

ADMINISTRATIVE ORDER 2020-12

The Superior Court will continue to work to safeguard court users and court personnel as we manage calendars, hearings, and other matters in courtrooms throughout the State. Matters that can be handled via remote WebEx technology will continue to minimize the number of persons gathered in courtrooms. These remote hearings and conferences are encouraged and will continue to be supported by personnel who are specifically trained for this purpose. All remote matters shall be scheduled in accordance with the Criminal and Civil Matters Protocol for Requesting a Remote Hearing/Conference (During Covid-19 Emergency Measures). Public access to remote court hearings is available through streaming links that can be found on the court website under the “Public Access to Court Hearings” section. For in-person matters, the public shall have access to the proceedings via a teleconference line or a streaming link.

The following provisions shall remain in effect through June 27, 2021 unless or until superseded by subsequent administrative order:

IN-PERSON HEARINGS

Matters that cannot be handled remotely shall be conducted in-person. Calendars will be staggered to ensure compliance with capacity limits established for courthouses and individual courtrooms to allow for appropriate distancing. Judicial Officers, in addition to security personnel, shall ensure that courtroom capacity levels are adhered to and that all are in compliance with social distancing and face mask protocols.

The following calendars will be operating in Providence County: Daily Criminal Calendar; Fines, Costs, Restitution and Miscellaneous Criminal Calendar; Trial/Pre-Trial Calendar; Pre-Arraignment Conference (PAC) Calendar; Civil Motion Calendar; Formal & Special Cause Calendar; Adult Drug Court Calendar; and Diversion Calendar. In Kent County, the following calendars will be operating: Daily Criminal Calendar, Criminal Calendar, Civil Calendar, Adult Drug Court Calendar, Sexual Predator Calendar, and the Early Termination of Probation Calendar. Criminal and Civil Calendars will be operating in Newport and Washington Counties.

Video conferencing with defendants at the Adult Correctional Institution will continue to remain a priority and will be utilized whenever practicable and where technology is available on the Providence and Kent County Daily Criminal Calendars; the Providence County PAC Calendar; the Fines, Costs, Restitution and Miscellaneous Criminal Calendar; and the Newport County and Washington County Criminal Calendars. For in-person hearings, calendar events will be staggered throughout the day to meet social distancing requirements.

Adult Drug Court and Diversion calendars will continue to operate with staggered calendars.

To maintain proper distancing and to adhere to gathering restrictions, specifically identified courtrooms in Providence County will be used for the duration of this Order and are noted under the Assignment—Second and Third Periods section of this Order (see Page 3).

GRAND JURY

Grand Jury proceedings will continue to operate in locations that provide for appropriate distancing and safety measures for both jurors and court personnel.

CRIMINAL AND CIVIL JURY TRIALS

The Court has undertaken measures to allow jury trials to resume on a limited basis in Providence County. However, no jury trial will be scheduled without the express, written authorization of the Presiding Justice where a constitutional, statutory or otherwise highly critical need has been demonstrated.

For more information on the logistics of holding jury trials during the pandemic please refer to the *Jury Trial Protocols Under Covid-19 Guidelines (September 30, 2020)*. This document can be found on the Judiciary’s website under the “Coronavirus (Covid-19) Information and Update” tab and under the Jury Service tab.

BENCH TRIALS – CRIMINAL AND CIVIL

In-court bench trials shall continue with advanced notice to the Presiding Justice with the assurance that all necessary safety measures are in place. The selected courtroom shall allow for social distancing based upon the number of participants. The bench, witness area, clerk and stenographic work space shall be outfitted with plexiglass and all properly distanced from counsel table. Plexiglass separators shall be provided to attorneys and/or litigants seeking additional separation at counsel table as needed or upon request.

COVID -19 RELATED CALENDAR PROTOCOLS/ORDERS

All calendar protocols/orders issued in response to the Covid-19 pandemic as well as any modifications or amendments thereto shall remain in full force and effect unless superseded by a subsequent protocol/order. These protocols/orders can be found on the Judiciary’s website under the “Coronavirus (Covid-19) Information and Update” tab.

ACCESS TO CLERKS' OFFICES

Clerks' Offices shall continue to conduct court business in all emergency and non-emergency matters, including but not limited to accepting the filing of pleadings and other documents, scheduling hearings, and issuing orders. For the duration of this Order, pro se litigants may continue to submit filings via email to the Clerk's Office. Email information for each county is available on the Judiciary website.

Except for emergency matters all in-person filings or business with Clerks' Offices must be made by appointment only. Instructions for scheduling an appointment and telephone contact information for each county Clerk's Office is available on the Judiciary website.

RESTITUTION AND/OR COURT COSTS & FINES – PAYMENTS

Individuals are encouraged to make restitution and/or court costs & fines payments on-line via the Rhode Island Judiciary Public Portal or by U.S. Mail. Otherwise, a scheduled appointment will be required for those who wish to make an in-person payment. Instructions for making payments and contact information for the Office of Central Registry and the Costs & Fines Office may be found on the Rhode Island Judiciary website.

ASSIGNMENTS – SECOND AND THIRD PERIODS

January 2, 2021 through June 27, 2021

MR. JUSTICE CARNES:

- To be in charge of the Criminal Calendar in Newport County and to assist elsewhere as needed.
- To be in charge of the Criminal and Civil Calendars in Newport County on February 10, 11 and 12, 2021; February 15, 16 and 17, 2021; April 19, 20 and 21, 2021 and the week of May 30, 2021 and to assist elsewhere as needed.

MS. JUSTICE DARIGAN:

- To assist with the Formal & Special Cause Calendar and Temporary Restraining Orders in Courtroom No. 16 in Providence County and to assist elsewhere as needed.

MS. PRESIDING JUSTICE GIBNEY:

- To be in charge of the Asbestos Calendar in Courtroom No. 12 in Providence County and to assist on all calendars as administrative duties permit.

MS. JUSTICE KEOUGH:

- To be in charge of the Trial and Pre-Trial Calendars in Courtroom No. 4 in Providence County, the Diversion Calendar in Courtroom No. 7 and to assist elsewhere as needed.

MR. JUSTICE KRAUSE:

- To be in charge of the Gun Calendar in Providence County and to assist elsewhere as needed.

MR. JUSTICE LANPHEAR:

- To be in charge of the Civil Calendar in Courtroom 4A in Kent County and to assist elsewhere as needed.

MR. JUSTICE LICHT:

- To be in charge of the Out-County Business Calendar, the Kugel Mesh and Opioid Calendars in Courtroom 4D in Kent County and to assist elsewhere as needed.

MS. JUSTICE LONG:

- To be in charge of the Formal & Special Cause Calendar and Temporary Restraining Orders in Courtroom No. 16 in Providence County and to assist elsewhere as needed.

MR. JUSTICE MATOS:

- To assist on the Trial Calendar in Courtroom No. 3 in Providence County, to assist with the Trial and Pre-Trial Calendars in Courtroom No. 4 in Providence County and to assist elsewhere as needed.
- To be in charge of the Fines, Costs & Restitution Calendar and Miscellaneous Criminal Calendar in Courtroom No. 11 in Providence County on January 19 and 20, 2021; February 5, 2021; February 22, 2021; March 22 and 23, 2021; May 3 and 4, 2021; May 20 and 21, 2021 and to assist elsewhere as needed.
- To be in charge of the Pre-Arrest Calendar in Courtroom No. 5-G in the J. Joseph Garrahy Judicial Complex the week of May 30, 2021 and to assist elsewhere as needed.

MS. JUSTICE MCGUIRL:

- To assist on the Trial Calendar in Providence County and to assist elsewhere as needed.

MR. JUSTICE MONTALBANO:

- To be in charge of the Civil Motion Calendar in Courtroom No. 2 in Providence County from January 2, 2021 through January 11, 2021.
- To be in charge of the Daily Criminal Calendar in Courtroom No. 9 in Providence County from January 12, 2021 through June 27, 2021 and to assist elsewhere as needed.

MR. JUSTICE NUGENT:

- To assist on the Trial Calendar in Providence County and to assist elsewhere as needed.

MR. JUSTICE PROCACCINI:

- To be in charge of the Criminal Calendar in Courtroom 4E in Kent County and to assist elsewhere as needed.
- To be in charge of the Daily Criminal Calendar in Courtroom 4F in Kent County on January 15, 2021 and February 26, 2021 and to assist elsewhere as needed.

MS. JUSTICE RODGERS:

- To assist on the Trial Calendar and on the Gun Calendar in Courtroom No. 8 in Providence County and to assist elsewhere as needed.
- To be in charge of the Fines, Costs & Restitution Calendar and Miscellaneous Criminal Calendar in Courtroom No. 11 in Providence County on February 19, 2021; March 5, 2021; March 18 and 19, 2021 and April 22 and 23, 2021 and to assist elsewhere as needed.

MR. JUSTICE STERN:

- To be in charge of the Business Calendar in Providence County and to assist elsewhere as needed.

MS. JUSTICE TAFT-CARTER:

- To be in charge of the Civil Calendar in Washington County, to assist with the Providence Business Calendar in Washington County, and to assist elsewhere as needed.

MS. JUSTICE THUNBERG:

- To be in charge of the Criminal Calendar in Washington County and to assist elsewhere as needed.

MR. JUSTICE VAN COUYGHEN:

- To be in charge of the Civil Calendar in Newport County and to assist elsewhere as needed.

MS. JUSTICE VOGEL:

- To assist on the Trial Calendar and to manage the Med/Mal Pre-Trial Calendar in Providence County, and to assist elsewhere as needed.

MR. SPECIAL MAGISTRATE BURKE:

- To be in charge of the Pre-Arrestment Calendar in Courtroom No. 5-G in the J. Joseph Garrahy Judicial Complex, the Diversion Calendar in Courtroom No. 7 in the Licht Judicial Complex and to assist elsewhere as needed.

MR. MAGISTRATE FLYNN:

- To be in charge of the Adult Drug Court Calendar, the Sexual Predator Calendar, and the Probation Termination Calendar in Courtroom 4C in Kent County and to assist elsewhere as needed.
- To be in charge of the Daily Criminal Calendar in Courtroom 4F in Kent County the week of February 28, 2021 and the week of May 23, 2021 and to assist elsewhere as needed.

MS. GENERAL MAGISTRATE HARWOOD:

- To be in charge of the Fines, Costs & Restitution Calendar and Miscellaneous Criminal Calendar in Courtroom No. 11 in Providence County and to assist elsewhere as needed.

MR. MAGISTRATE MCBURNEY:

- To be in charge of the Daily Criminal Calendar in Courtroom 4F in Kent County and to assist elsewhere as needed.

MR. MAGISTRATE RASPALLO:

- To be in charge of the Daily Criminal Calendar in Courtroom No. 9 in Providence County from January 2, 2021 through January 11, 2021.
- To be in charge of the Civil Motion Calendar in Courtroom No. 2 in Providence County from January 12, 2021 through June 27, 2021 and to assist elsewhere as needed.

The Adult Drug Court, Sexual Predator, and Early Termination of Probation Calendars scheduled for the period January 2, 2021 through June 27, 2021 shall be issued by the Magistrate of the Adult Drug Court.

BY ORDER OF:

/s/
ALICE BRIDGET GIBNEY
PRESIDING JUSTICE

DATED: December 21, 2020