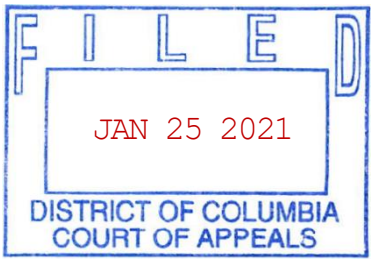
District of Columbia
Court of Appeals



O R D E R

(FILED—January 25, 2021)

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[1] issued on March 23, May 21, June 29, August 27, and November 23, 2020, and addresses court operations through March 31, 2021. (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 March 31, 2021. The Historic Courthouse is closed to the public, and consistent with the June 26, 2020, Order issued by the Joint Committee on Judicial Administration and other court safety policies (https://www.dccourts.gov/stepstokeepyousafe), during the remainder of the COVID-19 pandemic, or unless otherwise ordered by the court, all persons authorized to enter the Historic Courthouse—

- will be subject to a temperature check and a Covid-19 screening questionnaire;
- must maintain social distancing requirements as recommended by public health authorities; and
- with the exception of 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, must wear a face covering or mask that covers the person's mouth and nose at all

[1] The District of Columbia Court of Appeals issued a continuing court operations order on March 16, 2020.

times. If the person does not have a face covering or mask, a mask will be provided for them.

No person should enter the Historic Courthouse if they are quarantining, either because they have been exposed to the virus or have been diagnosed with Covid-19. Individuals who are feeling unwell but who are unsure if they have contracted Covid-19 are strongly encouraged not to seek entry into the Historic Courthouse and may be turned away as a result of the screening measures referenced above. Notwithstanding closure of the Historic Courthouse to the public, the Court of Appeals is committed to providing comprehensive remote access to the court as detailed below.

ORAL ARGUMENTS: In any case where oral argument is scheduled, it will be heard via remote video conference unless otherwise directed. The court will email participants a link to the video conference, so parties must ensure that their email addresses are on file with the court. 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). As part of a pilot project, redacted briefs for selected oral arguments will be posted the week before the oral argument on the court's website (https://www.dccourts.gov/court-of-appeals/oral-arguments).

The following procedures are in effect through March 31, 2021:

- **THE DC COURT OF APPEALS HISTORIC COURTHOUSE BUILDING WILL CONTINUE TO BE CLOSED TO THE PUBLIC THROUGH March 31, 2021:** 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, June 29, August 27, and November 23, 2020, orders[2], the court

[2] As also set forth in the March 16, 2020 court operations order.

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.

- **REMOTE ACCESS:** The DC Courts have begun offering sites across the District for those without computers or WiFi at home to use when they need to appear for their remote oral argument or appellate mediation. The remote locations are in all four quadrants of the city. Those interested in scheduling a time to use a remote location should call 202/879-1900 or email DCCourtsRemoteSites@dcsc.gov at least 24 hours before their scheduled hearing to reserve a computer station. When parties call or email, they can indicate if they need an interpreter or other assistance. Additional information is available on the court's website (https://www.dccourts.gov/sites/default/files/Remote-Hearing-Sites-Tip-Sheet-3.pdf)

- **FILING DEADLINES & MOTIONS FOR EXTENSION OF TIME:** 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 case-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 include a Motion for Waiver of Prepayment of Court Fees and Costs or promptly submit the filing fee.

- **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 March 31, 2021. On October 27, 2020, the court announced it will administer a remote bar examination in February 2021. Preparations are ongoing.

  For updates and information on temporary practice, emergency exam-waiver admissions, and other bar admissions matters, applicants should check the Committee on Admissions website. The Office continues 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 February 2021 bar exam: DCBarExam@dcappeals.gov.
  - For questions on how to apply a deferred fee from the July/October 2020 bar exams: BarExamRefund@dcappeals.gov.
  - For questions regarding accommodations for the upcoming bar exam: dcaccommodations@dcappeals.gov.

- For general admissions questions including application status updates, certification, and wall plaques: coa@dcappeals.gov.
- For questions regarding the unauthorized practice of law: cupl@dcappeals.gov.
- For questions regarding admission pro hac vice: rhunter@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.