

specified in the policy for calculating cash surrender values, if any, and paid-up nonforfeiture benefits, provided that for any category of ordinary insurance issued on female risks, adjusted premiums and present values may be calculated according to an age not more than three years younger than the actual age of the insured: *Provided, however*, That in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than those shown in the Commissioners 1958 Extended Term Insurance Table: *Provided further*, That for insurance issued on a sub-standard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the company and approved by the Superintendent. After the effective date of the amendatory Act of 1960, any company may file with the Superintendent a written notice of its election to comply with the provisions of this paragraph after a specified date before January 1, 1966. After the filing of such notice, then upon such specified date (which shall be the operative date of this paragraph for such company), this paragraph shall become operative with respect to the ordinary policies thereafter issued by such company. If a company makes no such election, the operative date of this paragraph for such company shall be January 1, 1966."

Operative date.

(b) Clause (iv) of the fourth sentence of subsection (e) of such section (D.C. Code, sec. 35-705b(e)) is amended by striking out "decreasing".

62 Stat. 33.

(c) The last sentence of subsection (g) of such section (D.C. Code, sec. 35-705b(g)) is amended by inserting immediately before the period at the end thereof the following: "*Provided, however*, That the operative date of the last paragraph of subsection (d) shall be as stated therein".

62 Stat. 34.

Approved June 27, 1960.

Public Law 86-531

AN ACT

To provide for the representation of indigents in judicial proceedings in the District of Columbia.

June 27, 1960
[H. R. 10761]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The District of Columbia Legal Aid Act."

SEC. 2. There is hereby created a Legal Aid Agency (hereinafter called the Agency) for the District of Columbia, to provide legal representation of indigents in judicial proceedings in the District of Columbia, as provided in section 3.

The District of
Columbia Legal
Aid Act.
Legal Aid Agen-
cy, creation.

SEC. 3. The Agency shall make attorneys available to represent indigents in criminal proceedings in the United States District Court for the District of Columbia and in preliminary hearings in felony cases, and in cases involving offenses against the United States in which imprisonment may be for one year or more in the Municipal Court for the District of Columbia, in proceedings before the Coroner for the District of Columbia and the United States Commissioner, in proceedings before the juvenile court of the District of Columbia, and in proceedings before the Commission on Mental Health of the District of Columbia and proceedings in the courts arising therefrom.

Counsel for in-
digents.

The Agency shall from time to time advise each of the courts and tribunals named in this section of the names of the attorneys employed by the Agency who are available to accept assignments in said court or tribunal. The judges or other presiding officers of the several

courts and tribunals may assign attorneys employed by the Agency to represent indigents, such assignments to be upon a case-to-case basis, a group-of-cases basis, or a time basis, as the assigning authority may prescribe. Each such court and tribunal will make every reasonable effort to provide assignment of counsel as early in the proceeding as practicable.

Eligibility for
legal services.
Standards and
procedures.

SEC. 4. The legal representation services hereinbefore described shall be provided only to such persons who first subscribe and state in writing upon oath that such person has been unable to hire an attorney and is further unable to pay modest attorney's fee; except that the aforesaid sworn statement in writing shall not be required of patients in proceedings before the Commission on Mental Health of the District of Columbia and proceedings in courts arising therefrom. This oath may be administered by any person under law authorized and empowered to administer oaths. The Board of Trustees may provide more detailed standards and procedures consistent with the rules and policies of the respective courts and tribunals, to carry out the provisions of this section: *Provided further*, That any person making a false oath on any material matter required herein shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

Board of Trustees.

SEC. 5. The powers of the Agency shall be vested in a Board of Trustees composed of seven members, each serving a term of three years. Each trustee shall be appointed, for a full term or for the balance of an unexpired term, by a panel (of which four members shall be a quorum) consisting of—

the Chief Judge of the United States Court of Appeals for the District of Columbia;

the Chief Judge of the United States District Court for the District of Columbia;

the Chief Judge of the Municipal Court for the District of Columbia;

the Chief Judge of the Municipal Court of Appeals for the District of Columbia;

the President of the Board of Commissioners of the District of Columbia; and

the Judge of the juvenile court of the District of Columbia.

Said panel shall be presided over by the Chief Judge of the United States Court of Appeals for the District of Columbia (or his designee, in his absence).

The Board of Trustees of the Agency shall be appointed initially as follows: three members for three-year terms, two members for two-year terms, and two members for a one-year term. Thereafter each appointment (except an appointment for the balance of an unexpired term) shall be for a three-year term. Each appointee shall hold office until his successor is appointed and qualifies.

Director, appointment.

SEC. 6. The Board of Trustees of the Agency shall appoint a Director of the Agency, who shall be responsible for the supervision of the legal work of said Agency, and perform such other duties as the Board of Trustees may prescribe. The Director shall be a member of the bar of, and qualified to practice law in, the District of Columbia. The Board may delegate to the Director such powers of the Board as the said Board may find in the interest of good administration. Said Director shall receive compensation of \$16,000 per annum, and shall hold office at the pleasure of the Board of Trustees.

Personnel.

SEC. 7. The Director, with the approval of the Board of Trustees, shall employ such professional and office staff as may be necessary properly to conduct the business of the Agency, subject to the availability of appropriated funds. The Director shall, with the approval of the Board of Trustees, make assignments of the professional personnel of the Agency so as to provide the best practicable handling of

the case load involving indigents in the courts and other tribunals specified in section 3. All attorneys employed to represent indigents by the Agency shall be members of the bar of, and qualified to practice law in, the District of Columbia. The salaries of all employees of the Agency, except the Director, shall be fixed by the Board of Trustees, following the salary scale for employees of similar qualifications and seniority in the office of the United States attorney for the District of Columbia.

SEC. 8. The Director, with the approval of the Board of Trustees, may employ volunteer attorneys, without salary, who shall be reimbursed their out-of-pocket expenses properly incurred in the course of their employment. Service of individual as a volunteer attorney pursuant to this section shall not be considered as service or employment bringing such individual within the provisions of sections 281, 283, 284, or 1914 of title 18 of the United States Code, or section 190 of the Revised Statutes, nor shall any person serving as a volunteer attorney be considered, by reason of such service, an employee of the government of the District of Columbia for any purpose.

Volunteer attorneys.

SEC. 9. All salaried employees of the Agency shall give full time to the Agency work. The Director, with the approval of the Board of Trustees, shall fix the requirements upon the time of volunteer attorneys, and shall fix the office hours of the Agency. No salaried employee of the Agency, including the Director, shall engage in any private practice of the law, and no such employee shall receive a fee for any legal service.

Dual employment prohibited.

SEC. 10. The Board of Trustees of the Agency shall, on June 1 of each year, submit a report of the Agency's work for the past year to the Congress of the United States, to the Chief Judge of the United States Court of Appeals for the District of Columbia, to the Commissioners of the District of Columbia and to the Administrative Office of the United States Courts. Said report shall include a statement of financial condition, revenues, and expenses for the past year, prepared by a certified public accountant or by a designee of the Administrative Office. Said Board shall also forward a copy of the report required by this section to each member of the panel described in section 5, and such panel shall meet with the Board of Trustees and Director not later than August 1 of each year to review the work and financial needs of the Agency in the light of the report submitted the previous June 1, as required by this section.

Report to Congress *et al.*

SEC. 11. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated for each fiscal year, out of any moneys in the Treasury to the credit of the District of Columbia, such sums as may be necessary; except that not to exceed \$75,000 shall be appropriated for the fiscal year beginning July 1, 1960. Such sums shall be appropriated for the judiciary, to be disbursed by the Administrative Office of the United States Courts to carry on the business of the Agency. The Administrative Office in disbursing and accounting for said sums will follow, so far as possible, its standard fiscal practices. The budget estimates for the Agency shall be prepared in consultation with the Commissioners of the District of Columbia.

Appropriation.

SEC. 12. (a) Except as provided in subsection (b), this Act shall take effect on the date of its enactment.

Effective date.

(b) Sections 6, 7, and 8 shall take effect on the date of enactment of the first Act appropriating moneys to carry out the purposes of this Act which is enacted after the date of enactment of this Act, and section 3 shall take effect on the sixtieth day after the date of enactment of such appropriation Act.

Approved June 27, 1960.