

The Agency

Judicial Department

Agency Operations

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

The entire system in Rhode Island is state-funded with the exception of probate courts, which are the responsibility of cities and towns, and the municipal courts, which are local courts of limited jurisdiction. The Chief Justice of the Supreme Court is the executive head of the state court system and has authority over the judicial budget. The Chief Justice appoints the State Court Administrator and an administrative staff to handle budgetary and general administrative functions. Under the direction of the Chief Justice, the Court Administrator has control of judicial appropriations for all state courts, except those as provided otherwise by law. Each court has responsibility over its own operations and has a chief judge who appoints an administrator to handle internal court management.

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

Statutory History

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

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

The Budget

Judicial Department

	FY 2004	FY 2005	FY 2006	FY 2007
	Actual	Actual	Revised	Recommended
Expenditures by Program				
Supreme Court	24,675,522	27,632,934	29,101,406	28,001,702
Superior Court	16,996,644	17,338,089	19,573,192	20,488,332
Family Court	15,236,179	16,267,256	19,011,983	18,881,905
District Court	8,072,313	8,289,058	9,333,598	9,923,880
Traffic Tribunal	6,289,960	6,219,620	7,074,808	7,644,326
Workers' Compensation Court	6,263,570	5,832,619	7,153,957	7,285,626
Total Expenditures	\$77,534,188	\$81,579,576	\$91,248,944	\$92,225,771
Expenditures By Object				
Personnel	62,533,191	64,732,494	73,194,850	76,084,981
Other State Operations	9,604,410	11,104,118	11,158,454	9,761,872
Aid to Local Units of Government	-	-	-	-
Assistance, Grants and Benefits	5,160,831	5,198,771	5,270,750	5,472,401
Subtotal: Operating Expenditures	\$77,298,432	\$81,035,383	\$89,624,054	\$91,319,254
Capital Improvements	235,756	544,193	1,624,890	906,517
Capital Debt Service	-	-	-	-
Total Expenditures	\$77,534,188	\$81,579,576	\$91,248,944	\$92,225,771
Expenditures By Funds				
General Revenue	67,428,309	71,715,433	76,676,577	50,863,408
Federal Funds	2,651,129	2,604,779	4,765,871	1,986,119
Restricted Receipts	7,209,394	6,730,331	8,236,254	38,526,244
Other Funds	245,356	529,033	1,570,242	850,000
Total Expenditures	\$77,534,188	\$81,579,576	\$91,248,944	\$92,225,771
FTE Authorization	734.5	743.5	742.0	721.4
Agency Measures				
Minorities as a Percentage of the Workforce	8.0%	9.0%	9.5%	10.0%
Females as a Percentage of the Workforce	67.0%	66.0%	66.0%	66.0%
Persons with Disabilities as a Percentage of the Workforce	0.6%	0.6%	0.6%	0.6%

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

The Program

Judicial Department Supreme Court

Program Operations

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

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

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

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

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

Program Objectives

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

Provide overall administrative direction to the state courts.

Regulate the admission of attorneys to the Rhode Island Bar.

Statutory History

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

The Budget

Judicial Department Supreme Court

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures by Subprogram				
Supreme Court Operations	22,299,001	24,978,225	26,084,588	24,834,043
Defense of Indigents	2,376,521	2,654,709	3,016,818	3,167,659
Total Expenditures	\$24,675,522	\$27,632,934	\$29,101,406	\$28,001,702
Expenditures By Object				
Personnel	17,251,220	18,243,377	18,871,717	20,021,041
Other State Operations	5,966,318	7,617,064	7,304,548	5,916,426
Aid to Local Units of Government	-	-	-	-
Assistance, Grants and Benefits	1,222,228	1,229,146	1,337,594	1,195,061
Subtotal: Operating Expenditures	\$24,439,766	\$27,089,587	\$27,513,859	\$27,132,528
Capital Improvements	235,756	543,347	1,587,547	869,174
Capital Debt Service	-	-	-	-
Total Expenditures	\$24,675,522	\$27,632,934	\$29,101,406	\$28,001,702
Expenditures By Funds				
General Revenue	23,055,376	25,456,768	26,067,542	16,013,632
Federal Funds	552,741	749,421	381,325	122,000
Restricted Receipts	822,049	897,712	1,082,297	11,016,070
Other Funds	245,356	529,033	1,570,242	850,000
Total Expenditures	\$24,675,522	\$27,632,934	\$29,101,406	\$28,001,702

Program Measures

Percentage of Appeal Cases Annually Disposed of within 300 Days	63.0%	46.0%	60.0%	65.0%
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The Program

Judicial Department Superior Court

Program Operations

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

Superior Court has four locations: Providence, Kent, Washington, and Newport Counties. It has jurisdiction over all felony cases and misdemeanor cases which have been appealed or waived from the District Court. The Court also hears all civil cases where the amount at issue exceeds \$5,000, equity cases wherein injunctive relief is sought, civil cases that are appealed from the District Court, and all probate and zoning appeals. The administrative office of the Court handles all case scheduling, supervises the court secretaries and stenographers, and provides other administrative services.

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

Other major programs include jury selection, court-annexed arbitration, court ordered restitution, and administration of jurors' fees and expenses. In FY 1995, a Gun Court was established to adjudicate offenses involving guns and, in FY 2002, an Adult Drug Court was established.

Program Objectives

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

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

Provide a written transcript of any proceeding or appeal.

Statutory History

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

The Budget

Judicial Department Superior Court

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures by Subprogram				
Superior Court Operations	15,719,660	15,901,095	17,956,013	18,652,556
Jury Operations	1,276,984	1,436,994	1,617,179	1,835,776
Total Expenditures	\$16,996,644	\$17,338,089	\$19,573,192	\$20,488,332
Expenditures By Object				
Personnel	14,191,649	14,425,339	16,617,460	17,179,228
Other State Operations	1,157,980	1,215,873	1,251,425	1,398,675
Aid to Local Units of Government	-	-	-	-
Assistance, Grants and Benefits	1,647,015	1,696,877	1,687,588	1,893,710
Subtotal: Operating Expenditures	\$16,996,644	\$17,338,089	\$19,556,473	\$20,471,613
Capital Improvements	-	-	16,719	16,719
Capital Debt Service	-	-	-	-
Total Expenditures	\$16,996,644	\$17,338,089	\$19,573,192	\$20,488,332
Expenditures By Funds				
General Revenue	16,835,991	17,150,564	18,844,756	20,232,742
Federal Funds	160,653	187,525	728,436	255,590
Total Expenditures	\$16,996,644	\$17,338,089	\$19,573,192	\$20,488,332
Program Measures				
Percentage of Felony Cases Annually Disposed of Within 180 Days	75.0%	72.0%	75.0%	75.0%
Percentage of Misdemeanor Appeal Cases Annually Disposed of Within 90 Days of Arraignment	70.0%	63.0%	70.0%	75.0%

The Program

Judicial Department Family Court

Program Operations

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

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

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

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

Program Objectives

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

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

Statutory History

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

The Budget

Judicial Department Family Court

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures By Object				
Personnel	14,205,202	15,136,706	18,009,799	17,950,371
Other State Operations	537,262	671,917	550,076	450,995
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	493,715	458,303	452,108	480,539
Subtotal: Operating Expenditures	\$15,236,179	\$16,266,926	\$19,011,983	\$18,881,905
Capital Improvements	-	330	-	-
Capital Debt Service	-	-	-	-
Total Expenditures	\$15,236,179	\$16,267,256	\$19,011,983	\$18,881,905

Expenditures By Funds				
General Revenue	13,171,709	14,601,073	15,362,304	14,617,034
Federal Funds	1,939,543	1,666,183	3,649,679	1,608,529
Restricted Receipts	124,927	-	-	2,656,342
Total Expenditures	\$15,236,179	\$16,267,256	\$19,011,983	\$18,881,905

Program Measures

Percentage of Wayward/Delinquent Cases Suitable for Non-Judicial Processing Diverted or Referred to Court Within 45 Days	71.0%	36.0%	70.0%	75.0%
Percentage of Wayward/Delinquent Cases Requiring Court Involvement Adjudicated Within 180 Days	60.0%	70.0%	75.0%	75.0%
Percentage of D/N/A Cases Adjudicated Within 180 Days of Filing	67.0%	63.0%	65.0%	70.0%
Percentage of Domestic Cases Disposed of Within 365 Days	98.0%	99.5%	100.0%	100.0%
Percentage of Juvenile Termination of Parental Rights Cases Adjudicated Within 180 Days	63.0%	72.0%	79.0%	75.0%

The Program

Judicial Department District Court

Program Operations

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

Program Objectives

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

Maintain a complete and accurate record for every case.

Statutory History

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

The Budget

Judicial Department District Court

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures By Object				
Personnel	6,850,109	7,156,653	8,253,563	8,787,796
Other State Operations	264,361	324,769	283,859	293,136
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	957,843	807,306	793,774	840,546
Subtotal: Operating Expenditures	\$8,072,313	\$8,288,728	\$9,331,196	\$9,921,478
Capital Improvements	-	330	2,402	2,402
Capital Debt Service	-	-	-	-
Total Expenditures	\$8,072,313	\$8,289,058	\$9,333,598	\$9,923,880
Expenditures By Funds				
General Revenue	8,075,273	8,287,408	9,327,167	-
Federal Funds	(1,808)	1,650	6,431	-
Restricted Receipts	(1,152)	-	-	9,923,880
Total Expenditures	\$8,072,313	\$8,289,058	\$9,333,598	\$9,923,880
Program Measures				
Percentage of Misdemeanor Cases Disposed of Within 60 Days	88.0%	88.0%	90.0%	90.0%

The Program

Judicial Department Traffic Tribunal

Program Operations

The Traffic Tribunal consists of associate judges and magistrates and is supervised by the Chief Judge and the Administrative Magistrate of the District Court.

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

Program Objectives

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

Maintain a complete and accurate record for every case.

Statutory History

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

The Budget

Judicial Department Traffic Tribunal

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures By Object				
Personnel	5,164,106	5,213,279	5,900,889	6,338,331
Other State Operations	899,577	650,199	861,689	974,333
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	226,277	356,142	309,008	328,440
Subtotal: Operating Expenditures	\$6,289,960	\$6,219,620	\$7,071,586	\$7,641,104
Capital Improvements	-	-	3,222	3,222
Capital Debt Service	-	-	-	-
Total Expenditures	\$6,289,960	\$6,219,620	\$7,074,808	\$7,644,326
Expenditures By Funds				
General Revenue	6,289,960	6,219,620	7,074,808	-
Restricted Receipts	-	-	-	7,644,326
Total Expenditures	\$6,289,960	\$6,219,620	\$7,074,808	\$7,644,326
Program Measures				
Percentage of Summonses Disposed of within 60 Days	98.0%	98.0%	98.0%	98.0%

The Program

Judicial Department Workers' Compensation Court

Program Operations

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

Upon the filing of a petition for benefits arising out of a work-related injury case, a case file is set up and notices are sent to all parties. Before proceeding to a hearing, a judge conducts a pretrial conference, with a view of expediting the case and reducing the issues in dispute to a minimum. At this stage the judge must enter a pretrial order as to the right of the employee to receive benefits (approximately 70 percent of all cases are settled at this point).

Those cases not settled at pretrial are assigned to the same judge for trial. At the trial, the judge hears all questions. The judge then decides the merits of the controversy pursuant to the law and a fair preponderance of the evidence. A decision is then rendered and a decree entered. At this stage either party may appeal to the Appellate Division which consists of three judges, none of whom is the Trial Judge.

The Appellate Division judges review the transcript and the record of the case along with the appellants reasons for appeal and such other briefs and memoranda of law as they may desire. The Appellate Division then decides the matter and a final decree of the Appellate Division is entered. If either party is aggrieved by a final decree, they may petition the Supreme Court for a writ of certiorari. Upon petition, the Supreme Court may review any decree of the Workers' Compensation Court.

Program Objectives

Hear all disputes regarding workers' compensation claims.

Decide all controversies efficiently, effectively, and economically.

Statutory History

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

The Budget

Judicial Department Workers' Compensation Court

	FY 2004 Actual	FY 2005 Actual	FY 2006 Revised	FY 2007 Recommended
Expenditures By Object				
Personnel	4,870,905	4,557,140	5,541,422	5,808,214
Other State Operations	778,912	624,296	906,857	728,307
Aid To Local Units Of Government	-	-	-	-
Assistance, Grants and Benefits	613,753	650,997	690,678	734,105
Subtotal: Operating Expenditures	\$6,263,570	\$5,832,433	\$7,138,957	\$7,270,626
Capital Improvements	-	186	15,000	15,000
Capital Debt Service	-	-	-	-
Total Expenditures	\$6,263,570	\$5,832,619	\$7,153,957	\$7,285,626
Expenditures By Funds				
Restricted Receipts	6,263,570	5,832,619	7,153,957	7,285,626
Total Expenditures	\$6,263,570	\$5,832,619	\$7,153,957	\$7,285,626
Program Measures				
Percentage of Workers' Compensation Cases that are Disposed of at Pretrial Within 90 Days	89.0%	88.0%	90.0%	90.0%
Percentage of Workers' Compensation Cases that are Disposed of at Trial Within 360 Days	86.0%	83.0%	84.0%	84.0%