

Rule 1. Scope; Purpose; Title; Applicability of Civil Rules; Other Proceedings Assigned to the Domestic Violence Division

(a) SCOPE. These rules govern the procedure in all civil protection order proceedings filed under D.C. Code §§ 16-1001 to -1006 (2012 Repl. & 2017 Supp.).

(b) PURPOSE. These rules should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every civil protection order proceeding and to effectuate the statutory intent of eliminating domestic and family violence.

(c) TITLE. These rules may be known as the Rules Governing Proceedings in the Domestic Violence Division and may be cited as “Super. Ct. Dom. Vio. R. ____.”

(d) APPLICABILITY OF CIVIL RULES. Except when inconsistent with these rules or with the expeditious nature of civil protection order proceedings, the following Superior Court Rules of Civil Procedure are deemed applicable to civil protection order proceedings: 6, 9, 9-1, 11 (except that a party does not have to provide the party’s address, phone number, or e-mail address if doing so poses safety concerns), 43, 43-1, 44, 44-1, 44.1, 46, 59, 61, 63, 63-1, 77(c)(1), 79, 79-1, 80, 82, 86, 101, 102, 103, 104, 201, and 203.

(e) OTHER PROCEEDINGS ASSIGNED TO THE DOMESTIC VIOLENCE DIVISION. Criminal proceedings assigned to the Domestic Violence Division are governed by the Superior Court Rules of Criminal Procedure. Except when inconsistent with these rules or federal law, domestic relations proceedings assigned to the Domestic Violence Division are governed by the General Rules of the Family Division and the Rules Governing Domestic Relations Proceedings.

COMMENT TO 2018 AMENDMENTS

Superior Court Administrative Order 18-07 (June 26, 2018) changed the name of the Domestic Violence Unit to the Domestic Violence Division. The title and text of the rules have been amended to reflect the name change.

COMMENT TO 2017 AMENDMENTS

This rule has been amended consistent with the stylistic changes to the civil rules. The provision regarding clerk’s office hours has been replaced by a reference to Civil Rule 77(c)(1). Also, the provision regarding the effect of institution of a criminal charge was deleted as unnecessary because this is addressed in D.C. Code § 16-1002 (2012 Repl.).

COMMENT

The second to last section of this rule is derived in part from D.C. Code § 16-1002 (c). Should the respondent face contempt proceedings based upon conduct occurring after a temporary protection order or civil protection order has been entered, which conduct may also be subject to the institution of criminal proceedings, the Court may wish to provide notice of the conduct and/or the contempt hearing to the United States Attorney’s Office in order for that office to determine whether to proceed on the criminal charge.