

State of Rhode Island and Providence Plantations

Budget



Fiscal Year 2009

Donald L. Carcieri, Governor

The Agency

Judicial Department

Agency Operations

Rhode Island has a unified court system composed of six statewide courts. The Supreme Court is the court of review, the Superior Court is the general trial court, and the Family, District, Traffic Tribunal, and Workers' Compensation Courts are trial courts of special jurisdiction.

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 jurisdiction. 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 the State Court Administrator and an administrative staff to handle budgetary and general administrative functions. Under the direction of the Chief Justice, the Court Administrator has control of judicial appropriations for all state courts, except those as provided otherwise by law. Each court has responsibility over its own operations and has a chief judge who appoints an administrator to handle internal court management.

Statutory History

The Judicial is one of the three departments of government defined in the Rhode Island Constitution. The powers and jurisdictions of the six courts are identified in the Rhode Island General Laws as follows: Title 8 Chapter 1, Supreme Court; Title 8 Chapter 2, Superior Court; Title 8 Chapter 8, District Court; Title 8 Chapter 10, Family Court; Title 8 Chapter 8.2, Traffic Tribunal; and Title 28 Chapter 30, Workers' Compensation Court.

The budgetary and finance controls of the Judiciary are identified in the Rhode Island General Laws as follows: Title 8 Section 8-15-4, Appointment of Court Administrator and Assistants; Title 35 Section 35-3-1, Budget Officer – General Powers and Duties; Title 36 Section 36-4-2.1, Exemption from Merit System; Title 36 Section 36-4-16.4, Salaries of Directors, Judges, and Workers' Compensation Judges; Title 36 Section 36-6-1, Controller – Duties in General; and Title 37 Section 37-8-1, State House – State Office Building – Courthouses.

The Budget

Judicial Department

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures by Program					
Supreme Court	29,634,784	30,324,213	31,791,459	32,245,556	31,262,088
Superior Court	18,732,919	19,450,293	20,953,423	19,811,874	19,639,273
Family Court	18,116,046	18,202,913	19,200,772	19,724,758	19,612,219
District Court	9,352,766	9,873,321	10,505,649	9,836,279	10,047,490
Traffic Tribunal	6,741,081	6,845,158	7,159,070	6,820,057	6,885,279
Workers' Compensation Court	6,601,065	6,983,619	7,387,455	7,205,948	7,526,297
Total Expenditures	\$89,178,661	\$91,679,517	\$96,997,828	\$95,644,472	\$94,972,646
Expenditures By Object					
Personnel	68,901,874	71,826,143	79,053,737	73,049,789	73,580,921
Operating Supplies and Expenses	9,573,490	11,007,888	7,234,442	10,438,299	10,007,007
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	7,547,648	7,433,382	5,632,459	9,841,768	9,345,143
Subtotal: Operating Expenditures	\$86,023,012	\$90,267,413	\$91,920,638	\$93,329,856	\$92,933,071
Capital Purchases and Equipment	3,155,649	1,412,104	5,077,190	2,314,616	2,039,575
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$89,178,661	\$91,679,517	\$96,997,828	\$95,644,472	\$94,972,646
Expenditures By Funds					
General Revenue	77,771,437	82,039,512	84,964,917	82,799,916	82,622,926
Federal Funds	2,334,472	1,412,645	2,064,119	2,649,752	1,939,312
Restricted Receipts	7,631,618	7,272,677	8,518,792	8,661,007	8,710,408
Other Funds	1,441,134	954,683	1,450,000	1,533,797	1,700,000
Total Expenditures	\$89,178,661	\$91,679,517	\$96,997,828	\$95,644,472	\$94,972,646
FTE Authorization	742.0	732.5	732.5	732.3	729.3
Agency Measures					
Minorities as a Percentage of the Workforce	9.9%	9.5%	10.0%	10.0%	10.5%
Females as a Percentage of the Workforce	66.0%	65.0%	65.0%	65.0%	65.0%
Persons with Disabilities as a Percentage of the Workforce	0.6%	0.6%	0.7%	0.7%	0.7%

The Program

Judicial Department Supreme Court

Program Operations

The Supreme Court Program includes the budget for the Supreme Court itself, the Administrative Office of State Courts, and the Law Library.

The Court portion of the budget covers the justices, their secretarial and legal staff, the law clerk program, and the Supreme Court Clerk's Office. Through this portion of the budget the Supreme Court fulfills its role as the final court of review for the state courts. The Court also renders advisory opinions to the legislative and executive branches of government; issues writs of habeas corpus, mandamus, certiorari and certain other prerogative writs; and regulates the admission and discipline of members of the Rhode Island Bar.

Administrative services include all budget, personnel and purchasing functions; computer services; facility management, which includes the maintenance of courthouse facilities; programming for judicial education; the collection of court-ordered restitution, fines, fees and costs; and research and statistical analysis.

The Law Library is the only complete, public legal reference service in Rhode Island, and it operates under the Supreme Court. The Library has over 110,000 volumes and also provides access to computer aided legal research.

Other major activities of the Supreme Court include domestic violence prevention, mandatory continuing legal education, victim rights information, alternative dispute resolution, disciplinary counsel, the interpreter program.

The Commission on Judicial Tenure and Discipline was merged into the Judicial Department beginning in FY 2008.

Program Objectives

Provide timely review of all decisions appealed from the state courts.

Provide overall administrative direction to the state courts.

Regulate the admission of attorneys to the Rhode Island Bar.

Statutory History

The Supreme Court is the only constitutionally established court and is identified in Article X of the Rhode Island State Constitution. The organization, jurisdiction and powers of the Supreme Court are described in Title 8 Chapter 1 of the Rhode Island General Laws, and the administrative authority of the court is established by Title 8 Chapter 15. Other statutes relating to the Supreme Court include Title 8 Chapters 3 through 7 of the Rhode Island General Laws.

The Budget

Judicial Department Supreme Court

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures by Subprogram					
Supreme Court Operations	26,338,516	27,360,162	28,606,065	29,146,199	28,080,967
Defense of Indigents	3,184,764	2,870,413	3,065,689	2,982,915	3,065,689
Judicial Tenure and Discipline	111,504	93,638	119,705	116,442	115,432
Total Expenditures	\$29,634,784	\$30,324,213	\$31,791,459	\$32,245,556	\$31,262,088
Expenditures By Object					
Personnel	17,007,358	18,858,393	20,730,590	17,428,308	17,506,308
Operating Supplies and Expenses	6,008,348	7,012,296	4,714,377	8,139,866	7,680,170
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	3,506,217	3,160,415	1,331,634	4,400,982	4,080,412
Subtotal: Operating Expenditures	\$26,521,923	\$29,031,104	\$26,776,601	\$29,969,156	\$29,266,890
Capital Purchases and Equipment	3,112,861	1,293,109	5,014,858	2,276,400	1,995,198
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$29,634,784	\$30,324,213	\$31,791,459	\$32,245,556	\$31,262,088
Expenditures By Funds					
General Revenue	26,941,850	28,988,913	29,088,532	28,891,232	28,232,977
Federal Funds	221,247	91,559	121,590	365,468	145,000
Restricted Receipts	1,030,553	289,058	1,131,337	1,455,059	1,184,111
Other Funds	1,441,134	954,683	1,450,000	1,533,797	1,700,000
Total Expenditures	\$29,634,784	\$30,324,213	\$31,791,459	\$32,245,556	\$31,262,088
Program Measures					
Disposition Rate of Appeal Cases	94.0%	94.0%	100.0%	100.0%	100.0%
Verified Complaints Disposed Within 90 Days	96.4%	81.0%	95.0%	95.0%	95.0%

The Program

Judicial Department Superior Court

Program Operations

The program budget for Superior Court includes the operation of the Court itself, administrative services, and the operation of the clerks' offices.

Superior Court has four locations: Providence/Bristol, Kent, Washington, and Newport Counties. It has jurisdiction over all felony cases and misdemeanor cases which have been appealed or waived from the District Court. The Court also hears all civil cases where the amount at issue exceeds \$10,000, equity cases wherein injunctive relief is sought, civil cases that are appealed from the District Court, and all probate and zoning appeals. The Superior Court has concurrent original jurisdiction with the District Court in all other actions at law in which the amount in controversy exceeds \$5,000 yet does not exceed \$10,000. The administrative office of the Court handles all case scheduling, supervises the court secretaries and stenographers, and provides other administrative services.

Each Court location has a clerk's office which is responsible for maintaining the records of the court. This includes creating files for each case, filing all papers that are received, updating the record in each case to reflect court proceedings and the papers that have been filed, and maintaining and marking all exhibits of evidence.

Other major programs include jury selection, court-annexed arbitration, court ordered restitution, and administration of jurors' fees and expenses. In FY 1995, a Gun Court was established to adjudicate offenses where guns are involved and the planning process began for the Adult Drug Court. In FY 2002, the Adult Drug Court was established preceded by the FY 2001 establishment of the Business Calendar.

Program Objectives

Provide timely and fair adjudication of all cases within the jurisdiction of the Superior Court.

Maintain a complete and accurate record for all cases that are filed with the Superior Court.

Provide a written transcript of any proceeding or appeal.

Statutory History

The Superior Court is a statutorily authorized court. The jurisdiction and sessions of the court, and the role and responsibilities of the clerks, secretaries and stenographers of the court are outlined in Title 8 Chapters 2 through 7 of the Rhode Island General Laws.

The Budget

Judicial Department Superior Court

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures by Subprogram					
Superior Court Operations	17,290,730	17,915,281	19,256,525	18,334,603	18,135,018
Jury Operations	1,442,189	1,535,012	1,696,898	1,477,271	1,504,255
Total Expenditures	\$18,732,919	\$19,450,293	\$20,953,423	\$19,811,874	\$19,639,273
Expenditures By Object					
Personnel	15,883,780	16,362,219	18,224,689	16,937,970	16,769,390
Operating Supplies and Expenses	1,166,409	1,357,168	1,006,160	1,040,334	1,016,466
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	1,674,612	1,698,251	1,722,574	1,833,570	1,853,417
Subtotal: Operating Expenditures	\$18,724,801	\$19,417,638	\$20,953,423	\$19,811,874	\$19,639,273
Capital Purchases and Equipment	8,118	32,655	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$18,732,919	\$19,450,293	\$20,953,423	\$19,811,874	\$19,639,273
Expenditures By Funds					
General Revenue	18,397,715	19,080,778	20,417,996	19,594,965	19,539,273
Federal Funds	335,204	369,515	535,427	216,909	100,000
Total Expenditures	\$18,732,919	\$19,450,293	\$20,953,423	\$19,811,874	\$19,639,273
Program Measures					
Percentage of Felony Cases Annually Disposed of Within 180 Days	70.0%	74.0%	75.0%	75.0%	75.0%
Disposition Rate of Civil Cases	111.0%	110.0%	100.0%	100.0%	100.0%

The Program

Judicial Department Family Court

Program Operations

The program budget for Family Court includes the operation of the Court itself, the administrative office of the Court, the clerks' offices, and the operation of several ancillary programs, including juvenile intake services, the Family Counseling Unit, the Collections Unit and the Court Appointed Special Advocate Unit.

The Family Court handles all criminal cases involving juveniles; juvenile status offenses, such as truancy and disobedience; all cases where parents have been charged with neglect, abandonment or abuse of their children; and other miscellaneous cases involving children, such as child marriages and paternity issues. The Court also hears all divorces and issues stemming from a divorce, such as orders for child support and temporary allowances.

The Court has offices in Providence, Kent, Newport and Washington Counties. There are clerks' offices in each of these locations, and the office staff is responsible for preparing all court calendars and maintaining records of the court. All papers are filed with the clerk's office, and this office sets up a file for each case and maintains an up-to-date record of court proceedings and the papers that have been filed.

Because of the special nature of the Family Court, it provides a variety of services to families. For example, the Family Counseling Unit provides alcohol and drug screens and supervises visitation, in addition to providing investigative and mediation services to the court. Likewise, the Child Support Collections Unit handles the collection and disbursement of child support payments. Specialty courts include the Juvenile Drug Court, the Family Treatment Drug Court, the Domestic Violence Court, the Truancy Court, and the Juvenile Re-entry Court.

Program Objectives

Adjudicate the cases within the jurisdiction of the Family Court in a timely and fair manner.

Provide counseling and other assistance to families involved in litigation before the court.

Statutory History

The Family Court is authorized by statute. The composition and jurisdiction of the Family Court is identified in Title 8 Chapter 10 of the Rhode Island General Laws.

The Budget

Judicial Department Family Court

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures By Object					
Personnel	16,969,848	17,156,292	18,314,371	18,053,934	18,123,813
Operating Supplies and Expenses	654,113	467,183	404,953	426,376	479,991
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	464,063	535,656	481,448	1,244,448	1,008,415
Subtotal: Operating Expenditures	\$18,088,024	\$18,159,131	\$19,200,772	\$19,724,758	\$19,612,219
Capital Purchases and Equipment	28,022	43,782	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$18,116,046	\$18,202,913	\$19,200,772	\$19,724,758	\$19,612,219
Expenditures By Funds					
General Revenue	16,338,025	17,251,332	17,793,670	17,657,383	17,917,907
Federal Funds	1,778,021	951,581	1,407,102	2,067,375	1,694,312
Total Expenditures	\$18,116,046	\$18,202,913	\$19,200,772	\$19,724,758	\$19,612,219
Program Measures					
Percentage of Wayward/Delinquent Cases Suitable for Non-Judicial Processing					
Diverted or Referred to Court Within 45 Days	75.0%	86.0%	80.0%	80.0%	80.0%
Percentage of Wayward/Delinquent Cases Requiring Court Involvement Adjudicated Within 180 Days					
	72.0%	72.0%	75.0%	75.0%	75.0%
Percentage of D/N/A Cases Adjudicated Within 180 Days of Filing					
	58.0%	52.0%	55.0%	55.0%	60.0%
Percentage of Juvenile Termination of Parental Rights Cases Adjudicated Within 180 Days					
	60.0%	58.0%	60.0%	60.0%	60.0%
Percentage of Domestic Cases Disposed of Within 365 Days					
	99.5%	98.0%	100.0%	100.0%	100.0%

The Program

Judicial Department District Court

Program Operations

The District Court consists of a chief judge, and administrative judge and associate judges. The court is also served by two magistrates. The program budget for the District Court includes the cost of operation for the Court itself and the operation of the clerk's offices. The District Court handles all misdemeanor cases, all civil cases where the amount in dispute is under \$5,000, trespass and ejection cases between landlords and tenants, and all small claims, which includes certain civil cases where the amount in dispute is under \$2,500. The District Court handles most felony bail hearings in capital and other serious cases. The District Court also holds hearings on commitments under the mental health and drug abuse laws and handles certain agency appeals. The Court has four locations, in Providence, Kent, Newport and Washington Counties, with a clerk's office at each location. The clerks' offices maintain all the records for the Court. As with the other courts, all papers are filed in the clerk's office. The office creates a file for every case and maintains an up-to-date record on what has happened in the case. In addition, the Pretrial Services Unit was established in FY 2002 to provide pre-arraignment and post-arraignment services to defendants.

Program Objectives

Adjudicate the cases within the jurisdiction of the District Court in a timely and fair manner.

Maintain a complete and accurate record for every case.

Statutory History

The District Court is a statutorily authorized court. The powers and jurisdiction of the Court are defined in Title 8 Chapter 8 of the Rhode Island General Laws.

The Budget

Judicial Department District Court

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures By Object					
Personnel	8,188,561	8,465,026	9,373,243	8,625,697	8,876,811
Operating Supplies and Expenses	355,242	488,861	237,934	155,282	132,281
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	808,963	899,551	892,070	1,055,300	1,038,398
Subtotal: Operating Expenditures	\$9,352,766	\$9,853,438	\$10,503,247	\$9,836,279	\$10,047,490
Capital Purchases and Equipment	-	19,883	2,402	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$9,352,766	\$9,873,321	\$10,505,649	\$9,836,279	\$10,047,490
Expenditures By Funds					
General Revenue	9,352,766	9,873,331	10,505,649	9,836,279	10,047,490
Federal Funds	-	(10)	-	-	-
Total Expenditures	\$9,352,766	\$9,873,321	\$10,505,649	\$9,836,279	\$10,047,490
Program Measures					
Percentage of Misdemeanor Cases Disposed of Within 60 Days	88.0%	90.0%	85.0%	85.0%	90.0%

The Program

Judicial Department Traffic Tribunal

Program Operations

The Traffic Tribunal was created effective July 1, 1999. It is the successor to the Administrative Adjudication Court. It consists of one chief magistrate, associate judges and magistrates. It is supervised by the chief magistrate.

The Traffic Tribunal hears and determines civil traffic violations. It has exclusive jurisdiction over certain offenses and concurrent jurisdiction with the municipal courts over others. The Traffic Tribunal hears certain administrative appeals for the Registry of Motor Vehicles. The appeals panel of the Traffic Tribunal hears appeals from the Traffic Tribunal and the municipal courts. The Traffic Tribunal does not hear those offenses committed in places within the exclusive jurisdiction of the United States, or criminal motor vehicle offenses such as driving so as to endanger resulting in death, and driving while under the influence of liquor and drugs, which, which state law specifies will be heard under the jurisdiction of other courts. The Traffic Tribunal currently sits at its main courthouse in the Pastore Complex, 670 New London Avenue in Cranston; Traffic Tribunal also sits in Wakefield and Woonsocket.

Program Objectives

Adjudicate the cases within the jurisdiction of the Traffic Tribunal in a timely and fair manner.

Maintain a complete and accurate record for every case.

Statutory History

The powers and jurisdiction of the Traffic Tribunal are defined in Title 8 Chapter 8.2 of the Rhode Island General Laws. The 1999 session of the General Assembly passed S932 entitled the Rhode Island Traffic Safety and Accountability Act of 1999. This act abolished the Administrative Adjudication Court effective July 1, 1999 and created the Traffic Tribunal.

The Budget

Judicial Department Traffic Tribunal

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures By Object					
Personnel	5,511,342	5,496,149	6,434,379	6,136,558	6,184,673
Operating Supplies and Expenses	848,805	935,868	261,643	249,596	259,507
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	379,144	403,421	458,118	433,903	441,099
Subtotal: Operating Expenditures	\$6,739,291	\$6,835,438	\$7,154,140	\$6,820,057	\$6,885,279
Capital Purchases and Equipment	1,790	9,720	4,930	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$6,741,081	\$6,845,158	\$7,159,070	\$6,820,057	\$6,885,279
Expenditures By Funds					
General Revenue	6,741,081	6,845,158	7,159,070	6,820,057	6,885,279
Total Expenditures	\$6,741,081	\$6,845,158	\$7,159,070	\$6,820,057	\$6,885,279
Program Measures					
Percentage of Summonses Disposed of within 60 Days	98.0%	97.0%	98.0%	98.0%	98.0%

The Program

Judicial Department Workers' Compensation Court

Program Operations

The Workers' Compensation Court is a member of the unified judicial system and has the same authority and power to subpoena and to cite and punish for civil contempt as exists in the Superior Court. It hears and decides all controversies as they pertain to Workers' Compensation in an efficient, effective, and economical manner. Presently, it has nine judges and one chief judge as well as support staff which includes administrators, hearing reporters, and clerical staff. It is supported from the Workers' Compensation Administrative Fund.

Upon the filing of a petition for benefits arising out of a work-related injury case, a case file is set up and notices are sent to all parties. Before proceeding to a full evidentiary hearing, a judge conducts a pretrial conference, with a view of expediting the case and reducing the issues in dispute to a minimum. If the matter can not be resolved informally the judge must enter a pretrial order as to the right of the employee to receive benefits (approximately 70 percent of all litigation is concluded at this point).

Those cases not resolved at pretrial are heard by the same judge for trial. At the trial, a judge will hear all questions. The judge will then decide the merits of the controversy pursuant to the law and a fair preponderance of the evidence. From this decision a decree is entered. At this stage either party may appeal to the Appellate Division. The Appellate Division consists of three judges assigned by the Chief Judge, none of whom is the Trial Judge.

The Appellate Division judges review the transcript and the record of the case along with the appellant's reasons for appeal and memoranda of law. The Appellate Division will then decide the matter and a final decree of the Appellate Division is entered. If either party is aggrieved by the decision of the Appellate Division, they may petition the Supreme Court for a writ of certiorari. Upon petition, the Supreme Court may review any decree of the Workers' Compensation Court.

Program Objectives

Hear all disputes regarding workers' compensation claims.

Decide all controversies efficiently, effectively, and economically.

Statutory History

Title 28, Chapters 29 through 38 of the Rhode Island General Laws includes provisions relating to the Workers' Compensation Court.

The Budget

Judicial Department Workers' Compensation Court

	FY 2006 Actual	FY 2007 Actual	FY 2008 Enacted	FY 2008 Revised	FY 2009 Recommended
Expenditures By Object					
Personnel	5,340,985	5,488,064	5,976,465	5,867,322	6,119,926
Operating Supplies and Expenses	540,573	746,512	609,375	426,845	438,592
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	714,649	736,088	746,615	873,565	923,402
Subtotal: Operating Expenditures	\$6,596,207	\$6,970,664	\$7,332,455	\$7,167,732	\$7,481,920
Capital Purchases and Equipment	4,858	12,955	55,000	38,216	44,377
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$6,601,065	\$6,983,619	\$7,387,455	\$7,205,948	\$7,526,297
Expenditures By Funds					
Restricted Receipts	6,601,065	6,983,619	7,387,455	7,205,948	7,526,297
Total Expenditures	\$6,601,065	\$6,983,619	\$7,387,455	\$7,205,948	\$7,526,297
Program Measures					
Percentage of Workers' Compensation Cases that are Disposed of at Pretrial Within 90 Days	87.0%	89.0%	89.0%	89.0%	90.0%
Percentage of Workers' Compensation Cases that are Disposed of at Trial Within 360 Days	82.0%	85.0%	85.0%	85.0%	85.0%