

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

April 4, 2014

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

**Re: Evaluation of the Honorable Hiram E. Puig-Lugo**

Dear Mr. President:

The fifteen-year term of the Honorable Hiram E. Puig-Lugo, an Associate Judge of the Superior Court of the District of Columbia, expires on June 6, 2014. He is seeking reappointment to another fifteen-year term.

The Commission hereby submits this evaluation of Judge Puig-Lugo's performance during his present term of office and his 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 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. To be “qualified,” a judge must at least satisfactorily perform his or her assigned duties or be one whose strong positive attributes are materially offset but not overborne by negative traits. “Unqualified” signifies that the judge is unfit for judicial service.

Judge Puig-Lugo filed his declaration of candidacy for reappointment on October 4, 2013, with a complete submission of the materials required by the Commission. In evaluating Judge Puig-Lugo’s qualifications for reappointment the Commission reviewed the Judge’s submission which included a thoughtful and comprehensive written statement in support of his reappointment that summarized his judicial career. The statement impressively spoke of Judge Puig-Lugo’s philosophy about serving as a judge and the importance he places on daily reflection, which he described as “a humbling exercise full

of insights and lessons”. In addition, the statement discussed his extensive work on the Family Court, his appointment as Deputy and then, as of January 2014, Presiding Judge of that Court, and his extensive international travel and teaching on behalf of the State Department, the National Center for State Courts, and the U.S. Agency for International Development.

The Commission has reviewed written communications from attorneys, judges, and bar associations concerning Judge Puig-Lugo’s qualifications, and Court personnel and attorneys familiar with the Judge’s performance and contributions were interviewed. Judge Puig-Lugo met with the Commission on March 12, 2014, to discuss his record, as well as the information the Commission had received during the course of its evaluation. The Commission reviewed the medical statement from Judge Puig-Lugo’s physician attesting to his good health and ability to continue performing all judicial duties.

The Commission also reviewed Judge Puig-Lugo’s monthly time reports and annual financial statements, which are required to be filed by every judge. A review of the Commission’s complaint file concerning the Judge revealed nothing to prevent his automatic reappointment.

The Commission also met with Chief Judge Lee F. Satterfield who provided additional information concerning Judge Puig-Lugo’s qualifications for reappointment and his contributions to the Court. Chief Judge Satterfield recommended Judge Puig-Lugo’s reappointment, and praised him for his leadership and for having done, “a wonderful job” during the course of his tenure.

Since his appointment to the Superior Court in 1999, Judge Puig-Lugo has had assignments that were especially demanding for a trial judge. He was assigned to the Criminal Division for three non-consecutive years, the last being 2009, when he was tasked with a Felony 2 Calendar that was backlogged and lagged behind other calendars in matters reaching timely resolution. Due to Judge Puig-Lugo's diligence and perseverance, he was able to move the calendar and bring it into compliance with the Division's case resolution timelines. Judge Puig-Lugo was assigned to calendars in the Domestic Violence Unit in 2001 and 2008 that included criminal and civil matters. This assignment was particularly instructive for the Judge because it taught him, as he describes in his statement, "how to deal with pro se litigants in volatile situations...". It is of utmost importance for all judges to heed the requirement of Rule 2.6 of the Code of Judicial Conduct, which addresses the issue of judges ensuring the right to be heard by all litigants, and the special accommodations that may need to be provided for litigants who are not represented by counsel. A judge who is sensitive to the special needs of those who appear before the Court is indispensable to the administration of justice.

Judge Puig-Lugo has spent ten years in the Family Court, where he has distinguished himself and made substantial contributions. He has handled the calendars for juvenile delinquency, child abuse and neglect, and Domestic Relations 1 and Domestic Relations 2. Judge Puig-Lugo has spent an enormous amount of time and energy chairing and serving on various committees and subcommittees which accomplish so much work at Superior Court. For example, he served as Chair of the

Neglect Subcommittee, in 2004-2005, during which time the committee created a working group to address the needs of lesbian, gay, bi-sexual, and transgender (LBGT) youth in both the delinquency and neglect systems by bringing together the police department, city agencies, and non-profit organizations to coordinate services for the youth concerned. He also chaired the PINS (Persons In Need of Supervision) Subcommittee, again coordinating systemic efforts by our various institutional entities to address the needs of young people who endured commercial sexual exploitation. He also served on the Family Court Implementation Committee, the Family Court Panels Subcommittee, the Juvenile Subcommittee, the Family Court Rules Advisory Committee, and he represents the Family Court on the Superior Court Judicial Education and Rules Committees. The Judge has also been a member of the Standing Committee on Fairness and Access to the District of Columbia Courts since 2006.

In addition to his in-Court judicial duties Judge Puig-Lugo has also participated in several international education projects in Central and South America as well as Spain and the Pacific Islands. He has met with and in some instances trained attorneys, judges, police officers, child protection workers, and non-profit organizations in a variety of criminal justice related areas in their respective country. Judge Puig-Lugo's international work also included his participation in the Hague Convention on the Civil Aspects of International Child Abduction. He regularly visits the State Department for video conferences with judges and government officials from around the world to explain how the Convention is designed to work. It is quite clear from the Judge's written statement

that he has greatly enjoyed his international work and that the entities sponsoring these programs continue to be very appreciative of his participation.

Judge Puig-Lugo also has been actively involved in public service and professional activities at home. In particular, he served two three-year terms on the Access to Justice Commission as a Superior Court representative from 2005-2011. He is a member of the American University College of Law Dean's Diversity Council, and he visits local high schools as part of the Council for Court Excellence outreach to teach young people about the importance of the jury system. He Chairs the Hispanic Bar Association of the District of Columbia Judicial Council, and he received the Honorable Ricardo M. Urbina Lifetime Achievement Award in 2011 for his contributions to the Latino community and to the legal profession.

Virtually all of the comments the Commission heard and received from Court personnel, attorneys and judges concerning Judge Puig-Lugo were praiseworthy. He was described as "very professional", "a pleasure to practice before", "smart and decisive" and "listens to counsel and is fair minded". He was also commended for being "very easy to work with", "very interested in solving problems and developing solutions that work" and for being "an outstanding manager of the Family Court". He is widely perceived as a very fine, hardworking, and knowledgeable judge who cares deeply about the Court and the community he serves. He is a judge attorneys feel comfortable appearing before, and a judge who shows respect for all litigants whether pro se or represented by counsel. He is well regarded by his colleagues and serves as a mentor and role model for new judges.

Having considered all of the foregoing factors, it is clear that Judge Puig-Lugo is very deserving of a second term. He has earned automatic reappointment. Judge Puig-Lugo's service to the Court and the community personify the Commission's definition of a "well qualified" judge. For all these reasons, the Commission finds Judge Hiram E. Puig-Lugo well qualified for reappointment and his term shall be automatically extended for a full term of fifteen years from June 6, 2014.

Respectfully submitted,

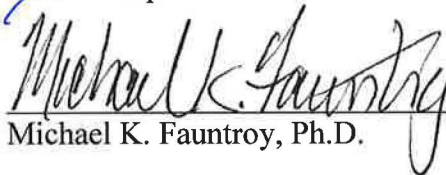
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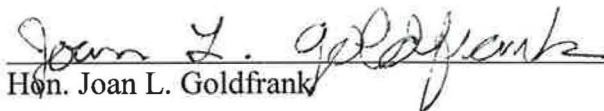
Hon. Gladys Kessler  
Chairperson



Jeannine C. Sanford, Esq.  
Vice Chairperson



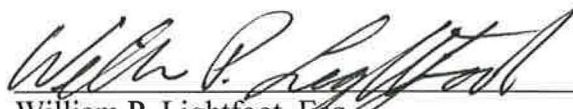
Michael K. Fauntroy, Ph.D.



Hon. Joan L. Goldfrank

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Report on Judge Hiram E. Puig-Lugo

  
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William P. Lightfoot, Esq.

  
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Anthony T. Pierce, Esq.

cc: The Honorable Hiram E. Puig-Lugo