

2025 -- S 0539

=====
LC001668
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

—————
A N A C T

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

Introduced By: Senators Patalano, LaMountain, Dimitri, Tikoian, Thompson, Gallo,
Appollonio, Pearson, Burke, and Britto

Date Introduced: February 26, 2025

Referred To: Senate 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.

=====
LC001668
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO COURTS AND CIVIL PROCEDURE -- PROCEDURE GENERALLY --
DISTRICT COURT PRACTICE

- 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.

=====
LC001668
=====