

2020 -- S 2698

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LC004684
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO ANIMALS AND ANIMAL HUSBANDRY

Introduced By: Senator Dennis L. Algiere

Date Introduced: February 27, 2020

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 4-1 of the General Laws entitled "Cruelty to Animals" is hereby
2 amended by adding thereto the following section:

3 **4-1-31.1. Appointment of pro bono attorneys and supervised law students.**

4 (a) In any prosecution pursuant to chapter 1 of title 4, in any criminal proceeding, or in any
5 civil proceeding where the welfare or custody of an animal is at issue, particularly in issues of
6 cruelty or abuse, the court may order upon its own initiative or upon the request of any party or
7 prosecutor, the appointment of a pro bono attorney or a law student supervised by an academic or
8 clinical professor of law, as an advocate appointed to promote the interests of justice.

9 (b) This advocate shall seek input from the office of the state veterinarian and agents of the
10 Rhode Island Society for the Prevention of Cruelty to Animals.

11 (c) If a court orders that such an advocate is to be appointed, the court may appoint such
12 advocate from a list provided to the court by the Rhode Island department of environmental
13 management.

14 (d) The animal advocate(s) appointed pursuant to this section shall make recommendations
15 to the court based upon the interests of justice. The animal advocate shall also:

16 (1) Monitor the case from the time of their appointment until the resolution of the matter;

17 (2) Consult with any individual with information that could aid the judge or another fact
18 finder;

19 (3) Review records relating to the condition of the animal and the defendant's actions,

1 including, but not limited to, records from animal control officers, police officers, and veterinarians;
2 (4) Have the right to participate in all hearings, conferences, correspondences and plea
3 bargaining sessions in any given case; and
4 (5) Present relevant information and recommendations to the court relevant to the
5 resolution of the matter that serves the interests of justice.

6 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ANIMALS AND ANIMAL HUSBANDRY

1 This act would provide that a civil or criminal court may, at their discretion, authorize the
2 appointment of pro bono attorneys and supervised law students from a list maintained by the state
3 department of environmental management, to act as animal advocates in animal cruelty and abuse
4 cases.

5 This act would take effect upon passage.

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