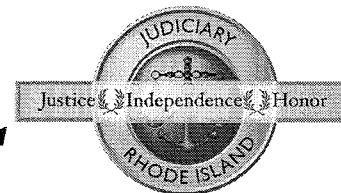


# Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 32, No. 1, March 2011

## HIGHLIGHTS

### THROUGH THE FIRST QUARTER OF 2011

**SUPREME COURT** DISPOSITION RATE WAS 98%, UP FROM 64% LAST YEAR.

IN **SUPERIOR COURT**, FELONY DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

**FAMILY COURT** DIVORCE FILINGS INCREASED BY 5%, COMPARED TO LAST YEAR.

**DISTRICT COURT** SMALL CLAIMS FILINGS INCREASED BY 23% FROM A YEAR AGO.

FOR THE THIRD CONSECUTIVE YEAR, **WORKERS' COMPENSATION COURT** DISPOSITIONS EXCEEDED FILINGS DURING THE QUARTER.

**TRAFFIC TRIBUNAL** PENDING SUMMONSES DECREASED BY 22% COMPARED TO LAST YEAR.

## Supreme Court

### FILINGS

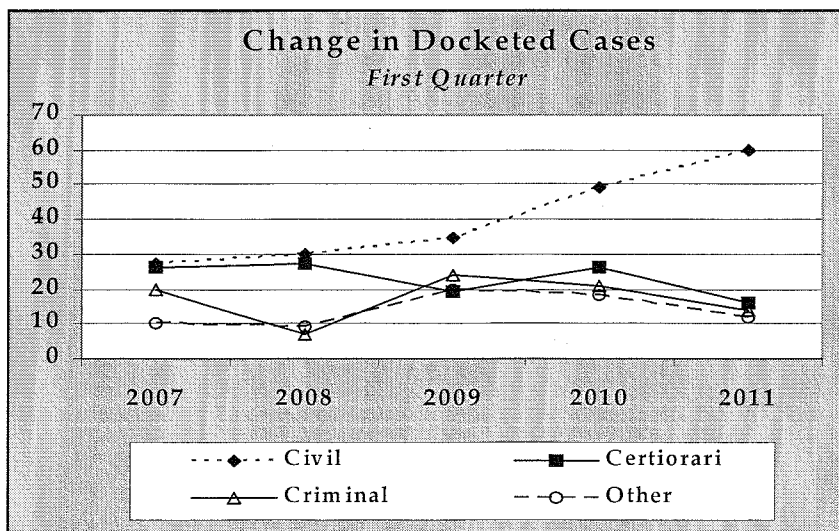
This report covers the first quarter of calendar year 2011. There were 102 Supreme Court cases docketed this quarter which was 12 (11 percent) fewer than those docketed during the first quarter of last year.

For the first quarter all Supreme Court filings decreased, with the exception of civil appeals, which rose by 11 (22 percent). Certiorari appeals dropped by 10 (38 percent)

from 26 to 16, while both criminal and miscellaneous appeals decreased by 33 percent (7 and 6, respectively).

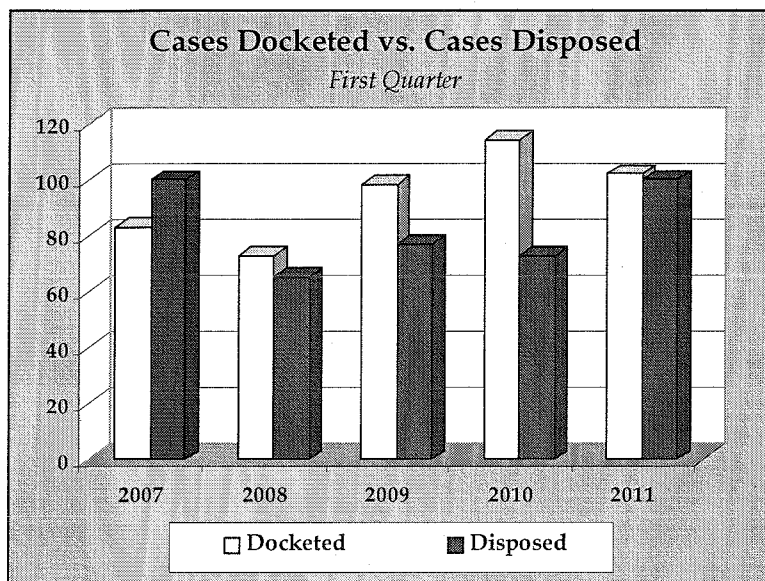
### DISPOSITIONS

Like the past two years, new appeals exceeded dispositions for this quarter. The number of appeals disposed was 100, which was only 2 fewer than those docketed, representing a 98 percent disposition rate, a significant increase from last year's rate of 64 percent. As explained in more



detail below, 6 (6 percent) of the 100 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

Of the 100 dispositions during the quarter, 62 (62 percent) of the appeals were disposed before argument,



27 (27 percent) were disposed after show cause, and the remaining 11 (11 percent) were disposed after full oral arguments. During the first quarter, the Supreme Court published 38 written decisions, consisting of 33 opinions and 5 orders. Of the 100 dispositions through March, 34 percent were disposed within 180 days, and a total of 47 percent were disposed within 300 days.

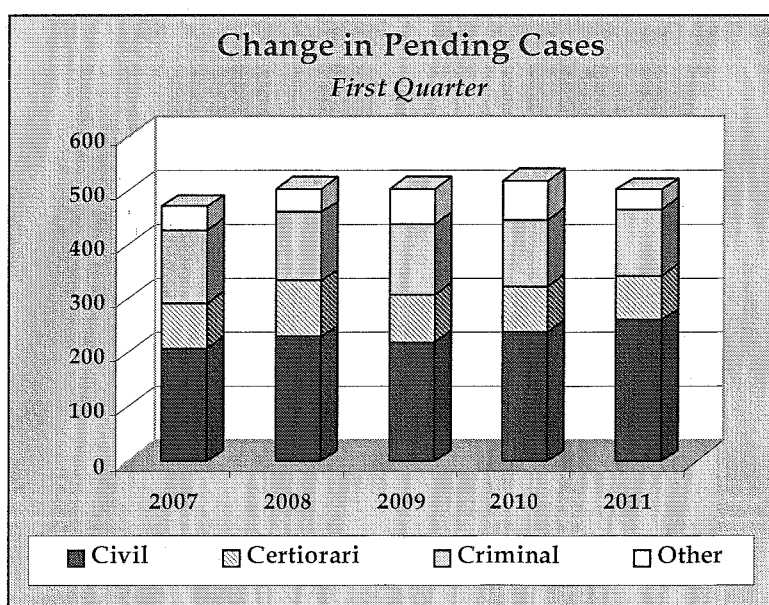
## PENDING CASELOAD

At the end of the period, the pending caseload was 501, a decrease of 18 (3 percent) compared to last year (519). This was the result of increases in pend-

ing criminal and civil appeals, combined with decreases in the certiorari and miscellaneous categories. Compared to last year, pending miscellaneous appeals declined by 37 (50 percent), and certiorari appeals dropped by just 3 (4 percent). Pending civil appeals increased by 21 (9 percent) and criminal appeals by just 1 (1 percent).

## APPELLATE MEDIATION

During the first quarter, there were 44 new cases screened through the AMP. Of the 44 new cases screened, 25 were deemed either ineligible or inappropriate. During this time period, 6 cases were disposed at some stage in the mediation process, representing a 32 percent disposition rate. Five of the 6 dispositions were settled at or after mediation, while the remaining one was dismissed or withdrawn at an earlier stage in the mediation process. As of March 31, 2011, there were 27 cases active in the program.



# Superior Court

## FELONY FILINGS

Statewide felony filings in Superior Court decreased in the first quarter of 2011 compared to last year. The number filed declined by 208 (13 percent) from 1,589 to 1,381. Felony filings dropped in all counties, with the exception of Kent County, where they increased by 74 (46 percent). Newport County saw the largest decline, decreasing by 86 (61 percent), while Washington and Providence Counties dropped by 92 and 104 (44 and 10 percent), respectively.

## FELONY DISPOSITIONS

Overall, felony dispositions exceeded filings, resulting in a disposition rate over 100 percent. Similarly, dispositions exceeded felony filings in all counties, with the exception of Washington County, where the disposition rate was 74 percent.

## TIME TO DISPOSITION: FELONIES

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 65 percent of the cases during the first quarter of 2011. This goal measures the time from when a felony is filed to the case disposition. Newport County handled 67 percent of its felony caseload within 180 days. Kent County met the 180 day guideline in 84 percent of the felonies disposed through March. Washington County

<i>Felony Filings</i>	2007	2008	2009	2010	2011
Providence/Bristol	1,269	1,047	1,141	1,079	975
Kent	195	168	182	161	235
Washington	131	145	121	208	116
Newport	76	84	74	141	55
<b>Total</b>	<b>1,671</b>	<b>1,444</b>	<b>1,518</b>	<b>1,589</b>	<b>1,381</b>
<i>Misdemeanor Filings</i>					
Providence/Bristol	40	37	15	43	19
Kent	6	10	8	12	15
Washington	14	4	4	11	4
Newport	9	20	17	24	5
<b>Total</b>	<b>69</b>	<b>71</b>	<b>44</b>	<b>90</b>	<b>43</b>
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	300	356	294	243	266
Kent	59	70	72	64	67
Washington	38	37	39	42	33
Newport	24	36	25	19	21
<b>Total</b>	<b>421</b>	<b>499</b>	<b>430</b>	<b>368</b>	<b>387</b>

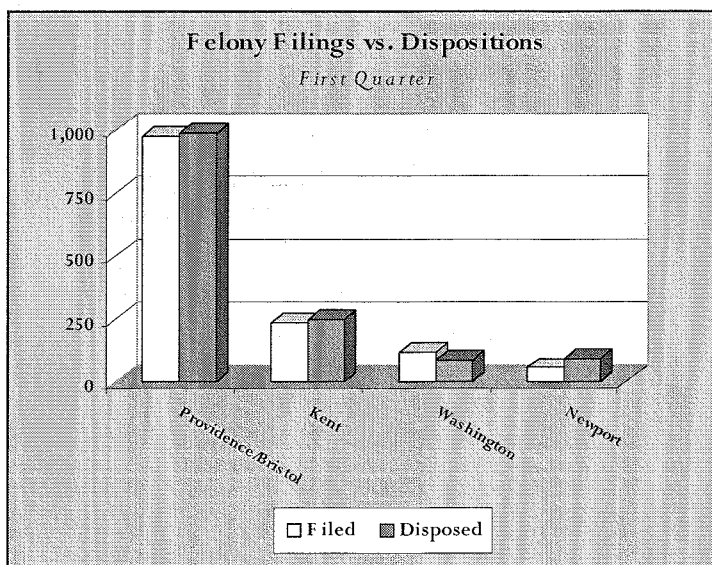
achieved it in 72 percent of the cases, and in Providence/Bristol County, the figure was 58 percent.

## PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 2,959 at the end of March, down by less than 1 percent (12) from last year. Of the 2,959 felonies pending, 48 percent had been pending over 180 days from filing. Providence/Bristol County had 1,318 cases over 180 days old; Washington County had 26; Kent County had 43; and Newport County had 26.

## MISDEMEANOR FILINGS

Misdemeanor appeals in the first quarter have decreased by 47 (52 percent), dropping from 90 last year to 43 in 2011. All counties experienced a decline in misdemeanor filings, with the exception of Kent County, where they increased by 3. Misdemeanor appeals in Providence/Bristol County dropped by 24; in Washington County, they decreased by 7; and in Newport County, the decline was 5.



## MISDEMEANOR DISPOSITIONS

In the first quarter of 2011, misdemeanor dispositions exceeded filings statewide. In Providence/Bristol and Washington Counties, dispositions also exceeded filings, resulting in disposition rates over 100 percent. On the contrary, filings exceeded dispositions in both Kent and Newport Counties. The disposition rate for Kent County was 67 percent, while Newport County had a rate of 80 percent.

## TIME TO DISPOSITION: MISDEMEANORS

The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from filing to disposition. Kent County had the largest percentage of misdemeanors disposed within 90 days (60 percent). Twenty-two percent of Providence County's misdemeanors were disposed within the 90-day time frame, while both Washington and Newport Counties reached the goal in 50 percent of misdemeanor dispositions.

## PENDING MISDEMEANOR CASELOAD

At the end of March, there were 170 misdemeanor appeals pending statewide, down by 3 (less than 1 percent) from 173 last year. Of the 170 pending misdemeanors, 72 percent (122) were over 90 days old.

## CIVIL FILINGS AND DISPOSITIONS

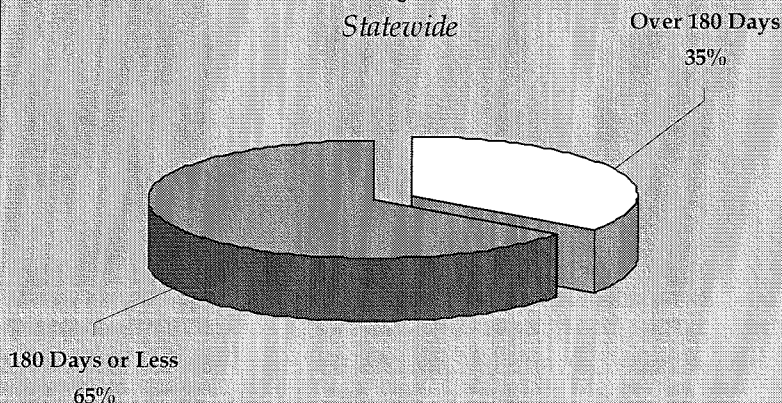
Civil filings totaled 2,566 for the first quarter, decreasing by 253 (9 percent) compared to last year. With respect to civil dispositions through March, the number dropped from 1,793 in 2010 to 1,726 in 2011, a decline of 67 (4 percent).

## CIVIL CASES ADDED AND DISPOSED: TRIAL CALENDAR

Contrary to the decrease in civil filings, the number of cases added to the civil trial calendar through March rose by 19 (5 percent) compared to the first quarter last year. The number of cases added in Providence/Bristol County increased by 23 compared to last year, the number in Newport County rose by 2 and that in Kent County increased by 3. In Washington County, cases added to the civil trial calendar decreased by 9 cases.

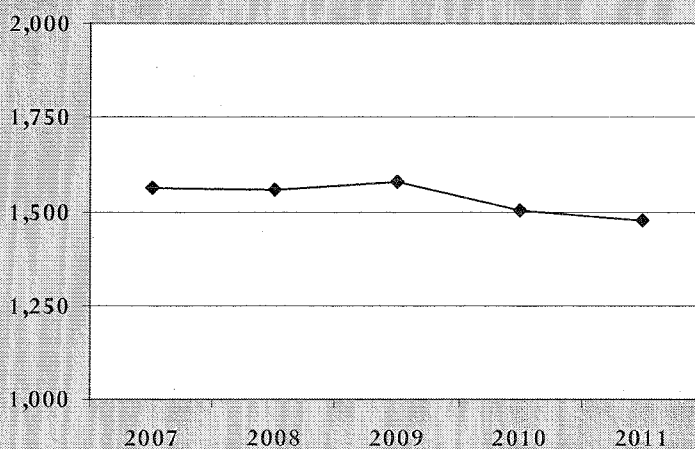
## Time from Filing to Disposition for Felony Cases

*First Quarter  
Statewide*



## Civil Trial Calendar Pending Caseload

*Providence/Bristol County  
First Quarter*



All counties disposed more civil cases than were added to the calendar in the first quarter, with the exception of Kent County, where the disposition rate was 93 percent.

## PENDING CIVIL CASELOAD: TRIAL CALENDAR

At the end of the quarter, the number of cases pending trial statewide decreased by 93 (5 percent). In both Providence/Bristol and Newport Counties, the number of civil cases pending trial dropped by 29, while in Washington County, the number decreased by 40. Conversely, in Kent County, the number of cases pending trial rose by 5.

# Family Court

## JUVENILE FILINGS

In the first quarter of 2011, Family Court juvenile filings decreased by 13 percent compared to last year, declining by 332 from 2,577 to 2,245. There was a decline in all case types from last year, with the exception of adoption/guardianship filings, which rose by 12 (10 percent). The remaining 5 categories all decreased; termination of parental rights (TPR) petitions dropped by 22 (28 percent), wayward/delinquent petitions by 268 (16

percent), dependency/neglect/abuse (DNA) by 6 (2 percent), violations by 38 (16 percent), and the general category of other by 10 (43 percent).

When reviewing filings by location, juvenile filings in the first quarter were lower in all counties, compared to a year ago. In Newport County, juvenile filings dropped by 27 (18 percent); in Kent County, they declined by 39 (13 percent); in Washington County, they decreased by 22 (11 percent); and in Providence/Bristol County, juvenile filings dropped by 244 (13 percent).

## JUVENILE DISPOSITIONS

In the wayward/delinquent category, including violations of probation and court orders, dispositions exceeded

<i>Juvenile Filings by Case Type</i>	2007	2008	2009	2010	2011
Wayward/Delinquent	2,060	2,014	1,748	1,724	1,456
Dependency/Neglect/Abuse	508	422	425	391	385
Termination of Parental Rights	97	109	93	80	58
Adoption/Guardian	112	105	119	117	129
Violations	295	259	208	242	204
Other	12	14	11	23	13
<b>Total</b>	<b>3,084</b>	<b>2,923</b>	<b>2,604</b>	<b>2,577</b>	<b>2,245</b>
<i>Juvenile Filings by County</i>					
Providence/Bristol	2,218	2,123	1,866	1,908	1,664
Kent	514	442	362	310	271
Washington	224	219	217	209	187
Newport	128	139	159	150	123
<b>Total</b>	<b>3,084</b>	<b>2,923</b>	<b>2,604</b>	<b>2,577</b>	<b>2,245</b>
<i>Divorce Filings by County</i>					
Providence/Bristol	800	796	741	773	810
Kent	191	188	188	204	220
Washington	124	125	131	142	132
Newport	91	92	72	79	93
<b>Total</b>	<b>1,206</b>	<b>1,201</b>	<b>1,132</b>	<b>1,198</b>	<b>1,255</b>
<i>Abuse Filings</i>					
Courtwide	519	529	506	551	569

filings statewide. Similarly, dispositions exceeded filings in all counties, except Providence/Bristol County where filings exceeded dispositions by only 3, resulting in a disposition rate just shy of 100 percent. Like last year, in the child protection category, dispositions exceeded filings statewide, as well as in each county.

## 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 the quarter, Kent County adjudicated 48 percent of its wayward/delinquent cases within 180 days (again with violations included).

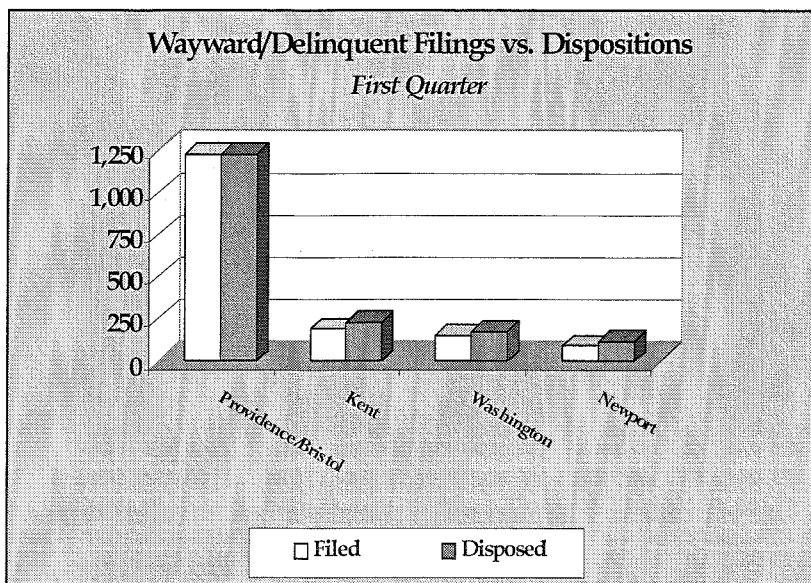
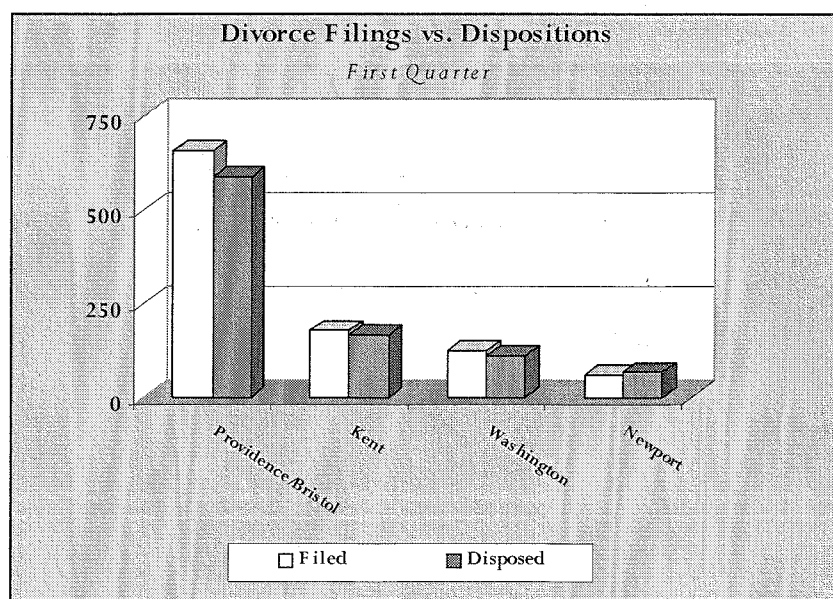


In Newport County, 41 percent of the cases were handled within the guideline; in Washington County it was 71 percent; and in Providence/Bristol County, 60 percent were adjudicated within 180 days. For wayward/delinquent cases handled informally, the goal is 45 days. Through March, 79 percent of the cases met this goal; while 98 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 76 percent of the cases for TPR and in 39 percent of the cases for DNA matters.

### PENDING TPR CASELOAD

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of March, 47 cases, representing 31 families, remained on this calendar, and 25 cases (15 families) were over 180 days old.



### DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, divorce filings were higher than last year in all counties, except Washington County, where they dropped by 10 (7 percent). Statewide the number filed increased by 18 (3 percent). For the first quarter, divorce dispositions exceeded filings in Washington County. The disposition rate in Providence/Bristol County was 92

percent; in Newport County, it was 88 percent; and in Kent County, the disposition rate was 76 percent.

### PENDING DIVORCE CASELOAD

At the end of the quarter, the total number of divorce cases pending over a year was 10 statewide. Both Providence/Bristol and Kent Counties had 2 divorce cases pending over one year. In Newport County, the total was 5, and in Washington County, there was only 1.

# District Court

## MISDEMEANOR FILINGS

In District Court, misdemeanor filings decreased during the first quarter compared to last year. The total number filed dropped from 6,697 last year to 6,477, a decrease of 220 (3 percent). In the Second Division, misdemeanor filings declined by 57 (8 percent) and in the Third Division, they dropped by 120 (6 percent). In the Fourth and Sixth Divisions, filings declined by 20 and 23 (3 percent and 1 percent), respectively.

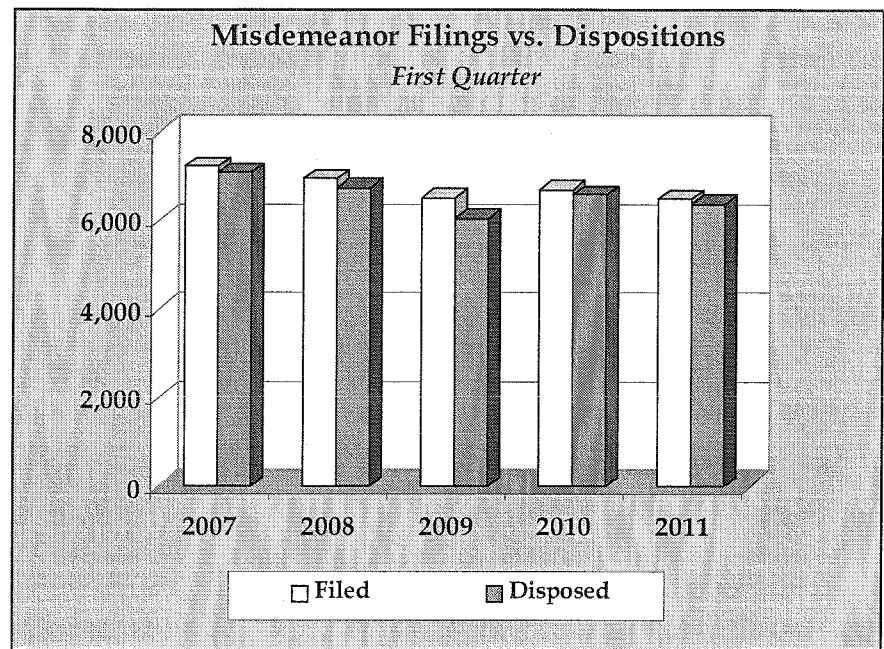
The 6,477 statewide misdemeanor case filings in the quarter were comprised of 8,922 individual counts. In the Second Division, the 615 misdemeanor cases filed represented 842 counts, while the Third Division misdemeanor case filings (1,795) resulted in 2,437 counts. Furthermore, the 752 misdemeanor cases filed in the Fourth Division included 1,072 counts, and in the Sixth Division, the 3,315 misdemeanor case filings comprised of 4,571 counts.

## MISDEMEANOR DISPOSITIONS

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the disposition rate for misdemeanors was 98 percent through March. In the Fourth Division, dispositions exceeded filings, resulting in a disposition rate greater than 100. The Second Division had a disposition rate of 98 percent. In the Third Division, the rate was 99 percent, and in the Sixth Division, the disposition rate was 97 percent.

## TIME TO DISPOSITION: MISDEMEANORS

The court's goal is to dispose misdemeanors within 60 days of filing. This measures the time period between a case filing and disposition. Statewide, 72 percent of misdemeanors met this goal. This quarter, the Second and Third Divisions handled 73 and 75 percent of their misdemeanor caseloads, respectively



within 60 days. In the Fourth Division, they met the 60 day goal in 71 percent of the cases, while the Sixth Division met the 60 day guideline in 70 percent of its misdemeanor cases.

## PENDING MISDEMEANOR CASELOAD

At the end of the first quarter, there were a total of 2,551 misdemeanors pending; 72 percent were less than 60 days old, and another 21 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 103; in the Third Division, it was 100; it was 67 in the Fourth Division and 435 in the Sixth Division. The total number of misde-

<b>Misdemeanor Filings</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
Second	565	581	579	672	615
Third	1,942	1,813	1,795	1,915	1,795
Fourth	889	913	776	772	752
Sixth	3,815	3,637	3,362	3,338	3,315
<b>Total</b>	<b>7,211</b>	<b>6,944</b>	<b>6,512</b>	<b>6,697</b>	<b>6,477</b>
<b>Felony Filings</b>					
Courtwide	2,028	1,806	1,694	1,782	1,848
<b>Civil Filings</b>					
Second	318	372	297	305	347
Third	1,311	1,281	1,714	1,618	1,762
Fourth	383	473	420	481	426
Sixth	3,665	4,257	3,379	3,252	3,501
<b>Total</b>	<b>5,677</b>	<b>6,383</b>	<b>5,810</b>	<b>5,656</b>	<b>6,036</b>
<b>Small Claims</b>					
Second	279	248	162	172	262
Third	1,627	1,951	1,842	993	1,220
Fourth	379	445	328	223	286
Sixth	3,034	3,549	2,496	1,897	2,277
<b>Total</b>	<b>5,319</b>	<b>6,193</b>	<b>4,828</b>	<b>3,285</b>	<b>4,045</b>
<b>Abuse Filings</b>					
Courtwide	179	240	244	211	198

meanors over 60 days old was 705, down 54 percent from 1,526 a year ago.

## FELONY FILINGS

Felony filings in the first quarter of 2011 increased over last year's figures. Felony filings rose from 1,782 to 1,848, representing a 4 percent increase statewide. The number filed rose by 58 (5 percent) in the Sixth Division and by 20 (18 percent) in the Second Division. In contrast, felony filings dropped by 4 (1 percent) in the Third Division and by 8 (6 percent) in the Fourth Division.

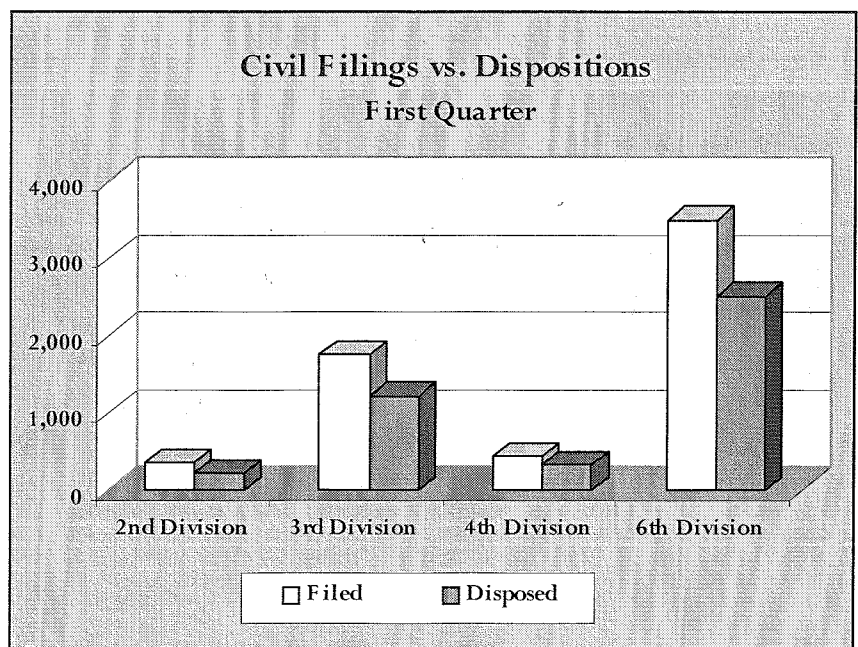
## CIVIL FILINGS

On the civil side, statewide filings through March increased by 380 (7 percent) from 5,656

in the first quarter of 2010 to 6,036 for the comparable time period in 2011. Civil filings rose in all divisions, except the Fourth Division, where they dropped by 55 (11 percent). Civil filings rose by 42 (14 percent) in the Second Division, by 144 (9 percent) in the Third Division, and by 249 (8 percent) in the Sixth Division. Abuse filings dropped by 13, representing a 6 percent decrease over last year. In addition, small claims increased compared to a year ago. Overall, the number of small claims filed rose by 760 (23 percent) compared to last year and was higher in every division.

## CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 70 percent, down from 88 percent last year. Also, dispositions exceeded filings for small claims, resulting in a disposition rate of greater than 100 percent.





# Workers' Compensation Court

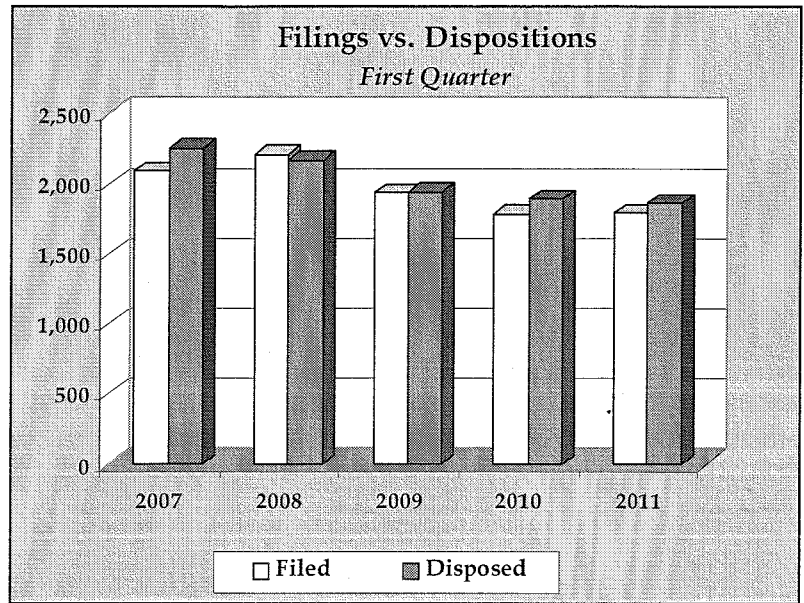
## PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court during the first quarter increased by 7 from last year. A year ago there were 1,785 petitions filed through March, and this year there were 1,792, a difference of less than 1 percent.

Based on type of case, some cases increased, while some decreased compared to a year ago. Lump sum settlements rose by 26 (14 percent), and miscellaneous petitions increased by 2 (5 percent). Original petitions rose by 7 (1 percent), while medical payments increased by 45 (321 percent). On the contrary, employee petitions dropped by 12 (3 percent), employer petitions by 31 (9 percent), and petitions to enforce by 30 (15 percent), compared to last year.

## PETITIONS DISPOSED

Like last year, dispositions exceeded filings during the first quarter. The number disposed (1,864) was 72 greater than the number filed (1,792). At the pretrial stage,



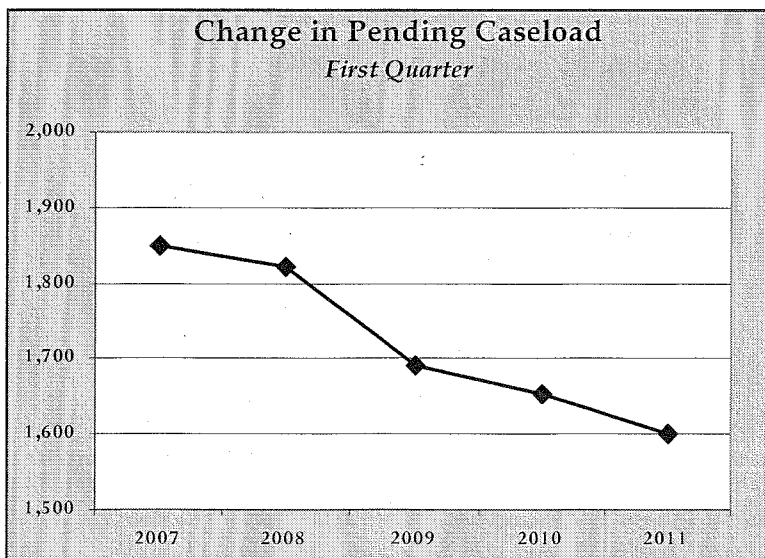
dispositions accounted for 75 percent of the total, the same percentage as a year ago.

## 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 (86 percent) was lower than a year ago (88 percent). At trial, 89 percent of the cases were handled within 360 days.

## PENDING CASELOAD

Compared to last year, the total number of petitions pending dropped from 1,654 to 1,600, a decrease of 54 (3 percent). Similarly, the number pending trial dropped from 715 to 662, a decline of 53 (7 percent). Also, the petitions pending trial over 270 days saw a decrease of 12 percent from 255 to 224, 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) decreased during the first quarter of 2011, dropping by 9 percent from 21,465 last year to 19,530. RITT summonses accounted for 56 percent of the total summonses issued this period.

## SUMMONSES DISPOSED

In contrast with the overall decline in RITT summonses, there was an increase in insurance violations. Compared to last year, insurance violations increased by 177 (8 percent) to 2,492. On the contrary, breathalyzer refusals decreased by 33 (7 percent) in the first quarter of 2011.

RITT dispositions exceeded summonses by 388, resulting in a disposition rate of 100 percent. Payments by mail represented 29 percent of total dispositions, and the remaining 71 percent were disposed by court hearings.

<i>Filings</i>	2007	2008	2009	2010	2011
Total Summonses Issued *	57,052	50,221	36,179	35,938	34,616
RITT Summonses Issued	28,212	24,444	23,677	21,465	19,530
Total Violations	34,362	29,216	28,176	26,304	24,122
<i>RITT Dispositions</i>					
Court Hearings	19,132	16,282	15,501	14,401	13,831
Payments by Mail	10,724	9,168	8,127	6,676	5,779
<b>Total Disposed</b>	<b>29,856</b>	<b>25,450</b>	<b>23,628</b>	<b>21,077</b>	<b>19,610</b>

\* Includes summonses issued to RITT and municipal courts.

## TIME TO DISPOSITION

The RITT has adopted 60 days from initial appearance as the goal for disposing summonses, which measures the time from the initial appearance to disposition. In the first quarter, 96 percent of all dispositions met this guideline. Furthermore, 81 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 both the number of violations (separate offenses) and insurance violations, 80 percent of all violations disposed occurred at or before arraignment. Also, 31 percent of breathalyzer refusal matters were disposed at or before arraignment.

## PENDING CASELOAD

The total number of summonses pending at the end of March was 1,768, a 22 percent decrease compared to last year (2,269). Of the 1,768 summonses pending, 1,484 (84 percent) were pending over 60 days, up from 63 percent last year.

