

2019 -- S 0480 SUBSTITUTE A

LC001701/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--COURTS

Introduced By: Senator Erin Lynch Prata

Date Introduced: February 27, 2019

Referred To: Senate Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 8-15 of the General Laws entitled "Court Administration" is hereby
2 amended by adding thereto the following section:

3 **8-15-2.1. Powers of the chief justice to ensure court operations.**

4 (a) The chief justice of the supreme court may, by order, take any action necessary to
5 ensure the continued and efficient operation of the courts of the unified judicial system. Such
6 necessary actions may include, but are not limited to:

7 (1) Establishing alternative locations to conduct judicial business in the event that one or
8 more court locations cannot be utilized;

9 (2) Enlarging, extending, tolling, or suspending any filing, appeal, or other applicable
10 deadline or statute of limitation in the event of the closure or curtailment of court operations or
11 other circumstances as is necessary, in the opinion of the chief justice, to ensure the fair
12 administration of justice;

13 (3) In the event of a court closure or curtailment of court operations, suspending any
14 judicial business that is deemed not essential by the chief justice; and

15 (4) Taking any other appropriate action necessary to ensure that judicial business is
16 effectively conducted by the courts of the unified judicial system for the duration of the order.

17 (b) Any order of the chief justice closing or curtailing the operation of any court within
18 the unified judicial system and setting forth the necessary response(s) thereto shall specify:

19 (1) The nature, time period, and duration of the circumstances giving rise to the order;

- 1 (2) The court(s) and court location(s) affected by the order;
2 (3) The action(s) to be undertaken to redress the circumstances giving rise to the order;
3 and
4 (4) Any other relevant information needed to effectively respond to the circumstances
5 giving rise to the order and ensure the continued and efficient operation of the unified judicial
6 system for the duration of the order.
- 7 (c) The order closing or curtailing the operation of any court within the unified judicial
8 system shall be limited to an initial duration of not more than thirty (30) days; provided, however,
9 that the order may be modified or extended for additional periods of thirty (30) days each at the
10 discretion of the chief justice. Any modification or extension of the initial order shall contain the
11 same information required for the issuance of the initial order pursuant to subsection (b) of this
12 section.
- 13 (d) In the event that the office of the chief justice is vacant, or the chief justice is unable,
14 by reason of illness or absence, to perform his or her duties, the associate justice of the supreme
15 court having precedence who is present and qualified, as determined by §§ 8-3-2 and 8-3-3, shall
16 have the power to issue an order under this chapter.

17 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 COURTS AND CIVIL PROCEDURE--COURTS

1 This act would invest the chief justice of the supreme court with the explicit authority to
2 address issues affecting the conduct of judicial business and order whatever response(s) he or she
3 deems necessary, in his or her discretion as the executive head of the unified judicial system, to
4 ensure the continued operation of the courts.

5 This act would take effect upon passage.

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