

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.

The state budget officer's duties and powers relating to budgetary controls and personnel requests of the judicial department are purely ministerial, concerned only with the availability of the funds. Itemized estimates of the financial needs of the Judiciary are submitted, without revision, by the budget officer to the Governor on or before October 1 for inclusion in the budget. In turn the Governor includes in the budget recommendation to the General Assembly the financial needs of the Judiciary without revision.

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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures by Program					
Supreme Court	30,230,574	31,458,181	31,904,446	31,492,489	30,273,250
Superior Court	19,450,293	19,789,720	20,257,910	19,770,419	20,238,308
Family Court	18,202,913	19,484,521	19,842,332	19,796,023	19,404,572
District Court	9,873,321	9,625,764	10,264,212	10,390,468	10,815,151
Traffic Tribunal	6,845,158	6,834,964	7,439,091	7,570,028	7,545,676
Workers' Compensation Court	6,983,619	7,205,888	7,526,297	7,574,863	7,578,922
Judicial Tenure and Discipline	93,638	107,533	115,432	129,092	128,922
Total Expenditures	\$91,679,516	\$94,506,571	\$97,349,720	\$96,723,382	\$95,984,801
Expenditures By Object					
Personnel	71,826,144	73,375,274	75,690,262	75,686,443	75,514,370
Operating Supplies and Expenses	10,837,840	9,578,977	10,274,740	9,072,446	9,193,517
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	7,433,381	9,558,718	9,345,143	9,461,948	9,935,552
Subtotal: Operating Expenditures	\$90,097,365	\$92,512,969	\$95,310,145	\$94,220,837	\$94,643,439
Capital Purchases and Equipment	1,582,151	1,993,602	2,039,575	2,502,545	1,341,362
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$91,679,516	\$94,506,571	\$97,349,720	\$96,723,382	\$95,984,801
Expenditures By Funds					
General Revenue	82,039,511	82,799,851	85,000,000	82,797,231	83,907,229
Federal Funds	1,412,645	1,872,594	1,939,312	2,706,941	1,445,452
Restricted Receipts	7,272,677	8,395,390	8,710,408	9,324,149	9,807,120
Other Funds	954,683	1,438,736	1,700,000	1,895,061	825,000
Total Expenditures	\$91,679,516	\$94,506,571	\$97,349,720	\$96,723,382	\$95,984,801
FTE Authorization	732.5	732.5	729.3	729.3	729.3
Agency Measures					
Minorities as a Percentage of the Workforce	9.5%	10.0%	10.5%	10.5%	9.8%
Females as a Percentage of the Workforce	65.0%	65.0%	65.0%	65.0%	65.0%
Persons with Disabilities as a Percentage of the Workforce	0.6%	0.7%	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.

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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures by Subprogram					
Supreme Court Operations	27,360,162	28,087,941	28,838,757	28,426,800	26,907,561
Defense of Indigents	2,870,412	3,369,184	3,065,689	3,065,689	3,365,689
Total Expenditures	\$30,230,574	\$31,457,125	\$31,904,446	\$31,492,489	\$30,273,250
Expenditures By Object					
Personnel	18,771,171	17,805,043	17,888,457	18,313,826	17,911,996
Operating Supplies and Expenses	7,008,512	7,294,286	7,943,577	6,632,206	6,645,305
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	3,160,414	4,630,518	4,080,412	4,080,412	4,391,087
Subtotal: Operating Expenditures	\$28,940,097	\$29,729,847	\$29,912,446	\$29,026,444	\$28,948,388
Capital Purchases and Equipment	1,290,477	1,727,278	1,992,000	2,466,045	1,324,862
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$30,230,574	\$31,457,125	\$31,904,446	\$31,492,489	\$30,273,250
Expenditures By Funds					
General Revenue	28,895,274	28,579,837	28,875,335	27,646,735	28,043,805
Federal Funds	91,559	250,106	145,000	466,327	102,440
Restricted Receipts	289,058	1,188,446	1,184,111	1,484,366	1,302,005
Other Funds	954,683	1,438,736	1,700,000	1,895,061	825,000
Total Expenditures	\$30,230,574	\$31,457,125	\$31,904,446	\$31,492,489	\$30,273,250
Program Measures					
Disposition Rate of Appeal Cases	94.0%	99.0%	100.0%	100.0%	100.0%
Verified Complaints Disposed Within 90 Days	81.0%	89.0%	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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures by Subprogram					
Superior Court Operations	17,915,281	18,322,900	18,753,655	18,144,198	18,634,677
Jury Operations	1,535,012	1,466,820	1,504,255	1,626,221	1,603,631
Total Expenditures	\$19,450,293	\$19,789,720	\$20,257,910	\$19,770,419	\$20,238,308
Expenditures By Object					
Personnel	16,362,219	16,979,238	17,388,027	16,671,147	17,062,242
Operating Supplies and Expenses	1,336,681	1,049,722	1,016,466	1,110,895	1,093,064
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	1,698,251	1,754,585	1,853,417	1,988,377	2,083,002
Subtotal: Operating Expenditures	\$19,397,151	\$19,783,545	\$20,257,910	\$19,770,419	\$20,238,308
Capital Purchases and Equipment	53,142	6,175	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$19,450,293	\$19,789,720	\$20,257,910	\$19,770,419	\$20,238,308
Expenditures By Funds					
General Revenue	19,080,778	19,635,180	20,157,910	19,640,419	19,861,308
Federal Funds	369,515	154,540	100,000	130,000	90,000
Restricted Receipts	-	-	-	-	287,000
Total Expenditures	\$19,450,293	\$19,789,720	\$20,257,910	\$19,770,419	\$20,238,308
Program Measures					
Percentage of Felony Cases Annually Disposed of Within 180 Days	74.0%	74.0%	75.0%	75.0%	75.0%
Disposition Rate of Civil Cases	110.0%	114.0%	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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures By Object					
Personnel	17,156,292	18,169,211	18,353,926	18,395,961	18,065,571
Operating Supplies and Expenses	467,182	412,916	479,991	416,435	432,096
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	535,657	898,145	1,008,415	983,627	906,905
Subtotal: Operating Expenditures	\$18,159,131	\$19,480,272	\$19,842,332	\$19,796,023	\$19,404,572
Capital Purchases and Equipment	43,782	4,249	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$18,202,913	\$19,484,521	\$19,842,332	\$19,796,023	\$19,404,572
Expenditures By Funds					
General Revenue	17,251,332	18,016,573	18,148,020	17,685,409	18,151,560
Federal Funds	951,581	1,467,948	1,694,312	2,110,614	1,253,012
Total Expenditures	\$18,202,913	\$19,484,521	\$19,842,332	\$19,796,023	\$19,404,572
Program Measures					
Percentage of Wayward/Delinquent Cases Suitable for Non-Judicial Processing					
Diverted or Referred to Court Within 45 Days	86.0%	84.0%	84.0%	84.0%	84.0%
Percentage of Wayward/Delinquent Cases Requiring Court Involvement Adjudicated Within 180 Days					
	72.0%	71.0%	75.0%	75.0%	75.0%
Percentage of D/N/A Cases Adjudicated Within 180 Days of Filing					
	52.0%	41.0%	43.0%	43.0%	45.0%
Percentage of Juvenile Termination of Parental Rights Cases Adjudicated Within 180 Days					
	58.0%	52.0%	55.0%	55.0%	58.0%
Percentage of Divorce Cases Disposed of Within 365 Days					
	99.0%	99.0%	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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures By Object					
Personnel	8,465,027	8,448,061	9,093,533	9,058,413	9,285,510
Operating Supplies and Expenses	488,861	190,292	132,281	218,524	306,986
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	899,550	984,559	1,038,398	1,113,531	1,222,655
Subtotal: Operating Expenditures	\$9,853,438	\$9,622,912	\$10,264,212	\$10,390,468	\$10,815,151
Capital Purchases and Equipment	19,883	2,852	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$9,873,321	\$9,625,764	\$10,264,212	\$10,390,468	\$10,815,151
Expenditures By Funds					
General Revenue	9,873,331	9,625,764	10,264,212	10,125,548	10,175,958
Federal Funds	(10)	-	-	-	-
Restricted Receipts	-	-	-	264,920	639,193
Total Expenditures	\$9,873,321	\$9,625,764	\$10,264,212	\$10,390,468	\$10,815,151
Program Measures					
Percentage of Misdemeanor Cases Disposed of Within 60 Days	86.0%	82.0%	82.0%	82.0%	82.0%

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 judge and the administrative magistrate of the district court.

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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures By Object					
Personnel	5,496,149	6,153,572	6,738,485	6,882,466	6,842,819
Operating Supplies and Expenses	786,308	271,389	259,507	251,902	254,308
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	403,421	410,003	441,099	429,660	442,549
Subtotal: Operating Expenditures	\$6,685,878	\$6,834,964	\$7,439,091	\$7,564,028	\$7,539,676
Capital Purchases and Equipment	159,280	-	-	6,000	6,000
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$6,845,158	\$6,834,964	\$7,439,091	\$7,570,028	\$7,545,676
Expenditures By Funds					
General Revenue	6,845,158	6,834,964	7,439,091	7,570,028	7,545,676
Total Expenditures	\$6,845,158	\$6,834,964	\$7,439,091	\$7,570,028	\$7,545,676
Program Measures					
Percentage of Summonses Disposed of within 60 Days	97.0%	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 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures By Object					
Personnel	5,488,064	5,715,376	6,119,926	6,239,214	6,219,786
Operating Supplies and Expenses	746,512	356,556	438,592	438,808	459,282
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	736,088	880,908	923,402	866,341	889,354
Subtotal: Operating Expenditures	\$6,970,664	\$6,952,840	\$7,481,920	\$7,544,363	\$7,568,422
Capital Purchases and Equipment	12,955	253,048	44,377	30,500	10,500
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$6,983,619	\$7,205,888	\$7,526,297	\$7,574,863	\$7,578,922
Expenditures By Funds					
Restricted Receipts	6,983,619	7,205,888	7,526,297	7,574,863	7,578,922
Total Expenditures	\$6,983,619	\$7,205,888	\$7,526,297	\$7,574,863	\$7,578,922
Program Measures					
Percentage of Workers' Compensation Cases that are Disposed of at Pretrial Within 90 Days	89.0%	89.0%	90.0%	90.0%	90.0%
Percentage of Workers' Compensation Cases that are Disposed of at Trial Within 360 Days	85.0%	85.0%	85.0%	85.0%	85.0%

The Program

Judicial Department Judicial Tenure and Discipline

Program Operations

The Commission on Judicial Tenure and Discipline, a program of the Rhode Island Judiciary, is responsible for conducting investigations of judges suspected of or charged with misconduct. The commission, upon receiving from any person a verified statement, not unfounded or frivolous, alleging facts indicating that a Justice of the Supreme Court, the Superior Court, the Family Court, the District Court, the Workers' Compensation Court, the Traffic Tribunal and the Probate Court judges or magistrates and judicial officers appointed pursuant to Rhode Island General Laws is guilty of a serious violation of the Code of Judicial Conduct or the Canons of Judicial Ethics, or of a willful and persistent failure to perform his/her duties, or disabling substance abuse, or conduct that brings the judicial office into serious disrepute, or that such a judge has a physical or mental disability that seriously interferes and will continue to interfere with the performance of his/her duties, shall make a preliminary investigation to determine whether formal proceedings shall be instituted and a hearing held. The commission may, on its own initiative, make such a preliminary investigation, without receiving a verified statement, to determine whether formal proceedings shall be instituted and a hearing held.

When formal proceedings are ordered, the justice is given formal notice of the charges and of the time fixed for a public hearing. The justice is required to appear at the hearing, may be represented by counsel, offer evidence and otherwise participate in said hearing. Recommendation concerning the disciplining of any justice shall be made in a report to the Chief Justice of the Supreme Court. The Supreme Court is required to grant a review if requested by said justice. After the hearing, the Supreme Court may affirm, modify or reject the commission's recommendation(s).

Program Objectives

Ensure the integrity of the Rhode Island Court System.

Investigate reasonable allegations of wrongdoing by Rhode Island judges.

Recommend, when appropriate, sanctions to be imposed against Rhode Island judges.

Statutory History

The Commission on Judicial Tenure and Discipline was established in 1974 under Rhode Island Public Law 1972, Ch. 136, Section 1 for the purpose of conducting investigations upon the filing of a verified complaint or upon its own initiative of the conduct of judges of the Supreme, Superior, Family and District Courts. Subsequent enactments in P.L.1983, Ch. 26 and P.L. 1990, Ch. 332, Article 1, sec. 13 and P.L. 1991, Ch. 132, sec. 2 as well as P.L. 1991, Ch. 205, sec. 2 and P.L. 1996, Ch. 312 enlarged the jurisdiction to include the Workers' Compensation Court, the Traffic Tribunal as well as all judges of Probate Courts in any city or town in the State of Rhode Island. P.L. 2007, Ch. 178 altered the composition of the Commission.

The Budget

Judicial Department Judicial Tenure and Discipline

	FY 2007 Actual	FY 2008 Actual	FY 2009 Enacted	FY 2009 Revised	FY 2010 Recommended
Expenditures By Object					
Personnel	87,222	103,717	107,908	125,416	126,446
Operating Supplies and Expenses	3,784	3,816	4,326	3,676	2,476
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	-	-	-	-	-
Subtotal: Operating Expenditures	\$91,006	\$107,533	\$112,234	\$129,092	\$128,922
Capital Purchases and Equipment	2,632	-	3,198	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$93,638	\$107,533	\$115,432	\$129,092	\$128,922
Expenditures By Funds					
Restricted Receipts	93,638	107,533	115,432	129,092	128,922
Total Expenditures	\$93,638	\$107,533	\$115,432	\$129,092	\$128,922
Program Measures	NA	NA	NA	NA	NA