

Rhode Island Family Court  
Administrative Order 2004-04

RE: *Post Final Judgment Case flow system*

1. There is hereby created a case flow system for the following post final judgment cases:
  - A. *Modifications of Prior Judgments or Orders*
    1. *Custody*
    2. *Visitation*
    3. *Child Support*
  - B. *Contract enforcement*
  - C. *Contempt*
  - D. *Miscellaneous Complaints*
  - E. *Other Motions or Complaints*
2. At the time of the filing of the motion, the Clerk of the Court will assign a hearing date for case status conference within forty-two (42) days.
3. The *Summons* will state the date of the case status conference.
  - A. Unless otherwise prescribed by statute or rule, a party shall serve a summons and copy of the Complaint/Motion pursuant to Domestic Relations R. 64.
  - B. NOTICE OF CASE STATUS CONFERENCE shall be served with the copy of the Complaint/Motion.
4. If the parties reach agreement(s) prior to case status date, the agreement shall be placed on the record on the date of the CASE STATUS CONFERENCE HEARING.
5. Upon service, the return of service shall immediately be filed with the Family Court Clerk's Office.

**CASE STATUS CONFERENCE**

1. Prior to all case status conferences, counsel shall discuss the resolution of all outstanding issues.
2. *Plaintiff and Defendant* shall each submit to the Domestic Clerk's Office a written Case Status Statement which shall be concise and include:

- a. A statement of the issue(s) that are resolved or agreed to as evidenced by an appropriate stipulation executed by the parties/*and counsel*.
  - b. A statement of the issues that are not resolved and remain in dispute;
  - c. Status of any pending discovery;
  - d. Names of expert witnesses; a statement of the witness' expertise and a summary of the expert(s) testimony;
  - e. Names of all witnesses and a summary of each witness' testimony;
  - f. (1) Estimated time to complete a contested hearing;  
(2) number of witnesses; i.e. hours, days, weeks;
  - g. Dates when counsel of record or the parties are unavailable for hearing and the reason for the unavailability;
  - h. DR-6 forms;
  - i. Certificate that counsel or parties have made a diligent, good faith effort to confer with one another to settle the case;
  - j. A statement as to the feasibility of mediation;
  - k. Request for appointment of a guardian ad litem and any case law or statutory authority upon which the party is relying;
  - l. A proposed statement of facts;
3. At any time *prior* to a contested hearing date, if any issues are settled, counsel or the parties will prepare an order signed by attorney(s) of record and the parties for approval by the Judge.
  4. Unresolved issues will be scheduled for a case settlement conference.
  5. The CASE STATUS STATEMENT form is available at the Domestic Relations Clerk's Office.

#### SETTLEMENT CONFERENCE

1. Contested issues will be scheduled for a settlement conference within thirty (30) days after the *case status conference* or as otherwise ordered.

A. Designated trial counsel or the parties shall appear at the settlement conference prepared to discuss the merits of the case with a view towards early disposition of the case. At the settlement conference, if the parties are able to reach agreement, the Court will place said agreement

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

FAMILY COURT

\_\_\_\_\_

V.

\_\_\_\_\_

FC NO. \_\_\_\_\_

NOTICE OF CASE STATUS CONFERENCE

The Case Status Conference in this case has been scheduled for the \_\_\_\_ day of \_\_\_\_\_, 200\_, before the Honorable \_\_\_\_\_, Associate Justice/Magistrate, at the Garrahy Judicial Complex, Providence, Rhode Island at 9:00 a.m. Prior to said Case Status Conference, counsel shall meet to discuss the resolution of all outstanding issues. Plaintiff and Defendant shall each submit to the Domestic Clerk's Office, seven (7) days prior to the Case Status Conference, a written Case Status Statement which shall be concise and include:

- a) A statement of the issue(s) that are resolved or agreed to as evidenced by an appropriate order or stipulation executed by the parties and/or counsel;
- b) A statement of the issues that are not resolved and remain in dispute;
- c) Status of any pending discovery;
- d) Names of expert witnesses and the names of all other witnesses who will testify at the contested hearing and a summary of the testimony of each witness;
- e) Estimated time necessary to complete a contested hearing (i.e. hours, days, weeks);
- f) Dates when counsel of record or the parties are unavailable for hearing and the reason for unavailability;
- g) DR-6 forms;
- h) A statement as to the feasibility of mediation;
- i) A request for appointment of a guardian ad litem pursuant to RIGL § 15-5-16.2(c) (1) and any case law or statutory authority upon which the party is relying;
- j) A proposed statement of facts; and
- k) A certificate that counsel or parties have made a diligent, good faith effort to confer with one another to settle the case.

**At any time prior to a contested hearing date, if any issues are settled, counsel or parties will prepare an order signed by attorney(s) of record and the parties for approval by the Judge. Any unresolved and/or contested issues will be scheduled for a Settlement Conference within thirty (30) days after the Case Status Conference. A Case Status Statement is available in the Domestic Clerk's Office at the Garrahy Judicial Complex, Second Floor, Providence, Rhode Island.**

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

FAMILY COURT

\_\_\_\_\_  
v. \_\_\_\_\_

FC NO. \_\_\_\_\_

CASE STATUS STATEMENT

Pursuant to Rhode Island Family Court Administrative Order 2004-04 Plaintiff and/or Defendant submit the following Case Status Statement:

I.) RESOLVED ISSUES:

The following issues have either been resolved or agreed to by the parties:

II.) UNRESOLVED ISSUES:

The following issues are unresolved and remain in dispute:

III.) DISCOVERY:

The status of all pending discovery is as follows:

IV.)

WITNESSES:

The names of the expert witnesses and the names of all other witnesses, in addition to a summary of the testimony of each witness to be called at the contested hearing:

V.)

The estimated time necessary to complete a contested hearing is (i.e. hours, days, weeks): \_\_\_\_\_

VI.)

Counsel of record and/or parties are unavailable for hearing on the following dates:

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Reason for unavailability:

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VII.)

DR-6 forms are attached to this Case Status Statement.

VIII.)

Mediation is/is not feasible as an alternate means of resolution for the following reason(s):

IX.)

Pursuant to G.L. 1956 (2003 Reenactment) § 15-5-16.2(c)(1), appointment of a Guardian ad Litem is/is not requested to represent the best interest(s) of a minor or dependent children with respect to his or her support, custody, and visitation.

X.)

A proposed statement of facts is attached to this Case Status Statement.

XI.)

Counsel hereby certify by signing below that each has made a diligent, good-faith effort to resolve this matter, but has been unsuccessful in resolving all of the issues as of this date.

Failure to submit the Case Status Statement one week [seven days] prior to the Domestic Clerk's Office may result in the Court's imposition of appropriate sanctions and/or the exclusion of any evidence that should have been disclosed in a timely filing.

\_\_\_\_\_  
Counsel for Plaintiff (date)

\_\_\_\_\_  
Counsel for Defendant (date)

**CERTIFICATION**

The undersigned certifies that the original Case Status Statement was furnished to the Domestic Clerk's Office on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_ and a copy was mailed on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

To: \_\_\_\_\_

To: \_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

FAMILY COURT

\_\_\_\_\_  
V.  
\_\_\_\_\_

FC NO. \_\_\_\_\_

CASE STATUS ORDER

The above-referenced matter, pursuant to Family Court Administrative Order 2004-04, came to be heard on the \_\_\_\_ day of \_\_\_\_\_, 200\_, for a Case Status Conference before the Family Court, sitting in and for Providence County, the Honorable \_\_\_\_\_, Associate Justice/Magistrate presiding. After conference it is **ORDERED, ADJUDGED and DECREED** that:

I.) RESOLVED ISSUES:

The following issues have either been resolved or agreed upon by the parties:

II.) UNRESOLVED ISSUES:

The following issues remain in dispute:

III.) DISCOVERY:

The status of any pending discovery is as follows:

IV.) EXPERT WITNESSES:

The names of the expert witnesses, the witness' expertise, and a summary of the expert(s) testimony is as follows:

V.) WITNESSES:

The names of all witnesses and a summary of each witness' testimony is attached hereto:

VI.) Estimated time to complete a contested hearing (i.e. hours, days, weeks):

VII.) Counsel of record and/or the parties are unavailable for hearing on the following dates and reasons for the unavailability:

VIII.) DR-6 Forms are attached.

IX.) The Court and parties have examined the feasibility of mediation as an alternative means of resolution. The matter is referred for mediation

Yes  No.

If yes, mediation shall be concluded by \_\_\_ day of \_\_\_\_\_, 200\_. Participation in mediation does not alter any other dates established by this order.

X.) Pursuant to G.L. 1956 (2003 Reenactment) § 15-5-16.2(c)(1), the Court is/is not appointing a Guardian ad Litem to represent the best interests of a minor or dependent child with respect to his or her support, custody, and visitation. The names and ages of the children are:

XI.) A proposed Statement of Facts is attached to this order.



XII.) The following represents any other matter reviewed by the Court at this Case Status Conference not enumerated previously in this Order:

XIII. A Settlement Conference is scheduled for the \_\_\_\_ day of \_\_\_\_\_ 200\_\_ before Judge/Magistrate \_\_\_\_\_ at \_\_\_\_\_ m.

XIV. Counsel hereby certify by signing below that each has made a diligent, good-faith effort to resolve this matter, but has been unsuccessful in resolving the issues as of this date.

\_\_\_\_\_  
Counsel for Plaintiff (date)

\_\_\_\_\_  
Counsel for Defendant (date)

APPROVED:

\_\_\_\_\_  
Associate Justice

\_\_\_\_\_  
Clerk (date)

**CERTIFICATION**

The undersigned certifies that a true copy of the above Case Status Order was furnished to counsel indicated below on the \_\_\_\_ day of \_\_\_\_\_ 200\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
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To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Clerk

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

FAMILY COURT

\_\_\_\_\_

V.

\_\_\_\_\_

FC NO. \_\_\_\_\_

NOTICE OF SETTLEMENT CONFERENCE

The Settlement Conference in the above-referenced matter has been scheduled for the \_\_\_\_\_ day of \_\_\_\_\_, 200\_, before the Honorable \_\_\_\_\_, Associate Justice/Magistrate, at the Garrahy Judicial Complex, Providence, Rhode Island at 9:00 a.m.. Designated trial counsel and the parties shall appear at the Settlement Conference prepared to discuss the merits of the case with a view towards early disposition of the case. If parties are able to reach an agreement at the Case Settlement Conference, the Court will place said agreement upon the record forthwith or approve an order. Plaintiff and Defendant shall also each submit to the Domestic Clerk's Office, one week [seven days] prior to the Settlement Conference, a written Case Settlement Statement. The written Case Settlement Statement shall be concise and include:

- a) A statement of the issue(s) that are resolved or agreed to as evidenced by an appropriate stipulation executed by the parties/and counsel;
- b) A statement of the issues that are not resolved and remain outstanding;
- c) Status of any pending discovery;
- d) A statement as to the feasibility of mediation;
- e) A request for appointment of a guardian ad litem and any case law or statutory authority upon which the party is relying;
- f) Names of expert witnesses and the names of all other witnesses who will testify at the contested hearing and a summary of the testimony of each witness;
- g) Estimated time necessary to complete a contested hearing (i.e. hours, days, weeks);
- h) Dates when counsel of record or the parties are unavailable for hearing and the reason for unavailability;
- i) DR-6 forms;
- j) A proposed statement of facts; and
- k) A certificate that counsel or parties have made a diligent, good faith effort to confer with one another to settle the case.

Failure to submit the Case Settlement Statement on or before one week [seven days] prior to the Case Settlement Conference may result in the Court's imposition of appropriate sanctions and/or the exclusion of any evidence that should have been disclosed

**in a timely filing. A Case Settlement Statement is available in the Domestic Clerk's Office at the Garrahy Judicial Complex, Second Floor, Providence, Rhode Island.**

The undersigned indicates that a copy of the above Notice of Case Settlement Conference was sent to \_\_\_\_\_ at the following address \_\_\_\_\_, on \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_.

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
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To: \_\_\_\_\_  
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\_\_\_\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Clerk (date)

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

FAMILY COURT

\_\_\_\_\_  
V.  
\_\_\_\_\_

FC NO. \_\_\_\_\_

CASE SETTLEMENT STATEMENT

Pursuant to Rhode Island Family Court Administrative Order 2004-04 Plaintiff and/or Defendant submit(s) the following Case Settlement Statement:

I.) RESOLVED ISSUES:

The following issues have either been resolved or agreed upon by the parties:

II.) UNRESOLVED ISSUES:

The following issues are unresolved and remain outstanding:

III.) The status of all pending discovery is as follows:

IV.) Mediation is/is not feasible as an alternate means of resolution for the following reasons:

V.) Pursuant to G.L. 1956 (2003 Reenactment) § 15-5-16.2(c)(1), appointment of a Guardian ad Litem is/is not requested to represent the best interests of a minor or dependent child with respect to his or her support, custody, and visitation.

VI.) The names of all witnesses, including the names of expert witness(es) and a summary of the testimony of each witness to be called at the contested hearing is attached to this Settlement Statement.

VII.) The estimated time necessary to complete a contested hearing (i.e. hours, days, weeks): \_\_\_\_\_

VIII.) Counsel of record and/or parties are unavailable for a contested hearing on the following dates:

\_\_\_\_\_  
Reason for unavailability:  
\_\_\_\_\_  
\_\_\_\_\_

IX.) DR-6 forms are attached to this Case Settlement Statement.

X.) A proposed statement of facts is attached to the Case Settlement Statement.

XI.) Counsel hereby certify by signing below that each has made a diligent, good-faith effort to resolve this matter, but has been unsuccessful in resolving all of the issues as of this date.

**Failure to submit the Case Settlement Statement on or before one week [seven days] prior to the Settlement Conference may result in the Court's imposition of appropriate**

sanctions and/or the exclusion of any evidence that should have been disclosed in a timely filing.

\_\_\_\_\_  
Counsel for Plaintiff (date)

\_\_\_\_\_  
Counsel for Defendant (date)

**CERTIFICATION**

The undersigned certifies that the original Case Settlement Statement was furnished to the Domestic Clerk's Office on the \_\_\_\_ day of \_\_\_\_\_, 200 \_\_. Copies were mailed to those persons listed below on the \_\_\_\_ day of \_\_\_\_\_, 200 \_\_.

Plaintiff \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

To: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

FAMILY COURT

\_\_\_\_\_

V.

NO.

\_\_\_\_\_

**CASE SETTLEMENT ORDER**

The above-referenced matter, pursuant to Family Court Administrative Order 2004-04, came to be heard on the \_\_\_\_ day of \_\_\_\_\_, 200\_, for a Settlement Conference before the Family Court, sitting in and for Providence County, the Honorable \_\_\_\_\_, Associate Justice/Magistrate presiding. After conference it is **ORDERED, ADJUDGED and DECREED:**

I.) **RESOLVED ISSUES:**

The following issues have either been resolved or agreed upon by the parties:

II.) **URESOLVED ISSUES::**

The following issues remain in dispute:

III.) **DISCOVERY CLOSURE DATE:**

Discovery in this matter shall be closed as of the \_\_\_\_ day of \_\_\_\_\_, 200\_. The aforementioned date or other such date as the Court may specify subsequently, shall be referred to as the "Closure Date." On or before said Closure Date, discovery including depositions upon oral examination; written interrogatories; requests for the production of documents or things or permission to enter upon land or other property for inspection or other purposes; physical and mental examinations; or requests for admission must be completed. No Discovery may be conducted after the closure date

except upon order of the Court. Non-compliance with Discovery may result in the imposition of sanctions. Discovery must be reciprocal and ongoing. Nothing contained in this order shall excuse a party from its continuing obligation to update responses to Discovery.

- IV.) The Court and parties have examined the feasibility of mediation as an alternative means of resolution. The matter is referred for mediation  
Yes \_\_\_\_\_ No \_\_\_\_\_  
If Yes, mediation shall be concluded by the Closure Date unless otherwise ordered by the Court. Participation in mediation does not alter any other dates established by this order.
- V.) Pursuant to G.L. 1956 (2003 Reenactment) § 15-5-16.2(c)(1), the Court is/ is not appointing a Guardian ad Litem to represent the best interests of a minor or dependent child with respect to his or her support, custody, and visitation.
- VI.) The matter is referred to the following agency or agencies for the purpose of assisting the parties:
- VII.) The names of the expert witnesses and the names of all other witnesses, in addition to a summary of the testimony of each witness to be called at the contested hearing shall be provided to the Court by the \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_\_.
- VIII.) The estimated time necessary to complete a contested hearing is:
- IX.) Counsel of record and/or the parties are unavailable for hearing on the following dates:



- X.) DR-6 Forms are attached.
- XI.) Proposed Statement of Facts are attached.
- XII.) The following represents any other matter reviewed by the Court at this Case Settlement Conference.
- XIII.) Counsel hereby certify by signing below that each has made a diligent, good-faith effort to resolve this matter, but has been unsuccessful in resolving all of the issues as of this date.
- XIV.) Trial shall commence on the \_\_\_\_ day of \_\_\_\_\_, 200\_.

\_\_\_\_\_  
 Counsel for Plaintiff (date)

\_\_\_\_\_  
 Counsel for Defendant (date)

APPROVED:

\_\_\_\_\_  
 Associate Justice

\_\_\_\_\_  
 Clerk (date)

**CERTIFICATION**

The undersigned certifies that a true copy of the above Settlement Order was furnished to Counsel indicated below by mail on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_. Copies were also sent to \_\_\_\_\_; \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 200\_\_.

To: \_\_\_\_\_  
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To: \_\_\_\_\_  
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To: \_\_\_\_\_  
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 \_\_\_\_\_

\_\_\_\_\_  
 Clerk

upon the record forthwith *or approve an order*. At the conclusion of the settlement conference, the Court will issue an order which will set:

1. the closure date for discovery;
2. a statement of the issues resolved;
3. a statement of the issues in dispute;
4. the appointment of a mediator;
5. the appointment of a Guardian ad Litem pursuant to §15-5-16.2 (c) (1);
6. referral to appropriate agency or agencies to assist parties.
7. a) list of the names of expert witnesses and the names of all other witnesses to be called at the contested hearing.  
b). a summary of testimony of each witness shall be provided to the Court;
8. any other matter reviewed by the Court at the Settlement Conference.

2. On or before the Discovery Closure Date set in the Settlement Conference Order pursuant to R. Dom. Rel. R. 26-36 all discovery must be completed. No discovery may be conducted after the *closure date* except upon order of the court. Nothing contained in this order shall excuse a party from its continuing obligation to *update* responses to discovery.

3. Failure to submit the Case Settlement Statement on or before one week (7 days) prior to the Settlement Conference may result in the Court's imposition of appropriate sanctions and/or the exclusion of any evidence that should have been properly disclosed.

#### CONTESTED HEARINGS

1. Trial shall commence on the date(s) and time set by the Court.

#### EFFECTIVE DATE

11. This Order shall become effective on November 22, 2004 and shall apply only to those cases filed on or after November 22, 2004.

Date

11/22/04

Chief Judge Jeremiah S. Jeremiah, Jr.