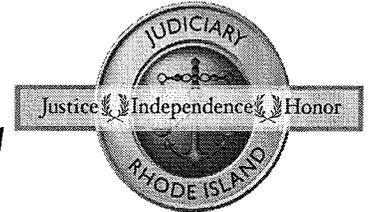


Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 31, No. 4, December 2010

HIGHLIGHTS

IN 2010, THE STATEWIDE DISPOSITION RATE IN THE RHODE ISLAND JUDICIARY WAS 93%.

CASES FILED IN THE SUPREME COURT INCREASED BY 14% COMPARED TO LAST YEAR.

IN SUPERIOR COURT, FELONY FILINGS INCREASED BY 8% OVER LAST YEAR.

FAMILY COURT DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE FOR BOTH JUVENILE AND DIVORCE CASES.

IN DISTRICT COURT, SMALL CLAIMS DISPOSITIONS EXCEEDED FILINGS.

PENDING CASES IN THE WORKERS' COMPENSATION COURT DECLINED BY 5% COMPARED TO LAST YEAR.

TRAFFIC TRIBUNAL DISPOSITIONS EXCEEDED FILINGS FOR THE ELEVENTH CONSECUTIVE YEAR.

Supreme Court

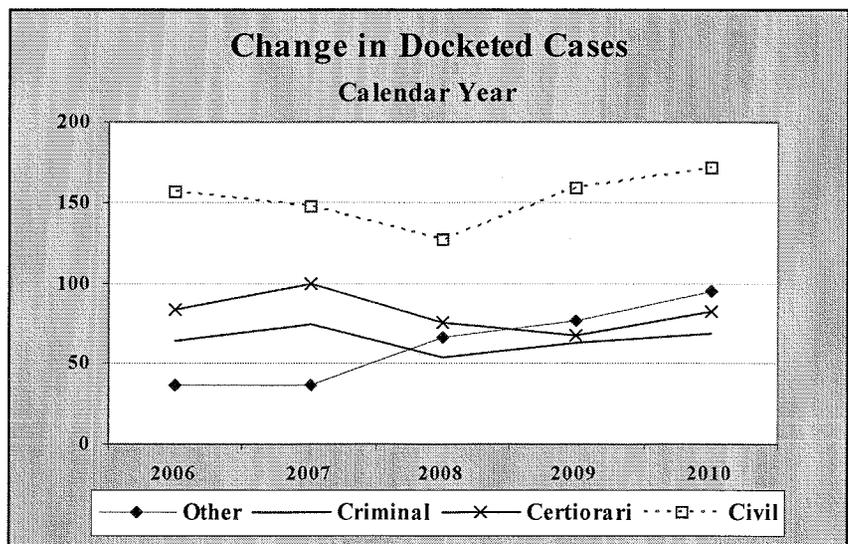
Filings

This report covers calendar year 2010. There were 418 Supreme Court cases docketed during the year, which was 52 (14 percent) more than those docketed last year. Compared to last year, appeals increased in all categories. Criminal appeals rose by 10 percent (6), civil appeals by 8 percent (13),

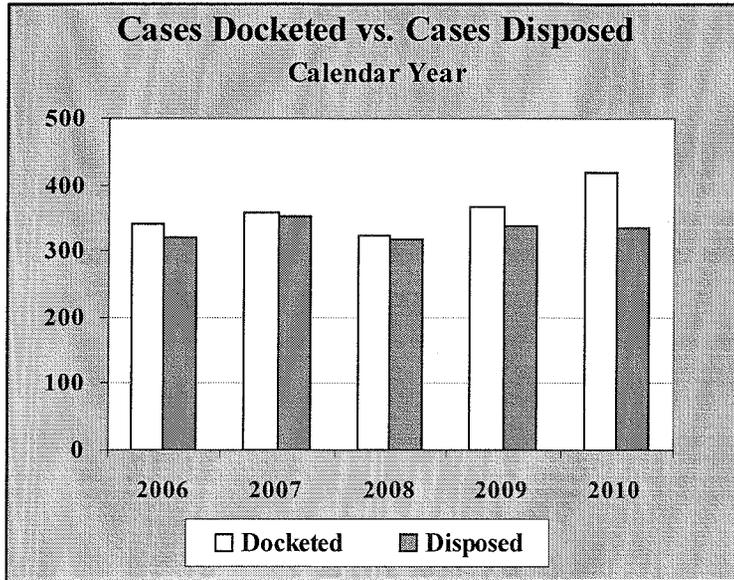
certiorari appeals by 22 percent (15), and appeals in the miscellaneous category increased by 23 percent (18).

Dispositions

Similar to prior years, new appeals exceeded dispositions in 2010. The number of appeals disposed was 334, which was 84 fewer than were docketed, representing an 80 percent disposition rate. As ex-



plained in more detail below, 47 (14 percent) of the 334 dispositions occurred during some stage of the Appellate Mediation Program (AMP).



A breakdown of dispositions by stage showed that 215 (64 percent) were disposed before argument. There were 69 appeals disposed as a result of the motion calendar, accounting for another 21 percent, and there were 50 appeals disposed after full oral argument on the merits, representing the remaining 15 percent. During calendar year 2010, the Supreme Court published 119 written decisions, including 15 orders and 104 opinions.

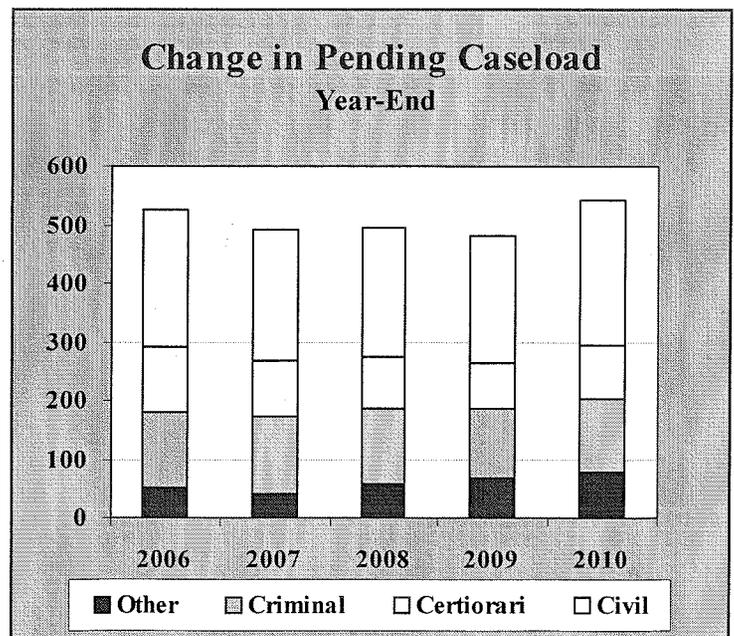
Pending Caseload

At year-end, the pending caseload was 543, which is 63 (13 percent) more than last year, due to an increase in all categories of pending cases. Pending civil appeals rose

by 15 percent (33), pending criminal appeals by 4 percent (5), writs of certiorari by 19 percent (15), and pending miscellaneous appeals rose by 14 percent (10) compared to last year.

Appellate Mediation

During calendar year 2010, there were 165 new cases screened through the AMP. Of the 165 new cases screened, 75 were deemed either ineligible or inappropriate for mediation. During this time period, 47 cases were disposed at some stage in the mediation process, representing a 52 percent disposition rate. Twenty-four of the 47 dispositions were settled at or after mediation, while the remaining 23 were dismissed or withdrawn at an earlier stage in the mediation process. As of December 31, 2010, there were 43 cases active in the program.



Superior Court

Felony Filings

Superior Court filings (for all case types, statewide) increased by 6 percent from 16,151 in 2009 to 17,080 in 2010. Statewide felony filings increased by 387 (8 percent) from 5,156 last year to 5,543. Felony filings rose in all counties with the exception of Kent County, where they remained virtually unchanged, decreasing by only 1. Filings increased by 5 percent (199) in Providence/Bristol County, by 28 percent (110) in Washington County, and by 29 percent (79) in Newport County.

Felony Dispositions

Overall, the statewide felony disposition rate was 98 percent in 2010. Providence/Bristol County had a disposition rate of 99 percent, while the rates for Kent and Newport Counties were 87 percent and 98 percent, respectively. Newport County dispositions exceeded filings for felonies in 2010.

Time to Disposition: Felonies

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in approximately 65 percent of the cases during 2010. This goal measures the time from when a felony is filed to the case disposition. Kent County handled

<i>Felony Filings</i>	2006	2007	2008	2009	2010
Providence/Bristol	4,293	4,521	4,060	3,716	3,915
Kent	765	676	676	776	775
Washington	571	453	438	389	499
Newport	332	296	325	275	354
Total	5,961	5,946	5,499	5,156	5,543
<i>Misdemeanor Filings</i>					
Providence/Bristol	155	149	132	87	122
Kent	38	56	42	25	49
Washington	47	36	23	30	26
Newport	32	46	43	75	54
Total	272	287	240	217	251
<i>Civil Filings</i>					
Total	9,299	9,811	11,855	10,778	11,286
<i>Civil Cases Added to the Trial Calendar</i>					
Providence/Bristol	1,409	1,189	1,336	1,216	1,160
Kent	309	272	321	289	269
Washington	181	188	179	169	159
Newport	152	142	148	107	95
Total	2,051	1,791	1,984	1,781	1,683

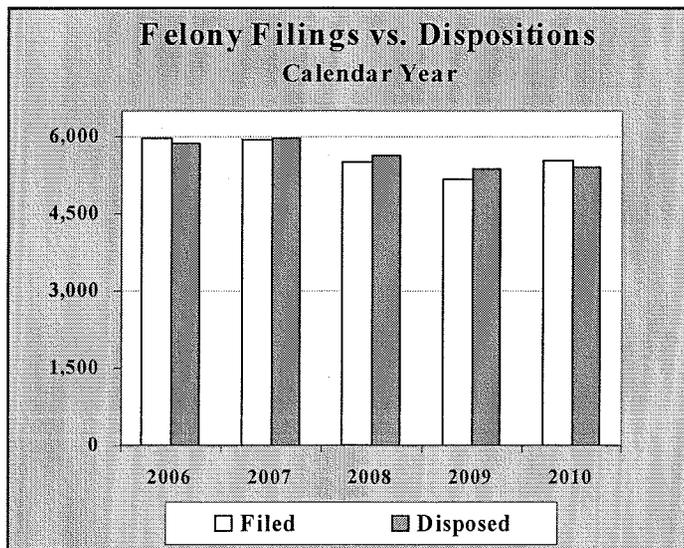
79 percent of its felony caseload within 180 days, while Washington County met the 180 day guideline in 78 percent of the cases. Newport County met the guideline in 76 percent of the cases, and in Providence/Bristol County, the figure was 60 percent.

Pending Felony Caseload

The number of felonies pending statewide totaled 2,613 at year-end, and 48 percent had been pending over 180 days from filing. Providence/Bristol County had 1,152 cases over 180 days old. Kent County had 49; Washington County, 26; and Newport County, 38.

Misdemeanor Filings

Statewide, the total number of misdemeanor appeals in 2010 was 251, rising by 34 (16 percent) compared to last year. This increase occurred in both Providence/Bristol and Kent Counties, but Washington and Newport Counties experienced declines. There was a 40 percent increase in misdemeanor appeals filed in Provi-



dence/Bristol County, and in Kent County, misdemeanor filings rose by 96 percent, compared to last year. Washington County misdemeanor filings dropped by 13 percent, and Newport County saw a 28 percent decline.

Misdemeanor Dispositions

Collectively, statewide misdemeanor dispositions exceeded filings in 2010. Additionally, misdemeanor dispositions exceeded filings in all counties except Kent County, which had a disposition rate of 90 percent.

Time to Disposition: Misdemeanors

Statewide, the Superior Court disposed 36 percent of its misdemeanors within 90 days, which is Superior Court’s goal for handling misdemeanor appeals from filing to disposition. Kent County had the largest percentage of 59 percent, while Newport County handled 53 percent of its misdemeanors within 90 days. In Providence/Bristol County, 18 percent of the misdemeanors were disposed within 90 days, and in Washington County it was 48 percent.

Pending Misdemeanor Caseload

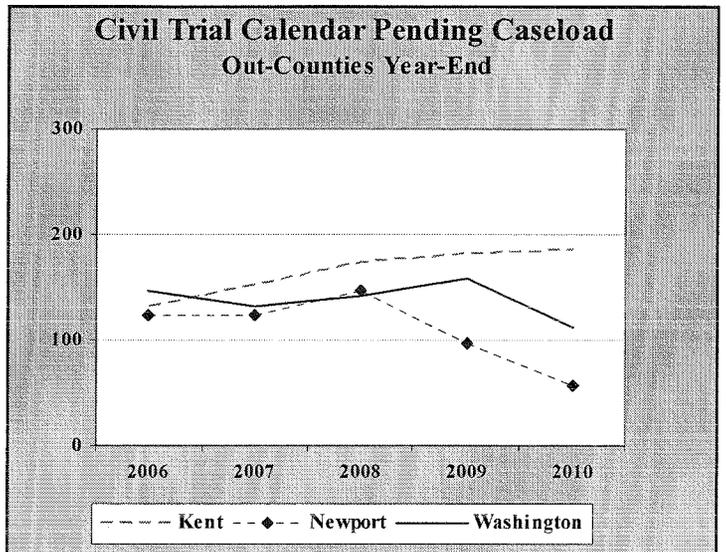
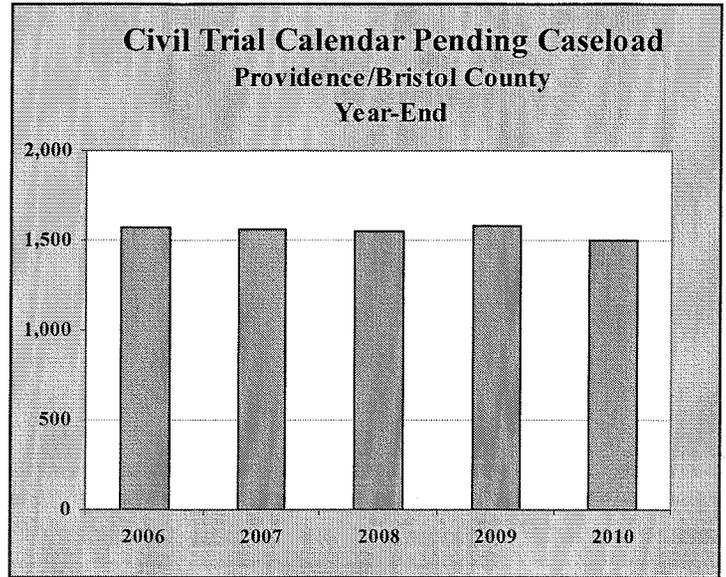
At the end of 2010, there were 147 misdemeanor appeals pending statewide, and 68 percent (100) were over 90 days old.

Civil Filings and Dispositions

Civil filings rose by 5 percent from 10,778 in 2009 to 11,286 in 2010. In addition, civil dispositions in 2010 totaled 7,387, representing a 1 percent (102) increase over last year.

Civil Cases Added and Disposed: Trial Calendar

Statewide, the number of cases added to the civil trial calendar in 2010 decreased by 98 (6 percent) with a decline in all four counties. The number of cases added in Providence/Bristol County dropped by 5 percent; Kent by 7 percent; Washington by 6 percent; and Newport by 11 percent. All counties, with the exception of Providence/Bristol County disposed more civil cases than were added to the calendar in 2010. Providence/Bristol County had a disposition rate of 99 percent. As a result of the civil push



calendar implemented by the Presiding Justice, civil jury verdicts increased from 11 in 2009 to 29 in 2010, almost triple the verdicts from the prior year.

Pending Civil Caseload: Trial Calendar

Statewide, assigned civil cases pending at year-end decreased by 8 percent to 1,858 compared to last year (2,022). At the end of the calendar year, there were 185 cases pending trial in Kent County, only 3 more (2 percent) than last year. The number of assigned cases pending trial dropped by 39 (40 percent) in Newport County, by 48 (30 percent) in Washington County, and by 80 (5 percent) in Providence/Bristol County.

Family Court

Juvenile Filings

Total Family Court filing decreased by 578 (3 percent) from 22,396 in 2009 to 21,818 in 2010. Similarly, there was a decline in juvenile filings, dropping by 391 (4 percent). Filings decreased in three of the six case categories. Wayward/delinquent filings dropped by 7 percent (447); termination of parental rights (TPR) petitions declined by 4 percent (11); and dependency/neglect/abuse (DNA) petitions dropped by just 2 percent (28), compared to last year. There was a slight increase

in adoption/guardianship filings, rising by 3 percent (15), while violations increased by 52 (6 percent) and the general category of "other" rose by 54 percent (28).

In terms of juvenile filings by location, all counties experienced a decrease compared to last year. For calendar year 2010, juvenile filings declined by 148 (2 percent) in Providence/Bristol County, by 11 (1 percent) in Washington County, by 34 (6 percent) in Newport County, and by 198 (15 percent) in Kent County.

Juvenile Dispositions

In the wayward/delinquent category, which includes violations of probation and court orders, juvenile dispositions exceeded filings in all counties. In the child protection category, dispositions exceeded filings in all counties, except Washington County, which had a disposition rate of

<i>Juvenile Filings by Case Type</i>	2006	2007	2008	2009	2010
Wayward/Delinquent	7,125	6,527	6,713	6,065	5,618
Violations	1,045	1,130	1,029	874	926
Dependency/Neglect/Abuse	2,590	1,692	1,705	1,591	1,563
Termination of Parental Rights	348	371	369	301	290
Adoption/Guardianship	541	484	492	467	482
Other	74	60	62	52	80
Total	11,723	10,264	10,370	9,350	8,959
<i>Juvenile Filings by County</i>					
Providence/Bristol	8,298	7,446	7,313	6,577	6,429
Kent	1,737	1,523	1,560	1,353	1,155
Washington	981	753	876	817	806
Newport	707	542	621	603	569
Total	11,723	10,264	10,370	9,350	8,959
<i>Divorce Filings by County</i>					
Providence/Bristol	3,062	2,935	2,995	2,875	3,025
Kent	763	761	764	758	791
Washington	577	505	503	520	570
Newport	377	348	334	317	337
Total	4,779	4,549	4,596	4,470	4,723
<i>Abuse Filings</i>					
Courtwide	2,308	2,233	2,225	2,292	2,399

97 percent. When analyzing both the wayward/delinquent and child protection categories on a statewide basis, total dispositions exceeded the respective filings for each category.

Time to Disposition: Juvenile Cases

The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. In 2010, Providence/Bristol County adjudicated 69 percent of its wayward/delinquent cases within 180 days (again with violations included). Kent County adjudicated 64 percent of this caseload within 180 days. In Washington County, 67 percent of the cases were handled within the guideline, and in Newport County, it was 53 percent. For wayward/de-

linquent cases handled by the Juvenile Services Unit without court intervention, the goal is 45 days. During the calendar year, 79 percent of these cases met this goal; furthermore, 96 percent were handled within 90 days.

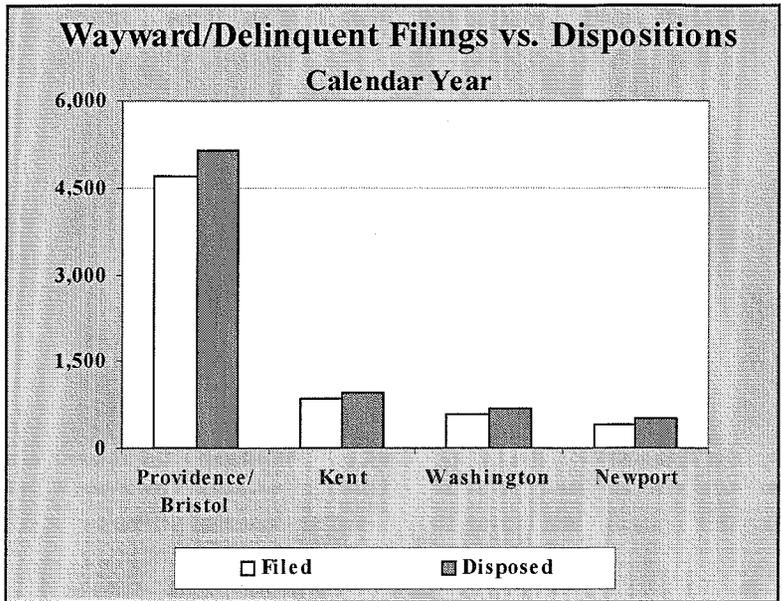
In child protection cases statewide, Family Court met the 180 day guideline in 76 percent of the cases for TPR and in 46 percent of the cases for DNA matters. In Providence/Bristol County, 48 percent of the DNA cases and 78 percent of the TPR matters were adjudicated within 180 days.

Pending TPR Caseload

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of the year, 52 cases, representing 34 families, remained on this calendar. Of those 52 cases, 19 cases (representing 4 families) were over 180 days old.

Domestic Filings and Dispositions

On the domestic side, divorce filings were higher than last year, increasing by 253 (6 percent) statewide, and



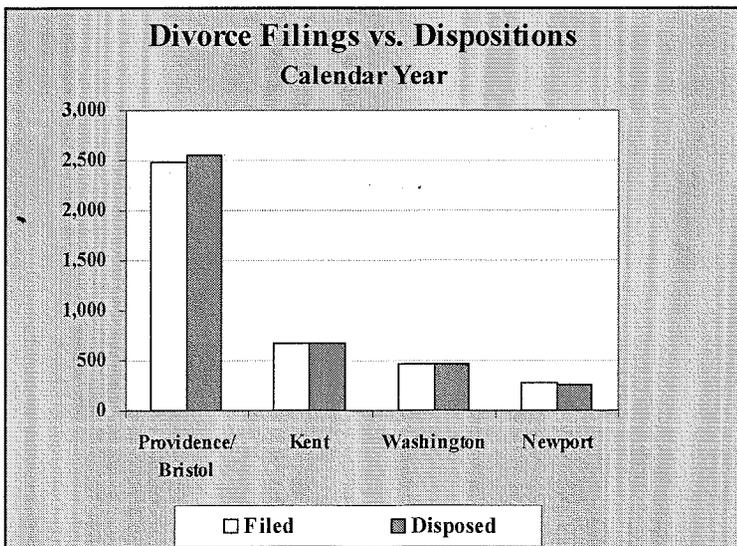
rising in all counties. In Providence/Bristol County, divorce filings increased by 150 (5 percent), and in Kent County by 33 (4 percent). Newport County filings rose by 20 (6 percent), while there was an increase of 50 (10 percent) in Washington County, compared to last year. Statewide, divorce dispositions exceeded filings. Similarly, divorce dispositions exceeded filings in both Providence and Kent Counties. Newport County had a disposition rate of 96 percent, while it was 98 percent in Washington County.

Pending Divorce Caseload

At year-end, the total number of divorce cases pending over a year was 25 statewide. Washington County had 8 divorce cases pending over a year, while Providence/Bristol County had 17. Kent and Newport Counties had no divorce cases pending over one year.

Abuse and Support Filings

Abuse complaints rose this year by 107, representing an increase of 5 percent. Support petitions decreased in 2010 by 547 (almost 9 percent) to 5,737.



District Court

<i>Misdemeanor Filings</i>	2006	2007	2008	2009	2010
Second	2,470	2,542	2,542	2,483	2,757
Third	5,600	7,468	7,221	7,270	7,398
Fourth	4,131	3,923	3,921	3,379	3,266
Sixth	17,747	15,674	14,474	13,469	13,390
Total	29,948	29,607	28,158	26,601	26,811
<i>Felony Filings</i>					
Courtwide	8,037	7,616	7,434	7,186	7,415
<i>Civil Filings</i>					
Second	1,150	1,316	1,413	1,304	1,379
Third	3,018	4,917	6,519	6,678	6,696
Fourth	1,258	1,631	1,692	1,707	1,805
Sixth	13,674	14,414	15,577	14,116	14,062
Total	19,100	22,278	25,201	23,805	23,942
<i>Small Claims</i>					
Second	808	831	957	521	730
Third	3,133	6,335	6,564	9,871	4,208
Fourth	1,152	1,335	1,500	1,002	979
Sixth	13,417	10,929	12,295	7,824	8,015
Total	18,510	19,430	21,316	19,218	13,932
<i>Other Categories</i>					
Courtwide	1,459	1,494	1,802	1,919	2,169

Third Division misdemeanor case filings (7,398) resulted in 9,854 counts. Furthermore, the 3,266 misdemeanor cases filed in the Fourth Division included 4,445 counts, and in the Sixth Division, the 13,390 misdemeanor case filings were comprised of 17,324 counts.

Misdemeanor Dispositions

In 2010, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the statewide disposition rate for misdemeanors was 96 percent. Both the Second and Sixth Divisions had a disposition rate of 94 percent. In the Fourth Division, the disposition rate was 96 percent, and in the Third Division, it was 99 percent.

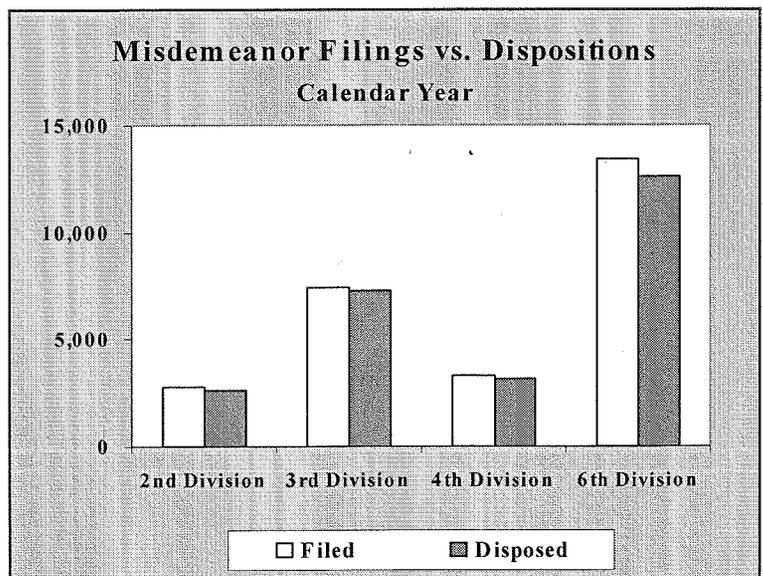
Time to Disposition: Misdemeanors

The court's goal is to dispose of misdemeanors within 60 days of filing. This measures the time between a case's filing and disposition date. Statewide, this goal was met in 77 percent of the cases. Through year-end, the Second Division handled 80 percent of its misdemeanor caseload within 60 days. In

Misdemeanor Filings

In District Court, misdemeanor filings increased in calendar year 2010 compared to last year. The total number filed rose slightly from 26,601 last year to 26,811, an increase of 210 (almost 1 percent). Compared to last year, misdemeanor filings increased in both the Second and Third Divisions. In the Second Division, filings rose by 11 percent (274), whereas the Third Division saw an increase of 128 (2 percent). The Fourth Division misdemeanor filings decreased by 113 (3 percent), while the Sixth Division filings dropped by just 79 (less than 1 percent), compared to 2009.

The 26,811 statewide misdemeanor case filings in calendar year 2010 were comprised of 35,138 individual counts. In the Second Division, the 2,757 misdemeanor cases filed represented 3,515 counts, while the



both the Fourth and Sixth Divisions, 76 percent of the misdemeanor cases were disposed within 60 days, while the Third Division disposed 77 percent of its misdemeanors within the 60 day timeframe.

Pending Misdemeanor Caseload

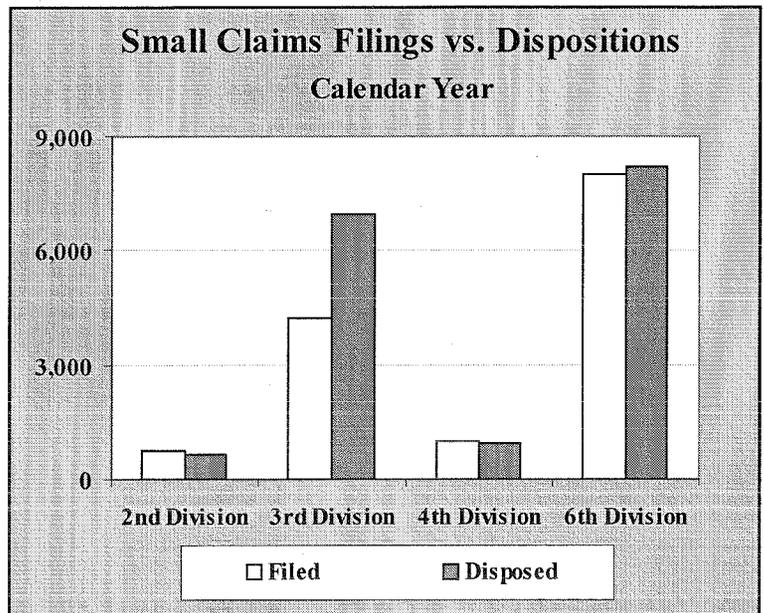
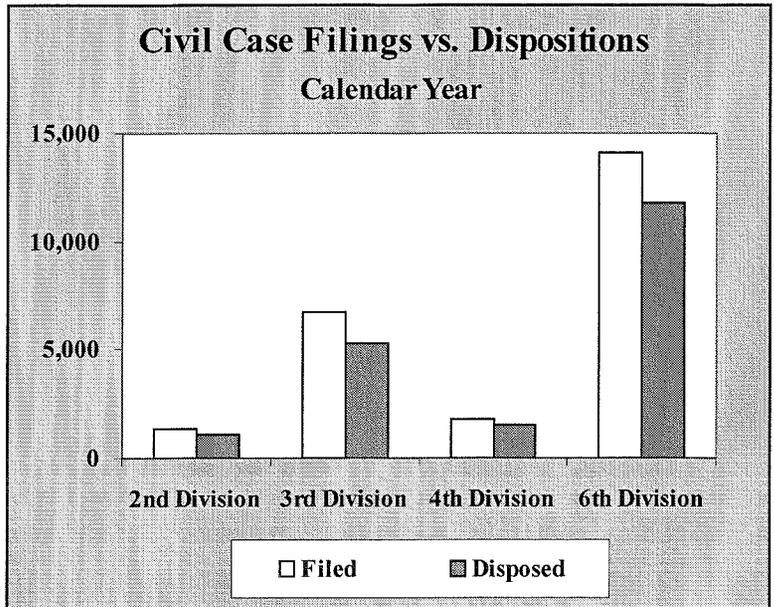
At the end of 2010, there were a total of 2,874 misdemeanors pending; 70 percent were less than 60 days old, and another 25 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 126, while in the Third Division, it was 167. There were 125 misdemeanors pending more than 60 days in the Fourth Division and 455 in the Sixth Division. The number of misdemeanors over 60 days old has decreased by 73 percent from 3,184 a year ago to 873.

Felony Filings

Felony filings in 2010 increased by 3 percent over those filed last year, rising from 7,186 to 7,415. The number filed increased in all divisions except the Fourth Division where they dropped by 7 percent (39). Felony filings increased by 2 percent (75) in the Sixth Division, while they rose by 11 percent (51) in the Second Division and 8 percent (142) in the Third.

Civil Filings

On the civil side, filings increased by nearly 1 percent from 23,805 in 2009 to 23,942 in 2010, a difference of 137. Civil filings increased in all divisions except the Sixth Division, where they dropped by just 54 (less than 1 percent). In both the Second and Fourth Divisions, civil filings rose by 6 percent (75 and 98), respectively. Civil filings marginally increased in the Third Division by less than 1 percent (18), compared to last year. Statewide, abuse filings rose from 979 in 2009 to 992 in 2010, an increase of 13 (1 percent). Statewide, small claims decreased by 28 percent, dropping by 5,286 from 19,218 in 2009 to 13,932 in 2010. A 57 percent decline occurred in the Third Division, dropping from 9,871 in 2009 to 4,208



in 2010. Small claims filings dropped in the Fourth Division, decreasing slightly by 23 (2 percent). On the contrary, the Second Division saw an increase of 40 percent, rising by 209 cases filed, while the Sixth Division also had an increase in small claims filings, rising by 191 (2 percent).

Civil Dispositions

The statewide disposition rate for civil cases was 82 percent, a slight reduction compared to last year (85 percent), while statewide small claims dispositions exceeded filings for the year.

Workers' Compensation Court

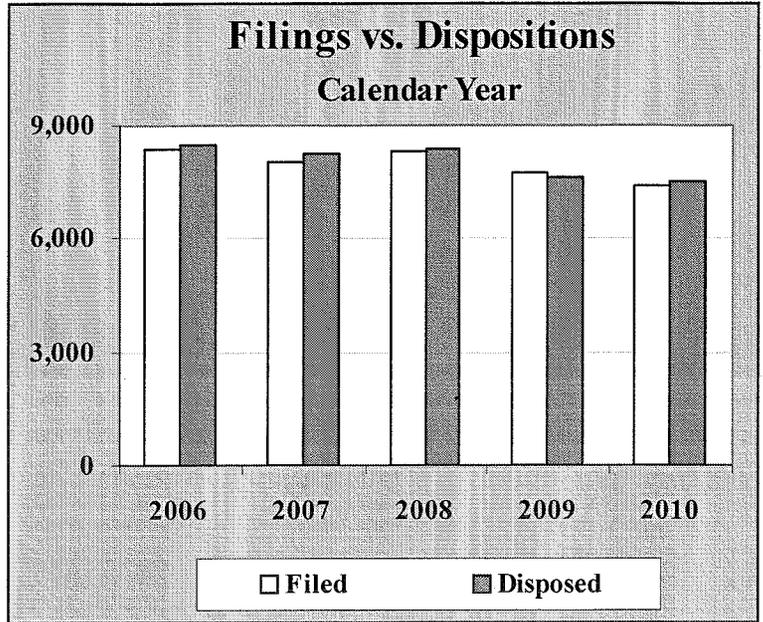
Petitions Filed

The number of petitions filed in the Workers' Compensation Court during calendar year 2010 decreased by 306 from last year. In calendar year 2009, there were 7,712 petitions filed, and this year there were 7,406, a difference of 4 percent.

Filings declined in every case category, except two. Lump sum settlements and medical payments both increased by 7 percent (51 and 11, respectively). Employer petitions remained virtually unchanged, decreasing by only 3 (less than 1 percent). During 2010, employee petitions dropped by 31 (2 percent); miscellaneous petitions by 37 (17 percent); original petitions by 233 (10 percent); and petitions to enforce by 64 (7 percent).

Petitions Disposed

For calendar year 2010, dispositions exceeded filings. The number disposed (7,496) was 90 more than the number filed. Cases disposed during the pretrial stage accounted for 74 percent of the total, which is slightly lower



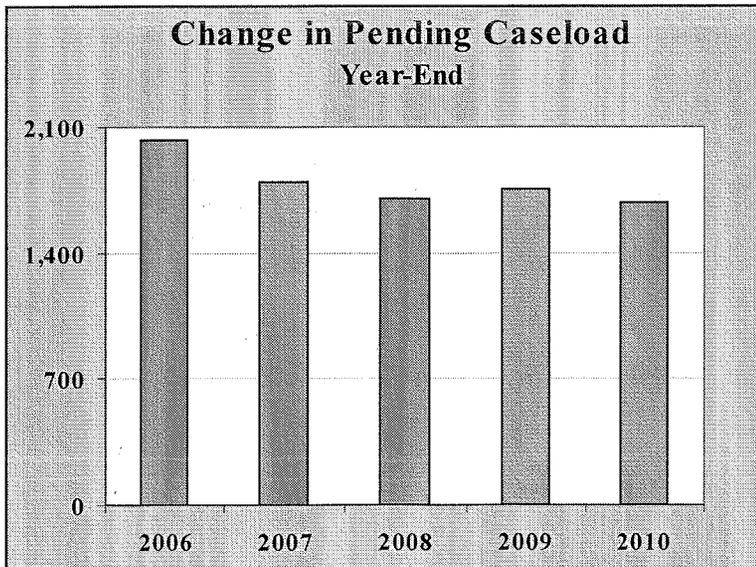
than last year (76 percent).

Time to Disposition

The Workers' Compensation Court has established a goal of 90 days for cases to be disposed at pretrial and 360 days for those cases that go to trial. This measures the time from filing to disposition of a petition. The percentage of cases disposed at pretrial within 90 days was 89 percent, down minimally from 90 percent last year. Also, 87 percent of the cases disposed at trial were handled within 360 days, which is a slight decline from last year (89 percent).

Pending Caseload

Compared to last year, the total number of petitions pending decreased by 5 percent from 1,757 to 1,676. In addition, the number pending trial dropped by 62 (8 percent) from 737 to 675. Furthermore, the petitions pending trial over 270 days fell from 251 to 203, representing 30 percent of the total number pending trial.



Rhode Island Traffic Tribunal

<i>Filings</i>	2006	2007	2008	2009	2010
Total Summonses Issued *	232,176	224,569	211,153	150,533	143,982
RITT Summonses Issued	115,848	104,288	98,407	85,790	83,419
Total Violations	140,107	126,828	118,387	104,395	102,115
<i>RITT Dispositions</i>					
Court Hearings	72,019	68,092	63,406	59,491	57,286
Payments by Mail	45,300	40,124	37,638	30,350	27,641
Total Disposed	117,319	108,216	101,044	89,841	84,927

* Includes summonses issued to both the RITT and municipal courts.

disposing summonses, which measures the time from the initial appearance to disposition. During 2010, 96 percent of all dispositions met this guideline. Furthermore, 83 percent of breathalyzer refusals and almost 94 percent of insurance violations were disposed within the 60 day timeframe.

Summonses Issued

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased in calendar year 2010, dropping 3 percent from 85,790 last year to 83,419. However, the 83,419 summonses issued during this time period included a total of 102,115 violations. In terms of summonses by category, those issued in one major category of breathalyzer refusals decreased slightly compared to last year, dropping by 2 percent (31). On the contrary, insurance violations increased by 8 percent (644) in 2010. The RITT summonses accounted for roughly 58 percent of the total summonses issued during the year.

Summonses Disposed

Despite the reduction in summonses, the RITT dispositions (84,927) exceeded the number of summonses filed this year. This disposition rate continues a trend at the RITT whereby the court disposes over 100 percent of the cases filed in a given calendar year, this year being 102 percent. Payments by mail represented 33 percent of the dispositions in 2010. The remaining 67 percent were disposed by court hearings.

Time to Disposition

The RITT has adopted 60 days from initial appearance as a performance measure for

Pending Caseload

Out of the 83,419 summonses filed in 2010, the total number of summonses pending at year-end was 2,164. Of this number, 1,664 (77 percent) were pending over 60 days.

As in the past, the majority of dispositions took place before or at the arraignment stage, although the results were different for certain categories. Based on statistics relating to the number of violations (separate offenses), 83 percent of all violations disposed occurred at or before arraignment. Similarly, 83 percent of insurance violations and 33 percent of breathalyzer refusal matters were disposed at or before arraignment.

