SUPREME COURT OF DELAWARE

MYRON T. STEELE
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REVISED
ADMINISTRATIVE DIRECTIVE NO. 154

This 3rd day of November 2006,

IT APPEARS THAT:

(1) Administrative Directives Nos. 114 and 154 sought to integrate the grant application process as a component of the Judiciary's annual budget formulation.

(2) When funding for grant positions terminated, the normal procedure was for the affected court or judicial agency to seek state funding for the grant position as one of the affected court's or judicial agency's budget priorities. Therefore, budget priorities for the entire Judiciary were being established for future years whenever grant applications, including positions, were sought by individual courts or judicial agencies.

NOW THEREFORE IT IS DIRECTED, with the unanimous approval of the Justices of the Supreme Court pursuant to Del. Const. Art. IV, § 13, that:

(A) Effective immediately, any court or judicial branch agency wishing to submit a request for grant funds that will be used in whole or in part for personnel costs establishing new positions must receive the permission of the Chief Justice to submit the grant application.

(B) A court or agency submitting a grant application that will be used in whole or in part for personnel costs shall, at least 10 working days prior to submitting the grant application, provide the State Court Administrator with a copy of the grant application.

(C) The State Court Administrator shall review the grant application and make a recommendation to the Chief Justice as to whether the grant application should be approved for submission. This recommendation shall inform the Chief Justice of the merits of the application as well as any potential impacts on: (1) current Judiciary resources and workload; (2) future court budgets; and (3) future position requests that might be associated with the acceptance of funds from sources outside of the annual State budget process.

(D) Recognizing that in limited instances there is little or no time for an internal review and approval process, a court or agency may submit an application involving grant funds for personnel costs under exigent circumstances with a copy of the application concurrently being sent to the State Court Administrator for review and evaluation in conjunction with the Council of Court Administrators. The Chief Justice reserves the right to order the withdrawal of any such grant application if, after subsequent review, the Chief Justice determines that the application is not in the best interests of the Judiciary.

(E) Any court or judicial branch agency that applies for a grant that does not involve funds to be used for personnel costs does not need to obtain the permission of the Chief Justice to submit the application. However, a copy of the grant application must be submitted to the State Court Administrator concurrently with its submission to the funding agency.

(F) Any court that applies for a grant, whether or not it involves personnel costs, should notify the State Court Administrator as to whether or not it has received the requested funds within 10 working days of the court or agency's receipt of notification as to funding.

(G) Administrative Directive No. 154 is hereby rescinded.

BY THE COURT

Myron T. Steele
Chief Justice

cc: The Honorable Ruth Ann Minner
The Honorable Randy J. Holland
The Honorable Carolyn Berger
The Honorable Jack B. Jacobs
The Honorable Henry duPont Ridgely
Counsel to the Governor
Members of the Judicial Conference
The Honorable Carl C. Danberg
The Honorable Lawrence Sullivan
Patricia Griffin, State Court Administrator
Court Administrators
Clerk of Supreme Court
Budget Director
Chair of Senate Judiciary Committee
Chair of House Judiciary Committee