

2025 -- H 5642

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --  
DISTRICT COURT PRACTICE

Introduced By: Representative Matthew S. Dawson

Date Introduced: February 26, 2025

Referred To: House Judiciary

(Judiciary)

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 9-12-10 and 9-12-10.1 of the General Laws in Chapter 9-12 entitled  
2 "District Court Practice" are hereby amended to read as follows:

3           **9-12-10. ~~Claim of appeal of superior court~~ Claim of appeal to the superior court in**  
4 **civil cases.**

5           Except as otherwise provided, in all civil cases in the district court, any party may cause  
6 the case to be removed for trial on all questions of law and fact to the superior court for the county  
7 in which division the suit is pending by claiming an appeal from the judgment of the district court,  
8 in writing, filed with the clerk of the division within two (2) days, exclusive of Saturdays, Sundays,  
9 and legal holidays, after the judgment is entered; provided, that the party claiming the appeal, at  
10 the time of claiming the appeal, shall pay ~~to the clerk all costs, including an attorney's fee of fifty~~  
11 ~~dollars (\$50.00), for the party or parties adversely interested in the judgment, to be paid by the clerk~~  
12 ~~to the attorney for the adverse party. The attorney's fee of fifty dollars (\$50.00) shall be divided~~  
13 ~~equally among the attorneys for the parties adversely interested when more than one adverse party~~  
14 ~~is involved; and provided, further, that costs shall not be taxed, exclusive of the attorney's fee, at a~~  
15 ~~sum not less than twenty five dollars (\$25.00), in addition to a~~ seventy-five dollar (\$75.00) filing  
16 fee, inclusive of a civil case processing fee and a technology surcharge assessed in accordance with  
17 § 8-15-11.

18           **9-12-10.1. Claim of appeal to superior court in landlord tenant actions.**

1           In any civil action pursuant to chapter 18 of title 34, in the district court or other appropriate  
2 court, any party may cause the case to be removed for trial on all questions of law and fact to the  
3 superior court for the county in which division the suit is pending, by claiming an appeal from the  
4 judgment of the district or other appropriate court, in writing, filed with the clerk of the division  
5 within five (5) days, inclusive of Saturdays, Sundays or legal holidays, after the judgment is  
6 entered; provided, that the party claiming the appeal at the time of claiming the appeal, shall pay ~~to~~  
7 ~~the clerk all costs, including an attorney's fee of fifty dollars (\$50.00) for the party or parties~~  
8 ~~adversely interested in the judgment, to be paid by the clerk to the attorney for the adverse party;~~  
9 ~~provided, further, that costs shall not be taxed, exclusive of the attorney's fee, at a sum less than~~  
10 ~~twenty five dollars (\$25.00), in addition to~~ a seventy-five dollar (\$75.00) filing fee, inclusive of a  
11 civil case processing fee and a technology surcharge assessed in accordance with § 8-15-11.

12           SECTION 2. This act shall take effect on January 1, 2026.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --  
DISTRICT COURT PRACTICE

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- 1           This act would provide amendments to the assessment of filing fees required to appeal from
- 2           certain matters adjudicated by the district court.
- 3           This act would take effect on January 1, 2026.

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