

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

RULE PROMULGATION ORDER 07-04

(Amend. SCR Civil 5 and 16)

WHEREAS, pursuant to D.C. Code § 11-946 the Board of Judges of the Superior Court approved amendments to Superior Court Rules of Civil Procedure 5 and 16; and

WHEREAS, pursuant to D.C. Code § 11-1946 these rules have been approved by the District of Columbia Court of Appeals,

NOW, THEREFORE, it is hereby,

ORDERED, that Superior Court Rules of Civil Procedure 5 and 16 be and hereby are amended as set forth below; and it is further

ORDERED, that the above enumerated rules shall take effect September 4, 2007 and govern all proceedings thereafter commenced and insofar is just and practicable all pending proceedings.

SCR CIVIL 5

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SERVICE AND FILING OF PLEADINGS AND OTHER PAPERS

(d) *Filing*. All filings after the complaint required to be served upon a party, other than those referred to in Rule 12-I(e), shall be filed with the Court either before service or within 5 days after service; however, the clerk shall not accept for filing depositions, transcripts, interrogatories, requests for documents, requests for admission, and responses thereto except as set forth below. The requesting party must retain the original discovery paper, and must also retain personally, or make arrangements for the reporter to retain, in their original and unaltered form, any deposition transcripts which have been made at the party's request. Such discovery papers and deposition transcripts must be retained until the case is concluded in this Court, the time for noting an appeal or petitioning for a writ of certiorari has expired, and any such appeal or petition has been decided. Discovery papers and deposition transcripts may be filed, without leave of court, if they are appended to a motion or opposition to which they are relevant and may otherwise be filed if so ordered by the Court *sua sponte* or pursuant to motion. A CERTIFICATE REGARDING DISCOVERY, setting forth all discovery that has occurred to date, shall be filed with the Court as an attachment to: (1) any motion regarding discovery; (2) any opposition to a dispositive motion based on the need for discovery; and (3) any motion to extend Scheduling Order dates.

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(e)(2)(B)(ii) Signatures

Every document filed electronically through the Court's authorized eFiling system shall be deemed to have been signed by the attorney who made the filing or authorized that the filing be made. Each filing shall bear either an "/s/" or a typographical or imaged signature on the signature line. Below the signature line there shall appear the typed name, address, telephone number, e-mail address and Bar number of the attorney who submitted the filing. A party appearing pro se who chooses to eFile through the Court's authorized eFiling system shall use either an "/s/" or a typographical signature on the signature line and must include under that line, his or her name, address, telephone number and email address. A pro se party shall be responsible for the filing under Rule 11.

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Deleted: Typographical signatures shall be treated as personal signatures for all purposes under these rules. Typographical signature means the typed or imaged signature of each lawyer or party who is responsible for the filing under Rule 11.

SCR-CIVIL 16

PRETRIAL CONFERENCES; SCHEDULING; MANAGEMENT.

* * * *

(j) Authority of counsel; attendance of parties and principals.

At least one of the attorneys for each party participating in any conference before trial, or in the meeting described in paragraph (c) hereof, must have authority to enter into stipulations, to make admissions regarding all matters that the participants may reasonably anticipate may be discussed, and to participate fully in all settlement discussions. Unless excused by the judge for good cause shown, all parties and any person not a party whose authority may be needed to settle the case must attend in person any pretrial conference conducted pursuant to paragraph (f) of this Rule and any alternative dispute resolution session ordered by the Court. ~~In addition, any person not a party whose authority may be needed to settle the case must attend any paragraph (f) conference and any alternative dispute resolution session ordered by the Court in person or be available by telephone unless excused by the Court for good cause.~~

* * * *

By the Court:

Date: August 21, 2007

/s/ Rufus G. King, III

Rufus G. King, III
Chief Judge

Copies to:

All Judges

All Magistrate Judges

Director of the Civil Division

Library

David Luria, Attorney Advisor