

Rhode Island Judiciary 2011 ANNUAL REPORT



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LETTER OF TRANSMITTAL

To the Honorable Members of the General Assembly:

Herein I present to you the 2011 Annual Report of the Rhode Island Judiciary, pursuant to G.L. 1956 (1997 Reenactment) § 8-15-7.

The first half of 2011 saw the final six state payroll reduction days for all of our employees, judges included. Balancing the needs of the public for justice and recognizing the state's fiscal restraints, the Administrative Office of State Courts, Supreme Court Budget and Finance Office and Supreme Court Employee Relations Office developed a personnel hiring plan with the goal of achieving additional personnel savings in general revenue funds for FY 2012. Departments within the Judiciary were reorganized and hiring was delayed until the beginning of the third quarter of the fiscal year. The efforts of the group resulted in an estimated projected personnel savings of \$768,798 from the revised supplemental budget request; however, even with these efforts the FY 2012 enacted budget is still projecting a deficit, necessitating the first supplemental budget request in more than 10 years.

I am very proud of the accomplishments of our judicial employees in these financially tough times. For example, our staff of interpreters, which has not grown since its inception in 2005, served 8,000 litigants in 2011. This is remarkable when you consider that it served 3,000 during its inaugural year.

Within these pages you will find a wealth of statistical data and information about our six individual courts, judicial departments, and services. I hope you will find it a useful overview that provides accountability of the valuable service the Judiciary provides to all who pass through its doors in the quest for justice.

Yours sincerely,



J. Joseph Baxter, Jr.
State Court Administrator

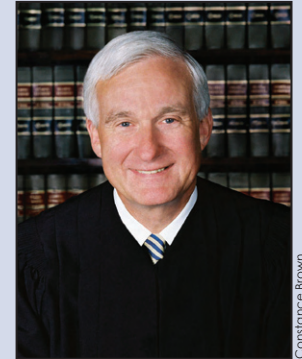


Holly Bennett

LETTER TO THE GENERAL ASSEMBLY

To the Honorable Members of the General Assembly:

The budget limitations that are part and parcel of our state's fiscal climate have certainly had an impact on court operations. As of October 2011, the Judiciary had a total of 47 vacant positions, of which 38 are funded by general revenue dollars. This rate of vacancy has existed for the better part of three years and is not sustainable. Our clerical offices are weeks and sometimes months behind in filing court documents in their proper places. This does not make for smooth access to justice and is a cause of great concern for our courts. The Judiciary's enacted budget this past year called for a turnover savings percentage that would have required layoffs. The revised budget sets a more realistic turnover savings rate.



Despite the financial obstacles, the courts nevertheless have been able to make progress in a number of important areas. We have started the long rollout toward a new case management system, electronic filing and online court records. We selected the Workers' Compensation Court in 2011 to be the first of our six courts to implement this system with its debut sometime in 2013.

In 2011, we redesigned the Judiciary's website, making it more organized, more up to date, and much easier to navigate. There is more to be done in this area, but members of the public can now look up attorney records on the site, as well as certain case information.

We also embraced and introduced iCivics, an education program founded by retired United States Supreme Court Justice Sandra Day O'Connor, to many of our school districts. With promotion from our Judiciary, Rhode Island has consistently proven to be one of the more engaged states in this fun – and free – program that uses video games to teach middle schoolers how their government and society operate.

On the pages that follow, you may read about these and other initiatives, as we strive to maintain the excellence in judicial services that you and our citizens expect and deserve.

Yours sincerely,

A handwritten signature in black ink that reads "Paul A. Suttell".

Paul A. Suttell
Chief Justice

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THE COURTS





Holly Hitchcock

The Rhode Island Supreme Court, with Chief Justice Paul A. Suttell, seated, and standing, left to right, Maureen McKenna Goldberg, William P. Robinson III, Francis X. Flaherty, and Gilbert V. Indeglia.

SUPREME COURT

Appellate Mediation Program

The annual number of cases added to the Appellate Mediation Program for civil matters continued to hover around 200 for 2011. Due to recalls, the number of mediator-justices available to provide services to the program was reduced from 10 to 4. The program increased its rate of cases mediated to over 65 percent in 2011, however, the resolution rate slightly reduced to 41 percent. The program continues to be highly rated by program participants.

Law Clerk Department

For 2011, the Law Clerk Department had a very productive term. In 2011, 16 law clerks worked on many of the 173 Superior Court trial assignments in addition to their work with motion calendars, special calendars, the Family and District Courts, and the Rhode Island Traffic Tribunal Appeals Panel. Overall, the law clerks provide legal research and writing assistance to the various trial courts of the Rhode Island Judiciary. Such assignments encompass civil, criminal, and administrative matters. Additionally, the law clerks assist in classrooms for Law Day and with the updating of bench books. Some law clerks also volunteer to serve as guardians ad litem in Mary Moe proceedings.

The 2011 Law Clerk Department continued its ongoing initiatives and had many accomplishments. At the outset of the judicial term, the law clerks participated in an enhanced Law Clerk Department orientation program during the week before the fall term. This year's orientation encompassed department procedures, court procedures, legal updates, legal writing and research techniques, and review of substantive areas of the law. To complete the orientation program and ensure continuity with continuing assignments, each county and most special calendar law clerks also spent a day or a few days with the department's previously assigned clerk during the beginning of the fall term. This year, additional orientation was provided for the Business Calendar, which has also been expanded to serve Kent, Newport, and Washington Counties, and for the very busy Civil Daily Motion Calendar in Providence County. During the clerkship year, monthly department meetings - to review new case law, discuss legal topics, and review procedures - continue to be held at each of the courthouses. Such monthly meetings promote consistency in work product and procedures, familiarity with the different courthouses, and teamwork among the department members.

To assist the law clerks with the busy Civil Daily Motion Calendar in Providence County and general trial calendar assignments, the Law Clerk Department has continued to increase its use of interns from summers to the entire year. The Law Clerk Department interns come from multiple law schools and often receive course credit for various internships during the academic year. Expansion of the Law Clerk Department intern program has effectively increased the production of the law clerks and enhanced the legal education of the law students. Each fall, the supervising staff attorney of the department also gives a presentation on the Law Clerk Department program to interested prospective law school applicants from Roger Williams Law School. This visit to the law school has greatly increased the number of applicants to the program.

Among its many initiatives in 2011, the Law Clerk Department also assisted with the updating and expansion of the Family Court bench book for new judges. Virtually all members of the department assisted with this project. Other initiatives included law clerk assistance with various special calendars. With respect to the Civil Daily Motion Calendar in Providence County, law clerks helped with improving the scheduling of motions, resulting in improved weekly workloads and operational efficiency. For the Mortgage Electronic Registration Systems (MERS) calendar, which hears multiple eviction actions involving allegations of defective foreclosure, law clerks have assisted with both the substantive and the administrative aspects of the calendar.

ADMINISTRATIVE OFFICE OF STATE COURTS

Community Outreach and Public Relations

The Office of Community Outreach and Public Relations in 2011 coordinated the introduction in Rhode Island of a national civics education initiative for middle schools. The Chief Justice, as state chair for the iCivics initiative, brought the program to middle schools in Providence, Johnston, and Glocester where it was well-received. A Ponaganset middle school teacher was recruited to be a member of the national advisory group for iCivics. Workshops at Roger Williams University and at the courts expanded the program's reach to teachers across the state.

The iCivics project was founded by retired United States Supreme Court Justice Sandra Day O'Connor in 2010 to fill a void in information and tools available to middle school students to participate in society. The free program appeals to this demographic largely due to its focus on educational games and digital entertainment. More workshops and school visits were planned as the year ended.

A grant from the Rhode Island Foundation in 2011 made it possible for the office to produce a full-color 24-page booklet on the history of the Supreme Court, its current makeup, and an overview of the Judiciary today. Photography, design, writing, and editing were performed in-house at significant savings, with the grant paying for printing costs.

The office continued its ongoing relationships with local schools, the Department of Education, scouting organizations, and the military to promote better understanding of the justice system. The staff arranged for the Supreme Court to continue its regular practice of "riding the circuit" to conduct oral arguments of actual cases away from the Licht Judicial Complex. In 2011, the Court sat at Classical High School in Providence and at North Providence High School.

In January, the Judiciary also hosted the biannual Legislators' Law Day, designed to familiarize new and returning lawmakers with the workings of the Judiciary.

Domestic Violence Training and Monitoring Unit

In 2011 the Domestic Violence Training and Monitoring Unit completed its final testing stages for the conversion of its legislatively mandated forms to an electronic database which is scheduled to go live in February 2012. The new database will replace the original paper form which was quite lengthy and had to be hand-delivered or mailed to the unit. Domestic violence, sexual assault, and child molestation cases will

automatically be sent to the unit electronically from law enforcement. This new system will provide greater accountability as well as saving time as domestic violence has increased over the last few years at a rate of approximately 5 percent per year.

Facilities, Operations, and Security

As the Judiciary recognizes that each of the court facilities are significant capital assets of the State of Rhode Island, the office is proud of its responsibility for the care and preservation of these assets. The mission of the office is to provide economical, efficient, and well-organized maintenance services to all of the Judiciary with professionalism, courtesy, and proficiency. The office provides the highest level of security and safety for all employees of the Judiciary and the various state agencies located in our buildings, as well as the citizens we serve.

The heating, venting, and air conditioning (HVAC) division continues to improve the efficiency as well as the effective comfort levels in all facilities. The office has developed a flexible project plan which allows us to design/build a multi-year project as though it were a "single on-time project." Over a period of time, the office has installed in three phases several high efficiency heating pumps and boilers at the Licht Judicial Complex. With this three-phase approach and the way the rebate structure worked with the utility company, the office was able to purchase one of the four boilers with rebate money, which was a tremendous cost savings. Not only is this system operating as per the design but now the Judiciary is able to obtain "free" domestic hot water during the heating season.

As to security, a key component of the mission is a continuous assessment of the security and safety of our court facilities. Since 2005, the office has continued to upgrade facilities by identifying, planning, and prioritizing those areas that can be improved. In 2011, we completed a security audit of all judicial facilities. A guide from the National Center for State Courts was used as the basis for the audit. The Internet Protocol (IP) surveillance camera system upgrades at the Garrahy Judicial Complex in Providence and Noel Judicial Complex in Warwick have been completed. An additional level of security has been added at the Murray Judicial Complex in Newport with the installation of card access readers. In addition, at Garrahy, we installed a second wireless duress unit which now gives full coverage to the entire facility. And lastly, we have an independent security network that connects all of the security equipment at each of the court facilities to a separate network maintained by the office.

Judicial Education and Mandatory Continuing Legal Education

Highlighting the 2011 judicial education calendar of events, all state court justices, judges, and magistrates attended the Rhode Island courts' judicial conferences held in March, June, and September 2011. Local and national guest speakers presented scholarly discussions on topics including diversity and cultural awareness, judicial ethics, access to justice, the pro se litigant, and judicial safety and security. Educational seminars held in conjunction with the Rhode Island Bar Association allowed Rhode Island state court jurists and attorneys the opportunity to review emerging case law. Judges from all levels of the state courts served as teachers within court, community, and legal education agency seminars so as to strengthen and enhance justice for all in Rhode Island.

Acting on the recommendations of the Mandatory Continuing Legal Education (MCLE) Commission, the Rhode Island Supreme Court issued an order effective July 1, 2011 amending the MCLE Rules and Regulations to allow greater access to distance learning modalities for attorneys fulfilling their continuing legal education requirement. Two-thirds of the 4,400 attorneys subject to MCLE surpassed their minimum requirement allowing them to retain surplus credits as carryover into 2012. Attorneys who utilized distance learning reported cost effectiveness, convenience, and broad access to national caliber lectures as the primary benefits of e-learning.

The MCLE office provided curriculum development, guidance, and accreditation services to 225 continuing legal education sponsors nationwide. The year also saw an expansion of distance learning offerings from these sponsors, many of whom are providing live video conference options for their lectures.

Judicial Records Center

The Judicial Records Center (JRC) provides secure storage for the semi-active, inactive, and archival records of the Rhode Island Judiciary. The JRC also provides efficient reference services for the courts, members of the bar, and members of the public who require court records for research purposes.

In 2011, the JRC accessioned 193,937 case files in 3,928 boxes. The JRC now stores over 5,000,000 case files in 96,335 cubic foot boxes and 5,124 manuscript court docket, minute, and record books. The JRC staff responded to over 63,000 requests for records during the year. These included over 34,000 individual records that were viewed at the JRC. Staff also provided access to an additional 18,000 case files for researchers for credit agencies and social policy institutes.

There were 8,422 archival requests for the pre-1900 court records in 2011. These include requests from genealogists as well as graduate students, lawyers, and

professional historians. Scholars investigated a broad range of topics, including: domestic violence in colonial Newport; race relations in colonial Rhode Island; divorce in colonial Rhode Island; colonial naval history; the death penalty in Rhode Island; dual citizenship; and slavery in Rhode Island. Graduate classes in history and historical preservation from the University of Rhode Island and Roger Williams University toured the judicial archives to learn about the value of the court records as a research resource.

The Judicial Archives received a grant from the Rhode Island Foundation to begin the process of preserving one of the most utilized record series in its collection, the Naturalization Petitions to the Supreme Court and the Courts of Common Pleas. These records date from 1793 through 1893. The Judicial Archives contains over 25,000 naturalization petitions. As a collection, these records reflect and document the ethnic diversity of Rhode Island through the centuries. As individual documents, these petitions provide detailed information on the histories of Rhode Island's families.

Judicial Technology Center

In April 2011, the Judicial Technology Center (JTC) developed and implemented a District Court payment system that allows defendants to pay their fines and fees using the Internet rather than going to the courthouses. As of December 31, 2011, payments totaling \$378,234 had been made with this system.

The JTC continues to develop its own software applications with JAVA technologies. Since the JTC developed the Juvenile Case Management System (JCMS), jury system, and the attorney portal last year, it has been able to design, engineer, and code applications using J2EE technologies. Another new application includes the JTC AdminApp, which is a general application for internal use. This application connects to any database or other application to do a task through interfaces. The JTC has created an inventory system that keeps track of all the equipment in the court system.

The JTC also worked on new applications that will be in production in 2012. An online Mandatory Continuing Legal Education system will allow attorneys to enter their continuing education credits through the attorney portal. An Indigent Defense Timesheet System will allow attorneys to sign into the attorney portal and submit their timesheets for indigent services. New systems will be provided for new attorney registration, the Rhode Island Bar Exam, and the court-appointed attorney panels. All of these systems will be owned by the Judiciary, sharply reducing the need for yearly maintenance contracts and fees. Embracing open source and low maintenance cost solutions helped the JTC to reduce ongoing costs to a great extent.

In June 2011, the JTC unveiled a new judicial website that is easy to use and user friendly. Development has been ongoing to provide dynamic public data access for queries about attorneys, case information, and court calendars.

In 2011, the Judiciary continued to work with the state Division of Taxation to intercept income tax refunds headed toward people who owe the courts money. The Judiciary collected \$396,272 through the tax intercept program and collected \$108,900 in sales of data and reports. All of these funds were forwarded to the general revenue fund.

Office of Court Interpreters

In 2011 over 8,000 court users availed themselves of the Office of Court Interpreters (OCI) services. The OCI provided interpretation services in more than 20 languages for all types of criminal and civil court proceedings, from murder trials to child support hearings. The OCI expanded its coverage of Family Court mediations, District Court Pretrial Services Unit monitoring activities, and Workers' Compensation court hearings.

In cooperation with the American Bar Association, the OCI participated in several professional development seminars designed to increase access to justice for court users with limited English proficiency. In the Rhode Island community, the OCI promoted awareness of the Judiciary's interpretation services through discussions and appearances at community events and high school career days and seminars. In our continuing collaboration with the Community College of Rhode Island, the OCI hosted student interns and provided mentoring for members of the school's interpreting program who are interested in pursuing a career in the Judiciary.

Litigants, attorneys, community groups, and court personnel continued accessing the Judiciary's website to request interpreting services. More than half of the total requests were submitted through this link.

State Law Library

Throughout 2011 the Rhode Island State Law Library continued to advance its mission to provide authoritative legal resources and research materials in a variety of formats. In the 21st century, the library is no longer just a physical place but an electronic and digital marketplace. The library has attempted to balance the electronic environment with what has always been its forte, an up-to-date and dependable print collection. This has been achieved with a three-year agreement with Thomson Reuters

that allows the library to maintain its core collection of titles, slash administrative costs, minimize future price increases, and simplify future budgeting. Complementing the print collection, the library offers a rich selection of electronic research materials that includes 16 premier databases. In 2011, the library added a subscription to Massachusetts Continuing Legal Education, allowing network-wide access to Massachusetts as well as an expansive suite of Rhode Island legal publications. The library also subscribes to the award-winning and ever expanding HeinOnline, which includes a legal periodical library and a complete run of the Federal Register in digital format. Westlaw for the Judiciary has been expanded to include the versatility and breadth of the new West platform, Westlaw Next, while Lexis is available to attorneys and members of the public throughout the state.

In 2011 the library received a digitization grant awarded by the state Office of Library and Information Services, using funds provided by the Institute of Museum and Library Services, under the federal Library Services and Technology Act. The program, entitled Rhode Island Treasures, was a collaborative project undertaken by the Rhode Island State Law Library and the Rhode Island State Library. The main objective was to convert unique and rare documents into digital format, thus providing access and availability via the Internet. It also ensured that these valuable print materials would be preserved from handling, overuse, and deterioration.

Using equipment received under an earlier Champlin Grant, the library hired a digitization assistant, and using accepted digital standards, provided computerized versions of a number of valuable resources. Included is a library on capital punishment in Rhode Island, spotlighting the transcript and other primary source material associated with the John Gordon trial as well as the 19th-century indices to the Public Laws of Rhode Island. Also digitized was the General Court of Trials, Record Book A, a handwritten compilation of trial records from the colony of Rhode Island 1671 - 1724. These documents are now available on the HELIN Digital Commons and are searchable there and on the major Internet search engines.

The library presented a program on its digitization efforts to the Karla Harry Library Commission as well as to the Rhode Island Historical Document Committee. A continuing legal education program on Internet research, including the new social media tools, was held in early summer for attorneys throughout the state.

Through outreach, quality public service, and the maintenance of a superior collection, both print and electronic, the library staff continues to serve the needs of the bench, the bar, and the people of Rhode Island.



Bottom - Left to right: Edward C. Clifton, Judith C. Savage, Patricia A. Hurst, Robert D. Krause, Alice Bridget Gibney (Presiding Justice), Melanie Wilk Thunberg, Francis J. Darigan, Jr., Michael A. Silverstein, and Netfi C. Vogel.
 Second Row - Left to right: Brian P. Stern, Bennett R. Gallo, Allen P. Rubine, Daniel A. Procaccini, Edwin J. Gale, Stephen P. Nugent, Susan E. McGuirl, Jeffrey A. Lanphear, William E. Carnes, Jr., and Kristin E. Rodgers.
 Top - Left to right: Gordon M. Smith, Patrick T. Burke, Patricia L. Harwood, Sarah Taft-Carter, Walter Stone, Brian Van Couyghen, William J. McAtee, and Susan L. Kenny.

SUPERIOR COURT

Civil Control Calendar

The Superior Court has instituted a new program transforming the Providence/Bristol County Civil Control Calendar into a case assessment/mediation calendar. Each case is conferenced or mediated before a trial justice prior to being passed for trial.

The program has increased the number of pre-trial settlements dramatically. Over 40 percent of cases have resolved at this stage, thus reducing court costs and trial delay.

Civil Case Dismissals

In November 2011, the Superior Court dismissed more than 18,000 unassigned civil cases dating back five years or more. The case list was available for review at the clerk's office and was posted on the Judiciary's website.

Upon motion, any case dismissed for lack of prosecution may be reinstated by the court within one year of dismissal. Approximately 200 cases that were removed from the dismissal list are now on a fast track toward resolution.

Criminal Trial Calendar

Providence/Bristol County Superior Court has become more actively involved in the progress of criminal cases on the pretrial calendar. A trial justice conducts extensive conferences on each case and only those cases are passed for trial after all

reasonable efforts to resolve the charges have been explored. The result has been a significant increase in dispositions during the pretrial stages. During November and December 2011, dispositions were up 36 percent from the previous year.

Domestic Violence Calendar

The Superior Court instituted a Domestic Violence Calendar with three primary goals: to streamline domestic violence cases in an efficient manner; to provide a forum by which all parties would be held accountable and to ensure the safety of all involved; and to provide victims of domestic violence and sexual assault with access to appropriate resources. An Associate Justice is assigned to manage and conference all cases and determine their trial readiness. Of the 354 domestic violence cases pending as of September 1, 2011, 219 have been disposed.

Kent, Newport, and Washington Counties Business Calendars

Business Calendars were created in July 2011 in Kent, Newport, and Washington Counties that mirror the operation of the Providence/Bristol County Business Calendar. The new Business Calendars were established to meet the business demands of these counties and will be managed and supervised by an Associate Justice. All cases on this calendar will be heard in Kent County or as determined by the assigned Associate Justice.

Gun Court

The Gun Court, after 18 years of operation, continues to be a tremendous success, emulated by as many as 20 other jurisdictions. All Providence/Bristol County criminal cases with firearms charges as specified in G.L. 1956 § 8-2-15.1 are assigned to the Gun Court. Trial is then scheduled within 60 days of the completion of discovery. In 2011, 201 cases were disposed of on the Gun Court Calendar, with an average time for disposition of 155 days. In addition, 1,637 jail terms have been imposed since the program's inception. Ninety-seven percent of cases result in the imposition of a sentence.



Bottom - Left to right: John A. Mutter, Michael B. Forte, Haiganush R. Bedrosian (Chief Judge), Kathleen A. Voccola, and Francis J. Murray, Jr.

Top - Left to right: Patricia K. Asquith, Armando Monaco II, John J. O'Brien, Jr., John E. McCann III, Laureen D'Ambra, Stephen J. Capineri, Debra E. DiSegna, Karen Lynch Bernard, Jeanne L. Shepard, George N. DiMuro, Angela M. Paulhus, and Edward H. Newman.

Not Pictured - Raymond E. Shawcross and Thomas Wright.

FAMILY COURT

Electronic Juvenile Data Warehouse

In 2011, the Family Court embarked on the development of a comprehensive electronic juvenile data warehouse. The vision focused on expanding the existing Juvenile Case Management System by creating a highly integrated electronic system that would link critical information regarding child protection that currently exists in disparate databases. This undertaking involved a high level of collaboration between the Supreme Court's Judicial Technology Center, the Family Court, the Department of Children, Youth, and Families (DCYF), and the National Center for State Courts. The program was tested in December 2011. It is being viewed by many as one of the most progressive national models for the management of child protection data.

Mediation

Family Court mediation services were formally organized into a department in 2011. Housed in the Garrahy Judicial Complex, the department coordinates mediation at all county courthouses and tracks mediation activity throughout the court system. Statistics for the 2011 calendar year reveal significant growth in the volume of cases referred and mediated from 2010 to 2011, with a 41 percent increase. Mediators were successful in helping parties resolve or narrow issues in 91 percent of mediated cases.

One notable development in the unit has been the expansion of mediation on the DCYF calendar. The practice of mediation seeks to shorten an often lengthy and difficult process, helping parties separate emotion from the facts of a case and often moving a child toward permanency more expeditiously.

Court Appointed Special Advocate

The Office of the Court Appointed Special Advocate (CASA) represents over 2,700 children in the care of DCYF. With a full-time staff of nine lawyers, five social caseworkers, and four support staff, CASA relies upon the 283 sworn volunteers to assist in representing the neglected and abused children in the care of DCYF.

In 2011, CASA was recognized both locally and nationally for the work that it has done, receiving the advocacy award from Adoption Rhode Island and a four-year national accreditation, recognizing the quality of the work by staff and volunteers on behalf of abused and neglected children.

Child Support/Collections Office

The Family Court Child Support/Collections Office collected \$86,112,059.96 for the calendar year 2011. During this period, the Family Court magistrates heard 26,173 child support cases. The office continues to work with Child Support Enforcement in efforts to increase the amount of electronic fund transfers. Effective August 2010, Family Court partnered with the Department of Human Services and the State of Connecticut to streamline all check processing. The Child Support/Collections Office successfully completed its first full calendar year since the partnership began.

National Adoption Day

The Family Court held another special event on Saturday, November 19, 2011 in recognition of the 8th Annual National Adoption Day. Rhode Island's celebration coincided with events being held across the United States on that day to draw attention to the adoption process and the large number of children available for adoption. The court finalized 22 adoptions with 14 different families that day.



Bottom - Left to right: Madeline Quirk, Frank J. Cenerini, Jeanne E. LaFazia (Chief Judge), Elaine T. Bucci, and William C. Clifton.

Top - Left to right: Walter Gorman, Stephen M. Isherwood, Colleen M. Hastings, Anthony Capraro, Pamela Woodcock Pfeiffer, Rafael A. Ovalles, Mary E. McCaffrey, Joseph T. Houlihan, Jr., Christine S. Jabour, and Joseph P. Ippolito, Jr.,

Not Pictured - Joseph A. Montalbano

DISTRICT COURT

Pretrial Services Unit Expanded to Newport and Washington Counties

The expansion of the Pretrial Services Unit (PTSU) to the Second and Fourth Divisions in Newport and South Kingstown is complete and operational. The statewide expansion of the PTSU provides uniformity in all divisions of the District Court with regards to the assessment of defendants who suffer from mental health, alcohol, and substance abuse issues, as well as monitoring all conditions of bail as ordered by the court.

Veterans Calendar

Chief Judge Jeanne E. LaFazia introduced the Veterans Calendar to the District Court in 2011 in a program that drew the attention of United States Senator Sheldon Whitehouse and United States Attorney General Eric Holder, who visited Rhode Island in June 2011 to learn more. In July 2011, Chief Judge LaFazia testified along with actor Martin Sheen before the Senate Judiciary Committee in Washington, D.C.

Chief Judge LaFazia has appointed a retired Rhode Island Army National Guard colonel as the director of the new Volunteer Mentor Program for the court's Veterans' Calendar. The establishment of the Mentor Program takes the Kent County pilot

project to the next level with the addition of veteran mentors to assist present and former members of the military who enter the criminal justice system as a result of injuries related to their service in the armed forces. The mentors, all of whom will be volunteers, are veterans whose goal will be to support participants throughout the court process. They will assist defendants and the court by serving as coaches, guides, and role models.

Observers of similar programs across the country say that the mentors are the key to their success. Mentors try to get participants to tap back into the pride they had in the military and move forward. The program's structure also strikes a positive chord with the veterans. Mentors are recruited from both genders and from all service branches, to provide the best pairing possible.

Imaging Project

Chief Judge LaFazia issued a directive regarding a paperless system for the District Court to begin in 2011. All divisions are currently scanning civil, criminal, and small claims documents for electronic storage.

Online Payment System

As of June 2011, District Court fines and costs could be paid online. This system offers defendants another payment alternative via the Internet without the need to pay in person.

New Magistrate

In 2011, the District Court welcomed new Magistrate Joseph A. Montalbano to the judicial staff.



Bottom - Left to right: Janette A. Bertness, Debra L. Olsson, George E. Healy, Jr. (Chief Judge), Bruce Q. Morin, and Edward P. Sowa, Jr.

Top - Left to right: Robert E. Hardman, George T. Salem, Jr., Dianne M. Connor, Hugo L. Ricci, Jr., and Robert M. Ferrieri.

WORKERS' COMPENSATION COURT

The most noteworthy observation regarding the court's activity in 2011 is that, for the second year in a row, the number of cases filed with the court has declined by two percent from 7,406 to 7,222. This decrease continues a recent trend in the court and more than likely is a function of the rather anemic employment picture in the state. Since 2008, the number of new cases filed with the court has declined by more than 12 percent (from 8,296 to 7,222). This parallels the state unemployment rate and seems to represent the diminution in the state's workforce rather than any change in the nature of the work performed or the safety practices of the employers. The court has continued to respond efficiently to the cases filed and again disposed of more files than it received (7,271 disposed and 7,222 filed).

While the increase in the individual caseload is not overwhelming, it must be remembered that the subject matter of the court's litigation continues to grow in complexity. For many years, the court worked diligently to expedite case management for those filings which could be handled on such a basis. New calendars have been created and when such cases are identified, they are put on a fast track to allow the court to address the petition with minimal time and expense to the parties. These calendars have worked remarkably well and these single issue petitions, which in the past prevented the judges from reaching the more substantial cases,

no longer clog the system. However, the remaining cases involve complicated medical and legal issues and are extremely time consuming. While this has long been the goal of the court, it must be noted that the reduction in the caseload is not an indicator that the court's workload has been diminished.

When the court's caseload statistics are reviewed, one finding demands some attention. In 2011, the number of petitions for settlement increased by almost 8 percent. For several years, this number has been depressed. Prior analysis suggested that the Medicare Secondary Payer Act required the involvement of the Center for Medicare and Medicaid Services (CMS) to insure that Medicare's interests were adequately protected. While the substance of the law has never been strenuously contested, the need for Medicare review hindered the court's ability to review and process settlements efficiently. Efforts to streamline the process and improve Medicare's case management were unsuccessful. The agency's inefficiency delayed many settlements and prevented other cases from reaching an amicable resolution.

In 2011, the Judiciary worked closely with the other stakeholders in the system to craft a new procedure which would allow the court to process cases in a more efficient manner. This practice was implemented in the fourth quarter of the year and the number of petitions for settlement immediately began to increase. The new process still allows the court to protect Medicare's interest but eliminates the delays caused by the complicated machinations of the Center for Medicare and Medicaid Services. This resolution is gratifying because it allows the court to promptly process cases seeking settlement approval. More significantly, however, it reflects the mutual respect of the diverse stakeholders in the compensation system and their willingness to collaborate to improve the services we can offer to those who need our assistance.

In 2011, the court's YES-RI (Young Employee Safety-Rhode Island) program has continued to expand and to flourish. This educational initiative was created by the court's staff several years ago to teach young workers about their right to a safe workplace and their ability to receive a workers' compensation benefit if they are hurt at work. In the past year, the number of schools that requested the program again grew. In 2011, the court met with more than 1,200 young workers. It is important to note that while this outreach program was created and sponsored by the court, attorneys, insurers, and safety professionals volunteer to participate and bring this valuable message to the students. It is another example of the court's efforts to engage all interest groups to achieve a common goal: the improvement of the dispute resolution system to provide efficient equitable relief to those we have assumed the duty to protect.



Holly Hitchcock

Left to right: Albert Ciullo, R. David Cruise, Lillian M. Almeida, William R. Guglietta (Chief Magistrate), Domenic DiSandro III, William T. Noonan, Alan R. Goulart, and Edward C. Parker.

RHODE ISLAND TRAFFIC TRIBUNAL

For the eighth straight year, the Rhode Island Traffic Tribunal (RITT) heard over 100,000 violations. In addition to these filings, the RITT also heard over 3,000 motion hearings and handled over 4,000 show cause hearings. The RITT's Appellate Division heard 116 traffic and municipal court appeals and 328 appeals for the Registry of Motor Vehicles. Despite the large number of cases filed with the RITT during 2011, the RITT was able to dispose over 103,000 violations, representing over 100 percent of the cases that were filed. This continues the trend at the RITT for disposing more cases than are filed within a calendar year.

The RITT continued to be a major contributor to the general revenue fund for the State. In calendar year 2011, the RITT receipted as payments over \$13 million dollars. In conjunction with the Department of Revenue, the RITT was also a major contributor with the State of Rhode Island's Tax Intercept Program, collecting over \$396,000.

In 2011, the Chief Magistrate continued the accessibility of the judges/magistrates to the public by continuing the miscellaneous "2A" calendar. This calendar allows most "walk-in" motorists to have access to a judge or magistrate during the working hours of the RITT. The RITT restructured its website and telephone payment processes to reduce costs to the motorist. An automated teller machine was provided in the main concourse of the courthouse so that motorists may have access to funds.

The RITT played an increasing role in providing services to the community. Many judges/magistrates of the court participated in numerous training programs offered by the Rhode Island State Police Training Academy and the Municipal Police

Training Academy. These included presentations on court procedure as well as a moot court demonstration on motor vehicle violations.

The RITT held two sessions in June of its first RITT/Municipal Court Workshop. This will be an annual workshop to work with the Municipal Court Clerks and their judges to create better lines of communication, ensure accurate reporting of fines and costs, reduce errors in reporting dispositions, as well as ensure that payments are being made in a timely manner.

In the area of public safety, the RITT worked extensively on two pieces of legislation affecting motor vehicle offenses. In 2011, the General Assembly passed legislation requiring a mandatory court appearance for defendants who receive a third summons within a 12-month period of time. Since the law's October 1, 2011 effective date, the RITT flagged 453 cases as requiring a mandatory hearing.

In addition, the RITT continued the implementation of the "Colin Foote Act." Passed in 2010, this legislation created new penalties for multiple moving offenses and was enacted to address the issues of individuals convicted of four separate and distinct offenses within an 18-month period of time. The RITT worked extensively with law enforcement and the Municipal Courts to implement this new law.

The RITT has continued to implement the E-Citation program. In 2011, Johnston, Little Compton, Smithfield, South Kingstown, West Greenwich, and Brown University Police Departments joined the State Police and several local departments as E-Citation agencies. In 2011, 86,982 E-Citations were issued, representing an increase of 24,227 E-Citations over the previous year.

Also, the RITT has continued to implement an IBM FileNet Enterprise Content Management System (ECM). The RITT has scanned over 1,395,555 documents consisting of over 6.6 million images. The staff has completed scanning cases with outstanding balances back to 1996, as well as keeping current with new case scanning.

The RITT relies heavily on automation to complete highly intensive tasks to achieve efficiency. In 2011, the RITT utilized interfaces with the Division of Motor Vehicles (DMV) to transmit over 31,491 judicial orders for drivers license suspensions for failure to pay a court fine. Further, driving records were ordered for all court sessions using an interface with the DMV. The Judiciary and the DMV are working on updating the interfaces to provide greater efficiency when the new system is implemented. The RITT also processed 60,006 dispositions from the Municipal Courts through interfaces.

JUDICIAL PERFORMANCE

Joseph P. Boxler



AT A GLANCE

SUMMARY OF JUDICIAL BUDGETS

| Description | FY 2010 | FY 2011 | FY 2012 Enacted |
|---------------------------------------------|-------------------|-------------------|--------------------|
| Supreme Court Operations | 23,380,828 | 25,352,352 | 26,325,441 |
| Defense of Indigents | 3,549,736 | 3,448,104 | 3,562,240 |
| Superior Court Operations | 17,968,386 | 18,793,335 | 19,445,257 |
| Jury Operations | 1,282,855 | 1,510,192 | 1,419,953 |
| Family Court | 15,433,016 | 16,875,534 | 17,533,090 |
| District Court | 9,776,172 | 10,642,265 | 10,924,545 |
| Traffic Tribunal | 7,368,034 | 7,572,756 | 7,752,175 |
| Judicial Tenure and Discipline | 106,404 | 106,076 | 111,282 |
| General Revenue Total | 78,865,431 | 84,300,614 | 87,073,983 |
| Supreme Court | 285,525 | 269,004 | 341,723 |
| Superior Court | 96,774 | 87,692 | 72,985 |
| Family Court | 2,448,684 | 2,187,175 | 3,031,752 |
| District Court | - | 12,050 | 130,128 |
| Federal Funds Total | 2,830,983 | 2,555,921 | 3,576,588 |
| Supreme Court | 1,369,463 | 1,364,642 | 1,359,947 |
| Superior Court | 277,841 | 459,959 | 498,996 |
| Family Court | - | 74,213 | 252,350 |
| District Court | 358,644 | 307,618 | 332,092 |
| Workers' Compensation Court | 6,837,669 | 6,432,824 | 6,900,797 |
| Restricted Receipts Total | 8,843,617 | 8,639,256 | 9,344,182 |
| Supreme Court | 1,385,679 | 829,704 | 1,100,000 |
| Other Funds Total | 1,385,679 | 829,704 | 1,100,000 |
| Grand Total | 91,925,710 | 96,325,495 | 101,094,753 |
| Percent of State Budget | 1.72% | 1.25% | 1.32% |
| Percent of State Budget General Fund | 2.75% | 2.85% | 2.75% |

REVENUE DATA

| Description | Type | FY 2011 | Calendar Year 2011 |
|--------------------------------------------------|---------------|-------------------|--------------------|
| Supreme Court | Fees | 13,718 | 13,415 |
| Superior Court | Fines | 82,598 | 89,043 |
| | Fees | 1,623,941 | 1,552,262 |
| Family Court | Fees | 555,876 | 537,998 |
| District Court | Fines | 2,584,508 | 2,496,572 |
| | Fees | 2,520,431 | 2,422,351 |
| Traffic Tribunal | Fines | 11,019,059 | 10,915,058 |
| Probation and Parole | Fines | 1,446,555 | 1,666,026 |
| Warrant Fees | Fines | 466,769 | 421,638 |
| Writ of Execution | Fees | 225,773 | 205,316 |
| Miscellaneous Judicial Revenue | Miscellaneous | 322,078 | 407,154 |
| Domestic Violence Fines | Fines | 33,781 | 31,918 |
| Sex Offenders Fines | Fines | 1,491 | 1,531 |
| Department of Health | Fines | 309,333 | 267,992 |
| | Fees | 8,008 | 7,458 |
| State Fire Marshal | Fines | 1,250 | 254 |
| Total General Fund | | 21,215,166 | 21,035,985 |
| Department of Labor and Training | Fines | 145,480 | 142,425 |
| Disciplinary Counsel | Fees | 1,360,880 | 1,133,640 |
| Department of Environmental Management | Fines | 3,373 | 2,867 |
| Violent Crimes Compensation | Fines | 1,423,873 | 1,316,873 |
| Total Restricted Receipt | | 2,933,606 | 2,595,805 |
| Rhode Island Legal Services | Fines/Fees | 404,534 | 381,288 |
| Rhode Island State Colleges | Fines | - | 25,714 |
| Rhode Island Bridge and Turnpike Authority | Fines | - | 50 |
| Rhode Island Coalition Against Domestic Violence | Fines/Fees | 135,122 | 127,673 |
| Restitution | Fines | 1,543,904 | 1,603,714 |
| Municipalities | Fines | 1,891,558 | 1,754,223 |
| Other Total | | 3,975,118 | 3,892,661 |
| Grand Total | | 28,123,891 | 27,524,450 |

AT A GLANCE continued

JUDGES

65 Judges (4 vacancies)
4 Minorities
25 Female
21 Magistrates (1 vacancy)
5 Female

EMPLOYEES

FTE Count
723.3 authorized
669.6 average filled

FACILITIES

6 Courthouses
(2 administrative buildings)
74 Courtrooms
(5 shelled courtrooms,
4 Grand Jury rooms)

JUDICIARY'S CASELOAD SUMMARY

| COURT | CASE TYPE | FILING/ HEARINGS | DISPOSITIONS |
|---------------------------------------|-----------------------------------------------------------------------------------------------------|--------------------------------------------------------|-----------------------------------|
| Supreme Court | Appeals <i>Appellate Mediation</i> | 375 *87 | 381 *36 |
| Superior Court | Felony Misdemeanor Civil | 5,393 203 10,351 | 5,559 209 7,218 |
| Family Court | Juvenile Divorce Miscellaneous Petitions Abuse Child Support <i>Support Hearings</i> | 7,855 3,729 883 2,492 **5,530 ***26,173 | 8,726 3,726 2,159 |
| District Court | Misdemeanors Small Claims Civil Abuse Mental Health/Other Administrative Appeals | 26,012 11,544 23,567 860 1,299 203 | 25,070 14,785 20,188 817 |
| Workers' Compensation Court | | 7,222 | 7,271 |
| Traffic Tribunal | | 82,960 | 82,729 |
| Total Filings and Dispositions | | 190,478 | 178,838 |
| <i>Including Support Hearings</i> | | 216,651 | |

APPELLATE MEDIATION PROGRAM - January 1, 2011 through December 31, 2011

- 381 appeals disposed by the Supreme Court
- 36 (9%) of the 381 cases were disposed at some stage in the mediation process (percent of total)
 - 28 of the 36 were disposed (settled/withdrawn) at or after mediation
 - 8 of the 36 were disposed (dismissed/withdrawn) at a stage in the process before mediation
- As of December 31, 2011 – 4 cases scheduled for mediation
- As of December 31, 2011 – 19 cases pending screening for mediation
- Currently 5 retired justices/judges available to mediate appeals

* Appellate Mediation cases are included in the Supreme Court appeals and, therefore, are not counted in the total filings and dispositions.

** Reciprocal filings stay open until age of majority of child unless otherwise ordered by court.

*** Support hearings represent the number of hearings held. Therefore, the same case may be counted more than once.

SUPREME COURT APPELLATE CASELOAD

| | 2010 | 2011 |
|----------------------|------|------|
| All Cases | | |
| Docketed | 418 | 375 |
| Disposed | 334 | 381 |
| Pending | 543 | 474 |
| Criminal | | |
| Docketed | 69 | 75 |
| Disposed | 55 | 87 |
| Pending | 124 | 117 |
| Civil | | |
| Docketed | 172 | 176 |
| Disposed | 136 | 158 |
| Pending | 248 | 234 |
| Certiorari | | |
| Docketed | 82 | 68 |
| Disposed | 68 | 71 |
| Pending | 92 | 89 |
| Miscellaneous | | |
| Docketed | 95 | 56 |
| Disposed | 75 | 65 |
| Pending | 79 | 34 |

SUPREME COURT MANNER OF DISPOSITION

| | 2010 | 2009 |
|--------------------------------------------|------------|------------|
| Total Dispositions | 334 | 381 |
| % Disposed of Within 300 Days of Docketing | 55% | 51% |
| Before Argument | 215 | 234 |
| Withdrawn | 64 | 99 |
| Dismissed | 35 | 26 |
| Petition Granted | 7 | 6 |
| Petition Denied | 48 | 49 |
| Other | 61 | 54 |
| After Argument/Motion Calendar | 69 | 107 |
| Withdrawn | 0 | 0 |
| Affirmed | 59 | 77 |
| Modified | 1 | 0 |
| Reversed | 5 | 16 |
| Other | 4 | 14 |
| Orders | 11 | 25 |
| Opinions | 58 | 82 |
| After Argument/Merits | 50 | 40 |
| Withdrawn | 3 | 1 |
| Affirmed | 33 | 22 |
| Modified | 5 | 5 |
| Reversed | 9 | 11 |
| Other | 0 | 1 |
| Orders | 4 | 2 |
| Opinions | 46 | 38 |

SUPERIOR COURT CIVIL CASELOAD

| CIVIL ACTIONS | | |
|----------------------------------|--------|--------|
| | 2010 | 2011 |
| Statewide | | |
| Cases Filed | 11,286 | 10,351 |
| Cases Disposed | 7,387 | 7,218 |
| Providence/Bristol County | | |
| Cases Filed | 7,623 | 7,317 |
| Cases Disposed | 4,912 | 4,858 |
| Kent County | | |
| Cases Filed | 2,012 | 1,559 |
| Cases Disposed | 1,268 | 1,199 |
| Washington County | | |
| Cases Filed | 934 | 831 |
| Cases Disposed | 669 | 679 |
| Newport County | | |
| Cases Filed | 717 | 644 |
| Cases Disposed | 538 | 482 |

SUPERIOR COURT CIVIL TRIAL CALENDAR SUMMARY

| CIVIL ACTIONS | | |
|----------------------------------|-------|-------|
| | 2010 | 2011 |
| Statewide | | |
| Added | 1,683 | 1,246 |
| Disposed | 1,833 | 1,601 |
| Pending | 1,858 | 1,491 |
| Providence/Bristol County | | |
| Added | 1,160 | 810 |
| Disposed | 1,151 | 1,041 |
| Pending | 1,505 | 1,233 |
| Kent County | | |
| Added | 269 | 227 |
| Disposed | 307 | 285 |
| Pending | 185 | 125 |
| Washington County | | |
| Added | 159 | 122 |
| Disposed | 221 | 164 |
| Pending | 111 | 85 |
| Newport County | | |
| Added | 95 | 87 |
| Disposed | 154 | 111 |
| Pending | 57 | 48 |

SUPERIOR COURT MANNER OF DISPOSITION CIVIL TRIAL CALENDAR

| FELONIES | | |
|----------------------------------|--------------|--------------|
| | 2010 | 2011 |
| Statewide | 1,833 | 1,601 |
| Trials | 59 | 28 |
| Dismissed/Settled/Other | 1,321 | 1,225 |
| Arbitration/Other Exceptions | 453 | 348 |
| Verdicts | 29 | 12 |
| Judicial Decisions | 30 | 16 |
| Providence/Bristol County | 1,151 | 1,041 |
| Trials | 14 | 7 |
| Dismissed/Settled/Other | 873 | 818 |
| Arbitration/Other Exceptions | 264 | 216 |
| Verdicts | 9 | 2 |
| Judicial Decisions | 5 | 5 |
| Kent County | 307 | 285 |
| Trials | 11 | 3 |
| Dismissed/Settled/Other | 209 | 212 |
| Arbitration/Other Exceptions | 87 | 70 |
| Verdicts | 5 | 0 |
| Judicial Decisions | 6 | 3 |
| Washington County | 221 | 164 |
| Trials | 11 | 10 |
| Dismissed/Settled/Other | 144 | 118 |
| Arbitration/Other Exceptions | 66 | 36 |
| Verdicts | 4 | 6 |
| Judicial Decisions | 7 | 4 |
| Newport County | 154 | 111 |
| Trials | 23 | 8 |
| Dismissed/Settled/Other | 95 | 77 |
| Arbitration/Other Exceptions | 36 | 26 |
| Verdicts | 11 | 4 |
| Judicial Decisions | 12 | 4 |

SUPERIOR COURT FELONY CASELOAD

| FELONIES | | |
|----------------------------------|-------|-------|
| | 2010 | 2011 |
| Statewide | | |
| Cases Filed | 5,543 | 5,393 |
| Cases Disposed | 5,410 | 5,559 |
| Total Pending Cases | 2,613 | 2,763 |
| % Over 180 Days Old | 48% | 55% |
| Providence/Bristol County | | |
| Cases Filed | 3,915 | 3,766 |
| Cases Disposed | 3,886 | 3,904 |
| Total Pending Cases | 2,154 | 2,264 |
| % Over 180 Days Old | 50% | 62% |
| Kent County | | |
| Cases Filed | 775 | 901 |
| Cases Disposed | 671 | 919 |
| Total Pending Cases | 271 | 257 |
| % Over 180 Days Old | 18% | 30% |
| Washington County | | |
| Cases Filed | 499 | 390 |
| Cases Disposed | 488 | 388 |
| Total Pending Cases | 100 | 142 |
| % Over 180 Days Old | 26% | 25% |
| Newport County | | |
| Cases Filed | 354 | 336 |
| Cases Disposed | 365 | 348 |
| Total Pending Cases | 88 | 100 |
| % Over 180 Days Old | 43% | 21% |

SUPERIOR COURT MANNER OF DISPOSITION FELONIES

| FELONIES | 2010 | 2011 |
|----------------------------------|--------------|--------------|
| Statewide | 5,410 | 5,559 |
| Pled | 4,783 | 4,950 |
| Filed | 24 | 23 |
| Dismissed | 534 | 518 |
| Trial | 67 | 68 |
| Other | 2 | 0 |
| % Disposed of Within 180 Days | 65% | 62% |
| Providence/Bristol County | 3,886 | 3,904 |
| Pled | 3,441 | 3,480 |
| Filed | 10 | 17 |
| Dismissed | 391 | 354 |
| Trial | 42 | 53 |
| Other | 2 | 0 |
| % Disposed of Within 180 Days | 60% | 55% |
| Kent County | 671 | 919 |
| Pled | 604 | 842 |
| Filed | 2 | 1 |
| Dismissed | 57 | 67 |
| Trial | 8 | 9 |
| Other | 0 | 0 |
| % Disposed of Within 180 Days | 79% | 79% |
| Washington County | 488 | 388 |
| Pled | 407 | 324 |
| Filed | 5 | 1 |
| Dismissed | 65 | 59 |
| Trial | 11 | 4 |
| Other | 0 | 0 |
| % Disposed of Within 180 Days | 78% | 72% |
| Newport County | 365 | 348 |
| Pled | 331 | 304 |
| Filed | 7 | 4 |
| Dismissed | 21 | 38 |
| Trial | 6 | 2 |
| Other | 0 | 0 |
| % Disposed of Within 180 Days | 76% | 76% |

SUPERIOR COURT MISDEMEANOR CASELOAD

| MISDEMEANORS | 2010 | 2011 |
|----------------------------------|------|------|
| Statewide | | |
| Cases Filed | 251 | 203 |
| Cases Disposed | 265 | 209 |
| Total Pending Cases | 147 | 171 |
| % Over 90 Days Old | 68% | 82% |
| Providence/Bristol County | | |
| Cases Filed | 122 | 118 |
| Cases Disposed | 126 | 121 |
| Total Pending Cases | 119 | 144 |
| % Over 90 Days Old | 73% | 87% |
| Kent County | | |
| Cases Filed | 49 | 30 |
| Cases Disposed | 44 | 36 |
| Total Pending Cases | 10 | 7 |
| % Over 90 Days Old | 40% | 57% |
| Washington County | | |
| Cases Filed | 26 | 36 |
| Cases Disposed | 31 | 27 |
| Total Pending Cases | 8 | 16 |
| % Over 90 Days Old | 62% | 56% |
| Newport County | | |
| Cases Filed | 54 | 19 |
| Cases Disposed | 64 | 25 |
| Total Pending Cases | 10 | 4 |
| % Over 90 Days Old | 40% | 75% |

SUPERIOR COURT MANNER OF DISPOSITION MISDEMEANORS

| MISDEMEANORS | | |
|----------------------------------|------------|------------|
| | 2010 | 2011 |
| Statewide | 265 | 209 |
| Pled | 160 | 148 |
| Filed | 22 | 16 |
| Dismissed | 68 | 37 |
| Trial | 15 | 8 |
| Other | 0 | 0 |
| % Disposed of Within 90 Days | 36% | 35% |
| Providence/Bristol County | 126 | 121 |
| Pled | 84 | 86 |
| Filed | 9 | 12 |
| Dismissed | 23 | 19 |
| Trial | 10 | 4 |
| Other | 0 | 0 |
| % Disposed of Within 90 Days | 18% | 20% |
| Kent County | 44 | 36 |
| Pled | 25 | 22 |
| Filed | 3 | 1 |
| Dismissed | 13 | 10 |
| Trial | 3 | 3 |
| Other | 0 | 0 |
| % Disposed of Within 90 Days | 59% | 50% |
| Washington County | 31 | 27 |
| Pled | 17 | 23 |
| Filed | 0 | 1 |
| Dismissed | 12 | 3 |
| Trial | 2 | 0 |
| Other | 0 | 0 |
| % Disposed of Within 90 Days | 48% | 67% |
| Newport County | 64 | 25 |
| Pled | 34 | 17 |
| Filed | 10 | 2 |
| Dismissed | 20 | 5 |
| Trial | 0 | 1 |
| Other | 0 | 0 |
| % Disposed of Within 90 Days | 53% | 44% |

FAMILY COURT DOMESTIC RELATIONS

| | 2010 | | | 2011 | | |
|-------------------------------|--------------|--------------|---------------------|--------------|--------------|---------------------|
| | Filed | Disposed | Pending over 1 year | Filed | Disposed | Pending over 1 year |
| Divorce Statewide | 3,897 | 3,949 | 25 | 3,729 | 3,726 | 9 |
| Providence/ Bristol County | 2,483 | 2,551 | 17 | 2,377 | 2,343 | 5 |
| Kent County | 672 | 675 | 0 | 658 | 676 | 0 |
| Washington County | 466 | 457 | 8 | 398 | 429 | 0 |
| Newport County | 276 | 266 | 0 | 296 | 278 | 4 |
| Abuse Statewide | 2,399 | 2,271 | NA | 2,492 | 2,159 | NA |
| Providence/ Bristol County | 1,860 | 1,826 | | 1,887 | 1,707 | |
| Kent County | 339 | 278 | | 357 | 228 | |
| Washington County | 95 | 97 | | 92 | 86 | |
| Newport County | 105 | 70 | | 156 | 138 | |

OTHER FILINGS

| Statewide | 2010 | 2011 |
|---------------------|----------|----------|
| Miscellaneous | 826 | 883 |
| Child Support | *5,737 | *5,530 |
| Total Pending Cases | **22,583 | **26,173 |

*Reciprocal filings stay open until age of majority of child unless otherwise ordered by court.

**Support hearings represent the number of hearings held. Therefore, the same case may be counted more than once.

FAMILY COURT JUVENILE CASELOAD

JUVENILE CASELOAD SUMMARY

| | 2010 | | 2011 | |
|-----------------------------------|-------|----------|-------|----------|
| | Filed | Disposed | Filed | Disposed |
| Statewide | 8,959 | 9,861 | 7,855 | 8,726 |
| Wayward/Delinquent | 5,618 | 6,385 | 5,138 | 5,388 |
| Dependency/Neglect/ Abuse | 1,563 | 1,702 | 1,205 | 1,705 |
| Termination of Parental Rights | 290 | 343 | 202 | 321 |
| Adoption/Guardianship | 482 | 457 | 486 | 452 |
| Violations | 926 | 914 | 767 | 805 |
| Other | 80 | 60 | 57 | 55 |

FAMILY COURT JUVENILE CASELOAD CONTINUED

JUVENILE CASELOAD BY COUNTY AND CASE TYPE

| | 2010 | | | 2011 | | |
|---------------------------------------|--------------|--------------|---------------|--------------|--------------|---------------|
| | Filed | Disposed | Over 180 days | Filed | Disposed | Over 180 days |
| Statewide | 8,959 | 9,861 | 66% | 7,855 | 8,726 | 58% |
| Wayward/Delinquent and Violations | 6,544 | 7,299 | 67% | 5,905 | 6,193 | 59% |
| Dependency/Neglect/ Abuse | 1,563 | 1,702 | 46% | 1,205 | 1,705 | 36% |
| Termination of Parental Rights | 290 | 343 | 76% | 202 | 321 | 58% |
| Adoption/Guardianship | 562 | 517 | NA | 543 | 507 | NA |
| Providence/ Bristol County | 6,429 | 6,998 | 68% | 5,643 | 6,218 | 58% |
| Wayward/Delinquent and Violations | 4,682 | 5,144 | 69% | 4,232 | 4,417 | 60% |
| Dependency/Neglect/ Abuse | 1,158 | 1,230 | 48% | 874 | 1,227 | 35% |
| Termination of Parental Rights | 228 | 271 | 78% | 150 | 255 | 58% |
| Adoption/Guardianship | 361 | 353 | NA | 387 | 319 | NA |
| Kent County | 1,155 | 1,310 | 66% | 1,068 | 1,232 | 58% |
| Wayward/Delinquent and Violations | 846 | 976 | 64% | 757 | 802 | 54% |
| Dependency/Neglect/ Abuse | 169 | 218 | 50% | 182 | 270 | 46% |
| Termination of Parental Rights | 46 | 32 | 90% | 37 | 49 | 63% |
| Adoption/Guardianship | 94 | 84 | NA | 92 | 111 | NA |
| Washington County | 806 | 880 | 65% | 659 | 748 | 62% |
| Wayward/Delinquent and Violations | 597 | 678 | 67% | 550 | 589 | 65% |
| Dependency/Neglect/ Abuse | 146 | 143 | 36% | 70 | 109 | 35% |
| Termination of Parental Rights | 9 | 16 | 0% | 8 | 9 | 33% |
| Adoption/Guardianship | 54 | 43 | NA | 31 | 41 | NA |
| Newport County | 569 | 673 | 53% | 485 | 528 | 50% |
| Wayward/Delinquent and Violations | 419 | 501 | 53% | 366 | 385 | 48% |
| Dependency/Neglect/ Abuse | 90 | 111 | 23% | 79 | 99 | 34% |
| Termination of Parental Rights | 7 | 24 | 33% | 7 | 8 | 50% |
| Adoption/Guardianship | 53 | 37 | NA | 33 | 36 | NA |

DISTRICT COURT SMALL CLAIMS

SMALL CLAIMS CASELOAD SUMMARY

| | 2010 | | 2011 | |
|------------------------------------------------|---------------|---------------|---------------|---------------|
| | Filed | Disposed | Filed | Disposed |
| Statewide | 13,932 | 16,782 | 11,544 | 14,785 |
| Second Division - Newport County | 730 | 661 | 602 | 744 |
| Third Division - Kent County | 4,208 | 6,984 | 3,791 | 4,912 |
| Fourth Division - Washington County | 979 | 942 | 872 | 1,102 |
| Sixth Division - Providence/ Bristol County | 8,015 | 8,195 | 6,279 | 8,027 |

MANNER OF DISPOSITION

| | 2010 | 2011 |
|----------------------------------------------------|---------------|---------------|
| Statewide | 16,782 | 14,785 |
| Defaults | 10,397 | 9,012 |
| Settlements | 5,061 | 4,312 |
| Judgments | 1,324 | 1,461 |
| Second Division - Newport County | 661 | 744 |
| Defaults | 428 | 496 |
| Settlements | 203 | 213 |
| Judgments | 30 | 35 |
| Third Division - Kent County | 6,984 | 4,912 |
| Defaults | 4,522 | 3,211 |
| Settlements | 2,022 | 1,390 |
| Judgments | 440 | 311 |
| Fourth Division - Washington County | 942 | 1,102 |
| Defaults | 571 | 620 |
| Settlements | 242 | 290 |
| Judgments | 129 | 192 |
| Sixth Division - Providence/ Bristol County | 8,195 | 8,027 |
| Defaults | 4,876 | 4,685 |
| Settlements | 2,594 | 2,419 |
| Judgments | 725 | 923 |

CASES FILED - OTHER CATEGORIES

| | 2010 | 2011 |
|------------------------|--------------|--------------|
| Statewide | 2,169 | 2,362 |
| Domestic Abuse | 992 | 860 |
| Administrative Appeals | 215 | 203 |
| Mental Health Hearings | 962 | 1,299 |

DISTRICT COURT CIVIL CASELOAD

CIVIL CASELOAD SUMMARY

| | 2010 | | 2011 | |
|------------------------------------------------|---------------|---------------|---------------|---------------|
| | Filed | Disposed | Filed | Disposed |
| Statewide | 23,942 | 19,711 | 23,567 | 20,188 |
| Second Division - Newport County | 1,379 | 1,101 | 1,378 | 1,053 |
| Third Division - Kent County | 6,696 | 5,296 | 7,110 | 5,702 |
| Fourth Division - Washington County | 1,805 | 1,536 | 1,569 | 1,543 |
| Sixth Division - Providence/ Bristol County | 14,062 | 11,778 | 13,510 | 11,890 |

MANNER OF DISPOSITION

| | 2010 | 2011 |
|----------------------------------------------------|---------------|---------------|
| Statewide | 19,711 | 20,188 |
| Defaults | 8,857 | 7,930 |
| Settlements | 3,913 | 3,935 |
| Judgments | 6,941 | 8,323 |
| Second Division - Newport County | 1,101 | 1,053 |
| Defaults | 451 | 464 |
| Settlements | 310 | 207 |
| Judgments | 340 | 382 |
| Third Division - Kent County | 5,296 | 5,702 |
| Defaults | 2,080 | 2,155 |
| Settlements | 874 | 797 |
| Judgments | 2,342 | 2,750 |
| Fourth Division - Washington County | 1,536 | 1,543 |
| Defaults | 768 | 712 |
| Settlements | 353 | 400 |
| Judgments | 415 | 431 |
| Sixth Division - Providence/ Bristol County | 11,778 | 11,890 |
| Defaults | 5,558 | 4,599 |
| Settlements | 2,376 | 2,531 |
| Judgments | 3,844 | 4,760 |

DISTRICT COURT CRIMINAL CASELOAD

CRIMINAL CASELOAD SUMMARY

| | 2010 | 2011 |
|--------------------------------------------------------|--------|--------|
| Misdemeanors - Statewide | | |
| Filed | 26,811 | 26,012 |
| Disposed | 25,649 | 25,070 |
| Pending | 2,874 | 3,042 |
| % Over 60 Days | 30% | 33% |
| Second Division - Newport County | | |
| Filed | 2,757 | 2,605 |
| Disposed | 2,604 | 2,453 |
| Pending | 289 | 377 |
| % Over 60 Days | 44% | 43% |
| Third Division - Kent County | | |
| Filed | 7,398 | 8,276 |
| Disposed | 7,311 | 7,634 |
| Pending | 721 | 950 |
| % Over 60 Days | 23% | 28% |
| Fourth Division - Washington County | | |
| Filed | 3,266 | 2,889 |
| Disposed | 3,121 | 2,814 |
| Pending | 386 | 405 |
| % Over 60 Days | 32% | 37% |
| Sixth Division - Providence/ Bristol County | | |
| Filed | 13,390 | 12,242 |
| Disposed | 12,613 | 12,169 |
| Pending | 1,478 | 1,310 |
| % Over 60 Days | 31% | 33% |
| Felonies - Statewide | | |
| Filed | 7,415 | 7,384 |
| Disposed | 6,104 | 6,184 |
| Pending | NA | NA |
| % Over 60 Days | NA | NA |

DISTRICT COURT CRIMINAL CASELOAD

MANNER OF DISPOSITION - MISDEMEANORS

| | 2010 | 2011 |
|--------------------------------------------------------|---------------|---------------|
| Statewide | 25,649 | 25,070 |
| Pled | 16,438 | 14,918 |
| Filed | 72 | 88 |
| Dismissed | 7,064 | 8,156 |
| Trial | 159 | 166 |
| Other | 1,916 | 1,742 |
| % Disposed Within 60 Days of Filing | 77% | 75% |
| Second Division - Newport County | 2,604 | 2,453 |
| Pled | 1,628 | 1,563 |
| Filed | 12 | 22 |
| Dismissed | 711 | 710 |
| Trial | 6 | 8 |
| Other | 247 | 150 |
| % Disposed Within 60 Days of Filing | 80% | 77% |
| Third Division - Kent County | 7,311 | 7,634 |
| Pled | 4,697 | 4,861 |
| Filed | 20 | 4 |
| Dismissed | 2,005 | 2,342 |
| Trial | 56 | 46 |
| Other | 533 | 381 |
| % Disposed Within 60 Days of Filing | 77% | 78% |
| Fourth Division - Washington County | 3,121 | 2,814 |
| Pled | 1,951 | 1,578 |
| Filed | 18 | 3 |
| Dismissed | 926 | 1,030 |
| Trial | 16 | 23 |
| Other | 210 | 180 |
| % Disposed Within 60 Days of Filing | 76% | 76% |
| Sixth Division - Providence/ Bristol County | 12,613 | 12,169 |
| Pled | 8,162 | 6,916 |
| Filed | 22 | 59 |
| Dismissed | 3,422 | 4,074 |
| Trial | 81 | 89 |
| Other | 926 | 1,031 |
| % Disposed Within 60 Days of Filing | 77% | 73% |

WORKERS' COMPENSATION COURT

| CASELOAD SUMMARY | | | | | | |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|
| | 2010 | | | 2011 | | |
| | Filed | Disposed | Pending | Filed | Disposed | Pending |
| All Cases | 7,406 | 7,496 | 1,676 | 7,222 | 7,271 | 1,629 |
| Employee Petitions | 5,008 | 5,058 | 1,169 | 4,819 | 4,836 | 1,155 |
| Original | 2,180 | 2,206 | 553 | 2,281 | 2,306 | 534 |
| To Review | 2,034 | 2,033 | 534 | 1,861 | 1,871 | 521 |
| Second Injury | 0 | 0 | 0 | 0 | 0 | 0 |
| To Enforce | 794 | 819 | 82 | 677 | 659 | 100 |
| Employer Petitions | 1,273 | 1,316 | 343 | 1,225 | 1,273 | 293 |
| To Review | 1,273 | 1,316 | 343 | 1,225 | 1,273 | 293 |
| Other | 1,125 | 1,122 | 164 | 1,178 | 1,162 | 181 |
| Lump Sum Settlement | 775 | 785 | 79 | 837 | 803 | 114 |
| Hospital/Physician Fees | 173 | 156 | 30 | 151 | 164 | 17 |
| Miscellaneous | 177 | 181 | 55 | 190 | 195 | 50 |
| Pending Trial | NA | NA | 675 | NA | NA | 697 |
| % Pending > 210 Days | NA | NA | 30% | NA | NA | 32% |

| MANNER/STAGE OF DISPOSITION | | |
|-----------------------------|--------------|--------------|
| | 2010 | 2011 |
| TOTAL DISPOSITIONS | 7,496 | 7,271 |
| Pretrial | 5,541 | 5,371 |
| Pretrial Order | 2,749 | 2,699 |
| Order | 6 | 6 |
| Decree | 108 | 138 |
| Consent Decree | 150 | 126 |
| Withdrawn | 2,486 | 2,361 |
| Discontinued | 6 | 2 |
| Dismissed | 36 | 39 |
| Other | 0 | 0 |
| % Disposed Within 90 Days | 89% | 88% |
| Trial | 1,924 | 1,868 |
| Pretrial Order | 1,120 | 1,112 |
| Order | 12 | 7 |
| Decree | 125 | 122 |
| Consent Decree | 555 | 544 |
| Withdrawn | 70 | 51 |
| Discontinued | 2 | 0 |
| Dismissed | 8 | 8 |
| Other | 32 | 24 |
| % Disposed Within 360 Days | 87% | 89% |
| Appeals | 31 | 32 |

RHODE ISLAND TRAFFIC TRIBUNAL (RITT) CASELOAD

| RITT CASELOAD SUMMARY | | |
|-----------------------------------|---------|---------|
| | 2010 | 2011 |
| RITT Summonses - Statewide | | |
| Issued | 83,419 | 82,960 |
| Disposed | 84,927 | 82,729 |
| Disposed in 60 Days | 96% | 96% |
| Pending | 2,164 | 2,236 |
| Breathalyzer Refusals | | |
| Issued | 1,663 | 1,594 |
| Disposed | 1,730 | 1,613 |
| Disposed in 60 Days | 83% | 81% |
| Pending | 140 | 153 |
| Insurance Violations | | |
| Issued | 8,944 | 9,055 |
| Disposed | 9,145 | 9,322 |
| Disposed in 60 Days | 94% | 94% |
| Pending | 187 | 160 |
| Appeals | | |
| Issued | 450 | 443 |
| Disposed | 447 | 427 |
| Disposed in 60 Days | NA | NA |
| Pending | 62 | 77 |
| Total Summonses* | | |
| Issued | 143,982 | 149,284 |
| Disposed | NA | NA |
| Disposed in 60 Days | NA | NA |
| Pending | NA | NA |
| Total Violations | | |
| Issued | 102,115 | 102,046 |
| Disposed | NA | NA |
| Disposed in 60 Days | NA | NA |
| Pending | NA | NA |

* Includes both Municipal Court and RITT summonses issued.

| BREAKDOWN OF DISPOSITIONS | | |
|---------------------------|---------------|---------------|
| | 2010 | 2011 |
| Statewide | 84,927 | 82,729 |
| Court Hearings | 57,286 | 56,764 |
| Pay by Mail | 27,641 | 25,965 |

Rhode Island Court Structure

ADMINISTRATIVE OFFICE OF STATE COURTS

State Court Administrator • Finance and Budget • Employee Relations
State Law Library • Judicial Technology Center • Facilities and Operations/Security
Judicial Records Center • Domestic Violence Training and Monitoring Unit
Mandatory Continuing Legal Education • Community Outreach and Public Relations
Law Clerk Department • Judicial Planning • General Counsel and Alternative Dispute Resolution
Disciplinary Counsel • Supreme Court Clerk's Office • Appellate Screening
Administrative Assistant to Chief Justice • Interpreters' Office

