

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

RULE PROMULGATION ORDER 23-06

(Amending Super. Ct. Civ. R. 16)

WHEREAS, pursuant to D.C. Code § 11-946 (2012 Repl.), the Board of Judges of the Superior Court approved amendments to Superior Court Rule of Civil Procedure 16; and

WHEREAS, pursuant to D.C. Code § 11-946 (2012 Repl.), the amendments to this rule, to the extent that they modify the federal rule, have been approved by the District of Columbia Court of Appeals; it is

ORDERED, that Superior Court Rule of Civil Procedure 16 is hereby amended as set forth below; and it is further

ORDERED, that the amendments shall take effect on September 8, 2023, and shall govern all proceedings thereafter commenced and, insofar as just and practicable, all pending proceedings.

Rule 16. Pretrial Conferences; Pretrial Status Conferences; Scheduling; Management

(c) MEETING 4-5 WEEKS PRIOR TO PRETRIAL CONFERENCE.

(1) *Attendance.* Not less than 4-5 weeks prior to the pretrial conference, at least one of the attorneys who will conduct the trial for each of the parties, and any unrepresented parties, must meet in person. If such persons are unable to agree on a date, time, and place for the meeting, the parties must notify the judge by phone in advance that they will meet at 9:00 a.m. in the judge's courtroom or such other place to be designated by the judge on the day which is 4-5 weeks prior to the date of the pretrial conference.

(d) 3-4 WEEKS PRIOR TO PRETRIAL CONFERENCE. ~~Three-Four~~ weeks prior to the pretrial conference, each party must file with the court, serve on all other parties, and deliver to the assigned judge in accordance with the provisions of Rule 5(d) any motion in limine, motion to bifurcate, or other motion respecting the conduct of the trial, which a party wishes to have the court consider.

COMMENT TO 2023 AMENDMENTS

The deadlines in subsection (c)(1) and section (d) have been amended to 5 and 4 weeks, respectively, to ensure that motions in limine filed under section (d) are fully briefed in advance of the pretrial conference. See Rule 12-1(g) (allowing the filing of replies for all types of motions).

Rule 16. Pretrial Conferences; Pretrial Status Conferences; Scheduling; Management

(c) MEETING 5 WEEKS PRIOR TO PRETRIAL CONFERENCE.

(1) *Attendance.* Not less than 5 weeks prior to the pretrial conference, at least one of the attorneys who will conduct the trial for each of the parties, and any unrepresented parties, must meet in person. If such persons are unable to agree on a date, time, and place for the meeting, the parties must notify the judge by phone in advance that they will meet at 9:00 a.m. in the judge's courtroom or such other place to be designated by the judge on the day which is 5 weeks prior to the date of the pretrial conference.

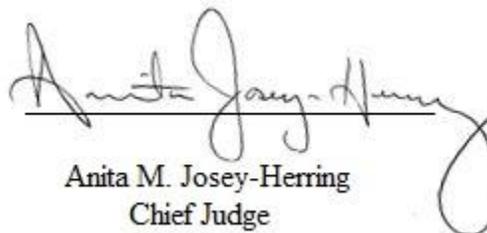
(d) 4 WEEKS PRIOR TO PRETRIAL CONFERENCE. Four weeks prior to the pretrial conference, each party must file with the court, serve on all other parties, and deliver to the assigned judge in accordance with the provisions of Rule 5(d) any motion in limine, motion to bifurcate, or other motion respecting the conduct of the trial, which a party wishes to have the court consider.

COMMENT TO 2023 AMENDMENTS

The deadlines in subsection (c)(1) and section (d) have been amended to 5 and 4 weeks, respectively, to ensure that motions in limine filed under section (d) are fully briefed in advance of the pretrial conference. See Rule 12-1(g) (allowing the filing of replies for all types of motions).

* * *

SO ORDERED.



Anita M. Josey-Herring
Chief Judge

DATE: August 7, 2023

Copies to:

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Executive Officer of the Court
Clerk of the Court
Office of General Counsel
Division Directors
District of Columbia Bar
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