

SUPERIOR COURT



Established under the Constitution of 1831, the Superior Court of Delaware turned 183 years old during Fiscal Year 2014. We are proud of our rich heritage, from the time of the Civil War to the ever changing time of the present. Our judicial officers and staff are among the best to be found in any court, anywhere. The judicial officers work hard to maintain our standards of legal excellence in both civil and criminal cases. Our staff works hard to assist the judges and to provide excellent customer service to our clientele.



*President Judge
James T. Vaughn, Jr.*

In an effort to improve efficiency among all three counties in FY14, the Superior Court began a review of the many codes used for docketing criminal cases. In the past, the three counties did not use the same code for the same docket entries, creating state-wide inefficiencies. A code review session was held, at which all three counties were represented by their in-house subject matter experts. During the negotiations, the

representatives from each county agreed to streamline and standardize the criminal docketing codes. Among other actions, they agreed to drop codes that duplicated a court action, replace multiple codes with just one code that worked for everyone, or trade in two codes for one. As a result of this code review, far fewer codes are used and docketing is easier and more efficient.

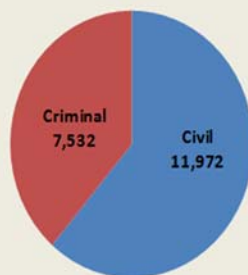
The Superior Court said goodbye to the Honorable Charles H. Toliver, IV, on May 3, 2014 when he officially retired from the Superior Court bench after 24 years. Judge Toliver left the Superior Court to go into private practice.

Also in FY14, the Honorable Ferris T. Wharton was appointed by Governor Markell to the Superior Court and began service on June 5, 2014. Judge Wharton came to the Court from the Office of the Public Defender, where he held the position of Assistant Public Defender. Prior to that, Judge Wharton served with distinction in the Delaware Department of Justice.

In FY14, the Honorable Jane M. Brady transferred her residency from New Castle County to Sussex County. She now maintains offices in both court-houses. Three vacant New Castle County staff positions were transferred along with Judge Brady to the Sussex County Prothonotary's criminal division to assist with the increased criminal caseload in that county.

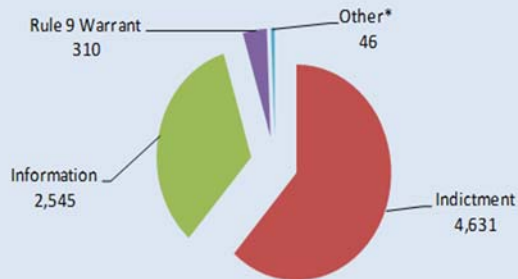
As a Court of general jurisdiction, Superior Court handles both civil and criminal cases. FY14 was a busy year for the Superior Court. Statewide, the

**NUMBER OF SUPERIOR COURT FILINGS
BY TYPE FY 2014**



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NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2014



*Includes appeals, transfers, reinstatements, and severances.

Court handled 11,972 civil filings and 7,532 criminal filings.

The potential Murder First Degree trials numbered 43 statewide in FY14. Our Violation of Probation (VOP) cases statewide numbered 5,376 filings, 4,310 dispositions, and 748 cases with pending charges.

Jurors are summoned by this Court for service in Superior Court's civil and criminal trials in all three counties. This year 138,372 jurors were summoned for all three counties, and 32,725 jurors appeared for service at the New Castle, Kent, and Sussex County Courthouses.

Trials, with or without juries, are not the only way of disposing cases. Our Problem Solving Courts exist to help resolve cases in each of the three counties.

Seventeen years ago, Superior Court's Drug Court became the first statewide Drug Court in the United States. This year, the statewide Superior Court Diversion Drug Court had 512 entries, 153 terminations, and 288 graduates. Pursuant to a special part-time appointment, retired Superior Court Judge Jerome O. Herlihy currently presides over the New Castle County Drug Court.

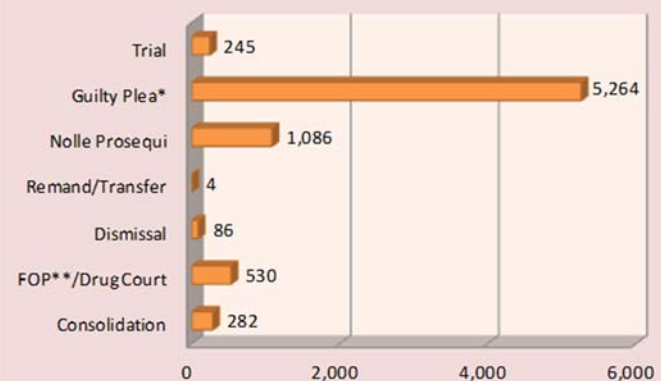
New Castle County's Reentry Court targets repeat offenders who have been incarcerated at least one year and have a community service obligation as a condition of their release. At the end of FY14, there were 53 entries and 12 successful graduates from Reentry Court. Reentry Court is presided over by

Judge Charles E. Butler and Judge Vivian L. Medinilla.

Instituted in 2008, Superior Court's Mental Health Court (MHC) resides in New Castle, Kent, and Sussex Counties. This collaborative project is designed to identify persons involved in the criminal justice system as a result of serious mental health issues. It provides them with intensive services and support to guide them to recovery and self sufficiency. It is an alternative to repeated incarceration for violations of probation or commission of new offenses. The presiding judges in MHC are Judge Jan Jurden in New Castle County, Judge Robert Young in Kent County, and Resident Judge T. Henley Graves in Sussex County. Statewide for Superior Court this year, there were 570 participants, 181 graduations, 34 neutral terminations, and 81 terminations in MHC.

Through a grant from the Office on Violence against Women (OVW), the New Castle County MHC and the Court of Common Pleas' Trauma Informed Probation Court joined forces with the Administrative Office of the Courts and Survivors of Abuse in Recovery, Inc. (SOAR) to create the Victim Awareness and Safety Enhancement (VASE) Project. The VASE Project's goals are to provide trauma-informed care to victims of domestic violence, sexual assault, dating violence, or stalking who have been convicted of a crime and to target recidivism by addressing the trauma and victimization that may have led to involvement with the criminal justice system. VASE

NUMBER OF SUPERIOR COURT CRIMINAL DISPOSITIONS BY METHOD FY 2014

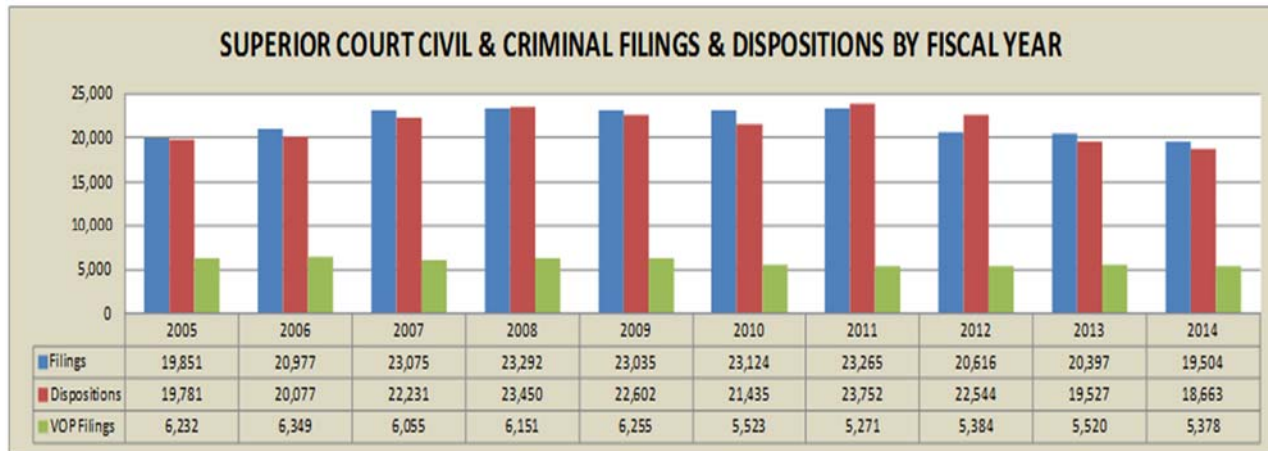


*Includes Probation Before Judgment.

** First Offender Program.

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services include education, referrals to appropriate community resources, individualized safety and crisis management plans, and coordination of care.

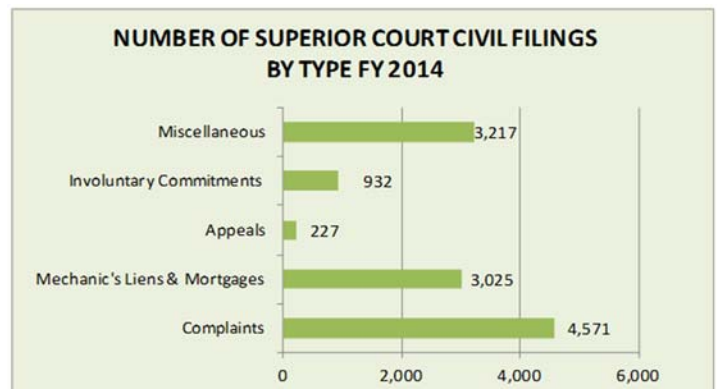
The Veterans Treatment Court (VTC) was initiated as a pilot project in Kent County in February 2011. Since that time, Resident Judge William L. Witham, Jr., a former member of the armed services, has presided over this Court. Sussex County veterans are referred to Kent County. New Castle County's VTC began on January 2, 2013. Judge Jan R. Jurden, also a former member of the armed services, presides over this New Castle County VTC. The program is designed to assist justice-involved veterans with mental health and substance abuse issues to obtain necessary services and reduce recidivism.

New this year is the volunteer Peer Mentor Program launched to enhance the Veterans Treatment Court. The volunteers help court participants get to appointments and deal with daily challenges. Because the mentors are also veterans, they understand the stress of military life and can offer assistance and support through the recovery phase of the VTC participants. Statewide, the Veterans Treatment Courts had 121 participants, 3 neutral terminations, 6 terminations, and 79 graduations.

Programs to assist the disposition of civil cases are also available to our constituents. This year, 1,823 mediations were filed statewide through our Residential Mortgage Foreclosure Mediation program. The ongoing Project Rightful Owner held 18 hearings this year, processed 15 orders, and disbursed

\$305,059.11. The total amount disbursed since the beginning of this project is \$6,014,954.49. The Court's Complex Commercial Litigation Division (CCLD) also assists in the disposition of civil cases. To qualify, cases must include a claim asserted by any party (direct or declaratory judgment) with an amount in controversy of \$1 million or more (designated in the pleadings for either jury or non-jury trials). Cases that involve an exclusive choice of court agreement or a judgment resulting from an exclusive choice of court agreement, or is so designated by the President Judge, also qualify for assignment to the CCLD.

The Notifind system is an important part of a judiciary-wide initiative for Living Disaster Recovery Planning/Continuity of Operations Planning. This system serves as the emergency notification for the Court. Superior Court Web Master Margaret Derrickson completed the task of loading all of Superior Court staff's necessary data into the system. Notifind was particularly helpful with the winter we experienced in



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FY14. Each time it was used, the system improved through input from judicial officers, court administrators, and staff. Should a disaster hit Delaware, all judges and staff will receive notice and instructions.

Superior Court's website reflects our goal of providing excellent service to the public and to the legal community. Our innovative iCourtClerk™ continues to grow in number of queries from the public and from outside criminal justice agencies seeking information. In FY14, over 1,912 public queries received a response, which is a 33.4% increase over last fiscal year. We are proud that over 16% of our users take the time to reply with a "thank you" and express how timely the answers are.

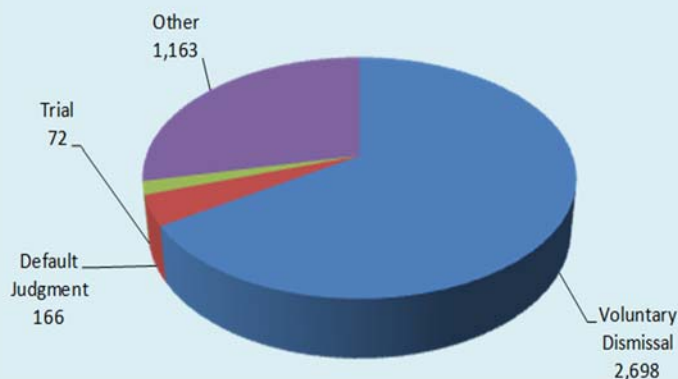
Non-iCourt Clerk queries numbered 1,108 this year, a 34.4% increase regarding jury service, forms, fees, records, procedures, ADR, and orders and opinions, among other requests. This year, 659 orders and opinions were processed. Superior Court continues to publish orders and opinions available for free public access.

Listserv information service is ever expanding. During this fiscal year, 572 new members (an 18% increase) signed up to receive information. Currently, 19 separate Listservs are maintained with 3,768 total members. These Listservs provided 192 instant notifications to its members for a 17% increase over the previous fiscal year. Members include attorneys, state officials, insurance companies, research utilities, and universities.

Our intranet-only document database is maintained and updated on a regular basis. This database is only for those who work in Superior Court. It holds directives, orders, plans, memos, and information about each department, e-payment, jobs, benefits, and other useful links for searching. The intranet also houses all editions of Hearsay, the Court's newsletter, dating from its original publication in 1998.

The future of Superior Court is to move our civil and criminal cases in an expedient, efficient manner, while maintaining fairness in the courtrooms. It is vital that the people who come to our court feel as though they were treated fairly and respectfully when they leave.

NUMBER OF SUPERIOR COURT CIVIL COMPLAINT DISPOSITIONS BY METHOD FY 2014



If they do not, the communities we serve get a negative opinion of the Court, which then reflects badly on the Judiciary as a whole.

Case processing 183 years ago consisted of a pen and paper, and there were probably the same complaints from attorneys and the town folk regarding the timeliness of the outcome of their cases. People are the same, no matter whether they live in the 19th or 21st century. In this century, however, technology changes at a very swift place. As soon as the latest cutting-edge software or hardware is on the market it is already outdated. This Court embraced technology early on. In 1991, Superior Court had one of the only statewide case management and e-file systems in the nation, called the Complex Litigation Automated Docket (CLAD). CLAD was a success for the Court for its time. However, in 2003 CLAD cases were converted to Lexis Nexis™ (now File & Serve Express™). This is the system we use today for civil cases.

Criminal case e-filing is not yet available in Superior Court, but it is a goal for us and the other trial courts. Superior Court does have an Automated Sentencing Order Program (ASOP). The ASOP application enables the Court to issue sentencing orders simultaneously with a judge's pronouncement. Sentencing data is electronically filed and transferred within minutes to prisons and other agencies and criminal histories also are updated for future court proceedings. It used to take days to disseminate the information to all criminal justice agencies and it now happens almost sim-

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ultaneously. Also, ASOP allows defendants to receive a complete copy of their sentencing order before they leave the courtroom.

While it has been a tremendous asset over the last fifteen years, ASOP first arrived on the scene in March 2000 and is quickly becoming outdated. No new sentencing forms can be inputted and new coding often results in system crashes. Keeping ASOP alive is our first priority in our FY15 budget, as we lack the necessary funding in the Court's budget line.

Superior Court is committed to providing a safe environment in which the people in all three counties are treated with fairness and respect. In FY13, the Courts used their security funds to secure our state's courthouses and our people. For FY14, we have been committed to providing timely and efficient case processing for our civil and criminal cases and to finding the means to make this happen.

SUPERIOR COURT JUDGES



Front row (sitting left to right)

Judge Charles H. Toliver, IV (retired May 3, 2014)
Judge Jerome O. Herlihy (retired May 18, 2013)
President Judge James T. Vaughn, Jr. (appointed Supreme Court Justice October 29, 2014)
Judge T. Henley Graves (SC Resident Judge)
Judge Richard R. Cooch (NCC Resident Judge)

Second row (standing left to right)

Judge Mary M. Johnston
Judge Jan R. Jurden (appointed President Judge January 13, 2015)
Judge Richard F. Stokes
Judge William C. Carpenter, Jr.
Judge Fred S. Silverman
Judge William L. Witham, Jr. (KC Resident Judge)
Judge E. Scott Bradley
Judge Calvin L. Scott, Jr.

Back row (standing left to right)

Judge Vivian Medinilla
Judge Eric M. Davis
Judge Diane Clarke Streett
Judge M. Jane Brady
Judge Robert B. Young
Judge John A. Parkins, Jr.
Judge Charles E. Butler
Judge Paul R. Wallace

Not Pictured: Judge Andrea L. Rocanelli
Judge Ferris W. Wharton



Standing (left to right)

Commissioner Michael P. Reynolds (retired September 1, 2014)
Commissioner Alicia B. Howard
Commissioner Mark S. Vavala
Commissioner Andrea Maybee Freud
Commissioner Lynne M. Parker

Not pictured: Commissioner Bradley V. Manning