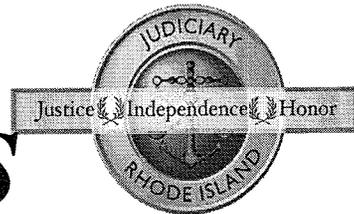


Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 30, No. 3, September 2009

HIGHLIGHTS

THROUGH THE THIRD QUARTER OF 2009

IN SUPREME COURT, CASES DOCKETED INCREASED BY 17% COMPARED TO LAST YEAR.

IN SUPERIOR COURT, FELONY DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

IN FAMILY COURT, WAYWARD/DELINQUENT AND CHILD PROTECTION DISPOSITIONS EXCEEDED FILINGS STATEWIDE.

IN DISTRICT COURT, SMALL CLAIMS FILINGS INCREASED BY 2%, COMPARED TO LAST YEAR.

IN WORKERS' COMPENSATION COURT, DISPOSITIONS EXCEEDED FILINGS FOR THE FIFTH CONSECUTIVE YEAR.

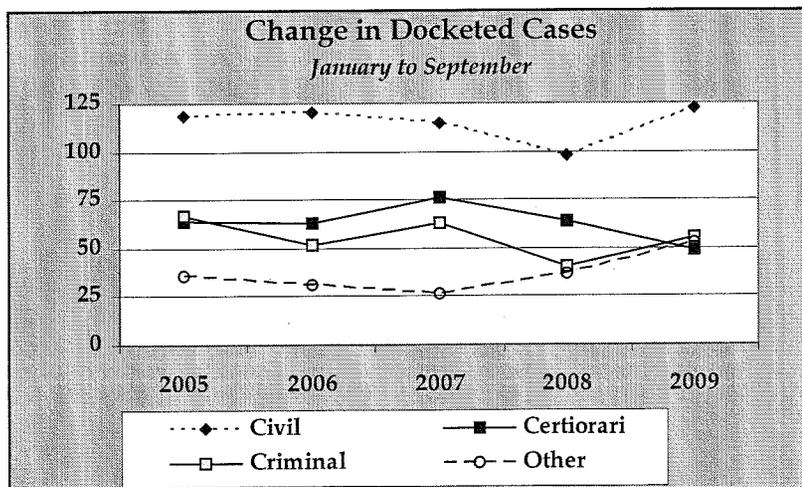
IN THE TRAFFIC TRIBUNAL, DISPOSITIONS CONTINUE TO EXCEED SUMMONSES ISSUED AS IN THE PAST SEVERAL YEARS.

Supreme Court

This report covers the first three quarters of the calendar year from January 1 through September 30, 2009. There were 279 Supreme Court cases docketed during the period which was 40 (17 percent) more than those docketed through the third quarter of last year. During this period, civil appeals increased from last year, rising by 24 percent from 98 to 122. Both criminal appeals and miscellaneous appeals increased as well,

rising by 38 and 43 percent, respectively. Compared to last year's figures, petitions for writ of certiorari decreased by 23 percent, dropping from 64 to 49.

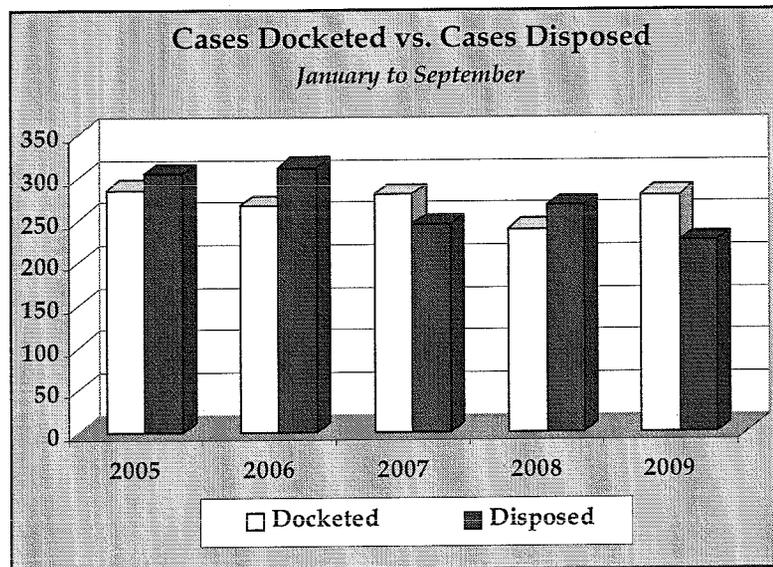
Through the third quarter, new appeals exceeded dispositions with a disposition rate of 84 percent. The number of appeals disposed was 233, which was 46 fewer than were docketed. As explained in more detail below, 28 (12 percent) of the 233



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

Of the 233 dispositions during the period, 51 percent of the appeals were disposed before argument, 26

A review of the pending caseload showed that the 96 percent (483) were in the pre-briefing stage, while 2 percent (12) were pending show cause and another 2 percent (11) were pending full argument on the merits.



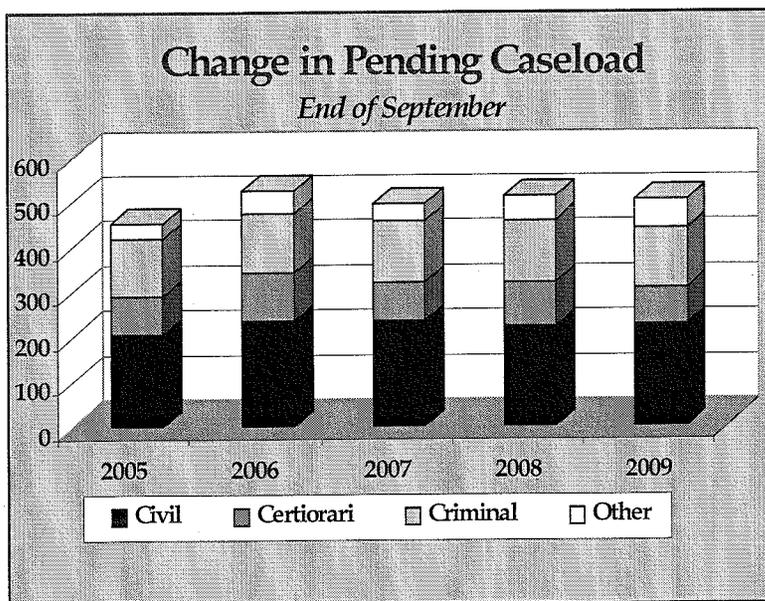
During the three quarters of calendar year 2009, there were 128 new cases added to the AMP. Of the 128 new cases added, 60 were deemed either ineligible or inappropriate for mediation. During this time period, 28 cases were disposed at some stage in the mediation process, representing a 41 percent disposition rate. Twelve of the 28 dispositions were settled at or after mediation, while the remaining 16 were dismissed or withdrawn at an earlier stage in the mediation process. As of September 30, 2009 there were

percent were disposed after show cause, and the remaining 23 percent were disposed after full oral arguments.

36 cases active in the program.

During the first nine months of 2009, the Supreme Court published 110 written decisions, including 10 orders and 100 opinions.

At the end of the period, the pending caseload was 506, a decrease of 7 (1 percent) compared to last year (513). This is a result of a decrease in pending criminal appeals and petitions for writ of certiorari by 5 and 17, respectively, combined with an increase in civil and miscellaneous appeals by 1 and 14, respectively.



Superior Court

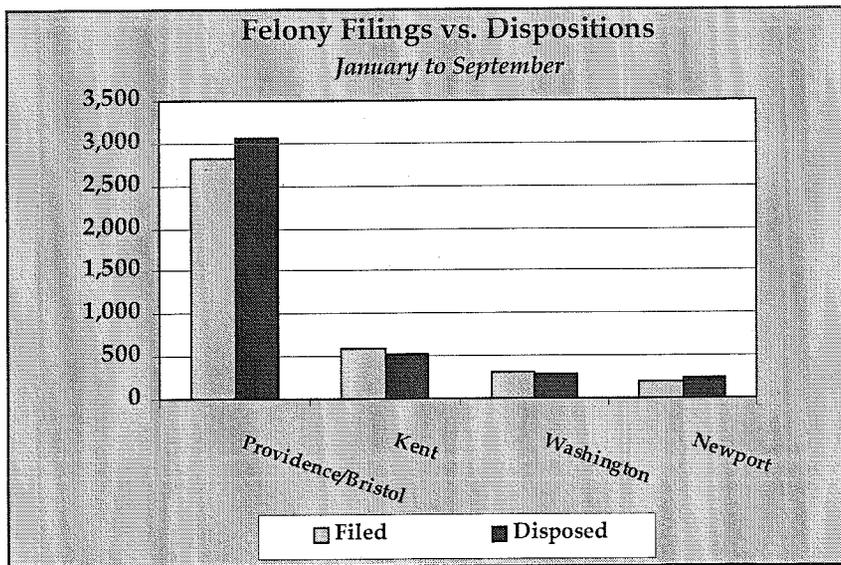
Statewide felony filings in Superior Court decreased through the third quarter of 2009. The number filed declined by only 64 (2 percent) from 3,984 to 3,920. Felony filings decreased in all counties except Kent where they increased by 68 (13 percent). Providence/Bristol County experienced a 2 percent decline in felony filings, dropping by 63 over last year, while filings in both Washington and Newport Counties decreased by 12 percent.

Statewide, felony dispositions exceeded filings through the third quarter of 2009. Felony dispositions exceeded filings in both Newport and Providence/Bristol Counties, but fell short in Kent and Washington Counties. The disposition rate in Kent County was 87 percent, while in Washington it was 94 percent.

<i>Felony Filings</i>	2005	2006	2007	2008	2009
Providence/Bristol	2,829	3,183	3,514	2,882	2,819
Kent	567	587	545	530	598
Washington	315	460	359	346	303
Newport	284	249	208	226	200
Total	3,995	4,479	4,626	3,984	3,920
<i>Misdemeanor Filings</i>					
Providence/Bristol	147	121	101	96	64
Kent	29	32	44	34	18
Washington	28	39	30	20	22
Newport	11	16	23	39	53
Total	215	208	198	189	157
<i>Civil Filings</i>					
Total	6,951	7,131	7,176	8,812	8,343
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	1,093	1,067	908	988	913
Kent	233	235	198	232	230
Washington	165	138	140	120	118
Newport	126	106	105	100	88
Total	1,617	1,546	1,351	1,440	1,349

The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 70 percent of the cases disposed statewide during the first three quarters of 2009. Kent County handled 85 percent of its felony caseload within 180 days, while Washington County disposed 78 percent within the goal. Providence/Bristol County and Newport County disposed 66 percent and 69 percent of cases within the 180 day guideline, respectively.

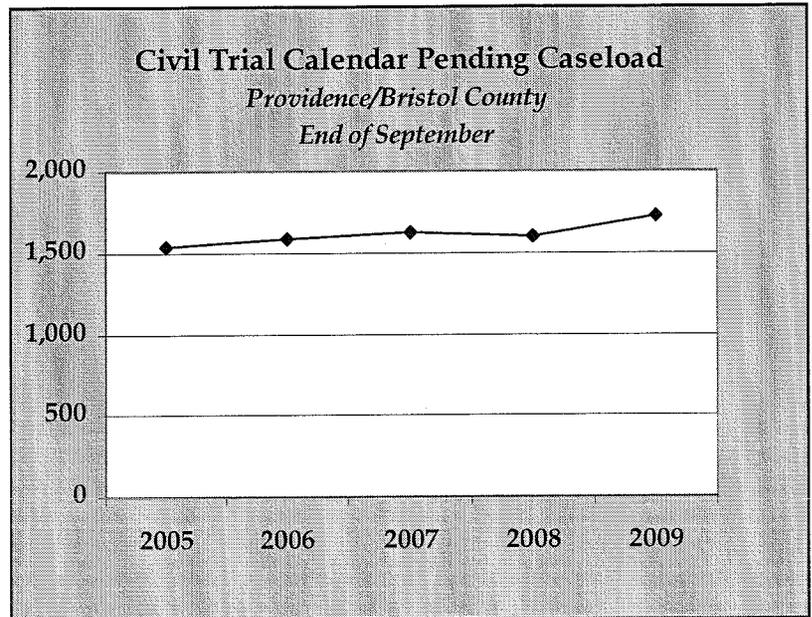
The number of felonies pending statewide totaled 2,409 at the end of September, and 46



percent had been pending over 180 days from filing. Providence/Bristol County had 992 cases over 180 days old; Kent County had 34; Washington County, 33; and Newport County had 38.

Statewide misdemeanor appeals through the third quarter were the lowest in eight years, dropping by 17 percent from 189 in 2008 to 157 in 2009. Misdemeanor appeals decreased in Providence/Bristol and Kent Counties, while both Washington and Newport Counties experienced an increase in filings. Providence/Bristol saw a decline of 32 (33 percent) and Kent misdemeanor filings dropped by 16 (47 percent). Newport County misdemeanor filings increased by 14 (36 percent), while Washington had 2 more (10 percent) filings than last year.

Statewide misdemeanor dispositions exceeded filings. Also, misdemeanor dispositions exceeded filings in Providence/Bristol and Kent Counties, whereas Washington and Newport Counties had disposition rates of 77 percent and 79 percent, respectively. Washington County had the largest percentage of misdemeanors disposed within 90 days (81 percent). Seventy-five percent of Kent County's misdemeanors were disposed within the 90 day time frame, while Newport and Providence Counties reached the goal in 64 percent and 18 percent of misdemeanor dispositions, respectively. At the end of September, there were only 185 misdemeanor appeals pending statewide, and 69 percent (128) were over 90 days old.



Statewide civil filings totaled 8,343 through the third quarter of 2009, decreasing by 469 (5 percent) compared to last year. Also, the number of cases added to the civil trial calendar through September decreased compared to last year, dropping by 91 (6 percent). In Providence/Bristol County, there were 75 (8 percent) fewer cases added to the civil trial calendar compared to last year, while in Newport County, the decrease was 12 (12 percent). In both Kent and Washington Counties, the number of cases added to the civil trial calendar dropped by 2 (1 percent and 2 percent, respectively). During the first nine months of 2009, all counties disposed more civil cases than were added except Providence/Bristol, which had a disposition rate of 79 percent. As of the end of September, there were 2,184 civil cases pending trial statewide, 150 (7 percent) more than last year.

Family Court

Through the third quarter of 2009, Family Court juvenile filings decreased by 13 percent compared to last year, dropping by 1,001 from 7,880 to 6,879. There was a decrease in juvenile filings in every category across the board. The largest percentage decline occurred in the categories of violations, termination of parental rights (TPR), and the general category of “other”, showing decreases of 17 percent (136), 19 percent (53), and 15 percent (7), respectively. Petitions filed in the remaining three categories also dropped: Wayward/delinquent petitions declined by 13 percent (662), dependency/neglect/abuse (DNA) by 10 percent (128), and adoption/guardianship petitions by 4 percent (15).

For the nine-month period analyzed, juvenile filings were lower in all four counties compared to a year ago. Providence/Bristol County filings decreased by 764 (14 percent), while Kent County saw a decline of 148 (13 percent). Washington County filings dropped by 77 (11 percent) and the smallest decrease came in Newport County with 12 (3 percent) fewer filings from last year.

<i>Juvenile Filings by Case Type</i>	2005	2006	2007	2008	2009
Wayward/Delinquent	5,171	5,225	4,863	5,109	4,447
Violations	707	790	884	788	652
Dependency/Neglect/Abuse	1,633	2,057	1,325	1,299	1,171
Termination of Parental Rights	340	278	264	279	226
Adoption/Guardianship	422	432	340	359	344
Other	55	65	51	46	39
Total	8,328	8,847	7,727	7,880	6,879
<i>Juvenile Filings by County</i>					
Providence/Bristol	5,841	6,203	5,591	5,576	4812
Kent	1,366	1,330	1,164	1,159	1011
Washington	675	777	570	683	606
Newport	446	537	402	462	450
Total	8,328	8,847	7,727	7,880	6,879
<i>Divorce Filings by County</i>					
Providence/Bristol	2,438	2,414	2,272	2,397	2227
Kent	611	573	591	613	604
Washington	444	454	391	400	408
Newport	259	298	268	259	244
Total	3,752	3,739	3,522	3,669	3,483
<i>Abuse Filings</i>					
Courtwide	1,768	1,751	1,723	1,747	1802

In both the wayward/delinquent and the child protection categories, dispositions exceeded filings statewide, resulting in disposition rates over 100 percent.

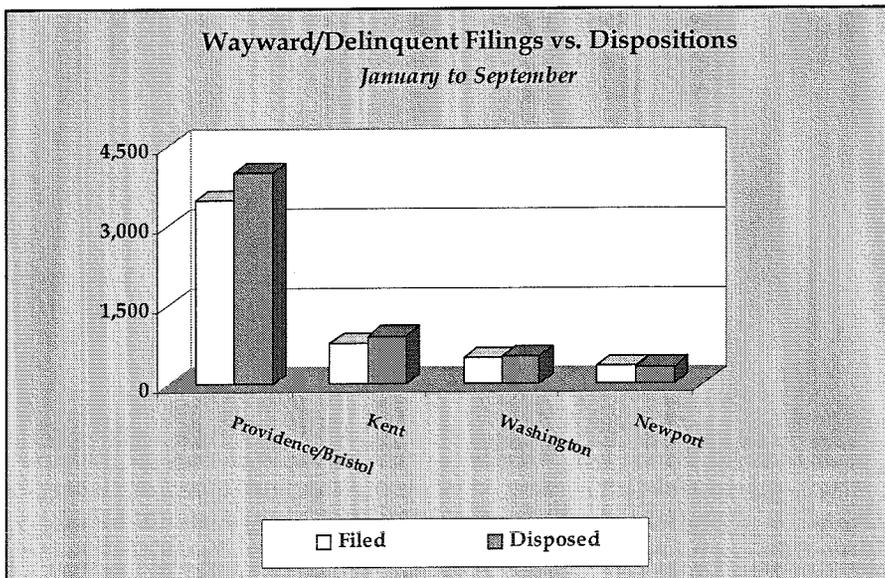
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. Through the third quarter, Providence/Bristol County adjudicated 68 percent of its wayward/delinquent cases within 180 days (with violations included). Washington County adjudicated 75 percent of this caseload within 180 days, and Newport County met the guideline in 70 percent of the cases. In Kent County,

63 percent of the cases were handled within the guideline. For wayward/delinquent cases handled informally, the goal is 45 days. Through September, 88 percent of the cases met this goal while 97 percent were handled within 90 days.

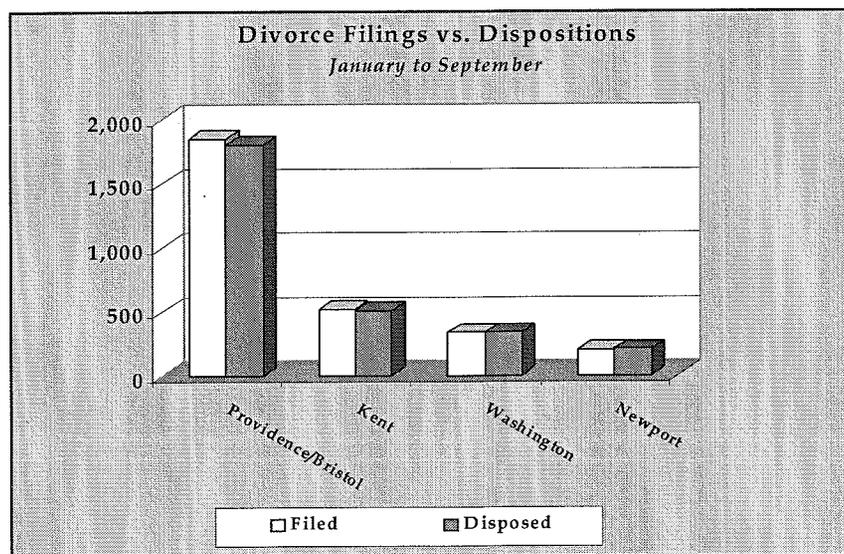
In child protection cases statewide, Family Court met the 180 day guideline in 70 percent of the cases for TPR and in 45 per-

cent of the cases for DNA matters. In Providence/Bristol County, 46 percent of the DNA cases and 75 percent of the TPR matters were adjudicated within 180 days.

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, 45 cases, representing 31 families, remained on this calendar, and 15 cases (9 families) were over 180 days old.



On the domestic side, divorce filings decreased in all counties except Washington County where they increased by 8 (2 percent). Statewide the number filed dropped by 186 (5 percent) from 3,669 to 3,483. The statewide disposition rate for divorce cases was 98 percent. Divorce dispositions exceeded filings in both Washington and Newport Counties, while Providence/Bristol and Kent Counties had disposition rates of 98 percent and 97 percent, respectively.



At the end of the third quarter, the total number of divorce cases pending over a year was 52 statewide, 30 more than last year. Providence/Bristol County had 42 divorce cases pending over a year, while Kent County had 6. In both Washington and Newport Counties the total was 2.

District Court

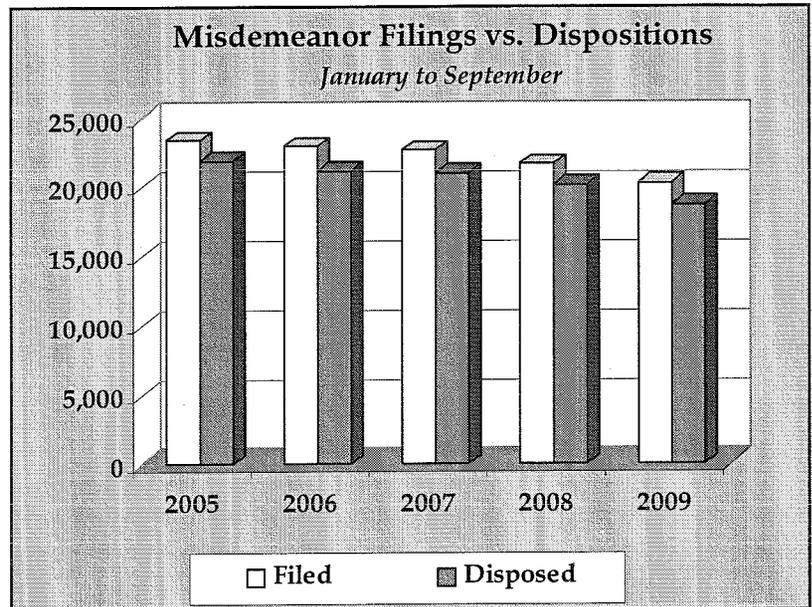
In District Court, misdemeanor filings decreased through the third quarter of 2009 compared to last year. The total number filed dropped from 21,680 last year to 20,323, a decrease of 1,357 (6 percent). Filings were lower in all four divisions, with the greatest decline occurring in the Fourth Division, dropping 477 filings (15 percent). The Sixth Division decreased by 798 (7 percent), while the Second Division saw a decline of 74 filings (4 percent). The Third Division filings remained virtually unchanged with a negligible decrease of 8 (.15 percent).

The 20,323 statewide misdemeanor case filings through the third quarter of 2009 were comprised of 25,809 individual counts. In the Second Division, the 1,905 misdemeanor cases filed represented 2,356 counts, while the Third Division misdemeanor case filings (5,497) resulted in 7,130 counts. Furthermore, the 2,619 misdemeanor cases filed in the Fourth Division included 3,394 counts, and in the Sixth Division, the 10,302 misdemeanor case filings were comprised of 12,926 counts.

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the disposition rate for misdemeanors was 92 percent through September. The Third Division had a disposition rate of 95 percent. In both the Second and Sixth Divisions the rate was 91 percent, while in the Fourth Division, it was 93 percent.

The court's goal is to dispose of misdemeanors within 60 days of filing. Through the third quarter, the Second Division handled 80 percent of its misdemeanor

caseload within 60 days. In the Third Division, 85 percent of the misdemeanor cases were disposed within 60 days. Both the Fourth and Sixth Divisions met the 60 day guideline in 77 and 80 percent of its misdemeanor cases, respectively.



At the end of September, there were a total of 4,645 misdemeanors pending; 37 percent were less than 60 days old, and another 17 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 457; in the Third Division, it was 1,132; it was 134 in the Fourth Division and 1,205 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 36 percent from 2,147 a year ago to 2,928.

Statewide, felony filings through the third quarter decreased by 4 percent over those filed during the same time period last year, dropping from 5,667 to 5,441. The number filed dropped by 7 (2 percent) in the Second Division and by 283 (8 percent) in the Sixth Division. Felony

<i>Misdemeanor Filings</i>	2004	2005	2006	2007	2008	2009
Second	1,945	1,890	1,925	1,930	1,979	1,905
Third	3,849	4,067	3,995	5,685	5,505	5,497
Fourth	3,299	3,353	3,138	3,031	3,096	2,619
Sixth	14,210	14,151	13,962	12,033	11,100	10,302
Total	23,303	23,461	23,020	22,679	21,680	20,323
<i>Felony Filings</i>						
Courtwide	5,535	5,587	6,101	5,831	5,667	5,441
<i>Civil Filings</i>						
Second	927	1079	878	990	1083	961
Third	1,885	1,789	1,850	3,631	4,454	5,105
Fourth	926	820	925	1,175	1,323	1,216
Sixth	10,326	10,129	10,768	11,122	12,195	10,407
Total	14,064	13,817	14,421	16,918	19,055	17,689
<i>Small Claims</i>						
Second	664	674	651	622	741	426
Third	1,583	1,766	1,816	4,885	5,012	9,317
Fourth	862	814	893	974	1,151	802
Sixth	8,846	8,869	10,768	8,273	9,671	6,347
Total	11,955	12,123	14,128	14,754	16,575	16,892
<i>Abuse Filings</i>						
Courtwide	576	563	543	618	747	741

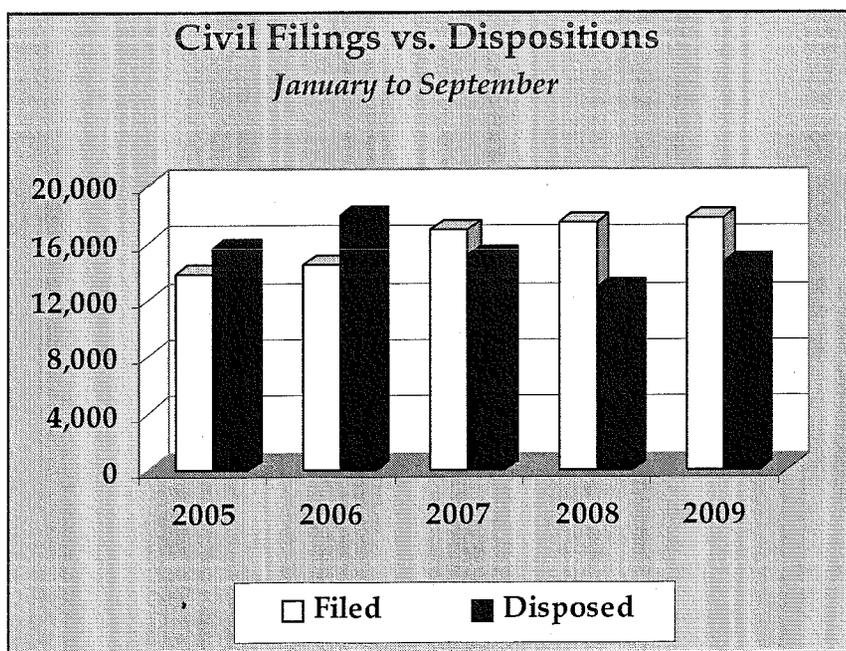
Small claims increased statewide through the third quarter of 2009 compared to a year ago, reaching an all-time high. Although three out of the four counties saw a decrease in filings, the drastic increase in the Third Division played a role in the increase of filings statewide. Overall, the number of small claims filed rose by 317 (2 percent). In the Third Division, filings increased by 86 percent (4,305), in the Second Division, small claims decreased by 43 percent (315); in the Fourth Division, they dropped by 30 percent (349); and in Sixth Division, the decrease was 34 percent (3,324).

The statewide disposition rate for civil cases was 82 percent, an increase from the 75 percent rate in 2008. The disposition rate for small claims was 99 percent, up from 89

filings increased by 4 percent in both the Third and Fourth Divisions. In the Third Division filings rose by 47, and in the Fourth, they rose by 17.

On the civil side, filings through September decreased by 1,366 (7 percent) from 19,055 during the same time period of 2008 to 17,689 in 2009. All divisions, with the exception of the Third Division experienced a drop in civil filings. Civil declines included an 11 percent (122) decrease in the Second Division, 8 percent (107) in the Fourth Division and 15 percent (1,788) in the Sixth. Civil filings in the Third Division increased by 15 percent (651) compared to last year.

percent last year.

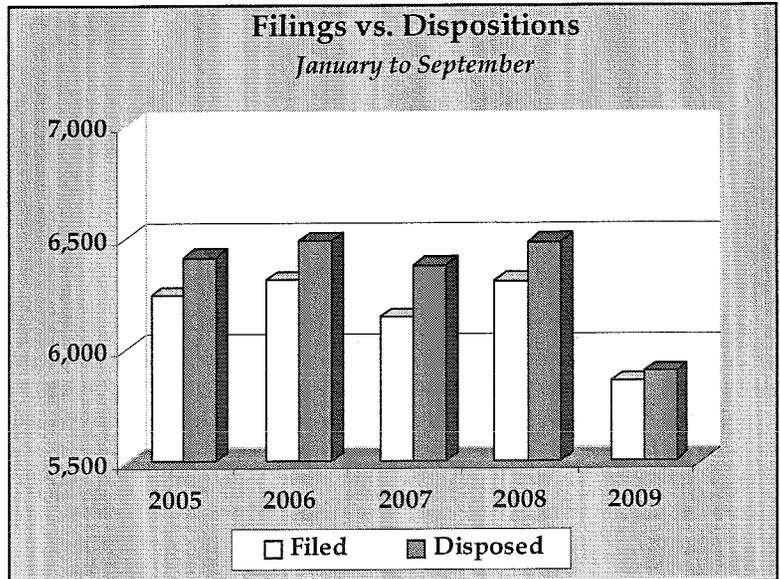


Workers' Compensation Court

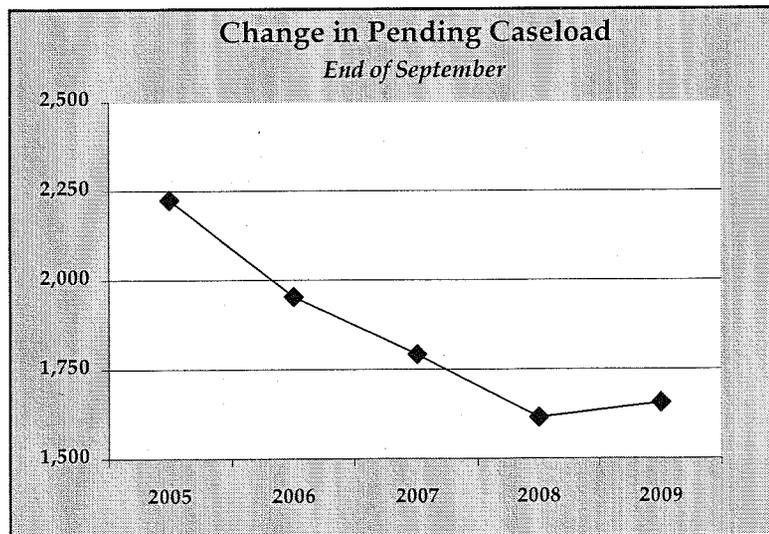
The number of petitions filed in the Workers' Compensation Court through the third quarter of 2009 decreased by 449 from last year. A year ago there were 6,308 petitions filed through September, and this year there were 5,859, a difference of 7 percent.

Petitions decreased compared to a year ago in every type of case filed. Employees' petitions dropped by 26 (2 percent), original petitions by 116 (6 percent), and petitions for medical by just 1 (1 percent). Also, miscellaneous petitions dropped by 22 percent (46), while lump sum settlements decreased by 14 percent (88). Both employer petitions and petitions to enforce saw a 10 percent decline, decreasing by 69 and 103 petitions, respectively.

Through the third quarter, dispositions exceeded filings. The number disposed (5,902) was 43 greater than the number filed. At the pretrial stage, dispositions



accounted for 76 percent of the total, slightly above the percentage last year (74 percent). The percentage of cases disposed at pretrial within 30 days was 66 percent, which represents a slight increase from a year ago (65 percent). In addition, 83 percent of the cases disposed at trial were handled within 270 days, compared to 80 percent a year ago.



Compared to last year, the total number of petitions pending rose from 1,613 to 1,658, an increase of 45 (3 percent). The number of cases pending trial was virtually unchanged, increasing negligibly by only two. Although the number of cases pending trial increased minimally from 735 last year to 737, the petitions pending trial over 270 days rose from 208 to 239, representing 32 percent of the total number pending trial compared to 28 percent last year.

Traffic Tribunal

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased through the third quarter of 2009, dropping 11 percent from 75,122 last year to 67,142. RITT summonses accounted for roughly 56 percent of the total summonses issued this period.

<i>Filings</i>	2005	2006	2007	2008	2009
Total Summonses Issued	170,178	178,278	172,956	163,900	120,210
RITT Summonses Issued	88,238	88,767	80,750	75,122	67,142
Total Violations	107,605	107,406	98,532	90,709	81,506
<i>RITT Dispositions</i>					
Court Hearings	54,641	55,694	53,308	47,877	45,940
Payments by Mail	35,014	34,885	30,880	27,955	23,845
Total Disposed	89,655	90,579	84,188	75,832	69,785

Consistent with the overall decline in summonses, insurance violations decreased by 126 (2 percent) compared to last year, and refusals dropped by 42 (3 percent).

Similar to the previous eight years, RITT dispositions exceeded the number filed this year through the third quarter. Payments by mail represented 34 percent of total dispositions and declined by 4,110 (15 percent) over last year's figure. The remaining 66 percent were disposed by court hearings.

The RITT has adopted 60 days from initial appearance as the goal for disposing summonses, and through the third quarter of the year, 96 percent of all dispositions met this guideline. Furthermore, 79 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 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), 83 percent of all violations disposed occurred at or before arraignment. Also, 82 percent of insurance violations and 38 percent of breathalyzer refusal matters were disposed at or before arraignment.

The total number of summonses pending at the end of September was 2,069. Of this number, 1,431 (69 percent) were pending over 60 days.

