

**NOTICE OF INTENT TO RESUME CRIMINAL DIVISION  
DETAINED NON-JURY TRIALS**

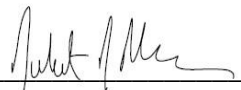
Pursuant to the August 13, 2020 Order, outlining D.C. Superior Court operations during the current judicial emergency due to COVID-19, the Court committed to giving thirty day notice prior to the resumption of criminal non-jury trials.


While deadlines and time limits in statutes and court rules remain suspended, including the 100-day trial clock established in D.C. Code §23-1322(h), the Criminal Division now provides thirty day notice of its intent to set non-jury trials, as well as dispositive motion hearings, in cases in which the defendant is detained.

All such cases will be set for a scheduling hearing in remote Courtroom 314, with the defendant's presence waived for the limited purpose of this hearing. At the request of defense counsel, and with the consent of the government, a trial or motions hearing date will be set on or after November 30<sup>th</sup> in a partially remote courtroom. This date is contingent upon no further restrictions being imposed in the District of Columbia pursuant to the mayoral declaration of public emergency.

The Criminal Division has undertaken to identify all cases in which a defendant is detained solely on misdemeanor charges and has prioritized, to the extent practicable, the setting of such cases based upon length of detention for a scheduling hearing prior to November 9, 2020. In addition, status hearings currently scheduled in detained misdemeanor cases after November 9<sup>th</sup> will proceed forward in remote Courtroom 314 and will not be continued further, absent a joint request from both parties. However, if parties are aware of a case in which the defendant has been held in excess of 45 days on misdemeanor charges only and no scheduling hearing has been set, counsel is directed to contact Angela Lee, Criminal Division Attorney Advisor, at [Angela.Lee@dcsc.gov](mailto:Angela.Lee@dcsc.gov) and provide the defendant's name, case number(s) and three mutually available dates for a scheduling hearing.

SO ORDERED this 26th date of October, 2020.

  
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Juliet J. McKenna  
Presiding Judge, Criminal Division

  
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Danya A. Dayson  
Deputy Presiding Judge, Criminal Division