ADMINISTRATIVE DIRECTIVE NO. 171

This 24th day of February, 2009:

IT APPEARS THAT:

(1) The last comprehensive review of the "Personnel Rules for the Non-Judicial Personnel of the Judicial Branch" ("Judicial Branch Personnel Rules") occurred in 1994, and produced revisions to the Judicial Branch Personnel Rules that were promulgated by Administrative Directive No. 98, with an effective date of November 1, 1994.

(2) It has been determined that the Judicial Branch Personnel Rules should be updated, in order to provide clarification, and to reformat and revise the Rules, to enhance their consistency with the Executive Branch's Merit Rules and statutory provisions enacted since the last review, and provide improvements.

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

(A) The attached revised Judicial Branch Personnel Rules shall govern all non-judicial, non-Merit Judicial Branch employees in all courts and agencies, the Administrative Office of the Courts and the Arms of the Supreme Court.

(B) The Rules will become effective on April 1, 2009 and will apply with regard to personnel actions occurring on or after that date. For example, changes to section 9.1, "Duration of Probationary Appointment," Chapter 12 "Employee Accountability," and Chapter 18, "The Grievance Procedure," of the Rules will apply to all probation periods initiated, grievances and direct appeals to the Chief Justice filed, or pre-termination hearings requested, on or after the effective date.

(C) The Judicial Branch Personnel Rules promulgated in Administrative Directive No. 98, issued September 27, 1994, and Administrative Directive No. 103, issued November 15, 1995, are superseded by this administrative directive.

(D) Presiding Judges/Judicial Agency Heads shall ensure that the revised Rules are disseminated to affected employees in their courts/agencies.

Chief Justice

c: The Honorable Jack Markell
The Honorable Randy J. Holland
The Honorable Carolyn Berger
The Honorable Jack B. Jacobs
The Honorable Henry duPont Ridgely
Members of the Judicial Conference
The Honorable Joseph R. Biden, III
The Honorable Lawrence Sullivan
State Court Administrator
Court Administrators
Clerk of the Supreme Court
Counsel to the Governor
Chair Senate Judiciary Committee
Chair House Judiciary Committee