

**DISTRICT OF COLUMBIA COMMISSION
ON JUDICIAL DISABILITIES AND TENURE**

515 FIFTH STREET, N.W., BUILDING A, ROOM 246
WASHINGTON, D.C. 20001
(202) 727-1363

May 6, 2015

The Honorable Barack H. Obama
President of the United States
The White House
Washington, D.C. 20500

Re: Evaluation of the Honorable John M. Mott

Dear Mr. President:

The fifteen-year term of the Honorable John M. Mott, an Associate Judge of the Superior Court of the District of Columbia, expires on July 6, 2015. He is seeking reappointment to another term.

Pursuant to Section 433(c) of the District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 744, as amended by the District of Columbia Judicial Efficiency and Improvement Act of 1986, P.L. 99-573, 100 Stat. 3228, the District of Columbia Commission on Judicial Disabilities and Tenure (“the Commission”) hereby submits this evaluation of Judge Mott’s performance during his present term of office and his fitness for reappointment. Section 433(c) provides:

Not less than six months prior to the expiration of his term of office, any judge of the District of Columbia courts may file with the Tenure Commission a declaration of candidacy for reappointment. If a declaration is not so filed by any judge, a vacancy shall result from the expiration of his term of office and shall be filled by appointment as provided in subsections (a) and (b). If a declaration is so filed, the Tenure Commission shall, not less than sixty days prior to the expiration of the declaring candidate’s term of office, prepare and submit to the President a written evaluation of the declaring candidate’s performance during his present term of office and his fitness for reappointment to another term. If the Tenure Commission determines the declaring

candidate to be well qualified for reappointment to another term, then the term of such declaring candidate shall be automatically extended for another full term, subject to mandatory retirement, suspension, or removal. If the Tenure Commission determines the declaring candidate to be qualified for reappointment to another term, then the President may nominate such candidate, in which case the President shall submit to the Senate for advice and consent the renomination of the declaring candidate as judge. If the President determines not to so nominate such declaring candidate, he shall nominate another candidate for such position only in accordance with the provisions of subsections (a) and (b). If the Tenure Commission determines the declaring candidate to be unqualified for reappointment to another term, then the President shall not submit to the Senate for advice and consent the renomination of the declaring candidate as judge and such judge shall not be eligible for reappointment or appointment as a judge of a District of Columbia court.

The Commission reserves the term “well qualified” for those judges whose work product, legal scholarship, dedication, efficiency, and demeanor are exceptional on the bench, and the candidate’s performance consistently reflects credit on the judicial system. The Commission will determine a judge is “qualified” if he or she satisfactorily performs his or her assigned duties or whose strong positive attributes are materially offset, but not overborne, by negative traits. A finding of “unqualified” means the Commission has found the judge to be unfit for judicial service.

Judge Mott filed a timely declaration of candidacy for reappointment with the Commission on December 14, 2014. In evaluating Judge Mott’s qualifications for reappointment, the Commission carefully reviewed the comprehensive written statement Judge Mott submitted which discussed the significant aspects of his judicial, professional, scholastic, and community activities during the past fifteen years.

A current medical statement from Judge Mott's physician has been provided to the Commission attesting to his very good health, and fitness for continued judicial service. Judge Mott's monthly time reports, annual financial statements, and the Commission's own record of complaints regarding the Judge have been reviewed. The Commission found nothing objectionable in its review to prevent Judge Mott's automatic reappointment.

The Commission interviewed individuals concerning Judge Mott's performance as a Judge, including Court personnel, and attorneys from both the public and private bar who had appeared before him. The Commission met with Chief Judge Lee F. Satterfield on March 11, 2015, to discuss Judge Mott's request to be reappointed. The Chief Judge recommended Judge Mott's reappointment, stating that he is a very good judge, has made significant contributions to the Court through his Committee work, and cooperates with his colleagues. Judge Mott was interviewed by the Commission on April 8, 2015, for a full and candid discussion of his record, and of the information the Commission had received during the course of its evaluation.

Judge Mott currently serves in the Civil Division of the Superior Court where he has presided over a Civil II calendar for the past five years. During his tenure, he has also served in the Family Court with calendar assignments that included domestic relations, juvenile delinquency, abuse and neglect, and mental health and truancy cases, and the Criminal Division where he handled general felony and high volume Felony II calendars.

By virtue of his calendar assignments, Judge Mott has written several substantial opinions concerning an impressive range of difficult issues. The Commission considered a selection of his judicial opinions which set forth the facts and law clearly, are well-written and concise, and reflect a commitment to providing individualized, fair, and even-handed justice.

Judge Mott has received much praise for his courtroom demeanor, and for the courteous and respectful manner in which he treats all who appear before him, in particular pro se litigants. Judge Mott was described as, “one of the kindest judges I have seen in Superior Court”, “his judicial temperament is beyond reproach”, and “he is respectful to all litigants and takes the time to explain matters to unrepresented parties”. Judge Mott reflected in his written statement about the importance he places on how litigants are treated, he stated, “... Of equal importance, those who appear before the court have a right to be treated with respect and dignity, to leave feeling heard, and to actually be heard. A judge should blend proper decision-making with effective courtroom and docket management and appropriate temperament. To me, this is the essence of judicial service ...” The Commission agrees.

Judge Mott is the longest standing member of the Judicial Education Committee (since 2002) and his primary interest has been “to improve the quality of judging by those on our bench”. He has also made significant contributions to the Court through his service on the Jury Committee, the Civil Jury Instructions Committee, and his work for the past ten years on the then, newly established Mental Health/Mental Retardation Panels Committee

to create panels of attorneys qualified to represent individuals in these types of cases. In his written statement, the Judge noted that one of his primary interests at the Court has been “to improve the quality of representation of indigent persons in family cases”. Thus it was only fitting that Judge Mott was appointed to the Family Court Panels Committee where he worked to create panels of attorneys qualified to represent children and other parties financially unable to obtain adequate representation in certain Family Court cases.

In addition to his time in training colleagues, attorneys, and guardians *ad litem*, Judge Mott was appointed by Chief Judge Satterfield to participate with a small group of judges in a newly-created Superior Court Judicial Coaching Program. Judge Mott is currently coaching another Associate Judge. The goal of the program is to assist judges who volunteer for and request a judicial coach, to improve as judicial officers, through courtroom observation and out of court discussions.

Judge Mott is very active in service to the Court and community as evidenced by his off the bench activities and involvement. He is a member of the Hispanic Bar Association Judicial Council, and participates in initiatives to better prepare students of color for judicial internships and clerkships. Judge Mott has represented the Court through presentations on the legal system to bar organizations, local law schools and high schools, drug rehabilitation centers, and at community meetings. The Judge also has taught an L.L.M. class at George Washington University School of Law called “The American Jury” for the past 14 years, which consistently has received high ratings.

Judge Mott has demonstrated a commendable commitment to the administration of justice and to enhancing the community's understanding and respect for the legal process through his efforts on and off the bench. He takes his judicial duties most seriously and sincerely, and consistently demonstrates a sense of fairness, impartiality, and compassion. He fully understands the most fundamental and important component of being a good judge. In his statement he noted, "Judicial service is, first and foremost, public service."

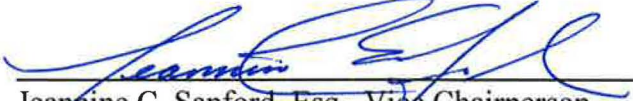
The Commission has determined that Judge Mott is very deserving of reappointment. In addition to his previously discussed service and contributions, his survey evaluations from the D.C. Bar Judicial Evaluation Committee that were conducted in the sixth, tenth, and thirteenth years of his judicial term, were weighed as part of the Commission's evaluation process. He was rated above or well above average in nearly all of the twenty survey categories, and virtually all of the written comments included in the surveys were complimentary concerning Judge Mott's work product, demeanor, caring, dedication, and performance on the bench. His peers, attorneys who have appeared before him, and Court personnel highly recommend him for reappointment.

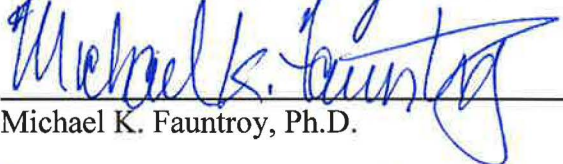
For all the foregoing reasons, the Commission finds Judge John M. Mott well qualified for reappointment, and his term shall be automatically extended for a full term of fifteen years from July 6, 2015.

Respectfully submitted,

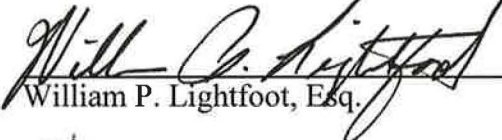
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Hon. Gladys Kessler, Chairperson

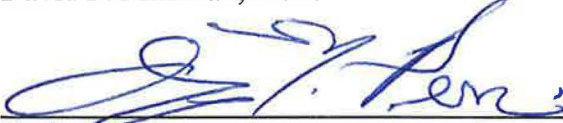

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cc: The Honorable John M. Mott