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COUNCIL OF THE DISTRICT OF COLUMBIA

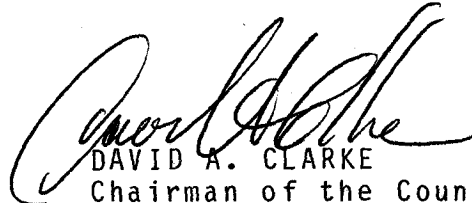
NOTICE

D.C. LAW 8-74

"Public School of Law Amendment Act
of 1989".

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. 8-356 on first and second readings, October 24, 1989, and November 7, 1989, respectively. Following the signature of the Mayor on November 16, 1989, this legislation was assigned Act No. 8-114, published in the December 1, 1989, edition of the D.C. Register, (Vol. 36 page 8117) and transmitted to Congress on January 23, 1990 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 8-74, effective March 15, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

January 23,24,25,26,29,30,31
February 1,2,5,6,7,8,20,21,22,23,26,27,28
March 1,2,5,6,7,8,9,12,13,14

D.C. LAW 8 - 74

Codification
District of Columbia Code
(1990 Supplement)

MAR 15 1990

AN ACT

D.C. ACT 8 - 114

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

NOV 16 1989

To amend the District of Columbia Postsecondary Education Reorganization Act to modify the composition and method of appointment of the Board of Governors of the School of Law and allow additional time for consideration of the merger of the Public School of Law and the University of the District of Columbia.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Public School of Law Amendment Act of 1989".

Sec. 2. Title V of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Code, sec. 31-1541 et seq.), is amended as follows:

(a) Section 501(2) (D.C. Code, sec. 31-1541(2)) is amended by striking the phrases "curriculum," and "personnel, students," wherever they appear. 31-1541

(b) Section 502 (D.C. Code, sec. 31-1542) is amended as follows: 31-1542

(1) The first sentence is amended by striking the phrase "and title VI"; and

(2) Paragraph (2) is amended as follows:

(A) By striking the phrase "and later transferred to the University pursuant to section 601";

(B) By striking the phrase "alumnus, alumna, or" and inserting the word "a" in its place; and

(C) By striking the phrase "was enrolled in or who" wherever it appears.

(c) Section 503 (D.C. Code, sec. 31-1543) is amended as follows: 31-1543

(1) Subsection (a) is amended by striking the phrase "Prior to the effective date of title VI of this act the" and inserting the word "The" in its place.

(2) Subsection (b) is amended by striking the phrase "until the effective date of title VI of this act".

(3) Subsection (c) is amended to read as follows:

"(c) Except as provided in subsection (r) of this section, the Board of Governors shall consist of 7 members selected in the following manner:

"(1) Four members shall be appointed by the Mayor with the advice and consent of the Council;

"(2) Two members shall be members of the District of Columbia Bar, selected by the Board of Governors of the District of Columbia Bar; and

"(3) One member shall hold the degree Juris Doctor from the School of Law and be elected by a postal ballot election at which each person who holds the degree Juris Doctor from the School of Law shall be sent a ballot and be entitled to vote. The Board of Governors shall, pursuant to the provisions of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1203; D.C. Code, sec. 1-1506(a)), issue rules for the fair and impartial conduct of the election of the member to be chosen pursuant to the provisions of this paragraph. The rules shall provide for nomination by petition and may also provide for a nominating committee. If a nominating committee is chosen for this purpose, it shall propose at least 2 prospective nominees for the position."

(4) Subsection (d) is amended to read as follows:

"(d) Two of the members of the Board of Governors appointed pursuant to subsection (c)(1) of this section shall be members of the bar of the highest court of a state."

(5) Subsection (f) is amended to read as follows:

"(f) The Board of Governors, as constituted by subsections (a) through (e) of this section, shall hold its 1st meeting no later than 30 days after the confirmation, appointment, or election of at least 6 of its members. The 1st meeting of the Board of Governors as so constituted shall be convened by a member of the Board of Governors designated by the President of the District of Columbia Bar. Each meeting of the Board of Governors and each of its committees shall be held in accordance with section 742 of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 831; D.C. Code, sec. 1-1504)."

(6) Subsection (g) is amended to read as follows:

"(g) The Board of Governors may establish a Board of Visitors to the School of Law and appoint the members of the Board of Visitors."

(7) Subsection (h) is amended to read as follows:

"(h) Except as provided in subsection (j) of this section, each member of the Board of Governors shall serve for a term of 5 years, which shall begin upon the expiration of the term of office of his or her predecessor and shall

end at the close of the spring commencement exercises in the 5th year after the expiration of the term of his or her predecessor. For the purposes of this section and section 504, if in any year after 1990 no spring commencement exercises are held, the spring commencement exercises shall be deemed to occur on May 15 of that year."

(8) Subsection (j) is amended to read as follows:

"(j)(1) Any of the 4 members of the interim Board of Governors who, in 1987, was designated pursuant to subsection (r) of this section and was serving on July 10, 1989, shall, if willing to do so, continue to serve on the 7 member Board of Governors established by this section until the end of his or her term as provided in paragraph (2) of this subsection.

"(2)(A) The terms of office of each of the original members of the 7 member Board of Governors shall be determined by lot as follows:

"(i) One member appointed by the Mayor to serve until the close of the 2nd spring commencement following appointment;

"(ii) One member elected by persons who hold the degree Juris Doctor from the School of Law to serve until the close of the 3rd spring commencement following election;

"(iii) One member appointed by the Mayor and one member appointed by the District of Columbia Bar to serve until the close of the 4th spring commencement following appointment;

"(iv) One member appointed by the Mayor to serve until the close of the 5th spring commencement following appointment; and

"(v) One member appointed by the Mayor and one member appointed by the District of Columbia Bar to serve until the close of the 6th spring commencement following appointment.

"(B) For the purpose of fixing the length of the term of an original member, the member of the interim Board of Governors who is a member by reason of having been, as of February 24, 1987, the immediate past President of the District of Columbia Bar shall be considered to be an appointee of the District of Columbia Bar. Each of the other 3 members of the interim Board of Governors shall be considered to be a mayoral appointee."

(9) Subsection (1) is amended to read as follows:

"(1) No person may serve as a member of the Board of Governors after the expiration of his or her term unless the person has been reappointed or re-elected in accordance with subsection (i) of this section."

(10) Subsection (q) is amended to read as follows:

"(q) Mayoral nominations to the Board of Governors shall be submitted to the Council as provided in section 504."

(11) Subsection (r) is amended as follows:

(A) By striking the number "14" and inserting the number "6" in its place;

(B) By striking the number "15" and inserting the number "7" in its place; and

(C) By adding a new paragraph (3) to read as follows:

"(3) In the event of a vacancy on the interim Board of Governors, the interim Board of Governors may fill the vacancy by majority vote of the remaining members, with the advice and consent of the Council."

(d) Section 504 (D.C. Code, sec. 31-1544) is amended as follows:

31-1544

(1) Subsection (b) is amended to read as follows:

"(b) The Committee shall consist of 5 members as follows:

"(1) One member shall be appointed by the President of the District of Columbia Bar;

"(2) One member shall be appointed by the Board of Governors of the School of Law;

"(3) One member shall be appointed by the Director of the Neighborhood Legal Services Program;

"(4) One member shall be appointed by the Chief Judge of the Court of Appeals of the District of Columbia; and

"(5) One member shall be appointed by the Chief Judge of the Superior Court of the District of Columbia."

(2) Subsection (m) is amended to read as follows:

"(m) Within 30 days of the first meeting of the Committee, the Committee shall develop a list that contains 3 times as many names as there are positions to be filled by the Mayor, and submit this list to the Mayor for his use in making initial appointments to the Board of Governors. In determining the number of appointments to be made, the Committee shall take into account any mayoral position that may be occupied by a member of the interim Board of Governors who continues to serve pursuant to section 503(j)."

(3) Subsection (o) is amended by striking the word "trustee" and inserting the word "member" in its place.

(4) A new subsection (r) is added to read as follows:

"(r) If the Mayor fails to submit a nomination to the Council within the 45-day period provided in subsection (q) of this section, the Committee shall select a nominee from the names previously submitted to the Mayor for nomination

and submit the nominee in a timely manner to the Council for confirmation and appointment to fill the vacancy."

(e) Section 505 (D.C. Code, sec. 31-1545) is amended as follows:

31-1345

(1) Subsection (a) is amended to read as follows:

"(a) A member of the Board of Governors shall be automatically suspended from the Board of Governors if the member is convicted of a felony as defined in section 1601(d)(10) of the District of Columbia Comprehensive Merit Personnel Act, effective March 3, 1979 (D.C. Law 2-139; D.C. Code, sec. 1-617.1(d)(10)), or if the member has been disbarred from the practice of law by the highest court of any jurisdiction. If a member is convicted of a felony or disbarred, the Board of Governors shall meet to determine whether to remove the member in accordance with subsection (b) of this section."

(2) Subsections (c) and (d) are repealed.

(f) Section 506(c) (D.C. Code, sec. 31-1546(c)) is amended by striking the phrase "Prior to the effective date of title VI of this act, it" and inserting the word "It" in its place.

31-1546

(g) Section 510(d) (D.C. Code, sec. 31-1550(d)) is amended by striking the word "and" at the end of paragraph (5), by adding "; and" at the end of paragraph (6) and adding a new paragraph (7) to read as follows:

31-1550

"(7) Any other factor deemed appropriate by the Board of Governors."

(h) Section 513 (D.C. Code, sec. 31-1553) is amended to read as follows:

31-1553

"Sec. 513. Merger study committee.

"(a) Within 6 months after the School of Law obtains full accreditation from the American Bar Association, the Board of Trustees of the University of the District of Columbia and the Board of Governors of the School of Law shall appoint a merger study committee. The committee shall be comprised of 9 persons, including the President of the University and the Dean of the School of Law. Each board shall appoint 3 persons to serve on the committee. The boards' appointees may include members of each board, employees of each institution, or members of the public. The committee shall be chaired by the 9th member, who shall be appointed by the President of the District of Columbia Bar.

"(b) The merger study committee shall meet monthly and submit written minutes of each meeting to each full board and the Council. No later than 12 months after its first meeting, the committee shall submit a written report to each full board and to the Council that sets forth its recommendations on the future relationship between the University and the School of Law, including whether the 2

institutions should formally merge, affiliate, or form an alternative relationship. The recommendations shall be accompanied by a description of the nature and parameters of any recommended relationship, an analysis of the effect of any proposed relationship on the accreditation of each institution, an analysis of the impact of the relationship on the fiscal affairs and governance of each institution, and a plan and timetable for accomplishing any recommended affiliation, merger, or other proposed relationship. Within 3 months after receiving the report of the committee, each board shall submit its comments on the report to the Council and any proposed amendments to this act or any other requests for action by the Council, if Council action is required to implement the recommendations."

Sec. 3. (a) Title VI of the District of Columbia Public Postsecondary Education Reorganization Act, approved October 26, 1974 (88 Stat. 1423; D.C. Code, sec. 31-1561 et seq.), is repealed.

Repeal
31-1561
et seq

(b) Section 4(b) of the Authorization for the Establishment of a Public School of Law for the District of Columbia Amendment Act of 1986, effective February 24, 1987 (D.C. Law 6-177; D.C. Code, sec. 1-601.2, note, et seq.), is repealed.

Note,

1-601.2

1-602.2

1-602.3

1-603.1

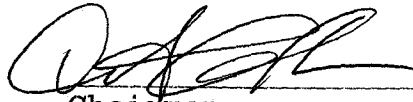
1-604.3

1-604.4

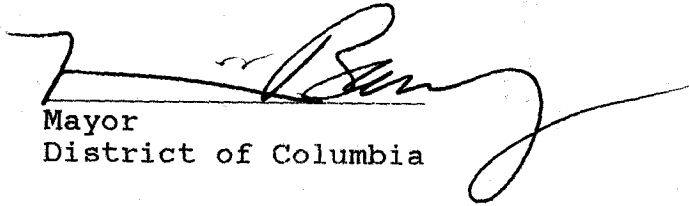
1-604.6

Sec. 4. 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, sec. 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: November 16, 1989



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-356

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 10-24-89

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

 Secretary to the Council

11-13-89

 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 11-7-89

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

 Secretary to the Council

11-13-89

 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

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					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

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

CERTIFICATION RECORD

 Secretary to the Council

 Date