

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA**

**RULE PROMULGATION ORDER 07-01**

**(Amend. SCR Civil 71A-I, SCR Civil 202 & SCR SC 2)**

**WHEREAS**, Pursuant to D.C. Code § 11-946 the Board of Judges of the Superior Court approved amendments to rules SCR Civil 71A-I, SCR Civil 202 and SCR SC 2 at its monthly meeting on January 10, 2007; and

**WHEREAS**, these rules do not modify the Federal Rules of Civil Procedure;

**NOW, THEREFORE**, it is hereby,

**ORDERED**, that the Superior Court Rules of Civil Procedure Rule 71A-I and Rule 202 be and are hereby amended as set forth below, and it is further

**ORDERED**, that the Superior Court Rules for the Small Claims and Conciliation Branch Rule 2 be and is hereby amended as set forth below; and it is further

**ORDERED**, that the above enumerated amendments shall take effect February 1, 2007 and govern all proceedings thereafter commenced and insofar is just and practicable, all pending proceedings.

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**SCR CIVIL 71A-I**

**PROCEEDINGS FOR FORFEITURE OF PROPERTY**

(a) *Libel of information.* In all cases involving forfeiture of property for violation of any provision of the District of Columbia Code, the cause, unless otherwise provided by statute, shall be commenced by the filing of a libel of information.

Said libel of information shall allege a description of the property seized, the date and place of the seizure, the person or persons from whom the property was seized, and that the property was used, or was to be used, in violation of the District of Columbia Code, specifying the applicable section(s).

(b) *Process.* Process shall be issued only upon order of Court. Such order shall direct the issuance of a warrant of arrest with a return date addressed to the ~~United States Marshal~~ Chief of the Metropolitan Police Department or the Chief's designee directing the ~~Marshal~~ Metropolitan Police Department to seize the property described in the libel of information. It shall further direct that upon seizure, the ~~Marshal~~ Metropolitan Police

Department shall cause public notice thereof and of the time assigned for return of such process to be given once in a legal newspaper or periodical of daily circulation as prescribed in SCR Civil 4-I and any other newspaper or periodical specifically designated by the Court. The date of return of process shall be at least 20 days from the date of publication. Publication shall be provided by an affidavit of an officer or agent of the publisher stating the dates of publication with an attached copy of the order as published.

The libellant shall send a copy of the libel of information and of the warrant issued thereon by 1<sup>st</sup> class mail to any lienholder of record, to any person who has made written claim to the res to the office of the ~~Corporation Counsel~~ Attorney General of the District of Columbia, and to any other person who is known or in the exercise of reasonable diligence should be known to the ~~Corporation Counsel~~ Attorney General to have a right of claim to the res, at the person's last known address. Said envelope containing this material shall be marked "please forward to addressee".

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**SCR CIVIL 202**

**FEES**

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	CA	SC & LT
(2) Miscellaneous Fees		
For issuing each alias summons or alias writ .....	10	5
For attachment before judgment (including issuing writ) .....	20	10
For filing motion (except motion under Rule 41-I) .....	20	10
For motion to reinstate after dismissal under Rule 41-I .....	35	25
For services of a judge as arbitrator .....	120/hr	..
For appointment of special process server ..	5	5
For each photocopy supplied by clerk, per page .....	.50	.50
<del>For taking affidavit or affirmation .....</del>	<del>1</del>	<del>1</del>
For certified copy or true seal copy .....	5	5
For search of record, for each name searched .....	10	10

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**SCR-SC 2**

**APPLICABILITY OF CERTAIN SUPERIOR COURT RULES OF CIVIL  
PROCEDURE**

Except where inconsistent with the Rules of this Branch or the expeditious and informal nature of proceedings therein, the following Superior Court Rules of Civil Procedure are applicable to actions brought in the Small Claims and Conciliation Branch of the court: Rules 5, 6, 8, 9, 10, 11, 12(b)-(h), 14, 15, 16, (Exclusive of 16-I), 17, 19, 20, 21, 22, 23, 23.2, 24, 25, 38, 39, 40-I, 41, 42, 43, 44, 44.1, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 62-I, 63, 64, 65, 65.1, 66, 67, 68, 69, 70, 71, 72, 73, 77, 79, 80, 82, 84, 86, 101, 102, 103, 201, 202, and 203.

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**By the Court:**

**Date:** \_\_\_\_\_

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**Rufus G. King, III**  
**Chief Judge**

**Copies to:**

**Judges**  
**Magistrate Judges**  
**Director of the Civil Division**  
**Library**  
**David Luria, Attorney Advisor**