

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
ADMINISTRATIVE ORDER 14-23**

**Revised Case Management Plan for the Domestic Relations Branch**

**WHEREAS**, the 2013-2017 Strategic Plan of the District of Columbia Courts, *Open to All, Trusted by All, Justice for All*, seeks to promote timely case resolution by implementing performance standards, case management plans, and other best practices; and

**WHEREAS**, performance standards for all Superior Court operating divisions were adopted in 2009 and revised in 2012; and

**WHEREAS**, a case management plan serves as a management tool to promote achievement of performance standards; and

**WHEREAS**, a case management plan details the actions that a court takes to monitor and control the progress of a case, from initiation through final disposition, to ensure prompt resolution consistent with the individual circumstances of the case; and

**WHEREAS**, consistent with the mission of the Family Court, as set forth in the Family Court Transition Plan submitted to the President and Congress on April 5, 2002, the Domestic Relations Branch Subcommittee of the Family Court Implementation Committee established goals to guide the implementation of a comprehensive case management plan for the Domestic Relations Branch; and

**WHEREAS**, Administrative Order 08-03, issued on March 21, 2008, established a comprehensive case management plan for the Domestic Relations Branch; and

**WHEREAS**, the Domestic Relations Branch Subcommittee has met with Family Court stakeholders – including representatives from the Legal Aid Society of the District of Columbia, the Family Law bar, the Family Law Section Steering Committee, the D.C. Bar Pro Bono Program, the Neighborhood Legal Services Program, Bread for the City, the Children’s Law Center, the D.C. Volunteers Lawyers Project and the academic community – and their input, knowledge and expertise was sought and included in the development of a revised case management plan; and

**WHEREAS**, a revised case management plan for the Domestic Relations Branch will promote the mission and goals of the Family Court as well as the fair and efficient administration of justice;

**NOW, THEREFORE**, it is, by the Court,

**ORDERED**, that the revised case management plan for the Domestic Relations Branch, which is attached hereto, is effective January 1, 2015; and it is further



**Domestic Relations Branch**  
**Revised Case Management Plan**  
(Effective January 1, 2015)

**HISTORY**

“The Mission of the Family Court of the Superior Court of the District of Columbia is to protect and support children brought before it, strengthen families in trouble, provide permanency for children and decide disputes involving families fairly and expeditiously while treating all parties with dignity and respect.” Family Court Transition Plan, Vol. 1, page 7 (April 5, 2002). Consistent with the mission and goals set forth in the Family Court Transition Plan, the Family Court adopts the following goals to implement a comprehensive case management and scheduling plan for domestic relations matters:

**GOALS**

- To provide prompt and efficient resolution of cases and to minimize the number of trips to court required for resolution.
- To provide prompt access to justice by providing for earlier initial hearings, pre-hearing information gathering, substantive initial hearings (with appropriate notice) and access to facilitation services at the time of initial hearings.
- To maximize court resources and better serve the public by creating uniformity and predictable schedules, when feasible, and resolving cases fairly and efficiently.
- To provide centralization of domestic relations case scheduling in one location and with uniform scheduling parameters and requirements (consistent with the Family Court implementation plan of centralized intake).

- To promote earlier use of alternative dispute resolution (ADR) in appropriate cases involving children and families to resolve disputes in a non-adversarial manner and with the most effective means.
- To obtain and maintain manageable caseloads with resolution within nationally accepted time frames/standards with a goal to permit judicial officers adequate time to devote to each child and/or family.

## **METHODS**

To accomplish these goals, the Family Court Central Intake Center (CIC), the Domestic Relations Branch (DRB) and the Family Court judges work hand-in-hand to facilitate a fair, efficient, seamless system to provide services to the court's customers.

## **PERFORMANCE MEASURES**

In 2012, the Superior Court of the District of Columbia adopted performance standards for resolving cases fairly and timely.<sup>1</sup> The standards reflect an adaptation of national best practices to the caseloads and circumstances unique to the Superior Court. In domestic relations cases, the court is guided by the following performance measures:

- (a) Ninety-five percent (95%) of uncontested custody and uncontested divorce cases should be disposed within 60 days of filing.
- (b) Ninety-eight percent (98%) of contested custody and divorce cases on the Domestic Relations I (DR-I) calendar<sup>2</sup> should be disposed within 365 days of filing.

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<sup>1</sup> See Administrative Order 12-04 (March 23, 2012).

<sup>2</sup> Pursuant to Super. Ct. Dom. Rel. R. 40(c), it is the presiding judge's responsibility to designate cases to the DR-I calendar. The factors considered in the determination are "the estimated length of trial, the number of witnesses

(c) Ninety-eight percent (98%) of contested custody and divorce cases on the Domestic Relations II (DR-II) calendar<sup>3</sup> should be disposed within 270 days of filing.

(d) Ninety-five percent (95%) of contested custody and divorce cases should be heard within two trial settings.

### **CASE INITIATION**

The Central Intake Center (CIC) is the depository for all Family Court filings. Upon accepting filings for divorce, custody, and visitation/access, the deputy clerks in CIC will issue a notice of hearing, and the cases will be set within 60 days or less for initial hearing from the date of filing. However, cases involving child support will be set within 45 days or less, as required by statute. If the case involves both child support and other issues, then the support hearing date will serve as the initial hearing date as well. The judges will have set times and dates for the CIC to select and schedule initial hearings. The CIC will also issue an initiation packet that includes a brochure for the Family Court Self-Help Center and information on where to access other legal resources.

### **UNCONTESTED MATTERS**

At the time of filing an uncontested divorce or uncontested custody case -- which includes a complaint for absolute divorce or custody, a consent answer or answers, and/or an uncontested praecipe -- the matter will be assigned to the uncontested judicial officer by the deputy clerks in CIC. In collaboration with the DRB clerk's office and judicial staff, these matters will be scheduled within 30 to 45 days of filing. Pursuant to the Family Court's performance measures, written findings of

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who may appear and the exhibits that may be introduced, the nature of the factual and legal issues involved, the extent to which discovery may require supervision by the Court, the number of motions that may be filed and any other relevant factor appropriate for the orderly administration of justice.”

<sup>3</sup> DR-II cases make up the vast majority of all domestic relations cases.

fact and conclusions of law will be entered within 60 days of filing. If an uncontested praecipe and/or consent answer are received after initial filing, the case will remain on the originally assigned calendar, but will be scheduled for hearing by the assigned judicial officer within 30 days from the filing of the uncontested praecipe. If a matter becomes uncontested at the time of the initial hearing, then the assigned judicial officer shall hear the matter on that date.

### **CONTESTED MATTERS**

**Initial Hearing:** At the initial hearing, the judge shall issue a scheduling order which will provide dates for, among other things, discovery deadlines, motions, pretrial statements, and a pretrial conference. The judge shall also schedule the dates the parties will attend the Program for Agreement and Cooperation (PAC) Seminar and the mediation intake date. The judge may issue a separate order setting forth the procedure and requirements for the pretrial hearing as well as the required content of the pretrial statement. The following guidelines shall be used when issuing a scheduling order, although a judge may determine that a different timetable is more appropriate:

- The *pendente lite* (temporary) hearing should list the issues to be tried and should be held within six weeks of the initial hearing.
- Discovery deadlines should be set for custody, child support, and divorces from 45 to 120 days after the initial hearing, depending on the complexity of the case.
- A deadline for naming experts should be set at least 45 days prior to close of discovery.
- A deadline for completing mediation or ADR should be set no later than two weeks before the pretrial hearing.
- A deadline for discovery motions should be set no later than two weeks before the pretrial hearing.

- A date for filing of a pretrial statement should be set at least one week before the pretrial hearing.
- The pretrial hearing should be set within two to four weeks after the discovery deadline and two weeks before trial.
- The trial should be set within six to nine months after a custody case is filed, but not less than 210 days from that date. To the extent possible, every effort should be made to hear trials on consecutive days.

**Multi-Door Dispute Resolution Division/ADR:** At the conclusion of the initial hearing, all litigants will be mandated to participate in mediation at the Multi-Door Dispute Resolution Division<sup>4</sup> or ADR.<sup>5</sup>

**Attorney Negotiator Program:** At the initial hearing, the parties are encouraged to meet with an attorney negotiator. The attorney negotiator is responsible for meeting with all parties and attempting to resolve any issues on which the parties can agree. The attorney negotiator may provide the parties with legal information, but not advice, and can also explain the court process.

**Program for Agreement and Cooperation (PAC) Seminar:** Parties in contested custody cases will be required to attend a PAC Seminar. The PAC Seminar is designed to help parties co-parent, improve communication, and understand the impact that conflict has on children. The judge may

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<sup>4</sup> Where there has been previous domestic violence between the parties, the Multi-Door Dispute Resolution Division may determine mediation is not appropriate.

<sup>5</sup> Parties who have *in forma pauperis* status, or who otherwise qualify as low-income, may not be mandated to participate in paid ADR sessions.

consider the unexcused failure of a party to attend and complete the PAC program when making a final custody determination.

**Status Hearings:** Judicial officers should avoid automatically scheduling status hearings, but may schedule such hearings as they deem necessary.

**Bifurcated divorces:** A judge may grant a request to bifurcate a divorce case and resolve the issue of child custody prior to considering contested financial matters. In bifurcated divorce cases, when necessary, the following deadlines may be established:

- The discovery deadline for financial issues will be 45 days after the custody trial.
- The date for naming financial experts for the plaintiff will be three weeks after the custody trial; for the defendant it will be four weeks after custody trial.
- The date for filing a pretrial statement regarding financial issues will be one week before the pretrial hearing.
- The deadline for completing ADR will be two to three weeks after discovery closes and two weeks before trial.
- The trial on financial issues should be held not more than 12 months after case is filed.

### **MOTIONS SCHEDULING**

Upon filing, motions are forwarded to the DRB clerk's office and then submitted to chambers for a ruling or scheduling of a hearing date. When a judge makes a determination on the record regarding a scheduling or consent issue – including, but not limited to, orders appointing *guardians ad litem*,



and orders for mental health evaluations and/or home studies – that order shall be reduced to writing within five business days and mailed to the parties.

For pre-judgment motions, if a motion is not ruled on within 60 days of filing of proof of service on the parties, the DRB clerk's office shall set a date for a hearing on the motion regardless of whether or not a hearing has previously been held. Parties shall be given at least 14 days notice of the hearing. If the motion is ruled on in the interim, the hearing shall be vacated.

Post-judgment motions to modify support will be set for hearing within 45 days, as required by statute. CIC will coordinate selection of a date with chambers in accordance with the calendar judge's schedule. Other post-judgment motions, if not already set by chambers, shall be set for hearing by the DRB clerk's office within 60 days of filing of proof of service on the parties.

### **EMERGENCY HEARINGS**

The following may be considered “emergencies” requiring an *ex parte* hearing: a child in imminent danger, a child who has been kidnapped, a complete denial of access to a child, and other extraordinary situations that the court deems appropriate. Emergency motions will be handled according to the following protocol:

1. Party or attorney advises the deputy clerk at the CIC that he or she is filing an “emergency” pleading and is requesting an emergency hearing.
2. CIC first will contact the chambers of the judge assigned to the case and will advise the chambers' staff of the filing. If the assigned judge is unavailable, CIC will contact the

chamber's staff of the DRB daily emergency judge. Any request for an emergency hearing must be e-filed or submitted to CIC on or before 4:00 p.m. EST.

3. If the judge determines an emergency hearing is required, the chambers' staff will advise the party (or counsel) of the scheduling of the hearing. Unless it would be inconsistent with Super. Ct. Dom. Rel. R. 65(b), the chambers' staff will attempt to call the opposing party (or counsel) to advise him or her of the filing and the time and place of the hearing. Failure to reach the opposing party by phone will not prevent the judge from ruling. In the event that the judge holds an emergency hearing and enters an order granting relief, the judge's order will include the following: (a) a date for a follow-up hearing within ten business days of the order; (b) a date certain by which the adverse party must be served with the motion and the order(s) (if granted *ex parte*); and (c) a statement that failure to appear at the further hearing date or to serve the opposing party may result in termination of the order and dismissal of the case.
4. If the judge determines that an emergency hearing is not required, the judge will issue an order. If appropriate the judge may set an expedited hearing within two weeks. In the event that the judge determines that a hearing should be held on an expedited basis, the judge may enter an order and set the matter to be heard, requiring the presence of the adverse party at said hearing if served with the order; this order may include language that if the adverse party, once served, fails to appear, a decision may be made in their absence.

**CONTINUANCES:** Continuances are governed by D.C. Fam. Ct. R. G. The judicial officers will make every effort to limit the granting of continuances, especially when it may negatively impact the children involved. Pursuant to the Family Court's performance measures relating to trial date certainty, judicial officers will strive to hear all matters within two trial date settings.

**HANDBOOK FOR SELF-REPRESENTED LITIGANTS:** In 2014, the Domestic Relations

Subcommittee prepared a handbook to assist people who represent themselves in divorce, custody, and child support cases. The handbook is available on the court's website at:

[www.dccourts.gov/internet/documents/DR-Handbook-for-Self-Represented-Parties.pdf](http://www.dccourts.gov/internet/documents/DR-Handbook-for-Self-Represented-Parties.pdf). The

handbook provides a great deal of information about domestic relations law and procedures, including filing, service of process, preparation for court, and many other useful topics. It also contains information about other legal resources available to parties in such cases, including the Family Court Self-Help Center, a free, walk-in clinic located in the courthouse that provides assistance to self-represented parties in their family law cases.

**RECOURSE FOR FAILURE TO FOLLOW THE COMPREHENSIVE CASE**

**MANAGEMENT AND SCHEDULING PLAN:** Litigants whose cases are beyond the timeframes

set forth in this document may file a praecipe requesting that judicial action be taken. Said praecipes will aid in alerting both the judicial officer and the clerk's office of the deficiency and will expedite the processing of such cases. A sample praecipe is attached.

**Sample Praecipe Requesting Judicial Action**

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA  
FAMILY COURT  
DOMESTIC RELATIONS BRANCH**

\_\_\_\_\_  
Plaintiff,  
v.  
\_\_\_\_\_  
Defendant.

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:

Jacket No. \_\_\_\_\_  
Judge \_\_\_\_\_

**REQUEST FOR JUDICIAL ACTION**

Plaintiff/Defendant, \_\_\_\_\_, hereby requests that judicial action be taken on the above-captioned case and in support states:

1. This request for judicial action is made pursuant to the Case Management Plan for the Domestic Relations Branch, Administrative Order 14-23 (Dec. 31, 2014).

2. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Respectfully submitted,

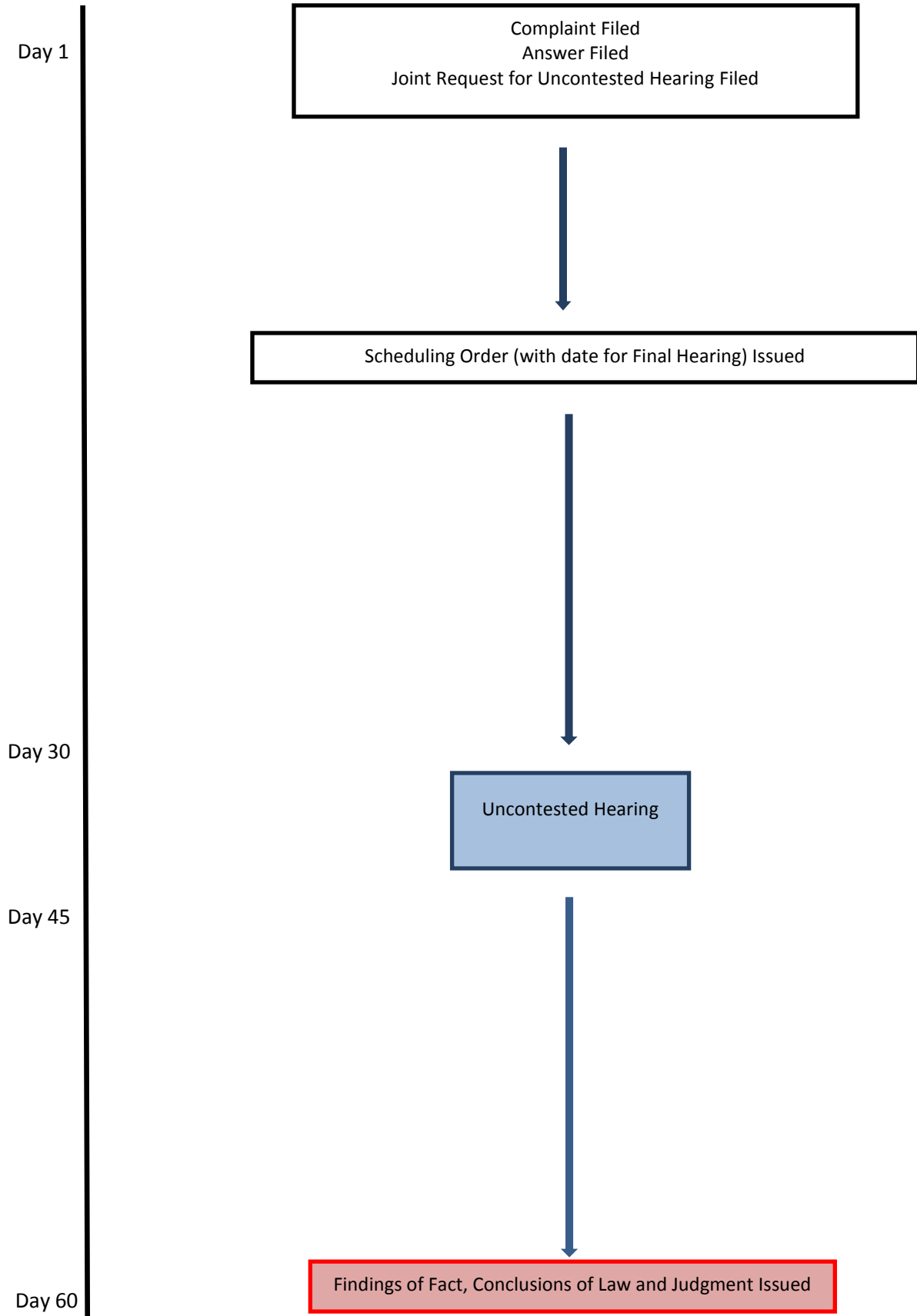
\_\_\_\_\_  
Plaintiff/Defendant (signature)

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
City, State and Zip Code

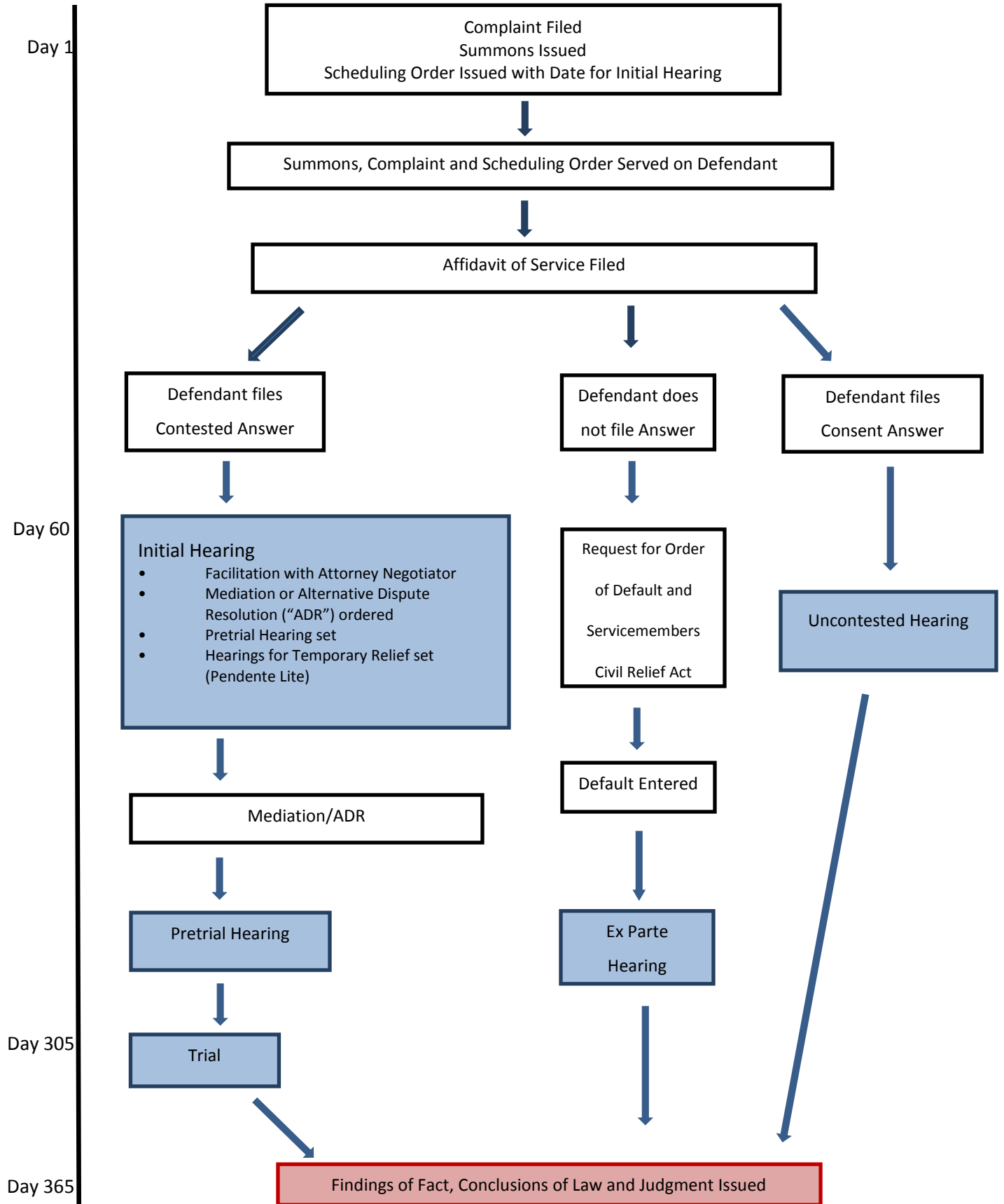
\_\_\_\_\_  
Phone

# Uncontested Divorce or Custody



# Domestic Relations I

## Divorce and/or Custody without Child Support

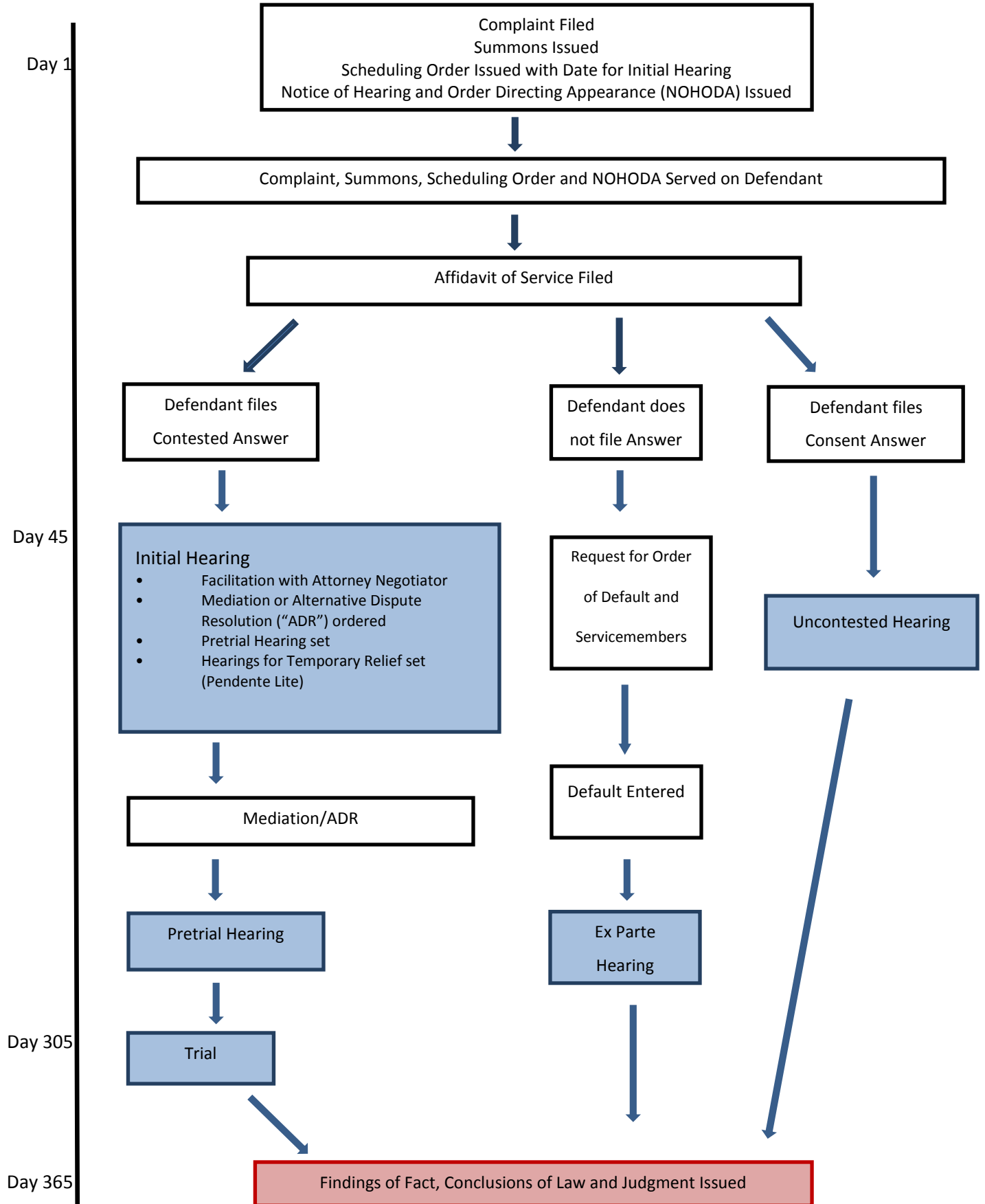


COURT APPEARANCE

FINAL ORDER

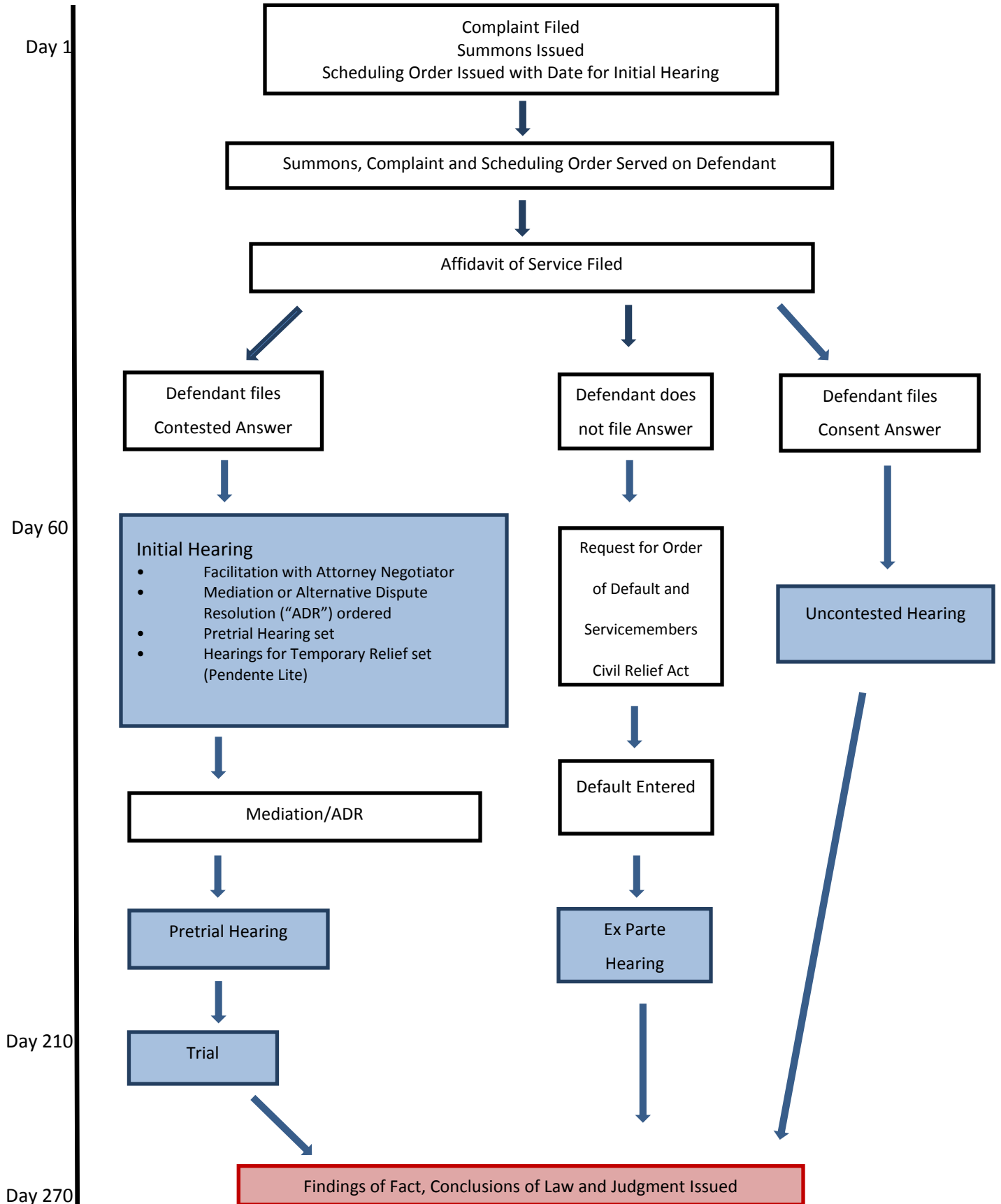
# Domestic Relations I

## Divorce and/or Custody with Child Support



# Domestic Relations II

## Divorce and/or Custody: No Child Support



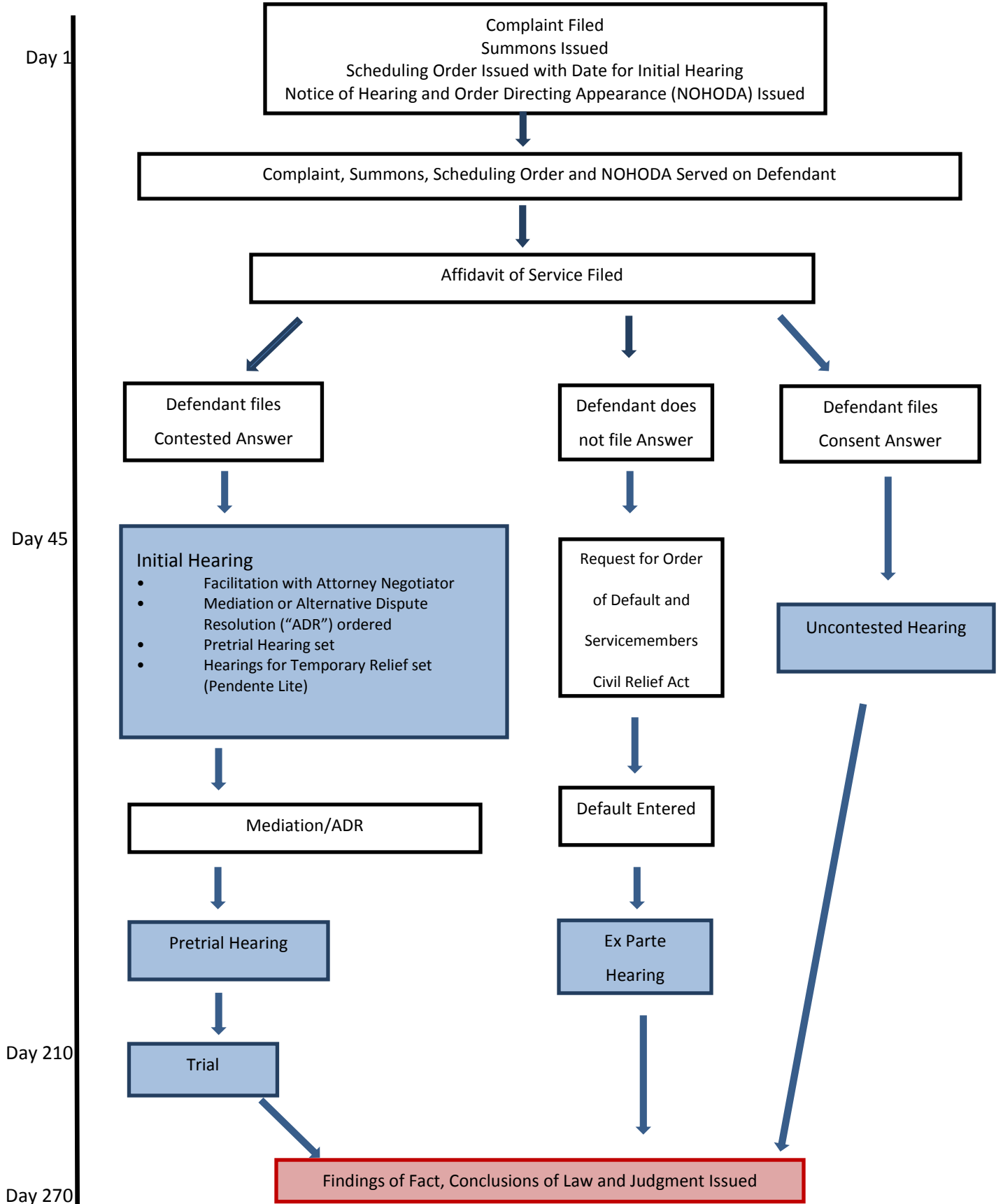
COURT APPEARANCE

FINAL ORDER



# Domestic Relations II

## Divorce and/or Custody with Child Support



COURT APPEARANCE

FINAL ORDER