

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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures by Program					
Supreme Court	31,458,181	30,504,363	30,273,250	30,456,399	30,942,703
Superior Court	19,789,720	19,455,462	20,238,308	19,912,834	20,861,678
Family Court	19,484,521	18,743,559	19,404,572	18,777,596	19,741,828
District Court	9,625,764	10,248,553	10,815,151	10,184,331	10,672,936
Traffic Tribunal	6,834,964	7,456,138	7,545,676	7,368,035	7,620,894
Workers' Compensation Court	7,205,888	7,279,342	7,578,922	7,328,378	7,583,440
Judicial Tenure and Discipline	107,533	97,172	128,922	106,403	109,620
Total Expenditures	\$94,506,571	\$93,784,589	\$95,984,801	\$94,133,976	\$97,533,099
Expenditures By Object					
Personnel	73,375,274	72,966,069	75,514,370	72,967,463	76,042,086
Operating Supplies and Expenses	9,578,977	9,298,470	9,193,517	9,606,156	9,733,059
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	9,558,718	9,556,477	9,935,552	10,228,708	10,345,898
Subtotal: Operating Expenditures	\$92,512,969	\$91,821,016	\$94,643,439	\$92,802,327	\$96,121,043
Capital Purchases and Equipment	1,993,602	1,963,573	1,341,362	1,331,649	1,412,056
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$94,506,571	\$93,784,589	\$95,984,801	\$94,133,976	\$97,533,099
Expenditures By Funds					
General Revenue	82,799,851	81,658,618	83,907,229	80,226,082	84,728,358
Federal Funds	1,872,594	1,625,278	1,445,452	3,568,213	2,361,961
Restricted Receipts	8,395,390	8,796,528	9,807,120	9,510,215	9,592,780
Other Funds	1,438,736	1,704,165	825,000	829,466	850,000
Total Expenditures	\$94,506,571	\$93,784,589	\$95,984,801	\$94,133,976	\$97,533,099
FTE Authorization	732.3	729.3	729.3	729.3	729.3
Agency Measures					
Minorities as a Percentage of the Workforce	9.4%	9.8%	9.6%	9.6%	9.6
Females as a Percentage of the Workforce	65.0%	65.0%	56.1%	56.1%	56.1
Persons with Disabilities as a Percentage of the Workforce	0.7%	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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures by Subprogram					
Supreme Court Operations	28,087,941	27,159,275	26,907,561	27,090,710	27,577,014
Defense of Indigents	3,369,184	3,345,088	3,365,689	3,365,689	3,365,689
Total Expenditures	\$31,457,125	\$30,504,363	\$30,273,250	\$30,456,399	\$30,942,703
Expenditures By Object					
Personnel	17,805,043	17,839,012	17,911,996	18,168,719	18,235,234
Operating Supplies and Expenses	7,294,286	6,452,528	6,645,305	6,567,183	6,898,908
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	4,630,518	4,350,392	4,391,087	4,399,348	4,407,005
Subtotal: Operating Expenditures	\$29,729,847	\$28,641,932	\$28,948,388	\$29,135,250	\$29,541,147
Capital Purchases and Equipment	1,727,278	1,862,431	1,324,862	1,321,149	1,401,556
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$31,457,125	\$30,504,363	\$30,273,250	\$30,456,399	\$30,942,703
Expenditures By Funds					
General Revenue	28,579,837	27,335,144	28,043,805	27,591,625	28,692,816
Federal Funds	250,106	212,788	102,440	548,629	126,968
Restricted Receipts	1,188,446	1,252,266	1,302,005	1,486,679	1,272,919
Other Funds	1,438,736	1,704,165	825,000	829,466	850,000
Total Expenditures	\$31,457,125	\$30,504,363	\$30,273,250	\$30,456,399	\$30,942,703
Program Measures					
Disposition Rate of Appeal Cases	99.0%	99.0%	100.0%	100.0%	100.0%

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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures by Subprogram					
Superior Court Operations	18,322,900	18,013,808	18,634,677	18,246,104	19,152,687
Jury Operations	1,466,820	1,441,654	1,603,631	1,666,730	1,708,991
Total Expenditures	\$19,789,720	\$19,455,462	\$20,238,308	\$19,912,834	\$20,861,678
Expenditures By Object					
Personnel	16,979,238	16,330,564	17,062,242	16,412,603	17,327,136
Operating Supplies and Expenses	1,049,722	1,178,608	1,093,064	1,073,825	1,061,891
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	1,754,585	1,946,290	2,083,002	2,426,406	2,472,651
Subtotal: Operating Expenditures	\$19,783,545	\$19,455,462	\$20,238,308	\$19,912,834	\$20,861,678
Capital Purchases and Equipment	6,175	-	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$19,789,720	\$19,455,462	\$20,238,308	\$19,912,834	\$20,861,678
Expenditures By Funds					
General Revenue	19,635,180	19,370,157	19,861,308	19,450,834	20,549,678
Federal Funds	154,540	85,305	90,000	175,000	-
Restricted Receipts	-	-	287,000	287,000	312,000
Total Expenditures	\$19,789,720	\$19,455,462	\$20,238,308	\$19,912,834	\$20,861,678
Program Measures					
Percentage of Felony Cases Annually Disposed of Within 180 Days	74.0%	67.0%	70.0%	70.0%	70.0%
Disposition Rate of Civil Cases	114.0%	112.0%	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, the Mental Health Court Clinic, 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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures By Object					
Personnel	18,169,211	17,348,402	18,065,571	16,933,537	18,158,801
Operating Supplies and Expenses	412,916	502,203	432,096	886,966	656,878
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	898,145	892,954	906,905	957,093	926,149
Subtotal: Operating Expenditures	\$19,480,272	\$18,743,559	\$19,404,572	\$18,777,596	\$19,741,828
Capital Purchases and Equipment	4,249	-	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$19,484,521	\$18,743,559	\$19,404,572	\$18,777,596	\$19,741,828
Expenditures By Funds					
General Revenue	18,016,573	17,416,374	18,151,560	15,933,012	17,506,835
Federal Funds	1,467,948	1,327,185	1,253,012	2,844,584	2,234,993
Total Expenditures	\$19,484,521	\$18,743,559	\$19,404,572	\$18,777,596	\$19,741,828
Program Measures					
Percentage of Wayward/Delinquent Cases Suitable for Non-Judicial Processing					
Diverted or Referred to Court Within 45 Days	84.0%	84.0%	84.0%	84.0%	84.0%
Percentage of Wayward/Delinquent Cases Requiring Court Involvement Adjudicated Within 180 Days					
	71.0%	72.0%	75.0%	75.0%	75.0%
Percentage of D/N/A Cases Adjudicated Within 180 Days of Filing					
	41.0%	45.0%	45.0%	45.0%	45.0%
Percentage of Juvenile Termination of Parental Rights Cases Adjudicated Within 180 Days					
	52.0%	71.0%	68.0%	68.0%	70.0%
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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures By Object					
Personnel	8,448,061	8,702,100	9,285,510	8,813,847	9,210,355
Operating Supplies and Expenses	190,292	524,623	306,986	307,116	356,101
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	984,559	1,021,830	1,222,655	1,063,368	1,106,480
Subtotal: Operating Expenditures	\$9,622,912	\$10,248,553	\$10,815,151	\$10,184,331	\$10,672,936
Capital Purchases and Equipment	2,852	-	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$9,625,764	\$10,248,553	\$10,815,151	\$10,184,331	\$10,672,936
Expenditures By Funds					
General Revenue	9,625,764	9,983,633	10,175,958	9,776,173	10,248,515
Federal Funds	-	-	-	-	-
Restricted Receipts	-	264,920	639,193	408,158	424,421
Total Expenditures	\$9,625,764	\$10,248,553	\$10,815,151	\$10,184,331	\$10,672,936
Program Measures					
Percentage of Misdemeanor Cases Disposed of Within 60 Days	82.0%	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 associate judges and magistrates. It is under the supervision of the chief magistrate, who is the administrative head of the traffic tribunal with the power to make rules for regulating practice, procedure and business within the traffic tribunal.

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 John O. Pastore Center, 670 New London Avenue in Cranston; Traffic Tribunal also sits in Wakefield.

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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures By Object					
Personnel	6,153,572	6,796,454	6,842,819	6,661,416	6,897,102
Operating Supplies and Expenses	271,389	217,134	254,308	239,172	232,077
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	410,003	442,550	442,549	467,447	491,715
Subtotal: Operating Expenditures	\$6,834,964	\$7,456,138	\$7,539,676	\$7,368,035	\$7,620,894
Capital Purchases and Equipment	-	-	6,000	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$6,834,964	\$7,456,138	\$7,545,676	\$7,368,035	\$7,620,894
Expenditures By Funds					
General Revenue	6,834,964	7,456,138	7,545,676	7,368,035	7,620,894
Total Expenditures	\$6,834,964	\$7,456,138	\$7,545,676	\$7,368,035	\$7,620,894
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 will be 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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures By Object					
Personnel	5,715,376	5,854,901	6,219,786	5,873,286	6,106,186
Operating Supplies and Expenses	356,556	420,838	459,282	529,546	524,856
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	880,908	902,461	889,354	915,046	941,898
Subtotal: Operating Expenditures	\$6,952,840	\$7,178,200	\$7,568,422	\$7,317,878	\$7,572,940
Capital Purchases and Equipment	253,048	101,142	10,500	10,500	10,500
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$7,205,888	\$7,279,342	\$7,578,922	\$7,328,378	\$7,583,440
Expenditures By Funds					
Restricted Receipts	7,205,888	7,279,342	7,578,922	7,328,378	7,583,440
Total Expenditures	\$7,205,888	\$7,279,342	\$7,578,922	\$7,328,378	\$7,583,440
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%	89.0%	89.0%	89.0%	89.0%

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 2008 Actual	FY 2009 Actual	FY 2010 Enacted	FY 2010 Revised	FY 2011 Recommended
Expenditures By Object					
Personnel	103,717	94,636	126,446	104,055	107,272
Operating Supplies and Expenses	3,816	2,536	2,476	2,348	2,348
Aid To Local Units Of Government	-	-	-	-	-
Assistance, Grants and Benefits	-	-	-	-	-
Subtotal: Operating Expenditures	\$107,533	\$97,172	\$128,922	\$106,403	\$109,620
Capital Purchases and Equipment	-	-	-	-	-
Debt Service	-	-	-	-	-
Operating Transfers	-	-	-	-	-
Total Expenditures	\$107,533	\$97,172	\$128,922	\$106,403	\$109,620
Expenditures By Funds					
General Revenue	107,533	97,172	128,922	106,403	109,620
Total Expenditures	\$107,533	\$97,172	\$128,922	\$106,403	\$109,620
Program Measures					
Percentage of Verified Complaints Disposed of within 90 Days of Docketing	89.0%	77.0%	80.0%	80.0%	80.0%