



## **COUNCIL OF THE DISTRICT OF COLUMBIA**

### NOTICE

#### D.C. LAW 10-230

### " Small Claims Service of Process Act of 1994".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P.L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 10-89 on first and second readings, November 1, 1994 and December 6, 1994, respectively. Following the signature of the Mayor on December 27, 1994, this legislation was assigned Act No. 10-371, and published in the January 6, 1995, edition of the D.C. Register (Vol. 42 page 11) and transmitted to Congress on Feburary 3, 1995 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-230, effective March 21, 1995.

DAVID A. CLARKE Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:Feb.3,6,7,8,9,10,13,14,15,16,21,22,23,24,27,28Mar.1,2,3,6,7,8,9,10,13,14,15,16,17,20

# ENROLLED ORIGINAL

AN ACT

Codification District of Columbia Code (\_\_\_\_\_\_Supplement)

## IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend section 16-3902 of the District of Columbia Code to allow the Clerk of the Small Claims and Conciliation Branch of the Superior Court of the District of Columbia to authorize the use of a special process server in a small claims action, to extend the period of time allowed for service of process in actions commenced in the Small Claims and Conciliation Branch from 15 days to 30 days, and to extend the period of time for the District of Columbia government to file an answer in a small claims action against the District government.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Small Claims Service of Process Act of 1994".

Sec. 2. Section 16-3902 of the District of Columbia Code is amended as follows:

Section 16-3902

(a) The last sentence in subsection (a) is amended to read as follows:

"The mode of service shall be by the United States marshal, as provided by law, or by registered mail or by certified mail with return receipt, or by a person not a party to or otherwise interested in the action especially authorized by the Clerk of the Small Claims and Conciliation Branch or appointed by the judge for that purpose.".

(b) Subsection (g) is amended by striking the figure "15" and inserting the figure "30" in its place.

(c) A new subsection (h) is added to read as follows:

"(h) Where the defendant is the District of Columbia or an officer or agency thereof, the Clerk shall schedule the hearing for a day that is not less than 30 days from the date of the filing of the action, service of a copy of the action on the Corporation Counsel to be completed within 15 days of filing.".

Sec. 3. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

Chairman

Council of the District of Columbia

Mayor District of Columbia

		C	OUN	CIL OF THE D Council Peri			0 <b>f</b> (	OLI	MBLA			
			RE	CORD OF OFFI	CIAL				0:B10-89			
To met X	Consent (	Calenda	f						0			•
X ACTION				Adopted F:	irst	Rea	ıdin	ст.	11-1-94	1		
									<u>**_*_*_</u>			
				Approved							_	
	vote on re											
	Absent: _			Barry			<u></u>					
I POLL C	ALL VOT	E RE	SUL		<u>لم المراجع الم</u>				·····			
COUNCIL MEMBER	AYE NA	VINV	A. <b>Ə.</b>	COUNCIL MEMBER	745	NAY	N.V.	A.B.	COUNCIL MEMBER	174E	NAY N	47 4
CHMN. CLARKE	1			EVANS	-		ł		RAY	ł.		
BARRY	· · · · · · · · · · · · · · · · · · ·		_	JARVIS	!	<u> </u>	<u>}</u>		SMITH, JR.			-
BRAZIL	1			MASON	<u></u>				THOMAS, SR.			
CROPP	1			NATHANSON	1					-		
	X na	icates Vo			NV -	Prese	nt	voting				
Xitem on d	Secretary	v	-				·		Jun 9,19 Jaco	<u>94</u>		
ZACTION	A DATE			Adopted F:	inal	Rea	ldin	g,	12-6-94			۰. ۱
X VCICE V	OTE	•		Approved							-	
Recorded vo	ote on reque	rst										
	Absent			Barry								
									······································			
CHMN. CLARKE		N.V.	A.8.1	COUNCIL MEMBER	AYE	NAY	<u>N.V. (</u>	A.8.	COUNCIL MEMBER	AYE	NAY	1.7 , A.
BARRY				JARVIS			i		SMITH. JR.			, ,
BRAZIL				LIGHTFOOT					THOMAS SR	Ì	÷.,	-
CHAVOUS		i 1		MASON			1				1	1
CROPP		1		NATHANSON	1	_						1
					-					i	1	
	X - ind	ncates Vo		A.B Absent		- Prese		voung		i		
Plus = item of C = ACTION	Secretary		)	A.B. — Absent CERTIFICATION RECO		- Prese		le	eller 9, 19	54		
E item of C C ACTION VOICE VI	Secretary Consert Cale & DATE		)	A.B. — Absent CERTIFICATION RECO		- Prese				1 94		
Pluy = item of C = ACTION	Secretary Consert Cale & DATE		)	A.B. — Absent CERTIFICATION RECO		- Prese				54		
E item of C C ACTION VOICE VI Recorded VI	Secretary Consert Cale & DATE		)	A.B. — Absent CERTIFICATION RECO		- Prese				54		
E item of C C ACTION VOICE VI Pecorded VI	Secretary Consent Cale & DATE: OTE: OTE: Ote on reque Absent:		Ouncit	A.B. — Absent CERTIFICATION RECO		- Prese				54		
E item of C C ACTION VOICE VI Recorded VI C ROLL CA COUNCIL MEMBER	Secretally Consert Call & DATE OTE Absent ALL VOTE AVE NAN	MA) no me Co ander est - RESUL	ouncit 	A.B. — Absent CERTIFICATION RECO		- Prese				<u><u><u></u></u><u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u></u></u>		
E item of C C ACTION T VOICE VI Recorded VI COUNCIL MEMBER CHMN. CLARKE	Secretally Consert Call & DATE OTE Absent ALL VOTE AVE NAN	MA) no me Co ander est - RESUL	ouncit 	A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS				le		<u><u><u></u></u><u><u></u><u></u><u></u><u>AYE</u></u></u>		
E Item of C C ACTION C ACTION C VOICE VI Recorded VI C ROLL CA COUNCIL MEMBER CHMN. CLARKE BARRY	Secretally Consert Call & DATE OTE Absent ALL VOTE AVE NAN	MA) no me Co ander est - RESUL	ouncit 	A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS				le	Cane	<u><u><u></u></u><u><u></u><u>Aye</u></u></u>		
E litem of C C ACTION C ACTION C VOICE VI Recorded VI C ROLL CA COUNCIL MEMBER CHMN. CLARKE BARRY BRAZIL	Secretally Consert Call & DATE OTE Absent ALL VOTE AVE NAN	MA) no me Co ander est - RESUL	ouncit 	A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS LIGHTFOOT				le		<u><u><u></u></u><u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u><u></u></u></u>		
CUNCIL MEMBER CHMN. CLARKE BARRY BRAZIL CHAVOUS	Secretally Consert Call & DATE OTE Absent ALL VOTE AVE NAN	MA) no me Co ander est - RESUL	ouncit 	A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON				le	Cane	<u><u><u></u></u><u><u></u><u></u><u></u><u>AYE</u></u></u>		
E litem of C C ACTION C ACTION C VOICE VI Recorded VI C ROLL CA COUNCIL MEMBER CHMN. CLARKE BARRY BRAZIL	Secretary Consent Call & DATE OTE OTE OTE MLL VOTE AYE NAN	MA) no me Co ander est - RESUL	.T	A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS LIGHTFOOT			NV	AB	COUNCIL MEMBER RAY SMITH, JR. THOMAS, SR.	<u><u><u></u></u><u><u></u><u></u><u>Aye</u></u></u>		

Secretary to the Council

Date

# ENROLLED ORIGINAL

#### AN ACT

## D.C. <u>ACT</u> 10-371

Codification District of Columbia Code (\_\_\_\_\_\_\_Supplement)

### IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

## DECEMBER 27, 1994

To amend section 16-3902 of the District of Columbia Code to allow the Clerk of the Small Claims and Conciliation Branch of the Superior Court of the District of Columbia to authorize the use of a special process server in a small claims action, to extend the period of time allowed for service of process in actions commenced in the Small Claims and Conciliation Branch from 15 days to 30 days, and to extend the period of time for the District of Columbia government to file an answer in a small claims action against the District government.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Small Claims Service of Process Act of 1994".

Sec. 2. Section 16-3902 of the District of Columbia Code is amended as follows:

Section 16-3902

(a) The last sentence in subsection (a) is amended to read as follows:

"The mode of service shall be by the United States marshal, as provided by law, or by registered mail or by certified mail with return receipt, or by a person not a party to or otherwise interested in the action especially authorized by the Clerk of the Small Claims and Conciliation Branch or appointed by the judge for that purpose.".

(b) Subsection (g) is amended by striking the figure "15" and inserting the figure "30" in its place.

(c) A new subsection (h) is added to read as follows:

"(h) Where the defendant is the District of Columbia or an officer or agency thereof, the Clerk shall schedule the hearing for a day that is not less than 30 days from the date of the filing of the action, service of a copy of the action on the Corporation Counsel to be completed within 15 days of filing.".

Sec. 3. Effective date.

This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations.

Chairman

Council of the District of Columbia

160 Maydr

District of Columbia APPROVED: December 27, 1994

			C	OUN	COUNCIL OF THE D			OF	COL	UMBLA					
						100 .	len								
				R	ECORD OF OFF	ICIAL	. CO	UNC	IL VC	DTE	1000				
¥ 140	on Con		-	~*				200	KET	IO: <u>B</u>	10-89				
	•				Ndonted T	لا سر مار ا	- 7-			11 1 0					
X ACT	ION & D	ATE:			Adopted F	irst	: Re	<u>ad1</u>	ng,	11-1-9	4				
X VOI	E VOTE	E			Approved							· · ·		· · ·	
Pecoro	ed vote	on red	luest												
	Abse	nt:			Barry				· · · ·						
		VOTE	. <u>—</u> A	ESUL	.T					i				-	
COUNCIL MEMBE						144	NAY	N.V.	A.B.	COUNCIL	AEMBER	AYE	NAY	N 12	43
CHMN. CLAR	E	i			EVANS				1	RAY					
BARRY		1	1	1	JARVIS	1				SMITH,				1	
BRAZIL					LIGHTFOOT	<u> </u>	<u> </u>	 	<u> </u>	THOMAS	<u>, SR.</u>		1		
CHAVOUS	<u>l</u>			1	MASON NATHANSON	- <u>i</u>	+			<u> </u>	·	<u> </u>	1		·
	X	- indic	i ates V	ote	A.B Absent	N.V	- Prese		votina					·	-
$\bigcirc$	1.	.		1	CERTIFICATION REC	ORD									
			1 M				•	L a	20 0	enter	919	Gd			
	Sec	retary	p the C	Council				-1	av	Date	111				
Xitem	n Conser	V	f												
					Adopted F	inal	Re	adiı	na.	12-6-9	4				
					Approved				- 57					<b></b>	
Z VOIC	E VOTE:				ADDroved										
						·								-	
	d vote on	reques	at .			- <u></u>								<b>_</b>	
	•	reques	at .		Barry	- <u></u>	-						· · · · · · · · · · · · · · · · · · ·	<b>—</b> —	
Recorde	•	reques	it		Barry	· · · · · · · · · · · · · · · · · · ·				· · · · · · · · · · · · · · · · · · ·	(			 	
Recorde	Absen	reques n: )TE:	RESU	LT	Barry	AYE	NAY	N.V.	A.B.	COUNCIL	( MEMBER	AYE	NAY	  	A.3
Records T ROLL COUNCIL MEMBE CHMN. CLARJ	Absen CALL VC	reques n: )TE:	RESU	LT	Barry COUNCIL MEMBER EVANS	AYE	NAY	N.V.	A.8.	RAY		AYE	NAY	- ) - N.V	A.B.
Records T ROLL COUNCIL MEMBE CHMN. CLARI BARRY	Absen CALL VC	reques n: )TE:	RESU	LT	Barry COUNCIL MEMBER FVANS JARVIS	AYE	NAY	N.V.	A.B.	RAY SMITH,	JR.	AYE	NAY	-) M.V	A.3
Records T ROLL COUNCIL MEMBE CHMN, CLAR BARRY BRAZIL	Absen CALL VC	reques n: )TE:	RESU	LT	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT	AYE	NAY	N.V.	A.B.	RAY	JR.	AYE	NAY		EA
Records Z ROLL COUNCIL MEMBE CHMN. CLARI BARRY BRAZIL CHAVOUS	Absen CALL VC	reques n: )TE:	RESU	LT	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON	AYE	NAY	N.V.	A.B.	RAY SMITH,	JR.	AYE	NAY	-) M.V	EA
Records Z ROLL COUNCIL MEMBE CHMN. CLARI BARRY BRAZIL CHAVOUS	Absen CALL VC A AYE	reques n: )TE:		A.B.	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT		NAY			RAY SMITH,	JR.	AYE	NAY	-) M.V	A 3
Records Z ROLL COUNCIL MEMBE CHMN. CLARI BARRY BRAZIL CHAVOUS	Absen CALL VC A AYE	reques		A.B.	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON NATHANSON	N.V				RAY SMITH,	JR.	AYE	NAY	-) M.V	A 3
Records Z ROLL COUNCIL MEMBE CHMN. CLARI BARRY BRAZIL CHAVOUS	Absen CALL VC A AYE	reques		A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent	N.V			voting	RAY SMITH, THOMAS	JR.	AYE			A.3
Records T ROLL COUNCIL MEMBE CHMN, CLARI BARRY BRAZIL CHAVOUS	Abser CALL VC A AYE	reques		A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V				RAY SMITH, THOMAS	JR.	AYE GY			A 3
Records	Abser CALL VC A AYE	reques	RESUL N.V ates V	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE GY			A.3
Records	Absen CALL VC A AYE E X X Sec	reques TE:	RESUL N.V ates V	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE GY			A.3
Records	Absen CALL VC AYE E X X Sec Conser	reques TE:	RESUL N.V ates V	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE GY			<b>A.3</b>
Records	Absen CALL VC A AYE E X X Sec n Conser DN & DAT E VOTE:	reques TE:	RESUL N.V.	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE 54			A.3
Records	Abser CALL VC AYE E X X Sec Conser DN & DAT E VOTE: d vote on	reques	RESUL N.V.	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE GY			<u>A</u> .3
Records	Absen CALL VC AYE E E X Sec n Conser ON & DAT E VOTE: d vote on Absen	reques	RESUL N.V ates V Mar	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE GY			<b>A.3</b>
Records COUNCIL MEMBE CHMN. CLARI BARRY BRAZIL CHAVOUS CROPP CROP	Abser CALL VC AYE AYE E AYE Sec Conser ON & DAT E VOTE: d vote on Abser CALL VC	reques	AESU	A.B.	Barry COUNCIL MEMBER EVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION REC	N.V			voting	RAY SMITH, THOMAS	JR.	AYE 54			A.3.
Records	Abser CALL VC AYE AYE Sec Conser ON & DAT E VOTE: d vote on Abser CALL VC R AYE	reques	AESU	A.B.	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION RECO				voting	RAY SMITH, THOMAS, Date Date	JR. SR. 9, 19	AYE GY		-) N.V 	
Records	Abser CALL VC AYE AYE Sec Conser ON & DAT E VOTE: d vote on Abser CALL VC R AYE	reques	AESU	LT	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION RECO		- Prese		voting	RAY SMITH, THOMAS Unite Date	JR. SR. 9, 19 	54			
Records	Abser CALL VC AYE AYE Sec Conser ON & DAT E VOTE: d vote on Abser CALL VC R AYE	reques	AESU	LT	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS		- Prese		voting	COUNCIL M RAY SMITH, THOMAS Date	JR. SR. 9, 19 	54			A.3.
Records	Abser CALL VC AYE AYE Sec Conser ON & DAT E VOTE: d vote on Abser CALL VC R AYE	reques	AESU	LT	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS LIGHTFOOT		- Prese		voting	RAY SMITH, THOMAS Unite Date	JR. SR. 9, 19 	54			
Records	Abser CALL VC AYE E X X Sec n Conser ON & DAT E VOTE d vote on Abser CALL VC R AYE	reques	AESU	A.B.	Barry COUNCIL MEMBER FVANS JARVIS LIGHTFOOT MASON NATHANSON A.B Absent CERTIFICATION RECO COUNCIL MEMBER EVANS JARVIS		- Prese		voting	COUNCIL M RAY SMITH, THOMAS Date	JR. SR. 9, 19 	54			A.3.

Secretary to the Council