

Judicial Nomination Commission FY2021

Agency Judicial Nomination Commission

Agency Code DVO

Fiscal Year 2021

Mission The mission of the District of Columbia Judicial Nomination Commission (JNC) is to screen, select, and recommend candidates to the President of the United States for his consideration in appointing judges to the District of Columbia Court of Appeals and Superior Court of the District of Columbia. The JNC also appoints the chief judges of both courts.

Summary of Services The JNC advertises judicial vacancies, solicits applications, conducts background investigations, carefully reviews investigative materials, reads briefs and other application materials, interviews applicants, solicits and considers input from the bench, bar, and public regarding applicants' fitness to serve, and carefully evaluates each candidate's application and background. The JNC also appoints the chief judges of the District of Columbia Court of Appeals and Superior Court of the District of Columbia.

2021 Accomplishments

Accomplishment	Impact on Agency	Impact on Residents
The Judicial Nomination Commission (JNC or Commission) conducted live, virtual, and "open conference call" outreach sessions despite the impacts related to the COVID-19 pandemic. The purpose of these outreach sessions was to educate members of DC's legal community about the judicial selection process for the DC Courts and to provide practical advice for prospective applicants. Another goal of the JNC's outreach sessions was to increase the number of qualified applicants for judicial vacancies and the diversity of the applicant pool.	By providing frequent opportunities for individuals to learn and ask questions about the judicial selection process in DC, outreach sessions allow for greater transparency regarding the JNC's work. Additionally, a robust applicant pool helps ensure that the JNC can transmit strong candidate lists to the President of the United States to fill judicial vacancies on the DC Courts with individuals with a high degree of skills and qualifications.	Holding outreach sessions allows DC residents to understand better how the judicial selection process works for the DC Courts. As such, there is increased engagement with the judicial branch, which impacts the day-to-day lives of DC residents and shapes the professions of those in the DC legal community. Moreover, expanding the applicant pool for judicial vacancies allows the JNC to recommend the nomination of candidates with a broader range of backgrounds and professional experiences. The breadth of experience of those who serve on the bench directly impacts DC residents because judges of the DC Courts make daily decisions that affect many DC residents.
The JNC issued a Notice of Final Rulemaking on November 15, 2019, to clarify ambiguities in the procedures relating to applicants' status on judicial nomination lists and codify what constitutes a quorum for the adoption of an action by the Commission. Additionally, the JNC issued a Notice of Second Proposed Rulemaking and a Notice of Final Rulemaking in the District of Columbia Register on December 20, 2019, and March 13, 2020, respectively, to promulgate and adopt a new Section 2102 (Applications for Judicial Nominations) in the Home Rule Act to clarify certain application procedures for judicial candidates including those relating to qualifying professional activities, as well as certain other application procedures for judicial candidates. These rules enabled the JNC to start the application process anew during FY 2021 for three judicial vacancies, and on September 30, 2021, the President nominated three individuals to fill those vacancies.	The procedural clarifications increased the nomination procedure's efficiency by allowing the JNC to start the judicial application process anew for vacancies where Congress returned a nominee to the President, but the President did not re-nominate an applicant for the vacancy. They also increased the pool of qualified applicants by specifying the date by which an applicant for a judicial vacancy must have accumulated five years of qualifying experience. Procedures in the Home Rule Act are ambiguous as to what happens when the Senate fails to confirm a nominee or returns a nomination. The rulemaking specifies that when the Senate rejects, returns, or fails to take action on a nomination by the end of a Senate session, the nomination will be deemed rejected, and the President will have 60 days to make another nomination. If the President does not make another nomination within 60 days, the list of candidates is deemed expired, and the Commission submits another list to the President, starting the application process anew. The rulemaking specifies that the applicant must accumulate five years of qualifying experience immediately prior to the date that the Commission recommends the person to the President rather than by the date the person submits the application.	The rules adopted increased the nomination procedure's efficiency in the DC Courts, addressed the number of judicial vacancies on the DC Courts, and increased the pool of qualified applicants. Reducing the number of judicial vacancies on the DC Courts will positively impact the fair and effective administration of justice for DC residents. Also, the rulemaking will promote the public interest in the effective and equitable administration of justice.
The JNC implemented a cost-effective and user-friendly web portal via SeamlessDocs that securely allows applicants to submit their application materials online. This portal has been especially important during the COVID-19 shutdown and enabled the JNC to continue the work necessary for executing its mission of recommending judicial applicants to the President of the United States.	Using SeamlessDocs increased the efficiency of the application process for those applying to fill vacancies in the DC Courts and eased certain burdens for judicial applicants. It also provided a secure applicant database and application web portal to promote trust and integrity in the judicial vacancy application process.	SeamlessDocs modernized the JNC's application submission process by eliminating the need for judicial applicants to deliver their application materials in-person during business hours or rely upon the United States Postal Service or other shipping providers to submit their application materials timely. Further, by eliminating the need for JNC staff to manually scan and upload application materials to its electronic applicant database, the SeamlessDocs web portal streamlined the agency's internal operations.

2021 Key Performance Indicators

Measure	Frequency	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual	Was 2021 KPI Met?	Explanation For Unmet KPI
1 - Increase the pool of highly qualified applicants to fill each judicial vacancy within the required 60-day period either prior to or following the occurrence of a vacancy in accordance with the agency's governing statute. (2 Measures)											
Percent of candidate panels for judicial vacancies presented within statutory time frames	Annually	100%	100%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	
Percent of required background investigations on judicial vacancy applicants conducted and completed within statutory time frames	Annually	100%	100%	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	

2021 Workload Measures

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual
1 - Screen, select, and recommend candidates to the President of the United States for consideration in appointing judges to the District of Columbia Court of Appeals and Superior Court of the District of Columbia (4 Measures)							
Number of Superior Court Judicial Vacancies	5	6	Annual Measure	Annual Measure	Annual Measure	Annual Measure	7
Number of Court of Appeals Judicial Vacancies	0	2	Annual Measure	Annual Measure	Annual Measure	Annual Measure	2

Measure	FY 2019 Actual	FY 2020 Actual	FY 2021 Quarter 1	FY 2021 Quarter 2	FY 2021 Quarter 3	FY 2021 Quarter 4	FY 2021 Actual
Number of Superior Court Chief Judge Designations	0	1	Annual Measure	Annual Measure	Annual Measure	Annual Measure	0
Number of Court of Appeals Chief Judge Designations	0	0	Annual Measure	Annual Measure	Annual Measure	Annual Measure	1

2021 Operations

Operations Title	Operations Description	Type of Operations
1 - Increase the pool of highly qualified applicants to fill each judicial vacancy within the required 60- day period either prior to or following the occurrence of a vacancy in accordance with the agency's governing statute. (1 Activity)		
Screen, select, and recommend candidates to the President of the United States for consideration in appointing judges to the District of Columbia Court of Appeals and Superior Court of the District of Columbia	The JNC advertises judicial vacancies, solicits applications, conducts background investigations, carefully reviews investigative materials, reads briefs and other application materials, interviews applicants, solicits and considers input from the bench, bar, and public regarding applicants' fitness to serve, and carefully evaluates each candidate's application and background.	Daily Service