

RHODE ISLAND FAMILY COURT
ADMINISTRATIVE ORDER 2006- 3

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

Pursuant to R.I.G.L. §15-5-29, the Rhode Island Family Court hereby establishes a Kent 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 August 1, 2006, upon the filing of a miscellaneous complaint seeking custody, visitation and/or child support relief, such complaint will be referred to the Mediation Office for assignment to an initial mandatory mediation session. The complaint will simultaneously be placed on the contested track calendar. Prior to the assignment hearing on the motion calendar, the parties will be contacted by the Mediation Office to schedule an initial mandatory mediation session.

All parties are required to attend the first session of mediation which will be held in the Kent County courthouse 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 the possible disposition of the issues.

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

The parties may schedule second and subsequent mediation sessions with their assigned court-based mediator. If such is the case, the Mediation 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 "Memorandum of Understanding", 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 the event where mediation was unsuccessful, the miscellaneous complaint shall proceed as a contested matter in accordance with previously issued Administrative Orders.

7/11/06
Date

Jeremiah S. Jeremiah, Jr.
Chief Judge