

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ORDER O3-01

(On Saturday, holiday and emergency assignments)

WHEREAS, arraignments and presentments in criminal cases, initial hearings in abuse and neglect cases and new referrals of juvenile cases are heard on Saturdays and holidays when the Superior Court is otherwise not open for hearing matters in open court; and

WHEREAS, heretofore judges have been assigned to hear all cases both within the jurisdiction of the Family Court and within the jurisdiction of the other divisions and units of the Superior Court according to a single roster; and

WHEREAS, magistrate judges have not been assigned to hear cases on Saturdays and holidays, but now must be, in order to better implement the principal of one family one judge in Family Court and to more equitably distribute the Saturday and holiday assignment; and

WHEREAS, the District of Columbia Family Court Act of 2001, Pub. L. 107-114, 114 Stat. 2100 (2002) (hereinafter the “Family Court Act”) specifies directly and through adoption of the one family, one judge principle that only judges and magistrate judges serving in the Family Court or the Domestic Violence Unit, or in the case of emergency and temporary reassignments, magistrate judges

who are qualified as required in §6(a) of the Family Court Act, may hear cases that fall within the jurisdiction of the Family Court; and

WHEREAS, on rare occasions emergency matters within the jurisdiction of the Family Court arise and must be heard outside normal hours when the Family Court is closed for such matters and when the regularly assigned emergency judge may not be assigned to the Family Court;

NOW, THEREFORE, it is by the Court,

ORDERED, all judges and magistrate judges assigned to the Family Court shall hear initial neglect hearings and new referrals on Saturdays and holidays in regular rotation to be scheduled by the Chief Judge, who may consult with the Presiding Judge of the Family Court and the Presiding Magistrate Judge; and it is further,

ORDERED, all judges and magistrate judges assigned to the Civil, Criminal and Probate Divisions and the Domestic Violence Unit of the Superior Court shall serve in Saturday and Holiday arraignment court in regular rotation to be scheduled by the Chief Judge, who may consult with the relevant Presiding Judge and the Presiding Magistrate Judge; and it is further,

ORDERED, all Superior Court judges, including those assigned in the Family Court, shall serve as emergency judge in regular rotation to be scheduled by the Chief Judge; and it is further,

ORDERED, when an emergency matter arises that is within the jurisdiction of the Family Court at a time when the emergency judge on duty is not then assigned in the Family Court or the Domestic Violence Unit, the emergency judge shall immediately refer the matter to the Presiding Judge of the Family Court or his or her designee for hearing on an emergency basis; and it is further,

ORDERED, while assigned to emergency duty, judges shall be immediately reachable by the Mayor's Command Center and available to promptly hear emergency matters between the hours of 5:30 p.m. and 9:00 a.m. on weekdays and 24 hours per day on Saturdays, Sundays and holidays or any day when the Superior Court is officially closed, except that by mutual arrangement a judge on Saturday or holiday duty may take warrants and other emergency matters for specific hours while present in the courthouse; and it is further,

ORDERED, the schedule of Family Court Emergency assignments published on October 30, 2002 is hereby rescinded and of no effect; and it is further,

ORDERED, this order shall take effect immediately.

SO ORDERED.

BY THE COURT

January 13, 2003

/s/
Rufus King, III
Chief Judge

Copies to:

All Judges

Magistrate Judges

Executive Officer

Clerk of the Court

Division Directors

Director, CCAN Office

Director, Public Defender Service

Director, Youth Services Agency

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