



1976

## Rhode Island Report on the Judiciary 1976

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**REPORT ON THE JUDICIARY**  
**1976**



**STATE OF RHODE ISLAND**

Pursuant to Chapter 8-15 of the Rhode Island  
General Laws as amended by Chapter 247 of the  
1975 Public Laws, this report was prepared by the:

**Administrative Office of State Courts**

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*Photographs by James W. McElroy*

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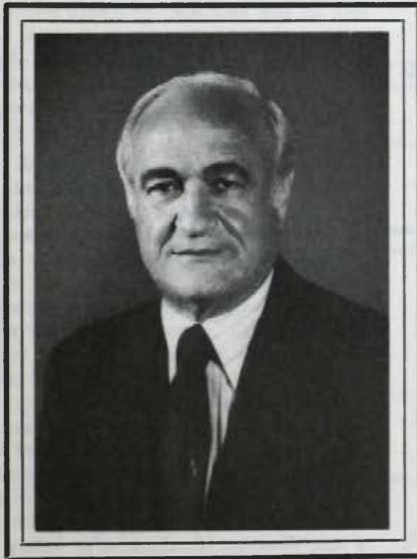
*Top — Providence County Courthouse built in 1928 and currently housing the Supreme Court, the Providence and Bristol County Superior Courts, and related justice agencies. Left — Washington County Courthouse in West Kingston, built in 1894 and now used by the Superior Court and the Third Division of the District Court. Right — Woonsocket Courthouse built in 1896, location of the Seventh Division of the District Court also used by Superior and Family Courts.*

**TO: The Honorable Members of the  
Rhode Island General Assembly**

Submitted herein is the fifth annual report produced by the Administrative Office of State Courts.

The last year brought many changes and improvements in the court system. Every court made significant efforts to improve their service to the people of the state with new programs and operational reforms. While this report can neither cover all new programs nor describe all accomplishments in the state courts, it does summarize the more significant events and activities of the year.

Pictures of interesting aspects of the several buildings that house the state courts illustrate this report. A number of these buildings deserve recognition for their architectural and historical significance. While the courts have traditionally been well-housed, in recent years they have been hampered by some inadequate facilities. Many court locations have insufficient room, inappropriate floor plans, or deteriorating buildings. The Judicial Department has made several studies to identify necessary improvements in existing buildings and to specify the need for additional court facilities. These important capital improvements cannot be made until the Legislature provides the appropriate financing.



Sincerely,

Joseph A. Bevilacqua  
Chief Justice, Supreme Court

# ORGANIZATION OF THE RHODE ISLAND COURTS

Rhode Island has a unified state court system composed of four statewide courts: the District and Family Courts are trial courts of limited jurisdiction, the Superior Court is the general trial court, and the Supreme Court is the court of review.

The entire court system in Rhode Island is state-funded with the exception of Probate Courts, which are the responsibility of cities and towns, and the Providence and Pawtucket Municipal Courts, which are local courts of limited jurisdiction. The Chief Justice of the Supreme Court, as the Executive head of the state court system has general supervision over all courts and provides administrative services for the system through the State Court Administrator. Each court maintains control over its own affairs and has an administrative judge who appoints an administrator to handle internal court management.

## District Court

Most people who come to or are brought before courts in this state enter, at least initially, the District Court. This court was established to give the people of the state easy geographic access and reasonably speedy trials to settle civil disputes in law involving limited claims and to judge those accused of lesser crimes. It has statewide jurisdiction but is divided into eight divisions so it can hear cases close to where they originate. Most felony arraignments are brought in the District Court.

Specifically, its jurisdiction in civil matters includes small claims that can be brought without a lawyer for amounts under \$500 and other actions at law concerning claims of no more than \$5,000 that do not require a jury. It also hears suits on violations of municipal ordinances or regulations.

In criminal cases, it has original jurisdiction over all misdemeanors where the right to a jury trial has been waived. The District Court is not designed nor equipped to hold jury trials. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court.

Appeals from District Court decisions in both civil and criminal cases go to the Superior Court for a trial *de novo*. In actual practice, this right to a new trial is seldom used, and District Court dispositions are final in 96.7% of criminal cases and 98.5% of civil cases.

Since October, 1976, the District Court has held jurisdiction formerly exercised by the Superior Court over hearings on involuntary hospitalization under the mental health, drug abuse, or alcoholism laws. Judges of the District Court now also have jurisdiction to hear appeals from the adjudicatory decisions of several regulatory agencies or boards. This court also has the power to order compliance with the subpoenas and rulings of the same agencies and boards. Appeals of District Court decisions in these matters are taken directly to the Supreme Court.

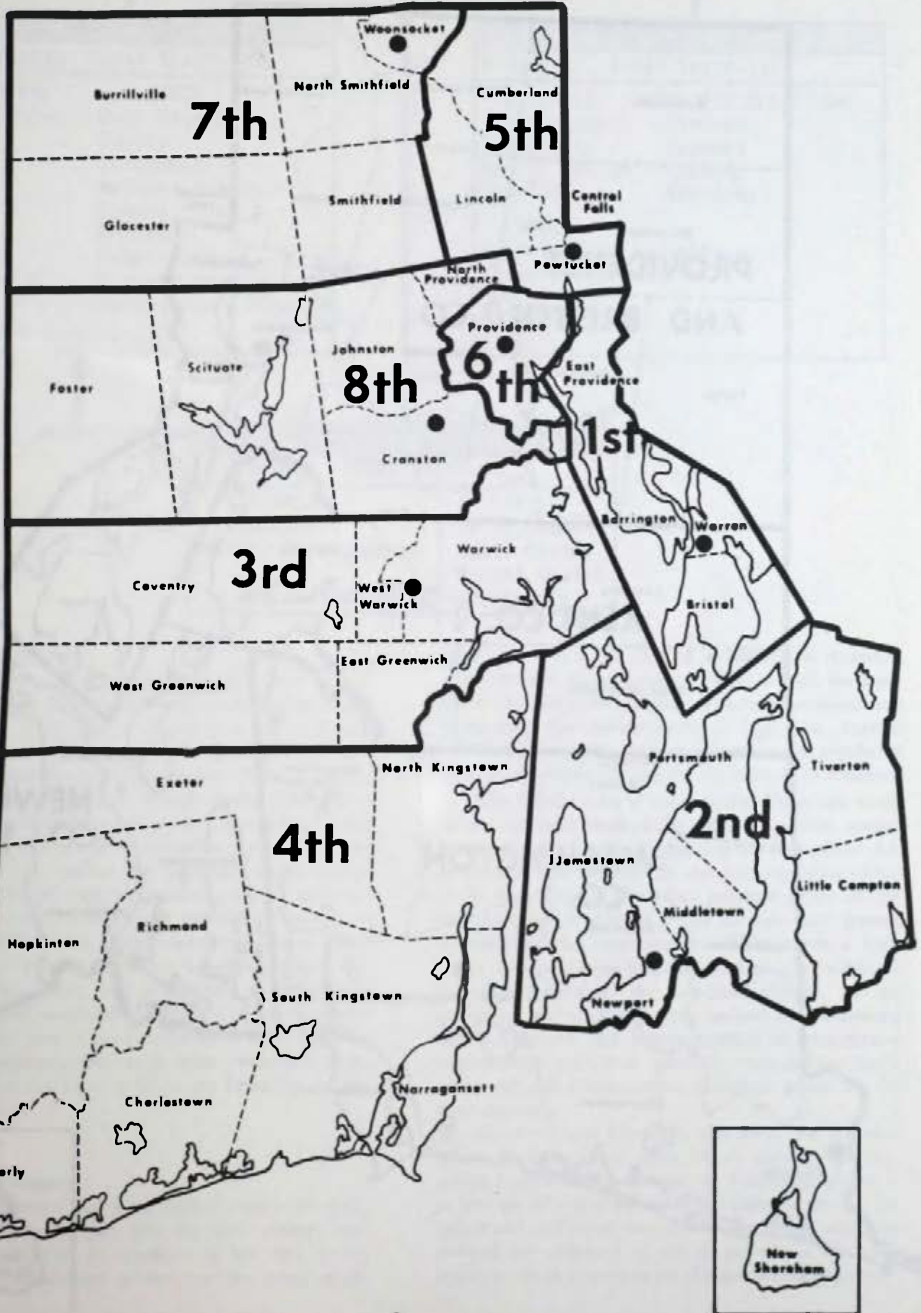
## Family Court

The Family Court was created to focus specialized judicial power and wisdom on individual and social problems concerning families and children. Consequently, its goals are to assist, protect, and, if possible, restore families whose unity or well-being is being threatened and to preserve these families as secure units of law abiding members. This court is also charged with assuring that children within its jurisdiction receive the care, guidance, and control conducive to their welfare and the best interests of the state. Additionally, if children are removed from the control of parents, the court seeks to secure for them care as nearly as possible equivalent to that which parents should have given them.

Reflecting these specific goals, the Family Court has jurisdiction to hear and determine all petitions for divorce from the bond of marriage and any motions in conjunction with divorce proceedings relating to the distribution of property, alimony, support, and the custody and support of children; separate maintenance; complaints for support of parents and children; and those matters relating to delinquent, wayward, dependent, neglected or mentally defective or mentally disordered children. It also has jurisdiction over the adoption of children under eighteen years of age; paternity of children born out of wedlock and provision for the support and disposition of such children or their mothers; child marriages; those matters referred to the court in accordance with the provisions of Section 14-1-28; responsibility for or contributing to the delinquency or waywardness of neglected children under sixteen years of age; desertion, abandonment or failure to provide subsistence for any children dependent upon such adults for support; truancy; bastardy proceedings, and custody of children; and a number of other matters involving domestic relations and juveniles.

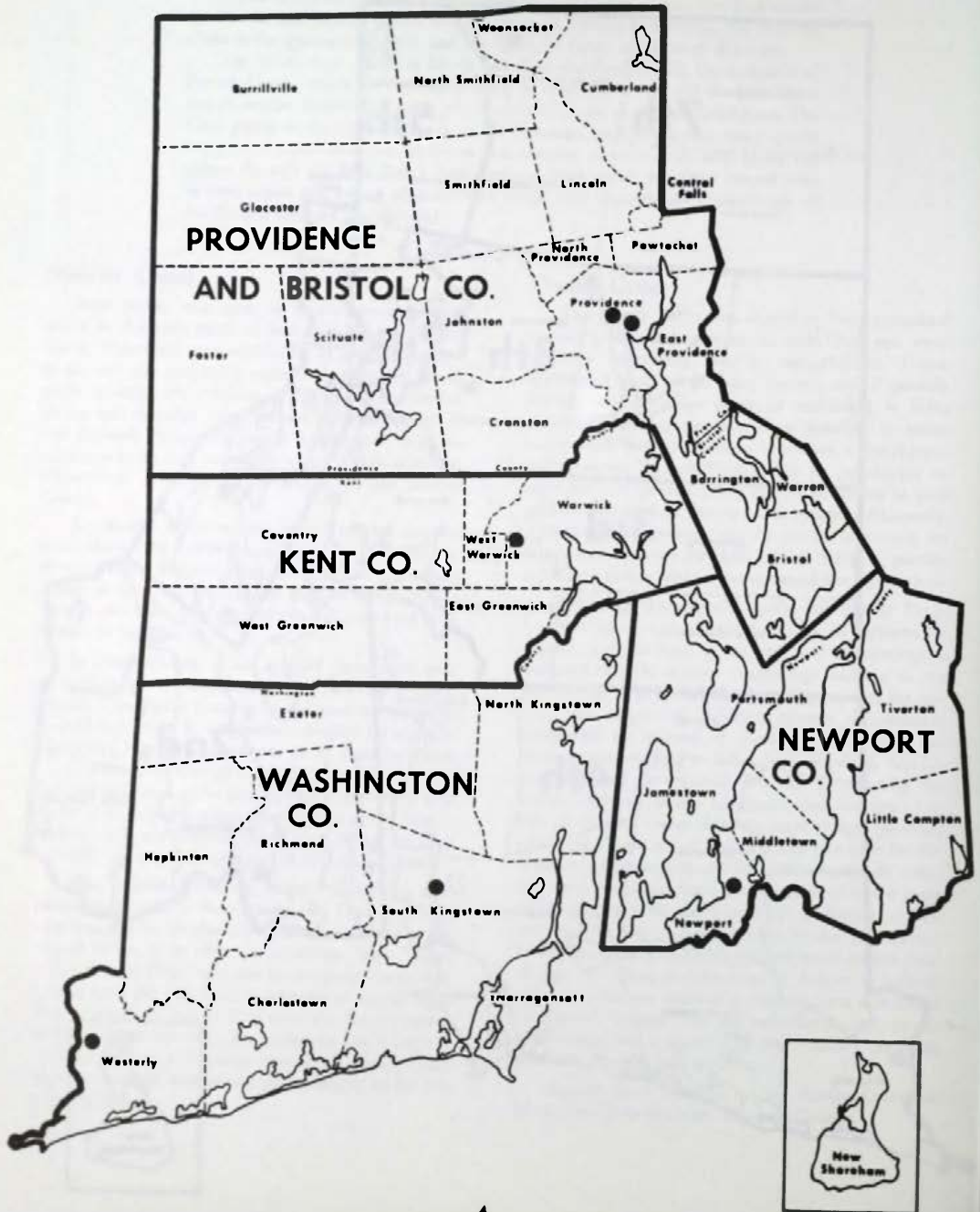
Appeals from decisions of the Family Court are taken directly to the state Supreme Court.

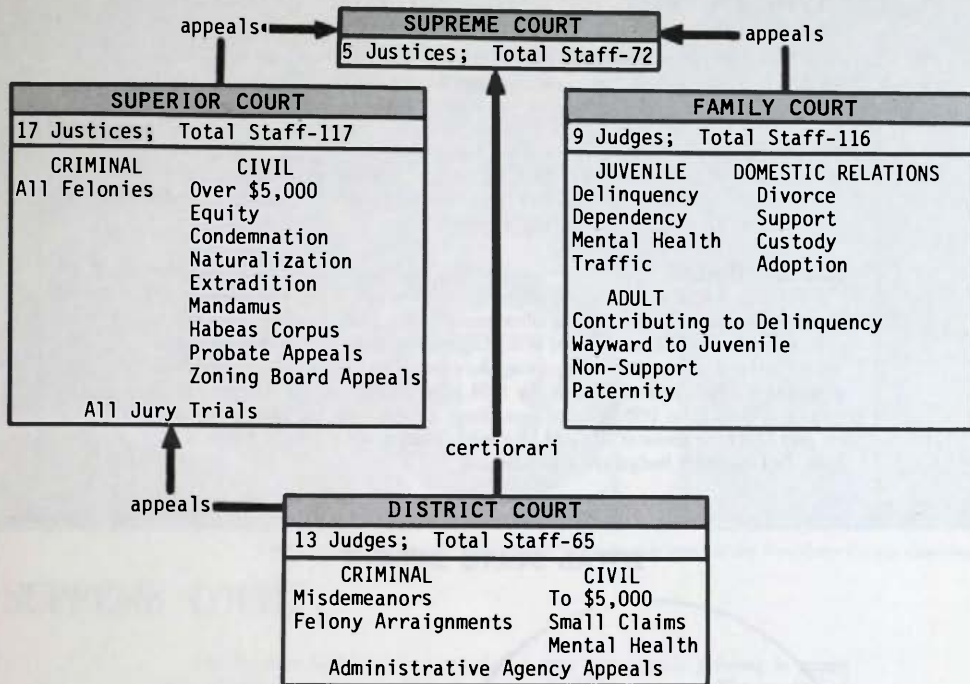
# DIVISIONS OF THE DISTRICT COURT





# SUPERIOR AND FAMILY COURTS





## Superior Court

The Superior Court is the state's trial court of general jurisdiction. It hears civil matters concerning claims in excess of \$5,000 and all equity proceedings. It also has original jurisdiction over all crimes and offenses except as otherwise provided by law. All indictments found by grand juries or brought under information charging are returned to Superior Court, and all jury trials are held there. It has appellate jurisdiction over decisions of local probate and municipal courts. Except as specifically provided by statute, criminal and civil cases tried in the District Court can also be brought to the Superior Court on appeal where they receive a trial *de novo*. In addition, there are numerous appeals and statutory proceedings, such as highway redevelopment, and other land condemnation cases. Concurrently with the Supreme Court, it has jurisdiction of writs of habeas corpus, mandamus, and certain other prerogative writs. Appeals from the Superior Court are heard by the Supreme Court.

## Supreme Court

The Supreme Court is the highest court in the state, and in this capacity not only has final advisory and appellate jurisdiction on questions of law and equity, but also has supervisory powers over the courts of in-

ferior jurisdiction. Its area of jurisdiction is statewide. It has general advisory responsibility to both the legislative and executive branches of state government and passes upon the constitutionality of legislation. Another responsibility of the Supreme Court is the regulation of admission to the Bar and the discipline of its members.

The Chief Justice of the Supreme Court also serves as the executive head of the entire state court system. Acting in this capacity, he appoints the State Court Administrator and the staff of the Administrative Office of the State Courts. This office performs personnel, fiscal, and purchasing functions for the state court system. In addition, the Administrative Office serves a wide range of management functions, including consolidated, long-range planning; the collection, analysis, and reporting of information on court caseload and operations; the development and implementation of management improvement projects in specified areas; and the application for and administration of federal grants for the court system.

The State Law Library is also under the direction of the Supreme Court. This library provides an integrated legal reference system. Its first responsibility is to provide reference materials and research services for judges and staff of all courts. However, as the only centralized law collection of any magnitude in the state, it also serves as a resource for the general community.

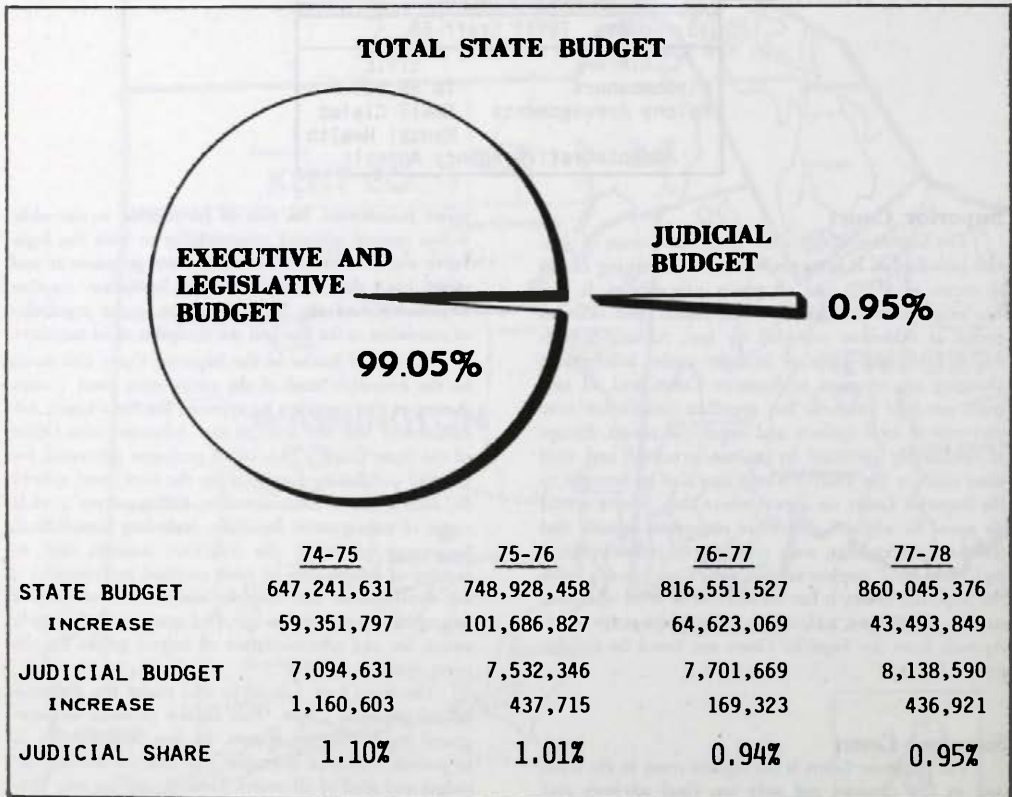
# 1976 IN THE RHODE ISLAND COURTS

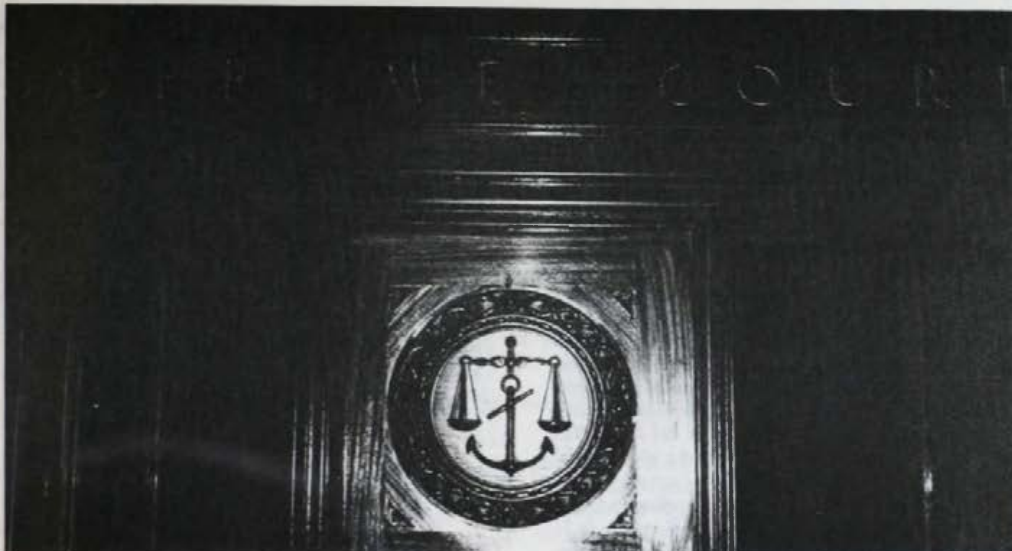
The words and statistics that follow give a brief overview of activity in the Rhode Island State Courts during the past year. The programs and events described are only meant to be representative of the many activities and accomplishments of that year.

This part of the report has been divided into four main sections; one for each of the state courts. However, since there are many centralized or cooperative activities in the state court system, a program described in a section on one court could have involved another court or the entire system.

## Judicial Budget

The state courts present a unified budget request to the Governor each year. The Governor usually makes some adjustments in this budget before including it in his total state budget as submitted to the Legislature. The Legislature often makes some additional changes before approving the Governor's budget. The chart below compared the judicial budget with the total state budget for the last four fiscal years. For 1974-75 and 1975-76 actual expenditure figures are used. The figures used for 1976-77 are the amounts allocated by the Legislature, and the 1977-78 figures are from the Governor's budget recommendations.



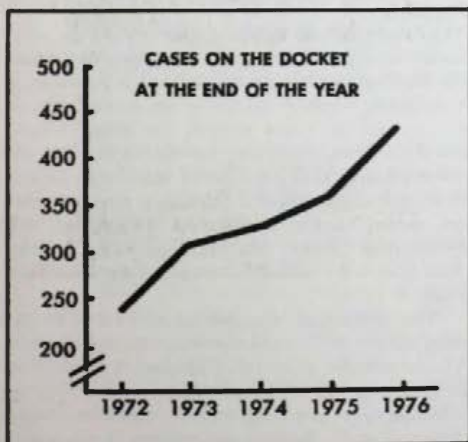


*Carved wooden doorway to the Supreme Court hearing room in the Providence County Courthouse.*

## SUPREME COURT

The Supreme Court caseload, which has been continuously growing in recent years, increased an alarming 26% during the 1975-76 court year. The number of new cases docketed each year has increased at a rate much greater than the increase in the number of cases terminated by the court. Consequently, the number of docketed cases waiting to be heard has grown year by year (see chart below).

Although hampered by a vacancy on the bench for three months while the new Chief Justice was elected and sworn in, the court disposed of 330 cases in the 1976 court year. This represented an increase over the previous year's dispositions. However, 422 new cases were docketed during the same periods, so the total number of cases on the docket at the end of the court year rose to 447.



### New Chief Justice Takes Office

In April, Joseph A. Bevilacqua was sworn in as Chief Justice of the Supreme Court. He filled the position vacated by the retirement of the late Chief Justice Thomas H. Roberts, who had served on the court for 20 years.

Chief Justice Bevilacqua has been a member of the Bar for 28 years and served in the state legislature for 21 years. He presided over the House of Representatives as its elected Speaker for 7 years.

In an address given at his swearing-in ceremonies, Chief Justice Bevilacqua outlined his plans and hopes for progress in the state courts. He called for the participation of every member of the judiciary in planning this progress, and he recognized that the judiciary must be given adequate support with appropriate facilities and equipment, sufficient court personnel, and adequate correctional resources. He also pledged to consider al-

ternatives to reduce delay in the courts. Touching on the obligation of the Bar to maintain the public's confidence in the judicial process, he also reminded the general community that the courts can only serve the public at the level determined by their commitment to the courts' purpose and their support of the courts' needs.

### **Unit Allows New Disposition Procedure**

The principal function of the Appellate Screening Unit is the preparation of prehearing reports on a majority of the cases docketed in the Supreme Court prior to the time of oral argument. Based on an independent review of the record, these reports are keyed to significant passages in the pleadings, transcripts and other papers included in the record as it is transmitted from the lower courts or hearing tribunals. Each report presents a neutral analysis of the positions of the parties to the appeal and contains, as well, supplemental research materials on the legal issues raised in the briefs. The reports are thus designed both to aid the court in preparing for oral argument and later to serve as a convenient reference resource at the time of opinion writing.

As appeals are analyzed, those which appear to be moot, procedurally deficient, or which are clearly controlled by prior law, are submitted for the court's consideration as suitable candidates for the issuance of show cause orders. Once such an order is issued, the parties are expected to appear briefly to show cause why the appeal should not be dismissed, or sustained, as the case may be. Unless they are able to convince the court that the appeal should be heard (in which case it is put back on the regular calendar), the appeal is then dealt with in summary fashion and is disposed of in a brief memorandum or per curiam opinion. This can represent a considerable saving in judicial time, not only at oral argument, but in minimizing the time and thought necessary to preparing a full-length authored opinion.

This procedure has already resulted in a number of appeals being withdrawn and in recent months has permitted the addition of 3 to 5 extra cases to the court's monthly calendar. Despite the difficulties faced by the court on the death of the late Chief Justice, the number of appeals withdrawn or dismissed rose last year from 66 to 82 — reflecting in part the work of the Unit.

### **State Law Library Adds Several Periodicals**

In 1976, the State Law Library added almost 41,200 volumes to its growing collection of over 125,000 books. The addition of several new periodical subscriptions brings to 162 the number of periodicals available in the library. Fortunately, the library has been able to maintain its level of acquisitions despite sharply rising book costs and a book budget which has remained constant since 1972.

The library has embarked upon a long-term project to greatly facilitate access to all its books. By the target date of 1980, it is planned to have the entire collection

recataloged by author, title, and subject in conformity with Library of Congress standards.

While continuing to meet its primary responsibility to serve the growing reference needs of the courts, other state agencies and members of the Bar, the library has been called upon to serve an increasing number of non-attorneys — including high school, college, and law students, corporate employees, and private citizens. Despite this greater demand for services, the library's staff of 3 full-time and 2 part-time employees has remained constant for over 25 years.

The library's plans for the future include the acquisition of additional space for collection growth, creation of a vertical file for pamphlet material in all areas of law, and the establishment of a judicial archives which will bring together those old and valuable court records which are presently scattered throughout the state. In addition, the library is faced with the problem of a physically deteriorating book collection which will require such conservation measures as leather treatment of bindings, re-binding, and the creation of a controlled environment for those books and archival materials of particular rarity and historical value to the State of Rhode Island.

### **Legislative Commission Seeks Renewal**

At the end of 1975, the Legislative Commission to Study Criminal Procedures prepared its Final Report. Presented to the Legislature at the start of its 1977 session, this report recommends the establishment of a permanent commission to continue needed improvement of the justice system, which is possible only through cooperation between the General Assembly and justice system agencies. The five-year history of the commission, as recounted in the report, demonstrates how a body of legislators and heads of justice system agencies can serve as a mechanism insuring this cooperation.

Throughout 1976, the commission continued to work to effect its recommendations and had some major accomplishments.

Several pieces of legislation proposed by the commission were passed during the last legislative session. The resulting new laws brought reforms in several areas by: initiating a needed revision of the criminal statutes with creation of a new category for minor offenses termed violations, reallocating jurisdiction to better distribute the caseload of the Superior and District Courts, removing unconstitutional differences in civil and criminal mental health commitment procedures, and strengthening statutory procedures governing the way prisoners can earn reduced sentences through good-time credit.

The commission continued its efforts to help the courts and the media work together to accommodate the First Amendment guarantee of freedom of the press to the Sixth Amendment right of a defendant to a fair trial. Following up on a well-received conference that brought jurists and media representatives together in September,

1975, for discussions on the "free press-fair trial" conflict, the commission held a second conference in June, 1976. The Bench-Bar-Press Committee drafted materials for group discussions focussing on the issue of "gag orders." This second conference continued a constructive dialogue on ways to reconcile court/media conflicts.

Another meeting convened by the commission took the form of a public hearing on procedures and policies that govern parole for convicted offenders. Probation and parole officials discussed criticisms involving the handling of some specific types of parole cases. The entire issue of how offenders earn and maintain their eligibility for parole was publicly examined. After considering information discussed at the hearing, the commission made several proposals for reform of the statutes governing eligibility for parole.

### Legislative Enactments

In 1976, the General Assembly passed the following acts that directly affect the courts:

**S 2254:** Allows the presiding justice of Kent County Superior Court to designate the place in Kent County where the grand jury shall sit.

**H 7034A:** Provides for the destruction of criminal records after conviction for misdemeanor, under certain conditions.

**S 2394:** Empowers the District Court to hear appeals and petitions for relief from the orders of various administrative agencies.

**H 5115:** Allows an interest rate to be added to judgments in civil actions.

**S 2194:** Increases to four the number of general assistant clerks of the Superior Court of Providence and Bristol counties and allows such clerks to advance to rank of deputy clerks and be assigned throughout the state.

**S 2246:** Establishes fees for filing and writs of execution in Family Court for divorce proceedings and ratifies all prior costs charged.

**S 2655A:** Defines a new category of lesser criminal offenses which are denominated as "violations."

**S 1036A:** Provides for a one-year statute of limitations in which alienation of affections suits may be commenced.

**H 7183:** Allows small claims court jurisdiction in cases involving up to \$500 regarding contracts, tax collections, or recovery of damages resulting from sale of consumer goods or services.

**S 2759A:** Establishes an incentive pay plan based on education for court clerks.

**S 2671A:** Amends certain provisions of the mental health law by redefining mental disorder, court jurisdiction, criteria and procedure for commitment, and periodic review thereafter.

**S 2076:** Establishes a rebuttable presumption of self-defense in an action for injury sustained while com-

Some other commission recommendations bore fruit in 1976. The voters approved a constitutional amendment allowing the General Assembly to reduce the size of civil juries from 12 to 6. A law passed on commission recommendation in 1972 allowing the District Court to set bail in more types of cases finally took full effect as that court acquired the capability to make a record of bail hearings through the use of electronic recording equipment.

Quite a few of the pieces of significant legislation drafted and submitted at the recommendation of the commission have not yet been enacted by the General Assembly. Commission members hope that the reestablishment of a more permanent study commission, as recommended in the final report, will allow continued efforts to gain passage of some of these proposed statutes.

mitting a criminal offense against an owner, tenant or occupier of the place an offense was committed.

**S 2152:** Provides for five assistant secretaries for the justices of the Superior Court.

**H 7905A:** Increases the number of associate justices in the Family Court from 6 to 8 and in the Superior Court from 14 to 16.

**S 2125:** Provides that certain defendants and persons acquitted by reason of insanity be committed as in-patients at the IMH.

**S 128:** Requires small claims cases to be brought in the division of District Court where the defendant resides if the plaintiff is a corporation.

**H 7793A:** Creates the position of associate jury commissioner.

**S 2822:** Provides certain criteria for prisoners to be released on parole.

**H 7486:** Allows evidence of misconduct in cases of divorce for irreconcilable differences for purpose of determining entitlement to alimony, awarding of child custody, or where the court determines it necessary to establish evidence of irreconcilable differences.

**H 7824:** Grants the commission on judicial tenure and discipline power of subpoena, reprimand, and immediate temporary suspension.

**H 7894:** Grants a pension to the widow of any judge who dies during active service of 15 or more years in office.

**S 2631A:** Provides for \$75 fee for docketing a civil appeal in the Supreme Court and allows for a waiver of the fee for indigents.

**S 2389:** Decreases the time provision to 3 years for divorces granted on grounds of separation, and provides that divorce decrees become final 3 months after trial and decision.

**S 2200:** Removes separate paragraph requirement for the statement within a contract which designates arbitration as the manner of settling controversy.

## Law Day Events Observe the Bicentennial

In May, the Justices of the Supreme Court traveled to Newport and sat to hear oral arguments in the Old Colony House as earlier courts had done many times between 1742 and 1905. Several cases from the May calendar were heard during a morning court session held in the Great Hall. In the afternoon, a special session of the Court convened in the upstairs Council Chamber of the same building.

During this special session, the Chief Justice presided at a Bicentennial Law Day observance. Other participants included the judicial heads of the three state courts, the Governor, the Attorney General, and the U. S. District Attorney for the state. A Law Day address was prepared and delivered by the chairman of the state Bicentennial Commission. The entire event was recorded on videotape and broadcast by the state's educational television station. The program for this observance was presented in an illustrated booklet prepared by the Administrative Office and the State Law Library. An article on "The Role of Newport's Colony House in the History of the Supreme Court" accompanied the program.

The court also participated in Law Day activities held in April at Bryant College. A display showing the types of decisions made by the Supreme Court joined other exhibits prepared by various justice system agencies, and a printed pamphlet containing a short history of the Supreme Court was distributed. The day's activities concluded with an assembly featuring a discussion panel which included an Associate Justice of the Supreme Court and the State Court Administrator.

Throughout the year, the materials prepared for these Law Day events have been distributed on request to schools and other groups interested in the history of the court. Some copies of these publications remain available at the Administrative Office.

## Disciplinary Council Serves the Bar

Created in 1975 to implement new disciplinary procedures for the Bar as specified in Rule 42, the Disciplinary Council has completed its first full year of operation. The nine-member council is served by a full-time Chief Disciplinary Counsel who receives complaints against attorneys for violations of the strict standards of professional conduct for members of the Bar. Formal complaints are investigated and, if found valid, presented to the full council. If the council decides disciplinary action should be taken, a petition is filed and hearings are conducted. These hearings are of a judicial nature so witnesses and evidence may be subpoenaed. If, on consideration of facts presented at a hearing, the council decides that disciplinary action is required, it transmits the full hearing record to the Supreme Court with recommendation for discipline. Only the Supreme Court can impose sanctions on an attorney. If the court decides some form of discipline is called for, it may disbar an

attorney, suspend his right to practice law, or deliver a public or private reprimand.

All actions of the Chief Disciplinary Counsel and proceedings of the full Disciplinary Council as well as Supreme Court reviews of recommendations for discipline are completely confidential. This is important to both protect the reputation of attorneys wrongfully accused of unprofessional conduct and to preserve the confidential relationship between attorneys and clients by preventing exposure of private client information. If the Supreme Court decides that public discipline is warranted, it takes action and makes the matter one of public record. In 1976, the court issued one disbarment, one suspension, and one public reprimand.

The Disciplinary Council is supported by the state Bar. The salary and office expenses of the Chief Disciplinary Counsel as well as all the expenses of disciplinary proceedings are paid out of a fund maintained through annual registration fees paid by all members of the Rhode Island Bar.

## Subcommittees of the Commission on Jurisprudence of the Future are Active

Established in 1972, the Commission on Jurisprudence of the Future is charged with making broad observations on the present condition of the judicial system and offering recommendations for future reform and improvement. Chaired by an Associate Justice of the Supreme Court, it is a blue-ribbon panel that includes not only respected members of the Bench and Bar, but also prominent citizens including educators, physicians, and religious, labor, and community leaders. There are several subcommittees that meet regularly to discuss more specific topics within the broad field of law.

During 1976, the Commission's family law subcommittee met and continued to explore methods to further implement their recommendations to reform the divorce laws and to improve protection of children's rights. Subcommittee members have been encouraged by passage of legislation allowing divorces based on irreconcilable differences and by the way this law is being used in the courts. However, they are still working to bring state statutes closer to the provisions of the Uniform Marriage and Divorce Act by eliminating the need, in appropriate cases, to have an award made to a petitioner with the respondent being found at fault. They have supported the thus far unsuccessful efforts of the Family Court to add state funds to their budget for a Children's Advocate and are seeking legislation to require that children have legal representation in appropriate proceedings where their interests need protection.

The commission's criminal law subcommittee convened several times during 1976 and called a special meeting near the end of the year on certain problems concerning inmate conditions at the state Adult Correctional Institution (ACI). They listened to a teacher and a group of church women who had some specific com-

plaints about unreasonable restrictions on the flow of outside reading material for prisoners and on the environment for the educational program offered in the medium security section. The subcommittee communicated these complaints to the Department of Corrections. At a subsequent meeting, positive responses from corrections officials were reported outlining a formal procedure to facilitate the flow of library books and other published materials to inmates while allowing them more reading time in the prison library. An adequate classroom in medium security was also promised.

### Judicial Council Studies Court Structure

The Rhode Island Judicial Council exists to study the organization and administration of the state's judicial system. It consists of 6 members of the Bar appointed by the Governor to 3-year terms. They meet regularly and submit a report to the Governor annually.

In 1976, the Council concentrated on the central issue of the restructuring of the three state trial courts. They began by studying the work of the Committee on Court Structure which was appointed in 1971 and produced two reports, one in 1972 and another the following year. These reports recommend differing degrees of consolidation and unification of the state courts. The council met with judges and the Court Administrator to get additional information on the issue. They also studied information provided by the Administrative Office on a court unification plan used in Connecticut.

The Council's report concluded that the greater efficiency promised by a restructured court system gives the matter great significance. They plan further study of proposed alternatives and expect to offer formal recommendations in next year's report.

### Number Who Pass Bar Examination Up 11%

The Office of the Clerk of the Supreme Court acts as the registrar and secretariat for the State Board of Bar Examiners. It is responsible for issuing and receiving application forms and also for maintaining applicant files. This office makes all the arrangements for the bar examinations that are given twice a year. In 1976, 158 students representing 43 different law schools sat for the bar examination with 79% achieving passing scores. The number of successful candidates (125) is 11% larger than the number that passed the previous year.

The Clerk's Office also collects the yearly registration fee required of members of the Bar by Rule 45. Registered attorneys are listed on a master roll prepared and updated several times a year by the Clerk's Office. This roll is produced with the help of the State Computer Center and is printed and bound for distribution to all state courts. At the end of 1976, 1779 attorneys appeared on the master roll.

### Fee Required for Civil Appeals

The 1976 session of the General Assembly passed legislation allowing the imposition of filing fees on appeals. Following the mandate of this law, the Court by rule established a fee of \$70.00 on all appeals filed in civil matters. All monies collected from these fees are deposited in the state's general fund. There are still no fees charged for criminal appeals.

### Court Rules Compiled and Printed

Bobbs-Merrill published and distributed a long-awaited compilation of the rules of practice and procedure for the four state courts. This new publication is designated Volume 2B of the General Laws, and while it contains some rules that appeared in the Appendix of Volume 2A, it is the first published volume to contain a large number of newer rules previously only available from the courts in mimeograph or xerox copies.

Copies of this volume of rules may be purchased from the publisher. Amendments and additions will be published in cumulative annual supplements. The courts have been saved considerable effort and expense now that their rules are available through this publisher.



*Statue of Astraea, the blind goddess of justice, at the rear of the Supreme Court hearing room.*



# ADMINISTRATIVE OFFICE OF STATE COURTS

In 1976, the Administrative Office of State Courts took some significant steps toward improving court administration in the state courts by developing new management systems and reorganizing administrative resources. Some of these improvements, such as the Statewide Judicial Information System, concern the whole state court system. Other projects involved case scheduling, operational procedures or other management activities within a particular court.

The Administrative Office also continued to serve the various courts by providing program and facilities studies and improvements. These improvements are usually carried out jointly with the particular court or courts involved. The more general of these project accomplishments are mentioned below, while those that concern a single court appear in the section devoted to that court.

## New Unit Coordinates Planning

Late in 1975, the courts received an LEAA grant to create a three-person planning unit to work on the staff of the State Court Administrator and under the general auspices of the Court Component Committee. The committee had been organized by representatives of the various courts, the Attorney General, the Public Defender, and the Division of Probation to coordinate planning and the use of LEAA funding among the agencies involved in the court system. The unit itself was intended to increase the court's capacity to design, fund, and carry out programs which are needed to improve the court's operation and to coordinate the court's planning with the work of the other adjudication agencies.

Since its formation in early 1976, the planning unit has fulfilled this responsibility in a number of areas.

Among its major accomplishments is the preliminary design and initial implementation of a long-term project to build a State Judicial Information System (SJIS). The plans developed by the unit for the SJIS project won the endorsement of the LEAA, and the courts have received funding which should support the system's two year of development and operation. The unit's work in this area included coordinating the transfer of the Attorney General's Prosecutors Management Information System (PROMIS) to the Administrative Office of State Courts and enhancing that system to fit into the long-term SJIS design. These efforts were successful, and much of the information and procedures developed by PROMIS will be used in building a comprehensive statewide information system for the courts.

The planning unit has also assisted the Superior Court in establishing a criminal case assignment office. The unit has worked with the Presiding Justice and the Office of the Clerk of the Superior Court in obtaining funds to support the office, coordinating the transfer of its functions from the Department of the Attorney General and developing policies and procedures to govern its operation.

Developing the court's section of the state's LEAA "comprehensive plan" has been another of the unit's ongoing responsibilities. This plan, which details the

court's needs and priorities, is the basis for federal funding of a number of projects in the courts, the Department of the Attorney General, and the Office of the Public Defender. The unit has also prepared the individual grant applications which are necessary to obtain support for each of these projects and additional reports which are necessary to maintain that funding once it is received.

In addition to these primary responsibilities, the unit operates the court's manual statistical reporting system and has provided staff support for a number of short-term grant writing or planning projects within all of the courts.

## Information System Funded

The establishment of SJIS (State Judicial Information Systems) came several steps closer to reality in 1976 with the successful application for and receipt of \$200,000 in Federal funds by The Administrative Office of State Courts.



*Bronze medallion four feet across set in the floor outside the Supreme Court hearing room.*

These funds, with \$22,222 in Matching State Funds, will be used to build a staff of Information Systems Designers and provide for the adoption of computerized court record keeping in Rhode Island.

The grant provides that the Courts will build on the Prosecutors Management Information System (PROMIS) concept that had started with the Attorney General in 1974. The court's project includes taking over management responsibility of the PROMIS staff and providing for the operation of the PROMIS system until a new design is put in place. This agreement, with the Attorney General, will be an important first step in securing cooperation between all members of the Court Component Committee for the development of an integrated information system serving all adjudication agencies.

The development of a central SJIS staff of nine will be the first project priority of the grant. The staff will be supplemented by a systems analyst trainee at each court, the Department of Corrections, Probation and Parole, and the Public Defender. Plans call for a needs analysis to be drawn across all the agencies and the design of the new system to be implemented early in 1977.

The central SJIS staff will include a Director, Secretary, Supervising Analyst, Supervising Programmer, an Analyst within the Department of the Attorney General, two Programmer Trainees, and two Data Entry Operators. This staff will be housed at a location convenient to the Providence County Courthouse.

The SJIS Project will attempt to integrate the data collection and reporting efforts of all agencies in order to eliminate duplication of record keeping. The inclusion of all administrators and staff of the agencies in the design effort will insure that the new system supports all levels of agencies using the system.

In addition to the criminal case record keeping design effort planned for 1977, the SJIS Project will also attempt to secure a grant to begin a parallel effort of system design for the juvenile justice requirements of the Family Court. This project will have as an objective the integration of any juvenile case data to the SJIS design for criminal case record keeping in order to insure system compatibility.

The goals of the SJIS are to improve the accuracy and timeliness of data to support the information requirements of the courts and agencies using the system and to include all the elements of information to support the CCH (Computerized Criminal History) and OBTS (Offender-Based Statistics) requirements of LEAA. Initial uses of the system will support the efforts of re-scheduling court workloads and the development of calendars for the courts.

The first year effort will be to design a system of criminal record keeping with the civil and appellate record keeping modules to follow in succeeding years. Future uses of the SJIS will be to support needs of financial, personnel records and legal research.



*Antique wall clock in the Woonsocket courthouse.*

## **Courthouse Security Improved**

With the help of the State Police, a court facility security survey was completed, and the results of this survey were submitted to the Committee on Courthouse Security. Following the recommendations of this Committee, the Administrative Office has taken steps to correct some of the problems in physical security arrangements discovered in the survey.

Additional door locks have been installed to control access to non-public areas. Windows have been secured and cell block arrangements have been improved in some courthouses. Walk-through metal detectors have been installed to check trial participants and members of the public entering specifically designated "secure" courtrooms. Hand-held metal detectors and communications equipment have been issued to sheriffs for special security efforts.

Complete security plans have been developed detailing emergency procedures and assigning responsibility for specific security measures to be taken in various types of emergency situations. Additional installations of alarms and emergency communications equipment are being studied for several courthouses.

## **Employment Practices Monitored**

An Equal Employment Opportunity Manager has been assigned by the State EEO Office to assist the

Judicial Department in developing and maintaining personnel procedures that assure equal access of all qualified individuals to employment, promotion, and training opportunities. The EEO Manager has helped the courts comply with state and federal statutes and regulations that govern employment policies.

An EEO Committee representing court employees works with this manager. They have helped him write and then monitor the implementation of the Judicial Department's Affirmative Action Plan. As part of this monitoring effort, the EEO Manager assures that all position vacancies are widely advertised and also helps recruit qualified job applicants. The Manager's quarterly reports show the courts have maintained their commitment to the Affirmative Action Plan, although there are still milestones to be met in the scheduled implementation of the plan's action steps.

The EEO Manager has aided the court in another area by meeting with representatives of the Governor's Justice Commission and studying the employment practices required for projects funded with federal grants. All federal aid is conditional on compliance with detailed EEO guidelines. The courts have been able to abide by these guidelines.

## **Federal Grants Increase to \$540,253**

During 1976, the courts received federal funds through 12 grants and subgrants. These grants provided a total of \$540,253 in extra federal support for programs in the state courts. Although grants from the Law Enforcement Assistance Administration (LEAA) formula funds distributed by the Governor's Justice Commission have been reduced, a large discretionary grant received directly from LEAA in Washington brought an increase in total federal assistance to the courts.

Additional direct federal support was received through the CETA program. At the end of the year, there were 6 CETA paid court employees, and funding for these positions totalled \$54,991.

The courts also benefited directly from a federal grant to the National Center for State Courts for \$12,375 to develop a District Court Procedural Manual for Rhode Island.

The titles of the court's federal programs are listed below with brief descriptions of their objectives. More details on accomplishments in 1976 for most of these programs can be found in the sections on each court.

*Adjudicatory Planning Unit* — Aids coordinated planning for the courts and other justice system agencies with a 3-person staff.

*Appellate Screening Unit* — Speeds consideration of appeals before the Supreme Court by providing a central legal staff to "screen" all cases.

*Children in Placement* — Provides the resources to Family Court to complete a review of the status of all juveniles placed in institutions or foster homes by court order.

*Continuing Judicial Education* — Offers advanced

training to judges and court administrators through attendance at courses offered by the National College of the State Judiciary, the Institute of Court Management, and other specialized educational institutions.

*Court Microfilming Project* — Provides the court with the equipment and personnel to microfilm semi-active records.

*Courthouse Security* — Provides security equipment to improve the physical security arrangements in several court facilities.

*Family Court Alcoholism Project* — Counsels alcoholics who are referred by the courts or other criminal justice agencies.

*Family Court Rules* — Develops rules of procedure for the Family Court which will be consistent with the rules of District, Superior, and Supreme Court.

*Family Court Space Study* — Examines the current facilities of the Rhode Island Family Court and provides a plan for renovating and replacing the current building.

*PROMIS* — Develops an automated case tracking system for the criminal caseload in Superior Court.

*Statewide Judicial Information System* — Builds on PROMIS to provide an automated statistical system and case management system for all courts, the Department of Attorney General, and the Public Defender.

*Superior Court Criminal Assignment Office* — Provides the Superior Court with the resources to plan and implement the transfer of case scheduling from the Attorney General's Office to the courts.

## **Facilities Improved**

The Administrative Office plans facilities improvements and arranges space requirements for all the courts. Throughout 1976, this office continued its efforts to expand and improve courthouse facilities.

Additional space was rented on the fourth and second floors of the building used as the Kent County Courthouse. Space allocations in this building were then adjusted to give more room to the courts and other justice agencies. Additional space has also been set aside for a public waiting room to alleviate congestion in hallways.

In Washington County, improvements in the arrangement of the courthouse cell block area were planned following recommendations made in a security survey. Construction to implement these plans was possible with the cooperation of the State Division of Public Buildings.

## **Newsletter Covers All Courts**

Reviving a practice started in 1972, but discontinued in recent years, the Administrative Office put out four issues of court newsletter. The periodical is a four-page printed quarterly that reports on events, program improvements, and other activities involving or of interest to the personnel of the state courts. It is distributed to all court employees, state legislators, other justice agencies, the media, and anyone else interested in the courts.

# SUPERIOR COURT

In 1976, the Superior Court took several steps to better handle its rising caseload of more complex and lengthy trials. With these efforts, the Court sought to bring cases to trial more quickly and to improve the efficiency of court operations. Although the movement of a case to trial depends on the actions of many agencies and individuals outside the courts, a more direct and active role has been deemed appropriate for the Court in coordinating, scheduling, and directing these actions.



*South Main Street entrance to the Providence County Courthouse.*

## **Court Moves to Control Criminal Trial Schedule**

Scheduling of criminal cases for trial by an office of the Department of the Attorney General (the state prosecutor) has caused problems for the court in several ways. Since *Tate v. Howard*, 110RI 641, 296 A.2d 19 (1972) held the court responsible for lengthy delay in bringing a defendant to trial, the court has been under pressure to shorten disposition times. National standards for the administration of justice also call for court-controlled case scheduling. It has also been difficult to coordinate the daily hearing calendar, which is set by the court, and the master trial calendar, which is scheduled by the prosecutor; so conflicts and delays sometimes developed.

These problems have been a concern of the Court Component Committee, a group of representatives from the Attorney General, the Public Defender, the Courts, and Probation and Parole. This committee asked the Adjudicatory Planning Unit (APU) to study criminal

case scheduling problems and to investigate possible solutions. On the recommendation of the committee, plans were made to place the criminal assignment function under the court's control. The establishment of the Criminal Assignment Office resulted from this move.

An allocation for future federal funding has been received from the LEAA to support some additional expense involved in this transfer. The APU has continued to work with the court and the committee to plan the details involved in setting up the new court Criminal Assignment Office. These plans were implemented by an administrative order of the Presiding Justice to take effect at the beginning of 1977.

The expected benefits of criminal trial scheduling by the court were specified in this administrative order and in other documents concerning the Criminal Assignment Office. These objectives include: rational and predictable selection of cases to be placed on the calendar, avoidance of conflicts with the daily hearing calendar and with calendars in other counties, and reduction of the time between arraignment and trial.

## Legislature Enlarges Court

The 1976 Session of the General Assembly expanded the size of the Superior Court from 15 to 17 justices. The Governor appointed Justices Joseph F. Rodgers, Jr. and Clifford J. Cawley, Jr. and they were sworn in as members of the court in December after gaining confirmation in the state Senate.

Justice Rodgers was a judge on the state's District Court. He had previously served 7 years in the Senate of the State Legislature. A graduate of Providence College, he received a law degree from Boston University Law School.

Justice Cawley earned his degree at Boston College Law School and another graduate degree from Georgetown University Law School. He also was a graduate of Providence College. His previous record of public service includes a period as City Solicitor in East Providence and a term as Director of the State Department of Labor. He was a Representative in the State Legislature for ten years and ended his service as Chairman of the House Judiciary Committee.



*Joseph F. Rodgers, Jr.*

*Clifford J. Cawley, Jr.*

## Six-Member Juries Planned

In the November elections, the Rhode Island voters approved a constitutional amendment allowing the Legislature to fix the size of trial juries for civil cases at less than 12. The Superior Court has been carefully studying statutory and procedural changes necessary to implement the use of the smaller juries. Court representatives on the Legislative Commission to Study Criminal Procedures have helped draft proposed legislation allowed by the constitutional amendment.

Several studies of jury management and juror behavior are planned. These studies will gather data on the way jurors are currently supplied to and used by the Court. They will provide information to help the Court plan for the changes that will have to be made to effectively use smaller juries and to realize possible savings in time and money. They will also allow the Court and the Legislature to evaluate the effects a reduction in the size of juries will have on court operations.

One of these studies, planned in association with a noted Brown University professor, involves important original research on the effect of jury size on the quality of jury decisions. The results of this study will help answer questions on the advisability of further changes in trial juries.

## Associate Jury Commissioner Appointed

Responding to several indications that jury management in the Providence/Bristol County Superior Court was becoming increasingly complex and difficult, the General Assembly created, by statute, the office of Associate Jury Commissioner. Some of the factors that have created the need for better jury management include: increased jury trial activity, more judges conducting jury trials, a budget for jurors fees approaching \$1 million, and a new constitutional amendment allowing 6-member juries in all civil cases.

Previously, the Jury Commissioner and his staff have only been concerned with the task of selecting, qualifying, summoning, and, in appropriate cases, excusing petit and grand jurors. Once the jurors had been checked in at the beginning of their two-week term of service, the Jury Commissioner's Office had little to do with them. The addition of an Associate Jury Commissioner now allows this office to assist the court to better manage the use and accommodation of the 100-130 potential jurors who form the jury pool for trials in the Providence County Courthouse. The objectives of the Associate Commissioner are to continue to assure an adequate supply of jurors to prevent delay in the conduct of jury trials, to supply jurors as efficiently as possible, to reduce waste of state money and citizen time caused by unnecessary oversupply of potential jurors, and to help citizens serving their jury service terms better understand their role in the judicial process and to feel their experience as jurors is more worthwhile.

At the request of the Presiding Justice of the Superior Court and the Jury Commissioner, the Associate Commissioner is currently studying several areas concerning present and future plans for jury management improvements. His projects involve preparing for the change to 6-member juries for civil trials, monitoring the representativeness of juries considering both sex and age, charting the pattern of current juror usage, evaluating the efficiency of juror supply methods, and exploring ways of improving communication with the court and consequently responsiveness to the court's need for jurors.

## New Citizens Welcomed on Law Day

To commemorate Law Day in 1976, the Presiding Justice continued his tradition of holding a special ceremony for newly naturalized citizens in May. Aliens who had completed the naturalization process were brought before the Presiding Justice to be accepted as citizens and take the oath. Then the new citizens were invited to attend Law Day ceremonies arranged by the Presiding

Justice and the women of the International Institute. A small band entertained in the third floor Lawyers Lounge playing patriotic and ethnic tunes. A buffet was also provided.

### Clerk's Office Personnel Confer

Court clerks and other Superior Court employees met for two days at the beginning of May to learn about new programs and future plans for court improvement. The conference, held in Newport, also allowed the participants to discuss topics important to court operations, to improve communications between the various county clerks' offices, and to air problems in relations with other judicial agencies.

Conference work groups produced recommendations concerning a wide variety of topics. One suggestion that was implemented involved the formation of a Clerk's Office Council to follow-up on some of the other conference recommendations and to provide a forum for continued discussion of issues concerning court operations. A compilation of the findings and suggestions of conference work groups was prepared and presented to this council at one of its first meetings. The council has met several times during the year.

Over the two days of the conference, several speakers addressed the participants. These speakers included the Chief Justice of the Supreme Court, the Presiding Justice of the Superior Court, and the State Court Administrator.

### Courthouse Tours Encouraged

The Superior Court Public Contact Officer helped more than 200 groups plan tours and educational programs in the Providence County Courthouse during 1976. He arranged for approximately 2,500 people to visit all or some of the courthouse attractions including: The Supreme and Superior Courts, criminal and civil trials, the Department of the Attorney General including the Bureau of Criminal Identification, the Public Defender's Office, and the State Law Library. If requested, tours included talks by judges and justice agency directors or their representatives.

Some of the groups taking advantage of this program were primary and high school students, state college students, as well as civic and fraternal organizations. The court has received many letters of thanks from groups and individuals who have taken these courthouse tours.



*Decorative and effective grill work on the drive-in entrance to the cell block area of the Providence County Courthouse.*



*Name on the 82-year-old Providence building that the Family Court shares with the state Department of Education.*

## FAMILY COURT

During the past year the Family Court experienced a number of judicial and administrative changes. Of prime importance was the appointment of two new justices to the bench. Due to this increase in judicial manpower, the court has been able to reduce greatly the number of contested divorce cases on the county calendars. During 1977 the court hopes to decrease substantially the processing time of juvenile cases.

Throughout the year the Youth Diversionary Unit continued to provide timely counselling services to first-time offenders referred to the court. Due to the success of this program, which is in its last year of LEAA funding, the Chief Judge has requested that the unit be included within the state's 1977-78 budget.

The Children in Placement program continued to monitor court ordered placements. Recognizing the need for this process, the court has requested the position of Child Advocate which will be responsible for monitoring on a continual basis the court orders and decrees relating to juveniles.

Due to Title IV-D legislation, the court continued to process an increasing number of cases relating to child support. Court collection of such money has risen substantially. To handle more efficiently this increasing caseload, the court has contracted with a private consulting firm which will be responsible for designing computerized systems that will be adaptable to case processing and collections.

### Study Recommends New Court Facilities

Recommendations for improvement and replacement of Family Court facilities in Providence have been repeatedly made by people in or associated with the court. In an effort to objectively document the deficiencies of the building currently housing the court and to accurately specify the court's present and future facility needs, a nationally known and respected consulting firm was hired. Space Management Consultants (SMC), who specialize in the design of judicial facilities and three years ago completed a very useful statewide study of court facilities, examined the court's present accommodations and studied its facility needs. The study was conducted from August through October, and in December a 188-page report was delivered.

Although part of the study plan included investigating the possibility of renovating the court's present

quarters in the Roger Williams Building, SMC found them "completely inadequate to accommodate efficiently the present Family Court operation." The report concluded that the design and construction of the former Normal School would make its adaptation to the needs of the court more costly than new construction. Consequently, SMC recommended that the court "urgently needs a new building that would provide adequate and suitable facilities to accommodate both short-term and long-term needs."

The consultants provided a description of functional relationships among all offices of the court and the resulting facility design requirements. The final report also projected in detail present and future space needs. A complete facilities program was included to provide a summary of all the information essential to the planning and design of a building for the court.

## Successful Diversion Program Endangered

The Youth Diversionary Unit (YDU) reduced the court's caseload for 1976 by giving 897 youths referred to court on first offenses or very minor charges special counseling and referrals to community agencies. A person accepted by the YDU is diverted from the regular court procedures and saved the stigma of having a record as a juvenile offender. Successful diversion cases are handled by the court as administrative dispositions, saving court time and allowing judicial resources to be devoted to the backlog of cases concerning more serious offenses.

The court Intake Department referred 1,040 juveniles to the YDU in the past year. However, the unit is careful to accept only those individuals who can be helped by their type of service, and so returned 143 of these referrals. The success of the unit's techniques is demonstrated by the comparatively low recidivism rate among their clients. Only 12% of the thousands of juveniles diverted during the four years of the program's operations have had a second run-in with the law. Local educational institutions have recognized the YDU as a valuable model for youth services, and three colleges have sent interns for credit work with the unit.

The YDU was started with federal funds as a pilot project. Because of its success, it has won repeated renewals of its federal grant, although the period usually allowed for this type of funding ran out over a year ago. In the fall of 1976, it was granted a final six months of federal financing which runs out in April, 1977. Requests were made to have state funds appropriated to allow the YDU to continue its valuable service to the courts, but the Governor's Budget Office has not included the unit in its proposals to the legislature.

## New Judges Attack Backlogs

Legislation passed by the General Assembly during their 1976 session added two judgeships to the Family Court. The Governor chose Robert G. Crouchley and John K. Najarian to fill these new positions on the bench, and by early December they had been confirmed by the state Senate and sworn in. The two additional judges will help the court dispose of backlogs that have been increasing in several case categories.

The court was immediately able to apply additional judicial resources to the large backlog of contested domestic relations cases before the court in Kent, Washington, and Newport Counties. It is planned to have the divorce caseload in these counties under control by early 1977. Then by about April, the court will be able to better concentrate its efforts on reducing the backlog of juvenile trial cases within Kent County.

Additional judges will also aid the court with plans to improve the way motions and other temporary domestic relations petitions are handled on the once-weekly Motion Day. With more judges available every

week, a planned project to improve scheduling of hearings on motions will be possible; more matters will be disposed of with less time wasted.



*Robert G. Crouchley*



*John K. Najarian*

Before he was placed on the Family Court, Judge Najarian was Probate Judge in Johnston from 1961 to 1962 and again after 1973. He also served as Clerk and Acting Judge of the District Court in Cranston from 1962 until that Court was reorganized in 1969. He has been a member of the Complaints Committee of the State Bar. An active church member, he holds the Chairmanship of the Diocesan Council of the Armenian Apostolic Church, the highest lay office of the church in the United States and Canada. After graduating from Providence College, he earned a law degree from Boston University Law School.

Judge Crouchley came to the court after serving as Legal Counsel to the Governor. As a practicing attorney for fifteen years, he specialized in family law and has served on the Bench-Bar Committee that drafted proposed revisions in Family Court procedures. He has also been a member of the Governor's Justice Commission. A graduate of Tufts University, he attended Boston University Law School.

## Support Order Collections Increased

The Reciprocal Collections Division of the Family Court has had a large increase in its caseload over this last year. This division establishes and collects support payments from absent parents. Amendments to the Federal Social Security Act have required state courts and social service agencies to do more to collect adequate support from absent parents. Section IV (d) of the Act provides federal matching funds to aid these collections.

A court-appointed Master handles support cases, and these changes in federal law have increased this Master's caseload in several ways. The state Department of Social and Rehabilitative Services (SRS) is now both legally empowered and, with federal support, financially able to bring many absent parents to court for not providing adequate support for their children who, as a result, receive state assistance. SRS can no longer make vol-



untary support agreements with absent parents, and some 1,800 such agreements made in the past have already been reviewed by the court. The court, with the aid of computerized accounting procedures, is keeping closer track of parents who stop paying court ordered support, and consequently, more cases are being brought for contempt.

These new procedures resulted in 7,863 hearings before the Master in the last year, a 42% increase over the number of cases heard the previous year. The amount collected through the Reciprocal Office showed a similar increase to \$2,654,000. The full impact of these changes has not yet been felt, and a similar caseload increase is predicted for 1977 with collections rising to about \$4,000,000.

Plans have been made for operations improvements and additional electronic data processing assistance to cope with current and future caseload increases. A nationally known consulting firm has been engaged to first study the Reciprocal Division, and then to suggest, design and estimate the cost of improvements. Under consideration are ways to summon parents more quickly and easily, to calendar cases more efficiently and with less conflict, and to make notices of delinquent accounts more accurate and up-to-date.

Improvements in this division have allowed the Family Court to better insure that absent parents fulfill their obligation to their dependent children so these children do not have to be supported by the state. This is necessary to keep the state in compliance with federal regulations, and to earn an increased share of federal incentive payments and reimbursements.

### **Child Placement Monitored**

Currently, some 1,200 children are living in substitute homes as a result of court action. About a third of these children were voluntarily put under custody of the court for placement, while the remaining two-thirds were committed by court order. In a concerted effort to improve the quality of care provided these children and to protect against individual problems caused by inappropriate placement or too frequent changes of substitute homes, the court conducted a study to monitor all court placements.

Volunteers from the Junior League did most of the work, reviewing court placement records and cross checking against Child Welfare Service files. The volunteers were recruited and their work scheduled by Junior League leaders. A retired social service professional was hired for a few hours each month to serve as project coordinator and to review the problems identified by the volunteers. Federal and private grants paid project expenses. Officials of the Child Welfare Service cooperated fully with the court and the project volunteers.

This project provided a vital service to the court. The National Council of Juvenile Court Judges, meeting in Providence for their annual conference, recognized

the Junior League of Providence for "Meritorious Service to the Children of America" and also honored the project coordinator.

The need for continuous monitoring of court ordered placements was clearly demonstrated by this project. The court has requested state funds to support a Child Advocate. This person would be attached to the court to protect the rights of children involved in actions before the court and to look out for their interests when the court orders placement in a substitute home.

### **Court Hosts Meeting of National Judges' Group**

Over 200 distinguished judges and family law experts attended the annual conference of the National Council of Juvenile Court Judges (NCJCJ) held at Providence in the middle of July. The Family Court Chief Judge served as the chairman of the 1976 Conference Committee and the host judge. Many comments and letters received by the Chief Judge described the conference as the most successful and rewarding in the 39-year history of these NCJCJ events.

The week-long conference included educational seminars, discussions of important issues in juvenile justice, Council business meetings, and award ceremonies. Several Rhode Island jurists made contributions to the educational offerings, and two local organizations were honored for nationally recognized service to improve juvenile justice.

Conference participants took stands on important issues raised by the proposed ABA-IJA Juvenile Justice Standards. They criticized these standards for attempting to destroy the special character of juvenile justice procedures by making them conform more closely to the



*Decorated capital atop a column on the facade of the building that houses the Family Court.*



*The courts rent space in this new office building in Warwick.*

model of adult criminal process. They also proposed alternate standards recognizing the special judicial knowledge needed to handle juvenile matters.

Conferees and their families enjoyed the hospitality and tourist attractions of this state. They were offered, in their free time, a schedule of recreational activities arranged and conducted by volunteers from the Family Court and other organizations.

### **Juvenile Office Procedures and Files Improved**

Over the last several years, the Juvenile Office has been converting their files from a family folder system to alphabetically arranged individual juvenile files. While this change was partly a response to appellate court decisions on the procedural rights of juveniles referred to court, it has also been part of an effort to make it easier for judges and intake workers to use the files. Face sheets are now included in every file to summarize its contents and record the status of the case.

R.S.V.P. senior citizen volunteers helped with the initial steps of the conversion, and the Juvenile Office has continued it as an ongoing process. In 1976, all current cases have been put in individual files, and the family files containing old cases are broken into new individual files whenever there is some new court transaction affecting a file. The office is also continuing a complete file review to close and seal all files involving individuals who have passed their 18th birthday.

With the change over to individual files, the numbering system for juveniles and the petitions that refer them to the court has also been changed. The new numbering system will aid plans for an improved statistical system to record and analyze juvenile case activity. Although the implementation of this system was delayed in 1976, plans set its start-up at the beginning of 1977 as a manual system with some electronic data processing used later in the year. System planning during the past year included a thorough description of procedure used in processing juvenile cases and an inventory of all data collected on these cases. This analysis was completed by personnel from the Governor's Justice Commission and the Adjudicatory Planning Unit.

Some reorganization of the duties of Juvenile Office personnel has helped to increase efficiency and to improve responses to inquiries on the status of individual cases. Areas of responsibility have been carefully defined, and some tasks have been divided to make it easier to assure they are done completely and correctly. For example, the office sends summonses to all counties, but certain counties are the responsibility of specific members of the office staff. Another recent procedural improvement involves the use of disposition sheets filled in by the clerks sitting in court. These sheets are given to the intake workers to help them review actions concerning their cases. Their use has helped save time previously consumed in occasionally checking decisions with the Juvenile Office or judges.

# DISTRICT COURT

In 1976, the composition of the District Court's caseload was significantly changed. Minor traffic violations that previously added a large number of quickly disposed cases to the court's workload are now handled administratively by the Department of Transportation. Other matters that involve more lengthy proceedings and more judicial effort have been added to the District Court's jurisdiction. These changes in the character of the court's workload have to be considered in comparisons of caseload statistics collected in 1976 with statistics from previous years.

Additions to the District Court's jurisdiction are described below. This new jurisdiction has had a twofold effect on the court's caseload. Since the court has to make a record of these proceedings, recording machines and recording clerks are now available throughout the court. With a record-making capability, the District Court can now hold bail hearings previously heard in the Superior Court. Legislation transferring these hearings to the District Court was passed several years ago. So, in addition to caseload increases caused by filings under the court's newly expanded jurisdiction, many more bail hearings are now included in the District Court's caseload.

## New Jurisdiction Expands Caseload

The General Assembly transferred jurisdiction for several non-jury matters from the Superior Court to the District Court following the recommendations of the Legislative Commission to Study Criminal Procedure. As of October 1, 1976, judges of the District Court presided at hearings on involuntary civil commitments under the mental health, drug abuse, and alcoholism laws; review of decisions of the registrar of motor vehicles, and the traffic violation hearing board; and review of decisions by the tax administrator, the liquor control board, and the employment security board. The District Court also has jurisdiction over proceedings to enforce

the decisions of those same boards and agencies over which they have appellate jurisdiction.

Hearings on non-jury matters are scheduled by the Sixth Division of the District Court at 345 Harris Avenue, Providence. A full record is made of the hearings with electronic recording equipment, newly acquired for that purpose. The electronic transcription has made it possible for the District Court decisions in those matters to be appealed to the Supreme Court. The District Court's judgment is no longer subject to trial *de novo* in the Superior Court as is the case with other civil and criminal matters.



*Decoration on an interior door in the Woonsocket courthouse.*

It is expected the expanded jurisdiction will add about 300 filings to the District Court caseload each year. The initial statistics collected indicate approximately 70 appeals from the decisions rendered by various administrators were filed in the last quarter of 1976.

## New Judge Fills Vacancy



*Albert E. DeRobbio*

In December, 1976, Albert E. DeRobbio was appointed as an Associate Judge of the District Court. He was commissioned by Governor Philip W. Noel to assume the position vacated when the Honorable Joseph F. Rodgers, Jr. was appointed as an Associate Justice of the Superior Court. Judge DeRobbio, a member of the Rhode Island Bar for 21 years, served as Assistant Attorney General for the state of Rhode Island from 1967-1976

inclusive. His law degree is from Boston University and his undergraduate degree is from Boston College.

## New Procedure Speeds Dismissal Following Failure to Indict

The Administrative Office of the District Court has developed a new procedure to assure the court and the defendant are quickly notified when no grand jury indictment or no information charge has been returned for a District Court complaint.

That procedure implemented in November, 1976, has allowed the District Court to speedily dismiss unindicted defendants. The process also has tried to prevent errors involving the detention of a defendant at the Adult Correctional Institution (A.C.I.) for an unindicted charge, or to prevent the premature release of a defendant detained at the A.C.I. on multiple charges.

Under these new procedures, the Attorney General's department sends a list of "no true bills" and "no information charges" to the District Court, the A.C.I. and the Public Defender. A list of "no true bills" is sent to the appropriate District Court by certified mail the day they are returned by the Grand Jury. A list of "no information charges" also is sent to the appropriate District Court by the Department of the Attorney General. That "no information charge" list is issued when the Attorney General decides not to charge a defendant, to modify the charge, or to recommend the charge be reduced to a misdemeanor. On a Friday, the Attorney General's Department notifies the proper court by telephone of "no information charges" issued that day by the Attorney General. That direct notification is in addition to the list of "no information charges" sent

certified mail by the Department of the Attorney General.

The new procedure specifies that the clerk notify the defendant or his attorney when the court has received notice the charges have been dismissed in the District Court. If the defendant has been held at the A.C.I. for lack of bail or without bail, the procedure has provided for a habeas to be issued for the immediate appearance of the defendant in District Court to dismiss the charge. The defendant will not be brought to the District Court on a habeas if he has been held at the A.C.I. on other pending charges. The District Court complaint then shall be dismissed in court in the absence of the defendant. The District Court shall notify the Office of Custodial Records at the A.C.I. that a "no true bill" or a "no information charge" has been returned for the District Court complaint.

At the close of 1976, the Administrative Office of the District Court reported the new procedure was working well, and all criminal justice agencies involved were cooperating fully and benefiting from the improved system.

## Operations Manual to Aid Clerks

An operations manual is being developed to assist District Court personnel with judicial procedure pertinent to their operation within the statewide system.

The District Court has a specialized role in the state court system. This role has dictated that the District Court serve a large volume of people in locations widely dispersed throughout the state. The volume and variety of cases has put a prohibitive burden on the clerks' offices, because each office of the eight divisions functions independently from one another. There has been a need for some additional form of procedural guidance to assure consistent, efficient, and appropriate service to the public in all division offices.

The District Court and the Administrative Office of the State Courts decided that a Clerk's Operations Manual could help deal with the difficulties inherent in the functioning of a statewide limited jurisdiction court. This manual has been developed to provide personnel with a systematic listing of clerical operations. The handbook has attempted to give those operations uniformity within each division office and among all divisions, and aid in the training of new personnel.

Technical and conceptual assistance has been provided by the National Center for State Courts (NCSC) and is paid for with a federal grant awarded to the NCSC.

The District Court has formed a Clerk's Manual Advisory Committee to oversee the project and review partial and complete drafts of the manual. A large portion of the work required to produce the manual has been completed by the District Court Administrative Office working with the NCSC.

## Electronic Recording Used

Electronic sound recording equipment has been purchased for use by the District Court to prepare official transcriptions of specific court proceedings. Such verbatim recording has provided an official chronicle of non-jury matters transferred from the Superior Court to the District Court.

Proceedings which have been sound-recorded can be transcribed into a written record readily available for ordinary appellate review by the Supreme Court, or to members of the judiciary and bar for reference or study.

A chief recording clerk and two recording clerk/typists have been hired and trained by the District Court to produce those verbatim records. Other District Court personnel also have been selected and trained to operate the recording machines in the various counties. The court personnel operating the recording equipment have been subject to approval and periodic review by the State Court Administrator. The operation of such equipment has been in accordance with the standards fixed by the State Court Administrator subject to the approval of the Chief Justice of the Rhode Island Supreme Court.

Recording machine operators are not authorized to issue cassette copies of tapes. Cassettes may be obtained only at the Court Recorder's office at the Sixth Division of the District Court.

If a writ of certiorari has been issued by the Supreme Court, the Court Recorder's office will provide a full transcription of the proceedings for use before the Supreme Court.

## All Divisions Represented at Conference

Judges, clerks, and other District Court personnel attended a two-day statewide training conference in February, 1976. They learned about changes in specific areas of court operations and participated in a general examination of present procedures and methods used in the various clerks' offices. This examination identified problems and produced many suggestions for corrections and improvements.

The Chief Justice of the Supreme Court addressed the conferees on the important role played by support personnel in the courts and on the value of continued training for court personnel. The State Court Administrator also spoke and brought the participants up to date on new programs throughout the judicial system. Other speakers explained changes that directly affect court operations. The Chairman of the Legislative Commission to Study Criminal Procedure spoke concerning recommendations for expanded court jurisdiction. Representatives from the State Bureau of Audits made a presentation on their reporting and record keeping requirements pertaining to the Judicial Department.

Conference participants also met in small groups for an exercise in planning court improvements. Recommendations made by work groups were compiled and distributed throughout the District Court system. The

office of the Chief Judge of the District Court studied the suggestions and took appropriate action on certain matters. Other recommendations made at that time have been acted upon by the Administrative Office of State Courts.

## Third Division Given More Resources

The Third Division of the District Court moved in December, 1976, to larger quarters on the fourth floor of the Kent County Courthouse where an additional courtroom is available. In conjunction with that move, two District Court judges were assigned to serve full-time in Kent County.

Civil cases are now scheduled four days a week where previously they were only heard once a week. This change has enabled the District Court to reduce the backlog of civil cases in the Third Division dramatically. Criminal cases are now scheduled five days a week with both judges assigned to hear the criminal calendar on Wednesdays.

## First Offenders Helped

In the Sixth and Third Divisions of the District Court, first offenders brought to court accused of non-violent crimes have benefitted from a successful pre-trial intervention program called Project Beginning. Project staff members observe court proceedings and select individuals who can benefit from this program. Clients are referred to the project by judges, by the Public Defender's Office and by the Department of Probation and Parole. About 60% of the Project Beginning clients are placed in jobs and the percentage who have further involvement with the law is very low. Project staff report to the court on client performance, and participation in the project can affect sentences or terms of probation.

Project Beginning clients go through three weeks of counseling and career development. Based on their performance during this period, they are paid a stipend. The project staff then helps clients find appropriate jobs and provides followup counseling while monitoring work performance through contact with employers. Project Beginning is supported by federal CETA funds and is sponsored by the National Prisoners Reform Association.



Main entrance to the remodeled industrial building that is rented to house the District Court in Providence.

## COURT DIRECTORY

### SUPREME COURT JUSTICES:

Joseph A. Bevilacqua, Chief Justice  
 Thomas J. Paolino, Associate Justice  
 Alfred H. Joslin, Associate Justice  
 Thomas F. Kelleher, Associate Justice  
 John F. Doris, Associate Justice

### SUPERIOR COURT JUSTICES:

Joseph R. Weisberger, Presiding Justice  
 John S. McKiernan, Associate Justice  
 Florence K. Murray, Associate Justice  
 Arthur A. Carrellas, Associate Justice  
 William M. Mackenzie, Associate Justice  
 James C. Bulman, Associate Justice  
 Eugene F. Cochran, Associate Justice  
 Ronald R. Lagueux, Associate Justice  
 Eugene G. Gallant, Associate Justice  
 Anthony A. Giannini, Associate Justice  
 Francis J. Fazzano, Associate Justice  
 Donald F. Shea, Associate Justice  
 John E. Orton, III, Associate Justice  
 Thomas H. Needham, Associate Justice  
 John P. Bourcier, Associate Justice  
 Joseph F. Rodgers, Jr., Associate Justice  
 Clifford J. Cawley, Jr., Associate Justice

### FAMILY COURT JUDGES:

Edward P. Gallogly, Chief Judge  
 Michael DeCiantis, Associate Judge  
 Edward V. Healey, Jr., Associate Judge  
 William R. Goldberg, Associate Judge  
 Jacob J. Alprin, Associate Judge  
 Carmine R. DiPetrillo, Associate Judge  
 Angelo G. Rossi, Associate Judge  
 Robert G. Crouchley, Associate Judge  
 John K. Najarian, Associate Judge

### DISTRICT COURT JUDGES:

Henry E. Laliberte, Chief Judge  
 Antonio S. Almeida, Associate Judge  
 Orist D. Chaharyn, Associate Judge  
 Paul J. Del Nero, Associate Judge  
 Anthony J. Dennis, Associate Judge  
 Corinne P. Grande, Associate Judge  
 Francis M. Kiely, Associate Judge  
 Walter R. Orme, Associate Judge  
 Edward J. Plunkett, Associate Judge  
 Charles F. Trumpetto, Associate Judge  
 Victor J. Beretta, Associate Judge  
 Robert J. McOsler, Associate Judge  
 Albert E. DeRobbio, Associate Judge

## ADMINISTRATIVE PERSONNEL

### SUPREME COURT:

250 Benefit St., Providence, R. I.  
 Walter J. Kane, Administrator,  
     State Courts/Clerk 277-3272  
 Donald P. Ryan, Administrative  
     Asst. to Chief Justice 277-3073  
 Robert C. Harrall, Deputy Administrator,  
     State Courts 277-3266  
 Brian B. Burns, Chief Deputy Clerk 277-3272  
 John J. Manning, Business Manager 277-3266  
 Edward P. Barlow, State Law Librarian 277-3275  
 Sophie D. Pfeiffer, Chief Appellate  
     Screening Unit 277-3297  
 C. Leonard O'Brien, Coordinator, Judicial  
     Planning Unit 277-3382  
 Ronald R. LaChance, Director, S.J.I.S. 277-3358  
 Thomas A. Dorazio, E.E.O. Manager 277-3266

### SUPERIOR COURT:

250 Benefit St., Providence, R. I.  
 John J. Hogan, Administrator 277-3215  
 Joseph Q. Calista, Clerk 277-3250  
 J. Gardner Conway, Jury Commissioner 277-3245  
 Thomas S. Luongo, Criminal Assignment  
     Clerk 277-3230  
 Charles Garganese, Civil Assignment Clerk 277-3225  
 Edward L. Pendleton, Public Contact Officer 277-3292

### KENT COUNTY SUPERIOR COURT

Thomas M. Mooty, Clerk 822-1311  
 222 Quaker Lane  
 West Warwick, R. I. 02893

### WASHINGTON COUNTY SUPERIOR COURT

Edgar J. Timothy, Clerk 783-5441  
 1693 Kingstown Road  
 West Kingston, R. I. 02892

### NEWPORT COUNTY SUPERIOR COURT

John H. McGann, Clerk 846-5556  
 Eisenhower Square  
 Newport, R. I. 02840

### FAMILY COURT:

22 Hayes St., Providence, R. I.  
 Charles E. Joyce, Administrator/Clerk 277-3331  
 Joseph D. Butler, Deputy Court Administrator 277-3334  
 John J. O'Brien, Jr. Master 277-3360  
 Dolores M. Murphy, Chief Juvenile Intake  
     Supervisor 277-3345  
 Howard F. Foley, Chief Family Counsellor 277-3362  
 Raymond J. Gibbons, Supervisor of Collections 277-3356  
 J. William McGovern, Fiscal Officer 277-3300  
 William L. Doherty, Chief Deputy Clerk 277-3340

**DISTRICT COURT:**

**SIXTH DIVISION DISTRICT COURT**  
 345 Harris Avenue  
 Providence, R. I. 02909  
 Raymond D. George, Chief Clerk 331-1603  
 Joseph Senerchia, Administrative Assistant to  
 Chief Judge 331-1603

**FIRST DIVISION DISTRICT COURT**  
 Gerald L. Bonenfant, Deputy Clerk 245-7977  
 516 Main Street  
 Warren, R. I. 02885

**SECOND DIVISION DISTRICT COURT**  
 Francis W. Donnelly, Deputy Clerk 846-6500  
 Eisenhower Square  
 Newport, R. I. 02840

**THIRD DIVISION DISTRICT COURT**  
 James A. Signorelli, Chief Clerk 882-1771  
 222 Quaker Lane  
 West Warwick, R. I. 02893

**FOURTH DIVISION DISTRICT COURT**  
 Frank J. DiMaio, Deputy Clerk 783-3328  
 1693 Kingstown Road  
 West Kingston, R. I. 02892

**FIFTH DIVISION DISTRICT COURT**  
 Edward T. Dalton, Deputy Clerk 722-1024  
 145 Roosevelt Avenue  
 Pawtucket, R. I. 02865

**SEVENTH DIVISION DISTRICT COURT**  
 Paul A. Plante, Deputy Clerk 762-2700  
 Front Street  
 Woonsocket, R. I. 02895

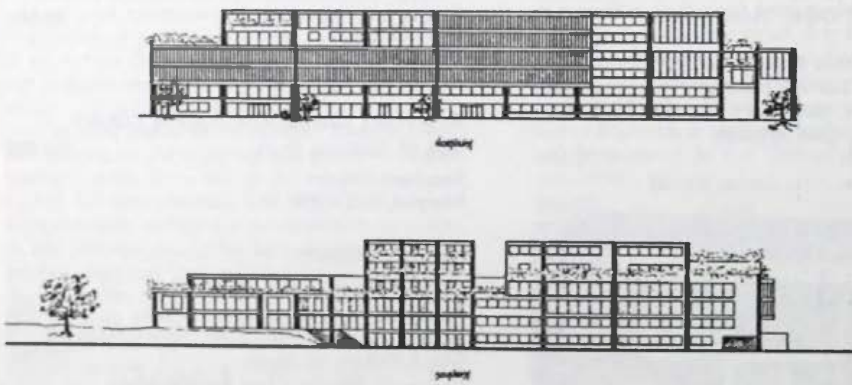
**EIGHTH DIVISION DISTRICT COURT**  
 William W. O'Brien, Deputy Clerk 944-5550  
 275 Atwood Avenue  
 Cranston, R. I. 02920

**COUNCILS AND COMMISSIONS**

**DISCIPLINARY COUNCIL:**  
 250 Benefit Street  
 Providence, R. I. 02903  
 Lester H. Salter, Chairman  
 Leo P. McGowan, Chief Disciplinary Counsel 277-3270

**JUDICIAL COUNCIL:**  
 40 Westminster Street  
 Providence, R. I. 02903  
 Samuel J. Kolodney, Chairman  
 Melvin L. Zurier, Secretary 751-2400

**COMMISSION ON JURISPRUDENCE  
 OF THE FUTURE:**  
 250 Benefit Street  
 Providence, R. I. 02903  
 Hon. Thomas J. Paolino, Chairman  
 Joan DiRuzzo, Secretary 277-3288



8	DATE
DATE ONLY	SIGNATURE & POSITION
COMBINATION COURSE SYSTEM	
PREPARED BY	DATE
DATE	DATE

One of several designs for a proposed central court complex done by architecture students at the Rhode Island School of Design.

# CASELOAD STATISTICS

## RHODE ISLAND SUPREME COURT

### ANNUAL CASEFLOW\*

	1972	1973	1974	1975	1976
Cases on docket at start	257	240	311	326	355
New cases docketed	325	349	345	355	422
Cases disposed	342	291	330	326	330
Cases remaining on docket	240	311	326	355	447

### TYPES OF CASES FILED

	1972	1973	1974	1975	1976
Civil Actions	121	141	125	157	146
Criminal Actions	47	64	49	52	61
Certiorari	85	58	83	76	105
Family Court	8	16	23	18	35
Habeas Corpus	17	18	16	10	31
Workmen's Compensation	24	17	16	13	16
Other	22	35	33	29	28
Total	325	349	345	355	422

\*Collected for the court year which runs October 1 to September 30



## RHODE ISLAND SUPERIOR COURT

### CASES FILED (BY TYPE AND COUNTY)

	1972	1973	1974	1975	1976
<b>Providence/Bristol Counties</b>					
Civil	2,835	3,496	3,672	4,376	4,431
Probate Appeals	30	19	24	45	26
Misc. Petitions	423	501	492	680	689
Indictments	2,189	1,955	1,649	1,638	1,455
Criminal Appeals	961	706	770	821	654
Totals	6,438	6,677	6,607	7,560	7,255
<b>Kent County</b>					
Civil	465	476	514	616	721
Probate Appeals	12	20	15	29	11
Misc. Petitions	63	54	91	99	108
Indictments	433	404	292	327	388
Criminal Appeals	264	194	146	168	177
Totals	1,237	1,148	1,058	1,239	1,405
<b>Newport County</b>					
Civil	269	260	233	310	299
Probate Appeals	3	1	4	3	3
Misc. Petitions	27	33	45	31	54
Indictments	243	279	307	179	164
Criminal Appeals	140	168	113	121	204
Totals	682	741	702	644	724
<b>Washington County</b>					
Civil	235	226	302	287	348
Probate Appeals	10	4	5	10	12
Misc. Petitions	21	21	38	56	31
Indictments	256	199	203	230	152
Criminal Appeals	225	232	177	181	83
Totals	747	682	725	764	626
<b>All Counties</b>					
Civil	3,804	4,458	4,721	5,589	5,799
Probate Appeals	55	44	48	87	52
Misc. Petitions	534	609	666	866	882
Indictments	3,121	2,837	2,451	2,374	2,159
Criminal Appeals	1,590	1,300	1,206	1,291	1,118
Totals	9,104	9,248	9,092	10,207	10,010

## RHODE ISLAND FAMILY COURT

### PETITIONS FILED FOR DIVORCE (BY COUNTY)

	1972	1973	1974	1975	1976
<b>Providence/Bristol Counties</b>					
Absolute Divorce	2,567	2,732	2,833	2,291	2,884
Bed & Board	331	253	237	233	235
Total	2,898	2,985	3,070	2,524	3,119
<b>Kent County</b>					
Absolute Divorce	626	709	738	612	763
Bed & Board	90	84	80	75	65
Total	716	793	818	687	828
<b>Newport County</b>					
Absolute Divorce	367	346	373	412	262
Bed & Board	85	73	55	44	21
Total	452	419	428	456	283
<b>Washington County</b>					
Absolute Divorce	318	346	398	471	487
Bed & Board	27	28	23	11	10
Total	345	374	421	482	497
<b>State Total</b>	4,411	4,571	4,737	4,149	4,727

### REFERRALS RECEIVED AND RECORDED

#### ADULT JURISDICTIONS

	1972	1973	1974	1975	1976
Non-support of minor children	47	28	—	—	4
Neglect of children	—	2	—	—	4
Neglect to send children to school	2	4	1	3	3
Contributing to delinquency of minor	9	3	9	17	3
Alleged paternity	19	17	12	11	14
Change of Name	1	1	5	3	2
Bastardy	—	—	4	5	7
Battered children (by father)	—	—	2	—	2
Other	9	4	11	13	13
Total	87	59	44	52	52

**DIVORCE CASES HEARD AND DECISIONS RENDERED  
(BY DISPOSITION AND COUNTY)**

	1972	1973	1974	1975	1976
<b>Providence/Bristol Counties</b>					
Absolute Divorce	1,545	1,837	1,927	1,731	1,523
Bed & Board	15	7	15	6	16
Granted on Motion	64	77	84	58	55
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	1,624	1,921	2,026	1,795	1,594
Discontinued	32	17	2	9	47
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	1,656	1,938	2,028	1,804	1,641
 <b>Kent County</b>					
Absolute Divorce	259	391	367	455	431
Bed & Board	5	1	1	—	19
Granted on Motion	11	30	12	15	24
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	275	422	380	470	474
Discontinued	57	45	1	54	9
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	332	467	381	524	483
 <b>Newport County</b>					
Absolute Divorce	190	265	217	255	278
Bed & Board	3	1	—	—	4
Granted on Motion	18	24	16	14	24
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	211	290	233	269	306
Discontinued	14	20	10	34	28
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	255	310	243	303	334
 <b>Washington County</b>					
Absolute Divorce	174	228	246	241	313
Bed & Board	11	3	—	1	—
Granted on Motion	8	8	12	19	18
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	193	239	258	261	331
Discontinued	12	22	8	13	16
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	205	261	266	274	347
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
<b>State Total</b>	2,448	2,976	2,918	2,905	2,805

### JUVENILE PETITIONS (BY TYPE)

	1973	1974	1975	1976
Wayward/Delinquent	5,645	5,403	4,840	4,993
Motor Vehicle	2,415	1,887	1,422	697
Dependency & Neglect	299	211	273	269
Child Marriages (couples)	131	94	100	69
Adoptions	524	456	403	348
Termination of Parental Rights	133	138	138	111
Battered/Abused Children*	—	—	23	71
Diverted to YDU*	—	—	810	897
Other	19	25	11	26
<b>Total</b>	<b>9,166</b>	<b>8,214</b>	<b>8,020</b>	<b>7,481</b>

\*Not counted separately until 1975.

### JUVENILE REFERRALS (BY SOURCE)

<b>Counties</b>				
Providence/Bristol	3,264	2,917	2,356	1,950
Kent	1,064	1,003	991	771
Newport	333	322	287	310
Washington	302	363	256	219
<b>Total (Counties)</b>	<b>4,963</b>	<b>4,605</b>	<b>3,890</b>	<b>3,250</b>
Miscellaneous State Agencies	880	624	478	520
<b>State Total</b>	<b>5,843</b>	<b>5,229</b>	<b>4,368</b>	<b>3,770</b>

## RHODE ISLAND DISTRICT COURT

### CRIMINAL ARRAIGNMENTS

	1972	1973	1974	1975	1976
Motor Vehicle	23,436*	28,440	31,067*	21,363†	7,946†
Misdemeanor	10,233	11,930	13,222	15,172	14,419
Felony	6,730	7,769	7,107	6,732	6,392
<b>Total</b>	<b>40,399</b>	<b>48,139</b>	<b>51,396</b>	<b>43,267</b>	<b>28,757</b>

### MISDEMEANORS DISPOSED

At Arraignment	21,796	27,949	32,136	24,537	12,661
After Trial/Change Plea	10,333	10,388	10,701	11,167	9,420
<b>Total Disposed</b>	<b>(32,129)*</b>	<b>(38,337)*</b>	<b>(42,837)*</b>	<b>(35,703)†</b>	<b>(22,081)†</b>
<b>Total Arraigned</b>	<b>33,669</b>	<b>40,370</b>	<b>51,396</b>	<b>36,535</b>	<b>22,365</b>
<b>Increase in Backlog</b>	<b>1,540</b>	<b>2,033</b>	<b>8,559</b>	<b>831</b>	<b>284</b>

\*These figures do not reflect the motor vehicle summonses paid by mail to the Violations Bureau.

†Does not include minor vehicle violations now handled by the Administrative Adjudication Division of the Department of Transportation.

### FELONY DISPOSITIONS

At Arraignment	246	379	233	29	218
Probable Cause Found	1,728	1,232	803	597	2,825††
No Probable Cause	119	56	51	8	765††
Dismissed	3,086**	4,132**	3,093**	6,110**	2,300††
<b>Total Disposed</b>	<b>(4,933)</b>	<b>(5,420)</b>	<b>(3,947)</b>	<b>(6,774)</b>	<b>(6,108)</b>
<b>Total Arraigned</b>	<b>6,730</b>	<b>7,769</b>	<b>7,107</b>	<b>6,732</b>	<b>6,392</b>
<b>Increase in Backlog</b>	<b>1,797</b>	<b>2,349</b>	<b>3,160</b>	<b>-12</b>	<b>284</b>

\*\*Some of these were dismissed because of secret indictments.

††New statistical collection methods have taken cases handled by information charging out of the dismissed category and distributed them between the two probable cause categories.

### CRIMINAL APPEALS

Total Appeals	442	480	449	544	410
Total Disposed (all categories)	32,129	38,337	42,837	35,704	22,081
% of Total Disposed	1.4%	1.3%	1%	1.5%	1.9%

### CIVIL ACTIONS

	<b>1972</b>	<b>1973</b>	<b>1974</b>	<b>1975</b>	<b>1976</b>
Small Claims Filed	7,023	7,849	10,607	12,107	9,062
Civil Cases Filed	19,118	18,889	20,610	21,228	19,964
<b>Total Filings</b>	<b>26,141</b>	<b>26,738</b>	<b>31,217</b>	<b>33,335</b>	<b>29,026</b>
Small Claims Hearings	3,628	3,842	4,188	6,612	6,313
Civil Trials	1,171	1,201	1,306	1,539	2,947
<b>Total Cases Heard</b>	<b>4,799</b>	<b>5,043</b>	<b>5,494</b>	<b>8,151</b>	<b>9,260</b>
Judgements After Default	12,006	13,270	13,967	11,901	10,091
Judgements After Trial	1,131	1,194	1,303	1,539	2,947
<b>Total Judgements</b>	<b>13,137</b>	<b>14,464</b>	<b>15,270</b>	<b>13,440</b>	<b>13,038</b>
Appeals	238	306	350	445	489
<b>% of Appeals from Judgements</b>	<b>1.8%</b>	<b>2.1%</b>	<b>2.2%</b>	<b>3.3%</b>	<b>3.7%</b>