

**STATEMENT OF INTEREST OF  
THE HONORABLE MILTON C. LEE, JR.  
IN SUPPORT OF CANDIDACY FOR  
CHIEF JUDGE  
OF THE DISTRICT OF COLUMBIA SUPERIOR COURT**



## TABLE OF CONTENTS

- I. Introduction**
- II. Personal and Professional Commitment to the District of Columbia and the D.C. Superior Court**
- III. Interest in Court Administration, Leadership and Management Experience**
- IV. Ability to Provide Intellectual Leadership**
- V. Ability to Lead the Court and to Promote a Sense of Cooperation and Collegiality Among the Judges, the Court Staff, and Other Governmental and Non-Governmental Entities, Ability to Promote Confidence in the Court and the Judicial System**
- VI. Future Vision of the Court**
- VII. Conclusion**
- VIII. Appendices**

## **I. INTRODUCTION**

I respectfully submit the following statement of interest in support of my application for appointment as the Chief Judge of the Superior Court of the District of Columbia. If designated to serve as Chief Judge, I will rely on my many years of prior legal, judicial and administrative experience to build upon the leadership and work of the current Chief Judge and her predecessors to ensure that the Court maintains its commitment to judicial excellence and access to justice for all. Chief Judge Josey-Herring has guided the Court through an incredibly challenging time and engaged in a reimagining of essential functions to enable the Court to continue to serve the District of Columbia during the COVID-19 pandemic and its aftermath. The Court reimagined its operations to take advantage of technological innovations spurred by the pandemic such as remote and hybrid court proceedings, allowing citizens who had transportation, work or child barriers to attendance to have access. In addition, the Court implemented more flexible employee alternative work opportunities with the increased usage of remote scheduling. The Court dramatically altered its processes in high volume calendars to stagger scheduling proceedings and to expand diversion opportunities for litigants experiencing poverty.

In many respects the Court has returned to pre-pandemic operating levels, and the focus now should turn to how we work together as a Court and with stakeholders, Congress, the Executive Office of the Mayor, the City Council, the Bar and members of the community to fully and fairly respond to the challenges facing the District of Columbia and the legal system. While the Court has altered many of its processes to provide better and greater access, we must also recognize that we are facing new challenges as a court and a community. Employees everywhere have become more concerned with work-life balance. The Court is aware of unprecedented departures from partner agencies and institutional litigants like the Public Defender Service (PDS), the Office of the Attorney General (OAG) and the United States Attorney's Office (USAO), as well as a high number of judicial vacancies and valued employees in our own Court. An equally compelling concern is the sense that that we have experienced a diminished connection to one another, the culture of our Court and some of the attributes of our shared values that made us a true Court family.

If designated to serve as the next Chief Judge of the District of Columbia Superior Court, I will continue the Court's proud tradition of collaborating with justice partners, both public and private, and increase community engagement in a manner that promotes the highest standards of justice, public trust and confidence. I will continue to foster an atmosphere of mutual respect among judicial colleagues and Court staff united in the common purpose of creating court system dedicated to earning and maintaining the public's trust by providing justice fairly and efficiently. I would commit myself to addressing the need to reengage and reestablish a sense of community in the court and with our partners and the greater community by increasing collaborative efforts that allow us to engage, discuss and work on today's challenges.

In my almost 26 years in the Superior Court, and a lifetime in my beloved city, I have developed excellent relationships with every segment of the court family, the many justice stakeholders and the community, which will allow me to guide the Court as we blaze new pathways toward a fairer, more comprehensive approach to case resolution aimed toward administering justice of the highest quality. My life experiences, judicial service and commitment to the community have prepared me to meet the challenges of leading the judges and staff of the Superior Court.

In the following pages, I set forth a description of my personal and professional background and judicial experience. I will also address my administrative and management experience both inside and outside of the Court that has prepared me to lead the Court as the next Chief Judge. Next, I will address my ability to provide intellectual leadership, promote a sense of cooperation among my colleagues, court staff, private and public entities, and promote confidence in the entire judicial system. Finally, I will conclude with my vision for the Court's future.

## **II. PERSONAL AND PROFESSIONAL COMMITMENT TO THE DISTRICT of COLUMBIA and the D.C. SUPERIOR COURT**

### **Personal and Professional Background**

I have spent a lifetime in the District of Columbia. It is my home, and I am proud to be a true son of the city. I am the product of its public and private school educational system. Most of my early education was spent in the public school system. My father dedicated over 30 years of his life to teaching in the public school system before concluding his academic career as a member the Department of History at Howard University. My mother spent her professional career in various capacities in the public school system, Howard University's Drama Department and in the Mayor Barry's Office on Constituent Services. My parents sacrificed so much so that I could attend St. John's College High School. I was fortunate to attend St. John's where I was an incredibly average member of JROTC program and participated in interscholastic sports.

My dad passed away when I was a fourteen-year-old freshman. It was a particularly tough time for my family. I watched my mother and siblings struggle to make sure that I could continue my education at St. John's College. I learned a valuable life lesson during this time about the strength of commitment and partnership directed toward a shared goal. This traumatic and profound loss provided a set of ideals that I continue to use to this day when adversity appears on the horizon. I face that adversity with a sense that a united effort directed at a common goal will provide the greatest opportunity to overcome whatever challenge that is presented. I will be mindful of this approach if I am fortunate enough to become the next Chief Judge and I will lead the Court with a keen sense of the importance of service to the community that raised me.

My undergraduate career was completed at American University's School of Justice where I received a degree in Law and Society. I was awarded my Juris Doctor degree in 1985 from Catholic University's Columbus School of Law (my father's undergraduate alma mater).

My entire professional career has been committed to the work of the Superior Court. During my third year of law school, I represented indigent persons charged with misdemeanor offenses in the Superior Court as a student attorney in the Law Students In Court Program. Following graduation from law school, I was incredibly fortunate to join the greatest criminal defense law firm in the country, the Public Defender Service of the

District of Columbia (PDS). My introduction to PDS came during my undergraduate years when I served as an investigative intern to lawyers in the trial division. There I met an incredible group of lawyers and staff dedicated to making the criminal justice system responsive to a segment of the community that was often overlooked. I returned to PDS as a law clerk following my second year of law school. When I returned to law school for the final year and worked as a student attorney, I knew that I wanted to be not just a criminal defense lawyer, but I wanted to be a member of the Public Defender Service in my hometown.

While at PDS, I represented indigent individuals in the juvenile delinquency system, those charged with misdemeanor and felony offenses and before the District of Columbia Court of Appeals while in the Appellate Division. PDS remains a critically important component of the criminal justice system and continues to work to ensure that justice is dispensed evenly and fairly.

I took a one-year leave from PDS in 1990 to join the faculty of the Georgetown University Law Center where I taught in the Criminal Justice Clinic and the E. Barrett Prettyman Clinical Fellowship Program. There I worked with the clinical staff in educating, training and supervising third-year law students as they represented clients in the Superior Court under the student practice rule. I also continued to try a few cases while I supervised the graduate students in the fellowship program.

Following my time as a visiting professor of law at Georgetown, I returned to PDS as its Deputy Trial Chief. In that position, I was responsible for supporting and supervising the attorneys assigned to the Trial Division to represent individuals in the most serious and complex cases in the Superior Court. I tried a significant number of cases before departing PDS to return to a career in legal education. The PDS experience helped me to develop a greater sense of the value and power of a few dedicated people who found a common bond that energized them in the pursuit of justice. I left PDS with the hope of having a greater impact on the quality of representation for individuals in the Superior Court by returning to academia.

In 1993, I joined the faculty of the District of Columbia School of Law (now the University of the District of Columbia School David A. Clarke School of Law). My initial role at the law school was to teach and supervise students in the Juvenile Law and Special Education Clinic. During my time at the law school, I was fortunate to be able to transition from clinical education to the classroom where I taught Criminal Procedure, Criminal Law, Evidence, Advanced Criminal Law, Trial Advocacy and Wills and Estates.

In the Juvenile Clinic, students represented young people in the Family Division of the Superior Court. The Clinic also represented parents of children with special needs under the Individuals with Disability Education Act. After years of juvenile delinquency representation, the members of the clinic developed the view that many of the children in the delinquency system were actually children with unmet educational needs that could be addressed through educational services. Our goal was to change the way that juvenile justice was administered for young people charged with criminal and status offenses. To that end, we worked to ensure that the much-needed services available through the educational system were delivered to parents and their children. Once educational services were appropriately provided to children in the delinquency system, the clinic staff then worked to extract those children from the delinquency system because many of the necessary services were now in place. This change in focus was a hard-fought battle and our efforts in the clinic stimulated other justice stakeholders to adopt this approach to juvenile delinquency representation. The PDS Juvenile Services Program expanded its staff to include lawyers trained in educational advocacy for delinquent and non-delinquent youth. A few years later the District of Columbia Superior Court Family Court created a panel of special education advocates through the Criminal Justice Act to work with lawyers in the delinquency and neglect systems to address the unmet educational needs of our city's youth. There can be no question that this service delivery model results in better outcomes for parents and young persons involved in the Family Court. These and related initiatives should continue, and the Court should engage in the review and expansion of these programs so that we can continue to produce the best possible results for justice involved families.

### Judicial Experience

In 1997, I was appointed by Chief Judge Eugene N. Hamilton to the position of Hearing Commissioner in the District of Columbia Superior Court. In 2002, following the passage of the Family Court Act,<sup>1</sup> I became a Magistrate Judge and served in that capacity until 2010 when President Barack Obama appointed me to a fifteen-year term as an Associate Judge in the Superior Court. Since my appointment to the Court in 1997, I have served in each of the Court's Divisions and Family Court, except the Probate Division, and have presided over almost every type of case litigated in the Superior Court.<sup>2</sup>

I am currently assigned to a Civil Division trial calendar, handling cases ranging from landlord tenant disputes, to breach of contract claims, to complex medical malpractice litigation. Prior to my current assignment, I served on the civil side of the Domestic Violence Division and spent five years in the Criminal Division, presiding over Felony II and Felony I calendars, in addition to serving as Deputy Presiding Judge and then Presiding Judge of the Division. After one year on the Felony II assignment, a challenging assignment given the volume and mixture of jury demandable drug cases, assaults and other violent crime, I transitioned to a Felony I trial calendar where the most serious and complex cases are assigned. In that assignment, I presided over cases in which individuals were charged with murder, sexual assault and very serious armed assaults. My previous experience both inside and outside of the Court was invaluable in enabling me to resolve countless discovery, DNA and complex sentencing matters while regularly presiding over lengthy jury trials. In 2021, I returned to the Felony I assignment following the current Chief Judge's appointment. Upon appointment to the Court, I served in multiple assignments in the Family Court including a juvenile delinquency, Initial Hearings New Referrals, child support and domestic relations as well as serving as the Chair of the Mental Health Commission. As a magistrate judge, I was assigned to the Civil Division where I presided over the Small Claims Branch and Debt Collection and Subrogation calendars.

As a result of my broad and diverse calendar assignments, I have developed a very clear understanding of what it takes for the Court operate

---

<sup>1</sup> See D.C. Code § 11-1101 (2001)

<sup>2</sup> See appendix 2 for a complete listing of judicial assignments.



efficiently across Divisions and case types. Both civil assignments involved high volume calendars with many unrepresented litigants appearing before the Court. In the Criminal Division, I have presided over traffic, misdemeanor and all level felony cases. Each of these assignments has provided great experiences where I learned a great deal and attempted to provide the high level of justice that is expected from judicial officers of our Court. I was fortunate to confront some very challenging issues and to work closely with the many talented members of our Court staff and fellow colleagues to resolve them.

I have enjoyed the opportunity to gain a greater understanding of the need to work collaboratively with stakeholders and partners in an effort to dispense justice fairly to all who come before the Court. Just as importantly, my experience across the Court has allowed me to appreciate the value and dedication of our Court managers and staff. These experiences have led to the development of great relationships across the Court. Our Court is truly one family, and it will always be my goal to ensure that each member of the family can expect from me the highest levels of leadership and support.

### **III. INTEREST IN COURT ADMINISTRATION, LEADERSHIP AND MANAGEMENT EXPERIENCE**

I am deeply interested and invested in court administration as an effective means of ensuring that the work of the Court reflects the values set forth in the Courts' Strategic Plan, that the Court is excelling in meeting its goals and performance standards, that judges and court staff are delivering the highest quality service to the community, and that this institution remains an excellent place to work. If entrusted to be the next Chief Judge, I would work closely with Chief Judge of the Court of Appeals, the Executive Office and the Clerk of the Court, as well as provide opportunities for judges and court staff to provide input about how the Court can continue to improve its operations.

I have enjoyed the opportunity to gain extensive management experience during my time in the Court. These opportunities have provided me with a much greater understanding of how the court system and the many people that it serves benefit from strong leadership. In seeking the

current appointment, I am excited by the opportunity to lead my court family in its efforts to serve the District of Columbia and its residents. It is critically important that the next Chief Judge provides steady and experienced leadership that will motivate the entire Court to continue to rebound from the impact of the pandemic and to promote the fairest system of justice possible.

I believe my prior experience not only demonstrates my experience with and commitment to court administration, but that the extensive leadership and management experience I have gained through my service on the Joint Committee, my role as Chair of the D.C. Sentencing Commission, my work as Deputy and Presiding Judge of the Criminal Division, my work on various Court committees and positions that I held prior to coming to the Court, will enable me to effectively lead the Court as Chief Judge.

#### Service on the Joint Committee on Court Administration and Judicial Leadership Team

I was honored in 2018 when the Chief Judge appointed me to serve on the Joint Committee on Court Administration. The Joint Committee consists of both Chief Judges, a member of the District of Columbia Court of Appeals and two members of the Superior Court bench. The role of the Joint Committee is to oversee and manage the Court's budget and to set Court policy. I served on the Joint Committee for two budget cycles at a time when the Court was facing challenges created by as many as eleven judicial vacancies and a multi-million dollar decrease in appropriated funds.

Each of these challenges alone had the ability to substantially undermine the Court's ability to perform at expected levels. The members of the Joint Committee worked diligently to protect the core functions of the Court while ensuring that our staff was not impacted by budget limitations. In 2018, much like today, the number of judicial vacancies had the ability to significantly impact Court operations. The experience of working through this crisis while on the Joint Committee previously makes me uniquely capable of leading the Court through the current crisis of an unprecedented number of judicial vacancies. The Court must confront an increasing workload with fewer judicial resources. This will require the Chief Judge to

carefully consider creative approaches to calendar assignments that maximizes judicial and staff resources. This must be a joint effort of the entire Court and the leadership vision must be clear and understood by the entire Court family. It is always important for every member of the Court to understand that they are important and valued participants in the collaborative effort that will permit the Court to continue to operate at appropriate levels. While this may be a challenging time for court operations, I am resolute in the belief that this will permit the Court's executive team, managers and staff to rally in a manner that demonstrates the true spirit and commitment of the Court as we work to serve all those who visit our campus each day. This may prove to be one of the most challenging times for the Court post-pandemic, but I believe it will prove to be another success story for the Court because of the strength of collaborative leadership efforts across all sections of the Court.

The Chief Judge of the Court has designated the presiding and deputy presiding judges of each Division and the Family Court as members of the Judicial Leadership Team. I have served on this Team as both a magistrate judge and an associate judge. Serving on the Judicial Leadership Team is an honor and an enormous responsibility. The Team is charged with supporting the Chief Judge in the administration and implementation of the Court's Strategic Plan by identifying issues and implementing strategies to address current and future issues that impact the Court's ability to provide service to the public.<sup>3</sup> I expect to continue and expand this team approach if appointed as the next Chief Judge

#### Chair of the Jury Management Committee

I have been very fortunate to serve on many Court committees during my tenure. One of the more important committee assignments was as the chair of the Jury Management Committee, comprised of judges, Division Branch Chiefs, Executive Officers and members of the Special Operations Division, including the Juror Office. The right to trial by jury is fundamental to our legal system. Jury service is often the only exposure that many D.C. residents have to the Superior Court. Thus, a functioning jury system is both

---

<sup>3</sup> The Court's 2023 – 2027 Strategic Plan can be found at [https://www.dccourts.gov/sites/default/files/2023-2027 Strategic Plan Executive Summary.pdf](https://www.dccourts.gov/sites/default/files/2023-2027%20Strategic%20Plan%20Executive%20Summary.pdf)

essential to ensuring the constitutional rights of both criminal and civil litigants, but also to instilling trust and confidence in the court system in the public at large. As chair, I led the committee's efforts to increase both our juror yield (the number of people summoned for jury service who report) and utilization rates, as well as to improve customer service. We also monitored the implementation of a revised process by which jurors were summoned for service and made available to each of the Court's Divisions.

One of the biggest challenges for the Jury Committee was the resumption of grand jury proceedings and petit jury trials during the pandemic. The pandemic forced the Court to discontinue the use of juries in March 2020. After creating access to court services through remote operations and moving almost all court hearings online, the need to resume jury operations became the focus of court leadership. As the Court monitored the impact of COVID, efforts were undertaken to develop a plan to safely return staff and a limited number of jurors to the building as we carefully and gradually resumed grand jury operations. This was a collaborative effort with the United States Attorney's Office to resume a reduced number of grand jury proceedings beginning in November 2020. After successfully empaneling a limited number of grand juries, operations were expanded in early 2021 to pre-pandemic levels. All of this was possible because the Court undertook substantial efforts to create a safe environment for staff and jurors. While the return of the grand jury was a success, the effort to resume petit jury operations was a much more complex effort.

Petit jury operations involved bringing a considerable number of persons to the Court for jury service. While the Court used remote technology to enroll grand jurors, the petit jury selection process necessarily involved in person court operations. The Court hired an epidemiologist and an industrial environmental hygienist to identify the protocols necessary to safely return to in person operations. Those efforts allowed the Court to advise jurors of the efforts taken to protect their health and safety during jury service. The Juror Office also established a direct hotline for potential jurors to call to have their questions and concerns quickly addressed. Our first jury summons were sent in March 2021 for the first jury trial since the onset of the pandemic. On April 5, 2021, the Court successfully returned to

jury trials. This was no insignificant accomplishment. This was truly a collaborative undertaking involving judicial officers, courtroom clerks, the Court Reporting Division, building maintenance staff, the United States Marshal Service, the Court Security Office and representatives from the both the prosecution and defense bar and could not have occurred without a significant commitment and sacrifice by members of the Court family and justice partners. Special recognition must go to the Chief Judge, the Special Operations Division, the Court Technology Branch and security staff of the Court as well as a dedicated group of judges, Criminal Division staff and lawyers who answered the call when the Court needed them the most.

As chair, I worked closely with the Special Operations Division of the Court to oversee jury operations. During my tenure, the Court engaged in efforts to make jury service more convenient and less burdensome for the citizens of the District of Columbia. To that end, the Court implemented a “Juror on Call” system that used a predictive model to summon only the number of jurors needed each day to satisfy demand. The system was designed to send alerts to jurors the evening prior if they were required to report for service the next day. The implementation of this innovative process led to substantial increases in jury utilization. During my time as chair, the Court’s juror utilization rate increased from 56.92% in 2017 to 68.77% at the close of 2019. The Court also experienced similar increases in the juror yield from 26% in 2017 to 43% in 2019. This joint effort of judges and juror office managers and staff enabled the Court to call off 8,472 summoned jurors at a saving of approximately \$38,000 in 2019. These types of innovations and savings could not be possible without the informed and innovative contributions from the Special Operations Division of the Court. It has been an extremely rewarding to work with such a dedicated group of Court employees.

I am proud to say that our work has led to fundamental changes in the jury summons process that improved the jury service experience while significantly lessening the impact of juror costs on the overall operating budget. The success of safely returning to jury trials is further evidence of the Court’s ability to focus on partnerships and public engagement in a way that not only permitted the Court to resume operation during the pandemic, but also improve upon the process.

## Chair of the D.C. Sentencing Commission

In 2016, Chief Judge Morin appointed me to serve on the District of Columbia Sentencing Commission. The mission of the Sentencing Commission is to implement, monitor, and support the District's Voluntary Sentencing Guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guideline system in order to recommend changes based on actual sentencing and corrections practice and research. It is through these activities that the Commission provides greater clarity and openness to the process of sentencing.

In 2018, when I became Chair of the Commission, we immediately moved to address concerns regarding the impact of "double counting" prior criminal convictions and mandatory minimum sentences in gun offenses. The Commission took a data-driven approach to the issue and ultimately re-ranked two offenses to reflect current sentencing trends in the Superior Court. I am very pleased to say that the Commission members and its staff thoroughly worked to ensure that the guidelines in the District of Columbia are widely accepted by criminal justice stakeholders. Over the last three years the Commission has experienced its highest judicial compliance rate reaching an all-time high of 98.6% in 2023. The Commission also committed to the implementation of a community engagement initiative designed to better educate the city's residents on the mission and function of the Commission. As part of that initiative, Commission members and staff visited each of the City's wards to engage residents in town hall style meetings to provide greater transparency into the Commission's activities. The Commission also added a staff position dedicated to increasing the Commission's presence on social media. The use of social media has permitted the Commission to better engage a cross-section of the community in providing greater access to information and Commission activities.

On April 30, 2024, the Commission ranked a series of new offenses enacted by the Secure DC Omnibus Amendment Act of 2024 on March 11, 2024. The guideline ranking of twelve new offenses and several sentencing

enhancement provisions was done largely by consensus, which was no small accomplishment given the diverse composition of the Commission. This was a considerable undertaking for the Commission and its staff and demonstrated a thoughtful approach to critically important sentencing issues where vastly different institutional, governmental and private entities found common ground.

Secure DC also allowed me to return to the Criminal Justice Coordinating Council (CJCC) as a principal member.<sup>4</sup> I had previously worked with CJCC from 2018-2019 when I served as co-chair the agency's Substance Abuse Mental Health Services Administration (SAMHSA) initiative. SAMHSA represents a coordinated effort of many public agencies and CJCC to develop and implement strategies for the city to respond to the opioid crisis. Many of the SAMHSA work group recommendations are the outgrowth of a public/private partnership that is designed to increase awareness and delivery of treatment resources to city residents. The passage of Secure DC also resulted in the expansion of the Commission membership to include a returning citizen and a person with a background in victim work.

#### Service as Deputy and Presiding Judge of the Criminal Division

In addition to the trial work on the Felony I calendar, as Deputy Presiding Judge, I engaged in many administrative tasks that were essential to the continued efficient operation of the Division and worked with Criminal Division management and stakeholders to develop strategies to address new concerns as they arose. Along with the steady leadership of the Presiding Judge, we participated in countless meetings with judges, Court managers and staff as well as many outside criminal justice partners. In addition, as the Presiding and Deputy Presiding judge, I convened weekly lunch meetings to hear from judges and magistrate judges about obstacles and issues they were encountering in their assignments.

It was during this time that I assumed the role of chair of the C-10 Subcommittee Workgroup. Each day Courtroom C-10 conducts criminal

---

<sup>4</sup> The Criminal Justice Coordinating Council is an independent District of Columbia agency that serves as a forum for identifying challenges and generating solution to enhance public safety and the fair the administration of justice.

arraignments and presentments for upwards of 50 individuals charged with violating the criminal code. The C-10 Courtroom is an incredibly complicated collaboration of multiple criminal justice partners including the Pretrial Service Agency, United States Marshal Service, United States Attorney's Office, Office of the Attorney General, Court Services and Offender Supervision Agency, PDS and Criminal Justice Act attorneys, the Department of Corrections and the Metropolitan Police Department.<sup>5</sup> It was imperative that great working relationships were developed with each partner if C-10 was to operate at its peak in processing cases each day. Much of the complex decision-making involving operational disputes were resolved at bi-weekly meetings. Those meetings provided a forum for the open discussion of any issue that might affect operations. The success of our collaborative work in C-10 was so substantial that we often hosted representatives from other jurisdictions and countries as they sought to adopt many of our policies and procedures to improve their arraignment courts.

#### Presiding Magistrate Judge

During my tenure as a magistrate judge I served as Presiding Magistrate Judge under two Chief Judges for roughly a six-year period. As the Presiding Magistrate Judge, I was responsible for ensuring that the multiple calendars assigned to magistrate judges were covered each day. This often required personally covering multiple calendar assignments as well as coordinating the movement of judges across Divisions to cover calendar vacancies created by leave, illness and staff shortages. I made every effort to be considerate of the needs of the entire office in managing Court obligations. My goal was to lead by example and to demonstrate that I was committed to the fair treatment of all in the office as we jointly worked each day to advance the Court's mission of timely resolution of cases.

#### Pre-judicial Leadership Positions and Administrative and Management Experience

I am fortunate to have come to the bench with significant prior administrative and management experience. While at PDS, I tried many cases in the Superior Court, and when I returned to the agency after serving

---

<sup>5</sup> See appendix 2 to review the manual.



as a Visiting Professor of at the Georgetown Criminal Justice Clinic, I was appointed by the agency director to the position of Deputy Trial Chief. In that position, I was responsible for oversight and supervision of the lawyers assigned to the trial division. My experience as Deputy Chief provided an opportunity to gain incredible insight from a management standpoint into the challenges and pressures of managing a large number of trial lawyers and support staff.

I gained additional management experience when I transitioned from PDS to the District of Columbia School of Law and was tasked with overseeing the Juvenile Law Clinic by training and developing many future lawyers.

It is these and other prior leadership and management experiences that make me uniquely qualified to serve as Chief Judge and to develop and implement policies and procedures to increase the Court's ability to perform its core functions in a manner that promotes confidence in the judicial system.

#### **IV. ABILITY TO PROVIDE INTELLECTUAL LEADERSHIP**

The Chief Judge of the Court must lead by example and must have the ability to provide intellectual leadership as well. Throughout my assignments, I believe that I have demonstrated the intellectual ability necessary to be Chief Judge. I have worked through complex criminal, civil and family issues raised on trial calendars across the Divisions of the Court. I have also had the privilege of training colleagues on such topics as *Brady* litigation, jury misconduct issues, discovery, the Youth Rehabilitation Act and sentencing.

As the Presiding Judge of the Criminal Division, I was responsible for setting the agenda for the annual two-day Division training, as well as planning topics for substantive training and discussion at the weekly Division lunch meetings. More recently, I have joined two other judges in leading regular sessions for all judges and law clerks on evidentiary issues.

The Civil Division assignment has also presented an opportunity to consider a variety of interesting issues presented by motions for summary

judgment, the application of burden shifting employment statutes and the resolution of expert testimony disputes. During my academic and judicial career, I have also published several articles on criminal discovery and the Court's problem-solving courts. My experience across multiple Court Divisions has provided an opportunity to issue opinions, orders and trainings that I hope are helpful to my colleagues as well as the relevant sections of the legal community.<sup>6</sup>

Also of note was my service on the Judicial Education and Training Committee and the Family Court Training Subcommittee. Each of these Committees were responsible for court-wide and divisional training on subjects that were critically important to judges, managers and Court stakeholders. Two very important training presentations on Fatherhood and LGBTQ youth were very well received by conference attendees.

There is also an essential component of the intellectual leadership of the Chief Judge that cannot be captured by formal training programs, published opinions or law review articles. Several new associate and magistrate judges have joined the Court in recent years, many during the COVID-19 pandemic, who have been deprived of the opportunity of experiencing a court cultural that encourages an exchange of ideas on difficult issues between colleagues in the Judges' Dining Room or a chance meeting in the corridors behind the courtroom before taking the bench. If designated as Chief Judge, I would actively encourage the resumption of these informal opportunities for judges to share their knowledge and experience with one another.

Intellectual leadership should not be limited to the physical boundaries of the courthouse but also extends to members of the community impacted by the judicial system. As I was completing my term as presiding Judge of the Criminal Division, I welcomed the opportunity to participate in a book club event at the D.C. Jail with the Young Men Emerging Program.<sup>7</sup>

---

<sup>6</sup> A list of orders and opinions is found in appendix 3.

<sup>7</sup> Please see appendix 4 for a description of the event.

Prior to joining the Court in 1997, I was a member of the faculty at the David A. Clarke School of Law.<sup>8</sup> Since joining the Court, I have remained active in the academic community as a member of the adjunct faculty primarily teaching an evidence course as well as other subjects. In 2011, I began teaching Civil Trial Advocacy at Howard University School of Law. I have now taught as an adjunct professor for over 25 years, and I continue to thoroughly enjoy working with students as they work their way through law school and determine their career paths. I hope that I have been a positive influence for my students—I know that I have learned much from them over the years (and they continue to complain that my examinations are too lengthy and difficult-and they are correct). Some of my greatest joys have been watching my students join the District of Columbia Bar, practicing under the Criminal Justice Act and working to establish their own law offices dedicated to special education law. One of the first special education advocates hired by PDS was a graduate of the clinic at UDC. Many other students have worked as law clerks and interns in my chambers, and in 2016, one of my students joined the Court as a magistrate judge. I hope that I have contributed in some small way to the education and training of some of the present and future leaders of the legal community.

**V. ABILITY TO LEAD THE COURT AND TO PROMOTE A SENSE OF COOPERATION AND COLLEGIALLY AMONG JUDGES, THE COURT STAFF, AND OTHER GOVERNMENTAL AND NON-GOVERNMENTAL ENTITIES, AND ABILITY TO PROMOTE CONFIDENCE IN THE COURT AND JUDICIAL SYSTEM**

In addition to the experience described above, my work on many Court committees and initiatives reflects my ability to lead the Court and foster collaboration among judges, court staff and stakeholders, as well as to promote confidence in the court and judicial system. These committee and calendar assignments have provided an opportunity to work with Division and Branch Managers from many sections of the Court and to develop

---

<sup>8</sup> Copies of law review articles that I authored while at UDC can be found appendix 5.

relationships with city and private partners.<sup>9</sup> In this section, I want to focus on several additional examples that I hope demonstrate my experience and success in these areas.

### Promoting a Culture of Shared Responsibility within the Criminal Division

My service as a Deputy and Presiding Judge coincided with a period in which the Court had an unusually high number of judicial vacancies, requiring the Division to function without a full complement of judges to cover calendar assignments, much like the challenge the Court is facing today. The impact of multiple judicial vacancies meant that one Felony II trial calendar would not have a permanent judge assigned. The struggle to manage a Division with an uncovered jury trial calendar was magnified by additional judicial retirements that created a vacancy on a community court calendar. To address this additional judicial shortfall, the Chief Judge, Deputy Presiding Judge and I elected to share the coverage of that community court calendar.

The response to the vacancy on the Felony II Trial calendar involved a much more complex set of challenges, because that calendar contained jury demandable trials with complex legal issues that would benefit from continuity in judicial decision-making. The Deputy Presiding Judge and I developed a process by which each of the six Felony I judges would be assigned to cover the vacant Felony II calendar for a one-month period twice a year. I agreed to take the first month of the rotation followed by the Deputy Presiding Judge so we could work out the kinks of this newly developed rotational coverage schedule. I remained very concerned about the Felony I calendar judges' ability to manage the demands of their assignments along with the additional responsibilities of another jury trial calendar. The first two months were a challenge, but I am proud to say that from almost all accounts from our criminal justice stakeholders, the implementation of a rotational coverage schedule of a jury trial calendar was seamless and resulted in no significant impact on performance measures. Far from rebelling against the additional workload, the six judges on the Felony I calendars worked together to ensure not only that the Felony I cases

---

<sup>9</sup> See appendix 6 for a complete listing of committee assignments over the last 8 years.

were addressed, but also that the cases from the vacant Felony II calendar received the same level of attention as if there was a permanent judge assigned to the calendar. This was accomplished in large part by leading by example in willingly shouldering the workload myself and communicating by my actions that these cases were the responsibility of the Division as a whole and not any one judicial officer.

This leadership approach served me well when the Division took on yet additional responsibilities created by an increased number of judicial vacancies and budget shortfalls, including the responsibility of processing all arrest and search warrants and handling additional post-conviction motions. When the City Council passed the Incarceration Reduction Amendment Act Of 2016<sup>10</sup> (IRAA) the entire Court took on the task of determining whether to resentence offenders who were not yet 18 at the time of the offense and who had served at least 20 years in prison. The initial set of IRAA cases were distributed across the entire Court. After some experience resolving these incredibly complicated cases, Chief Judge Morin invited the Criminal Division leadership to develop a strategy that would allow almost all IRAA cases to be returned to the Division. In January 2017, the Criminal Division absorbed over 200 IRAA cases and the Criminal Division leadership went about the task of fairly distributing cases across all felony calendars. Resolution of IRAA and now Second Look Act<sup>11</sup> cases remain a complex process given the seriousness of the offenses and the significant volume of institutional records that are generated during lengthy periods of incarceration. The passage of the Second Look Act of 2019 greatly increased the workload of the Criminal Division because the Act expanded the eligibility requirements for relief.

During 2019, while the Joint Committee was working tirelessly through the difficulties created by unexpected budget limitations, the Chief Judge was forced to implement a series of cost saving measures that impacted the Criminal Division. One of those strategies was to move the task of reviewing and issuing arrest and search warrants to the Criminal Division from the Judge-In-Chambers assignment. While the Division was adjusting to the increased demands created by limited judicial resources, the Deputy

---

<sup>10</sup> See D.C. Code § 24-403.03.

<sup>11</sup> On April 27, 2021, the Second Look Act became law. The legislation expanded IRAA by allowing a person who committed a crime before the age of 25, and who served a minimum of 15 years in prison, to apply for a sentence review.

Presiding Judge and I developed a process to cover warrants each day. Again, we created a rotational system where each of the Division's felony calendar judges would cover warrants for a two-week period twice a year. The Deputy Presiding Judge and I once again took the first month of warrant coverage so that we could work through any unanticipated obstacles created by the new system. That first month quickly led to the conclusion that modifications to the process would be necessary if the Division was going to survive the warrant experience. After consulting with colleagues and Criminal Division staff, we modified the approach to warrants by more evenly distributing the workload across the entire Division. We also engaged in efforts to obtain feedback from our prosecution and police partners so that we could gauge the impact of the new warrant system. That feedback indicated an overall high level of satisfaction with the process as well as a substantial decrease in wait times for officers.

The Criminal Division managed to usher in many changes to processes that were necessitated by a series of unexpected challenges. The ability to appropriately respond to these circumstances was difficult. The Division continued to not just meet but to exceed performance measures from the previous years. The Criminal Division had worked hard to develop a culture of trial date certainty where no case ready for trial would be continued for lack of a judge. At the close of 2019, the Division celebrated its third year without continuing a single trial for lack of an available judge. These achievements of the Division are a true testament to the unyielding dedication of judicial and non-judicial members of the Court who were committed to achieving success.

#### Developing Collaborative Relationships with Criminal Justice Partners

In addition to fostering a spirit of collaboration among the 26 Criminal Division judges, as well as with the managers and staff on the non-judicial side of the Criminal Division, as Deputy and Presiding Judge I was afforded an opportunity to develop important relationships with many of our criminal justice partners. Criminal Division leadership constantly engaged in bridge building with agencies and organizations as a means of ensuring that the Division continued to operate smoothly and efficiently. Those partnerships lead to an expansion of the Mental Health Community Court as well as other

diversion opportunities for misdemeanor offenders. I expanded those relationships during my two years as the Presiding Judge of the Division and continued efforts to streamline the discovery process in Felony Cases. Collaborative efforts with the United States Attorney's Office, the Public Defender Service and the CJA bar led to the development of a process that more efficiently produced discovery earlier following arraignment through the use of protective orders. Today, parties enjoy much greater access to discoverable material earlier than ever before and has reduced time used by trial judges to resolve discovery disputes.

### Development of the Family Court Fathering Court Initiative

One of the most rewarding experiences of my judicial career involved the development and implementation of the Family Court Fathering Court Initiative.<sup>12</sup> In 2006 the Court set out to develop a problem-solving approach to child support cases. Following a town hall style meeting with many government and private child support stakeholders, the Fathering Court Initiative was born. Fathering Court is a problem-solving court that created opportunities for men returning from a period of incarceration to meet their financial obligations to their children while becoming law-abiding members of the community. The Initiative facilitated meaningful employment opportunities for participants upon release. The employment piece followed a dual track: placement in the Department of Employment Services Project Employment or through a privately operated employment placement service. All participants received case management services through the Healthy Families Thriving Communities Neighbor Collaborative. The case managers designed individual treatment plans that linked participants to a wide array of services such as mental health and drug treatment, educational services, financial management courses, job training options and many other social service-based resources all designed to assist dads to become actively engaged in their children's lives. Recognizing the absence of role models for many of the fathers, the Initiative required program participants to complete the Quenching the Fathering Thirst curriculum over a twelve-week period of Saturday classes.

---

<sup>12</sup> A more detailed description of the Fathering Court Initiative is found in appendix 7.

While the resources coordinated by case managers were an integral part of a successful return to the community, the key to the program's success was the ability and willingness of the multiple government and private entities to work collaboratively to bring families together. The program sponsored family luncheons, circus trips, attendance at Mystic and Nationals games and many other community outings for our families. Each year the Initiative held a public graduation ceremony for participants who completed the one-year program.<sup>13</sup> The program achieved one additional important goal: the men in Fathering Court simply did not reoffend. During the five years I presided over the Initiative only three men returned to prison, three graduates were granted custody of their kids and two couples wed. In short, the program changed the focus of the child support system from the size of the child support award to the creation of meaningful opportunities for men, women and children to work in a system that put their collective needs first. It was an amazing experience to be part a program in which everyone emerged a winner – the custodial parent obtained much needed financial support, previously absent parents gained an opportunity to be so much more than just a source of income and children benefitted from having both parents positively involved in their upbringing. The Fathering Court Initiative demonstrated that it could effectively obtain child support for custodial parents while simultaneously creating opportunities for men to be something more than just financial fathers and incentivized them to remain in the community without reoffending.

This initiative brought together multiple public and private agencies and organizations in a coordinated effort that led to a seismic change to the child support system. During the time I presided over the Fathering Court program, the initiative also reconnected countless returning citizen fathers to their children in a manner not previously seen. This collaborative effort continues to make positive changes in the lives of families in our city, but only because of the partnership between the Court, Office of Attorney General's Child Support Services Division and other government and private providers continue to work as a team dedicated to creating relationships with program participants that last long after participants complete their one-year journey through the program.

---

<sup>13</sup> See appendix 8 highlighting some of the Fathering Court ceremonies.



### Expanding Jury Service Eligibility for Returning Citizens

In 2018, I was honored when Chief Judge Morin tasked me with addressing a concern raised by the Council for Court Excellence regarding the Court's jury plan and the eligibility of returning citizens with felony convictions to be called for jury service. The Court's jury plan, approved by the Board of Judges, contained a provision that excluded individuals with felony convictions from jury service for a ten-year period following completion of their sentence and supervision. Application of this provision resulted in many returning citizens being excluded from jury service for as many as 15 years. Throughout 2019 a work group of representatives from the Office of the Attorney General, the Public Defender Service, the United States Attorney's Office and the Mayor's Office of Returning Citizen Affairs met to discuss potential modifications of the jury plan. Notwithstanding the diversity and respective interests of the working group, after several substantive meetings, we were able to reach a consensus on a modification of the plan. Special recognition must be given to the members of that work group who worked together in a manner that allowed me to recommend to the Board of Judges an amendment to the jury plan that reduced the 10-year prohibition to a one-year prohibition that was consistent with the statutory floor created by the City Council.<sup>14</sup> In January 2020, the Board of Judges unanimously approved the amendment which was implemented following the 30-day layover for congressional review.

### Improving the Quality of Court-Appointed Attorneys Through Work on the Family Court and Criminal Justice Act Panels Committee

While in Family Court, I served on many committees including the Family Court CJA Panel Committee. That committee took on the critically important task of evaluating candidates for the many panels where lawyers were selected to handle cases in the Family Court. Those lawyers represent children and parents in delinquency, neglect, truancy and education cases. This committee was particularly important because it permitted the Court to ensure that the highest quality lawyers were available to represented some of the most vulnerable members of our community. I have also worked on the CJA Panel Committee in the Criminal Division. The work of that

---

<sup>14</sup> The approved amendment to the jury plan is found in appendix 9.

Committee is critically important in supporting the Court's effort to provide high quality attorneys for individuals charged with criminal code violations. If appointed Chief Judge, I will focus on the need to expand our criminal CJA panel and to underscore the valuable contributions to the fair administration of justice made by that dedicated group of lawyers.

## **VI. FUTURE VISION OF THE COURT**

The core mission of the Court is to resolve cases fairly and timely and to preserve the rule of law and to promote public safety as we respond to the ever-changing needs of the community. There is a great of concern about public safety in our city. Our mission must include the recognition that we must follow the law as enacted by the City Council to fairly and impartially address both issues of violence in our community and the presumption of innocence. This recognition must balance the concerns of public with the need to address core issues of financial, mental and behavioral health and other challenges that impact many court involved persons. The COVID-19 pandemic led to a reimaging of the Court that increased reliance on technology so that court participants were not required to travel to the Court for some proceedings, thus reducing not only the health risks, but also the financial burden of securing transportation, childcare, time off from work and attorneys' fees. This new approach has led to greater participation in court proceedings and increased access to justice. The Court's current strategic plan includes six goals that allow the Court to achieve its mission. The first goal is an outgrowth of the Court's increase reliance on technology during the pandemic that increased access to justice by reducing barriers to full and meaningful participation for all court users. The recent appointment of a director to the newly established Access to Justice Unit will permit the Court to continue to develop, implement and monitor plans to enhance services, identify access to justice gaps and formulate approaches to address justice barriers. A primary focus of the vision must include the continued development of efforts to maintain and even expand remote operations where appropriate. This will require the Court to prioritize technology and case management support. The Court Technology and Information Technology Divisions must be fully empowered to meet these demands. I will ensure that the appropriate judicial and non-judicial resources are committed to this effort.

In many respects the Court has returned to pre-pandemic operational levels regarding case resolution. As detailed in the Sentencing Commission's annual report, the Criminal Division of the Court in 2023 sentenced a total of 1,007 adult individuals were sentenced for felony offenses. This represents 1,046 distinct cases resulting in 1,473 unique felony counts.<sup>15</sup> The return to pre-pandemic levels is not limited to a single Division of the Court. Performance measures for 2023 indicate that each of the Court's Division is operating at increased levels further underscoring the need for a full complement of judicial resources.

Under my leadership as Chair, the Sentencing Commission made the decision to increase its visibility and connection to community. Community engagement is an important function of any government-based institution. If designated as the next Chief Judge of the Superior Court, I will commit to greater community engagement that will lead to enhanced public confidence and trust. The Court currently participates in numerous public outreach events where the judges and staff come to the community. In addition, Chief Judge Josey-Herring and the Judicial Training and Education Committee has hosted a group of middle school students each of the last two years. We must continue these efforts and extend it to a greater cross-section of the city. Part of the goal is to make the Court less of a mysterious place too often associated only with negative headlines. The Court should be more to the residents of the District of Columbia and the Court should engage in efforts to work with residents without requiring members of the public to visit our campus. We have the ability to expose our youth to careers in the justice system that go far beyond being a judge or a lawyer. Our commitment to the community should include a renewed effort that allows the Court to share the many success stories that occur in the Marriage Bureau, the annual Adoption Day festivities and the countless other successes achieved by participants each day in the Drug Court and Mental Health Court. This type of connection with the community creates a positive view of the Superior Court. The city deserves and needs to know of these successes, and we must seize the opportunity to tell that story of success through every available mechanism including a greater reliance on social media.

---

<sup>15</sup> DC Sentencing Commission Annual Report can be found at <https://scdc.gov>.

We must be acutely aware of the challenges created by the unprecedented number of judicial vacancies. Criminal and related filing are up, caseloads are increasing, dockets are becoming backlogged and the absence of a full complement of judges will require Court leadership to develop strategies that permit the Court to meet its mission of administering justice fairly and timely. We have continually demonstrated our willingness to go the extra mile to address any challenge presented to the Court. But I recognize the stress that the Court family experiences in these times when we are asked to do more with less. I will work with the judges and administrative staff to implement workplace conditions that reduce the challenges faced by the Court and it's staff during these challenging times. This will require a collaborative effort, and I will engage with principals of each agency represented in the CJCC, recognizing our differing roles, in an effort to mitigate the impact of workload management and workforce stress that impact every segment of the justice system.

The challenges of the pandemic permitted the Court to demonstrate that we are Superior Court Strong. We have earned the public trust, and today's challenges permit us to honor that trust by demonstrating that every member of the Court family lives the values of our motto Open To All, Trusted By All, and Justice For All.

## **VII. CONCLUSION**

For the Superior Court of the District of Columbia to continue to meet its mission, the Court will need to continue to reset and expand its relationship with its stakeholders as well as every segment of the community. To accomplish this goal, the Court must continue efforts directed toward removing barriers that limit access to justice through the continued use of remote technologies. This must include efforts to protect the Court's budget so that sufficient funding will be available to meet operational needs.

The Court has faced challenges before and has always developed innovative solutions that promote trust and confidence in the judiciary. We have continually demonstrated the strength and commitment of our more

than 800 employees as we move forward together in this new justice landscape.

If provided the opportunity to become Chief Judge, I will continue the great work of the Court. To confront these new challenges, I will draw on my judicial and administrative experience to work closely with the bar, agency leaders and the community to collaboratively resolve issues consistent with the Court's mission. Throughout my career, I have worked within systems, worked to change systems, and, in some instances, created systems designed to dispense justice in a fair, efficient and equitable manner. I was born in this city, and it raised me. I owe this city and its residents the best that I have to offer. Every section of the District of Columbia community is important, and our justice efforts must be inclusive of all. The Superior Court is already a great place to work. If appointed Chief Judge, I will continue the Court's rich tradition by working each day to ensure that every member of the Court family lives our values. We are Superior Court Strong, and the Court will always be a place that represents the very best of what the District of Columbia has to offer.