



STATE OF RHODE ISLAND JUDICIARY

SUPREME COURT
OFFICE OF GENERAL COUNSEL

Licht Judicial Complex
250 Benefit Street
Providence, RI 02903

April 9, 2026

Via Electronic Mail (HouseJudiciary@rilegislature.gov)

Chair Carol Hagan McEntee
House Committee on Judiciary
Rhode Island State House
House Lounge
Providence, Rhode Island 02903

RE: House Bill No. 8328: An Act Relating to Courts and Civil Procedure – Courts – Permitting Virtual or Remote Hearings

Dear Chair Hagan McEntee:

I write on behalf of the Rhode Island Judiciary to express concerns regarding House Bill No. 8328, scheduled to be heard this evening before the House Committee on Judiciary. This legislation seeks to infringe on the powers of the Judiciary, raising separation of powers concerns. Though the Judiciary understands the intent behind this legislation, it nonetheless infringes on the Judiciary's ability to conduct court proceedings in the manner the Judiciary believes to be most effective for the administration of justice and to preserve parties' constitutional rights.

Pursuant to this proposed legislation, "any hearing, conference, motion, proceeding, or other court appearance may be conducted in whole or in part by virtual or remote means" which would include participation by "telephone or video conference connection." If passed, the legislation would be effective immediately. At the outset, it should be noted that the Judiciary already permits remote hearings upon request and at the discretion of the judicial officer. The Judiciary provides information on requesting a remote hearing on the Judiciary's website. *See* Documents attached hereto. Because there is already a process in place, a legislative mandate is unnecessary and arguably impedes on the Judiciary's ability to conduct court proceedings.

Further, at present, the Judiciary does not offer telephonic hearings due to a host of logistical and constitutional concerns that are implicated when a party to a proceeding cannot be physically seen. The proposed legislation, however, would require the Judiciary to permit telephonic appearance.

The Judiciary is a separate and distinct branch of government vested with the "judicial power of this state" and the Chief Justice of the Supreme Court is empowered to "take any action necessary to ensure the continued and efficient operation of the courts of the unified judicial

system.” R.I. Const. art. X, § 1; R.I. Gen. Laws § 8-15-2.1(a); see also *Lemoine v. Martineau*, 115 R.I. 233, 239, 240 (1975). Through the Rhode Island Constitution, statutory authority, and case law, the Judiciary is constitutionally empowered to set its own procedural rules to manage court affairs and ensure efficiency. The current legislation infringes on this authority and creates a separation of powers issue.

Thank you for the opportunity to express the Judiciary’s concerns regarding this bill.

Sincerely,



Chrisanne Wyrzykowski
General Counsel



Supreme Court

Access to Justice Office

Noel Judicial Complex
222 Quaker Lane
Warwick, RI 02886

Remote Hearing Request

Instructions

Use this packet to submit a request for a remote hearing. When you have completed this form, file the form with the Clerk of the Court.



The court has the discretion to grant or deny a request for a remote hearing. The judicial officer will review the request and will consider all factors including whether the parties agree, the rights of the other party, and constitutional considerations. ***Submitting a request for a remote hearing does not guarantee that your case will be heard remotely.***

Step 1: Fill out the Remote Hearing Request Form. The Remote Hearing Request Form begins on page 3 of this packet.

Step 2: Email your Remote Hearing Request Form to:

Superior Court	SCRemoteRequests@courts.ri.gov
Family Court	FCRemoteRequests@courts.ri.gov
District Court	DCRemoteRequests@courts.ri.gov
Rhode Island Traffic Tribunal	RITTRemoteRequests@courts.ri.gov

Step 3: Wait for the Judicial Officer to Decide. The judicial officer will review the request and make a decision. The court will email the decision to you.

Need Additional Help?

If you need additional help, you can email the Access to Justice Office at AccesstoJustice@courts.ri.gov.

You can also visit one of the Rhode Island Judiciary Resource Centers.

Resource Center Location and Hours

Providence Thursday 8:30 a.m. to 1:30 p.m.	Warwick Monday to Thursday 8:30 a.m. to 1:30 p.m.
Garrahy Judicial Complex One Dorrance Plaza Providence, RI 02903	Noel Judicial Complex, 1 st Floor 222 Quaker Lane Warwick, RI 02886



Court	County or Division
<input type="checkbox"/> Superior Court <input type="checkbox"/> Family Court <input type="checkbox"/> District Court	<input type="checkbox"/> Providence/Bristol County or Sixth Division <input type="checkbox"/> Washington County or Fourth Division <input type="checkbox"/> Kent County or Third Division <input type="checkbox"/> Newport County or Second Division
<input type="checkbox"/> Rhode Island Traffic Tribunal	

_____’s Request for Remote Hearing

Plaintiff/Petitioner	Case Number
Defendant/Respondent	Hearing Date

The Plaintiff/Petitioner or Defendant/Respondent asks the court for permission to have the proceeding already scheduled by the court on _____ at _____ a.m. p.m. to be held remotely. The request must be received at least ten (10) days prior to the hearing. If your request is granted, you will receive a new hearing date. If your request is denied, you are required to appear on the above hearing date.

Please check all that apply:

- This is a civil matter.
- This is a criminal matter. The police department charging the criminal case is _____.
- This is a domestic violence case. Domestic violence is when certain crimes are committed by one family or household member against another.

For Civil Cases Only: The opposing attorney in this case is _____.

_____ Name of the <input type="checkbox"/> Plaintiff/Petitioner or <input type="checkbox"/> Defendant/Respondent	_____ Signature
Address:	
Telephone Number:	Date:
/s/ _____ Attorney for the <input type="checkbox"/> Plaintiff/Petitioner or <input type="checkbox"/> Defendant/Respondent	Rhode Island Bar Number Date:
Telephone Number:	Email:

Certificate of Service

A Certificate of Service lets the court know that you electronically filed, mailed, or hand delivered a copy of this packet to the opposing party or the opposing party’s lawyer. The person who electronically filed, mailed, or hand delivered a copy of this packet should complete the box below.

Certificate of Service

I hereby certify that, on the _____ day of _____, 20__:

I filed and served this document through the electronic filing system on the following: _____.
The document electronically filed and served is available for viewing and/or downloading from the Rhode Island Judiciary’s Electronic Filing System.

I served this document through the electronic filing system on the following: _____.
The document electronically served is available for viewing and downloading from the Rhode Island Judiciary’s Electronic Filing System.

I mailed or hand-delivered this document to the plaintiff’s attorney or the plaintiff whose name is _____
at the following address: _____.

Name

To be filled out by the court.
<input type="checkbox"/> Request granted. <input type="checkbox"/> Request denied.



Supreme Court

Access to Justice Office

Noel Judicial Complex
222 Quaker Lane
Warwick, RI 02886

Assistance with Requesting a Remote Hearing

Instructions

The Rhode Island Judiciary is committed to ensuring that court users have access to court proceedings. Court users seeking to request a remote hearing should take the steps outlined below.

Step 1: Locate Important Case Information. The court user will need the following information:

Case Name	Case Number
Hearing Date	Hearing Time
Location	Judge hearing matter, if known

Step 2: Contact the Access to Justice Office. The Access to Justice Office is tasked with helping court users navigate the judicial process. The Access to Justice Office can assist court users with contacting the appropriate court to request a remote hearing.



The court has the discretion to grant or deny a request for a remote hearing. The judicial officer will review the request and will consider all factors including whether the parties agree, the rights of the other party, and constitutional considerations. ***Submitting a request for a remote hearing does not guarantee that your case will be heard remotely.***

Access to Justice Office Contact Information

If you need additional help, you can email the Access to Justice Office at AccesstoJustice@courts.ri.gov.

You can also visit one of the Rhode Island Judiciary Resource Centers.

Resource Center Location and Hours

Providence Thursday 8:30 a.m. to 1:30 p.m.	Warwick Monday to Thursday 8:30 a.m. to 1:30 p.m.
Garrahy Judicial Complex One Dorrance Plaza Providence, RI 02903	Noel Judicial Complex, 1 st Floor 222 Quaker Lane Warwick, RI 02886



Rhode Island Judiciary

Justice. Independence. Honor.

How to Conduct Remote Hearings Using WebEx

Family Court

WEBEX PROCEDURE AND GUIDELINES FOR REMOTE HEARINGS, TRIALS AND CONFERENCES

The Rhode Island Supreme Court and the Rhode Island Family Court have authorized the use of remote hearings, trials and conferences on the WebEx platform in certain cases in order to lessen the delays in processing cases during this difficult time occasioned by the COVID-19 pandemic. All remote proceedings other than “chambers conferences” or “bench conferences” will include a court clerk and a stenographer or recorder and will be recorded by stenographic or audio graphic recording. All public remote hearings and trials will be accessible to the public in real time, in accordance with administrative orders issued by the Rhode Island Supreme Court and by the Chief Judge of the Rhode Island Family Court. It is the intent of the Family Court that remote hearings and trials mirror, as closely as possible in-person hearings and trials conducted in a courtroom. Accordingly, the same decorum is expected of participants in remote proceedings as is expected in the courtroom. The following guidelines are designed to make remote proceedings as efficient as possible and to ensure that all participants can be heard and seen, where applicable.

1. In order to participate in a remote proceeding, the participant will need a computer or a mobile device with a microphone or, preferably, both a camera and a microphone. Headphones with a microphone are acceptable and may provide a better quality of audio, both for the participant and for those listening to the participant.
2. A participant may download the necessary software to participate in a WebEx hearing onto a desktop or laptop computer at www.webex.com or onto a mobile device from the appropriate app store. When a participant receives an invitation to participate in a WebEx hearing for the first time, after attempting to join the meeting, the computer will direct that the software be downloaded or run. There is no charge to use the WebEx software.
3. Successful participation in a WebEx hearing depends upon a strong internet connection. Without a strong internet connection, a participant’s video and audio will be intermittent, making it impossible for other participants to reliably hear and see the participant, and making it impossible for the stenographer or recorder to create an accurate record of the proceeding. It is suggested that you close

other windows on the computer or mobile device, and that as many other devices as possible be turned off as keeping them on may draw bandwidth from the connection.

4. All documents intended to be submitted as exhibits must be submitted at least two business days in advance, in accordance with the instructions provided in Family Court Administrative Order 2020-05.
5. Once the court clerk schedules a remote hearing, each participant will receive an invitation to join the hearing at the specified date and time. Please note that litigants who are represented by counsel will not receive an individual invitation. As with in-person hearings, it is the responsibility of the attorney to arrange for the virtual presence of the litigant-client at the remote hearing, if the litigant's presence is necessary. In order to join, the participant simply needs to press the join button, which will be activated prior to the scheduled start time. Please join the hearing several minutes prior to the scheduled start time in order to ensure that the audio and video is active and accessible to other participants.
6. Prior to joining a remote proceeding, the participant should locate a quiet, private place to participate. Background noise is amplified during these remote proceedings which makes it difficult or impossible for other participants, the court, and the stenographer or recorder to hear whomever is speaking. The participants should avoid rustling papers and turn off notifications on all devices. Children may not be present in the room, nor should STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS Page 2 of 3 June 15, 2020 they be within hearing distance, of any remote proceeding, just as they are not allowed in the Family Court courtroom. **An exception to this rule is a juvenile hearing, at which the juvenile who is the subject of the hearing will be present.**
7. On the bottom left of each participant's screen is a microphone button. When that button is red, the participant's microphone is off. Clicking that button turns the microphone on. During a remote hearing, all participants will be muted and are asked to leave their microphone buttons off unless they are speaking or asked to speak by the court, or unless an attorney and a witness are engaged in questions and answers. This is necessary in order to ensure that only one person is speaking at a time and to insure the best audio for the court and for the stenographer or recorder. If necessary, the court will mute a participant's microphone. If a participant wishes to speak and is not being addressed by the court, the participant should raise its hand on the video screen, and the court will address that participant in turn.
8. Immediately to the right of the button is the video button. When the button is red, the participant's video is off. If participating by video, the participants must have their video on throughout the remote proceeding. All video participants must remain visible to other video participants throughout the remote proceeding. In other words, once the proceeding starts, a video participant should not leave the view of the camera without the court's permission.
9. **No video or audio recording of remote proceedings is allowed**, just as no recordings are allowed in the courtroom. A stenographic or audio graphic record is made of every remote hearing and trial. A participant may order a transcript of the hearing or trial directly from the stenographer or recorder, in the same way that a transcript of an in-person proceeding is ordered.
10. The third button from the right on the bottom of the screen allows a participant to chat privately with another participant. This button may be used during the remote proceeding to allow an attorney and client to chat privately when they are in different locations. **Caution should be exercised when using the chat feature as it defaults to "chat with everyone".**
11. At the top right of the screen are buttons that change the participant's view of other participants. Each participant may choose the view that is best suited to him or her. The participant's choice of view does not affect any other participant.
12. All required open public hearings will be streamed live via either YouTube or by telephonic access. Event streaming will be advertised on the Judiciary's website. This information can be found at <https://courts.ri.gov> within the Self-help Center under Public Access to Court Hearings.
13. Any questions or concerns regarding the procedure for remote hearings may be directed to the court clerk.

13. Any questions or concerns regarding the procedure for remote hearings may be directed to the court clerk.

Contact

Garrahy Judicial Complex

Providence/Bristol County

One Dorrance Plaza

Providence, Rhode Island 02903-2719

*(401) 458-3200

McGrath Judicial Complex

Washington County

4800 Tower Hill Road

Wakefield, Rhode Island 02879-2239

*(401) 782-4111

Murray Judicial Complex

Newport County

45 Washington Square

Newport, Rhode Island 02840-2913

*(401) 841-8340

Noel Judicial Complex

Kent County

222 Quaker Lane Warwick,

Rhode Island 02886-0107

*(401) 822-6725

*If an accommodation for a disability is necessary, please contact the Family Court Clerk's Office at the telephone number listed in the court location above. TTY users can contact the Family Court through Rhode Island Relay at 7-1-1 or 1-800-745-5555 (TTY) to voice number

Rhode Island Judiciary 2024



Americans with Disabilities Act

Bidding Opportunities

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ADMINISTRATIVE ORDER 2021-06

RE: REMOTE HEARINGS

On April 2, 2021 the Rhode Island Supreme Court approved an amendment to the Superior Court Rules of Civil Procedure pursuant to G.L. 1956 (2012 Reenactment) § 8-6-2.

Super.R.Civ.P.7 was amended as follows:

Any hearing required or permitted under these rules may be conducted in whole or in part by remote means on the Court's own initiative, or upon request by a party and at the Court's discretion. A Request for a Remote Hearing may be made:

- (i) By the moving party at the time of filing the motion; and
- (ii) By any non-moving parties within five (5) days of service of the motion.

A *Remote Hearing Request* form (a/k/a *Covid-19 Motion/Conference Request*) shall be submitted and accompanied by a short, concise statement of the grounds on which such request is based, except that no applicant shall be required to reveal health care information.

In accordance with this amendment and in accordance with *Supreme Court Executive Order 2021-04 Section 4 - Remote Hearings*, the Superior Court adopts the following Procedures and Protocols:

1. All remote proceeding participants must utilize an application that has both audio and video capability and is authorized by the Court (currently WebEx).
2. Participants in remote proceedings shall be appropriately attired. For conferences and informal matters, business casual is acceptable, while on the record proceedings require business attire.
3. If a remote proceeding is scheduled on the Court's own initiative, counsel shall be afforded an opportunity to file an objection and be heard by the Court. The objection shall state the specific grounds for objecting to the remote proceeding.
4. A stenographic record shall be made of all on-the-record proceedings.

5. The case or hearing types that may be conducted remotely are as follows:

Administrative Appeals
Bench Trials
Business Calendars
Civil Motion Calendars (dispositive and non-dispositive motions)
Control Calendars
Formal and Special Cause Calendars
Mediations
Motions to Assign
Motions to Confirm/Motions to Vacate (Arbitration)
Non-Jury Hearings
Pleas
Pre-Trial Conferences
Pre-Trial Motions
Provisional and Final Remedies and Special Proceedings
Push Calendars
Sentencings
Temporary Restraining Orders with Attorney Representation
Trial Calendar Calls

6. Pro se litigants without access to WebEx technology will be provided access to in-courtroom computer equipment with audio and video capability to participate in remote hearings with other parties who are participating by remote means.

7. To the extent that the on the record proceeding does not take place in-person where members of the public would be permitted access and where it is not prohibited by statute or rule, the audio of the on the record hearing shall be broadcast using a livestream.

BY ORDER OF:

_____/s/_____
ALICE BRIDGET GIBNEY
PRESIDING JUSTICE

DATED: July 30, 2021