

RHODE ISLAND FAMILY COURT
ADMINISTRATIVE ORDER 98-11

RE: DOMESTIC RELATIONS MISCELLANEOUS COMPLAINTS MANDATORY
COURT-BASED MEDIATION PROGRAM FOR PROVIDENCE COUNTY

Pursuant to a grant issued by the United States Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement, the Rhode Island Family Court hereby establishes a Providence County mandatory court-based mediation program for the resolution of miscellaneous complaints on the domestic relations docket. The program will be provided, at no cost to the parties and will be staffed by a scheduling clerk and two experienced court-based mediators.

Commencing February 1, 1999, upon the filing of a miscellaneous complaint seeking custody, visitation and/or child support relief, such complaint will be referred to the Case Management Office for assignment to an initial mandatory mediation session. The complaint will simultaneously be placed on the contested track calendar. Prior to the assigned hearing on the motion calendar, the parties will be contacted by the Case Management Office clerk to schedule an initial mandatory mediation session.

All parties are required to attend the first session of mediation which will be held in the Garrahy Judicial Complex prior to the hearing on the motion calendar. At the initial mediation session, the parties shall be prepared to discuss with the mediator all issues set forth in the plaintiff's complaint and the defendant's answer, if any, as well as possible disposition of the issues.

In the event that a mediated agreement is reached, the mediator will draft a proposed agreement to be presented to the court on the next scheduled date. If the parties are unable to resolve the issues in dispute at the mediation session(s), both parties and their counsel shall be prepared to go forward at the date and time set for hearing.

The parties may schedule second and subsequent mediation sessions with their assigned court-based mediator. If such is the case, the Case Management Office will inform the court that the parties are engaged in mediation. The court may in its discretion hear the matter as scheduled or continue the matter to the next available date.

Upon presentation of a mediated agreement, the court may confirm the agreement and enter it as an order. If rejected by the court, the court may continue the matter for hearing, commit the parties to further mediation or modify the agreement.

In instances where mediation was unsuccessful, the miscellaneous complaint shall proceed as a contested matter in accordance with formerly issued Administrative Orders.

1/13/99
Date

Jeremiah S. Jeremiah, Jr.
Chief Judge