

Rule 4.1. Serving Other Process

(a) IN GENERAL. Process—other than a summons under Rule 4 or a subpoena under Rule 45—must be served by a United States marshal or deputy marshal or unless otherwise provided by statute, by a person who is not a party and not less than 18 years of age. It may be served anywhere within the territorial limits of the District of Columbia and, if authorized by an applicable statute, beyond those limits. Proof of service must be made under Rule 4(l).

(b) ENFORCING ORDERS: COMMITTING FOR CIVIL CONTEMPT. An order committing a person for civil contempt must be served only in the District of Columbia or within 100 miles of the District of Columbia.

COMMENT TO 2017 AMENDMENTS

This rule was amended to conform to the 2007 stylistic changes to *Federal Rule of Civil Procedure 4.1*. However, the Superior Court rule maintains several existing substantive differences, including the following language substitutions in section (a): 1) “unless otherwise provided by statute, by a person who is not a party and not less than 18 years of age” is substituted for “by a person specially appointed for that purpose”; 2) “District of Columbia” is substituted for “state where the district court is located”; and 3) “applicable statute” is substituted for “federal statute.” Also, section (b) conforms to D.C. Code § 11-943 (2012 Repl.), which provides that any order of commitment for civil contempt may be served not more than 100 miles from the District of Columbia.

COMMENT

Rule 4.1 is substantially identical to *Federal Rule of Civil Procedure 4.1*, which sets forth provisions on service of process other than a summons or subpoena. Most of the variations from federal rule language are self-explanatory. The principal change involves the deletion from subdivision (b) of a provision for nationwide service of process of a Federal court order for civil commitment of a person held to be in contempt of a decree or injunction issued to enforce the laws of the United States. This provision is not applicable to Superior Court and has thus been deleted.