

# COVID-19 DOMESTIC VIOLENCE DIVISION OPERATIONS

## [Effective May 20, 2021]

### General Information

**DVD Clerk's Office:** The DVD Clerk's Office will be available remotely by phone at (202) 879-0157 and email at [DVD@dcsc.gov](mailto:DVD@dcsc.gov) for any inquiries. Phone lines will remain open during business hours from 8:30 a.m. to 5 p.m.

**DV Intake Centers:** The Domestic Violence Intake Centers will be closed, but you can be connected to resources through the DC SAFE Crisis Response Team at (800) 407-5048 which is available 24 hours a day, 7 days a week. Additionally, a list of legal service providers can be found in the document titled Legal Assistance in Civil Domestic Violence Matters, which is available at <https://www.dccourts.gov/coronavirus>.

**Filing:** Parties in DVM and CCC cases should continue to file electronically via CaseFileXpress. Civil filings can be submitted through [www.probono.net/dccourts](http://www.probono.net/dccourts) or can be submitted by email at [DVD@dcsc.gov](mailto:DVD@dcsc.gov). [Click here](#) to access a fillable Petition for a Civil Protection Order, [click here](#) for the Anti-Stalking Order Petition, and [click here](#) for the Extreme Risk Protection Order Petition.

**Deadlines:** Unless otherwise ordered by the Court, all deadlines and time limits in statutes, court rules, and standing and other orders issued by the Court, that would otherwise expire, are suspended, tolled, and extended during the period pending further order of the Court.

**Appearances:** Most judges and courtroom staff will continue to work remotely. Parties may continue to appear via telephone or videoconference for hearings held in DVD remote courtrooms, except when specifically ordered to appear in person, in a partially remote courtroom.

**Notices and Orders:** Parties will receive Temporary Protection Orders (TPOs), Civil Protection Orders (CPOs), Temporary Anti-Stalking Orders (TASOs), Anti-Stalking Orders (ASOs), Ex Parte Extreme Risk Protection Orders (Ex Parte ERPOs), Extreme Risk Protection Orders (ERPOs), and other case-related paperwork (such as self-service packets) electronically, including through email correspondence. Notice will be sent by mail in limited instances, including notices to defendants in DVM cases, judicial summonses in CCC cases, and show cause orders to the extent practicable.

**Public Access:** Proceedings in the DV Division are open to the public. Parties will receive instructions on how to join the courtroom from the court or from their attorneys. Non-parties should contact the DV Division Clerk's Office by calling (202) 879-0157 or emailing [DVDhearings@dcsc.gov](mailto:DVDhearings@dcsc.gov) to obtain information to access a specific courtroom.

**Contact Information for Parties:** To facilitate remote hearings, the Domestic Violence Division encourages all parties to contact the Clerk's Office at (202) 879-0157 to provide contact information, including any telephone numbers and email addresses where parties can be reached. Please call this number to provide your contact information or that of any parties.

## **Domestic Violence Misdemeanor (DVM) and Criminal Contempt (CCC) Cases**

### **OPERATIONS FROM MAY 10, 2021, THROUGH JULY 15, 2021**

**Appearing for Hearings:** DV Division criminal courtrooms will continue to operate remotely or partially remotely. Remote hearings will be conducted by telephone or videoconference with defendants appearing from the D.C. Jail or the community. Counsel, pretrial services representatives, and probation officers may continue to appear remotely via video or telephone. Witnesses may appear remotely via video or telephone to the extent authorized by the Court.

#### **Detained Defendants:**

- **Scheduling Conferences:** Detained scheduling hearings set out of C-10 will take place as scheduled. The defendant's presence will be waived for these scheduling conferences, which will take place on Tuesday afternoons at 2:00 p.m. in courtroom 118. Parties should be prepared to state how they are seeking to proceed: a continued scheduling hearing, a detention hearing, or a substantive hearing, such as a disposition.
- **Detention Hearings:** If the parties indicate at the scheduling conference that a detention hearing should be set, that hearing will be set for a Tuesday or Thursday in courtroom 119. Detention hearings will take place in a remote courtroom before a magistrate judge. Parties must submit all paperwork and/or materials for the hearing to the assigned judge's chambers **at least 2 business days** in advance of the hearing. If a case is scheduled for a detention hearing and the parties are seeking to convert it to another type of hearing, such as a disposition, the parties must alert chambers as soon as possible **prior to the hearing.**
- **Pleas & Sentencings:** Detained pleas and sentencings will take place on Tuesdays and Thursdays in courtroom 119, subject to the capacity of the courtroom and DOC. Parties, including witnesses, will continue to appear remotely by video or teleconference. All necessary documents should be submitted to the assigned judge's chambers by email as early as possible, but **no later than 2 business days prior to the scheduled hearing.**
- **Non-Jury Trials:** On November 2, 2020, the DVD provided 30-day notice of the intent to resume detained non-jury trials. Non-jury trials can be set in detained cases 1) in which the underlying hold is in a DVM or CCC case and 2) in which another hold was imposed and is pending the outcome of a DVM or CCC cases (e.g., parole holds). These cases will be set for a remote scheduling hearing to determine how the parties are seeking to proceed. A trial date can be set upon request of defense counsel and with the consent of the government, which shall not be unreasonably withheld. Witness requests to appear remotely via video will be addressed on an individual basis. Cases will be scheduled based upon a variety of factors, including length of detention and number of witnesses, with no more than one CMD or DVD non-jury trial/motions hearing set per day.

- **Bench Warrant Returns:** If a defendant is picked up on a bench warrant and a hold is imposed in C-10, a control date will be scheduled on the following Tuesday at 2:30 p.m. in Courtroom 118. The defendant's presence will be waived for the scheduling hearing.

**Released Defendants:** All DVM and CCC hearings (including status hearings, arraignments, DSA review and sentencing dates, and show cause hearings) scheduled on and after May 10, 2021, **will not be continued** and will go forward **remotely** on the date and time they are set in Courtroom 117 or Courtroom 118. All parties—including defendants—should appear remotely via Webex unless instructed otherwise by the Court.

- **Arraignments:** DVM arraignments will continue to be handled in Courtroom C-10. CCC arraignments will be heard remotely in a DVD courtroom on any day of the week.
- **Bench Warrant Returns:** Lock-up bench warrant returns in DVM and CCC cases will continue to take place in Courtroom C-10. If a defendant is released, a future hearing will be scheduled before the calendar judge. Walk-in bench warrant returns can be addressed in DV Courtroom 118 on Wednesdays at 11:30 a.m. or 2 p.m. or in DV Courtroom 117 on Mondays at 11:30 a.m. or 2 p.m.
- **Status Hearings:** Parties should be prepared to address the current status of the case, including but not limited to whether discovery has been exchanged, whether a plea offer has been extended, and the defendant's position on any plea offer. Parties also may make requests regarding pretrial release conditions and request a trial date, which tentatively will be set after September 7, 2021.
- **Show Cause Hearings:** Beginning May 10, all show cause hearings will go forward as scheduled in either Courtroom 117 or Courtroom 118. All hearings will be **remote** unless the Court issues an order requiring a defendant to appear in person. Requests for partially remote show cause hearings shall be submitted to the DV calendar judge assigned to the case(s). Partially remote show cause hearings will take place on Mondays in Courtroom 117 and on Wednesdays in Courtroom 118. The filing of an AVR shall toll the expiration of probation unless the Court issues an order stating that probation will not be tolled in a particular case.
- **Non-Jury Trials:** Until further notice, the DVD will not be conducting non-jury trials for defendants who are released in the community. The DVD will issue written notice 30 days prior to the recommencement of non-jury trials to provide the parties and counsel sufficient time to subpoena witnesses and prepare for trial.
- **Requesting an Earlier Hearing Date:** A party may request a date for an earlier remote hearing, such as a remote plea or a motion hearing, in a DVD courtroom. Judges may schedule earlier hearings for released defendants on a case-by-case basis. To request a hearing, the parties must email the assigned calendar judge *at least one week prior* to the requested hearing date. The parties must submit all appropriate documents signed by the parties and emailed to chambers *at least 2 business days prior to the hearing*.



## **Civil Protection Order Cases (CPOs) and Temporary Protection Orders (TPOs)**

**Expiration Dates for TPOs:** All TPOs will expire on the date listed in the CPO and ERPO Scheduling Orders issued by the Presiding Judge on November 9, 2020, January 18, 2021, and March 30, 2021, unless a judge extends the TPO at a virtual hearing or through a court order.

**Expiration Dates for CPOs:** All existing CPOs shall expire either on the expiration date listed on the order or on June 19, 2020, whichever is the latter of the two dates, unless a motion to extend is filed. The expiration of existing CPOs differs from the DV Division's approach in the previous COVID-19 guidance issued on March 19 and May 14, 2020, but is consistent with the guidance issued on June 19, 2020, August 14, 2020, November 9, 2020, and March 30, 2021.

### **NEW FILINGS – CPOs AND TPOs**

**Requests for TPOs remain available online.**

- **Filing for a TPO:** If you are in immediate danger, you should call 911. If you wish to file for a TPO or CPO, you can:
  1. Contact the DC SAFE Crisis Response Team (CRT) at (800) 407-5048, and they can assist you with obtaining a TPO;
  2. File a Petition for a Civil Protection Order and request a TPO through [www.probono.net/dccourts](http://www.probono.net/dccourts). Once you submit your filing, a DV Division staff member will contact you to proceed with your filing or your hearing. If you need assistance you can contact the Clerk's Office by phone at (202) 897-0157 or by email at [dvd@dcsc.gov](mailto:dvd@dcsc.gov); or
  3. Submitting a completed fillable form by email to [DVD@dcsc.gov](mailto:DVD@dcsc.gov). [Click here](#) to access a fillable Petition for a Civil Protection Order and [click here](#) to access a Petition and Affidavit for an Anti-Stalking Order.
- **TPO Hearings:** Requests for TPOs will be heard in a remote courtroom. Once a TPO request is filed, the DVD Clerk's Office will provide a petitioner with the necessary information for the hearing. Filers should be prepared to write down the remote hearing information and be available for the court's phone call.
- **TPO Expiration Dates and CPO Hearing Dates for Cases Filed on or after November 9, 2020:** CPO requests filed between November 9, 2020, and January 15, 2021, will be set for trial dates based on the November 9, 2020, CPO Scheduling Order. Any TPOs issued related to those CPOs will expire on the trial date listed in the Scheduling Order. CPO requests filed between January 16, 2021, and March 31, 2021, will be set for trial dates based on the January 18, 2021, CPO and ERPO Scheduling Order. Any new CPO requests filed starting April 1, 2021, through May 7, 2021, will generally be scheduled pursuant to the March 30, 2021, CPO and ERPO Scheduling Order. Any CPO requests filed from May 10, 2021, to the present will be scheduled approximately two weeks after the day they were filed.

- Parties may contact the Clerk’s Office at (202) 879-0157 to ask any questions about the Civil Protection Order or Temporary Protection Order process, including how to make any related emergency requests.

**Other TPO and CPO emergency filings may be filed online.**

- Both petitioners and respondents in CPO matters may file motions through [www.probono.net/dccourts](http://www.probono.net/dccourts).
- You may also access the Domestic Violence Division forms on the DC Courts website at [by clicking here](#) and emailing the completed form to [DVD@dcsc.gov](mailto:DVD@dcsc.gov). If there is a form that is not available on the website, please email [DVD@dcsc.gov](mailto:DVD@dcsc.gov) for further assistance. Once you submit your filing, you will be contacted by DV Division staff member to proceed with your filing or your hearing.
- Parties may make requests related to their case by filing a motion to the Court.

**Non-Emergency CPO Motions**

- All non-emergency motions (except the one stated below) filed before April 1, 2021, will be continued pursuant to the January 18, 2021, CPO and ERPO Scheduling Order, unless otherwise scheduled by the court. Any non-emergency motions filed between April 1, 2021, and May 7, 2021, shall be scheduled pursuant to the March 30, 2021, CPO and ERPO Scheduling Order. Any non-emergency motions filed on or after May 10, 2021, will be scheduled for a hearing 2-3 weeks from the date of filing following the normal procedures per the Rules of the Domestic Violence Division.

**CPO TRIALS AND OTHER HEARINGS**

Beginning May 10, 2021, Petitions for Civil Protection Orders filed on or after that date will be scheduled for a trial two weeks after the date of filing.

All CPO related hearings will also be scheduled two weeks after the initial filing.

All cases filed prior to May 10, 2021, will be set for trial on the scheduled date per the November 9, 2021, scheduling order.

**Cases Set on the CPO Calendars On or After November 9, 2020:**

The court has issued several scheduling orders that indicate what date a hearing will be held on, depending on when the matter was filed.

Use this chart to determine which scheduling order you should reference to determine your court date:

<b>Date of Filing:</b>	<b>Refer to the Scheduling Order dated:</b>
March 16, 2020-November 6, 2020	August 14, 2020
November 9, 2020-January 15, 2021	November 5, 2020
January 18, 2021-March 31, 2021	January 18, 2021
April 1, 2021-May 7, 2021	Refer to the attached scheduling order

**Guidelines for Determining Hearing Dates:** The Civil Scheduling Orders will provide the date for the court hearing.

- Matters scheduled **AFTER January 15, 2021**, are scheduled for VIRTUAL hearings per the **attached scheduling order**.
- Matters **filed between November 9, 2020, and January 15, 2021**, are scheduled for VIRTUAL hearings per the scheduling order issued on **November 5, 2020**.
- Matters **filed before November 9, 2020**, are scheduled for VIRTUAL hearings per the **scheduling order issued on August 14, 2020**.

### **Parenting and Child Support Cases with Underlying CPOs**

The Domestic Violence Division will hear Paternity and Support cases assigned to the Division virtually, in a remote courtroom. Parties will receive notice and instructions on how to join the virtual hearing before the assigned date.

### **Anti-Stalking Orders (ASOs) and Temporary Anti-Stalking Orders (TASOs)**

**Expiration Dates for TASOs:** All TASOs will expire on the date listed in the CPO and ERPO Scheduling Orders issued by the Presiding Judge on November 9, 2020, January 18, 2021, and March 30, 2021, unless a judge extends the TPO at a virtual hearing or through a court order.

**Expiration Dates for ASOs:** All existing ASOs shall expire either on the expiration date listed on the order or on June 19, 2020, whichever is the latter of the two dates, unless a motion to extend is filed. The expiration of existing ASOs differs from the DV Division's approach in the previous COVID-19 guidance issued on March 19 and May 14, 2020, but is consistent with the guidance issued on June 19, 2020, August 14, 2020, November 9, 2020, and March 30, 2021. If the parties filed an ASO Petition on May 10, 2021, or after, the hearing will take place two weeks after the filing.

### **NEW FILINGS – ASOs AND TASOs**

**Requests for Temporary Anti-Stalking Orders (TASOs) remain available online.**

- **Filing for a TASO:** If you are in immediate danger, you should call 911. If you wish to file for a TASO or ASO, you can do so in two ways:
  4. You may contact the DC SAFE Crisis Response Team (CRT) at (800) 407-5048, and they can assist you with obtaining a TASO;
  5. You can also file by completing a fillable form online and submitting by email to [DVD@dcsc.gov](mailto:DVD@dcsc.gov). You can access forms at (insert link for forms). If you need assistance you can contact the Clerk's Office by phone at (202) 897-0157 or by email at [dvd@dcsc.gov](mailto:dvd@dcsc.gov).
- **TASO Hearings:** Requests for TASOs will be heard in a remote courtroom. Once a TASO request is filed, the DVD Clerk's Office will provide a petitioner with the

necessary information for the hearing. Filers should be prepared to write down the remote hearing information and be available for the court's phone call.

- **TASO Expiration Dates and ASO Hearing Dates:** Initial requests for ASOs will be set for trial about two weeks out from the filing date. TASO expiration dates will match the scheduled trial date.

**Other TASO and ASO emergency filings or motions may be filed online.**

- Both petitioners and respondents in ASO matters may file motions by completing a [fillable form online](#) and submitting by email to [DVD@dcsc.gov](mailto:DVD@dcsc.gov). If you need assistance you can contact the Clerk's Office by phone at (202) 897-0157 or by email at [dvd@dcsc.gov](mailto:dvd@dcsc.gov).
- Parties may file a motion with the Court to make any request related to their case.

**ASO TRIALS AND OTHER HEARINGS**

All ASO related hearings will also be scheduled two weeks after the initial filing.

**Extreme Risk Protection Orders (ERPOs)**

Requests for Ex Parte and Final ERPOs are available and can be made by emailing the filing to [domesticviolencemanagement@dcsc.gov](mailto:domesticviolencemanagement@dcsc.gov). The petition can be obtained from the DC Courts website, [available here](#). The assigned judge will hear the matter in a remote courtroom. At the time of the filing of an ERPO, the case will be assigned a remote courtroom for a hearing.

**Expiration Dates for Ex Parte ERPOs:**

- All existing Ex Parte ERPOs will expire on the date set by the presiding judge's Scheduling Order issued November 9, 2020, January 18, 2021 (as applicable). The new expiration date will be based on the **original date** the case was initially filed.
- Any Ex Parte ERPOs issued between April 1, 2021 and May 9, 2021, will expire on the date set by the presiding judge's Scheduling Order issued on March 30, 2021.
- Any Ex Parte ERPO issued after May 10, 2021 will expire approximately two weeks after the filing or the date written on the Ex Parte ERPO.

**Expiration Dates for Final ERPOs:** All existing Final ERPOs shall expire on the expiration date listed on the order, unless a motion to extend is filed and granted.

**ERPO Hearing Dates:**

**Cases Set on the ERPO Calendars on or After November 9, 2020:**

- **Pre-Covid 19 Operations Filing:** If the ERPO case was filed before March 16, 2020, the ERPO hearing date is based on the date on which the hearing was previously scheduled.
- **Post-Covid 19 Operations Filing:** If the ERPO case was filed on or after March 16, 2020, the ERPO hearing date is based on the date on which the ERPO case was initially filed.

The court has issued several scheduling orders the public can use to determine their hearing date based on the date the case was filed.

Use this chart to determine which scheduling order you should use to determine your court date:

<b>Date of Filing:</b>	<b>Refer to the Scheduling Order dated:</b>
March 16, 2020-November 6, 2020	August 14, 2020
November 9, 2020-January 15, 2021	November 5, 2020
January 18, 2021-March 31, 2021	January 18, 2021
April 1, 2021-May 7, 2021	Refer to the attached scheduling order

**APPEARANCES FOR REMOTE HEARINGS (DO NOT COME TO THE COURT BUILDING UNLESS OTHERWISE INSTRUCTED BY THE COURT)**

- If parties provided the Court with an email address, they will receive an email from the Court with specific instructions on how to appear virtually and participate in remote check-in at 8:30 a.m. on the day of the hearing in the virtual courtroom.
- If a party does not receive an email, they should follow the instructions below to check in:
  - The Court requests that all parties join the remote hearing **by video** through the WebEx app (if they have access to a camera). If they can, they should download the WebEx application to a smartphone, tablet or computer by clicking this link: <https://www.webex.com/downloads.html>.
  - To join the hearing by video, parties should click this link, <https://dccourts.webex.com/meet/dvdhearings>. The link to join the hearing through video works best using the Google Chrome web browser; however, parties should be able to use Internet Explorer, Safari, or any other internet browser. If the link does not work, they can join by video by visiting <https://dccourts.webex.com> and typing the meeting code which is **173 720 1234**.
- Parties with technical questions about joining the hearing can contact the Courtroom Recording and Technology Branch at 202-879-1928, option 2.
- The Court prefers parties join by video, but in the event that they are unable to join the WebEx application by video, parties should call the Domestic Violence Division’s Clerk’s Office at (202) 879-0157. All parties must check in for their hearing at 8:30 a.m. (unless instructed otherwise by the Court).
- For general questions about upcoming court dates or hearing procedures, parties can contact the Domestic Violence Division’s Clerk’s Office at 202-879-0157 or by email at [DomesticViolenceManagement@dcsc.gov](mailto:DomesticViolenceManagement@dcsc.gov).

**Hearing Date Guidelines:**

Parties are expected to:

- Check in on the day of the court hearing at 8:30 a.m.;
- Provide their phone number and email address (if available) to the clerk at check-in;
- Be available and pick up the court's phone call to conduct their hearing anytime between 8:30 a.m. to 5:00 p.m.;
- Participate in telephonic negotiations with the DVD's Attorney Negotiators;
- If the parties reach an agreement in the negotiation, they should be prepared to appear before a judge for a remote consent hearing the same day or the date assigned by the court;
- Be prepared to submit evidence to the court (such as photos, videos, text messages, etc.) by following the court's instructions.

#### **Attorney Negotiator Process During Scheduled Hearings:**

- Negotiators will conduct remote negotiations for cases in which both parties check in for their scheduled court hearings.
- Proposed Civil Protection Orders can be emailed to Attorney Negotiators at [DVDhearings@dcsc.gov](mailto:DVDhearings@dcsc.gov).

#### **Options to Request an Earlier Trial Date:**

Attorney Negotiators will be available to review consent agreements, accept requests for earlier hearing dates in contested matters, and conduct remote negotiations for civil protection orders, motions to extend, and motions to modify, as follows:

Parties may submit a consent CPO or ASO agreement and request an earlier hearing date – Parties can submit the proposed CPO (including a modified or extended CPO or ASO if applicable) with a physical or electronic signature on the agreed-upon CPO in Word doc format to [DVDhearings@dcsc.gov](mailto:DVDhearings@dcsc.gov). The negotiator will review the order for completeness and, if appropriate, the parties will receive an earlier hearing date for the judge to issue the consent CPO or ASO.

Joint Request by the Parties – If both parties jointly request a trial, the parties should email [DVDhearings@dcsc.gov](mailto:DVDhearings@dcsc.gov) to request an earlier trial date. The email should include the contact information (telephone number and/or email) for both the petitioner and respondent in the case.

1. Upon receipt of the request, the attorney-negotiator will contact the parties to proceed with the negotiation process and see if the parties reach a consent agreement or not.
2. If the parties cannot reach a consent agreement, the judge's chambers will receive the case information and contact the parties to set a trial date.
3. The judge's chambers will provide the parties with hearing information (including date, time, and how to join remotely).

Request by either Petitioner or Respondent – To request an earlier trial date, a party must file a Motion for an Earlier Trial Date and include the following information in the motion:

1. An email address and/or a telephone number for the opposing party;

2. An explanation of any attempts to negotiate or resolve the case before filing this motion;
3. Reasons for requesting an earlier hearing; and
4. Any other information supporting the request for an earlier trial date.

**If the parties reach an agreement in the negotiation, they should be prepared to appear before a judge for a remote consent hearing the same day or the date assigned by the court.**

**DV Division Courtroom Operations beginning May 10, 2021**

**\*Parties will receive courtroom information directly.**

**\*Non-parties should request courtroom information at 202-879-0157 or by email at [DVDHearings@dcsc.gov](mailto:DVDHearings@dcsc.gov).**

<b>Courtroom</b>	<b>Type of Case</b>	<b>Daily Operations</b>	<b>Judge</b>	<b>Technology</b>
113	CPO	M/T/W/Th/F: Remote CPO matters	Anderson	Audio and video
114	CPO	M/T/W/Th/F: Remote CPO matters	Knowles	Audio and video
117	DVM & CCC	M/T/W/Th/F: Remote hearings M (PM): Partially remote show cause hearings	McCabe	Audio and video
118	DVM & CCC	M/T/W/Th/F: Remote hearings T (PM): Detained scheduling conferences W (PM): Partially remote show cause hearings	Raffinan	Audio and video
119	DVM & CCC (T/Th) CPO Backup (M/W/F)	T: DOC Hearings (max. 5) Th: DOC Hearings (max. 3) M/W/F: Backup CPO trial coverage	Detention Hearings: Assigned to a Magistrate Judge  Other DOC hearings: McCabe/Raffinan  Backup CPO coverage: Senior Judges	Audio and video
108	TPO (Primary)	M/T/W/Th/F: Remote TPOs	Assigned via Remote TPO Calendar	Audio and/or Video
JM-9	TPO (Backup) & Child Support	M/T/W/Th/F: Remote TPOs	Assigned via Remote TPO Calendar	Audio only