

THE CITY OF PROVIDENCE
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RESOLUTION OF THE CITY COUNCIL

No. 182

Approved March 13, 1986

RESOLVED, That the Providence City Council endorses passage, at the 1986 Session of the General Assembly, of "An Act Relating to the District Court (Creation of Providence County Housing Court)."

(Draft of Act Appended)

IN CITY COUNCIL

MAR 6 1986

READ AND PASSED

Louis R. Stewart ACTING PRES.
Rozanne M. Lawrence CLERK

APPROVED
MAR 13 1986
J. L. Pugh

S T A T E O F R H O D E I S L A N D

I N G E N E R A L A S S E M B L Y

J A N U A R Y S E S S I O N , A . D . 1 9 8 6

A N A C T

RELATING TO THE DISTRICT COURT
(CREATION OF PROVIDENCE COUNTY HOUSING COURT)

Introduced By:

Date Introduced:

Referred To:

It is enacted by the General Assembly as follows:

SECTION 1. Sections 8-8-1, 8-8-2, 8-8-3.1, 8-8-3.2 and 8-8-7 of the General Laws in Chapter 8-8 entitled "District Court" are hereby amended to read as follows:

8-8-1. District court established -- Chief and associate justices. -- There is established a district court for the state of Rhode Island which shall consist of a chief judge and ~~twelve-(12)~~ fifteen (15) associate judges, three (3) of which shall constitute a separate division of the district court entitled the housing division.

8-8-2. Divisions. -- For the distribution of court business, the state is divided into ~~eight-(8)~~ nine (9) divisions as follows:

1. First division -- The first division consists of Bristol County.

2. Second division -- The second division consists of Newport County.

3. Third division -- The third division consists of Kent County.

4. Fourth division -- The fourth division consists of Washington County.

5. Fifth division -- The fifth division consists of the cities of Pawtucket and Central Falls and the towns of Lincoln and Cumberland.

6. Sixth division -- The sixth division consists of the City of Providence and the City of East Providence.

7. Seventh division -- the seventh division consists of the City of Woonsocket and the towns of Burrillville, Glocester, Smithfield, and North Smithfield.

8. Eighth division -- the eighth division consists of the City of Cranston and the towns of North Providence, Johnston, Scituate and Foster. The chief judge shall have the discretion to assign to the eighth division any criminal charges brought by the state police from Providence.

(9) Ninth division - the ninth division consists of three (3) associate judges who shall have exclusive jurisdiction within Providence County for the adjudication of all actions for possession of tenements or estates let, or held by will of sufferance and all violations of minimum housing standards; zoning violations; fire safety violations; established by general law, local ordinance, rule or regulation.

In each division the place or places for holding court shall be designated by the chief judge. The district court shall have a seal for each of its divisions, which shall contain the words, "District Court of the State of Rhode Island and Providence Plantations, division."

8-8-3.1. Equitable powers as to housing matters. -- In addition to the powers heretofore exercised, the district court Ninth division is hereby empowered to grant such orders, including temporary restraining orders, and preliminary and permanent injunctions, in furtherance of its jurisdiction as justice and equity may require.

8-8-3.2. Record and appeal of housing court matters. -- (a) An electronic record shall be made of the proceedings in the trial or hearing of every action in the district court Ninth division except all actions for possession of tenements or estates let, or held by will or sufferance. If ordered by the judge trying or hearing the matter a typewritten transcription of the record shall be made

February 1, 1972 is hereby reaffirmed and ratified.

(b) To be eligible for appointment as a district court judge, a person must be a member of the bar of this state.

(c) A district court judge shall devote full time to his judicial duties. He shall not practice law while holding office, nor shall he be a partner or associate of any person in the practice of law.

(d) A district court judge shall be eligible to sit in any division, and, on assignment by the chief justice of the supreme court, shall be eligible to sit for temporary periods in the superior and family courts. A district court judge sitting in the superior or family court shall receive the same salary as a superior or family court judge would receive and if said district court judge sits for only a portion of a two (2) week pay period in said courts, he shall be paid for the entire two (2) week period at the higher rate of pay.

SECTION 2. This act shall take effect upon passage.