

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

**CRIMINAL AND CIVIL MATTERS-AMENDED**

**PROTOCOL FOR REQUESTING A REMOTE HEARING/CONFERENCE**

**(During COVID-19 Emergency Measures)**

The following protocols are hereby established to enable counsel to request a remote hearing or conference during the COVID-19 crisis, in accordance with Superior Court Administrative Order 2020-05.

1. **Presently Pending Motions**

There are motions which were previously scheduled for hearing on or after March 16, 2020 or which have been filed since March 16, 2020 and not assigned a hearing date. If such a motion remains unresolved, any party may request that such motion be decided on the pleadings or that a hearing on such a motion be held.

2. **Hearings**

An attorney wishing to schedule a hearing will submit by electronic mail a completed **Covid-19 Hearing/Conference Request Form** to the judge's clerk at the clerk's e-mail address (contact list attached) unless otherwise superseded by a particular calendar protocol/order. If a hearing is requested, the Court will determine whether the hearing will be held remotely during this crisis period or whether it will be given a future hearing date.

If the hearing is to take place during the crisis period, the clerk will coordinate with both the judge and with Brian Thompson, Remote Hearing Field Coordinator to secure a date and time for the hearing. Mr. Thompson will schedule the case for Remote Hearing on the newly created Remote Hearing Calendar in Odyssey and the clerk will schedule the specific hearing type on the judge's standard Odyssey calendar.

Mr. Thompson will assign a clerk, (the currently assigned clerk to the judge, if available) and will coordinate with Maureen McIntyre in the Superior Court Administrator's Office to assign a court reporter. Once these assignments are confirmed, Mr. Thompson will e-mail ALL staff assigned to the hearing to confirm that the hearing may proceed and that

the judge may send the WebEx meeting invitations via email. Attorneys seeking to include their client (s) in the WebEx Hearing must make the request directly to the judicial officer who is conducting the hearing.

**Note:** *All hearings will be held remotely by WebEx Video Conferencing, will be recorded by a court reporter and the audio of the hearing will be made available to the public through YouTube streaming. WebEx allows the Court to set up the video call without any cost to the participants. All that is required is a camera and microphone on the participant's computer, an iPhone or an Android device. The WebEx application will then need to be downloaded to the device. WebEx participation is required for any attorney who will be addressing the Court. A 15-minute video explaining how to use the WebEx system has been prepared by Associate Justice Stern and can be found on the Judiciary's website.*

### 3. **Conferences and Requests to Decide Motions on the Papers**

Attorneys who wish to schedule a conference or have a motion decided on the papers may do so by emailing the judge's clerk using the same **Covid -19 Hearing/Conference Request Form** referenced above and selecting the applicable option. The clerk will respond with the date and time of the conference. There will be no stenographic record of conferences.

### 4. **Decisions on the Pleadings**

If a motion is decided on the pleadings, the clerk will enter the Court's disposition of the motion in the docket and counsel will receive a notice from the e-notify program entitled, "**Remote Motion Decided on Papers**". Counsel will receive electronic notice of such docket entries and shall then submit an order through the portal reflecting the disposition of the motion for signature by the judicial officer and the clerk.

**CONTACT INFORMATION**

<b>JUDICIAL OFFICER</b>	<b>CONTACT</b>
Associate Justice Darigan	mrachiele@courts.ri.gov
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Associate Justice Long	fscalendar@courts.ri.gov
Associate Justice McGuirl	troberson@courts.ri.gov
Associate Justice Montalbano	provotions@courts.ri.gov
Associate Justice Rodgers	mcatone@courts.ri.gov
Associate Justice Silverstein (Ret.)	cmiley@courts.ri.gov
Associate Justice Stern	cmiley@courts.ri.gov
Associate Justice Taft-Carter	cfeeney@courts.ri.gov
Associate Justice Van Couyghen	emasson@courts.ri.gov
Associate Justice Vogel	jfadale@courts.ri.gov

**BY ORDER OF:**

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/s/  
Alice B. Gibney, Presiding Justice

Amended: September 9, 2020