

Rule 13-I. Motions in Cases Certified to Civil Actions Branch

(a) MOTIONS TO BE DECIDED BY THE ASSIGNED JUDGE BASED ON FILING OF A JURY DEMAND. The judge to whom a case has been certified for a jury trial under Rule 6 will determine the following motions in accordance with the Superior Court Rules of Civil Procedure, the general order, and any applicable calendar orders:

- (1) a motion to dismiss or for judgment on the pleadings;
- (2) a motion concerning discovery;
- (3) a motion for summary judgment under Civil Rule 56;
- (4) a motion concerning the conduct of the trial (e.g., motions *in limine* to exclude or receive evidence);
- (5) a motion to amend the pleadings;
- (6) a motion filed under Civil Rules 17-25;
- (7) a motion to continue trial or any other hearing scheduled before the assigned judge;
- (8) a motion relating to the entry and withdrawal of counsel;
- (9) a motion for recusal of the assigned judge;
- (10) a motion to consolidate or sever;
- (11) a motion relating to any subject that is filed during trial or so close to trial that a hearing cannot be scheduled in the Landlord and Tenant Branch before the trial date;
- (12) a post-trial motion concerning the conduct or outcome of the trial or an appeal of the judgment;
- (13) a motion to vacate a dismissal, default, or default judgment entered by the assigned judge;
- (14) a motion to alter or amend or for relief from an order issued by the assigned judge; and
- (15) a motion for enlargement of time to file any motion, opposition, or other paper that will be determined by the assigned judge in accordance with Rule 13-I(a)(1)-(14).

(b) MOTIONS TO BE DECIDED BY THE ASSIGNED JUDGE BASED ON A PARTY'S LACK OF CONSENT TO A MAGISTRATE JUDGE. The judge to whom a case has been certified due to a party's lack of consent to a magistrate judge will determine all motions filed in such case in accordance with the Superior Court Rules of Civil Procedure, the general order, and any applicable calendar order.

(c) PARTIES OPPOSING MOTIONS. Any party opposing a motion filed under Rule 13-I(a) or (b) may serve and file an opposition within 14 days after service of the motion on the party or such further time as the assigned judge may grant.

(d) REQUEST FOR HEARING. Any party may request a hearing on a motion filed under Rule 13-I(a) or (b) by stating at the bottom of the party's motion or opposition, above the party's signature, "Hearing Requested." If the court decides to hold a hearing on the motion, the court must give all parties appropriate notice of the hearing and may specify the matters to be addressed at the hearing.

(e) COURT ACTION.

(1) *In General.* Except as provided in Rule 13-I(e)(2), the court may not grant a motion to which the opposing party has not consented unless:

(A) an opposition has been filed or the time for filing under Rule 13-I(b) has expired; and

(B) it appears from the motion, any accompanying exhibits and documents, any opposition, and any prior proceedings in the case that the movant is entitled to relief.

(2) *Application or Motion for Continuance*. For good cause, the court may grant an application or motion for continuance without waiting for the time period in Rule 13-I(b) to expire.

(f) MOTIONS TO BE DECIDED IN THE LANDLORD AND TENANT BRANCH. Except as provided in Rule 13-I(a)(11) or as otherwise ordered by the court, the following motions will be heard and decided under the rules of the Landlord and Tenant Branch by a judicial officer sitting in that branch:

- (1) motions relating to a protective order;
- (2) motions for an administrative stay of the proceedings;
- (3) motions for a temporary restraining order or preliminary injunction;
- (4) motions to enforce a settlement agreement or consent judgment, unless otherwise specified by the court in the agreement; and
- (5) post-trial motions not concerning the conduct or outcome of the trial or an appeal of the judgment.

(g) MOTIONS TO ALTER OR AMEND OR FOR RELIEF FROM RULINGS OR SANCTIONS ENTERED IN THE LANDLORD AND TENANT BRANCH. A motion to alter or amend or for relief from a ruling or sanction entered by a judicial officer sitting in the Landlord and Tenant Branch will be decided by that judicial officer whenever practicable. The motion must include the judicial officer's name in the caption below the case number. A party opposing the motion may file an opposition within 14 days after service of the motion or such further time as the court may allow. A hearing on the motion will not automatically be set, but a hearing may be requested or held in accordance with Rule 13(e)(5).

(h) ALL OTHER MOTIONS. Except as provided in Rule 13-I(a)(11) or Rule 13-I(b), all other motions will be heard and decided by the judicial officer sitting in the Landlord and Tenant Branch under the rules of that branch, except that the Presiding Judge of the Civil Division has the discretion to certify any other motion not listed in Rule 13-I(a) to the assigned judge.

COMMENT TO 2023 AMENDMENTS

References to a statement of opposing points and authorities have been deleted consistent with the 2022 amendments to Civil Rule 12-I. Minor revisions also have been made to conform to the general restyling of the civil rules.

COMMENT TO 2019 AMENDMENTS

This rule has been amended consistent with the stylistic changes to the civil rules.

COMMENT

A motion captioned as a "Motion for Reconsideration" is considered under sections (a)(14) and (e) as a motion to alter, amend, or for relief from a ruling or sanction and will be treated as such under this Rule. See *Fleming v. District of Columbia*, 633 A.2d 846,

848 (D.C. 1993); *Wallace v. Warehouse Employees Union #730*, 482 A.2d 801, 804-05 (D.C. 1984).