Newsletter of the District of Columbia Courts

**April 2016** 

# Passing of Former DC Superior Court Chief Judge Fred Ugast

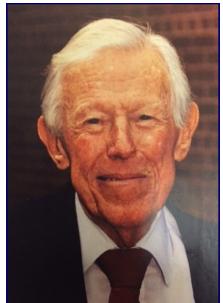
The Honorable Fred B. Ugast, Chief Judge of the DC Superior Court from 1986 to 1993, died peacefully at his home on April 6, 2016. His funeral was held on April 18 at the Shrine of the Blessed Sacrament. More than 50 Superior Court judges and magistrate judges donned their robes and lined the church aisles as an honor guard, while well-wishers filled Blessed Sacrament.

Fred B. Ugast was appointed as an Associate Judge of the DC Superior Court on November 26, 1973 by President Richard Nixon. He served as presiding judge of

the Criminal Division from July 1981 to June 1986. On June 2, 1986 he was appointed Chief Judge, succeeding H. Carl Moultrie I.

"Judge Ugast was an outstanding jurist and an incredibly capable leader. His contributions to the DC community – the courts, the justice system and the people of the District – are tremendous. He was an incredible man who lived a life of honor, dedication and generosity. Judge Ugast was genuinely liked and admired by judges, attorneys, parties and court staff alike. He will be sorely missed by everyone at the DC Courts," said Chief Judge Lee F. Satterfield.

"Fred Ugast was one of the most humble and unpretentious high achieving persons I've ever met and one of the kindest and genuinely caring men I have ever known,"



said Judge Frederick Weisberg, a close friend and Judge Ugast's mentee, in remarks read at the funeral. "Over the years, he taught me everything I know about treating people with kindness and respect and about how to move an organization in the direction you want it to go... His style was to lead by example and to bring people along...History will certainly judge Fred Ugast to have been one of the best Chief Judges ever to lead the Superior Court."

Judge Ugast, a native Washingtonian, received his bachelor's and master's degrees

from The Catholic University of America, and his LL.B degree from Harvard Law School in 1950. He began his legal career as a trial attorney in the Lands Division of the US Department of Justice, where he made his career for 23 years.

After joining the Superior Court bench in 1973, Judge Ugast chaired many court committees, including the Sentencing Guidelines Commission; the Committee on Pretrial Mental Examinations; the Advisory Mental Health Rules Committee; and the Juvenile Mental Health Committee, which he chaired. As Chief Judge from 1986 to 1993, he ran the Court with a steady hand and was an innovator in many areas, including the establishment of the first Drug Court, the Multi-Door Dispute Resolution Division, and the Civil Delay Reduction Project, which substantially reduced

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#### Investiture of Judge William W. Nooter

Long-time Magistrate Judge William Ward Nooter was sworn-in as an Associate Judge of the Superior Court on Friday, February 26, 2016, before a crowd of family, friends and colleagues. Judge Russell Canan, Judge Nooter's colleague, delivered remarks along with former colleague Dwight Murray, now with the law firm Stein, Mitchell & Mezines. They both shared warm memories and offered hearty congratulations. DC Supe-



Judge Nooter takes the Oath of Office administered by Chief Judge Satterfield, while his wife holds the Bible.

rior Court Chief Judge Lee F. Satterfield administered the oath of office, as wife Elissa Free held the Bible. Daughter Amanda helped the judge as he put on his robe.

Judge Nooter was born in St. Louis, but moved to Washington, DC as a teenager and left only to go as far as Annapolis for college. The judge received his Bachelor of Arts from St. John's College in Annapolis, Maryland and his Juris Doctor with honors from George Washington University.

While attending law school, Judge Nooter served as a Student Investigator for the Public Defender Service at Saint Elizabeth's Hospital. He also participated in the Law Students in Court Program in the DC Superior Court's Criminal Division. Following law school, Judge Nooter worked as investigator and co-counsel for three criminal defense attorneys and then clerked for Judge Tim Murphy at DC Superior Court. From 1982 to 1989,

Judge Nooter served as a trial attorney for the Office of the Corporation Counsel (now the Office of the Attorney General, or OAG), spending four years in the Juvenile Section. While serving in this capacity, he tried the case of In re LaShawn R. As the first case to have a finding of "child neglect" based solely upon educational deprivation, it is cited in annotations of DC Code 16-2301. Judge Nooter also served in the Civil Division of the OAG for three years, defending

the District of Columbia in numerous civil actions in DC Superior Court and the United States District Court for the District of Columbia.

Judge Nooter served with the law firm of Jordan Coyne & Savits, where he tried civil cases in District of Columbia and Maryland courts from 1989 to 2000. He handled a broad range of cases including personal injury actions, professional liability, employment and insurance coverage issues. Judge Nooter was installed as a Magistrate Judge in DC Superior Court on October 12, 2000. He served as the Presiding Magistrate Judge from 2010 through 2013.

Since 1998, Judge Nooter has been a Trustee for the Foundation of the Bar Association for the District of Columbia. Judge Nooter also volunteered his services as a civil mediator for the Multi-Door Dispute Resolution Division of the DC Superior Court from 1988 until his appointment to the Court in 2000. He served as Secretary on the Board of Di-

### Investiture of Judge Steven M. Wellner

President Barack Obama nominated Judge Steven M. Wellner in November 2013 and the Senate confirmed his nomination in November 2015. Judge Wellner's investiture was held on February 19, 2016. Administrative Law Judge Wanda R. Tucker of the DC Office of Administrative Hearings, and Walter H. Lohmann, Jr., of Kirkland & Ellis, both former colleagues, spoke of Judge Wellner's keen intellect, his commitment to public service, his professional diligence and demeanor, and his humor. Joshua Friedman, Special Assistant to the President and Associate White House Counsel, read the judge's commission and presented it to Clerk of Superior Court, James McGinley. Chief Judge of office as the judge's wife, Amy Saltzman, held the Bi-

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Satterfield performed the oath Judge Wellner takes the Oath of Office administered by Chief Judge of office as the judge's wife Satterfield, while his wife holds the Bible.

ble. His children Rebecca and Jacob assisted with the robing, as the audience of family, friends and former colleagues burst into applause.

Judge Wellner was born in Madison, Wisconsin, lived briefly there and in Honolulu, Hawaii, and grew up outside Baltimore, Maryland. He graduated from Randallstown High School, received a Bachelor of Arts degree from the University of Virginia in 1981, and a law degree from the University of Michigan in 1985.

After law school, Judge Wellner joined the law firm of Kirkland & Ellis. His practice as an associate included general litigation, government contracts, intellectual property and environmental law. He served in the US Environmental Protection Agency's Office of General Counsel. Air Division, between 1989 and 1990, and then returned to Kirkland & Ellis to focus on the practice of environmental law. He remained at the firm, as an associate and then a partner, until 2006. For ten of those years, Judge Wellner served as the firm's Washington office Pro Bono Coordinator, promoting and facilitating pro bono opportunities for lawyers

of all practice areas and levels of experience.

In 2006, Judge Wellner was appointed to serve as an administrative law judge with the DC Office of Administrative Hearings (OAH). During his tenure with OAH, Judge Wellner heard cases involving unemployment benefits, rental housing, public school discipline, public works and other administrative matters. From 2011 until 2015, Judge Wellner was Principal Administrative Law Judge for Unemployment Insurance Appeals.

#### Investiture of Judge Robert A. Salerno

On March 11, 2016, Judge Robert A. Salerno was sworn in as an Associate Judge of the District of Columbia Superior Court by Chief Judge Lee Satterfield. He was nominated by President Barack Obama in September 2014 and confirmed by the US Senate in December 2015.

Judge Salerno was born in Newark, New Jersey. He received a Bachelor of Arts degree, with honors, from Brown University in 1983, and a Juris Doctor degree from the University of Virginia in 1990. Between college and law DISTRICT OF COLUMBIA COURTS

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Judge Salerno takes the Oath of Office administered by Chief Judge Satterfield, while his wife holds the Bible.

school, Judge Salerno served as a Peace Corps Volunteer in Ecuador, where he worked on potable water and sanitation projects in rural Andean villages.

Prior to his nomination, Judge Salerno practiced law in the District of Columbia for 24 years – in law firms large and small. He started at the litigation firm of Schwalb Donnenfeld Bray & Silbert. Eight years later, he and several of his colleagues moved to the firm that became known as DLA Piper, where he remained for eight years. He then spent nine years at the Washington, DC Office of Morrison & Foerster, where he served for several years as the Pro Bono Partner. His final stint in private practice was at Schulte Roth & Zabel, where he practiced for 10 months prior to his confirmation by the Senate in December 2015.

During his time in private practice, Judge Salerno had a

varied civil litigation and criminal practice, appearing in federal and state courts across the country. His civil litigation practice included matters such as civil rights, breach of contract, breach of fiduciary duty, legal malpractice, civil RICO, consumer protection, False Claims Act, real property, insurance coverage and indemnification disputes. His criminal practice focused on federal "white collar" crimes such as mail fraud, wire fraud, government contracting fraud, healthcare fraud, campaign

finance, bribery and corruption. In addition to represent-

ing clients in litigation and government investigations, he counseled companies on how to comply with federal laws, particularly those addressing bribery and health care fraud, and conducted internal investigations into alleged violations of those laws. He was named as a leading lawyer in publications such as Chambers, Benchmark Litigation, LMG Life Sciences, and Superlawyers, and was recognized by the DC Bar and the Washington Lawyers Committee for Civil Rights for his pro bono contributions.

From 2008 through 2014, Judge Salerno served as a Hearing Committee Member and then as a Hearing Committee Chair for the District of Columbia Board on Professional Responsibility. In that capacity, he conducted evidentiary hearings on formal charges of professional misconduct by members of the District of Columbia Bar.

#### **Investiture of Judge Darlene M. Soltys**

On March 18, 2016, Darlene M. Soltys was sworn in as an Associate Judge of the District of Columbia Superior Court. The Honorable Rosemary M. Collyer from the **US District Court** for the District of Columbia administered the Oath of Office. President Barack Obama nominated

Judge Soltys for



Judge Soltys takes the Oath of Office administered by US District Court Judge Rosemary Collyer, while her parents hold the Bible.

appointment to the Superior Court on July 2015 and the Senate confirmed her nomination on December 17, 2015.

Judge Soltys was born in Bellingham, Washington, and grew up in Anne Arundel County, Maryland. She graduated from Glen Burnie High School in 1983. She graduated with honors from the University of Maryland, Baltimore County, where she majored in Political Science and History. While in college, she interned for Judge Paul Alpert of the Maryland Court of Special Appeals and served as the chief judge of the school's Judicial Board. In 1990, she received her law degree from Georgetown University Law Center, where she participated in the Criminal Justice Clinic, representing indigent people charged in the Superior Court.

Following law school, Judge Soltys served as the first law clerk to the Honorable Gregory E. Mize. She was thereafter appointed as an Assistant Corporation Counsel and tried criminal cases brought against juvenile respon-

dents in the Superior Court. Judge Soltys then served as an Assistant State's Attorney in Prince George's County, Maryland, where she spent two years in the Child Abuse and Sexual Assault Section and five years in the Homicide Section. In 2004, Judge Soltys joined the United States Attorney's Office for the District of Columbia.

During her tenure, Judge Soltys served

primarily in the Violent Crimes and Narcotics Trafficking Section of the Criminal Division. Judge Soltys participated in long-term investigations using wire tap authorizations and other forms of electronic surveillance to infiltrate gangs and drug trafficking organizations alongside members of the FBI/MPD Safe Streets Task Force. For eleven years, she prosecuted multiple co-defendant cases in federal district court for charges including narcotics conspiracies, RICO conspiracies, homicides and firearm related offenses. Judge Soltys is a recipient of the Director's Award for Superior Performance as an Assistant United States Attorney. She was named Senior Litigation Counsel in 2013 and has received numerous special achievement awards from the United States Attorney's Office. Judge Soltys has also collaborated with visiting foreign prosecutors and jurists and lectured at area law schools on matters pertaining to gang prosecutions and the use of electronic surveillance.

## DC Courts Strategic Management Division Welcomes New Members

By Grace Kye



Guileine Kraft joined the Strategic Management Division in December 2015 as the Senior Research Associate. Guileine completed her Bachelor's degree at Florida A&M University and later earned a doctorate in Social Work from The Catholic University of America. Guileine grew up in Port-Au-Prince, Haiti and Miami, Florida. She enjoys traveling, reading, and spending time with family and friends.

Guileine enjoys working with data, research, and evaluation. She is looking forward to using her training and experience to help the Courts enhance and use data to continue to make the Courts a *Great Place To Work!* 

**Grace Kye** joined the Strategic Management Division in November 2015. She completed her Bachelor's degree at New York University in 2012, and previously worked for The Accrediting Council for Continuing Education & Training and the Boys & Girls Clubs of America. Grace grew up in Georgia. She enjoys cooking, reading, and traveling.





Adam Salazar joined the Strategic Management Division in February 2016 as a Research Associate. Originally from Albuquerque, NM he has lived in Arlington, VA for the last six years. He graduated from Georgetown University where he studied Comparative Government, and he earned his Master's degree in Public Policy Analysis from George Mason University. Previously, Adam was a researcher at The Congressional Research Service and the Pew Charitable Trusts. Outside of work, Adam enjoys jogging, road trips, and learning Brazilian Portuguese. He has served on the board of an international education NGO for the last five years and is passionate about literacy and educational access.

**Phillip Wininger** joined the Strategic Management Division in February 2016, as a Research Associate. He holds a B.A. in political science and economics from Western Kentucky University and a M.A. and J.D. from the University of Kentucky. He is currently a Ph.D. candidate in political science at the George Washington University. Phillip grew up in Kentucky, where he practiced law for several years.

Instilled with a fascination and appreciation for the courts, Phillip hopes that he can use his background in law, research, and statistics to serve the District of Columbia Courts. When he's not focused on the courts, he enjoys cycling, exercise, travel, and amateur photography.



#### **DC Courts Celebrate Black History Month**



The DC Courts celebrated the 2016 Black History Month through a variety of events and activities kicked off by a recognition of living legends. As DC Court of Appeals Chief Judge Eric T. Washington (center) welcomed over 150 family members, judges, and court staff to the Black History Month celebration, he emphasized the importance of learning from those who have paved a way for succeeding generations. "Pick their brain and appreciate the wealth of knowledge that is within them," he stated. The four living legends were (left to right): Court Security Specialist Sergeant Hubert T. Jones, Defense Attorney John McDaniel, Esq. (and son), Fashion Designer Vanilla P. Beane (Joy Jefferson's grandmother), and Tuskegee Airman Lieutenant Colonel Robert J. Friend (Dana Friend's father).

Investiture of Judge Nooter, continued from page 2 rectors for the Janney Extended Day Program from 2000 to 2003. Judge Nooter is a member of The Counsellors, a member of the National Council of Juvenile and Family Court Judges, a member of the National Conference of Specialized Court Judges, Judicial Division, American Bar Association and the George Washington American Inn of Court. Judge Nooter has served on numerous Superior Court Committees and is currently a member of the Courts' Strategic Planning Leadership Council. Judge Nooter has also participated in numerous training programs for lawyers, law students, social workers, foster parents and new judges.

In his off-hours, Judge Nooter is known as 'Blue Dog' and plays lead guitar for *Deaf Dog & the Indictments*, with colleague judges Franklin Burgess, Russell Canan, John Campbell, Gregory Jackson, and John McCabe.



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delay in the processing of civil cases and made trial date certainty a reality. He also implemented the One Day-One Trial rule, which reduced the amount of time DC residents spend serving jury duty. During his tenure with the Superior Court, Judge Ugast received several significant awards from local and national bar associations which include:

- The Distinguished Fellow Award in 1978 presented by the Superior Court Trial Lawyers
  Association,
- The Washington Psychiatric Society's Annual Recognition Award in 1981,
- The National Center for State Courts' Distinguished Service Award in 1981,
- The James C. Eastman Award in 1987 presented by the Bar Association of the District of Columbia,
- The National Bar Association 1990 Chairman's Special Award,
- The Bar Association of the District of Columbia 1990 Judicial Honoree Award, and
- The National Association of Black Women Attorneys' Sadie T.M. Alexander Award in 1991.

In recognition of Judge Ugast's contributions to the advancement of care and treatment of the mentally ill, the District of Columbia Government designated a 30-bed diagnostic facility for mentally ill prisoners as the 'Judge Fred B. Ugast Forensic Psychiatric Center' in 1976. In 1987, when the Center was closed, the District of Columbia established the 'Chief Judge Fred B. Ugast Pretrial Examination Branch' at St. Elizabeth's Hospital in the John Howard Pavilion.

When he stepped down as Chief Judge in 1993, Judge Ugast assumed senior judge status and heard cases actively until his full retirement from the Court in 2011. In addition, Judge Ugast served as the Judge in Residence at the Columbus School of Law of the Catholic University of America from 1994 until 2013. Judge Ugast was married to beloved wife of 65 years, Mary, before she passed away in July 2015. He is survived by 6 children, 14 grandchildren and 2 great grand-children.