

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

ORDER

(Amended 3/30/21)

By Order issued on March 18, 2020, and reaffirmed on May 29, 2020, the Joint Committee of Judicial Administration authorized the Chief Judge to issue orders extending the period during which deadlines are suspended, tolled, and extended for all statutory and rules-based time limits in the D.C. Code, and the Superior Court Rules, during the current judicial emergency and consistent with the best interest of the administration of justice.

By Orders issued March 18, 2020, March 19, 2020, May 14, 2020, June 19, 2020, August 13, 2020, November 5, 2020, and January 13, 2021, the Chief Judge ordered that (except as otherwise specified) all deadlines and time limits in statutes, court rules, and standing and other orders issued by the Court that would otherwise expire before June 19, 2020 including statutes of limitations, are suspended, tolled, and extended during the period of the current judicial emergency. As indicated in that order, the deadlines and time limits may be further suspended, tolled, and extended as circumstances change. Suspension, tolling, and extension will continue to the extent specified in this Order until at least May 20, 2021. The Court will provide at least 60 days' notice before ending all suspension, tolling, and extension of deadlines.

The Court is expanding the types and number of cases it will hear through May 20, 2021.

To ensure the safety and well-being of Court staff, counsel, parties, and members of the public, all case types will be heard remotely, except for a limited number of Criminal Division and Domestic Violence Division hearings, which will be partially remote.

To the extent that a case type has not been identified below, all nonpriority matters scheduled through May 20, 2021, will be rescheduled

and new dates set; emergency matters will be heard as scheduled by the Court and as set forth below. Presiding Judges will issue additional orders, as necessary, setting forth the matters to be heard.

No attorney or persons should enter the courthouse with symptoms of COVID-19. See <https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html>

Any party may seek relief from these changes by filing a motion with the appropriate division.

All Divisions and the Family Court will be open in a remote status for filing of pleadings, motions, and new cases. Electronic filing will continue. See the Clerk's Offices Remote Operations Notices for detailed information. <http://www.dccourts.gov/coronavirus>

The Court is now accepting electronic payments in certain circumstances. For more specific information, see <https://www.dccourts.gov/services/online-payment>.

When permitted by law, members of the public may have real-time access to remote hearings. Information about the process for listening to live remote proceedings are posted on the Court's website. <https://www.dccourts.gov/services/remote-hearing-information>

The Court will make additional adjustments as circumstances warrant. Most courtrooms can be used for remote operations, and the Court will equip the remaining courtrooms as soon as possible. As additional courtrooms are made available, the Presiding Judges for each Division will announce other matters that may be scheduled and heard.

The Court will operate primarily remotely under the following conditions:

CIVIL DIVISION

Unless otherwise ordered by the Court, no deadlines and time limits in statutes (including statute of limitations), court rules, and standing and other orders issued by the Court are suspended, tolled or extended during the period of emergency, with the following exceptions: (1) statutes of limitations on claims subject to a statutory moratorium during a public health emergency are suspended, tolled and extended until the moratorium ends; and (2) the time limits concerning the validity and issuance of writs of restitution in Rules 16(a)(4) and 16(c) of the Superior Court Rules of Procedure for the Landlord and Tenant Branch that would otherwise expire during the period of emergency are suspended, tolled and extended during the period of emergency.

The Civil Division will operate as follows:

- ✓ Both judges and division staff continue to work remotely. Judges will conduct remote hearings five days per week in virtual courtrooms. No parties or attorneys should appear in person unless specifically directed to do so by a judge.
- ✓ Any emergency motion must be electronically filed and emailed to Civilefilings@dcsc.gov.
- ✓ The Civil Division may conduct remote non-jury trials with appropriate notice to the parties. The Civil Division plans to resume jury trials starting in May 2021. When the Civil Division schedules in-court jury or non-jury trials, it will either schedule the trial during a hearing with all parties present or issue written notice 30 days before any in-court, non-jury trial and 60 days before any jury trial to provide counsel and parties time to subpoena witnesses and prepare for trial.
- ✓ The Civil Division will conduct remote hearings, including evidentiary hearings and bench trials, in any case where it is appropriate.

- ✓ All evictions, foreclosure proceedings, and debt collection proceedings are stayed to the extent required by statute.
- ✓ Because (1) the Court has inherent authority to ensure that judgments for possession and writs of restitution are executed in a fair and orderly way, (2) the fair and orderly execution of writs of restitution requires landlords to provide reasonable notice of the rescheduled date when an eviction was postponed for a substantial period due to a public health emergency and not for a short period due to temperature or precipitation, and (3) it would not impose an unreasonable or undue burden on landlords to provide notice of the rescheduled date consistent with the terms of D.C. Code § 42-3505.01a, any landlord shall, when an eviction that had been scheduled on or after March 16, 2020 is rescheduled after the statutory stay on evictions ends, send a notice that complies with the requirements of D.C. Code § 42-3505.01a at least 21 days before the date on which the eviction is rescheduled
- ✓ The Civil Division may conduct remote hearings or rule on ripe motions in eviction, foreclosure, and debt collection cases that are not stayed. These matters include Small Claims matters that are not subject to the General Order Regarding Debt Collection Cases issued on May 7, 2020 or the statutory moratorium for debt collection cases and Landlord and Tenant matters that are not subject to the statutory moratorium, and such other motion hearings or short evidentiary hearings as may be appropriate including hearings on service of process, *ex parte* proof, and protective orders.
- ✓ While the Court has limited ability to accept in-person payments required by a protective order, the tenant shall make a ***non-cash*** payment by one of the following methods: (1) mailing the payment to the Landlord and Tenant Clerk's Office, 510 4th Street NW, Room 110, Washington, DC 20001; (2) depositing the payment in the drop box in the lobby of the Moultrie Courthouse located at 500 Indiana Avenue, NW, Washington, DC 20001 with the case number written on the

payment; (3) making the payment electronically through the court's portal, provided that the total monthly payment does not exceed \$1,000. Please see the Notice of the Clerk's Offices Operations for instructions about electronic payments:

<https://www.dccourts.gov/sites/default/files/Superior-Court-Clerks-Offices-Remote-Operations.pdf>. **Cash payments** can be accepted on a

limited basis at the courthouse. Please see the Notice of the Clerk's Offices for more information about dates and times (click on the link above). If a tenant does not obtain a modification of a protective order and does not make a payment either into the Court registry or directly to a landlord during the emergency, and if a landlord then seeks sanctions, the Court will consider, in addition to other relevant circumstances, exigent circumstances relating to the public health emergency.

- ✓ Notwithstanding anything in Administrative Order 06-17, affidavits of service may be filed electronically during the period of the emergency.
- ✓ Notwithstanding anything in Administrative Order 15-03, housing condition violations cases and all matters heard by Judge in Chambers, including applications to amend vital records, name change requests, gender reassignment requests, foreign subpoenas, petitions for civil asset forfeiture, libels of information, and friendly suits, may be filed electronically during the period of the emergency with CaseFileXpress.
- ✓ Notwithstanding anything in Rule 5 and 5-III, documents may be filed electronically in cases under seal which contain an SLD in the case number (e.g. 2020 CABSLD 000001) during the period of emergency. Sealed and unredacted documents in an otherwise unsealed case must continue to be submitted in paper to the clerk's office by mail or via the drop box.
- ✓ To facilitate remote hearings, the Civil Division encourages all parties to contact the Civil Division Clerk's Offices to provide contact information, including any telephone numbers and email addresses

where parties can be reached. Please email or call the number listed below to provide your contact information or that of any other parties.

Civil Actions Branch	CivilDocket@dcsc.gov	(202) 879-1133
L&T Branch	LandlordandTenantDocket@dcsc.gov	(202) 879-4879
Small Claims Branch	SmallClaimsDocket@dcsc.gov	(202) 879-1120

CRIMINAL DIVISION

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. This includes, but is not limited to, timelines for preliminary hearings pursuant to Rules 5.1 and D.C Code § 23-1322(a) and (b), as well as indictment deadlines and trial deadlines, including deadlines pursuant to D.C. Code §§ 23-102, 23-1322(h), 24-801, and 24-531.01 et. seq.

The following previously issued orders are extended until further order of the Court:

- ✓ March 16, 2020 Order giving law enforcement discretion to release additional individuals on citation.
- ✓ March 27, 2020 Order authorizing law enforcement to give citation release in lieu of arrest to individuals arrested on a limited category of misdemeanor bench warrants.
- ✓ March 27, 2020 Order suspending weekend jail sentences.
- ✓ April 1, 2020 Order clarifying the status of expiration dates for Deferred Prosecution and Sentencing Agreements and probationary terms.
- ✓ Criminal Division Standing Order Establishing Procedures for the Scheduling of Hearings, Standing Order Establishing Protocols for

Scheduling Hearings in Courtroom 213-R, Standing Order For Scheduling and Trial Readiness Hearings, and Standing Order Establishing Procedures for Filing Emergency Motions for Release from Custody Due to the COVID-19 Pandemic.

The Criminal Division will operate as follows:

- ✓ The Criminal Division will continue to operate remotely or partially remotely with hearings being conducted via telephone or videoconference from the Central Cellblock, the D.C. Jail, Saint Elizabeths Hospital, Department of Youth Rehabilitation Services, Bureau of Prisons, and the community.
- ✓ Detained preliminary hearings and other non-evidentiary hearings may proceed upon the request of defense counsel and agreement of the United States Attorney's Office or Office of the Attorney General, which shall not be unreasonably withheld.
- ✓ Twenty-five courtrooms will operate remotely or partially remotely and are primarily dedicated to the following functions:

Partially remote courtrooms:

- C-10 – arraignments, presentments, bench warrant returns, extraditions.
- 112-R – partially remote non-detained matters with defendants appearing before the judge in the courtroom for non-evidentiary hearings to include pretrial and probation show cause hearings; walk-in bench warrants may report to this courtroom.
- 203-R, 211-R, 215-R, and 310-R – partially remote detained CF1, CF2, and CF3 preliminary hearings and misdemeanor detention hearings with defendants appearing before the judge in the

courtroom subject to an approved testing and screening COVID-19 protocol.

- 202-R and 316-R – partially remote detained non-jury trials and motions hearings. Defendant to appear before the judge in the courtroom subject to an approved COVID-19 testing and screening protocol, parties and witnesses to appear before the judge unless otherwise ordered or authorized by the court to appear remotely. Cases to 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 to be set per day

Jury Trial Courtrooms:

- 301-R, 302-R, Juror Lounge – partially remote jury selection with all parties and prospective jurors appearing before the judge in the courtroom (to be shared with other Divisions for jury selection as needed).
 - 201-R and 203-R – partially remote jury trials with all parties, jurors and witnesses appearing before the judge in the courtroom, unless otherwise ordered or authorized by the court to appear remotely.
- ✓ Pre-trial services representatives, probation officers and victims may appear in person or continue to appear remotely via video or teleconference.

Remote courtrooms:

- 111-R – remote hearings for defendants participating in Drug Court (Monday/Wednesday) and Mental Health Court (Tuesday/Thursday) with some hearings set on Friday.

- 116-R – remote status hearings in non-detained misdemeanor cases.
- 210-R, 220-R, and 319-R – remote detained substantive non-evidentiary matters, including emergency bond review motions.
- 213-R – AM remote detained substantive non-evidentiary matters, including dispositions, waivers of preliminary hearings, sentencing, etc.; PM detained initial scheduling conference, defendant’s appearance waived.
- 218-R and 311-R – remote detained matters from DYRS and BOP for substantive non-evidentiary matters, and non-detained matters before the case judge.
- 312-R and 313-R – remote non-detained matters prosecuted by USAO (312-R) and OAG (313-R), including citation arraignments, entry or completion of Deferred Prosecution or Sentencing Agreements, dispositions, and sentencing.
- 314-R and 321-R – remote scheduling and trial readiness hearings in detained matters; defendant’s appearance waived.
- 317-R – remote mental observation and contested competency hearings from Saint Elizabeths Hospital.

Pretrial and probation show cause hearings scheduled in partially remote Courtroom 112-R and all remote Courtrooms shall not be continued. All other probation show cause hearings will be continued to a future date; the filing of an AVR shall toll the expiration of probation.

All detained and non-detained hearings currently scheduled in remote or partially remote courtrooms shall remain scheduled on the date and time currently set.

Detained status hearings set in courtrooms other than remote or partially remote courtrooms shall not be continued and will be converted to schedule hearings to proceed remotely in Courtroom 314-R and 321-R; defendant's appearance waived.

On October 26, 2020, the Criminal Division provided 30-day notice of the intent to resume detained non-jury trials, commencing on November 30, 2020. New trial dates will be set at a scheduling hearing upon request of defense counsel and with the consent of the government, which shall not be unreasonably withheld.

On January 15, 2021, the Criminal Division provided 60-day notice of the intent to resume detained jury trials in Felony 2 cases previously set for trial. The Criminal Division will be issuing 60-day notice of the resumption of jury trials in an expanded category of cases prior to May 1, 2021. Trial dates will be set at a trial readiness hearing upon request of defense counsel and with the consent of the government, which shall not be unreasonably withheld.

All non-detained felony cases and jury trials scheduled through May 20, 2021, will be continued to a future status date pursuant to the [Eighth Criminal Division Scheduling Order](#). Parties may request that the hearing proceed forward on an earlier date providing that all parties can appear remotely.

Commencing April 1, 2021, all non-detained diversion matters, including Deferred Sentencing and Deferred Prosecution review dates will proceed on their originally scheduled court dates, in courtroom 312-R for cases prosecution by the United States Attorney's Office (USAO) and in 313-R for cases prosecuted by the Office of the Attorney General (OAG).

Commencing May 10, 2021, the Criminal Division will resume citation arraignment hearings on the original or continued date in Courtrooms 312-R (USAO cases) and 313-R (OAG cases); these hearings will be entirely

remote. Court dates in specific cases and login information will be posted on the Criminal Division section of the website.

Commencing May 10, 2021, the Criminal Division will resume status hearings in all non-detained misdemeanor cases on the original or continued date in Courtroom 116-R; these hearings will be entirely remote. On some dates, given the number of cases set, a second remote courtroom will be opened to hear these cases. Court dates in specific cases and login information will be posted on the Criminal Division section of the website.

DOMESTIC VIOLENCE DIVISION

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.

The Domestic Violence Division (DVD) will operate as follows:

- ✓ The Domestic Violence Division Clerk's Office will be available remotely from 8:30AM to 5PM Monday through Friday.
- ✓ 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.
- ✓ Parties in DVM and CCC cases should continue to file electronically via CaseFileXpress. Civil filings can be submitted through www.probono.net/dccourts or emailed to DomesticViolenceManagement@dcsc.gov.
- ✓ Proceedings in the Domestic Violence Division are open to the public. Parties will receive instructions on how to join the courtroom directly.

Non-parties should contact the DV Division Clerk's Office by calling (202) 879-0157 or emailing DVDhearings@dcsc.gov to obtain information to access a specific courtroom.

- ✓ Seven courtrooms will operate remotely or partially remotely and, if court-ordered, in person. Please see a list of courtrooms below with the types of hearings assigned to the courtroom:

April 1 – May 7:

- 113 – CPO cases
- 114 – CPO cases
- 117 – Primary TPO Hearings
- 118 – DVM and CCC cases (DOC hearings)
- 119 – DVM and CCC cases
- JM-9 – Backup TPO hearings and Child Support cases
- 108 – TPOs; Miscellaneous DV matters

Beginning on May 10:

- 113 – CPO cases
- 114 – CPO cases
- 117 – DVM and CCC cases
- 118 – DVM and CCC cases
- 119 – DVM and CCC cases (DOC hearings) on Tuesdays and Thursdays; Backup CPO trial coverage by senior judges on Mondays, Wednesdays, and Fridays
- 108 – Primary TPO courtroom
- JM-9 – Backup TPO courtroom and Child Support cases

Criminal Cases – Domestic Violence Misdemeanor (DVM) and Criminal Contempt (CCC)

- ✓ Current DVD operations will remain in place through Friday, May 7, 2021. With the exception of hearings scheduled remotely or semi-

remotely in DVD courtrooms, all DVM and CCC hearings for released defendants between April 1, 2021, and May 7, 2021, will be continued pursuant to a scheduling order issued by the DVD presiding judge. Beginning May 10, 2021, all hearings for released defendants **will not be continued** and instead will go forward **remotely** on the date and time they are scheduled.

- ✓ **Appearing for Hearings:** DV Division criminal courtrooms will continue to operate remotely, partially remotely, or in-person. Remote hearings will be conducted by telephone or videoconference with defendants appearing from the D.C. Jail or the community. Attorneys, pretrial services representatives, and probation officers may appear in person or continue to appear remotely via video or telephone. Witnesses may appear remotely via video or telephone to the extent authorized by the Court in an individual case.
- ✓ **Detained Scheduling Hearings:** Remote detained status hearings set out of C-10 in a remote DVD courtroom shall not be continued. The defendant's appearance will be waived for these scheduling conferences. Parties should be prepared to request either a substantive hearing date or a further scheduling hearing.
- ✓ **Detained Substantive Hearings:** Detention hearings and other non-evidentiary hearings in which a defendant is detained in the DVM or CCC case will take place on Tuesdays and Thursdays in a remote DVD courtroom. Defendants will appear by video or telephone from the D.C. Jail.
- ✓ **Detained Non-Jury Trials:** On November 2, 2020, the DVD provided 30-day notice of the intent to resume detained non-jury trials, commencing December 2, 2020. Chambers will contact the parties in detained cases to set a remote scheduling hearing to determine how the parties are seeking to proceed. A new trial date can be set upon request of defense counsel and with the consent of the government, which shall not be unreasonably withheld. Cases to 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 to be set per day.

- ✓ Arraignments: DVM arraignments will be heard in Courtroom C-10. CCC arraignments will be heard remotely in a DVD courtroom.

- ✓ Show Cause Hearings:
 - From April 1 through May 7, partially remote pretrial and probation show cause hearings scheduled in a DVD courtroom on Wednesdays shall not be continued. Beginning on May 10, partially remote pretrial and probation show cause hearings will be set on Mondays and Wednesdays in DVD courtrooms. Defendants are to appear before the judge in person, subject to an approved COVID-19 protocol. All other parties may appear by video or telephone.

 - From April 1 through May 7, fully remote pretrial and probation show cause hearings scheduled in a DVD courtroom on Tuesday mornings shall not be continued. Beginning on May 10, fully remote pretrial and probation show cause hearings may be set on any day, Monday through Friday. All parties, including defendants, should appear remotely by phone or videoconference.

 - Probation show cause hearings set between April 1 and May 7 will be continued to a future date. Any probation show cause hearings set after May 7 will be heard on the date scheduled in a remote courtroom unless otherwise ordered by the Court. The filing of an AVR shall toll the expiration of probation.

- ✓ Hearings for Released Defendants: Remote hearings in non-detained matters may be scheduled in a remote courtroom upon the request of

the parties through May 7, 2021. Beginning May 10, 2021, all status hearings, show cause hearings, arraignments, and diversion hearings for released defendants **will not be continued** and instead will go forward **remotely** on the date and time they are scheduled in courtroom 117 and courtroom 118.

- ✓ Walk-in Bench Warrant Cases: From April 1 to May 7, defendants with bench warrants may turn themselves in on Wednesdays in Courtroom 118 or in Courtroom 112 on any other day. Beginning on May 10, Defendants with bench warrants may turn themselves in on Monday afternoons in Courtroom 117, on Wednesday afternoons in Courtroom 118, and in Courtroom 112 on any other day.

Civil Protection Order Cases (CPOs)

- ✓ 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.
- ✓ Requests for Temporary Protection Orders will continue to be heard remotely.
- ✓ All existing TPO expiration dates shall be consistent with the scheduling orders issued by the Presiding Judge, based on the date the case was filed, unless a judge extends the TPO at a virtual hearing or through court order.
- ✓ Parties will receive TPOs and other case-related paperwork (such as self-service packets) electronically, including through email correspondence.

- ✓ All existing CPOs expire either on the expiration date of the order or on June 19, 2020 whichever is the latter of the two dates, unless a Motion to Extend is filed. Note that the expiration of existing CPO cases differs from the DV Division's approach in the previous COVID-19 Orders issued on March 19, 2020 and May 14, 2020, but is consistent with the Orders issued on August 14, 2020; November 5, 2020; January 18, 2021; and March 31, 2021.
- ✓ As of November 9, 2020, the Division started hearing all cases set on the Civil Protection Order calendars. All CPO cases set between April 1 and May 7, 2021, except motions to reinstate a petition for a CPO and motions to set aside default, will be held on the date listed in a CPO and ERPO Scheduling Order issued by the DVD presiding judge on March 31, 2021. Starting May 10, 2021, all CPO, ERPO, and related cases will take place approximately two weeks after the case is filed. Additionally, upon request of the parties and pursuant to the Court's availability, parties may also request an earlier hearing date for a CPO case.
- ✓ Bench Warrants in Default CPO Cases: From April 1 to May 7, respondents with bench warrants may turn themselves in on Wednesdays in Courtroom 118 or in Courtroom 112 on any other day. Beginning on May 10, respondents with bench warrants may turn themselves in on Monday afternoons in Courtroom 117, on Wednesday afternoons in Courtroom 118, and in Courtroom 112 on any other day.

Child Support Cases with Underlying CPOs

- ✓ The Domestic Violence Division will hear Child Support cases assigned to the Division in a virtual courtroom. Parties will receive notice and instructions on how to join the virtual hearing in advance of the assigned hearing date.

Extreme Risk Protect Orders (ERPOs)

- ✓ Requests for Ex Parte and Final ERPOS are available and can be made by emailing the filing to DVD@dcsc.gov. The petition can be obtained from the DC Courts website. The assigned judge will hear the matter in a remote courtroom.
- ✓ All existing *Ex Parte* ERPO expiration dates shall be extended to the future date consistent with a scheduling order issued by the DVD Presiding Judge on January 18, 2021, or March 31, 2021, unless otherwise ordered by the Court.
- ✓ All existing ERPOs expire on the expiration date of the order, unless a Motion to Extend is filed.
- ✓ As of November 9, 2020, the Division started hearing all cases set on the Extreme Risk Protection Order calendar. All ERPO trials and ERPO-related motions will be held on the date listed in a CPO and ERPO Scheduling Order issued by the DVD Presiding Judge on January 18, 2021, or March 31, 2021. Parties will receive notice and instructions on how to join the virtual hearing electronically in advance of the assigned hearing date.

FAMILY COURT

Unless otherwise ordered by the Court, all deadlines and time limits in statutes, court rules, and standing orders 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, except for the following:

1. Abuse and Neglect Cases and Related Matters:

Motions practice and discovery in Neglect matters, Adoption matters, Termination of Parental Rights matters, and Guardianship matters shall continue to be governed by applicable Superior Court rules unless otherwise directed by the assigned judge. Adoptions and Safe Family Act (ASFA) deadlines shall remain in effect.

Adoption petitions may be filed electronically, via digital drop box at <https://dcscgov.app.box.com/f/aeaf4eb2153743519a495d3f95d26c93>. All other pleadings in adoption matters may be filed remotely via E-Filing/CaseFileXpress.

2. Domestic Relations Cases:

Counsel and parties are expected to comply with applicable procedural rules including the filing of motions and oppositions unless otherwise directed by the assigned judge. All deadlines in orders issued on or after March 20, 2020 stand. All deadlines in orders issued before March 20, 2020 are extended by 90 days.

Because individuals are likely unable to comply with social distancing and “diligent efforts” to serve (either personally or by going to the post office to obtain a certified mail), electronic service via text message or email is permissible in accordance with Rule 4(c)(3)(B) without further order of the Court. The serving party must prove service to the satisfaction of the assigned judge, including showing that the electronic method of service was “reasonably calculated to give actual notice.” Parties cannot serve electronically under Rule 4(c)(3)(B) if personal service is required by statute, including D.C. Code §§ 13-332 (requiring personal service on minors), 13-333 (requiring personal service on incompetent persons), and 46-206 (requiring personal service of the notice in cases involving support).

Pursuant to Super. Ct. Dom. Rel. R. 5(d)(5)(B), the court authorizes parties to electronically file any affidavit of service of process.

3. Mental Habilitation Cases:

Counsel for Respondents shall continue to file Updated Status Reports pursuant to Administrative Order No 00-06, and to the extent possible, shall file Respondents Reports on Informed Consent for Voluntary Commitment and Substitute Decision Maker Reports. Parties shall comply with any existing order to file a special report or specific document. Parties shall comply with

any existing order (a) requiring participants to convene meetings or (b) requiring the Department of Disability Services to provide specific services or supports to the extent possible, in light of the pandemic.

The Family Court is conducting the following types of remote hearings:

Abuse and Neglect and Related Matters:

- ✓ Neglect initial hearings
- ✓ Emergency hearings
- ✓ Disposition hearings
- ✓ Stipulation Hearings
- ✓ Trials of any type, including *Ta. L.* Hearings, Adoptions, Termination of Parental Rights Motions, and Guardianship Trials.
- ✓ Family Treatment Court hearings
- ✓ Permanency Hearings, Review of Disposition Hearings, and Pretrial Hearings shall be scheduled.
- ✓ Other hearings.

Domestic Relations:

- ✓ Divorces, separations, custody, child support, contested or uncontested depending on courtroom availability and such other matters that the Court deems appropriate.
- ✓ Domestic relations same day emergency hearings.
- ✓ Emergency motions to modify custody or for contempt where same day emergency hearing was denied but the Court concludes that it is both necessary and feasible to hear the motion on an expedited basis.
- ✓ Discretionary matters, such as resolving discovery issues or other issues, either capable of resolution during a remote hearing, or deemed necessary in the interest of justice.

Juvenile Delinquency, Persons in Need of Supervision, and Private Adoptions:

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. Notwithstanding this Order, the Family Court will hold the following hearings:

- Juvenile initial hearings, including probable cause hearings.
- Any other hearings (e.g. emergency hearings, status hearings, disposition hearings) based upon the judge's determination that holding a hearing would be beneficial toward resolving the case or will result in a change in the level of detention of a juvenile; this applies to HOPE and Juvenile Behavioral Diversion Program (JPDP) courts.
- Factfinding hearings for juveniles, which will occur remotely and only if the Court finds for specific reasons that the factfinding hearing in that case cannot be further delayed without serious harm to the interests of justice, and only with the consent of the respondent after consultation with counsel. Either party may seek a continuance of a factfinding hearing for reasons of witness unavailability, or any other reason, in accordance with the Superior Court Juvenile Rules. As the Superior Court resumes in-person jury trials in criminal and civil cases, the Family Court will also endeavor to resume delinquency in-person trials consistent with all recommended safety considerations.
- Special Immigrant Juvenile Status hearings.
- Private adoptions.

Mental Health:

- Mental health probable cause hearings.
- Mental Health Commission hearings.
Revocation hearings, status hearings where needed, emergency hearings, pretrial hearings and trials.

Mental Habilitation:

- Mental habilitation review and emergency hearings.

Name Changes:

- Name changes hearings will be held.

Parentage and Support Cases:

- All are being scheduled and resolving those on paper where possible.

Marriages:

- Marriages ceremonies have resumed and are being conducted via WebEx. Parties who wish to apply for a marriage license, please visit:
<https://www.dccourts.gov/form/marriage-application>

Other Relevant Information:

- Process for Filing Domestic Relations Emergency Motions:
 - Parties represented by counsel are required to eFile any emergency motions through CaseFileXpress at <https://www.dccourts.gov/superior-court/e-filing>
In the “comments” section, parties should indicate they are requesting an emergency hearing.
 - Litigants represented by a 501(c)(3) organization and self-represented litigants may eFile their emergency motions through CaseFileXpress at <https://www.dccourts.gov/superior-court/e-filing>
In the “comments” section, parties should indicate they are requesting an emergency hearing.
 - Self-Represented litigants who are approved for a fee waiver AND who choose not to eFile, can send an email to

FamilyCourtCIC@DCSC.GOV with their motion attached. Filers must write “Emergency Motion” in the subject line of any such emails. Self-Represented litigants who are seeking a fee waiver for the first time should send their request and emergency motion to FamilyCourtCIC@DCSC.GOV, and must write “Emergency Motion and Fee Waiver Request” in the subject line.

Self-Represented litigants who are eFiling using CaseFileXpress must indicate they are requesting an emergency hearing in the “comments” section.

- Self-Represented litigants who do not have an approved fee waiver are required to eFile emergency motions through CaseFileXpress at <https://www.dccourts.gov/superior-court/e-filing>

In the “comments” section, parties should indicate they are Requesting an Emergency Hearing.

- If a filer fails to properly identify their motion as an emergency as outlined above, the motion may not be processed in a timely fashion.

- ✓ The process for filing new domestic relations complaints or petitions in Family Court is laid out in detail on the Court’s website, see: <https://www.dccourts.gov/sites/default/files/DRB-Case-InitiationInstructions-for-filers.pdf>.
- ✓ The Family Court Self-Help Center (202-879-0096) is operating on a remote basis to provide information and to assist parties in filing documents in Family Court cases (divorce, child custody, child support, etc.).
- ✓ The Court will issue summonses electronically and will email them to the filer.

- ✓ Domestic Relations Initial Hearings will not be scheduled at the time of filing; chambers will be scheduled once a responsive pleading is filed or an affidavit of service is filed and as is feasible given the status of Court operations.
- ✓ The Supervised Visitation Center is conducting intake interviews and supervised visits remotely.
- ✓ Multi-door mediation and intake for mediation is available for parties able to participate in remote mediation either through videoconferencing or telephonically.

PROBATE AND TAX DIVISIONS

With respect to matters in the Probate and Tax Divisions, the moratorium is now lifted and all deadlines for statutory and rules-based time limits in the D.C. Code and the Superior Court Rules are now in full force and effect.

The Probate Division will operate as follows:

- ✓ Judges will hear the following matters remotely by WebEx:
 - 21-Day Emergency Guardians — Filed by email (attorneys and self-represented filers)
 - 90-Day Health-Care Guardians — Filed by email (attorneys and self-represented filers)
 - Petitions for General Proceedings (Guardianship and Conservatorship petitions) – Filed by email (attorneys and self-represented filers) and by mail (self-represented filers)
 - Other Intervention matters which the individual judge determines are appropriate to be heard remotely by WebEx

- Other Probate matters, including Estate cases, which the individual judge determines are appropriate to be heard remotely by WebEx
- To facilitate remote hearings and new case filings, the Probate Division encourages all parties to provide contact information on all filings including any telephone numbers and email addresses where parties can be reached.
 - ✓ Triennial reviews of guardianship appointments are suspended.

The Tax Division will operate as follows:

- ✓ Judges and staff will continue to work remotely
- ✓ Show Cause and status hearings will be heard remotely by WebEx
- ✓ Initial Scheduling, Pre-Trial Conferences, and Trials will be held remotely by WebEx

OFFICE OF THE AUDITOR MASTER

The Auditor-Master is conducting all hearings remotely by WebEx. Parties may attend by telephone or video-conferencing. Instructions for remote participation will be provided to all Parties.

Parties should comply with all orders that the Auditor-Master has issued since August 1, 2020. The Office is currently issuing orders to reschedule all previously scheduled hearings, to schedule hearings in new matters, and to set new dates for production of documents.

The Staff is available remotely from 8:30 AM to 5:00 PM, Monday through Friday. Be advised that staff is processing all documents remotely.

Documents may be submitted by email to: Auditor.Master@dcsc.gov or mailed to: D.C. Superior Court, Office of the Auditor-Master, 500 Indiana Avenue NW, Washington, DC 20001. Documents sensitive in nature may be emailed to AMFinancialBox@dcsc.gov.

Reports are currently being prepared for matters in which all hearings have been conducted and all documentation has been received. Reports will be served on parties when they are completed.

For questions, please contact the Office by telephone at 202-626-3280 or email at Auditor.Master@dcsc.gov.