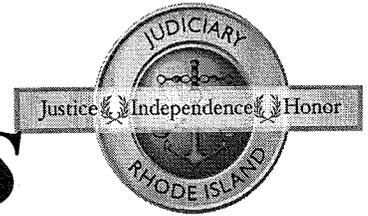


Court Statistics



THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 31, No. 3, September 2010

HIGHLIGHTS

THROUGH THE THIRD QUARTER OF 2010

IN SUPREME COURT, CASES DOCKETED INCREASED BY 18% COMPARED TO LAST YEAR.

IN SUPERIOR COURT, FELONY FILINGS INCREASED BY 7% FROM LAST YEAR.

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

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

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

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

Supreme Court

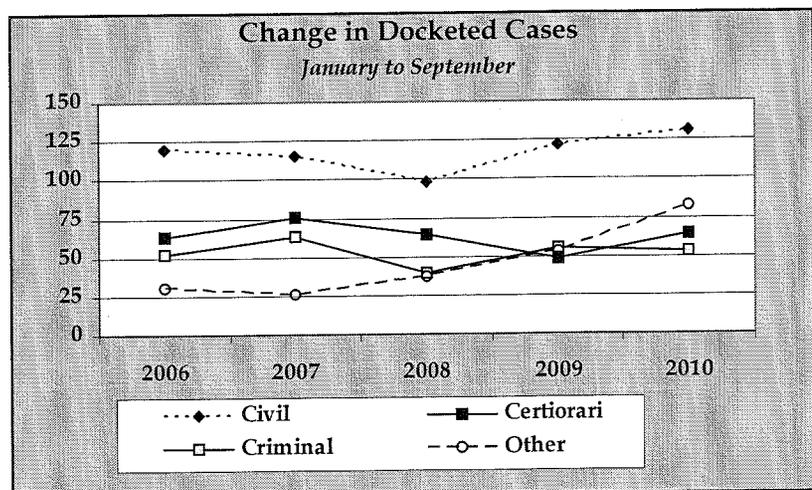
FILINGS

This report covers the first three quarters of the calendar year from January 1 through September 30, 2010. There were 330 Supreme Court cases docketed during the period which was 51 (18 percent) more than those docketed through the third quarter of last year. During this period, civil appeals increased from last year, rising by 7 percent from 122 to 131. Both miscellaneous appeals and petitions for writ of certiorari in-

creased as well, rising by 55 and 31 percent, respectively. Compared to last year's figures, criminal appeals decreased by just 4 percent, dropping from 55 to 53.

DISPOSITIONS

Through the third quarter, new appeals exceeded dispositions with a disposition rate of 72 percent. The number of appeals disposed was 237, which was 93 fewer than were docketed. As explained in more de-



tail below, 41 (17 percent) of the 237 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

Of the 237 dispositions during the period, 59 percent of the appeals were disposed before argument, 22

appeals by 6 and 41, respectively. A review of the pending caseload showed that 96 percent (534) were in the pre-briefing stage, while 3 percent (14) were pending show cause and another 1 percent (8) was pending full argument on the merits.

APPELLATE MEDIATION PROGRAM

During the first three quarters of calendar year 2010, there were 130 new cases screened through the AMP. Of the 130 new cases screened, 59 were deemed either ineligible or inappropriate for mediation. During this time period, 41 cases were disposed at some stage in the mediation process, representing a 58 percent disposition rate. Twenty of the 41 dispositions were settled at or after mediation, while the remaining 21 were dismissed or withdrawn at an earlier stage in the

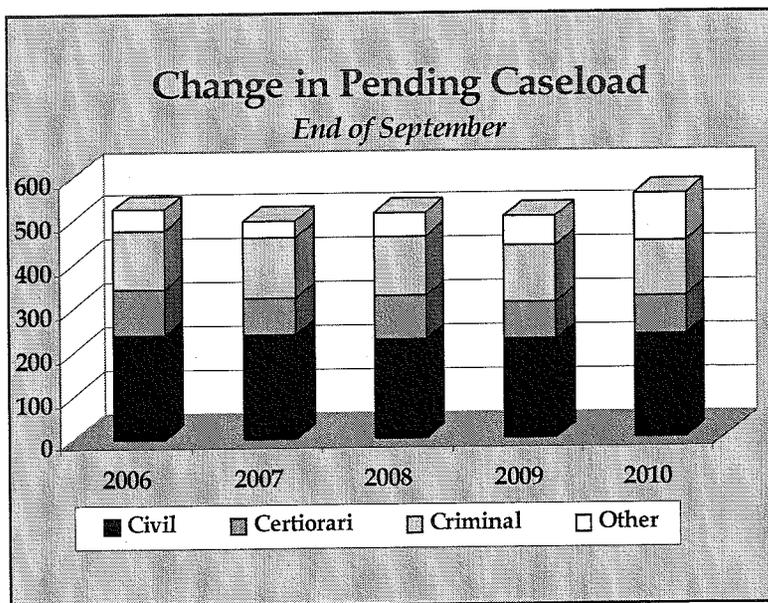
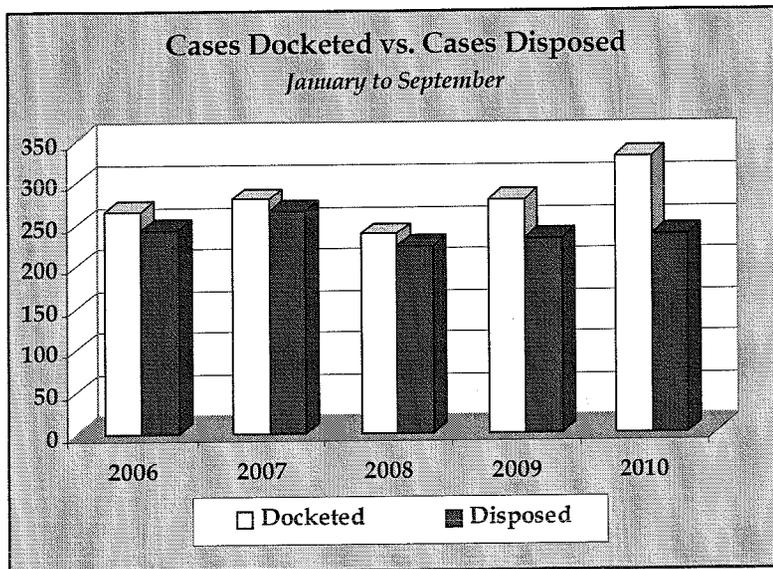
percent were disposed after show cause, and the remaining 19 percent were disposed after full oral arguments.

During the first nine months of 2010, the Supreme Court published 94 written decisions, including 7 orders and 87 opinions.

PENDING CASELOAD

At the end of the period, the pending caseload was 556, an increase of 50 (10 percent) compared to last year (506). This is a result of an increase in all pending appeals, with the exception of criminal which dropped by 6. Petitions for writ of certiorari rose by 9, and there was an increase in civil and miscellaneous

mediation process. As of September 30, 2010 there were 26 cases active in the program.



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court increased through the third quarter of 2010. The number rose by 282 (7 percent) from 3,920 to 4,202. Felony filings increased in all counties except Kent where they declined by 97 (16 percent). Providence/Bristol County experienced a 6 percent increase in felony filings, rising by 177 over last year, while filings in Washington and Newport Counties increased by 34 percent and 50 percent, respectively.

FELONY DISPOSITIONS

Statewide, the felony disposition rate was 99 percent through the third quarter of 2010. Felony dispositions exceeded filings in both Newport and Kent Counties, but fell short in Providence/Bristol and Washington Counties. The disposition rate in Providence/Bristol County was nearly 100 percent, with 13 fewer dispositions than filings, while in Washington it was 94 percent.

TIME TO DISPOSITION: FELONIES

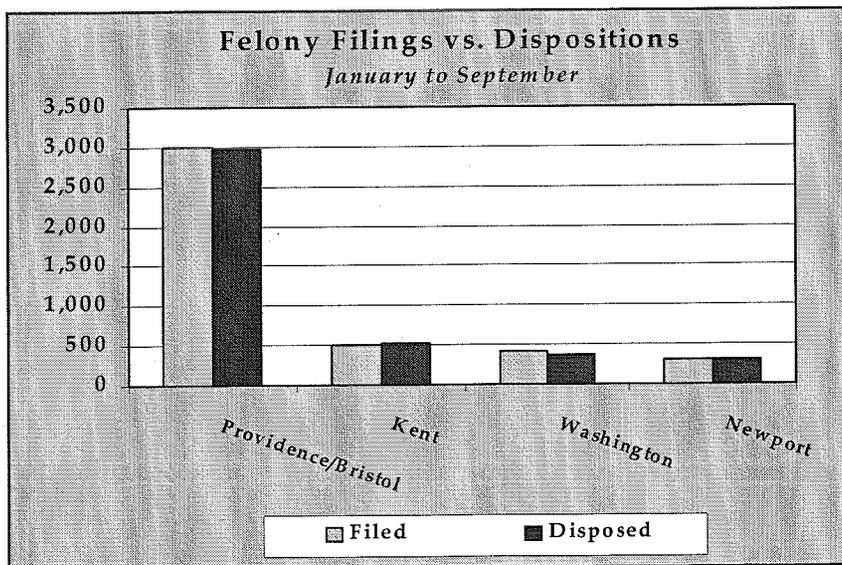
The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in 65 percent of the cases disposed statewide during the first

<i>Felony Filings</i>	2006	2007	2008	2009	2010
Providence/Bristol	3,183	3,514	2,882	2,819	2,996
Kent	587	545	530	598	501
Washington	460	359	346	303	406
Newport	249	208	226	200	299
Total	4,479	4,626	3,984	3,920	4,202
<i>Misdemeanor Filings</i>					
Providence/Bristol	121	101	96	64	86
Kent	32	44	34	18	37
Washington	39	30	20	22	20
Newport	16	23	39	53	47
Total	208	198	189	157	190
<i>Civil Filings</i>					
Total	7,131	7,176	8,812	8,343	8,561
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	1,067	908	988	913	856
Kent	235	198	232	230	204
Washington	138	140	120	118	125
Newport	106	105	100	88	65
Total	1,546	1,351	1,440	1,349	1,250

three quarters of 2010. This goal measures the time between a felony filing and case disposition. Kent County handled 78 percent of its felony caseload within 180 days, while Washington County disposed 79 percent within the goal. Providence/Bristol County and Newport County disposed 59 percent and 76 percent, respectively, within the 180 day guideline.

PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 3,100 at the end of September, and 47 percent had been pending over 180 days from filing. Providence/Bristol County had 1,335 cases over 180 days old; Kent County had 53; Washington County, 27; and Newport County had 31.



MISDEMEANOR FILINGS

Statewide misdemeanor appeals through the third quarter were higher than last year, increasing by 21 percent from 157 in 2009 to 190 in 2010. Misdemeanor appeals increased in Providence/Bristol and Kent Counties, while both Washington and Newport Counties experienced a decline. Misdemeanor filings in Providence/Bristol County rose by 22 (34 percent), while Kent misdemeanor filings essentially doubled, increasing by 18 (106 percent), from 19 to 37. Newport County misdemeanor filings dropped by 6 (11 percent), while Washington had 2 fewer (11 percent) filings than last year.

MISDEMEANOR DISPOSITIONS

The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from the filing date to the disposition date. 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.

TIME TO DISPOSITION: MISDEMEANORS

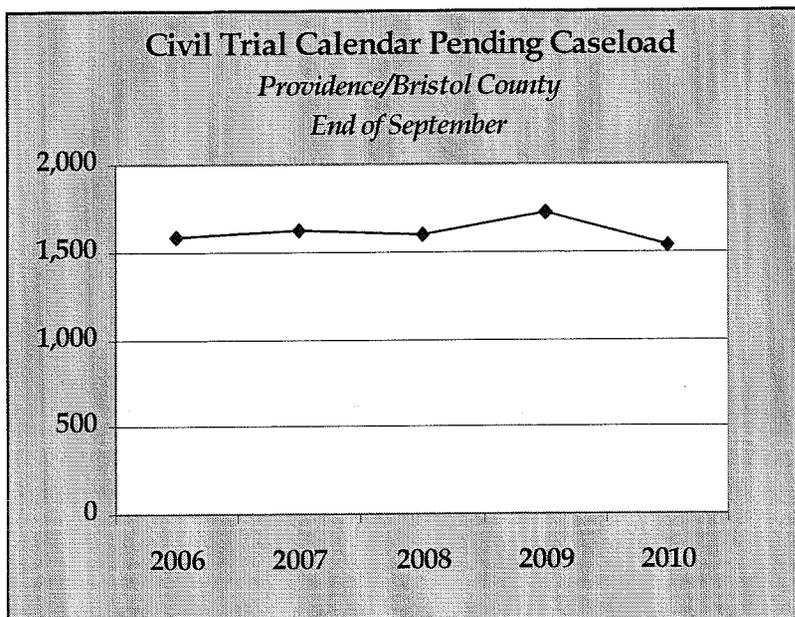
The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from filing to disposition. Kent County had the largest percentage of misdemeanors disposed within 90 days (63 percent). Sixty percent of Newport County's misdemeanors were disposed within the 90 day time frame, while Washington and Providence Counties reached the goal in 50 percent and 18 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 8,561 through the third quarter of 2010, rising by 218 (3 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 99 (7 percent). Cases added to the trial calendar dropped in all counties, except Washington, where the number added rose by 7 (6 percent). In Providence/Bristol County, there were 57 (6 percent) fewer cases added to the civil trial calendar compared to last year. In Kent and Newport Counties, the number of cases added to the civil trial calendar dropped by 26 and 23 (11 percent and 26 percent), respectively. During the first nine months of 2010, 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 1,877 civil cases pending trial statewide, 307 (14 percent) fewer than last year. This reduction was seen across all counties.

Family Court

JUVENILE FILINGS

Through the third quarter of 2010, Family Court juvenile filings increased by 1 percent compared to last year, rising by 59 from 6,879 to 6,938. There was an increase in juvenile filings in every category, with the exception of wayward/delinquent, which dropped by 129 (3 percent). The largest percentage increase occurred in the category of "other" with a 51 percent increase (20). Petitions filed in the remaining four categories also increased: violations rose by 10 percent (63), dependency/neglect/abuse (DNA) by 6 percent (69), termination of parental rights (TPR) by 4 percent (9), and adoption/guardianship petitions by 8 percent (27).

For the nine-month period analyzed, juvenile filings were higher in all counties except Kent, compared to a year ago. Kent County saw a decline of 156 cases (15 percent) through the third quarter. Providence/Bristol County filings increased by 196 (4 percent), while Washington County rose by 14 (2 percent). The smallest increase was observed in Newport County with 5 (1 percent) more filings than last year.

JUVENILE DISPOSITIONS

In the wayward/delinquent category, dispositions exceeded filings in all counties, resulting in a statewide dis-

<i>Juvenile Filings by Case Type</i>	2006	2007	2008	2009	2010
Wayward/Delinquent	5,225	4,863	5,109	4,447	4,318
Violations	790	884	788	652	715
Dependency/Neglect/Abuse	2,057	1,325	1,299	1,171	1,240
Termination of Parental Rights	278	264	279	226	235
Adoption/Guardianship	432	340	359	344	371
Other	65	51	46	39	59
Total	8,847	7,727	7,880	6,879	6,938
<i>Juvenile Filings by County</i>					
Providence/Bristol	6,203	5,591	5,576	4812	5008
Kent	1,330	1,164	1,159	1011	855
Washington	777	570	683	606	620
Newport	537	402	462	450	455
Total	8,847	7,727	7,880	6,879	6,938
<i>Divorce Filings by County</i>					
Providence/Bristol	2,414	2,272	2,397	2227	2336
Kent	573	591	613	604	627
Washington	454	391	400	408	446
Newport	298	268	259	244	267
Total	3,739	3,522	3,669	3,483	3,676
<i>Abuse Filings</i>					
Courtwide	1,751	1,723	1,747	1802	1773

position rate over 100 percent. Child protection cases had a statewide disposition rate of 98 percent. The disposition rate for Washington County was 83 percent for child protection cases, while Providence County had a disposition rate of 98 percent. Dispositions exceeded filings in both Kent and Newport Counties in the third quarter for child protection cases.

TIME TO DISPOSITION: JUVENILE CASES

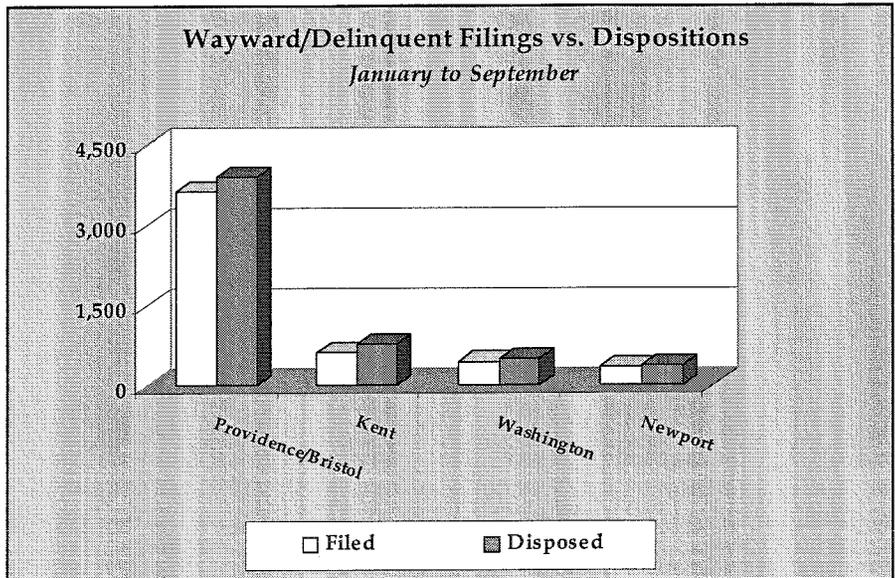
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. Statewide, this goal was met in 70 percent of juvenile cases. Through the third quarter, Providence/Bristol County adjudicated 71

percent of its wayward/delinquent cases within 180 days (with violations included). Washington County adjudicated 70 percent of this caseload within 180 days, and Newport County met the guideline in 55 percent of the cases. In Kent County, 66 percent of the cases were handled within the guideline. For wayward/delinquent cases handled informally, the goal is 45 days. Through September, 78 percent of the cases statewide met this goal, while 96 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 77 percent of the cases for TPR and in 45 percent of the cases for DNA matters. In Providence/Bristol County, 47 percent of the DNA cases and 81 percent of the TPR matters were adjudicated within 180 day guideline.

PENDING TPR CASELOAD

A specific area the court monitors closely are the cases pending on the contested TPR calendar in Provi-



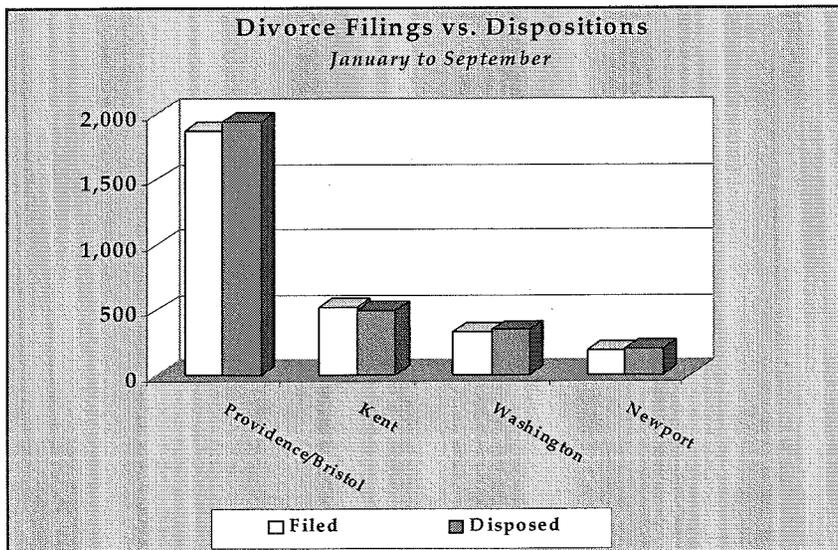
dence/Bristol County. At the end of September, 66 cases, representing 34 families, remained on this calendar, and 15 cases (10 families) were over 180 days old.

DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, divorce filings statewide increased by 193 cases (6 percent), from 3,483 to 3,676. Statewide, there was a disposition rate of 98 percent. Divorce dispositions exceeded filings in Providence County, resulting in a disposition rate over 100 percent. Kent County had a disposition rate of 93 percent, while Washington and Newport Counties had a 96 percent and 94 percent rate, respectively.

PENDING DIVORCE CASELOAD

At the end of the third quarter, the total number of divorce cases pending over a year was 17 statewide, 35 fewer than last year. Providence/Bristol County had 11 divorce cases pending over a year, while Kent County had 2. In Washington County the total was 1 and Newport County had 3.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings increased through the third quarter of 2010 compared to last year. The total number filed rose from 20,323 last year to 20,695, an increase of 372 (2 percent). Filings were slightly lower in the Fourth and Sixth Divisions, while the Second and Third Divisions saw an increase. The Fourth Division decreased by 56 (2 percent), while the Sixth Division declined by a mere 35 filings (less than 1 percent). The Third Division filings rose by 218 (4 percent), and the greatest increase occurred in the Second Division by 245 (13 percent).

The 20,695 statewide misdemeanor case filings through the third quarter of 2010 were comprised of 27,162 individual counts. In the Second Division, the 2,150 misdemeanor cases filed represented 2,705 counts, while the Third Division misdemeanor case filings (5,715) resulted in 7,710 counts. Furthermore, the 2,563 misdemeanor cases filed in the Fourth Division included 3,477 counts, and in the Sixth Division, the 10,267 misdemeanor case filings were comprised of 13,270 counts.

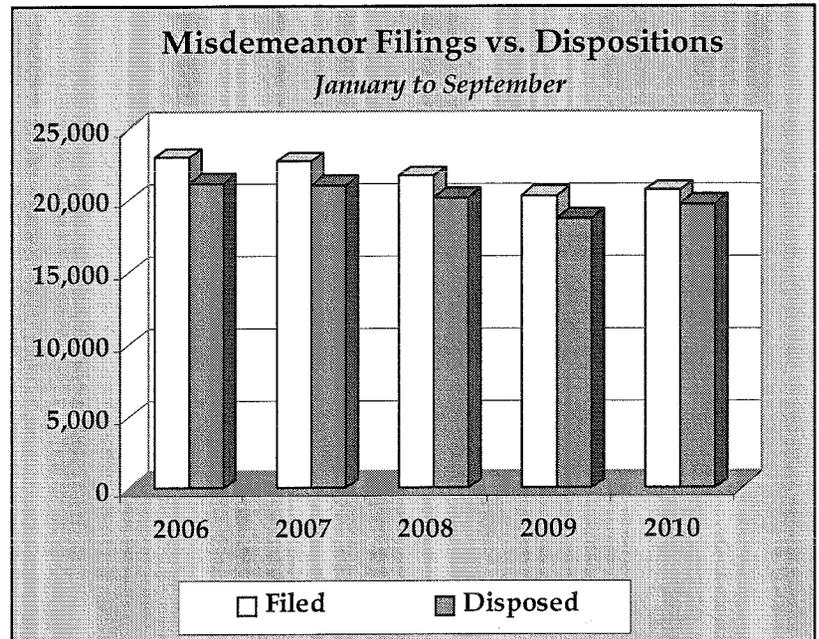
MISDEMEANOR DISPOSITIONS

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the disposition rate for misdemeanors was 96 percent through September. The Third Division had a disposition rate of 100 percent. In both the Second and Sixth Divisions, the rate was 94 percent, while in the Fourth Division, it was 95 percent.

TIME TO DISPOSITION: MISDEMEANORS

The court's goal is to dispose misdemeanors within 60 days of filing. This measures the time between cases'

filing and disposition dates. Statewide, 78 percent of misdemeanors were disposed within this time period. Through the third quarter, the Second Division handled 81 percent of its misdemeanor caseload within 60 days. In the Fourth Division, 78 percent of the misdemeanor cases were dis-



posed within 60 days. Both the Third and Sixth Divisions met the 60 day guideline in 77 percent of their misdemeanor cases.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were a total of 2,591 misdemeanors pending; 71 percent were less than 60 days old, and another 24 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 91; in the Third Division, it was 130; it was 89 in the Fourth Division and 437 in the Sixth Division. The number of misdemeanors over 60 days old has decreased by 74 percent from 2,928 a year ago to 747.

<i>Misdemeanor Filings</i>	2006	2007	2008	2009	2010
Second	1,925	1,930	1,979	1,905	2,150
Third	3,995	5,685	5,505	5,497	5,715
Fourth	3,138	3,031	3,096	2,619	2,563
Sixth	13,962	12,033	11,100	10,302	10,267
Total	23,020	22,679	21,680	20,323	20,695
<i>Felony Filings</i>					
Courtwide	6,101	5,831	5,667	5,441	5,611
<i>Civil Filings</i>					
Second	878	990	1,083	961	979
Third	1,850	3,631	4,454	5,105	5,021
Fourth	925	1,175	1,323	1,216	1,397
Sixth	10,768	11,122	12,195	10,407	10,546
Total	14,421	16,918	19,055	17,689	17,943
<i>Small Claims</i>					
Second	651	622	741	426	574
Third	1,816	4,885	5,012	9,317	3,389
Fourth	893	974	1,151	802	734
Sixth	10,768	8,273	9,671	6,347	6,431
Total	14,128	14,754	16,575	16,892	11,128
<i>Abuse Filings</i>					
Courtwide	543	618	747	741	770

FELONY FILINGS

Statewide, felony filings through the third quarter increased by 3 percent over those filed during the same time period last year, rising from 5,441 to 5,611. The number filed increased in all divisions except the Fourth Division, where it dropped by 38 (8 percent). Felony filings increased by 64 (2 percent) in the Sixth Division, by 87 (7 percent) in the Third Division, and in the Second, they rose by 57 (17 percent).

CIVIL FILINGS

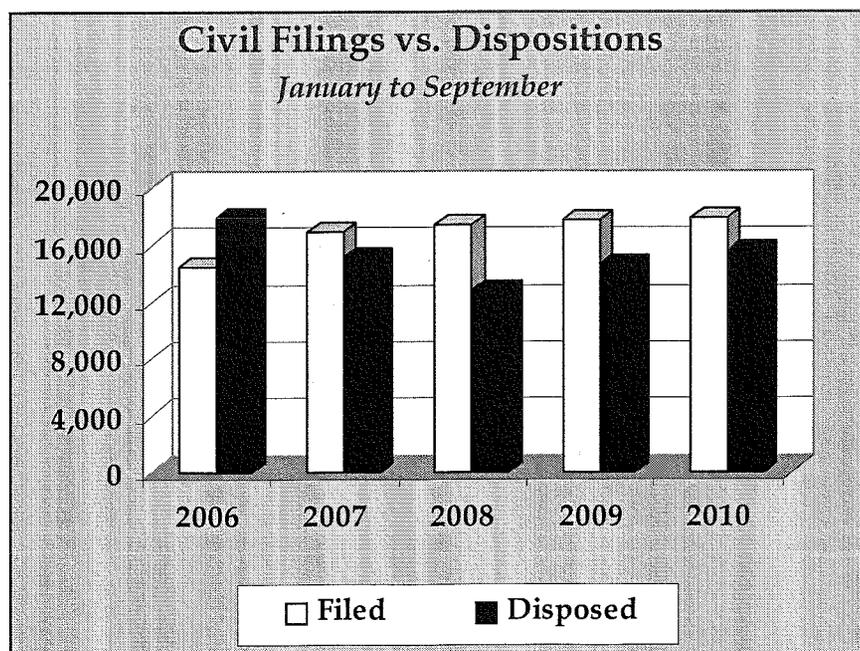
On the civil side, filings through September increased slightly by 254 (1 percent) from 17,689 during the same time period of 2009 to 17,943 in 2010. All divisions, with the exception of the Third Division, experienced a

rise in civil filings. Civil filings increased by 2 percent (18) in the Second Division, 15 percent (181) in the Fourth Division, and 1 percent (139) in the Sixth. Civil filings in the Third Division decreased by just 2 percent (84) compared to last year.

Small claims decreased statewide through the third quarter of 2010 compared to a year ago dropping by 5,764 (34 percent) from 16,892 to 11,128. In the Third Division, filings decreased by 64 percent (5,928), and in the Fourth Division, they decreased by 8 percent (68). On the contrary, in the Second Division, they rose by 35 percent (14), and in Sixth Division, the increase was 1 percent (84).

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 86 percent, an increase from the 82 percent rate in 2009. For small claims, dispositions exceeded filings, up from the 99 percent disposition rate last year.



Workers' Compensation Court

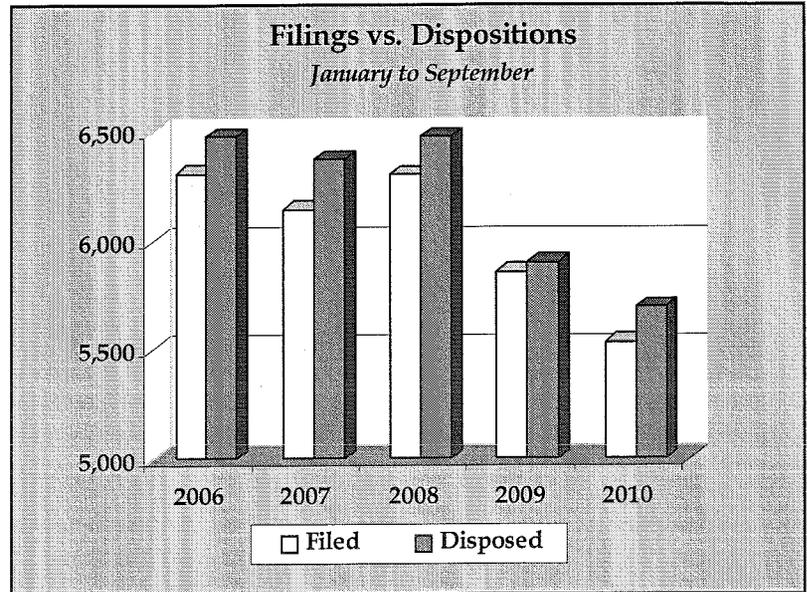
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court through the third quarter of 2010 decreased by 321 from last year. A year ago there were 5,859 petitions filed through September, and this year there were 5,538, a difference of 5 percent.

Petitions decreased compared to a year ago in all case types, except employer petitions and lump sum settlements, which increased by 23 and 22 (2 percent and 4 percent), respectively. Employee petitions dropped by 31 (2 percent), original petitions by 237 (13 percent), and petitions for medical by 23 (16 percent). Also, miscellaneous petitions dropped by 22 percent (35), while petitions to enforce decreased by 13 percent (40).

PETITIONS DISPOSED

Through the third quarter, dispositions exceeded filings. The number disposed (5,700) was 162 greater than the number filed. At the pretrial stage, dispositions accounted for 74 percent of the total, slightly below the percentage last year (76 percent).

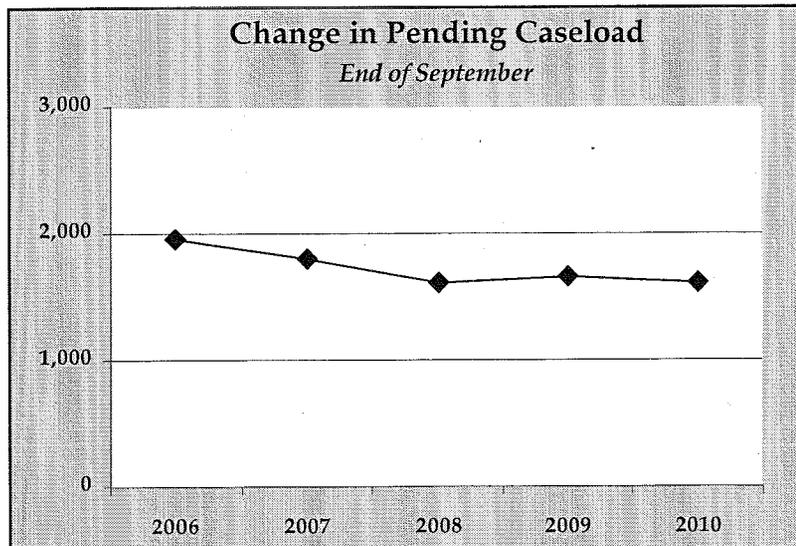


TIME TO DISPOSITION

The Workers' Compensation Court has established a goal of 90 days for cases to be disposed at pretrial and 360 days for those cases that go to trial. This measures the time from filing to disposition of a petition. The percentage of cases disposed at pretrial within 90 days was 88 percent, which represents a decrease from a year ago (90 percent). In addition, 88 percent of the cases disposed at trial were handled within 360 days as well, compared to 90 percent a year ago.

PENDING CASELOAD

Compared to last year, the total number of petitions pending dropped from 1,658 to 1,607, a decrease of 51 (3 percent). Of those cases, the number of cases pending trial decreased by 11 percent (79) from 737 to 658. Petitions pending trial over 270 days slightly decreased from 239 to 230, which represents 35 percent of the total number pending trial.



Traffic Tribunal

SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased through the third quarter of 2010, dropping 3 percent from 67,142 last year to 65,080. RITT summonses accounted for roughly 58 percent of the total summonses issued this period.

Consistent with the overall decline in summonses, refusals dropped by 12 (nearly 1 percent) compared to last year. However, insurance violations increased by 8 percent from 6,278 last year to 6,799.

SUMMONSES DISPOSED

Similar to the previous nine years, RITT dispositions exceeded the number filed this year through the third quarter. Payments by mail represented 32 percent of total dispositions and declined by 2,584 (11 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, 83 percent of breathalyzer refusals and 94 percent of insurance violations were disposed within the 60 day timeframe.

<i>Filings</i>	2006	2007	2008	2009	2010
Total Summonses Issued	178,278	172,956	163,900	120,210	112,055
RITT Summonses Issued	88,767	80,750	75,122	67,142	65,080
Total Violations	107,406	98,532	90,709	81,506	79,770
<i>RITT Dispositions</i>					
Court Hearings	55,694	53,308	47,877	45,940	44,531
Payments by Mail	34,885	30,880	27,955	23,845	21,261
Total Disposed	90,579	84,188	75,832	69,785	65,792

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, 83 percent of insurance violations and 33 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 1,697. Of this number, 1,467 (86 percent) were pending over 60 days.

