

COVID-19 DOMESTIC VIOLENCE DIVISION OPERATIONS

DVD Clerk's Office: The DVD Clerk's Office will be available remotely by phone at (202)879-0157 and email at domesticviolencemanagement@dcsc.gov for any inquiries. Phone lines will remain open during business hours from 8:30 a.m. to 5 p.m.

DV Intake Centers: The Domestic Violence Intake Centers will be closed, but you can be connected with resources through the DC SAFE Crisis Response Team at (800) 407-5048 which is available 24 hours a day, 7 days a week. Additionally, a list of legal service providers can be found in the document titled Legal Assistance in Civil Domestic Violence Matters, which is available at <https://www.dccourts.gov/coronavirus>.

Filing: Parties in DVM and CCC cases should continue to file electronically via CaseFileXpress. Civil filings can be submitted through www.probono.net/dccourts or emailed to DomesticViolenceManagement@dcsc.gov.

Deadlines: Unless otherwise ordered by the Court, all deadlines and time limits in statutes, court rules, and standing and other orders issued by the court that would otherwise expire are suspended, tolled, and extended during the period pending further order of the Court.

Appearances: All judges and courtroom staff will continue to work remotely. Parties may continue to appear via telephone or videoconference for hearings held in DVD remote courtrooms.

Domestic Violence Misdemeanor (DVM) and Criminal Contempt Cases (CCC)

All DVM and CCC hearings, including status hearings, diversion matters, non-jury trials, and sentencings, scheduled between June 22 and August 14 will be continued to the date listed in the attached Scheduling Order.

- **Non-Jury Trials:** Until further notice, the DVD will not be conducting non-jury trials. The DVD will issue written notice 30 days prior to the recommencement of non-jury trials to provide the parties and counsel sufficient time to subpoena witnesses and prepare for trial. All non-jury trials will be converted to status dates and continued consistent with the attached scheduling order.
- **Hearings for Detained Defendants:** Detention hearings and other non-evidentiary hearings in which a defendant is detained in the DVM or CCC case will be scheduled through the presiding judge's chambers. Parties will continue to appear remotely by video or teleconference. These matters will be heard in remote courtroom 118. All necessary documents must be submitted to chambers by email at least 2 days prior to the scheduled hearing.
 - **Detention Hearings:**

- After determining that a defendant is entitled to a hearing, the presiding judge's chambers will contact defense counsel and the government to schedule a hearing. Detention hearings will be set in order of priority based on how long the case has been pending.
 - If the parties ask that the detention hearing go forward, the case will be set on a Thursday before a magistrate judge. All witnesses must appear by video for detention hearings.
 - If the defendant waives the detention hearing but is requesting to argue release conditions, the case will be set for the next available Tuesday.
- **Other Non-Evidentiary Hearings for Detained Defendants:** These hearings will be scheduled upon the joint request of both parties *at least one week prior* to the requested hearing date and with the representation of defense counsel that the defendant consents to appear by video or teleconference. These hearings will take place on Tuesdays. Victim impact statements may be submitted in writing, via video, or by teleconference and shall be coordinated by the government with the technical assistance of the Court.
- **Hearings for Released Defendants:** Upon agreement and consent of both parties, released defendants may request a status date for a remote plea hearing on a Monday, Wednesday, or Friday in remote courtroom 118.
 - To request a hearing, the parties must email the assigned calendar judge *at least one week prior* to the requested hearing date. The parties must provide all the following information: 1) a representation that both parties consent to a remote hearing; 2) phone numbers and email addresses for all parties participating; 3) all appropriate documents signed by the parties and emailed to chambers 2 days prior to the hearing, including the plea agreement and waiver of trial form, a written and agreed-upon factual proffer, any Deferred Sentencing Agreement, any addenda, and any other necessary plea paperwork.
 - Judges will have the ability to schedule hearings for released defendants on a case-by-case basis, subject to capacity.
- **Arraignments:** DVM arraignments will continue to be heard in Courtroom C10. CCC arraignments scheduled before August 14 will be continued consistent with the attached scheduling order.
- **Bench warrant returns:** Lock-up bench warrant returns in DVM and CCC cases will continue to take place in Courtroom C10.
- **Show Cause Hearings:** Probation show cause hearings will be continued to a future date. The filing of an AVR shall toll the expiration of probation. Some expedited probation show cause hearings will be held in a partially remote courtroom, to be announced at a later date. Requests for expedited show cause hearings shall be filed to the DV calendar

judge. AVRs or pretrial reports that do not contain an expedited hearing request will be addressed after the court returns to normal operations.

Civil Protection Order Cases (CPOs) and Temporary Protection Orders (TPOs)

EXPIRATION DATES

Expiration Dates for TPOs: All existing TPO expiration dates shall be extended to the future date consistent with the attached Scheduling Order issued by the presiding judge. Any new TPOs issued between the date of the issuance of this order through June 19, 2020, will be extended to the court date listed in the Scheduling Order.

Expiration Dates for CPOs: All CPOs set to expire on or before June 19, 2020 expire at 11:59 p.m. on June 19, 2020 unless a motion to extend was filed. CPOs set to expire after June 19, 2020 expire on the date written on the order, unless a motion to extend was filed.

NEW FILINGS

Requests for TPOs remain available online.

- **Filing for a TPO:** If you are in immediate danger, you should call 911. If you wish to file for a TPO or CPO, you can do so in two ways:
 1. You may contact the DC SAFE Crisis Response Team (CRT) at (800) 407-5048, and they can assist you with obtaining a TPO;
 2. Or you may file a Petition for a Civil Protection Order and request a TPO through www.probono.net/dccourts. You can complete and submit the forms electronically through www.probono.net/dccourts. Once you complete and submit the forms, please contact the Clerk's Office to proceed with the filing by phone at (202) 897-0157 or by email at domesticviolencemanagement@dcsc.gov.
- **TPO Hearings:** Requests for TPOs will be heard in a remote courtroom. Once a TPO is filed, the DVD Clerk's Office will provide a petitioner with the necessary information for the hearing. Filers should be prepared to write down the hearing information and be available for the court's phone call.
- If you have been served with a Temporary Protection Order or a Civil Protection Order and have a question about filing an emergency request, you can contact the Clerk's Office at (202) 879-0157.

Other TPO and CPO emergency filings may be filed online.

- Both petitioners and respondents in CPO matters may file motions through www.probono.net/dccourts.
- You may also access the Domestic Violence Division forms on the DC Courts website at <http://www.dccourts.gov/services/forms> and, after completing the form, email it to domesticviolencemanagement@dcsc.gov. If there is a form that is not available on the website, please email domesticviolencemanagement@dcsc.gov for further assistance. Once you complete and submit the form, please contact the Clerk's Office to proceed with the filing by phone at (202) 879-0157 or by email at

domesticviolencemanagement@dcsc.gov. After review and based upon availability of the parties, a judge will determine whether a remote hearing is appropriate.

CPO TRIALS AND OTHER HEARINGS

If a CPO trial or other related hearing was scheduled in the DVD CPO Courtrooms 113 or 114 before June 19th, the case will be continued to the date listed in the attached Scheduling Order, unless the parties reach a consent agreement and request an earlier hearing date.

Attorney Negotiators will be available to review consent agreements and conduct remote negotiations for civil protection orders, motions to extend, and motions to modify, as follows:

1. Parties may submit a consent CPO agreement and request an earlier hearing date: Parties can submit the proposed CPO (including a modified or extended CPO if applicable) with a physical or electronic signature on the agreed-upon CPO in word doc format to DVDehearings@dcsc.gov. The negotiator will review the order for completeness and, if appropriate, the parties will receive an earlier hearing date for the judge to enter the consent order.
2. Parties may request to participate in negotiations: Parties interested in negotiating a civil protection order, motion to modify, or motion to extend should submit a request to negotiate the civil protection order (including a modified or extended CPO if applicable), to DVDehearings@dcsc.gov and indicate:
 - a. Whether any efforts were made to seek consent from the other party;
 - b. Specific dates and times the parties are available to conduct negotiations;
 - c. Include contact information for the other party (if available); and
 - d. Attach a proposed order in word doc (if available).
3. The court will reach out to give parties with pending CPO matters the option to participate in negotiations: The Domestic Violence Division will also reach out directly to parties with contested CPO matters, including motions to extend and motions to modify a CPO, in which a return of service is docketed. Parties will have the option to participate in remote negotiations and have their cases heard at an earlier date.

If the parties reach an agreement in the negotiation, they should be prepared to appear before a judge for a remote consent hearing the same day or the date assigned by the court.

Extreme Risk Protection Orders (ERPOs)

Requests for Ex Parte and Final ERPOS are available and can be made by emailing the filing to domesticviolencemanagement@dcsc.gov. The petition can be obtained from the DC Courts website. The assigned judge will hear the matter via WebEx videoconference. At the time of the filing of an ERPO, the case will be assigned a remote courtroom for a hearing.

DV Division Courtroom Operations through 8/14/20

Courtroom	Type of Case	Daily Operations	Judge	Technology
117	TPO (Primary)	M/T/W/Th/F: remote TPOs	Assigned via Remote TPO Calendar	Video & audio
114	TPO (Backup)	M/T/W/Th/F: remote TPOs	Assigned via Remote TPO Calendar	Audio only
118	DVM & CCC	Th: detention hearings (max. of 3) T: other hearings for detained defendants (max. of 5) M/W/F: hearings for released defendants (based on capacity)	Th: Assigned magistrate judge T: Raffinan/McCabe M/W/F: Raffinan/McCabe	Video & audio
119	CPO	M/T/W/Th/F: remote CPO matters (based on capacity)	Lee/Knowles	Video & audio