

Council for Court Excellence

Report and Recommendations of the Court Community Observers Project in the District of Columbia Superior Court and its Civil Division



**"Justice is too important a matter to be left to the judges, or even the lawyers;
the American people must think about, discuss, and contribute to the
future planning for their courts."**

William Rehnquist, Chief Justice of the United States

July 2001

Council for Court Excellence

The Council for Court Excellence is a nonprofit, nonpartisan, civic organization that was formed in Washington, D.C. in January 1982. The Council works to improve the administration of justice in the local and federal courts and related agencies in the Washington metropolitan area and in the nation. The Council accomplishes this goal by:

- ▶ identifying and promoting court reforms,
- ▶ improving public access to justice, and
- ▶ increasing public understanding and support of our justice system.

The Council is governed by a volunteer Board of Directors composed of members of the judicial, legal, business, and civic communities. The Council is unique in bringing together all of those communities in common purpose to address court reform and access to justice needs. The Board accomplishes the work of the Council through direct participation in Council committees. The Council employs a small staff to assist the Board in meeting the objectives of the organization. Financial support comes from members of the Board, businesses, law firms, individuals, and foundations.

The Council for Court Excellence has built a substantial record of success in the major court reform initiatives it has undertaken. The Council has been the moving force behind adoption of the one day/one trial jury system in the D.C. Superior Court, modernization of the jury system, reform of the District of Columbia probate laws and procedures, expansion of crime victims' rights, improvement in court handling of child abuse and neglect cases, and proposing methods to speed resolution of civil cases by the D.C. trial and appellate courts. To improve the public's access to justice and increase their understanding of our justice system, the Council over the years has published and disseminated over 250,000 copies of plain-language booklets and other materials explaining a wide variety of court proceedings.

This report details the findings and recommendations of our volunteer community observers regarding the Civil Division of the District of Columbia Superior Court, including the Small Claims Court, Jurors' Lounge and Civil Division Clerk's Office. We hope their observations and recommendations will be valuable to court officials and to the broader community.

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Foreword

In February 2001, the Council for Court Excellence launched its first Court Community Observers Project. The rationale underlying the development of this project, known as court observation, was to provide members of the community a direct voice on how their courts are run and to provide the court with the fresh, common sense perspective of persons who do not frequent the court regularly.

The premise of court observation is straightforward: recruit a group of volunteers, who represent a cross-section of the community, to observe court proceedings in a structured, neutral manner on a regular basis over a several-month period. The model for the District of Columbia Court Community Observers Project was the Citizen Court Monitoring project, a successful program developed by the New York City-based Fund for Modern Courts, which has observed courts across New York State for over 25 years.

The report which follows is the result of an intensive three-month in-court observation of the Civil Division of the District of Columbia Superior Court conducted in the first half of 2001. A diverse group of seventy persons from all walks of life contributed their time as volunteer court observers. From February through April, they made over 250 separate in-court observations, comprising over 600 hours of observation time. This report presents the observers' findings regarding virtually all publicly-accessible aspects of the Civil Division, including all courtrooms assigned to the Division, Small Claims Court, the Small Claims Clerk's Office, and the Civil Clerk's Office; plus the Jurors' Lounge, the physical condition of the courthouse and its various components, and the public demeanor of the various court employees, including judges, clerks, and security personnel.

The Council for Court Excellence and the Court Community Observers greatly appreciate the leadership of Linda Bostick, a civic member of the Council's Board, who served as the project's Chairwoman. The guidance of Ms. Bostick and her Committee drawn from the Council's Public Service Committee - including Commissioner Evelyn Coburn, Ellen Eager, Judge Gregory Mize, Jim Nathanson, Paul Pearlstein, and Committee Chair Judge Vanessa Ruiz - were invaluable to the project's success. Mr. Nathanson deserves particular thanks for championing and importing the court observation model to the District of Columbia. We gratefully acknowledge the financial support to the project from The Max and Victoria Dreyfus Foundation, Inc., and from members of the Board of the Council for Court Excellence.

We thank the following individuals for the considerable observer-recruitment assistance they provided to the project: Dr. Beatrix Siman of American University, Barbara Youmans of the D.C. League of Women Voters, and Judge Orm Ketchum.

Special thanks go to Superior Court Chief Judge Rufus King, Civil Division Presiding Judge Herbert Dixon, Deputy Presiding Judge Steffen Graae, and Superior Court Clerk Duane Delaney and his staff for embracing the court observation concept and for their gracious welcome of the observers.

Special thanks are also due to Council for Court Excellence interns John Dossdall and Natalie Fussell for the daily management of this ambitious undertaking, and interns Melissa Alves, Andrea Kafka, Andrew Wiggins, and Michael Hayes for the considerable energy and dedication they brought to this project.

All those previously mentioned made important contributions to the project, but of course the major credit belongs to the court observers themselves, an extraordinarily able and dedicated group of civic-minded members of our community. They are named in Appendix I and on the inside back cover of this report.

Executive Summary

As Chief Justice William Rehnquist has said, “the American people must think about, discuss, and contribute to the future planning for their courts.” Under the auspices of the Council for Court Excellence, seventy civic-minded volunteers from the Washington, D.C. community devoted the months of February, March, and April 2001 to taking a fresh look at the District of Columbia Superior Court. They observed the court’s physical facilities, court operations, the performance and demeanor of court employees, and the performance and demeanor of the judges of the court’s civil division. This is the report of what the volunteers observed.

Throughout their three months in the courthouse, observers closely monitored the performance of the civil division judges and hearing commissioner. Observers were not evaluating their decision-making or legal expertise. The focus was rather on the following characteristics: dignity; politeness; professionalism; control of the courtroom; patience; objectivity; time management; respect for litigants, jurors and witnesses; and explanation of rulings and proceedings. As a group, the judges made a highly favorable impression on the observers. In evaluating the judges, observers rated them on a scale ranging from 1 to 5, with 1 being poor, 2 below average, 3 fair, 4 good, and 5 excellent. There were 208 evaluations of the judges and commissioner. The combined scores for all yielded an average score between 4 and 5 for each characteristic, with time management receiving the lowest score.

The volunteers’ findings were similarly positive regarding the performance and demeanor of court employees, giving them high ratings for efficiency, politeness, and helpfulness.

The D.C. courthouse largely embodies the justice system for the community. Judges and court personnel have the responsibility of treating everyone in the courthouse fairly. Again, findings were favorable. In more than 250 half-day observer visits to the courthouse during the three-month study period, the community volunteers reported observing no evidence of bias.

The physical facilities of the courthouse and the ease of finding one’s way through the courthouse make strong impressions on community members who do not regularly visit or use the court. The observers did find room for improvement in several areas of courthouse facilities management and court operations, and the report presents a full discussion of those topics.

The following are the Major Findings and Recommendations presented with supporting detail in the report:

- Finding: Metro riders get little guidance to help them find their way to the courthouse.**
Recommendation: The D.C. Courts should take steps to place a sign and map at the exit point of the Judiciary Square metro stop that is in plain view.
- Finding: It is difficult to navigate through the D.C. courthouse.**
Recommendation: D.C. court administration should place more, better, and bilingual signs throughout the courthouse.

3. **Finding:** What signs there are in the D.C. courthouse are not well maintained.
Recommendation: D.C. court administration should inspect and update all courthouse signs frequently.
4. **Finding:** The lighted signposts above each courtroom door provide no guidance about whether the room is being used or is expected to be used. In addition, there is no consistent procedure followed throughout the building to identify whether the public is allowed to enter the courtroom.
Recommendation: D.C. court administration should ensure that the lights above courtroom entrances are used routinely to indicate that a courtroom is being used and is open to the public and should ensure that clear, permanent, bilingual or pictorial signs are posted throughout the courthouse describing what the courtroom lights signify. Likewise, court administration should publish and enforce a policy prescribing procedures and signs to be used to exclude the public from closed proceedings.
5. **Finding:** There was difficulty in locating courtrooms and judges in session.
Recommendation: D.C. court administration should ensure that a daily schedule of proceedings is posted on each courtroom.
6. **Finding:** Civil Division courtrooms are often empty.
Recommendation: D.C. court administration should ensure that courtroom and other courthouse space is assigned and used to better efficiency.
7. **Finding:** The Court does not maximize its use of the courtroom day to accommodate litigants, witnesses, and jurors.
Recommendation: When trials occur, they should be conducted without interruption for unrelated matters and should use the maximum amount of time during the work day to reduce their duration.
8. **Finding:** Security personnel need better customer service skills .
Recommendation: D.C. court administration should ensure that security officers treat all who enter the courthouse with courtesy.
9. **Finding:** People in wheelchairs experience difficulty in maneuvering around the courthouse.
Recommendation: D.C. court administration should improve wheelchair accessibility throughout the courthouse and in courtrooms.
10. **Finding:** A number of items in the courthouse need routine maintenance, such as clocks, payphones, restrooms, disabled access buttons, temperature, etc.
Recommendation: D.C. court administration should be proactive in checking and fixing maintenance problems on a regular basis.
11. **Finding:** The Court's child care facility is not readily available to those who need it.
Recommendation: The Court should publicize its in-court child care facility.

III. The Project

Description of the Court Community Observers Project

Summary: The Council for Court Excellence conducted its first court observation project in the Civil Division of the D.C. Superior Court in the first half of 2001. Court observation involves recruiting a corps of persons from the community to observe a particular court over a several-month period, recording their perspectives in a controlled format, and then issuing a public report of the observers' findings and recommendations.

Focus: This observation project focused on civil trials, Small Claims court, and the Civil Division and Small Claims Clerk's offices. The Council plans to replicate this pilot project later in other sections of the Superior Court and in the U.S. District Court for D.C.

Method: The project's design and methodology are based on the experience of our sister organization, the New York Fund for Modern Courts, which has been doing court observation throughout the New York state court system for over twenty-five years. Specifically:

- ▶ Wherever possible given the level of court activity, each courtroom or office was observed for at least 10-15 morning or afternoon sessions by different observers over the three-month observation period, to ensure a balanced view of proceedings.
- ▶ Observers were screened for eligibility and followed a prescribed observation questionnaire. Observers did not evaluate the legal reasoning of judicial officers or attorneys, but instead focused on such matters as control of proceedings, demeanor, explanation of proceedings, audibility, time management, physical facilities, and so forth.
- ▶ The volunteers' observations, positive and negative, and their recommendations have been compiled in this report, which they participated in preparing. Individual judges and the Court have been given the opportunity to review the draft report and correct any factual errors prior to publication.

Project Objectives: We hope to achieve the following public-interest objectives through these court observations:

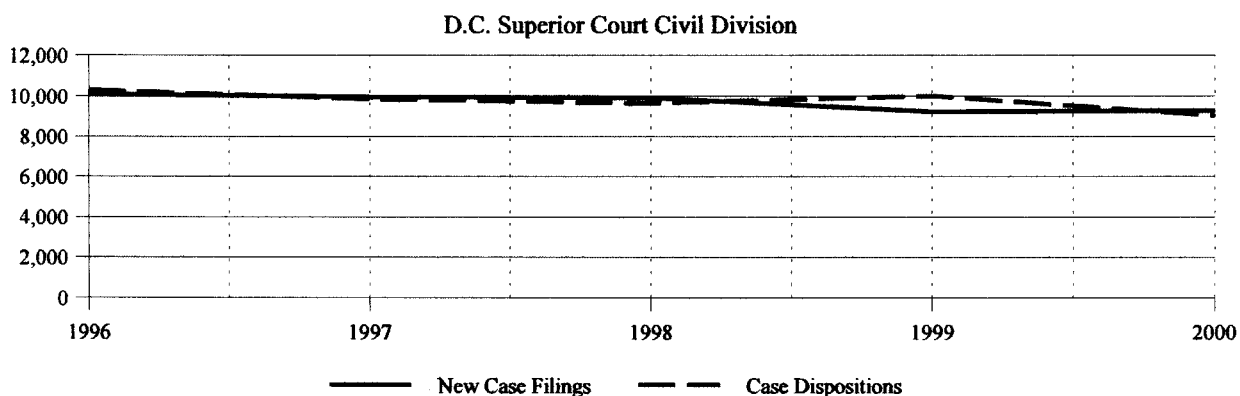
- ▶ create and maintain an ongoing, meaningful exchange between the community and the judiciary;
- ▶ provide information to enable the courts to be more responsive and sensitive to the needs of the communities they serve;
- ▶ educate the community about the daily functions and operation of the courts;
- ▶ create a community-based constituency that understands the problems facing the courts, promotes improvements, and supports the courts' efforts to function fairly, efficiently and effectively; and
- ▶ successfully urge those responsible for the courts to make improvements to enable the courts to better serve the public.

What is the Function of the Civil Division and Small Claims Court?

The Civil Division of the District of Columbia Superior Court has jurisdiction over any civil action (excluding family matters) brought in the District of Columbia, except where jurisdiction is vested exclusively in the federal court. A civil action is one that is brought to enforce, remedy, or protect private rights. Generally, civil actions include all types of actions other than criminal matters. Examples of civil cases include automobile accidents, medical or other professional malpractice, contract disputes, wrongful death, discrimination, "slip and fall," negligence claims, and asbestos and tobacco claims. The Civil Division is comprised of four branches. One provides administrative support to the other three. Because the Landlord & Tenant Branch had been studied recently by the D.C. Bar, this project did not include that branch. This court observation project instead focused on the two remaining branches of the Civil Division:

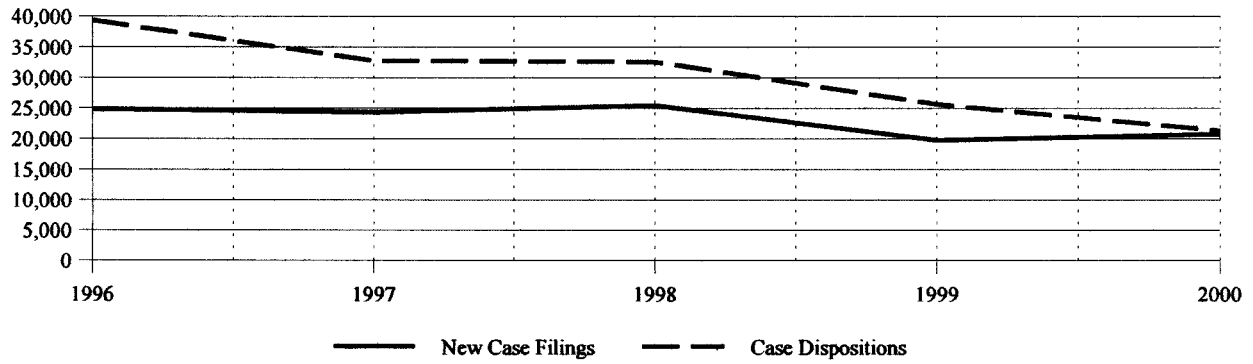
1. **The Civil Actions Branch** handles all civil cases in which the amount in controversy exceeds \$5,000. As is shown on the chart below, this branch handles between 9,000 and 10,000 cases per year. The Civil Division judges place a high premium on helping the parties resolve their disputes through negotiated settlement rather than trial. As a result, very few civil cases actually go to trial: 3%, or 273 cases in 2000. This factor explains why Civil Division judges spend a great deal of time working outside the courtroom. It further explains why the volunteer court observers sometimes had difficulty finding a judge to observe and why in the end we were unable to view all judges in this Branch at least 10 to 15 times.

Comparison of Civil Actions Filings and Dispositions, 1996 - 2000



2. **The Small Claims & Conciliation Branch** handles all civil cases where the amount in controversy is \$5,000 or less. As the filings and dispositions chart on the next page shows, this courtroom handles more than 20,000 cases per year, or nearly 400 cases per week. Again, the vast majority are resolved through negotiated settlement between the parties, and every case is sent to mediation.

Comparison of Small Claims Filings and Dispositions, 1996 - 2000
D.C. Superior Court Civil Division



IV. D.C. Superior Courthouse

Physical Facilities Findings

The Council for Court Excellence community volunteers observed and evaluated the physical facilities of the Superior Court of the District of Columbia, as they affect and make a strong impression on every person who enters the D.C. courthouse. The H. Carl Moultrie I Courthouse is a busy urban courthouse, with thousands of persons using the building every day. The courthouse is a large, eight-level rectangular building. The public portion of the building has a central core housing the main building entry, escalators, elevators, and restrooms, and flanking wings housing the courtrooms, clerks' offices, waiting areas, and other public facilities. The community volunteers observed the courthouse entrance, restrooms, cafeteria, elevators, and escalators. For each of these, the observers assigned a scaled grade with the following criteria in mind: cleanliness, disability access, safety, and functionality. They were asked to provide comments when they wished. Each area of the courthouse was observed a total of 292 times and was given a "grade" of 1 through 5 by each observer; with 1 being poor, 2 below average, 3 fair, 4 good and 5 excellent.

Generally, observers rated the cleanliness and safety of the courthouse entrance as good, and the accessibility for disabled visitors and functionality as fair. Visitors enter the D.C. courthouse through relatively heavy and closely spaced outer and inner doors, neither of which has a power-assist button to accommodate people with limited mobility or strength. They then place their belongings on a conveyor belt for security screening and walk themselves through a metal detector. If the detector is activated, security personnel then examine them with a hand-held detector, while holding up the remaining people in line. Many observers noted the delays that visitors experience at the courthouse entrance. The Court's occasional use of only one of the two public entranceways on the Indiana Avenue side of the building slowed entry to the courthouse. In addition, one observer noted that "the security check point is too close to the doorway, making it impossible to file into the courthouse without jamming up and having to wait."

Once they had gained entry to the courthouse, observer concerns about inadequate directional signs were common. Very few directional signs are visible from the courthouse entrance, making it difficult for visitors to find their way through the courthouse. There is no general directory or map for the entire building. Rather, each floor of the building has a map of that floor only, and some of those maps have outdated information. At the courthouse entry, observers found no directional signs in Spanish.

The core of the courthouse building has fairly large public restrooms on each floor close to the elevators, with some other smaller facilities being located in the building wings. The restrooms of the courthouse garnered a good rating, though with heavy use they frequently needed cleaning or repair. One observer expressed concern by noting that the same "two lavatories in the ladies

restroom were clogged on four separate occasions.” Several volunteers commented that the restrooms were consistently messy, with full waste baskets, as well as paper towel and toilet tissue dispensers that were not working.

The courthouse provides a public cafeteria on the lowest level of the building, two floors below the Indiana Avenue entrance level. The cafeteria is managed by a private contractor. On average, volunteers reported that the cafeteria scored well on cleanliness, accessibility for disabled citizens, and safety. Reasons for occasional lower ratings included lack of clean tables, cakes and pies displayed on unrefrigerated tables, and the absence of an inviting atmosphere.

In general, observers assigned a good score to the elevators and escalators. Occasional lower scores are attributed to volunteers’ concerns that elevators are slow and escalators are out of service. However, numerous monitors noted that when an escalator was not in service, workmen were always present to correct the problem.

Observers did not numerically rate the courtrooms they visited; rather, they were asked to provide narrative descriptions and comments. The courtrooms are fairly uniform, with exterior and interior entry doors leading from the corridor, a central aisle flanked by fixed upholstered theater-style seating rows for spectators; tables for plaintiffs and defendants and their counsel flanking a central podium; a jury box with fixed, upholstered, theater-style seating; and a bench with seating for the judge and courtroom clerks. Observers generally found the courtrooms to be functional and in good condition.

V. Court Offices and Personnel

Bias and Civility Findings

The D.C. courthouse largely embodies the justice system for the community. Court personnel have the responsibility of treating everyone in the courthouse fairly. The Council for Court Excellence court observation project explored whether DC Superior Court personnel upheld the standard of treating court users civilly and without prejudice, and the results were favorable. The survey form asked observers to report whether they saw anyone being treated inappropriately because of their gender, race, ethnicity, religion, age, disability, sexual orientation or economic status. On the 220 observation forms which addressed this topic, volunteers reported observing no evidence of bias.

Civil Division Clerk's Office Findings

The Civil Division Clerk's Office provides essential support to the operation of the Division and is a primary place for public interaction with the Division. Parties and attorneys must present all case-related documents for filing in the Clerk's Office and must visit the office to view case records. The observation form questions related to the Clerk's Office sought responses on a three-point scale with categories of "always," "sometimes," or "never" when observing the lines, the counter, and the personnel in the office.

Ten volunteers observed the Civil Division Clerk's Office, each doing it once, for a total of twenty-two hours. The observers' responses were almost equally divided between "always" and "sometimes" to the questions about whether lines in the office are reasonably short and whether the counter is adequately staffed. One observer noted that "the maximum number of people waiting in line was six. A second window was opened for general filing when there were more than a couple people in line."

When asked "were court personnel polite and helpful," all observers reported "always." One observer stated, "I asked a clerk for the Civil Claims Information Handbook, and she cheerfully gave it to me."

Clerk's Office problems that observers noted on their surveys included lack of space, awkwardly arranged space, no privacy for people who need to ask questions of the clerks or who need to confer with attorneys about their forms, inadequate seating and tables or counters for filling out forms, insufficient directional signs, and the need for greater instruction. There is no sign at the Indiana Avenue entrance to the courthouse giving the location of the Civil Clerk's Office, and there is no sign at the Civil Clerk's office giving the location of the separate Small Claims Clerk's Office.

Small Claims Clerk's Office Findings

The Small Claims Clerk's Office is separate from the general civil division clerk's office. It is located just inside the John Marshall level entrance to the D.C. courthouse. It handles a high volume of traffic and a high number of unrepresented parties seeking information about forms and procedures.

Volunteers made only two observations in this office, totaling six hours on separate occasions. The observation form questions related to the Clerk's Office sought responses on a three-point scale with categories of "always," "sometimes," or "never" when looking at the lines, the counter, and the personnel in the office.

Both observers reported that the lines and waiting time were reasonably short "sometimes." The counter was reported to be adequately staffed "sometimes" in both observations as well. Both observations reported the counter personnel to be polite and friendly. As was true with the Civil Clerk's Office, there is no sign at the Indiana Avenue entrance to the courthouse giving the location of the Small Claims Clerk's Office, and there is no sign at the Civil Clerk's office giving the location of the separate Small Claims Clerk's Office. Likewise, there is no sign at the Indiana Avenue entrance to the courthouse about the location of the Small Claims courtroom.

Jurors' Lounge Findings

Many District of Columbia citizens are summoned to the courthouse for jury duty. In the year 2000, nearly 48,000, or an average of 205 per day, reported for service. All wait in the Jurors' Lounge, located on the third floor west wing of the courthouse, to be sent out for service in a courtroom. Fourteen observers spent a total of eighteen hours in the Jurors' Lounge. They examined the physical layout of the room, juror access to adjoining rooms and facilities, access to information regarding jury duty and the comfort level of the lounge. Jury system operations are managed by the Superior Court's Special Operations Division, not the Civil Division.

The Juror's Lounge is a long rectangular room with rows of upholstered chairs on either side of a center aisle. There are five televisions, two on one side of the room, and three on the other side, spaced some distance apart. One of the televisions is obscured by a ventilation system hose. There are two tables, a podium, and a large painting at the front of the room. Seven pay telephones are located at the back of the room, the east wall is blank, and windows line the west wall of the room.

The 14 observers reported that the room is well lighted and has comfortable, cushioned seating. However, one observer noted that the seating arrangement "made it difficult to get in and out [of the chairs]." Another observer thought "it would have been nice to have a little more leg room." The observers had mixed opinions about the cleanliness of the room. Most commended court personnel for keeping the room "relatively clean." However, there was a problem with people leaving trash on the floor. A jury instruction video played on the TV monitors, but observers

reported that the picture was often distorted and discolored. In addition, one observer thought “the video...was a little out of date.” Observers praised the court personnel in the Jurors’ Lounge; jury officers were “efficient and helpful.”

Observers thought the comfort level in the Jurors’ Lounge could be improved, especially for the disabled. People in wheelchairs had no access to the closest restrooms. These nearby restrooms were not equipped with large stalls and there were no power assist buttons on the doors to the restrooms. There appeared to be no place in the lounge “where someone in a wheelchair can comfortably sit to see the TV...and not obstruct the aisle.”

Because there are signs that prohibit the use of cell phones, one observer tried to use the public phones in the back of the room. However, that day “all public phones were out of order,” and she had to go elsewhere to make a call. Notwithstanding the signs, some jurors use cell phones, and some cell phone users were a distraction to the observers. “They were loud and annoying to myself and other jurors,” one observer complained. At times, ambient noise in the jurors’ lounge prevented some observers from understanding announcements made over the loudspeakers. One observer recommended that someone be available to talk to jurors in person, because “announcements over the loudspeaker caused a lot of confusion among jurors.”

Courtroom Clerks, Reporters, and Interpreters Findings

In the D.C. courthouse, courtrooms always have clerks on hand to support the judges, sometimes have courtroom reporters to make verbatim records of proceedings (proceedings are tape recorded when no reporter is available), and occasionally have interpreters to aid parties and witnesses who do not speak or understand English.

Observers noted the presence of courtroom reporters on 108 out of 224 survey questionnaires. Although the Court provides language interpreters whenever needed in the courtroom, observers reported seeing a Spanish interpreter on only one occasion. In some observers’ opinions, primary fluency in a language other than English did provide a challenge for a few participants who spoke English in the courtroom. One observer spoke at the end of the court session with a Spanish-speaking witness and commented that “While both [he and the plaintiff] spoke good, fluent English, the witness complained to me that he feared he had not been able to express exactly what he meant.”

The observation form asked if all courtroom personnel were efficient, helpful and polite. Out of 221 ratings, observers reported yes every time but one.

Security Officer Findings

All public entrances to the D.C. Superior Courthouse require passage through security check points manned by security personnel. Each checkpoint includes a magnetometer and an X-ray.

Most observers thought that the security officers performed their duties efficiently. However, there were some concerns expressed about the demeanor of the security officers. Security officers were noted as needing improved “customer service” skills. One observer advised, “when personally searching persons passing through metal detectors, security guards could exercise more courtesy and respect in order to avoid offending or humiliating anyone entering the courthouse.”

VI. The Civil Division Judicial Officers

Because of the unique nature of the District of Columbia and its court system, D.C. Superior Court judges are appointed to the bench by the President of the United States following a merit-selection process. The D.C. Judicial Nomination Commission screens applicants for vacant positions and forwards the names of the top three candidates to the White House. The President then selects one for appointment to a fifteen-year term. Appointees must be confirmed by the United States Senate before taking the bench. Superior Court Hearing Commissioners are appointed by the Superior Court Chief Judge, also through a competitive merit selection process.

During their three months in the courthouse, observers closely monitored the performance of the civil division judges and commissioner. Observers were not evaluating the decision-making or legal expertise of the judges and the commissioner. The focus was rather on the following characteristics: dignity; politeness; professionalism; control of the courtroom; patience; objectivity; time management; respect for litigants, jurors and witnesses; and explanation of rulings and proceedings.

As a group, the judges made a highly favorable impression on the observers. In evaluating the judges, observers rated them on a scale ranging from 1 to 5, with 1 being poor, 2 being below average, 3 being fair, 4 being good, and 5 being excellent. There were 208 evaluations of the judges and commissioner. The combined scores for all yielded an average score between 4 and 5 for each characteristic, with time management receiving the lowest score.

Other variables assessed by the observers included the audibility of each judge and commissioner, and whether any judge or commissioner demonstrated behavior that could be interpreted as biased or uncivil. Judicial officers consistently acted in a professional and respectful manner. There were no reported instances of biased or uncivil behavior on the part of any judge or commissioner.

Following are the observers' evaluations of the 16 Civil Division judges and one Small Claims commissioner in the Superior Court of the District of Columbia, listed alphabetically. Each profile includes biographical data, preceding the evaluation results.

Hon. Geoffrey M. Alprin

Judge Alprin has more than eighteen years tenure on the Superior Court bench. He was appointed as an Associate Judge of the Superior Court of the District of Columbia by President Ronald Reagan in December 1982.

In addition to his current assignment in the Civil Division, Judge Alprin has previously served in both the Family Division and the Criminal Division of the court. In the Family Division, he served as Deputy Presiding and Presiding Judge between 1986 and 1992. He has had several tours in the Criminal Division, where in 1993 and 1994 he presided over a calendar of the most serious criminal cases. Judge Alprin has participated in numerous mock trials and moot court

competitions throughout his tenure on the bench. He teaches a course in "The Craft of Judging" at George Washington University Law School.

Prior to assuming the bench, Judge Alprin was an Assistant United States Attorney in the District of Columbia, General Counsel of the Metropolitan Police Department of the District of Columbia, and Assistant Director of what is now known as the National Institute of Justice in

the Department of Justice. For the six years immediately preceding his appointment, he served as Deputy Corporation Counsel for the District of Columbia, in charge of the Criminal Division.

Judge Alprin received his A.B. degree from the University of Pennsylvania in 1961 and his J.D. degree from Georgetown University Law Center in 1964.

Judge Alprin was observed 7 times.

Judge Alprin received excellent reviews in all respects, particularly on his ability to explain procedure and rulings. One observer wrote, "Judge Alprin was very clear and helpful, particularly in explaining the difference between direct and circumstantial evidence."

Judge Alprin's judicial demeanor and his sense of fairness received particular praise. He listens courteously to the business before him, but he is also "firm" with litigants. In one case, an observer recalled that "Judge Alprin concluded the matter expeditiously...specifying all the grounds for the decision." Another observer said "he runs a good court," which is a good summary of the Judge's seven evaluations:

Observers consistently gave Judge Alprin's courtroom excellent marks for audibility from the public seating section. This is probably no coincidence, given that observers reported that microphones were used at all times and used effectively.

Hon. John H. Bayly, Jr

Judge Bayly has served on the Superior Court bench for nearly eleven years. He was appointed as an Associate Judge of the Superior Court by President George H.W. Bush in September 1990.

Prior to his appointment, Judge Bayly was of counsel to the law firm Stein, Mitchell, & Mezines from 1989 to 1990. In 1985, he became General Counsel of the Legal Services Corporation and in 1987 he became the president of the Corporation. Earlier in his career, he served on the staff of Federal Communications Commission, was an attorney with the Senate Select Committee on Intelligence and the Corporation for Public Broadcasting, and served during two separate periods as an Assistant United States Attorney, where he performed both civil and criminal work.

Judge Bayly is a native of the District of Columbia and a graduate of Gonzaga High School. He received his B.A. from Fordham College in 1966, majoring in English and classics. He received his J.D. at Harvard Law School in 1969. Judge Bayly is married and has three children.

Judge Bayly was observed 15 times.

The observers gave Judge Bayly very good marks in all categories. The judge received particularly high marks for his professionalism and control over the courtroom. One observer noted, “he was good at moving the cases along” and another observer declared, “the judge was very efficient.” A third observer wrote, “I was very impressed that the Judge got stern with one of the people in the courtroom who left their cell phone on, which then proceeded to ring and cause a disruption.” Interestingly, while Judge Bayly was frequently complimented for his efficiency, this practice was perceived by one observer as impatience. In this regard, that observer noted, “[h]e was very efficient possibly at the cost of looking impatient.” However, another observer noted approvingly that “the Judge took a long time to explain the role of the juror.”

Generally, the audibility of courtroom proceedings was not a problem in Judge Bayly’s courtroom. Virtually all observers commented that proceedings in the judge’s courtroom were audible most of the time. When used, microphones greatly facilitated courtroom audibility.

Hon. Ronna Lee Beck

Judge Beck has served in the Superior Court for six years, having been appointed as an Associate Judge of the Superior Court in June 1995 by President Bill Clinton.

Early in her career, Judge Beck worked as a staff attorney at the Public Defender Service for the District of Columbia. In 1977, she joined the law firm of Rogovin, Stern, & Huge, and in 1980 was named as the firm’s first female partner. From 1985 until her appointment to Superior Court, Judge Beck was in solo law practice, specializing in general civil litigation.

Judge Beck was born and raised in Pittsburgh, Pennsylvania. She has been a District of Columbia resident for more than 27 years. She received her B.A. from the University of Michigan after spending her junior year in England at the London School of Economics. She received her J.D. from Yale Law School in 1972. After graduation she served as a judicial clerk to then-Superior Court Judge Theodore R. Newman, Jr. Judge Beck is married and has three children.

Judge Beck was observed 10 times.

Observers gave Judge Beck excellent scores in all aspects of their evaluations. A few characteristics drew particular praise from the observers. The first was her polite demeanor to litigants, attorneys, and jurors. One observer remarked on Judge Beck’s “patient and courteous” treatment of the jury. Observers also noted the care she took to explain both courtroom procedures and her decisions. One observer simply stated, “she explained what was going on.” In one instance, Judge Beck proved very helpful to an inexperienced lawyer “by explaining [to the new attorney] what to ask as a result of an objection.” She was also considered “extremely fair” in her treatment of the parties.

Generally, observers reported that proceedings in Judge Beck’s courtroom were audible at least “most of the time.” According to observers, microphones were used at all times. In one instance

where the witness stand microphone was not operational, Judge Beck was diligent in asking different witnesses to speak so they could be clearly heard.

Hon. Franklin A. Burgess, Jr.

Judge Burgess has more than seventeen years tenure on the Superior Court bench. He was appointed as an Associate Judge in September 1983 by President Ronald Reagan.

From August 1982 until his appointment to the bench, Judge Burgess was chief of the Appellate Division of the Public Defender Service of the District of Columbia, where he had earlier served in the trial division as well. Judge Burgess worked as a litigation associate from 1973 to 1977 with the law firm of Palmer & Dodge in Boston.

Judge Burgess was born in Greenville, South Carolina. After attending public schools in Greenville, he attended Phillips Exeter Academy. He received an A.B. degree in 1965 from Princeton University. After graduation, he served as a Peace Corps volunteer from 1965 to 1967 in Thailand, where he was a teacher. He attended Harvard Law School and, after graduating in 1971, Judge Burgess served as a law clerk to federal Judge Levin H. Campbell, first in the District of Massachusetts and then in the First Circuit Court of Appeals. Judge Burgess is married and has two children.

Judge Burgess was observed 14 times.

Overall, Judge Burgess received very good ratings in all regards. Observers particularly noted his evident preparedness for courtroom matters. It appeared to observers that he was able to speak to "motions and proceedings in great detail," without referring to his notes. Observers were also impressed with Judge Burgess' ability to control his courtroom. However, in one case both the plaintiff and defense counsel tried the judge's patience; "at times the judge seemed frustrated with both."

Virtually all observers who sat in Judge Burgess's courtroom reported that proceedings were audible at least "most of the time." Only one instance was reported where the judge spoke too softly. All of the observers praised the judge for actively encouraging participants to speak up, but several commented on the need for attorneys and witnesses to use microphones to be audible.

Hon. Linda Kay Davis

Judge Davis has six years of service in the Superior Court. She was appointed as Associate Judge of the Superior Court of the District of Columbia in June 1995 by President Bill Clinton. Judge Davis has served in the Family and Criminal Divisions and on the Domestic Violence calendar of the Superior Court, prior to her assignment to the Civil Division.

Judge Davis served as Chief of the Criminal Section of the Civil Rights Division at the U.S. Department of Justice from June 1984 through March 1995. In 1976, she had joined that office as a trial lawyer, becoming the Deputy Chief of the Section in 1979. Beginning in 1973, Judge

Davis served in the Public Defender Service for the District of Columbia, where she practiced in the Family and Criminal Divisions of the D.C. Superior Court.

Judge Davis grew up in and around Washington, D.C. and Chicago, Illinois. She graduated from high school in Winnetka, Illinois in 1962 and attended Oberlin College from 1962 to 1964. She subsequently attended the University of California at Berkeley from 1966 to 1968, and received her B.A. In 1972 she received her law degree from Harvard Law School. Judge Davis is married and has three children.

Judge Davis was observed 12 times.

Judge Davis received very good evaluations in all respects. Observers noted her courtroom management skills and were pleased to report on her treatment of jurors, including respect for their time. Said one observer, “[s]he provided the jury with a 10 minute break – which actually lasted 10 minutes!” Another called Judge Davis’s demeanor “calm, fair and very considerate of the jury.” Many observers found that Judge Davis managed her courtroom in a timely manner.

Generally, Judge Davis was perceived as very capable, polite, and fair. She was described by one observer as “very helpful and polite to everyone in the courtroom.” Another observer stated that the judge was respectful to a defendant and her attorneys, yet “determined to hold the defendant responsible for her action.” In one instance when Judge Davis had to provide an oral ruling, she did so in a “prompt and fully explanatory” manner.

Observers reported that audibility in Judge Davis’s courtroom was good at least “most of the time.” However, three observers reported that the judge was occasionally too soft-spoken. Said one observer, “Judge Davis is soft-spoken and really should use the mike if the proceeding is to be understood by [people other than] parties and counsel.” While all observers stated that microphones were always used, only half of those reporting stated that they thought microphone use effectively increased the audibility of the proceedings.

Hon. Herbert B. Dixon, Jr.

Judge Dixon is Presiding Judge of the Civil and Multi-Door Dispute Resolution Divisions of the Superior Court. He has more than fifteen years tenure in the Superior Court, having been appointed as Associate Judge by President Ronald Reagan in 1985. On the Superior Court, Judge Dixon is also the Technology Committee’s subcommittee chair for Electronic Filing, overseeing the implementation of a recently commenced electronic filing pilot project.

Judge Dixon serves as the American Bar Association Judicial Division Liaison to the Criminal Justice Standards Committee, and on the Executive Committee of the National Conference of State Trial Judges. Judge Dixon is also a member of the Washington Bar Association, the Judicial Council of the National Bar Association, the National Association of Women Judges and other local and national bench-bar associations. He is a member of the Executive Committee of the Council for Court Excellence.

Judge Dixon was born and raised in Savannah, Georgia. He received his B.S. degree in Electrical Engineering from Howard University in 1970 and his J.D. from Georgetown University in 1973.

Following law school, Judge Dixon served as a law clerk to Superior Court Judge Carl Moultrie I. After his judicial clerkship he was active in military duty and then engaged in the general practice of law until his appointment to the District of Columbia Superior Court bench. Judge Dixon is married and has two adult children.

Judge Dixon was observed 9 times.

In all categories, Judge Dixon received excellent marks. As to his demeanor in the courtroom, one observer reported “the judge was amiability personified.” Another recalled one point in a trial where “prodding of the jury to stay awake was done humorously and effectively.” However, that observer suggested that Judge Dixon’s instructions to the jury could be enhanced with “some eye contact and emphasis at certain points.” On another occasion, an observer summarized: “The trial was well run.”

All observers reported that proceedings in Judge Dixon’s courtroom were heard at least “most of the time.” The microphones in the courtroom were used virtually all of the time, and generally were assessed as effective in making the proceedings audible from the courtroom’s public seating. Despite this, in three separate instances observers remarked that Judge Dixon was too soft-spoken. In one of these instances, one observer noted “when not addressing the jury, the Judge was inaudible from public seating.”

Hon. Stephanie Duncan-Peters

Judge Duncan-Peters has served on the Superior Court bench for nine years. She was appointed as Associate Judge in 1992 by President George H.W. Bush. During her tenure in the court, she has served in the Civil, Criminal, and Family Divisions. She has served on several court committees, including the standing committee on fairness and access to the courts.

From 1989 until her appointment to the court, she was a member of the law firm Chaikin & Karp P.C., where she litigated personal injury cases on behalf of plaintiffs in the District of Columbia and Maryland. In 1985 Judge Duncan-Peters became a trial attorney with the Public Integrity Section, Criminal Division, United States Department of Justice, handling grand jury investigations, trials, and appeals in federal courts throughout the United States. Before then she served in the District of Columbia Public Defender Service.

Judge Duncan-Peters received her B.A. from Muhlenberg College and her J.D. from Catholic University in 1977. At Catholic University, she was a member of the Law Review and chancellor of the moot court board. After graduation, she spent one year as a Judicial Law Clerk for the Hon. Stanley S. Harris, then a Judge on the District of Columbia Court of Appeals. Judge Duncan-Peters has taught criminal trial practice at Catholic University’s Law School and served as an instructor at the Harvard Law School trial advocacy workshop. Judge Duncan-Peters is married.

Judge Duncan-Peters was observed 19 times.

Overall, Judge Duncan-Peters received very good evaluations in all respects. Her patience in handling proceedings and participants elicited special praise from observers. She allowed enough time for “both parties [to] speak and explain their side of the situation.” And, “even in the face of statements and demeanor which bordered on inflammatory,” she was calm and polite.

Judge Duncan-Peters made courtroom participants feel at ease with their role in the proceedings and was helpful to everyone in the courtroom. She was cordial and polite towards the jury, and surprised them by giving “birthday congratulations to a member of the jury.” One observer declared that the judge spoke “very clearly and evenly and [remained] patient in questioning [them].”

The audibility of Judge Duncan-Peters’ courtroom is generally good, with all but one observer stating that proceedings are audible at least “most of the time.” However, there were four reported instances where the judge was so soft-spoken that she was not audible from public seating.

Hon. Steffen W. Graae

Judge Graae is the Deputy Presiding Judge of the Superior Court Civil Division. He has more than eighteen years tenure in the Superior Court, having been appointed as Associate Judge in 1982 by President Ronald Reagan. He has served in all branches of the Court and currently presides over complex civil litigation. Judge Graae is presently chair of several Superior Court committees – the Criminal Justice Act Committee, the Legislation Committee, and the Landlord & Tenant Rules Subcommittee – and serves on others as well.

Judge Graae’s book, *The Law of Evidence in the District of Columbia*, is widely used by local judges and litigators. He was also the Supervising Editor of the reference book *Civil Practice in the Superior Court of the District of Columbia*, authored by Michael Mallow, Esq.

Judge Graae was born in Copenhagen, Denmark in 1940 and immigrated to the United States with his family in 1951. He received his B.A. Degree from Yale University, his M.A. Degree from Oxford University in England, and his J.D. from Georgetown University Law Center. During the 1974-1975 academic year, he taught criminal law as an Adjunct Professor at Georgetown. He was in a private law practice from 1974 until 1982. Judge Graae is a member of the Board of the Council for Court Excellence. He is married and has one child.

Judge Graae was observed only 6 times.

Overall, Judge Graae garnered excellent marks from the observers. They found him very fair in the courtroom and helpful to all participants. One observer noted that he was “courteous and patient with a lawyer who didn’t [appear to] know much.” Regarding his treatment of a jury, one observer approved of the way Judge Graae gave an “explanation to the jury and somewhat of an apology for several [private] conferences” he conducted at the bench.

However, Judge Graae's courteous demeanor did not interfere with his control of the courtroom. In one case involving two apparently inexperienced but vigorous lawyers, he "had to be quite decisive on several points to keep the trial moving along."

There were only two reports on the audibility of Judge Graae's courtroom, and these found that proceedings were audible most of the time. Microphones were used both times and were effective.

Hon. William M. Jackson

Judge Jackson is completing his ninth year on the Superior Court bench. He was sworn in as an Associate Judge of the Superior Court in July 1992, appointed by President George H.W. Bush.

For ten years prior to his appointment to the bench, Judge Jackson served in the United States Attorney's Office for the District of Columbia. During his tenure there, he served as chief of the homicide, chronic offender, and misdemeanor units. Before that, he was a staff attorney in the Consumer Affairs Section of the Antitrust Division, U.S. Department of Justice. Judge Jackson has been active in several legal education programs. Since 1987, he has been a frequent lecturer in the Criminal Practice Institute. He has also taught in the Trial Advocacy Workshop of the Harvard Law School. Since 1988, he has taught locally in the National Institute of Trial Advocacy.

Judge Jackson grew up in Baltimore, where he attended public and parochial schools, graduating from Loyola High School in 1971. He received his A.B. degree from Brown University in 1975 and his J.D. from Harvard Law School in 1978. Upon receiving his law degree, Judge Jackson moved to the District of Columbia and served as a law clerk to Judge Theodore R. Newman, Jr., then Chief Judge of the District of Columbia Court of Appeals. Judge Jackson is married and has two children.

Judge Jackson was observed 9 times.

Overall, Judge Jackson received very good scores in all areas, and observers found him attentive to the needs of the participants in his courtroom. One observer reported "he spent time to make sure everyone understood rulings and proceedings." Judge Jackson also made sure that litigants understood their alternatives and rights. The Judge demonstrated his commitment to fairness. As one observer reported, he "had a very reasonable approach in trying to work out a solution [for the parties involved]."

In addition to his attention to litigants, Judge Jackson was also cognizant of the need for timeliness in his courtroom. One observer reported "He kept the trial moving," throughout the courtroom session. However, another observer did report on another occasion that "no reasons were given" when Judge Jackson delayed one of his sessions for 15 minutes.

Observers found that the proceedings in Judge Jackson's courtroom were audible at least "most of the time," which is attributed to the microphones being used consistently and effectively. One observer noted there was an instance where the judge asked the jury panel "to notify him if his voice trailed off," showing his concern about his own audibility. He also showed concern for others in the courtroom and was active in encouraging participants to speak up when necessary.

Hon. Cheryl M. Long

Judge Long has served on the Superior Court bench for thirteen years. She was sworn in as Associate Judge in May 1988, appointed by President Ronald Reagan.

From 1985 until joining the bench, Judge Long was Director of the Public Defender Service for the District of Columbia. From 1982 to 1985 she was employed as a staff attorney in the Division of Land and Natural Resources at the Department of Justice. She served as an Assistant United States Attorney for the District of Columbia, handling both criminal and civil cases in the federal and local courts, from 1975 until 1982.

Judge Long was born in McKeesport, Pennsylvania and has lived in the District of Columbia since early childhood. She grew up in the Michigan Park section of Northeast Washington and attended Bunker Hill Elementary, Taft and Backus Junior High Schools, and Calvin Coolidge High School. Judge Long received her undergraduate degree and law degrees from Georgetown University. She was the first African-American woman to graduate from the Edmund A. Walsh School of Foreign Service at Georgetown. Upon her graduation from law school, Judge Long clerked for Judge Spottswood W. Robinson, III, in the United States Court of Appeals for the District of Columbia Circuit.

Judge Long was observed only 6 times.

Observers who saw Judge Long in action gave her excellent ratings. One observer described Judge Long as "very patient and polite." Regarding her courtroom demeanor, "the tenor of exchanges was that of civility and respect." She also received praise for the decisiveness of her rulings.

Observers were clearly pleased with Judge Long's handling of juries. As one observer stated, "her explanation of the voir dire process [to the jury panel] was clear and unambiguous." In addition, she demonstrated concern for the privacy and comfort of the jury panel and "she clearly has a sense of humor."

The audibility of Judge Long's courtroom, despite the low number of observations made, received perfect marks.

Hon. Gregory E. Mize

Judge Mize has completed nearly eleven years service on the Superior Court bench. He was sworn in as an Associate Judge of the Superior Court in September 1990, after nomination by President George H. W. Bush. He has served in the Criminal and Family Divisions of the court in addition to his current service in the Civil Division. During 1995, Judge Mize presided over the Enhanced Drug Treatment Calendar in the court's Criminal Division. From 1990 to 1994, he was the lead organizer of the District's annual Jury Service Appreciation Campaign.

From 1975 until his appointment to the Superior Court, Judge Mize served in the legislative branch of the D.C. government. In 1975, he was appointed Staff Director and Counsel to the D.C. Council's Committee on the Judiciary. In 1983, he was appointed as General Counsel of the D.C. Council and served in that capacity until 1990. Before joining the D.C. Council staff, Judge Mize had been an associate in the law firm of Karr & Graves, engaged in civil and criminal litigation.

Judge Mize was born in Chicago. He earned his B.A. degree in 1968 from Loyola University of Chicago, and his S.T.B degree in Sacred Theology from St. Mary of the Lake Seminary in 1970. He has resided in Washington, D.C. since 1970, when he began his legal studies at the Georgetown University Law Center, graduating in 1973. Judge Mize has been a member of the Board of the Council for Court Excellence since its founding in 1982, and he co-chaired the Council's D.C. Jury Project. Judge Mize is married and has five children.

Judge Mize was observed 15 times.

In every category, Judge Mize received very good ratings. One observer noted that Judge Mize exhibited the following personality traits: "thoughtful, contemplative, interested, and engaging." Another observer reported that "the Judge seemed to be listening and was involved in every portion of the oral argument."

Judge Mize was quite patient and made efforts to make himself clear to all participants, especially the jury. "He was very instructive," said one observer, of his explanations of court procedure, remarking on his "often pausing the trial to make sure the jury knew what was going on."

Additionally, Judge Mize was able to balance his concerns for the needs of courtroom participants with timeliness. He showed thoughtfulness "in allowing the [courtroom] reporter a break at an appropriate break point." Furthermore, the Judge "explained a 15-minute delay in bringing the [courtroom] reporter back into the courtroom."

Virtually all observers stated that proceedings in Judge Mize's courtroom were audible "all of the time." All observers reported that microphones were used, and that they were effective in aiding audibility of the proceedings. In addition, Judge Mize encouraged courtroom participants to speak up when necessary.

Hon. Mary A. Gooden-Terrell

Judge Gooden-Terrell is nearing her fourth anniversary on the Superior Court bench. She was sworn in as Associate Judge in September 1997, following her nomination by President Bill Clinton.

Prior to her appointment to the bench, Judge Gooden-Terrell worked for the Federal Deposit Insurance Corporation in 1996 and 1997, for the Resolution Trust Corporation from 1989 to 1995, as an Assistant United States Attorney for the District of Columbia from 1984 to 1989, and for the D.C. Council from 1980 to 1983.

Judge Gooden-Terrell was born in Jacksonville, Florida and raised in Akron, Ohio. She received her B.A. degree in 1966 from Howard University in Washington, D.C.; her Masters degree in 1969 from Antioch College in Yellow Springs, Ohio; and her J.D. in 1980 from Georgetown University Law Center. She served as a Peace Corps volunteer in India from 1966 to 1968. From 1974 to 1980, Judge Gooden-Terrell founded and directed the Washington Urban League's Dix Street Academy, an alternative high school for students who had dropped out of the public schools. Judge Gooden-Terrell is married and has three children.

Judge Gooden-Terrell was observed 16 times.

Observers gave Judge Gooden-Terrell very good marks in every category. She made sure that litigants understood courtroom procedures and rulings. One observer approved of her use of "simple language [in] describing what the case was about," repeating herself "until she was sure that [the jury panel] understood [the case]."

Judge Gooden-Terrell was observed to be considerably involved in the courtroom proceedings. In one instance, when the plaintiff's counsel had failed to uncover the necessary information from a witness, "[she] was an active questioner of the witness." Observers noted her ability to control proceedings "on several occasions [when] the attorneys became combative or out of order." On a different day, another observer noted, "the Judge [acted] very smoothly and effectively when interaction between witness and counsel started to become heated."

The audibility of Judge Gooden-Terrell's courtroom was good at least "most of the time," partly due to regular microphone use in the courtroom. However, on five separate occasions the judge either did not use the microphone or spoke too softly to be heard from the public seating. One observer commented that Judge Gooden-Terrell's "explanation to the jury was mumbled so low...the audience could not hear it."

Hon. Linda D. Turner

Judge Turner will soon complete her eleventh year on the Superior Court bench. She was sworn in as an Associate Judge in September 1990, after being nominated by President George H.W. Bush.

Prior to her appointment to the bench, Judge Turner had spent nearly her entire legal career as an Assistant United States Attorney for the District of Columbia, beginning in 1981. She served in all of the sections of the United States Attorney's office within the Superior Court Division, ending her service as Deputy Chief of the Superior Court Division. Before that service, she worked as a judicial law clerk in the District of Columbia Court of Appeals, assigned to work primarily with Judge Walter Yeagley, Judge Hubert Pair, and retired Chief Judge Gerard Reilly.

Judge Turner is a native Washingtonian. She graduated from the Academy of Notre Dame in 1971. In the fall of that year, Judge Turner entered the University of Maryland, College Park Campus, from which she graduated in 1975. She entered the Howard University School of Law in 1977 and graduated in 1981. Judge Turner has one daughter.

Judge Turner was observed 15 times.

Judge Turner received very good reviews from the observers. She was said to have maintained control of the courtroom by providing thorough explanations of her rulings and handling the interactions between attorneys well. One observer recalled that "she was very much in charge with rulings and objections made by attorneys."

The audibility in Judge Turner's courtroom was sufficient at least "most of the time." However, observers commented on the fact that Judge Turner was difficult to hear on occasion, which they attributed to her not using the microphone. Despite this, the judge was consistent in her attempts to have courtroom participants speak up when necessary.

Hon. Susan R. Winfield

Judge Winfield was sworn in as an Associate Judge of the Superior Court of the District of Columbia in October 1984, appointed by President Ronald Reagan. Thus, she has served nearly seventeen years on the Superior Court bench. In addition to the Civil Division, she has served in the Criminal Division and in the Family Division, including one year as Presiding Judge of the Family Division. Judge Winfield has served on numerous Superior Court Committees.

Prior to her appointment to the bench, Judge Winfield served as an Assistant United States Attorney for the District of Columbia. She began there in 1979, and eventually rose to become Deputy Chief of the Felony Trial Division. Before that service, she had served in the Criminal Fraud Division of the U.S. Department of Justice, and in private practice with a small law firm in Boston. Between college and law school, Judge Winfield worked as a computer programmer in Boston and as a consultant in Cambridge, Massachusetts.

Judge Winfield was born in East Orange, New Jersey. She was raised in Connecticut where she attended public schools, graduating from high school in 1966. Judge Winfield received her B.A. degree in mathematics in 1970 from the University of Pennsylvania in Philadelphia. In 1973, Judge Winfield received a scholastic scholarship to attend Boston College Law School in Newton, Massachusetts. She received her J.D. degree in 1976. Judge Winfield has two children.

Judge Winfield was observed 19 times.

Overall, observers gave Judge Winfield a very good evaluation. One observer described her as “extremely bright [and] professional.” In addition, Judge Winfield was particularly attentive to the needs of courtroom participants. In one case, there was a defendant without legal counsel with whom “Judge Winfield was exceptionally patient.” Another observer said “I was extremely pleased with the judge and the way she conducted herself.”

One observer did note that “Judge Winfield seemed prone to...question rephrasings” which the observer thought left her meaning unclear. Another commented on her good natured “bantering” with attorneys “out of the presence of [the] jury,” while on a different day another observer said the “judge was fine at explaining procedures to [the] jury but was very tough on attorneys.”

Virtually all observers rated the audibility in Judge Winfield’s courtroom as good. Despite this rating, observers commented that it was often necessary for Judge Winfield to encourage participants to speak up, particularly attorneys. Overall, microphone use was consistent and most of the audibility problems were the observers’ inability to hear the attorneys.

Hon. Rhonda Reid Winston

Judge Winston is a veteran of seven years on the Superior Court bench. She was appointed by President Bill Clinton in 1994. Prior to her current assignment in the Civil Division, Judge Winston served in the Family Division, Domestic Violence Unit, and Criminal Division.

In 1979, Judge Winston became a staff attorney at the Public Defender Service for the District of Columbia, where she spent nine years litigating criminal cases in the District of Columbia Superior Court and served as Special Litigation Counsel and Deputy Director of PDS. Judge Winston has also served as an assistant district attorney in the Office of the Special Narcotics Prosecutor in New York City, a trial attorney in the Baltimore District Office of the Equal Employment Opportunity Commission, and Deputy Director of the District of Columbia Pretrial Services Agency.

Judge Winston is a 1975 cum laude graduate of Duke University and a 1979 graduate of Duke University School of Law. She is an Honorary Life Member of its Board of Visitors and the 1999 recipient of its annual Charles S. Murphy Award. She has served as a faculty member of the National Institute for Trial Advocacy and the Harvard University Law School Trial Advocacy Workshop. Judge Winston has one daughter.

Judge Winston was observed 12 times.

Observers gave Judge Winston excellent ratings. They found Judge Winston attentive to the needs and concerns of courtroom participants. The “Judge explained [case] scheduling to a plaintiff who was not represented by counsel.” Her evident concern for participants caused another observer to think that Judge Winston possibly spent too much time addressing the needs

of a defendant without counsel. Observers approved of Judge Winston's pleasant nature in the courtroom. One observer remarked, "all the defendants were treated with respect." Overall, observers thought that Judge Winston "presided with care and attention to detail."

All but one of the observers were able to hear the proceedings in Judge Winston's courtroom "all of the time." The observers also noted that, when available, microphones were always used. This, combined with encouragement by Judge Winston to have participants speak up, added to the excellent audibility rating.

Hon. Joan Zeldon

Judge Zeldon was sworn in as an Associate Judge of the Superior Court of the District of Columbia in September 1990, after appointment by President George H.W. Bush. In her nearly eleven years on the bench, she has served in the Family and Criminal Divisions, in addition to the Civil Division.

Before her appointment to the Superior Court, Judge Zeldon was a member of the law firm Proskauer Rose Goetz & Mendelsohn, beginning in New York City in 1972 and from 1978 to 1990 in Washington, specializing in labor law. Before joining Proskauer Rose, Judge Zeldon was an Assistant Corporation Counsel for the City of New York for five years.

Judge Zeldon was born in Baltimore and was raised in the District of Columbia. She graduated from Murch Elementary School, Alice Deal Junior High, and Woodrow Wilson High School. She earned her B.A. degree in Political Science from Smith College in 1960. Judge Zeldon began law school at George Washington University, where she served on the law review, and graduated from New York University Law School in 1965.

Judge Zeldon was observed 9 times.

Judge Zeldon received excellent marks in all aspects of the evaluations. In particular, observers applauded her mindfulness of the courtroom participants' needs. One observer noted that she made sure that the jury understood what was developing in the case, being "careful to keep [the] jury's view unblocked." Judge Zeldon also gave good explanations of courtroom procedure and rulings. "Her instructions to the jury were clear and meticulous." Judge Zeldon invited the jury to submit questions after witness testimony, and "explained why some questions wouldn't be answered." One observer was impressed when "at one point, the Judge suggested the jury stand up and stretch just to get more comfortable."

On occasion, litigants managed to try Judge Zeldon's patience. During one case, "the Judge chided both attorneys over some of their questions and lack of preparation," and "rightly so, in my opinion" said one observer. Another observer was impressed with the Judge's handling of a contentious attorney, recalling that the Judge "kept [the attorney] in bounds and did not show a bias against his client's case."

Virtually all observers said the audibility in the courtroom was good at least “most of the time.” Judge Zeldon was observed to speak clearly; however, other courtroom participants were more difficult to hear. This was improved by Judge Zeldon’s encouragement of those individuals to speak up and to use the microphones.

Small Claims Commissioner Judith Macaluso

Since her appointment as Superior Court Hearing Commissioner in November of 1997, Commissioner Macaluso has served in three divisions of the court: Civil, Family, and Criminal. Her current assignment is to Small Claims Court in the Civil Division.

Commissioner Macaluso came to the Court following eleven years as a trial attorney in the Civil Division of the United States Department of Justice, working primarily as a defense attorney in complex toxic tort cases, but also handling a variety of contract cases. Earlier, from 1978 to 1985, she was an attorney with the Solicitor’s Office of the United States Department of Labor, handling cases arising under the Mine Safety and Health Act and the Occupational Safety and Health Act (OSHA). Commissioner Macaluso was born in Baltimore and raised in Silver Spring, Maryland. She graduated from Howard University School of Law in 1975. Upon graduation she clerked for the Honorable David L. Cahoon, Chief Judge, Circuit Court of Montgomery County, Maryland. Commissioner Macaluso is active on the Executive Board of the National Conference of Special Court Judges (NCSCJ) and as chair of the NCSCJ Small Claims Court Committee.

Commissioner Macaluso was observed 15 times.

Overall, observers gave Commissioner Macaluso excellent ratings. She was able to explain court procedure and rulings clearly and effectively. Describing her abilities in this area, one observer said, “the Judge did an excellent job.” Another observer thought “her explanations were a little legalistic,” but that overall “she struck a good balance between formality and informality, efficiency and patience.”

The Commissioner took time to notify the parties of their options and encourage them to resolve their disputes without court intervention. One observer noted approvingly that the commissioner “began the proceeding by...encouraging settlements.” Observers remarked that Commissioner Macaluso was sensitive to the needs of litigants, in one case ruling against the plaintiff “in a sympathetic manner” and being “careful to explain all the legal reasons” for her decision. Another observer agreed that the commissioner “was very receptive to plaintiff’s requests and questions.”

All of the proceedings in Commissioner Macaluso’s courtroom were audible at least “most of the time.” The only problem noted was the failure of some parties to use their microphones.

VII. Major Findings and Recommendations

1. Finding: Metro riders get little guidance to help them find their way to the courthouse.

The Judiciary Square metro stop platform has small directional signs pointing to the 4th Street exit as the route to the courthouse. A person who then exits the metro at that exit gets no further help finding the way to the courthouse, nearly two blocks away. There is a good area map posted outside that subway exit, but it is located several feet behind and to the right of the subway escalators, causing most metro riders to miss the map entirely.

Recommendation: The D.C. Courts should take steps to place a sign and map at the exit point of the Judiciary Square metro stop that is in plain view.

Court users would benefit from a directional sign that is placed in front, rather than behind the metro escalators, near the intersection of Indiana Avenue and 4th Street. This sign should clearly depict directions to the courthouse from where the map is located.

2. Finding: It is difficult to navigate through the D.C. courthouse.

This was the most frequent complaint the community volunteers had about the D.C. courthouse. There is no general directory or map for the entire building at either the Indiana Avenue or the John Marshall entrances to the building. Rather, each floor of the building has a map of that floor only, and some of those maps have outdated information. At the courthouse entrances, observers found no directional signs in Spanish. Observers found it quite difficult to locate various areas within the courthouse until they became familiar with the building through repeated visits. They complained of inadequate signs, floor maps, and directions. Observers frequently had to ask information booth staff to find out where Small Claims Court, the Jurors' Lounge, the cafeteria, and various courtrooms were. One observer reported, "one must ask directions from passing court personnel or wait in line at the information desk. There is no sign for Small Claims Court." One observer wrote that "it was very difficult to find...courtrooms on the 4th and 5th floor."

Recommendation: D.C. court administration should place more, better, and bilingual signs throughout the courthouse.

First-time visitors to the courthouse should find a welcoming atmosphere and clear navigational assistance without waiting in lines to speak with someone. If the Court installed more and better signs, including a full-building directory at both the Indiana and John Marshall entrances to the building, people would not have to seek simple direction information at the Indiana Avenue entrance's information booth so often. The Court should also install far more pictorial and Spanish language signs for court visitors who can't read or have a limited understanding of English.

3. Finding: What signs there are in the D.C. courthouse are not well maintained.

The electronic information board near the main entrance to the courthouse lists the courtroom assignments of the judges and commissioners. Observers found that this board is often inaccurate. One observer reported, "Judge Turner was listed as 221 on the board downstairs. [She] was actually in court 519, which I found out at the information desk." In another area, sometimes judges switch courtrooms and the bench sign of the judge who normally occupies the courtroom is not removed, causing the public to enter the incorrect courtroom or to misidentify the judge they are viewing. The information pillar to the right of the Indiana Avenue escalators, whose labels indicate its purpose is to provide courthouse information in English and Spanish, is in fact empty. Other problems noted included signs that had spelling mistakes or were drooping.

Recommendation: D.C. court administration should inspect and update all courthouse signs frequently.

D.C. court administration should assign someone responsibility for inspecting courthouse signs for disrepair, accuracy, legibility, and spelling on a regular basis, perhaps weekly or biweekly, and for ensuring that necessary corrections are made promptly. On a daily basis, courtroom exterior doors should have an accurate sign indicating which judge is occupying the courtroom, and the judge's bench within the courtroom should also have an identifying sign. When a judge moves temporarily to another courtroom, a dated, legible sign noting his or her new location should be carefully posted on the originally-assigned courtroom door. Drooping signs need to be straightened. Far more signs should be bilingual or pictorial.

4. Finding: The lighted signposts above each courtroom door provide no guidance about whether the room is being used or is expected to be used. In addition, there is no consistent procedure followed throughout the building to identify whether the public is allowed to enter the courtroom.

Most of the courtrooms have signposts above the door that display the courtroom number and are equipped with a light. Observers initially presumed those lights had significance, like taxi lights or recording studio lights. This turned out not to be the case. Observers could not tell the difference between a courtroom whose signpost was lighted and a courtroom whose signpost was not lighted, as the lighting was completely inconsistent. Sometimes a light would be on outside one courtroom while no one was in the courtroom, while in another lighted-sign courtroom, court would be in session. The same was true for a dark sign. One observer queried, "Does [the light] mean that court is in session or that no one may enter?"

Civil Division judges sometimes conduct proceedings on matters which are not open to the public. Yet observers found no reliable way to know when proceedings were closed. Signs were rarely posted, and courtroom personnel did not always clear the room. On several occasions over the three months, observers unwittingly witnessed supposedly closed proceedings.

Recommendation: D.C. court administration should ensure that the lights above courtroom entrances are used routinely to indicate that a courtroom is being used and is open to the public and should ensure that clear, permanent, bilingual or pictorial signs are posted throughout the courthouse describing what the courtroom lights signify. Likewise, court administration should publish and enforce a policy prescribing procedures and signs to be used to exclude the public from closed proceedings.

The light above the courtroom entrance should indicate that a courtroom is in session and open to the public. Conversely, if the light is off, this should indicate that the courtroom is not being used or is closed to the public. Courtroom personnel should take time to adjust the lighting on the signposts before sessions begin and after they end. This would allow the public to glance down a hallway and see if a courtroom is in session, rather than having to peek into windows. The Court, not the courthouse user, must ensure that no one can inadvertently enter or remain in a closed hearing.

5. Finding: There was difficulty in locating courtrooms and judges in session.

Observers found it quite difficult to determine whether particular judges would be in session on any given day. Without a notice posted on the courtroom doors, the public, parties, and witnesses have no idea if a courtroom is expected to be in session that day, if court is merely on a break, or if the judge is sick, on vacation, or otherwise occupied. Observers resorted to trial and error in their efforts to determine this information. One observer who checked several courtrooms reported, “the 5 judges [the Council] assigned me were all out of action.” Another wrote that he observed “one instance in which a woman with business before the court had difficulty figuring out that she was in the wrong place.”

Recommendation: D.C. court administration should ensure that a daily schedule of proceedings is posted on each courtroom.

A daily calendar posted on each courtroom door will inform the public, parties, and witnesses of delays, cancellations, judge switches, and courtroom switches. This would alleviate much confusion and make the courthouse far more user friendly. One observer suggested that “a schedule of cases on the door, including starting times, would be nice.”

6. Finding: Civil Division courtrooms are often empty.

Because such a small proportion of the work of the Civil Division is conducted in the courtrooms, many observers had difficulty finding the judges that they were scheduled to observe. When observers found their assigned judge’s courtroom unoccupied, project staff gave them a list of several other Civil Division judges to look for next. Observers also had trouble finding one or more of these judges in their courtrooms. Thus, throughout the three-month observation period, observers noted that numerous courtrooms in the D.C. Superior Court were frequently locked or dark inside. Ultimately, empty courtrooms are a great waste, particularly when courthouse space is at a premium.

Recommendation: D.C. court administration should ensure that courtroom and other courthouse space is assigned and used to better efficiency.

Due to the frequent inactivity in many courtrooms while other portions of the building appear to be overtaxed, the Court should promptly conduct a thorough space utilization analysis of the entire courthouse to determine if assignments and space configurations should be adjusted to make more effective use of the building capacity.

7. Finding: The Court does not maximize its use of the courtroom day to accommodate litigants, witnesses, and jurors.

Even when Civil Division courtrooms are used, observers found that they were used only half the workday. In general, morning courtroom sessions did not start until 10:00 or 10:30, and afternoon sessions did not start until 2:00 or 2:30 after a noon lunch break, and generally ended by or before 4:30. This amounts to only four hours of the eight-hour workday. One observer wondered if “it would have been possible to get things started sooner than 10:30.” Another observer wrote, “the delay to begin the afternoon session was long.” Observers noticed that trials were frequently disrupted, interrupted, or postponed. One observer found it problematic that “the jury was required to wait around while other court business was being handled.”

Recommendation: When trials occur, they should be conducted without interruption for unrelated matters and should use the maximum amount of time during the work day to reduce their duration.

Trial proceedings once begun should be run until they are complete and interruptions should be kept at a minimum. Morning sessions should begin no later than 9:00 or 9:30, and lunch breaks should not exceed one hour. These practices would reduce the number of days parties, witnesses, and jurors must attend court. Finally, jury members should not be required to wait for a judge to handle another unrelated matter. Instead they should be dismissed for the day.

8. Finding: Security personnel need better customer service skills .

Due to the high volume of traffic that enters the courthouse daily, it is understandable that security officers want and need to do their job as efficiently as possible. However, a number of observers reported that security officers were too brusque and impersonal while performing their jobs. Finding out where to go in an unfamiliar and intimidating setting and being searched can be an unpleasant experience, and being treated coarsely at the entrance does not help to curb individuals' anxiety.

Recommendation: D.C. court administration should ensure that security officers treat all who enter the courthouse with courtesy.

The security guards at the entrance of the courthouse are the face of the courthouse to visitors. They need to be quick in their job, but this should not have an adverse effect on their amiability or courtesy.

9. Finding: People in wheelchairs experience difficulty in maneuvering around the courthouse.

The courthouse is not wheelchair friendly. Both the Indiana Avenue and John Marshall entrances to the courthouse are wheelchair-accessible, but not easily. The doors to the courthouse are extremely difficult to enter in a wheelchair, and no door is power operated. Once inside the courthouse, a person will experience more difficulties. Courtroom doors are wide enough to accommodate a wheelchair, but they are not power operated, making it impossible for someone in a wheelchair to enter a courtroom without assistance. In addition, observers noted that there is little space available for wheelchairs in the courtroom. The few times observers saw wheelchair-bound people in the courtroom, they were sitting in the aisle. One observer commented, "I don't think the jury box and witness box are wheelchair accessible." In addition, some observers noted that if counsel was in a wheelchair, it would be difficult for him or her to have room to argue the case. Finally, the elevators are not labeled well, and they are small and quite slow, further impeding a disabled individual.

Recommendation: D.C. court administration should improve wheelchair accessibility throughout the courthouse and in courtrooms.

The Indiana Avenue and John Marshall courthouse entrances should be modified to allow easier entry for persons in wheelchairs or with limited strength to pull and hold the double doors. Power-operated buttons should be installed on courtroom doors to avoid problems when entering them. In the courtrooms, court officials should remove some of the fixed seating or make other space accommodations for disabled individuals. The Court should make space for wheelchair-bound people near the jury and witness boxes. Finally, better, more visible signs should be installed, directing one to the elevators.

10. Finding: A number of items in the courthouse need routine maintenance, such as clocks, payphones, restrooms, disabled access buttons, temperature, etc.

Many observers found items throughout the courthouse that were broken or inadequate. There were numerous clocks that weren't running at all or that displayed the wrong time. One observer wrote, "today, I noticed that several clocks on the corridor wall had stopped." Problems with the payphones being out of order were listed in the juror lounge comments.

Another observer wrote, "on every observation day, I noted that towels in ladies room are not in the dispenser," but rather placed on the frequently-wet sink counter. Additionally, on three

separate occasions, an observer noted that clogged sinks had not been unclogged for at least two weeks. Observers also reported throughout the observation period that some power-assist buttons that give the disabled access into or out of the restrooms were broken or missing from their socket, thus not providing the service they are intended to.

Another issue of concern for observers was widely varying courtroom temperatures. One observer reported, "Today was a very warm day and I thought the ventilation system could be improved. I observed that several members of the jury were having a hard time staying awake." Another observer noted that the air conditioner in one of the courtrooms was so loud that the proceedings were inaudible from the public seating. One observer made a general comment about her experience in the court: "the greatest deficiency I observed was in building maintenance."

Recommendation: D.C. court administration should be proactive in checking and fixing maintenance problems on a regular basis.

Some maintenance problems will occur because of the large number of people who frequent the courthouse every day. Still, the Court needs to do a better job of maintaining the courthouse. The clocks should work and be set to the correct time. The payphones should be in working order, especially in the jury lounge so that people can obey the signs asking them to refrain from cell phone use. The restrooms should be kept clean, equipped, functioning, and sanitary. It is imperative that the disabled power-assist buttons be kept in good repair. Finally, the temperature and ventilation should be kept at a consistent level throughout the building.

11. Finding: The Court's child care facility is not readily available to those who need it.

The Court provides a drop-in child care center on the lowest level of the courthouse for toilet-trained children ages two to twelve, to accommodate the needs of jurors, parties, and witnesses who must come to court. Very little is done to call this generous facility to the attention of those who would welcome the opportunity to use it. There is no sign about the center's existence at the courthouse entrances or even on the C-Street level on which it is located. In fact, the diagrams provided for each floor of the building misidentify the center's location.

Recommendation: The Court should publicize its in-court child care facility.

Signs should be posted prominently at the entrances to the courthouse, and written information should be provided to people when they are summoned to appear in court, so they are not forced to find alternative care for their children or bring them into the courtroom with them.

Appendix I

The Court Community Observers

Walter Alprin	Kyle Ludwig
Melissa Alves	Douglas Manninger
Robert Ambrose	Jennifer Marx
Daniel Aranyosi	Mary Massey
Carrie Babcock	Kevin McDougal
Alfred Baer	Alexander McRae
Eva Baer	Brian Moore
Jennifer Banwinski	Myrialis Moran Nieves
June Bashkin	Kristin Neilson
Maria Benzinger	Millicent Neusner
Melody Bledsoe	Norman Nigh
Nathalie Black	Marjorie Omohundro
Linda Bostick	Rachel Osterbur
Norris Capers	Anthony Partridge
Melissa Clark	Judith Peabody
Guy Coriden	Susannah Prindle
Margaret Coughlan	Gregory Proctor
Amy Crull	Brian Radigan
Bradley Davies	Maria Rivera
Amanda Davis	Megan Rosichan
John Dosedall	Michelle Roth
Bainbridge Eager	Harriet Rotter
Ellen Eager	Kathleen Shea
Erin Fishburn	Andrew Silberman
Dillon Fishman	Brooke Soper
William Frankel	Rebecca Stemburg
Natalie Fussell	Mike Stempki
Goldie Gider	Mary Jane Suskind
Morton Gluck	Constance Tate
Virginia Gorman	Renee Tolcott
Audrey Hatry	Kathleen Wagner
Barbara Holland	Leonard Washington, Sr.
Rachael Karp	Larry Williams
Matthew Kavanah	Nicholas Williams
Barbara Kemp	Jerrold Zwirn

Appendix II

Listing of All Observer Recommendations

Signs and Maps

1. Put a schedule of cases on the door of the courtroom **daily** so the public can be made aware of the judge's calendar each day.
2. Post signs on all levels, in similar areas indicating how to move around the courthouse and what areas are on which floors.
3. Post a sign from the metro station indicating how to get to the courthouse.
4. Update the central board that lists judges and their courtrooms so it is accurate.
5. Post signs indicating what courtrooms are down which corridors.
6. Post signs telling when court will resume after breaks.
7. Post signs when courtrooms in session are discussing private matters/closed hearings.
8. Post signs indicating how to get to the 5th floor.
9. Post courtroom numbers above corridors in which they are located.
10. Have a large map in the lobby with directions around the courthouse.
11. Make the public aware of what a lighted sign outside of the courtroom indicates.
12. Courtrooms should have the sign outside lit when it is about to begin, and is in progress, otherwise the sign should not be lit.
13. Provide a map in the mail of where people are instructed to go prior to their scheduled day of appearance.

Courthouse Entrance

14. Security guards at the front entrance need to work on their "people-skills"; they need to exercise more courtesy and respect.
15. Make the courthouse handicapped accessible at the entrance and in the courtrooms.
16. Permanent furniture at the security entrances would enhance the architectural integrity of the institution.
17. Move the ashtrays further from the front entrance.
18. Landscaping in front of the courthouse should be improved.
19. Clean the trash at the entrance on a continuing basis.
20. Have both security checks open at all times to avoid long lines.
21. Add a third magnetometer to speed up the process at the entrance.
22. Fix the entrance security; as it is now is inefficient and a hassle.
23. Put bike racks outside the front entrance to the court.
24. Widen the entrance doors for disabled persons.
25. The metal detectors at the entrance should be readjusted so that they do not detect harmless objects, but still catch dangerous weapons.

Inside the Courtroom

26. Employ a better microphone systems for judges, lawyers, and witnesses because it was difficult to hear the proceedings.
27. Judges should spend more time on the bench.
28. Allow the jurors to take a short break (5 to 10 minutes) before the jury instructions.
29. Make sleeping jurors pay attention; do not allow them to sleep.
30. Have video facilities in the courtroom.
31. Have a translator on call at all times.
32. Trials should be in courtrooms of ample size, so as not to cause overcrowding.
33. Attorneys should be better prepared when presenting their cases.
34. The deputy clerks should be required to wear jackets to make them appear more professional.
35. Make the sound used to protect the privacy of bench conferences more pleasant, perhaps use music.
36. Place handicapped electronic controls on doors
37. Create handicapped seating in the courtrooms.

Small Claims Court

38. A carpet should be installed in the aisle in the small claims courtroom to curb the noise created by people walking.
39. Someone should screen small claims court cases to determine whether both sides have adequate representation.
40. The clock strikes every hour and the noise is bothersome - quiet this.

General Improvements

41. Improve the condition and cleanliness of the bathrooms.
42. Improve the condition of the cafeteria.
43. Improve the ventilation system in the courthouse.
44. There should be better lighting in the hallways.
45. Have the elevators in working order.
46. Widen the aisles in the cafeteria for disabled persons.
47. Recycle paper in the courthouse.
48. Courthouse should be better staffed and house better facilities to create a more professional atmosphere.
49. Turn the air-conditioning down so it will no longer interrupt proceedings. (Judge Dixon's courtroom)

Timeliness / Efficiency

50. Court should start on time and court personnel (judges, court reporters) should be on time to foster this.
51. Organize the jury pools to avoid calling someone to be in the pool if they have recently served on a jury.
52. The court should adhere to a rigid schedule.
53. Organize the Friday morning scheduling conferences so that they make an efficient use of time and lawyers are not assigned to multiple conferences.
54. Start the proceedings earlier than 10:30.
55. Case jackets should be given to judges so that they have adequate time to review the documents before conducting hearings about them.
56. Schedule a jury trial before other matters to reduce juror delays.

Spectator Involvement

57. A briefing should be provided for those watching court so they can know what is going on in the trial they are watching.
58. At the beginning of court, an informational packet should be passed out to the involved parties, which would contain information on the proceedings, rules, mediation, etc. This will save some of the court's time and help the parties understand the process more clearly, especially those who are not represented by council.

Jurors' Lounge

59. The court should manage its time better so that the jurors do not spend large amounts of time with nothing to do.
60. Drinks and snacks should be available in the waiting lounge for jurors.
61. The VCR, TV and video tapes should be in working order and up to date.
62. There should be ample reading material and entertainment (i.e. newspapers, magazine, etc) for those waiting in the jurors' lounge.
63. The waiting room (presumably the jurors' lounge) needs to be cleaned and organized.
64. A person should come speak to people in the jurors' lounge rather than the unclear PA system which causes much confusion.
65. Cell phones should not be permitted in the jury lounge.
66. Better air circulation is needed in the juror lounge.

Clerk's Office

67. Provide more space for privacy (perhaps cubicles) as well as greater instruction when filling out forms.
68. Use a "take-a-number" system rather than have everyone stand in an enormous line.
69. Remove the windows at general filing because as it is now is extremely impersonal.
70. Have more counters open, as well as more tables and chairs.

71. Place counters along the walls so people can stand at these to fill out their forms.
72. Perhaps set up a “triage” system where the entering public could be categorized and separated on the basis of who needs extra assistance and who does not.
73. Obtain volunteers to help people with literacy problems fill out their forms.
74. Train people who speak over the PA system to speak clearly and understandably.
75. Have a separate area where people can pick up their forms.
76. Install an information window to help with frequent questions and problems.

**Appendix III
Sample Observation Form**

**Court Community Observers Project
Small Claims and Civil II Observation Form**

Observer's Name: _____ Date: _____

Judge/Commissioner (if applicable): _____

Courtroom #: _____

What time did you arrive? _____

What time did you depart? _____

Section Observed (use a separate observation form for each section if you observe in more than one place in a day):

- Small Claims (please fill out 1-8, 10, & 12)
- Civil Division/Small Claims Clerk's Office (please fill out 1-3, 11, & 12)
- Civil II (please fill out 1-9 & 12)
- Juror's Lounge (please fill out 1-3 & 12)

1. Physical Facilities

Please describe the room where you sat today (e.g., size, judges' bench, seating arrangement, windows, floors, lighting, temperature, cleanliness, security measures, etc.)?

Are the facilities accommodating and accessible for people, including those with disabilities (e.g., ramps, elevators, railings, appropriately-sized accommodations, directional signs, signs in Braille, etc.)? Yes. No.

If no, please explain: _____

Please rank the condition and accessibility of the following courthouse facilities on a scale of 1 through 5, with 5 being the highest and 1 being the lowest. (Scale: 1=poor, 2=below average, 3=fair, 4=good, 5=excellent.)

	Cleanliness	Disability accessible	Safety	Functionality
Courthouse Entrance:	_____	_____	_____	_____
Restrooms:	_____	_____	_____	_____
Cafeteria:	_____	_____	_____	_____
Elevators/Escalators:	_____	_____	_____	_____

Please describe any aspect of the court facilities that could be improved.

2. Evaluation of Court Personnel

Which court personnel were present (e.g., courtroom clerks, court officers, court reporter, security officers, etc.)?

Were court personnel efficient, helpful, and polite? Yes. No.

Please explain.

Did anyone appear to have trouble understanding or making themselves understood in English? Please explain.

Was an interpreter (including for sign language) present? Yes. No.

3. Bias and Civility

Was anyone treated inappropriately or differently based on gender, race, ethnicity, religion, age, disability status, sexual orientation, economic status, etc.?

Yes. No.

If so, how and by whom?

If there was inappropriate behavior on the part of the attorneys, court personnel, or others, did the judge/commissioner intervene to stop it? Yes. No.

4. Proceedings

What kind of proceedings did you observe (please check all that apply)? Please indicate approximately how many of each proceeding you observed, as best you can determine.

- Bench trial _____
- Motion Hearing _____
- Pre-trial Conference _____
- Jury trial _____
- Scheduling Conference _____
- Other (please describe) _____

5. Utilization of Court Time

What time was the court session scheduled to begin? _____ What time did it actually begin? _____

What time did the judge/commissioner take the bench? _____

Did the judge provide any breaks? Yes. No.

If yes, did they end when expected? Yes. No.

Were there any delays during the session? Yes. No.

Did the judge/commissioner explain the reasons? Yes. No.

If yes, what reason was given? _____

If no, what did you think was the reason for the delay? _____

6. Evaluation of the Judge/Commissioner

Please rank the following characteristics of the judge/commissioner on a scale of 1 through 5, with 5 being the highest and 1 being the lowest. (Scale; 1=poor, 2=below average, 3=fair, 4=good, 5=excellent.)

- Dignity _____ Control of courtroom _____ Time Management _____
- Politeness _____ Patience _____ Respect for litigants/jurors/witnesses _____
- Professionalism _____ Objectivity _____ Explanation of rulings/proceedings _____

You are not limited to these categories: please discuss anything that you find significant in the judge's or commissioner's performance. Detailed anecdotes are very helpful. If you are unsure whether a topic is appropriate, please include the information anyway.

7. Evaluation of Attorneys

Were the attorneys well prepared? Always. Sometimes. Never

Were the attorneys polite to the witnesses? Always. Sometimes. Never

Did you observe anything particularly noteworthy about the attorneys' performance? Please comment.

8. Audibility

Were proceedings audible? All of the time. Most of the time. Seldom. Not at all.

If you could not hear, please explain why (e.g., poor acoustics, judge spoke too softly, etc.)?

Were microphones and loudspeakers available? Yes. No. Don't know.

If available, were they used? Yes. No. Don't know.

If used, were they effective? Yes. No.

Did the judge encourage participants to speak up? Yes. No.

9. Evaluation of Civil Juries Only

Were jurors taking notes? Yes. No. Don't know.

Were the jurors permitted to take notes? Yes. No. Don't know.

- Did jurors ask questions? Yes. No. Don't know.
- Were the jurors permitted to ask questions? Yes. No. Don't know.
- Were the instructions and explanations given to jurors clear? Yes. No. Did not occur.
- Was the jury's time efficiently utilized? Yes. Somewhat. Not at all.

Other

comments: _____

10. Evaluation of Small Claims Court Only

- Did the commissioner provide a description of small claims court procedures to the litigants? Yes. No.
- Were decisions explained clearly? Yes. No.
- Was the physical facility (e.g., size, available seating, lighting, etc.) of the courtroom or waiting room adequate? Yes. No.

Other

comments: _____

11. Evaluation of Civil Division or Small Claims Clerk's Offices Only

- The lines and waiting are reasonably short: Always. Sometimes. Never.
- The counter is adequately staffed: Always. Sometimes. Never.
- Counter personnel are polite and helpful: Always. Sometimes. Never.

Please describe any other noteworthy aspect of the Clerk's Office.

12. General Recommendations

Please give any suggestions you have to improve: performance of judges, commissioners, attorneys, and court personnel; court efficiency; appearance of fairness; the court's service to the public; physical facility; court management; or any other aspect of the court's performance.

⚡ Important! ⚡

At the end of each observation day, please return your completed form (via mail or fax)

to:

**Council for Court Excellence ● Suite 510 ● 1717 K Street, NW ● Washington, DC
20036**

Fax: 202.785.5922

Phone: 202.785.5917

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February - April 2001

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Nathalie Black	Marjorie Omohundro
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Norris Capers	Anthony Partridge
Melissa Clark	Judith Peabody
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