

ADDENDUM TO THE GENERAL ORDER CONCERNING CIVIL CASES
Amended April 7, 2021

In a series of orders, the Chief Judge of the Superior Court of the District of Columbia suspended, tolled, and extended certain deadlines during the period of the current emergency. On March 30, 2021, the Chief Judge issued the most recent order. *See* https://www.dccourts.gov/sites/default/files/matters-docs/General%20Order%20pdf/Amended-Order-3_30_21_Final.pdf.

Termination of tolling. The March 30 order generally provides that no deadlines and time limits in statutes, court rules, and standing and other orders issued by the Court are suspended, tolled or extended during the period of emergency, with two exceptions: (1) statutes of limitations on claims subject to a statutory moratorium during a public health emergency are suspended, tolled and extended until the moratorium ends; and (2) the time limits concerning the validity and issuance of writs of restitution in Rules 16(a)(4) and 16(c) of the Superior Court Rules of Procedure for the Landlord and Tenant Branch that would otherwise expire during the period of emergency are suspended, tolled and extended during the period of emergency.

The March 30 order continues to authorize the court to extend deadlines by order. Therefore, a party may file a motion for the court to extend any deadline for reasons related to the public health emergency or otherwise.

For an explanation of determining new deadlines when suspension, tolling, and extension under prior orders ended, *see* Addendum to the General Order for Civil Cases amended January 31, 2021 (<https://www.dccourts.gov/sites/default/files/matters-docs/General%20Order%20pdf/addendum-to-the-general-order-final-1-21-21.pdf>).

Writs of restitution. Like the November 5 and January 13 orders, the March 30 order provides for continued suspension, tolling, and extension of the time limits concerning the validity and issuance of writs of restitution.

Under Rule 16(a)(4), a writ of restitution is valid for a period of 75 days, and this 75-day period is suspended, tolled, and extended during the period of the judicial emergency. For example, if a writ was issued 25 days before the judicial emergency began on March 18, 2020, it will remain valid for 50 days after the judicial emergency ends, which will be on May 20, 2021 unless it is further extended.

Under Rule 16(c), either a writ of restitution must be issued within 90 days after entering a judgment or default or after vacating a stay of execution, or the plaintiff may file a request for issuance of the writ. This 90-day period for issuance of writs is suspended, tolled, and extended during the period of the judicial emergency. For example, if a judgment was entered 30 days before the judicial emergency began on March 18, 2020, the court may issue a writ within 60 days after the judicial emergency ends, and the plaintiff need not request issuance of a writ unless the court does not issue the writ during that 60-day period.

Notice of evictions. Like the November 5 and January 13 orders, the Chief Judge's March 30, 2021 order contains the following provision concerning notice of evictions:

Because (1) the Court has inherent authority to ensure that judgments for possession and writs of restitution are executed in a fair and orderly way, (2) the fair and orderly execution of writs of restitution requires landlords to provide reasonable notice of the rescheduled date when an eviction was postponed for a substantial period due to a public health emergency and not for a short period due to temperature or precipitation, and (3) it would not impose an unreasonable or undue burden on landlords to provide notice of the rescheduled date consistent with the terms of D.C. Code § 42-3505.01a, any landlord shall, when an eviction that had been scheduled on or after March 16, 2020 is rescheduled after the statutory stay on evictions ends, send a notice that complies with the requirements of D.C. Code § 42-3505.01a at least 21 days before the date on which the eviction is rescheduled

This provision affects landlords and tenants in cases where a landlord provided the notice required by D.C. Code § 42-3505.01a at least 21 days before an eviction that was scheduled on or after March 16, 2020 and that was postponed due to the public health emergency. This provision requires landlords in these cases to provide a second notice that complies with § 42-3505.01a if the landlord reschedules the eviction after the period of the public health emergency ends.

Protective orders. Like the Chief Judge's prior orders, the March 30 order contains a provision relating to protective orders, including information about making payments to the Court. Unlike the prior orders, the March 30 order does not provide for payments by tenants directly to landlords. Protective order payments should be made to the Court.

Debt collection cases. The General Order Regarding Debt Collection Cases issued on May 7, 2020 specifically addresses deadlines in administratively-designated collection cases that are filed or pending during the period of the public health emergency declared by the Mayor and for 60 days after its conclusion. See <https://www.dccourts.gov/sites/default/files/matters-docs/General%20Order%20pdf/Collection-Case-General-Order.pdf>. This order provides that, 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 this period are tolled during this period. The General Order implements statutory restrictions on debt collection activities until 60 days after the end of the public health emergency declared by the Mayor; the Mayor has extended the public health emergency to at least May 20, 2021.

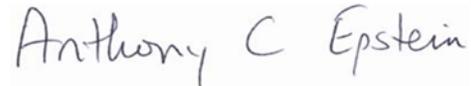
The cases on the calendar commonly referred to as the debt collection calendar includes cases that are subject to statutory restrictions on debt collection activities and cases that are not subject to these restrictions. The Civil Division is not scheduling hearings in any case on the debt collection calendar unless a party files a motion explaining why the statutory restrictions do not apply. The Civil Division is scheduling hearings in cases involving insurance subrogation, which are not subject to these statutory restrictions.

Mortgage foreclosure cases. The General Order Regarding Residential Mortgage Foreclosure Cases issued on July 2, 2020 addresses the administration of mortgage foreclosure

cases during the period of the public health emergency declared by the Mayor and for 60 days after its conclusion. See <https://www.dccourts.gov/sites/default/files/matters-docs/General%20Order%20pdf/General-Order-for-Foreclosure-Cases-7-2-20.pdf>.

Duration. This Addendum to the General Order shall remain in effect unless and until it is modified or rescinded as circumstances change.

Issued on April 7, 2021 by order of the Presiding Judge of the Civil Division.



Anthony C. Epstein
Presiding Judge, Civil Division