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June 19, 2020

VIA EMAIL

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Judicial Nomination Commission
515 5th Street NW, Suite 235
Washington, DC 20001

Re: Selection of the Next Chief Judge of the Superior Court of the
District of Columbia

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Nancy A. Lopez

Dear Judge Sullivan and Members of the Judicial Nomination Commission:

We write on behalf of Washington Council of Lawyers, the only voluntary bar association in the District of Columbia exclusively dedicated to promoting pro bono and public-interest law. Founded in 1971, our membership draws widely from small and large law firms, local and federal government offices, corporate counsel offices, legal service providers, law schools, and policy organizations. We have nearly 500 dues-paying members and we reach nearly 4,000 public-interest-minded legal professionals and law school students through our various programs and communications.

Washington Council of Lawyers strongly believes the incoming Chief Judge must be prepared to address, in a bold and creative manner, the need for reform within the DC court system to move us toward the goal that all of us share: the day when all litigants appearing in the DC Courts have access to strong and vigorous legal representation. The right to skilled legal representation is especially imperative at this time in our nation's history, when systemic issues creating disparities of treatment based on race and poverty are being more fully exposed and realized, and we are collectively called upon to work tirelessly to fix those issues. Just as importantly, until we can achieve the goal of full representation, the Court needs to undertake major reforms to protect the rights of pro se litigants. While we are not endorsing a particular candidate for Chief Judge, we do want to highlight some considerations we believe to be critically important in the selection process.

The ongoing COVID-19 emergency and the racial justice crisis -- highlighted by the killing of George Floyd and other travesties that have spawned renewed calls for deep and lasting reforms in our law enforcement and justice systems -- are creating new and serious challenges for District residents, the Superior Court, and the next Chief Judge. It is imperative, now more than ever, that all

who appear before the DC courts, and in particular before its high-volume courts, are in a position to defend fully their rights and advance their own interests.

This call to action requires a Chief Judge who is a strong and gifted leader, one who is empathic to the needs of the under-privileged and those falling victim to discrimination. The new Chief Judge must also be capable of marshaling the Court's myriad resources to meet new challenges and address pervasive access to justice impediments that have long caused under-representation or even no representation for people of color and the poor.

Advocates who routinely represent clients that qualify for public-interest or pro bono representation note the many hurdles that pro se litigants navigate when appearing in Superior Court. The concerns include, among many others, long wait times in high-volume courts, insufficient scrutiny of improper and ineffective service of process, spotty public access to hearings and decisions, unequal access for limited English proficient and Deaf court users, and implicit bias on the part of judges and court staff. The next Chief Judge should be unafraid to meet these challenges head-on, and deeply committed to finding ways to create strong, meaningful reforms that will yield a more level playing field for all. Finally, the next Chief Judge will have to cultivate strong relationships with other stakeholders inside and outside of the courthouse to effectively implement the needed reforms.

We respectfully urge the Commission to investigate and give great weight to the Chief Judge candidates' plans for ensuring that all who appear in our local courts will receive equal access to justice, as well as the leadership qualities the next Chief Judge will need to implement those plans.

Respectfully submitted,



Nancy A. Lopez
Executive Director, Washington Council of Lawyers



David Steib
President, Washington Council of Lawyers