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February 25, 2020

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Via First Class Mail and Email

The Honorable John S. Edwards, Senator
Pocahontas Building, Room No: E506
Senate of Virginia
P. O. Box 396
Richmond, VA 23218
Email: C/O Shannon Heard: sheard@dls.virginia.gov

Re: Vacancy on the Court of Appeals of Virginia

Dear Senator Edwards:

On behalf of the Virginia Women Attorneys Association ("VWAA"), a judiciary committee (the "Committee") was impaneled to evaluate candidates for a vacancy on the Court of Appeals of Virginia occasioned by Judge Rossie D. Alston, Jr.'s appointment to the United States District Court for the Eastern District of Virginia.

The VWAA requested that interested candidates complete the VWAA Judicial Candidates Questionnaire (the "Application"), submit a short biography, and participate in an interview with the Committee. Prior to the interviews, members of the Committee contacted the references listed on each candidate's Application as well as other members of the local bar and legal community to inquire as to each candidate's suitability for the vacancy. On February 19, 2020, the Committee interviewed fifteen (15) candidates.

It is worth noting that the VWAA ratings are based upon a review of each candidate's merits against published standards and guidelines, including the following: fairness, integrity, experience, intellect, temperment, professionalism, and pro bono service. Ratings are not a function of a general vote by the VWAA membership, nor are they a comparison of candidates within the "pool" presented.

The following rating categories are used by the VWAA:

- (1) NOT QUALIFIED: Applied to any applicant who fails to meet the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines for Reviewing Qualifications for Judicial Office (“ABA Guidelines”). Candidates rated “Not Qualified” are given the opportunity to withdraw his or her name and rating from all materials to be disseminated by the VWAA. If the candidate declines to withdraw, the rating is disseminated along with a summary stating the reasons for such rating.
- (2) QUALIFIED: Applied to any applicant who meets the minimum requirements for fairness, experience, intellect, temperament, professionalism, integrity and/or other basic criteria set forth in the ABA Guidelines.
- (3) RECOMMENDED: Applied to any applicant whose qualifications are sufficiently above the minimum requirements to warrant the Committee’s affirmative recommendation.
- (4) HIGHLY RECOMMENDED: Reserved for any candidate who is especially well-qualified for the position and merits special recommendation.

The VWAA’s procedures provide that ratings of “Qualified” and “Recommended” require a vote in support by at least a simple majority of the Committee. A rating of “Highly Recommended” requires a vote in support by at least a two-thirds majority of those voting. In order for the Committee to find that a candidate fails to meet the minimum qualifications and is “Not Qualified,” at least two-thirds of those voting must so find.

The Executive Committee of the Board of Directors of the VWAA has approved, in accordance with its procedures, the following endorsements of the Committee for this judicial vacancy:

The Honorable David Bernhard is found *Highly Recommended*.
The Honorable Richard E. Gardiner is found *Highly Recommended*.
The Honorable Stacey W. Moreau is found *Highly Recommended*.
Patricia P. Nagel, Esquire is found *Highly Recommended*.
The Honorable Daniel E. Ortiz is found *Highly Recommended*.
Stuart A. Raphael, Esquire is found *Highly Recommended*.
The Honorable H. Jan Roltsch-Anoll is found *Highly Recommended*.
The Honorable Josiah T. Showalter, Jr. is found *Highly Recommended*.
The Honorable Victoria A. B. Willis is found *Highly Recommended*. *One committee member abstained.

Carlos L. Hopkins, Esquire is found *Recommended*.
The Honorable Wesley G. Marshall is found *Recommended*.
Catherine French Zagurskie, Esquire is found *Recommended*.

The Honorable Steven C. McCallum is found *Qualified*.
Elwood E. "Sandy" Sanders, Jr., Esquire is found *Qualified*.

Jamar K. Walker, Esquire is found *Not Qualified*.

Executive summaries of the qualifications of each of the above candidates are attached to this letter.

For your further information, the Committee members participating in the interview process were as follows:

Michelle Parker - Co-Chair: Michelle Parker is an attorney with Decker, Cardon, Thomas, Weintraub & Neskis in Norfolk, VA. She is a 2004 graduate of Regent University School of Law. She primarily practices in the areas of personal injury, civil litigation, Wills, Trusts and Estates and Probate. She has been a member of the Virginia State Bar since 2004. She is admitted to practice in all courts of the Commonwealth of Virginia and the U.S. District Court for the Eastern District of Virginia. She is a current member and Past President of Virginia Women Attorneys Association (VWAA), Past President of the Hampton Roads Chapter of the VWAA, and continues to serve on the Board of Directors of VWAA. She is a member and serves on the Executive Board of The James Kent American Inn of Court. She is also is a member of the Virginia Beach Bar Association.

Carmelou "Lu" Aloupas - Co-Chair: Lu Aloupas is an Attorney in private practice at Aloupas Law, P.L.L.C. in Chesapeake, Virginia. Her practice focuses on family law and criminal defense. Lu is a 2010 graduate of Regent University School of Law and is licensed to practice in all courts of the Commonwealth of Virginia (2010), the U.S. District Court for the Eastern District of Virginia (2011) and was admitted to the State Bar of Texas in 2018. Lu has a B.S. in Criminal Justice Administration from Athens State University, as well as a Master's in Criminal Justice from Virginia Commonwealth University. Lu is President of the Virginia Women Attorneys Association Hampton Roads Chapter, a member of the Chesapeake, Virginia Beach, and the Greater Peninsula Women's Bar Associations, and a member of the Virginia Trial Lawyers Association.

Janet W. Cho is a partner with the law firm of Williams Mullen. She was admitted to the Virginia State Bar in 2007 and focuses her practice in intellectual property issues, namely brand management, trademark and copyright prosecution and litigation, and privacy issues. She previously practiced intellectual property law at the law firms of LeClairRyan and Hunton & Williams. Janet Cho is the current President of the Virginia Women Attorneys Association.

Anne C. Lahren is an attorney at Pender & Coward, P.C. in Virginia Beach, VA, practicing Civil Litigation, Immigration, Employment, and Family Law. Ms. Lahren is admitted to practice before the United States Supreme Court, the Supreme Court of Virginia, the United States Court of Appeals for the 4th Circuit, the U.S. District Court for the Eastern District of Virginia, the U.S. Bankruptcy Court for the Eastern District of Virginia, and the Executive Office for Immigration Review (EOIR).

Ms. Lahren is involved in numerous civic and professional organizations, including serving as a Faculty Member for the Virginia State Bar's Harry L. Carrico Professionalism Course, Past President of the James Kent American Inn of Court, Past President for the Virginia Women Attorneys Association (Hampton Roads Chapter) and is a member of the Board of Directors for the statewide Virginia Women Attorneys Association. She is also a member of the American Immigration Lawyers Association (AILA),

the Virginia Bar Association, the Federal Bar Association, the Virginia Beach Bar Association, and the Beachcombers Corvette Club.

Ms. Lahren earned her Juris Doctor from the William & Mary School of Law in Williamsburg, Virginia. While there, she served as Executive Editor of the Journal of Women and the Law, and received the Sports Law Achievement Award. She also earned the Technology Augmented Trial Advocacy Certification.


Rachel Robinson is currently an Associate Attorney at Alex Levay PLLC, where she practices criminal defense and family law and serves as a Guardian ad litem. Before joining the firm, Rachel was a Senior Assistant Public Defender in Loudoun County, Virginia, where she helped to train and guide incoming attorneys and proudly represented indigent persons charged with crimes. Rachel currently serves on the Boards of the Loudoun County Bar Association and the Virginia Women Attorneys Association (VWAA) and is the Immediate Past President of the Loudoun Chapter of the VWAA. Rachel has represented clients in the Juvenile and Domestic Relations District Court, the General District Court, the Circuit Court, and in Virginia's Court of Appeals and Supreme Court.


Dusty Sparrow Reed is in private practice with Sparrow Reed PLLC in Arlington, Virginia. She is a 2006 graduate of The George Washington University Law School and graduated in 1998, with distinction, from the Kelly School of Business at Indiana University, earning a B.S. in Business Administration and double-major in Finance and Accounting. Dusty's legal practice focuses on family law and appellate work, and serves clients in Arlington, Fairfax and Loudoun Counties. Dusty has served on the Judicial Selection Committee for the Arlington County Bar Association and currently serves on its Board of Directors. Since 2015, Dusty has served on the Virginia State Bar Disciplinary Committee, 4-I District, which serves the Arlington legal community. She is also a member of the Virginia Women Attorneys Association, Loudoun Chapter. Since 2012, Dusty has lectured on appellate updates for local bar associations and served as a judge in various trial advocacy competitions throughout the metropolitan area. For 2010-2011, she was appointed a commissioner for the Loudoun County Advisory Commission on Youth. From 2013-2015, she was a liaison to the Arlington County Children & Youth Committee. Dusty also served as an assistant public defender in Arlington County where she focused her practice in the Juvenile & Domestic Relations District Court and was an Appellate Supervisor for the office. She is married to an Arlington County police officer and has three children.

We hope that this information will prove helpful to you during your review process for this very important judicial position. Please feel free to contact me should you have any questions or need additional information.

Cordially yours,


Janet Cho
President, VWAA


Lu Aloupas
Co-Chair, Judiciary Committee


Michelle R. Parker
Co-Chair, Judiciary Committee

Enclosures: Executive Summary of The Honorable David Bernhard.
Executive Summary of The Honorable Richard E. Gardiner.
Executive Summary of Carlos L. Hopkins, Esquire.
Executive Summary of The Honorable Wesley G. Marshall.
Executive Summary of The Honorable Steven C. McCallum.
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Executive Summary of Jamar K. Walker, Esquire.
Executive Summary of The Honorable Victoria A. B. Willis.
Executive Summary of Catherine French Zagurskie, Esquire.

cc (by email only): The Honorable David Bernhard.
The Honorable Richard E. Gardiner.
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Catherine French Zagurskie, Esquire.

THE HONORABLE DAVID BERNHARD

Experience and Legal Ability: Judge Bernhard earned a Bachelor of Arts in Economics and Political Science, graduating a year early from Brandeis University in 1983; and a Juris Doctor from Washington University in St. Louis School of Law in 1985, which he completed a half-year early. He was admitted to the Missouri Bar in 1986, District of Columbia Bar in 1987, Virginia State Bar in 1988, and Maryland Bar in 1989.

From 1987-1989, Judge Bernhard was an associate attorney practicing mainly immigration law. In 1989 he started his own firm in Arlington where he handled a variety of criminal, family law, and personal injury matters in addition to serving as a Guardian ad Litem. From September 1991 – June 2017, he was a partner at Bernhard & Gardiner, and the types of cases he was handling became more complex, focusing on criminal, divorce, and appellate practice.

As an attorney, Judge Bernhard tried tens of thousands of cases and hundreds of jury trials. He became a proficient trial and appellate attorney with excellent research and writing skills, and had numerous noteworthy cases. Additionally, he has been published twice in the Fairfax Bar Journal (2011, 2012), and in the Washington Post (2014). He won the Fairfax Bar Association President's Award (2011) and was recognized by Virginia Lawyer's Weekly as a Leader in the Law (2012).

He was an active member of the Fairfax Bar Association, holding positions such as Co-Chair of the Criminal Law Practice Section (2011-2014), member of the Judicial Screening Committee (2012-2014, Chair 2013); as well as the Hispanic Bar Association, where he served as a screener on the Judicial Selection Committee (2006-2014).

Additionally, he and his law partner developed the VADefenses Listserv Group, which has become the second largest criminal listserv in Virginia and a valuable networking tool among practitioners.

In February 2017, Judge Bernhard was appointed to the 19th Judicial Circuit (Fairfax), taking the bench on July 1, 2017. He has declined to impose cash or surety bond release conditions and has been a proponent of evidence-based pretrial and sentencing practices. During *voir dire*, Judge Bernhard has advised potential jurors of the penalty range a defendant faces if convicted, in an effort to examine sentencing bias and reduce the chance of mistrials.

Judge Bernhard has presided over a wide variety of matters, heard as bench and jury trials, and has authored numerous letter opinions. Many of the cases over which he has presided are high-profile or otherwise unique and have garnering attention from various media outlets, including but not limited to Virginia Lawyer's Weekly, the Washington Post, Fairfax County Times, and the local NBC and Fox affiliates.

Judge Bernhard has a reputation as "the fact checker," and as a judge who will take time to do the research needed to make a fair decision. His letter opinions are considered the product

of diligent effort and thoughtful consideration of the law as applied to the specific facts of the case, and written with a sincere desire to provide guidance for attorneys.

Judge Bernhard has attended the Judicial Conference in each of the last three years. Additionally, he has presented at the annual Fairfax Bar Association each of the last three years, addressing topics such as evidence-based sentencing practices, effective legal writing and oral advocacy, and arguing for pretrial release.

Judge Bernhard's community involvement includes being the longest serving Board member of the Forest Hills of Fairfax Homeowners Association, where he last served as its President. He was active in establishing the governance of the Association, organizing volunteer projects, and conducting environmental restoration of the civil war-era pond, which hosts a variety of wildlife.

Fairness and Temperament: Throughout his submission and interview and with additional information gathered during the screening process, Judge Bernhard consistently displays his dedication to public service and a passion to make "equal justice under law" a reality rather than an unattainable ideal. He recognizes that many of the litigants don't always see themselves represented in the courtroom – as attorneys, judges, or courthouse staff – and strives to apply his knowledge of the law and evidenced-based practices to the matters before him such that each person feels they had a fair hearing. He is known for treating everyone with fairness and respect. Judge Bernhard demonstrated that he possesses and exceeds the requisite fairness and temperament for the Virginia Court of Appeals.

Professionalism and Integrity: Judge Bernhard is held in high esteem in his courthouse and in the community. The Committee finds that he possesses and exceeds the requisite professionalism and integrity for the Virginia Court of Appeals.

Overall Evaluation: The Committee finds that Judge Bernhard is very well-qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

THE HONORABLE RICHARD E. GARDINER

Experience and Legal Ability: Judge Gardiner earned his law degree from the International School of Law (now George Mason Antonin Scalia School of Law) in 1978 and was licensed to practice law in Virginia in 1979.

Judge Gardiner worked as Assistant General Counsel for the National Rifle Association of America until 1989, when he transitioned to the role of Director of State and Local Governmental Affairs. From 1991 to 1994, Judge Gardiner worked as Legislative Counsel, and from 1994 to 2013, he worked as a sole practitioner with both a criminal and a civil practice. During this time, he acquired extensive appellate experience. For example, without including the numerous petitions for writs of certiorari he prepared, Judge Gardiner briefed and argued at least ninety-nine (99) appellate cases and briefed eight (8) cases in the United States Supreme Court.

Judge Gardiner is highly respected among his peers and was the recipient of the Fairfax Bar Association's President's Award and has been recognized by the George Mason University Alumni Association. In 2013, Judge Gardiner was appointed to the Fairfax General District Court and in 2016, he was appointed to the Fairfax Circuit Court, where he currently sits. During his time on the bench thus far, Judge Gardiner has authored at least fifty-four (54) written opinions.

Fairness and Temperament: Through the interview and from the information gathered, Judge Gardiner demonstrates a respect for the judicial process and the role of the court. He enjoys the process of researching and writing thoughtful opinions. Judge Gardiner demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

Professionalism and Integrity: Through the interview and information gathered, Judge Gardiner indicated a level of professionalism and integrity sufficient for the Court of Appeals of Virginia. Judge Gardiner is regarded as an exceptional attorney and judge among his colleagues.

Overall Evaluation: The Committee finds Judge Richard E. Gardiner is very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

CARLOS L. HOPKINS, SECRETARY OF VETERANS & DEFENSE AFFAIRS

Experience and Legal Ability: Secretary Hopkins earned a B.A. in Political Science in 1993 from The Citadel, the Military College of South Carolina, and a Juris Doctorate from the T.C. Williams School of Law, University of Richmond, in 1996. He is admitted to practice in all courts of the Commonwealth of Virginia, the Fourth Circuit Court of Appeals, and the United States District Court for both the Eastern and Western Districts. He has been a member of the Virginia Army National Guard since 1997 (current rank: Colonel) and is serving as a member of the personal staff of the Commanding General of the 29th Infantry Division as Chief Legal Officer.

Secretary Hopkins began his legal career in the Richmond Commonwealth's Attorney's Office, where he rose to the position of Deputy Commonwealth's Attorney and was a key contributor to the development of the first juvenile drug court in Richmond. He later moved to the Virginia Indigent Defense Commission, where he was the Director of Training and Attorney Certification. In this role, he also represented the Commission before the Virginia General Assembly as well as various state boards and commissions, to include the Dept. of Criminal Justice Services Board and the Virginia State Bar Indigent Defense Task Force.

Secretary Hopkins was deployed to Guantanamo Bay, Cuba from July 2008 – June 2009 where he served as Chief Military Justice & Assistant Staff Judge Advocate in support of Operation Enduring Freedom, leading a staff of Army and Navy personnel. Upon his return from deployment, Secretary Hopkins returned to the Indigent Defense Commission where he continued to develop uniform training programs and standards of practice for indigent defense counsel. Thereafter, he went into private practice in the City of Richmond, handling a variety of misdemeanors and felony cases, as well as advising clients on Virginia's employment laws. While in private practice, he served as a board member for the Virginia Association of Criminal Defense Lawyers, mentoring new criminal defense attorneys.

Secretary Hopkins had a brief stint at the Richmond City Attorney's Office, where he handled a variety of matters as Deputy City Attorney. He supervised the Special Litigation and Public Safety Division, oversaw the City's enforcement of building code violations, and coordinated with the Police Department's General Counsel Office to resolve matters impacting police operations. His tenure was cut short when he accepted an appointment by then-Governor McAuliffe to serve as the Governor's primary legal advisor within the Office of the Governor. In this role, Secretary Hopkins served as the Governor's chief liaison to the Office of the Attorney General, instructed senior staff on the application of various state laws, reviewed all clemency petitions and extradition requests, and reviewed all proposed legislation prior to submission to the Governor.

In September 2017, Secretary Hopkins was appointed to his current position with the Department of Veterans and Defense Affairs. In this role he is charged with coordinating all state and federal resources to support Virginia's veterans' community and serves as the Commonwealth's chief liaison with Virginia's federal defense installations. He regularly engages with federal, state, and local officials to coordinate efforts to protect and increase Virginia's vital military assets, and conducts 'town hall' meetings where he generates tremendous goodwill for the department and its efforts. Secretary Hopkins also advises the Governor on federal legislative and regulatory actions impacting Virginia's veterans' community.

Secretary Hopkins is an adjunct faculty member of T.C. Williams School of Law, University of Richmond, serving as a senior mentor for the Criminal Law Placement Clinic. He previously taught

Legal Research and Writing at the school. He is a member of the Alpha Phi Alpha Fraternity, Association of Citadel Alumni, and the National Negro Golf Association, Richmond Chapter.

Fairness and Temperament: Throughout his submission and interview and with additional information gathered during the screening process, Secretary Hopkins demonstrates and exceed the fairness and temperament requisite for a judge on the Court of Appeals of Virginia. He also demonstrates a dedication to public service, to our country, as well as the Commonwealth of Virginia. He is acutely aware of issues related to access to justice and diversity. He acknowledged a need for diverse perspectives in the judicial system as a whole, and on the appellate courts in particular. He is known to treat everyone with respect and dignity, and for fostering an environment of inclusion.

Professionalism and Integrity: Secretary Hopkins is held in very high esteem by his colleagues and in the community. The Committee finds that he possesses and exceeds the requisite professionalism and integrity for the Virginia Court of Appeals.

Overall Evaluation: The Committee finds that Secretary Hopkins is well-qualified for the Virginia Court of Appeals and warrants the Committee's rating of **RECOMMENDED**.

THE HONORABLE WESLEY GILMER MARSHALL

Experience and Legal Ability: Judge Marshall earned his law degree from the University of Virginia in 1988 and was licensed to practice in Virginia later that same year.

Judge Marshall started his legal career in private practice handling national and local defense cases. He also handled products liability, FELA, tort, workers' compensation, bankruptcy and general practice matters. He thereafter transitioned to a smaller law firm and then started his own private practice. In his private practice, Judge Marshall handled tort, employment, personal injury, workers compensation and general practice matters. Judge Marshall has managed discrimination cases in federal courts, the Equal Employment Opportunity Commission, in state courts and before administrative agencies. Since 2012, Judge Marshall has served as an appellate judge at the Virginia Workers Compensation Commission. Since becoming a judge, Judge Marshall has mentored young lawyers and law students. He also lectured at the University Richmond School of Law and acted as a moot court judge Virginia and Florida for the past seven years. He has spoken frequently on his transition from advocate to judge, and he has given educational presentation to judges from over thirty-five states.

Judge Marshall possesses experience in a wide range of practice areas in both state and federal courts, and before administrative agencies. He has endeavored to insure that the law serves individuals, and has been a strong advocate for workers and their families. Judge Marshall has also presided over hearing dockets across Virginia, including in Fairfax, Virginia Beach, Harrisonburg, Lebanon, Big Stone Gap, and Bristol, addressing a range of statutes, such as the Virginia Workers' Compensation Act, the Virginia Neurological Birth Fund, and the Criminal Injuries Compensation Fund. Judge Marshall has published extensively, particularly in the area of workers compensation.

Fairness and Temperament: Judge Marshall demonstrates a respect for the rule of law and the role of the court. He also makes an effort to balance the salience of legal procedure, against the need for practical solutions to solving problems and addressing litigants' concerns. Judge Marshall expressed his observation about the importance of education relating to the legal system in order to maintain the public's respect for the judiciary, while also insuring access to the court for those who have often been overlooked in terms of access. Judge Marshall demonstrates the requisite fairness and temperament for a judge of the Virginia Court of Appeals.

Professionalism and Integrity: Through the interview and information gathered, Judge Marshall demonstrated a level of professionalism and integrity that meets and exceeds the requirements for a judge on the Virginia Court of Appeals. That professionalism extends to his sense of fairness to all litigants, and working to insure that the law serves people first.

Overall Evaluation: The Committee finds Judge Wesley Gilmer Marshall is well qualified for the position of judge for the Virginia Court of Appeals and warrants the Committee's rating as **RECOMMENDED**.

THE HONORABLE STEVEN C. MCCALLUM

Experience and Legal Ability: Judge McCallum graduated from Grinnell College with a BA-Philosophy in 1977, during which time he was also a nominee for the Rhodes Scholarship. He later earned his law degree from University of Texas Law School in 1980 and was licensed to practice law in 1981 in the Commonwealth of Virginia. He is licensed to practice in all courts of the Commonwealth of Virginia.

Judge McCallum practiced law for 32 years before he was appointed to the bench in Chesterfield County. He began his career as a litigation associate for McGuire Woods LLP. His practice areas included commercial litigation, property and construction, torts, products liability and appeals. He chaired over 100 trials in state and federal courts. He has 5 reported decisions from the Supreme Court of Virginia.

While in private practice, Judge McCallum presented case law updates related to his practice, including such topics as electrical injury and property damage claims, deposing a party or witness, and litigating mechanic's liens past perfection. He was also appointed Adjunct Assistant Professor of Law at T.C. Williams School of Law at the University of Richmond. From 2006-2011, Judge McCallum taught Lawyering Skills III (trial practice).

In 2008, Judge McCallum was appointed to serve as a substitute judge in the 12th Judicial District for the General District Court. In 2012, he was appointed as a judge for the Chesterfield County Circuit Court. In this capacity, he oversees and adjudicates criminal, domestic relations and civil matters. During his tenure, he has never been reversed by an appellate court.

Judge McCallum has received several professional honors, including in 2011-2012, selection as "Best Lawyers in America" for construction litigation. In 2007, 2010 and 2011, he was named one of "Virginia's Legal Elite" by Virginia Business magazine. In 2007, he was named one of "Virginia Super Lawyers" in general civil litigation.

Fairness and Temperament: Throughout the interview, Judge McCallum displayed a professional and tempered demeanor. It is the opinion of the Committee that Judge McCallum demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

Professionalism and Integrity: Throughout the interview, Judge McCallum demonstrated a level of professionalism and integrity that meets the needs for a judge in the Court of Appeals for Virginia.

Overall Evaluation: The Committee finds Judge Steven McCallum is qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and as such, warrants the Committee's rating as **QUALIFIED**.

THE HONORABLE STACEY W. MOREAU

Experience and Legal Ability: Judge Moreau earned her law degree from the T.C. Williams School of Law at the University of Richmond in 1990. She was licensed to practice law in Virginia that same year. She began her legal career as a fully-licensed attorney at the firm of Williams, Stilwell, and Morrison in Danville, Virginia in 1990 and became a partner at the firm in 1994. She was elevated to the bench in 2003 where she has served continuously for the past nearly seventeen years. While in law school, she clerked for the United States Attorney's Office in the Western District of Virginia and interned at the Henrico County Commonwealth Attorney's Office.

During her time in private practice, Judge Moreau started out in a general practice position involving domestic relations, personal injury, and criminal trials, including serving on the Indigent Defender Board of Calcasieu Parrish as a private attorney when the Public Defender had a conflict with a case. As her legal career progressed, her practice narrowed to focus mainly in family law and domestic relations, with a lesser amount of her time spent on civil litigation in areas of personal injury, contract disputes, medical malpractice defense, among others. Prior to her position on the Circuit Court of the Twenty-Second Judicial District which encompasses the City of Danville, Franklin County, and Pittsylvania County, she served on the Juvenile & Domestic Relations District Court for the same judicial district. Most of her trials in the Circuit Court are bench trials, with approximately 5% of the trials over which she presides being in front of a jury. Her cases are split approximately 30% family law and 70% criminal.

Judge Moreau is currently serving a four-year term on the Judicial Council of Virginia; on the Circuit Court Judge Benchbook Committee, where she authored the DUI section of the benchbook; Circuit Court Caseload Statistical Reporting Project; Judicial Imaging System Advisory Committee and SWIFT Interface for Judges and Clerks focus group; as well as serving as a mentor judge for the Judicial Mentoring Program. She is a member of the Virginia Association of Women Judges and works to expand the use of technology in the Court, converting her Court to a paperless system. Judge Moreau is also heavily involved in her community, serving on the Mount Cross Volunteer Fire Department Board of Directors and being a member of Chatham Rotary Club, among many others.

Fairness and Temperament: Through the interview and from the information gathered, Judge Moreau demonstrates a respect for the judicial process and the role of the court. She values diversity on the bench and in the legal profession. Judge Moreau strongly believes in the need for fairness to litigants in the court system and professionalism of counsel appearing before her. She will stand up for her beliefs and will follow the law. Judge Moreau demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

Professionalism and Integrity: Through the interview and information gathered, Judge Moreau indicated a level of professionalism and integrity that exceeds the requisite for a judge on the Court of Appeals of Virginia. Her professionalism and integrity are embodied in her selection as one of the Top 50 Influential Women of Virginia in 2015.

Overall Evaluation: The Committee finds Judge Stacey W. Moreau very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED.**

PATRICIA P. NAGEL, ESQUIRE

Experience and Legal Ability: Ms. Nagel earned her law degree from the University of San Francisco School of Law in 1990 and was admitted to practice law in Virginia in 1995.

Ms. Nagel has worked in private practice in Williamsburg in the area of criminal defense and also maintains a busy appellate practice and both state and federal court. As part of her appellate practice, Ms. Nagel has filed hundreds of appeals in state and federal courts, as well as writs in the United States Supreme Court, originating from state and federal appellate courts. Ms. Nagel has been granted 66 writs of appeal in Virginia appellate courts and has substantial oral argument experience. She has also served as a member of the United States Criminal Justice Act panel since 2010, representing indigent defendants in federal court and on state court-appointed lists, representing indigent clients at both the trial and appellate levels. She has employed technical experts in her cases and is well-versed with subjects such as computer forensics. She has also served as a guardian ad litem in family law cases.

Prior to her robust private practice, Ms. Nagel also served for 5 years as an appellate attorney with the Office of the Public Defender for the City of Richmond and for 2 years with the Virginia Indigent Defense Commission. She developed training programs for new attorneys to handle appeals, and presented at numerous CLE's on appellate practice. She remains a resource to attorneys across Virginia seeking assistance with their trial and appellate practice.

Ms. Nagel evinces fairness, judgment and commitment to her clients. She is experienced in both trial and appellate court matters, as well as in the interplay of state and federal courts. Ms. Nagel is committed to serving indigent clients and increasing access to courts for those who have traditionally been excluded or faced difficulties in accessing the courts. The committee believes she would bring a needed defense-oriented perspective to the bench providing intellectual diversity to the Court of Appeals.

Fairness and Temperament: During the interview and from the information gathered, Ms. Nagel demonstrated respect for the judicial process and the role of the court. She is committed to providing her clients their opportunity before the courts and advocating their position. She understands how the law can affect individuals on a personal level and has expressed her thoughts on how to increase representation for indigent clients. Ms. Nagel demonstrates and exceeds the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

Professionalism and Integrity: Through the interview and information gathered, Ms. Nagel demonstrates a level of professionalism and integrity that meets and exceeds the requisite professionalism and integrity required for a judge appointed to the Court of Appeals of Virginia. That professionalism extends to her sense of commitment to all litigants, including indigent and minority clients.

Overall Evaluation: The committee finds Ms. Nagel is very well-qualified for the position of judge for the Court of Appeals of Virginia and warrants the committee's rating as **HIGHLY RECOMMENDED**.

THE HONORABLE DANIEL ERIC ORITZ

Experience and Legal Ability: Judge Ortiz earned his law degree from George Washington University in 2002 and was licensed to practice law the same year. He began his legal career in general civil litigation at a 30-lawyer, general practice firm, handling contract disputes, employment issues, business torts, and medical malpractice claims. Judge Ortiz also handled family law matters, including representation of parents in custody matters and support cases, claims relating to the division of marital assets, and contested protective orders hearings. He also represented commercial landlords in a variety of matters, including the drafting of leases and litigation matters. Judge Ortiz is very engaged and active in pro bono matters, serving as chair of his firm's pro bono committee. He also contributed 100 hours of pro bono service yearly, representing clients in matters such as protective orders for victims of domestic violence, adoptions for special needs children, as well as victims of consumer fraud and wrongful foreclosure. Judge Ortiz is the former president and chairman of the Board of Directors for Legal Services of Northern Virginia, serving on the Board for eight years. He also served on the hiring and recruiting committees at his firm, focusing on increasing the representation of women and attorneys of color at the firm. Judge Ortiz was appointed to the bench in 2015 and commenced his term at the Fairfax County Circuit Court on January 1, 2015. Prior to his appointment to the Fairfax County Circuit Court, Judge Ortiz served as a substitute judge in the General District Court and Juvenile Domestic Relations District Court of Fairfax County.

Judge Ortiz presides over both civil and criminal proceedings. He also has experience in a variety of practice areas, and has a history of service to indigent clients and those who have traditionally experienced difficulty accessing the courts. Judge Ortiz is committed to erasing the "justice gap" for those who cannot afford an attorney, including reducing the costs of litigation and re-evaluating how pro se litigants are treated in the judicial process. He has been active as a CLE speaker, speaking on topics such as evidence, professionalism, and injunctions in state and federal court. Judge Ortiz has been active in his community through this pro bono service as well as through participation in youth organizations.

Fairness and Temperament: Throughout the interview and in his application materials, Judge Ortiz expressed both a great concern and commitment to equity in connection with access to the courts, as well as treatment by the courts. He understands the importance of fairness in the judicial system, explaining his concern about the impact on litigation when access to the courts is withheld for some. Judge Ortiz has also been an active advocate for increasing diversity, both at his firm and in the practice of law.

Professionalism and Integrity: Through the interview and information gathered, Judge Ortiz demonstrated a level of professionalism and integrity that exceeds the requisite for a judge on the Virginia Court of Appeals. That professionalism extends to his dedication to indigent clients and to increasing diversity in the practice of law and the judiciary.

Overall Evaluation: The Committee finds Judge Daniel Eric Ortiz is very well-qualified for the position of Judge of the Court of Appeal of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

STUART A. RAPHAEL, ESQUIRE

Experience and Legal Ability: Stuart A. Raphael earned his law degree from the University of Virginia in 1989 and was licensed to practice law the same year. Mr. Raphael began his career in law with Hunton & Williams LLP and focused his practice on appellate litigation, constitutional law, state and local government law, complex litigation, toxic torts, construction litigation, and water rights. He was made partner at the firm in 1997. In 2014, Mr. Raphael was appointed Solicitor General of Virginia. He was in this position until 2017, when he returned to Hunton Andrews Kurth LLP. Mr. Raphael has a great deal of appellate experience arguing cases to the Supreme Court of the United States, to the 4th Circuit, and to the Supreme Court of Virginia. The subject matter of the cases he has undertaken on appeal is as varied as his areas of practice. Most notably, he argued and won *Virginia v. Maryland* (Virginia has the right to use the Potomac River without MD's permission) and *Bostic v. Rainey* (same sex marriage ban violates 14th amendment).

Mr. Raphael is a self-described appellate nerd, who enjoys reading and researching the law, and understanding the history of law. He also has a strong commitment to public service and for this reason, among others, seeks appointment to the Court of Appeals of Virginia. Mr. Raphael has considered judgment, significant experience with the interplay of state and appellate courts, and experience in a wide variety of practice areas. He is described by his peers as having “encyclopedic knowledge of Virginia law and procedure.” Mr. Raphael has received many awards and recognition of his accomplishments, including being a Fellow with the American Academy of Appellate Lawyers, Best Brief in the U. S. Supreme Court for his *amicus* brief in *Obergefell v. Hodges*, Leading Individual in Commercial Litigation, national leader in water rights, and named “Legal Elite” in Richmond Business for Appellate Law.

Mr. Raphael recognizes that access to justice continues to be a significant problem for low income individuals, as well as those with moderate incomes. He also identifies pay disparity for women and minorities and sexual harassment of women in the workplace and at college as ongoing significant legal issues. Mr. Raphael demonstrates a sincere desire to make a difference for the Commonwealth of Virginia and its residents, and also understands his judicial role if appointed to the Court of Appeals of Virginia. He seeks this appointment to continue to make a difference by promoting Virginia’s tradition of justice and respect for the rule of law, while serving his community.

Fairness and Temperament: Through the interview and from the information gathered, Mr. Raphael demonstrates a respect for the judicial process and the role of the court. Mr. Raphael demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

Professionalism and Integrity: Throughout the interview and based upon information gathered, Mr. Raphael demonstrated a level of professionalism and integrity that meets and exceeds the needs for a judge in the Court of Appeals of Virginia. That professionalism extends to his sense of responsibility to all litigants, including those of diverse cultural and economic backgrounds.

Overall Evaluation: The Committee finds Stuart A. Raphael, Esquire, is very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

THE HONORABLE H. JAN ROLTSCH-ANOLL

Experience and Legal Ability: Judge Roltsch-Anoll attended the College of William & Mary on an athletic scholarship and ultimately earned a spot in the W&M Hall of Fame. She earned her law degree from the Marshall-Wythe College of Law in 1984 and was licensed to practice law that same year in the State of Florida. She subsequently was licensed in State of California in 1987, and then in the Commonwealth of Virginia in 1989. While practicing in the Commonwealth, she was admitted to practice law in the District of Columbia in 1999.

Judge Roltsch-Anoll practiced law for 28 years before she was appointed to the bench in Prince William County. She began her career as a litigation associate for a firm in Pensacola, Florida, took a brief departure from the practice of law to be an MBA adjunct professor at Webster University in Tustin, California before returning to civil litigation in Prince William County ("PWC"), Virginia. Her civil litigation practice was diverse in subject matter to support her tremendous intellectual curiosity and included a rich state and federal appellate practice. She has litigation experience in personal injury, medical malpractice, real estate, bankruptcy, domestic relations, trust and estate, corporate, commercial, title, bankruptcy, among other civil areas of the law. Her appellate experience spans the appellate courts of the Commonwealth, the Fourth Circuit and the Supreme Court of the United States.

In 2007, Judge Roltsch-Anoll was appointed to serve as a substitute judge in the 31st Judicial District. She served as a substitute judge in the General District and Juvenile & Domestic Relations District Courts for 7 years prior to her appointment in December 2014 as a judge for the Prince William County Juvenile & Domestic Relations District Court where she is currently Chief Judge. In this capacity, she oversees and adjudicates criminal and family law matters ranging from crimes against children, domestic violence, domestic relations issues such as custody and support, termination of parental rights, protective orders and beyond. Prince William County JDR staff, colleagues and attorneys revere her as one of the best judges to have ever sat the bench.

Judge Roltsch-Anoll demonstrates a strong civic mind, including as an advocate for at-risk youth. Since her appointment to the bench, she has embraced a philosophy of collaboration and information sharing to help keep at-risk juveniles in school during delinquency proceedings. She is currently advocating for a restorative justice program within the PWC schools to thwart the school-to-jail pipeline.

Prior to being appointed to the bench and for 12 years, she was President of the PWC Bar Foundation which financially supports public service programs. For 5 years, she served as a faculty member of the VSB Professionalism Course. She served for 8 years as a member of the 5th District VSB Disciplinary Committee, including service as a Special Prosecutor on behalf of the Virginia State Bar.

Judge Roltsch-Anoll is clearly an insightful, intellectually curious jurist and demonstrates excellent analysis and judgment in conversation. She has the breadth and depth of experience in complex subject matters in state and federal courts, and thus displays her ability to immerse herself in new subjects and quickly comprehend the issues. She presents as a jurist with a great deal of common sense and allegiance to the law, balanced by a humanistic approach. Judge

Roltsch-Anoll does not seek a seat on the Court of Appeals for its status; rather, as a way to use her natural intellectual talents to serve the Commonwealth.

Fairness and Temperament: Throughout the interview and from the information gathered, Judge Roltsch-Anoll consistently displays a sincere, professional, and interested demeanor. She demonstrates a deep respect for the judicial process and the role of the court. While Judge Roltsch-Anoll seeks to ensure each litigant feels heard and understood, she makes her decisions based on the law and evidence before her and refrains from allowing bias to frame her decisions. She is authentic in her approach to her work, neither seeking attention nor praise, instead tending to what is before her to the very best of her ability. Undoubtedly, Judge Roltsch-Anoll demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

Professionalism and Integrity: Throughout the interview and based upon information gathered, Judge Roltsch-Anoll demonstrates a level of professionalism and integrity that meets and exceeds the needs for a judge in the Court of Appeals for Virginia. She is genuinely revered in her courthouse for this reason.

Overall Evaluation: The Committee finds Judge Jan Roltsch-Anoll is very well-qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

ELWOOD EARL “SANDY” SANDERS, JR., ESQUIRE.

Experience and Legal Ability: Elwood Earl “Sandy” Sanders, Jr., earned his law degree from the University of Alabama School of Law in 1983. He worked in a private, solo practice in Woodbridge, Virginia from 1986 to 1996, where his practice consisted of general trial practice with an emphasis on appeals, both criminal and civil. He handled many court-appointed cases in the Prince William County courts. From 1996 to 2000, he served as Director of Capital/Appellate Services, later known as the Appellate Defender at the Public Defender Commission (now the Indigent Defense Commission) of Virginia in Richmond, and was the first person to serve as Appellate Defender. From 2000 to 2007, he was an attorney at the Framme Law Firm in Richmond where he handled pre-paid legal standard benefits for member clients.

Beginning in 2007 and continuing through the present, he has held the role of Appellate Procedure Consultant for Lantagne Legal Printing. In his current position, he works closely with members of the legal community to ensure compliance with all appellate court rules and procedures. He reviews briefs, appendices, and other appellate documents to ensure compliance with the rules of court and has used his dedication, expert knowledge of appellate rules and procedure, and attention to detail to help numerous practitioners from procedurally defaulting on their appellate filings. He is a well-respected and highly valued member of the legal community.

Fairness and Temperament: Through the interview and from the information gathered, Sandy Sanders demonstrates a respect for the judicial process and the role of the court. He believes that the Court of Appeals could benefit from some changes to common terminology, wants to bring a nonpartisan approach to appellate procedure, and believes that in some instances the focus should be more on substance than form. He was the first person in his family to go to law school and remains true to his roots, clearly demonstrating respect for everyone. Elwood Earl “Sandy” Sanders, Jr. demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

Professionalism and Integrity: Through the interview and information gathered, Sandy Sanders indicated a level of professionalism and integrity sufficient for the Court of Appeals of Virginia. His professionalism and integrity are well-known in the legal community.

Overall Evaluation: The Committee finds Elwood Earl “Sandy” Sanders, Jr. to be qualified for the position on the Court of Appeals of Virginia and warrants the Committee’s rating as **QUALIFIED**.

THE HONORABLE JOSIAH T. SHOWALTER, Jr.

Experience and Legal Ability: Judge Showalter earned a Bachelor of Arts in History from Virginia Tech in 1984, and a Juris Doctor from Stetson University College of Law in 1987. He was admitted to the Virginia State Bar and Federal Courts in 1989; he was previously admitted to the State Bar of Florida, but has let that license expire.

Judge Showalter's first job as a Virginia attorney was in private practice in New River Valley from 1989-1999, where he handled a variety of criminal defense, civil litigation, and real estate matters. He was a Special Justice for the 27th Judicial Circuit as well.

In 2000, Judge Showalter was elected Commonwealth's Attorney for Montgomery County, where he served in that role until April 2006. He was then appointed to the 27th Judicial Circuit Court and served as Chief Judge from July 2006-June 2008. As a circuit court judge, he has presided over a variety of matters, heard as bench and jury trials, including, but not limited to medical malpractice, felony-murder, capital murder, real estate, domestic relations, and district court appeals.

Additionally, Judge Showalter has been an adjunct professor at Virginia Tech since 2012, and was the Fall Commencement speaker in 2018, which he notes as a highlight of his career. He currently teaches Business Law and Ethics.

Judge Showalter has been a judge's panel presenter at numerous conferences over the years, including, but not limited to the Virginia Association of Defense Attorneys, Eminent Domain Legal Conference, Capital Murder Conference, as well as at Criminal and Family Law CLEs. He is a former member of the Advisory Committee on the Rules of Court, appointed by Chief Justice Kinser; former member and Vice-President of the Montgomery - Radford Bar Association; and a current judicial member of the Virginia Women Attorneys Association and the Virginia Bar Association. He has attended the Judicial Conference each of the last three years.

Judge Showalter's community involvement includes his membership on the Board of Directors of several organizations, to include VICC (2012-2013), the Frank Page Scholarship Committee (2011-present), the Legal Aid Society of New River Valley (1995-2005), the Christiansburg Institute (2003-2006), New River Valley ASAP (2000-2006), and Montgomery County Cancer Society (1990-1995). Additionally, Judge Showalter has been the Commencement speaker for Blacksburg High School graduation (2002), as well as the keynote speaker for the Virginia Legal Secretaries Convention (2010), and guest speaker at the Honors College of Virginia Tech (2016).

Judge Showalter is also affiliated with St. Mary's Catholic Church, Blacksburg Country Club, and Blacksburg Travel Club. None of these organizations restrict membership on the basis of age, race, or gender.

Fairness and Temperament: Throughout his submission and interview and with additional information gathered during the screening process, Judge Showalter consistently

displays his passion for the law and dedication to public service. He is known for treating everyone – litigants, staff, colleagues, friends, etc. – with the utmost respect, dignity, and fairness. His knowledge of the law and desire to continuously expand that knowledge helped establish his reputation as the judge other judges go to for insight, yet he remains humble and authentic in his approach to his judicial role. Judge Showalter demonstrated that he possesses and exceeds the requisite fairness and temperament for the Virginia Court of Appeals.

Professionalism and Integrity: Judge Showalter is held in exceptionally high esteem in his courthouse and in the community. The Committee finds that he possesses and exceeds the requisite professionalism and integrity for the Virginia Court of Appeals.

Overall Evaluation: The Committee finds that Judge Josiah T. Showalter, Jr., is very well-qualified for the Virginia Court of Appeals and warrants the Committee's rating of **HIGHLY RECOMMENDED**.

JAMAR K. WALKER, ESQUIRE

Experience and Legal Ability: Jamar Walker earned his law degree from the University of Virginia in 2011 and was licensed to practice law in Virginia the same year. While at the University of Virginia, Mr. Walker received the Thurgood Marshall Mock Trial Competition award for Best Oral Advocate as well as the Bracewell & Giuliani Outstanding First-Year Oral Argument Award, among other awards. As an undergraduate student, Mr. Walker received a 21 Society Honor and a Longevity of Excellence Award.

Mr. Walker clerked for the Honorable Raymond A. Jackson on the U.S. District Court for the Eastern District of Virginia for one year after graduating from law school. He then worked as an Associate at Covington & Burling LLP in Washington, D.C. until 2015. In 2015, Mr. Walker became an Assistant United States Attorney in the United States Attorney's Office for the Eastern District of Virginia, where he currently prosecutes financial and public corruption crimes. His work thus far includes several jury trials and being involved in the drafting of several briefs for the United States Court of Appeals for the Fourth Circuit.

Mr. Walker left long-lasting impressions with Judge Jackson, his professors, and other authority figures in his life. His thoughtfulness, excellent temperament, and intellect were frequently noted and admired by both his mentors and his peers.

Fairness and Temperament: Throughout the interview and from the information gathered, Jamar Walker demonstrates a respect for the judicial process and the role of the court as well as a passion for justice and equity. Within his experiences so far, Mr. Walker has demonstrated the requisite fairness and temperament to be a judge on the Court of Appeals of Virginia.

Professionalism and Integrity: Throughout the interview process and based on information gathered, Mr. Walker exhibits the professionalism and integrity sufficient to be a Judge for the Court of Appeals of Virginia.

Overall Evaluation: The Committee finds Mr. Walker to be impressive and anticipates his continued success, but finds that due to a lack of experience before the Virginia Court of Appeals or in any of the lower Virginia Courts, at this time, he warrants the Committee's rating of **NOT QUALIFIED**.

THE HONORABLE VICTORIA A. B. WILLIS

Experience and Legal Ability: Judge Willis earned her law degree from T.C. Williams School of Law in 1986 and was licensed to practice law the same year. She began her legal career as a clerk for the Chief Justice of the Supreme Court of Virginia, Harry L. Carrico, from 1986 to 1988.

After her clerkship with Chief Justice Carrico, Judge Willis worked in private practice in Fredericksburg and Richmond where she gained experience handling civil litigation, corporate matters (transactional and governance), criminal litigation, state and federal compliance matters, employment cases, healthcare cases and finance matters. Later, she worked in-house for a health system, rising to General Counsel and Vice President before returning to private practice in 2001. She has handled temporary detention orders as special counsel at Spotsylvania Regional Medical Center. She was appointed as a judge for the Fifteenth Judicial Circuit on December 1, 2014, where she currently sits. Judge Willis has served as faculty for the Harry L. Carrico Professionalism Course, at the University of Mary Washington and at the University of Auburn. She also conducts judicial training for new judges on how to preside over jury trials. Judge Willis has contributed to multiple publications and while on the bench, has written numerous opinions. Since her appointment to the bench, she has embraced a leadership role, while also maintaining her previous workload.

Judge Willis has considered judgment, experience with the interplay of state and appellate courts, and experience in a wide variety of practice areas that would be beneficial to her and the Court if she is appointed to the Court of Appeals of Virginia. She would bring to the Court of Appeals of Virginia not only diversity based on gender, but also diversity of perspective. Judge Willis presides over both civil and criminal dockets and is the only judge in her circuit that handles the probate docket. She seeks to ensure each litigant, win or lose, leaves the courthouse feeling heard. Judge Willis is very active in her community. Prior to being appointed to the bench, she donated her time and legal services to assist with establishing the Children's Community Theater and assisted in setting up Lloyd Moss Free Clinic to provide health services to the working uninsured. She has also provided her time and legal expertise to members of the community in need of guidance regarding elder law issues.

Fairness and Temperament: Through the interview and from the information gathered, Judge Willis demonstrates a respect for the judicial process and the role of the court. She values the jury system and embraces her role in helping litigants before her to appreciate and understand the process. While she makes her decisions based on the law and evidence before her, Judge Willis seeks to ensure each litigant knows that she heard and understood their argument/position. Judge Willis expressed her observations about how the justice system can provide those of diverse backgrounds with the same opportunities and responsibilities under the law. Judge Willis demonstrates the requisite fairness and temperament for a judge of the Court of Appeals of Virginia.

Professionalism and Integrity: Through the interview and information gathered, Judge Willis indicated a level of professionalism and integrity sufficient for the Court of Appeals of Virginia. That professionalism extends to her sense of responsibility to all litigants, including those of diverse cultural backgrounds.

Overall Evaluation: The Committee finds Judge Victoria A. B. Willis is very well-qualified for the position on the Court of Appeals of Virginia and warrants the Committee's rating as **HIGHLY RECOMMENDED**.

CATHERINE FRENCH ZAGURSKIE, ESQUIRE.

Experience and Legal Ability: Ms. Zagurskie attended Smith College, graduating magna cum laude in 2002. She later earned her law degree, summa cum laude, from Case Western University in 2006, as well as an M.S. in Social Administration with a concentration in Mental Health. That same year, Ms. Zagurskie was licensed to practice law in the Commonwealth of Virginia. She is admitted to practice in all courts of the Commonwealth as well as the Supreme Court of the United States.

Ms. Zagurskie began her legal career in 2006 with the Office of the Capital Defender in Richmond where she litigated capital offenses and used her social work background to craft mitigation arguments. She transitioned to the Office of the Public Defender for Richmond City in 2007 where she served as an assistant public defender and trial attorney before ultimately focusing her practice on appellate work. As a supervising assistant public defender, Ms. Zagurskie maintained a full appellate caseload, supervised attorney appeals, and advised trial attorneys on legal updates, record preservation, and case-specific matters.

In 2012, she was recruited by the Virginia Indigent Defense Commission. Ms. Zagurskie currently serves as VIDC's Chief Appellate Counsel. In addition to managing her own appellate caseload, she oversees 25 appellate supervisors and serves as the Commonwealth's resident appellate expert as the first line of support to 300 public defenders and 1,500 certified court-appointed counsel. She is also an executive member of the VIDC Legislative Team and advocates for mental health and substance abuse reforms.

In addition to Ms. Zagurskie's appellate practice, she shares her wealth of knowledge through teaching. She has presented at over 30 CLEs to educate the Virginia Bar on criminal and appellate issues. In 2016, she was enlisted by the University of Richmond School of Law to consult on their criminal law curriculum, leading to the development and launch of the Criminal Law and Psychiatry course. She is currently an Adjunct Professor and serves as the sole instructor of the course. Ms. Zagurskie also has served as a Social Work Field Instructor where she supervises master's level social work students for the Virginia Commonwealth University and University of Louisville.

Ms. Zagurskie is well recognized throughout the Commonwealth for her knowledge and has been appointed to several advisory committees. In 2013, Ms. Zagurskie was invited by now Justice Stephen McCullough to serve on the Boyd Graves Evidence Committee. In 2015, she teamed with Chief Judge Marla Graff Decker to develop and lead appellate training programs which continue today. She has been twice solicited by the Governor, first for the Governor's Center for Behavioral Health and Justice Advisory Group, then as a member of the Governor's Advisory Commission on Opioids and Addiction. She also serves on the Supreme Court of Virginia's Behavioral Health Docket Advisory Committee.

Ms. Zagurskie is a superb appellate writer with a reputation for incredible judgment. Her acumen and measured demeanor is notable among her peers and the appellate courts. Her arguments before the Supreme Court of Virginia have resulted in Rule changes leading jurists to consult with her when changes are proposed. She further demonstrates a unique depth of

knowledge about the appellate process and therefore insight as to improvements that could be made in the appellate courts.

Fairness and Temperament: Throughout the interview and from the information gathered, Ms. Zagurskie consistently displays a thoughtful, professional, and respectful demeanor. She understands the difficulties trial lawyers face with issue preservation and creating a record and the Committee believes she would be more than fair to appellants in this regard. Overall, the Committee believes she demonstrates the requisite fairness and temperament necessary to be a judge for the Court of Appeals of Virginia.

Professionalism and Integrity: Ms. Zagurskie is highly respected among her superiors and peers for her ethical practices and appellate leadership. Throughout the interview and based upon information gathered, Ms. Zagurskie demonstrates a level of professionalism and integrity that meets and exceeds the needs for a judge in the Court of Appeals for Virginia.

Overall Evaluation: The Committee believes that Ms. Zagurskie would bring balance to the Court of Appeals by providing significant criminal defense experience and perspective that is not represented in the current composition of jurists. The Committee further believes that with additional experience outside of criminal law, Ms. Zagurskie would be an exceptional addition to the appellate courts. Accordingly, the Committee finds that she is qualified for the position of a Court of Appeals Judge for the Commonwealth of Virginia and warrants the Committee's rating as **RECOMMENDED**.