

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 15-21**

Re-establishment of Family Court Attorney Panels

WHEREAS, Administrative Order 09-07, issued on June 12, 2009, established a procedure for selecting attorneys to serve on Family Court Panels to represent parties in juvenile delinquency cases, abuse and neglect cases, and other Family Court matters; and

WHEREAS, Administrative Order 13-07, issued on April 15, 2013, established a procedure for selecting attorneys to serve on the Family Court Panel to represent parties in persons in need of supervision (PINS) cases, called for a review of attorneys qualified to receive appointments in mental health and mental habilitation cases, and extended the provisional category to all Family Court Panels; and

WHEREAS, Administrative Order 09-07, issued on June 12, 2009, directed the Family Court to re-establish its attorney panels in 2011 and every four years thereafter; and

WHEREAS, applicants submitted their applications and supporting materials to the Family Court Panels Committee no later than June 15, 2015; and

WHEREAS, applicants stating fluency in the Spanish language as a qualification were evaluated through the Office of Court Interpreting Services to determine their degree of linguistic proficiency; and

WHEREAS, the Family Court Panel Committee submitted to the Chief Judge its Final Report on its procedures for evaluating applications and recommended names of attorneys eligible for appointment as counsel to parties in neglect and related proceedings (CCAN Panel); appointment as guardians *ad litem* (GAL Panel); appointment as special education attorneys (SEA Panel); appointment as counsel in juvenile delinquency cases (Juvenile Panel), appointment as counsel in PINS matters (PINS Panel); appointment as counsel in mental health proceedings (Mental Health Panel); appointment as counsel in mental habilitation cases (Mental Habilitation Panel); and as provisional members for each Family Court Panel mentioned here; and

WHEREAS, the Chief Judge is satisfied that the recommendations of the Family Court Panel Committee with respect to the attorneys to be placed on the Family Court Attorney Panels have been made after careful study and consideration of each attorney eligible to be considered and should be accepted in their entirety without change; and

WHEREAS, it is in the best interest of the administration of justice for the Family Court Attorney Panels to be reconstituted at this time;

NOW, THEREFORE, IT IS HEREBY,

ORDERED, that absent suspension or removal, the attorneys listed in the attached appendices for GAL, CCAN, SEA, Juvenile, PINS, Mental Health and Mental Habilitation Panels are appointed to the designated panel(s) for a period of four (4) years, at which time they must submit an application for reappointment, pending the determination of which they may remain a member of the relevant panel(s), and if reappointed, every four (4) years thereafter; and it is further

ORDERED, that the attorneys identified as provisional for each panel will be eligible to accept appointments as counsel, provided they have satisfied the relevant pre-service training requirements described below, for one (1) year, at which time they must apply to become full members of any Family Court Panel for the remaining years of the term, pending the determination of which they may retain their provisional status; and it is further

ORDERED, that attorneys selected for the first time or as provisional in neglect and related proceedings will complete training prior to appointment, as set forth in Administrative Order 03-07, issued on February 28, 2003; and it is further

ORDERED, that attorneys selected for the first time or as provisional for the Juvenile or PINS Panels will complete training prior to appointment, as set forth in Administrative Order 04-13, issued on June 30, 2004; and it is further

ORDERED, that attorneys selected for the first time or as provisional for the SEA Panel will complete training prior to appointment, as set forth in Administrative Order 09-03, issued on January 21, 2009; and it is further

ORDERED, that attorneys selected for the first time or as provisional for the Mental Health Panel will complete training prior to appointment, as set forth in Administrative Order 15-16, issued on September 11, 2015; and it is further

ORDERED, that attorneys selected for the first time or as provisional for the Mental Habilitation Panel will complete training prior to appointment, as set forth in Administrative Order 15-17, issued on September 11, 2015; and it is further

ORDERED, that effective this date, judicial officers of the Superior Court, when appointing counsel in any pertinent Family Court case, shall appoint only attorneys listed on the pertinent Family Court Panel if counsel is seeking compensation under the Criminal Justice Act (CJA) or compensation under the Child Abuse and Neglect Act (CCAN), except as provided below; and it is further

ORDERED, that nothing herein shall affect the authority of a judicial officer to appoint a CCAN Panel attorney as a GAL when necessary to meet the needs of the Family Court; and it is further

ORDERED, that in all instances when a non-Panel attorney is appointed, the judicial officer making the appointment shall do so by a written order issued at the time of appointment setting forth in detail the particular exceptional circumstances requiring appointment of a non-Panel attorney in the case; and, without such an order, a voucher shall not be issued and payment

shall not be made for work on the case; rather, the attorney shall be deemed to have done the work *pro bono publico*; and it is further

ORDERED, that it is hereby established as a goal that as soon as practicable, but in any event no later than six (6) months from the date of this order, judicial officers presiding over neglect and related proceedings, in which the GALs are compensated from CCAN funds, but are not on the GAL Panel, shall replace the GAL with a GAL Panel attorney or a CCAN Panel attorney if necessary to meet the needs of the Family Court, unless to do so is not in the best interest of the child; and it is further

ORDERED, that it is hereby established as a goal that within six (6) months from the date of this order, judicial officers presiding over neglect and related proceedings, in which attorneys represent interested parties and are compensated from CCAN funds, but are not on either the GAL or CCAN Panel, shall replace counsel with an appropriate Panel attorney, unless to do so is not in the interests of justice; and it is further

ORDERED, that it is hereby established as a goal that within six (6) months from the date of this order, judicial officers presiding over juvenile, PINS, mental health and mental habilitation cases, in which attorneys represent interested parties and are compensated from CJA funds but are not members of the corresponding Family Court Panel, shall replace counsel with an appropriate Panel attorney, unless to do so is not in the interests of justice; and it is further

ORDERED, that an exception to the rule precluding the appointment of attorneys who are not on the applicable Family Court Panel shall be made for attorneys appointed by the Court of Appeals in a pending appeal or in post-appellate proceedings on remand before the trial court; and it is further

ORDERED, that an attorney's membership on the Panel(s) is conditioned upon his or her compliance with all administrative orders setting an annual cap for attorney compensation for appointed representation and providing representation in conformance with the applicable Attorney Practice Standards for Child Abuse and Neglect, adopted by Administrative Order 03-07; Attorney Practice Standards for Representing Juveniles Charged with Delinquency or as Persons in Need of Supervision, adopted by Administrative Order 04-13; Attorney Practice Standards for Special Education Panel Attorneys, adopted by Administrative Order 09-03; Standards of Practice for Mental Health Attorneys, adopted by Administrative Order 15-16; and/or Standards of Practice for Mental Habilitation Attorneys, adopted by Administrative Order 15-17; it is further

ORDERED, that attorneys who filed applications for the 2015 re-establishment, but were not selected to the Panels, must wait for the 2019 re-establishment to reapply; and it is further

ORDERED, that the Family Court Panels Committee will continue to receive and review applications for the SEA Panel, as directed in Administrative Order 09-07, and any other Panel that might need new applicants, as the Committee deems appropriate based on the needs of the Court; and it is further

ORDERED, that the effective date of this order is October 23, 2015.

SO ORDERED.

BY THE COURT

DATE: October 23, 2015

/s/
Lee F. Satterfield

Copies to:

Judges
Magistrate Judges
Executive Officer
Clerk of the Court
Division Directors
Director, CCAN Office
Library