ADMINISTRATIVE DIRECTIVE NO. 180

This 21st day of May 2012,

IT APPEARS THAT:

(1) Recognizing the serious financial challenges that the State of Delaware confronted at that time, the Judicial Branch, acting as a co-equal partner with the other Branches of government, adopted stringent hiring practices, including a hiring freeze in March of 2008, through Administrative Directive 166 and its revision, and a strict hiring review process, beginning in August of 2009, consistent with Administrative Directive 174, and its revision; and

(2) State fiscal concerns, and revenue projections, continue to be carefully monitored; however, the Judicial Branch's personnel practices must allow sufficient access to existing personnel resources to ensure that its operations, and the important court services it provides to the public, do not continue to be unduly impacted.

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

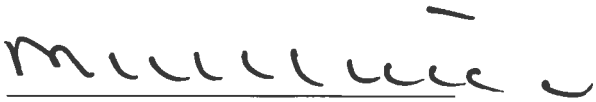
(1) Administrative Directive 174, including its revision, is hereby rescinded.

(2) Until further notice, a hiring review process will remain in effect, which will require that no positions may be filled within the Judicial Branch, including all new hires, promotions, paid interns, casual/seasonal, temporary, limited-term, merit and exempt positions, without prior approval of the Chief Justice. With the exception that career ladder promotions are not included in this process.

(3) Approval of the Chief Justice will be based, in part, upon the certification of the Chief Judge of the Court or head of the judicial agency seeking to fill the position that: (a) the hiring is critical to (i) performing the core operations of the court or agency, or direct delivery of services to the public, such as case processing, (ii) addressing operational safety and security concerns, or (iii) providing other valuable operational support that will have a significant longer-term impact on overall operations, if the position is not filled; and (b) appropriate funds are believed to be available in the respective court or agency budget to compensate the person to be hired.

(4) Each Chief Judge or head of a judicial agency shall continue, until otherwise advised by the Chief Justice, to provide to the State Court Administrator, no later than the first day of each month, a current listing of all vacant positions, along with a form providing justification for each position that they are requesting to be filled that month, consistent with the criteria set forth in this Directive. Requests to address urgent or emergency needs to fill positions may be submitted during other times of the month.

BY THE COURT:



Chief Justice Myron T. Steele

c: The Honorable Jack A. 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 Brendan O'Neill
State Court Administrator
Court Administrators
Clerk of the Supreme Court
Counsel to the Governor
Chair Senate Judiciary Committee
Chair House Judiciary Committee