SUPREME COURT OF DELAWARE

E. NORMAN VEASEY
CHIEF JUSTICE

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ADMINISTRATIVE DIRECTIVE NO. 135

This 17th day of December, 2001,

IT APPEARING THAT:

(1) Christmas Day, December 25, 2001, and New Year's Day, January 1, 2002, fall on Tuesdays. Therefore, Christmas Eve, December 24, 2001, and New Year's Eve, December 31, 2001, fall on Mondays.

(2) Christmas Day and New Year's Day are official state holidays under Title 1, Chapter 5, §501, Delaware Code, as amended, but December 24th and December 31st are not state holidays under this statute.

(3) The Judicial Branch of government in Delaware regularly operates on a professional basis in that many judicial officers and staff willingly and often have worked before and after normal hours out of loyalty to the courts and the administration of justice, without requesting overtime or compensatory time.

(4) It is appropriate, and in the best interest of the morale and work ethic of the members of the Judicial Branch of government in Delaware, that employees of the Judicial

Branch be recognized at this time of year for their unselfish professional efforts on behalf of the citizens of Delaware.

(5) The Governor has announced that December 24, 2001, will be treated as a holiday for Executive Branch employees.

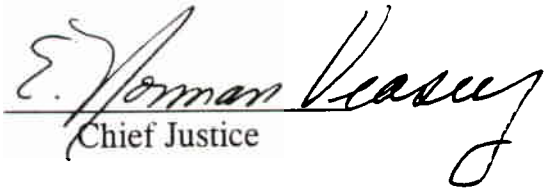
NOW, THEREFORE, IT IS DIRECTED, with the unanimous approval of the members of the Supreme Court, pursuant to Delaware Constitution, art. IV, § 13(1), that:

(A) December 24, 2001, will likewise be treated as a holiday for all Judicial Branch employees, without diminution in pay, unless the presiding judge of a court or the supervisor of a Judicial Branch office determines that the services of any employee are required on December 24, 2001, for the pressing judicial business of that court or office.

(B) The presiding judge of each court and the supervisor of other Judicial Branch employees shall have the discretion to excuse any employee from being required to report to work on Monday, December 31, 2001, without diminution in pay of such employee, if: (i) the services of any such employee are not essential in order to carry out pressing judicial business that must be performed at the court or office on that day; (ii) granting such excuse from reporting will not necessitate additional or incremental cost to the State; and (iii) the litigants, victims, witnesses, jurors and lawyers will not be substantially inconvenienced.

(C) Insofar as the administration of justice in the various Courts permits, if consistent with the terms of Paragraph (B), each court in the State and each staff office,

in the discretion of the presiding judge of that court or the staff supervisor, may close the court or the staff office, as the case may be, for all or part of December 24, 2001, and/or December 31, 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
The Honorable M. Jane Brady
The Honorable Lawrence M. Sullivan
Court Administrators
Clerk of the Supreme Court
Counsel to the Governor