

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 16-16**

**Clarification Regarding Petitions for Compensation eFiled by
Attorneys to the Probate Division
(amends Administrative Orders 04-06 and 13-15)**

WHEREAS, Administrative Order 04-06, in pertinent part, requires an attorney seeking compensation or fees in cases in which that attorney serves as guardian, conservator, personal representative or counsel for any of them to file, at the time of the filing of the petition for compensation or fees with the court, a separate certificate in which the attorney certifies to the court:

- 1) within the last 30 days, I have personally verified the current location and health status and the ongoing availability of placements for subjects in guardianship cases. . .;
- 2) in cases in which I am a fiduciary, other than petitions or requests for compensation to me, I have filed all reports, verifications of notice, accounts and subsequent requirements due as of the date of this petition or request, and
- 3) in cases in which I am counsel to a fiduciary, I have verified that the filing requirements are current or within the last 10 days I have advised my client in writing of the necessity for bringing them current.

WHEREAS, in an effort to expand eFiling to the Probate Division, Administrative Order 13-15 was issued on September 16, 2013, and included a certification provision identical to the provision in Administrative Order 04-06, directing attorneys eFiling a petition for compensation or fees in intervention and other Probate Division proceedings to certify that “in cases on which I am fiduciary, other than petitions or requests for compensation to me, I have filed all reports, verifications of notice, accounts, and subsequent requirements due as of the date of this petition or request;” and

WHEREAS, the certification provisions were made applicable to all attorneys submitting fee petitions in order to permit the court to “better assure proper oversight of those in need of assistance with their personal care and of the administration and accounting for funds in intervention and other Probate Division proceedings;” and

WHEREAS, an amendment is needed to make clear that Administrative Order 13-15 did not intend to change the date of attorney certification, and that the effective date of the certification is as of the date the request for compensation or fees is eFiled with the court, and not the earlier date of the service of the request for compensation upon the interested person;

NOW, THEREFORE, it is by the Court,

ORDERED, that Probate Efiling Procedure 8 of Administrative Order 13-15 is amended by adding a new subsection (c) to read as follows:

(c) Any certification required by this section for the eFiling of a petition for compensation or fees shall be eFiled through the court's authorized eFiling system together with the petition for compensation or fees and shall be effective as of the date of filing.

ORDERED, this order shall take effect immediately.

SO ORDERED.

BY THE COURT

Date: September 22, 2016

_____/s/_____
Lee F. Satterfield
Chief Judge

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