

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

RULE PROMULGATION ORDER 09-01

(Amend SCR Criminal 113 and 117)

WHEREAS, pursuant to D.C. Code § 11-946 the Board of Judges of the Superior Court approved amendments to Superior Court Rules of Criminal Procedure 113 and 117; and

WHEREAS, these rules do not modify the Federal Rules of Criminal Procedure; it is

ORDERED, that Superior Court Rules of Criminal Procedure 113 and 117 are amended as set forth below; and it is further

ORDERED that the above enumerated amendments shall take effect March 16, 2009 and govern all proceedings thereafter commenced and insofar is just and practicable all pending proceedings.

SCR CRIMINAL 113

WITNESS FEES

(a) Amounts

(2) Travel allowance. Except as hereinafter provided, each witness shall receive ~~\$.25 per mile~~ a per mile travel allowance as provided by D.C. Code § 15-714 for going from and returning to the witness's residence. Regardless of the mode of travel employed by the witness, computation of mileage shall be made on the basis of a uniform table of distances ~~adopted by the Attorney General as provided under 28 U.S.C § 1821~~. A witness who is an employee of the United States or any agency thereof and is called to testify in the witness's official capacity or produce an official record shall be paid a travel allowance fixed by applicable statues and regulations. No witness residing in the District of Columbia shall be entitled to a travel allowance. No witness detained for want of security for the witness's appearance shall be entitled to a travel allowance.

SCR CRIMINAL 117

MAGISTRATE JUDGES

* * *

(c) *Hearing of certain non-jury matters.* Upon consent of the parties, a magistrate judge may make findings and enter final orders or judgments in any criminal action, other than a trial by jury, in which (1) the maximum confinement provided by law is 180 days or less and the maximum fine provided by law for each offense does not exceed \$1,000, or (2) the accused is charged with any ~~traffic~~ offense heard in the District of Columbia and Traffic ~~Branch~~ calendars of the Criminal Division. Prior to commencement of any such proceeding, the magistrate judge shall advise the defendant that the defendant may not appeal to the District of Columbia Court of Appeals without first bringing the appeal to a judge of the Superior Court within 10 days after a final order of judgment has been entered.

* * *

By the Court:

Date: February 13, 2009

/s/
Lee F. Satterfield
Chief Judge

Copies to:

All Judges
All Magistrate Judges
Library
David Luria, Attorney Advisor