


**C O U N C I L   O F   T H E   D I S T R I C T   O F   C O L U M B I A**  
**OFFICE OF COUNCILMEMBER BROOKE PINTO, WARD 2**  
**COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY**  
**MEMORANDUM**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

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**TO:** Chairman Phil Mendelson  
**FROM:** Councilmember Brooke Pinto   
Chairperson, Committee on the Judiciary and Public Safety  
**RE:** Request to Agendize Measures from the Committee on the Judiciary and Public Safety  
for the May 5, 2026, Legislative Meeting  
**DATE:** May 5, 2026

I request that the measures listed below appear on the agenda for the Legislative Meeting on May 5, 2026, and, where required under Council Rule 231(c), on the agenda for the additional meeting of the Committee of the Whole preceding the Legislative Meeting.

**Emergency Legislation**

- **Volunteer Services Clarification Emergency Declaration Resolution of 2026**
- **Volunteer Services Clarification Emergency Amendment Act of 2026**
- **Volunteer Services Clarification Temporary Amendment Act of 2026**

The Volunteer Services Act (VSA) regulates volunteer services within District agencies and mandates that District agencies must issue rules regarding volunteer services. DC Human Resources is due to issue recently recrafted rules regarding the VSA's implementation for District agencies that do not cover the Office of the Attorney General (OAG), given its status as an independent agency. Since the VSA also does not specify that OAG is authorized to issue rules regarding volunteer services, without emergency legislation authorizing OAG to issue its own rules, the agency will have unclear legal footing under both the VSA and the new DCHR rules to regulate volunteer services. This would impact the agency's ability to manage volunteer services.

Volunteers, including attorneys and interns, contribute important legal, governmental, policy, investigatory, research, mediation, and constituent services to the agency and to the District. For example, volunteer work constitutes crucial support to the litigative and other work across OAG.

The emergency nature of this legislation is justified in order to prevent deleterious impacts on operations and delays to the agency's various programs, divisions, and cases supported by volunteer work.

Emergency legislative intervention is needed while the permanent changes work their way through the legislative process (attached as non-germane technical amendments to B26-526, on the agenda for the May 5, 2026 meeting).

## **Strengthening Probate Administration**

- **Strengthening Probate Administration Emergency Declaration Resolution of 2026**
- **Strengthening Probate Administration Emergency Amendment Act of 2026**
- **Strengthening Probate Administration Temporary Amendment Act of 2026**

On December 17, 2024, the Council passed on final reading Bill 25-538, the “Strengthening Probate Administration Amendment Act of 2024,” which proposed to modernize and update the legal and administrative processes and procedures around probate for District residents and estate lawyers which was enacted into law and became effective on March 21, 2025 as D.C. Law 25-302.

This emergency legislation, co-introduced with Councilmember Charles Allen, is needed as the current statutory language has proven inadministrable and unclear, leading to delays in appointing personal representatives and precluding access to decedents’ estate assets. Emergency legislation to this effect is due to expire on May 14, 2026 requiring emergency intervention while the permanent changes work their way through the legislative process (attached as non-germane technical amendments to B26-526, on the agenda for the May 5, 2026 meeting).

D.C. Law 25-302 needs to be amended to establish administrability in probate processes and to obviate delays in the timely appointment of personal representatives. This emergency legislation would:

1. restore language that was unintentionally removed regarding the nature of probate proceedings;
2. authorize the Register of Wills or the Court to issue letters of administration and appoint personal representatives, so that if a petition is deemed insufficient by the Register, it may be submitted to a judge for review and appointment;
3. clarify that the applicability the law applies to the date of a decedent’s death rather than the date of filing the estate;
4. strike reference to a will being “duly admitted to probate” in the transfer by affidavit section, in order to allow individuals to transfer by affidavit in the event that the probate process does not need to be initiated. This aligns with the law’s purpose of allowing for property transfer external to the probate process.
5. include a provision that was attached to a congressional review emergency, B26-0563, the “Prearrest Diversion Task Force Recommendations Congressional Review Emergency Amendment Act of 2026,” concerning probate: probate proceedings require a publication of a notice. Currently the law says that various notices must be published in a legal periodical, which can limit access to residents and has also interfered with the law’s implementation. The provision clarifies the legal periodicals requirements.

Emergency legislation is necessary to allow D.C. Law 25-302 to actually be practically implementable, preventing delays and access to estate access issues for a law already in effect.

Drafts of the emergency measures are attached.

If you have any questions regarding these measures, please contact Eloy LaBrada, Deputy Committee Director, at [erodriguezlabrada@dccouncil.gov](mailto:erodriguezlabrada@dccouncil.gov).

cc: Members, Council of the District of Columbia  
Office of the Secretary  
Office of the General Counsel  
Office of the Budget Director  
Mayor's Office of Policy and Legislative Affairs