

### **Rule 13-I. Motions in Cases Certified to Civil Actions Branch**

(a) MOTIONS TO BE DECIDED BY THE ASSIGNED JUDGE BASED ON FILING OF A JURY DEMAND. The judge to whom a case has been transferred for a jury trial under Rule 6 will determine all motions in the case, other than motions specified in Rule 13-I(f), in accordance with these rules and any applicable calendar orders.

(b) MOTIONS TO BE DECIDED BY THE ASSIGNED JUDGE BASED ON A PARTY'S LACK OF CONSENT TO A MAGISTRATE JUDGE. The judge to whom a case has been transferred due to a party's lack of consent to a magistrate judge will determine all motions filed in such case in accordance with these rules and any applicable calendar order.

(c) PARTIES OPPOSING MOTIONS. Any party opposing a motion filed under Rule 13-I(a) or (b) may serve and file an opposition within 14 days after service of the motion on the party or such further time as the assigned judge may grant.

(d) REQUEST FOR HEARING. Any party may request a hearing on a motion filed under Rule 13-I(a) or (b) by stating at the bottom of the party's motion or opposition, above the party's signature, "Hearing Requested." If the court decides to hold a hearing on the motion, the court must give all parties appropriate notice of the hearing and may specify the matters to be addressed at the hearing.

(e) COURT ACTION.

(1) *In General.* Except as provided in Rule 13-I(e)(2), the court may not grant a motion to which the opposing party has not consented unless:

(A) an opposition has been filed or the time for filing under Rule 13-I(c) has expired; and

(B) it appears from the motion, any accompanying exhibits and documents, any opposition, and any prior proceedings in the case that the movant is entitled to relief.

(2) *Application or Motion for Continuance.* For good cause, the court may grant an application or motion for continuance without waiting for the time period in Rule 13-I(c) to expire.

(f) MOTIONS TO BE DECIDED IN THE LANDLORD AND TENANT BRANCH. The following motions in a case transferred to the Civil Actions Branch for a jury trial under Rule 6 will be heard and decided under the Landlord and Tenant Rules by a judge or magistrate judge sitting in that branch, unless otherwise determined by the Presiding Judge of the Civil Division or the judge to whom the case is assigned:

(1) motions relating to a protective order, including any hearing held to determine the appropriate amount of protective order payments;

(2) motions for an administrative stay of the proceedings;

(3) motions for a temporary restraining order or preliminary injunction;

(4) motions to enforce a settlement agreement or consent judgment, unless otherwise specified in the agreement and approved by the judge to whom the case is assigned; and

(5) post-trial motions not concerning the conduct or outcome of the trial or an appeal of the judgment.

(g) MOTIONS TO ALTER OR AMEND OR FOR RELIEF FROM RULINGS OR SANCTIONS ENTERED IN THE LANDLORD AND TENANT BRANCH. A motion to alter or amend or for relief from a ruling or sanction entered by a judge or magistrate judge sitting in the Landlord and Tenant Branch will be decided by that judge or

magistrate judge whenever practicable. The motion must include the name of the judge or magistrate judge in the caption below the case number. A party opposing the motion may file an opposition within 14 days after service of the motion or such further time as the court may allow. A hearing on the motion will not automatically be set, but a hearing may be requested or held in accordance with Rule 13(e)(5).

#### COMMENT TO 2024 AMENDMENTS

Sections (a) and (f) of this rule have been amended to clarify which motions must be decided in the Landlord and Tenant Branch based on the filing of a jury demand under Rule 6. Subsections (e)(1)(A) and (e)(2) have also been amended to correct the cross reference to section (c) (former section (b)). Sections (f) and (g) have been amended to substitute “judge or magistrate judge” for “judicial officer” and sections (a) and (b) have been amended to substitute “transferred” for “certified” to conform with the general restyling of the Superior Court rules. Finally, section (h) has been deleted consistent with the amendments to sections (a) and (b).

#### COMMENT TO 2023 AMENDMENTS

References to a statement of opposing points and authorities have been deleted consistent with the 2022 amendments to Civil Rule 12-I. Minor revisions also have been made to conform to the general restyling of the civil rules.

#### COMMENT TO 2019 AMENDMENTS

This rule has been amended consistent with the stylistic changes to the civil rules.

#### COMMENT

A motion captioned as a “Motion for Reconsideration” is considered under sections (a)(14) and (e) as a motion to alter, amend, or for relief from a ruling or sanction and will be treated as such under this Rule. See *Fleming v. District of Columbia*, 633 A.2d 846, 848 (D.C. 1993); *Wallace v. Warehouse Employees Union #730*, 482 A.2d 801, 804-05 (D.C. 1984).