

Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 32, No. 3, September 2011

HIGHLIGHTS

Supreme Court

THROUGH THE THIRD QUARTER OF 2011

IN SUPREME COURT, THE PENDING CASELOAD DECREASED BY 10% COMPARED TO LAST YEAR.

IN SUPERIOR COURT, FELONY DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

IN FAMILY COURT, DIVORCE FILINGS INCREASED BY 3%.

IN DISTRICT COURT, REAL ESTATE CLAIMS DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

IN WORKERS' COMPENSATION COURT, DISPOSITIONS EXCEEDED FILINGS FOR THE SIXTH CONSECUTIVE MONTH.

IN THE TRAFFIC TRIBUNAL, DISPOSITIONS CONTINUED TO EXCEED SUMMONSES FOR THE TENTH CONSECUTIVE MONTH.

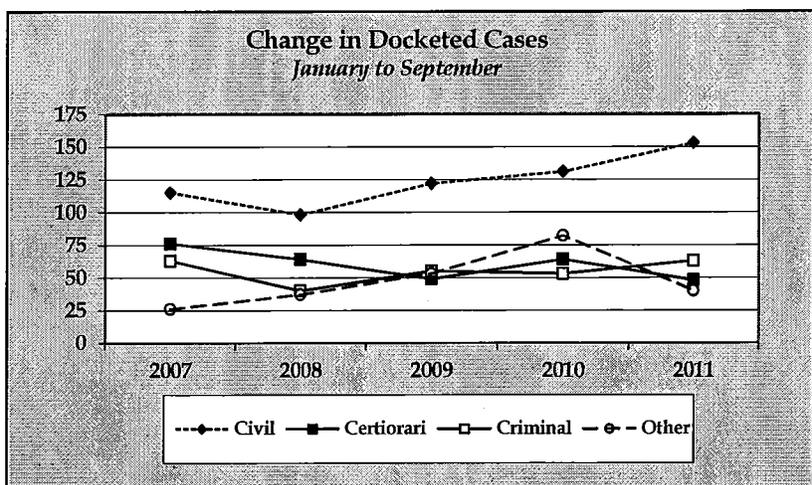
FILINGS

This report covers the first three quarters of the calendar year from January 1 through September 30, 2011. There were 304 Supreme Court cases docketed during the period which was 26 (8 percent) fewer than those docketed through the third quarter of last year. During this period, civil appeals increased from last year, rising by 17 percent from 131 to 153, while criminal appeals rose by 19 percent, from 53 to 63.

Compared to last year's figures both miscellaneous appeals and petitions for writ of certiorari decreased, dropping by 51 and 25 percent, respectively.

DISPOSITIONS

Through the third quarter, new appeals exceeded dispositions with a disposition rate of 92 percent. The number of appeals disposed was 280, which was 24 fewer than were docketed. As explained in more detail below, 24 (9



percent) of the 280 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

Of the 280 dispositions during the period, 60 percent of the appeals were disposed before argument, 29 percent were disposed after show cause, and the re-

last year. A review of the pending caseload showed that the 96 percent (484) were in the pre-briefing stage, while 2 percent (9) were pending show cause and another 2 percent (10) were pending full argument on the merits.

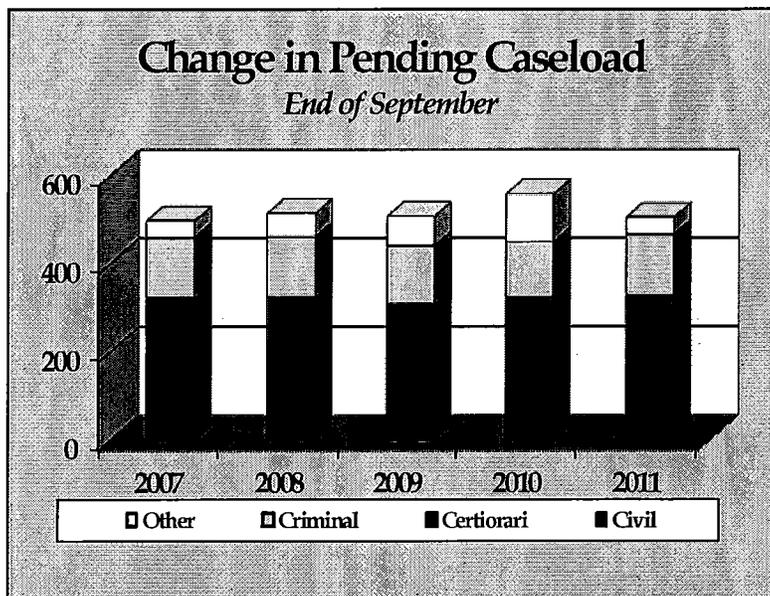
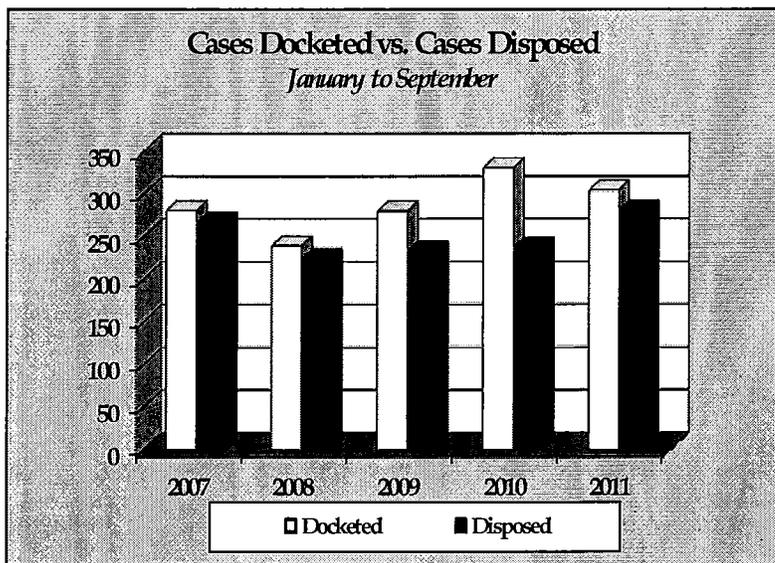
APPELLATE MEDIATION

During the three quarters of calendar year 2011, there were 140 new cases screened through the AMP. Of the 140 new cases screened, 74 were deemed either ineligible or inappropriate for mediation. During this time period, 24 cases were disposed at some stage in the mediation process, representing a 34 percent disposition rate. Nineteen of the 24 dispositions were settled at or after mediation, while the remaining 5 were dismissed or withdrawn at an earlier stage in the mediation process. As of September 30, 2011 there were 25 cases active in the program.

remaining 10 percent were disposed after full oral arguments. During the first nine months of 2011, the Supreme Court published 112 written decisions, including 18 orders and 94 opinions.

PENDING CASELOAD

At the end of the period, the pending caseload was 503, a decrease of 53 (10 percent) compared to last year (556). This is a result of a decline in pending miscellaneous and certiorari appeals, which dropped 70 and 4, respectively. On the other hand, pending civil appeals increased by 9, while criminal appeals rose by 12, compared to



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court decreased through the third quarter of 2011. The number declined by 93 (2 percent) from 4,202 to 4,109. Felony filings decreased in all counties except Kent where they rose by 192 (38 percent). Providence/Bristol County experienced a 4 percent decline in felony filings, dropping by 118 over last year, while filings in Washington and Newport Counties decreased by 25 percent and 21 percent, respectively.

<i>Felony Filings</i>	2007	2008	2009	2010	2011
Providence/Bristol	3,514	2,882	2,819	2,996	2,878
Kent	545	530	598	501	693
Washington	359	346	303	406	303
Newport	208	226	200	299	235
Total	4,626	3,984	3,920	4,202	4,109
<i>Misdemeanor Filings</i>					
Providence/Bristol	101	96	64	86	99
Kent	44	34	18	37	25
Washington	30	20	22	20	23
Newport	23	39	53	47	15
Total	198	189	157	190	162
<i>Civil Filings</i>					
Total	7,176	8,812	8,343	8,561	7,952
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	908	988	913	856	607
Kent	198	232	230	204	167
Washington	140	120	118	125	93
Newport	105	100	88	65	63
Total	1,351	1,440	1,349	1,250	930

FELONY DISPOSITIONS

Through the third quarter of 2011, felony dispositions exceeded filings, statewide. Similarly, dispositions exceeded filings in all counties, with the exception of Washington County, which had a disposition rate of 93 percent.

TIME TO DISPOSITION: FELONIES

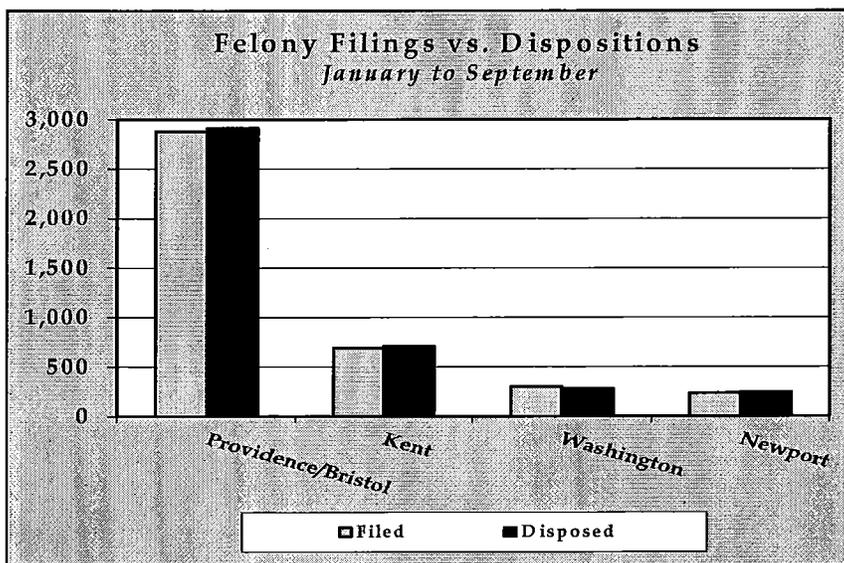
The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 64 percent of the cases disposed statewide during the first three quarters of 2011. This goal

measures the time from when a felony is filed to the case disposition. Kent County handled 82 percent of its felony caseload within 180 days, while Washington County disposed 72 percent within this goal.

Providence/Bristol and Newport Counties disposed 58 percent and 74 percent of cases within the 180 day guideline, respectively.

PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 2,648 at the end of September, and 53 percent had been pending over 180 days from filing. Providence/Bristol County had 1,279 cases over 180 days old; Kent County had 79; Washington County, 35; and Newport County had 18.



MISDEMEANOR FILINGS

Statewide misdemeanor appeals through the third quarter declined from last year, decreasing by 15 percent from 190 in 2010 to 162 in 2011. Misdemeanor appeals decreased in Kent County by 12 (32 percent), and Newport County filings dropped by 32 (68 percent). On the contrary, both Providence/Bristol and Washington Counties saw a 15 percent increase in misdemeanor appeals, rising by 13 and 3, respectively.

MISDEMEANOR DISPOSITIONS

Statewide, the disposition rate for misdemeanor filings was 89 percent. Misdemeanor dispositions exceeded filings in Newport and Kent Counties, whereas Washington and Providence/Bristol Counties had disposition rates of 87 percent and 79 percent, respectively.

TIME TO DISPOSITION: MISDEMEANORS

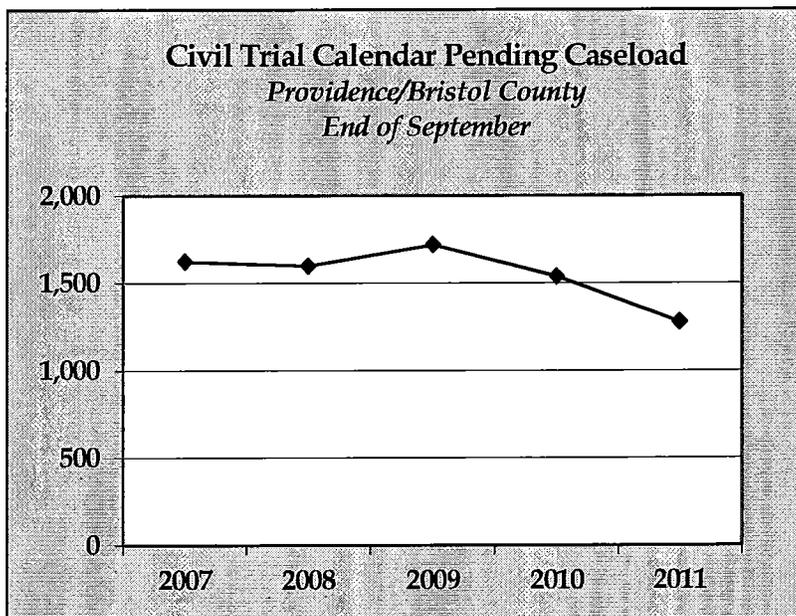
The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from filing to disposition. Washington County had the largest percentage of misdemeanors disposed within 90 days (60 percent). Fifty percent of Kent County's misdemeanors were disposed within the 90 day time frame, while Newport and Providence/Bristol Counties reached the goal in 47 percent and 26 percent of misdemeanor dispositions, respectively.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were only 172 misdemeanor appeals pending statewide, and 76 percent (130) were over 90 days old.

CIVIL FILINGS

Statewide civil filings totaled 7,952 through the third quarter of 2011, dropping by 609 (7 percent) compared to last year.



CIVIL CASES ADDED AND DISPOSED: TRIAL CALENDAR

The number of cases added to the civil trial calendar through September decreased compared to last year, dropping by 320 (26 percent). Cases added to the trial calendar dropped in all counties statewide. In Providence/Bristol County, there were 249 (29 percent) fewer cases added to the civil trial calendar compared to last year, while in Washington County there were 32 (26 percent) fewer. In Kent and Newport Counties, the number of cases added to the civil trial calendar dropped by 37 and 2 (18 percent and 3 percent), respectively. During the first nine months of 2011, all counties disposed more civil cases than were added, resulting in disposition rates that exceeded 100 percent.

PENDING CIVIL CASELOAD: TRIAL CALENDAR

As of the end of September, there were 1,545 civil cases pending trial statewide, 332 (18 percent) fewer than last year.

Family Court

JUVENILE FILINGS

Through the third quarter of 2011, Family Court juvenile filings decreased by 14 percent compared to last year, dropping by 947 from 6,938 to 5,991. There was a decline in juvenile filings in every category for the third quarter. The largest percentage decrease occurred in the termination of parental rights (TPR) category with a 34 percent decline (81). Wayward/delinquent petitions decreased by 11 percent (474), violations by 16 percent (115), dependency/neglect/abuse (DNA) by 21 percent (258), adoption/guardianship petitions by 2 percent (7), and the general category of "other" by 20 percent (12).

For the nine month period analyzed, juvenile filings were lower in all counties, compared to last year. Providence/Bristol County filings decreased by 729 (15 percent), while Washington County dropped by 106 (17 percent), and Newport County declined by 93 (20 percent). The smallest decrease occurred in Kent County with 19 (2 percent) fewer filings than last year.

JUVENILE DISPOSITIONS

In both the wayward/delinquent and the child protection categories, dispositions exceeded filings

<i>Juvenile Filings by Case Type</i>	2007	2008	2009	2010	2011
Wayward/Delinquent	4,863	5,109	4,447	4,318	3,844
Violations	884	788	652	715	600
Dependency/Neglect/Abuse	1,325	1,299	1,171	1,240	982
Termination of Parental Rights	264	279	226	235	154
Adoption/Guardianship	340	359	344	371	364
Other	51	46	39	59	47
Total	7,727	7,880	6,879	6,938	5,991
<i>Juvenile Filings by County</i>					
Providence/Bristol	5,591	5,576	4,812	5,008	4,279
Kent	1,164	1,159	1,011	855	836
Washington	570	683	606	620	514
Newport	402	462	450	455	362
Total	7,727	7,880	6,879	6,938	5,991
<i>Divorce Filings by County</i>					
Providence/Bristol	2,272	2,397	2,227	2,237	2,321
Kent	591	613	604	621	618
Washington	391	400	408	395	395
Newport	268	259	244	239	271
Total	3,522	3,669	3,483	3,492	3,605
<i>Abuse Filings</i>					
Courtwide	1,723	1,747	1,802	1,773	1,930

statewide, resulting in disposition rates over 100 percent.

TIME TO DISPOSITION: JUVENILE CASES

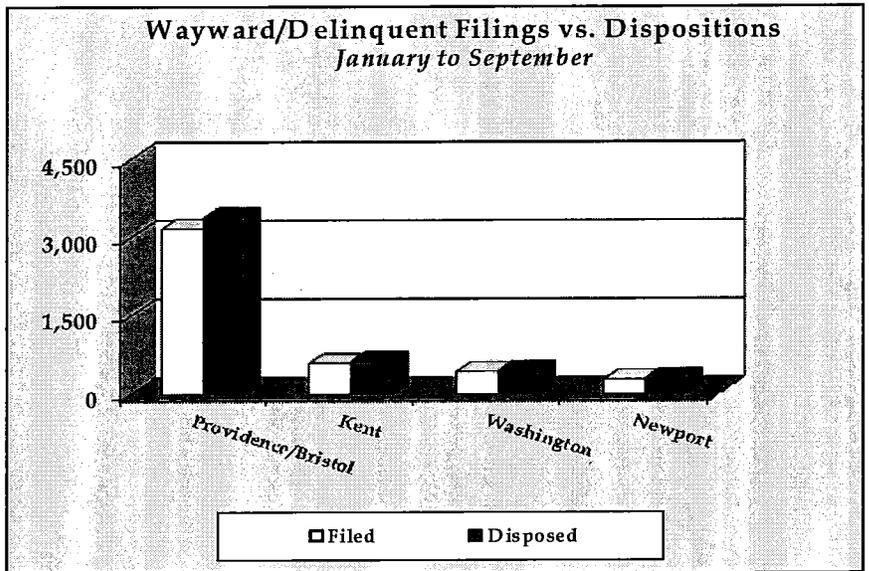
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. Statewide, this goal was met in 60 percent of juvenile cases. Through the third quarter, Providence/Bristol County adjudicated 62 percent of its wayward/delinquent cases within 180 days (with violations included). Washington County adjudicated 66 percent of this caseload within 180 days, and Newport County met the guideline in 49

percent of the cases. In Kent County, 55 percent of the cases were handled within the guideline. For wayward/delinquent cases handled informally, the goal is 45 days. Through September, 77 percent of the cases met this goal while 97 percent were handled within 90 days.

In child protection cases statewide, the Family Court met the 180 day guideline in 61 percent of the cases for TPR and in 38 percent of the cases for DNA matters. In Providence/Bristol County, 38 percent of the DNA cases and 67 percent of the TPR matters were adjudicated within 180 days.

PENDING TPR CASELOAD

A specific area the court monitors closely is the cases pending on the contested TPR calendar in Providence/Bristol County. At the end of September, 30 cases, representing 23 families, remained on this calendar, and 19 cases (15 families) were over 180 days old.

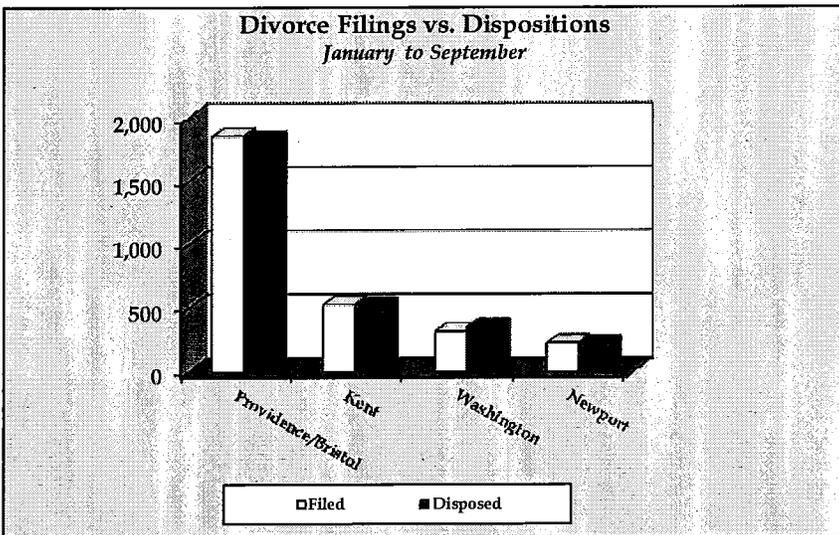


DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, divorce filings statewide increased by 113 (3 percent), from 3,492 to 3,605. Statewide, the domestic disposition rate was 99 percent for the third quarter. In both Providence/Bristol and Kent Counties, the disposition rate was 98 percent, while in Newport County it was 96 percent. Divorce dispositions exceeded filings in Washington County, resulting in a disposition rate that exceeded 100 percent.

PENDING DIVORCE CASELOAD

At the end of the third quarter, the total number of divorce cases pending over a year was 14 statewide, 3 fewer than last year. Providence/Bristol County had 9 divorce cases pending over a year, while Newport County had 5. In both Washington and Kent Counties there were no divorce cases pending over a year.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings decreased through the third quarter of 2011 compared to last year. The total number filed dropped from 20,695 last year to 20,011, a decline of 684 (3 percent). Filings decreased in all counties, with the exception of Third Division, where they rose by 178 (3 percent). The Fourth Division decreased by 248 (10 percent), the Sixth Division declined by 447 filings (4 percent), and the Second Division dropped by 167 (8 percent).

The 20,011 statewide misdemeanor case filings through the third quarter of 2011 were comprised of 27,171 individual counts. In the Second Division, the 1,983 misdemeanor cases filed represented 2,568 counts, while the Third Division misdemeanor case filings (5,893) resulted in 7,395 counts. Furthermore, the 2,315 misdemeanor cases filed in the Fourth Division included 3,289 counts, and in the Sixth Division, the 9,820 misdemeanor case filings were comprised of 13,919 counts.

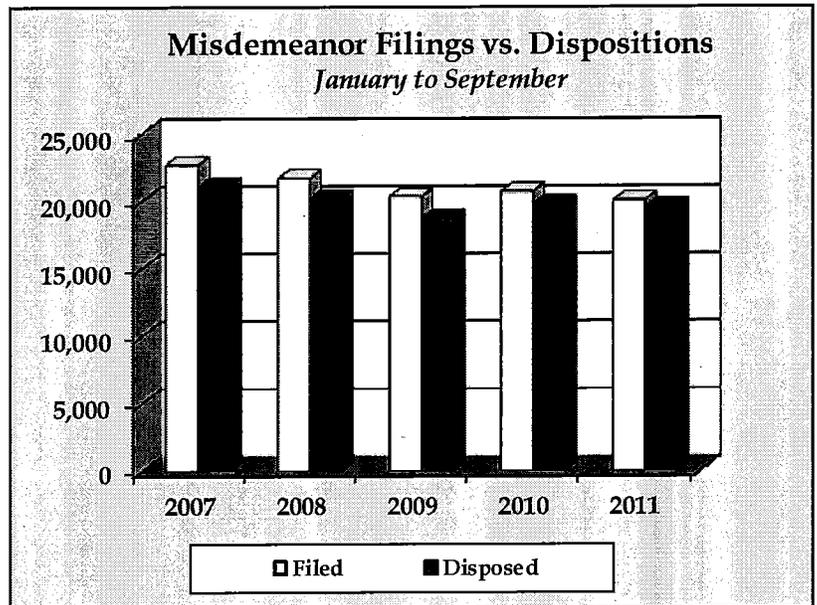
MISDEMEANOR DISPOSITIONS

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 September. Both the Fourth and Sixth Divisions had disposition rates over 100 percent. In the Second Division, the rate was 94 percent, and in the Third Division, it was 92 percent.

TIME TO DISPOSITION: MISDEMEANORS

The court's goal is to dispose of misdemeanors within 60 days of filing. This measures the time between filing a case and its disposition. Statewide, 75 percent of

misdemeanors were disposed within this time period. Through the third quarter, the Second Division handled 77 percent of its misdemeanor caseload within 60 days. The Fourth Division met the 60 day guideline in 76 percent of the



misdemeanor cases; the Third Division in 78 percent; and the Sixth Division in 73 percent.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were a total of 2,611 misdemeanors pending; 70 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 153 and in the Third Division, it was 201. There were 75 misdemeanors pending more than 60 days in the Fourth Division, and 366 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 6 percent from 747 a year ago to 795.

FELONY FILINGS

Statewide, felony filings through the third quarter increased slightly by 1 percent over those filed during the

<i>Misdemeanor Filings</i>	2007	2008	2009	2010	2011
Second	1,930	1,979	1,905	2,150	1,983
Third	5,685	5,505	5,497	5,715	5,893
Fourth	3,031	3,096	2,619	2,563	2,315
Sixth	12,033	11,100	10,302	10,267	9,820
Total	22,679	21,680	20,323	20,695	20,011
<i>Felony Filings</i>					
Courtwide	5,831	5,667	5,441	5,611	5,667
<i>Civil Filings</i>					
Second	990	1,083	961	979	1,032
Third	3,631	4,454	5,105	5,021	5,026
Fourth	1,175	1,323	1,216	1,397	1,235
Sixth	11,122	12,195	10,407	10,546	10,265
Total	16,918	19,055	17,689	17,943	17,558
<i>Small Claims</i>					
Second	622	741	426	574	511
Third	4,885	5,012	9,317	3,389	2,975
Fourth	974	1,151	802	734	743
Sixth	8,273	9,671	6,347	6,431	5,435
Total	14,754	16,575	16,892	11,128	9,664
<i>Abuse Filings</i>					
Courtwide	618	747	741	770	703

filings rose by 53 (5 percent) in the Second Division, and remained virtually unchanged in the Third Division, increasing by only 5 (less than 1 percent).

Small claims decreased statewide through the third quarter of 2011 compared to a year ago. Overall, the number of small claims filed dropped by 1,464 (13 percent). Small claims filings dropped in all divisions, except the Fourth Division, where they rose by 9 (1 percent). In the Third Division, filings decreased by 12 percent (414), in the Second Division by 11 percent (63), and in the Sixth Division, small claims decreased by 15 percent (996).

CIVIL DISPOSITIONS

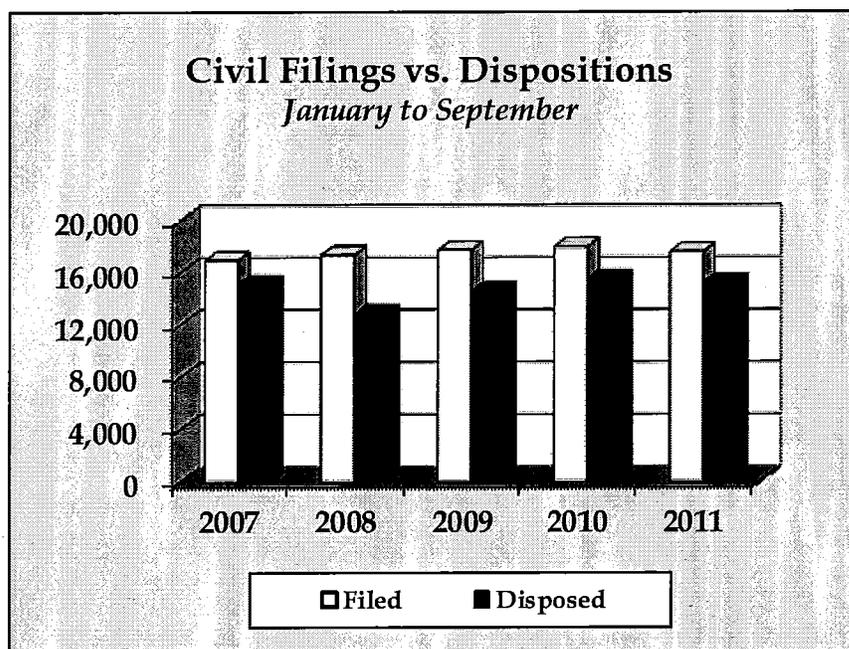
The statewide disposition rate for civil cases was 87 percent, a slight increase from the 86 percent rate in 2010. For small claims,

same time period last year, rising from 5,611 to 5,667. The number filed increased in all divisions except the Sixth Division, where it dropped by 50 (1 percent). Felony filings increased by 9 (2 percent) in the Fourth Division, by 47 (3 percent) in the Third Division, and by 50 (13 percent) in the Second Division.

CIVIL FILINGS

On the civil side, filings through September decreased by 385 (2 percent) from 17,943 during the same time period of 2010 to 17,558 in 2011. Similar to statewide filings, the decrease in civil filings included a 12 percent (162) decline in the Fourth Division, and a 3 percent drop (281) in the Sixth Division. On the contrary, civil

dispositions exceeded filings, statewide and in all divisions.



Workers' Compensation Court

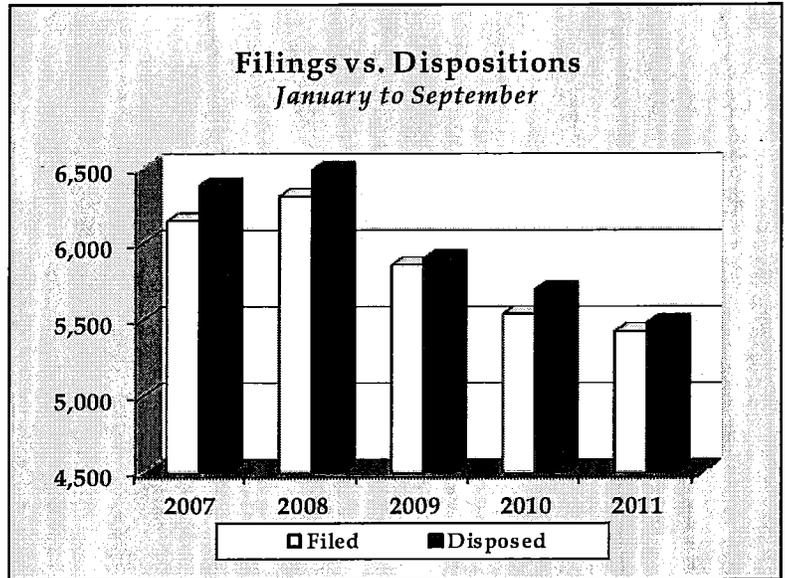
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court through the third quarter of 2011 decreased by 113 from last year. A year ago there were 5,538 petitions filed through September, and this year there were 5,425, a difference of 2 percent.

Petitions decreased compared to a year ago for employee petitions, employer petitions, and petitions to enforce. Employee petitions dropped by 141 (9 percent), employer petitions by 19 (2 percent), and petitions to enforce by 107 (18 percent). On the contrary, original petitions increased by 105 (7 percent), while miscellaneous petitions rose by 15 (12 percent). Both lump sum settlements and petitions for medical increased by 5 percent (28 and 6), respectively.

PETITIONS DISPOSED

Through the third quarter, dispositions exceeded filings. The number disposed (5,482) was 57 greater than the number filed. At the pretrial stage, dispositions accounted for 74 percent of the total, the same as last year.

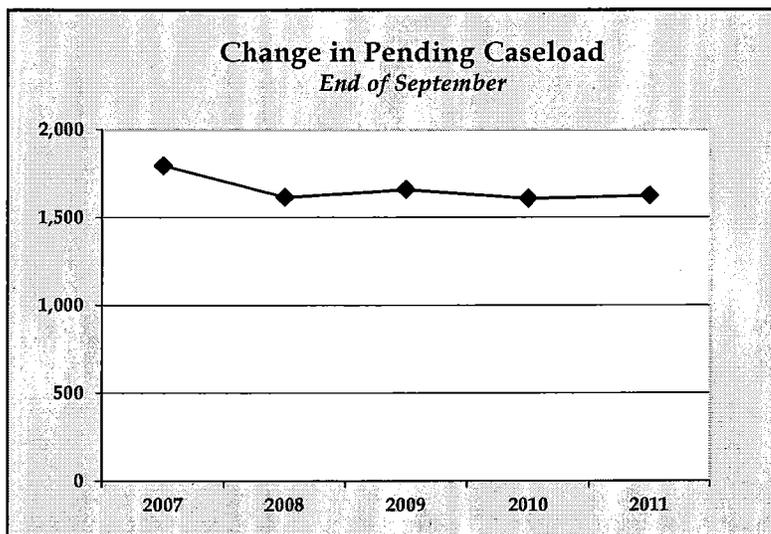


TIME TO DISPOSITION

The court has established a goal of 90 days for cases to be disposed at pretrial and 360 days for those disposed at trial. This calculation measures the time between the filing and disposition of a petition. The percentage of cases disposed at pretrial within 90 days was 87 percent, which represents a slight decrease from a year ago (88 percent). In addition, 90 percent of the cases disposed at trial were handled within 360 days, up from 88 percent last year.

PENDING CASELOAD

Compared to last year, the total number of petitions pending grew from 1,607 to 1,623, an increase of only 16 (1 percent). Of those cases, the number of cases pending trial rose by 3 percent (20) from 658 to 678. Petitions pending trial over 270 days increased slightly from 230 to 239, representing 35 percent of the total number pending trial, which was the same as last year.



Traffic Tribunal

SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased through the third quarter of 2011, dropping 5 percent from 79,770 last year to 75,916. RITT summonses accounted for roughly 55 percent of the total summonses issued this period.

Similar to the overall decline in summonses, refusals decreased by 94 (8 percent) compared to last year. On the contrary, insurance violations increased by less than one percent (29).

SUMMONSES DISPOSED

For the tenth consecutive year, RITT dispositions exceeded the number filed through the third quarter. Payments by mail represented 32 percent of total dispositions and declined by 1,626 (8 percent) over last year's figure. The remaining 68 percent were disposed by court hearings.

TIME TO DISPOSITION

The RITT has adopted 60 days from initial appearance as the goal for disposing summonses, which measures the time from initial appearance to disposition. Through the third quarter of the year, 96 percent of all dispositions met this guideline statewide. Furthermore, 80 percent of breathalyzer refusals and 94 percent of insurance violations were disposed within the 60 day timeframe.

<i>Filings</i>	2007	2008	2009	2010	2011
Total Summonses Issued *	172,956	163,900	120,210	112,055	112,708
RITT Summonses Issued	80,750	75,122	67,142	65,080	61,718
Total Violations	98,532	90,709	81,506	79,770	75,916
<i>RITT Dispositions</i>					
Court Hearings	53,308	47,877	45,940	44,531	42,644
Payments by Mail	30,880	27,955	23,845	21,261	19,635
Total Disposed	84,188	75,832	69,785	65,792	62,279

As in the past, the majority of dispositions took place at or before the arraignment stage, although the results were different for certain categories. Based on statistics relating to the number of violations (separate offenses), 82 percent of all violations disposed occurred at or before arraignment. Also, 83 percent of insurance violations and 29 percent of breathalyzer refusal matters were disposed at or before arraignment.

PENDING CASELOAD

The total number of summonses pending at the end of September was 2,603. Of this number, 1,718 (66 percent) were pending over 60 days.

