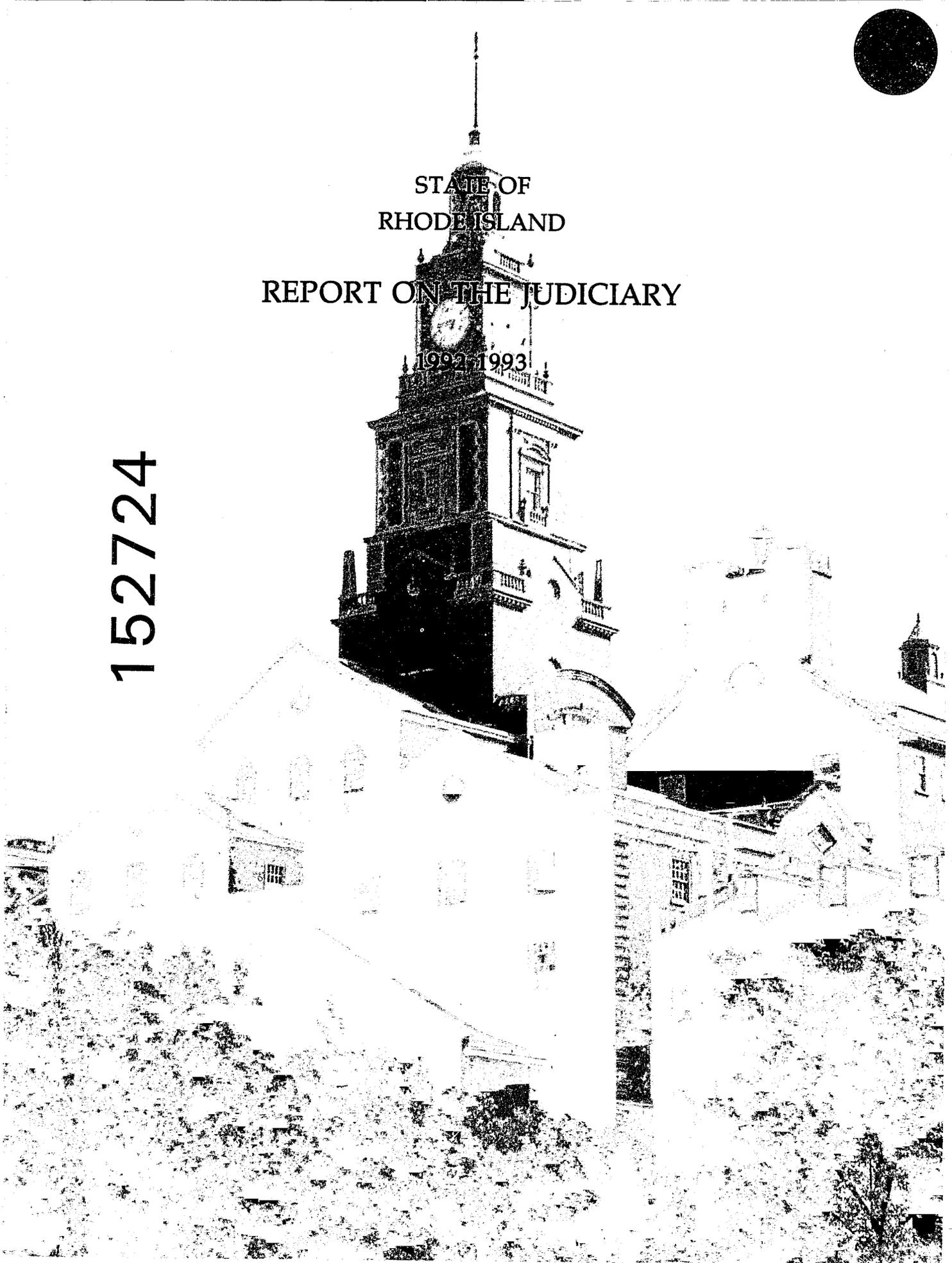




STATE OF  
RHODE ISLAND  
REPORT ON THE JUDICIARY  
1992-1993

152724



152724



*Robert C. Harrall*

NCJRS

FEB 2 1995

ACQUISITIONS

### Letter of Transmittal

I am pleased to transmit the 1992/93 Annual Report on the Judiciary to the honorable members of the General Assembly as required by § 8-15-7 of the Rhode Island General Laws.

The report covers the calendar years ending December 31, 1992 and 1993, and is designed to give state legislators and members of the public an overview of court operations and initiatives.

I also want to express my appreciation to the administrative staff members who contributed to the production of this report.

Respectfully submitted,

Robert C. Harrall  
State Court Administrator

152724

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*Joseph R. Weisberger*

### **To the Honorable Members of the General Assembly**

It is my pleasure to present the 1992-1993 Annual Report on the Judiciary.

We are all aware that this has been a difficult period for government in Rhode Island and that the Judicial Branch has experienced unique problems. Despite this, we have made progress in a number of areas. We have grown with the addition of the former Workers Compensation Commission and Administration Adjudication Division to the unified court system. We have made significant progress in shortening the time required to dispose of cases. There have been a number of facilities improvements, notably the acquisition, renovation, and opening of the Fogarty Judicial Annex in Providence and the completion of Phase III of the Licht Judicial Complex. The Superior Court has initiated a judicial evaluation program that we expect will be extended to all of the courts. Finally, we have expanded our services to the public, particularly in areas of victims' and litigants' assistance.

Obviously, there is always more to be done. No one is more aware than the members of the General Assembly that fiscal constraints upon the state budget have become an overriding consideration for all of us charged with governmental responsibilities. We in the judiciary are doing all we can to address that concern while fulfilling our obligation to provide a fair and efficient forum for our citizens.

I hope you find this report both useful and interesting. We look forward to working closely with you in the future.

Sincerely,

Joseph R. Weisberger  
Acting Chief Justice

**Although the “new” Providence County Courthouse (Licht Judicial Complex) is now more than 65 years old, its construction is featured as the theme of this report, symbolizing both the growth and stability of the court system.**



*In 1928 after determining that the Old Providence County Courthouse was no longer able to meet the growing judicial needs of Rhode Island, work on a new and larger courthouse commenced. In order to continue serving the public during construction, however, it is interesting to note that the new courthouse was actually built in sections around the Old Providence County Courthouse. The above photograph, taken on July 2, 1928, depicts the beginning phases of construction on the South Main Street side of the new facility. The gothic-style Old Providence County Courthouse can still be clearly seen in the upper right-hand side of the picture.*

## 1992-1993 Report on the Judiciary

## Table of Contents

### Rhode Island Court Structure

*Rhode Island's Unified Court System*.....10

### 1992/93 in the Rhode Island Courts

*Judicial Budget*.....15

*Victim Advocacy Program*.....16

*Crime Victim Compensation Program*.....16

*State Court Victim Service Unit*.....17

### Supreme Court/Administrative Office

*Caseload Summary*.....20

*Ethics Reform Commission*.....22

*Lederberg Appointed*.....23

*State Law Library*.....24

*Appellate Screening Unit*.....25

*Advisory Committee on Women in the Courts*.....26

*Law Clerk Pool*.....27

*Domestic Violence Task Force*.....28

*CJIS*.....29

*Task Force on Limited English Speaking*

*Litigants*.....30

*Records Center*.....31

*Family Life Center*.....32

*Court Explorer's Program*.....33

*Facilities and Operations*.....34

*Public Information Office*.....35

### Superior Court

*Caseload Summary*.....38

*Arbitration*.....40

*Judicial Evaluation Program*.....41

*Colenback Savage Appointed*.....42

### Family Court

*Caseload Summary*.....44

*Alternative Dispute Resolution*.....46

*Lipsey Appointed*.....47

*Committee on Dependency/Neglect/Abuse*.....48

*Restitution Program*.....49

*CASA*.....50

*Juvenile Services*.....51

*Child Support Collections*.....52

*Family Services Department*.....53

### District Court

*Caseload Summary*.....56

*District Court Consolidation*.....58

*Gorman, Rahill, and Clifton Appointed*.....59

*New Research Aids Judges*.....60

### Workers' Compensation Court

*Caseload Summary*.....62

*Medical Advisory Board*.....63

*Bertness Appointed*.....64

### Administrative Adjudication Court

*AAC Joins Unified Court System*.....66

*Palluzzi Confirmed Chief Judge*.....67

### Appendices

*1993 Judicial Roster*.....70

*1993 Court Directory*.....71

*Acknowledgements*.....74

*Compendium of Court Boards,*

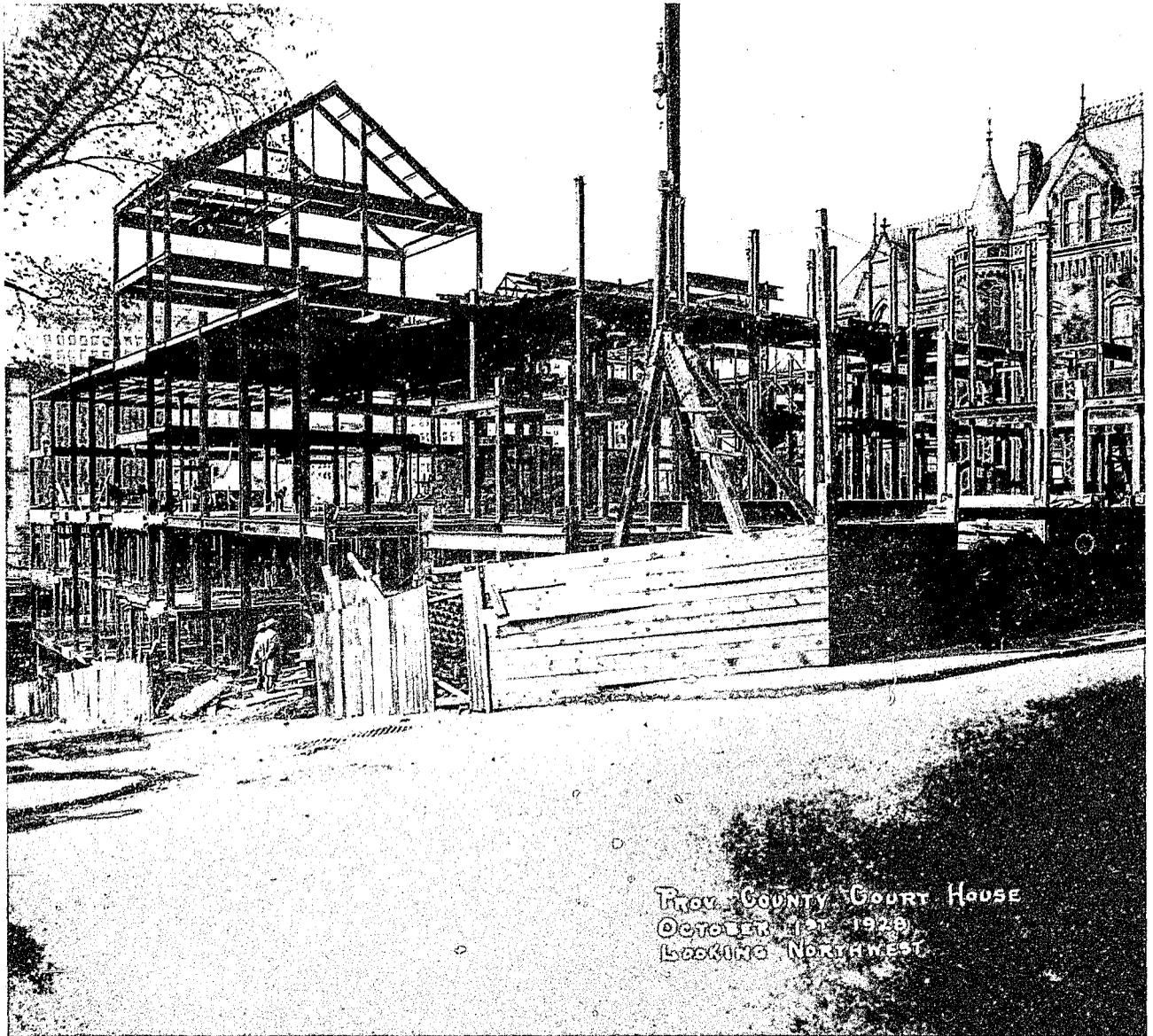
*Committees and Panels*.....78

*Caseload Statistics*.....86

Pursuant to Chapter 8-15 of the Rhode Island General Laws this report was prepared by:  
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Cover: The Frank Licht Judicial Complex.

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*By October 1, 1928, construction on the Benefit Street side of the new facility was underway. The Old Providence County courthouse, visible in the upper right-hand corner of the picture, is still being used.*

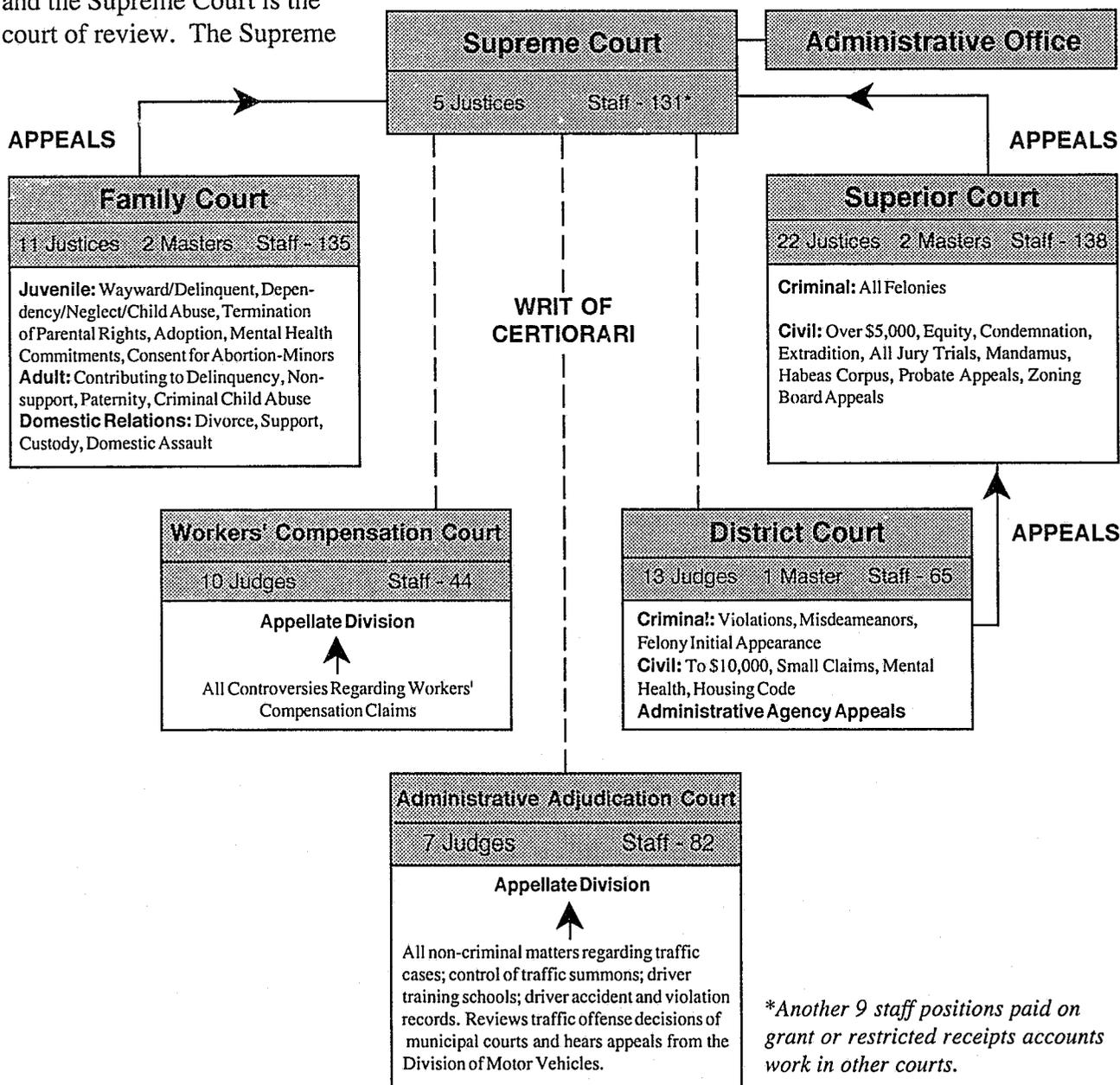
## Rhode Island Court Structure

## Rhode Island's Unified Court System

Rhode Island has six, state-funded courts. District, Family, AAC, and Workers' Compensation Courts are trial courts of limited jurisdiction. Superior Court is the general trial court, and the Supreme Court is the court of review. The Supreme

Court Chief Justice is executive head of the state court system and has authority over the judicial budget. The Chief Justice appoints a state court administrator and staff to

handle these budgetary and administrative functions. Each individual court, however, has both a chief judge and an administrator to handle internal court management.



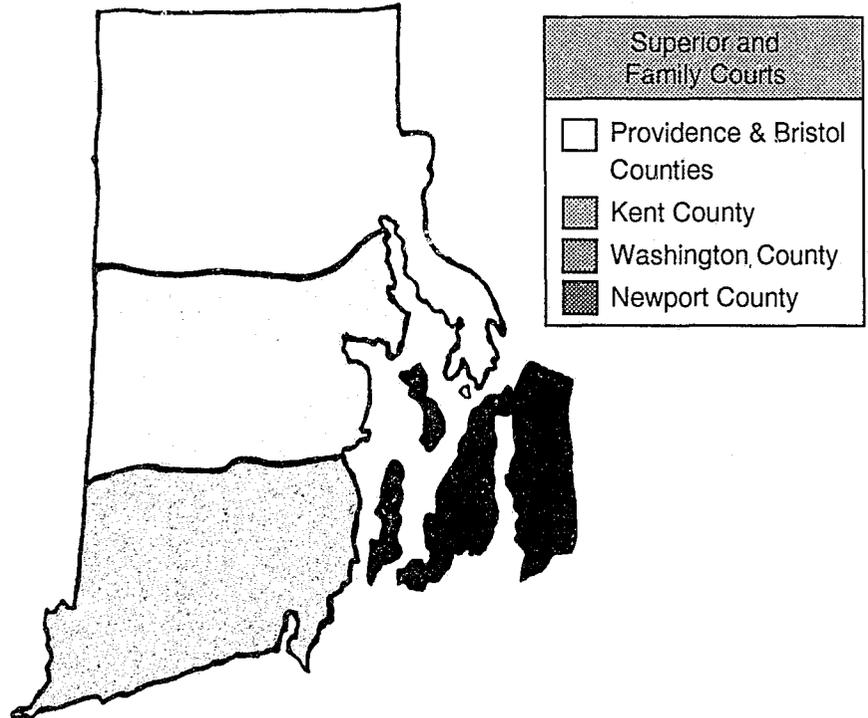
\*Another 9 staff positions paid on grant or restricted receipts accounts work in other courts.

## Supreme Court

The Supreme Court has final appellate jurisdiction on questions of law and equity, supervisory powers over other state courts, and general advisory responsibility to the legislative and executive branches of state government concerning the constitutionality of legislation. The Supreme Court is also responsible for regulating admission to the bar and disciplining its members.

The Supreme Court has an administrative office that performs personnel, fiscal, and purchasing functions for the entire state court system. The administrative office also serves a wide range of management functions, including the development and operation of automated information systems for all courts; long-range planning; the collection, analysis, and reporting of information on court caseloads and operations; the development and implementation of management improvement projects in specified areas; and the supervision of facilities.

The State Law Library, which is also under the direction of the Supreme Court, provides reference materials and research services for judges and court staff, as well as serving as the only comprehensive, public law library in the state.



## Superior Court

Superior Court is the trial court of general jurisdiction. Civil matters involving claims in excess of \$5,000 and all equity proceedings are heard there.

Superior Court also has original jurisdiction over all criminal offenses, except as otherwise provided by law. As a consequence, all indictments by grand juries and informations charged by the Department of the Attorney General are returned to this court.

Superior Court also hears appeals from decisions of local probate and municipal courts. In addition, criminal and civil cases tried in the District Court,

except as specifically provided by statute, are also brought to the Superior Court on appeal for a trial de novo.

Other types of appeals and statutory proceedings, such as redevelopment, land condemnation, zoning appeals, and enforcement of arbitrators' awards, also fall under Superior Court jurisdiction.

Lastly, Superior Court shares concurrent jurisdiction with the Supreme Court over writs of habeas corpus and mandamus and certain other prerogative writs. Appeals from the Superior Court are heard by the Supreme Court.



District Court Divisions	
	2nd Division
	3rd Division
	4th Division
	5th Division
	6th Division

## District Court

Since most people appearing before a court in this state initially appear in District Court, District Court has been divided into five divisions to provide easy geographic access to the court system.

District Court jurisdiction includes small claims, violations of municipal ordinances and regulations, and misdemeanors when the right to a jury trial in the first instance has been waived. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court. Appeals from District Court decisions go to the Superior Court for trial de novo.

Violations and hearings on involuntary hospitalization under the mental health, drug-abuse, and alcoholism laws also fall under District Court jurisdiction. District Court hears appeals from and orders compliance with the subpoenas and rulings of the state tax administrator and several regulatory agencies and boards. District Court also hears violations of state and local housing codes, except where a municipal court has been established to handle these matters. Decisions in all these areas are subject to review only by the Supreme Court.

## Family Court

Family Court was created to focus attention on problems concerning families and children. Its goals are to assist, to protect, and if possible, to restore families whose unity or well-being is threatened. This court also ensures that children within its jurisdiction receive the care, guidance, and control conducive to their welfare and the best interests of the state. If children are removed from their parents, the court also seeks to provide them with the equivalent of quality parental care.

Family Court has jurisdiction to hear and determine all petitions for divorce and any motions in conjunction with

divorce proceedings, such as property distribution, alimony, support, and child custody. It hears petitions for separate maintenance and complaints regarding support for parents and children. It has jurisdiction over matters relating to delinquent, wayward, dependent, neglected, abused, or mentally defective or disordered children. It also has jurisdiction over adoptions, child marriages, paternity proceedings, and other matters involving domestic relations and juveniles.

Appeals from Family Court decisions are taken directly to the Supreme Court.

## Workers' Compensation Court

The Workers' Compensation Commission was established in 1954 and functioned independently until it was made part of the unified court system in 1991. The court has jurisdiction over disputes between employees and employers relating to compensation for occupational disabilities, the reasonableness of medical and hospital bills, and the extent and duration of a disability.

The workers' compensation statutes establish that employers assume the cost of occupational disabilities without regard to fault.

Six basic objectives underlie workers' compensation laws:

- To provide sure, prompt, and reasonable income and medical benefits to work-accident victims or income benefits to their dependents, regardless of fault.
- To provide a single remedy and reduce court delays, costs, and work loads arising out of personal-injury litigation.
- To relieve public and private charities of financial drains incident to uncompensated occupational disabilities.

- To regulate payment of fees to lawyers and witnesses as well as time-consuming trials and appeals.

- To encourage maximum employer interest in safety and rehabilitation through an appropriate experience rating mechanism.

- To promote frank study of the causes of accidents (rather than concealment of fault), thereby reducing preventable accidents and human suffering.

Appeals from Workers' Compensation Court decisions are first heard by an appellate division within the court. The appellate division is a three-judge panel made up of any three judges of the court other than the trial judge.

The appellate panel first determines if there is a basis for appeal by reviewing the transcript and record of the case along with any briefs or memoranda of law submitted by the appellant. If a basis is found, the panel hears oral argument and enters a final decision.

If either party is aggrieved by the decision of the appellate division, the party may petition the Supreme Court by writ of certiorari.

## The Administrative Adjudication Court

The Administrative Adjudication Court was established in 1992 to succeed the Administrative Adjudication Division of the Department of Transportation. Operating under title 31, chapter 43, of the General Laws of the State, the Administrative Adjudication Court is responsible for hearing most traffic cases, for distributing and controlling traffic summonses, for operating driver-retraining schools, and for maintaining accurate driver accident and violation records. The court is also the appellate court for traffic offenses heard in municipal courts.

Prior to 1975 all traffic offenses in Rhode Island, except parking, were criminal violations (misdemeanors or felonies) and were heard by the District Court. With the establishment of the Administrative Adjudication Division, most traffic offenses were decriminalized and were placed under the jurisdiction of this quasi-judicial body. Those that were not decriminalized are still handled by the District Court.

These offenses include driving under the influence of alcohol or drugs, reckless driving, driving without a valid license, or leaving the scene of an accident.

The advantage of an Administrative Adjudication Court is that traffic offenses are processed administratively rather than as criminal matters, thereby focusing attention on the traffic-safety aspect of the violation. In addition, the court has the resource of a driver-retraining school for chronic violators, and a driver history can be developed to determine the most appropriate course of action to follow with individual violators.

The Administrative Adjudication Court also has an appellate division. Appeals are reviewed by a panel of three neutral judges. The appellate division hears appeals from aggrieved motorists who have appeared before a single judge for a trial. It also reviews decisions of municipal courts (traffic offenses) and hears appeals from the Division of Motor Vehicles.

Appeals from the Administrative Adjudication Court are by writ of certiorari to the Supreme Court.

## The Rhode Island Courts Judicial Budget Comparisons

	FY 91	FY 92	FY 93	FY 94*
<b>State Budget</b>	2,041,192,830	2,607,546,920	2,556,070,580	2,504,687,581
Increase	4,547,503	566,354,090	(51,476,340)	(51,382,499)
<b>Judicial Budget</b>	#38,348,820	41,846,359	+47,003,961	**50,713,920
Increase	5,223,106	3,497,539	4,903,256	++3,964,305
<b>Judicial Share</b>	1.88%	1.60%	1.83%	2.02%
<b>Expenditures by Program</b>				
Supreme Court	11,490,099	12,094,252	13,212,862	15,856,021
Superior Court	9,765,423	10,612,405	11,941,589	12,478,062
Family Court	7,760,146	8,015,130	8,726,045	9,185,022
District Court	3,864,132	3,836,018	4,303,576	5,048,678
Admin. Adjudication Court	5,469,020	4,618,326	5,668,492	4,374,062
Workers' Compensation Court	[1,957,217]	2,670,228	3,151,397	3,772,075
<b>Total Expenditures</b>	38,348,820	41,846,359	47,003,961	50,713,920
<b>Expenditures by Object</b>				
Personnel	25,520,079	28,616,511	32,745,253	35,960,163
Other Operating Expenditures	4,656,711	4,595,950	4,649,902	7,813,340
Aid to Local Units of Gov't.	--	--	--	37,740
Assistance, Grants & Benefits	5,184,564	4,979,870	5,704,802	2,959,573
Subtotal: Operating Costs	35,361,354	38,192,331	43,009,957	46,770,816
Capital Improvements	--	--	--	--
Capital Debt Service	2,987,466	3,654,028	3,904,004	3,943,104
<b>Total Expenditures</b>	38,348,820	41,846,359	47,003,961	50,713,920

\* Budget as enacted - previous years are actual expenditures (\*\*for FY 1995 the judicial budget has been decreased by \$2,200,000)

# Includes addition of Workers' Compensation Court to the unified system: (\$1,957,217)

+ Includes addition of Administrative Adjudication Court to the unified system: (\$668,492)

++ Approximately 2.4 million dollars of the increase between FY 1993 and FY 1994 relates to the programming of court improvement restricted receipt accounts, dedicated specifically to administrative and data processing expenses of the Administrative Adjudication Court. All court improvement funds are contained within the Supreme Court series of accounts.

## Crime Victim Compensation

The Crime Victim Compensation Program provides financial assistance to eligible victims of violent crime. Compensation may be awarded either to the victim or, in cases of homicide, to family members. Compensation is awarded to cover medical bills, funeral and burial expenses, lost wages, and loss of support for dependents. The program is supported by assessments levied against offenders and by Federal Victims of Crime Act grant funds. Over 11 million dollars have been awarded to crime victims since the program's inception.

## Report on the Court's Domestic Abuse Victim Advocacy Program

For five years, pursuant to R.I.G.L. § 12-28-10 and 12-29-7, the Supreme Court has contracted with the Rhode Island Coalition Against Domestic Violence to administer a court-based domestic abuse victim advocacy program. The program serves domestic violence victims and/or those who seek civil protection from this type of abuse in Family or District Court.

The Coalition is an association of nonprofit domestic violence programs including the Blackstone Shelter, the Elizabeth Buffum Chace House, the New-

port County Women's Resource Center, the Sojourner House, the Women's Center of Rhode Island, the Women's Resource Center of South County and the Center for Nonviolence, formerly Brother to Brother.

The three-component program provides victim advocates in District Court to assist victims of misdemeanor crimes involving domestic violence. In addition, the coalition maintains various courthouse offices to assist domestic-abuse victims with restraining orders. The third component operates in Providence Superior Court serving those domestic violence victims whose cases have resulted in felony charge filings.

During the last two years, the program has assisted over 14,800 domestic-abuse victims, approximately 6,800 in 1992 and 8,000 in 1993. Of those victims, 9,544 were assisted through the criminal justice system in the District and the Superior Courts in Providence County. Another 5,300 were assisted in seeking restraining orders from the Family or District Court. Since 1988, over 27,000 domestic abuse victims have been helped by the coalition's victim advocacy program.

<b>1992/93 Annual Report on the Violent Crimes Indemnity Fund (Pursuant to R.I.G.L. 12-25-11)</b>		
	<b>1992</b>	<b>1993</b>
Fund balance as of October 1	\$31,511	\$201,746
Amount of payments ordered to be paid to the fund during the year*	\$1,376,489	\$1,652,682
Funds collected during the FFY	\$1,554,779	\$1,347,420
Number of claims filed	386	286
Number of claims adjudicated	158	163
Number of claims awarded	158	163
Number of claims denied	73	147
Funds Disbursed	\$1,452,548	\$1,527,077

\*Federal fiscal year 10/1/91 to 9/30/92 and 10/1/92 to 9/30/93, respectively.

## 1992/93 Report on the State Court Victim Services Unit

(Pursuant to R.I.G.L. 12-28-10)

Justice Assistance is a private, nonprofit organization. It has operated Project Victim Services since 1985 under a state court contract. This project provides support, counseling, and advocacy for Rhode Island crime

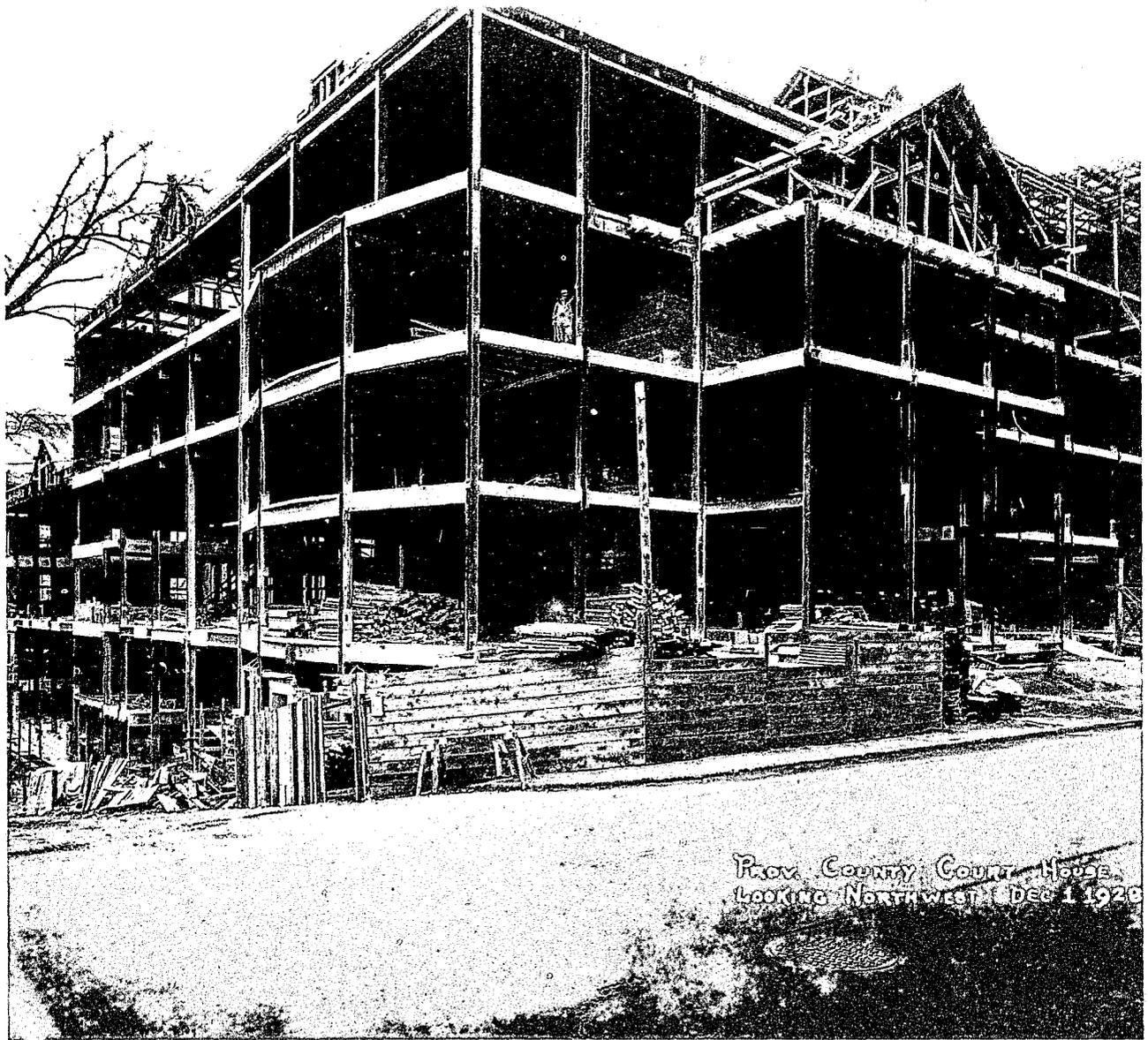
victims. Project Victim Services answers clients' questions, prepares them for court proceedings, and provides them with practical and emotional assistance.

The program assisted 7,462 crime victims in 1992 and 1993. It

receives financial support from the Governor's Justice Commission, from fines collected through the Violent Crime Indemnity Fund, and from private-sector contributions in addition to the court contract.

	1989	1990	1991	1992	1993
<b>Enrollment</b>	2,756	5,035	4,628	3,954	3,508
<b>Disposition Outcome</b>					
Bench warrant issued	*	916	383	639	368
Case dismissed	55	151	125	100	97
Entered diversion program	*	25	24	52	53
Case filed	21	35	79	30	12
Case filed with restitution	*	24	496	183	3
Guilty	5	10	8	1	0
Not guilty	1	10	8	0	0
Nolo contendere	794	1,727	1,557	1,272	1,239
Case passed for trial	1	709	657	612	413
Case waived	*	55	48	57	70
Pending	1,879	1,373	1,243	969	1,231
<b>Services Provided</b>					
Case status notification	2,756	5,035	4,628	3,954	3,163
Court escort	378	957	126	282	203
Crime impact statements	755	2,366	1,241	1,373	1,262
Crisis counseling	52	1,561	60	103	100
Employer intervention	5	1	0	0	2
Referral service	1,031	302	170	455	245
Restitution service	30	641	556	205	1
System orientation	2,756	5,035	4,628	3,954	2,293

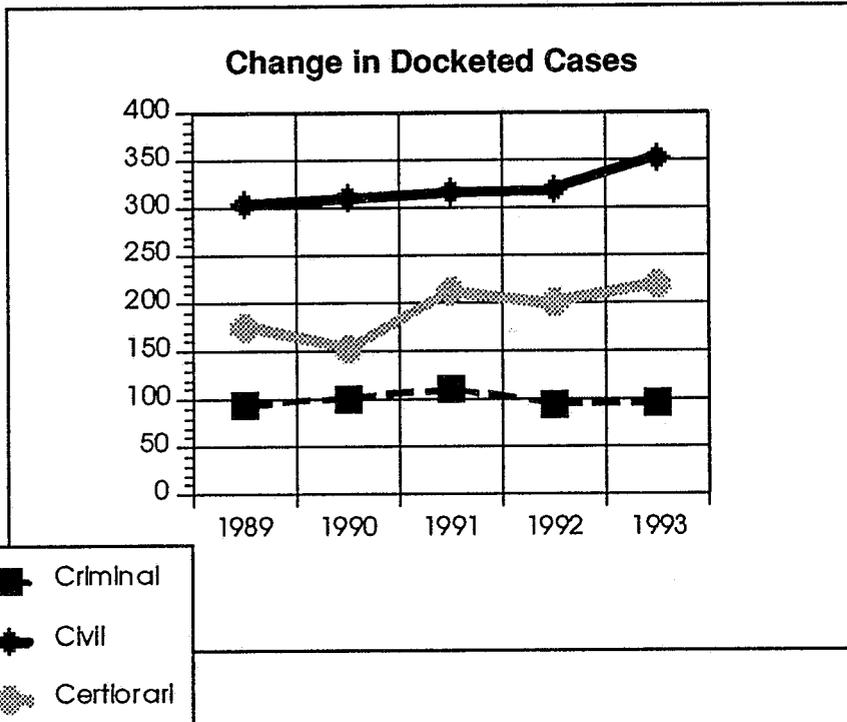
\* Not available



*By December 1, 1928, the massive infrastructure of the New Providence County Courthouse has progressed to such a point that the Old Providence County Courthouse is no longer visible from this angle.*

## Rhode Island Supreme Court

## Supreme Court Appeals Rise to a New Level

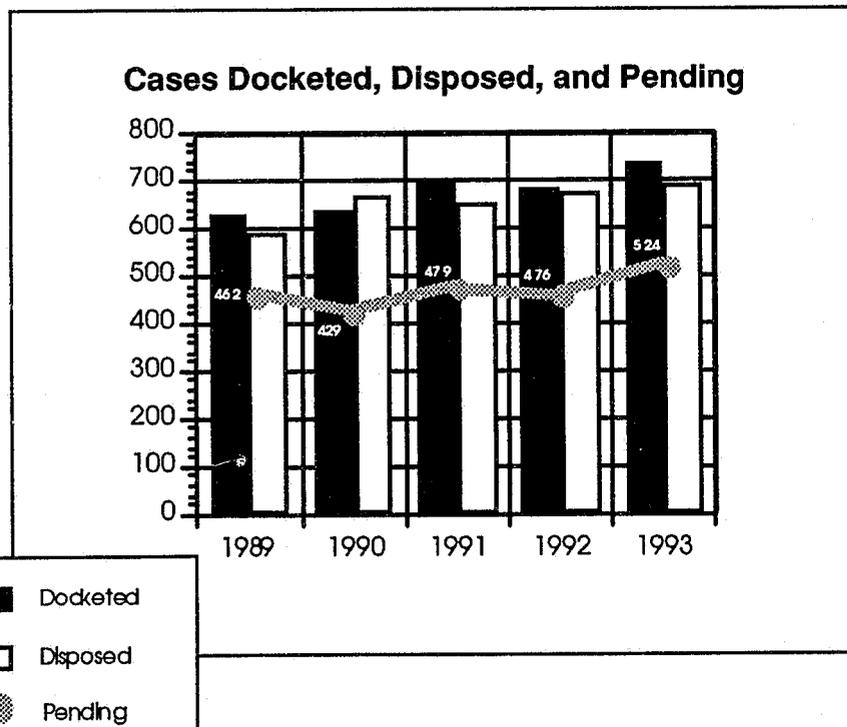


New appeals to the Supreme Court fluctuated between 1992 and 1993. Appeals declined slightly between 1991 and 1992 and then rose again in 1993. Nevertheless, a comparison of new appeals from 1991 to 1993 to the three previous years suggests that appeals have climbed to a new plateau. The average number of docketed cases from 1988 through 1990 was 628. It increased to 707 from 1991 to 1993.

The category primarily responsible for the increase was petitions for certiorari. New petitions averaged 165 between 1988 and 1990 but rose to 211 in 1991 to 1993.

Civil appeals, which were fairly stable between 1988 and 1992, showed an abrupt increase in 1993. This year the number docketed jumped from 318 to 353, a rise of 13 percent.

Supreme Court dispositions increased in both 1992 and 1993, primarily due to a higher number of appeals being disposed early in the process. From 1988 to 1991 dispositions before argument on the motion calendar averaged 295 per year, but in 1992 the number rose to 341, and it rose again in 1993 to 382. The increase in dispositions at this stage was the result of a higher number of dismissals



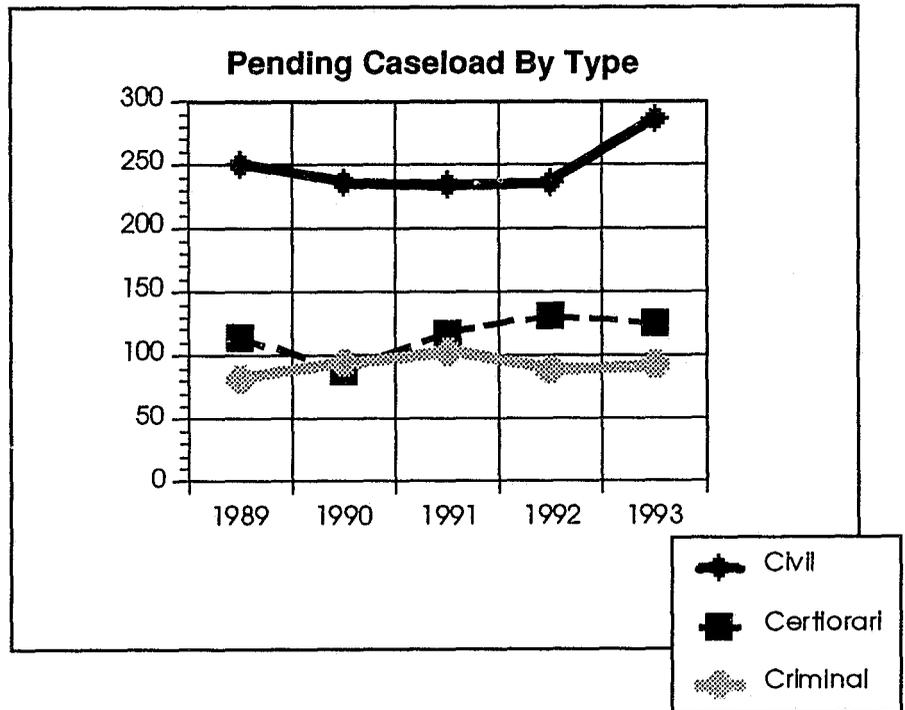
and petitions denied.

In 1993 there also was a greater number of cases disposed after argument on the motion calendar. However, dispositions by full opinion decreased in both 1992 and 1993.

Despite the increase, dispositions fell short of new appeals both years. In 1992 the gap was only five cases (681 added compared to 676 disposed), but it widened to 45 in 1993 (with 737 docketed and 692 disposed). As a result, the pending caseload rose from 476 to 524 between 1992 and 1993.

However, even though the pending caseload expanded, there were actually fewer cases pending on both the motion and oral argument calendars at the end of 1993. A year earlier there were 140 cases waiting to be heard on the motion calendar and 55 cases that were fully briefed and pending oral argument. In 1993 the number pending on the motion calendar dropped to 77, and the cases awaiting oral argument fell to 37. At the same time, the number of cases pending a pre-briefing conference rose from 43 to 98.

The average time from docketing to disposition (8.2 months) showed no significant change between 1992 and 1993.



## Ethics Reform Commission Strives to Strengthen Legal System



*Gary S. Sasse*

The Ethics Reform Commission was appointed by Chief Justice Thomas F. Fay in October 1991 to advise the Supreme Court on how to strengthen the legal profession and restore public confidence in the state's legal system. The commission's appointment followed a series of events that severely eroded public trust in the judiciary, including two incidents of judicial misconduct and several incidents of misconduct by attorneys.

The ten-member commission, chaired by Gary S. Sasse, executive director of the Rhode Island Public Expenditure Council, included representatives from the academic and business communities, the media, the legal profession, and the Judiciary. The

committee published its final report in March 1992 with the following recommendations for reform:

- The Supreme Court should modify the rules governing the attorney disciplinary process to include public members on the Disciplinary Board and to open the process to the public once probable cause has been found for disciplinary action. The court should also make other changes that will expedite the hearing of cases and provide a broader range of sanctions.

- The Supreme Court should adopt a rule establishing a courtwide judicial-performance-evaluation program. The goal of the program should be to promote accountability and the highest degree of professionalism among the members of the state judiciary.

- The proposed new code of judicial conduct will apply to part-time as well as full-time judges, and the Supreme Court should fully inform part-time judges of their responsibilities under the new code. In addition, consideration should be given to a moratorium on establishing additional municipal courts until the feasibility

of integrating all courts into one state system can be studied.

- The Supreme Court should adopt a rule mandating an orientation program for all newly appointed judges and an ongoing professional-development program, including judicial ethics, for all sitting judges.

- With the Supreme Court's responsibility for regulating the bar as a basis, the committee recommends that the court adopt a rule mandating a continuing legal-education program for attorneys.

The Supreme Court held a public hearing on the commission's recommendations in 1992. This was one of the few times that the court has invited public comment on issues it is addressing. Over twenty individuals presented testimony to the court.

The Supreme Court implemented all of the commission's recommendations. Mandatory continuing legal-education for attorneys and judges and judicial performance evaluation were initiated by Rules of Court adopted in early 1993. The proposed change in rules affecting the attorney disciplinary process was also enacted.

## Victoria Lederberg Elected Supreme Court Associate Justice

Victoria Lederberg was elected Associate Justice of the Rhode Island Supreme Court on May 17, 1993. Elected to replace retired Justice Thomas F. Kelleher, Justice Lederberg is only the second woman ever elected to the state's highest court.

A Rhode Island native, Justice Lederberg attended Providence schools and earned bachelors, masters, and doctoral degrees from Brown University. She earned her J.D. from Suffolk University in 1976.

In addition to practicing law and college teaching, Justice Lederberg's diverse career also includes serving as a State Representative, State Senator,

and Municipal Court Judge.

Justice Lederberg served as a State Representative from 1975-82 and as a State Senator from 1985-90. During her many years at the State House, Justice Lederberg was a member of both the House and Senate Finance Committees, as well as the Committees on Health, Education and Welfare, Corporations, and the Judiciary. She also chaired legislative commissions on educational funding and tax law revisions.

Justice Lederberg was appointed to the Providence Municipal Court in 1991 and continued to serve there until her election to the Supreme Court.



*Supreme Court Justice Victoria Lederberg.*

## State Law Library Significantly Enhances Research Capacity



Following the successful introduction of CaseBase CD-ROM technology in 1991, the State Law Library significantly expanded its collection of compact disc titles in 1992-93. The library acquisitions included: the *Martindale-Hubbell Law Directory*, the *Code of Massachusetts Regulations*, *BNA Tax Management Portfolios*, *United States Code Service*, *Code of Federal Regulations* and other law-related titles on CD-ROM. The library also benefited from the expansion of the Rhode Island CaseBase database to include the full text of the General Laws of Rhode Island and the R.I. Court Rules, a development that has significantly enhanced the re-

search capability of both the courts and the wider Rhode Island legal community. The introduction of greater numbers of titles on CD-ROM required the acquisition of multidisc servers to allow quick and easy access to data by library patrons. Two Pioneer multidisc servers, are capable of accessing six titles from a menu-driven screen.

These give attorneys the ability to search the complete text of the United States Code Service, Code of Federal Regulations, West's Rhode Island Reporter, and Federal Court of Appeals decisions since January 1993, as well as the Bankruptcy and Federal Practice libraries from Matthew Bender.

The library also made significant additions to its collection of law-related videotapes, covering such trial advocacy skills as persuasive expert testimony, direct and cross-examination, making and meeting objections, and winning at trial. Other topics in this collection include legal ethics, legal research techniques, bankruptcy, family law, and other substantive areas of the law. By year's end, the collection totaled nearly 200 videotapes. The library also acquired a video monitor and VCR for in-house

viewing of items in the collection.

The library was closed for a significant portion of the 1992 summer during the final stages of the renovations to the Licht Complex. As part of the renovations, the library was equipped with a new multipurpose room to accommodate the library's microfiche collection, Westlaw terminal, video monitor and fax machine. A complete fire detection and sprinkler system was also installed.

While the State Law Library staff provides reference services primarily on a one-on-one basis, it has been increasingly called upon to provide group instruction for law-related classes from Rhode Island's colleges and universities. The staff provides in-depth legal research instruction to students in products liability classes at Brown University. The library has also provided instruction to classes in paralegal studies, criminal law, media law, social work, labor law, and hospitality law.

During the period 1992-93, the State Law Library acquired 4,163 volumes in hard copy and 823 volumes in microfiche, which, adjusted for withdrawn items, brought the total to nearly 115,000 volumes.

## Appellate Screening Unit's Fast Track System Is a Success Story

The Appellate Screening Unit, which is also known as the Supreme Court Staff Attorneys' Office, screens cases and researches legal issues for the Supreme Court. The primary objectives of the unit are to reduce delay and to provide useful background information on cases to the justices.

In 1992 the office prepared more than 314 memoranda on cases at the prebriefing stage. In 1993 the office prepared 280 such memoranda. These memoranda summarize the issues in each case and indicate whether the case is appropriate for the show-cause calendar, the court's "fast-track" calendar. As a direct result of this screening, more than half the court's direct appeals were assigned to the show-cause

calendar.

Staff attorneys also prepared 109 reports for cases assigned to full argument in 1992 and 101 such reports in 1993. These in-depth reports summarize the evidence at trial, the parties' legal arguments, and also include a careful analysis of the issues on appeal.

The unit prepared these comprehensive reports on approximately 85 percent of all cases heard on the full argument calendar during 1992, despite temporary relocation to the Fogarty building while the Licht Judicial Complex underwent extensive renovations. In 1993, that percentage was 90 percent.

The Appellate Screening Unit consists of five attorneys and an administrative assistant.



*The Appellate Screening Unit staff (from left to right): Barbara Aspeel, Kim Hudson-Wright, Martha Newcomb, Judy Bourassa, and Susan Pelosi.*



*Associate Justice  
Francis J. Darigan, Jr.*

## Follow-up Study Initiated on Gender Bias in the Courts

The Advisory Committee on Women in the Courts was appointed by Chief Justice Fay to implement recommendations made in a 1987 report on gender bias in the courts. The committee chair is Superior Court Associate Justice Francis J. Darigan, Jr. Members include representatives of each court, the bar, and the public.

The committee focused on two areas in 1992/93: passing divorce-reform legislation and conducting a follow-up study on gender bias in the courts. The three-part legislative package included a bill authorizing deferment of the sale of the family home; a bill revising the division-of-property statute to add other criteria for the court to consider, such as the income and employability of each party, and the opportunity for future acquisition of property; and a bill revising the alimony statute to lessen the economic effect of divorce, particularly on displaced homemakers and custodial parents.

The follow-up study on gender bias gauged committee impact on this issue since 1987. Questionnaires were distributed to attorneys, judges, jurors, and court employees. The survey format was consistent with the original study. Survey highlights follow:

- The vast majority of attorneys and judges believe there is less gender bias in the court system today than in 1986.
- Attorneys view other attorneys as the primary perpetrators of gender bias, whereas judges are seen as the group least likely to portray bias.
- In both surveys jurors were least likely to observe incidents of gender bias while female attorneys were the most conscious of such behavior.
- Judges and attorneys perceived differently the role sexual stereotypes play in case outcome, suggesting a need for greater awareness of unjustified differences in treatment.
- A salary gap between male and female court employees still exists. Women fall in the lower to middle pay ranges and men in the middle to upper pay ranges. Nevertheless, female court employees feel they have more opportunity for advancement today than in 1986.

Published in 1993, committee findings recommended establishing a permanent committee on Women in the Courts. This committee has now been established.

## Law Clerk Pool Expands Duties

The Supreme Court Law Clerk Pool expanded its duties during 1992 and 1993.

In 1992, for instance, a law clerk was assigned to serve the new Administrative Adjudication Court. The law clerk assists the appeals panel by attending appeals panel hearings and by providing research and writing assistance.

Law clerks in the successful Law Clerk Advocate Program, meanwhile, continued to serve as court-appointed guardians ad litem (GAL) in Mary Moe proceedings, presenting the petitions of minors seeking court permission to have abortions. Law clerk advocates also serve as guardians ad litem in Family Court dependency/neglect/abuse cases, following cases through arraignment, pretrial, trial, and posttrial review.

In 1993 law clerks assisted with the implementation of Mediation Week, held during one week in March and again in December. Over one-half of the approximately 1,100 cases submitted for Mediation Week were settled by mediators, reducing the civil caseload backlog in Superior Court.

The majority of law clerks, however, continue to provide research and writing assistance

to Superior, District, and Family Court judges. Superior Court law clerks, for instance, attend the continuous trial calendar, the daily criminal calendar, and the daily motion calendar. Law clerks are also assigned to Workers' Compensation Court, the Disciplinary Counsel, and periodically to the Appellate Screening Unit.

The Supreme Court Law Clerk Pool is composed of a Chief Law Clerk, who is a permanent staff member, and 17 attorney law clerks. Law clerks serve one-year terms, rotating to different assignments every three months. As members of the pool, they gain knowledge in diverse areas of law by working in different courts and departments.



*Associate Justice Vincent A. Ragosta with law clerk Bob Scanlon.*

## Task Force Monitors Response to Domestic Violence



*Domestic Violence Task Force members (from l to r): Angela Ferrucci, Dept. of the Attorney General; Mary Trinity, Coalition Against Domestic Violence; and Task Force Co-Chair Associate Justice Pamela M. Macktaz.*

The Supreme Court Domestic Violence Task Force continues to enhance the justice system's response to domestic violence. Established in 1987 by Chief Justice Fay, the task force is co-chaired by Family Court Associate Justice Pamela M. Macktaz and Marion Donnelly.

During 1992 and 1993 the task force focused on monitoring the impact of legislative and procedural changes on domestic violence. The court's ability to protect domestic violence victims, for instance, increased as the result of task force-proposed legislation that was enacted in 1988. The legislation and subse-

quent reforms clearly establish that violent behavior, regardless of the relationship between the parties, is not tolerated by the justice system.

In 1992 the task force also worked with the Rhode Island Coalition Against Domestic Violence, the General Assembly, and the Governor's office to secure funds to continue the coalition's victim-advocacy program. As part of this state-wide program, advocates and volunteers help individuals obtain civil restraining orders and assist them through the criminal justice process.

Task force plans for 1994 include addressing dating violence among teenagers by expanding protection to those under 18 years old. Protection will also be extended to those involved in a substantive dating or engagement relationship during the six months preceding a domestic violence crime (both adults and juveniles). The task force will work with the Family Court to develop a mechanism to grant emergency restraining orders during evening hours and on weekends. The task force also hopes to sponsor professional enhancement seminars for judges, prosecutors, law enforcement officers, probation officers, and treatment professionals.

## CJIS Solicits Bids to Implement Revolutionary Computer System

Implementation of Rhode Island's first fully computerized criminal offender tracking system moved closer to reality with the solicitation of requests for proposals (RFPs). Although over 40 companies initially indicated interest in developing the Criminal Justice Information System (CJIS), only three proposals were submitted. When feasible, a board made up of participating agencies will select the successful bidder and award a contract to carry out the project.

Once installed, the CJIS computer hub will provide a single source of data on criminal offenders, and criminal justice agencies will have immediate access to a vast array of up-to-date criminal information. Moreover, CJIS will enable all state criminal justice agencies to share criminal information on a secure, need-to-know basis from the time of arrest onward.

The CJIS project began in late 1987 with the development of a comprehensive criminal/juvenile justice system master plan. Legislation was enacted in July of 1989 to establish the CJIS Implementation Committee and to authorize a funding mechanism to underwrite the cost of the project. No state tax dollars are being

used to build this system. Instead, assessments on court fees and a sliding scale assessment on traffic fines will provide the funds to develop CJIS.

In 1990 MAXIMUS, a Virginia based computer consulting firm, was selected to assist in designing and overseeing implementation of the CJIS plan. Since then MAXIMUS has been working with Rhode Island's 41 local law enforcement agencies and police departments, the Rhode Island Supreme Court, and the nine state criminal justice agencies to define the scope and operational needs of an interagency computer network.

Unfortunately, a shortage of funds has placed this project on hold for the immediate future.



*CJIS staffers Rosemary Williams (left) and Tracy Williams (no relation).*

## Task Force on Limited English Speaking Litigants Studies Interpreter Model

Recognizing that many individuals do not have sufficient language proficiency to understand court proceedings, Chief Justice Fay appointed the Task Force on Limited English Speaking Litigants in 1991 to help the court meet the growing demand for qualified language interpreters.

Chaired by the Honorable O. Rogeriee Thompson, the task force includes representatives from the Attorney General's Department, the Public Defender's Office, the Federal District Court Clerk's Office, the U.S. Department of Justice, the Supreme Court, social service agencies, and freelance language interpreters.

The task force has brought together interpreters, refugee

advocates, and the justice system for the purpose of:

- Determining the need for, and current status of, interpreter services in Rhode Island courtrooms.
- Compiling a list of persons and agencies providing interpreter services in Rhode Island.
- Advancing the skill levels of available interpreters by developing training programs.
- Laying the ground work for a court interpreter testing and certification process.

In 1992, the task force concentrated on enhancing the professional standards of interpreters through training. The task force sponsored a three-credit course entitled "Language Issues for Court Interpreters" through the auspices of Rhode Island College. A daylong training was also conducted using videotapes and small work groups. This training, entitled "The Criminal Justice System," focused on criminal court procedures, vocabulary, and protocol. More than 150 individuals attended these training programs.

The training sessions were made possible by \$18,000 in grants from IOLTA (Interest on Lawyer Trust Accounts), the Rhode Island Foundation, and the Department of Human Services' Office of Refugee Resettlement. Contributions from these sources also allowed the task force to purchase copies of the text "Fundamentals of Court Interpreting," which were disseminated through the state interlibrary-loan system.

In 1993, a staff person from the Administrative Office of State Courts participated in a national work group sponsored by the National Center for State Courts through a State Justice Institute Grant. The work group drafted a national model for a professional code of conduct for interpreters and a model for legislation or court rule mandating procedures for providing qualified language interpreters.

The goal of the task force is to use the national model as a basis for establishing a process for selecting, appointing, and swearing of interpreters.



*Judge O. Rogeriee Thompson*

## Record Center Selected to Participate in Archivist Training Program

The Rhode Island Supreme Court Judicial Records Center has been chosen to participate in the Preservation Management Training Program of the Society of American Archivists (SAA). Fifty institutions nationwide were chosen to participate in the program and are expected to become models for archival preservation programming.

The judicial archives first received national recognition in 1990 when the National Archives awarded the Supreme Court a \$63,462 grant to arrange and describe the court's historically valuable records. The judicial archives include over 450 cubic feet of court records from the eighteenth century, which is the most extensive body of manuscript documents from colonial Rhode Island.

Sound archival management requires striking a balance between public use and the preservation of the records. To ensure that increased use of the records will not damage them, preservation must become an integral part of the judicial archives program. The Judicial Records Center was chosen as a participant in the Preservation Management Training Program in recognition of the Supreme Court's demonstrated determination to incorporate an active preservation component



*Archives and Records Management Analyst J. Stephen Grimes.*

into its archival program.

The Preservation Management Training Program pioneers the concept of preservation as a function of overall archival management. The program consists of three week-long workshops which are offered at six-month intervals. Among the topics covered by the workshops are such areas as preservation planning, the nature of archival materials (paper, photographs, audiovisual materials, electronic media), collection survey methodology and techniques, environmental control, and disaster preparedness and recovery. Participants in the program will be required to develop a five-year preservation plan for their institutions and submit annual progress reports to the SAA.

## Family Life Center Continues Efforts to Preserve the Family Unit

Since 1988 the Supreme Court has funded the Family Life Center at the Community College of Rhode Island. The Family Life Center is funded through a \$40,000 grant made available to the court by the General Assembly. The goal of the Family Life Center is to offer educational programs to individuals, families, and human service professionals. The educational programs stress the importance of families and the need to develop healthy relationships within families.

A major program offered by the center is a four-part public seminar series entitled "Keeping Your Family Safe." The Saturday morning seminar series deals with a wide range of family issues including coping with the stresses of parenting, developing healthy parenting skills, violence within the family, and other topics pertinent to parenting in the 1990s. Based on the success of this series, the seminar was offered again in 1993.

The center also sponsored a seminar series for CCRI students. The series was aimed at helping students address and cope with the combined stresses

of student life and family life. The series included such topics as balancing parenting and student responsibilities and alcoholism in the family.

The center also developed and presented a college credit course on understanding family trauma. This course is now being revised so that it can be used as a service training program for court staff, workers at the Department for Children, Youth, and Families and other such professionals.

The center has always recognized the devastating effects of domestic violence on individuals and families. Therefore, in the past the center has collaborated with the Rhode Island Coalition Against Domestic Violence on various programs.

During 1992 the center and the coalition worked together to develop a school curriculum for junior high school students. The curriculum is designed to teach students how to develop healthy relationships in order to prevent their becoming involved in abusive relationships. The center and the coalition tested this curriculum in selected junior high schools throughout the state during 1993.

## Court Program Helps Students Explore the Legal Profession

As part of a public education initiative, the courts participate in a number of programs each year that involve the public schools of Rhode Island and other student groups. One of the most successful is the Court Explorers' Program, which began in 1990 and has served 150 students. The program offers students the opportunity to learn about professions in the judicial system and is cosponsored by the Supreme Court Education Office and the Narragansett Council of Boy Scouts of America. Students meet once a month throughout the school year and find out what is involved in becoming a lawyer, a probation officer, or a courtroom clerk. Students often have misconceptions about these professions, especially the legal profession, and at the end are impressed by the high level of writing and research skills that are required.

The court also hosts student visits to the courthouse, allowing students to tour a court building, observe court sessions, and take part in discussions about the court process.

The Supreme Court Education Office also cosponsors a training program for teachers with the Rhode Island Legal/Educational



*Future judges? A group of students visits the Supreme Court chambers as part of a public education initiative.*

Partnership. The program provides participants with an intense week of court observation, visits to corrections facilities, and speakers from each court and court-related agencies. Teachers receive continuing education credits for the program and produce lesson plans.

Other public education efforts include participation in a law-related education program for the Boys and Girls Clubs of Providence and in the annual Law Day event for high school students. Both of these programs are sponsored by the University of Rhode Island's Ocean State Center on Law and Citizen Education.

## New Court Facility is Award-Winner

The court system received much-needed relief from overcrowding when the Fogarty Judicial Complex opened in 1992. The building, which was constructed in 1857 to house U.S. Customs, the post office, and the Federal District Court, was purchased and renovated by the Public Buildings Authority for about 2.5 million dollars.

In view of the building's historical significance, architect Gerald Brothers Associates and builder Construction Concepts, Inc. worked carefully to maintain the building's architectural integrity while maximizing its efficiency. For this they were recognized by the Providence Preservation Society for best commercial renovation in 1992.

The Fogarty Building houses the Bail Unit, Public Information Office, Disciplinary Counsel, Arbitration Unit, Ethics Advisory Panel, and the Supreme Court Historical Society.

The Licht Complex renovations also progressed in 1992. Two new courtrooms with corresponding office space were constructed. Electrical and plumbing systems were improved to comply with safety and handicapped codes, and the building's marble was cleaned.

This project was completed in 1993 and also included renova-

tions to the jury lounge, the expansion of office space for the public defender and Superior Court justices, and extensive renovations to the State Law Library.

Future projects include continuing to work with the state Division of General Services to solve air circulation, quality, and temperature control problems in the Garrahy Complex.

Difficulties persist with the HVAC systems in the Kent County Courthouse, however, where the Division of General Services recently completed an extensive survey. The decision may have to be made in 1994 whether to renovate the existing facility or relocate to another facility.

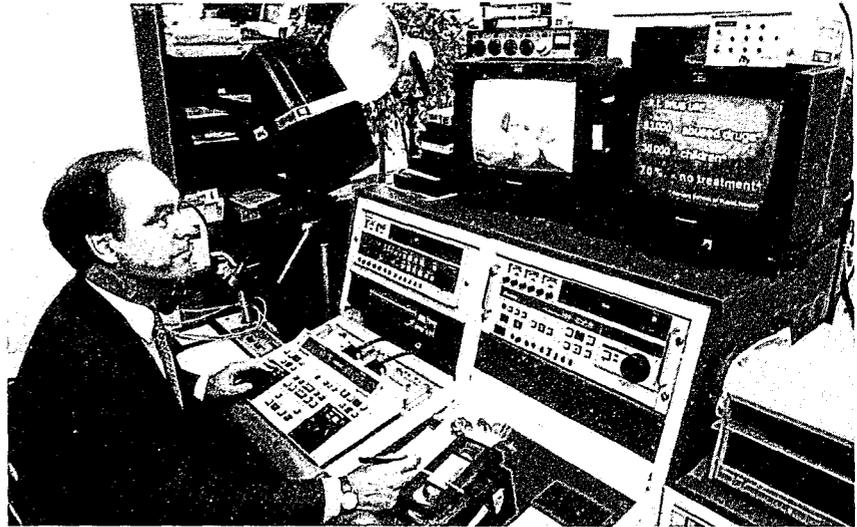
It is becoming apparent that it is time to address the question of an additional major court facility in the state. This has been discussed for several years. However, with the consolidation of District Court divisions in the Garrahy building and the need for more adequate facilities for the Workers' Compensation Court and the Administrative Adjudication Court, the problem is becoming more acute. Further discussions will be initiated with the Department of Administration and the legislature in an attempt to satisfy this need.

## Public Information Office Produces Nationally-Broadcast Video Program on Improving Perceptions of Nation's Judicial Systems

The Office this year produced a unique video program called *Courts Under Attack: The Reasons and What We Can Do About It*.

By interviewing citizens in Rhode Island, California, New York, Michigan, South Carolina, and Arizona, the video explores a problem shared by court systems nationwide: negative public perception of the judicial branch of government. In addition to exploring many of the common causes of the courts' negative image, nationally recognized experts in the fields of law, politics, the Judiciary, education, and the media suggest specific actions the courts can take to improve public perception.

This innovative project, the initial phase of which was broadcast nationally on C-SPAN Television Network, was developed by Supreme Court Justice Joseph R. Weisberger and District Court Judge Robert K. Pirraglia. The Office of Public Information contributed heavily to the project, filming, producing, and editing the video program, which was ultimately presented live at the American Bar Association meeting in New York in August 1993. The Rhode Island Judiciary hopes the video presentation will stimulate state courts



*Public Information Officer James J. Roberts at work editing video.*

here and across the nation to begin to work together to improve public perception of the courts and to build a national approach to address common concerns, including finding ways to make all courts more user-friendly.

In addition to producing this project and various video training programs, the office also responded to approximately 4,000 requests from the public and news media for information about the court system, issued numerous media advisories and news releases, organized press conferences, and published a number of publications to inform all Rhode Islanders about specific aspects of their state court system.

This office has been closed due to budget reduction.

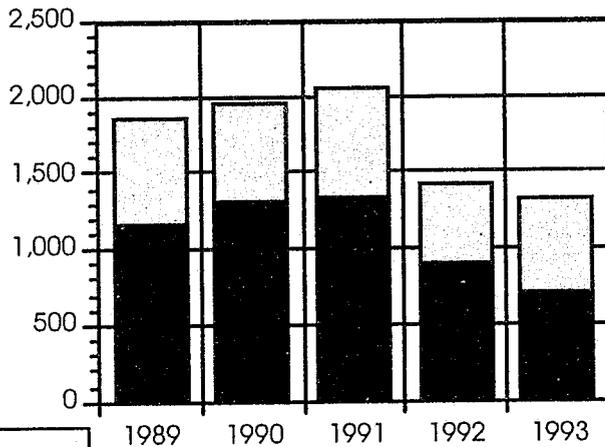


*Although the columned entry-way and the entire left-hand side of the new courthouse have yet to be constructed, by January 1, 1929, the section of the new courthouse on South Main Street is nearing completion. Workers hurry to finish because during the next phase of construction, the Old Providence County Courthouse will be dismantled and court staff will be moved into the completed part of the new court facility.*

## Rhode Island Superior Court

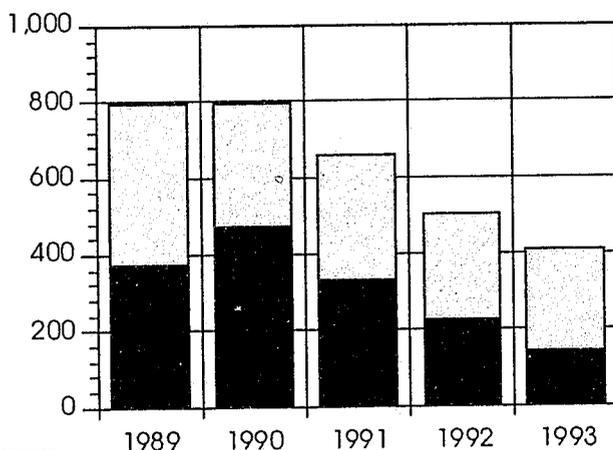
## Superior Court Significantly Reduces Caseload Inventory

Providence County Pending Felony Caseload



All Cases  
 Cases Over 180 Days

Out-County Felony Caseload



All Cases  
 Cases Over 180 Days

The results for 1992 and 1993 reflect the success of the administrative changes that have been implemented by Presiding Justice Joseph F. Rodgers, Jr. In a two-year period the court has significantly reduced the number of cases awaiting trial statewide. As of January 1994, caseload inventories were at their lowest point since 1980. The number of felonies awaiting trial statewide was reduced to 1,742, and the number of civil cases assigned for trial statewide was reduced to 5,369.

The Providence County Courthouse was closed several months for renovations in 1992, and in both years the court lacked a full complement of judges. There was one vacancy for the entire year of 1992, and one vacancy for part of 1993. Despite these impediments, the court disposed of more felonies and misdemeanors statewide than were filed and more civil cases than were assigned to the calendar. A factor in the civil case results was the continuing success of the court-annexed arbitration program. Roughly 25 percent of the disposition of assigned cases was due to arbitration.

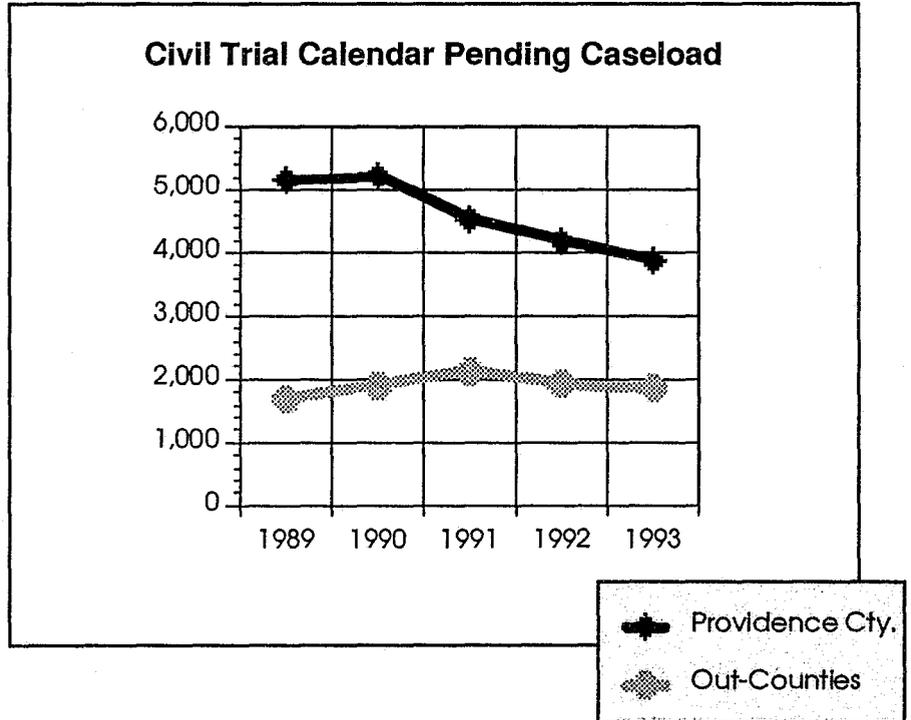
On the criminal calendar, felony filings were roughly the same statewide in 1992 and 1993. The total filed in 1992 was 5,764,

and in 1993 it was 5,772. This was slightly higher than the number filed in 1991, but it was still 14 percent lower than filings at their peak in 1989 (6,740). On the other hand, misdemeanor filings showed no set pattern. They climbed to 740 in 1992 but dropped to 576 in 1993.

On the civil side, filings declined in both 1992 and 1993. Filings reached an all-time high the previous year (11,653) and dropped to 10,002 in 1992 and to 9,521 in 1993.

Based on these results, the court also made progress in reducing the number of older pending cases. Over the two-year period, the number of felony cases over 180 days old was reduced by 49 percent from 1,648 to 836. At the end of 1993, there were 697 cases over 180 days old pending in Providence County, 75 cases in Kent County, 15 cases in Washington County, and 49 cases in Newport County.

Misdemeanor appeals over 90 days old were reduced by 43 percent from 335 to 191. By county, the number pending at the end of the year was as follows: Providence County had 143 misdemeanor appeals pending over 90 days, Kent and Newport Counties each had 23, and Washington County had 11.





*The Arbitration Unit is housed in the Fogarty Judicial Annex (above).*

## Arbitration Funding Mechanism Modified

Arbitration became a victim of its own success when the account used to pay arbitrators was depleted by the high volume of cases handled. As a result, arbitration hearings were suspended from February to September 1992.

Chief Justice Fay and Presiding Justice Rodgers, however, worked out a cooperative arrangement with insurance companies resulting in legislation that provided the program with a self-sustaining revenue stream. The legislation gives the presiding justice the authority to use fees collected from parties exclusively for payment to arbitrators.

Despite the interruption, more than 560 cases were settled in 1992, resulting in awards in

excess of \$5 million.

The program resumed full operation in 1993, and as a result the number of cases disposed in this manner rose to 798. Dispositions by arbitration represented almost 25 percent of the total number disposed on the civil calendar in 1993.

The RI Bar Association has received inquiries about the nationally-acclaimed arbitration program from several states, as well as the New England Legal Foundation and the National Center for State Courts.

In another initiative by the Arbitration Unit, retired Family Court justices heard and disposed of approximately 100 small claims appeals "pro bono," providing substantial savings to taxpayers.

## Presiding Justice Rodgers Launches Judicial Evaluation Program

The first judicial performance evaluation project in the Rhode Island court system was initiated in 1992 in Superior Court by Presiding Justice Joseph F. Rodgers, Jr. Presiding Justice Rodgers appointed a committee to design a questionnaire to measure the legal ability, judicial management skills, and demeanor of Superior Court justices. Associate Justice Corinne P. Grande chaired the committee, which included associate justices of the Superior Court, the jury commissioner, and the president of the Rhode Island Trial Lawyers Association.

Once designed, 3,747 questionnaires were distributed statewide during the period

between April 1, 1992 and April 1, 1993. Questionnaires were given to all jurors sitting on both criminal and civil trials and to all attorneys appearing in jury and nonjury trials. Of those, 2,672 questionnaires were answered and returned. Response information was used to develop reports for each judge, and the presiding justice conducted individual feedback sessions with each judge.

Superior Court personnel were assigned to the program as a collateral duty, thus enabling the launching of the program with minimal effects on the court's budget. Staff from the Jury Commissioner's Office made a major contribution and were assisted in computerizing data collection by the court's information and science section.

The program's goal is to improve both judicial education and performance.



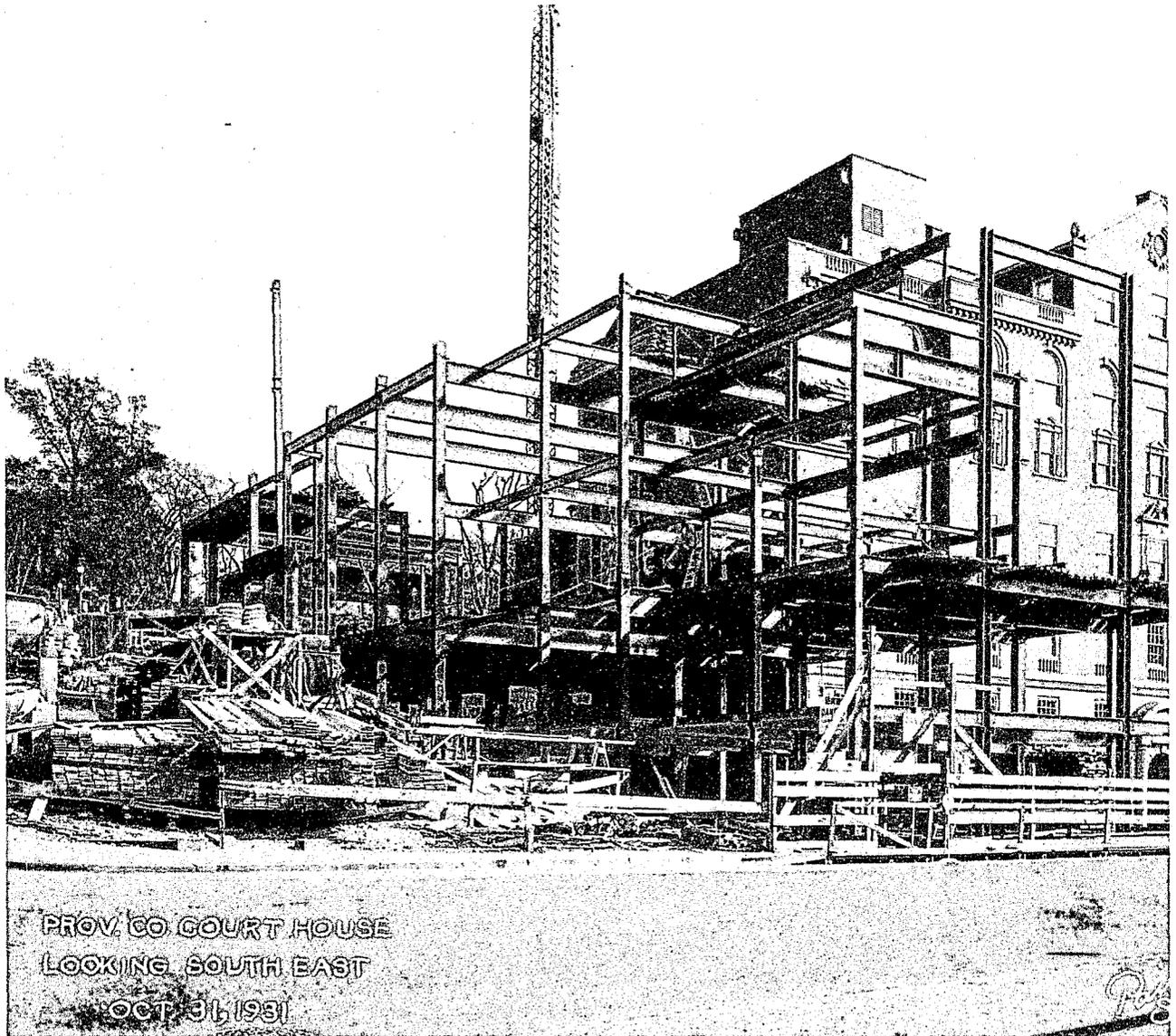
*Presiding Justice  
Joseph F. Rodgers, Jr.*

**Judith Colenback Savage  
Newest Superior Court  
Associate Justice**

On February 3, 1993, Judith Colenback Savage was sworn in as the newest Associate Justice of the Rhode Island Superior Court. A Michigan native, Justice Savage graduated from Wellesley College in 1979 and Case Western Reserve University School of Law (1982) where she was Editor of the law review. A member of the Pennsylvania Bar (1982), and the Rhode Island Bar (1984), she was in private practice until her appointment in 1991 as executive counsel to the governor. She served in that position until her appointment to the Superior Court.



*Justice Judith Colenback Savage*

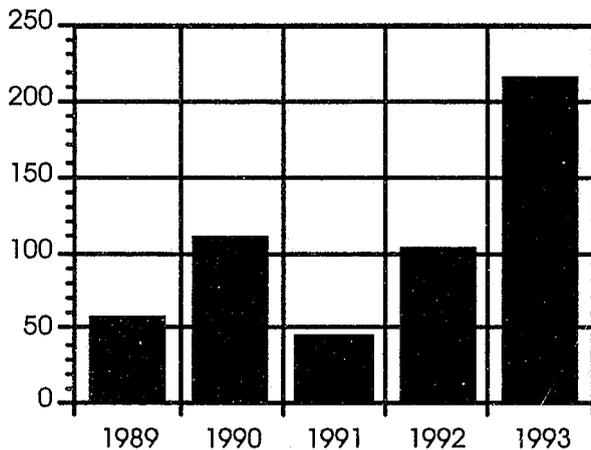


*By October 31, 1931, the Old Providence County Courthouse has been dismantled and workers are busy erecting the infrastructure for the left-hand side of the new courthouse. It is interesting to note that construction begins on South Main Street and then moves uphill to Benefit Street.*

## Rhode Island Family Court

### Family Court Caseload Increases

**Providence County Wayward/Delinquent Cases Over 90 Days Old**



The 1992 and 1993 results for Family Court showed a continued increase in the caseload. Filings courtwide totaled 21,662 in 1992 and 22,167 in 1993. By comparison there were 18,842 cases filed in 1989. Thus, in five years the workload expanded by 17.6 percent.

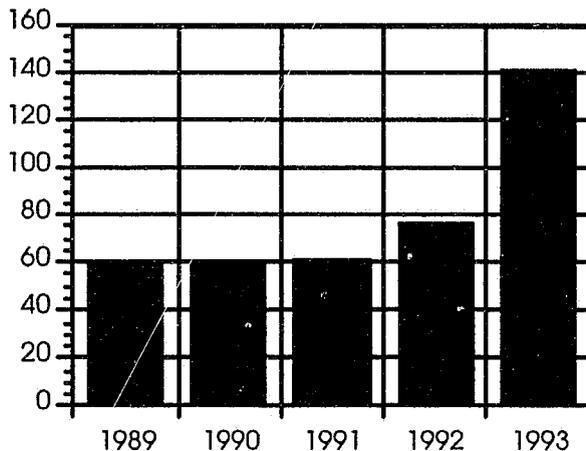
However, there were wide variations in filings by category. Several types of cases increased dramatically -- child support petitions, neglect/abuse filings, and petitions to terminate parental rights. Over the five-year period support petitions rose by 82 percent, neglect/abuse filings climbed by 60 percent, and termination petitions went up by 57.5 percent. On the other hand, divorce petitions, which are the second largest case category, declined by 11 percent.

Chief Judge Jeremiah S. Jeremiah, Jr. succeeded in increasing juvenile dispositions both years. The total disposed in 1992 was 8,176, and it rose to 8,516 in 1993.

In both years about 22 to 24 percent of dispositions were handled nonjudicially by the Juvenile Services Unit.

Despite the increase, dispositions fell short of filings. In 1992 the gap between juvenile

**Out-Counties Wayward/Delinquent Cases Over 90 Days Old**



filings and dispositions was 1,067, and in 1993 it was 890. The cumulative effect was an 88 percent increase in the pending caseload between 1991 and 1993 (from 689 to 1,294). In Providence County the number pending more than doubled (from 456 to 956) in this two-year period. In Washington County it increased by 70 percent (from 43 to 73), and in both Kent and Newport Counties the caseloads rose by roughly one-third.

The increase in caseload had an effect on the age of the cases. Courtwide the number of wayward/delinquent cases over 90 days old more than tripled between 1991 and 1993 (from 108 to 358), and the average time to disposition went up from 97.3 days to 111.8 days, an increase of 14.5 days.

On the domestic side contested divorce dispositions were approximately the same as in 1992 in Kent County but were lower than in 1992 in the other three counties. There were 161 contested cases disposed in 1992 in Kent County and 163 in 1993.

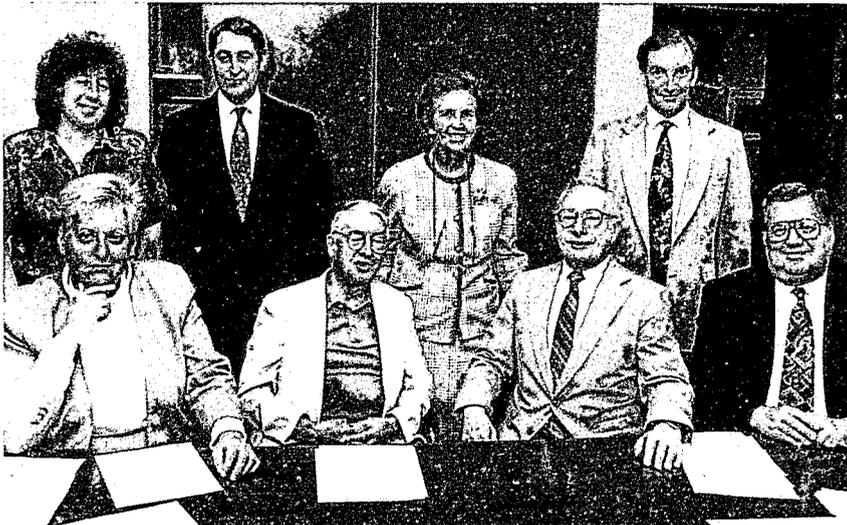
Likewise, Kent was the only county where there was a reduction in pending contested

cases at the end of the year. The number was reduced from 92 to 42. In addition, Kent County showed significant progress in eliminating many of the older pending contested cases. The number of cases over 180 days old declined from 46 to 9 between 1992 and 1993, and cases over a year old decreased from 14 to 1.

In the other counties the number of pending contested cases increased between 1992 and 1993. The number pending in Providence County rose by 28 percent and almost doubled in both Washington and Newport Counties.

This had some impact on the age of the cases in these three counties. The number of cases pending over 180 days jumped from 4 to 12 in Washington County, from 3 to 15 in Washington County, from 3 to 15 in Newport County, and from 28 to 42 in Providence County. However, the cases over a year old decreased in Providence County from 5 to 3 and rose only slightly in the other two counties. At the end of the year Washington County had 4 cases over a year old, and Newport County had 3.

## Family Court Committee Formed to Implement ADR Recommendations



Members of the Alternative Dispute Resolution (ADR) Committee, seated from left to right are Carolyn R. Barone, Dr. John Farley, Alfred Factor, and Chief Judge Jeremiah. Standing from left to right are Barbara Margolis, Howard Lipsey, Barbara Rogers, and Stephen King. Not pictured are Paul Kline, Judge Michael Forte, Brian Hayden, and Susan McCalmont.

In 1992, Chief Justice Thomas F. Fay received the final report from the committee to study the use of alternative dispute resolution (ADR). Formed in response to increased case filings, the committee examined all forms of ADR that might be effective in Family Court cases.

The committee was chaired by retired Family Court Chief Judge Edward P. Gallogly and included Family Court Chief Judge Jeremiah S. Jeremiah, Jr., retired Family Court Chief Judge William R. Goldberg, and retired Family Court Associate Justice Edward V. Healey, Jr.

In preparing the final report,

the committee met with Family Court justices and members of the Family Court Bench/Bar Committee. The committee also received over 100 responses to a questionnaire that was sent to approximately 280 attorneys who appear in the Family Court. The committee also studied ADR programs in other jurisdictions, including Arizona, California, Colorado, Connecticut, and Texas.

The committee's final report contained the following recommendations:

- The court should develop an educational program for parents with minor children who are

seeking dissolution of their marriage.

- The court should expand the use of mediation in domestic relations cases.

- The court should explore the use of nonjudicial personnel (experienced attorneys/ masters) to hear nominals and initial motions.

- The court should consider creative approaches for funding any alternative dispute resolution initiatives.

Following the committee's final report, the Chief Justice asked Family Court Chief Judge Jeremiah to chair an implementation committee composed of Family Court justices, attorneys, court staff, child therapists, and a pediatrician.

The committee, which began its work in September 1992, initially worked with St. Mary's Home for Children to develop an orientation program for parties with minor children who are seeking a divorce.

This educational program gives parents information to help them parent their children during the divorce. The program helps parents understand the issues their

## Lipsey Appointed Family Court Justice

children face in dealing with parental separation, the stressful events of divorce, and the changing family structure.

The program is based on a nationally recognized model used in the state of Georgia.

Called "Divided Yet United", it is a five-hour program that is offered in two sessions. St. Mary's and the court sponsored the program four times in 1993. Approximately eighty people attended the four programs, and the participants' evaluations were very positive. The program will be offered again in 1994.

During 1993 the ADR Committee also established a subcommittee to develop a proposal to expand the use of mediation in domestic relations cases. The subcommittee is made up of members of the court's committee, members of the ADR Subcommittee of the Family Court Bench/Bar Committee and members of the Rhode Island Bar Association's Alternative Dispute Resolution Committee.

Chief Judge Jeremiah asked attorneys Richard Jessup, Jr. and J. Michael Keating, Jr. to co-chair the subcommittee. The subcommittee held a number of meetings during 1993 and plans to submit a proposal to Chief Judge Jeremiah in 1994.

After thirty years in private practice, Howard I. Lipsey was appointed to the bench on August 22, 1993. A 1957 graduate of Providence College, Justice Lipsey attained his law degree from Georgetown University in 1960.

Justice Lipsey has served as chair of the Family Court Bench/Bar Committee and the Workers' Compensation Commission Bench/Bar Committee and past president of the R.I. Trial Lawyers' Association. He is a regular faculty member of the ABA Family Law Trial Advocacy Institute. Judge Lipsey also lectures on matters of family law for the R.I. Bar Association, the ABA, and Suffolk University Law School.



*Associate Justice Howard I. Lipsey*

## Committee Formed to Explore Innovative Approaches to Dependency/Neglect/ Abuse Cases



*Committee Member  
Associate Justice Peter Palombo, Jr.*

In 1992 Chief Justice Thomas F. Fay and Family Court Chief Judge Jeremiah S. Jeremiah, Jr. established a committee to address Family Court's increase in dependency/neglect/abuse and termination of parental rights case filings. From 1988 to 1993 dependency/neglect/abuse petitions alone increased 115 percent.

The judges noted that the increase in filings combined with the number of hearings and the complexity of the issues in these cases strained court resources.

The committee, which is chaired by Chief Judge Jeremiah, also includes Associate Justices Shawcross and Palombo, the state's Child Advocate, and representatives from the Court Appointed Special Advocate (CASA) program, the Office of the Public Defender (PD), the Department for Children, Youth and Families (DCYF), the General Assembly, and the bar.

The committee identified the case review process as an area of major concern. To qualify for federal funds, DCYF conducted an administrative review every six months and the court also scheduled a six month review to monitor case progress. In certain cases, this represented a duplication of effort thereby burdening the limited resources of the court,

DCYF, and the PD's office.

To address this concern, Chief Judge Jeremiah issued an Administrative Order in 1992 making it possible to implement a new review process.

Consequently, in 1993, the committee adopted a DCYF-proposed plan coordinating the court review with DCYF's federally mandated review. Under this plan DCYF conducts the first review six months after a dispositional hearing, and the court conducts the next review in six months. The department and the court then alternate reviews until the case is terminated.

Unfortunately, the process was not as effective as anticipated because attorneys, especially those in the Office of the Public Defender, were not able to attend the administrative reviews. The committee plans to implement a new procedure in early 1994 that will not require attorneys to attend the DCYF review but will still protect the legal rights of the parties involved in the case.

Chief Judge Jeremiah also established subcommittees to develop legislation, to review the method used to calendar DCYF cases, and to obtain federal funds to support initiatives in this area. These subcommittees will begin work in early 1994.

## Project Restitution Helps Youth Offenders Compensate Victims of Crime

Justice Assistance, a private corporation, has provided restitution services to first-time juvenile offenders since 1983 through a program called Project Restitution. Cited as a model by the United States Office of Juvenile Justice and Delinquency Prevention, Project Restitution has two objectives: to assist young offenders ranging from fourteen to eighteen years old in compensating victims of property crimes and to help the victims overcome feelings of helplessness resulting from their loss.

During several supervised counseling and mediation sessions, the young offenders see first hand how their crimes have injured their victims and reach an agreement with their victims on how restitution will occur -- through community service or financial reimbursement. The juveniles are then placed in community service agencies or with employers, and they are assigned a payment schedule to compensate for crime damages. Case managers track the young offenders until the repayment has been completed.

In 1992 and 1993, Project Restitution enrolled 392 juvenile offenders with an average

restitution order of \$126. The program collected \$49,354, or 100 percent of the mediated losses. Clients who did not have the ability to pay cash, or who were so ordered by the court, completed 8,451 hours of community service.

Project Restitution has been so successful in Family Court that the program was expanded to also service first-time offenders in Sixth Division District Court.

During 1992 and 1993, Project Restitution enrolled 629 offenders with an average restitution order of \$152. The program collected \$53,882, or 56 percent of the amount ordered.



*Justice Assistance (seated left to right): Kathy Murray, Kathy Brown, Belinda Lima, Wayne Bonadie, Teresa Desautel. (Standing from left to right): Lucille Riccitelli, Jane Joyce, John Brennan, and Jonathan Houston.*



*CASA staff members Jay Gendron and Linda Zangari.*

## **CASA Volunteers Help Children In Need**

The statewide Court-Appointed Special Advocate (CASA) program assists those children who are removed from their homes through the legal and child welfare systems. Relying heavily on trained volunteer advocates, the program conducts independent investigations into the factors leading to a child's removal from his/her home and provides the court with recommendations based on the best interest of the child. With the assistance of the CASA staff, advocates also monitor the progress of a child's case through the Family Court and the child welfare system.

In 1992 the program received cases involving 1,687 children. The Providence County office received 1,398 of these referrals; Kent County, 133; Newport

County, 92; and Washington County, 64.

In 1993 the program received cases involving 1,714 children. The Providence County office received 1,424 of those referrals; Kent County, 128; Newport County, 88; and Washington County, 74.

The 1,714 referrals in 1993 represent a 6.5 percent increase since 1991. Since 1988, however, there has been an 105 percent increase in referrals to the CASA program, corresponding with the increase in dependency/neglect/abuse petitions filed.

Recruitment, training, and retention of the volunteer advocates is a major component of the program. Recruitment is undertaken through public

service announcements on television, radio, and in newspapers. Speaking engagements and participation in volunteer fairs are other methods of recruitment. The program also is looking into utilizing public access cable television to assist in this effort. Because of the tremendous increase in the number of children assigned to CASA, even extensive recruitment efforts do not provide the number of volunteers needed to assign a volunteer to each child.

All new volunteers are provided with an extensive orientation and training program. In addition, a volunteers' advisory board has developed an in-service training program to assist the volunteers in addressing the challenges they face.

A peer support program also has been established. This monthly program provides newer volunteers with the opportunity to discuss their concerns about their role with more experienced volunteer advocates.

The program and volunteers received special public notice in 1992. Volunteers in Action (VIA) formally recognized the CASA volunteers for their service to children in need.

## Juvenile Services Institutes Substance Abuse Program to Help Juvenile Offenders

The Family Court clearly recognizes the devastating impact that substance abuse has on young people and families that come before the court. Under a new initiative in 1993, the Department of Substance Abuse has assigned a staff member from the Treatment Alternatives to Street Crimes programs (TASC) to the Family Court. The court liaison interviews individuals referred by the court, assesses the individual's need for treatment, and coordinates a referral to the appropriate treatment modality. In addition, the court liaison monitors the individual's progress in treatment and provides the court with reports on the individual's progress. The Juvenile Services Department has been instrumental in coordinating the activities of the court liaison and also refers numerous juvenile offenders to the court liaison for assessment and treatment.

In 1993 the Department of Juvenile Services also coordinated a court education program with the Narragansett Council of the Boy Scouts of America. The six-month program allows high school students (both males and

females) to meet with key personnel in the criminal justice system and attend sessions of the Family, Superior and District Courts.

The Juvenile Services Department also continues to provide juvenile offenders with appropriate and meaningful Family Court intervention via two programs implemented in 1992: the law-related education program and Positive Alternatives for Student Success Project (PASS).

The department's main responsibility, however, continues to consist of screening all wayward/delinquent petitions (except emergencies) that are filed with the court. Staff members use case-screening criteria in interviewing certain youngsters and their parents to determine if petitions can be handled without a formal court appearance. As an alternative, the staff develops individualized, meaningful dispositions that may include counseling, restitution, community service work, and referrals to a wide range of community programs, including those outlined above.

In addition, a special department within the Juvenile Services Department, the Youth

Diversions Unit, serves as a community outreach unit. Field workers generally handle matters that involve disobeying parental rules, not attending school, or other difficulties requiring ongoing supervision.

In 1992, the Juvenile Services Department screened 6,457 wayward/delinquent petitions, and in 1993 the department screened 6,489 petitions. In both years the department handled 30 percent of the cases screened without a formal court hearing. The number of cases diverted in 1992 and 1993 represent a 21 percent increase from 1991.



*Newly-appointed Chief Intake Supervisor Dave Heden and Stephanie George.*

## Child Support Collections Continue to Increase Dramatically



*Working to increase child support collections (from left to right) are Family Court Master Debra E. DiSegna, Debra Amick, and Supervisory Accountant John Colafrancesco, Jr.*

In 1992 Family Court child-support collections increased by \$4,919,556. In 1993 they increased another \$2,561,325, representing a 30 percent increase since 1991. This increase continues a trend that has been ongoing since the early 1980s.

The chart below depicts the increase in collections since 1983, as well as the amount collected during each of the last five years.

Recent changes have assisted the collection unit in handling this dramatic increase. A new automated information system called In Rhodes, for instance, has provided the unit with better record keeping, calendar management, and caseload management.

In order to serve the public better and to improve staff

working conditions, the accounting section of this unit has been relocated to the third floor of the Garrahy Judicial Complex.

The federal government supports the enforcement of child support orders by reimbursing Rhode Island for 67 percent of expenses directly related to collection and enforcement, such as salaries, fringe benefits, telephone services, and computer costs.

The state also receives federal reimbursement for various indirect expenses. Indirect costs represent a percentage of costs for administrative services provided by the Family Court, Administrative Office of State Courts, and certain executive department agencies such as Personnel, Budget, and Accounts and Control.

The total federal reimbursement received by the state was \$954,741 in 1992, and \$1,014,541 in 1993, a two-year increase of 36 percent.

Year	Amount Collected
1983	\$7,368,648
1989	\$18,725,071
1990	\$22,202,562
1991	\$25,220,539
1992	\$30,140,095
1993	\$32,701,420

## Family Services Department Helps Families through Difficult Times

The Family Services Department provides the court with a wide range of services designed to help either individuals or families cope during difficult and stressful times.

During 1992 and 1993, for instance, the department conducted approximately 2,500 investigations to help resolve child support matters, visitation and custody issues, minors requesting permission to marry, and stepparent adoptions.

The Family Services Department also provides mediation services to assist parties in resolving child-custody and/or visitation issues. In 1992 and 1993 trained mediators handled 40 court-ordered mediations. During these sessions, mediators focus on the positive reorganization of the family and the appropriate involvement of both parents in the lives of their children.

In 1992 and 1993 the department also supervised over 2,200 hours of court-ordered visitation. In these instances, department staff or volunteers supervise parental visits at the courthouse.

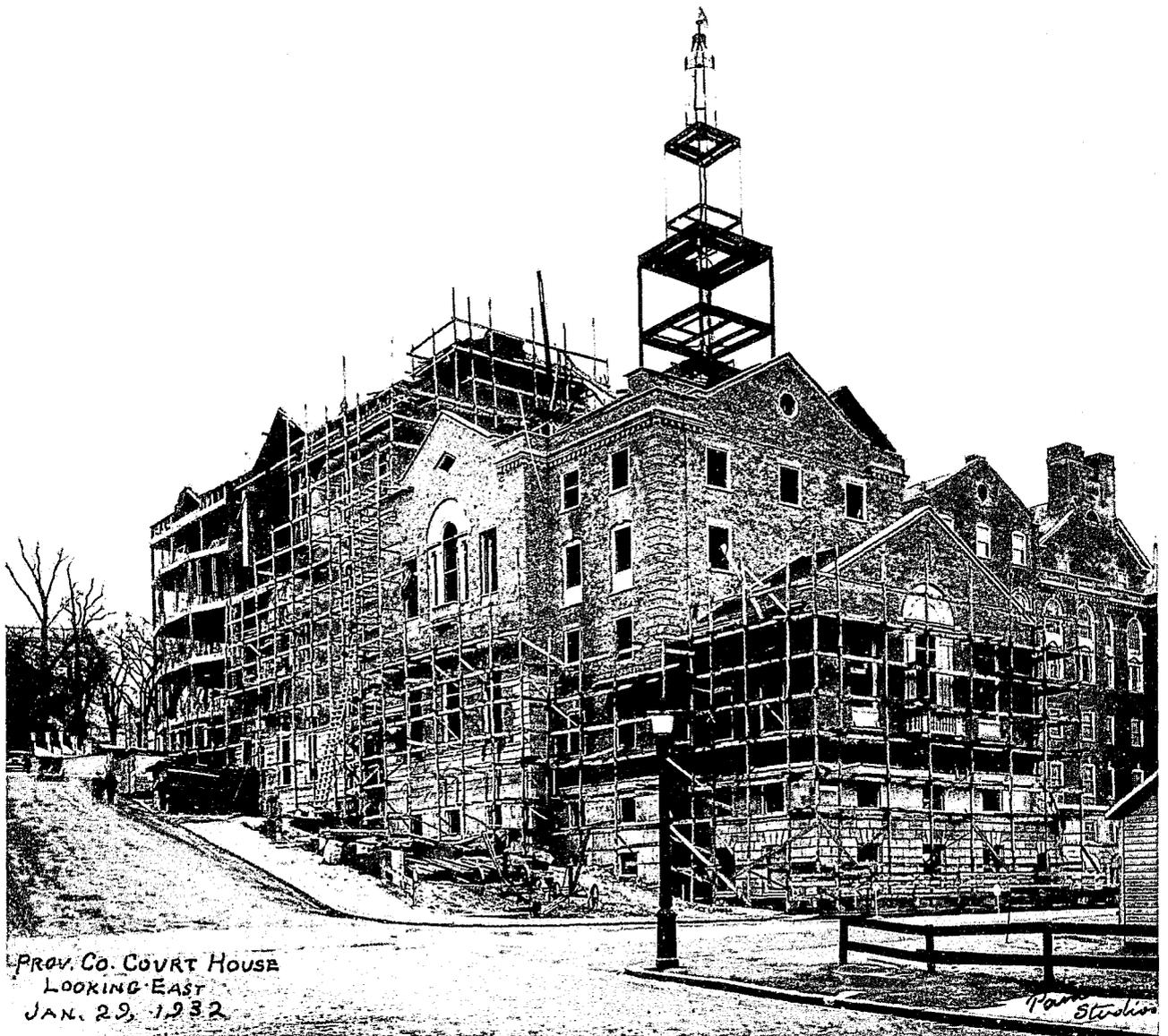
To enhance supervised visits, the department has been exploring the Children's Museum of Rhode Island as an alternate location for parental visitation. Under appro-

priate supervision parents could use the exhibits in the museum to interact with their children. These visits could prove to be a worthwhile opportunity for certain families.

The Family Services Department also provides alcohol and family counseling to help individuals or families, either court or self-referred.

In addition to the counseling services, the department administered over 1,000 court-ordered screenings for substance abuse and evaluations of alcohol involved individuals during 1992 and 1993.

The department was also involved with the Family Court's Alternative Dispute Resolution Committee (see related story). The department was active in developing a program with St. Mary's Home for Children. The educational program helps divorcing parties with minor children to parent during and after the dissolution of their marriage.



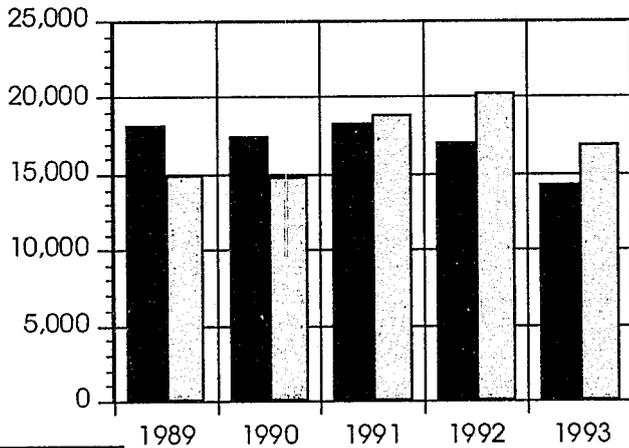
PROV. CO. COURT HOUSE  
LOOKING EAST  
JAN. 29, 1932

*The left-hand side of New Providence County Courthouse has begun to take shape by January 29, 1932.*

# Rhode Island District Court

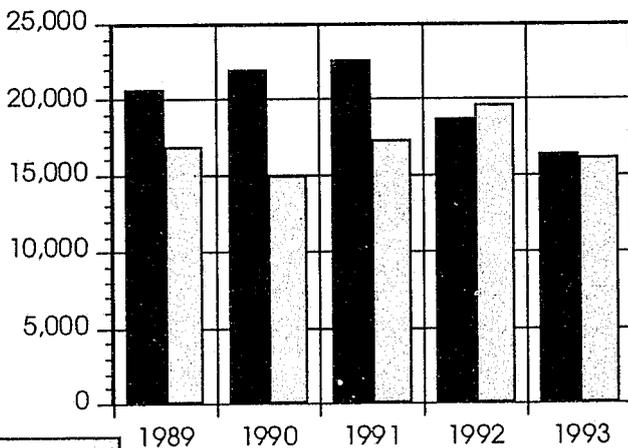
### District Court Caseload Declines

**Small Claims Filings vs. Dispositions**



■ Filings  
□ Dispositions

**Regular Civil Cases Filings vs. Dispositions**



■ Filings  
□ Dispositions

District Court filings declined in every major category during 1992 and 1993. On the civil side this reversed the trend of the three previous years, but on the criminal side filings started to decrease as of 1991.

Regular civil filings fell from 22,719 to 18,815 in 1992 and dipped again to 16,841 in 1993, a difference of 26 percent over a two-year period. This decline affected every division. Between 1991 and 1993, civil filings dropped by 243 in the Second Division, 850 in the Third Division, 465 in the Fourth Division, and by 4,320 in the Sixth Division.

Small claims followed the same trend. In 1991 there were 18,330 filings of this type, and in 1993 the number was 14,262, a difference of 22 percent. Filings were also lower in every division. Compared to 1991, small claims dropped by 312 in the Second Division, 373 in the Third Division, 940 in the Fourth Division, and 2,443 in the Sixth Division.

Meanwhile, criminal filings decreased each year after 1990. That year there were 57,129 felony and misdemeanor charges filed, and over three years the number fell to 49,062, a difference of 8,067 or roughly 14 percent.

The other two categories of cases handled by the District Court are domestic abuse and administrative appeals. Domestic abuse is the one area where there has been consistent growth. In 1991 there were 803 filings of this type, the number rose to 933 the following year, and increased to 1,086 in 1993. On the other hand, administrative appeals tend to fluctuate from year to year. They rose in 1992 from 349 to 402 but then dropped to an all-time low of 253 in 1993.

Led by Chief Judge Albert E. DeRobbio, the District Court is current in almost all areas. On the civil side the court disposed of more small claims than were filed in all divisions in 1993 and in three of the four divisions in 1992. The Fourth Division was the exception, with a disposition rate of 93.5 percent for the year (1,829 cases disposed and 1,956 filed).

Civil dispositions exceeded filings in two divisions both years, the Second and the Sixth. In the Third Division the disposition rate for civil cases rose slightly between 1992 and 1993. It went up from 79 to 81 percent. At the same time the rate dropped from 88 to 85 percent in the Fourth Division.

For misdemeanor cases, the

courtwide disposition rate improved from 91 percent to 95 percent between 1992 and 1993. The Second Division disposed of more cases than were filed both years, while the rate of dispositions was higher in 1993 in two other divisions. It increased from 89 to 92 percent in the Sixth Division and from 83 to 97 percent in the Third Division. In the Fourth Division dispositions exceeded filings in 1992 and were 94 percent of the total in 1993.

At the end of 1993 the Third Division had no pending misdemeanor cases over 60 days old. There was no change in the percent of pending cases over 60 days old in the Second Division. At the end of each year roughly a third of the pending cases were over 60 days old, but in 1993 this division eliminated all cases in the over 180 day category. On the other hand, there were increases in the percent of older cases in both the Fourth and Sixth Divisions between 1992 and 1993. The number rose from 6 to 14 percent of the caseload in the Fourth Division and from 73 to 75 percent in the Sixth Division.

## District Court Consolidates, Streamlines Procedures

District Court completed its first full year of operation after consolidating the former First Division (Warren), Fifth Division (Pawtucket), Seventh Division (Woonsocket), and Eighth Division (Cranston) with Providence's Sixth Division. The five consolidated divisions all operate out of the District Court Clerk's Office in the Garrahy Judicial Complex.

The consolidation has made it possible to use staff more effectively. Assignments have been modified so that clerks can specialize in certain tasks instead of performing multiple roles as was formerly the case. Because staff from various divisions can now cross-train and share duties, the consolidation has also allowed for expansion of the automated case tracking and accounting systems. Only the Second, Third, and Fourth Divisions continue to maintain criminal case records manually.

Despite these efforts, District Court had to suspend the civil calendar in the Sixth Division because of judicial vacancies

and illness and the shortage of staff. The suspension, which began in August 1992 extended into 1993.

During 1992 the Sixth Division Clerk's Office also improved its operations with assistance from the court's Record Center. Because storage space in the Garrahy Complex is limited, the Record Center agreed to store the division's older cases that still remain open. The Garrahy Complex presently houses active civil case files for three years and active criminal case files for two years.

In 1992 District Court also continued to streamline court rules and procedures by amending Rule 4 of the Rules of Civil Procedure. The change allows service of a summons and complaint by first-class mail. Under the new provision, which is modeled after the federal rule, the defendant is required to return an acknowledgment-of-service-form or be held liable for the costs of personal service by a deputy sheriff or constable. Service by mail is expected to reduce the expenses of civil litigation and make service of process quicker and easier.

## Three Judges Named to District Court

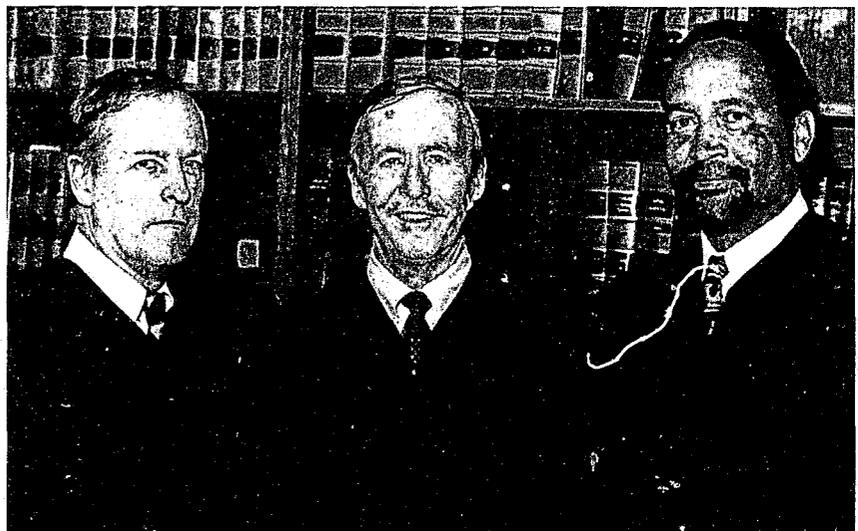
The District Court bench was brought to full complement with the appointment of Associate Judges Edward C. Clifton, Walter Gorman, and Robert J. Rahill on February 3, 1993. The judges were appointed to fill vacancies left by the death of Judge Antonio SaoBento and the retirement of Judges Victor J. Baretta and Anthony J. Dennis.

A Texan by birth, Judge Edward C. Clifton was educated in California, attending the University of California, Berkley (1972) and Los Angeles (JD) (1975). He served as City Solicitor of Providence and as a Providence Municipal Court Judge. His public service also included membership on the Supreme Court Disciplinary Board and the Committee on Character and Fitness.

Prior to his appointment to the District Court, Judge Walter Gorman held the position of R.I. Deputy Attorney General for six years. A graduate of Hope High School in Providence, he received his Bachelor's Degree from Providence College in 1961, an LLB from Boston University School of Law in 1964 and later a fellowship from Stanford University. He also served

as a trial attorney for the Civil Rights Division, U.S. Department of Justice.

Judge Robert J. Rahill was born in Pawtucket in 1932 and graduated from St. Raphael Academy in that city. He began a career in education after obtaining a bachelor's degree from the former R.I. College of Education and a Master of Education degree from its successor, R.I. College. Suffolk University awarded him a J.D. in 1977, and he subsequently served as Registrar of Motor Vehicles and Director of the Department of Transportation (1969-1977). He practiced law from that time until his appointment to the bench in 1993.



*New District Court judges (from left to right): Judge Walter Gorman, Judge Robert J. Rahill, and Judge Edward C. Clifton.*

## **New Research Aids Judges**

The District Court has jurisdiction to hear appeals from the decisions of numerous regulatory agencies and boards. As a result of a collaborative effort between District Court Master Joseph P. Ippolito and the Rhode Island Bar Association's Mandatory Continuing Legal Education (MCLE) program, a text has been published to assist District Court judges in deciding appeals brought before them by one of these boards, the Employment and Training Board of Review. The volume is also available through the continuing legal education catalog.

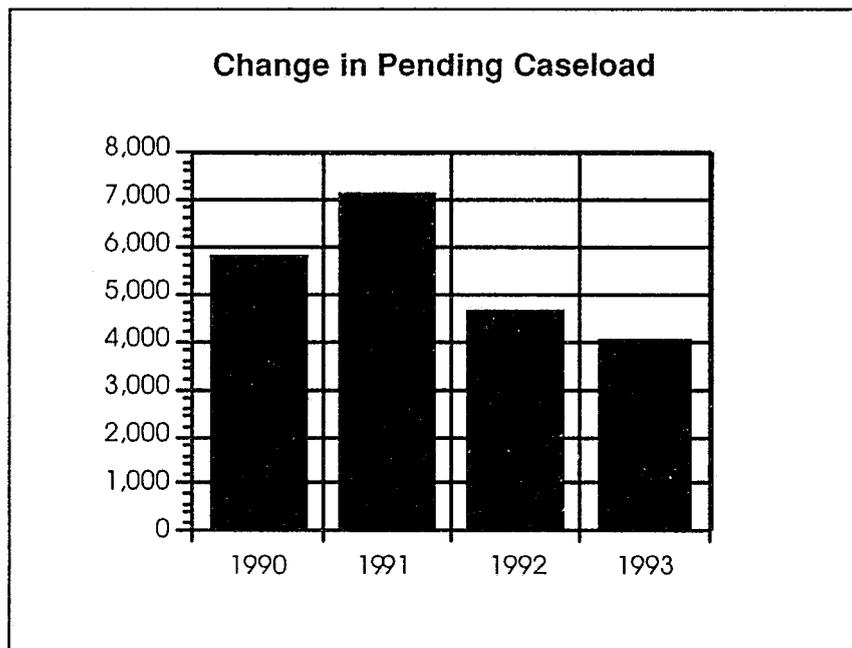
The text provides a compendium of the unpublished opinions issued by the judges of the District Court on appeals from the Department of Employment and Training Board of Review. The text also puts the opinions in context by providing the statutory framework and applicable Rhode Island case law. The text is most useful in researching the legal issues most frequently litigated, typically those cases that include grounds for granting or denying benefits to a particular claimant.



*This January 29, 1932 photo shows final construction of the Benefit Street side of the new court facility. Workers are also beginning to erect the clock tower.*

# Workers' Compensation Court

## Workers' Compensation Court Reduces Caseload

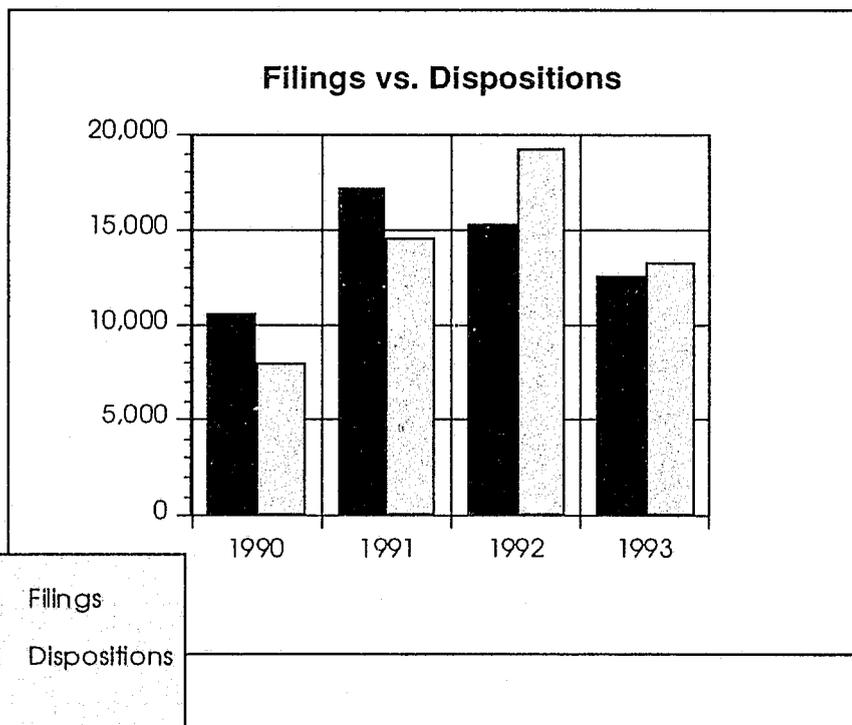


Two trends stand out in the Workers' Compensation Court 1992/93 caseload results under Chief Judge Robert F. Arrigan. One is a decline in the number of petitions filed. This reflects the success of legislation passed in 1992 to overhaul the Workers' Compensation System. Between 1991 and 1993 new claims dropped by almost 20 percent (from 15,702 to 12,585). In this two-year period, employee petitions dropped by approximately 23 percent and employer petitions decreased by 21 percent.

The second trend is a reduction in the pending caseload. Between 1991 and 1993 the court reduced the number of pending cases from 7,159 to 4,076. This was an elimination of 3,083 cases or 43 percent of the caseload.

The court accomplished this by disposing of more cases than were filed in both 1992 and 1993. In 1992 dispositions exceeded filings by 3,945, and in 1993 the number disposed was 725 greater than the number filed.

An increase in dispositions at the pretrial stage played a significant part in these results. Pretrial dispositions were only 18 percent of the total in 1991, but they jumped to 60 percent in 1992 and 59 percent in 1993.



## Medical Advisory Board Created to Assure Injured Workers Quality Care

The Workers' Compensation Reform Act of 1992 created a Medical Advisory Board (MAB) to ensure that every person suffering a compensable injury with a resulting disability is provided with quality medical care and the opportunity to return to gainful employment as soon as possible.

The board consists of 11 medical specialists and is appointed by the chief judge of the Workers' Compensation Court. Board members develop protocols and standards for treatment for compensable injuries, promulgate rules and procedures for the appointment of health care review teams and impartial medical examiners, approve preferred provider networks, and assure the provision of impartial medical exams for injured workers out of work for 26 weeks or more.

During 1993, the Medical Advisory Board promulgated 21 protocols for the most common injuries in the workplace. They also promulgated treatment protocols regarding physical therapy and work hardening.

Also, by the end of 1993, over 2,300 employers had filed Preferred Provider Networks (PPN's) approved by the Medical Advisory Board.

The board receives and reviews approximately 250 medical affidavits per week. These statements are filed every six weeks from date of injury by each treating health care professional. These affidavits are reviewed by the board's staff to determine if MAB protocols are being followed.

If a question exists about a violation of protocol, information pertaining to the patient's treatment is collected and a formal review is held. A violation may lead to the suspension or disqualification of the health care professional by the MAB Administrator. If this occurs, the health care professional will not be allowed to recover any fees or costs for treatment of work-related injuries.

In 1993, 190 violations of protocol were filed with the Medical Advisory Board. In the first half of 1993, 65 percent of the violations were founded. By the fourth quarter, this percentage had dropped to 26 percent, indicating an increasing awareness of MAB requirements.

Maureen H. Aveno was appointed Administrator of the Medical Advisory Board on October 19, 1992. She is assisted by a secretary, a programmer/analyst, and four coordinators.



*Maureen H. Aveno  
Administrator, MAB*

## **Bertness Named Associate Judge**

On July 14, 1993, Janette A. Bertness was sworn in as an Associate Judge of the Workers' Compensation Court bringing the bench up to the full complement of ten as authorized by statute. Judge Bertness was appointed to fill the vacancy left by the retirement of Judge Eugene Laferriere in December 1991. The Workers' Compensation Court had been operating with less than its full complement of judges since that date.

A graduate of Clark University (AB) 1979, Judge Bertness received a Master of Science degree from Brown University two years later, and was awarded a law degree from Suffolk University in 1986.



*Judge Janette A. Bertness*



*The finishing touches: this photo, taken on June 30, 1932 from downtown Providence, shows workers completing construction of the clock tower and columned arcade.*

# Administrative Adjudication Court

## Administrative Adjudication Court Joins Unified Court System

After nearly twenty years as an administrative arm of the Department of Transportation, the Administrative Adjudication Court (AAC) became part of the unified court system on September 1, 1992. The AAC hears non-criminal traffic offenses and processes them administratively, while District Court continues to handle those types of matters that are misdemeanors.

AAC annual filings total about 120,000 cases, and of those about 50,000 result in court hearings. Almost 40 percent of AAC matters are disposed of by mail. Offenses resulting in hearings are normally adjudicated within three to six months of the violation date. Total assessments per year

range between twelve and fourteen million dollars.

The AAC is organized into six operating sections:

- The Violation Section distributes and controls the traffic summonses used by all police departments in the state. This section also receives and records all mail responses to summonses.
- The Hearing Section conducts all the hearings required for traffic violations.
- The Driver Retraining Section conducts driver retraining programs for persons referred by the Hearing Section. This section is also responsible for

holding hearings on the records of persons with poor driving histories.

- The Data System Section handles data processing for the AAC. This includes updating and generating driver histories, updating payment information and verifying eligibility to pay by mail, monitoring summonses, scheduling hearings, and generating license suspension notices and warning letters.
- The Court Compliance Office reviews court files to determine if the requirements have been met for restoring licenses.
- The Court Collections Office is responsible for collecting outstanding fines that are due beyond a 60 day period and for notifying out-of-state motor vehicles offices of nonresident outstanding fines.



AAC Judge Benedetto A. Cerilli.

### AAC Members:

Chief Judge Vincent Pallozzi  
Associate Judge John F. Lallo  
Associate Judge Benedetto A. Cerilli  
Associate Judge Lillian M. Almeida  
Associate Judge Marjorie R. Yashar  
Associate Judge Edward C. Parker  
Associate Judge Albert R. Ciullo  
Leo Skenyon, Court Administrator

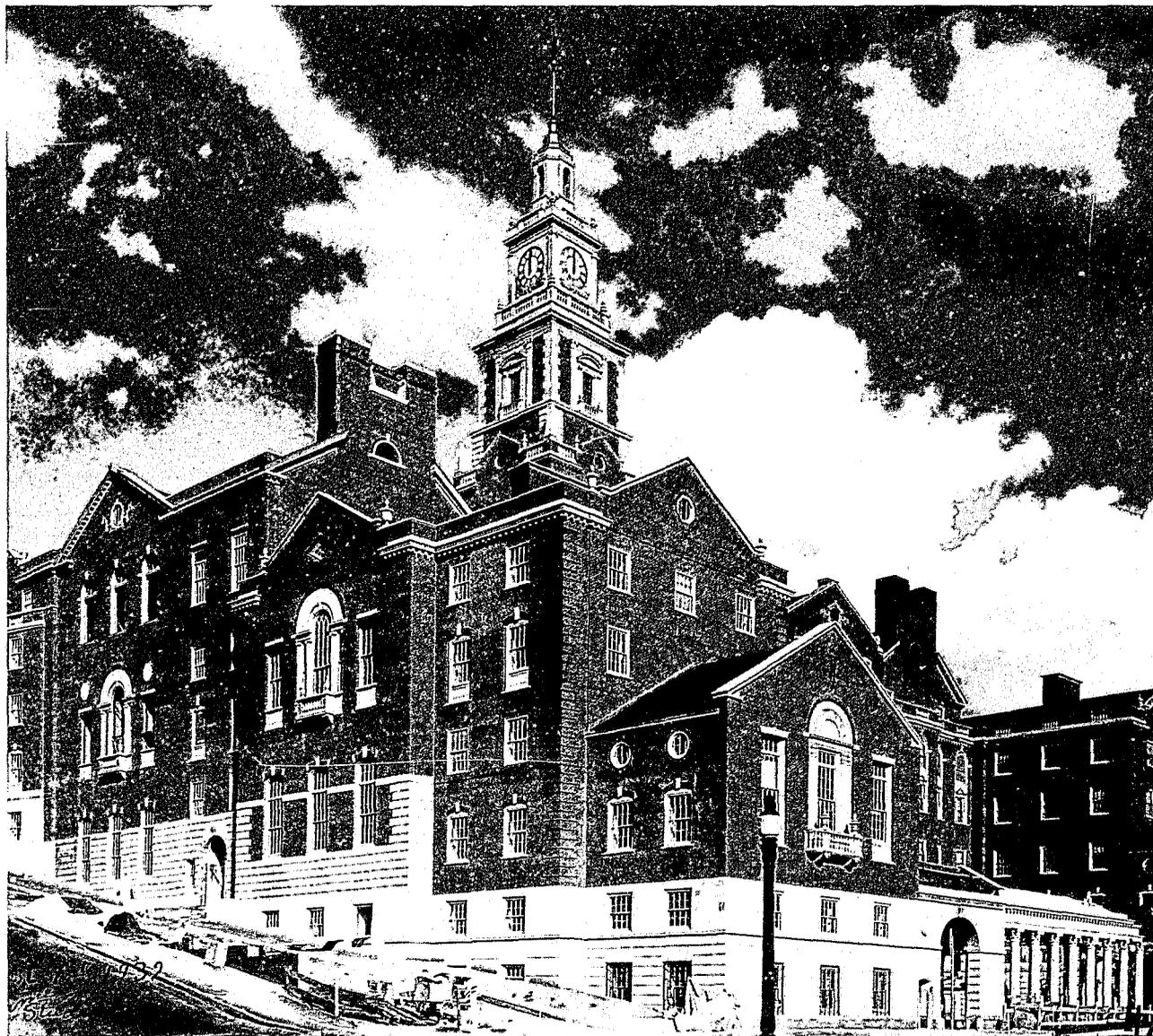


*Chief Judge Vincent Pallozzi*

**Vincent Pallozzi  
Confirmed  
As AAC Chief Judge**

Judge Vincent Pallozzi, who had been acting as interim Chief Judge of the Administrative Adjudication Court since the death of Chief Judge Paul F. Casey on April 28, 1993, was confirmed to that position on July 14, 1993.

A graduate of Providence College and Northeastern School of Law (1953), Judge Pallozzi was named as an Administrative Law Judge on February 26, 1989. He served in that capacity until the Administrative Adjudication Division became a part of the unified court system, and he was appointed Chief Judge.



*By August 1, 1932, the facade of the New Providence County Courthouse is nearly complete. Governor Theodore F. Green will formally dedicate the new court facility one year later.*

# Appendices I: 1993 Judicial Roster 1993 Court Directory Acknowledgements

## 1993 Judicial Roster

### Supreme Court

Joseph R. Weisberger,  
*Chief Justice (Acting)*  
Florence K. Murray,  
*Associate Justice*  
Donald F. Shea,  
*Associate Justice*  
Victoria Lederberg,  
*Associate Justice*

### Superior Court

Joseph F. Rodgers, Jr.,  
*Presiding Justice*  
Thomas H. Needham,  
*Associate Justice*  
John P. Bourcier,  
*Associate Justice*  
Dominic F. Cresto,  
*Associate Justice*  
Paul P. Pederzani, Jr.,  
*Associate Justice*  
Thomas J. Caldarone, Jr.,  
*Associate Justice*  
Alice Bridget Gibney,  
*Associate Justice*  
Richard J. Israel,  
*Associate Justice*  
Americo Campanella,  
*Associate Justice*  
Robert D. Krause,  
*Associate Justice*  
Melanie Wilk Famiglietti,  
*Associate Justice*

Vincent A. Ragosta,  
*Associate Justice*  
John F. Sheehan,  
*Associate Justice*  
Ronald R. Gagnon,  
*Associate Justice*  
Henry Gemma, Jr.,  
*Associate Justice*  
Mark A. Pfeiffer,  
*Associate Justice*  
Maureen McKenna  
Goldberg,  
*Associate Justice*  
Patricia A. Hurst,  
*Associate Justice*  
Alton W. Wiley,  
*Associate Justice*  
Francis J. Darigan, Jr.,  
*Associate Justice*  
Judith Colenback Savage,  
*Associate Justice*  
Anthony Carnevale, Jr.,  
*General Master*  
William J. McAtee,  
*Administrator/Master*

### Family Court

Jeremiah S. Jeremiah, Jr.,  
*Chief Judge*  
Carmine R. DiPetrillo,  
*Associate Justice*  
Haiganush R. Bedrosian,  
*Associate Justice*  
Pamela M. Macktaz,  
*Associate Justice*  
Raymond E. Shawcross,  
*Associate Justice*  
Michael B. Forte,  
*Associate Justice*

Kathleen A. Voccola,  
*Associate Justice*  
Peter Palombo, Jr.,  
*Associate Justice*  
Paul A. Suttell,  
*Associate Justice*  
Howard I. Lipsey,  
*Associate Justice*  
John J. O'Brien, Jr.,  
*General Master*  
Debra E. DiSegna,  
*Master*

### District Court

Albert E. DeRobbio,  
*Chief Judge*  
John J. Cappelli,  
*Associate Judge*  
Michael A. Higgins,  
*Associate Judge*  
Robert K. Pirraglia,  
*Associate Judge*  
Patricia D. Moore,  
*Associate Judge*  
O. Rogerie Thompson,  
*Associate Judge*  
Gilbert V. Indeglia,  
*Associate Judge*  
Stephen P. Erickson,  
*Associate Judge*  
Edward C. Clifton,  
*Associate Judge*  
Walter Gorman,  
*Associate Judge*  
Robert J. Rahill,  
*Associate Judge*  
Gilbert T. Rocha,  
*Associate Judge*  
(Interim 8/22/93)  
Joseph P. Ippolito,  
*Administrator/Master*

### Workers' Comp. Court

Robert F. Arrigan,  
*Chief Judge*  
William G. Gilroy,  
*Associate Judge*  
Andrew E. McConnell,  
*Associate Judge*  
John Rotondi, Jr.,  
*Associate Judge*  
Carmine A. Rao,  
*Associate Judge*  
Constance L. Messore,  
*Associate Judge*  
George E. Healy, Jr.,  
*Associate Judge*  
Debra L. Olsson,  
*Associate Judge*  
Bruce Q. Morin,  
*Associate Judge*  
Janette A. Bertness,  
*Associate Judge*

### Administrative Adjudication Court

Vincent Pallozzi  
*Chief Judge*  
John F. Lallo,  
*Associate Judge*  
Majorie R. Yashar,  
*Associate Judge*  
Lillian M. Almeida,  
*Associate Judge*  
Beneditto A. Cerilli,  
*Associate Judge*  
Edward C. Parker,  
*Associate Judge*  
(Interim 8/22/93)  
Albert R. Ciullo,  
*Associate Judge*  
(Interim 8/22/93)

## 1993 Court Directory

### Supreme Court

#### Clerk/

#### Administrative Offices

Licht Judicial Complex  
250 Benefit Street  
Providence RI 02903

Robert C. Harrall,  
*State Court Administrator*  
277-3263

Joseph D. Butler,  
*Associate Administrator,  
State Courts*  
277-3266

Brian B. Burns,  
*Clerk Pro-tem  
Director of Bar Admissions*  
277-3272

Ronald A. Tutalo,  
*Administrative Assistant  
to Chief Justice*  
277-3073

Gail Higgins Fogarty,  
*General Counsel*  
277-3266

Judy S. Robbins,  
*Staff Attorney*  
277-3266

Kendall F. Svengalis,  
*State Law Librarian*  
277-3275

Martha Newcomb,  
*Chief, Appellate Screening*  
277-3297

Carol Bourcier Fagnoli,  
*Chief Law Clerk*  
277-6536

Tracy Williams,  
*Executive Director, CJIS  
(acting)*  
277-1463

Ed Plunkett,  
*Executive Director, RIJSS*  
277-3358

James J. Roberts,  
*Director, Public Informa-  
tion Office*  
277-1354

Susan W. McCalmont,  
*Assistant Administrator,  
Policy and Programs*  
277-2500

Robert E. Johnson,  
*Assistant Administrator,  
Facilities and Operations*  
277-3249

William A. Melone,  
*Assistant Administrator,  
Human Resources*  
277-2700

Holly Hitchcock,  
*Director, Court Education,  
MCLE*  
277-4942

Linda D. Bonaccorsi,  
*Chief, Employee Relations*  
277-2700

Frank G. Eldredge, Jr.,  
*Manager, Judicial Revenue*  
277-2084

Linda F. Litchfield,  
*EEO Officer*  
277-2700

Robert J. Melucci,  
*State Coordinator, Crime  
Victim Comp. Program*  
277-2500

Judicial Records Center  
1 Hill Street  
Pawtucket, RI 02860  
277-3249

Judicial Council  
1025 Fleet National Bank  
Providence, RI 02903

Girard R. Visconti,  
*Chairman*  
331-3800

Disciplinary Board  
John E. Fogarty  
Judicial Annex  
24 Weybosset Street  
Providence, RI 02903

Carol Zangari,  
*Chairperson*  
277-3270

David D. Curtin,  
*Disciplinary Counsel  
(acting)*  
277-3270

**Superior Court****Providence County**

Licht Judicial Complex  
250 Benefit Street  
Providence, RI 02903

William J. McAtee, Esq.,  
*Administrator/Master*  
277-3215

John H. Barrette,  
*Deputy Administrator*  
277-3215

Charles A. Aube,  
*Chief Supervisory Clerk*  
277-2622

Frank R. Camera, *Clerk*,  
*Providence and Bristol*  
*Counties*  
277-3200

Michael Ahn,  
*General Chief Clerk*  
277-3200

Dennis E. Morgan,  
*Principal Supervisory*  
*Clerk*  
*(Information Systems)*  
277-3358

Raymond J. Gallogly,  
*Jury Commissioner*  
277-3245

Henry J. Vivier,  
*Asst. Jury Commissioner*  
277-3248

Evelyn A. Keene,  
*Assistant Administrator,*  
*Management & Finance*  
277-3215

Bonnie L. Williamson,  
*Manager, Calendar*  
*Services*  
277-3602

Thomas P. McGann,  
*Manager, Security and*  
*Operations*  
277-3292

Kathleen A. Maher,  
*Administrator,*  
*Arbitration Program*  
277-6147

Criminal Assessment  
Tracking System  
277-2723

**Kent County**

Leighton Judicial Complex  
222 Quaker Lane  
Warwick, RI 02886

Ernest W. Reposa,  
*Clerk*  
822-1311

Eugene J. McMahon,  
*Associate Jury*  
*Commissioner*  
822-0400

Thomas G. Healey,  
*Mngr., Calendar Services*  
*(out-counties)*  
277-6645

**Washington County**

McGrath Judicial Complex  
4800 Tower Hill Road  
Wakefield, RI 02879

Henry S. Kinch, Jr.,  
*Clerk*  
782-4121

**Newport County**

Murray Judicial Complex  
45 Washington Square  
Newport, RI 02840

Anne M. Collins,  
*Clerk*  
841-8330

**Family Court**

Garrahy Judicial Complex  
1 Dorrance Plaza  
Providence, RI 02903

George N. DiMuro, Esq.,  
*Administrator/Clerk*  
277-3334

Anthony T. Panichas,  
*Deputy Administrator/Clerk*  
277-3331

Barbara M. Rogers,  
*Chief Family Counselor*  
277-3504

David Heden,  
*Chief Intake Supervisor,*  
*Juvenile*  
277-3345

William Aliferakis,  
*Supervising Clerk of*  
*Collections*  
277-3356

John Colafrancesco, Jr.,  
*Supervisory Accountant*  
277-3300

Mary A. McKenna,  
*Fiscal Officer*  
277-6684

F. Charles Haigh, Jr.,  
*Chief Deputy Clerk*  
*(Domestic Relations)*  
277-3340

Janet Diano,  
*Principal Deputy Clerk,*  
*Juvenile*  
277-3352

Francis B. Brown,  
*CASA/GAL Director*  
277-6863

**Kent County**

Leighton Judicial Complex  
222 Quaker Lane  
Warwick, RI 02886

Joyce C. Dube,  
*Supervisory Deputy Clerk*  
822-1600

**Newport County**

Murray Judicial Complex  
45 Washington Square  
Newport, RI 02840

Ellen F. Burdett,  
*Supervisory Deputy Clerk*  
841-8340

**Washington County**

McGrath Judicial Complex  
4800 Tower Hill Road  
Wakefield, RI 02879

Frank P. DeMarco,  
*Supervisory Deputy Clerk*  
782-4111

**District Court**

Garrahy Judicial Complex  
1 Dorrance Plaza  
Providence, RI 02903

Joseph P. Ippolito, Esq.,  
*Administrator/Clerk*  
277-6777

Jerome Smith,  
*Chief Clerk*  
277-6960

Patricia I. Dankievitch,  
*Deputy Administrator*  
277-6960

Joseph Senerchia,  
*Administrative Clerk*  
277-6960

Joan M. Godfrey,  
*Assistant Administrator*  
277-6960

**First Division**

Garrahy Judicial Complex  
One Dorrance Plaza  
Providence, RI 02903

Cynthia Clegg,  
*Supervising Deputy Clerk/  
Training Officer*  
277-6710

**Second Division**

Murray Judicial Complex  
45 Washington Square  
Newport, RI 02840

Mary Alice Stender,  
*Supervising Deputy Clerk*  
841-8350

**Third Division**

Leighton Judicial Complex  
222 Quaker Lane  
Warwick, RI 02886

James A. Signorelli,  
*Chief Supervising Deputy  
Clerk*  
822-1771

**Fourth Division**

McGrath Judicial Complex  
4800 Tower Hill Road  
Wakefield, RI 02879

RoseMary T. Cantley,  
*Supervising Deputy Clerk*  
782-4131

**Fifth Division**

Garrahy Judicial Complex  
One Dorrance Plaza  
Providence, RI 02903

Alice Albuquerque,  
*Supervising Deputy Clerk*  
277-6710

Donald St. Pierre,  
*Supervising Deputy Clerk*  
277-6710

**Sixth Division**

Garrahy Judicial Complex  
One Dorrance Plaza  
Providence, RI 02903

Kevin M. Spina,  
*Principal Deputy Clerk*  
277-6710

Raymond E. Ricci,  
*Supervising Deputy Clerk*  
277-6710

**Workers' Comp.  
Court**

Garrahy Judicial Complex  
1 Dorrance Plaza  
Providence, RI 02903

Dennis I. Revens,  
*Court Administrator*  
277-3097

Kenneth D. Haupt,  
*Deputy Administrator*  
277-3097

Maureen H. Aveno,  
*Administrator,  
Medical Advisory Board*  
277-1174

Joann M. Faioli,  
*Principal Assistant  
Administrator*  
277-3097

Dennis R. Cooney,  
*Senior Assistant  
Administrator*  
277-3097

Edward J. McGovern,  
*Senior Assistant Admin.*  
277-3097

**Administrative  
Adjudication Court**

345 Harris Avenue  
Providence, RI 02909-  
1082

Leo Skenyon,  
*Administrator/Clerk*  
277-2251

Robert Halpin,  
*Deputy Administrator/  
Clerk*  
277-2994

Allen Simpkins,  
*Deputy Administrator/  
Clerk*  
277-2931

Raymond Denisewich,  
*Supervising Collection  
Clerk.*  
277-2873

J. Ryder Kenney, Esq.,  
*Legal Counsel*  
277-1170

**TDD/TDY Numbers**

Licht Judicial Complex  
(401) 277-3269

Garrahy Judicial Complex  
(401) 277-3332

Leighton Judicial Complex  
(401) 822-1607

McGrath Judicial Complex  
(401) 782-4139

Murray Judicial Complex  
(401) 841-8331

Admin. Adjudication Court  
(401) 277-2994/3096

## Acknowledgements



*Justice Kelleher*

### **Justice Kelleher Retires From Supreme Court After 26 Years**

After 26 years as a Rhode Island Supreme Court Associate Justice, Thomas F. Kelleher retired on September 1, 1992.

Justice Kelleher began his law career in 1948 after graduating from Boston University School of Law. He also served in the United States Navy during the Second World War and is a retired captain in the United States Army Reserve. He was a probate judge and solicitor for Smithfield, and State Representative from Providence. He served in the Legislature from 1955 until his election to the Supreme Court on March 22, 1966.



*Justice Gendron*

### **Family Court's Justice Gendron Dies, Served 12 Years**

Family Court Associate Justice Joseph S. Gendron died on August 1, 1992, ending a long period of service to the State of Rhode Island. Justice Gendron was a pharmacist (University of Rhode Island 1961) and began practicing law in 1969 after graduating from Suffolk University School of Law. In 1966 he was elected to the State Senate. Justice Gendron served as Senate Majority Leader from 1976 to 1980. He was appointed to the Family Court as an Associate Justice in 1980.

## Acknowledgements



*Judge SaoBento*

### **District Court's Judge SaoBento Dies, Served Seven Years**

Judge Antonio SaoBento of the District Court passed away on May 19, 1993, after a long illness. A Pawtucket native, Judge SaoBento graduated from Providence College in 1953, and after service in the U.S. Navy attended New England School of Law (1961). He served as a Representative from East Providence in the House of Representatives prior to his appointment to the District Court on April 18, 1986.



*Justice Crouchley*

### **Justice Crouchley Retires From Family Court After 17 Years**

Robert G. Crouchley, Associate Justice of the Family Court, retired on July 14, 1993, after serving as a justice for almost 17 years. A graduate of LaSalle Academy, Tufts University and Boston University Law School (1962), Justice Crouchley's career included service in the Navy as an active duty and reserve officer. He was the governor's legal counsel from 1974-76 prior to his selection to the Family Court bench in December 1976.



*Judge Beretta*

### **Judge Beretta Retires From District Court After 21 Years**

After service of more than 21 years on the District Court, Judge Victor J. Beretta retired on July 30, 1993. Born in Pawtucket, Judge Beretta was a graduate of Providence College (1950) and Boston University School of Law (1954). After serving in the Army, he was admitted to the Rhode Island Bar in 1957. He was appointed to the District Court in 1972.

## Acknowledgements



*Justice Grande*

### **Justice Grande Retires From Superior Court After 24 Years**

Associate Justice Corinne P. Grande retired from the Rhode Island Superior Court on July 30, 1993. Her career on the bench began with service as a District Court Judge (1969-1977). She was appointed to the Superior Court on November 14, 1977.

A Providence native, Justice Grande graduated from Classical High School and later Northeastern University (AB) (JD). She was admitted to the Massachusetts and Rhode Island Bars in 1953. Her career included public service on an extensive list of boards and committees.



*Judge Casey*

### **AAC Chief Judge Paul F. Casey Dies**

The first Chief Judge of the Administrative Adjudication Court, Paul F. Casey, died on April 28, 1993. Judge Casey was a Providence College (1953) and Boston University School of Law (1958) graduate.

After serving as a hearing officer in the then Department of Transportation's Administrative Adjudication Division, he was appointed Chief Administrative Law Judge on October 30, 1983. He served in that position and subsequently as Chief Judge of AAC until his death.

### **Chief Justice Thomas F. Fay Resigns**

Chief Justice Thomas F. Fay resigned October 8, 1993.

Chief Justice Fay was a graduate of Providence College in 1962 and Boston University Law School in 1965. He represented Central Falls for ten years as a member of the House of Representatives.

Appointed as a Family Court judge in 1978, Chief Justice Fay served in that capacity until his election to the Supreme Court on July 29, 1986.

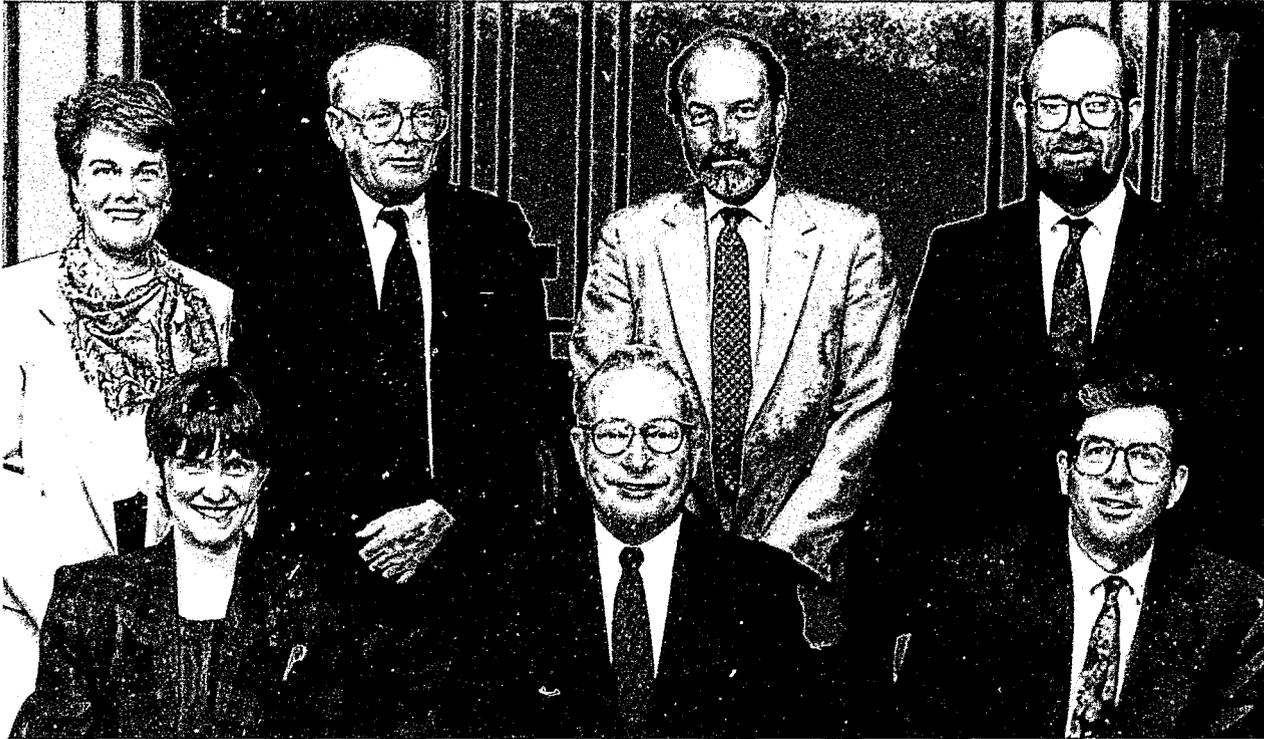
### **State Court Administrator Matthew J. Smith Retires**

Matthew J. Smith retired as State Court Administrator on August 10, 1993 after serving in that post since February 1988. A 1962 graduate of Providence College, he was first elected to the House of Representatives in 1973 and later served as speaker for eight years.



*The New Providence County Courthouse beautifully illuminated for night-time viewing.*

Appendices II:  
Court Boards  
Committees & Panels  
Caseload Statistics



Seated from l to r: Jane M. McSoley, Alfred Factor, and Michael S. Schwartz. Standing from l to r: Judy S. Robbins, Brian B. Burns, William C. Clifton, and Steven M. McInnis.

### **Committee on Character and Fitness**

Rhode Island Supreme Court, 250 Benefit Street, Providence, RI 02903

(401) 277-3272

*(Pursuant to Supreme Court Article 2, Rule 3)*

Established by the Supreme Court in 1988, the Committee on Character and Fitness determines the moral fitness of Rhode Island Bar applicants by scrutinizing their finances, legal training, and criminal records, if any. Applicants also must participate in a personal interview.

Following the interview, applicants may be referred to the full committee for a hearing if further review is warranted.

A recommendation is then made to the Supreme Court concerning whether an applicant should be admitted to the bar or even allowed to take the bar examination. The court may then grant the applicant's request or require the applicant to show cause why the court should grant the request.

The seven Supreme Court-appointed members serve three-year terms.

#### Members:

Michael S. Schwartz, Esq., Chair  
Patricia A. Buckley, Esq., Vice Chair  
Brian B. Burns  
William C. Clifton, Esq.  
Alfred Factor, Esq.  
Steven M. McInnis, Esq.  
Jane M. McSoley, Esq.  
Beverly A. Clark, Executive Secretary  
Gail Higgins Fogarty, Staff Attorney  
Judy S. Robbins, Staff Attorney  
Edward Gorman, Investigator

## Ethics Advisory Panel

Fogarty Judicial Annex  
 24 Weybosset Street, Providence, RI 02903  
 (401) -277-3270

*(Pursuant to Supreme Court Rules Article 5, Rule 9)*

The Ethics Advisory Panel was established by the Supreme Court in 1986 to provide Rhode Island attorneys with confidential advice on prospective behavior based on the Rules of Professional Conduct. Although attorneys are not required to abide by panel opinions, those who do so are fully protected from any subsequent charge of impropriety.

Panel opinions are published in the *Rhode Island Bar Journal* and *Rhode Island Lawyers Weekly*. The State Law Library maintains a set of panel opinions and a topical

index. The ABA/BNA Manual on Professional Conduct also indexes and publishes summaries of panel opinion digests.

The Supreme Court appoints five Rhode Island attorneys to serve one or two-year terms.

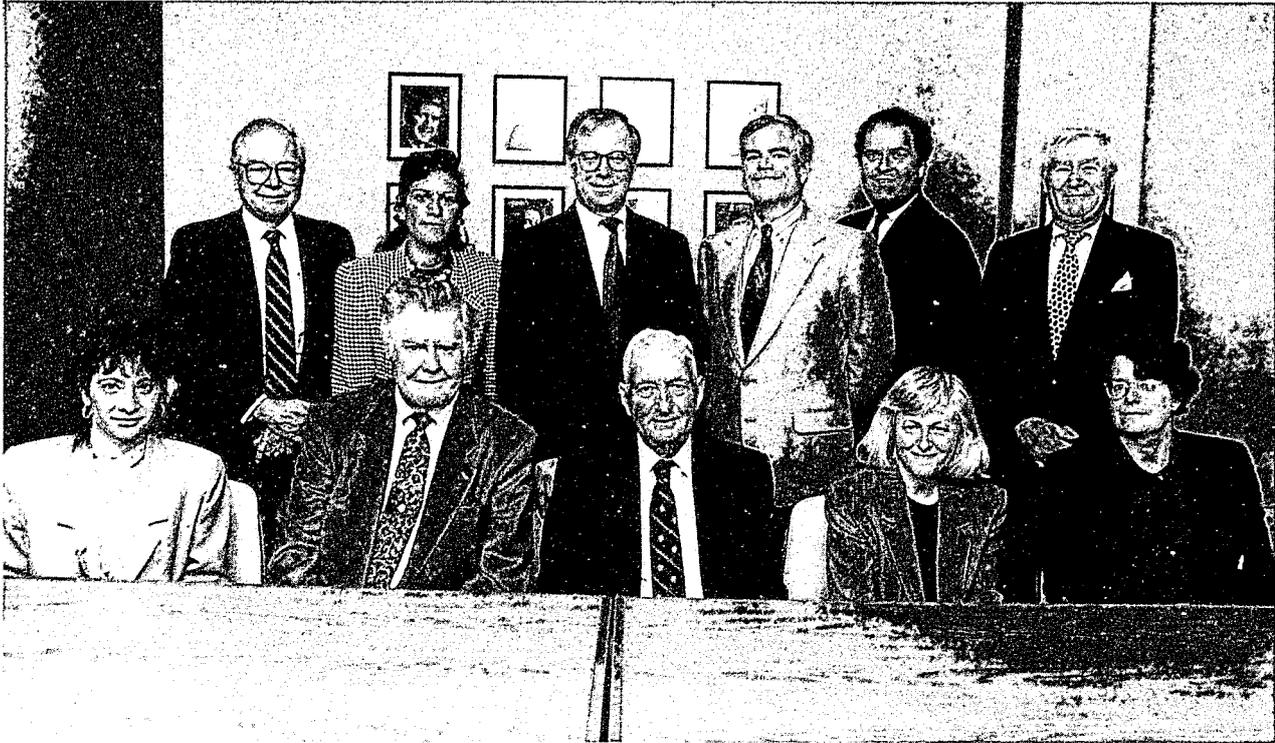
The panel issued 96 written advisory opinions in 1992 and 103 in 1993.

Members:

- Barbara Margolis, Esq., Chairperson
- Sarah T. Dowling, Esq.
- Francis X. Flaherty, Esq.
- Michael R. Goldenberg, Esq.
- Stephen A. Rodio, Esq.
- Nina Ricci Igliazzi, Staff Attorney



*Seated from l to r: Nina Ricci Igliazzi, Barbara Margolis, Francis X. Flaherty. Standing from l to r: Stephen A. Rodio and Michael R. Goldenberg.*



*Seated from l to r: Susan Devaney, Justice Thomas H. Needham, Richmond Viall, Nettie C. Vogel, Justice Alice B. Gibney. Standing from l to r: Richard F. Staples, Elaine Giannini, Deming Sherman, Justice Raymond E. Shawcross, Representative Donald J. Lally, and Judge William G. Gilroy.*

### **Commission on Judicial Tenure and Discipline**

Rhode Island Supreme Court, 250 Benefit Street, Providence, RI 02903

(401) 277-3308

*(Pursuant to R.I.G.L. 8-16-1)*

The Commission on Judicial Tenure and Discipline was created in 1974 to provide a forum for complaints against any justice of the Supreme, Superior, Family, District, Workers' Compensation, or Administrative Adjudication Courts. The commission reviews allegations of serious violations of the Code of Judicial Conduct including willful and persistent failure to

perform judicial duties; disabling addiction to alcohol, drugs, or narcotics; conduct that brings the judicial office into serious disrepute; or a physical or mental disability that seriously interferes, and will continue to interfere, with the performance of judicial duties.

Following a formal hearing, the commission determines whether charges have been sustained. If seven members of

the commission who were present throughout the hearing find that the charges have been sustained, the commission reports its finding to the Supreme Court and recommends reprimand, censure, suspension, removal, or retirement of the judge. The commission may also recommend immediate temporary suspension of the judge during the pendency of further proceedings. If charges

## Unauthorized Practice of Law Committee

Rhode Island Supreme Court  
 250 Benefit Street, Providence, RI 02903  
 (401) 277-3272

*(Pursuant to R.I.G.L. 11-27-19)*

have not been sustained, the complaint is dismissed, and the judge and complaining party are notified.

The fourteen-member commission represents a cross section of the population: six represent the Bar Association and the public at large and are appointed by the Governor with the advice and consent of the Senate; one is appointed by the Senate Majority Leader; two are appointed by the Speaker of the House; and five judges are appointed by the Supreme Court and represent each judicial division. All appointments are for three-year terms.

### Members:

The Honorable Thomas H. Needham,  
 Chair (At-Large)  
 Representative Susan Devaney, Esq.  
 Senator Domenic A. DiSandro III  
 Nancy Parsons Doolittle  
 Elaine Giannini, Esq.  
 The Honorable Alice B. Gibney  
 The Honorable William G. Gilroy  
 Representative Donald J. Lally, Esq.  
 The Honorable Raymond Shawcross  
 Deming Sherman, Esq.  
 Richard F. Staples, Esq.  
 Richmond Viall  
 Nettie C. Vogel, Esq.

The Unauthorized Practice of Law Committee was established in 1984 to work with the Attorney General's Office in investigating and prosecuting alleged instances of unauthorized individuals practicing law.

The Supreme Court appoints seven Rhode Island Bar members to the committee to review complaints from the bar, the public, and both federal and state judiciaries.

Since most litigation initiated by the committee requests injunctive relief, the chair is required to sign verified com-

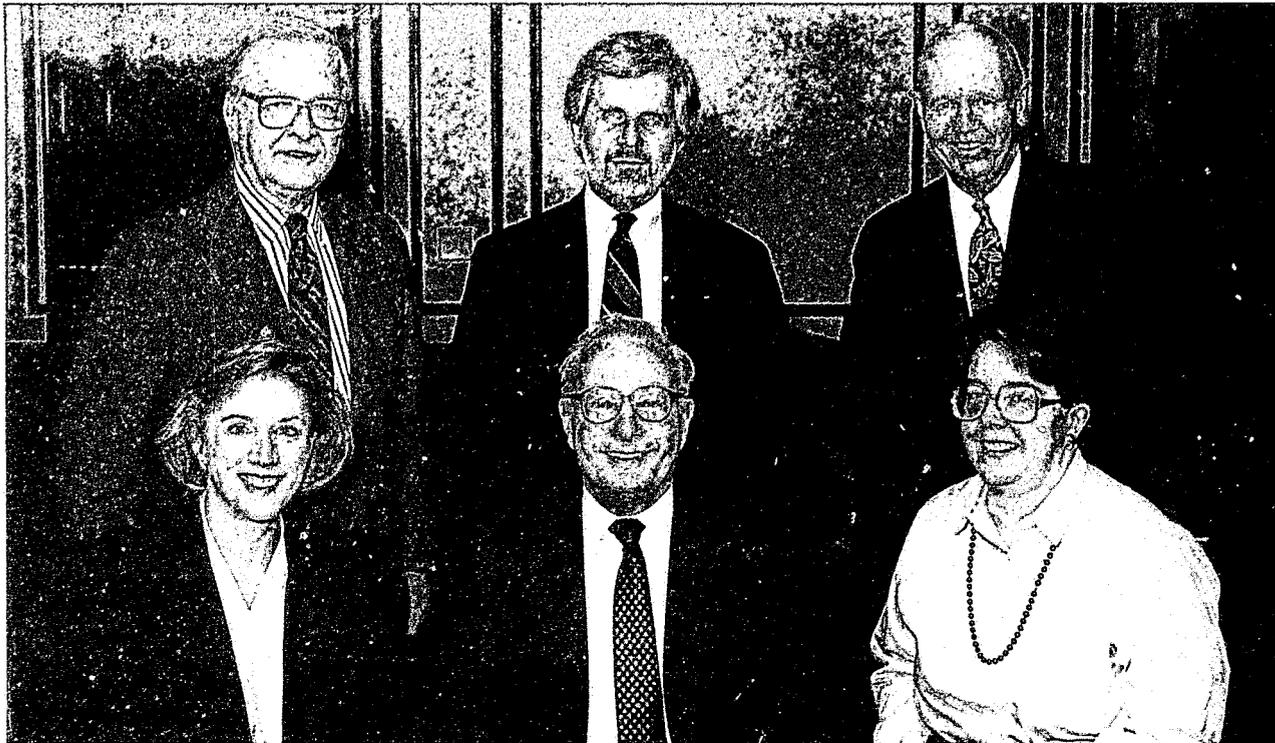
plaints and testify in court hearings. Although litigation is handled by the Attorney General's Office, committee members, and particularly the chair, draft substantially all the necessary pleadings and do the required legal research.

### Members:

Avram N. Cohen, Chair  
 Richard A. Boren, Esq.  
 Joseph T. Little, Esq.  
 Albert J. Mainelli, Esq.  
 Robert V. Rossi, Esq.  
 Paul K. Sprague, Esq.  
 Nettie C. Vogel, Esq.



*Seated from l to r: Albert J. Mainelli, Nettie C. Vogel, Robert V. Rossi.  
 Standing from l to r: Richard A. Boren, Joseph T. Little, Avram N. Cohen,  
 and Paul K. Sprague.*



*Seated from l to r: Mary Shannon McConaghy, Alfred J. Factor, and Mary Louise Kennedy. Standing from l to r: William A. Curran, Robert Pitassi, and Joseph A. Kelly.*

### **Board of Bar Examiners**

Rhode Island Supreme Court, 250 Benefit Street, Providence, RI 02903

(401) 277-3272

*(Pursuant to Supreme Court Article 2, Rule 5)*

The Board of Bar Examiners tests the legal knowledge of bar applicants by administering bar exams on the last Wednesday and Thursday of February and July. Applicants must be graduates of an American Bar Association approved and accredited law school and must have received a scaled score of eighty on the Multistate Professional Responsibility exam prior to sitting for an examination.

The Multistate Bar Exam is given on the first day, and essay questions on Rhode Island law are given on the second day.

The Supreme Court appoints seven attorneys to the board for five-year terms. Members proctor the bar exam, design the essay questions, and also score responses to the questions.

In 1992 and 1993 the board processed 492 applications and recommended 399 individuals

for admission to the bar.

#### Members:

Alfred J. Factor, Esq. Chair  
William A. Curran, Esq.  
Joseph A. Kelly, Esq.  
Mary Louise Kennedy, Esq.  
Marilyn Shannon McConaghy, Esq.  
Robert Pitassi, Esq.  
Frank Williams, Esq.  
Matthew J. Smith, Treasurer  
Brian B. Burns, Administrator  
Beverly A. Clark, Secretary

## Advisory Committee on Judicial Ethics

Fogarty Judicial Annex

24 Weybosset Street, Providence, RI 02903

(401) 277-3270

*(Pursuant to Canon 31, Supreme Court Rule 48)*

In 1983 the Supreme Court amended the Canons of Judicial Ethics to create the Advisory Committee on Judicial Ethics. The amendment restricts judicial participation in testimonials and fundraising and establishes criteria for determining judges' involvement in these events. The amendment also specifies that Advisory Committee members be drawn from several state courts "to assist judges in complying with the canons by responding to requests for opinions."

Advisory opinions are often sought to confirm if a token of recognition offered to a judge is within the guidelines of the canon. These opinions also help judges communicate the restrictions imposed by the canons to groups requesting their help in worthy causes. The committee can also respond to requests for advice on other canons.

Committee members are appointed to staggered two-year terms. The Supreme Court usually appoints members for a single term only so that both the burden and the experience of this duty are shared widely by

members of the judiciary.

The committee issued seven written opinions in 1992 and 22 in 1993.

### Members:

Pamela Macktaz, Chairperson  
Family Court Associate Justice  
Alice Bridget Gibney,  
Superior Court Associate Justice  
Ronald R. Gagnon,  
Superior Court Associate Justice  
John J. Capelli,  
District Court Associate Judge  
Patricia C. Moore,  
District Court Associate Judge  
Nina Ricci Iglizzi, Staff Attorney



*Standing from l to r: Associate Justice Alice B. Gibney, Associate Justice Ronald R. Gagnon, Associate Justice Pamela M. Macktaz, Associate Judge John J. Capelli, and Associate Judge Patricia C. Moore.*



*Seated from l to r: E. Howland Bowen, George Salem, Board Chair Marifrances K. McGinn, John E. McCann, III, and Diane Finkle. Standing from l to r: R. Kelly Sheridan, Barbara Strasser, Miguel Trezvant, Susan Leach DeBlasio, Merlyn O'Keefe, Gerald McClure, and John Hurley.*

### **Disciplinary Board**

Fogarty Judicial Annex, 24 Weybosset Street, Providence, RI 02903

(401) 277-3270

*(Pursuant to Supreme Court Article III, Rule 4)*

The Disciplinary Board consists of eight attorneys and four public members appointed by the Supreme Court. Members may serve only two terms, although those terms vary in length from one to three years. The board reviews complaints of professional misconduct, authorizes the filing of formal charges, conducts hearings, and makes recommendations for discipline. The board may

petition the court to place an attorney on inactive status if the attorney is mentally or physically incapacitated. The board may also ask attorneys to appear before it to clarify an alleged infraction of the Rules of Professional Conduct.

Several changes to the Disciplinary Board occurred during the last two years. In 1992 the Office of the Disciplinary Counsel improved its intake

screening process by having a staff attorney speak to potential complainants. This procedural change increased board efficiency by eliminating illegitimate complaints and by bringing serious matters to the immediate attention of the Disciplinary Board. While staff attorneys cannot provide callers with legal advice, they are able to give assistance by referring callers to the Bar Association or

other agencies if the problem falls outside board jurisdiction.

Widespread changes also occurred during 1993 when the Supreme Court amended the rules to allow public members to serve on the Disciplinary Board. Board membership now consists of eight attorney members and four non-attorney members who bring a valuable new perspective to board proceedings.

In 1993 the Supreme Court also opened hearings on formal charges to the public. These changes bring the attorney discipline process in line with the Commission on Judicial Tenure and Discipline, which for many years has included public members.

**Members:**

- Marifrances K. McGinn, Esq., Chair
- John McCann, Esq., Vice Chair
- E. Howland Bowen, Esq.
- Susan Leach DeBlasio, Esq.
- Diane Finkle, Esq.
- John J. Hurley
- Gerald G. McClure
- Merlyn P. O'Keefe, Esq.
- George Salem, Esq.
- R. Kelly Sheridan, Esq.
- Barbara Strasser
- Miquel A. Trezvant
- Mary M. Lisi, Disciplinary Counsel
- David R. Curtin,
- Asst. Disciplinary Counsel
- Kerry Reilly Travers,
- Asst. Disciplinary Counsel

**1992-93 Disciplinary Actions**

	1992	1993
<b>Intake Screening and Complaint Processing</b>		
Complaints received	589	570
Complaints opened for investigation	371	301
Complaints outside jurisdiction of Disciplinary Board	119	114
Informal complaints	87	88
Fee disputes (no misconduct alleged)	12	7
<b>Nature of Complaints</b>		
Dissatisfaction	176	126
Fee Dispute	59	49
Neglect	22	13
Failure to account for funds	28	13
Conviction of a crime	0	3
Conflict of interest	17	19
Conduct reflects adversely on bar	10	2
Other	156	143
<b>Source of Complaints*</b>		
Client	320	252
Nonclient	16	23
Judge	1	0
Opposing counsel	0	0
Other attorney	10	6
Chief disciplinary counsel	14	9
Creditor	0	0
Other	34	35
<b>Board Actions</b>		
Complaints dismissed	258	327
Complaints dismissed w/ admonition or cautionary ltr.	60	48
Referred to RI Bar Association fee arbitration	9	12
Petition to issue	61	28
Referred to court (Rule 42-6 (e))	14	5
Decision to court (Rule 42-6(b))	27	42
<b>Court Actions</b>		
Ordered to respond pursuant to Rule 42-6 (e)	14	2
Private censure	4	10
Public censure	0	5
Suspension	6	4
Disbarment	7	4
Transferred to inactive status	3	2

\*The total will exceed the number of complaints opened for investigation because some complaints fall within more than one category.

**Rhode Island Supreme Court  
Appellate Caseflow**

<b>Case Types</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Criminal</b>						
Added	98	94	100	111	95	96
Disposed	89	91	89	102	109	95
Pending	79	82	94	104	90	92
<b>Civil</b>						
Added	295	305	310	316	318	353
Disposed	262	286	327	318	312	305
Pending	229	250	237	234	237	286
<b>Certiorari</b>						
Added	168	175	152	213	201	219
Disposed	161	158	179	182	187	227
Pending	98	115	88	118	132	126
<b>Other</b>						
Added	57	57	73	63	67	69
Disposed	46	64	77	51	68	65
Pending	20	15	10	23	17	20
<b>All Cases</b>						
Added	618	631	635	703	681	737
Disposed	558	592	672	653	676	692
Pending	426	462	429	479	476	524

### Rhode Island Supreme Court Disposition Detail

Manner/Stage of Disposition	1988	1989	1990	1991	1992	1993
<b>Before Argument</b>						
Withdrawn	73	69	64	85	82	77
Dismissed	80	97	99	95	108	152
Petition Granted	8	4	1	2	4	4
Petition Granted	108	96	119	98	132	137
Other	15	15	29	24	15	12
<b>Total</b>	<b>284</b>	<b>281</b>	<b>312</b>	<b>304</b>	<b>341</b>	<b>382</b>
<b>After Argument</b>						
<b>/Motion Calendar</b>						
Withdrawn	--	1	--	--	--	1
Affirmed	98	114	143	143	128	145
Modified	--	--	2	--	1	--
Reversed	14	16	25	23	24	26
16 G Affirmed	--	--	--	--	--	--
Other	22	33	29	46	56	52
<b>Total</b>	<b>134</b>	<b>164</b>	<b>199</b>	<b>212</b>	<b>209</b>	<b>224</b>
<b>After Argument/Merits</b>						
Withdrawn	3	1	3	--	--	1
Affirmed	95	94	102	82	77	59
Modified	12	9	7	8	9	6
Reversed	30	43	49	47	40	20
Other	--	--	--	--	--	--
<b>Total</b>	<b>140</b>	<b>147</b>	<b>161</b>	<b>137</b>	<b>126</b>	<b>86</b>
<b>Total Dispositions</b>	<b>558</b>	<b>592</b>	<b>672</b>	<b>653</b>	<b>676</b>	<b>692</b>
<b>Average Time to Disposition</b>	<b>8.3 mos.</b>	<b>8.5 mos.</b>	<b>8.5 mos.</b>	<b>8.7 mos.</b>	<b>8.3 mos.</b>	<b>8.2 mos.</b>
<b>Median Time to Disposition</b>	<b>6.1 mos.</b>	<b>6.5 mos.</b>	<b>8.1 mos.</b>	<b>8.2 mos.</b>	<b>7.9 mos.</b>	<b>8.1 mos.</b>

**Rhode Island Superior Court  
Criminal Caseflow**

<b>Felonies</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Providence/Bristol</b>						
Cases Filed	5,142	5,049	4,385	4,114	4,149	4,274
Cases Disposed	4,192	5,227	4,129	4,049	4,607	4,283
Caseload Increase/Decrease	+950	-178	+256	+65	-458	-9
Total Pending Cases	2,407	1,877	1,997	2,056	1,440	1,333
Cases over 180 Days Old	1,487	1,160	1,289	1,323	881	697
% over 180 Days Old	(61.7%)	(61.8%)	(64.5%)	(64.3%)	(61.2%)	(52.3%)
<b>Kent</b>						
Cases Filed	768	757	839	886	857	757
Cases Disposed	679	715	700	785	893	712
Caseload Increase/Decrease	+89	+42	+139	+101	-36	+45
Total Pending Cases	210	225	260	281	235	206
Cases over 180 Days Old	27	69	128	125	129	75
% over 180 Days Old	(12.9%)	(30.7%)	(49.2%)	(44.5%)	(55%)	(36.4%)
<b>Washington</b>						
Cases Filed	453	487	480	386	424	357
Cases Disposed	376	417	401	415	493	375
Caseload Increase/Decrease	+77	+70	+79	-29	-69	-18
Total Pending Cases	196	244	273	218	128	81
Cases over 180 Days Old	85	105	163	112	39	15
% over 180 Days Old	(43.4%)	(43%)	(59.7%)	(51.4%)	(30.5%)	(18.5%)
<b>Newport</b>						
Cases Filed	321	447	307	279	334	384
Cases Disposed	240	215	318	329	279	414
Caseload Increase/Decrease	+81	+232	-11	-50	-45	-30
Total Pending Cases	196	325	265	165	141	122
Cases over 180 Days Old	99	194	179	88	52	49
% over 180 Days Old	(50.5%)	(59.7%)	(67.5%)	(53.3%)	(36.9%)	(40.2%)
<b>Statewide</b>						
Cases Filed	6,685	6,740	6,011	5,665	5,764	5,772
Cases Disposed	5,487	6,574	5,548	5,578	6,372	5,785
Caseload Increase/Decrease	+1198	+166	+463	+87	-608	-13
Total Pending Cases	3,009	2,671	2,795	2,720	1,944	1,742
Cases over 180 Days Old	1,698	1,528	1,759	1,648	1,101	836
% over 180 Days Old	(56.4%)	(57.2%)	(62.9%)	(60.6%)	(57%)	(47.9%)

**Rhode Island Superior Court  
Criminal Caseload**

<b>Misdemeanors</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Providence/Bristol</b>						
Cases Filed	866	566	493	343	312	303
Cases Disposed	553	725	510	417	297	477
Caseload Increase/Decrease	+313	-159	-17	-74	+15	-174
Total Pending Cases	524	507	387	309	294	159
Cases over 180 Days Old	152	416	211	221	209	94
% over 180 Days Old	(29%)	(82%)	(54.5%)	(65.2%)	(71%)	(59.1%)
<b>Kent</b>						
Cases Filed	136	169	89	118	310	118
Cases Disposed	137	157	106	123	333	183
Caseload Increase/Decrease	-1	+12	-17	-5	-23	-65
Total Pending Cases	22	38	44	50	70	35
Cases over 180 Days Old	1	12	20	18	38	15
% over 180 Days Old	(4.5%)	(31.6%)	(45.5%)	(36%)	(54.4%)	(42.9%)
<b>Washington</b>						
Cases Filed	107	77	37	48	61	41
Cases Disposed	96	84	55	56	65	63
Caseload Increase/Decrease	+11	-7	-18	-8	-4	-22
Total Pending Cases	51	32	31	33	27	20
Cases over 180 Days Old	34	18	22	14	5	8
% over 180 Days Old	(66.6%)	(56.2%)	(71%)	(42.4%)	(18.5%)	(40%)
<b>Newport</b>						
Cases Filed	69	62	30	59	57	74
Cases Disposed	92	42	45	128	72	77
Caseload Increase/Decrease	-23	+20	-15	-69	-15	-3
Total Pending Cases	69	109	121	36	41	40
Cases over 180 Days Old	32	86	90	24	18	17
% over 180 Days Old	(46/3%)	(78.9%)	(74.4%)	(66.7%)	(43.9%)	(42.5%)
<b>Statewide</b>						
Cases Filed	1,178	874	649	568	740	536
Cases Disposed	878	1,008	716	724	767	799
Caseload Increase/Decrease	+300	-134	-67	-156	-27	-263
Total Pending Cases	666	686	583	428	432	254
Cases over 180 Days Old	219	532	343	277	270	134
% over 180 Days Old	(32.9%)	(77.5%)	58.8%)	(64.7%)	(62.5%)	(52.8%)

**Rhode Island Superior Court  
Manner of Disposition**

<b>Felonies</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Providence/Bristol</b>						
Plead	3,515	4,498	3,554	3,515	3,981	3,753
Filed	48	44	36	28	49	41
Dismissed	547	599	435	430	490	401
Trial	74	86	103	70	84	82
Other	8	0	1	4	3	6
<b>Total</b>	<b>4,192</b>	<b>5,227</b>	<b>4,129</b>	<b>4,047</b>	<b>4,607</b>	<b>4,283</b>
<b>Kent</b>						
Plead	597	668	653	711	822	609
Filed	4	2	4	2	7	16
Dismissal	44	31	28	57	49	57
Trial	27	14	15	13	11	28
Other	7	0	0	2	4	2
<b>Total</b>	<b>679</b>	<b>715</b>	<b>700</b>	<b>785</b>	<b>893</b>	<b>712</b>
<b>Washington</b>						
Plead	326	345	317	347	422	345
Filed	11	2	9	7	5	3
Dismissal	28	43	52	53	59	20
Trial	8	21	21	8	6	7
Other	3	6	2	0	1	0
<b>Total</b>	<b>376</b>	<b>417</b>	<b>401</b>	<b>415</b>	<b>493</b>	<b>375</b>
<b>Newport</b>						
Plead	196	181	260	268	331	347
Filed	3	1	3	7	8	6
Dismissal	26	28	40	41	33	57
Trial	15	5	15	12	3	3
Other	0	0	0	1	4	1
<b>Total</b>	<b>240</b>	<b>215</b>	<b>318</b>	<b>329</b>	<b>379</b>	<b>414</b>
<b>Statewide</b>						
Plead	4,634	5,692	4,784	4,841	5,556	5,054
Filed	66	49	52	44	69	66
Dismissal	645	701	555	581	631	535
Trial	124	126	154	103	104	120
Other	18	6	3	7	12	9
<b>Total</b>	<b>5,487</b>	<b>6,574</b>	<b>5,548</b>	<b>5,576</b>	<b>6,372</b>	<b>5,784</b>

**Rhode Island Superior Court  
Manner of Disposition**

<b>Misdemeanors</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Providence/Bristol</b>						
Plead	303	511	291	234	145	253
Filed	59	56	55	74	32	42
Dismissal	147	146	146	101	113	163
Trial	11	12	9	4	2	13
Other	33	0	9	4	5	6
<b>Total</b>	<b>553</b>	<b>725</b>	<b>510</b>	<b>417</b>	<b>297</b>	<b>477</b>
<b>Kent</b>						
Plead	93	120	75	77	256	117
Filed	8	8	7	18	36	28
Dismissal	15	25	17	13	30	27
Trial	17	4	3	3	11	4
Other	4	0	4	12	10	7
<b>Total</b>	<b>137</b>	<b>157</b>	<b>106</b>	<b>123</b>	<b>333</b>	<b>1183</b>
<b>Washington</b>						
Plead	70	41	21	20	32	44
Filed	4	4	7	8	8	13
Dismissal	15	31	9	14	18	5
Trial	0	8	4	7	2	0
Other	7	0	14	7	5	1
<b>Total</b>	<b>96</b>	<b>84</b>	<b>55</b>	<b>56</b>	<b>65</b>	<b>63</b>
<b>Newport</b>						
Plead	56	27	28	62	27	37
Filed	6	4	1	20	18	13
Dismissal	27	11	11	31	18	16
Trial	1	0	2	6	1	2
Other	2	0	3	9	8	9
<b>Total</b>	<b>92</b>	<b>42</b>	<b>45</b>	<b>128</b>	<b>72</b>	<b>77</b>
<b>Statewide</b>						
Plead	522	699	415	394	460	483
Filed	77	72	70	120	94	96
Dismissal	204	213	183	159	179	212
Trial	29	24	18	20	6	20
Other	46	0	30	32	28	22
<b>Total</b>	<b>878</b>	<b>1,008</b>	<b>716</b>	<b>725</b>	<b>767</b>	<b>833</b>

**Rhode Island Superior Court  
Civil Caseflow**

<b>Civil Actions</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Providence/Bristol</b>						
Total Cases Filed	6,128	7,070	8,564	8,694	7,419	7,145
Trial Calendar Summary:						
<i>Cases Added</i>	1,851	1,727	1,806	2,118	2,345	2,213
<i>Cases Disposed</i>	2,106	1,711	2,246	2,391	2,293	2,360
Caseload Increase/Decrease	-255	+16	-440	-273	+52	-147
Pending at Year End	5,157	5,217	4,522	4,188	3,875	3,720
<b>Kent</b>						
Total Cases Filed	1,442	1,570	1,450	1,433	1,219	1,168
Trial Calendar Summary:						
<i>Cases Added</i>	514	545	612	371	401	343
<i>Cases Disposed</i>	243	352	434	517	374	478
Caseload Increase/Decrease	+271	+193	+178	-146	+27	-135
Pending at Year End	826	1,014	1,191	1,026	1,038	885
<b>Washington</b>						
Total Cases Filed	680	826	834	810	741	631
Trial Calendar Summary:						
<i>Cases Added</i>	184	254	264	200	200	220
<i>Cases Disposed</i>	90	208	175	245	250	212
Caseload Increase/Decrease	+94	+46	+89	-45	-50	+8
Pending at Year End	466	496	580	533	491	508
<b>Newport</b>						
Total Cases Filed	613	635	622	716	623	577
Trial Calendar Summary:						
<i>Cases Added</i>	170	135	123	174	182	141
<i>Cases Disposed</i>	87	96	104	181	186	192
Caseload Increase/Decrease	+83	+39	+19	-7	-4	-51
Pending at Year End	376	402	356	368	330	289
<b>Statewide</b>						
Total Cases Filed	8,863	10,101	11,470	11,653	10,002	9,521
Trial Calendar Summary:						
<i>Cases Added</i>	2,719	2,661	2,805	2,863	3,128	2,917
<i>Cases Disposed</i>	2,526	2,367	2,959	3,334	3,103	3,242
Caseload Increase/Decrease	+193	+294	-154	-471	+25	-325
Pending at Year End	6,825	7,129	6,649	6,115	5,734	5,402

**Rhode Island Superior Court  
Manner of Disposition--Trial Calendar Only**

<b>Civil Actions</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Providence/Bristol</b>						
Verdicts	98	67	84	103	110	85
Judicial Decisions	85	86	64	76	86	64
Total Trials	183	153	148	179	196	149
Dismissed/Settled/Other	1,923	1,558	2,098	1,325	1,692	1,601
Arbitration				887	405	610
Total Disposed	2,106	1,711	2,246	2,391	2,293	2,360
<b>Kent</b>						
Verdicts	10	21	26	9	10	17
Judicial Decisions	19	6	24	12	2	9
Total Trials	29	27	50	21	12	26
Dismissed/Settled/Other	214	325	384	284	269	343
Arbitration				212	93	109
Total Disposed	243	352	434	517	374	478
<b>Washington</b>						
Verdicts	2	8	9	6	3	7
Judicial Decisions	5	18	9	9	18	7
Total Trials	7	26	18	15	21	14
Dismissed/Settled/Other	83	182	157	175	190	135
Arbitration				55	39	43
Total Disposed	90	208	175	245	250	192
<b>Newport</b>						
Verdicts	4	6	3	3	5	7
Judicial Decisions	2	2	7	30	27	6
Total Trials	6	8	10	33	32	13
Dismissed/Settled/Other	81	88	94	93	126	163
Arbitration				55	28	36
Total Disposed	87	96	104	181	186	212
<b>Statewide</b>						
Verdicts	108	103	122	121	128	116
Judicial Decisions	102	116	104	127	133	86
Total Trials	210	219	226	248	261	202
Dismissed/Settled/Other	2,239	2,225	2,733	1,877	2,277	2,242
Arbitration				1,209	565	798
Total Disposed	2,449	2,444	2,959	3,334	3,103	3,242

**Rhode Island Family Court  
Juvenile Caseflow**

<b>Juvenile Filings</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
Wayward/Delinquent	5,432	5,710	5,794	5,641	6,447	6,489
Dependency/Neglect/Abuse	739	994	1,283	1,477	1,439	1,589
Termination/Parental Rights	205	193	208	214	424	332
Other	987	1,021	859	829	933	996
<b>Total Filings</b>	<b>7,363</b>	<b>7,918</b>	<b>8,144</b>	<b>8,161</b>	<b>9,243</b>	<b>9,406</b>
<b>Total Dispositions</b>	<b>6,514</b>	<b>7,037</b>	<b>7,404</b>	<b>7,871</b>	<b>8,176</b>	<b>8,516</b>
<b>Caseload Increase/Decrease</b>	<b>+849</b>	<b>+881</b>	<b>+740</b>	<b>+290</b>	<b>1,067</b>	<b>+890</b>
<b>Juvenile Trial Calendar Results</b>						
<b>Providence/Bristol</b>						
Cases Added	2,411	2,795	3,316	3,238	3,385	3,770
Cases Disposed	2,373	2,842	3,030	3,397	3,300	3,343
Caseload Increase/Decrease	+38	-47	+286	-159	+85	+427
Total Pending Cases	376	329	615	456	541	956
Pending Wayward/Delinquent						
Cases over 90 Days Old	44	58	111	46	105	217
<b>Kent</b>						
Cases Added	619	687	729	826	689	752
Cases Disposed	604	682	695	828	692	706
Caseload Increase/Decrease	+15	+5	+34	-2	-3	+46
Total Pending Cases	91	96	130	128	125	171
Pending Wayward/Delinquent						
Cases over 90 Days Old	12	31	24	32	48	80
<b>Washington</b>						
Cases Added	247	303	324	358	326	394
Cases Disposed	263	288	310	378	319	366
Caseload Increase/Decrease	-16	+15	+14	-20	+7	+28
Total Pending Cases	34	49	63	43	50	
Pending Wayward/Delinquent						
Cases over 90 Days Old	6	17	13	8	17	25
<b>Newport</b>						
Cases Added	312	346	378	380	372	491
Cases Disposed	301	346	349	388	385	453
Caseload Increase/Decrease	+11	--	+29	-8	-13	+38
Total Pending Cases	41	41	70	62	49	82
Pending Wayward/Delinquent						
Cases over 90 Days Old	8	13	23	22	12	36

**Rhode Island Family Court  
Juvenile Caseflow**

<b>Juvenile Trial Calendar Results (cont.)</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Statewide</b>						
Cases Added	3,589	4,131	4,747	4,802	4,772	5,407
Cases Disposed	3,541	4,158	4,384	4,991	4,696	4,868
Caseload Increase/Decrease	+48	-27	+363	-189	+76	+539
Total Pending Cases	542	515	878	689	765	1,294
Pending Wayward/Delinquent						
Cases over 90 Days Old	70	119	171	108	182	358
Average Time to Disposition	74.1 days	83 days	86.7 days	97.3 days	104.1 days	111.8 days
<b>Domestic Relations Caseflow</b>						
<b>Divorce Petitions Filed</b>						
Providence/Bristol	3,035	3,088	3,022	2,916	2,867	2,744
Kent	871	879	875	794	846	802
Washington	733	559	591	518	542	552
Newport	578	415	412	408	417	404
Statewide Total	5,217	4,941	4,900	4,636	4,672	4,502
<b>Abuse Complaints</b>						
Providence/Bristol	--	--	2,409	2,183	2,087	2,165
Kent	--	--	390	422	408	410
Washington	--	--	275	178	174	260
Newport	--	--	189	255	236	176
Statewide Total	2,655	3,098	3,263	3,038	2,905	3,011
<b>Contested Divorce Calendar Results</b>						
<b>Providence/Bristol</b>						
Cases Added	533	480	625	555	459	445
Cases Disposed	635	528	545	640	549	399
Caseload Increase/Decrease	-102	-48	+80	-85	-90	+46
Total Pending Cases	307	259	339	254	164	210
Cases over 180 Days Old	73	42	49	61	28	42
Cases over 360 Days Old	17	5	7	6	5	3

**Rhode Island Family Court  
Domestic Relations Caseload (cont.)**

<b>Contested Divorce Calendar Results (cont.)</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Kent</b>						
Cases Added	212	268	211	202	153	113
Cases Disposed	263	208	253	208	161	163
Caseload Increase/Decrease	-51	+60	-42	-6	-8	-50
Total Pending Cases	88	148	106	100	92	42
Cases over 180 Days Old	23	36	26	28	46	9
Cases over 360 Days Old	4	1	6	8	14	1
<b>Washington</b>						
Cases Added	132	165	139	92	46	38
Cases Disposed	121	173	130	154	78	27
Caseload Increase/Decrease	+11	-8	+9	-62	-32	+11
Total Pending Cases	106	98	107	45	13	24
Cases over 180 Days Old	47	32	61	26	2	12
Cases over 360 Days Old	5	3	12	8	0	4
<b>Newport</b>						
Cases Added	78	90	49	51	42	32
Cases Disposed	83	104	52	53	49	18
Caseload Increase/Decrease	-5	-14	-3	-2	-7	+14
Total Pending Cases	42	28	25	23	16	30
Cases over 180 Days Old	14	10	1	3	3	15
Cases over 360 Days Old	0	0	0	0	0	3
<b>Statewide</b>						
Cases Added	955	1,003	1,024	900	700	628
Cases Disposed	1,102	1,013	980	1,055	837	607
Caseload Increase/Decrease	-147	-10	+44	-155	-137	+21
Total Pending Cases	543	533	577	422	285	306
Cases over 180 Days Old	157	120	137	118	79	78
Cases over 360 Days Old	26	9	25	22	21	11
Average Time to Disposition	235.4 days	196 days	176.1 days	176.8 days	192.9 days	171.9 days
<b>Support Petitions Filed</b>	<b>3,776</b>	<b>2,885</b>	<b>3,315</b>	<b>5,356</b>	<b>4,842</b>	<b>5,248</b>

**Rhode Island District Court  
Criminal Caseload**

<b>Misdemeanors</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993**</b>
<b>First Division</b>						
Filed	1,687	1,813	2,196	#	#	#
Disposed	1,733	1,685	1,821	#	#	#
Caseload Increase/Decrease	-46	+128	+375	#	#	#
<b>Second Division</b>						
Filed	4,527	4,888	5,578	5,166	4,671	3,735
Disposed	4,106	4,467	5,492	5,056	4,803	3,954
Caseload Increase/Decrease	+421	+421	+86	+110	-132	-219
<b>Third Division</b>						
Filed	8,101	9,355	10,417	10,399	10,059	6,422
Disposed	7,235	8,698	9,406	9,417	8,333	6,233
Caseload Increase/Decrease	+866	+657	+1,011	+982	+1,726	+189
<b>Fourth Division</b>						
Filed	5,923	7,280	6,049	6,340	5,287	3,976
Disposed	5,686	7,170	5,991	5,933	5,313	3,750
Caseload Increase/Decrease	+237	+110	+58	+407	-26	+226
<b>Fifth Division</b>						
Filed	4,341	4,270	4,566	#	#	#
Disposed	3,564	4,131	3,722	#	#	#
Caseload Increase/Decrease	+777	+139	+844	#	#	#
<b>Sixth Division</b>						
Filed	7,507	7,146	13,523	22,156	20,688	14,959
Disposed	5,522	6,662	11,819	17,393	18,438	13,861
Caseload Increase/Decrease	+1,985	+484	+1,704	+4,763	+2,250	+1,098
<b>Seventh Division</b>						
Filed	3,053	3,798	4,399	#	#	#
Disposed	3,043	3,744	4,225	#	#	#
Caseload Increase/Decrease	+10	+54	+174	#	#	#
<b>Eighth Division</b>						
Filed	4,532	4,631	#	#	#	#
Disposed	4,029	4,735	#	#	#	#
Caseload Increase/Decrease	+503	-104	#	#	#	#

# These divisions have been combined with the Sixth Division.

\*\* In 1993 there was a change in the method for counting misdemeanors. Beginning this year the unit of count became the case instead of each charge.

**Rhode Island District Court  
Criminal Caseload (cont.)**

<b>Misdemeanors</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993**</b>
<b>Courtwide</b>						
Filed	39,671	43,181	46,728	44,061	40,705	29,092
Disposed	34,918	41,292	42,476	37,799	36,887	27,798
Caseload Increase/Decrease	+4,753	+1,889	+4,252	+6,262	+3,818	+1,294
Total Pending Charges	3,180	*	*	*	4,502	4,185
Over 60 Days Old	428	*	*	*	2,583	2,777
<b>Manner of Disposition</b>						
Plead	18,470	*	*	*	*	14,220
Filed	5,218	*	*	*	*	5,050
Dismissed	8,866	*	*	*	*	6,982
Trials	542	*	*	*	*	559
Other	880	*	*	*	*	987
Transferred	942	*	*	*	*	*
Total	34,918	*	*	*	*	27,798
<b>Felonies</b>						
<b>Courtwide</b>						
Filed	10,422	10,181	10,401	9,807	9,637	6,502
<b>Felony and Misdemeanor</b>						
<b>Courtwide</b>						
Charges Filed	50,093	53,362	57,129	53,868	50,342	49,062
Bail Hearings	*	*	*	595	*	544

\* Unavailable due to automated system changeover.

\*\* In 1993 there was a change in the method for counting misdemeanors. Beginning this year the unit of count became the case instead of each charge.

**Rhode Island District Court  
Civil Caseload**

<b>Regular Civil</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>First Division</b>						
Cases Filed	393	433	413	#	#	#
Cases Disposed	401	271	414	#	#	#
Caseload Increase/Decrease	-8	+162	-1	#	#	#
<b>Second Division</b>						
Cases Filed	991	1,225	1,526	1,263	1,147	1,020
Cases Disposed	1,378	1,117	893	1,182	1,193	1,015
Caseload Increase/Decrease	-387	+108	+633	+81	-46	+5
<b>Third Division</b>						
Cases Filed	2,120	2,550	3,054	3,386	2,665	2,536
Cases Disposed	2,052	1,679	3,423	2,544	2,103	2,050
Caseload Increase/Decrease	+68	+871	-369	+842	+562	+486
<b>Fourth Division</b>						
Cases Filed	1,399	1,427	1,700	1,635	1,404	1,170
Cases Disposed	1,501	1,609	1,373	1,180	1,236	991
Caseload Increase/Decrease	-102	-182	+327	+455	+168	+179
<b>Fifth Division</b>						
Cases Filed	2,373	2,750	2,592	#	#	#
Cases Disposed	5,475	1,752	1,489	#	#	#
Caseload Increase/Decrease	-3,102	+998	+1,103	#	#	#
<b>Sixth Division</b>						
Cases Filed	9,103	9,124	11,664	16,435	13,599	12,115
Cases Disposed	8,359	8,606	6,586	12,480	15,140	12,161
Caseload Increase/Decrease	+744	+518	+5,078	+3,955	-1,541	-46
<b>Seventh Division</b>						
Cases Filed	1,107	1,245	1,369	#	#	#
Cases Disposed	689	670	761	#	#	#
Caseload Increase/Decrease	+418	+575	+608	#	#	#
<b>Eighth Division</b>						
Cases Filed	940	2,018	#	#	#	#
Cases Disposed	847	1,274	#	#	#	#
Caseload Increase/Decrease	+93	+744	#	#	#	#

# These divisions have been combined with the Sixth Division.

**Rhode Island District Court  
Civil Caseload (cont.)**

<b>Regular Civil (cont.)</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Courtwide</b>						
Cases Filed	18,426	20,772	22,318	22,719	18,815	16,841
Cases Disposed	24,770	16,978	14,939	17,386	19,672	16,217
<b>Manner of Disposition</b>						
Defaults	9,448	8,096	3,736	8,835	10,606	8,463
Settlements	5,856	4,680	6,109	4,110	4,800	3,915
Judgments	5,656	3,747	5,070	4,431	4,135	3,832
Transfers	211	455	24	10	131	7
Other	3,599	0	0	0	0	0
Total	24,770	16,978	14,939	17,386	19,672	16,217
Appeals	266	256	482	453	329	293
<b>Small Claims</b>						
<b>First Division</b>						
Cases Filed	411	1,049	934	#	#	#
Cases Disposed	371	634	856	#	#	#
Caseload Increase/Decrease	+40	+415	+78	#	#	#
<b>Second Division</b>						
Cases Filed	836	1,037	1,200	1,207	1,093	895
Cases Disposed	725	1,200	2,509	3,103	2,396	1,467
Caseload Increase/Decrease	+111	-163	-1,309	-1,896	-1,303	-572
<b>Third Division</b>						
Cases Filed	2,614	3,543	3,307	2,957	3,061	2,584
Cases Disposed	3,020	3,759	4,121	3,916	4,042	4,078
Caseload Increase/Decrease	-406	-216	-814	-959	-981	-1,494
<b>Fourth Division</b>						
Cases Filed	1,887	2,330	2,207	2,266	1,956	1,326
Cases Disposed	1,776	2,096	1,997	1,917	1,829	1,404
Caseload Increase/Decrease	+111	+234	+210	+349	+127	-78
<b>Fifth Division</b>						
Cases Filed	1,684	2,004	1,872	#	#	#
Cases Disposed	4,048	1,080	1,024	#	#	#
Caseload Increase/Decrease	-2,364	+924	+848	#	#	#

# These divisions have been combined with the Sixth Division.

**Rhode Island District Court  
Civil Caseflow**

<b>Small Claims (cont.)</b>	<b>1988</b>	<b>1989</b>	<b>1990</b>	<b>1991</b>	<b>1992</b>	<b>1993</b>
<b>Sixth Division</b>						
Cases Filed	3,791	4,083	7,255	11,900	10,896	9,457
Cases Disposed	2,074	2,259	3,034	10,002	12,014	10,039
Caseload Increase/Decrease	+1,717	+1,824	+4,221	+1,898	-1,118	-582
<b>Seventh Division</b>						
Cases Filed	940	928	1,218	#	#	#
Cases Disposed	847	883	1,265	#	#	#
Caseload Increase/Decrease	+93	+45	-47	#	#	#
<b>Eighth Division</b>						
Cases Filed	2,800	3,325	#	#	#	#
Case Disposed	1,890	3,130	#	#	#	#
Caseload Increase/Decrease	+910	+195	#	#	#	#
<b>Courtwide</b>						
Cases Filed	14,963	18,299	17,993	18,330	17,006	14,262
Cases Disposed	14,851	15,041	14,806	18,938	20,281	16,988
<b>Manner of Disposition</b>						
Defaults	7,321	7,975	7,305	9,779	10,787	8,677
Settlements	3,527	5,016	5,008	6,463	6,736	5,827
Judgments	4,003	2,050	2,493	2,696	2,758	2,484
Total	14,851	15,041	14,806	18,938	20,281	16,988
Appeals	131	138	312	244	160	105
<b>Other Categories</b>						
Domestic Abuse	536	639	713	803	933	1,086
Administrative Appeals	259	442	400	349	402	253

# These divisions have been combined with the Sixth Division.

## Rhode Island Workers' Compensation Court

Petitions Filed	1988	1989	1990	1991	1992	1993
<b>Employee Petitions</b>						
Original	*	*	968	3,854	3,738	3,544
To review	*	*	1,284	2,986	3,162	2,550
For Spec. Comp.	*	*	346	543	--	--
To Amend	*	*	304	146	--	--
For Surgery	*	*	65	317	--	--
Contempt	*	*	133	42	--	--
2nd Injury	*	*	27	4	11	9
To Enforce	*	*	499	1,303	1,258	999
Total	*	*	3,626	9,195	8,169	7,102
<b>Employer Petitions</b>						
To review	*	*	681	3,819	3,843	3,156
To Suspend	*	*	176	192	--	--
To Amend	*	*	304	4	--	--
Total	*	*	1,161	4,015	3,843	3,156
<b>Other</b>						
De Novo	*	*	3,790	--	--	--
Lump Sum Settlement	*	*	1,944	2,024	2,060	1,693
Hospital/Physician Fees	*	*	30	391	667	243
Other	*	*	45	77	580	391
Total	*	*	5,809	2,492	3,307	2,327
<b>Total Petitions</b>	*	*	10,596	15,702	15,319	12,585
<b>Total Dispositions</b>	*	*	8,047	14,608	19,264	13,310
<b>Caseload Increase/Decrease</b>	*	*	+2,549	+1,094	-3,945	-725
<b>Pending Caseload</b>	*	*	5,795	7,159	4,706	4,076

\* These figures unavailable. Workers' Compensation did not become part of the unified court system until 1990.

## Rhode Island Workers' Compensation Court

Manner/Stage of Disposition	1988	1989	1990	1991	1992	1993
<b>Pretrial</b>						
Pretrial Order	*	*	--	--	4,584	3,633
Order	*	*	--	--	15	5
Decree	*	*	--	--	41	53
Consent Decree	*	*	--	--	550	265
Major Surgery	*	*	--	--	332	36
Withdrawn	*	*	--	--	4,606	3,140
Discontinued	*	*	--	--	104	166
Dismissed	*	*	--	--	501	190
Other	*	*	--	--	335	100
Total	*	*	--	--	11,068	7,588
<b>Trial</b>						
Decision	*	*	--	--	4,261	3,011
Consent Decree	*	*	--	--	524	414
Trial Claim Withdrawn	*	*	--	--	986	1,067
Petition Withdrawn	*	*	--	--	899	331
Order	*	*	--	--	99	99
Dismissed	*	*	--	--	223	82
Discontinued	*	*	--	--	89	59
Other	*	*	--	--	192	240
Total	*	*	--	--	7,273	5,303
Total Dispositions	*	*	--	--	18,342	12,891

\* These figures unavailable. Workers' Compensation did not become part of the unified court system until 1990.

