

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

These rules govern the procedure in all proceedings regarding intrafamily offenses, as defined in *D.C. Code § 16-1001 et seq.*, and criminal, domestic relations and paternity and support proceedings assigned to the Domestic Violence Unit (hereinafter, "the Unit"). The purpose of these rules is to provide for the just determination of every such proceeding in as fair, speedy and inexpensive a manner as possible within the principles of law and equity and to effectuate the statutory intent of eliminating domestic and family violence. These rules may be known and cited as Rules Governing Proceedings in the Domestic Violence Unit and may be cited as SCR-DV.

Criminal proceedings assigned to the Unit are governed by the Superior Court Rules of Criminal Procedure. Domestic relations proceedings assigned to the Unit are governed by the Superior Court General Rules of the Family Division and the Domestic Relations Rules when such rules are not inconsistent with these rules. Except when inconsistent with these rules or with the expeditious nature of intrafamily proceedings, the following Superior Court Rules of Civil Procedure are deemed applicable to intrafamily proceedings: 2, 5, 5-I, 6, 9, 11, 43 (as modified by SCR-Dom Rel 43 (a)), 43-I, 44, 44-I, 44.1, 46, 59, 60, 61, 63, 63-I, 77, 79, 79-I, 80, 82, 84, 86-I and 101.

The institution of a criminal charge by the United States Attorney shall not preclude the issuance of a temporary protection order or civil protection order based on the same conduct of the respondent as alleged in the criminal proceeding.

The Clerk's Office of the Unit with the Clerk or deputy in attendance shall be open to the public from 9:00 a.m. to 4:00 p.m. on all days except Saturday, Sunday and legal holidays.

## **COMMENT**

The second to last section of this rule is derived in part from *D.C. Code § 16-1002(c)*. Should the respondent face contempt proceedings based upon conduct occurring after a temporary protection order or civil protection order has been entered, which conduct may also be subject to the institution of criminal proceedings, the Court may wish to provide notice of the conduct and/or the contempt hearing to the United States Attorney's Office in order for that office to determine whether to proceed on the criminal charge.