

**EXECUTIVE SUMMARY**  
**NOVEMBER 2023 FAIRFAX GENERAL DISTRICT COURT JUDICIAL SCREENING**

**PATRICK O'BRIEN**

Patrick O'Brien graduated from Washington and Lee University School of Law in 2010 and has been practicing primarily in the criminal law field ever since. Initially, he worked as an Assistant Commonwealth's Attorney in Lynchburg, Virginia before moving to the City of Alexandria's Commonwealth's Attorney's Office in 2015. While working at the Office of the Commonwealth's Attorney, he handled serious cases to include homicides and multiple jury trials. In 2015, Mr. O'Brien transitioned to private practice where he concentrates on criminal defense and some limited civil matters.

**EXPERIENCE AND LEGAL ABILITY**

Mr. O'Brien's experience on civil matters has been more general and limited to mainly protective order cases and expungement filings. He recognized this issue before the Committee, openly stating that a battery of CLEs would probably not be as effective as actively hearing cases. For this reason, he would benefit from serving as a substitute judge, especially on civil matters. Mr. O'Brien's knowledge of criminal law and procedure is deep and varied, and he has shared that knowledge through his preparation and presentation of CLEs. His knowledge of civil procedure is untested. Mr. O'Brien's commitment to serving the community is important to him and is a driving force behind his desire to serve Fairfax County in a judicial capacity.

**FAIRNESS AND TEMPERAMENT**

Mr. O'Brien presented himself with confidence and a genial demeanor. His discussion with the Committee regarding potential improvements to the General District Court's processes and procedures suggested that his experience in smaller jurisdictions might not translate in a larger jurisdiction. The Committee appreciated his compassion regarding the plight of *pro se* litigants faced with unlawful detainer actions and appropriately demonstrated respect for the difficulties judges face in deciding those cases. He explained that his approach to communicating with *pro se* litigants would be a patient endeavor supported by a desire to ensure they understood his decisions and reasoning. However, he appeared to lack a thorough knowledge of the General District Court's mental health docket.

**PROFESSIONALISM AND INTEGRITY**

Mr. O'Brien's level of professionalism and integrity is unquestionable. He made note of the differences between the two Commonwealth's Attorneys offices he worked in regarding their caseloads and organizing structure. That background and those keen observations are likely to lead to a helpful and insightful approach and he can be expected to be an active participant in discussions regarding future changes to General District Court procedures when contemplated by the bench and the bar.

## **OVERALL EVALUATION**

Overall, Mr. O'Brien is a competent, congenial, professional and insightful candidate for the position of General District Court Judge. While he is most certainly qualified for this role, he would greatly benefit from actual participation in judicial activity through a substitute judge appointment or greater exposure to civil legal issues that are common in the General District Court.

**COMMITTEE RECOMMENDATION: QUALIFIED**