

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ORDER AMENDING RULES 19, 81, 82, §  
87, AND 93 OF THE RULES OF THE §  
SUPREME COURT OF DELAWARE §

Before **STRINE**, Chief Justice; **HOLLAND, VALIHURA, VAUGHN**, and **SEITZ**, Justices, constituting the Court *en banc*.

**ORDER**

This 19th day of August 2015, in conjunction with the recent adoption of the Operating Procedures for the Delaware Judicial Branch, it appears to the Court that it is desirable to amend several of the Rules of the Supreme Court of Delaware to eliminate redundant or outdated provisions. These changes shall be effective immediately.

(1) Rule 19 shall be amended by adding the following new subsection (d), which was formerly part of Rule 82(b):

**RULE 19. MANDATE**

(d) *Remand for new trial or new penalty hearing in certain cases.* In a Class A felony tried without a jury or a capital first degree murder case that is reversed and remanded by the Supreme Court to the Superior Court for a new trial or penalty hearing, the President Judge shall assign a different judge to preside over the case if the judge whose decision was reversed on appeal is the same judge who presided over the bench trial or the penalty hearing that resulted in the imposition of the death sentence.

(2) Rule 81, **The Judicial Conference**, shall be stricken in its entirety.

(3) Rule 82, **Assignment Judges of Trial Courts**, shall be stricken in its entirety.

(4) Rule 87, **Administrative Office of the Courts**, shall be stricken in its entirety.

(5) Rule 93, **Advisory Committee on the Publication of Opinions**, shall be stricken in its entirety.

(6) The Clerk of the Court is directed to transmit forthwith a certified copy of this Order to the clerk of each trial court in each county.

BY THE COURT:

/s/ Leo E. Strine, Jr.

Chief Justice