

**Rhode Island Family Court
Administrative Order No. 2021-01**

**CONTINUITY OF OPERATIONS IN RESPONSE TO COVID-19
PANDEMIC**

In accordance with the administrative and supervisory responsibilities conferred on the Chief Judge of the Family Court under R.I. Gen Laws § 8-10-14 and pursuant to Executive Order No. 2021-04 of the Supreme Court regarding the gradual resumption of pre-pandemic business operations of the courts given the pandemic's diminishing threat to the health, safety, and welfare of the public, it is hereby ordered as follows.

A. Hearings, Trials, and Appearances

1. In-person Hearings, Trials, and Appearances.

The following matters shall be conducted in person unless the presiding judicial officer or the administration directs either *sua sponte* or upon motion that the matter or portions of the matter be conducted remotely in accordance with the directives for remote hearings set forth in Paragraph 3(a) below:

- emergency motions;
- hearings for restraining orders;
- *ex parte* motions;
- probable cause hearings;
- trials, except for uncontested nominal divorce trials;
- adoption hearings;
- arraignments;
- contempt motions;
- affirmations;
- hearings for miscellaneous matters under R.Juv.P. 53;
- supervised visitations;
- clinical intake assessments by the Women's Services Department;

- drug screen appointments; and,
- mental health evaluations.

2. Remote Hearings, Trials, and Appearances.

The following matters shall be conducted remotely unless the presiding judicial officer or the administration either *sua sponte* or upon motion or request directs that the matter or portions of the matter be conducted in person:

- uncontested nominal divorce trials;
- motions, except for emergency motions and *ex parte* motions;
- pre-trial conferences;
- appeals from a decision of a magistrate;
- permanency hearings;
- bench conferences and chamber conferences;
- reviews;
- child support matters, except for contempt motions;
- intake interviews by the Juvenile Justice Department;
- mediation appointments;
- truancy diversion hearings;
- hearings on the Immigration Calendar, the Voluntary Extension of Care Calendar, the Safe & Secure Baby Court, and the Drug Court—
Diversion/Post Adjudication Calendar.

3. Method of, Recording of, Public Access to, and Self-represented Litigants' Access to Remote Hearings, Trials, and Appearances.

- a) All remote hearings, trials, and appearances shall be conducted by telephone or by videoconference using the WebEx platform.
- b) All remote trials and hearings will be recorded by stenographic means or by a court recorder.
- c) All civil matters and adult criminal matters conducted remotely shall be made accessible to the public through the Judicial Live Stream

which can be found at the judiciary's website, www.courts.ri.gov under "Public Access to Court Hearings".

- d) The web address and or telephone number and access code, as appropriate, required to participate in a remote trial, hearing, or other matter can be found on the summons or notice, as appropriate. Upon notice of at least three (3) business days to the appropriate clerk's office as listed on the summons, accommodations at the courthouses will be made for self-represented litigants who do not have access to a suitable electronic device.

4. Exhibits.

Any exhibit to be introduced into evidence at a remote hearing or trial must be forwarded by e-mail to either JuvenileExhibits@courts.ri.gov or DomesticExhibits@courts.ri.gov, as appropriate, and to all other parties no more than seven (7) and at least two (2) business days before the date of the scheduled hearing or trial. If a party does not have the ability to receive e-mail, the exhibit must be provided to that party by mail or facsimile transmission at least two (2) days before the hearing. If a party does not have the ability to send e-mail, the exhibit must be provided to the court and all other parties by mail no more than seven (7) and at least two (2) business days before the scheduled hearing or trial.

The clerks' office will attach the exhibit to the appropriate exhibit tab or enter the document into the case management system as appropriate.

No document other than proposed exhibits are to be e-mailed to the appropriate exhibits e-mail address. Exhibits should not be filed at the clerk's office.

5. Scheduling of Hearing, Trials, and Appearances.

All hearings, trials, and appearances shall be scheduled for a time certain with the exception of emergency matters and *ex parte* motions.

6. Masks.

The presiding judicial officer or the administration may require jurors, staff, attorneys, witnesses, spectators, litigants, social workers, and all others in attendance to wear masks during the hearing, trial, or appearance regardless of vaccination status.

B. Filings.

1) Non-Emergency Filings.

- a) Registered-users shall file non-emergency matters by using the electronic filing system in accordance with the Family Court Rules of Domestic Relations Procedure, the Rules for Juvenile Proceedings, and the Family Court Rules of Criminal Procedure, as appropriate, unless as provided for elsewhere in this administrative order.
- b) Non-registered users may file non-emergency matters by mail or e-mail to virtualfamilyclerk@court.ri.gov.

2) Emergency Filings.

- a) Registered-users should file emergency motions through the electronic filing system. After filing an emergency motion through the electronic filing system, the registered-user should contact the appropriate clerks' office. The supervisor will further process the papers.
- b) Non-registered users may file emergency motions, by e-mail to virtualfamilyclerk@courts.ri.gov or in person at the appropriate clerk's office.

3) Non-emergency In-person Filings.

Non-emergency filings that are not capable of being filed through the electronic filing system, may be filed in person at the appropriate clerk's office. Appointments are recommended. To obtain an appointment, contact the appropriate clerks' office.

4) Telephone Number and E-mail Address Required.

No filing shall be processed from a non-registered user unless the filing contains a current telephone number and current e-mail address for the filer, if any. When filing initiating documents, all filers will provide a telephone number and e-mail address for the opposing party, if known.

C. Summonses.

Summonses and notices may command that a litigant appear remotely or in person at a date, time, and in the manner described in the summons or notice.

This Order supersedes Administrative Order 2020-05 and will remain in effect until further notice or unless superseded by a subsequent Administrative Order.

Date: 8-6-2021

/s/

Michael B. Forte
Chief Judge