



HISPANIC BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA

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December 10, 2018

United States Senate Committee
on Homeland Security & Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Johnson, Ranking Member McCaskill, & Committee Members:

On behalf of the Hispanic Bar Association of the District of Columbia (HBA-DC), I write to express serious concern about the number of judicial vacancies in the District of Columbia Superior Court (Superior Court) and the District of Columbia Court of Appeals (Court of Appeals).

Founded in 1977, HBA-DC is a non-profit organization dedicated to the professional development of its membership and to supporting the Latino community in the Washington, DC area. HBA-DC membership includes several hundred lawyers practicing in Washington, DC, Maryland, and Virginia, and students attending local law schools. Many of our members practice in the Superior Court and Court of Appeals. The current vacancies in the DC judicial system delay the legal process and hamstring the administration of law and justice.

All people have a right to have their day in court, and Congress ought to ensure that the Government provides this right in a *timely* and *orderly* fashion. Cases at the DC local level play a crucial role in the lives of over 54,500 Latinos who live in the District and the nearly 700,000 people residing in DC and many more who work in and travel to the city.¹ Yet, Latinos living in DC, like all DC residents, struggle to access the judicial system in a timely manner because the high number of judicial vacancies has created an ever-growing backlog of cases. With thirteen (13) vacancies on the Superior Court, two (2) vacancies on the Court of Appeals, and only one Superior Court nominee confirmed during the current Congress, this public issue continues to grow in severity. If uncorrected, this problem will leave the Latino community without adequate access to justice.² We ask you to review the pending nominations before the Committee and vote to fill vacancies before this Congress breaks for the year.

The delayed access to justice caused by an increasing backlog of cases in DC is indicative of a broader judicial epidemic plaguing communities of color across the country. Overall, communities of

¹ Kelsey Chatlosh, Josué Salmerón and Cecilia Castillo Ayometzi, *Latinos in the District of Columbia*, DC OFFICE ON LATINO AFFAIRS (2011), https://ola.dc.gov/sites/default/files/dc/sites/ola/publication/attachments/fy11_12_agencyperformance_officeoflatinoaffairs_responses_indices2011.pdf; Census, *Quick Facts District of Columbia* (2017), <https://www.census.gov/quickfacts/fact/table/dc/PST045217>.

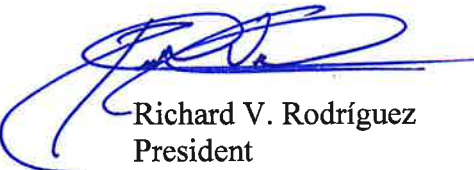
² U.S. SENATE COMMITTEE ON HOMELAND SEC. & GOV. AFFAIRS, https://www.hsgac.senate.gov/nominations?PageNum_rs=1&& (last visited Nov. 26, 2018).

color disproportionately and systematically lack access to justice. Congress must correct this perennial problem.

At the end of 2017, over 37,500 cases remained pending in Superior Court, and over 1,200 cases remained pending in the Court of Appeals.³ With fewer active judges, these numbers will grow and the situation will worsen. Timely confirmation for the highly qualified nominees before the Committee is crucial. We request that the Senate Committee on Homeland Security and Governmental Affairs address the many vacancies in the DC Superior Court and DC Court of Appeals, reviewing pending nominations, and begin filling these vacancies before the 115th Congress adjourns, so that all citizens of the nation's capital can enjoy a fully functioning judicial system that is the promise of this country.

Thank you for your time and consideration.

Sincerely,



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³ DISTRICT OF COLUMBIA COURTS, *Statistical Summary*, at 2, 4 (2017),
<https://www.dccourts.gov/sites/default/files/DC%20Courts%20Statistical%20Summary%20CY%202017%20-%20Final.pdf>.