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 20, 2011

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

Re: Evaluation of the Honorable Robert E. Morin

Dear Mr. President:

The fifteen-year term of the Honorable Robert E. Morin, an Associate Judge of the Superior Court of the District of Columbia, expires on July 30, 2011. 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 Morin'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 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 Morin filed his timely declaration of candidacy for reappointment with the Commission on January 4, 2011. In evaluating Judge Morin's qualifications for reappointment, the Commission carefully reviewed the extensive written statement Judge Morin submitted describing his services on the Court. This statement set forth the

significant aspects of his judicial, professional, and community activities during the past 15 years. The Commission also reviewed a selection of judicial opinions that Judge Morin has authored over the last 15 years. Judge Morin met personally with the Commission on May 11, 2011, to discuss his record, as well as information the Commission had received during the course of its evaluation from Court personnel and members of the D.C. Bar, including the U.S. Attorney's Office for the District of Columbia, who were familiar with his performance. The Commission also reviewed a detailed, confidential statement from Judge Morin's physician attesting to his excellent health and the absence of any medical reason why he cannot continue to perform his judicial duties.

The Commission also reviewed Judge Morin's time reports and annual financial statements, which are required to be filed by every judge. The Commission reviewed its complaint file concerning the Judge, which disclosed nothing of a seriously questionable nature that would adversely affect his appointment.

Finally, the Commission met with Chief Judge Lee F. Satterfield, who recommended Judge Morin's reappointment, and reported that he has been an extremely productive member of the Superior Court bench, has an excellent reputation with the Bar and among his colleagues, and has been heavily involved in leadership positions at the Court.

At this time, Judge Morin is the Deputy Presiding Judge of the Criminal Division. This is an extraordinarily important position, one of high public visibility, and one which

has great impact on the residents of the District of Columbia. Judge Morin has done an outstanding job in this position. Appointed to this position in 2010, Judge Morin immediately began to use it to make the Court system more efficient and to provide greater services to the residents of the District of Columbia. In addition to serving for seven years in the Criminal Division, Judge Morin served for five years in the Family Court and two years in the Civil Division. Over the 15 years, Judge Morin has presided over hundreds of trials and countless evidentiary hearings. He has also written a number of opinions on significant legal issues.

Judge Morin has received unstinting praise from attorneys who regularly appear before him and from the Court staff with whom he works, for the fair and efficient manner in which he handles cases. Indeed, in investigating Judge Morin's qualifications for reappointment, the Commission did not hear a single critical comment about him. On the contrary, the reaction of members of the Bar and Court staff was universally laudatory about his excellent temperament and demeanor, his respectful treatment of all litigants, lawyers, and Court personnel, and his wide-ranging knowledge of the law.

In addition, Judge Morin has worked extremely efficiently with both his judicial colleagues and Court staff on a variety of other matters important to the Court. For example, while serving on the Family Court, he was instrumental in establishing the Alternative Dispute Resolution Program to assist litigants in resolving contentious disputes amicably, as well as the Truancy Calendar, which is aimed at reducing the likelihood of delinquency. He has also served on numerous committees, including (among others), the Criminal Justice Act ("CJA") Panel Implementation Committee

(which he chairs), the CJA Panel Oversight Committee, the Domestic Relations Implementation Committee, the Family Court Implementation Committee, the Family Court Panels Committee, the Criminal Rules Advisory Committee, the Family Rules Advisory Committee, and the Superior Court Rules Committee.

Judge Morin, by virtue of his energy, integrity, leadership skills, legal scholarship, and patient and evenhanded demeanor, clearly deserves the term "well qualified" for the exceptional service he has provided the citizens of the District of Columbia as a Superior Court Judge. His performance is a credit to our judicial system and of great benefit to the District of Columbia community. For all these reasons, the Commission finds Judge Morin well qualified for reappointment and his term shall be automatically extended for a full term of fifteen years from July 31, 2011.

Respectfully submitted,

DISTRICT OF COLUMBIA COMMISSION
ON JUDICIAL DISABILITIES AND TENURE

Gladys Kessler

Hon. Gladys Kessler, Chairperson

William P. Lightfoot

William P. Lightfoot, Esq., Vice Chairperson

Report on Judge Robert E. Morin

Gary C. Dennis, M.D.

Michael K. Fauntroy, Ph.D.

Noel J. Francisco, Esq.

Shirley Ann Higuchi, Esq.

Claudia A. Withers, Esq.

cc: The Honorable Robert E. Morin