



JUSTICE OF THE PEACE COURT
State of Delaware

2010 Annual Report Statistical Information



JUSTICE OF THE PEACE COURT

Chief Magistrate Alan G. Davis

LEGAL AUTHORIZATION

The Justice of the Peace Court is authorized by the Constitution of Delaware, Article IV, Section 1.

COURT HISTORY

As early as the 1600's, justices of the peace were commissioned to handle minor civil and criminal cases. Along with a host of other duties, the administering of local government in the 17th and 18th centuries on behalf of the English Crown was a primary duty of the justices of the peace. With the adoption of the State Constitution of 1792, the justices of the peace were stripped of their general administrative duties, leaving them with minor civil and criminal jurisdiction. During the period from 1792 through 1964, the justices of the peace were compensated entirely by the costs and fees assessed and collected for the performance of their legal duties. In 1966 the individual justices of the peace were absorbed into the state judicial system, and the first chief magistrate was installed in 1980 as the administrative head of the Court.

LEGAL JURISDICTION

The [Justice of the Peace Court](#), the initial entry level into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount is less than \$15,000 and over summary possession (landlord-tenant) actions. In criminal cases, the Justice of the Peace Court hears certain misdemeanors and most motor vehicle cases (excluding felonies) and the Justices of the Peace may act as committing magistrates for all crimes. All permissible appeals are to the Court of Common Pleas, with two exceptions: findings of juvenile delinquency for contempt of court related to truancy proceedings are appealed to Family Court and summary possession cases are appealed to a three judge panel in the Justice of the Peace Court.

GEOGRAPHIC ORGANIZATION

The jurisdiction of the Court is statewide and sessions are held throughout the state. Of the 15 courts currently operating, five are in New Castle County, four are in Kent County, and six are in Sussex County. The Voluntary Assessment Center, which handles mail-in fines, is located in Dover.

SUPPORT PERSONNEL

A court administrator, a staff attorney, two operations managers, and additional administrative support personnel for human resources, fiscal, truancy and other management operations help the chief magistrate direct the Justice of the Peace Court on a daily basis. The Court also employs clerks, constables, and other support personnel.

JUSTICES OF THE PEACE

The Delaware Code authorizes a maximum of 60 justices of the peace. The maximum number of justices of the peace permitted in each county is 29 in New Castle County, 12 in Kent County and 19 in Sussex County. All justices of the peace are nominated by the Governor and confirmed by the Senate. A justice of the peace must be at least 21 years of age and a resident of the State of Delaware and the county in which the justice of the peace serves. In addition to the 60 justices of the peace, the Governor nominates a chief magistrate, subject to Senate confirmation.

JUSTICE OF THE PEACE COURT JUDGES

SUSSEX COUNTY



Seated (left to right)

John R. Hudson, Stephani Adams, Jeni Coffelt, CM Alan Davis, DCM Sheila G. Blakely, William J. Hopkins Jr.

Standing (left to right)

John D. McKenzie, Christopher A. Bradley, Michelle Jewell, Larry R. Sipple, James G. Horn, John Martin, Jana Mollohan, John Adams, William P. Wood, Marcealeate Ruffin.

Not pictured: William L. Boddy, III, Richard D. Comly, Herman G. Hagan, H. William Mulvaney, III



KENT COUNTY

Seated (left to right)

Robert B. Wall Jr., Cathleen M. Hutchison, CM
 Alan Davis, James A. Murray, Dwight D.
 Dillard

Standing (left to right)

R. Hayes Grapperhaus, William J. Sweet, D.
 Kenneth Cox

Not pictured:

Ernst M. Arndt, DCM, Pamela Darling, Debora
 Foor, Michael P. Sherlock



NEW CASTLE COUNTY

Seated (left to right)

Laurence L. Fitchett, Jr., Cheryl Stallmann, Bonita N. Lee, DCM, CM Davis, Marie Page, Stanley J. Petraschuk,
 Kathleen C. Lucas.

Standing middle row (left to right)

Katharine B. Ross, Rosalind Toulson, Vernon A. Taylor, Deborah McNesby, Roberto Lopez, Marilyn Letts, Kathy
 Gravell, Nancy C. Roberts

Standing back row (left to right)

Susan E. Cline, Paul J. Smith, William T. Moser, David R. Skelley, James A. Tull, Donald W. Callender, Jr., William S.
 Young, III, Thomas P. Brown, James Hanby Sr., Sean McCormick, Beatrice Freel

Not pictured: Sidney Clark, Thomas M. Kenney, Rosalie Rutkowski, Terry L. Smith

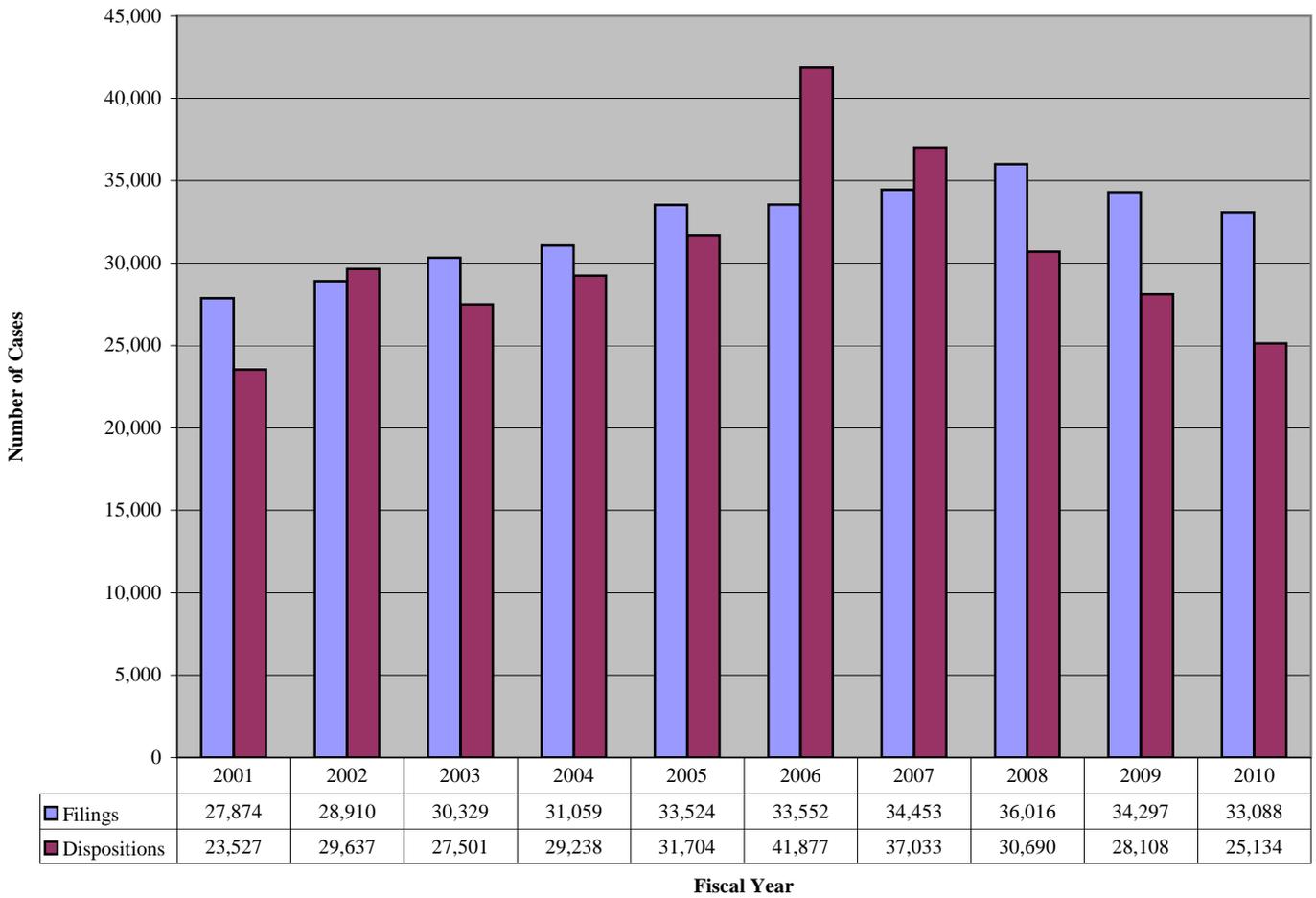
JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Filings				
	2009	2010	Change	% Change
New Castle County				
Court 9	1,497	1,581	84	5.6%
Court 13	19,633	18,712	-921	-4.7%
Kent County				
Court 16	7,466	7,381	-85	-1.1%
Sussex County				
Court 17	5,701	5,414	-287	-5.0%
State	34,297	33,088	-1,209	-3.5%

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Dispositions				
	2009	2010	Change	% Change
New Castle County				
Court 9	1,021	1,141	120	11.8%
Court 13	17,073	15,167	-1,906	-11.2%
Kent County				
Court 16	5,555	5,406	-149	-2.7%
Sussex County				
Court 17	4,459	3,420	-1,039	-23.3%
State	28,108	25,134	-2,974	-10.6%

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JP Court - 10 Year Civil Caseload Trend



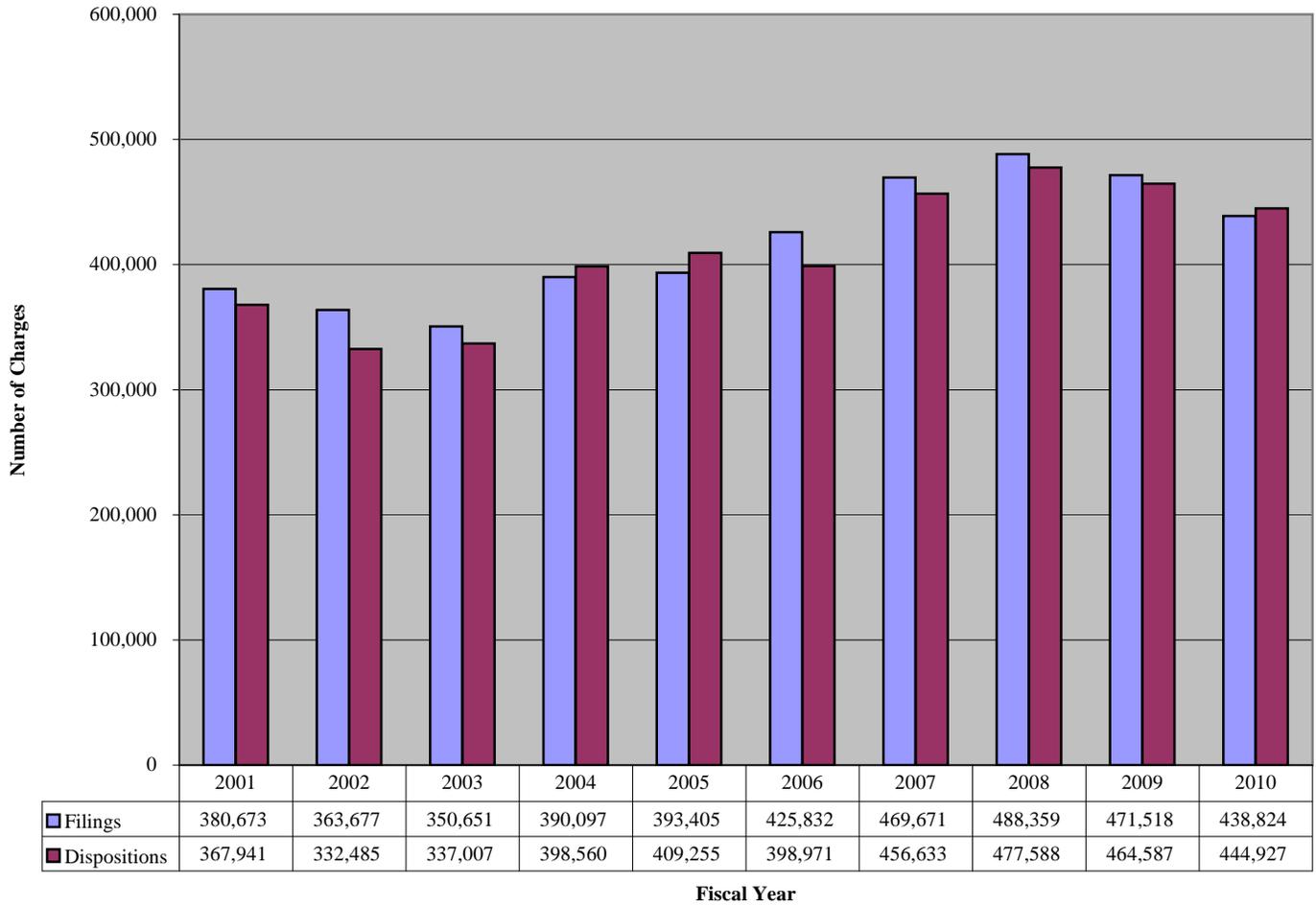
2005 Dispositions Amended

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2010 - Civil Case Filings						
	Complaints		Landlord/Tenant		Total	
New Castle County						
Court 9	1,091	69.0%	490	31.0%	1,581	100%
Court 13	6,961	37.2%	11,751	62.8%	18,712	100%
Kent County						
Court 16	4,267	57.8%	3,114	42.2%	7,381	100%
Sussex County						
Court 17	2,465	45.5%	2,949	54.5%	5,414	100%
State	14,784	44.7%	18,304	55.3%	33,088	100%

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JP Court - 10 Year Criminal and Traffic Caseload Trend



2004 Dispositions Amended

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2010 - Criminal and Traffic Filings (defendants)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	175	3.7%	152	3.2%	4,135	88.3%	220	4.7%	4,682	100%
Court 10	101	1.0%	774	7.5%	8,472	82.1%	969	9.4%	10,316	100%
Court 11	294	1.1%	6,618	23.9%	18,260	65.8%	2,558	9.2%	27,730	100%
Court 15	12	0.4%	306	9.8%	2,722	87.3%	79	2.5%	3,119	100%
Court 20	116	0.7%	4,858	29.4%	8,500	51.5%	3,023	18.3%	16,497	100%
Kent County										
Court 6	38	0.8%	369	7.3%	4,520	89.8%	106	2.1%	5,033	100%
Court 7	396	2.2%	4,551	25.0%	11,923	65.6%	1,316	7.2%	18,186	100%
Court 8	0	0.0%	118	5.4%	2,000	92.0%	55	2.5%	2,173	100%
Sussex County										
Court 1	49	1.7%	137	4.7%	2,412	82.2%	337	11.5%	2,935	100%
Court 2	337	2.4%	8,363	59.4%	4,228	30.0%	1,145	8.1%	14,073	100%
Court 3	521	4.8%	3,306	30.4%	6,023	55.3%	1,040	9.6%	10,890	100%
Court 4	16	0.2%	843	10.3%	7,124	86.9%	214	2.6%	8,197	100%
Court 14	0	0.0%	43	2.7%	1,482	94.6%	42	2.7%	1,567	100%
State without VAC*	2,055	1.6%	30,438	24.3%	81,801	65.2%	11,104	8.9%	125,398	100%
VAC*	681	0.5%	0	0.0%	131,577	98.7%	1,094	0.8%	133,352	100%
State with VAC*	2,736	1.1%	30,438	11.8%	213,378	82.5%	12,198	4.7%	258,750	100%

* VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2010 - Criminal and Traffic Filings (charges)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	230	2.6%	216	2.5%	7,954	91.5%	291	3.3%	8,691	100%
Court 10	114	0.6%	1,150	5.6%	18,120	87.9%	1,225	5.9%	20,609	100%
Court 11	438	0.6%	14,942	22.0%	46,045	67.9%	6,408	9.4%	67,833	100%
Court 15	20	0.3%	515	7.6%	6,055	89.8%	150	2.2%	6,740	100%
Court 20	145	0.4%	10,181	29.0%	18,399	52.3%	6,428	18.3%	35,153	100%
Kent County										
Court 6	51	0.5%	791	7.9%	9,035	89.9%	178	1.8%	10,055	100%
Court 7	743	1.8%	11,715	28.3%	25,701	62.0%	3,285	7.9%	41,444	100%
Court 8	0	0.0%	245	5.1%	4,457	92.4%	119	2.5%	4,821	100%
Sussex County										
Court 1	65	1.1%	214	3.6%	5,241	88.1%	430	7.2%	5,950	100%
Court 2	368	1.0%	22,856	60.3%	10,410	27.5%	4,257	11.2%	37,891	100%
Court 3	840	2.7%	12,031	38.3%	15,305	48.7%	3,244	10.3%	31,420	100%
Court 4	17	0.1%	1,890	10.5%	15,551	86.6%	491	2.7%	17,949	100%
Court 14	6	0.1%	98	2.0%	4,712	95.3%	129	2.6%	4,945	100%
State without VAC*	3,037	1.0%	76,844	26.2%	186,985	63.7%	26,635	9.1%	293,501	100%
VAC*	682	0.5%	0	0.0%	143,526	98.8%	1,115	0.8%	145,323	100%
State with VAC*	3,719	0.8%	76,844	17.5%	330,511	75.3%	27,750	6.3%	438,824	100%

* VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Criminal and Traffic Filings (defendants)				
	2009	2010	Change	% Change
New Castle County				
Court 9	4,604	4,682	78	1.7%
Court 10	13,063	10,316	-2,747	-21.0%
Court 11	24,554	27,730	3,176	12.9%
Court 15	7,325	3,119	-4,206	-57.4%
Court 20	17,576	16,497	-1,079	-6.1%
Kent County				
Court 6	5,251	5,033	-218	-4.2%
Court 7	19,496	18,186	-1,310	-6.7%
Court 8	3,473	2,173	-1,300	-37.4%
Sussex County				
Court 1	3,007	2,935	-72	-2.4%
Court 2	14,710	14,073	-637	-4.3%
Court 3	12,122	10,890	-1,232	-10.2%
Court 4	7,086	8,197	1,111	15.7%
Court 14	1,763	1,567	-196	-11.1%
State without VAC*	134,030	125,398	- 8,632	-6.4%
VAC*	139,598	133,352	-6,246	-4.5%
State with VAC*	273,628	258,750	-14,878	-5.4%

* VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Criminal and Traffic Filings (charges)				
	2009	2010	Change	Change
New Castle County				
Court 9	8,650	8,691	41	0.5%
Court 10	28,196	20,609	-7,587	-26.9%
Court 11	61,344	67,833	6,489	10.6%
Court 15	16,231	6,740	-9,491	-58.5%
Court 20	38,092	35,153	-2,939	-7.7%
Kent County				
Court 6	9,691	10,055	364	3.8%
Court 7	44,962	41,444	-3,518	-7.8%
Court 8	7,295	4,821	-2,474	-33.9%
Sussex County				
Court 1	5,898	5,950	52	0.9%
Court 2	40,522	37,891	-2,631	-6.5%
Court 3	35,102	31,420	-3,682	-10.5%
Court 4	17,990	17,949	-41	-0.2%
Court 14	5,391	4,945	-446	-8.3%
State without VAC*	319,364	293,501	-25,863	-8.1%
VAC*	152,154	145,323	-6,831	-4.5%
State with VAC*	471,518	438,824	-32,694	-6.9%

* VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JUSTICE OF THE PEACE COURT

Court Rankings - Fiscal Year 2009-2010 - Total* Filings (charges)				
Rank w/o VAC	Total Filings		% of Total w/o VAC	
1	Court	11	67,833	20.8%
2	Court	7	41,444	12.7%
3	Court	2	37,891	11.6%
4	Court	20	35,153	10.8%
5	Court	3	31,420	9.6%
6	Court	10	20,609	6.3%
7	Court	13	18,712	5.7%
8	Court	4	17,949	5.5%
10	Court	9	10,272	3.1%
11	Court	6	10,055	3.1%
12	Court	16	7,381	2.3%
9	Court	15	6,740	2.1%
14	Court	1	5,950	1.8%
15	Court	17	5,414	1.7%
16	Court	14	4,945	1.5%
13	Court	8	4,821	1.5%
State w/o VAC			326,589	100.0%
VAC			145,323	
State w/ VAC			471,912	

* Includes civil, criminal, and traffic

VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JUSTICE OF THE PEACE COURT

Court Rankings Fiscal Year 2009-2010 - Total Cases Filed (defendants)			
Rank w/o VAC		Total Filings	% of Total w/o VAC
1	Court 11	27,730	17.5%
2	Court 13	18,712	11.8%
3	Court 7	18,186	11.5%
4	Court 20	16,497	10.4%
5	Court 2	14,073	8.9%
7	Court 3	10,890	6.9%
6	Court 10	10,316	6.5%
10	Court 4	8,197	5.2%
8	Court 16	7,381	4.7%
11	Court 9	6,263	4.0%
12	Court 17	5,414	3.4%
13	Court 6	5,033	3.2%
9	Court 15	3,119	2.0%
15	Court 1	2,935	1.9%
14	Court 8	2,173	1.4%
16	Court 14	1,567	1.0%
State w/o VAC*		158,486	100%
VAC*		133,352	
State w/ VAC*		291,838	

* VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Total Cases Filed (charges)				
	2009	2010	Change	% Change
Criminal & Traffic	471,518	438,824	-32,694	-6.9%
Civil	34,297	33,088	-1,209	-3.5%
Total	505,815	471,912	-33,903	-6.7%

Caseload Comparison - Fiscal Years 2009-2010 - Total Cases Disposed (charges)				
	2009	2010	Change	% Change
Criminal & Traffic	464,587	444,927	-19,660	-4.2%
Civil	28,108	25,134	-2,974	-10.6%
Total	492,695	470,061	-22,634	-4.6%

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

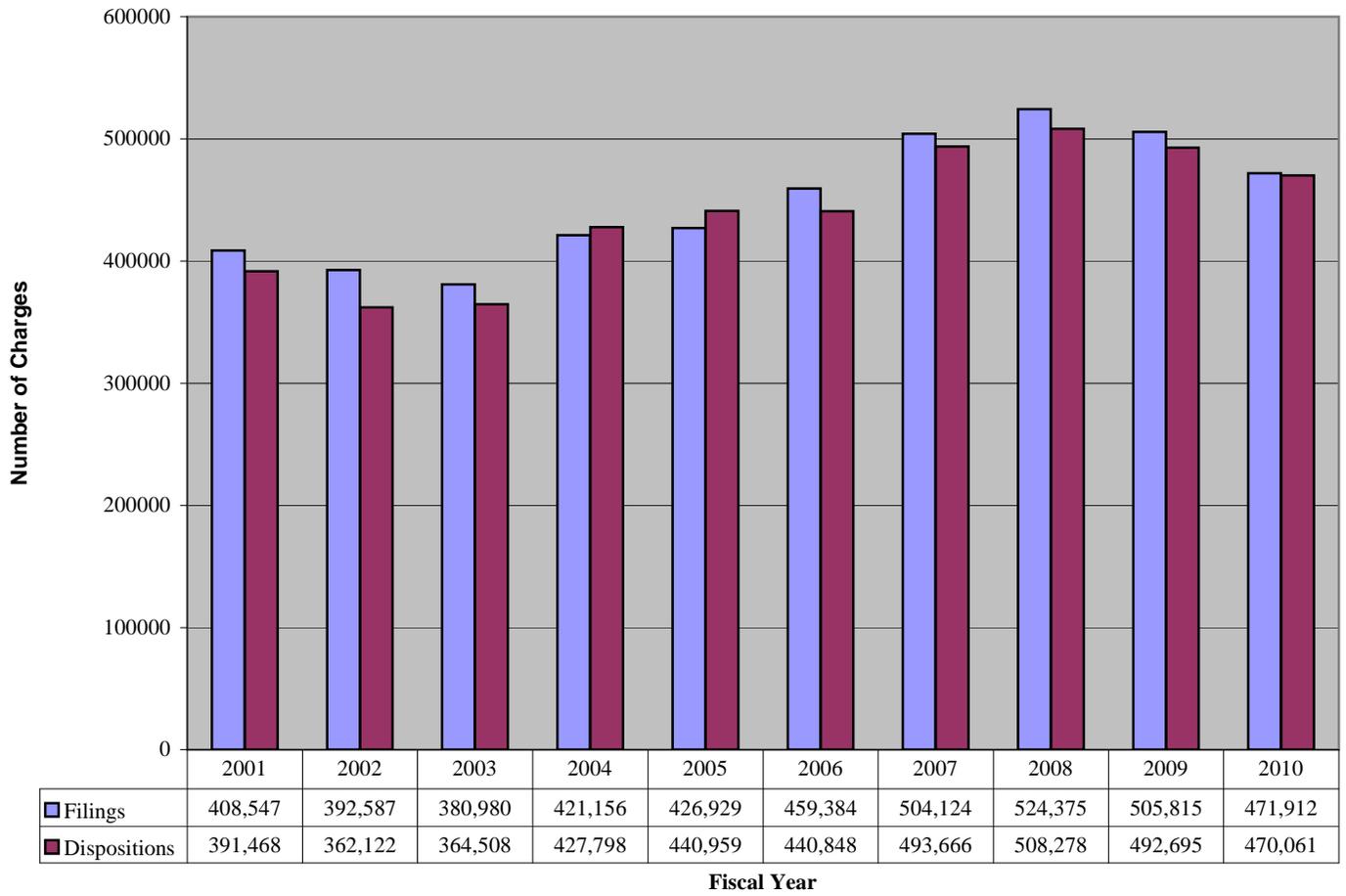
JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Filings (defendants)				
	2009	2010	Change	% Change
Criminal & Traffic	273,628	258,750	-14,878	-5.4%
Civil	34,297	33,088	-1209	-3.5%
Total	307,925	291,838	-16,087	-5.2%

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Dispositions (defendants)				
	2009	2010	Change	% Change
Criminal & Traffic	266,547	265,081	-1,466	-0.5%
Civil	28,108	25,134	-2974	-10.6%
Total	294,655	290,215	-4,440	-1.5%

Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

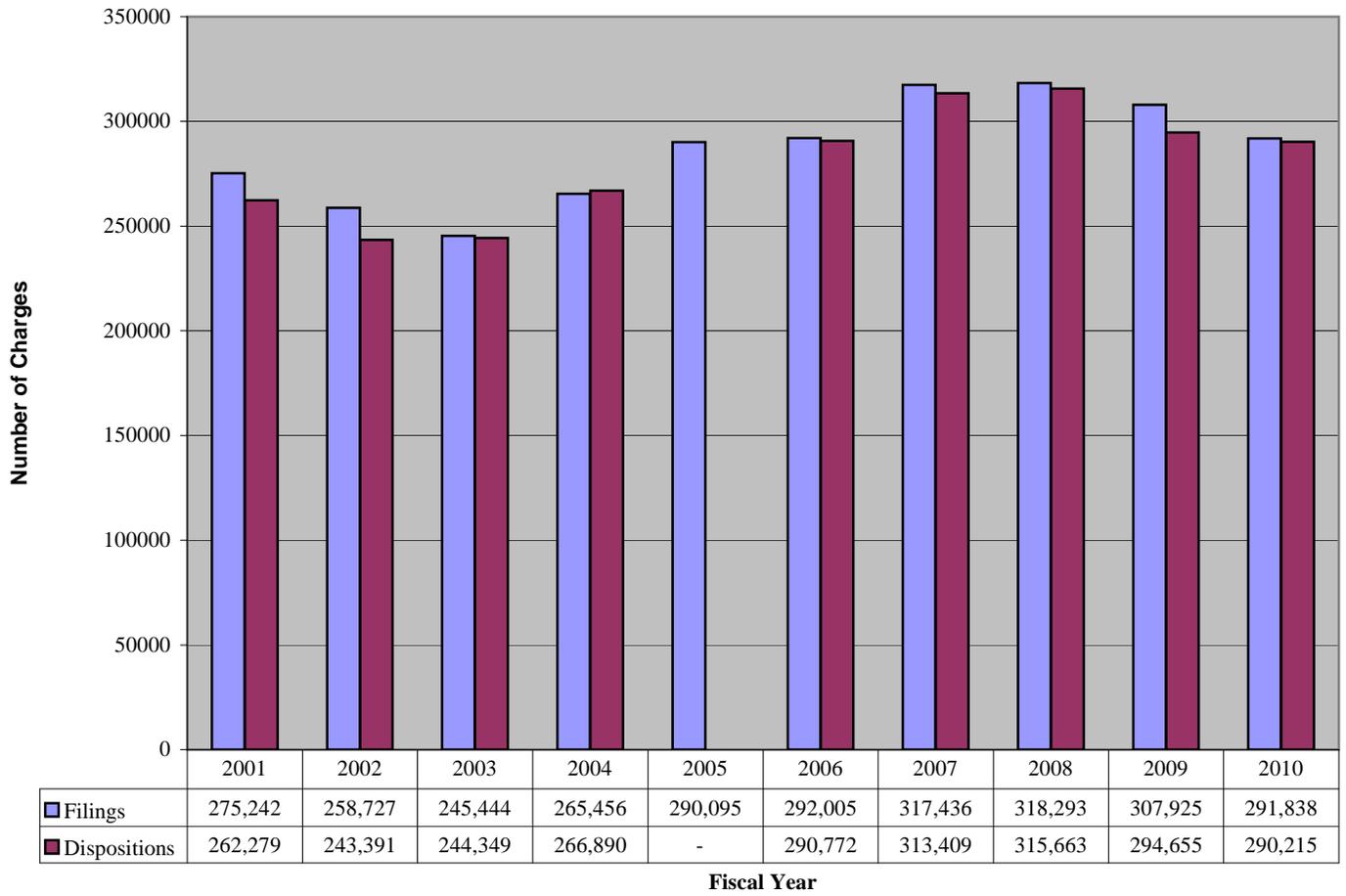
JP Court - 10 Year Total Caseload Trend (Civil, Criminal & Traffic)



2003 Filings Amended

Criminal/Traffic filings are based on charges because data by defendants is not available for all years.

JP Court - 10 Year Total Caseload Trend (Civil, Criminal & Traffic)



Criminal filings and disposition information is by Defendant, which is similar to case information provided by the other courts.

Disposition information for 2005 is not available.