

103^D CONGRESS
1ST SESSION

H. R. 1633

To create a Supreme Court for the District of Columbia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 1, 1993

Ms. NORTON introduced the following bill; which was referred to the Committee on the District of Columbia

A BILL

To create a Supreme Court for the District of Columbia, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “District of Columbia
5 Judicial Reorganization Act of 1993”.

1 **TITLE I—SUPREME COURT OF**
 2 **THE DISTRICT OF COLUMBIA**

3 **SEC. 101. ESTABLISHMENT OF SUPREME COURT OF THE**
 4 **DISTRICT OF COLUMBIA.**

5 Title 11 of the District of Columbia Code is amended
 6 by adding after chapter 5 the following new chapter 6:

7 **“CHAPTER 6. SUPREME COURT OF THE DISTRICT**
 8 **OF COLUMBIA.**

 “SUBCHAPTER I. ESTABLISHMENT AND ORGANIZATION.

 “Sec.

 “11-601. Establishment; court of record; seal.

 “11-602. Composition.

 “11-603. Justices; service; compensation.

 “11-604. Oath of justices.

 “11-605. Term; hearings; quorum.

 “11-606. Absence, disability, or disqualification of judges; vacancies.

 “11-607. Assignment of justices and judges to and from other courts of
 the District of Columbia.

 “11-608. Clerks and secretaries for justices.

 “11-609. Reports.

 “SUBCHAPTER II. JURISDICTION.

 “11-621. Certification to the Supreme Court of the District of Columbia.

 “11-622. Review by the Supreme Court of the District of Columbia.

 “11-623. Certification of questions of law.

 “SUBCHAPTER III. MISCELLANEOUS PROVISIONS.

 “11-641. Contempt powers.

 “11-642. Oaths, affirmations, and acknowledgments.

 “11-643. Rules of court.

 “11-644. Judicial conference.

9 “SUBCHAPTER I. ESTABLISHMENT AND
 10 ORGANIZATION.

11 **“§ 11-601. Establishment; court of record; seal.**

12 “(a) The Supreme Court of the District of Columbia
 13 (hereafter in this chapter referred to as ‘the court’) is

1 hereby established as a court of record in the District of
2 Columbia.

3 “(b) The court shall have a seal.

4 **“§ 11-602. Composition.**

5 The court shall consist of a chief justice and 6 associ-
6 ate justices.

7 **“§ 11-603. Justices; service; compensation.**

8 “(a) The chief justice and the justices of the court
9 shall serve in accordance with chapter 15 of this title.

10 “(b) Justices of the court shall be compensated at
11 90 percent of the rate prescribed by law for justices of
12 the United States Supreme Court. The chief justice shall
13 receive \$3,000 per year in addition to the salary of other
14 justices of the court.

15 **“§ 11-604. Oath of justices.**

16 “Each justice, when appointed, shall take the oath
17 prescribed for judges of courts of the United States.

18 **“§ 11-605. Term; hearings; quorum.**

19 “(a) The court shall sit in one term each year for
20 such period as it may determine.

21 “(b) The court shall sit in banc to hear and determine
22 cases and controversies, except that the court may sit in
23 divisions of 3 justices to hear and determine cases and
24 controversies certified for review under section 11-621 if
25 the court determines that subsection (b)(2) of such section

1 is the exclusive basis for such certification. The court in
2 banc for a hearing shall consist of the justices of the court
3 in regular active service.

4 “(c) A majority of the justices serving shall constitute
5 a quorum.

6 “(d) A rehearing before the court may be ordered by
7 a majority of the justices of the court in regular active
8 service. The court in banc for a rehearing shall consist
9 of the justices of the court in regular active service.

10 **“§ 11-606. Absence, disability, or disqualification of**
11 **justices; vacancies.**

12 “(a) When the chief justice of the court is absent or
13 disabled, the duties of the chief justice shall devolve upon
14 and be performed by such associate justice as the chief
15 justice may designate in writing. In the event that the
16 chief justice is (1) disqualified or suspended, or (2) unable
17 or fails to make such a designation, such duties shall de-
18 volve upon and be performed by the associate justices of
19 the court according to the seniority of their original com-
20 missions.

21 “(b) A chief justice whose term as chief justice has
22 expired shall continue to serve until redesignated or until
23 a successor has been designated. When there is a vacancy
24 in the position of chief justice the position shall be filled

1 temporarily as provided in the second sentence of sub-
2 section (a).

3 **“§ 11-607. Assignment of justices and judges to and**
4 **from other courts of the District of Co-**
5 **lumbia.**

6 “(a) Upon presentation of a certificate of necessity
7 by the chief judge of the District of Columbia Court of
8 Appeals, the chief justice of the Supreme Court of the Dis-
9 trict of Columbia may designate and assign temporarily
10 one or more justices of the Supreme Court of the District
11 of Columbia or one or more judges of the Superior Court
12 of the District of Columbia to serve on the District of Co-
13 lumbia Court of Appeals or a division thereof whenever
14 the business of the District of Columbia Court of Appeals
15 so requires. Such designations or assignments shall be in
16 conformity with the rules or orders of the District of Co-
17 lumbia Court of Appeals.

18 “(b) Upon presentation of a certificate of necessity
19 by the chief judge of the Superior Court of the District
20 of Columbia, the chief justice of the Supreme Court of
21 the District of Columbia may designate and assign tempo-
22 rarily one or more justices of the Supreme Court of the
23 District of Columbia or one or more judges of the District
24 of Columbia Court of Appeals to serve as a judge of the
25 Superior Court of the District of Columbia.

1 **“§ 11-608. Clerks and secretaries for justices.**

2 “Each justice may appoint and remove a personal
3 secretary. The chief justice may appoint and remove not
4 more than three personal law clerks, and each associate
5 justice may appoint and remove not more than two per-
6 sonal law clerks. In addition, the chief justice may appoint
7 and remove law clerks for the court and law clerks and
8 secretaries for the senior justices. The law clerks ap-
9 pointed for the court shall serve as directed by the chief
10 justice.

11 **“§ 11-609. Reports.**

12 “Each justice shall submit to the chief justice such
13 reports and data as the chief justice may request.

14 “SUBCHAPTER II. JURISDICTION.

15 **“§ 11-621. Certification to the Supreme Court of the**
16 **District of Columbia.**

17 “(a) In any case or class of cases in which an appeal
18 has been taken to or filed with the District of Columbia
19 Court of Appeals, the Supreme Court of the District of
20 Columbia, by order of the Supreme Court sua sponte, or,
21 in its discretion, on motion of the District of Columbia
22 Court of Appeals or of any party, may certify the case
23 or class of cases for review by the Supreme Court before
24 it has been determined by the District of Columbia Court
25 of Appeals. The effect of such certification shall be to
26 transfer jurisdiction over the case or class of cases to the

1 Supreme Court of the District of Columbia for all pur-
2 poses.

3 “(b) Such certification may be made only if not less
4 than 3 of the justices of the Supreme Court of the District
5 of Columbia determine that—

6 “(1) the case or class of cases involves a ques-
7 tion that is novel or difficult or is of importance in
8 the general public interest or the administration of
9 justice; or

10 “(2) the case or class of cases was pending in
11 the District of Columbia Court of Appeals on the ef-
12 fective date of this section and, because the justices
13 of the Supreme Court of the District of Columbia
14 were familiar with the case or class of cases while
15 serving as judges of the District of Columbia Court
16 of Appeals, the sound and efficient administration of
17 justice dictates that the case or class of cases be cer-
18 tified for review by the Supreme Court of the Dis-
19 trict of Columbia.

20 **“§11-622. Review by the Supreme Court of the Dis-**
21 **trict of Columbia.**

22 “(a) Any party aggrieved by a final decision of the
23 District of Columbia Court of Appeals may petition the
24 Supreme Court of the District of Columbia for an appeal.
25 Such a petition may be granted and appeal be heard by

1 the Supreme Court of the District of Columbia only upon
2 the affirmative vote of not less than 3 of the justices that
3 the matter involves a question that is novel or difficult,
4 is the subject of conflicting authorities within the jurisdic-
5 tion, or is of importance in the general public interest or
6 the administration of justice. The granting of such peti-
7 tions for appeal shall be in the discretion of the Supreme
8 Court of the District of Columbia. The Supreme Court
9 of the District of Columbia shall not be required to state
10 reasons for denial of petitions for appeal.

11 “(b) On hearing an appeal in any case or controversy,
12 the Supreme Court of the District of Columbia shall give
13 judgment after an examination of the record without re-
14 gard to errors or defects which do not affect the substan-
15 tial rights of the parties.

16 **“§ 11-623. Certification of questions of law.**

17 “(a) The Supreme Court of the District of Columbia
18 may answer a question of law of the District of Columbia
19 certified to it by the Supreme Court of the United States,
20 a Court of Appeals of the United States, or the highest
21 appellate court of any State, if—

22 “(1) such question of law may be determinative
23 of the case pending in such a court; and

24 “(2) there is no controlling precedent regarding
25 such question of law in the decisions of the District

1 of Columbia Court of Appeals or the Supreme Court
2 of the District of Columbia.

3 “(b) This section may be invoked by an order of any
4 of the courts referred to in subsection (a) upon such
5 court’s motion or upon the motion of any party to the
6 case.

7 “(c) A certification order under this section shall—

8 “(1) describe the question of law to be an-
9 swered;

10 “(2) contain a statement of all facts relevant to
11 the question certified and the nature of the con-
12 troversy in which the questions arose; and

13 “(3) upon the request of the Supreme Court of
14 the District of Columbia contain the original or cop-
15 ies of the record of the case in question or of any
16 portion of such record as the Supreme Court of the
17 District of Columbia considers necessary to deter-
18 mine the questions of law which are the subject of
19 the motion.

20 “(d) Fees and costs shall be the same as in appeals
21 docketed before the Supreme Court of the District of Co-
22 lumbia and shall be equally divided between the parties
23 unless precluded by statute or by order of the certifying
24 court.

1 “(e) The written opinion of the Supreme Court of the
2 District of Columbia stating the law governing any ques-
3 tions certified under subsection (a) shall be sent by the
4 clerk to the certifying court and to the parties.

5 “(f) The Supreme Court of the District of Columbia,
6 on its own motion, the motion of the District of Columbia
7 Court of Appeals, or the motion of any party to a case
8 pending in the Supreme Court of the District of Columbia
9 or the District of Columbia Court of Appeals, may order
10 certification of a question of law of another State to the
11 highest court of such State if, in the view of the Supreme
12 Court of the District of Columbia—

13 “(1) such question of law may be determinative
14 of the case pending in the Supreme Court of the
15 District of Columbia or the District of Columbia
16 Court of Appeals; and

17 “(2) there is no controlling precedent regarding
18 such question of law in the decisions of the appellate
19 courts of the State to which the order of certification
20 is directed.

21 “(g) The Supreme Court of the District of Columbia
22 may prescribe the rules of procedure concerning the an-
23 swering and certification of questions of law under this
24 section.

1 which shall be known as the Judicial Conference of the
2 District of Columbia. Each justice and judge summoned,
3 unless excused by the chief justice of the Supreme Court
4 of the District of Columbia, shall attend throughout the
5 conference. The Supreme Court of the District of Colum-
6 bia shall provide by its rules for representation of and ac-
7 tive participation by members of the unified District of
8 Columbia Bar and other persons active in the legal profes-
9 sion at such conference.”.

10 **SEC. 102. TRANSITION PROVISIONS.**

11 (a) ELEVATION OF JUDGES OF THE DISTRICT OF CO-
12 LUMBIA COURT OF APPEALS AS JUSTICES OF THE SU-
13 PREME COURT OF THE DISTRICT OF COLUMBIA.—

14 (1) Except as provided in paragraph (2), begin-
15 ning on the effective date of this title the chief judge
16 of the District of Columbia Court of Appeals shall
17 serve the remainder of the term to which he or she
18 was appointed as the chief justice of the Supreme
19 Court of the District of Columbia and the associate
20 judges of the District of Columbia Court of Appeals
21 shall serve the remainder of the respective terms to
22 which they were appointed as associate justices of
23 the Supreme Court of the District of Columbia. The
24 Supreme Court of the District of Columbia shall
25 conform to the numerical requirements of section

1 11–602 of the D.C. Code through attrition. Vacan-
2 cies in the offices of chief judge and associate judge
3 of the District of Columbia Court of Appeals shall
4 be filled in accordance with chapter 15 of title 11 of
5 the D.C. Code.

6 (2) Any judge of the District of Columbia Court
7 of Appeals may serve the remainder of the term to
8 which he or she was appointed as a judge of that
9 court by providing written notice to the chief judge
10 of the District of Columbia Court of Appeals not less
11 than 30 days after the date of the enactment of this
12 Act.

13 (b) TRANSITION PERIOD FOR THE SUPREME COURT
14 OF THE DISTRICT OF COLUMBIA.—

15 (1) A committee consisting of the chief judge of
16 the District of Columbia Court of Appeals together
17 with 2 other judges of such court and the chief
18 judge of the Superior Court of the District of Co-
19 lumbia together with 2 other judges of such court
20 shall be responsible for the administration of the pe-
21 riod of transition prior to the establishment of the
22 Supreme Court of the District of Columbia, includ-
23 ing the hiring of necessary staff, the preparation of
24 facilities, and the purchase of necessary equipment
25 and supplies.

1 (2) Not more than 120 days after the date of
2 the enactment of this Act, the committee referred to
3 in paragraph (1) shall submit to the Subcommittee
4 on Government Efficiency, Federalism, and the Dis-
5 trict of Columbia of the Committee on Governmental
6 Affairs of the Senate and the Committee on the Dis-
7 trict of Columbia of the House of Representatives a
8 transition report, consistent with this Act, regarding
9 the establishment of the Supreme Court of the Dis-
10 trict of Columbia and the filling of vacancies on the
11 District of Columbia Court of Appeals resulting
12 from the elevation of the judges of such Court to po-
13 sitions on the Supreme Court of the District of Co-
14 lumbia pursuant to subsection (a).

15 (3) This subsection shall take effect on the date
16 of the enactment of this Act.

17 **SEC. 103. CONFORMING AND OTHER AMENDMENTS.**

18 (a) AMENDMENTS TO THE HOME RULE ACT.—

19 (1) Section 431(a) of the District of Columbia
20 Self-Government and Governmental Reorganization
21 Act is amended—

22 (A) in the first sentence by inserting “Su-
23 preme Court of the District of Columbia,” after
24 “vested in the”; and

1 (B) by adding after the fourth sentence the
2 following: “The Supreme Court of the District
3 of Columbia has jurisdiction of appeals from
4 the District of Columbia Court of Appeals and
5 of cases certified to the Supreme Court under
6 section 11–621(a), District of Columbia Code.”.

7 (2) Section 431 of such Act is further amended
8 in subsections (b), (c), and (g)—

9 (A) by inserting “chief justice or” before
10 “chief judge” each place it appears;

11 (B) by inserting “justice or” before
12 “judge” each place it appears;

13 (C) by inserting “justices or” before
14 “judges” each place it appears; and

15 (D) by inserting “chief justice’s or” before
16 “chief judge’s” each place it appears.

17 (3) Section 432 of such Act is amended—

18 (A) by inserting “justice or” before
19 “judge” each place it appears;

20 (B) by striking “District of Columbia
21 Court of Appeals” each place it appears and in-
22 serting “Supreme Court of the District of Co-
23 lumbia”; and

24 (C) in subsection (a)(1) by striking “law or
25 which would be a felony in the District” and in-

1 serting “law or the laws of the District of Co-
2 lumbia”.

3 (4) Section 433 of such Act is amended—

4 (A) in the heading by inserting “JUSTICES
5 AND” before “JUDGES”;

6 (B) by inserting “justices and” before
7 “judges” each place it appears; and

8 (C) by inserting “justice or” before
9 “judge” each place it appears.

10 (5) Section 434 of such Act is amended in sub-
11 sections (b)(3) and (d)—

12 (A) by inserting “justice or” before
13 “judge” each place it appears;

14 (B) by inserting “justices or” before
15 “judges” each place it appears; and

16 (C) by inserting “justice’s or” before
17 “judge’s” each place it appears.

18 (b) AMENDMENTS TO CHAPTER 1 OF TITLE 11, D.C.

19 CODE.—

20 (1) Section 11–101(2), D.C. Code, is amended
21 by redesignating subparagraphs (A) and (B) as sub-
22 paragraphs (B) and (C), respectively, and by adding
23 before subparagraph (B) (as so redesignated) the
24 following:

1 (3) Section 11–708, D.C. Code, is amended by
2 striking “not more than three law clerks for the
3 court.” and inserting “law clerks for the court and
4 law clerks and secretaries for the senior judges.”.

5 (4) Section 11–722, D.C. Code, is amended by
6 striking “Commissioner” and inserting “Mayor”.

7 (5) Section 11–743, D.C. Code, is amended by
8 striking “according to” and all that follows and in-
9 sserting “in accordance with such rules and proce-
10 dures as it may adopt.”.

11 (d) AMENDMENTS TO CHAPTER 9 OF TITLE 11, D.C.
12 CODE.—

13 (1) Section 11–904(b), D.C. Code, is amended
14 by striking “\$500” and inserting “\$2,500”.

15 (2) Section 11–908(b), D.C. Code, is amended
16 to read as follows:

17 “(b) When the business of the Superior Court re-
18 quires, the chief judge may certify to the chief justice of
19 the Supreme Court of the District of Columbia the need
20 for an additional judge or judges as provided in section
21 11–607 and 11–707.”.

22 (3) Section 11–910, D.C. Code, is amended by
23 adding at the end the following new sentence: “In
24 addition, the chief judge may appoint and remove

1 law clerks for the court, who shall serve as directed
2 by the chief judge.”.

3 (4) Section 11–946, D.C. Code, is amended by
4 striking “District of Columbia Court of Appeals”
5 each place it appears in the second and third sen-
6 tences and inserting “Supreme Court of the District
7 of Columbia”.

8 (e) AMENDMENTS TO CHAPTER 15 OF TITLE 11,
9 D.C. CODE.—

10 (1) Section 11–1501, D.C. Code, is amended to
11 read as follows:

12 **“§ 11–1501. Appointment and qualifications of judges.**

13 “(a) Except as provided in section 434(d)(1) of the
14 District of Columbia Self-Government and Governmental
15 Reorganization Act, the President shall nominate, from
16 the list of persons recommended by the District of Colum-
17 bia Judicial Nomination Commission established under
18 section 434 of such Act, and, by and with the advice and
19 consent of the Senate, appoint all justices and judges of
20 the District of Columbia courts.

21 “(b) No person may be nominated or appointed a jus-
22 tice or judge of a District of Columbia court unless that
23 person—

24 “(1) is a citizen of the United States;

1 “(2) is an active member of the unified District
2 of Columbia Bar and has been engaged in the active
3 practice of law in the District for the five years im-
4 mediately preceding nomination or for such five
5 years has served as a judge of the United States or
6 the District of Columbia, has been on the faculty of
7 a law school in the District, or has been employed
8 as a lawyer by the United States or the District of
9 Columbia government;

10 “(3) is a bona fide resident of the District of
11 Columbia and has maintained an actual place of
12 abode in the District for at least 90 days imme-
13 diately prior to nomination, and shall retain such
14 residency as long as he or she serves as such judge,
15 except judges appointed prior to December 23,
16 1973, who retain residency in Montgomery or Prince
17 Georges Counties in Maryland, Arlington or Fairfax
18 Counties (or any cities within the outer boundaries
19 thereof) or the city of Alexandria in Virginia shall
20 not be required to be residents of the District to be
21 eligible for reappointment or to serve any term to
22 which reappointed;

23 “(4) is recommended to the President, for such
24 nomination and appointment, by the District of Co-
25 lumbia Judicial Nomination Commission; and

1 “(5) has not served, within a period of 2 years
2 prior to nomination, as a member of the District of
3 Columbia Commission on Judicial Disabilities and
4 Tenure or of the District of Columbia Judicial Nom-
5 ination Commission.”.

6 (2) Section 11–1504(a)(1), D.C. Code, is
7 amended by striking the period at the end of the
8 first sentence and inserting the following: “, except
9 that a retired judge may not serve or perform judi-
10 cial duties on the Supreme Court of the District of
11 Columbia.”.

12 (3) Section 11–1505(a), D.C. Code, is amended
13 in the second sentence by striking “District” and all
14 that follows and inserting “court of the District of
15 Columbia on which the judge serves.”.

16 (4) Subchapter I of chapter 15 of title 11, D.C.
17 Code, is amended by adding at the end the following
18 new section:

19 **“§ 11–1506. Definitions.**

20 “For purposes of this chapter—

21 “(1) the term ‘judge’ means any justice of the
22 Supreme Court of the District of Columbia, or any
23 judge of the District of Columbia Court of Appeals
24 or the Superior Court; and

1 “(2) the term ‘chief judge’ means the chief jus-
2 tice of the Supreme Court of the District of Colum-
3 bia, or the chief judges of the District of Columbia
4 Court of Appeals or the Superior Court, as appro-
5 priate.”.

6 (5) Section 11–1526, D.C. Code, is amended by
7 striking “District of Columbia Court of Appeals”
8 each place it appears and inserting “Supreme Court
9 of the District of Columbia”.

10 (6) Section 11–1528, D.C. Code, is amended in
11 subsection (a)(2)(C) by inserting “the Supreme
12 Court of the District of Columbia or” after “ele-
13 vation to”.

14 (7) Section 11–1529, D.C. Code, is amended by
15 striking “District of Columbia Court of Appeals”
16 and inserting “Supreme Court of the District of Co-
17 lumbia”.

18 (8) Section 11–1561, D.C. Code, is amended—

19 (A) in paragraph (1), by inserting “any
20 justice of the Supreme Court of the District of
21 Columbia,” before “any judge”; and

22 (B) in paragraph (2), by inserting “a jus-
23 tice in the Supreme Court of the District of Co-
24 lumbia,” before “a judge”.

1 (9) The table of sections for subchapter I of
2 chapter 15 of title 11, D.C. Code, is amended by
3 adding at the end the following:

“11-1506. Definitions.”.

4 (f) AMENDMENTS TO CHAPTER 17 OF TITLE 11,
5 D.C. CODE.—

6 (1) Section 11-1701, D.C. Code, is amended—

7 (A) by amending subsection (a) to read as
8 follows:

9 “(a) There shall be a Joint Committee on Judicial
10 Administration in the District of Columbia (hereafter in
11 this chapter referred to as the ‘Joint Committee’) consist-
12 ing (during the first 3 fiscal years that begin after the
13 date of the enactment of the District of Columbia Judicial
14 Reorganization Act of 1993) of the chief justice of the Su-
15 preme Court of the District of Columbia (who shall serve
16 as chairperson) and two other justices of such court, the
17 chief judge of the District of Columbia Court of Appeals,
18 and the chief judge of the Superior Court of the District
19 of Columbia and two additional judges of such court.”;

20 (B) in subsection (b)—

21 (i) by amending paragraph (4) to read
22 as follows:

23 “(4) Preparation and publication of an annual
24 report of the District of Columbia court system re-
25 garding the work of the courts, the performance of

1 the duties enumerated in this chapter, and any rec-
2 ommendations relating to the courts.”, and

3 (ii) by striking paragraphs (6) and (9)
4 and redesignating paragraphs (7) and (8)
5 as paragraphs (6) and (7); and
6 (C) in subsection (c)—

7 (i) by amending paragraph (2) to read
8 as follows:

9 “(2) formulate and enforce standards for out-
10 side activities of and receipt of compensation by the
11 judges of the District of Columbia court system;”,

12 (ii) in paragraph (3), by striking “,
13 and institute such changes” and all that
14 follows through “justice”,

15 (iii) by striking “and” at the end of
16 paragraph (3),

17 (iv) by striking the period at the end
18 of paragraph (4) and inserting a semi-
19 colon, and

20 (v) by adding at the end the following
21 new paragraphs:

22 “(5) submit the annual budget requests of the
23 Supreme Court of the District of Columbia, the Dis-
24 trict of Columbia Court of Appeals, and the Superior
25 Court to the Mayor of the District of Columbia as

1 part of the integrated budget of the District of Co-
2 lumbia court system, except that any such request
3 may be modified upon the concurrence of 5 of the
4 7 members of the Joint Committee; and

5 “(6) with the concurrence of the chief justice of
6 the Supreme Court of the District of Columbia and
7 the respective chief judges of the other District of
8 Columbia courts, prepare and implement other poli-
9 cies and practices for the District of Columbia court
10 system and resolve other matters which may be of
11 joint and mutual concern of the Supreme Court of
12 the District of Columbia, the District of Columbia
13 Court of Appeals, and the Superior Court.”.

14 (2) Section 11–1702, D.C. Code, is amended—

15 (A) in the heading, by inserting “**the**
16 **chief justice and the**” after “**of**”;

17 (B) by redesignating subsections (a) and
18 (b) as subsections (b) and (c); and

19 (C) by inserting before subsection (b) the
20 following new subsection:

21 “(a) The chief justice of the Supreme Court of the
22 District of Columbia, in addition to the authority con-
23 ferred by chapter 6 of this title, shall supervise the inter-
24 nal administration of that court—

1 “(1) including all administrative matters other
2 than those within the responsibility enumerated in
3 section 11–1701(b), and

4 “(2) including the implementation in that court
5 of the matters enumerated in section 11–1701(b),
6 consistent with the general policies and directives of the
7 Joint Committee.”.

8 (3) Section 11–1703(a), D.C. Code, is amend-
9 ed—

10 (A) by striking “He” each place it appears
11 and inserting “The Executive Officer”; and

12 (B) in the fourth sentence, by striking
13 “judges” and inserting “judge of the District of
14 Columbia Court of Appeals and the chief judge
15 of the Superior Court of the District of Colum-
16 bia”.

17 (4) Section 11–1721, D.C. Code, is amended by
18 amending the matter following the heading to read
19 as follows:

20 “(a) The Supreme Court of the District of Columbia
21 shall have a clerk appointed by the chief justice of that
22 court who shall, under the direction of the chief justice,
23 be responsible for the daily operations of that court and
24 serve as the clerk of the District of Columbia Court of
25 Appeals.

1 “(b) The Superior Court of the District of Columbia
2 shall have a clerk appointed by the chief judge of that
3 court who shall, under the direction of the chief judge,
4 be responsible for the daily operations of that court.

5 “(c) Each such clerk appointed under this section
6 shall receive a level of compensation, including retirement
7 benefits, determined by the Joint Committee on Judicial
8 Administration, except that such level may not exceed the
9 level of compensation provided for the Executive Officer.”.

10 (5) Section 11-1730(a), D.C. Code, is amend-
11 ed—

12 (A) by striking “Judges” and inserting
13 “Justices and judges”;

14 (B) by inserting “11-609,” after “sec-
15 tions”; and

16 (C) by inserting “chief justice or” after
17 “respective”.

18 (6) Section 11-1731, D.C. Code, is amended—

19 (A) by striking “or the chief judge” and
20 inserting “, the chief justice, or the chief
21 judges”;

22 (B) in paragraph (7), by striking “the Dis-
23 trict of Columbia Bail Agency” and inserting
24 “the District of Columbia Pre-trial Services
25 Agency”;

1 (C) by inserting “and” at the end of para-
2 graph (9); and

3 (D) by striking paragraphs (10) and (11)
4 and inserting the following:

5 “(10) the Department of Human Services.”.

6 (7) Section 11–1741, D.C. Code, is amended—

7 (A) by amending the matter preceding
8 paragraph (1) to read as follows: “Within the
9 District of Columbia courts, and subject to the
10 supervision of the chief justice of the Supreme
11 Court of the District of Columbia (acting in
12 consultation with the chief judge of the District
13 of Columbia Court of Appeals and the chief
14 judge of the Superior Court of the District of
15 Columbia), the Executive Officer shall—”;

16 (B) by inserting “chief justice or” before
17 “chief” each place it appears in paragraphs (5),
18 (7), and (9);

19 (C) by striking “and” at the end of para-
20 graph (8);

21 (D) by striking the period at the end of
22 paragraph (9) and inserting “; and”; and

23 (E) by adding at the end the following:

24 “(10) be responsible for the allocation, negotia-
25 tion for, and provision of space in the courts.”.

1 (8) Section 11–1745(b)(2), D.C. Code, is
2 amended by striking “Commissioner” and inserting
3 “Mayor”.

4 (9) Section 11–1747, D.C. Code, is amended by
5 striking “him” and inserting “the Executive Offi-
6 cer”.

7 (10) The table of sections for subchapter I of
8 chapter 17 of title 11, D.C. Code, is amended by
9 amending the item relating to section 11–1702 to
10 read as follows:

“11–1702. Responsibilities of the chief justice and the chief judges in the re-
spective courts.”.

11 (g) AMENDMENTS TO CHAPTER 25 OF TITLE 11,
12 D.C. CODE.—

13 (1) Section 11–2501, D.C. Code, is amended—

14 (A) by striking “District of Columbia
15 Court of Appeals” each place it appears and in-
16 serting “Supreme Court of the District of
17 Columbia”; and

18 (B) by amending subsection (c) to read as
19 follows:

20 “(c) Members of the bar of the District of Columbia
21 Court of Appeals in good standing on the effective date
22 of title I of the District of Columbia Judicial Reorganiza-
23 tion Act of 1993 shall be automatically enrolled as mem-
24 bers of the bar of the Supreme Court of the District of

1 Columbia, and shall be subject to its disciplinary jurisdic-
2 tion.”.

3 (2) Section 11–2502, D.C. Code, is amended by
4 striking “District of Columbia Court of Appeals”
5 and inserting “Supreme Court of the District of
6 Columbia”.

7 (3) Section 11–2503, D.C. Code, is amended by
8 striking “District of Columbia Court of Appeals”
9 and inserting “Supreme Court of the District of
10 Columbia”.

11 (4) Section 11–2504, D.C. Code, is amended by
12 striking “District of Columbia Court of Appeals”
13 and inserting “other courts of the District of Colum-
14 bia”.

15 (h) AMENDMENT TO CHAPTER 26 OF TITLE 11, D.C.
16 CODE.—Section 11–2607, D.C. Code, is amended by
17 striking “Commissioner” and inserting “Mayor”.

18 (i) AMENDMENT TO CHAPTER 3 OF TITLE 13, D.C.
19 CODE.—Section 13–302, D.C. Code, is amended by insert-
20 ing “the Supreme Court of the District of Columbia,”
21 after “process of”.

22 (j) AMENDMENTS TO CHAPTER 3 OF TITLE 17, D.C.
23 CODE.—

24 (1) The chapter heading for chapter 3 of title
25 17, D.C. Code, is amended to read as follows: “SU-

1 PREME COURT OF THE DISTRICT OF COLUMBIA AND
2 DISTRICT OF COLUMBIA COURT OF APPEALS.”.

3 (2) Section 17–302, D.C. Code, is amended by
4 striking “District of Columbia Court of Appeals”
5 each place it appears and inserting “Supreme Court
6 of the District of Columbia”.

7 (3) Section 17–305, D.C. Code, is amended by
8 adding at the end the following new subsection:

9 “(c) The Supreme Court of the District of Columbia
10 shall apply the same standards regarding the scope of re-
11 view and the reversal of judgment as the District of Co-
12 lumbia Court of Appeals applies under subsections (a) and
13 (b).”.

14 (4) Section 17–306, D.C. Code, is amended by
15 inserting “Supreme Court of the District of Colum-
16 bia or the” before “District”.

17 (k) AMENDMENT TO TITLE 5, UNITED STATES
18 CODE.—Section 5102(c)(4) of title 5, United States Code,
19 is amended by striking “the chief judges” and inserting
20 “the chief justice and the associate justices of the Su-
21 preme Court of the District of Columbia and the chief
22 judges”.

23 (l) AMENDMENTS TO TITLE 18, UNITED STATES
24 CODE.—(1) Section 3006A(k) of title 18, United States
25 Code, is amended in the second sentence by striking “the

1 Superior Court” and all that follows and inserting “the
2 Supreme Court of the District of Columbia, the District
3 of Columbia Court of Appeals, or the Superior Court of
4 the District of Columbia.”.

5 (2) Section 6001(4) of title 18, United States Code,
6 is amended by inserting “the Supreme Court of the Dis-
7 trict of Columbia,” before “the District of Columbia Court
8 of Appeals,”.

9 (m) AMENDMENTS TO TITLE 28, UNITED STATES
10 CODE.—(1) Section 1257(b) of title 28, United States
11 Code, is amended by striking “District of Columbia Court
12 of Appeals” and inserting “Supreme Court of the District
13 of Columbia”.

14 (2) Section 2113 of title 28, United States Code, is
15 amended by striking “District of Columbia Court of Ap-
16 peals” and inserting “Supreme Court of the District of
17 Columbia”.

18 **SEC. 104. AUTHORIZATION OF APPROPRIATIONS.**

19 (a) IN GENERAL.—In addition to any other sums au-
20 thorized to be appropriated to the District of Columbia,
21 there are authorized to be appropriated to the District of
22 Columbia for costs incurred by the District of Columbia
23 in implementing the amendments made by sections 101
24 and 103 and in carrying out section 102 the following
25 amounts:

1 (1) \$1,200,000 for fiscal year 1994.

2 (2) \$5,000,000 for fiscal year 1995.

3 (3) \$4,000,000 for fiscal year 1996.

4 (4) \$3,000,000 for fiscal year 1997.

5 (5) \$2,000,000 for fiscal year 1998.

6 (6) \$1,000,000 for fiscal year 1999.

7 (b) AVAILABILITY OF FUNDS.—Funds appropriated
8 pursuant to the authorization referred to in subsection (a)
9 shall remain available to the District of Columbia until
10 expended.

11 **SEC. 105. EFFECTIVE DATE.**

12 Except as provided in section 102, this title and the
13 amendments made by this title shall take effect 6 months
14 after the date of enactment of this Act.

15 **TITLE II—JUDGES OF THE DIS-**
16 **TRICT OF COLUMBIA COURTS**

17 **SEC. 201. DESIGNATION OF CHIEF JUDGE.**

18 Section 11–1503(a), D.C. Code, is amended to read
19 as follows:

20 “(a)(1) Except as provided in paragraph (2), the
21 chief justice or chief judge of a District of Columbia court
22 shall be designated by the District of Columbia Judicial
23 Nomination Commission from among the judges of the
24 court in regular active service. A chief judge shall serve
25 for a term of 4 years or until a successor is designated,

1 and shall be eligible for redesignation. A judge may relin-
2 quish the position of chief judge, after giving notice to the
3 District of Columbia Judicial Nomination Commission.

4 “(2) Notwithstanding the first sentence of paragraph
5 (1), the first chief justice of the Supreme Court of the
6 District of Columbia shall be appointed in accordance with
7 section 102(a) of the District of Columbia Judicial Reor-
8 ganization Act of 1993.”.

9 **SEC. 202. COMPOSITION OF SUPERIOR COURT OF THE DIS-**
10 **TRICT OF COLUMBIA.**

11 Section 11–903, D.C. Code, is amended—

12 (1) effective October 1, 1993, by striking “fifty-
13 eight” and inserting “sixty”; and

14 (2) effective October 1, 1994, by striking
15 “sixty” and inserting “sixty-two”.

16 **SEC. 203. STUDY OF FEASIBILITY OF ESTABLISHING DIS-**
17 **TRICT OF COLUMBIA NIGHT COURT.**

18 (a) STUDY.—The Executive Officer of the District of
19 Columbia courts shall conduct a study of the feasibility
20 and desirability of establishing a District of Columbia
21 Night Court as a division of the Superior Court of the
22 District of Columbia.

23 (b) REPORT.—Not later than 120 days after the date
24 of the enactment of this Act, the Executive Officer shall
25 submit a report on the study conducted under subsection

1 (a) to the Joint Committee on Judicial Administration in
2 the District of Columbia, which shall forward the study
3 together with any comments and recommendations to Con-
4 gress not later than 180 days after the date of the enact-
5 ment of this Act.

6 **SEC. 204. EFFECTIVE DATE.**

7 Except as provided in section 202, the amendments
8 made by sections 201 and 202 shall take effect on the
9 date of the enactment of this Act.

10 **TITLE III—SEVERABILITY**

11 If any particular provision of this Act, or the applica-
12 tion thereof to any person or circumstance, is held invalid,
13 the remainder of this Act and the application of such pro-
14 vision to other persons or circumstances shall not be af-
15 fected thereby.

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