

2009 -- H 5913 SUBSTITUTE A

LC01626/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2009

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - FEES

Introduced By: Representatives Fox, Ajello, Williamson, Mattiello, and Marcello

Date Introduced: February 26, 2009

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 9-29-1 and 9-29-19 of the General Laws in Chapter 9-29 entitled
2 "Fees" are hereby amended to read as follows:

3 **9-29-1. District court fees. --** (a) Every district court shall be allowed the following fees
4 in full, to be taxed in the bill of costs in every civil action:

5 (1) For the entry of every small claim ~~\$50.00~~\$55.00

6 (2) For the entry of every other action ~~\$60.00~~ \$80.00

7 (3) For every writ of execution ~~\$10.00~~\$20.00

8 (b) In addition to the fees set forth herein, a surcharge shall be placed on all filing fees.

9 (c) Provided, that five dollars (\$5.00) of the fee for the entry of every action in
10 subdivision (a)(1) or (a)(2) or writ in subdivision (a)(3) shall be forwarded to Rhode Island legal
11 services.

12 **9-29-19. Family court fees. --** (a) The family court shall be allowed the following fees in
13 full to be taxed in the bill of costs in every domestic relations or other civil proceeding:

14 (1) For the entry of every petition, complaint, or action ~~\$100.00~~ (\$120.00)

15 (2) For every writ of execution \$40.00

16 (b) In addition to the fees as set forth herein, a surcharge shall be placed on all filing fees.

17 (c) Provided, that ten dollars (\$10.00) of the fee for the entry of every petition, complaint
18 or action shall be forwarded to Rhode Island legal services.

19 SECTION 2. Section 10-16-4 of the General Laws in Chapter 10-16 entitled "Small

1 Claims and Consumer Claims” is hereby amended to read as follows:

2 **10-16-4. Filing fee – Waiver of appeal.** -- (a) The plaintiff shall pay into the court an
3 entry fee of ~~fifty dollars (\$50.00)~~ fifty-five dollars (\$55.00), of which twenty dollars (\$20.00)
4 shall be placed in a "small claims mediation fund restricted receipt account" together with an
5 amount equal to the then prevailing postal rate, for mailing notices in the case, which shall be
6 deemed the beginning of the action. The "small claims mediation fund restricted receipt account"
7 shall be established under the control of the state court director of finance; the chief judge of the
8 district court shall be authorized to pay for the services of qualified mediators and other related
9 expenses from the "small claims mediation restricted receipt account."

10 (b) The plaintiff shall also file with his or her claim a written waiver of right of appeal.

11 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO COURTS AND CIVIL PROCEDURE - PROCEDURE GENERALLY - FEES

- 1 This act would provide that a portion of the fees collected in district court and family
2 court would be forwarded to Rhode Island legal services.
3 This act would take effect upon passage.

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