

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ORDER 21-15

(Declaration Extending Rules Emergency Under Super. Ct. Crim. R. 62)

WHEREAS, on May 26, 2021, in Administrative Order 21-06, the Chief Judge declared a rules emergency under Superior Court Rule of Criminal Procedure 62 as a result of the coronavirus disease 2019 (COVID-19) pandemic; and

WHEREAS, on August 23, 2021, in Administrative Order 21-09, the Chief Judge extended the declaration of the rules emergency under Superior Court Rule of Criminal Procedure 62; and

WHEREAS, Superior Court Rule of Criminal Procedure 62 authorizes the Chief Judge to extend a rules emergency and to issue additional declarations if emergency conditions persist and if the Chief Judge finds that extraordinary circumstances relating to public health and safety substantially impair the court's ability to perform functions in compliance with the specified rules and that no feasible alternative measures would eliminate the impairment within a reasonable time; and

WHEREAS, the Chief Judge finds that the COVID-19 pandemic continues to present extraordinary circumstances relating to public health and safety that substantially impair the court's ability to perform functions in compliance with Superior Court Rules of Criminal Procedure 4, 5, 9, 10, 24, 43, and 53, and that no feasible alternative measures will eliminate the impairment within a reasonable time; and

WHEREAS, pursuant to Superior Court Rule of Criminal Procedure 62(d)(2)(A), the Chief Judge further finds that emergency conditions substantially impair the court's ability to hold in-person proceedings within a reasonable time; and

WHEREAS, pursuant to Superior Court Rule of Criminal Procedure 62(d)(3)(A), the Chief Judge further finds that emergency conditions substantially impair the court's ability to hold felony pleas and sentencings in person; and

WHEREAS, the Joint Committee consents to the Chief Judge extending this rules emergency for 90 days;

NOW, THEREFORE, it is hereby,

ORDERED, that the rules emergency declared on May 26, 2021, and extended on August 23, 2021, shall be extended; and it is further

ORDERED, that Superior Court Rule of Criminal 62(c)(1), (c)(2), (c)(3), (c)(4), (d)(1), (d)(2), (d)(3), and (d)(4) shall be effective during this rules emergency; and it is further

ORDERED, that this declaration shall terminate at 11:59 p.m. on February 17, 2022, unless terminated early pursuant to Superior Court Rules of Criminal Procedure 62(b)(2).

SO ORDERED.



November 19, 2021

Anita M. Josey-Herring
Chief Judge

Copies to:

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