



**THE FAMILY COURT'S
ELECTRONIC FILING
SYSTEM GUIDELINES
FOR DOMESTIC
RELATIONS CASES**

EFFECTIVE NOVEMBER 5, 2014

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1. Mandatory Electronic Filing

- 1.1 Overview - Pursuant to Article X of the Rhode Island Supreme Court Rules Governing Electronic Filing, electronic filing (efiling) shall be mandatory for all parties except for incarcerated individuals or where a waiver is granted in accordance with Article X, Rule 3(c). Self-represented litigants may electronically file documents in accordance with Article X, Rule 3(b) but are not required to do so. If there are any conflicts between Article X, the Rhode Island Judiciary User Guide for Electronic Filing, and the Family Court's Electronic Filing System Guidelines for Domestic Relations Cases, Article X shall control.

2. Electronic Filing System

- 2.1 Overview - The Rhode Island Judiciary's (Judiciary) electronic filing system (EFS) is called Odyssey File and Serve, a product of Tyler Technologies, Inc. Access to the EFS is located on the Judiciary's website at www.courts.ri.gov under the heading of Electronic Filing or the Registered User may go directly to <https://rhodeisland.tylerhost.net/>.

2.2 Registration Requirements

- 2.2.1 Registered User – A Registered User is an individual or entity with an assigned username and password authorized by the Judiciary to access and utilize the EFS.
- 2.2.2 Non-registered User – A Non-registered User is an incarcerated individual, an attorney who has been granted a waiver of the mandatory efiling requirements, or a self-represented litigant who has chosen not to use efiling.
- 2.2.3 Overview – To become a Registered User of the EFS, an individual or entity shall be responsible for the following:

- (A) Maintain an email address where notice and service can be made. An attorney shall register his or her email address with the Supreme Court through the Supreme Court Attorney Portal, Attorney Registration.

It is the responsibility of every Registered User to have a valid, working email address. The Judiciary assumes no responsibility for inoperable email addresses or unread email.

The case management system (CMS) can currently store only one email address per attorney, which shall be the one on file with the Supreme Court. Attorneys may want to configure their own email systems to forward any emails from the court to the appropriate staff within their offices.

(B) Sign a Usage Agreement that establishes the obligations and responsibilities of the Registered User and provides guidelines for the use of the EFS.

(C) Provide and maintain a valid credit card for billing purposes.

2.2.4 Training – Registered Users are strongly encouraged to participate in a training session conducted by staff of Tyler Technologies, Inc. via live webinars through the Internet. If you are an attorney, the training session will qualify for one (1) Rhode Island mandatory continuing legal education (MCLE) credit.

As the taped training sessions are available online (on-demand) on the Judiciary’s website, anyone can view them as needed. MCLE credit will not be offered for the self-study taped sessions online. You may register for the webinar training or view the taped sessions on the Judiciary’s website at www.courts.ri.gov under the heading of Electronic Filing, Training or go directly to the following address:

<https://eg2113prss.egain.net/system/templates/selfservice/national/#!/portal/1027/article/4776/When-are-the-Online-Training-Sessions-for-Rhode-Island-RI4776>.

2.3 Technical Requirements - For technical requirements for using the EFS, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary’s website at www.ri.courts.gov under the heading of Electronic Filing.

2.3.1 Document Size - A single filing should not be greater than 25 megabytes. If a filing exceeds the size limitation, the first filing should contain the lead document and attachments with a note in the “Filing Comments” that “File Exceeds Size Limitation – Part 2 to Follow.”

The screenshot shows the EFS filing interface for Case PC-2015-0695, John Smith v. Mary Shaw, Providence/Bristol County Superior Court, Breach of Contract. The interface includes tabs for Parties, Filings, and Summary. The 'Select Filing Code*' dropdown is set to 'Motion for Summary Judgment', with 'E-File' checked and 'Service' unchecked. The 'Reference Number*' is 1234. Under 'Documents', there is a 'Lead Document*' titled 'Plaintiff John Smith's Motion for Summary Judgment...' (292.1 kb) and an attachment titled 'Plaintiff John Smith's Memorandum in Support of...' (292.1 kb). The 'Filing Comments' field contains the text 'File Exceeds Size Limitation - Part 2 to Follow', which is highlighted by a blue arrow.

The second filing should contain the same lead document but with the remaining attachments and a note in the “Filing Comments” that “File Exceeds Size Limitation – Part 2.”

The screenshot shows a web-based filing system interface. At the top, it displays the case information: "Case PC-2015-0695 John Smith v. Mary Shaw Providence/Bristol County Superior Court - Breach of Contract". Below this are navigation tabs for "Parties", "Filings", and "Summary". The main form area is titled "Select Filing Code*" and has a dropdown menu set to "Motion for Summary Judgment". There are checkboxes for "E-File" (checked) and "Service". A "Filing Description" field is empty. The "Reference Number*" field contains "1234". Under the "Documents" section, there is a "Lead Document*" field with a blue background, containing "Plaintiff John Smith's Motion for Summary Judgment..." (292.1 kb). Below it are two "Attachments" fields, each containing "Attachment 1.Test.pdf" (292.1 kb) and "Attachment 2.Test.pdf" (292.1 kb). There are "Confidential" checkboxes next to each attachment. At the bottom, the "Filing Comments" field contains the text "File Exceeds Size Limitation - Part 2". Three blue arrows point to the "Lead Document*", "Attachment 1", and "Filing Comments" fields.

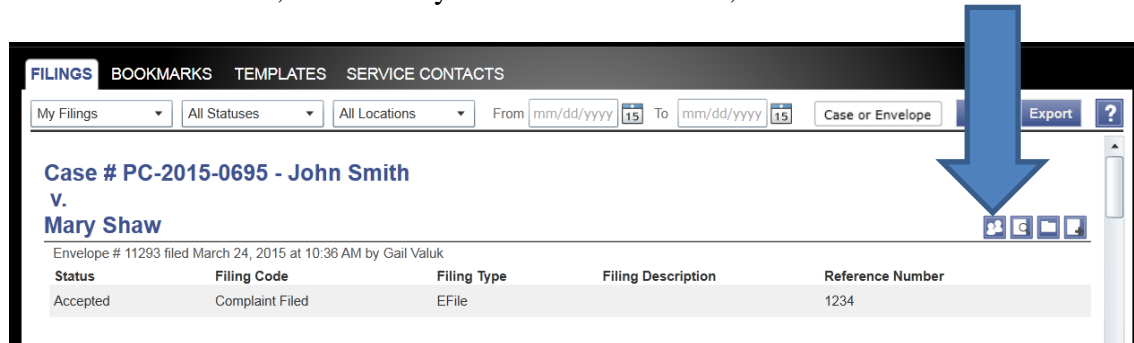
- 2.4 Methods of Filing - Registered Users shall no longer be permitted to file by mail. No parties will be permitted to file by facsimile transmission. No parties will be permitted to file in the courtroom except in exceptional circumstances. Except for ex parte motions, emergency motions, motions for an expedited hearing, motions to proceed in forma pauperis, complaints for an order of protection, and complaints under the Uniform Child Custody Act, and exceptional circumstances, Registered Users shall not be permitted to file in the clerk’s office. See Section 8 within these guidelines.
- 2.5 Consent to Electronic Service – In accordance with Article X, Rules 3(a) and 6(b) of the Rhode Island Supreme Court Rules Governing Electronic Filing, upon the initiation of a case and/or upon submission of an entry of appearance in a matter, Registered Users are deemed to consent to receive electronic service of all documents through the EFS.
- 2.5.1 Attorneys Waived From Using the EFS – Attorneys who are granted a waiver in accordance with Article X, Rule 3(c) shall file a copy of the Order with the filing of all pleadings.
- 2.6 Case Service Contacts List – Registered Users must:
- (A) File an Entry of Appearance (see Section 4.8 within these guidelines) in each case if the Registered User is an attorney; and
 - (B) Register their contact information in each case on the EFS.

These are two (2) separate requirements that need to be performed.

A Registered User is required to enter the Registered User's own contact information in the "Case Service Contacts" list in the EFS in each individual case to ensure receipt of service of any documents. The "Case Service Contacts" list is different from the "Firm Service Contacts" list which allows a law firm to maintain a list of attorneys registered for efilings but does not attach listed attorneys to any specific case.

To register the contact information in the EFS on a case:

1. Click on the icon, indicated by the blue arrow below, for "Service Contacts."



2. Click on "Add New" or "Add From Master List" to register the contact information on the case in the EFS.



Registered Users should not enter contact information for opposing Registered Users on the case in the EFS. If a Registered User should enter the incorrect contact information for an opposing Registered User, only the Registered User who originally entered the incorrect contact information can edit that information in the "Case Service Contacts." For this reason, if an opposing Registered User has not entered the contact information in the EFS on a case, the opposing Registered User should be contacted and asked to do so. The "Case Service Contacts" is a requirement for proper service through the EFS.

3. Public Access Portal

- 3.1 Public Access Portal - The Public Access Portal is a separate system from the EFS and is the point of entry for electronic access to case information from the Judiciary's database whether at the courthouse or remotely. The database is an electronic collection of court records displayed as a register of actions or docket sheet. The register of actions or docket sheet lists parties, case events, document filings, or other activities in a case in chronological order.

4. Format and Submission of Documents

- 4.1 Document Type - All documents must be filed in a searchable portable document format (PDF or PDF-A) and completed in full. Fillable PDFs will not be accepted as the EFS does not support them. The documents must be in the correct orientation. For further information relating to the formatting of documents, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary's website at www.ri.courts.gov under the heading of Electronic Filing.
- 4.2 Submission of Filing - To file a document, the Registered User must electronically submit the document to the CMS by means of the EFS. The document will then immediately be assigned an envelope number. The clerk's office will review the submission and, if the submission is in order, the submission will be accepted and the Registered User will receive electronic notice of the acceptance. For further information relating to the review of submitted documents by the clerk's office, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary's website at www.ri.courts.gov under the heading of Electronic Filing.
- 4.3 Labeling of PDF Files – All PDF files must be labeled with specificity. For example, Plaintiff [Name]'s Motion for Summary Judgment Against Defendant [Name].
- 4.4 Caption of Pleadings – Pursuant to R.Dom.Rel.P. 10(a), “[i]n the complaint, the title of the action shall include the names of all the parties, but in other pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of other parties.”
- 4.5 Electronic Filing of Documents - When using the EFS:
- 4.5.1 Case Initiating Document(s) – A Case Initiating Document(s) is the first document(s) filed in a case, including a motion for post final judgment relief. All Case Initiating Document(s), including any required documents, attachments, or exhibits, shall be submitted individually as separate files within the same initial submission or filing;
- 4.5.2 All Other Pleadings - All subsequent pleadings, motions, and other papers, shall be submitted individually with related documents submitted as separate files within the same submission or filing (for example, a motion and memorandum or

other supporting attachments or exhibits filed in support of a motion). The filing should also include an index to the attachments or exhibits submitted as a separate document, for ease in navigating the submission; and

- 4.5.3 Categories of Items - Categories of items such as bills, receipts, invoices, photographs, etc. may be submitted in one attachment.
 - 4.6 Required Documents - Each complaint type and a motion for post final judgment relief have required documents that shall be submitted within the same initial submission. For example, a Complaint for Divorce must be submitted for filing along with a Statement of Assets, Liabilities, Income, and Expenses, a Marriage Certificate, a Statement Listing the Children of the Marriage, and a Motion for Temporary Orders, if any. A listing of the complaint types and the required documents is attached hereto as Appendix A.
 - 4.7 Attachment Function in the EFS - The attachment button in the EFS is used to include more than one document in a filing. Using the attachment feature in the EFS for other than submitting required documents with lead documents or motions with attachments or exhibits may result in documents being misdirected for review by the court and delays in scheduling hearings.
 - 4.8 Entry of Appearance - When a Registered User files an Entry of Appearance in a case, the attorney shall file the document through the EFS. Once accepted, the clerk's office will enter the attorney in the case management system for every party that the attorney is representing in a case.
 - 4.8.1 Filing of Case Initiating Document(s) - An Entry of Appearance is not required when filing Case Initiating Document(s). If there is more than one attorney representing the Plaintiff, each subsequent attorney shall file an Entry of Appearance. The most current Entry of Appearance form is located on the Judiciary's website at www.courts.ri.gov under the heading of Public Resources, Forms.
 - 4.8.2 Responsive Pleadings - An Entry of Appearance is required to be filed with the first responsive pleading.
5. Review of Document Once Submitted
- 5.1 Review by Clerk - Documents submitted through the EFS will be reviewed by the clerk's office for completion before acceptance in the CMS. Documents submitted after 4:00 p.m. will be processed the following day.
 - 5.2 Compliance - Documents will not be reviewed for compliance with state and federal law, court rule, court order, or case law designating information or documents as non-public.

- 5.2.1 Non-public Information - It is the responsibility of Registered User to ensure that non-public information or personal identifying information is appropriately redacted prior to filing and that a document deemed in its entirety to be non-public information is appropriately checked as “confidential” in the EFS.
 - 5.2.2 Redacted Documents - When filing a redacted document, the Registered User must file the redacted version of the document as the lead document and the non-redacted version marked “confidential” as an attachment.
 - 5.2.3 Non-public Documents – When filing a document that is deemed non-public in its entirety, the Registered User need not submit a redacted version of the document.
 - 5.2.4 Changing Classification of a Document - The clerk’s office will not change the classification of a document from public to confidential absent a court order.
 - 5.2.5 Further Information Regarding Non-public Documents - For further information regarding the submission of non-public documents, documents containing non-public information, or personal identifying information, please see Rule 8 of Article X of the Supreme Court Rules Governing Electronic Filing and Rule 4 of the Rhode Island Judiciary Rules of Practice Governing Public Access to Electronic Case Information.
- 5.3 Rejection of Documents - In accordance with R.Dom.Rel.P. 1(b)(4), documents will be rejected under the following circumstances:
- 5.3.1 No Signature - Pleadings filed without a conventional signature where required;
 - 5.3.2 Required Documents – Pleadings filed without the required documents as set forth in Appendix A attached hereto;
 - 5.3.3 Electronic Filing of Documents - Pleadings not filed in accordance with R.Dom.Rel.P. 1(b)(3);
 - 5.3.4 Discovery Requests - Discovery requests and responses not filed in accordance with R.Dom.Rel.P. 5(d);
 - 5.3.5 Orientation of the Scanned Document – Documents, including any required documents, attachments, or exhibits, scanned in the wrong orientation, e.g., upside down or backwards;
 - 5.3.6 Unreadable Documents – Documents scanned and filed that are unreadable or illegible;
 - 5.3.7 Fillable PDFs – The EFS does not support the submission of fillable PDFs.

5.4 Notification - Notification to the Registered User as to whether the filing is accepted or rejected will be sent to the Registered User through the EFS. For further information regarding the review process and the status of submitted documents, please refer to the Rhode Island Judiciary Guide to Electronic Filing available on the Judiciary’s website at www.courts.ri.gov under Electronic Filing.

5.5 Rejected Filings

5.5.1 Rule for Resubmission of Rejected Filing - Pursuant to Article X, Rule 5 of the Supreme Court Rules Governing Electronic Filing, “[a] rejected filing shall be promptly corrected and resubmitted and shall be deemed to have been submitted and filed on the initial filing date for purposes of any statutory or rule-based deadline.”

5.5.2 Statute of Limitations – **When the resubmission is filed after the statute of limitations because of a court rejection, the Registered User shall submit a new filing, type “Envelope [put in number] resubmission” (indicating the filing which was previously rejected by the court) in the “Filing Comments,” and attach a copy of the previously rejected submission details.** Once confirmed, the administrator, or his or her designee, of each court shall change the event date in the CMS and ensure that both the original (rejected) document and the newly submitted document are attached to the event for judicial review.

The screenshot displays a web form for filing a document. At the top, there is a dropdown menu for 'Select Filing Code*' with 'Complaint Filed' selected, and a checked 'EFile' option. Below this is a 'Filing Description' field. The 'Reference Number*' field contains '1234'. The 'Documents' section is divided into 'Lead Document*' and 'Attachments'. The 'Lead Document*' section shows a file named 'Complaint.Test.pdf' (32.2 kb) with a description field containing 'Complaint.Test.pdf' and a 'Confidential' checkbox. The 'Attachments' section shows a file named 'Envelope 3257 Resubmission.Test.pdf' (292.1 kb) with a description field containing 'Envelope 3257 Resubmission.Test.pdf' and a 'Confidential' checkbox. Below the attachments is a 'Filing Comments' field containing the text 'Envelope 3257 resubmission'. Three blue arrows point from the attachment and comment fields towards the left side of the page.

6. Service of Process and Issuance of Summonses

6.1 Service of Process

6.1.1 Case Initiating Document(s) – Registered Users shall submit all filings, including Case Initiating Document(s), through the EFS. Case Initiating Documents such as subpoenas and summonses with complaints, petitions, or other documents that

are required by statute or court rule to be hand-delivered, delivered in person, or mailed cannot be electronically served.

- 6.1.2 All Other Documents – Documents that are not required by statute or court rule to be hand-delivered or delivered in person shall be electronically served on Registered Users through the EFS.
- 6.1.3 Service on a Non-registered User – Service of all documents shall continue in the manner as provided for in R.Dom.Rel.P. 5.
- 6.2 Issuance of Summons - The summons shall be issued in the following manner:
 - 6.2.1 Registered Users - For attorneys and self-represented litigants who are Registered Users, a summons shall be generated by the clerk’s office and attached to the case following the acceptance of the complaint or motion for post final judgment relief and all other required documents by the court. Registered Users can retrieve the summons through the Public Access Portal;
 - 6.2.2 Incarcerated Individuals - For incarcerated individuals, a summons shall be generated electronically by the clerk’s office and mailed to the individual upon the acceptance of the complaint or motion for post final judgment relief and all other required documents by the court; and
 - 6.2.3 Non-registered Users - For attorneys who are granted a waiver pursuant to Art. X, Rule 3(c) of the Rhode Island Supreme Court Rules Governing Electronic Filing and self-represented litigants who do not elect to electronically file pursuant to Art. X, Rule 3(b):
 - (A) A summons shall be generated electronically by the clerk’s office and handed to the Non-registered User at the time of filing the complaint or motion for post final judgment relief and all other required documents at the clerk’s office;
 - (B) If the complaint or motion for post final judgment relief and all other required documents are mailed to the clerk’s office, a summons shall be generated electronically by the court and mailed to the Non-registered User if a self-addressed envelope is included; or
 - (C) If the complaint or motion for post final judgment relief and all other required documents are mailed to the clerk’s office, a summons shall be generated electronically by the court and the Non-registered User may obtain the summons at the clerk’s office.
- 6.3 Preparation of Documents - The party requesting a summons or writ is responsible for preparing all copies required for service of the summons or writ along with the accompanying complaint or motion for post final judgment relief, motion, Language

Assistance Notice, and other required documents in accordance with R.Dom.Rel.P. 4. The clerk's office will no longer prepare service packets.

- 6.4 Delivery of Documents - The party requesting a summons or writ is responsible for delivering the summons, writ, complaint or motion for post final judgment relief, motion, Language Assistance Notice, and any other required documents and copies of those documents to the person authorized to serve process in accordance with R.Dom.Rel.P. 4.
- 6.5 Proof of Service - The Proof of Service must be efiled by scanning the Proof of Service in accordance with R.Dom.Rel.P 4(h) prior to the hearing date.

7. Assignment of Hearings, Scheduling, and Notification

- 7.1 Assignment to Judicial Officer - The case management system (CMS) will automatically assign a case to a judicial officer upon the acceptance of a Case Initiating Document(s).
- 7.2 Hearing Dates - The CMS will automatically schedule the initial hearing date upon acceptance of the Case Initiating Document(s). The hearing date will be noted on the summons.
- 7.3 Hearing Dates on Summons - Hearing dates for motions filed along with the Case Initiating Document(s) will also be noted on the summons.
- 7.4 Assignment of Subsequent Hearing Dates - The clerk's office or the court will assign a date for all motions filed subsequent to the acceptance of the Case Initiating Document(s). The hearing date will be approximately thirty-five (35) days after the acceptance of the motion for filing.
 - 7.4.1 Filing of Documents Prior to Hearing - No hearing dates will be assigned prior to the acceptance of the document requiring a hearing.
 - 7.4.2 Hearing Dates for Motions - Unless the dates are assigned in the courtroom, the Registered User will be able to retrieve the hearing date for a motion filed subsequent to the initial filing through the Public Access Portal.
 - 7.4.2.1 Notice to Registered Users - Registered Users are responsible for retrieving the hearing date for a motion filed subsequent to the initial filing through the Public Access Portal. Movants are not required to notify Registered Users of the hearing date of a motion filed subsequent to the initial filing.
 - 7.4.2.2 Notice to Non-registered Users - Movants are required to notify Non-registered Users of hearing dates for motions filed subsequent to the initial filing that are not assigned in the courtroom by forwarding to them a Notice of Hearing to Non-registered User and by e-filing the

notice with the court. The most current version of the Notice of Hearing to Non-registered User is located on the Judiciary’s website at www.courts.ri.gov.

7.5 Scheduling a Hearing - Only the judicial officer to whom a case is assigned or that judicial officer’s designee may change a hearing date.

8. Filing Documents Subsequent to the Initial Filing

8.1 Filing of Documents - Whether the attorney or the self-represented litigant is a Registered User or not, all ex parte motions, emergency motions, motions for an expedited hearing, complaints for an order of protection, and complaints under the Uniform Child Custody Act, or motions to proceed in forma pauperis shall be filed at the clerk’s office.

8.1.1 Adding a Party – Do not “Add Party” to an existing case. Select “Filing” to file documents subsequent to the initial filing.

1 Parties 2 Filings 3 Summary

Enter the Details for the Parties Involved in this Case ?

Required fields are bold and have an asterisk (*).

Party Type	Name	Attorney
Plaintiff	Test One	
Defendant	Test Two	

ADD PARTY

Party Type: Plaintiff **Attorney**

Party Name: Test One

Exit **Filings**

8.2 Waiver of Fees - Motion to Proceed in Forma Pauperis

8.2.1 Attorneys and Self-represented Litigants - Whether the attorney or the self-represented litigant is a Registered User or not, if he or she seeks to have the court waive the cost of service of process and filing fees, the attorney or the self-represented litigant must file a Motion to Proceed in Forma Pauperis, Order, Affidavit in Support of Motion to Proceed in Forma Pauperis, and other supporting documentation at the clerk’s office. The most current version of the

Motion to Proceed in Forma Pauperis, Order, Affidavit in Support of Motion to Proceed in Forma Pauperis, and other supporting documentation is located on the Judiciary's website at www.courts.ri.gov under the heading of Public Resources, Forms.

- 8.2.2 Judicial Officer – Motions to Proceed in Forma Pauperis will be referred to the duty judicial officer for consideration. Whether or not the court grants or denies the motion, the clerk shall file the Motion to Proceed in Forma Pauperis, Order, Affidavit in Support of Motion to Proceed in Forma Pauperis, and supporting documentation in the CMS.
- 8.2.3 Motion Granted - If the Motion to Proceed in Forma Pauperis is granted, the cost of service of process and filing fees shall be waived and attorneys or self-represented litigants shall file the complaint or motion for relief from post final judgment, the in forma pauperis pleadings and order, and any other required documents with the clerk.
- 8.2.4 Motion Denied – If the Motion to Proceed in Forma Pauperis is denied, proper payment shall be made and the Registered User or self-represented litigant shall file the complaint or motion for relief from post final judgment, the in forma pauperis pleadings and order, and any other required documents with the clerk.
- 8.2.5 The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program – The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program are authorized to waive all fees associated with electronic filing. The Office of Child Support Services, Rhode Island Legal Services, and the Volunteer Lawyer Program must select “Waiver” under the “Payment Account” when submitting Case Initiating Document(s). Once the Office of Child Support Services, Rhode Island Legal Services, or the Volunteer Lawyer Program receives a submitted status on the filing, the court shall review and accept or reject the filing.
 - 8.2.5.1 Certification of Eligibility Letter - Attorneys participating in the Volunteer Lawyer Program must submit a certification of eligibility letter from the Volunteer Lawyer Program as a required Case Initiating Document.
- 8.3 No Documents Filed on Day of Scheduled Hearing - With the exception of ex parte motions, emergency motions, motions to proceed in forma pauperis, motions for an expedited hearing, and exceptional circumstances, no documents, including entries of appearance, may be submitted to the clerk's office for filing or submitted to a clerk in the courtroom for filing on the day of a scheduled hearing.
 - 8.3.1 Review by Clerk - As a general rule, documents will be reviewed by the clerk's office in a timely manner and entered into the CMS.

- 8.3.2 Filing of Documents Before Hearing - Documents relating to a scheduled court hearing should be filed a minimum of two (2) business days prior to a hearing.
- 8.4 Ex Parte Motions, Emergency Motions, and Motions for an Expedited Hearing - Ex parte motions, emergency motions, and motions for an expedited hearing may be filed at any time.
 - 8.4.1 Hearing Dates – Except in exceptional circumstances, a hearing will be scheduled for the day the ex parte motion, emergency motion, or motion for an expedited hearing is filed unless the motion is filed less than one (1) hour before the scheduled closing of the clerk’s office. In that case, the motion will be scheduled for a hearing on the following day that the court is in session. Further hearing dates, if any are required, will be set at the discretion of the judicial officer to whom the matter is assigned.
 - 8.4.2 Denied Motions - Ex parte motions, emergency motions, and motions for an expedited hearing that are denied by a judicial officer will be retained by the clerk for filing.
 - 8.4.3 Sanctions - Filing parties should be mindful that sanctions may be imposed in the case of any motion deemed to have been filed in violation of R.Dom.Rel.P. 11.
- 8.5 Trial Exhibits - Trial exhibits shall not be efiled. Unless otherwise ordered by the judicial officer, trial exhibits are to be submitted in the courtroom when offered as an exhibit.
- 8.6 Subpoena Duces Tecum - The clerk’s office will not accept documents submitted in response to a subpoena duces tecum. Those documents will either be returned to the sender or destroyed.
- 8.7 Orders, Judgments, or Decrees – To follow is the procedure for filing an order, judgment, or decree.
 - 8.7.1 Filing and Service - The document(s) are efiled by the Registered User in the EFS as a “Proposed Order” with the clerk’s office and eserved on the selected parties listed in the “Case Service Contacts” for that case and served conventionally on all Non-registered Users.
 - 8.7.2 Filing Status - Once the Registered User receives a submitted status on the filing, the clerk’s office shall review the filing.
 - 8.7.3 Docket – A proposed order is not a docketable event so the document will not be viewable on the Public Access Portal.
 - 8.7.4 Routing - The filing shall then be forwarded to the appropriate judicial officer for review.

8.7.5 Objection – In accordance with R.Dom.Rel.P. 77(f), if only one (1) proposed order is filed and no objection is filed within seven (7) days, the order shall enter upon approval of the court. If more than one (1) proposed order is filed or if an objection is filed within seven (7) days, the order shall be entered only by the court. If an objection is filed, the objection shall contain a request for a hearing with a Certificate of Service in accordance with Rule 1(b)(1)(B) that a copy has been sent to all other parties. In the event two (2) or more proposed orders concerning the same motion are filed within seven (7) days, any interested party may file a motion to enter an order, with notice of the hearing to all other parties.

8.7.6 Judicial Officer Review - The judicial officer may grant, modify, or deny the proposed order.

8.7.6.1 Order Granted - If the judicial officer signs the proposed order, the document is sent to the clerk to docket in the CMS. Registered Users can retrieve the order on the Public Access Portal. Non-registered Users can obtain the signed order at the clerk's office.

8.7.6.2 Order Modified – If the judicial officer modifies the proposed order, the document with the modifications is sent to the clerk to docket in the CMS. Registered Users can retrieve the order on the Public Access Portal. Non-registered Users can retrieve the order at the clerk's office.

8.7.6.3 Order Denied – If the judicial officer denies the proposed order, the document is sent to the clerk to docket in the CMS with the reason why it was denied. Registered Users can view that the order was denied on the Public Access Portal. Non-registered Users can view that the order was denied at the clerk's office.

8.8 Sealed Cases - Any pleadings that are to be filed into a sealed case shall be filed directly with the clerk's office and not through the EFS.

9. Signatures

9.1 Signature of Judicial Officer - Documents requiring the signature of a judicial officer shall be submitted through the EFS and shall include a signature line as well as a line for the date the document is signed by the judicial officer. The document will be transmitted electronically to the appropriate judicial officer for consideration.

9.2 Signature of Clerk - Documents signed by a judicial officer do not require a clerk's signature. There should not be a line for a clerk's signature on any submitted order, judgment, or decree.

10. Closed Cases

- 10.1 Entry of Final Judgment - A divorce case is deemed closed once the Final Judgment is entered.
- 10.2 Miscellaneous and Divorce Cases in Which a Motion for Post Final Judgment Relief Has Been Filed - A miscellaneous case and a divorce case in which a motion for post final judgment relief has been filed are deemed closed when the judicial officer has heard and determined all matters presented in the complaint and/or motion and/or when no further court date has been scheduled.
- 10.3 Removal of Attorneys – Attorneys will be removed as attorney of record thirty-five (35) days after the date the case is closed.

APPENDIX A

A. Required Documents

A.1 Nominal Track Divorce

Lead Document: Nominal Divorce Complaint

Attachments:

- a) Family Court Cover Sheet (form FC-75) (*marked confidential*)
- b) Statement of Assets, Liabilities, Income, and Expenses (form FC-5/DR-6) (*marked confidential*)
- c) Statement Listing Children (form FC-59) (*marked confidential*)
- d) Marriage Certificate or affidavit in support of common-law marriage
- e) Certified translation of a non-English language Marriage Certificate
- f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.2 Contested Track Divorce

Lead Document: Contested Divorce Complaint

Attachments:

- a) Family Court Cover Sheet (form FC-75) (*marked confidential*)
- b) Statement of Assets, Liabilities, Income, and Expenses (form FC-5/DR-6) (*marked confidential*)
- c) Statement Listing Children (form FC-59) (*marked confidential*)
- d) Marriage Certificate or affidavit in support of common-law marriage
- e) Certified translation of a non-English language Marriage Certificate
- f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.3 Bed and Board

Lead Document: Bed and Board Divorce Complaint

Attachments:

- a) Family Court Cover Sheet (form FC-75) (*marked confidential*)
- b) Statement Listing Children (form FC-59) (*marked confidential*)
- c) Marriage Certificate or affidavit in support of common-law marriage
- d) Certified translation of a non-English language Marriage Certificate
- e) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.4 Separate Maintenance Without Commencement of Divorce

Lead Document: Separate Maintenance without Commencement of Divorce Complaint

Attachments:

- a) Family Court Cover Sheet (form FC-75) (*marked confidential*)
- b) Statement of Assets, Liabilities, Income, and Expenses (form FC-5/DR-6) (*marked confidential*)

- c) Statement Listing Children (form FC-59) (*marked confidential*)
- d) Marriage Certificate or affidavit in support of common-law marriage
- e) Certified translation of a non-English language Marriage Certificate
- f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.5 Miscellaneous Track

Lead Document: Miscellaneous Complaint

- Attachments:
- a) Family Court Cover Sheet (form FC-75) (*marked confidential*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (form FC-5/DR-6), if applicable (*marked confidential*)
 - c) Statement Listing Children (form FC-59), if applicable (*marked confidential*)
 - d) Birth Certificates (Miscellaneous Complaint for Support, Custody, and/or Visitation), if applicable (*marked confidential*)
 - e) Certified translation of any non-English language Birth Certificate, if applicable (*marked confidential*)
 - f) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

A.6 Motion for Post Final Judgment Relief

Lead Document: Motion for Post Final Judgment

- Attachments:
- a) Family Court Cover Sheet (form FC-75) (*marked confidential*)
 - b) Statement of Assets, Liabilities, Income, and Expenses (form FC-5/DR-6), if applicable (*marked confidential*)
 - c) Certification of eligibility letter from the Volunteer Lawyer Program, if applicable

B. Timeframe for Automatic Scheduling of Dates

The CMS will automatically schedule a court date for complaints and motions based upon the following schedule. If the assigned judicial officer’s calendar cannot accommodate the automatic date, the hearing automatically will be assigned to the next available court session.

<u>Case Type</u>	<u>Auto Scheduling Time Frame</u>
B.1 Complaint for Divorce (Nominal Track)	63 days from acceptance of filing
B.2 Complaint for Divorce (Contested Track)	105 days from acceptance of filing
B.3 Complaint for Divorce from Bed and Board	63 days from acceptance of filing
B.4 Complaint for Miscellaneous Relief	63 days from acceptance of filing

B.5 Complaint for Legal Separation

63 days from acceptance of filing

B.6 Motion for Post Final Judgment Relief

35 days from acceptance of filing