

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
ADMINISTRATIVE ORDER 22-25**

**Standards for Submission of Petitions for Compensation
under the Guardianship, Protective Proceedings,
and Durable Power of Attorney Act**

WHEREAS, Rule Promulgation Order 22-03 amended the Superior Court Rules of the Probate Division effective August 22, 2022; and

WHEREAS, Section 128(c) of the District of Columbia Appropriations Act, 2003 (Pub. L. 108-7), requires the Chief Judge of the Superior Court to establish standards for determining whether petitions for compensation authorized under D.C. Code § 21-2060 (relating to representation provided under the Guardianship, Protective Proceedings, and Durable Power of Attorney Act) are complete;

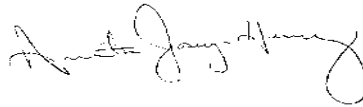
NOW, THEREFORE, it is hereby,

ORDERED, that Administrative Order 22-22 is vacated effective immediately; and it is further

ORDERED, that all previously issued Standards for Submission of Petitions for Compensation Under the Guardianship, Protective Proceedings, and Durable Power of Attorney Act are rescinded; and it is further

ORDERED, that the Standards set forth below shall take effect immediately and shall govern petitions for compensation hereafter submitted under D.C. Code § 21-2060.

SO ORDERED.



September 23, 2022

**Anita M. Josey-Herring
Chief Judge**

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**STANDARDS FOR SUBMISSION OF PETITIONS FOR COMPENSATION
UNDER THE GUARDIANSHIP, PROTECTIVE PROCEEDINGS, AND
DURABLE POWER OF ATTORNEY ACT
September 23, 2022**

In accordance with Section 128(c) of the District of Columbia Appropriations Act, 2003 (Pub. L. 108-7), the Chief Judge of the Superior Court hereby establishes the following standards for determining whether petitions for compensation authorized under D.C. Code § 21-2060 (relating to representation provided under the Guardianship, Protective Proceedings, and Durable Power of Attorney Act) are complete.

- **Complete petition.** The Court shall deem a petition “complete” where 7 calendar days from the 21-day time period for filing an opposition passes without opposition and the petition is accurate, legible, and without defect or omission of the following information:
 - (1) Petitioner’s name, bar number (if an attorney), mailing address, telephone number, and email address;
 - (2) Case name and docket number;
 - (3) All information required under Superior Court Rule of the Probate Division 322.

- **Return of incomplete petitions.** The Court will return (or, in the case of an examiner or visitor, hold in abeyance), any “incomplete” petition without action and will not otherwise consider the petition to be complete for the purpose of computing interest under Section 138 of Pub. L. 108-7 until the petitioner has submitted a petition correcting the cited defect or the necessary information has been supplied.
 - **Notification within 7 calendar days after receipt by the Court.** If the petition is incomplete, the Court will notify the petitioner within 7 calendar days after the time for filing an opposition has passed. If the Court fails to notify the petitioner, the number of days allowed for payment of the completed petition will be reduced by the number of days between the seventh day and the day notification was transmitted to the petitioner. (5 CFR § 1315.4(g)(5))
 - **Identification of petition defects.** When a petition is returned or held in abeyance because it is incomplete, the Court will send petitioner written notification that: (1) specifies why it is being returned or held; (2) identifies all defects that prevent payment; and (3) if necessary, requests a corrected petition. (5 CFR § 1315.4 (c)(2))

- **Effects on prompt payment clock.** Interest shall not accrue on the amount of compensation due under a petition whenever the Court is awaiting information that is required for a complete petition. The time period for calculating interest will start over on the date a complete petition is submitted.

- **Prompt payment of compensation.** The Court will pay interest on each **completed** petition that has not been “paid” (defined as the date on which a check for payment is issued or date of an electronic funds transfer) within 45 days after the time for filing an opposition has passed and the petition is deemed complete. Payments falling due on a weekend or holiday will be paid on the following business day without incurring late payment interest penalties (5 CFR § 1315.4(h)).