

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

RULE PROMULGATION ORDER 25-04

(Amending D.C. Super. Ct. L&T R. 2, 5, 6, 12-I, 13-I, and 14)

WHEREAS, pursuant to D.C. Code § 11-946, the Board of Judges of the Superior Court approved amendments to Rules 2, 5, 6, 12-I, 13-I, and 14 of the Superior Court Rules of Procedure for the Landlord and Tenant Branch; and

WHEREAS, the amendments to these rules do not modify the Federal Rules of Civil or Criminal Procedure; it is

ORDERED, that Rules 2, 5, 6, 12-I, 13-I, and 14 of the Superior Court Rules of Procedure for the Landlord and Tenant Branch are hereby amended as set forth below; and it is further

ORDERED, that the amendments shall take effect immediately and shall govern all proceedings hereafter commenced and, insofar as is just and practicable, all pending proceedings.

Rule 2. Applicability of Certain Superior Court Rules of Civil Procedure

Except when inconsistent with these rules or the summary nature of landlord and tenant proceedings, the following Superior Court Rules of Civil Procedure are applicable to actions brought in the Landlord and Tenant Branch:

Civil Rules 4(h), 5, 5-I, 5-II, 5-III, 5.1, 5.1-I, 5.2, 6, 6-I, 8, 9, 9-I 10, 10-I, 11, 12(b)-(h), 15, 16, 16-II, 17, 20, 21, 22, 23, 23-I, 23.2, 24, 25, 38, 38-II, 39, 39-I, 39-II, 40-I, 41, 42, 43, 43-I, 44, 44-I, 44.1, 45, 46, 47, 48, 49, 50, 51, 52, 53, 53-I, 53-II, 54, 54-I, 54-II, 55, 55-I, 55-II, ~~55-III~~, 56, 57, 58, 59, 60, 61, 62(b), 63, 63-I, 64, 64-I, 64-II, 65, 65.1, 66, 67, 67-I, 68, 69, 69-I, 69-II, 70, 70-I, 71, 73, 77, 79, 79-I, 80, 82, 83-I, 84, 86, 101, 102, 103, 201, 202, and 203.

The following Superior Court Rules of Civil Procedure apply if discovery is authorized as of right or by court order, under Landlord and Tenant Rule 10: Civil Rules 26, 28, 29, 30, 31, 32, 33, 34, 36, and 37.

COMMENT TO 2025 AMENDMENTS

This rule has been amended to delete the incorporation of Civil Rule 55-III consistent with the 2025 amendments to Landlord and Tenant Rule 14.

Rule 5. Pleading by the Defendant

(d) MOTIONS TO VACATE DEFAULTS AND DEFAULT JUDGMENTS.

Notwithstanding the requirements of Civil Rule 55(c), a defendant need not file an answer in support of either a praecipe to vacate a default or default judgment by consent under Rule 14(e) or a contested motion to vacate a default or default judgment.

COMMENT TO 2025 AMENDMENTS

New section (d) has been added to clarify that the good cause requirement of Civil Rule 55(c) governs motions to vacate a default or default judgment but that an answer need not be filed in support of such a motion or a praecipe to vacate.

Rule 6. Jury Demand

(b) ~~CERTIFYING~~TRANSFERRING CASE TO CIVIL ACTIONS BRANCH. If a jury trial is properly demanded, the clerk must ~~certify~~transfer the case to the Civil Actions Branch for an expedited trial.

COMMENT TO 2025 AMENDMENTS

Section (b) has been amended to substitute “transferring” and “transfer” for “certifying” and “certify” to conform with the general restyling of the Superior Court rules.

Rule 12-I. Protective Order

(e) FORM OF PAYMENT. Payment into the court registry must be made by any combination of cash, money order, certified check, attorney's escrow account check, or other form of payment approved by the Budget and Finance Division. ~~Any money order, certified check, or attorney's escrow account check must be made payable to "Clerk, D.C. Superior Court."~~

COMMENT TO 2025 AMENDMENTS

Section (e) has been amended to delete the "made payable to" language which may be subject to change and is otherwise stated in the applicable Protective Order form provided by the clerk.

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

COMMENT TO 2025 AMENDMENTS

The title of this rule has been amended to substitute “transferred” for “certified” to conform with the general restyling of the Superior Court rules.

Rule 14. Entry of Judgment

(e) VACATING ENTRY OF DEFAULT OR DEFAULT JUDGMENT BY CONSENT.

The clerk may vacate an entry of default or a default judgment at any time if all parties, or their attorneys, file a signed praecipe so requesting and bearing evidence of its service on all parties that have appeared.

(1) Praecipe Requirements. The praecipe must be signed by all parties that have appeared, or their attorneys, and must certify that all parties consent to either:

(i) vacating entry of default, in which case the caption of the praecipe shall expressly state: PRAECIPE TO VACATE ENTRY OF DEFAULT BY CONSENT; or

(ii) vacating default judgment, in which case the caption of the praecipe shall expressly state: PRAECIPE TO VACATE DEFAULT JUDGMENT BY CONSENT.

(2) A praecipe or other paper not conforming to the requirements of this rule will not be accepted for filing by the clerk.

COMMENT TO 2025 AMENDMENTS

New section (e) is substantially similar to Civil Rule 55-III, but omits the reference to Civil Rule 55(c) because an answer is not required to vacate an entry of default or a default judgment by consent in the Landlord and Tenant Branch. Section (e) also sets forth requirements that the praecipe must meet to be accepted for filing.

Rule 2. Applicability of Certain Superior Court Rules of Civil Procedure

Except when inconsistent with these rules or the summary nature of landlord and tenant proceedings, the following Superior Court Rules of Civil Procedure are applicable to actions brought in the Landlord and Tenant Branch:

Civil Rules 4(h), 5, 5-I, 5-II, 5-III, 5.1, 5.1-I, 5.2, 6, 6-I, 8, 9, 9-I, 10, 10-I, 11, 12(b)-(h), 15, 16, 16-II, 17, 20, 21, 22, 23, 23-I, 23.2, 24, 25, 38, 38-II, 39, 39-I, 39-II, 40-I, 41, 42, 43, 43-I, 44, 44-I, 44.1, 45, 46, 47, 48, 49, 50, 51, 52, 53, 53-I, 53-II, 54, 54-I, 54-II, 55, 55-I, 55-II, 56, 57, 58, 59, 60, 61, 62(b), 63, 63-I, 64, 64-I, 64-II, 65, 65.1, 66, 67, 67-I, 68, 69, 69-I, 69-II, 70, 70-I, 71, 73, 77, 79, 79-I, 80, 82, 83-I, 84, 86, 101, 102, 103, 201, 202, and 203.

The following Superior Court Rules of Civil Procedure apply if discovery is authorized as of right or by court order, under Landlord and Tenant Rule 10: Civil Rules 26, 28, 29, 30, 31, 32, 33, 34, 36, and 37.

COMMENT TO 2025 AMENDMENTS

This rule has been amended to delete the incorporation of Civil Rule 55-III consistent with the 2025 amendments to Landlord and Tenant Rule 14.

Rule 5. Pleading by the Defendant

(d) MOTIONS TO VACATE DEFAULTS AND DEFAULT JUDGMENTS.

Notwithstanding the requirements of Civil Rule 55(c), a defendant need not file an answer in support of either a praecipe to vacate a default or default judgment by consent under Rule 14(e) or a contested motion to vacate a default or default judgment.

COMMENT TO 2025 AMENDMENTS

New section (d) has been added to clarify that the good cause requirement of Civil Rule 55(c) governs motions to vacate a default or default judgment but that an answer need not be filed in support of such a motion or a praecipe to vacate.

Rule 6. Jury Demand

(b) TRANSFERRING CASE TO CIVIL ACTIONS BRANCH. If a jury trial is properly demanded, the clerk must transfer the case to the Civil Actions Branch for an expedited trial.

COMMENT TO 2025 AMENDMENTS

Section (b) has been amended to substitute “transferring” and “transfer” for “certifying” and “certify” to conform with the general restyling of the Superior Court rules.

Rule 12-I. Protective Order

(e) FORM OF PAYMENT. Payment into the court registry must be made by any combination of cash, money order, certified check, attorney's escrow account check, or other form of payment approved by the Budget and Finance Division.

COMMENT TO 2025 AMENDMENTS

Section (e) has been amended to delete the "made payable to" language which may be subject to change and is otherwise stated in the applicable Protective Order form provided by the clerk.

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

COMMENT TO 2025 AMENDMENTS

The title of this rule has been amended to substitute “transferred” for “certified” to conform with the general restyling of the Superior Court rules.

Rule 14. Entry of Judgment

(e) VACATING ENTRY OF DEFAULT OR DEFAULT JUDGMENT BY CONSENT.

The clerk may vacate an entry of default or a default judgment at any time if all parties, or their attorneys, file a signed praecipe so requesting and bearing evidence of its service on all parties that have appeared.

(1) Praecipe Requirements. The praecipe must be signed by all parties that have appeared, or their attorneys, and must certify that all parties consent to either:

(i) vacating entry of default, in which case the caption of the praecipe shall expressly state: PRAECIPE TO VACATE ENTRY OF DEFAULT BY CONSENT; or

(ii) vacating default judgment, in which case the caption of the praecipe shall expressly state: PRAECIPE TO VACATE DEFAULT JUDGMENT BY CONSENT.

(2) A praecipe or other paper not conforming to the requirements of this rule will not be accepted for filing by the clerk.

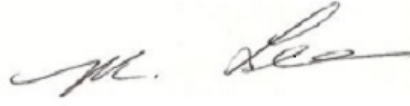
COMMENT TO 2025 AMENDMENTS

New section (e) is substantially similar to Civil Rule 55-III, but omits the reference to Civil Rule 55(c) because an answer is not required to vacate an entry of default or a default judgment by consent in the Landlord and Tenant Branch. Section (e) also sets forth requirements that the praecipe must meet to be accepted for filing.

* * *

By the Court:

Date: October 29, 2025

A handwritten signature in dark ink, appearing to read "M. Lee", written over a horizontal line.

Milton C. Lee, Jr.
Chief Judge

Copies to:

Judicial Officers
Executive Officer
Clerk of the Court
Office of General Counsel
Division Directors
District of Columbia Bar
Daily Washington Law Reporter
Library