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**Statement of the Council for Court Excellence
Before the Committee on Housing & Executive Administration
of the Council of the District of Columbia**

**Budget Oversight Hearing for the
Department of Housing and Economic Development**

March 30, 2022

Good afternoon, Chairperson Bonds and members of the Committee. My name is Danielle Burs, and I am testifying in my role as Senior Policy Counsel for the Council for Court Excellence (CCE). CCE is a nonpartisan, nonprofit organization with a mission to enhance justice for all in the District of Columbia. For nearly 40 years, CCE has worked to improve the administration of justice in the courts and related agencies in D.C. through research and policy analysis. Please note that in accordance with our policy, no judicial member of CCE participated in the formulation or approval of this testimony. This testimony does not reflect the specific views of, or endorsement by, any judicial member of CCE.

CCE and the Access to Justice Coalition (ATJC) published a report last month on recommended improvements to the District's estate administration system. CCE and ATJC found this to be an urgent and timely issue, in part because of its potential to help decrease wealth disparities. Estates that have little or no assets other than a home are faced with a complicated legal process without cash or other liquid assets to hire legal help, pay taxes on estate property, pay court fees, and more. Many residents (97% of those probating estates valued under \$40,000 and 35% of those probating larger estates) choose to represent themselves in probate, which can lead to undesired outcomes. For example, selling a home to a flipper for an immediate resolution might seem appealing, but often results in the loss of

intergenerational wealth and a family home. I have included a link to the *Strengthening Probate* reportⁱ, and would be very happy to speak with you in more detail about how probate could be reformed to benefit everyone who interacts with the probate system.

Strengthening Probate drives CCE's interest in Mayor Bowser's funding proposal for Heirs Property Legal Services. There's a strong need for increased availability of legal information and legal advice. The self-represented individuals we interviewed said they wanted:

- To understand what is expected of them
- More guidance on administering large estates
- To be treated with patience and empathy
- Remote access to court or legal help
- User-friendly self-help materials
- Probate law that reflects the reality of their families

The \$1 million allocation in the proposed FY 23 budget for the Department of Housing and Economic Development (DHCD) is described as funding to assist “multi-generational families in maintaining their family property after the death of the original homeowner.” There are few pro bono attorneys who specialize in probate now, though many have expressed interest as we have rolled out our report; we are excited to see how the Mayor's initiative can help to fill that gap in services. We hope that you will keep that line item intact as you make changes you see fit in the budgets under this Committee.

Thank you for your consideration and I welcome any questions.

ⁱ [Strengthening Probate Administration in the District of Columbia](#), Access to Justice Coalition and Council for Court Excellence, February 2022.