

**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 18, 2009

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

**Re: Evaluation of the Honorable Zoe Bush**

Dear Mr. President:

The fifteen-year term of the Honorable Zoe Bush, an Associate Judge of the Superior Court of the District of Columbia, expires on July 18, 2009. She 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 Bush’s performance during her present term of office and her 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 subsection (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 Bush filed her timely declaration of candidacy for reappointment with the Commission on January 9, 2009. In evaluating Judge Bush’s qualifications for reappointment, the Commission carefully reviewed the extensive written statement Judge

Bush submitted describing her services on the Court. This statement set forth the significant aspects of her judicial, professional and community activities during the past 15 years. Judge Bush met personally with the Commission on April 8, 2009, to discuss her 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 who were familiar with her performance. The Commission also reviewed a detailed, confidential statement from Judge Bush's physician attesting to her excellent health and the absence of any medical reason why she cannot continue to perform her judicial duties.

The Commission also reviewed Judge Bush'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 her appointment.

Finally, the Commission met with Chief Judge Lee F. Satterfield, who recommended Judge Bush's reappointment, and reported that she has been a very productive member of the Superior Court bench, has a good reputation with the Bar and among her colleagues, and has been involved in leadership positions at the Court.

At this time, Judge Bush is the Deputy Presiding Judge of the Family Court. 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 Bush recently began

serving in this position, which reflects the high regard in which she is held by the Chief Judge and other members of the Court and legal community. It should be noted that Judge Bush has worked well with both her judicial colleagues and Court staff on a variety of other matters important to the Court. For example, she is Co-Chair of the Family Court Management Organization and Oversight Committee; Vice-Chair of the Family Rules Committee; Chair of the Juvenile Justice Subcommittee; and Chair of the Juvenile Drug Court Committee. In addition, she has served on the Superior Court's Judicial Education and Training Committee and has co-chaired the Family Court's Training Committee, and has also served in many other important capacities. She has welcomed and effectively used these opportunities to make the Court system more efficient and to provide greater services to the residents of the District of Columbia.

Over the past 15 years, Judge Bush has served in the Criminal and Civil Divisions, Domestic Violence Unit, and the Family Court. In the Criminal Division of the Court, Judge Bush presided over Misdemeanor and Felony II calendars. In the Civil Division, she presided over a Civil II calendar. In the Domestic Violence Unit, she presided over civil, criminal, domestic relations and child support matters associated with domestic violence. And in the Family Court, she presided over Juvenile, Abuse and Neglect, Domestic Relations II, Persons in Need of Supervision (PINS) and Truancy, and the Juvenile Drug Court calendars. In the course of these assignments, she has presided over hundreds of


trials (both bench and jury) as well as countless evidentiary hearings, and has written hundreds of orders and decisions.

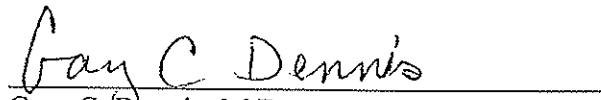
Judge Bush, by virtue of her energy, integrity, leadership skills, legal scholarship, and patient and evenhanded demeanor, deserves the term "well qualified" for the service she has provided the citizens of the District of Columbia as a Superior Court Judge. Her performance is a credit to our judicial system and of great benefit to the District of Columbia community. For all these reasons, the Commission finds Judge Bush well qualified for reappointment and her term shall be automatically extended for a full term of fifteen years from July 18, 2009.

Respectfully submitted,

DISTRICT OF COLUMBIA COMMISSION  
ON JUDICIAL DISABILITIES AND TENURE

  
William P. Lightfoot, Esq., Chairperson

  
Hon. Gladys Kessler, Vice Chairperson


  
Gary C. Dennis, M.D.

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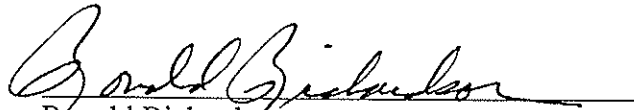
Report on Judge Zoe Bush



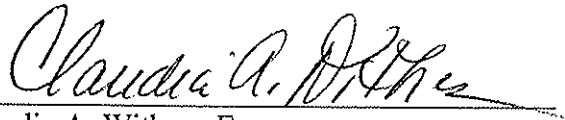
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Noel J. Francisco, Esq.



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Claudia A. Withers, Esq.

cc: The Honorable Zoe Bush