

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**

**KENT, SC.**

**SUPERIOR COURT**

**ADMINISTRATIVE ORDER**  
**RE: KENT COUNTY CIVIL MOTIONS**

**DISPOSITIVE MOTIONS**

**FILING AND HEARING DATES:** Motions pursuant to Rule 12 and Rule 56 shall be assigned to the Motion Calendar only by omnibus assignment signed by the clerk or by special assignment by the sitting judge upon a showing of good cause. Unless otherwise ordered by the Court, no dispositive motion shall be accepted for filing unless it is accompanied by a memorandum, and supporting documents and affidavits, if any. All such motions and supporting papers shall be **filed in duplicate** with copies of principal cases relied upon. Unless otherwise ordered by the Court, hearings for dispositive motions shall be scheduled **NOT LESS THAN THIRTY (30) DAYS** from the date of filing. Responsive memoranda, supporting documents, affidavits and any cross motions shall be **filed in duplicate NOT LESS THAN FOURTEEN (14) DAYS** prior to hearing, and shall include copies of principal cases relied upon. The Court reserves the right to shorten these filing deadlines to resolve issues which are less complex or for cases reached for trial. All documents filed with the Court shall list the scheduled hearing date on the first page.

**CONTINUANCES:** Dispositive motions may be continued by agreement **NOT LESS THAN TEN (10) DAYS** prior to hearing; provided, however, that a new hearing date shall be provided by the clerk. Counsel for the party or parties **are not permitted** to select a new hearing date. Given the time commitment required for the Court to prepare for such motion, requests for continuances within ten (10) days of the hearing are disfavored and will be granted only by leave of Court and for good cause shown.

**FAILURE TO COMPLY:** Dispositive motions not filed in accordance with this Administrative Order will not be heard by the Court. Responses that are not filed in accordance with this Administrative Order will not be considered by the Court at the time of the hearing.

**FAILURE TO APPEAR:** Where the party or parties fail to appear without having obtained a continuance as set forth above or otherwise not having advised the Court that the matter is settled or the motion withdrawn, the Court may deem the parties to have rested on their pleadings and may render a decision accordingly.

## NON-DISPOSITIVE MOTIONS

**FILING OF SUPPORTING MEMORANDA:** The Court welcomes supporting memoranda of law to be filed in conjunction with a non-dispositive motion or objection thereto. To be considered by the Court, memoranda in support of a motion shall be **filed in duplicate NOT LESS THAN TEN (10) DAYS** before the scheduled hearing date. Memoranda in support of an objection to a motion shall be **filed in duplicate NOT LESS THAN FIVE (5) DAYS** before the scheduled hearing date. Any memoranda not filed in accordance with this Administrative Order will not be considered by the Court at the time of the hearing.

**HEARING DATE:** All motions, objections and memoranda filed with the Court shall list the scheduled hearing date on the first page.

## ORDERS

**BY AGREEMENT AND BY RULE OF COURT:** Orders submitted by agreement of the parties or by Rule of Court shall clearly state the same in the body of the Order. If the parties have otherwise agreed to the form of an Order, said agreement to form may be set forth in a cover letter to the Court.

**CONDITIONAL ORDERS:** Orders granting conditional dismissal or conditional default shall provide the length of time and the date for compliance for the specific discovery that is outstanding. Said Orders shall also provide that final judgment of dismissal or default **may enter upon further motion and hearing** before the Court.

**CONTINUANCES:** Continuances for non-dispositive matters will routinely be granted; provided, however, that continuances will be permitted on two occasions per motion and a third request will result in the pending motion being passed without prejudice to being re-filed.

**ENTER:**

**BY ORDER:**

S/Kristin E. Rodgers  
Kristin E. Rodgers  
Associate Justice  
Dated: October 18, 2011

S/Stephen McArthur  
Clerk