

Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Volume 34, No. 1, March 2013

HIGHLIGHTS

THROUGH THE FIRST QUARTER OF 2013

SUPREME COURT DISPOSITIONS EXCEEDED FILINGS FOR THE FIRST QUARTER.

IN SUPERIOR COURT, ASSIGNED CIVIL CASES PENDING DECREASED BY 11% STATEWIDE.

FAMILY COURT HAD AN 93% DISPOSITION RATE FOR DIVORCE CASES STATEWIDE.

DISTRICT COURT SMALL CLAIMS FILINGS INCREASED BY 25% COMPARED TO LAST YEAR.

WORKERS' COMPENSATION COURT DISPOSITIONS EXCEEDED FILINGS FOR THE QUARTER.

TRAFFIC TRIBUNAL SUMMONSES PENDING DECLINED BY 3 PERCENT COMPARED TO LAST YEAR.

Supreme Court

FILINGS

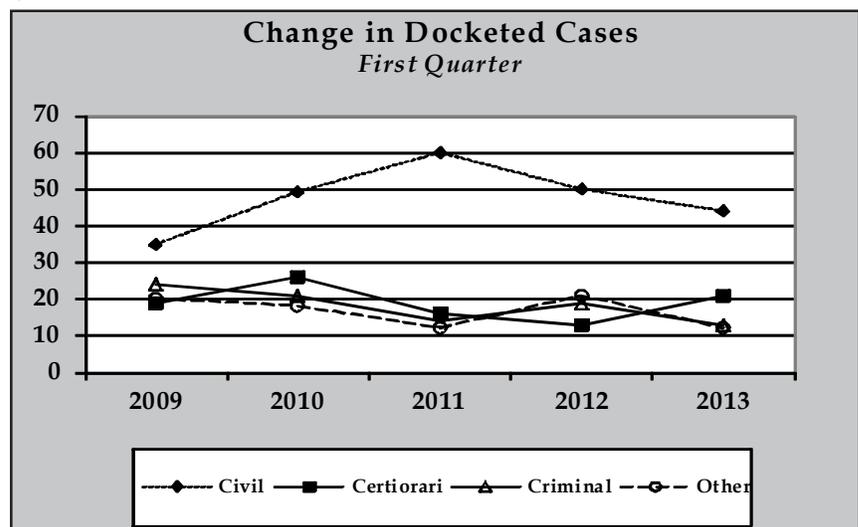
This report covers the first quarter of calendar year 2013. There were 90 Supreme Court cases docketed this quarter which was one case fewer (13 percent) than those docketed during the first quarter of last year.

For the first quarter Supreme Court filings decreased in all case types, with the exception of certiorari

appeals, where they increased by 8 (62 percent). Both criminal and civil appeals declined by 6 (32 and 12 percent, respectively), while miscellaneous appeals decreased by 9 (43 percent), compared to last year.

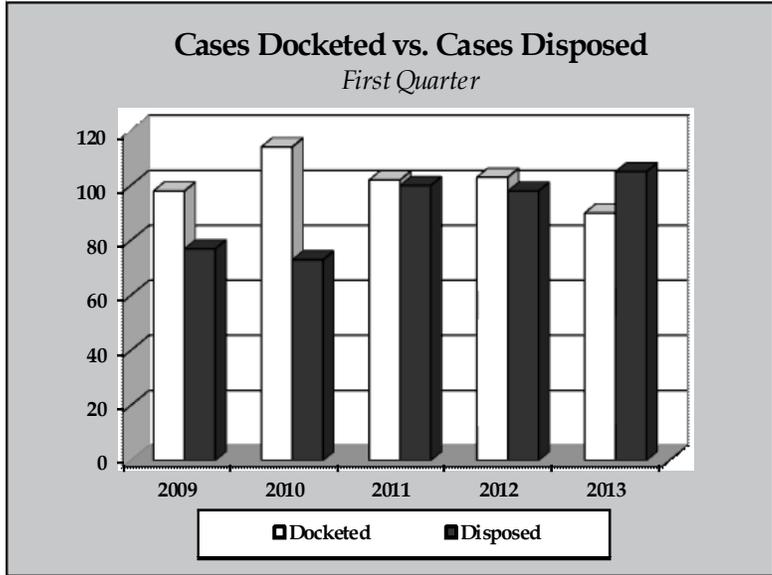
DISPOSITIONS

Dispositions exceeded new appeals in the first quarter, resulting in a disposition rate over 100 percent. As explained in more detail below, 3



(3 percent) of the 105 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

Of the 105 dispositions during the quarter, 68 (65 percent) of the appeals were disposed before argument,



23 (22 percent) were disposed after show cause, and the remaining 14 (13 percent) were disposed after full oral arguments. During the first quarter, the Supreme Court published 37 written decisions, consisting of 34 opinions and 3 orders. Of the 105 dispositions through March, 32 percent were disposed within 180 days, and a total of 41 percent were disposed within 300 days.

PENDING CASELOAD

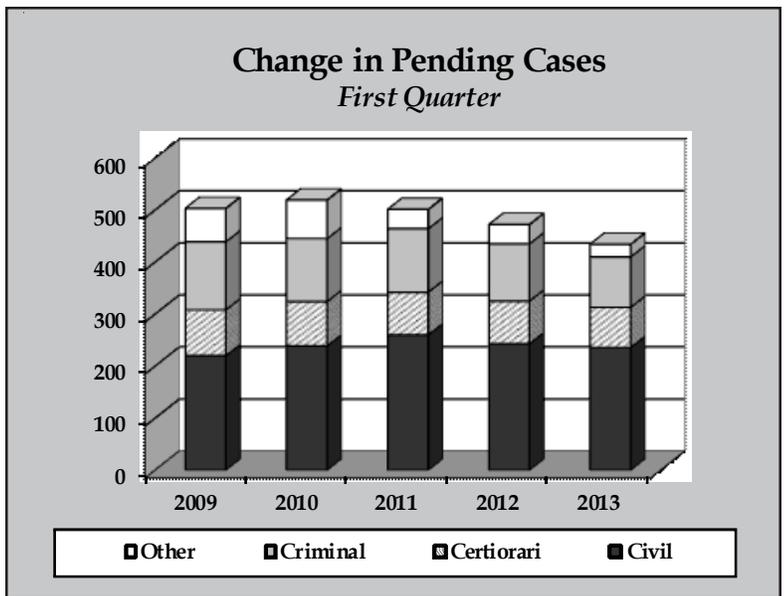
At the end of the period, the pending caseload was 434, a decrease of 38 (8 percent) compared to

last year (472). This was the result of a decline in pending appeals in all case types. Compared to last year, pending civil appeals decreased by 7 (3 percent) and certiorari appeals by 5 (6 percent). Both criminal and miscellaneous appeals decreased by 13 (12 and 35 percent, respectively).

APPELLATE MEDIATION

During the first quarter, there were 56 new cases screened through the AMP. Of the 56 new cases screened, 33 were deemed either ineligible or inappropriate. During this time period, 3 cases were disposed at some stage in the mediation process, representing a 13 percent disposition rate. Two of the 3 dispositions were settled at or after mediation, while the remaining case was dismissed or withdrawn at an earlier stage in

the mediation process. As of March 31, 2013, there were 28 cases active in the program.



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court decreased in the first quarter of 2013 compared to last year. The number filed dropped by 82 (6 percent) from 1,474 to 1,392. Felony filings increased in all counties, with the exception of Providence/Bristol County, where they dropped by 115 (11 percent). Felony filings in Washington County increased by 31 (25 percent), while both Newport and Kent Counties rose by just 1 (2 and less than 1 percent, respectively).

FELONY DISPOSITIONS

Statewide, the disposition rate for felony filings was 93 percent. The disposition rate in Providence/Bristol County was 97 percent, in Kent County it was 85 percent, and in Washington County it was 69 percent. In Newport County, dispositions exceeded filings, resulting in a disposition rate over 100 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 58 percent of the cases during the first quarter of 2013. This goal measures the time from when a felony is filed to the case disposition. Newport County handled 64 percent of its felony caseload within 180 days. Kent County

met the 180 day guideline in 69 percent of the felonies disposed through March. Washington County achieved it in 75 percent of the cases, and in Providence/Bristol County, the figure was 52 percent.

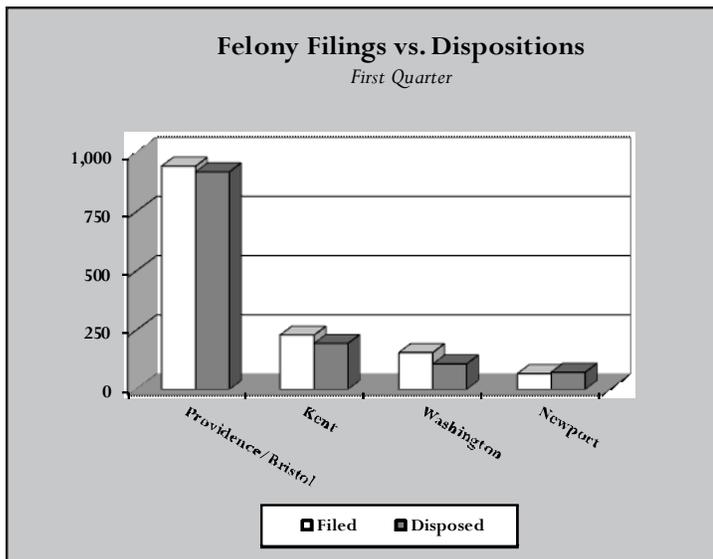
PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 3,075 at the end of March, up by 14 percent (395) from last year. Of the 3,075 felonies pending, 51 percent had been pending over 180 days from filing. Providence/Bristol County had 1,423 cases over 180 days old; Washington County had 52; Kent County had 85; and Newport County had 9.

MISDEMEANOR FILINGS

Misdemeanor filings in the first quarter have increased by 8 (15 percent), rising from 53 last year to 61 in 2013. Misdemeanor filings in Kent County rose by 3 (43 percent); in Washington County they increased from 4 to 17 (325 percent); while in both Newport and Providence/Bristol Counties, misdemeanors decreased by 4 (50 and 12 percent, respectively).

<i>Felony Filings</i>	2009	2010	2011	2012	2013
Providence/Bristol	1,141	1,079	975	1,057	942
Kent	182	161	235	228	229
Washington	121	208	116	124	155
Newport	74	141	55	65	66
Total	1,518	1,589	1,381	1,474	1,392
<i>Misdemeanor Filings</i>					
Providence/Bristol	15	43	19	34	30
Kent	8	12	15	7	10
Washington	4	11	4	4	17
Newport	17	24	5	8	4
Total	44	90	43	53	61
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	294	243	266	141	117
Kent	72	64	67	60	47
Washington	39	42	33	22	22
Newport	25	19	21	16	12
Total	430	368	387	239	198



MISDEMEANOR DISPOSITIONS

In the first quarter of 2013, the disposition rate for misdemeanors was 90 percent statewide. Filings exceeded dispositions in both Kent and Washington Counties, resulting in 70 and 71 percent disposition rates, respectively. Newport County had a 100 percent disposition rate, while misdemeanor dispositions exceed filings in Providence/Bristol County, resulting in a rate over 100 percent.

TIME TO DISPOSITION: MISDEMEANORS

The goal for disposing misdemeanor cases in Superior Court is 90 days, which is measured from filing to disposition. Washington County had the largest percentage of misdemeanors disposed within 90 days (77 percent). Ten percent of Providence/Bristol County’s misdemeanors were disposed within the 90 day time frame, while both Kent and Newport Counties reached the goal in 50 percent of misdemeanor dispositions.

PENDING MISDEMEANOR CASELOAD

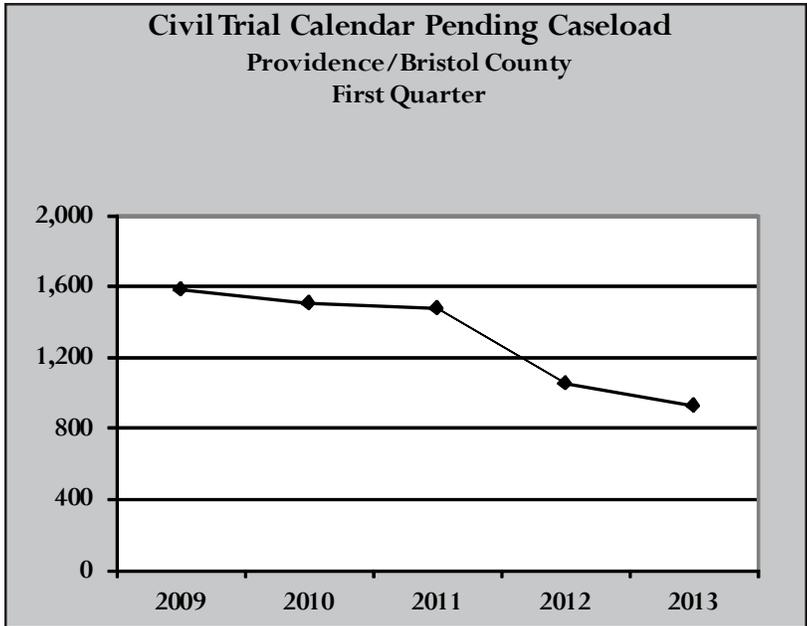
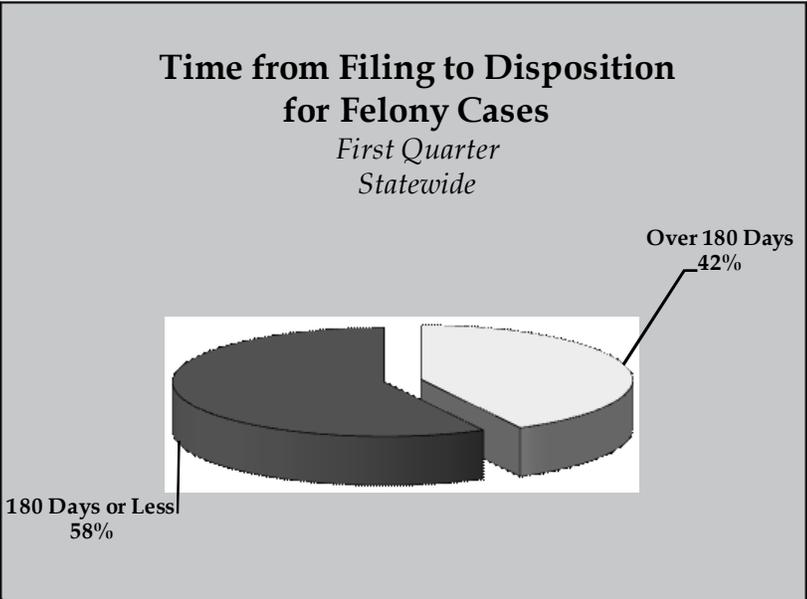
At the end of March, there were 164 misdemeanor cases pending statewide, up by 21 (15 percent) from 143 last year. Of the 164 pending misdemeanors, 71 percent (117) were over 90 days old.

CIVIL FILINGS AND DISPOSITIONS

Civil filings totaled 2,069 for the first quarter, declining by 332 (14 percent) compared to last year. During the quarter, there were a total of 1,454 civil cases disposed, a decrease of 316 (18 percent) over the 1,770 civil cases that were disposed through normal case processing last year.

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 41 (17 percent) compared to the first quarter last year. The number of cases added in Providence/Bristol County decreased by 24, while the number in Newport County dropped by 4. In Kent County, cases added to the civil trial calendar decreased by 13, and in Washington County, they remained unchanged at 22.



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

PENDING CIVIL CASELOAD: TRIAL CALENDAR

At the end of the quarter, the number of cases pending trial statewide decreased by 138 (11 percent) from 1,268 last year to 1,130. In Providence/Bristol County, the number of civil cases pending trial dropped by 123 (12 percent), in Kent County by 24 (24 percent); in Washington County by 6 (7 percent); and in Newport County, they increased by 15 (47 percent).

Family Court

JUVENILE FILINGS

In the first quarter of 2013 the Family Court conducted 20,808 hearings during this time period. Juvenile filings decreased by 6 percent compared to last year, declining by 118 from 2,141 to 2,023. There was a decline in all case types from last year, with the exception of termination of parental rights (TPR) petitions, which increased by 16 (47 percent), and filings in the other category remained unchanged. The remaining 4 categories all decreased; violations dropped by 7 percent (15), dependency/neglect/abuse (DNA) petitions by just 1 percent (3), and both the adoption/guardianship and wayward/delinquent categories decreased by 8 percent (9 and 107, respectively).

When reviewing filings by location, juvenile filings in the first quarter were lower in all counties, compared to a year ago. In Providence/Bristol County filings dropped by 43 (3 percent), while in Washington County filings decreased by 25 (16 percent). Juvenile filings declined by 36 (12 percent) in Kent County, and they decreased by 14 (11 percent) in Newport County during the first quarter.

JUVENILE DISPOSITIONS

In the wayward/delinquent category, including violations of probation and court orders, there was a 79 per-

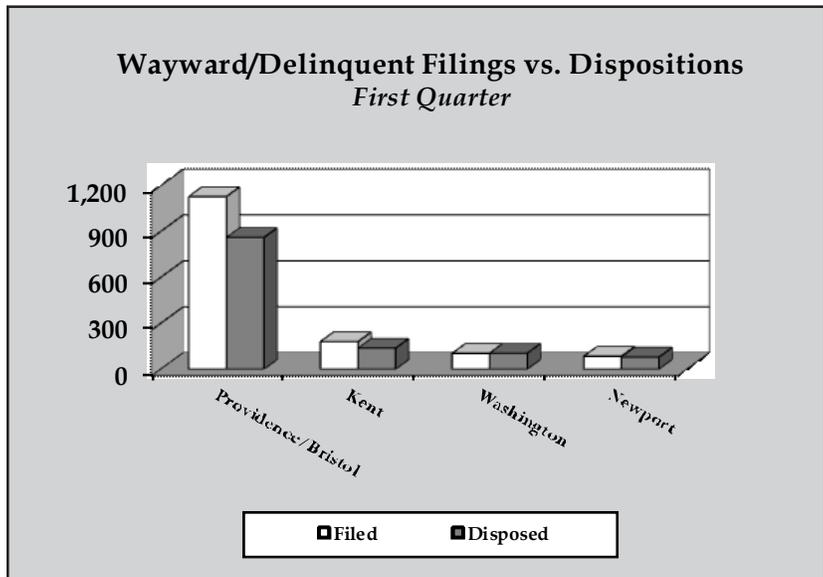
<i>Juvenile Filings by Case Type</i>	2009	2010	2011	2012	2013
Wayward/Delinquent	1,748	1,724	1,456	1,411	1,304
Dependency/Neglect/Abuse	425	391	385	362	359
Termination of Parental Rights	93	80	58	34	50
Adoption/Guardian	119	117	129	113	104
Violations	208	242	204	206	191
Other	11	23	13	15	15
Total	2,604	2,577	2,245	2,141	2,023
<i>Juvenile Filings by County</i>					
Providence/Bristol	1,866	1,908	1,664	1,555	1,512
Kent	362	310	271	299	263
Washington	217	209	187	155	130
Newport	159	150	123	132	118
Total	2,604	2,577	2,245	2,141	2,023
<i>Divorce Filings by County</i>					
Providence/Bristol	741	773	810	847	779
Kent	188	204	220	210	192
Washington	131	142	132	133	119
Newport	72	79	93	74	86
Total	1,132	1,198	1,255	1,264	1,176
<i>Abuse Filings</i>					
Courtwide	506	551	569	543	458

cent disposition rate statewide. The disposition rate was 76 percent in Providence/Bristol County, while the rate was 77 percent in Kent County and 94 percent in Newport County. Dispositions exceeded filings in Washington County, resulting in a rate over 100 percent. In the child protection category, the disposition rate was 83 percent statewide. The rate was 81 percent in Providence/Bristol County; 87 percent in Kent County; and 56 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 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, 40 percent of the cases were handled within the guideline; in Washington County it was 54 percent; and in Providence/Bristol County, 59 percent were adjudicated within 180 days. For wayward/delinquent cases handled informally, the goal is 45 days. Through March, 82 percent of the cases met this goal statewide; while 96 percent were handled within 90 days.



In child protection cases statewide, Family Court met the 180 day guideline in 64 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, 35 cases,

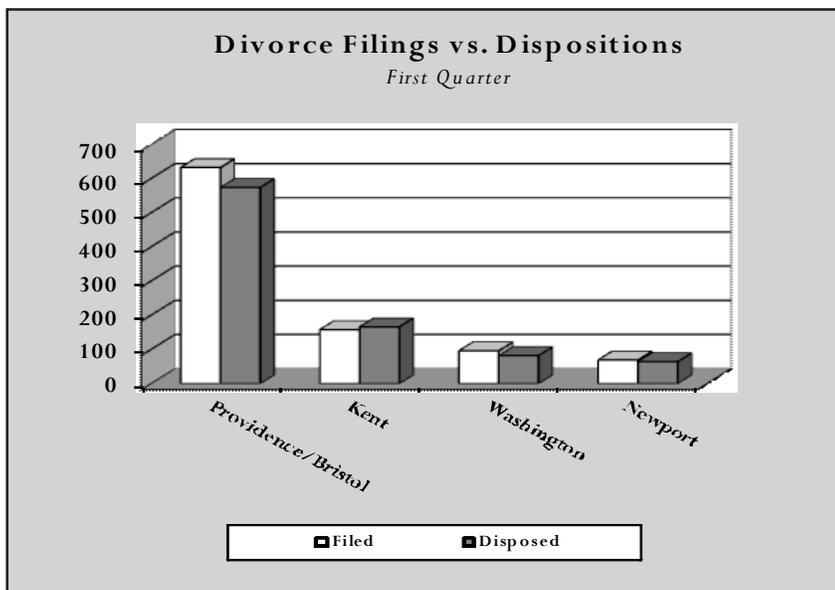
representing 21 families, remained on this calendar, and 13 cases (9 families) were over 180 days old.

DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, statewide divorce filings were fewer than last year, decreasing by 88 (7 percent). For the first quarter, divorce dispositions exceeded filings in Kent County, with a disposition rate over 100 percent. The disposition rate in Providence/Bristol County was 91 percent; in Washington County, it was 85 percent; and in Newport 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 65 statewide. In Providence/Bristol County there were 34 divorce cases pending over one year and in Newport County, there were 22. Kent County and Washington County had 4 cases and 5 cases pending, respectively.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings decreased during the first quarter compared to last year. The total number filed dropped from 7,162 last year to 6,282, a decline of 880 (12 percent). In the Second Division, misdemeanor filings decreased by 111 (17 percent) and in the Third Division, they decreased by 289 (10 percent). In the Fourth and Sixth Divisions, filings declined by 106 and 374 (15 percent and 13 percent), respectively.

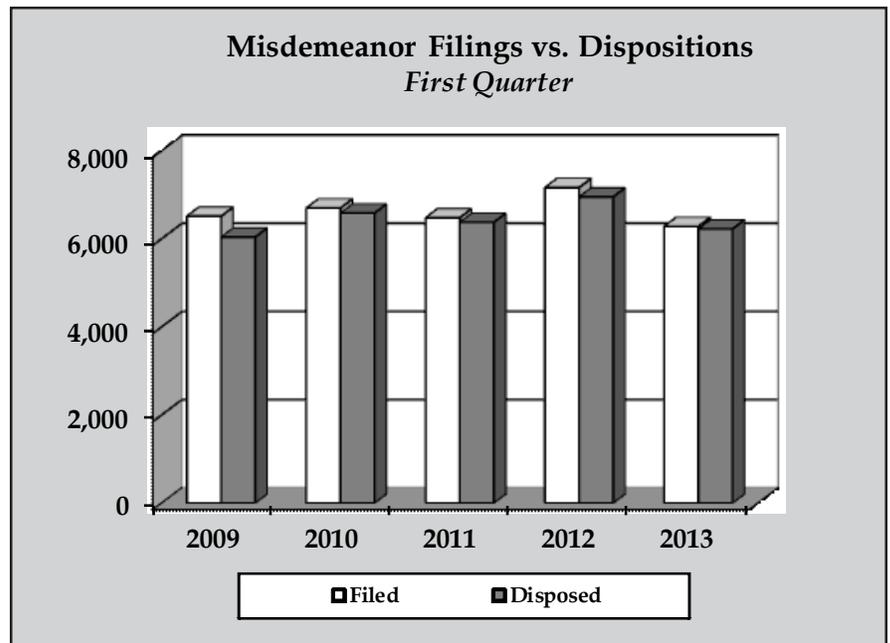
The 6,282 statewide misdemeanor case filings in the quarter were comprised of 8,735 individual counts. In the Second Division, the 533 misdemeanor cases filed represented 731 counts, while the Third Division misdemeanor case filings (2,535) resulted in 3,332 counts. Furthermore, the 621 misdemeanor cases filed in the Fourth Division included 963 counts, and in the Sixth Division, the 2,593 misdemeanor case filings comprised of 3,709 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 99 percent through March. Dispositions exceeded filings in the Second and Fourth divisions. The Third Division had a disposition rate of 94 percent, and in the Sixth Division the disposition rate was 100 percent, due to rounding.

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, 68 percent of misdemeanors met this goal. This quarter, the Second and Third Divisions handled 74 and 70 percent of their misdemeanor caseloads, respectively,



within 60 days. In the Fourth Division, they met the 60 day goal in 64 percent of the cases; while the Sixth Division met the 60 day guideline in 67 percent of its misdemeanor cases.

PENDING MISDEMEANOR CASELOAD

At the end of the first quarter, there were a total of 3,214 misdemeanors pending; 61 percent were less than 60 days old, and another 22 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 59; in the Third Division, it was 474; it was 90 in the

<i>Misdemeanor Filings</i>	2009	2010	2011	2012	2013
Second	579	672	615	644	533
Third	1,795	1,915	1,795	2,824	2,535
Fourth	776	772	752	727	621
Sixth	3,362	3,338	3,315	2,967	2,593
Total	6,512	6,697	6,477	7,162	6,282
<i>Felony Filings</i>					
Courtwide	1,694	1,782	1,848	1,865	1,670
<i>Civil Filings</i>					
Second	297	305	347	301	272
Third	1,714	1,618	1,762	1,853	1,880
Fourth	420	481	426	288	296
Sixth	3,379	3,252	3,501	2,930	3,054
Total	5,810	5,656	6,036	5,372	5,502
<i>Small Claims</i>					
Second	162	172	262	136	190
Third	1,842	993	1,220	1,104	1,531
Fourth	328	223	286	206	209
Sixth	2,496	1,897	2,277	1,217	1,411
Total	4,828	3,285	4,045	2,663	3,341
<i>Abuse Filings</i>					
Courtwide	244	211	198	165	186

Fourth Division and 639 in the Sixth Division. The total number of misdemeanors over 60 days old was 1,262, up 56 percent from 809 a year ago.

FELONY FILINGS

Felony filings in the first quarter of 2013 decreased compared to last year's figures, dropping from 1,865 to 1,670, representing a 10 percent decline statewide. The number filed decreased by 62 (10 percent) in the Third Division, by 40 (29 percent) in the Fourth Division, and by 109 (11 percent) in the Sixth Division. On the contrary, felony filings increased by 16 (14 percent) in the Second Division.

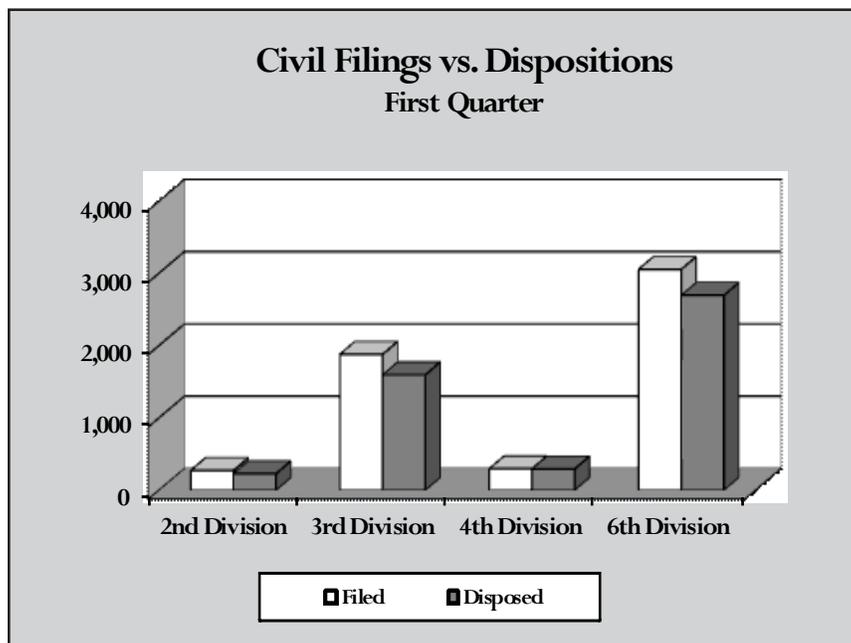
CIVIL FILINGS

On the civil side, statewide filings through March increased by 130 (2 percent) from

5,372 in the first quarter of 2012 to 5,502 for the comparable time period in 2013. Civil filings increased in all divisions, except the Second Division, where they dropped by 29 (10 percent). Civil filings rose by 27 (1 percent) in the Third Division, by 8 (3 percent) in the Fourth Division, and by 124 (4 percent) in the Sixth Division. Abuse filings rose by 21, representing a 13 percent increase over last year. In addition, small claims increased compared to a year ago. Statewide, the number of small claims filed rose by 678 (25 percent) compared to last year and was higher in every division.

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 87 percent and for small claims it was 95 percent.



Workers' Compensation Court

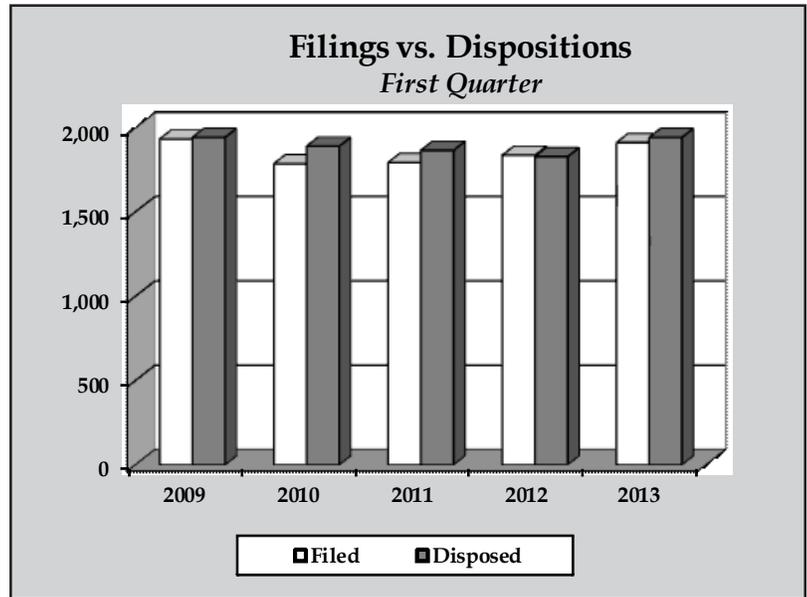
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court during the first quarter increased by 75 from last year. A year ago there were 1,835 petitions filed through March, and this year there were 1,910, a difference of 4 percent.

Based on type of case, some categories increased, while some decreased compared to a year ago. Lump sum settlements rose by 22 (10 percent), and petitions for medical payment increased by 5 (23 percent). Employee petitions rose by 31 (7 percent); employer petitions by 46 (15 percent); and original petitions rose by 1 (less than 1 percent). On the contrary miscellaneous petitions dropped by 13 (26 percent); petitions to enforce by 16 (8 percent); and petitions for 2nd injury declined from 1 to 0.

PETITIONS DISPOSED

Dispositions during the first quarter (1,941) exceeded filings (1,910) by 31 petitions, resulting in a disposition rate over 100 percent. At the pretrial stage,



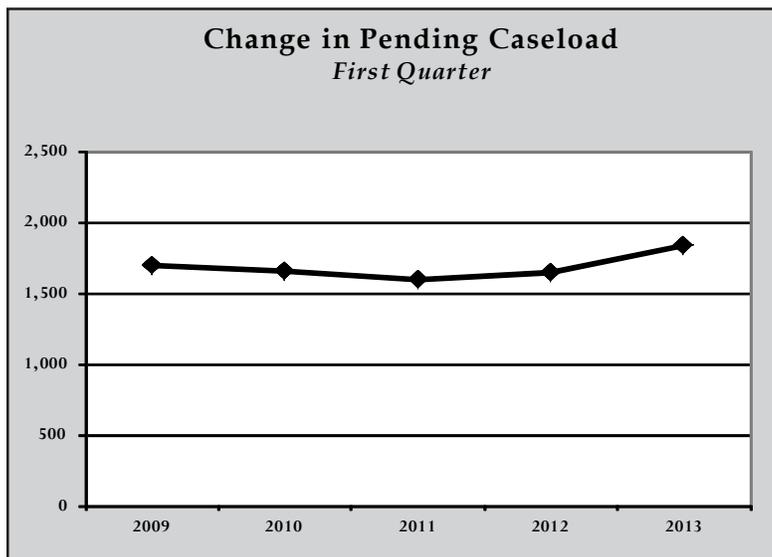
dispositions accounted for 73 percent of the total, nearly the same percentage as a year ago (74).

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 proceed 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 (86 percent) was slightly lower than a year ago (88 percent). At trial, 85 percent of the cases were handled within 360 days.

PENDING CASELOAD

Compared to last year, the total number of petitions pending rose from 1,645 to 1,839, an increase of 194 (12 percent). Similarly, during the first quarter, the number pending trial rose from 774 to 817, an increase of 73 (10 percent). Also, the petitions pending trial over 270 days saw an increase of 27 percent from 236 to 299, representing 37 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 2013, declining by 33 percent from 29,193 last year to 19,471. The RITT summonses accounted for 55 percent of the total summonses issued this period.

Consistent with the decline in summonses, breathalyzer refusals decreased by 30 (6 percent) in the first quarter of 2013. On the contrary, insurance violations increased by 266 (11 percent) to 2,627.

SUMMONSES DISPOSED

The RITT dispositions exceeded filings in the first quarter, resulting in a disposition rate over 100 percent. Payments by mail represented 22 percent of total dispositions, and the remaining 78 percent were disposed by court hearings.

<i>Filings</i>	2009	2010	2011	2012	2013
Total Summonses Issued *	36,179	35,938	34,616	47,514	35,338
RITT Summonses Issued	23,677	21,465	19,530	29,193	19,471
RITT Violations	28,176	26,304	24,122	34,982	24,520
<i>RITT Dispositions</i>					
Court Hearings	15,501	14,401	13,831	19,160	15,292
Payments by Mail	8,127	6,676	5,779	8,094	4,392
Total Disposed	23,628	21,077	19,610	27,254	19,684
* 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. This quarter, 95 percent of all dispositions met this guideline. Also, 76 percent of breathalyzer refusals and 93 percent of insurance violations were disposed within 60 days.

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) 17 percent of all violations disposed occurred prior to arraignment, while another 61 percent occurred at arraignment. Also, 79 percent of insurance violations and 21 percent of breathalyzer refusal matters were disposed at arraignment.

PENDING CASELOAD

The total number of summonses pending at the end of March was 2,342, a 3 percent decrease compared to last year (2,412). Of the 2,342 summonses pending, 1,747 (75 percent) were pending over 60 days, up from 70 percent last year.

