SUPREME COURT OF DELAWARE

E. NORMAN VEASEY
CHIEF JUSTICE

DELAWARE STATE OFFICE BUILDING
820 NORTH FRENCH STREET
P.O. BOX 1997
WILMINGTON, DELAWARE 19899

TELEPHONE: (302) 577-8700
FAX: (302) 577-5697

ADMINISTRATIVE DIRECTIVE NO. 128

This 10th day of April, 2001,

IT APPEARS THAT:

(1) The Delaware Judiciary should constantly seek to fulfill its mission of providing a fair, efficient, effective and prompt forum for the resolution of both criminal and civil disputes among the citizens of the State.

(2) In furtherance of this mission, the courts must proactively manage their caseloads from date of filing to final disposition to ensure expedition and the interests of justice.

(3) By Administrative Directive No. 118, dated December 1, 1999, the Committee on Speedy Trial Guidelines was created. The Committee issued its final report on November 1, 2000. This report made recommendations to accelerate the adjudication of criminal cases in the Delaware court system.

(4) The increasing number and complexity of criminal cases in Delaware and differences in the practices and procedures of the courts, the Department of Justice and the Office of the Public Defender in all three counties have resulted in: (a) delays in the adjudication of criminal cases and (b) more pre-trial defendants being incarcerated for longer periods of time.

(5) It is desirable to form a Delivery of Criminal Justice Policy Committee to formulate policy, to reduce the number of pre-trial detainees in Delaware prisons, to implement the recommendations of the Speedy Trial Guidelines Committee, and to insure efficiency and fairness in the processing of criminal cases.

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

(A) A Delivery of Criminal Justice Policy Committee is hereby established, consisting of the following persons or their designees and such other persons as the Chief Justice shall determine from time to time:

Justice Joseph T. Walsh, Chair
Attorney General M. Jane Brady
Public Defender, Lawrence M. Sullivan
Associate Judge Richard S. Gebelein
President Judge Henry duPont Ridgely
Chief Judge Vincent J. Poppiti

Chief Judge Alex J. Smalls, Jr.
Chief Magistrate Patricia Walther Griffin
President-elect of the State Bar William Johnston
State Court Administrator Dennis B. Jones
Deputy Director Michael E. McLaughlin

(B) The Committee shall report to and serve at the pleasure of the Chief Justice. The Committee shall make recommendations to the Chief Justice concerning following issues:

(i) The establishment of statewide criminal justice policy to implement the recommendations contained in the Final Report of the Committee on Speedy Trial Guidelines.

(ii) Developing a draft Administrative Directive the goal of which will be to reduce the pre-trial prison population within 90 days.

(iii) The development of new statewide policies the implementation of which will reduce the number of pre-trial detainees and the length of pre trial detentions with a focus on:

- Adjudication of all criminal cases at the earliest feasible stage
- Elimination of all unnecessary continuances

- Development of additional alternatives for judges who determine whether a pre-trial defendant should be released or held in custody

(C) The Committee shall also report on and formulate policy on any other issues the Committee encounters during their deliberations concerning the prompt adjudication of criminal cases.

(D) The State Court Administrator and the AOC staff person assigned to work with the Committee shall coordinate the work of this Committee with other appropriate entities within the Judicial Branch and with the other relevant arms of State Government.

(E) The Committee shall file an interim report by July 31, 2001 and a final report by September 30, 2001.

Chief Justice

cc: The Honorable Ruth Ann Minner
The Honorable Joseph T. Walsh
The Honorable Randy J. Holland
The Honorable Carolyn Berger
The Honorable Myron T. Steele
Members of the Judicial Conference
Dennis B. Jones
The Honorable M. Jane Brady
The Honorable Lawrence M. Sullivan
Court Administrators
Clerk of the Supreme Court