

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 24-04**

New Panel Members Added to the Existing Probate Fiduciary Panel

WHEREAS, by Administrative Order 04-06, issued on April 28, 2004, the Probate Fiduciary Panel (the "Panel") was established as a permanent, standing panel of attorneys from which judicial officers of the Superior Court of the District of Columbia select attorneys for appointment in any capacity in guardianship, conservatorship, and all other Probate Division proceedings; and

WHEREAS, by Administrative Order 22-06, issued on May 25, 2022, the Presiding Judge of the Probate Division may accept, at any time, applications to the Probate Fiduciary Panel from qualified attorneys, and make recommendations to the Chief Judge to add such qualified individuals to the Probate Fiduciary Panel as the Committee deems appropriate in accordance with the needs of the Court; and

WHEREAS, pursuant to Administrative Order 23-25, and extended by Administrative Order 24-01, all attorneys interested in serving as a new member of the Panel, were required to submit an application as well as supporting documentation on or before March 29, 2024; and

WHEREAS, Administrative Order 22-06 established the Probate Panel Implementation Committee (the "Committee") and directed the Committee to review the applications of all interested attorneys and submit a report determining which applicants should be permitted to serve as new members of the Panel; and

WHEREAS, the Committee submitted its Final Report on its procedures for evaluating applications and the recommended additional names of attorneys to be appointed to the Panel as Full and Provisional Members; and

WHEREAS, the Chief Judge is satisfied that the recommendations of the Committee with respect to the new attorneys to be added to the existing Panel have been made after careful study and consideration of each attorney eligible to be considered and should be accepted in their entirety without change; and

WHEREAS, it is in the best interest of the administration of justice for the Probate Fiduciary Panel to add new members at this time;

NOW, THEREFORE, it is hereby

ORDERED that the attached list of six (6) new members are added to the Probate

Fiduciary Panel Administrative Order 23-01 from this day forward, and attorneys listed are appointed as Full or Provisional Members as set forth in the attached list; and it is further

ORDERED that, absent suspension or removal, and except as otherwise stated hereafter, the attorneys listed are appointed to the Panel for a period of three (3) years, at which time they must submit an application for re-appointment during the reconstitution of the panel as provided in Administrative Order 23-01 (Re-establishment of the Probate Fiduciary Panel), pending the determination of which they may remain Panel members; and it is further

ORDERED that newly appointed Provisional Attorneys are appointed for a term not to exceed one year, during which time they must apply to be a Full Member provided that the Committee, in consultation with the Probate Panel Advisory Committee, recommends the attorney for appointment as a Full Member; and it is further


ORDERED that an attorney's membership on the Panel is conditioned upon his or her compliance with all Administrative Orders setting an annual cap for attorney compensation for appointed representation; and it is further

ORDERED that newly appointed attorneys are eligible to receive Court appointments upon notification of the Court's Probate Panel Advisory Committee to the Chair of the Probate Panel Implementation Committee that the attorney has received the necessary training; and it is further

ORDERED that attorneys appointed pursuant to this Administrative Order must fully comply with all terms set forth in Administrative Order 23-01; and it is further

ORDERED that this Order shall take effect immediately.

SO ORDERED.



Anita M. Josey-Herring
Chief Judge

Date: May 8, 2024

Copies to:

Judicial Officers
Executive Officer

Clerk of the Court
Office of General Counsel
Division Directors
District of Columbia Bar
Daily Washington Law Reporter
Library
Register of Wills

REPORT OF THE SUPERIOR COURT PROBATE PANEL IMPLEMENTATION COMMITTEE TO CHIEF JUDGE ANITA JOSEY-HERRING

May 8, 2024

The Probate Fiduciary Panel (the "Panel") was originally created by Administrative Order 04-06, issued on April 28, 2004. The Panel was established as a permanent, standing panel of attorneys from which judicial officers of the Superior Court of the District of Columbia (the "Superior Court") could select attorneys for appointment in any capacity in guardianship, conservatorship, and all other proceedings from the Probate Division of the Superior Court (the "Probate Division").

On February 12, 2015, the Honorable Lee F. Satterfield, former Chief Judge for the Superior Court, issued Administrative Order 15-0 I, which established a process for reviewing members of the Panel.

Administrative Order 23-25, and extended by Administrative Order 24-01, invited all attorneys interested in serving as a new member of the Panel, to submit an application as well as supporting documentation on or before March 29, 2024. Additionally, Administrative Order 22-06 established the Probate Panel Implementation Committee (the "Committee"). The Committee was charged with reviewing all applications for membership on the Panel and presenting to the Chief Judge the qualified applicants for the Panel.

The Committee received 15 applications from attorneys seeking to become members of the Panel. This Report summarizes the Committee's process and recommendations.

The Application Process

Information about the application process and a copy of the application were included as part of Administrative Order 22-06. A copy of the application was also included on the Superior Court's website.

The application requested information concerning the applicant's educational background, work experience, relevant training, and trial experience. The application asked for the names of Superior Court judicial officers familiar with the applicant's work and a description of significant cases handled by the applicant. Applicants were asked to detail any criminal history and/or history with the Office of Bar Counsel and to provide a Certificate of Good Standing from the District of Columbia Bar. In addition, because the applicants would potentially serve as fiduciaries over the property of incapacitated or deceased individuals, the application requested current credit scores and evidence of malpractice insurance as required by the Guardianship Amendment Act of 2014 and the 2013 National Probate Court Standards.

The Committee

Ultimately, four Associate Judges and one Magistrate Judge participated in the Committee deliberations. Each member of the committee had extensive experience in the Probate Division, including interactions with the attorneys seeking appointment as members of the Panel:

1. The Honorable Laura A Cordero is the current Presiding Judge of the Probate and Tax Division, since March 2023, having previously served as Deputy Presiding Judge since 2021. Prior to her service in the Divisions, Judge Cordero served in the Civil Division from 2011 through 2014, then as its Deputy Presiding Judge from 2017 through 2018, and as its Presiding Judge from 2019 through 2020. Judge Cordero also has served in the Domestic Violence Division from 2015 through 2016 and as its Presiding Judge in 2017. Judge Cordero served in the Family Court from 2005 through 2010. Judge Cordero has been an Associate Judge since 2005.
2. The Honorable Carmen G. McLean has been assigned to the Probate and Tax Division since 2022. In March 2023, Judge McLean began serving as Deputy Presiding Judge of the Divisions. Judge McLean has been an Associate Judge since 2019, when she was assigned to serve in the Domestic Relations Branch of the Family Court until 2021. Judge McLean has Co-chaired the Superior Court committee on Pro Bono and Affordable Counsel since 2020.
3. The Honorable Kimberley Knowles has been assigned to the Probate and Tax Division beginning in January 2024. Prior to 2024, Judge Knowles served in the Domestic Violence Division as Deputy Presiding Judge from 2020 through 2021, and Presiding Judge from 2022 through 2023. Judge Knowles has also served in the Criminal Division, and the Family Court. Judge Knowles has been an Associate Judge since 2012. Judge Knowles also served as a Magistrate Judge from 2010-2012.
4. The Honorable Leslie Meek has served as an Associate Judge since 2022. She joined the Probate and Tax Divisions in 2023. Previously, Judge Meek served the District of Columbia as an Administrative Law Judge for over 16 years.
5. The Honorable Charmetra Jackson Parker has been assigned to the Probate and Tax Division as a Magistrate Judge since her appointment to the bench in 2022. Prior to her appointment, Judge Jackson Parker served as a prosecutor, appellate attorney, and supervisory chief in the Office of the Attorney General for the District of Columbia.

The Committee employed procedures for adding new members to existing Superior Court panels. The Committee reviewed the following materials for each attorney applicant:

1. The responses provided by the applicants to the questions set out in the application form;
2. Attachments that accompanied the application;
3. Input from Superior Court judicial officers including those whom the applicant identified as references;
4. Input from references outside of the Superior Court whose names an applicant provided;
5. Knowledge of the applicants derived from the Committee members themselves; and
6. Input from the Probate Panel Advisory Committee (the "Advisory Committee").

Consideration of Applicants by the Committee

Administrative Order 22-06 requires that no attorney will be considered for the Panel unless he or she has the following qualifications:

1. An office within the Washington Metropolitan Area;
2. A commitment to complete six hours of Fiduciary Credits towards Fiduciary Panel Education Requirements each year as may be required by the Court;
3. A commitment to perform annually 10 hours of pro bono service in the Probate Division's Self-Help Center;
4. A commitment to comply with all applicable Administrative Orders setting an annual cap on attorney compensation for appointed representation; and
5. A commitment to comply with Superior Court Attorney Practice Standards.

Pursuant to Administrative Order 22-06, the Committee was permitted to seek out the recommendations of other judicial officers. Further, the Committee was directed to seek views of the members of the Advisory Committee. The Advisory Committee is an independent committee of experienced probate attorneys who are familiar with the role of the Panel and the operations of the Probate Division. The members of the Advisory Committee also serve on the Probate Education Committee. The Advisory Committee was provided with the names and applications of the applicants to the Panel. The Committee gave substantial weight to the Advisory Committee's recommendations, many of which the Committee followed. The Committee appreciates and thanks the Advisory Committee for its hard work.

Recommendation of Full Panel Members

The Committee is recommending only attorneys who were highly-rated according to the input of judicial officers or who have demonstrated an exceptional degree of professionalism in their practice of law, in particular, in their representation of incapacitated individuals and their serving as either counsel or personal representative in the administration of decedent's estates.

All applicants were required to have, and to provide a copy of, the declarations page of a current malpractice insurance policy, if they were seeking to be appointed as conservator,

special conservator, personal representative, guardian of the estate of a minor, or trustee. That is because Panel members serving as guardians are authorized to handle a ward's finances if the Ward's assets are limited. Those applicants who did not have sufficient credit scores or who indicated that they did not wish to serve as a financial fiduciary were still considered for membership on the Panel, but if selected they will not be permitted to serve as conservator, special conservator,

personal representative, guardian of the estate of a minor, or trustee, and their management of funds as guardian will be closely monitored.

Recommendation of Provisional Attorneys

Pursuant to the application materials, applicants were asked to indicate if they would be interested in being named as a Provisional Member of the Panel. As outlined in Administrative Order 22-06, the Committee was authorized to recommend attorneys with excellent credentials but less Superior Court experience if they have demonstrated an interest in representing persons in need of fiduciary assistance and willing to serve as Provisional Members of the Panel. The Committee advocates the addition of Provisional Members to the Panel, regardless of the number of attorneys on the Panel, as experience has demonstrated that including new members strengthens the panel by allowing attorneys with a significant commitment to representing underserved populations an opportunity to contribute to the work of the Court. With respect to Provisional Members, the Committee recommended only attorneys with excellent credentials, who had demonstrated interest in representing incapacitated persons in guardianship proceedings and who were willing to serve on the Provisional Panel. As the needs of the Panel arise, the Committee may request that the Provisional Members be named Full Members of the Panel.

The Committee's Recommendations

The Committee recommends three (3) attorneys as Full Members as set forth in the Appendix. In addition, the Committee recommends three (3) attorneys as Provisional Members.

1. Compliance with Panel Obligations

In their applications, the applicants specifically affirmed their commitment to comply with the annual cap on attorney compensation for payment from the Guardianship Fund. Pursuant to the Consolidated Appropriations Act, 2023, Attorneys serving as guardians, visitors, conservators, guardians ad litem, and counsel may only seek a rate of \$110.00 per hour. The hourly compensation rate for attorneys applies to cases and proceedings initiated on or after January 1, 2023. Attorneys seeking compensation from the Superior Court are only permitted to receive \$180,000.00 combined from the Guardianship Fund, CJA vouchers, CCAN vouchers, and other funds of the Superior Court.

The applicants also specifically affirmed their commitment to timely satisfy their Fiduciary Panel Education requirements. Pursuant to Administrative Order 22-06, members of the Panel are expected to satisfy six (6) hours of Fiduciary Credits towards the Fiduciary

Panel Education Requirements each year. The applicants also informed the Committee as to their availability to serve as volunteers at the Probate Self-Help Center. Finally, the applicants also informed the Committee as to their availability for emergency appointments on weekends and holidays.

2. Training and Necessary Actions

All new members of the Panel, whether Full or Provisional, must complete the training program being offered by the Probate Education Committee before becoming eligible for appointments. In addition, it is the responsibility of members of the Panel to take all actions necessary to become familiar with the appointment and fee petition process in accordance with Administrative Order 23-20 Probate Division Fee Guidelines for Court-Appointed Fiduciaries.

3. Re-Application Time Period

To bring regularity to the process and ensure that attorneys re-applying have sufficient time to demonstrate additional circumstances warranting reconsideration of their applications, the Committee recommends that any eligible applicant who is not appointed to the Panel must wait at least one year after the issuance of the Administrative Order announcing appointments to the Panel before re-applying.

4. Effective Date

The Committee recommends that the effective date of the changes to the Panel be the date of the issuance of the Administrative Order, or as soon thereafter as practicable.

Respectfully Submitted:

The Members of the Probate Panel
Implementation Committee

/s/

Presiding Judge Laura A. Cordero
Deputy Presiding Judge Carmen G. McLean
Associate Judge Kimberley Knowles
Associate Judge Leslie Meek
Magistrate Judge Charmetra Jackson Parker

Date: May 8, 2024

**PROBATE PANEL IMPLEMENTATION COMMITTEE RECOMMENDATIONS
FOR NEW MEMBERS ADDED TO THE EXISTING PROBATE FIDUCIARY
PANEL**

May 8, 2024

Full Panel Members:

1. Concino, Joseph
2. Isicson, Anita
3. Roncs, Julie

Provisional Panel Members:

1. Diggs, Jason Randall
2. Palumbo, Jessica
3. Martin, Kevin Chesley