

Government of the District of Columbia

OFFICE OF THE CORPORATION COUNSEL
JUDICIARY SQUARE
441 FOURTH ST., N.W.
WASHINGTON, D. C. 20001



IN REPLY REFER TO:
OLC:LNG:lng
(AC-96-192)

April 24, 1996

Marilyn Rubin
2400 Virginia Avenue, N.W.
Washington, D.C. 20037

Re: complaints about the conduct of two commissioners
of Advisory Neighborhood Commission 2-A

Dear Ms. Rubin:

This is in reply to your April 18, 1996 letter in which you complain about the conduct of two commissioners of Advisory Neighborhood Commission (ANC) 2-A.¹ At the end of your letter, you ask: "Shouldn't we expect more from the professionals that we elected?"

Enclosed for your information is a memorandum, dated March 11, 1995, which sets forth the role of the Office of the Corporation Counsel vis-a-vis ANCs. If an ANC is to carry out its statutory functions in an effective manner and serve the interests of those persons who reside and work within the ANC's boundaries, the commissioners of the ANC must work together, be willing at times to make compromises, and treat each other and members of the public with civility. If an ANC commissioner is not performing his or her public duties in a satisfactory manner, the registered voters in that commissioner's single-member district may remove that commissioner from office by utilizing the recall process. A recall may not, however, be initiated during the first six months or the last six months of a commissioner's two year term of office, or within six months after a recall election has been decided in favor of the commissioner. See D.C. Code § 1-1321(c) (3) (1992), and §§ 1-292 to 1-295 (1992). The voters may also, of course, oust an incumbent commissioner by defeating his or her reelection bid by voting to elect another person to represent that single-member district.

The letter was also signed ANC 2-A residents Abby L. Gilbert, Dr. Bernard Mozer, Henrietta O'Shea, and Mary Jane Shakelford. Since their addresses were not indicated on the letter, I ask you to share this reply with them.

Near the end of your letter, you complain that ANC 2-A has not given notice to the public of the time and place of recent monthly meetings. The effect of the failure of an ANC to give the public the statutorily required notice of its public meetings was addressed in an April 17, 1996 letter from Karen Cooper of this Office to ANC 2-A Commissioner Dorothy Miller. A copy of that letter is enclosed.

Sincerely,

A handwritten signature in cursive script that reads "Leo N. Gorman". The signature is written in black ink and is positioned above a horizontal line.

Leo . Gorman
Assistant Corporation Counsel
Office of Legal Counsel

Enclosures

cc: The Honorable Harold Brazil
Chairman
Committee on Government Operations
Council of the District of Columbia