

**DISTRICT OF COLUMBIA**  
**OFFICIAL CODE**

**TITLE 11.**  
**ORGANIZATION AND JURISDICTION OF**  
**THE COURTS.**

**CHAPTER 11.**  
**FAMILY COURT OF THE SUPERIOR COURT.**

**2001 Edition**

**DISTRICT OF COLUMBIA OFFICIAL CODE**  
**CHAPTER 11. FAMILY COURT OF THE SUPERIOR**  
**COURT.**

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# CHAPTER 11. FAMILY COURT OF THE SUPERIOR COURT.

## § 11-1101. JURISDICTION OF THE FAMILY COURT.

(a) *In general.* -- The Family Court of the District of Columbia shall be assigned and have original jurisdiction over --

- (1) actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental thereto for alimony, pendente lite and permanent, and for support and custody of minor children;
- (2) applications for revocation of divorce from bed and board;
- (3) actions to enforce support of any person as required by law;
- (4) actions seeking custody of minor children, including petitions for writs of habeas corpus;
- (5) actions to declare marriages void;
- (6) actions to declare marriages valid;
- (7) actions for annulments of marriage;
- (8) determinations and adjudications of property rights, both real and personal, in any action referred to in this section, irrespective of any jurisdictional limitation imposed on the Superior Court;
- (9) proceedings in adoption;
- (10) proceedings under the Act of July 10, 1957 (D.C. Code, secs. 30-301 to 30-324 [D.C. Official Code, §§ 46-701 to 46-724]);
- (11) proceedings to determine paternity of any child born out of wedlock;
- (12) civil proceedings for protection involving intrafamily offenses, instituted pursuant to chapter 10 of title 16;
- (13) proceedings in which a child, as defined in section 16-2301, is alleged to be delinquent, neglected, or in need of supervision;
- (14) proceedings under chapter 5 of title 21 relating to the commitment of the mentally ill;
- (15) proceedings under chapter 13 of title 7 relating to the commitment of the at least moderately mentally retarded; and
- (16) proceedings under Interstate Compact on Juveniles (described in title IV of the District of Columbia Court Reform and Criminal Procedure Act of 1970).

(b) *Definition.* --

- (1) *In general.* -- In this chapter, the term "action or proceeding" with respect to the Family Court refers to cause of action described in paragraphs (1) through (16) of subsection (a).
- (2) *Exception.* -- An action or proceeding may be assigned to or retained by cross-jurisdictional units established by the Superior Court, including the Domestic Violence Unit.

(July 29, 1970, 84 Stat. 488, Pub. L. 91-358, title I, 111; Dec. 7, 1970, 84 Stat. 1390, Pub. L. 91-530, 2(a)(2), (3); Jan. 8, 2002, 115 Stat. 2108, Pub. L. 107-114, § 4(a).)

### HISTORICAL AND STATUTORY NOTES

#### *Prior Codifications*

1981 Ed., § 11-1101.

1973 Ed., § 11-1101.

#### *Effect of Amendments*

Pub. L. 107-114 rewrote the section which had read as follows:

"§ 11-1101. Exclusive Jurisdiction."

"The Family Division of the Superior Court shall be assigned, in accordance with Chapter 9, exclusive jurisdiction of--

"(1) actions for divorce from the bond of marriage and legal separation from bed and board, including proceedings incidental thereto for alimony, pendente lite and permanent, and for support and custody of minor children;

"(2) applications for revocation of divorce from bed and board;

"(3) actions to enforce support of any person as required by law;

"(4) actions seeking custody of minor children, including petitions for writs of habeas corpus;

"(5) actions to declare marriages void;

"(6) actions to declare marriages valid;

"(7) actions for annulments of marriage;

"(8) determinations and adjudications of property rights, both real and personal, in any action referred to in this section, irrespective of any jurisdictional limitation imposed on the Superior Court;

"(9) proceedings in adoption;

"(10) proceedings under the Act of July 10, 1957 (D.C. Official Code, secs. 46-701 to 46-724);

"(11) proceedings to determine paternity of any child born out of wedlock;

"(12) civil proceedings for protection involving intrafamily offenses, instituted pursuant to Chapter 10 of Title 16;

"(13) proceedings in which a child, as defined in section 16-2301, is alleged to be delinquent, neglected, or in need of supervision;

"(14) proceedings under Chapter 5 of Title 21 relating to the commitment of the mentally ill;

"(15) proceedings under Chapter 11 of Title 21 relating to the commitment of the substantially retarded; and

"(16) proceedings under Interstate Compact on Juveniles (described in title IV of the District of Columbia Court Reform and Criminal Procedure Act of 1970)".

#### *References in Text*

The Interstate Compact on Juveniles, referred to in paragraph (16) of this section, is codified in § 24-1102.

Title IV of the District of Columbia Court Reform and Criminal Procedure Act of 1970, referred to in subsec. (a)(16), is Pub. L. 91-358, 84 Stat. 473, July 29, 1970, which is not codified.

#### *Miscellaneous Notes*

Pub. L. 107-114, § 4(c), provides:

"Plan for integrating computer systems.--"

"(1) In general.--Not later than 6 months after the date of the enactment of this Act [Jan. 8, 2002], the Mayor of the District of Columbia shall submit to the President and Congress a plan for integrating the computer systems of the District government with the computer systems of the Superior Court of the District of Columbia so that the Family Court of the Superior Court and the appropriate offices of the District government which provide social services and other related services to individuals and families served by the Family Court of the Superior Court (including the District of Columbia Public Schools, the District of Columbia Housing Authority, the Child and Family Services Agency, the Office of the Corporation Counsel, the Metropolitan Police Department, the Department of Health, and other offices determined by the Mayor) will be able to access and share information on the individuals and families served by the Family Court.

"(2) Authorization of appropriations.--There are authorized to be appropriated to the Mayor of the District of Columbia such sums as may be necessary to carry out paragraph (1)."

### **§ 11-1102. USE OF ALTERNATIVE DISPUTE RESOLUTION.**

To the greatest extent practicable and safe, cases and proceedings in the Family Court of the Superior Court shall be resolved through alternative dispute resolution procedures, in accordance with such rules as the Superior Court may promulgate.

(Jan. 8, 2002, 115 Stat. 2100, Pub. L. 107-114, § 4(a).)

### **§ 11-1103. STANDARDS OF PRACTICE FOR APPOINTED COUNSEL.**

The Superior Court shall establish standards of practice for attorneys appointed as counsel in the Family Court of the Superior Court.

(Jan. 8, 2002, 115 Stat. 2108, Pub. L. 107-114, § 4(a).)

#### **§ 11-1104. ADMINISTRATION.**

(a) *"One family, one judge" requirement for cases and proceedings.* -- To the greatest extent practicable, feasible, and lawful, if an individual who is a party to an action or proceeding assigned to the Family Court has an immediate family or household member who is a party to another action or proceeding assigned to the Family Court, the individual's action or proceeding shall be assigned to the same judge or magistrate judge to whom the immediate family member's action or proceeding is assigned.

(b) *Retention of jurisdiction over cases.* --

(1) *In general.* -- In addition to the requirement of subsection (a), any action or proceeding assigned to the Family Court of the Superior Court shall remain under the jurisdiction of the Family Court until the action or proceeding is finally disposed, except as provided in paragraph (2)(D).

(2) *One family, one judge.* --

(A) *For the duration.* -- An action or proceeding assigned pursuant to this subsection shall remain with the judge or magistrate judge in the Family Court to whom the action or proceeding is assigned for the duration of the action or proceeding to the greatest extent practicable, feasible, and lawful, subject to subparagraph (2)(C).

(B) *All cases involving an individual.* -- If an individual who is a party to an action or proceeding assigned to the Family Court becomes a party to another action or proceeding assigned to the Family Court, the individual's subsequent action or proceeding shall be assigned to the same judge or magistrate judge to whom the individual's initial action or proceeding is assigned to the greatest extent practicable and feasible.

(C) *Family court case retention.* -- If the full term of a Family Court judge to whom the action or proceeding is assigned is completed prior to the final disposition of the action or proceeding, the presiding judge of the Family Court shall ensure that the matter or proceeding is reassigned to a judge serving on the Family Court.

(D) *Exception.* -- A judge whose full term on the Family Court is completed but who remains in Superior Court may retain the case or proceeding for not more than 6 months or, in extraordinary circumstances, for not more than 12 months after ceasing to serve if --

- (i) the case remains at all times in full compliance with Public Law 105-89, if applicable; and
- (ii) if Public Law 105-89 is applicable, the chief judge determines, in consultation with the presiding judge of the Family Court, based on the record in the case and any unique expertise, training or knowledge of the case that the judge might have, that permitting the judge to retain the case would lead to permanent placement of the child more quickly than reassignment to a judge in the Family Court.

(3) *Standards of judicial ethics.* -- The actions of a judge or magistrate judge in retaining an action or proceeding under this paragraph shall be subject to applicable standards of judicial ethics.

(c) *Training program.* --

(1) *In general.* -- The chief judge, in consultation with the presiding judge of the Family Court, shall carry out an ongoing program to provide training in family law and related matters for judges of the Family Court and other judges of the Superior Court who are assigned Family Court cases, including magistrate judges, attorneys who practice in the Family Court, and appropriate nonjudicial personnel, and shall include in the program information and instruction regarding the following:

- (A) Child development.
- (B) Family dynamics, including domestic violence.
- (C) Relevant Federal and District of Columbia laws.
- (D) Permanency planning principles and practices.
- (E) Recognizing the risk factors for child abuse.
- (F) Any other matters the presiding judge considers appropriate.

(2) *Use of cross-training.* -- The program carried out under this section shall use the resources of lawyers and legal professionals, social workers, and experts in the field of child development and other related fields.

(d) *Accessibility of materials, services, and proceedings; promotion of "family-friendly" environment.* --

(1) *In general.* -- To the greatest extent practicable, the chief judge and the presiding judge of the Family Court shall ensure that the materials and services provided by the Family Court are understandable and accessible to the individuals and families served by the Family Court, and that the Family Court carries out its duties in a manner which reflects the special needs of families with children.

(2) *Location of proceedings.* -- To the maximum extent feasible, safe, and practicable, cases and proceedings in the Family Court shall be conducted at locations readily accessible to the parties involved.

(e) *Integrated computerized case tracking and management system.* -- The Executive Officer of the District of Columbia courts under section 11-1703 shall work with the chief judge of the Superior Court --

(1) to ensure that all records and materials of cases and proceedings in the Family Court are stored and maintained in electronic format accessible by computers for the use of judges, magistrate judges, and nonjudicial personnel of the Family Court, and for the use of other appropriate offices of the District government in accordance with the plan for integrating computer systems prepared by the Mayor of the District of Columbia under section 4(b) [4(c)] of the District of Columbia Family Court Act of 2001 [§ 11-1101, note];

(2) to establish and operate an electronic tracking and management system for cases and proceedings in the Family Court for the use of judges and nonjudicial personnel of the Family Court, using the records and materials stored and maintained pursuant to paragraph (1); and

(3) to expand such system to cover all divisions of the Superior Court as soon as practicable.

(Jan. 8, 2002, 115 Stat. 2108, Pub. L. 107-114, § 4(a).)

#### HISTORICAL AND STATUTORY NOTES

#### References in Text

Section 4(b) [4(c)] of the District of Columbia Family Court Act of 2001, referred to in paragraph (e)(1), is classified to § 11-721.

### § 11-1105. SOCIAL SERVICES AND OTHER RELATED SERVICES.

(a) *Onsite coordination of services and information.* --

(1) *In general.* -- The Mayor of the District of Columbia, in consultation with the chief judge of the Superior Court, shall ensure that representatives of the appropriate offices of the District government which provide social services and other related services to individuals and families served by the Family Court (including the District of Columbia Public Schools, the District of Columbia Housing Authority, the Child and Family Services Agency, the Office of the Corporation Counsel, the Metropolitan Police Department, the Department of Health, and other offices determined by the Mayor) are available on-site at the Family Court to coordinate the provision of such services and information regarding such services to such individuals and families.

(2) *Duties of heads of offices.* -- The head of each office described in paragraph (1), including the Superintendent of the District of Columbia Public Schools and the Director of the District of Columbia Housing Authority, shall provide the Mayor with such information, assistance, and services as the Mayor may require to carry out such paragraph.

(b) *Appointment of social services liaison with family court.* -- The Mayor of the District of Columbia shall appoint an individual to serve as a liaison between the Family Court and the District government for purposes of subsection (a) and for coordinating the delivery of services provided by the District government with the activities of the Family Court and for providing information to the judges, magistrate judges, and nonjudicial personnel of the Family Court regarding the services available from the District government to the individuals and families served by the Family Court. The Mayor shall provide on an ongoing basis information to the chief judge of the Superior Court and the presiding judge of the Family Court regarding the services of the District government which are available for the individuals and families served by the Family Court.

(Jan. 8, 2002, 115 Stat. 2110, Pub. L. 107-114, § 4(a).)

### § 11-1106. REPORTS TO CONGRESS.

Not later than 90 days after the end of each calendar year, the chief judge of the Superior Court shall submit a report to Congress on the activities of the Family Court during the year, and shall include in the report the following:

(1) The chief judge's assessment of the productivity and success of the use of alternative dispute resolution pursuant to section 11-1102.

(2) Goals and timetables as required by the Adoption and Safe Families Act of 1997 to improve the Family Court's performance in the following year.

(3) Information on the extent to which the Family Court met deadlines and standards applicable under Federal and District of Columbia law to the review and disposition of actions and proceedings under the Family Court's jurisdiction during the year.

(4) Information on the progress made in establishing locations and appropriate space for the Family Court that are consistent with the mission of the Family Court until such time as the locations and space are established.

(5) Information on any factors which are not under the control of the Family Court which interfere with or prevent the Family Court from carrying out its responsibilities in the most effective manner possible.

(6) Information on --

(A) the number of judges serving on the Family Court as of the end of the year;

(B) how long each such judge has served on the Family Court;

(C) the number of cases retained outside the Family Court;

(D) the number of reassignments to and from the Family Court; and

(E) the ability to recruit qualified sitting judges to serve on the Family Court.

(7) Based on outcome measures derived through the use of the information stored in electronic format under section 11-1104(d), an analysis of the Family Court's efficiency and effectiveness in managing its case load during the year, including an analysis of the time required to dispose of actions and proceedings among the various categories of the Family Court's jurisdiction, as prescribed by applicable law and best practices, including (but not limited to) best practices developed by the American Bar Association and the National Council of Juvenile and Family Court Judges.

(8) If the Family Court failed to meet the deadlines, standards, and outcome measures described in the previous paragraphs, a proposed remedial action plan to address the failure.

(Jan. 8, 2002, 115 Stat. 2111, Pub. L. 107-114, § 4(a).)

*HISTORICAL AND STATUTORY NOTES*

*References in Text*

The Adoption and Safe Families Act of 1997, referred to in par. (2), is Pub. L. 105-89, 111 Stat. 2115.