

Effective January 1, 2021

GENERAL ORDER

=====

I. SCOPE AND PURPOSE

This General Order is uniform for all Civil calendars, including Civil I and Civil II calendars. A Supplemental Order is attached to this General Order specifying any additional requirement(s) by the judge assigned to the individual calendar. This General Order supplements the Superior Court Civil Rules, which apply to every Calendar and with which counsel and parties who are not represented by counsel (*pro se* parties) should be familiar. In addition, a **Handbook for People who Represent Themselves in Civil Cases** is available in the Clerk’s Office and most courtrooms for parties who represent themselves in civil cases or counsel who may wish to share the handbook with their clients. The handbook is also available online https://www.dccourts.gov/sites/default/files/matters-docs/Handbook%20Revised%20Final_9%2021%2018.pdf. All counsel and parties are expected to treat each other and those involved in the case resolution process with **dignity, respect and civility**, both in court and in out-of-court conferences and discovery proceedings.

II. MOTIONS, OTHER FILINGS and COURT RECORDS

All filings by **represented parties** subsequent to the complaint and affidavits of service must be electronically filed and served. This applies to pending and newly-filed cases. See <http://www.dccourts.gov/efiling>.

All requests for court orders must be by written motion (Rule 7(b)(1), 12-I(d)(1)). The Court will not act on informal correspondence, e-mails or telephone calls, but appreciates notice by telephone that an emergency motion is being filed. *Ex parte* communications are inappropriate and will not be accepted. Fees must be paid before filing, unless otherwise waived by the Court.

All motions requesting a continuance of any hearings, conferences, etc., should include proposed continuance dates that are mutually agreeable to all counsel and unrepresented parties.

The **caption** of all filings should include "Judge _____" beneath the case number and on the lines below that, the next court date, and the nature of the scheduled event. E.g.

Plaintiff(s),)	
)	2010 CA 00XXXX ‘Extender’ ¹
)	Judge XXXXXX
v.)	Next Court Date _____
)	Event _____
Defendant(s).)	

¹ Proper caption format, including explanation of Extenders, is explained at <http://www.dccourts.gov/internet/legal/efiling.jsf> under frequently asked questions.

Pro se parties are not required to use the electronic filing, but may elect to do so. *Pro se* parties who choose to use the electronic filing system must comply with all the procedures and requirements for electronic filing applicable to attorneys. If a motion is made by a *pro se* party who does not elect to participate in electronic filing, the original motion or other court filing and one copy plainly marked "**Chambers Copy**" shall be filed in the Clerk's Office, Suite 5000 (Rule 5(d)(4)); no motions or other court filings should be faxed or e-mailed. A courtesy copy to chambers must be accompanied by (1) a **proposed order**, Rule 12-I(f); (2) **the proposed order must list existing dates of the scheduling order and must indicate which dates, if any, would be affected by the motion or opposition**, Rule 12-I(f); (3) a statement that an attempt was made to obtain **consent to the relief sought**, Rule 12-I(a), and (4) a **certificate of service** on all parties and on Chambers, Rule 5-1. Ordinarily, motions that do not comply with these requirements will be **summarily denied without prejudice**. Memoranda that exceed ten pages in length are discouraged.

For eFiled motions, the filing must include a (1) proposed order, (2) certificate of service, and (3) statement that the moving party sought consent by the other parties. **Counsel and pro se parties participating in electronic filing shall include their email addresses in the signature blocks of all filings.** In addition, parties must submit a separate electronic copy of any proposed order through CaseFileXpress. Additional information is available at www.fileandservexpress.com/dc/#DCJudicialReview.

When filings are over twenty-five (25) pages, in total, a paper copy must be mailed or hand-delivered to Chambers. See Rule 5(d)(4); Rule 5(d)(6)(C) and Administrative Order 06-17. Please check Rule 5(d)(2)(D) for which motions need a Certificate Regarding Discovery.

Every document filed electronically shall be deemed to have been signed by the attorney who made the filing or authorized the filing to be made. Each filing shall bear "/s/" or a typographical or imaged signature on the signature line. Below the signature line shall appear the typed name, address, telephone number, e-mail address and bar number of the attorney who submitted the filing. See Rule 5(d)(5)(B)(ii).

STIPULATIONS BETWEEN COUNSEL SHALL NOT BE EFFECTIVE TO CHANGE DEADLINES, except as provided in Rule 16(b)(7)(B).

Motions will be decided on the papers alone, unless the Court determines the need for a hearing. **Counsel and pro se parties must immediately notify chambers if a pending motion is resolved or a case is settled.**

The official court record is CourtView. The docket and court filings are maintained electronically and may be viewed at terminals in the Civil Clerk's Office (**Suite 5000**). The docket also may be viewed on the court's public access site: <http://www.dccourts.gov/internet/CCO.jsf>.

III. DEFAULT JUDGMENTS AND SERVICEMEMBERS AFFIDAVITS

Where a defendant has failed to appear, a Form CA 114 in compliance with the Servicemembers Civil Relief Act must be filed in all cases, regardless of whether the default judgment is to be entered by the clerk or the Court. Caselaw interpreting the Servicemembers Civil Relief Act requires that the investigation into the defaulting party's military status be conducted contemporaneously with the entry of default. Accordingly, pursuant to this General Order, the **investigation** must have been conducted within **30 days prior to the filing of the CA Form 114**. If an affidavit contains a search that was carried out more than 30 days from the file date of the affidavit, it will be rejected by the Clerk's Office. Rule 55, 55-II (both applicable to Small Claims under Small Claims Rule 2); L&T Rules 11, 14 and 14-I.

IV. DISCOVERY

Motions to compel discovery and motions relating to discovery must comply with Rules 5(d)(2)(D), 26(g), 26(h) and 37(a) and must include the various certifications required by Rule 37(a). The meeting required under the circumstances set forth in Rule 37(a)(1)(A) must be face to face, for a reasonable period of time (usually at least 60 minutes) in an effort to resolve the matter before filing a motion. Motions lacking any certification required by Rule 37(a)(1)(B), including the date, time, and place at which a meeting was held, may be **summarily denied**. Motions lacking a Certificate Regarding Discovery will not be accepted for filing.

During the public health emergency, one or all parties may have good reasons not to meet in person, and conferring by telephone or videoconference may be a reasonable alternative in the circumstances. Judges have discretion to waive or modify the "in person" meeting requirements in Rules 37(a)(1)(A), and 26(h)(1). This discretion exists even if the parties do not ask for advance approval to attempt to resolve an issue without an in-person meeting, and the parties instead inform the court in a motion or joint pretrial statement that they conferred without an in-person meeting for specified pandemic-related reasons. Parties can expect judges to rule on discovery motions and conduct pretrial conferences, if the parties have not met, but one or both parties had a reasonable basis related to the pandemic not to meet in person and the parties conferred, or offered to confer, through reasonable alternative methods.

V. SETTLEMENT

In order to reduce litigation expense and delay, to eliminate the anxiety of trial and the risk of an unsatisfactory outcome, it is desirable that settlements occur as early as possible in the litigation process. Judges and the Multi-Door Dispute Resolution Division are available to assist the parties in pursuing settlement early in the case. However, the Court will not delay trial to participate in settlement discussions on the day of trial. Counsel must sign a **certificate that all discovery has been completed by the time of mediation**. Counsel unable to sign the certificate, and, if necessary, their clients, may be sanctioned or summoned to appear before the Court for consideration of **further sanctions**.

VI. PRETRIAL/SETTLEMENT CONFERENCE

Violations of any provision of Rule 16 may result in sanctions. The attached form for **Joint** Pretrial Statements must be used and must include **joint** *voir dire* questions, jury instructions and verdict form -- with objections, if any.

Non-party principals whose authority may be needed to settle a case must attend in person, unless excused by the Court for good cause shown. Rule 16(j). During the public health emergency, one or all parties may have good reasons not to meet in person, and conferring by telephone or videoconference may be a reasonable alternative in the circumstances. Judges have discretion to waive or modify the “in person” meeting requirements in Rules 16. This discretion exists even if the parties do not ask for advance approval to attempt to resolve an issue without an in-person meeting, and the parties instead inform the court in a motion or joint pretrial statement that they conferred without an in-person meeting for specified pandemic-related reasons. Parties can expect judges to rule on discovery motions and conduct pretrial conferences, if the parties have not met but one or both parties had a reasonable basis related to the pandemic not to meet in person and the parties conferred, or offered to confer, through reasonable alternative methods.

VII. TRIAL

The Court expects parties to provide the Court with an exhibit list and a copy of the exhibits at the start of any trial.

If it is anticipated that **audio or video equipment** is needed, the proffering party must provide its own equipment. In order to bring any audio or video equipment into the courthouse, a party must submit a Request for Authorization Letter to the Executive Office (202) 879-1700 located in Suite 6680 in the Moultrie Building, which in turn gives authorization to Courthouse Security. The request must contain the name of the party/attorney making the request, their address, telephone number, fax number, the case number, date and time of the trial, the name of the judge hearing the trial and the courtroom where the trial will be heard. In addition the request must indicate what type of equipment is being brought in and the name of the individual bringing in the equipment. The request may be faxed to the Executive Office at (202) 879-1802 at least three business days before the start of the trial.

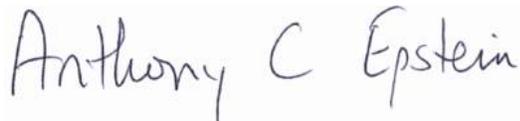
VIII. INTERPRETERS

If it is anticipated that an **interpreter** is needed, the proffering party may contact the Office of Court Interpreting Services (202) 879-4828. Litigants in need of interpreters for themselves and/or their witnesses should make the judge aware of the need for an interpreter(s) as early as possible.

VIX. TAX FORECLOSURE SALES

Subsection (f) of D.C. Code § 47–1372 provides that, in addition to the notice required by subsection (a), the plaintiff in any action to foreclose the right of redemption after a tax sale shall provide notice of the action by posting a copy of the summons on a place on the premises of the real property where it may be conveniently read. To facilitate its ability to determine whether a plaintiff has complied with D.C. Code § 47–1372(f), the plaintiff in any such action shall file a photograph of a copy of the summons posted on a place on the premises of the real property where it may be conveniently read.

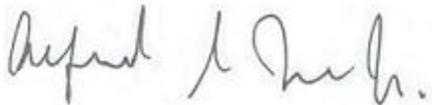
So Ordered.



Anthony C. Epstein
Presiding Judge, Civil Division



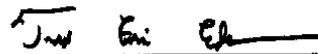
Kelly A. Higashi
Associate Judge, Civil Calendar 20



Alfred S. Irving
Associate Judge, Civil Calendar 3

Judge to be announced
Associate Judge, Civil Calendar 5

Judge to be announced
Associate Judge, Civil Calendar 7



Todd Edelman
Deputy Presiding Judge, Civil Division



Shana F. Martini
Associate Judge, Civil Calendar 2

Judge to be announced
Associate Judge, Civil Calendar 4



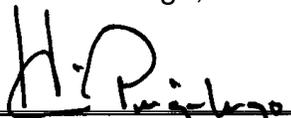
Fern Flanagan Saddler
Associate Judge, Civil Calendar 6



William M. Jackson
Associate Judge, Civil Calendar 8



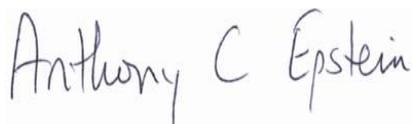
Florence Y. Pan
Associate Judge, Civil Calendar 9



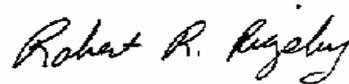
Hiram Puig-Lugo
Associate Judge, Civil Calendar 11



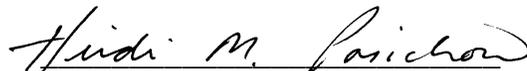
Jason Park
Associate Judge, Civil Calendar 13



Anthony C. Epstein
Associate Judge, Civil Calendars 1, 15



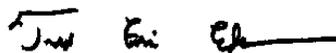
Robert R. Rigsby
Associate Judge, Civil Calendar 10



Heidi M. Pasichow
Associate Judge, Civil Calendar 12



José M. López
Associate Judge, Civil Calendar 14



Todd E. Edelman
Associate Judge, Civil Calendars 1,16

Form of Joint Pretrial Statement To Be Served, Filed and Provided To Assigned Judge Before Pretrial Conference Pursuant to Rule 16(e)

_____)	
Plaintiff,)	2010 CA 00XXXX 'Extender'
)	Judge_____
v.)	Pretrial Date_____Time____
)	Trial Date_____Time____
_____)	(Jury) (Nonjury)
Defendant.)	

JOINT PRETRIAL STATEMENT

- A. Certification of Rule 16(c) Meeting:** State date, time and place of the meeting required to be held before pretrial to prepare joint statement and persons who attended.
- B. Parties and Counsel:** Names, addresses, and telephone numbers of all parties and counsel on whose behalf this statement is filed.
- C. Nature of the Case:** A brief mutually agreed upon, non-argumentative, neutral statement of the case suitable for reading to a jury as part of voir dire.
- D. Claims and Defenses:** Each party to set forth a concise statement of all claims and defenses, separately numbered, which that party is submitting for trial.
- E. Undisputed Issues/Stipulations:** List all issues not in dispute or facts stipulated.
- F. Disputed Issues:** List each disputed issue with the parties' principal contentions.
- G. Requested Stipulations:** List all facts to which other parties are asked to stipulate.
- H. Relief Sought:** Specify nature and amount of each item of damage claimed or description of equitable relief sought by each party.
- I. Citations:** List any cases or statutes which need to be called to the court's attention. Attach copies of any not found in D.C. Code, A.2d, or U.S. App. D.C., and include copies of any DCMR relied upon.
- J. Pending Motions:** List title, movant, and filing date of all pending motions.
- K. Witnesses:** Name, **address**, and telephone number of each person who may be called to testify. As to experts, list briefly matters about which each expert will testify. **Per Rule 16(e), no party may call at trial any witness omitted from that party's pretrial statement, except for impeachment or rebuttal purposes.**

L. Exhibits: Attach a completed Exhibit Summary Form (obtainable from Clerk's Office) listing-- by exhibit number and description -- each exhibit to be offered at trial. Any objections to another party's exhibits should be stated. Copies of such exhibits must be served on all other parties before pretrial. No exhibit shall be received at trial (except for impeachment) unless it was so listed and served, and exhibits so listed and served may be admitted at trial unless objection thereto is made before the pretrial **per Rule 16(e)**. Original exhibits must be brought to pretrial for viewing; any party proposing to offer more than 15 exhibits must arrange them as described in Rule 16(f).

M. Depositions: Designate by page and line deposition testimony to be offered as substantive evidence.

N. Pleadings and Discovery Responses: Designate by page and paragraph of any pleading or discovery response to be offered as substantive evidence.

O. Demonstrative or Physical Evidence: Describe any blow-ups, models, samples, objects, etc., to be used at trial.

P. Videotapes: Identify any non-impeachment videotapes to be shown to the jury.

Q. Requested Voir Dire Questions: Identify questions agreed upon and those not agreed upon. Separate, duplicative lists of questions are unacceptable.

R. List of Standard Jury Instructions Requested: Identify instructions agreed upon and those not agreed upon.

S. Non-Standard Jury Instructions: Supply complete text of each instruction on a separate page. Authorities should appear separately from the text of the instruction.

T. Verdict Form: Full text of verdict form to be submitted to the jury.

U. Settlement: Minimum demand; maximum offer. [To be provided in all cases except non-jury trials.]

V. Estimated Length of Trial: _____ days.

"The foregoing Joint Pretrial Statement, as revised at the pretrial conference in the presence of the parties and counsel, shall stand as the pretrial order in this case."

Signatures