

## **ARTICLE IX. REVIEW OF ORDERS AND JUDGMENTS OF GENERAL MAGISTRATES**

**Rule 1.** Pursuant to the provision of G.L. 1956 § 8-2-39(e), the court hereby adopts procedures for the review of orders entered by the General Magistrate appointed in accordance with § 8-2-39 and enforcement of contempt adjudications of a General Magistrate.

**Rule 2.** Any party aggrieved by an order entered by the General Magistrate may seek review within forty-eight hours (not counting Sundays or Holidays) by a justice or judge of the court to which said magistrate is assigned. The Presiding Justice or Chief Judge of the court to which the General Magistrate is assigned, will designate a justice or judge to conduct this review on the record within forty-eight hours of the time the request for review has been filed.

**Rule 3.** In conducting such review the justice or judge of the court to which the magistrate was assigned when he or she entered such order will conduct such review in accordance with the standards set forth in § 42-35-15 (Administrative Procedures Act).

**Rule 4.** In the event that the General Magistrate adjudicates a party in contempt and orders him or her imprisoned for a period of not more than seventy-two hours, a justice or judge of the court to which the General Magistrate is assigned shall review such order within twenty-four hours of its entry and may in his or her discretion extend the period of incarceration for a period not exceeding a total of six months imprisonment.

**Rule 5.** Decisions by the General Magistrate revoking probation for failure to comply with the terms thereof shall be reviewed by a justice or judge of the court to which the magistrate was assigned when the order was entered in accordance with the provisions of sections 2 and 3 hereof.