

District of Columbia
Court of Appeals

ORDER
(FILED—August 04, 2022)



By Order of the Chief Judge, the District of Columbia Court of Appeals is updating its operations as it continues to address concerns regarding the Coronavirus (COVID-19). Throughout the COVID-19 pandemic, the Court of Appeals continued regular operations, holding oral arguments by video conference since May 2020, and ensuring continued access to justice during the pandemic. This order updates the court's order issued April 28, 2022, and addresses court operations through **January 31, 2023** (<https://www.dccourts.gov/court-of-appeals/orders>). The court will make additional adjustments as circumstances warrant.¹

ORAL ARGUMENTS: In September, the Court of Appeals plans to resume and default to in-person oral arguments. However, oral arguments may be in-person, hybrid (some participants in-person, some remote), or fully remote. Unless otherwise prohibited, regardless of location, all oral arguments will continue to be livestreamed on the [DC Court of Appeals YouTube channel](#) to provide public access. A link to the upcoming livestreamed oral argument is also on the court's website (<https://www.dccourts.gov/court-of-appeals/oral-arguments>).

- **In-person:** If you are scheduled to appear in person, but there is an emergency (including family emergency or COVID-19 exposure, quarantine, or positive test), please immediately contact the Public Office at (202) 879-2700. If the circumstances permit, the court will try to allow you to appear remotely (please see below for details).

¹ Previous orders addressing court operations were issued on March 16, 2020, March 23, 2020, May 21, 2020, June 29, 2020, August 27, 2020, November 23, 2020, January 25, 2021, March 22, 2021, June 25, 2021, August 31, 2021, December 23, 2021, and April 28, 2022.

- **Hybrid:** In conjunction with returning to in-person oral arguments, this court will initiate a six-month pilot project where one or more participants in an argument may request to appear remotely using the Zoom Government platform, while the remainder of the participants appear in person. (A hybrid argument may also involve one or more judges appearing remotely.)
 - A hybrid oral argument information sheet is available online at [https://www.dccourts.gov/sites/default/files/COA-efiling-cases-online-PDFs/Hybrid Oral Argument Information Sheet.pdf](https://www.dccourts.gov/sites/default/files/COA-efiling-cases-online-PDFs/Hybrid%20Oral%20Argument%20Information%20Sheet.pdf).
 - To request to be excused from appearing in person and to convert an argument to a hybrid proceeding, a party shall file a motion asking to appear remotely no later than 14 days before their scheduled oral argument. Persons who eFile should file their motions through the eFiling system. Parties without lawyers may email motions to efilehelp@dcapeals.gov, or submit the motion by mail or in person (please see below for details).
 - If a motion is granted to appear remotely, the court will likely hear that case as the first argument of the day. The court posts notice of any change in the order of cases at <https://www.dccourts.gov/court-of-appeals/court-of-appeals-calendar>.
- **Remote:** The court may elect to hold proceedings entirely remotely as circumstances require, for example, in case of inclement weather or new public health considerations. Court staff will contact parties with Zoom links and further information. Remote access sites remain open and are an option for litigants with permission to attend an oral argument remotely (please see below for details).

All parties must verify their contact information, cell phone and email address, in the eFiling system; those who do not use the eFiling system, must email efilehelp@dcapeals.gov or call the Public Office at (202) 879-2700.

COURTHOUSE HEALTH AND SAFETY PROCEDURES: As in-person

operations expand, we understand you may have health and safety concerns. Masks and temperature checks are required in the court buildings, as are plexiglass barriers at public counters (<https://www.dccourts.gov/stepstokeepyousafe>).

No person may enter the Historic Courthouse who is isolating or quarantining because the person has been either exposed to COVID-19 or diagnosed with COVID-19. Individuals who feel unwell but are unsure if they have contracted COVID-19 should not seek to enter the Historic Courthouse and may be turned away as a result of the screening measures referenced below.

Consistent with the January 21, 2022, order issued by the Joint Committee on Judicial Administration, regardless of vaccine status, all persons authorized to enter the Historic Courthouse must--

- take a **temperature check** and
- wear a **face covering** or mask that covers the person's mouth and nose at all times, with the exception of young children, persons who have trouble breathing when wearing a face covering or mask, persons who are unable to remove the face covering without assistance, or persons who require a religious or other accommodation. If the person does not have a face covering or mask, a mask will be provided for them.

Persons entering the Historic Courthouse should consider completing the COVID-19 self-screening questions posted on signs at the building entrance (also available at <https://www.dccourts.gov/form/health-screening-public#no-back>).

The D.C. Courts' cleaning and safety procedures are available at <https://www.dccourts.gov/stepstokeepyousafe>.

COURT ACCESS: The public may enter the courthouse to conduct business with the Public Office or to attend a proceeding. The Court of Appeals continues to support the public's access to court personnel and court documents as follows:

- **PUBLIC OFFICE:** The Public Office in the Historic Courthouse is open Monday to Friday, 8:30 a.m. to 5:00 p.m. to accept filings, provide access to court records, and assist the public.

- **REMOTE ACCESS SITES:** The D.C. Courts continue to offer sites across the District of Columbia for those without computers or Internet access at home to use for their remote oral argument appearances or appellate mediation. Those interested in scheduling a time to use a remote location should call (202) 879-1900 or email DCCourtsRemoteSites@dcsc.gov at least 24 hours before their scheduled proceeding to reserve a computer station. When parties call or email, they can indicate if they need an interpreter or other assistance. Additional information is available on the D.C. Courts' website. (<https://www.dccourts.gov/sites/default/files/Remote-Hearing-Sites-Tip-Sheet-3.pdf>).
- **EMERGENCY FILINGS:** Emergency Filings intended for the Court of Appeals may be submitted by email to: emergencyfilings@dcappeals.gov and efilehelp@dcappeals.gov or hand delivered by self-represented parties. Please continue to follow the procedures outlined in this court's rules, which are available on the court's website (<https://www.dccourts.gov/court-of-appeals/dccarules>). In addition, attach to such filing the relevant order and indicate whether any deadline (statutory or otherwise) applies. Please include the appeal number, Superior Court case number, and the names and contact information (i.e., cell phone, home or business number, email address, etc.) for all counsel and parties. For filings intended for other courts, such as the D.C. Superior Court, please see <https://dccourts.gov/coronavirus>, or the US District Court, please see <https://www.dcd.uscourts.gov>.
- **ELECTRONIC AND IN-PERSON FILING:** The court continues to receive and consider all eFiled documents and documents emailed or hand-delivered by self-represented parties (parties who do not have counsel) who do not have an electronic filing ("eFiling") account (see details below). Although the public counter is open, **eFiling is strongly encouraged**. The court has suspended the requirement for filing paper copies of electronically filed documents. See Electronic Filing and Service ("ESF") Procedure 8. See *also* DCCA Administrative Order 1-18 (<https://www.dccourts.gov/sites/default/files/2018-01/AdministrativeOrder1-18.pdf>).
- **SELF-REPRESENTED PARTIES:** Self-Represented parties (parties who do not have counsel) who are not currently registered for eFiling

may continue to email their filings to efilehelp@dcapeals.gov. If unable to email, they may mail their filings or hand-deliver them, during business hours, to the Public Office or, after business hours, to the security desk at the entrance of the courthouse at 430 E Street, NW (which is staffed twenty-four hours a day).

- **FILINGS TO OPEN NEW CASES** (other than Notices of Appeal): Parties filing case-initiating pleadings in this court (i.e., petitions for review of administrative agency decisions, writs of mandamus and prohibition, other extraordinary writs, and applications for allowance of appeal) may email their filings to efilehelp@dcapeals.gov, mail their filings, or hand-deliver them to the Public Office or the security desk as described above. Parties who mail or hand-deliver case-initiating pleadings must include the filing fee or a Motion for Waiver of Prepayment of Court Fees and Costs. Parties who email a case-initiating pleading must include a Motion for Waiver of Prepayment of Court Fees and Costs or promptly submit the filing fee.
- **NO PAPER COPIES:** For any filings that are mailed or hand-delivered, the court has, pursuant to the May 21, 2020, order, temporarily suspended the requirement that a party provide any additional paper copies that may be required under the applicable court rules.
- **NOTICE OF JUDGMENT:** The May 21, 2020, order suspended the requirement that the Clerk must mail to all counsel and unrepresented parties a copy of the opinion — or the judgment, if no opinion was written — and a notice of the date when the opinion or judgment was entered. The Clerk may continue to email all counsel and unrepresented parties a copy of the opinion or judgment and notice. If no email is available, the Clerk shall comply with D.C. App. R. 36(b).
- **APPELLATE MEDIATION:** Appellate mediations may be held in person or via telephonic conference or remote video conference at the discretion of the mediation program coordinator. Appellate Mediation Program staff will notify eligible parties about the protocol and procedures to conduct appellate mediations.
- **BAR ADMISSIONS, APPLICATIONS FOR ADMISSION PRO HAC VICE, AND OTHER ADMISSIONS-RELATED INQUIRIES:** The

Committee on Admissions is open to the public. **For updates on District of Columbia Bar admissions matters, applicants should check the Committee on Admissions website (<https://admissions.dcappeals.gov/home>).**

Persons wishing to make *pro hac vice* applications or to apply for special legal consultant status must apply and submit payment online: <https://admissions.dcappeals.gov/information-and-applications>.

Committee on Admissions meetings and hearings will proceed, as practicable, via video conference.

Most questions concerning admissions are addressed in the FAQs: <https://admissions.dcappeals.gov/faq>.

The Committee on Admissions may be reached at the following email addresses:

- For questions regarding wall plaques: nlane@dcappeals.gov.
- For questions regarding the unauthorized practice of law: cupl@dcappeals.gov.
- For questions regarding admission *pro hac vice*: rhunter@dcappeals.gov.
- For questions regarding Rule 46 admission requirements and Rule 49 extension requests: sshanks@dcappeals.gov.
- For all other questions, use the “create message” button on the homepage of your application account, or if you do not have an account, use the contact email with the alphabetical range that contains your last name:

A to Ch - kallen@dcappeals.gov

Ci to Gr - nlane@dcappeals.gov

Gs to Kr - sparrish@dcappeals.gov

Ks to Ni - iwelch@dcapeals.gov

Nj to Sh - ddade@dcapeals.gov

Si to Z - rhunter@dcapeals.gov