

Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 32, Number 4, December 2011

HIGHLIGHTS

IN 2011, THE STATEWIDE DISPOSITION RATE IN THE RHODE ISLAND JUDICIARY WAS 94%, UP FROM 93% LAST YEAR.

SUPREME COURT DISPOSITIONS EXCEEDED NEW APPEALS, RESULTING IN A DISPOSITION RATE OVER 100%.

IN SUPERIOR COURT, ASSIGNED CIVIL CASES PENDING TRIAL DECREASED BY 20% COMPARED TO LAST YEAR.

FAMILY COURT JUVENILE DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE.

DISTRICT COURT SMALL CLAIMS DISPOSITIONS EXCEEDED FILINGS IN ALL COUNTIES.

PETITIONS PENDING IN **WORKERS' COMPENSATION COURT** DROPPED BY 3% OVER LAST YEAR.

TRAFFIC TRIBUNAL DISPOSITION RATE WAS NEARLY 100% FOR THE YEAR.

Supreme Court

Filings

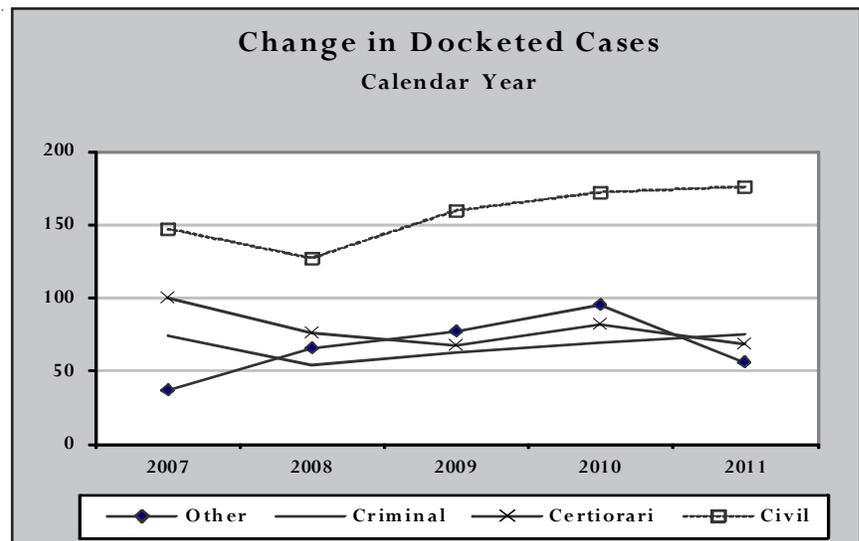
This report covers calendar year 2011. There were 375 Supreme Court cases docketed during the year, which is 43 (10 percent) fewer than those docketed last year. Compared to last year, appeals increased in both the criminal and civil categories, while they decreased in the certiorari and civil categories.

Criminal appeals rose by 9

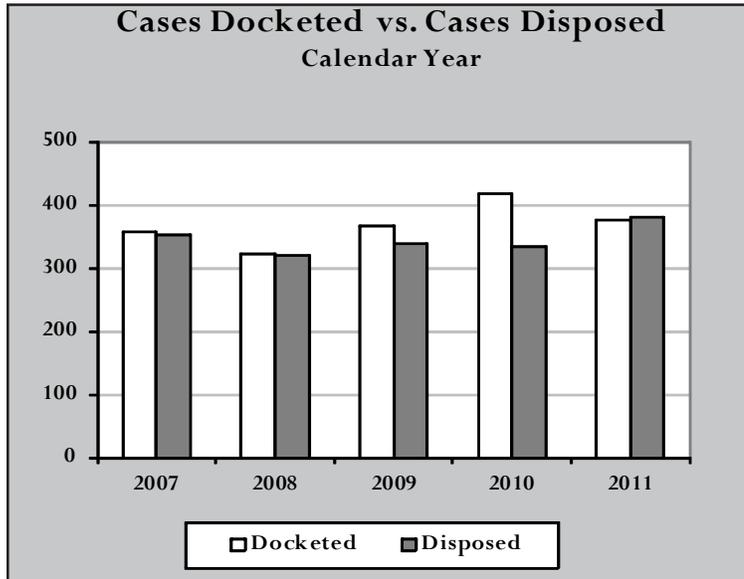
percent (6) and civil appeals by 2 percent (4), while certiorari appeals dropped by 17 percent (14) and appeals in the miscellaneous category decreased by 41 percent (39).

Dispositions

Contrary to recent prior years, dispositions exceeded new appeals in 2011. The number of appeals disposed was 381, which was 6 more



than were docketed, resulting in a disposition rate exceeding 100 percent. As explained in more detail below, 36 (9



percent) of the 381 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

A breakdown of dispositions by stage showed that 234 (61 percent) were disposed before argument. There were 107 appeals disposed as a result of the motion calendar, accounting for another 29 percent; and there were 40 appeals disposed after full oral argument on the merits, representing the remaining 10 percent. During calendar year 2011, the Supreme Court published 147 written decisions, including 27 orders and 120 opinions.

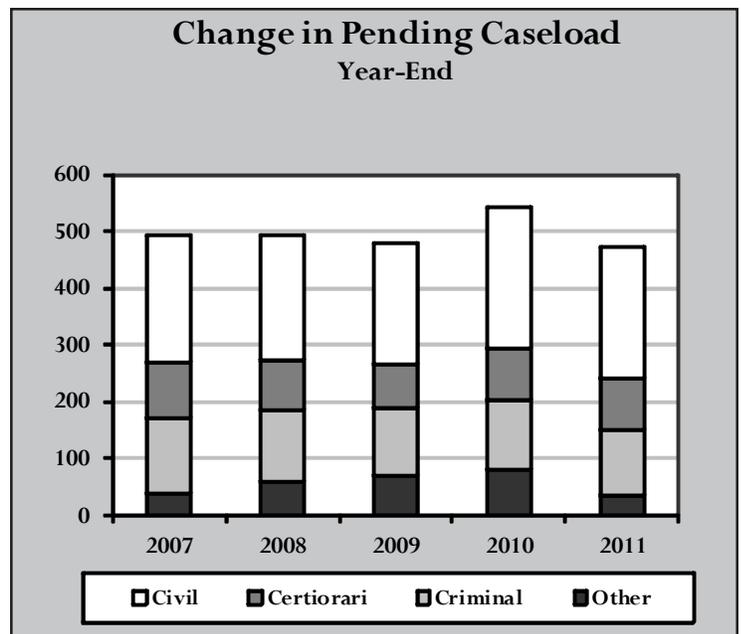
Pending Caseload

At year-end, the pending caseload was 474, which is 15 (13 percent) fewer than last year, due to a

decrease in all categories of pending cases. Pending civil appeals dropped by 6 percent (14), pending criminal appeals by 6 percent (7), writs of certiorari by 3 percent (3), and pending miscellaneous appeals decreased by 57 percent (45) compared to last year.

Appellate Mediation

During calendar year 2011, there were 171 new cases screened through the AMP. Of the 171 new cases screened, 84 were deemed either ineligible or inappropriate for mediation. During this time period, 36 cases were disposed at some stage in the mediation process, representing a 41 percent disposition rate. Twenty-eight of the 36 dispositions were settled at or after mediation, while the remaining 8 were dismissed or withdrawn at an earlier stage in the mediation process. As of December 31, 2011, there were 23 cases active in the AMP.



Superior Court

Felony Filings

Superior Court filings (for all case types, statewide) decreased by 7 percent from 17,080 in 2010 to 15,947 in 2011. Statewide felony filings dropped by 150 (3 percent) from 5,543 last year to 5,393. Felony filings decreased in all counties with the exception of Kent County, where they rose by 16 percent (126). Filings dropped by 4 percent (149) in Providence/Bristol County, by 22 percent (109) in Washington County, and by 5 percent (18) in Newport County.

Felony Dispositions

Overall, the statewide felony disposition rate was nearly 100 percent in 2011. Kent County had a disposition rate of 79 percent, while the rate for Newport County was 87 percent. In both Providence/Bristol and Washington Counties, dispositions exceeded filings for felonies in 2011.

Time to Disposition: Felonies

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 62 percent of the cases during 2011. This goal measures the time from when a felony is

<i>Felony Filings</i>	2007	2008	2009	2010	2011
Providence/Bristol	4,521	4,060	3,716	3,915	3,766
Kent	676	676	776	775	901
Washington	453	438	389	499	390
Newport	296	325	275	354	336
Total	5,946	5,499	5,156	5,543	5,393
<i>Misdemeanor Filings</i>					
Providence/Bristol	149	132	87	122	118
Kent	56	42	25	49	30
Washington	36	23	30	26	36
Newport	46	43	75	54	19
Total	287	240	217	251	203
<i>Civil Filings</i>					
Total	9,811	11,855	10,778	11,286	10,351
<i>Civil Cases Added to the Trial Calendar</i>					
Providence/Bristol	1,189	1,336	1,216	1,160	810
Kent	272	321	289	269	227
Washington	188	179	169	159	122
Newport	142	148	107	95	87
Total	1,791	1,984	1,781	1,683	1,246

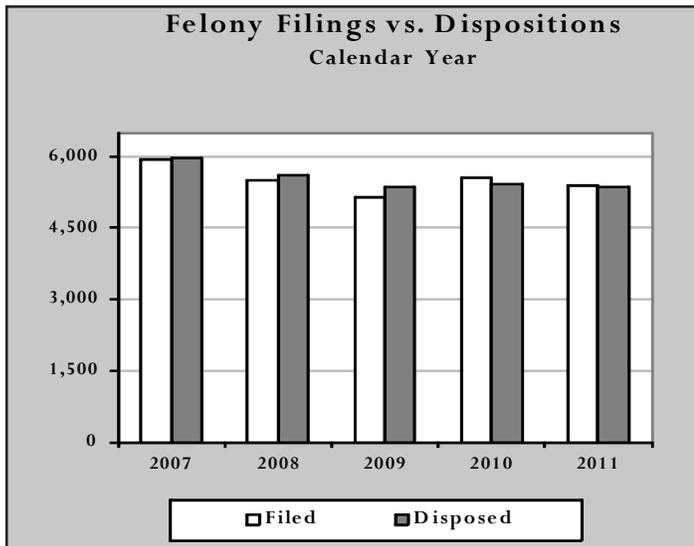
filed to the case disposition. Kent County handled 79 percent of its felony caseload within 180 days, while Washington County met the 180 day guideline in 72 percent of the cases. Newport County met the guideline in 76 percent of the cases, and in Providence/Bristol County, the figure was 55 percent.

Pending Felony Caseload

The number of felonies pending statewide totaled 2,763 at year-end, and 55 percent had been pending over 180 days from filing. Providence/Bristol County had 1,406 cases over 180 days old. Kent County had 76; Washington County, 36; and Newport County, 15.

Misdemeanor Filings

Statewide, the total number of misdemeanor appeals in 2011 was 203, dropping by 48 (19 percent) compared to last year. This decrease occurred in all counties except Washington, which had a 38 percent increase in



misdemeanor filings. There was a 3 percent decline in misdemeanor appeals filed in Providence/Bristol County, and in Kent and Newport Counties, misdemeanor filings dropped by 39 and 65 percent, respectively.

Misdemeanor Dispositions

Collectively, statewide misdemeanor dispositions exceeded filings in 2011. Additionally, misdemeanor dispositions exceeded filings in both Providence/Bristol and Newport Counties. Kent County had a disposition rate of 83 percent, while Washington County’s rate was 67 percent.

Time to Disposition: Misdemeanors

Statewide, the Superior Court disposed 35 percent of its misdemeanors within 90 days, which is Superior Court’s goal for handling misdemeanor appeals from filing to disposition. Washington County had the largest percentage of 67 percent, while Newport County handled 44 percent of its misdemeanors within 90 days. In Providence/Bristol County, 20 percent of the misdemeanors were disposed within 90 days, and in Washington County it was 50 percent.

Pending Misdemeanor Caseload

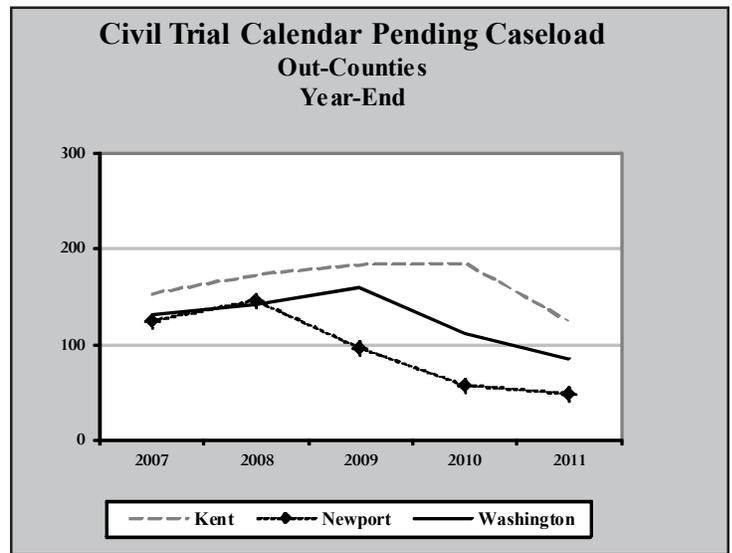
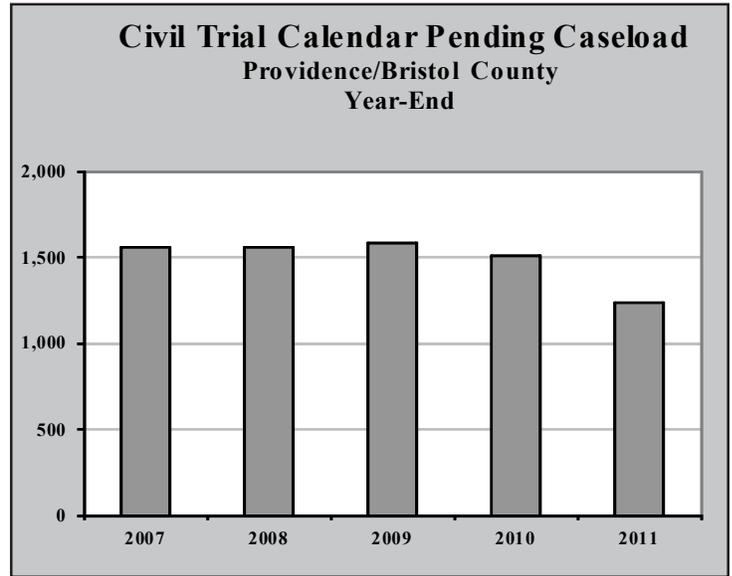
At the end of 2011, there were 171 misdemeanor appeals pending statewide, and 82 percent (141) were over 90 days old.

Civil Filings and Dispositions

Civil filings decreased by 8 percent from 11,286 in 2010 to 10,351 in 2011. In addition, civil dispositions in 2011 totaled 7,218, representing a 2 percent (169) decline over last year.

Civil Cases Added and Disposed: Trial Calendar

Statewide, the number of cases added to the civil trial calendar in 2011 decreased by 437 (26 percent) with a decline in all four counties. The number of cases added in Providence/Bristol County dropped by 30 percent; Kent by 16 percent; Washington by 23 percent; and Newport



by 8 percent. All counties disposed more civil cases than were added to the calendar in 2011, resulting in disposition rates exceeding 100 percent.

Pending Civil Caseload: Trial Calendar

Statewide, assigned civil cases pending at year-end decreased by 20 percent to 1,491 compared to last year (1,858). At the end of the calendar year, there were 125 cases pending trial in Kent County, 60 fewer (32 percent) than last year. The number of assigned cases pending trial dropped by 9 (16 percent) in Newport County, by 26 (23 percent) in Washington County, and by 272 (18 percent) in Providence/Bristol County.

Family Court

Juvenile Filings

Total Family Court filings decreased by 1,329 (6 percent) from 21,818 in 2010 to 20,489 in 2011. Similarly, there was an overall decline in juvenile filings, dropping by 1,104 (12 percent) compared to last year. Filings decreased in all case categories, with the exception of adoption/guardianship, where they increased by 4 (1 percent). Wayward/delinquent filings dropped by 9 percent (480); termination of parental rights (TPR) petitions declined by 30 percent (88); and dependency/neglect/abuse (DNA) petitions dropped by 23 percent (358). Violations decreased by 17 percent (159) and the general category of “other” dropped by 29 percent (23) in 2011.

In terms of juvenile filings by location, all counties experienced a decrease compared to last year. For calendar year 2011, juvenile filings declined by 786 (12 percent) in Providence/Bristol County, by 147 (18 percent) in Washington County, by 84 (15 percent) in Newport County, and by 87 (8 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 as well. Therefore, in both wayward/

<i>Juvenile Filings by Case Type</i>	2007	2008	2009	2010	2011
Wayward/Delinquent	6,527	6,713	6,065	5,618	5,138
Violations	1,130	1,029	874	926	767
Dependency/Neglect/Abuse	1,692	1,705	1,591	1,563	1,205
Termination of Parental Rights	371	369	301	290	202
Adoption/Guardianship	484	492	467	482	486
Other	60	62	52	80	57
Total	10,264	10,370	9,350	8,959	7,855
<i>Juvenile Filings by County</i>					
Providence/Bristol	7,446	7,313	6,577	6,429	5,643
Kent	1,523	1,560	1,353	1,155	1,068
Washington	753	876	817	806	659
Newport	542	621	603	569	485
Total	10,264	10,370	9,350	8,959	7,855
<i>Divorce Filings by County</i>					
Providence/Bristol	2,935	2,995	2,875	3,025	2,990
Kent	761	764	758	791	773
Washington	505	503	520	570	493
Newport	348	334	317	337	356
Total	4,549	4,596	4,470	4,723	4,612
<i>Abuse Filings</i>					
Courtwide	2,233	2,225	2,292	2,399	2,492

delinquent and child protection categories, dispositions exceeded filings (statewide and in each county), representing a disposition rate exceeding 100 percent.

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 2011, Providence/Bristol County adjudicated 60 percent of its wayward/delinquent cases within 180 days (again with violations included). Kent County adjudicated 54 percent of this caseload within 180 days. In Washington County, 65 percent of the cases were handled within the guideline, and in Newport County, it was 48 percent. For wayward/delinquent cases handled by the

Juvenile Services Unit without court intervention, the goal is 45 days. During the calendar year, 78 percent of these cases met this goal; furthermore, 96 percent were handled within 90 days.

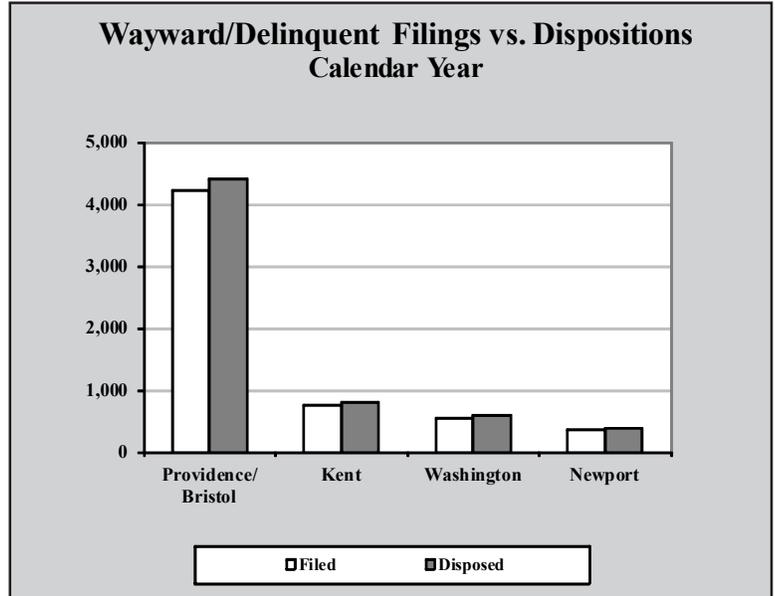
In child protection cases statewide, Family Court met the 180 day guideline in 58 percent of the cases for TPR and in 36 percent of the cases for DNA matters. In Providence/Bristol County, 35 percent of the DNA cases and 58 percent of the TPR matters were adjudicated within 180 days.

Pending TPR Caseload

A specific area that the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of the year, 14 cases, representing 12 families, remained on this calendar. Of those 14 cases, 5 cases (representing 5 families) were over 180 days old.

Domestic Filings and Dispositions

On the domestic side, divorce filings declined from last year, decreasing by 111 (2 percent) statewide, and dropping in all counties except Newport. In Providence/Bristol County, divorce filings declined by 35 (1



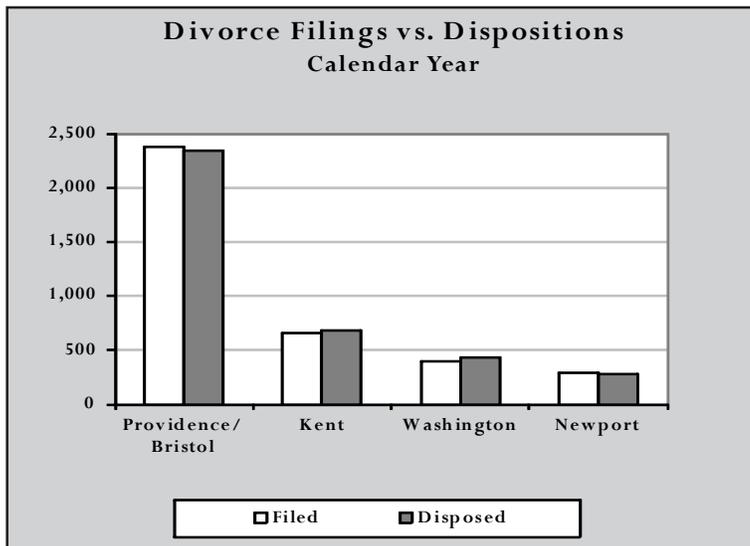
percent), and in Kent County by 18 (2 percent). Washington County filings dropped by 77 (14 percent), while there was an increase of 19 (6 percent) in Newport County, compared to last year. Statewide, divorce filings were slightly higher than dispositions, resulting in a 99.9 percent disposition rate. Similarly, Providence/Bristol County had a disposition rate of 99 percent, while Newport County’s rate was 94 percent. In both Kent and Washington Counties divorce dispositions exceeded filings in 2011.

Pending Divorce Caseload

At year-end, the total number of divorce cases pending over a year was 9 statewide. Newport County had 4 divorce cases pending over a year, while Providence/Bristol County had 5. Kent County and Washington County had no divorce cases pending over one year.

Abuse and Support Filings

Abuse complaints rose this year by 93, representing an increase of 4 percent. Support petitions decreased in 2011 by 207 (almost 4 percent) to 5,530.



District Court

<i>Misdemeanor Filings</i>	2007	2008	2009	2010	2011
Second	2,542	2,542	2,483	2,757	2,605
Third	7,468	7,221	7,270	7,398	8,276
Fourth	3,923	3,921	3,379	3,266	2,889
Sixth	15,674	14,474	13,469	13,390	12,242
Total	29,607	28,158	26,601	26,811	26,012
<i>Felony Filings</i>					
Courtwide	7,616	7,434	7,186	7,415	7,384
<i>Civil Filings</i>					
Second	1,316	1,413	1,304	1,379	1,378
Third	4,917	6,519	6,678	6,696	7,110
Fourth	1,631	1,692	1,707	1,805	1,569
Sixth	14,414	15,577	14,116	14,062	13,510
Total	22,278	25,201	23,805	23,942	23,567
<i>Small Claims</i>					
Second	831	957	521	730	602
Third	6,335	6,564	9,871	4,208	3,791
Fourth	1,335	1,500	1,002	979	872
Sixth	10,929	12,295	7,824	8,015	6,279
Total	19,430	21,316	19,218	13,932	11,544
<i>Other Categories</i>					
Courtwide	1,494	1,802	1,919	2,169	2,362

(8,276) resulted in 10,321 counts. Furthermore, the 2,889 misdemeanor cases filed in the Fourth Division included 3,933 counts, and in the Sixth Division, the 12,242 misdemeanor case filings were comprised of 17,208 counts.

Misdemeanor Dispositions

In 2011, 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. The disposition rate in the Second Division was 94 percent, while the Third Division had a rate of 92 percent. In the Fourth Division, the disposition rate was 97 percent, where the Sixth Division had a disposition rate of 99 percent.

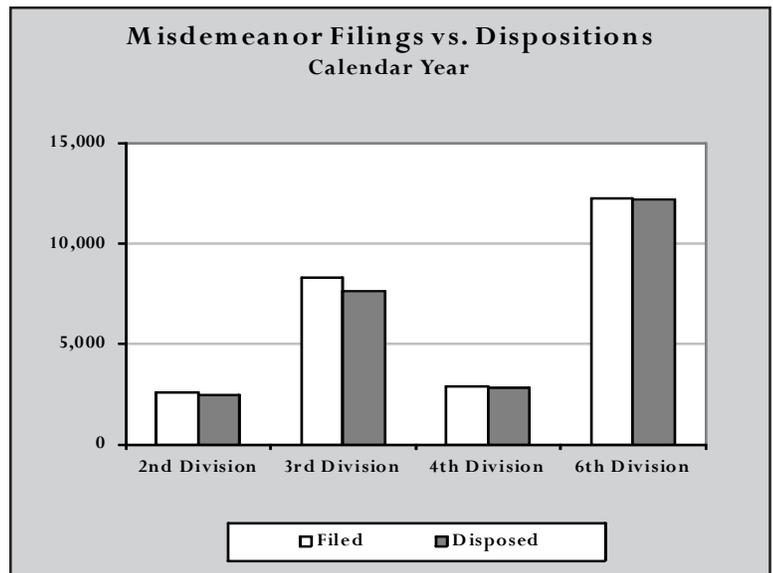
Time to Disposition: Misdemeanors

The court's goal is to dispose misdemeanors within 60 days of filing. This measures the time between a case's filing and disposition date. Statewide, this goal was met in 75 percent of the cases. Through year-end, the Second Division handled 77 percent of its misdemeanor caseload within 60 days. In the Fourth and Sixth Divisions, 76

Misdemeanor Filings

In District Court, misdemeanor filings decreased in calendar year 2011 compared to last year. The total number filed dropped from 26,811 last year to 26,012, a decline of 799 (3 percent). Misdemeanor filings decreased in all divisions, with the exception of the Third Division, where they rose by 878 (12 percent). In the Second Division, filings dropped by 6 percent (152), whereas the Fourth and Sixth Divisions decreased by 12 and 9 percent (377 and 1,148), respectively.

The 26,012 statewide misdemeanor case filings in calendar year 2011 were comprised of 34,892 individual counts. In the Second Division, the 2,605 misdemeanor cases filed represented 3,430 counts, while the Third Division misdemeanor case filings



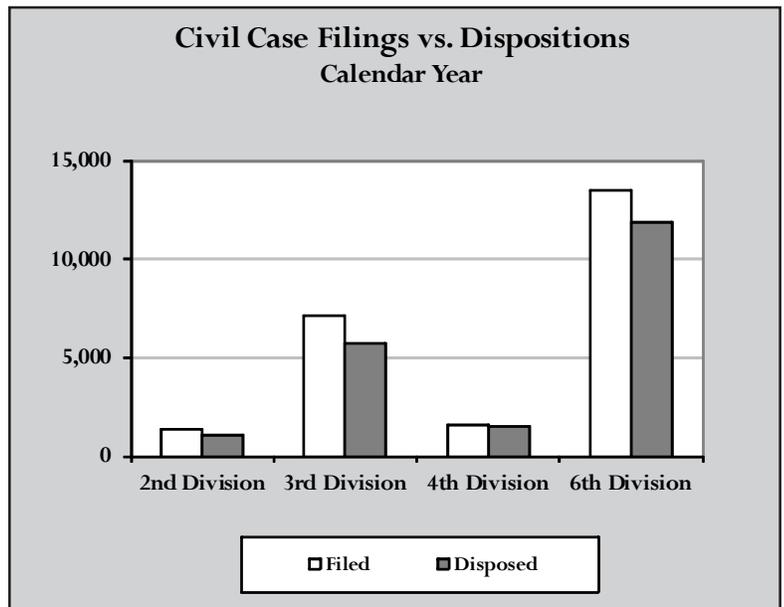
and 73 percent of the misdemeanor cases were disposed within 60 days, respectively, while the Third Division disposed 78 percent of its misdemeanors within the 60 day timeframe.

Pending Misdemeanor Caseload

At the end of 2011, there were a total of 3,042 misdemeanors pending; 67 percent were less than 60 days old, and another 24 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 162, while in the Third Division, it was 269. There were 150 misdemeanors pending more than 60 days in the Fourth Division and 428 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 16 percent from 873 a year ago to 1009.

Felony Filings

Felony filings in 2011 dropped slightly by less than 1 percent over those filed last year, decreasing from 7,415 to 7,384. Felony filings decreased by 1 percent (7) in the Fourth Division and 5 percent (205) in the Sixth Division. In the Second Division, felony filings increased by 25 (5 percent), while they rose by 9 percent (156) in the Third Division, compared to last year.

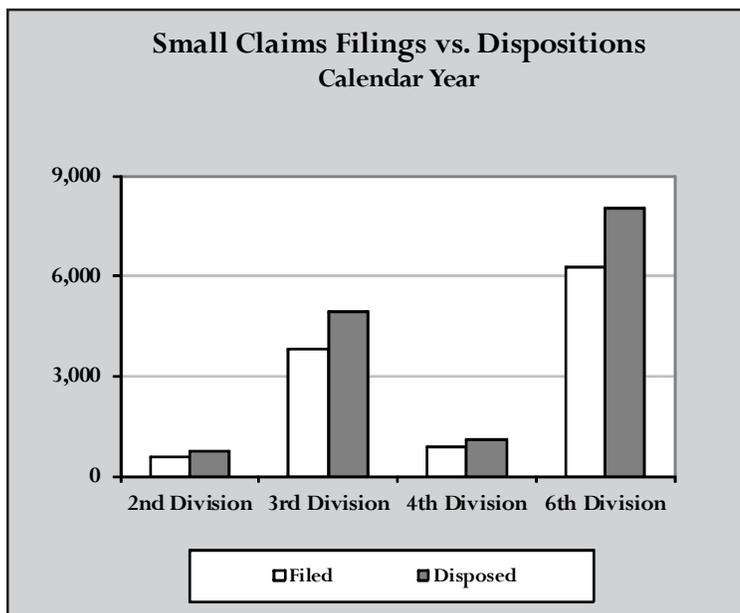


Civil Filings

On the civil side, filings declined by nearly 2 percent from 23,942 in 2010 to 23,567 in 2011, a difference of 375. Civil filings decreased in all divisions except the Third Division, where they rose by 414 (6 percent). In the Fourth and Sixth Divisions, civil filings dropped by 13 and 4 percent (236 and 552), respectively. Civil filings remained virtually unchanged in the Second Division, decreasing by just 1 (less than 1 percent), compared to last year. Statewide, abuse filings decreased from 992 in 2010 to 860 in 2011, a decline of 132 (13 percent). Statewide, small claims decreased by 17 percent, dropping by 2,388 from 13,932 in 2010 to 11,544 in 2011. There was a decline in all division in small claims filings in 2011. Filings in the Second Division dropped by 18 percent (128), whereas the Third Division filings declined by 10 percent (417); the Fourth Division by 11 percent (107); and the Sixth Division by 22 percent (1,736).

Civil Dispositions

The statewide disposition rate for civil cases was 86 percent, an increase compared to last year (82 percent). While statewide small claims dispositions exceeded filings for the year, the disposition rate for abuse cases was 95 percent.



Workers' Compensation Court

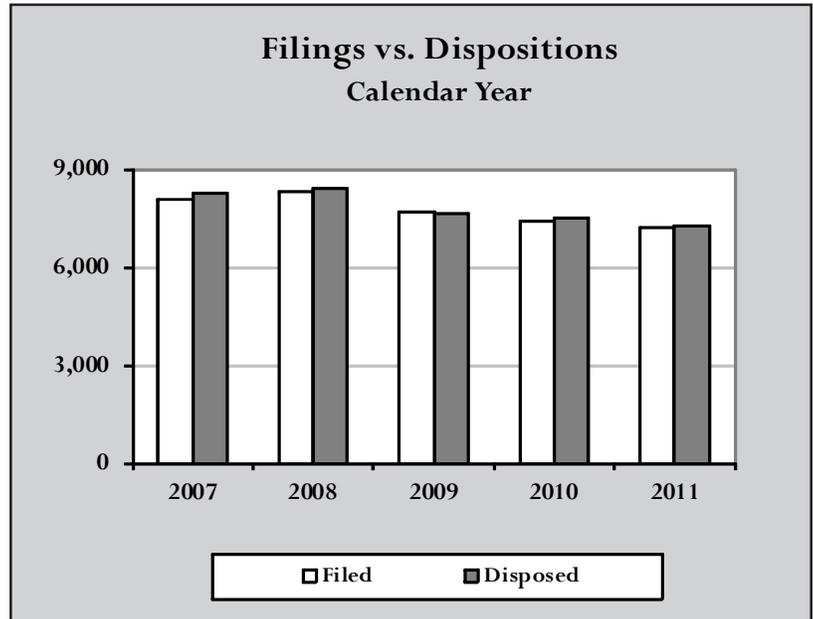
Petitions Filed

The number of petitions filed in the Workers' Compensation Court during calendar year 2011 decreased by 184 from last year. In calendar year 2010, there were 7,406 petitions filed, and this year there were 7,222, a difference of 2 percent.

Filings declined in four case categories and increased in three. Lump sum settlements rose by 8 percent (62), while miscellaneous and original petitions increased by 7 and 5 percent (13 and 101), respectively. During 2011, employee petitions dropped by 173 (9 percent); employer petitions by 48 (4 percent); petitions for medical by 22 (13 percent); and petitions to enforce by 117 (15 percent).

Petitions Disposed

For calendar year 2011, dispositions exceeded filings. The number disposed (7,271) was 49 more than the number filed, resulting in a disposition rate that exceeded 100 percent. Cases disposed during the pretrial stage accounted for 74 percent of the total, the same as last year.

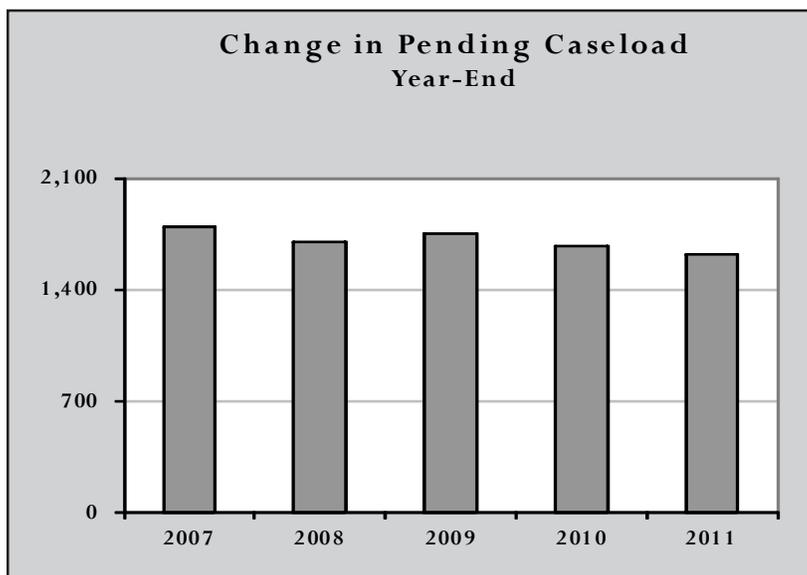


Time to Disposition

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 88 percent, down minimally from 89 percent last year. Also, 89 percent of the cases disposed at trial were handled within 360 days, which is an increase from last year (87 percent).

Pending Caseload

Compared to last year, the total number of petitions pending decreased by 3 percent from 1,676 to 1,629. However, the number pending trial rose by 22 (3 percent) from 675 to 697. Furthermore, the petitions pending trial over 270 days increased slightly from 203 to 220, representing 32 percent of the total number pending trial.



Rhode Island Traffic Tribunal

<i>Filings</i>	2007	2008	2009	2010	2011
Total Summonses Issued *	224,569	211,153	150,533	143,982	149,284
RITT Summonses Issued	104,288	98,407	85,790	83,419	82,960
Total Violations	126,828	118,387	104,395	102,115	102,046
<i>RITT Dispositions</i>					
Court Hearings	68,092	63,406	59,491	57,286	56,764
Payments by Mail	40,124	37,638	30,350	27,641	25,965
Total Disposed	108,216	101,044	89,841	84,927	82,729
* Includes summonses issued to both the RITT and municipal courts.					

which measures the time from the initial appearance to disposition. During 2011, 96 percent of all dispositions met this guideline. Furthermore, 81 percent of breathalyzer refusals and 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 slightly in calendar year 2011, dropping by 1 percent from 83,419 last year to 82,960. However, the 82,960 summonses issued during this time period included a total of 102,046 violations. In terms of summonses by category, those issued in one major category of breathalyzer refusals decreased compared to last year, dropping by 4 percent (69). On the contrary, insurance violations increased by 1 percent (111) in 2011. The RITT summonses accounted for roughly 56 percent of the total summonses issued during the year.

Summonses Disposed

For 2011 RITT dispositions (82,729) were slightly fewer than the number of summonses filed, resulting in a disposition rate of nearly 100 percent. Payments by mail represented 31 percent of the dispositions in 2011. The remaining 69 percent were disposed by court hearings.

Time to Disposition

The RITT has adopted 60 days from initial appearance as a guideline for disposing summonses,

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), 24 percent of all violations disposed occurred prior to arraignment, while another 58 percent occurred at arraignment. Also, 83 percent of insurance violations and 28 percent of breathalyzer refusal matters were disposed at arraignment.

Pending Caseload

The total number of summonses pending at year end was 2,236, with 1,605 (72 percent) pending over 60 days.

