

Court Statistics



Justice Independence Honor

THE RHODE ISLAND JUDICIARY'S QUARTERLY CASEFLOW REPORT

Vol. 34, No. 3, September 2013

HIGHLIGHTS

THROUGH THE THIRD QUARTER OF 2013

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

IN **SUPERIOR COURT**, FELONY FILINGS INCREASED BY 6% COMPARED TO LAST YEAR.

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

IN **DISTRICT COURT**, SMALL CLAIMS FILINGS WERE UP 24% OVER LAST YEAR.

IN **WORKERS' COMPENSATION COURT**, PETITIONS FILED WERE UP 5% FROM LAST YEAR.

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

Supreme Court

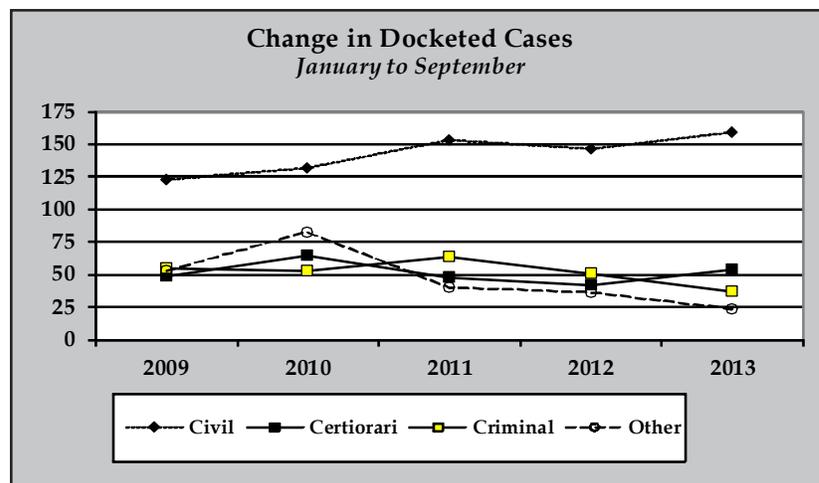
FILINGS

This report covers the first three quarters of the calendar year from January 1 through September 30, 2013. There were 273 Supreme Court cases docketed during the period which was 2 (1 percent) fewer than those docketed through the third quarter of last year. During this period, criminal appeals decreased from last year, dropping by 27 percent from 51 to 37, while miscellaneous appeals dropped by 36 per-

cent, from 36 to 23. Compared to last year's figures both civil appeals and petitions for writ of certiorari increased, rising by 9 and 29 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 303, which was 30 more than were docketed. As explained in more detail below, 31 (10



percent) of the 303 dispositions occurred during some stage of the Appellate Mediation Program (AMP).

Of the 303 dispositions during the period, 56 percent of the appeals were disposed before argument, 23 percent were disposed after show cause, and the re-

view of the pending caseload showed that the 97 percent (403) were in the pre-briefing stage, while 1 percent (4) were pending show cause and another 2 percent (9) were pending full argument on the merits.

APELLATE MEDIATION

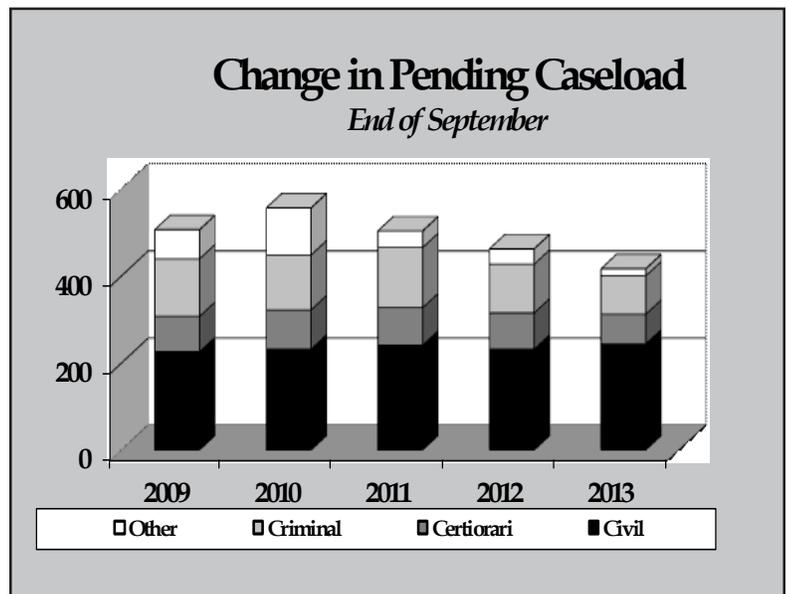
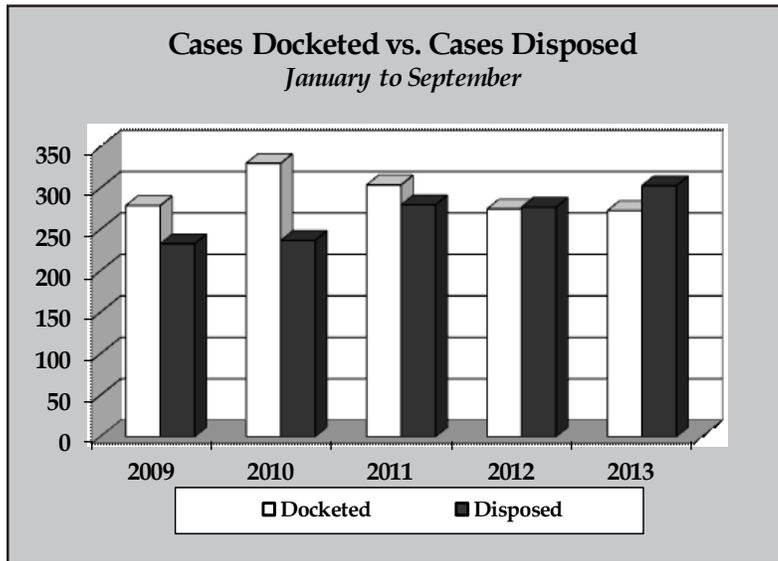
During the first three quarters of calendar year 2013, there were 157 new cases screened through the AMP. Of the 157 new cases screened, 93 were deemed either ineligible or inappropriate for mediation. During this time period, 31 cases were disposed at some stage in the mediation process, representing a 48 percent disposition rate. Twenty-five of the 31 dispositions were settled at or after mediation, while the remaining 6 were dismissed or withdrawn at an earlier stage in the mediation

process. As of September 30, 2013 there were 30 cases active in the program. remaining 21 percent were disposed after full oral arguments. During the first 9 months of 2013, the Supreme Court published 133 written decisions, including 9 orders and 124 opinions.

PENDING CASELOAD

At the end of the period, the pending caseload was 416, a decrease of 46 (10 percent) compared to last year (462). This is a result of a decline in pending appeals in all categories, with the exception of civil appeals, which increased by 12. Pending criminal appeals dropped by 24, while certiorari and miscellaneous appeals decreased by 15 and 19, respectively, compared to last year. A

process. As of September 30, 2013 there were 30 cases active in the program.



Superior Court

FELONY FILINGS

Statewide felony filings in Superior Court increased through the third quarter of 2013 compared to last year. The number rose by 208 (6 percent) from 3,718 in 2012 to 3,926 in 2013. Felony filings increased in all counties, with the exception of Newport County, where they dropped minimally by 2 (1 percent). In Providence/Bristol County filings increased by 186 (7 percent); in Kent County, they rose by 17 (3 percent); and in Washington County, the increase was 7 (2 percent).

FELONY DISPOSITIONS

Through the third quarter of 2013, the statewide felony disposition rate was 99 percent. In Providence/Bristol County, the rate was 97 percent, and in Washington County, it was 85 percent. Dispositions exceeded filings in both Kent and Newport Counties, resulting in disposition rates over 100 percent.

TIME TO DISPOSITION: FELONIES

The Superior Court has established a goal of 180 days for the disposition of felony cases and achieved this in

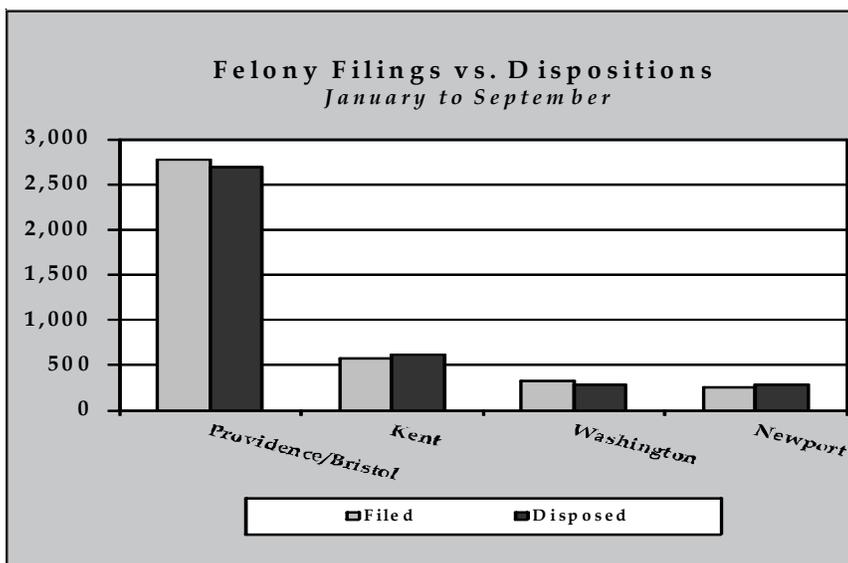
62 percent of the cases disposed statewide during the first three quarters of 2013. This goal measures the time from when a felony is filed to the case disposition.

Kent County handled 71 percent of its felony caseload within 180 days, while Washington County disposed 68 percent within the goal. Providence/Bristol County and Newport County disposed 60 percent and 61 percent of cases within the 180 day guideline, respectively.

PENDING FELONY CASELOAD

The number of felonies pending statewide totaled 2,984 at the end of September, and 49 percent had been pending over 180 days from filing. Providence/Bristol County had 1,306

<i>Felony Filings</i>	2009	2010	2011	2012	2013
Providence/Bristol	2,819	2,996	2,878	2,581	2,767
Kent	598	501	693	563	580
Washington	303	406	303	321	328
Newport	200	299	235	253	251
Total	3,920	4,202	4,109	3,718	3,926
<i>Misdemeanor Filings</i>					
Providence/Bristol	64	86	99	83	96
Kent	18	37	25	34	19
Washington	22	20	23	36	40
Newport	53	47	15	21	18
Total	157	190	162	174	173
<i>Civil Filings</i>					
Total	8,343	8,561	7,952	6,946	6,511
<i>Civil Cases added to the Trial Calendar</i>					
Providence/Bristol	913	856	607	454	382
Kent	230	204	167	127	115
Washington	118	125	93	80	56
Newport	88	65	63	45	34
Total	1,349	1,250	930	706	587



cases over 180 days old; Kent County had 60; Washington County, 72; and Newport County had 26.

MISDEMEANOR FILINGS

Statewide misdemeanor filings through the third quarter were nearly the same as last year, decreasing by only 1 (1 percent) from 174 in 2012 to 173 in 2013. Misdemeanor filings also decreased in Kent County, where they dropped by 15 (44 percent), and in Newport County, where they decreased by 3 (14 percent). On the contrary, Providence/Bristol County filings increased by 13 (16 percent) and Washington County filings rose by 4 (11 percent).

MISDEMEANOR DISPOSITIONS

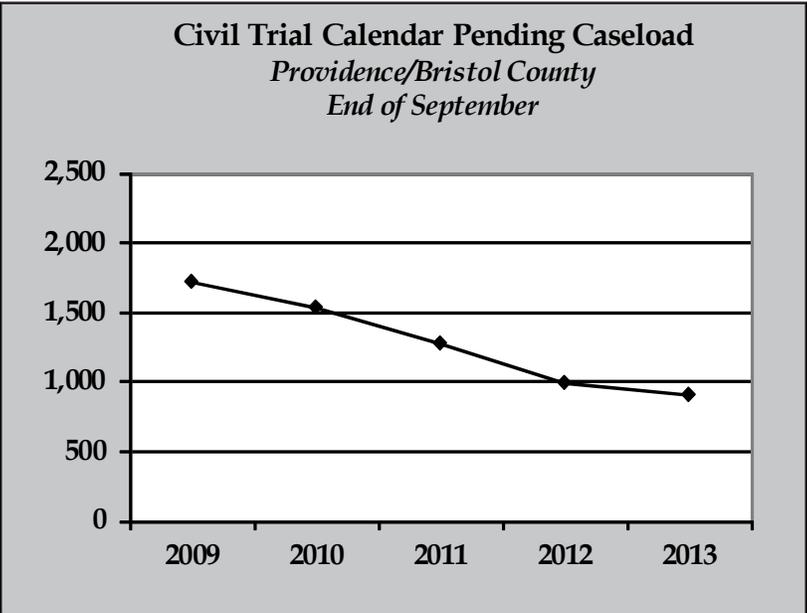
Statewide, misdemeanor filings (173) were 1 more than dispositions (172), resulting in a 99 percent disposition rate. Misdemeanor dispositions exceeded filings in both Kent and Newport Counties, while disposition rates in Providence/Bristol and Washington Counties were 83 and 88 percent, respectively.

TIME TO DISPOSITION: MISDEMEANORS

The goal for disposing misdemeanor cases in Superior Court is 90 days, which is measured from filing to disposition. Washington County had the largest percentage of misdemeanors disposed within 90 days (74 percent). Fifty-five percent of Newport County’s misdemeanors were disposed within the 90 day time frame, while Kent and Providence/Bristol Counties reached the goal in 41 percent and 9 percent of misdemeanor dispositions, respectively.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were only 135 misdemeanor cases pending statewide, and 81 percent (109) were over 90 days old.



CIVIL FILINGS

Statewide civil filings totaled 6,511 through the third quarter of 2013, dropping by 435 (6 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 119 (17 percent). Cases added to the trial calendar dropped in all counties. In Providence/Bristol County, there were 72 (16 percent) fewer cases added to the civil trial calendar compared to last year, while in Washington County, there were 24 (30 percent) fewer. In Kent and Newport Counties, the number of cases added to the civil trial calendar dropped by 12 and 11 (9 percent and 24 percent), respectively. During the first nine months of 2013, 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 1,092 civil cases pending trial statewide, 99 (8 percent) fewer than last year.

Family Court

JUVENILE FILINGS

Through the third quarter of 2013, the Family Court held 62,597 hearings statewide. Family Court juvenile filings decreased by 8 percent compared to last year, dropping by 413 from 5,332 to 4,919. There was a decline in juvenile filings in every category for the third quarter, with the exception of termination of parental rights (TPR), which increased by 8 percent (11). In the dependency/neglect/abuse (DNA) category filings decreased by 8 percent (84), while in the general category of “other,” they

decreased by 35 percent (17). In the violations category there was a 4 percent decline (20), while both wayward/delinquent petitions and adoption/guardianship petitions dropped by 9 percent (274 and 29, respectively).

For the nine month period analyzed, juvenile filings were lower in all counties, compared to last year. Providence/Bristol County filings decreased by 238 (6 percent), while Washington County dropped by 81 (17 percent). In both Kent and Newport Counties, filings declined by 9 percent (64 and 30, respectively).

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>	2009	2010	2011	2012	2013
Wayward/Delinquent	4,447	4,318	3,844	3,205	2,931
Violations	652	715	600	524	504
Dependency/Neglect/Abuse	1,171	1,240	982	1,094	1,010
Termination of Parental Rights	226	235	154	143	154
Adoption/Guardianship	344	371	364	318	289
Other	39	59	47	48	31
Total	6,879	6,938	5,991	5,332	4,919
<i>Juvenile Filings by County</i>					
Providence/Bristol	4,812	5,008	4,279	3,782	3,544
Kent	1,011	855	836	729	665
Washington	606	620	514	484	403
Newport	450	455	362	337	307
Total	6,879	6,938	5,991	5,332	4,919
<i>Divorce Filings by County</i>					
Providence/Bristol	2,227	2,237	2,321	2,397	2,327
Kent	604	621	618	579	562
Washington	408	395	395	368	351
Newport	244	239	271	241	269
Total	3,483	3,492	3,605	3,585	3,509
<i>Abuse Filings</i>					
Courtwide	1,802	1,773	1,930	1,750	1,574

position rate over 100 percent. The disposition rate for child protection cases statewide was 96 percent through the third quarter of 2013.

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 54 percent of wayward/delinquent cases. Through the third quarter, Providence/Bristol County adjudicated 57 percent of its wayward/delinquent cases within 180 days (with violations included). Washington County

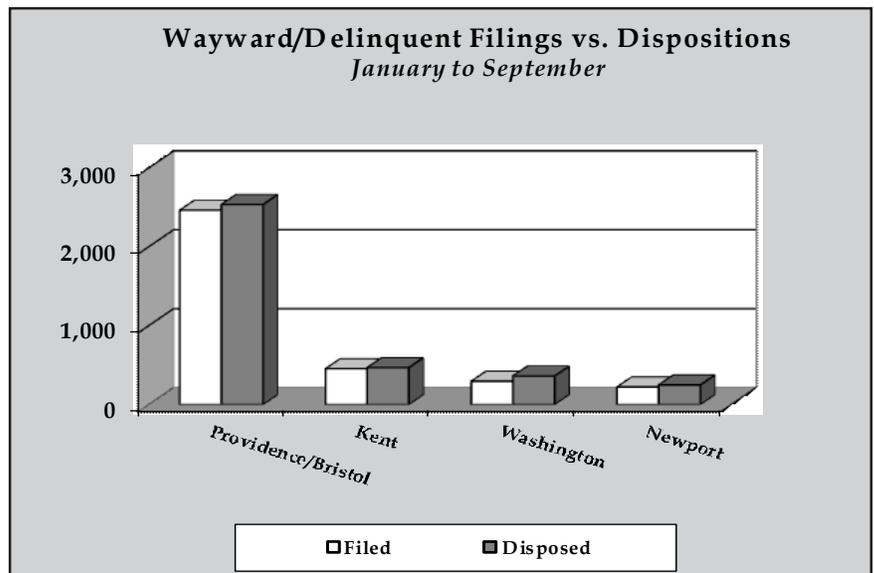
adjudicated 52 percent of this caseload within 180 days, Kent County met the guideline in 51 percent of the cases, and Newport County in 39 percent. For wayward/delinquent cases handled informally, the goal is 45 days. Through September, 75 percent of the cases met this goal, while 92 percent were handled within 90 days.

In child protection cases statewide, Family Court met the 180 day guideline in 78 percent of the cases for TPR and in 42 percent

of the cases for DNA matters. In Providence/Bristol County, 45 percent of the DNA cases and 85 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, 38 cases, representing 23 families, remained on this calendar, and 19 cases (10 families) were over 180 days old.

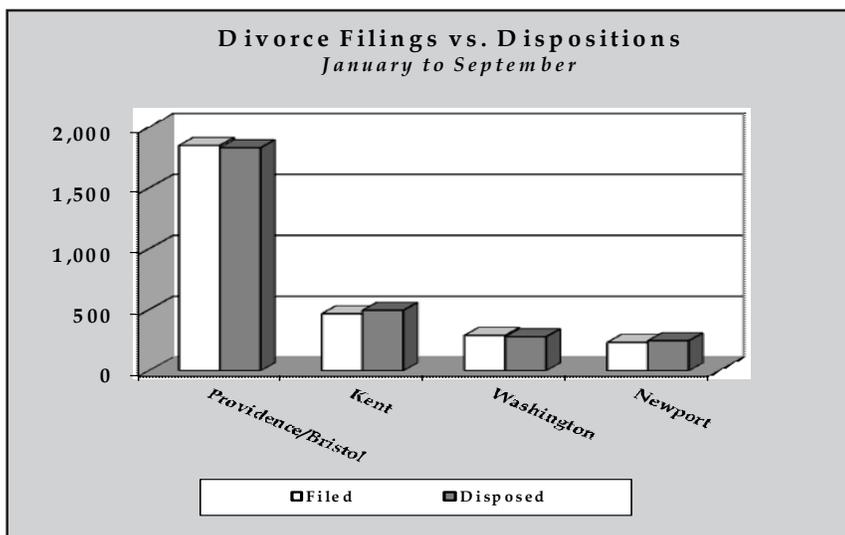


DOMESTIC FILINGS AND DISPOSITIONS

On the domestic side, divorce filings statewide decreased by 76 (2 percent), from 3,585 to 3,509. Statewide, dispositions exceeded filings for 2013 through the third quarter. Dispositions also exceeded filings in Kent and Newport Counties; however, in Providence/Bristol and Washington Counties, the disposition rates were 99 and 96 percent, respectively.

PENDING DIVORCE CASELOAD

At the end of the third quarter, the total number of divorce cases pending over a year was 41 statewide, 12 more than last year. Providence/Bristol County had 17 divorce cases pending over a year, while in Kent County there were 7. In Washington County, there were 3 cases pending, and in Newport County, there were 14 divorce cases pending over a year.



District Court

MISDEMEANOR FILINGS

In District Court, misdemeanor filings decreased through the third quarter of 2013 compared to last year. The total number filed declined from 21,163 last year to 19,092, a decrease of 2,521 (12 percent), with filings declining in all counties. In the Sixth Division, filings dropped by 11 percent (966), in the Fourth Division by 20 percent (468); the Third Division decreased by 10 percent (835), and the Second Division by 13 percent (252).

The 19,092 statewide misdemeanor case filings through the third quarter of 2013 were comprised of 25,649 individual counts. In the Second Division, the 1,748 misdemeanor cases filed represented 2,266 counts, while the Third Division misdemeanor case filings (7,531) resulted in 9,778 counts. Furthermore, the 1,885 misdemeanor cases filed in the Fourth Division included 2,647 counts, and in the Sixth Division, the 7,928 misdemeanor case filings were comprised of 10,958 counts.

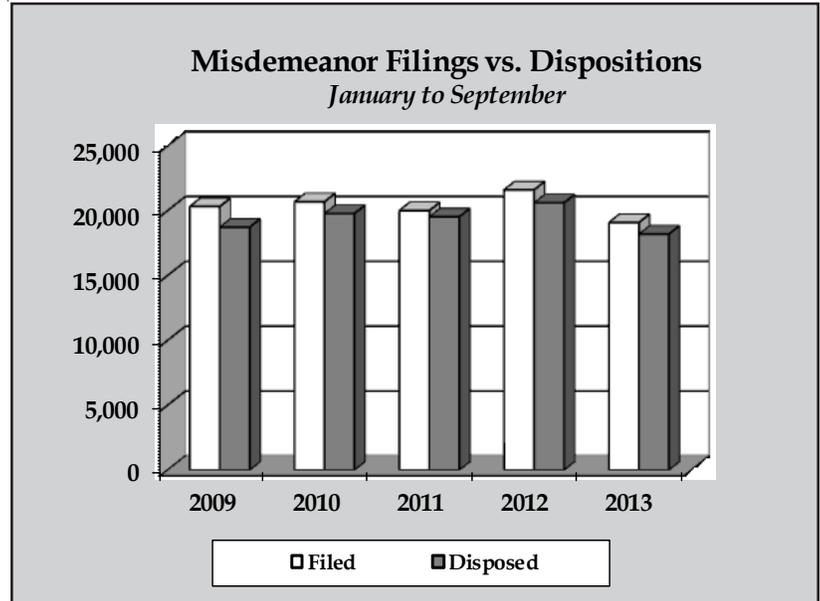
MISDEMEANOR DISPOSITIONS

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 Fourth Division had a disposition rate over 100 percent. In the Second Division, the rate was 93 percent, in the Third Division it was 94 percent, and in the Sixth Division it was 96 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, 72 percent of misdemeanors were disposed within this time period.

Through the third quarter, the Second Division handled 75 percent of its misdemeanor caseload within 60 days. The Fourth Division met the 60 day guideline in 72 percent of



the misdemeanor cases; the Third Division in 73 percent; and the Sixth Division in 71 percent.

PENDING MISDEMEANOR CASELOAD

At the end of September, there were a total of 3,623 misdemeanors pending; 56 percent were less than 60 days old, and another 21 percent were between 60 and 180 days old. In the Second Division, the number of misdemeanors pending more than 60 days was 88, and in the Third Division, it was 584. There were 65 misdemeanors pending more than 60 days in the Fourth Division, and 853 in the Sixth Division. The number of misdemeanors over 60 days old has increased by 37 percent from 1,158 a year ago to 1,590.

FELONY FILINGS

Statewide, felony filings through the third quarter decreased by 7 percent over those filed during the same

<i>Misdemeanor Filings</i>	2009	2010	2011	2012	2013
Second	1,905	2,150	1,983	2,000	1,748
Third	5,497	5,715	5,893	8,366	7,531
Fourth	2,619	2,563	2,315	2,353	1,885
Sixth	10,302	10,267	9,820	8,894	7,928
Total	20,323	20,695	20,011	21,613	19,092
<i>Felony Filings</i>					
Courtwide	5,441	5,611	5,667	5,625	5,248
<i>Civil Filings</i>					
Second	961	979	1,032	938	866
Third	5,105	5,021	5,026	5,931	5,654
Fourth	1,216	1,397	1,235	816	804
Sixth	10,407	10,546	10,265	9,165	8,995
Total	17,689	17,943	17,558	16,850	16,319
<i>Small Claims</i>					
Second	426	574	511	413	523
Third	9,317	3,389	2,975	3,466	4,457
Fourth	802	734	743	555	643
Sixth	6,347	6,431	5,435	3,818	4,634
Total	16,892	11,128	9,664	8,252	10,257
<i>Abuse Filings</i>					
Courtwide	741	770	703	540	602

time period last year, dropping from 5,625 to 5,248. The number filed decreased in all divisions except the Second Division, where it rose by 26 (7 percent). Felony filings dropped by 228 (12 percent) in the Third Division, by 81 (21 percent) in the Fourth Division, and by 94 (3 percent) in the Sixth Division.

CIVIL FILINGS

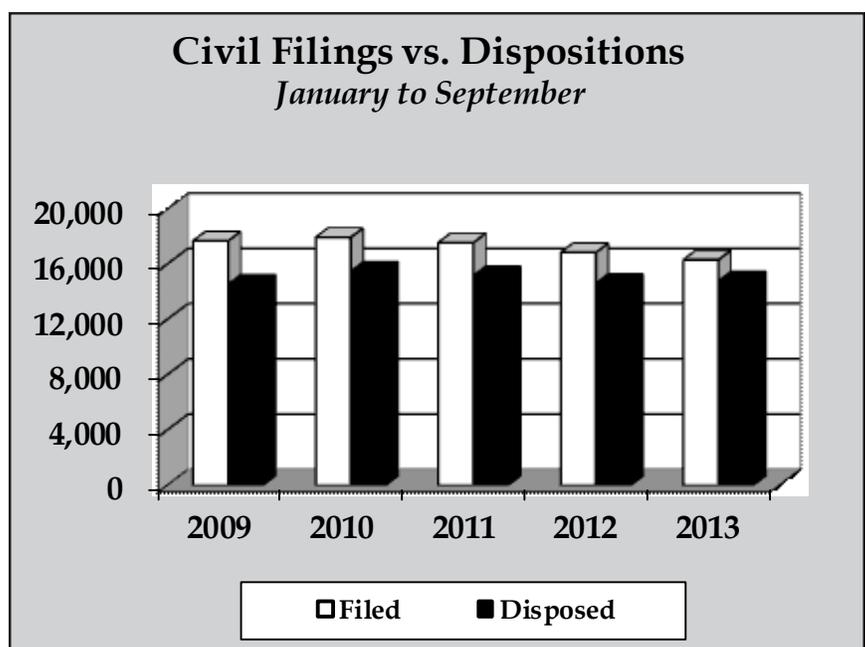
On the civil side, filings through September decreased by 531 (3 percent) from 16,850 during the same time period of 2012 to 16,319 in 2013. The decrease in civil filings includes a 1 percent (12) decline in the Fourth Division, a 2 percent drop (170) in the Sixth Division, an 8 percent (72) decline in the Second Division, and

a 5 percent (277) decrease in the Third Division. Statewide, abuse filings were up 11 percent (62), compared to last year.

Small claims increased statewide through the third quarter of 2013 compared to a year ago. Overall, the number of small claims filed rose by 2,005 (24 percent). Small claims filings increased in all divisions during the quarter. In the Second Division, filings increased by 27 percent (110), in the Third Division by 29 percent (991), in the Fourth Division by 16 percent (88), and in the Sixth Division, small claims increased by 21 percent (816).

CIVIL DISPOSITIONS

The statewide disposition rate for civil cases was 91 percent, up from 87 percent a year ago. For small claims, the disposition rate was 95 percent for the third quarter of 2013.



Workers' Compensation Court

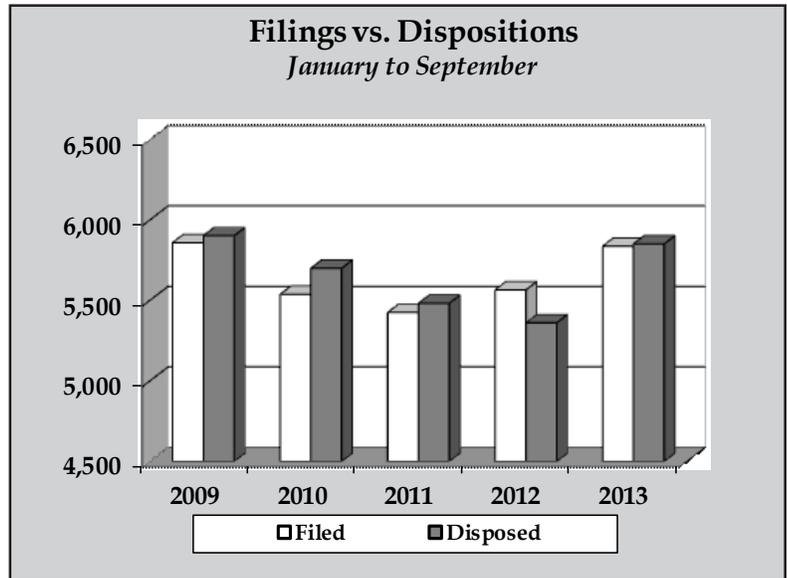
PETITIONS FILED

The number of petitions filed in the Workers' Compensation Court through the third quarter of 2013 increased by 271 from last year. A year ago there were 5,566 petitions filed through September, and this year there were 5,837, a difference of 5 percent.

Petitions increased compared to a year ago for employee petitions, lump sum settlements, employer petitions, and original petitions. Employee petitions rose by 161 (11 percent), lump sum settlements by 32 (5 percent), employer petitions by 64 (7 percent), and original petitions by 110 (6 percent). On the contrary, miscellaneous petitions decreased by 43 (30 percent) while petitions to enforce dropped by 51 (8 percent). Both petitions for medical and petitions for 2nd injury decreased by 1 (1 and 100 percent, respectively).

PETITIONS DISPOSED

Through the third quarter, dispositions exceeded filings, resulting in a disposition rate over 100 percent. At the pretrial stage, dispositions accounted for 73 percent of the total, a slight decrease from last year (75 percent).

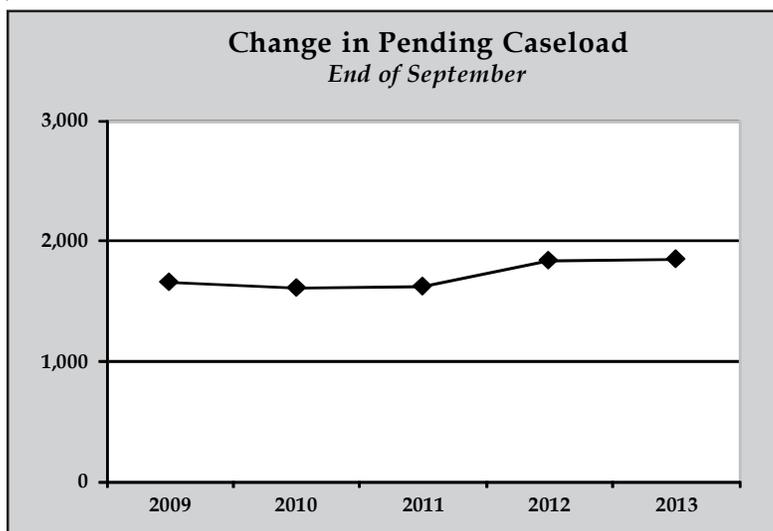


TIME TO DISPOSITION

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 87 percent, which represents a minimal decrease from a year ago (88 percent). In addition, 86 percent of the cases disposed at trial were handled within 360 days, down slightly from 89 percent a year ago.

PENDING CASELOAD

Compared to last year, the total number of petitions pending grew from 1,839 to 1,846, a minimal increase of 7 (less than 1 percent). Of those cases, the number of cases pending trial dropped by 3 percent (25) from 814 to 789. Petitions pending trial over 270 days decreased from 294 to 260, representing 33 percent of the total number pending trial, down slightly from last year (36 percent).



Traffic Tribunal

SUMMONSES ISSUED

The number of summonses issued to the Rhode Island Traffic Tribunal (RITT) decreased through the third quarter of 2013, from 76,796 last year to 61,691 (20 percent). RITT summonses accounted for roughly 55 percent of the total summonses issued this period. Refusals fell by 26 (2 percent); however, insurance violations increased by 828 (12 percent) compared to last year.

SUMMONSES DISPOSED

For the twelfth consecutive year, RITT dispositions exceeded the number filed through the third quarter, which represents a disposition rate over 100 percent. Payments by mail represented 23 percent of total dispositions, and decreased by 7,403 (33 percent) over last year's figure. The remaining 77 percent (48,002) 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 94 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

<i>Filings</i>	2009	2010	2011	2012	2013
Total Summonses Issued *	120,210	112,055	112,708	128,735	111,309
RITT Summonses Issued	67,142	65,080	61,718	76,796	61,691
RITT Violations	81,506	79,770	75,916	92,855	77,600
RITT Dispositions					
Court Hearings	45,940	44,531	42,644	55,608	48,002
Payments by Mail	23,845	21,261	19,635	22,145	14,742
Total Disposed	69,785	65,792	62,279	77,753	62,744
* Includes summonses issued to both RITT and municipal courts.					

results were different for certain categories. Based on statistics relating to the number of violations (separate offenses) 19 percent of all violations disposed occurred prior to arraignment, while another 61 percent occurred at arraignment. Also, 80 percent of insurance violations and 24 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 2,376. Of this number, 1,781 (75 percent) were pending over 60 days.

