

Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 30, Number 2, June 2009

HIGHLIGHTS

FOR THE FIRST HALF OF 2009

FOR THE 8TH CONSECUTIVE YEAR, DISPOSITIONS IN SUPREME COURT EXCEEDED NEW APPEALS THROUGH THE SECOND QUARTER.

SUPERIOR COURT FELONY DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

FAMILY COURT CHILD PROTECTION AND WAYWARD/DELINQUENT DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE.

IN DISTRICT COURT, SMALL CLAIMS DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

FOR THE 5TH CONSECUTIVE YEAR, PENDING CASES IN THE WORKERS' COMPENSATION COURT DECLINED COMPARED TO THE PREVIOUS YEAR.

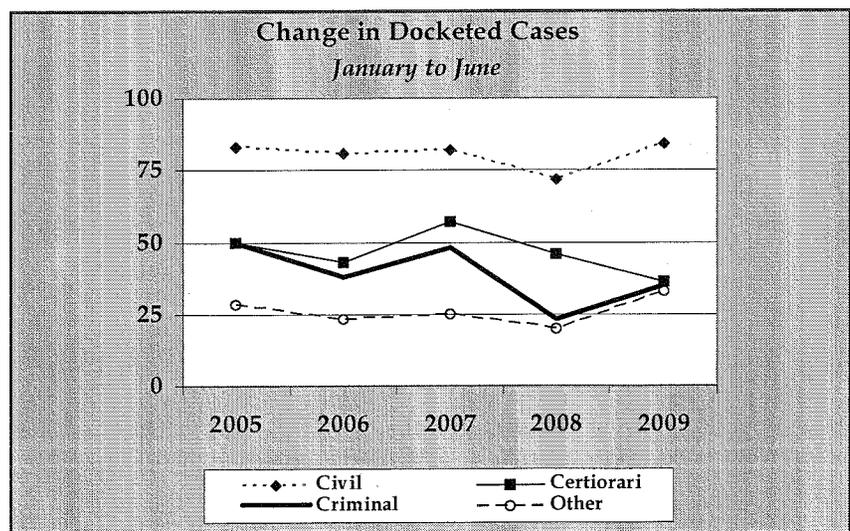
TRAFFIC TRIBUNAL DISPOSITIONS EXCEEDED SUMMONSES ISSUED FOR THE 9TH CONSECUTIVE YEAR.

Supreme Court

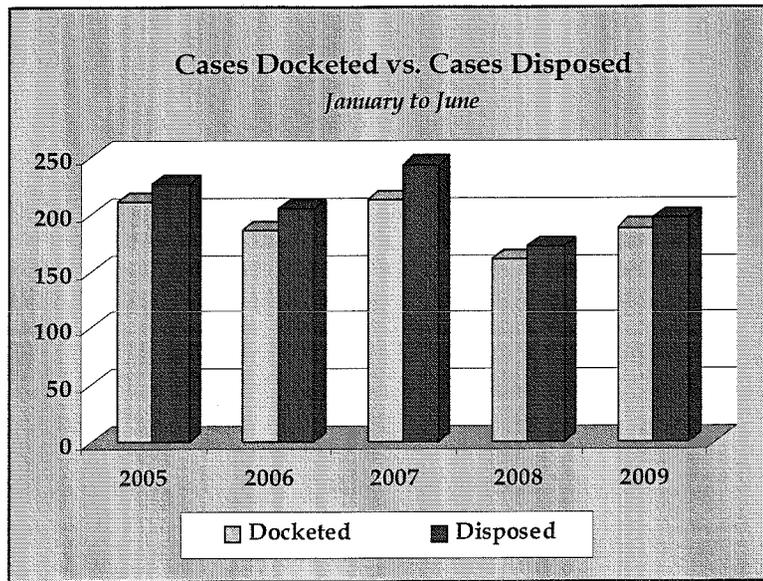
This report covers the first half of the calendar year 2009. There were 188 Supreme Court cases docketed through the second quarter which was 27 (17 percent) more than those docketed during the first half of last year. Compared to last year, appeals increased in all categories but one. Criminal appeals increased by 12 (52 percent), through the second quarter, while civil and miscellaneous appeals

increased by 12 (17 percent) and 13 (65 percent), respectively. In addition, petitions for writ of certiorari dropped by 10 (22 percent) compared to last year.

Similar to the past several years, dispositions exceeded new appeals for the first half of the year. The total number of appeals disposed through June was 196 (8 more than docketed). As explained in more de-



tail below, 17 (9 percent) of the 196 dispositions occurred during some stage of the Appellate Mediation Program (AMP).



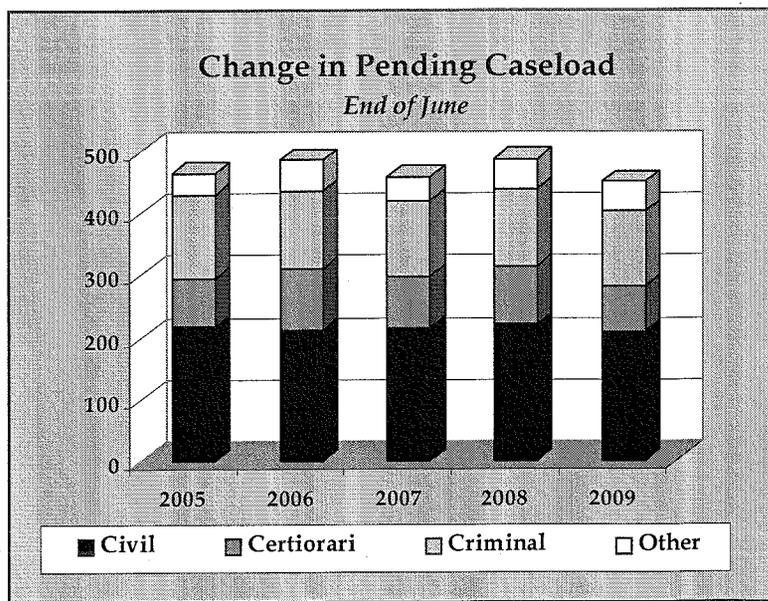
Of the 196 dispositions during the first half of the year, 90 (46 percent) of the appeals were disposed before oral argument, 58 (30 percent) were disposed after show cause, and the remaining 48 (24 percent) were disposed after full oral arguments. During the first half of 2009, the Supreme Court published 106 written decisions, including 13 orders and 93 opinions. This is an increase of 23 (28 percent) from the decisions written last year. Of the 196 dispositions through June, 29 percent were disposed within 180 days, and a total of 38 percent were disposed within 300 days.

As of June 30, 2009, the pending caseload was 450, a decrease of 38 (8 percent) compared to last

year (488) at the end of the period. This was the result of a decrease in pending appeals in all categories except miscellaneous appeals, where they remained the same as last year. Compared to last year, pending criminal appeals declined by 7 (6 percent), civil appeals by 11 (5 percent), and certiorari appeals by 20 (21 percent).

Through the second quarter, there were 85 new cases added to the AMP. Of the 85 cases added, 42 were deemed either ineligible or inappropriate. During this time period, 17 cases were disposed at some stage in the mediation process, representing a 40 percent disposition rate. Seven of the 17 dispositions were settled

at or after mediation, while the remaining 10 were dismissed or withdrawn at an earlier stage in the mediation process. As of June 30, 2009, there were 32 cases active in the program.



Superior Court

Statewide felony filings in Superior Court declined through the second quarter of 2009 compared to last year. The number filed dropped by 110 (4 percent) from 2,889 to 2,779. Felony filings decreased in every county, except Kent where there was an increase of 11 (3 percent). In Providence/Bristol County, felony filings decreased by 84 (4 percent); in Washington County, by 32 (13 percent); and in Newport County, by 5 (3 percent).

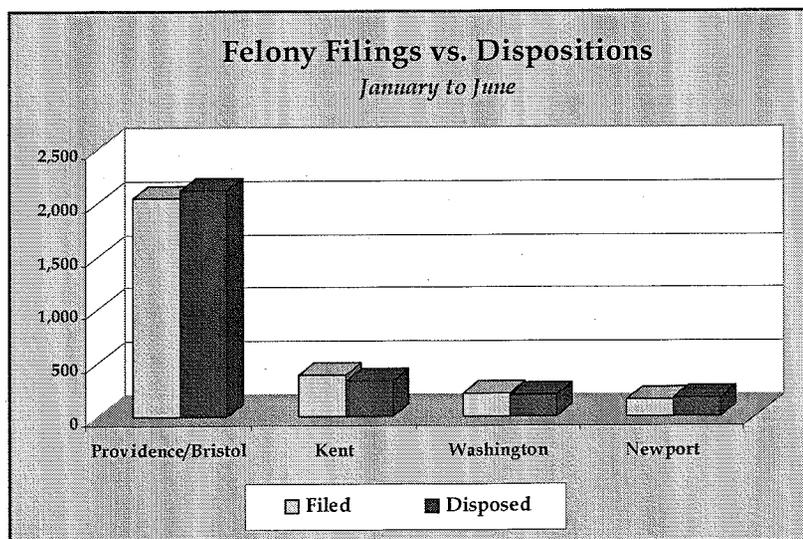
For the first half of the year, statewide felony dispositions exceeded filings. This is due in large part to Providence/Bristol County and Newport County having more felony dispositions than filings. In Kent County, the disposition rate was 88 percent, while in Washington County, it was 92 percent.

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in 70 percent of the cases during the first half of 2009. Newport County disposed 70 percent of their felony caseload within

<i>Felony Filings</i>	2005	2006	2007	2008	2009
Providence/Bristol	1,945	2,158	2,437	2,122	2,038
Kent	393	421	392	365	376
Washington	193	313	256	247	215
Newport	196	184	129	155	150
Total	2,727	3,076	3,214	2,889	2,779
<i>Misdemeanor Filings</i>					
Providence/Bristol	102	91	79	65	25
Kent	15	28	23	24	10
Washington	9	27	25	11	11
Newport	5	10	17	31	28
Total	131	156	144	131	74
<i>Civil Filings</i>					
Statewide	4,682	4,877	4,660	6,156	5,472
<i>Civil Cases Added to the Trial Calendar</i>					
Providence/Bristol	681	682	550	671	614
Kent	148	158	123	156	154
Washington	104	92	83	71	79
Newport	72	59	67	66	56
Total	1,005	991	823	964	903

180 days. Washington County met the 180 day guideline in 78 percent of the felonies disposed through June, while Kent and Providence/Bristol Counties achieved it in 84 and 67 percent of the cases, respectively.

The number of felonies pending statewide totaled 2,241 at the end of June, decreasing by 3 percent (59) from last year. Of the 2,241 felonies pending, 42 percent (937) were pending over 180 days from filing. Although this percentage was the same as last year's, the number of pending cases more than 180 days has decreased by 24 (2 percent). Providence/Bristol County had 847 cases over 180 days old; Kent County had 32; Washington County, 25; and Newport County had 33.

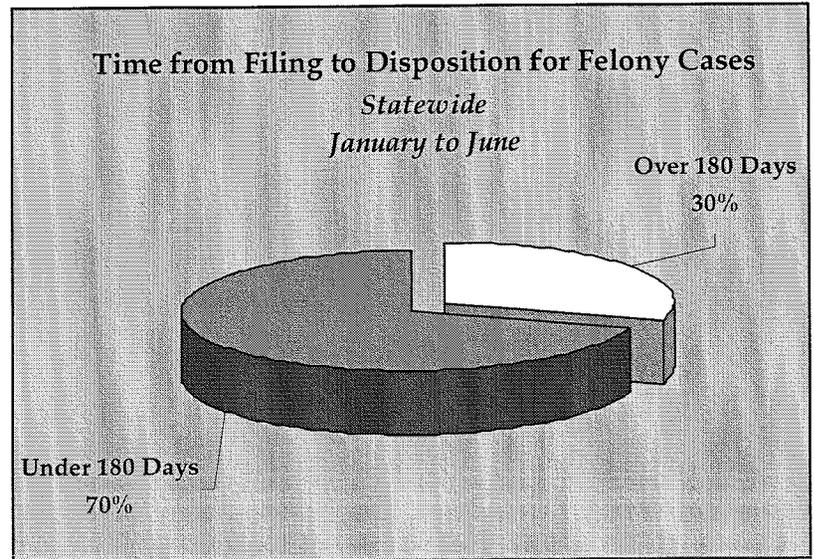


Misdemeanor appeals through the second quarter declined by 57 (44 percent), decreasing from 131 last year to 74 in 2009. The decrease in misdemeanor appeals occurred in all four counties.

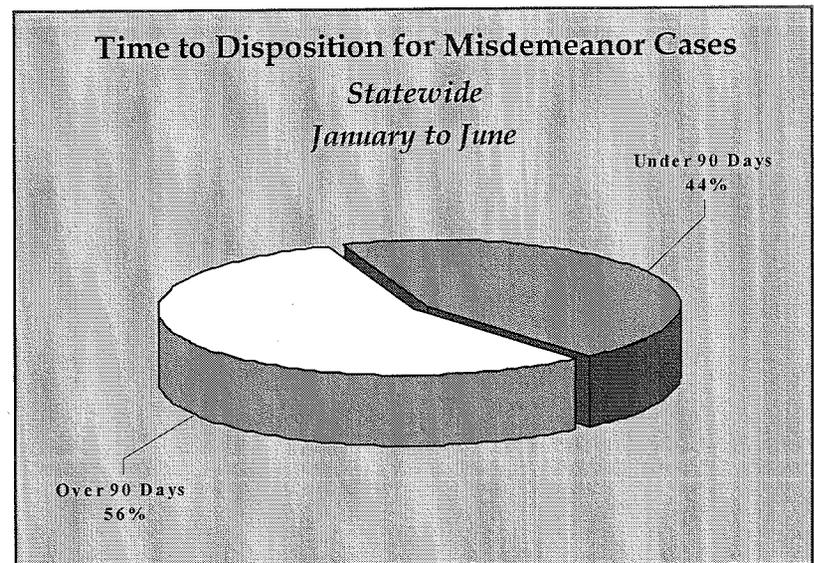
For the first half of the year, misdemeanor dispositions exceeded filings in all counties. Washington County had the largest percentage of misdemeanors disposed within 90 days, 83 percent (10 cases). In Kent County, 82 percent (9) of the misdemeanors were disposed within 90 days, while in Newport and Providence/Bristol Counties, it was 59 percent (19) and 16 percent (8), respectively. At the end of June, there were only 136 misdemeanor appeals pending statewide, and 81 percent (110) were over 90 days old.

Civil filings totaled 5,472 for the first half of 2009, decreasing by 684 (11 percent) from last year. With respect to civil dispositions through June, the number rose from 3,447 in 2008 to 3,506 in 2009, an increase of 59 (2 percent).

Similar to the decline in civil filings, the number of cases added to the civil trial calendar statewide through June dropped by 61 (6 percent) compared to the first half of last year. Cases added to the civil trial calendar decreased in Providence/Bristol County by 57 (9 percent) and in Kent County by just 2 (1 percent). In Washington County, cases added to the civil trial increased by 8 (11 percent), and in Newport County by 10 (15 percent) compared to last year.



Both Kent County and Newport County disposed more civil cases than were added to the trial calendar in the first half of 2009. Providence/Bristol County had an 84 percent disposition rate, while Washington had a rate of 95 percent. At the end of the period, the number of civil cases pending trial statewide increased by 149 (8 percent). In Providence/Bristol, Kent, and Newport Counties, the number of cases pending rose by 86, 25 and 15, respectively. In Washington County, the number of cases pending trial dropped by 53.



Family Court

In the first half of 2009, Family Court juvenile filings decreased by 14 percent compared to last year, dropping by 806 from 5,722 to 4,916. Statewide there was a decline in juvenile petitions filed for every case type. TPR petitions dropped by 53 (26 percent) while adoption/guardianship petitions decreased by 5 (2 percent). Furthermore, dependency/neglect/abuse (DNA) petitions declined by 66 (7 percent), wayward/delinquent petitions by 559 (15 percent), violations by 113 (21 percent), and the general category of "other" petitions dropped by 10 (32 percent).

When reviewing filings by location, juvenile filings through the second quarter were lower in all counties compared to a year ago. In Providence/Bristol County, juvenile filings decreased by 629 (15 percent), and in Kent County, they dropped by 121 (15 percent). Also, petitions were down in Washington and Newport Counties, declining by 52 (11 percent) and 4 (1 percent), respectively.

<i>Juvenile Filings by Case Type</i>	2005	2006	2007	2008	2009
Wayward/Delinquent	3,816	3,746	3,964	3,792	3,233
Violations	437	543	644	552	439
Dependency/Neglect/Abuse	1,004	1,418	909	892	826
Termination of Parental Rights	238	194	184	208	155
Adoption/Guardianship	291	296	231	247	242
Other	29	45	34	31	21
Total	5,815	6,242	5,966	5,722	4,916
<i>Juvenile Filings by County</i>					
Providence/Bristol	4,089	4,409	4,320	4,089	3,460
Kent	961	933	923	835	714
Washington	464	528	435	488	436
Newport	301	372	288	310	306
Total	5,815	6,242	5,966	5,722	4,916
<i>Divorce Filings by County</i>					
Providence/Bristol	1,592	1,614	1,573	1,643	1,495
Kent	415	391	385	395	409
Washington	281	303	267	269	256
Newport	161	213	190	175	148
Total	2,449	2,521	2,415	2,482	2,308
<i>Abuse Filings</i>					
Statewide	1,154	1,160	1,132	1,133	1,125

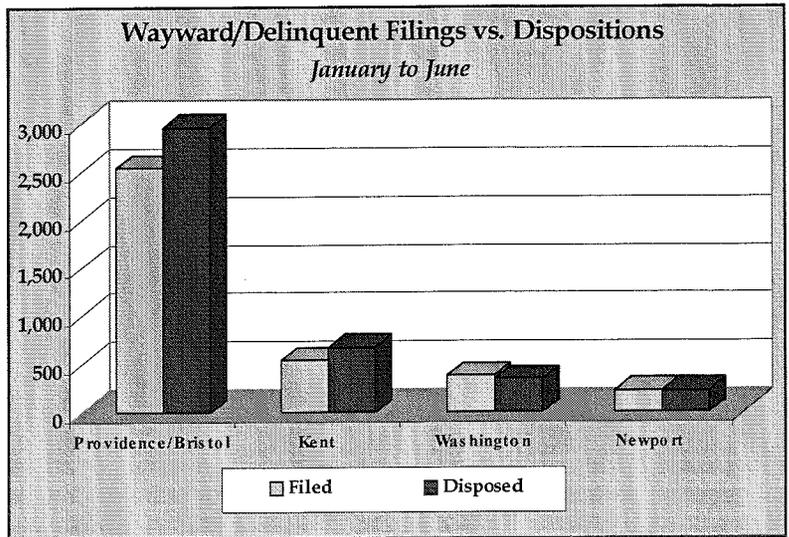
In the wayward/delinquent category, which includes violations of probation and court orders, dispositions exceeded filings in all counties except Washington, where the disposition rate was 91 percent. In the child protection category, dispositions exceeded petitions filed in all counties except Newport where the disposition rate was 98 percent.

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. Through June, Providence/Bristol County adjudicated 68 percent of its

wayward/delinquent cases within 180 days (again with violations included), while in Kent County, it was 64 percent. Washington County adjudicated 76 percent of this caseload within the 180 day guideline, and in Newport County, it was 72 percent. For wayward/delinquent cases handled informally, the goal is 45 days. Through the end of the period, 90 percent of the cases met this goal; while 97 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 67 percent of the cases for TPR and in 45 percent of the cases for DNA matters. In Providence/Bristol County, 45 percent of the DNA cases and 71 percent of the TPR cases were adjudicated within 180 days.

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of June, 50 cases, repre-

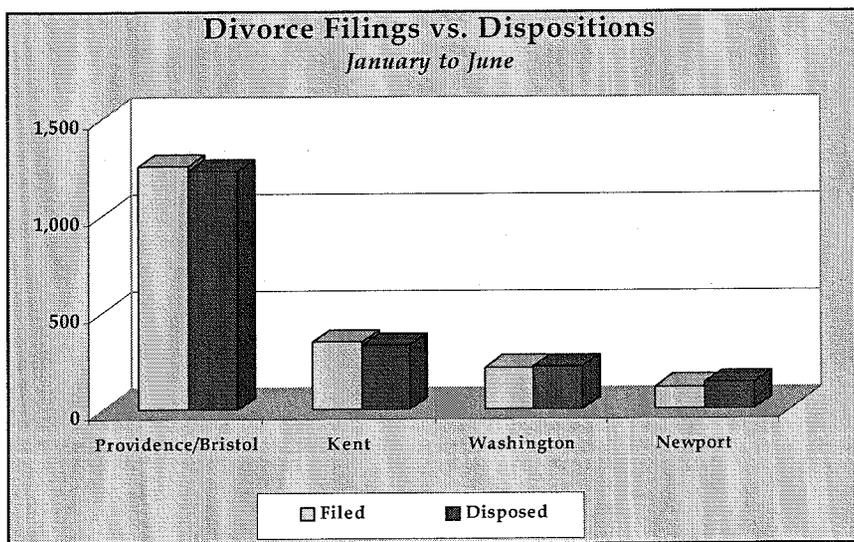


senting 37 families, remained on this calendar, and only 5 cases representing 3 families are over 180 days old.

On the domestic side, divorce filings were lower than last year in all counties except Kent County where they increased by 14 (4 percent). Statewide the number filed dropped by 174 (7 percent). The statewide disposition rate for divorce cases was 99 percent with dispositions exceeding filings in both Washington and Newport Counties. In Providence/Bristol County the divorce dis-

position rate was 98 percent, while in Kent County it was 95 percent.

At the end of June, the total number of divorce cases pending over a year was 50 statewide. Providence/Bristol County had 43 divorce cases pending over a year, while Kent County had 1. In Newport County, the total was 4, and in Washington County, there were 2.



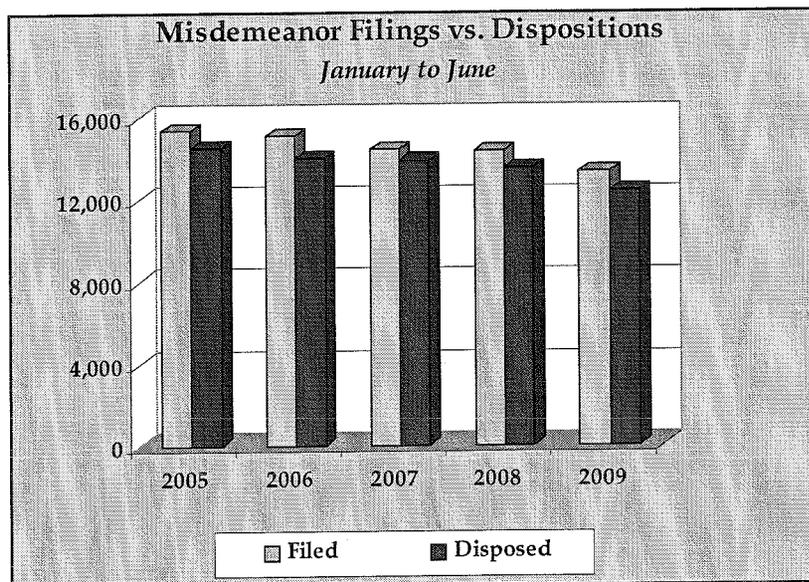
District Court

In District Court, misdemeanor filings decreased through the second quarter compared to last year. The total number filed dropped from 14,367 last year to 13,356, a decline of 1,011 (7 percent). Filings were lower in all counties, with the Fourth Division having the greatest decline of 326 (17 percent). The Sixth Division experienced a decrease of 570 (8 percent), while the Second and Third Divisions dropped by 68 (5 percent) and 47 (1 percent), respectively.

During the first half of 2009, the 13,356 statewide misdemeanor case filings were comprised of 17,267 individual counts. In the Second Division, the 1,201 misdemeanor cases filed represented 1,560 counts, while the Third Division misdemeanor case filings (3,613) resulted in 4,809 counts. Furthermore, the 1,601 misdemeanor cases filed in the Fourth Division included 2,159 counts, and in the Sixth Division, the 6,941 misdemeanor case filings were comprised of 8,739 counts.

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the disposition rate for misdemeanors was 93 percent through June. The Third Division had a disposition rate of 97 percent, while the Second Division's was 93 percent. In the Sixth Division, the rate was 91 percent, and in the Fourth Division, it was 95 percent.

The court's goal is to dispose of misdemeanors within 60 days of filing. Through the second quarter, the Third Division handled 85 percent of its misdemeanor caseload within 60 days. In the Fourth Division, 76 percent of the misdemeanor cases were disposed within 60



days, while in the Second Division, the percentage was 81. The Sixth Division met the 60 day guideline in 82 percent of its misdemeanor cases.

At the end of June, there were a total of 4,608 misdemeanors pending; 39 percent were less than 60 days old, and another 17 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 432; in the Third Division, it was 1,051; it was 99 in the Fourth Division and 1,243 in the Sixth Division. The total number of misde-

<i>Misdemeanor Filings</i>	2005	2006	2007	2008	2009
Second	1,157	1,166	1,167	1,269	1,201
Third	2,695	2,654	3,799	3,660	3,613
Fourth	2,095	1,945	1,848	1,927	1,601
Sixth	9,429	9,340	7,641	7,511	6,941
Total	15,376	15,105	14,455	14,367	13,356
<i>Felony Filings</i>					
Courtwide	3,674	3,990	3,798	3,726	3,532
<i>Civil Filings</i>					
Second	743	567	640	750	631
Third	1,155	1,203	2,371	2,928	3,167
Fourth	558	628	771	888	749
Sixth	6,468	7,125	7,200	8,355	6,656
Total	8,924	9,523	10,982	12,921	11,203
<i>Small Claims</i>					
Second	469	493	481	451	288
Third	1,029	1,130	3,025	3,506	5,409
Fourth	563	599	663	827	519
Sixth	6,098	7,317	5,738	6,662	4,551
Total	8,159	9,539	9,907	11,446	10,767
<i>Abuse Filings</i>					
Courtwide	387	355	400	479	483

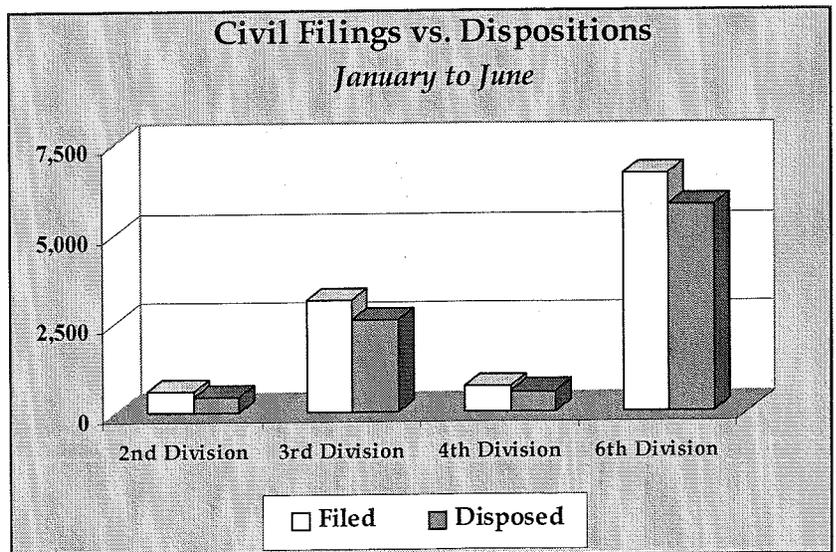
On the civil side, statewide filings through June dropped by 1,718 (13 percent) from 12,921 in the first half of 2008 to 11,203 for the comparable time period in 2009. Civil filings decreased in all divisions, with the exception of the Third Division. Abuse filings rose by 4, representing a less than 1 percent increase over the past year. In addition, small claims decreased compared to a year ago. Overall, the number of statewide small claims filed declined by 679 (6 percent), decreasing in all divisions except the Third.

The statewide disposition rate for civil cases was 84 percent, while

meanors over 60 days old was 2,825, an increase from 1,593 a year ago.

Statewide, felony filings in the first half of 2009 declined from last year's figures. Felony filings decreased from 3,726 to 3,532, representing a 5 percent drop. The number filed dropped in all counties except the Third Division, where there was an increase of 57 (7 percent). Felony filings decreased in the Second, Fourth and Sixth Divisions by 17 (7 percent), 11 (4 percent) and 223 (9 percent), respectively.

small claims dispositions exceed filings for the first half of the year.

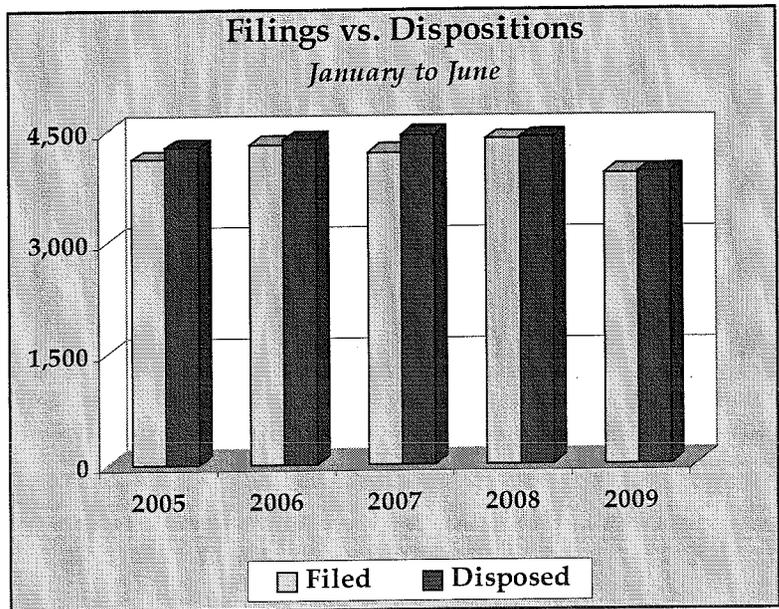


Workers' Compensation Court

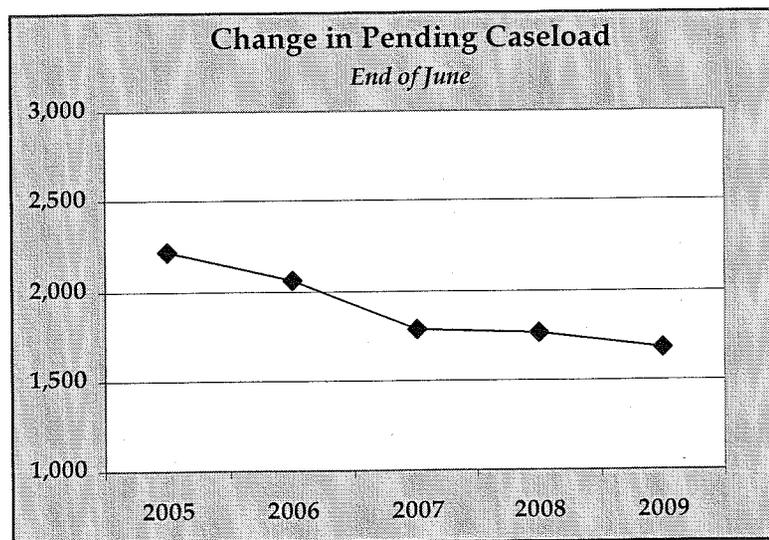
The number of petitions filed in the Workers' Compensation Court during the first half of 2009 decreased by 468 from last year. A year ago there were 4,385 petitions filed through June, and this year there were 3,917, a decline of 11 percent.

Based on type of case, all petitions decreased compared to a year ago, with the exception of petition for 2nd injury and petition for medical, which remained the same. Employee petitions dropped by 86 (8 percent), petitions to enforce by 79 (16 percent), original petitions declined by 97 (7 percent), and miscellaneous petitions by 37 (25 percent). Employer petitions decreased by 101 (13 percent) and lump sum settlements by 68 (16 percent).

Through the second quarter, dispositions exceeded filings. The number disposed (3,936) was 19 greater than



the number filed. Cases disposed at the pretrial stage accounted for 75 percent of the total, a slightly higher percentage than last year (74 percent). The percentage of cases disposed at pretrial within 30 days of filing (67 percent) was slightly higher than a year ago (64 percent). At trial, 84 percent of the cases were handled within 270 days, up from last year's 79 percent.



Compared to last year, the total number of petitions pending dropped from 1,766 to 1,679, a reduction of 87 cases (5 percent). Similarly, the number pending trial dropped from 744 to 720, a decrease of 24 (3 percent). In addition, the petitions pending trial over 270 days declined by almost 7 percent from 227 to 212, representing 29 percent of the total number pending trial.

Rhode Island Traffic Tribunal

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased during the first half of 2009, dropping by nearly 6 percent from 49,577 last year to 46,671. RITT summonses

<i>Filings</i>	2005	2006	2007	2008	2009
Total Summonses Issued	112,222	123,307	115,349	105,777	79,544
RITT Summonses Issued	58,023	61,582	55,452	49,557	46,671
Total Violations	71,358	74,518	67,501	59,740	56,293
<i>RITT Dispositions</i>					
Court Hearings	34,868	38,301	36,627	32,279	31,617
Payments by Mail	23,533	24,879	21,503	18,406	16,697
Total Disposed	58,401	63,180	58,130	50,685	48,314

accounted for 59 percent of the total summonses issued this period.

Consistent with the overall decrease in RITT summonses, there was a decline in both breathalyzer refusals and insurance violations. Compared to last year, breathalyzer refusals decreased by 59 (almost 7 percent) to 823, and insurance violations dropped by 94 (2 percent) to 4,160.

Like the previous seven years, RITT dispositions exceeded the number filed this year. Payments by mail represented 35 percent of total dispositions and decreased

by 1,709 (9 percent) over last year's figure. The remaining 65 percent were disposed by court hearings.

The RITT has adopted 60 days from initial appearance as the goal for disposing of summonses, and in the first half of the year, 96 percent of all dispositions met this guideline. Furthermore, 78 percent of breathalyzer refusals and 92 percent of insurance violations were disposed within the 60 day timeframe.

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, 81 percent of insurance violations and 38 percent of breathalyzer refusal matters were disposed at or before arraignment.

The total number of summonses pending at the end of June decreased by 29 percent (862), dropping from 2,970 last year to 2,108. Of this number, 1,330 (63 percent) were pending over 60 days.

