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7/30/73

# REPORT ON THE JUDICIARY 1973



STATE OF RHODE ISLAND

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## Supreme Court of Rhode Island

THOMAS H. ROBERTS  
CHIEF JUSTICE

Providence

TO: The Honorable Members of the Rhode Island General Assembly

This is the second annual report produced by the Office of the State Court Administrator. The first report, published in 1973, reviewed the progress made in the administration of the Rhode Island Court System in the period 1969-1972. This report contains the story of continuing progress throughout 1973.

The report is divided into two sections. Part I reviews the structure and organization of the state courts. To some of you this review may seem superfluous. However, it has been our experience that many people who read this report find such a review useful. Part II discusses the events of 1973. This section is not meant to cover every detail of the events of the past year. The several courts in the system have been involved in a wide variety of activities in the conduct of their business. No single report can adequately document all of those activities. However, this report does summarize the most significant events of the year and gives a flavor of the high level of activity and progress in our courts.

I submit this report to you confident that you will find it interesting as well as informative.

Sincerely,

A handwritten signature in cursive script, reading "Thomas H. Roberts".

Thomas H. Roberts  
Chief Justice  
Supreme Court

## ORGANIZATION OF THE RHODE ISLAND COURTS

The courts of the State of Rhode Island are divided into three levels: (1) courts of limited jurisdiction, (2) Superior Court of general jurisdiction, and (3) the Supreme Court. The courts of limited jurisdiction (Family, District) and the Superior Courts are trial courts. The Supreme Court is a court of review; that is, it determines from the record of a trial whether an alleged error made during the trial prejudiced the consideration of the appellant's cause.

The force of a decision of a trial court is limited to the litigants. A decision of a court of review not only affects the litigants, but announces the law on the issue raised. Decisions of the Rhode Island Supreme Court are published and become a part of the law of the state. The Supreme Court is the state court of last resort.

The entire court system in Rhode Island is state established and funded with the exception of the Probate Courts, which are the responsibility of the cities and towns, and the Providence and Pawtucket Municipal Courts, which are local courts of limited jurisdiction. A summary of the several courts and related agencies follow.

### Supreme Court

**Jurisdiction:** Article 10 of the Constitution of the State of Rhode Island provides that "the judicial power of this state shall be vested in one Supreme Court and in such inferior courts as the General Assembly may, from time to time, ordain and establish". With the above constitutional authority, the General Assembly provides in Title 8, Chapter 1, Section 11 of the Rhode Island General Laws, that the Supreme Court exercise general supervision over the courts of inferior jurisdiction and final revisory and appellate jurisdiction upon question of law and equity: — including the rendering of advisory opinions to the legislative and executive branches of the government and passing upon the constitutionality of laws. In addition to these judicial duties, the Supreme Court also regulates the admission and discipline of members of the Rhode Island Bar.

**Membership:** Title 8 of the Rhode Island General Laws provides for a Supreme Court consisting of a Chief Justice and 4 Associate Justices. In accordance with Article 10, Section 4 of the state constitution, each justice is elected by grand committee of the General Assembly and holds his post until it is declared vacant by resolution of the General Assembly.

It should also be noted that for purposes of administration, the State Law Library has been made part of the Supreme Court.

**Supreme Court Clerk:** The Clerk's primary responsibility is the filing, storing, and disseminating of Supreme Court records. In addition, the staff of 3 provides both assistance and information to attorneys, bar applicants, and the general public on matters relating to appeal procedures, Supreme Court calendars, bar examinations, and court rules.

As an extension of its information distribution role, the Clerk's Office prints and issues initial copies of all court decisions to most attorneys and all judges. All newly adopted rules and procedures are also printed and distributed to attorneys and judges.

**Office of the State Court Administrator:** The staff of the Office of the State Court Administrator consists of the State Court Administrator, Deputy Administrator, Business Manager, and a Management Analyst. That staff is appointed by the Chief Justice acting in his capacity of administrative head of the state court system. Personnel, fiscal, and purchasing functions for the entire court system are performed in this office. The office has the



responsibility of preparing and managing the budget covering: (1) Supreme Court, (2) Superior Court, (3) District Court and, (4) Family Court, and a number of miscellaneous agencies, including the Law Library and Judicial Council. The office also applies for and administers all LEAA grants for the court system. In addition, the office is assigned responsibility for a wide range of miscellaneous management functions, including the development and implementation of management improvement projects in specified areas. These projects are usually jointly developed and implemented by the Office of the Court Administrator and the particular court or courts involved.

**Law Library:** Under the direction of the Supreme Court, the State Law Library provides an integrated legal reference system for the state. Its first responsibility is to provide judges and staff of all courts with necessary information and material. As the only centralized law collection of any magnitude in the state, it serves as a primary resource for the community as well as the courts.

Attorneys and their staffs, government agency personnel, legislators, faculty and students of Rhode Island's colleges, and the general public make considerable use of the library facilities.

The library is open to all every day, Sundays and holidays excepted, from nine o'clock in the morning until five o'clock in the afternoon, except during vacation of the courts and on Saturdays, when it may be closed at three o'clock in the afternoon.

All material is for reference only, although provision is made for circulating material to members of the General Assembly and judges of the several courts.

The library is growing constantly. Since 1969, 4,634 volumes have been added bringing the library's total volumes to approximately 125,000.

Mr. Edward V. Barlow, the Law Librarian, is also responsible for the scheduling and supervision of the Law Clerk Pool which serves the judges of the Superior, Family, and District Courts. This program, begun with a federal grant, is now being funded with state monies.

The staff of the State Law Library includes the State Law Librarian, 2 full-time assistants, and 2 part-time assistants. Their budget is included in the budget of the Supreme Court.

**Judicial Council:** Title 8, Chapter 13 of the General Laws of Rhode Island provides for the creation of a Judicial Council consisting of six members of the Rhode Island Bar appointed by the Governor.

This council is organized to submit from time to time for consideration of the justices of the various courts such suggestions in regard to the judicial system of the state as it may deem advisable, and it reports annually to the Governor upon such matters as it desires to bring to his attention or to the attention of the General Assembly.

It has only one employee, paid (\$1,500), on a part-time basis. The members serve without compensation.

## Superior Court

**Jurisdiction:** The Superior Court has original jurisdiction of civil matters in excess of \$5,000 and equity proceedings and original jurisdiction of crimes. All indictments found by grand juries are returned to this court. It also has appellate jurisdiction in criminal and civil cases appealed from the District and Probate Courts. In addition, there are numerous appeals and statutory proceedings, such as highway, redevelopment and other land condemnation cases. Concurrently, with the Supreme Court, it

has jurisdiction of writs of habeas corpus, mandamus, and certain prerogative writs. Appeals from the Superior Court are heard by the Supreme Court, as described earlier in this report.

**Organization:** The 5 counties of our state are divided by legislative enactment into 4 Superior Court divisions with Providence-Bristol Counties comprising one division. A map showing the counties and their groupings into the Superior Court divisions appears on the following page. The Presiding Justice of the Superior Court has the power to administer the internal activities of his court. As administrative head, he establishes calendars, assigns judges, appoints administrative personnel, and makes rules of conduct of the court's business.

The General Laws of Rhode Island 1969 as amended (8-7-2 G. L.) provide that "The Superior Court shall be in session every year as follows:"

(a) at Providence, for the counties of Providence and Bristol, from the second Monday in September to the second Monday in July;

(b) within and for the county of Newport, for a period of not less than twenty-four (24) weeks during the court year;

(c) within and for the county of Kent, for a period of not less than twenty-four (24) weeks during the court year;

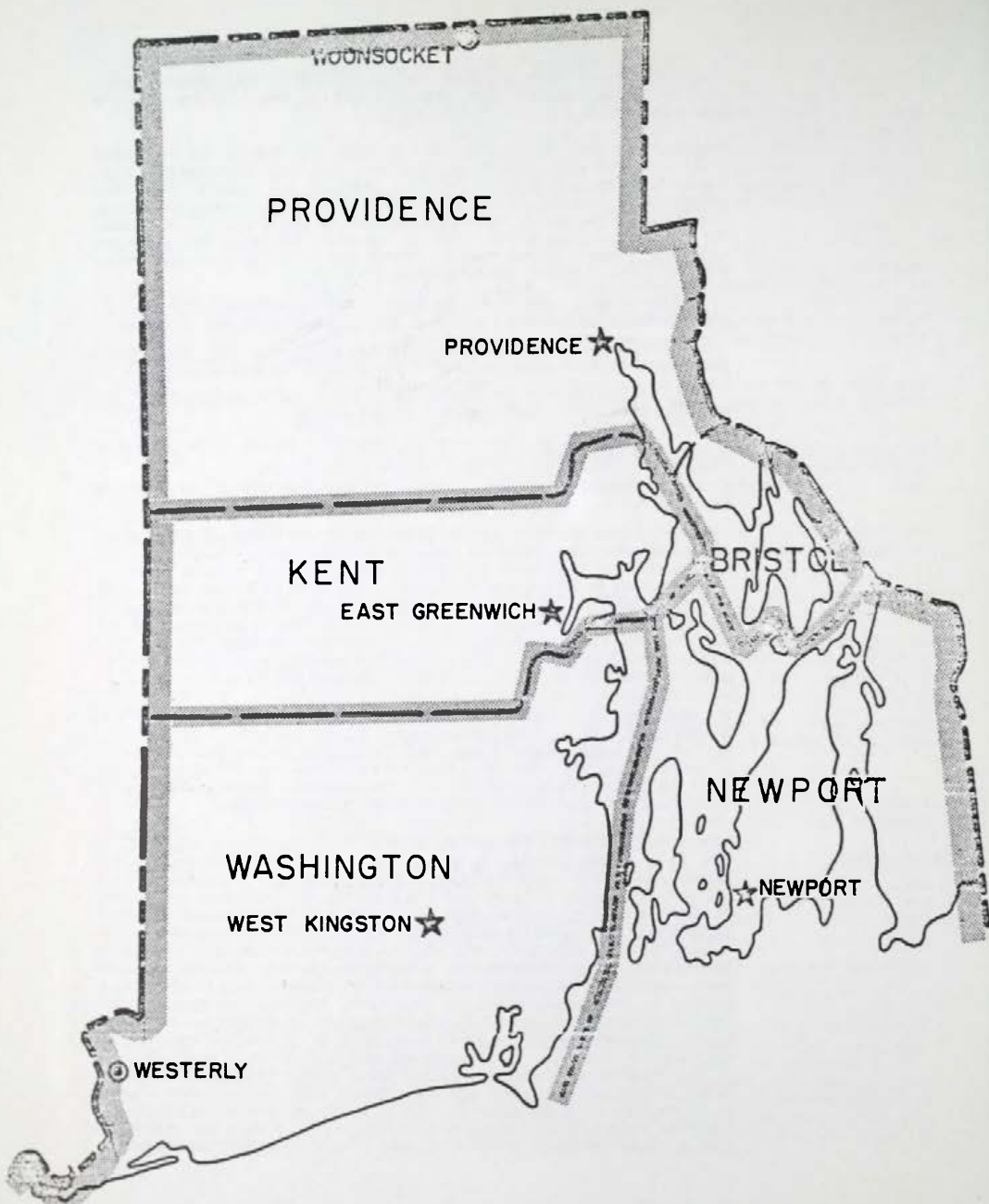
(d) within and for the county of Washington, for a period of not less than twenty (20) weeks during the court year;

(e) at such other times and places as the presiding justice shall fix and determine; provided that the superior court holden within and for the counties of Providence and Bristol shall from time to time make up lists of causes to be tried at Woonsocket and shall sit at Woonsocket for a term of not less than six (6) weeks beginning on the first Monday in October and for a term of not less than six (6) weeks beginning on the first Monday in March of each year; and further provided that any trial in any of said counties commenced within any regular or special session may be continued thereafter with the consent of the court.

**Membership:** The Superior Court consists of a Presiding Justice and 12 Associate Justices. They are appointed by the Governor with the consent of the Rhode Island Senate and hold office during good behavior. Vacancies occurring while the General Assembly is not in session may be filled by gubernatorial appointment, the appointee holding office until the Senate convenes, when he is subject to confirmation.

## Family Court

**Jurisdiction:** Title 8, Chapter 10, Section 1 of the Rhode Island General Laws (1961), known as the "Family Court Act", authorized the establishment of a court of limited jurisdiction to hear and determine all petitions for divorce from the bond of marriage and from bed and board; all motions relating to allowance of counsel and other matters including all petitions and motions relative to real and personal property in aid thereof affecting the parties and children wherein jurisdiction is acquired by the court by the filing of such petitions for divorce; separate maintenance; complaints for support of parents and children; and those matters relating to delinquent, wayward, dependent, neglected or mentally defective or mentally disturbed children. It also has jurisdiction for the adoption of children under 18 years of age; paternity of children born out of wedlock and provision for the support and disposition of such children or their mothers; also child marriages; those matters referred to the court in accordance with the provisions of Section 14-1-28; those matters relating to adults who shall be involved with paternity of children born out of wedlock; responsibility for or contributing to the delinquency, waywardness or neglected children under 16 years of age; desertion, abandonment



SUPERIOR COURT



of failure to provide subsistence for any children dependent upon such adults for support ; truancy; bastardy proceedings, and custody of children; and a number of other matters involving domestic relations and juveniles.

The Family Court also provides counsel to children and adults referred to the court; provides secure custody and therapeutic handling of children who need to be detained; provides mental health service, including diagnosis and treatment; and assists and participates with various organizations and other agencies in connection with crime and delinquency.

**Organization:** The Family Court is organized in a fashion similar to the Superior Court. Pursuant to Title 8, Chapter 10, Section 24, sessions of the court are held in 4 of Rhode Island's 5 counties, with sessions at Providence being for the counties of Providence and Bristol.

As with the Presiding Justice of the Superior Court, the Chief Judge of the Family Court is responsible for the internal administration of the court. This responsibility includes the establishment of calendars, assignment of judges, appointment of a court administrator, and the formulation of court rules.

**Membership:** The Family Court consists of a Chief Judge and four Associate Judges. They are appointed by the Governor with the consent of the Rhode Island Senate and held office during good behavior. Vacancies occurring while the General Assembly is not in session may be filled by gubernatorial appointment, the appointee holding office until the Senate convenes, when he is subject to confirmation.

## District Court

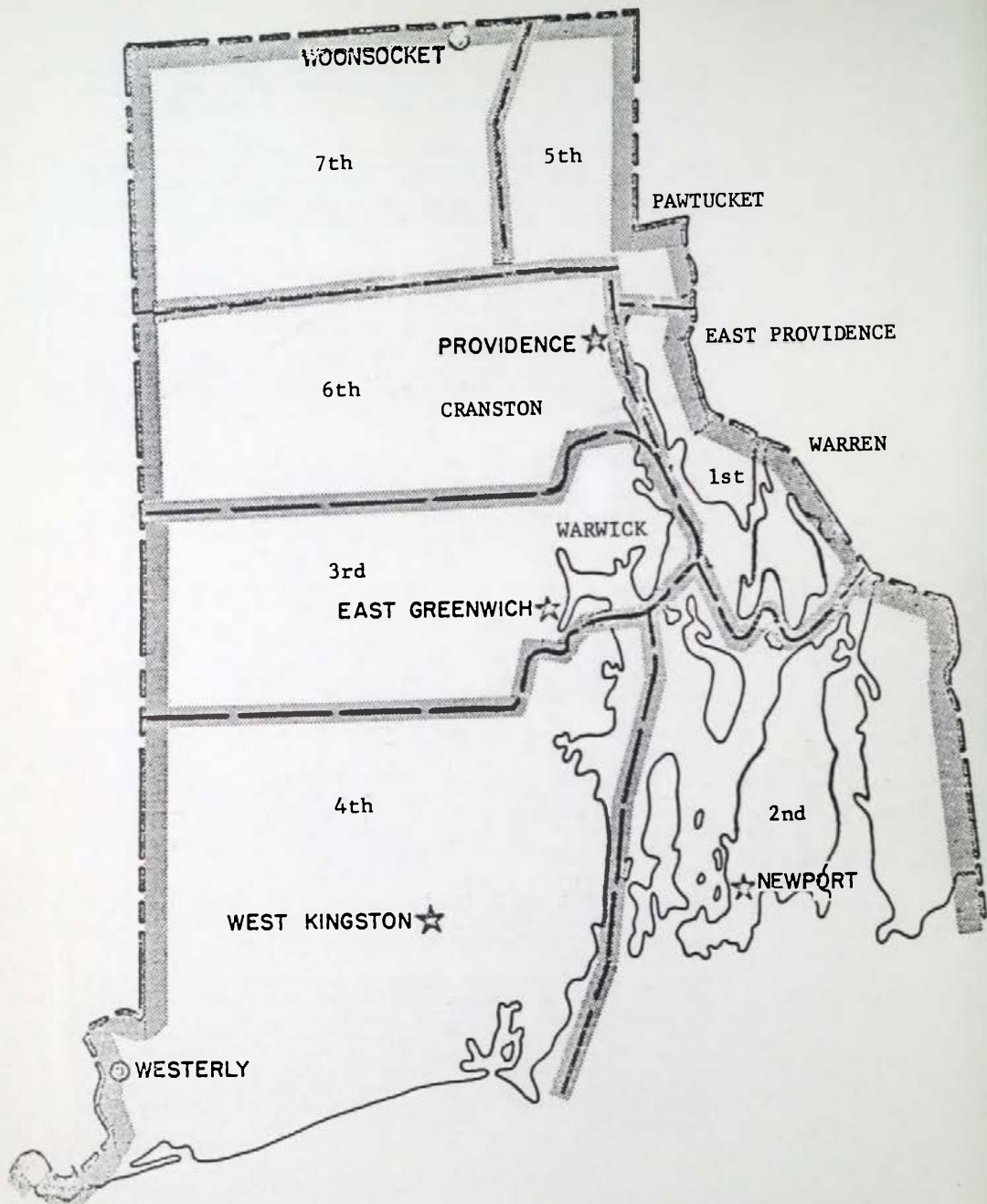
**Jurisdiction:** The District Court of Rhode Island has exclusive original jurisdiction of all civil actions at law involving \$5,000 or less, misdemeanors, lesser criminal offenses, small claims cases, mental and alcoholic commitments, and any other matters or proceedings which shall be declared to be within its jurisdiction by the General Assembly. The District Court does not hold jury trials, and appeals from decisions are made directly to the Superior Court for trial de novo.

**Organization:** Title 8, Chapter 8 of the Rhode Island General Laws established one District Court with 7 divisions.

The Chief Judge is the administrative head of the District Court and is, therefore, responsible for its operations and the efficient use of its manpower. To this end, he assigns judges, designates place or places for holding court, supervises the calendar, and reports annually to the Chief Justice of the Supreme Court on the state of the business of the District Court.

**Membership:** The District Court is comprised of a Chief Judge and 12 Associate Judges who are appointed to serve during good behavior by the Governor, with the advice and consent of the Senate.

**Violations Bureau:** The 1970 session of the General Assembly passed legislation providing a uniform traffic summons control system to govern the issuance of summonses for the violation of any statute or ordinance relating to the operation, control or maintenance of a motor vehicle. At the same time, the Legislature directed the Office of the Court Administrator to devise a system and the necessary forms whereby violation of certain enumerated traffic regulations would not require an appearance in District Court but could instead be disposed of by the mail payment of a specified fine.



DISTRICT COURT

As directed, the Office of the Court Administrator designed a central Violations Bureau, placing the responsibility for its administration in the hands of the District Court. Since its implementation on October 1, 1971, 60% of the traffic violations which previously required District Court appearances have been disposed of by the pay-by-mail system.

### 1973 IN THE RHODE ISLAND COURTS

The past year has been one of continuing progress and innovation for the Rhode Island Court system. While maintaining the continuing functions of litigation, the several courts have initiated changes in existing programs and initiated new programs. The courts have continued to conduct management improvement studies and have placed increasing emphasis on structural reallocations and staff training.

#### Supreme Court in 1973

**Statistics:** The Supreme Court ended the 1972-1973 court year with an 8% increase in the number of cases awaiting hearing at the end of 1971-1972. The total caseload for the court year amounted to 582 cases, of which 298 were pending at the end of the period. Of the 297 dispositions for the year, 152 involved written opinions while 139 were supplemental matters.

The court is presently exploring two options it feels may help the court to remain current. The first is a change in the court rules limiting the right to appeal in certain categories. The second is the establishment of a research unit that will screen cases appealed to the court. This latter option has been introduced in a number of jurisdictions with good results.

**Judicial Appointments:** Judge John F. Doris of the Family Court was elected an Associate Justice of the Supreme Court by the Grand Committee of the Rhode Island General Assembly this year. He succeeds Justice William E. Powers, who retired on January 31, 1973.

Judge Doris had served as an Associate Judge of the Family Court since its inception in 1961. He had previously been in the House of Representatives and had served as Deputy Majority Leader of that body for three years.

A graduate of Providence College's class of 1937, Judge Doris received his LL.B. from Boston University School of Law in 1947.

The wealth of experience Judge Doris received while with the Family Court and the General Assembly will undoubtedly make him a great asset to the Supreme Court and the State.

**Bar Examinations:** The office of the Clerk acts as the registrar for the State Bar examinations by issuing and receiving application forms, arranging for proctors, renting space and equipment, and providing examination forms and supplies. Of the 136 persons who took the examination in 1973, 91 (69.1%) passed.

**New Rules:** In 1972 the Criminal Rules of the Superior and District Courts were revised to better assure the protection of the defendants as well as the expeditious movement of cases. These revisions, along with those made to its own appellate rules, were accepted by the Supreme Court in June, 1972 and implemented this past year.

**Rhode Island Bar Unified:** On June 28, 1973, the State Supreme Court granted the Rhode Island Bar Association's petition for court ordered unification of the State Bar.

This order, effective October 1, 1973, came after further consideration of, and in supplement to, the order entered in the original petition of 1971 (108 R. I. 9-17, 279A. 2d 432 (1971)).

In this latter order the court, feeling that the lawyers presently licensed to practice law in the state had not been offered an opportunity to express their opinions for or against unification, directed the petitioner to: Prepare and mail copies of the instant petition and of the proposed constitution and by-laws to all members of the Rhode Island Bar, make copies of its brief and that of its opponents available without cost to all members of the Rhode Island Bar on request, and prepare a ballot for court approval to be mailed to all members of the Rhode Island Bar concurrently with the copies of the petition. The ballot was so mailed and resulted in approval of the unified bar concept.

The effect of the June 28th order is that all attorneys now or hereafter admitted to practice in Rhode Island must become members of the Rhode Island Bar Association and maintain their membership by payment of annual dues.

The basic rationale behind the Association's petition is that often expressed by professional association and labor unions alike, e.g., non-associated colleagues receive or derive benefits from the programs and activities of the organization; therefore, some form of "minimum" participation should be mandatory.

**Commission on the Jurisprudence of the Future:** On July 13, 1973, the Commission on Jurisprudence of the Future released the "Preliminary Report and Recommendation" of the Subcommittee on Criminal Law.

The Commission, chaired by Supreme Court Associate Justice Thomas J. Paolino, was appointed in June, 1972, by Chief Justice Thomas H. Roberts. They were charged with the responsibility of surveying the broad field of law in an attempt to detect and project trends in the next 30-50 years which will have an impact on the administration of Justice in Rhode Island.

The report on the Subcommittee on Criminal Law is the first of several to be prepared and released by the full commission. Other subcommittees include those on Family Law, Civil Rights and Civil Liberties, Reduction of Litigation, Mental Illness, and Criminal Rehabilitation.

In the Subcommittee Report, the Commission feels that "the interplay of increasing population and decreasing resources seem likely to result in a society increasingly more tense, more competitive, more self-centered, and with increasingly anti-social forces in individuals and groups, and probably notorious as well". The Commission also expects a continued lack of willingness on the part of taxpayers "to support through self-imposed taxes major upgrading of the penal/prison system".

The Commission further feels that " 'privacy' is likely to be the major factor in shaping changes. Invasion of privacy by 3rd persons in such obvious offenses as thefts of handbags, violent assaults and the like (burglary, rape, arson, murder, etc.) are likely to increase, and society will demand that law enforcement agencies concentrate on protecting the person and its property from such invasion".

The Commission sees little change in those areas of criminal law dealing with crimes that directly impinge on person and property. However, they do feel that with increased citizen resistance to tax increases, police and court efforts will have to be increasingly selective in areas to be protected.

The Commission goes on to state that "the most obvious area to be eliminated in a more selective police and court 'protection' will be those



of criminal law which themselves presently invade the privacy of the citizen by the imposition of public standards of morality as to conduct to which 'criminal penalties will or will not be attached' ".

Following is a list of "criminal acts" the Committee feels should no longer demand the attention of the police. It should be noted, however, that the Commission does not press for total "legalization" of such conduct, but merely wishes to indicate those for which criminal proceedings, fines and/or imprisonment may be inappropriate.

1. **ADULTERY** (R.I.G.L. 11-6-2) presently carries penalties of a maximum imprisonment of one year or fine up to \$500.
2. **FORNICATION** (R.I.G.L. 11-6-3) presently carries maximum fine of 10.00.
3. **BIGAMY** (R.I.G.L. 11-6-1) presently carries a maximum of 5 years and minimum of one year in prison.
4. **INCEST** (R.I.G.L. 11-6-4) presently carries a maximum of 10 years in prison. (Sex acts involving minors should remain criminal).
5. **SEDUCTION** (R.I.G.L. 11-37-4) maximum penalty of 5 years in prison.
6. **ALIENATION OF AFFECTIONS** - Torts requiring criminal-type arrests and procedures.
7. **CRIME AGAINST NATURE** (11-10-1) not more than 20 nor less than 7 years. (2 years greater than minimum penalties presently prescribed for "burglary" and "arson").
8. **PROSTITUTION AND PANDERING** (11-34-1) 6 months — 10 years.
9. **LEWD, WANTON & LASCIVIOUS PERSONS** (11-45-1) not less than 30 days, no maximum.
10. **OBSCENITY — PORNOGRAPHY** (11-31 and 11-31.1) deferred opinion until release of U. S. Supreme Court ruling.
11. **DRUGS**
  - a. **Marijuana** - decriminalize in manner of alcohol.
  - b. **Barbituates, Opiates, Amphetamines, Cocaine, Hallucinogens** - no recommendation but a belief that in the future decriminalization will result through a public awareness that stemming the flow of drugs increases the cost (to the public).
12. **GAMBLING** - Disassociate from criminal law.

The Commission also recommended that all statutory "minimum sentences" be repealed in order to give judges more discretion and to equalize many sentences (note minimum for seduction is two years greater than minimum for burglary).

**Court Records Center:** The courts of Rhode Island generate more permanent records and documents than any other state agency. In the past each court has been able to store most of its own active and semi-active records while sending inactive records to the State Records Center. However, within the last decade, the increasing caseload with no appreciable increase in court facilities has forced the courts to send semi-active as well as inactive records to the State Records Center. Often these semi-active records are sought by attorneys or the courts, thus putting an increasing burden on both the State Records Center and the court.

This past year the OCA opened a Court Records Center in the Providence County Courthouse that it feels will alleviate this storage prob-





lem. The new facility will serve as a holding point for the records still too active to store in the State Records Center but not active enough to keep in the Clerk's Offices. It will also serve as the focal point of a comprehensive records management program being developed within the court system.

**Legislative Enactments:** In the 1973 session, the following laws affecting the administration of the Courts were passed by the General Assembly and signed into law by the Governor.

**73-S354A:** An Act increasing the salaries of Superior Court Clerks.

**73-S685A:** An Act providing longevity pay for acting retired judges.

**73-S73:** An Act empowering the Chief Judge of the Family Court to appoint Masters for the purpose of assisting the Family Court in matters pertaining to delinquent support payments.

The addition of this new position will allow a full Associate Justice, now spending half a week on delinquent cases, to perform more vital work in either the Juvenile or Domestic Relations court.

**73-S106:** An Act giving the Chief Judge of the Family Court supervising authority over the Master.

**73-H6332:** An Act allowing appeals to be filed to Superior Court after time has expired for filing such appeals.

When any person is aggrieved by an order, decree or judgement of the District Court or of any Probate Court or town council from which an appeal or other review is available in the Superior Court, and from accident, mistake, unforeseen cause, excusable neglect has failed to claim his appeal, the Superior Court, if it appears that justice so requires, may, upon petition filed within ninety (90) days after the entry of such order, decree, decision, or judgment, allow an appeal to be taken and prosecuted upon such terms and conditions as the court may prescribe.

**73-S139:** An Act permitting a retired Supreme Court Justice to participate in rendering decisions in all cases argued to said court prior to his resignation or retirement.

**73-S850:** An act changing the periods of service of Grand Juries from the 3rd Monday in September and the first Mondays in December, March, and June of each year to the 3rd Monday in September of each year and on the first regular court days of every 6th week thereafter until the 2nd Monday in July.

It is estimated that this change will require an increase of approximately 25 percent in the number of jurors called to serve.

#### **National Center for State Courts Opens Regional Office:**

The National Center for State Courts was established by resolution at the urging of Chief Justice Warren Burger during the National Conference on the Judiciary held in Williamsburg, Virginia in 1971. Its stated goal is to "assist state courts to modernize the machinery of justice in as wise and timely a fashion as possible".

Since its inception three years ago, the National Center has engaged in a variety of research and demonstration projects for state courts throughout the United States.

The growing demand for the Center's services has resulted in the setting up of regional offices in various sections of the country. The North-

eastern office, located in Boston, is engaged in a number of projects for the New England area. The Center has carried out a number of projects for Rhode Island, including the translation of a number of court forms to Spanish and Portuguese. They have also provided technical information regarding salary scales, law clerk utilization, and appellate case processing. The Rhode Island courts anticipate increased use of this valuable resource in the coming months.

**Forms Revision Program:** The Judicial branch of government is supported by paper. The Judicial Department probably produces more forms than any other state agency. (The Office of the State Court Administrator orders, stocks, and distributes approximately 300 different forms for state and Probate Courts each year). In light of increases in printing costs and the paper shortage in general, the courts are attempting to cut down on their net consumption of paper, while retaining necessary court efficiency.

As part of its overall records management effort, a continuing program of review of court forms is carried out by the Office of the Court Administrator. Unnecessary and obsolete forms are eliminated and duplicate forms are consolidated whenever possible. Increasing use is being made of multi-part snap-out forms, turn-around forms, and carbonless paper or interleaved carbons, particularly in situations where multiple typing or photocopying can be eliminated by such a change. A standard procedure prior to reordering any form is to consider reducing the traditional 8 1/2 x 14" "legal" size to 8 1/2 x 11". In most cases this is possible with no loss of utility in the form. Most of the forms used in District Court have been revised, as well as many used in Superior and Family Courts. It is planned that within the next 12 months we will have reviewed all of the court forms.

**Statistical Information System Development:** The Court Component Committee, consisting of representatives from the four courts, the Department of the Attorney General, Division of Probation and Parole, and the Department of the Public Defender, has applied for a grant to finance the establishment of a comprehensive statistical information system.

Once completed, the system will provide various reports and managerial tools which will address the joint data needs of the committee members. Examples of these reports and tools are:

1. **Management Information** - related to that information required by those who manage court component agencies, such as statistical information in areas like:

- Activity Summary Reports
- Case Filing Statistics
- Disposition Reports

Management studies will be possible from the above statistical reports: Studies of cases and parties categorized by age, race, crime by city and town, disposition, etc.

Reports which show subject processing time, bottlenecks, workloads. Detailed studies of specific management problems, (attorney conflicts, case overlap, etc.).

2. **General Information**

The system will provide statistics for management decisions such as the optimum allocation of agency resources (e.g. personnel, equipment, etc.).

The system will provide data for the scheduling and balancing of workloads within each agency.

The system will provide data for the evaluation of programs, policies, and personnel.

The system will provide data to support requirements by the agencies for additional personnel, equipment, funding or other resources.

System development is scheduled to begin in early 1974 and should be operative within a year.

**League of Women Voters Conduct Study of Court System:** As part of their public information policy, the Rhode Island League of Women Voters periodically conducts studies of selected government agencies. This past year such a study was conducted of the State Judicial System. The scope of the study, although limited, was to include recommendations for possible legislative changes. Beginning in late spring the research committee of the League of Women Voters interviewed representatives of the courts and related agencies. In addition, the group has examined information supplied by the various courts and investigated procedures and systems used by other jurisdictions.

The final report to be released in early 1974 will contain a description of the present system, an analysis of its needs, and a list of recommended changes and observations.

**Facility Improvements:** Beginning in 1971, the Office of the State Court Administrator and the Superior Court began a renovation program intended to refurbish several areas within the Providence County Courthouse. Most of the office space in the building had been virtually untouched since the building was constructed in the early 1930's. In 1971 and 1972, a total of three judges' chambers were refurbished, including painting, the refinishing of woodwork, new bookcases, and carpeting.



In 1973, the program was accelerated considerably. Two more judge's chambers were renovated. The jury assembly area, long a source of complaints from jurors, underwent extensive modernization, including painting, paneling, carpeting, and air conditioning. New television sets and additional furniture were also provided. Plans were also developed to create a segregated smoking area for jurors during 1974. To meet a growing need for judicial chambers brought about by an increase in the number of retired justices being recalled to sit and the prospect of the addition of judges to the Superior Court in 1974. Three additional chambers were constructed in 1973. Located in space formerly occupied by the State Law Library, the chambers provide office and library space.

Office space was also renovated for the Office of the Public Defender and the Sheriff of Providence County. This resulted from an exchange of office space by those two agencies. Extensive alterations were made in both areas, including the purchase of more functional furniture and the construction of cabinets and work stations specifically designed for the unique needs of the writ service division of the Sheriff's Office. The Public Defender acquired badly needed space for his recently expanded staff including more adequate reception facilities and interviewing area.

The Office of the Court Administrator plans to continue the renovation program in 1974 with particular attention to additional judge's chambers, jury waiting areas, and clerk's office space.

**Court Facilities Study:** After the defeat in November, 1972, of the Court Facilities Bond issue, the Office of the State Court Administrator, contracted with Space Management Consultants, Inc., to conduct a comprehensive statewide judicial facilities study of the State of Rhode Island. The study had 3 major goals:

- a) An evaluation of existing statewide court and court-related facilities to recommend alternative short and long-term improvements, to determine the possible centralization and consolidation of facilities, and

to develop economical solutions to accommodating projected personnel and space needs.

b) A cost comparison study of alternative implementation processes, including renovating existing facilities, building new facilities, and leasing or renting space in privately owned buildings.

c) Establishment of recommendations and guidelines to assist architects and engineers in design, documentation, and implementation of facility projects.

Based on an analysis of the needs of Rhode Island's court system, the consultants recommended consolidating facilities throughout the state and the functions at certain locations. Although certain recommendations will require legislative changes, it was felt that they are feasible and can be worked out within a reasonable period of time.

#### **Supreme Court**

The Supreme Court should remain in its current location in the Providence County Courthouse.

Additional space should be allocated for retired justices in the general Supreme Court complex.

The law library should remain in its present location in the Providence County Courthouse, and consideration should be given to possible space consolidation through microfilm and disbursement of duplicate sets to a new library to be housed in the Howard Complex.

#### **Superior Court**

Functions of the Superior Court for both Providence and Bristol Counties should be located in the Providence County Courthouse.

Functions of the Superior Court for both Providence, Kent and Washington Counties should be located at the new complex in Howard along with offices for the Attorney General, Public Defender, Sheriff and parts of other functions as described in this report.

The Presiding Justice and the Clerk of the Superior Court should remain in the Providence County Courthouse.

Detention facilities should remain in the Providence County Courthouse to service Superior Court during criminal trials.

Retain Superior Court locations in Woonsocket, Westerly and Newport, and eliminate those in East Greenwich and West Kingston. SMC recommends the examination for possible future elimination of the Westerly Superior Court location which could be combined with Providence and Kent Counties.

#### **Family Court**

Build a new Family Court Building as an integral part of the State Court Complex at Howard. While this new facility could enjoy the advantages of sharing common facilities, criminal and Family Court facilities should maintain separate entrance spaces and locations.

Retain branch Family Court facilities in Newport and Westerly, specifically for filing motions and intake functions.

Space requirements for Family Court functions should not materially change if administrative changes to the court's organization were to be made.

#### **District Court**

Consolidate existing District Court facilities in Division 6 (Providence and Cranston) and locate criminal facilities in the new Howard Complex.



(Civil facilities should be located in Providence). This will include District Court facilities in Division 3 (Kent County) as well.

Consolidate existing facilities in Division 1 (Bristol County and the City of East Providence) and locate the entire court and its ancillary facilities in Warren.

Centralize District Court facilities in Washington County (Division 4) in West Kingston.

Facilities in Division 5 (Pawtucket and Central Falls), Division 2 (Newport) and Division 7 (Woonsocket), should remain.

The proposed locations of the various state courts are shown in Map 2.

### Superior Court in 1973

**Statistics:** In September, 1971, the Superior Court implemented a continuous civil jury calendar in Providence-Bristol County. Although the new system improved statistical management and decreased unnecessary delays, it was felt by the court and by a group of consultants who reviewed the total Superior Court Calendar System, that a system which incorporated non-jury as well as jury matters would be even more effective. The consultants subsequently recommended that the Court include non-jury matters on it. That was done on January 2, 1973.

After its first full year in operation, the system is beginning to not only slow but decrease the backlog of civil cases. During the period, January 1, 1973 to December 31, 1973, a total of 1,922 cases were added to the calendar while 1,932 were disposed; of these disposed, 1,496 or 77.4% were settled prior to calendar call, and 375 or 19.5% were disposed at calendar call. Twenty-one percent actually went to trial, and of these going to trial, 371 or 19.2% went all the way to verdict.

**Training;** A day long seminar on the "Clerk's Role in Criminal and Civil Procedures" was held by the Superior Court in the Providence County Courthouse on December 28, 1973.

The seminar was organized through the combined efforts of Presiding Justice Weisberger, Mr. Joseph Calista, Clerk of Providence-Bristol County, and Mr. John Hogan, Superior Court Administrator.

The program centered on presentation by court officials, although a discussion of the Superior Court rules and their interpretation was held. Those individuals giving presentations before the group included:

Mr. Joseph Calista, Clerk of Providence-Bristol Superior Court —  
*Seminar Director.*

Presiding Justice Joseph Weisberger — *Civil Procedures.*

Mr. Charles Verde, Principal Clerk, Providence-Bristol Counties —  
*Civil Procedures.*

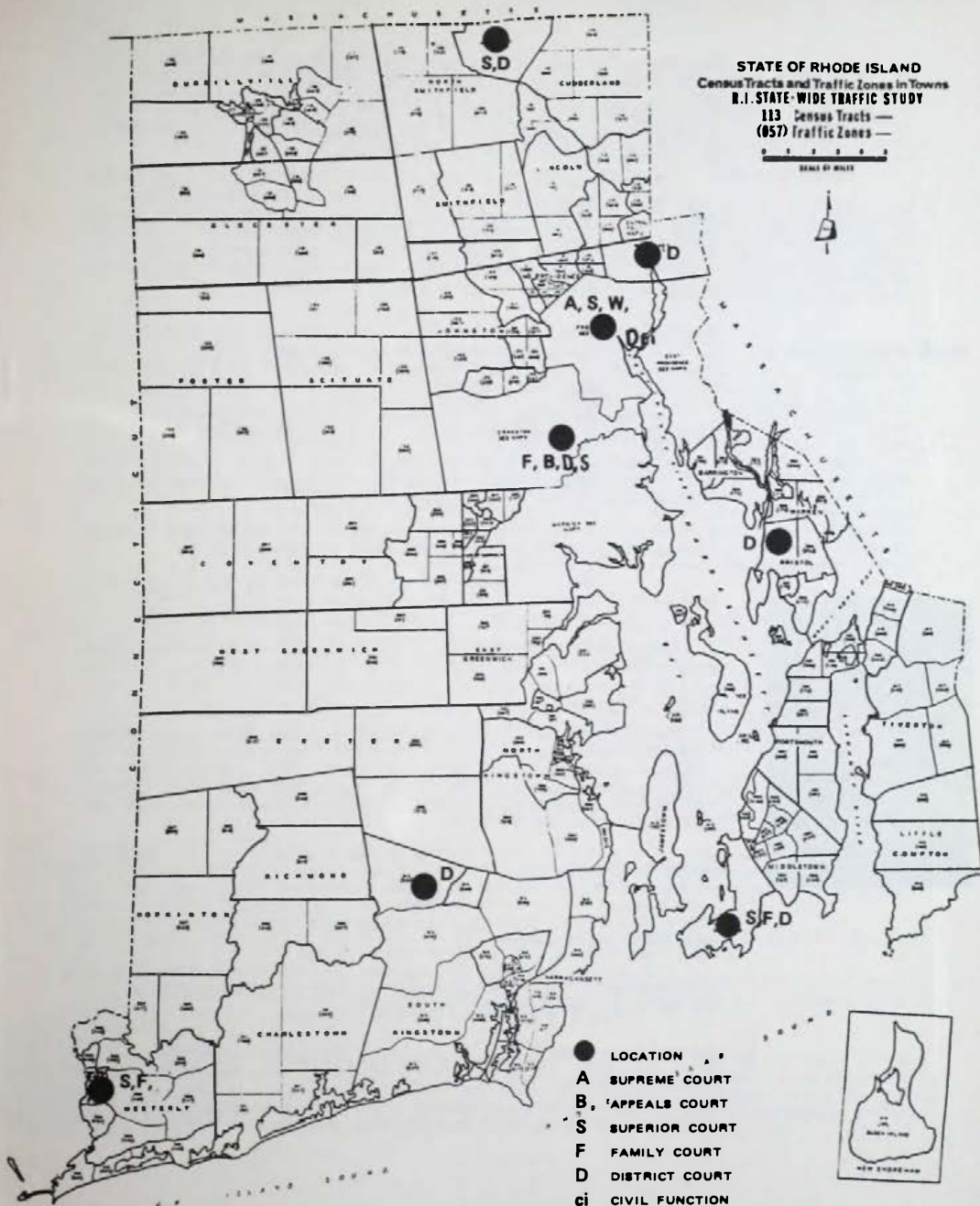
Associate Justice William MacKenzie — *Criminal Procedures.*

Mr. Thomas Luongo, Principal Clerk, Providence-Bristol Counties —  
*Criminal Procedures.*

Mr. Walter J. Kane, State Court Administrator — *Appeals Procedures.*

All persons involved in the seminar felt it was a success. The program ended with the group's endorsement of future sessions.





**MAP 2**  
**LOCATIONAL CONCEPTS**

**Jury Study:** This past year the Office of the Court Administrator, in conjunction with the Superior Court, began a study of the State's present jury selection system. This study is in response to a growing concern on the part of the Jury Commissioner and the Presiding Justice that the system presently used in selecting jurors has been outstripped by the growth in the number of jurors that must be called.

The study group, consisting of one member of the Office of the Court Administrator's staff, the Administrator of the Superior Court, an LEAA consultant from Washington, and two research assistants, began Phase 1 of the study in mid-July. This initial phase involved an analysis and description of the present system followed by a written report submitted in September. Further analysis and recommendations will be presented in a report due for submission in early 1974.

## Family Court in 1973

**Statistics:** This past year the Family Court experienced a marked increase in the number of cases handled by the court in most categories. This includes petitions for divorce and separation, adoptions, child support cases, juvenile referrals, and miscellaneous petitions.

**Juvenile:** Following the national trend, the number of childrens' referrals increased 8% from the previous year's total of 8,468.

In the area of motor vehicle violations, the number of offenses committed decreased by 37 cases overall, with the greatest decrease occurring in the number of new cases (a decrease of 9%).

**Adult:** The number of divorce petitions filed in Family Court last year increased by nearly 4%, while final decrees increased by 20%.

The number of adults referred to the court decreased by 2% last year. Reciprocals initiated in Rhode Island decreased by 22% in 1973, while those initiated by other states to Rhode Island increased by 13%.

**Judge Jacob J. Alprin**, formerly of the District Court, was appointed an Associate Judge of the Family Court by Governor Philip Noel this past year. He succeeds Justice John F. Doris, who was elected to the Supreme Court in January.

Judge Alprin had served as an Associate Judge of the District Court since its reorganization in 1969. He had previously been a judge in the Providence Municipal Court. He had served for some time on assignment from the District Court to the Family Court. That experience, coupled with his long career in the law and on the bench, made him a logical and outstanding choice for that court.

**Master Position Created:** The 1973 Session of the General Assembly created the position of Master to handle matters pertaining to delinquent support payments and taking testimony in all hearings relative to locating fathers who are not living up to their support obligation (Uniform Reciprocal Enforcement Support Act).

The position was filled in September, and the four months of operation resulted in an increase in collection from defaulting fathers, as evidenced in the statistics found in this report.

**Driver Improvement Clinic:** This program was started in the Family Court in January, 1971. All juvenile traffic violators coming before the Court, prior to the project, were required to have the police and the parents of the juvenile offender in attendance at the court session. The result was, usually, probation or other administrative disposition of the case. Over



the years, this process took the time of the court, the police, working parents and especially the judges. It was decided to establish monthly sessions to be held on Saturday mornings from 9:30 a.m. to 11:00 a.m. and to be conducted by Renato Leonelli, professor at Rhode Island College and Anthony Champa, teacher at Nathaniel Green Junior High School; both men experienced in driver training. The course consists of lectures and films in the hazards as well as the techniques of good driving.

The past few years have seen a total attendance of about 1,500 juveniles. Out of this group, there have been less than 100 repeaters. The idea has been endorsed by the police, the parents, the juveniles, and the judges of the Court, who may devote the time to more serious matters. Since October, 1973, the program has been totally funded by the Department of Highway Safety of the federal government. J. Joseph Fitzpatrick, Jr. is the Project Director.

**Family Court Alcoholism Program:** This project, totally funded by the federal government, has proved to be a highly successful one in its operation in the Family Court. There have been a total of 160 referrals to the Unit in the past nine months. These involved divorce or separation actions where alcoholism or excessive drinking was contributing to the family disruption and the resultant grounds for divorce. To date, there have been 38 reconciliations. Several cases involving fathers under the Uniform Reciprocal Support Act involving child support have been referred. Some parents of juvenile offenders are being counseled with the hope of establishing a better home life for juvenile delinquents. Attorneys are requested to refer cases involving alcohol abuse to this Unit when divorce is imminent and no petition is as yet filed. Counseling facilities of this Unit are available to any family in the community when family troubles are threatening ultimate court action.

#### District Court in 1973

**Statistics:** There was a total of 74,877 cases filed in the seven Divisions of the District Court last year. This amounted to over 74% of the total number of cases filed in all courts of the state.

There was an increase of 8,338 filings from the previous years' total of 66,540. Taken by category, civil filings decreased by 1%, small claims filings increased by 11%, misdemeanors increased by 15%, felony arraignments increased by 14%, and traffic violations increased by 18%.

Of the total number of cases filed, 28,440 (38%) were traffic and other motor vehicle violations; 19,699 (26%) were felonies or misdemeanors; and 26,738 (35%) were either small claims or civil cases.

**Judicial Appointments:** Robert J. McOsker is the newest District Court Judge. He was sworn in by Governor Philip Noel on March 5, 1973 to fill the vacancy created by the elevation of Judge Jacob Alprin of Providence to the Family Court.

A graduate of Providence College, Judge McOsker received his law degree from Boston University School of Law in 1952.

Prior to his appointment to the bench, Judge McOsker served seven years as City Solicitor for the City of Providence. He had previously been a member of the Providence City Council.

**New 6th Division Courthouse in Providence:** The 6th Division of the District Court is presently housed in one of Rhode Island's most important historical landmarks. The building, located at 150 Benefit Street, housed the State's first General Assembly and was the site of the signing of the Rhode Island Declaration of Independence on May 4, 1776.



The 1973 General Assembly authorized the Bicentennial Commission, headed by Representative George McDonald, to restore this building to its original character in observance of the celebration of America's 200 years of independence. However, before any restoration can begin, a new location for the District Court will have to be found.

The Office of the Court Administrator and the District Court are presently examining and evaluating a number of buildings within the vicinity of the present building.

**Pre-Arraignment Interview Program:** The Office of the State Court Administrator and the District Court, with funds supplied by the Rhode Island Legislative Commission to Study the Feasibility of Relief from the Complexity and Delay of Criminal Procedures, organized a project it hoped would minimize default on bail in District Court.

The project's underlying goal was to show that an arraigning judge can make a more meaningful decision on bail when he or she is supplied with verified information such as an individual defendant's home life, employment history, and past criminal record.

Mr. Daniel Neff, Project Manager, described the project's mechanics as follows: "All individuals being held at the Providence City Police Station for arraignment at the Sixth Division of the District Court are asked a series of questions by a project interviewer. These questions relate to family stability, employment, education, etc. The interviewer then verifies the responses by telephoning family and/or references and employers (with defendant's permission). A check of the individual's past record was also made through the Attorney General's Bureau of Criminal Identification and the files of the Department of Probation. Finally, the interviewers telephoned all divisions of the District Court in order to determine if the individual in question had cases pending or warrants outstanding.

The project was conducted for a two-month period from July 11 to September 15. All judges that dealt with it were impressed and many, in fact, expressed a desire to see it continue.

In his final report, Mr. Neff recommended that the interview process be made permanent in the Providence District Court (Division 6A) and gradually extended to the other district courts in Rhode Island. There are approximately 30 such programs already in operation throughout the United States.

**Violations Bureau:** During the past year, the total dispositions brought by the Violations Bureau increased in every month but three — July, August, and December. (It is felt by the court that the decreases in these months caused in part by the energy crisis). The overall increase of 4,486 was 10% above the previous year's 47,190.

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## APPENDICES

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**Rhode Island Superior Court**  
CASES FILED BY TYPE (COMPARATIVE)

Providence-Bristol Counties

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Civil	5,114	3,591	3,678	2,835	3,496
Probate Appeals	38	25	38	30	19
Misc. Petitions	432	380	444	423	501
Indictments	1,154	1,220	1,618	2,189	1,955
Criminal Appeals	<u>1,002</u>	<u>639</u>	<u>853</u>	<u>961</u>	<u>706</u>
Totals	<u>7,740</u>	<u>5,885</u>	<u>6,631</u>	<u>6,438</u>	<u>6,677</u>

Kent County

Civil	583	455	439	465	476
Probate Appeals	7	32	18	12	20
Misc. Petitions	56	47	40	63	54
Indictments	137	372	253	433	404
Criminal Appeals	<u>119</u>	<u>179</u>	<u>352</u>	<u>264</u>	<u>194</u>
Totals	<u>902</u>	<u>1,085</u>	<u>1,102</u>	<u>1,237</u>	<u>1,148</u>

Newport County

Civil	268	244	273	269	260
Probate Appeals	4	--	--	3	1
Misc. Petitions	27	29	21	27	33
Indictments	203	170	147	243	279
Criminal Appeals	<u>163</u>	<u>100</u>	<u>132</u>	<u>140</u>	<u>168</u>
Totals	<u>665</u>	<u>543</u>	<u>573</u>	<u>682</u>	<u>741</u>

Washington County

Civil	327	252	256	235	226
Probate Appeals	7	5	6	10	4
Misc. Petitions	50	70	97	21	21
Indictments	252	241	251	256	199
Criminal Appeals	<u>310</u>	<u>147</u>	<u>167</u>	<u>225</u>	<u>232</u>
Totals	<u>946</u>	<u>715</u>	<u>777</u>	<u>747</u>	<u>682</u>

All Counties

Civil	6,292	4,542	4,646	3,804	4,458
Probate Appeals	56	62	62	55	44
Mis. Petitions	565	526	602	534	609
Indictments	1,746	2,003	2,269	3,121	2,837
Criminal Appeals	<u>1,594</u>	<u>1,065</u>	<u>1,504</u>	<u>1,590</u>	<u>1,300</u>
Totals	<u>10,253</u>	<u>8,178</u>	<u>9,083</u>	<u>9,104</u>	<u>9,248</u>

# Rhode Island Superior Court

## JURY CIVIL CASE CALENDARED/DISPOSED\*

Month	Cases Pending		Cases Calendared		Disposed by Trial		W/O Trial		Total	
	1972	1973	1972	1973	1972	1973	1972	1973	1972	1973
Jan.	NA	4,901	NA	159	26	52	181	210	207	262
Feb.	NA	4,798	NA	132	29	31	149	124	178	155
March	NA	4,686	NA	163	24	35	116	160	140	195
April	NA	4,603	NA	127	31	28	96	88	127	116
May	NA	4,614	NA	158	26	41	142	156	168	197
June	NA	4,575	NA	161	18	28	78	113	96	141
July	NA	-	-	-	-	-	-	-	-	-
August	NA	-	-	-	-	-	-	-	-	-
Sept.	4,431	4,595	260	297	21	18	53	160	74	178
October	4,560	4,714	126	164	20	31	62	113	82	144
Nov.	4,762	4,734	175	110	25	15	46	64	71	79
Dec.	4,866	4,765	121	121	10	18	76	103	86	121
		Total	682	1,592	230	297	999	1,291	1,229	1,588

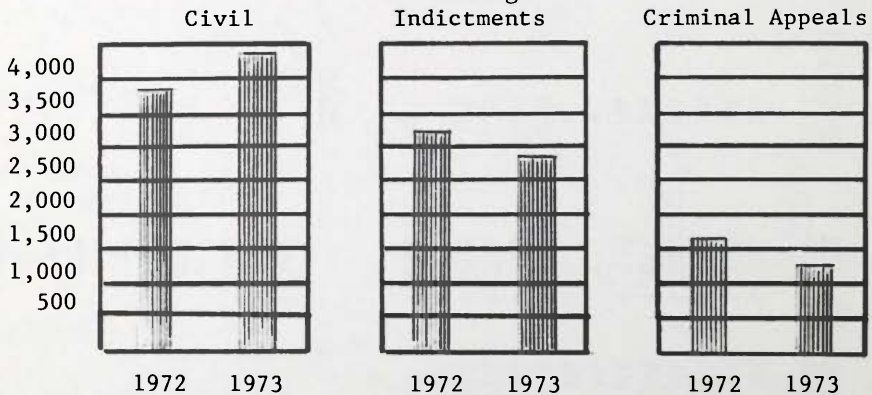
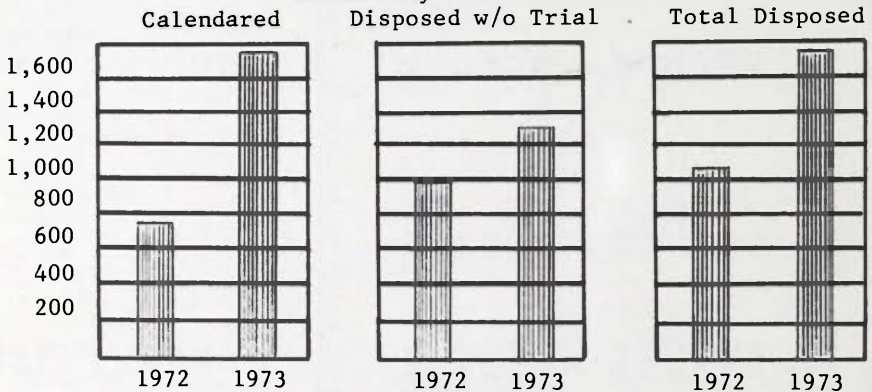
## NON-JURY CIVIL CASES CALENDARED/DISPOSED

Jan.	-	307	-	0	-	15	-	44	-	59
Feb.	-	248	-	36	-	8	-	16	-	24
March	-	260	-	45	-	16	-	18	-	34
April	-	271	-	35	-	15	-	18	-	33
May	-	273	-	25	-	13	-	23	-	36
June	-	262	-	44	-	25	-	24	-	49
July	-	-	-	-	-	-	-	-	-	-
August	-	-	-	-	-	-	-	-	-	-
Sept.	-	257	-	71	-	2	-	15	-	17
Oct.	-	311	-	25	-	13	-	22	-	35
Nov.	-	301	-	30	-	8	-	16	-	24
Dec.	-	307	-	19	-	5	-	18	-	23
	-	Total	-	330	-	120	-	214	-	334

# Superior Court

1972-1973 Statistics  
Comparative

## Civil Jury Trial Calendar



# Rhode Island Family Court

## PETITIONS FOR DIVORCE (FILED) (by County)

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
<u>Providence County</u>					
Absolute Divorce	2,023	1,742	2,357	2,567	2,732
Bed & Board	497	306	363	331	253
Total	<u>2,520</u>	<u>2,048</u>	<u>2,720</u>	<u>2,898</u>	<u>2,985</u>
<u>Kent County</u>					
Absolute Divorce	449	497	543	626	709
Bed & Board	96	96	116	90	84
Total	<u>545</u>	<u>593</u>	<u>659</u>	<u>716</u>	<u>793</u>
<u>Newport County</u>					
Absolute Divorce	383	356	356	367	346
Bed & Board	10	34	49	85	73
Total	<u>393</u>	<u>390</u>	<u>405</u>	<u>452</u>	<u>419</u>
<u>Washington County</u>					
Absolute Divorce	267	260	288	318	346
Bed & Board	39	36	42	27	28
Total	<u>306</u>	<u>296</u>	<u>330</u>	<u>345</u>	<u>374</u>
Total (State)	3,764	3,327	4,114	4,411	4,571

## FAMILY COURT - ADULT HEARINGS (by type)

Change of Name	--	--	1	--	--
Non-Support	46	35	14	16	15
Neglect of Children	36	9	7	11	22
Out of Wedlock	168	121	70	35	43
Contributing to W & D	30	43	15	15	28
Neglect to send...school	1	2	--	--	2
Total	<u>281</u>	<u>210</u>	<u>107</u>	<u>77</u>	<u>110</u>

# Rhode Island Family Court

## ADULT REFERRALS

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Non-Support	12	38	26	47	28
Neglect of Children	18	--	2	--	2
Out of Wedlock	46	--	34	19	16
Contributing to W & D	17	16	10	9	3
Neglect to send...school	8	67	--	2	4
Change of Name	1	1	1	1	1
Other	8	--	7	9	6
Total	<u>110</u>	<u>122</u>	<u>80</u>	<u>87</u>	<u>60</u>

## JUVENILE REFERRALS/HEARINGS

Referrals	7,069	6,805	8,610	8,468	9,166
Hearings	9,235	9,421	7,170	10,044	10,358
Total	<u>16,304</u>	<u>16,226</u>	<u>15,780</u>	<u>18,512</u>	<u>19,524</u>

## CASES HEARD & DECISIONS RENDERED

(Divorce - B & B)

### Providence County

Absolute Divorce	1,193	1,142	1,319	1,545	1,837
Bed & Board	11	16	12	15	7
Granted on Motion	43	64	79	64	77
	<u>1,247</u>	<u>1,222</u>	<u>1,410</u>	<u>1,624</u>	<u>1,921</u>
Discontinued	69	15	53	32	17
Total	<u>1,316</u>	<u>1,237</u>	<u>1,463</u>	<u>1,656</u>	<u>1,938</u>

### Kent County

Absolute Divorce	296	262	315	259	391
Bed & Board	--	4	--	5	1
Granted on Motion	20	18	14	11	30
	<u>316</u>	<u>284</u>	<u>329</u>	<u>275</u>	<u>422</u>
Discontinued	67	43	64	57	45
Totals	<u>383</u>	<u>327</u>	<u>393</u>	<u>332</u>	<u>467</u>



Newport County

Absolute Divorce	158	177	139	190	265
Bed & Board	2	1	4	3	1
Granted on Motion	<u>20</u>	<u>11</u>	<u>14</u>	<u>18</u>	<u>24</u>
	180	189	157	211	290
Discontinued	<u>15</u>	<u>12</u>	<u>15</u>	<u>14</u>	<u>20</u>
Totals	<u>195</u>	<u>201</u>	<u>172</u>	<u>255</u>	<u>310</u>

Washington County

Absolute Divorce	153	132	173	174	228
Bed & Board	1	2	3	11	3
Granted on Motion	<u>14</u>	<u>5</u>	<u>8</u>	<u>8</u>	<u>8</u>
	168	139	184	193	239
Discontinued	<u>47</u>	<u>13</u>	<u>18</u>	<u>12</u>	<u>22</u>
Totals	<u>215</u>	<u>152</u>	<u>202</u>	<u>205</u>	<u>261</u>

# Rhode Island Family Court

## JUVENILE REFERRALS

Wayward/Delinquent	4,986	5,645	+659	(+13%)
Motor Vehicle	2,249	2,415	+166	(+23%)
Dependency & Neglect	329	299	- 30	(-9.1%)
Child Marriages (couples)	144	131	- 13	(-9.0%)
Adoptions	576	524	- 52	(-9.0%)
Termination of Parental Rights	161	133	- 28	(-17.0%)
Other	<u>23</u>	<u>19</u>	- 4	(-17.3%)
Total	8,468	9,166	+698	(+8.2%)

## HEARINGS/FINDINGS

### Judicial

Wayward/Delinquent	256	64	-192	(-75.%)
Other than Wayward Delinquent	2,811	3,570	+759	(+27.%)
Motor Vehicle	971	934	- 37	(-3.8%)
Dependent	673	829	+156	(+23.1%)
Neglect	497	462	- 35	(-7.0%)
Child Marriages (couples)	114	121	+ 7	(6.1%)
Adoption	671	665	- 6	(8.9%)
Other	<u>154</u>	<u>129</u>	- 25	(16.2%)
Sub Total	6,147	6,774	+627	(10.2%)

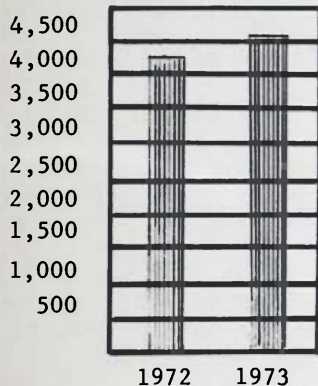
### Non-Judicial

Motor Vehicle	663	639		
Other	<u>315</u>	<u>406</u>		
Sub Total	978	1,045	+ 67	(6.8%)
Total	7,125	7,819	+694	(9.7%)

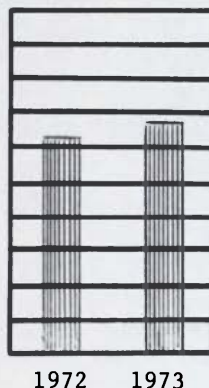
# Family Court

## 1972-1973 Statistics Comparative

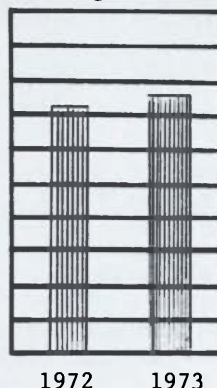
Juvenile Referrals



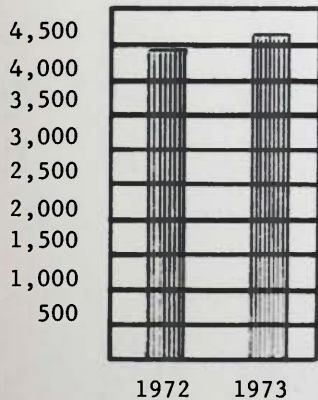
Juvenile Hearings



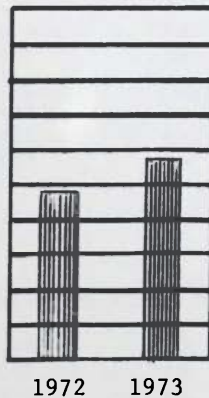
Hearings Non-Judicial



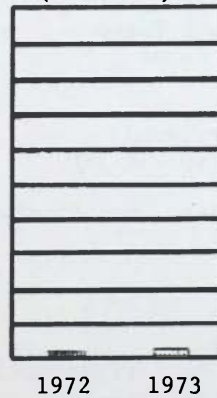
Divorces Filed



Divorces Granted



Adult Hearings  
(Criminal)



# Rhode Island District Court

## CRIMINAL ARRAIGNMENTS

	<u>1969</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>
Motor Vehicle	NA	46,601*	26,050*	23,436*	28,440*
Misdemeanor	NA	7,302	7,730	10,233	11,930
Felony	NA	4,728	6,092	6,730	7,769
Totals	<u>58,833</u>	<u>58,631</u>	<u>41,872</u>	<u>40,399</u>	<u>48,139</u>

## MISDEMEANORS DISPOSED

At Arraignment	NA	47,177	25,629	21,796	27,949
After Trial/Change Plea	NA	6,407	9,364	10,333	10,388
Total Disposed	--	(53,584)*	(34,993)*	(32,129)*	(38,337)*
Total Arraigned	<u>58,833</u>	<u>53,903</u>	<u>35,780</u>	<u>33,669</u>	<u>40,370</u>
Increase in Backlog	--	319	787	1,540	2,033

\*These figures do not reflect the motor vehicle summonses paid by mail to the Violations Bureau; 1969-0; 1970-7,676; 1971-38,996; 1972-47,190

## FELONY DISPOSITIONS

At Arraignment	NA	342	284	246	379
Probable Cause Found	NA	1,488	1,564	1,728	1,232
No Probable Cause	NA	256	208	119	56
Dismissed	NA	1,322**	1,473**	3,086**	4,132**
Total Disposed	--	(3,408)	(3,529)	(4,933)	(5,420)
Total Arraigned	--	4,728	6,092	6,730	7,769
Increase in Backlog	--	1,320	2,563	1,797	2,349

\*\*Some of these were dismissed because of secret indictments.

## CRIMINAL APPEALS

Total Appeals	NA	879	691	422	480
Total Disposed (all categories)	NA	53,587	34,993	32,129	38,337
% of Total Disposed	NA	1.6%	2%	1.3%	1.2%

# Rhode Island District Court

## CIVIL ACTIONS

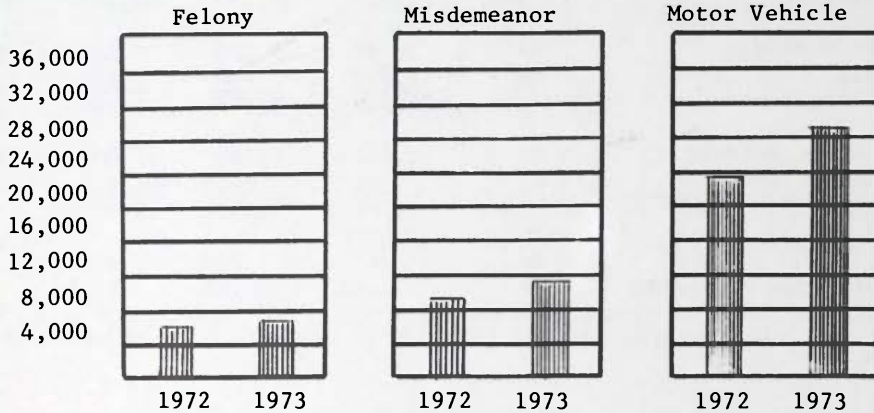
Small Claims Filed	3,105	5,032	5,199	7,023	7,849
Civil Cases Filed	<u>12,449</u>	<u>17,150</u>	<u>18,398</u>	<u>19,118</u>	<u>18,889</u>
Total Filings	15,554	22,182	23,597	26,141	26,738
Small Claim Hearings	NA	2,697	2,086	3,628	3,842
Civil Trials	<u>NA</u>	<u>1,069</u>	<u>972</u>	<u>1,171</u>	<u>1,201</u>
Total Cases Heard	--	3,776	3,058	4,799	5,043
Judgments After Default	NA	3,315	6,249	12,006	13,270
Judgments After Trial	<u>NA</u>	<u>791</u>	<u>941</u>	<u>1,131</u>	<u>1,194</u>
Totals	--	4,086	7,190	13,137	14,464
Appeals	--	15	25	238	306
% of Appeals from Judgments	--	.4%	.8%	1.8%	2.1%



# District Court

## 1972-1973 Statistics Comparative

### Arraignments



### Disposed

