

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

August 21, 2013

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

Re: **Evaluation of the Honorable Patricia A. Broderick**

Dear Mr. President:

The fifteen-year term of the Honorable Patricia A. Broderick, an Associate Judge of the Superior Court of the District of Columbia, expires on October 21, 2013. She has duly filed a declaration of candidacy for reappointment.

The Commission hereby submits this evaluation of Judge Broderick's performance during her present term of office and her fitness for continued judicial service, pursuant to section 433(c) of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198, 87 Stat. 774 ("The Home Rule Act"), as amended by the District of Columbia Judicial Efficiency and Improvement Act of 1986, P.L. 99-573, 100 Stat.3228. Section 433(c) provides as follows:

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 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.

The Commission, in its evaluation of Judge Broderick’s qualifications for reappointment, has carefully reviewed her performance and activities as a sitting judge, including her demeanor on the Bench; her treatment of counsel, litigants, witnesses and Court personnel; the quality and clarity of her opinions; the handling of her Court calendar; and contributions to the Court and the community. In connection with her declaration of candidacy for reappointment, Judge Broderick submitted a statement of her service on the Superior Court which discussed the significant aspects of her judicial activities. The statement also included specific references to opinions she had authored, and described her Court Committee assignments during her tenure. In addition, her

statement included a section devoted to her participation in volunteer judicial activities that promote the administration of justice locally and in other jurisdictions, and Judge Broderick provided copies of the many testimonials of appreciation she has received for her volunteer work off the bench.

Judge Broderick's submission also included copies of the trial opinions referred to in her statement, in select Family, Criminal, and Civil cases, all of which addressed significant legal issues for trial judges. The opinions are carefully thought out, well written, and reflect a scholarly comprehension of the pivotal issues presented. The District of Columbia Court of Appeals opinions in the identical cases were also included in the Judge's submission. In virtually all of those cases Judge Broderick's decisions were affirmed on appeal.

The Commission reviewed written communications from the bar concerning Judge Broderick's qualifications, and attorneys and Court personnel familiar with aspects of her record were interviewed. The comments described Judge Broderick as a dedicated and hard-working judge who takes her judicial duties seriously, and who consistently demonstrates a sense of fairness, impartiality, and compassion. She was praised for her "excellent judicial temperament" and her "reputation for treating litigants, attorneys, and Court staff with equal respect". Judge Broderick also received many accolades for her handling of juvenile cases over the years. One attorney commented that, "No matter the hour or number of previous juvenile cases she's dealt with that day, Judge Broderick approaches each respondent with genuine interest and thought regarding their particular circumstances." and yet another wrote, "The Judge clearly cares about the welfare of the children who appear before her." The Commission applauds Judge Broderick

for her skill in moving her calendar, while maintaining control over the proceedings, and doing so in a patient, dignified, and courteous manner.

The Commission also reviewed Judge Broderick's monthly time reports and annual financial reports, which are required to be filed by every judge, as well as the Commission's own complaint file regarding the Judge. Such review disclosed nothing that would adversely affect her reappointment. The Commission also reviewed a detailed statement from Judge Broderick's physician confirming she is in excellent health and is fully capable of performing her judicial duties.

On July 10, 2013, the Commission met with Judge Broderick to discuss the materials and information the Commission had received during the course of its evaluation. The Commission also met with Chief Judge Lee F. Satterfield on June 19, 2013, who provided additional information concerning Judge Broderick's qualifications and her special contributions to the Court.

Judge Broderick was appointed to the bench in 1998 by President William Jefferson Clinton. Her first assignment was in the Mental Health and Family Motions calendars in the Family Division, followed by an assignment to a Neglect calendar in that Division. In January 2000, Judge Broderick was assigned to the Criminal Division, where she completed one year on the Misdemeanor calendar, two years on the Felony II calendar, and two years on the Felony I calendar where she presided over trials of the most heinous crimes. She was next assigned to the Civil Division for two years handling Civil II trials that included automobile accidents, complicated medical malpractice, and significant sexual harassment cases, as well as settlement conferences, and Landlord and Tenant cases.

Upon completing her work in the Civil Division, Judge Broderick volunteered for a five year assignment to the Family Court on the Juvenile Delinquency calendar. To her credit, Judge Broderick's decision to make a five year commitment to that Court is indeed exemplary, since judges are only required to serve for three years in that assignment. Judge Broderick's service on the Family Court from all accounts was commendable. She has received unstinting praise for her dedication, diligence, compassion, and management skills in handling the volume of cases on the Juvenile Delinquency calendar that she presided over. It is clear from Judge Broderick's statement that she truly enjoyed this assignment as well, she wrote, "Developing a relationship with the children, as well as the community, and learning from those young people, was among the most rewarding work I have done at the Court." Judge Broderick is currently assigned to a Felony II calendar where she is presiding over criminal jury trials.

Judge Broderick has not limited her contributions to the Superior Court and the legal community to in-court responsibilities. She currently serves on the Standing Committee on Fairness and Access to the Courts, having served on a subcommittee of that Committee for several years. Since 2009 she has served on the Buildings and Grounds Committee which oversees the physical layout, capital projects, and planning for the campus of the D.C. Courts.

From 2004-2006 Judge Broderick participated in a project with the United States Access Board's Courthouse Access Advisory Committee. The Committee developed recommendations for the Board's use in developing and disseminating guidance on accessible courthouse design under the Americans with Disabilities Act. In 2012, Judge Broderick participated in two international projects. She made a presentation on circumstantial evidence during a week-long

project teaching prosecutors and attorneys in Costa Rica how to take money laundering cases to trial, which was sponsored by the United Nations and the U.S. Treasury and State Departments. The second project concerned her participation in a conference sponsored by the U.S. Justice and State Departments in coordination with the judiciary of Mauritius, concerning topics on children as defendants and witnesses, and Child Advocacy Centers.

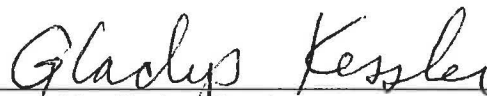
Judge Broderick has given generously of her time to other volunteer activities that enhance the legal profession and promote the administration of justice, such as her participation in numerous moot court trial programs and panel discussions at law schools concerning topical legal issues, speaking engagements at Federal agencies and bar associations, and motivational talks to grammar and high school classes. She has taught Trial Advocacy at a local law school for the past 15 years, because she has found teaching to be, “an excellent method to help keep my skills and knowledge sharp, and a wonderful way to contribute back to the community.” In addition, virtually every year she has participated as a teacher at the Emory University Law School Trial Techniques Program. It is obvious from the many testimonials of appreciation Judge Broderick has received for her volunteer work off the bench that she is greatly admired, and has been an inspiration to many. Her devotion of energy, time, and talent to these activities certainly encourages public respect for the law and confidence in our legal system.

For the foregoing reasons, the Commission has determined that Judge Broderick’s judicial service merits her reappointment. The Commission is unanimous in finding that Judge Patricia A. Broderick is “well qualified” for reappointment and her term therefore, shall be extended for a period of fifteen years from October 21, 2013.

Report on Judge Patricia A. Broderick

Respectfully submitted,

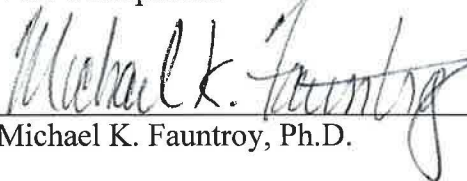
**DISTRICT OF COLUMBIA COMMISSION ON
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Honorable Gladys Kessler
Chairperson



William P. Lightfoot, Esq.
Vice Chairperson



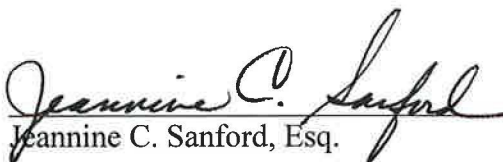
Michael K. Fauntroy, Ph.D.



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Cc: Honorable Patricia A. Broderick