

**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 Rhonda Reid Winston**

Dear Mr. President:

The fifteen-year term of the Honorable Rhonda Reid Winston, an Associate Judge of the Superior Court for the District of Columbia, expires on July 18, 2009. She is seeking reappointment to another term.

The Commission hereby submits this evaluation of Judge Winston's performance during her present term of office and her 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 Winston filed with the Commission her declaration of candidacy for reappointment on November 12, 2008, and completed her submission of the materials and information required by the Commission on March 23, 2009. Judge Winston’s submission included an eloquent written statement that discussed her Court assignments and Committee involvement, and revealed her abiding commitment to the Court and

heartfelt compassion for the litigants who have appeared before her. In addition, the statement provided an important perspective of how Judge Winston has approached her role as a judge and her work at the Court during the past fifteen years. She writes, "... In each case that I have handled, I have strived to render decisions that were fair, and based on the law, and, whatever their stations in life or the merits of their cases, I have treated the litigants with respect." The Commission believes that Judge Winston has excelled in her ability to uphold and maintain the standards of judicial conduct that require a judge to be patient, dignified, and courteous to all.

The Commission was also provided with copies of opinions and orders authored by Judge Winston in select Probate, Tax, Criminal, and Civil cases. These legal writings thoroughly reviewed the trial court record, analyzed the applicable case law, and provided legally sound reasoning for Judge Winston's conclusions and decisions.

The Commission has reviewed written communications from the bench and bar concerning Judge Winston's qualifications, and Court personnel and attorneys, familiar with aspects of her record have been interviewed. The comments revealed universal respect and high regard for Judge Winston's demeanor and temperament, fairness, thoughtfulness, legal ability, diligence, and devotion of time and energy to the Court and the administration of justice. In all instances, persons contacted strongly supported Judge Winston for reappointment, and all believed her to be well qualified for an additional term.

Judge Winston's monthly time reports and annual financial reports which are required to be filed by every judge have been reviewed. Her physician has advised the Commission in writing that Judge Winston is in excellent health. In addition, the Commission has reviewed its own complaint file concerning the Judge, and found nothing that would negatively impact her reappointment.

On April 8, 2009, the Commission met with Judge Winston to discuss the materials and information the Commission had received during the course of its evaluation and to discuss some of the highlights of her judicial career. The Commission also met with Chief Judge Lee F. Satterfield that day, who furnished additional information concerning Judge Winston's qualifications and noteworthy contributions to the Court.

Judge Winston was appointed to the bench in 1994. She has been assigned to every division in the Superior Court, and has presided over complex and challenging cases in each assignment. Judge Winston is currently the Deputy Presiding Judge of the Probate and Tax Division, and has served in that capacity since 2007. She presides over the administration of decedents' estates, estates of minors, and trusts; intervention cases involving incapacitated individuals; appeals of real property assessments; and criminal tax cases. Her work in, and commitment to this Division has been admirable, and it is obvious from her statement that she has found much satisfaction in this assignment. She writes, "...some of the cases over which I have presided here have been among the most challenging and interesting cases that I have handled during my tenure as a judge."

As Deputy Presiding Judge she had taken a leadership role in effecting important administrative and operational changes in the Probate and Tax Division. Judge Winston's efforts and diligence led to the eventual development of the Guardianship Assistance Program. Implemented in 2008, the Program uses student (graduate social work students from local universities) "Court Visitors" to meet with wards of the Court to identify their unmet needs. The "Court Visitors" then report their findings to the Court. This program has benefited wards under the Court's supervision by ensuring that the wards have guardians and that the guardianships are working properly. Judge Winston was also instrumental in establishing a 2008 pilot program to expand the Court's fiduciary panel. For the first time nurses, occupational therapists, and social workers are included on the fiduciary panel and may receive appointments as guardians. Judge Winston's laudatory efforts in the Probate Division have greatly helped a segment of our community often neglected and forgotten.

Prior to her assignment to the Probate and Tax Division, Judge Winston had three assignments in the Criminal Division, which included a misdemeanor trial calendar, a second degree felony trial calendar and a first degree felony trial calendar. While in the Criminal Division she presided over hundreds of matters ranging from petty theft to the most heinous felony cases.

Judge Winston's assignment in the Civil Division lasted for three years, during which time she presided over trials and proceedings from minor automobile accidents to lengthy and complex medical malpractice cases. Also, as part of the Civil Division

assignment, Judge Winston regularly presided over trials in the Small Claims and Landlord Tenant Branches. It is those two high volume Courts where judges most often encounter pro se litigants, and the challenges inherent in non-lawyers representing themselves. Judge Winston was keenly aware of the delicate balance needed with pro se litigants, she stated, "...I have taken special care to ensure that pro se litigants who appear before me-most of whom cannot afford attorneys-understand the proceedings and are able to "tell their side of the story". I have tried-successfully, I believe-to hear the stories of pro se litigants without doing violence to the rules of evidence or sacrificing the rights of their represented opponents..."

Judge Winston's first assignment upon taking the bench was in the Family Division of the Superior Court. In that assignment she presided over cases in the intra-family, mental health, neglect and abuse, juvenile delinquency, and family motions branches. In 1996 she was one of three judges assigned to the newly established Domestic Violence Unit. Earlier work in the Family Division helped prepare Judge Winston for the critical legal and emotional issues that arose in presiding over cases concerning physical and mental abuse. Subsequent to her assignment to the Unit, Judge Winston worked with domestic violence advocates, prosecutors, court supervision officers, and defense attorneys to establish procedures designed to shield victims from further abuse while protecting the rights of defendants.

Judge Winston has also rendered important service to the Court through her involvement and work with several committees, many of which have required a

substantial commitment of time and energy. By virtue of her assignment as Deputy Presiding Judge of the Probate and Tax Division, she is an ex officio member of the Probate Rules Committee, the Tax Rules Committee, and the Superior Court Rules Committee. She also is one of two Superior Court judges that serve on the Advisory Committee on Judicial Conduct, and she chairs the Criminal Justice Act Investigators Subcommittee and the Committee on Selection and Tenure of Magistrate Judges. In addition, Judge Winston is a member of the National College of Probate Judges and in 2008 was appointed to the American Bar Association Commission on Law and the Aging.

Judge Winston's many contributions to the administration of justice have not been limited to her service on the Court. She regularly participates as a presiding judge in mock trials for the Public Defender Service training program and for local law schools. Judge Winston has been an active participant in the Charlotte E. Ray Inn of Court for several years and was elected one of two co-presidents for the 2005-2006 Inn year. Judge Winston's community service was honored and commemorated in 1999, by her alma mater, Duke University, when she was awarded the Charles S. Murphy Award for dedicated public service. In 2007 she was again honored, this time by the Greater Washington Chapter of the Women's Division of the National Bar Association and their Foundation, who presented her with its annual Charlotte E. Ray Award for commitment to public service.

Based on its evaluation, the Commission concludes that Judge Winston is an excellent jurist who deservedly has received accolades for her performance in a wide variety of judicial roles. It is abundantly clear that Judge Winston is very deserving of reappointment. She has worked hard, made lasting contributions to the operations of the Court, has been respectful and courteous to those who have appeared before her and worked with her, has carried out her judicial duties with great skill, and has taken much pride in her work at the Court and in the community. Judge Winston has all of the qualities that a judge must possess to be deemed well qualified for reappointment.

For the foregoing compelling reasons, the Commission finds that Judge Winston's laudatory judicial service merits automatic reappointment to the Superior Court bench. The manner in which she has performed her judicial duties entitles her to the highest rating that this Commission is statutorily empowered to bestow. We therefore determine Judge Rhonda Reid Winston to be well qualified for reappointment, and her term shall automatically be extended for a full term of fifteen years from July 18, 2009.

Respectfully submitted,

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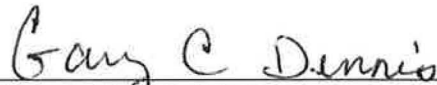
William P. Lightfoot, Esq., Chairperson

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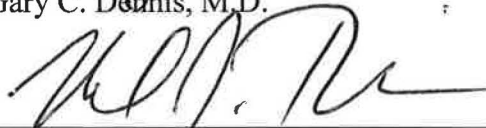
Report on Judge Rhonda Reid Winston



Hon. Gladys Kessler, Vice Chairperson



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cc: The Honorable Rhonda Reid Winston