

**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

September 15, 2015

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

Re: Evaluation of the Honorable John Ramsey Johnson

Dear Mr. President:

The fifteen-year term of the Honorable John Ramsey Johnson, an Associate Judge of the Superior Court of the District of Columbia, expires on November 16, 2015. He is seeking reappointment for 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 Johnson’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 [or her] 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 [or her] 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 [or her] 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 the 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 Johnson filed his timely declaration of candidacy for reappointment with the Commission on April 2, 2015. In evaluating Judge Johnson’s qualifications for reappointment, the Commission carefully reviewed the extensive written statement he 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. Judge Johnson met personally with the Commission on August 12, 2015, to discuss his record, as well as information the Commission had received during the course of its evaluation from Court personnel, members of the D.C. Bar engaging in private practice who were familiar with his performance, and government attorneys. The Commission met with Chief Judge Lee F. Satterfield on August 12, 2015, as well. He, too, strongly supports the reappointment of Judge Johnson. The Commission also reviewed a detailed, confidential statement from Judge Johnson's physician attesting to his excellent health and the absence of any medical reason why he cannot continue to perform his judicial duties.

During the 15 years that Judge Johnson has served on Superior Court, he has served on all its major divisions except for Probate. He served four years at Family Court, four years in the Criminal Division, and four and one-half years in the Civil Division, where he is now sitting as the Deputy Presiding Judge.

Judge Johnson received glowing reports from the Court's Administrative Staff, as well as from the lawyers who regularly practice in Superior Court. Everyone commented on how good a Judge he is, and how kind and empathetic he is with pro se litigants in particular.

The Commission also reviewed Judge Johnson's complaint file. Over 15 years, there were nine complaints filed: one was dismissed immediately for lack of merit, two were

dismissed after the first review, and six were dismissed after the Preliminary Investigation. Four of the nine complaints were brought by the same prisoner in a criminal case.

Judge Johnson was evaluated by the Bar in 2010-2011 and in 2013-2014. Both times, his overall evaluation score was well above the average for all Judges, and the raters wrote about his excellent demeanor in Court.

Judge Johnson served for about 14 years on an extremely important Commission, namely, the Advisory District of Columbia Sentencing Guidelines Commission. The mandate of the Advisory Commission was to make recommendations regarding the District's sentencing laws for felony offenses committed on or after August 5, 2000. The Advisory Commission conducted extensive research on the sentencing practices in other jurisdictions, as well as the District of Columbia, and, in April 2000, issued recommendations to the Council of the District of Columbia. In 2003, the Advisory Commission recommended that the District adopt voluntary sentencing guidelines. That recommendation was adopted by the City Council when it enacted the Advisory Commission on Sentencing Structured Sentencing System Pilot Program Amendment Act of 2004. In addition to creating the Guidelines, the City Council made the Commission a permanent District of Columbia Government Agency, naming it the District of Columbia Sentencing Commission. The Guidelines went into effect in June 2004, and are applicable to all felony pleas or verdicts entered on or after June 14, 2004. In his submission, Judge Johnson indicates that the compliance rate of the new voluntary guidelines was 97 percent, meaning that virtually all felony sentencing by Superior Court Judges followed the Guidelines.

That figure is a reflection of how satisfied the Superior Court Judges were with the delicate and difficult task the Commission undertook.

Judge Johnson has been very active in other Court activities. He was a member of the Magistrate Judge Committee for several years. That Committee interviews all candidates, recommends three of them to the Chief Judge, and the Chief Judge selects one to recommend to the Board of Judges for approval.

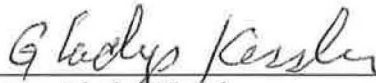
In 2004, the Court established the Family Court Panel's Committee which had the onerous and sensitive task of designating those lawyers who were sufficiently talented and committed to handle various cases in juvenile, neglect, child abuse, and special education cases. As Judge Johnson summarized: "[t]he work was arduous, but important to the quality of the outcome of every case."

At the Chief Judge's request, Judge Johnson served as a mentor in the District of Columbia Superior Court Judicial Coaching Program. That assignment required intensive training over the course of two full days. At this time, Judge Johnson is coaching two Judges, and has also participated in a number of training and mentoring opportunities. He has taught District of Columbia high school students in mock trials in the Courthouse.


For all these reasons, the Commission unanimously finds Judge Johnson well qualified for reappointment and his term shall automatically extend for a full term of 15 years from November 16, 2015.

Respectfully submitted,

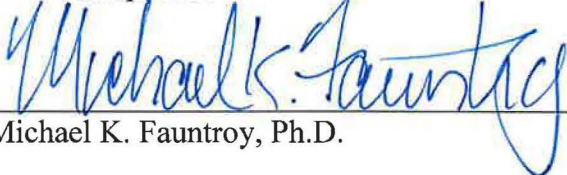
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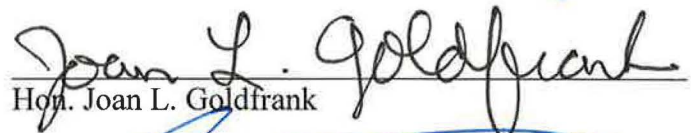
Hon. Gladys Kessler
Chairperson



Jeannine C. Sanford, Esq.
Vice Chairperson



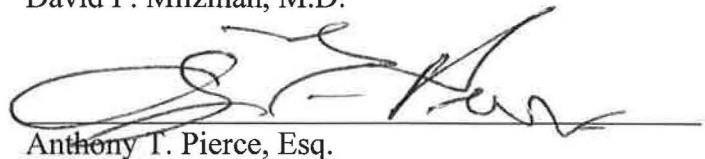
Michael K. Fauntroy, Ph.D.



Hon. Joan L. Goldfrank



David P. Milzman, M.D.



Anthony T. Pierce, Esq.

Cc: The Honorable John Ramsey Johnson