

2011 Annual Report



Council for
Court Excellence
Improving Justice for the Community

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our MISSION

The Council for Court Excellence is a nonprofit, nonpartisan civic organization that since 1982 has worked to improve the administration of justice in the local and federal courts and related agencies in the Washington, DC area.

We accomplish this goal by identifying and promoting justice system reforms, improving access to justice, and increasing public understanding of and support for our justice system.

our HISTORY

After the DC Bar released the groundbreaking "Horsky Report" in 1982 calling for improvements in the court system, community leaders identified the need for an independent group to advance this work.

To address these concerns, leaders of the city's civic, legal, and business sectors founded the Council for Court Excellence (CCE) to help local and federal courts respond to increasing demands and escalating community expectations.

Under the leadership of founders Charles A. Horsky and Samuel F. Harahan, the Council set an ambitious agenda of identifying, developing and advocating needed reforms, and programs to improve understanding of and support for the justice system.

CCE has built a substantial record of success in the major justice system reform initiatives it has undertaken. CCE was the moving force behind adoption of the one day/one trial jury system in the DC Superior Court, modernization of trial jury and grand jury systems, reform of the District of Columbia probate laws and proce-

dures, reform of the DC administrative adjudication system, improvement in court handling of child neglect and abuse cases, expansion of crime victim rights, and proposed solutions to speed resolution of criminal and civil cases.

To improve the public's access to justice and increase understanding of our justice system, the Council over the years has published and disseminated more than 360,000 copies of free plain-language booklets and other materials explaining a wide variety of court systems and legal issues.



from the EXECUTIVE DIRECTOR

Welcome to YOUR annual report!

This was a year where the CCE community – you – lifted our organization to new heights.

You accomplished great things, advancing CCE's mission and improving justice in the District community. Here are a few highlights:



A video is worth a thousand words

Our unique Bench-Bar-Media Dialogue project culminated in a program held at the Newseum. Fittingly, given the media emphasis of this project, we recorded the fantastic panel discussion and created a YouTube trailer to summarize the presentation.

Our reentry project makes headlines

Thanks to a grant from the Jovid Foundation, we seized the moment and created District-wide "buzz" about our groundbreaking report on reentry and unemployment. From radio to newsprint to blogs, not only did we call attention to CCE's great work but, perhaps more importantly, we ignited a long-overdue dialogue in DC about this very important issue.

A new publication, a new graphic identity

Our updated report, *How the District Gets its Judges*, showcases not just our great community education mission, but also our dynamic new logo. This report is available online and has already been downloaded hundreds of times.

These are only a few examples of the ways in which our program work crossed major milestones.

The year was framed by a strategic planning process that drew a roadmap for ways that CCE can address your priorities for justice system improvements. And our three Justice Potter Stewart honorees exemplified the values of education, service, and excellence that are central to our work.

Something you won't see anywhere else in this report is a mention of the extraordinary renovations we made in our IT systems in the CCE office. Through a grant from the Philip L. Graham Fund, we upgraded our network and computers, and designed an interactive new website. These improvements made all of the program achievements possible. Without this increase in capacity, we couldn't have executed crisp new publications in-house (including this annual report!) and the communications that engaged our partners and supporters in our work this year.

Our challenge now is to continue to demonstrate that our mission is not an academic essay on justice matters; it is creating *real* and *effective* solutions that improve justice for all who live and work in Washington, DC.

Now, with your help, we must keep this great momentum moving forward into our thirtieth anniversary year.

I thank you for all you do to support CCE's important mission.


June B. Kress
Executive Director

In Memoriam: Tim May



In October of 2011, CCE lost one of our longest-serving Board leaders, Timothy J. May. Tim was a partner at Patton Boggs, where he practiced law for 42 years.

At his memorial service, CCE founding Executive Director Sam Harahan shared memories of Tim.

"His imprint was long and deep on our community," Sam said, "from the law, to civic affairs, to the university community, and, to the Catholic Church.

"Tim had an infectious personality, and manner, and a great sense of humor. He loved to tell stories, and he had a wonderful way of drawing you in."

Ron Jessamy receives the Horsky Award

On July 19, the Executive Committee presented long-time leader Ronald C. Jessamy with its highest honor: The Horsky Award. President Earl Silbert spoke of Ron's "considerable" investment in CCE's mission, most recently as the leader of the Nominating Committee.

Ron has been a director of CCE since our organization's early days in the 1980's.



Ron Jessamy (right) receives the Horsky Award from President Earl Silbert

The Charles A. Horsky Award, named after CCE's founder, is given on special occasions to outstanding leaders who embody Mr. Horsky's commitment to public service. The award was established in 1998.

LEADERSHIP activities

In June, the Board elected Jay A. Brozost, Esq., as Chair of CCE's Board of Directors. Mr. Brozost is the Vice President and General Counsel for Washington Operations of the Lockheed Martin Corporation. He enthusiastically took on his leadership of the organization, becoming particularly active in CCE's reentry work. With his support, Lockheed Martin printed 2,000 copies of this project report as a public service.

Mr. Brozost has led a prominent career at Lockheed Martin where he has served as the general counsel for the aeronautics and electronic systems businesses as well as the chief litigation and compliance lawyer for the Corporation. He began his career in the United States Department of Justice and advanced to the position of Senior Trial Attorney prosecuting complex fraud cases. He received his JD with honors from the George Washington University, and his BA from Cornell University.

A past president of the Washington Metropolitan Area Corporate Counsel Association (WMACCA), Mr. Brozost is a member of the bars of the District of Columbia, the Supreme Court of Virginia, and the United States Supreme Court. He also served

on the Board of Directors for the American Corporate Counsel Association.

Also in June, two new directors were elected to the Executive Committee: Beverly Burke and William Carter. The Board applauded the leaders who rotated off the Executive Committee this year: Kate Carr, Steve Gordon, Greg Castanias, and Ron Jessamy.

New Board directors who joined CCE this year include Joy Abel, Dean Paul Schiff Berman, Prof. Susan Low Bloch, Ralph Caccia, Paulette Chapman, Stephen Chertkof, Trish Dunn, Des Hogan, Brian Kennedy, Darrell Mottley, Susie Nace, Don Santarelli, Peter Sherman, Michael Sullivan, Dr. Rosemary Sutton, Chuck Tobin, and Jeffrey Walker.



CCE Chairman
Jay A. Brozost

Governance

Among our most significant administrative achievements were the updating of CCE's bylaws. A committee led by Steuart Thomsen carefully reviewed and revised CCE's organizing documents to ensure that they reflect our actual practices and are in compliance with the new DC Corporate Code. (To read about our educational program on the Code, please see page 14.)

We thank Steuart and the other committee members who championed this important effort: Bill Carter, Peter Kolker, Jack Scheuermann, and Earl Silbert.

long range PLANNING



From Left: Dwight Murray, retreat host Mark Flanagan, Pat McGlone

Long Range Planning

Long Range Planning co-chairs Patrick McGlone and Dwight Murray and their committee crafted a CCE program plan for 2012-2016. The committee developed its proposal after a series of surveys and interviews of board members and stakeholders, capped by a fall retreat.

The new five-year plan that CCE's Board adopted in December includes the following priorities for the coming years:

Criminal Justice

- Assess the appointed counsel system for criminal cases to ensure quality legal services are being provided.
- Expand upon initiatives recommended in the CCE 2011 reentry report.

Access to Justice

- Increase the availability of non-lawyer assistance (such as guides to legal rights) to otherwise-unrepresented individuals.

Court Efficiencies and Effectiveness

- Assess and find ways to improve the Judge in Chambers process.
- Improve the function of mediation services in the DC Superior Court.
- Assess ways to reduce the duration of the appeal process.

Youth in the Legal System

- Assess and find ways to reduce truancy.
- Advocate resolution of public policy issues facing the juvenile justice system.
- Ensure the implementation of practice standards for children's court-appointed attorneys in custody cases.



our WORK

H. Carl Moultrie I
Courthouse of the District of Columbia
FAMILY COURT



CHILDREN in the courts

Image: stevendepolo (Creative Commons)



**I was dealing with
the most important decision
a judge can make: custody.**

Susie Nace
Board Director

Custody Attorney Practice Standards

Judges often appoint volunteer attorneys to represent the children in custody cases, to ensure that sufficient evidence is presented in court for the judge to determine the best interests of the child. But unlike appointments in other areas of Family Court practice, there are no practice standards or qualifications for appointed custody attorneys.

"This project grabbed me because of my own experiences as a *guardian ad litem*," said Susie Nace, a member of the project committee. "I was dealing with the most important decision a judge can make: custody; but there were no standards or rules to clarify my role and behavior. I found this to be very troubling."

In response to attorneys' frustrations that they had no uniform set of expectations, CCE developed proposed standards to guide the lawyers' work.

CCE recruited a committee of lawyers with experience in custody cases involving court-appointed children's lawyers to research and prepare the proposed standards. Children in the Courts Committee chair Arabella Teal led the project.

CCE presented its proposal to the Superior Court in July 2011, and the Family Court formed a committee of judges to review the proposal.

CHILDREN in the courts

Judicial Training

On February 16, CCE presented a training program for DC Superior Court Family Court judges. The topic of the training was Qualified Domestic Relations Orders (QDROs) that are included in divorce agreements that deal with pension rights. QDROs are important in divorce proceedings, as they deal with property settlements and must be done with precision.

CCE Vice President Patrick McGlone organized the training and identified speakers for the event.

"The presentation on QDROs is a good example of how CCE can be of service to the judiciary," said Mr. McGlone.

"The Court identified a topic about which it would like additional training, and CCE located an experienced practitioner to provide the requested expertise."

Family Court Presiding Judge Zoe Bush asked CCE to arrange the QDRO training for Family Court judges, after CCE had provided a judicial training in late 2010 on dissolution of same-sex marriages.

A "qualified domestic relations order" (QDRO) creates, recognizes, or assigns an alternate payee to receive all or a portion of the benefits payable under a retirement plan.



ERISA § 206(d)(3)(B)(i); IRC § 414(p)(1)(A)

**The presentation on QDROs is a good example of
how CCE can be of service to the judiciary.**

Patrick McGlone
Board Director

Employment and Reentry in Washington, DC

In November, CCE publicly released *Unlocking Employment Opportunity for Previously Incarcerated Persons in the District of Columbia*, a report of the DC Prisoner Reentry Initiative that sheds light on the obstacles to employment faced by people in DC with criminal records. The Initiative committee was comprised of representatives from the law enforcement, corrections, private employers, and previously incarcerated communities.

Prior statistics suggest that 60,000 people in DC have criminal records, and 8,000 of these people return to the city each year after serving prison or jail time. The CCE report found that nearly half of these formerly incarcerated persons may be unemployed.

Although one-third of respondent employers said they had hired a previously incarcerated person in the past or would do so if the opportunity arose, more than 50% said factors such as legal liability protection, certificates of good standing or rehabilitation, and industry-specific skill training would “significantly increase or influence hiring.” In the report, CCE’s recommendations are a direct response to these comments.



From left: Barbara Lang, June Kress, Phil Mendelson and Jay Brozost at the launch event for CCE’s reentry report

CRIMINAL justice

Reentry, continued



Unlocking Employment Opportunity for Previously Incarcerated Persons in the District of Columbia



Council for Court Excellence

The report was released at the DC Chamber of Commerce. Speakers included CCE Board Chair Jay Brozost, CCE Executive Director June Kress, DC Chamber President Barbara Lang, Michael Curtin of DC Central Kitchen, previously incarcerated person James LeBlanc, and DC Councilmember Phil Mendelson. The day after the publication's release, CCE was the first of almost 150 witnesses at a joint hearing of the DC Council Judiciary and Workforce Development Committees. CCE Chairman Jay Brozost and Executive Director June Kress testified on behalf of CCE.

Since its release, *Unlocking Employment Opportunity* has received significant and positive media attention, including coverage by *The Washington Post*, *The Washington Examiner*, *The Huffington Post*, *CBS Washington*, and WAMU public radio; the report has been accessed online at the CCE website almost 20,000 times.

CCE Board member Ted Whitehouse chaired the DC Prisoner Reentry Initiative project committee.

CRIMINAL justice

Pretrial Release

The DC Misdemeanor Arrest and Pretrial Release Project continues to examine issues related to the processing of and pretrial release options for persons arrested for low-level criminal offenses.

DC is already considered by many criminal justice professionals to be a national model for pretrial justice with its array of pretrial release options that virtually eliminates one's ability to afford money bail as a means to secure release.

However, these options can lead to confusion and a concern about disparate treatment for some arrestees.

"The work to date has demonstrated just how complex this aspect of the DC criminal justice system really is," said Cliff Keenan, the CCE Board director who chairs this project.

"However, we're committed to exploring the competing issues and are confident that our efforts are likely to result in significant improvements to the DC criminal justice system."



Our efforts are likely to result in significant improvements to the DC criminal justice system.

Cliff Keenan
Project Chair

COURT improvements

DC Bench-Bar-Media Dialogue Project

The Court Improvements Committee convened its third and fourth programs of the Bench-Bar-Media Dialogue Project this year:

Confidentiality vs. Open Access in DC Juvenile Cases

On May 23, over 40 attendees came to the Ceremonial Courtroom of the DC Court of Appeals for this program. The public panel discussed the effects of recent DC legislation to open certain juvenile records that are presumptively confidential. Topics discussed included: witnesses and the media in juvenile court; how the legislation impacts press coverage of juvenile matters; and the psychological effects of disclosure on juvenile offenders.

Social Networks, Computer Technology & the Courts

Held at the Newseum on June 15, the final Bench-Bar-Media Dialogue program of the year drew 170 attendees. The panel used a hypothetical trial to discuss how DC courts, journalists, and attorneys are addressing social network and computer technology issues. Topics from the fictional case included judicial admonitions about use of social networks, jurors who use Twitter during trial, witnesses and lawyers who are connected on LinkedIn, live blogging from the courtroom, and cameras in the courtroom.

As the public increasingly adopts visual and social network media as its primary sources of information, the courts have felt pressure to adapt to new methods of courtroom coverage.



Frank Sesno addresses the panel at the Newseum

The courts have felt pressure to adapt to new methods of courtroom coverage.

CCE Board members Laura Handman and Eric Lieberman co-chaired this initiative and will continue to do so in 2012.

COURT improvements

Training in DC Corporate Code



Court Improvements Committee Chair Jay Hulme begins the program. Panelists (l to r): Nicholas Majett, Nicolas Karambelas, John Mitchell, Lawrence Mirel.



Attendees at the program, hosted by Wiley Rein

The new DC Business Organizations Code takes effect on the first day of 2012. It will repeal all existing DC laws on business organizations, some of which date back to 1870, and replace them with what will be the most modern business organizations code in the U.S.

In early May 2011, CCE sponsored the first seminar in DC on this important new law. The program drew almost 60 DC lawyers and leaders in the business and non-profit sectors.

Attendees heard an overview of the new law from a panel of speakers who were involved in drafting the statute, including Nicholas Majett, who was also the Director of the DC Department of Consumer and Regulatory Affairs, which is charged with implementing the law.

The project was led by CCE Board directors Marc Sherman and Jay Hulme.

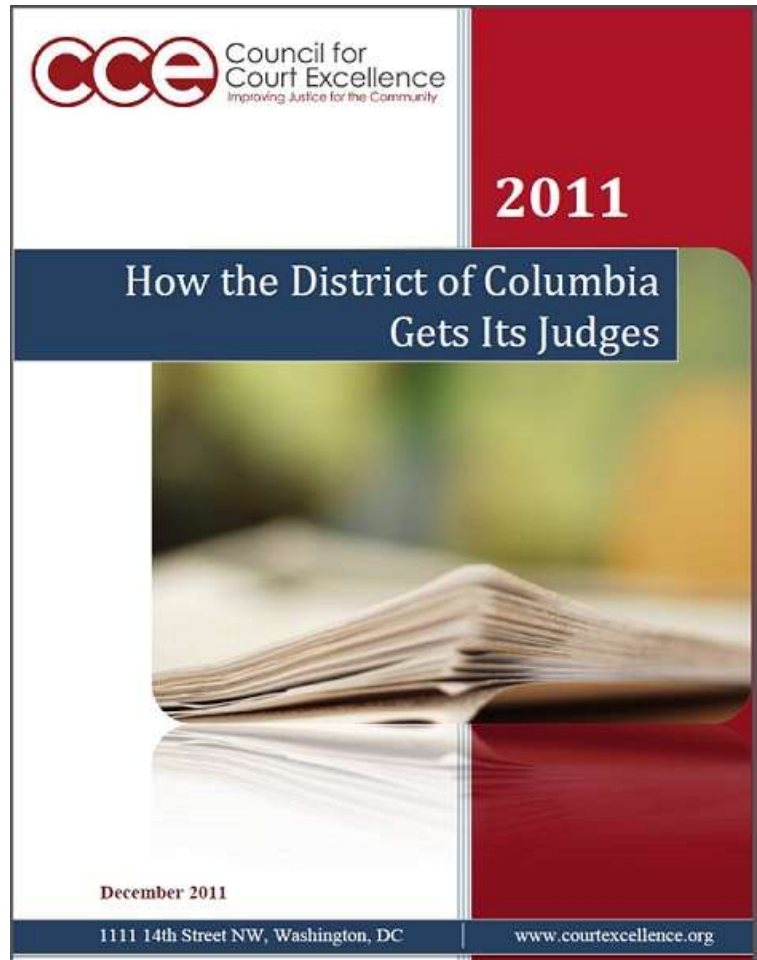
How the District Gets its Judges Updated

This year, CCE updated its 2005 guide, *How the District of Columbia Gets its Judges*. CCE published a new tri-fold booklet with highlights of the report in the fall, and released the longer guide in December.

The new publication reflects all current information about the District of Columbia's judicial appointment process as of August 2011.

Part One of the report describes DC's judicial appointment and reappointment process for both trial judges on the DC Superior Court and appellate judges on the DC Court of Appeals.

Part Two focuses exclusively on the Superior Court. It provides detail, based on Council for Court Excellence research, about the professional backgrounds of the 150 persons who have been recommended by the DC Judicial Nomination Commission for nomination to the Superior Court between 1994 and August 2011.



School Jury Education

The Public Service Committee presented 12 jury education programs in DC classrooms in 2011. CCE's jury education program introduces DC's young people – who are the next generation of jurors – to the important role they will soon play in our justice system.

Each program begins with brief introductions from a CCE staff member and a judge from one of the local or federal courts in DC. Next, a mock-trial video is screened for the students, who then take on the role of jurors in the case they have just watched. The student jurors grapple with issues of witness credibility, eyewitness identification, and reasonable doubt as they try to reach a unanimous verdict.

The programs, continuing into 2012, are done in concert with the Street Law program at Georgetown University Law Center and the Marshall-Brennan Fellowship Program at American University's Washington College of Law.

Judge Noel Kramer leads the CCE Public Service Committee.



Magistrate Judge Tara Fentress leads a program at Woodrow Wilson High School

It is encouraging to see eager young people engage with enthusiasm in the important civic duty of jury deliberation for their first time ever.

This program helps prepare them and inspire them to respond to the call to serve.

Judge Richard W. Roberts
Board Director



grade standards-based instructional continuum which serves as a basic foundation for the future acquisition of and knowledge at the post secondary level, enabling each student to function as a responsible global citizen.

Magistrate Judge Karen Howze with students at Spingarn High School



The 15th Annual
Justice Potter Stewart Awards Dinner

The 15th Annual Justice Potter Stewart Awards Dinner

Honoring



Prof. Peter Edelman
*DC Access to
Justice Commission*

**Sister Mary
Ann Luby**
*Justice
Advocate*



**Donald E. Santarelli,
Esquire**
Dinsmore & Shohl



*From left: Victor Long,
Paulette Chapman, and Darrell Mottley*

▲ *Tersh Boasberg
with Hon. Judith Rogers*



▲ *Honoree Don Santarelli (right) with, from left: Sam Santarelli,
Louisa Santarelli, Harry F. Byrd, III, Connie Santarelli, and Barbara Byrd*



◀ *From left: Sheldon
Krantz, Johnine
Barnes, Hon. Richard
Roberts, and Laurie
Robinson*

The 15th Annual Justice Potter Stewart Dinner



Matthew Wright (left) and Jay Hulme

was completely sold out, making for a lively evening. The celebration was held at the US Chamber of Commerce, Thursday, May 12, with a reception followed by dinner and the awards ceremony.

"This year's honorees are shining examples of justice

and advocacy in the DC community," says CCE Executive Director June Kress.

"Don Santarelli has built a legal legacy in the creation of DC's Superior Court, Mary Ann Luby worked tirelessly for the rights of mentally ill and homeless District residents, and Peter Edelman, in addition to his visionary advocacy, nurtures the law students who will lead the fight for justice in DC and across America."

The Council is indebted to the work of the Dinner Committee. In addition to our chair Jack Strausman, this year's energetic members include: Bruce Berger, Caryl Bernstein, Kate Carr, Alec Farr, Sam Harahan, Larry Hinton, Steve Hut, Bill Jeffress, Mike Jones, and Earl Silbert.

We thank our Selection Committee, who composed our wonderful trio of honorees. Chaired by Tom Mikula of Goodwin Procter, Committee members include: Magistrate Judge Diane Brenneman, Avis Buchanan, Beverly Burke, Steve Grafman, Fritz Mulhauser, and Tyrone Parker.

The Justice Potter Stewart Award, named to honor the memory and public service of the late Associate Justice of the Supreme Court, was established in 1997 by the Council for Court Excellence to recognize individuals and organizations whose work on behalf of the administration of justice has made a significant contribution to the law, the legal system, the courts, or the administrative process in our Nation's Capital.

This year's honorees are shining examples of justice and advocacy in the DC community.

June Kress
Executive Director

Leadership

Arent Fox  pepco

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The McCammon Group

Miller & Chevalier Chartered

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Regan Zambri & Long, PLLC

Skadden, Arps, Slate, Meagher & Flom LLP

Vinson & Elkins LLP

The Washington Post

Williams & Connolly LLP



◀ From left: William Lawler, Ralph Caccia and Josh Hochberg

Dinner Chair ▶
Jack Strausman (center)
with Arthur Adelberg
and Linda Crawford



CCE Chair Kate ▶
Carr (center) with,
from left, Kevin Blair, Amy Brown,
Joseph Walker,
and Chief Administrative Law Judge
Mary Oates Walker



▲ Posthumous honoree Mary Ann Luby's sisters Sabina Prendergast (left) and Rosemary Watkins



◀ Honoree Peter Edelman (left) with Eric Lieberman and Laura Handman

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The Council for Court Excellence is pleased to thank the individuals, businesses, law firms, and foundations who have contributed to our work this year. The Council raises its resources through a variety of contributed income. The amounts noted in this list represent the aggregate contributions from each organizations or individual through December 31, 2011. Board dues are not included in this list.

We make every effort to ensure the accuracy of this list. But if we inadvertently omitted you, please [email us](#) and let us know!

Grantmakers and Foundations

The Anne and Ronald
Abramson Family
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Sam and Eileen Harahan
Steve Harlan

Holiday Reception Underwriters



*From left: CCE Chair Jay Brozost,
Peter Sherman (LexisNexis) and
Marc Sherman (Alvarez and Marsal)*

Wednesday December 7

**E. Barrett Prettyman
Federal Courthouse**

A celebration honoring
members of the federal
judiciary and the District of
Columbia judiciary

Michael D. Hays
Hon. Brook Hedge
Margaret L. Hines
Ted Hirt
Eileen and Richard Hoffman
William Hoffman
Christopher Hoge
Margaret and Stephen Hut
Hon. Ellen S. Huvelle
Industrial Bank
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Cliff Keenan
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Melissa G. Reinberg
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Voluntary Board of Directors Dues	\$ 261,825	34%
Donations	\$ 68,271	9%
Special Events	\$ 221,390	28%
Grants & Contracts	\$ 194,860	25%
Other Income	\$ 31,213	4%
Total Support and Revenue	\$ 777,559	100.0%
Expenses	Amount	Percent of Total
Program	\$ 612,562	82%
Administrative	\$ 59,762	8%
Fundraising	\$ 74,703	10%
Total Expenses	\$ 747,027	100.0%
Excess (deficiency)	\$ 28,094	

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