

# Court Statistics



Justice Independence Honor

THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 33, Number 2, June 2012

## HIGHLIGHTS

### FOR THE FIRST HALF OF 2012

**SUPREME COURT'S** DISPOSITION RATE EXCEEDED 100%.

IN **SUPERIOR COURT**, MISDEMEANOR APPEALS INCREASED BY 18% COMPARED TO LAST YEAR.

**FAMILY COURT** JUVENILE WAYWARD/DELINQUENT DISPOSITIONS EXCEEDED PETITIONS FILED STATEWIDE.

**DISTRICT COURT** MISDEMEANOR FILINGS ROSE BY 10%.

**WORKERS' COMPENSATION COURT** HAD A 98% DISPOSITION RATE.

**TRAFFIC TRIBUNAL** SUMMONSES ISSUED INCREASED BY 33% COMPARED TO LAST YEAR.

## Supreme Court

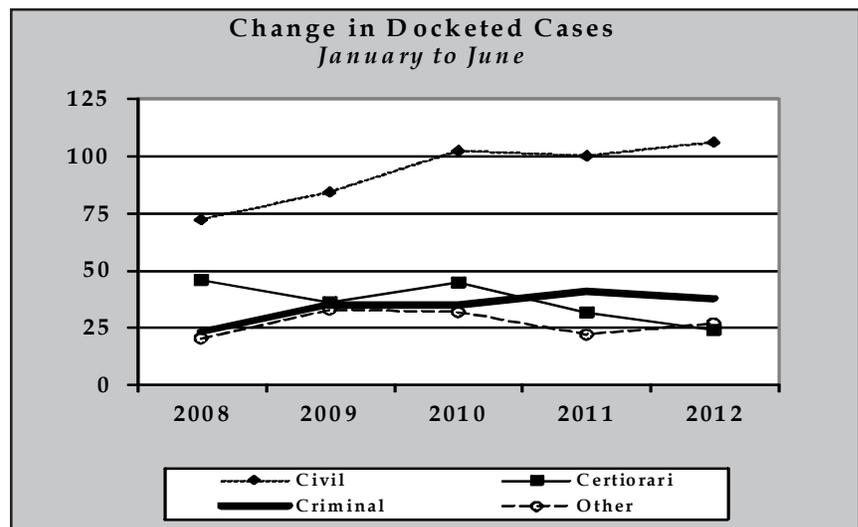
### FILINGS

This report covers the first half of calendar year 2012. There were 195 Supreme Court cases docketed through the second quarter which was the same number as last year. Compared to last year, appeals decreased in both the criminal category and certiorari. Criminal appeals dropped by 3 (7 percent) and certiorari appeals by 8

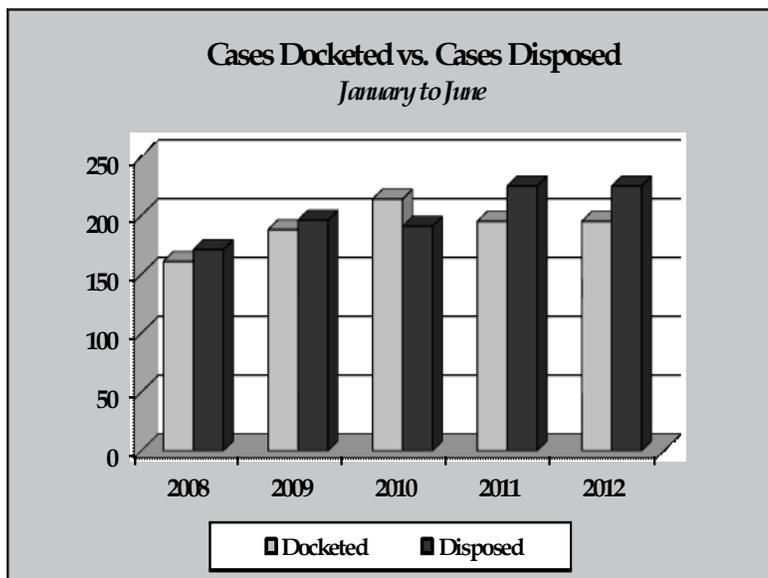
(25 percent). For the first half of 2012, both civil and miscellaneous appeals increased, rising by 6 and 5 (6 and 23 percent), respectively.

### DISPOSITIONS

Like last year, dispositions exceeded new appeals filed for the first half of the year. The total number of appeals disposed through June was 225 (30 more than docketed). As explained in more detail below,



16 (less than 1 percent) of the 225 dispositions occurred during some stage of the Appellate Mediation Program (AMP).



Of the 225 dispositions during the first half of the year, 114 (50 percent) of the appeals were disposed before oral argument, 69 (31 percent) were disposed after show cause, and the remaining 42 (19 percent) were disposed after full oral argument. During the first half of 2012, the Supreme Court published 108 written decisions, including 18 orders and 91 opinions, which is the same amount of decisions written last year. Of the 225 dispositions through June, 40 percent were disposed within 180 days, and a total of 46 percent were disposed within 300 days.

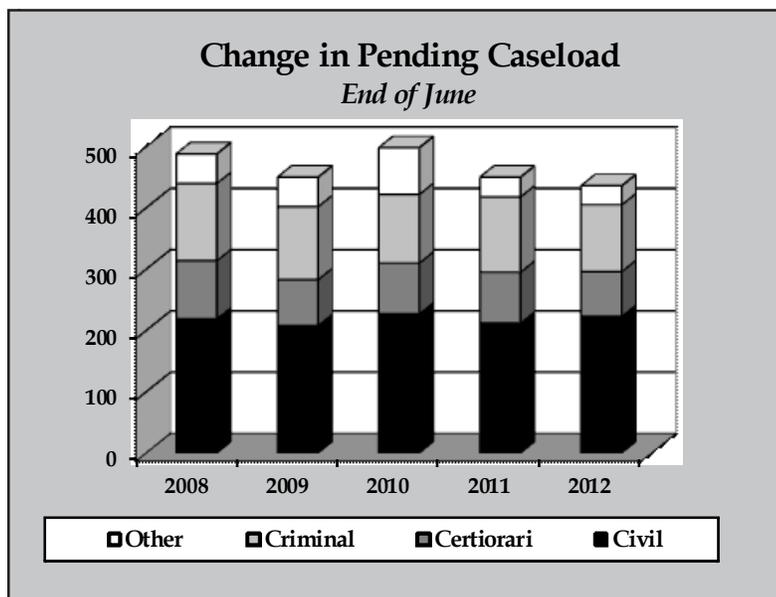
**PENDING CASELOAD**

As of June 30, 2012, the pending caseload was 436, a decline of 14 (3 percent) compared to last year (450) at the end of the period. This was the

result of a decrease in pending appeals in all categories except civil appeals where they rose by 11 (5 percent) since last year. Compared to last year, pending criminal appeals dropped by 14 (11 percent), miscellaneous appeals by 1 (3 percent), and certiorari appeals by 10 (12 percent).

**APPELLATE MEDIATION**

Through the second quarter, there were 91 new cases screened through the AMP. Of the 91 cases screened, 58 were deemed either ineligible or inappropriate. During this time period, 16 cases were disposed at some stage in the mediation process, representing a 48 percent disposition rate. Of the 16 dispositions, 13 were settled at or after mediation, while the remaining 3 were dismissed or withdrawn at an earlier stage in the mediation process. As of June 30, 2012, there were 17 cases active in the program.



# Superior Court

## FELONY FILINGS

Statewide felony filings in Superior Court decreased through the second quarter of 2012 compared to last year. The number filed dropped by 86 (3 percent) from 2,881 to 2,795. Felony filings also decreased in both Kent and Providence/Bristol Counties. Filings dropped by 91 (18 percent) in Kent County and by 37 (2 percent) in Providence/Bristol County. For the first half of 2012, felony filings increased in Washington and Newport Counties, rising by 39 and 3 (21 and 2 percent), respectively.

## FELONY DISPOSITIONS

For the first half of the year, the statewide felony disposition rate was 96 percent. In Newport County the disposition rate was 90 percent, and in both Washington and Providence/Bristol Counties, it was 94 percent. Felony dispositions exceeded filings in Kent County in the second quarter.

## TIME TO DISPOSITION - FELONIES

The Superior Court established a goal of 180 days for the disposition of felonies and achieved this in 58 percent of the cases during the first half of 2012. This goal measures the time from a felony is filed to the case disposition. Newport County disposed 75 percent of their felony caseload within 180 days. Providence/Bristol County met the 180 day guideline in 52 percent

of the felonies disposed through June, while both Kent and Washington Counties achieved it in 72 percent of the cases.

## PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 2,706 at the end of June, decreasing by 2 percent (68) from last year. Of the 2,706 felonies pending, 52 percent (1,404) were pending over 180 days from filing. Providence/Bristol County had 1,302 cases over 180 days old; Kent County had 57; Washington County, 37; and Newport County had 8.

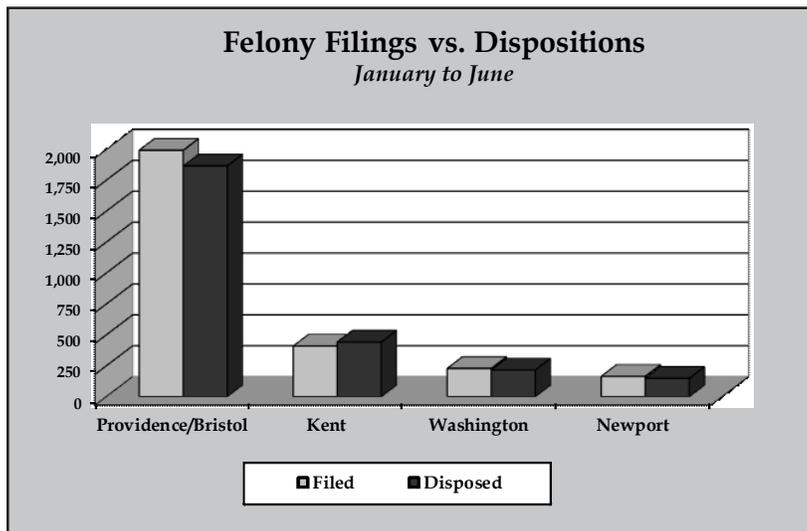
## MISDEMEANOR FILINGS

Misdemeanor appeals through the second quarter rose by 18 (18 percent), rising from 98 last year to 116 in 2012. The increase in misdemeanor appeals occurred in all four counties.

## MISDEMEANOR DISPOSITIONS

For the first half of the year, misdemeanor dispositions exceeded filings in all counties, ex-

<i>Felony Filings</i>	2008	2009	2010	2011	2012
Providence/Bristol	2,122	2,038	2,153	2,029	1,992
Kent	365	376	319	500	409
Washington	247	215	315	190	229
Newport	155	150	221	162	165
<b>Total</b>	<b>2,889</b>	<b>2,779</b>	<b>3,008</b>	<b>2,881</b>	<b>2,795</b>
<i>Misdemeanor Filings</i>					
Providence/Bristol	65	25	61	54	57
Kent	24	10	26	22	24
Washington	11	11	14	12	20
Newport	31	28	36	10	15
<b>Total</b>	<b>131</b>	<b>74</b>	<b>137</b>	<b>98</b>	<b>116</b>
<i>Civil Filings</i>					
Statewide	6,156	5,472	5,715	5,425	4,553
<i>Civil Cases Added to the Trial Calendar</i>					
Providence/Bristol	671	614	533	432	320
Kent	156	154	134	111	95
Washington	71	79	90	70	57
Newport	66	56	43	47	31
<b>Total</b>	<b>964</b>	<b>903</b>	<b>800</b>	<b>660</b>	<b>503</b>



cept Kent, where they had a 75 percent disposition rate.

**TIME TO DISPOSITION - MISDEMEANORS**

The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from filing to disposition. Statewide, Superior Court met this goal in 25 percent of cases, with Kent County having the largest percentage of misdemeanors disposed within 90 days, 56 percent (10 cases). In Providence/Bristol County 4 percent (3) of the misdemeanors were disposed within 90 days, while in both Newport and Washington Counties, it was 44 and 48 percent (8 and 11), respectively.

**PENDING MISDEMEANOR CASELOAD**

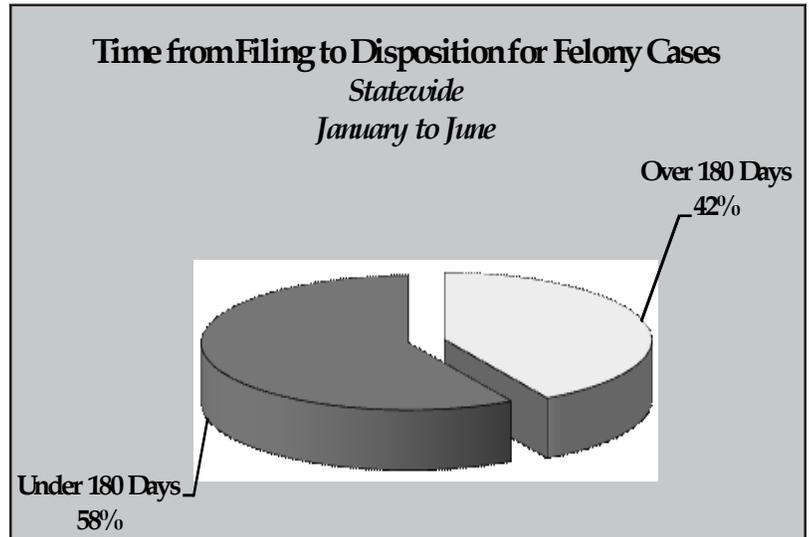
At the end of June, there were only 146 misdemeanor appeals pending statewide, and 66 percent (97) were over 90 days old.

**CIVIL FILINGS AND DISPOSITIONS**

Civil filings totaled 4,553 for the first half of 2012, declining by 872 (16 percent) compared to last year. Through the second quarter, there were a total of 21,839 civil cases disposed, which included 3,565 that were disposed through normal case processing. This figure is a decline of 135 (almost 4 percent) over last year's civil dispositions (3,700). The remaining 18,274 civil cases were disposed on January 3, 2012 by an automated mass dismissal of pending unassigned cases with a filing date prior to September 15, 2005. Under G.L. 1956 § 9-8-5 the court is authorized to dismiss civil cases with no action in 5 years or more, provided it complies with the required notification.

**CIVIL CASES ADDED AND DISPOSED - TRIAL CALENDAR**

Similar to the drop in civil filings, the number of cases added to the civil trial calendar statewide through June decreased by 157 (24 percent) compared to the first half of last year. Cases added to the civil trial calendar decreased in all counties. Providence/Bristol County dropped by 112 (26 percent), while Washington Country by 13 (19

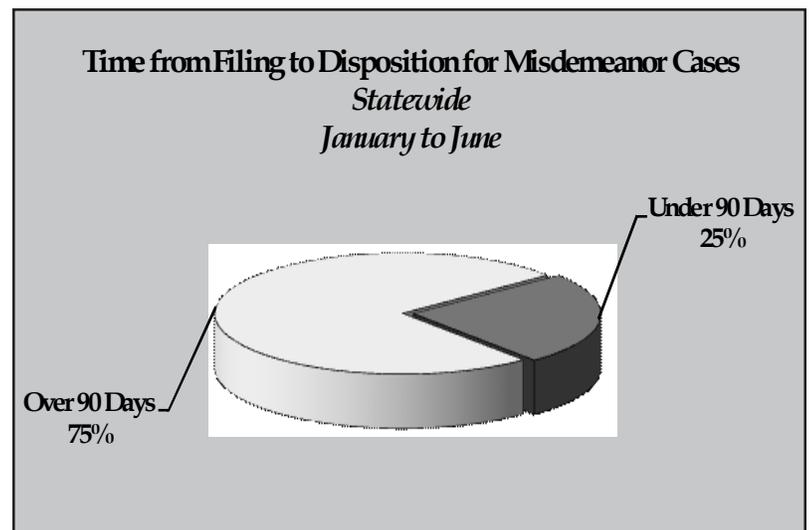


percent). Both Kent and Newport Counties dropped by 16 (14 and 34 percent), respectively.

All 4 counties disposed more civil cases than were added to the trial calendar in the first half of 2012, resulting in disposition rates that exceeded 100 percent.

**PENDING CIVIL CASELOAD - TRIAL CALENDAR**

At the end of the period, the number of civil cases pending trial statewide declined by 345 (21 percent). In Providence/Bristol County, the number of cases pending dropped by 290 (22 percent), in Kent County by 59 (39 percent) and in Newport County the amount decreased by 9 (18 percent). In Washington County, the number of cases pending increased by 13 (17 percent), for the first half of 2012.



# Family Court

## JUVENILE FILINGS

In the first half of 2012, Family Court juvenile filings decreased by 10 percent compared to last year, dropping by 451 from 4,388 to 3,937. Statewide there was a decline in juvenile petitions filed for every case type, with the exception of dependency/neglect/abuse (DNA) petitions, which increased by 50 (7 percent). Termination of parental rights (TPR) petitions decreased by 10 (9 percent), while adoption/guardianship petitions declined by 15 (6 percent). Furthermore, wayward/delinquent petitions dropped by 392 (14 percent), violations by 77 (18 percent), and petitions filed in the general category of other by 7 (19 percent).

When reviewing filings by location, compared to a year ago, juvenile filings through the second quarter were lower in all counties. Providence/Bristol County filings dropped by 380 (12 percent) and those in Washington County decreased by 23 (6 percent). Filings were down in Kent County by 40 (7 percent) and dropped by 8 (3 percent) in Newport County during the first half of the year.

<i>Juvenile Filings by Case Type</i>	2008	2009	2010	2011	2012
Wayward/Delinquent	3,792	3,233	3,247	2,836	2,444
Violations	552	439	495	432	355
Dependency/Neglect/Abuse	892	826	833	730	780
Termination of Parental Rights	208	155	158	109	99
Adoption/Guardianship	247	242	245	245	230
Other	31	21	34	36	29
<b>Total</b>	<b>5,722</b>	<b>4,916</b>	<b>5,012</b>	<b>4,388</b>	<b>3,937</b>
<i>Juvenile Filings by County</i>					
Providence/Bristol	4,089	3,460	3,634	3,183	2,803
Kent	835	714	632	572	532
Washington	488	436	425	376	353
Newport	310	306	321	257	249
<b>Total</b>	<b>5,722</b>	<b>4,916</b>	<b>5,012</b>	<b>4,388</b>	<b>3,937</b>
<i>Divorce Filings by County</i>					
Providence/Bristol	1,643	1,495	1,594	1,588	1,658
Kent	395	409	415	427	399
Washington	269	256	307	278	241
Newport	175	148	176	175	154
<b>Total</b>	<b>2,482</b>	<b>2,308</b>	<b>2,492</b>	<b>2,468</b>	<b>2,452</b>
<i>Abuse Filings</i>					
Statewide	1,133	1,125	1,159	1,248	1,124

## JUVENILE DISPOSITIONS

In the wayward/delinquent category, which includes violations of probation and court orders, statewide dispositions exceeded filings. Similarly, all counties had disposition rates exceeding 100 percent, with the exception of Kent County, where the disposition rate was 79 percent. In the child protection category, there was a 94 percent disposition rate with filings (1,138) exceeding dispositions (1,072) by 66.

## TIME TO DISPOSITION - JUVENILE CASES

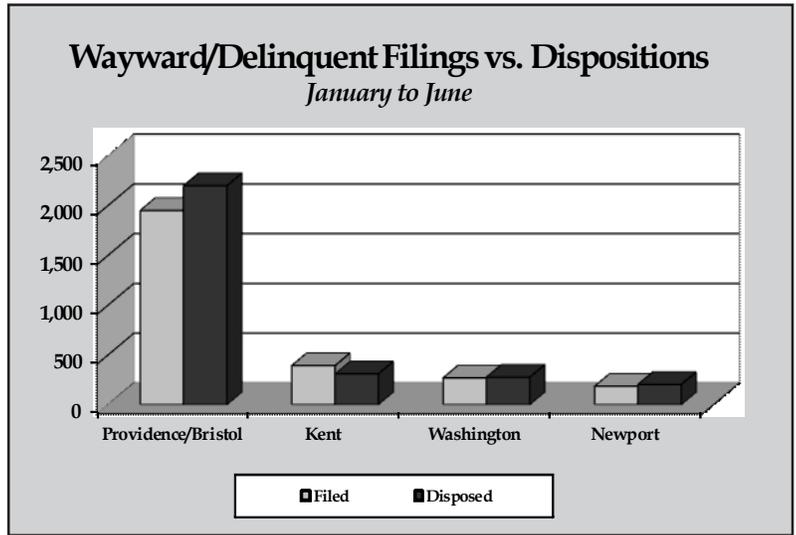
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is

entered, not the time to final disposition of a case. Through June, Providence/Bristol County adjudicated 57 percent of their wayward/delinquent cases within 180 days (again with violations included), while in Newport County, it was 52 percent. Both Washington and Kent Counties adjudicated 50 percent of their respective caseloads within the 180 day guideline. For wayward/delinquent cases handled informally, the goal is 45 days. Through the end of the period, 82 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 74 percent of the cases for TPR and in 42 percent of the cases for DNA matters. In Providence/Bristol County, 44 percent of the DNA cases and 77 percent of the TPR cases 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 Provi-



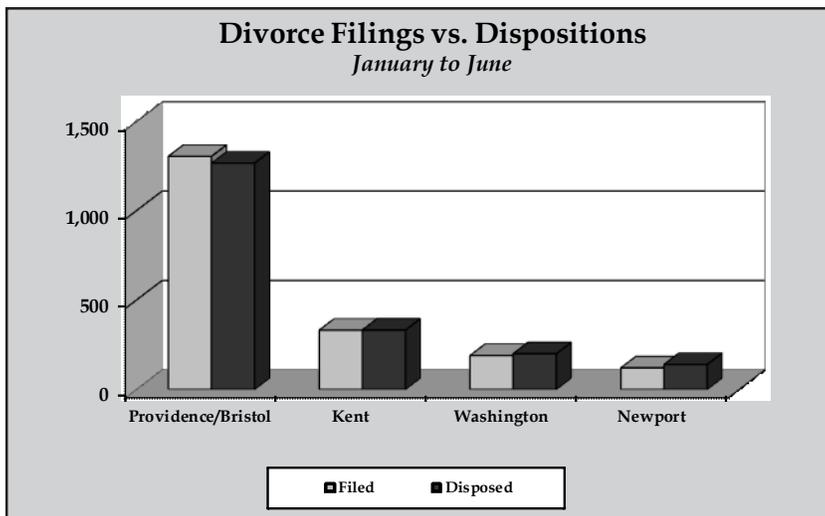
dence/Bristol County. At the end of June, 32 cases, representing 19 families, remained on this calendar, and 3 cases representing 3 families are over 180 days old.

**DOMESTIC FILINGS AND DISPOSITIONS**

On the domestic side, divorce filings were lower than last year statewide, decreasing by 16 (less than 1 percent). Similarly, filings decreased in all counties, with the exception of Providence/Bristol County, where they rose by 4 percent (70). Statewide, filings exceeded dispositions by 8 during the first half of 2012, with a disposition rate of nearly 100 percent.

**PENDING DIVORCE CASELOAD**

At the end of June, the total number of divorce cases pending over a year was 15 statewide. Providence/Bristol County had 4 divorce cases pending over a year, while Kent County had 1. In Newport County, the total was 8, and in Washington County, there were 2.



# District Court

## MISDEMEANOR FILINGS

In District Court, misdemeanor statewide filings increased through the second quarter compared to last year. The total number filed increased from 12,979 last year to 14,219, an increase of 1,240 (10 percent). Similarly filings rose in the Second and Third Divisions. The Second Division saw an increase of 5 percent (58), while the Third Division rose by 55 percent (2,007). On the contrary, compared to last year, filings decreased in the Fourth and Sixth Divisions by 3 and 12 percent (53 and 772), respectively.

During the first half of 2012, the 14,219 statewide misdemeanor case filings were comprised of 18,837 individual counts. In the Second Division, the 1,259 misdemeanor cases filed represented 1,807 counts, while the Third Division misdemeanor case filings (5,645) resulted in 7,405 counts. Furthermore, the 1,479 misdemeanor cases filed in the Fourth Division included 1,906 counts, and in the Sixth Division, the 5,836 misdemeanor case filings were comprised of 7,719 counts.

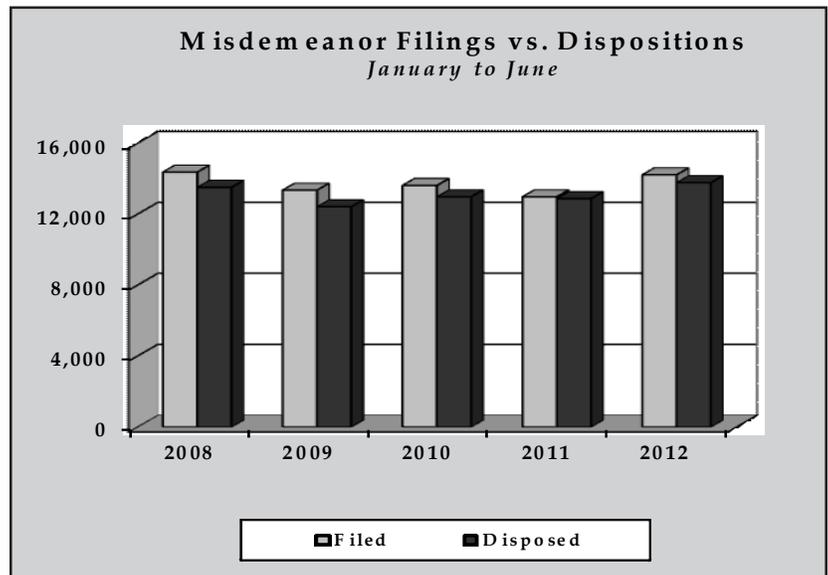
## MISDEMEANOR DISPOSITIONS

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the statewide disposition rate for misdemeanors was 97 percent through June. The Third Division had a disposition rate of 98 percent, while the Fourth and Sixth Division Disposition rates were 96 and 95 percent, respec-

tively. In the Second Division dispositions exceeded filings for the first half of 2012.

## TIME TO DISPOSITION - MISDEMEANORS

The court's goal is to dispose misdemeanors within 60 days of filing. This measures the time period between filing a case and its disposition in the District Court. State-



wide, 74 percent of misdemeanors met this goal. Through the second quarter, 77 percent of misdemeanors in the Third Division and 71 percent of misdemeanors in the Sixth Division were disposed within 60 days. In the Second Division, 74 percent of misdemeanors met the goal and the Fourth Division met the 60 day guideline in 66 percent of its misdemeanor cases.

## PENDING MISDEMEANOR CASELOAD

At the end of June, there were a total of 3,203 misdemeanors pending statewide; 71 percent were less than 60 days old, and another 20 percent were between

<i>Misdemeanor Filings</i>	2008	2009	2010	2011	2012
Second	1,269	1,201	1,423	1,201	1,259
Third	3,660	3,613	3,920	3,638	5,645
Fourth	1,927	1,601	1,558	1,532	1,479
Sixth	7,511	6,941	6,719	6,608	5,836
<b>Total</b>	<b>14,367</b>	<b>13,356</b>	<b>13,620</b>	<b>12,979</b>	<b>14,219</b>
<b><i>Felony Filings</i></b>					
Courtwide	3,726	3,532	3,670	3,767	3,687
<b><i>Civil Filings</i></b>					
Second	750	631	660	697	618
Third	2,928	3,167	3,246	3,294	3,838
Fourth	888	749	974	805	549
Sixth	8,355	6,656	6,880	6,804	5,967
<b>Total</b>	<b>12,921</b>	<b>11,203</b>	<b>11,760</b>	<b>11,600</b>	<b>10,972</b>
<b><i>Small Claims</i></b>					
Second	451	288	398	400	282
Third	3,506	5,409	2,200	2,113	2,309
Fourth	827	519	466	555	368
Sixth	6,662	4,551	4,286	3,956	2,568
<b>Total</b>	<b>11,446</b>	<b>10,767</b>	<b>7,350</b>	<b>7,024</b>	<b>5,527</b>
<b><i>Abuse Filings</i></b>					
Courtwide	479	483	469	430	332

60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 137 (40 percent); in the Third Division, it was 213 (21 percent); it was 143 (32 percent) in the Fourth Division and 421 (30 percent) in the Sixth Division. The total number of misdemeanors over 60 days old was 914 (29 percent), an increase from 681 a year ago.

### FELONY FILINGS

Statewide, felony filings in the first half of 2012 decreased from last year's figures. Felony filings dropped from 3,767 to 3,687, representing a 2 percent decline. The number filed decreased in both the Second Division (29 percent) and the Sixth Division

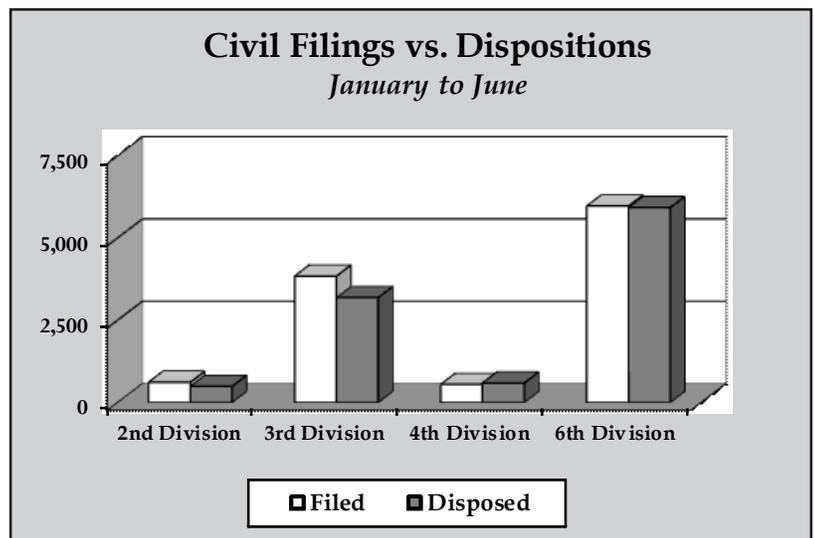
(13 percent). Felony filings increased in the Third and Fourth Divisions by 299 (32 percent) and 6 (2 percent), respectively.

### CIVIL FILINGS

On the civil side, statewide filings through June decreased by 628 (5 percent) from 11,600 in the first half of 2011 to 10,972 for the comparable time period in 2012. Filings decreased in all divisions, with the exception of Third Division, where they rose by 17 percent (544). Abuse filings dropped by 98, representing a 23 percent decrease over last year. In addition, small claims decreased compared to a year ago. Overall, the number of statewide small claims filed declined by 1,497 (21 percent), from 7,024 to 5,527.

### CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 93 percent, while small claims dispositions exceed filings for the first half of the year.



# Workers' Compensation Court

## PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court during the first half of 2012 decreased slightly (28) from last year. A year ago there were 3,698 petitions filed through June, and this year there were 3,670, a decline of only 1 percent.

Based on the type of case, some petitions decreased compared to a year ago, while others increased. Employer petitions decreased by 54 (8 percent), lump sum settlements by 27 (6 percent), petitions for medical by 47 (48 percent) and original petitions dropped by just 1 (less than 1 percent).

On the contrary, employee petitions increased by 23 (2 percent), miscellaneous petitions rose by 9 (9 percent), petitions to enforce by 68 (21 percent), and petitions for second injury increased by 1 from zero last year.

## PETITIONS DISPOSED

Through the second quarter, filings (3,670) exceeded dispositions (3,607), resulting in a 98 percent disposition rate. Cases disposed at the pretrial stage

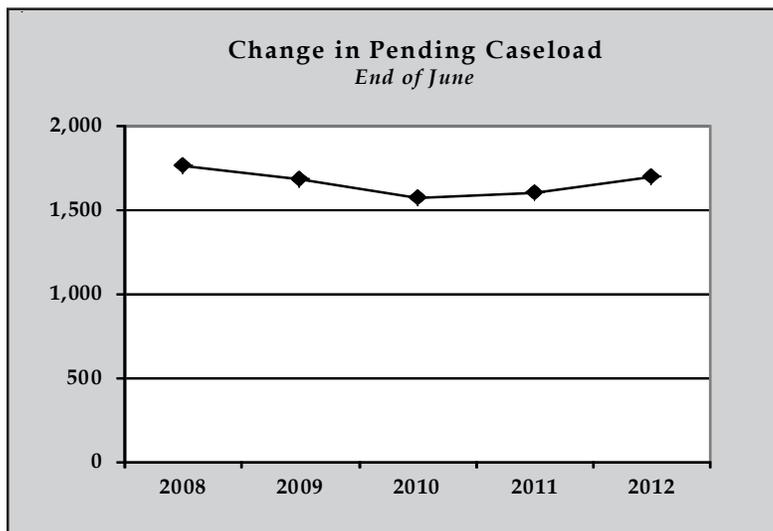
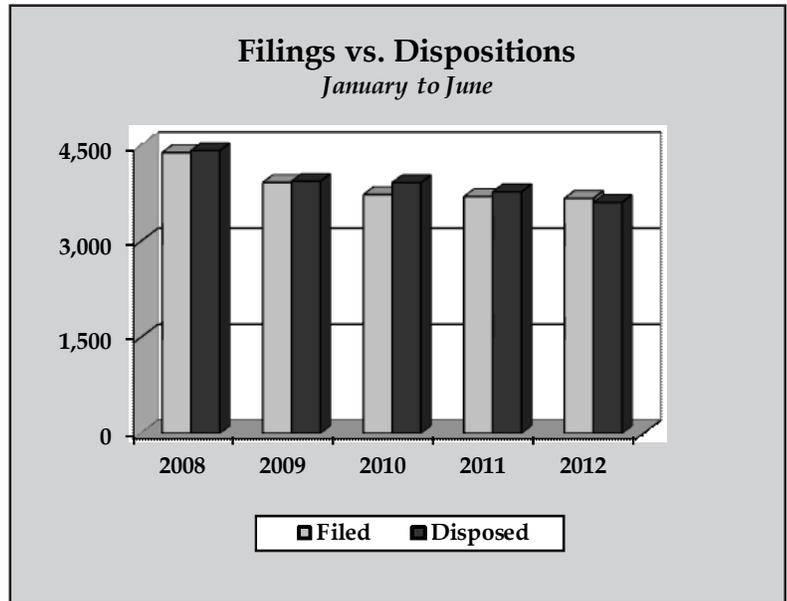
accounted for 74 percent of the total, a percentage that has remained the same for the past two years.

## 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 of filing (88 percent) was the same percentage as a year ago. At trial, 90 percent of the cases were handled within 360 days, again, the same percentage as last year.

## PENDING CASELOAD

Compared to last year, the total number of petitions pending rose from 1,603 to 1,697, an increase of 94 (6 percent). Similarly, the number pending trial increased by 74 (11 percent) from 681 to 755. The petitions pending trial over 270 days increased by 10 percent from 231 to 254, representing 34 percent of the total number pending trial.



# Rhode Island Traffic Tribunal

## SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) increased during the first half of 2012, rising by 33 percent from 40,175 last year to 53,584. RITT summonses accounted for 61 percent of the total summonses issued this period.

Consistent with the overall increase in RITT summonses, there was an increase in breathalyzer refusals, rising by 18 percent (141). On the contrary, insurance violations decreased, dropping by 4 percent (206), compared to last year.

## SUMMONSES DISPOSED

During the first half of 2012, RITT dispositions exceeded filings, resulting in a disposition rate of 101 percent. Payments by mail represented 29 percent of total dispositions and rose by 3,241 (26 percent) over last year's figure. The remaining 71 percent were disposed by court hearings, which increased by 34 percent (9,813) compared to last year.

<i>Filings</i>	2008	2009	2010	2011	2012
Total Summonses Issued *	105,777	79,544	75,656	73,661	88,205
RITT Summonses Issued	49,557	46,671	44,371	40,175	53,584
Total Violations	59,740	56,293	54,355	49,345	64,272
<b><i>RITT Dispositions</i></b>					
Court Hearings	32,279	31,617	29,764	28,698	38,511
Payments by Mail	18,406	16,697	14,389	12,557	15,798
<b>Total Disposed</b>	<b>50,685</b>	<b>48,314</b>	<b>44,153</b>	<b>41,255</b>	<b>54,309</b>
* Includes summonses issued to both RITT and municipal courts.					

## TIME TO DISPOSITION

The RITT has adopted 60 days as the goal for disposing summonses, which measures the time from the initial appearance to disposition. In the first half of the year, 96 percent of all dispositions met this guideline. Furthermore, 77 percent of breathalyzer refusals and 93 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) 27 percent of all violations disposed occurred prior to arraignment, while another 55 percent occurred at arraignment. Also, 81 percent of insurance violations and 26 percent of breathalyzer refusal matters were disposed at or before arraignment.

## PENDING CASELOAD

The total number of summonses pending at the end of June rose by 26 percent (449), increasing from 1,725 last year to 2,174. Of this number, 1,633 (75 percent) were pending over 60 days. On the contrary, the number of appeals pending at the end of the period dropped by 1 percent, from 77 last year to 76.

