JUSTICE OF THE PEACE COURT

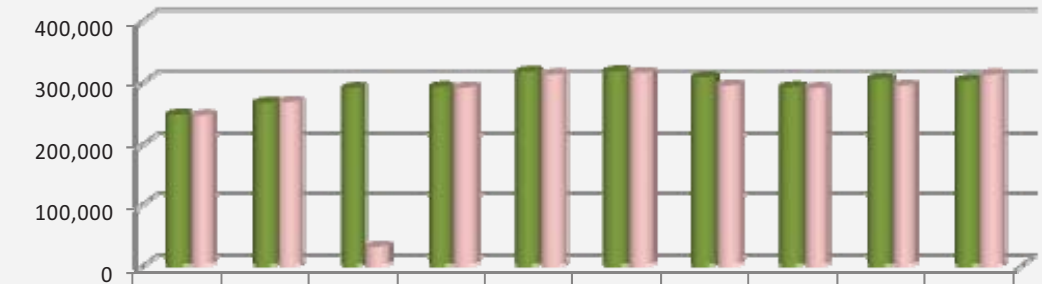
Without the Justice of the Peace Court, the criminal and civil justice systems of the State of Delaware would cease to function in any way remotely resembling the efficiency and effectiveness that the citizens of this state have come to take for granted.

Chief Magistrate
Alan G. Davis

That is a bold statement, but most assuredly a true one. It is not one intended to denigrate any other Court or other actors in the justice systems of this state. All play serious and important roles. However, few would likely be missed as quickly or as fully as the Justice of the Peace Court if it ceased to function. Here are but a few numbers that illustrate the ways the Justice of the Peace Court provides such indispensable service:

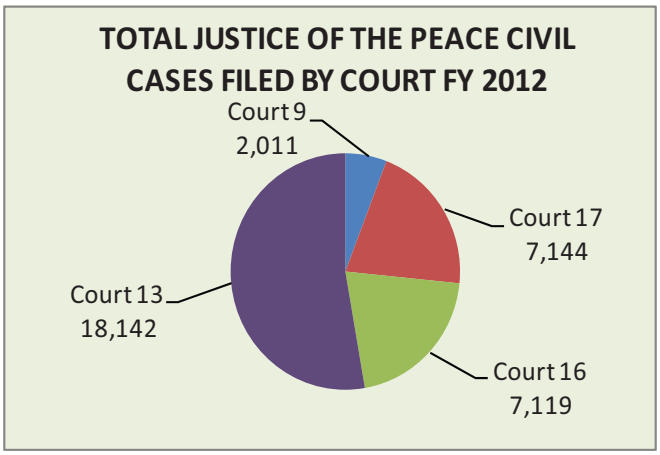
- 99% - The Justice of the Peace Court reviews in excess of 99% of all the criminal arrest warrants requested by all police agencies. Last fiscal year that amounted to 31,931 warrants reviewed by this Court that were approved; this number does not account for the warrants that were reviewed but rejected. The next closest were the combined Alderman's Courts, with a total of 199 reviewed warrants. The judges of the Justice of the Peace Court also returned 98% of all warrants once an arrest was made, making the initial bail decision on 30,832 cases statewide. Thoughtful review of probable cause before an arrest and bail decisions afterward ensures that the system works, constitutional rights are guaranteed, and appropriate decisions are made about issues that can have long lasting effects.

- 20,118 – This is the number of capiases issued by other courts returned to the Justice of the Peace Court over the course of Fiscal Year



	2003	2004	2005**	2006	2007	2008	2009	2,010	2011	2012
Filings	245,444	265,456	290,095	292,005	317,436	318,293	307,925	291,838	305,499	303,310
Dispositions	244,349	266,890	31,704	290,772	313,409	315,663	294,655	290,215	294,125	312,976

*Criminal filings & disposition information by defendant, which is similar to case information provided by other courts.



2012. In other states, defendants picked up on capiases sometimes are unnecessarily detained for hours and days until the individual can be brought before the court that issued the capias, significantly increasing detention costs and disrupting lives. Because the Justice of the Peace Court evaluates these immediately, individuals detained on such minor matters as failing to make a timely payment on a fine payment plan do not clog our detention facilities.

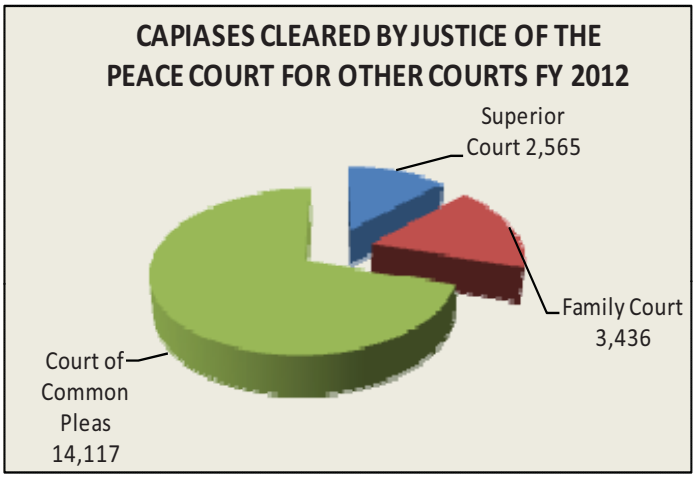
- 24/7/365 – Four locations of the Justice of the Peace Court operate on a 24-hour basis. Three of them never close and one closes only on selected holidays. Another court location operates 16 hours a day, five days a week. This operating schedule not only provides for public convenience to take care of routine matters, but also fulfills the provision of the Delaware constitution that requires "forthwith" consideration of bail for all individuals arrested in this state.

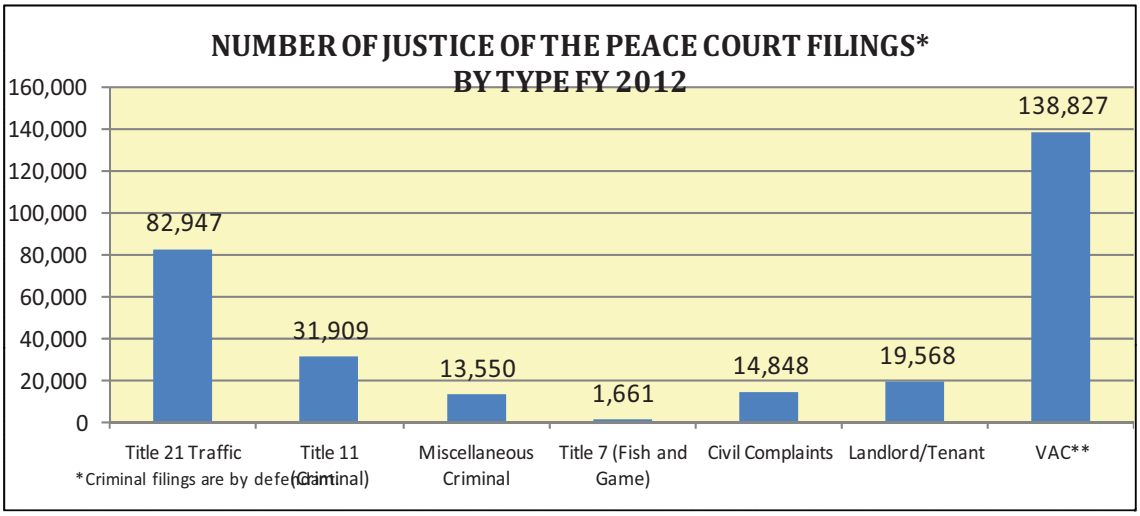
- 150,000 – When people are charged traffic violations in this state and choose to pay the assessment rather than contest the charges, those people interact with the Justice of the Peace Court in the form of the Voluntary Assessment Center. Last year, just under 150,000 charges were disposed of in the VAC. With 90% of all tickets being issued electronically rather than by physical writing by the police, and with the advent of web-based payment options, those traffic tickets are processed all that much more efficiently. Prior to the Court's implementation of a voluntary assessment process, everyone charged with a traffic offense was brought before a judge.

- 48% - That figure represents the approximate percentage of usage of the statewide criminal justice videophone system attributable to the Justice of the Peace Court. The videophone system allows for long-distance proceedings to be held between the courts, police agencies, and the Department of Corrections, eliminating the need for transports of arrestees and inmates and improving officer safety. Each year, that system accounts for about $10 million in cost avoidance associated with such transports; it also saves time and headache for individuals arrested but not detained on bail.

- 268,894 – The number of cases handled by the Justice of the Peace Court is astounding. This is the number of unique individual defendants whose cases were either heard and disposed of by this Court or initiated and transferred to another court as required by law. Contained within those defendants' cases were over 400,000 individual charges. Someone in the Justice of the Peace Court touched each one of those cases at least once last year.

- 46% - With the initiation of the Police Prosecution process in the vast majority of traffic cases, more cases are being resolved in the Justice of the Peace Court than ever before. An evaluation of the process indicated that there were 46% fewer cases being transferred to the Court of Common Pleas than before the process was used. This saves defendants time and money by reducing their number of required court appearances, improves the on-time pay-

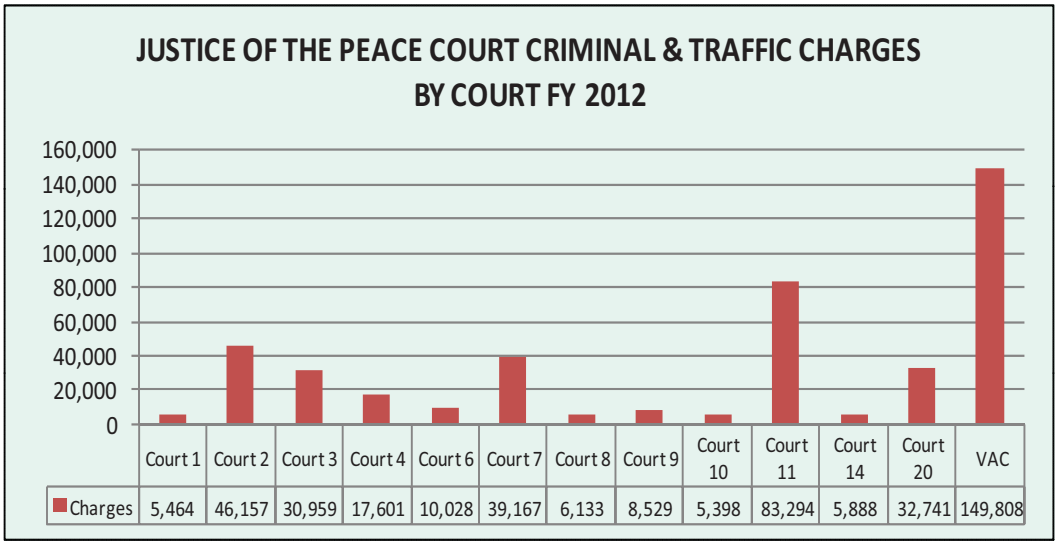


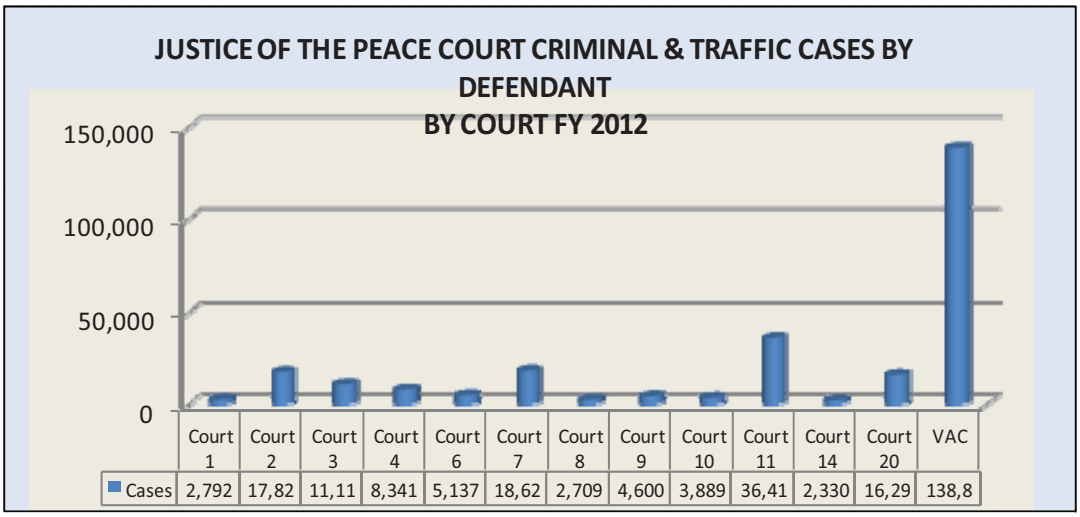


ment of fines and assessments, and reduces the in-court time required of arresting officers.

- 34,416 – Lest we forget, the Justice of the Peace Court also hears and disposes of civil cases. This is the total number of civil flings in our four civil court locations, nearly as many as the civil filings of the Court of Common Pleas, Superior Court and Court of Chancery and Supreme Court combined. In fact, one of our civil locations, Court 13 in Wilmington, received and processed 18,142 cases, more than any of those courts individually. More than half of all of the Justice of the Peace Court civil filings involve landlord-tenant claims. Our civil processes touch many lives in this state, and while the cases are not worth millions of dollars or involve control of a major corporation, that the case is carefully considered is of the utmost importance to the per son who could lose their personal property or their home as a result of the decision.

As you can see, the volume and operating schedule of this Court requires efficiency in its case processing and innovation in its approaches to management. If the Justice of the Peace Court disappeared tomorrow, the practical needs of processing the actual cases could be addressed in some fashion, but what could not be replaced is the manner in which we handle this workload and the benefit that the Court bestows upon the people of this state. More important than just getting the cases pushed through the system is the fact that this Court is interested in and passionate about ensuring that every case gets the attention it needs to come to a just result. Some things just cannot be replaced.





NEW CASTLE COUNTY JUDGES

Front row (seated left to right)
Marilyn Letts, Rosalind Toulson, Deputy Chief Magistrate Bonita Lee, Marie Page, Katharine Ross, Kathleen Lucas, Kathy Gravell, Cheryl Stallmann

Standing middle row (left to right)
Nina Bawa, Susan Cline, Nancy Roberts, Roberto Lopez, Vernon Taylor

Standing back row (left to right)
James Tull, James Hanby, Sr., Terry Smith, Senior Judge William Moser, Donald W. Callender, David R. Skelley, Thomas P. Brown, William Young, III, Sean McCormick, Paul Smith

Not Pictured:
Beatrice Freel, Thomas Kenney, Vincent Kowal, Deborah McNesby, Rosalie Rutkowski, Susan Ufberg

KENT COUNTY JUDGES

Seated (left to right)
Debora Foor, Tracy Warga, Pamela Darling, Cathleen Hutchison

Standing (left to right)
D. Ken Cox, James Murray,
Deputy Chief Magistrate Ernst Arndt

Not pictured: Dwight Dillard, R. Hayes Grapperhaus,
Michael Sherlock, William J. Sweet, Robert Wall, Jr.

SUSSEX COUNTY JUDGES

Seated (left to right)
Jana Mollohan, Stephani Adams, Jeni Coffelt, Deputy Chief Magistrate Sheila Blakely, Marcealeate Ruffin, Michelle Jewell

Standing middle row (left to right)
Deborah J. Keenan, James Horn

Standing back row (left to right)
Richard Comly, John McKenzie, John Hudson, Christopher Bradley, John Martin, Chief Magistrate Alan Davis, John Adams, William P. Wood, Larry Sipple

Not Pictured:
William Boddy, III, Herman Hagan, William Mulvaney, III