

**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

March 30, 2016

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

Re: Evaluation of the Honorable Erik P. Christian

Dear Mr. President:

The fifteen-year term of the Honorable Erik P. Christian, an Associate Judge of the Superior Court of the District of Columbia, expires on May 30, 2016. 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 Christian'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 the judicial function or, if there are negative traits, they are overcome by strong positive attributes. A finding of “unqualified” means the Commission has found the judge to be unfit for judicial service.

Judge Christian filed his declaration of candidacy for reappointment as a Judge of the Superior Court on October 6, 2015, and he submitted his written statement to the Commission on November 18, 2015, with illustrative materials setting forth his judicial, professional, and community activities and contributions during his tenure. On March 9, 2016, the Commission met with Judge Christian and discussed with him the information it had received during the

course of its evaluation. The Commission also met with Chief Judge Lee F. Satterfield that day to discuss Judge Christian's qualifications for reappointment, and his years of service on the Superior Court. Chief Judge Satterfield complimented Judge Christian for his leadership especially of the Probate Division, and remarked that he had done "a wonderful job".

The Commission reviewed Judge Christian's monthly time reports and annual financial reports which are statutorily required to be filed by every judge. As part of its evaluation, the Commission also reviewed its own record of complaints regarding the Judge, and considered the satisfactory medical reports from Judge Christian's physicians. The comments of lawyers who have appeared before Judge Christian and those of Court personnel who have worked with him over the past few years provided additional information concerning aspects of his record.

A review of the sample of opinions authored and provided by Judge Christian was examined, as was his appellate record, which indicated he was affirmed in virtually all of his cases that were appealed.

Judge Erik Christian is a native Washingtonian. He received his formal education, elementary school through law school, at institutions located in the District of Columbia. He has also spent most of his professional career in this city in the public sector.

Judge Christian was appointed to the Superior Court in 2001 by President George Bush. He has served in every Division of the Court except the Family Court. His first assignments were to a Criminal Misdemeanor Calendar and then to the D.C. Traffic Court where he successfully reduced a substantial backlog of long-standing cases. In 2003 Judge Christian was assigned to a Felony II calendar where he presided over hundreds of jury trials for three years. During that assignment he became acutely aware of the importance of jurors feeling acknowledged and

appreciated for their hours of service. Judge Christian initiated a practice of sending to each panel member and selected juror a thank-you note with an invitation to provide feedback about their jury experience. The Judge continues the practice in all of his jury trial assignments, and other judges on the Court have adopted similar practices. In addition, he has served for several years on the Court's Standing Committee on Jury Management which has worked diligently to improve jury service in the District of Columbia. Judge Christian is to be commended for his efforts in this area, which have also helped change the public's perception so that people will view jury duty as an important civic service that benefits the entire community, and not just an onerous obligation to be avoided.

In 2006, Judge Christian was assigned to a Felony I Calendar where he served for two years. This assignment is especially demanding on a trial judge, who must preside over complex criminal trials involving the most serious felony crimes and oftentimes with multiple defendants. Judge Christian, in addition to his trial work, also had to review and resolve numerous motions for new trials, reductions in sentences, ineffective assistance of counsel, and other alleged trial errors.

Upon completion of his Felony I assignment, Judge Christian volunteered to serve in the Domestic Violence Unit from 2008-2009, where he presided over criminal and civil cases alleging domestic violence by victims and cross-complainants. In 2010 Judge Christian was assigned to the Civil Division, and was responsible for the conduct of numerous civil cases as well as a high volume calendar in Landlord & Tenant Court. Judge Christian provided the Commission with opinions he had authored during his Civil Division assignment and he included the corresponding Court of Appeals opinions in the same cases where his decisions were

affirmed. The cases involved diverse and interesting issues that impacted a significant population in our community. It is obvious from Judge Christian's written statement and his opinions in the aforementioned cases that he "thoroughly enjoyed" and excelled in this assignment.

In 2013, Chief Judge Lee Satterfield appointed Judge Christian, Deputy Presiding Judge of the Probate and Tax Divisions, and in 2015 he was appointed Presiding Judge, and he continues in that position to date. As Presiding Judge he not only oversees the management of both Divisions, but also presides over a full calendar of probate and tax cases. It is important to note, that the Probate Division is the fastest growing division in the Superior Court, in terms of the number of new cases filed annually. Judge Christian has been credited and praised for providing the needed leadership and managerial skills to guide the Probate and Tax Divisions through this challenging period of growth.

In addition to his judicial assignments, Judge Christian has also participated extensively in the administration of the Superior Court through his Committee assignments. He currently serves as Chair of the Probate and Fiduciary Rules Advisory Committee and the Tax Rules Advisory Committee. Judge Christian is a member of eight other Committees, including the Superior Court Rules Committee, the Jury Management Committee, Criminal Rules Advisory Committee, the Court Interpreters Committee and the Security Committee. In addition, by virtue of his designation as Deputy and now Presiding Judge of the Probate and Tax Divisions, Judge Christian is also a member of the Judicial Leadership Team which assists the Chief Judge in the implementation of the Courts' strategic plan. Team members also mentor colleagues to enhance leadership and judicial skills.

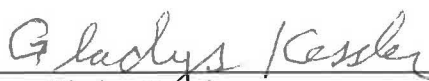
Judge Christian's extra judicial activities are too numerous to summarize fully;

illustratively, he teaches classes in Civil and Criminal Trial Advocacy at Howard University Law School and the Washington College of Law at American University, he presides over mock trials and court proceedings for area law schools, he has participated in extensive training programs at the National Judicial College in Nevada, and he participates in a variety of community activities ranging from commencement speaker to administering the oath of office to elected local officials. In addition, Judge Christian was recognized last year for his continued service and significant contributions to the Bar and the community by the Washington Bar Association, which inducted him into its 2015 Hall of Fame membership.

For the foregoing reasons, the Commission finds that Judge Christian's judicial service merits his automatic reappointment to the bench. The manner in which Judge Christian has performed as a trial judge entitles him to a rating in the highest category which this Commission is statutorily empowered to place a judge. We therefore determine Judge Erik P. Christian to be well qualified for reappointment, and his term shall be automatically extended for a full term of 15 years from May 30, 2016.

Respectfully submitted,

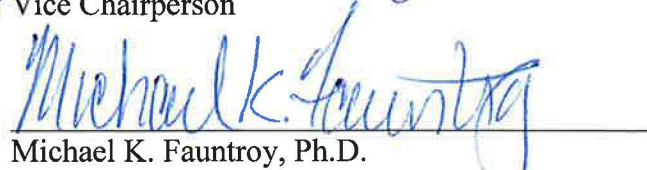
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Hon. Gladys Kessler
Chairperson



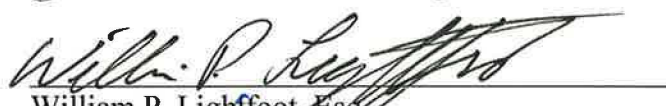
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