

ADMINISTRATIVE ORDER 2020-08

The Superior Court will continue to work to safeguard court users and court personnel as we manage court calendars, hearings and other matters in courthouses throughout the State. Matters that can be handled via remote WebEx technology will continue in an effort to minimize the number of persons gathered in courtrooms. These remote hearings and conferences are encouraged and will continue to be supported by personnel who are specifically trained for this purpose. All remote matters shall be scheduled in accordance with the **Criminal and Civil Matters Protocol for Requesting a Remote Hearing/Conference (During Covid-19 Emergency Measures)**. Public access to court proceedings will continue to be available through YouTube streaming and all scheduled hearings and associated YouTube channels shall be posted on the Judiciary website.

The following provisions shall remain in effect through December 18, 2020 unless or until superseded by subsequent administrative order:

IN-PERSON HEARINGS

Matters that cannot be handled remotely shall be conducted in-person. Calendars will be staggered to ensure compliance within capacity limits established for courthouses and individual courtrooms to allow for appropriate distancing. Judicial Officers, in addition to security personnel shall ensure that courtroom capacity levels are adhered to and that social distancing and face mask protocols are obeyed.

The following calendars will be operating in Providence County: Daily Criminal Calendar; Fines, Costs, Restitution and Miscellaneous Criminal Calendar; Trial/Pre-Trial Calendar; Pre-Arrest Conference (PAC) Calendar; Civil Motion Calendar, Formal & Special Cause Calendar, Adult Drug Court Calendar and Diversion Calendar. In Kent County, the following calendars will be operating: Daily Criminal Calendar, Criminal Calendar, Civil Calendar, Adult Drug Court Calendar, Sexual Predator Calendar, and the Early Termination of Probation Calendar. Criminal and Civil Calendars will be operating in Newport and Washington Counties.

Video conferencing with defendants at the Adult Correctional Institution will continue to remain a priority and will be utilized wherever practicable on the Providence and Kent County Daily Criminal Calendars, the Providence County PAC Calendar, and the Newport County and Washington County Criminal Calendars. For in-person hearings, calendar events will be staggered throughout the day to meet social distancing requirements.

Adult Drug Court and Diversion Calendars will continue to operate with staggered calendars.

To maintain proper distancing and to adhere to gathering restrictions, specific courtrooms in Providence County will be used for the duration of this Order and are noted under the Assignment – First Period section of this Order (see page 3).

GRAND JURY

Grand Jury proceedings will continue to operate in locations that provide for appropriate distancing and safety measures for both jurors and personnel.

CRIMINAL AND CIVIL JURY TRIALS

The Court has undertaken measures to allow jury trials to resume on a limited basis in Providence County no sooner than September 21, 2020. However, no jury trial will be scheduled without the express, written authorization of the Presiding Justice where a constitutional, statutory or otherwise highly critical need has been demonstrated.

Jury Trial Protocols and Safety Measures subject to Covid-19 restrictions are being finalized and will be posted on the Judiciary's website under the "Coronavirus (Covid-19) Information and Update" tab prior to the start of any jury trial.

BENCH TRIALS – CRIMINAL AND CIVIL

In-court Bench trials have resumed and shall continue with advanced notice to the Presiding Justice with the assurance that all necessary safety measures are in place. The selected courtroom shall allow for social distancing based upon the number of participants. The bench, witness area, clerk and stenographic work space shall be outfitted with plexiglass and all properly distanced from counsel table. Plexiglass separators shall be provided to attorneys and/or litigants seeking additional separation at counsel table as needed or upon request.

COVID -19 RELATED CALENDAR PROTOCOLS/ORDERS

All calendar protocols/orders issued in response to the Covid-19 pandemic as well as any modifications or amendments thereto shall remain in full force and effect unless superseded by a subsequent protocol/order. These protocols/orders can be found on the Judiciary's website under the "Coronavirus (Covid-19) Information and Update" tab.

ACCESS TO CLERKS' OFFICES

Clerks' offices shall continue to conduct court business in all emergency and non-emergency matters including, but not limited to, accepting the filing of pleadings and other documents, scheduling hearings, and issuing orders. For the duration of this Order, pro se litigants may continue to submit filings via email to the clerk's office. Email information for each county is available on the Judiciary website.

Except for emergency matters all in-person filings or business with Clerks' Offices must be made by appointment only. Instructions on scheduling an appointment and telephone contact information for each county Clerk's Office is available on the Judiciary website.

RESTITUTION AND/OR COURT COSTS & FINES – PAYMENTS

Individuals are encouraged to make restitution and/or court costs & fines payments on-line via the Rhode Island Judiciary Public Portal or by U.S. Mail. Otherwise, a scheduled appointment will be required for those who wish to make an in-person payment. Instructions for making payments and contact information for the Office of Central Registry and the Costs & Fines Office may be found on the Rhode Island Judiciary website.

ASSIGNMENTS – FIRST PERIOD

September 6, 2020 through December 18, 2020

Note: Only emergency matters will be heard in the Superior Court in Providence County, Licht Judicial Complex on Wednesday, November 25 and Friday, November 27, 2020.

MR. JUSTICE CARNES:

- To be in charge of the Criminal Calendar in Newport County and to assist elsewhere as needed.
- To be in charge of the Criminal and Civil Calendars in Newport County the week of September 13, 2020.

MS. JUSTICE DARIGAN:

- To assist with the Formal & Special Cause Calendar, the Civil Motion Calendar and Temporary Restraining Orders in Courtroom No. 15 in Providence County, to assist with the Daily Criminal, Costs and Fines and Miscellaneous Criminal, Trial/Pre-Trial and Pre-Arrestment Calendars in Providence County and to assist elsewhere as needed.
- To be in charge of the Formal & Special Cause Calendar the weeks of September 20 and 27, 2020 and the week of December 6, 2020.
- To serve as a Duty Judge in Providence County on November 27, 2020.

MS. PRESIDING JUSTICE GIBNEY:

- To be in charge of the Asbestos Calendar in Courtroom No. 12 in Providence County and to assist on all calendars as administrative duties permit.

MS. JUSTICE KEOUGH:

- To assist on the Trial Calendar in Courtroom No. 3 in Providence County, the Diversion Calendar in Courtroom No. 7 and to assist elsewhere as needed.
- To be in charge of the Fines, Costs and Restitution Calendar and Miscellaneous Criminal Calendar in Courtroom No. 5 in Providence County on September 8 and 9, 2020 and on December 14, 2020 and to assist elsewhere as needed.
- To be in charge of the Daily Criminal Calendar in Courtroom F in Kent County on November 2, 2020 and to assist elsewhere as needed.

MR. JUSTICE KRAUSE:

-- To be in charge of the Gun Calendar in Providence County and to assist elsewhere as needed.

MR. JUSTICE LANPHEAR:

-- To be in charge of the Civil Calendar in Courtroom A in Kent County and to assist elsewhere as needed.

MR. JUSTICE LICHT:

-- To be in charge of the Out-County Business Calendar, the Kugel Mesh and Opioid Calendars in Courtroom D in Kent County, and to assist elsewhere as needed.

-- To be in charge of the Civil Calendar in Courtroom A in Kent County on October 16, and October 21, 22, and 23 and to assist elsewhere as needed.

MS. JUSTICE LONG:

-- To be in charge of the Formal and Special Cause Calendar and to assist with Temporary Restraining Orders in Courtroom No. 16 in Providence County, to assist with the Daily Criminal, Costs and Fines and Miscellaneous Criminal, Trial/Pre-Trial and Pre-Arrestment Calendars in Providence County and to assist elsewhere as needed.

-- To serve as a Duty Judge in Providence County on November 25, 2020.

MR. JUSTICE MATOS:

-- To be in charge of the Trial and Pre-Trial Calendars in Courtroom No. 4 in Providence County.

MS. JUSTICE McGUIRL:

-- To assist on the Trial Calendar in Providence County and to assist elsewhere as needed.

MR. JUSTICE MONTALBANO:

-- To be in charge of the Civil Motion Calendar in Courtroom No. 2 in Providence County, to coordinate the dispersal of motions as needed, and to assist elsewhere as needed.

-- To serve as a Duty Judge in Providence County on November 27, 2020.

MR. JUSTICE NUGENT:

-- To assist on the Trial Calendar in Providence County and to assist elsewhere as needed.

MR. JUSTICE PROCACCINI:

-- To be in charge of the Criminal Calendar in Courtroom E in Kent County and to assist elsewhere as needed.

-- To be in charge of the Daily Criminal Calendar in Courtroom F and the Criminal Calendar in Courtroom E in Kent County the week of December 6, 2020 and to assist elsewhere as needed.

MS. JUSTICE RODGERS:

- To assist on the Trial Calendar and on the Gun Calendar in Courtroom No. 8 in Providence County and to assist elsewhere as needed.
- To be in charge of the Criminal and Civil Calendars in Washington County on September 18, 2020 and to assist elsewhere as needed.
- To be in charge of the Daily Criminal Calendar in Courtroom F in Kent County on October 9, 2020 and to assist elsewhere as needed.
- To be in charge of the Civil Calendar in Courtroom A in Kent County on November 12 and 13, 2020 and to assist elsewhere as needed.
- To be in charge of the Trial and Pre-Trial Calendars in Courtroom No. 4 in Providence County on November 23 and 24, 2020 and to assist elsewhere as needed.
- To be in charge of the Fines, Costs and Restitution Calendar and Miscellaneous Criminal Calendar in Courtroom No. 5 in Providence County on December 4, 2020, December 7, 2020 and December 11, 2020 and to assist elsewhere as needed.

MR. JUSTICE STERN:

- To be in charge of the Business Calendar in Providence County and to assist elsewhere as needed.

MS. JUSTICE TAFT-CARTER:

- To be in charge of the Civil Calendar in Washington County, to assist with the Providence Business Calendar in Washington County, and to assist elsewhere as needed.
- To be in charge of the Criminal and Civil Calendars in Washington County on September 14, 15, 16, and 17, 2020 and the week of October 25, 2020 and to assist with the Providence Business Calendar in Washington County, and to assist elsewhere as needed.

MS. JUSTICE THUNBERG:

- To be in charge of the Criminal Calendar in Washington County and to assist elsewhere as needed.
- To be in charge of the Civil and Criminal Calendars in Washington County on September 24 and 25, 2020, the week of October 4, 2020, and November 23 and 24, 2020.

MR. JUSTICE VAN COUYGHEN:

- To be in charge of the Civil Calendar in Newport County and to assist elsewhere as needed.
- To serve as a Duty Judge in Providence County on November 25, 2020.

MS. JUSTICE VOGEL:

- To assist on the Trial Calendar, to manage the Med/Mal Pre-Trial Calendar in Providence County and to assist elsewhere as needed.

MR. SPECIAL MAGISTRATE BURKE:

- To be in charge of the Pre-Arraignment Calendar in Courtroom No. 5-G in the J. Joseph Garrahy Judicial Complex, the Diversion Calendar in Courtroom No. 7 and to assist elsewhere as needed.

MR. MAGISTRATE FLYNN:

- To be in charge of the Drug Court, the Sexual Predator Calendar, and the Probation Termination Calendar in Courtroom C in Kent County and to assist elsewhere as needed.
- To be in charge of the Pre-Arrest Calendar in Courtroom No. 5-G in the J. Joseph Garrahy Judicial Complex the week of September 20, 2020.
- To be in charge of the Daily Criminal Calendar in Courtroom F in Kent County on October 5, 6, 7 and 8, 2020 and to assist elsewhere as needed.
- To serve as the Duty Magistrate in Providence County on November 25, 2020.

MS. GENERAL MAGISTRATE HARWOOD:

- To be in charge of the Fines, Costs and Restitution Calendar and Miscellaneous Criminal Calendar in Courtroom No. 5 in Providence County and to assist elsewhere as needed.

MR. MAGISTRATE McBURNEY:

- To be in charge of the Daily Criminal Calendar in Courtroom F in Kent County and to assist elsewhere as needed.

MR. MAGISTRATE RASPALLO:

- To be in charge of the Daily Criminal Calendar in Courtroom No. 9 in Providence County and to assist elsewhere as needed.
- To serve as the Duty Magistrate in Providence County on November 27, 2020.

The Adult Drug Court, Sexual Predator, and Early Termination of Probation Calendars scheduled for the period September 6, 2020 through December 18, 2020 shall be issued by the Magistrate of the Adult Drug Court.

BY ORDER OF:

/s/
ALICE BRIDGET GIBNEY
PRESIDING JUSTICE

DATED: August 28, 2020