

# 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 Budget

## Judicial Department

	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>	<b>FY 2006</b>
	<b>Actual</b>	<b>Actual</b>	<b>Revised</b>	<b>Recommended</b>
<b>Expenditures by Program</b>				
Supreme Court	23,530,908	24,633,375	29,045,993	27,488,345
Superior Court	16,243,462	16,990,386	18,327,062	18,705,907
Family Court	14,602,424	15,213,430	16,790,398	16,435,478
District Court	7,848,773	8,071,913	8,398,690	8,650,732
Traffic Tribunal	5,923,408	6,289,780	6,647,521	6,862,587
Workers' Compensation Court	5,591,784	6,263,191	6,188,182	6,287,111
<b>Total Expenditures</b>	<b>\$73,740,759</b>	<b>\$77,462,075</b>	<b>\$85,397,846</b>	<b>\$84,430,160</b>
<b>Expenditures By Object</b>				
Personnel	58,039,866	62,531,419	70,113,723	68,954,294
Other State Operations	10,716,318	9,539,528	9,261,886	9,056,283
Aid to Local Units of Government	-	-	-	-
Assistance, Grants and Benefits	4,910,360	5,160,831	5,160,750	5,160,750
<b>Subtotal: Operating Expenditures</b>	<b>\$73,666,544</b>	<b>\$77,231,778</b>	<b>\$84,536,359</b>	<b>\$83,171,327</b>
Capital Improvements	74,215	230,297	861,487	1,258,833
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$73,740,759</b>	<b>\$77,462,075</b>	<b>\$85,397,846</b>	<b>\$84,430,160</b>
<b>Expenditures By Funds</b>				
General Revenue	63,839,003	66,713,157	72,189,646	72,661,023
Federal Funds	3,267,741	3,294,417	5,071,158	3,129,095
Restricted Receipts	6,559,800	7,209,144	7,284,388	7,390,042
Other Funds	74,215	245,357	852,654	1,250,000
<b>Total Expenditures</b>	<b>\$73,740,759</b>	<b>\$77,462,075</b>	<b>\$85,397,846</b>	<b>\$84,430,160</b>
<b>FTE Authorization</b>	<b>721.7</b>	<b>734.5</b>	<b>743.5</b>	<b>743.5</b>
<b>Agency Measures</b>				
Minorities as a Percentage of the Workforce	7.7%	8.0%	8.4%	8.4%
Females as a Percentage of the Workforce	66.6%	67.0%	67.7%	67.7%
Persons with Disabilities as a Percentage of the Workforce	0.5%	0.6%	0.6%	0.6%

<sup>(1)</sup> Beginning with the FY 2004 revised budget, the Governor recommends merging the Justice Link Program into the Supreme Court Program.

# 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 Supreme 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 Supreme 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 and the warrant squad.

### 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 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
<b>Expenditures by Subprogram</b>				
Supreme Court Operations	21,489,898	22,258,652	26,273,186	24,271,527
Defense of Indigents	2,041,010	2,374,723	2,772,807	3,216,818
<b>Total Expenditures</b>	<b>\$23,530,908</b>	<b>24,633,375</b>	<b>29,045,993</b>	<b>27,488,345</b>
<b>Expenditures By Object</b>				
Personnel	14,696,844	17,249,426	21,279,407	19,577,178
Other State Operations	7,513,451	5,931,424	5,686,338	5,433,573
Aid to Local Units of Government	-	-	-	-
Assistance, Grants and Benefits	1,246,398	1,222,228	1,227,594	1,227,594
<b>Subtotal: Operating Expenditures</b>	<b>\$23,456,693</b>	<b>\$24,403,078</b>	<b>\$28,193,339</b>	<b>\$26,238,345</b>
Capital Improvements	74,215	230,297	852,654	1,250,000
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$23,530,908</b>	<b>\$24,633,375</b>	<b>\$29,045,993</b>	<b>\$27,488,345</b>
<b>Expenditures By Funds</b>				
General Revenue	22,430,042	23,013,099	26,238,466	25,092,025
Federal Funds	254,597	552,741	999,526	185,399
Restricted Receipts	772,054	822,178	955,347	960,921
Other Funds	74,215	245,357	852,654	1,250,000
<b>Total Expenditures</b>	<b>\$23,530,908</b>	<b>\$24,633,375</b>	<b>\$29,045,993</b>	<b>\$27,488,345</b>
<b>Program Measures</b>				
Percentage of Appeal Cases Annually Disposed of within 300 Days	59.0%	63.0%	65.0%	70.0%

# The Program

---

## Judicial Department Superior Court

---

### Program Operations

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

Superior Court has four locations: Providence, 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 Superior Court also hears all civil cases where the amount at issue exceeds \$5,000, equity cases wherein injunctive relief is sought, civil cases that are appealed from the District Court, and all probate and zoning appeals. The administrative office of the Superior 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 what has happened in court 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.

### 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 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
<b>Expenditures by Subprogram</b>				
Superior Court Operations	14,961,350	15,713,402	16,852,599	17,168,723
Jury Operations	1,282,112	1,276,984	1,474,463	1,537,184
<b>Total Expenditures</b>	<b>\$16,243,462</b>	<b>\$16,990,386</b>	<b>\$18,327,062</b>	<b>\$18,705,907</b>
<b>Expenditures By Object</b>				
Personnel	13,451,894	14,191,671	15,409,282	15,749,301
Other State Operations	1,181,478	1,151,700	1,230,192	1,269,018
Aid to Local Units of Government	-	-	-	-
Assistance, Grants and Benefits	1,610,090	1,647,015	1,687,588	1,687,588
<b>Subtotal: Operating Expenditures</b>	<b>\$16,243,462</b>	<b>\$16,990,386</b>	<b>\$18,327,062</b>	<b>\$18,705,907</b>
Capital Improvements	-	-	-	-
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$16,243,462</b>	<b>\$16,990,386</b>	<b>\$18,327,062</b>	<b>\$18,705,907</b>
<b>Expenditures By Funds</b>				
General Revenue	16,234,704	16,829,733	17,598,991	18,138,389
Federal Funds	8,758	160,653	728,071	567,518
<b>Total Expenditures</b>	<b>\$16,243,462</b>	<b>\$16,990,386</b>	<b>\$18,327,062</b>	<b>\$18,705,907</b>
<b>Program Measures</b>				
Percentage of Felony Cases Annually Disposed of Within 180 Days	70.0%	75.0%	77.0%	78.0%
Percentage of Misdemeanor Appeal Cases Annually Disposed of Within 90 Days of Arraignment	53.0%	70.0%	72.0%	75.0%
Percentage of Civil Cases Disposed of Within Two Years of Assignment	45.0%	44.0%	47.0%	47.0%

# The Program

---

## Judicial Department Family Court

---

### Program Operations

The program budget for Family Court includes the operation of the Family Court itself, the administrative office of the Family 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 Family Court also hears all divorces and issues stemming from a divorce, such as orders for child support and temporary allowances.

The Family 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 what has happened in court 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 counseling and supervises visitation, in addition to providing investigative and mediation services to the court. Likewise, the 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 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
<b>Expenditures By Object</b>				
Personnel	13,609,411	14,205,202	15,836,129	15,390,317
Other State Operations	510,432	514,513	502,161	593,053
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	482,581	493,715	452,108	452,108
<b>Subtotal: Operating Expenditures</b>	<b>\$14,602,424</b>	<b>\$15,213,430</b>	<b>\$16,790,398</b>	<b>\$16,435,478</b>
Capital Improvements	-	-	-	-
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$14,602,424</b>	<b>\$15,213,430</b>	<b>\$16,790,398</b>	<b>\$16,435,478</b>

<b>Expenditures By Funds</b>				
General Revenue	11,513,905	12,505,672	13,315,143	13,917,290
Federal Funds	2,956,728	2,582,831	3,334,396	2,376,178
Restricted Receipts	131,791	124,927	140,859	142,010
<b>Total Expenditures</b>	<b>\$14,602,424</b>	<b>\$15,213,430</b>	<b>\$16,790,398</b>	<b>\$16,435,478</b>

### Program Measures

Percentage of Wayward/Delinquent Cases Suitable for Non-Judicial Processing Diverted or Referred to Court Within 45 Days	64.0%	71.0%	72.0%	75.0%
Percentage of Wayward/Delinquent Cases Requiring Court Involvement Adjudicated Within 180 Days	56.0%	60.0%	65.0%	70.0%
Percentage of D/N/A Cases Adjudicated Within 180 Days of Filing	60.0%	67.0%	68.0%	70.0%
Percentage of Domestic Cases Disposed of Within 365 Days	97.0%	97.0%	97.0%	97.0%
Percentage of Juvenile Termination of Parental Rights Cases Adjudicated Within 180 Days	62.0%	63.0%	65.0%	67.0%



# The Program

---

## Judicial Department District Court

---

### Program Operations

The District Court consists of a chief judge and associate judges. The District 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 ejectment 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 also holds hearings on commitments under the mental health and drug abuse laws and handles certain agency appeals. The District 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 District Court are defined in Title 8 Chapter 8 of the Rhode Island General Laws.

# The Budget

## Judicial Department District Court

	FY 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
<b>Expenditures By Object</b>				
Personnel	6,757,254	6,850,109	7,308,522	7,568,418
Other State Operations	294,079	263,961	296,394	288,540
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	797,440	957,843	793,774	793,774
<b>Subtotal: Operating Expenditures</b>	<b>\$7,848,773</b>	<b>\$8,071,913</b>	<b>\$8,398,690</b>	<b>\$8,650,732</b>
Capital Improvements	-	-	-	-
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$7,848,773</b>	<b>\$8,071,913</b>	<b>\$8,398,690</b>	<b>\$8,650,732</b>
<b>Expenditures By Funds</b>				
General Revenue	7,736,944	8,074,873	8,389,525	8,650,732
Federal Funds	47,658	(1,808)	9,165	-
Restricted Receipts	64,171	(1,152)	-	-
<b>Total Expenditures</b>	<b>\$7,848,773</b>	<b>\$8,071,913</b>	<b>\$8,398,690</b>	<b>\$8,650,732</b>
<b>Program Measures</b>				
Percentage of Misdemeanor Cases Disposed of Within 60 Days	89.0%	88.0%	90.0%	92.0%

# 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 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 license suspensions, violations of the Departments of Transportation and Environmental Management, vehicle regulations of the Board of Regents for Higher Education, and violations of state statutes relating to motor vehicles and littering. The Traffic Tribunal does not hear those offenses committed in places within the exclusive jurisdiction of the United States, motor vehicle offenses such as driving so as to endanger resulting in death, and driving while under the influence of liquor or drugs, which state law specifies will be heard under the jurisdiction of another court.

### 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 S-0932 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 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
<b>Expenditures By Object</b>				
Personnel	4,907,033	5,164,106	5,390,465	5,645,850
Other State Operations	723,186	899,397	948,048	907,729
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	293,189	226,277	309,008	309,008
<b>Subtotal: Operating Expenditures</b>	<b>\$5,923,408</b>	<b>\$6,289,780</b>	<b>\$6,647,521</b>	<b>\$6,862,587</b>
Capital Improvements	-	-	-	-
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$5,923,408</b>	<b>\$6,289,780</b>	<b>\$6,647,521</b>	<b>\$6,862,587</b>
<b>Expenditures By Funds</b>				
General Revenue	5,923,408	6,289,780	6,647,521	6,862,587
Federal Funds	-	-	-	-
<b>Total Expenditures</b>	<b>\$5,923,408</b>	<b>\$6,289,780</b>	<b>\$6,647,521</b>	<b>\$6,862,587</b>
<b>Program Measures</b>				
Percentage of Summonses Disposed of within 60 Days	90.0%	94.0%	95.0%	95.0%

# The Program

---

## Judicial Department Workers' Compensation Court

---

### Program Operations

The Workers' Compensation Court is a specialized court within the unified court system. It has jurisdiction statewide 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, reporters, investigators, and clericals. It is funded 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 hearing, a judge conducts a pretrial conference, with a view of expediting the case and reducing the issues in dispute to a minimum. At this stage the judge must enter a pretrial order as to the right of the employee to receive benefits (approximately 70 percent of all cases are settled at this point).

Those cases not settled at pretrial are assigned to the same judge for trial. At the trial, the 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 there a decision is rendered and a decree is entered. At this stage either party may appeal to the Appellate Division. The Appellate Division consists of three judges, 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 such other briefs and memoranda of law as they may desire. The Appellate Division will then decide the matter and a final decree of the Appellate Division will be entered. If either party is aggrieved by a final decree, 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 include provisions relating to the Workers' Compensation Court.

# The Budget

## Judicial Department Workers' Compensation Court

	FY 2003 Actual	FY 2004 Actual	FY 2005 Revised	FY 2006 Recommended
<b>Expenditures By Object</b>				
Personnel	4,617,430	4,870,905	4,889,918	5,023,230
Other State Operations	493,692	778,533	598,753	564,370
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	480,662	613,753	690,678	690,678
<b>Subtotal: Operating Expenditures</b>	<b>\$5,591,784</b>	<b>\$6,263,191</b>	<b>\$6,179,349</b>	<b>\$6,278,278</b>
Capital Improvements	-	-	8,833	8,833
Capital Debt Service	-	-	-	-
<b>Total Expenditures</b>	<b>\$5,591,784</b>	<b>\$6,263,191</b>	<b>\$6,188,182</b>	<b>\$6,287,111</b>
<b>Expenditures By Funds</b>				
Restricted Receipts	5,591,784	6,263,191	6,188,182	6,287,111
<b>Total Expenditures</b>	<b>\$5,591,784</b>	<b>\$6,263,191</b>	<b>\$6,188,182</b>	<b>\$6,287,111</b>
<b>Program Measures</b>				
Percentage of Workers' Compensation Cases that are Disposed of at Pretrial Within 90 Days	90.0%	89.0%	90.0%	92.0%
Percentage of Workers' Compensation Cases that are Disposed of at Trial Within 270 Days	74.0%	78.0%	78.0%	80.0%