

## **Rule 15. Review of Agency Orders.**

### **(a) Petition for Review; Joint Petition.**

(1) Review of an agency order or decision is commenced by filing with the Clerk of this court an original and six copies of a petition for review. If their interests make joinder practicable, two or more persons may join in a petition for review.

(2) Unless an applicable statute provides a different time frame, the petition for review must be filed within 30 days after notice is given, in conformance with the rules or regulations of the agency, of the order or decision sought to be reviewed. In the event the time prescribed by statute is less than 11 days, intermediate Saturdays, Sundays, and legal holidays, as defined in Rule 26 (a), are excluded in the computation unless the statute expressly provides otherwise. If the order or decision is made out of the presence of the parties and notice thereof is by mail, the petitioner will have 5 additional days from the date of mailing.

(3) Except in cases involving review of a decision of the Office of Administrative Hearings, which are governed by Rule 15(a)(4), the petition must:

(A) name each party seeking review either in the caption or the body of the petition — using such terms as “et al.,” “petitioners,” or “respondents” does not effectively name the parties;

(B) name the agency as a respondent; and

(C) specify the order or decision or part thereof to be reviewed.

(4) In cases involving review of a decision of the Office of Administrative Hearings, the petition must name each party seeking review, as required by Rule 15(a)(3)(A), and specify the order or decision or part thereof to be reviewed, as required by Rule 15(a)(3)(C). Only the parties before the Office of Administrative Hearings and any other party permitted to participate by this court shall be parties in this court. See D.C. Code § 2-1831.16(h). The petition may not name either the Office of Administrative Hearings or the Administrative Law Judge from the Office of Administrative Hearings as a respondent. See *id.*

(5) Filing may be accomplished by mail addressed to the Clerk, but filing will not be deemed timely unless the petition is, in fact, received by the Clerk within the prescribed time.

(6) If the petitioner is a corporation or other entity, the petition must be signed by counsel. A petition not bearing the necessary signature will be stricken unless omission of the signature is corrected promptly after being called to the attention of counsel or the party.

(7) If a timely petition for review is filed by a party, any other party to the proceeding before the agency may file a cross-petition for review within 14 days after the petition was filed, or within 30 days of the date of the challenged order or decision, whichever period expires later.

(8) Form 5 is a suggested form of a petition for review.

(b) Termination of the Time for Filing a Petition for Review. If a party timely files a petition for rehearing or reconsideration in accordance with the rules of the agency, the time to petition for review as fixed by section (a)(2) of this rule runs from the date when notice of the order denying the petition is given.

(c) Service of the Petition. The Clerk must serve a copy of the petition for review on each respondent agency and on the Office of the Attorney General for the District of Columbia or other counsel representing any agency respondent. At the time of filing, the petitioner must:

(1) serve, or have served, a copy on each party admitted to participate in the agency proceedings, except for any agency respondent; and

(2) file with the Clerk a list of those so served.

(d) Intervention. A party to the agency proceeding who wants to intervene in this court must, within 30 days from the date the petition is filed, serve upon all parties to the proceeding, and file with the Clerk, a copy of a notice of intention to intervene, in which case the party will be deemed an intervenor without the necessity of filing a motion. Any other person who wants to intervene must file a motion to intervene with the Clerk within 30 days of the date on which the petition for review is filed, unless the time is extended by order of the court for good cause. A copy of the motion must be served on all parties. The motion must contain a concise statement of the interest of the moving party and the grounds for intervention, and must state on which side the party seeks to intervene.

(e) Fees. When filing any separate or joint petition for review, the petitioner must pay the Clerk all required fees.

(f) To the extent applicable, Rule 25.1 (Emergency and Expedited Cases) governs review of certain agency orders or decisions.