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LC003454
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE--COURTS -- SUPERIOR COURT--
LAND COURT

Introduced By: Representatives Corvese, Ucci, DeSimone, and Azzinaro

Date Introduced: March 04, 2014

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 8-2 of the General Laws entitled "Superior Court" is hereby
2 amended by adding thereto the following section:

3 **8-2-15.2. Land use court calendar. -- (a) Findings. The general assembly finds that:**

4 (1) Potential real restate development is severely hindered when superior court land use
5 matters are not promptly heard and decided.

6 (2) Delays in the adjudication of superior court and use cases have significant adverse
7 financial consequences on private developers, the state and municipalities.

8 (b) Declaration of policy. It is hereby declared to be the policy of the state of Rhode
9 Island to minimize court delays in the consideration and resolution of superior court land use
10 matters.

11 (c) Establishment. To accomplish this policy, in an effort to minimize delay in the
12 processing of land use matters, there shall be established a separate calendar within the
13 jurisdiction of the superior court to be known as the land use court calendar.

14 (d) Land use calendar. (1) The presiding justice of the superior court shall create a land
15 use court calendar in the counties of Providence and Bristol, and shall assign personnel to the
16 extent warranted to exclusively hear and decide all actions within the jurisdiction of the land use
17 court calendar.

18 (2) It shall hear all zoning and planning board of appeals as well as all other land use

1 matters that can be decided without the necessity of evidentiary hearings, in an expedited fashion.
2 The land use court calendar shall have exclusive original jurisdiction over all land use matters.
3 Cases assigned to the calendar shall be heard within one hundred twenty (120) days. No court
4 continuances shall be granted except for good cause shown. Such continuances as are necessary
5 shall be granted for the shortest practical time. Written decisions shall be promptly issued.

6 (3) The justice assigned to the land use court calendar shall have broad discretion to hear
7 any incidental but related issues that he or she deems necessary in the best interests of justice.

8 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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- 1 This act would establish a new and separate calendar within the Superior Court to
- 2 expediently hear and decide land use matters.
- 3 This act would take effect upon passage.

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