

STATE OF RHODE ISLAND

DISTRICT COURT

ADMINISTRATIVE ORDER 2020-05 – AMENDED

RE: PROTOCOL ON CRIMINAL CALENDARS

EFFECTIVE JANUARY 5, 2021

With the number of positive COVID cases continuing to rise, the safety of court personnel and court users remains our utmost priority. At this time, we will continue to make efforts to reduce the number of in-person court hearings. Remote hearings and conferences are encouraged and should be utilized whenever feasible.

NEW CHARGES

• **Arraignments**

Arraignment times are now staggered. All attorneys should confirm with the police department the actual time that they should appear in court with their client.

The following charges shall be considered “priority” and will continue to be heard as usual:

- Capitol Offenses
- Domestic Abuse
- DUI and 2nd Offense Refusals
- Charges otherwise excluded below, but which a charging authority deems to involve issues of public safety (ie: Simple Assault; Reckless Driving; Charges involving significant Mental Health issues).
- If the charging police department feels the defendant presents a risk to public safety the case may be filed and scheduled as usual.

Matters to be scheduled after May 3, 2021 (future capacity will be assessed on a continuing basis).

- Civil Violations – 1st and 2nd Suspended, Expired, and No License Charges;
- Misdemeanor License Offenses – 3rd and Subsequent Offenses which are not deemed a threat to public safety.

All other Misdemeanor Charges (unless accompanied by other charges of “priority”) shall be scheduled after April 5, 2021. These include but are not limited to the following:

- Possession of Marijuana
- Shoplifting
- Resisting Arrest
- Obstructing
- Forgery and Counterfeiting License Plates
- Petty Misdemeanors non-domestic (i.e. Disorderly Conduct)

If any new charge involves an issue of public safety, it may be scheduled prior to April 5, 2021 at the request of the Department.

Reassignments

Release to appear arraignments for non “priority” charges, if re-assigned, will be scheduled to a date 4 (four) to 6 (six) weeks from April 5, 2021.

Howard Avenue – Covid-19 Arraignments

Arraignments for defendants who are denied access into the courthouses will be heard at this facility. Petitioners who are denied access into the courthouse and are seeking a Domestic Abuse restraining order may also be seen at this facility

ACI Video

Video Arraignments will continue under present protocol; Video Dispositions only when scheduled by a judge. ACI Video Status Conferences will be

scheduled only under special circumstances and with prior authorization of the judge.

Pretrial/Trials

All pre-trials presently scheduled will be handled remotely with no in-court appearances. Any reassignments, if requested, may be rescheduled by the judge sitting on the calendar.

Any new pre-trials resulting from a new arraignment will be assigned at the discretion of the court. Scheduling will take into consideration the nature and age of the charge.

Motions to Expunge

Until further notice Motions to Expunge that are filed with the court shall be scheduled for a hearing. If the Attorney General's Office has no objection, neither the Defendant nor Defendant's counsel need to appear for the hearing. If the Attorney General does have an objection the matter will pass off the calendar and the motion will need to be refiled for an in person hearing. Motions to expunge in Kent County will be heard in Courtroom 2E. Motions to expunge in Newport, Providence, and Washington County will be heard on the State Calendar.

Veterans Treatment Court

Will be conducted both in person and by remote access and will be scheduled accordingly by Judge Hastings.

Technical Violations

Will be set down for a hearing based on availability. Cases will be assigned by the judge sitting on the State Calendar.

Newport and Washington County

Defendants that are being held at the ACI shall be brought into court for all

hearings. Only by permission of the judge, will the court conduct a WebEx hearing for defendants being held at the ACI.

WebEx Arraignments from Police Departments

Will be heard only under special circumstances by contacting the clerk's office to obtain permission from the judge.

Filing of Criminal Complaints

For all future releases to appear Police Departments are required to submit all criminal complaints to the clerk's office no later than ten (10) days from the offense date. Complaints that are filed with a hearing date that does not comply with this Administrative Order will not be accepted and will require a new hearing notice be sent to the defendant by the Police Department.

Submitting Documents to Court

Police Departments and Defense Counsel will continue to email dismissals, entries of appearance, motions, etc., to the following email addresses.

2nd Division District Court 2ndDistrictCourtHelpDesk@courts.ri.gov

3rd Division District Court 3rdDistrictCourtHelpDesk@courts.ri.gov

4th Division District Court 4thDistrictCourtHelpDesk@courts.ri.gov

6th Division District Court 6thDistrictCourtHelpDesk@courts.ri.gov

Drop Box

For anyone who needs to conduct business with the clerk's office and who has been denied access into the courthouse, there will be a drop box available at the entrance of each courthouse.

Court Assignments by District

2nd Division District Court -

Associate Judge Colleen Hastings

chastings@courts.ri.gov

(401) 841-8355

Monday – Arraignments; Civil Calendar

Tuesday – State Calendar

Tuesday – Friday – Arraignments, Pre-trials and Trials

3rd Division District Court –

Courtroom 2A -

ACI Video Arraignments; ACI Status Conferences and Dispositions will be assigned only under exceptional circumstances and with prior authorization of the judge.

Courtroom 2B -

Associate Judge Mary McCaffrey

mmccaffrey@courts.ri.gov

(401) 822-6023

Monday, Tuesday, and Thursday – State Calendar

Wednesdays – Pre-trials and Trials Calendar on Wednesday

Courtroom 2C -

Administrative Associate Judge Elaine Bucci

ebucci@courts.ri.gov

(401) 822-6019

Monday to Friday – Arraignments – Release to Appear; Lockups

Courtroom 2E -

Associate Judge Anthony Capraro

acapraro@courts.ri.gov

(401) 822-6025

Monday – Arraignments; Pre-trials and Trials

Tuesday and Wednesday – Pre-trials and Trials

Motions to Expunge; * If the Attorney General's Office has no objection, neither the Defendant nor Defendant's counsel need to appear for the hearing.

Courtroom 2D -

Associate Judge Melissa DuBose

mdubose@courts.ri.gov

(401) 615-5411

Monday and Friday – Pre-trials and Trials

Tuesday, Wednesday, and Thursday – Civil Cases

4th Division District Court –

Associate Judge James Caruolo

jcaruolo@courts.ri.gov

(401) 782-4130

Monday – Arraignments; Civil Calendar

Tuesday to Friday – Arraignments, Pre-trials and Trials

Wednesday – State Calendar

6th Division District Court -

Courtroom 4C -

Associate Judge J. Terrance Houlihan

jthoulihan@courts.ri.gov

(401) 458-5217

Monday to Thursday – Arraignments

Courtroom 4E-

Magistrate Joseph Ippolito

jippolito@courts.ri.gov

(401) 458-3153

Monday to Friday State Calendar; RISP Pre-trials and Trials

Courtroom 4F -

Associate Judge Pamela Pfeiffer

ppfeiffer@courts.ri.gov

(401) 458-5211

Tuesday, Wednesday and Thursday – Pre-trials and Trials

Courtroom 4G -

Associate Judge Stephen Isherwood

stephen.isherwood@courts.ri.gov

(401) 458-5210

Monday, Tuesday, Wednesday and Friday – Pre-trials and Trials

Courtroom 3E-

ACI Video Arraignments

Entered as an Order of this Court on this 5th day of January 2021.

Enter:

/s/

Jeanne E. LaFazia
Chief Judge

By Order:

/s/

Stephen Waluk
Administrator