

Court Statistics



Justice Independence Honor

THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 33, No. 3, September 2012

HIGHLIGHTS

THROUGH THE THIRD QUARTER OF 2012

IN **SUPREME COURT**, THE PENDING CASELOAD DECREASED BY 8% COMPARED TO LAST YEAR.

IN **SUPERIOR COURT**, PENDING FELONIES WERE DOWN 2% COMPARED TO LAST YEAR.

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

IN **DISTRICT COURT**, MISDEMEANOR FILINGS WERE UP 8% OVER LAST YEAR.

IN **WORKERS' COMPENSATION COURT**, PETITIONS FILED WERE UP 3% FROM LAST YEAR.

IN THE **TRAFFIC TRIBUNAL**, DISPOSITIONS CONTINUE TO EXCEED SUMMONSES ISSUED FOR THE ELEVENTH CONSECUTIVE YEAR.

Supreme Court

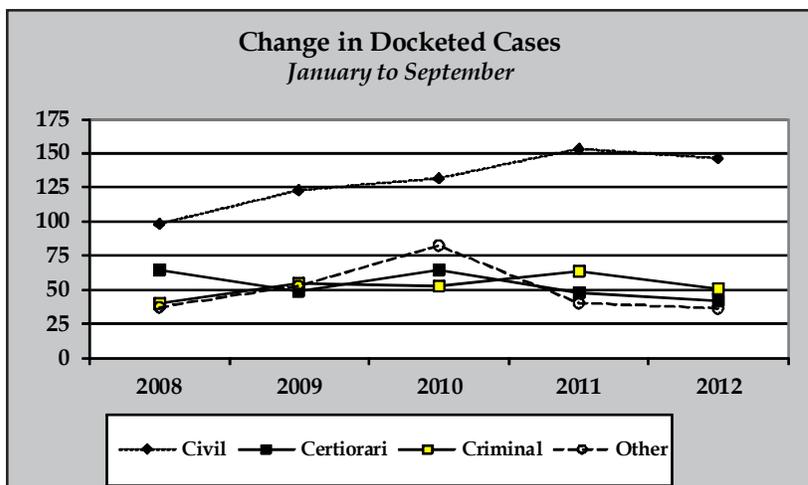
FILINGS

This report covers the first three quarters of the calendar year from January 1 through September 30, 2012. There were 275 Supreme Court cases docketed during the period which was 29 (10 percent) fewer than those docketed through the third quarter of last year. During this period, civil appeals decreased from last year, dropping by 5 percent from 153 to 146, while criminal appeals dropped by 19 percent,

from 63 to 51. Compared to last year's figures both miscellaneous appeals and petitions for writ of certiorari decreased, dropping by 10 and 13 percent, respectively.

DISPOSITIONS

Through the third quarter, dispositions exceeded new appeals, resulting in a disposition rate over 100 percent. The number of appeals disposed was 277, which was 2 more than were docketed. As explained in more detail below, 19 (7



percent) of the 277 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

Of the 277 dispositions during the period, 51 percent of the appeals were disposed before argument, 29 percent were disposed after show cause, and the re-

decreased by 3, compared to last year. A review of the pending caseload showed that 93 percent (429) were in the pre-briefing stage, while 5 percent (22) were pending show cause and another 2 percent (11) was pending full argument on the merits.

APPELLATE MEDIATION

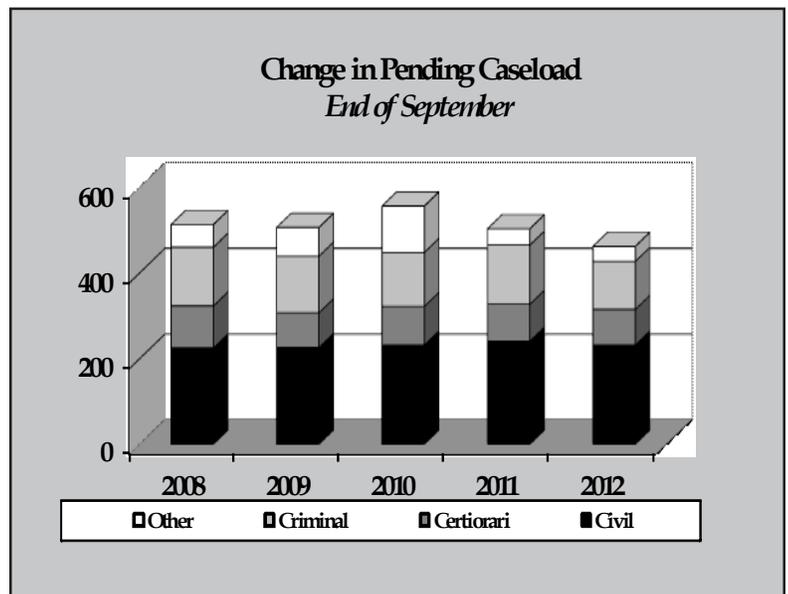
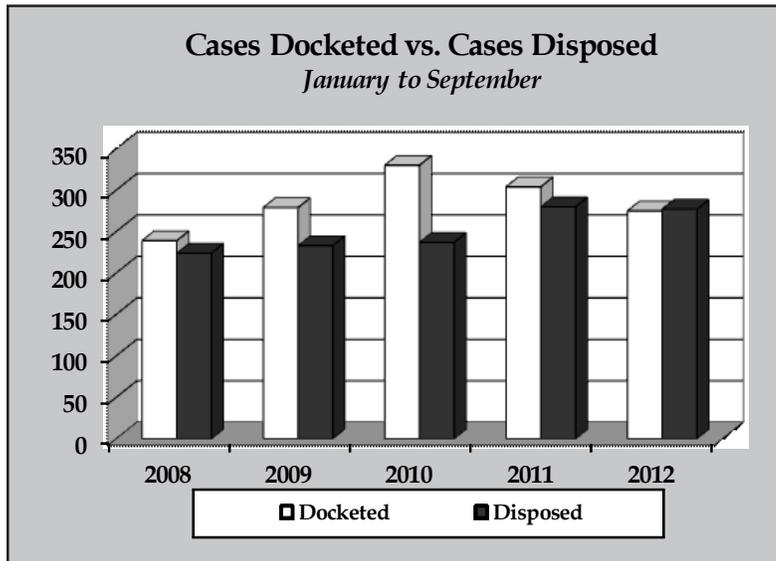
During the first three quarters of calendar year 2012, there were 126 new cases screened through the AMP. Of the 126 new cases screened, 81 were deemed either ineligible or inappropriate for mediation. During this time period, 19 cases were disposed at some stage in the mediation process, representing a 42 percent disposition rate. Sixteen of the 19 dispositions were settled at or after mediation, while the remaining 3 were dismissed or withdrawn at an earlier stage in the mediation process.

As of September 30, 2012 there were 33 cases active in the program.

remaining 20 percent were disposed after full oral arguments. Also, 3 appeals were withdrawn. During the first nine months of 2012, the Supreme Court published 134 written decisions, including 16 orders and 118 opinions.

PENDING CASELOAD

At the end of the period, the pending caseload was 462, a decrease of 41 (8 percent) compared to last year (503). This is a result of a decline in appeals in all categories. Pending criminal and civil appeals dropped by 26 and 9, respectively, while both certiorari and miscellaneous appeals



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court decreased through the third quarter of 2012 compared to last year. The number declined by 391 (10 percent) from 4,109 in 2011 to 3,718 in 2012. Felony filings decreased in Providence/Bristol and Kent counties by 297 and 130 (10 and 19 percent), respectively. In both Washington and Newport Counties, felony filings increased by 18 (6 and 8 percent, respectively).

FELONY DISPOSITIONS

Through the third quarter of 2012, statewide felony dispositions exceeded filings, resulting in a disposition rate over 100 percent. Similarly, dispositions exceeded filings in both Providence/Bristol and Kent counties. In Washington County there was a 93 percent disposition rate, while in Newport County it was 97 percent.

TIME TO DISPOSITION: FELONIES

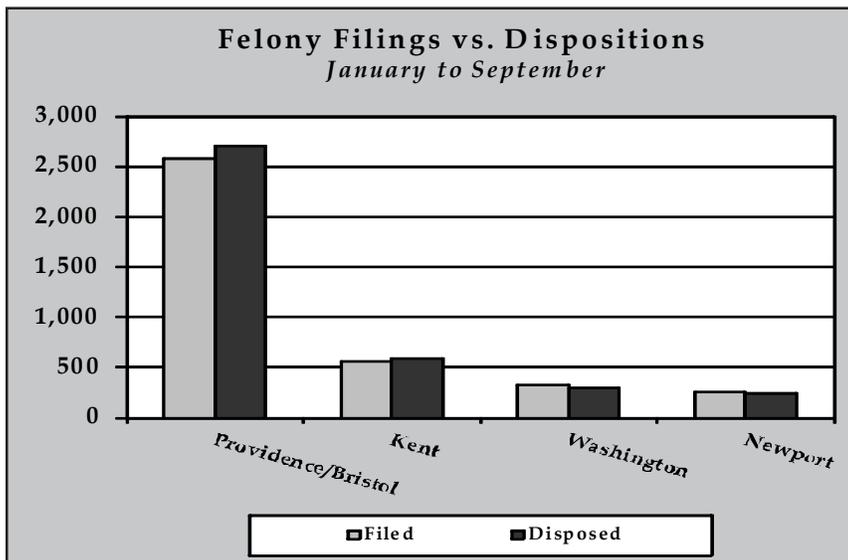
The Superior Court established a goal of 180 days for the disposition of felony cases and achieved this in roughly 60 percent of the cases disposed state-

<i>Felony Filings</i>	2008	2009	2010	2011	2012
Providence/Bristol	2,882	2,819	2,996	2,878	2,581
Kent	530	598	501	693	563
Washington	346	303	406	303	321
Newport	226	200	299	235	253
Total	3,984	3,920	4,202	4,109	3,718
<i>Misdemeanor Filings</i>					
Providence/Bristol	96	64	86	99	83
Kent	34	18	37	25	34
Washington	20	22	20	23	36
Newport	39	53	47	15	21
Total	189	157	190	162	174
<i>Civil Filings</i>					
Total	8,812	8,343	8,561	7,952	6,946
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	988	913	856	607	454
Kent	232	230	204	167	127
Washington	120	118	125	93	80
Newport	100	88	65	63	45
Total	1,440	1,349	1,250	930	706

wide during the first three quarters of 2012. This goal measures the time from when a felony is filed to the case disposition. Kent County handled 72 percent of its felony caseload within 180 days, while Washington County disposed 74 percent within the goal. Providence/Bristol County and Newport County disposed 54 percent and 80 percent of cases within the 180 day guideline, respectively.

PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 2,590 at the end of September, and 60 percent had been pending over 180 days from filing. Providence/Bristol County had 1,403 cases over 180 days old; Kent



County had 85; Washington County, 46; and Newport County had 15.

MISDEMEANOR FILINGS

Statewide misdemeanor appeals through the third quarter were more than last year, increasing by 7 percent from 162 in 2011 to 174 in 2012. Misdemeanor appeals also increased in all counties, with the exception of Providence/Bristol County, where they dropped by 16 (16 percent). Kent County filings increased by 9 (36 percent), Newport County by 6 (40 percent), and Washington County by 13 (57 percent).

MISDEMEANOR DISPOSITIONS

Statewide, misdemeanor dispositions exceeded filings. Misdemeanor dispositions also exceeded filings in all counties, except Kent County, which had a disposition rate of 79 percent.

TIME TO DISPOSITION: MISDEMEANORS

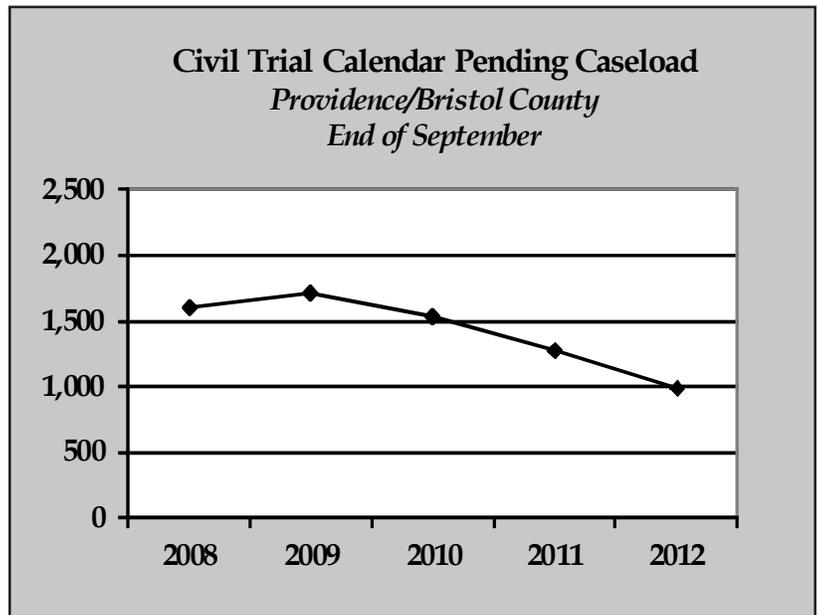
The goal for disposing misdemeanor appeals in Superior Court is 90 days, which is measured from filing to disposition. Kent County had the largest percentage of misdemeanors disposed within 90 days (63 percent). Fifty percent of Newport County’s misdemeanors were disposed within the 90 day time frame, while Washington and Providence/Bristol Counties reached the goal in 51 percent and 16 percent of misdemeanor dispositions, respectively.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were only 148 misdemeanor appeals pending statewide, and 73 percent (108) were over 90 days old.

CIVIL FILINGS

Statewide civil filings totaled 6,946 through the third quarter of 2012, dropping by 1,006 (13 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 224 (24 percent). Cases added to the trial calendar dropped in all counties. In Providence/Bristol County, there were 153 (25 percent) fewer cases added to the civil trial calendar compared to last year, while in Washington County, there were 13 (14 percent) fewer. In Kent and Newport Counties, the number of cases added to the civil trial calendar dropped by 40 and 18 (24 percent and 29 percent), respectively. During the first nine months of 2012, 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 1,191 civil cases pending trial statewide, 354 (23 percent) fewer than last year.

Family Court

JUVENILE FILINGS

Through the third quarter of 2012, Family Court juvenile filings decreased by 11 percent compared to last year, dropping by 659 from 5,991 to 5,332. There was a decline in juvenile filings in every category for the third quarter, with the exception of dependency/neglect/abuse (DNA), which increased by 11 percent (112) and the general category of “other,” which increased by 2 percent (1). In the termination of parental rights (TPR) category there was a 7 percent decline (11), while wayward/delinquent petitions decreased by 17 percent (639). Both violations and adoption/guardianship petitions dropped by 13 percent (76 and 46, respectively).

For the nine month period analyzed, juvenile filings were lower in all counties, compared to last year. Providence/Bristol County filings decreased by 497 (12 percent), while Washington County dropped by 30 (6 percent), and Newport County declined by 25 (7 percent). In Kent County there were 107 (13 percent) fewer filings than last year.

JUVENILE DISPOSITIONS

In the wayward/delinquent category, dispositions exceeded filings statewide, resulting in a disposition

<i>Juvenile Filings by Case Type</i>	2008	2009	2010	2011	2012
Wayward/Delinquent	5,109	4,447	4,318	3,844	3,205
Violations	788	652	715	600	524
Dependency/Neglect/Abuse	1,299	1,171	1,240	982	1,094
Termination of Parental Rights	279	226	235	154	143
Adoption/Guardianship	359	344	371	364	318
Other	46	39	59	47	48
Total	7,880	6,879	6,938	5,991	5,332
<i>Juvenile Filings by County</i>					
Providence/Bristol	5,576	4,812	5,008	4,279	3,782
Kent	1,159	1,011	855	836	729
Washington	683	606	620	514	484
Newport	462	450	455	362	337
Total	7,880	6,879	6,938	5,991	5,332
<i>Divorce Filings by County</i>					
Providence/Bristol	2,397	2,227	2,237	2,321	2,397
Kent	613	604	621	618	579
Washington	400	408	395	395	368
Newport	259	244	239	271	241
Total	3,669	3,483	3,492	3,605	3,585
<i>Abuse Filings</i>					
Courtwide	1,747	1,802	1,773	1,930	1,750

rate over 100 percent. The disposition rate for child protection cases statewide was 95 percent through the third quarter of 2012.

TIME TO DISPOSITION: JUVENILE CASES

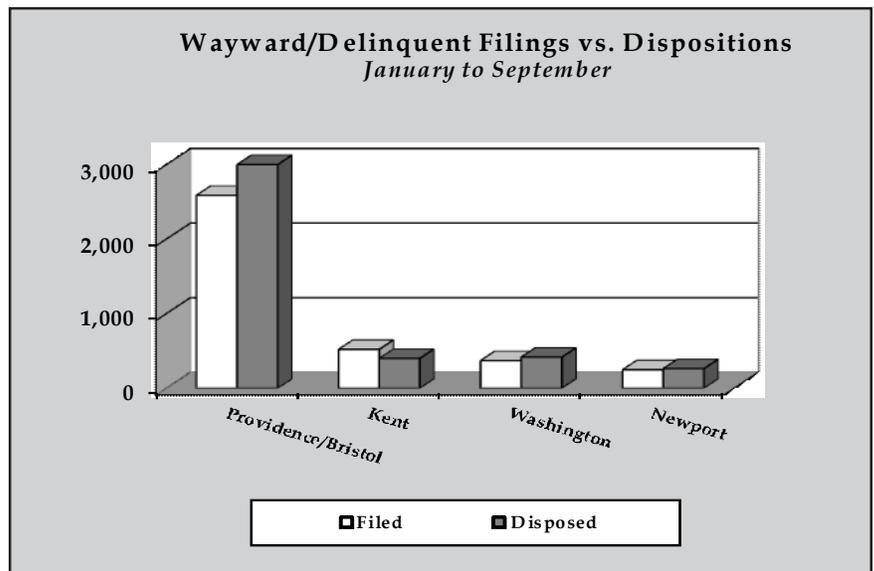
The Family Court has established a timeframe of 180 days as the goal for adjudicating juvenile cases. This goal measures the time from filing until a finding is entered, not the time to final disposition of a case. Statewide, this goal was met in 55 percent of wayward/delinquent cases. Through the third quarter, Providence/Bristol County adjudicated 56 percent of its wayward/delinquent cases within 180 days (with violations in-

cluded). Washington County adjudicated 52 percent of this caseload within 180 days, while both Newport and Kent Counties met the guideline in 50 percent of the cases. For wayward/delinquent cases handled informally, the goal is 45 days. Through September, 83 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 77 percent of the cases for TPR and in 46 percent of the cases for DNA matters. In Providence/Bristol County, 48 percent of the DNA cases and 81 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, 31 cases,



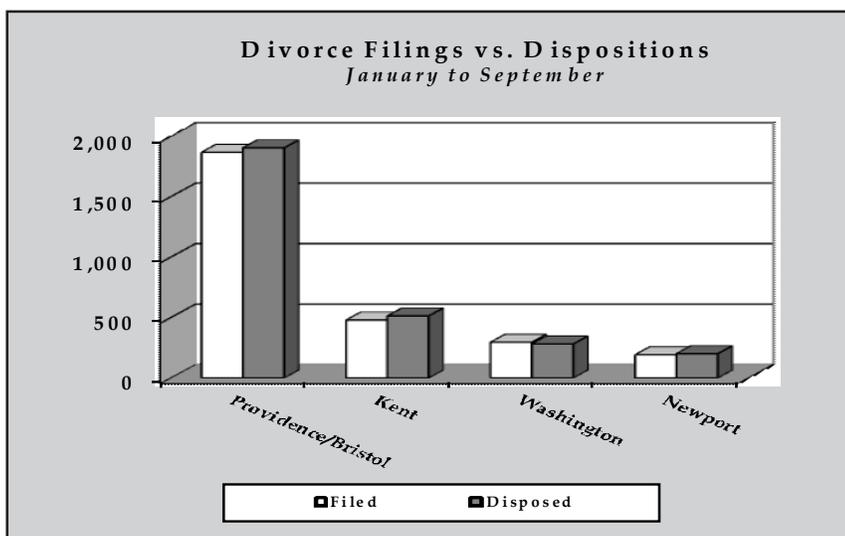
representing 20 families, remained on this calendar, and 12 cases (8 families) were over 180 days old.

DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, divorce filings statewide decreased by 20 (3 percent), from 3,605 to 3,585. Statewide, dispositions exceeded filings for 2012 through the third quarter. Dispositions also exceeded filings in all counties, with the exception of Washington County, where the disposition rate was 95 percent.

PENDING DIVORCE CASELOAD

At the end of the third quarter, the total number of divorce cases pending over a year was 29 statewide, 15 fewer than last year. Providence/Bristol County had 15 divorce cases pending over a year, while in Kent County there were none. In both Washington and Newport Counties there were 7 divorce cases pending over a year.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings increased through the third quarter of 2012 compared to last year. The total number filed rose from 20,011 last year to 21,613, an increase of 1,602 (8 percent). Filings increased in all counties, with the exception of the Sixth Division, where they dropped by 926 (9 percent). The Fourth Division rose by 38 filings (2 percent), the Third Division increased by 2,473 (42 percent), and the Second Division rose by 17 (1 percent).

The 21,613 statewide misdemeanor case filings through the third quarter of 2012 were comprised of 28,434 individual counts. In the Second Division, the 2,000 misdemeanor cases filed represented 2,907 counts, while the Third Division misdemeanor case filings (8,366) resulted in 10,914 counts. Furthermore, the 2,353 misdemeanor cases filed in the Fourth Division included 2,926 counts, and in the Sixth Division, the 8,894 misdemeanor case filings were comprised of 11,687 counts.

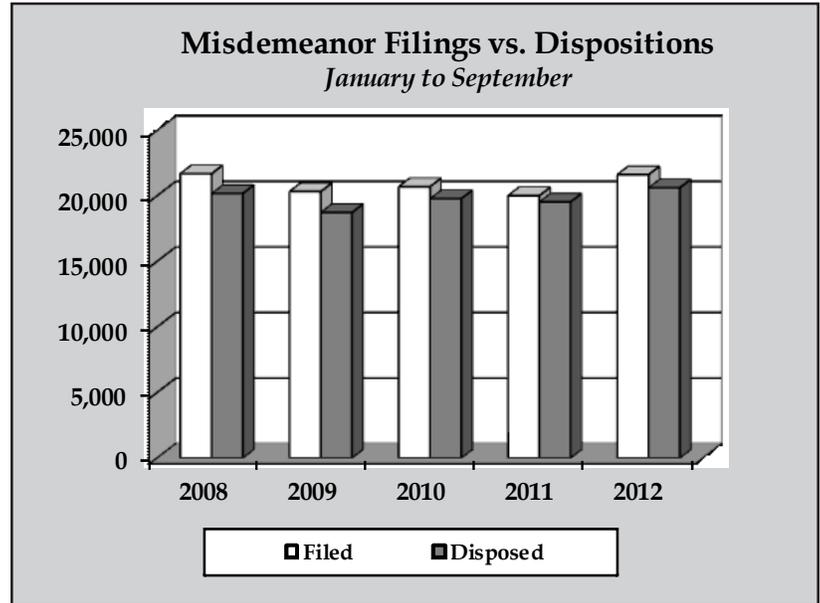
MISDEMEANOR DISPOSITIONS

In general, the District Court continued to handle its misdemeanor caseload in a timely and efficient manner. Overall, the disposition rate for misdemeanors was 95 percent through September. The Second Division had a disposition rate over 100 percent. In the Third Division, the rate was 96 percent, in the Fourth Division it was 93 percent, and in the Sixth Division it was 94 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, 74 percent of misdemeanors were disposed within this time

period. Through the third quarter, the Second Division handled 76 percent of its misdemeanor caseload within 60 days. The Fourth Division met the 60 day guideline



in 68 percent of the misdemeanor cases; the Third Division in 78 percent; and the Sixth Division in 72 percent.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were a total of 3,403 misdemeanors pending; 66 percent were less than 60 days old, and another 25 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 134 and in the Third Division, it was 353. There were 138 misdemeanors pending more than 60 days in the Fourth Division, and 533 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 46 percent from 795 a year ago to 1,158.

FELONY FILINGS

Statewide, felony filings through the third quarter decreased slightly by 1 percent over those filed during the same time period last year, dropping from 5,667

<i>Misdemeanor Filings</i>	2008	2009	2010	2011	2012
Second	1,979	1,905	2,150	1,983	2,000
Third	5,505	5,497	5,715	5,893	8,366
Fourth	3,096	2,619	2,563	2,315	2,353
Sixth	11,100	10,302	10,267	9,820	8,894
Total	21,680	20,323	20,695	20,011	21,613
<i>Felony Filings</i>					
Courtwide	5,667	5,441	5,611	5,667	5,625
<i>Civil Filings</i>					
Second	1,083	961	979	1,032	938
Third	4,454	5,105	5,021	5,026	5,931
Fourth	1,323	1,216	1,397	1,235	816
Sixth	12,195	10,407	10,546	10,265	9,165
Total	19,055	17,689	17,943	17,558	16,850
<i>Small Claims</i>					
Second	741	426	574	511	413
Third	5,012	9,317	3,389	2,975	3,466
Fourth	1,151	802	734	743	555
Sixth	9,671	6,347	6,431	5,435	3,818
Total	16,575	16,892	11,128	9,664	8,252
<i>Abuse Filings</i>					
Courtwide	747	741	770	703	540

to 5,625. The number filed decreased in all divisions except the Third Division, where it rose by 459 (33 percent). Felony filings dropped by 87 (20 percent) in the Second Division, by 42 (10 percent) in the Fourth Division, and by 372 (11 percent) in the Sixth Division.

CIVIL FILINGS

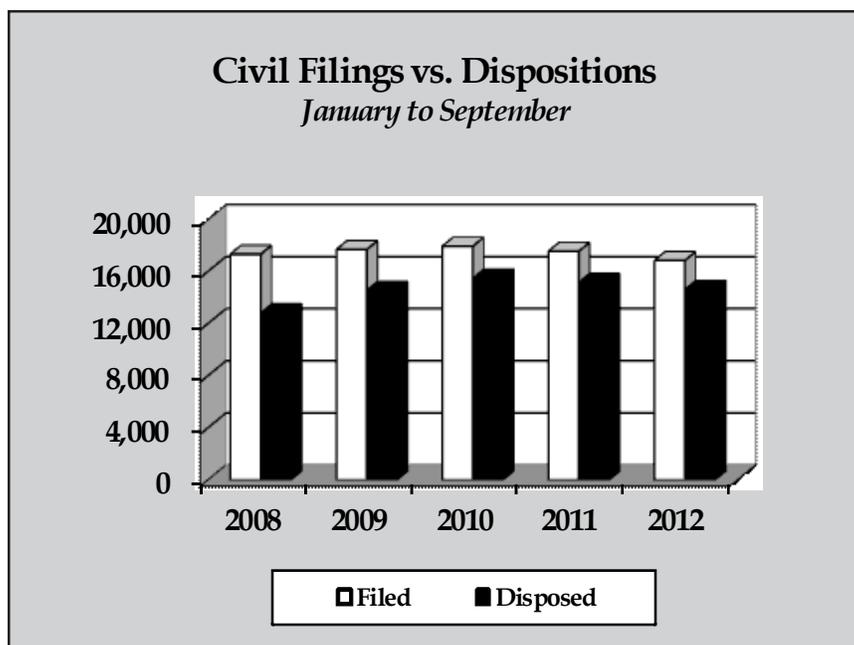
On the civil side, filings through September decreased by 708 (4 percent) from 17,558 during the same time period of 2011 to 16,850 in 2012. The decrease in civil filings includes a 34 percent (419) decline in the Fourth Division, an 11 percent drop (1,100) in the Sixth Division, and a 9 percent (94)

decline in the Second Division. On the contrary, civil filings rose by 905 (18 percent) in the Third Division. Statewide, abuse filings were down 23 percent (163), compared to last year.

Small claims decreased statewide through the third quarter of 2012 compared to a year ago. Overall, the number of small claims filed dropped by 1,412 (15 percent). Small claims filings dropped in all divisions, except the Third Division, where they rose by 491 (17 percent). In the Fourth Division, filings decreased by 25 percent (188), in the Second Division by 19 percent (98), and in the Sixth Division, small claims decreased by 30 percent (1,617).

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 87 percent, unchanged from a year ago. For small claims, dispositions exceeded filings.



Workers' Compensation Court

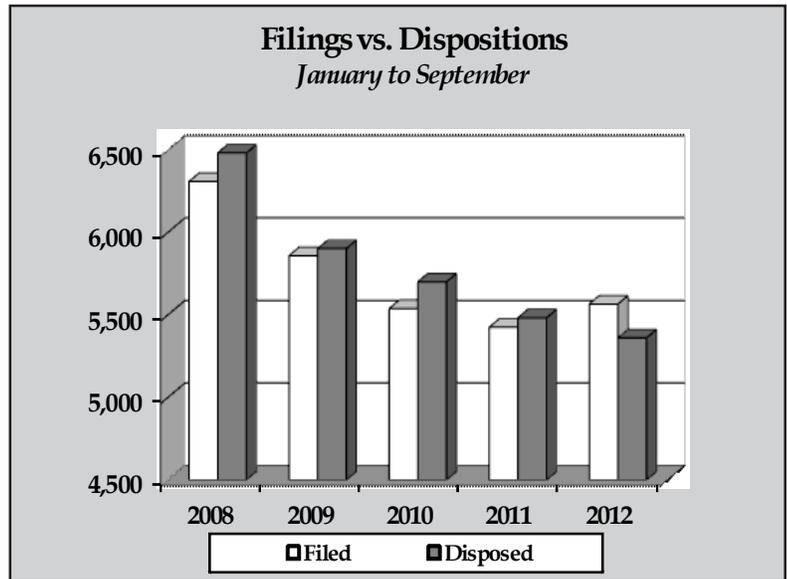
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court through the third quarter of 2012 increased by 141 from last year. A year ago there were 5,425 petitions filed through September, and this year there were 5,566, a difference of 3 percent.

Petitions increased compared to a year ago for employee petitions, lump sum settlements, petitions to enforce, petitions for second injury, and original petitions. Employee petitions rose by 84 (6 percent), lump sum settlements by 6 (1 percent), petitions to enforce by 111 (22 percent), original petitions by 47 (3 percent), and petitions for second injury increased from 0 to 1. On the contrary, employer petitions decreased by 52 (5 percent) while petitions for medical dropped by 56 (44 percent). Miscellaneous petitions remained the same compared to last year at 142.

PETITIONS DISPOSED

Through the third quarter, filings exceeded dispositions, resulting in a 96 percent disposition rate. At the pretrial stage, dispositions accounted for 75



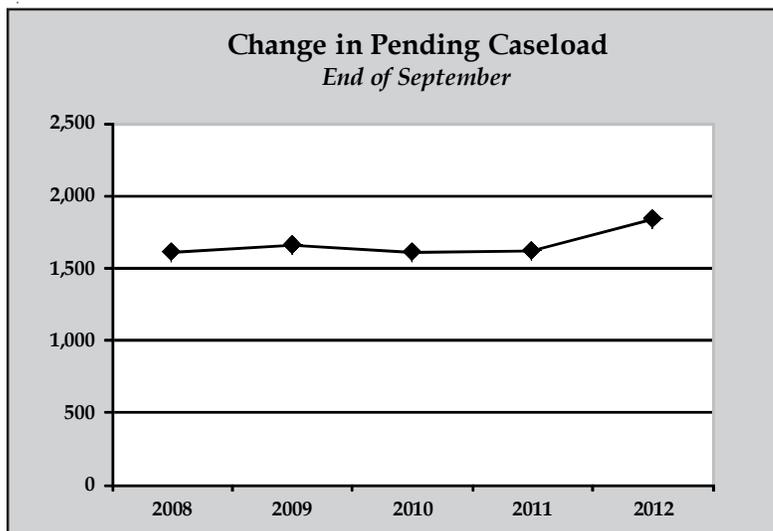
percent of the total, a slight increase from last year (74 percent).

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 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 88 percent, which represents a slight increase from a year ago (87 percent). In addition, 89 percent of the cases disposed at trial were handled within 360 days, down minimally from 90 percent a year ago.

PENDING CASELOAD

Compared to last year, the total number of petitions pending grew from 1,623 to 1,839, an increase of 216 (13 percent). Of those cases, the number of cases pending trial rose by 20 percent (136) from 678 to 814. Petitions pending trial over 270 days increased from 239 to 294, representing 36 percent of the total number pending trial, up slightly from last year (35 percent).



Traffic Tribunal

SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) increased through the third quarter of 2012, rising 24 percent from 61,718 last year to 76,796. RITT summonses accounted for roughly 60 percent of the total summonses issued this period.

Similar to the overall increase in summonses, refusals rose by 237 (20 percent) and insurance violations by 9 (1 percent) compared to last year.

SUMMONSES DISPOSED

For the eleventh consecutive year, RITT dispositions exceeded the number filed through the third quarter. Payments by mail represented 28 percent of total dispositions and increased by 2,510 (13 percent) over last year's figure. The remaining 72 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, 77 percent of breathalyzer refusals and 93 percent of insurance violations were disposed within the 60 day timeframe.

<i>Filings</i>	2008	2009	2010	2011	2012
Total Summonses Issued *	163,900	120,210	112,055	112,708	128,735
RITT Summonses Issued	75,122	67,142	65,080	61,718	76,796
Total Violations	90,709	81,506	79,770	75,916	92,855
<i>RITT Dispositions</i>					
Court Hearings	47,877	45,940	44,531	42,644	55,608
Payments by Mail	27,955	23,845	21,261	19,635	22,145
Total Disposed	75,832	69,785	65,792	62,279	77,753

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) 20 percent of all violations disposed occurred prior to arraignment, while another 61 percent occurred at arraignment. Also, 80 percent of insurance violations and 27 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 2,213. Of this number, 1,754 (79 percent) were pending over 60 days.

