

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

MOTION CALENDAR PROTOCOLS

RE: DISPOSITIVE MOTIONS

FILING AND SCHEDULING OF DISPOSITIVE MOTIONS

Beginning March 1, 2017 all DISPOSITIVE MOTIONS (Super. R. Civ. P. 12 & 56) before Justice Keough will be heard on WEDNESDAYS and shall be assigned to the Dispositive Motion Calendar and scheduled for hearing by Deputy Clerk Demonica Lynch, or such other clerk as may be designated by the Court (hereinafter the "Motion Calendar Clerk"). No dispositive motion will be scheduled without first contacting the Motion Calendar Clerk to determine the next available date. Upon so doing, counsel shall submit the following:

1. A completed omnibus assignment form;
2. A motion with a completed certification;
3. A memorandum of law with a completed certification;
4. All supporting documentation;
5. Appropriately highlighted or underscored copies of all cases principally relied upon.

Items 1-4 must be e-filed, with the hearing date included on item 1. Bench copies of the above, including the relevant case law, shall also delivered to the Motion Calendar Justice's Chambers soon thereafter. A hearing will be scheduled **no sooner than forty-five (45) days** from the filing of all of the above items.

OBJECTIONS AND REPLIES

1. **Objections**, supporting memoranda, supporting documentation, and bench copies of the same must be filed together **within twenty-one (21) days** of the filing of a dispositive motion.
2. **Replies**, supporting memoranda, supporting documentation, and bench copies of the same must be filed together **within ten (10) days** of the filing of an Objection with hearing date noted thereon.

CONTINUANCES

Motions for Continuance of a filing deadline must be filed with the Motion Calendar Clerk **no fewer than ten (10) days** prior to the filing deadline.

Motions for Continuances of a hearing date must be filed with the Motion Calendar Clerk **no fewer than fourteen (14) days** prior to the scheduled hearing date.

Motions for Continuances filed outside of the above-established deadlines will **NOT** be granted absent good cause. All Motions for Continuances must provide a justification for the continuance and a representation of whether the request is assented to or opposed.

**SETTLEMENT**

If a case in which a dispositive motion is pending settles, please advise the Motion Calendar Justice and the Motion Calendar Clerk as far in advance of the assigned hearing date as is possible.

**WITHDRAWAL OR PASSING A MOTION**

If a moving party wishes to withdraw or the parties wish to pass the motion, the Motion Calendar Justice and the Clerk must be notified at least ten (10) days before the hearing date. Otherwise, the case will be treated in the same manner as a Failure to Appear as set forth below.

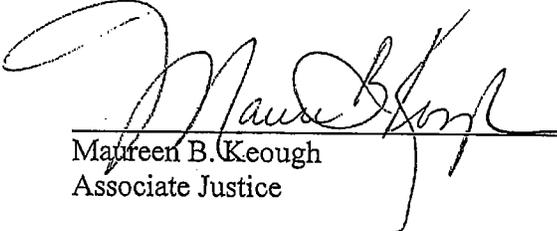
**FAILURE TO APPEAR**

Where the parties fail to appear for the assigned hearing without arranging with the Motion Calendar Justice that the motion is to be passed or withdrawn, the Motion Calendar Justice may deem the parties to have rested on their pleadings and may render a decision accordingly. Alternatively, the Motion Calendar Justice may pass the motion off the calendar.

**NOTICE**

All notices to the Motion Calendar Justice and the Clerk pursuant to this Order shall be sent by electronic mail to the following email address: **provotions@courts.ri.gov** with copies to all counsel in the case. In-person communication, telephone calls and voice mail messages shall not constitute notice.

**BY ORDER OF:**

  
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Maureen B. Keough  
Associate Justice

DATED: January 20, 2017