

2003 ANNUAL FINANCIAL REPORTS

- 2003.1 Each judge of the District of Columbia Courts shall file an Annual Financial Report with the Commission disclosing personal financial interests for the preceding calendar year, in accordance with D.C. Code § 11-1530, as amended. Annual Financial Reports shall be made on forms provided by the Commission and are due on or before the first Monday in June of each year.
- 2003.2 The Commission from time to time may require a judge to provide information to supplement the Annual Financial Report filed.
- 2003.3 The public may request access to Annual Financial Reports in accordance with the Rules herein.
- 2003.4 The Commission's responsibility for monitoring public requests for inspection or release of copies of Annual Financial Reports includes the following:
- (a) The Commission will grant or deny requests for inspection or release of copies of Annual Financial Reports in accordance with D.C. Code § 11-1530, as amended, and the Commission's Rules. The Commission will provide additional guidance if questions arise that are not covered in these Rules.
 - (b) At the Commission's discretion, the Commission will grant or deny a judge's request for the redaction of statutorily mandated information where the release of the information could endanger a judge or a member of the judge's family.
 - (c) The Commission will not permit public access to any Annual Financial Report unless all Annual Financial Reports due for a calendar year have been received. If judicial requests for extension of time for filing reports have been approved by the Commission, none of the Annual Financial Reports for that calendar year will be available until all extension deadlines have expired and all Reports have been received and accepted by the Commission.
- 2003.5 The Commission will not allow the inspection or release of any Annual Financial Report until: (i) requester has filed a completed CJDT Form 10A and any supplemental information requested by the Commission; (ii) the Commission has approved the requester's CJDT Form 10A; and (iii) written notice has been given to the judge as required by statute and the Commission's Rules.

District of Columbia Municipal Regulations

- 2003.6 All requesters who seek to inspect or receive a copy of an Annual Financial Report must submit a completed CJDT Form 10A to the Commission, as well as any supplemental information requested by the Commission. The CJDT Form 10A is available on the Commission's website. The Form must contain the following information:
- (a) A list of the judges whose Reports are being requested;
 - (b) The requester's name, occupation, telephone number, e-mail, and mailing address;
 - (c) The names and addresses of any other persons or organizations on whose behalf the inspection or copy is requested;
 - (d) Written confirmation that the information provided is true, accurate, and complete; and
 - (e) Written confirmation that the requester will comply with any conditions or limitations the Commission deems necessary regarding access to and use of the Annual Financial Report.
- 2003.7 No reports will be released to any individual who fails to complete a CJDT Form 10A or provide supplemental information requested by the Commission.
- 2003.8 Upon receipt of a request for public access to a judge's Annual Financial Report(s) and a completed CJDT Form 10A, the Commission will notify the judge in writing within five (5) business days of the request. The Commission will provide the judge with a copy of the requester's CJDT Form 10A and allow the judge an opportunity to raise any concerns or request redactions. Absent an approved request for an extension of time, the judge will have ten (10) days from receipt of the Commission's notification to respond.
- 2003.9 Requesters will be notified in writing of the Commission's decision to grant or deny a request for inspection or release of Annual Financial Reports.
- (a) If the Commission grants public access to Annual Financial Reports, the requester will be informed of the Commission's decision, how the report will be provided, and any limitations or requirements the Commission has imposed including but not limited to redactions.
 - (b) If the Commission grants public access by inspection only, the inspection shall occur in the Commission's office by appointment and subject to any limitations or requirements the Commission has imposed. Appointments must be made at least five (5) business days in advance.

District of Columbia Municipal Regulations

- 2003.10 A judge may request redaction of his or her Annual Financial Report if the judge believes that revealing personal and sensitive information could directly or indirectly endanger the judge or a family member of the judge if such information was disclosed to a person(s) hostile to the judge or a member of the judge's family.
- 2003.11 The process for determining whether redaction is appropriate is as follows:
- (a) A judge may request redaction(s) either: (i) at the time of the filing of his or her Annual Financial Report; or (ii) upon notification by the Commission that a public request for access and CJDT Form 10A has been received.
 - (b) The judge must state with specificity: (i) the information to be redacted; and (ii) the reasons justifying redaction. These reasons may include but are not limited to:
 - (1) The needs of an ongoing protective detail provided by the United States Marshals Service or the D.C. Courts Security Division;
 - (2) Threats, inappropriate communications, or other conduct that is under review or being monitored for security reasons;
 - (3) Involvement in a high threat trial or appeal;
 - (4) Financial harassment of a judge or a member of the judge's family, such as identity theft, or information that could facilitate such financial harassment; or
 - (5) Information that could endanger the judge or a member of the judge's family, directly or indirectly, if possessed by a member of the public hostile to the judge or a member of the judge's family.
- 2003.12 If the Commission makes a finding that revealing personal and sensitive information could directly or indirectly endanger the judge or a family member of the judge, the Commission may order the redaction of the judge's Annual Financial Report.
- (a) Information shall be redacted from the Report in accordance with such findings to the extent necessary to protect the judge who filed the Report and his or her family.
 - (b) Such redactions shall be maintained for the period during which the Annual Financial Report is maintained by the Commission or as long as the danger to the judge or a family member of the judge exists.

District of Columbia Municipal Regulations

- 2003.13 No redactions will be granted that eliminate disclosure of the existence of an interest in an entity that would disqualify the judge from serving as a judge in litigation involving that entity, unless disclosure of that interest would reveal the location of a residence of the judge or a member of the judge's family, reveal the place of employment of the judge or a member of the judge's family.
- 2003.14 The Commission may also, on its own accord based on information provided by the judge, determine that public dissemination of certain information in the Annual Financial Report could endanger the judge or a member of the judge's family directly or indirectly, and order such redactions it deems appropriate. For example, to minimize security risks, the Commission may:
- (a) Redact information not required by statute including but not limited to:
 - (1) Spouse's and dependents' names;
 - (2) Home addresses;
 - (3) Social security numbers;
 - (4) Financial account and bank account numbers;
 - (5) Street addresses of personal properties, financial institutions, and business properties;
 - (6) Ownership codes; and
 - (7) Judge's signature.
- 2003.15 The Commission staff will notify a judge in writing when an Annual Financial Report is released or inspected and provide the judge with a copy of the released report with any redactions. The staff will maintain a copy of the redacted material for as long as the original Annual Financial Report is maintained.
- 2003.16 A judge's request for redaction and its supporting documents, except for copies of the Annual Financial Report and any amendments thereto, are considered confidential and will only be used to determine whether to grant a request for redaction.
- 2003.17 The Commission will make approved CJDT Form 10As available for public inspection for a three (3) year period but in any event no longer than the retention period for the Annual Financial Report(s) requested.
- 2003.18 Annual Financial Reports filed with the Commission shall be maintained for a period of three (3) years after filing as required by D.C. Code § 11-1530(c).

SOURCE: Final Rulemaking published at 24 DCR 9391 (May 5, 1978); as amended by Final Rulemaking published at 37 DCR 6032 (September 14, 1990); as amended by Final Rulemaking published at 39 DCR 9333 (December 11, 1992); as amended by Final Rulemaking published at 53 DCR 108 (January 6, 2006); as amended by Final

District of Columbia Municipal Regulations

Rulemaking published at 54 DCR 12322 (December 21, 2007); as amended by Final Rulemaking published at 64 DCR 6302 (July 7, 2017); as amended by Final Rulemaking published at [insert citation and date].