# District of Columbia
# Court of Appeals

**O R D E R**

**(Filed—August 27, 2020)**

By Order of the Chief Judge, the District of Columbia Court of Appeals is updating its operations as it continues to address concerns regarding the Coronavirus (COVID-19). This order updates the court's orders issued on March 23, May 21, and June 29, 2020, and addresses court operations through November 30, 2020. (https://www.dccourts.gov/court-of-appeals/orders) The court will make additional adjustments as circumstances warrant. The court plans to issue another order regarding operations subsequent to November 30, 2020. In addition, the Joint Committee on Judicial Administration previously ordered that during the remainder of the COVID-19 pandemic, or unless otherwise ordered by the court, persons entering any court buildings, except young children, persons who have trouble breathing when wearing a face covering or mask, persons who are unable to remove the face covering without assistance, or persons who require a religious or other accommodation, are required to wear face coverings or masks that cover the person's mouth and nose at all times. *See* June 26, 2020, Joint Committee Order. That order remains in effect.

**ORAL ARGUMENTS:** In all cases in which the court previously cancelled oral argument, the court will continue to decide those cases without oral argument unless the court grants a motion for oral argument or determines that oral argument is necessary. The court will hold oral argument in emergency and expedited matters as needed. In any case where oral argument is scheduled, it will be heard via remote video conference. The court will email participants a link to the video conference. Unless otherwise prohibited, oral arguments will be live streamed on YouTube to provide public

access. Protocols for participants and a link to the live streamed oral arguments are on the court's website (https://www.dccourts.gov/court-of-appeals/oral-arguments).

The following procedures are in effect through November 30, 2020:

- **THE DC COURT OF APPEALS HISTORIC COURTHOUSE BUILDING WILL CONTINUE TO BE CLOSED TO THE PUBLIC THROUGH NOVEMBER 30, 2020:** Only judges and court staff will be allowed access. The court continues to take this temporary action in response to the Coronavirus (COVID-19) emergency and out of concern for the health and safety of both the court community and the public. As set forth in the March 23, May 21, and June 29, 2020, orders, the court will continue to receive and consider all efiled documents and documents emailed or hand-delivered by pro se parties who do not have an efiling account (see details below). Additionally, a reduced number of court staff remain on site to process requests for files and records. These requests may be submitted by email to: fileroom@dcappeals.gov or phone to 202-879-2701 and 202-879-2707.

- **FILING DEADLINES & MOTIONS FOR EXTENSION OF TIME:** Pursuant to the May 21, 2020, order, the court is no longer suspending or tolling filing deadlines. Motions requesting extensions of time with respect to filing deadlines for motions, briefs, and other similar filings will be liberally granted consistent with the equities of the case.

- **EMERGENCY FILINGS:** Emergency filings intended for this court may still be submitted by email to: emergencyfilings@dcappeals.gov (for DC Superior Court matters please see https://dccourts.gov/coronavirus; for US District Court matters please see https://dcd.usccourts.gov). Please continue to follow the procedures outlined in this court's rules, which are available on the court's website (https://www.dccourts.gov/court-of-appeals). In addition, attach to such filing the relevant order and indicate whether any deadline (statutory or otherwise) applies. Please include the

appeal number, Superior Court case number, and the names and contact information for all counsel and parties.

- **ELECTRONIC FILIING** ("efiling") is strongly encouraged. The court has suspended the requirement for the filing of paper copies of electronically filed documents. *See* Electronic Filing and Service ("ESF") Procedure 8. *See also* DCCA Administrative Order 1-18.

- **Pro Se Parties:** Pro se parties (parties who do not have counsel) who are not currently registered for efiling may, during this period, continue to email their filings to efilehelp@dcappeals.gov. Pro se parties who are unable to email their filings may still mail their filings or hand-deliver them to the security desk at the entrance to the courthouse at 430 E Street, NW, which is staffed twenty-four hours a day.

- **NEW FILINGS:** The court remains open for all new filings. Parties filing cases initiating pleadings in this court, i.e. petitions for review, writs of mandamus and prohibition, and other extraordinary writs, and applications for allowance of appeal, may email their filings to efilehelp@dcappeals.gov, mail their filings, or hand-deliver them to the security desk at the entrance to the courthouse at 430 E Street, NW. Parties who mail or hand-deliver these filings shall also include the filing fee or a Motion for Waiver of Prepayment of Court Fees and Costs. Parties who email a case initiating pleading shall promptly submit the filing fee or a Motion for Waiver of Prepayment of Court Fees and Costs.

- **PAPER FILINGS:** If any filings are mailed or hand-delivered, the court has, pursuant to the May 21, 2020, order, temporarily suspended the requirement that a party provide any additional paper copies that may be required under the applicable court rules.

- **RULE 36(b): NOTICE OF JUDGMENT:** The May 21, 2020, order suspended the requirement that the Clerk must mail to all counsel and unrepresented parties a copy of the opinion — or the judgment, if no

opinion was written — and a notice of the date when the opinion or judgment was entered. The Clerk may continue to email all counsel and unrepresented parties a copy of the opinion or judgment and notice. If no email is available, the Clerk shall comply with D.C. App. R. 36(b).

- **APPELLATE MEDIATIONS:** Appellate mediations have resumed via telephonic conference or remote videoconferencing. Appellate Mediation program staff will notify eligible parties about the protocol and procedures that the court will implement to conduct appellate mediations.

- **BAR ADMISSIONS, APPLICATIONS FOR ADMISSION PRO HAC VICE, AND OTHER ADMISSIONS-RELATED INQUIRIES:** The Office of Admissions will be closed to the public through November 30, 2020. On June 10, 2020, the court announced it will administer a remote bar examination in October 2020. Preparations are ongoing; applicants should check the Committee on Admissions website for updates and additional details.

  In addition, pursuant to Notice No. M-269-20, which was filed with the court, the court has been asked to (a) establish a procedure to admit law-school graduates without requiring them to take and pass a bar exam ("diploma privilege") and/or (b) broaden the circumstances in which law school graduates who have not yet been admitted to the D.C. Bar (or perhaps any bar) can temporarily practice law. The deadline to submit comments was August 12, 2020, and a decision is forthcoming.

  Meanwhile, the Office will continue to process applications for special legal consultant status and pro hac vice applications. Non-electronic payments will be due and accepted when the Office reopens. Committee on Admissions meetings are proceeding via telephonic or video conference, as practicable. The Committee on Admissions may be reached at the following email addresses:

  - For questions related to the October 2020 bar exam: Fallbarexam2020@dcappeals.gov.

- For questions regarding accommodations for the upcoming bar exam: dcaccommodations@dcappeals.gov.
- For general admissions questions including application status updates, applications for admissions pro hac vice, certification, and wall plaques: coa@dcappeals.gov.
- For questions regarding the unauthorized practice of law: cupl@dcappeals.gov.
- For submitting oath statements and related questions: attyoath@dcappeals.gov.
- For questions regarding Rule 46 admission requirements and Rule 49 extension requests: sshanks@dcappeals.gov.
- For technical help with submitting applications: sparrish@dcappeals.gov.