

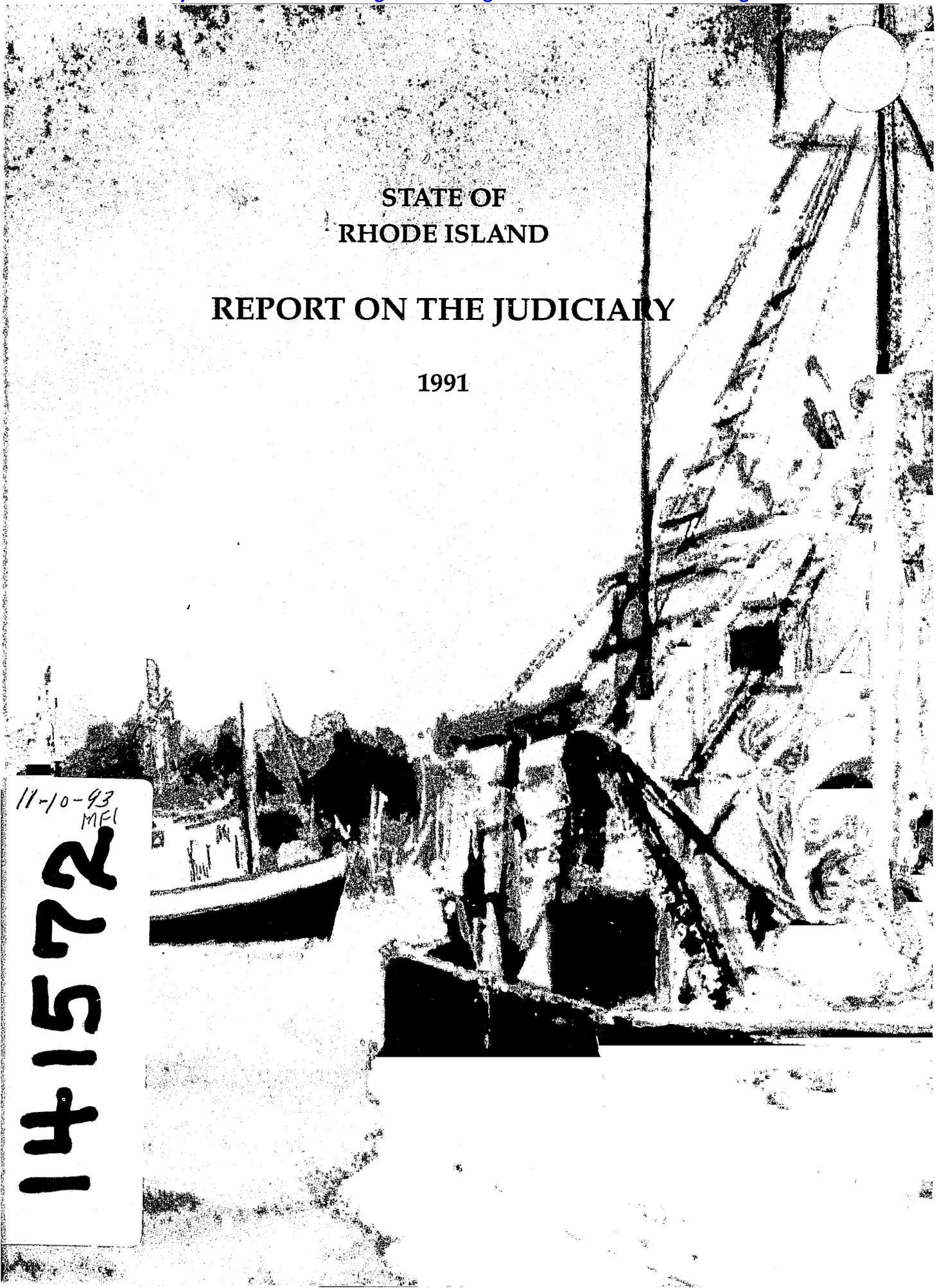
STATE OF  
RHODE ISLAND

REPORT ON THE JUDICIARY

1991

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# LETTER OF TRANSMITTAL

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*Matthew J. Smith*

As required by § 8-15-7 of the Rhode Island General Laws, the 1991 Annual Report on the Judiciary is herewith transmitted.

This report reflects a year of hard work, dedication and commitment by the judges and staff of the Courts. Special appreciation is expressed to the administrative staff who participated in its production.

Respectfully submitted,

Matthew J. Smith  
State Court Administrator

## TO THE HONORABLE MEMBERS OF THE GENERAL ASSEMBLY

It is my pleasure to present to you the 1991 Annual Report of the Judiciary. This report represents my fifth full year as chief justice, and I believe much has been accomplished during this time.

Like many other jurisdictions, the Rhode Island courts have experienced a dramatic five year increase in case filings. In 1987 there were approximately 107,000 cases filed statewide, and based on this report approximately 140,000 cases were filed in 1991, an increase of 31 percent. Despite this increase, the court has reduced the time from case filing to disposition in most areas. This has taken place due to the implementation of the court annexed arbitration program for civil cases, as well as the establishment of other new methods and procedures such as the pre-arraignment conference calendar for criminal cases.

In addition to addressing higher caseloads, the court has continued its commitment to providing services to victims of crime. The court supports services to inform crime victims of their legal rights, assist them through the court process, and link them with community programs that can provide them with additional services.

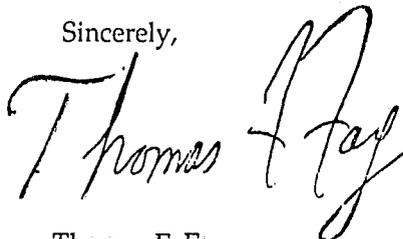
Another significant development has been the groundswell of support by the general populace for ethics reform. The Judiciary has responded to this drive by setting into motion changes that will impact both the bench and the bar. The changes emanate from the work of the Ethics Reform Commission, a body appointed by the Supreme Court, which has issued the following recommendations:

- 1) Modification of the rules governing the attorney disciplinary process to include public members on the Disciplinary Board and to open the process to the public once probable cause has been found for disciplinary action.
- 2) Establishment of a courtwide judicial-performance-evaluation program.
- 3) Adoption of a mandatory orientation program for all newly appointed judges and an ongoing profession-development program, including judicial ethics, for all sitting judges.
- 4) Adoption of a mandatory continuing legal-education program for attorneys.

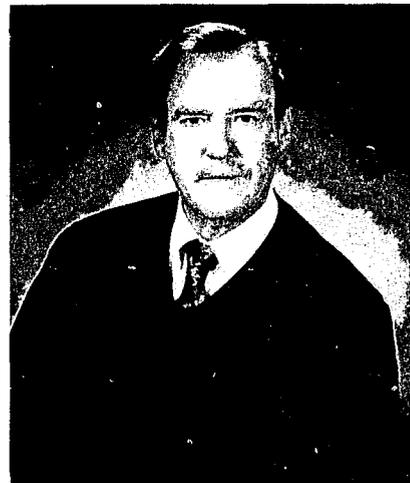
Though much has been accomplished, much remains to be done. The drug epidemic has had an impact on every courtroom in the state, and the dramatic growth in cases involving drug abuse and neglect of children is overwhelming the resources of the Family Court as well as the child protective programs. The increase in case filings and the increasing complexity of cases is forcing the court to explore greater use of alternate dispute resolution and other options.

These demands and many others face us at a time when the state is in the midst of the worst fiscal crisis in its history. Your support is vital if the Judiciary is to respond positively to the challenge. As Chief Justice Warren Berger has noted, we must be ready "to examine our methods and our procedures with critical, inventive and open minds" so that we may continue to improve the state's justice system.

Sincerely,



Thomas F. Fay  
Chief Justice, Supreme Court



*Thomas F. Fay*

# TABLE OF CONTENTS

RHODE ISLAND COURT STRUCTURE .....	4	<i>Court Annexed Arbitration Effort Expanded</i>	
1991 IN THE RHODE ISLAND COURTS		<i>Statewide .....</i>	24
<i>Judicial Budget .....</i>	7	<i>Gallogly Named Jury Commissioner .....</i>	24
<i>Crime Victim Compensation Program .....</i>	8	<i>Program and Personnel Changes Highlight</i>	
<i>Victim Advocacy Program .....</i>	8	<i>1991 Clerks' Office .....</i>	24
<i>State Court Victim Services Unit .....</i>	9	<i>Training Programs Enhanced with Video</i>	
SUPREME COURT		<i>Technology .....</i>	25
<i>Caseload Summary .....</i>	10	<i>Clerk's Office and Record Center Linked by</i>	
<i>Supreme Court Enhances Attorney</i>		<i>Computer .....</i>	25
<i>Registration System .....</i>	11	<i>Collaboration with ACI Staff Ensures Payment</i>	
<i>Fifteenth Anniversary of the Appellate</i>		<i>of Fines/Costs by Inmates .....</i>	26
<i>Screening Process .....</i>	11	FAMILY COURT	
<i>Chief Law Clerk Appointed .....</i>	12	<i>Caseload Summary .....</i>	28
<i>Compact Disc Technology and the State Law</i>		<i>Committee to Study Alternative Dispute</i>	
<i>Library .....</i>	13	<i>Resolution Continues to Work .....</i>	31
<i>Court Task Force Improves Access for Limited</i>		<i>Family Service Department Workload Increases</i>	
<i>English Speakers .....</i>	14	<i>29 Percent .....</i>	31
<i>Ethics Reform Put in Motion .....</i>	14	<i>Juvenile Services Department Implements Model</i>	
<i>The Financial Impact of Divorce Examined .....</i>	15	<i>Projects .....</i>	32
<i>Domestic Violence Task Force Notes Fifth</i>		<i>Program to Promote Juvenile Restitution</i>	
<i>Anniversary .....</i>	15	<i>Marks Eighth Year .....</i>	33
ADMINISTRATIVE OFFICE		<i>CASA Program Responds to Increased</i>	
<i>Licht Complex Rehab Nears Completion .....</i>	16	<i>Caseload .....</i>	33
<i>Criminal Justice Information System Moves</i>		<i>InRhodes Automated System Installed:</i>	
<i>Toward Implementation .....</i>	17	<i>Collections Continue to Increase .....</i>	34
<i>Fugitive Task Force Completes First Year .....</i>	17	<i>The Family Life Center Offers Additional</i>	
<i>Warrant Process Streamlined .....</i>	18	<i>Programs .....</i>	35
<i>Bench/Business Colloquium Initiated by</i>		<i>Court Receives Grant to Enhance Adoption</i>	
<i>Public Information Office .....</i>	19	<i>Data .....</i>	35
<i>Court Publishes Crime Victim Services</i>		WORKERS' COMPENSATION COURT	
<i>Directory .....</i>	19	<i>Workers' Compensation Court Joins Unified</i>	
<i>Education Office Hosts Teacher Training, Foreign</i>		<i>Court System .....</i>	38
<i>Visitors .....</i>	20	<i>Photo Collage .....</i>	39
SUPERIOR COURT		DISTRICT COURT	
<i>Caseload Summary .....</i>	22	<i>Caseload Summary .....</i>	42
<i>Joseph F. Rodgers, Jr. Sworn in as Presiding</i>		<i>District Court Consolidation Continues .....</i>	44
<i>Justice of the Superior Court .....</i>	22	<i>Administrator Named as District Court</i>	
<i>Judges Wiley and Darigan appointed to</i>		<i>Master .....</i>	44
<i>Superior Court .....</i>	23	APPENDICES	
<i>Administrator McAtee Named Master in</i>		<i>Acknowledgements .....</i>	46
<i>Superior Court .....</i>	23	<i>1991 Judiciary .....</i>	47
<i>Barrette Appointed Deputy Superior Court</i>		<i>1991 Court Directory .....</i>	48
<i>Administrator .....</i>	23	<i>Compendium of Court Boards, Committees,</i>	
		<i>and Panels .....</i>	51
		<i>Caseload Statistics .....</i>	58

This report covers calendar year 1991.

Pursuant to Chapter 8-15 of the Rhode Island General Laws this report was prepared by the:

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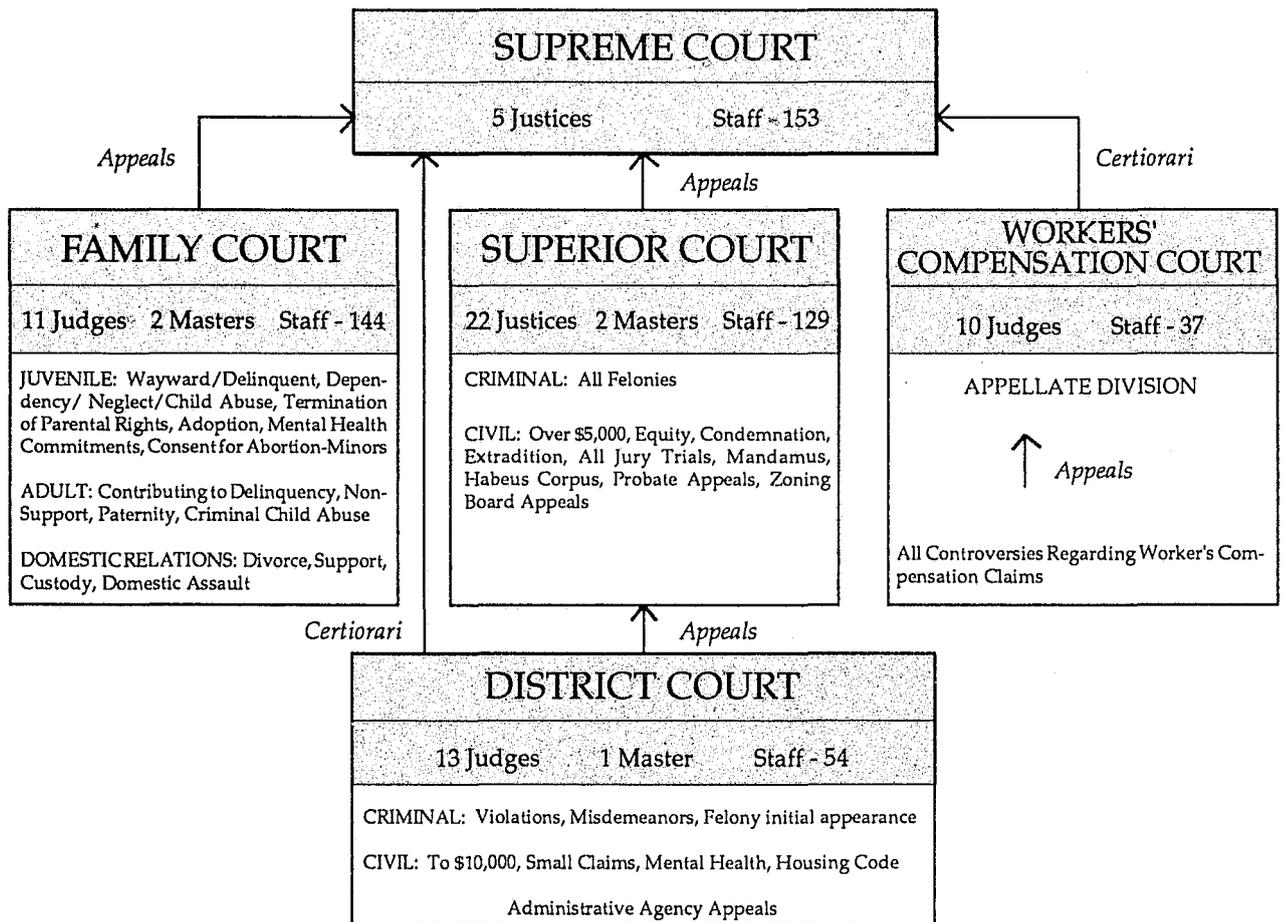
**ACQUISITIONS**

# RHODE ISLAND COURT STRUCTURE

Rhode Island has a unified court system composed of five statewide courts: the District, Family and Workers' Compensation Courts are trial courts of limited jurisdiction, the Superior Court is the general trial court, and the Supreme Court is the court of review.

The entire system in Rhode Island is state-funded with the exception of probate courts, which are the responsibility of cities and towns, and the municipal courts, which are local courts of limited juris-

diction. The Chief Justice of the Supreme Court is the executive head of the state court system and has authority over the judicial budget. The Chief Justice appoints a state court administrator and an administrative staff to handle budgetary and general administrative functions. Each court has responsibility over its own operations and has a chief judge who appoints an administrator to handle internal court management.



*Staffing and jurisdictional organization of the Rhode Island Courts.*

# SUPREME COURT

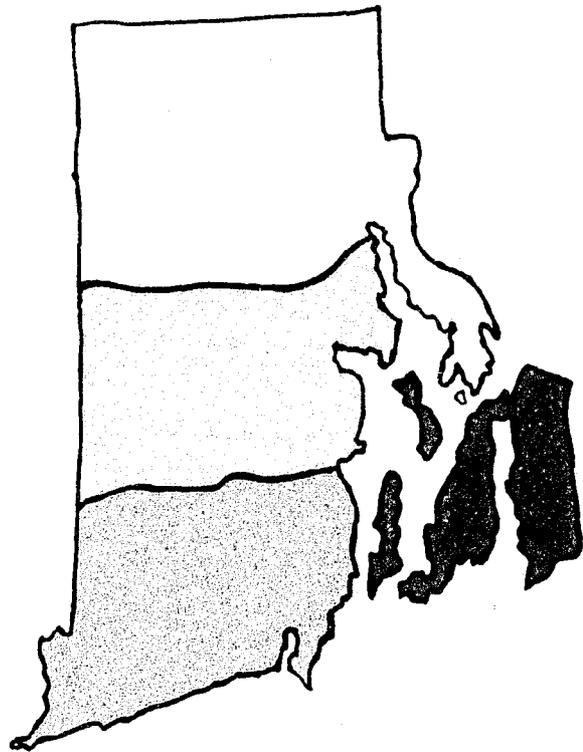
The Supreme Court has final advisory and appellate jurisdiction on questions of law and equity, and it also has supervisory powers over the other state courts. In addition, the Supreme Court has general advisory responsibility to both the Legislative and the Executive Branches of the state government concerning the constitutionality of legislation. Another responsibility of the Supreme Court is the regulation of admission to the bar and the discipline of its members.

The State Court Administrative Office performs personnel, fiscal, and purchasing functions for the state court system. In addition, the administrative office serves a wide range of management functions, including the development and operation of automated information systems for all courts; long range planning; the collection, analysis, and reporting of information on court caseloads and operations; the development and implementation of management improvement projects in specified areas; and the supervision of facilities.

The State Law Library is also under the direction of the Supreme Court. The library's primary function is to provide reference materials and research services for the judges and staff of the courts. However, it also serves the general community as the only comprehensive law library in the state.

# SUPERIOR COURT

The Superior Court is the trial court of general jurisdiction. Civil matters concerning claims in excess of \$5,000 and all equity proceedings are heard in this court. The Superior Court also has original jurisdiction over all crimes and offenses except as otherwise provided by law, and thus all indictments by grand juries and informations charged by the Department of Attorney General are returned there. The Superior Court has appellate jurisdiction from decisions of local probate and municipal courts. Also, except as specifically provided by statute, criminal and civil cases tried in the District Court are brought to the Superior Court on appeal for a trial de novo. In addition, there are numerous appeals and statutory proceedings, such as redevelopment, land-condemnation cases, zoning appeals, and enforcement of arbitrators' awards, which are under the jurisdiction of the Superior Court. The Superior Court also has concurrent jurisdiction with the Supreme Court over writs of habeas corpus, mandamus,



- Providence & Bristol
- Kent
- Washington
- Newport

*Map of the State of Rhode Island showing the Superior and Family Courts.*

and certain other prerogative writs. Appeals from the Superior Court are heard by the Supreme Court.

# FAMILY COURT

The Family Court was created to focus special attention on individual and social problems concerning families and children. Consequently, its goals are to assist, to protect, and if possible, to restore families whose unity or well-being is threatened. This court is also charged with assuring that children within its jurisdiction receive the care, guidance, and control conducive to their welfare and the best interests of the state. Additionally, if children are removed from the control of their parents, the court seeks to secure for them care equivalent to that which their parents should have given them.

Reflecting these specific goals, the Family Court has jurisdiction to hear and determine all petitions for divorce and any motions in conjunction with divorce proceedings, such as motions relating to

the distribution of property, alimony, support, and the custody of children. It also hears petitions for separate maintenance, and complaints regarding support for parents and children. The Family Court also has jurisdiction over those matters relating to delinquent, wayward, dependent, neglected, abused, or mentally defective or mentally disordered children. It also has jurisdiction over adoptions, child marriages, paternity proceedings, and a number of other matters involving domestic relations and juveniles.

Appeals from decisions of the Family Court are taken directly to the State Supreme Court.

## WORKERS' COMPENSATION COURT

The Workers' Compensation Court was established in 1954 and functioned independently until it was made part of the unified court system in 1991. The court has jurisdiction over disputes between employees and employers relating to compensation for occupational disabilities, the reasonableness of medical and hospital bills, and the extent and duration of a disability.

The workers' compensation statutes establish that employers assume the cost of occupational disabilities without regard to fault.

Six basic objectives underlie workers' compensation laws:

- 1) To provide sure, prompt and reasonable income and medical benefits to work-accident victims, or income benefits to their dependents, regardless of fault.
- 2) To provide a single remedy and reduce court delays, costs, and workloads arising out of personal-injury litigation.
- 3) To relieve public and private charities of financial drains incident to uncompensated occupational disabilities.
- 4) To eliminate payment of fees to lawyers and witnesses as well as time-consuming trials and appeals.
- 5) To encourage maximum employer interest in safety and rehabilitation through an appropriate experience rating mechanism.
- 6) To promote frank study of causes of accidents (rather than concealment of fault), reducing preventable accidents and human suffering.

Appeals from Workers' Compensation Court decisions are first heard by an appellate division

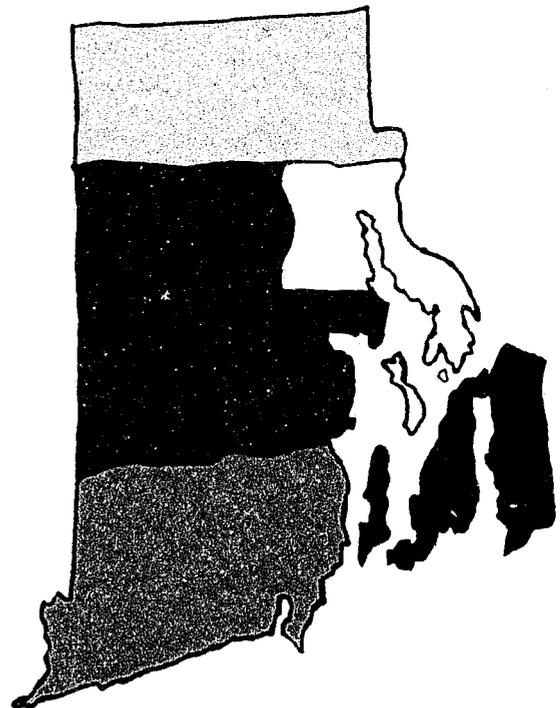
within the court. The appellate division is a three-judge panel made up of any three judges of the court other than the trial judge.

The appellate panel first reviews the transcript and record of the case along with any briefs or memoranda of law submitted by the appellant to determine if there is a basis for appeal. If a basis is found, the panel hears oral argument and enters a final decision.

If either party is aggrieved by the decision of the appellate division, the party may petition the Supreme Court by writ of certiorari.

## DISTRICT COURT

Most people who come before courts in this state initially have contact with the District Court. Thus, the District Court has been divided into five divisions to give the people of the state easy, geographic access to the court system.



- 2nd Division
- 3rd Division
- 4th Division
- 5th Division
- 6th Division

*Map of the State of Rhode Island showing the Divisions of the District Court, according to current statute.*

The jurisdiction of the District Court includes small claims that can be brought without lawyers for amounts under \$1,500 and actions of law involving between \$5,000 and \$10,000 with transfer to the Superior Court available upon demand of either party. This court also has jurisdiction over violations of municipal ordinances or regulations.

The District Court also has original jurisdiction over all misdemeanors when the right to a jury trial in the first instance has been waived. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court.

Unlike many limited-jurisdiction courts, the Rhode Island District Court does not handle traffic violations, except for a very few of the most serious offenses.

Appeals from District Court decisions in both civil and criminal cases go to the Superior Court for trial de novo. In actual practice this right to a new trial is seldom used, and District Court dispo-

sitions are final in 96.7 percent of all criminal cases and 98.5 percent of all civil cases. An additional category of minor offenses, called violations are also under the jurisdiction of the District Court. Decisions of the District Court on violation cases are final and subject to review on writ of certiorari to the Supreme Court.

In addition, the District Court has had jurisdiction over hearings on involuntary hospitalization under the mental-health, drug-abuse, and alcoholism laws. The District Court also has jurisdiction to hear appeals from the adjudicatory decisions of the state tax administrator and several regulatory agencies and boards. The court also has the power to order compliance with the subpoenas and ruling of the same agencies and boards. This court's jurisdiction also includes violations of state and local housing codes. District Court decisions in all these matters are subject to review only by the Supreme Court.

## THE RHODE ISLAND COURTS JUDICIAL BUDGET COMPARISONS

	FY 88	FY 89	FY 90	FY 91*	FY 92*
STATE BUDGET	\$1,690,514,501	\$1,893,170,244	\$2,036,645,327	\$2,071,297,952	\$2,683,147,857
Increase	\$159,531,084	\$202,655,743	\$143,475,083	\$23,377,137	\$611,849,905
JUDICIAL BUDGET	\$24,865,040	\$29,771,545	\$33,125,714	\$32,711,469	\$33,925,477
Increase	\$3,097,182	\$4,906,505	\$3,354,169	\$564,820	\$1,214,008
JUDICIAL SHARE	1.47%	1.57%	1.62%	1.58%	1.26%

\*Budget for fiscal year 1991 as enacted - previous years are actual expenditures

The administrative office of the state court system is responsible for the preparation of an overall budget for the Supreme, Superior, Family and District Courts. For fiscal year 1992, which began on July 1, 1991, and ended on June 30, 1992, the budget for the court system totalled \$33,925,477. Of this amount, \$31,424,548 was allocated from the state general fund, \$2,465,571 was allocated from restricted receipts accounts, and \$35,363 was allocated from federal funds.

Restricted receipt accounts have steadily increased over the last two fiscal years. Such receipts are used to fund such operations as the Disciplinary Unit, Arbitration Program, and Criminal Justice Information System, while allowing for major capital purchases by the various courts. Receipts are generated by sources such as filing fees, attorney registrations, and surcharges added on to certain fines. Since 1990, allocations from restricted receipt accounts have more than doubled. Without this source of funding, operations of the previously cited units would have been severely curtailed because of the state's economic situation.

Although the caseload of the various courts has continued to expand, general fund allocations for FY 1992 increased by only 1.4% when compared to FY 1991. Most of this increase could be attributed to increased expenses for line items such as employee benefits, workers' compensation, judicial retirement, and indigent defense in addition to normal cost of living increases to various operating expenses. As with other state agencies, the court system was asked to reduce expenditures. The most significant reductions were realized by eliminating cost of living raises and deferring nineteen pay days for all employees. Additionally, some programs that were financed from general funds were transferred to restricted receipt accounts.

# CRIME VICTIM COMPENSATION PROGRAM

The Crime Victim Compensation Program provides for financial assistance to eligible victims of violent crime. Compensation may be awarded to the victim and to the dependents and families of homicide victims. Benefits are awarded for medical bills, funeral and burial expenses, and lost

wages, which are not covered by other sources, and loss of support for dependents. The program is supported by assessments levied against offenders and by Federal Victims of Crime Act grant funds.

## 1991 ANNUAL REPORT ON THE VIOLENT CRIMES INDEMNITY FUND

(Pursuant to R.I.G.L. §12-25-11)

Fund balance as of October 1, 1990	\$36,130
Amount of payments ordered to be paid to the fund during the year*	\$1,485,373
Funds collected during the FFY '91 (includes \$250,000 Federal VOCA grant)	\$1,375,976
Number of claims filed	434
Number of claims adjudicated	137
Number of claims awarded	137
Number of claims denied	40
Funds disbursed	\$1,380,575

\*Federal fiscal year 10/1/90 to 9/30/91

## 1991 REPORT ON COURT'S DOMESTIC ABUSE VICTIM ADVOCACY PROGRAM

(Pursuant to R.I.G.L. §§ 12-28-10 and 12-29-7)

Since 1988 the Supreme Court has contracted with the Coalition Against Domestic Violence to operate a victim-advocacy program within the court system. The funds to support this effort are provided by the General Assembly and the Governor. The program serves individuals who come to the attention of the court as victims of the crime of domestic violence or who seek civil protection from this type of abuse in the Family or the District Court. The program was created under R.I.G.L. § 12-29-7.

There are three components of the advocacy program. One component operates in the five divisions of the District Court. It involves victim advocates, who work with victims of crimes of domestic abuse that are misdemeanors.

The second component of the program provides assistance for victims of abusive home situations

who are seeking civil orders of protection from their abuser (restraining orders). The coalition has an office on the second floor of the Garrahy Judicial Complex with staff and volunteers available to assist victims through the process of getting restraining orders in the Family or the District Court.

The third component of the program operates in the Superior Court in Providence County. It serves victims of crimes of domestic violence that result in the filing of felony charges.

In 1991 the program served more than 7,200 victims of abuse in the home or between family members. The advocates assisted 4,654 victims of domestic violence in the District Court, 215 victims of felony crimes of domestic abuse in Providence County, and 2,360 victims who sought civil orders of protection in the Family and the District Courts in Providence.

# 1991 REPORT ON THE STATE COURT VICTIM SERVICES UNIT

(Pursuant to R.I.G.L. § 12-28-10)

Justice Assistance Corporation, a private firm offering services to the criminal justice community, has operated Project Victim Services since 1985 under a contract with the state court. The project's purpose is to minimize the after-shock of crime and provide victims with a voice in the justice system. Through counseling and advocacy Project Victim Services protects victims' rights, guides victims

through the complications of the legal process, and provides them with practical and emotional support. The program assisted 4,628 victims of crime in 1991. In addition to the court contract, Project Victim Services receives financial support from the Governor's Justice Commission, fines collected through the Violent Crimes Indemnity Fund, and private-sector contributions.

	1989	1990	1991
Enrollment	2,756	5,035	4,628

## Disposition Outcome

i) bench warrant issued	*	916	383
ii) case dismissed	55	151	125
iii) entered diversion program	*	25	24
iv) case filed	21	35	79
v) case filed with resolution	*	24	496
vi) guilty	5	10	8
vii) not guilty	1	10	8
viii) nolo contendere	794	1,727	1,557
ix) case passed for trial	1	709	657
x) case waived	*	55	48
xi) pending	1,879	1,373	1,243

## Services Provided

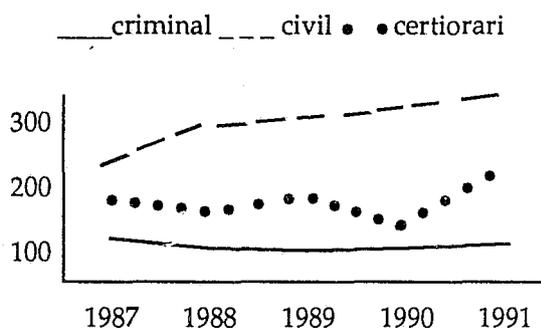
i) case status notification	2,756	5,035	4,628
ii) court escort service	378	957	126
iii) crime impact statements	755	2,366	1,241
iv) crisis counseling	52	1,561	60
v) employer intervention	5	1	0
vi) referral service	1,031	302	170
vii) restitution service	30	641	556
viii) system orientation	2,756	5,035	4,628

\*Not available

# SUPREME COURT

The Supreme Court results for 1991 show an increase in docketed cases. In contrast to the fairly constant rate of new appeals over the past three years, docketed cases rose this year by almost 12 percent. Appeals averaged around 628 annually between 1988 and 1990, but in 1991 the number filed rose to 703.

## CHANGE IN DOCKETED CASES



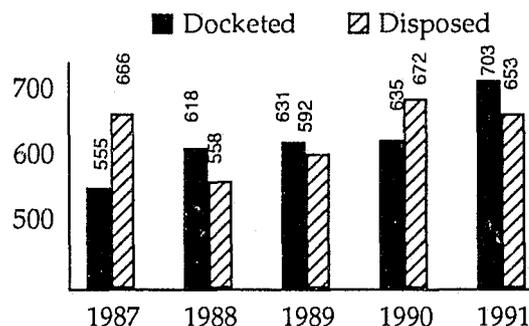
The category primarily responsible for the increase has been petitions for writs of certiorari. New appeals of this type varied only slightly in the previous four years with annual filings averaging approximately 168. In contrast, there were 213 petitions for certiorari filed in 1991, representing a hike of almost 27 percent.

Criminal appeals, writs of habeas corpus, and disciplinary actions have also gone up slightly. Compared to 1990, criminal appeals have increased by eleven and writs of habeas corpus and disciplinary actions have each risen by four.

At the same time, dispositions have shown a slight decline from last year's number, although they have still been almost 14 percent above what they were in 1988 and 1989. The total number disposed for the year has been 653 as compared to 672 in 1990. In the two previous years dispositions averaged 575.

An analysis of dispositions at various stages of an appeal shows that the drop compared to last year has been due to the number of opinions published; dispositions at earlier stages have been on a par with 1990. For example, there were 297 appeals disposed prior to argument on the motion calendar last year, and there have been 293 this year.

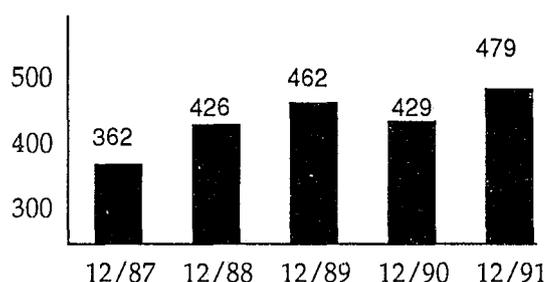
## CASES DOCKETED VS. CASES DISPOSED



In addition, dispositions after argument on the motion calendar totaled 199 in 1990 and have risen in 1991 to 212. On the other hand, although the court heard oral arguments for approximately the same number of cases both years, 161 opinions were published in calendar year 1990 and 137 were published this year. As a result, the court ended 1990 with 17 appeals awaiting an opinion; this year it ended with 39 appeals in this status.

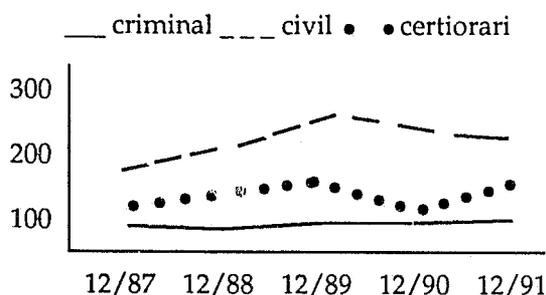
The average time to disposition has been consistently around 8.6 months for the past three years and has shown no significant change; this year it was 8.7 months. In addition, close to 40 percent of the appeals (39.3 percent) were disposed in less than 180 days, and almost three quarters (73.2 percent) were disposed in under a year.

## PENDING CASELOAD AT END OF YEAR



Because of lower dispositions, there has been an increase in the pending caseload this year. At the end of 1990 the total number pending was 429, and this year it was 479. The category most affected has been petitions and writs of certiorari. A year ago there were 88 petitions of this type pending; the number has now risen to 118, a jump of 34 percent. Pending criminal appeals have also gone up. The total was 94 at the end of 1990, and this year it has climbed to 114.

## PENDING CASELOAD BY TYPE OF CASE



At the end of the year the greater part of the caseload was awaiting pre-briefing conference, court conference, or full opinion. There were 108 appeals pending a prebriefing conference, 101 awaiting court conference, and, as noted earlier, 39 pending full opinion. On the other hand, the number of appeals fully briefed and ready for oral argument has dropped from 77 to 29, and the number awaiting show-cause hearing has declined from 97 to 41.

## SUPREME COURT CLERK'S OFFICE INSTALLS ENHANCED ATTORNEY REGISTRATION SYSTEM

The practice of law has been inordinately affected by the renewed emphasis on ethics and professional conduct that has been sweeping institutions nationwide. As in other states, Rhode Island has seen an increase in the number of complaints and malpractice suits brought against lawyers. In response to the public concern over the conduct of lawyers, the Rhode Island Supreme Court decided to take steps to play a more active role in overseeing and reviewing attorneys. To that end, the court expanded the computerized Attorney Registration System to include additional information about the professional status of Rhode Island attorneys.

Although the court has operated a computerized Attorney Registration System since 1982, the

attorney database contained only basic information. Using forms designed by the New Jersey Supreme Court as a model, the court has developed a greatly expanded system that provides a profile of each attorney's business operations and professional relations in addition to basic data.

Work on the new system began in early 1990. A technical team from the court's computer-information department worked with the Supreme Court Clerk's Office and the Attorney Disciplinary Unit in the planning and implementation of the new system. A total of eighteen months' work went into the project. The various project phases included analyzing the current Attorney Registration System, designing new files and programs, writing sophisticated data entry and inquiry programs, testing the new programs, and working with the Clerk's Office and the Disciplinary Unit to verify and confirm the results.

The new system allows for collection of more comprehensive data, including the addresses and sizes of multiple law firms, client and business-account information, more comprehensive payment information, financial summaries, and personal and professional information. The system also allows for streamlined access to individual records and information protection from system crashes.

## FIFTEENTH ANNIVERSARY OF THE APPELLATE SCREENING PROCESS

The Appellate Screening Unit celebrated its fifteenth anniversary in 1991. The unit, also known as the Supreme Court Staff Attorneys' Office, has played a major role in reducing delay in the appellate process.

When the unit was formed, the Supreme Court faced a tremendous increase in workload and a backlog in cases awaiting review. Between 1972 and 1981 the number of cases filed in the court nearly doubled while the number of justices stayed the same. Rather than add judges or create a new intermediate court of appeals, the Supreme Court established the Appellate Screening Unit and began experimenting with new procedures to expedite appeals.



*Appellate screening Chief Martha Newcomb (l) and staff attorneys Richard Petrucci, Jr. and Susan Pelosi Robinson*



*Law clerk Susan Nahabedian (seated) and Chief Law clerk Carol Bourcier Fagnoli*

At its inception the Appellate Screening Unit had three attorneys and one secretary. It was responsible for reviewing only fully briefed cases and preparing reports for the justices prior to argument. At that time the staff prepared approximately 140 such reports annually. When the court initiated the show-cause procedure, the unit's staff was given responsibility for selecting cases appropriate to that calendar. Now the unit prepares short memos on every appeal filed in the court. These memos summarize the issues and recommend whether the case should be heard on the show-cause calendar. In addition, the staff continues to prepare more detailed prehearing reports for over 80 percent of the cases on the full-argument calendar.

On an annual basis, the Appellate Screening Unit currently prepares around 120 full prehearing reports and close to 300 shorter memos for cases at the prebriefing stage. The office also schedules prebriefing conferences for almost all the cases for which memos have been written. In the 1990-1991 term twenty-eight conference days were scheduled, with an average of about nine cases conferenced per day. To accommodate this increase in workload, the staff has grown to five attorneys, an intern, and a full-time law clerk.

The Supreme Court in recent years has been one of the most current appellate courts in the country. In 1976-1977, an appeal took an average of 552 days from docketing to final disposition. By 1990-1991 the time had been reduced to approximately 260 days, or about 8-1/2 months. Thus cases are being heard and decided in less than half the time that they once took. The research and the preliminary screening of cases by the court's staff attorneys for the show-cause calendar are largely responsible for this result.

## CHIEF LAW CLERK APPOINTED

In order for the law-clerk pool to enjoy greater continuity, a permanent chief has been named. In the past the top slot rotated on an annual basis, with a previous law-clerk-pool lawyer assigned as chief. The new permanent chief law-clerk for the pool is Carol Bourcier Fagnoli. The chief clerk oversees the sixteen attorney/law clerks, edits the law clerk department's work, and handles individual research and writing assignments.

The pool law clerks have always provided research assistance to judges statewide. More recently law clerks have served in the Office of the Disciplinary Counsel and the Appellate Screening Unit. This term the law-clerk program expanded into other areas of the court system. A law clerk was assigned to assist the Ethics Advisory Panel, and law clerks were assigned to the Appellate Division of the Workers' Compensation Court. Another initiative for the 1991-1992 term has been the development of the Law Clerk Advocate Program. A group of law clerks within the pool has served as law clerk advocates by being appointed as guardians ad litem in Mary Moe proceedings and in dependency/neglect/abuse cases in the Family Court.

Law-clerk-pool attorneys serve a term of one year. During the year, law clerks rotate to different assignments every three months so that by the end of the term they have gained experience in various areas of the court system.

# COMPACT DISC TECHNOLOGY REVOLUTIONIZES STATE LAW LIBRARY'S RESEARCH CAPABILITY

The State Law Library achieved a significant technological breakthrough in 1991 with the introduction of a state-of-the-art compact disc system for conducting Rhode Island case-law research. The CaseBase compact disc system is the product of a creative partnership between the State Law Library and Law Office Information Systems, Inc. (LOIS), an Arkansas-based electronic publishing company.

CaseBase Rhode Island currently contains the full text of every Rhode Island Supreme Court decision issued since 1947. Its sophisticated software allows researchers to conduct inquiries using sixteen different data fields without incurring the costly charges associated with on-line systems. Eventually the full text of every Rhode Island Supreme Court decision since 1828, the General Laws of Rhode Island, Superior Court rescripts, and Rhode Island court rules will be added to the database.

Thirteen CaseBase workstations have been installed throughout the court system, including two in the State Law Library in Providence and

one in each of the four branch law libraries located throughout the state. Under the terms of its agreement with LOIS the Rhode Island court system may request as many as fifty compact discs, with quarterly updates, for a period of twenty-five years. The total value of this system to the courts has been estimated at more than \$750,000.

This year the State Law Library has also taken advantage of its membership in the New England Law Library Consortium to pursue a variety of cooperative endeavors designed to increase regional access to a wider range of legal materials. These efforts have been aided significantly by the use of the NELLCO CD-ROM catalogue, which contains the holdings of all sixteen member libraries and which provide access through an interlibrary loan system to thousands of titles unavailable in Rhode Island.

The State Law Library also acquired 2,146 volumes in hard copy and an additional 870 volumes in microfiche, bringing its total collection to more than 113,000 volumes.



*Task force on Limited English Speaking Litigants. (seat.) L-R William Shirley, Honorable Rogeriee Thompson, Chair, Michael Egan, Esq., Holly Hitchcock; (stand.) Marilyn Gurney, Lisa Russian, Marta Martinez, Ana-Cecilia Rosada, Sandra Morra.*

## COURT TASK FORCE IMPROVES ACCESS FOR LIMITED ENGLISH SPEAKERS

In April 1991 Chief Justice Fay appointed a task force on limited-English-speaking litigants. District Court Associate Judge O. Rogeriee Thompson is chair of the twenty-one-member task force. The membership included refugee-service agencies, the courts, the legal profession, and interpreters. The task force's general goal is to improve the speed and quality of court interpreting while safeguarding the integrity of the judicial process.

In its first eight months the task force has begun to build a more systematic approach to the delivery of interpreter services. It has secured funds from IOLTA (Interest on Lawyers' Trust Accounts) and the Rhode Island Foundation for this purpose and has a proposal pending for federal govern-

ment funding from the State Justice Institute. Two members of the task force visited the New Jersey Courts to observe interpreter training and examine that state's testing and certification process. The task force also conducted a series of conferences for the Judiciary, court staff, and current interpreting practitioners. The seminars provided attendees with information about their professional and ethical responsibilities, as well as with procedural suggestions for the courtroom.

Future plans include the publishing of an interpreters' guide and the design of a model curriculum to be offered in cooperation with one of the local colleges.

## ETHICS REFORM PUT IN MOTION

The Ethics Reform Commission was appointed by Chief Justice Fay in October 1991 to advise the Supreme Court on how to strengthen the legal profession and restore public confidence in the state's legal system. The appointment of the commission followed a series of events that profoundly undermined the public's trust in the judiciary and the bar, including two recent incidents of misconduct by judges and a number of highly publicized incidents of misconduct by attorneys.

The commission has nine members, representing the academic community, the business community, the media, the legal profession, and the Judiciary.

The goals outlined for the commission are as follows:

1. To recommend approaches for enhancing the professionalism of the bar and the Judiciary.
2. To review the functioning of the disciplinary systems for both attorneys and judges and to recommend changes that will foster greater trust and respect for these processes.

The commission has met several times and has delineated five areas that it will address:

1. Examination of the attorney disciplinary process and specifically the public's concern over the delay in concluding cases and the closed-door nature of the process.
2. Exploration of the benefits and feasibility of adopting a courtwide judicial-performance-evaluation program.
3. Review of the American Bar Association's recently adopted Model Code of Judicial Conduct, which is being modified by the Supreme Court for use in Rhode Island.
4. Exploration of possible approaches to establishing a mandatory continuing legal-education program for attorneys.
5. Examination of the court's judicial-education program, focusing on how the program might be strengthened.

The commission anticipates submitting its recommendations to the Chief Justice in early 1992.

## THE FINANCIAL IMPACT OF DIVORCE EXAMINED

The Advisory Committee on Women in the Courts was appointed by Chief Justice Fay to implement the recommendations made in a report on gender bias in the courts published in 1987. The committee is currently chaired by Associate Justice Francis J. Darigan, Jr., of the Superior Court and includes representatives of the bar, each court, and the public. The committee's primary focus in the past year has been to assess the financial impact of divorce on Rhode Islanders. This study was initiated in the spring of 1990, and a report of the findings and recommendations was published in November 1991.

The study involved analysis of 600 divorce cases drawn randomly from all four counties. Four hundred of the cases were disposed of in 1985, and the remaining 200 were disposed of in 1988. These two sample years were selected in order to compare child-support awards prior to and after adoption of the child-support guidelines.

The study examined several issues, including rehabilitative alimony, the division of property, and the child-support guidelines. The following is a brief summary of the results:

1. Despite a significant increase in child-support awards brought about by the guidelines, the amount of support ordered falls short of what

it actually costs to raise a child. As a result, there is a significant gap between the standard of living of the postdivorce custodial household and that of the noncustodial parent.

2. Alimony is awarded in an increasingly smaller percentage of cases and for shorter periods, which indicates that short-term alimony is the norm in Rhode Island.

3. There has been a growing trend to divide the equity in the family home equally between the two spouses, causing divorce-related sale of the family home nearly to double between the two sample years.

4. Pension assets are not being considered in the division of property as frequently as they could be.

To address these issues, the report proposes amending Rhode Island's alimony and equitable-distribution statutes. It also proposes that the Family Court seek technical assistance in reassessing the current child-support guidelines.

As a followup to the study the Advisory Committee is developing a package of divorce-reform legislation. The committee has also arranged for technical assistance from the American Bar Association to work with the Family Court in examining the shortcomings of the child-support guidelines.



*Victim advocates Elizabeth Ucci (l) and Maria Cecelia Cano*

## DOMESTIC VIOLENCE TASK FORCE NOTES FIFTH ANNIVERSARY

The Domestic Violence Task Force was established in 1987 by Chief Justice Fay to study the justice system's response to domestic abuse. The goal of the task force is to protect victims of domes-

tic violence and communicate the attitude that violent behavior, regardless of the relationship of the parties, is not tolerated by the justice system. The task force is cochaired by Family Court Associate Justice Pamela M. Macktaz and Ms. Marion Donnelly.

Cornerstones in this effort are the Domestic Abuse Victim Advocacy Program and the Domestic Violence Training and Monitoring Unit. The former is operated by the Coalition Against Domestic Violence through a contract with the Supreme Court. The funds to support this effort are provided by the General Assembly and the Governor (see related story page 8).

The Domestic Violence Training and Monitoring Unit was created by R.I.G.L. § 12-29-6(c). The staff person in this unit and other members of the task force provide in-service training for state and local law-enforcement officers, as well as training at the police training academies. The training sessions address the responsibilities of law-enforcement officers in domestic abuse cases and the psychological and social impact of domestic violence. The training unit is also working with local police departments to develop protocols to assist

their officers when they find themselves called to domestic-abuse incidents.

In addition to providing training for law-enforcement officers, the unit is responsible for providing training to medical professionals. The unit is also mandated to obtain and compile statewide statistics on incidents of domestic violence from law-enforcement agencies and medical-treatment facilities.

The task force submitted legislation to the 1991 session of the General Assembly to support the efforts of this unit. The legislation created a restricted receipt account that is funded through an additional \$25 assessment on individuals convicted of a crime involving domestic abuse.

The task force also submitted other legislation to build on the innovative domestic-violence prevention legislation enacted in 1988. One piece of legislation mandates that the Family Court consider evidence of past or present domestic violence, if proven, as a factor not in the best interest of a child. Any award of joint custody or visitation in these matters must be arranged to protect the child and the abused parent from further harm (R.I.G.L. § 15-15-5 (a)(5)).

## ADMINISTRATIVE OFFICE

### LICHT COMPLEX REHAB NEARS COMPLETION

Work crews have made significant progress this past year in the continuing program to renovate court facilities. The replacement of elevators in the Licht Judicial Complex has been substantially completed. An emergency fire stair has been constructed to bring the Licht Complex further into conformance with the state fire code. In addition, approximately 20 percent of the marble in this building has been cleaned, a process that will continue in the coming months during phase 3 of the renovations.

Phase 3 of the rehabilitation of the Licht Complex includes a general upgrade of the electrical service, the construction of two additional courtrooms with related office space, and plumbing improvements. Other projects include a sprinkler system and other measures in line with safety and handicapped-access codes.

Plans are also proceeding for renovations to the Fogarty Federal Building in Providence for use by several judicial agencies. Although the building is basically sound, work will include a redesign of office space, improvements to bring about code conformance, and installation of a computer system. Because the building has historic significance, coordinating the rehabilitation with the appropriate preservation agencies will be necessary. It is expected that occupancy will occur during the summer of 1992.

As previously noted, the court system closed District Court offices in Pawtucket, Warren and Cranston during the past year. Staff from those divisions have been transferred to the Garrahy Complex, and the cases from those divisions are now heard at that facility. Although the court has made extraordinary efforts to accommodate this increased load, the move has caused considerable crowding in both prisoner-holding and public areas and strains courtroom availability. Thus it is anticipated that a new court facility will be constructed in the Providence area in the near future to meet the increasing demands of the court system.

# CRIMINAL JUSTICE INFORMATION SYSTEM MOVES TOWARD IMPLEMENTATION; DIRECTOR NAMED

The Supreme Court and Rhode Island's state and local criminal-justice agencies have made significant progress toward establishing an interagency criminal/juvenile justice computer network (CJIS). The CJIS project is being managed by the Supreme Court. Its goal is to develop a new automated criminal-case processing system that will incorporate data entered and used by all the courts. The new system will replace the current PROMIS system.

Richard B. Bessette has been named as the first executive director of CJIS. Mr. Bessette was previously an assistant director in the Administrative Adjudication Division of the Department of Transportation and, prior to that, a public safety director.



*Executive Director  
Richard B. Bessette*

The system, commonly referred to as the CJIS HUB, will be a database of offender information common to criminal justice agencies. In order to create the new database, computer systems across the state will become part of an electronic network. State agencies participating in the network include the District, Superior, Family and Supreme Courts; state and local police departments; the Office of the Public Defender, and the Departments of the Attorney General and Children, Youth, and their Families, as well as Transportation and Corrections; the Governor's Justice Commission; and the Administrative Adjudication Division.

In January, MAXIMUS, Inc., was hired as the CJIS Committee consultant. Soon after, an interagency task force was named representing the state agencies involved, and a second task force was established to oversee development of the courts' new criminal-case processing system. These two groups have outlined the scope of the initiative and the manner in which agencies will contribute and share data on offenders.

Once in place, the system will capture information at the time of arrest that will be available to the courts at the initial court appearance, thereby

eliminating the need for court personnel to reenter the data. Court personnel will be able to follow the case as it moves from one jurisdiction to another, allowing the tracking of financial obligations, warrants, and appearances for each offender.

A schedule of procurement, vendor selection, and negotiations has been established, and system implementation will begin in late calendar year 1992.



*Ever prepared for the unexpected, task force units seek fugitives posing the greatest risk to the general public as a priority.*

## FUGITIVE TASK FORCE COMPLETES FIRST FULL YEAR OF OPERATION

The statewide Fugitive Task Force was created in late 1990 and completed its first full year of operation in 1991. The task force is a combined effort of the courts, the Executive Branch, the Department of the Attorney General, and state and local law-enforcement agencies. A primary objective of the task force is to provide a coordi-

nated approach to pursuing individuals wanted on warrants.

The Fugitive Task Force was established by statute (R.I.G.L. §§ 12-6-7.1 and 12-6-7.2). The program has a director and staff is personnel on loan from the court, the Sheriff's Office, the State Police, the Department of Environmental Management, and other state and local law-enforcement agencies.

The task force has the resources to pursue all possible avenues for locating and apprehending fugitives. The staff begins an investigation with the last known address and follows up by questioning neighbors, friends and relatives. The staff can track individuals through Rhode Island's Registry of Motor Vehicles as well as the registries in other states. Legislation passed in 1991 also allows the task force to obtain information from the Department of Human Services about individuals receiving general public assistance or aid to families with dependent children.

Another role of the task force is to assist local law-enforcement agencies in conducting warrant sweeps. These operations target individuals who are wanted on warrants and live in a particular city or town. In a coordinated effort, local authorities and the members of the task force sweep in and make numerous arrests.

To promote further coordination among the justice system agencies, the task force has developed a cooperative agreement with the United States Marshal's Service. This unique initiative allows the federal, state and local law-enforcement community to work together to apprehend fugitives.

The task force is also cooperating with a local television station in the production of the segment "Southeastern New England's Most Wanted." This program identifies individuals who are fugitives from justice and asks the public to help in their apprehension.

The legislation that established the task force also created a funding mechanism to support this effort. The legislation authorizes a \$100 assessment of any individual apprehended on a warrant in addition to other costs incurred by the arrestee. The \$100 fee is used for the operation of the Fugitive Task Force.

The efforts of the task force send a clear message to offenders and the public that the justice system can respond effectively when individuals choose to ignore court orders. In 1991 the task force cleared 1,747 warrants. The individuals apprehended on these warrants owed the court over \$590,000 in fines.

## WARRANT PROCESS TO BE STREAMLINED

In June a small committee was named to plan improvements to the warrant process. The committee is chaired by Deputy State Court Administrator Robert C. Harrall and includes representatives of local police departments, the State Police, the Department of the Attorney General, the Fugitive Task Force, and the various courts.

The committee's purpose is to resolve some of the long-standing problems with the warrant system. For example, the warrant file currently contains approximately 32,000 records; many of these reflect quashed warrants wherein the original warrant has never been returned to court as well as old cases that may not even be prosecutable.

Thus the committee's first objective has been to develop a plan for reducing the inventory of warrants. This reduction will be accomplished in several phases. In the first phase the court will notify police departments of the approximately 6,400 quashed warrants that are still on file awaiting return of the original warrant document. Police departments will be given a deadline for return of these warrants, and after this date the warrants will be deleted from the file.

In phase 2 a listing of all warrants issued prior to 1985 will be given to each court for review. The court will determine which warrants should be retained and which should be withdrawn. Police departments will be given the opportunity to review the decisions and argue for retaining additional warrants. After that, all warrants that have not been designated as retained will be purged from the file.

In phase 3 a concerted effort will be made to contact the approximately 16,000 individuals with warrants outstanding for unpaid fines and costs. The Fugitive Task Force will assist in this phase by randomly executing some of these warrants.

In addition to these efforts to reduce the inventory of warrants, the committee will look at ways to streamline the process of issuing and canceling warrants. One consideration will be the feasibility of a "less paper" warrant system, a system in which the official warrant would be retained in the case file.

The committee will also consider a plan for the future to prevent building up another large inventory of warrants.

# BENCH/BUSINESS COLLOQUIUM INITIATED BY PUBLIC INFORMATION OFFICE



*Directory Collaborators L-R Elaine Rendine, Bob Melucci, Laura Boyle and Donna Nesselbush*

This year the Public Information Office initiated a unique joint venture with the Greater Providence Chamber of Commerce, a "Bench/Business Colloquium on the Courts." The colloquium provided a platform for the Chief Justice and the State Court Administrator to provide community leaders with key information about many recent court accomplishments and also about serious court concerns, including growing employee workloads, understaffing, and chronic underfunding. The success of the colloquium resulted in scheduling a similar event in 1992.

The office also expanded court involvement with the Chamber of Commerce's highly respected Leadership Rhode Island Program by providing participants with facts and materials concerning the needs, concerns, and accomplishments of the Judiciary. The leadership program exposes current and future leaders to an in-depth view of government operations.

Another accomplishment this year was a major revision to an informational booklet explaining the history and role of the Rhode Island Judiciary and its relationship to federal and municipal courts. The booklet was retitled "Your Rhode Island Judiciary." Through a grant administered by the Rhode Island Legal Educational Partnership the book is being distributed to participating schools as the central component of a new statewide effort to educate students and teachers about our state courts.

The office also assisted the Superior Court in developing a series of clerk-training films that were produced in cooperation with a Providence-based national insurance company.

## COURT PUBLISHES CRIME VICTIM SERVICES DIRECTORY

With the assistance of personnel and facilities provided by the Administrative Office, a first-of-its-kind Crime Victim Services Directory was published in June. A draft copy, listing over ninety agencies that provide services to victims of crime, was distributed to social-service agencies, hospitals, and police departments throughout the state.

This initiative fulfilled a need that was observed by a networking group formed in 1988 by Chief Justice Thomas F. Fay. The group's role was three-fold:

1. To provide a forum in which Rhode Island's victim-service providers could network and discuss issues of concern to their organizations and to victims of crime.
2. To inform the general public, the justice community, and crime-victim-service providers of the myriad victim services available.
3. To educate the general public, the justice community, and service providers about the needs and rights of crime victims.

The Supreme Court Office of the Public Information, the Coalition Against Domestic Violence, and the Attorney General's Victim Witness Program assisted in the project.



*The court's commitment to law related education is exemplified by regularly held teacher conferences.*

## **EDUCATION OFFICE HOSTS TEACHER TRAINING, FOREIGN VISITORS**

Nineteen ninety-one was a year of outreach for the Rhode Island Supreme Court Education Office. Teacher conferences were among one of the most popular of the programs offered. More than 200 teachers from every community, including Block Island, attended lecture/lesson demonstrations and observed court proceedings in order to learn more about the courts and the law. The topics of greatest interest to the teacher participants were juvenile proceedings and the court's response to domestic violence. These are areas that are most relevant to experiences in their classrooms. Judges throughout the court system

served as hosts and faculty for the programs.

The training programs were co-sponsored by the Rhode Island Legal Educational Partnership and the University of Rhode Island's Ocean State Center for Law and Citizen Education.

In addition to teacher training, the Education Office conducted student programs and judicial-education programs. The office also hosted visiting dignitaries from several African nations and Russia. These judges and lawyers met with their Rhode Island counterparts as part of a diplomatic and academic exchange.

# SUPERIOR COURT



*Presiding Justice Joseph F. Rodgers, Jr.*



*William McAtee  
Administrator/Master*

Nineteen ninety-one was a year of change in the administration of the Superior Court. Governor Bruce Sundlun appointed Associate Justice Joseph F. Rodgers, Jr., Presiding Justice of the Superior Court and administered the oath of office to him on June 19, 1991. Judge Rodgers immediately succeeded John E. Orton III, who had served as acting presiding justice in an interim capacity for four months following the retirement of Anthony A. Giannini after eleven years as presiding justice.

With respect to judicial resources, the Superior Court lacked a full complement of judges for most of 1991. Specifically there was one judicial vacancy for eleven months and another for five months. At the present time one vacancy remains. In addition, for the first time in the history of the court, a statutory change enabled the presiding justice to designate his administrator to serve as administrator/master, thereby enabling the administrator/master to serve in a quasi-judicial capacity.

In regard to the court's calendar business, 1991 was the sixth consecutive year in which the highest number of civil cases was filed statewide (11,653) in any single year. With respect to cases assigned to the trial calendar (2,863), more cases were disposed of (3,334) than were assigned for the second consecutive year. One common occurrence in every county statewide was that each county disposed of more cases than were assigned. The court-annexed arbitration program is the most significant factor contributing to the dispositions of more cases than assignments, accounting for approximately one-third of the civil dispositions (1,183 out of 3,334).

In regard to criminal-calendar business, the court took in approximately the same number of felony cases (5,665) that it disposed of (5,578) on a statewide basis.

In Providence County 1991 marked the lowest number of felony filings (4,114), dispositions (4,049), trials (83), and judge days (1,669) in the last four years. However, with respect to the civil calendar, the highest number of cases was filed in the history of the court (8,694). In addition, 1991 saw the highest number of new assignments (2,118) to the trial calendar, dispositions (2,391), and verdicts (103) in the last four years. For the second consecutive year, dispositions (2,391) exceeded new assignments (2,118), bringing the total number of pending, assigned cases at the end of 1991 to 4,188, the lowest number in the inventory since May 1983.

In the summer of 1991 Presiding Justice Rodgers effected a change in the administration of the criminal - and civil - trial calendars in Providence County. Both trial calendars were combined into

one, with one judge who was in charge of the trial calendar assigning both criminal and civil cases to those judges assisting on the trial calendar. In the fall of 1991 seven judges were assigned to assist on the trial calendar; and including unassigned cases, more than twice as many civil cases (72) were disposed of by verdict than in the previous year (34).

In Kent County the highest number of felony cases were filed (886) and disposed of (785) out of the last four years, although the lowest number of trials (19) and judge days (205) occurred in the same period. With respect to the civil calendar, 1991 saw the lowest number of filings (1,433), new assignments to the trial calendar (371), and verdicts (9) in the last four years; however, the highest number of cases were disposed of in that time (517).

In Washington County the lowest number of felony cases were filed out of the last four years (386), and dispositions (415) exceeded filings (386). With respect to the civil calendar, more cases were disposed of (245) than assigned to the trial calendar (200).

In Newport County more felony cases were disposed of (329) than filed (279) for the second consecutive year. Also the highest number of trials (20) occurred out of the last four years. With respect to the civil calendar, the highest number of cases were filed in the history of the court (716). In addition, more cases were disposed of (181) than assigned to the trial calendar (174).

## **JOSEPH F. RODGERS, JR. SWORN IN AS PRESIDING JUSTICE OF THE SUPERIOR COURT**

The Honorable Joseph F. Rodgers, Jr., was sworn in on June 19, as the fourteenth Presiding Justice of the Superior Court. Justice Rodgers is a graduate of Providence College and Boston University Law School. He was admitted to the Rhode Island Bar in 1967. He was elected a State Senator in 1968 and served in the Legislature until his appointment to the District Court in 1974. He was named to the Superior Court in 1976 and served as an associate justice until his elevation to presiding justice this year.

## JUDGES WILEY AND DARIGAN APPOINTED TO SUPERIOR COURT



*Associate Justice Alton K. Wiley*

On June 28, 1991, District Court Judges Alton K. Wiley and Francis J. Darigan, Jr., were sworn in as the Superior Court's newest associate justices.

Associate Justice Wiley was appointed to the District Court in 1980 after nearly twenty-five years as a practicing attorney. He is a graduate of the University of Rhode Island and Boston University Law School. While in practice he served in the United States Attorney's Office and the Office of the Public Defender, and he was counsel for the Department of Employment Security. He is also a retired U.S. Army Reserve Lieutenant Colonel.



*Associate Justice Francis J. Darigan*

Associate Justice Darigan graduated from Providence College. He has a master's degree from the University of Rhode Island and a law degree from Suffolk University. He served on the Providence City Council from 1970 to 1974 and as legal counsel to the Department of Transportation. He was appointed to the District Court in January 1984.

## ADMINISTRATOR MCATEE NAMED MASTER IN SUPERIOR COURT

Superior Court Administrator William McAtee was appointed as a court master on October 3, 1991. In that capacity, he will hear matters involving unpaid fines and costs, criminal-injuries compensation, and restitution determination. Master McAtee was named Superior Court administrator on November 1, 1989, after serving seven years in the General Assembly. He holds a bachelor's and master's degrees from Providence College and is a graduate of Suffolk University Law School.

## BARRETTE APPOINTED DEPUTY SUPERIOR COURT ADMINISTRATOR

John H. Barrette was sworn in as Deputy Superior Court Administrator by Presiding Justice Joseph F. Rodgers, Jr., on December 16, 1991.

Prior to his appointment in Superior Court, Mr. Barrette was employed by the Department of the Attorney General, first as deputy director of administration and then as director of investigations.

He was previously employed by the Department of Corrections, beginning his career in state service as an instructor for inmates. He culminated his career at the department as deputy assistant director, supervising all inmate work programs.

Mr. Barrette has a Bachelor of Arts degree from Providence College and served for six years in the United States Marine Corps Reserve.



*Deputy Administrator  
John H. Barrette*



Arbitration staff (seat) Linda Gallazo (L-R) Jean McArthur, Austin Teague, Program Administrator Louis Cioci

## COURT ANNEXED ARBITRATION EFFORT EXPANDED STATEWIDE

After operating in Providence County for one and a half years, the Superior Court's court-annexed arbitration program expanded to Kent, Washington, and Newport Counties in 1991. The decision to expand was based on the program's success. In 1991 the program disposed of 1,970 civil cases -- a 50 percent increase over the number of cases handled in 1990 when the program was limited to Providence County.

The court-annexed arbitration program was established to divert less complex civil cases from the court process. This goal is achieved by having trained attorneys hear the cases and determine awards.

According to the legislation authorizing the program, arbitration is mandatory for all cases in which the claim for monetary relief is under \$50,000. Arbitration is nonbinding, and the parties may appeal the arbitrator's award. Appeals require a \$200 filing fee, but if the trial verdict is more favorable to the party who rejected the award, the filing fee is reimbursed.

Attorneys who serve as arbitrators must have been members of the Rhode Island bar for at least ten years and must complete an orientation program. Attorneys with less than ten years' membership in the bar may serve as arbitrators with the approval of the Presiding Justice of the Superior Court.

The program is currently supported through court filing fees. However, the increase in the number of arbitration hearings has depleted the available funds. Thus the court plans to explore new sources of funding in 1992 so that this highly successful program can continue.

## GALLOGLY NAMED JURY COMMISSIONER

Raymond J. Gallogly was appointed Superior Court jury commissioner on December 15. He replaced Alfred Travers, Jr., who had held the position for fourteen years. Mr. Gallogly is a 1954 graduate of Providence College and served as executive director of the Rhode Island Catholic Youth Organization from 1963 until his appointment to the position of associate jury commissioner in 1978.



Raymond J. Gallogly

Eugene J. McMahon was named to replace Mr. Gallogly as associate commissioner. The associate commissioner's primary duty is to oversee jury operations in the outcounties. Mr. McMahon was formerly reading clerk for the State House of Representatives.



Eugene J. McMahon

## PROGRAM AND PERSONNEL CHANGES HIGHLIGHT 1991 CLERKS' OFFICE

A new chief supervisory clerk was named to the Superior Court, and new clerks were named in Providence, Newport, and Washington Counties in 1991. Charles Aube assumed the position of chief supervisory clerk; Frank Camera, a twenty-one-year court employee, became clerk of Providence County; Ann Collins was named clerk of Newport County after ten years of judicial service;

and Henry Kinch was named Washington County clerk. Mr. Kinch transferred to the court from the Executive Branch. In addition, Ernest Reposa, a twenty-year court employee, began his third five-year term as clerk of Kent County.



*Chief Supervisory Clerk  
Charles Aube*



*Providence County Clerk  
Frank Camera*



*Newport County Clerk  
Anne M. Collins*



*Washington County Clerk  
Henry Kinch*

This year the clerks' office completed a major update to data-entry training manuals, the first since 1985. As a result of the revision, all county clerks' offices use the same easy-to-read training guide. The update included a revamp of codes that are now easily located and applied.

The training-manual update was due to the improved delivery of systems and training services brought about by the recent clerks' office reorganization. Other accomplishments brought about by the reorganization have been cross-training of employees and a better flow of information to and from the courtrooms. These changes have smoothed work flow, cured a backlog in data entry, and have also prepared staff for promotions.

## **TRAINING PROGRAMS ENHANCED WITH VIDEO TECHNOLOGY**

The Superior Court Clerk's Office has incorporated video technology as part of its training program for clerks and office personnel. As a public service, a Providence-based national insurance

company provided filming and editing professionals to produce the tapes. The firm also provided enough copies of the final product for each county to have its own video library.

The training tapes cover the following three areas: courtroom procedures, office procedures, and court-registry procedures. A series of individual-subject tapes have been produced for each area. For example, there are twelve tapes on courtroom procedures covering such topics as an introduction to courtroom procedures, qualifying and reporting of jurors, and trial procedures.

An introductory tape, "The Rhode Island Judicial System," has also been produced to give an overview of the entire court system and the important role employees play in it.

Procedural manuals have been developed for each category, and thus the tapes can be used either in combination with the manuals or as stand-alone training tools. Because training opportunities are limited, video technology provides an innovative training alternative.

## **CLERK'S OFFICE AND RECORD CENTER LINKED BY COMPUTER**

The completion of a computerized file of court case records stored at the Judicial Record Center has made it possible for the clerk's office in the Licht Judicial Complex to locate and order certain case records via the computer system. The cases are still active but, because of space limitations in the Providence County Superior Court, they are stored at the record center in Pawtucket. Under the court's record-retention plan, cases (criminal and civil) that are older than five years are retained at an offsite location.

The linkup allows interested parties and departments to determine the location of case records with certainty and order cases automatically, thus freeing personnel at both locations from unproductive phone time. Additionally, cases are tracked during their journey away from the record center, thereby ensuring better quality control.

# **COLLABORATION WITH ACI STAFF ENSURES PAYMENT OF FINES/COSTS BY INMATES**

A collection program to ensure the payment of fines and costs by sentenced offenders became a reality in July 1991 when the first check for over \$2,000 was remitted to the Superior Court Registry Clerk's Office.

The concept of requiring inmates to pay court-ordered fines and costs became feasible with the automation of the court-registry accounting sys-

tem, the expansion of work-release programs at the Adult Correctional Institutions (ACI), and the adoption of a new home-confinement sentencing alternative.

The operation depends on ACI access to court accounting records. The names of offenders who are delinquent in their payments are matched with rosters listing inmates on work release and home confinement. Fifteen percent of the salaries earned by these delinquent inmates is withheld and disbursed to the courts on a monthly basis.

The program has collected more than \$12,000 since July, and because it has been so successful, studies are underway to expand it to women's work release. However, it is unclear whether it would be cost effective to expand the program to the entire sentenced population at the ACI since the stipend received by inmates working in prison industries is so low.

# FAMILY COURT



*Chief Judge Jeremiah S. Jeremiah, Jr.*



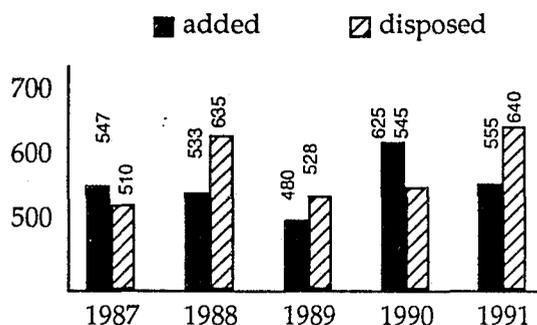
*Administrator  
Earl J. Croft, Jr.*

The outstanding feature in the results for 1991 in Family Court has been a reduction courtwide in the pending caseload. This has been due in part to lower filings, but it has also been due to higher dispositions.

Overall Family Court filings have declined slightly compared to 1990 and have been at approximately the same level as 1989. The total filed this year has been 15,835. This is a 3 percent drop from last year (16,307) and is just slightly less than the number filed in 1989 (15,957).

### PROVIDENCE COUNTY CONTESTED DIVORCE CALENDAR

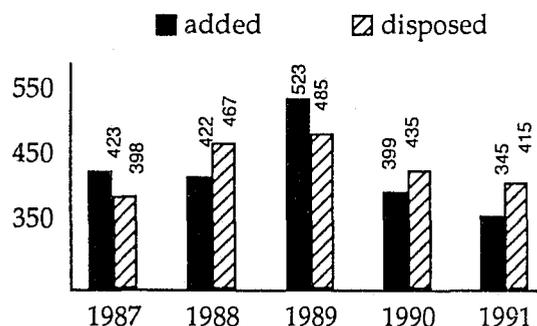
CASES ADDED VS. CASES DISPOSED



The decline has been due primarily to filings on the domestic side. This year divorce petitions fell to their lowest in five years, and abuse complaints dropped to just under the level for 1989. The total number of divorce petitions filed this year was 4,636 as compared to 4,900 in 1990. At their highest level for the five-year period, divorce filings reached 5,217 (1988). As mentioned, abuse complaints have also decreased. There were 3,263 filings in this category last year, and the number has dropped this year to 3,083, just slightly under the total for 1989 (3,098).

### OUT-COUNTIES CONTESTED DIVORCE CALENDAR

CASES ADDED VS. CASES DISPOSED



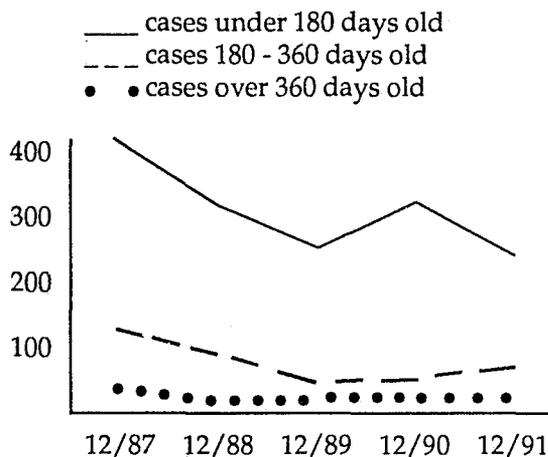
The decrease in divorce petitions has carried over to the contested caseload. This year there have been fewer cases added to the contested calendar than in any of the previous four years. Courtwide the number added was 900, whereas for the past four years the average was 988. There was some variation county to county, however. In Kent, Washington, and Newport Counties the contested calendar began to decline in 1990 and continued this trend in 1991. Washington County showed the largest change. Contested cases dropped from 165 to 139 between 1989 and 1990 and then fell sharply again in 1991 to 92. The differences were smaller in Kent and Newport. Between 1989 and 1990 the cases added to the contested calendar declined from 268 to 211 in Kent County, but the difference was only 9 cases between 1990 and 1991, with 202 added to the calendar. The results were similar in Newport County, where the number added to the calendar fell from 90 to 49 between 1989 and 1990 and then showed almost no change in 1991 with 51 cases added.

On the other hand, Providence County had an increase in contested cases between 1989 and 1990 and only showed a decline this year. Added cases totaled 625 in 1990 and dropped to 555 this year.

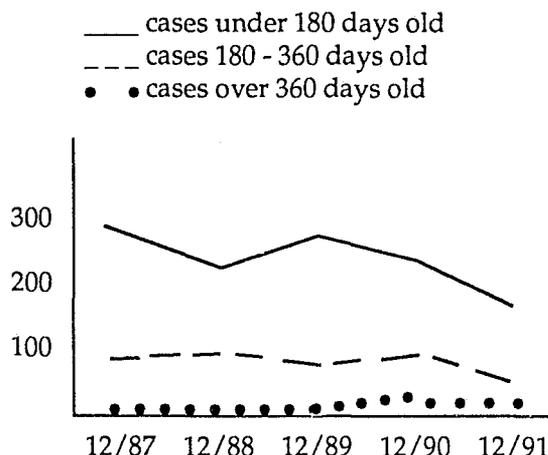
Although the cases added to the contested calendar have been lower, the number disposed has increased this year. Moreover, dispositions have exceeded added cases in all four counties. Compared to last year, dispositions for contested cases have risen courtwide from 980 to 1,055. Also, the number disposed has been higher than the number added in Providence County by 85 (640 disposed and 555 added). Dispositions have exceeded added cases by 62 in Washington County (154 disposed and 92 added), and they have been slightly above added cases in both Kent and Newport Counties (Kent dispositions totaled 208 with 202 added, and Newport disposed of 53 contested cases with 51 added).

On the bases of these results the contested caseload has been reduced to its lowest level in five years. The total pending courtwide at the end of December was 422, which was a drop of 155 cases or roughly 27 percent compared to 1990 (577 cases were pending courtwide a year ago). Broken down by county, there were 254 contested cases pending in Providence, 100 pending in Kent, 45 pending in Washington, and 23 in Newport as of the end of this year.

## PROVIDENCE COUNTY PENDING CONTESTED CASELOAD



## OUT-COUNTIES PENDING CONTESTED CASELOAD



The reduction in caseload brought about a corresponding reduction in the number of contested cases over 180 and 360 days old in Washington County. Here the contested cases over 180 days old dropped from 61 to 26 between the end of 1990 and 1991, and the cases pending over a year were reduced from 12 to 8. However, the percentage of the caseload in these categories was not reduced; 57 percent were over 180 days old both years, and the percentage over a year old rose slightly from 11 percent to 17.8 percent.

Newport County continued to have only a very small number of older cases. The number over 180 days old stood at three at the end of the year (13 percent), and there were no cases pending beyond a year.

Kent County showed only a marginal change in the older cases. The number pending over 180 days went from 26 to 28 (from 24.5 percent to 28 percent), and the cases over a year old rose from 6 to 8.

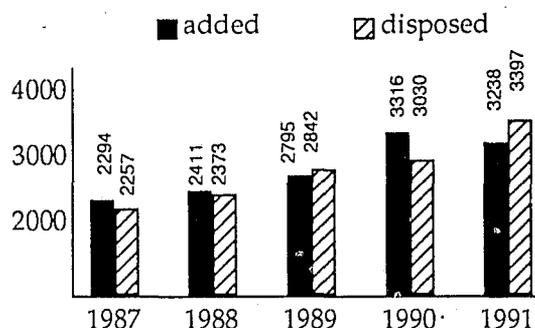
However, there was an increase in the cases over 180 days old in Providence County, despite a reduction in the total number pending. The cases in this age category have climbed from 49 to 61 since last year and have increased as a percentage from 14 percent to 23.6 percent. On the other hand, the cases over a year old have remained virtually unchanged (there were 7 at the end of 1990 and 6 at the end of this year).

Courtwide the time to disposition for contested cases has been the same as last year, 176.8 days, but compared to five years ago it has been reduced by 25 percent. The average time to disposition in 1987 was 236.1 days.

On the juvenile side, the largest category of filings, wayward /delinquent, has shown a decline; the number filed (5,641) was less than the total for both 1989 and 1990. (The number filed in 1990 was 5,794, and in 1989 it was 5,710).

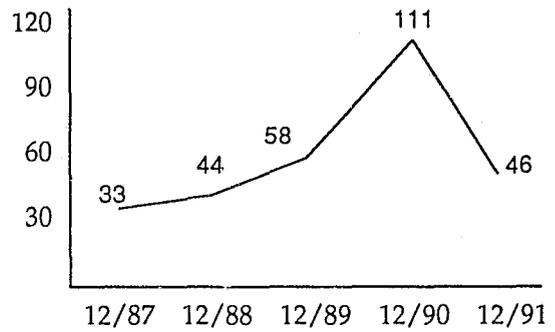
However, filings in the area of dependency/neglect/abuse have not followed this trend and have continued to climb. The number filed this year has been 1,477, which is a record for filings of this type. Compared to 1990, this represents a 15 percent increase (1990 filings totaled 1,283), and compared to five years ago the number has more than doubled (there were 697 filed in 1987).

## PROVIDENCE COUNTY JUVENILE TRIAL CALENDAR CASES ADDED VS CASES DISPOSED

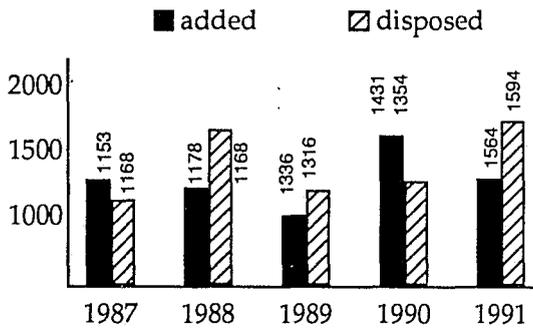


The impact of filings on the juvenile trial calendar has varied county to county; Providence County has seen a small decline this year in cases set for trial, there has been almost no change in the cases added in Newport, and Kent has had a 13 percent increase. In Providence County the number added has dropped since last year from 3,316 to 3,238. It has stayed constant in Newport, with 378 added last year and 380 this year. At the same time added cases have increased by 97 in Kent County from 729 to 826, and they have increased by a smaller number in Washington County, from 324 to 358.

### PROVIDENCE COUNTY WAYWARD/DELINQUENT CASES OVER 90 DAYS OLD



### OUT-COUNTIES JUVENILE TRIAL CALENDAR CASES ADDED VS CASES DISPOSED

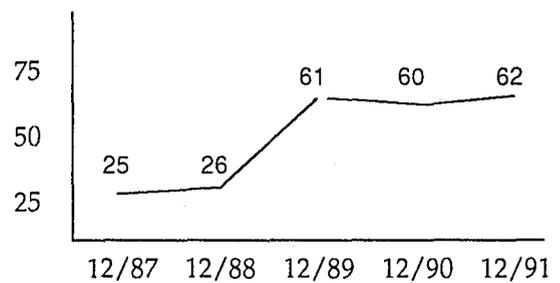


Notwithstanding the variation county to county in added cases, all the counties have shown an increase in disposed cases on the juvenile trial calendar. Furthermore, dispositions have exceeded the number added. In Providence County dispositions have exceeded cases by 159; the number added has been 3,397, and dispositions have totaled 3,238. In Washington County there have been 20 more cases added than disposed; 378 were disposed and 358 added. In both Kent and Newport Counties there has been a smaller margin between added and disposed cases. In Kent dispositions exceeded added cases by two (828 to 826), and in Newport the number disposed was 8 above the number added (388 compared to 380).

As a consequence, the total pending juvenile caseload has been reduced courtwide. In Providence it has gone down from 615 to 456 since last year and in Washington it has dropped from 63 to 43. There has been less of a difference in Newport where the pending caseload has been reduced from 70 to 62 and in Kent where it has gone from 130 to 128.

The overall reduction in caseload has carried over in Providence County to the wayward/delinquent and dependency/neglect/abuse cases over 90 days old. Both were significantly lower at the end of 1991 than they were a year ago. The wayward/delinquent cases in this age bracket have been reduced by 58 percent from 111 to 46, and the dependency/neglect/abuse cases have dropped from 246 to 192. In Providence County the wayward/delinquent cases over 90 days old represent 27 percent of the caseload, and the dependency/neglect/abuse cases in this category, 67.6 percent.

### OUT-COUNTIES WAYWARD/DELINQUENT CASES OVER 90 DAYS OLD



Washington County has also seen a slight reduction from 13 to 8 in the number of older wayward/delinquent cases, but the dependency/neglect/abuse cases over 90 days old have increased marginally from 12 to 15. The wayward/delinquent cases pending over 90 days make up 40 percent of the caseload, and the dependency/neglect/abuse cases, 65 percent.

There has been little change since last year in the wayward/delinquent cases over 90 days old in Newport. A year ago there were 23 cases in this age bracket; this year there were 22, accounting for 56.4 percent of the caseload. However, the older dependency/neglect/abuse cases have jumped from 4 to 14 and now represent 60.8 percent of this category.

Despite an overall reduction in the juvenile cases pending trial in Kent County, the older cases have increased. The wayward/delinquent cases over 90 days old have gone up from 24 to 32 (and currently account for 36 percent of the cases), and the dependency/neglect/abuse cases have risen from 22 to 39 (and now represent 56 percent of the caseload).

One other category that has not been included in previous reports is the workload of the Collections Unit. In 1991 this area has shown a jump of 61.6 percent in filings. The number has climbed from 3,315 filings in 1990 to 5,356 this year.

## COMMITTEE TO STUDY ALTERNATIVE DISPUTE RESOLUTION IN FAMILY COURT CONTINUES TO WORK

In the fall of 1990, Chief Justice Fay established a committee to study the use of alternative dispute resolution (ADR) in the Family Court. The Chief Justice cited the increase in filings as the primary reason for forming the committee and asked the committee to examine all forms of ADR that might be effective in a Family Court environment.

The ADR committee is chaired by retired Family Court Chief Judge Edward P. Gallogly. The other members of the committee are Family Court Chief Judge Jeremiah S. Jeremiah, Jr., retired Family Court Chief Judge William R. Goldberg, and retired Family Court Associate Justice Edward V. Healey, Jr.

As a first step, the committee met with the judges and the members of the Family Court Bench/Bar committee. The committee then developed a questionnaire on the potential use of ADR in the Family Court. The questionnaire was drafted with the assistance of the Bench/Bar Committee. It was sent to approximately 280 attorneys who

appear in Family Court statewide, and more than 100 attorneys responded.

In general, the responses to the questionnaire revealed that attorneys are in favor of expanding the use of ADR in the Family Court. The alternatives favored by respondents were greater use of masters in the court and the use of mediation or arbitration. The respondents also indicated that issues relating to children, such as visitation and child support, temporary orders and post-judgment modifications, were those best suited for ADR.

Another phase of the committee's research involved a study of ADR programs in other jurisdictions, including Arizona, California, Colorado, Connecticut, and Texas.

The committee plans to complete its work in early 1993 and submit a final report to the Chief Justice at that time.

## FAMILY SERVICE DEPARTMENT WORKLOAD INCREASES 29 PERCENT

The Family Services Department provides the court with a wide range of services. In addition to family and alcohol counseling, this department conducts investigations for child support, child custody, and other matters. The department also provides mediation services to assist parties in resolving child-custody and/or child-visitation issues, supervises court-ordered visitations in certain cases, and administers court-ordered drug tests.



*Counselors (L-R) Frances O'Donnell, Carol Pilkington and Jean George*

In 1991 the department completed 1,303 investigations. This represents an increase of 29 percent from 1990. The two major categories of investigations completed were 672 support investigations and 454 custody and/or visitation investigations.

The alcohol and family counselors continued to provide services to individuals or families that were either court-referred or self-referred. In addition, the alcohol counselors also administered 484 court-ordered drug tests in 1991.

The department supervised 540 hours of court-ordered visitation. Under the direction of the department's staff, volunteers supervise parental visits at the courthouse. After the supervised visits the volunteers and court staff prepare the necessary reports.

The department also handled fifteen court-ordered mediation cases. Mediation is used in domestic-relations matters to resolve custody and/or visitation issues. The mediation sessions focus on the positive reorganization of the family and the appropriate involvement of both parents in the lives of their children.

## JUVENILE SERVICES DEPARTMENT IMPLEMENTS MODEL PROJECTS

The Juvenile Services Department assisted in implementing a law-related education program for first-time juvenile offenders. The program is one of sixteen that were funded with a grant from the Office of Juvenile Justice and Delinquency Prevention. The Office of Juvenile Justice would like these programs to serve as model projects.

Juveniles who are referred to the program take part in ten one-and-a-half-hour sessions that help the young person understand the consequences of his or her actions, resolve conflicts in an appropriate manner, and enhance decision-making skills. In 1991 approximately twenty youths attended the two programs that were held. A third program is planned for early 1992.

The program was implemented by the court in conjunction with the Ocean State Center for Law and Citizen Education and the Rhode Island Legal Education Partnership.

This department is also developing an initiative to provide educational and community support to juvenile offenders between the ages of twelve and fifteen who have specific learning disabilities. This



*Staff members (L-R) Robert Tomasso, Denise Dupre and Dave Heden*

program is being developed in conjunction with the Positive Alternatives for Student Success (PASS) Project. PASS is a model intervention project that strives to identify children with learning disabilities and assist them in receiving appropriate services from their local school departments and communities.

The staff in the Juvenile Services Department is currently being trained to administer and score a test used to screen children for learning disabilities. The workers will administer this screening tool to juveniles appearing before the court for a nonjudicial hearing. In appropriate cases the worker will discuss the PASS program with the juvenile and his or her parents and make the necessary referral to the program. The staff of the PASS project will then further evaluate the young person and will work with the family to obtain the necessary services.

The department's main responsibility continues to be screening all wayward and delinquent petitions (except emergencies) filed with the court. Relying on case-screening criteria, the staff members interview certain youths and their parents in an effort to dispose of cases without a formal court appearance. In handling these matters, the staff may establish restitution agreements, order the youth to perform community-service work, and make referrals to counseling agencies and other community-service programs.

The Youth Diversionary Unit within this department serves as a community-outreach unit. The field workers generally handle matters involving youth referred to court for running away from home, disobeying parental rules, not attending school, or experiencing other difficulties requiring ongoing observation.

In 1991 the Juvenile Services Department screened 5,410 cases. Approximately 30 percent of those cases (1,612) were handled without a court hearing.

## PROGRAM TO PROMOTE JUVENILE RESTITUTION MARKS EIGHTH YEAR



Case managers Tom Wade (standing) and Bill Schlageter

Justice Assistance, a private corporation providing services to the criminal justice community, was first awarded a contract with the Rhode Island Family Court to provide restitution services to first-time juvenile offenders in October 1983.

The program, Project Restitution, was implemented with private funding and has proven to be successful in reducing recidivism among youthful offenders. It has been cited as a model program by the Restitution Education, Specialized Training, and Technical Assistance Program sponsored by the United States Office of Juvenile Justice and Delinquency Prevention.

Through mediation and counseling, Project Restitution requires young offenders (aged fourteen to eighteen) to take responsibility for their crimes by compensating their victims either by means of direct payment or through community service. Youngsters and victims come together through a process that includes counseling for both parties and, whenever possible, closely supervised face-to-face meetings. These sessions not only demonstrate to the offenders the effect of their crimes in an immediate and powerful way, but also help the victims deal with their loss and anger in a constructive manner.

In 1991 Project Restitution enrolled 139 juvenile offenders with an average restitution, order of \$151. The program collected \$13,927 in restitution which amounted to 66 percent of mediated losses. In addition to the above, Project Restitution clients who did not have the ability to pay cash completed 3,963 hours of community service.

## CASA PROGRAM RESPONDS TO INCREASED CASELOAD



Caseworker Linda Zangari and CASA Director Francis Brown

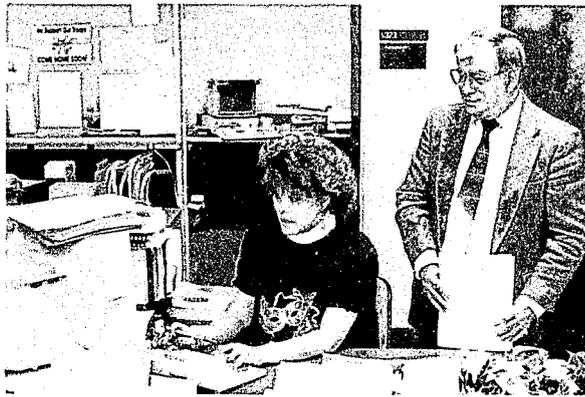
The Court Appointed Special Advocate (CASA) program relies heavily on the work of trained volunteer advocates. The advocates investigate the factors leading to a child's removal from his/her home and, with the assistance of CASA staff, monitor the progress of individual children's cases through the Family Court and the child-welfare system.

In 1991 the program received cases involving 1,619 children, representing an increase of 23 percent from 1990. The Providence County office received 1,252 of these cases; Kent County, 150; Newport County, 114; and Washington County, 103.

Recruitment efforts brought 42 new volunteers into the program this year. CASA provided orientation for these new volunteers and, in addition, expanded its followup and in-service training programs for current volunteers. The followup training has enhanced the volunteers' skills and has also helped the program retain volunteers. Yet even with extensive recruitment efforts and training, the program does not have enough volunteers to assign one to each child because of the increase in the number of children referred to the program.

The CASA program was nominated for the JC Penney Golden Rule Award this year. This is presented to programs or individuals who have performed outstanding volunteer service in their local communities. In addition, Volunteers in Service to America presented CASA with a Model Volunteer Program Award for 1991.

## INRHODES AUTOMATED SYSTEM INSTALLED: COLLECTIONS CONTINUE TO INCREASE



*Collections unit staff member Debra Amick and Supervisory Accountant John Colafrancesco*

In 1991 the Family Court installed a state-of-the-art automated information system in the collections unit. The InRhodes system will assist this unit in record keeping, calendar management, and caseload management. An example of the improvement brought about by this system is the turn-around time for an individual to receive support payments made to the court. Prior to InRhodes it took seven to ten days for a person to receive a check after payment was made to the court; an

individual can now receive the support check within forty-eight hours. The automated system was developed in cooperation with the Department of Human Services and was funded through a federal grant.

In 1991 the court collected \$25,220,539 in child support payments. This was an increase of \$3,017,977, or 13.6 percent, from 1990. Over the last five years (1987-1991) collections have risen by 80.5 percent. The following chart shows the amount collected during each of the last five years.

### CHILD SUPPORT COLLECTIONS

Year	Amount Collected
1987	\$13,972,921
1988	\$16,831,133
1989	\$18,725,071
1990	\$22,202,562
1991	\$25,220,539

In 1991 there were 5,356 child-support cases filed. This is 38 percent higher than in 1990. In addition, the court heard 9,471 support cases.

With the increased activity in this area and the installation of the automated information system, the operation outgrew its office space on the second floor of the Garrahy Judicial Complex. The accounting section of the office was moved to the third floor, and the collections unit now occupies all the office space on the second floor. This additional space has improved working conditions for the staff and continues to offer easy access to the general public.

The federal government supports the enforcement of child-support orders by reimbursing Rhode Island for approximately 67 percent of the expenses directly related to collection and enforcement. Items that qualify as direct costs include salaries, fringe benefits, telephone charges, and computer costs. The amount received by the state in 1991 for direct costs was \$585,384.

In addition to reimbursement for direct costs, the state received federal reimbursement for various indirect costs. The state received an additional \$162,190 for these expenses. The total received from the federal government to support the court's efforts in this area was \$747,574.

## THE FAMILY LIFE CENTER OFFERS ADDITIONAL PROGRAMS

The Rhode Island Supreme Court has funded the Family Life Center at the Community College of Rhode Island since 1988. The court provides the center with a \$40,000 grant that is made available to the court by the General Assembly.

The goal of the Family Life Center is to offer community-based educational programs to individuals, families, and human-service professionals. The center programs address topics such as drug and alcohol abuse, sexual abuse, domestic violence, divorce, and single parenting.

Specific programs offered by the center in 1991 included a four-part public seminar entitled "Keeping Your Family Safe." This seminar dealt with teenage drug abuse, domestic violence, sexual abuse, and parenting skills. The center also offered a training workshop to the Substance Abuse Treatment Program staff with techniques to use with inmates who are scheduled to be returned to the community in the near future.



Director Jerry Hatfield and CCRI faculty member Linda Corrente

The center also collaborated with the Coalition Against Domestic Violence and sponsored a workshop series for women incarcerated at the Adult Correctional Institutions. This series assisted the women in the development of life skills and positive self-concepts. In addition, the center sponsored a weekly two-hour seminar for CCRI students with children enrolled in the day care center at the college. This seminar was held at the Lincoln and Providence campuses and was entitled "Balancing Family Life and School Life."

The center plans to hold similar seminars in 1992. In addition, the center would like to provide educational programs to help young, at-risk par-

ents to handle the stresses associated with parenting.

## COURT RECEIVES FEDERAL GRANT TO ENHANCE ADOPTION DATA

In November 1991 the Rhode Island Supreme Court was notified that it would receive one of ten grants awarded by the Department of Health and Human Services to help jurisdictions improve their adoption data collection and record-keeping procedures. The federal funds will allow the court to purchase a personal computer and related software to enhance its present case-tracking capabilities. The funds also provide for staff training to guarantee maximum use of the equipment.

According to a 1988 report from the National Center for State Courts, the Rhode Island Family Court collects, maintains, and reports most of the data elements recommended by the Adoption Information Improvement Project. The court also already relies on automation for maintaining and retrieving this data; however, a personal computer system linked to the existing information system will provide more flexible, decentralized data processing.

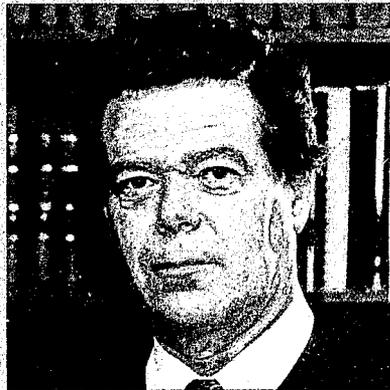


Juvenile clerk Janet Diano (l) and systems analyst Arlene Maloney

The personal computer will allow the court to produce adoption data for analysis more easily. The court will also have the flexibility to provide the National Center for State Courts with adoption data requested through the Adoption Improvement System Project. If necessary, the court would also be able to expand the present adoption database.

The personal computer is scheduled for installation in the Family Court Juvenile Clerk's Office in the Garrahy Judicial Complex in early 1992.

# WORKERS' COMPENSATION COURT



*Chief Judge Robert F. Arrigan*



*Dennis I. Revens  
Administrator*

# WORKERS' COMPENSATION COURT JOINS UNIFIED COURT SYSTEM

The determination of workers' compensation as a result of work-related injury has come full circle. When Rhode Island enacted its first workers' compensation statute in 1912, jurisdiction for compensation determination was placed in the Superior Court. However, in 1954 the General Assembly created the Workmen's Compensation Commission and transferred jurisdiction for such cases from the Superior Court to this quasi-judicial body. This adjustment was made to streamline the process and thus reduce costs. Under the Workmen's Compensation Act, commissioners were appointed to hear petitions. Determination of compensation returned to the judicial forum in 1990 when, in an effort to reform workers' compensation, the General Assembly created the Workers' Compensation Court.

Workers' Compensation Court became part of the unified Judiciary as a result of legislation passed in 1991.

The following are brief profiles of the judges who currently serve on the Workers' Compensation Court:

The court has nine associate judges. (one vacancy exists)

**The Honorable Robert F. Arrigan** is Chief Judge of the Workers' Compensation Court. He is a graduate of LaSalle Academy, Providence College (BA 1957), and Georgetown University Law Center. He became a workers' compensation commissioner on May 12, 1978. He was named vice-chairman on December 28, 1984, and was appointed chief judge on December 20, 1991.

**The Honorable William G. Gilroy** is a graduate of North Providence High School, Providence College (AB 1953), and Suffolk University Law School. He was admitted to the Rhode Island Bar in January 1959 and was appointed to the Workers' Compensation Commission in May, 1978.

**The Honorable John Rotondi, Jr.**, is a graduate of Classical High School, the University of Rhode Island (BA 1964), and Suffolk University Law School. He was admitted to the Rhode Island Bar in 1968 and was appointed to the Workers' Compensation Commission on August 19, 1982.

**The Honorable Andrew E. McConnell** is a graduate of St. Raphael Academy, Providence College (BA 1966), and Suffolk University Law School. He was admitted to the Rhode Island Bar in 1976 and was appointed to the Workers' Compensation Commission in August, 1982.

**The Honorable Carmine A. Rao** is a graduate of LaSalle Academy, Providence College, and Boston University School of Law. He was appointed to the Workers' Compensation Commission in February, 1984.

**The Honorable Constance L. Messor** is a graduate of Radcliffe College (BA 1954) and Boston University Law School. She was appointed to the Workers' Compensation Commission on February 22, 1988.

**The Honorable George E. Healy** is a graduate of LaSalle Academy, Northeastern University (BA 1973), and Suffolk University Law School. He was admitted to the Rhode Island Bar in 1976 and was appointed to the Workers' Compensation Court on July 3, 1991.

**The Honorable Debra L. Olsson** is a graduate of Wellesley College (BA 1979) and Suffolk University Law School. She was admitted to the Massachusetts Bar in 1982 and the Rhode Island Bar in 1983. She was appointed to the Workers' Compensation Court July 15, 1991.

**The Honorable Bruce Q. Morin** is a graduate of the University of Rhode Island (BA 1967), and the Law School of Catholic University of America. He served in the Rhode Island Senate from 1974 to 1976 and 1980 to 1983 and was appointed to the Workers' Compensation Court on October 31, 1991.

**Dennis I. Revens** is the administrator of the Workers' Compensation Court. He was named First Deputy Clerk of the Workers' Compensation Commission in 1978. He became deputy administrator in 1979 and was appointed court administrator on April 24, 1991.

WORKERS' COMPENSATION COURT



Data Entry K. Bach



Systems Administrator  
M. Aveno



Steno L. Ballou



L-R Judges A. McConnell, D. Ollson, W. Gilroy, C. Messore, Chief Judge R. Arrigan, G. Healy, J. Rotondi, B. Morin, C. Rao



Judges C. Rao and D. Ollson



Law Clerk V. Dogan, Judge C. Rao



Judge B. Morin



Judge C. Messore

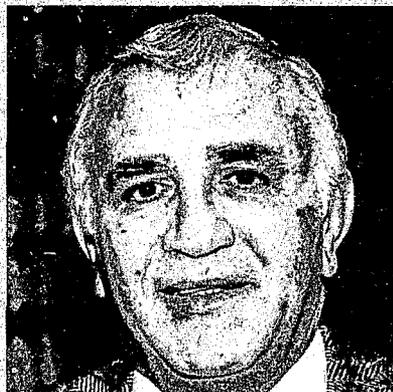


Judge W. Gilroy



Judge A. McConnell

# DISTRICT COURT



*Chief Judge  
Albert E. DeRobbio*

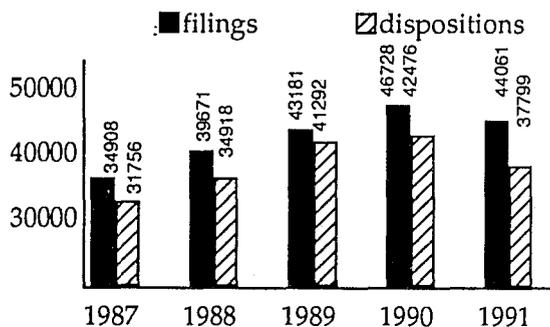


*Joseph P. Ippolito, Esq.  
Administrator*

Overall District Court filings have shown a slight decline compared to last year. Courtwide the number filed in 1991 was 96,069, which was 2,486 less than the total for 1990 (98,555). This is the first time over a five year period that the workload in this court has shown a downturn. Nevertheless, the caseload is still 120 percent of what it was five years ago.

The small decline in caseload this year has been due to criminal filings, which have dropped slightly compared to last year. Misdemeanor filings totaled 46,728 courtwide in 1990, and this year the number filed has been 44,061. Likewise felony filings have fallen from 10,401 to 9,807.

### MISDEMEANORS AND VIOLATIONS FILINGS VS. DISPOSITIONS



Approximately half of the misdemeanor caseload is in the combined Sixth Division. The total number of charges filed in this division for the year was 22,156, which was 2,526 less than were filed in 1990 (24,684) and represents close to a 10 percent decrease. The misdemeanor caseload in the Second Division has dropped by a smaller percentage. Last year there were 5,578 misdemeanor charges filed in this division, and this year there were 5,166, a difference of 412 or 7.6 percent. Misdemeanor filings in the Third Division have also been a little lower than in 1990. Last year's filings in this category totaled 10,417, and this year's total has been 10,399, a difference of 18. In contrast to other divisions, the Fourth Division has had a small increase in misdemeanors. The number filed has risen from 6,049 in 1990 to 6,340.

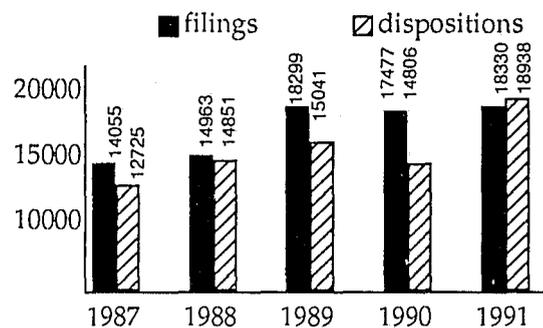
### MISDEMEANORS AND VIOLATIONS FILINGS BY DIVISION

	1987	1988	1989	1990	1991
2nd	3903	4527	4888	5578	5166
3rd	6746	8101	9355	10417	10399
4th	5322	5923	7280	6049	6340
6th	18937	21120	21658	24684	22156

In contrast to the criminal side, there has been a small expansion in civil filings. Regular civil filings have increased roughly 3 percent this year, and small claims have gone up 5 percent. Civil filings totaled 22,015 courtwide in 1990 and have risen to 22,719 this year, an increase of 714, and the number of small claims has gone up from 17,447 to 18,330, an increase of 883.

Despite an overall increase, the results have varied by division. Only two divisions have actually had higher civil filings compared to last year, the Third and the Sixth. In the Third Division the number filed rose from 3,054 to 3,386, and in the Sixth Division it went up from 16,038 to 16,435. Moreover, civil filings were the highest for the five-year period in both of these divisions. On the other hand, civil filings fell slightly in the Second and Fourth Divisions. The number filed in the Second Division went from 1,526 to 1,263 between 1990 and 1991, and in the Fourth Division it dropped from 1,700 to 1,635.

### SMALL CLAIMS FILINGS VS. DISPOSITIONS



Only the Third Division showed a decline in small claims compared to last year. The number of claims dropped from 3,307 to 2,957 in this division. There was a negligible increase in the Second Division; the number rose by seven from 1,200 to 1,207. The Fourth Division had a gain of 50 from 2,207 small claims to 2,266. It was the Sixth Division, with an increase of 5.5 percent, that showed the most growth in small claims. Filings of this type totaled 11,279 in 1990 and have risen to 11,900 this year.

There are two other small categories of cases in the District Court, domestic abuse and agency appeals. Domestic-abuse filings have risen for the third consecutive year; the number filed courtwide this year has been 803 compared to 713 filed in 1990. Meanwhile agency appeals have been lower for the second year. There were 400 agency appeals filed in 1990, and the number has dropped this year to 349.

The decline in misdemeanor filings has been accompanied by a drop in dispositions. A year ago the number disposed was 42,476, and it has gone down this year to 37,799. The percentage disposed has also dropped from 90.9 percent to 85.8 percent. Although all the divisions have shown a decrease in dispositions compared to last year, the percentage disposed varies.

The Second Division disposed of 97.8 percent of misdemeanor filings this year, with 5,056 disposed and 5,166 filed. The rate disposed in the Fourth Division was 93.6 percent, with 5,933 dispositions and 6,340 filings. It was 90.6 percent in the Third Division where the number disposed has been 9,417 and filings have totaled 10,399. The Sixth Division has had a much lower disposition rate of 78.5 percent, with 17,393 dispositions compared to 22,156 filings. (This rate is so much lower than the other divisions that it raised a question about whether dispositions are being entered in the computer system in all cases.)

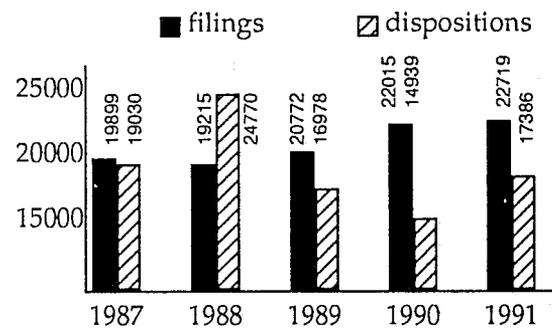
On the basis of these results, the Second Division reported a total of 242 pending misdemeanors. Of this number 81, or 33.5 percent, were over 60 days old, and 19 were over 180 days old. In the Third Division the number pending at the end of the year was 658. Of this number, 37, or 5.6 percent, were over 60 days old, and no charges were over 180 days old. The Fourth Division had 330 pending

charges as of December 31, with ten (3 percent) pending over 60 days, and seven over 180 days. In the Sixth Division the total for open charges was 2,005, with 1,187 pending over 60 days (59.2 percent of this total) and 844 (44.1 percent) pending over 180 days. (Again the numbers in the Sixth Division suggest that all cases are not getting closed out on the computer.)

On the civil side, disposition results were more consistent among the divisions. For regular civil cases the average disposition rate courtwide was 76.5 percent, and three of the four divisions clustered around this point. The disposition rate for the Sixth Division was 75.9 percent (with 12,480 cases disposed compared to 16,435 filed). It was 75 percent in the Third Division (with 2,544 dispositions and 3,386 filings), and it was 72.2 percent in the Fourth Division (1,180 disposed and 1,635 filed).

The Second Division had a higher rate of civil dispositions than the other three divisions. This division disposed of 93.5 percent of civil filings (1,182 disposed and 1,263 filed).

REGULAR CIVIL CASES  
FILINGS VS. DISPOSITIONS



In the small claims category two divisions disposed of more claims than were filed, the Second and Third Divisions. In the Second Division dispositions totaled 3,103 and filings totaled 1,207, and in the Third Division there were 3,916 claims disposed and 2,597 filed. The two other divisions, the Fourth and Sixth, both had disposition rates of 84 percent. In the Fourth Division there were 1,917 small claims disposed and 2,266 filed, and in the Sixth Division there were 10,002 small claims disposed and 11,900 filed.

## DISTRICT COURT CONSOLIDATION CONTINUES

In February, 1991, the District Court ceased operations in Warren, Pawtucket, and Woonsocket, and cases formerly heard in those locations were transferred to the Garrahy Judicial Complex in Providence. This was the court's second retrenchment. The first occurred in 1990 when Cranston District Court was eliminated and the caseload moved to Providence. As a result, cases are now being heard in Providence from the First Division (Warren), the Fifth Division (Pawtucket), the former Seventh Division (Woonsocket), and the former Eighth Division (Cranston). By act of the General Assembly in 1990, the Seventh Division became part of the Fifth Division and the Eighth Division was merged with the Third Division (Warwick).

The purpose of the transfers was twofold: to use judicial, clerical, and support staff more efficiently and to effectuate savings in rental and other overhead expenses. The closure of the Woonsocket, Pawtucket, and Warren courthouses was part of a cost-saving plan submitted by the Judiciary to meet the 1991 budgetary crisis.

The transfers were made after meetings with police and prosecutors from the affected areas, and thus far the merger has not diminished the quality of service provided.

The District Court's future plans include a new courthouse for the expanded Third Division (as part of a new Kent County courthouse) and a new courthouse to house the Fifth Division at a location convenient to both Pawtucket and Woonsocket.

## ADMINISTRATOR NAMED AS DISTRICT COURT MASTER

On June 14, 1991, District Court Administrator Joseph Ippolito was sworn in as District Court Master by District Court Chief Judge Albert E. DeRobbio. The new position of District Court master was established to assist in the collection of outstanding court costs.

Master Ippolito will continue to act as District Court administrator in addition to hearing cases as District Court master. He will also assist judges on the regular court calendar when there is a need.

Master Ippolito was appointed District Court administrator in 1987. He has a bachelor's degree from Tufts University and a law degree from Suffolk University. He was admitted to the Rhode Island Bar in 1980. Before appointment as District Court administrator, he was an assistant attorney general in the Department of the Attorney General.

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## APPENDICES

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Acknowledgements .....	46
1991 Judiciary .....	47
1991 Court Directory .....	48
Compendium of Court Boards, Committees, and Panels .....	51
Caseload Statistics .....	58

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## ACKNOWLEDGEMENTS

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*Justice Anthony A. Giannini*

Anthony A. Giannini retired on February 22, 1991, after serving as the Presiding Justice of the Superior Court for over eleven years. Justice Giannini is a graduate of Providence College and received his law degree from Boston College. He was appointed associate justice for the Superior Court in May 1969 and served for ten years before becoming presiding justice in November 1979.



*Justice John E. Orton*

After serving as interim Presiding Justice of the Superior Court following Justice Giannini's retirement, Associate Justice John E. Orton III retired on June 18, 1991. He was appointed to the Superior Court in 1974 and was the most senior justice. He had served previously as an associate judge of the District Court from 1969 to 1974. Justice Orton graduated from Brown University and received his law degree from Boston University.

# 1991 JUDICIARY

## SUPREME COURT

THOMAS F. FAY, Chief Justice  
THOMAS F. KELLEHER, Associate Justice  
JOSEPH R. WEISBERGER, Associate Justice  
FLORENCE K. MURRAY, Associate Justice  
DONALD F. SHEA, Associate Justice

## SUPERIOR COURT

JOSEPH F. RODGERS, JR., Presiding Justice  
THOMAS H. NEEDHAM, Associate Justice  
JOHN P. BOURCIER, Associate Justice  
CORRINE P. GRANDE, Associate Justice  
DOMINIC F. CRESTO, Associate Justice  
PAUL P. PEDERZANI, JR., Associate Justice  
THOMAS J. CALDARONE, JR., Associate Justice  
ALICE BRIDGET GIBNEY, Associate Justice  
RICHARD J. ISRAEL, Associate Justice  
AMERICO CAMPANELLA, Associate Justice  
ROBERT D. KRAUSE, Associate Justice  
MELANIE WILK FAMILIETTI, Associate Justice  
VINCENT A. RAGOSTA, Associate Justice  
JOHN F. SHEEHAN, Associate Justice  
RONALD R. GAGNON, Associate Justice  
HENRY GEMMA, JR., Associate Justice  
MARK A. PFEIFFER, Associate Justice  
MAUREEN McK. GOLDBERG, Associate Justice  
PATRICIA A. HURST, Associate Justice  
ALTON W. WILEY, Associate Justice  
FRANCIS J. DARIGAN, JR., Associate Justice  
ANTHONY CARNEVALE, JR., General Master  
WILLIAM J. McATEE, Administrator/Master

## FAMILY COURT

JEREMIAH S. JEREMIAH, JR., Chief Judge  
CARMINE R. DIPETRILLO, Associate Justice  
ROBERT G. CROUCHLEY, Associate Justice  
JOSEPH S. GENDRON, Associate Justice  
HAIGANUSH R. BEDROSIAN, Associate Justice  
PAMELA M. MACKTAZ, Associate Justice  
RAYMOND E. SHAWCROSS, Associate Justice  
MICHAEL B. FORTE, Associate Justice  
KATHLEEN A. VOCCOLA, Associate Justice  
PAUL A. SUTTELL, Associate Justice  
PETER PALOMBO, JR., Associate Justice  
JOHN J. O'BRIEN, JR., General Master  
DEBRA E. DISEGNA, Master

## WORKERS' COMPENSATION COURT

ROBERT F. ARRIGAN, Chief Judge  
WILLIAM G. GILROY, Associate Judge  
JOHN ROTONDI, JR., Associate Judge  
ANDREW E. McCONNELL, Associate Judge  
CARMINE A. RAO, Associate Judge  
CONSTANCE L. MESSORE, Associate Judge  
GEORGE E. HEALY, JR., Associate Judge  
DEBRA L. OLSSON, Associate Judge  
BRUCE Q. MORIN, Associate Judge

## DISTRICT COURT

ALBERT E. DeROBBIO, Chief Judge  
VICTOR J. BERETTA, Associate Judge  
JOHN J. CAPPELLI, Associate Judge  
MICHAEL A. HIGGINS, Associate Judge  
ROBERT K. PIRRAGLIA, Associate Judge  
ANTONIO SAOBENTO, JR., Associate Judge  
PATRICIA D. MOORE, Associate Judge  
O. ROGERIEE THOMPSON, Associate Judge  
GILBERT V. INDEGLIA, Associate Judge  
STEPHEN P. ERICKSON, Associate Judge  
JOSEPH P. IPPOLITO, Master

# 1991 COURT DIRECTORY

## SUPREME COURT

Frank Licht Judicial Complex  
250 Benefit Street, Providence, RI 02903

Matthew J. Smith  
State Court Administrator/Clerk 277-3263

Ronald A. Tutalo  
Administrative Asst. to Chief Justice 277-3073

Gail Higgins Fogarty  
General Counsel 277-3266

Judy S. Robbins  
Staff Attorney 277-3266

Brian B. Burns  
Chief Deputy Clerk/  
Director of Bar Admissions 277-3272

Kendall F. Svengalis  
State Law Librarian 277-3275

Martha Newcomb  
Chief, Appellate Screening 277-3297

Carol Bourcier Fagnoli  
Chief Law Clerk 277-6536

### ADMINISTRATIVE OFFICE

Robert C. Harrall  
Deputy Administrator, State Courts 277-3266

Joseph D. Butler  
Associate Administrator,  
State Courts 277-3266

Richard B. Bessette  
Executive Director  
Criminal Justice Information System,  
Rhode Island Judicial Systems  
& Sciences (RIJSS) 277-3358

James J. Roberts  
Director, Office of Public  
Information 277-1355

Susan W. McCalmont  
Assistant Administrator for  
Policy and Programs 277-2500

Robert E. Johnson  
Assistant Administrator for  
Facilities and Operations 277-2600

William A. Melone  
Assistant Administrator for  
Human Resources 277-2700

Holly Hitchcock  
Director, Court Education 277-2500

Linda D. Bonaccorsi  
Chief, Employee Relations 277-2700

Frank G. Eldredge, Jr.  
Manager, Judicial Revenue 277-2084

Linda F. Litchfield  
EEO Officer 277-2700

Robert J. Melucci  
State Coordinator,  
Crime Victime Compensation  
Program 277-2500

Victim Restitution Unit 277-2723

Judicial Records Center  
1 Hill Street  
Pawtucket, RI 02860 277-3249

JUDICIAL COUNCIL  
1025 Fleet National Bank  
Providence, RI 02903

Girard R. Visconti  
Chairman 331-3800

DISCIPLINARY BOARD  
John E. Fogarty Judicial Annex  
24 Weybosset St.  
Providence, RI 02903

Carol Zangari  
Chairperson 277-3270

Mary M. Lisi  
Disciplinary Counsel 277-3270

## SUPERIOR COURT

Frank Licht Judicial Complex  
250 Benefit Street  
Providence, RI 02903

William J. McAtee, Esq.  
Administrator/Master 277-3215

John H. Barrette  
Deputy Administrator 277-3215

Charles A. Aube  
Chief Supervisory Clerk 277-2622

Frank R. Camera  
Clerk, Providence and  
Bristol Counties 277-3220

Michael Ahn  
General Chief Clerk 277-3220

Raymond J. Gallogly  
Jury Commissioner 277-3245

Henry J. Vivier  
Assistant Jury Commissioner 277-3248

Evelyn A. Keene  
Assistant Administrator for  
Management and Finance 277-3215

Kathleen A. Maher  
Assistant Administrator for  
Planning and Case Flow Management 277-3288

Bonnie L. Williamson  
Manager of Calendar Services 277-3602

Thomas P. McGann  
Security and Operations Manager 277-3292

Louis M. Cioci  
Arbitration Program Administrator 277-6147

KENT COUNTY  
James H. Leighton Judicial Complex  
222 Quaker Lane  
Warwick, RI 02886

Ernest W. Reposa  
Clerk 822-1311

Eugene J. McMahon  
Associate Jury Commissioner 822-0400

Thomas G. Healey  
Manager of Calendar Services  
(out-counties) 277-6645

WASHINGTON COUNTY  
J. Howard McGrath Judicial Complex  
4800 Tower Hill Road  
Wakefield, RI 02879

Henry S. Kinch, Jr  
Clerk 782-4121

NEWPORT COUNTY  
Florence K. Murray Judicial Complex  
45 Washington Street  
Newport, RI 02840

Anne M. Collins  
Clerk 841-8330

## FAMILY COURT

J. Joseph Garrahy Judicial Complex  
1 Dorrance Plaza, Providence, RI 02903

Earl J. Croft, Jr.  
Administrator/Clerk 277-3334

Anthony T. Panichas  
Deputy Administrator/Clerk 277-3331

Barbara M. Rogers  
Chief Family Counselor 277-3504

Chief Intake Supervisor (Juvenile) 277-3345

William Aliferakis  
Supervising Clerk of Collections 277-3356

John Colafrancesco, Jr.  
Supervisory Accountant 277-3300

Mary A. McKenna  
Fiscal Officer 277-6684

F. Charles Haigh, Jr.  
Chief Deputy Clerk  
(Domestic Relations) 277-3340

Janet Diano  
Principal Deputy Clerk (Juvenile) 277-3352

Francis B. Brown  
CASA/GAL Director 277-6863

KENT COUNTY  
James H. Leighton Judicial Complex  
222 Quaker Lane  
Warwick, RI 02886

Joyce C. Dube  
Supervisory Deputy Clerk 822-1600

NEWPORT COUNTY  
Florence K. Murray Judicial Complex  
45 Washington Street  
Newport, RI 02840

Ellen F. Burdett  
Supervisory Deputy Clerk 841-8340

WASHINGTON COUNTY  
J. Howard McGrath Judicial Complex  
4800 Tower Hill Road  
Wakefield, RI 02879

Frank P. DeMarco  
Supervisory Deputy Clerk 782-4111

# WORKERS' COMPENSATION COURT

J. Joseph Garrahy Judicial Complex  
1 Dorrance Plaza, Providence, RI 02903-3973

Dennis I. Revens Court Administrator	277-3097
Kenneth D. Haupt Deputy Administrator	277-3097
Maureen H. Aveno Associate Deputy Administrator, Systems	277-3097
Joann M. Faioli Principal Assistant Administrator	277-3097
Dennis R. Cooney Senior Assistant Administrator	277-3097
Edward J. Mc Govern Senior Assistant Administrator	277-3097

## DISTRICT COURT

J. Joseph Garrahy Judicial Complex  
1 Dorrance Plaza, Providence, RI 02903

Joseph P. Ippolito, Esq. Administrator/ Clerk	277-6777
Jerome Smith Chief Clerk	277-6960
Patricia I. Dankievitch Deputy Administrator	277-6960
Joseph Senerchia Administrative Clerk	277-6960
Joan M. Godfrey Assistant Administrator	277-6960

SECOND DIVISION  
Florence K. Murray Judicial Complex  
45 Washington Street  
Newport, RI 02804

Mary Alice Stender Supervising Deputy Clerk	841-8350
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THIRD DIVISION  
James H. Leighton Judicial Complex  
222 Quaker Lane  
Warwick, RI 02886

James A. Signorelli Chief Supervising Deputy Clerk	822-1771
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FOURTH DIVISION  
J. Howard McGrath Judicial Complex  
4800 Tower Hill Road  
Wakefield, RI 02879

RoseMary T. Cantley Supervising Deputy Clerk	782-4131
---	----------

FIFTH DIVISION  
J. Joseph Garrahy Judicial Complex  
One Dorrance Plaza  
Providence, RI 02903

Alice Albuquerque Supervising Deputy Clerk	277-6710
---	----------

Donald St. Pierre Supervising Deputy Clerk	277-6710
---	----------

SIXTH DIVISION  
J. Joseph Garrahy Judicial Complex  
One Dorrance Plaza  
Providence, RI 02903

Kevin M. Spina Principal Deputy Clerk	277-6710
--	----------

Raymond E. Ricci Supervising Deputy Clerk	277-6710
--	----------

## COMPENDIUM OF COURT BOARDS, COMMITTEES AND PANELS



*Seated: Thomas M. Dickenson, Barbara Margolis, Nina Ricci Iglizzi. Standing: Michael R. Goldenberg, William Gosz, Stephen A. Rodio*

Ethics Advisory Panel  
Rhode Island Supreme Court  
250 Benefit Street, Providence, RI 02903  
(401) 277-3272

(Pursuant to Supreme Court Rule 47)

The Ethics Advisory Panel was established by order of the Supreme Court in December 1986. The panel's purpose is to provide Rhode Island attorneys with confidential advice concerning prospective conduct as an attorney under the Rules of Professional Conduct. Panel advice is protective in nature; there is no requirement that an attorney abide by a panel opinion, but if an attorney does abide by the panel's written opinion, that attorney will be fully protected from any subsequent charge of impropriety.

Panel opinions are edited to remove all identifying references and are published in this form in the Rhode Island Bar Journal and the Rhode Island Lawyer's Weekly. The State Law Library maintains a set of edited panel opinions and a topical index. The ABA/BNA Manual on Professional Conduct also indexes and publishes summaries of panel opinion digests.

Five Rhode Island attorneys are appointed by the Supreme Court to serve one or two-year terms as members of the panel.

In 1991, eighty three written advisory opinions were issued by the panel, and the staff attorney logged more than 1,000 phone inquiries from attorneys seeking advice on ethical matters.

### *Members*

Barbara Margolis, Chair  
William Gosz  
Thomas M. Dickinson  
Michael R. Goldenberg  
Stephen A. Rodio  
Nina Ricci Iglizzi, Staff Attorney



(Seated) Edward C. Parker, Michael S. Schwartz, Patricia A. Buckley. (Standing) Judy S. Robbins, Steven M. McInnis, Edward C. Clifton, Brian B. Burns.

Committee on Character and Fitness  
 Rhode Island Supreme Court  
 250 Benefit Street, Providence, RI 02903  
 (401) 277-3272

(Pursuant to Supreme Court Rule 34.1)

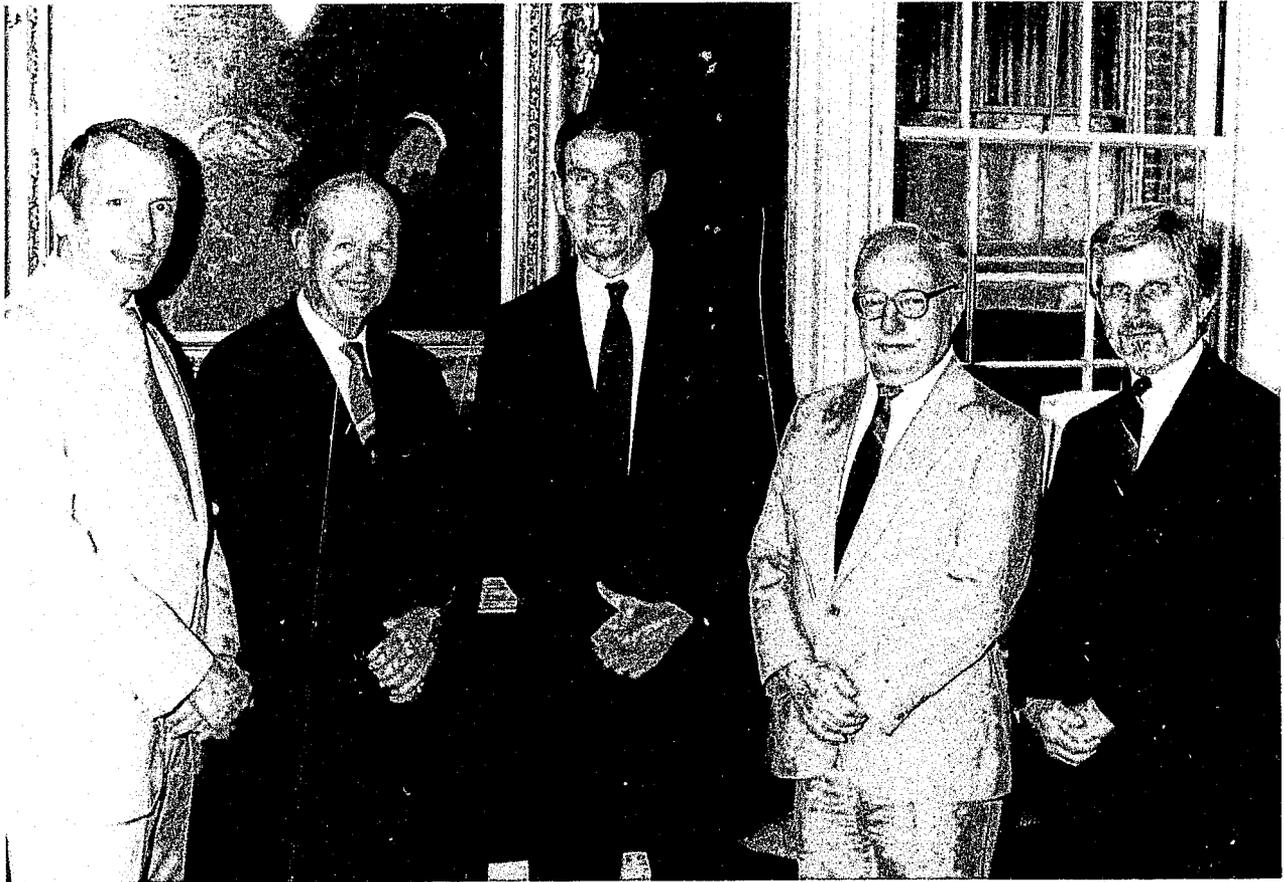
The Committee on Character and Fitness was established by the Supreme Court in March 1988. It is charged with establishing the moral character and fitness of each applicant to membership in the Rhode Island Bar. Applicants must provide the committee with personal information regarding their finances, criminal record, if any, and legal training. Applicants are also individually interviewed by a committee member.

Following the interview, the committee member may refer an applicant to the full committee for a hearing if he/she feels that such a review is warranted. The committee, after completion of its review, makes a recommendation to the Supreme Court as to whether an applicant should be admitted to the bar or be allowed to take the bar examination. Based on this recommendation, the court may either grant the applicant's request or require the applicant to show cause why the court should grant the request.

The committee has seven members who are appointed by the Supreme Court for three year terms.

*Members*

- Michael S. Schwartz, Chair
- Patricia A. Buckley, Vice Chair
- Edward C. Parker
- Alfred Factor
- Edward C. Clifton
- Steven M. McInnis
- Brian B. Burns
- Beverly A. Clark, Executive Secretary
- Gail Higgins Fogarty, Staff Attorney
- Judy S. Robbins, Staff Attorney
- Edward Gorman, Investigator
- Joseph F. Parenteau, Invstigator



L-R Frank Williams, Joseph A. Kelly, John F. Dolan, Alfred J. Factor, Robert Pitassi.

**Board of Bar Examiners**  
Rhode Island Supreme Court  
250 Benefit Street, Providence, RI 02903  
(401) 277-3272

(Pursuant to Supreme Court Rule 33.38)

The Board of Bar Examiners is charged with examining applicants on their knowledge of the law.

The bar examination is given twice a year, the last Wednesday and Thursday of February and July. Applicants who take the examination must be graduates of an American Bar Association approved and accredited law school. An applicant must have received a scaled score of eighty on the Multistate Professional Responsibility exam prior to sitting for an examination. The Multistate Bar exam is given on the first day, and essay questions on Rhode Island law are given on the second day.

The board membership includes seven attorneys appointed by the Supreme Court. Members serve a term of five years. Their responsibilities include proctoring the bar examination, de-

signing essay questions for the examination, and scoring the applicant responses to the questions. Attorney John F. Dolan is the current chairman of the board.

In 1991 the board recommended 190 applicants for admission to the bar.

*Members*

John F. Dolan, Chair  
Robert Pitassi  
Frank Williams  
Alfred J. Factor  
William A. Curran  
Joseph A. Kelly  
Marilyn Shannon McConaghy  
Matthew J. Smith, Treasurer  
Brian B. Burns, Administrator  
Beverly A. Clark, Secretary



L-R Judge Antonio SaoBento, Jr., Justice Raymond E. Shawcross, Deming Sherman, Bradley L. Steere, Justice Thomas H. Needham, Nancy Parsons Doolittle, Richard F. Staples, Deborah A. Smith, Richmond Viall.

**Commission on Judicial Tenure and Discipline**  
 Rhode Island Supreme Court  
 250 Benefit Street, Providence, RI 02906  
 (401) 277-2374

(Pursuant to R.I.G.L. § 8-16-1)

The Commission on Judicial Tenure and Discipline was created in 1974 pursuant to chapter 16 of title 8 of the Rhode Island General Laws of 1956 (1969 reenactment). The commission provides a forum for complaints against any justice of the Supreme, Superior, Family, District, or Workers' Compensation Courts or the Administrative Adjudication Division. The commission reviews matters alleging serious violation of the canons of judicial ethics, such as the following: willful and persistent failure to perform judicial duties; disabling addiction to alcohol, drugs, or narcotics; conduct that brings the judicial office into serious disrepute; or a physical or mental disability that seriously interferes, and will continue to interfere, with the performance of judicial duties.

Upon completion of a formal hearing the commission determines whether the charges against the judge have been sustained. If at least seven members of the commission who were present throughout the hearing find that the charges have been sustained, the commission reports its finding to the Supreme Court and recommends reprimand, censure, suspension, removal, or retirement of the judge. The commission may also recommend the immediate, temporary suspension of the judge during the pendency of further proceedings. If the commission does not find that the charges have been sustained, it dismisses the given complaint and gives written notification

of its findings to the judge and the complaining party.

The commission has fourteen members representing a cross section of the population; six members represent the Bar Association and the public at large and are appointed by the Governor with the advice and consent of the Senate; one member is appointed by the Senate Majority Leader; two members are appointed by the Speaker of the House; five judges are appointed by the Supreme Court and represent each judicial division. All appointments are for a three-year term.

*The current members are as follows:*

Nancy Parsons Doolittle  
 Deborah A. Smith  
 Richmond Viall  
 Richard F. Staples, Esquire  
 Deming Sherman, Esquire  
 Bradley L. Steere, Esquire

Senator David P. Kerins, Esquire  
 Representative Joseph DeAngelis, Esquire  
 Representative Gaetano D. Parella  
 The Honorable Thomas H. Needham,  
 Chair (At-Large)  
 The Honorable Alice B. Gibney  
 The Honorable Raymond E. Shawcross  
 The Honorable Antonio SaoBento, Jr.  
 The Honorable William G. Gilroy



(Standing) Richard A. Boren, Joseph T. Little, Avram N. Cohen, Paul K. Sprague. (Seated) Albert J. Mainelli, Netti C. Vogel, Robert V. Rossi.

**Unauthorized Practice of Law Committee**  
Rhode Island Supreme Court  
250 Benefit Street, Providence, RI 02903  
(401) 277-6036

(Pursuant to R.I.G.L. § 11-27-19)

The Unauthorized Practice of Law Committee was established in 1984 and is responsible for investigating alleged instances of unauthorized individuals practicing law. In conjunction with the Department of the Attorney General, this committee prosecutes criminal violations under the practice of law chapter of the General Laws.

There are seven committee members who are appointed by the Supreme Court and must be members of the Rhode Island Bar. The Committee receives complaints from members of the Bar, the general public, and members of the Federal Judiciary operating within the State of Rhode Island, and members of the State Judiciary.

Since most litigation initiated by the Committee requests injunctive relief, the Chairman is required to sign verified complaints and to testify

in court hearings. Although all litigation is handled by the Office of the Attorney General, committee members, and particularly the Chairman, draft substantially all of the necessary pleadings and do all the required legal research.

The following are the seven members of the Committee:

*Members*

Avram N. Cohen, Esq., Chairman  
Joseph T. Little, Esq.  
Netti C. Vogel, Esq.  
Robert V. Rossi, Esq.  
Richard A. Boren, Esq.  
Albert J. Mainelli, Esq.  
Paul K. Sprague, Esq.



*Associate Justices Alton K. Wiley, Ronald R. Gagnon, Pamela M. Macktaz, Alice Bridget Gibney.*

**Advisory Committee on Judicial Ethics**  
Rhode Island Supreme Court  
250 Benefit Street, Providence, RI 02903  
(401) 277-2700

(Pursuant to Canon 31, Supreme Court Rule 48)

The Advisory Committee on Judicial Ethics was created in 1983 when the Supreme Court amended Canon 31 of the Canons of Judicial Ethics. The amendment specifies restrictions on judicial participation in testimonials and fundraising, and section (D) sets out the criteria for deciding the propriety of judges' involvement in these events. The amended Canon also establishes an Advisory Committee with membership drawn from the several state courts and specifies that its role is "to assist judges in complying with the canons," by responding to requests for opinions.

Advisory opinions are often sought to confirm if the value of the plaque or other token of recognition being offered to a judge at an event is within the guidelines of the canon. These opinions also help judges communicate the restrictions imposed by the canons to groups requesting their help in worthy causes. The committee can also

respond to requests for advice on other canons.

Committee members are appointed to staggered two-year terms. The Supreme Court usually appoints members for a single term only so that both the burden and experience of this duty is shared widely by members of the judiciary.

*Members*

Associate Justice Pamela M. Macktaz,  
Family Court, Chair  
Associate Justice Ronald R. Gagnon, Superior Court  
Associate Justice Alice Bridget Gibney,  
Superior Court  
Associate Judge John J. Capelli, District Court  
Associate Judge Patricia C. Moore, District Court

The committee responded to nine requests in 1991 by issuing written opinions in all matters brought before it.



(Standing) R. Kelly Sheridan, George Salem, John E. McCann III, Marifrances K. McGinn. (Seated) Edward C. Clifton, Carol Zangari, Diane Finkle.

**Disciplinary Board**  
 Rhode Island Supreme Court  
 250 Benefit Street  
 Providence, RI 02903  
 (401) 277-3270

(Pursuant to Supreme Court Rule 42-2)

The Disciplinary Board comprises nine members of the Rhode Island Bar who are appointed by the Rhode Island Supreme Court. Disciplinary Board members are appointed to a three-year term and may serve a total of six years. The board reviews all complaints of professional misconduct, authorizes the filing of formal charges, conducts hearings, and makes recommendations for discipline. In addition, the board may petition the court to place an attorney on inactive status in cases in which the attorney is incapacitated by mental or physical infirmity. The board may also call respondent-attorneys to appear before the board for the purpose of clarifying or explaining provisions of the Rules of Professional Conduct.

**1991 Members**

- Carol A. Zangari, Chair
- Ralph P. Semonoff, Vice-Chair
- George Salem, Secretary
- Edward C. Clifton
- Marifrances K. McGinn
- John E. McCann III
- E. Howland Bowen
- Diane Finkle
- R. Kelly Sheridan
- Mary M. Lisi, Disciplinary Counsel
- David R. Curtin, Assistant Disciplinary Counsel
- Kerry Reilly Travers, Assistant Disciplinary Counsel

**DISCIPLINARY BOARD  
 STATISTICS FOR 1991**

Complaints Received	650*
Complaints Opened for Investigation	487*
Nature of Complaints**	
A. Dissatisfaction	230
B. Fee Dispute	77
C. Neglect	19
D. Failure to Account for Funds	53
E. Conviction of a Crime	1
F. Conflict of Interest	26
G. Conduct Reflects Adversely on Bar	55
H. Other	122
Board Action	
Complaints Dismissed	510
Complaints Dismissed with Admonition or Cautionary Letter	85
Fee Arbitration	0
Petition to Issue	34
Referred to Court [Rule 42-6(e)]	25
Decision to Court [Rule 42-6(b)]	39
Court Action	
Private Censures	7
Public Censures	17
Suspensions	17
Disbarments	5
Transferred to Inactive Status	0

\*In 1991 the Office of Disciplinary Counsel screened out 163 complaints that did not fall within the jurisdiction of the office.

\*\* The total will exceed the number of complaints opened for investigation because some complaints fall within more than one category.

# CASELOAD STATISTICS

## RHODE ISLAND SUPREME COURT

### APPELLATE CASEFLOW

CASE TYPES	1987	1988	1989	1990	1991
<b>CRIMINAL</b>					
Added	110	98	94	100	111
Disposed	132	89	91	89	102
Pending	80	79	82	94	104
<b>CIVIL</b>					
Added	228	295	305	310	316
Disposed	295	262	286	327	318
Pending	184	229	250	237	234
<b>CERTIORARI</b>					
Added	174	168	175	152	213
Disposed	187	161	158	179	182
Pending	89	98	115	88	118
<b>OTHER</b>					
Added	43	57	57	73	63
Disposed	48	46	64	77	51
Pending	9	20	15	10	23
<b>ALL CASES</b>					
Added	555	618	631	635	703
Disposed	666	558	592	672	653
Pending	362	426	462	429	479

# RHODE ISLAND SUPREME COURT

## DISPOSITION DETAIL

MANNER AND STAGE OF DISPOSITION	1987	1988	1989	1990	1991
<b>BEFORE ARGUMENT</b>					
Withdrawn	65	73	69	64	85
Dismissed	87	80	97	99	95
Petition Granted	3	8	4	1	2
Petition Denied	124	108	96	119	98
Other	13	15	15	29	24
<b>TOTAL</b>	<u>292</u>	<u>284</u>	<u>281</u>	<u>312</u>	<u>304</u>
<b>AFTER ARGUMENT ON THE MOTION CALENDAR</b>					
Withdrawn	-	-	1	-	-
Affirmed	146	98	114	143	143
Modified	-	-	-	2	-
Reversed	22	14	16	25	23
16G Affirmed	-	-	-	-	-
Other	27	22	33	29	46
<b>TOTAL</b>	<u>195</u>	<u>134</u>	<u>164</u>	<u>199</u>	<u>212</u>
<b>AFTER ARGUMENT ON THE MERITS</b>					
Withdrawn	-	3	1	3	-
Affirmed	125	95	94	102	82
Modified	8	12	9	7	8
Reversed	46	30	43	49	47
Other	-	-	-	-	-
<b>TOTAL</b>	<u>179</u>	<u>140</u>	<u>147</u>	<u>161</u>	<u>137</u>
<b>TOTAL DISPOSITIONS</b>	666	558	592	672	653
<b>AVERAGE TIME TO DISPOSITION</b>	10.8 mos.	8.3 mos	8.5 mos.	8.5 mos.	8.7 mos.
<b>MEDIAN TIME TO DISPOSITION</b>	9.6 mos.	6.1 mos.	6.5 mos.	8.1 mos.	8.2 mos.

# RHODE ISLAND SUPERIOR COURT

## CRIMINAL CASEFLOW

FELONIES	1987	1988	1989	1990	1991
<b>PROVIDENCE/BRISTOL</b>					
Cases Filed	3,020	5,142	5,049	4,385	4,114
Cases Disposed	3,102	4,192	5,227	4,129	4,049
Caseload Increase/Decrease	-82	+950	-178	+256	+65
Total Pending Cases	1,643	2,407	1,877	1,997	2,056
Cases Over 180 Days Old	1,171	1,487	1,160	1,289	1,323
% Over 180 Days Old	(71.3%)	(61.7%)	(61.8%)	(64.5%)	(64.3%)
<b>KENT</b>					
Cases Filed	622	769	757	839	886
Cases Disposed	694	679	715	700	785
Caseload Increase/Decrease	-72	+89	+42	+139	+101
Total Pending Cases	92	210	225	260	281
Cases Over 180 Days Old	31	27	69	128	125
% Over 180 Days Old	(33.7%)	(12.9%)	(30.7%)	(49.2%)	(44.5%)
<b>WASHINGTON</b>					
Cases Filed	397	453	487	480	386
Cases Disposed	311	376	417	401	415
Caseload Increase/Decrease	+86	+77	+70	+79	-29
Total Pending Cases	196	196	244	273	218
Cases Over 180 Days Old	94	85	105	163	112
% Over 180 Days Old	(48%)	(43.4%)	(43%)	(59.7%)	(51.4%)
<b>NEWPORT</b>					
Cases Filed	239	321	447	307	279
Cases Disposed	185	240	215	318	329
Caseload Increase/Decrease	+54	+81	+232	-11	-50
Total Pending Cases	138	196	325	265	165
Cases Over 180 Days Old	96	99	194	179	88
% Over 180 Days Old	(69.6%)	(50.5%)	(59.7%)	(67.5%)	(53.3%)
<b>STATEWIDE</b>					
Cases Filed	4,278	6,685	6,740	6,011	5,665
Cases Disposed	4,292	5,487	6,574	5,548	5,575
Caseload Increase/Decrease	-14	+1198	+166	+477	+90
Total Pending Cases	2,069	3,009	2,671	2,795	2,720
Cases Over 180 Days Old	1,392	1,698	1,528	1,759	1,648
% Over 180 Days Old	(67.3%)	(56.4%)	(57.2%)	(62.9%)	(60.6%)

# RHODE ISLAND SUPERIOR COURT

## CRIMINAL CASEFLOW (CONT.)

MISDEMEANORS	1987	1988	1989	1990	1991
<b>PROVIDENCE/BRISTOL</b>					
Cases Filed	471	866	566	493	343
Cases Disposed	508	553	725	510	417
Caseload Increase/Decrease	-37	+313	-159	-17	-74
Total Pending Cases	427	524	507	387	309
Cases Over 180 Days Old	252	152	416	211	221
% Over 180 Days Old	(59%)	(29%)	(82%)	(54.5%)	(65.2%)
<b>KENT</b>					
Cases Filed	192	136	169	89	118
Cases Disposed	223	137	157	106	123
Caseload Increase/Decrease	-31	-1	+12	-17	-5
Total Pending Cases	24	22	38	44	50
Cases Over 180 Days Old	2	1	12	20	18
% Over 180 Days Old	(8.3%)	(4.5%)	(31.6%)	(45.5%)	(36%)
<b>WASHINGTON</b>					
Cases Filed	120	107	77	37	48
Cases Disposed	107	96	84	55	56
Caseload Increase/Decrease	+13	+11	-7	-18	-8
Total Pending Cases	81	51	32	31	33
Cases Over 180 Days Old	32	34	18	22	14
% Over 180 Days Old	(39.5%)	(66.6%)	(56.2%)	(71%)	(42.4%)
<b>NEWPORT</b>					
Cases Filed	83	69	62	30	59
Cases Disposed	81	92	42	45	128
Caseload Increase/Decrease	+2	-23	+20	-15	-69
Total Pending Cases	92	69	109	121	36
Cases Over 180 Days Old	31	32	86	90	24
% Over 180 Days Old	(33.7%)	(46.3%)	(78.9%)	(74.4%)	(66.7%)
<b>STATEWIDE</b>					
Cases Filed	866	1,178	874	649	568
Cases Disposed	919	878	1,008	716	724
Caseload Increase/Decrease	-53	+300	-134	-67	-156
Total Pending Cases	468	666	686	583	428
Cases Over 180 Days Old	257	219	532	343	277
% Over 180 Days Old	(55%)	(32.9%)	(77.5%)	(58.8%)	(64.7%)

# RHODE ISLAND SUPERIOR COURT

## MANNER OF DISPOSITION

FELONIES	1987	1988	1989	1990	1991
<b>PROVIDENCE/BRISTOL</b>					
Plea	2,447	3,515	4,498	3,554	3,515
Filed	72	48	44	36	28
Dismissal	482	547	599	435	430
Trial	97	74	86	103	70
Other	4	8	0	1	4
<b>TOTAL</b>	<b>3,102</b>	<b>4,192</b>	<b>5,227</b>	<b>4,129</b>	<b>4,047</b>
<b>KENT</b>					
Plea	599	597	668	653	711
Filed	5	4	2	4	2
Dismissal	60	44	31	28	57
Trial	29	27	14	15	13
Other	1	7	0	0	2
<b>TOTAL</b>	<b>694</b>	<b>679</b>	<b>715</b>	<b>700</b>	<b>785</b>
<b>WASHINGTON</b>					
Plea	276	326	345	317	347
Filed	2	11	2	9	7
Dismissal	29	28	43	52	53
Trial	2	8	21	21	8
Other	2	3	6	2	0
<b>TOTAL</b>	<b>311</b>	<b>376</b>	<b>417</b>	<b>401</b>	<b>415</b>
<b>NEWPORT</b>					
Plea	151	196	181	260	268
Filed	2	3	1	3	7
Dismissal	22	26	28	40	41
Trial	9	15	5	15	12
Other	1	0	0	0	1
<b>TOTAL</b>	<b>185</b>	<b>240</b>	<b>215</b>	<b>318</b>	<b>329</b>
<b>STATEWIDE</b>					
Plea	3,473	4,634	5,692	4,784	4,841
Filed	81	66	49	52	44
Dismissal	593	645	701	555	581
Trial	137	124	126	154	103
Other	8	18	6	3	7
<b>TOTAL</b>	<b>4,292</b>	<b>5,487</b>	<b>6,574</b>	<b>5,548</b>	<b>5,576</b>

# RHODE ISLAND SUPERIOR COURT

## MANNER OF DISPOSITION (CONT.)

MISDEMEANORS	1987	1988	1989	1990	1991
<b>PROVIDENCE/BRISTOL</b>					
Plea	259	303	511	291	234
Filed	51	59	56	55	74
Dismissal	159	147	146	146	101
Trial	18	11	12	9	4
Other	21	33	0	9	4
<b>TOTAL</b>	<b>508</b>	<b>553</b>	<b>725</b>	<b>510</b>	<b>417</b>
<b>KENT</b>					
Plea	152	93	120	75	77
Filed	14	8	8	7	18
Dismissal	24	15	25	17	13
Trial	14	17	4	3	3
Other	19	4	0	4	12
<b>TOTAL</b>	<b>223</b>	<b>137</b>	<b>157</b>	<b>106</b>	<b>123</b>
<b>WASHINGTON</b>					
Plea	66	70	41	21	20
Filed	7	4	4	7	8
Dismissal	19	15	31	9	14
Trial	3	0	8	4	7
Other	12	7	0	14	7
<b>TOTAL</b>	<b>107</b>	<b>96</b>	<b>84</b>	<b>55</b>	<b>56</b>
<b>NEWPORT</b>					
Plea	49	56	27	28	62
Filed	7	6	4	1	20
Dismissal	16	27	11	11	31
Trial	7	1	0	2	6
Other	2	2	0	3	9
<b>TOTAL</b>	<b>81</b>	<b>92</b>	<b>42</b>	<b>45</b>	<b>128</b>
<b>STATEWIDE</b>					
Plea	526	522	699	415	394
Filed	79	77	72	70	120
Dismissal	218	204	213	183	159
Trial	42	29	24	18	20
Other	54	46	0	30	32
<b>TOTAL</b>	<b>919</b>	<b>878</b>	<b>1,008</b>	<b>716</b>	<b>724</b>

# RHODE ISLAND SUPERIOR COURT

## CIVIL CASEFLOW

CIVIL ACTIONS	1987	1988	1989	1990	1991
<b>PROVIDENCE/BRISTOL</b>					
Total Cases Filed	5,751	6,128	7,070	8,564	8,694
Trial Calendar Summary					
Cases Added	1,889	1,851	1,727	1,806	2,118
Cases Disposed	2,028	2,106	1,711	2,246	2,391
Caseload Increase/Decrease	-139	-255	+16	-440	-273
Pending at Year End	5,456	5,157	5,217	4,522	4,188
<b>KENT</b>					
Total Cases Filed	1,375	1,442	1,570	1,450	1,433
Trial Calendar Summary					
Cases Added	446	514	545	612	371
Cases Disposed	291	243	352	434	517
Caseload Increase/Decrease	+155	+271	+193	+178	-146
Pending at Year End	549	826	1,014	1,191	1,026
<b>WASHINGTON</b>					
Total Cases Filed	672	680	826	834	810
Trial Calendar Summary					
Cases Added	162	184	254	264	200
Cases Disposed	76	90	208	175	245
Caseload Increase/Decrease	+86	+94	+46	+89	-45
Pending at Year End	374	466	496	582	532
<b>NEWPORT</b>					
Total Cases Filed	607	613	635	622	716
Trial Calendar Summary					
Cases Added	162	170	135	123	174
Cases Disposed	69	87	96	104	181
Caseload Increase/Decrease	+93	+83	+39	+19	-7
Pending at Year End	292	376	402	356	368
<b>STATEWIDE</b>					
Total Cases Filed	8,404	8,863	10,101	11,470	11,653
Trial Calendar Summary					
Cases Added	2,659	2,719	2,661	2,805	2,863
Cases Disposed	2,464	2,526	2,367	2,959	3,334
Caseload Increase/Decrease	+195	+193	+294	-154	-563
Pending at Year End	6,671	6,825	6,931	6,661	6,103

# RHODE ISLAND SUPERIOR COURT

## MANNER OF DISPOSITION - TRIAL CALENDAR ONLY

CIVIL ACTIONS	1987	1988	1989	1990	1991
<b>PROVIDENCE/BRISTOL</b>					
Verdicts	76	98	67	84	103
Judicial Decisions	61	85	86	64	76
Total Trials	137	183	153	148	179
Dismissed/Settled/Other	1,891	1,923	1,558	2,098	2,212
Total Disposed	2,028	2,106	1,711	2,246	2,391
<b>KENT</b>					
Verdicts	16	10	21	26	9
Judicial Decisions	40	19	6	24	12
Total Trials	56	29	27	50	21
Dismissed/Settled/Other	235	214	325	384	496
Total Disposed	291	243	352	434	517
<b>WASHINGTON</b>					
Verdicts	0	2	8	9	6
Judicial Decisions	0	5	18	9	9
Total Trials	0	7	26	18	15
Dismissed/Settled/Other	76	83	182	157	230
Total Disposed	76	90	208	175	245
<b>NEWPORT</b>					
Verdicts	2	4	6	3	3
Judicial Decisions	11	2	2	7	30
Total Trials	13	6	8	10	33
Dismissed/Settled/Other	56	81	88	94	148
Total Disposed	69	87	96	104	181
<b>STATEWIDE</b>					
Verdicts	94	108	102	122	121
Judicial Decisions	112	102	112	104	127
Total Trials	206	210	214	226	248
Dismissed/Settled/Other	2,258	2,379	2,265	2,733	3,086
Total Disposed	2,464	2,526	2,367	2,959	3,334

# RHODE ISLAND FAMILY COURT

## JUVENILE CASEFLOW

JUVENILE FILINGS	1987	1988	1989	1990	1991
Wayward/Delinquent	5,151	5,432	5,710	5,794	5,641
Dependency/Neglect/Abuse	697	739	994	1,283	1,477
Termination of Parental Rights	204	205	193	208	214
Other	911	987	1,021	859	829
<b>Total Filings</b>	<b>6,963</b>	<b>7,363</b>	<b>7,918</b>	<b>8,144</b>	<b>8,161</b>
<b>Total Dispositions</b>	<b>6,702</b>	<b>6,514</b>	<b>7,037</b>	<b>7,404</b>	<b>7,871</b>
<b>Caseload Increase/Decrease</b>	<b>+261</b>	<b>+849</b>	<b>+881</b>	<b>+740</b>	<b>+290</b>
<b>JUVENILE TRIAL CALENDAR RESULTS</b>					
<b>PROVIDENCE/BRISTOL</b>					
Cases Added	2,294	2,411	2,795	3,144	3,238
Cases Disposed	2,257	2,373	2,842	3,030	3,397
<b>Caseload Increase/Decrease</b>	<b>+37</b>	<b>+38</b>	<b>-47</b>	<b>+286</b>	<b>-159</b>
<b>Total Pending Cases</b>	<b>338</b>	<b>376</b>	<b>329</b>	<b>615</b>	<b>456</b>
<b>Pending Wayward/Delinquent</b>					
Cases over 90 Days Old	33	44	58	111	46
<b>KENT</b>					
Cases Added	578	619	687	729	826
Cases Disposed	575	604	682	695	828
<b>Caseload Increase/Decrease</b>	<b>+3</b>	<b>+15</b>	<b>+5</b>	<b>+34</b>	<b>-2</b>
<b>Total Pending Cases</b>	<b>76</b>	<b>91</b>	<b>96</b>	<b>130</b>	<b>128</b>
<b>Pending Wayward/Delinquent</b>					
Cases over 90 Days Old	13	12	31	24	32
<b>WASHINGTON</b>					
Cases Added	330	247	303	324	358
Cases Disposed	323	263	288	310	378
<b>Caseload Increase/Decrease</b>	<b>+7</b>	<b>-16</b>	<b>+15</b>	<b>+14</b>	<b>-20</b>
<b>Total Pending Cases</b>	<b>50</b>	<b>34</b>	<b>49</b>	<b>63</b>	<b>43</b>
<b>Pending Wayward/Delinquent</b>					
Cases over 90 Days Old	8	6	17	13	8
<b>NEWPORT</b>					
Cases Added	245	312	346	378	380
Cases Disposed	270	301	346	349	388
<b>Caseload Increase/Decrease</b>	<b>-25</b>	<b>+11</b>	<b>-</b>	<b>+29</b>	<b>-8</b>
<b>Total Pending Cases</b>	<b>30</b>	<b>41</b>	<b>41</b>	<b>70</b>	<b>62</b>
<b>Pending Wayward/Delinquent</b>					
Cases over 90 Days Old	4	8	13	23	22

# RHODE ISLAND FAMILY COURT

## JUVENILE CASEFLOW (CONT.)

JUVENILE FILINGS (cont.)	1987	1988	1989	1990	1991
<b>STATEWIDE</b>					
Cases Added	3,447	3,589	4,131	4,747	4,802
Cases Disposed	3,425	3,541	4,158	4,384	4,991
Caseload Increase/Decrease	+22	+48	-27	+363	-189
Total Pending Cases	494	542	515	878	689
Pending Wayward/Delinquent Cases over 90 Days Old	58	70	119	171	108
Average Time to Disposition	77.8 days	74.1 days	83 days	86.7 days	97.3 days

## DOMESTIC RELATIONS CASEFLOW

### DIVORCE PETITIONS FILED

Providence/Bristol	3,134	3,035	3,088	3,022	2,916
Kent	818	871	879	875	794
Newport	405	578	415	412	408
Washington	547	733	559	591	518
<b>STATEWIDE TOTAL</b>	<b>4,904</b>	<b>5,217</b>	<b>4,941</b>	<b>4,900</b>	<b>4,636</b>

### ABUSE COMPLAINTS

Providence/Bristol	-	-	-	2,409	2,183
Kent	-	-	-	390	422
Washington	-	-	-	275	178
Newport	-	-	-	189	255
<b>TOTAL</b>	<b>2,310</b>	<b>2,655</b>	<b>3,098</b>	<b>3,263</b>	<b>3,038</b>

### CONTESTED DIVORCE CALENDAR RESULTS

#### PROVIDENCE/BRISTOL

Cases Added	547	533	480	625	555
Cases Disposed	510	635	528	545	640
Caseload Increase/Decrease	+37	-102	-48	+80	-85
Total Pending Cases	409	307	259	339	254
Cases Over 180 Days Old	116	73	42	49	61
Cases Over 360 Days Old	24	17	5	7	6

# RHODE ISLAND FAMILY COURT

## DOMESTIC RELATIONS CASEFLOW (CONT.)

### CONTESTED DIVORCE

#### CALENDAR RESULTS (cont.)

	1987	1988	1989	1990	1991
<b>KENT</b>					
Cases Added	236	212	268	211	202
Cases Disposed	200	263	208	253	208
Caseload Increase/Decrease	+36	-51	+60	-42	-6
Total Pending Cases	139	88	148	106	100
Cases Over 180 Days Old	30	23	36	26	28
Cases Over 360 Days Old	1	4	1	6	8
<b>WASHINGTON</b>					
Cases Added	104	132	165	139	92
Cases Disposed	112	121	173	130	154
Caseload Increase/Decrease	-8	+11	-8	+9	-62
Total Pending Cases	95	106	98	107	45
Cases Over 180 Days Old	43	47	32	61	26
Cases Over 360 Days Old	8	5	3	12	8
<b>NEWPORT</b>					
Cases Added	83	78	90	49	51
Cases Disposed	86	83	104	52	53
Caseload Increase/Decrease	-3	-5	-14	-3	-2
Total Pending Cases	47	42	28	25	23
Cases Over 180 Days Old	7	14	10	1	3
Cases Over 360 Days Old	2	0	0	0	0
<b>STATEWIDE</b>					
Cases Added	970	955	1,003	1,024	900
Cases Disposed	908	1,102	1,103	980	1,055
Caseload Increase/Decrease	+62	-147	-10	+44	-155
Total Pending Cases	690	543	533	577	422
Cases Over 180 Days Old	196	157	120	137	118
Cases Over 360 Days Old	35	26	9	25	22
Average Time to Disposition	236.1 days	235.4 days	196 days	176.1 days	176.8 days
<b>SUPPORT PETITIONS FILED</b>	3,868	3,776	2,885	3,315	5,356

# RHODE ISLAND DISTRICT COURT

## CRIMINAL CASEFLOW

MISDEMEANORS	1987	1988	1989	1990	1991
<b>FIRST DIVISION</b>					
Charges Filed	1,340	1,687	1,813	2,196	†
Charges Disposed	1,246	1,733	1,685	1,821	†
Caseload Increase/Decrease	+94	-46	+128	+375	
<b>SECOND DIVISION</b>					
Charges Filed	3,903	4,527	4,888	5,578	5,166
Charges Disposed	3,620	4,106	4,467	5,492	5,056
Caseload Increase/Decrease	+283	+421	+421	+86	+110
<b>THIRD DIVISION</b>					
Charges Filed	6,746	8,101	9,355	10,417	10,399
Charges Disposed	6,049	7,235	8,698	9,406	9,417
Caseload Increase/Decrease	+697	+866	+657	+1,011	+982
<b>FOURTH DIVISION</b>					
Charges Filed	5,322	5,923	7,280	6,049	6,340
Charges Disposed	5,051	5,686	7,170	5,991	5,933
Caseload Increase/Decrease	+271	+237	+110	+58	+407
<b>FIFTH DIVISION</b>					
Charges Filed	3,737	4,341	4,270	4,566	†
Charges Disposed	3,459	3,564	4,131	3,722	†
Caseload Increase/Decrease	+278	+777	+139	+844	
<b>SIXTH DIVISION</b>					
Charges Filed	6,760	7,507	7,146	13,523	22,156
Charges Disposed	5,548	5,522	6,662	11,819	17,393
Caseload Increase/Decrease	+1,212	+1,985	+484	+1,704	+4,763
<b>SEVENTH DIVISION</b>					
Charges Filed	2,813	3,053	3,798	4,399	†
Charges Disposed	2,615	3,043	3,744	4,225	†
Caseload Increase/Decrease	+198	+10	+54	+174	
<b>EIGHTH DIVISION</b>					
Charges Filed	4,287	4,532	4,631	†	†
Charges Disposed	4,168	4,029	4,735	†	†
Caseload Increase/Decrease	+119	+503	-104		

†These divisions have been combined with sixth division.

# RHODE ISLAND DISTRICT COURT

## CRIMINAL CASEFLOW (CONT.)

MISDEMEANORS (cont.)	1987	1988	1989	1990	1991
<b>COURTWIDE</b>					
Charges Filed	34,908	39,671	43,181	46,728	44,061
Charges Disposed	31,756	34,918	41,292	42,476	37,799
Caseload Increase/Decrease	+3,152	+4,753	+1,889	+4,252	+6,262
Total Pending Charges	2,545	3,180	*	*	*
Charges Over 60 Days Old	472	428	*	*	*
<b>MANNER OF DISPOSITION</b>					
Pleas	16,957	18,470	*	*	*
Filed	4,932	5,218	*	*	*
Dismissed	8,038	8,866	*	*	*
Trials	477	542	*	*	*
Others	779	880	*	*	*
Charges Transferred	575	942	*	*	*
TOTAL	31,756	34,918	*	*	*
Charges Appealed	410	225	*	*	280
<b>FELONIES</b>					
<b>COURTWIDE</b>					
Charges Filed	10,071	10,422	10,181	10,401	9,807
Bail Hearings	*	*	*	*	595

\* unavailable due to automated system changeover.

# RHODE ISLAND DISTRICT COURT

## CIVIL CASEFLOW

REGULAR CIVIL	1987	1988	1989	1990	1991
<b>FIRST DIVISION</b>					
Charges Filed	402	393	433	413	†
Charges Disposed	312	401	271	414	†
Caseload Increase/Decrease	+90	-8	+162	-1	
<b>SECOND DIVISION</b>					
Charges Filed	1,002	991	1,225	1,526	1,263
Charges Disposed	669	1,378	1,117	893	1,182
Caseload Increase/Decrease	+333	-387	+108	+633	+81
<b>THIRD DIVISION</b>					
Charges Filed	2,537	2,120	2,550	3,054	3,300
Charges Disposed	3,053	2,052	1,679	3,423	2,544
Caseload Increase/Decrease	-516	+68	+871	-369	+842
<b>FOURTH DIVISION</b>					
Charges Filed	1,316	1,399	1,427	1,700	1,635
Charges Disposed	824	1,501	1,609	1,373	1,180
Caseload Increase/Decrease	+492	-102	-182	+327	+455
<b>FIFTH DIVISION</b>					
Charges Filed	2,232	2,373	2,750	2,592	†
Charged Disposed	3,762	5,475	1,752	1,489	†
Caseload Increase/Decrease	-1,530	-3,102	+998	+1,103	
<b>SIXTH DIVISION</b>					
Charges Filed	9,604	9,103	9,124	11,664	16,435
Charges Disposed	8,395	8,359	8,606	6,586	12,480
Caseload Increase/Decrease	+1,209	+744	+518	+5,078	+3,955
<b>SEVENTH DIVISION</b>					
Charges Filed	1,080	1,107	1,245	1,369	†
Charges Disposed	839	689	670	761	†
Caseload Increase/Decrease	+241	+418	+575	+608	
<b>EIGHTH DIVISION</b>					
Charges Filed	1,726	940	2,018	†	†
Charges Disposed	1,077	847	1,274	†	†
Caseload Increase/Decrease	+649	+93	+744		

†These divisions have been combined with sixth division.

# RHODE ISLAND DISTRICT COURT

## CIVIL CASEFLOW (CONT.)

REGULAR CIVIL (cont.)	1987	1988	1989	1990	1991
<b>COURTWIDE</b>					
Cases Filed	19,899	19,215	20,772	22,015	22,719
Cases Disposed	19,030	24,770	16,978	14,939	17,386
<b>MANNER OF DISPOSITION</b>					
Defaults	9,283	9,448	8,096	3,736	8,835
Settlements	4,723	5,856	4,680	6,109	4,110
Judgments	5,025	5,656	3,747	5,070	4,431
Transfers	99	211	455	24	10
Other	4,971	3,599	*	*	0
<b>TOTAL</b>	<u>24,101</u>	<u>24,770</u>	<u>16,978</u>	<u>14,939</u>	<u>17,952</u>
Appeals	321	266	256	482	453
<b>SMALL CLAIMS</b>					
<b>FIRST DIVISION</b>					
Cases Filed	609	411	1,049	934	*
Cases Disposed	482	371	634	856	*
Caseload Increase/Decrease	<u>+127</u>	<u>+40</u>	<u>+415</u>	<u>+78</u>	
<b>SECOND DIVISION</b>					
Cases Filed	929	836	1,037	1,200	1,207
Cases Disposed	715	725	1,200	2,509	3,103
Caseload Increase/Decrease	<u>+214</u>	<u>+111</u>	<u>-163</u>	<u>-1,309</u>	<u>-1,896</u>
<b>THIRD DIVISION</b>					
Cases Filed	2,100	2,614	3,543	3,307	2,957
Cases Disposed	2,539	3,020	3,759	4,121	3,916
Caseload Increase/Decrease	<u>-439</u>	<u>-406</u>	<u>-216</u>	<u>-814</u>	<u>-959</u>
<b>FOURTH DIVISION</b>					
Cases Filed	1,317	1,887	2,330	2,207	2,266
Cases Disposed	1,184	1,776	2,096	1,997	1,917
Caseload Increase/Decrease	<u>+133</u>	<u>+111</u>	<u>+234</u>	<u>+210</u>	<u>+349</u>
<b>FIFTH DIVISION</b>					
Cases Filed	1,781	1,684	2,004	1,872	*
Cases Disposed	3,166	4,048	1,080	1,024	*
Caseload Increase/Decrease	<u>-1,385</u>	<u>-2,364</u>	<u>+924</u>	<u>+848</u>	

\*unavailable due to automated system changeover.

# RHODE ISLAND DISTRICT COURT

## CIVIL CASEFLOW (CONT.)

SMALL CLAIMS (cont.)	1987	1988	1989	1990	1991
<b>SIXTH DIVISION</b>					
Cases Filed	4,367	3,791	4,083	7,255	11,900
Cases Disposed	2,133	2,074	2,259	3,034	10,002
Caseload Increase/Decrease	+2,234	+1,717	+1,824	+4,221	+1,898
<b>SEVENTH DIVISION</b>					
Cases Filed	950	940	928	1,218	†
Cases Disposed	748	847	883	1,265	†
Caseload Increase/Decrease	+202	+93	+45	-47	
<b>EIGHTH DIVISION</b>					
Cases Filed	2,002	2,800	3,325	†	†
Cases Disposed	1,458	1,890	3,130	†	†
Caseload Increase/Decrease	+544	+910	+195		
<b>COURTWISE</b>					
Cases Filed	14,055	14,963	18,299	17,447	18,330
Cases Disposed	12,725	14,851	15,041	14,806	18,938
<b>MANNER OF DISPOSITON</b>					
Defaults	6,602	7,321	7,975	7,305	9,779
Settlements	2,974	3,527	5,016	5,008	6,463
Judgments	3,149	4,003	2,050	2,493	2,696
TOTAL	12,725	14,851	15,041	14,806	18,938
Appeals	192	131	138	312	244
<b>OTHER CATEGORIES</b>					
DOMESTIC ABUSE	533	536	639	713	803
ADMINISTRATIVE APPEALS	318	259	442	400	349

†These divisions have been combined with sixth division.