DISTRICT OF COLUMBIA COURT OF APPEALS

FY 2011 Enacted		FY 2012 Enacted		FY 2013 Request		Difference FY 2012/2013	
FTE	Obligations	FTE	Obligations	FTE	Obligations	FTE	Obligations
94	11,998,000	103	12,830,000	105	13,185,000	2	355,000

The District of Columbia Court of Appeals is the highest court of the District of Columbia. The Court consists of a Chief Judge and eight Associate Judges. The Court is assisted by the service of retired judges who have been recommended and approved as Senior Judges. The cases before the Court are decided by randomly selected three judge panels, unless a hearing or rehearing before the Court sitting ***en banc*** is ordered.

As the court of last resort for the District of Columbia, the Court of Appeals is authorized (1) to review all final orders and judgments, as well as specified interlocutory orders, of the Superior Court of the District of Columbia; (2) to review decisions of administrative agencies, boards, and commissions of the District government; and (3) to answer questions of law certified by the Supreme Court of the United States, a Court of Appeals of the United States, or the highest appellate court of any state. The Court also: (1) processes attorney admissions to the D.C. Bar and attorney discipline; (2) manages the resolution of complaints of unauthorized practice of law; (3) promulgates its own rules and the rules of professional conduct for members of the District of Columbia Bar, and (4) reviews proposed rules of the D.C. Superior Court.

Organizational Structure

The Office of the Clerk of the Court

The Clerk's Office of the Court of Appeals is divided into five components: the public office, case management, the immediate office, the staff of the Committee on Admissions and the Committee on the Unauthorized Practice of Law, and the administrative staff. Functionally, these components are involved in three major activities: case processing, bar admissions and unauthorized practice of law matters, and court administration.

- Public Office - The public office is responsible for receiving and docketing all incoming papers and pleadings, maintaining the official case files, receiving and answering public inquiries, providing internal mail service, and supporting courtroom operations. This office currently has 12 FTEs.

- Case Management Division - The case management division oversees the processing of cases prior to calendaring for argument or submission without argument. The process includes handling all motions matters, establishing briefing schedules, and overseeing all deadlines and those matters expedited by order of the court. The division reviews all incoming motions and pleadings, and prepares proposed orders, ***sua sponte*** or in response to motions filed by the parties, for approval by the Clerk, Chief Judge, or a motions division (three judges). Attorneys in the division provide legal analyses (and recommended dispositions) in substantive motions and emergency matters and matters brought under the court's original

(e.g., mandamus) and discretionary jurisdiction (e.g., small claims and interlocutory matters). This division currently has 16 FTEs.

- Immediate Office - The immediate office, which includes the Clerk and the Chief Deputy Clerk, is responsible for the general administration of the Clerk's Office; coordination of the processing of appeals after briefing such as calendaring, case screening, and the processing of motions and orders in calendared matters; coordination of the issuance of opinions and mandates, petitions for rehearing and/or rehearing ***en banc***; the processing of bar-related disciplinary, admissions, and unauthorized practice of law matters; and the preparation of court statistics. This office currently has 7 FTEs.

- Committee on Admissions and the Committee on the Unauthorized Practice of Law - The staff of the Committee on Admissions and the Committee on Unauthorized Practice of Law administers the Bar examination; processes applications for admission to the Bar by examination and motion, applications for authorization to practice as special legal consultants, applications by law students to practice under D.C. App. R. 48 and motions to appear ***pro hac vice;*** collects admissions and related fees; provides staff support for the investigation of complaints against unauthorized persons practicing law; and provides support to the two committees, which ensure that local legal needs are met by properly qualified and licensed attorneys. The office currently has 6 FTEs.

- Administrative Office - The administrative staff is responsible for the provision of budget and accounting, personnel, information technology, telecommunications, library, procurement, and facilities management services for the Court. This office currently has 7 FTEs.

Organizational Objectives

1 Strategic Plan: Fair and Timely Case Resolution
Goal 1.2: The Courts will resolve cases promptly and efficiently.
Strategy 1.2.1: Use time standards, alternative dispute resolution, and best practices to manage cases.

Management Action Plan (MAP): Ensure appropriate and timely processing of appeals by developing and implementing practices and internal procedures which enhance and expedite the processing of appeals.

2 Strategic Plan: Fair and Timely Case Resolution
Goal 1.2: The Courts will resolve cases promptly and efficiently.
Strategy 1.2.3: Provide accurate and timely information to judicial officers, court personnel, and other court participants.

MAP: To review and revise, as appropriate, time standards for responding to requests for information and documentation, docketing information submitted for appeal purposes, case processing and implementing quality assurance review throughout the operations unit (Intake

and File Room) to ensure that new cases, pleadings, motions, records on appeal, transcripts, etc. are all processed accurately and efficiently by staff.

3 Strategic Plan: A Strong Judiciary and Workforce
Goal 3.1: The Court will maintain skilled and diverse workforce and an environment that fosters high achievement and satisfaction.
Strategy 3.1.1: Provide training to judicial officers and court personnel which increases professional knowledge and skills and enhances job performance.

MAP: Identify areas of performance for staff improvement, support their participation in training opportunities and provide in-house, on-going training program regarding the legal process, in general, and appellate procedure, in particular.

4 Strategic Plan: Public Trust and Confidence
Goal 6.1: The Courts will inform the community about the role of the judicial branch, promote confidence in the Courts, and foster the sharing of information among justice system agencies and the community.
Strategy 6.1.2: Actively participate in District and justice system interagency committees, work groups, and other forums to address community issues.

MAP: To identify issues of concern to court participants and develop strategies to enhance service to the public.

Workload Data

The Court of Appeals tracks its workload and performance for two major categories of activities: (1) cases processing and (2) bar admissions and related activities. Case processing performance indicators include (1) the case clearance rate, or the ratio of cases disposed to cases filed in a given year; and (2) the reduction of cases pending at the end of the year. Factors including the number of case filings, number and type of dispositions, cases pending, time involved in various stages of the case process, and types of cases pending are used to assess staffing needs.

Table 1
COURT OF APPEALS
Caseload and Efficiency Measures
Case Processing Activity

Fiscal Year	Cases Filed	Cases Disposed	Case Clearance Rate*	Cases Pending	Motions and Petitions Filed
2009	1,619	1,725	107%	2,192	6,748
2010	1,699	1,785	105%	2,104	7,355
Difference	+5%	+4%	-2%	-4%	+9%

*Ratio of cases disposed to cases filed in a given year. A 100% case clearance rate means one case disposed for each case filed.

Table 2
COURT OF APPEALS
Caseload and Efficiency Measures
Bar Admissions Activity

Fiscal Year	Bar Admission Applications Received	Multistate Bar Exam Score Transfer Requests Processed	Certificates of Good Standing Issued	Wall Certificate Orders Processed
2009	3,926	2,720	11,119	1,266
2010	3,738	2,610	11,216	806

Case Processing and Operational Efficiency Initiatives

The Court of Appeals has instituted many initiatives to facilitate or expedite case processing, to achieve operational efficiencies, and to enhance service to the public. This year, the following initiatives were undertaken to improve operations and case processing.

1 The Court of Appeals implemented the Web-based Voucher System which automated the voucher payment process for attorneys appointed under the Criminal Justice Act, resulting in a more cost-efficient operation and enhanced service to attorneys for the Court.

2 The Court implemented the first phase of a new case management system ("C-Track") to enhance case management processes. The system captures, tracks, processes, and reports case information using a standard web browser. It is designed to automatically calendar cases, set scheduled actions, assign tasks, change a case status, and generate documents based on case processing or docketing activity. Since C-Track is highly configurable and built using modern web development technologies, it can adapt readily to the changing needs of the Court.

Several of the initiatives implemented during previous fiscal years, but which remain important aspects of court operations, follow:

1 The Court of Appeals installed assistive listening devices in the courtroom for attorneys, litigants, judges, and the public and improved quality recording of oral arguments which can be made available on compact disks. The new system permits court staff to hear oral arguments through their desktop PC's and permits audio-streaming of the oral arguments over the internet for the public.

2 The Court developed and conducts annually a continuing legal education course on appellate practice for members of the D.C. Bar.

3 The Court of Appeals continued to enhance the instructional materials available through the internet for litigants and for attorneys seeking admission to the Bar, and to provide internet access to the Court's rules, forms, and opinions. The Court of Appeals section of the website can be accessed directly at www.dcappeals.gov.

4 The ***sua sponte*** expedition of appeals in cases involving adoption and the termination of parental rights to ensure prompt decisions in cases that affect the stability of the living

environment of children who have been subjected to abuse and neglect.

5 Annual training of the Court's Criminal Justice Act and Counsel for Child Abuse and Neglect bars.

6 Pursuant to its updated plan for furnishing representation to indigent criminal and juvenile appellants under the Criminal Justice Act (CJA), and an extensive application process, the Court established a new list of attorneys to be appointed under the CJA in 2005. Approximately 80 well-qualified attorneys were selected from over 300 applicants. Re-evaluation of members of the panel of attorneys and consideration of new applicants occurred in every year thereafter.

7 In bar discipline cases, the Court continued to expedite the imposition of discipline and to authorize negotiated discipline where appropriate.

Table 3
COURT OF APPEALS
Performance Measurement Table

Type of Indicator	Performance Indicator	Data Source	FY 2010 Actual	Projection FY 2011	Projection FY 2012	Projection FY 2013
Input	Number appeals filed	Court data	1,699	1,765	1,842	1,923
Output/ Activity	Number of cases disposed	Court data	1,785	1,963	2,049	2,139
Productivity/Efficiency	Cases disposed/cases filed	Court data	105%	112%	112%	112%

FY 2013 Request

In FY 2013, the D.C. Courts request for the Court of Appeals is $13,185,000, an increase of $355,000 (3%) above the FY 2012 enacted level. The requested increase includes $191,000 for 2 FTEs to enhance case resolutions and $164,000 for built-in cost increases.

Enhancing Case Resolutions, $191,000 and 2 FTEs

One Appeals Mediation Program Coordinator (JS-13)
One Appeals Mediation Officer (JS-11)

Problem Statement. The D.C. Courts consistently have among the highest appellate caseloads in the country. Statistics compiled by the National Center for State Courts show that the D.C. Court of Appeals has the highest population-adjusted appellate caseload of any jurisdiction without an intermediate appellate court. The Court of Appeals (COA) has made significant gains in enhancing the timely resolution of cases by achieving the lowest overall median time on appeal in eight years. This progress is largely due to increased efficiencies in case processing. The COA has renewed its commitment to resolving appeals in a more timely fashion. But an extremely heavy caseload and the complexity of appeals coming before the court argue strongly in favor of changes to our current court practices and also the need for additional resources. In order to achieve its goal of fair and timely case resolution, the COA requests resources for an Appellate Mediation Program in which certain civil appeals, identified as having issues amenable to resolution, are referred to Senior Judges and volunteer attorneys for mediation. Such a program was successfully piloted a few years ago, resulting in quicker case resolution for

some matters and freeing judicial time for more difficult cases. One Appellate Mediation Program Coordinator and one Mediation Officer are requested to operate this program.

Relationship to the D.C. Court's Vision, Mission and Goals. The requested positions support the D.C. Courts' goals of fair and timely case resolution and enhanced access to justice.

Relationship to Court of Appeals MAP Objectives. The positions are critical to the success of the COA strategic objectives of enhancing services to the public, improving access to the courts and ensuring speedy and informed judicial decision-making.

Relationship to Existing Funding. There is no funding in the Court's budget to support the requested positions. In addition, reengineering and redesigning of the current resources in order to support these new functions cannot be done under current fiscal constraints.

Methodology. The grade level and salary for the requested FTEs were classified in accordance with the D.C. Courts' personnel policies.

Expenditure Plan. Staff will be recruited and hired according to the D.C. Courts' Personnel Policies.

Key Performance Indicators. Key performance measures include a reduction in the Court's time on appeal, an increase in the clearance rate, and feedback from judicial officers and court staff.

Table 4
COURT OF APPEALS
New Positions Requested

Position	**Grade**	**Number**	**Annual Salary**	**Benefits**	**Total Personnel Costs**
Appeals Mediation Program Coordinator	13	1	$89,000	$23,000	$112,000
Appeals Mediation Program Officer	11	1	$63,000	$16,000	$79,000
Total		**2**	**$152,000**	**$39,000**	**$191,000**

Table 5
COURT OF APPEALS
Budget Authority by Object Class

	FY 2011 Enacted	**FY 2012 Enacted**	**FY 2013 Request**	**Difference FY 2012/2013**
11 – Compensation	8,640,000	9,252,000	9,534,000	282,000
12 – Benefits	2,160,000	2,326,000	2,399,000	73,000
Subtotal Personnel Cost	***10,800,000***	***11,578,000***	***11,933,000***	***355,000***
21 - Travel, Transp. of Persons	55,000	57,000	57,000	
22 - Transportation of Things				
23 - Rent, Commun. & Utilities	95,000	98,000	98,000	
24 - Printing & Reproduction	79,000	83,000	83,000	
25 - Other Services	241,000	252,000	252,000	
26 - Supplies & Materials	85,000	89,000	89,000	
31 – Equipment	643,000	673,000	673,000	
Subtotal Non Personnel Cost	***1,198,000***	***1,252,000***	***1,252,000***	***0***
TOTAL	**11,998,000**	**12,830,000**	**13,185,000**	**355,000**
FTE	94	103	105	2

Table 6
COURT OF APPEALS
Detail, Difference FY 2012/2013

Object Class	Description of Request	FTE	Cost	Difference FY2012/2013
11 - Personnel Compensation	Current Positions WIG	94	130,000	
	Appeals Mediation Program Coordinator	1	89,000	
	Appeals Mediation Program Officer	1	63,000	
Subtotal 11				***282,000***
12 - Personnel Benefits	Current Positions WIG	94	34,000	
	Appeals Mediation Program Coordinator	1	23,000	
	Appeals Mediation Program Officer	1	16,000	
Subtotal 12				***73,000***
21 - Travel, Transp. of Persons				
22 - Transportation of Things				
23 - Rent, Commun. & Utilities				
24 - Printing & Reproduction				
25 - Other Services				
26 - Supplies & Materials				
31 - Equipment				
Total				**355,000**

Table 7
COURT OF APPEALS
Detail of Full-Time Equivalent Employment

Grade	FY 2011 Enacted	FY 2012 Base	FY 2013 Request
JS-5	1	1	1
JS-6			
JS-7			
JS-8	5	5	5
JS-9	8	8	8
JS-10	8	8	8
JS-11	42	51	52
JS-12	6	6	6
JS-13	2	2	3
JS-14	9	9	9
JS-15	2	2	2
JS-16			
CES	2	2	2
Ungraded	9	9	9
Total Salaries	**$8,640,000**	**$9,252,000**	**$9,534,000**
Total FTEs	94	103	105