

ADMINISTRATIVE DIRECTIVE NO. 112

This 17th day of November, 1997,

IT APPEARS THAT:

(1) The Delaware Supreme Court has developed and published Internal Operating Procedures that have been publicly available since August 1, 1994, in the Delaware Rules Annotated (see pages 125-45 of the 1997 Edition).

(2) Other courts have published Internal Operating Procedures (see United States Court of Appeals for the Third Circuit Procedures published on pages 1383-1404 of the 1997 Edition of the Delaware Rules Annotated).

(3) Internal Operating Procedures have worked well to:

(a) inform the Bar and the public of how courts having such published procedures process their work;

(b) provide the courts with established guidelines to carry out the judicial business in an orderly manner.

(4) The Family Court of the State of Delaware and the litigants who use that Court would benefit from the publication of Internal Operating Procedures.

(5) The Chief Justice and the Chief Judge of the Family Court recognize the need to review the methods used by the Family Court to process cases as a result of changes in statutes, practices, technologies and the following ongoing initiatives:

(a) The Court Improvement Project established by the Chief Justice in 1995 to assess and implement changes to the court process, which project has been completed and targeted for implementation in FY '99;

(b) The Quality Improvement Program known internally as Courting Quality, authorized by the Chief Judge of the Family Court in Kent County in March 1996, in Sussex County in March 1997, and in New Castle County in July 1997, which program has been successful in generating improvements in operational case processing, staff training, educating the public, and improving facilities.

(c) The Family Court will apply the Trial Court Performance Standards to its operations in 1998, a training program for judges, commissioners, masters, and managers specifically tailored to Delaware's statewide Family Court jurisdiction having been conducted on these standards in October 1997.

(6) Both the Delaware Supreme Court and the Family Court recognize the need to review all practices and procedures of the Family Court to ensure that all matters within its jurisdiction

are resolved as expeditiously as possible commensurate with the obligation of the Courts of this state to provide its citizens with the highest quality of justice feasible.

(7) The tasks of reviewing the methods used by the Family Court to process cases and developing Internal Operating Procedures can logically be divided into two aspects:

(a) The processing of cases from the point of intake to presentation to a judicial officer for resolution;

(b) The processing of cases by judicial officers.

(8) The Chief Judge of the Family Court will appoint a Case Processing Committee to review and recommend changes with respect to case processing prior to consideration by a judicial officer, such Committee to file a preliminary report with the Chief Judge and the Chief Justice on or before July 1, 1998.

(9) The Family Court now performs a variety of non-judicial functions that may impact the efficiency with which it carries out its judicial functions.

(10) There is a need for a review of the processing of cases by Family Court judicial officers, for the creation of Internal Operating Procedures, and for a review of all non-judicial functions performed by that Court.

(11) The Chief Justice and the Chief Judge of the Family Court have determined that a comprehensive proposal to accomplish these goals, including draft Internal Operating Procedures, should be developed by a special committee consisting of members of the Judiciary, the bar and the public.

NOW, THEREFORE, IT IS DIRECTED, with the unanimous approval of the members of the Supreme Court, pursuant to Delaware Constitution, art. IV, § 13(1), as follows:

(A) The following persons are hereby appointed to the Special Committee Court Internal Operating Procedures (the "Committee"):

R. Franklin Balotti, Esquire, Chair
F. Michael Parkowski, Esquire, Vice-Chair
The Honorable Peggy L. Ableman
Mr. George R. Cattermole
Commissioner Ellen Marie Cooper
Mr. Harry E. Gordon, Jr.
James D. Griffin, Esquire
Ellen S. Meyer, Esquire
The Honorable Kenneth M. Millman
The Honorable Darrell J. Minott
Michael K. Newell, Esquire
The Honorable William N. Nicholas

DELAWARE SUPREME COURT

The Honorable William T. Quillen
Mr. Guy H. Sapp
Gerald I. H. Street, Esquire
Ms. Kathryn J. Way
Master Loretta M. Young

(B) The Committee shall review and recommend changes to the policies, and standards used by judicial officers in the management and ultimate disposition of matters assigned to them and prepare a set of Internal Operating Procedures designed to promote and improve the delivery by the Family Court of the highest quality of justice to the citizens of Delaware in as expeditious and uniform a manner as feasible.

(C) The Committee shall include in its report recommendations with respect to the retention of non-judicial functions within the Family Court or the transfer of such functions to other entities.

(D) The Committee shall have the full cooperation of the judges and staff of the Family Court and may designate its own staff from within or without the Family Court to assist the Committee in its work.

(E) The work of the Committee will require the close coordination of all activities and efforts that are described herein, and therefore, the Chief Judge of the Family Court and the Court Administrator shall keep the Committee fully advised of all developments relating to the scope of the work of the Committee.

(F) The Committee shall file a preliminary report with the Chief Justice and the Chief Judge of the Family Court on or before October 15, 1998, and shaU likewise file a final report on or before December 15, 1998.

(G) The experience gained in the process of developing Internal Operating Procedures for the Family Court may be considered in evaluating the benefits of proceeding with similar efforts in other trial courts.

E. Norman Veasey
CHIEF JUSTICE

cc: The Honorable Joseph T. Walsh
The Honorable Randy J. Holland
The Honorable Maurice A. Hartnett, III
The Honorable Carolyn Berger
Members of the Judicial Conference
Lowell L. Groundland
Court Administrators
Clerk of Supreme Court