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ACQUISITIONS

RHODE ISLAND SUPERIOR COURT OPERATIONS MANUAL

National Center for State Courts
Northeastern Regional Office

May 1978

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During the course of this study we were impressed by the dedication and cooperative spirit shown by the people who work in the Rhode Island Superior Court system.

We extend our sincere thanks to those many individuals who interrupted their busy schedules to provide us with the basic information for the manual sections; without their special help, this manual could not have been written.

Project staff appreciate the assistance of the Advisory Committee, which helped identify subject matter content and performed the time-consuming task of review of the manual. The Advisory Committee included: the Honorable Ronald R. Lagueux, Joseph Calista, Ernest Reposa, Sue Laroche, Dennis Morgan and Bob Harrall. Of those individuals, Dennis Morgan deserves special mention for providing sample forms and extra assistance.

Clerks John H. McGann and Edgar J. Timothy and their assistants also provided invaluable help in identifying variations among the courts.

PREFACE

This is an in-office operations manual for personnel in the Superior Court Clerk's Office. It is a composite of procedures currently in use and it encompasses those procedures most frequently used by clerks. It should serve as a handy reference document for the inexperienced as well as the experienced clerk and should be particularly useful for training new clerical personnel.

The manual is useful insofar as procedures are kept current according to changes in statute or rule or by direction of the office of the Court Administrator. Any changes or additions to the manual will be made through that office.

This manual is a first step toward achieving uniform practices in the clerks' offices. It can be adapted to the user's needs and space has been provided for additional notations.

This manual consists of sub-divisions, referred to as handbooks, which correspond to major areas of responsibility of personnel within the Clerks' offices of the County Superior Courts. The Office Procedure Handbook deals primarily with maintenance of the civil and criminal records by clerk-typists and includes as well duties of counter clerks. The Courtroom

Procedure Handbook is a guide to responsibilities of clerks in the courtroom, including oaths, exhibits, and records of court action. In the Calendaring and Statistical Reporting Handbook are outlined the procedures for assigning matters to the various calendars and for maintaining statistics needed by the office of the State Court Administrator. (Since the State Judicial Information System (SJIS) and a new Criminal Scheduling Process were just getting underway at the printing of the manual, these sections are reserved.) Another handbook, Financial Matters, describes how monies are deposited and withdrawn, the accounts which are maintained and the reports which must be made. Although not all Superior Court Clerks perform tasks associated with naturalization, that procedure in brief has been included.

Each handbook includes a brief introduction, a list of exhibits (sample forms described in the procedure) and an index. A Glossary of Terms and General Index have been included at the end of the entire manual for quick reference. The description of procedures is presented in a format which can be easily followed. A sample and explanation of this format appears on the following page.

(Major Section Heading)
(Subsection Heading)

CASE REFERENCE NO. _____

SAMPLE FORMAT

(This space is provided for the clerk to insert an actual case docket number which best illustrates the procedure.)

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>(Topic heading)</p> <p>(The form column refers to the sample form provided.)</p> <p>(The form number is the official number appearing on the form.)</p>	<p>→ Ex. 1</p>	<p>S-183</p>	<p>Relevant statutes or rules are referenced for each step in the procedure.</p> <p>References to the Rhode Island General Laws appear as RIGLA; to the Rules of Civil Procedure as RCP; to the Superior Court Rules of Practice as RP; and to the Superior Court Rules of Criminal Procedure as RCrP.</p>	<p>(This column provides a detailed description of the procedure to be followed in completing each step of the process.)</p> <p>a.</p> <p>b.</p> <p>c.</p>	<p>(Relevant statements are included to more fully explain the procedure or process, to point up variations in procedures among courts and to present prescriptive statements.)</p>

INTRODUCTION
THE SUPERIOR COURT CLERKS OFFICE

The Rhode Island General Laws (RIGLA 8-4-4) authorize the existence of a Clerk of the Superior Court in the counties of Providence & Bristol, Newport, Washington and Kent. Appointed in January every fifth year (most recently in 1976) by the Governor with the advice and consent of the Senate, the clerks hold office until a successor is appointed and qualified (RIGLA 8-4-5). Before taking office, the clerk must post bond in an amount (between \$2000 and \$10,000) fixed by the General Treasurer (RIGLA 8-4-7).

Although each Clerk of the Superior Court may be authorized to appoint certain deputies and other assistants to assist in the performance of duties and responsibilities attributed to the position of Clerk, it is the Clerk who is ultimately accountable.

By statute, the Clerk is required to:

- ... attend sittings of the court (RIGLA 8-4-8)
- ... serve as keeper of the Seal of Court and of all books and papers (RIGLA 8-4-8)
- ... make fair entries and records of all proceedings, judgments, orders and decrees (RIGLA 8-4-8)
- ... furnish stationery as needed in fulfilling obligations of the court (RIGLA 8-4-8)
- ... maintain two indexes to every current book of records and judgments (RIGLA 8-4-10)
- ... perform all other things required by law or rules of court (RIGLA 8-4-8)

Court rules further require that the Clerk:

- ... be registrar of the court, having charge of all funds and things deposited in cases pending in the court (RCP 67(b))
- ... keep the office open (subject to law) for the purpose of

filing documents during business hours every day except Sundays and legal holidays (RCP 77 [a],[c]; RCrp 56)

- ... maintain a civil docket and the Record Book of Judgments with indices, and other books and records as required by law (RCP 79)

Skills required in the performance of the Clerk's duties include:

- ... a working knowledge of the law and rules of the Superior Court
- ... a working knowledge of modern office practices and procedures
- ... a working knowledge of record maintenance principles and practices
- ... ability to appoint, supervise and evaluate personnel within the office
- ...ability to deal with laymen, members of the bar and the judiciary in providing them with accurate and current information concerning the processing of all matters pending before the respective court.

Clerks of the Superior Court, with the approval of the Presiding Justice, may appoint one or more deputy clerks, who may discharge all of the duties of the Clerk appointing them (RIGLA 8-4-14). Titles such as Principal Deputy and First Deputy indicate a specific salary level (and often a principal area of responsibility) among deputy clerks. The Clerk of the Superior Court of Providence & Bristol may be authorized to appoint as many assistant clerks as necessary (RIGLA 8-4-17, 18). Assistant clerks are to perform duties as assigned by the Clerk or any deputy. Four general assistant clerks, appointed by the Presiding Justice, work as assigned in any county where there is need for additional assistance. These personnel are the only clerks who can travel from one county to another. Clerks in all counties may employ as many clerical assistants as required to attend to the copying, recording, indexing and other clerical business of the court (RIGLA 8-4-17, 8-4-19). Given the position title of clerk-typist, these individuals may not perform any in-court functions of the clerk, such as giving oaths or specifying the docket entries to be made.

The following pages are copies of job descriptions for three positions within the clerk's office, included to highlight the differing responsibilities accorded each.

CLASS TITLE: DEPUTY CLERK (SUPERIOR COURT)

CLASS DEFINITION:

GENERAL STATEMENT OF DUTIES: In the Superior Court of a specific county, as assigned, to discharge on behalf of the Clerk any of those duties and responsibilities required to be performed by the Clerk as prescribed by law, and by the rules promulgated in the Superior Court, for the regulation of practice, procedure, and conduct of civil and criminal actions before the Superior Court; and to do related work as required.

SUPERVISION RECEIVED: Works under the administrative direction of the Clerk and/or the First Deputy Clerk from whom general assignments are received; wide latitude for the exercise of independent judgment is afforded in the performance of duties, and work is subject to review for conformance to established rules and procedures.

SUPERVISION EXERCISED: Assists the Clerk in planning, organizing, and supervising the work of Assistant Clerks and clerical personnel.

ILLUSTRATIVE EXAMPLES OF WORK PERFORMED:

In the Superior Court of a specific county, as assigned, to discharge on behalf of the Clerk any of those duties and responsibilities required to be performed by the Clerk as prescribed by law, and of the rules promulgated in the Superior Court, for the regulation of practice, procedure, and conduct of civil and criminal actions before the Superior Court; and to do related work as required.

✓ To attend sittings of the court and keep required records of proceedings and make fair entries and records of all proceedings, judgments, orders and decrees therein.

To impanel jurors and administer the necessary oaths to jurors and witnesses participating in trials.

To receive, mark, file and retain exhibits introduced as evidence in proceedings.

In jury trials to take verdict from jury foreman, record it, and make it known to the court.

To assume responsibility of Clerk, when so directed and sign vouchers, checks of disbursement, and receive and duly record all other monies received by court in legal proceedings.

To prepare the calendar or docket for a particular day whenever assigned.

To swear in all declarations and petitions for naturalization and sign certificates of naturalization.

To assist attorneys, litigants, and the general public by providing them with sought information.

To do related work as required.

REQUIRED QUALIFICATIONS FOR APPOINTMENT:

KNOWLEDGES, SKILLS AND CAPACITIES: A thorough knowledge of the law and rules promulgated by the Superior Court for the regulation of practice, procedure, and conduct of civil and criminal actions; the ability to keep accurate and concise records of court proceedings; the ability to give assignments and instructions to subordinates and

direct the performance of their work; the ability to deal effectively with members of the Bar and laymen, and provide them with accurate and current information regarding the practice and procedure of all matters pending in the Superior Court; the ability to plan and direct the preparation of clear and accurate reports containing statistics of court findings and activities; the ability to supervise the maintenance of all court records and files; a thorough knowledge of the application of modern office practices and procedures; and related capacities and abilities.

EDUCATION AND EXPERIENCE:

Education: Such as may have been gained through: graduation from a college of recognized standing with a bachelor's degree in business administration, political science or any other appropriate discipline; and

Experience: Such as may have been gained through: considerable employment as an Assistant Clerk in the Superior Court or employment in the practice of law.

Or, any combination of education and experience that shall be substantially equivalent to the above education and experience.

July 1, 1967

CLASS TITLE: ASSISTANT CLERK (SUPERIOR COURT-PROVIDENCE AND BRISTOL COUNTIES)

CLASS DEFINITION:

GENERAL STATEMENT OF DUTIES: In the Superior Court for Providence and Bristol Counties, as assigned, and under the general supervision of the Clerk or any of his deputies to perform any of those duties and responsibilities required in the handling and processing of all legal transactions and trials; and to do related work as required.

SUPERVISION RECEIVED: Works under the general supervision of the Clerk or any of his deputies from whom specific assignments are received; work is reviewed in process and upon completion for accuracy and conformance to established rules and procedures.

SUPERVISION EXERCISED: May supervise clerical personnel assigned to assist on specific assignments.

ILLUSTRATIVE EXAMPLES OF WORK PERFORMED:

Under the general supervision of the Clerk, or any of his deputies, as assigned to perform any of the following:

To attend sittings of the court and administer oaths to jurors and witnesses before they testify before tribunal.

To receive, mark, file and retain all exhibits properly introduced as evidence in proceedings.

To keep required records of proceedings and make fair entries and records of all judgments, orders, and decrees therein.

To take verdict in jury trials from foreman, record it, and make it known to the court.

To prepare the calendar or docket for any given day.

To perform counter duty and receive all legal papers and processes pertaining to legal transactions within the court jurisdiction.

To assist members of the Bar and laymen by providing them with accurate and current information regarding the practice and procedure of any matter pending in the Superior Court.

To do related work as required.

REQUIRED QUALIFICATIONS FOR APPOINTMENT:

KNOWLEDGES, SKILLS AND CAPACITIES: A working knowledge of the law and of the rules promulgated in the Superior Court, for the regulation of practice, procedure, and conduct of civil and criminal actions before the Superior Court; the ability to keep accurate and concise records of court proceedings; a working knowledge of the principles and practices employed in record maintenance as they apply to court records; the ability to assign and supervise the work of clerical personnel assigned to assist; the ability to deal with laymen and members of the Bar and provide them with accurate and current information regarding the practice and procedure of all matters pending in the Superior Court; a working knowledge of modern office practices and procedures; the ability to assist in the preparation of clear and accurate reports containing statistics of court findings and activities; and related capacities and abilities.

EDUCATION AND EXPERIENCE:

Education: Such as may have been gained through: graduation from a college of recognized standing with a bachelor's degree in business administration, political science or any other appropriate discipline, and;

Experience: Such as may have been gained through: employment as an assistant clerk in one of the state's other tribunals or employment in a responsible position involving the administration of complex and difficult clerical and office procedures, and the interpretation and application of rules and regulations.

Or, any combination of education and experience that shall be substantially equivalent to the above education and experience.

July 1, 1967

CLASS DEFINITION:

GENERAL STATEMENT OF DUTIES: To perform typing work of a difficult and responsible nature requiring the exercise of independent judgment and involving a degree of final responsibility; to perform varied clerical work of a difficult and responsible nature requiring the exercise of independent judgment; and to do related work as required.

SUPERVISION RECEIVED: General instructions are received at the beginning of each new task, detailed instructions are received as to performance of unfamiliar tasks; work is subject to review for accuracy and completeness.

SUPERVISION EXERCISED: Generally none, but in some cases may supervise subordinates engaged in routine clerical or typing work.

ILLUSTRATIVE EXAMPLES OF WORK PERFORMED:

To type involved financial or statistical statements, reports, or other material from plain or rough copy requiring the application of independent judgment and involving a degree of final responsibility.

To perform varied clerical work of a difficult and responsible nature requiring the exercise of independent judgment.

To assemble material for and to type pay rolls, vouchers, purchase orders, bills, warrants, indices, and other forms requiring related judgments.

To set up and type tables and charts involving decisions as to best format.

To compose and type routine letters.

To transcribe from dictating machine records.

To cut stencils.

To assist in maintaining general office records which require posting, tabulating, and computing tasks.

To examine reports and records for accuracy and completeness of routine, easily verified information.

To secure information from specified sources and furnish it to the public and other employees.

To staple and assemble material for distribution.

To analyze and classify material for filing, and to maintain general office files.

To receive, stock, and distribute office supplies.

To serve as receptionist, directing callers to proper individuals, arranging appointments, and imparting general nontechnical information.

Occasionally, to operate other office appliances not requiring the services of a qualified operator.

To do related work as required.

REQUIRED QUALIFICATION FOR APPOINTMENT:

KNOWLEDGES, SKILLS AND CAPACITIES: A working knowledge of office practices, commercial arithmetic, and business English; a working knowledge of methods and procedures of filing; a reasonable speed and accuracy in typing complex or technical matter from plain or rough copy; the ability to understand readily and carry out complex oral and written directions; and related capacities and abilities.

EDUCATION AND EXPERIENCE:

Education: Such as may have been gained through: graduation from a senior high school, including or supplemented by courses in typing; and

Experience: Such as may have been gained through: employment in performing typing and office tasks of a varied nature.

Or, any combination of education and experience that shall be substantially equivalent to the above education and experience.

Revised
June 30, 1957

In the procedural sections which make up this manual an attempt has been made to specify the level of personnel which is to perform the task. Although not all levels of personnel may exist in each county, it can be understood that when the word clerk is used, any level of clerk (first or principal deputy or assistant) may undertake the task; when the task is to be performed only by the Clerk of the Superior Court, it will so be indicated by capitalizing the word "CLERK". When a task is mentioned as being performed by a clerk-typist, any of the clerical staff or any clerk may do it. Sometimes the procedure may be found in a different handbook than expected, since the person performing the function may differ in title (e.g., a courtroom clerk may perform the task completed by a counter clerk in another county). The index provided at the end of each handbook as well as at the end of the complete manual will assist in accessing the required information.

CASE REFERENCE NO. _____

Employee Information

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Payroll Information</p> <p>New Employees</p> <p>Time Sheets</p> <p>Pay Periods</p> <p>Incentive Program</p>				<p>Each newly hired state employee receives salary at the first step of a pay grade from the effective date of appointment. Each employee is placed on a six-month probationary period. After successful completion of the probationary period, salary is paid at the second step. Step increases are received annually starting one year from the first six-month period, until the top step in the pay grade is reached.</p> <p>Each employee is required to sign a time sheet for each working day.</p> <p>Payroll checks are issued on a biweekly basis (every other Friday).</p> <p>Personnel who successfully complete 4 courses which are job related and approved by the Presiding Justice of the Superior Court and the Administrative Office of the Courts are entitled to an incentive raise in salary, equal to one step increase.</p>	<p>If an employee is transferred to another location within the state or to another state agency the same salary base is retained.</p> <p>Time sheets are forwarded to the Administrative Office of the Courts each Friday. Time cards are prepared by that office for each employee.</p> <p>One point is awarded for each successfully completed course, to be applied to the 4 points necessary for an incentive raise. (See Attachment A.)</p> <p>Courses may be Adult Education courses offered by local towns, those offered by the State Division of Personnel, or courses at area colleges. Examples of job related courses include: psychology, state government, effective communications, business machines, business law, principles of supervision, etc.</p>

Employee Information

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Longevity Benefits				<p>Longevity benefits which result in increased salary are offered to permanent personnel as follows:</p> <p>7 yrs. service: 5% of wage 11 " " : 10% " " 15 " " : 15% " " 25 " " : 20% " "</p>	
Fringe Benefits				<p>All personnel holding permanent positions in the Superior Court Clerks' offices are entitled to the benefits offered to state employees.</p> <p>The section which follows is intended to summarize benefits provided to eligible state employees. Questions related to benefits should be directed to Beverly Clark at the Administrative Office of the Courts.</p>	<p>Excluded from benefits are</p> <ol style="list-style-type: none"> 1) part-time personnel under 20 hours per week. 2) personnel in a limited position lasting less than six months.
1. Group Life Insurance			RIGLA 36-12-6	<p>All permanent personnel may participate in the Group Life Insurance Plan at cost. The plan includes accidental death and dismemberment insurance and is cancellable at any time.</p>	<p>The cost is currently \$.25 per thousand dollars coverage.</p>
2. Health Insurance			RIGLA 36-12-2	<p>Permanent personnel may select either of two plans:</p> <ol style="list-style-type: none"> (1) Blue Cross/Blue Shield (2) Rhode Island Group Health Association Plan (RIGHA) 	<p>Cost information is obtainable from the Administrative Office of the Courts.</p>

CASE REFERENCE NO. _____

Employee Information

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
(1) Blue Cross/Blue Shield				Plan 100 includes major medical; covers 365 days hospitalization, full maternity benefits, diagnostic tests.	
(2) RIGIA				This is a Health Maintenance Organization which provides physicians' and hospital services to members who pay a membership fee on a monthly basis. THE RIGIA emphasizes preventive health care services usually not covered under traditional health insurance plans.	
3. State Retirement System			RIGIA 36-8	All state employees are <u>required</u> to join the state retirement system. Retirement is <u>mandatory</u> on the first of the month following the 70th (seventy) birthday.	Payroll deductions for retirement equal 5 percent of annual salary.
4. Credit Union			RIGIA 36-6-16	Permanent employees may request that payroll deductions to the Credit Union be made.	
5. Savings Bonds				Payroll deductions for savings bonds may be made on a voluntary basis.	
6. Annual Leave				Each permanent employee is entitled to 15 days of paid vacation time annually. After 10 years of service, an additional 2 days are given; after 20 years of service, an additional 5 days.	Vacation time accrues at the rate of four (4) hours per pay period. (See Attachment B.)

CASE REFERENCE NO. _____

Employee Information

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
7. Sick Leave				<p>All full time employees whether on a standard 35 or 40 hour work week or on a non-standard work week and part time employees who work at least 16 hours per week or whose schedule requires the performance of service to the state for some part of each working day of the official work schedule to which the class is assigned accrue .0577 hours for each hour of service during the bi-weekly pay period, to a maximum of the assigned hours in the work week for the position in which the employee is working.</p>	
8. Holiday Leave				<p>The following are paid holidays: New Year's Day Memorial Day (last Monday in May) Independence Day Victory Day (2nd Monday in August) Labor Day (1st Monday in September) Columbus Day (2nd Monday in October) Armistice Day (November 11th) Thanksgiving Day Election Day (state officers; every 2 years) Christmas Day</p>	
9. Military Leave				<p>Personnel entering the military are entitled to full pay for the first 60 days spent in the military; after that time, they are placed on a leave without pay status.</p>	

CASE REFERENCE NO. _____

Employee Information

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Military Training Leave				<p>Personnel in military training (e.g., for the National Guard) are entitled to 15 days at full pay; after that time they are placed on a leave without pay status.</p>	
10. Leave of Absence Without Pay				<p>An employee on leave of absence has the option to continue the Group Life and Health insurance plans for up to one year at the group rate.</p>	
11. Court/Jury Duty				<p>Personnel serving as jurors or witnesses receive full pay for time spent in court. Fees paid by the court to personnel for attendance as a juror or witness <u>must be returned to the state</u>. Personnel are entitled to keep any amounts paid for mileage reimbursement.</p>	<p>A check equal to the amount paid for services must be forwarded to the Administrative Office of the Courts.</p>

ATTACHMENT A

76-S 2759 Substitute "A"

Original Introduced by—
Senator Walsh

Ordered Printed by—
House of Representatives

Referred to—
Senate Committee on Finance

Date Printed—
May 21, 1976

State of Rhode Island and Providence Plantations

JANUARY SESSION, A. D. 1976

AN ACT Establishing Incentive Pay Plan for Court Clerks.

It is enacted by the General Assembly as follows:

Section 1. Title 8 of the general laws entitled "Courts and civil procedure — Courts" is hereby amended by adding thereto the following chapter:

"CHAPTER 8-4.1

"Court Clerks—Incentive Pay

"8-4.1-1. INCENTIVE PAY PLAN.—There is hereby established an incentive pay program in accordance with the provisions of this chapter offering financial compensation to clerks of the supreme, superior, family and district courts for furthering their education in the field of court administration or law enforcement.

"8-4.1-2. ELIGIBILITY FOR PLAN. — Any full time clerk of the supreme, superior, family or district court shall be eligible for the plan established by

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this chapter provided he accumulates the requisite degree as set forth in section 8-4.1-3.

"8-4.1-3. INCENTIVE STEPS. — Advancement to each of the incentive salary steps shall be based on the following accomplishments in either administration of justice or law enforcement, or a baccalaureate degree acceptable for admission to a law school accredited by the council of legal education of the American bar association.

Incentive Steps	Increase above Basic salary	Degree Required
1	10%	Associate Degree
2	16%	Baccalaureate Degree

"8-4.1-4. ELIGIBLE EDUCATION.—No credit shall be granted for any degree other than in the major concentration of court administration or law enforcement or a baccalaureate degree acceptable for admission to a law school accredited by the council of legal education of the American bar association and no credit shall be granted for degrees awarded prior to January 1, 1970.

"8-4.1-5. APPROPRIATION.—The state of Rhode Island shall bear the expense of incentive payments. The general assembly shall annually appropriate such sums as it may deem necessary to carry out the provisions of this chapter; and the controller is hereby authorized and directed to draw his orders upon the general treasurer for the payment of such sum or so much thereof as may be required from time to time, upon receipt by him of duly authenticated vouchers."

Sec. 2. This act shall take effect July 1, 1976.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

INTER-OFFICE MEMO

TO : Judicial Employees

DATE: July 2, 1976

DEPT :

FROM : Office of Court Administrator

DEPT :

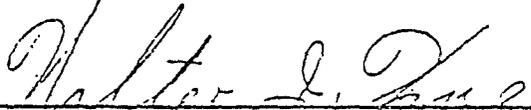
SUBJECT: Incentive Pay Plan for Court Clerks S-2759A

The recent session of the General Assembly passed S-2759A setting up a new salary incentive program for court clerks. This office is charged with the responsibility of administering the program.

Those personnel employed in the court system that feel they come within the provisions of the act for the education increment should present either the original or a certified copy of their Associate or Baccalaureate Degree that meets the requirements of the legislation. The Office of the State Court Administrator will then certify those eligible for the educational increment.

This office has received from the State Controller's Office an opinion that the educational increment is in lieu of the normal educational increment provided by the personnel rules of the State of Rhode Island.

The Office of the State Court Administrator will process the necessary papers for those meeting the requirements of the act to increase their base pay either 10 or 16 per cent depending upon their eligibility and they will receive the additional salary increment as part of their regular pay. The effective date will be the pay period beginning July 4. No papers will be processed until the administrator's office has received the necessary evidence of applicability from each employee who feels that he is eligible for the educational increment under the act.



Administrator (State Courts)

ATTACHMENT B

5.06 LEAVE REGULATIONS

5.061 Annual Leave

5.0611 Every employee shall be entitled to at least two successive weeks of vacation at some time during each calendar year of service. Appointing authorities shall endeavor to assign vacation leave among their employees with justice and equity. Vacation leave shall be accrued and discharged in terms of hours according to the following formula:

5.06111 The accrual rate of .0577 hours for each hour of state service includes credit for the two vacation days added in lieu of two holidays.

5.06112 All full time employees whether on a standard 35 or 40 hour work week or on a non-standard work week and part time employees who work at least 16 hours per week or whose schedule requires the performance of service to the state for some part of each working day of the official work schedule to which the class is assigned shall accrue .0577 hours for each hour of service during the bi-weekly pay period, to a maximum of the assigned hours in the work week for the position in which the employee is working.

5.06113 Delete - included in 5.06112

5.06114 Delete - included in 5.06112

5.0612 Employees with 10 years of service shall accrue additional vacation leave credits in the following manner:

5.06121 Employees with such service who are on a standard 35 or 40 hour work week or employees on a non-standard work week; and part time employees who work at least 16 hours a week or who work a part of each working day of the official work schedule to which the class is assigned shall accrue .0654 hours for each hour of service during the bi-weekly pay period, to a maximum of the assigned hours in the work week for the position in which the employee is working.

5.06122 Employees with 20 years of service shall accrue additional vacation leave credits in the following manner: Employees with such service who are on a standard 35 or 40 hour work week or employees on a non-standard work week; and part time employees who work at least 16 hours a week or who work a part of each working day of the official work schedule to which the class is assigned shall accrue .0847 hours for each hour of service during the bi-weekly pay period, to a maximum of the assigned hours in the work week for the position in which the employee is working.

5.06123 The end of the calendar year shall be considered the last day of the last biweekly pay period occurring in the year.

RHODE ISLAND SUPERIOR COURT
MANUAL OF COURT OPERATIONS

I. Office Procedure Handbook

National Center for State Courts

May 1978

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Office Procedure

Introduction

As the central records processing center for all court-related documents, it is important that the clerk's office maintain accurate records and process them in an efficient manner. All personnel within the office must follow well-defined and uniform procedures to ensure that proper entries are made and records are immediately accessible. As the number of staff within a Superior Court Clerk's Office increases, detailed procedures become ever more important; in the larger counties, tasks are more specialized and handled by one person to ensure uniformity of procedure. Several persons therefore perform functions undertaken by one person in Newport or Washington Counties. Variations in procedures and the level of personnel performing them among the Superior Courts are inevitable; this handbook is intended as a guide to at least one proper and efficient procedure.¹

One of the most important functions of a clerk, however, is one for which a prescribed set of procedural steps is impossible--that is, dealing

¹Cross-references to other handbooks are included for areas which may be handled by another person, such as a courtroom clerk or bookkeeper, in another county.

with the public. Litigants, attorneys, judges, the media and the general public all look to the Clerk as an important resource of information. The Clerk's office therefore plays an important role in the formation of public opinion as to the court system. Timely and friendly response to requests for assistance promotes a positive view of the public toward the courts. Even unusual requests and demands can be handled tactfully. A word of caution is necessary: responses should be limited to information (e.g., as to which form is required, or what a rule states) and must not be construed as legal advice. Particular care is necessary in dealing with pro se litigants and newly admitted attorneys. When questions arise as to the propriety of response by a clerk, suggest that the individual consult a judge. Another caveat is never to argue with individuals who insist that they are correct; for example, one who wishes to file an answer after default judgment has been entered or to file an appeal after expiration of time has the right to do so. The judge will decide the issue. The ease with which a clerk responds to requests will increase with experience.

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Office Procedure
Counterwork

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Opening Mail</u>				<p>Opening the mail can be a time-consuming activity, particularly in courts of high volume. It is important to open mail as early as possible before other court work intervenes.</p> <ol style="list-style-type: none"> a. Screen mail quickly; make certain documents have been filed in proper court. If <u>wrong county</u>; return to attorney. b. Hole-punch papers for case file. c. File-mark all papers. d. Separate papers into categories: Motions New Cases Miscellaneous Petitions/Probate Appeals Civil action filings Criminal Appeals e. Set aside all documents requiring closer attention, e.g., new cases, orders requiring signatures, case numbers missing, money received, requests for information, copies, etc. f. Separate civil papers by year and place in case number order; pull case files. g. Place case files in proper bin for further case processing. h. Work with documents set aside (step e above); see below for further instructions. <p style="text-align: center;">1.1</p>	<p>Each of these categories is treated separately in following sections.</p>

CASE REFERENCE NO. _____

Office Procedure
Counterwork

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Money deposited with the Court</u>			RCP 3	<p>Money is received through the mail and over the counter for:</p> <ol style="list-style-type: none"> 1) Civil action filing fees (\$10.) 2) Executions to issue (\$5.) 3) Appeal to Supreme Court filing fees (\$70.) 4) Certified/Exemplified Copies (\$.50/page/\$9. flat fee + \$1/page). 5) Photocopies (\$.50/page). <p>A document which requires a filing fee is not considered filed unless accompanied by the proper fee. Inform attorney that no action can take place until money has been paid.</p>	<p>See also "Collection of Fines and Costs." These matters are covered in detail below.</p> <p>Other papers which do not initiate a case, such as an answer or motion, may be file marked and returned to the attorney.</p>
Issue receipt	Ex. 1	--		<p>Some clerks offices have a receipt machine which contains an original and two copies of pre-numbered receipts. A receipt is completed for <u>any</u> money received by the court.</p> <ol style="list-style-type: none"> a. Prepare receipt, entering: cash, check, money order (✓), attorney's name (or payee), name of case; case number, amount paid, signature. b. Give original to payee. c. Attach cash/check to copy of receipt. d. Make additional notations: Civil action: enter receipt number in left-hand margin of complaint <u>and</u> case file label. 	<p>In Washington and Newport Counties, a receipt is always completed for cash bail; otherwise only on request.</p>

CASE REFERENCE NO. _____

Office Procedure
Counterwork

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Receipts, cont'd.				<p>Notice of Appeal: enter receipt number on notice.</p> <p>Execution: Add to list of executions ordered.</p> <p>e. Retain cash/check and receipt in cash drawer to be picked up and recorded by hookkeeper.</p> <p>f. At end of day, remove receipt copies from machine; staple and retain in chronological file by month.</p> <p>g. Make certain all money is locked in secure place when office is closed.</p>	<p>In Providence, the courtroom clerk is responsible for making out executions; clerk typists make docket entry "<u>date</u>, execution issued."</p>
Voiding receipt				<p>a. If receipt is in error, mark "Void" on all three copies; briefly explain why voided, and staple together.</p> <p>b. Place in chronological file.</p>	

CASE REFERENCE NO. _____

Office Procedure
Counterwork

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Case File Withdrawn from Office				<p>Only the judge, courtroom clerk and court stenographer should have any reason to withdraw case files from the office. Attorneys are welcome to review case files at the counter, but <u>may not</u> remove them from the office.</p> <p>a. Prepare "Out" folder, entering case number and title, date file borrowed; have borrower sign.</p> <p>b. Prepare empty case folder with same case number; place "Out" folder and "dummy" case file in case number order.</p> <p>c. Upon return of case file, cross off name on "Out" folder and remove dummy folder.</p>	In Newport, a sign-out book is maintained.
<u>Requests for Assistance</u> 1. Notarial Certificates	Ex. 2	S-168	R16LA 42-30-14	<p>a. Check list of notaries public from Secretary of State to make certain person's name appears.</p> <p>b. Collect \$1.00 fee; issue receipt on request.</p> <p>c. Complete form; enter your signature in two places.</p> <p>d. Staple to document with notary's signature.</p> <p>e. Affix seal to certificate and to document.</p>	
2. Deputy Sheriff Certificates	Ex. 3	--		<p>This form must accompany deputy sheriffs who are sent out of state to execute duties.</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
3. Search of Records For action against specified party	Ex. 4	--		<ul style="list-style-type: none"> a. Collect \$1.00 fee; issue receipt on request. b. Complete form, entering your signature in two places. c. Affix court seal to certificate. a. Check index card files, and docket index for name of party. b. If no action taken or pending against party, complete Certificate as to Search of Records. Enter date, name of party(ies). c. Affix seal of court and enter your signature (Deputy or Clerk). 	
6 years no action (release of attachment)	Ex. 5	--		<p>This certificate is necessary for the requestor to bring to the Town (City) Hall for release of attachment on property.</p> <ul style="list-style-type: none"> a. Check index card file by names of parties for case number. b. Pull docket sheet and case file to determine whether no action has occurred for more than six years to present date. c. If no action, complete certificate and issue to requestor. 	<p>Practice in Providence is to accompany certificate with certified copy of judgment and docket sheet as back-up.</p>

Office Procedure
Counterwork

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
4. Request for Records				<p>Occasionally an individual may request a case file which has already been sent for storage at either the Records Center, 4th floor, Supreme Court Building or at the Veteran's Memorial Building at 83 Park St. All records prior to flat filing are stored in the Veteran's Building.</p> <p>a. Request case number and case name.</p> <p>b. Maintain list of cases ordered, entering: case number case name date ordered date received requestor's name and address documents to be copied and sent to requestor</p> <p>c. Call appropriate Records Center to request record.</p> <p>d. Upon receipt, notify requestor or send papers and enter date on list.</p> <p>e. Return case file to Records Center.</p>	<p>Inactive cases may from time to time be transferred to the Records Center (RP 3.6), their staff will come once a year to a court, upon notification that storage space is lacking at the court. Staff of the Records Center will package the files. Flat filing was instituted Jan. 1, 1966 (RP 3.7).</p> <p><i>This is procedure in Newport.</i></p> <p>at Supreme Court (401) 277-3249 at Veteran's Memorial (401) 277-2283</p>

CASE REFERENCE NO. _____

Office Procedure
Counterwork

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Case numbers missing				a. Check alphabetical index card by names of parties and enter number on document. b. If case has not been entered in the court, return document to attorney.	An answer may be filed in court prior to the filing of a civil action complaint. Do not hold on to paper; file-mark and return.

Office Procedure
Clerical Procedures

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Change of Venue Ordered</u>				<p>A case may be ordered to be transferred to be wholly tried in another division of the Superior Court. When the entire case has been transferred, that case becomes part of the other county's record and is assigned a new number.</p> <p>a. Enter order for change of venue on docket/face/sheets.</p> <p>b. Gather together case file, docket sheet, depositions, exhibits.</p> <p>c. Enter on docket face sheet: date and contents of transfer of case to (name Court); make similar entry to index card.</p> <p>d. Make copy of order for change of venue and docket sheet and retain in case file.</p>	<p>See RIGLA 9-4-2(-6) concerning venue.</p> <p>E.g., Jones, J. Order entered: Request for change of venue 78-1 to Kent County is granted.</p> <p>E.g., 1-9-78 transferred to Kent County as ordered.</p> <p>In Newport, a list of change of venue/transferred cases is maintained, listing: Date, case number, case title, court to which sent. When a case is returned, it is then crossed off the list.</p>
Case Transferred for Hearing				<p>Cases which are transferred <u>for hearing only</u> retain the original case file number of the county in which the case was filed.</p> <p>a. Prepare "dummy" case folder and place in case number order in pending file.</p> <p>b. Maintain a list of case files sent out for hearing: date sent, date of hearing, court in receipt of file.</p> <p>c. Follow-up if case file is not returned promptly.</p> <p style="text-align: center;">1.B</p>	<p>A "tickler" system of index cards by County Superior Court is very helpful.</p>

CASE REFERENCE NO. _____

Office Procedure
Clerical Procedures

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Depositions</u>				Upon receipt of deposition from court stenographer: a. File-mark. b. Pull case file and docket page. c. Enter on docket/face sheets: date, "deposition of (name) received." d. File deposition in storage area in case-number order. e. Return case file.	Enter a document page number (the number which denotes its placement in the case folder) in the column at left on the docket sheet only if the deposition is to remain in the case file. If no number appears it is assumed that the deposition is filed in the case-number ordered deposition file in the storage area.
Transcripts				Upon receipt of transcript from attorney: a. File-mark. b. Pull case file and docket page. c. Enter on docket/face sheets: date, "transcript filed." d. See procedure below, "Notice of Appeal to Supreme Court."	

CASE REFERENCE NO. _____

Office Procedure
Clerical Procedures

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Certified Copy</u>				<p>Upon request for certified copy:</p> <ul style="list-style-type: none"> a. Collect and record fee. b. Photocopy requested document if copy is to be certified is not presented. c. Stamp "A true Copy--Attest" on document. d. Obtain signature of <u>CLERK</u>. e. Affix seal of court. f. Give to requestor. 	<p>The present fee is \$.50 per page if individual presents copy to be certified; \$1.00 per page if copy is made in the Clerk's Office.</p>

Office Procedure
Clerical Procedures

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Exemplified Copy	Ex. 6 Ex. 7	S-183 S-185		<p>The most common reason for requesting an exemplified copy is for collection on an execution from a defendant who is outside the state of Rhode Island. Any papers which are to be sent out of state <u>must</u> be exemplified to be official.</p> <ol style="list-style-type: none"> a. Collect and record fee. b. Make photocopy of: Judgment Docket sheet and any other papers requested. c. Stamp on bottom of each copy: "A True Copy, Attest" Have <u>CLERK</u> sign. d. Prepare forms "Clerk's Statement and Judge's Statement" for signature of Presiding Justice and Superior Court Clerk. Obtain signatures. e. Affix seal of court on each page. f. Arrange papers in order with Judge's statement on top, followed by Clerk's statement, then documents. Bind papers to backing with eyelets, run ribbon through eyelets, bringing ribbon end down left side. Affix gold seal on ribbons and imprint with state seal. g. Give to requestor. 	<p>Flat fee \$9.00 Each copy \$1.00</p> <p>A sample should be kept on hand for reference.</p>

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>New cases</u>				<p>The filing fee for the entry of a civil action must be paid for the case to be processed.</p> <p>a. Determine whether the complaint is a: civil action miscellaneous petition probate appeal.</p> <p>b. Assign the appropriate case number.</p> <p>c. Complete receipt. Enter receipt number in left margin of complaint.</p> <p>d. Place document in pre-numbered case file and place in appropriate bin for new case processing.</p>	<p>Clerks should inform party that \$10 fee should be paid, but cannot refuse to file the document if fee is not paid. See "Civil Action Document."</p> <p>See individual sections below.</p> <p>New case folders should be prepared ahead of time and placed in numerical sequence so that the next empty folder indicates immediately the next case number to be assigned.</p> <p>See "Money deposited with Court."</p> <p>See next page.</p>

Office Procedure
Civil Records

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
New Case File Preparation				<p>In a court of high volume it is especially important to prepare new case file folders ahead of time in anticipation of new cases to be entered each day. If this is done, a case file number can be assigned immediately and the case file number entered on the receipt for the entry filing fee.</p> <p>a. Stamp empty case file folder with the case number. The case file number consists of the last two digits of the year (e.g., 1978-78-) and the next consecutive number following the last case filed. e.g., 78-132.</p> <p>b. Stamp the following with the same case number and place inside case file folder: Notice to Attorney postcard, Filecards - Form S-178 (1, 1A), Docket Sheet, Face Sheet Blank case title label.</p> <p style="text-align: center;">1.13</p>	<p>In Providence this is the task of the receptionist.</p> <p style="text-align: right;">5/78</p>

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Entry of New Case	Ex. 8	S-135		<p>The civil records section receives the prepared case file and first documents received in the case (for civil action, usually the complaint and/or summons).</p> <p>a. Prepare label for outside of case file, entering: Name of case, Receipt number (from left margin of complaint).</p> <p>b. Fill in postcard notifying of case file number and mail to <u>plaintiff's</u> attorney (take address from complaint).</p> <p>c. Complete index file cards: Plaintiff index: <u>Plaintiff v. Defendant</u> (S-178 I) case file number. Defendant index: <u>Defendant v. Plaintiff</u> (S-178 IA) case file number. File in alphabetical order in proper index.</p> <p>d. Enter headings on docket/face sheets, placing a carbon between them and using <u>face</u> sheet as original: Name of case, Attorney names.</p> <p>e. Make first entry on face/docket sheets: (your initials), document page number "1", date, "complaint filed."</p>	<p>In Newport the address and phone number of the attorneys are also entered on the docket sheet for reference.</p> <p>As documents are placed in the case folder, each is assigned the next sequential number to indicate its location in the folder. (Referred to here as the document page number.)</p>

Civil Action Document
Reference List

Upon receipt, FILE-MARK all documents!

Complaint (or Summons* and Complaint)--*See Exhibit 8
Entry fee \$10 (RIGLA 9-29-18, 9-4-7; RCP 3)
Jurisdiction of Superior Court \$5000 or more
To be filed in county court shown on Summons
If summons filed first, complaint to follow within 10 days
of date of service on Summons; if not timely, however,
accept and file-mark.
Enter date of service on summons in docket (for later
reference in case of default).

Counterclaims/Answers/Other Pleadings
File-mark
Docket entry
If no case number, check index;
if complaint not yet filed, file-mark document;
return to party

Application for Default/Default Judgment
See "Default Judgment"

Motions, see "Motions."

Judgment, see "Entry of Judgment"
Judgment forms completed by courtroom clerk

Debt on Judgment
Complaint & Summons (previous case), Writ of Attachment filed
A debt on judgment case is one in which, in a case previously
before this or any other court, a judgment was obtained and an
execution was returned unsatisfied. No hearing is necessary on
the writ of attachment.
Process as for new case.

Writ of Replevin
Civil Action number assigned
\$10 Entry fee

Executions
See "Executions"

Orders - See RCP 77(f)
A clerk may sign orders submitted as result of motion calendar if:
order states copy sent to other parties
only 1 order filed; agrees with docket entry
no objection filed within 4 days from filing date.
then: enter signature to enter Order.

Special Attention Civil Action Cases

1. Writ of Mandamus: now CA complaint
2. Partition; CA complaint
Enter Order of Notice*
once/week for 2 successive weeks
3. Petition to Remove Cloud of Title:
CA complaint
Enter Order of Notice*
once/week for 2 successive weeks
Return day: 20 days from second appearance of ad
4. Zoning: now CA complaint

* See "Publication by Newspaper."

Civil Action/Miscellaneous Petition

Reference List

There is no magic way to determine whether an action filed by a party is to be a civil action or a miscellaneous petition. An attorney's indication of a C.A. number may not always be accurate. The list which follows, based on actual cases entered at Providence/Bristol, is intended only as a guide. An experienced clerk will be the best source for new clerks.

Civil Action

All former equity matters
Writ of Mandamus
Partition
Cloud on title
Zoning

Miscellaneous Petitions

Condemnation
To compel arbitration
To confirm compromise
Receiverships
Dissolution of corporations
Writ of Habeas Corpus (criminal)
Mechanics Lien
To end partnership
For extended investment powers
Forfeiture and sale of motor vehicle
Writ of Ne Exeat
Disposal of Property
To appoint trustee
Forfeiture of charter/appeal
Foreclosure/tax liens
N.B. the \$25 deposit once required to be filed with Clerk to cover cost of proceedings has been waived.

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Miscellaneous Petitions</u></p> <p>Case Processing</p>				<p>a. Assign next consecutive miscellaneous petition number MP (<u>number</u>)</p> <p>b. Prepare case file.</p> <p>c. Prepare index cards, as for C.A. case.</p> <p>d. Enter in Miscellaneous Petition docket: all documents filed and issued (except motions).</p> <p>Examples of types of Miscellaneous Petitions and steps required by clerk follow.</p>	<p>Notice of M.P. # is not sent.</p> <p>On receiverships, prepare additional card by last name of corporation in receivership.</p> <p>See also "Publication by Newspaper" and "Citation," below.</p>
<p>Arbitration</p>				<p>a. Assign MP number.</p> <p>b. File; entries to Miscellaneous Petition Docket.</p>	
<p>Dissolution of Non-Business Corporation</p>				<p>a. Assign MP number.</p> <p>b. File and docket.</p> <p>c. Enter order of notice for one publication in newspaper showing return date for hearing.</p> <p>d. Certify as to date of appearance of ad.</p> <p>e. Notify Secretary of State as to dissolution.</p>	

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Forfeiture of Charter and Appeal From			RIGLA 7-6-16, 17	Papers filed must be signed by Attorney General. a. Assign MP number. b. File; docket. c. Prepare final decree at direction of court. d. Send attested copy of final decree to Secretary of State.	
Habeas Corpus, Writ of				a. Assign MP number. b. File; docket. c. Issue writ to sheriff for service.	See "Fugitive from Justice."
Mechanics' Lien			RIGLA 34-28-14 34-28-1b RCP 4g	a. Assign MP number. b. File; docket. c. <u>Forthwith</u> , publicize once/week for 3 successive weeks in town where property located. d. <u>Forthwith</u> , issue Citation to each person named in petition. e. Issue to sheriff for service.	

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Receiverships				a. Assign MP number. b. File; docket. c. Issue Citation. d. Enter Order of Notice, setting return day not more than 21 days from commencement of action. e. Readvertise upon decree appointing permanent receiver.	
Tax Liens, Foreclosure of			RIGLA 44-9-25	a. Assign MP number. b. File; docket. c. Enter Order of Notice, 3 successive weeks.	
Condemnation				On proceedings re: redevelopment, 2 copies of Order of Notice are filed. On those concerning the Director of Public Works, 3 copies of the Petition/Order of Notice are filed. a. Assign MP number. b. Stamp all copies of above "true copy attest." c. Return copies to attorney. d. Make publication as required.	

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Condemnation, cont'd.				e. If deposit made, make certain of proper name of project before transferring to bookkeeper.	
Citations	Ex. 9	--		<p>A Citation summons an individual to appear before the court at a specified time. It must be issued in certain M.P. cases, such as in receivership, mechanics' liens and tax liens. It can issue only upon signature of the judge on the Order or Application.</p> <p>a. Check for judge's signature.</p> <p>b. Prepare citation; enter signature of clerk.</p> <p>c. Transmit to attorney for service.</p> <p>d. Enter in docket date of issuance; later, enter return of service date.</p>	
Publication by Newspaper				<p>A signed Order of Notice is a prerequisite to publication of the Order in a newspaper. The order specifies when and how often the advertisement is to appear.</p> <p>It is helpful to maintain a list of all newspapers in the county for quick reference. When there is a newspaper in the town in which the respondent resides, publication should be made in that paper; if not, publication must be made in the same county in which the action has been brought. The order often states in which paper publication is to be made.</p> <p style="text-align: center;">I.22</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Publication by Newspaper, cont'd.				<p>a. Refer to Order of Notice to determine when and where publication is to be made.</p> <p>b. Make copy of Order; note on order "Copy mailed to (newspaper) date."</p> <p>c. Send copy of Order and letter indicating dates to be published and to whom bill is to be sent (attorney). Be sure to allow sufficient time for newspaper to receive ad (four to five days after filing).</p> <p>d. After publication, get copy of ad and certify as to its publication on the specified dates; file in case file.</p>	<p>Ask attorney whether galley sheets are required, and how many.</p> <p>A larger newspaper with which the court often deals may be willing to send copies of the ad directly to the court so that the clerk need not buy the paper and cut out each ad.</p>

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Probate Appeals Case Processing</p>				<p>a. Assign next consecutive probate appeal number: PA (number).</p> <p>b. Prepare case file and index cards as for civil action.</p> <p>c. Make all entries in Probate Appeal docket.</p>	
<p>Documents Filed</p>			<p>RIGLA 33-23-1</p>	<p>Within 50 days after entry of order or decree in Probate Court, appellant to file: Copy of probate record Reasons of appeal</p>	<p>Beyond 50 days, appellant petitions Supreme Court for leave to file belated appeal. Similar cases may be consolidated under RIGLA 33-23-17.</p>
				<p>a. Issue citations to adversary parties who entered appearance in Probate Court.</p>	<p>Attorneys notify civil assignment office when case is ready for hearing.</p>
			<p>RIGLA 33-23-13</p>	<p>b. If discontinuance, send certificate or copy of decree to Probate Court.</p>	
				<p>c. If additional citations are requested, issue only if may be served not less than 14 days before return day.</p>	
			<p>33-23-19</p>	<p>d. Send copy of Final Decree to Probate Court.</p>	

CASE REFERENCE NO. _____

Office Procedure
Civil Records

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Docket/Face Sheet Entries</u></p> <p>General</p>	<p>Ex. 10</p>		<p>RCP 79</p>	<p>Maintaining a docket for all civil action cases is a statutory requirement; however, no written standards for content are provided as a guide. The docket should serve as a complete summary of the papers filed as required by law in the action and of all court activity and activity of counsel having a bearing on the case.</p> <p>Docket sheets are placed in a looseleaf binder; the face sheet, which contains duplicate information, remains with the case file.</p> <p>Docket entries may be entered at various times during the day for:</p> <ol style="list-style-type: none"> 1) filings of documents received through the mail and over the counter. 2) entries of judgments, orders. 3) court action on hearings. 4) court action on trials (generally entered at conclusion of trial): <p>N.B.: Always check case name and number before making entries to make certain proper case file has been pulled.</p> <ol style="list-style-type: none"> a. Complete heading information for each page enter page number at top right. b. Number each document as it is received to indicate its order in the case file; enter this number in column (no.) at left. c. Enter your initials at left in "No." column whenever you make an entry. <p style="text-align: center;">1.25</p>	<p>Clerical staff (clerk typists) type in the entries; in Providence, initials are placed beside the entry made in case questions later arise. Docket entries on court action are prepared by courtroom clerks and typed by clerical staff.</p> <p>Docket entries should be typed; the face sheet should be the original and the docket sheet the carbon copy. As an original, the face sheet will be more easily read by the judge.</p> <p>Headings should reflect change in counsel if original counsel has withdrawn. A deposition or exhibit is <u>not</u> given a number unless it is included in case file. This speeds access to certain documents by judges and clerks.</p> <p>Not a requirement in Newport.</p>

CONTINUED

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Court Action/Hearings				<p>These entries are prepared by the courtroom clerks for the motion and formal/special cause calendars. The case file and entries are returned to the civil records section after the court session for docket entries to be made.</p> <p>Type these entries as given; if a question, ask courtroom clerk.</p> <p>In general, entries will list: case name, number, name of judge, what was heard, action of court, storage place of exhibits, depositions, courtroom clerk's signature.</p>	<p>For specific samples of entries may be found in sections Courtroom Procedure, "Formal/Special Cause" and "Motion Calendars."</p>
Court Action/Trials				<p>Courtroom clerks retain case file and docket entries until trial has been concluded. An entry should be made for each day that the case was heard.</p> <p>Type entries as given; ask courtroom clerk if you have questions.</p> <p>In general, entries will list: case name, number, dates trial begins, continues and concludes, name of judge, outcome of case, storage place of exhibits, transcripts, depositions,</p> <p style="text-align: center;">1.27</p>	

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Court Action/Trials, cont'd.				courtroom clerk's signature. If a judgment, you must add: judgment book and page number.	See "Entry of Judgment."

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Motions</u></p> <p>1) Motion Calendar Matters</p>				<p>File-marked motions are first divided into two categories:</p> <ol style="list-style-type: none"> 1) Motion Calendar 2) Formal/Jury Matters <p>These motions may be either</p> <ol style="list-style-type: none"> 1) entered under rule of court or 2) added to motion calendar. 	<p>In the smaller counties, motions are assigned to the monthly motion day. Formal/special cause matters will be heard on the Miscellaneous Calendar.</p>
<p>Motions</p>				<p>a. Separate into above two categories.</p> <ol style="list-style-type: none"> 1) <u>Read</u> motion; the motion title does not always describe accurately. 2) Make sure it <u>is</u> a motion and not an order to be entered. 	<p>See "Motion Calendar Reference List" for motions to be automatically placed on calendar.</p> <p>A motion to compel answers to interrogatories and a motion for an order compelling answers to interrogatories are: "Entered under Rule of Court."</p> <p>The words "if objection be filed" may be a <u>hint</u> that motion is to be entered under rule of court. But check with reference page [or RCP 7(b)] to make certain.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Automatically on Calendar Motions				<ul style="list-style-type: none"> a. Place in order by hearing date requested. b. Place on "Motion Calendar," entering: case number, parties, attorney names if known. c. Place check mark at top of motion to show entry to calendar has been made. 	
Motions to Dismiss				<p>This is the only motion in this group which requires that a docket (face) sheet entry be made. Keep these in a separate pile so that case file can be pulled and entry made.</p>	
Multiple-Case Motions				<p>Occasionally an attorney will file one document which contains a list of cases for which the same motion is requested. One copy of the motion is required for each case number listed.</p> <ul style="list-style-type: none"> a. If copies not included, make one copy for each case number. b. Circle one case number on each copy. c. Follow procedure above, according to placement on calendar or entry under rule of court. 	<p>Remind attorney, where possible, to include duplicate copies.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Continuous - Non-Jury</p> <p>Formal/Special Cause</p> <p>Motions to Attach</p>				<p>d. Place page number of calendar entry at top of motion.</p> <p>e. Place papers in stack to be returned to case file.</p> <p>See procedure above for Continuous - Jury. Make entries to "Continucus - Non-Jury Calendar."</p> <p>When this category is checked off, a judge's signature and a date for hearing must appear on the form. If not: return form to attorney. Motions to Attach are included in this category. See below.</p> <p>a. Make certain date for hearing is a court day.</p> <p>b. Place motions in order by hearing date.</p> <p>c. Place on Formal/Special Cause Calendar," entering case number, case name, attorney names.</p> <p>d. Place check mark (✓) at top of motion to show entry to calendar has been made.</p> <p>e. Place all other motions in pile to be returned to case file.</p> <p>This motion requires that docket (face) sheet entries be made. Retain in separate pile so that case files are pulled and the proper entry made.</p> <p style="text-align: center;">1.33</p>	<p>This will be used for reference if an objection to the motion is later filed.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Woonsocket Calendar				<p>Sessions are held here during only two months of the year (e.g., in 1978, March and October).</p> <ul style="list-style-type: none">a. Make sure date requested is a court date.b. Add to "Woonsocket Calendar (case number, case name, attorney names).c. Place check mark at top of motion to show entry to calendar has been made.	

Motion Calendar Reference List

Set down automatically on motion calendar:

Motions to: Dismiss*
Produce
Strike
Quash
Substitute (party/parties)
Default
Protective Order
Entry of Judgment
Summary Judgment**
Withdraw (Attorney to Withdraw)
Vacate or Intervene

Time: Must be filed six (6) days prior to time specified for hearing.

* Motion to Dismiss - requires case file to be pulled for docket (face) sheet entry

** Motion for Summary Judgment: must be filed ten (10) days prior to hearing date.

Objections: An objection to any motion must be filed three (3) days prior to hearing date.

N.B. A Motion to Attach is assigned to the Formal/Special Cause Calendar.

Motions entered under Rule of Court, unless objection filed (R C P 7(b))

Motions to: Assign (continuous jury and non-jury)
Consolidate
Enlarge time (R. 6(b)(2))
Leave to serve third-party complaints (R. 1
Amend pleadings (R. 15)
Order physical or mental examination (R. 35
Compel more responsive answers to interrogatories (R. 37(a))
Compel answers to interrogatories (R. 37(a))

Time: Must be filed six (6) days prior to time specified for hearing.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Objections to Motions				<p>Objections to motions must be filed within three (3) days of the date requested for hearing on the motion calendar. In computing time, the day of the hearing is counted as day 3 and the date of the file-mark is day 1.</p> <p>Case folders are pulled for reference to the motion being objected to in order to determine whether the case now needs to be added to the motion calendar.</p> <p>a. Make certain proper case folder has been pulled. Check names and number.</p> <p>b. Check to make sure document is indeed an objection; titles can be misleading. (It may, for example, be an objection to an affidavit which requires a docket entry rather than a motion calendar entry.)</p> <p>c. Determine motion in file to which objection corresponds to access hearing date and determine whether motion has been set for hearing. If motion is not in file add objection to hearing calendar (see below).</p> <p>d. Check that objection is <u>timely</u> - i.e., within 3 days of hearing. Day 1 - date of file-mark Day 3 - date of hearing If objection <u>untimely</u>: Stamp on objection "Filed too late - is not timely" and place in case file (take no further action).</p>	<p>An "objection" which lists no date for hearing is likely to be a document which requires a docket entry and not an objection to a motion.</p> <p>Wherever there is a question, it is preferable to make the entry to the calendar rather than simply filing the document in the case file.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>"Entered Under Rule of Court" Motions</p> <p>Motions already entered on</p>				<p>e. Make certain date requested is a motion day. If <u>not</u>, return to attorney.</p> <p>If a timely objection has been received, the case must be added to the motion calendar.</p> <p>a. Use block-out stamp to obliterate "Entered under rule of Court" stamp.</p> <p>b. Add to motion calendar for date indicated on original motion.</p> <p>When a page number appears at the top of the motion, locate that page in the appropriate calendar (continuous-jury/ non-jury).</p> <p>a. Locate case number on page.</p> <p>b. Line-out; write "objection filed, date."</p> <p>c. Make new entry to motion calendar.</p> <p>When a check-mark appears at the top of the motion it indicates that the case has already been added to the motion calendar. Place a check-mark on the objection and place it in the case file.</p>	<p>If the corresponding motion does not appear to be in the case file, assign calendar date indicated on objection.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Default Judgments</u></p> <p>Affidavit and Request for entry of Judgment</p>	Ex. 13	S-203		<p>A defendant who fails to answer within 20 days of service of the civil action complaint may be defaulted for not answering upon application by the plaintiff's attorney and upon certain other filings and conditions. A clerk or designee can enter default if the conditions below are met:</p> <p>Upon receipt of application for entry of default and affidavit:</p> <p>a. File-mark documents and pull case file.</p> <p>b. Has defendant filed an answer? If so: stop; no further action may be taken. No? Continue below. If there are multiple defendants, default may be entered only against defendant who has <u>not</u> answered.</p>	
<p>Entry of Default</p>	Ex. 11	S-135		<p>c. Is there proof of service in the file? Have 20 full days elapsed since service? If yes to both: continue.</p> <p>d. Have documents been notarized? Does attorney's <u>signature</u> (not typed name) appear?</p> <p>If the above requirements are fulfilled, the Clerk may now enter <u>default</u>; however, additional review of the claim is necessary before the clerk may enter a default <u>judgment</u>.</p> <p style="text-align: center;">1.38</p>	<p>"See Default Judgment," below.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Entry of Default Judgment				<p><u>default</u> as to the defendant, but <u>default judgment</u> must be entered by the court. If for a sum certain: continue below:</p> <p>b. Enter your signature in appropriate place on form.</p> <p>c. Insert all papers in case file and transfer to civil records for docket/face entry.</p> <p>d. Enter copy of default judgment in judgment book, See "Entry of Judgment."</p> <p>e. Enter on docket/face sheet: Default judgment entered by (clerk) for the (plaintiff) in the amount of \$_____ plus (interest) plus \$ (costs). Book No., page .</p>	
Answer filed by defendant after Default Judgment				<p>a. File-mark and enter on docket/face sheets "Answer filed out of time."</p> <p>b. Notify the plaintiff's attorney that an answer has been filed out of time.</p> <p>c. Notify defendant's attorney that he must make proper motions to remove default judgment</p> <p style="text-align: center;">1.40</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Entry of Judgment</u>	Ex. 14	S-202		<p>A copy of any judgment, i.e., a judgment on verdict, on decision, by default, etc. must be entered in a book kept for that purpose. The book serves as a quick reference to the judgment when the case file is not immediately available.</p> <p>The judgment book is actually a ring binder in which are entered one hundred judgments. Each binder is assigned a book number and each judgment receives a page number which is the next consecutive number, assigned in the order in which judgment is entered.</p> <ol style="list-style-type: none"> a. Determine book and page number in which copy of judgment is to be entered. b. Enter book and page number on judgment. c. Photocopy the judgment. d. Insert copy in judgment book; return original to case file. e. Make entry to docket/face sheet, including Name of judge, Judgment entered (state judgment), Book #, page. <p style="text-align: center;">1.41</p>	<p>A stipulation or agreement is <u>not</u> a judgment and is <u>not</u> to be entered in this book.</p> <p>This is procedure for Providence. Kent County maintains the Judgment Book by <u>year</u>. Other counties do not enter book and page number on judgment.</p> <p>To keep track of the last book/page number assigned, maintain a list of numbers 1 through 100 for each book and cross off the number once it has been used.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Notice of Appeal to Supreme Court</u></p> <p>Notice</p>	<p>Ex. 15</p>	<p>--</p>		<p>The Notice of Appeal from judgment or decision of the Superior Court must be filed within 20 days after the date of entry of judgment. If the 20th day falls on a Sunday, the allowable time is extended to Monday.</p> <p>No action may proceed on the Notice of Appeal unless it is accompanied by the \$70 fee. If the appellant claims to have insufficient funds to pay the fee, inform individual that he must confer with the judge for leave to file the notice of appeal without payment.</p> <p>Upon receipt of timely Notice of Appeal and fee (or authorization not to pay):</p> <ol style="list-style-type: none"> a. File-mark Notice; prepare receipt, give original to appellant. b. Enter receipt number on Notice. c. Screen Notice for proper completion. Is a transcript needed? If no mention of transcript, check with attorney. <p>Attorneys are responsible for ordering transcript and for prepayment of estimated</p> <p style="text-align: center;">1.42</p>	<p>If the Notice is not timely, or if fee does not accompany Notice, contact attorney and inform of proper procedure. (A courtesy only)</p> <p>The official Notice of Appeal form has a box to check for whether a transcript is needed; attorneys using a different form may forget to mention the transcript, which must be ordered within 10 days from the notice.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Notice, cont'd.				<p>cost, paid through the office of the Superior Court Administrator. The attorney brings the transcript to the court upon its completion.</p> <p>d. Mail copy of Notice to each attorney of record.</p> <p>e. Enter in docket: date Notice filed "Notice of Appeal filed by <u>plaintiff</u> (defendant) and copy of notice mailed to _____ (Transcript ordered.)"</p> <p>f. If transcript is not needed, <u>or</u> when transcript has been filed with Court: Gather together all case papers, including depositions, exhibits and transcripts for transfer to Supreme Court.</p> <p>g. Enter on docket/face sheets: date certified to Supreme Court--"All papers, including transcripts and exhibits transmitted to the Clerk of the Supreme Court."</p>	
Supreme Court returns case				<p>The Supreme Court will return the entire case as well as a copy of the Supreme Court Opinion.</p> <p>a. File-mark opinion.</p> <p>b. Enter on docket/face sheets: "Date, case, file transcript and exhibits received from the Clerk of the Supreme Court. In accordance with an opinion filed in the Supreme Court</p> <p style="text-align: center;">1.43</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Supreme Court, cont'd.				<p>by Mr. Justice _____, (state opinion findings).</p> <p>c. Contact attorneys of record by phone to inform of Supreme Court opinion.</p> <p>d. Mail copy of opinion to attorneys of record.</p> <p>e. Store exhibits, depositions and transcript in appropriate place and indicate storage area on docket page.</p> <p>f. Place case file in case number order.</p>	<p>The Superior Court opinion is <u>confidential</u> until attorneys have been notified.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Executions Requested			9-25-5	a. Upon request for execution, collect \$5.00 fee and prepare receipt, giving original to requestor. b. Enter on List of Executions Ordered: docket number name of case requestor's name (and address, if to be sent) receipt number	The clerk might save the requestor and the office time by asking at this point whether at least 20 days have elapsed from entry of judgment and whether Notice of Appeal has been filed.
Prepared			RCP 69 RIGLA 9-25-3	Before an execution may issue, the following conditions must hold: • Judgment has been entered for <u>at least 20</u> days <u>and</u> no longer than 6 years • No Notice to Appeal has been filed • No other motions to stay appeal or execution have been filed.	In Providence, a courtroom clerk prepares the Execution. A clerk should check that it is proper for execution to issue before instructing clerk-typist to type form. If Execution requested on Promissory note, copy of promissory note must be on file before execution may issue.
	Ex. 16	S-171	RIGLA 9-25-4 RIGLA 9-25-14	a. Complete execution form, striking non-applicable items and adding claim interest accrual if applicable and cost amount. Include: date of rendering of judgment return day (6 months from date of issuance, to be court day) name of attorney court seal clerk signature	If execution against trustee or trust estate, see RIGLA 9-25-12.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Prepared, cont'd.				<ul style="list-style-type: none"> b. Transmit to requestor. 	<p>Attach copy of Promissory note to Execution and return to requestor.</p>
Returned				<ul style="list-style-type: none"> c. Enter "date, execution issued," in docket. d. Cross off entry on execution ordered list. a. File-mark. b. Enter in docket "execution returned (wholly) satisfied (unsatisfied)" c. Place in case file. 	<p>If unsatisfied, Supplementary Proceedings may follow. See below.</p>
Additional Executions			<p>RIGLA . 9-25-20</p>	<p>The original Execution expires after 6 months. If not served within that time, the requestor may, upon return of the original execution and payment of \$5.00, receive an "Alias" Execution. Upon expiration of the "Alias," a 1st, 2nd, 3rd, etc., "Pluries" execution may be issued.</p> <ul style="list-style-type: none"> a. Add to list of executions ordered, as above, collecting fee. b. Complete new execution form, changing date of issuance, and indicate "Alias" (or Pluries) at top. 	<p>If the original has been lost, attorney's affidavit approved by the judge must be filed in order for execution to issue.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Additional Executions, cont'd.				<p>c. Issue to requestor.</p> <p>d. Make docket entry; place original expired execution in case file.</p>	
<u>Supplementary Proceedings</u>				<p>An unsatisfied execution must be returned before an application for a citation in supplementary proceedings will be approved.</p>	
Application for Citation in Supplementary Proceedings	Ex. 17	S-174	RIGLA 9-28-3	<p>This form must have been filed <u>and</u> signed by judge before citation may issue.</p>	This is a Formal/Special Cause matter.
Citation in Supplementary Proceedings	Ex. 18	S-175		<p>a. Upon receipt of properly signed application <u>and</u> payment of fee; prepare citation, taking information directly from application.</p> <p>b. Issue original to requestor.</p> <p>c. Note date of service on citation in docket.</p>	<p>Present fee is \$1.00. If citation is to be served on a corporation, a specified officer of service must be named.</p>
Writ of Body Attachment	Ex. 19	S-176	9-17-7	<p>If the defendant fails to appear on the return day named in the citation, the court may request the clerk to prepare a Writ of Body Attachment.</p> <p>a. Prepare form.</p> <p>b. Affix court seal; enter clerk's signature.</p> <p>c. Give original to attorney.</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Writ of Body Attachment, cont'd.				d. Place return of service in case file (on original attachment, returned by sheriff when defendant brought to court).	
Order to Show Cause Citation	Ex. 20		RIGLA 9-28-6	a. At direction of court, prepare Citation (no charge). b. Affix court seal; enter clerk's signature. c. Give original to attorney. d. File return of service.	

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Office Procedure
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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Criminal Appeals, cont'd				b. Enter date of filing on face and docket sheets. c. Enter costs on inside of case folder. d. Prepare index card; place in pending file. e. Type label for case file folder. f. Make copies of complaint, and docket sheet and send to attorney general. g. Place case folder in numerical file. h. Make entry to calendar titled "serious misdemeanors." 1) defendant's name 2) case number 3) charge(s)	The costs are entered by District Court on the bottom of the misdemeanor complaint; if no entry appears, costs are assumed to be \$3.50.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Index Card File				Two index card files are maintained: pending and disposed. a. Enter on card: Defendant name. Indictment/information number. Charges and counts of indictment. b. Place in file alphabetically by defendant's last name. c. Enter date and disposition when case is disposed. d. Place in disposed file.	In Newport only one index card file is maintained, including both pending and closed cases.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Criminal Appeals</u> (Traffic)</p>				<p>Appeals from District Court are forwarded to the Superior Court. When file is received the following procedure should be followed:</p> <ol style="list-style-type: none"> a. Stamp date of filing on face and docket sheets; enter heading information. b. Check for yellow summons. (Contact District Court if missing.) c. Assign case number, and enter on folder (blue) and index card. d. Prepare index card: <ol style="list-style-type: none"> 1. Defendant's name 2. Charge(s). e. File index card in alphabetic pending file. f. Type label for case file folder. g. Make copies of summons and docket sheet and forward to Attorney General h. Place case folder in numerical file. i. Make entry to calendar titled "Serious Misdemeanors": (Log Book) <ol style="list-style-type: none"> 1. Defendant's name, 2. Case number, 3. Charge(s). <p style="text-align: center;">1.52</p>	<p>If a blue transfer card accompanies the file from District Court, stamp with Clerk's signature and return card to District Court to certify receipt of file.</p> <p>In Newport, when there are multiple defendants on the same case, a docket sheet is made up for each defendant, but kept in same case folder. Each docket sheet is assigned an alpha character to correspond to a particular defendant so that charges and court action on individuals are clear.</p>

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Disposition (Guilty)				a. Check back of summons for disposition: fill in if not already entered. b. Make entry to docket and face sheet. c. Make entry on index card and place card in disposed index card file. d. Complete abstract of case and (white copy) and forward to Registry of Motor Vehicles and Bureau of Violations.	In Newport a certified copy of the judgment and the original summons serve as the abstract sent to Motor Vehicles. A certified copy of the yellow summons is sent to the Bureau of Violations.
Sentenced to Driving School		No.		a. Complete the above steps a - d. b. Check order of court for judge and clerk's signature. c. Place order in case file folder.	
Daily Transmittal List				The following procedure should be performed for all criminal appeal traffic dispositions: a. Complete transmittal form: 1. Summons number, 2. Defendant name, 3. Judge name, 4. Officer's number, 5. Date of disposition. b. Place original in file. c. Forward copy to Bureau of Violations 6th District Court.	No transmittal list prepared in Newport.

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Cash Bail Received				a. Complete heading information on Bail Recognizance form. b. Read conditions of bail to defendant. c. Enter conditions of bail on form. d. Upon posting of bail, have defendant sign form in "Release ordered" section. If bail is posted by other than defendant, have that person sign underneath defendant's signature and address. e. Make out receipt for bail in duplicate; give original to defendant (or person posting bail). f. Place bail form in case folder. g. Give case folder and money to bookkeeper for deposit to Registry Account. h. Place copy of cash receipt in numerical file for State Audit.	Property bail affidavit is reviewed and approved by the Attorney General's office, then submitted to the clerk for preparation of Bail Recognizance form. Procedure at left applies excluding receipt and money references. See Financial Matters, "Registry Account."

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Cash Bail Posted Docket Entry				<p>Once the cash bail has been received and the receipt and forms have been completed the clerk-typist must record the transaction on the docket and face sheet. Since the clerk is called on to furnish case information to interested parties, an alphabetical index card system is maintained for the recording of cash bail for each defendant.</p> <p>a. Type cash bail index card from courtroom clerk notations. The information contained on the index card includes:</p> <ol style="list-style-type: none"> 1) defendant's name 2) date of birth 3) case number 4) charges 5) amount of cash bail 6) date bail was posted 7) name and address of individual furnishing bail <p>b. Make entry to face and docket sheet "Bail posted and date."</p> <p>c. Give case folder and docket sheet to bookkeeper for entry.</p> <p>d. Return case folder to file.</p>	<p>In Newport a book entry is made containing case number, case name, and amount. The duplicate receipt is attached to the page entry.</p> <p>Bookkeeping entry to face sheet would be "Cash bail in the sum of \$amt. received and deposited into the Registry account - Page No.."</p>
Cash Bail Returned				<p>Before cash bail may be returned to individual who posted bail:</p> <p>a. Check to see that matter has been disposed of.</p>	

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Cash bail returned, cont'd	Ex.24	--		<p>b. Complete form "Order Payment of Money from Registry" entering the following information:</p> <ol style="list-style-type: none"> 1) case number 2) defendant's name 3) name of individual to whom money is to be returned 4) date order is entered 5) state the disposition of case <p>c. Secure signature of Judge.</p> <p>d. Give Order and receipt to bookkeeper for payment. The individual will be sent a check in the proper amount.</p> <p>e. Make entry to face and docket sheet "Order entered for the return of cash bail," and date.</p> <p>f. Place case folder in file.</p> <p>g. Make entry on cash bail index card "Order entered for return of cash bail," and date.</p> <p>h. Place index card in disposed section of index file.</p>	<p>See Financial Matters, "Registry Account."</p> <p>In Newport, update cash bail page, including check number for return of bail; staple original receipt for bail to entry page.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Bail Forfeiture Notice of Hearing</p>			<p>RCrP 46 (2g)</p>	<p>The Attorney General's office petitions the court for forfeiture of bail. If the motion is granted by the court and hearing is scheduled, the clerk notifies the parties as following: Prepare for mailing to defendant and surety of record (if different from defendant).</p> <ol style="list-style-type: none"> a. Copy of the Motion (Petition). b. Copy of the order of hearing signed by the Judge. c. Sign clerk's certificate of service. d. Send by regular mail to the defendant and surety of record, where applicable. e. Place original petition, order and notice in case file. 	<p>The order specifies the date and time of the hearing.</p> <p>This form is prepared by the office of the Attorney General for the clerk's signature.</p>
<p>After Hearing</p>				<p>After hearing on bail forfeiture the court may vacate the forfeiture of bail and the defendant may continue on bail or, the court may forfeit the bail. If bail is forfeited the Attorney General is required to make up an order for execution of bail forfeiture to issue and secure the judge's signature on the order of execution.</p> <p>By order of the court the clerk then issues the execution against the surety for goods and chattels.</p> <p style="text-align: center;">1.57</p>	<p>The Attorney General acting for the people of the State of Rhode Island determines the amount of satisfaction.</p> <p style="text-align: right;">5/78</p>

Office Procedure
Criminal Records

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
After hearing, cont'd				a. Complete execution form. b. Give to sheriff for service upon surety. The court may order a bench warrant to issue against the defendant.	See "Civil Records." See "Bench Warrants."

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Posting motions</u>				<p>Motions arrive in the clerk's office either by mail or are filed over the counter. When a motion is received, it is file marked and sent to criminal scheduling where it is placed on the appropriate calendar to be heard and notices are sent to the parties. Motions are then posted as follows:</p> <ul style="list-style-type: none"> a. Separate motion by year. The year is the two-digit number which precedes the case number, i.e., <u>78</u>-0011. b. Place all motions in numerical sequence by case number within year . c. Pull case folders. d. Pull docket sheets from books. e. Enter on face and docket sheets: <ul style="list-style-type: none"> 1) Type of motion 2) Date motion was filed. f. Place motion and face sheet in case folder and file in proper location. g. Place docket sheet in docket book. 	<p>This is procedure for Providence only. The Attorney General's Office performs the functions of the Criminal Scheduling Office in the other counties.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Bench Warrant Issuance	Ex. 25	--		<p>Failure to appear in court at a specified time may result in the judge ordering a bench warrant to issue for the arrest of a defendant.</p> <p>The clerk is responsible for preparing bench warrants; maintaining separate active and inactive alphabetical card indexes. An active index card file is maintained for all warrants outstanding; once a defendant is apprehended, a notation is made and the index card is placed in the inactive index card file. The clerk also keeps a warrant log book where the status of bench warrants is maintained.</p> <p>Once the clerk receives a case file folder with the courtroom clerk's notation to issue a bench warrant the following procedure is used:</p>	Newport uses a book entry system to keep track of issuance and recall of bench warrants. A docket entry of the issuance is also made.
	Ex. 26	--		<p>a. Check active warrant index card file (do not issue new warrant if the defendant has an outstanding warrant).</p> <p>b. Prepare warrant of arrest on Indictment/Information Form, entering:</p> <ul style="list-style-type: none"> . Heading information (defendant name, date of birth and indictment or information number.) . Defendant name, counts and charges, and statute. . Date and sign form. . Transmitt to Department of Attorney General Case Control Division. <p style="text-align: center;">1.60</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Bench warrant issuance, cont'd				<p>c. Check inactive warrant index card file for a previously issued warrant on defendant.</p> <p>If defendant has a card in inactive file, add new information to file and place index card in active warrant file.</p> <p>d. If no index card in active or inactive file, make up new card. Card to contain: 1) Defendant name, 2) Date of birth (DOB), 3) Case number, 4) Charge(s) 5) Date warrant issued.</p> <p>e. Place index card in active file.</p> <p>f. Make notation in warrant books: 1) Case number, 2) Defendant name, 3) Date warrant issued.</p>	
Cancellation of Warrant				<p>Notification of a defendant's apprehension may be received from attorney general, committing squad or defendant's attorney. Once notification to cancel bench warrant is received, the following procedure is used:</p> <p>a. Make sure defendant's case file is in courtroom.</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Cancellation. cont'd				<p>b. Notify attorney general's office that defendant is in court and warrant is "cancelled."</p> <p>c. Pull index card from active card file.</p> <p>d. Write cancellation date on index card.</p> <p>e. Place index card in inactive card file.</p> <p>f. Write cancellation date in warrant book.</p> <p>At the end of the day by the court's direction:</p> <p>g. Prepare cancellation order entering:</p> <ol style="list-style-type: none"> 1) Defendant name, 2) Court action taken that day. <p>h. Transmit copies of order to:</p> <ol style="list-style-type: none"> 1) Attorney general, 2) File. 	<p>In Newport, the entry in the warrant book is lined out; the cancellation date is entered in the docket only.</p>

DESCRIPTION	FORM	NO.	STATUTE on RULE	PROCEDURE	COMMENTS
<u>Disposed Cases</u>					
- Judgment of Acquittal (Rule 29a)	Ex.28	--	RCrP 29(a)	Defense counsel moves for acquittal under Rule 29a and the court grants motions.	
- By Jury	Ex.29	--	RCrP 29	<ul style="list-style-type: none"> a. Complete form. b. Signature of Judge and Clerk must be on form. c. Place form in case folder. d. Make entries to face and docket sheets. e. Pull case index card from pending file. f. Make entry of disposition on card. g. Place index card in disposed case index card file. (If no other charges are pending.) 	
Judgment of Conviction and Commitment	Ex.30	S-207		Defendant is sentenced to jail for a specified period of time.	
1. Sentence Imposed Defendant in Jail				<ul style="list-style-type: none"> a. Complete form. b. Check to make sure Judge and Clerk have signed form. c. Original of form is kept in case folder. 	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Defendant in jail, cont'd.				<ul style="list-style-type: none"> d. Send copy to jail/institution where defendant is incarcerated. e. Make face and docket sheet entries. f. Pull case index card from pending file and make entry of disposition on card. g. Place index card in disposed case index card file. 	
2. Sentence Suspended Defendant Placed on Probation				<p>Follow same procedure as above with the following exceptions:</p> <ul style="list-style-type: none"> a. Cross out nonapplicable phrases on form. b. No copy of form need be sent to jail or probation. c. Place in case folder. 	
Judgment and Disposition	Ex. 31	S-209		<p>Defendant is placed on probation; no sentence imposed nor suspended. This form is also used if sentence is deferred.</p> <ul style="list-style-type: none"> a. Complete form. b. Make sure Judge and Clerk's signature is on form. c. Place form in case folder. 	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Judgment, cont'd.				<ul style="list-style-type: none"> d. Make entries of disposition on face and docket sheet. e. Pull case index card from pending file and make disposition entries on card. 	
Violation Hearings				<ul style="list-style-type: none"> f. Place index card in disposed card file. <p>Defendant is brought in as a violator of an imposed condition (probation, referred or suspended sentence, personal recognizance, bail) and either is found guilty or pleads to the charge.</p> <ul style="list-style-type: none"> a. Make entries of disposition of case to face and docket sheets. b. Pull case index card from disposed index card file and make entry on card. c. Place index card back in disposed card file. d. Place case folder in file. 	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Collection of Fines and Costs</u></p> <p>Cash Cashiers checks Certified checks</p>	Ex. 1	--		<p>After fine and costs are imposed in court the sheriff escorts the defendant and the case file to the clerk's office.</p> <p>a. Ask defendant for payment amount of fines and costs.</p> <p>b. Complete receipt and give to defendant or party making payment.</p> <p>c. Make entry to cash journal: 1) Amount of fines and costs. 2) Case number. 3) Defendant name.</p> <p>d. Give money to fiscal clerk for entry to fines and cost account.</p>	<p>No personal checks are to be accepted as means of making payment.</p> <p>See Financial Matters Handbook for entries and deposit of money to Fines and Cost Account.</p>

Office Procedure
Criminal Records

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Criminal Appeal to Supreme Court</u></p> <p>Transcript Received</p> <p>Supreme Court Finding</p>				<p>After judgment or judgment of conviction is entered, defendant has 20 days within which to file his or her Notice of Appeal.</p> <p>a. Date-stamp and file original notice in case folder.</p> <p>b. Send copy to Clerk of Supreme Court for monitoring.</p> <p>c. Send transcript and file to Supreme Court Clerk and exhibits, if requested.</p> <p>d. Complete <u>blue card</u>.</p> <p>e. File card in place of file folder</p> <p>Case folder is returned to Superior Court Criminal Records.</p> <p>a. Make notation to docket.</p> <p>b. Place case folder in file.</p>	<p>There is no appeal filing fee for criminal matters.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Fugitive from Justice 1. Other state as demanding state			RIGLA 12-9-3	When another state wishes a fugitive from justice residing in Rhode Island returned to that state (the demanding state) it prepares and forwards two sets of requisition papers to the Rhode Island Secretary of State	
			RIGLA 12-9-9 -10	The Attorney General's office prepares two copies of the Governor's Warrant demanding the arrest of the fugitive.	
Fugitive before Court			RIGLA 12-9-12 RIGLA 12-9-30	When the fugitive is arrested and brought to court, the judge explains his rights either to extradition proceedings and Writ of Habeas Corpus or Waiver of Extradition.	
Waiver of Extradition				If the defendant elects to waive extradition proceedings, the signed Waiver of Extradition form and the Governor's Warrant is sent to the Attorney General; a certified copy of the waiver and Governor's Warrant is given to the agent of the demanding state.	
Writ of Habeas Corpus Granted				If the fugitive wishes to challenge the legality of the arrest the judge allows the defendant reasonable time to apply for a Writ of Habeas Corpus. If the court grants the Writ of Habeas Corpus the defendant is released. Make entry to face and docket sheet.	The writ is entered as a Miscellaneous Petition and a case folder is prepared. A copy of the writ is transmitted to the agent of the demanding state.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Writ of Habeas Corpus (continued) Denied</p> <p>2. Rhode Island as Demanding State</p>			<p>RIGLA 12-9-6</p>	<p>If the court denies Writ of Habeas Corpus, the defendant is ordered to the demanding state and placed in the custody of the agent of the state named in the Governor's Warrant.</p> <p>a. Give copy of Governor's Warrant to agent named in the warrant.</p> <p>b. Make entry on Governor's Warrant and on the Writ of Habeas Corpus (Miscellaneous Petition).</p> <p>c. Make entry on face sheet and docket sheet that Writ of Habeas has been denied.</p> <p>d. Forward copy of Governor's Warrant and Writ of Habeas Corpus to Attorney General.</p> <p>a. At request of Attorney General prepare two sets of requisition papers:</p> <ul style="list-style-type: none"> . Copy of Information/Indictment. . Certified copy of Arrest Warrant. . Certified copy of any judgment. . Certified copy of Docket sheet.(RIGLA 12-9-4) <p>b. Prepare Exemplification forms. (Only for copy to be sent out of state.)</p>	<p>See "Exemplified Copies."</p>

RECEIPT



STATE OF RHODE ISLAND
SUPERIOR COURT
PROVIDENCE and BRISTOL COUNTIES

No. 30658

CASH MONEY ORDER CHECK 5/10/1976

From Stephen Lurie
Williams vs. Perkins, Jr.

EXECUTION		
CIVIL ACTION RECORDING FEES	10	—
MISC.; PETITION		
PROBATE APPEAL		
STENOGRAPHERS ACCT.:		
COPIES	787472	
NOTARY CERT.	1	
HABEAS CORPUS PETITION		
TOTAL	10	—

RECEIVED BY *[Signature]*

If received on account previously billed, indicate by "A.R." opposite amount.

Office Exhibit 1

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

OFFICE OF THE CLERK OF THE SUPERIOR COURT

Providence, sc.

Providence,..... A. D. 19.....

I,....., Deputy Clerk of the Superior Court of said State for the Counties of Providence and Bristol, the same being a Court Record and having by law a seal,

DO HEREBY CERTIFY, that..... whose name is subscribed to the annexed certificate was at the time of signing said certificate a NOTARY PUBLIC in and for said State of Rhode Island..... duly appointed and qualified, and authorized to administer oaths and take depositions and to take the acknowledgment or proof of deeds or conveyances of lands, tenements or hereditaments lying in said State and which deed or conveyances are to be recorded in said State; that I am well acquainted with the handwriting of said..... and verily believe that the signature to the said Certificate propositing to be his, in genuine; that the laws of said State do not require the use of a seal by a notary and no copy of a notary's seal is on file or required to be on file in this office.

In attestation whereof, I hereunto subscribe my name, and affix the seal of said Court, the day and year above written Deputy Clerk.

Office Exhibit 2

CERTIFICATE AS TO SEARCH OF RECORDS

State of Rhode Island and Providence Plantations.

Providence, Sc

Office of the Clerk
of the Superior Court

5/78

Date 5-10-78

I, Joseph Q. Calista, Clerk of the Superior Court of said State, for the Counties of Providence, and Bristol, pursuant to GENERAL LAWS of 1956—Vol. 20, Supplement 10-5-45, do hereby certify that I have made a careful examination of the files, docket and indices of all actions at Law entered in said Court for the Counties of Providence and Bristol from the 17th day of July, A.D. 1905 to date hereof and that such examination fails to disclose any action entered in said Court against in which John E. et al appears as Plaintiffs and Robert Fox alias appears as defendant _____

1.75

Witness my hand and the seal of said Superior Court, at Providence, said County of Providence on this 10 day of May

1978

signature
Deputy Clerk

Office
Exhibit 4

STATE OF RHODE ISLAND
PROVIDENCE, SC:

SUPERIOR COURT

5/78

John E. C. PLTFF:
vs.

LAW # 67-259

Richard Roe DEFT:

I, Joseph Q. Calista, Clerk of the Superior Court, for the Counties of Providence & Bristol, certify that I have the custody of the Records of Law for said Court.

1.76

I, further certify that a search of those records shows that law proceedings between

plaintiff (or complainant) and

John E. C.
Richard Roe

as defendant, numbered upon the docket as number

67-259, and that said cause has remained without action for a period of more than six (6) years to date hereof, as shown by the docket: (ENTRY)

Joseph Q. Calista
CLERK

Office
Exhibit 5

CONTINUED

20F6

State of Rhode Island and Providence Plantations.

5/78

Providence, Sc.

I Joseph Q. Calista, Clerk of
the Superior..... Court of said State, the same being a Court of Record,

To Certify that the Presiding Justice
..... Florence K. Murray

whose signature appears to the foregoing certificate, is, and at the date of said certificate was,
..... Presiding..... Justice of the Superior..... Court of said State
duly commissioned and qualified, and that the signature to the foregoing certificate purport-
ing to be his is genuine.

I.77

In Testimony Whereof, I have hereunto set my hand and affixed the
seal of said Superior..... Court, in said
County of Providence, this
..... ninth day of May
in the year of our Lord One thousand nine
hundred and seventy-eight

(Signature of Clerk)

Office
Exhibit 6

State of Rhode Island and Providence Plantations.

5/78

Providence, Sc.

I Florence K. Murray, Presiding..... Justice of
the Superior..... Court of the State of Rhode Island and Providence Plantations,

Do Certify that Joseph O. Calista....., whose
signature is affixed to the papers hereto annexed, is, and was at the date of affixing his said
signature, Clerk of the said Superior..... Court, that he is the custodian of
the files and records of said Superior..... Court
Providence

..... and
Bristol

and is by law the proper person to certify copies of said files and records; that full faith and
credit are and ought to be given to his acts and attestations done as aforesaid; and that his
attestation to the papers hereunto annexed is in due form.

In Testimony Whereof, I have hereunto set my hand and caused the
seal of said Superior..... Court
to be hereunto affixed, in said County and State,
this ninth..... day of May.....
in the year of our Lord one thousand nine hundred
and seventy-eight

[Handwritten signature]

I.78

Office
Exhibit 7

1978 MAR 28 PM 3:57

State of Rhode Island and Providence Plantations

5/78

PROVIDENCE, SC.

SUPERIOR COURT

Civil Action, File No.....

RICHARD W. TUNKS

Plaintiff

vs.

ARTHUR RATTENNI, JR.

Defendant

Summons

To the above-named Defendant:

The above-named plaintiff has brought an action against you in said Superior Court at Providence. You are hereby summoned and required to serve upon..... Kenneth J. Macksoud, Esq., plaintiff's attorney, whose address is..... 401 Turks Head Building Providence, Rhode Island 02903 an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service.

If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Your answer must also be filed with the court.

As provided in Rule 13(a), unless the relief demanded in the complaint is for damage arising out of your ownership maintenance, operation or control of a motor vehicle, or unless otherwise provided in Rule 13(a), your answer must state as a counterclaim any related claim which you may have against the plaintiff, or you will thereafter be barred from making such claim in any other action.

Joseph Q. Calista CLERK

Dated: March 13, 1978

(Seal of the Superior Court)

Office
Exhibit 8

1.79

S A M P L E

State of Rhode Island and Providence Plantations

PROVIDENCE, SC.

Office of the Clerk of the Superior Court.

5/78

N. P. # 10919

To the Sheriffs of our Several Counties,
or to their Deputies,

GREETING:

You are hereby required to notify

RENE JEWELRY, INC.

A Rhode Island corporation located in the Town of
Johnston, County of Providence, said State

RESPONDENT

of the filing in this office of a petition by

Joseph D'Arezzo and William Andreozzi

PETITIONER.

representing, among other things, that the respondent corporation
is insolvent in that it is unable to meet its obligations as they
mature in the ordinary course of business and that the appointment
of a Receiver is advisable to conserve and protect the assets and
effects from potential suits and attachments,

AND PRAYING

That the Court appoint a Receiver for respondent corporation

1.80

and also to cite the said respondent to appear before our Superior Court, at Providence, in the County
of Providence, on the 10th day of June, A. D. 1975, at 10:00
o'clock A. M., that he may then and there show cause, if any he has, why the prayer of
said petition should not be granted.

He is to fail not and make true return of this Writ with your doings thereon.

Witness the Seal of our Superior Court, at Providence, this 10th
day of May, A. D. 1975

Office
Exhibit 9

CIVIL ACTION

TITLE OF CASE

Old Colony Co-operative Bank
vs.
Daniel J Ryan et als

FILE NO.

78-989

5/78

DEMAND FOR JURY TRIAL

ATTORNEYS FOR PLFF.

William R Grinn

ATTORNEYS FOR DEFT.

Perry Shatkin

Robert Gates

Maxwell W. Waldman

Edward H. Newmar

Thomas H. Eyles

NO.	DATE	ENTRIES
1	4-5-78	Complaint filed
2	4-5-78	Summons: proof of service (5) filed.
3	4-24-78	Defendant's answer filed.
4	4-25-78	Defendant's, Commercial Credit Plan, Inc. answer and counterclaim filed
5	4-26-78	Stipulation - Appearance entered for the defendant, The Washington Trust Company, by Thomas H. Eyles, Esq.
6	4-27-78	Answer of defendant, The Washington Trust Company, filed.
7	5-2-78	Robert B. Gates enters appearance for the defendant, Gates Agency, Inc.
8	5-2-78	Answer of Gates Agency Inc. filed
9	5-2-78	Robert B. Gates enters appearance for the defendant General Hardware Inc.
10	5-2-78	Answer of General Hardware, Inc. filed
11	5/3/78	Entry of appearance for defendant.
12	5/3/78	Defendant's answer filed.
13	5-1-78	Summons filed - proof of service
14	5-1-78	Summons filed - proof of service
15	5-1-78	Answer of Evans Products Co. filed.

I.81

Office
Exhibit 10

Providence, SC. State of Rhode Island and Providence Plantations

PROOF OF SERVICE

I hereby certify that on the 17 day of March 1978 I served a copy of this summons and a copy of the complaint received therewith upon Arthur Rattenni, Jr. in the following manner:

By delivering a copy of the summons and complaint to him personally.

By leaving a copy of the summons and complaint at his dwelling house, _____, with a person of suitable age and discretion then residing therein. (ADDRESS)

By leaving a copy of the summons and complaint at his usual place of abode, _____, with a person of suitable age and discretion then residing therein. (ADDRESS)

By delivering a copy of the summons and complaint to an agent authorized by appointment or by law to receive service of process, namely _____ (NAME OF AGENT) Such agent being one designated by statute to receive service, further notice as the statute requires was given as follows:

Sheriff's Fees
Travel \$ 56
Service \$ 56
\$ 112

Richard W. Tunks
DEPUTY SHERIFF

MAR 14 1978

SUPERIOR COURT

Office Exhibit 11

RICHARD W. TUNKS

vs.

ARTHUR RATTENNI, JR.

Kenneth J. Mackson
ATTORNEY FOR PLAINTIFF

401 Turks Head Building
Providence, R. I. 02903

Note: Returnable to Plaintiff's Attorney forthwith after service. Proof of Service to be filed within time during which the person received proof of service.

TOMAS DYER

vs.

C.A. No. 74-3324

OMNIBUS CALENDAR
ASSIGNMENT FORM

5/78

JIM ZARSKI
FRED STANSELL
BERT BURNS

Requested Calendar Assignment:

TRIAL

Continuous Non-Jury Continuous-Jury

FORMAL & SPECIAL CAUSE

Date:

TYPE OF TRIAL

- Motor Vehicle Neg.
- Other Neg.
- Contract Damages
- Petition for Assess.
of Damages
- Lien Enforcement
- Assault

- Probate Appeal
- Trespass &
Ejectment
- Injunction

TYPE OF FORMAL OR SPECIAL CAUSE

- Formal matter
- Prelim. injunction
TRO Dissolution
- Agency Appeal
- Mandamus Extra. Writs
- Contempt Supp. Relief
- Other

METHOD OF ASSIGNMENT:

- Stipulation to Assign
- Motion to Assign
- Court Order pursuant to temporary
ex parte order.

1.03

BASED ON METHOD OF ASSIGNMENT - FILL IN FOLLOWING:
MOTION TO ASSIGN OR STIPULATION OF ASSIGNMENT

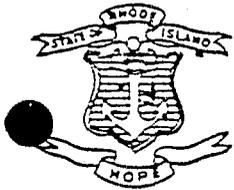
- Albert Lepore, Esq., 40 Westminster Street, Providence, Rhode Island
- Howard Moskol, 36 Arthur Avenue, East Providence, Rhode Island
- Bernard Gladstone, Esq., 95 Humboldt Avenue, Providence, R.I.

Please take notice that the above motion will be called for hearing the 10th day of
MAY, 1978.

CERTIFICATION

I hereby certify that on the 10th day of May, 1978, a copy of the above
motion was sent to Albert Lepore, Esq., Howard Moskol, Esq. and Bernard Gladstone, Esq.,
their above listed addresses.

Office
Exhibit 12



STATE OF
RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

Affidavit And Request For Entry
Of Judgment

5/78

Providence sc. Superior Court
John E. [unclear] Plaintiff

vs
Richard [unclear] Defendant
C.A. 75-105

I, (attorney), of the city of Providence, County of Providence, State of Rhode Island, upon oath depose and say as follows:

1. That the defendant has failed to plead or otherwise defend as provided by the rules of this Court.
2. That the defendant was not at the time of the commencement of this action nor is the defendant now in the Military Service of the United States as defined in the Soldiers' and Sailors' Civil Relief Act of 1940; nor is the defendant an infant or an incompetent.
3. That the defendant presently resides at (address) in the city of Providence, Rhode Island.
4. That this cause was commenced to recover the sum of 500 plus interest from (att.) to (att.) in the amount of 12500, totaling 13000.
5. That the defendant has no setoffs or counterclaims against this account and, in my opinion, there is no defense to this claim or cause of action.

I.84

Sworn to before me this 16 day of May
A.D. 1978

(signature)
Notary Public

Wherefore the Plaintiff, by (attorney) Attorney, moves that judgment be entered by default in the above-entitled cause pursuant to RCP 55 and that the garnishee be charged to the extent of the sum of money reported by the garnishee's affidavit.

Default entered

(signature)
Attorney for Plaintiff
(signature)

Office
Exhibit 13



STATE OF
RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

Judgment By Default Upon
Application To Clerk

5/78

Providence sc. Lyons Court

Civil Action, File No.
74-103

John A.
Plaintiff

Judgment # 10

vs

Book # 13

Richard Roe
Defendant

1.85

In this action the defendant Richard Roe having been regularly served with the summons and complaint, and having failed to plead or otherwise defend, the legal time for pleading or otherwise defending having expired and the default of the said defendant Richard Roe in the premises having been duly entered according to law; upon the application of said plaintiff, judgment is hereby entered against said defendant in pursuance of the prayer of said complaint.

Wherefore, by virtue of the law and by reason of the premises aforesaid,

It is ordered, that the said plaintiff do have and recover from said defendant the sum of \$6,500. dollars with interest thereon from the date hereof, till paid, together with said plaintiff's cost.

Judgment entered 10 May 19 74

Office
Exhibit 14

Richard Roe
Clerk



STATE OF
RHODE ISLAND
AND
PROVIDENCE
PLANTATIONS

NOTICE OF APPEAL
TO SUPREME COURT*

5/78

TRIAL COURT FILE NO. 75-3393		FOR THE COUNTY OF: PROVIDENCE	DATE DEC. 17, 1975
PLAINTIFF RUDOLPH F. FRYZEL ET AL		VS	DEFENDANT DOMESTIC CREDIT CORPORATION

Pursuant to Rules 3 and 4 of the Rules of the Supreme Court, notice is hereby given that DEFENDANT (Plaintiff) (Petitioner)
(Defendant) (Respondent)
in the above action hereby appeals to the Supreme Court from the JUDGMENT of the (Superior) ~~Circuit~~ Court entered on December 16, 1975

I.86.

<input type="checkbox"/> Transcript is not necessary <input checked="" type="checkbox"/> Transcript will be ordered**	ATTORNEY (Print or Type) SAMUEL A. OLEVSON
	SIGNATURE <i>Samuel A. Olevson</i>

** Pursuant to Rule 10 of the Rules of the Supreme Court, the appellant shall within 10 days "order from the court reporter a transcript of such parts of the proceeding not already on file as he deems necessary for inclusion in the record"

* Original to trial court. Copies to opposing attorney(s) and Supreme Court Clerk

Office
Exhibit 15

State of Rhode Island and Providence Plantations

EXECUTION—GOODS, CHATTELS AND REAL ESTATE

Trustee, Sc.
Industrial National Bank of Rhode Island

Superior Court

Civil Action

File No. *77-4210*

5/75

vs.
David J. Conner

To the Sheriffs of our several Counties or to their Deputies,

GREETING:

WHEREAS,

Industrial National Bank of Rhode Island

of

by the consideration of the SUPERIOR COURT, holden at *Providence* did on the *1st* day of *March*, A. D. 19 *75*, recover judgment against *David J. Conner*

for the sum of *\$ 3710.85* debt (or damages) and *110.00* costs of suit, as to us appears of record, whereof execution remains to be done:

We command you, therefore, that of the goods and chattels and real estate of the said Defendant

David J. Conner

and especially the personal estate of the said Defendant in the hands or possession of *C. T. Conner* charged as trustee of the said Defendant to the extent of *\$ 110.00* dollars and *99* cents,

within your precinct, you cause to be levied and paid unto the said Plaintiff

Industrial National Bank of Rhode Island

the aforesaid sums, being

\$ 3821.05

cents in the whole with  dollars

more for this writ and thereat also satisfy yourself for your own fees.

HEREOF fail not, and make due return of this writ and of your doings thereon to our Superior Court at

Providence for our County of *Providence* on the *2nd* day of *March*, A. D. 19 *75*

Witness, the Seal of our Superior Court, at *Providence*, this

2nd day of *May* in the year one thousand nine hundred and *75*

Signature

If the Trustee shall be charged by his default in not filing the necessary affidavit in said action, as to the claims being the subject of such suit, such trustee shall be charged, after the return of the trustee of the said Defendant, and by the default of the said Trustee to the his affidavit in said action.

*Strike if not applicable.

Office Exhibit 16

State of Rhode Island and Providence Plantations

APPLICATION FOR CITATION IN SUPPLEMENTARY PROCEEDINGS

Providence, Sc.

SUPERIOR Court

JOAN M. STIMPSON

Civil Action

vs.

CHARLES HENRY STIMPSON, JR.

File No. 74-1488

TO ISSUE CITATION APPLICATION MUST BE SIGNED BY A JUDGE

TO THE HONORABLE SUPERIOR COURT IN THE COUNTY OF PROVIDENCE

Respectfully Represents JOAN M. STIMPSON

of Franklin, Massachusetts in the county of Norfolk

and ~~STATE OF MASSACHUSETTS~~, that he is a judgment creditor of Charles Henry Stimpson, Jr.

of 58 Knoll Crest Drive,

Cumberland, Providence and State of Rhode Island, that he obtained a judgment

against said CHARLES HENRY STIMPSON, JR., Defendant

in the SUPERIOR Court, County of Providence, on the 11th

day of ~~August~~ March, A. D. 1975, that thereafter on the

1st day of April, A. D. 1975, execution issued

on said judgment, and said execution has been returned to said Court:

wholly unsatisfied and unpaid;

Said judgment creditor JOAN M. STIMPSON

respectfully prays this court to issue a Citation to said judgment debtor to appear before said Court at a time and place in such Citation to be named to show cause why an examination into his circumstances should not be made and an order be entered ordering him to pay said judgment in full or by installments, weekly, monthly or otherwise.

Attorney for Judgment Creditor [Signature]

Let Citation issue returnable on the 8th day of July, A. D. 1975, at 1:30 a.m. at Providence County (place)

Justice [Signature] 6/25/75

Office Exhibit 17

SUPERIOR COURT FILED 6/25/75

State of Rhode Island and Providence Plantations

CITATION IN SUPPLEMENTARY PROCEEDINGS

PROVIDENCE Sc. SUPERIOR Court

To the Sheriff, his Deputies, or either of the Town Sergeants or Constables in the County of

PROVIDENCE

C.A. #74-1488

GREETING:

ALL INFORMATION TAKEN FROM APPLICATION

WHEREAS, Joan M. Stimpson of Franklin, Massachusetts

in the County of Norfolk has filed an application in the Superior Court in the County of Providence setting forth that he obtained a judgment in said Court on the 11th day of March, A. D. 1975, against CHARLES HENRY STIMPSON, JR. of 58 Knoll Crest Drive, Cumberland in the County of Providence and State of Rhode Island for dollars and costs of suit; that thereafter on the 1st day of April, A. D. 1975, execution issued on said judgment, and said execution has been returned to said Court, unsatisfied and unpaid, and requesting an examination into the circumstances of said CHARLES HENRY STIMPSON, JR.

AND WHEREAS, on the 8th day of July, A. D. 1975, at 9:30 o'clock a.m. at the Superior Court in Providence, in the County of Providence and State of Rhode Island, are fixed and appointed as the time and place for hearing of said application.

NOW, THEREFORE, you are hereby required to notify and also to cite said CHARLES HENRY STIMPSON, JR. to appear in person before said Court to be holden at Providence in said State, on the 8th day of July, A. D. 1975, at 9:30 o'clock a.m. to show cause why an examination into his circumstances should not be made and an order entered ordering him to pay said judgment in full, or by installments weekly, monthly, or otherwise, and that for failure to so appear as commanded that he may be proceeded against as provided by law.

At said hearing the Court shall make examination of the said CHARLES HENRY STIMPSON, JR., or otherwise, as to his circumstances, his income from any source, and his ability to pay said judgment.

Hereof fail not and make true return of this Citation with your doings thereon.

Witness, the Seal of the SUPERIOR Court

PROVIDENCE this 25th day of June 1975

Joseph R. Collins, notary public

Office Exhibit 18

State of Rhode Island and Providence Plantations

WRIT OF BODY ATTACHMENT

PROVIDENCE, So.

SUPERIOR Court

To the Sheriffs of our several Counties, or to their Deputies, and to the Town Sergeants and Constables within and for our State.

5/78

GREETING:

WE command you to attach the body of

of in the County

of in said State, so that you

have him before the Court of said State,

holden at, within the County of

forthwith to answer for contempt in failing

or refusing to comply with the order and decree of said Court entered on the

day of A. D., 19

ordering said defendant to appear before this

Honorable Court to show cause why an examination

into his/her circumstances should not be made and

an order be entered ordering him/her to pay said

judgment contained in C. A. entitled:

I.90

and further to do and receive what our said Court shall in that behalf consider.

Hereof fail not and make true return of this Writ with your doings thereon.

WITNESS, the Seal of our SUPERIOR Court at

PROVIDENCE this day of A. D. 19

Office Exhibit 19

Clerk

State of Rhode Island and Providence Plantations

5/78

PROVIDENCE, SC.

Office of the Clerk of the Superior Court.
To the Sheriffs of our Several Counties,
or to their Deputies,

C.A. No. 75-1119

GREETING:

You are hereby required to notify

VINCENT J. BACCARI

DEFENDANT

of the filing in this office of a petition by

Barbara A. Robalewski

PLAINTIFF

representing that said defendant has failed to comply with an order of this Honorable Court entered on January 21, 1976 wherein said defendant is to make payment of \$100.00 each and every month to Edward E. Dillon, Jr. as attorney for plaintiff. Since the entry of the court order, defendant has failed to make payments on time and is presently in arrears of two weeks late with respect to the said payments.

1.91

Respondent show cause, if any he has, why he should not be adjudged in contempt.

and also to cite the said respondent to appear before our Superior Court, at Providence, in the County of Providence on the _____ day of _____, A. D. 19____, at _____ o'clock _____ M., that he may then and there show cause, if any he has - why the prayer of said petition should not be granted.

Hereof fail not and make true return of this Writ with your doings thereon.

Witness, the SEAL of our Superior Court, at Providence, this _____ day of _____, A. D. 19____

Office Exhibit 20

SUPERIOR COURT

PROVIDENCE-S.C.

INDICTMENT NO. 73-1026

HOWIE, Barbara DEFENDANT

RECOG. NO. _____

OFFENCE Obt. money under false pretenses

DATE OF DISPOSITION March 7, 1975 SESSION 1975

DISPOSITION GIANNINI, J. Defendant appears, retracts plea of not guilty, again arraigned, pleads nolo contendere and is placed on probation for 18 months. Costs of \$238.83 paid. Judgement of conviction entered.

I.92

Office
Exhibit 21

State of Rhode Island and Providence Plantations

Providence

sc.

SUPERIOR COURT

STATE

vs.

THAN POE

Defendant

Indictment No. _____
Information No. 75-1-1
Complaint No. _____

BAIL AND RECOGNIZANCE CONDITIONS

5/78

Bail/Recognizance having been set in the amount of \$ 1,000 at a hearing on arraignment, petition for Habeas Corpus, hearing pursuant to Rule 5 (a) hearing on resetting of bail. (Circle appropriate terms) or

other (insert description)

Now, therefore, the defendant and his/her sureties, if any, do hereby acknowledge himself/herself/themselves to be indebted to the State of Rhode Island and Providence Plantations in the sum of \$ 1,000 the conditions of this recognizance being as follows:

1. The defendant(s) will appear before the Superior Court, as required for all scheduled hearings upon notice being sent to the defendant(s) or to defendant(s)' counsel by the Clerk of Court, or where appropriate, by the Attorney General or his duly delegated assistants.
2. The defendant(s) will keep the peace and be of good behavior.
3. The defendant(s) will not leave the state while this matter is pending, without permission of the Court.
4. The defendant(s) will notify his/her attorney/bondsman, and the Clerk of the Superior Court of any change of address.
5. The defendant(s), (here insert any special conditions)

1.93

ACKNOWLEDGMENT BY DEFENDANT/SURETIES

I understand that if I violate any condition of my release, a warrant for my arrest may issue immediately. After arrest, and hearing, if I am determined to have violated my recognizance, the terms and conditions of any further release will be redetermined. I may be held without bail, or my bail may be increased, and additional sureties required. The State may proceed against my sureties for violation of this recognizance. The State may also proceed against me by body execution for violation of my recognizance at the rate of one (1) day for each \$5.00 of said recognizance. A violation of my recognizance may also be punished as contempt of court.

I agree to comply fully with each of the obligations imposed on my release and to notify the court promptly in the event I change the address listed below.

Release Ordered:

Richard Roe
Judge/Clerk/Bail Commissioner

5-15-78
Date

Subscribed and sworn to before me
this 15 day of May 19 78

Richard Roe
Clerk/Bail Commissioner

John Doe
Defendant

123 Main St
Address

I/We agree to the foregoing conditions

Surety

Surety

Office Exhibit 22

AVELLA, JOHN

d.o.b. 9-23-29

CA 77-508 Aid & Asst. in Recording Horse Bet

12-9-77 Cash bail sum \$100. rec. f rom 6th Dv. Dst. Court.

12-13-77 Cash bail sum \$100, rec. dep. in Reg. Petty 2, Page 140. Bail furn by John Avella

46 Wilson St. Johnston, RI.

Also CA- 77-509

Office
Exhibit 23

State of R.I.

vs

No. 1274-10

John E. ...

ORDER
PAYMENT OF MONEY FROM REGISTRY

In the above entitled case it is ordered that the money deposited in the Registry of the Court be released and the clerk pay 1 + 41% Attorney, for John E. ... the money deposited with the accumulation of interest if any less the Clerk's lawful charges.

1.95

Entered as the Order of Court this 10 day of May A.D. 1988

By Order,

[Signature]
Clerk

Enter:

[Signature]
Justice

Office
Exhibit 24

English ⁶⁰ D-B 7-14-54
P-177-528 et 1 - A.D.W.

used 5-10-77
cancelled 6-2-77

Office
Exhibit 25

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Warrant of Arrest on Indictment

Superior Court in Providence County

State

vs.

Brock Matt Dupuis

D.D.B. 7-17-53

P2/78-566

Indictment Number

5/78

Providence, Sc.

TO ANY AUTHORIZED OFFICER:

You are hereby commanded to arrest

Brock Matt Dupuis

and bring him without unnecessary delay, before the Superior Court for the County of Providence to answer to an indictment charging him with Count 1 - B+E Hdy w. I.C.L.

in violation of G.L. 1956 (1969 Reenactment),

11-8-4

Dated: May 10, 1978

Thomas J. George
Deputy Clerk

_____, Sc.

A.D. 19____

I have apprehended the body of the within named respondent and have him before the Superior Court for Providence County as within commanded.

Service

Attendance

Mileage

Authorized Officer

Title

Agency

Office
Exhibit 26

CRIMINAL CASE FACE SHEET

Year Disposed Of

1977

DEFENDANT NAME (LAST, FIRST, MIDDLE) McDERMOTT, LEO R.		POLICE DEPT. Ea. Prov.	DIVISION Vice	DISTRICT 1st	SUPERIOR/FAMILY COURT NO. 75-1488
DEFENDANT ADDRESS Village Green, North, Apt. 36 Ea. Prov.		DEFENSE ATTORNEY Jordan Stanzler	ARREST DATE 7/16/75	ARREST DATE 7/17/75	ARREST DATE 12-75-3134/35/3 37/38/39/40
DATE OF BIRTH 6/14/42	IDENT. NO. 33	CHARGE(S) <input checked="" type="checkbox"/> Ct. 1.-Poss. of Con. Sub. Int. to <input type="checkbox"/> Ct. 2.-Poss. of Con. Substance <input type="checkbox"/> Ct. 3.-Poss. of Con. Substance <input type="checkbox"/> Ct. 4.-Poss. of Con. Substance <input type="checkbox"/> Ct. 5.-Poss. of Con. Substance <input checked="" type="checkbox"/> Ct. 6-Maint. a Common Nuisance <input checked="" type="checkbox"/> Ct. 7-Maint. a Common Nuisance			MISCELLANEOUS PETITION NO. RETURNED/REPLEVATION FILED TRAY 3. 12/5/75 WARRANT ISSUED/CANCELLED

DATE	ACTION	JUDGE	PROS.	INT.
	INDICTMENT FILED.			
Dec 17, 1975	MACKENZIE J. Defendant arraigned and pleads not guilty, gives personal recognizance in sum \$1,000. Entry of appearance filed.			
Jan. 7, 1976	Defendant files motion to suppress, and request for production.			
Feb. 6, 1976	State's answer to Defendant's motion for production.			
Dec 15, 1977	ORTON, J. Defendant appears and as to Count 1-State dismisses under Rule 48a. Dismissal filed. As to Counts 2,3,4-defendant retracts plea of not guilty, again arraigned and pleads nolo contendere, placed on probation for 1 year, on each count to run concurrent, gives personal recognizance in sum \$1,000. Judgement entered. Motion to dismiss filed. Affidavit and Attorney Certification and Certificate of Judge filed.			
April 17, 1978	Defendant files motion for return of property seized under warrant.			
April 18, 1978	State files an objection to defendant's motion for return of property seized under search warrant.			
May 1, 1978	MACKENZIE, J. Continued to 5-16-78 for motions. entry of appearance filed.			

Office Exhibit 27

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
PROVIDENCE, Sc. SUPERIOR COURT

STATE OF RHODE ISLAND)
vs)
RICHARD ROE)
Indictment No. 75-106
Criminal Appeal No.

JUDGEMENT OF ACQUITTAL

This case came to trial as to the defendant, RICHARD ROE, before a jury, after the said defendant had entered a plea of NOT GUILTY as to the offense of ADU as charged in count number 2 of the (indictment) complaint. After the presentation of evidence, argument of counsel, consideration by the jury and a jury verdict of NOT GUILTY as to the said defendant, it is

ADJUDGED

that judgement of acquittal be and the same hereby is entered for the defendant, RICHARD ROE and the bail (personal recognizance) is hereby cancelled and discharged.

Dated at Providence, Rhode Island, this 27 day of July, A.D. 1973 ~~1974~~.

Enter:
[Signature]
Justice

By Order,
[Signature]
Clerk

Office
Exhibit 29

JUDGMENT OF CONVICTION
AND
COMMITMENT

S-207 (274)

Superior Court in Providence County

SUPERIOR COURT
FILED
MAY 8 1978
Joseph Q. Calista
CLERK

State
vs
Donald C. Hereth

b7/H

P2/Info 77-45

On this 8th day of May, 1978, came the attorney for the State, and the defendant appeared in person (and by counsel,

namely Joseph A. Capineri).

IT IS ADJUDGED that the defendant has been convicted upon his plea of (nolo contendere) ~~(guilty)~~ and after a verdict of guilty of the offense of Counts 1 and 2 Breaking and entering a business place at night time with intent to commit larceny.

as charged in count(s) number 1 & 2 of the (indictment) ~~(complaint)~~; and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

IT IS ADJUDGED that the defendant is hereby committed to the custody of the Warden of the Adult Correctional Institutions for a period of 1 year.

IT IS ADJUDGED that The defendant is a violator of a previously imposed 5 year suspended sentence. Sentence is reduced to 1 year. Suspension of sentence is removed. Sentence to run concurrent.

~~RECONVICTED AFTER 100 TO THE DEPARTMENT HAS BEEN ADVISED OF HIS RIGHT TO APPEAL WITHIN 30 DAYS TO THE SUPERIOR COURT.~~

IT IS ORDERED that the Clerk deliver a certified copy of this judgment to the Warden of the Adult Correctional Institutions and that the copy serve as the commitment of the defendant.

Clerk

Justice Superior Court

5/8/78

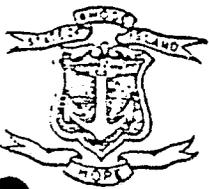
Date

Other sample:

IT IS ADJUDGED that sentence is suspended, probation for 5 years. Condition of probation, defendant is to remain at Marathon House until graduation or further order of the Court.

Office
Exhibit 30

1.101



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

JUDGMENT AND DISPOSITION

S-209 (3/74)

Superior Court in Providence County

SUPERIOR COURT FILED MAY 3 1978 Joseph Q. Calista CLERK

5/78

State vs Paul E. Kennedy

P2/Info 77-232

Case Number

On this 3rd day of May 1978, came the attorney for the State, and the defendant appeared in person (and by counsel, namely John H. Hines Jr.).

IT IS ADJUDGED that the defendant has been adjudged guilty upon his plea of (nolo contendere) of the offense of Count 1. Leaving the scene of an accident after personal injury. Count 2. Driving under the influence of liquor. as charged in count(s) number 1 & 2 of the (indictment) and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged.

IT IS ADJUDGED that Defendant is placed on probation for 1 year, as to each count. Condition of probation: Defendant is to attend the State's Driving Education School.

1.102

IT IS ORDERED that the Defendant has been advised of his right to appeal with...

Office Exhibit 31

TRUE COPY ATTEST

Clerk

Justice, Superior Court

5/3/78

Date

The State of Rhode Island and Providence Plantations

PROVIDENCE, SC.

To the Warden of the Adult Correctional Institutions in the County of Providence,

GREETING:

We command you that at 7:00 o'clock P.M., on May 15,
1958, A. D. 1958, you have the body of James Earl Ray
(C. 100 77)

in your custody, as it said, before the Superior Court,
in session at Providence, to answer to State vs. Ray
here pending against James Earl Ray in said Court. And have you there this writ.
Hereof fail not.

WITNESS, the SEAL of our SUPERIOR COURT, at Providence, this
day of May, A. D. 1958.
James Earl Ray Clerk.

PROVIDENCE, A. D. 1958

Providence, sc.

I have delivered the above-named persons to _____ Deputy Sheriff,
as required.

Jailer.

I have received from said Warden the above-named persons, and have them here in court this
day of _____, A. D. 1958.

I. 103

Office
Exhibit 32

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RHODE ISLAND SUPERIOR COURT
MANUAL OF COURT OPERATIONS

II. Calendaring and Statistical Reporting Handbook

National Center for State Courts

May 1978

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Civil Assignment
Providence/Bristol, Kent

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Civil Assignment

Introduction

The primary function of the clerk in the civil assignment office is to make up the continuous trial (jury/non-jury) calendars and see to their smooth operation.

Once a case has been added to the continuous calendar by general office personnel, the clerk determines the approximate date the case may be reached for trial and directs staff to give 30 calendar days notice to all counsel. This approximated date is a function of the number of judges available to hear cases on the continuous calendar; three or four times the number of judges is most often the rule of thumb in determining the number of cases to appear on one day's trial list, known as the Daily Calendar.

At least one week in advance a tentative daily list is drawn up through consultation with the assignment judge. Before notice is given to counsel, the case file is reviewed to determine any change in counsel and whether consolidation or settlement has taken place. The assignment staff then gives both oral and written notice (7-day notice) to all counsel for cases appearing on the daily list.

Although some discretion is permitted the civil assignment clerk in selecting cases to receive 7-day notices (to avoid attorney scheduling conflicts), once the 7-day notice has been sent and a definitive trial date assigned, no continuances may be granted by the assignment office. At the daily calendar call only the assignment judge may hear applications for continuances; if granted, the case is added to an internal working document known as the Day Certain Calendar.

At the end of the daily calendar call, the assignment judge and the assignment clerk work together to send cases out to the other judges on the calendars as they open up for trial or settlement.

General duties of the assignment clerk include supervising clerical support staff within the office and answering the numerous complex inquiries directed to him. Being continually aware of judge and attorney availability and of the rate of disposition of cases on the daily calendar, and communicating these facts can help ensure efficient use of court time and the time of all personnel involved in the court process.

LIST OF EXHIBITS

Civil Assignment

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Calendaring
Civil Assignment

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Continuous Calendar</u> (jury/non-jury)</p> <p>Civil Calendar Card Preparation</p>	<p>Ex. 1</p> <p>Ex. 2</p>	<p>S-198</p> <p>S-192</p>		<p>As time permits, assignment office staff work ahead to enable prompt notice to counsel that cases are to be set for trial. Staff work off one page of the continuous calendar at a time according to the procedure below. The same procedure is followed for both the jury and non-jury calendars.</p> <p>a. Pull case files for all cases listed on the continuous calendar page.</p> <p>b. Prepare civil calendar card, entering:</p> <p>jury (non-jury) (✓),</p> <p>if case file shows case has been consolidated, enter case numbers and pull those case files,</p> <p>case number,</p> <p>case name (as it appears on case file label),</p> <p>case type (from omnibus form),</p> <p>date case calendared: enter page number of continuous calendar and date of filemark on omnibus form,</p> <p>If case is a priority, it will be so indicated by judge's order; staple to back of calendar card; send 30-day notice immediately.</p>	<p>See RCP 40 (assignment of cases for trial), R.P. 2.1 (no assignment of cases on certain days), R.P. 2.3 (continuous trial calendars).</p> <p>Other items, such as control number, county, date case filed and estimated length are usually left blank since that information is rarely used.</p> <p>The control number should be entered by clerk/typist personnel in the office onto the continuous calendar. This number helps determine the number of cases pending.</p> <p>Proceed to section "30-day Notice," next page.</p>

Calendaring
Civil Assignment

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Notice Preparation	Ex. 2	S-192		<p>attorney names, addresses, telephone numbers; check telephone book to be sure address/phone are current.</p> <p>The assignment clerk directs the staff as to the number of pages on the continuous calendar to be selected for 30-day notice. Headings on the notice slips are filled in ahead of time, however, when the civil calendar card is completed, the slips are clipped to the calendar card. These are filed away until ready to be set for trial.</p> <ol style="list-style-type: none"> Prepare 30-day Notice, entering: name of case, jury/non-jury (✓). Type address of attorney on reverse side of notice. Clip both copies to civil calendar card. File all calendar cards (with attached notices) with continuous calendar page in page number order. Await direction from assignment clerk to select cases for notice. 	<p>The carbon also produces information for the 7-day notice except for the trial date.</p>
30-day Notice Calendar				<ol style="list-style-type: none"> At direction of assignment clerk, pull calendar pages ready for 30-day notice. Type these cases on calendar form with heading <u>date</u> 30-day notice mailed, enter alpha character at top to serve as page number of list. 	

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Attorney Response to Notice</p>				<p>c. Separate 30-day notice from 7-day notice; mail 30-day notice to all counsel whose addresses appear on calendar card.</p> <p>d. Prepare index card for active file, entering: name of case, page (alpha character) of "30-day Notice Mailed calendar:"</p> <p>e. Place calendar cards in manilla folder and file in numerical order by page number of 30-day Notice Calendar.</p> <p>f. Keep 30-day Notice Calendar pages together on clipboard for reference.</p> <p>At various points in the notice process, case inquiries may be received.</p> <p>a. Request proper case name,</p> <p>b. Refer to index card to determine location of calendar page/calendar card.</p> <p>c. Enter appropriate remarks on calendar page and call to attention of assignment clerk.</p> <p>d. If case has been settled, cross case name off list, pull calendar card and place in statistics file.</p>	<p>There seems to be no destruction/retention schedule for index cards and calendar cards for disposed cases.</p>
<p>7-day Notice</p>	<p>Ex. 3</p>	<p>S-192</p>		<p>The assignment clerk designates to staff which cases are to be selected for 7-day notice.</p> <p>11.A-3</p>	

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
7-day Notice, cont'd,				<ul style="list-style-type: none"> a. Pull indicated calendar lists/calendar cards. b. Check list of from Presiding Justice to make certain date has not been assigned to an attorney who has been excused. c. Telephone all counsel (leave message with secretary). d. Once attorney has been notified, cross case name off list, enter date scheduled for trial. e. On same day, mail 7-day notice to attorney. f. If attorney has a problem with the scheduled date, refer to assignment clerk. g. Update index card, crossing off page number and inserting scheduled trial date. h. File calendar cards in folder labeled with scheduled trial date. 	<p>If an obvious conflict exists, do not send out 7-day notice; try to arrive at suitable date.</p> <p>A strict policy of no continuances after 7-day notice except through the assignment judge is adhered to. The assignment clerk should inform counsel to consult judge.</p>
Case Settled				<p>If at any time once 30-day or 7-day notice has been sent and the case is settled;</p> <ul style="list-style-type: none"> a. Pull index card. b. Locate calendar card and enter disposition. c. Remove index card to inactive file. 	<p>If the case is settled before notice and no calendar card has been prepared, prepare calendar card, entering only name of case and disposition; file card in statistical file.</p> <p>Periodically remove inactive cards to make room. No destruction schedule appears to be in effect.</p>

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Day Certain Calendar</u>				<p>d. Place calendar card in statistics file.</p> <p>Continued cases and cases for which 7-day notices have been sent are listed on a calendar known as the "Day Certain Calendar." These cases are added to the end of the Daily Trial Calendar explained below.</p>	<p>The day certain calendar is an internal working document only and should not be confused with the old manner of case scheduling by counsel.</p>
<u>Daily Trial Calendar</u>	Ex. 4	--		<p>This calendar is prepared at the end of each day for the following day's calendar call. Both jury and non-jury matters are included on the list at the direction of the assignment clerk.</p> <p>a. Enter date the calendar is to be called (following day) at the top.</p> <p>b. Type all cases from current daily calendar which have not yet been reached.</p> <p>c. Type all cases from "Day Certain" Calendar.</p> <p>d. Make sufficient copies for distribution (posting) to:</p> <p>Courtroom clerk Court stenographer Assignment clerk and staff Clerk's Office Bulletin Board Assignment Office Bulletin Board Counter clerk</p> <p>e. Transmit original to Judge.</p>	<p>In Providence, the Daily Trial Calendar is usually limited to two pages of cases.</p>

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Daily Calendar Call</u>				<p>During the calendar call, the assignment clerk is in the courtroom; notations of the attorney's responses are made on the daily calendar. Responses include Ready (R); Subject (S); Continued to (date); Settled.</p>	
Assignment of Cases				<p>At the end of the call, the judge assigns numbers to cases marked "ready" to be sent out to judges as they become free. The assignment office is notified as a judge becomes available and forwards the case file to the judge.</p> <p>a. As call from judge as to availability is received, check list for next case; pull case file and transmit to judge.</p> <p>b. If attorneys are not present, contact them by telephone, and inform that case is to be tried.</p> <p>c. Retrieve calendar card and place in "awaiting disposition" file.</p>	
<u>Post-Calendar Call</u>				<p>When assignment clerk returns copy of Daily Trial Calendar with notations, review list to determine updating which needs to be done in the assignment office.</p>	
Settlements				<p>See procedure, page4 .</p>	

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Continuances				<ul style="list-style-type: none"> a. If a new date appears on the call list: add case to Day Certain Calendar for date indicated. b. Move calendar card to "new trial date" folder. c. Enter new date on index card. 	
Cases Not Reached				Keep calendar card in pending file for next day's Daily Trial Calendar.	
<u>Disposed Cases</u>				<p>A completed "Case Disposition Report" should be received from the courtroom clerk once disposition has been reached.</p> <ul style="list-style-type: none"> a. Enter disposition information on calendar card. b. Staple report to back of calendar card. c. Place calendar card in statistics file. 	This form is not being completed by all courtroom clerks, at present. See Office Procedure Handbook for sample form.

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Statistical Reporting</u>	Ex. 6	--		<p>The civil assignment office is responsible for maintaining statistics regarding all civil cases before the court. The "Monthly Report of Civil Case Movement," accompanied by a breakdown of the Formal and Special Cause Calendar, is due shortly after the end of each month. Maintaining statistical files by categories required for the report speeds up considerably the preparation of the report and ensures its timely submission. A summary of these statistics is prepared quarterly and annually.</p>	
Monthly Report of Civil Case Movement	Ex. 5	--		<p>On the last day of the month, start completing the report. The following headings correspond to the categories on the report form. Type in <u>month</u>, <u>year</u> of reporting period at top of form.</p> <ol style="list-style-type: none"> 1. <u>Cases pending - beginning of month</u>: take this figure from last month's report, last item, "cases pending - end of month." 2. <u>Cases added during month</u>: count additions made to continuous calendars; be certain to mark stopping place on calendar as guide for next month. 	<p>This should represent the total of cases appearing on the continuous jury/non-jury calendars.</p> <p>Civil assignment office staff in Providence stated that a more accurate means of determining the civil statistics is needed, because one case may appear on the calendar several times and thus may be counted several times. Since the caseload in Providence/Bristol is very large, it is impossible to catch this error without undue difficulty.</p>

Calendaring
Civil Assignment

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
"Judge Days"				<p>3. <u>Cases disposed prior to calendar call</u> (before 30-day, after 30-day, after 7-day notices): maintain calendar cards by the above categories so that at the end of the month only the cards contained in each folder need be counted to arrive at the proper figure for the report.</p> <p>4. <u>Cases disposed on or after calendar call</u> (various categories): maintain calendar cards in folders; count cards as above (3).</p> <p>5. <u>Total cases disposed</u>: add items (3) and (4).</p> <p>6. <u>Cases pending for trial at end of month</u>: cases pending (beginning) + cases added - <u>cases disposed</u> = cases pending (end of month)</p> <p>An additional requirement on the report is to determine the number of "judge days" for the month.</p> <p>a. Determine the number of court days in the reporting period.</p>	

CASE REFERENCE NO. _____

Calendaring
Civil Assignment

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Report Submission				<p>b. Multiply this figure (e.g., 10) by the number of judges assigned to the Daily Trial and Formal and Special Cause Calendars (e.g., 5) $10 \times 5 = 50$ "judge days"</p> <p>c. Include this information and computation in a note at the bottom of the report.</p> <p>Transmit to Presiding Justice of the Superior Court and to others upon request. Retain copy in sequential file.</p>	
Quarterly Reports				<p>The same report form is used for the quarterly reports, for quarters ending: December 31 March 31 July 1 (end of session)</p> <p>a. Total figures from monthly reports. b. Change "monthly" on report title to "quarterly." c. Add reporting period date at top. d. Submit to Presiding Justice.</p>	
Annual Report				<p>This is filed in July, or whenever the court session ends for summer recess. Follow procedure as for quarterly report, above.</p>	

CIVIL CALENDAR CARD

5/78

/x/ Jury / / Non-Jury

Control No: _____ Consolidated With: 74-2624 (case name) 74-2396 County: _____

Case No: 74-1573 Case Title: John R. Morin v. Frank N. George & Sons, Inc.

Date Case Filed: _____ Case Type: negligence Est. Length: _____

Date Case Calendared: 7-24-74 p 384 Priority Granted on: _____

Nature of Priority: _____

ATTORNEY INFORMATION:

	Name	Phone	I.D. No.
Plaintiff:	(name) _____ (address) _____	861-5700	XX
	_____	_____	_____
	_____	_____	_____
Defendant:	(") _____ (") _____	421-7281	XX
	_____	_____	_____
	_____	_____	_____

SCHEDULING ACTIVITY:

	Date		
Date of 30-day Notice:	4-21-77	No 30-Day Notice:	_____
Date of 7-Day Notice:	5-17-77	No 7-Day Notice:	_____
Trial Date:	6-7-77	1-12-78	
		1-19-78	
		Reason	Requestor (P/D)
1st Continuance	6-16-77	11-8-77	_____
2nd Continuance	9-27-77	2-21-78	_____
Standby Review	10-4-77	3-27-78	_____
Special Pre-Trial: Date Ordered	_____	Date Held	_____

DISPOSITION INFORMATION:

	DISPOSITION DATE:
Settled Before 30-Day Notice	Settled in Pre-T
Settled After 30-Day Notice	Dismissed at Pre
Settled After 7-Day Notice	Settled During T
Settled at Calendar Call	Dismissed by Cou
Default Judgment	Jury Verdict
Dismissed at Calendar Call	Judicial Decisio
Case Assigned to Judge: _____	No. _____ Date Assigned _____
Trial Started: _____ Yes _____ No; If Yes, Length _____ (days to nearest	
dict or judgment entered for (amount) _____ Plaintiff _____ D	

Assignment Exhibit 1A

NOTES:

SUPERIOR COURT OF THE STATE OF RHODE ISLAND
PROVIDENCE COUNTY COURTHOUSE
CALENDAR NOTICE (30 DAYS)

5/78

Smith _____ Jury Non-Jury
VS Jones _____ No. 74-158

The above case will be called for trial in *approximately 30 days*. If this case has been settled or for any other valid reason will not be ready, contact the undersigned immediately. Failure to do so will result in an assumption by the court that you intend to proceed.

ATTENTION ATTORNEYS

A 7 day notice will inform
you of trial date.

Superior Court Assignment Clerk
Room 531 277-3225

S-192

II.A-12

SUPERIOR COURT
CALENDAR CLERK
Providence County Courthouse
Providence, R. I. 02903

Robert C. Atwood, Esq.
121 So. Main St.
Providence, RI 02903

Assignment
Exhibit 2A

SUPERIOR COURT OF THE STATE OF RHODE ISLAND
PROVIDENCE COUNTY COURTHOUSE
TRIAL NOTICE (7 DAYS)

5/78

Smith

Jury Non-Jury

VS

Jones

No. 74-1573

The above case is scheduled for trial on:

PLEASE NOTE THIS DATE Thursday, April 21, 1977

Counsel must be present for the call of the calendar on that date at 9:30 a.m. and be ready for trial.

Superior Court Assignment Clerk
Room 531 277-3225

S-192

II. A-13

SUPERIOR COURT
CALENDAR CLERK
Providence County Courthouse
Providence, R. I. 02903

Robert C. Atwood, Esq.
121 So. Main St.
Providence, RI 02903

Assignment
Exhibit 3A

JUDGE CALLING CALENDAR

SHEA, J.

CLERK

DANELLA, J.

CALENDAR

5/78

MONDAY, MARCH 27, 1978

A. D. 19

CASE NO.	ATTORNEY			ATTORNEY
70-252	G Wells	① <i>Bourcier, J.</i>	R	Reynolds
		Helen M Gudavich et al	V. Walter C Cotter	Surdut
73-2563	Lipsey	<i>Settled</i>		Lovegreen
		Janice M Hodge et al	" George Bond	
74-2138	Cuzzone		S	Parks
		Roger Lewis et al	" Providence Washington Ins Co	McSally
NON JURY	D'Amico		R	Marocco
77-3952		Emelda B Leonard	" Old Stone Bank et als	
74-2202	Angelone	② <i>Cochran, J.</i>	R	H Moore
		Francis J Ciccarella	" Joseph Costantino	
74-2590	McBurney		S	T Carroll
		David Pires et al	" Eugene J Trombley	Kershaw
74-2028	Morgera		R	DeFanti
		Marguerite M Aceto	" The Outlet Co	
74-987	Angelone		S	Woolley
		Raymond E Gallison Jr	" Rhode Island College	
73-1408	Cerilli Sr	③ <i>Saguen</i>	R	Kershaw
		DeCesaris Constr Co Inc	" Travelers Ins Co	
74-2549	DeMaria	<i>Settled</i>		Jos Kelly
		William Balasco	" Buckley & Scott Co	
74-1425	Chaika		S	H
		Carol Bucci	" The Miriam Hospital et	D
74-2035	Al Factor		S	W
		Ronald Hero opa et al	" Charles W Clark	
74-2867	J McGair		S	H
		Francesco Bellucci et al	" Elliot Buick Inc et al	D
74-1985	Kennedy		S	H
		Youssef Bahri d/b/a	" St Basil's Church Corp	D
73-1428	Capineri		R	D
		George Costa	" Star Market Co Inc	
			"	

Assignment Exhibit 4A



February, 1978

From: Assignment Office

MONTHLY REPORT OF
CIVIL CASE MOVEMENT

5/78

Providence-Bristol	Prov Jury	Bristol Non Jury				TOTAL
Cases pending for trial at beginning of month	6589	795				7384
Cases added during month	135	20				155
Cases disposed prior to calendar call:						
Settled before 30-day notice	15					15
Settled after 30-day notice	10					10
Settled after 7-day notice	13	2				15
Cases disposed on or after calendar call:						
Settled at calendar call	11					11
Default						
Settled at pre-trial	5	3				8
Dismissed at pre-trial	9	1				10
Settled during trial	1					1
Jury verdict	6					6
Judicial decision	1	4				5
Total cases disposed	71	10				81
Cases pending for trial at end of month	6653	805				7458

NOTE: This reporting period consisted of 10 days during which we had 5 Judges engaged on the Daily Trial Calendar and 1 Judge engaged on the Formal & Special Cause Calendar which makes 60 "Judge Days" for February 1, 1978 through February 28; 1978.

Assignment
Exhibit 5A

February, 1978

FORMAL & SPECIAL CAUSE MATTERS

1. Preliminary Injunctions	5
2. Petition for Assessment of Damages-Uncontested	
3. Proof of Claim	10
4. Consent Judgement	2
5. Agency Appeals (including Zoning Appeals) (most such decisions are rendered after memoranda are filed and a transcript is examined).	4
6. Title Proceedings & Other Uncontested Dispositions	6
7. Trustee Proceedings	2
8. Supplementary Proceedings	5
9. Receivership Proceedings	11
10. Motions to Dissolve or Authorize Attachment.(including Body Executions)	3
11. Petitions for Mandamus	
12. Contempt Proceedings	2
13. Proceedings to Vacate Default Judgement	4
14. Partition Proceedings	2
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	3

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Civil Assignment
Newport and Washington

Introduction/Procedure

In Newport and Washington Counties, the assignment of civil cases is accomplished through the joint effort of all office personnel rather than by an assignment office.

The county of Washington maintains continuous jury and non-jury calendars in much the same manner as Providence/Bristol. However, specific trial dates and the number of cases to be heard are set by the clerk together with the trial judge for the session. The judge determines whether matters will be selected for either the Jury or the Miscellaneous (all non-jury matters) Calendar. Generally 5 or 6 cases are assigned to each day in the session; these cases are selected from those next in line on the appropriate continuous calendar. As attorney responses are received, notices to additional counsel are mailed until the trial calendar has been filled with a sufficient number of cases ready to proceed to trial. The trial calendar is then typed, distributed to attorneys, and posted in the clerk's office. Once the first case on the calendar has been reached,

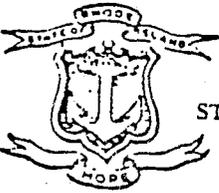
all other cases are placed on stand-by; attorneys are notified by telephone of when the case will be reached.

In Newport County a more informal means of assigning cases is used since the volume of business is smaller. Attorneys notify the clerk's office by motion or stipulation that they wish a case to be assigned to either the miscellaneous or jury calendars. The judge assigned to the court session will select what calendar is to be heard on specific dates. Once a definite date has been chosen, the clerk will inform the attorneys of record by telephone of the date the case will be called. The Miscellaneous or Jury Trial Calendar will then be prepared, distributed and posted by the clerk. Sample forms for notice and the jury and miscellaneous trial calendars appear at the end of this section.

Statute/Rule: See R.P. 2.7 (calendars)

R.P. 2.8 (assignment)

See also Providence/Bristol, Civil Assignment, "Statistical Reporting."



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
SUPERIOR COURT NEWPORT COUNTY
Newport, Rhode Island 02840

THIS NOTICE IS SENT TO
ATTORNEYS IF WRITTEN
NOTICE IS GIVEN (some of
the county Judges prefer
telephone notice).

5/78

USE THE TRIAL DESIGNATION EITHER
MISCELLANEOUS OR JURY TRIAL CALENDAR

OFFICE OF THE CLERK (401) 846-5556

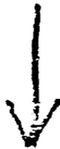
YOU ARE HEREBY NOTIFIED that JUSTICE ARTHUR A. CARRELLAS, of the
Newport County Superior Court has this date assigned the Misc. or Jury
trial cases listed below for trial during the period to commence
dates through and requests that you
alert your clients and witnesses so as to be prepared to go forward
on the date indicated.

ASSIGNED FOR TUESDAY, MAY 9, 1978

76-89	EDWARD V. GODDARD	VS	BROWN UNIVERSITY & ANN BORGES
3-1	846-0120 Joseph R. Palumbo		421-3102 Bernard F. McSally
			272-8800 John F. Dolan
76-283	BURGESS & LEITH	VS	JACOB GORDON
3-2	624-6616 Thomas T. Brady		847-0872 Joseph Houlihan
	:		:
	:		:
	:		:

11, B-2

(The 3-1 under the case no. and 3-2 under the second case number denote the page
and where on that particular page the case is [see Jury trial calendar].)



ASSIGNED FOR WEDNESDAY, May 10, 1978

Assignment
Exhibit 1B

JURY TRIAL CALENDAR

Page 3

76-89 EDWARD V. GODDARD
846-0120 Joseph R. Palumbo

VS BROWN UNIVERSITY & ANN BORGES
421-3102 Bernard F. McSally
272-8800 John F. Dolan

5/78

Calendared: 2/77 Pre-Trial: _____ Held _____ Trial _____
1st Continuance: _____ By _____ Reason _____
2nd Continuance: _____ By _____ Reason _____
Priority Granted: _____ For Trial on: _____
DISPOSITION: _____ JURY VERDICT _____ JUDGMENT _____
DECISION _____ STIPULATION _____

76-283 BURGESS & LEITH
624-6616 Thomas T. Brady

vs JACOB GORDON
847-0872 Joseph Houlihan

12/1/77 - Stip to enter

Calendared: 2/77 Pre-Trial: _____ Held _____ Trial _____
1st Continuance: _____ By _____ Reason _____
2nd Continuance: _____ By _____ Reason _____
Priority Granted: _____ For Trial on: _____
DISPOSITION: _____ JURY VERDICT _____ JUDGMENT _____
DECISION _____ STIPULATION _____

U. B-3

76-229 SUSAN BROWN
847-0171 Richard D'Addario

VS SAMUEL BROADHURSTS & PAUL ROBERTSON
d/b/a Island Mower & Cycle Service
521-7000 Bruce G. Tucker

Calendared: _____ Pre-Trial: _____ Held _____ Trial _____
1st Continuance: _____ By _____ Reason _____
2nd Continuance: _____ By _____ Reason _____
Priority Granted: _____ For Trial on: _____
DISPOSITION _____ JURY VERDICT _____ JUDGMENT _____
DECISION _____ STIPULATION _____

76-113 PAUL VALENTE
274-0700 Lovett & Linder
Roaul Lovett

VS SHARON MARLEY
272-8800 John F. Dolan
Keenan, Rice, Dolan, Rice
40 Westminster Street

3/15/78 Stip to enter

Calendared: 4/77 Pre-Trial: _____ Held _____ Trial _____
1st Continuance: _____ By _____ Reason _____
2nd Continuance: _____ By _____ Reason _____
Priority Granted: _____ For Trial on: _____
DISPOSITION _____ JURY VERDICT _____ JUDGMENT _____
DECISION _____ STIPULATION 4/3/78

Assignment
Exhibit 2B

Misc. Trial Calendar

Case No. _____ Name _____ vs. No. _____ Name _____
Tel. No. - Atty's Name _____ Tel. No. _____ Atty's Name _____
Address - if necessary _____ Address (etc.) _____

Calendared: _____ Pre-Trial: _____ Held _____ Trial: _____
1st Continuance: _____ By _____ Reason: _____
2nd Continuance: _____ By _____ Reason: _____
Priority Granted: _____ For Trial on _____
DISPOSITION: _____ JUDGMENT: _____
DECISION _____ STIPULATION: _____

I. B-4

Calendared: _____ Pre-Trial: _____ Held _____ Trial: _____
1st Continuance: _____ By _____ Reason: _____
2nd Continuance: _____ By _____ Reason: _____
Priority Granted: _____ For Trial on _____
DISPOSITION: _____ JUDGMENT: _____
DECISION: _____ STIPULATION: _____

Calendared: _____ Pre-Trial: _____ Held _____ Trial: _____
1st Continuance: _____ BY _____ Reason: _____
2nd Continuance: _____ By _____ Reason: _____
Priority Granted: _____ For Trial on _____
DISPOSITION: _____ JUDGMENT: _____
DECISION: _____ STIPULATION: _____

Assignment
Exhibit 38

Calendared: _____ Pre-Trial: _____ Held _____ Trial: _____
1st Continuance: _____ By _____ Reason _____
2nd Continuance: _____ By _____ Reason _____
Priority Granted _____ For Trial on _____
DISPOSITION: _____ JUDGMENT: _____
DECISION: _____ STIPULATION: _____

Criminal Scheduling
Newport and Washington

Introduction/Procedure

In Washington and Newport Counties, the Attorney General, in conference with the judge, prepares the calendar, notifies counsel, and submits a copy of the prepared calendar to the court. The clerk's office has little to do with scheduling of criminal matters.

RHODE ISLAND SUPERIOR COURT
MANUAL OF COURT OPERATIONS

III. Courtroom Procedure Handbook

National Center for State Courts

May 1978

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Courtroom Procedure

Introduction

The courtroom clerk has the very important task of recording court action on cases which come before the court. Clerk-typists are precluded from the performance of any in-court duties except to offer assistance to the clerk or designate. Alertness, efficiency and organization are requisites for a good courtroom clerk.

Many duties of the courtroom clerk occur prior to the court session, when calendars are drawn and updated, inquiries from parties are received, case files are pulled and requests of the judge are fulfilled. It is important that everything be in order before the court officer calls the judge to the bench.

Judges appreciate a courtroom clerk who does not need prompting. Since judges may differ somewhat in procedures, it is important to observe closely how individual judges like things done. General in-court duties include: calling the calendar, announcing cases, transmitting case files and documents to the judge, swearing in witnesses, taking charge of exhibits, administering various oaths, marking papers filed in court; performing various jury-related tasks, issuing forms at the direction of the court.

The most important in-court task, however, is to keep an accurate record of what happens in court. Detailed notes are made in what is called the court log (also referred to as the record, or journal). This log is a concise history of court action in the case and is used for reference when questions arise. The courtroom clerk is responsible for determining the official docket entries; alertness during the court session is necessary to ensure accuracy of the entry, particularly on a fast-moving calendar, as in arraignments or motions. Some courtroom clerks find that making notations on the calendar is helpful; a copy of the calendar can then be left at the counter for referral when parties ask about progress on a case. Legible handwriting is a must, since docket entries are made later by the clerk-typists in the records section.

Responsibilities of the courtroom clerk continue following the court session: case files must be returned to the records section for entries to be made; exhibits must be secured; interest and costs must be computed on civil judgments; judgments must be entered; and preparations for the next court session must be made.

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Criminal

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Exhibits</u></p> <p>Labeling of Exhibits</p> <p>Storage of Exhibits</p>				<p>The courtroom clerk has the responsibility for safe keeping of all exhibits. Since exhibits may be handled in court by various persons, make certain that all exhibits are returned to you at the conclusion of the session. Proper labeling and storage procedures are essential.</p> <p>There are two types of exhibits:</p> <ol style="list-style-type: none"> 1) A "full" exhibit, one which the court has allowed to become part of the record and may be used as evidence and 2) "For identification" exhibits, which are not allowed as evidence and which may <u>not</u> go to the jury. <p>Plaintiffs (Pltf.) Exhibits are labeled by <u>number</u>.</p> <p>Defendants (Deft.) Exhibits are labeled by <u>letter</u>.</p> <p>Each exhibit should be labeled with the following information:</p> <p>case number exhibit number or letter; full or ident. if there are multiple pltf(s)(defts), enter individual's name date name of courtroom clerk</p> <p>If an exhibit is later changed from "identification" to "full" status, cross out "ident.", enter "full" and date of change.</p> <p>Exhibits should be stored in a manila envelope marked as follows:</p> <p>case number (right-hand corner) name of case</p> <p style="text-align: center;">III.1</p>	<p>In criminal cases <u>State</u> should be substituted for <u>Plaintiff</u>.</p> <p>A separate exhibit label may be preferable so that marks are not put on original papers. A string tag may be used for bulky items.</p> <p>Storage in a separate envelope is preferable to storage in the case file -- then one standard procedure can apply to all cases.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Civil/Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Swearing in a Witness</u></p>				<p>a. As the witness is called to the stand, say "PLEASE RAISE YOUR RIGHT HAND" and administer the appropriate oath (or affirmation).</p> <p>b. <u>Jury Matter</u> "YOU DO SOLEMNLY SWEAR THAT THE TESTIMONY WHICH YOU SHALL GIVE TO THE COURT AND JURY SWORN IN THE CASE NOW ON TRIAL SHALL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH SO HELP YOU GOD." <u>Non-Jury Matter</u> "YOU DO SOLEMNLY SWEAR THAT THE TESTIMONY WHICH YOU SHALL GIVE TO THE COURT IN THE MATTER NOW IN HEARING SHALL BE THE TRUTH, THE WHOLE TRUTH, AND NOTHING BUT THE TRUTH SO HELP YOU GOD."</p> <p>If a witness states that he will affirm, administer the following: <u>Affirmation of a Witness - Jury Matter</u> "YOU DO SOLEMNLY AFFIRM THAT THE TESTIMONY WHICH YOU SHALL GIVE TO THE COURT AND JURY SWORN IN THE CASE NOW ON TRIAL (IN THE MATTER NOW IN HEARING) SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH. THIS AFFIRMATION YOU MAKE AND GIVE UPON THE PERIL OF THE PENALTY OF PERJURY."</p> <p>c. "Please state your full name and spell your last name."</p>	<p>If there is a long break in testimony or if a witness has been excused and is recalled, it is a good practice to remind the witness that he is still under oath.</p> <p>An affirmation oath is used when the witness states non-belief in God.</p> <p>The substitution for a non-jury matter is given in brackets.</p> <p>Especially in criminal cases, it is a good practice to have the witnesses state their names under oath. Spelling of the last name is helpful (and often necessary) to the court stenographer.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Qualifying the Petit Jury</u> Jury Commissioner Excuseds</p>				<p>Prior to opening of court, the Jury Commissioner greets the jury panels and excuses those who have reason not to sit on the jury for the two-week period. As persons are excused, make certain that a red line is drawn through the names of persons excused; a duplicate list needs to be kept for the judge.</p>	<p>The clerk in charge of jury matters informs the Jury Commissioner of the number of jurors needed and when. RIGLA 9-10-1. A list of jurors qualified for service is prepared by the Jury Commissioner and given to the Court.</p>
<p>Opening of Court</p>				<p>Transmit updated list of jurors to judge.</p>	<p>Several copies of the updated list should be available.</p>
<p>Roll of Jurors</p>				<p>a. At the judge's direction, call the roll of jurors; start: "Ladies and gentlemen of the jury, answer 'here' to your name as it is called. Rise and remain standing. Mr. (Officer), you will count the jurors." b. Call jurors on list, announcing name of city (town) and full name as it appears on list. c. If juror absent, enter date of absence beside name. d. At end of call, say: "Is there anyone who has been summoned for jury duty, whose name I did not call?"</p>	<p>The Judge and the Jury Commissioner will take care of any responses to this query.</p>

CONTINUED

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DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Qualifying Jurors				<p>Before judge conducts the inquiry for qualifying the jurors, administer the following oath: "Ladies and Gentlemen of the Jury, please raise your right hand. "YOU DO SEVERALLY AND SOLEMNLY [SWEAR] THAT YOU WILL TRUE ANSWER MAKE TO SUCH QUESTIONS THAT SHALL BE ASKED OF YOU BY THE COURT. [SO HELP YOU GOD.]" "Please be seated."</p>	<p>Substitute bracketed words below for affirmation oath. [AFFIRM] [THIS AFFIRMATION YOU MAKE AND GIVE UPON THE PERIL OF PERJURY.]</p>
Swearing in the Jury				<p>"Will the jury please rise. Please raise your right hand and face the court. "YOU DO SEVERALLY AND SOLEMNLY [SWEAR] THAT IN ALL CASES BETWEEN PARTY AND PARTY THAT WILL BE COMMITTED TO YOUR CARE, YOU WILL RETURN A TRUE VERDICT THEREIN, ACCORDING TO THE EVIDENCE AND THE LAW AS GIVEN YOU BY THIS COURT. [SO HELP YOU GOD.] "Please be seated."</p>	<p>See above [. . .] for affirmation oath.</p>
Sub-Panels			<p>RIGLA 9-10-12.1, 12.2</p>	<p>In larger counties (Providence, Kent), the judge announces number of sub-panels and number of jurors in each. a. Place slips of all qualified jurors in barrel, and spin the barrel. b. Say: "Ladies and Gentlemen of the Jury, as your name is called, please rise and answer 'here.' Mr. Officer, you will count the jurors."</p>	<p>These slips are prepared in advance by clerk's staff upon receipt of the jurors list.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Sub-Panels, cont'd.				<p>c. Draw juror cards from barrel one at a time until number in sub-panel is reached. Announce: From city (town) and full name as on card.</p> <p>d. Once notation has been made on back of card as to sub-panel, transmit juror cards to court officer.</p> <p>e. Wait until the jury panel leaves before starting next panel, then: continue in same manner until all sub-panels have been called and no qualified jurors remain.</p>	

Courtroom Procedure
Civil/Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Court Record Book</u>				<p>One responsibility of the courtroom clerks is to keep a record of each day's proceedings in the court in a book maintained for this specific purpose. This book is referred to as a COURT RECORD BOOK or LOG BOOK and the following information is entered:</p> <ul style="list-style-type: none"> a. Date of proceeding (day, month, date and year) b. Time started. c. Judge's name. d. Stenographer's name. e. Case number f. Case name g. Attorney General or Public Defender, if applicable. h. Jurors. i. Witnesses in order called, noting whether witness is for prosecution or defense. j. List the exhibits for each side, with descriptive title. k. Record each motion and who made the motion. l. Record outcome of motion (granted or denied). <p style="text-align: center;">. III.7</p>	<p>Keeping this "diary" seems to be a tradition rather than a requirement. Most courtroom clerks agree, however, that it has often proven useful for reference.</p> <p>In general the log should be a reference to only those things not entered on the docket; it is unnecessary duplication to do otherwise.</p> <p>See "Exhibits"</p>

Courtroom Procedure
Civil/Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Court Record Book, cont'd.				m. Record hearings orders and documents issued: 1) Reason for hearing, 2) Witnesses, 3) Exhibits. n. Record time State rests its case. o. Record time defense rests. p. Note any rebuttals: 1) Witnesses, 2) Exhibits. q. Keep record of arguments: 1) Time argument started, 2) Time argument ended. r. Keep time record of jury retirement and time record of returns for verdict. s. Note disposition of case.	Steps "n" and "o" are optional; it is only main- tained for the convenience of the attorneys.

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Daily Civil Trial Calendar</u>			RP 2.2	<p>The daily trial calendar is the first calendar called at the beginning of court each day to determine how the attorneys intend to proceed with the case that day. The judge, clerk and stenographer should each have a copy of the calendar.</p> <p>a. Call cases in order, announcing: Case number, _____ v. _____.</p> <p>b. Note response of attorney on calendar, as specified by judge. E.g. Ready (R) Ready-Hearing (R/H) Ready-Subject (R/S) (e.g. to notice of witnesses) Ready-Conference (R/C)</p> <p>The judge will then confer with the assignment office to determine availability of judges and announce the courtrooms in which the cases are to be heard (tried). Cases marked "hearing" are announced after the call has been completed.</p> <p>c. Retain the calendar call sheet for reference.</p> <p>d. For cases of default under Rule 2.2, make entry in case file.</p>	<p>The civil assignment clerk prepares the daily trial calendar list. In Providence and Kent, the calendar is called by the courtroom clerk responsible also for the Formal/Special Cause Calendar. In the smaller counties, the call of the Miscellaneous and Jury Calendar is held at times specified by the judge.</p> <p>Because time is limited, a shorthand system should be used.</p>

Courtroom Procedure
Civil

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Formal/Special Cause Calendar</u></p>			<p>Weisberger Memo 11/9/72 RP 2.4</p>	<p>Matters which require testimony and/or evidence and which must become part of the court record are placed on the formal/special cause calendar.</p> <p>Matters are first placed on this calendar by request of the attorney on the omnibus assignment form. The courtroom clerk should coordinate closely with the person who prepares the calendar to equalize the daily load as much as possible. A telephone call to an attorney may be necessary to change a requested date.</p>	<p>In Providence, formal/special cause matters are heard daily. In Washington and Newport, these matters are included on the Miscellaneous Calendar. A list of these matters is found on the statistical reporting form.</p> <p>For the calendar preparation procedure, refer to the Office Procedure Handbook.</p> <p>In Providence, the calendar call is limited to one page per day (approximately 25 cases) when at all possible.</p>
<p>Pre-Calendar Call</p>				<p>a. Pull case files for all cases on calendar, in same order as on list.</p> <p>b. Make certain that three copies of calendar (courtroom clerk's, judge's, steno's) are updated with information as to continuances, "pass," etc., received after the final calendar has been typed.</p> <p>N.B.: The courtroom clerk may accept a continuance or a pass from an attorney as long as it is by agreement of both parties.</p> <p>Mark on calendar "continued to (date)" or "passed." For passed cases get new date from attorney; remind attorney that new omnibus assignment form should be filed.</p> <p>c. Transmit updated calendar and any special information to Judge. 11.10</p>	<p>The granting of continuances by the clerk occurs only on the formal/special cause and motion calendars. A continuance cannot be granted in this manner when the case has been set for trial.</p>

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Calling the Calendar				<p>a. After opening of court and at direction of judge, call the calendar in order by announcing name of case. Cases which appear on the calendar but were continued or passed prior to court should be called, with continued or passed notation.</p> <p>b. Note on calendar the response of the attorney. Responses include: Ready formal (no testimony involved) (R/F) Ready (nature of matter, e.g., oral proof of claim) (R) Ready subject (e.g., witnesses need to be notified) (R/S) Ready conference (i.e., request for hearing in chambers) (R/C)</p> <p>c. At same time, organize case files by categories above.</p>	<p>Because time is limited, a shorthand system should be used.</p>
Scheduling by Appointment				<p>A short recess may take place at this time to enable scheduling of conference cases and to give an appointed time for certain cases requiring appearance of witnesses.</p> <p>The courtroom clerk should work closely with the judge in scheduling appointments. A desk calendar is essential in the courtroom so that cases may be entered immediately.</p>	<p>The scheduling of appointments for certain formal matters is a practice which works well in Providence.</p> <p>In Providence appointments are scheduled for 11 A.M. and 2 P.M. as the court agenda permits.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
In-court Notations On Calendar				<p>It is helpful to keep shorthand notes of court action on the daily calendar for two purposes:</p> <ul style="list-style-type: none"> - for reference to updated progress on case by parties and public (a copy is kept at the counter for referral), - for statistics. <p>Suggested notations include:</p> <p>continued to "dates at left" reason for hearing; action of court M to A = Motion to Attach Δ = Defendant π = Plaintiff OPC = Oral Proof of Claim O/T/E = Order to enter Oent = Order entered M for SJ = Motion for Summary Judgment</p> <p>At conclusion of court session, transmit copy of calendar to counter personnel.</p>	
Statistical Report	Ex. 1	--		<p>Enter mark by type of case on statistical reporting form. (This information becomes part of the report completed by the assignment office at the end of the reporting period.)</p> <p>Keep copy of calendar for one year, for reference.</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Motion Calendar			RP 2.5 RP 2.9	<p>The motion calendar is prepared, typed and distributed by the civil records section. The motion clerk should keep a copy of the calendar handy for notations of continuances or passes of which the clerk is informed prior to the court session.</p> <p>The clerk from 8:30 A.M. to 9:45 A.M. accepts phone calls from attorneys who have a scheduling problem for that day of the calendar.</p>	<p>See Office Procedure Handbook, Civil, "Motions". In Providence/Bristol, Tuesday, Wednesday and Thursday are Motion Days, R.P. 2.5. For the other counties, RIGLA 8-7-3 specifies the Motion Days.</p>
Continuances				<p>A continuance can be granted by the clerk only when it is by agreement of all counsel.</p> <p>a. Note on calendar: "continued to <u>(date)</u>."</p> <p>b. If the calendar date requested appears to be heavily scheduled, suggest a lighter day.</p> <p>c. After court session, return calendar copy to civil records section so that new entries may be made on motion calendar.</p>	<p>This is in contrast to the practice of no continuances allowed when set on the daily civil trial calendar.</p>
Ready/Subject (R/S)				<p>If an attorney calls prior to court, stating he has a commitment in another court, mark the case "ready/subject" on the calendar. At calendar call announce the ready/subject status for that case.</p>	
Passed				<p>A passed case often means that counsel have reached an agreement on the motion and a court date is no longer needed.</p> <p>It may mean simply that no counsel will appear for either side in court.</p> <p>111.14</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Motion Calendar Call				<p>On passed cases, attorneys who wish to argue a motion in court must file an omnibus assignment form in order to be assigned a new motion calendar date.</p> <p>The courtroom clerk, the judge, the stenographer the sheriff and others assisting should all have a copy of the motion calendar prior to court.</p> <p>The motion calendar is called at 10 A.M. This allows time for the court to have in camera conferences.</p> <p>The average calendar contains from 4 to 10 pages, 22 cases per page.</p> <p>a. At the court's direction, begin the calendar call by announcing case number case name</p> <p>b. As attorney responds, enter response on calendar copy, e.g., Ready/Formal (R/F) Ready/Hearing (R/H) Cont. to <u>(date)</u></p> <p>c. At end of calendar call, request sheriff to pull case files of all those with response of "ready," and bring to courtroom.</p> <p>III. 15</p>	<p>In addition to each case, the line in which the case name is on is also numbered 1 - 22. In this way a case may be referred to by page and line number, enabling quicker reference than by case name.</p> <p>Some judges may prefer to call the calendar rather than delegating this responsibility to the clerk. The case number may be omitted for long calendars.</p> <p>This is the present practice in Providence. However, smaller courts prefer to pull all case files <u>prior</u> to court.</p> <p>5/78</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Recess				<p>During recess, the courtroom clerk should be available to reschedule for hearing, arrange conferences (<u>in camera sessions</u>) and screen those persons requesting a meeting with the judge, helping out where possible and thereby reducing burdens on the judge's time.</p>	
In-court notations				<p>Because of the fast-moving nature of the motion calendar, the courtroom clerk must be alert and work ahead as much as possible in order not to fall behind in making notations for entries to the docket.</p>	
Action of Court				<p>For each case before the court, a separate sheet of paper should be prepared, with the following notations.</p> <p>Case number Date of session Name of Judge Motion by (<u>plaintiff or defendant</u>) (name individual if more than one plaintiff or defendant or if a third party) to (<u>state motion</u>). Granted (denied). Order to enter (i.e., attorney will present order for signature).</p> <p>Be sure to include all motions brought before the court for each case and any conditions attached to granting of motion.</p> <p>If the court requests that a memorandum or affidavit be filed by an attorney, the judge may ask the clerk to follow-up on its receipt.</p> <p>a. Note requirement for docket entry.</p> <p>III.16</p>	

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Jury Matters</u> Impanelling a Jury</p>			<p>RIGLA 9-10-12</p>	<p>When a jury is needed for a particular case, the Sheriff is directed to bring a sub-panel of jurors and the barrel containing their name slips to the courtroom. The Jury Commissioner determines which panel is to be sent.</p> <p>A jury of six (6) is selected to sit on civil matters. Either one or two alternates are chosen, in the discretion of the judge.</p> <p>a. At opening of court, announce "Your Honor, this is <u>(case number)</u>, <u>(case name)</u>." "Ladies and gentlemen of the jury, answer here to your names as they are called, pass this way before counsel and take your respective seats in the jury box." "Mr. Officer, please count the jurors."</p> <p>b. Stand, spin barrel and draw slips one at a time.</p> <p>c. Announce full name and city (town) of residence. "From _____, <u>name</u>."</p> <p>d. Continue drawing names until required number has been reached.</p> <p>e. As names are drawn, place name-slips on table in same sequence as seats in jury box.</p>	<p>But see RCP 4B, juries of less than twelve.</p> <p>The judge will inquire if parties are ready.</p> <p>Indicate with voice and hand directions how jurors are to proceed to the jury box.</p> <p>Let juror take seat in box before continuing. Allow time between names so counsel can make notes.</p> <p>Judges may vary as to procedure by which alternates are selected.</p>
<p>Examination of Prospective Jurors</p>			<p>RIGLA 9-10-14. RCP 47</p>	<p>Once the jurors have been seated, the Judge will ask general questions of the jury as a whole as to III.18</p>	

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Peremptory Challenges			RIGLA 9-10-18 RIGLA 9-10-19	whether they know any of the parties in the case or know of a reason to disqualify themselves. a. At the direction of the judge or attorney announce, reading from juror card; " <u>(Name)(residence)</u> is excused from this panel." b. Remove name-slip; draw a new name from barrel and request individual to take vacated seat in jury box. Normally challenges to jurors are then made first by plaintiff, then by defendant counsel or as the judge otherwise directs. Each side is allowed one challenge for each four jurors. Two challenges are allowed for a 6-person jury panel and one for each alternate. a. Keep a tally of the number of challenges of each side. b. Announce to judge when maximum number of challenges has been reached. c. Excuse and replace jurors as in steps a and b, above. d. Clip final juror name cards together for future reference. Keep in desk, in sequence.	Because challenges are on the record, it is unnecessary to retain challenge slips in the case file.
Oath to Jurors			RIGLA 9-10-12	After challenges have taken place and all jurors are seated, administer the oath. III.19	

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Oath to Jurors, cont'd.			RIGLA 9-10-20	<p>At direction of judge (when parties find jury satisfactory), administer oath. "Ladies and gentlemen of the jury, please rise and raise your right hands." "YOU DO SEVERALLY, SOLEMNLY [SWEAR] THAT IN THE CASE (OR CASES) NOW ABOUT TO BE COMMITTED TO YOUR CARE YOU WILL RETURN A TRUE VERDICT THEREIN ACCORDING TO LAW AND THE EVIDENCE GIVEN YOU [SO HELP YOU GOD.]"</p> <p>"Please be seated."</p>	<p>For affirmation substitute for bracketed words: [AFFIRM] [THIS AFFIRMATION YOU MAKE AND GIVE UPON PERIL OF THE PENALTY OF PERJURY.]</p>
Appointment of Foreman			RIGLA 9-10-12	<p>The judge selects who is to be Foreman and indicates the name to the courtroom clerk. At direction of court, say: "The Court appoints _____ as Foreman. Will you please exchange places with Juror #__."</p>	<p>The Foreman sits in the front row in the seat closest to the spectator area.</p>
Selection of Alternates			RIGLA 9-10-13 RCP 47(b)	<p>At direction of Court draw names from barrel to be alternate jurors, as above. After challenges have been concluded, administer oath to alternates.</p>	

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Taking a Verdict	Ex. 3	--		<p>When deliberations have concluded and the jury returns to the courtroom:</p> <p>a. "Mr. (Ms.) Foreman, please rise. Have you reached a verdict?"</p> <p>b. "Do you find for the plaintiff or for the defendant?"</p> <p>If for the plaintiff, ask: "In what amount?"</p> <p>c. Enter amount on verdict blank and have the sheriff hand it to the foreman for signature.</p> <p>d. "Harken to your verdict as recorded by the court in <u>case number</u>, <u>case name</u>: (Read Verdict)."</p> <p>"Mr. Foreman, is this your verdict?"</p> <p>"Ladies and Gentlemen of the jury as your foreman says, so say you all."</p>	<p><u>N.B.</u>: Interrogatories to the Jury Especially in comparative negligence cases, interrogatories to the jury may be necessary. Some judges may have the interrogatories answered by the jury; the clerk then reads both the interrogatories and the responses, ending with: "Mr. Foreman, is this your verdict for ...?" When interrogatories are involved, ask the judge whether the interrogatories should be read before or after the general verdict.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Civil

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Polling a Jury				<p>The judge ordinarily asks if any party wishes a jury poll. Any attorney may challenge the verdict of the jury by requesting that the courtroom clerk poll the jury.</p> <p>a. At attorney's request, say: "When your name is called, please give your verdict for either the plaintiff or the defendant."</p> <p>b. Read names from juror name-cards one at a time.</p> <p>c. Then ask: "Do you find for the (Pltf. or Def't.) in the sum of (amount)?"</p> <p>d. Record responses of individual.</p>	<p>The judge may introduce the jury poll: "Your Foreman has reported a verdict for (Pltf./Def't.) in (amount). Is that your verdict -- Yes or No?"</p>
Payment to Jurors				<p>Jurors are paid at the end of the two-week session. If jurors will be in the courtroom on payday, notify bookkeeper by transmitting juror cards to bookkeeper so that checks made be set aside.</p>	

Courtroom Procedure
Civil

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Trial Matters</u>				<p>Many of the duties of courtroom clerks on trial matters have been discussed above. Refer to: "Formal/Special Cause" "Swearing in Witness" "Exhibits" "Court Record Book"</p>	
Docket Entries	Ex. 4	--		<p>The docket should contain a concise summary of all court activity having a bearing on the case. Daily entries should be made, although the entries will not be typed until trial has concluded. Retain case file and entries until conclusion.</p> <p>Include in entry for clerk-typist: case number, case name name of judge dates trial begins, continues and concludes significant court action jury or non-jury outcome of case storage place of exhibits, transcripts, depositions your signature</p>	<p>Additional entries made by clerk-typists include documents filed and issued.</p> <p>The Court Record Book contains more detail than should the docket.</p>

Courtroom Procedure
Civil

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Judgment</u> Judgment	Ex. 5	--		Judgment becomes official when it is entered by the clerk. The proper judgment form is completed by the courtroom clerk and transferred to the clerk-typist for entry. Complete this form when judgment in non-jury case is rendered by judge in open court.	See Office Procedure Handbook, "Entry of Judgment."
Judgment on Decision	Ex. 6	S-149		Complete this form when the judgment is rendered by the judge outside of open court (as on oral proof).	
Judgment on Verdict	Ex. 7	S-150		Complete this form when a jury has rendered a verdict.	
Case Disposition Report	Ex. 8	--		Complete once case (jury or non-jury) has been disposed of and transfer to Civil Assignment Office.	Civil assignment (Providence) reports that this is not always done; it is important in maintaining disposition statistics.

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Grand Jurors, cont'd.			RCrP 6c	<p>Say: "YOU SEVERALLY AND SOLEMNLY [SWEAR,] THAT AS MEMBERS OF THE GRAND INQUEST FOR THE BODY OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS YOU WILL DILIGENTLY INQUIRE, AND TRUE PRESENTMENT MAKE OF ALL SUCH CRIMES AND MISDEMEANORS COGNIZABLE BY THE COURT, AS SHALL COME TO YOUR KNOWLEDGE; THE STATES COUNSEL, YOUR FELLOWS AND YOUR OWN WILL KEEP SECRET, WILL PRESENT NO PERSON FOR ENVY, HATRED, OR MALICE; NEITHER WILL YOU LEAVE ANY PERSON UNPRESENTED FOR LOVE, FEAR, FAVOR, AFFECTION, OR HOPE OF REWARD; BUT YOU WILL PRESENT THINGS TRULY, AS THEY COME TO YOUR KNOWLEDGE, ACCORDING TO THE BEST OF YOUR UNDERSTANDING; [SO HELP YOU GOD.]"</p> <p>The court will appoint a grand jury foreman and deputy foreman.</p> <p>The clerk will then administer the <u>Oath to Jury Keeper</u> to the deputy sheriff.</p> <p>Say: "YOU SOLEMNLY SWEAR THAT YOU WILL PERFORM YOUR DUTIES AS JURY KEEPER TO THE BEST OF YOUR ABILITY, SO HELP YOU GOD."</p> <p>A stenographer is selected to record the proceedings and the clerk administers the oath. Say: "YOU SOLEMNLY [SWEAR] THAT YOU WILL PERFORM YOUR DUTIES AS STENOGRAPHER TO THE GRAND JURY TO THE BEST OF YOUR ABILITY AND WILL KEEP ALL PROCEEDINGS SECRET, [SO HELP YOU GOD.]"</p> <p style="text-align: center;">III. 26</p>	<p>[AFFIRM]</p> <p>[THIS AFFIRMATION YOU MAKE AND GIVE UPON THE PERIL OF THE PENALTY OF PERJURY.]</p> <p>See bracketed words above for affirmation.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Grand Jury Report				<p>When the Grand Jury is ready to make its presentation to the court:</p> <p>a. Ask Sheriff for number of jurors assembled.</p> <p>b. Say: "Ladies and gentlemen of the jury answer here when your name is called." "Mr. Sheriff, please count the jurors."</p> <p>c. Indicate those present and not present on list of jurors.</p> <p>d. Say to Foreman: "Mr. Foreman, have you any indictments to return?"</p> <p>Foreman answers: "yes."</p> <p>At this time record the number of indictments presented by the Foreman of the Grand Jury.</p> <p>e. Say: "thank you,"</p> <p>f. "Your Honor, the jury has (number) true bills and (number) no true bills."</p> <p style="text-align: center;">III.27</p>	<p>The county grand jury sits for a period of six weeks; the statewide grand jury for a period of from three to eighteen months.</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Daily Calendar				<p>The daily calendar consists of arraignments, motions, bail and violation hearings, determination of attorney cases and dispositions. A calendar is posted at the entrance to the courtroom and the matters called in the order listed.</p> <p>a. Call case. State v. _____ If defendant is present, ask him/her to take a seat, you will call them again later.</p> <p>b. Call next case. State v. _____ If defendant is not present, court may order a bench warrant to be issued.</p> <p>The court may choose to hold order of bench warrants until all defendants who are present have their matters heard.</p> <p>The court may request that those cases which did not answer when first called be called again. If no answer is heard the court will at this time order that a bench warrant be issued for the defendant's arrest.</p> <p>In disposition cases, where the defendant does not respond to the call, the court will pass this matter to the trial calendar.</p> <p style="text-align: center;">III.28</p>	<p>Smaller counties (Newport) do not have sufficient business to warrant a daily calendar call. The criminal calendar is prepared by the Attorney General's Office in all but Providence.</p> <p>The Judge or Attorney General may instead call the calendar.</p> <p>See Office Procedure Handbook, "Bench Warrants."</p> <p>A disposition case commonly refers to one in which the defendant is to plead guilty or nolo.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Defendant resent - no attorney, cont'd.</p>	<p>Ex. 9</p>	<p>S-211</p>		<p>d. Say: "Let the record show the defendant is present." e. Say: "Your Honor, this is indictment (information) number ___ which charges the defendant with <u>name the charge(s)</u>." f. Hand the file to the Judge. g. Hand copy of information or indictment to defendant. Say: "Your Honor, a copy of the indictment (information) is being handed to the defendant." h. Tell defendant to give information or indictment papers to his or her attorney. i. Then: "What say you to this information (indictment)?" Once the defendant is arraigned and the judge has set bail the clerk will: j. Prepare the bail and recognizance form for the defendant's signature. k. To the defendant, say "Raise your right hand." l. Administer the oath. "WAIVING THE READING OF THIS RECOGNIZANCE DO III.30</p>	<p>The judge will inquire if counsel for the defendant is present. Make certain that the attorney enters an appearance. RCrP 50(a). Prepare this form in advance, as time permits. This is the Personal Recognizance Oath; for Surety Bail Oath, see "Bail at arraignment."</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>2. Defendant present - with attorney</p>			<p>RCrP 50(a)</p>	<p>YOU (NAME) ACKNOWLEDGE YOURSELF INDEBTED TO THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS IN THE SUM OF \$ ____ FOR YOUR APPEARANCE BEFORE THIS COURT ON THIS CASE AND IN THE MEANTIME YOU SHALL KEEP THE PEACE AND BE OF GOOD BEHAVIOR. DO YOU UNDERSTAND THIS?"</p> <p>m. Ask the defendant to please enter his signature and address on the form.</p> <p>n. Hand yellow copy of bail and recognizance form to defendant. Say: "Please read this and give it to your attorney."</p> <p>o. Make notation, e.g., "defendant arraigned and pleads not guilty, gives personal recognizance in sum _____. Continued to (date) to determine attorney."</p> <p>p. Place papers in case folder; return to scheduling office.</p> <p>Same procedures as above, a. - p., with following exceptions.</p> <p>a. Hand copy of indictment or information to attorney instead of defendant.</p> <p>b. Make sure attorney gives you Entry of Appearance form for file.</p> <p>c. Make notations to calendar and note for typing, e.g., "defendant arraigned and pleads not</p> <p style="text-align: center;">III.31</p>	<p>This information will be transferred to the docket and face sheets by the criminal records section. This also serves as a guide for completing the log of the courtroom clerk.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
3. Defendant not present				<p>guilty, gives personal recognizance in sum of _____. Entry of Appearance filed."</p> <p>The clerk will read defendant's name from the daily calendar. If defendant is not present at this time the case may be put aside and called again after all other arraignments and matters are decided.</p> <p>a. Read the name of the defendant.</p> <p>b. Hand file to judge.</p> <p>c. Make notation on calendar to issue bench warrant per judge's order.</p> <p>d. Give file to scheduling office at end of proceedings.</p> <p style="text-align: center;">111.32</p>	<p>The judge may do this instead of clerk.</p> <p>See Office Procedure Handbook, "Bench Warrants."</p>

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Bail</u> Bail at Arraignment.</p>	<p>Ex. 9</p>	<p>S-211</p>		<p>During arraignment proceedings the judge may set bail in a specified amount or release defendant on personal recognizance. When bail is set do the following:</p> <ol style="list-style-type: none"> a. Complete Bail and Recognizance Conditions form. b. Ask defendant to sign name and enter address on form. If a surety is involved: have surety sign bail form underneath defendant's signature and address. c. Ask defendant (and surety) to raise right hands. d. Administer oath. "WAIVING THE READING OF THIS RECOGNIZANCE YOU JOINTLY AND SEVERALLY ACKNOWLEDGE YOURSELVES INDEBTED TO THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS IN THE SUM OF \$ _____ FOR THE APPEARANCE OF THIS OR THESE DEFENDANT BEFORE THIS COURT ON THIS CHARGE OF _____ AND IN THE MEANTIME YOU SHALL KEEP THE PEACE AND BE OF GOOD BEHAVIOR. DO YOU UNDERSTAND THIS?" e. Give yellow copy of bail form to defendant. f. Place white copy in case file folder. g. Give case file folder to clerk in criminal assignment. <p style="text-align: center;">III.33</p>	<p>The defendant is held in a cell block until he or she makes arrangements to post bail. If the defendant cannot make bail, see "Mittimus" section for procedure.</p> <p>See above, step 1, for Personal Recognizance Oath Include underscored words if surety involved.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Hearings</u> Bail Hearings</p>				<p>When a defendant is denied bail or feels that the bail is unreasonable he or she may file a motion for a bail hearing. If granted, the scheduling clerk will assign the case to be heard and notify the parties.</p> <p>a. Call case.</p> <p>b. Ask defendant to stand at counsel table (or to come forward).</p> <p>c. Ask defendant to identify himself.</p> <ol style="list-style-type: none"> 1) "What is your name?" 2) "What is your date of birth?" 3) "What is your address?" <p>d. Say: "Your Honor, this is Indictment/Information (Miscellaneous Petition) number _____ and <u>(name the charge(s))</u> or <u>(state reason for hearing)</u></p> <p>e. Record these proceedings in the courtroom record book.</p> <p>At this time the defendant and/or his attorney may give reasons why they wish a change in the defendant's bail status. If the bail is still denied, follow procedure in "Remand" section.</p> <p style="text-align: center;">III.34</p>	<p>See "Court Record Book,"</p>

Courtroom Procedure
Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Violation Hearings (Probation, Sentence, etc.)				The defendant is brought into court on the violation and is served with a copy of Rule 32f, "notice of violation"; the matter is usually continued for hearing. When the defendant is brought before the court bail may be reset or the defendant held without bail. a. Follow steps above, a. - e. b. Swear in witnesses as they are called.	If defendant is in jail for failure to make bail or bail not set on violation a Habeas is prepared. See Office Procedure, Habeas. If defendant is out on bail a notice of hearing is sent for appearance in court. See "Swearing in Witnesses."

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Guilty/Nolo Plea (Disposition)</p>	<p>Ex. 10 Ex. 11</p>	<p>-- --</p>		<p>The defendant may at any time wish to admit guilt and change his/her plea from not guilty to guilty/nolo.</p> <p>a. Ask defendant to come forward.</p> <p>b. Have defendant identify himself/herself. "What is your name?" "What is your date of birth?" "What is your address?"</p> <p>c. Arraign defendant. Say: "Your Honor, this is indictment/information number _____ which charges defendant <u>name of defendant</u> with <u>name charges</u>. What say you to this indictment?"</p> <p>The defendant or attorney will retract plea of not guilty and plead nolo contendere or guilty. The attorney completes the waiver form containing an affidavit and judge's certificate, which the clerk hands to the judge.</p> <p>d. Make entries in court log (record) book.</p> <p>The court may sentence at this time or continue matter for sentencing at a later date.</p> <p>III.36</p>	<p>See "Sentencing."</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Jury Matters Impanelling a Jury</p>			<p>RCrP 23(b), 24(c)</p>	<p>Be sure the defendant(s) is present and settled in the courtroom before sending for a jury panel.</p> <p>When a jury is needed for a criminal case, the sheriff is directed to bring a sub-panel of jurors (usually 25) and the barrel containing their name slips to the courtroom.</p> <p>Once the jury panel is seated in rear of the courtroom, arraign the defendant:</p> <p>a. Request defendant to come forward.</p> <p>b. Ask the defendant to identify himself/herself.</p> <ol style="list-style-type: none"> 1) What is your name? 2) What is your date of birth? 3) What is your address? <p>c. Say: "Your Honor, this is Indictment/Information (number) which charges the defendant name with (read charges). What say you to this Indictment/Information?"</p> <p>Generally the clerk will draw 14 names from the barrel. Check with the judge, as procedures for drawing alternates vary.</p> <p>a. Say: "Ladies and gentlemen of the jury, answer here to your names as they are called, pass this way before counsel and take your respective seats in the jury box." "Mr. Officer, please count the jurors."</p> <p style="text-align: center;">III. 37</p>	<p>It is the judge's decision as to whether or not the defendant is handcuffed.</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Voir Dire				<p>b. Stand, spin barrel and draw name slips one at a time.</p> <p>c. Announce city (town) of residence and juror's full name. "From <u>Town/City</u>, <u>Name</u>."</p> <p>d. Continue drawing names until required number has been reached.</p> <p>e. As cards are drawn, place name slips on table in same sequence as jurors are seated in jury box.</p> <p>Once jurors have been seated, general questions will be asked of the jury by the court as to whether they know any of the parties in the case or know of a reason to disqualify themselves. Questions to individual jurors may be posed by counsel.</p> <p>a. If a juror is excused for cause, at the direction of the judge or attorney announce: "<u>City (Town) of Residence</u>, (<u>name of juror</u>) is excused from this panel."</p> <p>b. Remove name slip; draw a new name from barrel and request individual to take vacated seat in jury box. Place new slip in proper sequence.</p>	<p>Keep in mind when calling names to proceed at a reasonable pace to permit personnel recording names to make their notations.</p> <p>If an attorney requests individual voir dire and the jury is under oath, the judge will request the juror to approach the witness stand. The clerk will administer the "true answer make" oath to the individual. (See "Qualifying the Petit Jury," Roll of Jurors.) The procedure is the same for either a civil or criminal case.</p>
Peremptory Challenges			RCrP 24(b)	<p>Challenges to jurors are then made first by the state, then by defendant counsel. Each time an attorney requests a juror to be excused as unacceptable to sit on the case counts as one challenge.</p>	

Courtroom Procedure
Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Peremptory Challenges, cont				<p>Number allowed: 6 if offense punishable by death (each side) or imprisonment exceeding one year 3 if offense punishable by less than one year, fine, or both.</p> <p>For alternates: 1 if 1 or 2 alternates (each side) 2 if more than 2 alternates When there are multiple defendants, the court may allow additional challenges.</p> <p>c. Keep a tally of the number of challenges of each side.</p> <p>d. Announce to judge when maximum number of chal- lenges has been reached for each counsel.</p> <p>e. Excuse and replace jurors as in steps a. and b. above.</p> <p>f. Clip juror name cards together for future ref- erence, keeping juror name slips in order of seating in jury box.</p> <p>g. Enter juror names in court record book.</p>	<p>Attorneys for parties will submit challenge forms to clerk, which may then be filed in the case file (although not a requisite to retain them).</p>
Oath to Jurors				<p>After challenges have taken place and all jurors are seated, administer the oath.</p> <p>a. Say: "Ladies and gentlemen of the jury, please rise and raise your right hand."</p>	

Courtroom Procedure
Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Oath to Jury Keeper, cont'd				<p>c. Read the Oath. "YOU SEVERALLY AND SOLEMNLY SWEAR THAT YOU WILL WELL AND TRULY KEEP TOGETHER EVERY MEMBER OF THIS JURY COMMITTED TO YOUR CHARGE UNTIL THEY SHALL HAVE AGREED UPON A VERDICT UPON THE MATTER COMMITTED TO THEM; THAT YOU WILL NOT SUFFER ANYONE TO SPEAK TO THEM, NOR SPEAK TO THEM YOURSELF, EXCEPT TO ASK THEM IF THEY HAVE AGREED UPON A VERDICT, OR OTHERWISE BY ORDER OF THE COURT, SO HELP YOU GOD!"</p> <p>Attorneys may at this time look over the exhibits and then said exhibits, designated "full" exhibits, will be sent to the jury room. Make certain for identification exhibits are kept separate. The jury keeper will now bring jurors to the jury room for deliberation.</p>	<p>Include underscored words if oath administered to more than one person.</p>
Oath to Jury Keepers for a Sequestered Jury				<p>If the jury is to be lodged overnight, the clerk administers an oath to the sheriffs in charge of the sequestered jury.</p> <p>a. Call sheriffs to come forward.</p> <p>b. Say: "Please raise your right hand."</p> <p>c. Read Oath: "YOU SEVERALLY AND SOLEMNLY SWEAR THAT YOU WILL WELL AND TRULY KEEP TOGETHER EVERY MEMBER OF THIS JURY COMMITTED TO YOUR CHARGE, FOR THE DURATION OF THIS TRIAL, THAT YOU WILL NOT ALLOW</p> <p style="text-align: center;">III.41</p>	

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Oath to Jury Keepers, cont'd				<p>ANYONE TO SPEAK TO THEM NOR SPEAK TO THEM YOUR- SELF ABOUT THIS TRIAL EXCEPT BY ORDER OF THE COURT SO HELP YOU GOD. THE JUDGE WILL INFORM YOU IF THE JURY IS TO BE LODGED OVERNIGHT.</p> <p>d. If so, notify Superior Court administrator's office of locked up jury.</p>	
Oath to Interpreter				<p>YOU DO SOLEMNLY SWEAR THAT YOU WILL FAITHFULLY PERFORM THE DUTIES OF INTERPRETER IN THIS CASE, WELL AND TRULY INTERPRETING ALL QUESTIONS ASKED OF AND ANSWERS GIVEN BY THE WITNESSES HEREIN TO THE BEST OF YOUR ABILITY SO HELP YOU GOD.</p>	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Taking a Verdict				<p>When deliberations have concluded and the jury returns to the courtroom:</p> <p>a. "Mr. (Ms.) Foreman, please rise. Has the jury agreed upon a verdict?"</p> <p>b. "On indictment # ____, State of Rhode Island vs. <u>defendant name</u> charging the defendant with <u>charge</u>, do you find the defendant guilty or not guilty?"</p> <p>c. "Ladies and Gentlemen of the jury as your foreman says so say you all."</p> <p>d. Enter verdict in record log book.</p>	<p>If there are multiple counts and/or charges on an indictment or information repeat (b) changing the charge and count.</p>
Polling the Jury				<p>Either the defense attorney or the prosecuting attorney may request that the jury be polled as to their individual verdict.</p> <p>a. Read juror's name, say: "As to the charge of <u>read charge and count of indictment</u>, do you find the defendant guilty or not guilty?"</p> <p>NOTE: Read each charge and count of indictment to each juror before moving on to next jurors.</p> <p>b. Record response in log book.</p>	

Courtroom Procedure
Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Sentence of defendant to pay a fine				d. Transfer docket entry to typist. a. Ask defendant to rise. b. Say "Harken you to the sentence of the court. The court sentences you to pay a fine of \$_____ to and for the use of the State and that you pay all costs of prosecution or that you be committed to the <u>name of institution</u> until sentence be performed in all its parts."	
Deferred Sentence				a. Read Indictment/Information number. b. Administer personal recognizance oath. c. Say: "Sentence is deferred by the court. You are placed on probation for a period of five years." d. Have attorney general prepare deferred sentence agreement form. e. Have defendant and attorney general sign form.	See next page for oath. In all cases where probation in lieu of incarceration is imposed as the sentence, the defendant is released on personal recognizance. The 5-year term is automatic in deferred or suspended sentences.
Probation	Ex. 9	S-211		a. If conditions change, complete Bail and Recognizance Conditions form. III.45	See "Bail at Arraignment."

Courtroom Procedure
Criminal

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Costs			RIGLA 12-20-3(-10)	<p>b. Ask the defendant to please enter his/her signature and address on the form.</p> <p>c. To the defendant say: "Raise your right hand,"</p> <p>d. Administer Personal Recognizance Oath: "WAIVING THE READING OF THIS RECOGNIZANCE YOU ACKNOWLEDGE YOURSELF INDEBTED TO THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS IN THE SUM OF \$ _____ FOR YOUR APPEARANCE BEFORE THIS COURT ON THIS CASE AND IN THE MEANTIME YOU SHALL KEEP THE PEACE AND BE OF GOOD BEHAVIOR. DO YOU UNDERSTAND THIS?"</p> <p>e. Give copy to defendant.</p> <p>f. Place original in case file.</p> <p>The courtroom clerk then notifies the defendant of the disposition of court costs, as determined by the judge. At the direction of the court, announce and note in record log book:</p> <ol style="list-style-type: none"> 1) "Costs are remitted." 2) "You shall pay costs of \$ _____." 3) "Costs may be paid through the Probation Department within _____ days." <p style="text-align: center;">III.46</p>	

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Docket Entries</u>	Ex. 12	--		<p>The docket should contain a concise summary of all court activity having a bearing on the case. An entry is made for any appearance of the defendant before the court.</p> <p>A hand-written note for docket entry is transferred to the criminal records division to be typed onto the docket/face sheets.</p> <p>Entries should include:</p> <ul style="list-style-type: none"> - indictment/information number case name judge name date and type of hearing (trial) plea, any change in plea bail, PR entry of appearance whether Public Defender continuances motions documents issued (e.g., warrant) judgment (verdict) sentence your signature 	

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Remand</u>	Ex. 13	S-189		<p>This form must be completed to indicate the action of the court if defendant is to return to the Adult Correctional Institution (ACI), Institution for Mental Health (IMI) or the Women's Reformatory if an individual is serving a sentence on other charges and is appearing as a witness.</p> <p>a. Complete Remand, entering:</p> <ol style="list-style-type: none"> 1) defendant's name 2) Indictment/Information number 3) reason for remand 4) reason for return <ul style="list-style-type: none"> If to serve a sentence note the terms of the sentence. 5) date when defendant is to return <ul style="list-style-type: none"> If matter is continued and defendant's presence is needed at a future date please note that date. 6) signature of clerk. <p>b. Transmit form to state marshal as soon as possible.</p>	<p>To have defendant released from institution to attend court, complete habeas. (See Office Procedure Handbook, "Habeas.")</p>

CASE REFERENCE NO. _____

Courtroom Procedure
Criminal

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Mittimus	Ex. 14	--		<p>This form is completed by the courtroom clerk upon order of the court for failure of the defendant to make bail, hold defendant without bail and to commit defendant to an institution as part of the disposition or sentence.</p> <p>a. Complete heading information</p> <ol style="list-style-type: none"> 1) date 2) defendant's name 3) plea entered in court/verdict of jury/ judgment of court Cross out typed plea if not applicable and enter defendant's plea 4) date of next court appearance 5) reason for next court appearance 6) amount of bail or "committed w/o bail" if no bail is set 7) date 8) Indictment/Information number 9) original signature of clerk <p>b. Transmit form to state marshal.</p> <p>c. Give file to scheduling office for next court appearance if necessary.</p> <p style="text-align: center;">111.49</p>	<p>See also Office Procedure Handbook, "Judgment on Conviction."</p>

FORMAL & SPECIAL CAUSE MATTERS

1. Preliminary Injunctions	<u>IIII</u>	<u>5</u>
2. Petition for Assessment of Damages-Uncontested		
3. Proof of Claim	<u>IIII IIII</u>	<u>10</u>
4. Consent Judgement	<u>II</u>	<u>2</u>
5. Agency Appeals (including Zoning Appeals) (most such decisions are rendered after memoranda are filed and a transcript is examined).	<u>IIII</u>	<u>4</u>
6. Title Proceedings & Other Uncontested Dispositions	<u>IIII 1</u>	<u>6</u>
7. Trustee Proceedings	<u>II</u>	<u>2</u>
8. Supplementary Proceedings	<u>IIII</u>	<u>5</u>
9. Receivership Proceedings	<u>IIII IIII 1</u>	<u>11</u>
10. Motions to Dissolve or Authorize Attachment. (including Body Executions)	<u>III</u>	<u>3</u>
11. Petitions for Mandamus		
12. Contempt Proceedings	<u>II</u>	<u>2</u>
13. Proceedings to Vacate Default Judgement	<u>IIII</u>	<u>4</u>
14. Partition Proceedings	<u>II</u>	<u>2</u>
15. Habeas Corpus	<u>II</u>	<u>2</u>
16. Motion to dismiss	<u>II</u>	<u>3</u>

Courtroom
Exhibit 1

III. 50

TOTAL

61

5/78

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CASE # _____

John Doe
vs
Richard Roe

PROVIDENCE, Sc.

SUPERIOR COURT

ORDER

Heard on DEED / PLTF MOTION FOR A NEW TRIAL,
and same is GRANTED / DENIED

Entered as an Order
of this Court this
13TH day of January
19 78

By Order

(SIGN)

.....
Clerk

Courtroom
Exhibit 2

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, Sc.

SUPERIOR COURT

5/78

John Doe
v.
Richard Roe

) Plaintiff(s)

) CA No. 78-000

) Defendant(s)

) Third Party Defendant(s)

For Plaintiff

We, the Jury, find that the plaintiff(s)

John Doe

is (are) entitled to recover in the above-entitled case, and assess damages in the amount of \$ 10,000.

Jan 13
(Date)

1978

(Foreman)

III.52

Other sample entries:

1 For Defendant

We, the Jury, find for the defendant(s)

Richard Roe

in the above-entitled case, and determine that the plaintiff(s) is (are) not entitled to recover any damages.

2 Defendant's Counterclaim

We, the Jury, in the above-entitled case find that

the defendant(s) Richard Roe is (are) entitled to recover on the counterclaim brought against plaintiff(s) John Doe and assess damages in the amount of \$ 5,000.

3 Third Party Plaintiff

We, the Jury, find for the third party plaintiff in the above-entitled case, and assess damages in the amount of \$ 5,000.

Courtroom
Exhibit 3

Sample Civil Docket Entries

Formal/Special Cause

Case number

77-1-1
1-5-78 Shea J. Heard on Pltf's supplementary proceedings as to Def't - Jim Brown* (no order to issue at this time). Order to enter as to disposition of Def't. for signature of the court.

1-9-78 Shea J. Heard on Pltf's motion to adjudge Def't. - Jim Brown in contempt.

* Def't not appearing, Body Attachment to issue and issued on 1-5-78 (Signature)

1-7-78 Shea J. Heard on plaintiff's oral proof of claim. Judgment entered for plaintiff (name) in amount of _____ plus interest of 8% from date to date for total of \$ _____ plus costs. Exhibits filed in clerk's office vault.

Your signature

Motions

11-2-76 Murray, J. Heard on plaintiff's motion to compel and same is granted. Order to enter.

11-2-76 Murray J. Heard on defendant's motion for summary judgment and same is granted. Judgment entered Book 9 #54.

Hearings

11-2-76 Murray J. Heard on petition for the appointment of a receiver and same is granted. Decree entered appointing temporary receiver.

11-2-76 Bulman J. Heard on petition to foreclose tax lien. Final judgment entered.

111.53

Jury Trial

11-2-76 Bulman J. Case opens to Jury and trial proceeds. November 5, 6, 7, 8 Trial Proceeds, trial concludes. Jury returns verdict for the plaintiff in the amount of \$5,000.00. Judgment entered Book 9 #209. Exhibits filed in exhibit room.

Jury Waived

11-2-76 Bulman J. Heard without the intervention of a jury and continued. November 5, 6, Further heard and decision is for the defendant. Judgment entered, Book 9 #69. Exhibits withdrawn by plaintiff's attorney.

Courtroom Exhibit 4

* * * * *

Courtroom clerks prepare the entries to be typed by clerk-typists onto the docket/face sheets. Handwritten notes should be legible; make certain the case number and your signature are with the entry.

CONTINUED

40F6

John Doe Plaintiff

vs.

FILE # CA 78-000

Richard Roe Defendant

JUDGMENT

For Plaintiff:

In the above entitled cause, JUDGMENT is entered for the PLTF

IN THE AMT. OF \$ _____ ETC

[For Defendant]

[DEFD] ↙

III. 54

Judgment # _____

Book # _____

Attorney for Plaintiff

Attorney for Defendant

Justice

Jan 13TH
Date 19 78

(SIGN)
Clerk

Courtroom
Exhibit 5

At Providence, Rhode Island this 13 Day of

January

A.D. 1978

State of Rhode Island and Providence Plantations

Providence, sc.

Superior COURT

Civil Action, File No. 78-000

John Doe Plaintiff
vs.
Richard Roe Defendant

Judgment BK-
(On Decision) P7-

This action came on for ~~trial~~ hearing before the Court, Mr. Justice (NAME) presiding, and the issues having been ~~tried~~ heard and a decision having been duly rendered,

It is Ordered and Adjudged

that the plaintiff, John Doe recover of the defendant

Richard Roe the sum of \$ 10,000 with interest thereon at the rate of 8% as provided by law, and his costs of action.

~~that the plaintiff take nothing, that the action be dismissed on the merits, and that the defendant~~

~~recover of the plaintiff~~

~~his costs of action.~~

Dated at Providence, Rhode Island, this 13th day of January 1978

(SIGN)

CLERK OF COURT

S-149

Other sample entries:

1 Judgment for Defendant:

that the plaintiff take nothing, that the action be dismissed on the merits, that the defendant

Richard Roe recover of the plaintiff John Doe his costs of action.

2 Judgment on Defendant's Counterclaim:

presiding, and the issues having been ~~tried~~ heard and a decision having been rendered, AS TO THE DEFENDANT'S COUNTERCLAIM.

It is Ordered and Adjudged that the plaintiff ON COUNTERCLAIM Richard Roe recover of the defendant John Doe the sum of \$ 5,000. with interest thereon at the rate of 8 per cent as provided by law, and his costs of action.

III. 55

Courtroom Exhibit 6

State of Rhode Island and Providence Plantations

Providence, SC.

SUPERIOR COURT

Civil Action, File No. 78-000

John Doe
Plaintiff
vs
Richard Roe
Defendant

Judgment
(On Verdict) Bk-
Pf-

This action came on for trial before the court and a jury, Mr. Justice.....(NAME).....
presiding, and the issues having been duly tried and the jury having duly rendered its verdict,

It is Ordered and Adjudged:

that the plaintiff.....John Doe.....recover
of the defendant.....Richard Roe.....
the sum of \$.....\$10,000.....with interest thereon
at the rate of 6 per cent as provided by law, and his costs of action.

~~that the plaintiff take nothing, that the action be dismissed on the merits, and that the defendant
recover of the plaintiff
his costs of action~~

Dated at Providence, Rhode Island, this 13TH
day of January 1978

(SIGN)

S-150

CLERK OF COURT

Other sample entries:

1 Verdict on Defendant's Counterclaim:

presiding, and the issues having been duly tried and the jury having duly rendered
its verdict, AS TO THE DEFENDANT'S COUNTERCLAIM
that the plaintiff take nothing, ON COUNTERCLAIM that the action be dismissed on the
merits, and that the defendant

John Doe recover of the plaintiff
Richard Roe his costs of action.

2 Verdict for Defendant:

that the plaintiff take nothing, that the action be dismissed on the merits, and
that the defendant

John Doe recover of the p
Richard Roe his costs of

Courtroom
Exhibit 7

CASE DISPOSITION REPORT

JURY NON-JURY

FILE NO. CA 78-000 JUDGE: (NAME)

John Doe
PLAINTIFF

Richard Roe
DEFENDANT

(NAME)
ATTORNEY FOR PLAINTIFF

(NAME)
ATTORNEY FOR DEFENDANT

CASE STARTED:

Date: 1-13-78

Hour _____ A.M. 2 P.M.

JURY RETIRED:

Date: 1-15-78

Hour 11:15 A.M. _____ P.M.

JURY RETURNED:

Date: 1-15-78

Hour _____ A.M. 3:10 P.M.

VERDICT: FOR PLTF

Clerk (SIGN)

(Must be returned for each case within 24 hours of disposition)

III.57

Courtroom
Exhibit 8

State of Rhode Island and Providence Plantations

Providence sc.

SUPERIOR COURT

5/78

STATE

Indictment No. _____
Information No. PR 78-000
Complaint No. _____

vs.
John Doe
Defendant

BAIL AND RECOGNIZANCE CONDITIONS

Bail/Recognizance having been set in the amount of \$ 5,000. at a hearing on arraignment, petition for Habeas Corpus, hearing pursuant to Rule 5 (a), hearing on resetting of bail. (Circle appropriate terms) or (violation hearing, competency hearing, etc.) other (insert description)

Now, therefore, the defendant and his/her sureties, if any, do hereby acknowledge himself/herself/themselves to be indebted to the State of Rhode Island and Providence Plantations in the sum of \$ 5,000. the conditions of this recognizance being as follows:

1. The defendant(s) will appear before the Superior Court, as required for all scheduled hearings upon notice being sent to the defendant(s) or to defendant(s)' counsel by the Clerk of Court, or where appropriate, by the Attorney General or his duly delegated assistants.
2. The defendant(s) will keep the peace and be of good behavior.
3. The defendant(s) will not leave the state while this matter is pending, without permission of the Court.
4. The defendant(s) will notify his/her attorney/bondsman, and the Clerk of the Superior Court of any change of address.
5. The defendant(s), (here insert any special conditions)

to remain at Robert House, etc

111.58

ACKNOWLEDGMENT BY DEFENDANT/SURETIES

I understand that if I violate any condition of my release, a warrant for my arrest may issue immediately. After arrest, and hearing, if I am determined to have violated my recognizance, the terms and conditions of any further release will be redetermined. I may be held without bail, or my bail may be increased, and additional sureties required. The State may proceed against my sureties for violation of this recognizance. The State may also proceed against me by body execution for violation of my recognizance at the rate of one (1) day for each \$5.00 of said recognizance. A violation of my recognizance may also be punished as contempt of court.

I agree to comply fully with each of the obligations imposed on my release and to notify the court promptly in the event I change the address listed below.

Release Ordered:

(DEFD FILLS OUT)

SIGN
Judge/Clerk/Bail Commissioner

Date 1-13-78

Subscribed and sworn to before me
this 13TH day of Jan 1978

SIGN
Clerk/Bail Commissioner

Defendant

Address

I/We agree to the foregoing conditions

Surety

Surety

Courtroom
Exhibit 9

AFFIDAVIT AND ATTORNEY'S CERTIFICATION

I, _____, defendant in the above numbered indictment, being charged with the crime(s) of _____

with maximum sentence(s) authorized by law of _____ do hereby make affidavit upon oath and say that I have been advised and have been explained fully by my attorney _____ regarding the nature of the charge and the consequences of the plea of GUILTY and NOLO CONTENDERE.

I have been advised, and I fully understand, that: I can plead NOT GUILTY and have a trial with a jury, or before a single judge; at such a trial I would have the benefit of the presumption of innocence, the privilege against self incrimination, the right to confront and cross-examine my accusers and the witnesses against me, the right to testify and to call witnesses in my own defense, the right to have the State prove me guilty beyond a reasonable doubt before the jury or judge could convict me, and the right to appeal a conviction to the Supreme Court of Rhode Island.

I have also been advised, and I fully understand, that: by pleading GUILTY or NOLO CONTENDERE I am giving up all of the above rights; that a plea of NOLO CONTENDERE is the same as a plea of GUILTY for all purposes in this case; that the Court may impose a sentence up to the maximum sentence authorized by law, from which there can be NO appeal; that if a plea of GUILTY or NOLO CONTENDERE is accepted by the Court and is entered in my behalf, then I am bound by the plea and may not withdraw the plea unless by permission of the Court.

No promises have been made to me by the prosecuting attorney, my own attorney or the Court except as follows:

I also understand that for purposes of this case I am admitting sufficient facts to substantiate the charge(s) which has(have) been brought against me in the indictment(s) to which these pleas relate.

Defendant

Signed and Sworn to at _____, on the _____ day of _____, A.D. 197_____.

Notary Public

CERTIFICATION

I hereby certify that I have explained the above to _____ and that the defendant has read and in _____ me that he/she fully understands all his/her rights and the defendant voluntarily and intelligently enters a plea of GUILTY - NOLO CONTENDERE to the charge(s) in indictment numbered _____.

Attorney

Courtroom
Exhibit 10

CERTIFICATE OF JUDGE

5/78

STATE

vs.

INDICTMENT NO. P278-000

John Doe

This certifies that the defendant in the above-entitled indictment(s) has come before me, in the presence of his attorney, and presented the attached affidavit and attorney's certification. Thereupon, I have addressed the defendant personally, in open court, and he has established by his responses to my questions that he has been fully informed of the content of the affidavit, all of the rights enumerated therein, the nature and the consequences of his plea as set forth therein, and the range of punishment which might be imposed upon him as well as any assurances made to him by his attorney, the prosecuting attorney or the court, as specifically set forth in said affidavit. I have also been satisfied by the defendant's assertion and the content of the affidavit, that there is a factual basis for this plea. I find that this plea is made voluntarily and with knowledge and understanding of all matters set forth in the attached affidavit.

111.60

Justice
Superior Court

DATE: 1-13-78

Courtroom
Exhibit II

Sample Criminal Docket Entries

5/78

1. Defendant arraigned and pleads not guilty, gives personal recognizance in sum \$1,000. Entry of appearance filed, referred to Public Defender or continued to _____ to determine attorney.
2. Defendant arraigned and pleads not guilty, for want of bail in sum _____ is committed, etc.
3. Defendant appears and retracts plea of not guilty, again arraigned and pleads (guilty, nolo contendere) and sentenced to the ACJ for _____. Judgement of conviction entered.
4. Defendant appears and retracts plea of not guilty, again arraigned and pleads etc. and placed on probation for _____, gives personal recognizance in sum \$1,000. Judgement of conviction entered.
5. Defendant appears and retracts plea of not guilty, again arraigned and pleads _____, sentenced to the ACJ for _____, sentence is suspended, probation for _____, gives personal recognizance in sum \$1,000. Judgement of conviction entered.
6. Defendant appears and retracts plea of not guilty, again arraigned and pleads _____, sentence is deferred and gives personal recognizance in sum \$1,000. Judgement of conviction entered.
7. Defendant appears and continued to _____ for violation hearing, committed w/o bail.
8. Defendant appears on violation hearing, witnesses sworn _____, after hearing defendant declared to be a violator and suspension of sentence removed, defendant ordered committed on sentence previously imposed of _____ and committed. Judgement of conviction entered.
9. Defendant arraigned and pleads nolo contendere, continued for sentence to _____, gives personal recognizance in sum \$1,000. Court orders psychiatric evaluation.
10. Defendant arraigned and pleads not guilty, for want of bail in sum _____ is committed. Same day defendant give bail sum _____. Recog. # _____
11. Defendant arraigned and pleads not guilty, for want of bail in sum _____ is committed. Same day defendant gives cash bail in sum _____. Bail furnished by _____ name, address.
12. Defendant appears and heard on motions to _____, granted or denied, orders to enter.
13. Warrant ordered and issued.
14. Defendant appears and retracts plea of not guilty, again arraigned and pleads _____, sentenced to the ACJ for _____, sentence suspended, probation for _____, said probation to commence upon release from ACJ on sentence now serving and gives personal recognizance in sum \$1,000. Judgement of conviction entered.
15. Defendant appears and retracts plea of not guilty, again arraigned and pleads _____, sentenced to the ACJ for _____ from and after the expiration of sentence now serving and committed. Judgement of conviction entered.
16. ... gives personal recognizance in sum \$1,000 to remain at Marat House of Hope until further order of Court.
17. ... continued to _____ for bail hearing, committed w/o bail.
18. Defendant appears on bail hearing, witnesses sworn _____, after bail reset at _____, for want of bail in sum _____ is committed same day defendant gives bail or cash bail in sum _____.
19. Defendant appears on State's motion to cancel personal recognizance hearing, State's motion granted and defendant committed w/o bail. Personal recognizance is _____.

111.61

Courtroom
Exhibit 12

Sample Criminal Docket Entries (cont'd.)

5/78

20. Defendant appears and still persists in his plea of not guilty, case opens to the jury and trial proceeds. Trial proceeds and concludes. The jury returns a verdict of --guilty as charged -- not guilty.
Not guilty-Judgement of acquittal entered.
guilty, continued for sentence or actual sentencing
21. Motion to dismiss granted. No costs.
22. Continued to ___ for progress report.
23. Sentenced to pay a fine of ___ and costs. Fines of ___ and costs of ___ paid. Judgement of conviction entered.
24. Defendant appears, retracts plea of not guilty, again arraigned, pleads nolo contendere and is sentenced to the A.C.I. for 10 years. Defendant is ordered to serve the first 6 years, and the remaining 4 years is suspended, probation for 5 years; said probation to commence upon defendant's release from the A.C.I. Judgement of Conviction entered.

* * * * *

Courtroom clerks prepare the entries to be typed by clerk-typists onto the docket/face sheets. Handwritten notes should be legible; make certain the case number and your signature are with the entry.

111.62

REMAND

State of Rhode Island and Providence Plantations.

PROVIDENCE, Sc.

To the Sheriff of the County of Providence, or to his Deputies, and to the Warden of the Adult Correctional Institutions, in said County,

GREETING:

WHEREAS, John Doe has this day been produced before the Superior Court of said State holden at Providence, for the Counties of Providence and Bristol. P2 78-000 WITNESS (CONT DATE, IF ANY)

and whereas said Court orders that said respondent be remanded into the custody of said Warden, in the County of Providence, to be held as of his original commitment.

We command you, said sheriffs or deputies, to take said respondent and him convey to said Warden, and you said Warden are hereby commanded to receive said respondent into your custody and him hold as of his original commitment.

Witness, the Seal of our Superior Court, at Providence, this 13TH day of January, A. D. 1978 (SIGN) Deputy Clerk.

S-189

Sample form entries for typical situations for which the form is used follow.

1 No Action:

has this day been produced before the Superior Court of said State holden at Providence, for the Counties of Providence and Bristol. P2 78-000 No ACTION - CONT TO 1-20-78 (IF DATE GIVEN)

and whereas said Court orders that said respondent be remanded into the custody of said Warden, in the

2 Violation Hearing, Bail Hearing, Etc.:

has this day been produced before the Superior Court of said State holden at Providence, for the Counties of Providence and Bristol. P2 78-000 ON HEARING - CONT TO 1-14-78

and whereas said Court orders that said respondent be remanded into the custody of said Warden, in the

3 During Trial:

has this day been produced before the Superior Court of said State holden at Providence, for the Counties of Providence and Bristol. P2 78-000 ON TRIAL - CONT TO 1-14-78

and whereas said Court orders that said respondent be remanded into the custody of said Warden, in the

4 Sentence:

has this day been produced before the Superior Court of said State holden at Providence, for the Counties of Providence and Bristol. P2 78-000 SENTENCED CT 1 - 2 YRS ACT, 2 YRS PROB, 2 YRS ACT, 2 YRS PROB CONCURRENT JUDGMENT TO FOLLOW

and whereas said Court orders that said respondent be remanded into the custody of said Warden, in the

111.63

Courtroom Exhibit 13

(MITTIMUS—COMMITMENT FOR WANT OF BAIL ON INDICTMENT)

State of Rhode Island and Providence Plantations.

SUPERIOR COURT.

PROVIDENCE, SC.

1-13 A. D. 1978

To the Sheriff of the County of Providence, or to his Deputies, and to the Warden of the Adult Correctional Institutions in said County,

GREETING:

WHEREAS, the Grand Jury have returned a Bill of Indictment against John Doe defendant, of

in said County for Robbery

on which Indictment the said defendant has been arraigned and pleaded NOLO CONT 2-12-78 sentence and was ordered by said Court to enter into recognizance in the sum of committed w/o bail Dollars, with surety for his appearance before said Court at any future time, when said Indictment shall be called for trial or sentence and has neglected and refused so to do.

You, the said Sheriff or Deputies, are therefore hereby commanded to take the body of the said defendant and him convey to said Warden, and the said Warden is hereby required to receive the said defendant into his custody and there safely keep until he shall be duly discharged according to law, and for so doing this shall be your sufficient Warrant.

Hereof fail not, &c.

WITNESS, the SEAL of our SUPERIOR COURT, at Providence, this 13th day of January A. D. 1978

Ind. No. P276-000 (Sign) Clerk.

III. 64

1 At Disposition - In Lieu of Bail:

on which Indictment the said defendant has been arraigned and pleaded not-guilty NOLO CONT 2-12-78 SENTENCE, and was ordered by said Court to enter into recognizance in the sum of twenty thousand or 10% cash Dollars, . . .

2 After Bail Hearing:

and was ordered by said Court to enter into recognizance in the sum of committed w/o bail Dollars, with surety for his appearance before said Court at any future time when said indictment shall be called for trial or sentence and has neglected and refused so to do.

3 Bail Set - In Lieu of Bail:

and was ordered by said Court to enter into recognizance in the sum of twenty thousand or 10% cash Dollars, . . .

4 After Trial:

on which Indictment the said defendant has been arraigned and pleaded not-guilty, and "FOUND GUILTY AFTER TRIAL" was ordered by said Court to enter into recognizance in the sum of committed w/o bail Dollars, with surety for his appearance before said Court at any future time when said indictment shall be called for trial or sentence and has neglected and refused so to do.

5 After Trial - In Lieu of Bail:

on which Indictment the said defendant has been arraigned and pleaded not-guilty "FOUND GUILTY AFTER TRIAL" and was ordered by said Court to enter into recogni the sum of twenty thousand or 10% cash Dollars, . . .

* * * * *

The above are sample form entries for typical situations for which the form is used.

Courtroom Exhibit 14

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RHODE ISLAND SUPERIOR COURT
MANUAL OF COURT OPERATIONS

IV. Financial Matters Handbook

National Center for State Courts

May 1978

Financial Matters

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Financial Matters

This fiscal clerk, or bookkeeper, is the custodian of all case-related monies deposited into or paid out of the court. It is the Clerk of the Superior Court, however, who is ultimately accountable for these funds and it is for this reason that checks are signed by the clerk whenever possible, even though one or more other persons may be authorized by the Clerk to sign checks. In Providence, withdrawal of funds can be accomplished only upon order of the court; checks drawn must be signed by the Clerk and witnessed by a Superior Court Justice, with the exception of checks \$100 or less [RCP 67(b)]. In smaller courts, a judge is often unavailable, so a judge's signature may not be required.

In Providence, two accounts are maintained: (1) The Registry of the Superior Court and (2) The Fines and Costs accounts.¹ Into the Registry are deposited all funds other than fines and costs. The

¹Although types and numbers of accounts vary from court to court, the procedures for each matter are generally the same.

Introduction

Registry consists of several types of accounts, as described later in this section, for cash bail, deposits in escrow, entry and appeal fees, miscellaneous fees and payment to jurors. All withdrawals of funds are made from the Registry Accounts. The Fines and Costs account is a checking account in which are deposited all fines and costs; the balance in the account is sent monthly to the General Treasurer.

Responsibilities of the fiscal clerks include: depositing and safekeeping of funds; maintenance of account journals; reconciliation of accounts; transmitting funds to General Treasurer; maintenance of files for audit; and such reports as may be required by the Court Administrator's Office or the General Treasurer.

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Financial Matters
Maintenance of Accounts

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Maintenance of Accounts Receipts				<p>A receipt must be completed for any money received by the court over the counter. The receipt machine contains an original and two copies of pre-numbered receipts.</p> <p>a. Complete receipt, entering: cash, (check, money order) individual's name case name (number) amount paid your signature</p> <p>b. Give original to individual.</p> <p>c. Attach payment to copy of receipt; place money in safe place.</p> <p>d. Retain receipt copies in chronological file.</p> <p>If error is made on receipt, mark "VOID" on all copies and staple together.</p>	<p>The bookkeeper does not often receive money directly from the individual paying money into the court. Usually the counter clerk or clerk collecting fines completes the receipt or payment is received by mail.</p> <p>In Newport County, there is no receipt machine. A receipt is always completed for cash bail; on other occasions, upon request.</p>
Deposits to Bank	Ex. 1	--		<p>Because the bookkeeper is responsible for all funds paid into the court, it is important to make regular bank deposits of these monies. Be certain to place all money in a locked place until deposit can be made.</p> <p>a. Make out deposit slip for each account in duplicate. In addition to normal entries (date, total amounts by check, cash), case information should be entered (name, number) where appropriate.</p> <p style="text-align: center;">IV.1</p>	

Financial Matters
Registry

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE on RULE	PROCEDURE	COMMENTS
<u>Registry of Superior Court</u>			RCP 67(b)	<p>The "Registry of the Superior Court" consists of the following separate accounts.</p> <ol style="list-style-type: none"> (1) Petty Account - one savings account including all cash bail or escrow deposits of \$100 or less. Earned interest is forwarded twice a year (May, November) to the General Treasurer. (2) Individual Account - individual savings accounts for cash bail or escrow deposits exceeding \$100. Interest is compounded quarterly; if bail remains deposited for at least one quarter interest is earned on the money and subsequently paid to the bailor upon withdrawal of bail. (3) Checking Account - "zero-balance" checking accounts in various banks to which money is deposited and immediately withdrawn by check for return of money deposited with the court. (4) Miscellaneous Account - a checking account for all "over the counter" deposits, including entry fees, executions, certification and copying fees, appeal fees. (5) Jury Payroll Account - a checking account from which all grand and petit jurors are paid. 	<p>There appears to be no statute or rule requiring that cash bail be deposited in an interest-bearing account.</p>

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Petty/Individual Accounts (criminal matters)</p> <p>Cash Bail Received</p>	<p>Ex. 1 a</p>	<p>--</p>		<p>The receipt for cash bail is completed by the clerical person accepting it and a duplicate receipt attached to the case file. The case file and cash bail are then transmitted to the bookkeeper.</p> <p>Upon receiving cash bail and case file from the court:</p> <ol style="list-style-type: none"> a. Determine appropriate account if amount is \$100 or less: Petty Account if amount exceeds \$100: Individual Account Make journal entry. b. Make entry on docket/face sheets. E.g., Check for cash bail received in sum of ____, Registry book number, page. N.B.: If cash bail is received on a bind-over case, make entry on bottom of complaint: date received by bookkeeper, amount of bail, account book number and page. c. Complete deposit slip, entering: case number, case name account book number and page. d. If payment of bail is by check, enter on reverse side: case number case name Registry of Superior Court [Stamp] "For deposit only" Have <u>CLERK</u> sign. e. Deposit in proper account. <p>IV.4</p>	<p>See also p. 3 (1,2), Petty and Individual accounts.</p>

Financial Matters
Registry

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Cash Bail Withdrawal (Return of Cash Bail)	Ex. I b,c	--	RCP 67(b)	<p>Upon receipt of properly signed order for withdrawal of cash bail:</p> <p>a. Read order to determine who is to receive the bail. When attorney fees have not been paid, the order may state that the bail be returned to the defendant and attorney. If so, the check for the bail amount is made payable <u>to the defendant and the attorney.</u></p> <p>b. Issue check to designated person in the amount of the cash bail plus any interest (i.e., the balance in the account):</p> <ol style="list-style-type: none"> (1) Withdraw funds from petty account (or close out individual savings account); (2) deposit funds in Registry checking account; (3) issue check; if the amount of the check exceeds \$100, the check must be signed by the <u>CLERK</u> (or other authorized person) <u>and</u> any Judge of the Superior Court. <p>c. Mail or give to designated person. If mailed (to attorney), enclose a cover letter and keep a copy of letter in case file. If picked up in person, make out receipt from general receipt book and attach receipt to Order for Withdrawal. Request proper identification before releasing check.</p> <p>d. Enter check number, amount of check, to whom check is made, mailing address, and date of order to release in journal.</p> <p>e. Enter on face sheet: "In accordance with the order entered on <u>date</u>, cash bail released."</p> <p style="text-align: center;">IV.5</p>	Interest in <u>petty</u> account goes <u>not</u> to the poster of bail but is sent twice a year to the General Treasurer.

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Forfeiture of Bail	Ex. 2	A-26		<p>Upon receipt of order ordering that bail be forfeited:</p> <p>a. Enter on docket/face sheet "bail for \$ ___ by order remanded to General Treasurer."</p> <p>b. Draw check in proper amount payable to General Treasurer:</p> <p>(1) Withdraw funds from petty account (or close out individual savings account);</p> <p>(2) deposit funds in Registry checking account;</p> <p>(3) issue check.</p> <p>c. Submit check and Transmittal Voucher to General Treasurer.</p>	
Deposits/Withdrawals (Civil Matters)				<p>In a civil matter, the bookkeeper is to receive authorization in the form of an order either to deposit or to withdraw funds. For deposit, follow procedures for "cash bail received." For withdrawal, see "cash bail withdrawal."</p>	
Release of Attachment Deposits in Escrow			<p>RIGLA 10-5-57</p>	<p>The attorney may release attachment on property by depositing in escrow an amount equal to the <u>ad damnum</u> on the Writ of Attachment.</p> <p>a. Deposit in individual savings account.</p> <p>b. Notify Town/City Hall clerk that court is in receipt of \$ ___ and that attachment may be released.</p> <p>c. File copy of letter in case file.</p>	

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Account Book (ledger)</u> <u>Entries</u></p>				<p>Any money left with the court exceeding \$100 is deposited in a <u>new</u> individual savings account and case entries are made to the ledger.</p> <p>On the left-hand page of the ledger, include the following:</p> <p style="padding-left: 40px;">name of bank in which account to be opened. date received by bookkeeper description - cash, check number, who furnished, address amount</p> <p>On right-hand page, enter: case title and number</p> <p>When account has been opened, enter savings account number on right-hand page.</p> <p>When money is to be returned to depositor:</p> <ol style="list-style-type: none"> a. Withdraw total balance in individual savings account b. Deposit in checking account c. Issue check for same amount to depositor d. Enter in journal: check number, date, amount and balance ("0"); to whom check made and released; date order entered. 	

Financial Matters
Registry

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Miscellaneous Account</p> <p>Journal entry</p> <p>Reconciliation of Account</p>				<p>To this account are deposited: Civil entry fees Execution fees Certified/Copying fees Appeal fees</p> <p>Receipts and money are transferred daily to the bookkeeper for accounting and depositing.</p> <p>Daily entries are made to the journal, which shows the daily total as well as a breakdown by category</p> <p>a. Include in journal entry: 1) date received by bookkeeper 2) receipt numbers (from # to #) 3) total amount received: total of cash/ checks received <u>should equal</u> total of amounts shown on receipts 4) total amount by category: separate receipts by type of fee; total, and enter in appropriate column</p> <p>b. Double-check figures, making certain that total by category = total money received = total of amounts on receipts.</p> <p>c. Put receipts in numerical order and place in chronological file for reference by auditor.</p> <p>d. Deposit in Miscellaneous Account.</p> <p>Upon receipt of monthly statement: Verify balance in account by comparing checkbook/journal entries/ statement.</p> <p style="text-align: center;">IV.8</p>	<p>See also p. 3, (4), Miscellaneous account.</p>

Financial Matters
Registry

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Transmittal to General Treasurer	Ex. 2	A-26		Once the balance in the account has been verified, that balance is sent on a monthly basis to the General Treasurer. a. Issue check to General Treasurer in amount of balance on statement (or corrected balance). b. Prepare Transmittal Voucher entering notation "Money collected for miscellaneous funds" and amount as well as headings on form. c. Send check and voucher to General Treasurer.	General Treasurer Treasury Department State House Providence, Rhode Island

CASE REFERENCE NO. _____

Financial Matters
Registry Account

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p><u>Shares/Dividends on Savings Accounts</u></p>				<p>Where accounts are still pending: Deposit the dividend checks in the individual savings account and make appropriate journal entry.</p> <p>Where accounts have been closed: Discharge shares and dividend checks and have lawyers present an order to the judge that by agreement of the parties the dividend checks and stocks may be released to one of the individuals. Retain all dividend checks and shares in a file for each account.</p> <p>Upon receipt of signed order, transfer all stocks/checks to attorney; notify bank of change.</p> <p>If attorneys will not agree or cannot be contacted or if the case is still pending: Retain all dividend checks and shares in file for each account.</p>	<p>At one time shares were issued for individual passbook holders whose accounts had a balance exceeding \$300. Consequently, shares and/or dividend checks were issued for each of these passbook accounts and forwarded to the bookkeepers.</p>

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE.	PROCEDURE	COMMENTS
<p><u>Refunds to General</u> Treasurer - 10 years - no action</p>			<p>RIGLA 9-8-4(5)</p>	<p>When money has remained on deposit for more than ten (10) years and no action has been taken in the case during that time, the account may be closed and the money sent to the General Treasurer. The Attorney General files a petition with the court to initiate the no-action refund process.</p> <p>a. Review all savings account passbooks and compare with journal entries to determine which cases apply.</p> <p>b. Prepare list of cases, entering case number case name date last activity occurred individual who deposited money reason money was deposited (e.g., cash bail) amount deposited amount of interest</p> <p>c. Give report to <u>CLERK</u>, Presiding Justice, and Attorney General.</p> <p>d. Upon receipt of Order signed by the Judge, close out accounts on list.</p> <p>e. Deposit money in respective checking account; write out check for each case in amount of original deposit plus earned interest.</p> <p style="text-align: center;">IV.11</p>	

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Refunds to General Treasurer, cont'd.				<p>f. In journal (Petty or Registry) enter date, check number and amount, date order entered.</p> <p>g. Send check(s) and copy of report to General Treasurer, retaining copy for file.</p> <p>h. Have docket/face sheet entry made: "Money transferred to General Treasurer on <u>date</u>, according to 1977 Pl. Ch. 126."</p>	

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Jury Payroll Account Deposits to Jury Account</p>				<p>The bookkeeper should try to make an accurate forecast of the amount of money to pay petit and grand jurors to ensure sufficient balance in the account for the payroll.</p>	<p>See also p. 3, (5), Jury Payroll account. In smaller courts, the amount is ordered as needed rather than on a monthly basis.</p>
<p>Invoice Voucher</p>	<p>Ex. 3</p>	<p>A-12</p>		<p>When necessary to order more funds, for the payroll:</p> <ol style="list-style-type: none"> a. Complete invoice voucher, entering heading information, "Juror's Fees," and amount. b. Have <u>CLERK</u> sign. c. Transmit voucher (all copies) to Administrative Office, which transmits to General Treasurer. 	
<p>Check received from General Treasurer</p>				<ol style="list-style-type: none"> a. Prepare deposit slip and deposit check in jury account; enter deposit in checkbook. b. Enter on voucher copy - "deposited, (date)." 	
<p>Juror List from Jury Commissioner</p>				<p>The list from the Jury Commissioner lists all jurors by town and indicates the one-way mileage for each individual. Names which are lined-out are those who have been excused and are not to receive payment.</p>	

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Juror List (cont'd)				a. Count number of names on list; subtract the lined-out names to determine total number of jurors to be paid. b. As daily attendance report is received, enter by name of absentee "out" (date). c. If a juror is excused from service <u>after</u> being sworn in, the juror <u>may</u> be entitled to payment for one day. d. If a juror challenges the mileage figure, get permission from jury commissioner before making a mileage change on the list.	This figure is used to double-check the number of payroll checks to be drawn. By RIGLA 9-29-5, jurors are to be paid only for days of actual <u>attendance</u> ; payment is <u>not</u> made for a holiday which falls within the period of service. If a question, check with the Jury Commissioner.
Prepare Payroll Sheets	Ex. 4	--		a. Complete heading: Petit (Grand) jury Date to appear (first day of 2-week service)-- petit jury only Date sworn in--grand jury only b. Enter all names (noting those excused) from Jury Commissioner's list to payroll sheet, in same order; double-check. c. Enter round-trip mileage in space provided.	The procedure for the petit and grand jury is the same.

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
Payroll checks				<ul style="list-style-type: none"> a. Enter proper amount on check payable to juror; double-check. b. Check that total amount disbursed by check equals total amounts shown on payroll sheets. c. Attach adding machine tape to payroll sheets and Jury Commissioner's List. d. Enter total amount and date on tape bottom for auditor's purposes. 	
Distribution of Checks Jurors in Juror Lounge				<ul style="list-style-type: none"> a. Bring checks to juror lounge and call by city (town). b. Have juror sign payroll sheet to indicate receipt of check. 	
Jurors in Courtroom				<p>The courtroom clerk should inform the bookkeepers of jurors who will be present in the courtroom at payroll time by pulling the juror cards and giving to the bookkeeper so that the checks may be set aside.</p> <ul style="list-style-type: none"> a. Give checks and a separate payroll sheet to courtroom clerk for distribution. 	<p>The jurors endorse the payroll sheet to indicate receipt of payment.</p>

CASE REFERENCE NO. _____

Financial Matters
Registry

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Grand Jurors</p> <p>Payment to Jurors on Hold-Over Cases</p>				<p>b. Attach completed payroll sheet with signatures to other payroll and juror list sheets.</p> <p>The sheriff picks up and distributes checks for grand jurors and also has them sign payroll sheet.</p> <p>A hold-over case refers to one which requires jurors to serve beyond the normal two-week period. These jurors are paid on the normal payday (end of 2-wk period); a separate check for additional service is then issued for the additional days.</p> <p>a. Prepare separate payroll sheet with heading "hold-over," name of courtroom clerk, name of judge, and names of jurors.</p> <p>b. Upon termination of service, compute amounts and issue checks as above.</p>	<p>If jurors have been excused, these checks may be mailed.</p> <p>These checks may be sent by mail to the individuals; the courtroom clerk should inform jurors if this is to be done.</p>
<p>Vouchers to Employers of Jurors</p>	<p>Ex. 5</p>	<p>--</p>		<p>Only upon request of juror, prepare form letter which shows the employer the number of days served, at \$15 per day plus mileage.</p>	

Financial Matters
Registry

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Quarterly Report to Bureau of Audit</p> <p>Return and Account</p> <p>Statement of Account Letter from Bureau of Audit</p>	<p>Ex. 2</p>	<p>A-26</p>		<p>Within approximately 15 days of the end of each quarter, all money remaining in the juror account is to be returned to the General Treasurer.</p> <p>Although no official form exists the following information should be included in a transmittal letter to the Bureau of Audits:</p> <p>Cash received date/voucher number/amount</p> <p>Cash disbursed - Petit Jury - date/amount - Grand Jury - date/amount Balance (deficit)</p> <p>Have <u>CLERK</u> certify & sign.</p> <p>a. Upon receipt of letter from Bureau of Audit verifying balance in account issue check to General Treasurer in amount of verified balance.</p> <p>b. Complete Receipts Transmittal voucher, entering "Refund of Jurors fees for Quarter Ending ____"</p> <p>c. Transmit check and all copies of voucher to General Treasurer.</p> <p>d. Upon receipt of green copy of voucher, place in chronological file.</p>	<p>The green copy may not always be returned; it is not needed.</p>

CASE REFERENCE NO. _____

Financial Matters
Fines and Costs

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Fines and Costs Account</u>				Fines and Costs are normally collected by the Criminal Division and given en masse to the Fiscal Clerks. If payment is made directly, however, issue a receipt to individual making payment.	
Issue receipt				<ul style="list-style-type: none"> a. Complete receipt (in duplicate). b. Give original to individual. 	See "Receipts."
Deposit slip				<p>Upon receipt of fines/costs from Criminal Division:</p> <ul style="list-style-type: none"> a. Complete deposit slip, entering total amount. b. Place deposit slip and money in envelope labeled with proper account. c. After depositing in bank, retain duplicate deposit slip with Fines & Costs checkbook and enter deposit in checkbook. 	In Providence, all case entries are made by the Criminal Division. No case by case entry need appear on the deposit slip.
Reconciliation of Account				<p>Upon receipt of monthly bank statement:</p> <ul style="list-style-type: none"> a. Reconcile statement with checkbook and records of deposit. b. File statements/deposit slips in chronological file for auditors. 	

CASE REFERENCE NO. _____

Financial Matters
Fines and Costs

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Transmittal to General Treasurer</u>	Ex. 2	A-26		<p>Fines and Costs must be transmitted to the General Treasurer each month once the account has been reconciled with the monthly bank statement.</p> <p>a. Issue check to General Treasurer in amount of receipts for the month (reduce the balance to zero).</p> <p>b. Have <u>CLERK</u> sign check. If the check exceeds \$100, it must be signed by the <u>CLERK</u> (or designate) and witnessed by any Superior Court Justice.</p> <p>c. Complete Receipts Transmittal Voucher; have <u>CLERK</u> sign.</p> <p>d. Forward <u>all copies of</u> voucher and check to General Treasurer.</p> <p>e. If green copy is returned by General Treasurer, file in chronological order.</p>	

Financial Matters
Miscellaneous

CASE REFERENCE NO. _____

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<u>Refunds from General Treasurer</u>				<p>Occasionally a request for the refund of a fee will be received, most often for an appeal fee refund when the appeal has been withdrawn.</p> <p>If the refund is to occur in the same month as deposited:</p> <ol style="list-style-type: none"> a. Examine order signed by judge as to withdrawal of appeal and refund of money. b. Issue check to requestor. c. On withdrawal order, enter original receipt number and check number. d. Make notation of withdrawal on journal. 	
<u>Refunds from State Treasury</u>	Ex. 6	A-24		<p>If the refund is to occur in a month <u>other</u> than when deposited</p> <ol style="list-style-type: none"> a. Complete form: <ol style="list-style-type: none"> 1) Court (division) 2) Voucher number on which money was transferred to general fund. 3) Date of transmittal voucher 4) Reason for request for return of funds (attach copy of order) 5) Name of individual to whom money is to be returned. b. Send form to General Treasurer. <p style="text-align: center;">IV.21</p>	<p>The Refund Voucher comes from the State Court Administrator's Office. This is a number assigned by the General Treasurer.</p>

CASE REFERENCE NO. _____

Financial Matters
Miscellaneous

DESCRIPTION	FORM	NO.	STATUTE OR RULE	PROCEDURE	COMMENTS
<p>Ordering Supplies Utility Purchase Voucher</p>	<p>Ex. 7</p>	<p>A-3</p>		<p>One clerk is usually designated the responsibility of ordering supplies for the office. Completion of the utility purchase voucher is the responsibility of the bookkeeper.</p> <p>a. As clerk informs you of placed order, give clerk a utility order number.</p> <p>b. On separate paper, make notation of vendor and items ordered and date.</p> <p>c. As bill for merchandise is received, check with clerk as to whether merchandise was received.</p> <p>d. If so, complete Utility Purchase Voucher and forward with invoice to State Court Administrator's Office.</p>	
<p>Request for Delivery (of Supplies)</p>	<p>Ex. 8</p>	<p>AD- PUR- A-31</p>		<p>Complete this form to order small items (pencils, pens, forms, stationery) from the state stationery office.</p> <p>Items unavailable through that office may be purchased from an outside vendor as long as the total order does not exceed fifty dollars (\$50).</p>	

DISTRIBUTION
WHITE - TREASURER
GREEN - DEPARTMENT
PINK - CONTROLLER
YELLOW - DEPARTMENT

STATE OF RHODE ISLAND
AND
PROVIDENCE PLANTATIONS

TREASURY DEPARTMENT
STATE HOUSE PROVIDENCE

TREASURY VOUCHER NO.

RECEIPTS TRANSMITTAL VOUCHER

5/78

A-26 REV. 2/73

PREVIOUS VOUCHER DATE
January 2, 1977

DEPARTMENT
Judiciary

DIVISION OR AGENCY
Clerk's Office, Prov. Superior Court

I CERTIFY THAT ALL MONIES RECEIVED FROM THIS SOURCE SINCE THE DATE OF THE PREVIOUS VOUCHER ARE ITEMIZED BELOW AND HEREWITH TRANSMITTED. THE AMOUNTS LISTED ARE TRUE AND CORRECT REMITTANCES AS RECEIVED.

SIGNATURE - DEPARTMENT HEAD OR AUTHORIZED AGENT
<i>John Doe</i>

RHODE ISLAND GENERAL LAWS, 1956, AS AMENDED, SECTION 11-28-1: FAILURE TO PAY STATE FUNDS INTO TREASURY - EVERY OFFICER, OR OTHER PERSON, RECEIVING OR HAVING IN HIS HAND MONEY BELONGING TO THE STATE, WHICH MONEY SHOULD BE PAID INTO THE STATE TREASURY, SHALL PAY THE SAME TO THE GENERAL TREASURER WITHIN THIRTY (30) DAYS AFTER HE SHALL RECEIVE SUCH MONEY, UNLESS OTHERWISE PROVIDED BY LAW; AND EVERY PERSON WHO SHALL, WITHOUT JUST CAUSE, NEGLECT OR REFUSE TO PAY OVER SUCH MONEY, SHALL BE FINED NOT EXCEEDING FIVE HUNDRED DOLLARS (\$500) OR BE IMPRISONED NOT EXCEEDING FIVE (5) YEARS.

VOUCHER DATE
February 2, 1977

DEPARTMENT VOUCHER NO.

FUND
Fines & Costs

TREASURY VALIDATION

RECEIPT/LICENSE NO.	RECEIVED FROM	DESCRIPTION	AMOUNT
	John Doe, Clerk of the Providence Superior Court for the Counties of Providence and Bristol	Return & Account of the Fines & Costs collected January 1st thru January 31, 1977	\$ 2,000.00

IV.24

INITIALS	CODE (1-9)	RECEIPT ACCOUNT NO.	AMOUNT	APPROPRIATION ACCOUNT NO.	BUDGET CODE	CC	ACCTS. REC.
VER	2	13-145	\$ 2,000.00				

AUDIT
TREASURY TIME STAMP

Financial Exhibit 2

SIGNATURE - CONTROLLER

INVOICE-VOUCHER

FORM A-12

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS DIVISION OF ACCOUNTS AND CONTROL

FOR USE IN DIVISION OF
ACCOUNTS AND CONTROL

VOUCHER NO.

- 1. WHITE - STATE CONTROLLER
- PINK - DEPARTMENT
- ORANGE - REMITTANCE COPY
- GREEN - VENDOR/DEPT.

FORWARD
FIRST THREE
COPIES TO
STATE CONTROLLER

DEPARTMENT OF ADMINISTRATION
STATE HOUSE, PROVIDENCE, R. I.

VOUCHER NO.

DELIVERED TO: Clerk's Office-Providence Superior Court	PURCHASE ORDER NO. None
LOCATION TO WHICH DELIVERED 250 Benefit Street, Providence, Rhode Island	REQUISITION NO. None
NAME AND ADDRESS OF THE VENDOR OR PAYEE John Doe, Clerk Clerk's Office-Providence Superior Crt. 250 Benefit Street Providence, Rhode Island	ACCOUNT NO. 0000-000-000 5/78
	VENDOR'S INVOICE NO.
	VENDOR'S INVOICE DATE January 2, 1978
	TERMS
INDICATE WHETHER INVOICE REPRESENTS: <input type="checkbox"/> PARTIAL DELIVERY <input type="checkbox"/> FINAL DELIVERY	
VOUCHER DATE January 2, 1978	

VENDOR INSTRUCTIONS:

1. SUBMIT A SEPARATE INVOICE FOR EACH PURCHASE ORDER.
2. PREPARE FOUR COPIES OF THIS FORM: USE INK OR TYPEWRITER; SIGN CERTIFICATE ON ORIGINAL COPY.
3. FORWARD FIRST THREE COPIES TO STATE CONTROLLER, STATE HOUSE, PROVIDENCE, R. I.; RETAIN FOURTH COPY. WATCH FOR SPECIAL BILLING INSTRUCTIONS WHICH APPEAR ON STATE PURCHASE ORDER.

QUANTITY	DESCRIPTION OF ARTICLES OR SERVICE <small>(Itemize and explain fully)</small>	UNIT PRICE	AMOUNT
	JUROR'S FEES		\$50,000.00

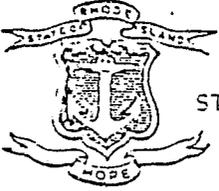
IV.25

VENDOR AND DEPARTMENT LEAVE BLANK				
ACCOUNT NO. & BUDGET CODE	AMOUNT	ENCUMBRANCE LIQUIDATED		
		ORDER NO.	AMOUNT	BALANCE

TOTAL AMOUNT	\$ 50,000.00
CASH DISCOUNT	\$
NET AMOUNT	\$
CERTIFICATE I hereby certify that the items are proper charges against the	
NAME OF VENDOR John Doe	
SIGNATURE OF VENDOR <i>[Signature]</i>	
SIGNATURE OF DIRECTOR OR AUTHORIZED AGENT	
TITLE	

Financial Exhibit 3

PRE-AUDIT	REVIEW	POSTED	DATE PAID	REGISTER NO.
TABULATED	VERIFIED			



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Superior Court
OFFICE OF THE CLERK
250 Benefit Street
Providence, R. I. 02903

January 27, 1978

5/78

TO WHOM IT MAY CONCERN:

The records of this Office disclose that

John Rose of Providence, Rhode Island
served as a Petit Juror for a period of 10 days
and has received Fifteen (\$15.00) Dollars per day,
plus mileage [REDACTED]

[REDACTED]

IV.27

John Roe
Clerk

Financial
Exhibit 5

DIVISION
 Accounts and Control
 Department
 State of Remittance
 Department

STATE OF RHODE ISLAND
 AND
 PROVIDENCE PLANTATIONS

FOR CONTROLLER'S USE
 ACCOUNT AND VOUCHER NO.

Department of Administration
 DIVISION OF ACCOUNTS AND CONTROL
 State House, Providence, R. I.

5/78

A-24

REFUND VOUCHER

(Revised January, 1973)

INSTRUCTIONS:

1. Prepare 4 copies. Send first 3 to Computer. Retain last copy.
2. List Payees: Name, Address, Date of Original Payment(s), Refund Amount(s), and Full Explanation(s) for Refund(s).
3. Voucher must be signed by Department Head.
4. Prepare Remittance Advice (Form A12 24) for each Payee; attach to Orange copy.

RECEIPT ACCOUNT NO. 12-385	ISCAL YEAR 1977
REFUND VOUCHER NO. 3306	TRANSMISSION DATE 9-3-77
VOUCHER NUMBER	

Judicial Office-Superior Court

List name and address for each; explain fully nature of and reason for each refund.

REFUND AMOUNTS

Refund from Misc. & Recording Fees deposited with the General
 Treasurer. Money is reclaimed in view of the Withdrawal
 of Appeal to the Supreme Court.

\$70.00

IN RE: G. A. 76-2070
 Douglas P. Wilbour
 vs.
 Eugeno P. Potit, Jr., Registrar

Make check payable to:

William G. Savastano, Attorney
 2180 Menden Road
 Cumberland, R. I.

*Appeal info
 Please receipt 29105
 Aug 10, 1977*

Approved:

Clerk

SAMPLE

REFUND ACCOUNT NO. 12-385	OBJECT CODE	VOUCHER TOTAL \$ 70.00
------------------------------	-------------	---------------------------

DO NOT WRITE IN AREA BELOW				APPROVAL	
REVIEW	KP	VER	DIVISION CHIEF		
			X		
	REGISTER NUMBER		DEPARTMENT DIRECTOR (required)		
			X		
			DIRECTOR OF ADMINISTRATION		
			X		

Financial Exhibit 6

IV.28

UTILITY PURCHASE ORDER—VOUCHER

ADCON A-3 REV 9/72

FOR USE IN DIVISION OF
ACCOUNTS AND CONTROL

ROUTING: No. 2 - to vendor
No. 5 - retain in department
Attach vendor's invoice to reverse
side of copy 1. Forward copies 1, 3,
& 4, to Division of Purchases.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ADMINISTRATION
STATE HOUSE, PROVIDENCE, R. I.

VOUCHER NO.

NAME OF AGENCY Providence Superior-Clerk's Office		No. U 345400	
ADDRESS 250 Benefit Street, Providence, Rhode Island			
NAME AND ADDRESS OF THE VENDOR OR PAYEE American Office Supplies 1015 State Street Providence, Rhode Island 02903		DATE WANTED AT ONCE	DATE ORDERED 1-20-78
		ACCOUNT NUMBER 0000-000-000	
		VENDOR'S INVOICE NUMBER 23456543	
		VENDOR'S INVOICE DATE 1-31-78	
SHIP TO BILL TO Providence Superior Court-Clerk's Office 250 Benefit Street, Providence, Rhode Island		TERMS	
CHECK TYPE OF PURCHASE <input type="checkbox"/> UNDER \$10.00 <input type="checkbox"/> MEMORANDUM		ORIGINAL ORDER BY PHONE? <input type="checkbox"/> YES <input type="checkbox"/> NO	
		VOUCHER DATE 2-2-78	

QUANTITY		DESCRIPTION OF ITEMS OR SERVICE SHOW PRICE LESS STATE DISCOUNT	UNIT PRICE	AMOUNT
ORDERED	DELIVERED			
1 Bottle		Opaque Correction Fluid (1/2 fl. oz.)		.59
1 Doz.		Scotch Brand Transparent Tape		5.00
				IV.29

Henry Scott
Clerk

DEPARTMENT LEAVE BLANK					TOTAL AMOUNT	\$ 5.59
ACCOUNT NO. & OBJECT CODE	AMOUNT				CASH DISCOUNT	\$
					NET AMOUNT	\$
					CERTIFIC. I hereby certify that the items and charges against the State and expenditure is in conformity with	
PRE-AUDIT	REVIEW	POSTED	CASH PAID	REG-STER NUMBER	BUYER	
PUNCHED	VERIFIED				AUTHORIZED AGENT	

Financial
Exhibit 7

NOTE: No carbon paper is required.

1 CONTROLLER'S COPY

MOORE BUSINESS FORMS, INC.

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RHODE ISLAND SUPERIOR COURT
MANUAL OF CLERICAL OPERATIONS

V. Naturalization Procedure

National Center for State Courts

May 1978

Naturalization Procedure

The Superior Court Clerk's Office in Providence/Bristol and Newport works cooperatively with the Immigration and Naturalization Service in processing petitions for naturalization. Duties of the person performing this function are outlined in brief below.

1. Type Petition.
2. Complete record of acknowledgment card; send to petitioner (Form N-414). (See Exhibit 1)
3. Collect fee and deposit in naturalization account.
4. Oath at Naturalization Hearing:

Oath of Allegiance for Petition for Citizenship

YOU DO SWEAR (AFFIRM) THAT YOU KNOW THE CONTENTS OF THIS PETITION FOR NATURALIZATION SUBSCRIBED BY YOU, THAT THE SAME ARE TRUE TO THE BEST OF YOUR KNOWLEDGE, EXCEPT AS TO MATTERS THEREIN STATED TO BE ALLEGED UPON INFORMATION AND BELIEF, AND THAT AS TO THESE MATTERS YOU BELIEVE THEM TO BE TRUE, AND THAT THIS PETITION WAS SIGNED BY YOU WITH YOUR FULL TRUE NAME: SO HELP YOU GOD.

Oath of Allegiance for Witness

YOU DO SWEAR (AFFIRM) THAT STATEMENTS OF FACT YOU HAVE MADE IN THE AFFIDAVIT OF THIS PETITION FOR NATURALIZATION SUBSCRIBED BY YOU ARE TRUE TO THE BEST OF YOUR KNOWLEDGE AND BELIEF: SO HELP YOU GOD.

5. Complete blue index card; enter in alphabetical index. (See Exhibit 2)
6. File photographs numerically according to petition number and file original petition in binder.
7. One week in advance of date for final hearing (set by Immigration & Naturalization Services), send notice of final hearing to petitioner (Form N-445). (See Exhibit 3)

8. After final hearing ceremony, have the naturalized citizen sign the certificates (original and copy) and collect fee for mailing certificate by registered mail.
9. Prepare Certificate of Naturalization, taking information from petition and description sheet. Glue on photos, put seal of court in proper place, have CLERK sign certificates (copy and original).
10. Detach certificate stub and file alphabetically (see Exhibit 4).
11. Add certificate number and date of naturalization on petition and index card.
12. Send Certificate by registered mail to naturalized citizen.
13. Put certificate copies in numerical order; transfer to Immigration and Naturalization Services along with monthly report (Form N-4) (see Exhibit 5).
14. Upon request, complete Verification of Naturalization form; sign and affix seal of court (see Exhibit 6).

Form N-414
UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE
(Edition 12-15-44)

ACKNOWLEDGMENT OF FILING PETITION FOR NATURALIZATION

(This card is not to be regarded as evidence of U. S. citizenship)

Name and location of court: Providence Superior Court
250 Benefit Street.
Providence, Rhode Island

Name of petitioner: Joao Costa

Date of filing petition: December 5, 1977

Number of petition: 31254

GPO 949-810

Naturalization
Exhibit 1

Index Card

COSTA, Joao

145-31254

10 Knight Street

Providence, Rhode Island 02903

Filed: December 5, 1977

Admitted-February 17, 1978

Cert.#10000002

Naturalization
Exhibit 2

Notice of Final Hearing

Form Approved
OMB No. 43-R0399

UNITED STATES DEPARTMENT OF JUSTICE
Immigration and Naturalization Service

Mr. Joao Costa
10 Knight Street
Providence, Rhode Island 02903

Petition No. 3125L

AR# 23 45 789

Date February 3, 1978

You are hereby notified to appear for a hearing on your petition for naturalization before a judge of the naturalization court on February 17, 1978-Friday
at Providence Superior Court Courtroom #12
250 Benefit Street 5th Floor
Providence, Rhode Island 02903

Please report promptly at 9:15 A.M. Your witnesses need NOT come with you.

If the judge finds you qualified for naturalization, you will be sworn in as a citizen.

YOU MUST BRING WITH YOU THE ITEMS MARKED BELOW:

- This letter, WITH ALL OF THE QUESTIONS ON THE OTHER SIDE ANSWERED IN INK OR ON A TYPEWRITER.
- Alien Registration Receipt Card.
- Any Immigration documents you may have.
- Your child (children): _____
- Other Please bring _____ for the cost of mailing; Certificate of Naturalization

Naturalization
Exhibit 3

this hearing, return this notice immediately and state such case, you will be sent another notice of hearing

Certificate Stub

No. 10636709

Name COSTA, Joao

residing at 10 Knight Street, Providence, R.I.

Date of Birth Jan. 1, 1915 Date of Order of Admission _____

Date certificate issued February 17, 1978 by the

Superior Court at Providence, Rhode Island

Petition No. 31254 Alien Registration No. 23 45 789

Joao Costa
(Complete and true Signature of Holder)

Naturalization
Exhibit 4

V. 6

5/78

MONTHLY REPORT

DUPLICATE

NATURALIZATION PAPERS FORWARDED

Office of the Clerk of the Superior Court

Providence

(County or district)

Providence, Rhode Island

(City or town, and State)

September 2, 1977

IMMIGRATION AND NATURALIZATION SERVICE,

In compliance with the naturalization laws and regulations, there are listed below each petition number and the name of each petitioner for naturalization who filed a petition in the above-named court during the month of August, 19 77. I enclose also duplicate naturalization papers executed by me as clerk of the above-named court during the same month, the inclusive numbers of which are given below.

Duplicates of petitions for naturalization which have already been delivered to your representative are indicated by an (*) opposite the petition number. Petitions for which no fee was collected, as provided by law, are indicated by the letter "M" opposite the petition number, and by the words "no fee" opposite the name. Petitions "Voided" under 8 CFR 334.15 are listed at the end and indicated by the word "void." Listed separately are the TR number and the name of each petitioner whose certified copy of a petition for naturalization was received by transfer during the month.

- 1. Declaration of Intention Nos. - to - inclusive.
- 2. Petitions for Naturalization Nos. 29000 to 29019 inclusive.
- 3. Certificates of Naturalization Nos. 9080706 to 9080776 inclusive
(by registered mail).

John Rie
(Clerk)

By XXXXXXXXXXXX
~~XXXXXXXXXXXX~~

PETITION NO.	NAME
29000	Name of the petitioner

Naturalization
Exhibit 5



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Superior Court
OFFICE OF THE CLERK
250 Benefit Street
Providence, R. I. 02903

Verification of Naturalization

The Naturalization records of this Court indicate the following information:

NAME Antonio Lima
ADDRESS AT TIME OF FILING 40 Summer Street
Central Falls, Rhode Island
NATURALIZATION PETITION FILING DATE September 10, 1975
PETITION NUMBER 19056
DATE OF BIRTH (OR AGE) July 1, 1941
COUNTRY OF BIRTH OR ALLEGIANCE Portugal
DATE OF NATURALIZATION November 21, 1975
PLACE OF NATURALIZATION Providence Superior Court
250 Benefit Street, Providence, R.I.
NATURALIZATION CERTIFICATE NUMBER 1067900

I, John Rae, Clerk
of the Providence Superior Court, certify
that the above information is true and
correct according to our records on this
24th day of October 19 77.

SEAL

Naturalization
Exhibit 6

GLOSSARY*

Abstract - Synopsis or summary of facts, rather than table of contents of transcript. Abbreviated, accurate and authentic history of proceedings.

Accusation - A formal charge against a person, to the effect that he is guilty of a punishable offense, laid before a court or magistrate having jurisdiction to inquire into the alleged crime.

Acquittal - The legal and formal certifications of the innocence of a person who has been charged with crime; a deliverance or setting free of a person from a charge of guilt.

Adjournment - A putting off or postponement of business or of a session until another time or place; the act of a court, by which the session is dissolved, either temporarily or finally.

Affidavit - A written statement declaring certain facts to be true and confirmed by the oath of the person making the statement, (which oath is taken before an officer having authority to administer it).

Alimony - Allowance which (husband) (wife) by court order pays wife (husband) for maintenance while they are separated or after they are divorced.

Allegation - The assertion, declaration or statement of a party to an action, made in a pleading, setting out what he expects to prove.

Annulment - Act of making void. "Annulment" destroys existence of void or voidable marriage and everything appertaining thereto from the beginning.

Answer - Denotes a defense in writing made by a defendant to the allegation contained in a bill, indictment or complaint filed against him by a plaintiff. Under certain conditions and in certain proceedings the answer may be made verbally to the clerk.

Appeal - A complaint to a higher court asserting commission of an error of law in a trial, proceeding before a lower court, or sentence of a lower court, seeking rectification of the lower court's error.

Appeal Bond - The bond given on taking an appeal, by which the appellant and his sureties are bound to pay damages and costs if he fails to prosecute his appeal with effect.

Appearance - A coming into court as a party to a suit, whether as a plaintiff or defendant.

Appellant - The party who takes an appeal from one court or jurisdiction to another.

Arraignment - The arraignment of a prisoner consists of calling upon him by name, and reading to him the indictment, and demanding of him whether he be guilty or not guilty and entering his plea.

Assignment - A transfer by one person or corporation to a second person or corporation of the former's interest in property.

*Compiled with the assistance of Raymond McGuire, Professor of Law, University of Maine, School of Law, Portland, Maine.

Attachment - The process whereby, on the authority of a court, property is brought within the custody of the court.

Attestation - The act of witnessing an instrument in writing at the request of the party making the same, and subscribing it as a witness.

Bail (verb) - To procure release of a person from legal custody and assuming responsibility for his appearance in court or any designated place.

Bail (noun) - The surety or sureties who procure the release of a person under arrest by becoming responsible for his appearance at the time and place designated. Those persons who become sureties for the appearance of the defendant in court.

Bail Bond - A guarantee by a corporate surety that a person will appear at a designated time and place, and a promise to pay a sum of money fixed by the court if the appearance is not made.

Bail Commissioner - Officer appointed to take recognition of bail.

Bench Warrant - An order issued by the court "from the bench" for the arrest of a person.

Bill of Indictment - A formal written document accusing a person or persons named of having committed a felony or misdemeanor, lawfully laid before a grand jury for their action upon it.

Bound-over - The action whereby a lower court requires a person to appear for trial in a higher court after a probable cause hearing has been held in the lower court and probable cause has been found (see Probable cause).

Brief - A written document, summary or abstract of some larger document or of a series of papers, facts and circumstances or propositions.

Capias - A writ or order by the court directing an officer to take into custody the person named in the writ or order.

Certify - To testify in writing; to make known or establish as a fact.

Change of Venue - The removal of a suit begun in one county or district to another county or district for trial.

Charge - An accusatory allegation in legal form. A formal complaint, information or indictment.

Chattels - All property except real property; personal property.

Civil Action - A personal action which is instituted to compel payment or the doing of some other thing which is purely civil.

Commitment - The warrant or mittimus by which a court or magistrate directs an officer to take a person to prison. Authority for holding in prison one convicted of crime.

Complaint (civil) - The complaint is the first or initiatory pleading on the part of the plaintiff in a civil action.

Complaint (criminal) - A charge, preferred before a magistrate having jurisdiction, that a person named (or an unknown person) has committed a specific offense, with offer to prove the fact, to the end that a prosecution may be instituted.

Concurrent - At the same time, running together.

Consecutive - Successive; succeeding on another in regular order.

Contempt - Willful disobedience of the lawful order of a court or administrative tribunal; generally referring to an order other than one to pay a sum of money.

Contempt of Court - Any act which is calculated to embarrass, hinder, or obstruct court in administration of justice, or which is calculated to lessen its authority or its dignity.

Continuance - The adjournment or postponement of an action pending in a court, to a subsequent day of the same or another term.

Conviction - The result of a criminal trial which ends in a judgment or sentence that the prisoner is guilty as charged.

Costs - A pecuniary allowance, made to the successful party (and recoverable from the losing party) for his expenses in prosecuting or defending a suit, or a distinct proceeding within a suit.

Counterclaim - A claim presented by a defendant in opposition to or deduction from the claim of the plaintiff.

Cross-Claim - A claim by one party to an action against a co-party, as by defendant against co-defendant or (rarely) by plaintiff against co-plaintiff.

Cross-complaint - An action brought by a defendant in a suit against the plaintiff in that suit upon a cause of action arising out of the same transaction in controversy. Or an action by one party to a suit against a co-party to the suit arising out of the same transaction, as plaintiff against co-plaintiff or (more frequently) defendant against co-defendant.

Custody - As applied to parental rights over children, embraces the sum of such rights with respect to the rearing of a child, including its care. With respect to a person in custody implies that he is detained on authority or kept in charge or control of another in some sort of restraint, so that he is not free to come and go at will.

Damages - A pecuniary compensation or indemnity, which may be recovered in the courts by any person who has suffered loss, detriment or injury, whether to his person, property or rights, through the unlawful act or omission or negligence of another.

Declaration - An unsworn statement or narrative of facts made by a party to the transaction, or by one who has an interest in the existence of the facts recounted.

Declaratory Judgment - A judgment which establishes the legal scope of the rights and duties of the parties, without more, following a proceeding brought in advance of the occurrence of actual injury to those parties.

Decree - A term whose meaning parallels "judgment" in a civil case. The judgments of certain specialized tribunals (particularly courts of equity and of admiralty) are called "decrees."

Default - Omission, neglect or failure of any party to fulfill a duty, observe a promise, discharge an obligation, or perform an agreement.

Default Judgment - A judgment rendered in favor of one party to a civil action based on the failure of the other party to enter an appearance and defend.

Deposition - The testimony of a witness taken upon interrogatories, not in open court, but in pursuance of a commission to take testimony issued by court, or under a general law on the subject, and reduced to writing and duly authenticated and intended to be used at trial of action in court.

Designation - An addition to a name, as of title, profession, trade or occupation, to distinguish the person from others.

Discovery - The disclosure by the defendant of facts, titles, documents or other things which are in his exclusive knowledge or possession, and which are necessary to the party seeking the discovery as a part of a cause of action pending or to be brought in another court, or as evidence of his rights or title in such proceeding.

Dismissal - An order disposing of an action by sending it out of court, though without trial of the issues involved. A dismissal may be so styled as to bar a new suit on the same grounds (Dismissal with Prejudice) or may be so styled as to permit a new suit on the same grounds (Dismissal without Prejudice).

Divorce - The legal separation of husband and wife effected, for cause, by the judgment of a court, and either dissolving the marriage relation or suspending its effects so far as concerns the cohabitation of the parties.

Docket - A book containing an entry in brief of all the important acts done in court in the conduct of each case, from its inception to its conclusion.

Domicile - That place where a man has his true, fixed, and permanent home and principal establishment and to which whenever he is absent he has the intention of returning.

Equity - A specialized body of jurisprudence chiefly specializing in fashioning a remedy for injustice where the payment of money damages will not prove to be adequate compensation.

Evidence - Any species of proof, or probative matter legally presented at the trial of an issue, by the act of the parties and through the medium of witnesses, records, documents, concrete objects, etc., for the purpose of inducing belief in the minds of the court or jury as to their contention.

Execution - An order directing an officer to fulfill the order of the court, either by imprisonment or release of an accused (in criminal cases), or by seizure of property to satisfy an order to pay money (in civil cases).

Exhibits - A paper, document or object produced and exhibited to a court during a trial or hearing, and on being accepted, is marked for identification or admitted in evidence.

CONTINUED

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Expert Witness - Person examined as a witness in a cause, who testifies in regard to some professional or technical matter arising in the case, and who is permitted to give his opinion as to such matter on account of his special training, skill, or familiarity with it.

Expunge - To blot out; to efface designedly; to obliterate; to strike out wholly.

Extradition - The surrender by one state to another of an individual accused or convicted of an offense outside its own territory and within the territorial jurisdiction of the other, which, being competent to try and punish him, demands the surrender.

Facsimile - An exact copy, preserving all the marks of the original.

Fee - A charge fixed by laws for service of public officers or for a privilege under government control. Also, the term by which many kinds of land ownership are known - particularly Fee Simple Absolute, ownership of 100% interest in land.

Findings - The result of the deliberations of a jury or court.

Fine - A sum of money paid at the end of a suit or prosecution. The fine is imposed upon a person(s) or corporation as a form of punishment.

Garnishment - A statutory proceeding whereby person's property, money, or credits in possession or under control of, or owing by, another are applied to payment of former's debt to a third person by proper statutory process against debtor and garnishee.

Grand Jury - A jury of inquiry who are summoned and returned by the sheriff to each session of the criminal courts, and whose duty is to receive complaints and accusations in criminal cases, hear the evidence presented on the part of the state, and find bills of indictment in cases where they are satisfied a trial ought to be had. They are first sworn and instructed by the court. This is called a "grand jury" because it comprises a greater number of jurors than the ordinary trial jury. In Maine the grand jury consists of not less than twelve nor more than twenty-three persons.

Guardian - A guardian is a person lawfully invested with the power and charged with the duty, of taking care of the person, and managing the property and rights of another person, who, for some peculiarity of status, or defect of age, understanding, or self-control, is considered incapable of administering his own affairs.

Guardian Ad Litem - A person appointed by court of justice to prosecute or defend for an infant in any suit to which he may be a party.

Habeas Corpus - The proceeding which tests the legal validity of one person's detention of the person of another - particularly and most frequently used to test the validity of a criminal judgment leading to imprisonment.

Hearing - Proceeding of relative formality, generally public, with definite issues of fact or of law to be tried, in which parties proceeded against have a right to be heard.

Hearsay - A term applied to that species of testimony given by a witness who relates, not what he knows personally, but what others have told him, or what he has heard said.

Incompetent Person - The phrase "incompetent person," "incompetent" or "mentally incompetent" shall be construed to mean or refer to any person, whether insane or not, who by reason of old age, disease, weakness of mind, or other cause, is unable, unassisted, properly to manage and take care of himself or his property and by reason thereof is likely to be deceived or imposed upon by artful or designing persons.

Indeterminate - That which is uncertain, or not particularly designated.

Indictment - An accusation in writing found and presented by a grand jury, legally convoked and sworn, to the court in which it is impaneled charging that a person therein named has done some act, or been guilty of some omission, which, by law, is a public offense, punishable on indictment.

Indigent - Poor or needy.

Information - An accusation in the nature of an indictment from which it differs only in being presented by a competent public officer on his oath of office, instead of a grand jury on their oath.

Interrogatories - A series of written questions directed by a party to a suit to a different party or to a potential witness, which questions seek out potential evidence and call for written answers.

Joinder - The unification of two or more parties (joinder of parties) or of two or more demands for judicial action (joinder of causes) for legal action in a single proceeding.

Judgment - In civil cases, a judgment is a final determination of the rights and duties of the parties. In a criminal case, a judgment is the determination of guilt or innocence of the accused.

Jurisdiction - The competency of a particular court to hear a particular matter, measured by the kind of action involved, the subject matter of the action, the parties involved, or the like.

Jury - A certain number of men selected according to law, and sworn to inquire of certain matters of fact and declare the truth upon evidence to be laid before them.

Lien - A charge or security or incumbrance upon property.

Lis Pendens - A pending suit; jurisdiction, power or control which courts acquire over property in suit pending action and until final judgment.

Mandamus - This is the name of a writ which issues from a court of superior jurisdiction, and is directed to a private or municipal corporation, or any of its officers, or to an executive, administrative or judicial officer, or to an inferior court, commanding the performance of a particular act therein specified, and belonging to his or their public, official or administrative duty, or directing the restoration of the complainant to rights or privileges of which he has been illegally deprived.

Minor - An infant or person who is under the age of legal competence (under 21 years of age).

Misdemeanor - Offenses lower than felonies and generally those punishable by fine or imprisonment otherwise than in penitentiary.

Mittimus (criminal) - The name of a precept in writing, issuing from a court or magistrate, directed to the sheriff or other officer, commanding him to convey to the prison the person named therein, and to the jailor, commanding him to receive and safely keep such person until he shall be delivered by due course of law.

Motion - A written or oral request to a court for a ruling of law during the course of legal proceedings.

Negligence - The omission to do something which a reasonable man, guided by those ordinary considerations which ordinarily regulate human affairs, would do, or the doing of something which a reasonable and prudent man would not do.

New Trial - A re-examination of an issue of fact in the same court after a trial and decision by a jury or court.

Nolo contendere - A plea in a criminal action having same legal effect as a plea of guilty for purposes of instant case, but may not be used as admission elsewhere.

Notice - Legal Notice. Such notification as is legally deemed reasonable to apprise the person to whom it is addressed of the initiation of legal proceedings against him or of some matter relating to legal proceedings to which he is a party.

Notice of lis pendens - A notice filed for the purpose of warning all persons that the title to certain property is in litigation, and that, if they purchase the defendant's claim to the same, they are in danger of being bound by an adverse judgment.

Nullity of Marriage - The entire invalidity of a supposed, pretended, or attempted marriage, by reason of relationship or incapacity of the parties.

Oath - Any form of attestation by which a person signifies that he is bound in conscience to perform an act faithfully and truthfully.

Pardon - An act of grace, proceeding from the power intrusted with the execution of laws which exempt an individual on whom it is bestowed, from the punishment the law inflicts for the crime he has committed.

Parole - A conditional release from a sentence to county jail or state prison; if prisoner makes good, he will receive an absolute discharge from balance of sentence, but if he does not, he will be returned to serve unexpired time.

Parties - The persons who take part in the performance of an act, or who are directly interested in any affair, contract, or conveyance, or who are actively concerned in the prosecution or defense of any legal proceeding.

Partnership - A voluntary contract between two or more competent persons to place their money, effects, labor, and skill, or some or all of them in lawful commerce or business, with the understanding that there shall be a proportional sharing of the profits and losses between them.

Peremptory Challenges - A challenge to a potential juror by a party to a case whereby that potential juror is not permitted to take his place on the jury. The challenging party need show no reason for exercise of his right to challenge a potential juror peremptorily.

Petition - A written application to the court requesting the court to exercise its authority in the redress of some wrong or requesting from the court some favor, privilege or license.

Plaintiff - A person who brings an action; the party who complains or sues in a personal action and is so named on the record.

Plea - The first pleading on part of defendant; the answer which defendant makes to the plaintiff's declaration.

Pleadings - The formal allegations by the parties of their respective claims and defenses for the judgment of the court.

Poling the Jury - A practice whereby the jurors are asked individually whether they assented, and still assent to the verdict.

Preliminary Hearing - Hearing by judge or magistrate given a person accused of crime to ascertain whether there is sufficient evidence to require the person to stand trial on the charge.

Pre-sentence Report - Following a criminal judgment of guilt, a trial court may in advance of passing a sentence, require of the proper government officials a Presentence Report to inform the court of those facts (beyond guilt of the particular crime) which may properly influence a sentencing decision.

Probable Cause - An apparent state of facts found to exist upon reasonable inquiry which would induce a reasonably intelligent and prudent man to believe, in a criminal case. That the accused person had committed the crime charged, or, in a civil case, that a cause of action existed.

Probation - Allowing a person convicted of some minor offense (particularly juvenile offenders) to go at large, under a suspension of sentence, during good behavior, and generally under the supervision of a probation office.

Proceeding - The name given the whole of the judicial business relating to a given case or controversy before a court.

Process - This word is generally defined to be the means of compelling the defendant in an action to appear in court; or a means whereby a court compels a compliance with its demands.

Real Property (Realty) - Land and structures erected on land and so attached to the land as to become part of it.

Reciprocal Support - The process by which a husband or wife pays alimony through the court.

Recognizance - An obligation of record, entered into before some court of record, or magistrate duly authorized, with condition to do some particular act; as to appear at assizes, or criminal court, to keep the peace, to pay a debt, or the like.

Record - A written account of some act, transaction or action, drawn up under authority of law, by a proper officer, and designed to remain as permanent evidence of the matters to which it relates.

Remand - The act of a higher court, after an appeal, in sending a case back to a lower court for action consistent with the decision and order of the higher court.

Removal - In a broad sense, the transfer of a person or thing from one place to another. More specifically, in law it means the transfer of a cause from one court to another; transfer of the jurisdiction and cognizance of an action commenced, but not finally determined, with all further proceedings therein, from one trial court to another trial court.

Remedy - The relief given by a court to secure to an injured party his rights.

Replevin - A personal action brought by one person to recover possession of property unlawfully held by another.

Sentence - The judgment formally pronounced by the court or judge upon the defendant after his conviction in a criminal prosecution, formally declaring to the defendant the legal consequences of his conviction. In civil cases the terms judgment, decision, award or finding are used.

Service - The delivery of a writ, notice, injunction, etc. by an authorized person, or in some instances by certified mail, officially notifying that person of some action or proceeding in which he is concerned.

Show Cause - An order, decree, execution to appear as directed, and present to the court such reasons and considerations as one has to offer why it should not be confirmed, take effect, be executed or as the case may be.

Stipulation - An agreement between counsel respecting business before the court.

Subpoena duces tecum - The process by which the attendance of a witness is required. It is a writ or order directed to a person and requiring his attendance at a particular time and place as a witness. Duces Tecum may also require him to bring books, documents, etc.

Summary Judgment - A judgment rendered on the basis of the pleadings and, if any, affidavits of the parties where an examination of the pleadings and affidavits reveals that there is no dispute regarding the facts material to the case.

Summons - An order directing an officer to notify the person named in the order of the commencement of an action against that person and of the duty of the person named to appear in court on a day specified and answer the complaint of the party initiating the action.

Surety - One who binds himself for the payment of a sum of money, or for the performance of some duty or promise for another.

Suspended sentence - Following the imposition of sentence in a criminal case, the court may suspend Execution of the sentence and release the accused conditionally, subject to good behavior, for a fixed time. If during that time the accused is again convicted of crime or otherwise violates the conditions governing suspension of sentence, the court may order Execution of the sentence at that time.

Title - Legal recognition of the ownership of property, perhaps evidenced by a document having legal force.

Transcript - An official copy of certain proceedings in a court.

Transfer - The removal of a cause from the jurisdiction of one court or judge to another by lawful authority.

Traverse Jury - A trial jury; a jury impaneled to try an action or prosecution, as distinguished from a grand jury.

True Bill - The endorsement by a grand jury upon a bill of indictment, when they find it sustained by the evidence and are satisfied with the truth of the accusation.

Trustee - A person appointed, or required by law to execute a trust; one in whom an estate, interest or power is vested, under an express or implied agreement to administer or exercise it for the benefit or to the use of another.

Venue - Venue defines the proper court in which an action is to be brought, usually by reference to the locale in which the conduct complained of is claimed to have taken place.

Verdict - The formal decision or finding made by a jury, impaneled or sworn for the trial of a cause, and reported to the court (and accepted by it) upon the matters and questions duly submitted to them upon the trial.

Waiver - The voluntary relinquishment of a known right.

Ward - A person, especially an infant, placed by authority of law under the care of a guardian.

Warrant - A written order issued and signed by a magistrate, directed to a peace officer or some other person specially named, and commanding him to arrest the body of a person named in it, who is accused of an offense.

Writ - A written document from a court to a person directing certain action of that person. A writ may issue either to commence an action or as an incident to an ongoing action, generally at the request of a party to the action under way or to be initiated.

APPENDIX

List of Forms

The forms on the following list are those for which requests for blank copies may be received. This list is included only to familiarize personnel with the names of the forms.

S-135 Summons - Providence County - S-1
S-141 Superior Court Writ of Attachment - S-2
S-142 Stipulations - S-D-101
S-143 Witness Subpoenas - S-D-45A
S-144 Subpoena Duces Tecum - S-D-45B
S-145 Restraining Order - S-65
S-146 Witness Certificate - S-D-102
S-147 Motion for Substitution - S-D-103
S-148 Motion for Order to Sell - S-D-104
S-149 Judgment (on Decisions) - S-D-32
S-150 Judgment (on Verdict) - S-D-31
S-151 Notice of Entry of Judgment - S-D-77
S-152 Proof of Service - Other than Sheriff - S-D-105
S-153 Proof of Service - Out of State - S-D-4E-F
S-154 Docket Sheets - S-D-79
S-155 Court File Sheets - S-D-79A
S-156 Indictment Docket Sheets
S-156A Indictment Docket File Sheets
S-157 Criminal Appeal Docket Sheets
S-157A Criminal Appeal File Sheets
S-160 Proof of Service - Attachment - Real Estate - S-1
S-161 Proof of Service - Personal Estate - S-2
S-162 Proof of Service - Trustee - S-3
S-163 Proof of Service - Incompetent - S-4
S-164 Proof of Service - Corporation S-5
S-165 Proof of Service - Public Corporation - S-6
S-166 Proof of Service - State - S-7
S-168 Notarial Certificates - S
S-171 Execution - Goods, Chattels & Real Estate - S
S-173 Execution - Body - S
S-174 Application for Citation in Supplementary Proceedings - S-D
S-175 Citation in Supplementary Proceedings - S-D
S-176 Writ of Body Attachment - S-D
S-178 Civil Action Cards (Manila - Defendant)
S-178A Civil Action Cards (Manila - Plaintiff)
S-179 Criminal Appeal Cards
S-180 Deputy Sheriff Certificate
S-181 Warrant/Receipt (Card)
S-182 Committal Receipt (Card)
S-183 Certification of Clerk - All Courts
S-185 Certification of Justice - All Courts
S-186 Entry of Appearance (Def. Atty.)
S-187 Capias on Complaint

S-189 Remands - Superior Court
 S-190 Third Party Summons - Superior Court
 S-192 30-Day and 7-Day Calendar Notice
 S-193 Omnibus Calendar Assignment Form
 S-195 Selection of Title Examiner & Decree of Approval
 S-196 Motion to Deposit Estimated Costs & Order
 S-197 Approval of Title Examiner's Report Fixing Return Day of Citation
 & Order of Notice
 S-198 Civil Calendar Card
 S-199 Petition to Foreclose Tax Lien
 S-200 Citation to Foreclose Tax Lien
 S-201 Civil Index Calendar Card
 S-202 Judgment by Default upon Application to Clerk
 S-203 Affidavit & Request for Entry of Judgment
 S-204 Notice of Appeal - To Supreme Court
 S-205 Citation to Show Cause
 S-206 Petition for Mechanic's Lien
 S-207 Citation in Mechanic's Lien
 S-208 Jury Challenges
 S-209 Order Payment of Money from Registry
 S-210 Jury Voucher
 S-211 Letter to Jury Commissioner
 S-212 Dedimus Potestatem
 S-213 Order Motion for New Trial
 S-214 Execution Board Sheets (Blank)
 S-215 Marriage Certificates
 S-216 Applications to Marry
 S-218 Exhibit Receipts
 S-219 Writ of Attachments
 S-220 Writ of Habeus Corpus
 S-221 Jury Payroll Sheets
 S-222 Writ of Replevin
 S-223 Writ of Arrest
 S-224 Verdict Sheets
 S-225 Probate Appeal Ordered Notice

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