RHODE ISLAND JUDICIARY
Annual Report
2021

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On the Cover: Courtroom 2 in the Superior Court, Florence K. Murray Judicial Complex, Newport

RHODE ISLAND JUDICIARY Annual Report 2021

Letter of Transmittal

To the Honorable Members of the General Assembly:

As it had in 2020, the pandemic dominated most aspects of court operations in calendar year 2021 and profoundly altered the manner in which the Judiciary serves the public in the State of Rhode Island. The impact of the pandemic on court operations cannot be understated, however the Judiciary adapted to the constantly changing standards and requirements of the public health crisis and did not cease providing access to justice for all. The following is the 2021 Annual Report of the Rhode Island Judiciary, submitted pursuant to G.L. 1956 (2012 Reenactment) § 8-15-7, depicting relevant statistics and summarizing the Judiciary's service to the State of Rhode Island.

In 2021, judges and court staff adapted to working remotely; they learned new technologies and conducted remote hearings on WebEx. Our courts transformed our operations and developed new practices to ensure continued access to justice. Even jury trials – perhaps the most problematic court proceeding to conduct under COVID-19 protocols – were successfully held with much careful planning and precaution. The retrofitting and installation of Plexiglas in our courtrooms and clerks' offices seemed enough to fill a hockey rink or two. As we go forward, we will examine these new procedures to determine what innovations should stay and which ones can be happily jettisoned. We are in a period of unprecedented opportunity. We know that court operations and procedures will change, yet at this time there is still uncertainty as to what shape they will take post-pandemic.

Another area that was a significant focus for the Judiciary in 2021 is racial justice. Our courts must not only administer justice fairly and impartially but must also be perceived by the public as being fair and impartial tribunals. The courts' work in this regard is ongoing and imperative. The Supreme Court's Committee on Racial and Ethnic Fairness in the Courts has been indefatigable in its efforts to reach out and hear from the minority communities in our state. The Committee conducted listening sessions with the Black community, as well as the Latino, Hispanic and Asian communities. It heard from advocates and stakeholders in the deaf and hardof-hearing communities about challenges they face in accessing the courts. The Committee has sponsored educational programs on unconscious bias for judges and worked with a consultant from the National Center for State Courts to facilitate the difficult conversations that racial issues necessarily engender in the workplace. The Committee's efforts in addressing the vexing problem of long-standing court costs has been well-received across the state.

We continue to grapple with challenges associated with litigants who suffer from mental illness, and substance use disorders. The Judiciary is committed to exploring innovative programs to address the underlying issues that bring many people into the criminal justice system and we look forward to reporting significant progress in this regard in the Judiciary's next annual report. We are deeply grateful to our hard-working court employees, whose ingenuity, resilience and willingness to adapt to new court procedures made it possible to provide equal and accessible justice for all during 2021. Finally, we wish to recognize with thanks the exceptional service of J. Joseph Baxter Jr., who retired in 2021 after 38 years of service to our courts, including the last 17 as the state court administrator. Mr. Baxter kept the bar raised high in setting an example of what it means to be a public servant.

Respectfully submitted,

Chief Justice Paul A. Suttell and State Court Administrator Julie P. Hamil



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In September 2021, The full Rhode Island Supreme Court sat in the courtroom for the first time in more than a year in fall 2021, with the addition of Plexiglas partitions and wooden extensions on either end of the bench.

Pandemic Continuity of Operations

An "easing" of pandemic conditions may best be used to describe the Rhode Island Judiciary's experience in 2021, even as COVID-19 continued to make its presence felt among litigants, judicial officers and court staff, as well as the public at large. The success of court operations toward the administration of justice depended on constant implementation and monitoring of safeguards and business practices as caseloads began to climb from the lows of the prior year.

After more than nine months of experience dealing with the COVID-19 pandemic, the Judiciary began 2021 with the same health precautions implemented in 2020. Courtrooms continued to be outfitted with plexiglass, many employees continued to telework and courthouse access was restricted until September to only those parties whose presence was required. Essential services were determined based on urgency and addressing the rights afforded to citizens by constitutional or statutory provisions while maintaining transparency.

Court caseloads began a slow return toward normal levels in 2021, increasing by 18 percent from the lows experienced in 2020, the peak pandemic year when case filings dropped by 26 percent. Still, at 157,787, the filings for 2021 were about 20,000 less than had been recorded in the years immediately prior to the COVID-19 emergency.

Courts, their judges and staffs, and litigants had been thrust abruptly into the world of virtual hearings and meetings using remote technology – a world that by the beginning of 2021 had begun to take on a sense of the new normal. Both the benefits and drawbacks of remote technology were given strong consideration by the individual courts as they weighed how much of it to use going forward.

Despite all of the challenges and limitations created by the pandemic, the courts maintained daily calendars, heard all matters involving public safety and common constitutional rights, and continued to conduct business without interruption in perhaps the most difficult era the Judiciary has ever faced.

Many matters involving liberty interests as well as those involving personal and public safety, such as extreme risk protection orders, domestic violence restraining orders, and child protection orders are but a few of the difficult case types requiring timely resolution – often in person – by many of society's most vulnerable.

As an aggressive COVID-19 evolved expanding and contracting throughout the year - so, too, did the Judiciary's approach with a range of protocols, policies, and executive orders by the individual courts to keep cases moving. This dynamic process was one of ongoing reevaluation and required creativity, constant communication with stakeholders, and untried steps. When it came to the fiscal impact of dealing with the unique working conditions brought on by the pandemic, the Judiciary's Finance and Budget Office was able to continue normal business operations remotely, overseeing budgetary responsibilities and the caserelated financial transactions of the unified judicial system's six courts in their separate locations.

The first half of fiscal year 2021 presented new challenges for the Finance and Budget Office. The purchasing unit had finished fiscal year 2020 with the issues experienced by everyone in obtaining any personal protective equipment (PPE) to permit the Judiciary to remain open and protect employees from the virus. Items such as face masks, gloves, hand sanitizer, wipes, and other cleaning supplies were in short supply.

Additional responsibilities were also placed on finance and budget staff as COVID-19 expenses were offset with available federal funding. By the end of 2021, the Judiciary secured approximately \$1.5 million in federal funds for COVIDrelated expenses. The funds were used to purchase additional technology to support online/remote hearings across all courts and to allow the staff to work remotely. The funds also purchased PPE supplies and materials to maintain and meet appropriate social distancing guidelines in the courthouses.

A Brief Timeline of Events

As the new year turned, the Supreme Court welcomed two justices in the month of January: Erin Lynch Prata, a private practice attorney and former Senate Judiciary chairwoman, and Melissa A. Long, elevated from the Superior Court and the Supreme Court's first member of color. The arrival of Justices Lynch Prata and Long also gave the Supreme Court a female majority for the first time, as they joined Justice Maureen McKenna Goldberg, the senior associate. Four other judges were sworn in the lower courts after having been nominated at the end of 2020.



Pandemic precautions for as much separation and social distancing as possible were installed in the courtrooms including Plexiglas around the judge's bench, clerk's desk, counsel table, and witness stand. Above, left, a Superior Court clerk works in a retrofitted courtroom at the Licht Judicial Complex. Accommodations for jurors included individual cubicles in the jury box, above right, with Plexiglass on three sides of each seat.

The District Court soon turned its attention in January to amending criminal protocols to add civil violations and certain misdemeanor offenses to its calendars by March after putting them on hold at the height of the pandemic restrictions. Protocols controlling evictions, one of the most vexing issues of the health crisis, also were extended through March. The Superior Court published protocols for continuity of operations for trials, in-person hearings, grand jury, access to the clerks' offices and other business.

In February, Supreme Court Chief Justice Paul A. Suttell gave an interview on local television to explain what the courts were doing to maintain continuity of operations. February, March, and April brought a flurry of administrative orders as the individual courts sought to modify operations to the safest degree possible to protect the public and employees alike. By April, the news media were highlighting the Superior Court's readiness to resume jury trials. The Superior Court had been prepared for a criminal jury trial the previous October, but that case was postponed, and the defendant ultimately admitted the charges in a plea.

On May 3, the first jury trial in Rhode Island in more than a year began with jury selection in a Washington County murder case. The trial was held in Providence, which had the only courtrooms outfitted



Two women joined the Supreme Court at the beginning of 2021, resulting in its first female majority. From left: Justice Erin Lynch Prata, Justice Maureen McKenna Goldberg, Chief Justice Paul A. Suttell, Justice William P. Robinson III, and Justice Melissa A. Long.

with the needed Plexiglas. The case ended in mistrial 17 days later with a hung jury. Protocols continued to evolve into the summer, and as the pandemic waned, the Chief Justice lifted a mask requirement for vaccinated persons as of July 20, with plans to lift courthouse access restrictions for the public on September 7. While the access restrictions were removed, a masking requirement was reinstated in August when there was a notable increase in COVID-19 cases driven by the Delta variant. That masking requirement continued past the end of 2021. While the general public was largely excluded from state courthouses until September 7, the courts continued to operate with a combination of in-person and remote hearings. When public access was reinstated, in-person hearings began to increase, but the courts, having adjusted to and appreciating the efficiencies of remote technology, continued to hold some proceedings virtually. Those practices are described by individual court on the following pages.



Pandemic Operations, Court by Court

For the Superior Court, a Near Sense of Normalcy

By the time the pandemic moved into its second year in 2021, the Superior Court had refined its protocols and safety measures to such a degree that there was a near sense of normalcy in the day-to-day operations of court calendars and business practices. Mask wearing continued to be the rule of the day along with social distancing, but adjustments to calendars and the regularity of hybrid, remote civil, and business calendars allowed for significant productivity.

The Superior Court was operating on all cylinders and jury trials became part of the weekly landscape, particularly in the last four months of 2021. A total of 71 jury and bench trials were held in 2021, a 34 percent decrease from the pre-pandemic year of 2019 when a total of 107 jury and bench trials were conducted statewide but a 48 percent increase over 2020 figures when jury trials were suspended at the onset of the pandemic for the better part of the year.

Criminal filings were up 10 percent over 2020, while civil filings were down 11 percent from 2020. This reduction in civil filings is directly attributable to a steadily declining number of hernia mesh lawsuits in each of the last three years.

The Superior Court held a total of 144,678 criminal and civil proceedings. In-person proceedings totaled 140,582 and 4,096 were conducted remotely. This total represented a 38 percent increase over the first year of the pandemic in 2020 and a 9 percent decrease in the number of proceedings from the pre-pandemic year of 2019. Case disposition rates were comparable to those in pre-pandemic years. Superior Court judges issued 105 written decisions in 2021.

One area of concern was the significant rise in the number of temporary restraining orders (TROs) that were filed during 2021. The Superior Court saw an increase of 25 percent over 2020 and an increase of 26 percent over 2019, with the filing of 741 requests for temporary restraining orders. From a societal perspective, there have been more personal disputes. The initial and follow-up hearings take judges away from handling scheduled civil matters in a timely fashion. Whether these personal disputes are the result of the pandemic, financial hardship or waning common decency, the reasons for the increase are unclear

Adult Drug Calendar

The Superior Court's Adult Drug Program admitted 94 new participants and graduated 48, including some who entered the program in prior years. The program terminated 17 participants, leaving 166 active participants at the end of 2021. The program focuses on treatment while providing defendants an opportunity to have their records cleared if they complete the program. While admissions declined from 2019 to 2020 during the height of the pandemic, through 2021 there was a 31 percent increase in admissions over 2020, the highest admission rate in the last five years.

Diversion Program

The year 2021 saw the second full operating year of the Superior Court Diversion Program. A total of 651 candidates were referred to the program in 2021. Of the 651 referrals, 457 were accepted. There was a total of 475 candidates who graduated, 93 who were terminated, and 295 that were pending, including some who entered the program in 2020. A total of \$199,276 was collected in restitution payments on behalf of victims and 218 Diversion Program participants logged 9,214 hours of community service in various nonprofit agencies throughout the state.

In addition, participants received treatment for substance use disorder, gambling addiction, and mental health concerns. As the Diversion Program was only in its second year, recidivism rates are difficult to quantify or project; but of the first 93 graduates of the program in 2020, only 4 re-offended in the year 2021 for a 4 percent recidivism rate after the inaugural year.



Extreme Risk Protection Orders

In 2021, The Superior Court processed 33 "red flag" extreme risk protection orders:

Termination of Probation

In its fifth full year after a Superior Court rule change, the Probation Termination Calendar allows individuals serving probation in the community to ask the court to end their probation terms early if certain criteria are met. In 2021, 224 hearings took place with 174 motions granted, 23 denied, and 24 continued.

Court Annexed Arbitration Program

In 2021, a total of 87 arbitrators participated in the Court Annexed Arbitration Program. The number of cases designated to arbitration in 2021, a total of 880, exceeded 2020 cases by 5 percent and was higher than the past five-year average. Forty-two percent of the cases designated to arbitration settled in 2021 and an estimated 50 percent more of the remaining cases are likely to settle in 2022. Court-annexed arbitration cases represented 13.2 percent of all civil cases, which was higher than the 10 percent average of the last several years.

Settlement Week/Mediation Program

Despite rising coronavirus cases in December 2021, the Arbitration Unit was able to safely schedule 121 cases for mediation during Settlement Week. As of late December, 53 percent of those cases had settled, 12 percent were pending settlement, 9 percent required further mediation, 21 percent did not reach settlement, and 5 percent were pending.



Magistrate Edward H. Newman sits on the child support calendar in Providence County Family Court.

Family Court Builds on Innovations

As the availability of vaccines began to relieve some concerns about the spread of COVID-19, and as the public began to learn how to safely interact, the Family Court regularly reassessed and revised its protocols for doing business. Of paramount importance were maintaining the procedures that were developed to enhance public access and the delivery of justice while avoiding unnecessary and inefficient pre-pandemic practices. Employees returned to working from the courthouses on a staggered basis in the spring of 2021. Most staff, including judicial officers, returned full-time after Labor Day. However, many case types did not return to in-person hearings. Juvenile drug calendar and immigration matters continued to be heard remotely. Judges on the child welfare calendar have taken advantage of the technological skills learned during the height of the pandemic to hold remote hearings for those matters amenable to the technology, and when

appropriate, to schedule in-person hearings for those matters not suited to the advances.

Child Support

Child support motions also continued to be heard remotely. Judicial officers presided from their chambers, courtrooms, or in some cases their homes. Likewise, court recorders and clerks worked from their desks, courtrooms, or homes. Lawyers and the parties participated with the aid of the Judiciary's video technology platform, WebEx, using computers, smart phones or landline telephones. This practice provided litigants with easy access to their hearings without the need to travel to the courthouse, find parking, arrange childcare or take a day off from their jobs. Not only has this been convenient, but remote hearings have greatly reduced overcrowding in the courthouse. Significantly, the Child Support Department in 2021 collected more than \$3 million above the 2019 pre-pandemic

amount collected. More child support cases were heard than in 2020, and as court staff and litigants become more accustomed to remote hearings, the Family Court expects a further increase in cases heard and amount of child support collected.

Divorces

Matters on the domestic relations calendars were heard remotely when appropriate and in-person when testimony and exhibits were involved. All uncontested divorces were scheduled for a remote calendar. The virtual clerk operation in the Domestic Relations Office assisted attorneys and selfrepresented litigants alike with questions and filings in real time. With the click of a button on the Judiciary website, the public can have a prompt face-to-face session with the virtual clerk. A website link also provides litigants who have been granted an uncontested divorce access to a program that will assist them with producing two documents needed to finalize the divorce. The program is similar to interview-type programs that are widely available for income tax preparation. In 2021, 624 self-represented litigants used the program to finalize their divorces. The Domestic Relations Office has developed a bar code that provides easy access to hearings on a smart phone. These are available at the clerk's counter, from the virtual clerk, or by e-mail.

Truancy Initiative

The Juvenile Services Department began a voluntary initiative to address truancy issues involving elementary schoolaged children in a program designed to face and resolve problems at the core. If parents agree to participate before receiving a court summons, the Family Court's Intake Department will attempt to work with the parents and the school



On what is arguably the happiest day of the year in Family Court, Chief Judge Michael B. Forte greets a child who has gained a family on National Adoption Day.

district without the need for formal civil or criminal proceedings. School departments quickly turned to the new program for intervention and as a method to provide needed services.

Family Services

In the fall of 2021, the Safe and Secure Baby Calendar resumed initial hearings in person. The Family Court Drug Treatment Calendar also held in-person intake meetings, but most follow-up sessions on both calendars then took place remotely. All Domestic Violence Calendar hearings have been in-person throughout the pandemic and were scheduled at staggered times to minimize the number of people in the courthouse at any one time. Court staff follow up with the most vulnerable survivors by telephone to assist with renewing restraining orders or obtaining heating and food assistance, as well as diapers, formula, and other child necessities.

The Women's Services Department convened an in-person National Adoption Day celebration in November. Twelve children were adopted into 11 families at the event, out of a total 279 adoptions approved by the Family Court in 2021 in both in-person and remote hearings. The Family Court's Mediation Department continued to focus on virtual service to the public. Except for mediation involving a petition to terminate parental rights, all mediations in domestic relations and child welfare matters were conducted remotely. Two Settlement Week mediation programs for divorces pending more than nine months and scheduled for trial produced an impressive 85 percent settlement rate.

District Court: Evictions Take on Urgency

In 2021, the District Court, in response to the COVID-19 pandemic, introduced several innovative programs to assist landlords and tenants involved in residential eviction proceedings. At the conclusion of the 2020 Safe Harbors rent relief program, the District Court joined with Rhode Island Housing to facilitate the Rhode Island Rent Relief program to distribute more than \$80 million to landlords and tenants in 2021 to satisfy rental agreements and to preserve tenancies, thereby keeping families in their homes.

Additionally, the District Court initiated a volunteer attorney program and orientation to allow lawyers to provide pro bono legal assistance to tenants facing eviction. The volunteer lawyers received Continuing Legal Education (CLE) credits for taking part. Several attorneys remarked to the court that they found their participation to be rewarding in a time of crisis for many during the pandemic.

In the fall of 2021, the District Court partnered with the Roger Williams University Law Clinic, Rhode Island Center for Justice and Rhode Island Legal Services on eviction cases. These organizations developed a pro bono collaborative program utilizing the services of law students through the Roger Williams Law Clinic and attorneys from Rhode Island Legal Services. The program was scheduled to continue in 2022.

Adapting to the Needs

Throughout the year, the District Court adjusted daily operations to control

the number of hearings scheduled, reduce overcrowding, and maintain safety protocols. These modifications to protocols and procedures allowed both criminal and civil calendars to move forward in a safe and productive manner.

In criminal cases, the Pretrial Services Unit continued to monitor all conditions of bail placed on a defendant by the court. Pretrial Services maintains offices in all counties. Despite a pandemic-related reduction of new filings, the unit handled 3,376 cases in 2021. Most of these cases were ordered to mental health and/or substance abuse treatment as a condition of bail.

The Rhode Island Veterans Treatment Calendar, which is administered by the Pretrial Services Unit. served 138 veterans in 2021. The court maintained its regular weekly schedule using both in-person and remote hearings in spite of the challenges created by the pandemic. The calendar's coordinator was a panelist in a court-wide webinar on "Trauma Informed Practices in the Courtroom." Additionally, the Veterans Calendar staff participated in the "Governor's Challenge: Suicide Prevention Among Service Members, Veterans and their Families," as well as a South County crisis intervention team training.

Throughout the pandemic, the District Court continued to hold weekly hearings on the Civil Certification Calendar in mental health cases. The court was able to manage these complex hearings with the cooperation of the state Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, the Office of the Mental Health Advocate and other behavioral health providers.

Workers' Compensation Court

With the COVID-19 pandemic heavily influencing business practices in 2021, the Workers' Compensation Court heard most of its cases virtually through the first three quarters. Applying the lessons learned through the first year of the pandemic, the court served its litigants effectively and efficiently. Utilizing a mix of video and teleconference platforms, the court conducted pretrial hearings, lump sum settlements and mediation sessions remotely, allowing for trials to be conducted in person. This strategy allowed the court to ease the strain on the busy Garrahy Judicial Complex in Providence by only conducting matters in person when it was necessary for the progression of the case. The court kept to its statutory mandate to hear all new cases within 21 days of filing. In September 2021, the court returned to full in-person calendars, with the exception of a select group of hearing types during the spike in the omicron variant



Mediation Program

In its fourth year, the Workers' Compensation Court's Mediation Program experienced unprecedented growth and success. The program, established by Chief Judge Robert Ferrieri in 2017, enables parties to enter



Associate Judge Keith A. Cardoza Jr. sits on the Workers' Compensation Court in Providence. He is a member of the Supreme Court Committee on Racial and Ethnic Fairness in the Courts.

mediation proceedings when a case reaches trial level. Mediation sessions take place at the courthouse and are conducted by Workers' Compensation Court judges. The program has become a valuable tool for the court. Due in part to the program's past successes as well as COVID-19's impact on the global economy, the program experienced a 50 percent increase in cases referred from the prior year. A total of 265 cases were referred in 2021. Of those cases, 209 were successfully mediated, 19 cases saw no resolution and returned to trial, and 37 were still pending an outcome. Cases that reached a conclusion in the mediation process (settlement or return to trial) in 2021 achieved a remarkable 91 percent rate of settlement. The program, heralded by practitioners for its effectiveness, offers parties a straightforward approach to find a fair and mutually acceptable resolution to their cases

Medical Advisory Board

The Workers' Compensation Court Medical Advisory Board continued to play an integral role in the workers' compensation system through 2021. While meeting remotely for most of the year, the board was able to accomplish its core duties and ensure that the communication lines between the medical and legal communities remained open and clear throughout the COVID-19 pandemic. In 2021, the board, having the statutory authority to develop and update protocols and standards of treatment for the most common work-related injuries, reviewed and updated the acupuncture protocol, the temporomandibular joint (TMJ) disorder protocol, the spinal column stimulator protocol and the low back musculo ligamentous protocol. Periodically reviewing the board's 35 protocols ensures that injured workers and the health-care providers who treat them have the most current treatment options available to them should the need arise.

Diversity, Access to Justice and Efficient Court Services

Racial and Ethnic Fairness

It is difficult to think of a Judiciary committee that has gotten off to a more robust start in recent years than the Committee on Racial and Ethnic Fairness in the Courts, which was created in October 2020 by executive order of Supreme Court Chief Justice Paul A. Suttell.

The committee was formed in response to a summer of public unrest sparked by the deaths of George Floyd, Breonna Taylor, and Ahmaud Arbery along with a renewed national discussion about the corrosive impact of systemic racism that has been exposed by the devastating impact of the COVID-19 pandemic on the Black and ethnic minority communities.

From the committee's inception through the end of 2021 – a period of 15 months - the group of 12 judicial officers and 4 court administrative staff met 37 times as a whole and uncounted times in three subcommittees. Its important mission is to enhance public confidence in the independence, integrity, and impartiality of the Rhode Island Judiciary and to promote a fair and bias-free justice system by: 1) engaging in self-examination, education, and public outreach: 2) identifying areas of systemic racism, unconscious bias, disparate impact, and socioeconomic and other inequities; and 3) taking affirmative steps to self-monitor and combat inequities, so as to ensure a system that is accessible to all and treats all persons equally.

By the first quarter of 2021, the committee's Self-examination and Policy Subcommittee had drafted an internal survey of judicial officers for their impressions on implicit bias in court proceedings. It issued a public written and audio statement - "This We Believe" - that captured the spirit and guiding principles driving its work. The Public Engagement Subcommittee held meetings with community stakeholders, such as the American Civil Liberties Union of Rhode Island, the Rhode Island Human Rights Commission, and Rhode Island Community Justice. A partnership was established with the Center for Justice and Health Transformation, which obtained a grant to begin a campaign to introduce members of the Judiciary to the public at large. The Data Subcommittee focused on familiarizing itself with in-house data collection practices and capabilities relative to the demographics of court users across the board, in both criminal and civil proceedings, and whether such data could assist the committee with its overall mission

In the second quarter of 2021, the committee inaugurated a web page describing its efforts and inviting public commentary. Focus turned to the impact of court fines, costs, and fees on litigants and their ability to move forward with their lives. A listening session on the topic was held with the Center for Health and Justice Transformation in March and a similar session with the United Way in June. These discussions would be the

Melissa A. Long is sworn in January 2021 as the first person of color on the Rhode Island Supreme Court. Flanking her on the State House steps is her husband, James E. "Ted" Long.

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NA M. RAIMONDO GOVERNOR



In June, the Supreme Court Committee on Racial and Ethnic Fairness kicked off an initiative with the Rhode Island Public Transit Authority, introducing a handful of judges to the public with bus placards. From left, Workers' Compensation Court Associate Judge Keith A. Cardoza Jr.; Supreme Court Justice Melissa A. Long, committee chair; James Vincent, RIPTA community outreach officer; District Court Associate Judge Melissa R. DuBose, and Superior Court Associate Justice Luis M. Matos.

precursor to a meaningful community initiative on debt review by the end of the year.

In June, the "When Justice Works" campaign to introduce judges to the community began with the rollout of professionally designed placards on public transit buses throughout the state. This multimedia campaign served as a catalyst for an eight-month statewide conversation reflecting on the concept of "justice" and what it means in the day-to-day lives of Rhode Islanders.

In the third quarter, the committee sponsored a presentation for all judicial officers on the Neuroscience of Decision Making at an annual fall conference. Select members of the committee began participating in the "Blueprint for Racial Justice," a national initiative of the Conference of Chief Justices and Conference of State Court Administrators, with support from the National Center for State Courts, "to take immediate and recognizable steps toward improving racial justice, equity and inclusion in the justice system. The Blueprint's goal is to ensure that all court users, litigants, and community members across the country are heard, listened to, and respected by the nation's justice system."

The "When Justice Works" campaign continued in the fourth quarter with the public release of four short videos highlighting the views of four judges – one each from the Supreme, Superior, Family, and Workers' Compensation Courts – on how justice works for them. The committee worked with the National Center for State Courts to secure funding for a multi-phase project involving a consultant who facilitated "Courageous Conversations" or small group discussions among court employees about race, diversity, equity, and inclusion in the workplace and the legal profession. The project continued into the new year. A farreaching highlight of the quarter was the first court debt review or remote ability to pay hearings in which judges from the Superior Court and a magistrate from the Rhode Island Traffic Tribunal held virtual sessions with litigants who registered to participate from the Nonviolence Institute in South Providence in late November. More than \$360,000 in court fines and costs were remitted for 117 people by the Superior Court. A much smaller amount was remitted by the Traffic Tribunal, but the magistrate found the session useful for helping people who did not have valid driver's licenses. The session was deemed so successful that another session - this time to include the District Court - was planned for the first quarter of 2022. As the fourth quarter drew to a close, the Chief Justice appointed a new Data Governance Committee following the Supreme Court's authorization in the fall of a plan to collect the demographic information on litigants that is widely seen as a useful tool to assess equal treatment of those who come before the courts.

Access to Justice

On November 15, 2021, the Rhode Island Judiciary announced the creation of the Access to Justice Office – a new department within the Supreme Court. The Access to Justice Office is responsible for overseeing three vital court services related to access to justice: language access through the Office of Court Interpreters, compliance with the Americans with Disabilities Act, and services for self-represented litigants. In a news advisory, Chief Justice Paul A. Suttell noted the importance of ensuring access to justice, stating: "Among the Judiciary's challenges that have been starkly evident to me as Chief Justice is the rising number of selfrepresented litigants in our courts and the need for equal access to justice for our citizens with little or no financial resources in civil matters. "While we often think of equal access as being for those litigants who cannot

as being for those litigants who cannot afford to pay for legal representation, it also includes prompt and effective language services for those who do not speak or understand English, as well as accommodations for people with disabilities. This new office will help to coordinate these and other attributes of true access to justice."

Language Access

In 2021, the Office of Court Interpreters (OCI) provided language services in more than 7,750 events, a one-year increase of 32 percent, in 31 languages, with the most requested languages being Spanish (over 7,000), Portuguese (over 145), Cape Verdean Creole (over 350), Mandarin (over 80), and Arabic (over 40). The office also provided language services in rare languages such as Laotian, Tigrinya, Quiche, and Yoruba among others.

The 2021 numbers reflect the gradual expansion of business operations in response to COVID-19 improvements, which increased the number of cases being heard in-person. As in-person language services increased, remote hearings also continued. Staff worked seamlessly to adapt by providing interpreting services both remotely and in-person. The office increased its workforce with the addition of a new Spanish staff interpreter position and announced the resumption of the National Center for State Courts Foreign Language Examination, which had been paused during the pandemic.

Americans with Disabilities Act

The Access to Justice Office continued assisting courts in complying with the Americans with Disabilities Act by providing courts users and litigants with reasonable accommodations. In 2021, the Judiciary provided services for the deaf and hard of hearing in more than 120 matters, including American Sign Language interpreters, Certified Deaf Interpreters, closed captioning for remote matters, and Communication Access Realtime Translation. The Judiciary saw an increase in the number of requests for closed captioning services due to an increase in the number of hearings and proceedings being conducted remotely via its WebEx videoconferencing platform.

The Access to Justice Office, in collaboration with the Committee on Racial and Ethnic Fairness in the Courts and the Supreme Court Diversity Office, conducted a training entitled "Inclusive Courtrooms: Serving the Deaf and Hard of Hearing" to discuss the Rhode Island Judiciary's ADA accommodation policy for litigants, court users, and employees. A panel of sign language interpreters discussed providing interpreting services in the legal setting for members of the deaf and hard of hearing community, including access barriers that were heightened by the pandemic and the need for more interpreters.

Self-Represented Litigants

The Access to Justice Office continues to seek opportunities to improve

collaboration efforts among diverse partners, including traditional groups (i.e. lawyers, bar associations, and law schools) and non-traditional groups. (i.e. community organizations) to eliminate access to justice barriers and to ensure that those who encounter legal issues have meaningful access to justice. In addition, the Access to Justice Office will work with various courts in the unified state court system to identify specific needs and expand resources for selfrepresented litigants.

Community Outreach

With educational outreach and opportunities limited for much of the year because of the pandemic, the Office of Community Outreach and Public Relations nevertheless continued with its support of the national iCivics initiative and monthly outreach at the county courthouses. The Rhode Island Judiciary was among the first court systems nationwide to sign on with the iCivics project founded in 2009 by retired U.S. Supreme Court Justice Sandra Day O'Connor as a virtual teaching tool firmly rooted in the digital age, using online video games and competitions to make civics education fun and to inspire life-long civic engagement for each new generation. The project continued to thrive in 2021, being ideally suited for the extensive periods of at-home learning that occurred during the pandemic. In 2021, the number of registered iCivics teachers in Rhode Island increased by 9 percent to 1,995. iCivics continues to be used in 35 of Rhode Island's 36 regular and regional school districts: 23 of its 27 charter and other state operated schools and 40 private schools.

Building on that virtual theme and the availability of remote technology, the Office of Community Outreach and Public Relations initiated virtual tours of the Rhode Island Supreme Court with the enthusiastic participation of retired Justice Gilbert V. Indeglia for high school classes. Starting in October, the program took place two Fridays per month, as Justice Indeglia narrated while a staff member panned the courtroom with a tablet camera. The judge then engaged the students in a two-way video connection for a relevant discussion of the U.S. Constitution or other suitable topic and took questions. From the courts' perspective, students have proven to be engaged in their studies and understanding of their government. The program became very popular and was booked well into the spring of 2022.

Technology Upgrade

In 2021, the Judicial Technology Center upgraded the receiving end (the courts) of the File and Serve electronic filing system to take advantage of new technology. Upgrades to the filer end were expected in 2022. The individual courts prepared for a significant upgrade to the Case Management System in 2022. The Rhode Island Traffic Tribunal's system was enhanced to allow motorists to submit documents electronically to streamline online processes. A new online calculator was initiated to assist the public in estimating fines and costs in traffic cases, an innovation that is expected to be replicated for criminal cases. The department facilitated remote business systems for employees to telework as the pandemic continued, also giving attorneys and other litigants improved



A class from Coventry High School participates in a virtual tour and lesson in the Supreme Court using remote conferencing technology.

access to court hearings. As in-person work gradually returned toward the end of 2021, the department upgraded the technological features in our courtrooms to improve WebEx video conferencing capability, as well as audio and visual presentations in the courtrooms for inperson sessions.

The refreshing of more than 700 personal computers was completed in 2021, and the department assisted in the request for proposals to redesign and improve the Judiciary's website.

Facilities, Operations and Security

As each of the court facilities are significant capital assets of the State of Rhode Island, the Department of Facilities, Operations and Security takes seriously its responsibility for the care and preservation of these buildings. Its mission is to provide economical, efficient, and well-organized maintenance services to all of the Judiciary with professionalism, courtesy and proficiency; and to provide 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.

Intensified cleaning continued to be implemented at all judicial facilities in 2021, according to Centers for Disease Control guidance, and cleaning protocols were updated as new information was released by the CDC and the Rhode Island Department of Health. Ninety-five percent of the enhanced cleaning in court facilities has been performed in-house. In addition to their normal routine cleaning of offices, courtrooms, bathrooms, hallways, breakrooms, conference rooms, and common areas, building maintenance staff perform enhanced cleaning throughout the day. Frequently touched surfaces are cleaned daily. Additionally, plexiglass partitions continue to be provided as required and personal protective equipment (PPE) supplies are maintained and provided to employees and court users as requested.

Courthouse Renovations

At the Licht Judicial Complex in Providence, four of the five Supreme Court chambers were completely renovated along with the Supreme Court conference room in the summer of 2021. During the renovations, wallpaper and carpeting were removed and the wood floors were refinished to their original luster. Outdated plumbing was replaced, electrical wires were rerouted to remove tripping hazards, and walls were painted to period specific colors. These renovations brought back the chambers' original splendor while adding modern appeal.

At the Murray Judicial Complex in Newport, both Superior Court courtrooms and the Family Court courtroom were renovated. Courtroom 2, which is the largest courtroom at Murray, was a very extensive project. All the woodwork at some point had been painted and needed to be completely stripped to bring the woodwork back to its original state.

At the Garrahy Judicial Complex in Providence, multiple courtrooms were renovated in the Family Court, District Court, and Workers' Compensation Court. These courtrooms were in desperate need of refurbishment given the high volume that they see every



Recently refurbished Superior Court Courtroom 2 in the Florence K. Murray Judicial Complex, Newport County.

day. Many of the courtrooms had wall covering that needed to be removed. Carpets were in need of replacement and woodwork was refinished and repaired in all courtrooms. The improvements realized over the past year have been part of a multiphase project plan. An overhaul of the main room on the third floor of the Fogarty Judicial Complex on Weybosset Street in Providence began in 2021. The room is very large and has seen multiple uses throughout the building's history, including as a federal custom house. It has been used both as a courtroom and as office space. The room is being returned to its natural splendor of how it would have looked in the mid-1850s

The Rhode Island Traffic Tribunal satellite courtroom at the Oliver Stedman Government Center in Wakefield was discontinued and vacated in 2021. During the fall, all equipment, including metal detectors, computers, audio equipment, and 37 benches were removed and dispersed throughout judicial facilities.

Finance and Budget

Working with the Office of Management and Budget (OMB) and the Pandemic Relief Office (PRO), the accounts payable staff worked to set up new accounts to separate COVID expenses by reporting responsibility and federal source.

The staff worked with Rhode Island Emergency Management Agency to identify COVID expenses that met the criteria to be reimbursed with emergency disaster relief funds. Identifying these expenses helped the state to maximize the expenses that would then fall under the state's CARES Act funding. Both sources of federal funding required the staff to complete unique and agency specific quarterly reporting to access reimbursements. The finance and budget staff also maintained all internal expense tracking to support the state court administrator's office in analyzing the costs that COVID added to the operating budget. The finance and budget staff continues to provide

budgetary data for COVID internally, as well as for related grant applications and post-award reporting to help reduce the fiscal impact of the pandemic on the state's General Fund.

In 2021, the finance office managed more than 400,000 unique case-related transactions including 153,000 receipts, processed deposits totaling over \$29 million dollars, and disbursed funds to over 4,200 unique individuals, state agencies, or other entities.

State Law Library

In 2021, the State Law Library rigorously worked to remain open to the public during the COVID-19 pandemic. This was its most important accomplishment. Its second-most important achievement during COVID-19 was to provide outreach to those who were unable to visit the library. This goal required outreach to two segments of users: court employees and the general public. The library provided court employees with the digital tools necessary to conduct legal research and continue to effectively perform their jobs remotely. Some contracts were renegotiated to expand their authorized use for court personnel. In order to assist the general public, the library initiated an extensive outreach plan by offering email and scanning document options for needed research material. These were all done on-site by library personnel who strived daily to be present so that others could work remotely.

A third initiative involved the completion of a digitization project that started in 2020. The COVID-19 pandemic solidified the importance of balancing digital and print content. The library was acutely aware of the importance of this coexistence long before the public health crisis. In January 2020, the library decided to digitize the Sixth Division District Court decisions. These decisions represent a collection of cases that were appealed from administrative agencies to the District Court.

Fourth, the library utilized the COVID-19 pandemic to do some needed housework. The library staff diligently spent months analyzing and carrying out a much-anticipated weeding, shifting and realignment of the library's print collection.

Law Clerk Department

As the pandemic continued, the Law Clerk Department did not skip a beat as most law clerks teleworked through much of 2021. There were a few exceptions, as two law clerks worked a combination of remotely and in-person, and one law clerk worked in-person daily. Overall, the department saw an increase of 2.2 percent in assignments for 2021. To meet the research needs of judges and magistrates, the law clerks learned to strategically communicate utilizing online platforms such as Microsoft Teams, Zoom, and WebEx. In all counties, the department noted an increase of cases on the Superior Court Motion Calendar and Business Calendar. The department assisted in the consolidated proceeding for hernia mesh cases. This ongoing case was set for trial in early 2022. The law clerks also assisted in a lawsuit against a group of opioid distributors and manufacturers and their alleged role in fueling the opioid crisis in Rhode Island.



Employee masking continued for much of 2021, as with staff in the Superior Court clerk's office in the Licht Judicial Complex, Providence.

Judicial Records Center

The Judicial Records Center in Pawtucket was open and functioning in 2021 during the pandemic but remained closed to the public until the Judiciary lifted access restrictions in September. The public closure allowed the Records Center to complete special projects that included:

- The review and sampling of 377,907 District Court small claims cases stored in 2,414 boxes.
- Destruction of 4,268 boxes in accordance with the Judiciary's record retention schedule.
- Inventory of 13,665 Sixth Division District Court criminal cases from 2016.
- Inventory of 3,145 Fourth Division District Court criminal cases from 2017.
- Inventory of 359 Supreme Court cases from 2018.

- Inventory of 493 Supreme Court cases from 2019.
- Retrieval of 5,128 cases for a Superior Court project.

The center's archives division:

- Flat filed 600 case files
- Indexed 150 Providence Supreme Court Naturalization Petitions.
- Conducted archival research at the request of a retired Supreme Court justice for the Supreme Court Historical Society to extend the Judiciary's Office of Community Outreach and Public Relations for schools and other historical societies.
- Assisted the Records Center staff during the pandemic with public requests.

Domestic Violence Training and Monitoring

In response to the ongoing pandemic, the Domestic Violence Training and Monitoring Unit continued to work remotely with staff, gradually returning to work in the office full time toward the end of the year. All state law enforcement agencies were instructed to make appointments to safely drop off completed Domestic Violence/Sexual Assault (DV/SA) forms and to pick up blank forms or pamphlets.

The unit distributed approximately 7,800 of its Victim Information and Safety Planning pamphlets to the state's law enforcement agencies. The pamphlets are now available in five languages (English, Spanish, Portuguese, Arabic and Mandarin Chinese) in paper form and on the unit's website to make them easily accessible to the public.

As an active member of the DV/SA Law Enforcement Training Curriculum Committee, the unit's director was an in-person trainer for the Providence Police Academy and the Rhode Island Municipal Police Academy. She assisted in the inservice trainings of the New Shoreham (Block Island) and the Brown University Police Departments, both of which were conducted remotely. She was also an active participant on the state's Sexual Assault Task Force Education Subcommittee. The Domestic Violence Training and Monitoring Unit entered information into its database from the state required DV/SA forms employing a three-stage process:

• 5,787 forms were reviewed to compare the DV/SA forms to the accompanying police report

narratives, ensuring the accuracy of information. Police departments were contacted to verify and/or obtain missing information.

- The written data from 4,623 DV/SA forms was manually entered into the database.
- 4,737 forms were scanned to capture the data from the remaining data fields and to assign each form an identification number and to generate statistics.

In addition, the DVTMU processed 1,037 electronic forms from two of the state's law enforcement agencies that use an electronic data transfer interface system and is a combination of stages 1 through 3 above.

Mandatory Continuing Legal Education

Because of the pandemic, the Rhode Island Supreme Court suspended the educational credit and Bridge the Gap requirements for the 2021 reporting year for all attorneys and judicial officers. All legal education credits earned in the 2021 reporting year, as well as excess credits set to expire in the 2021 reporting year were to be automatically credited to satisfy legal education requirements for the 2022 reporting year.

Due to pandemic restrictions and limitations, many sponsors reverted modes of instruction from in-person meetings to remote learning, utilizing unified communication platforms such as Zoom or WebEx.

Navigating the Court System

Rhode Island Court Structure

SUPREME COURT*

1 Chief Justice 4 Justices

Including Administrative Office of State Courts and courtwide support

Appeals

SUPERIOR COURT**

1 Presiding Justice 21 Associate Justices 5 Magistrates

Criminal - All felonies Civil - Over \$5,000

Writ of Certiorari

WORKERS' COMPENSATION COURT

1 Chief Judge 9 Associate Judges Appellate Division

All controversies about workers' compensation claims.

| Appeals

DISTRICT COURT

1 Chief Judge 13 Associate Judges 2 Magistrates

Criminal; Civil - Under \$5,000 (\$5,000-\$10,000 concurrent with Superior Court)

A

Appeals

TRAFFIC TRIBUNAL

1 Chief Magistrate 2 Associate Judges 5 Magistrates *Appellate Division*

All non-criminal matters about traffic cases Writ of Certiorari

FAMILY COURT

Appeals

1 Chief Judge 11 Associate Justices 9 Magistrates

Domestic Relations; Juvenile; Domestic Violence; Adult Criminal

Court of last resort

** Court of general jurisdiction All other courts have limited jurisdiction

Court Governance and Administration

Chief Judicial Officers



The chief judicial officers of the six courts in Rhode Island's unified judicial system are, from left, Rhode Island Traffic Tribunal Chief Magistrate Domenic A. DiSandro III, Family Court Chief Judge Michael B. Forte, Superior Court Presiding Justice Alice Bridget Gibney, Supreme Court Chief Justice Paul A. Suttell, District Court Chief Judge Jeanne E. LaFazia, and Workers' Compensation Court Chief Judge Robert M. Ferrieri.

Court Administrators



The administrators of the six courts in Rhode Island's unified judicial system are, from left, John F. McBurney IV (Workers' Compensation Court), Steven C. Waluk (District Court), Julie P. Hamil (Supreme Court), Marisa P. Brown (Superior Court), Ronald J. Pagliarini (Family Court), and Dennis Gerstmeyer (Rhode Island Traffic Tribunal).

Supreme Court



Seated, from left, Maureen McKenna Goldberg, Paul A. Suttell (Chief Justice), and William P. Robinson III. Standing, from left, Erin Lynch Prata and Melissa A. Long.

Superior Court



Front row, from left, Daniel A. Procaccini, Netti C. Vogel, Robert D. Krause, Alice Bridget Gibney (Presiding Justice), Melanie Wilk Thunberg, Stephen P. Nugent, Jeffrey A. Lanphear. Middle row, from left, Melissa E. Darigan, Richard A. Licht, Luis M. Matos, Brian Van Couyghen, Kristin E. Rodgers, William E. Carnes Jr., Brian P. Stern, Sarah Taft-Carter, Joseph A. Montalbano, Maureen B. Keough. Back row, from left, William P. Rampone, John J. Flynn, Patrick T. Burke, R. David Cruise, Richard D. Raspallo, Linda Rekas Sloan, Kevin F. McHugh, John F. McBurney III, Gina K. Lopes.

Family Court



Seated, from left, Feidlim Gill, Patricia K. Asquith, Karen Lynch Bernard, Laureen D'Ambra, Michael B. Forte (Chief Judge), Debra E. DiSegna, Sandra A. Lanni, Lia N. Stuhlsatz, and Richard A. Merola. Standing, from left, Denise C. Finkelman, Andrea M. Iannazzi, Edward H. Newman, Anglea Paulhus, Daniel V. Ballirano, Shilpa Naik, Elizabeth Ortiz Whited, Jeanine P. McConaghy, Jeanne L. Shepard, Armando O. Monaco II, Paul T. Jones Jr., and Alberto Aponte Cardona.

District Court



Bottom, left to right: Anthony Capraro, Jr., Pamela Woodcock Pfeiffer, Elaine T. Bucci, Jeanne E. LaFazia (Chief Judge), Madeline Quirk, Mary E. McCaffrey, Joseph T. Houlihan, Jr.
Top: left to right, Joseph P. Ippolito, Jr., Christopher Smith, Brian A. Goldman, Stephen M. Isherwood, Christine S. Jabour, Colleen M. Hastings, James J. Caruolo, Melissa DuBose, J. Patrick O'Neill.

Workers' Compensation Court



Seated, from left, Alfredo T. Conte, Robert E. Hardman, Robert M. Ferrieri (Chief Judge), Michael J. Feeney, Stephen A. Minicucci. Standing, from left, Kevin B. Reall, Susan P. Fay, Keith A. Cardoza Jr., George J. Lazieh.

Rhode Island Traffic Tribunal



Bottom, left to right, Lillian M. Almeida, Domenic A. DiSandro, III (Chief Magistrate), Edward C. Parker. Top, left to right, Erika Kruse Weller, Joseph A. Abbate, William T. Noonan, Alan R. Goulart, Michael DiChiro, Jr.

Recognition

Appointed in 2021



Honorable Erin Lynch Prata Justice SUPREME COURT



Honorable Melissa A. Long Justice SUPREME COURT



Honorable Richard D. Raspallo Associate Justice SUPERIOR COURT



Honorable Linda Rekas Sloan Associate Justice SUPERIOR COURT



Honorable R. David Cruise Associate Justice SUPERIOR COURT



Honorable Daniel V. Ballirano General Magistrate FAMILY COURT



Honorable Denise C. Finkelman Magistrate FAMILY COURT



Honorable Kevin B. Reall Associate Judge WORKERS' COMPENSATION COURT

Recognition

Retirements



Honorable Susan E. McGuirl Associate Justice SUPERIOR COURT



Honorable Patricia L. Harwood General Magistrate SUPERIOR COURT



Honorable Stephen J. Capineri Associate Justice FAMILY COURT



Honorable George T. Salem Jr. Associate Judge WORKERS' COMPENSATION COURT



Honorable Lillian M. Almeida Associate Judge RHODE ISLAND TRAFFIC TRIBUNAL

-



Honorable Alton W. Wiley Sr. Associate Justice SUPERIOR COURT



In Memoriam

Honorable Carmine R. DiPetrillo Associate Justice FAMILY COURT



Honorable Victor J. Beretta Associate Judge DISTRICT COURT





























Caseload Data Charts

At a Glance

JUDICIAL OFFICERS

65 Judges (6 Vacancies) 28 Female 6 Minorities

22 Magistrates (1 Vacancy) 5 Female 1 Minority

FACILITIES

6 Courthouses (2 Administrative Buildings)

78 Courtrooms (4 Grand Jury Rooms, 2 Mental Health Courtrooms)

EMPLOYEES

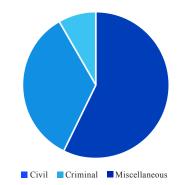
FTE Count 726.3 Authorized 666.7 Average Filled



Supreme Court

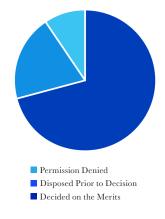
2021 Appellate Filings

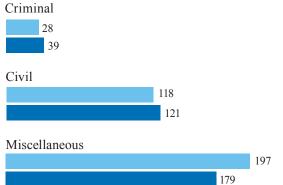
197
110
118
28



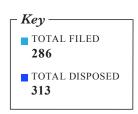
2021 Appellate Manner of **Disposition**

Total Disposed	339
Decided on the Merits	241
Disposed Prior to Decision	66
Permission Denied	32



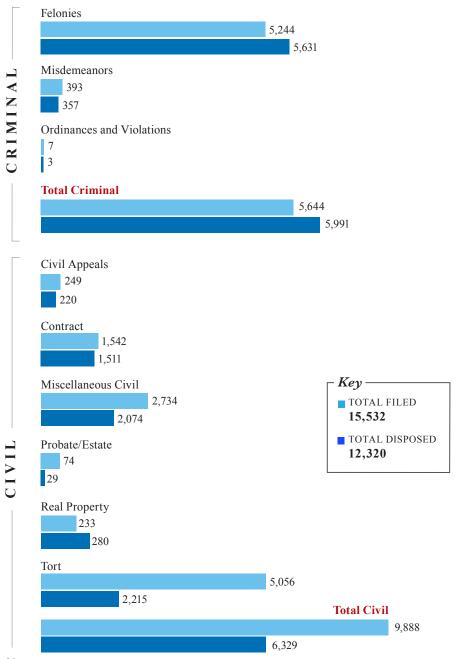


2021 Appellate Caseload



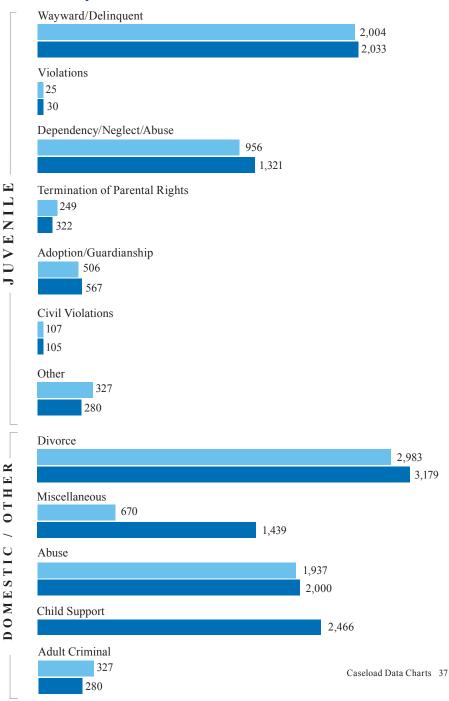
Superior Court

2021 Superior Court Caseload

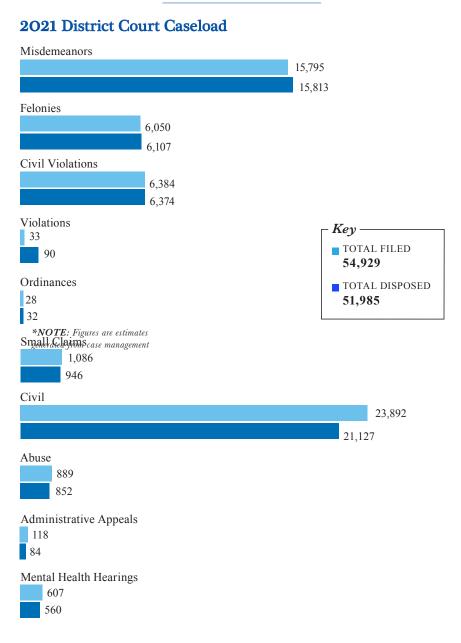


Family Court

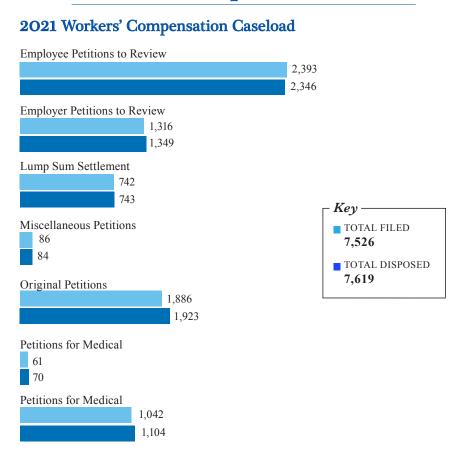
2021 Family Court Caseload



District Court



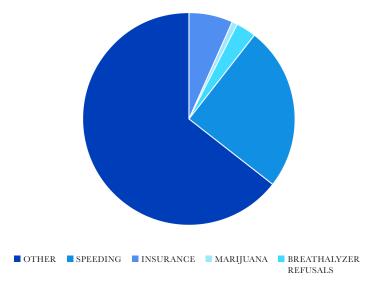
Workers' Compensation Court



Traffic Tribunal

2021 Rhode Island Traffic Tribunal Caseload

Traffic Tribunal Summonses Issued	67,171
Insurance	6,448
Marijuana	960
Breathalyzer Refusals	3,032
Speeding	24,019
Other	62,226
Total Violations	96,685
Total Traffic Tribunal Summonses Disposed	67,394



NOTE: All figures are estimates generated from the case management system.

PHOTOGRAPHY CREDITS

Page 13 – Gabriela Gonzalez Page 16 – Barbara Polichetti, Rhode Island Public Transit Authority Page 19 – Courtesy, Coventry High School Page 21 and front cover – Shawn Patrick Ryan, Supreme Court Page 28 – Family Court, Amos Shepard Other photography by Craig Berke, Jasmin Chery and Kara Picozzi, Office of Community Outreach and Public Relations Annual Report Designed by Jasmin Chery



RHODE ISLAND JUDICIARY

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