

2021 -- H 6080

LC002198

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- COURTS -- FAMILY COURT

Introduced By: Representatives Casimiro, Shanley, Noret, and Hawkins

Date Introduced: March 03, 2021

Referred To: House Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 8-10-21 of the General Laws in Chapter 8-10 entitled "Family Court"
2 is hereby amended to read as follows:

3 **8-10-21. Records of court.**

4 The records of the family court shall be public records, except that records of hearings in
5 matters set forth in § 14-1-5, together with stenographic notes and transcripts of those hearings,
6 shall not be available for public inspection unless the court shall otherwise order. Notwithstanding
7 the foregoing provisions, the records of the family court in criminal matters involving adults shall
8 be public records. The record of delinquent or wayward adjudications of juveniles, or protective
9 orders issued against juveniles, may be accessed by law enforcement personnel to be used for law
10 enforcement purposes only and shall remain otherwise confidential. The Attorney General shall
11 promulgate rules and regulations necessary to facilitate the purposes of this section.

12 SECTION 2. Section 12-29-8.1 of the General Laws in Chapter 12-29 entitled "Domestic
13 Violence Prevention Act" is hereby amended to read as follows:

14 **12-29-8.1. Restraining order no-contact order system (R.O.N.C.O.)**

15 (a) All domestic violence and sexual assault protective orders must be filed in the
16 R.O.N.C.O. system at the attorney general's bureau of criminal identification (B.C.I.) unit.

17 (b)(1) All protective orders filed against individuals aged eighteen (18) and over and issued
18 by the ~~from~~ district court, superior court, family court, police departments and/or bail
19 commissioners must be filed upon issuance by faxing or delivering the orders to the B.C.I. unit.

1 [either electronically or in hard copy](#), no later than the end of the day of issuance. Orders shall
2 include the following: the terms of the order, the date of issuance, the date of the second hearing
3 (if any), the dates of birth of the parties, and the date of expiration.

4 (2) All modifications and terminations of the orders must also be faxed or delivered to the
5 B.C.I. unit, [either electronically or in hard copy](#), no later than the end of the day of the modification.

6 Any protective order issued pursuant to chapter 15 of title 15, chapter 8.1 of title 8, and chapter 5
7 of title 15 which is terminated or expires for any reason, and any no-contact order issued by any
8 superior court, district court or family court which is removed, rescinded or expired for any reason
9 shall be expunged within thirty (30) days from the R.O.N.C.O. system and the prior existence of
10 the protective order or no-contact order shall not be disclosed except by court order.

11 (c) A person entitled to protection under an existing protection order shall, upon request,
12 be given a certified copy of the order by the court clerk. The attorney general's B.C.I. unit shall
13 accept the certified copy and enter that copy into the R.O.N.C.O. system.

14 (d) For purposes of this section, "protective orders" includes all family, district, and
15 superior court restraining orders [issued against individuals aged eighteen \(18\) and over](#), as well as
16 district and superior court no-contact orders [issued against individuals aged eighteen \(18\) and over](#).

17 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would provide that only protective orders issued against adults are to be
2 transmitted to the department of attorney general's B.C.I. unit for inclusion in the R.O.N.C.O.
3 system. The act would further clarify that protective orders issued against juveniles will be
4 accessible to law enforcement.

5 This act would take effect upon passage.

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