

Rule 20. Transfer From the District of Columbia for Plea and Sentence

(a) Consent to Transfer. When an indictment, information, or complaint is pending in the Superior Court against a defendant who is arrested, held, or present in another district, the prosecution may be transferred to that district if:

(1) the defendant states in writing a wish to plead guilty or nolo contendere and to waive trial in the District of Columbia, consents in writing to the court's disposing of the case in the transferee district; and

(2) the United States attorneys in both districts approve the transfer in writing.

(b) Clerk's Duties. After receiving the defendant's statement and the required approvals, the clerk of the Superior Court must send the file, or a certified copy, to the clerk in the transferee district.

(c) Effect of a Not Guilty Plea. If the defendant pleads not guilty after the case has been transferred under Rule 20(a), the clerk must return the papers to the Superior Court, and this court must restore the proceeding to its docket. The defendant's statement that the defendant wished to plead guilty or nolo contendere is not, in any civil or criminal proceedings, admissible against the defendant.

COMMENT TO 2016 AMENDMENTS

This rule has been redrafted to conform to the general restyling of the federal rules in 2002. It differs from the federal rule in two respects.

First, paragraph (a) identifies the District of Columbia as the district of transfer.

Second, paragraph (d) of the federal rule, dealing with the transfer of juveniles, is omitted as inapplicable in the Superior Court.