

# ENROLLMENT(S)

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# COUNCIL OF THE DISTRICT OF COLUMBIA


## NOTICE

### D.C. LAW 10-228

#### **"Court-Appointed Special Advocate Program Act of 1994".**

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 10-326 on first and second readings, November 1, 1994 and December 6, 1994, respectively. Following the signature of the Mayor on December 27, 1994, this legislation was assigned Act No. 10-369, and published in the January 6, 1995, edition of the D.C. Register (Vol. 42 page 7) and transmitted to Congress on January 31, 1995, for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-228, effective March 16, 1995.

  
DAVID A. CLARKE  
Chairman of the Council

#### Dates Counted During the 30-day Congressional Review Period:

|      |                                                |
|------|------------------------------------------------|
| Jan. | 31                                             |
| Feb. | 1,2,3,6,7,8,9,10,13,14,15,16,21,22,23,24,27,28 |
| Mar. | 1,2,3,6,7,8,9,10,13,14,15                      |

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

DECEMBER 27, 1994

To amend title 16 of the District of Columbia Code to establish a Court-Appointed Special Advocate Program to provide trained volunteers for children in court proceedings to insure appropriate service and case planning are provided, to provide that the program be administered by the Family Division of the Superior Court of the District of Columbia, to require certain annual reports, to authorize the Superior Court Board of Judges to adopt rules governing the implementation and operation of the program, to provide immunity from liability for certain persons for certain acts or omissions, to authorize the court to appoint a special advocate under certain circumstances, and to provide a limited exception to the confidentiality of court records.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Court-Appointed Special Advocate Program Act of 1994".

Sec. 2. Title 16 of the District of Columbia Code is amended as follows:

(a) The table of contents for Chapter 23 is amended by adding a new subchapter heading to read as follows:

"Subchapter IV. Court-Appointed Special Advocates

"16-2371. Definitions.

"16-2372. Court-appointed special advocate program."

(b) New sections 16-2371 and 16-2372 are added to read as follows:

"§ 16-2371. Definitions.

"For the purpose of this subchapter, the term "advocate" means a court-appointed special advocate and the term "program" means the court-appointed special advocate program established under this subchapter."

"§ 16-2372. Court-appointed special advocate program.

"(a) There is established a court-appointed special advocate program to provide trained volunteers whose primary purpose is to ensure that children who are the subject of certain family division proceedings of the Superior Court of the District of Columbia are provided with appropriate service and case planning that is in their best interest.

"(b) The court, in any appropriate action, may appoint an individual provided by the court-appointed special advocate program.

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"(c) The program shall be administered by the Family Division of the Superior Court of the District of Columbia.


"(d) The Family Division shall report annually to the Chief Judge of the Superior Court of the District of Columbia, who shall report to the Council of the District of Columbia regarding the operation of the program.

"(e) The Board of Judges of the Superior Court of the District of Columbia may adopt rules governing the implementation and operation of the program, including, but not limited to, training, selection, and supervision of volunteers.

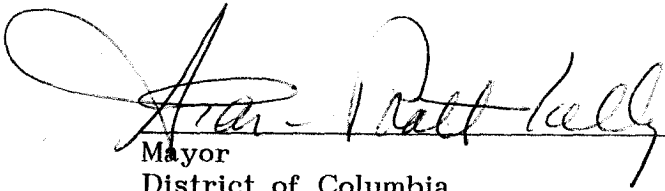
"(f) An advocate or a member of the administrative staff of the program is not liable for acts or omissions in providing services or performing duties on behalf of the program, unless the act or omission constitutes reckless, willful, or wanton misconduct or intentionally tortious conduct.

"(g) A court-appointed special advocate shall have access to and the use of the court record in a proceeding in which the advocate has been appointed."

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.



Chairman  
Council of the District of Columbia



Mayor  
District of Columbia

APPROVED: December 27, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-326

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-1-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

ROLL CALL VOTE - RESULT

| COUNCIL MEMBER | AYE | NAY | N.V. | A.B. | COUNCIL MEMBER | AYE | NAY | N.V. | A.B. | COUNCIL MEMBER | AYE | NAY | N.V. | A.B. |
|----------------|-----|-----|------|------|----------------|-----|-----|------|------|----------------|-----|-----|------|------|
| CHMN. CLARKE   |     |     |      |      | EVANS          |     |     |      |      | RAY            |     |     |      |      |
| BARRY          |     |     |      |      | JARVIS         |     |     |      |      | SMITH, JR.     |     |     |      |      |
| BRAZIL         |     |     |      |      | LIGHTFOOT      |     |     |      |      | THOMAS, SR.    |     |     |      |      |
| CHAVOUS        |     |     |      |      | MASON          |     |     |      |      |                |     |     |      |      |
| CROPP          |     |     |      |      | NATHANSON      |     |     |      |      |                |     |     |      |      |

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*December 9, 1994*  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-6-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

ROLL CALL VOTE - RESULT

| COUNCIL MEMBER | AYE | NAY | N.V. | A.B. | COUNCIL MEMBER | AYE | NAY | N.V. | A.B. | COUNCIL MEMBER | AYE | NAY | N.V. | A.B. |
|----------------|-----|-----|------|------|----------------|-----|-----|------|------|----------------|-----|-----|------|------|
| CHMN. CLARKE   |     |     |      |      | EVANS          |     |     |      |      | RAY            |     |     |      |      |
| BARRY          |     |     |      |      | JARVIS         |     |     |      |      | SMITH, JR.     |     |     |      |      |
| BRAZIL         |     |     |      |      | LIGHTFOOT      |     |     |      |      | THOMAS, SR.    |     |     |      |      |
| CHAVOUS        |     |     |      |      | MASON          |     |     |      |      |                |     |     |      |      |
| CROPP          |     |     |      |      | NATHANSON      |     |     |      |      |                |     |     |      |      |

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CERTIFICATION RECORD

Secretary to the Council

Date



COUNCIL OF THE DISTRICT OF COLUMBIA  
WASHINGTON, D.C. 20004

DEC 12 1994

The Honorable Sharon Pratt Kelly  
Mayor of the District of Columbia  
441 4th Street, N.W., 11th Floor  
Washington, D.C. 20001

Re: Transmittal of Bill 10-326, "Court-Appointed Special Advocate  
Program Act of 1994".

Date of Council Action: 12-06-94

Dear Mayor Kelly:

The above named enacted bill is hereby transmitted in accordance with Section 404(e) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198.

Attached to this bill, for your information, is the report of the Council's standing committee with jurisdiction over this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Clarke".

David A. Clarke  
Chairman of the Council

Enclosure

"(c) The program shall be administered by the Family Division of the Superior Court of the District of Columbia.

"(d) The Family Division shall report annually to the Chief Judge of the Superior Court of the District of Columbia, who shall report to the Council of the District of Columbia regarding the operation of the program.

"(e) The Board of Judges of the Superior Court of the District of Columbia may adopt rules governing the implementation and operation of the program, including, but not limited to, training, selection, and supervision of volunteers.

"(f) An advocate or a member of the administrative staff of the program is not liable for acts or omissions in providing services or performing duties on behalf of the program, unless the act or omission constitutes reckless, willful, or wanton misconduct or intentionally tortious conduct.

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Chairman  
Council of the District of Columbia

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Mayor  
District of Columbia

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COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-326

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 11-1-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

ROLL CALL VOTE - RESULT

| COUNCIL MEMBER | AYE | NAY | N.V. | A.B. | COUNCIL MEMBER | AYE | NAY | N.V. | A.B. | COUNCIL MEMBER | AYE | NAY | N.V. | A.B. |
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CERTIFICATION RECORD

*[Signature]*  
Secretary to the Council

*[Signature]* 9/1994  
Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 12-6-94

VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

ROLL CALL VOTE - RESULT

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