

**TESTIMONY OF CHIEF JUDGE RUFUS G. KING III  
SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

**BEFORE THE  
U.S. HOUSE OF REPRESENTATIVES  
SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE  
AND THE DISTRICT OF COLUMBIA**

**MARCH 11, 2008**

Chairman Davis and members of the Subcommittee, thank you so much for the opportunity to testify today on the need to restore the Superior Court bench to 61 associate judges and a chief judge. I am Rufus G. King III, Chief Judge of the Superior Court, a position I have held since October 2000.

S. 550 would take the Superior Court to the number of judges that were authorized with the passage of the Family Court Act of 2001 – that is, 62 judges. This number is needed to ensure that all divisions of the Court, not just the Family Court, have an adequate number of judges so that cases are handled fairly and expeditiously, that needed interventions can occur and that our strategic performance standards can be met.

According to the National Center for State Courts, the District of Columbia Courts have one of the highest caseloads per capita and per judge in the nation. Additional judges will enhance the Court's ability to manage its caseload for some important reasons.

Recently courts across the country have adopted a “problem-solving” approach to cases. In those courts, judges take on the task of not only resolving the cases by trial or plea, but also establishing and supervising referrals of defendants to appropriate service providers. The goal is to address the issues underlying criminal behavior, such as drug dependency, homelessness, mental illness and chronic unemployment, in order to reduce recidivism. Thus in minor criminal cases, instead of a relatively efficient trial and closure by acquittal or sentence, the case results in an extended period of supervision while the defendant undertakes drug treatment, counseling or other appropriate services, during which the defendant may appear before the court a number of

times. At the Superior Court, we use these tools in our DC/Traffic Community Court (which handles minor misdemeanors and traffic offenses), East of the River Community Court (which handles all misdemeanors that occur east of the Anacostia River, except domestic violence assaults), Drug Court (which handles non-violent felony and misdemeanor drug offenses), Juvenile Drug Court (the drug court for young offenders), Family Treatment Court (which provides drug treatment for parents without breaking up the family), and our pilot Mental Health Court initiative (which handles cases where mental health issues are predominant). These cases take more time to resolve, but the solutions reduce recidivism and thus not only save court, attorney and law enforcement time later on, but help the community by reducing “quality of life” crimes.

As part of our strategic plan, the Superior Court is implementing performance standards for each of our caseloads. These standards establish timelines within which cases should be resolved, and thus provide a measure of how well we are doing and a level of accountability to the public. We base our performance standards on what we have learned from courts across the country, what the “best practices” are, and seek to replicate those practices here. We have engaged in a rigorous planning process to establish performance measures that ensure that we meet community needs and are accountable to the public we serve. The additional judges would be an important part of meeting these standards.

If S. 550 is enacted, and the authorized number of judges is raised to 62, the Superior Court will not ask for additional funding. Appropriations for the implementation of the Family Court Act provided funding in our base budget for the Court to include additional judicial

officers to handle family cases, raising the number of judges that could be on our bench to 62. As you may be aware, when judges left the Superior Court and the size of the bench fell back down to 59, the Family Court Act limited us to only replacing Family Court judges unless the overall bench fell below 59. The Family Court funding has enabled us to fully fund the Family Court – judges, necessary staff, and several one-time programmatic costs of initiatives such as our Drop-In Centers for juvenile offenders.

As other federal agencies do, the D.C. Courts strive to end the fiscal year with at least a 1% budgetary reserve, designed to cover costs that become due after the close of the year, such as late invoices or utility expenses or contractual services. Our experience has been that only a portion of this reserve is typically used. Also, the Superior Court, like federal agencies, carries personnel vacancies, due to the normal departures and retirements and delays in recruiting and hiring replacements. Given the reserve and our usual personnel vacancy rate, we will be able to meet the cost of the additional judges without an increase in the Superior Court's appropriation.

The Superior Court intends to continue to manage its budget effectively and use the strong fiscal controls that have resulted in independent accountants giving us 'unqualified' financial audits (the highest possible rating) for the past several years. I have conveyed to staff on both sides of the Hill, authorizing and appropriating, that the cost for these additional judges will be met using existing Superior Court funding levels.

Mr. Chairman, Members of the Subcommittee, thank you for providing me with the opportunity to testify today and to talk about the Superior Court's caseload figures and the need

for additional judges. I appreciate your support for our efforts and look forward to working with you to ensure that the District of Columbia *continues* to have the best trial court in the country. I would be pleased to answer any questions you might have.