

SUPPLEMENT TO GENERAL ORDER

Judge Michael L. Rankin

Civil II, Calendar 2

Effective October 2016

I. SCOPE AND PURPOSE

This supplement serves as a complete expression of the Hon. Michael L. Rankin's policies. All parties with matters before the Hon. Michael L. Rankin are responsible for its content. Any issue not addressed herein is governed by the applicable rules of procedure and the General Order. Accordingly, direct contact with chambers is permitted only in limited circumstances, as described below.

II. CONTACT INFORMATION

Judge:	Michael L. Rankin
Chambers:	6440 - Moultrie Courthouse
E-Mail Address:	JudgeRankinEserve@dcsc.gov
Judicial Admin. Assistant:	Jayne I. Withers
Law Clerk:	Kathryn Ardizzone; Kathryn.Ardizzone@dcsc.gov
Courtroom Clerk:	Natalie Guerra, (202) 879-4862
Courtroom:	Courtroom 517 - Moultrie Courthouse
Courtroom Telephone:	(202) 879-4637

III. WEEKLY SCHEDULE

Unless otherwise directed, matters on Calendar 2 are scheduled as follows:

Pretrial/Settlement Conferences: Tuesday – Thursday, 9:30 a.m. or 4:00 p.m., or by appointment.

Trials: Monday – Thursday, 9:30 a.m. – 4:00 p.m.

Scheduling Conferences, Status Hearings, Oral Examinations, Ex Parte Proof Hearings: Fridays, 9:45 a.m. – 11:00 a.m.

IV. COMPLIANCE WITH LOCAL RULES

All parties must comply with D.C. Superior Court Rules. A copy of the rules is available at:

<http://www.dccourts.gov/civilrules>. Self-represented parties can find helpful information in the “Handbook for People Who Represent Themselves in Civil Cases” located at:

<http://www.dccourts.gov/internet/documents/Handbook-for-Self-Represented-Parties.pdf>. In addition, the **Civil Actions Clerk's Office, (202) 879-1133**, can answer basic questions about court procedures.

V. SCHEDULING ORDERS

A. Praecipis Requesting a Scheduling Order

Parties may avoid attending the initial scheduling conference by filing a Civil Action Form 113 “Praeceptum Requesting a Scheduling Order.” The Praeceptum must be submitted at least 2 days prior to the initial scheduling conference and request a track or modified version thereof.

B. Extensions/Amendments to the Scheduling Order

- The scheduling order may not be modified without court approval.
- Parties seeking to extend a deadline must request the extension as a calendar date rather than length of time (e.g., extension “until Jan. 1, 2018” vs. extension of “30 days”) and submit a proposed revised scheduling order to JudgeRankinEserve@dcsc.gov in text-editable format.

- Absent a documented emergency, requests for extensions must be filed within a reasonable amount of time.

VI. ALTERNATIVE DISPUTE RESOLUTION (“ADR”)

Parties may reschedule mediation once without leave of court by calling Multi-Door Dispute Resolution at (202) 879-1549. Thereafter, they must file a motion to continue at least 2 weeks before the ADR. With the exception of Landlord-Tenant Matters, ADR takes place Tuesday – Thursday, 9:00 a.m. – 11:00 a.m. or 11:00 a.m. – 1:00 p.m. A motion to continue mediation must offer 3 dates and times consistent with that schedule. A person with settlement authority must participate in mediation for every party. If the party with such authority lives outside of the DMV, they may file a motion to participate telephonically not less than 1 week prior to the mediation.

VII. MOTIONS, OTHER FILINGS, AND COURT RECORDS

A. Requests to Chambers Must be Submitted by Written Motion

Every request directed to Judge Rankin **must** be communicated through a written motion. Super. Ct. Civ. Rs. 7(b)(1), 12-I(d). For that reason, parties may not make requests by calling Chambers.

B. Contact Information

- In accordance with Super. Ct. Civ. R. 10-I(b), attorneys shall include an email address in all filings, along with a mailing address and phone number.
- *Pro se* litigants must also include their e-mail address in all filings. Unless a *pro se* litigant specifies otherwise, notice to *pro se* parties may be sent by email.

C. Proposed Orders

- For every motion filed, a party must submit to JudgeRankinEserve@dcsc.gov a text-editable version of a proposed order granting or denying the relief sought. The order must copy all parties with their full address.
- The court may summarily deny a motion not accompanied by a proposed order.

D. Courtesy Copies

- Parties must submit a courtesy copy of all filings in excess of 10 pages, printed on three-hole punched paper and secured with a binder clip or staple. Binders are required if a filing exceeds 100 pages.
- For filings with multiple sections or exhibits, binders with tabs are required.

E. Consent Motions

- The court strictly enforces Rule 12-I(a). A motion that does not comply with Rule 12-I(a) or any other local rule of procedure may be summarily denied.
- Parties who use email to satisfy Rule 12-I(a) but do not obtain consent must state the date and time of each email.

F. Replies and Sur-Replies

- Replies may be filed without leave of court. As such, parties who intend to file a reply **may not** file a motion requesting leave to do so.
- Motions are “ripe” when an opposition is filed or the 10 day period for filing an opposition has expired. The court will exercise discretion in determining whether to consider a reply before ruling.
- Sur-replies may not be filed without leave of court.

G. Oral Argument

Parties may request oral argument when filing a motion, opposition, or reply. The Court will use discretion to decide whether to entertain argument.

H. Emergency Motions

- The court strongly discourages parties from misusing the term “emergency” in the title of motions.
- An emergency is a situation that would satisfy the requirements of a motion for a temporary restraining order or preliminary injunction. In addition, emergencies include documented personal issues that affect the health of a party or counsel.

VIII. DISCOVERY DISPUTES

Any motion to compel that does not fully comply with Super. Ct. Civ. Rs. 37(a) and 26(f) will be summarily denied.

X. PRETRIAL/SETTLEMENT CONFERENCE

A. Settlement Authority

- A representative of each party with *full* settlement authority must be present at the pretrial/settlement conference.
- Non-party principals from outside of the DMV may participate by phone *ONLY* if they request leave of court to do so at least 2 weeks prior to the pretrial/settlement conference.

B. Joint Pretrial Statement

- At least 7 calendar days before the pretrial conference, parties must file a joint pretrial statement. Otherwise, the pretrial conference may be rescheduled *sua sponte*.
- Parties unable to timely complete a joint pretrial statement should seek leave to continue the pretrial conference no later than 7 business days prior thereto or file a separate pretrial statement.

C. Jury Instructions and Judicial Notice of Regulations or Statutes

Parties must submit jury instructions and any regulation or statute for which they seek judicial notice in text-editable format to JudgeRankinEserve@dcsc.gov before the pretrial conference.

D. Motions in Limine

- The court will rule on any motions *in limine*, objections to exhibits, and any other issues related to the trial and are ready for discussion at the pretrial conference.
- Motions *in limine* must be filed at least 3 weeks before the pretrial conference.
- Oppositions must be filed no later than 1 week prior to the pretrial conference.

XI. TRIALS AND OTHER PROCEEDINGS

A. Trial Status Update

On the Wednesday before a Monday trial date (or 3 business days before the beginning of a trial set for any other day of the week), the parties shall email JudgeRankinEserve@dcsc.gov with the subject: “Trial Update in Case No. _____” stating the status of any settlement discussions and any other updates.

B. Exhibit Index

On the first day of trial, each party must provide the courtroom clerk a completed exhibits summary form. Parties may obtain this form at <http://www.dccourts.gov/internet/documents/dcsc15r1-06.pdf>.

C. Courtroom Technology

- Parties may use laptops and other non-disruptive electronic devices in court. However, cell phones must be silenced and parties may not use an electronic device to record proceedings. *See* Super. Ct. Civ. R. 201(h).
- To bring any audio or video equipment into the court, a party must submit a Request for Authorization Letter as explained in the General Order.
- Parties that wish to borrow technological equipment must contact the Courtroom Technology Branch (“CTB”) at CourtroomTechnology@dcsc.gov, (202) 879-8757.

D. Court Reporting

Court cases are transcribed when ordered by a party. Attorneys and *pro se* parties seeking transcripts of a hearing or trial must contact the Courtroom Reporting and Recording Division (“CRRD”).

E. Courtroom Decorum

- Parties may not bring food or drink (except water) into the courtroom.
- Parties and their counsel must stand at the proper table (Plaintiff closest to the jury).
- Counsel and *pro se* parties must introduce themselves at the outset of every proceeding.
- Parties must stand when addressing the court. When a party or counsel is being heard, the opposing party or counsel must remain seated.

F. Friday Calendars

- The “Friday Calendar” lists 10 to 25 matters the court hears on Friday mornings.
- Parties checking in for a case while court is in session should not approach the bench or the clerk’s station. Instead, the party may use a cellular phone or the telephone in the witness room outside the courtroom to call the courtroom clerk and state the matter for which they are appearing, and whether they are present on behalf of the plaintiff or the defendant.

XII. CONTACT WITH CHAMBERS

A. Prohibited Contact with Chambers

- Parties seeking information on the status of a motion **must** consult the online docket. The docket may be viewed at <http://www.dccourts.gov/internet/COO.jsf>.
- Parties **may not** call Chambers to state that a motion has been filed. The Court maintains a system for tracking motions. However, it may take as long as three days for a motion to appear on the docket after it has been filed.
- Notice to the court must be transmitted through written praecipe filed on the docket.
- Problems with E-filing should be addressed to CaseFileXpress, (877) 433-4533.

B. Limited Contact with Chambers Permitted for Notice of Settlements

- If a settlement is reached and a next court date will occur within 5 days, counsel should notify Chambers as soon as possible.
- A matter cannot be closed until the parties have submitted a praecipe of dismissal in accordance with Super. Ct. Civ. R. 41.
- If the parties have settled a matter but cannot finalize their agreement before the next court date, they should still contact Chambers ASAP. Chambers will **cancel** the next event and set a status hearing 30 days later as a **“control date”** to ensure that the settlement praecipe is finalized. Once the praecipe is filed, the matter will be closed and **hearing cancelled**.