

**GOVERNMENT OF THE
DISTRICT OF COLUMBIA
OFFICE OF THE
ATTORNEY GENERAL**



**BENCH WARRANTS
A QUICK & EASY GUIDE**

CHILD SUPPORT SERVICES DIVISION

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WHAT IS A BENCH WARRANT?

- A bench warrant is a legal document issued by a judge that authorizes a person's arrest. It is called a "bench" warrant because it is issued by the judge while sitting "on the bench" in the courtroom. A bench warrant generally is assigned a bond amount when it is issued.



**WHEN DOES A JUDGE ISSUE A
BENCH WARRANT?**

- A bench warrant is usually issued when a person has failed to appear in court on a specific date after receiving a notice or order to appear. Once the warrant is issued, the person is subject to arrest. In child support cases, the person that the judge issues the warrant against is usually the non-custodial parent (NCP). The NCP may be listed as the "Respondent" on the warrant.



Continued

**I'M AN NCP. HOW DO I KNOW IF I
RECEIVED AN ORDER OR NOTICE
TO COME TO COURT?**

- A CSSD investigator or an officer from the Metropolitan Police Department (MPD) personally served YOU with a document entitled "Notice of Hearing and Order Directing Appearance" (NOHODA).
- A CSSD investigator or MPD officer personally serves an adult at your home or work with the NOHODA, and that person accepts the document and gives it to you.
- You previously appeared in court for a child support hearing and signed a document entitled "Notice To Return To Court" and received a copy of the notice.
- You came to CSSD and accepted service of a child support petition and a NOHODA.



AS AN NCP, WHAT SHOULD I DO IF I FIND OUT THAT A BENCH WARRANT HAS BEEN ISSUED FOR MY ARREST?



- CSSD, the court, or the custodial parent in your case might happen to inform you about the bench warrant. If that happens, you should:
 1. Go immediately to the D.C. Superior Court.
 2. Go to the court information window and inform the clerk that you wish to surrender to the court in response to the bench warrant.
 3. Generally, you will be instructed to report to the courtroom of the judge who issued the warrant.
 4. In most cases, the judge will “quash” the warrant and you will be allowed to sign notice for a new court date.
 5. In some cases, CSSD staff may proceed with your case that day if they have the necessary information.

BEING ARRESTED: EXECUTION OF A BENCH WARRANT

- NCP’s can be taken into custody by MPD once a bench warrant is active. This often happens during traffic stops by the police.
- Once an NCP is arrested, he/she will be taken to the cellblock at D.C. Superior Court.
- If the NCP or another person is able to post the bond, he/she will be released from custody.
- In most child support cases, if the bond cannot be paid, the NCP will either be presented to a judge in the child support contempt courtroom or the cellblock courtroom.
- Depending on the circumstances of the case, the judge may release the NCP and set a new court date. Or, the judge may continue to keep the NCP in custody or conduct a child support hearing.



IMPORTANT TO REMEMBER

- If you come to court when you are ordered to appear, a bench warrant will not be issued for your arrest.
- If you find out that a bench warrant has been issued against you, go to D.C. Superior Court as soon as possible.
- It is better to surrender yourself once you know about the bench warrant than to be arrested.
- Child support bench warrants cannot be executed outside of the District of Columbia.

QUESTIONS?

CONTACT CSSD AT

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