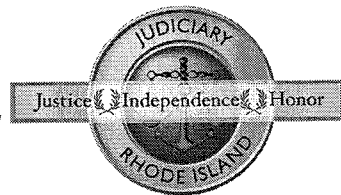


Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 30, No. 1, March 2009

HIGHLIGHTS

THROUGH THE FIRST QUARTER OF 2009

SUPREME COURT APPEALS
INCREASED BY 34% COMPARED
TO LAST YEAR.

SUPERIOR COURT FELONY
FILINGS INCREASED BY 5%
FROM A YEAR AGO.

FAMILY COURT CHILD PRO-
TECTION DISPOSITIONS EX-
CEEDED FILINGS DURING THE
FIRST QUARTER.

DISTRICT COURT SMALL
CLAIMS DISPOSITIONS
EXCEEDED FILINGS DURING
THE QUARTER.

WORKERS' COMPENSATION
COURT PENDING CASES
DROPPED BY 7% FROM A YEAR
AGO.

95% OF **TRAFFIC TRIBUNAL**
SUMMONSES WERE DISPOSED
WITHIN 60 DAYS.

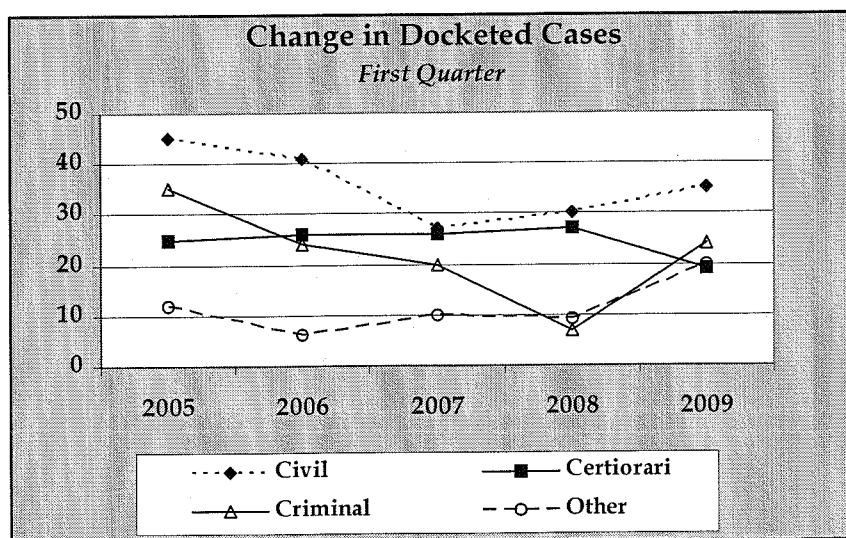
Supreme Court

This report covers the first quarter of the calendar year 2009. There were 98 Supreme Court cases docketed this quarter which was 25 (34 percent) more than those docketed during the first quarter of last year.

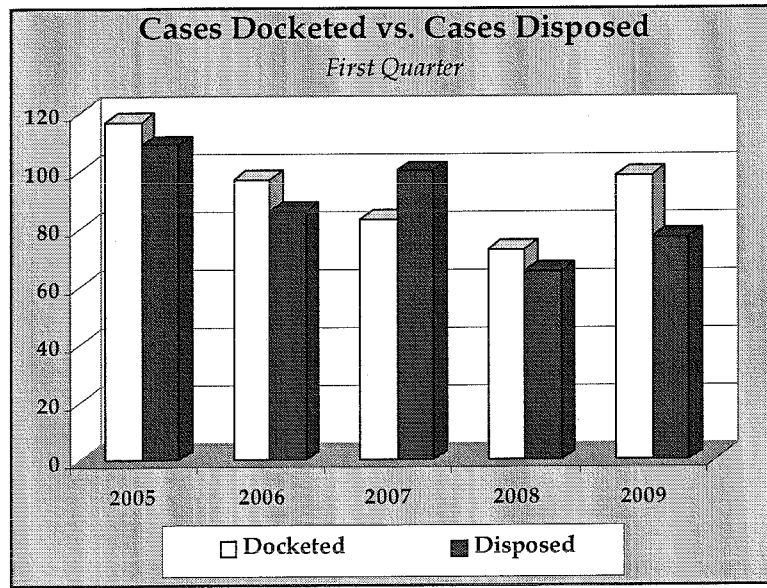
Criminal appeals contributed to the increase in Supreme Court filings, rising by 17 (243 percent) from 7 last year to 24 for the first quarter of 2009. It should be noted that the

number last year (7) was significantly fewer than previous years and that this year's figure of 24 is more consistent with recent years past. Both civil and miscellaneous appeals also rose by 5 (17 percent) and 11 (122 percent), respectively. On the other hand, petitions for writ of certiorari dropped over last year by 8 (30 percent).

Like 2008, new appeals exceeded dispositions for this quarter.



The number of appeals disposed was 77, which was 21 fewer than were docketed, representing a 79 percent disposition rate. As explained in more detail below, 6 (8 percent) of the 77 dispositions occurred during some stage of the Appellate Mediation Program (AMP).



Of the 77 dispositions during the quarter, 38 (49 percent) of the appeals were disposed before argument, 27 (35 percent) were disposed after show cause, and the remaining 12 (16 percent) were disposed after full oral arguments. During the first quarter, the Supreme Court published 39 written decisions, including 5 orders and 34 opinions. Of the 77 dispositions through March, 24 percent were disposed within 180 days, and a total of 38 percent were disposed within 300 days.

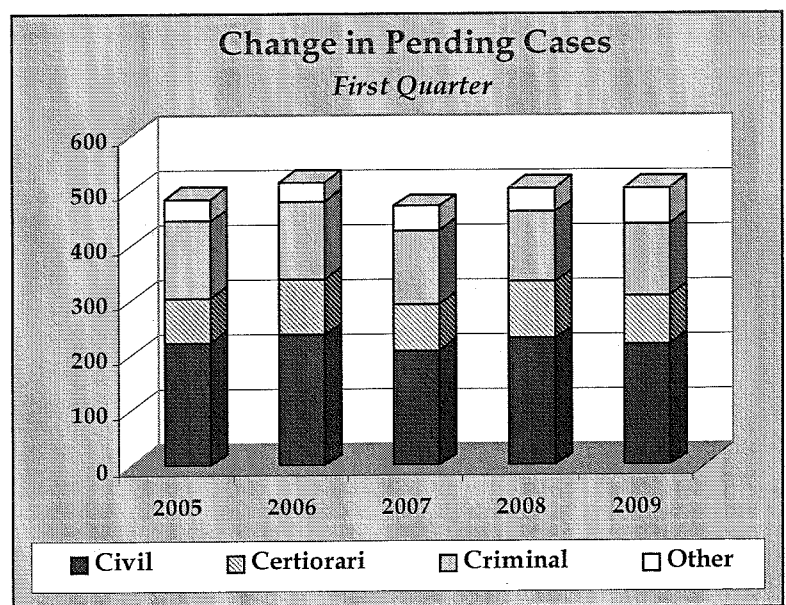
At the end of the period, the pending caseload was 503, a decrease of 1 (less than 1 percent) compared

to last year (504). This was the result of an increase in criminal and miscellaneous appeals, combined with decreases in the civil and certiorari categories. Compared to last year, pending criminal appeals rose by 4 (3 percent), while pending miscellaneous appeals increased by 21 (49 percent).

Pending certiorari appeals dropped by 15 (15 percent), and civil appeals pending declined by 9 (4 percent).

During the first quarter, there were 36 new cases added to the AMP. Of the 36 new cases added, 16 were deemed either ineligible or inappropriate. During this time period, 6 cases were disposed at some stage in the mediation process, representing a 30 percent disposition rate. Five of the 6 dispositions were settled at or after mediation, while the remaining 1 was dismissed or withdrawn at an earlier stage in the mediation process.

As of March 31, 2009, there were 37 cases active in the program.



Superior Court

Statewide felony filings in Superior Court increased in the first quarter of 2009 compared to last year. The number filed rose by 74 (5 percent) from 1,444 to 1,518. Felony filings increased in Providence/Bristol and Kent Counties, but declined in both Washington and Newport Counties. In Providence/Bristol County, felony filings increased by 94 (9 percent), while in Kent County, they rose by 14 (8 percent). In Washington County, felony filings declined by 24 (17 percent); and in Newport County, they dropped by 10 (12 percent).

Overall, felony filings exceeded dispositions with the statewide disposition rate of 95 percent. In Providence/Bristol County, the disposition rate was 96 percent; in Kent County, it was 85 percent; and in Washington County, the rate was 81 percent. In Newport County, dispositions exceeded filings resulting in a disposition rate of 124 percent.

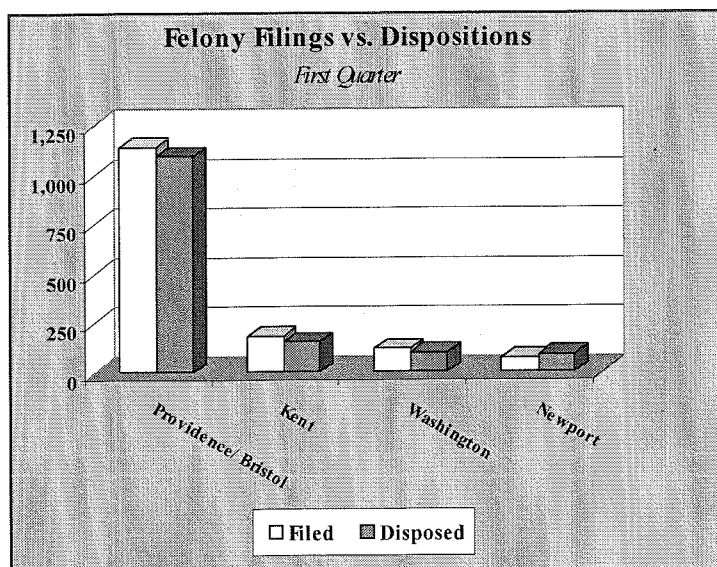
The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly

<i>Felony Filings</i>	2005	2006	2007	2008	2009
Providence/ Bristol	928	1,119	1,269	1,047	1,141
Kent	200	236	195	168	182
Washington	111	193	131	145	121
Newport	97	103	76	84	74
Total	1,336	1,651	1,671	1,444	1,518
<i>Misdemeanor Filings</i>					
Providence/ Bristol	32	33	40	37	15
Kent	6	12	6	10	8
Washington	4	8	14	4	4
Newport	3	6	9	20	17
Total	45	59	69	71	44
<i>Civil Cases added to the Trial Calendar</i>					
Providence/ Bristol	381	321	300	356	294
Kent	76	71	59	70	72
Washington	45	50	38	37	39
Newport	43	29	24	36	25
Total	545	471	421	499	430

62 percent of the cases during the first quarter of 2009. Newport County handled 71 percent of its felony caseload within 180 days. Kent County met the 180 day guideline in 87 percent of the felonies disposed through March. Washington County achieved it in 76 percent of the cases, and in Providence/Bristol County, the figure was 47 percent.

The number of felonies pending statewide totaled 2,663 at the end of March, up 22 percent (480) from last year. Of the 2,663 felonies pending, 43 percent had been pending over 180 days from filing. Providence/Bristol County had 1,066 cases over 180 days old; Washington County had 18; and both Kent and Newport Counties had 28.

Misdemeanor appeals in the first quarter decreased by 27 (38 percent), dropping from 71 last year to 44 in 2009.



All counties experienced a decline in misdemeanor filings except Washington County where the number remained the same (4). Misdemeanor appeals in Providence/Bristol County dropped by 22 (59 percent); in Kent County, they decreased by 2 (20 percent); and in Newport County, the decline was 3 (15 percent).

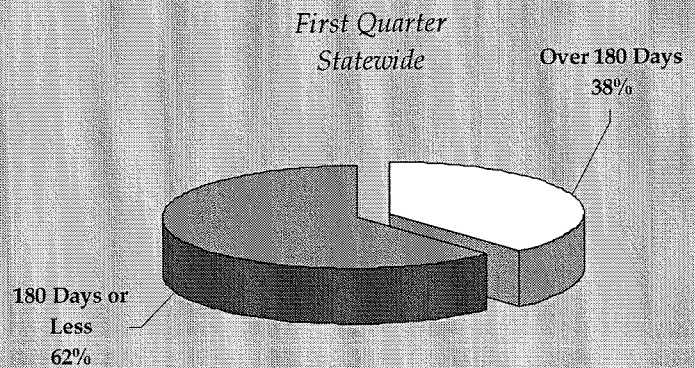
Misdemeanor dispositions exceeded filings statewide with a disposition rate exceeding 100 percent. In Providence/Bristol, Kent, and Newport Counties, dispositions exceeded filings. In Washington County, the misdemeanor disposition rate was exactly 100 percent as they had 4 filings and 4 dispositions during the first quarter of 2009. At the end of March, there were 162 misdemeanor appeals pending statewide, down 15 (8 percent) from 177 last year. Of the 162 pending misdemeanors, 80 percent (128) were over 90 days old.

Civil filings totaled 2,692 for the first quarter, decreasing by 773 (22 percent) compared to last year. With respect to civil dispositions through March, the number declined from 1,697 in 2008 to 1,613 in 2009, a drop of 84 (5 percent).

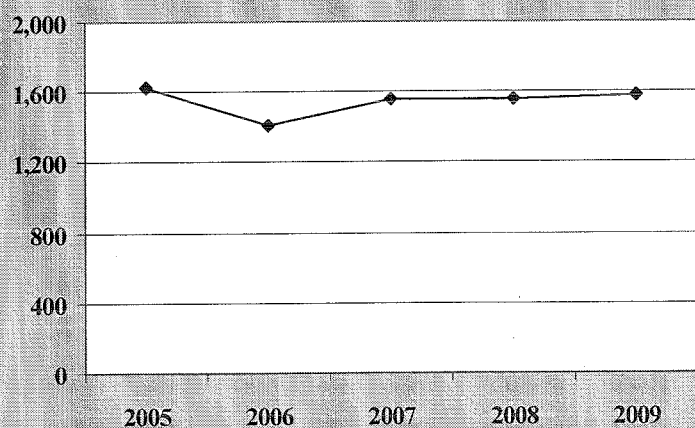
Consistent with the decrease in civil filings, the number of cases added to the civil trial calendar through March declined by 69 (14 percent) compared to the first quarter last year. The number of cases added in Providence/Bristol County dropped by 62 compared to last year, while the number in Newport County decreased by 11. On the contrary, cases added to the civil trial calendar increased by 2 cases in both Kent and Washington Counties.

All counties disposed more civil cases than were added to the calendar in the first quarter except Providence/

Time from Filing to Disposition for Felony Cases



Civil Trial Calendar Pending Caseload Providence/ Bristol County First Quarter



Bristol County where the disposition rate was 89 percent. At the end of the quarter, the number of cases pending trial statewide increased by 71 (almost 4 percent). In Providence/Bristol County, the number of civil cases pending trial increased by 21; in Kent County, the number increased by 24; and in Washington County, they rose by 38. Conversely, in Newport County, the number of cases pending declined by 12.

Family Court

In the first quarter of 2009, Family Court juvenile filings decreased by 11 percent compared to last year, declining by 319 from 2,923 to 2,604. There were some variations from last year based on the type of case. In two of the main categories, dependency/neglect/abuse (DNA) and adoption/guardianship petitions, there was an increase in filings by 3 (1 percent) and 14 (13 percent), respectively. The remaining four categories all decreased; termination of parental rights (TPR) petitions by 16 (15 percent), wayward/delinquent petitions by 266 (13 percent), violations by 51 (20 percent), and the general category "other" by 3 (21 percent).

When reviewing filings by location, juvenile filings in the first quarter were lower in all counties, except Newport County, compared to a year ago. In Providence/Bristol County, juvenile filings dropped by 257 (12 percent); in Kent County, they declined by 80 (18 percent); and in Washington County, they decreased by 2 (1 percent). In Newport County, juvenile filings increased by 20 (14 percent).

In the wayward/delinquent category which includes

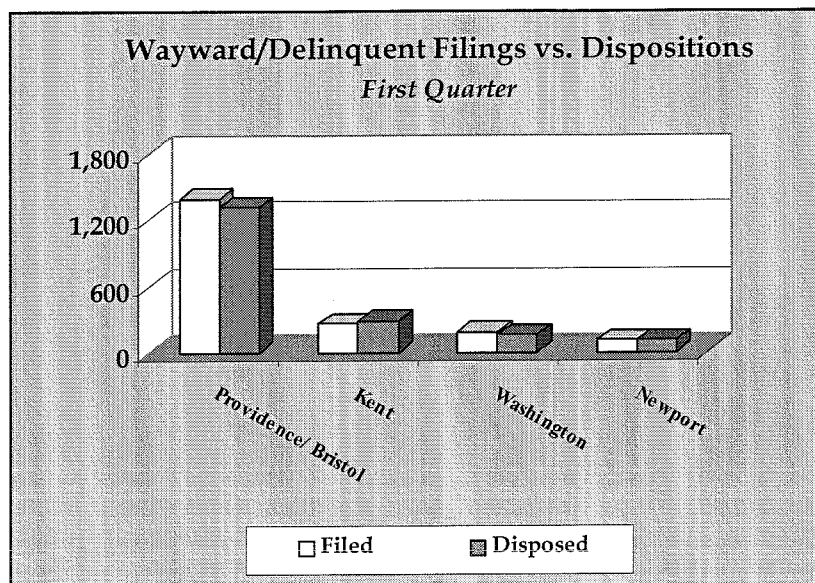
<i>Juvenile Filings by Case Type</i>	2005	2006	2007	2008	2009
Wayward/ Delinquent	1,889	1,954	2,060	2,014	1,748
Dependency/ Neglect/ Abuse	431	629	508	422	425
Termination of Parental Rights	129	100	97	109	93
Adoption/ Guardian	155	141	112	105	119
Violations	227	265	295	259	208
Other	12	21	12	14	11
Total	2,843	3,110	3,084	2,923	2,604
<i>Juvenile Filings by County</i>					
Providence/ Bristol	2,024	2,246	2,218	2,123	1,866
Kent	438	467	514	442	362
Washington	233	245	224	219	217
Newport	148	152	128	139	159
Total	2,843	3,110	3,084	2,923	2,604
<i>Divorce Filings by County</i>					
Providence/ Bristol	782	842	800	796	741
Kent	203	198	191	188	188
Washington	145	158	124	125	131
Newport	86	115	91	92	72
Total	1,216	1,313	1,206	1,201	1,132
<i>Abuse Filings</i>					
Courtwide	540	529	519	529	506

violations of probation and court orders, the statewide disposition rate was 96 percent. In Kent County, wayward/delinquent dispositions exceeded filings. In Providence/Bristol County the disposition rate for the wayward/delinquent category was 95 percent; in Washington County, it was 87 percent; and in Newport County, it was 96 percent. In the child protection category, statewide dispositions exceeded filings. Also, in Providence/Bristol, Kent, and Washington Counties, dispositions exceeded filings. In Newport County, the disposition rate for child protection cases was 86 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. In the quarter, Providence/Bristol County adjudicated 69 percent of its wayward/delinquent cases within 180 days (again with violations included). In Kent County, 68 percent of the cases were handled within the guideline; in Washington County, 64 percent were adjudicated within 180 days; and in Newport County, it was 76 percent. For wayward/delinquent cases handled informally, the goal is 45 days. Through March, 90 percent of the cases met this goal; while 98 percent were handled within 90 days.

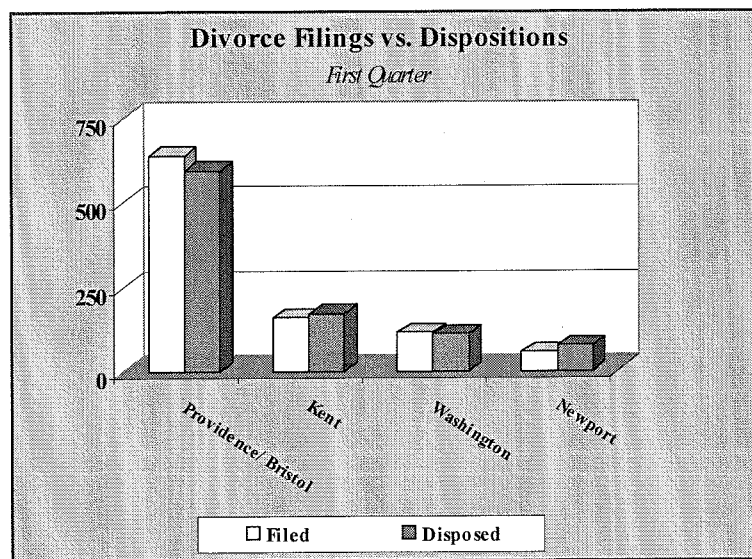
In child protection cases statewide, Family Court met the 180 day guideline in 73 percent of the cases for TPR and in 45 percent of the cases for DNA matters. A specific area the court monitors closely is the cases pending on the



contested TPR calendar in Providence/Bristol County. At the end of March, 56 cases, representing 37 families, remained on this calendar, and 11 were over 180 days old.

On the domestic side, divorce filings were lower than last year in Providence/Bristol and Newport Counties. Statewide the number filed decreased by only 69 (6 percent). Divorce dispositions exceeded filings in both Kent and Newport Counties. The disposition rate in Providence/Bristol County was 93 percent, and in Washington County, it was 96 percent.

At the end of the quarter, the total number of divorce cases pending over a year was 41 statewide. Providence/Bristol County had 31 divorce cases pending over one year, while Washington County had only 1. In Newport County, the total was 6, and in Kent County, there were 3.



District Court

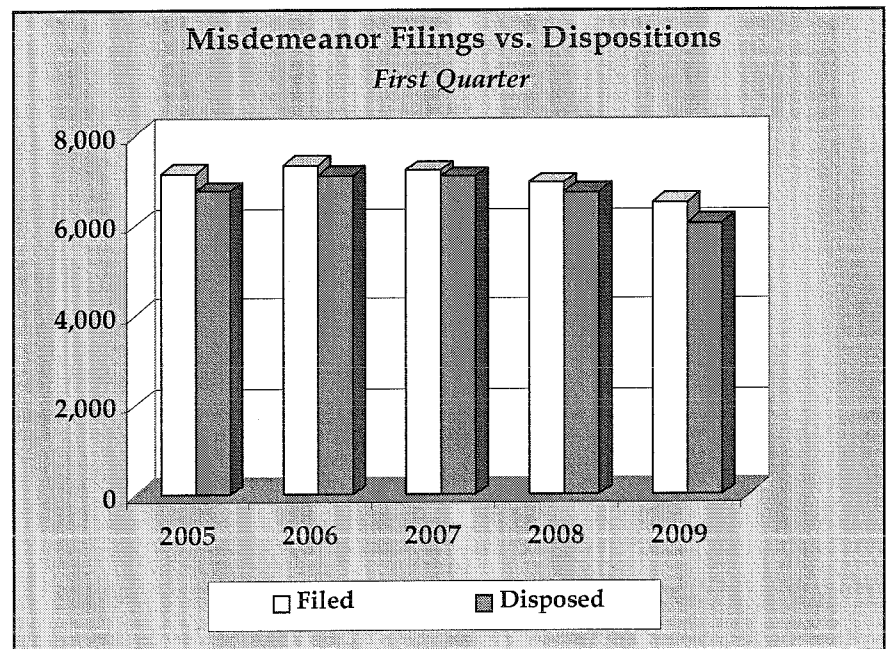
In District Court, misdemeanor filings declined during the first quarter compared to last year. The total number filed dropped from 6,944 last year to 6,512, a decrease of 432 (6 percent). Filings were lower in every division. In the Second Division, misdemeanor filings decreased by 2 (less than ¼ percent); in the Third Division, they dropped by 18 (1 percent); in the Fourth Division, they declined by 137 (15 percent); and in the Sixth Division, they decreased by 275 (8 percent).

The 6,521 statewide misdemeanor case filings in the quarter were comprised of 8,503 individual counts. In the Second Division, the 579 misdemeanor cases filed represented 728 counts, while the Third Division misdemeanor case filings (1,795) resulted in 2,416 counts. Furthermore, the 776 misdemeanor cases filed in the Fourth Division included 1,085 counts, and in the Sixth Division, the 3,362 misdemeanor case filings comprised of 4,274 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 March. The Second Division had a disposition rate of 89 percent. In the Third Division, the rate was 98 percent, and in both the Fourth and Sixth Divisions, the

disposition rate was 96 and 90 percent, respectively.

The court's goal is to dispose of misdemeanors within 60 days of filing. This quarter the Second Division handled 78 percent of their misdemeanor caseloads within 60 days. In the Third Division, 84 percent of the misdemeanors were disposed within the 60 days; in the Fourth



Division, they met the 60 day goal 76 percent of the cases; while the Sixth Division met the 60 day guideline in 81 percent of its misdemeanor cases.

At the end of the first quarter, there were a total of 4,006 misdemeanors pending; 42 percent were less than 60 days old, and another 15 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 385; in the Third

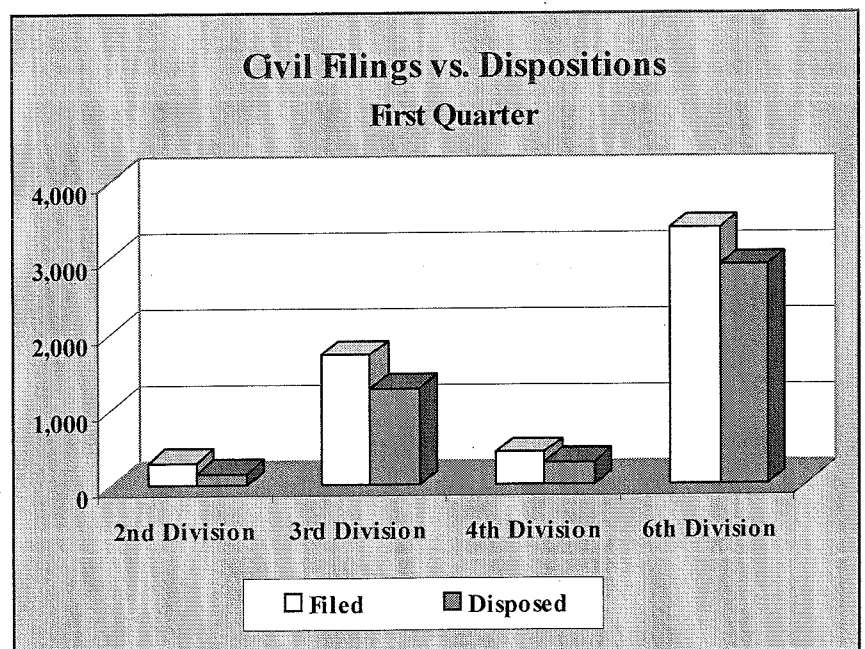
Misdemeanor Filings	2005	2006	2007	2008	2009
Second	474	527	565	581	579
Third	1,192	1,312	1,942	1,813	1,795
Fourth	1,004	952	889	913	776
Sixth	4,482	4,553	3,815	3,637	3,362
Total	7,152	7,344	7,211	6,944	6,512
Felony Filings					
Courtwide	1,820	2,010	2,028	1,806	1,694
Civil Filings					
Second	302	278	318	372	297
Third	587	618	1,311	1,281	1,714
Fourth	270	309	383	473	420
Sixth	3,236	3,504	3,665	4,257	3,379
Total	4,395	4,709	5,677	6,383	5,810
Small Claims					
Second	286	229	279	248	162
Third	521	522	1,627	1,951	1,842
Fourth	347	341	379	445	328
Sixth	3,193	3,468	3,034	3,549	2,496
Total	4,347	4,560	5,319	6,193	4,828
Abuse Filings					
Courtwide	170	151	179	240	244

On the civil side, statewide filings through March declined by 573 (9 percent) from 6,383 in the first quarter of 2008 to 5,810 for the comparable time period in 2009. Civil filings decreased in every division except the Second Division where they rose by 433 (34 percent). Abuse filings rose by 4, representing a 2 percent increase over last year. In addition, small claims decreased compared to a year ago. Overall, the number of small claims filed dropped by 1,365 (22 percent) and was lower in every division compared to last year.

The statewide disposition rate for civil cases was 79 percent, up from 70 percent last year. Also, the disposition rate for small claims increased from 67 percent in 2008 to 114 percent this year.

Division, it was 975; it was 67 in the Fourth Division and 902 in the Sixth Division. The total number of misdemeanors over 60 days old was 2,329, up from 1,598 a year ago.

Felony filings in the first quarter of 2009 decreased over last year's figures. Felony filings dropped from 1,806 to 1,694, representing a 6 percent decline statewide. The number filed dropped by 159 (14 percent) in the Sixth Division and by 29 (19 percent) in the Fourth Division. In contrast, felony filings increased by 75 (20 percent) in the Second Division and by only 1 (less than 1 percent) in the Second Division.

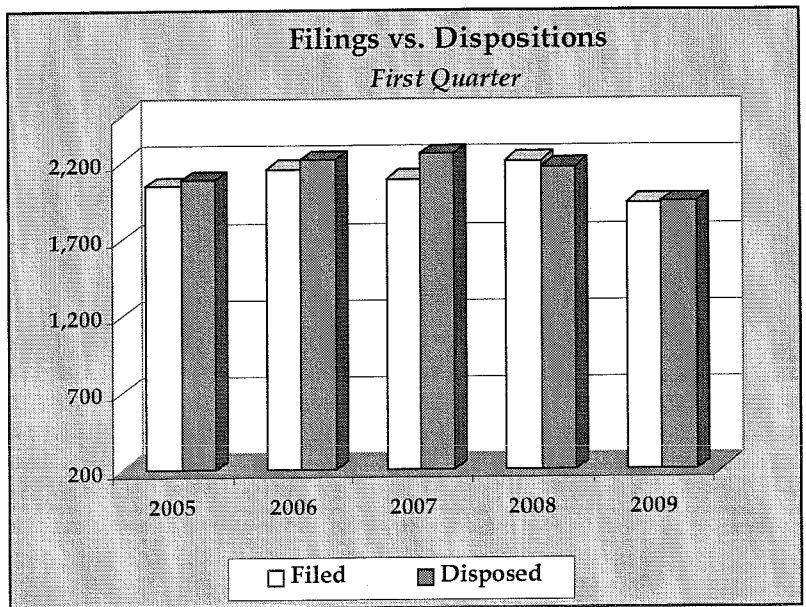


Workers' Compensation Court

The number of petitions filed in the Workers' Compensation Court during the first quarter decreased by 277 from last year. A year ago there were 2,208 petitions filed through March, and this year there were 1,931, a difference of 13 percent.

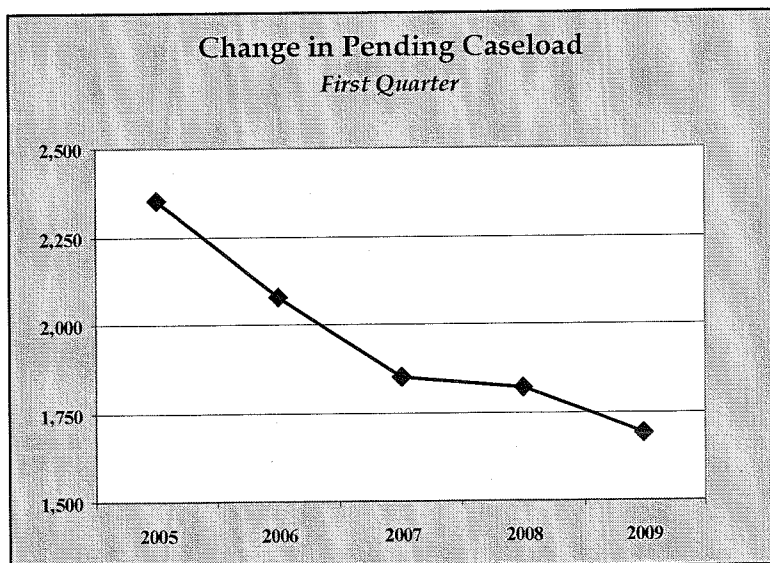
Based on type of case, employer petitions, lump sum settlements, medical payments, petitions to enforce, original petitions, and miscellaneous petitions all decreased compared to a year ago. Employer petitions dropped by 66 (16 percent), lump sum settlements by 34 (16 percent), medical payments by 48 (84 percent), petitions to enforce declined by 24 (10 percent), original petitions by 83 (12 percent), and miscellaneous petitions by 27 (31 percent). On the contrary, employee petitions increased by 5 (1 percent) over last year.

Unlike last year, dispositions exceeded filings dur-



ing the first quarter. The number disposed (1,941) was 10 more than the number filed (1,931). At the pretrial stage, dispositions accounted for 77 percent of the total, a slightly higher percentage than last year (75 percent). The percentage of cases disposed at pretrial within 30 days of filing (67 percent) was higher than a year ago (62 percent). At trial, 86 percent of the cases were handled within 270 days.

Compared to last year, the total number of petitions pending dropped from 1,822 to 1,691, a decrease of 131 (7 percent). Similarly, the number pending trial dropped from 783 to 727, a decrease of 56 (7 percent). In addition, the petitions pending trial over 270 days declined by 10 percent from 252 to 227, representing 31 percent of the total number pending trial.



Rhode Island Traffic Tribunal

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased slightly during the first quarter of 2009, dropping by 3 percent from 24,444 last year to 23,677. RITT summonses accounted for 65 percent of the total summonses issued this period.

The slight decline in RITT summonses was reflected in one of the two major categories that are tracked, breathalyzer refusals. While breathalyzer refusals decreased by 73 (16 percent) compared to last year, insurance violations increased by 36 (2 percent).

RITT summonses exceeded dispositions minimally by only 49, representing a disposition rate of nearly 100 percent. Payments by mail represented 34 percent of total dispositions, and the remaining 66 percent were disposed

by court hearings.

The RITT has adopted 60 days from initial appearance as the goal for disposing summonses, and in the first quarter, 95 percent of all dispositions met this guideline. Furthermore, 73 percent of breathalyzer refusals and 90 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. Also, 80 percent of insurance violations and 40 percent of breathalyzer refusal matters were disposed at or before arraignment.

The total number of summonses pending at the end of March was 1,976, a 29 percent reduction compared to last year (2,800). Of the 1,976 summonses pending, 1,284 (65 percent) were pending over 60 days, down significantly from 80 percent last year.

<i>Filings</i>	2005	2006	2007	2008	2009
Total Summonses Issued *	50,155	61,246	57,052	50,221	36,179
RITT Summonses Issued	25,452	32,098	28,212	24,444	23,677
Total Violations	31,708	38,543	34,362	29,216	28,176
<i>RITT Dispositions</i>					
Court Hearings	16,366	19,303	19,132	16,282	15,501
Payments by Mail	10,911	12,585	10,724	9,168	8,127
Total Disposed	27,277	31,888	29,856	25,450	23,628

* Includes summonses issued to RITT and municipal courts.

