

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
COMMISSION ON HUMAN RIGHTS**



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STANDING ORDER FOR PREHEARING STATEMENTS AND EXHIBITS

JOINT PREHEARING STATEMENT

Prehearing statements and conferences are governed by the Commission's rules at 4 DCMR § 413. In completing the Joint Prehearing Statement, the parties are required to confer and work together in good faith, to identify items with particularity, and to seek agreement wherever possible. A prehearing conference will generally be scheduled two weeks after the filing of prehearing statements. The purpose of the Statement and Conference is to clarify and resolve issues in advance and streamline the hearing. Please note:

- 1) If a party does not agree to stipulate to a fact, the specific reason(s) should be noted,
- 2) For all exhibits, it must be noted whether the opposing party will stipulate to the authenticity and admissibility of the document,
- 3) With respect to witnesses, the parties must state why a particular witness is needed; and
- 4) The parties should consider whether a witness is presenting duplicative, redundant, or cumulative testimony and whether the testimony is necessary or could be presented by way of stipulation or presentation of documentary evidence.

EXHIBITS

(1) Marking Exhibits

- a) **Joint** exhibits shall be marked beginning with **J1**.
- b) **Complainant** exhibits shall be marked beginning with **C1**.
- c) **Respondent** exhibits shall be marked beginning with **R1**.
- d) **Office of Human Rights** exhibits shall be marked beginning with **OHR 1**.
- e) Exhibits shall be marked with identifying numbers in the bottom right hand corner, either with an exhibit sticker or bate stamp. Unrepresented parties may request exhibit stickers from the Commission.
- f) More than 15 exhibits shall be separated with dividers.

(2) Exhibit Binders

One week prior to the prehearing conference, the parties shall prepare and submit a hard-copy binder of exhibits for the Prehearing Conference identifying the particular documents proposed as exhibits and the stipulation or objection to each exhibit. The parties shall bring an additional binder of exhibits to the hearing for use by witnesses. *During the public health emergency, please contact the presiding judge to make arrangements to mail or deliver the binder.*

(3) Exhibit Lists

Prior to the hearing, the parties shall email the presiding judge an Exhibit List in WORD format. An exhibit list is available on the Commission website. Any exhibit list must include the following columns:

| EX # | ITEMIZED DESCRIPTION | ADM | NOT ADM | STIP | OBJECTIONS |
|-------------|-----------------------------|------------|--------------------|-------------|-------------------|
| | | | | | |
| | | | | | |

(4) Authenticating Exhibits

Authenticity of exhibits should be resolved in the prehearing meeting or conference. Exhibits, the authenticity of which is not genuinely in dispute, will be deemed authentic and the offering party will not be required to authenticate these exhibits at the hearing.

UNLISTED WITNESSES OR EXHIBITS

Except for complainant’s rebuttal case or for impeachment purposes, no party may offer at the hearing the testimony of any witness not listed in the pretrial statement of the parties, nor any exhibit not served on the opposing party.

PREHEARING CONFERENCE

The prehearing statement must be filed two weeks before the prehearing conference which will be held with the presiding judge. The prehearing conference will be to resolve any issues identified in the joint prehearing statement, including objections to proffered exhibits and witnesses.

PREHEARING ORDER

Following the prehearing conference, the presiding judge will issue a prehearing order summarizing the actions taken at the prehearing conference and resolving and remaining disputes. It may be necessary to reserve ruling on some disputes until the hearing. Any party may file a motion to modify or amend the prehearing order for good cause.

SO ORDERED

April 23, 2021

**Erika L. Pierson
Chief Administrative Law Judge**

**Brandes S.G. Ash
Administrative Law Judge**