

## **Rule 1. Title and Scope of Rules**

(a) Title. These Rules may be known and cited as the Rules Governing Domestic Relations Proceedings of the Superior Court of the District of Columbia, and may be cited as the Rules Governing Domestic Relations Proceedings or as SCR-Dom Rel.

(b) Scope of Domestic Relations Rules. These Rules govern the procedure in all suits of a civil nature in the Family Division of the Superior Court of the District of Columbia within D.C. Code § 11-1101(1)-(8), (10) and (11), whether cognizable as cases at law or in equity including:

(1) Actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental thereto for alimony, pendente lite and permanent, and for support and custody of minor children;

(2) Applications for revocation of divorce from bed and board;

(3) Actions to enforce support of any person as required by law;

(4) Actions seeking custody of minor children, including petitions for writs of habeas corpus;

(5) Actions to declare marriages void;

(6) Actions to declare marriages valid;

(7) Actions for annulments of marriage;

(8) Determinations and adjudications of property rights, both real and personal, in any action referred to in this rule;

(9) Proceedings for reciprocal support under D.C. Code §§ 30-301 through 30-324;

(10) Proceedings to determine paternity of any child born out of wedlock.

These rules shall be construed to secure the just, speedy and inexpensive determination of every action.

(c) Applicability of Civil Rules. When a civil claim is raised with a domestic relations action, either in a complaint or counterclaim, the Superior Court Rules of Civil Procedure shall apply to such claim. The judicial officer who is assigned to the domestic relations action may, as a discretionary matter, bifurcate the civil claim for trial purposes or may certify the civil claim to the Civil Division for adjudication under existing Civil Rules at any time during the pendency of the domestic relations case. The judicial officer may also refer the civil claim for any type of alternative dispute resolution, irrespective of the litigation status of the domestic relations case.

(d) Procedure not otherwise specified. If no procedure is specifically prescribed by these Domestic Relations Rules, the Superior Court Rules of Civil Procedure shall apply to the extent and in the manner permitted by the judicial officer assigned to the case.

## **COMMENT**

The Domestic Relations Rules are often similar to the corresponding civil rules. Where the nature of domestic relations practice calls for a different procedure, the rule's variance is noted in the comment.

Any civil claim that is raised in a domestic relations action that is assigned to a hearing commissioner must be adjudicated according to the Rules of the Superior Court and administrative orders of the Chief Judge that govern the powers of hearing commissioners and their authority to certify matters elsewhere in the court system.

Where alternative dispute resolution is concerned, the judicial officer may determine that such resources would speed the resolution of the civil claim even while discovery is ongoing with respect to the specific domestic relations allegations or claims. Paragraph (c) is designed to encourage timely resolution of all claims that may arise within a single action.

Pursuant to paragraph (d), where no procedure is specifically prescribed by the domestic relations rules, current Superior Court civil rules may be applied.