

2018 -- H 7894 SUBSTITUTE A

LC004854/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

A N A C T

RELATING TO DOMESTIC RELATIONS - DIVORCE AND SEPARATION

Introduced By: Representatives McEntee, Knight, O'Brien, Solomon, and Ucci

Date Introduced: February 28, 2018

Referred To: House Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 15-5-14 of the General Laws in Chapter 15-5 entitled "Divorce and  
2 Separation" is hereby amended to read as follows:

3 ~~15-5-14. Return day of petitions -- Notice -- Issuance of process -- Time of hearing.~~  
4 **Return day of complaints -- Notice -- Issuance of process -- Time of hearing.**

5 ~~(a) The court may, by general rule,:~~

6 ~~(1) Determine determine the return day of petitions complaints for divorce; and~~

7 ~~(2) Prescribe prescribe the notice to be given, within or without the state, on all petitions~~  
8 ~~complaints for divorce, and;~~

9 ~~(3) May may issue any process that may be necessary to carry into effect all powers~~  
10 ~~conferred upon it the court in relation to the petitions complaints and divorce; and,~~

11 ~~(4) the court may also, by general rule, fix Fix the times, during its session, when all~~  
12 ~~petitions complaints for divorce shall be heard, as they may be filed in Providence, Newport, East~~  
13 ~~Greenwich, or South Kingstown, respectively. These general rules shall, be subject to special~~  
14 ~~orders which the court may make in special cases. Until general rules are made, special order in~~  
15 ~~each case shall be made.~~

16 ~~(b) Notwithstanding the provisions of subsection (a) of this section, no petition for~~  
17 ~~divorce or separation shall be in order for hearing until after the expiration of sixty (60) days after~~  
18 ~~the filing of the petition, unless sooner ordered, ex parte, by a justice of the family court. During~~  
19 ~~this period the family counseling service may investigate the circumstances at the discretion of~~

1 ~~the court, or at the request of either party, counsel the parties, and make recommendations to the~~  
2 ~~court and the parties.~~

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would eliminate the sixty (60) day waiting period for the granting of a complaint  
2 for divorce or separation following the filing of the complaint, and would shorten the waiting  
3 period from three (3) months to twenty (20) days for the filing of a final judgment for divorce,  
4 following the hearing at which the divorce is granted.

5           This act would take effect upon passage.

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