

SUPERIOR COURT



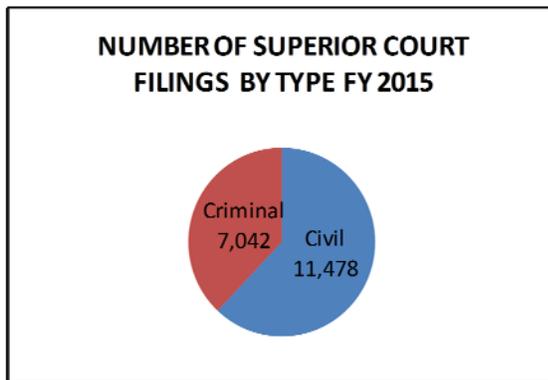
SUPERIOR COURT



PRESIDENT JUDGE JAN R. JURDEN

The mission of the Superior Court is to serve the public. We accomplish this mission by providing a fair and efficient system of justice, committed to excellence, fostering public trust, understanding and confidence.

As Delaware's court of general jurisdiction, each year the Superior Court handles thousands of civil and criminal cases. Similar to preceding years, FY 2015 was a busy year for the Superior Court. Statewide, the Court handled 11,478 civil filings and 7,042 criminal filings. In FY 2015, there were 31 first degree murder cases pending statewide. Since 2002, the Superior Court has been consistently recognized by the United States Chamber of Commerce for excellence as the premier court of general civil jurisdiction in the country.

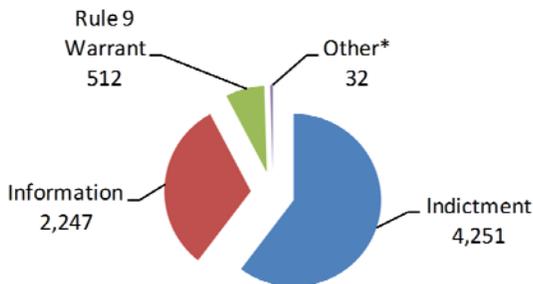


Since its establishment under the Constitution of 1831, the Superior Court of Delaware has undergone many changes, not just in size, but in its use of technology, investment in employees and implementation of innovative strategies to effectively and efficiently manage ever burgeoning case-loads while continuing efforts to administer swift and fair justice. In this trying economic climate, the Superior Court continues to review and explore ways to improve efficiencies. As part of this ongoing effort, the Court is reviewing all its forms and processes in an effort to streamline and standardize processes statewide.

The Court experienced a change in leadership early in 2015 when former President Judge James T. Vaughn, Jr. was elevated to the Delaware Supreme Court and Judge Jan R. Jurden became our new President Judge. Just a few months later, the Court welcomed Judge Jeff J Clark. Prior to joining the bench, Judge Clark practiced at Schmittinger & Rodriguez, PA, in Dover, where he was a partner maintaining a civil, criminal and commercial litigation practice. Judge Clark served as an attorney for the Delaware State Senate from 1997 through 2002, and as Chief Attorney from 2002 through 2012. He served on the Smyrna School Board for 15 years, and was a commissioner on Delaware's Public Service Commission from 2005 until his appointment to the Superior Court. Judge Clark is the seventh new judge appointed to Superior Court since 2012 – representing one-third of the 21

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NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2015



*Includes appeals, transfers, reinstatements and severances.

“The Superior Court has always been the bellwether court of general jurisdiction in Delaware. Recent management innovations such as electronic filing, drug court, case management technology, arbitration, mediation, summary procedures, videoconferencing, jury reform and other advances have only added to its nationwide reputation for excellence.”

The Honorable E. Norman Veasey, former Chief Justice of Delaware, describing the Superior Court in “The Drama of Judicial Branch Change in this Century,” Delaware Lawyer, Vol. 17, No. 4, Winter 1999/2000.

judges on the Superior Court. In addition, the Court welcomed Bradley Manning as a Commissioner in Superior Court.

Critical to the Court’s success and mission is its loyal and hardworking staff. Our employees are truly the backbone of the Court and work tirelessly to meet the justice needs of the community. The Superior Court also enjoys a high degree of collegiality which enables our judicial officers and staff to collaborate on such efforts. It is through this collaboration, and our mission to provide exceptional service to our litigants, that the Court is able to implement improvements while at the same time reducing costs.

The Court experienced change within the Court Administration Office. In June 2015, the Superior Court welcomed Mark Zaffarano as our new Court Administrator. Mr. Zaffarano brings a wealth of experience and knowledge with him as a founding member of the Mid-Atlantic Association for Court Management and as a past Court Administrator in federal court in Virginia and California. Shortly after Mr. Zaffarano took over as Court Administrator, the Court was fortunate to hire Barbara Mooney, former Controller of the Administrative Office of the Courts, as our new Controller.

These personnel changes, coupled with the infusion of energy brought by seven new judges within the last three years will enable the Court to improve its administration of justice by promoting innovative ideas and increased use of technology. The Court is poised to enhance its ability to serve the public and foster public trust, understanding and confidence.

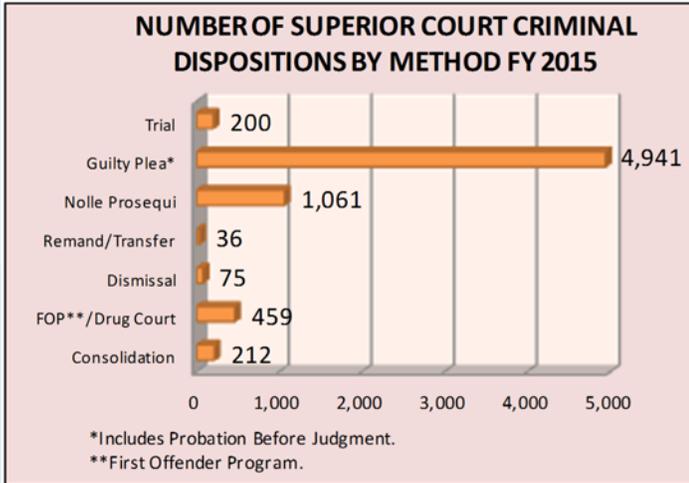
Although former Chief Justice Veasey uttered these words 15 years ago, his observation remains accurate—the Superior Court was and still is “the bellwether court of general jurisdiction in Delaware.” Our innovative strategies remain key to the success of our mission.

Trial by jury is the bedrock of our criminal and civil justice systems. Every week, jurors are summoned by this Court for service in the Superior Court and the Court of Common Pleas in all three counties. This year, 134,248 jurors were summoned statewide for 277 cases, 31,685 jurors reported for service and 3,900 jurors were seated. Those civic-minded citizens who report for jury service play a crucial role in our justice system. We strive to make the experience of jury service a positive one, especially because for many Delaware citizens, jury service is their only contact with the justice system. A Superior Court judge personally addresses every jury pool on each trial day, and explains the critical role the availability and presence of jurors plays in trying and resolving cases. We are utilizing technology and implementing new software to improve the process for jury summonses and scheduling, and making it easier for prospective jurors to request rescheduling.

Sentencing is a critical component in the criminal justice system. The Court’s efforts to reduce recidivism and provide equal justice for all are intrinsically linked to sentencing. Every year, the Court handles thousands of alleged violations

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of probation. It is critical to address these allegations promptly and efficiently to protect the public. The Violation of Probation (VOP) cases statewide numbered 5,465 filings, 4,327 dispositions, and 793 cases with pending charges. To address the increasing number of VOPs, the Superior Court, in collaboration with the Department of Correction - Probation and Parole, created electronic resource mailboxes which are utilized in all three counties to improve the accuracy of violation reporting and speed of resolution.

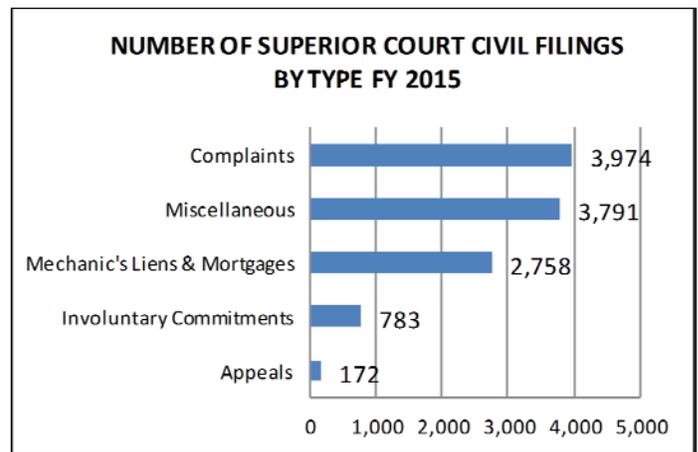
The Superior Court continues to explore innovative and more cost effective ways to handle its ever increasing workload and reduce recidivism. For example, in certain criminal cases, defendants can be diverted off the trial track and assigned to Problem-Solving Courts such as Drug Court, Mental Health Court, or Veterans Treatment Court. By addressing the underlying cause of the defendant's behavior, these courts strive not only to improve outcomes for the individual, but reduce recidivism and improve public safety. Last year, the Chief Justice created the Criminal Justice Council of the Judiciary which is reviewing, among other things, the efficacy of these courts. The goal is to have all Problem-Solving Courts operating efficiently, effectively and utilizing evidence-based best practices.

Eighteen years ago, the Delaware Superior Court established the first statewide Drug Court in the nation. This year, the statewide Superior Court Diversion Drug Court had 449 entries, 176 terminations, and 232 graduates. Superior Court's Mental Health Court is a collaborative effort designed to heighten awareness of the particularized

needs of justice-involved individuals with mental health issues, increase public safety, reduce recidivism, and enhance collaboration and information sharing between the Court, Department of Correction, Division of Substance Abuse and Mental Health, private mental health agencies, and community treatment providers.

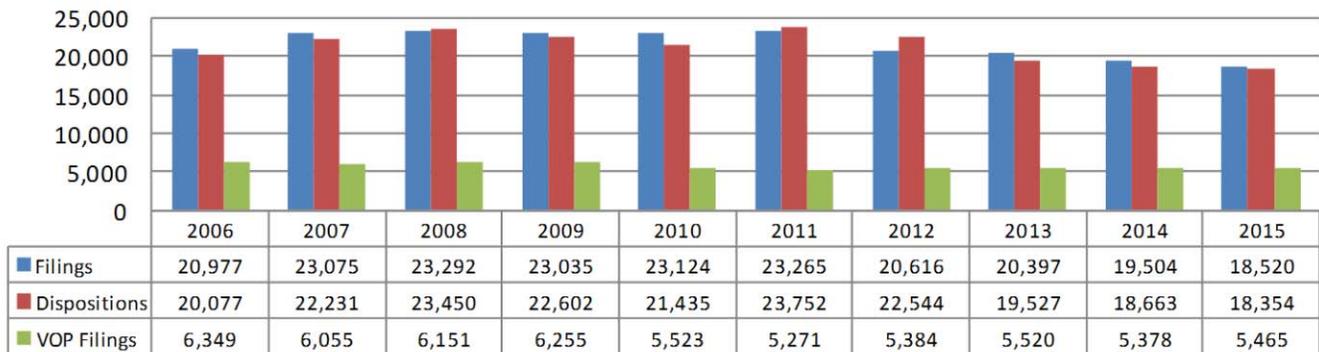
The Veterans Treatment Court, which has flourished since its inception in February 2011, is designed to assist justice-involved veterans with mental health and substance abuse issues in obtaining necessary services thereby eliminating or reducing the likelihood of re-offending. The Veterans Treatment Court continues to expand and offer an alternative approach to traditional court proceedings. Last year, the volunteer Peer Mentor Program was introduced to Veterans Treatment Court with widespread success. The peer mentor volunteers are uniquely positioned to support the participants in a wide variety of aspects, ranging from assisting with transportation to court and to appointments, to dealing with life's everyday challenges. In Delaware, veterans groups are poised to assist the Veterans Treatment Court and routinely inquire where their services could best be utilized. It is through the Superior Court's Veterans Treatment Court team approach to assisting justice-involved veterans that the participants are able to see a path forward after successfully completing this program. Part of the unique and beneficial approach of this Problem-Solving Court is that each presiding judge is a veteran.

After a short recess, the New Castle County's Reentry Court is back, up and running. This Problem-Solving Court targets repeat offenders who have been incarcerated at least one year and have a community service obligation



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SUPERIOR COURT CIVIL & CRIMINAL FILINGS & DISPOSITIONS BY FISCAL YEAR



as a condition of their release. The Court plans to utilize a database which will track the Reentry Court offenders and the participation of offenders and outside partners, in an effort to gather valuable data which will later be used to determine what programs are most effective at reducing recidivism and providing necessary treatment.

The Problem-Solving Court approach reflects the Court’s efforts to be collaborative, innovative, and responsive to the community’s needs. With respect to civil litigation, the Court also strives to be responsive to the litigants who rely on the Superior Court to resolve commercial disputes, including Delaware’s corporate citizens. To that end, in 2010, the Superior Court created the Complex Commercial Litigation Division for commercial disputes where the amount in controversy exceeds \$1 million. In the five years since its inception, there have been 264 cases assigned to the Complex Commercial Litigation Division and there are currently 68 cases pending disposition. This Division has been widely embraced by the legal community and continues to grow, demonstrating the Superior Court’s ability to handle complex business disputes swiftly and expertly.

The Superior Court is also responsive to other issues affecting the community, such as home foreclosure. In January 2012, the Residential Mortgage Foreclosure Mediation Program began as a combined effort between the Department of Justice and the Superior Court. The Department of Justice acts as the designated Administrator of the Program and continues to provide resources for homeowners facing foreclosures. This past fiscal year there were 1,795 mortgage cases filed which were eligible for the Residential Mortgage Foreclosure Mediation Program. It is through a united effort that this program continues to provide a necessary service for those faced with losing their home. In addition, Project Rightful Owner continues to disburse excess pro-

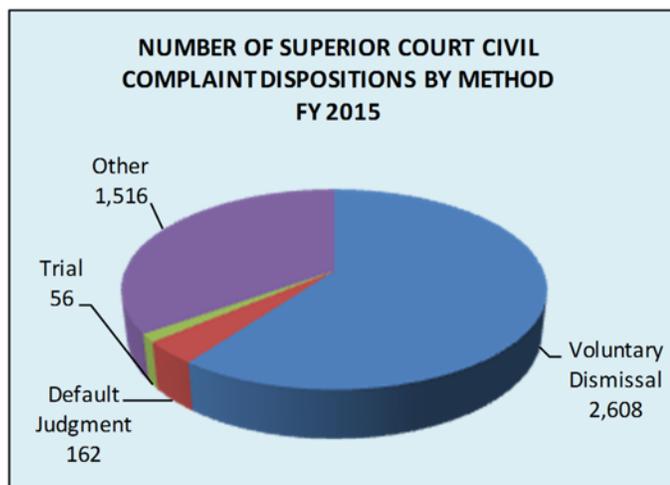
ceeds to rightful owners of the money collected in sheriff’s sales. Excess proceeds arise when the value of property, at the time of sale, exceeds the amount of money required to pay off all recorded liens and mortgages. In FY 2015, there were 44 hearings held, and 39 orders entered which disbursed a total of \$727,904.39.

The Court has directed its efforts towards the needs of other vulnerable citizens as well. For example, in FY 2014, the Superior Court and Court of Common Pleas applied for and were awarded a grant which enabled us to launch the Victim Awareness and Safety Enhancement (VASE) Project. This first-of-its-kind, cross-court project initiative created a “specialized track” to identify justice-involved victims of domestic violence, sexual assault, dating violence, and stalking, and coordinate appropriate services and trauma-informed care. VASE provides these justice-involved individuals with the tools to end the cycle of violence and abuse; address the root cause of the problem that may have led to their involvement with the criminal justice system; and help reduce recidivism. The VASE project was made possible by a grant awarded to the Administrative Office of the Courts by the U.S. Department of Justice’s Office of Violence Against Women. The documented success of this cross-court project resulted in the receipt of additional grant funds to continue VASE.

Superior Court strives to be accessible to the public. As such the Superior Court continues to publish among the greatest number of orders and opinions available for free public access and is consistently among the Courts that dominate the State Judiciary’s website’s “top hits.” The Court’s website is user-friendly and offers the Superior Court developed iCourtClerk™. This service not only helps the public, it also assists the Superior Court in identifying which topics are most important to the public in a given

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period of time and permits the Court to create new web pages and provide more focused site development to address the public's needs. Last fiscal year, there were over 3,497 public queries which is a 10% increase over the previous fiscal year. The ongoing site improvements are consistent with the Superior Court's mission to provide outstanding service to the public.

Consistent with our efforts to be a community partner, the Court unveiled a new high school internship program this past summer. This one-week program offered in New Castle County and Kent County was designed for high school students who demonstrated an interest in learning about the court and the criminal justice system. In Kent County, 16 students were selected and in New Castle County 20 students were selected. Interns learned about the inner workings of the Delaware court system through presentations by judicial officers, lawyers, court staff, police officers, probation officers and correctional officers. In addition, the interns observed various court proceedings including a trial, Mental Health Court, Drug Court, violations of probation hearings, arraignments and the call of the trial calendar. In Kent, at the end of the week, the students participated in a mock trial. In New Castle County, the students, after attending a one day trial, sat as a mock jury, and were able to compare their mock verdict to that of the real jury's verdict. The feedback from the students was uniformly positive and the Court intends to offer the program annually.

The most valuable resource of the Superior Court is our dedicated, long-serving, professional staff. The staff members of the Superior Court are committed, creative and compassionate. Our employees "go the extra mile." Just one example of outstanding performance is Rene Flores, Chief

Security Officer (CSO) in Sussex County. While driving to Court in April, CSO Flores came upon an accident involving a dump truck and three school buses. One of the buses was carrying six small children between the ages of four and seven. CSO Flores, along with Justice of the Peace Court Security Officer Cody Clogg, stopped at the scene to render assistance. One of the vehicle's gas tanks had ruptured and fuel was spilling on the roadway. These two officers ran to the bus and escorted the children off the bus and out of harm's way. After checking to make sure none of the children had any visible injuries and inquiring of each if they were hurt, the officers then assisted the school bus drivers and the truck driver away from their vehicles to safety. Next, Chief Security Officer Flores and Court Security Officer Clogg assisted with directing traffic around the accident scene. In recognition of their bravery, the Governor will present them with the Delaware Award for Heroism during a formal ceremony planned for next spring. The Court is fortunate and grateful not only to have many security officers who risk their lives every day in service of the Court, but individuals who go above and beyond, even when not "on duty."

As noted above, the Court's ability to fulfill its mission depends on its employees. The Superior Court employs over 300 people and has several departments: Prothonotary – the hub of the courthouse where, among a multitude of other tasks, all filings and case processing functions are performed; Investigative Services Office – the officers who provide detailed pre-sentence reports upon which all judicial officers rely; Court Reporters — who record verbatim what is said in court proceedings; Court Security Officers – the bailiffs who provide order and security not only for the Judicial Officers, but for staff and the public as well; and Jury Services – the staff that coordinate juror summonses, reporting, logistics and management. In addition, judicial assistants located in judges' chambers provide administrative support and law clerks assist judicial officers with legal research and drafting of orders and opinions.

Each employee performs an important function and the Court recognizes the importance of investing in our employees. We strive to afford training opportunities and sufficient resources to enable employees to excel in their jobs, and to maintain high morale despite staggering caseloads, fiscal constraints and rising health insurance costs. The Superior Court remains steadfastly committed to improving the administration of justice and exemplary service to our litigants, jurors, the Bar and Delaware citizens.

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The Superior Court is proud of its employees and the work they do to serve the public. We will continue to work together to promote the administration of justice.



SUPERIOR COURT COMMISSIONERS

Standing (left to right):

Commissioner Andrea Maybee Freud
Commissioner Bradley V. Manning
Commissioner Lynne M. Parker
Commissioner Mark S. Vavala
Commissioner Alicia B. Howard

The **Honorable Bradley V. Manning** was formally sworn in for his first term as Commissioner of the Superior Court of Delaware on November 14, 2014. Prior to his appointment, Commissioner Manning worked as an Assistant Public Defender for 13 years.

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SUPERIOR COURT JUDGES

Front row (sitting left to right):

Judge Fred S. Silverman
(retired November 28, 2015)
Judge T. Henley Graves (SC Resident Judge)
President Judge Jan R. Jurden
Judge Richard R. Cooch (NCC Resident Judge)
Judge William C. Carpenter, Jr.

Middle row (standing left to right) :

Judge John A. Parkins, Jr.
Judge Robert B. Young
Judge Calvin L. Scott, Jr.
Judge Richard F. Stokes
Judge William L. Witham, Jr.
(KC Resident Judge)
Judge E. Scott Bradley
Judge Mary M. Johnston
Judge M. Jane Brady

Back row (standing left to right):

Judge Jeff J Clark
Judge Andrea L. Rocanelli
Judge Paul R. Wallace
Judge Charles E. Butler
Judge Diane Clarke Streett
Judge Eric M. Davis
Judge Vivian Medinilla
Judge Ferris W. Wharton

The **Honorable Jan R. Jurden** was sworn in as President Judge of the Superior Court of the State of Delaware on January 13, 2015. Prior to her appointment as President Judge, Jurden had served as a Judge of the Superior Court since 2001.

The **Honorable Jeff J Clark** was sworn in as a Judge of the Superior Court of Delaware on April 10, 2015. Prior to joining the bench, Judge Clark practiced law with Schmittering & Rodriguez, PA, in Dover. Judge Clark filled the vacancy left when Justice James T. Vaughn, Jr. was elevated to the Delaware Supreme Court.