



Yesterday, Today, and Tomorrow



2012 Annual Report

# Mission

The Council for Court Excellence (CCE) works to improve the administration of justice in the Washington, DC metropolitan area. CCE accomplishes this goal by identifying and promoting justice system reforms, improving public access to justice, and increasing public understanding of and support for our justice system.

# History

The Council for Court Excellence was founded in 1982 to provide leaders in the city's civic, legal, government and business sectors with a means of advocating for needed reforms and programs to improve the District of Columbia's justice system.

Since CCE's founding, it has been a unifier, a monitor and a change agent in all aspects of local justice. CCE addresses the most important community issues, from jury service to criminal justice, and brings to light lesser known issues, such as foster care and probate resolution. We work to identify gaps in performance, determine and outline solutions, and ensure that these ideas become a reality. We encourage individuals to understand the justice system and empower them to improve it.

Today, CCE leads a wide variety of programs. Some of our projects strengthen law and policies, bringing better justice for all. Many of our initiatives involve education and outreach to assist our neighbors as they navigate the justice system. Together, our efforts change lives by improving justice for everyone who lives or works in the Nation's Capital.

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**About the cover:** We chose to illustrate the center of the local judiciary, and the focus of much of CCE's work over our thirty years, the Superior Court of the District of Columbia. CCE's early recommendations for improving the court addressed accessibility, finding in 2002 that "the DC Courthouse has inadequate disability access." Residents of the District were delighted in 2008, when the Court renovated its E Street entrance. The new design reinforces the Court as a place that is welcoming and accessible to all.

Cover : Background: Founding DC Superior Court Judiciary, 1970. From the collection of Donald E. Santarelli.  
Foreground: DC Superior Court, 2011. From the CCE Archives.  
Background: Old entrance to DC Superior Court, 2001. From the CCE archives.

# From the Executive Director

Dear CCE Board Directors and Friends of the Council for Court Excellence,

We had quite an eventful 2012, starting off with our 30<sup>th</sup> anniversary celebration at the US Supreme Court, complete with a DC Council Proclamation and wonderful congratulatory remarks from Justice Ruth Bader Ginsburg. What a way to start the year!

I am particularly proud of the combined efforts of our Board Directors, justice system stakeholders, and CCE staff that accomplished an extraordinary amount of program work in 2012. We launched 4 new projects on School Discipline, Judge-In-Chambers, Notario Fraud, and the Justice System Feedback Guide emanating from our Children in the Courts, Court Improvements, and Public Service Committees, respectively, based on priorities identified in the 2012-2016 Long-Range Plan. The latter committee also updated CCE's "A Victim's Guide to the DC Criminal Justice System," and the DC Pedestrian Safety Project, going strong since 2007, published its long-awaited report.

The Criminal Justice Committee also made significant progress on its reentry work, with legislation introduced and passed by the DC Council, based on our 2011 report recommendations for which we were recognized in early 2012 with a "Community Appreciation Award" from the Office on Returning Citizen Affairs. Significant progress was also achieved on our project to clarify pretrial release practices with legislation in the works for 2013.

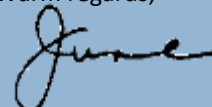
CCE's Bench-Bar-Media Dialogue Project also convened four sessions that were thought-provoking, timely, and well-attended. And let's not forget our popular civics lesson for the next generation of jurors that was taught by our local and federal judges in 15 DC public and charter schools throughout the year.

But wait there's more: The Finance Committee, chaired by Julia Matthews, met monthly providing excellent oversight of CCE's finances. The Nominating Committee, chaired by Dwight Murray, ensured strong and capable leadership for the Council, and the Governance Committee, chaired by Stuart Thomsen, wrapped up its work by reviewing and recommending several corporate policies that brought CCE into complete compliance with local and federal requirements.

We experimented a bit in 2012 with new venues, celebrating the 16<sup>th</sup> Annual Justice Potter Stewart Dinner at the gorgeous Organization of American States, and our December Board meeting and Holiday Reception at the new NYU in DC building, both of which were well-attended.

Many of you deserve credit for this extremely productive year, and hopefully you will recognize your efforts on the pages of this Annual Report. I am particularly grateful to Board Chair Jay Brozost, President Earl Silbert, and the CCE Executive Committee for their leadership and guidance throughout the year. I also wish to publicly thank Priscilla Skillman, who retired at the end of 2012, for her 20 years of service as CCE's Assistant Director, bringing great intellect and insight to the work, and a wonderful spirit and sense of humor to the organization.

Warm regards,



June B. Kress  
Executive Director



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# Our Work

## A Jury of My Peers?



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**Be a Peer... Say Yes To Jury Duty.**

A Public Service Message from the Council for Court Excellence (202) 785-5917 [www.courtexcellence.org](http://www.courtexcellence.org)

# Children in the Courts

## School Discipline Systems

CCE's 2012-2016 Long-Range Plan identified truancy as a priority issue for CCE to address. CCE's Children in the Courts Committee, chaired by Judge Arabella Teal, met throughout 2012 to explore the issue in order to identify a specific project in the field that would contribute to improving outcomes for DC children but without duplicating others' efforts. The committee learned that DC's Truancy Task Force had become

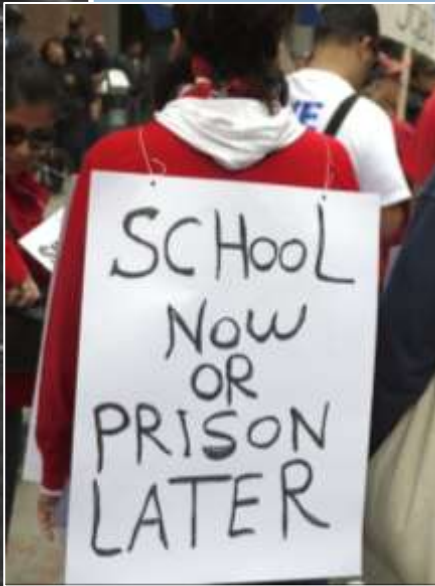
reactivated and, together with increased oversight attention from the DC Council, was undertaking new data collection and initiatives to begin to stem the city's epidemic of school truancy. CCE's committee decided to focus on the discipline systems in the District's public and charter schools.

The District of Columbia has a longstanding problem of poor school attendance, high drop-out rates, and low levels of high school graduation. All of these impair both the future prospects for the city's children and the economic vitality of the city. Keeping kids in school is important not only to their education; it can also provide protection from involvement in the juvenile justice system. Experts say consistently that students who are at school are more likely to succeed, both at school and in later life. Researchers have identified a strong link between students being suspended or expelled from school and their likelihood of becoming truant,

dropping out, or engaging in criminal behavior. Both DC public and DC public charter schools suspend or expel large numbers of students each year, causing them to lose instruction time and fall behind in their academic work.

CCE's project is analyzing both the content and the operation of public and charter schools' discipline codes. We will identify how CCE can best contribute to policies and practices that will keep students in school until they receive a diploma and a better chance at a productive life. The research results will be published by the end of 2013. The project committee may choose to report in two publications -- one providing a descriptive guide to public and charter school disciplinary procedures, to inform parents of their rights and options, and a second with data and analysis of those procedures and recommendations for reform -- or the committee may choose to combine both into one report.

Thank you to Judge Arabella Teal for chairing this compelling project. Active members from the CCE Board included Joy Abel, Bruce Berger, Susan Low Bloch, Magistrate Judge Diane Brenneman, Judge Arthur Burnett, Trish Dunn, Dr. Ramona Edelin, JoAnne Ginsberg, Andy Glass, Barbara Kagan, Fritz Mulhauser, Susie Nace, Tyrone Parker, Kathy Patterson, Diana Savit, and Charlie Zdebski. Additional stakeholders included Kaitlin Banner, Marybeth Manfreda, Hannah McElhinny, John McNulty, Dave Rosenthal, and Professor Joe Tulman.



# Criminal Justice

## Progress on Unlocking Employment Opportunity

The year 2012 marked significant progress for CCE's criminal reentry project. In December, the DC Council enacted the Reentry Facilitation Amendment Act of 2012, drafted in response to recommendations in the Council for Court Excellence's 2011 report, *Unlocking Employment Opportunity for Previously Incarcerated Persons in DC*.

The legislation passed by the DC Council will:

- Address employers liability concerns about hiring a person with a criminal record by offering a method that would ban the revelation of the employee's criminal record in a civil negligent hiring lawsuit;
- Establish a certificate of good standing program, available to persons with a criminal conviction upon completion of their sentence, probation or community supervision; and
- Make further changes to the DC Criminal Record Sealing Act (which was the product of research and advocacy by CCE in 2005 and 2006) that permits people to seal certain low-level, non-violent misdemeanor convictions and arrest records that do not result in a conviction, such as reducing the amount of time a person must wait to seal eligible convictions.

*Unlocking Employment Opportunity* continued to garner media attention in 2012, advancing the project's primary goal of educating the DC community about the collateral consequences of a criminal conviction. The report and its findings were featured in the January edition of *The Washington Lawyer* and in several articles leading up to the passage of the Reentry Facilitation Amendment Act. CCE testified on the proposed legislation at a

hearing before the DC Council Judiciary Committee in September.

CCE's work on calling attention to criminal reentry issues garnered a Community Appreciation Award from the DC Office on Returning Citizen Affairs.

Thank you to Ted Whitehouse and Susan Lynch for co-chairing this project and to their committee of Board Directors Judge Mary Ellen Abrecht, Avis Buchanan, John Clark, Cliff Keenan, Ann Cuninghame Keep, Tyrone Parker, and Paula Thompson Felder; along with Margaret Singleton of the DC Chamber of Commerce, Judi Garrett of the Federal Bureau of Prisons, Cedric Hendricks of the Court Services and Offender Supervision Agency, Charles Jones of the DC Department of Employment Services, Robert Okun of the US Attorney's Office for DC, and Charles Thornton of the DC Office on Returning Citizen Affairs.



Photos: Left: James LeBlanc  
Right: Christine Davies with Tyrone Parker. All 2012, from the CCE archives.



CCE was presented with the Community Appreciation Award from the DC Office on Returning Citizen Affairs

## Codifying DC Pretrial Release Practices

CCE continued to meet throughout 2012 to discuss pretrial release issues. The project committee is nearing completion of a legislative proposal that more clearly articulates the criteria for certain types of pretrial release and “plain English” instructions about pretrial release options for both the public and law enforcement.

Thank you to CCE Board Director Cliff Keenan for chairing this important, long-term project. The subcommittee included CCE Board Directors Judge Mary Ellen Abrecht, Jim Berry, Cary Feldman, Rich Gilbert, Mike Hays, and Earl Silbert; as well as Dan Cipullo and Tenisha Jiggetts of the DC Superior Court, Laura Hankins of the DC Public Defender Service, Dave Rosenthal of the DC Office of the Attorney General, Kelly O’Meara of the Metropolitan Police Department, and Patricia Riley and Renata Cooper of the US Attorney’s Office for DC.



## Protecting Pedestrians



Watching Out For Washington, DC Walkers

March 2012



## Pedestrian Safety

The DC Pedestrian Safety Project published its report in February: *Protecting Pedestrians: Watching Out for Washington, DC Walkers*, which garnered considerable media attention locally and as far away as Los Angeles.

The report endorsed significant fines for traffic violations and expanded, active, and high visibility enforcement. The report was also the topic of a May 30 DC Council Judiciary Committee hearing on the status of pedestrian and bicycle safety in DC.

Thank you to Dr. Edward Burger for chairing this ad hoc committee, to Larry Hobart for drafting the CCE report and testimony, and to Sam Harahan for testifying.



# Access to Justice

## Improvements to Judge-in-Chambers Process

The DC Superior Court Judge-in-Chambers Project is an ad hoc effort to examine and suggest some structural changes to improve the operations of the emergency judge-in-chambers process. A small committee including Board Directors Dwight Murray, David Cox, Jay Hulme, and Earl Silbert conducted a thorough observation of this emergency court function and interviewed several senior judges that have served as the judge-in-chambers. Their report, expected in early 2013, is being prepared in collaboration with the DC Superior Court and the CCE Court Improvements Committee and will make several recommendations to increase the efficiency of the judge-in-chambers process.



## New Justice System Guide to Providing Feedback to Officials

The CCE Public Service Committee began developing a new CCE community education publication in 2012 that will be published in early 2013, a guide that gathers in one place information about how to submit compliments or comments and how to make and resolve complaints about any official participant in the DC justice system.

The guide will include the procedures covering District of Columbia and federal judges and magistrate judges, local and federal prosecutors, criminal defense attorneys, other lawyers, DC and federal court employees, police officers, probation officers, and so forth. This guide will join CCE's other community guides that seek to demystify the justice system for the general public.

The Public Service Committee in 2012 was chaired first by Judge Noel Kramer and then, after her term ended on the Executive Committee, by Judge Richard Roberts. Active members included Judge Mary Ellen Abrecht, Susan Low Bloch, Magistrate Judge Diane Brenneman, Judge Arthur Burnett, Sr., Judge Anthony Epstein, Dan Margolis, Fritz Mulhauser, Cynthia Wright, and David Zetoony.

Photo: iStock, with permission

Background: Grand jury in courtroom, 1947. Seattle Museum of History & Industry (Creative Commons).

## Legal Consultant Fraud

CCE's Public Service Committee initiated a project in 2012 on the issue of Notario or legal consultant fraud, a priority identified in CCE's 2012-2016 Long-Range Plan.

Self-styled Notarios falsely hold themselves out, particularly in immigrant communities, as capable of providing legal representation. They collect fees, but cannot perform the promised legal services.

Committee members first met with DC Attorney General Irvin Nathan to inform him about the activities of Notarios and to discuss the possibility of his office undertaking enforcement actions to curb abuses. CCE then convened a group of stakeholders which met monthly to share information about Notarios operating in the Washington region and to discuss strategies for governmental and private enforcement actions to stop their activities.

That large working group, chaired by David Zetony of Bryan Cave, has included individuals from the District of Columbia and Montgomery County prosecutors' offices, DC Metropolitan Police Department, the Mayor's Office on Latino Affairs, several federal agencies, Ayuda, and a variety of other legal service providers and advocacy organizations.



Background: DC Court of Appeals, 2011. From the CCE Archives.

Photo: Notario publico sign, Alexandria, VA 2013. From the CCE archives.

# Community Education

## Preparing the Next Generation of District of Columbia Jurors

For twenty years, CCE has visited classrooms across the District of Columbia to teach students about the important role jurors play in our justice system by having them actually participate as jurors after viewing CCE's mock-trial video.

CCE's School Jury Education Project had a very busy and productive year in 2012, presenting our lesson to fifteen different DC high school classes. CCE always brings a judge with us to the classes, to lead the students through the experience.

Thank you to the following judges for participating in one or more of 2012's fifteen programs: Mary Ellen Abrecht, Janet Albert, Arthur Burnett, Anthony Epstein, Karen Howze, Craig Iscoe, Noel Kramer, Neal Kravitz, Gregory Mize, Hiram Puig-Lugo, and Richard Roberts, and thanks also to CCE Board Director Matt Ford of Patton Boggs for participating in one of the sessions.



Photo Top: Judge Jan Albert with students at Paul High School

Photo Right: Judge Noel Kramer and Judge Arthur Burnett, Sr. with students at Wilson High School

Background: Hon. Gregory Mize with students at Terrell High School



## Victim's Guide Updated

In August 2012, CCE published a completely updated edition of *A Victim's Guide to the DC Criminal Justice System*. This useful booklet, first published by CCE in 1988, explains the steps involved in bringing a criminal case to court, guides crime victims and crime witnesses through that process, and lists the rights of victims and witnesses and the various services available to assist them, along with all contact information.

Individual copies or bulk supplies of this booklet are available from CCE's office, and it can also be downloaded from CCE's website. We thank GEICO's ongoing support for our efforts to further educate the community about its justice system.

## Bench-Bar-Media Dialogue Project

The project, led by CCE Board Directors Laura Handman and Eric Lieberman, and supported through a grant from the State Justice Institute, convened four programs in 2012:

- *The Technology and Law of Cameras in the Courtroom*, a public panel discussion about publicly broadcasting certain trials in local and federal courts nationwide, as well as the benefits and concerns of doing so. Thank you to Brian Schwalb and Venable LLP for hosting this event.
- *Sharing Perspectives*, a session designed to let judges, attorneys and journalists candidly discuss issues of common concern. Thank you to Jennifer O'Connor and Wilmer Hale for hosting this session.
- *Police, Protests and Press Coverage*, a public panel program conducted in the "Fred Friendly" hypothetical format which explored issues about law enforcement's and the courts' response to protest activity on courthouse grounds, the limits of press coverage of such events, and responses to increasing numbers of "citizen journalists." Thank you to Professors Susan Low Bloch and Sherman Cohn and the Georgetown University Law Center for hosting this panel program. Additional sponsors included Covington & Burling LLP, Gannett Co., Inc., WUSA-TV and USA TODAY, The Washington Post, and Davis Wright Tremaine LLP.

*(continued next page)*

Photo: Left to right, Michael Satin, Judge Jose Lopez, Chief Judge Royce Lamberth, Fred D'Ambrosi, Kathleen Kirby, Hon. Ronald Machen, Lucy Dalglish.

Background: Duke University Archives, c. 1970. Duke Yearbook (Creative Commons)



## The Bench-Bar-Media Dialogue Project (cont'd)

- *Leaks and the Law*, a public panel program discussing issues related to the handling and reporting of classified information, the peril of disclosure to leakers and reporters, and reporters' privilege when subpoenaed. Thank you to Ron Abramson and to Frank Baltz and Clark Construction Group LLP for sponsoring this event, and to our hosts at NYU DC.



Thanks also to CCE Board Directors Laura Handman and Eric Lieberman for co-chairing this initiative and to their committee, including CCE Board Directors Barry Coburn, Andy Glass, Lee Levine, Jennifer O'Connor, Justin Shur, Judge Arabella Teal, and Kurt Wimmer. Other committee members included Henri Cauvin, *The Washington Post*, Lucy Dalglish, of the University of Maryland, Leah Guowitz of the DC Courts, Ashley Messenger of National Public Radio, Jack Murphy of the Maryland-Delaware-District of Columbia Press Association, Sheldon Snook of the US District Court for DC, Jerianne Timmerman of the National Association of Broadcasters, Barbara Wall of Gannett Co., Inc., and Stephen Wermiel of American University.



Top Left: Fred D'Ambrosi, Arthur Spitzer, Mary McCord, Mickey Osterreicher, Patrick Madden, Chief Judge Royce Lamberth, Cdr. Steven Sund, 2012. From the CCE archives.

Bottom Left: Abbe Lowell moderates "Leaks and the Law", 2012. From the CCE archives.

Top Right: Mickey Osterreicher and Cdr. Steven Sund at "Police, Protests, and the Press," 2012. From CCE archives.

Middle Right: Justin Shur and Judge Reggie Walton at "Leaks and the Law", 2012. From the CCE archives.

Bottom Right: "Cameras in the Courtroom," hosted by Venable, 2012. From CCE archives.

# The 16<sup>th</sup> Annual Justice Potter Stewart Dinner



Honoring James L. Lyons and John C. Keeney, Jr.



Background: The first Justice Potter Stewart Dinner at the US Supreme Court. From left: Kenneth Starr, Mrs. Potter Stewart, Mayor Walter Washington, Charles Ruff. From the CCE Archives.

## The 16<sup>th</sup> Annual Justice Potter Stewart Dinner

was a sold-out event on Thursday, May 10, honoring Jim Lyons and Jack Keeney, Jr. This year, we held the celebration at the Organization of American States, beginning with a reception in the garden courtyard. Guests moved upstairs to the grand ballroom for dinner and the awards ceremony.

Jack Strausman of Pepco led the event as Dinner Chair. Among the Committee members are: Bruce Berger, Jay Brozost, Caryl Bernstein, Alec Farr, Sam Harahan, Larry Hinton, Bill Jeffress, Mike Jones, and Earl Silbert.

This year's Award Selection Committee, chaired by Tom Mikula of Goodwin Procter, considered a field of highly deserving candidates. Also on this Committee are: Magistrate Judge Diane Brenneman, Avis Buchanan, Beverly Burke, Paulette Chapman, Steve Grafman, Victor Long, Fritz Mulhauser and Mark Tuohey.

Top: Carol Hulme, Jay Hulme, Jay Brozost  
Middle: Attorney General for DC Irvin Nathan, Nancy Lesser and David Lesser  
Bottom Left: Dinner Chair Jack Strausman  
Bottom Middle: Ernest McIntosh, Jr. and Joan Wilbon  
Bottom Right: Robert Yerman, James Rathvon, Earl Silbert





Jim Lyons was presented the award by Phil Kellogg, who has been his long-time colleague and co-founder of their firm Kellogg, Williams and Lyons.

Judge John Ferren presented the award to his former colleague from Hogan & Hartson (now Hogan Lovells), Jack Keeney, Jr.

CCE Chairman of the Board Jay Brozost led more than 200 guests in a celebratory champagne toast to CCE's thirtieth anniversary.

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.



Top: Debbi Jarvis, Chief Judge Eric T. Washington, and Paulette Chapman

Middle: Leslye Givarz and Marcia Calhoun

Bottom Left: Jack Keeney, Jr., Kathy Gunning, E. Barrett Prettyman, Jr., and Andrew Morris

Bottom Right: Tom Farquhar, Steve Grafman, Ken Robinson, and Jim Lyons



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Background: Rod Page (left)  
and Pat McGlone at CCE's  
2012 holiday open house.  
Photo: CCE Archives

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# Board of Directors

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Background: Chairman Jay Brozost (left) and President Earl Silbert at the December 2012 Board Meeting. From the CCE archives.

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Feldesman Tucker Leifer Fidell LLP	Cary M. Feldman, Esq.	Robbins, Russell, Englert, Orseck,	Victor E. Long, Esq.
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US District Court for DC  
US District Court for DC  
US District Court for DC  
DC Court of Appeals  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
DC Superior Court  
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## Board of Directors (continued)

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Ronald C. Machen, Esq.	US Attorney for the District of Columbia
Hon. Phil Mendelson	District of Columbia Council Judiciary Committee
Hon. Irvin B. Nathan, Esq.	Attorney General for the District of Columbia
Elizabeth Paret	Circuit Executive, US Court of Appeals for the District of Columbia
Hon. David B. Sentelle	US Court of Appeals for the District of Columbia
Hon. Mary Oates Walker	Chief Administrative Law Judge, DC Office of Administrative Hearings
Anne B. Wicks	Executive Officer, District of Columbia Courts



# Financial Report

<b>Unaudited Statement of Activities</b>		
For the Year Ended December 31	2011	2012
<b>SUPPORT AND REVENUE</b>		
Grants and Contracts	130,500	105,500
Other Income	48,120	35,778
Event Income	221,390	225,900
Voluntary Board of Directors Dues	261,831	290,400
Donations	116,686	66,946
<b>TOTAL SUPPORT AND REVENUE</b>	<b>778,530</b>	<b>724,524</b>
<b>EXPENSES</b>		
Programs	602,913	612,528
Fundraising	83,855	74,750
Management and General	45,645	51,330
<b>TOTAL EXPENSES</b>	<b>732,413</b>	<b>738,608</b>
<b>CHANGE IN NET ASSETS</b>	<b>46,117</b>	<b>(14,084)</b>
UNRESTRICTED NET ASSETS, beginning of year	577,858	623,975
UNRESTRICTED NET ASSETS, end of year	623,975	609,891



# Staff

**June B. Kress**  
*Executive Director*

**Priscilla S. Skillman**  
*Assistant Director*

**Lauren J. Hines**  
*Development Director*

**Peter M. Willner**  
*Senior Policy Analyst*

**Jeff C. Capley**  
*Office Administrator*



## INTERNS

- Andrew Marsh
- Araxya Movsisyan
- Kelsey Cropper
- Brooke Kettler
- Kelsey Einhorn
- Staci Wright
- Nicole Patierno
- Tim Butterfield

## OUR TEAM

**Peta-Gaye Morrison**  
Bookkeeper

**501(c)Tech**  
IT Systems

**The Hatcher Group**  
Public Relations

**Federal City Catering**  
Event Catering & Hospitality

**ACE Beverage**  
Beverage Catering

**Joan Wood**  
Development Consultant

**Martin Spitznagel**  
Videography

**Dave Ryner**  
Graphic Design

**T.J. Southard**  
Logo and Letterhead Design



## VOLUNTEERS

- Cale Harfoush
- Laura Harfoush
- Mark Hines
- Michelle Liberatore
- Shannon Rampe
- Erin Riggs
- Eric D. Schieffer



