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# A Study of the Rhode Island Court System

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# A STUDY OF THE RHODE ISLAND COURT SYSTEM

250 Dorelli Street  
Providence, RI 02906

Dear Justice Chief Justice

In behalf of the Rhode Island Public Expenditure Council, I am pleased to present to you and the Justices of the Rhode Island Supreme Court the findings of the Rhode Island Court Study.

This report contains general findings and specific recommendations for strengthening the administration of the Rhode Island court system. It covers issues of governance, budgeting, personnel, technology, facilities, and the public. Also included is an analysis of the fiscal year 1994 budget.

## THE RHODE ISLAND PUBLIC EXPENDITURE COUNCIL

The study was conducted by Charles T. Vachon, Jr., President of the Rhode Island Public Expenditure Council, and Robert L. Warden, Senior Advisor to the President. The project manager was Eugene L. Givens, RIPEC's director of research.

RIPEC would like to express its appreciation to the excellent assistance of the Supreme Court, its presiding justice of the Supreme Court, its Justices of the People's Court, the District Court, the Workers' Compensation Court, the Administrative Adjudication Court and to all the court personnel who provided information for the study. We stand ready to assist the courts in the coming year.

SEPTEMBER 1994

*[Signature]*  
Executive Director

court system

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Rhode Island Public  
Expenditure Council.

A study of the Rhode Island

A STUDY OF THE RHODE ISLAND  
COURT SYSTEM

THE RHODE ISLAND  
PUBLIC EXPENDITURE COUNCIL

SEPTEMBER 1994



## RHODE ISLAND PUBLIC EXPENDITURE COUNCIL

300 Richmond Street • Providence, Rhode Island 02903 • (401) 521-6320 • FAX (401) 751-1915

September 2, 1994

Acting Chief Justice Joseph R. Weisberger  
Licht Judicial Complex  
250 Benefit Street  
Providence, RI 02903

Dear Acting Chief Justice Weisberger:

On behalf of the Rhode Island Public Expenditure Council, I am pleased to present to you and the associate justices of the Supreme Court a report on the administration of the Rhode Island courts.

This report contains general observations and eighty-one specific recommendations for strengthening the administration of the judicial system. It covers issues of governance, budgeting, personnel, purchasing, financial practices and staff support. Also included is an analysis of the fiscal year 1994 budget, as enacted, for the judiciary.

The study was conducted by the staff of RIPEC and two volunteers, Charles T. Hutchinson, former vice president for human resources for CVS, and Willard E. Marcley, former division general manager of the Raytheon Company. The project manager was Eugene I. Gessow, RIPEC's director of research.

RIPEC would like to express its thanks to you, to the associate justices of the Supreme Court, to presiding justice of the Superior Court, to the chief judges of the Family Court, the District Court, the Workers' Compensation Court, the Administrative Adjudication Court and to all the court personnel who provided us assistance in the course of our study. We stand ready to assist the courts in the coming months.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary S. Sasse", is written over a horizontal line.

Gary S. Sasse  
Executive Director



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## **I. Introduction**

At the request of the acting chief justice and the associate justices of the Supreme Court the Rhode Island Public Expenditure Council (RIPEC) conducted a management study of the administration of the Rhode Island courts.

### **Scope of the Study**

The study involved a review of the governance of the system of court administration, of the budgeting, personnel, purchasing and financial practices of the courts and a survey of court operations. It includes an analysis of the fiscal year 1994 budget, as enacted, of the judiciary.

### **Methodology**

The study was conducted by a study team consisting of RIPEC staff and two volunteers, Charles T. Hutchinson, former senior vice president for human resources for CVS, and Willard E. Marcley, former division general manager of the Raytheon Company.

Data was gathered through interviews with the justices of the Supreme Court, the court administrator and his staff, the chief judges and administrators of each of the lower courts and other court personnel. RIPEC staff also met with the Bench/Bar committees of the District, Superior and Family Courts.

In the course of the study the RIPEC team also reviewed relevant statutes, court rules, manuals, statistics and program information furnished by the Administrative Office of the Courts.

In addition, RIPEC developed and distributed an attitude survey, entitled "Court System Sampler," to all court personnel other than judges. To aid in understanding and interpreting the survey data, six focus groups, one for each court, were held with randomly selected non-supervisory personnel.

### **Organization of the Report**

The report begins with the study team's findings and recommendations. These are followed by a description of the Rhode Island court system and an analysis of the FY 1994 budget for the judiciary. The Appendix contains (a) selected data on state trial courts, (b) the results of the RIPEC survey of judiciary employees and (c) tables of organization provided to the study team by each court.

### **Acknowledgment**

RIPEC would like to thank the justices of the Supreme Court, the chief judges of the courts and their administrators and all of the personnel within the courts with whom the RIPEC study team spoke. It would also like to thank the court administrator and his staff for their time and effort in answering the team's many questions about the court system. Throughout the study the cooperation and support of court employees was invaluable.



## II. Findings and Recommendations

### A. Organization and Governance

#### Unification RECOMMENDATION

##### 1. Build a unified court system.

In 1990 the House of Delegates of the American Bar Association adopted a set of "Standards Relating to Court Organization" (hereinafter cited as the "Standards"). Section 1.00 of the Standards describes the aims of court organization as follows:

*The organization of a court system should serve the courts' basic task of determining cases justly, promptly, effectively and efficiently. To this end, the organizational structure should promote judicial accountability, authority over all judicial operations, clear delineation between judicial and nonjudicial responsibilities, and common management systems so that the delivery of services may be administered uniformly throughout the jurisdiction. The administration of a court system should facilitate the development of skilled executive leadership; selection and assignment of competent judicial, administrative, and other personnel; sound financial management; efficient use of human resources, facilities, equipment; public accountability and responsiveness; and continuous planning for the future. Planning should place emphasis on resource flexibility to meet varying and changing systemwide and local contingencies.*

Section 1.10 of the Standards goes on to state that:

*The aims of court organization can be most fully recognized in a court system that is unified in its structure and administration, staffed by competent judges, judicial officers, administrators and other personnel, and that has uniform rules and policies, clear lines of administrative authority, and a sufficient unified budget.*

The Commentary to the Standards (hereinafter cited as the "Commentary") observes the following regarding court unification:

*A unified court system is one that is organized according to uniform and simple divisions of jurisdiction and that operates under a common administrative authority. The degree of jurisdictional simplification and central administrative direction that may be achieved in a particular system depends on local*

*circumstances and traditions and the extent to which, at any given time, these objectives have already been realized. The direction of effort should be consistently toward unification of court structure and management. Providing equal justice throughout a court system is possible only if the system as a whole applies equal standards through rationally allocated effort. Unification does not mean rigidity or hierarchical decision making, as long as delegation of authority is in accordance with systemwide standards and policies.*

In 1969 the General Assembly enacted legislation creating "a unified judicial system for purposes of administration". However, relatively little has been accomplished over the past twenty-five years to unify the judiciary.

This report recommends that leadership of the courts now turn to the task of unification by: (a) developing systemwide management, financial and personnel policies; (b) instituting formal planning and budgeting processes; (c) consolidating financial operations; (d) reforming the personnel system; (e) modernizing and unifying information systems; (f) providing the judiciary with control over its facilities and security personnel and (g) unifying the administration of each trial court under the authority of the chief judge of that court.

To provide for effective governance of the unified system the report recommends, among other things, that the governor consult with the chief justice on the appointment of chief judges, that a judicial council composed of the chief justice and associate justices of the Supreme Court and the chief judges of the trial courts be constituted as a formal policymaking body for the courts and that the administrative duties of the chief justice, the chief judges and the court administrator be spelled out in detail.

There appear to be two major obstacles to court unification in Rhode Island today. The first is an lack of a consensus among the leadership of the courts as to how a unified court system should work. The second, which arises out of the first, is a deep seated concern that unification is too susceptible to abuse because of the "power" it places in the hands of the central administrative authority.

This report attempts to overcome both of these obstacles by providing a detailed blueprint for unification and clarifying the administrative duties of each member of the leadership of the judiciary.



## Appointment of Chief Judges

### RECOMMENDATION

2. Provide that the chief judge of each trial court shall be appointed by the governor, with the advise and consent of the Senate, from among the judges of that court.

3. Provide that the chief judge of each trial court shall hold office for a term of three to five years and be eligible for reappointment for an unlimited number of terms.

4. Require the governor to consult with the chief justice regarding the appointment of all chief judges.

5. Permit a chief judge to return to the status of associate judge prior to the end of his or her term.

6. Provide that the retirement benefits of any person who has served as a chief judge, but is not serving in that capacity at retirement, shall be based upon the highest salary he or she received while serving on the court.

Section 1.33 of the Standards recommends that the chief judge of a trial court be appointed by the chief justice or be elected by the members of the trial court, serve for a term of no less than three years and be eligible for reappointment for one or more additional terms. The Commentary to this Standard states that:

*... Appointment of the chief judge by the chief justice provides a stronger chain of administrative command. The appointive procedure permits the chief justice to discharge overall responsibility for administering the court system through chief judges he has selected. The risk of having a chief judge appointed by a chief justice who is not directly familiar with the relative capabilities of the potential appointees to the position can be minimized if the chief justice consults the local bench and bar before selecting a chief judge. On the other hand, it may be more satisfactory to have presiding judges selected by the courts over which they are to preside, especially in court systems that have within them large trial court units. This method of selection avoids the risk of having a presiding judge who is not personally familiar with the relative capabilities of potential appointees to the position.*

Trial court chief judges are selected in different ways in different states. Methods of selection include: appointment by the chief justice, appointment by the state supreme court, appointment by the governor, election by members of the trial court and seniority. Quite a few trial courts have no presiding judge. Terms of office also vary widely. **Appendix A** contains a table showing the methods of selection and terms of state trial court judges in 1993. The table is from a working draft of a report entitled "State Court Organization" to be published shortly by the National Center for State Courts (NCSC). It is used in this report with permission of the NCSC.

In the initial draft of this report the study team suggested that all chief judges be appointed by the chief justice for a term of three years for same reason set forth in the **Commentary**, i.e. it would provide a stronger chain of command.<sup>1</sup> When the draft was reviewed by the leadership of the courts there was unanimous opposition to the recommendation. It was argued that this placed too much authority in the hands of the chief justice and that a three year term would disrupt the continuity of administration within the courts.

The study team, therefore, recommends in the alternative that the term for chief judges be between three and five years and that the governor retain the authority to appoint the chief judges, but be required to consult with the chief justice on all such appointments.

If Recommendation #2 is adopted, each person serving as chief judge would first be appointed to the bench pursuant to the new procedures adopted by the General Assembly in 1994. He or she would then be appointed by the Governor, with the advise and consent of the Senate, to the position of chief judge. If at the end of one or more terms the individual was not reappointed or elected not to seek reappointment, he or she would remain in the court. Separating appointment to the bench and as chief judge is important for two reasons. First, it helps preserve the independence the judiciary. Second, it allows a chief judge to elect to lay aside the burdens of administration while remaining on the bench. Recommendation #6, ensures that a chief judge will not be penalized financially if, after long service as an administrator, he or she elects to return to the position of associate judge.

The recommendations regarding the selection of the chief judges of the lower courts should **not** apply to any person now serving in those capacities. Recommendations #5 and #6 should, however, be implemented immediately.

### **The Judicial Council RECOMMENDATION**

#### **7. Establish a permanent Judicial Council, chaired by the chief justice and composed of the associate justices of the Supreme Court and the presiding judges of each trial court.**

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<sup>1</sup> Court selection was not recommended because in Rhode Island it is highly unlikely that the chief justice would be unfamiliar with the relative capabilities of potential appointees to the position.

8. Require that the chief justice present to the Judicial Council for its approval management guidelines for the courts and policies regarding personnel administration, information systems, records management and court security.

9. Provide that the Judicial Council shall review and make recommendations to the chief justice regarding the operating plan and annual budget for the judiciary.

10. Hold regular monthly meetings of the Judicial Council to review all aspects of the operation of the judiciary.

11. Require that the Judicial Council formulate a five year plan to improve court administration.

Under current law the chief justice may, but is not required to, appoint an advisory board composed of the associate justices of the Supreme Court and chief judges of the trial courts to advise him or her on administrative matters. The acting chief justice has activated the advisory board and meets with it regularly to discuss administrative matters.

The study team recommends that the advisory board be called the Judicial Council, made a permanent part of the governing structure of the courts and assigned responsibility for: (i) formulating management guidelines and systemwide policies regarding personnel administration, records management, information systems and court security, (ii) making recommendations to the chief justice regarding the operating plan and the annual budget for the judiciary, (iii) meeting monthly to review court operations and (iv) developing and updating periodically a five year plan to improve court administration.

## **B. Administration**

While committees are an appropriate venue for policy formulation, organizations cannot be managed effectively by committees. As the Commentary to Section 1.11 of the Standards points out:

*In assigning administrative responsibility in court systems, the general principle of administration should be observed that such responsibility should be vested in individuals, not groups. Effective administration requires taking risks, assuming burdens, conferring approval, imposing rebuke, and answering to others for failures. The pains and penalties inherent in asserting administrative authority are immediate and apparent, while the rewards for doing so usually come only in the form of private satisfaction. These characteristics of the administrative task make the group or*



*committee an unwieldy and unreliable instrument in which to repose ultimate administrative responsibility.*

The management team for the Rhode Island court system should consist of the chief justice, the court administrator and each of the chief judges and their administrators. For this team to be effective the responsibilities of each member of the team must be clear and each must have the authority to handle all of the responsibilities assigned to him or her.

### **Responsibilities of the Chief Justice**

#### **RECOMMENDATION**

**12. As executive head of the judiciary the chief justice should be responsible for: (i) chairing the Judicial Council and seeing that the policies adopted by the Council are implemented throughout the system, (ii) submitting the budget for the judiciary, (iii) approving the operating plan for the judiciary, (iv) appointing the court administrator and supervising the management of the Administrative Office of the Courts and (v) representing the judiciary before the General Assembly and in negotiations with the executive branch on the budget and other matters.**

Just as the governor must make the final decisions on the budget for the executive branch, the chief justice as executive head of the court system must make the final decisions on the operating plan and the budget for the courts. This does not mean, however, that the chief justice should dictate either the operating plan or the budget for each of the courts. To the contrary, his or her chief task should be to develop a planning and budgeting process that involves each chief judge and the Judicial Council, clearly identifies the resource requirements of each court and fully explores the most efficient and effective way to meet those requirements.

### **Administrative Office of the Courts**

#### **RECOMMENDATION**

**13. Designate the court administrator as: (i) manager of the Administrative Office of the Courts, (ii) principal assistant for administration to the chief justice and (iii) secretary to the Judicial Council.**

**14. Assign the Administrative Office of the Courts responsibility for:**

**Budget:** administering the budget for the judiciary.

**Finance:** (i) receiving and accounting for all funds paid to the courts, (ii) collecting all delinquent fines assessed by the courts, (iii) collecting and disbursing all restitution ordered to be paid by the courts and (iv) purchasing items in excess of \$250 for all courts.

**Human Resources:** (i) recruiting qualified candidates for all nonjudicial positions in the court system, (ii) developing and delivering training programs for court personnel, (iii) preparing and distributing a personnel manual and (iv) handling payroll and personnel action reports for all courts.

**Information Systems:** (i) purchasing, installing and maintaining all court computer systems and (ii) training court personnel in the use of all court computer systems.

**Management and Program Services:** (i) assisting the chief judges and their court administrators in the preparation of the proposed operating plan and budget request for their courts, (ii) providing research, and statistical information to assist chief judges in such areas as caseload management and (iii) staffing advisory commissions appointed by the chief judges.

**Other:** (i) providing security for all courtrooms and in all court facilities, (ii) maintaining all court facilities and equipment, (iii) operating the Central Records Center and (iv) providing the public with information on the courts.

15. Transfer responsibility for supervision of the bail information unit to the presiding justice of the Superior Court or to the chief judge of the District Court, as determined by the chief justice.

16. Provide that the court administrator shall appoint all personnel assigned to duties in the Administrative Office of the Courts, but require that the chief justice and the Judicial Council approve the appointment of all unit heads.

### The Court Administrator

The court administrator should be the chief justice's senior staff person for administration and should be appointed by the chief justice. In this capacity he or she should be directly responsible to the chief justice for (i) developing and implementing a planning and budgeting process for the courts similar to the process used to develop the budget for the executive branch and for (ii) recommending to the chief justice administrative policies to be submitted to the Judicial Council for its approval.

### Administrative Office for the Courts

The court administrator should also be the manager of the Administrative Office for the Courts (AOC). Although the court administrator reports to the chief justice, it must be clear that AOC serves all of the courts. Consequently, he or she should not also serve as the chief clerk or administrator of the Supreme Court.

The Study Team recommends that AOC be reorganized into the following five operating units:

a. *Finance*. This unit should be managed by a chief financial officer for the courts, reporting directly to the court administrator. It should consist of three staff offices: one to handle budget administration and purchasing; one to manage the collection of all judicial revenues and one dedicated solely to collecting fines, assessments and restitution not paid in full at the time cases are disposed of. In addition to overseeing these offices, the chief financial officer should be responsible for assisting the court administrator in the preparation of the budget.

b. *Human Resources*: This unit should be managed by an assistant administrator for human resources, reporting directly to the court administrator. It should consist of three offices: one to handle payroll and personnel action reports to the Department of Administration, one to administer the merit selection program for the courts and one to develop and deliver training programs for court employees. In addition to overseeing these offices, the assistant administrator for human resources should be responsible for recommending personnel policies, administering labor relations and for preparing, distributing and updating on a regular basis a personnel manual for the courts.

c. *Facilities and Security*: This unit should be managed by an assistant administrator for facilities and security, reporting directly to the court administrator. It should consist of three offices: one responsible for maintenance of court facilities and office equipment and for supervising building superintendents and other staff assigned to these duties, a second with responsibility for security in all court facilities, and a third to operate the Central Records Center. In addition to overseeing these offices, the assistant administrator for facilities and security should be responsible for facilities planning and for supervising improvements to all court facilities.

d. *Rhode Island Judicial Systems and Sciences (RIJSS)*: This unit should be managed by a director, reporting directly to the court administrator. It should have three responsibilities: assisting the courts in identifying their data processing and management information system requirements,

designing, purchasing, installing and maintaining the computer systems in all courts and providing programming and support services, including training and training manuals for all courts. In addition to supervising these three activities, the director of RIJS should be responsible for developing a comprehensive plan for modernizing the courts' computer operations and for identifying new technologies that can be used by the courts to improve service delivery.

e. *Programs, Information and Research*: This unit should be managed by an assistant administrator for programs. It should be responsible for: preparing the annual report of the judiciary, providing statistical and program research to the chief justice and the chief judges, handling all public information activities for the courts and staffing any committees or commissions appointed by the chief justice or the chief judges.

The five unit heads should be appointed by the court administrator with the consent of the chief justice and the Judicial Council. The balance of the staff should be appointed by the court administrator.

### **Bail Information Unit**

Since the bail information unit provides pre-trial services to the judges of the Superior Court and the District Court it should be supervised by a judge. It is recommended that the chief justice transfer responsibility for the unit from the court administrator to either the presiding justice of the Superior Court or the chief judge of the District Court.

## **Chief Judges**

### **RECOMMENDATIONS**

**17. Eliminate the governor's authority to appoint personnel, other than judges, to any court.**

**18. Specify that each chief judge should be responsible for: (i) managing all administrative services for his or her court except those specifically assigned to the Administrative Office for the Courts, (ii) appointing all personnel assigned to his or her court from among those qualified candidates referred to the chief judge by the assistant administrator for human resources, (iii) recommending to the chief justice an operating plan and annual budget for his or her court and (iv) serving on the Judicial Council.**

The recommendations in this report would make the following changes in the administrative duties and authority of the chief judges:

a. The presiding justice of the Superior Court would assume control of the Superior Court clerks' offices and the jury commissioner's offices and would appoint all personnel in those



offices. The chief judge of the District Court would appoint the clerk of the District Court; the chief judge of the Workers' Compensation Court would appoint his or her administrator and the chief judge of the Administrative Adjudication Court would appoint his or her clerk/administrator.

b. Court clerks would no longer be responsible for (i) handling any funds paid into the court (whether as fines, fees, bail or in escrow) or (ii) for collecting any fees or fines assessed but not paid by a defendant at the time a case is disposed of. (See Recommendations #29 through #33.)

c. When a chief judge has a vacancy which he or she is authorized to fill, the chief judge would request a list of qualified candidates for the position from the assistant administrator for human resources. The assistant administrator would recruit and evaluate applicants for the position. Those found to be qualified, based upon an objective set of criterion, would be referred to the chief judge. The chief judge would be free to appoint any qualified candidate to the position.

d. Each chief judge would participate in the planning and budgeting process for the courts in two ways. First, each would submit to the chief justice a proposed operating plan and budget for his or her court. Second, each would, as a member of the Judicial Council, have an opportunity to review and make recommendations regarding the overall operating plan and budget for the judiciary.

e. Each chief judge would participate in formulating policy for the courts through his or her membership in the Judicial Council.

f. Within the parameters of the budget and the operating plan approved by the chief justice and the management and personnel policies adopted by the Judicial Council, each chief judge would assign staff, establish systems and otherwise administer the affairs of his or her court.

### C. Planning

*Effective planning (both long and short range) is central in determining resource needs and their proper allocation throughout the judicial system, in meeting otherwise unexpected contingencies, and in developing strategies to meet future needs. To be effective, planning should be conducted both systemwide and by individual court units within overall planning guidelines, goals and objectives. Data gathering and analysis are important tools in the planning process, stressing the need for state-of-the-art information system development and application.*

— Commentary, Section 1.41

## Operating Plan RECOMMENDATIONS

### 19. Prepare a comprehensive operating plan for the judiciary; provide for review of the plan by the Judicial Council prior to adoption of the final plan.

The court administrator should initiate a formal systemwide planning process with the goal of developing a comprehensive operating plan for the courts. The first step in the process should be the adoption of a set of planning goals and objectives by the Judicial Council. Second, each chief judge should be required to submit to the chief justice an operating plan for his or her court, consistent with these goals and objectives. A planning guide should be provided and AOC staff should be made available to help the chief judges and their administrators prepare their plans.

At the direction of the chief justice and based upon the plans submitted by the various courts, the court administrator should draft a systemwide operating plan. The plan should cover staffing, training, systems (including computer systems) and office space and office equipment allocations for each court and for AOC and should be based upon caseload/workload projections for the planning period. The plan should be submitted to the Judicial Council for review. After receiving comments from the Council, the chief justice should publish a final plan.

The operating plan should include a series of performance standards for each unit. To develop these standards, national performance standards, such as those prepared by the Commission on Trial Court Performance Standards and standards used in other state courts and in the federal courts, should be examined. Recommendations should also be solicited from the Rhode Island Bar Association, the Rhode Island Trial Lawyers Association, legislators and community organizations familiar with the operation of the various courts. Each chief judge should be provided with the results of this research and directed to recommend specific performance measures for each unit within his or her court to the Judicial Council which in turn should submit its recommendation to the chief justice. Once standards are approved by the chief justice, the court administrator should gather performance data on each unit as part of the annual budget process.

As part of the planning process the court administrator should regularly survey "consumers" of court services. The surveys should seek to determine how quickly mail is processed, how long it takes to get a question answered over the phone, how knowledgeable court personnel are and how courteous and respectful they are of the public.

## D. Budgeting

### Preparation of the Budget

*The court system budget should be prepared by the administrative office of the courts and approved by the chief justice after consultation with the supreme court. Each court unit should have*

*the opportunity to present its resource needs and justification therefor as part of the budget preparation process. Workload and related measures should be developed by the administrative office with the advice of and in consultation with representative judicial and administrative personnel throughout the system. These measures should be applied in preparing the court system budget.*

**-- Standards, Section 1.51**

## RECOMMENDATIONS

**20. Prepare an operating budget and a capital budget for the judiciary based upon the operating plan.**

**21. Treat each administrative unit in each court as a cost center. Establish a separate appropriation account in the state's chart of accounts for each cost center.**

**22. Provide a separate line item in the judiciary budget for the Administrative Office of the Courts. For budgeting purposes establish the following cost centers within the office: Administrator; Finance; Human Resources; Information Systems; Security; Facilities; Records Center; Programs, Information and Research.**

**23. Provide the General Assembly with a detailed explanation of the judiciary's annual budget request to the governor.**

A key step in translating the operating plan into an action plan is the preparation and development of the courts' annual operating and capital budget. The budget should be developed in much the same way as the operating plan. It should be based upon the operating plan and should be constructed from the "ground up".

Each chief judge should be provided with a set of budget instructions and required to recommend to the chief justice no later than August 1st each year (or a date consistent with the budget schedule) a detailed program budget for his or her court for the following fiscal year. The budget should be prepared by the chief judge's court administrator. It should include a separate line item for each administrative function within the court. The amount requested for each function should reflect the amount which the court believes necessary to implement the operating plan for the unit in light of the goals and objectives and estimated workload for the unit. AOC personnel should be available to assist the administrator as necessary.

At the direction of the chief justice, and based upon the budgets submitted by the various courts, the court administrator should prepare a unified budget for the judiciary. There should be a separate line item in the budget for each court and a line item for AOC.

With the approval of the chief justice this budget should be submitted to the Judicial Council for review. After receiving comments from the Council, the chief justice should finalize the budget and submit the judiciary's request to the governor.

RIPEC believes that a strong executive budget process must not be compromised. Consistent with this approach to budgeting, the governor has historically submitted the judiciary's budget request to the General Assembly as part of the executive budget process. This process should continue. However, the judiciary should also submit its request to the General Assembly and inform the General Assembly if it believes that the budget proposed by the governor will not enable the courts to operate effectively.

### **Administration of the Budget**

*Approval of the court budget should constitute authorization for the courts to spend the amount approved without the limitation by "line item" or similar categorical restrictions. Within the funds thus provided them the courts should allocate expenditures according to needs and priorities established by the court system itself.*

— Standards, Section 1.51

### **RECOMMENDATIONS**

**24. Require that the chief justice notify the director of administration if funds will be transferred from one court to another, but require approval for such transfers only when additional personnel are also requested.**

**25. Involve managers and supervisors in budget management and cost control activities.**

The annual appropriation bill passed by the General Assembly includes separate appropriations for each court. This means that funds may only be shifted from one court to another with the approval of the director of administration and the governor. We understand that this is routinely given. However, since the judiciary is a separate branch of government, the chief justice should be required to notify the director of administration of plans to transfer funds between courts, but should only be required to obtain approval for such transfers if additional personnel are also being requested.



## **E. Fees, Fines and Surcharges**

*The purpose of court fees should be to offset in part the expense or the benefit or service provided by the court...*

*The purpose of fines in criminal cases or infractions is to enforce the law and not to provide financial support for the courts or other agencies of government. ..*

*.. Assessments and user fees should be limited to activities such as sheriff's fees and expert witness fees and to defendant fees for programs in which they may be required to participate as part of their sentence, such as alcohol or drug detoxification programs. Surcharges should be strictly limited or prohibited and not applied as an alternative form of taxation to fund judicial, prosecution, law enforcement, or other activities. The court should not be in the business of revenue collection. The penalties it imposes should be to enforce the law.*

**- Standards, Section 1.53**

## **RECOMMENDATIONS**

### **26. Reexamine the level of fees, fines and surcharges now assessed by the courts.**

RIPEC has long been opposed to the use of restricted receipts accounts to fund government operations unless there is a clear relationship between the fee or fine assessed and the use of the funds. Consequently, the study team concurs with the General Assembly's decision to abolish a number of restricted receipt accounts in the courts that were used to pay for certain court operations and to finance court computer systems. The relationship between the source and use of funds for the remaining restricted receipt accounts does make sense and the accounts should be retained.

However, while certain restricted receipt accounts were abolished, the fees, fines and surcharges earmarked for those accounts were not modified. In light of the **Standards**, it is recommended that the General Assembly reexamine the level of fees, fines and surcharges now assessed by the courts.

## **F. Consolidation of Financial Operations**

### **Cash Receipts and Payments**

#### **RECOMMENDATION**

**27. Assign responsibility for all cashier, disbursement and accounting functions in all courts to the chief financial officer.**

**28. Assign the chief financial officer responsibility for all bail and escrow accounts.**

Today, each court has their own bookkeeping and accounting systems. Also, with the exception of the Administrative Adjudication Court and the collections unit in the Family Court, each court deposits all fines and fees, and in the case of the Superior Court and the District Court, all bail and escrowed funds, into their own bank accounts. Transfers of fines and fees are generally made to the Treasury monthly.

There are two approaches to dealing with cash collection and control functions. One is to continue the existing system consistent with centrally established cash management standards and procedures. The second is to relieve each court of the responsibility of handling and accounting for collections by establishing a consolidated cashier/collections center, operated by the finance office in AOC, in each courthouse.

The study team recommends the second option for the following reasons: First, a consolidated operation could result in a more efficient utilization of staff. Second, with the exception of the supervising accountant in the child support enforcement collections unit of the Family Court, there are no financial professionals directly involved in the handling of hundreds of thousands of dollars in fees and fines which are now paid into the courts each year. Third, consolidating handling of court funds in one operation will make it easier to conduct audits. Fourth, a single collection unit will help ensure that all court revenues are deposited daily in accounts immediately accessible by the general treasurer. It should be emphasized that each court should receive "credit" for the fines and fees it collects.

Going to the cashier's office to pay fees and fines will mean an extra step for the public. However, in all courthouses the clerks' offices are very close to each other and the cashier's operation would most likely be housed in a corner of one of the clerk's offices. This should minimize the inconvenience to the public.

The staff for the consolidated operation can be drawn from those court personnel now assigned more or less full-time to financial duties.

**Collections**  
**RECOMMENDATIONS**

**29. Transfer responsibility for the collection of delinquent fines assessed in Superior Court and District Court to the chief financial officer.**

**30. Explore transferring responsibility for collection of outstanding traffic fines from the Administrative Adjudication Court to the chief financial officer.**

**31. Determine whether it is cost-effective to use an outside collection agency to assist in the collection of delinquent accounts.**

**32. Transfer responsibility for collection of restitution payments from the Central Registry to the chief financial officer and abolish the Central Registry.**

**33. Provide that, prior to disposition of all criminal cases in which the penalty includes a fine or assessment, the judge shall (i) ascertain the defendants' ability to pay, (ii) establish a payment plan if appropriate and (iii) specify the sanctions that will be imposed for failure to pay.**

In February 1992 the National Center for State Courts (NCSC) submitted a report to the chief justice entitled "Improving Rhode Island Fine and Fee Collection." That report identified the following six problem areas that "contribute to the perpetuation of low collection rates."

a. "There is no attempt to determine a defendant's ability to pay prior to imposition of sentence."

b. "There is no attempt to remind defendants that payments are due in advance of the due date."

c. "... [T]he district courts have [limited resources] to deal with the collection process. They do not have the necessary staff to properly monitor payment schedules, send notices to defendants, maintain accounts and set up new accounts. Allowing defendants to have time to pay or to be put on a payment plan is at the discretion of the clerk. There is no policy in place as to what makes a person eligible for time to pay..."

d. "No court was able to tell NCSC staff for a given year, what was the total amount assessed in each case and what was collected on each of those cases. There is no method in place for keeping accurate figures on collection rates in the district courts."

e. "There is no standardized method of verifying defendants' addresses, employment, other sources of income, and other assets in the district courts, nor does there appear to be any method in place in the superior courts, Central Registry or Victim Restitution Unit."

f. " [There is a] lack of standardization of collection practices among the courts compounded by the fact that collection responsibilities are split among the district courts, Central Registry, Victim Restitution Unit, and superior court.

Although, some steps are being taken to address these issues<sup>2</sup>, it appears that for the most part the problems identified in the NCSC report remain. The problems appear particularly acute in the District Court.

The NCSC included in its report the following recommendations for improving collection practices:

a. Consolidate the Central Registry Unit, the Victim Restitution Unit and the registry clerks into one unit, which would be responsible for all collections, including the District Court's.

b. Notify each offender prior to his or her initial court appearance about the fines and fees that may be assessed, the method of payment accepted by the court, the expectation that payment in full be made at sentencing and the penalties for failure to pay.

c. Authorize judges and masters to suspend or commute fines to something such as community service. Have the new collection unit determine each offender's ability to pay immediately after sentencing. If an offender does not have the ability to pay, return the case to a judge or special master.

d. If the offender can pay, the collection unit should determine if the offender is eligible for a payment plan.

e. Establish a series of standardized actions for court staff to follow when defendants have failed to comply with court ordered payments.

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<sup>2</sup> The Victim Restitution unit has been moved from the Supreme Court to the Superior Court and is being reorganized.



f. Send reminder notices to each offender prior to each payment date.

g. Develop a better system to track the collection process.

The recommendations made by the Study Team generally follow those made by the NCSC. The Team does not, however, recommend giving the collection unit responsibility for determining if defendants can pay and on what terms they should be required to pay. Decisions regarding the imposition of monetary sanctions should be left entirely to a judicial officer. The collection unit should be responsible for gathering information, sending notices, accepting payments, updating case files to reflect payments made, administering those sanctions for failure to pay which have been previously authorized by a court and developing accurate management statistics on the collection program.

### **Collection of Delinquent Fines Assessed for Motor Vehicle Violations**

The Administrative Adjudication Court has a small unit which focuses on the collection of unpaid traffic fines. Clearly it has a powerful enforcement tool in the courts' ability to suspend a driver's license for failure to pay. However, due to shortage of staff and inadequate computer systems, millions of dollars in unpaid fines remain outstanding. Additional resources and better systems should be devoted to this collection effort.

At the time the NCSC report was submitted, the Administrative Adjudication Court was not part of the unified court system. Consequently the report did not deal with collection operations in that court. Given the volume of the collection problem and the nature of the Administrative Adjudication Court, further study is necessary to determine if the collection unit in AOC should assume responsibility for unpaid traffic fines. The chief justice, the chief judge of the Administrative Adjudication Court, the court administrator, the chief financial officer and the administrator/clerk of the Administrative Adjudication Court should all be involved dealing with this issue.

### **Purchasing RECOMMENDATION**

#### **34. Create a unit in AOC to handle purchasing for all courts.**

The courts must follow state purchasing regulations. These require that all purchases in excess of \$1,000 (other than those from a pre-approved vendor) be handled by the state purchasing agent and that at least three bids be solicited for all purchases of goods or services which cost more than \$250. The court administrator or the associate administrator for finance must sign all purchase orders and invoices.

Currently each court has a staff member assigned to handle purchasing. This makes sense for small purchases such as office supplies where it is not necessary to find vendors and solicit bids. It is recommended, however, that larger purchases be handled by an individual in the finance

unit of AOC who is thoroughly familiar with state purchasing requirements and with vendors. This same individual would also work with the state purchasing agent's office on all court requests that must be handled by that office.

#### **G. Personnel Administration**

*The nonjudicial personnel of a court system should be selected by the court system itself on the basis of competence as determined as objectively as possible, and retained in employment according to policies and procedures that reward capable service. There should be complete abolition of the practice whereby court staff, such as the clerk of the court, are elected or appointed by persons from outside the court system. Political considerations, patronage and personal favoritism should be systematically excluded as bases for employing or giving preference in employing people to work in the court system. To this end, the personnel policies of the court system should be formulated as regulations governing employment and the employment relationship throughout the court system...*

— Commentary, Section 1.42

#### **RECOMMENDATIONS**

**35. Develop management guidelines covering management practices expected of administrative and supervisory personnel.**

**36. Appoint all court personnel on the basis of merit from a list of pre-qualified candidates furnished by the assistant administrator for human resources.**

**37. Establish accurate job descriptions, equitable pay grades and uniform salary administration guidelines.**

**38. Develop and test performance evaluation standards and procedures for nonjudicial employees.**

**39. Formally recognize on a regular basis court employees who have demonstrated superior performance.**

**40. Prepare and distribute a manual covering agreed-upon personnel policies and procedures.**

41. Deliver on-the-job training programs to direct service, supervisory and administrative personnel. Assign the judicial education officer to this task.

Responses to RIPEC's attitude survey, "Court System Sampler," coupled with focus group comments on internal conditions, combine to suggest a troubled workplace. The statements below in *italics* summarize the perceptions of court employees about problems in their workplace. The court system's new leadership is taking steps to improve some of these problems and the views of the employees expressed here may not reflect these efforts.

### **Management Guidelines**

*Court personnel generally do not participate in reviews of job performance, are not kept informed about developments affecting their work area, do not receive recognition for jobs well done, are not asked for their views and ideas, are not involved in problem-solving processes and sometimes receive reprimands in front of their peers. There is favoritism in the workplace.*

A written set of management guidelines should be developed covering expected practices in these and related areas for use by all administrative and supervisory personnel. The chief justice should submit the guidelines to the Judicial Council for approval.

### **Merit Selection**

*It sometimes seems that jobs are filled based on "who you know," not "what you know." People routinely assume a person has been selected for a job before it is even posted*

A credible qualifications/performance-based selection process should be established, with emphasis on promotion from within. Using that process, all appointments, from court administrators to entry level positions, should be made on the basis of merit from a list of qualified candidates developed by the assistant administrator for human resources.

The role of the assistant administrator for human resources in this process is to professionally recruit and to evaluate and rank candidates for each position according to objective standards. It is not to substitute his or her judgment, or the judgment of any other person, for that of the appointing authority regarding which qualified candidate should be hired. No chief judge should be precluded from appointing any person who meets the qualifications for the position, as determined by the assistant administrator for human resources.

The system must be consistent with the provisions of applicable collective bargaining agreements.

### **Pay Equity**

*No objective means exists for establishing pay grades. Some people believe they are assigned to perform work more appropriately assigned to those with a higher salary grade. In the minds of most staff, job descriptions simply don't exist.*

Accurate job descriptions should be developed for all positions. A formal, objective job evaluation system should be adopted to assure equitable pay grades for all positions. Salary administration guidelines should be established that incorporate merit pay features.

### **Personnel Policies**

*In the absence of written personnel policies, the rules are said to change every day.*

The human resources unit should prepare and distribute a handbook of agreed-upon personnel policies, procedures and other provisions.

### **Training**

*Currently, there is virtually no on-the-job training. People at all levels are largely left to learn their jobs themselves as best they can.*

The human resources unit should be directed to prepare and provide needed training and development programs for direct service, supervisory and administrative personnel. The judicial education officer should be reassigned from the Supreme Court to the human resources unit to handle this responsibility. Cross training should be required within all departments.

### **Performance Reviews**

*Planned discussions around performance expectations and results generally never occur between an employee and his/her supervisor.*

The human resources unit should develop a process for such discussions, first on a pilot basis for non-bargaining unit personnel, then for bargaining unit personnel.

### **Working Conditions**

*Focus groups reported many issues here. Office cleaning equates simply to emptying waste baskets. Restrooms are called filthy and unsanitary and regularly lack expected amenities. Office equipment is generally antiquated and often breaks down. Unsafe conditions exist for lack of metal detectors and security personnel. Air quality in Garrahy is termed so bad that people complain about sinuses, allergies, headaches, choking spells, nosebleeds and especially fatigue.*



See Recommendations #47 through #54.

## **H. Judicial Information Systems**

### **RECOMMENDATIONS**

**42. Assess the information and data processing needs of each court and the judiciary as a whole through the year 2000.**

**43. Prepare a comprehensive plan for upgrading the courts' computer operations based upon this needs assessment. Include in the plan a detailed strategy for replacing the courts' Wang equipment.**

**44. Consolidate all programming and operations staff in RIJJS.**

**45. Assign RIJJS responsibility for installing, operating and maintaining any state criminal justice information system. Establish an internal service fund to pay for the cost of all computer services provided by the courts to other branches of state government.**

**46. Salvage as much as possible of the work done, experience gained and funds expended in connection with the criminal/juvenile justice information system recommended by the CJJIS committee.**

By any measure, the use of technology in the Rhode Island courts is substantially behind that which is generally available elsewhere. Most of the computer systems that do exist are reaching the end of their useful life. Moreover, the technical capability within the courts to plan and implement new systems is largely lacking and there has been an over-reliance on outside consultants.

### **Rhode Island Judicial Systems and Sciences (RIJSS)**

The executive director of RIJJS is nominally in charge of court computer operations. However, RIJJS is not presently equipped to support the whole court system. It has not been given the charter nor the staff to do more than operate the central Wang computer complex at the Garrahy building and to offer some support services to the various users.

Many of the current RIJSS software programs were developed over a period of many years specifically for the Wang platform. They do not interface with one another or with other

computer systems. Since the Wang hardware is near the end of its useful life there will be no way to avoid a major expenditure in replacing these RIJSS systems in the future.

There are two major court computer operations in which RIJSS has little or no involvement. One of these is another Wang system operated by the Workers' Compensation Court for its own needs in tracking cases. The second is at the Administrative Adjudication Court (AAC). AAC has all its operator records on a Data General system which it shares with the Department of Transportation. The data on traffic tickets, however, is on the state's IBM computers at Johnston and the two systems do not interface. Partially as a result of this, the AAC has experienced administrative problems. AAC staff is working on specifications for a new system to deal with this problem. RIJSS staff have had only limited involvement in the development of this system.

Local networks of PC users are also starting to appear in a few court offices and RIJSS should be giving technical assistance and coordinating this effort but, again, its capacity and charter to do so is limited.

### **Criminal/Juvenile Justice Information Systems (CJJIS)**

The concept for CJJIS traces back to 1981, when the idea was to establish a common, reliable, criminal offender data base that could be used by all law enforcement agencies. In 1986 a consultant was hired to produce a master plan for establishing such a system. The study concluded that a fully automated system was needed in which all agencies would be connected via a central "hub." The plan required a substantial upgrade of the data processing capabilities of some agencies. The courts' criminal case management system was to be one of the major sources of information and would also be connected to the hub.

The legislature gave approval to the project in 1989 and the same consultant was hired to update the earlier study. By then, however, it was apparent that the courts' Wang computers would have to be replaced since the Wang system could not be interfaced with the planned CJJIS hub. Therefore, the project was expanded to cover a whole new criminal case management system for the courts. It was decided to also procure companion software for tracking warrants and the collection of fees, fines and restitution payments. For reasons that are not entirely clear, it was also decided to integrate the new court software on the computers at the CJJIS central hub. This significantly changed the original concept of CJJIS and meant that the courts would not have a completely independent system anymore, but would be dependent on CJJIS.

To date several million dollars have been spent on project consultants. While a contractor has been selected to install CJJIS, no contract has been signed. The earliest completion date is in 1997. Arguably, the best interests of the courts have suffered through this long process because badly needed improvements in court computer systems have been deferred pending the disposition of CJJIS. The legislature must decide whether or not the proposed CJJIS system is still a viable alternative for meeting the state's need for a criminal justice information network. If the answer is "yes," then some of the urgent needs of the courts will also be met by going ahead with the CJJIS contract. If the answer is "no," then the legislature should understand that a substantial amount of money will have to be spent to modernize the RIJSS system.

### **The Next Step**

The next few years will be crucial to modernizing the courts' computer systems. Not only must the transition from Wang hardware be accomplished, but the integration with CJJIS --if it is built, must be done properly. There is also a project in the wings called the Automated Civil Information System (ACIS) -- a planned upgrade of the civil case processing systems in the courts. How this project relates to the overall picture must also be clarified. All of this activity must be planned and managed. It cannot be allowed to happen in a piecemeal and disjointed fashion.

The management structure responsible for court computer systems must be clarified. The RIJSS office should be responsible for assisting each court in assessing its information processing needs, for integrating the various systems, for acquiring, installing and maintaining all court computer systems and for training court personnel on all systems. CJJIS staff should be integrated into RIJSS.

RIJSS should immediately prepare a 5-year plan covering the entire court system. It should be ready by early 1995. It should include a plan to replace the Wang system, to bring the District Court on-line on both the civil and criminal sides and to deal with the requirements of the Administrative Adjudication Court. The courts should explore handling as much of the Wang replacement program as possible in-house. The CJJIS plan, with the system's "hub" handled by RIJSS staff, should be considered as one of the options to replace the Wang equipment. In developing a plan for the new mainframe operation, the opportunity to use networked personal computers to handle some tasks should be fully explored.

Under the best of circumstances it will take several years to replace the Wang System. **The use of computers to enhance the efficiency of court operations should not be put on hold until then.** In particular, RIJSS staff should work with the staff of each court to determine how personal computers using off-the-shelf data base management software could be used to handle discrete tasks. Refresher courses on the Wang software should also be provided to the staff of each court to ensure they are making the best use of the available system.

### **I. Facilities**

#### **RECOMMENDATIONS**

**47. Transfer the building superintendents' staff in all court facilities from the Department of Administration to AOC.**

**48. Transfer responsibility for supervising maintenance staff assigned to clean court facilities to AOC.**

49. Transfer funds allocated for maintenance of court facilities from the Department of Administration's budget to the judiciary's budget.

50. Prepare an asset protection program for all court facilities.

51. Permit the public to use the stairs in the Garrahy Judicial Complex to access those upper floors on which courtrooms are located.

52. Bring in an expert to evaluate the ventilation system in Garrahy. Fix it immediately if it fails to meet OSHA type requirements.

53. Explore the cost of the following improvements to the Garrahy complex: relocating the clerks' offices for each court to the same floor as the courtrooms; adding an additional bank of elevators and providing additional space where lawyers can confer privately with their clients.

54. Clean the jurors' room daily in the Licht Judicial Complex and reopen the jurors' cloakroom.

RIPEC staff visited most court facilities and comments were received on facilities from attorneys and staff. Concerns were expressed to varying degrees about the following: cleaning services (particularly bathrooms and offices), building maintenance, security and places for attorneys to meet privately with their clients. It was noted that the jurors' room in the Licht Complex is not regularly cleaned and that the cloakroom for jurors has been closed as a cost saving matter.

There were a number of complaints about Garrahy Complex including the ventilation system, the elevators, lighting and security. Particularly important to the people who frequent the Garrahy Complex is easier access to the upper floors. The existing elevators simply do not have the capacity to carry the traffic. At least two new elevators should be installed. Until such time, the stairs to the upper floors should be opened to the public. If necessary, a sheriff or capitol police officer should be assigned to monitor security on the stairs.

Clearly additional financial resources will be required to deal with many of these problems. However, as a starting point, the courts should assume responsibility for maintenance of all court facilities and the building superintendents' and staff for all court facilities should be transferred to the judiciary. Also, in formulating the operating plan for the courts the court administrator and the administrators of each of the trial courts should examine ways to maximize available space, including shared use.



## **J. Security**

### **RECOMMENDATIONS**

#### **55. Create a unit within the courts to provide security throughout all court facilities, including courtrooms.**

Courtroom security is handled by sheriffs. Courthouse security is handled by capitol police. Neither report to the judges for whom they work -- yet the duties they perform are critical to court operations.

A single security unit should be created within the courts to handle security in the courtrooms and throughout all court facilities. The unit should be supervised by the assistant administrator for facilities and security in AOC.

All members of the unit should be required to meet certain physical requirements and should receive appropriate training. Sheriffs and Capitol Police who qualify for admission to the unit should be hired first.

It is recommended that the chief justice appoint a special committee of the Judicial Council to oversee planning for the unit. In developing a training program for the unit, the committee should review a six week course designed for the High Sheriff of Providence County by that office's training officer.

## **K. Administration in the Individual Courts**

### **Supreme Court**

#### **RECOMMENDATIONS**

**56. Provide that the following administrative units shall be within the Supreme Court: the office of the clerk of the Supreme Court; the office of the administrative assistant to the Chief Justice; the appellate screening unit; the office of the chief disciplinary counsel; the law libraries; the law clerk pool and all boards and commissions appointed by the Supreme Court.**

**57. Assign responsibility for recording attorney compliance with the Supreme Court rules regarding continuing legal education to the clerk's office. (The judicial education officer should, however, retain responsibility for staffing the Mandatory Continuing Legal Education Commission.)**

58. Specify that the chief justice shall be responsible for all administrative units within the Supreme Court and for appointing, subject to the courts' merit selection system, all nonjudicial personnel assigned to those units, including a chief administrator for the Supreme Court.<sup>3</sup>

59. Authorize each justice of the Supreme Court to appoint his or her secretary and law clerks.

60. Provide that for budgeting purposes each administrative unit within the Supreme Court, including each board and commission appointed by the Supreme Court, shall be a cost center and that all of the justices and all of their personal staff shall be a cost center.

The judicial education officer is responsible for administering the continuing legal education (CLE) program for lawyers. The startup phase for that program appears to be drawing to a close with the end of its first year of operation. Procedures are in place for program accreditation and systems are in place for tracking attorney compliance with the new CLE requirements. It is recommended that the judicial education officer be transferred to the human resources unit in AOC and assigned responsibility for development of training programs for court employees. The judicial education officer should, however, continue to work with the Mandatory Continuing Legal Education Commission and handle the staff work related to accreditation of continuing legal education programs.

### **Superior Court RECOMMENDATIONS**

61. Merge the operations of the scheduling offices and the Arbitration Unit into the clerks' offices. Assign the senior court administrator responsibility for managing the clerks' offices.

62. Abolish the Restitution Unit.

63. Assign the presiding justice of the Superior Court responsibility for the clerks' offices, for appointing all personnel assigned to the clerks' offices and for the organization and staffing of these offices.

64. Provide that the presiding justice shall, with the approval of the associate justices of the Superior Court, appoint the jury commissioner.

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<sup>3</sup> This should be some person other than the court administrator (see the discussion immediately following Recommendations #13 through #16.)

65. Provide that the presiding justice shall supervise the administration of the jury commissioner's office and shall be the appointing authority for all staff assigned to the jury commissioner's office.

66. Provide that for budgeting purposes: the judges and the secretarial pool for the judges, the court reporters, the grand jury clerks, the clerk's offices in each of the counties and the jury commissioner's office shall each be a cost center and that the court administrator and his or her personal staff shall be a cost center.

The presiding justice of the Superior Court is responsible for the operation of the court. The clerks' offices play a vital role in the operation of the court. Therefore, the presiding justice should be responsible for the operation of the clerks' offices.

In order to ensure that the resources of the clerks' offices are used as effectively as possible, that standard policies and procedures are followed and that service delivery is of uniform quality throughout the operation, a senior manager should be assigned overall responsibility for the entire operation.<sup>4</sup>

The Restitution Unit (which currently collects fines) would no longer be necessary if Recommendations #31 through #33, which deal with the transfer of all responsibilities for the collection of delinquent fines to the chief financial officer, are adopted.

### **Family Court Recommendations**

67. Transfer the Bookkeeping Unit to the financial unit in AOC.

68. If possible, appoint qualified volunteers as *guardians ad litem* in abuse and neglect cases.

69. Provide that, for budgeting purposes, the judges and secretaries to the judges shall be a single cost center and the juvenile division of the clerk's office, the domestic division of the clerk's office, the Reciprocal Unit, the office of the Court Appointed Special Advocate (CASA), the Juvenile Intake Unit and the Family Counseling Services unit shall each be a cost center. Include in the CASA budget the cost of engaging outside counsel to act as *guardian ad litem*s for abused, neglected and dependent children.

### **Bookkeeping Unit**

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<sup>4</sup> Currently, the chief supervisory clerk, who is appointed by the governor, has this responsibility.

The Bookkeeping unit receives approximately thirty million dollars (\$30,000,000) each year in child support payments under a contract between the Family Court and the Bureau of Family Support in the Department of Human Services.

The recommendation here is not to abolish the unit or to change its responsibilities, or necessarily to relocate its operations. It is simply to transfer oversight responsibility for the unit to the chief financial officer.

### **Guardians Ad Litem**

The courts currently spend approximately \$600,000 each year for outside counsel to serve as *guardians ad litem* for abused and neglected children. Other state's have used trained lay volunteers as *guardians ad litem*. In light of the substantial sum expended for outside counsel, it is recommended that the Family Court explore the volunteer option.

### **Family Counseling Services**

The Family Counseling Services unit has been asked to help individuals who owe child support find work. This would appear to be something that personnel from the Jobs Service in the Department of Employment and Training would be best equipped to handle. It is recommended that the court discuss with the director of the DET the possibility of assigning a counselor from the Jobs Service to spend several hours each week at the Garrahy courthouse working with clients of the Family Counseling Services unit.

## **District Court RECOMMENDATIONS**

**70. Assign responsibility for managing the operations of the clerk's offices to the district court administrator or the chief clerk.**

**71. Provide courtroom clerks to judges assigned to Washington, Kent and Newport Counties.**

**72. Install an automated civil and criminal case processing system in all of the clerk's offices. Add data entry personnel and train all data entry personnel on both the civil and criminal systems.**

**73. Provide for budgeting and planning purposes that the judges and the secretary to the chief judge be treated as a cost center, that the electronic court reporters be treated as a cost center, that the civil and criminal case processing staff in the clerk's offices in the Sixth Division, and the clerk's offices in the Second, Third and Fourth Division each be treated as a cost center and that staff assigned to process administrative appeals be treated as a cost center.**



Currently the court administrator and the chief clerk appear to share responsibility for supervising the operation of the clerk's office. This makes it unclear as to where responsibility for the operation ultimately lies. The chain of command should be clarified by the chief judge of the District Court.

### **Administrative Adjudication Court RECOMMENDATIONS**

**74. Prepare a long term strategy for improving court operations, including the operations of the operator control unit and the driver retraining unit. Reduce the plan to writing. Defer the purchase of any new computer software or hardware, the lease or purchase of any new court facilities and any change in the scope of operations of any unit within the Court until the plan has completed and has been reviewed and approved by the chief judge of the Administrative Adjudication Court, the Judicial Council and the chief justice of the Supreme Court.**

**75. Assign either the District Court or the Administrative Adjudication Court responsibility for all motor vehicle offenses involving driving while under the influence of alcohol or drugs, including breathalyzer refusal cases.**

**76. Assign temporary personnel to the court as needed to eliminate the backlog of all cases in which fines are due but have not been paid.**

In general, the Administrative Adjudication Court needs more attention from the chief justice and AOC. Notwithstanding a dedicated and hardworking staff, its resources appear inadequate to handle its responsibilities. However, more than additional resources are required. The study team strongly recommends that the court immediately undertake the preparation of a five year plan to improve court operations.

According to discussions with the court administrator, most of the thinking involved in preparing such a plan has already been done. Management has simply had neither the time nor the assistance it needs to reduce the plan to writing. An individual should be assigned full-time to the Court for a limited period solely for the purpose of assisting the chief judge and his court administrator in the preparation of a planning document.

## **L. Warrant Squad**

### **RECOMMENDATIONS**

**78. Transfer the warrant squad to the attorney general's office. Maintain the squad as a separate operating unit.**

The warrant squad is a law enforcement unit whose officers are appointed by the attorney general. It should be part of the executive, which is the branch of state government charged with law enforcement.

The warrant squad was created, however, because local law enforcement agencies reportedly do not place a high priority on executing warrants for people who have already been apprehended once and failed to appear in court at the appointed time. That problem apparently remains. Consequently the attorney general should be required to maintain the squad as a separate operating unit.

## **M. Planning Ahead**

### **RECOMMENDATIONS**

**79. Prepare a five year plan for improving court administration. The plan should reflect the judiciary's expectation's regarding its responsibilities and workload in the first decade of the 21st century.**

**80. Include in the court improvement plan: (a) a limited term compact with labor in an experiment that would remove all barrier to a high performance organization and (b) the introduction of new technologies.**

**81. Explore unification of the Superior Court and the District into a single trial court.**

In order to lay the groundwork for a high performance administrative operation in the 21st century, the judiciary should enter into a compact with labor in an experiment that would remove all barriers to a high performance organization. This concept is outlined in RIPEC's 1993 report "New Expectations, Report of the Rethinking Government Project." As applied to the courts it would:

Make the judiciary responsible for administering a personnel system that provides clear career paths, promotions based on prior achievement, ongoing training and skill development and worker-management problem solving teams.

Waive, solely for the term of the compact, any existing, contractual or other provisions that would serve as constraints to developing the high performance unit sought. Consent would in no way imply concurrence in permanently changing such provisions. The court system would be expected to comply with all laws and regulations and live within FTE counts and appropriation levels.

Establish a specific time frame for the project, e.g., two years, and include appropriate data collection and evaluation components for the project.

### **III. Description of the Rhode Island Courts<sup>5</sup>**

#### **The Unified Court System**

The Supreme Court, the Superior Court, the District Court, the Family Court, the Workers' Compensation Court and the Administrative Adjudication Court are, as a matter of law, formally joined together in a "unified judiciary for purposes of administration". The chief justice is the executive head of the system. As executive head, the chief justice appoints the court administrator. The court administrator is responsible for preparing and, with the approval of the chief justice, submitting to the director of administration a unified annual budget for the judiciary.

The chief justice is authorized but not required to constitute an advisory board consisting of the associate justices of the Supreme Court and the chief judges of the lower courts to advise him or her on administrative matters. The board has been reactivated by the acting chief justice and now meets monthly to discuss issues.

Within the unified system the chief judges of the trial courts are responsible for administering the affairs of their courts. With certain exceptions, they have the authority to appoint all personnel in their courts and generally to organize and administer their courts within the constraints of the budget for their courts and the number of full-time equivalent employees (FTE's) authorized for their courts.

#### **Personnel**

There were more than six hundred employees in the judicial branch in fiscal year 1994. With certain limited exceptions, employees of the Supreme Court, the Superior Court, the Family Court, the District Court and the Workers' Compensation Court are in the unclassified service. Those in the Administrative Adjudication Court are in the classified service.

Court employees are subject to and protected by state statutes applicable to public employees in general, including the right to organize and bargain collectively. There are four collective bargaining units in the courts.

In general, the chief judge of each trial court is the appointing authority for all personnel assigned to duties in that court (other than those appointed by the governor). In the past, however, certain personnel actually assigned to the trial courts were appointed by the chief justice and were included in the Supreme Court's budget. This included personnel in the District Court and the Superior Court clerks' offices. It also included personnel in the Restitution Unit and the Arbitration Unit, both of which deal exclusively with Superior Court matters. The current court administrator and the acting chief justice have abandoned this practice.

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<sup>5</sup> The information in this section is based on organization of the court as of March 1994. The number of staff assigned to various functions may have changed since that time. The FY 1995 appropriations act authorizes 579.2 FTE's for the judiciary.



## Supreme Court

The five member Rhode Island Supreme Court hears appeals from the lower courts, provides opinions on legal questions to the General Assembly, the governor and the attorney general, regulates admission to the bar and supervises the professional conduct of attorneys.

Support units include the office of the clerk of the Supreme Court, the administrative assistant to the chief justice and his staff, the Appellate Screening Unit, the office of the chief disciplinary counsel and a unit which supervises attorney compliance with continuing legal education requirements.

On the Supreme Court's table of organization, the senior administrator is the clerk of the court, who is appointed by the governor for a five year term. From 1969 until 1993, the individual appointed to the position of clerk by the governor was also appointed administrator of the state courts by the then chief justice. This practice was discontinued by the acting chief justice, who has appointed the deputy clerk as the Supreme Court clerk *pro tempore*.

The clerk of the Supreme Court and his staff are the custodians of all documents filed with the Supreme Court, process all applications for admission to the bar and keep the register of attorneys admitted to practice in the state. Computer records are maintained of all cases filed with the Supreme Court and computers are used to process applications for admission to the bar and manage the attorney registration program.

The administrative assistant, an attorney, prepares the calendar for the weekly conferences of the court at which petitions for *certiorari*, motions, and matters from the Disciplinary Board are considered. The Appellate Screening Unit prepares memoranda for the justices summarizing the briefs and transcripts for cases to be heard on appeal by the Supreme Court.

The chief disciplinary counsel and his or her staff investigate complaints against attorneys regarding violations of the Rules of Professional Conduct.

All attorneys are now required to attend ten hours of continuing legal education each year. A board appointed by the Supreme Court supervises this program. The judicial education officer and one additional staff person administer the program.

Each justice has a personal staff consisting of a confidential secretary and two law clerks.

The Supreme Court Law Library is located in the Licht Judicial Complex in Providence. There are also satellite law libraries in each of the other courthouses. All of these libraries are supervised by the state law librarian, who is appointed by the chief justice.

The chief justice is also responsible for the law clerk pool, which provides legal research for the trial court judges. In fiscal year 1994 there were seventeen law clerks in the pool.<sup>6</sup> Clerks are appointed to the pool for a year and are rotated to a different court every three months. The

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<sup>6</sup> The pool will be reduced to ten in fiscal 1995 for budget reasons.

clerks are supervised by a chief clerk, who reports to the chief justice. There is one secretary assigned to the pool.

### **Superior Court**

There are twenty-two justices and one administrator/master on the Superior Court. The Court has exclusive jurisdiction over all civil cases where the amount in controversy exceeds ten thousand dollars (\$10,000) and concurrent jurisdiction with the District Court over civil cases where the amount in controversy exceeds five thousand dollars (\$5,000) but is less than ten thousand dollars (\$10,000). The Superior Court has exclusive jurisdiction over civil cases where the plaintiff is seeking relief other than money and over most actions relating to real estate. It also has exclusive jurisdiction over all felonies and over all misdemeanors punishable by a fine exceeding one thousand dollars (\$1,000) and/or more than one year in prison. Jury trials are available only in Superior Court and Family Court.

Two superior court justices are assigned to Kent County, one is assigned to Washington County and one to Newport County. The other eighteen justices are located in Providence.

The Superior Court is not unified for administrative purposes. The presiding justice is responsible for the court reporters, the grand jury reporters, the offices in Providence and Kent Counties which schedule civil and criminal cases for trial and the secretarial pool for the judges. He or she is also the appointing authority for the staff of these units. Recently the presiding justice was also assigned responsibility for the unit which administers the Superior Court's arbitration program. This unit was previously located within the Supreme Court, even though its duties have always related exclusively to cases before the Superior Court. The units for which the presiding justice is responsible are managed by the deputy court administrator, who is appointed by and reports to the presiding justice.

The presiding justice has no authority over the four Superior Court clerks or their staffs. The clerks, who are each appointed by the governor for a five year term, report to the chief supervisory clerk who is also appointed by the governor for a five year term. The chief supervisory clerk is the appointing authority for all personnel in all four of the clerk's offices.

The clerks' are the custodians of all documents and exhibits filed in Superior Court and collect all fees, fines, bail and funds to be held in escrow by the Court. Their staff also work in the courtrooms handling case files for the judges, recording the decisions of the judges, swearing in witnesses and accepting and marking exhibits.

The office of the clerk of the Superior Court for Providence and Bristol County has a staff of forty-seven. Of these, sixteen are assigned to courtrooms and four to the unit which collects fines and handles bail and funds held by the Court in escrow. Six staff are assigned exclusively to processing criminal cases and eleven to handling civil cases. Seven people are assigned full-time to filing case materials (both civil and criminal)

The office of the clerk of Newport County has a staff of eight, the office of the clerk of Washington County has a staff of five, and the office of the clerk of Kent County has a staff of eight.

There is a so-called "Restitution Unit" within the Court. This unit, which includes a special master and six staff, deals, for the most part, with the collection of fines in criminal cases. The special master also determines the amount of restitution to be paid in certain criminal cases. The support staff for this unit include a supervisor, an electronic court reporter, a courtroom clerk, an investigator and two clerical personnel. This unit was transferred from the Supreme Court to the Superior Court. The special master reports to the presiding justice. The support staff are located in the clerk's office in Providence.

The office of the jury commissioner provides jurors for the Superior Court and Family Court. The office has a staff of ten, including the jury commissioner, who is appointed by the governor with the advice and consent of the justices of the Superior Court, a deputy jury commissioner, four investigators and four clerical personnel. Lists of potential jurors are developed using computers in the secretary of state's office. The jury commissioner's office also handles payments to jurors, who receive fifteen dollars (\$15) for each day they are called.

### **Family Court**

There are eleven judges on the Family Court and two masters. The Family Court has jurisdiction over all cases arising under the state's domestic relations laws, including those relating to marriage, divorce, separation, support, paternity, adoption and custody of children. It has jurisdiction over all cases involving wayward and delinquent children, including cases involving crimes committed by persons less than eighteen years of age at the time the offense was committed. It also has jurisdiction over cases involving abused, neglected and dependent children, termination of parental rights, child marriages, abortions for minors and certain domestic abuse cases.

Two Family Court judges are assigned to Kent County and one each to Washington and Newport Counties. The remaining seven judges and the two masters are located in Providence.

Support services for the Family Court are supervised by the Family Court administrator and his deputy. Service units include the clerk's office, a secretarial pool which handles typing for the judges, a court reporters unit, the Juvenile Intake Unit, the Court Appointed Special Advocate (CASA) Unit, the Family Counseling Services Unit, a unit which deals with enforcement of support orders and a unit which collects support payments.

The clerk's office is the custodian of all documents and exhibits filed in Family Court. The office also provides courtroom clerks who handle case files, record decisions of the judges, swear in witnesses, and accept exhibits. The Providence office is divided into a juvenile division which handles all matters relating to juveniles and adoption and a domestic division which handles all other matters. Both divisions are supervised by a chief deputy clerk.



There are sixteen staff in the domestic division, including seven courtroom clerks, four data entry personnel, and five office staff. The division is supervised directly by the chief deputy clerk.

The juvenile division also has a staff of sixteen and includes three courtroom clerks, three family aides, an adoption clerk, four data entry personnel, a calendar secretary and three other clerical personnel. The office staff is supervised by a principal deputy clerk and the courtroom staff by the chief deputy clerk.

The clerk's offices in Newport and Washington Counties each have a staff of two, one to handle the office and one to serve as clerk in the courtroom. The Kent County office has a staff of four. The records for all juvenile cases are maintained in the Providence office. When juvenile cases are heard outside of Providence the case files are sent from Providence the day the case is heard and returned to Providence the same day.

Two computer programs, both of which run on the courts' mainframe, are used to track cases in the Family Court -- one for domestic cases and one for juvenile cases.

Complaints charging juveniles with criminal or status offenses (such as truancy and disobedience) are referred to the Juvenile Intake Unit before they are formally filed. This unit will determine whether there is an alternative to bringing the child before the Court. Alternatives may include community service or some form of supervision. A child who is eligible for "diversion" in effect admits to the offense, but avoids a criminal record. Unit personnel supervise those on diversion. This unit was created by statute and has a staff of twelve, including one supervisor, five intake personnel, one youth diversionary worker, a truancy clerk, a caseworker and three clerical personnel.

When a parent is charged in Family Court with abusing or neglecting a child, or with being unable to care properly for a child, the court appoints an attorney from the CASA (Court Appointed Special Advocate) Unit to represent the interests of the child before the Court. There are nine attorneys in the unit, including the unit supervisor. According to the supervisor, each attorney has a caseload of between three hundred and fifty and five hundred cases. The attorneys are assisted by four social caseworkers and by community volunteers. One staff person is assigned to recruit and train volunteers. There are also four clerical personnel. One attorney, one social worker and one clerical person are assigned to Kent County.

The Family Counseling Services Unit, which was also established by statute, provides counseling services, conducts investigations for the court on matters relating to custody, child support, and child marriages and supervises visits between noncustodial parents and children. There are sixteen staff in this unit, including six counselors, six family aides and three clerical personnel. Family aides conduct all investigations and supervise visitations.

The court has a staff of twenty-six who focus almost exclusively on collecting child support payments. This staff works closely with the Bureau of Family Support (BFS) in the Department of Human Services. The unit supports a general master who deals with support cases



arising out of divorce and a master who handles all other support cases, including those involving enforcement orders from courts in other states if the person responsible for support is living in Rhode Island. The operation is managed by the supervisor of collections and is divided into two units. One unit acts as the clerk's office for cases brought before the two masters. The second, which operates under a contract with BFS, receives child support payments, records the payments, and transfers the funds to BFS for disbursement to clients. The courts are reimbursed by BFS for the some of the expenses of these two units and for the child support investigations conducted by the Family Counseling Services Unit.

### **District Court**

There are thirteen judges and one master in the District Court. The Court has exclusive original jurisdiction over civil actions where the amount in controversy does not exceed five thousand dollars (\$5,000) and concurrent jurisdiction with the Superior Court over actions at law where the amount in controversy exceeds five thousand dollars (\$5,000) but does not exceed ten thousand dollars (\$10,000). It has original jurisdiction over crimes (other than felonies) which are punishable by a fine not exceeding one thousand dollars (\$1,000) and/or by imprisonment not exceeding one year. It also hears administrative appeals from several state agencies. Except as otherwise expressly provided by law, decisions of the District Court in criminal and civil cases may be appealed to the Superior Court, where the case is heard *de novo*.

There are six divisions in District Court. The first, fifth and sixth divisions are located in Providence. One district court judge is assigned to Kent County (the Third Division), one to Washington County (the Fourth Division) and one to Newport County (the Second Division). There are clerk's offices in each county to support these judges. The chief judge has indicated that he would like to have a courthouse in the Lincoln area to which the fifth division could be assigned.

The administrative staff of the District Court include: the master, who is also the court administrator, a deputy administrator for finance, the clerk of the District Court, who is appointed by the governor for a five year term, an administrative clerk, an intergovernmental policy specialist and an associate administrator who also helps process administrative appeals. The administrative staff also includes the chief judge's secretary and one secretary who types decisions for judges in administrative appeals cases.

The balance of the District Court staff is located in the four clerk's offices. The largest office is in Providence. It has a staff of forty. Ten staff are assigned to civil cases including: two supervisory clerks, one courtroom clerk<sup>7</sup>, one person to handle the civil calendar, one to process executions of judgment, one to handle all default judgments, one to open files, and three other clerical personnel. There are no data entry personnel on the civil side since no computer records are maintained of civil cases in the District Court.

Twenty-one staff work on criminal cases. Of these three are electronic court reporters who record bail and violation hearings<sup>8</sup> and five are courtroom clerks. Office staff includes one

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<sup>7</sup> Generally, one judge is assigned to handle the entire the civil calendar (other than small claims cases).

person who issues and withdraw warrants, one person who handles the daily criminal calendar, one person who works exclusively on traffic offenses and one person who works the counter. There are six data entry personnel, including one supervisor, who input case information into the PROMIS system. This system is used for tracking criminal cases in both the District and Superior Courts.<sup>8</sup> Four staff people deal with fines: a cashier located immediately outside the courtroom on the 4th floor of the Garrahy Complex where arraignments are held; one person who enters data into a computer system used to track individual payments, a third person who handles the counter and fines paid by mail and a fourth who schedules hearings in cases involving unpaid fines.

Two people are assigned exclusively to handle small claims cases and a two person bookkeeping staff handles all funds paid into the court.

### **Workers' Compensation Court**

There are ten judges on the Workers' Compensation Court, which has jurisdiction over all cases arising under the state's workers' compensation law.

The administrative staff consists of a court administrator who is appointed by the governor for a twelve year term, a deputy court administrator and an associate administrator who is principally responsible for the Court's computer system.<sup>10</sup>

The support units in the Workers' Compensation Court include nine court stenographers, a pool of four secretaries who handle typing for the judges and twenty-two staff (including four supervisors) who process the paperwork in all cases filed in the Court.

There is also a medical advisory board within the court. This board develops standards for treating injured workers and ensures a regular review of the medical status of injured workers. The eleven members of the board and the staff of the board are appointed by the chief judge of the court. The staff includes an administrator, who reports directly to the chief judge, four (4) coordinators and a secretary. A software system has been designed to help the staff handle its caseload.

All expenses of the court are paid for out of the Workers' Compensation Administrative Fund, which is funded from assessments on insurers writing workers' compensation insurance and employers' liability insurance in the state.

### **Administrative Adjudication Court**

There are seven (7) judges on the Administrative Adjudication Court. The Court has exclusive jurisdiction over certain violations of the state's motor vehicle statutes and shares jurisdiction over certain violations with municipal courts.

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<sup>8</sup> The District Court judges have requested that electronic court reporters be provided in all courtrooms to record all proceedings in order to provide the judges with a record of their actions in court.

<sup>9</sup> The PROMIS system is available to clerks' offices outside of Providence, but is only used in those offices to track drunk driving cases.

<sup>10</sup> The Court has case management software which runs on its own Wang system.

The Court has its main offices on Harris Avenue in Providence. There are two courtrooms in this facility. Cases are also heard regularly in the Westerly Town Hall, in the Oliver Stedman Center in Wakefield, in the Warwick police station, in the Pawtucket Municipal Court Building, at the Registry of Motor Vehicles in Woonsocket, in the Warren police station and in the Newport City Hall.

Court operations are organized as follows:

*Collections.* The collections unit has a staff of ten and is responsible for receiving and processing all fines paid and for scheduling hearings (except hearings in breathalyzer refusal cases).

*Adjudication* The adjudication unit has a staff of twenty-five and is managed by the court administrator and supervised by his secretary. The unit is responsible for (i) staffing hearings, (ii) scheduling breathalyzer refusal cases, (iii) alerting the appropriate police department when contested cases are scheduled to be heard, (iv) fielding questions from the public regarding cases scheduled for hearing and (v) checking to see that the decisions of the judges are properly recorded.

*Collection of Unpaid Fines:* A staff of four is assigned to collect unpaid fines. Periodically this unit organizes mass mailings to people who have failed to pay notifying them that their licenses have been suspended as a result. However, the unit does not have enough resources to pursue all of those who are delinquent. The face value of unpaid fines is estimated by court personnel to be in the millions of dollars.

*Appeals.* Individuals may appeal decisions of a single judge to a three judge panel. A part-time attorney and one assistant staff the appeals process.

*Operator Control:* The operator control unit is responsible for suspending and reinstating operating licenses. It has a staff of twenty-nine. A person whose driving license has been suspended must appear before one of the unit's nine hearing officers who will determine if the person is eligible to have their license reinstated.

*Driver Training.* This three person unit determines whether those ordered by the Court to attend a driver retraining course or to perform community service have done so. The unit also arranges driver retraining courses at local colleges. It has also begun to conduct driver retraining classes in-house.



*Security:* The Court has its own seven (7) person security unit to handle building security on Harris Avenue and to assist the judges at hearings.

#### **Administrative Office of the Courts**

There are twenty-one employees in the Administrative Office of the Courts. It includes, in addition to the court administrator and his immediate staff, the following offices:

\* *Finance:* The associate administrator for finance helps prepare the budget, administers the budget during the course of the year and, with the court administrator, is one of two people authorized to sign purchase orders. The associate administrator also tracks the transfer of revenues from the courts to the general treasurer.

\* *Human Resources:* The assistant director for human resources and his staff handle payroll for all of the courts and file all reports required by the Office of Personnel Administration.

\* *Policy and Programs:* The program office, headed by the assistant administrator for policy and programs, prepares the annual report of the judiciary, reports on caseloads and collections and works with victims' assistance groups. The office also prepares grant applications and staffs various commissions. The assistant administrator has also assisted the chief justice in preparing planning documents.

\* *Rhode Island Office of Judicial Systems and Sciences (RIJSS):* This unit operates the courts' mainframe computer which is described in detail in other sections of this report. The executive director of RIJSS reports to the court administrator.

\* *Records Center:* The Records Center is located in a rented facility in Pawtucket. None of the courts have sufficient space in their offices to maintain all of their case files. Periodically each office transfers files, including some open case files, to the Record Center. The Providence Superior Court clerk's office has a computer link with the Record Center to speed retrieval. The Center has a document destruction program for closed files. It also maintains the courts' archives. The coordinator for court records management reports to the court administrator.

\* *Central Registry:* This unit is headed by the manager of judicial revenue, who reports to the court administrator. It is responsible for receiving and disbursing court-ordered restitution payments.

\* *Bail Information Unit:* This unit collects information on defendants in criminal cases to assist the judges in setting bail, supervises persons out on bail and administers a drug testing program for defendants accused of drug related crimes.

\* *Warrant Squad:* This is a law enforcement task force created within the courts to find and arrest individuals with outstanding warrants, a task which is reportedly a low priority for the police. The task force has a small staff, appointed by the attorney general, and has the authority to deputize officers from local police departments. Those arrested by the task force must pay a



one hundred dollar (\$100) fine. These revenues are placed in a restricted receipt account and used to finance the operations of the unit.

The AOC also includes two attorneys who deal with legislative and labor issues; a public information unit, which handles press relations for the chief justice and prepares brochures and videotapes on various topics and a court facilities office which works with the Department of Administration.

### **Facilities and Equipment**

There are six state owned court facilities, three in Providence (one of which is used for offices only), one in Newport and one Washington country. There is also a courthouse in Kent County. It, however, has been declared unsuitable for occupation and has been ordered closed. The proposed FY 1995 budget for the judiciary included eight hundred thousand dollars (\$800,000) to rent a facility in Kent County until decisions are made on a new courthouse. The Administrative Adjudication Court rents an office building on Harris Avenue in Providence and there is a central records storage center in a rented facility in Pawtucket.

Maintenance of court facilities is the responsibility of the Department of Administration. There is a building superintendent for each state owned facility who works for the Department.

Security at all judicial complexes other than Harris Avenue, which has its own security force, is handled by the Capitol Police, which is an agency within the Department of Administration. Courtroom security is handled by sheriffs. Cellblocks in the Licht Complex are the responsibility of the Marshall's Service, a division of the Department of Corrections. Cellblocks in Garrahy, however, are the responsibility of the High Sheriff of Providence County.

#### IV. Budget Analysis

This section presents an analysis of the FY 1994 budget, as enacted, for the judiciary. In preparing this analysis, RIPEC assigned costs to various courts and functions based on a survey of where activities are actually being performed. Therefore, there may be a difference between this cost center directed analysis and previously presented budgetary information. A review of the judiciary budget to more accurately show where dollars are spent reveals the following allocation among the various courts:

<u>Court</u>	<u>FY 1994 Adjusted Budget</u>	
	<u>Amount</u>	<u>Percent</u>
Supreme Court	\$14.8 M	27.4%
Superior Court	13.2 M	24.2%
Family Court	9.8 M	18.2%
District Court	5.1 M	9.5%
Workers' Compensation Court	3.8 M	7.0%
Administrative Adjudication Court	7.3 M	13.5%

The following analysis will consider (a) how the courts are financed, (b) court system expenditures by category, and (c) a functional/cost center analysis of court spending for the system and each court.

##### A. Revenue Analysis

As shown in Table 1, the fiscal year 1994 budget appropriated \$10.6 million in general revenues for the Supreme Court, \$12.3 million for the Superior Court, \$9.5 million for the Family Court, \$4.8 million for the District Court and \$3.1 million for the Administrative Adjudication Court, or a total of \$40.3 million in general revenues for the judiciary. In addition, \$13.7 million was appropriated for the judiciary from various restricted receipt accounts. Table 2 describes these accounts.

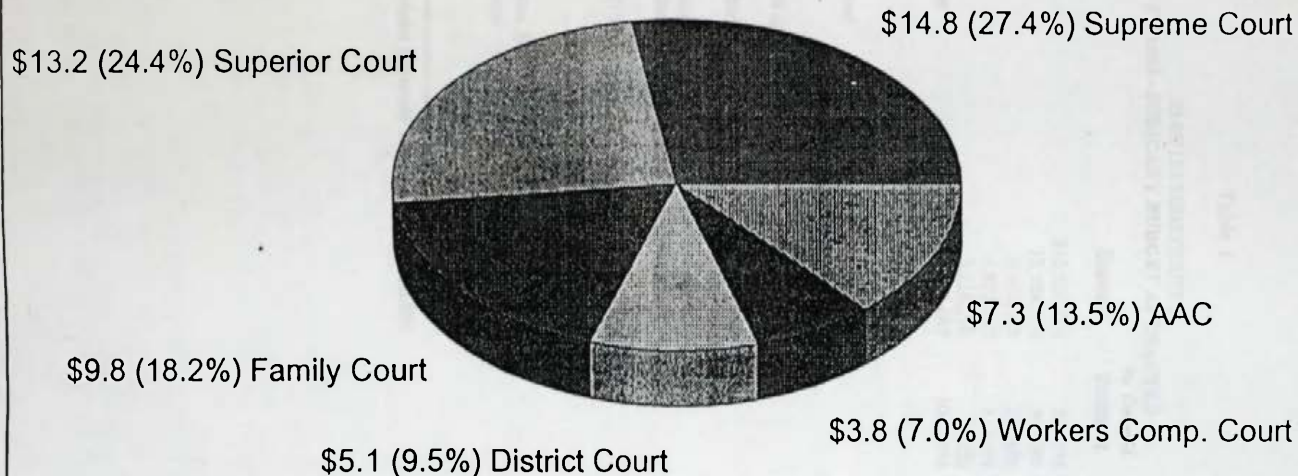
The largest appropriation from a restricted account was \$3.6 million for the Workers' Compensation Court. The source of funds for this account is the assessment against insurers who write workers' compensation insurance in the state.

The two other largest appropriations from restricted receipt accounts were \$3.3 million from Criminal Juvenile Justice Information System (CJJIS) account and \$2.5 million from the Court Improvement Project Fund - Electronic Data Storage account, which is dedicated to the development of a computer system for the Administrative Adjudication Court.

Many of these restricted receipt accounts were eliminated in the FY 1995 appropriations bill. The revenue earmarked for these funds will now be placed in the state's general fund. Table 2 identifies those accounts which were eliminated.

## Analysis of FY1994 Judiciary Budget

DOLLARS IN MILLIONS--TOTAL BUDGET \$54.0 M



\* AMOUNTS HAVE BEEN ADJUSTED TO MORE ACCURATELY SHOW WHERE THE DOLLARS ARE SPENT (see text)

Table 1

93-H7155 SUBSTITUTE A  
**FY 1994 - JUDICIARY BUDGET AS ENACTED**

	Enacted	% General Revenues	% Restricted Revenues	% Total Enacted
<b>General Revenues</b>				
Supreme Court	\$10,555,819	26.19%		19.53%
Superior Court	12,354,769	30.65%		22.86%
Family Court	9,455,173	23.46%		17.50%
District Court	4,822,190	11.96%		8.92%
Administrative Adjudication Court	3,118,716	7.74%		5.77%
Subtotal: Total General Revenues	40,306,667	100.00%		74.59%
<b>Restricted Receipt Accounts</b>				
Computer Service Contracts	2,000		0.01%	0.00%
RI Supreme Court Disciplinary Counsel	695,047		5.06%	1.29%
Court Improvement Project Fund	750,000		5.46%	1.39%
Victims Rights Information	50,000		0.36%	0.09%
Criminal/Juvenile Justice Information System	3,294,911		24.00%	6.10%
Warrant Squad	360,000		2.62%	0.67%
Domestic Violence Training & Monitoring	30,000		0.22%	0.06%
Court Improvement Funds - ACIS	490,000		3.57%	0.91%
Appeal Fee Administrative Adjudication	400,000		2.91%	0.74%
Court Improvement Project Fund - Electronic Data Storage	2,500,000		18.21%	4.63%
Constable Regulation	1,000		0.01%	0.00%
Administrative Adjudication Court - DWI	613,509		4.47%	1.14%
DWI Retraining	225,000		1.64%	0.42%
Collection Agency - AAC	450,000		3.28%	0.83%
Workers Compensation Court	3,602,694		26.24%	6.67%
Pension Retired Worker's Compensation Judges	169,381		1.23%	0.31%
Computer- Aided Transcription Systems	96,687		0.70%	0.18%
Subtotal: Restricted Revenues	13,730,229		100.00%	25.41%
<b>Total: General Revenues &amp; Restricted Revenues</b>	<b>\$54,036,896</b>			<b>100.00%</b>



Table 2  
Description of  
Restricted Receipt Accounts in the FY 1994 Judiciary Budget

\*\* Accounts abolished in the FY 1995 Appropriations bill

**\*\* Collection Agency - AAC:** This account was established to fund a collection office to concentrate on delinquent accounts, partial payment accounts and accounts paid with a void instrument. The funds collected were to be dedicated to the account.

**Computer Service Contracts:** RIJSS is reimbursed by the private sector for preparing statistical reports concerning the court systems' caseload. Money in this account is used to purchase equipment for RIJSS and/or to reimburse RIJSS employees for attending computer training programs.

**Computer Aided Transcription:** The funds in this account appear to come from contributions by court reporters and contributions from the state and are to be used to purchase computer aided transcription equipment for court reporters.

**Supreme Court Disciplinary Account:** Under Article IV, Rule I of the rules of the Rhode Island Supreme Court, attorneys are required to register annually with the Supreme Court and to pay an annual registration fee of \$175. The rule provides that "all funds collected pursuant to this rule shall be deposited in a separate account entitled "Rhode Island Supreme Court Attorney Registration Account," and shall be disbursed by the clerk upon the order of the chief justice. Funds in this account are currently dedicated to funding the expenses of the Office of the Chief Disciplinary Counsel of the Supreme Court.

**\*\* Court Improvement Project Fund:** Certain filing fee revenues were deposited in this account. Funds in the account could be used for "those court improvement projects established and designated by the administrator of the state courts and approved by the chief justice of the Supreme Court." Funds in this account have been used to fund the court annexed arbitration program in Superior Court and master lease payments for computers and furniture.

**Victims Rights Information:** Section 12-25-12.2 of the general laws appropriates to the annual budget of the administrative office of the state courts the lesser of 15% of the amount collected annually and paid into the Violent Crimes Indemnity Fund or \$50,000, to be used "at the direction of the chief justice of the supreme court for the purpose of informing victims of crime of their rights and assisting said victims in the exercise of those rights.

**\*\* Criminal/Juvenile Justice Information System:** Funds from this account were used to fund the CJJIS project.

**Constable Regulation Fund.** District Court constables pay an annual license renewal fee. The amount of the fee is set by the chief judge of the District Court. Ten dollars of the fee is paid into this account. Any monies in excess of \$2,000 in the account are paid into the court improvement project fund. Funds in this account are used to pay for the administrative expenses incurred in connection with the chief judge's duties relating to the licensing and regulation of constables.

**Warrant Squad:** Section 12-6-7.2 of the general laws establishes a statewide warrant squad whose purpose is to "arrest individuals for whom arrest warrants have been issued and remain outstanding", and requires that those arrested by the squad be assessed a fee of \$100 in addition to other court costs. The statute provides for the appointment of a director, an assistant director and four additional members of the warrant squad and specifies that the salaries of the director and the assistant director shall be paid from the fee assessed against those apprehended by the squad.

Domestic Violence Training: Every person convicted of or placed on probation for a crime involving domestic violence must pay a \$25 fine. The fines deposited in this account are used to pay the administrative expenses of a court unit responsible for training public safety personnel in dealing with cases of domestic violence.

\*\* Automated Civil Information System: Funds in this account were to be used to fund an automated civil information system for the courts.

\*\* Appeal Fees, AAC: Persons appealing decisions in the Administrative Adjudication Court must pay a \$25 appeal fee. The fees deposited in this account were to be used "for the administrative adjudication court."

\*\* Electronic Data Processing, AAC: The registrar of motor vehicles is required to provide, upon request, certified abstracts of motor vehicle operator driving records. The fee for each certified abstract is \$10. Of that, \$5 was transferred to the court improvement project fund and dedicated to "the operation and maintenance of an electronic data storage and/or retention system of the administrative adjudication court."

\*\* Administrative Adjudication Court, DWI: Persons convicted of driving while under the influence of alcohol are required to pay a highway assessment fine of \$500. Thirty two percent (32%) of the fines collected were used to fund an alcohol and safety program in the Administrative Adjudication Court.

\*\* DWI Retraining: Those ordered by the Administrative Adjudication Court to attend a special course on the hazards of driving while intoxicated pay a fee of \$75 dollars which is deposited into this account. The funds were used by the Court to pay for the cost of the courses.

Worker's Compensation: There are two restricted receipt accounts established to hold funds transferred from the Workers' Compensation Administrative Fund to the Workers Compensation Court. One is used to meet all operating expenditures of the Workers' Compensation Court. The second is used to pay pensions for retired judges of the Court. Income of the fund consists of an assessment on insurance companies who write workers' compensation insurance or employer's liability insurance in the state.

Note: Information in this table is based on a review of relevant statutes. No attempt was made to determine how funds in these accounts were actually used in FY 1994.

### *Other Sources of Revenue*

Federal funds are not appropriated directly to the courts. However, the courts do receive federal funds indirectly through a grant of \$133,000 from the Governor's Justice Commission. These funds are used to pay the salaries of data entry personnel in the District Court. In addition, at the time the budget was submitted by the courts, it was anticipated that the state would be reimbursed \$800,000 by the Bureau of Family Support in the Department of Human Services for expenses incurred by the Family Court in collecting child support payments.

### **B. Expenditure Analysis by Category**

In fiscal year 1994, the enacted budget for the Rhode Island judiciary totaled slightly over \$54 million. Table 3 sets forth a more detailed overview of how operating expenses are allocated. As shown on this table, \$36.3 million of the court budget is for salaries and benefits, \$4.5 million for purchased services, \$3.9 million for other operating expenses, \$4.2 million for equipment purchases, \$1 million for grants and \$4.2 million for debt service on Rhode Island Public Building Authority (PBA) bonds issued to construct and improve various court facilities.

*Personnel Costs*—Personnel costs alone represent over two-thirds (67.1%) of the total budget for the judiciary. Of this amount, salaries and benefits totaled \$33.6 million, payments to retired judges \$2 million, and workers' compensation and other personnel costs \$.7 million.

The salary for employees includes the base salary for grade and step, and longevity benefits for those who qualify. The next scheduled salary increase is 5% and will be effective in the first pay period in January, 1995.

Longevity benefits equal 5% of base salary for those with 5 to 9 years of state service, 10% of base for those with 10 to 15 years, 15% for those with 15 to 19 years, 17.5% for those with 20 to 24 years, and 20% for those with 25 years of state service or more.

Health care benefits cost the state \$6,006 per employee for those on the family plan, and \$2,459 for those with individual coverage. There is no co-pay requirement.

The state also contributes 11.32% of employees' total salary for retirement. (Employees pay 7.75% of their salary to the retirement system.) Most judges are not members of the Rhode Island state retirement system. Their retirement benefits, which totaled \$2 million in FY 1994, are paid directly out of general revenues, and, therefore, appear in the budget. The state also pays FICA taxes for each employee of 6.2% of the first \$60,600 in salary plus 1.45% of total salary.

Like other state employees, court employees are also entitled to an educational incentive equal to one step in pay once they have successfully completed a four course curriculum approved in advance by the personnel administrator. Any union member who has or earns a masters in public administration or public affairs, a J.D. or a masters in criminology, in computer science or any other field related to his or her job is paid an additional \$1,200. Court reporters in Superior Court and Family Court may also qualify for additional incentives of up to \$1,800.

*Purchased Services*—The \$4.2 million appropriation for purchased services includes a \$2.9 million payment for the CJJS system which, had it occurred, would have been paid out of the CJJS account, and almost \$1.0 million for fees for indigent counsel. About two-thirds of the budget for indigent counsel is used to cover payments to attorneys who serve as *guardians ad litem* in abuse and neglect cases.

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Table 3  
FY 1994 Budget - Judiciary

	Total	% of Total
<b>PERSONNEL COSTS</b>		
Salaries & Wages	\$26,064,413	48.23%
Employee Benefits (Health FICA, Retirement)	7,513,247	13.90%
Salaries & Benefits	33,577,660	62.14%
Salary of Retired Judges	2,015,934	3.73%
Workers' Compensation	272,712	0.50%
Other Salary (Payroll Accrual & Classified Holiday)	334,706	0.62%
Other Benefits (Group Life, Etc.)	82,063	0.15%
Total - Other Salary & Benefits	2,705,415	5.01%
<b>Total</b>	<b>36,283,075</b>	<b>67.15%</b>
<b>OTHER OPERATING EXPENSES</b>		
Purchased Services		
Defense of Indigents	925,000	1.71%
Payment to Arbitrators	250,000	0.46%
CJIS Contract	2,900,000	5.37%
Other	460,308	0.85%
<b>Total</b>	<b>4,535,308</b>	<b>8.39%</b>
Other Operating		
Postage	212,182	0.39%
Telephone/Telegraph	179,500	0.33%
Office	238,587	0.44%
Dues & Subscriptions	84,950	0.16%
Freight/Carriage	20,550	0.04%
Insurance	187,407	0.35%
Contracts/Telephone	288,861	0.53%
Record Center	18,000	0.03%
Printing/Binding	172,100	0.32%
Advertising	8,600	0.02%
Mileage	99,219	0.18%
Out of State Travel	32,500	0.06%
Other Travel	2,560	0.00%
Automotive Maintenance	30,699	0.06%
Repairs to Building	38,500	0.07%
Repairs - Other	347,610	0.64%
Replace Office Equipment	8,500	0.02%
Rental Property	387,206	0.72%
Rental Equipment	144,936	0.27%
Electricity	16,577	0.03%
Clothing	3,800	0.01%
Medical Supplies	250	0.00%
Military Supplies	500	0.00%
Building	200	0.00%
Information Processing	379,974	0.70%
Medicine/Drugs	150	0.00%
Staff Education	15,500	0.03%
Computer Supplies	63,750	0.12%
Facilities Service Charge	15,638	0.03%
Public Projects	12,205	0.02%
Jurors Expenses, Witness Fees, CAT	864,164	1.60%
<b>Total</b>	<b>3,875,172</b>	<b>7.17%</b>
Equipment Purchases		
Library	487,223	0.90%
Computers - AAC	2,500,000	4.63%
Computers - ACIS	490,000	0.91%
Office Equipment	381,415	0.71%
Rental - Master Lease	162,119	0.67%
<b>Total</b>	<b>4,220,757</b>	<b>7.81%</b>
Grants	958,340	1.77%
Capital Costs - PBA	<u>4,164,241</u>	7.71%
<b>Total Expenditures</b>	<b>\$54,036,896</b>	<b>100.00%</b>

*Operating Expenses & Equipment Purchases*--The \$3.9 million for operating expenses includes \$.7 million for juror fees and expenses and a total of \$.4 million for rent for the Administrative Adjudication Court's facility on Harris Avenue in Providence and for the courts' record center in Pawtucket. \$.4 million is budgeted to pay the state for the Administrative Adjudication Court's use of the main state computer facility.

### C. Functional Analysis

As noted, over two-thirds of the court system's budget is for personnel costs. In order to identify opportunities for efficiencies, it is necessary to understand how personnel costs are distributed among various operating activities and cost functions. This can be accomplished by assigning personnel expenditures to various functions.

The analysis in this report focuses on the following functions in each court: judges, their secretaries and legal staff, court reporters, clerks' office personnel, the personnel in administrator's offices, and the personnel assigned to other "special" units within the courts. Special units include the chief disciplinary counsel's office in the Supreme Court, the Arbitration and Restitution units in Superior Court, the Juvenile Intake, CASA, collections and the Family Counseling Services units in Family Court, the medical advisory board in the Workers' Compensation Court and the operator control and driver retraining units in the Administrative Adjudication Court.

The salary and benefit expenses for each employee are based on the actual salary and benefit expenses of those employees on the payroll in March, 1994. However, the analysis does assume that all vacant judicial positions are filled.

Because actual payroll was used there is a difference between the amount contained in the fiscal year 1994 budget for salaries and benefits and the amount allocated as personnel costs in this analysis. To account for this difference an "**Adjustment Factor**" is included as a personnel cost for each court.

The analysis does not attempt to allocate personnel costs which are not salary and benefits. These are also shown separately as "other personnel costs."

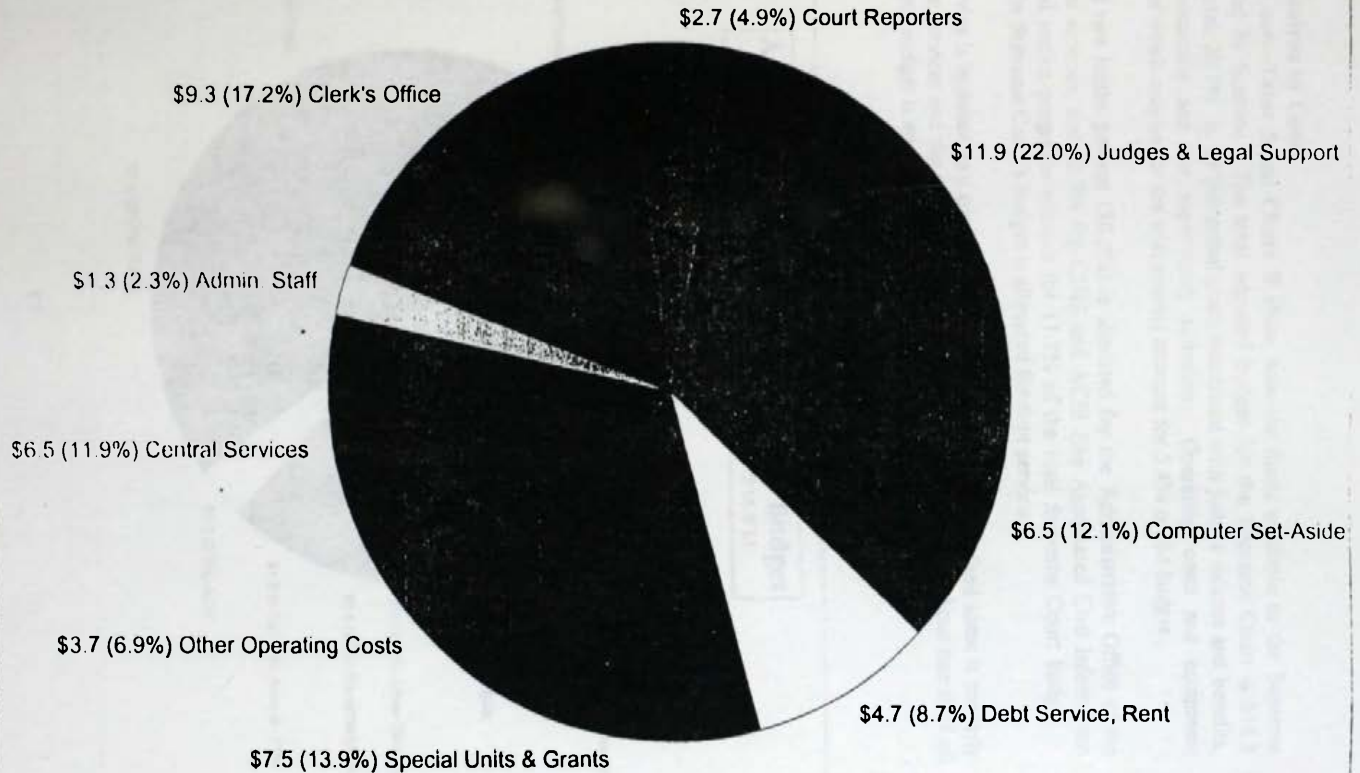
**Table 4** and **Chart A** summarize expenditures for each of these functions for the judiciary as a whole and **Tables 5 to 10** for individual courts. As the table shows, salaries and benefits for judges total \$11.9 million and for court reporters \$2.7 million, or 22% and 4.9% respectively of the total budget the courts. Salary and benefits for court clerk operations total \$9.3 million, for special units \$6.9 million and for central services \$6.4 million, or 17.2%, 12.8% and 11.9% respectively of the total budget. Acquisition of computer systems and debt service account for the lion's share of the balance of the courts' budget.

Table 4  
**Analysis - FY 1994 Budget as Enacted**

	Amount	% of Total
Judges , Secretaries & Legal Support	\$11,874,329	22.0%
Court Reporters	\$2,664,926	4.9%
Clerk's Office Operations - Personnel	\$9,291,840	17.2%
Administrative Staff - Personnel	\$1,268,160	2.3%
Special Units - Courts - Personnel		
Supreme Court	\$838,006	1.6%
Superior Court	\$753,514	1.4%
Family Court	\$3,182,920	5.9%
District Court	\$0	0.0%
Workers Compensation Court	\$248,187	0.5%
Administrative Adjudication Court	\$1,893,752	3.5%
	<hr/> \$6,916,379	12.8%
Central Services		
Office of Court Administration	\$1,400,714	2.6%
Computer	\$856,089	1.6%
Library	\$818,145	1.5%
Records Center	\$487,322	0.9%
Juries	\$1,201,012	2.2%
Defense of Indigents	\$925,000	1.7%
Central Registry, Bail Information & Warrant Squad	\$767,489	1.4%
	<hr/> \$6,455,771	11.9%
Selected Operating Costs & Equipment Purchases	\$1,572,254	2.9%
Other Personnel Costs	\$1,130,158	2.1%
Grants	\$600,000	1.1%
Debt Service, Rent	\$4,713,902	8.7%
Acquisition of Computers Systems		
CJIS	\$3,549,538	6.6%
Administrative Adjudication Court	\$2,500,000	4.6%
Civil Information System	\$490,000	0.9%
	<hr/> \$6,539,538	12.1%
Other	\$1,009,639	1.9%
<b>Budget as Enacted</b>	<hr/> <b>\$54,036,896</b>	<b>100.0%</b>

## Total FY1994 Court Budget By Function

DOLLARS IN MILLIONS -- TOTAL BUDGET \$54.0 M





#### D. Functional Analysis by Court

*Supreme Court*--Table 5 and Chart B show how the funds available to the Supreme Court are allocated by function. The total adjusted budget for the Supreme Court is \$14.8 million. Of this total, 20.7% is for personnel costs associated with judges salaries and benefits, appellate case processing and bar supervisory activities. Operating costs and equipment purchases (some of which may be for the trial courts) account for 5.4% of the budget.

Thirty and two tenths percent (30.2%) is allocated for the Administrative Office of the Courts and central services, and 25.5% for CJJIS and ACIS (the Automated Civil Information System). Criminal justice programs account for 11.7% of the total Supreme Court budget. Finally, 6.5% of the Supreme Court's budget is allocated for debt service.

If debt service is included as a cost of operating the Supreme Court (and some is properly allocable to central services and the Administrative Office of the Courts), only about one third of the Supreme Court's budget is attributable to the operation of the Supreme Court.

Chart B

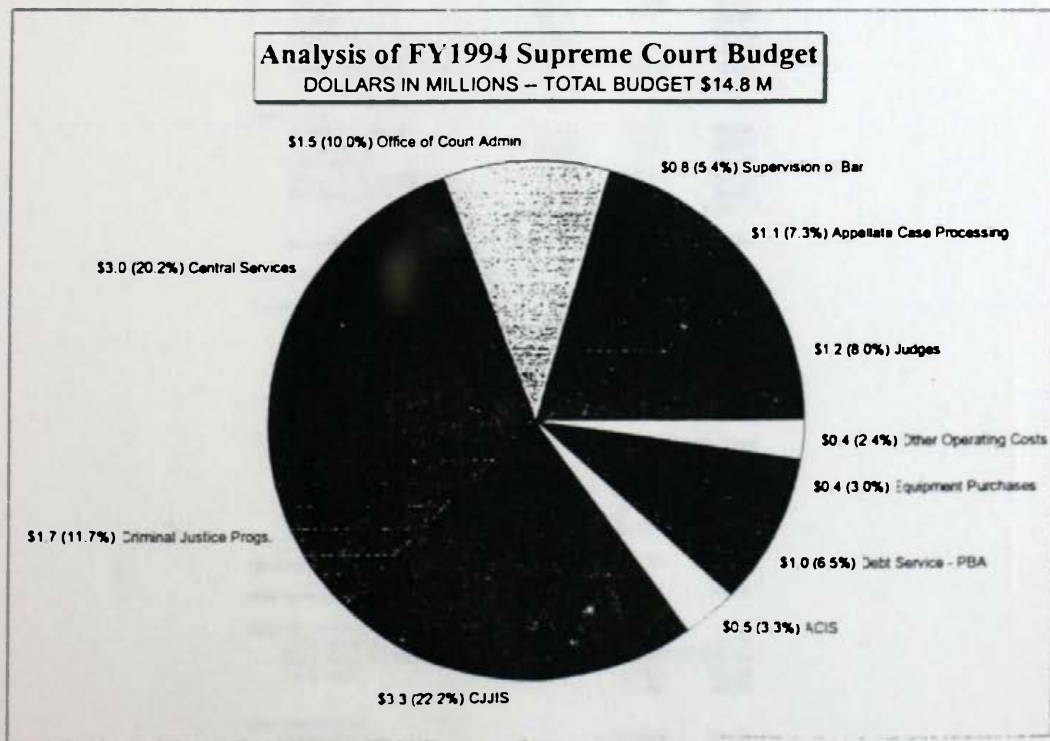


Table 5

## Supreme Court

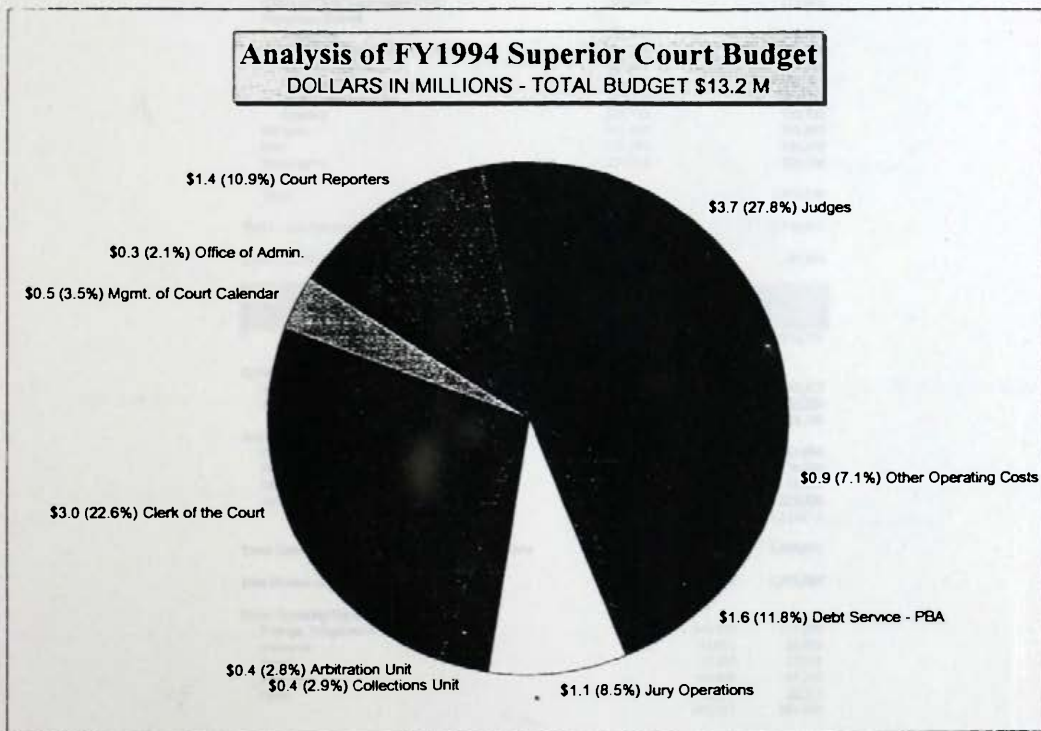
ADJUSTED FY 1994 BUDGET - COST CENTER ANALYSIS

	Salaries & Benefits	Other	Total
<b>Judges</b>			
Judges	\$547,718	\$3,625	\$551,343
Vacancy - Associa Justice	130,494		130,494
Judicial Secretaries	276,350		276,350
Salary of Retiree Judges (5)	Q	231,621	231,621
	954,562	235,246	1,189,808
<b>Appellate Case Processing</b>			
Law Clerks	393,757		393,757
Clerk's Office	269,313		269,313
Administrative Assistant	177,906		177,906
Appellate Screening Unit	236,448		236,448
	1,077,424		1,077,424
<b>Supervision of Bar</b>			
CLE	105,945		105,945
Disciplinary Counsel	640,580	160,412	800,992
Judicial Education & Judicial Council	1,014	32,000	33,014
<b>Total - Appellate &amp; Supervision of the Bar</b>			3,101,238
<b>Office of Court Administration</b>			
Administrator's Office	318,488		318,488
Finance	181,247		181,247
Legal	127,607		127,607
Personnel	232,747	17,500	250,247
Programs	236,207		236,207
Public Affairs	126,670		126,670
Facilities Management	188,087		188,087
National Center for State Courts	Q	49,000	49,000
	1,411,053	66,500	1,477,553
<b>Central Services</b>			
R. Judicial Systems & Sciences	602,818	253,271	856,089
Law Library	333,722	484,423	818,145
Law Clerk Pool	611,190	0	611,190
Records Center & Management	233,707	253,615	487,322
Bail Information Unit	229,883	Q	229,883
	2,011,320	991,309	3,002,629
<b>Civil Information System</b>		490,000	490,000
<b>Total - Central Services &amp; OCA</b>			4,970,182
<b>Criminal Justice Programs</b>			
Witness Squad	205,453	154,547	360,000
Victims Assistance Programs	0	150,000	150,000
Defense of Indigents	0	925,000	925,000
Witness Fees	0	122,950	122,950
Central Registry	177,606	Q	177,606
	383,059	1,352,497	1,735,556
<b>Criminal Justice Information System</b>			
Personnel	254,627	0	254,627
Office Equipment Purchase	0	90,000	90,000
Other	0	30,284	30,284
	254,627	120,284	374,911
<b>System Acquisition Purchase</b>		2,900,000	2,900,000
<b>Debt Service - PBA</b>		959,000	959,000
<b>Other Operating Expenses</b>		359,342	359,342
<b>Equipment Purchases</b>			
Office Equipment		91,577	91,577
Master Lease - Restricted Receipt		156,119	156,119
Master Lease		200,000	200,000
		447,696	447,696
<b>Other Personnel Costs</b>			
Purchased Services		148,214	148,214
Other Personnel Costs		161,929	161,929
Personnel Adjustment	(159,589)	0	(159,589)
	(159,589)	310,143	(49,446)
<b>Total</b>	\$6,374,050	\$8,444,419	\$14,818,479
<b>Total Reported Budget Amount</b>	\$994,715	\$3,511,362	\$4,506,077

*Superior Court*  
*Analysis of FY1994 Superior Court Budget*

*Superior Court*—Table 6 and Chart C break down the allocation of funds within the Superior Court by major functions. Salaries and benefits paid judges account for 27.8% of Superior Court budget, operations of the clerks of the court for 22.6%, court reporters for 10.9% and management of the court calendar for 3.5%. Therefore, 64.8% of the Superior Court budget is primarily personnel costs for employees involved in the adjudicative responsibilities of the Superior Court. Jury operations account for 8.5% and debt service for 11.8% respectively of the Superior Court's budget.

**Chart C**



# Superior Court

Adjusted FY 1994 Budget - Cost Center Analysis

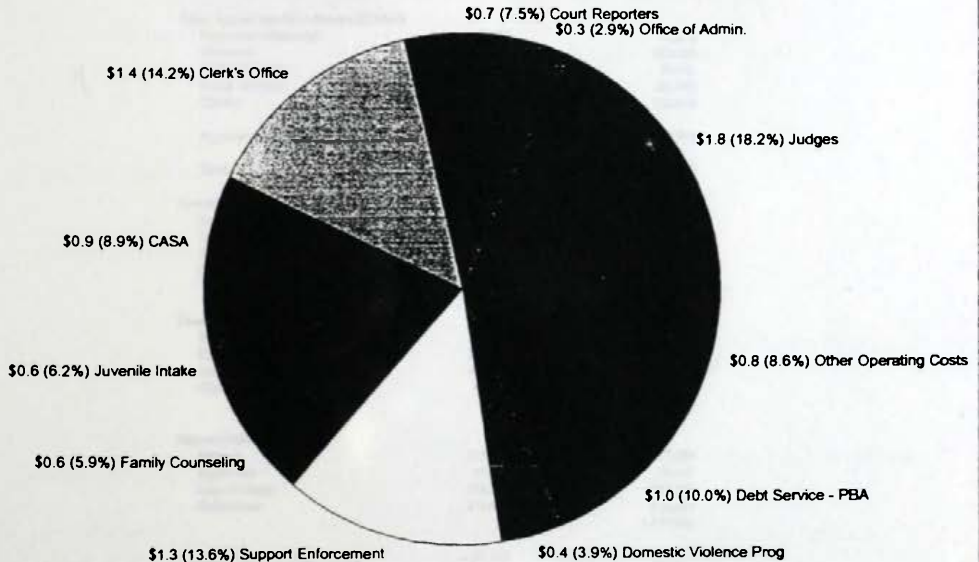
	Salaries & Benefits	Other	Total
<b>Judges</b>			
Judges	\$2,373,380	\$19,575	\$2,392,955
Vacancies - Associate Justices (2)	221,060		221,060
Judicial Secretaries	242,285		242,285
Salary of Retired Judges	0	808,867	808,867
	2,836,725	828,442	3,665,167
<b>Court Reporters</b>	1,437,056		1,437,056
<b>Total - Judges &amp; Court Reporters</b>	<b>4,273,781</b>		<b>5,102,223</b>
<b>Office of the Administrator</b>	274,459		274,459
<b>Management of the Court Calendar</b>			
Supervisor	63,875		63,875
Providence/Bristol	264,215		264,215
Other Counties	134,016		134,016
	462,106		462,106
<b>Clerk of the Court</b>			
Office of Chief Supervisory Clerk	152,077		152,077
Providence/Bristol			
Supervisor	318,946		318,946
Central Services (Includes Vult)	165,516		165,516
Courtroom Clerks	649,631		649,631
Criminal Case Processing	204,711		204,711
Civil Case Processing	403,032		403,032
Registry	162,722		162,722
Newport	341,905		341,905
Kent	356,500		356,500
Washington	224,336		224,336
<b>Total</b>	<b>2,979,376</b>		<b>2,979,376</b>
<b>Total - Administration, Calendar &amp; Clerk</b>	<b>3,715,941</b>		<b>3,715,941</b>
<b>Grand Jury Reporters</b>	64,434		64,434
<b>Arbitration Unit *</b>			
Payments of Arbitrators	99,734	25,000	374,734
Staff & Operations			
<b>Collections Unit</b>			
Master	118,427		118,427
Staff	260,353		260,353
	378,780		378,780
<b>Jury Operations</b>			
Commissioner's Office	418,886		418,886
Postage, Printing & Data Processing		36,000	36,000
Other Operating		11,527	11,527
Juries	0	659,500	659,500
	418,886	659,500	1,125,913
<b>Total Grand Jury, Arbitration, Collections &amp; Jury</b>	<b>961,834</b>		<b>1,565,081</b>
<b>Debt Service - PBA</b>		1,552,857	1,552,857
<b>Other Operating Expenses</b>			
Postage Telephone & Centrex		111,473	111,473
Insurance		55,075	55,075
Travel		17,828	17,828
Printing		44,500	44,500
Other		32,311	32,311
		261,187	261,187
<b>Other Personnel Costs</b>			
Purchase Services		67,500	67,500
Other Personnel Expenses		166,247	166,247
		233,747	233,747
<b>Equipment Purchases</b>			
Office Equipment		5,000	5,000
<b>Personnel Adjustment</b>	380,564		380,564
<b>Total</b>	<b>\$9,332,120</b>	<b>\$3,863,260</b>	<b>\$13,195,380</b>
<b>Total Restricted Receipt Account</b>	<b>380,564</b>	<b>\$275,000</b>	<b>\$374,734</b>



*Family Court* - As shown on Table 7 and Chart D, the adjusted budget of the Family Court in fiscal year 1994 was \$9.8 million. Of this amount, 42.5% or \$4.2 million was to support direct judicial functions, including judges' salaries, clerk's offices, etc. and \$3.8 million or 38.8% for service units such as CASA, Juvenile Intake and Family Counseling

**Chart D**

**Analysis of FY1994 Family Court Budget**  
DOLLARS IN MILLIONS - TOTAL BUDGET \$9.8 M



# Family Court

## ADJUSTED FY 1994 BUDGET - COST CENTER ANALYSIS

	Salaries & Benefits	Other	Total
<b>Judges</b>			
Judges	1,135,015	11,600	1,146,615
Associate Justice - 1 Vacancy	104,807		104,807
Judicial Secretaries	163,204		163,204
Salary of Retired Judges		373,754	373,754
			1,788,380
<b>Office of the Administrator</b>	281,019		281,019
<b>Court Reporters</b>	740,604		740,604
<b>Clerk's Office</b>			
Supervisor & Support	79,420		79,420
Providence			
Domestic Relations	494,015		494,015
Juvenile	563,318		563,318
Newport	83,729		83,729
Kent	165,132		165,132
Washington	83,331		83,331
			1,389,525
<b>Total - Judicial Function</b>			4,199,528
<b>Court Appointee Special Advocate (CASA)</b>			
Supervisor (Attorney)	63,634		63,634
Attorneys	412,299		412,299
CASA Program	35,401		35,401
Social Workers	151,983		151,983
Clerical	132,045		132,045
<b>Appointed Counsel</b>		83,044	83,044
<b>Total</b>			878,406
<b>Juvenile Intake</b>			
Supervisor	63,719		63,719
Intake	268,100		268,100
Divisionary Workers	125,045		125,045
Clerical	151,122		151,122
			607,986
<b>Family Counseling</b>			
Supervisor	45,853		45,853
Counseling	229,409		229,409
Investigators	204,540		204,540
Clerical	95,826		95,826
			575,628
<b>Support Enforcement</b>			
Masters	217,680		217,680
Supervisor	95,247		95,247
Legal Process	653,273		653,273
Collections	371,402		371,402
			1,337,602
<b>Domestic Violence Programming</b>	51,165	335,000	386,165
<b>Assist for Victims of Juvenile Crime</b>		50,000	50,000
<b>Total - Specialized Functions</b>			3,835,787
<b>Debt Service - PBA</b>		985,420	985,420
<b>Other Operating Expenses</b>		257,513	257,513
<b>Equipment Purchases</b>			
Education/Recording		22,260	22,260
Office Equipment		7,000	7,000
			29,260
<b>Other Personnel Costs</b>			
Purchased Services		44,000	44,000
Other Personnel		190,152	190,152
Personnel Adjustment	197,608		197,608
<b>Total</b>	7,458,945	2,359,743	9,818,688

*District Court*--Table 8 and Chart E present a functional analysis of the District Court budget. Compensation for existing and retired judges account for 38.4% of this court's \$5.1 million budget, the clerk's office for the 6th district for 25.6%, and PBA - Debt Service for 9.8%. Together these items equal almost 75% of the District Court's budget.

Chart E

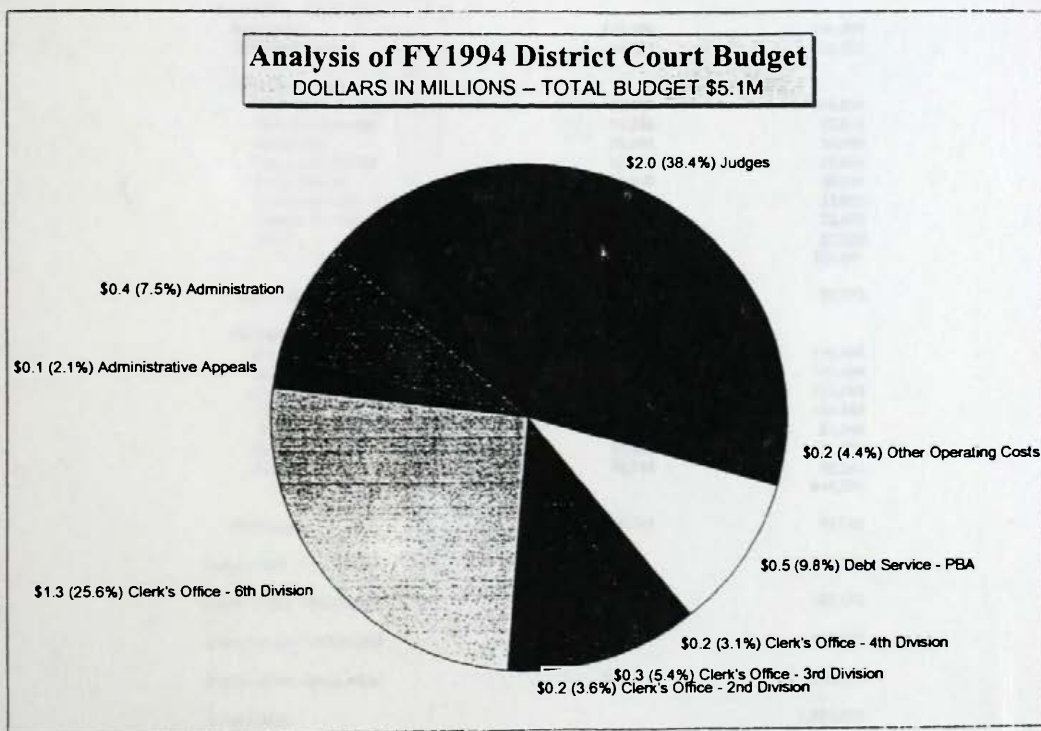


Table 8  
**District Court**  
Adjusted FY 1994 Budget - Cost Center Analysis

	Salaries & Benefits	Other	Total
<b>Judges</b>			
Judges	\$1,283,249	\$12,325	\$1,295,574
Associate Justice - 1 Vacancy	108,962		108,962
Judicial Secretaries	50,477		50,477
Salary of Retired Judges		514,307	514,307
			1,969,320
<b>Administration</b>	386,050		386,050
<b>Administrative Appeals - Processing</b>	107,207		107,207
<b>Clerk's Office - 6th Division</b>			
Supervisors	146,000		146,000
Telephone Operator	24,222		24,222
<b>Civil Case Processing</b>			
Supervisors	98,819		98,819
Default Judgements	27,326		27,326
Executions	30,986		30,986
Opening Civil Files	23,841		23,841
Civil Calendar	30,949		30,949
Courtroom Clerk	27,969		27,969
Clerical Translator	28,673		28,673
Other	57,298		57,298
			325,861
<b>Small Claims Processing</b>	99,562		99,562
<b>Criminal Case Processing</b>			
Electronic Court Reporters	106,933		106,933
Courtroom Clerks	149,604		149,604
Fines & Cost Processing	113,644		113,644
Data Entry	154,283		154,283
Warrants (Failure to Appear)	31,546		31,546
Traffic Violations - Processing Summons	31,433		31,433
Other	56,743		56,743
			644,186
<b>Bookkeeping</b>	72,743		72,743
<b>Total - Clerk - 6th Division</b>			1,312,574
<b>Clerk's Office - 2nd Division</b>	185,430		185,430
<b>Clerk's Office - 3rd Division</b>	275,307		275,307
<b>Clerk's Office - 4th Division</b>	160,614		160,614
<b>Total Clerks</b>			1,933,925
<b>Debt Service - PBA</b>		503,060	503,060
<b>State Matching Funds for Federal Anti-Drug Money</b>		133,340	133,340
<b>Other Operating Expenses</b>		186,408	186,408
<b>Other Personnel Expenses</b>			
Purchased Services		36,000	36,000
Other		72,920	72,920
Personnel Adjustment	(228,322)		(228,322)
<b>Equipment Purchases</b>			
Education/Recording		20,140	20,140
Office Equipment		5,000	5,000
<b>Total</b>	<b>\$3,641,548</b>	<b>\$1,483,500</b>	<b>\$5,125,048</b>



*Workers' Compensation Court (WCC)*--Table 9 and Chart F show how funds are expended by the Workers' Compensation Court. As indicated, judicial salaries make up 35.5% of this budget and stenographic, administrative, and clerk activities another 35.7%.

Chart F

**Analysis of FY'94 Workers Compensation Court Budget**

DOLLARS IN MILLIONS -- TOTAL BUDGET \$3.8 M

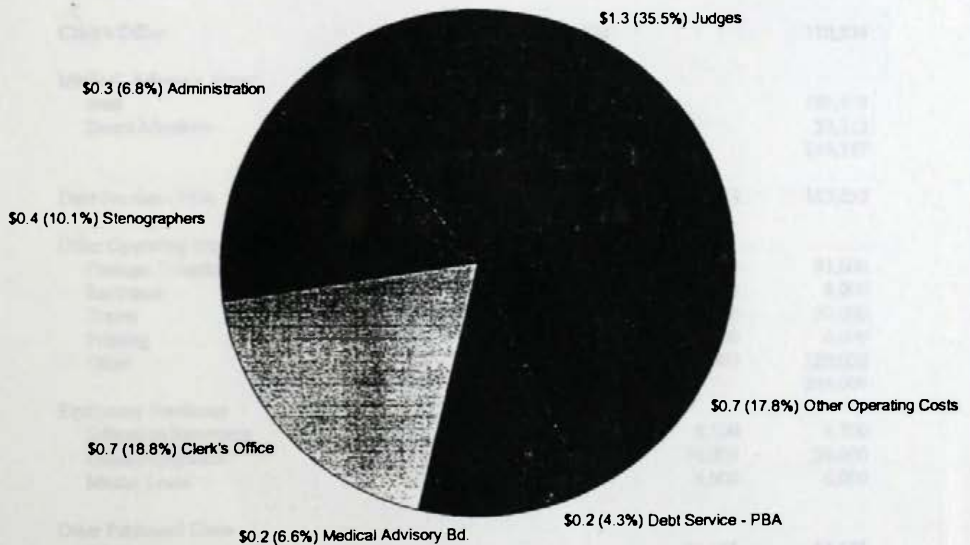


Table 9

# **Workers Compensation Court** **FY1994 BUDGET - COST CENTER ANALYSIS**

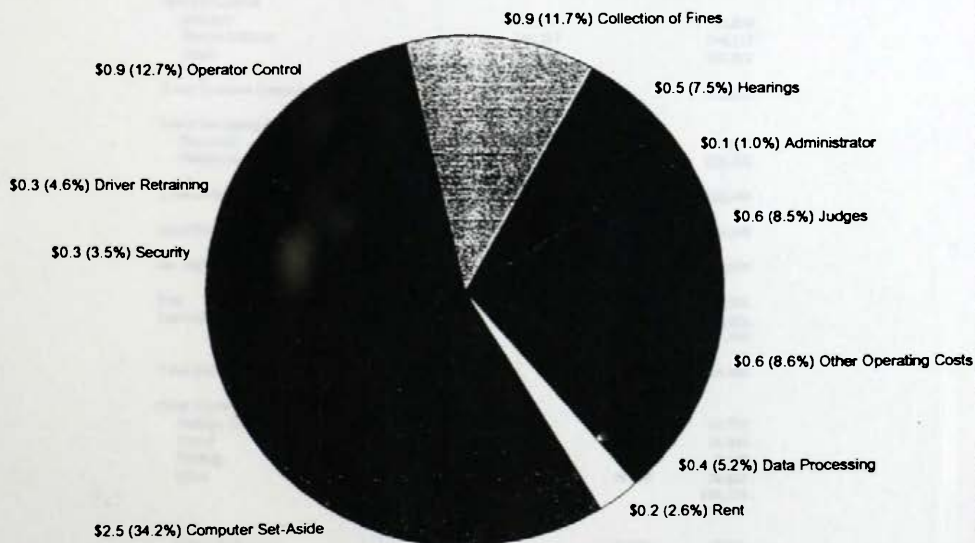
	Salaries & Benefits	Other	Total
Judges			
Judges	\$1,034,001		\$1,034,001
Judicial Secretaries	137,344		137,344
Salary of Retired Judges		169,381	169,381
			1,340,726
Administration	255,662		255,662
Stenographers	380,333		380,333
Clerk's Office	710,534		710,534
Medical Advisory Board			
Staff	188,974		188,974
Board Members	59,213		59,213
			248,187
Debt Service - PBA		163,855	163,855
Other Operating Expenses			
Postage, Telephone & Centrex		81,000	81,000
Insurance		8,000	8,000
Travel		20,000	20,000
Printing		6,000	6,000
Other		129,000	129,000
			244,000
Equipment Purchases			
Education/Recording		4,500	4,500
Office Equipment		30,000	30,000
Master Lease		6,000	6,000
Other Personnel Costs			
Other		54,655	54,655
Personnel Adjustment	333,623		333,623
<b>Total</b>	<b>\$3,099,684</b>	<b>\$672,391</b>	<b>\$3,772,075</b>

*Administrative Adjudication Court (AAC)*--Table 10 and Chart G are an analysis of the Administrative Adjudication Court budget. The way this court is required to allocate its resources differs markedly from the other courts that make up Rhode Island's judicial system.

The adjusted budget for the Administrative Adjudication Court is \$7.3 million. Of the total, however, \$2.5 million (34.2% of resources) are funds in a restricted receipt account set aside for acquisition of a computer system for the court. Furthermore, the non-judicial functions of operator control and driver retraining make up 17.3% of the AAC budget. The court also has certain expenses not found in other courts. Rent for the Harris Avenue facility is approximately \$.2 million. Unlike other courts, AAC uses the state's central computer facility, for which it is "charged" almost \$.4 million annually.

**Chart G**

**Analysis of FY'94 Administrative Adjudication Court Budget**  
DOLLARS IN MILLIONS – TOTAL BUDGET \$7.3 M



## Administrative Adjudication Court

FY 1994 - Adjusted FY 1994 Budget - Adjusted Cost Center Analysis

	Salaries & Benefits	Other	Total
Judges			
Judges	\$582,273	\$4,350	\$586,623
Salary of Retired Judges		34,740	34,740
			621,363
Administration	69,888		69,888
Hearings			
Supervisor	28,962		28,962
Calendar	56,684		56,684
Breathalyzer Refusal Clerks	84,761		84,761
Out of State Violations	29,874		29,874
Counter, Phones Rescheduling	81,497		81,497
Road Clerks	146,315		146,315
Other	118,074		118,074
			546,167
Appeals	57,215		57,215
Collection of Fines			
Manager & Secretary	67,444		67,444
Fiscal Clerks	60,759		60,759
Mail and Counter	326,837		326,837
Tellers	199,661		199,661
Delinquents Fines - Collection	160,139		160,139
Municipal Compact	40,656		40,656
			855,496
Total - Adjudication			2,158,129
Operator Control			
Manager	62,070		62,070
Review Officers	340,217		340,217
Other	522,342		522,342
Total Operator Control			924,629
Driver Retraining & Community Service			
Personnel	108,309		108,309
Reimburse Schools for DWI classes		225,000	225,000
Total Driver Retraining			333,309
Court Security Officers	259,340		259,340
Set Aside for Development of Computer System		2,500,000	2,500,000
Rent		193,591	193,591
Payments to State for Data Processing		376,474	376,474
			570,065
Total Security, Rent, Data Proc & Computer Set Aside			3,329,485
Other Operating Expenses			
Postage, Telephone & Context		80,718	80,718
Travel		18,341	18,341
Printing		9,100	9,100
Other		56,059	56,059
			164,218
Other Equipment Purchases			
Office Equipment		47,000	47,000
Other Personnel			
Purchased Services		59,550	59,550
Other Personnel		32,001	32,001
Personnel Adjustment	266,982		266,982
Total	\$3,670,299	\$3,636,924	\$7,307,223
DWI Adjustment - Personnel Adjustment	(\$329,464)		(\$329,464)
Total After DWI Adjustments	\$3,340,835	\$3,636,924	\$6,977,759



Salaries and benefits for staff of the Operator Control Division of AAC, which is the keeper of all motor vehicle operator records and, as agent for the Registrar of Motor Vehicles, suspends and reinstates drivers licenses, totals nearly \$1 million. Salaries and benefits for the staff of the driver retraining unit, which arranges driver retraining classes at Rhode Island Community College, totals \$.3 million. The budget for this unit also includes \$.2 million for payments to the community college for the classes. The latter is paid out of a restricted receipt account.

## APPENDIX

# APPENDIX

Table A1: Methods of Selection and Terms of State Trial Court Judges

Judicial Court	County	Method of Selection	Term Length	Method of Removal
<b>Appendix A</b>				
The table which follows is a copy of the <u>working draft</u> of a table to be included in a report to be published by the National Center for State Courts, entitled "State Court Organization, 1993."				
Probate Court	1	Electoral	6 years	Recall
Superior Court	2	Electoral	6 years	Recall
County Court	3	Electoral	6 years	Recall
County Court	4	Electoral	6 years	Recall
County Court	5	Electoral	6 years	Recall
County Court	6	Electoral	6 years	Recall
County Court	7	Electoral	6 years	Recall
County Court	8	Electoral	6 years	Recall
County Court	9	Electoral	6 years	Recall
County Court	10	Electoral	6 years	Recall
County Court	11	Electoral	6 years	Recall
County Court	12	Electoral	6 years	Recall
County Court	13	Electoral	6 years	Recall
County Court	14	Electoral	6 years	Recall
County Court	15	Electoral	6 years	Recall
County Court	16	Electoral	6 years	Recall
County Court	17	Electoral	6 years	Recall
County Court	18	Electoral	6 years	Recall
County Court	19	Electoral	6 years	Recall
County Court	20	Electoral	6 years	Recall
County Court	21	Electoral	6 years	Recall
County Court	22	Electoral	6 years	Recall
County Court	23	Electoral	6 years	Recall
County Court	24	Electoral	6 years	Recall
County Court	25	Electoral	6 years	Recall
County Court	26	Electoral	6 years	Recall
County Court	27	Electoral	6 years	Recall
County Court	28	Electoral	6 years	Recall
County Court	29	Electoral	6 years	Recall
County Court	30	Electoral	6 years	Recall
County Court	31	Electoral	6 years	Recall
County Court	32	Electoral	6 years	Recall
County Court	33	Electoral	6 years	Recall
County Court	34	Electoral	6 years	Recall
County Court	35	Electoral	6 years	Recall
County Court	36	Electoral	6 years	Recall
County Court	37	Electoral	6 years	Recall
County Court	38	Electoral	6 years	Recall
County Court	39	Electoral	6 years	Recall
County Court	40	Electoral	6 years	Recall
County Court	41	Electoral	6 years	Recall
County Court	42	Electoral	6 years	Recall
County Court	43	Electoral	6 years	Recall
County Court	44	Electoral	6 years	Recall
County Court	45	Electoral	6 years	Recall
County Court	46	Electoral	6 years	Recall
County Court	47	Electoral	6 years	Recall
County Court	48	Electoral	6 years	Recall
County Court	49	Electoral	6 years	Recall
County Court	50	Electoral	6 years	Recall
County Court	51	Electoral	6 years	Recall
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County Court	58	Electoral	6 years	Recall
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County Court	67	Electoral	6 years	Recall
County Court	68	Electoral	6 years	Recall
County Court	69	Electoral	6 years	Recall
County Court	70	Electoral	6 years	Recall
County Court	71	Electoral	6 years	Recall
County Court	72	Electoral	6 years	Recall
County Court	73	Electoral	6 years	Recall
County Court	74	Electoral	6 years	Recall
County Court	75	Electoral	6 years	Recall
County Court	76	Electoral	6 years	Recall
County Court	77	Electoral	6 years	Recall
County Court	78	Electoral	6 years	Recall
County Court	79	Electoral	6 years	Recall
County Court	80	Electoral	6 years	Recall
County Court	81	Electoral	6 years	Recall
County Court	82	Electoral	6 years	Recall
County Court	83	Electoral	6 years	Recall
County Court	84	Electoral	6 years	Recall
County Court	85	Electoral	6 years	Recall
County Court	86	Electoral	6 years	Recall
County Court	87	Electoral	6 years	Recall
County Court	88	Electoral	6 years	Recall
County Court	89	Electoral	6 years	Recall
County Court	90	Electoral	6 years	Recall
County Court	91	Electoral	6 years	Recall
County Court	92	Electoral	6 years	Recall
County Court	93	Electoral	6 years	Recall
County Court	94	Electoral	6 years	Recall
County Court	95	Electoral	6 years	Recall
County Court	96	Electoral	6 years	Recall
County Court	97	Electoral	6 years	Recall
County Court	98	Electoral	6 years	Recall
County Court	99	Electoral	6 years	Recall
County Court	100	Electoral	6 years	Recall

**Table 32: Methods of Selection and Terms of State Trial Court Judges**

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
<b>Alabama</b>				
Circuit Court	G	Gubernatorial appointment(a)	Partisan election	Partisan election
District Court	L	Gubernatorial appointment(b)	Partisan election	Partisan election
Municipal Court	L	Governing municipal body appointment	Governing municipal body appointment	Reappointment
Probate Court	L	Gubernatorial appointment	Partisan elect	Partisan election
<b>Alaska</b>				
Superior Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission(a)	Retention election
District Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission(b)	Retention election
Magistrates	L	Same as full term	Presiding judge appoints in each judicial district	Same as full term
<b>Arizona</b>				
Superior Court	G	Same as full term	Gubernatorial appointment(a)	(b)
Justice of the Peace	L	County board appointment	Partisan	Partisan election
Municipal Court	L	Varies	Varies	Varies
<b>Arkansas</b>				
Circuit Court	G	Gubernatorial appointment(a)	Partisan election	Partisan election
Chancery Probate Court	G	Gubernatorial appointment(a)	Partisan election	Partisan election
Municipal Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan
County Court	L	Gubernatorial appointment	Partisan election	Partisan election
Police Court	L	City council	Nonpartisan election	Nonpartisan
Court of Common Pleas	L	Gubernatorial appointment	Partisan election	Partisan election
City Court	L	Locally determined	Locally determined	Locally determined
<b>California</b>				
Superior Court	G	Gubernatorial appointment	Nonpartisan. election(a)	Nonpartisan election(b)
Municipal	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election(b)
Justice Court	L	County board of supervisors appointment	County board or special election	Nonpartisan election
<b>Colorado</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election



Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
Circuit	6 yrs	Court selection(b)	3 yrs	Yes	Alabama Circuit Court
County	6 yrs	Presiding Circuit Judge	1 yr	Yes	District Court
Municipality	4 yrs(c)	Mayor	At pleasure	Yes	Municipal Court
County	6 yrs	~	~	Yes	Probate Court
District(c)	6 yrs	Chief Justice appointment	1 yr	Yes	Alaska Superior Court
District(d)	4 yrs	No presiding judge	~	~	District Court
District	At pleasure	No presiding judge	~	~	Magistrates
County	4 yrs	Supreme court appointment	5 yrs	Yes	Arizona Superior Court
Precinct	4 yrs	Court selection with advice and consent of county presiding judge	2 yrs	Yes	Justice of the Peace
Municipality	Varies	Court selection	Locally determined(c)	Locally determined	Municipal Court
District	4 yrs	No presiding judge	~	~	Arkansas Circuit Court
District	6 yrs	No presiding judge	~	~	Chancery Probate Court
County	4 yrs	No presiding judge	~	~	Municipal Court
County	2 yrs	No presiding judge	~	~	County Court
City	4 yrs	No presiding judge	~	~	Police Court
County	2 yrs	No presiding judge	~	~	Court of Common Pleas
City	2 yrs	No presiding judge	~	~	City Court
County	6 yrs	Court selection	1-2 yrs	Yes	California Superior Court
District	6 yrs	Court selection	Generally 1-2 yrs	Yes	Municipal
District	6 yrs	Court selection	~	~	Justice Court
County	6 yrs	Court selection	Generally 1 yr	Varies	Colorado District Court

**Table 32: Methods of Selection and Terms of State Trial Court Judges**

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Colorado (con't) Denver Probate Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Denver Juvenile Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Water Court	G			
County Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Municipal Court	L	Same as full term	Governing municipal body appointment	Reappointment
Connecticut Superior Court	G	Legislative appointment(a)	Legislative appointment(a)	Legislative appointment(a)
Probate Court	L	Partisan election	Partisan election	Partisan election
Delaware Court of Chancery	G	Same as full term	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial reappointment from judicial nominating commission w/consent of senate
Superior Court	G	Same as court of chancery	Same as court of chancery	Same as court of chancery
Justice of the Peace Court	L	Same as full term	Gubernatorial appointment from Magistrate Screening Commission w/consent of senate	Gubernatorial reappointment
Family Court	L	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial appointment from judicial nominating commission w/consent of senate	Same as superior court
Court of Common Pleas	L	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial appointment from judicial nominating commission w/consent of senate	Same as superior court
Alderman's Court	L	Varies	Town council selection	Varies
Municipal Court of Wilmington	L	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial appointment from judicial nominating commission w/consent of senate	Same as superior court

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Colorado (con't) Denver Probate Court
District	6 yrs	Supreme court, Chief Justice appointment	At pleasure	Yes	Denver Juvenile Court
County	4 yrs	District court judges appointment	At pleasure	Yes	Water Court County Court
Municipality	Varies	No presiding judge	~	~	Municipal Court
State	8 yrs	Chief court administrative appointment	At pleasure	Yes	Connecticut Superior Court
District	4 yrs	No presiding judge	~	~	Probate Court
State	12 yrs	Gubernatorial appointment	12 yrs	Yes	Delaware Court of Chancery
Resident: County; Other: State	12 yrs	Gubernatorial appointment	12 yrs	Yes	Superior Court
County	4 yrs	Gubernatorial appointment	4 yrs	Yes	Justice of the Peace Court
County (Chief Judge statewide)	12 yrs	Gubernatorial appointment	12 yrs	Yes	Family Court
County	12 yrs	Seniority	12 yrs	Yes	Court of Common Pleas
Town City	Varies 12 yrs	~ Gubernatorial appointment	~ 12 yrs	~ Yes	Alderman's Court Municipal Court of Wilmington

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
District of Columbia				
Superior Court	G	Same as full term	Pres. appointment from judicial nominating commission w consent of senate	(a)
Florida				
Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
County Court	L	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Georgia				
Superior Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Juvenile Court	L	Superior court judge appointment (a)	Superior court judge appointment (a)	Superior court judge appointment (a)
Civil Court	L	Gubernatorial appointment	Partisan election	Partisan election
State Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Magistrate Court	L	Varies	Varies	Varies
Municipal Court of Columbus	L	Unknown	Elected	Elected
County Recorder's Court	L	Varies	Varies	Varies
Municipal Courts and City Court of Atlanta	L	Appointed by municipal authority	Appointed by municipal authority	Appointed by municipal authority
Hawaii				
Circuit Court and Family Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission w consent of senate	Judicial nominating commission reappointment
District Court	L	Same as full term	Appointment by chief justice from judicial nominating commission	Judicial nominating commission reappointment
Idaho				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election



Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
District of Columbia	15 yrs	Chief judge appointment	4 yrs	Yes	District of Columbia Superior Court
Circuit	6 yrs	Circuit and county court selection	2 yrs	Yes	Florida Circuit Court
County	4 yrs	No presiding judge	-	-	County Court
Circuit	4 yrs	Court selection	Varies	Varies	Georgia Superior Court
County circuit	4 yrs	Varies	Varies	Varies	Juvenile Court
County	4 yrs	Seniority	Varies	Varies	Civil Court
County	4 yrs	Seniority	Varies	Yes	State Court
County	4 yrs	No presiding judge	-	-	Probate Court
County	4 yrs	Most are elected	4 yrs	Yes	Magistrate Court
Municipality	4 yrs	No presiding judge	-	-	Municipal Court of Columbus
County	Varies	Seniority	Seniority	Yes	County Recorder's Court
Municipality	At pleasure	Generally no presiding judge	-	-	Municipal Courts and City Court of Atlanta
Circuit	10 yrs	Chief Justice appointment	At pleasure	Yes	Hawaii Circuit Court and Family Court
Circuit	6 yrs	Chief Justice appointment	At pleasure	Yes	District Court
District	4 yrs	Majority of other District judges within the district judges or majority of Supreme Court Justices	Varies (a)	Yes	Idaho District Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Magistrates		Magistrate Commission appointment(b)	Magistrate Commission appointment b)	Retention election
Illinois Circuit Court	G		Partisan election	Retention election
Indiana Superior Court	G	Supreme court appointment(a)	Partisan election(b)	Retention election
Circuit Court	G	Supreme court appointment(a)	Partisan election(b)	Partisan election
Probate Court	G	Supreme court appointment(a)	Partisan election	Partisan election
County Court	L	Supreme court appointment(a)	Partisan election	Partisan election
City Court	L	Supreme court appointment(a)	Partisan election	Partisan election
Town Court	L	Supreme court appointment(a)	Partisan election	Partisan election
Municipal Court of Marion County	L	Supreme court appointment(a)	City commission appointment	City commission appointment
Smaller Claims Court of Marion County	L	Supreme court appointment(a)	Partisan election	Partisan election
Iowa District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
District Associate	L	Same as full term	District judge appointment(b)	Retention election
Magistrates	L	Same as full term	County judicial magistrate appointment commission appointment(b)	Reappointed by county
Kansas District Court	G	Gubernatorial appointment from judicial nominating commission in 17 districts; Gubernatorial appointment in 14 districts	Gubernatorial appointment from judicial nominating commission in 17 districts, partisan election in 14 districts	Retention election in 17 districts; partisan election in 14 districts
Municipal Court	L	Local governing body appointment(a)	Local governing body appointment(a)	Local governing body reappointment(a)
Kentucky Circuit Court	G	Nonpartisan election	Nonpartisan election	Nonpartisan election

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
District	4 yrs	No presiding judge	-	-	Magistrates
Circuit/County (a)	6 years (assoc judges 4 yrs)	Court selection	Varies	Yes	Illinois Circuit Court
County	6 yrs	Varies	Varies	Varies	Indiana Superior Court
County	6 yrs	Varies	Varies	Varies	Circuit Court
County	6 yrs	-	-	-	Probate Court
County	6 yrs	Varies	Varies	Varies	County Court
Municipality	4 yrs	Varies	Varies	Varies	City Court
Municipality	Varies	-	-	-	Town Court
Municipality	4 Years	Varies	Varies	Varies	Municipal Court of Marion County
Township	4 Years	Varies	Varies	Varies	Smaller Claims Court of Marion County
District	6 yrs	Chief Justice appointment with supreme court approval(a)	2 yrs	Yes	Iowa District Court
District	4 yrs	-	-	-	District Associate
County	2 yrs	-	-	-	Magistrates
District	4 yrs	Supreme court appointment	2 yrs	Yes	Kansas District Court
City	Varies	Local governing body appointment	At pleasure	Yes	Municipal Court
Circuit	8 yrs	Circuit Court selection(a)	Generally 2 yrs	Yes	Kentucky Circuit Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Kentucky (co. t) District Court	L	Nonpartisan election	Nonpartisan election	Nonpartisan election
Louisiana				
District Court	G	Supreme court selection(a)	Nonpartisan election	Nonpartisan election
Justice of the Peace	L	Supreme court selection(a)	Nonpartisan election	Nonpartisan election
Mayor's Court	L	(Mayor serves as judge)	(Mayor serves as judge)	(Mayor serves as judge)
City and Parish Courts	L	Supreme court selection(a)	Nonpartisan election	Nonpartisan election
Maine				
Superior Court	G	Gubernatorial appointment w/consent of senate	Gubernatorial appointment w/consent of senate	Gubernatorial reappointment w/consent of senate
District Court	L	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Administrative Court	L	Gubernatorial appointment	Gubernatorial appointment	Gubernatorial reappointment
Maryland				
Circuit Court	G	Same as full term.	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial reappointment w/consent of senate
District Court	L	Same as full term.	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial reappointment w/consent of senate
Orphan's Court	L	Gubernatorial appointment	Partisan election	Partisan election
Massachusetts				
Trial Court of the Commonwealth	G	Same as full term	Gubernatorial appointment from judicial nominating commission approved by Governor's Council	Same as full term
Michigan				
Circuit Court (includes Court of Claims)	G	Gubernatorial appointment	Non-partisan election	Non-partisan election
Recorder's Court of Detroit	G	Gubernatorial appointment		
District Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election



Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
District	4 yrs	District Court selection(a)	Generally 2 yrs	Yes	Kentucky (con't) District Court
District	6 yrs	Varies	Varies	Varies	Louisiana District Court
Wards	6 yrs	No presiding judge	~	~	Justice of the Peace
City	4 yrs	No presiding judge	~	~	Mayor's Court
City or parish	6 yrs	Varies	Varies	Varies	City and Parish Courts
Statewide	7 yrs	Supreme Court, Chief Justice appointment	At pleasure of Chief Justice	Yes	Maine Superior Court
State & District(a)	7 yrs	Supreme Court, Chief Justice appointment	At pleasure of Chief Justice	Yes	District Court
County	7 yrs	~	~	~	Probate Court
State	7 yrs	Gubernatorial appointment w/consent of senate	7 yrs	~	Administrative Court
District	15 yrs	Chief Judge appointment by supreme court judge	At pleasure	~	Maryland Circuit Court
District	10 yrs	Chief Judge appointment by supreme court Chief Justice(a)	Remainder of term	~	District Court
County	4 yrs	Unknown	Unknown	Unknown	Orphan's Court
State	Age 70	Appointed by Supreme Judicial Court	5 yrs *	Yes	Massachusetts Trial Court of the Commonwealth
District	6 yrs	Court selection	2 yrs	Yes	Michigan Circuit Court (includes Court of Claims)
City	6 yrs	Court selection	2 yrs	Yes	Recorder's Court of Detroit
District	6 yrs	Court selection	2 yrs	Yes	District Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Michigan (con't) Probate Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Minnesota District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Mississippi Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Chancery Court	G	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
County Court	L	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Family Court	L	Gubernatorial appointment from judicial nominating commission	Partisan election	Partisan election
Municipal Court	L	Locally determined	Locally determined	Locally determined
Justice Court	L	Locally determined	Partisan election	Partisan election
Mayor's Court	L	Locally determined	Partisan election	Partisan election
Missouri Circuit Court	G	Gubernatorial appointment in partisan circuits (40). Gubernatorial appointment from judicial nominating commission in nonpartisan circuits (5).	Gubernatorial appointment from judicial nominating commission in counties with nonpartisan election (5 metropolitan circuits). Partisan election in 40 circuits.	Retention election for 5 metropolitan circuits, partisan election in 40 circuits
Associate Circuit Court		Gubernatorial appointment in partisan circuits (40). Gubernatorial appointment from judicial nominating commission in nonpartisan circuits (5).	Gubernatorial appointment from judicial nominating commission in counties with nonpartisan election (5 metropolitan circuits). Partisan election in 40 circuits.	Retention election for 5 metropolitan circuits, partisan election in 40 circuits
Municipal Court	L	Locally determined	Locally determined	Locally determined
Montana District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judge Succeed Themselves?	State/Court
District	6 yrs	Court selection	2 yrs	Yes	Michigan (con't) Probate Court
District	4 yrs	Court selection	2 yrs	Yes	Municipal Court
District	6 yrs	Court selection	2 yrs	Yes	Minnesota District Court
District	4 yrs	Seniority	Duration of service	-	Mississippi Circuit Court
District	4 yrs	Seniority	Duration of service	-	Chancery Court
County	4 yrs	No presiding judge	-	-	County Court
County	4 yrs	No presiding judge	-	-	Family Court
Municipality	Locally determined	No presiding judge	-	-	Municipal Court
District in county	4 yrs	No presiding judge	-	-	Justice Court
City	4 yrs	No presiding judge	-	-	Mayor's Court
Circuit	6 yrs	Court selection	2 yrs	Yes	Missouri Circuit Court
County	4 yrs	No presiding judge	-	-	Associate Circuit Court
City	Varies	No presiding judge	-	-	Municipal Court
District	6 yrs	Varies	Varies	Varies	Montana District Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Workers' Comp Court	G	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission
Water Court	G	Chief Justice appointment from judicial nominating commission	Chief Justice appointment from judicial nominating commission	Chief Justice reappointment from judicial nominating commission
Justice of the Peace Court	L	County commission appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Local governing body appointment	Nonpartisan election	Nonpartisan election
City Court	L	City commission appointment	Nonpartisan election	Nonpartisan election
<b>Nebraska</b>				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Separate Juvenile Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
Worker's Compensation	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
County Court	L	Same as full term	Gubernatorial appointment from judicial nominating commission	Retention election
<b>Nevada</b>				
District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Justice Court	L	County commission appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	City council appointment	Nonpartisan election or appointment	Nonpartisan election
<b>New Hampshire</b>				
Superior Court	G	Same as full term	Gubernatorial appointment subject to approval by executive council	~
District Court	L	Same as full term	Gubernatorial appointment subject to approval by executive council	-



Table 32: Methods of Selection and Terms of State Trial Court Judges

ographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
State	6 yrs	No presiding judge	~	~	Workers' Comp Court
State	4 yrs	Chief Justice appointment from judicial nominating commission	4 yrs	Yes	Water Court
County	4 yrs	No presiding judge	~	~	Justice of the Peace Court
City	4 yrs	No presiding judge	~	~	Municipal Court
City	4 yrs	No presiding judge	~	~	City Court
District	6 yrs (a)	Court selection	1 yr	Yes	Nebraska District Court
District	6 yrs (a)	Court selection	1 yr	Yes	Separate Juvenile Court
District	6 yrs (a)	Court selection	1 yr	Yes	Worker's Compensation
District	6 yrs (a)	Court selection	1 yr	Yes	County Court
District	6 yrs	Varies	Varies	Varies	Nevada District Court
Township	6 yrs	Varies	Varies	Yes	Justice Court
City	Varies	Varies	Varies	Yes	Municipal Court
State	Until age 70	Gubernatorial appointment subject to approval by executive council	Age 70	~	New Hampshire Superior Court
District	Until age 70	Gubernatorial appointment subject to approval by executive council	Age 70	~	District Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Municipal Court	L	Same as full term	Gubernatorial appointment subject to approval by executive council	-
Probate Court	L	Same as full term	Gubernatorial appointment subject to approval by executive council	-
New Jersey Superior Court	G	Same as full term	Gubernatorial appointment w/consent of senate	Gubernatorial appointment w/consent of senate
Tax Court	L	Same as full term	Gubernatorial appointment w/consent of senate	Gubernatorial reappointment w/consent of senate
Municipal Court	L	Same as full term	Appointment by mayor or governing body of municipality (a)	Reappointment by mayor or governing body of municipality (b)
New Mexico District Court	G	Gubernatorial appointment(a)	Partisan election	Nonpartisan retention election
Magistrate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Bernalillo County	L	Gubernatorial appointment(a)	Partisan election	Nonpartisan retention election
Municipal Court	L	Appointment by governing body	Partisan election	Partisan election
Probate Court	L	County commission appointment	Partisan election	Partisan election
New York Supreme Court	G	Gubernatorial appointment w/consent of senate	Partisan election	Partisan election
County Court	G	Gubernatorial appointment w/consent of senate	Partisan election	Partisan election
District Court	L	Gubernatorial appointment(a)	Partisan election	Partisan election
City Court	L	Varies--most elected	Varies--most elected	Locally determined
Criminal Court of NYC	L	Mayoral appointment	Mayoral appointment	Mayoral appointment
Civil court of NYC	L	Mayoral appointment	Mayoral appointment	
Town and Village Court of Claims	L	Mayoral appointment	Partisan election	Partisan election
	L	Gubernatorial appointment w/consent of senate	Gubernatorial appointment from judicial nominating commission w/consent of senate	Gubernatorial reappointment

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
District/Municipality	Until age 70	~	Age 70	~	Municipal Court
County	Until age 709	~	Age 70	~	Probate Court
Municipality/Multi-municipality	7(c)	Governing body (b)	3 yrs	Yes	New Jersey Superior Court
State	7(c)	Chief Justice appointment	At pleasure	~	Tax Court
State	7(c)	No presiding judge	~	~	Municipal Court
District	6 yrs	Election by district judges	3 yrs	Yes	New Mexico District Court
County	4 yrs	Director of AOC appointment	Varies	Yes	Magistrate Court
County	4 yrs	Election by metropolitan judges	3 yrs	Yes	Bernalillo County
City	4 yrs	No presiding judge	~	~	Municipal Court
County	4 yrs	No presiding judge	~	~	Probate Court
District	14 yrs	No presiding judge	~	~	New York Supreme Court
County	10 yrs	No presiding judge	~	~	County Court
District	6 yrs	Partisan election	6 yrs	Yes	District Court
City(with some exceptions)	10 yrs	No presiding judge	~	~	City Court
City	10 yrs	No presiding judge	~	~	Criminal Court of NYC
City	x10 yrs(b)	No presiding judge	~	~	Civil court of NYC
City	4 yrs	~	~	~	Town and Village
State	9 yrs	Gubernatorial appointment	Balance of term	Yes	Court of Claims

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Surrogates' Court	L	Gubernatorial appointment from judicial nominating commission w consent of senate	Partisan election	Partisan election
Family Court	L	Gubernatorial appointment from judicial nominating commission w consent of senate(b)	Partisan election and appointment by mayor	Partisan election and reappointment by mayor
North Carolina Superior Court	G	Gubernatorial appointment	(a)	Partisan election
District Court	L	Gubernatorial appointment	Partisan election	Partisan election
North Dakota District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
County Court	L	County commission appointment	Nonpartisan election	Nonpartisan election
Municipal Court:	L	Mayoral appointment	Nonpartisan election	Nonpartisan election
Ohio Court of Common Pleas Municipal Court	G L	Gubernatorial appointment Gubernatorial appointment	Nonpartisan election Nonpartisan election	Nonpartisan election Nonpartisan election
County Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Court of Claims	L	Chief Justice assignment	Nonpartisan election	Chief Justice assignment
Mayors Court	L	Varies; usually elected	Partisan election	Partisan election
Oklahoma District Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Associate		Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Special		Selection by District Court judge in each judicial nominating commission	Same as Unexpired term	Same as Unexpired term
Municipal Court Not of Record	L	City governing body appointment	City governing body appointment	City governing body appointment
Municipal Criminal Court of Record	L	City governing body appointment	City governing body appointment	City governing body appointment

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
County	10 yrs (except NYC is 14)	No presiding judge	-	-	Surrogates' Court
District (County outside NYC)	10 yrs	No presiding judge	-	-	Family Court
State	8 (resident), 4 (special)	Seniority of service within district	8 yrs	Yes	North Carolina Superior Court
District	4 yrs	Chief Justice appointment	At pleasure	-	District Court
District	6 yrs	Elected by district & county judges	3 yrs	Yes	North Dakota District Court
County multi-county	4 yrs	No presiding judge	-	-	County Court
City	4 yrs	No presiding judge	-	-	Municipal Court
County	6 yrs	Varies	Varies	Varies	Ohio Court of Common Pleas
County city/partisan of county	6 yrs	-	-	-	Municipal Court
County/partisan of county	6 yrs	-	-	-	County Court
-	(a)	-	-	-	Court of Claims
City/Village	4 yrs	-	-	-	Mayors Court
District	4 yrs	Selected by district and associate district judges within each judicial administrative district	Varies	Yes	Oklahoma District Court
District	4 yrs	No presiding judge	-	-	Associate
District	At pleasure	No presiding judge	-	-	Special
Municipality	2 yrs	No presiding judge	-	-	Municipal Court Not of Record
Municipality	2 yrs	City governing body appointment	Varies	Unknown	Municipal Criminal Court of Record



Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Oklahoma (con't) Workers' Comp. Court	L	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating Comm.	Gubernatorial reappointment from judicial nominating commission
Court of Tax Review	L	Supreme Court appointment	Supreme Court appointment	Supreme Court appointment
Oregon				
Circuit Court	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Tax Court	S	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
County Court	L	County commission appointment	Non partisan election	Nonpartisan election
District Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Justice Court	L	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	City council appointment	City council appointment	City council reappointment
Pennsylvania				
Court of Common Pleas	G	Gubernatorial appointment from judicial nominating commission w/consent of senate	Partisan election	Retention election
Philadelphia Municipal	L	Gubernatorial appointment from judicial nominating commission w/consent of senate	Partisan election	Retention election
District Justice Court	L	Gubernatorial appointment from judicial nominating commission w/consent of senate	Partisan election	Partisan election
Philadelphia Traffic	L	Gubernatorial appointment from judicial nominating commission w/consent of senate	Partisan election	Partisan election
Pittsburgh City Magistrates	L	Mayoral appointment with city council's consent	Mayoral appointment	Mayoral appointment
Rhode Island				
Superior Court	G	Gubernatorial appointment w/consent of senate	Gubernatorial appointment w/consent of senate	-
District Court	L	Gubernatorial appointment w/consent of senate	Gubernatorial appointment w/consent of senate	-

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
State	6 yrs	Gubernatorial appointment	2 yrs	Yes	Oklahoma (con't) Workers' Comp Court
Judicial District	Term is for remainder of service as district court judge	No presiding judge	-	-	Court of Tax Review
Circuit	6 yrs	Chief Justice appointment	2 yrs	Yes	Oregon Circuit Court
State	6 yrs	No presiding judge	-	-	Tax Court
County	4 yrs	No presiding judge	-	-	County Court
County	6 yrs	(same as Circuit)	2 yrs	Yes	District Court
County	6 yrs	No presiding judge	-	-	Justice Court
Municipality	Varies	No presiding judge	-	-	Municipal Court
County	10 years	Seniority (if 8 or more judges, court selection)	5 yrs	No	Pennsylvania Court of Common Pleas
County	10 years	Seniority (if 8 or more judges, court selection)	5 yrs	No	Philadelphia Municipal
Magisterial District	6 yrs	No presiding judge	No presiding judge	-	District Justice Court
County	6 yrs	Gubernatorial appointment	5 yrs	Yes	Philadelphia Traffic
City of Pittsburgh	4 yrs	Mayoral appointment	1 yr	Yes	Pittsburgh City Magistrates
State	Life	Gubernatorial appointment	Life	-	Rhode Island Superior Court
State	Life	Gubernatorial appointment	Life	-	District Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Rhode Island (con't)	L	Gubernatorial appointment w consent of senate	Gubernatorial appointment w consent of senate	-
Family Court	L	Town Council Appointed	Town council reappointed	Town Council Reappointed
Probate Court	L	City council appointed	Locally determined	Locally determined
South Carolina				
Circuit Court	G	Legislative election	Legislative election	Legislative election
Family Court	L	Gubernatorial appointment with advice of Chief Justice	Legislative election	Legislative election
Magistrate Court	L	Gubernatorial appointment w consent of senate	Gubernatorial appointment w consent of senate	Gubernatorial appointment w consent of senate
Probate Court	L	Gubernatorial appointment	Partisan election	Partisan election
Municipal Court	L	Council appointment	Council appointment	Council appointment
South Dakota				
Circuit Court	G	Gubernatorial appointment from judicial nominating commission	Nonpartisan election	Nonpartisan election
Law Magistrates	L	Same as full term	Appointment by Circuit Court presiding judge with approval of Supreme court	Reappointment by Circuit Court presiding judge with approval of Supreme Court
Lay Magistrates	L	Division of Circuit		
Clerk/Magistrates	L	Division of Circuit		
Tennessee				
Circuit Court	G	Gubernatorial appointment	Partisan election	Partisan election
Chancery Court	G	Gubernatorial appointment	Partisan election	Partisan election
Criminal Court	G	Gubernatorial appointment	Partisan election	Partisan election
Probate Court	G	Established by special legislative act	Partisan election	Partisan election
Juvenile Court	L	Established by special legislative act	Partisan election	Partisan election
Municipal Court	L	Locally determined	Established by ordinance	Established by ordinance
General Sessions Court	L	Local legislative body appointment	Partisan election	Partisan election
Texas				
District Courts	G	Gubernatorial appointment w consent of senate	Partisan election	Partisan election
Constitutional County Court and County Courts at Law	L	Appointment by county commissioners	Partisan election	Partisan election

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
State	Life	Gubernatorial appointment	Life	-	Rhode Island (cont.) Family Court
Town	Varies	No presiding judge	-	-	Probate Court
Town	2 yrs	No presiding judge	-	-	Municipal Court
Circuit	6 yrs	Chief Justice appointment	6 months	Yes	South Carolina Circuit Court
Circuit	6 yrs	Chief Justice appointment	6 months	Yes	Family Court
County	4 yrs	Chief Justice appointment	6 months	Yes	Magistrate Court
County District	4 yrs 2-4 yrs	No presiding judge No presiding judge	- -	- -	Probate Court Municipal Court
Circuit	8 yrs	Chief Justice appointment (a)	At pleasure	-	South Dakota Circuit Court
Circuit	4 yrs	-	-	-	Law Magistrates
Circuit Circuit					Lay Magistrates Clerk Magistrates
District District District Varies	8 yrs 8 yrs 8 yrs Locally determined	Court selection Court selection Court selection No presiding judge	1 yr 1 yr 1 yr -	Yes Yes Yes -	Tennessee Circuit Court Chancery Court Criminal Court Probate Court
County	8 yrs	No presiding judge	-	-	Juvenile Court
Municipality	8 yrs	No presiding judge	-	-	Municipal Court
County	8 yrs	Varies	Varies	Varies	General Sessions Court
District	4 yrs	Varies	2 yrs	Yes	Texas District Courts
District	4 yrs	Varies	2 yrs	Yes	Constitutional County Court and County Courts at Law



Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
Texas (con't)				
Justice of the Peace Court	L	Appointment by county commissioners	Partisan election	Partisan election
Municipal Court	L	Appointment by city council	Varies	Varies
Utah				
District Court	G	Same as full term	Gubernatorial appointment from judicial nominating commission w/consent of senate	Retention election
Circuit Court	L	Same as full term.	Gubernatorial appointment from judicial nominating commission w consent of senate(a)	Retention election
Justice Court	L	County: Nonpartisan election Municipal: City Commissioner appointment	County: Partisan election Municipal: City Commissioner appointment	County: Nonpartisan election Municipal: City Commissioner appointment
Juvenile Court	L	Same as full term.	Gubernatorial appointment from judicial nominating commission w/consent of senate(a)	Retention election
Vermont				
Superior Court	G	Same as full term.	Gubernatorial appointment from judicial nominating commission w/consent of senate	Legislative election
District Court	G	Same as full term.	Gubernatorial appointment from judicial nominating commission w/consent of senate	Legislative election
Family Court Probate Court	G L	Superior/district judges Gubernatorial appointment	Serve as family court judges Partisan election	Partisan election
Virginia				
Circuit Court	G	Legislative appointment	Legislative appointment	Legislative appointment
District Court	L	Legislative appointment	Legislative appointment	Legislative appointment
Washington				
Superior Court	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
District Court	L	County appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	City appointment	Mayoral/city council appointed	Mayoral/city council appointed



Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
Precinct	4 yrs	No presiding judge	~	~	Texas (con't) Justice of the Peace Court
None	Varies	Varies	Varies	Yes	Municipal Court
District	6 yrs	Court selection	2 yrs	Yes	Utah District Court
District	6 yrs	Court selection	2 yrs	Yes	Circuit Court
District/ Municipality	At pleasure	~	~	~	Justice Court
District	6 yrs	Court selection	2 yrs	Yes	Juvenile Court
State	6 yrs	Supreme court appointment(a)	At pleasure	~	Vermont Superior Court
State	6 yrs	Supreme court appointment(a)	At pleasure	~	District Court
District	4 yrs	No presiding judge	~	~	Family Court Probate Court
Circuit	8 yrs	Court selection	2 yrs	Yes	Virginia Circuit Court
District	6 yrs	Court selection	2 yrs	Yes	District Court
District	4 yrs	Varies	Varies	Varies	Washington Superior Court
District	4 yrs	Court selection	Maximum 1 yr	Yes	District Court
Municipality	4, unless mayor changes	Court selection	Maximum 1 yr	Yes	Municipal Court

Table 32: Methods of Selection and Terms of State Trial Court Judges

State/Court	Court Type	Method of Selection to Fill Unexpired Term	Method of Selection for Full Term	Method of Retention
West Virginia				
Circuit Court	G	Gubernatorial appointment	Partisan Election	~
Magistrate Court	L	Supervising judge appointment	Partisan election	~
Municipal Court	L	Locally determined	Locally determined	Locally determined
Wisconsin				
Circuit Court	G	Gubernatorial appointment	Nonpartisan election	Nonpartisan election
Municipal Court	L	Nonpartisan election	Nonpartisan election	Nonpartisan election
Wyoming				
District Court	G	Gubernatorial appointment	Gubernatorial appointment from judicial nominating commission	Retention election
Justice of the Peace Court	L	Nonpartisan election	Nonpartisan election	Nonpartisan election
Municipal Court	L	Mayoral appointment	Mayoral appointment	Locally determined
County Court	L	Gubernatorial appointment from judicial nominating commission	Gubernatorial appointment from judicial nominating commission	Retention election
Puerto Rico				
Superior Court	G	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation
District Court	L	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation
Municipal Court	L	Gubernatorial appointment w/senate confirmation	Gubernatorial appointment w/senate confirmation	Gubernatorial reappointment w/senate confirmation
Federal				
US District Court		Same as full term	Presidential appointment subject to Senate confirmation	~
US Magistrate		Same as full term	Appointed by US District Court Panels	Circuit Judicial Council recall(a)
US Bankruptcy		Same as full term	Appointed by US Appellate Court Panels	Ad hoc recall(b)

Table 32: Methods of Selection and Terms of State Trial Court Judges

Geographic Basis for Selection	Length of Term	Method of Selection for Presiding Judge	Term of Office for Presiding Judge	Can Presiding Judges Succeed Themselves?	State/Court
District County	8 yrs 4 yrs	Court selection Supervising judge appointment	At pleasure At pleasure	Yes Yes	West Virginia Circuit Court Magistrate Court
Municipality	Locally determined	No presiding judge	-	-	Municipal Court
County	6 yrs	(b)	2 yrs	Yes	Wisconsin Circuit Court
Municipality	Varies but not less than 2 or more than 4 years	Locally determined (a)	Locally determined	Locally determined	Municipal Court
District	6 yrs	No presiding judge	-	-	Wyoming District Court
County	4 yrs	No presiding judge	-	-	Justice of the Peace Court
Municipality	Varies	No presiding judge	-	-	Municipal Court
County	4 yrs	No presiding judge	-	-	County Court
Statewide	12 yrs	No presiding judge	Age 70	-	Puerto Rico Superior Court
Statewide	8 yrs	No presiding judge	Age 70	-	District Court
Statewide	5 yrs	No presiding judge	Age 70	-	Municipal Court
District District	Life 8 yrs full-time, 4 yrs part-time 14 yrs	Seniority(c) (d)  Designated by a majority of the district judges of the courts	7 yrs -  N/S	No -  N/S	Federal US District Court US Magistrate  US Bankruptcy

Table 32: Methods of Selection and Terms of State Trial Court Judges

FOOTNOTES:

**Alabama:**

- (a) The counties of Jefferson, Madison, Mobile and Tuscaloosa Circuit Court use gubernatorial appointment from the judicial nominating commission.
- (b) If court can not agree, Supreme Court decides.
- (c) Length of term is 2 years, if position is part-time

**Alaska:**

- (a) Judge must run for retention at next general election immediately following the third year from time of initial appointment.
- (b) Judges must run for retention at first general election held more than one year after appointment.
- (c) Judges selected on a statewide basis but run for retention on a district-wide basis.
- (d) Gubernatorial appointment from judicial nominating commission. The judge must run for retention at first general election held more than one year after appointment.

**Arizona:**

- (a) From judicial nominating commission nominations in 2 counties; partisan election in others.
- (b) Pima and Maricopa have retention elections, partisan election in others.
- (c) Municipal Court has a minimum term of 2 years.

**Arkansas:**

- (a) In circuit and chancery courts the office can be held till December 31 following the next general election, and then partisan election to fill remainder of term.

**California:**

- (a) Unless county electors opt for commission appointment.
- (b) If unopposed for reelection, incumbents' names do not appear on ballot.

**Colorado:**

- (a) The mayor appoints Denver county judges.

**Connecticut:**

- (a) Governor recommends from judicial nominating commission.

**District of Columbia:**

- (a) Judicial nominating commission nominee for presidential appointment. If the commission evaluates a sitting judge as "well qualified" the judge is automatically reappointed for a new term of 15 years. If the commission evaluates the judge as "qualified" the President may renominate him/her subject to Senate confirmation; if the commission evaluates the judge unqualified the judge is ineligible for reappointment.

**Georgia:**

- (a) In one county election associate judges (formerly referees) must be a member of the state bar or a law school graduate. They serve at the pleasure of the judge(s).

**Idaho:**

- (a) The Supreme Court appoints the administrative judge for up to two years if district court judges unable to elect.
- (b) The Magistrate Commission consists of the administrative judge, 1 mayors and 2 electors appointed by the Governor; and 2 attorneys, nominated by the District Bar and appointed by the State Bar. There is one commission in each district.

**Indiana:**

- (a) Until gubernatorial appointment or next general election
- (b) Nominating commissions are used in superior courts in Allen and St. Joseph counties

**Illinois:**

- (a) Unit less than county in Cook County.

**Iowa:**

- (a) The district court chief judge serves the entire court, including the district associate judges and the judicial magistrates.
- (b) The county judicial magistrate appointing commission consists of 3 members appointed by county board and 2 elected by county bar, presided over by a district court judge.

**Kansas:**

- (a) In two counties the municipal court judges are selected and appointed by the district court judges.

**Kentucky:**

- (a) In addition, there are 16 chief regional judges (8 circuit, 8 district), selected by the chief justice of the supreme court for regional administration of cases.

**Louisiana:**

- (a) Depending upon the amount of time remaining, selection may be by nonpartisan election following supreme court appointment.

**Maine:**

- (a) Of the 25 district court judges, 16 are selected by district; the remaining 9 are selected on a statewide basis.

**Maryland:**

- (a) Administrative judges are appointed by the chief judge of district court with the approval of the chief judge of court of appeals.

**Nebraska:**

- (a) The initial term is for at least 3 but not more than 5 years.

**New Jersey:**

- (a) In multimunicipality selection is by governor with senate's consent.
- (b) In municipalities with more than 1 judge, the governing body may appoint a "chief judge. Regional presiding judges are selected by the Chief Justice to assist in the administrative operations of the municipal court. (c) On reappointment till age 70.

**New Mexico:**

- (a) The Governor must select a candidate from a list submitted by the district or metropolitan judges committee created by the constitution.

**New York:**

- (a) Appointment by chief executive officer of county with confirmation by board of supervisors of district.
- (b) Housing part judges are appointed for five year terms by the administrative judge of the civil court.

**North Carolina:**

- (a) Partisan election (resident judges), gubernatorial appointment (special judges).

**Ohio:**

- (a) Temporary assignment by chief justice of supreme court.

Table 32: Methods of Selection and Terms of State Trial Court Judges

**South Dakota:**

- a) The circuit court presiding judge serves the entire court, including the law magistrates division.

**Utah:**

- (a) Initial term of appointment is until the next general election, immediately following the third year from the time of initial appointment.

**Vermont:**

- (a) Administrative judge for trial courts

**Wisconsin:**

- (a) There is only 1 multi-judge municipal court

**Federal:**

- (a) May be recalled by the Circuit Judicial Council with consent of the chief justice for a maximum of up to one year
- (b) Ad hoc recall may be for a fixed (renewable) period of three years.
- (c) The office is filled by the judge in regular active service who, at the time of vacancy: (1) is senior in commission, (2) is under the age of 65, (3) has served at least one year as a district judge, and (4) who has not previously served as chief judge.
- (d) A "chief" or "administrative" magistrate judge position has not been formally established by statute or regulation.



## APPENDIX B

### SURVEY OF COURT EMPLOYEES

A RIPEC-developed attitude survey, titled "Court System Sampler," was conducted among all court system personnel except judges. Responses were mailed directly to RIPEC for tabulation and study. Further, a series of six focus group sessions were held, one for each court, to aid in understanding and interpretation of the survey data. Randomly selected non-supervisory personnel commented on factors and conditions underlying survey responses, especially those negative in nature. Since most interviews conducted during the study involved judges, administrators, supervisors and other professionals, it seemed important, for balance, to invite information and insights from non-supervisors as well.

Court system personnel, by their responses, ranked their quality of work life at the 55th percentile, about halfway up the excellence ladder. Percentile rankings given to the survey's twenty quality of work life statements ranged from a high of 87 (benefits) to a low of 28 (pay). A table included in this Appendix presents these rankings; also included are tabulated survey data.

A summary of the views expressed by various employees can be found in the Findings and Recommendations of the study team regarding "A Personnel System for the Courts." As noted, rankings, coupled with interview and focus group responses, combine to portray a troubled workplace.

The Court System Sampler invited employees to add comments. A representative selection of the comments received are included here solely for the purpose of showing the perceptions that some employees have regarding the courts as a workplace.

ExhibitCourt System Sampler**Percentile Rankings of Survey Responses**

All statements combined: 55th percentile

Individual Statements:

<u>Percentile</u>	<u>Rank</u>	<u>Statement (number)</u>
87	1	I like the benefits package available to court system personnel (14).
82	2	I enjoy doing the kind of work I do (1).
78	3	I know exactly what is expected of me in my job (5).
73	4	My workers are friendly, considerate and helpful (11).
72	5	I take pride in and feel a sense of ownership for the part I play in the court system (7).
68	6	I feel I am a needed, valued member of my court's team (20).
67	7	I feel good about my job security, provided I do my job well (10).
64	8	The amount of work I am expected to do seems reasonable (3).
58	9	The training I received for doing my job was very good (2).
59	10	I feel trusted and respected as an individual by my management group (9).
54	11	I respect, trust and have confidence in my management group (19).
46	12	I think the policies and practices in my area are fair and consistently administered (16).
43	13	I am kept well informed in matters of interest to me affecting my work area (18).
41	14	The equipment in my area is kept up to date and in good condition (12).
40	15	People in my area regularly receive verbal recognition for a job well done (8).
36	16	The working conditions in my area are pleasant, healthful and safe (13).

courtX

- |    |    |   |
|----|----|---|
| 36 | 17 | I am regularly asked for my thoughts on plans being developed by my area and on ways to improve operations.     |
| 35 | 18 | My manager periodically has in-depth discussions with me about my overall job performance (6).                  |
| 31 | 19 | Advancement opportunities become available in my area for qualified people seeking greater responsibility (15). |
| 28 | 20 | My pay is probably as good as others in state service receive for comparable work (4).                          |

TO: Court System Personnel

FROM: Robert C. Hartzel  
State Court Administrator

DATE: December 10, 1983

RE: Court System Survey

Acting Chief Justice Joseph R. Wozniak has assigned the Rhode Island Public Expenditure Council (RIP-EC) to conduct a management study of the state court system.

Included in the study plan for the study is a survey of what system personnel do know -- informally -- where they find their time and work environment. The attached "Court System Survey" is that survey.

It was developed by the RIP-EC staff expressly for this study. All responses will go directly to them, solely for their tabulation and analysis. The results will use the resulting data, along with other findings, in formulating recommendations for the Acting Chief Justice.

That means you have a voice in the process. Please take advantage of this opportunity. Take the survey home. Respond to the questions carefully. Add comments as you wish. Complete the previous item number and send your response in the mail, using the enclosed, return-addressed envelope enclosed.

**Methodology:** Point values were assigned to individual responses to each survey statement, i.e., 5 points for "strongly agree," 1 point for "strongly disagree." Weighted responses were tabulated, producing total point values received for each statement. The point values were then arrayed along a 0 to 100th percentile spectrum. The combined percentile is the average of the individual percentiles.

## MEMORANDUM

TO: Court System Personnel

FROM: Robert C. Harrall  
State Court Administrator

DATE: December 10, 1993

RE: Court System Sampler

Acting Chief Justice Joseph R. Weisberger has engaged the Rhode Island Public Expenditure Council (RIPEC) to conduct a management study of the state court system.

Included in the work plan for the study is a survey of court system personnel to learn -- anonymously -- how they feel about their jobs and work environment. The attached "Court System Sampler" is that survey.

It was developed by the RIPEC team expressly for this study. All responses will go directly to them solely for their tabulation and analysis. The team will use the resulting data, along with other findings, in formulating recommendations for the Acting Chief Justice.

That means you have a voice in the process. Please take advantage of this opportunity. Take the survey home. Respond to the questions candidly. Add comments as you wish. Complete the personal data section and drop your response in the mail, using the stamped, RIPEC-addressed envelope enclosed.

A summary highlighting results of the survey will be distributed when the study is completed.

# COURT SYSTEM SAMPLER

## \*\*SAMPLING VIEWS FROM COURT SYSTEM PERSONNEL\*\*

Here are 20 statements dealing with your personal work situation. Next to each statement please check the box that best expresses how well you think this statement applies to your personal situation. Please tell it like it is. Do add any explanatory comments you wish to make. Also, please complete the personal data section that follows. Thank you.

	Strongly Agree	Moderately Agree	Mixed Feelings	Moderately Disagree	Strongly Disagree
1. I enjoy doing the kind of work I do.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The training I received for doing my job was very good.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. The amount of work I am expected to do seems reasonable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. My pay is probably as good as others in state service receive for comparable work.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. I know exactly what is expected of me in my job.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. My manager periodically has in-depth discussions with me about my overall job performance.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. I take pride in and feel a sense of ownership for the part I play in the court system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. People in my area regularly receive verbal recognition for a job well done.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. I feel trusted and respected as an individual by my management group.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. I feel good about my job security, provided I do my job well.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. My co-workers are friendly, considerate and helpful.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. The equipment in my area is kept up to date and in good condition.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. The working conditions in my area are pleasant, healthful and safe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. I like the benefits package available to court system personnel.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



	Strongly Agree	Moderately Agree	Mixed Feelings	Moderately Disagree	Strongly Disagree
15. Advancement opportunities become available in my area for qualified people seeking greater responsibility.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. I think the policies and practices in my area are fair and consistently administered.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. I am regularly asked for my thoughts on plans being developed for my area and on ways to improve operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. I am kept well informed on matters of interest to me affecting my work area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. I respect, trust and have confidence in my management group.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. I feel I am a needed, valued member of my court's team.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments:

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**Personal Data**

Sex ☐ Male ☐ Female

Court Service ☐ Less than 5 yrs. ☐ 5-15 yrs. ☐ Over 15 yrs.

Court Affiliation ☐ Supreme ☐ Superior ☐ District ☐ Family

☐ Workers' Compensation ☐ Administrative Adjudication

Type Position ☐ Supervisory ☐ Staff ☐ Professional

Please return your completed and unsigned sampler promptly in the envelope provided.

Thank you.

## Sampling of Views From Court System Personnel

### Total Replies Received      265

<u>Replies By Court Affiliation:</u>		<u>%</u>
Supreme	58	21.9%
Superior	46	17.4%
District	26	9.8%
Family	58	21.9%
Workers Compensation	19	7.2%
Administrative Adjudication	54	20.4%

### Replies By Years of Court Service:

Less than 5 years	91	34.3%
5 - 15 years	121	45.7%
Over 15 years	47	17.7%

### Replies By Type of Position:

Supervisory	40	15.1%
Staff	156	58.9%
Professional	52	19.6%

### Replies By Gender:

Male	70	26.4%
Female	184	69.4%

## **Sampling of Views From Court System Personnel**

**Total Replies Received**      **265**

**Replies By Court Affiliation:**

		<b>%</b>
Supreme	58	21.9%
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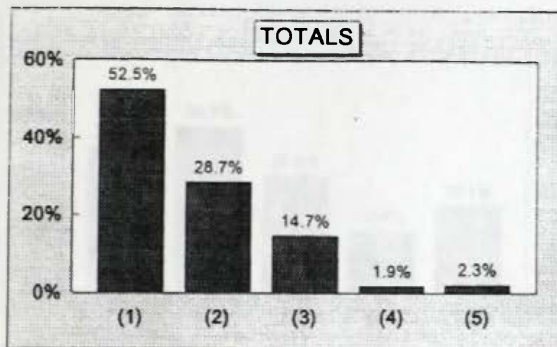
Supervisory	40	15.1%
Staff	156	58.9%
Professional	52	19.6%

**Replies By Gender:**

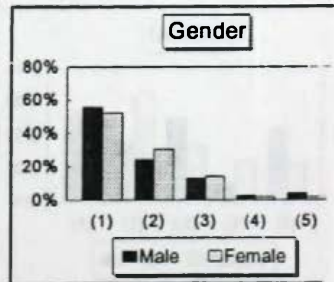
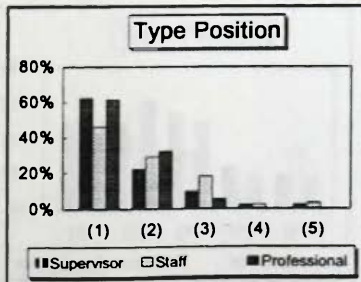
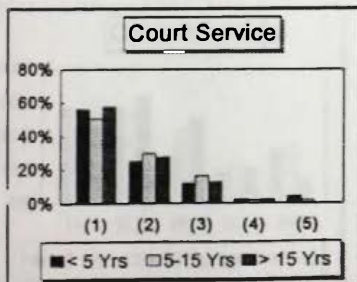
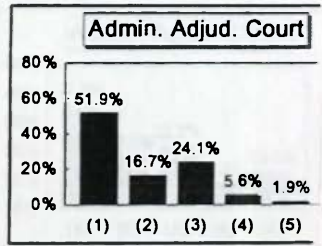
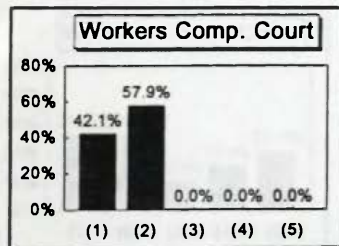
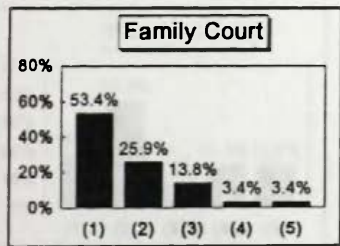
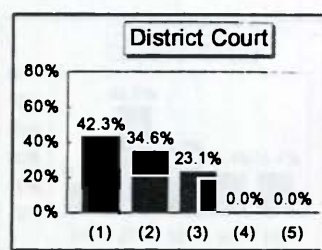
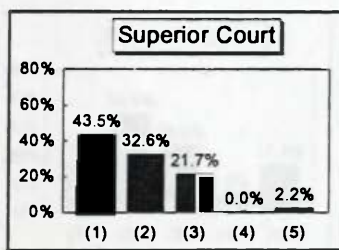
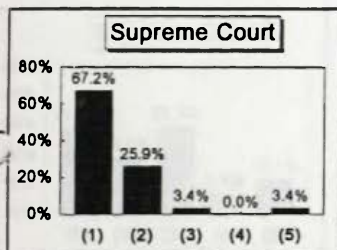
Male	70	26.4%
Female	184	69.4%

STATEMENT NUMBER 1:

"I enjoy doing the kind of work I do".

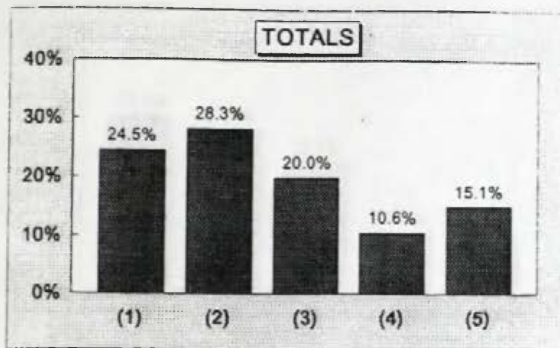


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- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

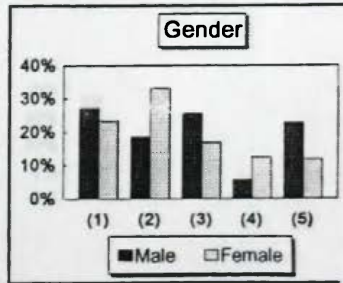
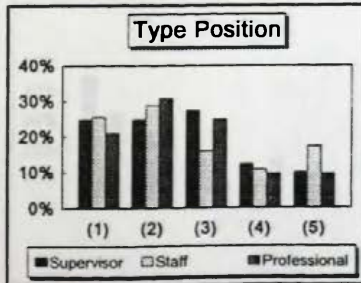
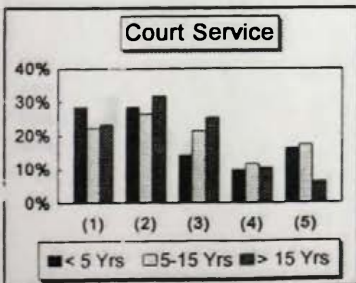
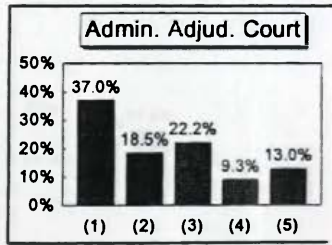
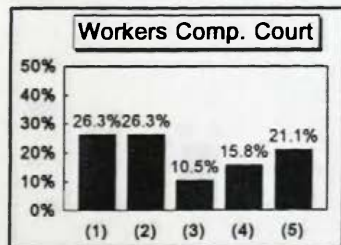
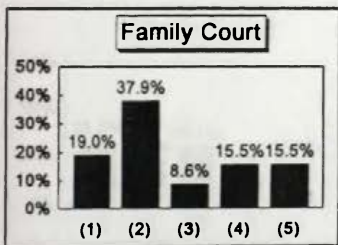
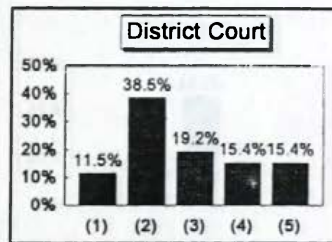
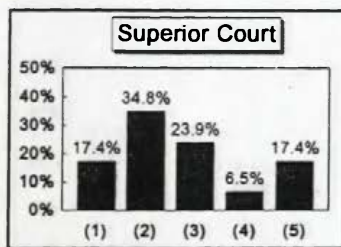
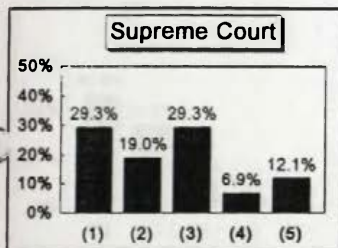


STATEMENT NUMBER 2:

"The training I received for doing my job was very good".



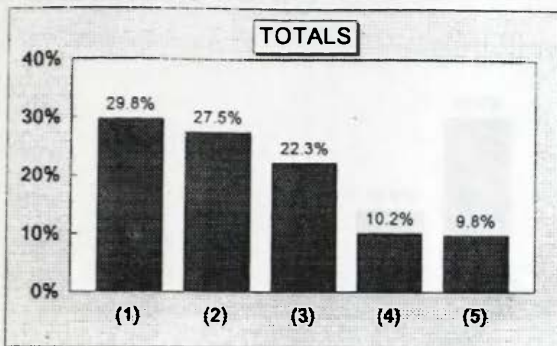
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3 - Mixed Feelings  
4 - Moderately Disagree  
5 - Strongly Disagree



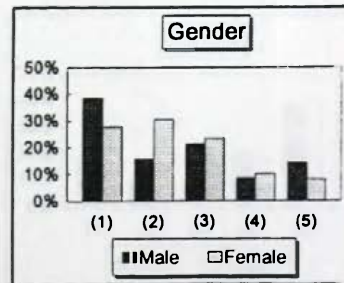
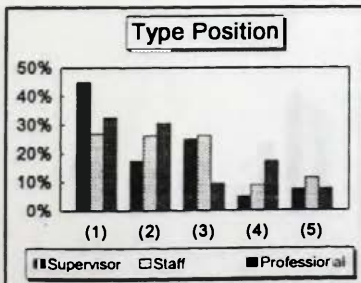
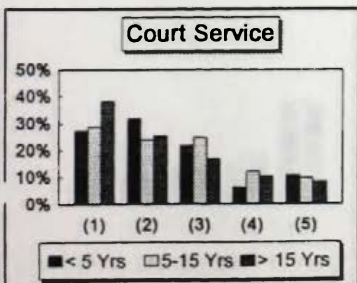
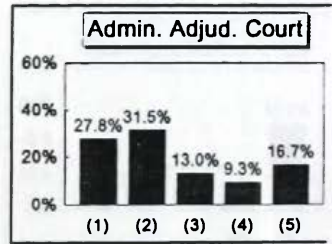
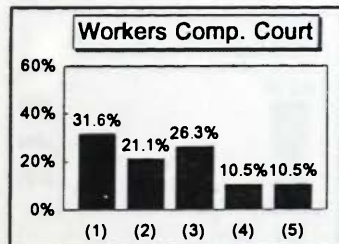
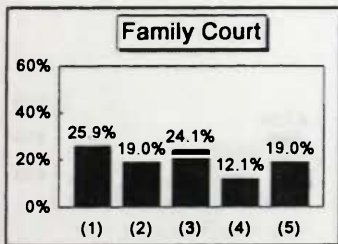
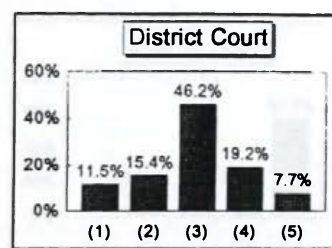
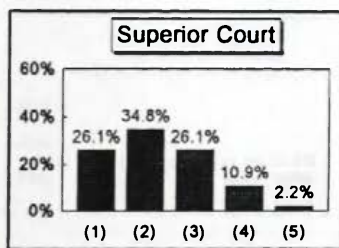
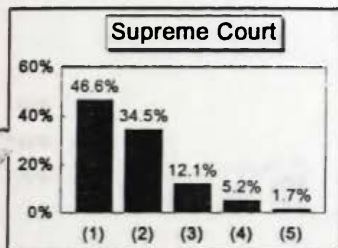


## STATEMENT NUMBER 3:

"The amount of work I am expected to do seems reasonable".

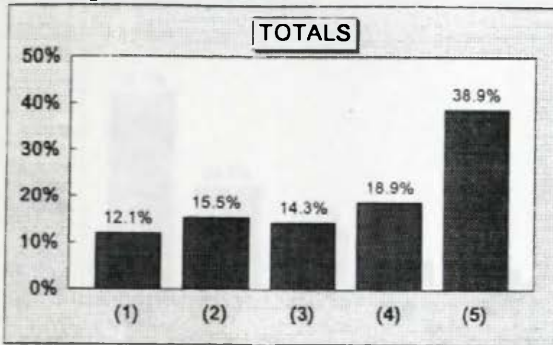


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

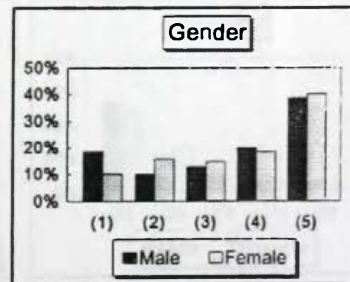
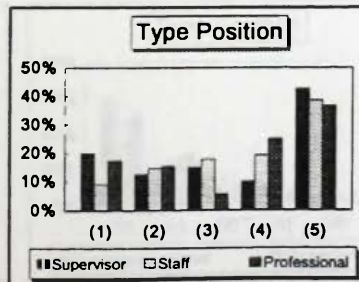
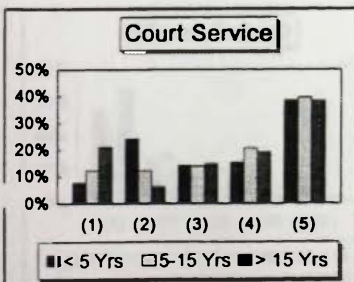
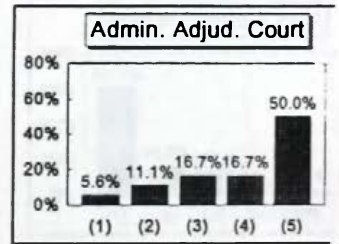
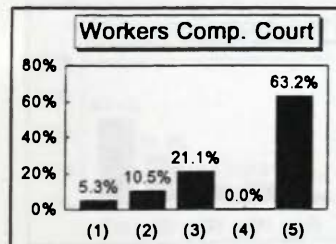
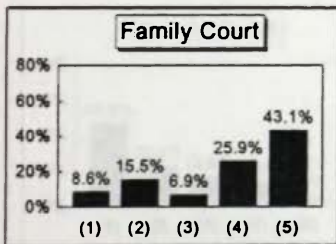
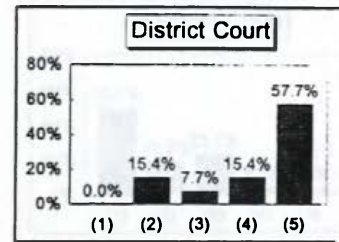
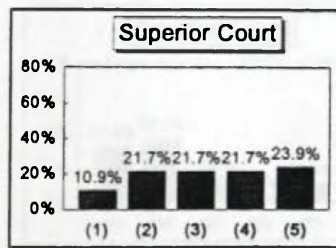
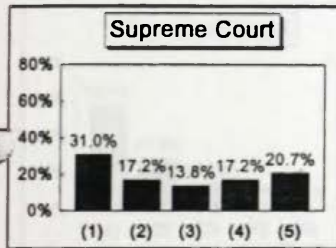


STATEMENT NUMBER 4:

**"My pay is probably as good as others in state service receive for comparable work".**

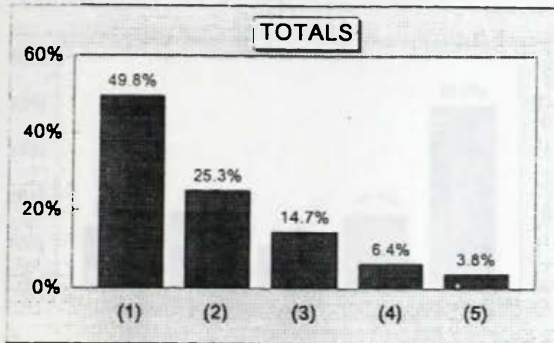


1 - Strongly Agree  
2 - Moderately Agree  
3 - Mixed Feelings  
4 - Moderately Disagree  
5 - Strongly Disagree

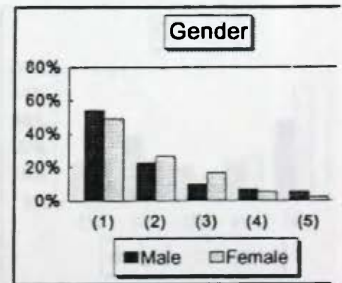
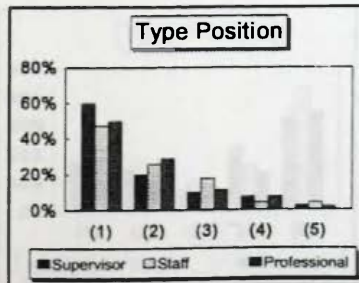
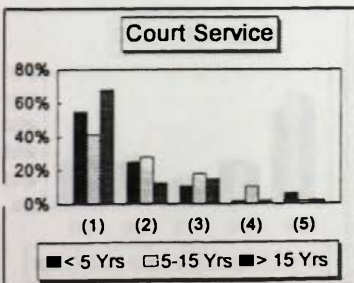
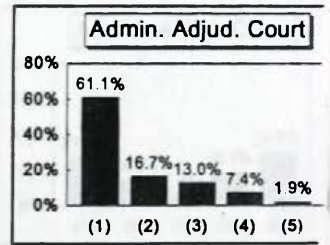
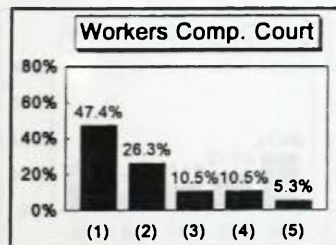
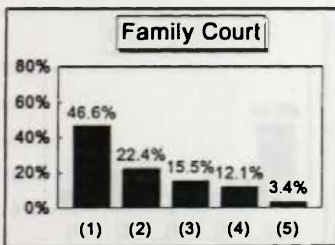
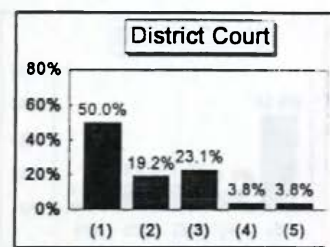
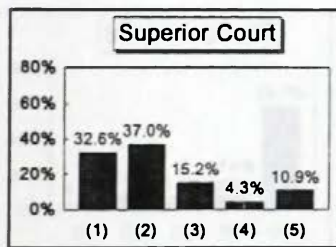
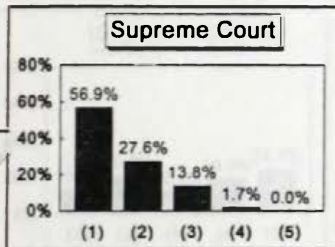


STATEMENT NUMBER 5:

"I know exactly what is expected of me in my job".

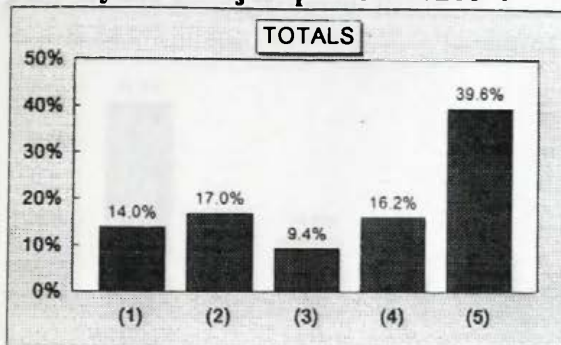


1 - Strongly Agree  
2 - Moderately Agree  
3 - Mixed Feelings  
4 - Moderately Disagree  
5 - Strongly Disagree

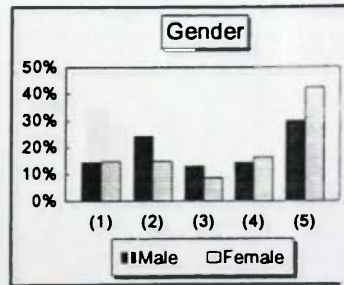
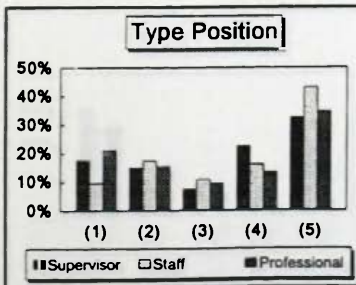
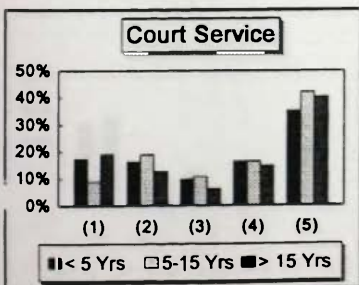
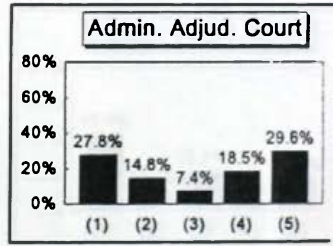
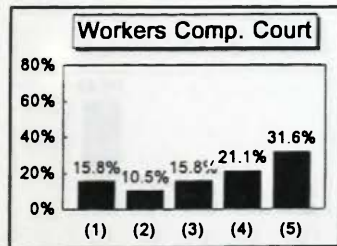
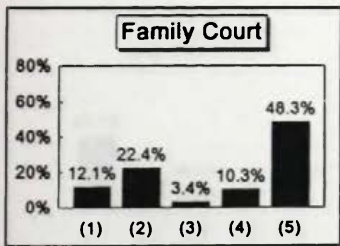
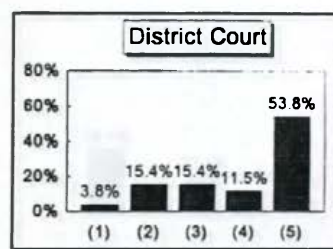
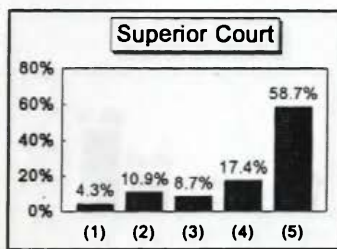
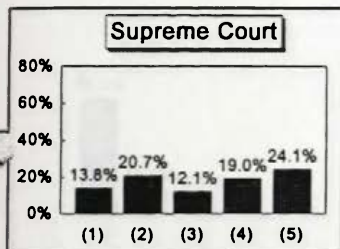


STATEMENT NUMBER 6:

**"My manager periodically has in-depth discussions with me about my overall job performance".**



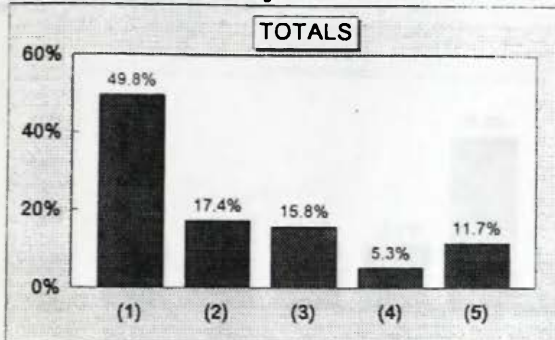
1 - Strongly Agree  
2 - Moderately Agree  
3 - Mixed Feelings  
4 - Moderately Disagree  
5 - Strongly Disagree



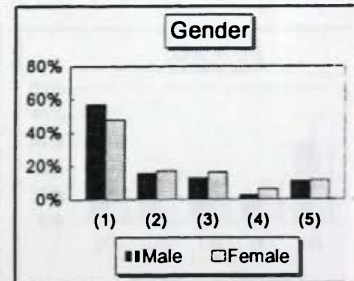
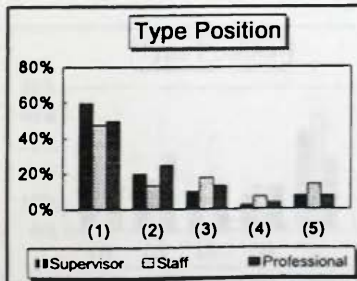
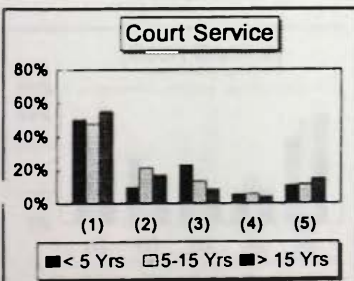
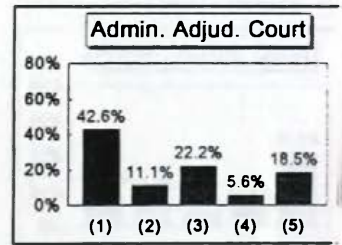
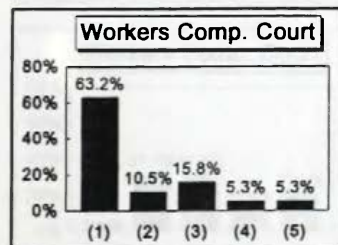
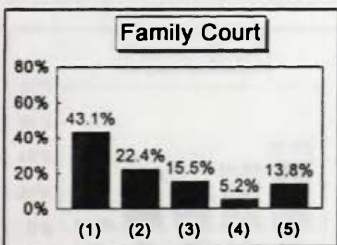
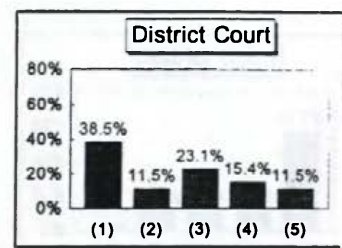
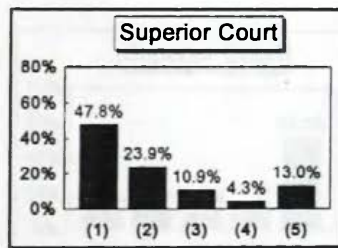
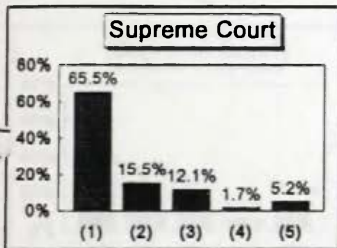


STATEMENT NUMBER 7:

**"I take pride in and feel a sense of ownership for the part I play in the court system".**



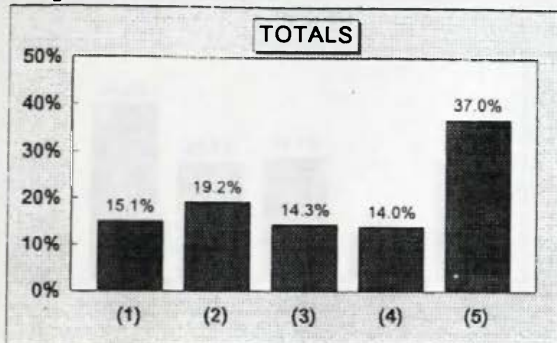
- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree



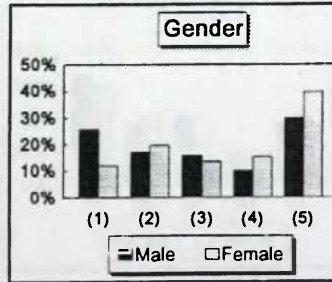
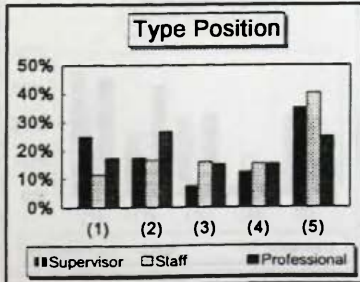
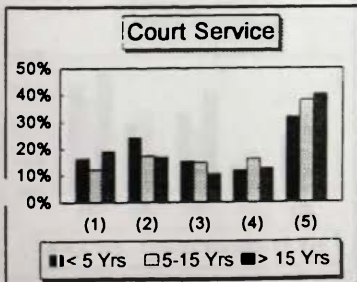
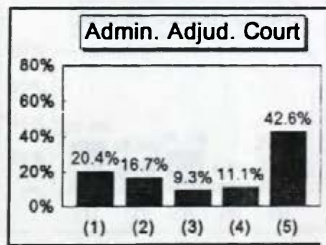
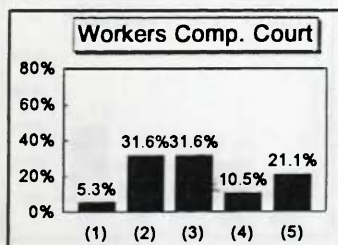
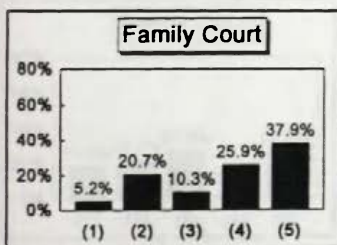
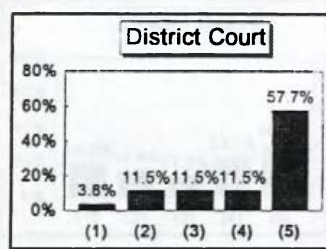
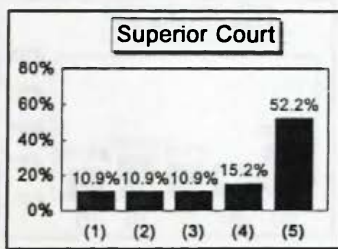
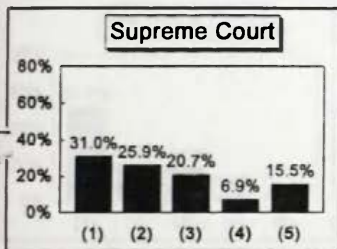


STATEMENT NUMBER 8:

**"People in my area regularly receive verbal recognition for a job well done".**

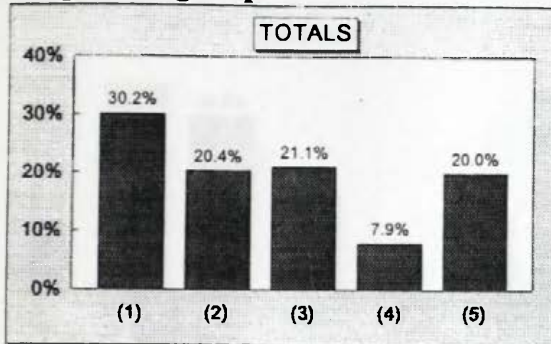


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

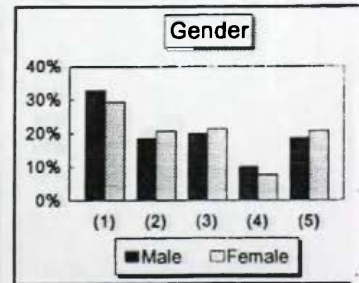
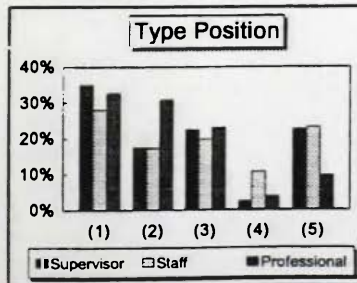
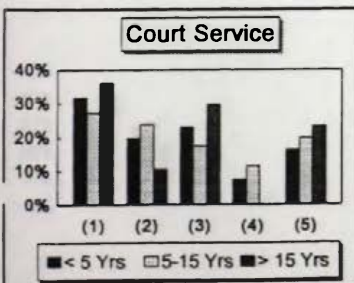
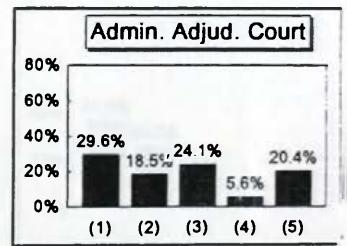
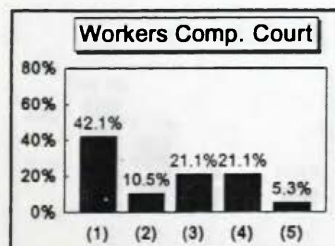
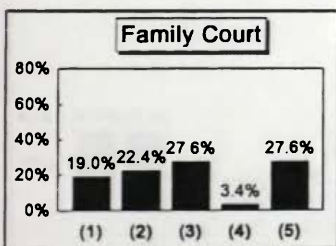
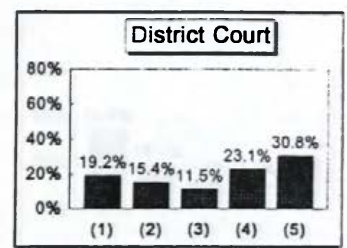
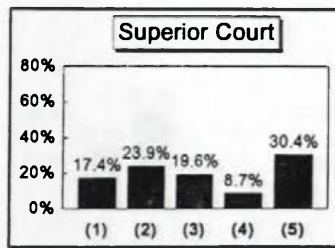
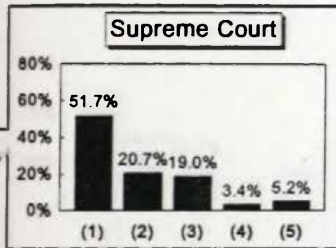


STATEMENT NUMBER 9:

**"I feel trusted and respected as an individual by my management group".**

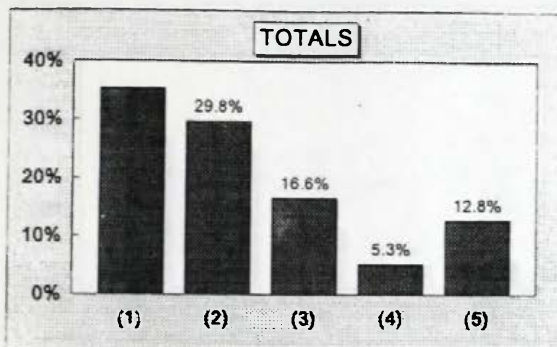


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

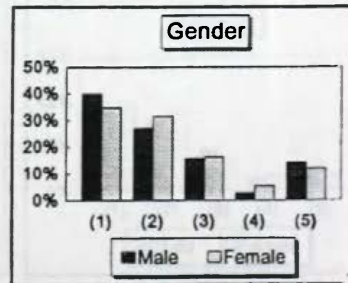
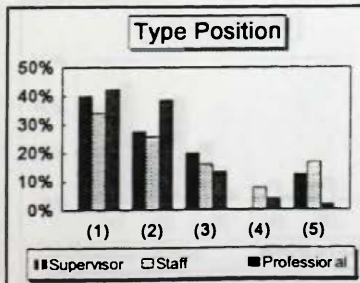
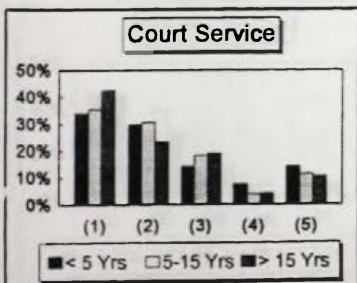
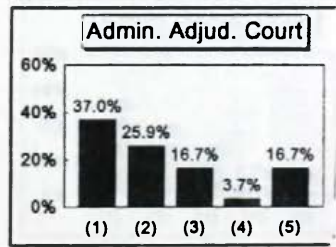
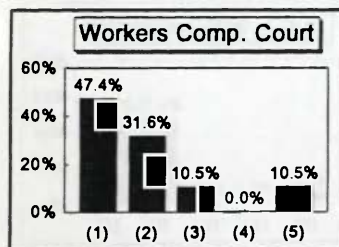
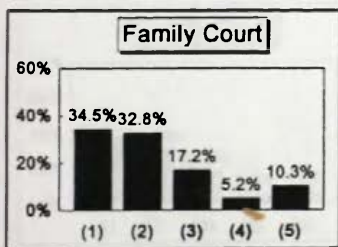
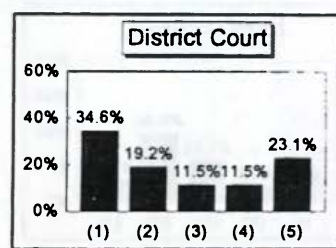
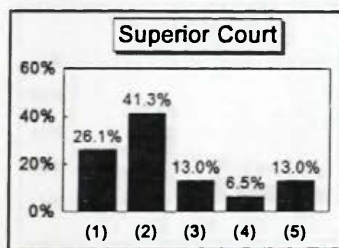
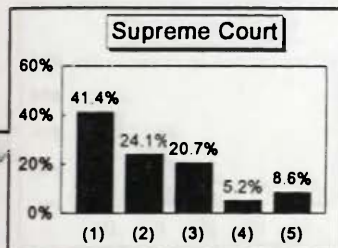


STATEMENT NUMBER 10:

"I feel good about my job security, provided I do my job well".



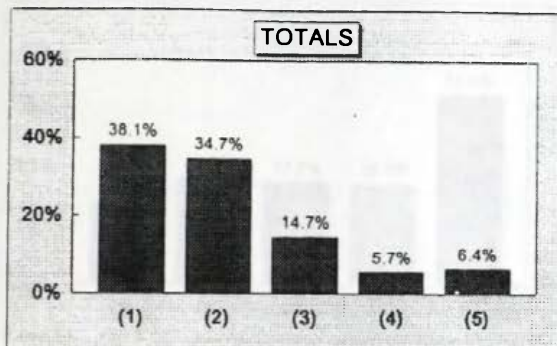
- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree



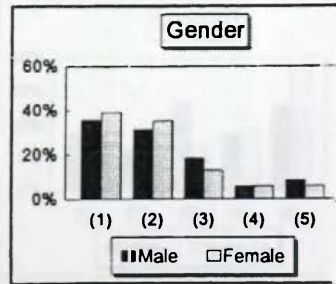
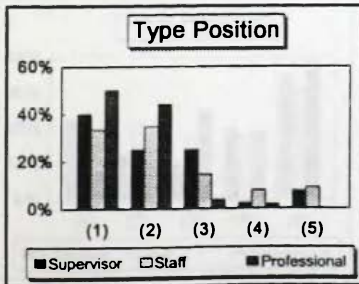
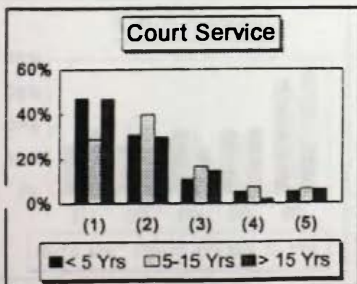
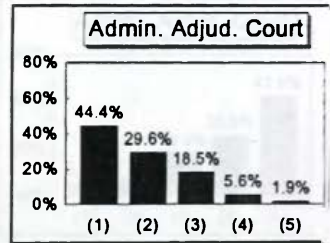
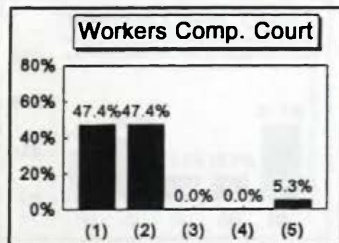
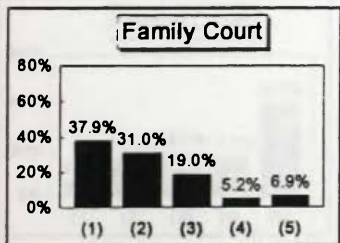
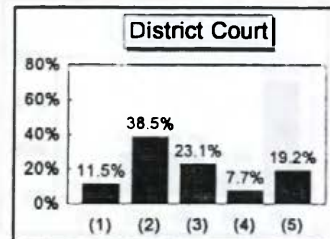
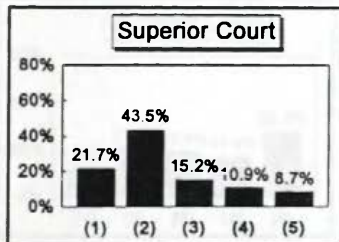
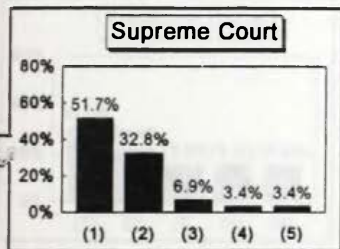


STATEMENT NUMBER 11:

"My co-workers are friendly, considerate and helpful".

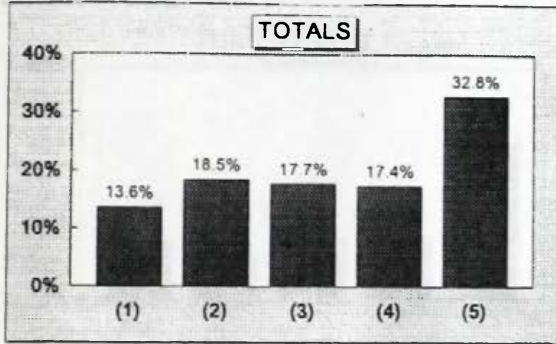


1 - Strongly Agree  
2 - Moderately Agree  
3 - Mixed Feelings  
4 - Moderately Disagree  
5 - Strongly Disagree

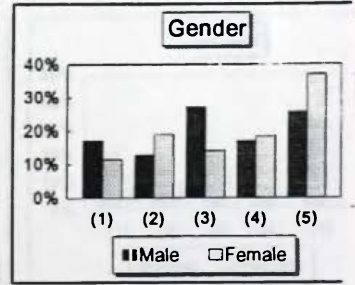
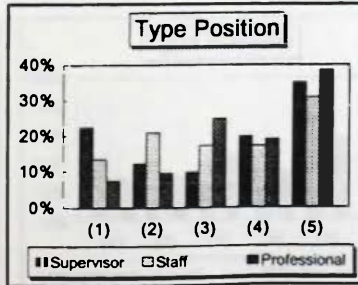
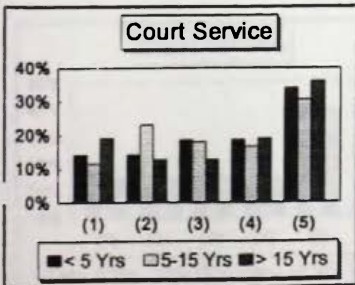
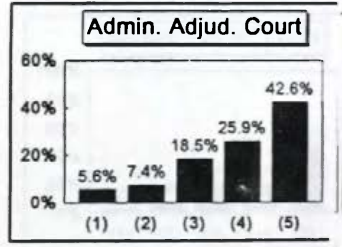
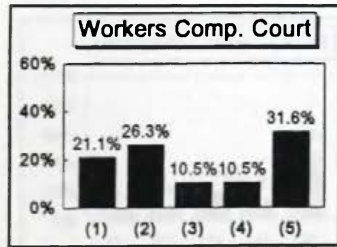
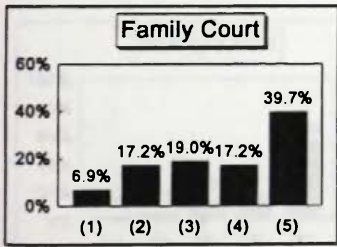
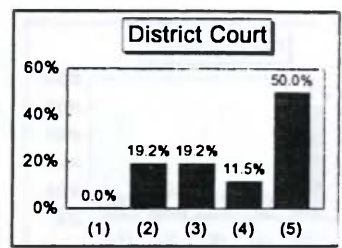
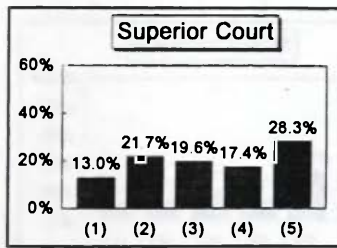
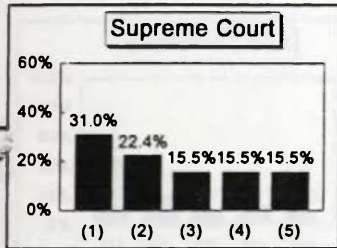


STATEMENT NUMBER 12.

"The equipment in my area is kept up to date and in good condition".



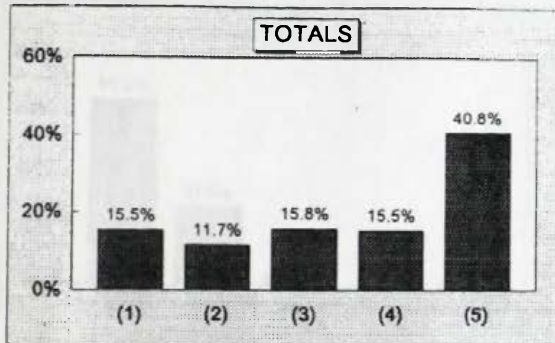
- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree



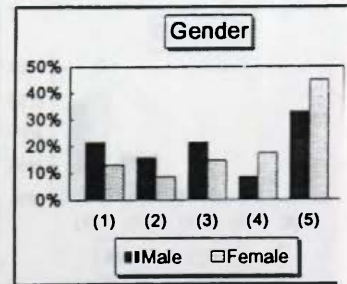
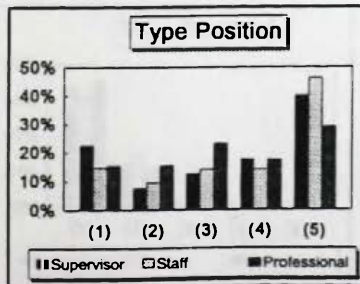
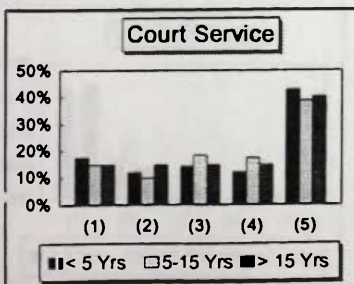
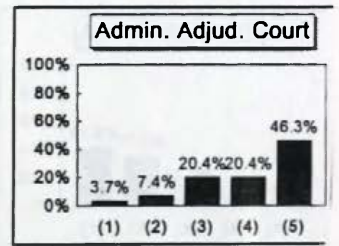
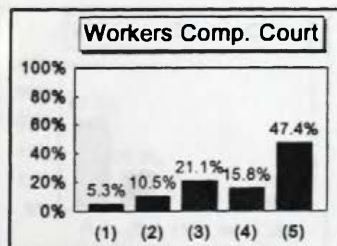
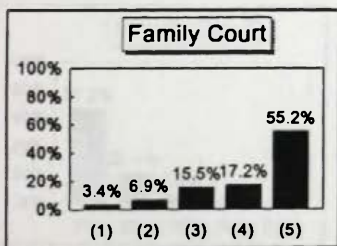
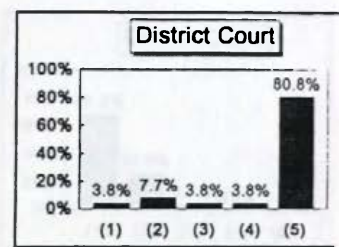
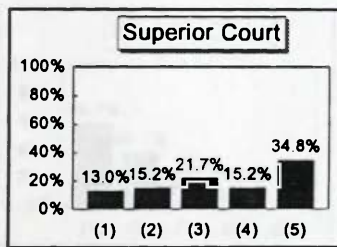
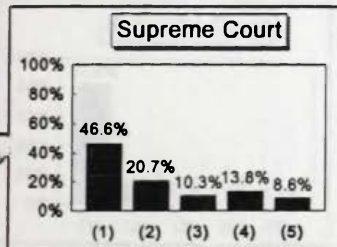


STATEMENT NUMBER 13:

**"The working conditions in my area are pleasant, healthful and safe".**

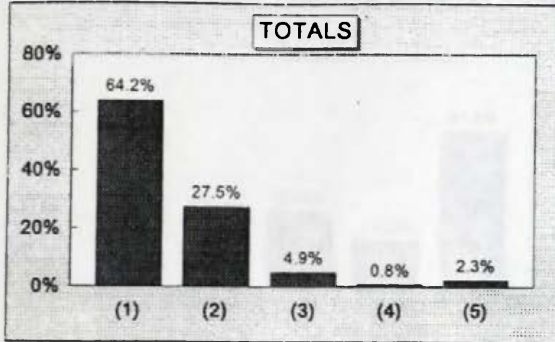


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

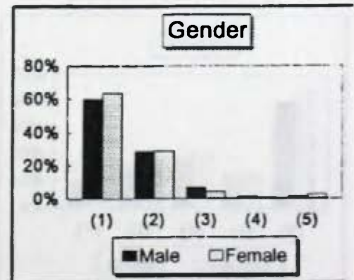
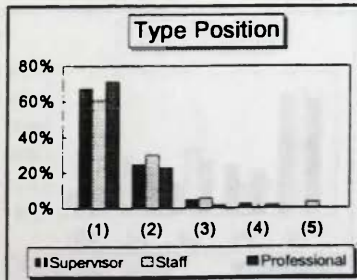
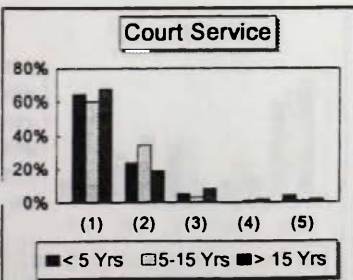
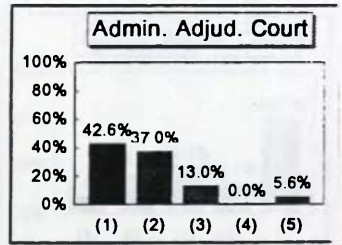
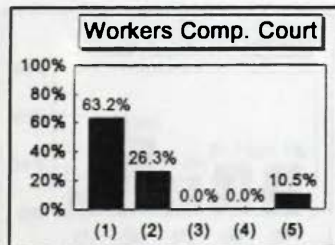
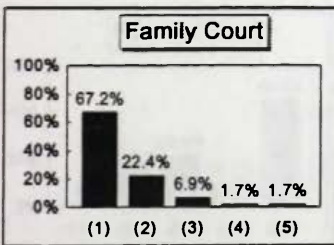
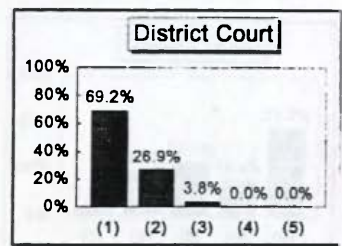
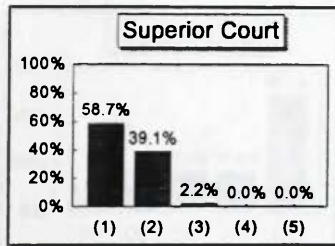
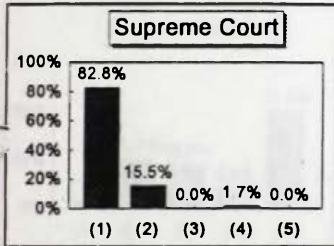


STATEMENT NUMBER 14:

**"I like the benefits package available to court system personnel".**

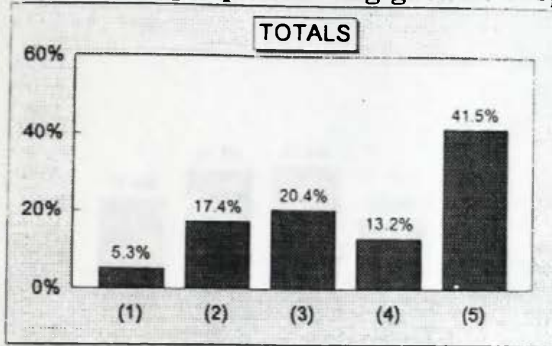


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

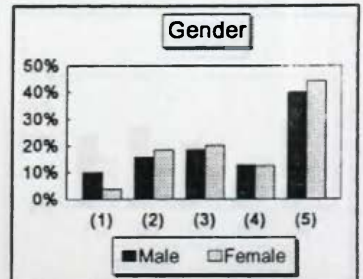
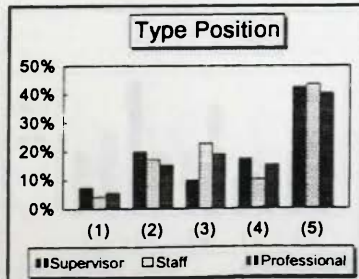
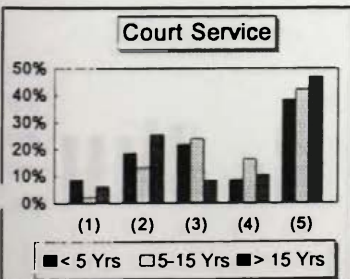
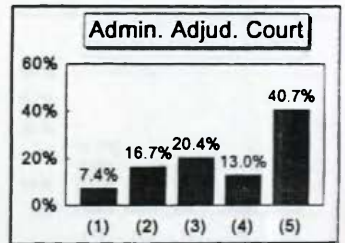
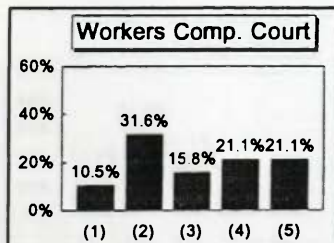
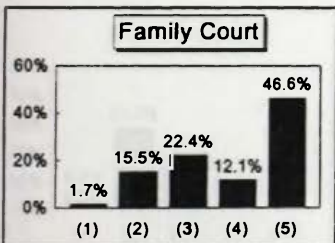
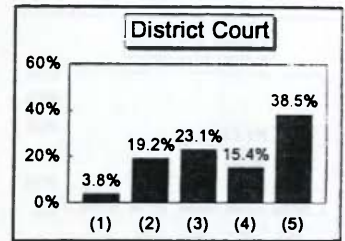
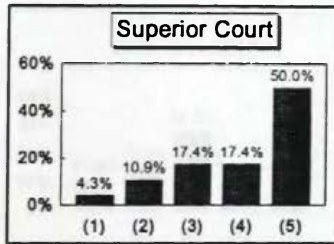
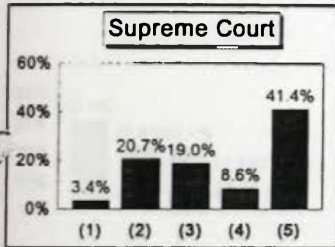


STATEMENT NUMBER 15:

**"Advancement opportunities become available in my area for qualified people seeking greater responsibility".**



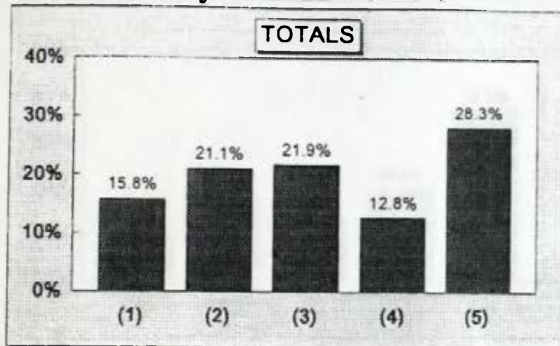
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- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree



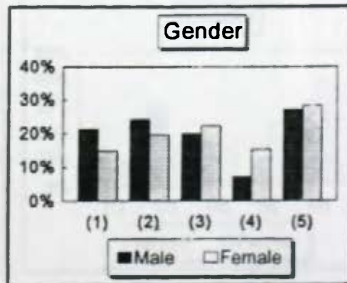
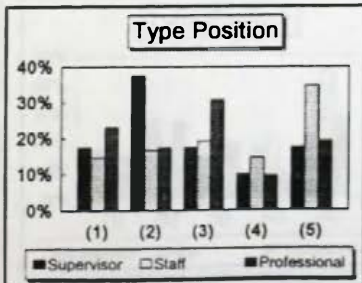
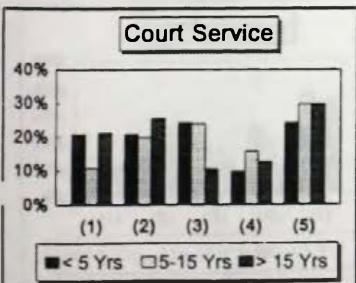
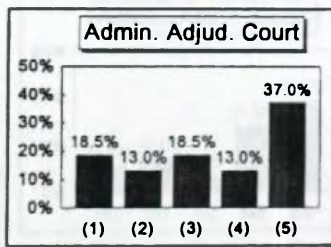
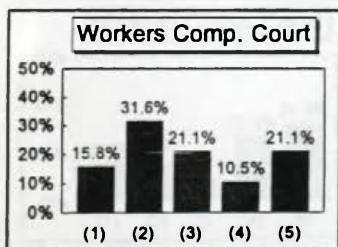
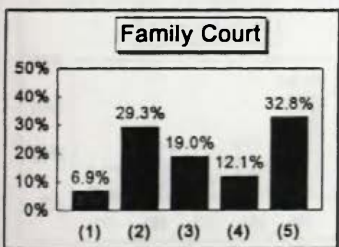
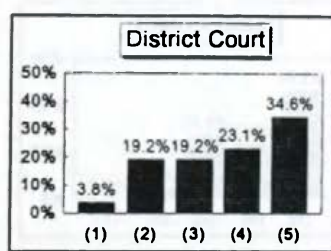
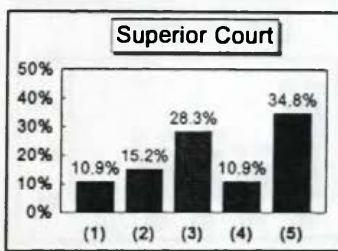
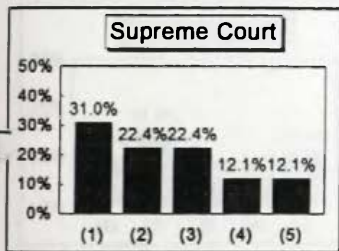


STATEMENT NUMBER 16:

**"I think the policies and practices in my area are fair and consistently administered".**



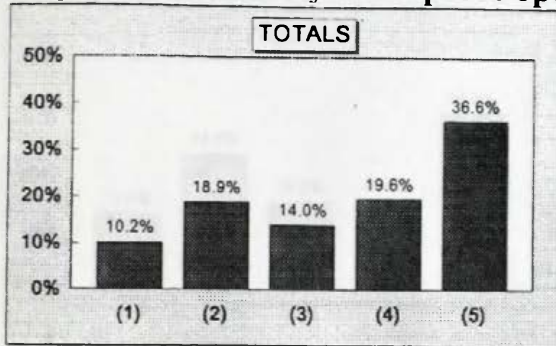
- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree



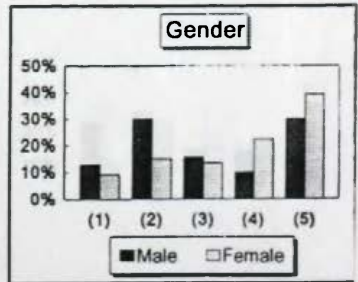
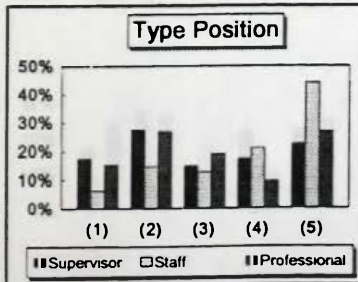
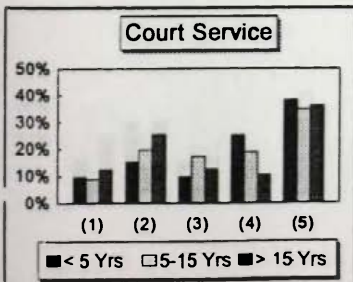
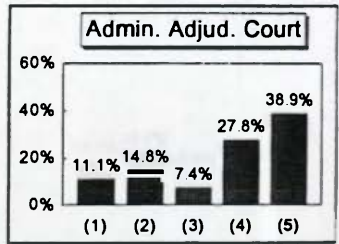
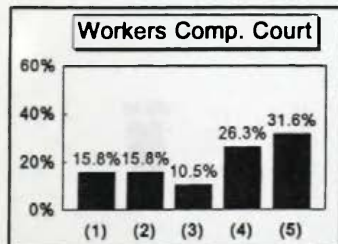
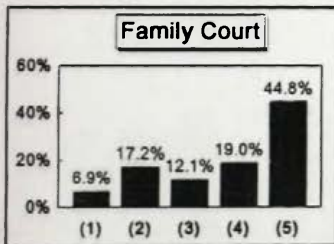
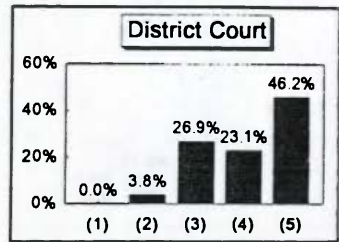
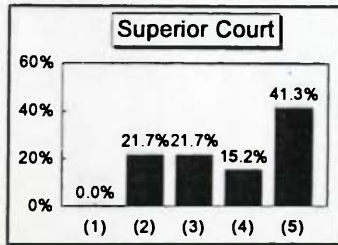
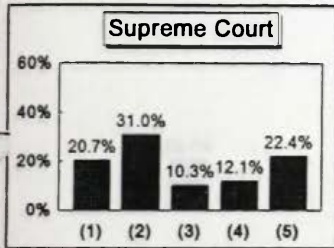


STATEMENT NUMBER 17

**"I am regularly asked for my thoughts on plans being developed for my area and on ways to improve operations".**

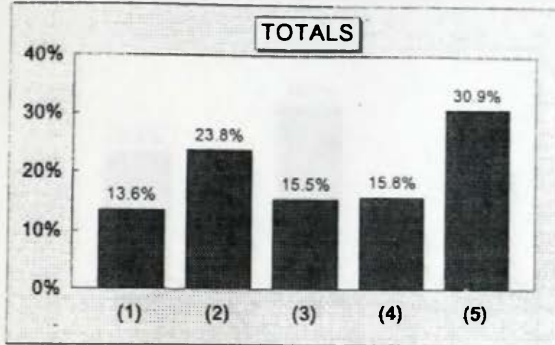


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

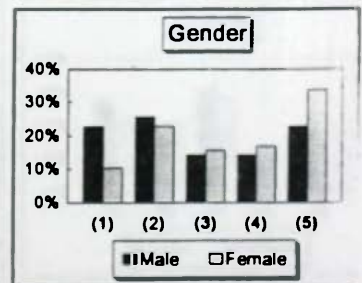
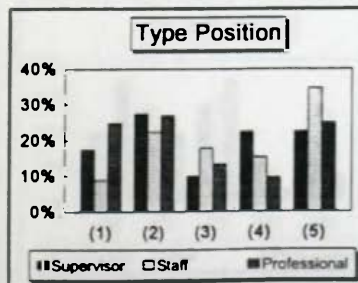
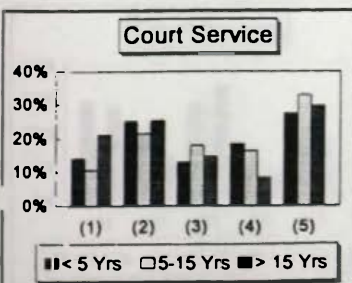
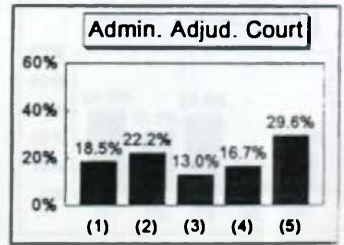
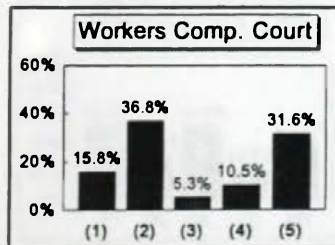
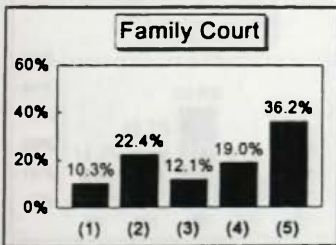
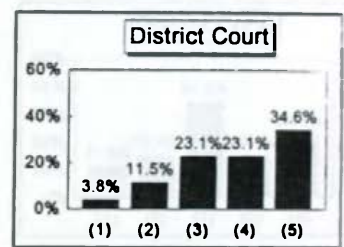
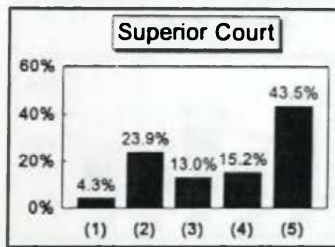
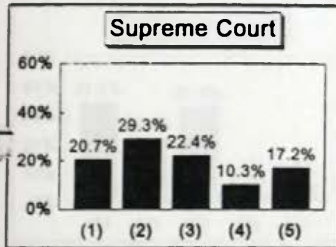


STATEMENT NUMBER 18

"I am kept well informed on matters of interest to me affecting my work area".

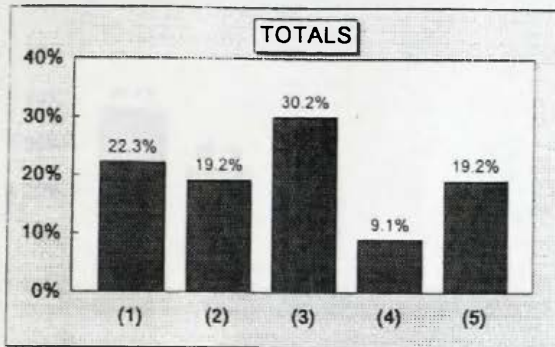


- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree

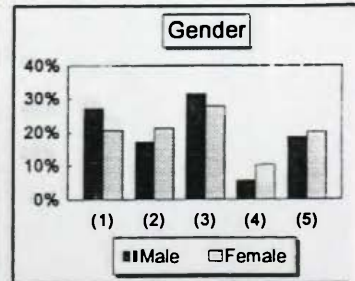
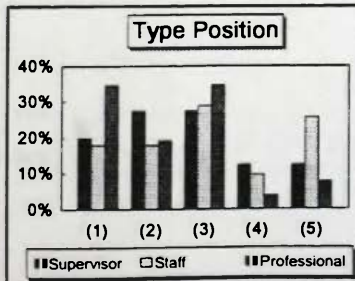
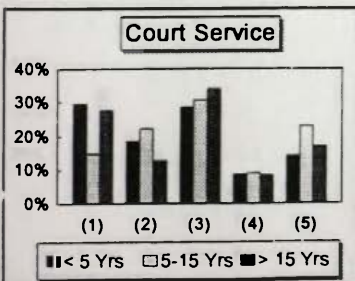
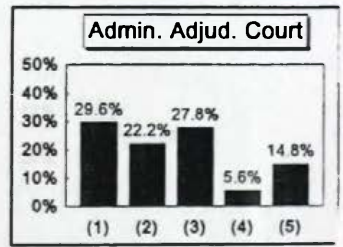
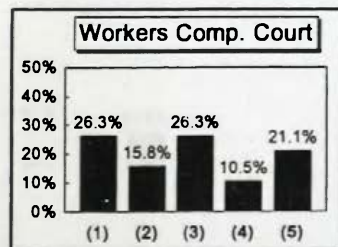
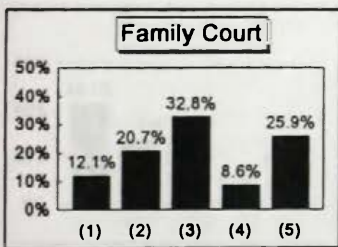
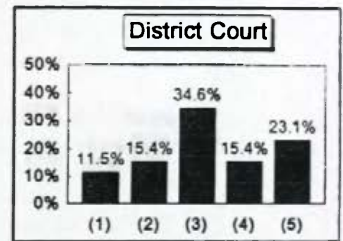
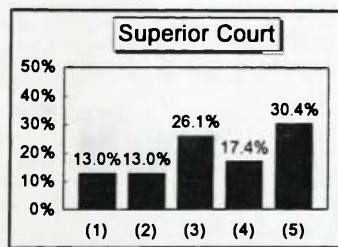
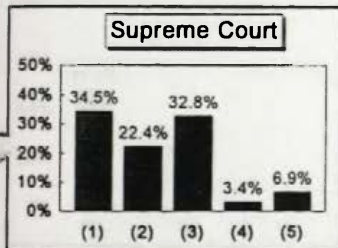


STATEMENT NUMBER 19:

**"I respect, trust and have confidence in my management group".**



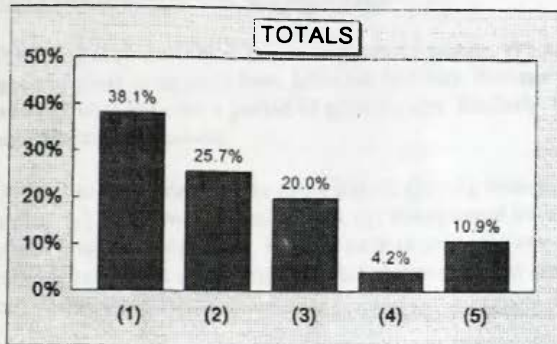
- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree



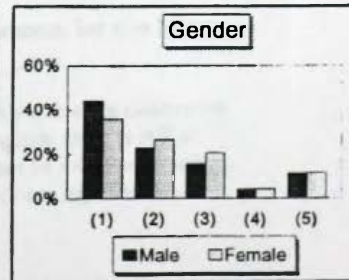
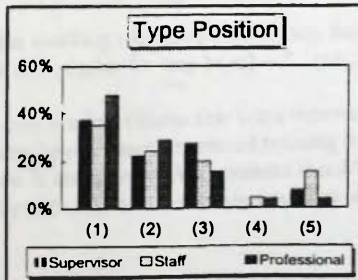
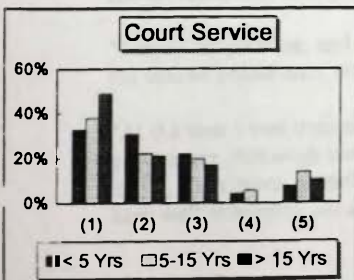
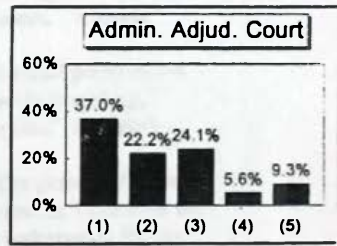
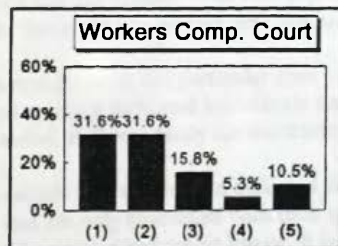
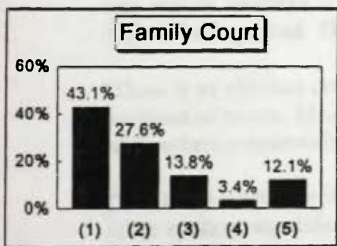
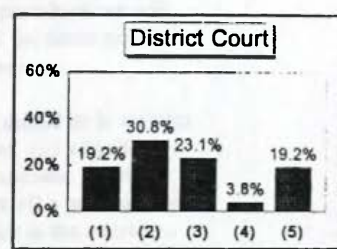
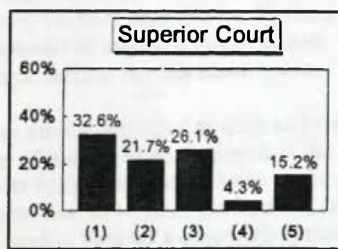
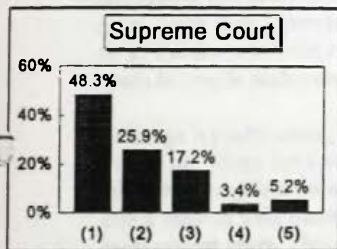


STATEMENT NUMBER 20:

"I feel I am a needed, valued member of my court's team".



- 1 - Strongly Agree
- 2 - Moderately Agree
- 3 - Mixed Feelings
- 4 - Moderately Disagree
- 5 - Strongly Disagree





## Summary of Comments Received From Court System Personnel

### Regarding Organization and Management:

"The court as an institution is very resistant to change. We are technologically in the Dark Ages and pleas to upgrade have fallen on deaf ears. Perhaps worse, promises have been made and not kept over a period of several years. Similarly, there seems to be no long-range planning." (Supreme)

\*\*\*

"Under the 'old' leadership the court lacked: (a) long term plan (b) sense of mission or purpose (c) effective communications (d) management team building around clearly defined goals and objectives. It is too soon to judge the new leadership but the initial period is somewhat discouraging in that communications and team building are lacking so far." (Supreme)

\*\*\*

"Management of the whole court system is weak. I have gone to my supervisors throughout the court system with ideas on how to improve the working operations of the court. Each time I have been told 'we have done this for 30 years and that's how we will do it'. Furthermore, the advancement of anyone is dismal at best. What the court system needs is people with management skills to run this court system." (Family)

\*\*\*

Although a professional, I often am not consulted as early as I think I should be in matters I work on. There are a number of competent professionals in the courts, and a need to bring them together on a regular basis to discuss common problems/solutions. There is also a need to train some support staff to be more professional (as part of) a professional-management team. There is a need to develop a cooperative, team spirit in the courts -- with regular meetings of groups and sub-groups. With new top level management perhaps this will be improved. There is also a need to interact with the judges more." (Supreme)

\*\*\*

"There is an absolute management fiasco in our particular area -- unqualified personnel in positions of power. Many hard working dedicated individuals consistently passed up, while others consistently rewarded, and very rarely for meritorious service." (Superior)

\*\*\*

"This is the most unprofessional job I have ever been affiliated with. The personnel in the office are lazy, unmotivated, and are only concerned with their own success. I can now see why the State of Rhode Island has such a bad public image. It is very unfortunate for the few workers who take pride in what they do for the judicial system." (Superior)

\*\*\*

"I enjoy my position, and also working with the people in my department, but also I have the utmost confidence, trust and respect for (my boss) --." (AAC)

\*\*\*

"At the time I was trained, only a select chosen few were thoroughly trained in courtroom procedures. Although we now have a more structured training program, there is still as much, if not more, favoritism in many areas. Assignments should not be awarded based on how well connected we are politically, or whether we socialize with our supervisors -- but

instead on our dependability, attitude, willingness to work. -- the favoritism does affect my morale and attitude." (Superior)

\*\*\*

"I have never had an "in-depth" discussion with (my) manager. Periodic discussions between managers and employees would probably boost morale -- but I know of no employee who has ever had discussions on their job performance. I know of many who want to hear their efforts are appreciated. Please make this a new rule for all managers." (Superior)

\*\*\*

"As long as court administrative positions are filled with people who are 'connected' and have no idea what court administration is about, the judicial system will remain 'ill' and no prescription will be effective for long." (Superior)

\*\*\*

"The court system will never be a well run and efficient system until people are hired and promoted according to their talents and abilities. Personnel are currently selected as political favors or payoffs. Court administrators are mostly unqualified for their positions and this leads to a lack of direction and purpose for their departments." (Supreme)

\*\*\*

"We do not use the computer system to its full value. There is too little exchange of information between courts, much of the paper work relating to the same case is redundant." (Supreme)

\*\*\*

"A major complaint is that the people at the very top were decidedly not good managers, and often the system of patronage and cronyism resulted in middle managers who were not especially skilled or experienced. Such practices also result directly in poor morale and resentment." (Supreme)

\*\*\*

"Probably because of the lack of good management skills at the top, there has been no emphasis on training." (Supreme)

\*\*\*

"Although I believe that the work my department does is important, even vital, to the courts essential judicial functions, there is very little feedback unless a problem occurs. There is a sense that we are overlooked, and our opinions are not solicited." (Supreme)

\*\*\*

"The volume of work ratio to the number of employees is not adequate. The employees are required to perform more duties than other state employees who do comparable work and have similar job titles. Too much work is done manually." (District)

\*\*\*

"I feel that individuals should have more input into planning and to be able to share ideas more." (Family)

\*\*\*

"What is needed is team cooperation -- better training -- quality control -- respect for each other -- less favoritism -- less back stabbing -- more focus on the job instead of each other -- better supervision -- pride in doing the job right, especially in the area of computer input and filing." (AAC)

"District Court needs an upgrade of the computer system -- a lot less shuffling papers and more computer work. The system (should) be more reliable and practical. It takes a District Court employee 45 minutes to locate a missing file, whereas if everything was on computers you could utilize the people more efficiently." (District)

\*\*\*

"I feel the court system and the staffing (clerks, data entry, etc.) are a well trained group of professionals. Training is on-going as it should be. But other courts must participate in the overall teamwork theory. The district courts need to be on-line!" (Superior)

\*\*\*

"The state should make it mandatory that all managers, supervisors, - anyone in charge of an office -- attend in-depth seminars on how to perform such duties, including handling stress, (how to) express constructive criticism -- in a positive manner." (Family)

\*\*\*

"There should be regular staff meetings. There seems to be communication problems between the employees of the different courts." (Supreme)

\*\*\*

"Given the instability in this court in the last five months, things have fallen through the cracks. People have been left with no direction; there is a lot of stress; there is a lack of communication by people who have assumed new tasks in the transition period -- people are feeling insecure because they don't know what is going on." (Supreme)

\*\*\*

"We must get the money to bring us to a higher level. It's a shame how they let the work environment go -- . We need to be more computerized." (District)

\*\*\*

"Superior Court is overloaded with management -- 50% of them cannot handle their responsibilities." (Superior)

\*\*\*

"More one-on-one training should be given. Most new clerks do not want to learn their responsibilities, they only take promotions for the money." (Superior)

\*\*\*

"There is no morale in the office -- as well as no communication between management and staff." (District)

\*\*\*

"More often than not, I am asked to put in more than a full day's work and there is never any recognition of that -- and this is true of many other employees in family Court. As a matter of fact, respect, recognition of a job well-done, encouragement and even simple fairness are practically non-existent." (Family)

\*\*\*

"I work with the best department in the Supreme court. Well run, and we are definitely an asset for the courts -- not wasted money." (Supreme)

\*\*\*

"There are many talented people in the court system. Their experience and training should be more effectively utilized by senior management. Workers often notify administrators when they see problems developing, yet management seldom responds to these situations until they reach crisis proportions. The decisions are made with little or no input from the



workers. Management needs to become more pro-active and less reactive. Don't be afraid to involve staff in decision-making. They can make valuable contributions." (Supreme)

\*\*\*

"I strongly feel supervisory staff would be better equipped with management training." (Supreme)

\*\*\*

"Our office lacks 'team spirit' -- although we all have the same responsibilities, there are individuals who deem their positions more important. When you are working with a difficult population as we do, it certainly seems important to have a supportive staff." (Family)

\*\*\*

"Management of many aspects of the judiciary should not be left to appointments with little or no formal or informal training. Positions should be given out on merit rather than simply on political affiliation." (Superior)

\*\*\*

"The new people in my job are given no instruction and hardly any training except by their co-workers. We are never given a pat on the back for a job well done, only reprimands." (Superior)

\*\*\*

"The Chief Justice/ Court Administrator of the Supreme Court has never taken the time to appear to explain what they intend to do to help our court. They manage their own court and we do not feel they have confidence or respect for us." (AAC)

\*\*\*

"This court system has had many changes, some that are not well thought out. These changes will result in further backlog. Computer entry has many, many errors -- it is not being reviewed for mistakes that do occur." (AAC)

\*\*\*

"The administrators seem to -- think everything is fine in the clerk's office. They don't ask the clerks -- our jobs are good but they would be much better if we could have a say in procedures." (District)

\*\*\*

"I feel the court system lacks promotional opportunities -- because of the (many) different departments within it. One is not allowed to get a higher job in a different department because you are told you must work at an entry level position in that department first. Most all the jobs are taken before they are even posted -- they are ear-marked for special people. When the posting comes out, the person getting the job already knows it." (Superior)

\*\*\*

"There are major problems at Superior Court. One is low morale due to unconcern and/or rudeness on the part of management, and a poor work environment. Another is incompetent and disinterested management. A third area is cronyism -- favoritism in pushing along a few in the clique to the detriment of many." (Superior)

\*\*\*

"We at AAC are the step-children of the judicial system and are treated as such by the Administration." (AAC)

\*\*\*

"I take pride in the work that I do for the system. I am extremely loyal and devoted to my job, regardless of whether I am one of the 'politically-in' people running things -- and I am



not. The thing that upsets me the most is whether you do an excellent job or a poor job, it doesn't matter and goes completely unnoticed. It is still who you know." (Family)

\*\*\*

"Management staff is in order -- support staff, i.e. clerical is lacking in some areas. Higher paid positions are doing clerical work -- which is totally ridiculous. Equipment, i.e. terminals and word processors, where available, are totally outdated." (AAC)

#### Regarding Salary, Promotions & Working Conditions:

"If this place was a private business, it would be out of business quickly. There is no incentive to do well (you get paid no matter how much or little you do, and promotions are a joke). Evaluations are badly needed. We all need political help to get here, but politics should not be a criteria for career advancement. Policies are handed out unevenly and favoritism is rampant. Set up a job expectation for each position and give hard workers a chance to advance." (Family)

\*\*\*

"People who are 'in the trenches' in courtrooms daily have to work with old desks and chairs, filthy walls and hallways -- have to use a public restroom which is often dirty. The seventh floor never lacks money for ergonomically designed chairs and desks -- marble walls are spotless. If you are politically connected, you have a job classification written for hefty pay raises. Peons get scraps. Seventh floor employees and others get judicial stickers so they can park on the street -- and they don't even need cars to perform their job. --Very discouraging when things like the above became rampant and blatant in the last four or five years. As a taxpayer, I see money wasted on patronage jobs that are unnecessary." (Superior)

\*\*\*

"I love my job and feel grateful to be able to (put) my education and experience to good use. The only comment would be that -- it still remains 'who you know' as to how far you can 'get' or 'get away with'. These people seem to have no accountability and a total different set of rules. My supervisor's only response is 'there's nothing that can be done about it'. It is my hope that in the future there can be better and fairer leadership in the individual departments." (Family)

\*\*\*

"No pay increase in last eight years -- more workload -- outdated equipment." (Superior)

\*\*\*

"There is a certain amount of resentment when we are told that a desperately needed open position cannot be filled because of a job freeze -- at the same time new positions are being created in less busy units." (Supreme)

\*\*\*

"Staffing is inadequate and dangerously low -- especially security and court staffing. Computers don't work -- two systems -- both should be integrated into a (modern) UNIX based platform. AAC is treated unfairly within the judiciary -- lowest pay, worst case workload." (AAC)

"Parking is an issue I feel strongly about (since) bringing a car to work is a job requirement. Even some sort of alternating lottery system for a limited number of spaces would be acceptable." (Superior)

\*\*\*

"Bright, college educated people without 'connections' do not advance at all. Postings for jobs are just a formality here because it is a well known fact among employees that the positions are filled before applications are accepted. It appears (that) 'patronage' jobs are the bulk of the court work force -- with low salaries that are acceptable as second incomes." (Supreme)

\*\*\*

"The physical plant and equipment are deplorable. Security is a joke. The dual computer systems are ancient and horrible." (AAC)

\*\*\*

"The issue of sexual discrimination must be addressed -- also less politics." (Superior)

\*\*\*

"The large majority of the people in this court work very hard -- (but) there are many inconsistencies and inequities in the state judicial system. -- There is too large a gap in salaries between staff and administration -- someone forgot that it would be difficult for Administrators, Judges, etc. without the little people behind the scene that keep things running smoothly." (Workers)

\*\*\*

"I feel very lucky and proud to be a RI state employee -- many excellent benefits -- still have my job even in these difficult time. (Have worked) 8 years for the judicial system and still have 20 more to go helping the people of RI pass through the court system." (Supreme)

\*\*\*

"I wonder about the air quality of my building -- are there frequent checks for radon and other harmful gasses?" (Supreme)

\*\*\*

"The quality of the air at the Garrahy complex is appalling. Most of my co-workers and I have had breathing problems, headaches, and sinus problems. When a diesel truck is parked 3 floors below, we get inundated with fumes until we must leave our desks." (Family)  
(Note: Many comments similar to this were received.)

\*\*\*

"My pay is eight grades lower than comparable positions in other courts." (Workers)

\*\*\*

"It is my professional opinion that the present position I hold is grossly underpaid. We are all diligent workers in a profession that deserves respect. Said respect includes proper wages." (Supreme)

\*\*\*

"I think there are people in the system that are getting overpaid, yet they don't work as hard as the little people." (Supreme)

\*\*\*

"Court Reporters at the Workers Compensation Court have the same duties of any state court reporter, yet our pay rate is far below others." (Workers)

"My job description has expanded greatly with no salary adjustment. Even though I do not let it effect my work, it is a professional insult to me that these pay inequities have gone on unchecked." (Supreme)

\*\*\*

"There is a widespread perception in the court system that how much you earn and whether you receive raises, depends on who you are and who you work for -- not on what you do or how well you do it. (Supreme)

\*\*\*

"I believe most state workers do not appreciate the many fringe benefits and excellent working conditions as they relate to the work day. I have often felt that a stint in private industry (should) be a prerequisite for state employment." (Supreme)

\*\*\*

"I feel that there should be more interest from the administration in regards to the stress and excessive amount of work that our department has to handle on a daily basis." (District)

\*\*\*

"The salaries are grossly unfair and do not meet the demands of the job or the educational qualifications of the position." (Supreme)

\*\*\*

"Unfortunately I have learned that management only respects management. My qualifications and ideas are of little interest. There is no professionalism -- and cannot be under our working conditions, which are totally disorganized. The workplace is dirty and dusty, and respect is not to be seen anywhere. Rules and regulations have to apply to only a certain few. Too bad -- there are a good deal of qualified personnel to be admired." (AAC)

\*\*\*

"I have the utmost respect for my immediate supervisor; however, I receive little or no feedback from upper level management." (Supreme)

\*\*\*

"Regarding the working environment, our office is never cleaned and vacuumed. The furniture is ancient and helpful to local orthopedic surgeons only. Also, we need computers; all our work is done on paper." (Supreme)

\*\*\*

"To advance to other positions, District Court employees are not comparable in status (or pay scale) to Superior Court. It still is who you know not what you know to advance to another position." (District)

\*\*\*

"I feel that the court needs more security with times the way they are. Our lives are threatened everyday." (AAC)

\*\*\*

"I feel the building on Harris Ave. should have a Health Dept. look at the problems of our employees -- breathing etc." (AAC)

\*\*\*

"Feelings of loyalty are constantly shaken, most recently by the rumor of our state representatives removing educational incentives." (Family)

"I hope that this survey is looked at seriously. We have done many -- with no results at all. We have worked in horrible conditions, filthy, terrible air -- and most of all a maintenance crew that is never here. Please help!" (Family)

\*\*\*

"Females receive less salary for the same position (as males)." (District)

\*\*\*

"The AAC should be treated as well as the rest of the court system; better working conditions are a must. Court review officers should have their own offices to properly perform their jobs as well as guard the confidentiality of the clients we serve." (AAC)

\*\*\*

"Advancement for qualified persons is very poor. I am encouraged by my supervisors to apply for higher positions -- but quite often people with less or no experience will get the job (if the job is even posted)." (Family)

\*\*\*

"It is frustrating to know that whether you do the work or not, you all get paid the same because of the system. I would also like to see more cross-training to have the office run more efficiently." (AAC)

\*\*\*

"I honestly enjoy being a state worker." (AAC)

\*\*\*

"We work extremely hard in this department and never get a word of thanks from supervisors. Our lunch room is a deplorable place -- not to mention the ladies room of which there are no words to describe. We do not feel safe either." (AAC)

\*\*\*

"Worker morale is at its lowest. Management seems unaffected by it. Surveys like (this) in the past have been useless. Why will this one be any different?" (Family)

\*\*\*

"An Employee Handbook would be helpful for new hires" (Supreme)

\*\*\*

"Raises, promotions, etc. are not done on merit but for political favors -- same for hiring."

\*\*\*

"There is a need for fairer and more equitable standards for determining pay both in the courts and in the state system as a whole." (Supreme)

\*\*\*

"External training and conferences should be offered on a more equitable basis, and for the courts' benefit." (Supreme)

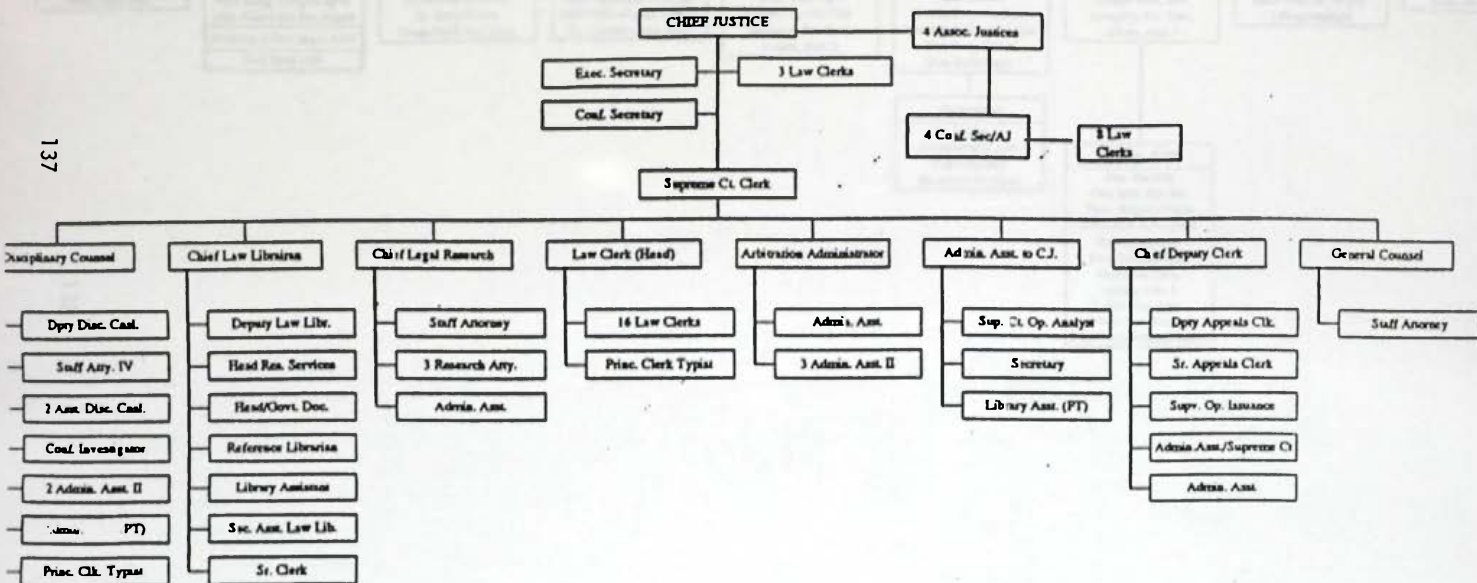
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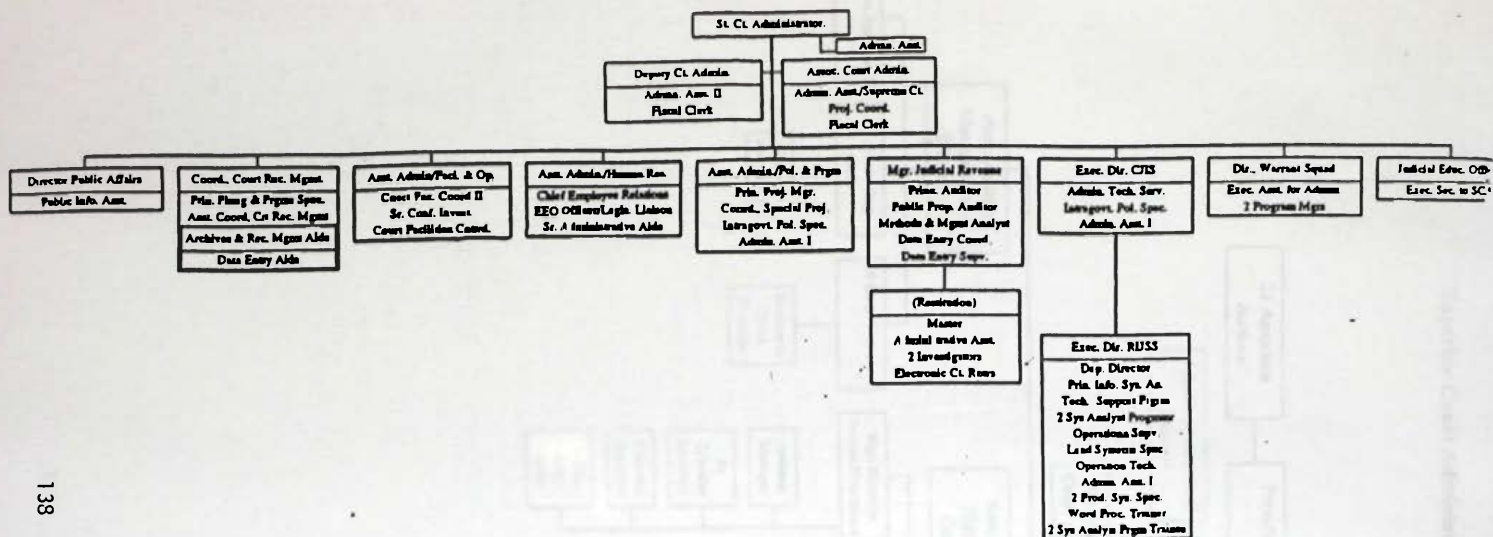
"We are in desperate need of equipment that works on a daily basis -- never mind updates. We need courtroom equipment from chairs that are designed for proper posture to printers that are reliable. In the long run costs will be saved. We need proper working conditions and equipment to do a proper job." (Superior)



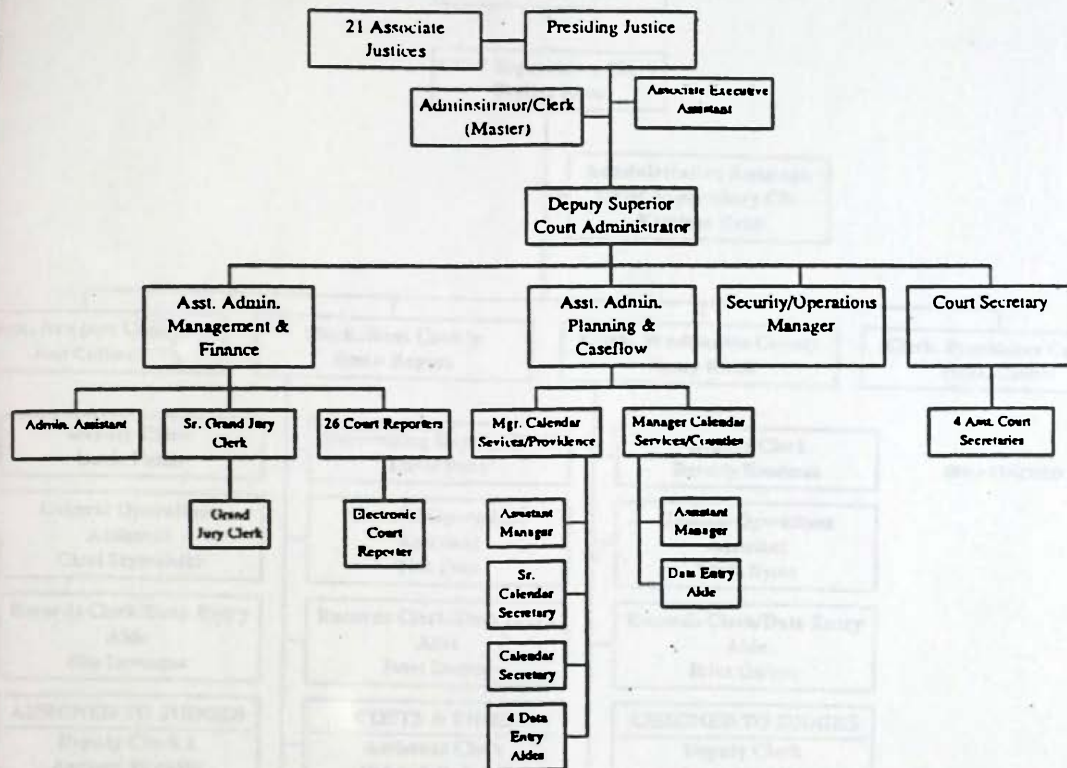
## **APPENDIX C**

The following tables of organization were prepared by the several courts and provided to the study team at the end of 1993. Certain organizational changes have been instituted since that time which are not reflected in these tables.



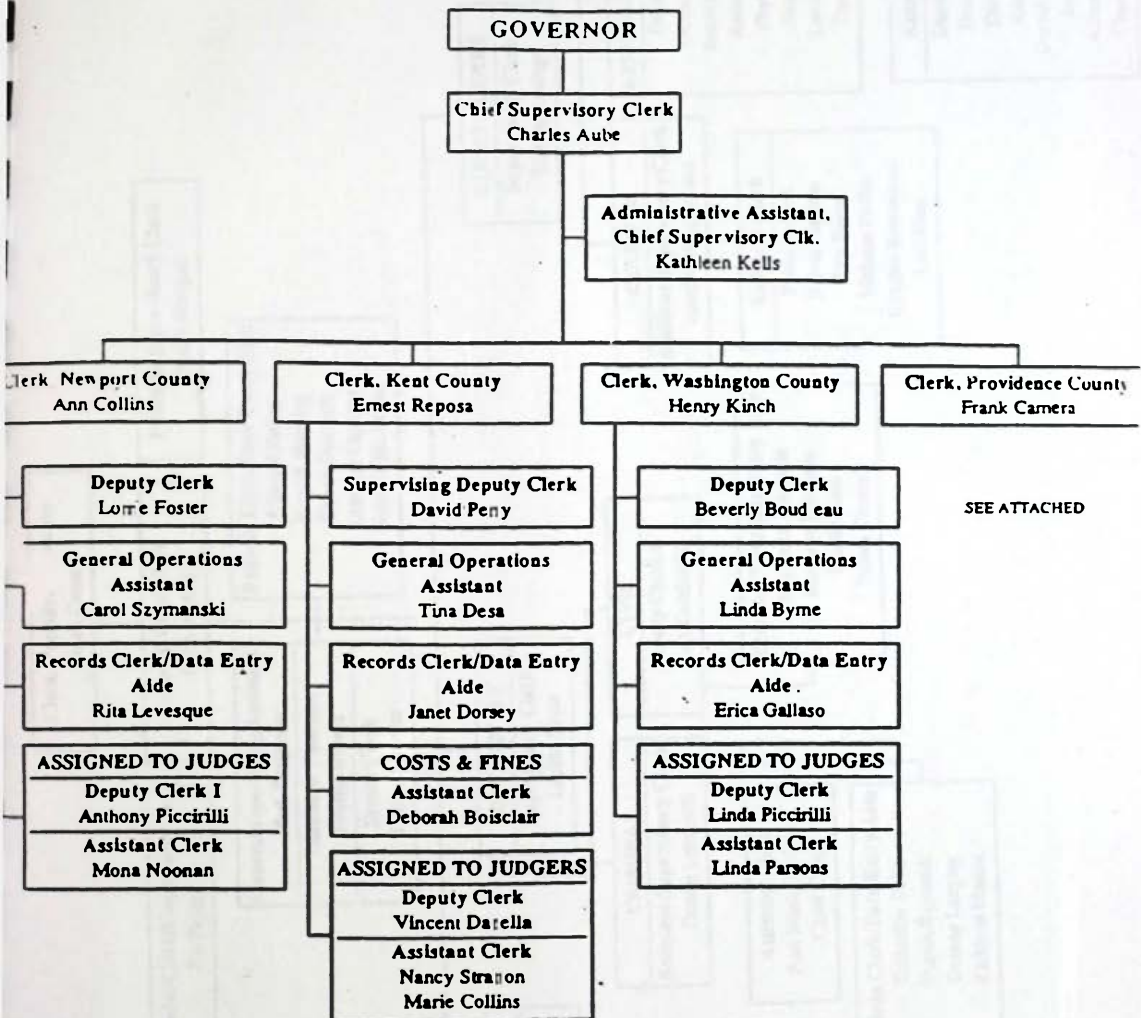


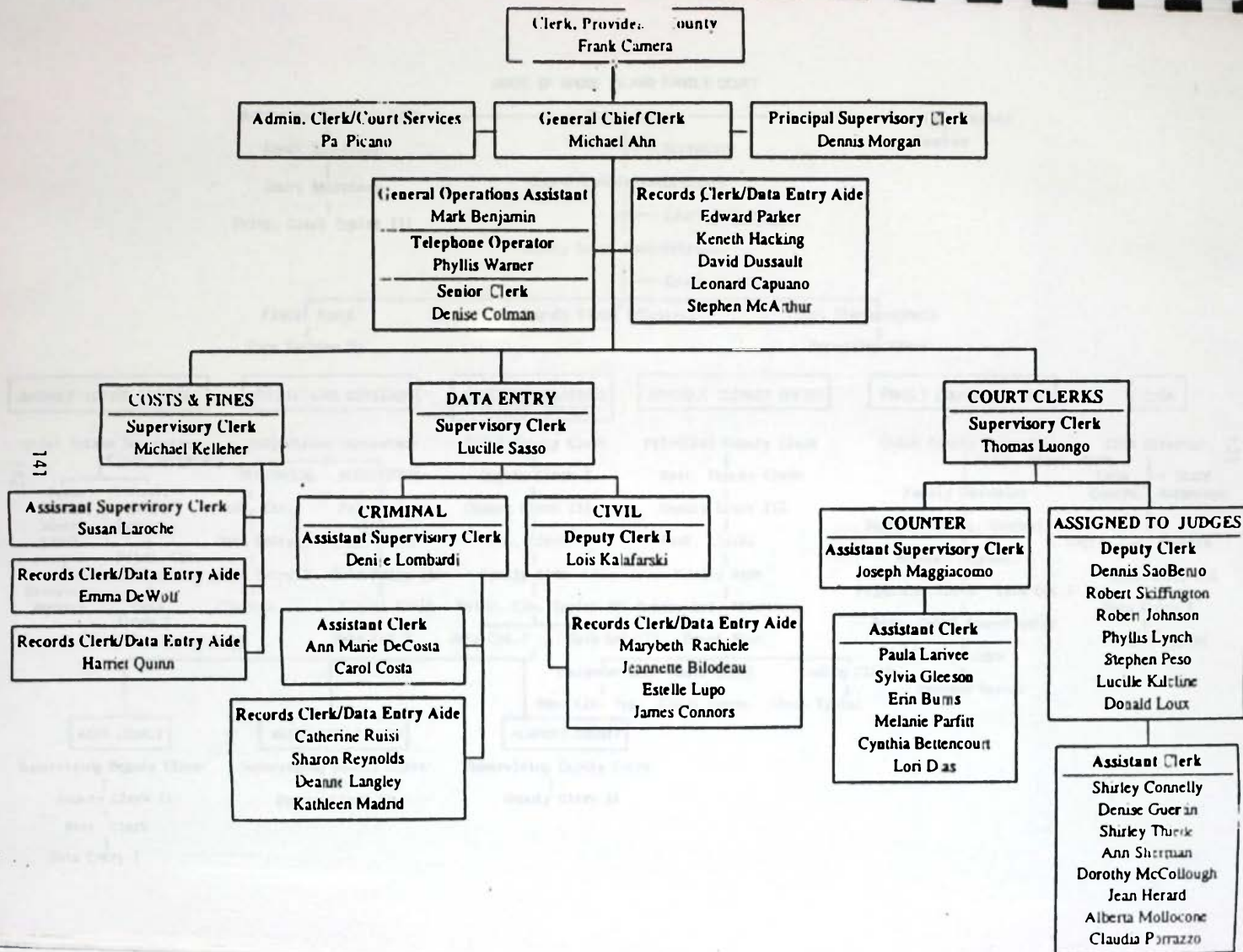
# Superior Court Administrative Office



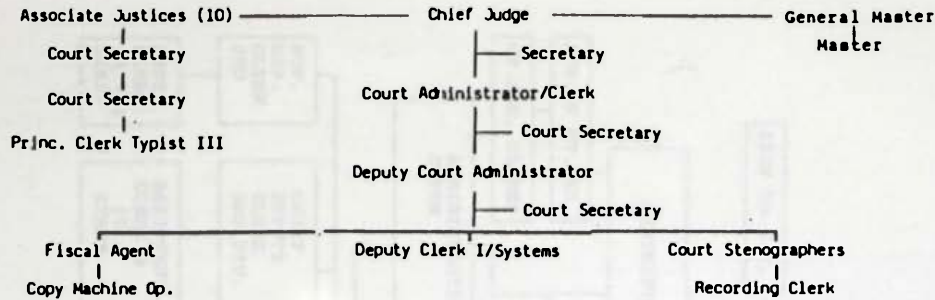


# SUPERIOR COURT CLERKS' OFFICE

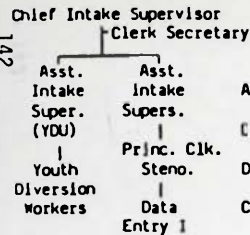




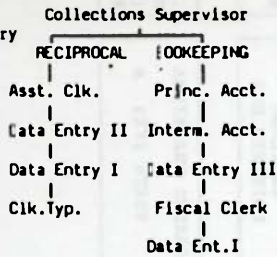
# STATE OF RHODE ISLAND FAMILY COURT



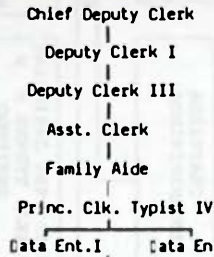
## JUVENILE INTAKE SERVICES



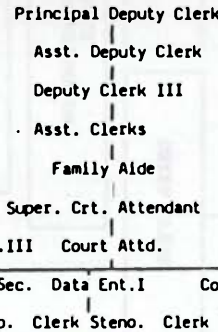
## COLLECTIONS DIVISION



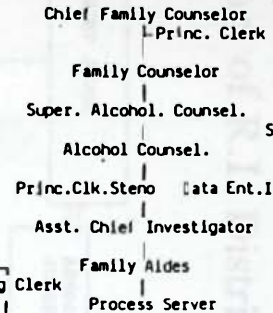
## DOMESTIC RELATIONS CLERKS' OFFICE



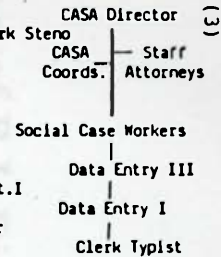
## JUVENILE CLERKS' OFFICE



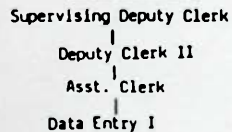
## FAMILY COUNSELING UNIT



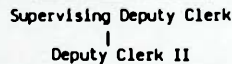
## CASA



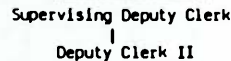
## KENT COUNTY



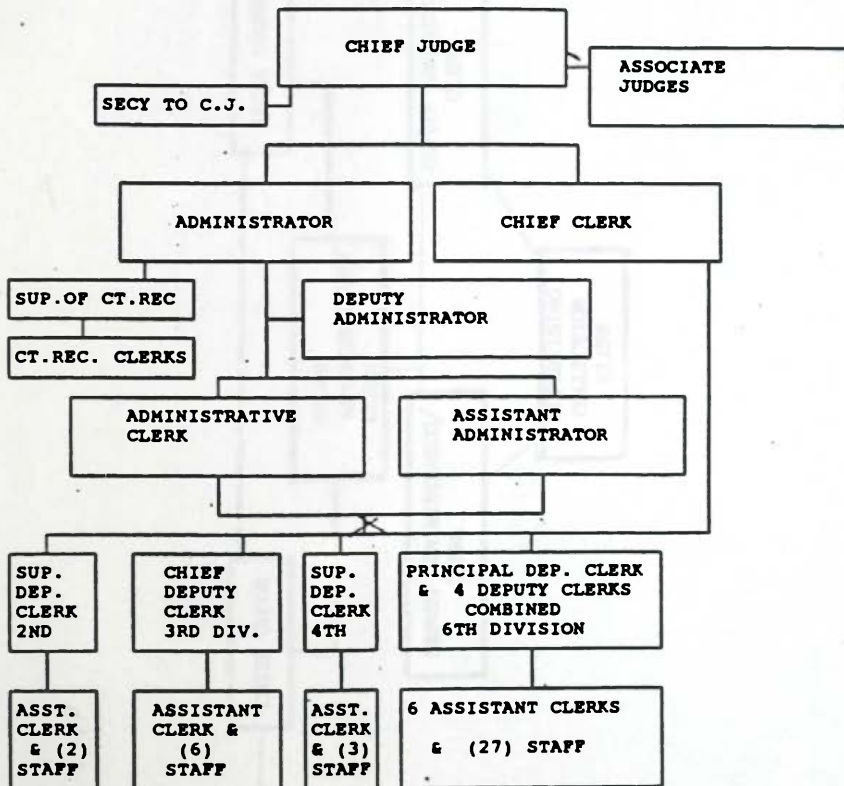
## WASHINGTON COUNTY



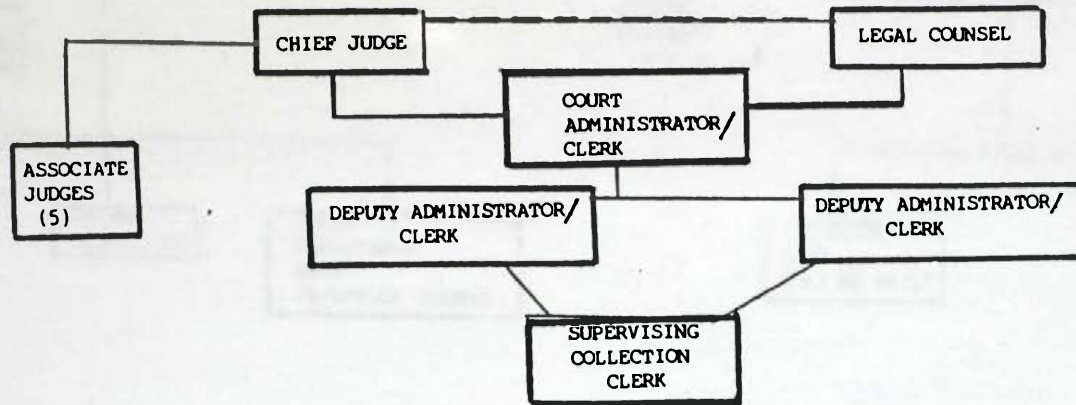
## NEWPORT COUNTY

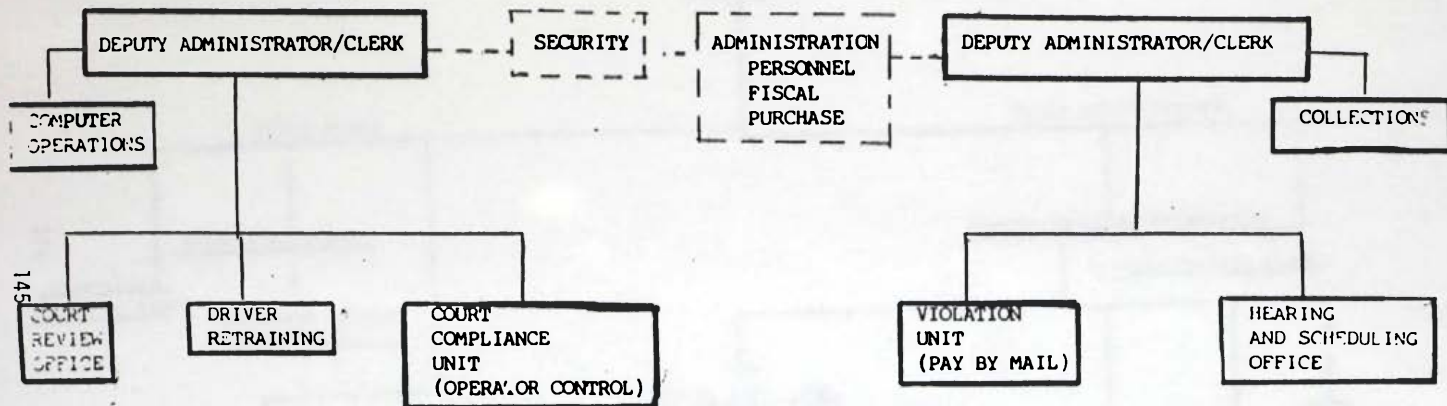


# Organizational Chart of R.I. District Court

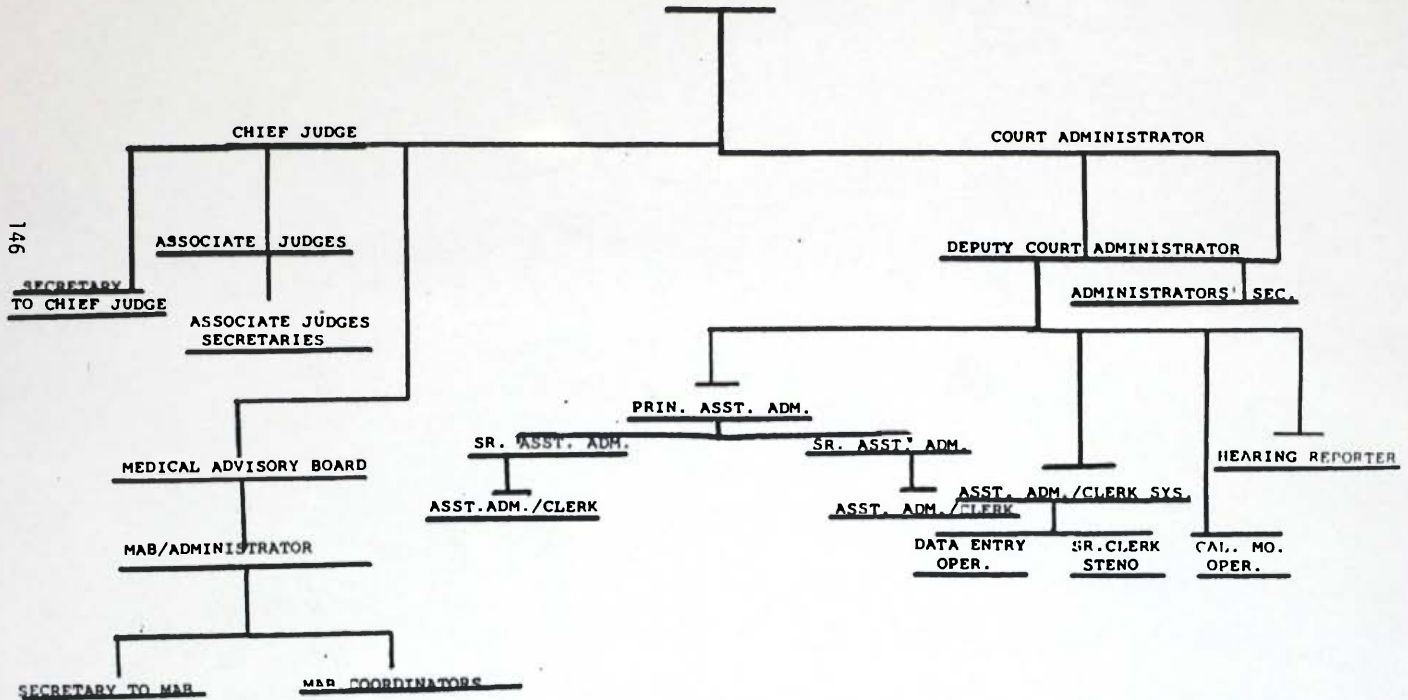


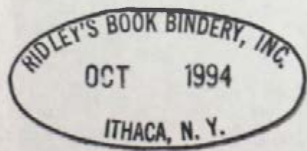






# WORKERS COMPENSATION COURT





REF KFR 508 .Z9 R56x 1994 c.1  
Rhode Island Public  
Expenditure Council.  
A study of the Rhode Island