

## **Updated Probate Division Statement Regarding Court Proceedings and Operations (April 10, 2020)**

To the members of the Probate Division Fiduciary Panel and members of the public:

In compliance with the Chief Judge's Amended Order, dated March 19, 2020, the Probate Division is providing further guidance regarding court proceedings and operations. The Probate Division released a statement regarding court proceedings and operations on March 25, 2020. Having set up and implemented all the mechanisms to process filings as set forth in that statement, the Division is now ready to move into Phase 2 of the operational plan.

To highlight the change in Phase 2 – **beginning on Monday, April 13, 2020**, the Probate Division, which has been accepting and continues to accept 90-day Health-Care Guardian Petitions by mail, will have the mechanisms in place to begin accepting 90-day Health-Care Guardian Petitions under a new process as set forth below.

### **Probate Division Operations**

- The Probate Clerk's Office is operating remotely and is closed for in-person filings, until further notice.
  - The following emergency matters will be accepted for filing:
    - 21-day Emergency Guardian Petitions (D.C. Code § 21-2046(b))
    - Provisional Guardian Petitions (D.C. Code § 21-2046(d))
  - 90-day Health-Care Guardian Petitions (D.C. Code § 21-2046(c)) will be accepted for filing.
- Filing Procedures:
  - ***21-day Emergency Guardian Petitions*** should be emailed to the Probate Clerk's Office for case initiation using the following address: [ProbateEmergencyFilings@dcsc.gov](mailto:ProbateEmergencyFilings@dcsc.gov).
    - Subject line should include the subject's name and 21-day Temporary Guardian. Example: Jane Doe – 21-day temporary guardian.
    - Notary may be replaced by the following Certification:  
*"I declare under penalty of perjury that the foregoing statements are true and correct to the best of my information, knowledge and belief. Executed on \_\_\_\_\_, 20\_\_."*

- E-signature is acceptable.
  - The emailed documents should include the petition, medical information and email address and phone numbers for all parties.
- **Provisional Guardian Petitions** (D.C. Code § 21-2046(d)) Should be e-filed.
- **90-day Health-Care Guardian Petitions** should be emailed to the Probate Clerk's Office for case initiation using the following address: [ProbateFilings@dcsc.gov](mailto:ProbateFilings@dcsc.gov).
  - Subject line should include the subject's name and 90-day Health-Care Guardian. Example: Jane Doe – 90-day health-care guardian.
  - Notary may be replaced by the following Certification:
 

*“I declare under penalty of perjury that the foregoing statements are true and correct to the best of my information, knowledge and belief. Executed on \_\_\_\_\_, 20\_\_.”*
  - E-signature is acceptable.
  - The emailed documents should include the petition, two certifications of incapacity in compliance with D.C. Code § 21-2204, and email address and phone numbers for all parties.
- **Filing by Telephone** – Filers with no access to email or the internet may call the Probate Emergency Filing Telephone Line: **202-879-9436** and leave a message with the following information:
  - Name of person/subject
  - Location of subject, e.g., name of hospital, home address
  - Caller's name, including spelling
  - Phone number
  - Email address
  - Nature of emergency if 21-day or health-care need if 90-day
- **ALL OTHER Initial Filings (no case number)** – Guardian/Conservator filings (INT/IDD cases), Decedent's Estates (ADM), Small Estates (SEB), Foreign Estates (FEP), Trusts (TRP), Notice of Revocable Trusts (NRT), Disclaimers (DISCL), Probate Litigation (LIT), Guardianship of Minor's Estates (GDN) may be mailed to: D.C. Superior Court Probate Division, 515 5<sup>th</sup> Street, NW, Washington, DC 20001. Attn: Probate Clerk's Office.
- **Wills (WIL)** – a copy of the will may be mailed with a certificate of will filing to the above address. Hold all original wills until the Probate Clerk's Office reopens. We will notify you when to bring in the original will.

- **All OTHER filings (case number)** – Guardian/Conservator filings (INT/IDD cases), Decedent’s Estates (ADM), Small Estates (SEB), Foreign Estates (FEP), Trusts (TRP), Notice of Revocable Trusts (NRT), Disclaimers (DISCL), Probate Litigation (LIT), Guardianship of Minor’s Estates (GDN) may be:
  - E-filed by CaseFileXpress
  - Mailed to D.C. Superior Court Probate Division, 515 5<sup>th</sup> Street, NW, Washington, DC 20001. Attn: Probate Clerk’s Office.
  
- **Division Processing Procedures**
  - Initial Filings made **prior to March 23, 2020**, will be processed by the Division. If an order of appointment is issued, Letters of Appointment will not be available **until after April 17**.
  - Initial Filings received **after March 23, 2020**, will be processed by the Division after April 15, 2020.
  - Subsequent pleadings – e-filed filings will be processed by the Division. Drop Box or mailed filings received in the Division **prior to March 23, 2020**, will be processed.
  - Inventories and Accounts may be mailed to D.C. Superior Court Probate Division, 515 5<sup>th</sup> Street, NW, Washington, DC 20001. Attn: Auditing and Appraisals.
  - Archives and Copy Requests are suspended until further notice and will not be processed until the Division returns to normal operations.
  
- **Contacting the Probate Division**
- Email/Internet (responses within 24-48 hours)
  - [Probateinquiries@dcsc.gov](mailto:Probateinquiries@dcsc.gov) – General probate procedure questions or inquiries
  - [GuardianshipAssistanceProgram@dcsc.gov](mailto:GuardianshipAssistanceProgram@dcsc.gov) – guardianship specific questions and inquiries
  - Livechat (extended hours/real-time responses) at [dccourts.gov](http://dccourts.gov) under the Probate Division.
- Telephone- Please leave a message for a call back during court hours 8:30 am to 5:00 pm
  - 202-879-9460 and 202- 879-9461

Judge Alfred S. Irving, Jr.  
 Presiding Judge, Probate Division