

**PROPOSED AMENDMENTS
TO SCR CIVIL 71A-I**

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Notice of Proposed Rule Changes

The Superior Court Rules Committee has recently completed a review of proposed amendments to Superior Court Rule of Civil Procedure 71A-I. The Rules Committee will recommend approval of these amendments to the Superior Court Board of Judges unless after consideration of comments from the Bar or the general public, they are modified or withdrawn.

Written comments in respect to these amendments may be submitted within 30 days of publication of this notice in the Daily Washington Law Reporter to:

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Attorney Advisor
Superior Court of the District of Columbia
500 Indiana Avenue, N.W.
Room 5400
Washington, D.C. 20001

All comments submitted in respect to this notice will be available to the general public. The text of the amendments are set forth below. New language is underlined and deletions are stricken through.

PROPOSED AMENDMENTS TO SCR CIVIL 71A-I

PROCEEDINGS FOR FORFEITURE OF PROPERTY

(a) *Libel of information.* In all cases involving forfeiture of property for violation of any provision of the District of Columbia Code, the cause, unless otherwise provided by statute, shall be commenced by the filing of a libel of information.

Said libel of information shall allege a description of the property seized, the date and place of the seizure, the person or persons from whom the property was seized, and that the property was used, or was to be used, in violation of the District of Columbia Code, specifying the applicable section(s).

(b) *Process.* Process shall be issued only upon order of Court. Such order shall direct the issuance of a warrant of arrest with a return date addressed to the ~~United States Marshal~~ Chief of the Metropolitan Police Department or the chief's designee directing the ~~Marshal~~ Metropolitan Police Department to seize the property described in the libel of information. It shall further direct that upon seizure, the ~~Marshal~~ Metropolitan Police Department shall cause public notice thereof and of the time assigned for return of such

process to be given once in a legal newspaper or periodical of daily circulation as prescribed in SCR Civil 4-I and any other newspaper or periodical specifically designated by the Court. The date of return of process shall be at least 20 days from the date of publication. Publication shall be provided by an affidavit of an officer or agent of the publisher stating the dates of publication with an attached copy of the order as published.

The libellant shall send a copy of the libel of information and of the warrant issued thereon by 1st class mail to any lienholder of record, to any person who has made written claim to the res to the office of the ~~Corporation Counsel~~ Attorney General of the District of Columbia, and to any other person who is known or in the exercise of reasonable diligence should be known to the ~~Corporation Counsel~~ Attorney General to have a right of claim to the res, at the person's last known address. Said envelope containing this material shall be marked "please forward to addressee".

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