

GENERAL ORDER REGARDING DEBT COLLECTION CASES
Issued May 7, 2020

The District of Columbia has enacted emergency legislation prohibiting certain debt collection activities during the period of the public health emergency and for 60 days after its conclusion (the “Covered Period”).¹ Currently, the declaration of a public health emergency has been extended by the Mayor to May 15, 2020, making the prohibitions of the emergency legislation effective through July 14, 2020. Among other limitations, the Act prohibits creditors and debt collectors of consumer debt from filing new collection lawsuits and garnishments.²

To promote efficient administration of court operations and in the interests of justice during the Covered Period, the Court issues this Order to address certain cases on the debt collection calendar during the Covered Period. A case covered by this Order is not necessarily a “collection lawsuit” as defined in the Act. All creditors and debt collectors who are or may be affected by the Act should review it before filing new “collection lawsuits” as defined by the Act or taking other action that may be prohibited by the Act. Parties remain responsible for compliance with the Act regardless of whether a case is covered by this Order.

Administratively-Designated Collection Cases by Filer. This Order applies only to cases identified by *filers* as “Collection” matters on the Court’s Information Sheet at the time of filing (“Administratively-Designated Collection Cases”).

Restrictions on the filing of new cases. During the Covered Period, parties filing new Administratively-Designated Collection Cases must include an attachment certifying that upon information and belief the case is not a “collection lawsuit” as defined in D.C. Code § 28-3814(1)(2)(A).

Restrictions on garnishment and attachment. During the Covered Period, any party seeking a writ of attachment, garnishment, or a judgment of condemnation in an Administratively-Designated Collection Case must include an attachment certifying that upon information and belief the party is not seeking the writ or judgment to obtain payment of a “debt” to a “creditor” as defined in D.C. Code §§ 28-3814(b)(1B) and (1C).

Continuances of Events in Pending Cases. For Administratively-Designated Collection Cases that have already been filed and remain pending, all hearings, mediations, and other events scheduled to occur during the Covered Period are continued, with new dates to be scheduled by the Court as appropriate.


¹ See COVID-19 Response Supplemental Emergency Authorization Act of 2020, Sec. 207, Act No. 23-0286 (effective April 10, 2020), as further amended by the COVID-19 Supplemental Corrections Emergency Amendment Act of 2020, B23-0735, Sec. 5 (collectively, “the Act”).

² See *id.* § 207 (adding D.C. Code § 28-3814(1)(2)(A) and (B)), <https://code.dccouncil.us/dc/council/code/sections/28-3814.html>. See also “Guidance on the Debt Collection Provisions of the COVID-19 Response Supplemental Emergency Amendment Act of 2020,” <https://oag.dc.gov/consumer-protection/debt-collection-faqs>.

Filings in Pending Cases. For Administratively-Designated Collection Cases that have already been filed and remain pending during the Covered Period, parties may file dismissals, satisfactions of judgment, and requests for continuance of hearings or other events. Parties are encouraged to review the prohibitions of the Act before making other filings.

Deadlines. This paragraph is applicable to all Administratively-Designated Collection Cases that are filed or pending during the Covered Period. Unless otherwise ordered by the Court, all deadlines and time limits in statutes, court rules, and standing and other orders, including statutes of limitation and service of process deadlines, that would otherwise expire during the Covered Period are tolled during that period. Tolling of such deadlines and time limits may be further addressed as circumstances change.

Issued on May 7, 2020, by order of the Presiding Judge of the Civil Division.



Laura A. Cordero
Presiding Judge, Civil Division