

**DISTRICT OF COLUMBIA
OFFICE OF ADMINISTRATIVE HEARINGS**

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ORDER

By virtue of the authority vested in me as the Chief Administrative Law Judge of the Office of Administrative Hearings (OAH), by Sections 8(a)(7) and 8(b)(12) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76, D.C. Official Code § 2-1831.05(a)(7) and (b)(12)), by section 310 of the COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020 (D.C. Act 23-247), Mayor's Order 2020-52, dated March 23, 2020, Mayor's Order 2020-63, dated April 15, 2020 and City Administrator's Order 2020-3, dated April 6, 2020, it is hereby ORDERED:

OAH operations are adjusted as described below in accordance with the Mayor's Declarations of public emergency and public health emergency to address concerns regarding the spread of Coronavirus (COVID-19). OAH will make additional adjustments as circumstances warrant and in keeping with the Mayor's further instructions to DC Government agencies.

The following procedures are in effect through May 15, 2020:

I. Hearings

All in-person hearings are canceled until further notice. Remote telephone hearings will be held from March 30, 2020 onward for prioritized public benefits or unemployment insurance applicants/recipients where benefits or services have been denied, terminated, or reduced; and for certain enforcement and wage-hour cases. Remote telephone hearings for public sector workers' compensation cases will begin May 1, 2020. Hearings for all other case types will not be scheduled until further notice.

In all cases in which an in-person or remote telephone hearing has been canceled, an order rescheduling the hearing will be sent to the parties.

II. 441 Fourth Street, NW, Suite 450N Closure

Effective March 16, 2020, the Office of Administrative Hearings' office at 441 Fourth Street, NW, Suite 450N will be closed to the public until further notice. Because the Mayor determined that all OAH operations should be performed remotely, only limited staff access to the building will be allowed. As discussed below, the court will still receive and consider all electronically filed documents and will receive and consider mailed and faxed documents at the expiration of the public emergency.

III. Suspension/Tolling/Extension of Filing Deadlines

All filing deadlines are suspended/tolled/extended for the duration of the public health emergency and for thirty calendar days following the end of the public health emergency for the following case types:

- Unemployment Insurance (DOES)
- General Assistance for Children (DHS)
- TANF (DHS)
- Interim Disability Assistance (DHS)
- Power on Work, Employment, and Responsibility (DHS)

- Shelter and services for homeless persons (DHS)
- Rental Assistance Programs (DHS)
- Child Care Subsidy Programs (OSSE)
- Burial Assistance (DHS)
- Low Income Home Energy Assistance Program (LIHEAP) (DOEE)
- Vocational Rehabilitation Services (DDS)
- Nursing Home Facility Resident Appeals (DOH)
- Mental Health Community Residence Facility Resident Appeals (DBH)
- Blind Vendors Program (DDS)
- Attachment of a child support obligor's settlement funds on a persona injury or worker's compensation claim (OAG)
- Attachment and seizure of funds owned by child support obligors and held in financial institutions (OAG)
- Proposed denial, refusal to renew, or suspension of a driver's license and car registration of a child support obligor (OAG)

Filing deadlines in other case types may be suspended/tolled/extended by Order of the Chief Administrative Law Judge on a case-by-case basis. Upon the expiration of the public health emergency, the Chief Administrative Law Judge will issue an order ending the suspension/tolling/extension period and parties will have thirty calendar days to submit their filings. This applies to all deadlines associated with the filing of any hearing request, motion, exhibit, witness list, or any other written submission filed with OAH for the aforementioned case types.

IV. New filings

OAH can receive new filings by email, mail, and fax. However, electronic filing is strongly encouraged, as filing by mail or fax will result in delays. To file a document electronically with OAH, a party should email oah.filing@dc.gov. Except as provided in OAH Rule 2809.4, a document received during regular business hours, i.e., 9:00 a.m. to 5:00 p.m., on a business day will be filed that day. The filing date for a document received outside of normal business hours will be the next following regular business day. Any document filed by email must comply with OAH Rule 2841. In public benefits cases, as provided by OAH Rule 2971, a hearing may be requested by telephone as well. Requests should be made to 202-671-0055.

Note: As stated above, all filing deadlines for the specified cases in Section III are suspended/tolled/extended throughout the duration of the public health emergency and for thirty calendar days following the end of the public health emergency.

V. Requesting Reconsideration, a New Hearing, or Relief from a Final Order

The time an Administrative Law Judge has to rule on any motion requesting reconsideration, a new hearing, or relief from a final order is suspended/tolled/extended for the duration of the public

health emergency and for thirty calendar days following the end of the public health emergency. Any motion requesting reconsideration, a new hearing, or relief from a final order to which an ALJ has not issued an applicable Order during this time period will not be deemed denied or denied by operation of law. Please note that all filing deadlines in all case types at the D.C. Court of Appeals are suspended/tolled/extended until May 31, 2020. When the Court of Appeals issues an order ending the suspension/tolling/extension period, parties wishing to appeal a Final Order issued by OAH will have thirty days to submit their filings.

VI. Motions for Summary Disposition

OAH will continue to consider and decide cases based on the parties' briefs and motions for summary disposition. Electronic filing of briefs and motions for summary disposition is strongly encouraged, as filing by mail or fax will result in delays.

VII. Mediations

All mediations scheduled through May 15, 2020, are canceled. OAH will resume mediations after the expiration of the public health emergency and notify parties at a later date of their rescheduled mediation.

_____/s/_____
Eugene Adams
Chief Administrative Law Judge

April 27, 2020
Date