

### **Rule 103. Duties and Operation of the Traffic Section**

(a) Duties. Subject to the provisions of paragraph (b), the Traffic Section shall conduct proceedings in traffic cases prosecuted in the name of the District of Columbia, except for those traffic cases which are joined for prosecution in another branch of the Criminal Division under Rule 1 or the District of Columbia Section under Rule 102.

(b) Operation.

(1) Initial call. At 9:30 a.m. the Clerk shall call all new and continued cases which are set for that time. The Clerk shall again make an initial call at 1:00 p.m. If both defendant and the police officer are present at either time they will be told to remain in Court until the case is called. If either defendant or police officer is not in Court, the party answering will be told to remain in Court until the case is called.

(2) Judges or hearing commissioners call. At or before 10:00 a.m. the judge or hearing commissioner shall make a 2nd call of cases which were initially called at 9:30 a.m. and in which either defendant or police officer failed to answer. The judge or hearing commissioner shall also make a 2nd call at 1:30 p.m. similar to the one made at 10:00 a.m. If the defendant fails to answer the 2nd call, the Clerk shall note the defendant's non-appearance and the judge or hearing commissioner shall authorize the issuance of a judicial summons or arrest warrant. If the police officer fails to answer the 2nd call but defendant answers, the case may be dismissed for want of prosecution. If the officer has checked in with the police liaison office the officer shall be deemed to have "answered".

(c) Order of calendar call.

(1) Morning call. After the judge or hearing commissioner has taken the bench at or before 10:00 a.m., cases shall be called in the following order:

(i) New or continued cases set for 9:30 a.m. in which defendant failed to answer at the 9:30 a.m. call.

(ii) New or continued cases set for 9:30 a.m. in which the police officer failed to answer at the 9:30 a.m. call.

(iii) New or continued lock-up, citation, and bond cases.

(iv) Trials of new and continued cases set for 9:30 a.m.

(2) Afternoon call. After the judge or hearing commissioner has taken the bench at 1:00 p.m., the cases shall be called in the following order:

(i) New or continued cases set for 1:00 p.m. in which the defendant has failed to answer at the 1:00 p.m. call.

(ii) New or continued cases set for 1:00 p.m. in which the police officer has failed to answer at the 1:00 p.m. call.

(iii) Trials of new or continued citation and bond cases.

(iv) Motions to set aside forfeitures of collateral.

(v) Trials of new and continued cases set for 1:00 p.m.

(d) Time of continued non-jury trials. All new and continued traffic cases are to be set for trial either at 9:30 a.m. or 1:00 p.m.

(e) Duties of traffic court judges and hearing commissioners.

(1) Trials. All new and continued cases shall, to the extent possible, be tried by the judge or hearing commissioner sitting in the Traffic Section on the day and time they are shown to be set for trial.

(2) Other duties. All new lock-up, citation, and bond cases involving traffic offenses shall be called in the Traffic Section for the purpose of appointment of counsel, disposition of preliminary matters, setting of trial date, and trial or certification to the Criminal Assignment Commissioner for trial in the Criminal Division.

(f) Presence of attorneys. Defense attorneys shall be in Court when their cases are called.