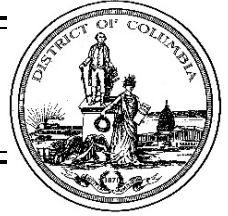

OFFICE OF AT-LARGE COUNCILMEMBER ANITA BONDS
CHAIR, COMMITTEE ON EXECUTIVE ADMINISTRATION & LABOR



January 14, 2026

Director Eugene A. Adams
Mayor's Office of Legal Counsel
1350 Pennsylvania Avenue, NW, Suite 407
Washington, DC 20004

Dear Director Adams,

The annual performance hearing for the **Mayor's Office of Legal Counsel** is scheduled for **Wednesday, January 28th, 2026, beginning at 9:30am**. The hearing will begin with public testimony and followed by government witness(es). Please plan to arrive in time to listen to the entirety of the public testimony presented with respect to the agency. Pursuant to Council rule 522(a), we ask all executive witness(es) to submit their hearing testimony 48 hours in advance of their performance oversight hearing.

As a reminder, the Council has the authority to create, abolish, or organize any office, agency, department, or instrumentality of the government of the District and to define the powers, duties, and responsibilities of any such office, agency, department, or instrumentality¹. The Council also adopts the annual budget for the District of Columbia government². As such, the performance oversight process is not only mandatory, but necessary to maintain our government. Written pre-hearing questions for your agency are attached. Please provide **five hard copies** of your responses as well as electronic versions in Microsoft Word and PDF format **by no later than 5:00 PM on Wednesday, January 21st, 2026**.

Please note that if you feel that I could use additional information outside the scope of the attached questions, please feel free to include an additional written statement. If your office requires any clarification of the attached questions, please contact Andrew Martell at amartell@dccouncil.gov. Thank you in advance for your timely and comprehensive response.

Sincerely,

A handwritten signature in black ink, appearing to read "ANB".

Anita Bonds
At-Large Councilmember
Chairperson, Committee on Executive Administration and Labor

¹ D.C. Code § 1-204.04(b)

² D.C. Code § 1-204.46(a)

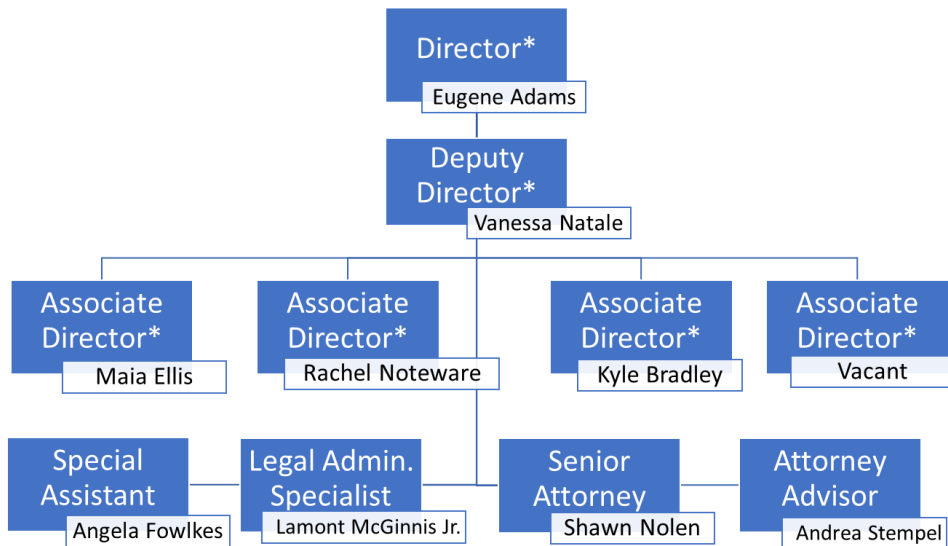
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I. Standard Questions

A. Governance and Personnel

1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled positions in each division or subdivision. Include the names and titles of all senior personnel and note the date that the information was collected on the chart.



- a. Please provide the number of divisions or bureaus within your agency, the number of staff in each division, the lead personnel of each division and their contact information, and the lead personnel's tenure in that division.

The Mayor's Office of Legal Counsel (MOLC) does not have specific divisions or bureaus but works as a single entity. It is the legal arm of the Mayor's side of the "divided" Executive that was created when the city's Attorney General (AG) position became elective in 2015. Its primary responsibilities are to provide legal advice and support to the Mayor and her senior staff, including Deputy Mayors, agency directors of the subordinate executive agencies, directly and through oversight of more than forty agency General Counsel offices.

These duties include but are not limited to:

- Coordinating the hiring, compensation, training, and resolution of significant personnel-related issues for subordinate agency counsel in conjunction with agency directors;
- Providing legal and policy advice to the Mayor and the executive branch;
- Resolving interagency legal issues for the Mayor;
- Overseeing the representation of agencies in investigative matters before the executive branch of the federal government, Congress, or the Council of the District of Columbia; and
- Supervising outside counsel in matters where the Office of the Attorney General is recused from a matter or otherwise not available.

The MOLC also adjudicates administrative appeals of the District of Columbia Freedom of Information Act (DC FOIA) decisions made by District government agencies on behalf of the Mayor and tracks reported allegations of sexual harassment claims made by city employees. The Agency also oversees the legal review of donations made to District government agencies. However, to carry out the responsibilities enumerated above and elsewhere in our responses, each of the three Associate Directors in the MOLC has a portfolio of subordinate agencies for which they are primarily responsible as the primary point of contact. The Associate Directors then report relevant issues, challenges, and actions to the MOLC Director and Deputy Director.

- b. Please provide an explanation of the roles and responsibilities of each division and subdivision.

See the response to subpart a of this question.

- c. Please provide a narrative explanation of any changes to the organizational chart made during the previous year.

There were no organizational changes made during the previous year.

2. Please provide a current Schedule A for the agency which identifies each position by program and activity, with the employee's title/position, salary, fringe benefits, residency status, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.

Please see Schedule A Attachment 1.

3. Please list all employees currently detailed to or from your agency. For each detailed employee, include:
 - a. The reason for the detail;

Kyle Bradley is currently detailed to the District of Columbia Commission Judicial Disabilities and Tenure for the purpose of assisting with urgent operational needs.

- b. The job duties if detailed to your agency;

The employee is not detailed to the MOLC.

- c. The start date of detail;

The start date of the detail is June 6, 2025.

- d. The agency the employee is detailed to/from; and

The agency is the District of Columbia Commission on Judicial Disabilities and Tenure.

- e. The projected date of return.

4. Please provide the Committee with:
 - a. A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency expense in FY25 and Q1 of FY26;

All MOLC employees are assigned cellular phones.

- b. A list of monthly costs for cell phones, tablets, and laptops;

There is no monthly cost for cell phones, tablets and laptops.

- c. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned in FY25 and Q1 of FY26;

The MOLC did not own, lease or otherwise use any vehicles during the relevant period.

- d. A list of travel expenses, arranged by employee for FY25 and Q1 of FY26, including the justification for travel; and

The MOLC did not have such expenses during the relevant period.

- e. A list of the total workers' compensation payments paid in FY25 and Q1 of FY26, including the number of employees who received workers' compensation payments, in what amounts, and for what reasons.

The MOLC made no work workers' compensation payments during the relevant period.

- 5. Please list all memoranda of understanding ("MOU") entered into by your agency during FY25 and Q1 of FY26, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

Fiscal Year	Seller Agency	Buyer Agency	Amount	Beginning Date	Termination Date
FY25	EOM	MOLC	\$8,000	10/1/2024	9/30/2025
FY26	EOM	MOLC	\$8,000	10/1/2025	9/30/2026

- 6. Does the agency have independent contracting authority? If so, please provide a chart detailing the active contracts the agency entered, the date the contract was entered into, dollar amount, contracting entity, contract expiration date, purpose, and option years.

The agency does not have independent contracting authority.

- 7. Please provide a complete, up-to-date list of contract workers working directly for your agency, ordered by program and activity, and including the following information for each position:
 - a. Title of position;
 - b. Indication that the position is filled or vacant;
 - c. Date employee began in the position;
 - d. Whether the position must be filled to comply with federal or local law;
 - e. If applicable, the federal or local law that requires the position be filled;
 - f. The entity from which they are contracted; and
 - g. The contracted annual cost.

There are no contract workers working directly for the MOLC.

8. Please provide, for each month of FY25 and Q1 of FY26, the net number of personnel separated from and hired to the agency.

There was 1 hiring made by MOLC during the relevant period.

B. Government Operations

9. Please provide a list of programs, initiatives, activities conducted by the agency in FY25 to support the Mayor's Grow DC plan.

The MOLC's primary responsibilities are to provide legal advice and support to the Mayor and her senior staff, including Deputy Mayors, agency directors of the subordinate executive agencies, directly and through oversight of more than forty agency General Counsel offices. MOLC does not conduct programs or initiatives, but our work supports the Mayor and her plans and objectives.

10. Please provide a chart of agency programs conducted during FY25. Include the following:
 - a. Initiation date;
 - b. Number and grade of FTEs assigned;
 - c. Program manager;
 - d. Total budget expenditure for the program (e.g. FTE salaries, materials, etc.); and
 - e. Outcomes from implementation (e.g. policy changes, program continuation, public support comments, etc.)

The MOLC did not conduct any programs during the relevant period.

11. Please provide a chart showing the agency's program priorities for FY25 and FY26. Include the following:
 - a. Staffing numbers;
 - b. Expenditure;
 - c. Community outreach activities; and
 - d. Measurable outcomes or metrics associated for each priority.

The MOLC does not have agency program priorities for the relevant period. The MOLC oversees the General Counsel offices at District government agencies, and in working with the Executive office of the Mayor, gives advice, and identifies and addresses legal issues to ensure the agencies achieve operational and programmatic results.

12. Please provide a copy of your agency's approved FY26 performance plan as submitted to the Office of the City Administrator, including approved goals, objectives, timelines, planned program and projects, anticipated FTE allocation and expenditure, and metric outcomes to be analyzed.

The MOLC did not have a FY26 performance plan.

13. Please provide a copy of the agency's FY25 Performance Accountability Report of strategic objectives, indicate if key performance indicators were met, and with which other government agency was the report filed.

The MOLC did not have a FY25 Performance Accountability Report.

14. Describe problems and challenges, including chronic maintenance issues and design flaws, in agency-owned or leased facilities.

The MOLC's office is in the John A. Wilson Building and have not experienced chronic maintenance issues or design flaws.

15. Please provide the following information regarding capital projects:
 - a. A list of all capital projects in the financial plan.
 - b. For FY23, FY24, FY25, and Q1 of FY26 an update on all capital projects under the agency's purview, including a status report on each project, an explanation of any delays, the timeframe for project completion, the amount budgeted, actual dollars spent, and any remaining balances, to date.
 - c. An update on all capital projects planned for FY26, FY27, FY28, and FY29.

The MOLC had no capital projects during the relevant period and does not have any capital projects in planning currently or during the relevant period.

16. A description of whether the capital projects begun, in progress, or concluded in FY23, FY24, FY25, or Q1 of FY26, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.

The MOLC had no capital projects during the relevant period.

17. What capital or operating projects arose from these issues in FY25 and FY26, including cost and actions taken?

The MOLC had no capital projects during the relevant period.

18. Please provide the number of FOIA requests for FY25 and Q1 of FY26, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

FY25 MOLC FOIA Requests					
Number of FOIA Requests Received in FY25	Number of FY25 FOIA Requests Granted	Number of FY25 FOIA Requests Partially Granted	Number of FY25 FOIA Requests Denied	Number of FY 25 FOIA Requests With Other Disposition	Number of FY25 FOIA Requests Pending on 1/20/26
19	0	0	3	16	0
FY26 MOLC FOIA Requests to Date					
Number of FOIA Requests Received in FY26	Number of FY26 FOIA Requests Granted	Number of FY26 FOIA Requests Partially Granted	Number of FY26 FOIA Requests Denied	Number of FY 26 FOIA Requests With Other Disposition	Number of FY26 FOIA Requests Pending on 1/20/26
5	0	1	0	4	0
<i>Median Response Time</i>				9 days	
<i>Estimated Number of FTEs Required to Process Requests</i>				1	
<i>Estimated Number of Hours Spent Responding to Requests</i>				Not tracked	
<i>Cost of Compliance</i>				Not tracked	

19. If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, wards of residence, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meeting in FY25 and Q1 of FY26, if minutes were prepared. Please inform the Committee if the board or commission did not convene during any month.

The MOLC does not have an association with any boards or commissions.

20. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.

The MOLC’s attorneys attend legal and ethics trainings that are organized by our office, the Office of the Attorney General, the Board of Ethics and Government Accountability, the Department of Human Resources, and other agencies for the benefit of agency counsel.

21. Please describe the agency’s customer feedback and public engagement. How does the agency solicit feedback from members of the public (i.e., District residents served)? What has the agency learned from this feedback?

While the MOLC is not a public-facing agency, we do field many calls and e-mails from the public, both residents and non-residents to assist them with their FOIA appeals and directing them to agency FOIA officers for inquires on FOIA requests.

C. Data

22. In filterable and sortable spreadsheet, please list all electronic databases maintained by your agency, including the following:
- a. A detailed description of the information tracked within each system;
 - b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and
 - c. Whether the public can be granted access to all or part of each system.

The MOLC does not maintain any electronic databases.

23. Provide a list of all publications, brochures and pamphlets prepared by or for the agency during FY25 and Q1 of FY26. Please provide copies.

The MOLC publishes all D.C. FOIA Appeal Decisions into the file sharing cloud-based platform Box and is accessible on our DC.gov website.

24. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or contracted for during FY25 and Q1 of FY26. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

The MOLC neither prepared nor contracted any studies, research papers, or analyses during the relevant period.

D. Laws, Audits, and Reports

25. Please list any legislation that impacts your agency from the prior two fiscal years and provide a status report on the agency's implementation related to each piece of legislation.

There has been no legislation passed in the prior two fiscal years that have impacted the MOLC.

26. Please identify any legislative changes that would enable the agency to better meet its mission.

The MOLC has no recommendations for legislation at this time.

27. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Indicate the following:
- a. Report due date;

- b. If the agency complied;
- c. Date of actual transmittal; and
- d. To which entity the reports were filed.

Pursuant to D.C. Code § 2-538, on or before February 1st each year, the MOLC is required to provide a D.C. FOIA Report and a summary of the D.C. FOIA Appeals received and processed by the agency to the Office of the Secretary. The D.C. FOIA Appeals summary was provided to the Office of the Secretary on December 3, 2026, and the D.C. FOIA Report was provided on January 1, 2026.

28. Please list all pending lawsuits in which the agency, or its officers or employees acting in their official capacities, are named as defendants, and for each case provide the following:
- a. The case name;
 - b. Court where the suit was filed;
 - c. Case docket number;
 - d. Case status; and
 - e. A brief description of the case

Neither the MOLC nor its employees are named as a party to any pending lawsuits.

29. Please list the total amount of money the agency or the District, on behalf of the agency, expended to settle claims against it, or its employees acting in their official capacities, in FY 25 and FY 26, to date.

Neither the MOLC, nor the District, on behalf of the MOLC, expended any money to settle claims against it or its employees acting in their official capacities.

30. Please list each settlement the agency or the District, on behalf of the agency, entered into in FY 25 and FY 26 to date that involved claims against the agency, or its officers or employees in their official capacity, including any settlements covered by D.C. Code § 2-402(a)(3). For each settlement, provide:
- a. The amount of the settlement,
 - b. If related to litigation, the case name and brief description;
 - c. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

Neither the MOLC, nor the District, on behalf of the MOLC, expended any money to settle claims against it or its employees acting in their official capacities, including any settlements covered by D.C. Code § 2-402(a)(3).

31. Please describe the agency's procedure for handling allegations of workplace harassment during FY25 and Q1 of FY26. Indicate the following:
- a. Date of offense;
 - b. Whether the parties report to the same supervisor;
 - c. The findings of substantiation or non-substantiation; and
 - d. What official action was taken.

During the relevant period, the MOLC did not receive any allegations of sexual harassment committed by or against any of its employees. In accordance with the Mayor's Order on Sexual Harassment, all District agencies must report sexual harassment claims, investigations, and written notification of findings and conclusions to the MOLC. The MOLC is available to provide advice to general counsels on sexual harassment related issues in collaboration with DCHR.

32. Please describe the agency's handling of sexual harassment claims received during FY25 and Q1 of FY26. Indicate the following:
- a. Date of offense;
 - b. Whether the parties report to the same supervisor;
 - c. The findings of substantiation or non-substantiation;
 - d. What official action was taken;
 - e. Identify the investigating official or Sexual Harassment Officer (SHO) for each claim; and
 - f. The date the report was forwarded to the Mayor's Office of Legal Counsel.

During the relevant period, the MOLC did not receive any allegations of sexual harassment.

33. Please list all administrative complaints or grievance received in FY 25 and Q1 of FY26. Indicate the following:
- a. The nature of the complaint;
 - b. The review procedure followed; and
 - c. The resolution of the complaint.
 - d. Whether or not the employee(s) complaint was resolved by moving to a different workspace, and or supervision.

During the relevant period, the MOLC did not receive any administrative complaints or grievances.

34. Please list all investigations, audits, or reports on your agency or any employee of your agency conducted in FY25 and Q1 of FY26. Include copies of any concluded reports and indicate the anticipated date of conclusion for any ongoing reports.

The MOLC did have any investigations, audits, studies, or reports on our agency or any employee for our agency during the relevant period.

35. Please list all requests for information submitted to the agency in FY 24, FY 25 and Q1 of FY26 by the Office of the Inspector General; D.C. Auditor; Internal audit; and any other federal or local oversight entities. For each request, please indicate:
- a. The subject of the request;
 - b. The requesting agency;
 - c. The date received;
 - d. The information was supplied; and
 - e. Whether the information was supplied by the date request. If information was not timely supplied, please indicate the reason for any delays.

The MOLC did not receive any such request for information from the entities listed during the relevant period.

36. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.

The MOLC has no collective bargaining agreements currently in effect for its employees. However, MOLC represents management in implementing and ensuring compliance with the collective bargaining agreements governing unionized attorneys (AFGE Local 1403).

37. Is the agency currently party to any active non-disclosure agreements? If so, please provide all allowable information on all such agreements, including:
- a. The number of agreements;
 - b. The department(s) within the agency associated with each agreement; and
 - c. Whether any agreements are required for specific positions (please list each position by division and program and indicate whether the position is contracted).

The MOLC is not currently party to any non-disclosure agreements.

38. Please include a chart of FY25 employee evaluation rating showing the employee's job title, duties/responsibilities, classification grade, salary, date of employment, and FY25 evaluation rating. Also, please identify if the employee has been separated from the agency during FY25 or Q1 of FY26.

Finance and Budget

39. Please provide a table showing your agency's Council-approved original budget, revised budget (after reprogrammings, etc.), and actual spending, by program and activity, for FY25 and Q1 of FY26.

- a. For each program and activity, please include total budget and break down the budget by funding source (federal, local, special purpose revenue, or intra-district funds).
- b. Include any over- or under-spending. Explain any variances between fiscal year appropriations and actual expenditures for FY25 and Q1 of FY26 for each program and activity code.
- c. Attach the cost allocation plans for FY25 and FY26.
- d. In FY25 and Q1 of FY26, did the agency have any federal funds that lapsed? If so, please provide a full accounting, including amounts, fund sources (e.g. grant name), and reason the funds were not fully expended.

See the Budget Data attached.

40. For FY25 and Q1 of FY26, please list all intra-District transfers to or from the agency.

The MOLC did not have any intra-District transfers during the relevant period.

41. For FY25 and Q1 of FY26, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide:
 - a. The revenue source name and code;
 - b. The source of funding;
 - c. A description of the program that generates the funds;
 - d. The amount of funds generated by each source or program;
 - e. Expenditures of funds, including the purpose of each expenditure; and
 - f. The current fund balance.

The MOLC does not maintain, use, or have access for use, to any special purpose revenue funds.

42. Please fill out the attached spreadsheet titled “Grants Received,” and list all federal and/or private grants received by your agency in FY25 and Q1 of FY26, current balances, and indicate any that lapsed during or at the end of FY25. Please submit the completed document in both Excel and PDF formats, and ensure to include the following:
 - a. Name and amount of federal source of funding agency and program, broken down in percentage (%) and dollar amount (\$);
 - b. Name and amount of local source of funding agency and program, broken down in percentage (%) and dollar amount (\$);
 - c. Identify whether each funding source is recurring or one-time;
 - d. Identify whether the contract was competitively bid or sole-source; and
 - e. Indicate the receiving agency and amount of funding for funds moved out of the agency.

The MOLC did not receive any federal and/or private grants during the relevant period.

43. Please provide a status report, including timeframe of completion, for all projects for which your agency currently has capital funds available.

The MOLC does not currently have any projects.

44. Please list all budget enhancement requests (Form B or similar) submitted in FY25 and Q1 of FY 26 and all budget enhancements received in FY25 and Q1 of FY26, please provide a status report on the implementation of each enhancement.

The MOLC did not request budget enhancements.

II. Agency Specific Questions

A. Scope of Performance

45. Please provide an overview of the roles and responsibilities of the MOLC and its direct reporting structure.

Please see the Responses to Section I, Question 1 and to Section II, Question 45. The Director reports directly to the Mayor. The Deputy Director reports to the Director. All other employees at the MOLC report directly to the Deputy Director. While that is the formal direct reporting structure, much of the MOLC's day-to-day work is collaborative within the agency and so all employees routinely work together weekly if not almost daily.

46. Please review the categories below and confirm whether the list reflects an accurate description of the work performed by your office. For each category, please indicate the number of matters, in each category, handled by your office in FY25 and Q1 of FY26.
- a. Coordinating the hiring, compensation, training, and resolution of significant personnel-related issues for subordinate agency counsel in conjunction with agency directors;

Upon request, the MOLC assists subordinate agencies with personnel matters related to the employment, discipline, evaluation, and general working conditions of the agency general counsel offices. These activities include reviewing application materials, interviewing lawyers for hire, advising agency directors, and assisting with decisions related to the terms and conditions of their employment. Additionally, the MOLC aids agencies by offering guidance on how to handle specific personnel matters relating to attorney work, employment status, discipline and/or their interactions with others. Agency counsel is aware of the attendant processes and the role of the MOLC and will often seek the MOLC's involvement, thereby providing consistency amongst general counsel offices regarding personnel matters. Additionally, the MOLC has worked to standardize many of these processes, particularly in the areas of hiring and promotion so that agency counsel are treated as fairly as possible across the agencies. Interviews and selections are now made with the appropriate Associate Director's involvement and ultimate sign-off. Templates and policies for managing discipline are shared to facilitate consistency across the subordinate agencies, hopefully, to minimize successful challenges and/or litigation that might arise from these disciplinary or other personnel actions.

- b. Providing legal and policy advice to the Mayor and executive branch;

The MOLC always remains readily available to support the Mayor and the executive branch. The MOLC's advising responsibilities are broad and vary greatly based upon the specific client and matter or issue being addressed. Some aspects of this responsibility are standardized, while others are ad hoc or situational. Advising on the proper interpretation or application of the law is a practical example of one of the ways the MOLC supports this mission. Some of the more informal responsibilities include advising on various personnel matters, "troubleshooting" on specific issues or questions that have legal and operational components and responding to constituent inquiries that are legal in nature. The size and scope of these matters vary, but the paramount duty is to be as responsive, accurate and helpful as possible. The fundamental goal here is to support the Executive legally and present the government in an overall positive light.

c. Resolving interagency legal issues for the Mayor;

The MOLC views this duty as often related to subpart (b) above: if there are contradictory or conflicting policy views (with legal underpinnings or consequences), competing legal interpretations or agency or operational practices that are illegal, wrong or impractical, the MOLC will make all efforts to resolve the disagreement in a way that benefits the whole government and its leadership. This responsibility extends to proactively address and reconcile differences between subordinate agencies and/or the OAG where disagreements regarding advice or procedures can occasionally arise. The MOLC ensures the process for all these interactions include professionalism, little prejudgment of the situation, repeated opportunities to discuss, consideration of all aspects of the matter at issue, and a resolution in the best interest of the government.

d. Overseeing the representation of agencies in investigative matters before the executive branch of the federal government, Congress, or the Council of the District of Columbia; and

The MOLC seeks to be an aggressive and willing partner/participant in these investigations and inquiries. Depending on its nature, the MOLC's assistance can be advice-giving, witness preparation, communications with the investigators, drafting response letters and a small host of other related efforts. However, certain investigations and inquiries are more important than others and may require more MOLC involvement. Regardless of the level of involvement, the MOLC approaches all situations helpfully and does not presume to inject itself without a clear understanding of client needs.

e. Supervising outside counsel in matters where the Office of the Attorney General is recused from a matter or otherwise not available.

The MOLC is usually directly involved in arranging for and overseeing the work of outside counsel in those situations where he/she may be needed. The MOLC initially serves as the conduit between the EOM (including the subordinate agencies) and OAG to establish the need for outside counsel by arranging for a conflict check and handling any inquiries from the requesting office.

The requesting office or agency will usually be the subject matter expert on what kind of outside counsel is needed, but the MOLC will aid in the identification of a suitable candidate or candidates, negotiation of an appropriate service agreement, and engagement with the individual or firm.

Finally, the MOLC can and will advise on what deliverables should be anticipated and can also provide a preliminary assessment on the quality of those deliverables, particularly with the legal issues.

47. Please discuss the types of legal issues which are referred to the Mayor's Office of General Counsel (OGC) versus the types of issues which are handled by the MOLC. What were the top three major issues handled by the MOLC in FY25?

The broad statutory responsibilities of the MOLC are 1) to provide legal advice and support to the Mayor, her senior staff, Deputy Mayors, and agency directors; 2) to oversee the work of more than forty subordinate agency General Counsel offices, providing advice to them when necessary, assisting with their hiring, discipline and evaluations; 3) to resolve legal disputes or questions that may arise between and among the subordinate agencies; 4) to act as the official legal liaison between the EOM and the OAG; and 5) to manage and respond to FOIA appeals. Over the years, the MOLC has acquired or assumed responsibilities beyond those mentioned above, and assisted (when appropriate) Councilmembers, independent agencies and members of the public.

We weigh in on litigation matters related to the government, particularly large settlements involving city resources. MOLC has also conducted investigations—or advised on them—and handled sensitive personnel matters when that help has been needed or requested. These formal and informal duties and responsibilities are always handled discreetly and with adherence to government practices, policies, priorities and broad risk management duties, so that the government runs as consistently as possible.

Notwithstanding its importance, the OGC office of the Executive Office of the Mayor is very similar to other agency counsel offices—in the sense that the broad duties of that office are to be responsive to the legal, administrative and personnel matters that arise there—not just for the Mayor, but for the entire staff of the EOM. However, the MOLC acknowledges the tenure and experience of the incumbent GC and interferes minimally. The relationship is close and collaborative as both the EOM's OGC and the MOLC recognize the sensitive nature of some issues that arise in the EOM; as a result, the MOLC helps when it is asked to, and both offices share important information as the need arises.

Apart from the general matters that any OGC is required to handle, the Mayor often decides whether to consult with her GC, or the MOLC and sometimes both. Shared or contrasting opinions about a particular question or issue are often valued, as are suggested strategies for

managing a problem or situation. Legal matters are not assigned to MOLC and/or the EOM OGC solely based on the types of legal issues involved.

As both entities report directly to the Mayor, she may assign matters to either office as she deems appropriate. However, if the issue is one that only or primarily impacts EOM, it would likely be handled by the EOM OGC. On the other hand, if there was a legal issue that affects several specific agencies, it would probably be handled by the MOLC as it has an oversight role with the subordinate agencies and has regular working relationships with their OGCs. Also, the MOLC and EOM OGC often work collaboratively on major and/high profile legal matters facing the Executive.

The MOLC has managed, advised on, or provided legal or strategic support on many major legal issues in FY25, so it is difficult come up with a top 3. Notable issues include:

- RFK Stadium deal;
- Preparing and supporting the Executive for the incoming federal administration; and
- Strategy regarding multi-state litigation that has arisen from policy changes and legal actions taken by the current federal administration.

FOIA

1. Please provide details on the process of a FOIA Appeal. Include the following:
 - a. Procedures from beginning to end

Appeals come to the MOLC via email, the District's FOIA Portal or regular mail. Each appeal is screened to ensure it contains (1) a statement of appeal; (2) a copy of the original request; (3) a copy of any denial letter issued by the agency; and (4) the contact information for the requestor. Once an appeal has been properly filed, the MOLC contacts the relevant agency's FOIA officer and the appellant to give the agency notice of the appeal and to inform the appellant that his/her appeal is being processed. At that time, the MOLC also asks the agency to provide a response to the appeal, explaining the agency's actions. After the agency has had a reasonable opportunity to respond, the MOLC proceeds to adjudicate the appeal and provide a decision to the requestor.

- b. Timeline for a decision

Agencies typically must provide a response to the appeal within 5 business days, and the MOLC must issue a decision within 10 business days. See D.C. Official Code § 2-537(a); 1 DCMR §§ 412.5, 412.7.

- c. Statutory requirements for processing appeals

If the Executive determines that a public record may not be withheld, a directive may be given to the agency to produce the record immediately. See D.C. Official Code § 2-537(a)(2).

- d. Limitations on the types of appeals accepted, if any

There are no limitations on the types of DC FOIA appeals accepted. However, the appeal of FOIA requests submitted to the MOLC are referred to the Office of the Secretary as a conflict of interest and the Office of the Attorney General internally handles the appeal of the FOIA requests it receives.

2. Please provide a list of all FOIA requests in FY25 and Q1 of FY26, that were submitted to your agency. Please list the requests by agency subject matter. For each, please indicate:
 - a. When the agency received it
 - b. When the agency responded
 - c. Whether it is a congressional inquiry
 - d. Whether there are any outstanding appeals. If yes, what are the reasons for those pending cases?
 - e. Whether there have been any denials of FOIA appeals. If yes, for what reason(s)?

Please see the chart attached.

B. Interagency Coordination

1. Please explain the MOLC’s role of “working closely with the Office of Risk Management to reduce avoidable operational, legal, and financial exposure for the District of Columbia government”, pursuant to the list of duties listed on your website.

The Office of Risk Management (“ORM”) is charged with overseeing the District’s Settlement and Judgment Fund. As such, it has knowledge and insight into legal settlements and judgments that are paid out of the Fund on agencies’ behalf. The MOLC in its oversight role of agency counsel is aware of and advises, as appropriate and necessary, on substantial litigation facing the agencies. Because of this unique bird’s eye view that both agencies have, which the agencies’ generals counsel do not have by the nature of their duties—being tasked with managing only their respective agency’s legal needs—the MOLC and ORM, from time to time, discuss any patterns or trends in litigation with an eye towards minimizing the District’s liability.

2. Please list all trainings that the MOLC has held in FY23, FY24, FY25 and Q1 of FY26.

	FY23	FY24	FY25	Q1 FY26
Number of MOLC Legal Trainings	4	4	3	0

- a. Who are the participants of these trainings?

The participants of these trainings consist of District of Columbia General Counsels, Deputy General Counsels, and attorneys from city government agencies. Attendance also includes the MOLC team members and the trainer or subject matter expert for the training.

- b. What does a MOLC-run legal training session involve?

The MOLC-run trainings involve the presentation of a pre-selected legal topic by a skilled trainer and/or subject-matter expert. At the start of each training, the MOLC leadership welcomes attendees, provides the overall mission of the training, and introduces the trainer. The trainer usually presents from a PowerPoint they've created for the training and provides any reference materials for attendees to view throughout the training. Depending on the preference of the trainer, questions from attendees are fielded by the MOLC staff or by the trainer. Upon the completion of the trainer's presentation, the MOLC staff provide closing remarks and circulate an evaluation form to attendees to solicit any feedback regarding the training and suggestions for future training topics.

- c. What steps has MOLC taken to increase the number of trainings offered?

The MOLC continues to engage in more efforts to collaborate with agency general counsels to plan and identify new legal training topics and to ensure that the trainings being offered are addressing legal matters that are most concerning and pressing to agency counsel.

3. Please elaborate on the relationship, if any, between the MOLC and the following:

- a. Executive agencies

The MOLC assists subordinate agencies with personnel matters related to the employment, discipline, evaluation, and general working conditions of the agency general counsel offices. These activities include reviewing application materials, interviewing lawyers for hire, advising agency directors, and assisting with decisions related to the terms and conditions of their employment. Additionally, the MOLC aids agencies by offering guidance on how to handle specific personnel matters relating to attorney work, employment status, discipline and/or their interactions with others.

Agency counsel is aware of the attendant processes and the role of the MOLC and will often seek the MOLC's involvement, thereby providing consistency amongst general counsel offices regarding personnel matters.

The MOLC worked to standardize many of these processes, particularly in the areas of hiring and promotion so that agency counsel are treated as fairly as possible across the agencies. Interviews and selections are now made with the appropriate Associate Director's involvement and ultimate sign-off. Templates and policies for managing discipline are shared to facilitate

consistency across the subordinate agencies, hopefully, to minimize successful challenges and/or litigation that might arise from these disciplinary or other personnel actions.

In addition to assisting with personnel actions, the MOLC always remains readily available to provide legal and policy advice to subordinate executive branch agencies. The MOLC's advising responsibilities are broad and vary greatly based upon the specific client and matter or issue being addressed, including litigation and settlement matters. Some aspects of this responsibility are standardized, while others are ad hoc or situational. Advising on the proper interpretation or application of the law is a practical example of one of the ways the MOLC supports this mission.

A subset of the MOLC's duty to provide legal and policy advice to subordinate executive agencies includes resolving interagency legal issues for the Executive where there are contradictory or conflicting policy views (with legal underpinnings or consequences), competing legal interpretations or agency or operational practices that are illegal, wrong, or impractical. Here, the MOLC will make all efforts to resolve the disagreement in a way that benefits the whole government and its leadership. This responsibility extends to proactively address and reconcile differences between subordinate agencies and/or the OAG where disagreements regarding advice or procedures can occasionally arise. The MOLC ensures the process for all these interactions include professionalism, little prejudgment of the situation, repeated opportunities to discuss, consideration of all aspects of the matter at issue, and a resolution in the best interest of the government.

b. The DC Council

The MOLC does not have a formal working relationship with the Council of the District of Columbia, in part because that body has its own group of legal advisors. However, there are matters of importance to the entire government where collaborations and consultations may be necessary—in those instances, the MOLC is always happy to participate where that involvement does not conflict with its ethical, legal and operational priorities. Additionally, MOLC staff often maintain personal/professional relationships with some Councilmembers and Council staffers that may create opportunities for discussions and others exchanges of ideas that, collectively, further government priorities. Finally, there are instances where MOLC staff can—and may—more readily obtain information, answer questions or provide hypothetical advice to a Councilmember or staffer that does not cross an ethical or political divide, and where the Mayor and the Council have been historically comfortable with such exchanges or have specifically authorized them.

c. Office of the Attorney General

Now, and throughout the MOLC's recent tenure, it has enjoyed a robust, collegial, and collaborative relationship with the OAG on a personal and operational level. There are, of course, disagreements and tensions that arise, either from differing interpretations of the law or disagreements about OAG's responsibility to defend the District of Columbia when that office opts to uphold its view of the "public interest". Each of these issues, as they arise in different cases and situations are addressed individually, most with a workable resolution.

The unresolved questions, i.e., about the Mayor's authority to direct, settle or approve affirmative litigation or the circumstances when OAG chooses to represent the " public interest", remain problematic as stumbling blocks to a seamless relationship and may need to be resolved through clarifying legislation. However, there have been timely and useful agreements about many multi-state and class actions that have arisen from policy changes and legal actions taken by the current federal Administration. In those instances, where a consensus could not be reached, the OAG acted as they believed they should and the MOLC advised the EOM on actions it could or should take.

Also, the MOLC remains responsive and helpful to solve specific problems, address legal concerns and, in some cases, to be the conduits for information or messages to other parts of the government when that is appropriate.

d. The DC Judicial System

Presently, the MOLC is a member of the Interagency Detention Workgroup which consists of other partners from U.S. District Court for D.C., U.S. DOJ, Legal Aid, U.S. Marshal's Service, OAG, DC Department of Corrections (DOC), and the Federal Bureau of Prisons. The primary focus of this workgroup is to address the concerns from the November 2021 U.S. Marshal's Report regarding the conditions of confinement at the DOC and to discuss the corrective actions taken by DOC thus far.

e. Other legal entities

The MOLC enjoys a robust, collegial, and collaborative relationship with the legal service providers that we are aware of and with whom we interact on a regular basis. While the relationships are generally informal, we meet with these organizations or individuals in different circumstances to address their broad or specific concerns whenever we can.

Our service to these entities, including law firms of various sizes and solo practitioners - sometimes facilitated by prior governmental interactions or even our professional relationships - is part of the MOLC's overarching responsibilities as we've reported before.

We routinely commit to being as responsive and as helpful as we can be to solve specific problems, address legal concerns and, in some cases, to be the conduits for information or messages to other parts of the government when that is appropriate.

4. Please describe the process that the MOLC takes when advising an agency on legal matters.

There are several ways the MOLC can or will consult with an agency. The two primary methods of consultation are described below:

- If the Agency asks for assistance, the MOLC will identify the appropriate person to respond, and that individual will do so promptly on behalf of the Agency. The contact is

memorialized and discussed internally, and the needed assistance is provided, depending on the requirements of the situation and assuming the MOLC is the appropriate entity to provide that assistance.

- In those instances where the MOLC reaches out first, the process is the same, except the MOLC, as the initiating party, will either provide the assistance requested or advise the agency on the matter/issue that generated the consultation.

In addition to the Director and Deputy Director of the MOLC, there are currently three highly skilled Associate Directors who have direct oversight over a cluster of subordinate agencies. These Associate Directors are usually the first points of contact for the agencies they service. Because the MOLC is a small agency with a clear mandate, it is usually easy to identify an issue or a problem, discuss it internally, and then fashion the needed response and follow-up if necessary.

5. What role does the MOLC have in public donations to the District agencies? Please outline the processes of receiving donations from the initial step to its completion, including:
 - a. Monetary minimums and maximums
 - b. Types of donations accepted
 - c. Disbursement of donated funds or goods

The MOLC provides a legal sufficiency review of all donation applications submitted to subordinate agencies for goods or services, pursuant to Mayor's Memorandum 2015-001. This review ensures that each donation will be used for the purposes for which it was solicited and is consistent with applicable laws. MOLC reviews both in-kind and financial donations made to executive agencies. If the MOLC does not approve the application, the process cannot proceed. If the application is approved, a donation agreement is signed by the receiving agency and the donor. MOLC reviews and approves any deviations from the standard donation agreement as well as any requests by agencies to make a direct solicitation of a donation. In FY25, the MOLC deemed approximately 470 donations legally sufficient.

6. Has the MOLC provided any advice to the executive regarding the Department of Forensic Science and its obligations to local prosecutors?

While the MOLC provides the Executive and agencies advice upon request, DFS has its own general counsel who advises on its obligations.

C. Pro bono Services

1. What is the process for District government attorney employees to provide pro bono services? Please distinguish between services provided that are work-related and services provided in the attorney's free time.

In 2021, the MOLC developed a Pro Bono Policy that encourages Executive Legal Service employees to provide pro bono legal or professional services. Employees interested in offering pro bono services must proactively assess whether a conflict of interest would arise or appear to arise from their representation of a potential client in accordance with the policy and applicable District and federal statutes and regulations. The policy states that a conflict of interest is presumed to exist if the activity will: 1) conflict with, or appear to conflict with, the fair, impartial, and objective performance of the employee's official duties and responsibilities; 2) result in, or create the appearance of using public office for private gain, giving preferential treatment on behalf of the District to any person impeding government efficiency or economy, losing complete independence or impartiality of making a government decision outside official channels, or adversely affecting the confidence of the public in the integrity of the District government; 3) permit any person to capitalize on the employee's official title or position; 4) impair the efficient operation of the District government; 5) interfere with the employee's ability to perform the employee's duties and/or responsibilities; or 6) violate ethical standards of behavior of law.

In 2022, the Pro Bono Legal Representation Expansion Amendment Act became effective allowing District government employees to provide pro bono legal representation in proceedings before any District of Columbia court, District of Columbia agency, federal court, or federal agency where there is no conflict of interest and affiliation with a covered entity. Specifically, District government employees can provide such representation if: 1) the matter does not involve a claim against the District of Columbia; 2) the District of Columbia, or in a criminal proceeding, the United States, is not a party; 3) the District of Columbia does not have direct or substantial interest in the matter; 4) the employee has not participated personally and substantially in the matter as an employee; 5) the representation is expressly authorized by the employee's personal authority pursuant to established procedures; 6) the representation does not violate federal or District law or any applicable rules of professional conduct; and 7) the employee is acting- in the employee's personal capacity; not receiving compensation for the legal representation; and providing the legal representation in affiliation with a covered organization.

Notwithstanding the above, an employee may provide legal representation without compensation: to another District employee who is the subject of a personnel action; or for their parent, spouse, domestic partner, or child, or for any estate for which the employee serves as a guardian, executor, administrator, trustee, or other personal fiduciary. An employee may also represent themselves before the District of Columbia.

The MOLC Pro Bono Policy advises that attorneys should seek pro bono opportunities that can be accomplished on their own time, either after work or on weekends, or otherwise require only de minimis use of government time and resources or by arrangement with their supervisor and using leave or a flexible working schedule.

Before engaging in pro bono services, an Executive Legal Service employee must submit a Pro Bono Request Form to their supervisor for review and approval of the pro bono legal services. If the attorney's supervisor is unsure whether a proposed pro bono service would create a conflict of interest with the employee's work, the employee should then submit the Pro Bono Request form to MOLC for its review.

2. Does the MOLC keep track of government employee requests to engage in pro bono service?
 - a. If so, how many such requests were received by the MOLC in FY25 and Q1 of FY26?

Although MOLC receives, reviews and decides whether to approve pro bono requests, it does not track them. However, MOLC estimates that it has received a minimal amount of such requests, which is not unexpected because District Government attorneys spend a considerable portion of their working hours providing legal services which ultimately benefit the District residents in their positions with District Government.

D. Harassment and Workplace Culture

1. Please discuss how the MOLC handles harassment claims, such as sexual harassment, retaliation, and bullying.

MOLC has not received any complaints of workplace harassment. However, any complaints of workplace sexual harassment and workplace bullying will be handled in accordance with Mayor's Order 2023-131, Updated District Government Sexual Harassment Policy, Guidance, and Procedures, and DCHR Issuance 2019-8, Maintaining A Healthy Workplace: Anti-Bullying Policy, respectively. Concerning allegations of retaliation in response to an employee opposing sexual harassment or participating in a sexual harassment investigation or the EEO process, Mayor's Order 2023-131 expressly provides that these claims are outside of the scope of agency SHOs and instructs individuals to file a complaint with an EEO counselor. Notwithstanding these workplace investigatory processes, MOLC employees may avail themselves of the formal EEO process to report allegations of discrimination and retaliation.

2. How many complaints of harassment has the MOLC received in FY25 and Q1 of FY26? Please provide breakdown of the following:
 - a. Number of complaints
 - b. Types of harassment (sexual harassment, retaliation, bullying, etc.)

- c. Resolutions of each complaint (settlement, transfers, separation, etc.)

In FY25, MOLC received 48 notices of sexual harassment complaints from District agencies. In Q1 of FY26, MOLC has received 6 notices of sexual harassment complaints.

See the redacted sexual harassment tracker attached.

3. Does the MOLC transmit all of the complaints received to the Office of Human Rights (OHR)?

MOLC received no complaints of sexual harassment for FY25 and Q1 of FY26. However, had it received complaints of harassment, it would be at the complaining party's discretion, not within the employing agency's discretion, to pursue a formal administrative complaint of discrimination and/or retaliation with OHR or the Equal Employment Opportunity Commission.

4. Please describe the process that the MOLC takes in sexual harassment-related matters. Please provide a breakdown of the agency's role in the following:
 - a. Training and education;

Mayor's Order 2023-313 established the Sexual Harassment Task Force, which is comprised of several Executive agencies and offices, including MOLC, to provide guidance, issue recommendations, and develop policy to fulfill the intent of the Order. All District government employees, including contractors, are required to complete annual sexual harassment training. DCHR should be able to provide statistics on employee compliance and to provide precise details on these any conducted trainings.

- b. Investigations;

Typically, MOLC is not involved in agency workplace investigations of sexual harassment. Mayor's Order 2023-131 requires an agency to provide MOLC with notification of the receipt of a sexual harassment complaint and with a copy of the summary written notification of the investigation's findings and conclusions. Additionally, agency counsel may seek legal guidance from MOLC on any issues that arise during the course of the investigation.

- c. Hiring or designation of Sexual Harassment Officers (SHO); and

The MOLC plays no role in the designation of the SHOs for each Deputy Mayor's Office and each agency. Mayor's Order 2023-131 requires each Deputy Mayor's Office and each agency to designate a primary SHO, as well as an alternate. Each SHO must be registered with the Office of Human Rights pursuant to Section 2 of the Sexual Harassment Data Collection and Reporting Act of 2022, effective September 21, 2022 (D.C. Law 24-171; D.C. Official Code § 1-546.01).

d. Other personnel matters

To the extent this question is asking about other non-sexual harassment personnel matters that may be raised or uncovered in the course of a sexual harassment matter, the agency involved would handle those other allegations of non-sexual personnel misconduct under the appropriate law, rule, regulation, and/or policy. For example, an allegation of bullying would be handled according to DCHR Issuance 2019-8, Maintaining A Healthy Workplace: Anti-Bullying Policy. MOLC plays a limited role in other personnel matters when agencies consult with the MOLC on disciplinary matters involving attorneys. MOLC generally serves as a resource for General Counsels on other personnel-related issues. Otherwise, the MOLC has not received any allegations of sexual harassment or other types of workplace misconduct, such as bullying, by a MOLC employee.

5. How does the MOLC track the workplace harassment complaints received from government agencies? Is there are central database used to track these complaints?

The MOLC utilizes a spreadsheet to track reported allegations of sexual harassment claims received from government agencies.