

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 11.**  
**ORGANIZATION AND JURISDICTION OF**  
**THE COURTS.**

**CHAPTER 17.**  
**ADMINISTRATION OF DISTRICT OF COLUMBIA**  
**COURTS.**

**2001 Edition**

**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**CHAPTER 17. ADMINISTRATION OF DISTRICT OF**  
**COLUMBIA COURTS.**

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**TABLE OF CONTENTS**

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**Subchapter I. Court Administration.**

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- § 11-1701. Administration of District of Columbia court system.
- § 11-1702. Responsibilities of chief judges in the respective courts.
- § 11-1703. Executive Officer of the District of Columbia courts; appointment; compensation.
- § 11-1704. Oath of the Executive Officer.

**Subchapter II. Court Personnel.**

---

- § 11-1721. Clerks of courts.
- § 11-1722. Director of Social Services.
- § 11-1723. Fiscal Officer.
- § 11-1724. Auditor-Master.
- § 11-1725. Appointment of nonjudicial personnel.
- § 11-1726. Compensation and benefits for court personnel.
- § 11-1727. Court reporters.
- § 11-1728. Recruitment and training of personnel and travel.
- § 11-1729. Service of United States marshal.
- § 11-1730. Reports of court personnel.
- § 11-1731. Reports of other personnel.
- § 11-1732. Magistrate judges.
- § 11-1732A. Special rules for magistrate judges of the Family Court of the Superior Court and the Domestic Violence Unit.

**Subchapter III. Duties and Responsibilities.**

---

- § 11-1741. Court operations and organization.
- § 11-1742. Property and disbursement.
- § 11-1742a. Multiyear contracting authority and leasing agreements.
- § 11-1743. Annual Budget and Expenditures.
- § 11-1744. Information and liaison services.
- § 11-1745. Reports and records.
- § 11-1746. Certification of copies of papers or documents filed in District of Columbia courts.
- § 11-1747. Delegation of authority.

# **CHAPTER 17. ADMINISTRATION OF DISTRICT OF COLUMBIA COURTS.**

## **SUBCHAPTER I. COURT ADMINISTRATION.**

### **§ 11-1701. ADMINISTRATION OF DISTRICT OF COLUMBIA COURT SYSTEM.**

(a) There shall be a Joint Committee on Judicial Administration in the District of Columbia (hereafter in this chapter referred to as the "Joint Committee") consisting of (1) the Chief Judge of the District of Columbia Court of Appeals, who shall serve as Chair, (2) an associate judge of that court elected annually by the judges thereof, (3) the Chief Judge of the Superior Court, and (4) two associate judges of that court elected annually by the judges thereof.

(b) The Joint Committee shall have responsibility within the District of Columbia court system for the following matters:

(1) General personnel policies, including those for recruitment, removal, compensation, and training.

(2) Accounts and auditing.

(3) Procurement and disbursement.

(4) Submission of the annual budget requests of the District of Columbia Court of Appeals, the Superior Court of the District of Columbia, and the District of Columbia Court System as the integrated budget of the District of Columbia courts, except that such requests may be modified upon the concurrence of four of the five members of the Joint Committee.

(5) Repealed.

(6) Formulation and enforcement of standards for outside activities of and receipt of compensation by the judges of the District of Columbia court system.

(7) Development and coordination of statistical and management information systems and reports supporting the annual report of the District of Columbia court system.

(8) Liaison between the District of Columbia court system and the court systems of other jurisdictions, including the Judicial Conference of the United States, the Judicial Conference of the District of Columbia Circuit, and the Federal Judicial Center.

(9) With the concurrence of the respective chief judges of the District of Columbia courts, other policies and practices of the District of Columbia court system and resolution of other matters which may be of joint and mutual concern of the District of Columbia Court of Appeals and the Superior Court.

(c) The Joint Committee, with the assistance of the Executive Officer of the District of Columbia courts, shall --

(1) consider and evaluate the business of the courts and means of improving the administration of justice within the District of Columbia court system and shall report thereon in its annual report;

(2) prepare and publish an annual report of the District of Columbia court system regarding the work of the courts, the performance of the duties enumerated in this chapter, and of any recommendations relating to the courts;

(3) recommend from time to time to the Congress changes in the organization, jurisdiction, operation, and procedures of the courts which are appropriate for legislative action, and institute such changes, pursuant to the responsibilities enumerated in subsection (b), in the methods of administering judicial business in the court system as would improve the administration of justice; and

(4) arrange for such training seminars, and other related services, as are desirable and feasible for judges and other court personnel, including services from the Federal Judicial Center on a reimbursable basis.

(d) The Joint Committee shall have authority to issue all orders and directives necessary to implement the responsibilities and duties enumerated in this section.

(July 29, 1970, 84 Stat. 508, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(80), 108 Stat. 713; Aug. 5, 1997, 111 Stat. 752, Pub. L. 105-33, § 11242(a); Oct. 18, 2004, 118 Stat. 1345, Pub. L. 108-335, § 329; Oct. 16, 2006, 120 Stat. 2026, Pub. L. 109-356, § 116(a).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1701.

1973 Ed., § 11-1701.

*Effect of Amendments*

Pub. L. 108-335 repealed subsec. (b)(5) which had read as follows:

"(5) Approval of the bonds of fiduciary employees within the District of Columbia court system."

Pub. L. 109-356 made a technical correction to Pub. L. 108-335 that did not change the text of the section.

*Effective Dates*

Section 116(c) of Pub. L. 109-356 provides that the amendments made by this section shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005 [Pub. L. 108-335].

*Change in Government*

This section originated at a time when local government powers were delegated to the District of Columbia Council and to a Commissioner of the District of Columbia. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made, in brackets, in this section.

*Miscellaneous Notes*

Termination of Federal Disclosure Requirements: See Pub. L. 99-573, § 6.

## **§ 11-1702. RESPONSIBILITIES OF CHIEF JUDGES IN THE RESPECTIVE COURTS.**

(a) The Chief Judge of the District of Columbia Court of Appeals, in addition to the authority conferred on the Chief Judge by Chapter 7 of this title, shall supervise the internal administration of that court --

(1) including all administrative matters other than those within the responsibility enumerated in section 11-1701(b), and

(2) including the implementation in that court of the matters enumerated in section 11-1701(b), consistent with the general policies and directives of the Joint Committee.

(b) The Chief Judge of the Superior Court, in addition to the authority conferred on the Chief Judge by Chapter 9 of this title, shall supervise the internal administration of that court --

(1) including all administrative matters other than those within the responsibility enumerated in section 11-1701(b), and

(2) including the implementation in that court of the matters enumerated in section 11-1701(b), consistent with the general policies and directives of the Joint Committee.

(July 29, 1970, 84 Stat. 509, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(81), 108 Stat. 713.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1702.

1973 Ed., § 11-1702.

## **§ 11-1703. EXECUTIVE OFFICER OF THE DISTRICT OF COLUMBIA COURTS; APPOINTMENT; COMPENSATION.**

(a) There shall be an Executive Officer of the District of Columbia courts (hereafter in this chapter referred

to as the "Executive Officer"). The Executive Officer shall be responsible for the administration of the District of Columbia court system subject to the supervision of the Joint Committee and the chief judges of the respective courts as provided in this chapter. The Executive Officer shall be subject to the supervision of the Joint Committee regarding administrative matters that are enumerated in section 11-1701(b). The Executive Officer shall be subject to the supervision of the chief judges in their respective courts: (1) regarding all administrative matters other than those within the responsibility enumerated in section 11-1701(b), and (2) regarding the implementation in the respective courts of the matters enumerated in section 11-1701(b), consistent with the general policies and directives of the Joint Committee.

(b) The Executive Officer shall be appointed, and subject to removal, by the Joint Committee on Judicial Administration with the approval of the chief judges of the District of Columbia Courts. In making such appointment the Joint Committee shall consider experience and special training in administrative and executive positions and familiarity with court procedures.

(c) The Executive Officer shall be a bona fide resident of the District of Columbia or become a resident not more than 180 days after the date of appointment except that the Executive Officer in office at the effective date of this Act shall not be required to be or to become a resident of the District of Columbia.

(d) The Executive Officer shall receive the same compensation, including retirement benefits, as an associate judge of the Superior Court, except that the Executive Officer (if initially hired after October 1, 1997) shall be eligible for retirement under subchapter III of Chapter 15 when the Executive Officer has completed 7 years of service as Executive Officer, whether continuous or not.

(July 29, 1970, 84 Stat. 510, Pub. L. 91-358, title I, § 111; Oct. 30, 1984, 98 Stat. 3142, Pub. L. 98-598, § 3; Oct. 28, 1986, 100 Stat. 3328, Pub. L. 99-573, § 3; June 13, 1994, Pub. L. 103-266, § 1(b)(82), 108 Stat. 713; Aug. 5, 1997, 111 Stat. 755, Pub. L. 105-33, § 11246(c).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1703.

1973 Ed., § 11-1703.

##### *References in Text*

"The effective date of this Act," referred to in subsection (c), is October 28, 1986.

### **§ 11-1704. OATH OF THE EXECUTIVE OFFICER.**

The Executive Officer shall take an oath or affirmation for the faithful and impartial discharge of the duties of that office.

(July 29, 1970, 84 Stat. 510, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(83), 108 Stat. 713; Oct. 18, 2004, 118 Stat. 1345, Pub. L. 108-335, § 329; Oct. 16, 2006, 120 Stat. 2026, Pub. L. 109-356, § 116(a).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1704.

1973 Ed., § 11-1704.

##### *Effect of Amendments*

Pub. L. 108-335 repealed subsec. (b) which had read as follows:

"(b) The Executive Officer shall give bond, with two or more sureties, to be approved by the Joint Committee, in an amount prescribed by the Joint Committee, faithfully to discharge the duties of that office."

Pub. L. 109-356 made a technical correction to Pub. L. 108-335 that deleted the subsec. (a) designation.

##### *Effective Dates*

Section 116(c) of Pub. L. 109-356 provides that the amendments made by this section shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005 [Pub. L. 108-335].

## **SUBCHAPTER II. COURT PERSONNEL.**

### **§ 11-1721. CLERKS OF COURTS.**

The District of Columbia Court of Appeals and the Superior Court shall each have a clerk who shall

perform such duties as may be assigned to the clerk.

(July 29, 1970, 84 Stat. 510, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(84), 108 Stat. 713.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1721.

1973 Ed., § 11-1721.

**§ 11-1722. DIRECTOR OF SOCIAL SERVICES.**

(a) There shall be a Director of Social Services in the Superior Court who shall have charge of all juvenile social services for the Superior Court. The Director shall have no jurisdiction over any adult under supervision. With respect to juveniles, the Director shall provide intake procedures, counseling, education and training programs, probation services, and such other services as the court shall prescribe.

(b) To the maximum extent feasible, the Director shall coordinate with and utilize the services of appropriate public and private agencies within the District of Columbia, including the agency established by section 11233(a) of the National Capital Revitalization and self-government [Self-Government] Improvement Act of 1997 [D.C. Official Code § 24-133(a)], and shall coordinate and provide administrative services to volunteers utilized by the Superior Court or any divisions thereof.

(c) As directed by the Executive Officer, the Director shall conduct studies and make reports relating to the utilization of juvenile social services as an adjunct to the Superior Court.

(d) The Director shall make recommendations with respect to the consolidation or disposition of causes before the court relating to members of the same family or household.

(July 29, 1970, 84 Stat. 511, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(85), 108 Stat. 713; Oct. 21, 1998, 112 Stat. 2681-147, Pub. L. 105-277, § 158(b); Dec. 21, 2001, 115 Stat. 928, Pub. L. 107-96, par. 18.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1722.

1973 Ed., § 11-1722.

*Effect of Amendments*

Pub. L. 107-96, in subsec. (a), deleted ", subject to the supervision of the Executive Officer" following "for the Superior Court" in the first sentence.

**§ 11-1723. FISCAL OFFICER.**

(a) There shall be a Fiscal Officer in the District of Columbia court system who shall be responsible for the budget of the court system and for the accounts of the courts, subject to the supervision of the Executive Officer.

(b) The Fiscal Officer shall receive, safeguard, and account for all fees, costs, payments, and deposits of money or other items, and shall be responsible for depositing in the Treasury of the United States all fines, forfeitures, fees, unclaimed deposits, and other moneys.

(c) The Fiscal Officer shall be responsible for the approval of vouchers and shall arrange for an annual independent audit of the accounts of the courts.

(July 29, 1970, 84 Stat. 511, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(86), 108 Stat. 713; Aug. 5, 1997, 111 Stat. 752, Pub. L. 105-33, § 11242(b); Dec. 21, 2001, 115 Stat. 928, Pub. L. 107-96, par. 18; Oct. 18, 2004, 118 Stat. 1345, Pub. L. 108-335, § 329; Oct. 16, 2006, 120 Stat. 2027, Pub. L. 109-356, § 116(a).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1723.

1973 Ed., § 11-1723.

*Effect of Amendments*

Pub. L. 107-96 deleted "and the internal auditing of the accounts of the courts" following "vouchers" in subsec. (a), par. (3).

Pub. L. 108-335 repealed subsec. (b) which had read as follows:

(b) "The Fiscal Officer shall give bond with two or more sureties, to be approved by the Joint Committee, in an amount prescribed by the Joint Committee, faithfully to discharge the duties of that office."

Pub. L. 109-356 made a technical correction to Pub. L. 108-335 that deleted paragraph designation (1) in subsec. (a) and redesignated pars. (a)(2) and (3) as subsecs. (b) and (c).

*Effective Dates*

Section 116(c) of Pub. L. 109-356 provides that the amendments made by this section shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005 [Pub. L. 108-335].

## **§ 11-1724. AUDITOR-MASTER.**

There shall be an Auditor-Master of the Superior Court who shall (1) execute orders of reference referred by the Superior Court and perform duties in connection with the execution of such orders in accordance with Rule 53 of the Federal Rules of Civil Procedure or other applicable rule, and (2) perform such other functions as may be assigned by the Superior Court.

(July 29, 1970, 84 Stat. 511, Pub. L. 91-358, title I, § 111; Oct. 28, 1986, 100 Stat. 3228, Pub. L. 99-573, § 5(a); June 13, 1994, Pub. L. 103-266, § 1(b)(87), 108 Stat. 713; Oct. 18, 2004, 118 Stat. 1345, Pub. L. 108-335, § 329; Oct. 16, 2006, 120 Stat. 2027, Pub. L. 109-356, § 116(a).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1724.

1973 Ed., § 11-1724.

*Effect of Amendments*

Pub. L. 108-335 deleted the second and third sentences in the section which had read as follows: "The Auditor-Master shall give bond faithfully to discharge the duties of that office. The bond shall have two or more sureties to be approved by the chief judge of the Superior Court, and shall be in an amount prescribed by the chief judge."

Pub. L. 109-356 made a technical correction to Pub. L. 108-335 that did not change the text of the section.

*Effective Dates*

Section 116(c) of Pub. L. 109-356 provides that the amendments made by this section shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005 [Pub. L. 108-335].

## **§ 11-1725. APPOINTMENT OF NONJUDICIAL PERSONNEL.**

(a) Subject to the approval of the Joint Committee, the Executive Officer shall appoint, and may remove, the Fiscal Officer, and such other personnel whose principal function is to perform duties for both District of Columbia courts.

(b) The Executive Officer shall appoint, and may remove, the Director of Social Services, the clerks of the courts, the Auditor-Master, and all other nonjudicial personnel for the courts (other than the Register of Wills and personal law clerks and secretaries of the judges) as may be necessary, subject to --

(1) regulations approved by the Joint Committee; and

(2) the approval of the chief judge of the court to which the personnel are or will be assigned.

Appointments and removals of court personnel shall not be subject to the laws, rules, and limitations applicable to District of Columbia employees.

(July 29, 1970, 84 Stat. 511, Pub. L. 91-358, title I, § 111; Aug. 5, 1997, 111 Stat. 752, Pub. L. 105-33, § 11242(c).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1725.

1973 Ed., § 11-1725.

## § 11-1726. COMPENSATION AND BENEFITS FOR COURT PERSONNEL.

(a) In the case of nonjudicial employees of the District of Columbia courts whose compensation is not otherwise fixed by this title, the Executive Officer shall fix the rates of compensation of such employees without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code. Any rates so established shall be subject to the limitation on maximum pay in section 5382(a) of such title. In fixing the rates of compensation of nonjudicial employees under this section, the Executive Officer may be guided by the rates of compensation fixed for employees in the executive and judicial branches of the Federal Government or State or local governments occupying the same or similar positions or occupying positions of similar responsibility, duty, and difficulty.

(b)(1) Nonjudicial employees of the District of Columbia courts shall be treated as employees of the Federal Government solely for purposes of any of the following provisions of title 5, United States Code:

- (A) Subchapter 1 of chapter 81 (relating to compensation for work injuries).
- (B) Chapter 83 (relating to retirement).
- (C) Chapter 84 (relating to the Federal Employees' Retirement System).
- (D) Chapter 87 (relating to life insurance).
- (E) Chapter 89 (relating to health insurance).
- (F) Chapter 89A (relating to enhanced dental benefits).
- (G) Chapter 89B (relating to enhanced vision benefits).
- (H) Chapter 90 (relating to long-term care insurance).

(2) The employing agency shall make contributions under the provisions referred to paragraph (1) [of this subsection] at the same rates applicable to agencies of the Federal Government.

(3) An individual who is a nonjudicial employee of the District of Columbia courts on the date of the enactment of the Balanced Budget Act of 1997 [August 5, 1997] may make, within 60 days after such date, an election under section 8351 or section 8432 of title 5, United States Code, to participate in the Thrift Savings Plan for Federal employees.

(c)(1) Judicial employees of the District of Columbia courts shall be treated as employees of the Federal Government for purposes of any of the following provisions of title 5, United States Code:

- (A) Subchapter 1 of chapter 81 (relating to compensation for work injuries).
- (B) Chapter 87 (relating to life insurance).
- (C) Chapter 89 (relating to health insurance).
- (D) Chapter 89A (relating to enhanced dental benefits).
- (E) Chapter 89B (relating to enhanced vision benefits).
- (F) Chapter 90 (relating to long-term care insurance).

(2) The employing agency shall make contributions under the provisions referred to paragraph (1) [of this subsection] at the same rates applicable to agencies of the Federal Government.

(3) For purposes of section 8706(b) and section 8901(3)(B) of title 5, United States Code, benefits paid from the retirement system for judicial employees of the District of Columbia courts or from the system providing benefits to survivors of such employees shall be considered an annuity.

(4) For purposes of section 8901(3)(A) of title 5, United States Code, the retirement system for judicial employees of the District of Columbia courts shall be considered a retirement system for employees of the Government.

(July 29, 1970, 84 Stat. 511, Pub. L. 91-358, title I, § 111; Aug. 5, 1997, 111 Stat. 755, Pub. L. 105-33, § 11246(b)(1); Feb. 20, 2003, 117 Stat. 129, Pub. L. 108-7, Div. C, title III, § 138(b); Oct. 16, 2006, 120 Stat. 2024, 2027, Pub. L. 109-356, §§ 112(a), 117(b).)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 11-1726.

1973 Ed., § 11-1726.

#### *Effect of Amendments*

Section 138 of Public Law 108-7 added subsecs. (b)(1)(F) and (c)(1)(D).

Pub. L. 109-356, in the second sentence of subsec. (a), substituted "maximum pay in section 5382(a)" for "pay fixed by administrative action in section 5373"; in subsec. (b)(1), rewrote subpar. (F) and added subpars. (G) and (H); and, in subsec. (c)(1), rewrote subpar. (D) and added subpars. (E) and (F). Prior to amendment,



subpar. (F) of subsec. (b)(1) and subpar. (D) of subsec. (c)(1) read as follows:

"(F) Chapter 90 (relating to long-term care insurance)."

"(D) Chapter 90 (relating to long-term care insurance)."

*Effective Dates*

Section 11246(b)(3) of title XI of Pub. L. 105-33, 111 Stat. 755, provided that the amendments made by § 11246(b) shall apply with respect to all months beginning after the Dates on which the Director of the Office of Personnel Management issues regulations to carry out § 11-1726 (as amended by § 11246(b)(1)).

Section 112(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].

## **§ 11-1727. COURT REPORTERS.**

(a) The Executive Officer shall appoint reporters who shall be full-time employees of the courts. When necessary, the Executive Officer may contract for additional temporary reporting services. Nothing in this section shall be construed to preclude the Superior Court of the District of Columbia from providing by rule for the sound recording of proceedings in lieu of mechanical (audio or manual) transcription in any branch, division or courtroom of the court. Court reporters, shall, in addition to being subject to the general supervision of the Executive Officer, be subject to the supervision of the chief judges of the courts and of the other District of Columbia judges for whom they perform services, regarding the performance of their duties in the respective courts.

(b) In addition to their annual salaries, court reporters may charge and collect from parties, including the United States and the District of Columbia, who request transcripts of the original records of proceedings, only such fees as may be prescribed from time to time by the Executive Officer. The reporters shall furnish all supplies at their own expense. The Executive Officer shall prescribe such rules, practice, and procedure pertaining to fees for transcripts as the Executive Officer deems necessary, conforming as nearly as practicable to the rules, practice, and procedure established for the United States District Court for the District of Columbia. A fee may not be charged or taxed for a copy of a transcript delivered to a judge at the judge's request or for copies of a transcript delivered to the clerk of a court for the records of the court. Except as to transcripts that are to be paid for by the United States or the District of Columbia, the reporters may require a party requesting a transcript to prepay the estimated fee therefor in advance of delivery of the transcript.

(July 29, 1970, 84 Stat. 512, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(88), 108 Stat. 713.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1727.

1973 Ed., § 11-1727.

## **§ 11-1728. RECRUITMENT AND TRAINING OF PERSONNEL AND TRAVEL.**

(a) The Executive Officer shall be responsible for recruiting such qualified personnel as may be necessary for the District of Columbia Courts and for providing in-service training for court personnel.

(b) Travel under Federal supply schedules is authorized for the travel of court personnel on official business. The joint committee shall prescribe such requirements, conditions and restrictions for such travel as it considers appropriate, and shall include policies and procedures for preventing abuses of that travel authority.

(July 29, 1970, 84 Stat. 512, Pub. L. 91-358, title I, § 111; Oct. 18, 2004, 118 Stat. 1345, Pub. L. 108-335, § 330.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1728.

1973 Ed., § 11-1728.

*Effect of Amendments*

Pub. L. 108-335 rewrote the section which had read as follows:

"§ 11-1728. Recruitment and training of personnel.

"The Executive Officer shall be responsible for recruiting such qualified personnel as may be necessary for the District of Columbia courts and for providing in-service training for court personnel."

### **§ 11-1729. SERVICE OF UNITED STATES MARSHAL.**

The United States Marshal for the District of Columbia shall continue to serve the courts of the District of Columbia, subject to the supervision of the Attorney General of the United States.

(July 29, 1970, 84 Stat. 512, Pub. L. 91-358, title I, § 111.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1729.

1973 Ed., § 11-1729.

### **§ 11-1730. REPORTS OF COURT PERSONNEL.**

(a) Judges of the courts shall furnish time and attendance records pursuant to sections 11-709 and 11-909 to the respective chief judges, with a copy to the Executive Officer.

(b) All nonjudicial personnel of the courts shall furnish such reports and information to the Executive Officer as the Executive Officer shall request.

(July 29, 1970, 84 Stat. 512, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(89), 108 Stat. 713.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1730.

1973 Ed., § 11-1730.

### **§ 11-1731. REPORTS OF OTHER PERSONNEL.**

The Executive Officer or the chief judge may request such reports as may be necessary to the efficient administration of the courts from --

- (1) the United States Attorney for the District of Columbia,
- (2) the Corporation Counsel,
- (3) the United States Marshal for the District of Columbia,
- (4) the Commissioner [Mayor] of the District of Columbia,
- (5) the superintendent of any hospitals or institutions to which persons have been committed by the Superior Court,
- (6) the District of Columbia Public Defender Service,
- (7) the District of Columbia Bail Agency [District of Columbia Pre-trial Services Agency],
- (8) the District of Columbia Department of Corrections,
- (9) the Chief of the Metropolitan Police Department,
- (10) the District of Columbia Department of Public Health [Department of Health], and
- (11) the District of Columbia Department of Public Welfare [Department of Human Services].

These officials, agencies, and departments shall furnish such reports and information as may be requested pursuant to this section.

(July 29, 1970, 84 Stat. 513, Pub. L. 91-358, title I, § 111.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1731.

1973 Ed., § 11-1731.

##### *Change in Government*

This section originated at a time when local government powers were delegated to the District of Columbia Council and to a Commissioner of the District of Columbia. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made, in brackets, in this section.

*Miscellaneous Notes*

District of Columbia Bail Agency abolished: The District of Columbia Bail Agency was abolished and replaced by the District of Columbia Pre-trial Services Agency by the Act of September 27, 1978, Pub. L. 95-388.

Health Department abolished: The Health Department of the District of Columbia, including the office of the head thereof, was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. Reorganization Order No. 57 of the Board of Commissioners, dated June 30, 1953, and Reorganization Order No. 52, dated June 30, 1953, combined and redesignated Organization Order No. 141, dated February 11, 1964, established under the direction and control of a Commissioner, a Department of Public Health headed by a Director, for the purpose of planning, implementing, and directing public health and hospital care programs, and for performing certain other allied medical and paramedical functions. The Anatomical Board was established under the direction and control of the Director of Public Health consisting of members as prescribed in the D. C. Code. The Order prior to redesignation abolished the previously existing Health Department, Gallinger Hospital, Glenn Dale Sanatorium, and the Anatomical Board and transferred their functions and positions to the new Department. The organization of the new Department was set out in the Order. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Functions stated in Organization Order No. 141 were transferred to the Director of the Department of Human Resources by Commissioner's Order No. 69-96, dated March 7, 1969, as amended by Commissioner's Order No. 70-83, dated March 6, 1970. The Department of Human Resources was replaced by Reorganization Plan No. 2 of 1979, dated February 21, 1980, which Plan established the Department of Human Services.

Board of Public Welfare abolished: The Board of Public Welfare was abolished and the functions thereof transferred to the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952. The executive functions of the Board of Commissioners were transferred to the Commissioner of the District of Columbia by § 401 of Reorganization Plan No. 3 of 1967. Reorganization Order No. 58 as amended, redesignated as Organization Order No. 140 and amended, established under the direction and control of a Commissioner, a Department of Public Welfare, headed by a Director with the purpose of planning, implementing and directing public welfare programs. Reorganization Order No. 58 provided that the previously existing Board of Public Welfare would be abolished. That Order also transferred specified functions of the former board to the Department of Public Health and the Department of Public Welfare. Functions of the Department of Public Welfare and of the Department of Public Health as set forth in Organization Order Nos. 140 and 141, respectively, were transferred to the Director of the Department of Human Resources by Commissioner's Order No. 69-96, dated March 7, 1969, as amended by Commissioner's Order No. 70-83, dated March 6, 1970. The Department of Human Resources was replaced by the Department of Human Services by Reorganization Plan No. 2 of 1979, dated February 21, 1980.

## **§ 11-1732. MAGISTRATE JUDGES.**

(a) With the approval of a majority of the judges of the Superior Court of the District of Columbia in active service and subject to standards and procedures established by the rules of the Superior Court, the chief judge of the Superior Court may appoint magistrate judges, who shall serve in the Superior Court and perform the duties enumerated in subsection (j) of this section (or, in the case of magistrate judges for the Family Court or the Domestic Violence Unit of the Superior Court, the duties enumerated in section 11-1732A(d)) and such other functions incidental to these duties as are consistent with the rules of the Superior Court and the Constitution and laws of the United States and of the District of Columbia.

(b) Magistrate judges shall be selected pursuant to standards and procedures adopted by the Board of Judges. Such procedures shall contain provisions for public notice of all vacancies in magistrate judge positions and for the establishment by the Court of an advisory merit selection panel, composed of lawyer and nonlawyer residents of the District of Columbia who are not employees of the District of Columbia Courts, to assist the Board of Judges in identifying and recommending persons who are best qualified to fill such positions.

(c) Except as provided in section 11-1732A(b), no individual shall be appointed as a magistrate judge unless that individual --

(1) is a citizen of the United States;

(2) is an active member of the unified District of Columbia Bar and has been engaged in the active

practice of law in the District for the five years immediately preceding the appointment or for such five years has been on the faculty of a law school in the District, or has been employed as a lawyer by the United States or District government; and

(3) is a bona fide resident of the District of Columbia and has maintained an actual place of abode in the District for at least ninety days immediately prior to appointment, and retains such residency during service as a magistrate judge, except that magistrate judges appointed prior to the effective date of this section shall not be required to be residents of the District to be eligible to be appointed to one of the initial terms under this section or to be reappointed.

(d) Magistrate judges shall be appointed for terms of four years and may be reappointed for terms of four years. Those individuals serving as magistrate judges on the effective date of this Act shall be automatically appointed for a four year term.

(e) Upon the expiration of a magistrate judge's term, the magistrate judge may continue to perform the duties of office until a successor is appointed, or for 90 days after the date of the expiration of the hearing commissioner's term, whichever is earlier.

(f) No individual may serve as a magistrate judge under this section after having attained the age of seventy-four.

(g) The Board of Judges may suspend, involuntarily retire, or remove a magistrate judge, during the term for which the magistrate judge is appointed, only for incompetence, misconduct, neglect of duty, or physical or mental disability. Suspension, involuntary retirement, or removal requires the concurrence of a majority of the judges in active service. Before any order of suspension, involuntary retirement, or removal shall be entered, a full specification of the charges and the opportunity to be heard shall be furnished to the magistrate judge pursuant to procedures established by rules of the Superior Court.

(h) If the Board of Judges determines that a magistrate judge position is not needed, the Board of Judges may terminate the position.

(i)(1) Magistrate judges may not engage in the practice of law, or in any other business, occupation, or employment inconsistent with the expeditious, proper, and impartial performance of their duties as officers of the court.

(2) Magistrate judges shall abide by the Canons of Judicial Ethics.

(j) A magistrate judge, when specifically designated by the chief judge of the Superior Court, and subject to the rules of the Superior Court and the right of review under subsection (k), may perform the following functions:

(1) Administer oaths and affirmations and take acknowledgements;

(2) Determine conditions of release pursuant to the provisions of Title 23 of the District of Columbia Official Code (relating to criminal procedure);

(3) Conduct preliminary examinations and initial probation revocation hearings in all criminal cases to determine if there is probable cause to believe that an offense has been committed and that the accused committed it;

(4)(A) In any case brought under § 11-1101(1), (3), (10), or (11) of the District of Columbia Official Code involving the establishment or enforcement of child support, or in any case seeking to modify an existing child support order, where a magistrate judge in the Family Division of the Superior Court finds that there is an existing duty of support, the magistrate judge shall conduct a hearing on support, make findings, and enter judgment as provided by law, and in accordance with guidelines established by rule of the Superior Court, which judgment shall constitute a final order of the Superior Court.

(B) If in a case under paragraphs [paragraph] (A), the magistrate judge finds that a duty of support exists and makes a finding that the case involves complex issues requiring judicial resolution, the magistrate judge shall establish a temporary support obligation and refer unresolved issues to a judge of the Superior Court.

(C) In cases under subparagraphs (A) and (B) in which the magistrate judge finds that there is a duty of support and the individual owing that duty has been served or given notice of the proceeding under any applicable statute or court rule, if that individual fails to appear or otherwise respond, the magistrate judge shall enter a default order, which shall constitute a final order of the Superior Court;

(5) Subject to the rules of the Superior Court and with the consent of the parties involved, make findings and enter final orders or judgments in other uncontested or contested proceedings, in the Civil, Criminal, and Family Divisions of the Superior Court, excluding jury trials and trials of felony cases.

(k) With respect to proceedings and hearings under paragraphs (2), (3), (4), and (5) of subsection (j) (or proceedings and hearings under section 11-1732A(d), in the case of magistrate judges for the Family Court or the Domestic Violence Unit of the Superior Court), a review of the magistrate judge's order or judgment, in whole or in part, may be made by a judge of the appropriate division (or, in the case of an order or judgment of a magistrate judge of the Family Court or the Domestic Violence Unit of the Superior

Court, by a judge of the Family Court or the Domestic Violence Unit) sua sponte and must be made upon a motion of one of the parties made pursuant to procedures established by rules of the Superior Court. The reviewing judge shall conduct such proceedings as required by the rules of the Superior Court. An appeal to the District of Columbia Court of Appeals may be made only after a judge of the Superior Court has reviewed the order or judgment.

(l) The Superior Court shall ensure that all magistrate judges receive training to enable them to fulfill their responsibilities (subject to the requirements of section 11-1732A(f) in the case of magistrate judges of the Family Court of the Superior Court or the Domestic Violence Unit).

(m)(1) The chief judge of the Superior Court, in consultation with the District of Columbia Bar, the City Council of the District of Columbia, and other interested parties, shall within one year of the effective date of this section, make a careful study of conditions in the Superior Court to determine --

- (A) the number of appointments required to provide for the effective administration of justice;
- (B) the divisions in which hearing commissioners shall serve;
- (C) the appropriate functions of hearing commissioners; and
- (D) the compensation of, and other personnel matters pertaining to, hearing commissioners.

Upon completion of the study, the chief judge shall report the findings of such study to the appropriate committees of the Congress.

(2) After the study required by paragraph (1), the chief judge shall, from time to time, make such studies as the Board of Judges shall deem expedient, giving consideration to suggestions of the District of Columbia Bar and other interested parties.

(n) With the concurrence of the District of Columbia Court of Appeals, the Board of Judges of the Superior Court may promulgate rules, not inconsistent with the terms of this section, which are necessary for the fair and effective utilization of magistrate judges in the Superior Court.

(o) For purposes of this section, the term "Board of Judges" means the judges of the Superior Court of the District of Columbia. Any action of the Board of Judges shall require a majority vote of the sitting judges.

(Sept. 10, 1982, 96 Stat. 818, Pub. L. 97-257; July 29, 1983, 97 Stat. 301, Pub. L. 98-63, § 2; Oct. 12, 1984, 98 Stat. 1837, Pub. L. 98-473, § 101(b); Dec. 19, 1985, 99 Stat. 1224, Pub. L. 99-190, § 101(c); Oct. 28, 1986, 100 Stat. 3228, Pub. L. 99-573, § 2(a); Jan. 8, 2002, 115 Stat. 2112, Pub. L. 107-114, §§ 5(a)(1), 6(b).)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1732.

##### *Effect of Amendments*

Pub. L. 107-114 substituted "Magistrate judges" for "Hearing commissioners" in the section heading; substituted "magistrate judges" for "hearing commissioners" in subsecs. (a), (b), (d), (i), (l), and (n); substituted "magistrate judge" for "hearing commissioner" in subsecs. (b), (c), (e), (f), (g), (h), and (j); substituted "magistrate judge's" for "hearing commissioner's" in subsecs. (e) and (k); substituted "Magistrate judges" for "Hearing commissioners" in subsecs. (b), (d), and (i); in subsec. (a), inserted "(or, in the case of magistrate judges for the Family Court or the Domestic Violence Unit of the Superior Court, the duties enumerated in section 11-1732A(d))" after "the duties enumerated in subsection (j) of this section"; in subsec. (c), substituted "Except as provided in section 11-1732A(b), no individual" for "No individual"; in subsec. (k), substituted "subsection (j) (or proceedings and hearings under section 11-1732A(d), in the case of magistrate judges for the Family Court or the Domestic Violence Unit of the Superior Court)," for "subsection (j)," and inserted "(or, in the case of an order or judgment of a magistrate judge of the Family Court or the Domestic Violence Unit of the Superior Court, by a judge of the Family Court or the Domestic Violence Unit)" after "appropriate division"; and, in subsec. (l), inserted "(subject to the requirements of section 11-1732A(f) in the case of magistrate judges of the Family Court of the Superior Court or the Domestic Violence Unit)" after "responsibilities".

##### *References in Text*

"The effective date of this Act," referred to in subsection (d), is October 28, 1986. "The effective date of this section," referred to in the introductory language of subsection (m)(1), is October 28, 1986.

##### *Editor's Notes*

In subsection (j)(4)(B) the bracketed word is set out to correct an error in Pub. Law 99-573.

##### *Miscellaneous Notes*

Section 5(b) of Pub. L. 107-114 provides:

"(b) TRANSITION PROVISION REGARDING HEARING COMMISSIONERS.--Any individual serving as a hearing commissioner under section 11-1732 of the District of Columbia Code as of the date of the

enactment of this Act [Jan. 8, 2002] shall serve the remainder of such individual's term as a magistrate judge, and may be reappointed as a magistrate judge in accordance with section 11-1732(d), District of Columbia Code, except that any individual serving as a hearing commissioner as of the date of the enactment of this Act who was appointed as a hearing commissioner prior to the effective date of section 11-1732 of the District of Columbia Code shall not be required to be a resident of the District of Columbia to be eligible to be reappointed."

Section 6(d)(2) of Pub. L. 107-114 provides:

"EXPEDITED INITIAL APPOINTMENTS.--

"(A) IN GENERAL.--Not later than 60 days after the date of enactment of this Act [Jan. 8, 2002], the chief judge of the Superior Court of the District of Columbia shall appoint individuals to serve as magistrate judges for the Family Division of the Superior Court in accordance with the requirements of sections 11-1732 and 11-1732A, District of Columbia Code (as added by subsection (a)), for the purpose of assisting with the implementation of the transition plan under section 3(b) of this Act, and in particular with the transition or disposal of actions or proceedings pursuant to section 3(b)(2) of this Act.

"(B) TRANSITION RESPONSIBILITIES OF INITIALLY APPOINTED FAMILY COURT MAGISTRATES.--The chief judge of the Superior Court and the presiding judge of the Family Division of the Superior Court (acting jointly) shall first assign the magistrate judges of Family Court appointed under this paragraph to work with judges to whom the cases are currently assigned in making case disposition or transfer decisions as follows:

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

"(ii) The judge to whom the action or proceeding is assigned as of the date of enactment of this Act is not assigned to the Family Division.

"(iii) The action or proceeding was initiated in the Family Division prior to the 2-year period which ends on the date of enactment of this Act.

"(C) RULE OF CONSTRUCTION.--Nothing in this subsection shall be construed to preclude magistrate judges appointed pursuant to this subsection from performing upon appointment any or all of the functions of magistrate judges of the Family Court or Domestic Violence Unit as set forth in subsection 11-1732A(d)."

## **§ 11-1732A. SPECIAL RULES FOR MAGISTRATE JUDGES OF THE FAMILY COURT OF THE SUPERIOR COURT AND THE DOMESTIC VIOLENCE UNIT.**

(a) *Use of social workers in advisory merit selection panel.* -- The advisory selection merit panel used in the selection of magistrate judges for the Family Court of the Superior Court under section 11-1732(b) shall include certified social workers specializing in child welfare matters who are residents of the District and who are not employees of the District of Columbia Courts.

(b) *Special qualifications.* -- Notwithstanding section 11-1732(c), no individual shall be appointed or assigned as a magistrate judge for the Family Court of the Superior Court or as a magistrate judge for the Domestic Violence Unit handling actions or proceedings which would otherwise be under the jurisdiction of the Family Court unless that individual --

(1) is a citizen of the United States;

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

(3) for the 5 years immediately preceding the appointment has been engaged in the active practice of law in the District, has been on the faculty of a law school in the District, or has been employed as a lawyer by the United States or District government, or any combination thereof;

(4) has not fewer than 3 years of training or experience in the practice of family law as a lawyer or judicial officer; and

(5)(A) is a bona fide resident of the District of Columbia and has maintained an actual place of abode in the District for at least 90 days immediately prior to appointment, and retains such residency during service as a magistrate judge; or

(B) is a bona fide resident of the areas consisting of Montgomery and Prince George's Counties in Maryland, Arlington and Fairfax Counties, and the City of Alexandria in Virginia, has maintained an actual place of abode in such area, areas, or the District of Columbia for at least 5 years prior to appointment, and certifies that the individual will become a bona fide resident of the District of Columbia not later than 90 days after appointment.

(c) *Service of current hearing commissioners.* -- Those individuals serving as hearing commissioners under section 11-1732 on the effective date of this section who meet the qualifications described in subsection (b)(4) may request to be appointed as magistrate judges for the Family Court of the Superior Court under such section.

(d) *Functions of family court and domestic violence unit magistrates.* -- A magistrate judge, when specifically designated by the chief judge in consultation with the appropriate presiding judge to serve in

the Family Court or in the Domestic Violence Unit and subject to the rules of the Superior Court and the right of review under section 11-1732(k), may perform the following functions:

- (1) Administer oaths and affirmations and take acknowledgements.
  - (2) Subject to the rules of the Superior Court and applicable Federal and District of Columbia law, conduct hearings, make findings and enter interim and final orders or judgments in uncontested or contested proceedings within the jurisdiction of the Family Court and the Domestic Violence Unit of the Superior Court (as described in section 11-1101), excluding jury trials and trials of felony cases, as assigned by the appropriate presiding judge.
  - (3) Subject to the rules of the Superior Court, enter an order punishing an individual for contempt, except that no individual may be detained pursuant to the authority of this paragraph for longer than 180 days.
- (e) *Location of proceedings.* -- To the maximum extent feasible, safe, and practicable, magistrate judges of the Family Court of the Superior Court shall conduct proceedings at locations readily accessible to the parties involved.
- (f) *Training.* -- The chief judge, in consultation with the presiding judge of the Family Court of the Superior Court, shall ensure that all magistrate judges of the Family Court receive training to enable them to fulfill their responsibilities, including specialized training in family law and related matters.

(Jan. 8, 2002, 115 Stat. 2113, Pub. L. 107-114, § 6(a).)

## **SUBCHAPTER III. DUTIES AND RESPONSIBILITIES.**

### **§ 11-1741. COURT OPERATIONS AND ORGANIZATION.**

Within the respective District of Columbia courts, and subject to the supervision of the chief judges thereof, the Executive Officer shall --

- (1) supervise, analyze, and improve case assignments, calendars, and dockets;
- (2) provide improved services and introduce new methods to better utilize the time of and accommodate government and other witnesses;
- (3) supervise, analyze, and improve the management of jurors;
- (4) recommend changes and improvements in court rules and procedures affecting the Executive Officer's administrative responsibilities;
- (5) report periodically to the appropriate chief judge with respect to case volumes, backlogs, length of time cases have been pending, number and identity of incarcerated defendants awaiting trial, and such other information as the respective chief judges may request;
- (6) mechanize and computerize court operations and services where feasible and desirable and carry on continuing studies and evaluations of increased and innovative uses of mechanization and computerization;
- (7) conduct studies and research with respect to court operations on the Executive Officer's own initiative or on request of the respective chief judges;
- (8) make recommendations to the chief judge of the Superior Court relating to the arrangement and division of the business of that court and the fixing of the time of sessions of the various divisions and branches of that court; and
- (9) perform such other duties as may be assigned to the Executive Officer by a chief judge.

(July 29, 1970, 84 Stat. 513, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, §§ 1(b)(90), (91), 108 Stat. 713.)

#### *HISTORICAL AND STATUTORY NOTES*

##### *Prior Codifications*

1981 Ed., § 11-1741.

1973 Ed., § 11-1741.

### **§ 11-1742. PROPERTY AND DISBURSEMENT.**

- (a) The Executive Officer shall be responsible, subject to the supervision of the Joint Committee, for the management of such buildings and space as may be assigned to the courts and shall maintain liaison with the appropriate Federal and District of Columbia officials with respect thereto.

(b) The Executive Officer shall be responsible for the procurement of necessary equipment, supplies, and services for the courts and shall have power, subject to applicable law, to reimburse the District of Columbia government for services provided and to contract for such equipment, supplies, and services as may be necessary.

(c) The Executive Officer shall serve as disbursing officer and payroll officer of the District of Columbia courts and shall assign and distribute necessary equipment and supplies.

(July 29, 1970, 84 Stat. 513, Pub. L. 91-358, title I, § 111; Dec. 7, 1970, 84 Stat. 1390, Pub. L. 91-530, § 2(a)(7); Aug. 5, 1997, 111 Stat. 752, Pub. L. 105-33, § 11242(d).)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1742.

1973 Ed., § 11-1742.

## **§ 11-1742A. MULTIYEAR CONTRACTING AUTHORITY AND LEASING AGREEMENTS.**

(a) *Severable services contracts for periods crossing fiscal years.* -- The Executive Officer may enter into a contract for procurement of severable services in the same manner and to the same extent as the head of an executive agency may enter into such a contract under section 303L of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253l).

(b) *Multiyear leasing agreements.* --

(1) *Authority.* -- The Executive Officer may enter into a lease agreement for the accommodation of the District of Columbia courts in a building which is in existence or being erected by the lessor to accommodate the District of Columbia courts.

(2) *Terms.* -- A lease agreement under this subsection shall be on terms the Executive Officer considers to be in the interest of the Federal Government and the District of Columbia and necessary for the accommodation of the District of Columbia courts. However, the lease agreement may not bind the District of Columbia courts for more than 10 years and the obligation of amounts for a lease under this subsection is limited to the current fiscal year for which payments are due without regard to section 1341(a)(1)(B) of title 31, United States Code.

(c) *Multiyear contracts.* --

(1) *Authority.* -- The Executive Officer may enter into a multiyear contract for the acquisition of property or services in the same manner and to the same extent as an executive agency may enter into such a contract under section 304B of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c). In applying such authority --

(A) in section 304B(a)(2)(B) --

(i) "the best interests of the District of Columbia and the Federal Government" shall be substituted for "the best interests of the United States"; and

(ii) "the courts' programs" shall be substituted for "the agency's programs";

(B) the second sentence of section 304B(b), and subsection (e), shall not apply; and

(C) in section 304B(c), "\$5,000,000" shall be substituted for "\$10,000,000".

(2) *Cancellation or termination for insufficient funding after first year.* -- In the event that funds are not made available for the continuation of a multiyear contract for services into a subsequent fiscal year, the contract shall be canceled or terminated, and the costs of cancellation or termination may be paid from --

(A) appropriations originally available for the performance of the contract concerned;

(B) appropriations currently available for procurement of the type of services concerned, and not otherwise obligated; or

(C) funds appropriated for those payments.

(Oct. 30, 2004, 118 Stat. 2229, Pub. L. 108-386, § 3.)

*HISTORICAL AND STATUTORY NOTES*

*Effective Dates*

Section 9 of Pub. L. 108-386, 118 Stat. 2228, the 2004 District of Columbia Omnibus Authorization Act, provides that: "The amendments made by this section shall take effect on the date of the enactment of this Act."



## **§ 11-1743. ANNUAL BUDGET AND EXPENDITURES.**

(a) The Joint Committee shall prepare and submit to the Mayor and the Council of the District of Columbia annual estimates of the expenditures and appropriations necessary for the maintenance and operations of the District of Columbia courts, and shall submit such estimates to Congress and the Director of the Office of Management and Budget after submitting them to the Mayor and the Council. All such estimates shall be included in the budget without revision by the President but subject to the President's recommendations.

(b) The District of Columbia Courts may make such expenditures as may be necessary to execute efficiently the functions vested in the Courts.

(c) All expenditures of the Courts shall be allowed and paid upon presentation of itemized vouchers signed by the certifying officer designated by the Joint Committee. All such expenditures shall be paid out of moneys appropriated for purposes of the Courts.

(July 29, 1970, 84 Stat. 514, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(92), 108 Stat. 713; Aug. 5, 1997, 111 Stat. 752, Pub. L. 105-33, § 11242(e)(1).)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 11-1743.

1973 Ed., § 11-1743.

#### *Change in Government*

This section originated at a time when local government powers were delegated to the District of Columbia Council and to a Commissioner of the District of Columbia. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made, in brackets, in this section.

#### *Miscellaneous Notes*

Authorization of Appropriations: For provisions regarding authorization of appropriations for District of Columbia Courts, see § 11241 of title XI of Pub. L. 105-33, 111 Stat. 751, the National Capital Revitalization and Self-Government Improvement Act of 1997.

Section 6(b)(1) and (c)(1) of Pub. L. 105-274, 112 Stat. 2425, amended § 11241 of title XI of Pub. L. 105-33, 111 Stat. 751, the National Capital Revitalization and Self-Government Improvement Act of 1997.

## **§ 11-1744. INFORMATION AND LIAISON SERVICES.**

The Executive Officer shall be responsible for --

- (1) collecting and compiling statistical information with respect to the volume and disposition of the work of the courts and the personnel of the courts;
- (2) printing and the distribution of court rules;
- (3) keeping the courts advised of pending legislative and executive actions relating to the courts;
- (4) serving as the public information officer of the courts; and
- (5) performing such other duties as may be assigned to the Executive Officer by the Joint Committee and the chief judges in their respective courts.

(July 29, 1970, 84 Stat. 514, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(93), 108 Stat. 713.)

### *HISTORICAL AND STATUTORY NOTES*

#### *Prior Codifications*

1981 Ed., § 11-1744.

1973 Ed., § 11-1744.

## **§ 11-1745. REPORTS AND RECORDS.**

(a) The Executive Officer shall prepare and publish, subject to the approval of the Joint Committee, the annual report of the District of Columbia court system of the work of the courts and their operations during the preceding year together with any recommendations relating to the courts. The principal purpose of the annual report shall be to provide meaningful and objective information concerning the performance, progress, and problems of the District of Columbia courts. The report shall include narrative comments analyzing the significance of statistical data and shall show trends with regard to the work of such courts, current data on the age and type of pending cases, and methods of disposition of cases. Nothing in this chapter shall prevent the respective chief judges from preparing and publishing any other reports as they may wish.

(b) The Executive Officer shall be responsible for maintaining and safeguarding the records of the courts. Except for those records required by law to be kept under court seal, the Executive Officer shall make the records available at all reasonable times to --

- (1) the United States Department of Justice,
- (2) the Mayor of the District of Columbia,
- (3) the District of Columbia Commission on Judicial Disabilities and Tenure, and
- (4) such other agencies as the Joint Committee may specify.

(July 29, 1970, 84 Stat. 514, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(94), 108 Stat. 713.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1745.

1973 Ed., § 11-1745.

## **§ 11-1746. CERTIFICATION OF COPIES OF PAPERS OR DOCUMENTS FILED IN DISTRICT OF COLUMBIA COURTS.**

The Executive Officer shall provide that, if any person filing any paper or document in a District of Columbia court requests a certification of such filing, a copy of such paper or document provided by such person shall be appropriately marked for such person to show the time and date of such filing and the identity of the individual with whom such paper or document was filed. Such certified copy shall be prima facie evidence in any proceeding that the original of such paper or document was filed as shown by the certification.

(July 29, 1970, 84 Stat. 515, Pub. L. 91-358, title I, § 111.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1746.

1973 Ed., § 11-1746.

## **§ 11-1747. DELEGATION OF AUTHORITY.**

The Executive Officer and court officers appointed by the Executive Officer may delegate to their subordinates authority and responsibility to perform the functions vested in them by law.

(July 29, 1970, 84 Stat. 515, Pub. L. 91-358, title I, § 111; June 13, 1994, Pub. L. 103-266, § 1(b)(95), 108 Stat. 713.)

*HISTORICAL AND STATUTORY NOTES*

*Prior Codifications*

1981 Ed., § 11-1747.

1973 Ed., § 11-1747.

*Miscellaneous Notes*

Revision of chapter: Pub. L. 99-650 revised this chapter effective 180 days from November 14, 1986. The revision retained subject matter, with amendments, set out in former §§ 11-1901, 11-1903, 11-1905 and 11-1906 in present §§ 11-1906, 11-1911, 11-1912, and 11-1916. No detailed explanation of the change made by the 1986 Act has been attempted, but, where appropriate, historical citations to the former sections have been added to corresponding sections in the revised chapter.

