

Rule 19. Joinder of Persons

Upon motion of a party or of its own initiative, the Court shall order the joinder of all indispensable persons and may order the dismissal or joinder of other persons at any stage of the action and on such terms as are just. If a person cannot be made a party and the Court determines that in equity the action should not proceed among the parties before it, the Court shall dismiss the action.

COMMENT

SCR-Dom Rel 19 as amended consolidates the joinder provisions of former SCR-Dom Rel 19, 20 and 21. The amendments reflect the statutory framework for Domestic Relations actions, which provides for joinder in stated circumstances (e.g. *D.C. Code § 16-4510* (additional parties in custody proceedings)). As to the joinder of indispensable persons, the factors to be considered by the Court may include: (1) the extent to which a judgment rendered in the person's absence might be prejudicial to the person or those already parties; (2) the extent to which the prejudice can be lessened or avoided by protective provisions in the judgment, by the shaping of relief, or other measures; (3) whether a judgment rendered in the person's absence will be adequate; and (4) whether the plaintiff will have an adequate remedy if the action is dismissed for nonjoinder. Should a joinder issue arise which is not otherwise addressed, reference should be made to the applicable civil rule.