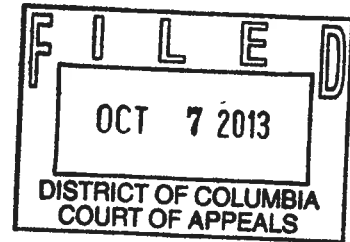


**District of Columbia
Court of Appeals**

No. 12-AA-1441



E.C.
Petitioner,

2012-DOES-00933

v.

RCM OF WASHINGTON, INC.,
Respondent.

ORDER

This case was argued on September 27, 2013, and presents an issue of first impression before this court: how to interpret D.C. Code § 51-131 (2012 Repl.). At oral argument, petitioner and *amici curiae* proposed a broad interpretation of this statute. Respondent did not make an appearance, and the District of Columbia has not submitted a brief in this case. We are issuing this Order to provide the Office of the Attorney General for the District of Columbia (“Office of the Attorney General”) the opportunity to present supplemental briefing regarding the proper interpretation of D.C. Code § 51-131. If the Office of the Attorney General opts to present supplemental briefing, such briefing should include consideration of the following questions:

1. How should this court interpret “due to domestic violence” under the statute?
 - a. Specifically, how should the court construe the statute’s requirement that “domestic violence” be defined as an “intrafamily offense” under D.C. Code § 16-001 (8) (2012 Repl.), and should this court be influenced by the requirement that, when evaluating domestic violence under the IntraFamily Offense Act, we consider the “entire

mosaic” of an abusive relationship? *See Cruz-Foster v. Foster*, 597 A.2d 927, 929-31 (D.C. 1991).

- b. What is the causal nexus a claimant is required to show under D.C. Code § 51-131 to prove that his or her separation from employment was “due to domestic violence”?
2. When interpreting this statute, what weight should this court give to our requirement to liberally construe the District’s unemployment compensation benefits statutory scheme to further its remedial purpose? *See Washington Times v. District of Columbia Dep’t of Emp’t Servs.*, 724 A.2d 1212, 1216-17 (D.C. 1999).

Accordingly, it is

ORDERED that the Office of the Attorney General notify this court within 15 days of this order regarding whether it intends to submit supplemental briefing.

FURTHER ORDERED that should the Office of the Attorney General elect to submit a brief, it shall be filed within 30 days of the date of this order. In the event that the Office of the Attorney General submits a brief, then parties for petitioner and *amici curiae* shall file a reply brief within 30 days of the Office of the Attorney General’s service of the brief.

PER CURIAM

Copies to:

The Honorable James C. Harmon, Jr.
Office of Administrative Hearings
One Judiciary Square
441 4th Street, NW
Washington, DC 20001

Todd S. Kim, Esquire
Office of the Attorney General for the District of Columbia
441 4th Street, NW Suite 600S
Washington, DC 20001

Jennifer Mezey, Esquire
Drake Hagner, Esquire
John C. Keeney, Jr., Esquire
Legal Aid Society of the District of Columbia
1331 H Street, NW Suite 350
Washington, DC 20005

Charles A. Ray, Esquire
Employer Advocacy Program
506 9th Street, NW
Washington, DC 20009

Joan S. Meier, Esquire
DV LEAP
George Washington University Law School
2000 G Street, NW
Washington, DC 20052

Matthew A. Eisenstein, Esquire
Christa D. Forman, Esquire
Adele M.K. Gilpin, Esquire
Arnold & Porter LLP
555 Twelfth Street, NW
Washington, DC 20004