

# Superior Court

For the second year in a row, I am very pleased to report that the nation's top corporate counsel and senior litigators recognized the Superior Court of Delaware as the premier court of general jurisdiction in the country. The Harris Poll State Liability Systems Ranking Study conducted for the United States Chamber Institute for Legal Reform measured corporate America's perception of which state is doing the best job of creating a fair and reasonable litigation environment and focused on numerous factors. Among the areas surveyed were overall treatment of tort and contract litigation, treatment of class action suits, punitive damages, timeliness of summary judgment/dismissal, discovery, scientific and technical evidence, judges' impartiality, judges' competence, juries' predictability and fairness. The study's respondents, corporate general counsels and senior attorneys at companies with annual revenues of at least \$100 million, graded all 50 states in each of the categories. Delaware was ranked number one overall.

During Fiscal Year 2003, the court concentrated on the expansion of its electronic service delivery, browser-based report distribution and conversion of paper-based communications to electronic communications. The court continued to build upon the foundation of its content-rich Web site. A new Web site was unveiled with new graphic design and dy-



President Judge Henry duPont Ridgely

amic navigation. Other improvements to the Courts' Web site included the addition of over 150 new pages of ADR-related material, an advanced search capability, expansion of our legal research links, and the addition of a Reentry Court section. The Jury Services and County pages were enhanced, supplemented and streamlined for user ease. To enhance the Courts' expansion of eFiling, information was added, with

direct login capability for users. A Listserv information service was begun that already serves over 700 members. It provides instant notification of orders, court opinions, rule changes and other information.

In other efforts to maximize the use of available technology, the Court implemented a criminal imaging system in Kent County, with expansion to Sussex and New Castle Counties slated for the winter of 2003-04. The Court will shortly install state-of-the-art presentation technology systems in three more of its trial courtrooms. The Superior Court also obtained a grant from the State Justice Institute to fund the development and implementation of criminal eFiling in Kent and Sussex Counties in partnership with LexisNexis. The court implemented Real-Time court reporting in all three counties for all civil and criminal trials, as well as other designated court proceedings.

The renovation and expansion of the Sussex County Courthouse was completed which resulted in the long-needed expansion of the

Prothonotary's Office. In New Castle County, the Court faced the challenges presented by the move into the recently occupied New Castle County Courthouse, with the expansion of the number of courtrooms from 10 to 16, at a time when hiring freezes and personnel shortages became commonplace.

In New Castle County, improvements in the scheduling of suppression hearings and trials in criminal cases, in tandem with the ongoing grant-funded Criminal Case Management project and the diligent work of the Bench, have produced measurable results.

Despite the chronic shortage of Prothonotary and other court staff, because of budget constraints and hiring freezes, services to the public did not falter. Further, the rate of disposition of non-first degree murder criminal cases within 120 days of indictment increased from 49.8% at the beginning of the fiscal year to 63.6% at the end of the fiscal year, with the rate of disposition within one year increasing from 91.8% to 96%. The number of non-first-degree murder cases pending over 120 days saw a dramatic decrease, as well, by over 56%. There were 183 criminal trials conducted, compared to 169 the previous year.

Further, trials resumed in first-degree murder cases as part of the concerted effort to bring them to disposition expeditiously. In the civil division, eFiling efforts were expanded enabling the uploading and scanning

of documents in asbestos and coverage cases.

Superior Court and the Delaware Bar Associations jointly presented statewide training sessions on the court's amended Alternative Dispute Resolution Civil Rule 16.1. A Superior Court Judge, Commissioners and staff served on the panels. In addition, the ADR Manual was updated and published online. The online edition is available on the Courts' Web site and includes ADR practitioner listings, complete with interactive e-mail links. Finally, uniform, statewide ADR forms were designed and implemented, replacing different forms used in each county.

Superior Court saw other changes as well, with the February retirement of Judge Carl Goldstein and the investiture that same month of Judge Calvin Scott.

Finally, Superior Court continued its dedication to its vision, mission and core values through the collaborative efforts of its judges and staff from across Delaware. The vision of Superior Court is to be the best Superior Court in the nation by providing superior service to the public in pursuit of justice. The court has agreed that the core values as an organization are UNITED, which stands for unity, neutrality, integrity, timeliness, equality and dedication. The court is committed to building on the quality of justice and public service for which the Superior Court of Delaware is well known both in Delaware and throughout the nation.



*Front Row* (sitting left to right)  
Associate Judge Susan C. Del Pesco  
Associate Judge Richard S. Gebelein  
President Judge Henry duPont Ridgely  
Associate Judge John E. Babiarez, Jr.  
Associate Judge Jerome O. Herlihy

*Second Row* (standing left to right)  
Associate Judge Fred S. Silverman  
Associate Judge Haile L. Alford  
Associate Judge Charles H. Toliver, IV  
Resident Judge T. Henley Graves  
Associate Judge Carl A. Goldstein  
Resident Judge Richard R. Cooch  
Associate Judge William C. Carpenter, Jr.

*Third Row* (standing left to right)  
Associate Judge Joseph R. Slight, III  
Associate Judge E. Scott Bradley  
Associate Judge William L. Witham, Jr.  
Resident Judge James T. Vaughn, Jr.  
Associate Judge Richard F. Stokes  
Associate Judge Peggy L. Ableman  
Associate Judge Jan R. Jurden

**Legal Authorization**

The Constitution of Delaware, Article IV, Section 1, authorizes the Superior Court.

**Court History**

Superior Court's roots can be traced back more than 300 years to December 6, 1669 when John Binckson and two others were tried for treason for leading an insurrection against colonists loyal to England in favor of the King of Sweden.

The law courts, which represent today's Superior Court jurisdiction, go back as far as 1831 when they included Superior Court, which heard civil matters, the Court of General Sessions, which heard criminal matters, and the Court of Oyer and Terminer, which heard capital cases and consisted of all four law judges for the other two courts.

In 1951, the Court of Oyer and Terminer and the Court of General Sessions were abolished and their jurisdictions were combined in today's Superior Court. The presiding judge of Superior Court was renamed president judge. There were five Superior judges in 1951; there are seventeen today.

**Geographic Organization**

Sessions of Superior Court are held in each of the three counties at the county seat.

**Legal Jurisdiction**

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction, and domestic relations matters which jurisdiction is vested with the Family Court. The Court's authority to award damages is not subject to a monetary maximum. The Court hears cases of personal injury, libel and slander, and contract claims. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics' liens, condemnations, and appeals related to landlord-tenant disputes, and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of mari-

juana cases). Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court (adult criminal), and more than 50 administrative agencies including the Industrial Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Superior Court are argued on the record before the Supreme Court.

**Judges**

Superior Court judges are nominated by the Governor and confirmed by the Senate. The judges are appointed for 12-year terms and must be learned in the law. There may be nineteen judges appointed to the Superior Court bench. One of the nineteen judges is appointed president judge with administrative responsibility for the Court. Three are appointed as resident judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

**Support Personnel**

Superior Court may appoint court reporters, law clerks, bailiffs, pre-sentence officers, a secretary for each judge, and other personnel.

An appointed prothonotary for each county serves as clerk of the Superior Court for the county. The prothonotary for each county serves as clerk of the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list and property liens and is the custodian of costs and fees for the Court. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital, and collects and distributes restitution monies as ordered by the Court in addition to numerous other duties. It is also charged with security, care, and custody of Court's exhibits. Elected sheriffs, one per county, also serve Superior Court.

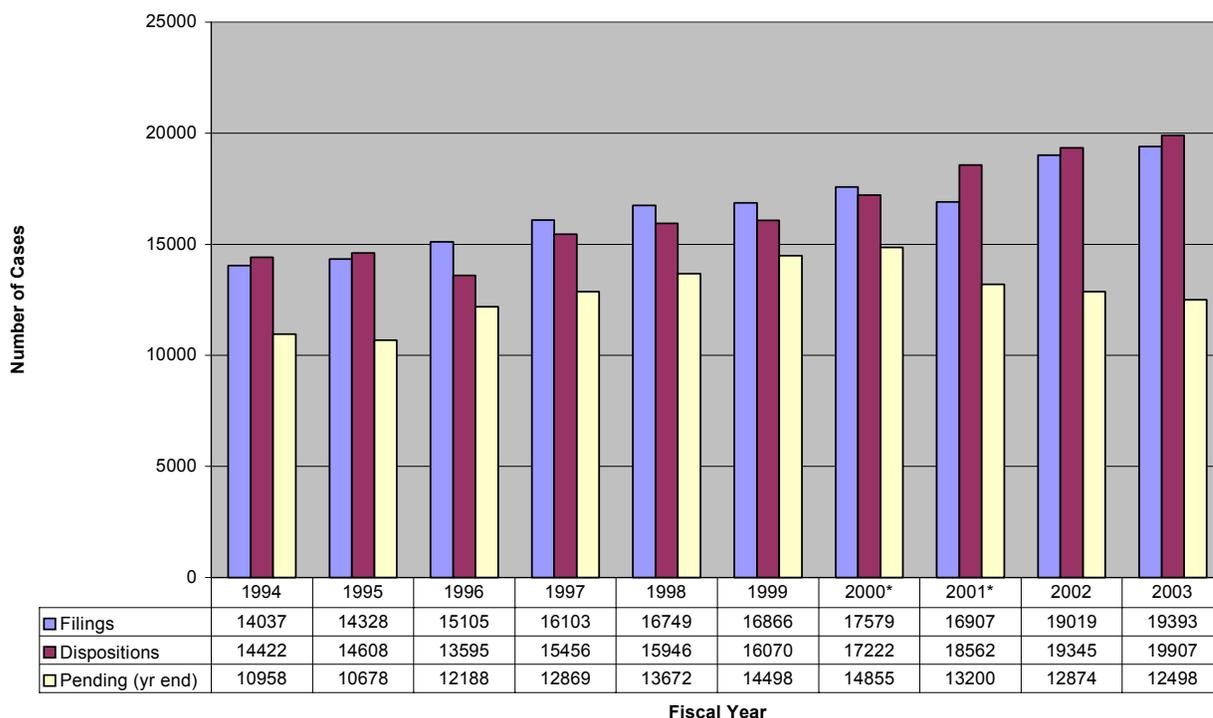
<b>Caseload Summary Fiscal Year 2003 - Total Cases</b>						
	Pending			Pending	Change	% Change
	6/30/2002	Filings	Dispositions	6/30/2003	In Pending	In Pending
New Castle County	9,739	13,080	13,385	9,434	-305	-3.1%
Kent County	1,589	3,247	3,191	1,645	+56	+3.5%
Sussex County	1,684	3,066	3,331	1,419	-265	-15.7%
<b>State</b>	<b>13,012</b>	<b>19,393</b>	<b>19,907</b>	<b>12,498</b>	<b>-514</b>	<b>-4.0%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Total Case Filings</b>				
	2002	2003	Change	% Change
New Castle County	12,463	13,080	+617	+5.0%
Kent County	2,883	3,247	+364	+12.6%
Sussex County	2,827	3,066	+239	+8.5%
<b>State</b>	<b>18,173</b>	<b>19,393</b>	<b>+1220</b>	<b>+6.7%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Total Case Dispositions</b>				
	2002	2003	Change	% Change
New Castle County	12,531	13,385	+854	+6.8%
Kent County	3,011	3,191	+180	+6.0%
Sussex County	2,848	3,331	+483	+17.0%
<b>State</b>	<b>18,390</b>	<b>19,907</b>	<b>+1517</b>	<b>+8.2%</b>

Source: Court Administrator and Prothonotaries' Offices, Superior Court;  
Administrative Office of the Courts.

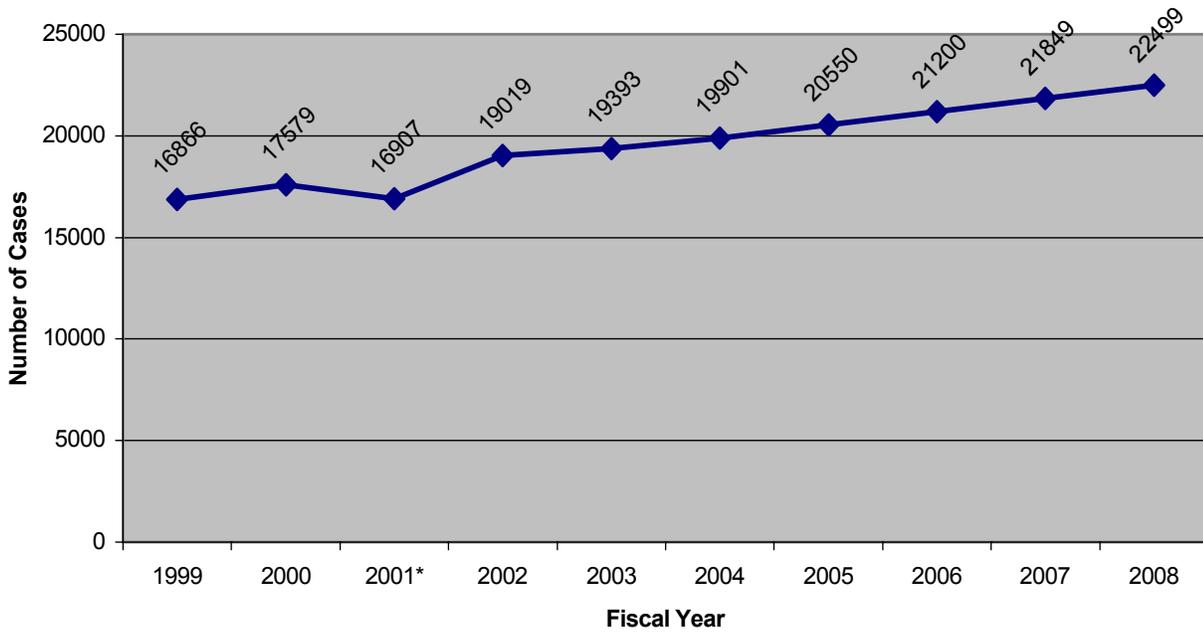
Superior Court - 10 Year Total Caseload Trend



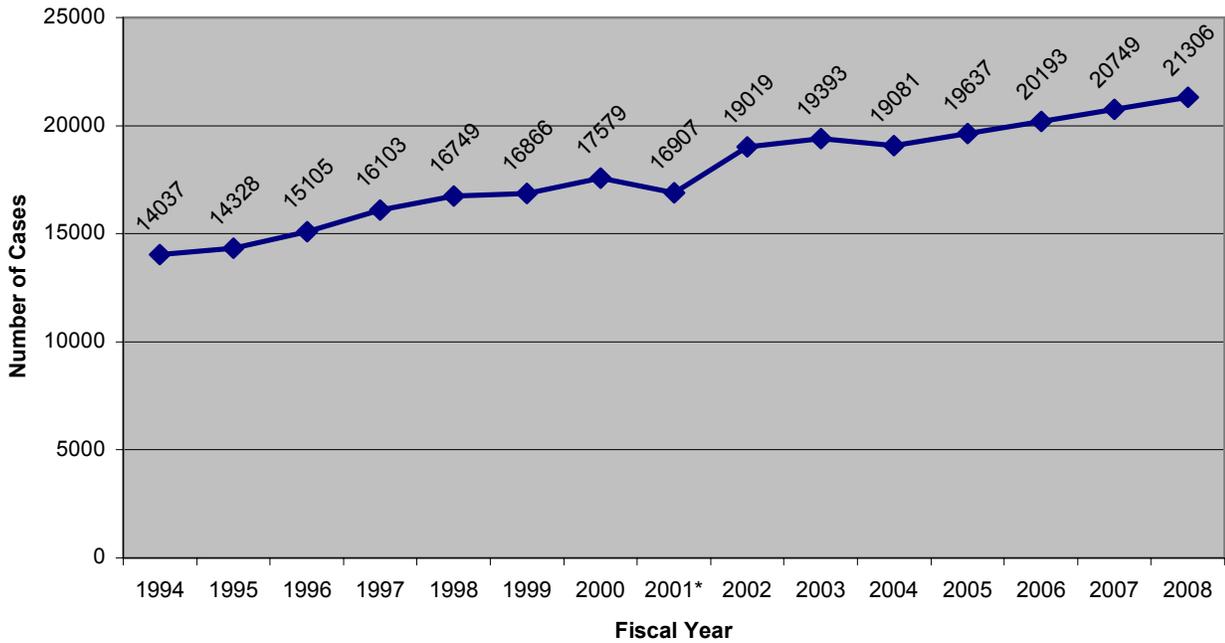
\*Filings and pending at end of year amended.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

**Superior Court - 5 Year Filing Projections With 5 Year Base**



**Superior Court - 5 Year Filing Projections With 10 Year Base**



\*2001 Filings are amended from FY 2001 Statistical Report.

Trend lines computed by regression analysis.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

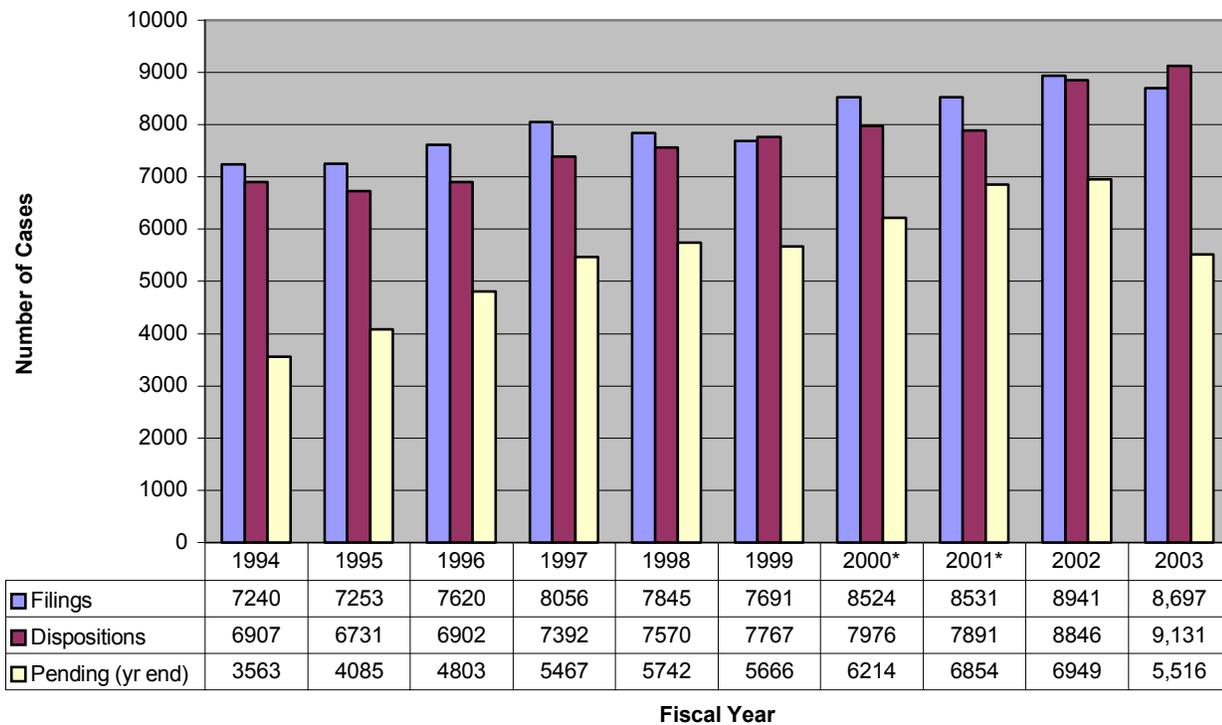
<b>Caseload Summary Fiscal Year 2003 - Criminal Cases</b>						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	4,046	4,856	5,220	3,682	-364	-9.0%
Kent County	926	1,912	1,868	970	+44	+4.8%
Sussex County	978	1,929	2,043	864	-114	-11.7%
<b>State</b>	<b>5,950</b>	<b>8,697</b>	<b>9,131</b>	<b>5,516</b>	<b>-434</b>	<b>-7.3%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Criminal Case Filings</b>				
	2002	2003	Change	% Change
New Castle County	4,742	4,856	+114	+2.4%
Kent County	1,657	1,912	+255	+15.4%
Sussex County	1,696	1,929	+233	+13.7%
<b>State</b>	<b>8,095</b>	<b>8,697</b>	<b>+602</b>	<b>+7.4%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Criminal Case Dispositions</b>				
	2002	2003	Change	% Change
New Castle County	4,577	5,220	+643	+14.0%
Kent County	1,675	1,868	+193	+11.5%
Sussex County	1,639	2,043	+404	+24.6%
<b>State</b>	<b>7,891</b>	<b>9,131</b>	<b>+1240</b>	<b>+15.7%</b>

Source: Court Administrator and Prothonotaries' Offices, Superior Court;  
Administrative Office of the Courts.

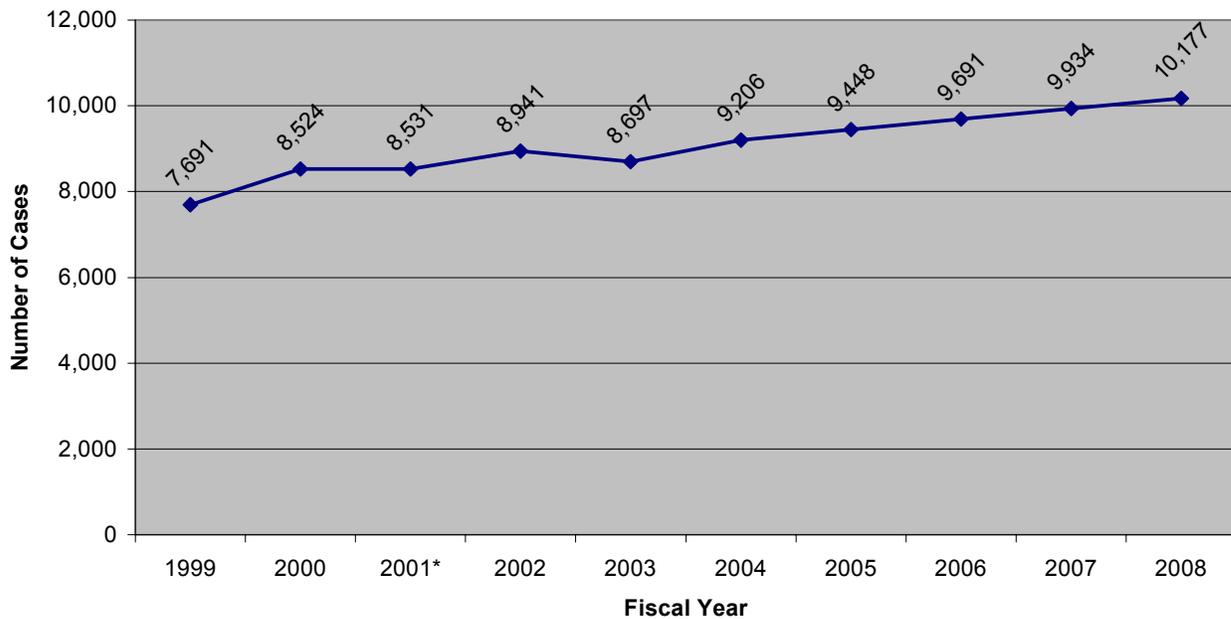
**Superior Court - 10 Year Criminal Caseload Trend**



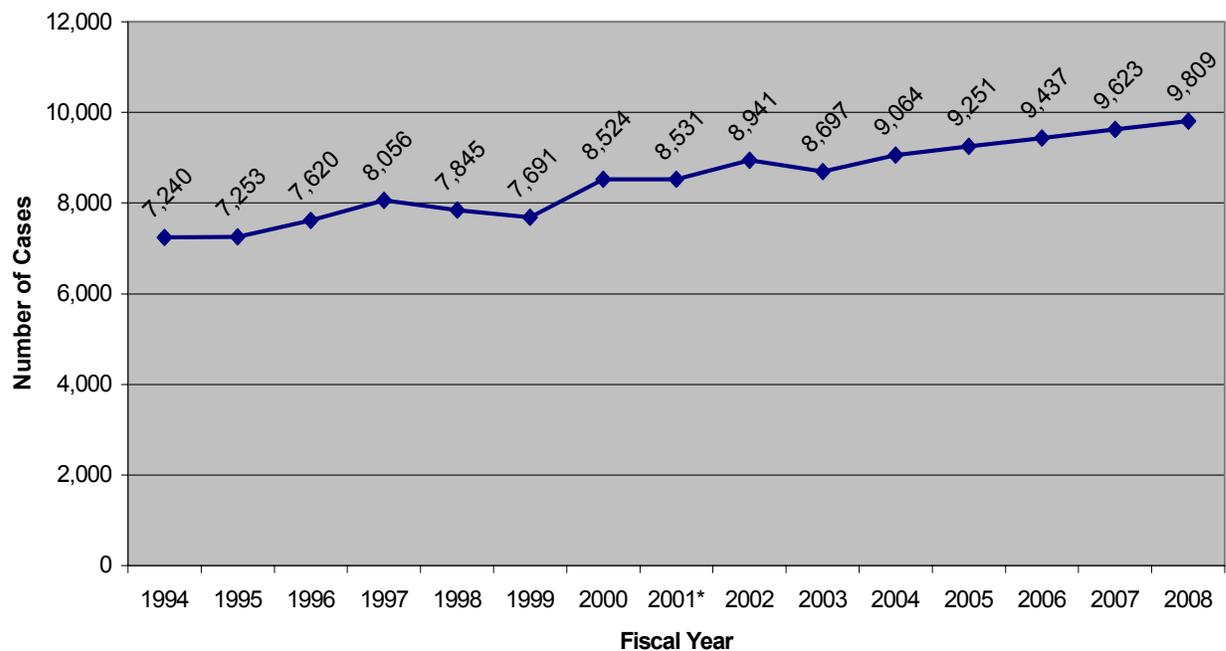
\*Filings and pending at end of year amended.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

**Superior Court - 5 Year Criminal Case Filing Projections With 5 Year Base**



**Superior Court - 5 Year Criminal Case Filing Projections With 10 Year Base**



\*2001 Filings are amended from FY 2001 Statistical Report.

Trend lines computed by regression analysis.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

SUPERIOR COURT

<b>Caseload Breakdowns Fiscal Year 2003 - Criminal Filings</b>										
	Indictment		Rule 9 Warrant		Information		Other*		Total	
New Castle County	4,370	90.0%	303	6.2%	150	3.1%	33	0.7%	4,856	100.0%
Kent County	1,741	91.1%	7	0.4%	139	7.3%	25	1.3%	1,912	100.0%
Sussex County	402	20.8%	120	6.2%	1,397	72.4%	10	0.5%	1,929	100.0%
<b>State</b>	<b>6,513</b>	<b>74.9%</b>	<b>430</b>	<b>4.9%</b>	<b>1,686</b>	<b>19.4%</b>	<b>68</b>	<b>0.8%</b>	<b>8,697</b>	<b>100.0%</b>

<b>Caseload Breakdowns Fiscal Year 2003 - Criminal Dispositions</b>										
	Trial		Guilty Plea		Nolle Prosequi		Remand/Transfer		ADRR	
New Castle County	183	3.5%	3,494	66.9%	771	14.8%	8	0.2%	0	0.0%
Kent County	59	3.2%	1,277	68.4%	236	12.6%	1	0.1%	0	0.0%
Sussex County	42	2.1%	1,335	65.3%	214	10.5%	4	0.2%	0	0.0%
<b>State</b>	<b>284</b>	<b>3.1%</b>	<b>6,106</b>	<b>66.9%</b>	<b>1,221</b>	<b>13.4%</b>	<b>13</b>	<b>0.1%</b>	<b>0</b>	<b>0.0%</b>

<b>Caseload Breakdowns Fiscal Year 2003 - Criminal Dispositions (cont.)</b>										
	Dismissal		FOP/Drug Court		Consolidation		Total			
New Castle County	221	4.2%	321	6.1%	222	4.3%	5,220	100.0%		
Kent County	35	1.9%	168	9.0%	92	4.9%	1,868	100.0%		
Sussex County	98	4.8%	173	8.5%	177	8.7%	2,043	100.0%		
<b>State</b>	<b>354</b>	<b>3.9%</b>	<b>662</b>	<b>7.3%</b>	<b>491</b>	<b>5.4%</b>	<b>9,131</b>	<b>100.0%</b>		

<b>Caseload Breakdowns Fiscal Year 2003 - Criminal Pending at End of Year</b>										
	Triable Pending		Non-Triable Pending		Total					
New Castle County	1,112	30.2%	2,570	69.8%	3,682	100.0%				
Kent County	349	36.0%	621	64.0%	970	100.0%				
Sussex County	343	39.7%	521	60.3%	864	100.0%				
<b>State</b>	<b>1,804</b>	<b>32.7%</b>	<b>3,712</b>	<b>67.3%</b>	<b>5,516</b>	<b>100.0%</b>				

<b>Caseload Breakdown Fiscal Year 2003 - Criminal Change in Pending</b>										
	Triable Pending		Non-Triable Pending		Total					
New Castle County	-380		+16		-364					
Kent County	+82		-38		+44					
Sussex County	-62		-52		-114					
<b>State</b>	<b>-360</b>		<b>+74</b>		<b>-434</b>					

\*Includes appeals, transfers, reinstatements and severances.

ADRR = Appeal Dismissed Record Remanded

FOP = First Offender Program

Source: Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts.

Types of Dispositions Fiscal Year 2003 - Criminal Trials - Part One							
	Jury Trial		Non-Jury Trial		Total	Average Trial Length	
New Castle County	166	90.7%	17	9.3%	183	100.0%	2.55 days
Kent County	56	94.9%	3	5.1%	59	100.0%	2.69 days
Sussex County	40	95.2%	2	4.8%	42	100.0%	2.53 days
<b>State</b>	<b>262</b>	<b>92.3%</b>	<b>22</b>	<b>7.7%</b>	<b>284</b>	<b>100.0%</b>	<b>2.58 days</b>
	Guilty		Not Guilty*		No Final Disposition**		Total
New Castle County	117	58.5%	45	22.5%	38	19.0%	200
Kent County	45	72.6%	3	4.8%	14	22.6%	62
Sussex County	36	81.8%	4	9.1%	4	9.1%	44
<b>State</b>	<b>198</b>	<b>64.7%</b>	<b>52</b>	<b>17.0%</b>	<b>56</b>	<b>18.3%</b>	<b>306</b>

Types of Dispositions Fiscal Year 2003 - Criminal Trials - Part Two								
Jury Trial								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/Dismiss at Trial	Mistrial	Hung Jury	Total
New Castle County	74	16	32	14	9	19	2	166
Kent County	29	1	3	12	0	10	1	56
Sussex County	30	0	2	4	2	2	0	40
<b>State</b>	<b>133</b>	<b>17</b>	<b>37</b>	<b>30</b>	<b>11</b>	<b>31</b>	<b>3</b>	<b>262</b>
Non-Jury Trial								
	Guilty	Guilty LIO	Not Guilty	Nol Pros/Dismiss at Trial		Mistrial	Reserved Decision	Total
New Castle County	11	2	3	1		0	74	91
Kent County	3	0	0	0		0	0	3
Sussex County	2	0	0	0		0	0	2
<b>State</b>	<b>16</b>	<b>2</b>	<b>3</b>	<b>1</b>		<b>0</b>	<b>74</b>	<b>96</b>
All Trials								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/Dismiss at Trial	Mistrial	Hung Jury/Reserved Decision	Total
New Castle County	85	18	35	14	10	19	76	257
Kent County	32	1	3	12	0	10	1	59
Sussex County	32	0	2	4	2	2	0	42
<b>State</b>	<b>149</b>	<b>19</b>	<b>40</b>	<b>30</b>	<b>12</b>	<b>31</b>	<b>77</b>	<b>358</b>

Types of Dispositions Fiscal Year 2003 - Criminal Nolle Prosequis					
	Nolle Prosequis By Special Condition		Nolle Prosequis By Merit		Total
New Castle County	377	48.9%	394	51.1%	771
Kent County	115	48.7%	121	51.3%	236
Sussex County	31	14.5%	183	85.5%	214
<b>State</b>	<b>523</b>	<b>42.8%</b>	<b>698</b>	<b>57.2%</b>	<b>1,221</b>

LIO = Lesser Included Offense

Nol Pros = Nolle Prosequi

\*Includes Dismissals at Trial and Nolle Prosequis at Trial

\*\*Hung Juries, Mistrials, and Reserved Decisions.

Source: Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts.

<b>Types of Dispositions Fiscal Year 2003 - Criminal Felony Guilty Pleas</b>								
	PG - Original		PG - Lesser		PG - Information/ New Information		Total	
New Castle County	2,017	90.4%	213	9.6%	0	0.0%	2,230	100.0%
Kent County	605	86.6%	94	13.4%	0	0.0%	699	100.0%
Sussex County	662	61.6%	412	38.4%	0	0.0%	1,074	100.0%
<b>State</b>	<b>3,284</b>	<b>82.0%</b>	<b>719</b>	<b>18.0%</b>	<b>0</b>	<b>0.0%</b>	<b>4,003</b>	<b>100.0%</b>

<b>Types of Dispositions Fiscal Year 2003 - Criminal Misdemeanor Guilty Pleas</b>								
	PG - Original		PG - Lesser		PG - Information/ New Information		Total	
New Castle County	607	48.7%	629	50.5%	10	0.8%	1,246	100.0%
Kent County	302	52.2%	276	47.8%	0	0.0%	578	100.0%
Sussex County	223	85.4%	36	13.8%	2	0.8%	261	100.0%
<b>State</b>	<b>1,132</b>	<b>54.3%</b>	<b>941</b>	<b>45.1%</b>	<b>12</b>	<b>0.6%</b>	<b>2,085</b>	<b>100.0%</b>

<b>Types of Dispositions Fiscal Year 2003 - Criminal Total Guilty Pleas</b>								
	PG - Original		PG - Lesser		PG - Information/ New Information		Total	
New Castle County	2,624	75.5%	842	24.2%	10	0.3%	3,476	100.0%
Kent County	907	71.0%	370	29.0%	0	0.0%	1,277	100.0%
Sussex County	885	66.3%	448	33.6%	2	0.1%	1,335	100.0%
<b>State</b>	<b>4,416</b>	<b>72.5%</b>	<b>1,660</b>	<b>27.3%</b>	<b>12</b>	<b>0.2%</b>	<b>6,088</b>	<b>100.0%</b>

Source: Court Administrator and Prothonotaries' Offices, Superior Court;  
Administrative Office of the Courts.

## Criminal Cases Performance Explanatory Notes Fiscal Year 2003

1. The Speedy Trial Directive of Chief Justice Andrew D. Christie was effective as of May 16, 1990. In the directive it states that 90% of all criminal defendants brought before Superior Court (excluding those charged with murder in the first degree) are to be disposed of within 120 days of the date of arrest, 98% are to be disposed of within 180 days of the date of arrest, and 100% are to be disposed of within 365 days of the arrest date. The standards were modified effective July 1, 2001 in the Speedy Trial Directive of Chief Justice E. Norman Veasey, changing the starting point for the time measures from the date of arrest to the date of indictment.
2. The performance summary charts measure the average and median time from the date of arrest to the date of disposition as well as the average and median time from the date of indictment/information to the date of disposition.
3. In measuring the elapsed time for defendants for the purpose of determining the rate of compliance with the speedy trial standards, the following are excluded by the Court :
  - a. For all capiases, the time between the date that the capias is issued and the date that it is executed.
  - b. For all Rule 9 summonses and Rule 9 warrants the time between the arrest and the indictment/information, if any.
  - c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequis.
  - d. For all mental examinations, the time between the date that the examination is ordered and the date of the receipt of the results.
  - e. For all defendants deemed to be incompetent the period in which the defendant is considered incompetent.

<b>Performance Summary Fiscal Year 2003 - Criminal Cases Elapsed Time</b>					
	Total Number Disposed of	Average Time from Arrest to Disposition	Median Time from Arrest to Disposition	Average Time from Indictment to Disposition	Median Time from Indictment to Disposition
New Castle County	5,220	161.1 days	126.7 days	121.9 days	88.8 days
Kent County	1,868	119.1 days	100.3 days	77.6 days	56.1 days
Sussex County	2,043	121.6 days	115.7 days	71.8 days	67.6 days
<b>State</b>	<b>9,131</b>	<b>143.7 days</b>	<b>118.9 days</b>	<b>118.9 days</b>	<b>118.9 days</b>

<b>Performance Summary Fiscal Year 2003 - Criminal Case Compliance With Speedy Trial Standard</b>							
	Total Number Disposed of	Number Disposed of Within 120 Days of Indictment (90%)		Number Disposed of Within 180 Days of Indictment (98%)		Number Disposed of Within 365 Days of Arrest (100%)	
New Castle County	5,220	2,470	47.3%	3,459	66.3%	4,905	94.0%
Kent County	1,868	1,599	85.6%	1,742	93.3%	1,845	98.8%
Sussex County	2,043	1,758	86.0%	1,970	96.4%	2,040	99.9%
<b>State</b>	<b>9,131</b>	<b>5,827</b>	<b>63.8%</b>	<b>7,171</b>	<b>78.5%</b>	<b>8,790</b>	<b>96.3%</b>

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

<b>Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases</b>				
<b>Average Time From Arrest to Disposition</b>				
	2002	2003	Change	% Change
New Castle County	128.3 days	161.1 days	+ 32.8 days	+ 25.6%
Kent County	94.2 days	119.1 days	+ 24.9 days	+ 26.5%
Sussex County	156.9 days	121.6 days	-35.3 days	-22.5%
<b>State</b>	<b>154.1 days</b>	<b>143.7 days</b>	<b>-10.4 days</b>	<b>-6.8%</b>

<b>Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases</b>				
<b>Median Time From Arrest to Disposition</b>				
	2002	2003	Change	% Change
New Castle County	107.7 days	126.7 days	+19.1 days	+17.7%
Kent County	95.0 days	100.3 days	+5 days	+5.6%
Sussex County	123.6 days	115.7 days	-7.9 days	-6.4%
<b>State</b>	<b>116.6 days</b>	<b>118.9 days</b>	<b>+2 days</b>	<b>+1.9%</b>

<b>Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases</b>				
<b>Average Time From Indictment to Disposition</b>				
	2002	2003	Change	% Change
New Castle County	82.8 days	121.9 days	+39.0 days	+47.1%
Kent County	57.5 days	77.6 days	+20 days	+34.9%
Sussex County	115.9 days	71.8 days	-44.1 days	-38.1%
<b>State</b>	<b>114.4 days</b>	<b>118.9 days</b>	<b>+4.4 days</b>	<b>+3.9%</b>

<b>Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases</b>				
<b>Median Time From Indictment to Disposition</b>				
	2002	2003	Change	% Change
New Castle County	62.6 days	88.8 days	+26.1 days	+41.7%
Kent County	57.6 days	56.1 days	-1.5 days	-2.6%
Sussex County	83.5 days	67.6 days	-15.8 days	-19.0%
<b>State</b>	<b>78.3 days</b>	<b>118.9 days</b>	<b>+40.6 days</b>	<b>+51.9%</b>

Source: Court Administrator and Prothonotaries' Offices, Superior Court;  
Administrative Office of the Courts.

## Fiscal Year 2003 Civil Cases Explanatory Notes

1. Complaints most often are suits for damages though there are a number of other types of cases included in this category.
2. Mechanic's Liens and Mortgages are property suits.
3. Involuntary Commitments are proceedings to determine whether individuals are to be committed as mentally ill. Most involuntary commitments are held in New Castle County because the Delaware State Hospital, which is the State's facility for mentally ill patients, is located in New Castle County.
4. Appeals are on the record and come from a number of different courts and agencies.
5. Miscellaneous appeals include all other civil cases in the Superior Court.

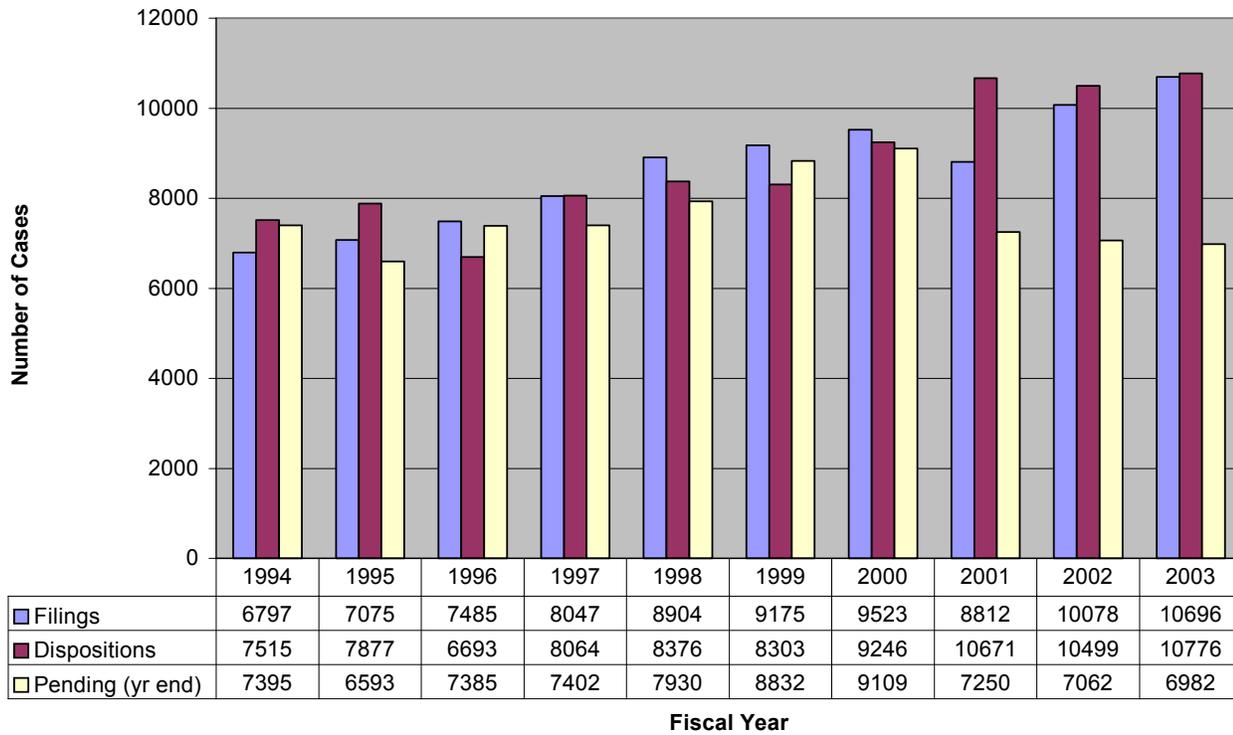
<b>Caseload Summary Fiscal Year 2003 - Civil Cases</b>						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	5,693	8,224	8,165	5,752	+59	+1.0%
Kent County	663	1,335	1,323	675	+12	+1.8%
Sussex County	706	1,137	1,288	555	-151	-21.4%
<b>State</b>	<b>7,062</b>	<b>10,696</b>	<b>10,776</b>	<b>6,982</b>	<b>-80</b>	<b>- 1.1%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Filings</b>				
	2002	2003	Change	% Change
New Castle County	7,721	8,224	+503	+6.5%
Kent County	1,226	1,335	+109	+8.9%
Sussex County	1,131	1,137	+6	+0.5%
<b>State</b>	<b>10,078</b>	<b>10,696</b>	<b>+618</b>	<b>+6.1%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Dispositions</b>				
	2002	2003	Change	% Change
New Castle County	7,954	8,165	+211	+2.7%
Kent County	1,336	1,323	-13	-1.0%
Sussex County	1,209	1,288	+ 79	+6.5%
<b>State</b>	<b>10,499</b>	<b>10,776</b>	<b>+277</b>	<b>+2.6%</b>

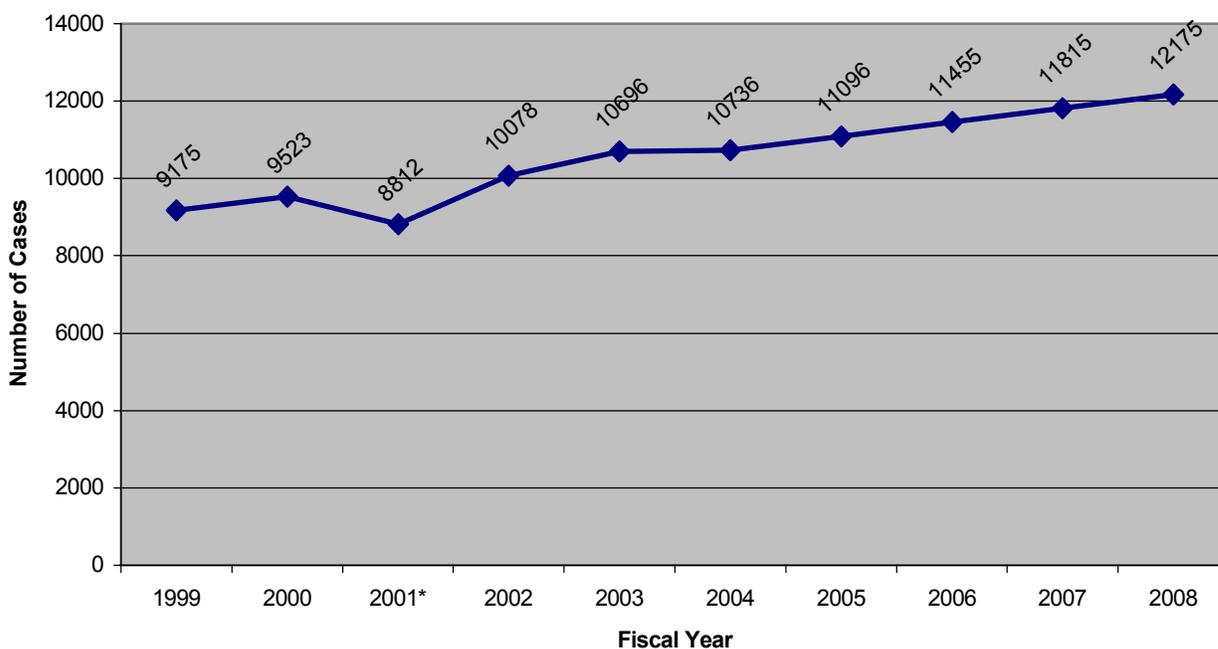
Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

**Superior Court - 10 Year Civil Caseload Trend**

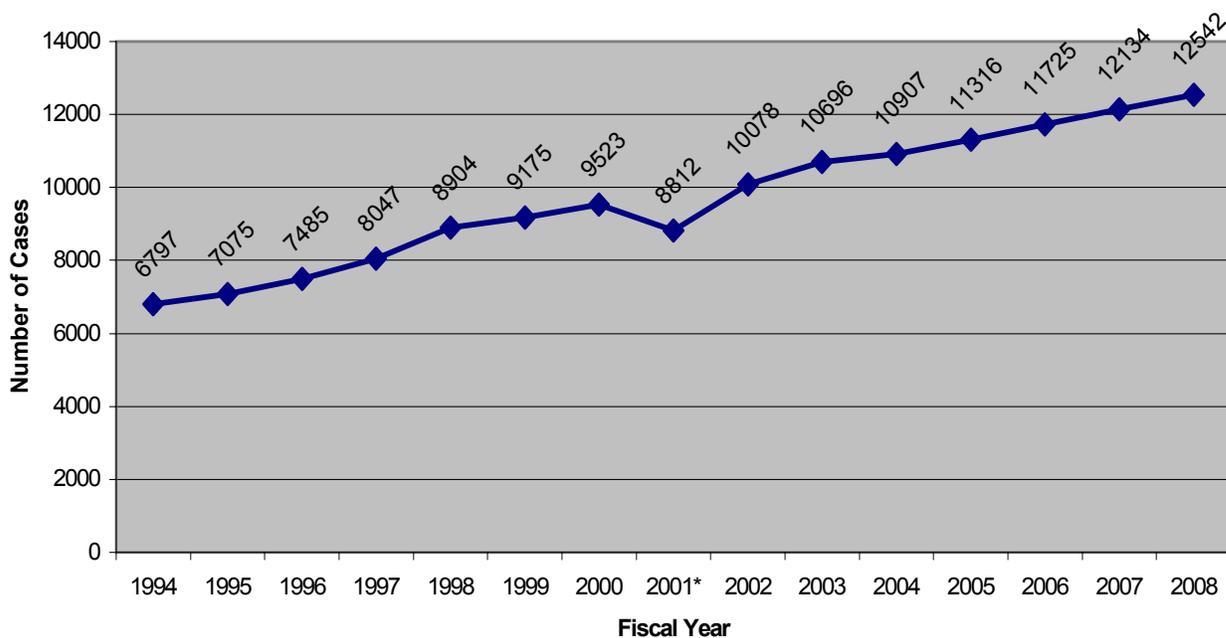


Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

**Superior Court - 5 Year Civil Filing Projections With 5 Year Base**



**Superior Court - 5 Year Civil Filing Projections With 10 Year Base**



\*2001 filings are amended from the FY 2001 Statistical Report.

Trend lines computed by regression analysis.

Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

<b>Caseload Breakdowns Fiscal Year 2003 - Civil Cases Filings</b>												
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total						
New Castle County	3,359	40.8%	1,716	20.9%	140	1.7%	1,452	17.7%	1,557	18.9%	8,224	100.0%
Kent County	555	41.6%	409	30.6%	45	3.4%	33	2.5%	293	21.9%	1,335	100.0%
Sussex County	364	32.0%	427	37.6%	28	2.5%	1	0.1%	317	27.9%	1,137	100.0%
<b>State</b>	<b>4,278</b>	<b>40.0%</b>	<b>2,552</b>	<b>23.9%</b>	<b>213</b>	<b>2.0%</b>	<b>1,486</b>	<b>13.9%</b>	<b>2,167</b>	<b>20.3%</b>	<b>10,696</b>	<b>100.0%</b>

<b>Caseload Breakdowns Fiscal Year 2003 - Civil Cases Dispositions</b>												
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total						
New Castle County	3,284	40.2%	1,635	20.0%	133	1.6%	1,589	19.5%	1,524	18.7%	8,165	100.0%
Kent County	568	42.9%	394	29.8%	42	3.2%	25	1.9%	294	22.2%	1,323	100.0%
Sussex County	412	32.0%	512	39.8%	44	3.4%	10	0.8%	310	24.1%	1,288	100.0%
<b>State</b>	<b>4,264</b>	<b>39.6%</b>	<b>2,541</b>	<b>23.6%</b>	<b>219</b>	<b>2.0%</b>	<b>1,624</b>	<b>15.1%</b>	<b>2,128</b>	<b>19.7%</b>	<b>10,776</b>	<b>100.0%</b>

<b>Caseload Breakdowns Fiscal Year 2003 - Civil Cases Pending at End of Year</b>												
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total						
New Castle County	4,539	82.2%	547	9.9%	69	1.3%	162	2.9%	202	3.7%	5,519	100.0%
Kent County	440	65.2%	126	18.7%	36	5.3%	57	8.4%	16	2.4%	675	100.0%
Sussex County	360	64.9%	73	13.2%	18	3.2%	39	7.0%	65	11.7%	555	100.0%
<b>State</b>	<b>5,339</b>	<b>79.1%</b>	<b>746</b>	<b>11.1%</b>	<b>123</b>	<b>1.8%</b>	<b>258</b>	<b>3.8%</b>	<b>283</b>	<b>4.2%</b>	<b>6,749</b>	<b>100.0%</b>

<b>Caseload Breakdowns Fiscal Year 2003 - Civil Cases Change in Pending</b>						
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total
New Castle County	+75	+81	+7	-137	+33	+59
Kent County	-13	+15	+3	+8	-1	+12
Sussex County	-48	-85	-16	-9	+7	-151
<b>State</b>	<b>+14</b>	<b>+11</b>	<b>-6</b>	<b>-138</b>	<b>+39</b>	<b>-80</b>

Source: Prothonotaries Offices, Superior Court; Administrative Office of the Courts.

Types of Dispositions Fiscal Year 2003 - Civil Cases, Complaints Dispositions											
	Trial Dispositions				Non-Trial Dispositions						
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Other Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	Total		
New Castle County	41	29	173	1	0	2021	610	409	3,284		
Kent County	12	5	17	9	0	403	69	53	568		
Sussex County	9	7	13	30	0	269	29	55	412		
<b>State</b>	<b>62</b>	<b>41</b>	<b>203</b>	<b>40</b>	<b>0</b>	<b>2,693</b>	<b>708</b>	<b>517</b>	<b>4,264</b>		
	<b>1.2%</b>	<b>0.9%</b>	<b>5.3%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>61.5%</b>	<b>18.6%</b>	<b>12.5%</b>	<b>100.0%</b>		
	<b>2.1%</b>	<b>0.9%</b>	<b>3.0%</b>	<b>1.6%</b>	<b>0.0%</b>	<b>71.0%</b>	<b>12.1%</b>	<b>9.3%</b>	<b>100.0%</b>		
	<b>2.2%</b>	<b>1.7%</b>	<b>3.2%</b>	<b>7.3%</b>	<b>0.0%</b>	<b>65.3%</b>	<b>7.0%</b>	<b>13.3%</b>	<b>100.0%</b>		
	<b>1.5%</b>	<b>1.0%</b>	<b>4.8%</b>	<b>0.9%</b>	<b>0.0%</b>	<b>63.2%</b>	<b>16.6%</b>	<b>12.1%</b>	<b>100.0%</b>		

Types of Dispositions Fiscal Year 2003 - Civil Cases, Mechanic's Lien and Mortgages Dispositions											
	Trial Dispositions				Non-Trial Dispositions						
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	Total		
New Castle County	0	0	1013	0	0	514	106	1637	3,270		
Kent County	0	0	282	1	0	90	21	396	790		
Sussex County	3	1	248	8	0	183	36	543	1022		
<b>State</b>	<b>3</b>	<b>1</b>	<b>1,543</b>	<b>9</b>	<b>0</b>	<b>787</b>	<b>163</b>	<b>2576</b>	<b>5,082</b>		
	<b>0.0%</b>	<b>0.0%</b>	<b>31.0%</b>	<b>0.0%</b>	<b>0.0%</b>	<b>15.7%</b>	<b>3.2%</b>	<b>50.1%</b>	<b>100.0%</b>		
	<b>0.0%</b>	<b>0.0%</b>	<b>35.7%</b>	<b>0.1%</b>	<b>0.0%</b>	<b>11.4%</b>	<b>2.7%</b>	<b>50.1%</b>	<b>100.0%</b>		
	<b>0.3%</b>	<b>0.1%</b>	<b>24.3%</b>	<b>0.8%</b>	<b>0.0%</b>	<b>17.9%</b>	<b>3.5%</b>	<b>53.1%</b>	<b>100.0%</b>		
	<b>0.1%</b>	<b>0.0%</b>	<b>30.4%</b>	<b>0.2%</b>	<b>0.0%</b>	<b>15.5%</b>	<b>3.2%</b>	<b>50.7%</b>	<b>100.0%</b>		

Types of Dispositions Fiscal Year 2003 - Civil Cases, Appeals Dispositions										
	Trial Dispositions			Non-Trial Dispositions						
	Affirmed	Reversed	Remanded	Voluntary Dismissal	Court Dismissal	Other	Total			
New Castle County	64	7	12	28	21	1	133			
Kent County	17	3	2	9	11	0	42			
Sussex County	18	2	0	18	4	1	43			
<b>State</b>	<b>99</b>	<b>12</b>	<b>14</b>	<b>55</b>	<b>36</b>	<b>2</b>	<b>218</b>			
	<b>48.1%</b>	<b>5.3%</b>	<b>9.0%</b>	<b>21.1%</b>	<b>15.8%</b>	<b>0.8%</b>	<b>100.0%</b>			
	<b>40.5%</b>	<b>7.1%</b>	<b>4.8%</b>	<b>21.4%</b>	<b>26.2%</b>	<b>0.0%</b>	<b>100.0%</b>			
	<b>41.9%</b>	<b>4.7%</b>	<b>0.0%</b>	<b>41.9%</b>	<b>9.3%</b>	<b>2.3%</b>	<b>100.0%</b>			
	<b>45.4%</b>	<b>5.5%</b>	<b>6.4%</b>	<b>25.2%</b>	<b>16.5%</b>	<b>0.9%</b>	<b>100.0%</b>			

Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Trial Activity Fiscal Year 2003 - Civil Trials						
	Number of Jury Trials	Number of Non-Jury Trials	Number of Special Jury Trials	Total Number of Trials	Trial Time	Average Trial Time
New Castle County	88	10	0	98	309 days	3.15 days
Kent County	21	0	0	21	73 days	3.48 days
Sussex County	8	11	1	20	40 days	2.00 days
<b>State</b>	<b>117</b>	<b>21</b>	<b>1</b>	<b>139</b>	<b>422 days</b>	<b>3.04 days</b>

Calendar Activity Fiscal Year 2003 - Civil Cases												
	Cases Tried	Cases Settled or Dismissed	Cases Continued for Settlement	Cases Continued Due to Lack of Judge	Cases Continued at Request of Attorney	Total Cases Scheduled						
New Castle County	98	834	68.0%	35	2.9%	7	0.6%	252	20.6%	1,226	100.0%	
Kent County	21	5.6%	201	53.3%	10	2.7%	7	1.9%	138	36.6%	377	100.0%
Sussex County	20	12.1%	83	50.3%	4	2.4%	1	0.6%	57	34.5%	165	100.0%
<b>State</b>	<b>139</b>	<b>7.9%</b>	<b>1118</b>	<b>63.2%</b>	<b>49</b>	<b>2.8%</b>	<b>15</b>	<b>0.8%</b>	<b>447</b>	<b>25.3%</b>	<b>1,768</b>	<b>100.0%</b>

Performance Summary Fiscal Year 2003 - Civil Cases								
COMPLAINTS			MECHANIC'S LIENS AND MORTGAGES			APPEALS		
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle County	3,284	451 days	1,635	130 days	133	214 days		
Kent County	569	372 days	394	155 days	42	283 days		
Sussex County	412	369 days	512	198 days	44	308 days		
<b>State</b>	<b>4,265</b>	<b>433 days</b>	<b>2,541</b>	<b>147 days</b>	<b>219</b>	<b>246 days</b>		

INVOLUNTARY COMMITMENTS				MISCELLANEOUS				TOTAL				
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle County	1,589	141 days	1,524	60 days	8,165	250 days						
Kent County	25	279 days	294	51 days	1,324	231 days						
Sussex County	6	1,161 days	311	72 days	1,234	329 days						
<b>State</b>	<b>1,620</b>	<b>147 days</b>	<b>2,129</b>	<b>60 days</b>	<b>10,723</b>	<b>256 days</b>						

Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Performance Breakdowns Fiscal Year 2003-Civil Complaints-Method of Disposition												
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total						
New Castle County	70	2.1%	363	11.1%	171	5.2%	2,021	61.5%	659	20.1%	3,284	100.0%
Kent County	18	3.2%	45	7.9%	16	2.8%	403	70.8%	87	15.3%	569	100.0%
Sussex County	16	3.9%	30	7.3%	13	3.2%	269	65.3%	84	20.4%	412	100.0%
<b>State</b>	<b>104</b>	<b>2.4%</b>	<b>438</b>	<b>10.3%</b>	<b>200</b>	<b>4.7%</b>	<b>2,693</b>	<b>63.1%</b>	<b>830</b>	<b>19.5%</b>	<b>4,265</b>	<b>100.0%</b>

Performance Breakdowns Fiscal Year 2003-Civil Complaints-Elapsed Time							
Average Time From Filing to Disposition							
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total	
New Castle County	874.6 days	306.6 days	221.8 days	457.0 days	528.9 days	451.5 days	
Kent County	783.7 days	269.0 days	155.4 days	362.1 days	425.8 days	372.0 days	
Sussex County	753.5 days	327.5 days	121.9 days	366.7 days	353.7 days	368.5 days	
<b>State</b>	<b>840.2 days</b>	<b>304.2 days</b>	<b>210.0 days</b>	<b>433.8 days</b>	<b>500.4 days</b>	<b>432.9 days</b>	

Performance Breakdowns Fiscal Year 2003-Civil Mechanics' Liens and Mortgages-Method of Disposition												
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total						
New Castle County	0	0.0%	1	0.1%	1,013	62.0%	514	31.4%	107	6.5%	1,635	100.0%
Kent County	0	0.0%	1	0.3%	281	71.3%	90	22.8%	22	5.6%	394	100.0%
Sussex County	4	0.8%	4	0.8%	248	48.4%	183	35.7%	73	14.3%	512	100.0%
<b>State</b>	<b>4</b>	<b>0.2%</b>	<b>6</b>	<b>0.2%</b>	<b>1,542</b>	<b>60.7%</b>	<b>787</b>	<b>31.0%</b>	<b>202</b>	<b>7.9%</b>	<b>2,541</b>	<b>100.0%</b>

Performance Breakdowns Fiscal Year 2003-Civil Mechanics' Liens and Mortgages-Elapsed Time							
Average Time From Filing to Disposition							
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total	
New Castle County	0.0 days	224.0 days	107.0 days	127.6 days	353.5 days	129.7 days	
Kent County	0.0 days	803.0 days	114.9 days	152.6 days	646.5 days	155.0 days	
Sussex County	986.5 days	357.0 days	140.6 days	225.7 days	273.4 days	198.2 days	
<b>State</b>	<b>986.5 days</b>	<b>409.2 days</b>	<b>113.8 days</b>	<b>153.3 days</b>	<b>356.5 days</b>	<b>147.4 days</b>	

Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

<b>Caseload Summary Fiscal Year 2003 - Civil Arbitration</b>						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	2,894	2,532	2,482	2,944	+50	+1.7%
Kent County	379	421	432	368	-11	-2.9%
Sussex County	289	260	263	286	-3	-1.0%
<b>State</b>	<b>3,562</b>	<b>3,213</b>	<b>3,177</b>	<b>3,598</b>	<b>+36</b>	<b>+1.0%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Civil Arbitration Filings</b>				
	2002	2003	Change	% Change
New Castle County	2,658	2,532	-126	-4.7%
Kent County	396	421	+25	+6.3%
Sussex County	315	260	-55	-17.5%
<b>State</b>	<b>3,369</b>	<b>3,213</b>	<b>-156</b>	<b>-4.6%</b>

<b>Caseload Comparison - Fiscal Years 2002-2003 - Civil Arbitration Dispositions</b>				
	2002	2003	Change	% Change
New Castle County	3,017	2,482	-535	-17.7%
Kent County	393	432	+39	+9.9%
Sussex County	358	263	-95	-26.5%
<b>State</b>	<b>3,768</b>	<b>3,177</b>	<b>-591</b>	<b>-15.7%</b>

Source: Arbitration Unit, Superior Court; Administrative Office of the Courts.