

Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 33, No. 1, March 2012

HIGHLIGHTS

THROUGH THE FIRST QUARTER OF 2012

SUPREME COURT DISPOSITION RATE WAS 95%.

IN SUPERIOR COURT, ASSIGNED CIVIL CASES PENDING DECREASED BY 30% STATEWIDE.

FAMILY COURT CASES PENDING ON THE TPR CALENDAR DROPPED BY 66% COMPARED TO LAST YEAR.

DISTRICT COURT MISDEMEANOR FILINGS INCREASED BY 11% FROM A YEAR AGO.

WORKERS' COMPENSATION COURT HAD A DISPOSITION RATE OF 99.6% DURING THE QUARTER.

TRAFFIC TRIBUNAL SUMMONSES INCREASED BY 49% COMPARED TO LAST YEAR.

Supreme Court

FILINGS

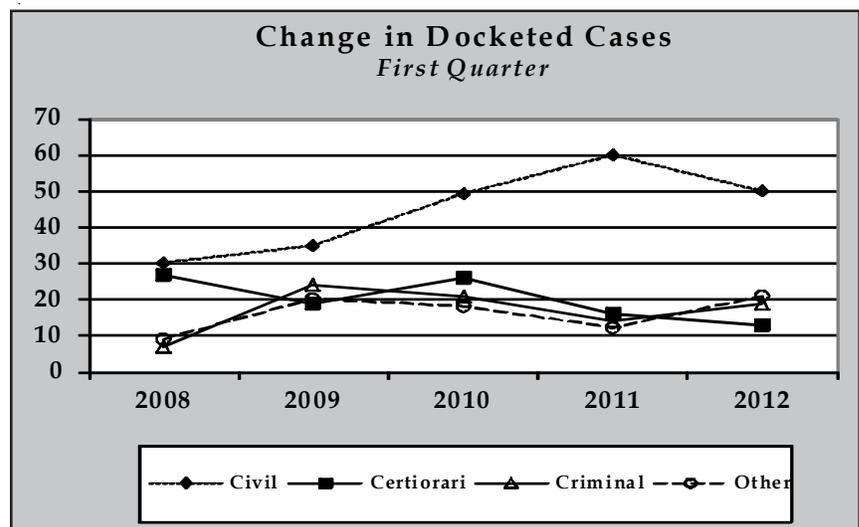
This report covers the first quarter of calendar year 2012. There were 103 Supreme Court cases docketed this quarter which was one (1 percent) more than those docketed during the first quarter of last year.

For the first quarter Supreme Court filings increased in both criminal appeals and miscellaneous appeals, rising by 5 and 9

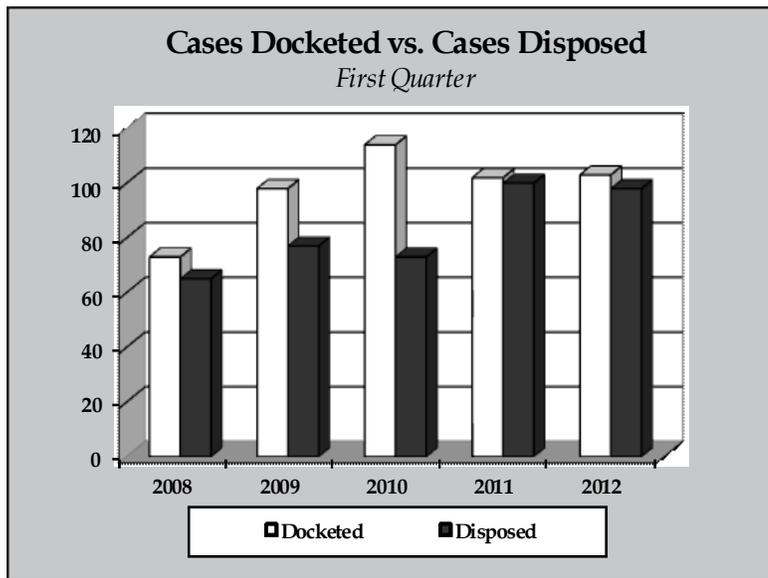
(36 and 75 percent), respectively. On the contrary, civil appeals dropped by 10 (17 percent), while certiorari appeals decreased by 3 (19 percent), compared to last year.

DISPOSITIONS

Like the past 2 years, new appeals exceeded dispositions for this quarter. The number of appeals disposed was 98, which was only 5 fewer than those docketed, representing a 95 percent disposition rate,



a slight decrease from last year's rate of 98 percent. As explained in more detail below, 9 (9 percent) of the 98 dispositions occurred during some stage of the Appellate Mediation Program (AMP).



Of the 98 dispositions during the quarter, 61 (62 percent) of the appeals were disposed before argument, 19 (20 percent) were disposed after show cause, and the remaining 18 (18 percent) were disposed after full oral arguments. During the first quarter, the Supreme Court published 41 written decisions, consisting of 35 opinions and 6 orders. Of the 98 dispositions through March, 49 percent were disposed within 180 days, and a total of 58 percent were disposed within 300 days.

PENDING CASELOAD

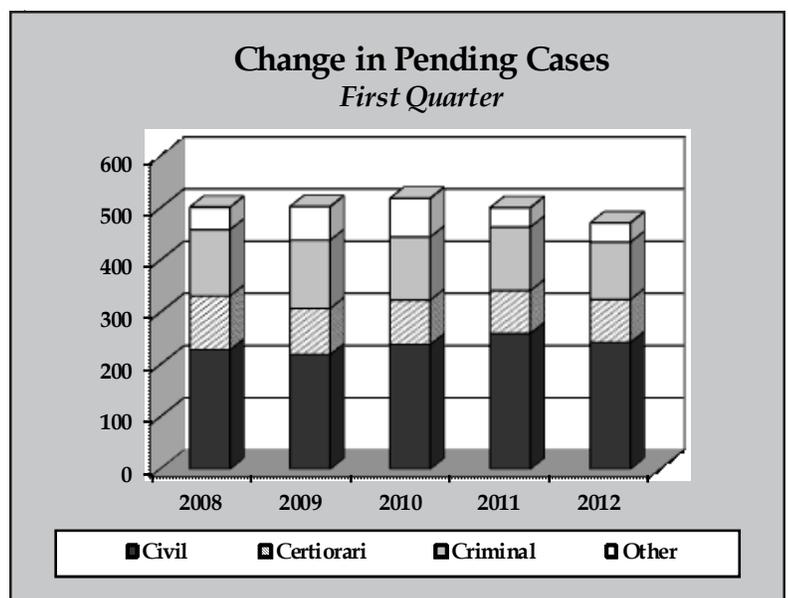
At the end of the period, the pending caseload was 472, a decrease of 29 (6 percent) com-

pared to last year (501). This was the result of a decline in pending criminal and civil appeals, combined with the certiorari and miscellaneous categories remaining unchanged. Compared to last year, pending civil appeals decreased by 17 (over 6 percent) and criminal appeals by 12 (10 percent).

APPELLATE MEDIATION

During the first quarter, there were 66 new cases screened through the AMP. Of the 66 new cases screened, 37 were deemed either ineligible or inappropriate. During this time period, 9 cases were disposed at some stage in the mediation process, representing a 31 percent disposition rate. Seven of the 9 dispositions were settled at or after mediation, while the remaining two were dismissed or withdrawn at an earlier stage in the mediation process.

As of March 31, 2012, there were 25 cases active in the program.



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court increased in the first quarter of 2012 compared to last year. The number filed rose by 93 (7 percent) from 1,381 to 1,474. Felony filings increased in all counties, with the exception of Kent County, where they dropped by 7 (3 percent). Felony filings in Newport County increased by 10 (18 percent), while Washington and Providence/Bristol Counties rose by 8 and 82 (7 and 8 percent), respectively.

FELONY DISPOSITIONS

Statewide, felony filings exceeded dispositions, resulting in a disposition rate of 98 percent. Similarly, filings exceeded felony dispositions in Providence/Bristol and Washington Counties, both having a disposition rate of 94 percent. In both Kent and Newport Counties, dispositions exceeded filings.

TIME TO DISPOSITION: FELONIES

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 59 percent of the cases during the first quarter of 2012. This goal measures the time from when a felony is filed to the case disposition. Newport County handled 76 percent of its felony caseload within 180 days. Kent County met the 180 day guideline in 74 percent of the felonies disposed through March. Washington County achieved it in 73

<i>Felony Filings</i>	2008	2009	2010	2011	2012
Providence/Bristol	1,047	1,141	1,079	975	1,057
Kent	168	182	161	235	228
Washington	145	121	208	116	124
Newport	84	74	141	55	65
Total	1,444	1,518	1,589	1,381	1,474
<i>Misdemeanor Filings</i>					
Providence/Bristol	37	15	43	19	34
Kent	10	8	12	15	7
Washington	4	4	11	4	4
Newport	20	17	24	5	8
Total	71	44	90	43	53
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	356	294	243	266	141
Kent	70	72	64	67	60
Washington	37	39	42	33	22
Newport	36	25	19	21	16
Total	499	430	368	387	239

percent of the cases, and in Providence/Bristol County, the figure was 52 percent.

PENDING FELONY CASELOAD

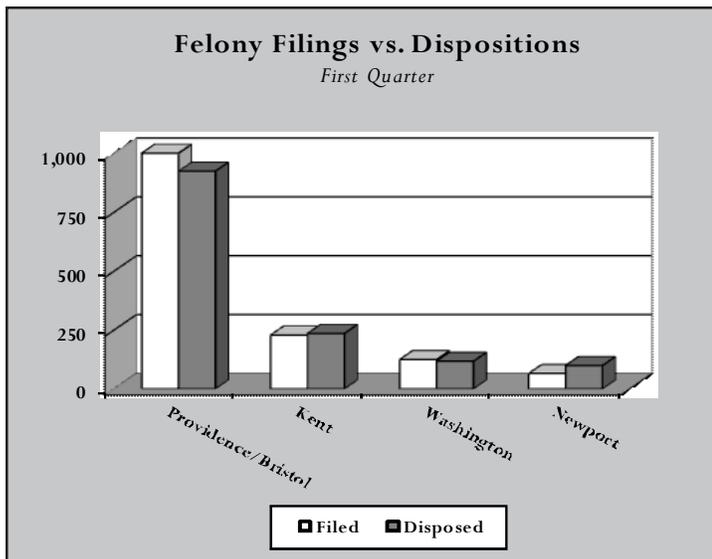
The number of felonies pending statewide totaled 2,680 at the end of March, down by 9 percent (279) from last year. Of the 2,680 felonies pending, 49 percent had been pending over 180 days from filing. Providence/Bristol County had 1,175 cases over 180 days old; Washington County had 41; Kent County had 59; and Newport County had 11.

MISDEMEANOR FILINGS

Misdemeanor appeals in the first quarter have increased by 10 (23 percent), rising from 43 last year to 53 in 2012. All counties experienced an increase in misdemeanor filings, with the exception of Kent County, where they dropped by 8. Misdemeanor appeals in Providence/Bristol County rose by 15; in Newport County they increased by 3; and in Washington County they remained the same (4).

MISDEMEANOR DISPOSITIONS

In the first quarter of 2012, misdemeanor dispositions exceeded filings statewide. In Washington County, dispositions also exceeded filings, resulting in



a disposition rate well over 100 percent. On the contrary, filings exceeded dispositions in Kent, Newport, and Providence/Bristol Counties. The disposition rate for Kent County was 57 percent, Newport County was 63 percent, and Providence/Bristol County had a rate of 97 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 (75 percent). Three percent of Providence/Bristol County’s misdemeanors were disposed within the 90 day time frame, while Washington and Newport Counties reached the goal in 40 and 20 percent of misdemeanor dispositions, respectively.

PENDING MISDEMEANOR CASELOAD

At the end of March, there were 143 misdemeanor appeals pending statewide, down by 27 (16 percent) from 170 last year. Of the 143 pending misdemeanors, 71 percent (101) were over 90 days old.

CIVIL FILINGS AND DISPOSITIONS

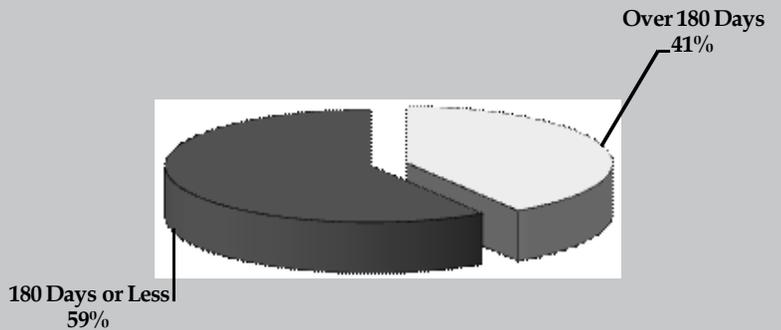
Civil filings totaled 2,401 for the first quarter, declining by 165 (6 percent) compared to last year. During the quarter, there were a total of 20,044 civil cases disposed, which included 1,770 that were disposed through normal case processing. This figure is an increase of 44 (almost 3 percent) over last year’s civil dispositions (1,726). The remaining 18,274 civil cases were disposed on January 3, 2012 through 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 decline in civil filings, the number of cases added to the civil trial calendar through March dropped by 148 (38 percent) compared to the first quarter last year. The number of cases added in Providence/Bristol County decreased by 125 compared to last year, while the number in Newport County dropped by 5. In Washington County, cases added to the civil trial calendar decreased by 11 and in Kent County, they dropped by 7.

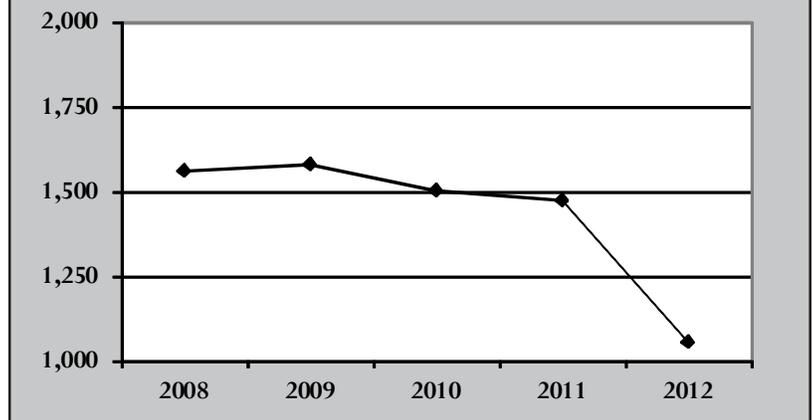
Time from Filing to Disposition for Felony Cases

*First Quarter
Statewide*



Civil Trial Calendar Pending Caseload

*Providence/Bristol County
First Quarter*



Statewide the court disposed more civil cases than were added to the calendar in the first quarter. Similarly, all counties had a disposition rate over 100 percent.

PENDING CIVIL CASELOAD: TRIAL CALENDAR

At the end of the quarter, the number of cases pending trial statewide decreased by 544 (30 percent). In Providence/Bristol County, the number of civil cases pending trial dropped by 421 (29 percent), in Kent County by 87 (47 percent); in Washington County by 23 (22 percent); and in Newport County by 13 (29 percent).

Family Court

JUVENILE FILINGS

In the first quarter of 2012, Family Court juvenile filings decreased by 5 percent compared to last year, declining by 104 from 2,245 to 2,141. There was a decline in all case types from last year, with the exception of violations and other filings, which both rose by 2 (1 and 15 percent, respectively). The remaining 4 categories all decreased; termination of parental rights (TPR) petitions dropped by 24 (41 percent), wayward/delinquent petitions by 45 (3 percent), dependency/neglect/abuse (DNA) by 23 (6 percent), and adoption/guardianship by 16 (12 percent).

When reviewing filings by location, juvenile filings in the first quarter were lower in Providence/Bristol and Washington Counties, compared to a year ago. In Providence/Bristol County filings dropped by 109 (7 percent), while in Washington County filings decreased by 32 (17 percent). In contrast, juvenile filings rose by 28 (10 percent) in Kent County and they increased by 9 (7 percent) in Newport County during the first quarter.

JUVENILE DISPOSITIONS

In the wayward/delinquent category, including violations of probation and court orders, there was an

87 percent disposition rate statewide. Similarly, the disposition rate was 87 percent in Providence/Bristol County, while the rate was 65 percent in Kent County. Dispositions exceeded filings in Washington County, and in Newport County the disposition rate was 100 percent. In the child protection category, the disposition rate was 95 percent statewide. The rate was 96 percent in Providence/Bristol County; 81 percent in Kent County; and 93 percent in Newport County. In Washington County, dispositions exceeded filings.

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

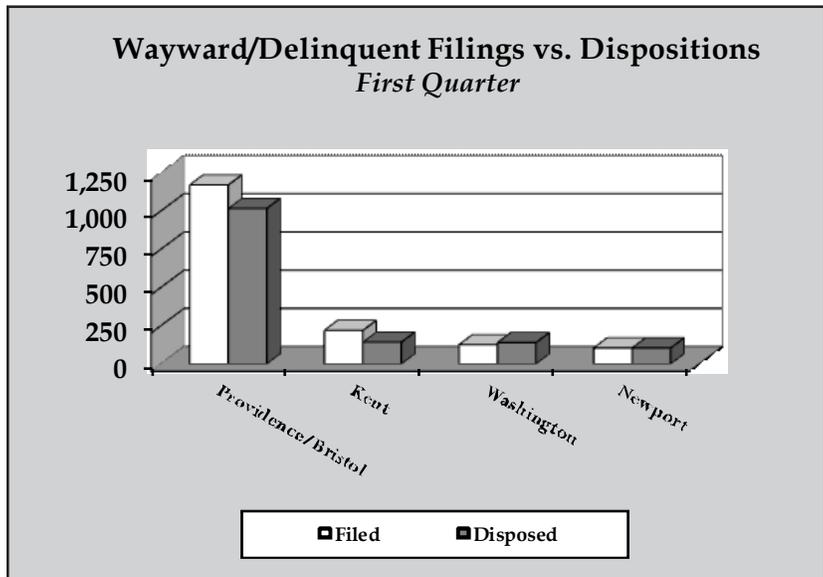
<i>Juvenile Filings by Case Type</i>	2008	2009	2010	2011	2012
Wayward/Delinquent	2,014	1,748	1,724	1,456	1,411
Dependency/Neglect/Abuse	422	425	391	385	362
Termination of Parental Rights	109	93	80	58	34
Adoption/Guardian	105	119	117	129	113
Violations	259	208	242	204	206
Other	14	11	23	13	15
Total	2,923	2,604	2,577	2,245	2,141
<i>Juvenile Filings by County</i>					
Providence/Bristol	2,123	1,866	1,908	1,664	1,555
Kent	442	362	310	271	299
Washington	219	217	209	187	155
Newport	139	159	150	123	132
Total	2,923	2,604	2,577	2,245	2,141
<i>Divorce Filings by County</i>					
Providence/Bristol	796	741	773	810	847
Kent	188	188	204	220	210
Washington	125	131	142	132	133
Newport	92	72	79	93	74
Total	1,201	1,132	1,198	1,255	1,264
<i>Abuse Filings</i>					
Courtwide	529	506	551	569	543

entered, not the time to final disposition of a case. In the quarter, Kent County adjudicated 47 percent of its wayward/delinquent cases within 180 days (again with violations included). In Newport County, 56 percent of the cases were handled within the guideline; in Washington County it was 48 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, 75 percent of the cases met this goal; while 95 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 37 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, 16 cases,



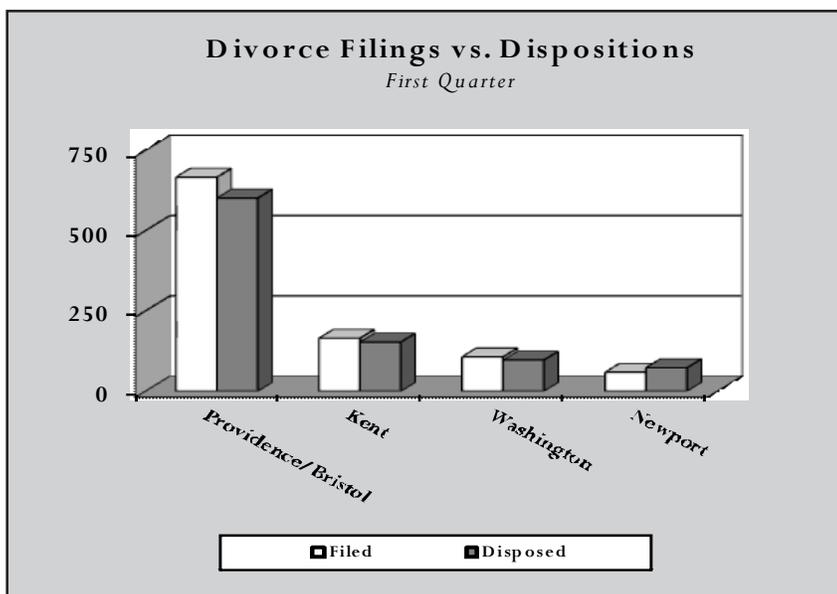
representing 10 families, remained on this calendar, and 4 cases (4 families) were over 180 days old.

DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, statewide divorce filings were higher than last year, increasing by 9 (1 percent). For the first quarter, divorce dispositions exceeded filings in Newport County. The disposition rate in Providence/Bristol County was 90 percent; in Washington County, it was 91 percent; and in Kent County, the disposition rate was 93 percent.

PENDING DIVORCE CASELOAD

At the end of the quarter, the total number of divorce cases pending over a year was 9 statewide. In Providence/Bristol there were 7 divorce cases pending over one year. Newport County had 2 cases and in both Kent and Washington Counties there were none.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings increased during the first quarter compared to last year. The total number filed rose from 6,477 last year to 7,162, an increase of 685 (11 percent). In the Second Division, misdemeanor filings rose by 29 (5 percent) and in the Third Division, they increased by 1,029 (57 percent). On the contrary, in the Fourth and Sixth Divisions, filings declined by 25 and 348 (3 percent and 10 percent), respectively.

The 7,162 statewide misdemeanor case filings in the quarter were comprised of 9,465 individual counts. In the Second Division, the 644 misdemeanor cases filed represented 957 counts, while the Third Division misdemeanor case filings (2,824) resulted in 3,801 counts. Furthermore, the 727 misdemeanor cases filed in the Fourth Division included 899 counts, and in the Sixth Division, the 2,967 misdemeanor case filings comprised of 3,808 counts.

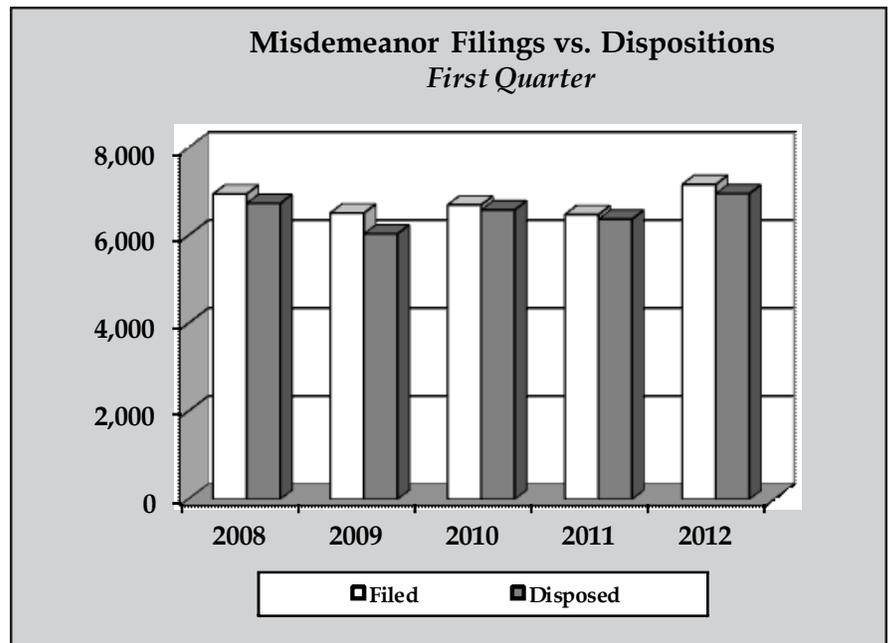
MISDEMEANOR DISPOSITIONS

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the disposition rate for misdemeanors was 97 percent through March. In the Second and Third Divisions, dispositions exceeded filings, resulting in disposition rates greater than 100. In the Fourth Division, the rate was 97 percent, and in the Sixth Division, the disposition rate was 93 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 72 and 76 percent of their misdemeanor caseloads, respectively, within 60 days. In the Fourth Division, they met the 60 day goal in 63 percent of the cases; while the Sixth Di-



vision met the 60 day guideline in 71 percent of its misdemeanor cases.

PENDING MISDEMEANOR CASELOAD

At the end of the first quarter, there were a total of 2,791 misdemeanors pending; 71 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 141; in the Third Division, it was 191; it was 117 in the Fourth Division and 360 in the Sixth Division. The total number of misdemeanors over 60 days old was 809, up 15 percent from 705 a year ago.

<i>Misdemeanor Filings</i>	2008	2009	2010	2011	2012
Second	581	579	672	615	644
Third	1,813	1,795	1,915	1,795	2,824
Fourth	913	776	772	752	727
Sixth	3,637	3,362	3,338	3,315	2,967
Total	6,944	6,512	6,697	6,477	7,162
<i>Felony Filings</i>					
Courtwide	1,806	1,694	1,782	1,848	1,865
<i>Civil Filings</i>					
Second	372	297	305	347	301
Third	1,281	1,714	1,618	1,762	1,853
Fourth	473	420	481	426	288
Sixth	4,257	3,379	3,252	3,501	2,930
Total	6,383	5,810	5,656	6,036	5,372
<i>Small Claims</i>					
Second	248	162	172	262	136
Third	1,951	1,842	993	1,220	1,104
Fourth	445	328	223	286	206
Sixth	3,549	2,496	1,897	2,277	1,217
Total	6,193	4,828	3,285	4,045	2,663
<i>Abuse Filings</i>					
Courtwide	240	244	211	198	165

FELONY FILINGS

Felony filings in the first quarter of 2011 increased slightly over last year's figures. Felony filings rose from 1,848 to 1,865, representing a 1 percent increase statewide. The number filed rose by 176 (41 percent) in the Third Division and by 7 (5 percent) in the Fourth Division. In contrast, felony filings dropped by 22 (16 percent) in the Second Division and by 144 (13 percent) in the Sixth Division.

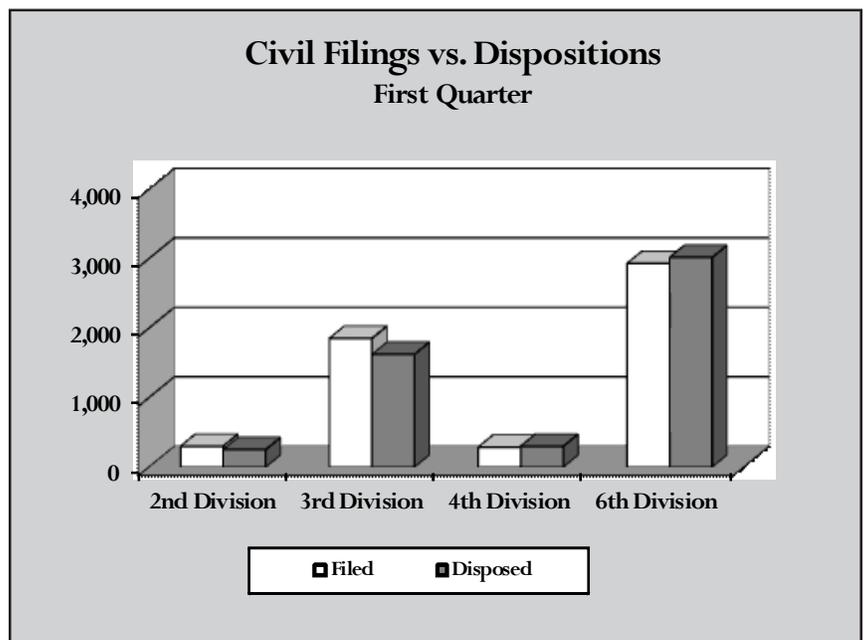
CIVIL FILINGS

On the civil side, statewide filings through March declined by 664 (11 percent) from 6,036 in the first quarter of 2011 to 5,372 for the comparable time period in 2012. Civil filings decreased in all divisions, except the

Third Division, where they increased by 91 (5 percent). Civil filings dropped by 46 (13 percent) in the Second Division, by 138 (32 percent) in the Fourth Division, and by 571 (16 percent) in the Sixth Division. Abuse filings dropped by 33, representing a 17 percent decrease over last year. In addition, small claims decreased compared to a year ago. Overall, the number of small claims filed dropped by 1,382 (34 percent) compared to last year and was lower in every division.

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 97 percent, up significantly from 70 percent last year. Also, filings exceeded dispositions for small claims, resulting in a disposition rate of 89 percent.



Workers' Compensation Court

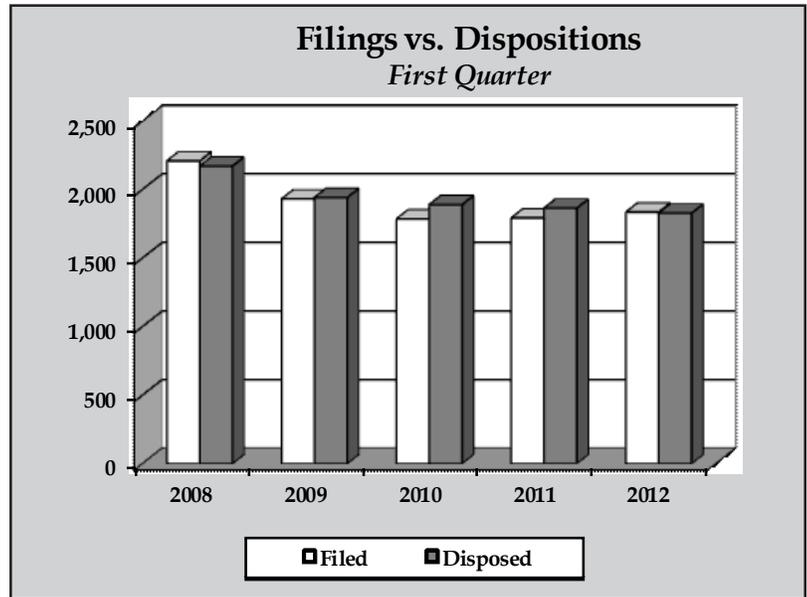
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court during the first quarter increased by 43 from last year. A year ago there were 1,792 petitions filed through March, and this year there were 1,835, a difference of 2 percent.

Based on type of case, some cases increased, while some decreased compared to a year ago. Lump sum settlements rose by 5 (2 percent), and miscellaneous petitions increased by 7 (16 percent). Original petitions rose by 62 (12 percent); petitions to enforce by 32 (19 percent); and petitions for 2nd injury rose from 0 to 1. On the contrary employee petitions dropped by 1 (less than 1 percent); employer petitions by 26 (8 percent); and petitions for medical by 37 (63 percent).

PETITIONS DISPOSED

Filings during the first quarter (1,835) exceeded dispositions (1,827) by just 8 petitions, resulting in a disposition rate of nearly 100 percent. At the pretrial



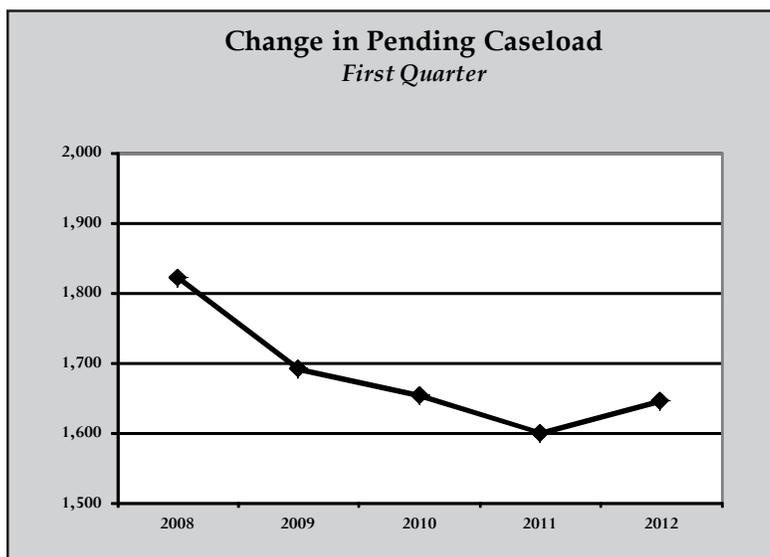
stage, dispositions accounted for 74 percent of the total, nearly the same percentage as a year ago (75).

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 benchmark 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 higher than a year ago (86 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 rose from 1,600 to 1,645, an increase of 45 (3 percent). Similarly, during the first quarter, the number pending trial rose from 662 to 744, an increase of 82 (12 percent). Also, the petitions pending trial over 270 days saw an increase of 5 percent from 224 to 236, representing 32 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 quarter of 2012, rising by 49 percent (9,663) from 19,530 last year to 29,193. RITT summonses accounted for 61 percent of the total summonses issued this period.

Consistent with the increase in summonses, breathalyzer refusals increased by 83 (20 percent) in the first quarter of 2012. On the contrary, insurance violations decreased by 131 (5 percent) to 2,361.

SUMMONSES DISPOSED

The RITT achieved a disposition rate of 93 percent through March. Payments by mail represented 30 percent of total dispositions, and the remaining 70 percent were disposed by court hearings.

TIME TO DISPOSITION

The RITT has adopted 60 days from initial

<i>Filings</i>	2008	2009	2010	2011	2012
Total Summonses Issued *	50,221	36,179	35,938	34,616	47,514
RITT Summonses Issued	24,444	23,677	21,465	19,530	29,193
Total Violations	29,216	28,176	26,304	24,122	34,982
<i>RITT Dispositions</i>					
Court Hearings	16,282	15,501	14,401	13,831	19,160
Payments by Mail	9,168	8,127	6,676	5,779	8,094
Total Disposed	25,450	23,628	21,077	19,610	27,254

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, 78 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) 22 percent of all violations disposed occurred prior to arraignment, while another 59 percent occurred at arraignment. Also, 81 percent of insurance violations and 23 percent of breathalyzer refusal matters were disposed at arraignment.

PENDING CASELOAD

The total number of summonses pending at the end of March was 2,412, a 36 percent increase compared to last year (1,768). Of the 2,412 summonses pending, 1,683 (70 percent) were pending over 60 days, down from 84 percent last year.

