SUPREME COURT OF DELAWARE

E. NORMAN VEASEY
CHIEF JUSTICE

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ADMINISTRATIVE DIRECTIVE NO. 129

This 10th day of April, 2001,

IT APPEARS THAT:

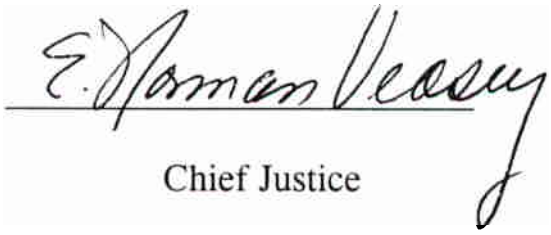
(1) The Delaware Supreme Court has acquired funds from assessments charged to attorneys who are not members of the Delaware Bar for *pro hac vice* appearances in various courts in this State.

(2) These funds have been disbursed, in the discretion of the Delaware Supreme Court, for the purpose of governance of the Bar and the administration of justice, pursuant to Delaware Supreme Court Rule 71(b) (vi).

(3) The Court has determined that a protocol for the awarding of grants from these funds should be undertaken for future disbursements of these funds.

NOW, THEREFORE, IT IS DIRECTED, with the unanimous approval of the members of the Supreme Court (Del. Const., art. IV, § 13), that:

The attached protocol relating to *pro hac vice* funds is hereby adopted and shall govern the awarding of grants from these funds henceforth.



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
The Honorable M. Jane Brady
The Honorable Lawrence M. Sullivan
Mr. Dennis B. Jones
Court Administrators
Clerk of the Supreme Court

Pro Hac Vice Grant Applications

The Supreme Court will accept applications for grants from the *Pro Hac Vice* Fund for the purpose of governance of the Bar and/or administration of justice for the fiscal year beginning July 1, 2001. Applications must be submitted on or before May 1, 2001 to:

Stephen D. Taylor
Chief Administrative Officer
Delaware Supreme Court
11th Floor
820 North French Street
Wilmington, Delaware 19801.

The Supreme Court will award grants in accordance with the following guidelines:

1. Although any not-for-profit organization may apply for a grant, preference will be given to applications from our courts, arms of court, and court-related agencies.

2. Preference will be given to projects that are designed to enhance and streamline the judicial system through pilot programs that address specific existing problems using innovative approaches and performance standards.

3. Funding generally is not available for the types of projects that could have been, or should be, undertaken through an appropriation from the General Fund in accordance with the budget priorities set by the judiciary.

4. Grants will be awarded on a one-time basis, except for certain continuous grants as defined in paragraph 5. Recipients may apply for additional funding in subsequent years, but each year's grants will be awarded on the basis of the most meritorious applications in that year. As a result, projects that will require more than one year to complete will be considered after projects that will be complete in one year, unless the applicant for a multi-year project demonstrates a reliable outside source for the funding that will be needed to complete the project.

5. A court may apply (in a single year and without repetition) for a continuous grant, that is, a grant, consisting of a fixed percentage of the *pro hac vice* funds annually generated in that court, to be used for a permanent court project. *Pro hac vice* funds awarded to an applying court on a continuous grant basis shall be used consistent with the general purposes of this guideline. Continuous grants need not be annually renewed under paragraph 4, but a court may, based on need, apply for an increase in the fixed percentage amount of the continuous grant.

6. In order to promote as many meritorious projects as possible, grants may be made in less than the full amount requested. Applicants must identify all other sources of funding and alternative, less costly approaches that would allow the project to be completed in the event that less than the requested amount is awarded.

7. To the extent that a project is directly related to the improvement of judicial functions, preference will be given to those projects that may be used or expanded to benefit the most courts. Applicants must identify any efforts undertaken to coordinate the proposed project with other courts or appropriate court-related agencies and the manner in which the project will affect the judiciary as a whole.

8. Applications from judges or other court personnel must be presented to all the judges on that court and prioritized by them before the application is submitted. The application must include the ranking given to the proposed project by the applicant's court and must identify all other applications (together with their rankings) that are being submitted by or on behalf of that court. Preference will be given to those applications given the highest priority by each court.

9. A written report shall be made at the September Judicial Conference accounting for all *pro hac vice* funds collected by the Supreme Court for the preceding year. The report shall also identify the amount of *pro hac vice* funds collected from each court, as well as outstanding grants, continuous grants, and grant applications