



COURT OF COMMON PLEAS

Chief Judge Alex J. Smalls

FY 2010 was another demanding year for the Court of Common Pleas. The number of cases transferred to, and filed with, the Court of Common Pleas contributes to a high volume environment in the Court which intensified in FY 2010. Caseloads continued to rise in most categories, with the civil caseload increase representing an all-time high for the Court.

The Court of Common Pleas welcomed new judge, Eric Davis, to its bench on April 14, 2010. Judge Davis received his B.A. from the University of Virginia in 1985 and subsequently earned his JD from Emory University School of Law, graduating with honors in 1992. Judge Davis began practicing law with the Baltimore law firm of Miles and Stockbridge, P.C. in 1992 and in 1996 went on to become a partner at the law firm of Skadden, Arps, Slate, Meagher & Flom LLP. He will serve primarily in New Castle County.

The number of criminal defendant filings in the Court of Common Pleas in FY 2010 was 115,882, a 3.7% increase over FY 2009. Preliminary Hearing filings dropped from 9,940 to 9,066. However, as a result of an aggressive program by the Department of Justice of reviewing felony arrests prior to their scheduled hearings, the Court of Common Pleas is taking a significantly greater number of pleas at Preliminary Hearing. This has had a positive effect on the entire criminal justice system because it eliminates the need for these cases to be handled twice in the Court of Common Pleas and once in the Superior Court; many such cases, if not pled, would be re-filed in the Court of Common Pleas after the defendant is bound over for the Superior Court.

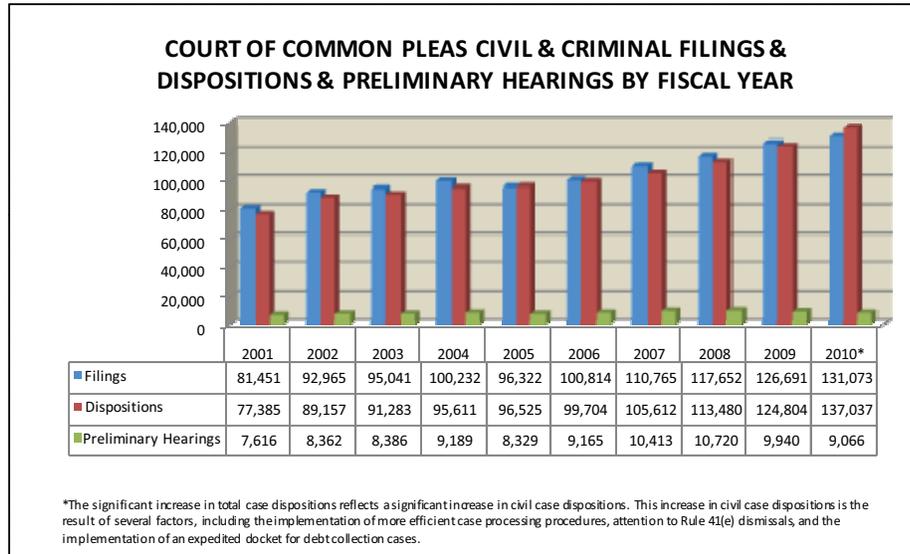
Civil filings also continued to rise. In FY 2010, 15,191 cases were filed with the Court representing a 1.7% in-

crease over FY 2009 and representing the largest number of civil cases ever filed in the Court of Common Pleas. This followed a dramatic 24% increase in FY 2009. Cases of greater complexity continue to be filed in the Court resulting in more extensive motion practice and more trial time. To allow for better management of its more complex caseload, the Court also implemented an expedited process for managing debt collection cases, reducing disposition time as well as providing opportunities for improved time management for litigants, attorneys and judges.

The Court continues to work aggressively to manage its caseload in spite of greater demands on judges and staff. Additional calendars and the application of aggressive case management techniques have begun to reduce the time to disposition in most case categories. The acquisition of funds from the American Recovery and Reinvestment Act allowed the Court to add traffic calendars in New Castle County and expedite case processing, which resulted in a reduction in time to disposition of traffic cases from 38 weeks to 18 weeks in just one year. In spite of the increase in criminal misdemeanor filings, the Court's disposition rate also continued to improve in FY 2010.

The Court also received funding through the Stop Violence Against Women Act to allow greater concentration on the movement of domestic violence cases. The goal of ensuring prompt disposition of these cases by identifying them early in the process, tracking and monitoring case activities, anticipating case flow problems/causes for delay, and initiating appropriate action to expedite cases has begun to be realized and the time to disposition of domestic violence cases dropped by three weeks.

COURT OF COMMON PLEAS

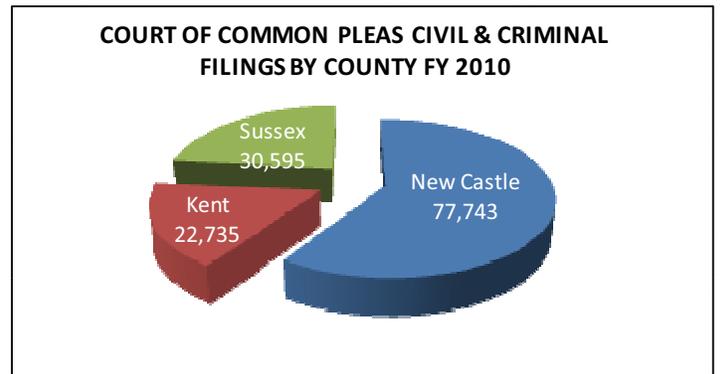


The Court continued to operate its court-supervised comprehensive drug diversion program for non-violent offenders. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing and treatment. The Drug Diversion program represents a collaborative effort between the Court of Common Pleas, the Department of Justice, the Public Defender, the private bar, the treatment providers, and the Treatment Research Institute at the University of Pennsylvania. Collaboration with the Treatment Research Center (TRI) has provided the basis for observation, research and analysis to launch scores of other drug diversion programs throughout the United States and internationally. Based on TRI's research, in FY 2010, the Court made a renewed commitment to identify and accept into the program those defendants who will most benefit from the program and who are committed to a clean and sober lifestyle. The Court has handled more than 5,820 participants since its inception in 1998.

Since 2001, the Court has referred more than 6,950 cases for mediation, with more than 1,025 referrals made to the program in FY 2010. In recent years, the Court's mediation program has been expanded and is available to parties in civil cases as well as criminal cases. Mediation provides an alternative to criminal prosecution and leaves participants in both civil and criminal cases with an increased sense of satisfaction with the justice system. The Court's mediation program continues to have a success/satisfaction rate of nearly 90%.

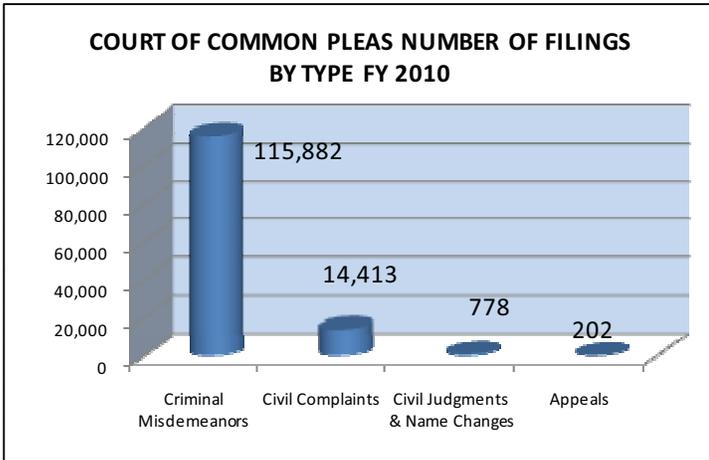
Established in 2003 as the first such court in the State, the Court of Common Pleas continues to operate its Mental Health Court in New Castle County. Modeled on the Drug Court concept, the goal of Mental Health Court is to

effectively serve the special needs of the mental health population through continuous judicial oversight and intensive case management and, through this approach, to reduce this population's contacts with the criminal justice system. Approximately 250 cases have been referred to the Mental Health Court since its inception, exceeding the original goal of serving 100 misdemeanor offenders. Ninety-eight percent of the admissions have been compliant with their case management plans and, as of June 30, 2010, 80% of the individuals who successfully completed the program did not incur new convictions within six months of their graduation.



The Court continues to explore avenues to increase efficiency through technology. A web-based payment system for the payment of fines, costs and restitution through an internet application was implemented at the end of FY 2010 and has continued to reduce the burden on Court staff by allowing people to pay their fines electronically. The Court is also exploring other opportunities by which it can serve its customers through improved public access, such as through an Interactive Voice Recognition Program and through expanded e-Payment opportunities.

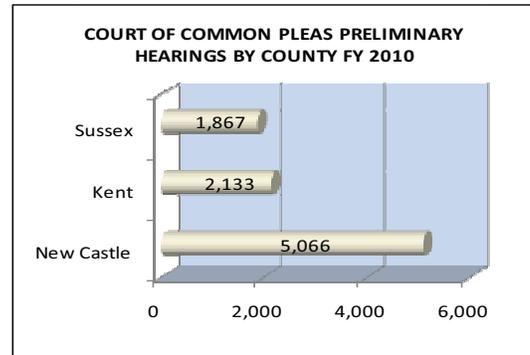
COURT OF COMMON PLEAS



The continued success of the civil COTS implementation has significantly improved access to civil cases and civil case information. E-filing has been extremely successful, with more than 90% of the Court's caseload being e-filed. In FY 2010, the Court received 48,287 e-filings and collected \$1,206,437 in receipts for those filings. Additionally, the COTS implementation provides electronic access by judges and staff to court filings, reduces the Court's reliance on paper, provides access to accurate and complete reporting information for the first time, and provides the public with internet access to civil case information.

The Court of Common Pleas commitment to enforcement of its court orders continues. In spite of a weak economy,

the Court's collection rate rose in FY 2010, going from \$6,029,900 in FY 2009 to \$6,857,200, a 13.7% increase. These collections represent money going to the State's General Fund, as well as to individual municipalities throughout the State. The Court returns more than 48% of its operating budget to the State's General Fund, a far higher percentage than any other Court. A significant portion of the Court's collections also represents restitution and compensation payments to victims of crime.



In spite of the challenges of managing a large and increasingly complex caseload, judges and staff remain committed to the mission of the Court of Common Pleas - to provide assistance and a neutral forum to people in the resolution of their everyday problems and disputes in a fair, professional, efficient and practical manner. Each member of the Court is responsible to the people the Court serves to carry out that mission on a daily basis.



Front row (standing left to right)

Judge Andrea L. Rocanelli
 Chief Judge Alex J. Smalls
 Judge Rosemary Betts Beauregard

Second row (standing left to right)

Judge Charles W. Welch, III
 Judge Joseph F. Flickinger, III
 Judge Anne Hartnett Reigle
 Judge Eric Davis
 Judge Kenneth S. Clark, Jr.
 Judge John K. Welch