

## **Rule 1. Title, Scope, and Purpose**

(a) **TITLE.** These rules may be known and cited as the Rules Governing Domestic Relations Proceedings of the Superior Court of the District of Columbia, as the Rules Governing Domestic Relations Proceedings, or as “Super. Ct. Dom. Rel. R. \_\_\_.”

(b) **SCOPE.** These rules govern the procedure in all actions and proceedings in the Domestic Relations Branch of the Family Court of the Superior Court of the District of Columbia, including:

(1) actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental thereto for alimony and for support and custody of minor children;

(2) applications for revocation of divorce from bed and board;

(3) actions to enforce support of any person as required by law, including proceedings to register an order from another jurisdiction for enforcement or modification under D.C. Code §§ 46-356.01 to -.16 (2018 Supp.);

(4) actions involving custody of minor children, including proceedings to register an order from another jurisdiction under D.C. Code § 16-4603.05 (2012 Repl.), petitions for appointment of standby guardian under D.C. Code §§ 16-4801 to -4810 (2012 Repl.), writs of habeas corpus under D.C. Code § 16-1908 (2018 Supp.), and incidental proceedings for support of the minor children;

(5) actions to declare marriages void;

(6) actions to declare marriages valid;

(7) actions for annulments of marriage;

(8) determinations and adjudications of property rights, both real and personal, in any action referred to in this rule;

(9) proceedings for interstate or reciprocal support under D.C. Code §§ 46-351.01 to -359.03 (2018 Supp.);

(10) proceedings to determine parentage.

(c) **PURPOSE.** These rules should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding.

(d) **APPLICABILITY OF CIVIL RULES.** When a civil claim is raised with a domestic relations action in a complaint, counterclaim, or motion, the Superior Court Rules of Civil Procedure apply to that claim. At any time during the pendency of the domestic relations case, the judge or magistrate judge who is assigned to the domestic relations action may bifurcate the civil claim for trial purposes or may certify the civil claim to the Civil Division for adjudication under existing civil rules. The judge or magistrate judge may also refer the civil claim for any type of alternative dispute resolution regardless of the litigation status of the domestic relations case.

## **COMMENT TO 2018 AMENDMENTS**

Section (b) was amended to clarify that the Rules Governing Domestic Relations Proceedings apply to proceedings in the Domestic Relations Branch of the Family Court. Proceedings in the Parentage and Support Branch are governed by the Superior

Court Rules Governing Parentage and Support Proceedings and any domestic relations rules that are made applicable by Parentage and Support Rule 1.

Former section (d) was deleted. Section (d) provided that if the domestic relations rules did not specifically prescribe a procedure, the Superior Court Rules of Civil Procedure applied to the extent and in the manner permitted by the judicial officer assigned to the case. This section was deleted because the domestic relations rules include any procedure contained in the civil rules that is generally appropriate for domestic relations cases. The deletion of this section does not affect the authority of a judge or magistrate judge to adopt procedures that are consistent with the domestic relations rules.

## COMMENT

The Domestic Relations Rules are often similar to the corresponding civil rules. Where the nature of domestic relations practice calls for a different procedure, the rule's variance is noted in the comment.

Any civil claim that is raised in a domestic relations action that is assigned to a hearing commissioner must be adjudicated according to the Rules of the Superior Court and administrative orders of the Chief Judge that govern the powers of hearing commissioners and their authority to certify matters elsewhere in the court system.

Where alternative dispute resolution is concerned, the judicial officer may determine that such resources would speed the resolution of the civil claim even while discovery is ongoing with respect to the specific domestic relations allegations or claims. Paragraph (c) is designed to encourage timely resolution of all claims that may arise within a single action.

Pursuant to paragraph (d), where no procedure is specifically prescribed by the domestic relations rules, current Superior Court civil rules may be applied.