

## **2.00 Commencement of Action, Service of Process, and Scheduling of Cases**

**2.03 Process, Attachment, Trustee Process, Arrest.** The summons, Small Claims Notice of Suit, Language Assistance Notice, and all other required documents shall be served together. The most current version of the forms are located on the Judiciary's website at [www.courts.ri.gov](http://www.courts.ri.gov) under the heading of Public Resources, Forms. The cost assessed to a defendant shall not exceed the cost established by G.L. § 9-29-9. For purposes of service of process upon corporations and on persons outside of the State of Rhode Island, subsections (D)(3) and (E), respectively, shall apply.

(K) *Attachment and Trustee Process.*

- (3) *Writ of Attachment: Issuance.* The writ of attachment, shall be filled out by the plaintiff's attorney or a self-represented litigant as provided in paragraph (2) of this subdivision, and shall be submitted to the court with a motion for its issuance. The motion shall be granted only upon a showing that there is a probability of a judgment being rendered in favor of the plaintiff and that there is a need for furnishing the plaintiff security in the amount sought for satisfaction of such judgment, together with interest and costs. A motion hereunder shall not be granted ex parte. Security may be required in connection with issuance of any writ of attachment.

A surety upon a bond or undertaking under this rule submits to the jurisdiction of the court and irrevocably appoints the clerk of the court as the surety's agent upon whom any papers affecting the surety's liability on the bond or undertaking may be served. The surety's liability may be enforced on motion without the necessity of an independent action. The motion and such notice of the motion as the court prescribes may be served on the clerk of the court who shall forthwith send copies to the persons giving the security if their addresses are known.