



STATE OF RHODE ISLAND JUDICIARY

DARLENE WALSH
DIRECTOR OF FINANCE AND BUDGET

SUPREME COURT
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Representative William O'Brien, Chair,
Public Safety House Finance Subcommittee
State House, Room 35

April 9, 2025

Dear Representative O'Brien,

It was a pleasure to assist State Court Administrator Julie Hamill during the House Finance Committee hearing held on Tuesday, April 1, 2025. During the hearing, Representative Hull requested information regarding the restricted receipt accounts administered by the Judiciary.

This memorandum provides a summary of these accounts in response to that request. Included with this memorandum is a copy of the fiscal year 2024 Technology Surcharge Report, which was submitted on September 30, 2024.

At the start of fiscal year 2025, the Judiciary had eight (8) active and one (1) inactive restricted receipt accounts.

Active Restricted Receipt Accounts

The RI Supreme Court Disciplinary Counsel:

All active lawyers in the Rhode Island Bar are required to pay an annual fee that is used to fund the Rhode Island Supreme Court Disciplinary Counsel functions. The Office of Disciplinary Counsel is the investigative arm of the Disciplinary Board. The Counsel's staff attorneys are easily accessible to the public, and any person who has a complaint about a Rhode Island lawyer may call the office and speak to a staff attorney prior to filing a complaint. Staff attorneys can also refer callers to other appropriate agencies, bring serious matters to the immediate attention of the Board, and screen out those matters which do not allege any misconduct.

This rule is established in Rhode Island Supreme Court Rules, Article III Rule 5. Disciplinary Procedure for Attorneys.

Victims' Rights Information:

The enabling statute for the Victims' Rights Information account is *Rhode Island General Law § 12-25-29. Use of funds to inform victims of their rights*. The law states that there is an appropriation to the annual budget of the administrative office of the state courts fifteen percent (15%) of the fund collected annually under § 12-25-28, not to exceed one hundred fifty thousand dollars (\$150,000). This funding,

at the direction of the chief justice of the supreme court, is for the purpose of informing the victims of crime of their rights established by chapter 28 of this title and assisting victims in the exercise of these rights. In addition, the treasurer and administrator shall seek to inform victims of violent crime of this chapter using every available means at their disposal.

The administrative office of the state courts currently contracts with Justice Assistance to assist victims of crimes as the case flows through the courts and post disposition to assist with determining restitution.

Rhode Island Foundation Court Innovation:

The Supreme Court frequently applies for grants through the RI Foundation. The scope of the grant award is typically related to the preservation of valuable court records. The current award funds the restoration and rebinding of two Providence County Superior Court Book Indexes.

Indirect Cost Recovery:

The Judiciary's Indirect Cost Recovery Account are federally funded allocations based on overhead costs charged for grant funds. Annually, the Judiciary submits an Indirect Cost Rate Proposal and Cost Allocation Plan to the United States Department of Justice. The proposal submitted is based on actual expenditures in the cost shared pool in accordance with OMB Circular A-87, "Cost Principles for State, Local and Indian Tribal Governments". The federal funds received for these overhead charges are held as a restricted receipt to properly account for costs directly related to the grant award and associated indirect costs documented as part of the cost shared pool. Due to limitations on what the funds can be used for, the Judiciary must be mindful to avoid supplanting funds or to use these funds for expenses that are already included in the cost shared pool.

RI Judiciary Technology Surcharge Account:

The enabling law establishing this account is R.I. Gen. Laws § 8-15-11. *Electronic filing and online payments*. In addition to any other filing fees or court costs required by law or court rule, parties to any court matter may be required to pay a technology surcharge or fee not to exceed twenty-five dollars (\$25.00) at the inception or the conclusion of any case or upon making any electronic payment online to any of the courts within the unified judicial system. The surcharges or fees shall be determined by the state court administrator with the approval of the chief justice.

The Judiciary's director finance shall monitor and supervise the collection of technology surcharges and deposited these funds into a restricted receipt account designated as "Rhode Island judiciary technology surcharge account". The proceeds of which shall be solely for use by the judiciary in support of its technology infrastructure and case management system. Beginning on January 15, 2015, and annually thereafter on or before January 15, the judiciary's director of finance files a report with the governor, the speaker of the house, and the president of the senate detailing: (1) The total amount of funds collected and deposited into the judiciary technology surcharge account for the most recently completed fiscal year; (2) The fund balance as of the date of the report; (3) An itemization of all expenditures and other uses of said funds from said account for the most recently completed fiscal year; and (4) An annual evaluation as to the appropriateness of the amount of the technology surcharge or fee.

The section of law states that implementation of electronic court records shall not alter the application of § 38-2-5, the current statute governing the existing rights to Judicial records and proceedings whether in paper or electronic format.

As previously mentioned, attached is a copy of the Fiscal Year 2024 Technology Surcharge Report submitted on September 30, 2024.

Superior Court Arbitration Fund:

The Court Annexed Arbitration Program (CAAP) was established in 1988 to assist in the resolution of certain civil cases, thereby reducing the time to trial for other matters. The program was designed to provide an expedited and cost-effective alternative to trial, benefiting both the court system and litigants.

Under its governing rules, CAAP is compulsory for civil matters where the claimed damages are less than \$100,000, with certain exceptions. The arbitration is non-binding. The program operates by collecting fees from both parties, totaling at least \$400. Arbitrators are compensated, \$400 since 2016, if an award is filed or the matter is settled.

Since its inception, CAAP has heard well over 25,000 cases and has successfully settled more than 50% of those matters within one year. The program has been particularly effective in resolving personal injury cases. Rejection of an arbitrator's award by a party does not preclude resolution, as the majority of those matters settle shortly thereafter.

Small Claims Mediation: The Center for Mediation & Collaboration Rhode Island is an independent, non-profit organization that provides mediation services for those cases referred by the District Court for out-of-court mediation. The funding generated to pay for this service is derived from Rhode Island General Law § 10-16-4. Filing fee — Waiver of appeal.

Small Claims and Consumer Claims: § 10-16-4. Filing fee — Waiver of appeal.

(a) The plaintiff shall pay into the court an entry fee of fifty-five dollars (\$55.00), of which twenty dollars (\$20.00) shall be placed in a "small claims mediation restricted-receipt account" together with an amount equal to the then-prevailing postal rate, for mailing notices in the case, which shall be deemed the beginning of the action. The "small claims mediation restricted-receipt account" shall be established under the control of the state court director of finance; the chief judge of the district court shall be authorized to pay for the services of qualified mediators and other related expenses from the "small claims mediation restricted-receipt account." In addition to the entry fee, the court shall apply a technology surcharge in accordance with § 8-15-11.

(b) The plaintiff shall also file with his or her claim a written waiver of right of appeal.

Workers' Compensation Court:

In 1990, the Workers' Compensation Court was created by the General Assembly to adjudicate work-related injury claims. Funding for the Workers' Compensation Court is derived from the Workers' Compensation Administrative Account fund in the Rhode Island Department of Labor and Training. The Director of the Department of Labor and Training or their designate is the administrator of the fund. The Administrator transfers monies from the administrative account to the restricted receipts account

within the Judiciary. The transfers are processed as required, typically each fiscal quarter based on projections.

Inactive Restricted Receipt Account

Automatic Expungement: This account is now inactive. Funding was provided by the Department of Revenue to reimburse the courts for overtime expenditures related to the Marijuana Expungement Project. The project is completed, and the judiciary returned \$452,212.07 to the Department of Revenue, "Adult Use Marijuana Program" restricted receipt account.

The eight (8) active and one (1) inactive accounts listed above are classified as restricted receipt funds and are required to be used for their designated purposes.

Please do not hesitate to contact me should you require any additional information or clarification.

Regards,



Darlene L. Walsh

Assistant Administrator, Budget & Finance

CC: Julie Hamil, State Court Administrator
Representative Jacquelyn Baginski
Representative Grace Diaz
Representative Raymond Hull
Representative Sherry Roberts
Christopher O'Brien, Committee Clerk, 15 copies
Sharon Reynolds Ferland, House Fiscal Advisor; State House, Room 306
Joseph Codega Jr., State Budget Officer



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September 30, 2024

To: The Honorable Daniel J. McKee, Governor
State of Rhode Island

The Honorable Marvin L. Abney, Chairperson
House Committee on Finance

The Honorable Louis P. DiPalma, Chairperson
Senate Committee on Finance

From: Darlene L. Walsh, Director of Finance and Budget *DLW*
Judiciary

RE: Fiscal Year 2024 Technology Surcharge Report

Enclosed is the Fiscal Year⁴ Technology Surcharge Report as required by § 8-15-11 (b) of the Rhode Island General Laws.

Listed below is a summary of the required information:

- Total amount collected: \$1,350,373.76
- Fund balance as of the date of the report: \$82,514.54
- Fiscal Year 2024 balance was cleared out in July 2024.
- Fund usage: \$908,484.07 paid to vendor per contract and \$359,375.15 off-set to IT maintenance
- Evaluation of the amount of the surcharge fee: appropriate

Enclosure

Cc: Chief Justice Paul A. Suttell
Julie Hamil, State Court Administrator
Sharon Reynolds Ferland, House Fiscal Advisor
Stephen Whitney, Senate Fiscal Advisor
Joseph Codega, State Budget Officer

Technology Surcharge Report Judiciary Fiscal Year 2024		
Fiscal Year	Summary	Total
24	Technology Surcharge collected	1,350,373.76
	FY 2024 Vendor Payment per contract	(908,484.07)
	Off-set to GR Maintenance Expense	(359,375.15)
24 Total		82,514.54
Technology Surcharge collected		
Fiscal Year	Posted Date	Total
24	01/30/24	4,793.73
	01/31/24	114,475.41
	02/29/24	105,694.78
	03/04/24	5,189.00
	03/25/24	6,457.81
	03/31/24	109,913.83
	04/24/24	7,487.07
	04/30/24	114,485.30
	05/30/24	5,294.80
	05/31/24	120,020.92
	06/06/24	630.00
	06/24/24	5,697.22
	06/30/24	108,841.68
	07/31/23	89,408.01
	08/29/23	4,497.02
	08/31/23	105,713.58
	09/13/23	5,450.97
	09/30/23	105,664.82
	10/17/23	5,264.15
	10/31/23	115,763.52
	11/09/23	5,296.23
	11/30/23	110,372.31
	12/18/23	5,510.79
	12/31/23	88,450.81
24 Total		1,350,373.76
Off-set to GR Maintenance Expense		
Fiscal Year	Description	Total
24	2023_07 JTC Surcharge to Maintenance	(26,407.91)
	2023_08 JTC Surcharge to Maintenance	(30,291.80)
	2023_09 JTC Surcharge to Maintenance	(29,779.33)
	2023_11 JTC Surcharge to Maintenance	(29,972.53)
	2023_12 JTC Surcharge to Maintenance	(25,132.25)
	2024_03 JTC Surcharge to Maintenance	(32,248.49)
	2024_04 JTC Surcharge to Maintenance	(31,330.76)
	2024_05 JTC Surcharge to Maintenance	(32,982.92)
	2024_06 JTC Surcharge to Maintenance	(28,571.68)
	2024_1 JTC Surcharge to Maintenance	(30,836.69)
	2024_2 JTC Surcharge to Maintenance	(29,837.76)
	October 2023 Agency Occupancy Charges	(31,353.03)
	REVERSAL AND ADJUSTMENT TO J24099JMO86. 2024_04 JTC Surcharge to Mal	(630.00)
24 Total		(359,375.15)
Account Recelving credit 10.099.3180105.01.641000		
2024 Vendor Payment per contract		
Posted Date	Vendor Name	Total
01/31/24	TYLER TECHNOLOGIES INC	(68,112.29)
02/29/24	TYLER TECHNOLOGIES INC	(88,827.72)
03/31/24	TYLER TECHNOLOGIES INC	(82,314.83)
04/30/24	TYLER TECHNOLOGIES INC	(85,152.41)
05/31/24	TYLER TECHNOLOGIES INC	(5,934.80)
06/30/24	TYLER TECHNOLOGIES INC	(173,005.22)
08/31/23	TYLER TECHNOLOGIES INC	(67,497.12)
09/30/23	TYLER TECHNOLOGIES INC	(80,872.75)
10/31/23	TYLER TECHNOLOGIES INC	(81,149.64)
11/30/23	TYLER TECHNOLOGIES INC	(89,706.72)
12/31/23	TYLER TECHNOLOGIES INC	(85,910.57)
23 Total		(908,484.07)