

**DISTRICT OF COLUMBIA COMMISSION  
ON JUDICIAL DISABILITIES AND TENURE**  
515 Fifth Street, N.W., Building A, Room 246  
Washington, D.C. 20001  
(202) 727-1363

February 6, 2023

The Honorable Anita Josey-Herring  
Chief Judge  
Superior Court of the District of Columbia  
500 Indiana Avenue, N.W.  
Washington, D.C. 20001

Dear Chief Judge Josey-Herring:

Thank you for taking the time to meet with me, Vice Chairperson Diane Brenneman, and Special Counsel Amy Conway-Hatcher last week.

We appreciate your candor in sharing the range of issues the Court has been facing with its Odyssey Portal case management solution (“IJIS2” as implemented in D.C. Superior Court), the Court’s new online case search system for auditor master, civil, tax (civil), and probate cases, as well as the interim remedial steps taken by the Court to date and its consideration of more permanent solutions.

As you know, the Commission’s greatest concern is assuring public access to the courts and the fair administration of cases before the courts, both for represented parties and, importantly, for pro se litigants who may not have the same level of technical skills and resources at their disposal.

Like the Court, the Commission has received concerns regarding the challenges presented by the Odyssey Portal and its impact on litigants in D.C. Superior Court. Therefore, on behalf of the Commission, Vice Chairperson Brenneman and I request the following:

- i. By close of business on Friday, February 10, 2023, a high-level written summary of the Odyssey Portal issues and the current interim remedial steps in place to assure fair access to the courts, as well as any additional more permanent solutions under consideration. We will share your letter with the full Commission thereafter and further advise you of any additional questions or issues Commissioners raise or seek to have clarified.
- ii. Ongoing updates contemporaneous with or in advance of any public announcements regarding Odyssey Portal developments, such as the D.C. Bar announcement you directed us to in our meeting. (<https://www.dctbar.org/news->

[events/news/many-document-images-now-available-on-superior-cou](#)).

- iii. A more fulsome in-person report by you (and anyone you deem appropriate to join you) at the Commission's March 8, 2023 meeting. At that time, the Commission will look forward to hearing additional updates and, if possible, more permanent solutions the Court will implement to resolve case search and filing system problems across all court calendars.

We appreciate that you and your colleagues share in our public access concerns, and you are working hard to assure the public is not unduly impacted by the Court's unanticipated technology challenges. We also are keenly aware of the pressures Superior Court judges face given increased calendar loads in the wake of the COVID-19 pandemic and current judicial vacancies. We are further mindful of the potential negative impact that unexpected and onerous case management responsibilities may have in overburdening judges who must uphold the highest ethical standards in the performance of their duties. (*See* Canons 1 and 2, District of Columbia Code of Judicial Conduct (2018 edition)). For all these reasons, we ask you, your colleagues, and your vendor to continue to treat these matters with the highest priority.

The Commission will continue to proactively monitor the situation and request that you continue to keep us apprised of any developments, positive or negative.

We look forward to hearing from you and your colleagues. Again, thank you for your candor and cooperation on these extraordinarily important and challenging matters.

Sincerely,



Hon. Colleen Kollar-Kotelly  
Chairperson



Hon. Diane Brenneman (Ret.)  
Vice Chairperson

CKK/DB/ach

Cc: Sherri E. Harris, Esq.  
General Counsel & Ethics Officer, District of Columbia Courts