

GLOCESTER PROBATE COURT
2:00 p.m.
SECOND TUESDAY OF THE MONTH

TOWN HALL
TOWN COUNCIL CHAMBERS
1145 Putnam Pike, PO Box B
Chepachet, RI 02814-0702

OFFICE HOURS - 8:00 a.m. - 4:30 p.m.
Monday - Friday

PHONE (401) 568-6206 ext. 0
FAX (401) 568-5850

Administrative Rules:
pursuant to RIGL 33-22-29

COURT SESSIONS

The Probate Court shall be in session on the second Tuesday of each month at 2:00 o'clock p.m. at the Gloucester Town Hall, 1145 Putnam Pike, Chepachet, RI.

FILING DEADLINES

All petitions that do not require advertising or those that are on waiver must be submitted to the Court by noon on the Wednesday preceding the Court session. No matter shall be heard unless all fees due have been paid.

Pleadings, memoranda and other filings must be filed with the Court at least three (3) working days prior to the scheduled hearing.

CONTINUANCES

Requests for continuances should be made in writing at least twenty-four hours before the scheduled Court session.

FEE PETITIONS

Any petition which requests the approval of fiduciary's or attorney's fees must be accompanied by a fee schedule for all services rendered. This should include the dates of service, the service rendered, the time billed for this service, the hourly rate charged and the total amount charged for all services rendered.

COURT CALENDAR

Petitions regarding routine matters will be heard first and contested or time-consuming matters will be placed to the bottom of the calendar.

TRANSCRIPTS

Requests for tape recordings of any proceedings must be made in writing and fee paid in advance.

CONTESTED MATTERS

Special sessions of the Probate Court, which cannot be completed during regular court sessions by the Probate Judge, will be scheduled as necessary for contested matters. There will be no additional fees or charges for special sessions.

HANDICAP ACCESS

The Courtroom is handicapped accessible. Interpreters for the hearing impaired can be provided if a request is received three (3) working days in advance of the hearing date.

NOTICES AND ADVERTISING

Notice of hearing must be sent to all interested parties prior to the initial hearing notwithstanding the filing of waivers.

All petitions to be advertised must be received one month prior to the next scheduled court hearing along with the required advertising fee.

PETITIONS FOR SALE OF REAL ESTATE

All petitions for the sale of real estate must be accompanied by, or presented at the hearing, a notarized appraisal by a qualified appraiser.

GUARDIANSHIPS

No petition for limited guardian, guardian or temporary guardian will be heard by the Probate Court unless notice has been given to the prospective ward at least 14 days prior to the hearing. Notice shall be given by advertisement once a week for at least two (2) weeks, the first advertisement to be published at least fourteen (14) days before the first of any hearing dates contained in such notice, in a newspaper printed in English and published in the county or in a Providence newspaper having general circulation. In the case of limited guardians and guardians, notice shall be reduced to five days or in the case of temporary guardians a shorter period is approved by the Court upon motion by the petitioning party.

GUARDIANS AT LITEM

Guardians ad litem shall be appointed from a list of qualified individuals kept in the office of the Probate Clerk and approved by the Probate Judge. The Probate Court will appoint from this list. All Guardian ad litem reports must be submitted on the standard form provided in § 33-15-47. Fees for Guardians ad litem shall be limited to a maximum of \$800.00 unless additional fees are authorized by the Probate Judge for cause shown. Guardians ad litem must furnish an itemized bill.

CHANGE OF NAME

A criminal record check through the Attorney General's Office must be must be submitted by all persons petitioning for a name change. The Probate Judge will exercise discretion as to the name change in the event of a criminal record.

DISCOVERY

Rule 26 through Rule 37 of the RI Superior Court ("Rules for Discovery") are hereby adopted as the Probate Court rules, in those cases where any interested party has requested discovery pursuant to § 8-9-17. Such rules may be expanded on the discretion of the Court.

RULES OF EVIDENCE

In all contested matters, the Rhode Island Rules of Evidence shall be applied. Parties may stipulate to certain facts as may be agreed upon.

These Rules are adopted effective January 1, 2007.

ENTERED

BY ORDER
