



**COUNCIL OF THE DISTRICT OF COLUMBIA  
THE JOHN A. WILSON BUILDING  
1350 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20004**

November 9, 2022

Mr. Stuart Delery  
Counsel to the President  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, DC 20500

VIA ELECTRONIC MAIL

Dear Mr. Delery:

**We are writing to call your attention to the large number of judicial vacancies currently at the District of Columbia courts which has led to significant impacts on our courts, delays in the administration of justice, and an overburdening of our judges with unreasonable caseloads. We request the assistance of President Biden and your office to fill these crucial seats as quickly as possible.**

As of today's date, there are two vacancies at the District of Columbia Court of Appeals and sixteen at the Superior Court of the District of Columbia; **these vacancies represent roughly one quarter of all the judicial seats on our courts.** This number is only expected to grow, as more judges are expected to retire, and President Biden announced his intent to nominate Associate Judge Todd Edelman, currently serving on the Superior Court of the District of Columbia, to the United States District Court for the District of Columbia.<sup>1</sup>

All nominees to the District of Columbia courts are recommended by the District of Columbia Judicial Nomination Commission ("JNC"), whose members are appointed by local and federal officials.<sup>2</sup> The JNC is required "within sixty days following the occurrence of [a] vacancy, [to] submit to the President, for possible nomination and appointment, a list of three persons for each vacancy."<sup>3</sup> The President then nominates a person, from the list of persons recommended by the JNC, and sends the nomination to the Senate for the required advice and consent.<sup>4</sup>

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<sup>1</sup> *President Biden Names Twenty-Fourth Round of Judicial Nominees*, The White House (July 29, 2022) (online at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/07/29/president-biden-names-twenty-fourth-round-of-judicial-nominees/>).

<sup>2</sup> D.C. Official Code § 1-204.33.

<sup>3</sup> *Id.* § 1-204.34(d)(1).

<sup>4</sup> *Id.* § 1-204.33(a).

There are currently eight vacancies for which the JNC has sent a list of three possible persons to the President and are awaiting nomination. **Given the significant impact the current number of judicial vacancies has had on our courts, we urge the President and your office to move expeditiously and nominate persons for the eight vacancies that are currently pending action from President Biden.** While the Senate does not reconvene until November 14 and cannot hold any confirmation votes until then, we strongly believe that the remaining eight persons should be nominated and sent to the Senate for confirmation by the end of the congressional session.

We appreciate your attention to this matter.

Sincerely,



Chairman Phil Mendelson



Councilmember Charles Allen, Ward 6



Councilmember Brooke Pinto, Ward 2



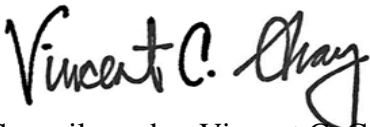
Councilmember Brianne K. Nadeau, Ward 1



Councilmember Mary M. Cheh, Ward 3



Councilmember Janeese Lewis George, Ward 4



Councilmember Vincent C. Gray, Ward 7



Councilmember Kenyon R. McDuffie, Ward 5



Councilmember Trayon White, Sr., Ward 8



Councilmember Anita Bonds, At-Large



Councilmember Elissa Silverman, At-Large



Councilmember Robert C. White, Jr., At-Large



Councilmember Christina Henderson, At-Large