases before the District of Columbia Court of Appeals, approval by the chief judge of the Court of Appeals upon recommendation of the presiding judge in the case. A decision shall be made by the appropriate chief judge in the case of every claim filed under this subsection.

(d) A separate claim for compensation and reimbursement shall be made to the Superior Court for representation before that court, and to the District of Columbia Court of Appeals for representation before that court. Each claim shall be supported by a sworn written statement specifying the time expended, services rendered, and expenses incurred while the case was pending before the court, and the compensation and reimbursement applied for or received in the same case from any other source. The court shall fix the compensation and reimbursement to be paid to the attorney. In cases where representation is furnished other than before the Superior Court or the District of Columbia Court of Appeals, claims shall be submitted to the Superior Court which shall fix the compensation and reimbursement to be paid.

(e) For purposes of compensation and other payments authorized by this section, an order by a court granting a new trial shall be deemed to initiate a new case.

(f) If a person for whom counsel is appointed under this section appeals to the District of Columbia Court of Appeals, such person may do so without prepayment of fees and costs or security therefor and without filing the affidavit required by section 1915(a) of title 28, United States Code.

(Sept. 3, 1974, 88 Stat. 1091, Pub. L. 93-412, § 2; Jan. 31, 1984, D.C. Law 5-44, § 2, 30 DCR 5411; Aug. 6, 1993, D.C. Law 10-11, § 201, 40 DCR 4007; Sept. 30, 1993, D.C. Law 10-25, § 201, 40 DCR 5489; June 13, 1994, Pub. L. 103-266, § 1(b)(121), 108 Stat. 713; Sept. 26, 1995, D.C. Law 11-52, § 805, 42 DCR 3684; Dec. 21, 2001, 115 Stat. 928, Pub. L. 107-96, par. 20(a)(1), (c); Jan. 10, 2002, 115 Stat. 2307, Pub. L. 107-117, § 404; Oct. 2, 2008, 122 Stat. 3724, Pub. L. 110-335, § 1; Mar. 11, 2009, 123 Stat. 700, Pub. L. 111-8, § 822(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2604.

1973 Ed., § 11-2604.

Effect of Amendments

Pub. L. 107-96 substituted "\$65" for "\$50" in subsec. (a); and, in subsec. (b), substituted "\$1900" for "\$1300" twice, and substituted "\$3600" for "\$2450" twice.

Pub. L. 107-117 made a nonsubstantive change.

Pub. L. 110-335, in subsec. (a), substituted "\$80 per hour" for "\$65 per hour"; and rewrote subsec. (b), which had read as follows:

"(b) For representation of a defendant before the Superior Court or before the District of Columbia Court of Appeals, as the case may be, the compensation to be paid to an attorney shall not exceed the following maximum amounts:

"(1) \$1900 for misdemeanor cases;

"(2) \$3600 for felony cases; and

"(3) \$1900 for post-trial matters if the underlying case was a misdemeanor or \$3600 for post-trial matters if the underlying case was a felony."

Pub. L. 111-8, in subsec. (a), substituted "\$90 per hour" for "\$80 per hour".

Temporary Amendments of Section

Section 201 of D.C. Law 10-11 substituted "at a fixed rate of \$50 per hour" for "at a rate fixed by the Joint Committee on Judicial Administration, not to exceed the rate of \$35 per hour" in (a); substituted "\$1,300" for "\$900" in (b)(1) and (3); and substituted "\$2450" for "\$1700" in (b)(2) and (3).

Section 601(b)(5) of D.C. Law 10-11 provided that for services rendered as a result of court appointments made on or after October 1, 1993, Section 201 shall apply as of October 1, 1993.

Section 701(b) of D.C. Law 10-11 provided that the act shall expire on the 225th day of its having taken effect.

Emergency Act Amendments

For temporary amendment of section, see § 201 of the Omnibus Budget Support Emergency Act of 1993 (D.C. Act 10-32, June 3, 1993, 40 DCR 3658).

Section 601 of D.C. Act 10-32 provides for application of the act.

Legislative History of Laws

Law 5-44, the "District of Columbia Criminal Justice Act Amendments Act of 1983," was introduced in Council and assigned Bill No. 5-128, which was referred to the Committee on the Judiciary. The Bill was adopted on first and second readings on September 20, 1983 and October 4, 1983, respectively. Signed by the Mayor on October 11, 1983, it was assigned Act No. 5-69 and transmitted to both Houses of Congress for its review.

D.C. Law 10-11, the "Omnibus Budget Support Temporary Act of 1993," was introduced in Council and assigned Bill No. 10-259. The Bill was adopted on first and second readings on May 4, 1993, and June 1, 1993, respectively. Signed by the Mayor on June 15, 1993, it was assigned Act No. 10-39 and transmitted to both Houses of Congress for its review. D.C. Law 10-11 became effective on August 6, 1993.

D.C. Law 10-25, the "Omnibus Budget Support Act of 1993," was introduced in Council and assigned Bill No. 10-165, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on June 1, 1993, and June 29, 1993, respectively. Signed by the Mayor on July 16, 1993, it was assigned Act No. 10-57 and transmitted to both Houses of Congress for its review. D.C. Law 10-25 became effective on September 30, 1993.

Law 11-52, the "Omnibus Budget Support Act of 1995," was introduced in Council and assigned Bill No. 11-218, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on April 19, 1995, and June 6, 1995, respectively. Signed by the Mayor on July 13, 1995, it was assigned Act No. 11-94 and transmitted to both Houses of Congress for its review. D.C. Law 11-52 became effective on September 26, 1995.

Effective Dates

Pub. L. 107-96, 115 Stat. 929, the District of Columbia Appropriations Act, 2002, provides in part:

"The amendments made by this provision shall apply with respect to cases and proceedings initiated on or after March 1, 2002."

Section 2 of Pub. L. 110-335 provides:

"The amendments made by this Act shall apply with respect to cases and proceedings initiated on or after the date of the enactment of this Act."

Section 822(c) of Pub. L. 111-8 provides:

"The amendments made by this section shall apply with respect to cases and proceedings initiated on or after the date of enactment of this Act."

Miscellaneous Notes

Application of Law 5-44: Section 4(a) of D.C. Law 5-44 provided that the act shall apply to services rendered as a result of court appointments made after January 31, 1984.

Application of Law 10-25: Section 601(b)(5) of D.C. Law 10-25 provided that for services rendered as a result of court appointments made on or after October 1, 1993, section 201 shall apply as of October 1, 1993.

Expiration of § 805 of Law 11-52: Section 1701(b) of D.C. Law 11-52 provided that § 805 of the act shall expire on October 1, 1995.

Prompt Payment of Appointed Counsel. Section 129 of Pub. L. 107-96, Dec. 21, 2001, 115 Stat. 923, provides:

"(a) ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS -- If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45- day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

"(b) PAYMENTS DESCRIBED. -- A payment described in this subsection is --

"(1) a payment authorized under section 11-2604 and section 11-2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

"(2) a payment for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code; or

"(3) a payment for counsel authorized under section 21-2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

"(c) STANDARDS FOR SUBMISSION OF COMPLETED VOUCHERS.--The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

"(d) RULE OF CONSTRUCTION. -- Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

"(e) EFFECTIVE DATE. -- This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001, and would have qualified for interest payment under this section."

Prompt Payment of Appointed Counsel. Section 128 of Pub. L. 108-7, Feb. 20, 2003, 117 Stat. 127, provides:

"(a) If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

"(b) A payment described in this subsection is--

"(1) a payment authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act);

"(2) a payment for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code; or

"(3) a payment for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

"(c) The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

"(d) Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

"(e) This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2003 and any subsequent fiscal year."

§ 11-2605. SERVICES OTHER THAN COUNSEL.

(a) Counsel for a person who is financially unable to obtain investigative, expert, or other services necessary for an adequate defense may request them in an ex parte application. Upon finding, after appropriate inquiry in an ex parte proceeding, that the services are necessary and that the person is financially unable to obtain them, the court shall authorize counsel to obtain the services.

(b) Counsel appointed under this section may obtain, subject to later review, investigative, expert, or other services, excluding the preparation of reporter's transcript, without prior authorization if necessary for an adequate defense. The total cost of services obtained without prior authorization may not exceed \$375 or the rate provided by section 3006A(e)(2) of title 18, United States Code, (or, in the case of investigative services, a fixed rate of \$25 per hour) whichever is higher, and expenses reasonably incurred.

(c) Compensation to be paid to a person for services rendered by such person to a person under this subsection shall not exceed \$750, or the rate provided by section 3006A(e)(3) of title 18, United States Code, (or, in the case of investigative services, a fixed rate of \$25 per hour) whichever is higher, exclusive of reimbursement for expenses reasonably incurred, unless payment in excess of that limit is certified by the court, as necessary to provide fair compensation for services of an unusual character or duration, and the amount of the excess payment is approved by the presiding judge in the case.

(Sept. 3, 1974, 88 Stat. 1092, Pub. L. 93-412, § 2; Jan. 31, 1984, D.C. Law 5-44, § 3, 30 DCR 5411; June 13, 1994, Pub. L. 103-266, § 1(b)(122), 108 Stat. 713; Dec. 21, 2001, 115 Stat. 929, Pub. L. 107-96; Oct. 16, 2006, 120 Stat. 2024, Pub. L. 109-356, § 113(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2605.

1973 Ed., § 11-2605.

Effect of Amendments

Pub. L. 107-96 inserted a new subsec. (b) providing a fixed rate of compensation; and redesignated former subsecs. (b) and (c) as subsecs. (c) and (d).

Pub. L. 109-356 repealed former subsec. (b); redesignated former subsecs. (c) and (d) as subsecs. (b) and (c); and, in subsecs. (b) and (c), inserted "(or, in the case of investigative services, a fixed rate of \$25 per hour)". Prior to amendment, subsec. (b) read as follows:

"(b) Subject to the applicable limits described in subsections (c) and (d), an individual providing services under this section shall be compensated at a fixed rate of \$25 per hour, and shall be reimbursed for expenses reasonably incurred."

Legislative History of Laws

For legislative history of D.C. Law 5-44, see Historical and Statutory Notes following § 11-2604.

Effective Dates

Pub. L. 107-96, 115 Stat. 923, the District of Columbia Appropriations Act, 2002, provides in part:

"The amendments made by this provision shall apply with respect to cases and proceedings initiated on or after March 1, 2002."

Section 113(b) of Pub. L. 109-356 provides that the amendment made by subsection (a) shall apply with respect to pay periods beginning on or after the date of the enactment of this Act [October 16, 2006].

Miscellaneous Notes

Prompt Payment of Appointed Counsel. Section 129 of Pub. L. 107-96, Dec. 21, 2001, 115 Stat. 929, provides:

"(a) **ASSESSMENT OF INTEREST FOR DELAYED PAYMENTS** -- If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

"(b) **PAYMENTS DESCRIBED**. -- A payment described in this subsection is --

"(1) a payment authorized under section 11-2604 and section 11-2605, D.C. Code (relating to representation provided under the District of Columbia Criminal Justice Act);

"(2) a payment for counsel appointed in proceedings in the Family Division of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Code; or

"(3) a payment for counsel authorized under section 21-2060, D.C. Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

"(c) **STANDARDS FOR SUBMISSION OF COMPLETED VOUCHERS**. -- The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

"(d) **RULE OF CONSTRUCTION**. -- Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

"(e) **EFFECTIVE DATE**. -- This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2002, and claims received previously that remain unpaid at the end of fiscal year 2001, and would have qualified for interest payment under this section."

Prompt Payment of Appointed Counsel. Section 128 of Pub. L. 108-7, Feb. 24, 2003, 117 Stat. 11, provides:

"(a) If the Superior Court of the District of Columbia or the District of Columbia Court of Appeals does not make a payment described in subsection (b) prior to the expiration of the 45-day period which begins on the

date the Court receives a completed voucher for a claim for the payment, interest shall be assessed against the amount of the payment which would otherwise be made to take into account the period which begins on the day after the expiration of such 45-day period and which ends on the day the Court makes the payment.

"(b) A payment described in this subsection is--

"(1) a payment authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act);

"(2) a payment for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code; or

"(3) a payment for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986).

"(c) The chief judges of the Superior Court of the District of Columbia and the District of Columbia Court of Appeals shall establish standards and criteria for determining whether vouchers submitted for claims for payments described in subsection (b) are complete, and shall publish and make such standards and criteria available to attorneys who practice before such Courts.

"(d) Nothing in this section shall be construed to require the assessment of interest against any claim (or portion of any claim) which is denied by the Court involved.

"(e) This section shall apply with respect to claims received by the Superior Court of the District of Columbia or the District of Columbia Court of Appeals during fiscal year 2003 and any subsequent fiscal year."

§ 11-2606. RECEIPT OF OTHER PAYMENTS.

(a) Whenever the court finds that funds are available for payment from or on behalf of a person furnished representation, it may authorize or direct that such funds be paid to the appointed attorney, or to any person or organization authorized pursuant to section 2605 of this title [11-2605] to render investigative, expert, or other services, or to the court for deposit in the Treasury as a reimbursement to the appropriation, current at the time of payment, to carry out the provisions of this section. Except as so authorized or directed, no such person or organization may request or accept any payment or promise of payment for representing a defendant.

(b) Any person compensated, or entitled to be compensated, for any services rendered under this chapter who shall seek, ask, demand, receive, or offer to receive, any money, goods, or services in return therefor from or on behalf of a defendant or respondent shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(Sept. 3, 1974, 88 Stat. 1092, Pub. L. 93-412, § 2.)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2606.

1973 Ed., § 11-2606.

§ 11-2607. PREPARATION OF BUDGET.

The joint committee shall prepare and include in its annual budget requests for the District of Columbia court system estimates of the expenditures and appropriations necessary for furnishing representation by private attorneys to persons entitled to representation in accordance with section 2601 of this title [11-2601].

(Sept. 3, 1974, 88 Stat. 1093, Pub. L. 93-412, § 2; June 13, 1994, Pub. L. 103-266, § 1(b)(123), 108 Stat. 713; Aug. 5, 1997, 111 Stat. 760, Pub. L. 105-033, § 11262(a).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2607.

1973 Ed., § 11-2607.

§ 11-2608. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for payment to the Joint Committee on Judicial Administration in the District of Columbia such sums as may be necessary to pay for representation by private attorneys

and related services under this chapter. When so specified in appropriation Acts, such appropriations shall remain available until expended.

(Sept. 3, 1974, 88 Stat. 1093, Pub. L. 93-412, § 2; June 15, 1976, D.C. Law 1-69, § 2, 23 DCR 531; Aug. 5, 1997, 111 Stat. 760, Pub. L. 105-033, § 11262(b); Oct. 21, 1998, 112 Stat. 2425, Pub. L. 105-274, § 6(b)(1).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2608.

1973 Ed., § 11-2608.

Legislative History of Laws

Law 1-69, the "Criminal Justice Supervisory Board Act of 1978," was introduced in Council and assigned Bill No. 1-211 which was referred to the Committee on the Judiciary and the Committee on Criminal Law. The Bill was adopted on first and second readings on February 24, 1976 and March 9, 1976, respectively. Signed by the Mayor on March 29, 1976, it was assigned Act No. 1-102 and transmitted to both Houses of Congress for its review.

§ 11-2609. AUTHORITY OF COUNCIL.[REPEALED]

(Sept. 3, 1974, 88 Stat. 1093, Pub. L. 93-412, § 2; Aug. 5, 1997, 111 Stat. 760, Pub. L. 105-33, § 11262(c)(1).)

HISTORICAL AND STATUTORY NOTES

Prior Codifications

1981 Ed., § 11-2609.

1973 Ed., § 11-2609.

Miscellaneous Notes

Pub.L. 105-33, title XI, § 11721, Aug. 5, 1997, 111 Stat. 786, provides:

"Sec. 11721. EFFECTIVE DATE.

"Except as otherwise provided in this title, the provisions of this title shall take effect on the later of October 1, 1997, or the day the District of Columbia Financial Responsibility and Management Assistance Authority certifies that the financial plan and budget for the District government for fiscal year 1998 meet the requirements of section 201(c)(1) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, as amended by this title."

Prior to repeal by Pub.L. 105-33, this section read:

"Section 602 (a) (4) of the District of Columbia Self-Government and Governmental Reorganization Act shall not apply to this chapter."