

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 95-9

RE: CASES FILED UNDER THE PROVISIONS OF THE OPEN MEETINGS LAW

As administrator of the Superior Court, I find the public policy stated in the Open Meetings Law to be clear and unequivocal:

“It is essential to the maintenance of a democratic society that public business be performed in an open and public manner and that the citizens be advised of and aware of the performance of public officials and the deliberations and decisions that go into the making of public policy.” R.I.G.L. 42-46-1

I find further the implications of 42-46-8 gives any citizen of this state who is aggrieved as a result of violations of the provisions of the Open Meetings Law the opportunity to be heard in a timely manner so that the Superior Court “may issue injunctive relief and declare null and void any actions of a public body found to be in violation” of the law.

I find further that Attorney General Jeffrey B. Pine has felt it necessary to petition the court for an accelerated assignment of these causes to accomplish the stated purpose and intent of the legislature in creating such a remedy.

Therefore, any cause of action filed after May 10, 1995 under the provisions of 42-46-8 (Remedies Available to Aggrieved Persons Under the Open Meetings Law) shall be administered by the terms of this Order.

Any such case shall be filed in the county where the alleged violation occurred.

Upon an answer being filed, plaintiff’s counsel shall immediately notify the clerk to the justice assigned to be in charge of the Trial Calendar in Providence County or the clerk assigned to the justice in charge of the Civil Calendar in Kent, Newport or Washington County the date the answer was filed. The clerk shall so advise the justice in charge of the Civil Calendar of the filing of such cause of action. On the seventieth (70) day after the answer is filed the justice so assigned shall conduct a status conference for the specific purpose of scheduling the trial of the case no later than thirty days after the conference. Said status conference shall be the first order of business unless the justice assigned orders

otherwise. If the seventieth day falls on a holiday, then said status conference shall be conducted on the next court day.

Discovery in progress on the date of said scheduled conference of commenced thereafter shall not be cause for a continuance of the trial of said case.

No continuance of the trial shall be granted by the justice in charge of the trial calendar except upon good cause, but in no event shall the continuance be granted for more than thirty days without the express approval of the Presiding Justice.

BY ORDER OF

JOSEPH F. RODGERS, JR.
PRESIDING JUSTICE

DATED: MAY 10, 1995