

**the
1976
annual
report
of
the
delaware
judiciary**



ADMINISTRATIVE OFFICE OF THE COURTS
STATE OF DELAWARE

JOHN R. FISHER
Director
DAWN BOWMAN
Supervisor - Accounting

1112 KING STREET
WILMINGTON, DELAWARE 19801
571-2480

November 10, 1976

The Honorable Daniel L. Herrmann
Chief Justice
Public Building
1020 King Street
Wilmington, Delaware 19801

Dear Mr. Chief Justice:

I tender herewith the sixth Annual Report of the Judiciary, containing reports from all the courts.

This year's report represents an improvement over those of previous years in several significant respects. First, the statistical analyses included in the report are both more comprehensive and more accurate than ever before. This is particularly true in the case of Superior Court, where the new Criminal Case Scheduling Office is providing new types of data, in addition to its normal calendaring function. For the first time, performance data is available on an ongoing basis from this office, so that precise determination can be made of the extent to which Speedy Trial Directives are being met in Superior Court.

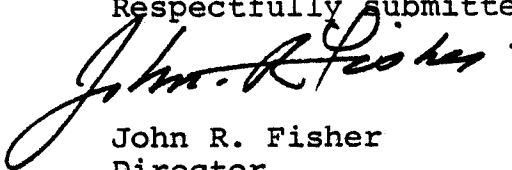
A new section of this year's report features information on Delaware's Alderman's Courts. This represents another "first": the first time that complete, up-to-date information on the workloads of these courts has been available.

Much of the improvement in the accuracy of this year's data was made possible by the continuing efforts of our staff to develop systematic, comprehensive, and standardized data collection procedures throughout the courts. Hopefully, these improvements will give the courts a better understanding of their inner workings, and will permit better planning.

With the implementation of computerization within the criminal justice system planned for fiscal 1977, the kinds of information

generated by the courts will become increasingly more varied and complete. The 1977 Annual Report should reflect that and other improvements and be the most thorough to date.

Respectfully submitted,

A handwritten signature in cursive script, reading "John R. Fisher". The signature is written in dark ink and is positioned above the typed name and title.

John R. Fisher
Director

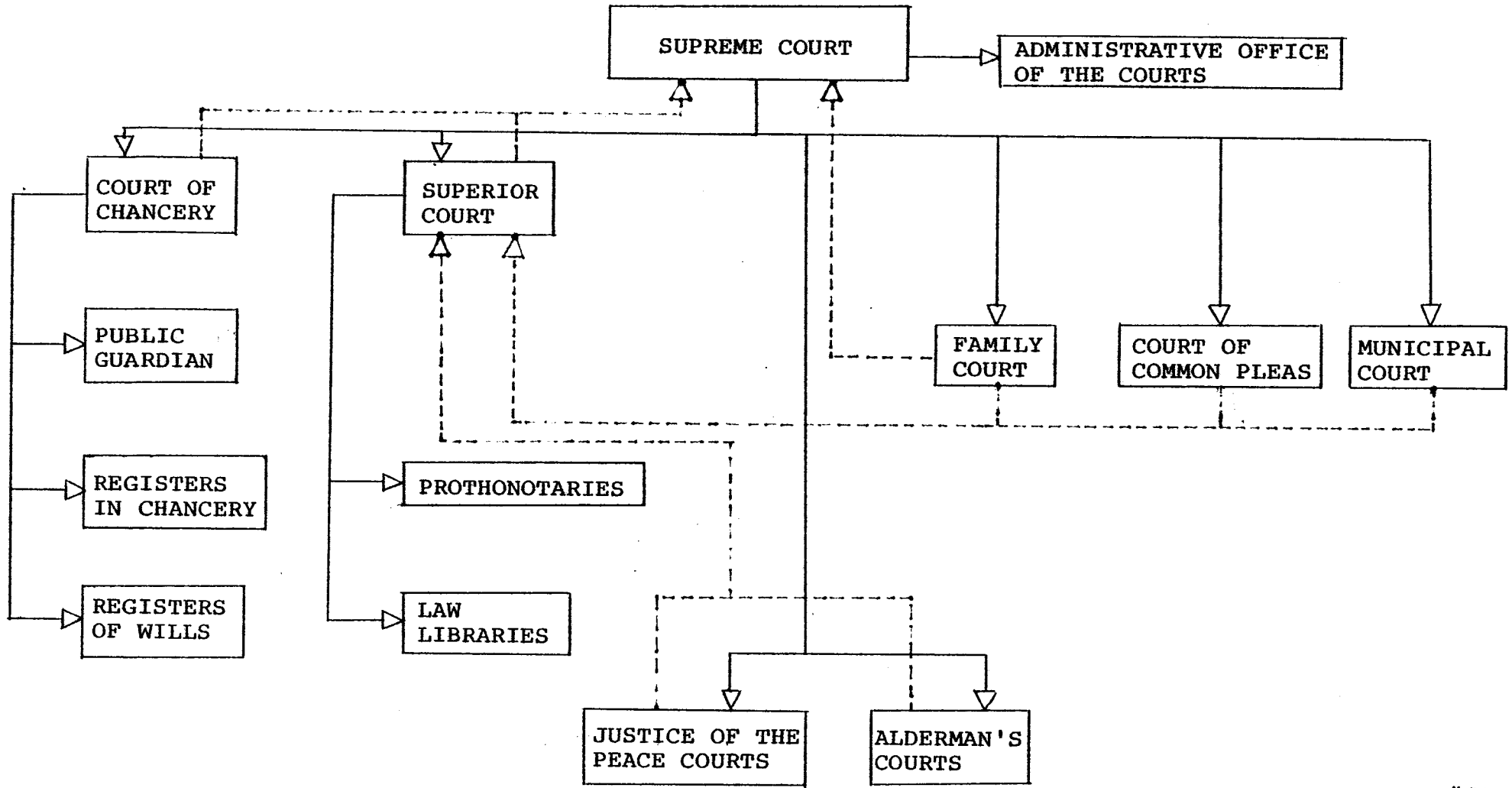
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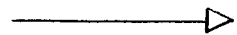
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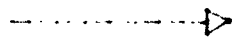
THE DELAWARE JUDICIAL SYSTEM



KEY:



Administrative Authority



Appeals

SUMMARY OF JUDICIAL BUDGETS
FISCAL YEARS 1976-1977-1978

	1976 General Fund <u>Disbursement</u>	1977 General Fund <u>Appropriation</u>	1978 General Fund <u>Requested Appropriation</u>
Administrative Office of the Courts	\$1,921,456	\$1,773,306	\$ 2,160,485
Supreme Court	288,524	323,168	634,276
Court of Chancery	256,446	277,758	338,152
Public Guardian	41,761	56,522	58,814
Superior Court	1,410,806	1,702,589	2,615,971
Family Court	2,207,781	2,643,287	3,670,590
Court of Common Pleas	475,659	659,650	845,170
Justice of the Peace Courts	1,790,664	2,206,330	2,639,563
Law Libraries	<u>107,097</u>	<u>106,539</u>	<u>152,815</u>
TOTALS	\$8,500,194	\$9,749,149	\$13,115,836

**Administrative
Office
of
the
Courts**

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was created by the 1971 General Assembly, 10 Delaware Code, Chapter 1.

Duties

The duties of the Director of the Administrative Office of the Courts include the organization and administration of the non-judicial activities of the Delaware courts and the appointment, assignment and supervision of all non-judicial personnel except the personal staffs of the judges. The Director is also charged with the preparation of the budget and planning and allocation of space. He collects, compiles and analyzes statistics in connection with research and evaluation of court business and administration and at least annually prepares and submits a report of the activities of the courts to the Chief Justice. In addition, the Director will establish procedures for management of the jury system and the assignment of judges and attend their administrative meetings. He will maintain liaison with agencies, both public and private, interested in the courts' activities and assist in preparation of proposed legislation.

Personnel

The Director of the Administrative Office of the Courts shall be appointed by and serve at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

ADMINISTRATIVE OFFICE OF THE COURTS
1112 King Street
Wilmington, Delaware 19801

PERSONNEL

Director
John R. Fisher, Esquire
Carolyn Walker, Secretary
(571-2480)

Assistant to the Director
Edward B. Carter, Jr.
(571-2480)

Accounting Department
E. Dawn Bowman, Supervisor
E. Lynn Deramo
Christine Creegan
Maria Cook, Secretary
(571-2481)

Courts Consortium Planner
Lowell L. Groundland (Federally Funded)
(571-2483)

Detention Reporter
E. Jean Hurley (Federally Funded)
(571-2484)

Courts Data Analyst
Vincent P. Meconi (Federally Funded)
(571-2481)

SUMMARY OF Administrative Office of the Courts

BUDGET

02 17 001

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	GENERAL APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES</u>			
Employees	103,822.77	103,725.00	165,701.00
EMPLOYMENT COSTS	-0-	18,141.00	29,956.00
PERSONAL SERVICES - Attorney	-0-	-0-	200,000.00
JURY	468,964.77	530,000.00	550,000.00
WITNESS	13,902.14	25,000.00	35,000.00
TRAVEL	1,206.54	1,800.00	4,190.00
CONTRACTUAL SERVICES	39,582.04	32,640.00	44,590.00
Court Rental	1,289,321.53	987,550.00	1,044,120.00
SUPPLIES & MATERIALS	1,948.96	2,900.00	4,218.00
CAPITAL OUTLAY	1,707.60	17,800.00	960.00
SPECIAL ITEMS: Cent.Data Proc.	-0-	50,000.00	75,000.00
(b). Nat'l Center-St. Cts.	1,000.00	1,000.00	1,500.00
(c). Council-Admin.of Just.	-0-	750.00	750.00
(d). Ct. of the Judiciary	-0-	2,000.00	2,000.00
(e). St. Unemployment Ins.	-0-	-0-	2,500.00
GRAND TOTAL	1,921,456.35	1,773,306.00	2,160,485.00

Supreme Court

Legal Authorization

The Supreme Court was created by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The Supreme Court has statewide jurisdiction and sits in Dover.

Legal Jurisdiction

This Court has final appellate jurisdiction in criminal cases where the penalty exceeds certain minimums and in civil cases as to final judgments and certain interlocutory decrees of Superior Court and Chancery Court. Appeals are heard on the record from the Superior Court, Court of Chancery, and (on selected matters) the Family Court. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari and mandamus.

Judges

The Supreme Court consists of a Chief Justice and two Associate Justices, who are appointed by the Governor on a bipartisan basis with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law.

Other Judicial Personnel

The Chief Justice has the authority to designate one or more of the State Constitutional Judges (including the Justices of the Supreme Court) to sit in the Court of Chancery or the Superior Court or the Statutory Courts to hear and determine causes in such courts and for such period of time as designated.

Support Personnel

The Chief Justice is responsible for the administration of all courts in the state and appoints a Director of the Administrative Office of the Courts to handle the non-judicial aspects of court management. He also appoints secretaries, clerks, court reporters, law clerks, and a crier for the Supreme Court.

Case Load Trend

The number of appeals filed in the Court continues to increase. On an annual basis, a total of 341 civil and criminal appeals were filed during the period shown - an increase of more than 200% over the same period ten years ago. But the Court still has the same number of justices, and the staff in the office of the Clerk of the Court has not increased since 1965. The Court urgently needs 2 additional justices, a staff attorney and a calendaring clerk in order to cope with its responsibilities under the Delaware Constitution.

SUPREME COURT

JUDICIARY

Chief Justice
Hon. Daniel L. Herrmann
Jane Obold, Secretary
(571-2427)

Associate Justice
Hon. William Duffy
Ruth Laird, Secretary
(571-2426)

Associate Justice
Hon. John J. McNeilly
Ida Mae Ellis, Secretary
(856-5364)

SUPREME COURT

SUPPORT PERSONNEL

Clerk of the Supreme Court

T. Edgar Townsend
Ann Ayrey, Secretary
(678-4155)

Bailiff

Wesley Adkins
(678-4155)

Administrative Secretary

Lois DeWolfe
(571-2429)

Law Clerks

William J. Flannery
(571-2429)
Steven M. Gevarter
(571-2429)
David R. Bulkley
(856-5364)

ADDRESSES

Supreme Court Chambers
Public Building
1020 King Street
Wilmington, DE 19801

Supreme Court Building
The Green
Dover, DE 19901

Supreme Court Chambers
Sussex County Courthouse
The Circle
Georgetown, DE 19947

SUPREME COURT
FISCAL YEAR 1976

FILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Criminal	32	32	25	34	123
Civil	<u>59</u>	<u>55</u>	<u>54</u>	<u>50</u>	<u>218</u>
Total	<u>91</u>	<u>87</u>	<u>79</u>	<u>84</u>	<u>341</u>

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Criminal	16	25	27	25	93
Civil	<u>40</u>	<u>47</u>	<u>29</u>	<u>39</u>	<u>155</u>
Total	<u>56</u>	<u>72</u>	<u>56</u>	<u>64</u>	<u>248</u>

PENDING

	<u>6-30-75</u>	<u>9-30-75</u>	<u>12-31-75</u>	<u>3-31-76</u>	<u>6-30-76</u>
Criminal	71	87	94	92	101
Civil	<u>112</u>	<u>131</u>	<u>139</u>	<u>164</u>	<u>175</u>
Total	<u>183</u>	<u>218</u>	<u>233</u>	<u>256</u>	<u>276</u>

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Criminal	+16	+ 7	- 2	+ 9	+30
Civil	<u>+19</u>	<u>+ 8</u>	<u>+25</u>	<u>+11</u>	<u>+63</u>
Total	<u>+35</u>	<u>+15</u>	<u>+23</u>	<u>+20</u>	<u>+93</u>

SUPREME COURT
COMPARISON - FISCAL YEARS 1975-1976

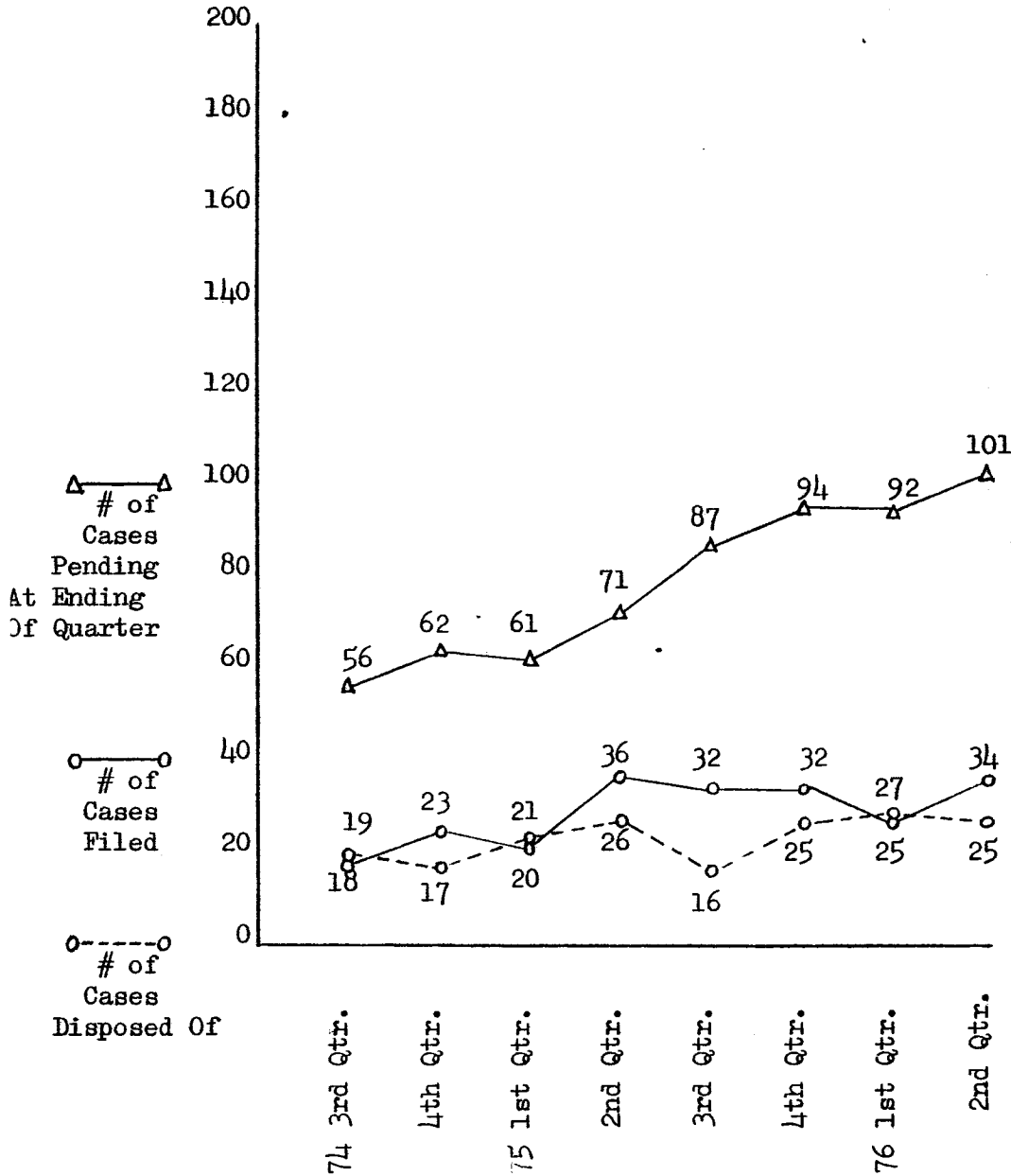
	<u>CIVIL</u> <u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Filings	176	218	+42	+23.9%
Dispositions	173	155	-18	-10.4%
Pending at End of Year	112	175	+63	+56.3%

	<u>CRIMINAL</u> <u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Filings	97	123	+26	+26.8%
Dispositions	83	93	+10	+12.0%
Pending at End of Year	71	101	+30	+42.3%

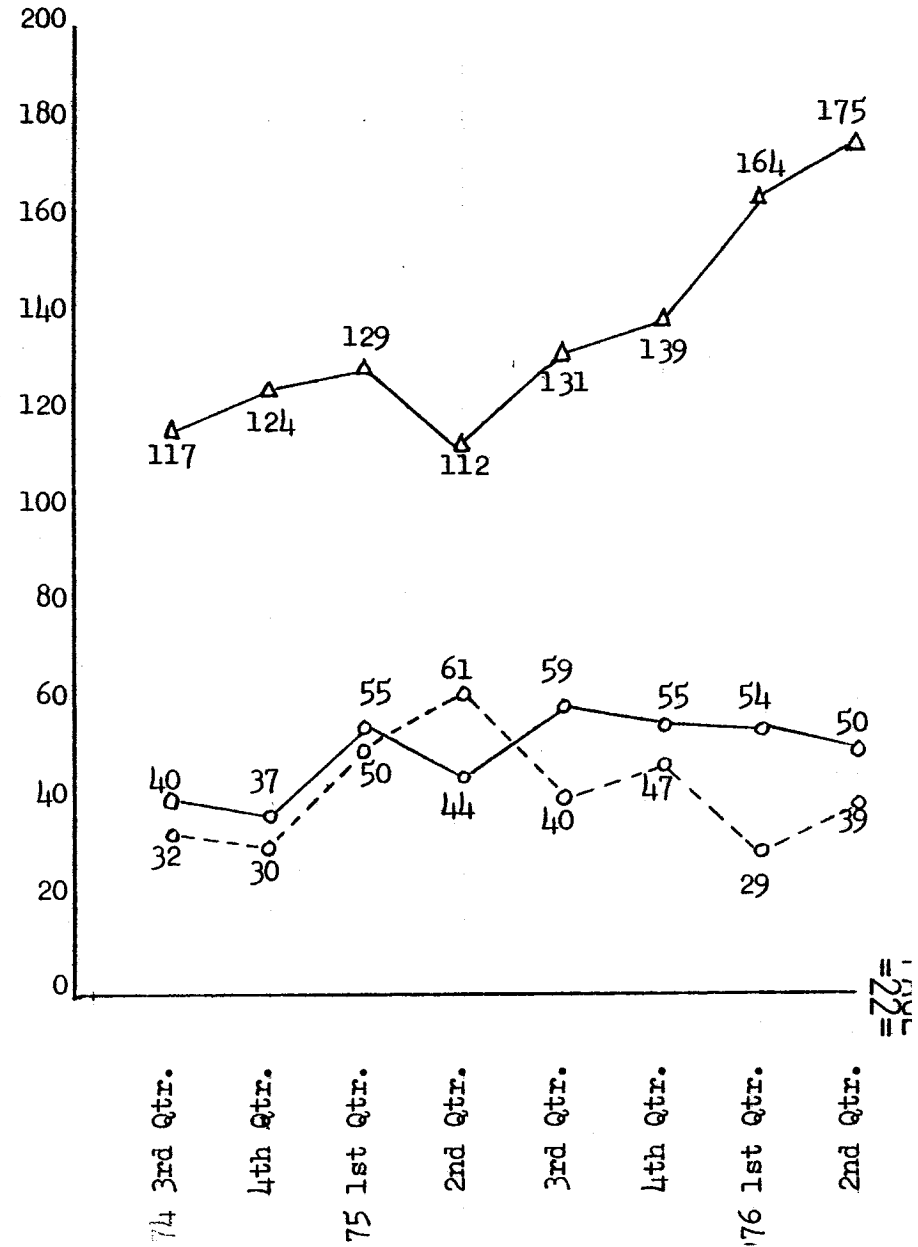
	<u>TOTAL</u> <u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Filings	273	341	+68	+24.9%
Dispositions	256	248	- 8	- 3.1%
Pending at End of Year	183	276	+93	+50.8%

SUPREME COURT
FISCAL YEARS 1975-1976

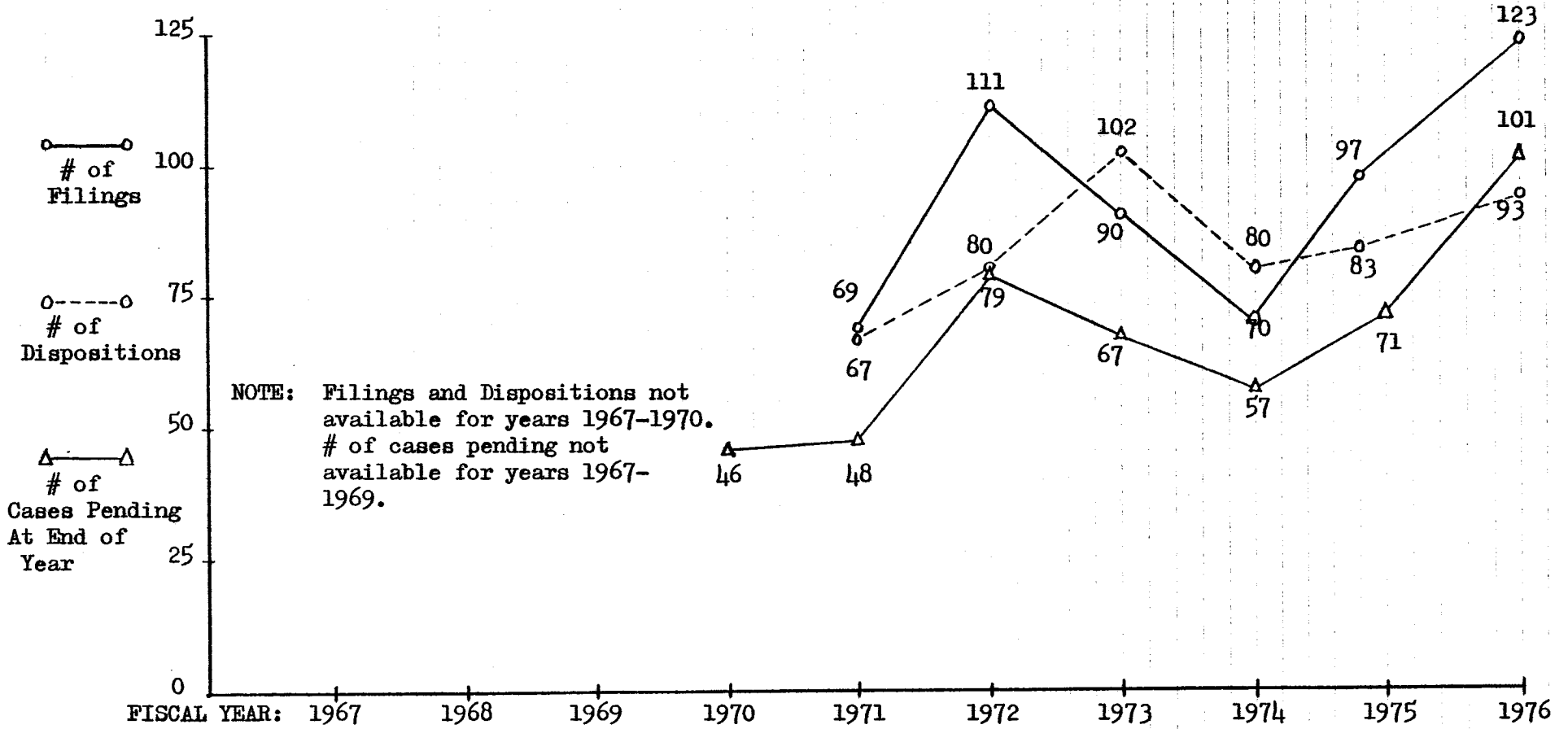
CRIMINAL CASES



CIVIL CASES

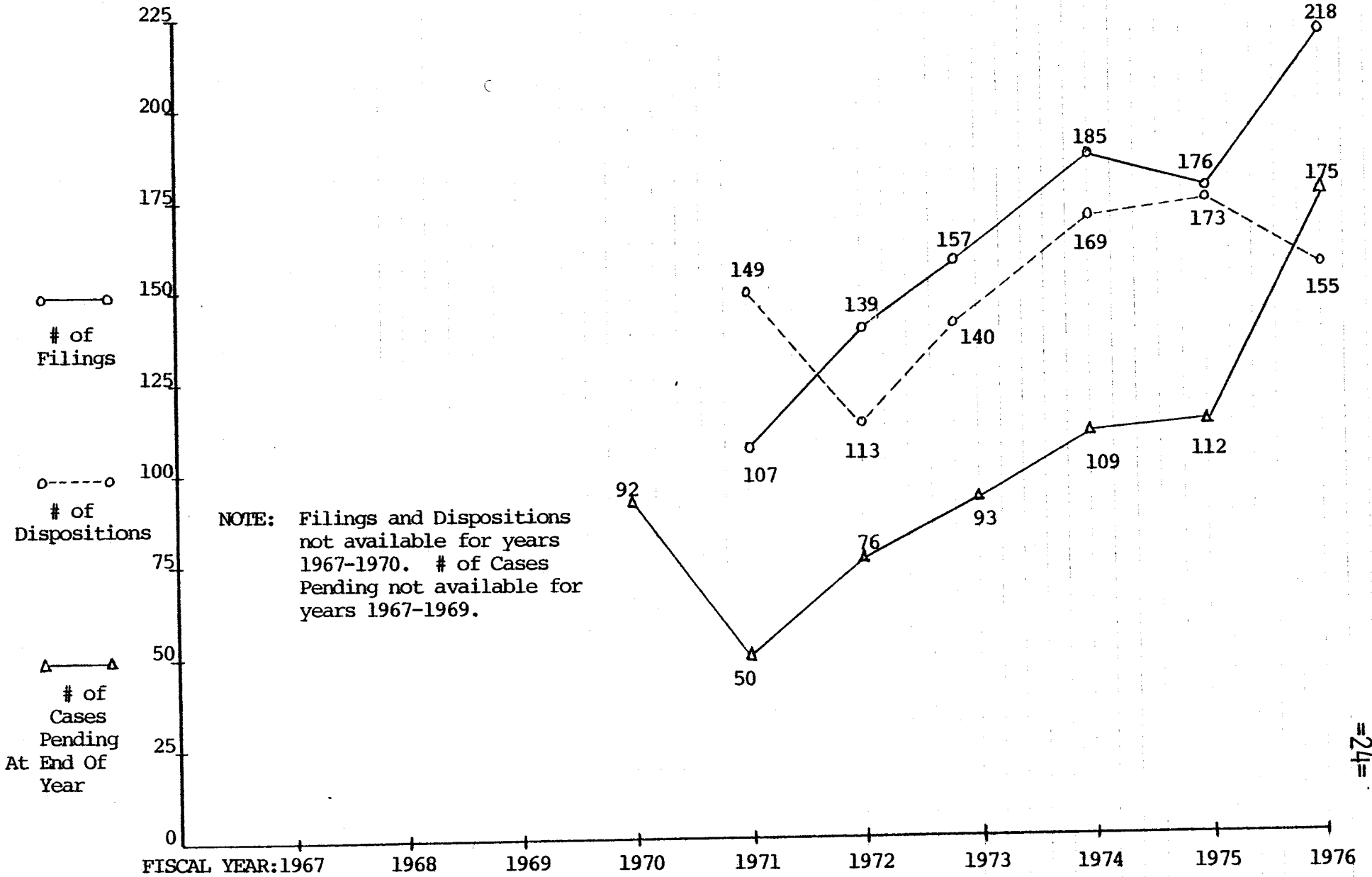


SUPREME COURT
10 - YEAR WORKLOAD TREND
CRIMINAL CASES



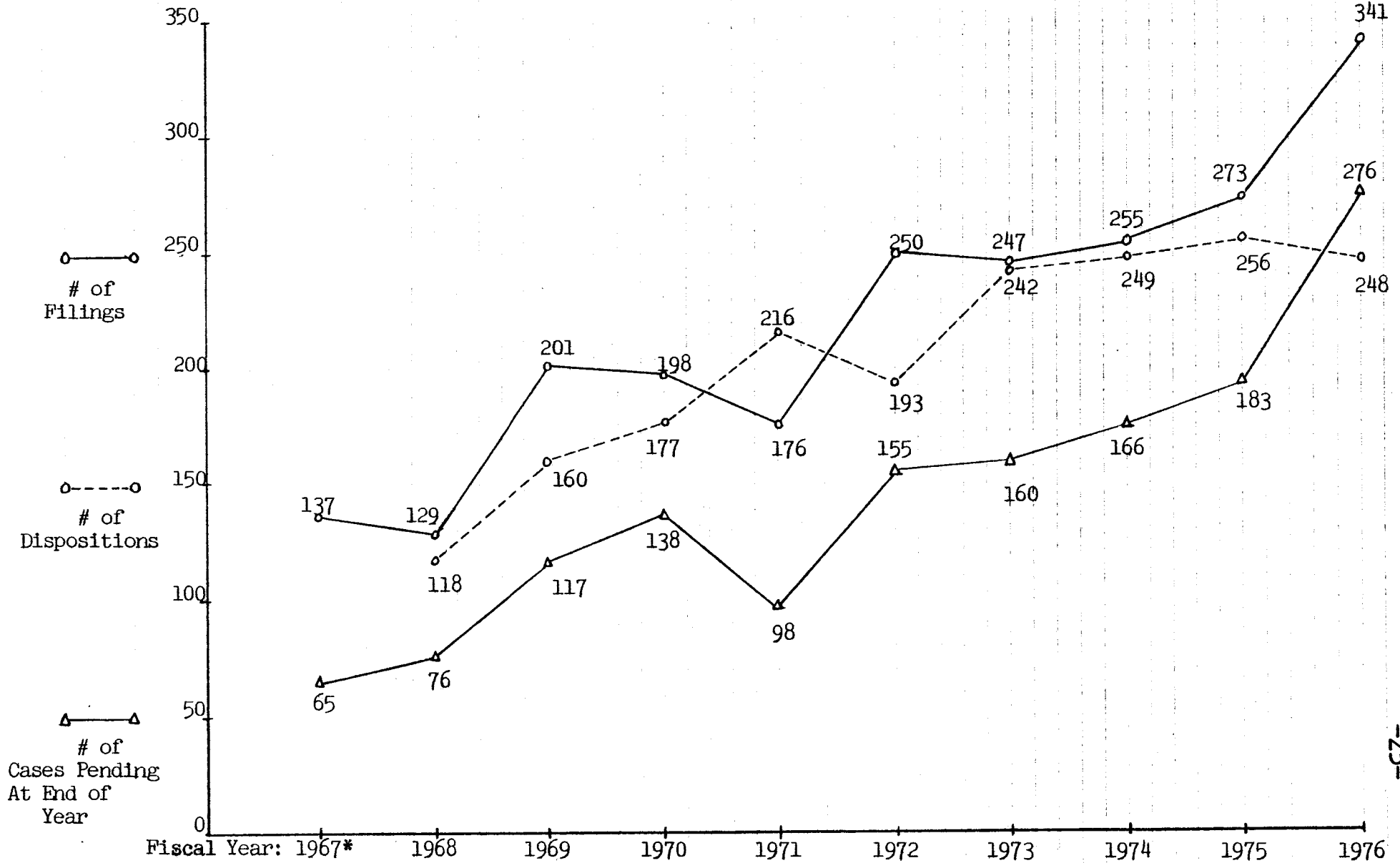
SUPREME COURT

10-YEAR WORKLOAD TREND
CIVIL CASES



SUPREME COURT

10-YEAR WORKLOAD TREND
TOTAL CASES



*Calendar Year

NOTE: Number of Dispositions not available for 1967.

SUMMARY OF

Supreme Court

BUDGET

02 01 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES:</u>			
1. Judicial	126,500.00	126,500.00	210,500.00
2. Employees	100,896.54	114,746.00	240,307.00
EMPLOYMENT COSTS		24,217.00	50,610.00
PERSONAL SERVICES		2,000.00	6,860.00
TRAVEL	3,280.35	2,500.00	11,350.00
CONTRACTUAL SERVICES	19,939.77	12,915.00	32,770.00
SUPPLIES & MATERIALS	5,857.32	8,165.00	13,348.00
CAPITAL OUTLAY	2,379.56	3,400.00	31,099.00
BOARD OF BAR EXAMINERS			8,952.00
DEBIT SERVICES:			
Principle	20,000.00	20,000.00	20,000.00
Interest	9,670.00	8,725.00	7,780.00
GRAND TOTAL	288,523.54	323,168.00	633,576.00

**Court
of
Chancery**

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown, that is, at one location in each county in the county seat.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery largely consists of corporate matters, petitions concerning trusts, estates, and other fiduciary matters, disputes involving real property such as boundary and title disputes, and commercial and contractual matters. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues at Superior Court.

Judges

There are one Chancellor and two Vice-Chancellors who hold the Court of Chancery. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12 year terms. The Chancellor and Vice-Chancellors must be learned in the law.

Support Personnel

The Chancellor may appoint Court Reporters, Bailiffs, Criers of Pages, and Law Clerks. Each of the Judges may appoint one office secretary.

An elected Register in Chancery of each county is Clerk of the Court of Chancery for the county. The Judges appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasi-judicial powers are now held by the Court of Chancery. A Register of Wills is elected in each county for that county. The Chancellor shall name a Chief Deputy Register of Wills for each county.

COURT OF CHANCERY (CONT'D)

Public Guardian

The Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person and/or property of the aged, the mentally infirm and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Case Load Trend

While the number of civil actions filed during fiscal 1976, 408, did not reach the peak achieved in fiscal 1974, it was the second highest total in the Court's history. The high number of dispositions in the third quarter of the fiscal year is due to an annual review of the caseload by the Court and counsel in relation to the annual calendar call. It should be remembered that these figures are only civil actions and do not include any court work in regard to miscellaneous matters and estates, data for which has only been available in the last two years. Both areas showed an increase during fiscal 1976. It should also be noted that the Court was last enlarged in 1961 and that in fiscal 1961 the number of civil actions filed was 210. Moreover, it has been since 1961 that the bulk of the jurisdiction of the Orphans Court was transferred to the Court of Chancery.

COURT OF CHANCERY

JUDICIARY

Chancellor
Hon. William Marvel
Carolyn Hazen, Secretary
(571-2441)

Vice-Chancellor
Hon. Maurice A. Hartnett, III
Vacant, Secretary
(571-2443)

Vice-Chancellor
Hon. Grover C. Brown
Mary Lou Wilcoxson, Secretary
(856-5338)

COURT OF CHANCERY

SUPPORT PERSONNEL

Court Reporters

Henry D. Skogmo, Chief
Lorraine B. Marino
Marian Wagner, Secretary
Dorothy Cordell, Secretary
(571-2447)

Administrative Secretary

Carole S. Chmura
(571-2440)

Law Clerks

Richard C. Kiger
Edward P. Welch
(571-2444)

ADDRESSES

Court of Chancery
134 Public Building
1020 King Street
Wilmington, DE 19801

Court of Chancery
Kent County Courthouse
The Green
Dover, DE 19901

Court of Chancery
Sussex County Courthouse
The Circle
Georgetown, DE 19947

REGISTERS IN CHANCERY

New Castle County

Basil R. Battaglia
M-32 Public Building
1020 King Street
Wilmington, DE 19801
(571-7540)

Kent County

Stanley Wayne Anthony
Kent County Courthouse
The Green
Dover, DE 19901
(678-3100, X205)

Sussex County

Harvey F. Donovan
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7702, X229)

REGISTERS OF WILLS

New Castle County

James P. D'Angelo, Esq.
Public Building
1020 King Street
Wilmington, DE 19801
(571-7545)

Kent County

Ralph R. Smith
Kent County Courthouse
The Green
Dover, DE 19901
(678-3100)

Sussex County

Wilson McCabe
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7701)

COURT OF CHANCERY

FISCAL YEAR 1976
CIVIL CASESFILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	80	71	70	84	305
Kent	14	13	12	8	47
Sussex	19	15	10	12	56
State	<u>113</u>	<u>99</u>	<u>92</u>	<u>104</u>	<u>408</u>

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	33	41	126	96	296
Kent	7	9	19	9	44
Sussex	5	11	23	10	49
State	<u>45</u>	<u>61</u>	<u>168</u>	<u>115</u>	<u>389</u>

PENDING

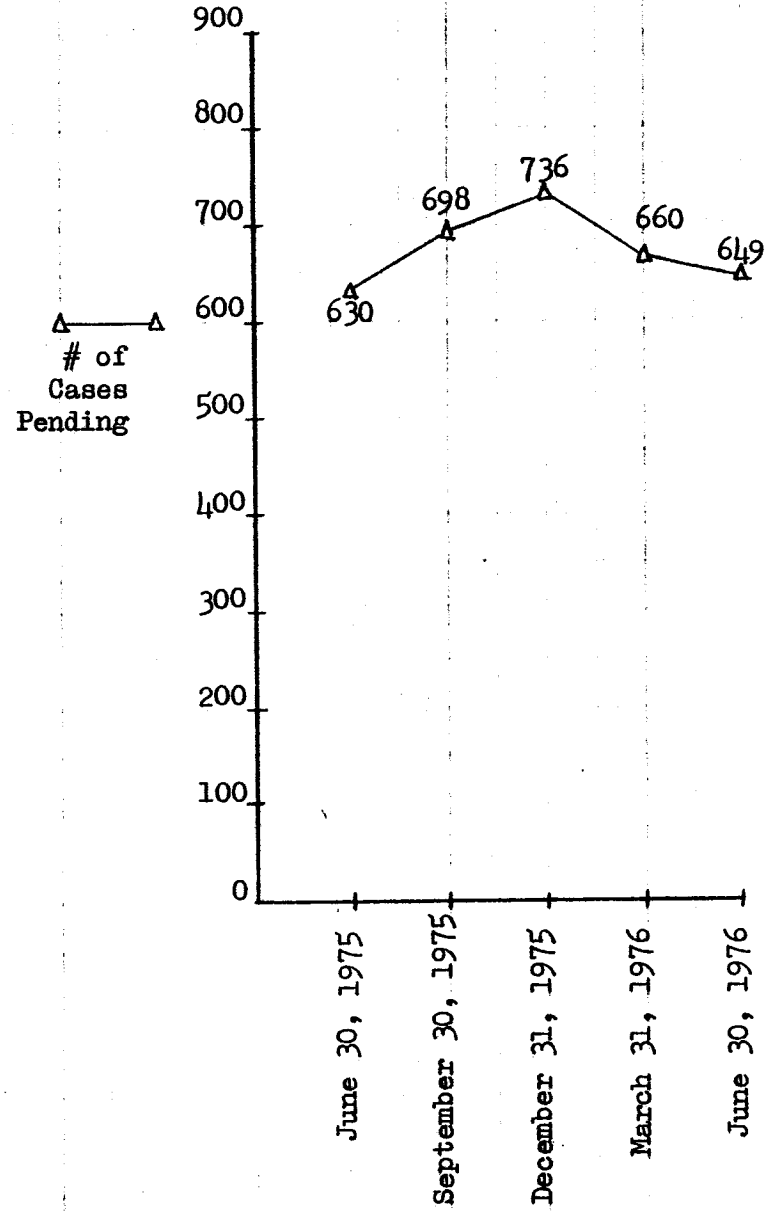
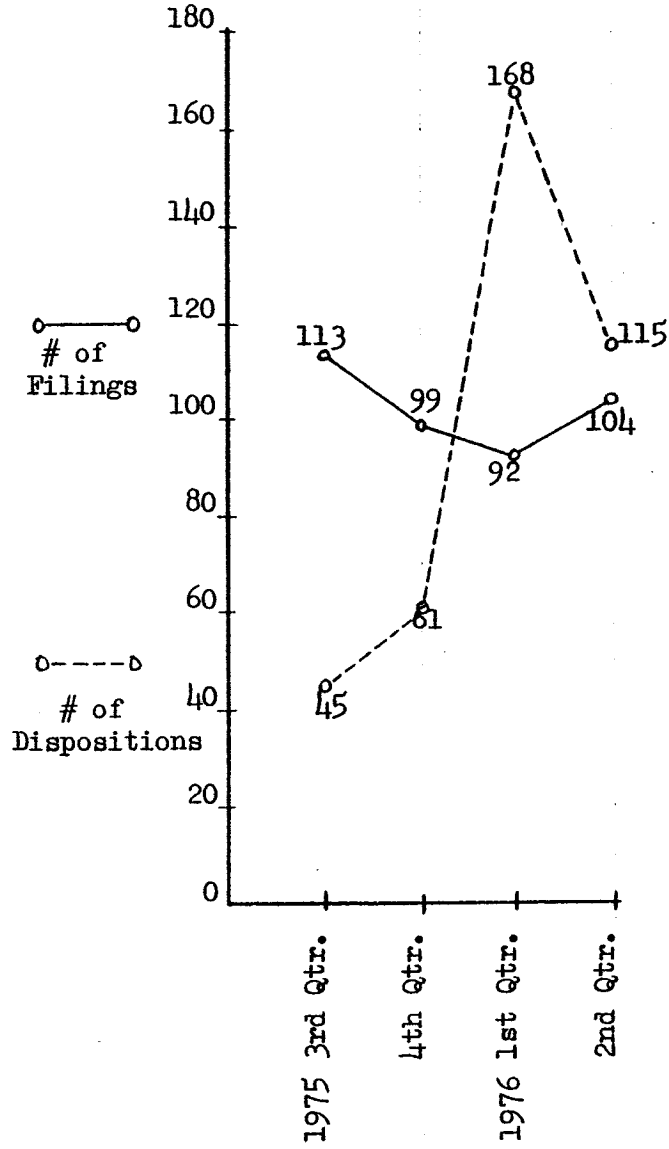
	<u>6-30-75</u>	<u>9-30-75</u>	<u>12-31-75</u>	<u>3-31-76</u>	<u>6-30-76</u>
New Castle	503	550	580	524	512
Kent	62	69	73	66	65
Sussex	65	79	83	70	72
State	<u>630</u>	<u>698</u>	<u>736</u>	<u>660</u>	<u>649</u>

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	+47	+30	-56	-12	+9
Kent	+7	+4	-7	-1	+3
Sussex	+14	+4	-13	+2	+7
State	<u>+68</u>	<u>+38</u>	<u>-76</u>	<u>-11</u>	<u>+19</u>

COURT OF CHANCERY

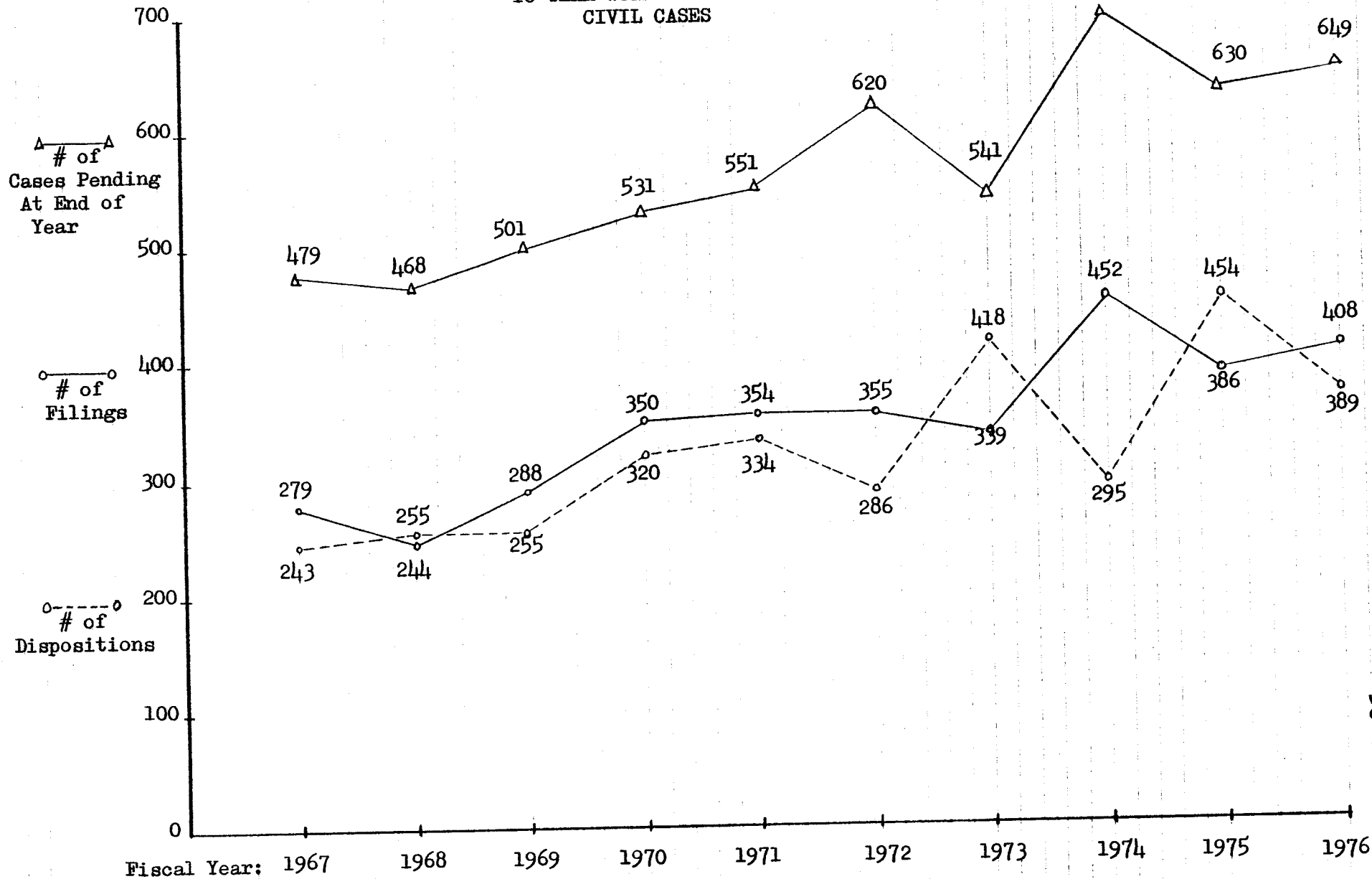
FISCAL YEAR 1976
CIVIL CASES



COURT OF CHANCERY
COMPARISON - FISCAL YEARS 1975-1976
CIVIL CASES

<u>FILINGS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	281	305	+24	+ 8.5%
Kent	65	47	-18	-27.7%
Sussex	40	56	+16	+40.0%
State	<u>386</u>	<u>408</u>	<u>+22</u>	<u>+ 5.7%</u>
<u>DISPOSITIONS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	349	296	-53	-15.2%
Kent	62	44	-18	-29.0%
Sussex	43	49	+ 6	+14.0%
State	<u>454</u>	<u>389</u>	<u>-65</u>	<u>-14.3%</u>
<u>PENDING</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	503	512	+ 9	+ 1.8%
Kent	62	65	+ 3	+ 4.9%
Sussex	65	72	+ 7	+10.8%
State	<u>630</u>	<u>649</u>	<u>+19</u>	<u>+ 3.0%</u>

COURT OF CHANCERY
 10-YEAR WORKLOAD TREND
 CIVIL CASES



COURT OF CHANCERY

PAGE
=37=FISCAL YEAR 1976
MISCELLANEOUS MATTERS

<u>NEW CASTLE</u>	<u>Pending 6-30-75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-76</u>	<u>Change</u>
Guardians for Minors	584	115	98	601	+17
Guardians for Infirm	409	90	43	456	+47
Trustees for Mentally Ill	126	9	2	133	+ 7
Other Matters	239	44	22	261	+22
Trusts	<u>1,564</u>	<u>102</u>	<u>137</u>	<u>1,529</u>	<u>-35</u>
TOTALS	<u>2,922</u>	<u>360</u>	<u>302</u>	<u>2,980</u>	<u>+58</u>

<u>KENT</u>	<u>Pending 6-30-75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-76</u>	<u>Change</u>
Guardians for Minors	150	31	19	162	+12
Guardians for Infirm	58	19	8	69	+11
Trustees for Mentally Ill	9	2	0	11	+ 2
Other Matters	13	10	8	15	+ 2
Trusts	<u>96</u>	<u>6</u>	<u>6</u>	<u>96</u>	<u>0</u>
TOTALS	<u>326</u>	<u>68</u>	<u>41</u>	<u>353</u>	<u>+27</u>

<u>SUSSEX</u>	<u>Pending 6-30-75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-76</u>	<u>Change</u>
Guardians for Minors	275	44	17	302	+27
Guardians for Infirm	52	20	0	72	+20
Trustees for Mentally Ill	16	1	1	16	0
Other Matters	10	75	69	16	+ 6
Trusts	<u>209</u>	<u>50</u>	<u>12</u>	<u>247</u>	<u>+38</u>
TOTALS	<u>562</u>	<u>190</u>	<u>99</u>	<u>653</u>	<u>+91</u>

<u>STATE</u>	<u>Pending 6-30-75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-76</u>	<u>Change</u>
Guardians for Minors	1,009	190	134	1,065	+56
Guardians for Infirm	519	129	51	597	+78
Trustees for Mentally Ill	151	12	3	160	+ 9
Other Matters	262	129	99	292	+30
Trusts	<u>1,869</u>	<u>158</u>	<u>155</u>	<u>1,872</u>	<u>+ 3</u>
TOTALS	<u>3,810</u>	<u>618</u>	<u>442</u>	<u>3,986</u>	<u>+176</u>

COURT OF CHANCERY
COMPARISON - FISCAL YEARS 1975-1976
MISCELLANEOUS MATTERS

<u>FILINGS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	286	360	+74	+25.9%
Kent	52	68	+16	+30.8%
Sussex	<u>127</u>	<u>190</u>	<u>+63</u>	<u>+49.6%</u>
State	465	618	+153	+32.9%

<u>DISPOSITIONS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	238	302	+64	+26.9%
Kent	41	41	0	0.0%
Sussex	<u>114</u>	<u>99</u>	<u>-15</u>	<u>-13.2%</u>
State	393	442	+49	+12.5%

<u>PENDING AT END OF YEAR</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,922	2,980	+58	+ 2.0%
Kent	326	353	+27	+ 8.3%
Sussex	<u>562</u>	<u>653</u>	<u>+91</u>	<u>+16.2%</u>
State	3,810	3,986	+176	+ 4.6%

COURT OF CHANCERY
FISCAL YEAR 1976
ESTATES

<u>ESTATES OPENED</u>					
	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	242.	256	260	289	1,047
Kent	55	53	63	53	224
Sussex	83	75	102	103	363
State	<u>380</u>	<u>384</u>	<u>425</u>	<u>445</u>	<u>1,634</u>
<u>ESTATES CLOSED</u>					
	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	208	264	280	293	1,045
Kent	42	54	33	38	167
Sussex	116	110	87	93	406
State	<u>366</u>	<u>428</u>	<u>400</u>	<u>424</u>	<u>1,618</u>
<u>ESTATES REMAINING OPEN</u>					
	<u>6-30-75</u>	<u>9-30-75</u>	<u>12-31-75</u>	<u>3-31-76</u>	<u>6-30-76</u>
New Castle	1,882	1,916	1,908	1,888	1,884
Kent	513	526	525	555	570
Sussex	752	719	456*	471	481
State	<u>3,147</u>	<u>3,161</u>	<u>2,889</u>	<u>2,914</u>	<u>2,935</u>
<u>CHANGES IN ESTATES REMAINING OPEN</u>					
	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	+34	- 8	-20	- 4	+ 2
Kent	+13	- 1	+30	+15	+57
Sussex	-33	-35*	+15	+10	-43
State	<u>+14</u>	<u>-44</u>	<u>+25</u>	<u>+21</u>	<u>+16</u>

*On November 1, 1975, the Sussex County Register of Wills removed 228 estates filed prior to July 1, 1968, from consideration. Although those estates are technically still open, they are not active in any sense and therefore are no longer listed in these reports.

COURT OF CHANCERY
COMPARISON - FISCAL YEARS 1975-1976
ESTATES

<u>ESTATES OPENED</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	975	1,047	+72	+ 7.4%
Kent	237	224	-13	- 5.5%
Sussex	387	363	-24	- 6.2%
State	<u>1,599</u>	<u>1,634</u>	<u>+35</u>	<u>+ 2.2%</u>

<u>ESTATES CLOSED</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	731	1,045	+314	+43.0%
Kent	247	167	- 80	-32.4%
Sussex	348	406	+ 58	+16.7%
State	<u>1,326</u>	<u>1,618</u>	<u>+292</u>	<u>+22.0%</u>

<u>ESTATES REMAINING OPEN AT END OF YEAR</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,882	1,884	+ 2	+ 0.1%
Kent	513	570	+ 57	+11.1%
Sussex	752	481	-271	-36.0%
State	<u>3,147</u>	<u>2,935</u>	<u>-212</u>	<u>- 6.7%</u>

SUMMARY OF

Court of Chancery

BUDGET

02 02 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	GENERAL APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES</u>			
1. Judicial	117,500.00	114,209.00	117,500.00
2. Employees	119,184.36	119,748.00	152,811.00
EMPLOYMENT COSTS		24,836.00	32,561.00
PERSONAL SERVICES	230.00	500.00	2,000.00
TRAVEL	1,925.04	1,745.00	2,940.00
CONTRACTUAL SERVICES	8,932.04	9,110.00	12,040.00
SUPPLIES & MATERIALS	4,859.47	5,210.00	5,950.00
CAPITAL OUTLAY	3,814.47	2,100.00	12,320.00
GRAND TOTAL	256,445.54	277,758.00	338,152.00

Public Guardian

THE PUBLIC GUARDIANLegal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, §3991, of the Delaware Code:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure. The salary of the Public Guardian shall be \$18,500.00 per annum, to be paid from the General Fund. The Chancellor, in his discretion, may require the Public Guardian to post bond.

Geographic Organization

The Office of the Public Guardian has responsibility for the entire state and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are spelled out in Title 12, §3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court Order, shall:

1. Serve as guardian for the property of aged, mentally infirm or physically incapacitated persons, pursuant to §3914 of this Title;
2. Serve as a guardian for the person of aged, mentally infirm or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or,
3. Serve as both guardian of the person and of property of such person."

The intent of the legislation creating the Office of the Public Guardian was to create a guardianship capability for those situations in which a person needing a guardian does not have any relative, friend or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would be best served by a neutral guardian.

Personnel

The Public Guardian is assisted by an Administrative Assistant and a Secretary.

Case Load

In the year of operation November 1, 1975 to October 31, 1976, the office received 101 referrals, of which 75 were from New Castle County, 15 from Kent and 11 from Sussex. Of this number, 23 were determined to need the services of the Public Guardian as a guardian,

and petitions were presented in the appropriate counties. Two petitions were withdrawn prior to hearing, one because of death of the potential ward and the other because family members agreed to accept the guardianship responsibility. As of October 31, 1976, the Public Guardian has responsibility for a total of 26 wards.

The remaining 78 cases were determined not to need guardianship for the solution of their problems and were served by mobilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client to take some voluntary action on his own behalf, or simply offering counselling to help the client solve his own problems.

PUBLIC GUARDIAN
310 Odd Fellows Building
920 King Street
Wilmington, Delaware 19801
(571-2990)

PERSONNEL

Public Guardian
Thomas J. Posatko

Administrative Assistant
Karen H. Groundland

Secretary
Barbara A. Walker

PUBLIC GUARDIAN
FISCAL YEAR 1976

NEW REFERRALS

<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTAL</u>
22	27	25	20	94

CASES CLOSED

<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTAL</u>
29	19	20	23	91

CASES PENDING

<u>6-30-75</u>	<u>9-30-75</u>	<u>12-31-75</u>	<u>3-31-76</u>	<u>6-30-76</u>
25	18	26	31	28

CHANGES IN PENDING

<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTAL</u>
-7	+8	+5	-3	+3

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	GENERAL APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES</u>			
1. Employees	35,567.48	35,754.00	40,347.00
EMPLOYMENT COSTS		6,703.00	7,747.00
PERSONAL SERVICES	21.00	2,000.00	2,300.00
TRAVEL	95.83	250.00	250.00
CONTRACTUAL SERVICES	4,313.88	5,770.00	5,820.00
SUPPLIES & MATERIALS	955.72	1,785.00	1,850.00
CAPITAL OUTLAY	807.49	200.00	500.00
SPECIAL ITEMS:			
(a) Contingency Fund		4,060.00	
GRAND TOTAL	41,761.40	56,522.00	58,814.00

Superior Court

SUPERIOR COURT

Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

This court has statewide original jurisdiction over criminal and civil causes, except equity causes, over which the Court of Chancery has exclusive jurisdiction. On November 21, 1975, divorce jurisdiction was transferred from Superior Court to the Family Court. The Court has exclusive jurisdiction over felonies and drug offenses (excepting most felonies and drug offenses involving minors) and jurisdiction over termination of parental rights and adoptions. The Superior Court hears appeals on the law from the Court of Common Pleas, the Unemployment and Industrial Accident Boards, the Liquor Commission, the Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard as second trials (trials de novo) in this Court. Appeals from Superior Court are argued on the record in the Supreme Court.

Judges

Number: There are eleven judges appointed to the Superior Court bench; one is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law and must be members of the Delaware Bar.

Support Personnel

The Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

An elected Prothonotary for each county serves as Clerk of the Superior Court for each county. The Prothonotary is the recordkeeper for Superior Court, and as such, the Prothonotary is directly involved with the civil court calendar. The office also handles the jury list, court exhibits, property liens, registration of law students and attorneys, and is the custodian of fees for the courts and for the Attorney General. Functions of the Prothonotary's office are divided as follows: Civil, Criminal, Indexing and Entry of Judgments and Executions, Administrative, Terminations and Adoptions. Further, the Prothonotary's office is charged with the security, care and custody of Court's exhibits.

Caseload Trend

In September, 1975, Superior Court assumed control of the criminal calendar, which had formerly been handled by the Attorney General. The Criminal Case Scheduling Office was established to handle the criminal calendar in conjunction with the Criminal Office Judge.

Four criminal case "blitz" periods were held during the past fiscal year in an attempt to reduce the backlog of pending criminal defendants. The civil calendar was suspended during these periods and the court concentrated exclusively on trial of criminal cases. These efforts are reflected in two ways - an increase in the number of defendants whose charges were disposed of (4,022 in FY 1972, an all-time high), but also an increase in the number of civil cases awaiting adjudication. Despite the loss of divorce jurisdiction, the total number of pending civil actions declined by only 350. The numbers of pending cases increased in every remaining category except Adoptions and Terminations.

This year, for the first time, complete workload data is available for civil actions. A system of monthly reports is being developed for submission by the prothonotaries to insure that this data will continue to be available in the future.

Also for the first time this year, the Criminal Case Scheduling Office compiled complete information on the criminal case activity of Superior Court in addition to its scheduling responsibilities. Complete workload data is available as well as performance data, including the extent to which the criminal justice system as a whole, as well as Superior Court by itself, is meeting the Chief Justice's Speedy Trial Mandate. (The Supreme Court has adopted a standard for processing criminal cases. Such cases must be disposed of within 120 days of the date of arrest.) Statistics developed by the Case Scheduling Office indicate that the number of filings and dispositions continue to remain at high levels.

SUPERIOR COURT

JUDICIARY

President Judge

Hon. Albert J. Stiftel
Ann Lafferty, Secretary
(571-2355)

New Castle County Resident Judge

Hon. Andrew D. Christie
Elaine M. Ryan, Secretary
(571-2358)

Kent County Resident Judge

Hon. George R. Wright
Janet L. Case, Secretary
(678-5331)

Sussex County Resident Judge

Hon. Claud L. Tease
Mary Ellen Greenly, Secretary
(856-5256)

Associate Judges

Hon. Robert C. O'Hara
Doris Myers, Secretary
(571-2370)
Hon. Vincent A. Bifferato
Betty Gilson, Secretary
(571-2361)
Hon. Clarence W. Taylor
Carol Edwards, Secretary
(571-2374)
Hon. Joseph T. Walsh
Linda Flohr, Secretary
(571-2369)
Hon. Bernard P. Balick
Ivone Marvel, Secretary
(571-2367)
Hon. Joseph J. Longobardi
Anne Marie Brown, Secretary
(571-2544)

Associate Judge

Hon. William G. Bush, III
Eileen Masino, Secretary
(678-5331)

SUPERIOR COURT

SUPPORT PERSONNEL

Administrator
Frederick Kirch
S. Maureen Golden, Secretary
(571-2380)

NEW CASTLE COUNTY

Accountant
Michael Indellini
(571-2376)

Receptionist
Irma Whittington

Case Scheduling Office
J. Gary Dean, Chief
Donald Marston
Sarah O. Jones
(571-2409)

Administrative Assistant to
Criminal Office Judge
Robert P. Pasquale (Federally Funded)
(571-2414)

Law Clerks
Robert Aulgur
Jeffrey Marlin
Bettina Ferguson
Gary Bryde

Jury Commissioners
John N. Russo
Delores G. Tatman

KENT COUNTY

John Liguori

Wallace F. McFaul, Jr.
John R. McDonald

SUSSEX COUNTY

Ralph L. Swain
Walter M. Betts

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Presentence Office

Frank T. Miller, Chief
Gregory Fullhart, Assistant Chief
Linden Ballance
Mona Bayard
William G. Echols
Ronald Keen
Barbara P. Holloway
Deborah M. Wailes (Federally Funded)
Peggy Papili, Secretary
Kathleen Lucas, Secretary
Ellen L. Pajewski, Secretary (Federally Funded)
Ramona Monsen, Secretary
Catherine Palmatary, Secretary
Geraldine A. Talley, Secretary (Federally Funded)
Carol A. Hames, Secretary (Federally Funded)
Vacant, Secretary
Vacant, Secretary
(571-2420)

Court Reporters

Morris D. Pearson, Chief
Betty J. Gleason
Gary S. Kivelowitz
Donald M. Matthews
David G. Meedings
Thomas Aitken
Kathleen Donahue
Patrick Mastroianni
Joel Leibow
William Colvin
John White, Jr.
Frances Dawson
Charles Iuliano
Delores Blevins, Secretary
George Ackerman, Secretary
(571-2390)

KENT COUNTY

Ralph D. Knotts, Jr.
Horace B. Willey
Norma Jean Tribbett, Secretary
(734-7522)

Vacant

SUSSEX COUNTY

Robert D. Downes
Charles G. Allen
J. Milton Messick
Edna Snowden, Secretary

Debra S. Mitchell
Eileen Murawski
Priscilla Stuchlik,
Secretary

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Bailiffs

William Davis, Sr., Chief
Walter G. Darrell
Constance H. Harding
William A. Landon
Jean L. Luff
Rita McCaffery
Michael Tyrawski
John R. Whittington
Stanford V. Williams
William Marvel
Arnold Williams

ADDRESSES

Superior Court
Public Building
1020 King Street
Wilmington, DE 19801

PROTHONOTARIES

New Castle County
George J. Fisher
Public Building
1020 King Street
Wilmington, DE 19801
(571-7570)

KENT COUNTY

Thomas Rogers
John Garrity
Madeline Powell

Superior Court
Kent County Courthouse
The Green
Dover, DE 19901

Kent County
John H. Shaffer
Kent County Courthouse
The Green
Dover, DE 19901
(678-3100)

SUSSEX COUNTY

Earl E. Clark
Sydney Hitchens

Superior Court
Sussex County Courthouse
The Circle
Georgetown, DE 19947

Sussex County
Elwood L. Rust
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-7701)

SUPERIOR COURTFISCAL YEAR 1976
CRIMINAL FILING DATA
EXPLANATORY NOTES

1. All figures represent numbers of defendants only; they should not be confused with numbers of indictments, numbers of cases, criminal action numbers, or any other such figures.
2. A defendant is defined as an individual named in an indictment, so that an individual named in three indictments would be three defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day would be counted as one defendant.
3. In Kent County only, each charge indicted against each defendant is returned as a separate indictment. Due to this practice, each person indicted at a Grand Jury session is counted as one defendant, no matter how many charges are indicted against that defendant, and without regard to later actions of the Attorney General which lead to separate trials.
4. Informations represent defendants who have waived indictment.
5. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties holds jury trials itself, there are no transfers in those two counties.
6. Although New Informations are given separate criminal action numbers by Superior Court, they are not counted in these figures since they represent amendments to charges facing defendants already pending before the court, not new defendants. Inclusion of New Informations as filings would artificially inflate the number of defendants filed in any time period.
7. During Fiscal Year 1976, the following New Informations were filed:

New Castle	171
Kent	11
Sussex	0
State	<u>182</u>

FISCAL YEAR 1976
CRIMINAL FILINGS

<u>Month</u>	<u>NEW CASTLE</u>				<u>TOTALS</u>
	<u># of Defendants Brought to Superior Court By:</u> <u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Transfer</u>	
July 1975	148	2	12	25	187
August 1975	209	1	12	23	245
September 1975	169	8	13	37	227
October 1975	235	7	12	26	280
November 1975	143	7	11	37	198
December 1975	187	11	17	43	258
January 1976	127	13	14	39	193
February 1976	143	8	13	21	185
March 1976	223	12	13	31	279
April 1976	239	6	12	23	280
May 1976	235	9	8	33	285
June 1976	<u>252</u>	<u>8</u>	<u>12</u>	<u>22</u>	<u>294</u>
TOTALS	2,310	92	149	360	2,911
Percentage of Total	79.4%	3.2%	5.1%	12.4%	100.0%

<u>Month</u>	<u>KENT</u>			
	<u># of Defendants Brought to Superior Court By:</u> <u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>TOTALS</u>
July 1975	35	1	5	41
August 1975	52	2	1	55
September 1975	27	1	3	31
October 1975	38	1	4	43
November 1975	20	1	0	21
December 1975	23	1	6	30
January 1976	32	3	6	41
February 1976	30	3	6	39
March 1976	21	0	5	26
April 1976	35	3	7	45
May 1976	20	3	2	25
June 1976	<u>26</u>	<u>6</u>	<u>2</u>	<u>34</u>
TOTALS	359	25	47	431
Percentage of Total	83.3%	5.8%	10.9%	100.0%

SUPERIOR COURT

FISCAL YEAR 1976
CRIMINAL FILINGS

<u>Month</u>	<u>SUSSEX</u> # of Defendants Brought to Superior Court By:			
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>TOTALS</u>
July 1975	32	5	5	42
August 1975	0	7	7	14
September 1975	38	0	7	45
October 1975	36	2	8	46
November 1975	0	0	6	6
December 1975	26	1	4	31
January 1976	40	2	7	49
February 1976	30	4	7	41
Marcy 1976	38	4	7	49
April 1976	27	3	9	39
May 1976	0	0	7	7
June 1976	<u>45</u>	<u>7</u>	<u>6</u>	<u>58</u>
TOTALS	312	35	80	427
Percentage of Total	73.1%	8.2%	18.7%	100.0%

<u>Month</u>	<u>STATE</u> # of Defendants Brought to Superior Court By:				<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Transfer</u>	
July 1975	215	8	22	25	270
August 1975	261	10	20	23	314
September 1975	234	9	23	37	303
October 1975	309	10	24	26	369
November 1975	163	8	17	37	225
December 1975	236	13	27	43	319
January 1976	199	18	27	39	283
February 1976	203	15	26	21	265
March 1976	282	16	25	31	354
April 1976	301	12	28	23	364
May 1976	255	12	17	33	317
June 1976	<u>323</u>	<u>21</u>	<u>20</u>	<u>22</u>	<u>386</u>
TOTALS	2,981	152	276	360	3,769
Percentage of Total	79.1%	4.0%	7.3%	9.6%	100.0%

SUPERIOR COURTFISCAL YEAR 1976
CRIMINAL DISPOSITIONS
EXPLANATORY NOTES

1. All figures represent numbers of defendants only; they should not be confused with numbers of cases, criminal action numbers, or any other such figures. The trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials.
2. A defendant is defined as an individual named in an indictment, so that an individual named in three indictments would be three defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day would be counted as one defendant.
3. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. If a defendant pleads to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea.
4. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. Since the New Information represents essentially a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition. Counting a defendant as nol-prossed and as having entered a plea to a new information means counting two dispositions for one case. Thus, by not counting as dispositions defendants who have original charges nol-prossed as part of plea agreements involving New Informations, the dispositions reflect an accurate picture of the court's workload.
5. During FY 1976, the following number of nol-prosses were filed for defendants who entered pleas to New Informations:

New Castle	149
Kent	13
Sussex	1
State	<u>163</u>
6. Only nol-prosses filed after indictment, information, appeal, or transfer date are counted. Charges dropped prior to those dates do not really represent dispositions because the defendants were never formally before Superior Court.

SUPERIOR COURT

FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
EXPLANATORY NOTES
CONTINUED

7. Appeals dispositions include appeals dismissed, appeals remanded, decisions affirmed, and decisions reversed. This does not represent the disposition of every appeal that is filed; some are disposed of by trial de novo, plea, or nolle prosequi.
8. During FY 1976, all "Other" dispositions were Attorney General's Probation.

FISCAL YEAR 1976
CRIMINAL DISPOSITIONSNEW CASTLE

of Defendants Disposed of By:

<u>Month</u>	<u>Trial</u>	<u>Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>Appeals</u>	<u>Other</u>	<u>TOTALS</u>
July 1975	27	170	80	5	2	0	284
August 1975	20	73	128	4	0	0	225
September 1975	29	147	77	5	0	0	258
October 1975	29	167	90	3	1	0	290
November 1975	22	112	40	6	3	1	184
December 1975	24	136	71	4	1	0	236
January 1976	20	207	91	5	2	1	326
February 1976	39	122	70	3	7	0	241
March 1976	43	142	88	6	9	3	291
April 1976	33	121	69	2	4	0	229
May 1976	20	148	64	7	2	0	241
June 1976	<u>27</u>	<u>153</u>	<u>60</u>	<u>1</u>	<u>5</u>	<u>0</u>	<u>246</u>
TOTALS	333	1,698	928	51	36	5	3,051
Percentage of Total	10.9%	55.7%	30.4%	1.7%	1.2%	0.2%	100.0%

NP = Nolle Prosequi

KENT

of Defendants Disposed of By:

<u>Month</u>	<u>Trial</u>	<u>Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>Appeals</u>	<u>Other</u>	<u>TOTALS</u>
July 1975	2	24	17*	1	2	0	46
August 1975	0	14	9	0	0	0	23
September 1975	3	28	4	0	0	0	35
October 1975	6	25	13	8	3	0	55
November 1975	2	28	6	1	1	0	38
December 1975	1	24	13	0	4	0	42
January 1976	0	17	8	2	2	0	29
February 1976	1	19	8	2	1	0	31
March 1976	7	54	13	0	3	0	77
April 1976	1	30	13	0	0	0	44
May 1976	5	27	5	0	6	0	43
June 1976	<u>5</u>	<u>31</u>	<u>6</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>43</u>
TOTALS	33	321	115	14	23	0	506
Percentage of Total	6.5%	63.4%	22.7%	2.8%	4.5%	0.0%	100.0%

NP = Nolle Prosequi

SUPERIOR COURT

PAGE
=65=FISCAL YEAR 1976
CRIMINAL DISPOSITIONS

<u>Month</u>	<u>SUSSEX</u> # of Defendants Disposed of By:						<u>TOTALS</u>
	<u>Trial</u>	<u>Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>Appeals</u>	<u>Other</u>	
July 1975	8	40	8	0	3	0	59
August 1975	0	12	6	0	2	0	20
September 1975	3	24	3	0	1	0	31
October 1975	2	38	17	0	4	0	61
November 1975	4	12	13	0	3	0	32
December 1975	2	17	5	2	1	0	27
January 1976	0	7	5	2	1	0	15
February 1976	5	21	8	1	3	0	38
March 1976	3	42	9	1	2	0	57
April 1976	4	9	8	0	4	0	25
May 1976	5	30	13	0	2	0	50
June 1976	<u>16</u>	<u>23</u>	<u>10</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>50</u>
TOTALS	52	275	105	7	26	0	465
Percentage of Total	11.2%	59.1%	22.6%	1.5%	5.6%	0.0%	100.0%

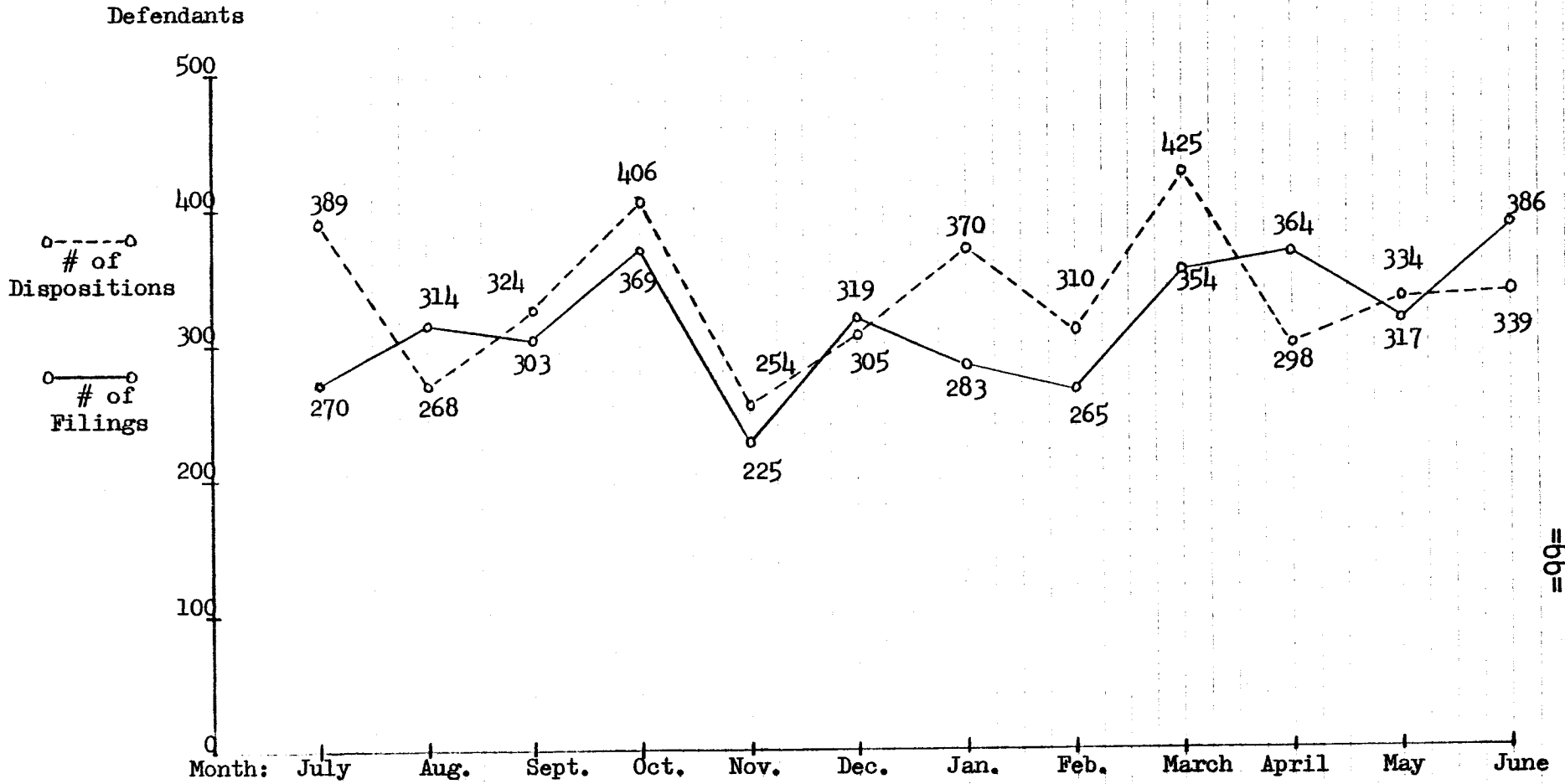
NP = Nolle Prosequi

<u>Month</u>	<u>STATE</u> # of Defendants Disposed of By:						<u>TOTALS</u>
	<u>Trial</u>	<u>Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>Appeals</u>	<u>Other</u>	
July 1975	37	234	105	6	7	0	389
August 1975	20	99	143	4	2	0	268
September 1975	35	199	84	5	1	0	324
October 1975	37	230	120	11	8	0	406
November 1975	28	152	59	7	7	1	254
December 1975	27	177	89	6	6	0	305
January 1976	20	231	104	9	5	1	370
February 1976	45	162	86	6	11	0	310
March 1976	53	238	110	7	14	3	425
April 1976	38	160	90	2	8	0	298
May 1976	30	205	82	7	10	0	334
June 1976	<u>48</u>	<u>207</u>	<u>76</u>	<u>2</u>	<u>6</u>	<u>0</u>	<u>339</u>
TOTALS	418	2,294	1,148	72	85	5	4,022
Percentage of Total	10.4%	57.0%	28.5%	1.8%	2.1%	0.1%	100.0%

NP = Nolle Prosequi

SUPERIOR COURT

FISCAL YEAR 1976
CRIMINAL CASES



SUPERIOR COURT
 FISCAL YEAR 1976
 CRIMINAL DISPOSITIONS
 TRIAL DISPOSITIONS - 1

Month	NEW CASTLE # of Defendants			Guilty	Not Guilty	No Final Disposition	TOTALS*
	Jury Trial	Non-Jury Trial	TOTALS*				
July 1975	14	14	28	18	9	1	28
August 1975	13	8	21	15	5	1	21
September 1975	24	5	29	23	6	0	29
October 1975	25	8	33	20	9	4	33
November 1975	16	9	25	18	4	3	25
December 1975	26	1	27	18	6	3	27
January 1976	18	3	21	16	4	1#	21
February 1976	31	8	39	28	11	0#	39
March 1976	38	6	44	37	6	1#	44
April 1976	30	5	35	30	3	2#	35
May 1976	14	6	20	18	2	0#	20
June 1976	<u>26</u>	<u>2</u>	<u>28</u>	<u>20</u>	<u>7</u>	<u>1#</u>	<u>28</u>
TOTALS	275	75	350	261	72	17#	350
Percentage of Total	78.6%	21.4%	100.0%	74.6%	20.6%	4.9%	100.0%

*These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

#Not all trials which did not result in final dispositions are included because Deadlocked Trials were not counted as dispositions and Decisions Reserved were no longer counted separately.

SUPERIOR COURT
 FISCAL YEAR 1976
 CRIMINAL DISPOSITIONS
 TRIAL DISPOSITIONS - 1

Month	<u>KENT</u> # of Defendants			Guilty	Not Guilty	No Final Disposition	TOTALS*
	Jury Trial	Non-Jury Trial	TOTALS*				
July 1975	2	0	2	2	0	0	2
August 1975	0	0	0	0	0	0	0
September 1975	3	0	3	3	0	0	3
October 1975	3	4	7	6	0	1	7
November 1975	3	0	3	2	0	1#	3
December 1975	2	0	2	1	0	1#	2
January 1976	0	0	0	0	0	0	0
February 1976	2	0	2	1	0	1#	2
March 1976	6	1	7	5	2	0#	7
April 1976	1	0	1	1	0	0#	1
May 1976	5	0	5	3	2	0#	5
June 1976	<u>6</u>	<u>0</u>	<u>6</u>	<u>5</u>	<u>0</u>	<u>1#</u>	<u>6</u>
TOTALS	33	5	38	29	4	5#	38
Percentage of Total	86.8%	13.2%	100.0%	76.3%	10.5%	13.2%	100.0%

*These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reversed are not final dispositions.

#Not all trials which did not result in final disposition are included because Deadlocked Trials were not counted as dispositions and Decisions Reserved were no longer counted separately.

SUPERIOR COURT

FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
TRIAL DISPOSITIONS - 1

Month	SUSSEX # of Defendants			Guilty	Not Guilty	No Final Disposition	TOTALS*
	Jury Trial	Non-Jury Trial	TOTALS*				
July 1975	7	1	8	5	3	0	8
August 1975	0	0	0	0	0	0	0
September 1975	0	3	3	3	0	0	3
October 1975	2	0	2	2	0	0	2
November 1975	1	3	4	3	1	0#	4
December 1975	2	0	2	1	1	0#	2
January 1976	0	0	0	0	0	0	0
February 1976	2	4	6	1	4	1#	6
March 1976	1	2	3	2	1	0#	3
April 1976	2	2	4	3	1	0#	4
May 1976	2	3	5	5	0	0#	5
June 1976	<u>7</u>	<u>9</u>	<u>16</u>	<u>12</u>	<u>4</u>	<u>0#</u>	<u>16</u>
TOTALS	26	27	53	37	15	1#	53
Percentage of Total	49.1%	50.9%	100.0%	69.8%	28.3%	1.9%	100.0%

*These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

#Not all trials which did not result in final disposition are included because Deadlocked Trials were not counted as dispositions and Decisions Reserved were no longer counted separately.

SUPERIOR COURT
 FISCAL YEAR 1975
 CRIMINAL DISPOSITIONS
 TRIAL DISPOSITIONS - 1

Month	STATE # of Defendants		TOTALS*	Guilty	Not Guilty	No Final Disposition	TOTALS*
	Jury Trial	Non-Jury Trial					
July 1975	23	15	38	25	12	1	38
August 1975	13	8	21	15	5	1	21
September 1975	27	8	35	29	6	0	35
October 1975	30	12	42	28	9	5	42
November 1975	20	12	32	23	5	4#	32
December 1975	30	1	31	20	7	4#	31
January 1976	18	3	21	16	4	1#	21
February 1976	35	12	47	30	15	2#	47
March 1976	45	9	54	44	9	1#	54
April 1976	33	7	40	34	4	2#	40
May 1976	21	9	30	26	4	0#	30
June 1976	<u>39</u>	<u>11</u>	<u>50</u>	<u>37</u>	<u>11</u>	<u>2#</u>	<u>50</u>
TOTALS	334	107	441	327	91	23#	441
Percentage of Total	75.7%	24.3%	100.0%	74.1%	20.6%	5.2%	100.0%

*These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

#Some Deadlocked Trials and some Decisions Reserved were not included.

SUPERIOR COURT

FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
TRIAL DISPOSITIONS - 2

NEW CASTLE

of Defendants

Jury Trials

Non-Jury Trials

Not

Decision

Month

Guilty*

PG at
Trial

Not
Guilty

DVA

Dismissed

Deadlocked#

Mistrial

Guilty*

Guilty

Dismissed

Reserved#

TOTALS@

Month	Guilty*	PG at Trial	Not Guilty	DVA	Dismissed	Deadlocked#	Mistrial	Guilty*	Guilty	Dismissed	Decision Reserved#	TOTALS@
July 1975	6	0	7	0	0	1	0	12	2	0	0	28
August 1975	10	0	2	0	0	1	0	5	3	0	0	21
September 1975	19	0	5	0	0	0	0	4	1	0	0	29
October 1975	16	0	8	0	0	1	0	4	1	0	3	33
November 1975	9	3	3	0	0	1	0	6	0	1	2	25
December 1975	14	3	6	0	0	1	2	1	0	0	0	27
January 1976	14	0	3	0	0	N.A.	1	2	1	0	N.A.	21
February 1976	23	1	6	0	1	N.A.	0	4	4	0	N.A.	39
March 1976	31	1	5	0	0	N.A.	1	5	1	0	N.A.	44
April 1976	20	5	2	1	0	1	1	5	0	0	N.A.	35
May 1976	11	2	1	0	0	N.A.	0	5	1	0	N.A.	20
June 1976	<u>17</u>	<u>3</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>N.A.</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>1@@</u>	<u>N.A.</u>	<u>28</u>
TOTALS	190	18	53	1	1	6	6	53	15	2	5	350

N.A. = Not Available

PG = Pled Guilty

DVA = Directed Verdict of Acquittal

*Includes all verdicts of guilty, whether on one, some, or all charges.

#During most months of 1976, Deadlocked Trials were not counted as dispositions and Decisions Reserved were not counted separately.

@These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

@@This was listed as a Directed Verdict of Acquittal.

SUPERIOR COURT

FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
TRIAL DISPOSITIONS - 2

Month	KENT # of Defendants Jury Trials							Non-Jury Trials			Decision Reserved@	TOTALS@@
	Guilty*	PG at Trial	Not Guilty	DVA	Dismissed	Deadlocked#	Mistrial	Guilty*	Not Guilty	Dismissed		
July 1975	2	0	0	0	0	0	0	0	0	0	0	2
August 1975	0	0	0	0	0	0	0	0	0	0	0	0
September 1975	3	0	0	0	0	0	0	0	0	0	0	3
October 1975	2	0	0	0	0	0	1	4	0	0	0	7
November 1975	2	0	0	0	0	1	0	0	0	0	N.A.	3
December 1975	1	0	0	0	0	1	0	0	0	0	N.A.	2
January 1976	0	0	0	0	0	0	0	0	0	0	0	0
February 1976	1	0	0	0	0	1	0	0	0	0	N.A.	2
March 1976	3	1	1	1	0	N.A.	0	1	0	0	N.A.	7
April 1976	1	0	0	0	0	N.A.	0	0	0	0	N.A.	1
May 1976	0	3	2	0	0	N.A.	0	0	0	0	N.A.	5
June 1976	4	1	0	0	0	N.A.	1	0	0	0	N.A.	6
TOTALS	19	5	3	1	0	3	2	5	0	0	0	38

N.A. = Not Available

PG = Pled Guilty

DVA = Directed Verdict of Acquittal

*Includes all verdicts of guilty, whether on one, some, or all charges.

#Beginning in March, 1976, Deadlocked Trials were not counted as dispositions.

@Beginning in November of 1975 Decisions Reserved were not counted separately.

@@These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

SUPERIOR COURT
FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
TRIAL DISPOSITIONS - 2

Month	SUSSEX # of Defendants Jury Trials							Non-Jury Trials				TOTALS
	Guilty*	PG at Trial	Not Guilty	DVA	Dismissed	Deadlocked#	Mistrial	Guilty*	Not Guilty	Dismissed	Decision Reserved@	
July 1975	3	1	3	0	0	0	0	1	0	0	0	8
August 1975	0	0	0	0	0	0	0	0	0	0	0	0
September 1975	0	0	0	0	0	0	0	3	0	0	0	3
October 1975	2	0	0	0	0	0	0	0	0	0	0	2
November 1975	1	0	0	0	0	0	N.A.	2	1	0	N.A.	4
December 1975	1	0	1	0	0	0	N.A.	0	0	0	N.A.	2
January 1976	0	0	0	0	0	0	0	0	0	0	0	0
February 1976	1	0	1	0	0	0	N.A.	0	3	0	1	6
March 1976	1	0	0	0	0	0	N.A.	1	1	0	N.A.	3
April 1976	2	0	0	0	0	0	N.A.	1	1	0	N.A.	4
May 1976	2	0	0	0	0	0	N.A.	3	0	0	N.A.	5
June 1976	<u>4</u>	<u>1</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>N.A.</u>	<u>7</u> çç	<u>1</u>	<u>1</u>	<u>N.A.</u>	<u>16</u>
TOTALS	17	2	6	0	1	0	0	18	7	1	1	53

N.A. = Not Available

PG = Pled Guilty

DVA = Directed Verdict of Acquittal

*Includes all verdicts of guilty, whether on one, some, or all charges.

#After October, 1975, Deadlocked Trials were not counted as dispositions.

@Beginning in November of 1975, Decisions Reserved were usually not counted separately.

çThese figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

ççIncludes one Non-Jury Trial at which the Defendant pled guilty during the trial.

SUPERIOR COURT
FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
TRIAL DISPOSITIONS - 2

Month	STATE # of Defendants Jury Trials							Non-Jury Trials			Decision Reserved@	TOTALS@@
	Guilty*	PG at Trial	Not Guilty	DVA	Dismissed	Deadlocked#	Mistrial	Guilty*	Not Guilty	Dismissed		
July 1975	11	1	10	0	0	1	0	13	2	0	0	38
August 1975	10	0	2	0	0	1	0	5	3	0	0	21
September 1975	22	0	5	0	0	0	0	7	1	0	0	35
October 1975	20	0	8	0	0	1	1	8	1	0	3	42
November 1975	12	3	3	0	0	2	0	8	1	1	2	32
December 1975	16	3	7	0	0	2	2	1	0	0	N.A.	31
January 1976	14	0	3	0	0	N.A.	1	2	1	0	N.A.	21
February 1976	25	1	7	0	1	1	0	4	7	0	1	47
March 1976	35	2	6	1	0	N.A.	1	7	2	0	N.A.	54
April 1976	23	5	2	1	0	1	1	6	1	0	N.A.	40
May 1976	13	5	3	0	0	N.A.	0	8	1	0	N.A.	30
June 1976	<u>25</u>	<u>5</u>	<u>6</u>	<u>0</u>	<u>1</u>	<u>N.A.</u>	<u>2</u>	<u>7ç</u>	<u>2</u>	<u>2çç</u>	<u>N.A.</u>	<u>50</u>
TOTALS	226	25	62	2	2	9	8	76	22	3	6	441

N.A. = Not Available

PG = Pled Guilty

DVA = Directed Verdict of Acquittal

*Includes all verdicts of guilty, whether on one, some, or all charges.

#Deadlocked Trials not always counted as dispositions after October, 1975.

@Decisions Reserved not always counted separately after October, 1975.

@@These figures do not necessarily agree with the total # of defendants disposed of by trial because Deadlocked Trials, Mistrials, and Decisions Reserved are not final dispositions.

çIncludes one Non-Jury Trial at which the Defendant pled guilty during the trial.

ççIncludes one Directed Verdict of Acquittal.

SUPERIOR COURT
 FISCAL YEAR 1976
 CRIMINAL DISPOSITIONS
 PLEA DISPOSITIONS

Month	NEW CASTLE						TOTALS
	# of Defendants*						
	PG	PG-LIO**	PG-Lesser	PG-Lesser-LIO	PG-NI	PG-Information#	
July 1975	89	42	11	4	24	N.A.	170
August 1975	35	21	9	4	4	N.A.	73
September 1975	70	47	10	5	15	N.A.	147
October 1975	77	61	13	7	9	N.A.	167
November 1975	39	51	10	1	11	N.A.	112
December 1975	48	58	9	1	20	N.A.	136
January 1976	77	74	19	10	14	13	207
February 1976	38	49	7	3	16	9	122
March 1976	53	48	11	3	17	10	142
April 1976	45	41	10	3	16	6	121
May 1976	64	45	17	2	12	8	148
June 1976	<u>76</u>	<u>45</u>	<u>12</u>	<u>2</u>	<u>11</u>	<u>7</u>	<u>153</u>
TOTALS	711	582	138	45	169	53	1,698
Percentage of Total	41.9%	34.3%	8.1%	2.7%	10.0%	3.1%	100.0%

N.A. = Not Available
 PG = Pled Guilty to most serious charge.
 PG-LIO = Pled Guilty to Lesser Included Offense of most serious charge.
 PG-Lesser = Pled Guilty to Lesser charge of same indictment or information.
 PG-Lesser-LIO = Pled Guilty to Lesser Included Offense of Lesser charge.
 PG-NI = Pled Guilty to New Information (always a reduced charge).
 PG-Information = Defendant waived indictment and Pled Guilty to Information (always a reduced charge).
 *A plea of Nolo Contendere was considered to be the same as a plea of guilty, e.g., a plea of Nolo Contendere to an LIO was counted in with the PG-LIO's.
 **PG-Amended Information was counted in with the PG-LIO's.
 #PG-Information was not distinguished from PG until January of 1976.

SUPERIOR COURT
FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
PLEA DISPOSITIONS

Month	KENT # of Defendants*		PG-Lesser	PG-Lesser-LIO	PG-NI	PG-Information#	TOTALS
	PG	PG-LIO**					
July 1975	11	10	2	0	1	N.A.	24
August 1975	8	6	0	0	0	N.A.	14
September 1975	12	13	2	0	1	N.A.	28
October 1975	13	11	1	0	0	0	25
November 1975	15	11	1	0	1	0	28
December 1975	7	16	0	1	0	0	24
January 1976	10	6	0	0	1	0	17
February 1976	6	11	0	0	0	2	19
March 1976	24	20	5	0	5	0	54
April 1976	9	9	5	2	1	4	30
May 1976	6	17	1	2	1	0	27
June 1976	<u>15</u>	<u>11</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>31</u>
TOTALS	136	141	20	5	11	8	321
Percentage of Total	42.4%	43.9%	6.2%	1.6%	3.4%	2.5%	100.0%

N.A. = Not Available

PG = Pled Guilty to most serious charge.

PG-LIO = Pled Guilty to Lesser Included Offense of most serious charge.

PG-Lesser = Pled Guilty to Lesser charge of same indictment or information.

PG-Lesser-LIO = Pled Guilty to Lesser Included Offense of Lesser charge.

PG-NI = Pled Guilty to New Information (always a reduced charge).

PG-Information = Defendant waived indictment and Pled Guilty to Information (always a reduced charge).

*A plea of Nolo Contendere was considered to be the same as a plea of guilty, e.g., a plea of Nolo Contendere - Lesser was counted in with the PG-Lesser's.

**PG-Amended Information was counted in with the PG-LIO's.

#PG-Information was not distinguished from PG until October, 1975.

SUPERIOR COURT
FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
PLEA DISPOSITIONS

Month	SUSSEX # of Defendants*						TOTALS
	PG	PG-LIO**	PG-Lesser	PG-Lesser-LIO	PG-NI	PG-Information#	
July 1975	14	18	7	0	1	N.A.	40
August 1975	6	6	0	0	0	N.A.	12
September 1975	10	11	3	0	0	N.A.	24
October 1975	29	7	0	0	1	1	38
November 1975	8	3	1	0	0	0	12
December 1975	5	6	2	3	0	1	17
January 1976	1	5	0	0	0	1	7
February 1976	9	9	2	0	0	1	21
March 1976	9	23	1	0	0	9	42
April 1976	1	2	3	0	0	3	9
May 1976	11	16	0	0	0	3	30
June 1976	<u>7</u>	<u>9</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>3</u>	<u>23</u>
TOTALS	110	115	21	4	3	22	275
Percentage of Total	40.0%	41.8%	7.6%	1.5%	1.1%	8.0%	100.0%

N.A. = Not Available

PG = Pled Guilty to most serious charge.

PG-LIO = Pled Guilty to Lesser Included Offense of most serious charge.

PG-Lesser = Pled Guilty to Lesser charge of same indictment or information.

PG-Lesser-LIO = Pled Guilty to Lesser Included Offense of Lesser charge.

PG-NI = Pled Guilty to New Information (always a reduced charge).

PG-Information = Defendant waived indictment and Pled Guilty to Information (always a reduced charge).

*A plea of Nolo Contendere was considered to be the same as a plea of guilty, e.g., a plea of Nolo Contendere - LIO was counted in with the PG-LIO's.

**PG-Amended Information was counted in with the PG-LIO's.

#PG-Information was not distinguished from PG until October, 1975.

SUPERIOR COURT
FISCAL YEAR 1976
CRIMINAL DISPOSITIONS
PLEA DISPOSITIONS

Month	STATE # of Defendants*		PG-Lesser	PG-Lesser-LIO	PG-NI	PG-Information	TOTALS
	PG	PG-LIO**					
July 1975	114	70	20	4	26	N.A.#	234
August 1975	49	33	9	4	4	N.A.#	99
September 1975	92	71	15	5	16	N.A.#	199
October 1975	119	79	14	7	10	1@	230
November 1975	62	65	12	1	12	0@	152
December 1975	60	80	11	5	20	1@	177
January 1976	88	85	19	10	15	14	231
February 1976	53	69	9	3	16	12	162
March 1976	86	91	17	3	22	19	238
April 1976	55	52	18	5	17	13	160
May 1976	81	78	18	4	13	11	205
June 1976	98	65	17	3	12	12	207
TOTALS	957	838	179	54	183	83	2,294
Percentage of Total	41.7%	36.5%	7.8%	2.4%	8.0%	3.6%	100.0%

N.A. = Not Available

PG = Pled Guilty to most serious charge.

PG-LIO = Pled Guilty to Lesser Included Offense of most serious charge.

PG-Lesser = Pled Guilty to Lesser charge of same indictment or information.

PG-Lesser-LIO = Pled Guilty to Lesser Included Offense of Lesser charge.

PG-NI = Pled Guilty to New Information (always a reduced charge).

PG-Information = Defendant waived indictment and Pled Guilty to Information (always a reduced charge).

*A plea of Nolo Contendere was considered to be the same as a plea of guilty, e.g., a plea of Nolo Contendere - Lesser was counted in with the PG-Lesser's.

**PG-Amended Information was counted in with the PG-LIO's.

#PG-Information not distinguished from PG.

@PG-Information separated from PG in Kent and Sussex Counties.

SUPERIOR COURT

January 1, 1976 - June 30, 1976
CRIMINAL TRIAL ACTIVITY

<u>Month</u>	<u># of Jury Trials</u>	<u># of Non-Jury Trials</u>	<u>Total # of Trials</u>	<u>Days In Trial</u>
<u>NEW CASTLE</u>				
January	17	3	20	58
February	25	5	30	87
March	29	6	35	93½
April	23	6	29	53½
May	15	5	20	48½
June	23	2	25	60½
TOTALS	<u>132</u>	<u>27</u>	<u>159</u>	<u>401</u>
<u>KENT</u>				
January	0	0	0	0
February	2	0	2	5
March	5	2	7	10½
April	1	0	1	3
May	3	0	3	6
June	6	0	6	9½
TOTALS	<u>17</u>	<u>2</u>	<u>19</u>	<u>34</u>
<u>SUSSEX</u>				
January	0	0	0	0
February	2	2	4	4
March	1	2	3	2½
April	2	2	4	8
May	2	3	5	6
June	7	8	15	12
TOTALS	<u>14</u>	<u>17</u>	<u>31</u>	<u>32½</u>
<u>STATE</u>				
January	17	3	20	58
February	29	7	36	96
March	35	10	45	106½
April	26	8	34	64½
May	20	8	28	60½
June	36	10	46	82
TOTALS	<u>163</u>	<u>46</u>	<u>209</u>	<u>467½</u>
Percentage of Total	78.0%	22.0%	100.0%	

SUPERIOR COURT

January 1, 1976 - June 30, 1976
CRIMINAL TRIAL ACTIVITY
JUDGE TIME UTILIZATIONNew Castle County

<u>Month</u>	<u>Judge Days Assigned*</u>	<u>Judge Days Used</u>	<u>% of Assigned Time Used**</u>
January	48	58	120.8%
February	70	87	124.3%
March	89	93½	105.1%
April	47	53½	113.8%
May	44	48½	110.2%
June	<u>75</u>	<u>60½</u>	<u>80.7%</u>
TOTALS	373	401	107.5%

*Judge Days Assigned to criminal trial work are arrived at as follows. One judge is assigned to be Criminal Office Judge and one to be Civil Office Judge; they manage their respective calendars and do not hear criminal trials. No trials are assigned to Fridays, which are used for arraignments, motions, and sentencings by all judges. Vacation days and holidays are removed from the schedule. The remainder of time is trial time, approximately 65% of which is assigned to the criminal calendar, and 35% to the civil calendar.

**When more than 100% of assigned time is used, the extra time is found in one or more of three ways: 1) using the Criminal Office Judge to try cases, 2) using Fridays to try cases, or 3) transferring judges from the civil to the criminal calendar.

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1975-1976
CRIMINAL CASES

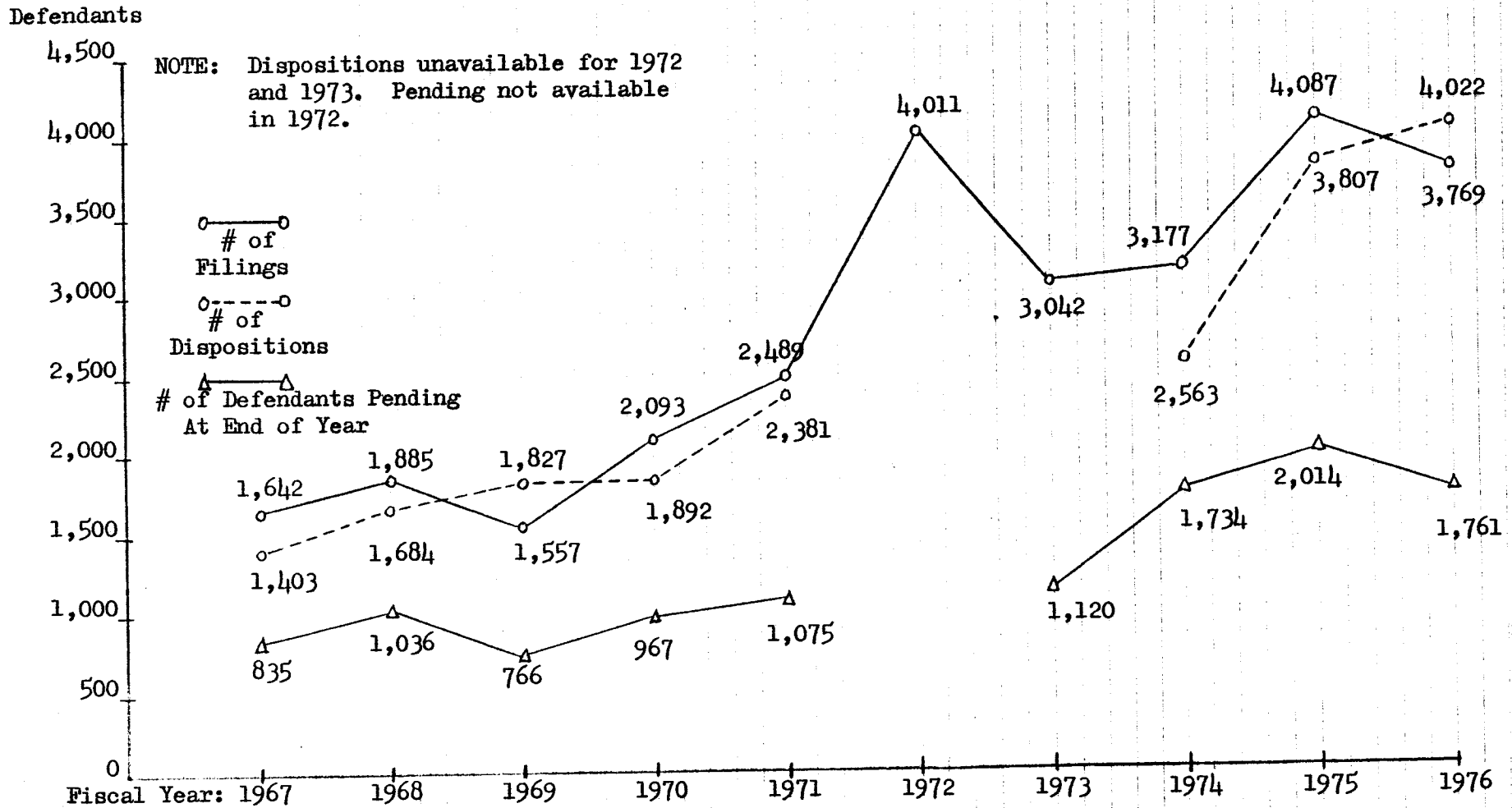
<u>FILINGS</u>	# of Defendants		<u>Change*</u>	<u>% Change</u>
	<u>1975</u>	<u>1976</u>		
New Castle	3,200	2,911	-289	- 9.0%
Kent	476	431	- 45	- 9.5%
Sussex	411	427	+ 16	+ 3.9%
State	<u>4,087</u>	<u>3,769</u>	<u>-318</u>	<u>- 7.8%</u>

<u>DISPOSITIONS</u>	# of Defendants		<u>Change</u>	<u>% Change</u>
	<u>1975</u>	<u>1976</u>		
New Castle	2,916	3,051	+135	+ 4.6%
Kent	534	506	- 28	- 5.2%
Sussex	357	465	+108	+30.3%
State	<u>3,807</u>	<u>4,022</u>	<u>+215</u>	<u>+ 5.6%</u>

<u>PENDING AT END OF YEAR</u>	# of Defendants		<u>Change</u>	<u>% Change</u>
	<u>1975</u>	<u>1976</u>		
New Castle	1,597	1,457	-140	- 8.8%
Kent	257	182	- 75	-29.2%
Sussex	160	122	- 38	-23.8%
State	<u>2,014</u>	<u>1,761</u>	<u>-253</u>	<u>-12.6%</u>

*Beginning in January of 1975, New Informations were no longer counted as filings, and consecutively-numbered transfers and appeals filed against the same defendant on the same day were counted as one filing only. These two definition changes account for at least some of the decline in filings.

SUPERIOR COURT
10-YEAR WORKLOAD TREND
CRIMINAL CASES



CRIMINAL JUSTICE SYSTEM PERFORMANCE ANALYSIS

January 1, 1976 - June 30, 1976
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court must be tried within 120 days of arrest. Since most such defendants tried in Superior Court make initial appearances in other courts, this 120-day standard actually applies to the criminal justice process as a whole, not just to Superior Court.
2. The first two charts, "Compliance With 120-Day Speedy Trial Mandate", are just such analyses of the criminal justice system. The first is simply a chart of all defendants tried or entering guilty pleas in Superior Court and what percentages met the 120-day standard. This measures the ability of all facets of the criminal justice system taken together, and not just that of Superior Court, to meet the 120-day standard.
3. The second chart measures the average and median time intervals between arrest and trial or guilty plea (another measure of system compliance) and the average and median time intervals between indictment and trial or plea of guilty (a measure of the performance of Superior Court by itself). Since Superior Court cases do not all originate by indictment, it is not possible to subtract the figures for indictment to plea or trial from the figures for arrest to plea or trial to determine pre-indictment time intervals.
4. The final three tables, "Superior Court Performance Analysis", attempt to record the ability of Superior Court alone to meet the Speedy Trial Directive, by factoring out the efforts expended in other courts and in the Grand Jury process, neither of which are controlled by Superior Court through its scheduling or judicial processes. In order to measure this Superior Court compliance, an assumption was made that 6 weeks was sufficient time to complete all preliminary procedures up to and including Grand Jury indictment. This assumption is based upon recommendations of a special committee of Superior Court Judges, and approximates standards adopted by the Department of Justice. As a result, applying this 6-week (42-day) period to the entire 120-day standard means that Superior Court should try all indicted defendants within 78 days of Grand Jury.*
5. Superior Court compliance for defendants brought before it by appeal, transfer, and information was measured by the percentage of defendants brought to trial or pleading guilty within 120 days of arrest.

EXPLANATORY NOTES (CONT'D)

6. All performance analysis statistics were based upon defendants who went to trial or pled guilty. Defendants who were nol-prossed, whose charges were dismissed, or who were disposed of in another fashion were not included.**

* Beginning in FY 1977, the standards will be modified slightly; 40 days will be allowed for pre-indictment activity and 80 days for Superior Court processing.

** FY 1977 statistics will include nol-prossed defendants.

CRIMINAL JUSTICE SYSTEM PERFORMANCE ANALYSIS

January 1, 1976 - June 30, 1976
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

<u>Month</u>	<u># of Defendants Tried or Entering Guilty Plea Within 120 Days of Arrest</u>	<u># of Defendants Tried or Entering Guilty Plea 121 Days or More After Arrest</u>	<u>Total # of Defendants Tried or Pleading Guilty</u>	
<u>NEW CASTLE</u>				
January	157 69.2%	70 30.8%	227	100.0%
February	117 72.7%	44 27.3%	161	100.0%
March	114 61.6%	71 38.4%	185	100.0%
April	86 55.8%	68 44.2%	154	100.0%
May	115 68.5%	53 31.5%	168	100.0%
June	137 76.1%	43 23.9%	180	100.0%
TOTALS	726 67.5%	349 32.5%	1,075	100.0%
<u>KENT</u>				
January	6 35.3%	11 64.7%	17	100.0%
February	3 12.5%	21 87.5%	24	100.0%
March	36 59.0%	25 41.0%	61	100.0%
April	19 61.3%	12 38.7%	31	100.0%
May	24 75.0%	8 25.0%	32	100.0%
June	25 67.6%	12 32.4%	37	100.0%
TOTALS	113 55.9%	89 44.1%	202	100.0%
<u>SUSSEX</u>				
January	5 71.4%	2 28.6%	7	100.0%
February	15 57.7%	11 42.3%	26	100.0%
March	40 88.9%	5 11.1%	45	100.0%
April	8 61.5%	5 38.5%	13	100.0%
May	22 62.9%	13 37.1%	35	100.0%
June	27 69.2%	12 30.8%	39	100.0%
TOTALS	117 70.9%	48 29.1%	165	100.0%
<u>STATE</u>				
January	168 66.9%	83 33.1%	251	100.0%
February	135 64.0%	76 36.0%	211	100.0%
March	190 65.3%	101 34.7%	291	100.0%
April	113 57.1%	85 42.9%	198	100.0%
May	161 68.5%	74 31.5%	235	100.0%
June	189 73.8%	67 26.2%	256	100.0%
TOTALS	956 66.3%	486 33.7%	1,442	100.0%

CRIMINAL JUSTICE SYSTEM PERFORMANCE ANALYSIS

January 1, 1976 - June 30, 1976
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

<u>Month</u>	<u>Average # of Days From Indictment to Trial or Guilty Plea</u>	<u>Median # of Days From Indictment to Trial or Guilty Plea</u>	<u>Average # of Days From Arrest to Trial or Guilty Plea</u>	<u>Median # of Days From Arrest to Trial or Guilty Plea</u>
<u>NEW CASTLE</u>				
January	84.3	83.0	106.9	100.0
February	84.5	69.0	106.8	97.0
March	85.0	57.0	119.1	105.0
April	126.4	57.0	149.9	113.0
May	67.8	55.0	110.2	100.0
June	74.2	55.0	113.1	100.0
TOTALS	N.A.	N.A.	N.A.	N.A.
<u>KENT</u>				
January	122.8	99.5	162.4	132.5
February	168.6	171.0	189.6	207.0
March	85.0	65.0	121.4	111.0
April	104.9	99.0	114.9	105.0
May	72.4	51.0	107.1	90.5
June	87.0	73.5	116.8	101.5
TOTALS	N.A.	N.A.	N.A.	N.A.
<u>SUSSEX</u>				
January	71.8	73.0	92.0	76.0
February	80.0	74.0	121.0	99.0
March	57.7	58.0	77.9	76.0
April	106.1	74.0	120.5	97.0
May	87.6	85.0	113.0	114.0
June	77.8	78.0	101.6	101.0
TOTALS	N.A.	N.A.	N.A.	N.A.
<u>STATE</u>				
January	N.A.	N.A.	N.A.	N.A.
February	N.A.	N.A.	N.A.	N.A.
March	N.A.	N.A.	N.A.	N.A.
April	N.A.	N.A.	N.A.	N.A.
May	N.A.	N.A.	N.A.	N.A.
June	N.A.	N.A.	N.A.	N.A.
TOTALS	N.A.	N.A.	N.A.	N.A.

N.A. = Not Available

SUPERIOR COURT

January 1, 1976 - June 30, 1976
SUPERIOR COURT PERFORMANCE ANALYSIS

Month	# of Indicted Defendants Tried or Pleading Guilty Within 78 Days After Grand Jury		# of Indicted Defendants Tried or Pleading Guilty 79 Days or More After Grand Jury		Total # of Indicted Defendants Tried or Pleading Guilty	
<u>NEW CASTLE</u>						
January	95	52.2%	87	47.8%	182	100.0%
February	71	59.2%	49	40.8%	120	100.0%
March	102	65.8%	53	34.2%	155	100.0%
April	76	66.7%	38	33.3%	114	100.0%
May	107	78.1%	30	21.9%	137	100.0%
June	113	75.8%	36	24.2%	149	100.0%
TOTALS	<u>564</u>	<u>65.8%</u>	<u>293</u>	<u>34.2%</u>	<u>857</u>	<u>100.0%</u>
<u>KENT</u>						
January	3	25.0%	9	75.0%	12	100.0%
February	1	5.9%	16	94.1%	17	100.0%
March	35	66.0%	18	34.0%	53	100.0%
April	9	40.9%	13	59.1%	22	100.0%
May	23	74.2%	8	25.8%	31	100.0%
June	16	50.0%	16	50.0%	32	100.0%
TOTALS	<u>87</u>	<u>52.1%</u>	<u>80</u>	<u>47.9%</u>	<u>167</u>	<u>100.0%</u>
<u>SUSSEX</u>						
January	4	80.0%	1	20.0%	5	100.0%
February	11	57.9%	8	42.1%	19	100.0%
March	26	83.9%	5	16.1%	31	100.0%
April	5	62.5%	3	37.5%	8	100.0%
May	10	38.5%	16	61.5%	26	100.0%
June	15	53.6%	13	46.4%	28	100.0%
TOTALS	<u>71</u>	<u>60.7%</u>	<u>46</u>	<u>39.3%</u>	<u>117</u>	<u>100.0%</u>
<u>STATE</u>						
January	102	51.3%	97	48.7%	199	100.0%
February	83	53.2%	73	46.8%	156	100.0%
March	163	68.2%	76	31.8%	239	100.0%
April	90	62.5%	54	37.5%	144	100.0%
May	140	72.2%	54	27.8%	194	100.0%
June	144	68.9%	65	31.1%	209	100.0%
TOTALS	<u>722</u>	<u>63.3%</u>	<u>419</u>	<u>36.7%</u>	<u>1,141</u>	<u>100.0%</u>

SUPERIOR COURT

January 1, 1976 - June 30, 1976
SUPERIOR COURT PERFORMANCE ANALYSIS

<u>Month</u>	<u># of Defendants In Appeal, Transfer, and Information Cases Tried or Pleading Guilty Within 120 Days After Arrest</u>		<u># of Defendants In Appeal, Transfer and Information Cases Tried or Pleading Guilty 121 Days or More After Arrest</u>		<u>Total # of Defendants in Appeal, Transfer, and Information Cases Tried or Pleading Guilty</u>	
<u>NEW CASTLE</u>						
January	39	86.7%	6	13.3%	45	100.0%
February	37	90.2%	4	9.8%	41	100.0%
March	26	86.7%	4	13.3%	30	100.0%
April	28	70.0%	12	30.0%	40	100.0%
May	29	93.5%	2	6.5%	31	100.0%
June	29	93.5%	2	6.5%	31	100.0%
TOTALS	188	86.2%	30	13.8%	218	100.0%
<u>KENT</u>						
January	2	50.0%	2	50.0%	4	100.0%
February	2	50.0%	2	50.0%	4	100.0%
March	5	62.5%	3	37.5%	8	100.0%
April	6	75.0%	2	25.0%	8	100.0%
May	1	100.0%	0	0.0%	1	100.0%
June	5	100.0%	0	0.0%	5	100.0%
TOTALS	21	70.0%	9	30.0%	30	100.0%
<u>SUSSEX</u>						
January	2	100.0%	0	0.0%	2	100.0%
February	4	57.1%	3	42.9%	7	100.0%
March	14	100.0%	0	0.0%	14	100.0%
April	3	60.0%	2	40.0%	5	100.0%
May	9	100.0%	0	0.0%	9	100.0%
June	8	66.7%	4	33.3%	12	100.0%
TOTALS	40	81.6%	9	18.4%	49	100.0%
<u>STATE</u>						
January	43	84.3%	8	15.7%	51	100.0%
February	43	82.7%	9	17.3%	52	100.0%
March	45	86.5%	7	13.5%	52	100.0%
April	37	69.8%	16	30.2%	53	100.0%
May	39	95.1%	2	4.9%	41	100.0%
June	42	87.5%	6	12.5%	48	100.0%
TOTALS	249	83.8%	48	16.2%	297	100.0%

SUPERIOR COURT

January 1, 1976 - June 30, 1976
SUPERIOR COURT PERFORMANCE ANALYSIS

Month	# of Defendants Tried or Pleading Guilty In Compliance With Superior Court Standards*		# of Defendants Tried or Pleading Guilty Not In Compliance With Superior Court Standards**		Total # of Defendants Tried or Pleading Guilty	
<u>NEW CASTLE</u>						
January	134	59.0%	93	41.0%	227	100.0%
February	108	67.1%	53	32.9%	161	100.0%
March	128	69.2%	57	30.8%	185	100.0%
April	104	67.5%	50	32.5%	154	100.0%
May	136	81.0%	32	19.0%	168	100.0%
June	142	78.9%	38	21.1%	180	100.0%
TOTALS	752	70.0%	323	30.0%	1,075	100.0%
<u>KENT</u>						
January	5	31.2%	11	68.8%	16	100.0%
February	3	14.3%	18	85.7%	21	100.0%
March	40	65.6%	21	34.4%	61	100.0%
April	15	50.0%	15	50.0%	30	100.0%
May	24	75.0%	8	25.0%	32	100.0%
June	21	56.8%	16	43.2%	37	100.0%
TOTALS	108	54.8%	89	45.2%	197	100.0%
<u>SUSSEX</u>						
January	6	85.7%	1	14.3%	7	100.0%
February	15	57.7%	11	42.3%	26	100.0%
March	40	88.9%	5	11.1%	45	100.0%
April	8	61.5%	5	38.5%	13	100.0%
May	19	54.3%	16	45.7%	35	100.0%
June	23	57.5%	17	42.5%	40	100.0%
TOTALS	111	66.9%	55	33.1%	166	100.0%
<u>STATE</u>						
January	145	58.0%	105	42.0%	250	100.0%
February	126	60.6%	82	39.4%	208	100.0%
March	208	71.5%	83	28.5%	291	100.0%
April	127	64.5%	70	35.5%	197	100.0%
May	179	76.2%	56	23.8%	235	100.0%
June	186	72.4%	71	27.6%	257	100.0%
TOTALS	971	67.5%	467	32.5%	1,438	100.0%

*Includes indicted defendants tried or entering guilty pleas in 78 days or less after Grand Jury, and defendants brought before Superior Court by appeal, transfer, and information tried or pleading guilty within 120 days after arrest.

**Includes indicted defendants tried or entering guilty plea in 79 days or more after Grand Jury, and defendants brought before Superior Court by appeal, transfer, and information tried or pleading guilty 121 days or more after arrest.

SUPERIOR COURT
FISCAL YEAR 1976
PRESENTENCE OFFICE - NEW CASTLE COUNTY
WORKLOAD

<u>Month</u>	<u>Referrals</u>	<u>Completed Investigations</u>	<u>Other Dispositions</u>	<u>Pending At End Of Month</u>
July 1975	90	77	0	221
August 1975	55	85	1	190
September 1975	88	102	2	174
October 1975	134	100	0	208
November 1975	92	111	0	189
December 1975	100	98	0	191
January 1976	126	91	0	226
February 1976	75	79	9	213
March 1976	95	116	3	189
April 1976	91	97	0	183
May 1976	114	97	0	200
June 1976	<u>111</u>	<u>89</u>	<u>0</u>	222
TOTALS	1,171	1,142	15	

SUPERIOR COURT

FISCAL YEAR 1976
 PRESENTENCE OFFICE - NEW CASTLE COUNTY
 PERFORMANCE

Month	# of Defendants Sentenced After Presentence Investigations*	#5	#8	#9	#11	#12
		Average Time From Date Ordered To Date Written	Average Time From Date Written To Date Typed	Average Time From Date Ordered To Date Typed	Average Time From Date Typed To Date Sentenced	Average Time From Date Ordered To Date Sentenced
July 1975	71	53.4 days	3.5 days	50.2 days	18.4 days	68.6 days
August 1975	51	59.9	9.0	69.4	16.0	73.2
September 1975	104	58.2	12.3	69.3	21.9	89.6
October 1975	109	48.0	9.8	63.1	19.4	86.6
November 1975	83	65.8	4.2	51.1	18.0	71.5
December 1975	85	49.8	4.0	50.8	23.8	73.4
January 1976	125	58.4	4.6	61.7	25.5	80.7
February 1976	94	53.3	5.3	60.0	24.0	82.4
March 1976	94	61.2	5.1	65.4	22.4	79.7
April 1976	95	48.4	6.8	59.3	22.8	89.3
May 1976	110	51.1	10.9	55.6	16.6	70.1
June 1976	86	59.0	4.8	63.1	21.4	81.7
TOTALS	1,107	55.3 days	6.8 days	60.0 days	21.2 days	79.6 days

*Does not include six defendants who were not sentenced after full Presentence Investigations (PSI) were completed due to nolle prosequis, and one defendant who was permitted to withdraw his guilty plea after PSI was completed.

SUPERIOR COURT
 FISCAL YEAR 1976
 PRESENTENCE OFFICE - NEW CASTLE COUNTY
 PRODUCTIVITY

<u>Month</u>	<u>Investigations</u>			<u>Typing</u>		
	<u># of Investigations Completed</u>	<u># of Investigators Available</u>	<u>Average # Completed Per Investigator</u>	<u># of Investigations Typed</u>	<u># of Typists Available</u>	<u>Average # Typed Per Typist</u>
July 1975	94	6.00	15.7	77	4.00	19.3
August 1975	104	6.50	16.0	85	4.50	18.9
September 1975	88	6.50	13.5	102	4.50	22.7
October 1975	91	6.20	14.7	100	3.75	26.4
November 1975	106	7.00	15.1	111	4.50	24.7
December 1975	94	6.30	14.9	98	4.00	24.5
January 1976	95	6.90	13.8	91	3.00	30.3
February 1976	84	6.50	12.9	79	3.75	21.1
March 1976	114	6.70	17.0	116	3.50	33.1
April 1976	109	6.50	16.8	97	3.50	27.7
May 1976	79	5.60	14.1	97	3.20	30.0
June 1976	<u>100</u>	<u>6.50</u>	<u>15.4</u>	<u>90</u>	<u>2.50</u>	<u>35.6</u>
TOTALS	1,158	6.43	15.0/Month 180.0/Year	1,143	3.73	25.6/Month 306.8/Year

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL FILINGS

<u>Month</u>	<u>NEW CASTLE</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces*</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	141	186	37	38	28	430
August 1975	131	175	38	23	35	402
September 1975	95	187	26	12	30	350
October 1975	159	209	27	30	33	458
November 1975	114	144	34	23	21	336
December 1975	112	0	37	21	48	218
January 1976	128	0	37	16	31	212
February 1976	126	0	39	20	27	212
March 1976	153	0	33	30	43	259
April 1976	114	0	45	23	39	221
May 1976	117	0	34	22	32	205
June 1976	<u>136</u>	<u>0</u>	<u>27</u>	<u>23</u>	<u>37</u>	<u>223</u>
TOTALS	1,526	901	414	281	404	3,526

*Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL FILINGS

<u>Month</u>	<u>KENT</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces*</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	20	58	8	9	6	101
August 1975	21	45	8	5	12	91
September 1975	25	72	10	12	10	129
October 1975	24	51	8	4	13	100
November 1975	16	49	3	3	10	81
December 1975	11	0	10	1	6	28
January 1976	16	0	11	5	5	37
February 1976	16	0	13	1	9	39
March 1976	17	0	17	5	4	43
April 1976	15	0	7	8	6	36
May 1976	22	0	9	4	2	37
June 1976	<u>15</u>	<u>0</u>	<u>7</u>	<u>7</u>	<u>10</u>	<u>39</u>
TOTALS	218	275	111	64	93	761

*Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL FILINGS

<u>Month</u>	<u>SUSSEX</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces*</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	20	36	15	4	5	80
August 1975	15	25	19	1	6	66
September 1975	19	50	11	5	2	87
October 1975	16	55	6	5	1	83
November 1975	20	28	5	5	4	62
December 1975	14	0	12	4	6	36
January 1976	16	0	12	3	7	38
February 1976	18	0	7	1	5	31
March 1976	11	0	7	5	1	24
April 1976	8	0	10	4	3	25
May 1976	16	0	3	7	13	39
June 1976	<u>10</u>	<u>0</u>	<u>4</u>	<u>6</u>	<u>4</u>	<u>24</u>
TOTALS	183	194	111	50	57	595

*Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL FILINGS

<u>Month</u>	<u>STATE</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces*</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions Terminations</u>	<u>Miscellaneous</u>	
July 1975	181	280	60	51	39	611
August 1975	167	245	65	29	53	559
September 1975	139	309	47	29	42	566
October 1975	199	315	41	39	47	641
November 1975	150	221	42	31	35	479
December 1975	137	0	59	26	60	282
January 1976	160	0	60	24	43	287
February 1976	160	0	59	-22	41	282
March 1976	181	0	57	40	48	326
April 1976	137	0	62	35	48	282
May 1976	155	0	46	33	47	281
June 1976	<u>161</u>	<u>0</u>	<u>38</u>	<u>36</u>	<u>51</u>	<u>286</u>
TOTALS	1,927	1,370	636	395	554	4,882

*Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL DISPOSITIONS

<u>Month</u>	<u>NEW CASTLE</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	111	219	52	23	34	439
August 1975	93	276	42	22	33	466
September 1975	80	0	36	26	71	213
October 1975	103	268	39	41	36	487
November 1975	67	169	26	14	26	302
December 1975	86	127	24	21	23	281
January 1976	85	183	24	25	33	350
February 1976	78	98	30	25	27	258
March 1976	78	2	27	28	34	169
April 1976	92	104	36	15	22	269
May 1976	95	35	35	25	28	218
June 1976	80	22	28	26	31	187
TOTALS	1,048	1,503	399	291	398	3,639

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL DISPOSITIONS

<u>Month</u>	<u>KENT</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	11	24	9	7	1	52
August 1975	8	56	4	3	5	76
September 1975	11	12	5	9	7	44
October 1975	25	151	2	4	8	190
November 1975	10	37	3	7	2	59
December 1975	17	26	3	7	3	56
January 1976	12	76	1	3	3	95
February 1976	10	83	8	7	5	113
March 1976	13	17	7	4	7	48
April 1976	11	19	7	10	6	53
May 1976	19	39	8	3	3	72
June 1976	<u>10</u>	<u>8</u>	<u>6</u>	<u>5</u>	<u>0</u>	<u>29</u>
TOTALS	157	548	63	69	50	887

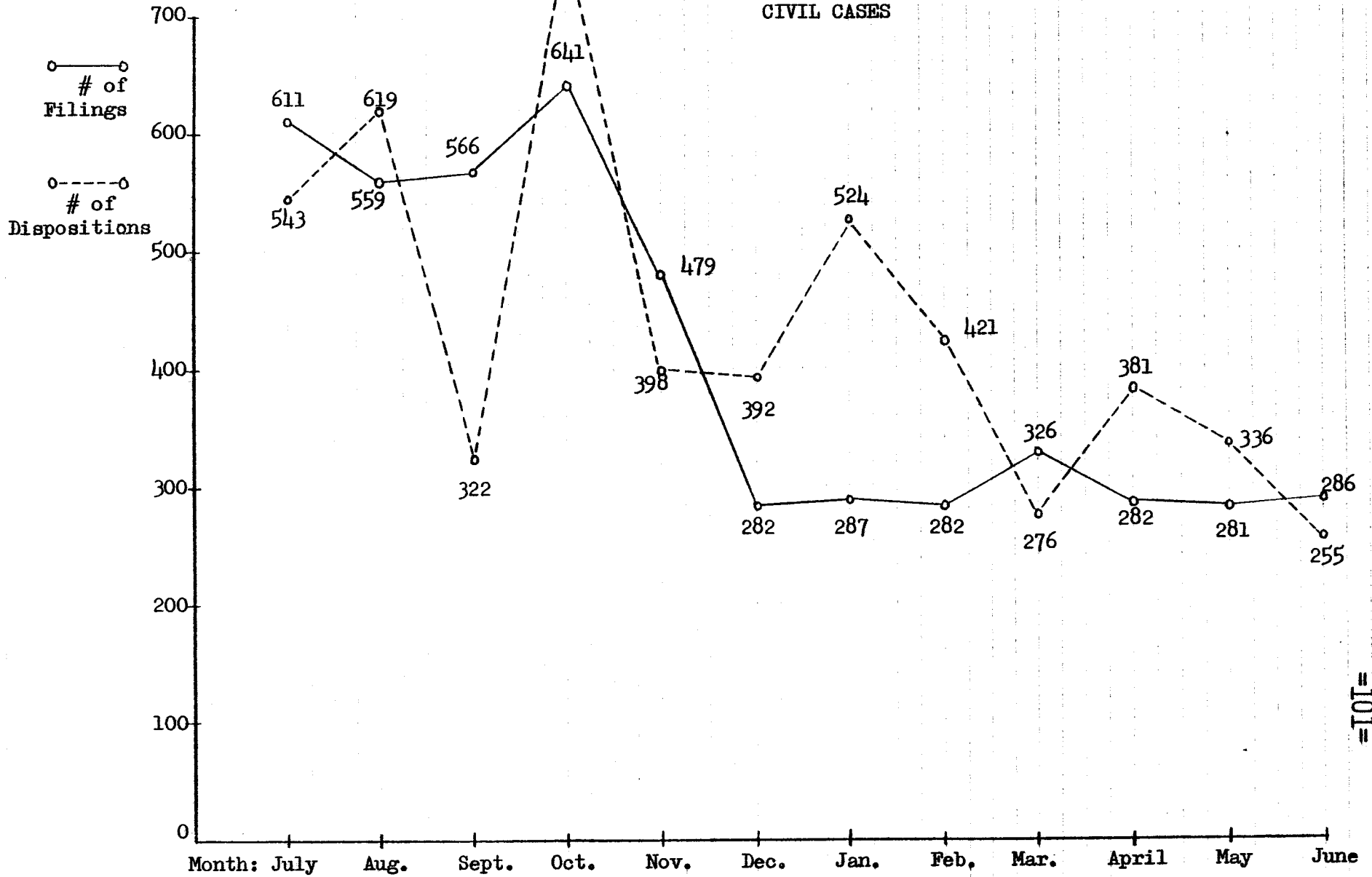
SUPERIOR COURT
 FISCAL YEAR 1976
 CIVIL DISPOSITIONS

<u>Month</u>	<u>SUSSEX</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	12	24	10	2	4	52
August 1975	9	51	8	4	5	77
September 1975	22	30	3	7	3	65
October 1975	24	43	14	3	4	88
November 1975	6	19	6	3	3	37
December 1975	10	30	11	4	0	55
January 1976	15	45	12	4	3	79
February 1976	11	23	13	1	2	50
March 1976	14	33	4	5	3	59
April 1976	18	17	7	9	8	59
May 1976	16	7	16	2	5	46
June 1976	<u>8</u>	<u>17</u>	<u>6</u>	<u>3</u>	<u>5</u>	<u>39</u>
TOTALS	165	339	110	47	45	706

SUPERIOR COURT
FISCAL YEAR 1976
CIVIL DISPOSITIONS

<u>Month</u>	<u>STATE</u>					<u>TOTALS</u>
	<u>Complaints</u>	<u>Divorces</u>	<u>Mortgages and Mechanic's Liens</u>	<u>Adoptions and Terminations</u>	<u>Miscellaneous</u>	
July 1975	134	267	71	32	39	543
August 1975	110	383	54	29	43	619
September 1975	113	42	44	42	81	322
October 1975	152	462	55	48	48	765
November 1975	83	225	35	24	31	398
December 1975	113	183	38	32	26	392
January 1976	112	304	37	32	39	524
February 1976	99	204	51	33	34	421
March 1976	105	52	38	37	44	276
April 1976	121	140	50	34	36	381
May 1976	130	81	59	30	36	336
June 1976	<u>98</u>	<u>47</u>	<u>40</u>	<u>34</u>	<u>36</u>	<u>255</u>
TOTALS	1,370	2,390	572	407	493	5,232

SUPERIOR COURT
 FISCAL YEAR 1976
 CIVIL CASES



SUPERIOR COURT

FISCAL YEAR 1976
CIVIL CASES

<u>NEW CASTLE</u>	<u>Pending 6/30/75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/76</u>	<u>Change</u>
Complaints	N.A.	1,526	1,048	N.A.	+ 478
Divorces	N.A.	901	1,503	N.A.	- 602
Mortgages and Mechanic's Liens	N.A.	414	399	N.A.	+ 15
Adoptions and Terminations	89	281	291	79	- 10
Miscellaneous	N.A.	404	398	N.A.	+ 6
TOTALS	<u>4,899</u>	<u>3,526</u>	<u>3,639</u>	<u>4,786</u>	<u>- 113</u>

<u>KENT</u>	<u>Pending 6/30/75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/76</u>	<u>Change</u>
Complaints	N.A.	218	157	N.A.	+ 61
Divorces	N.A. ²⁷³	275	548	N.A. ⁰	- 273
Mortgages and Mechanic's Liens	N.A.	111	63	N.A.	+ 48
Adoptions and Terminations	42	64	69	37	- 5
Miscellaneous	N.A.	93	50	N.A.	+ 43
TOTALS	<u>961</u>	<u>761</u>	<u>887</u>	<u>835</u>	<u>- 126</u>

<u>SUSSEX</u>	<u>Pending 6/30/75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/76</u>	<u>Change</u>
Complaints	N.A.	183	165	N.A.	+ 18
Divorces	N.A.	194	339	N.A.	- 145
Mortgages and Mechanic's Liens	N.A.	111	110	N.A.	+ 1
Adoptions and Terminations	38	50	47	41	+ 3
Miscellaneous	N.A.	57	45	N.A.	+ 12
TOTALS	<u>742</u>	<u>595</u>	<u>706</u>	<u>631</u>	<u>- 111</u>

<u>STATE</u>	<u>Pending 6/30/75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/76</u>	<u>Change</u>
Complaints	N.A.	1,927	1,370	N.A.	+ 557
Divorces	N.A.	1,370	2,390	N.A.	-1,020
Mortgages and Mechanic's Liens	N.A.	636	572	N.A.	+ 64
Adoptions and Terminations	169	395	407	157	- 12
Miscellaneous	N.A.	554	493	N.A.	+ 61
TOTALS	<u>6,602</u>	<u>4,882</u>	<u>5,232</u>	<u>6,252</u>	<u>- 350</u>

N.A. Not Available

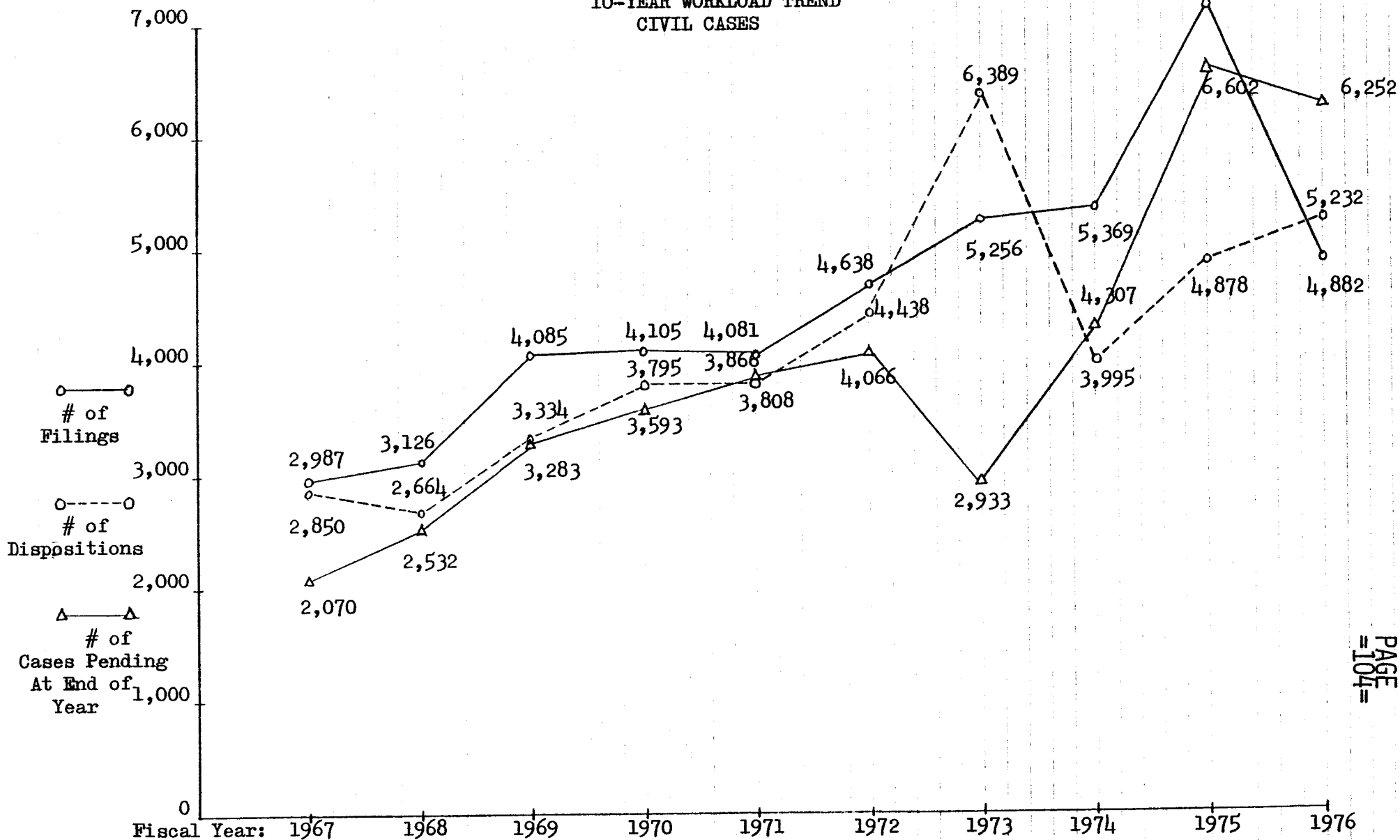
SUPERIOR COURT
COMPARISON - FISCAL YEARS 1975-1976
CIVIL CASES

<u>FILINGS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	5,164	3,526	-1,638	-31.7%
Kent	1,134	761	- 373	-32.9%
Sussex	875	595	- 280	-32.0%
State	<u>7,173</u>	<u>4,882</u>	<u>-2,291</u>	<u>-31.9%</u>

<u>DISPOSITIONS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,254	3,639	+ 385	+11.8%
Kent	892	887	- 5	- 0.6%
Sussex	732	706	- 26	- 3.6%
State	<u>4,878</u>	<u>5,232</u>	<u>+ 354</u>	<u>+ 7.3%</u>

<u>PENDING AT END OF YEAR</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,899	4,786	- 113	- 2.3%
Kent	961	835	- 126	-13.1%
Sussex	742	631	- 111	-15.0%
State	<u>6,602</u>	<u>6,252</u>	<u>- 350</u>	<u>- 5.3%</u>

SUPERIOR COURT
10-YEAR WORKLOAD TREND
CIVIL CASES



SUMMARY OF

Superior Court

BUDGET

02 03 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES</u>			
1. Judicial	429,500.00	494,500.00	507,500.00
2. Employees	837,197.63	899,778.00	1,427,258.00
3. Jury Commission	6,000.00	6,000.00	6,000.00
EMPLOYMENT COSTS		176,901.00	283,290.00
PERSONAL SERVICES	19,989.70	24,000.00	42,000.00
TRAVEL	12,919.94	9,500.00	26,844.00
CONTRACTUAL SERVICES	61,707.29	58,800.00	74,749.00
SUPPLIES & MATERIALS	17,370.25	18,110.00	25,835.00
CAPITAL OUTLAY	26,121.57	15,000.00	222,495.00
GRAND TOTAL	1,410,806.38	1,702,589.00	2,615,971.00

=105=

Family Court

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has original civil and criminal jurisdiction over family and child matters except felonies. Family matters include non-support, custody and visitation of children, divorce and annulment proceedings, including property dispute settlements, paternity denials, actions involving family discord, and separate maintenance for spouses. Child matters include neglected and dependent children, action relating to ill treatment (abuse), abandonment or contributing to the delinquency of children, children held in detention, delinquent children, and those in need of services.

Appeals may be made de novo to Superior Court and in non-support and separate maintenance cases directly to the Supreme Court.

Judges

Number - There are eleven judges of equal judicial authority. One of the judges is the Chief Judge, who is the chief executive officer of the Court with power and authority over the administrative business and affairs of the Court. The remaining ten are Associate Judges.

Appointment - The judges are appointed by the Governor with the approval of the Senate.

Tenure - The judges serve 12-year terms.

Qualifications - Judges must be duly admitted to the practice of law before the Supreme Court of the State at least five years prior to their appointment and shall be selected because of their knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

The Chief Judge appoints and commissions suitable persons to act as Masters in the Court, who shall hold office at his pleasure and shall be residents of the state for at least five years prior to their appointment. The Masters may hear any matter properly

before him, announce his conclusion and transmit to the Chief Judge his findings and recommendations in writing, which shall become judgments of the Court unless disapproved by the Chief Judge within fifteen days, in which case the matter will be reviewed de novo by a judge.

Support Personnel

The Court employs a staff of approximately 185 persons, including clerks of court, judicial secretaries, counselors, an accounting department, clerks, clerks-typists, bailiffs, and process servers.

Caseload Trend

Ten courtrooms are operating throughout the state on a daily basis in order to provide services to clients. Currently, the Court is disposing of over 22,000 cases annually.

Data concerning the number of petitions filed with the Court shows that the Court's activity has increased by 73.5% from FY 1972 to FY 1976, and during the last year has increased by 12.8%. The number of petitions pending as of June 30 has increased by 136.6% from 1973 to 1976 and for the last year increased by 27.1%.

It should be noted that in FY 1972 the Court had 10 judges, 134 other general fund positions, and 12 special fund positions, for a total of 156. In FY 1973, the first full year of the state-wide Family Court operation, the Court had 10 judges, 150 other general fund positions, and 18 special fund positions, or a total of 178 positions.

In FY 1977, the Court has 11 judges, 170 other general fund positions, and 21 special fund positions, or a total of 181. From 1972 to 1976 the number of judges increased by one or 10%, while the number of petitions increased by 73.5% and the number of cases pending increased by 136.6%. The number of other state-funded positions increased from 134 to 170 or 26.9%; including specially-funded positions the increase was from 146 to 181 or 24.0%.

FAMILY COURT

JUDICIARY

Chief Judge

Hon. Robert D. Thompson
Grace Davis, Secretary
(571-2205)

New Castle County

Associate Judges

Hon. Elwood F. Melson, Jr.
Ann Botto, Secretary
(571-2251)
Hon. Herbert L. Cobin
Nancy Kaper, Secretary
(571-2226)
Hon. Roxana C. Arsht
Shelley Schwanker, Secretary
(571-2257)
Hon. Robert W. Wakefield
Janie Bebber, Secretary
(571-2254)
Hon. Daniel F. Kelleher
Sally McKendrick, Secretary
(571-2229)
Hon. Hiram W. Warder
China Tassone, Secretary
(571-2417)
Hon. James J. Horgan
Sharon Cooper, Secretary
(571-2232)

Kent County

Associate Judges

Hon. Roger D. Kelsey
Karen Price, Secretary
(678-0210)
Hon. David P. Buckson
Ruth Potter, Secretary
(678-0239)

Sussex County

Associate Judge

Vacant
Vacant, Secretary
(856-5417)

Note: Family Court Judges may sit in any of the three court locations. Judges are listed above according to their county of residence.

FAMILY COURT

SUPPORT PERSONNEL

Chief Judge's Staff

Executive Assistant

James Murray

Administrative Assistant

Polly Bowen

ADMINISTRATION

Administrator

C. Boyd McDivitt

Barbara Mancuso, Secretary

Administrator's Staff

Administrative Services Officers

Ralph Turner

Jerry Bilton

Program & Staff Development Officers

Emmett Partin

Vacant

Administrative Assistant

Odessa Thomas

Personnel Officer

Robert Jackson

Statistician

O. Lindh

Clerk Typist

S. Vengen

Custodian

H. Wilkerson

Masters

Kenneth W. Singleton, Chief

E. White, Secretary

William McDonough*

Nathan Rosbrow

James Winfield

Robert L. Holbrook

William Swain Lee

* Also Chief of
Support

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

LEGAL SERVICES

Director
William Davies

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Chief Clerks
William Boeck
J. Gellens, Secretary

J. Truitt

R. Spicer

Clerks of Court
D. Dunning
Vacant
Terese Donovan

W. Haldeman

C. Walius

Deputy Clerks
H. O'Neal
J. Taggart
A. Dorris
E. Jackson
A. Powell
A. Corby

L. Lesser
D. Thompson

B. Short
D. Cordrey

Clerks
D. Murray
G. McGluney
H. Marshall
H. Dryden
L. Brunk (Federally Funded)
A. Hackett

Counselor Trainee
S. Reges

Receptionist
M. J. Kidd

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

LEGAL SERVICES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Legal Stenographers

B. DiFrancisco
E. Barkovic
L. Conkey
E. McGaughan

J. Frank
S. Wilson

L. Smith

Clerk-Stenographers

P. Sobocinski
M. Creswell
C. Gungui

M. Gerardi

B. Wise
S. Downs

Clerk-Typists

M. Cathcart
P. Clymer
D. Whye
M. Antonio (Federally Funded)
J. Dunn
C. Klein
C. Okonowicz
B. Deptula
D. West
S. Harris
V. Harris
M. Russo
J. Nichols
M. DiMartino
M. Dougherty
S. McKinney
D. Ward

D. Webb
K. Bundek
D. Ewing (Federally Funded)
M. Millman
Vacant
C. Paisley

J. McDowell
D. Mowbray (Federally
Funded)

Process Servers

R. Jackson
M. Wolanski

T. Lavacca (Federally Funded)

D. Messick (Federally
Funded)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

LEGAL SERVICES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Bailiffs

P. Dominick
R. Jones
R. Johnson
F. Ginnochio
P. Pennell
P. Seitenbecher
E. Cohen
E. Ward

R. Depuy
W. Kuhns

G. Lynch
J. Gorecki

Juvenile Group Leaders

K. Ryser (Federally Funded)
C. Wynn (Federally Funded)
Vacant (Federally Funded)

Social Service Specialist

M. Hudson

Secretary

H. Marvel

FINANCIAL SERVICES

Director

William Breighner

Accountants

V. Deskiewicz
G. Thornton, Assistant

Accounting Clerks

D. Cole
Vacant
M. Homiller
A. Kaiser
B. Rago

Vacant

E. Baker

Clerk Typists

C. Dougherty
J. Russell

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COUNSELING SERVICES

Director
E. Goldsborough

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Note: All New Castle County
Counseling services positions
are responsible to the Chief
of Family Court Services, who
is responsible to the County
Supervisor.

County Supervisors
F. Gritz

Vacant

Vacant

Chief of Family Court Services
Vacant

Counselor Supervisors
M. Lawson (Federally Funded)
Vacant
A. DePaul

Counselors
M. Carr
B. Lieberman
Vacant
H. Pringle (Federally Funded)
T. Brandau (Federally Funded)
E. Fahey (Federally Funded)
M. Coon
B. Benjamin

R. Wall (Federally Funded)
D. Dickerson
J. George

J. Howard (Federally
Funded)
R. Quillen
M. Webb

Counselor Trainees
M. Krieger
K. Smith (Federally Funded)
J. Brabner
K. Phillips
P. Salzenberg
S. Payne
M. DeCoster

Vacant
Vacant

L. Salisbury
C. McCarron
A. Maloney

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COUNSELING SERVICES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Counselor Trainees (Continued)

W. Fromme

J. Nuttal

M. Sanborn

Vacant

V. Howard (Federally Funded)

M. Clemmons

Social Service Administrators

J. King

H. Bass

R. Betts

R. Speed

C. Truitt

D. Myers

Social Service Specialists

E. Tosney

P. Ryan

Clerk Typists

M. Jau

J. Slagowski

T. Stewart

J. Ross (Federally Funded)

J. Anderson (Federally
Funded)

G. Rogers

Clerk Stenographers

Vacant

S. Shelman

Probation Officer

Vacant

Presentence Officer

E. Krause

Community Workers

L. Hernandez

M. Eubanks

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

SUPPORT SERVICES

Chief of Support
William McDonough

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Support Officers
E. Wexler
Vacant (Federally Funded)

J. Sylvester

K. Folk (Federally
Funded)

ADDRESSES

The Family Court
P.O. Box 2359
600 Market Street
Wilmington, DE 19899
(571-2200)

The Family Court
P.O. Box 310
North Street Arden Building
Dover, DE 19901
(678-4501)

The Family Court
P.O. Box 609
Family Court Building
The Circle
Georgetown, DE 19947
(856-7702)

FAMILY COURT
FISCAL YEAR 1976

<u>NEW CASTLE</u>	<u>Pending 6-30-75</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending* 6-30-76</u>	<u>Change</u>
Adult Civil and Criminal	1,109	6,368	6,368	1,109	0
Juvenile Delinquency	1,686	7,986	7,986	1,686	0
Traffic	159	1,086	1,086	159	0
Divorces and Annulments**	31	1,268	640	659	+628
TOTALS	<u>2,985</u>	<u>16,708</u>	<u>16,080</u>	<u>3,613</u>	<u>+628</u>
 <u>KENT</u>					
Adult Civil and Criminal	406	1,127	1,170	363	- 43
Juvenile Delinquency	300	2,391	2,212	479	+179
Traffic	51	319	314	56	+ 5
Divorces and Annulments**	9	313	179	143	+134
TOTALS	<u>766</u>	<u>4,150</u>	<u>3,875</u>	<u>1,041</u>	<u>+275</u>
 <u>SUSSEX</u>					
Adult Civil and Criminal	220	1,218	1,200	238	+ 18
Juvenile Delinquency	180	1,320	1,285	215	+ 35
Traffic	24	207	180	51	+ 27
Divorces and Annulments**	14	318	165	167	+153
TOTALS	<u>438</u>	<u>3,063</u>	<u>2,830</u>	<u>671</u>	<u>+233</u>
 <u>STATE</u>					
Adult Civil and Criminal	1,735	8,713	8,738	1,710	- 25
Juvenile Delinquency	2,166	11,697	11,483	2,380	+214
Traffic	234	1,612	1,580	266	+ 32
Divorces and Annulments**	54	1,899	984	969	+915
TOTALS	<u>4,189</u>	<u>23,921</u>	<u>22,785</u>	<u>5,325</u>	<u>+1,136</u>

*Pending Petitions and Informations are those which are scheduled and are being processed for future hearing, and those on which there has been no final disposition, including cases continued for further hearing, reserved decisions, and cases referred to staff for investigation.

**Family Court assumed jurisdiction over Divorces and Annulments during November, 1975. The period covered by these Divorce and Annulment statistics is December 1, 1975, through June 30, 1976.

FAMILY COURT
FISCAL YEAR 1976
NEW CASTLE FILINGS

<u>Month</u>	<u>Juvenile Delinquency Petitions</u>	<u>Adult Criminal Informations</u>	<u>Support- Related Petitions*</u>	<u>Divorces and Annulments</u>	<u>Other Civil Actions</u>	<u>Traffic Violations</u>	<u>TOTALS</u>
July	672	88	240	0	288	115	1,403
August	596	63	184	0	308	101	1,252
September	622	45	224	0	410	118	1,419
October	669	103	154	0	245	70	1,241
November	584	66	148	N.A.	278	54	1,130#
December	705	63	130	N.A.	214	105	1,217#
January	768	87	105	N.A.	248	63	1,271#
February	642	104	82	N.A.	264	43	1,135#
March	799	110	100	N.A.	388	90	1,487#
April	807	121	85	N.A.	374	133	1,520#
May	563	108	57	N.A.	324	81	1,133#
June	<u>559</u>	<u>103</u>	<u>68</u>	<u>N.A.</u>	<u>389</u>	<u>113</u>	<u>1,232#</u>
TOTALS	7,986	1,061	1,577	1,268	3,730	1,086	16,708

N.A. Not Available

*Excludes Reciprocal Petitions, which are Support-Related but are counted under Other Civil Actions.

#Total excludes Divorces and Annulments

FAMILY COURT
10-YEAR WORKLOAD TREND

of
Petitions
and
Informations:

25,000

20,000

15,000

10,000

5,000

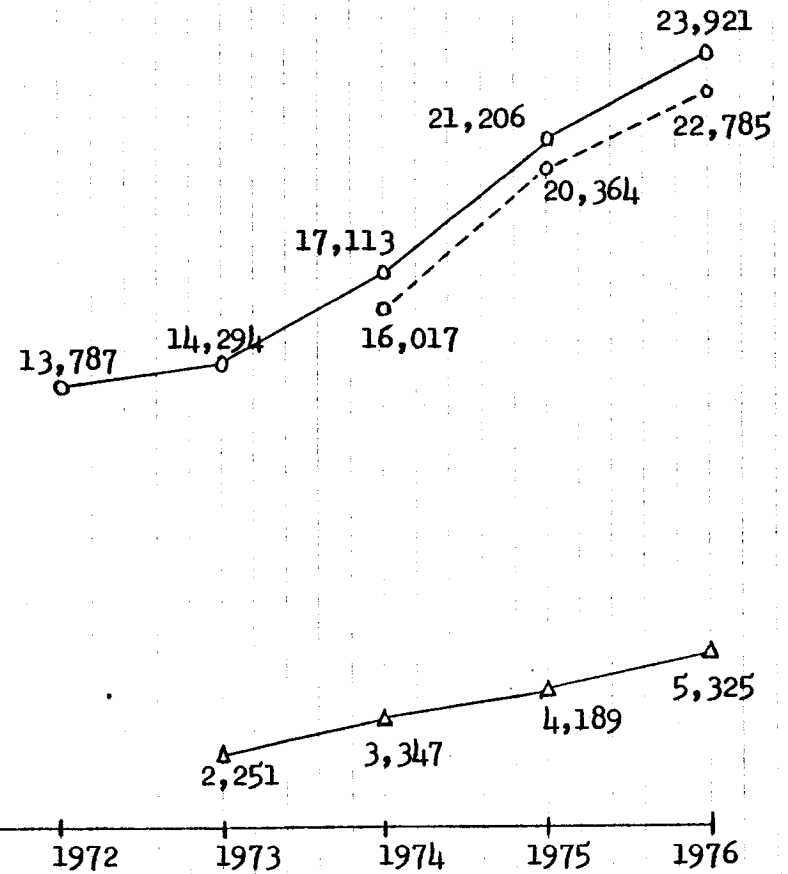
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NOTE: Filings unavailable until 1972.
Dispositions unavailable until 1974.
Number of petitions and informations pending not available until 1973.

○—○
of
Petitions and
Informations
Filed

○---○
of
Petitions and
Informations
Disposed of

△—△
of
Petitions and
Informations
Pending at
End of Year



SUMMARY OF

Family Court

BUDGET

02 08 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	GENERAL APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES</u>			
1. Judicial	418,500.00	418,500.00	418,500.00
2. Employees	1,471,467.00	1,641,619.00	2,297,117.00
EMPLOYMENT COSTS	-0-	306,052.00	466,538.00
PERSONAL SERVICES	42,133.00	45,500.00	94,900.00
TRAVEL	14,595.00	16,850.00	40,090.00
CONTRACTUAL SERVICES	129,353.00	130,000.00	191,288.00
SUPPLIES & MATERIALS	40,328.00	44,150.00	66,009.00
CAPITAL OUTLAY	13,317.00	20,000.00	76,156.00
DEBT SERVICE :			
Principal	12,000.00	12,000.00	12,000.00
Interest	9,282.00	8,616.00	7,992.00
SPECIAL ITEMS	56,806.00	-0-	-0-
GRAND TOTAL	2,207,781.00	2,643,287.00	3,670,590.00

**Court
of
Common
Pleas**

COURT OF COMMON PLEASLegal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15 and 16, effective July 5, 1973.

Geographic Organization

There is a Court of Common Pleas held in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed \$5,000 on the complaint but is unlimited on counterclaim. It has jurisdiction over all misdemeanors (except drug-related) occurring outside the City of Wilmington. In New Castle County all cases are tried without a jury. Upon demand for trial by jury the action is transferred to Superior Court. In Kent and Sussex Counties there is a right to trial by jury in the Court of Common Pleas.

Appeals from the Court of Common Pleas are on the record to Superior Court.

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. The judges are appointed by the Governor with the consent of the Senate for 12-year terms. The judges must have been actively engaged in the general practice of law in the State of Delaware for at least five years and no more than a majority of one can be from the same political party.

Support Personnel

The judges of the Court of Common Pleas may appoint clerks, bailiffs, court reporters, and secretaries.

Case Load Trend

The number of cases filed in this Court, both civil and criminal, has continued to rise year after year. There has been an increase this year of 9.5% in the number of criminal actions filed and an increase of 7.7% in the number of civil actions filed. All indications seem to be that these numbers will continue to rise. The Court has been successful in keeping fairly current in disposition of these cases and prides itself in the absence of a "backlog". The most severe problem is the limited clerical help and the limitation of space within which to keep these people. A very serious condition exists in the limitation of the space for clerical employees and the necessity that they work in such close proximity to each other.

COURT OF COMMON PLEAS

JUDICIARY

Chief Judge

Hon. Robert H. Wahl

Beulah O. Goldsborough, Secretary
(571-2410)

New Castle County Resident Judges

Hon. Arthur F. DiSabatino
Margaret Renai, Secretary
(571-2410)

Hon. William C. Bradley
Vacant, Secretary
(571-2410)

Kent County Resident Judge

Hon. Merrill C. Trader
Mary Elyn Massey, Secretary
(678-4617)

Sussex County Resident Judge

Hon. Paul E. Ellis
Katherine Truitt, Secretary
(856-5333)

COURT OF COMMON PLEAS

SUPPORT PERSONNEL

Chief Clerk (Court Administrator)
Carole B. Kirshner

NEW CASTLE COUNTY

Chief Deputy Clerks
Gerry B. McGinnes

Deputy Clerks
Angeline M. Pineault

Assistant Clerks
Maryanne Hairsine

Court Reporters
Carol Schatzman
Anne M. White
Marie Fontello, Typist

Accounts Supervisor
James O'Brien

Presentence Officers
John Jaremchuk, Jr.
Carolyn Short
Renee Elderkin, Secretary

Clerk Typists
Julia A. Giacoma
Helen M. Omlor
Phyllis A. Feingold
Ellen S. Reed
Patricia Aiello
Anita Hansen
Elizabeth Jonkiert

Bailiffs
Richard Hurst
Robert McGee, III
Timothy Donovan, Jr.

KENT COUNTY

Ruth Biddle

Theresa Chippie

Anna Benton

Sheila Toomey

George Manlove
Mary McFaul

SUSSEX COUNTY

Doris Wilkins

Jean Henry

Raymond Kenney
Vera Elliott, Typist

Charles E. Riley

FISCAL YEAR 1976
CRIMINAL CASESFILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	900	990	1,020	1,106	4,016
Kent	171	199	175	181	726
Sussex	259	152	246	363	1,020
State	<u>1,330</u>	<u>1,341</u>	<u>1,441</u>	<u>1,650</u>	<u>5,762</u>

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Jury	0	0	0	0	0
Non-Jury	885	921	884	1,057	3,747
Total	<u>885</u>	<u>921</u>	<u>884</u>	<u>1,057</u>	<u>3,747</u>
Kent					
Jury	15	23	14	14	66
Non-Jury	198	171	173	206	748
Total	<u>213</u>	<u>194</u>	<u>187</u>	<u>220</u>	<u>814</u>
Sussex					
Jury	5	1	2	1	9
Non-Jury	282	221	245	327	1,075
Total	<u>287</u>	<u>222</u>	<u>247</u>	<u>328</u>	<u>1,084</u>
State					
Jury	20	24	16	15	75
Non-Jury	1,365	1,313	1,302	1,590	5,570
Total	<u>1,385</u>	<u>1,337</u>	<u>1,318</u>	<u>1,605</u>	<u>5,645</u>

PENDING

	<u>6-30-75</u>	<u>9-30-75</u>	<u>12-31-75</u>	<u>3-31-76</u>	<u>6-30-76</u>
New Castle	579	594	663	799	848
Kent	96	54	59	47	8
Sussex	152	124	54	53	88
State	<u>827</u>	<u>772</u>	<u>776</u>	<u>899</u>	<u>944</u>

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	+15	+69	+136	+49	+269
Kent	-42	+ 5	- 12	-39	- 88
Sussex	-28	-70	- 1	+35	- 64
State	<u>-55</u>	<u>+ 4</u>	<u>+123</u>	<u>+45</u>	<u>+117</u>

COURT OF COMMON PLEAS
COMPARISON-FISCAL YEARS 1975-1976
CRIMINAL CASES

FILINGS

	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,689	4,016	+327	+ 8.9%
Kent	773	726	- 47	- 6.1%
Sussex	<u>799</u>	<u>1,020</u>	<u>+221</u>	<u>+27.7%</u>
State	5,261	5,762	+501	+ 9.5%

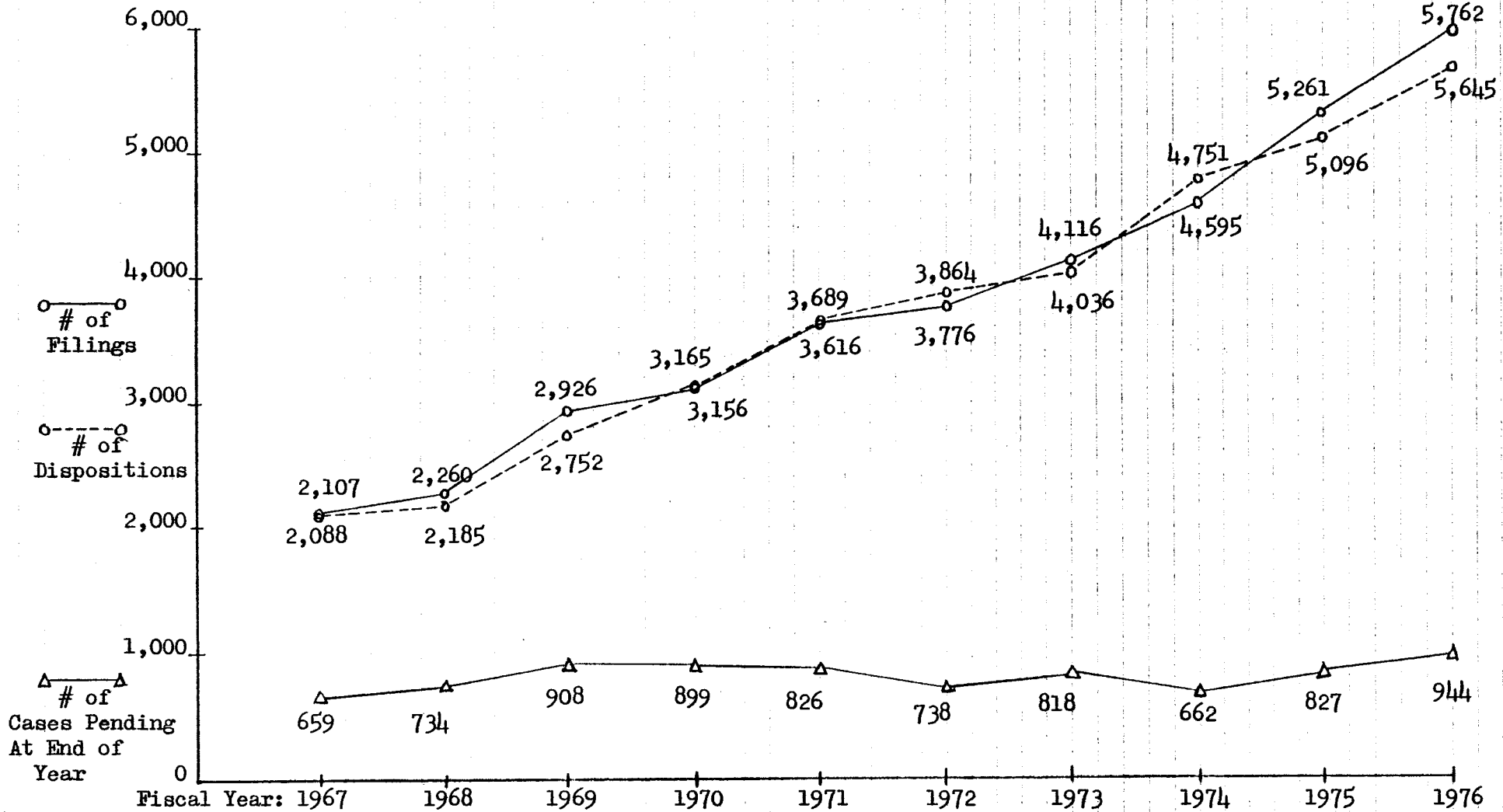
DISPOSITIONS

	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,539	3,747	+208	+ 5.9%
Kent	774	814	+ 40	+ 5.2%
Sussex	<u>783</u>	<u>1,084</u>	<u>+301</u>	<u>+38.4%</u>
State	5,096	5,645	+549	+10.8%

PENDING AT END OF YEAR

	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	579	848	+269	+46.5%
Kent	96	8	- 88	-91.7%
Sussex	<u>152</u>	<u>88</u>	<u>- 64</u>	<u>-42.0%</u>
State	827	944	+117	+14.1%

COURT OF COMMON PLEAS
 10-YEAR WORKLOAD TREND
 CRIMINAL CASES



FISCAL YEAR 1976
CIVIL CASESFILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Automobile	74	73	88	66	301
Other	<u>506</u>	<u>582</u>	<u>605</u>	<u>587</u>	<u>2,280</u>
Total	<u>580</u>	<u>655</u>	<u>693</u>	<u>653</u>	<u>2,581</u>
Kent					
Automobile	3	3	3	2	11
Other	<u>47</u>	<u>31</u>	<u>51</u>	<u>59</u>	<u>188</u>
Total	<u>50</u>	<u>34</u>	<u>54</u>	<u>61</u>	<u>199</u>
Sussex					
Automobile	5	6	7	4	22
Other	<u>156</u>	<u>177</u>	<u>125</u>	<u>94</u>	<u>552</u>
Total	<u>161</u>	<u>183</u>	<u>132</u>	<u>98</u>	<u>574</u>
State					
Automobile	82	82	98	72	334
Other	<u>709</u>	<u>790</u>	<u>781</u>	<u>740</u>	<u>3,020</u>
Total	<u>791</u>	<u>872</u>	<u>879</u>	<u>812</u>	<u>3,354</u>

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Court	11	184	83	293	571
Counsel	<u>418</u>	<u>416</u>	<u>447</u>	<u>541</u>	<u>1,822</u>
Total	<u>429</u>	<u>600</u>	<u>530</u>	<u>834</u>	<u>2,393</u>
Kent					
Court	13	4	7	11	35
Counsel	<u>46</u>	<u>29</u>	<u>50</u>	<u>53</u>	<u>178</u>
Total	<u>59</u>	<u>33</u>	<u>57</u>	<u>64</u>	<u>213</u>
Sussex					
Court	34	30	74	50	188
Counsel	<u>77</u>	<u>177</u>	<u>89</u>	<u>107</u>	<u>450</u>
Total	<u>111</u>	<u>207</u>	<u>163</u>	<u>157</u>	<u>638</u>
State					
Court	58	218	164	354	794
Counsel	<u>541</u>	<u>622</u>	<u>586</u>	<u>701</u>	<u>2,450</u>
Total	<u>599</u>	<u>840</u>	<u>750</u>	<u>1,055</u>	<u>3,244</u>

PENDING

	<u>6-30-75</u>	<u>9-30-75</u>	<u>12-31-75</u>	<u>3-31-76</u>	<u>6-30-76</u>
New Castle	<u>1,726</u>	<u>1,877</u>	<u>1,932</u>	<u>2,095</u>	<u>1,914</u>
Kent	74	65	66	63	60
Sussex	<u>256</u>	<u>306</u>	<u>282</u>	<u>251</u>	<u>192</u>
Total	<u>2,056</u>	<u>2,248</u>	<u>2,280</u>	<u>2,409</u>	<u>2,166</u>

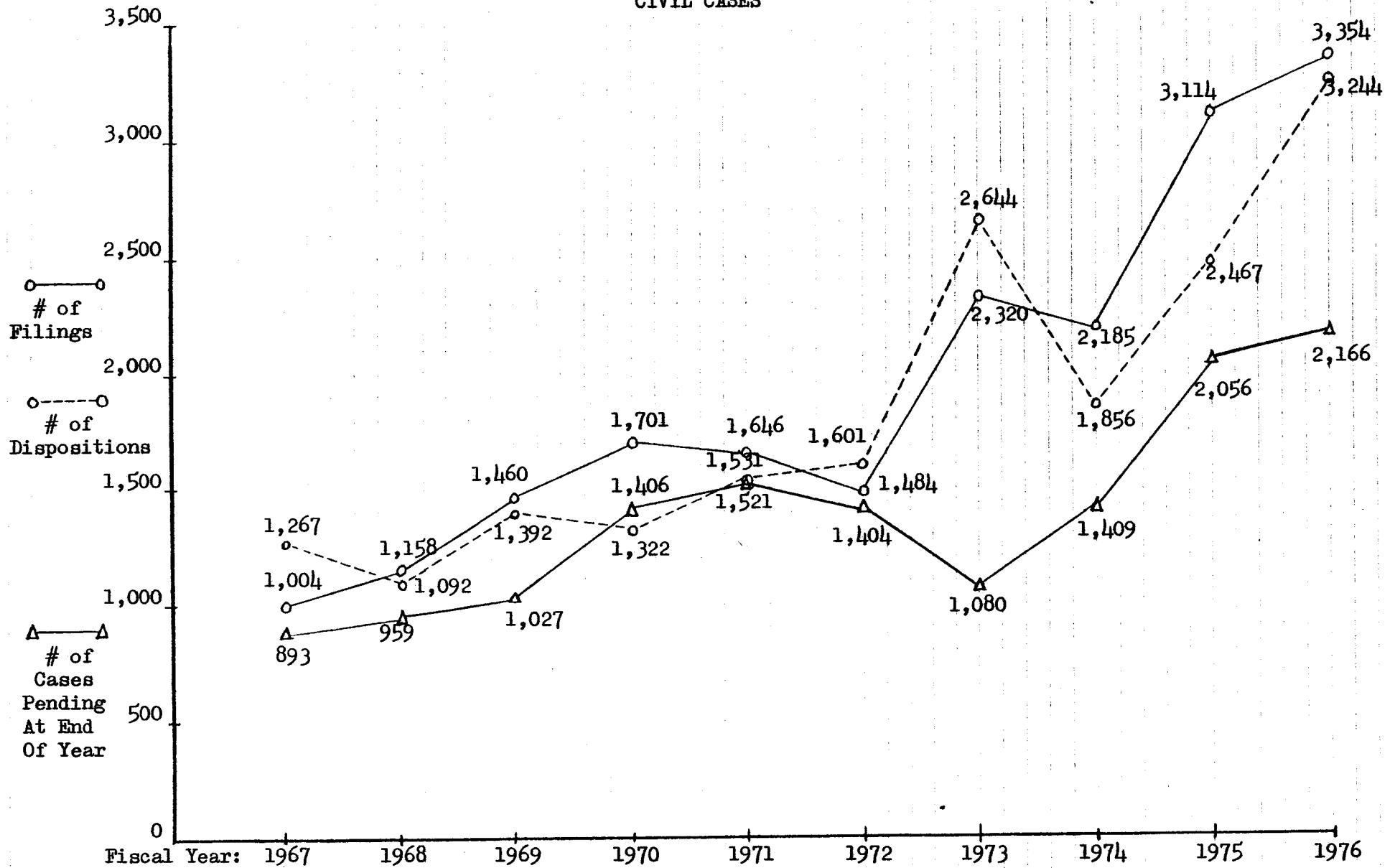
CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	+151	+55	+163	-181	+188
Kent	- 9	+ 1	- 3	- 3	- 14
Sussex	+ 50	-24	- 31	- 59	- 64
Total	<u>+192</u>	<u>+32</u>	<u>+129</u>	<u>-243</u>	<u>+110</u>

COURT OF COMMON PLEAS
COMPARISON-FISCAL YEARS 1975-1976
CIVIL CASES

<u>FILINGS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,349	2,581	+232	+ 9.9%
Kent	160	199	+ 39	+24.4%
Sussex	605	574	- 31	- 5.1%
State	<u>3,114</u>	<u>3,354</u>	<u>+240</u>	<u>+ 7.7%</u>
 <u>DISPOSITIONS</u>	 <u>1975</u>	 <u>1976</u>	 <u>Change</u>	 <u>% Change</u>
New Castle	1,725	2,393	+668	+38.7%
Kent	126	213	+ 87	+69.1%
Sussex	616	638	+ 22	+ 3.6%
State	<u>2,467</u>	<u>3,244</u>	<u>+777</u>	<u>+31.5%</u>
 <u>PENDING AT END OF YEAR</u>	 <u>1975</u>	 <u>1976</u>	 <u>Change</u>	 <u>% Change</u>
New Castle	1,726	1,914	+188	+10.9%
Kent	74	60	- 14	-18.9%
Sussex	256	192	- 64	-25.0%
State	<u>2,056</u>	<u>2,166</u>	<u>+110</u>	<u>+ 5.4%</u>

COURT OF COMMON PLEAS
 10-YEAR WORKLOAD TREND
 CIVIL CASES



SUMMARY OF

Court of Common Pleas

BUDGET

02 06 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES:</u>			
1. Judicial	152,500.00	184,167.00	190,500.00
2. Employees	267,870.18	342,275.00	465,636.00
EMPLOYMENT COSTS		68,558.00	92,639.00
PERSONAL SERVICES	6,272.71	22,500.00	23,000.00
TRAVEL	2,996.64	2,980.00	9,175.00
CONTRACTUAL SERVICES	24,974.43	24,090.00	31,610.00
RENT	3,540.00	6,180.00	11,200.00
SUPPLIES & MATERIALS	7,170.97	5,400.00	9,750.00
CAPITAL OUTLAY	10,364.40	5,000.00	11,660.00
GRAND TOTAL	475,659.33	659,650.00	845,170.00

=134=

Municipal Court

Legal Authorization

This Court is authorized by 10 Delaware Code, Section 1701.

Geographic Organization

This Court has jurisdiction within the geographic boundaries of Wilmington. The Court has a Violations Division which processes all moving and parking citations.

Legal Jurisdiction

The Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available.

Judges

Number - There are 3 Judges of the Municipal Court of Wilmington.

Appointment - The Judges are appointed by the Governor, with the approval by the Senate.

Tenure - Judges are appointed for 12 year terms.

Qualifications - The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Senior Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

The Municipal Court caseload approached 9,000 criminal cases for the second consecutive year. This has kept the personnel of the Court working a maximum capacity to meet the demands of a constant flow of criminal cases. Two public defenders, four court commissioners, several prosecutors, and the three judges have barely kept pace with this workload. The record of 8,979 dispositions during the year permitted the Court to meet the stringent demands of processing misdemeanors and Superior Court Rule 5 committing magistrate requirements.

The activity of the court personnel is only partially reflected in these statistics. The court commissioners - working 24 hours of every day - in fact process far more than the final criminal case statistic. The commissioners process an average of 100 Family Court complaints monthly as well as rejecting a substantial number of cases for lacking probable cause. The increasing demand in time required by judges, commissioners, and staff may require increasing the number of each to handle these new demands.

The steady ten year escalation of traffic offenses appears to have stabilized at the 12,000 level. This, added to the burden of processing the City of Wilmington parking citations, occupies a substantial amount of time of court personnel.

MUNICIPAL COURT
Public Building
1000 King Street
Wilmington, DE 19801
(571-4530)

JUDICIARY

Chief Judge
Hon. Alfred J. Fraczkowski
Katherine O'Rourke, Secretary
(571-4550)

Associate Judge
Hon. Carl G. Goldstein
Joyce Vietri, Secretary
(571-4551)

Associate Judge
Hon. Leonard L. Williams
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

COURT COMMISSIONERS

Charles R. Lee, Chief
(571-4534)
T. Roger Barton
(571-4540)
Richard O. Douglas
(571-4541)
Thomas P. Murray
(571-4530)
Elizabeth A. Keller, Secretary

ASSISTANT TO CLERK

Patricia O'Connor

BAILIFFS

David Dempsey
Gerald Nolan
Mary Lou Robinson

CRIMINAL CLERICAL STAFF

Furio Casale, Supervisor
Mary Grello
Debra Flowers
Darth Brinson
Josephine Smulski
Mary Dale
Denise Reason
Robin Henderson
Bernadette Kusz, Receptionist

TRAFFIC VIOLATION STAFF

Shirley Cohen, Supervisor
Carolyn Ward
Carolyn Duncan
Alice Clark

PARKING VIOLATION STAFF

Dorothy Montero, Supervisor
Carlis Tate
Ann Collins
Catherine Sexton

MUNICIPAL COURT

PAGE
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Fiscal Year 1976

<u>Month</u>	<u>CRIMINAL CASES</u>		<u>Pending at End of Month</u>
	<u>Filings</u>	<u>Dispositions</u>	
July 1975	729	746	661
August 1975	710	712	659
September 1975	1,181	667	1,173
October 1975	797	918	1,052
November 1975	588	810	830
December 1975	816	863	783
January 1976	610	711	682
February 1976	583	539	726
March 1976	774	826	674
April 1976	644	764	554
May 1976	705	670	589
June 1976	<u>617</u>	<u>753</u>	453
TOTALS	8,754	8,979	

<u>Month</u>	<u>TRAFFIC CASES</u>		<u>Pending at End of Month</u>
	<u>Filings</u>	<u>Dispositions</u>	
July 1975	872	746	611
August 1975	589	650	550
September 1975	751	740	561
October 1975	963	759	765
November 1975	1,667	1,144	1,288
December 1975	1,352	1,509	1,131
January 1976	1,267	1,206	1,192
February 1976	1,090	1,352	930
March 1976	1,316	1,515	731
April 1976	923	1,194	460
May 1976	744	669	535
June 1976	<u>731</u>	<u>751</u>	515
TOTALS	12,265	12,235	

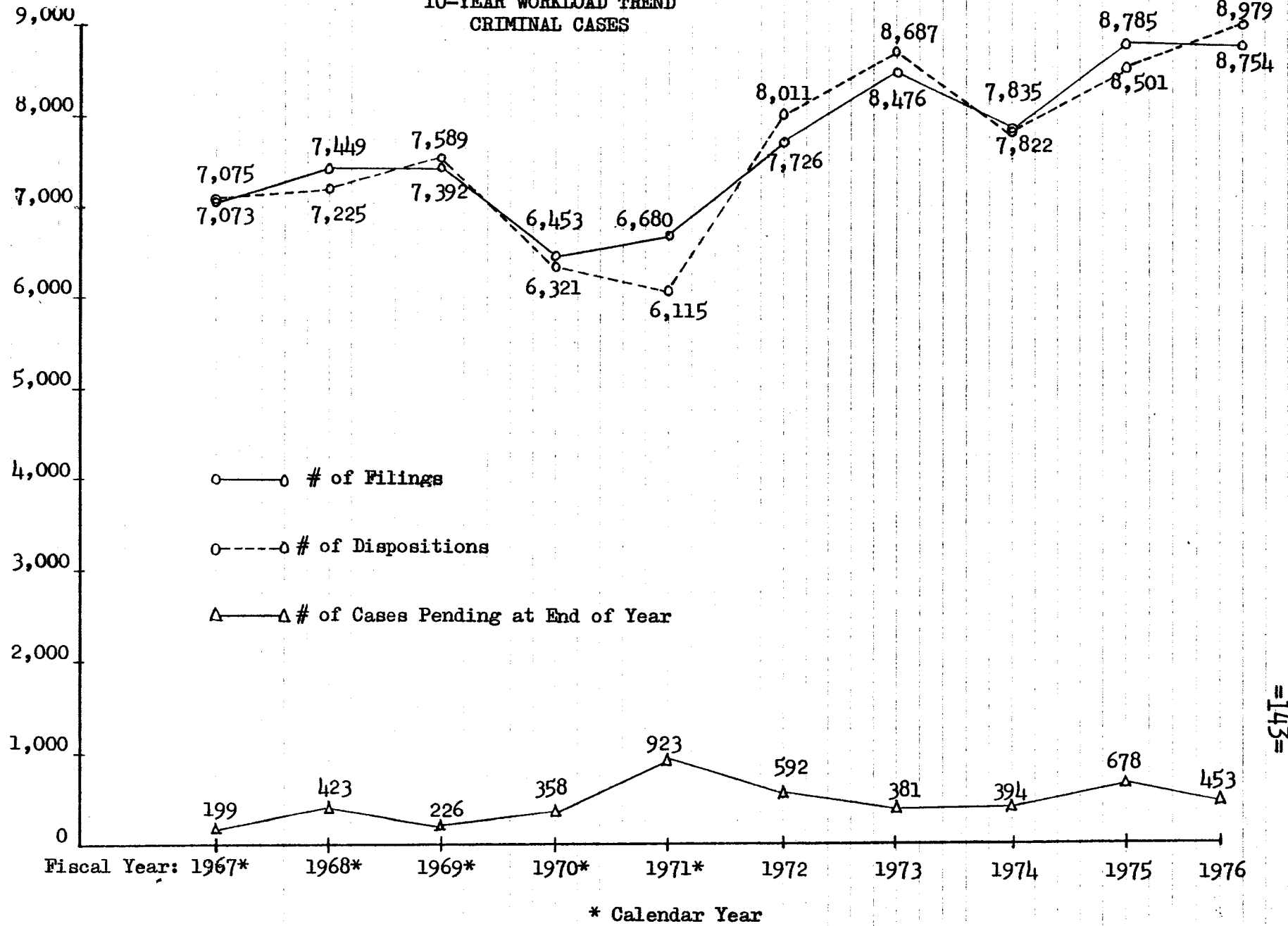
MUNICIPAL COURT
COMPARISON-FISCAL YEARS 1975-1976

	<u>CRIMINAL CASES</u>			
	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Filings	8,785	8,754	- 31	- 0.4%
Dispositions	8,501	8,979	+478	+ 5.6%
Pending at End of Year	678	453	-225	-33.2%

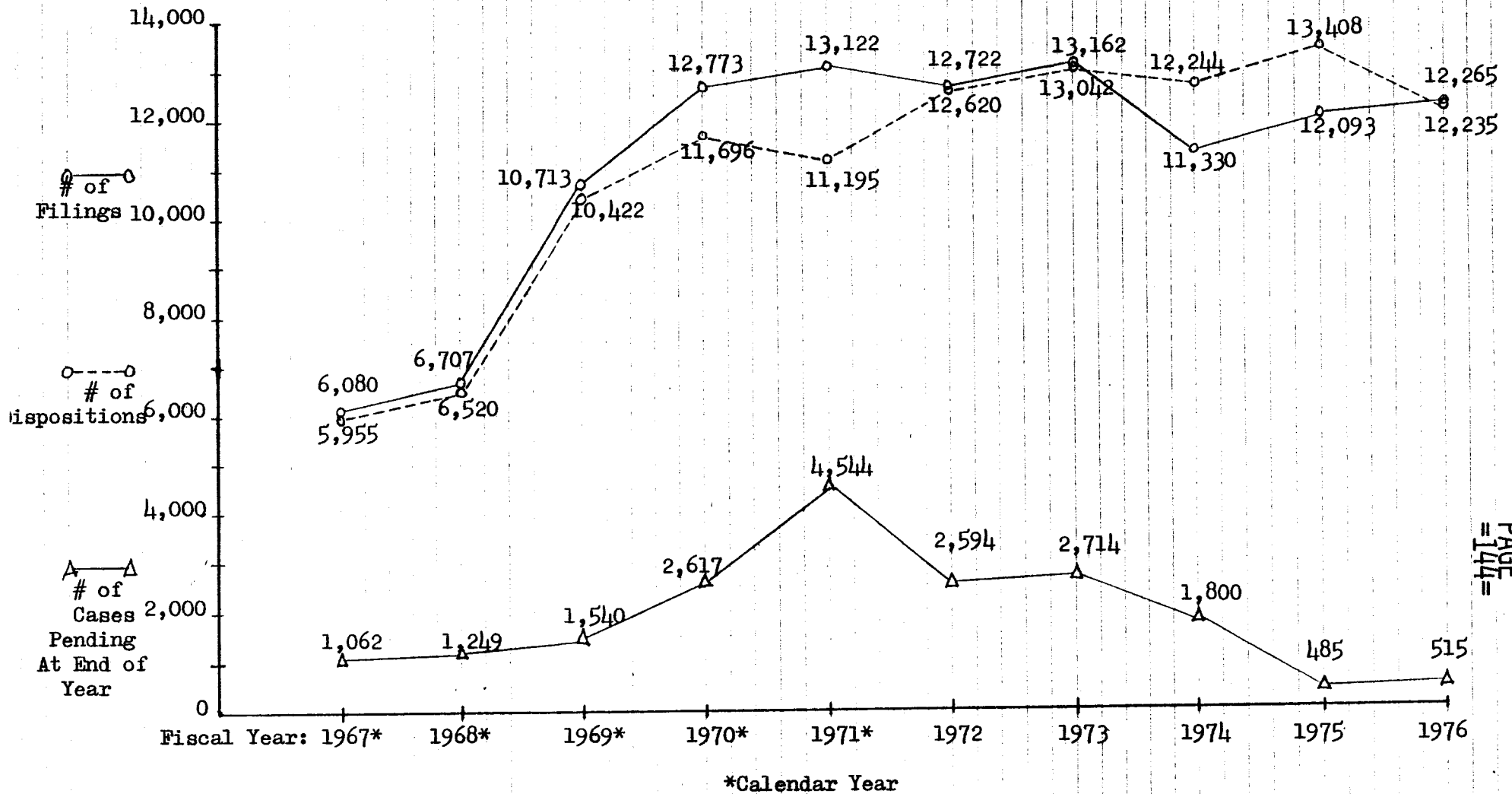
	<u>TRAFFIC CASES</u>			
	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Filings	12,093	12,265	+ 172	+ 1.4%
Dispositions	13,408	12,235	-1,173	- 8.7%
Pending at End of Year	485	515	+ 30	+ 6.2%

MUNICIPAL COURT

10-YEAR WORKLOAD TREND
CRIMINAL CASES



MUNICIPAL COURT
10-YEAR WORKLOAD TREND
TRAFFIC CASES



**Justice
of
the
Peace
Courts**

JUSTICE OF THE PEACE COURTS

Legal Authorization

These Courts are authorized by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the state, 3 in Kent County, and 6 each in New Castle and Sussex Counties. Fifteen Courts are authorized and all are operative.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed \$1,500. In all Justice of the Peace Courts except one in Wilmington, criminal jurisdiction is exercised. These Courts are authorized to hear minor misdemeanors and motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not courts of record, appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Courts of Common Pleas.

Judges

There are 53 magistrates authorized, 52 presently serving full time. Magistrates are appointed by the Governor with Senate approval for four-year terms. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county where he serves.

Support Personnel

A Deputy Administrator for the Justice of the Peace Courts is appointed by the Governor with Senate approval. The Chief Justice of the Supreme Court is the nominal Administrator. Two Assistant Deputy Administrators serve the Deputy. The state provides chief clerks, deputy clerks, constables, and bailiffs for each court.

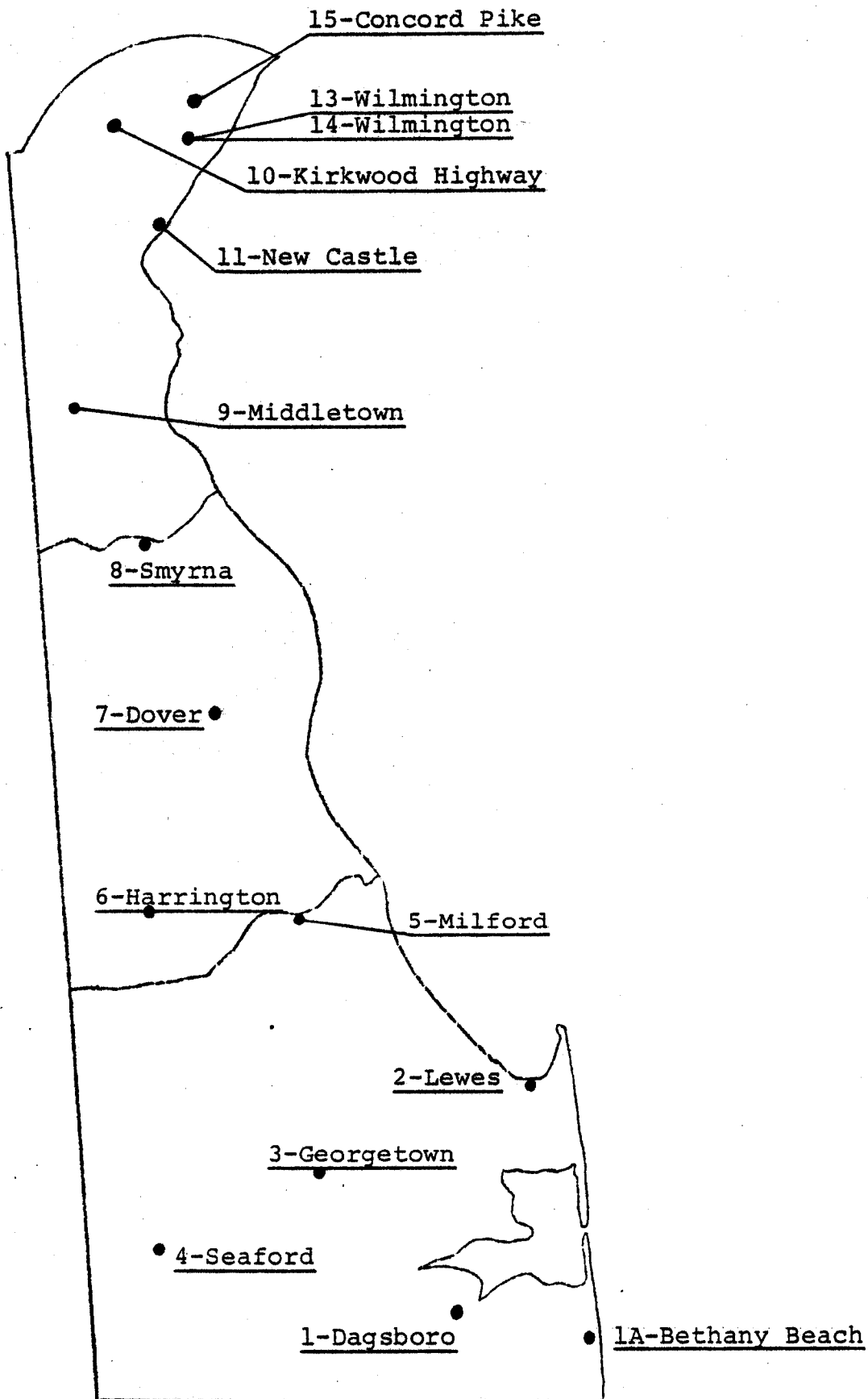
Case Load Trend

Criminal cases filed in the Justices of the Peace Courts have increased for many and varied reasons. First, police apprehending capabilities have been dramatically increased by additional financial resources from federal funds. Second, all police forces, particularly the New Castle County Police, have increased the number of policemen who are now patrolling the streets. Thus, more arrests are made. Third, the level of competency among the Justices of the Peace has dramatically increased, and the service provided by this advantage has correspondingly increased. Therefore, more individuals are utilizing the Justices of the Peace in order to expeditiously dispose of their cases.

JUSTICE OF THE PEACE COURTS (CONT'D)

Civil cases have increased for the third reason listed above. It should also be noted that the Justice of the Peace Courts offer plaintiffs an inexpensive forum for litigating their minor legal matters. More litigants are also due to the increase of population within the counties, and this is particularly true in the landlord-tenant situation. Parenthetically, it might be added that the recession could have had a significant effect upon the number of civil cases filed in the Justices of the Peace Courts.

JUSTICE OF THE PEACE COURTS IN DELAWARE



ORGANIZATION
JUSTICES OF THE PEACE COURT SYSTEM

<u>Court #</u>	<u>Location</u>	<u>Mon</u>	<u>Tu</u>	<u>Hours Open Per Day</u>					<u>Sun</u>	<u>Total Hours Open Per Week</u>	<u>Jurisdiction</u>
				<u>Wed</u>	<u>Th</u>	<u>Fri</u>	<u>Sat</u>				
<u>New Castle County</u>											
9	Middletown	8	8	8	8	8	0	0	40	Criminal & Civil	
10	Kirkwood Hwy.	24	24	24	24	24	24	24	168	Criminal & Civil	
11	New Castle	24	24	24	24	24	24	24	168	Criminal & Civil	
12	Inactive										
13	Wilmington	8	8	8	8	8	0	0	40	Civil	
14	Wilmington	8	8	8	8	8	0	0	40	Preliminary Hearings	
15	Concord Pike	16	16	16	16	16	16	10	106	Criminal & Civil	
<u>Kent County</u>											
6	Harrington	8	16	16	16	16	8	0	80	Criminal & Civil	
7	Dover	24	24	24	24	24	24	24	168	Criminal & Civil	
8	Smyrna	8	16	16	16	16	8	0	80	Criminal & Civil	
<u>Sussex County</u>											
1	Dagsboro	0	8	8	8	8	8	0	40	Criminal & Civil	
1A	Bethany Beach	8	0	0	0	10	10	8	36	Criminal	
2	Lewes	8	8	16	16	16	16	0	80	Criminal & Civil	
3	Georgetown	24	24	24	24	24	24	24	168	Criminal & Civil	
4	Seaford	24	24	24	24	24	24	24	168	Criminal & Civil	
5	Milford	8	8	8	8	8	0	0	40	Criminal & Civil	

JUSTICES OF THE PEACE

NEW CASTLE COUNTY

Deputy Administrator's Office
Morris Levenberg, Chief Judge

Court 9
Mable M. English

Court 10
William W. Brittingham
Ronald E. Cheeseman
Jean A. Crompton
Doris E. Harris
John F. Lenderman
Ruth P. Malm
William McMullen

Court 11
Francis J. Flynn
Clayton W. Hewes, Jr.
Phyllis H. Laffey
John P. McLaughlin
Elizabeth O. Richeson
Allen Trachten

Court 13
Louise T. Brothers
R. Spencer Wood

Court 15
Rebecca P. Button
Lynn E. Fitzwater
William T. Garfinkel
Frederick H. Kenney
Charles P. Manolakos
Thomas J. Newell
John H. Wilding

KENT COUNTY
(vacancy - one)

Court 6
A. Tyson Cohee
Paul Neeman

Court 7
Russell T. Rash, Chief Judge
John H. Fillmore
John P. Greene
Courtney P. Houston
Barbara L. Miller
Charles M. Stump
Wallace P. Wootten

Court 8
Joseph A. Knussman
Harry M. Thompson

SUSSEX COUNTY

Court 1
Thomas W. Hutson, Jr.

Court 2
Thomas J. Orr, Chief Judge
Emory B. Brittingham
Robert F. Handy
Henry F. Hill

Court 3
William A. Booth
Carroll B. Farlow
Aubrey T. Hudson
William L. Jones
Almetia J. Murray
Emory R. West, Sr.

Court 4
William J. Hopkins, Jr., Chief
Judge
Edward G. Davis
Walter G. Dill, Jr.
Horace W. Short
Donald F. Yerkes

Court 5
Norman D. Baker

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

DEPUTY ADMINISTRATOR'S OFFICE

Governor's Office
1228 North Scott Street
Wilmington, DE 19806
(571-2485)

Deputy Administrator

Jeffrey S. Goddess
Vacant, Secretary

Assistant Deputy Administrators

Arthur R. Carello
Thomas W. Nagle
Ethel Jaremchuk, Secretary

Accounting Department

Mary E. Cooper, Supervisor
Sandra L. Cummings
Pamela A. Manista

Note: The Chief Justice of the Supreme Court is the nominal Administrator of the Justice of the Peace Court System.

COURT 1

Post Office Box 37
Route 113
Dagsboro, DE 19939
(732-6772)

Clerks

Margaret Ross, Chief
June Benson

Constable

William H. Prettyman

COURT 1A

Post Office Box 273
National Guard Army Camp
Bethany Beach, DE 19930
(539-4410)

(Open only during summer)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONT'D

COURT 2
Post Office Box 492
Route 14
Lewes, DE 19958
(645-6477)

Clerks

Joanne R. Willey, Chief
Elizabeth B. Leister
Rhyspa McCabe

Constable

Howard L. Warrington

COURT 3
Post Office Box 605
Laurel & Railroad Avenues
Georgetown, DE 19947
(856-5448)

Clerks

W. June Callaway, Chief
Barbara E. Adams
Carol Brown
Elizabeth L. Hudson
Janice L. Moore
Doris Smith

Constable

Charles Graves

Bailiff

Carrie J. Reed

COURT 4
Popular and King Streets
Seaford, DE 19973
(629-8101)

Clerks

Mary Lee Lowe, Chief
Wanda Abbott
Ida Mae Friedel
Julia Price
Esther Conner

Constables

Thomas McCrea, Jr.
William R. Smith

Bailiff

David B. Joseph

Capias Control Clerk

Julia A. Evans

Presentence Investigator

Jana R. Ellis

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONT'D

COURT 5

Causey and Maple Avenues
Post Office Box 254
Milford, DE 19963
(422-8871)

Clerks

Leah Betts, Chief
Virginia Dellinger

Constable

Richard J. Holleger

COURT 6

Post Office Box 3
Route 13
Harrington, DE 19952
(398-8247)

Clerks

Betty Pleasanton, Chief
Catherine A. Dimmitt

Constable

Leonard T. Rollison, Sr.

COURT 7

Railroad and Loockerman Streets
Dover, DE 19901
(678-4554)

Clerks

Marjorie Nolette, Chief
Hope Ann Brown
Gretha Custer
Rella Goodson
Betty Mollohan
Vacant
Deborah Palmer
Evelyn A. Webb

Constables

Reginald Cross
Herschel N. Poore
Charles M. Snyder

Bailiff

Thomas Boyer

Capias Control Clerk

Vacant

Presentence Investigator

Monica V. Rash

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONT'D

COURT 8
115 East North Street
Smyrna, DE 19977
(653-7083)

Clerks
Dorothea L. Gray, Chief
Deborah L. Robinson

Constable
Samuel Mosley

COURT 9
18 South Broad Street
Middletown, DE 19709
(378-9533)

Clerks
Agnes B. Thompson, Chief
Arlene Banning

Constable
John I. Walker

COURT 10
3808 Kirkwood Highway
Wilmington, DE 19808
(571-2496)

Clerks
Caroline F. Pini, Chief
Linda Bell
Barbara Brown (Federally Funded)
Mildred Dorris
Ann Marie Gallagher
Jean D. Puff
Katharine B. Ross
Donna Sylvester (Federally Funded)
Nancy Symonds
Cynthia Walklet

Constables
Robert M. Cummings
Ronald A. Kaminski (Federally Funded)
Jack M. MacFarlane
Charles E. Sharp

Bailiff
Dorothy Dorris

Presentence Investigators
Hazel D. Plant
Marie R. Monaghan, Assistant

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONT'D

COURT 11
1202 Delaware Avenue
New Castle, DE 19720
(571-2498)

Clerks

Barbara J. Reed, Chief
Gail Flynn (Federally Funded)
Deborah Jones (Federally Funded)
Margaret E. Kenney
Eleanor Masten
Nancy McGalliard
Joyce P. Mitchell
Deborah Palmer
Sylvia Sporay
Vacant
Terry Townsend

Constables

Jack Cozamanis
Vickers S. LeCates
Alexander Osowski
John H. P. Tidwell

Bailiff

Keith Collins

NEW CASTLE COUNTY CAPIAS CONTROL OFFICE
Delaware State Hospital
duPont Highway
Wilmington, DE 19804
(421-6433)

Capias Control Clerks

Gaile M. Kerrigan, Supervisor
Lynne Ambrosino (Federally Funded)
Gladys B. Hewes

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONT'D

COURT 13
Odd Fellows Building
920 King Street
Wilmington, DE 19801
(571-2550)

Clerks

Patricia Riley, Chief
Evelyn Bennett
Deborah Collins
Valerie Davis
Marilyn E. Lemon
Audrey R. Lord
Veronica M. Reed
Claire A. Wierzbicki

Constables

Francis X. Coen
Stephen Griffith
Donald E. Watson

Bailiff

Joseph W. Hojnicky, Jr.

COURT 14
Odd Fellows Building
920 King Street
Wilmington, DE 19801
(571-2552)

Clerks

Clara R. Lucas, Chief
Patricia DiCampli

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONT'D

COURT 15
Suites 81-83
Independence Mall
1601 Concord Pike
Wilmington, DE 19803
(571-2493)

Clerks

Geraldine McLaughlin, Chief
Mary Dooling (Federally Funded)
Janice I. Harvey
Helen E. Hudson
Marie Rydlewski
LuAnne Shivone
Linda Marini-Cossetti

Constables

Thomas B. Candler
Robert E. Richardson

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1976
CRIMINAL CASES

FILINGS

<u>Court</u>	<u>Title 7 Fish/Game</u>	<u>Title 11 Criminal</u>	<u>Title 21 Traffic</u>	<u>Other</u>	<u>Prelim. Hearings</u>	<u>TOTALS</u>
Court 1	72	170	710	13	2	967
Court 1A	102	33	964	27	1	1,127
Court 2	106	344	3,457	176	160	4,243
Court 3	140	1,179	6,859	192	356	8,726
Court 4	216	1,100	5,127	172	0	6,615
Court 5	57	41	640	37	14	789
Court 6	51	410	2,354	61	14	2,890
Court 7	275	1,690	8,902	1,098	495	12,460
Court 8	80	287	1,364	136	27	1,894
Court 9	106	119	987	40	0	1,252
Court 10	117	5,193	10,362	843	117	16,632
Court 11	49	3,181	13,867	676	0	17,773
Court 13*	0	0	0	0	0	0
Court 14	0	0	0	0	2,170	2,170
Court 15	<u>165</u>	<u>2,578</u>	<u>7,188</u>	<u>0</u>	<u>0</u>	<u>9,931</u>
TOTALS	1,536	16,325	62,781	3,471	3,356	85,299**

*Civil Court only.

**Total excludes the 2,170 Preliminary Hearings at Court 14 which were held for cases already counted in the Title 11 Criminal column.

DISPOSITIONS

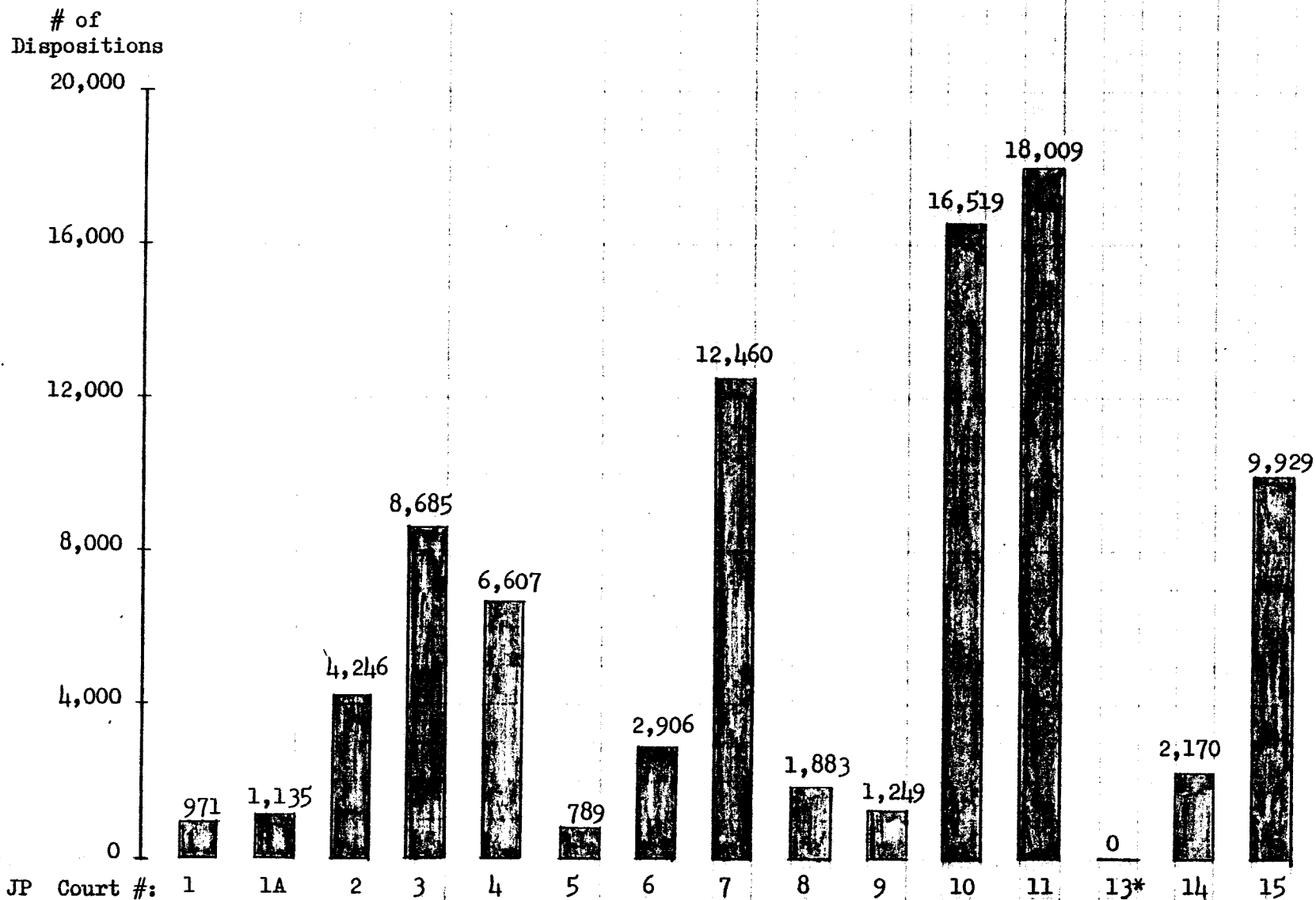
<u>Court</u>	<u>By Court</u>	<u>By Counsel</u>	<u>TOTALS</u>
Court 1	971	0	971
Court 1A	1,113	22	1,135
Court 2	4,246	0	4,246
Court 3	8,685	0	8,685
Court 4	6,607	0	6,607
Court 5	785	4	789
Court 6	2,868	38	2,906
Court 7	12,460	0	12,460
Court 8	1,883	0	1,883
Court 9	1,249	0	1,249
Court 10	16,161	358	16,519
Court 11	18,009	0	18,009
Court 13*	0	0	0
Court 14	2,170	0	2,170
Court 15	<u>9,929</u>	<u>0</u>	<u>9,929</u>
TOTALS	84,966**	422	85,388**

*Civil Court only.

**Totals exclude the 2,170 Preliminary Hearings at Court 14 which were held for cases already counted in the Title 11 Criminal column.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1976
CRIMINAL CASES-DISPOSITIONS



*Civil Court only.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1976
CRIMINAL CASES

<u>Court</u>	<u>Pending June 30, 1975</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending June 30, 1976</u>	<u>Changes In Pending</u>
Court 1	5	967	971	1	- 4
Court 1A	9	1,127	1,135	1	- 8
Court 2	17	4,243	4,246	14	- 3
Court 3	60	8,726	8,685	101	+ 41
Court 4	37	6,615	6,607	45	+ 8
Court 5	1	789	789	1	0
Court 6	22	2,890	2,906	6	- 16
Court 7	0	12,460	12,460	0	0
Court 8	2	1,894	1,883	13	+ 11
Court 9	1	1,252	1,249	4	+ 3
Court 10	151	16,632	16,519	264	+113
Court 11	257	17,773	18,009	21	-236
Court 13*	0	0	0	0	0
Court 14	0	2,170	2,170	0	0
Court 15	4	9,931	9,929	6	+ 2
TOTALS	566	85,299**	85,388**	477	- 89

*Civil Court only.

**Totals exclude the 2,170 Preliminary Hearings at Court 14 which were held for cases already counted by other courts.

JUSTICES OF THE PEACE COURTS

PAGE
=162=COMPARISON - FISCAL YEARS 1975-1976
CRIMINAL CASESFILINGS

	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Court 1	1,402	967	- 435	-31.0%
Court 1A	1,051	1,127	+ 76	+ 7.2%
Court 2	3,982	4,243	+ 261	+ 6.6%
Court 3	7,136	8,726	+1,590	+22.3%
Court 4	7,984	6,615	-1,369	-17.1%
Court 5	651	789	+ 138	+21.2%
Court 6	2,583	2,890	+ 307	+11.9%
Court 7	11,173	12,460	+1,287	+11.5%
Court 8	1,260	1,894	+ 634	+50.3%
Court 9	1,179	1,252	+ 73	+ 6.2%
Court 10	15,214	16,632	+1,418	+ 9.3%
Court 11	14,987	17,773	+2,786	+18.6%
Court 13*	0	0	0	0.0%
Court 14	1,899	2,170	+ 271	+14.3%
Court 15	<u>13,308</u>	<u>9,931</u>	<u>-3,377</u>	<u>-25.4%</u>
TOTALS**	81,910	85,299	+3,389	+ 4.1%

*Civil Court only.

**Totals exclude the Preliminary Hearings at Court 14 which were held for cases already counted by other courts.

DISPOSITIONS

	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Court 1	1,397	971	- 426	-30.5%
Court 1A	1,046	1,135	+ 89	+ 8.5%
Court 2	3,975	4,246	+ 271	+ 6.8%
Court 3	7,117	8,685	+1,568	+22.0%
Court 4	7,982	6,607	-1,375	-17.2%
Court 5	650	789	+ 139	+21.4%
Court 6	2,562	2,906	+ 344	+13.4%
Court 7	11,173	12,460	+1,287	+11.5%
Court 8	1,263	1,883	+ 620	+49.1%
Court 9	1,179	1,249	+ 70	+ 5.9%
Court 10	15,166	16,519	+1,353	+ 8.9%
Court 11	14,893	18,009	+3,116	+20.9%
Court 13*	0	0	0	0.0%
Court 14	1,899	2,170	+ 271	+14.3%
Court 15	<u>13,312</u>	<u>9,929</u>	<u>-3,383</u>	<u>-25.4%</u>
TOTALS**	81,715	85,388	+3,673	+ 4.5%

*Civil Court only.

**Totals exclude the Preliminary Hearings at Court 14 which were held for cases already counted by other courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1976
CIVIL CASES

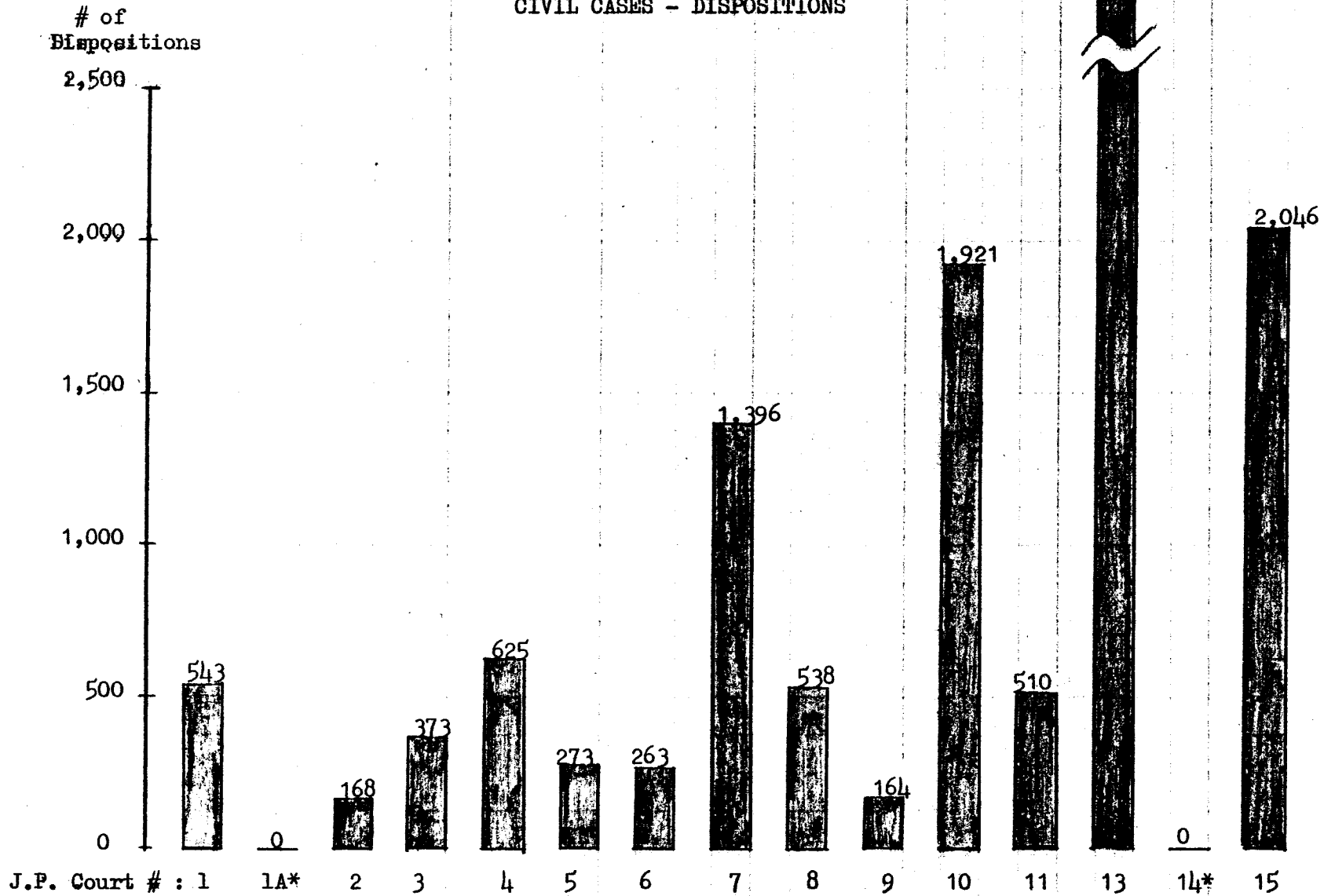
<u>COURT</u>	<u>FILINGS</u>	<u>DISPOSITIONS</u>		<u>Total</u>
		<u>By Court</u>	<u>By Counsel</u>	
Court 1	541	543	0	543
Court 1A*	0	0	0	0
Court 2	188	168	0	168
Court 3	357	373	0	373
Court 4	620	625	0	625
Court 5	299	273	0	273
Court 6	432	248	15	263
Court 7	1,495	1,396	0	1,396
Court 8	590	538	0	538
Court 9	161	164	0	164
Court 10	1,921	1,917	4	1,921
Court 11	1,233	510	0	510
Court 13	3,959	3,574	607	4,181
Court 14*	0	0	0	0
Court 15	2,045	2,046	0	2,046
TOTALS	13,841	12,375	626	13,001

*Criminal Court only.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1976

CIVIL CASES - DISPOSITIONS



*Criminal Court Only.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1976
CIVIL CASES

<u>Court</u>	<u>Pending June 30, 1975</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending June 30, 1976</u>	<u>Changes In Pending</u>
Court 1	39	541	543	37	- 2
Court 1A*	0	0	0	0	0
Court 2	126	188	168	146	+ 20
Court 3	91	357	373	75	- 16
Court 4	71	620	625	66	- 5
Court 5	78	299	273	104	+ 26
Court 6	938	432	263	1,107	+169
Court 7	509	1,495	1,396	608	+ 99
Court 8	78	590	538	130	+ 52
Court 9	8	161	164	5	- 3
Court 10	0	1,921	1,921	0	0
Court 11	679	1,233	510	1,402	+723
Court 13	1,361	3,959	4,181	1,139	-222
Court 14*	0	0	0	0	0
Court 15	10	2,045	2,046	9	- 1
TOTALS	3,988	13,841	13,001	4,828	+840

*Criminal Court only.

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1975-1976
CIVIL CASES

<u>FILINGS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Court 1	362	541	+ 179	+49.4%
Court 1A*	0	0	0	0.0%
Court 2	211	188	- 23	-10.9%
Court 3	384	357	- 27	- 7.0%
Court 4	610	620	+ 10	+ 1.6%
Court 5	287	299	+ 12	+ 4.2%
Court 6	521	432	- 89	-17.1%
Court 7	1,692	1,495	- 197	-11.6%
Court 8	326	590	+ 264	+81.0%
Court 9	161	161	0	0.0%
Court 10	1,923	1,921	- 2	- 0.1%
Court 11	1,171	1,233	+ 62	+ 5.3%
Court 13	3,849	3,959	+ 110	+ 2.9%
Court 14*	0	0	0	0.0%
Court 15	1,112	2,045	+ 934	+84.0%
TOTALS	12,609	13,841	+1,233	+ 9.8%

*Criminal Court only.

<u>DISPOSITIONS</u>	<u>1975</u>	<u>1976</u>	<u>Change</u>	<u>% Change</u>
Court 1	346	543	+ 197	+56.9%
Court 1A*	0	0	0	0.0%
Court 2	172	168	- 4	- 2.3%
Court 3	475	373	- 102	-21.5%
Court 4	553	625	+ 72	+13.0%
Court 5	271	273	+ 2	+ 0.7%
Court 6	533	263	- 270	-50.7%
Court 7	1,644	1,396	- 248	-15.1%
Court 8	441	538	+ 97	+22.0%
Court 9	157	164	+ 7	+ 4.5%
Court 10	1,923	1,921	- 2	- 0.1%
Court 11	834	510	- 324	-38.8%
Court 13	3,477	4,181	+ 704	+20.2%
Court 14*	0	0	0	0.0%
Court 15	1,108	2,046	+ 938	+84.7%
TOTALS	11,934	13,001	+1,067	+ 8.9%

*Criminal Court only.

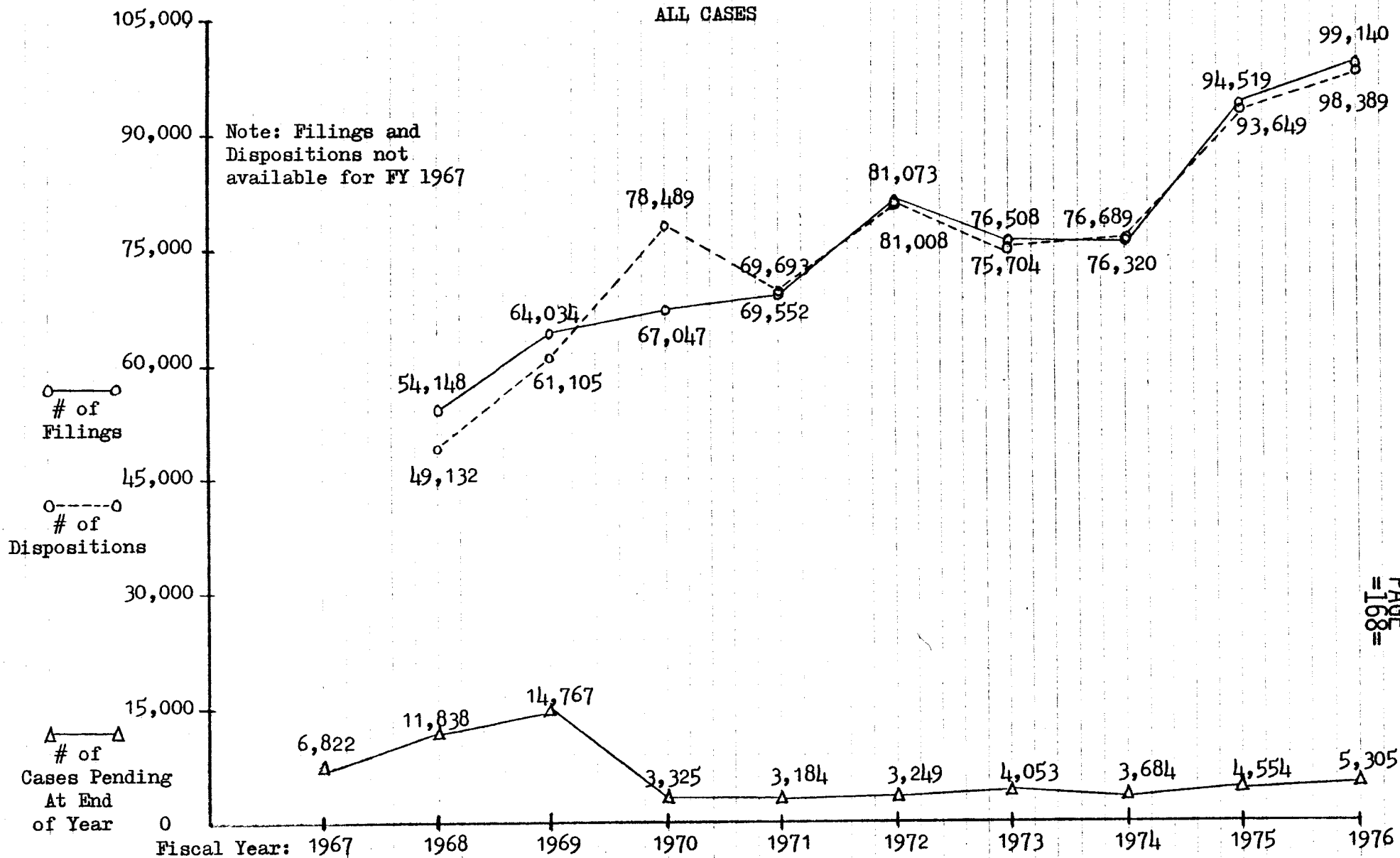
JUSTICE OF THE PEACE COURTS
FISCAL YEAR 1976
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>	<u>Court</u>	<u>Total Cases Filed</u>	<u>Percentage of Total</u>
1	Court 11	19,006	19.2%
2	Court 10	18,553	18.7
3	Court 7	13,955	14.1
4	Court 15	11,976	12.1
5	Court 3	9,083	9.2
6	Court 4	7,235	7.3
7	Court 2	4,431	4.5
8	Court 13	3,959	4.0
9	Court 6	3,322	3.4
10	Court 8	2,484	2.5
11	Court 14	2,170	-
12	Court 1	1,508	1.5
13	Court 9	1,413	1.4
14	Court 1A	1,127	1.1
15	Court 5	1,088	1.1
	TOTALS*	99,140	100.0%

*Totals do not include Court 14 cases which were already counted in totals of other courts.

JUSTICE OF THE PEACE COURTS

10 - YEAR WORKLOAD TREND
ALL CASES



SUMMARY OF Supervisor, Justice of the Peace

BUDGET

02 13 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES:</u>			
1. Magistrates	681,317.11	675,330.00	689,000.00
2. Employees	831,371.97	919,612.00	1,176,647.00
EMPLOYMENT COSTS		308,204.00	361,795.00
PERSONAL SERVICES	5,554.66	5,700.00	13,700.00
TRAVEL	65,923.33	66,500.00	80,460.00
CONTRACTUAL SERVICES	91,937.83	103,000.00	133,280.00
COURT RENTAL	56,409.60	71,284.00	80,000.00
SUPPLIES & MATERIALS	39,533.71	38,150.00	46,800.00
CAPITAL OUTLAY	18,616.20	18,550.00	57,881.00
GRAND TOTAL	1,790,664.41	2,206,330.00	2,639,563.00

= 1795 =

Alderman's Courts

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

Geographic Organization

Alderman's Courts have jurisdiction within their own town limits only. There are 14 Alderman's Courts currently active, plus another 4 courts which were not active during FY 1976 but which have been active in the recent past. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

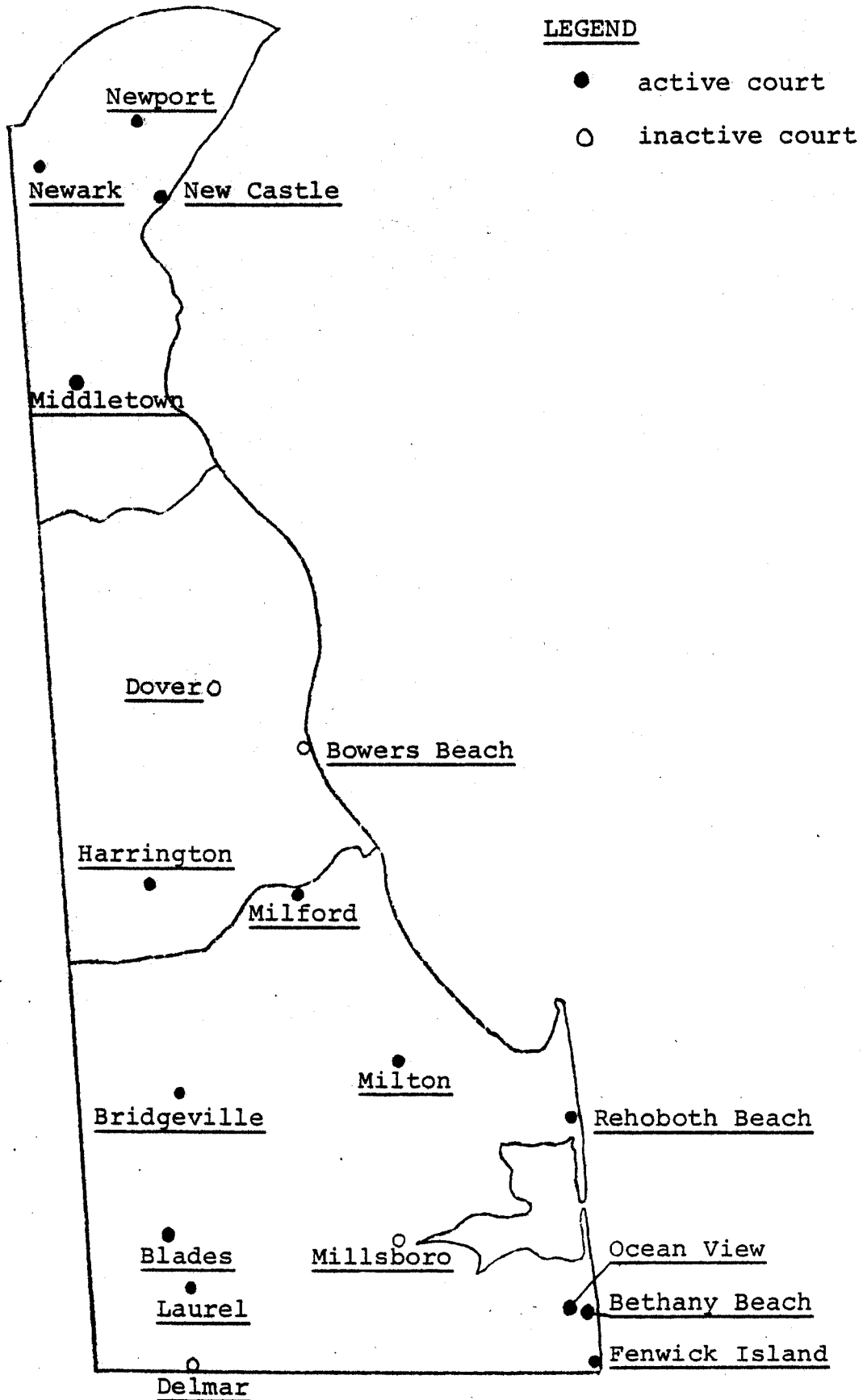
The jurisdiction of Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court again varies with the town charter (which is approved by the state legislature). Many courts handle only traffic and parking violations; only 3 handle a high number of criminal cases, and one court is primarily a civil court. Appeals are taken de novo to Superior Court.

Aldermen

The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers, others choose ordinary citizens. In New Castle the mayor serves as judge of their court.

Case Load Trend

FY 1976 was the first year during which complete workload statistics were collected. Therefore, definitive conclusions as to the trend of the caseload in Alderman's Courts will have to wait until next year. Of the 5 courts whose data is complete for both FY 1975 and FY 1976, four experienced increases ranging from 23% to 93%, while one court declined by 31%. One fact that continues to be evident - most Sussex County courts have extremely seasonal fluctuations in their caseloads.



NEW CASTLE COUNTYMiddletown

Hon. G. Edgar Williams
Alderman's Court #39
11 West Hoeffcker Street
Middletown, DE 19709
(834-5026, 378-2711)

New Castle

Hon. John F. Klingmeyer, Mayor
Mayor's Traffic Court
Old Sheriff's House
Market Square
New Castle, DE 19720
(328-4804)

Newark

Hon. Vance A. Funk, III
Alderman's Court #40
70 South Chapel Street
Newark, DE 19711
(738-6266)

Newport

Hon. Joseph A. Palermo
Alderman's Court #42
205 North Marshall Street
P.O. Box 3053, Newport
Wilmington, DE 19804
(994-6403)

KENT COUNTYBowers Beach

Inactive

Dover

Inactive

Harrington

Hon. Anna R. Hampton
Alderman's Court
103 Fleming Street
Harrington, DE 19952
(398-3772, 398-3530)

SUSSEX COUNTYBethany Beach

Hon. J. Joseph Tansey
Alderman's Court #31
P.O. Box 33
Bethany Beach, DE 19930
(539-8011)

Blades

Hon. Harvey W. Lee
Alderman's Court
P.O. Box 691
Blades, DE 19973
(629-7366)

Bridgeville

Hon. Virgil Kinder
Alderman's Court #32
200 Rail Road Avenue
Bridgeville, DE 19933
(337-8302)

Delmar

Inactive

Fenwick Island

Hon. Alfred T. Child
Alderman's Court #34
Town Hall
Fenwick Island, DE 19944
(539-6107)

Laurel

Hon. Walter J. Bryan
Alderman's Court #35
P.O. Box 210
Laurel, DE 19956
(875-2855, 875-2277)

ALDERMEN

SUSSEX COUNTY (Cont'd)

Milford

vacant

Alderman's Court #36
2 South Washington Street
Milford, DE 19963
(422-7782)

Millsboro

Inactive

Milton

Hon. James T. Carey
Alderman's Court
106 Union Street
Milton, DE 19968
(684-4110)

Ocean View

Hon. Genevieve Burton
Alderman's Court #43
Ocean View, DE 19970

Rehoboth Beach

Hon. George H. Wilson
Alderman's Court #37
P.O. Box C
Rehoboth Beach, DE 19971
(227-7917)

ALDERMAN'S COURTS
FISCAL YEAR 1975
WORKLOADS-MONEY COLLECTED

	<u>Traffic</u>	<u>Number of Cases</u>		<u>Total</u>	<u>Amount of Fines And Costs Collected</u>
		<u>Criminal</u>	<u>Other</u>		
<u>New Castle</u>					
Middletown*	188	25	12	225	N.A.
Newark	3,054	205	80	3,339	\$129,094.10
New Castle**	162	0	1	163	3,005.00
Newport	1,683	0	0	1,683	39,707.50
<u>Kent</u>					
Bowers Beach	Inactive				
Dover	Inactive				
Harrington	N.A.	N.A.	N.A.	N.A.	N.A.
<u>Sussex</u>					
Bethany Beach	341	2	25	368	10,432.50
Blades	Inactive				
Bridgeville***	389	22	0	411	13,385.73
Delmar	Inactive				
Fenwick Island	N.A.	N.A.	N.A.	812	24,430.00
Laurel#	N.A.	N.A.	N.A.	321	N.A.
Milford#	616	371	39	1,026	15,470.00
Millsboro	Inactive				
Milton	Inactive				
Ocean View@	40	0	4	44	N.A.
Rehoboth Beach	352	149	26	527	11,726.00
STATE@@	6,825	774	187	8,919	\$247,250.83

N.A. Not Available

*11-month totals; June 1975 figures not available.

**11-month totals; September 1974 figures not available.

***4-month totals; only March-June 1975 figures available.

#11-month totals; July 1974 figures not available.

@2-month totals; only May-June 1975 figures available.

@@These totals are minimums because some months are missing, some breakdowns are unavailable, and some courts filed no data whatsoever.

ALDERMAN'S COURTS
FISCAL YEAR 1976
WORKLOADS-MONEY COLLECTED

	<u>Traffic</u>	<u>Number of Cases</u>		<u>Total</u>	<u>Amount of Fines And Costs Collected</u>
		<u>Criminal</u>	<u>Other</u>		
<u>New Castle</u>					
Middletown	239	41	0	280	\$ 5,882.50
Newark	4,205	269	83	4,557	162,197.70
New Castle	758	0	0	758	14,976.50
Newport	3,248	4	2	3,254	83,807.85
<u>Kent</u>					
Bowers Beach	Inactive				
Dover	Inactive				
Harrington	2	1	175	178	5,752.00
<u>Sussex</u>					
Bethany Beach	408	2	44	454	12,876.50
Blades*	112	10	0	122	5,994.50
Bridgeville	857	68	1	926	20,379.02
Delmar	Inactive				
Fenwick Island	N.A.	N.A.	N.A.	559	19,027.77
Laurel	478	73	7	558	13,889.40
Milford	592	356	20	968	15,824.50
Millsboro	Inactive				
Milton**	26	0	0	26	926.50
Ocean View	144	0	2	146	N.A.
Rehoboth Beach	428	281	8	717	15,967.50
STATE	11,497#	1,105#	342#	13,503	\$386,502.24#

N.A. Not Available

*Blades Alderman's Court activated in March, 1976.

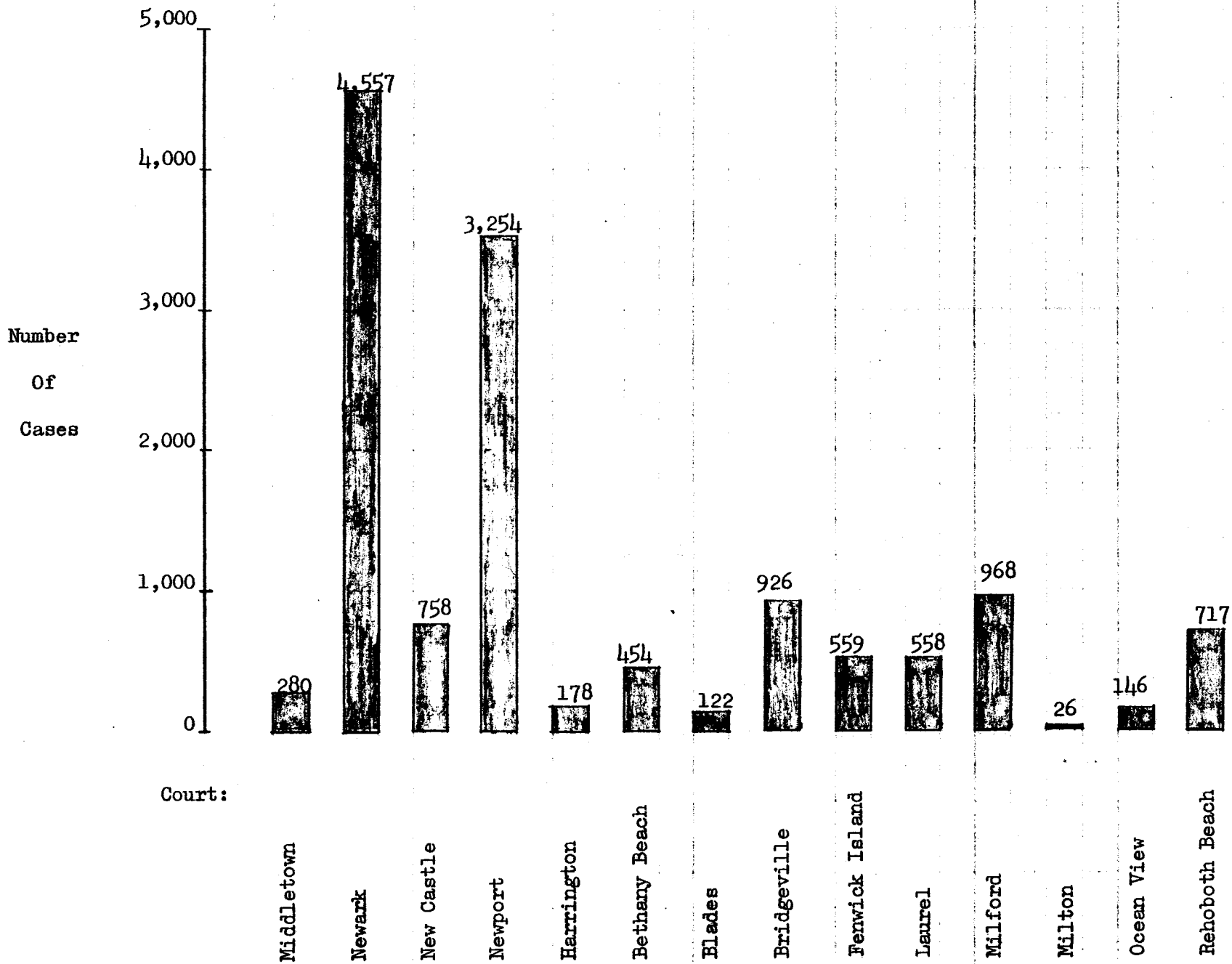
**Milton Alderman's Court activated in May, 1976.

#These totals are minimums because some breakdowns are unavailable.

ALDERMAN'S COURTS
FISCAL YEAR 1976
RANKINGS IN ORDER OF TOTAL NUMBER OF CASES

<u>Rank</u>	<u>Court</u>	<u>Total Number of Cases</u>	<u>Percentage of Total</u>
1	Newark	4,557	33.7%
2	Newport	3,254	24.1
3	Milford	968	7.2
4	Bridgeville	926	6.9
5	New Castle	758	5.6
6	Rehoboth Beach	717	5.3
7	Fenwick Island	559	4.1
8	Laurel	558	4.1
9	Bethany Beach	454	3.4
10	Middletown	280	2.1
11	Harrington	178	1.3
12	Ocean View	146	1.1
13	Blades	122	0.9
14	Milton	26	0.2
	TOTALS	13,503	100.0%

ALDERMAN'S COURTS
FISCAL YEAR 1976
TOTAL NUMBER OF CASES



ALDERMAN'S COURTS
COMPARISON-FISCAL YEARS 1975-1976
TOTAL NUMBER OF CASES

	<u>1975</u>	<u>1976</u>	<u>Change*</u>	<u>% Change*</u>
<u>New Castle</u>				
Middletown	225	280	+ 55	+ 24.4%
Newark	3,339	4,557	+1,218	+ 36.5%
New Castle	163	758	+ 595	+365.0%
Newport	1,683	3,254	+1,571	+ 93.3%
<u>Kent</u>				
Bowers Beach	Inactive	Inactive	-	-
Dover	Inactive	Inactive	-	-
Harrington	N.A.	178	+ 178	-
<u>Sussex</u>				
Bethany Beach	368	454	+ 86	+ 23.4%
Blades	Inactive	122	+ 122	-
Bridgeville	411	926	+ 515	+125.3%
Delmar	Inactive	Inactive	-	-
Fenwick Island	812	559	- 253	- 31.2%
Laurel	321	558	+ 237	+ 73.8%
Milford	1,026	968	- 58	- 5.7%
Millsboro	Inactive	Inactive	-	-
Milton	Inactive	26	+ 26	-
Ocean View	44	146	+ 102	+231.8%
Rehoboth Beach	527	717	+ 190	+ 36.1%
STATE	8,919	13,503	+4,584	+ 51.4%

N.A. Not Available

*These figures should be viewed carefully because many of the changes in caseload result from more complete reporting as well as actual increases in workloads.

COMPARISON
ALDERMAN'S AND JP COURTS IN SAME TOWN

Fiscal Year 1976

<u>Court</u>	<u>Traffic</u>	<u>Number of Cases Filed</u>		<u>TOTAL</u>
		<u>Criminal</u>	<u>Other</u>	
<u>MIDDLETOWN</u>				
JP Court #9	987	119	307	1,413
Alderman's Court	239	41	0	280
<u>NEW CASTLE</u>				
JP Court #11	13,867	3,181	1,958	19,006
Mayor's Traffic Court	758	0	0	758
<u>HARRINGTON</u>				
JP Court #6	2,354	410	558	3,322
Alderman's Court	2	1	175	178
<u>BETHANY BEACH</u>				
JP Court #1A	964	33	130	1,127
Alderman's Court #31	408	2	44	454
<u>MILFORD</u>				
JP Court #5	640	41	407	1,088
Alderman's Court	592	356	20	968

**Council
on
the
Administration
of
Justice**

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legislative Authority

The Council is authorized by 10 Delaware Code, Section 2001.

Duties

The Council is charged with the continuous study of the administration of justice in the state, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the state, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term co-extensive with that of the appointed Governor.

Judicial Conference

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 35.

Duties

The Judicial Conference studies the judicial business of the courts with a view of improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the canons of judicial ethics, and holds symposia of the Bench and Bar.

Membership

The membership of the Conference includes the members of the Supreme Court, Court of Chancery, Superior Court, Court of Common Pleas, Family Court and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Stated meetings of the Conference are held on the first Wednesday of December and June.

**Court
on
the
Judiciary**

COURT ON THE JUDICIARY

Article 4, Section 37, of the Constitution of the State of Delaware created this Court consisting of the Chief Justice and the Associate Justices of the Supreme Court, the Chancellor and the President Judge of the Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, for commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or for permanent mental or physical disability interfering with the proper performance of these duties.

No censure or removal or retirement will be effective until the judicial officer has been served with written charges and has the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has:

(a) - the power to summon witnesses to appear and testify under oath and to compel production of other evidence, and

(b) - the power to adopt rules establishing procedures for the investigation and trial of a judicial officer.

Therefore, it is necessary to request funds to enable the Court to operate. If no trials are necessary, all funds will revert at the end of each fiscal year.

**Law
Libraries**

There are three Law Libraries located in the State of Delaware. They are staffed and maintained by state funds and each is presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

The primary function of the Law Libraries is to provide a legal informational center for the Judiciary, Public Defender's Office, legal representatives of county and municipalities, city solicitors and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. New Castle and Kent are designated as official depository libraries by the U.S. Government Printing Office. As state-supported agencies the libraries are available to the general public during normal working hours. Aid and assistance is rendered to persons wishing to make use of the facilities.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses in excess of 19,000 books and there is presently seated working space for 26 persons at one time. In 1975, this library was enlarged in size by taking over space formally occupied by the Department of Justice. Shelving and carpeting were recently installed in the newly acquired space and it is hoped that the older section will conform with the new in decor. Even with this newly acquired space, the facilities will become inadequate within two years unless additional space, shelving, tables and chairs are provided. Books are still stored in the Judges' quarters due to the lack of storage space. The entire facility is maintained and administered by one full time Law Librarian and one part time assistant.

The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state and is staffed by one full time librarian and one part time assistant.

The Sussex County Law Library is staffed by one Law Librarian and houses approximately 12,000 volumes.

The Law Librarians are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts; maintenance of loose leaf services; bookkeeping for the agency's accounts; preparing invoices for library expenditures; filing and indexing reported and unreported opinions from the several courts; obtaining and filing copies of rules and regulations promulgated by the governmental agencies; maintaining of books and their monetary values; obtaining and filing statutes from legislative council and other states; handling requests from various persons for information contained in the library; handling special requests for research work from the judges; planning and recommending development and improvement of services; writing reports and in general performing duties associated with library work.

SUMMARY OF

Law Libraries

BUDGET

02 09 000, 02 10 000,
02 11 000

	1976	1977	1978
	GENERAL FUND DISBURSEMENT	GENERAL APPROPRIATION	GENERAL FUND REQUESTED
<u>SALARIES</u>			
Employees	32,720.00	34,441.00	40,845.16
EMPLOYMENT COSTS		5,975.00	7,084.44
PERSONAL SERVICES	500.00	59.00	500.00
TRAVEL		130.00	1,478.00
CONTRACTUAL SERVICES	4,821.47	6,511.00	7,835.00
SUPPLIES & MATERIALS	1,104.69	815.00	1,175.00
CAPTIAL OUTLAY	67,950.47	58,608.11	93,898.00
GRAND TOTAL	107,096.63	106,539.11	152,815.60

**Projects
Supported
by
Federal
Funds**

PROJECTS SUPPORTED BY FEDERAL FUNDS

During the past fiscal year, Delaware Courts received continued support in their effort to improve the criminal justice system from the Delaware Agency to Reduce Crime (DARC), which is the State Criminal Justice Planning Agency (SPA) that administers the Law Enforcement Assistance Administration (LEAA) block grant allocation.

DARC subgrants were awarded for the following purposes:

1. To employ a law clerk in the Supreme Court. This was a continuation of providing a law clerk who, in addition to two state funded clerks, assisted the justices through legal research, in the preparation of memoranda, and in drafting opinions and orders.
2. To provide in-service training for judicial personnel. This continuation grant supported the special training needs of new members of the Judiciary by enabling them to attend classes at the National College of the Judiciary in Reno, Nevada, and at the American Academy of Judicial Education in Boulder, Colorado.
3. To employ an Administrative Assistant to the Criminal Office Judge. This is a new subgrant which provides the Criminal Office Judge of the Superior Court with staff assistance. The overall objectives are to provide the Criminal Office Judge with a means to coordinate the efforts of the Criminal Case Scheduling Office with the available judges and courtrooms and to provide information to assist in "pre-trying" complex criminal trials.
4. To employ a Courts Coordinator within the Administrative Office of the Courts. The Coordinator and an administrative assistant continued to work closely with the Director and the Courts Consortium Planner, lending support to their varied duties. The Coordinator also had primary responsibility for the development of uniform requirements for statistical reporting among all the courts in the Delaware system.
5. To provide expansion of the Superior Court Administrative Office. The continuation of a four-member data collection team produced regular reports on detentioners and prisoners awaiting criminal trial, and also prepared quarterly reports for the "Speedy Trial" Committee in order to enable the Court to measure its performance in meeting its speedy trial guidelines.
6. To provide additional personnel for the Pre-Sentence Office. This was a continuation grant that enabled the Superior Court Pre-Sentence Office to hire one officer and three

PROJECTS SUPPORTED BY FEDERAL FUNDS (CONT'D)

secretaries in order to meet the standard of 30 days from the ordering of an investigation to sentencing date. Staff efforts were concentrated in New Castle County.

7. To provide Family Court detention services. This grant involves two former projects. The first relates to the screening of juveniles who have been detained at the Bridgehouse for release to their family prior to court hearing. This was achieved through the hiring of a counselor. The second aspect enabled the Court to hire three juvenile group leaders to supervise juveniles in detention at the Court and to shuttle them to and from the Court as needed.
8. To provide Family Court volunteer services. This was a continuation grant which enabled the Family Court to maintain three counseling positions and one clerk typist to staff a statewide Family Court Volunteer Program. The project was aimed at enriching existing services by supplementing the Court staff and expanding services to clients.
9. To provide training and resources for the staff of Family Court. This was a new grant which provided training sessions for Family Court counseling and clerical personnel. Additionally, the grant provided for the purchase of a movie projector, books, instructional materials and films to facilitate learning and training techniques.
10. To provide a Family Court Intake Screening Unit to promote pre-adjudicatory settlement of disputes. This was a continuation grant that enabled the Family Court to maintain additional staff of seven counselors - five in New Castle County and two in Sussex County. These counselors have successfully adjusted about half of the cases that went through "Intake Services" during the course of the year.
11. To provide supplemental support personnel for Municipal Court. This was a continuation of a grant that was able to employ a process server to cut down on delays due to non-service and to use law clerks to assist the judges in research and preparation of opinions.

Court Rules Changes

COURT RULES CHANGES

The following amendments, deletions, or additions were made to the Rules of the respective courts during Fiscal Year 1976. The material contained herein represents a synopsis of the changes, rather than a duplication of the Rules themselves. The changes noted reflect only those promulgated from July 1, 1975, through June 30, 1976.

Supreme Court

RULE 4

The existing Rule 4 was amended by the addition of a new subsection, 8. This section, effective 12/3/75, authorizes the Clerk of the Supreme Court to sign and enter stipulations for time enlargements, without notice to the Justices. This constitutes an exception to the general requirement of notification to the Justices of each docket entry.

RULE 9

The form in which briefs are required to be submitted was amended, effective 12/3/75. It is now necessary that appendices which exceed twenty (20) pages in length be separately bound.

RULE 10

Effective 10/15/76, the existing Rule 10A(3) was rescinded, and a new 10A(3) was substituted. The new provision prescribes that counsel of record for indigent defendants in criminal proceedings and for juveniles in delinquency proceedings shall continue to represent such persons on appeal. Where necessary, the Court may appoint substitute counsel.

In contrast to the former procedure of certification of such counsel fees to the President Judge of the Superior Court for payment, claims for compensation will now be submitted separately to each court wherein the defendant was represented. All claims must be supported by a written statement of time expended, both in and out of Court, and of services rendered and expenses incurred.

The maximum compensation under the Rule is \$35.00 per hour for in-court service, and \$25.00 per hour for out-of-court service. Total compensation may not exceed \$1,000.00 for each appeal of felonies (or those acts committed by juveniles which would be felonies if committed by adults), nor exceed \$500.00 for appeals of misdemeanors (or those acts which would be misdemeanors if committed by adults). Application for waiver of these maximum amounts may be made "for extended or complex representation", however.

COURT RULES CHANGES (CONT'D)

RULE 11

Subsection A of Rule 11 was amended, effective 3/8/76, to provide that the Court, on its own motion, may dispense with oral argument, and determine a case solely upon briefs submitted.

RULE 24

A new subsection, 4, was added to Rule 24, effective 1/8/76. The amendment provides for proceedings in forma pauperis. Upon the presentation of an affidavit, from which a determination of indigency can be made, the Court may order the "commencement, prosecution, or defense of any civil action", without prepayment of fees.

RULE 32

The composition of the Censor Committee was amended, effective 2/10/76. While the Committee formerly consisted of nine (9) members, it is now composed of seven (7) members, five (5) of whom are residents of New Castle County, and one (1) each of Kent and Sussex Counties.

RULE 32A

Effective 9/25/75, the procedure for accountability of members of the Bar who fail to comply with the requirements of the Clients' Security Trust Fund was amended. Formerly, the trustees of the Censor Committee were required to recommend to the full Committee any action to be taken for non-compliance. The amendment places a duty upon the Treasurer of the Committee to certify to the Clerk of the Supreme Court, on or before June 1, of each year, the name and address of any member of the Bar who has failed to comply with the Rule.

RULE 32A

Pursuant to Rule 32A, rules for the Trustees of the Clients' Security Trust Fund were approved by the Supreme Court.

These rules empower the Trustees to require an audit to be made of the books and records of a member of the Bar, or of the member's law firm, which are required to be maintained. Such examination is subject to strict rules of confidentiality.

The Trustees are further empowered in each year to select at random ten individuals or firms whose books and records shall be examined. Such examination will be conducted to verify the accuracy of certificates filed pursuant to Interpretive Guideline #2.

The auditors chosen by the Trustees to perform audits must be Certified Public Accountants or Public Accountants.

COURT RULES CHANGES (CONT'D)

Superior Court

CIVIL RULE 77

Effective 10/1/75, all written opinions of the Superior Court are required to bear both the date of the last action in the case (oral argument, brief filed, etc.) and the date of the filing of the opinion or order.

CIVIL RULE 112

A new Civil Rule, 112, was added, effective 2/1/76. This rule enables the Superior Court to authorize the "commencement, prosecutions or defense" of any civil actions at appeal without prepayment of fees. Such authorization is based on a determination of indigency made by the Court from an affidavit filed by the appellant or defendant.

CRIMINAL RULE 38.2

A new rule, 38.2, was promulgated effective 10/15/75. This rule requires that appointed counsel in criminal proceedings and in juvenile delinquency proceedings must continue to represent such indigent defendants through the appeals process. The Court is given discretionary authority to appoint substitute counsel where necessary, however.

Counsel fees will now be demanded by a separate claim in each Court where representation was provided. Maximum allowable fees are governed by the new Criminal Rule 44, (infra).

CRIMINAL RULE 44

Rule 44 was amended, effective 10/15/75, with regard to the procedure for making claims and assessing payment for services rendered. Separate claims must be made in each court where the defendant is represented, accompanied by a written statement of time expended, services rendered and expenses incurred, as well as a rotation of compensation received or anticipated from any other source.

Compensation will be made at a rate not to exceed \$35.00 per hour for in-court services, and \$25.00 per hour for out-of-court services. Total compensation may not exceed \$1,000.00 for felony cases, nor \$500.00 for misdemeanor cases. These amounts do not include compensation from other courts where claims are made for the same action. The maximum amounts may be waived by the President Judge of the Superior Court in extended or complex cases

Counsel is required to secure advance authorization from the Court for all expenditures for transcripts, witness travel expenses, investigative, expert or other services in excess of \$200.00.

COURT RULES CHANGES (CONT'D)

CRIMINAL RULE 56

Effective 10/1/75, all written opinions of the Superior Court are required to bear both the date of the last action in the case (oral argument, brief filed, etc.) and the date of the filing of the opinion or order.

Family Court

RULE 320

Family Court adopted the standard for fees and disbursements of court-appointed counsel similar to those for Superior and Common Pleas Courts. Compensation rates of \$35.00 per hour for in-court services, and \$25.00 for out-of-court services are allowed. Maximum rates may be waived by the Chief Judge. Where application is made for a fee exceeding \$1,000.00, the county attorney of the county in which the case was tried must be notified.

Counsel may not incur expenses in excess of \$200.00 for transcripts, witness travel expenses, investigation, expert or other services, without prior authorization from the Court.

RULE 430

Effective 7/1/75, Rule 430 governs costs and fees for actions filed in Family Court. The normal fee for the filing of a petition or information is \$10.00.

Costs of criminal proceedings are assessed against the defendant or juvenile delinquent, including a 10% assessment for the Victim Compensation Fund.

No costs are imposed for criminal, civil or delinquency matters resolved through the voluntary adjustment process.

In custody cases, a discretionary fee of \$50.00 may be imposed by the Court. Counsel fees and costs of psychological or physical evaluations may be imposed, in the discretion of the Court.

Any costs may be waived by the Court for hardship or good cause shown.

Court of Common Pleas

CIVIL RULE 110

The Court of Common Pleas amended its Civil Rules through the

COURT RULES CHANGES (CONT'D)

addition of a new Rule 110. This rule provides for proceedings in forma pauperis. Upon the filing of an affidavit from which determination of indigency can be made, the Court is empowered to authorize the "commencement, prosecutions or defenses of any civil action" without prepayment of fees.

CRIMINAL RULE 44

Rule 44 was amended, effective 10/15/75, with regard to the procedure for making claims and assessing payment for services rendered. Separate claims must be made in each court where the defendant is represented, accompanied by a written statement of time expended, services rendered and expenses incurred, as well as a rotation of compensation received or anticipated from any other source.

Compensation will be made at a rate not to exceed \$35.00 per hour for in-court services, and \$25.00 per hour for out-of-court services. Total compensation may not exceed \$1,000.00 for felony cases, nor \$500.00 for misdemeanor cases. These amounts do not include compensation from other courts where claims are made for the same action. The maximum amounts may be waived by the President Judge of the Superior Court in extended or complex cases.

Counsel is required to secure advance authorization from the Court for all expenditures for transcripts, witness travel expenses, investigative, expert or other services in excess of \$200.00.

Justice of the Peace Courts

RULE 14

Effective 8/8/75, jury trials were obtainable in Justice of the Peace Courts in summary proceedings for possession and ancillary matters controlled by the Landlord-Tenant Act.

The procedure requires that a list of twelve impartial jurors will be submitted to the parties three days before trial. Plaintiffs and defendants (or the Court) then alternately strike a total of six of those jurors on the day of trial. The remaining six jurors comprise the jury for the case.

The jurors chosen are sworn and hear the evidence presented. The Court determines this admissibility of evidence, as well as all questions of law. An accurate record of the proceedings is required.

The jury conducts deliberations in secret, and delivers its verdict to the Court.

COURT RULES CHANGES (CONT'D)

Appeal is made to an Appellate Court composed of three Justices of the Peace appointed by the Chief Magistrate. Review is on the record. Assistance in the deliberations of the Appellate Court is provided by the Deputy Administrator. A stay of proceedings will be granted only where a bond is filed by the appellant as security for the cost of further proceedings and damages arising during the pendency of such proceedings.

Code of Professional Responsibility

DR 1-102

A new subsection, seven (7), DR 1-102(A), effective 12/18/76, adds to the list of prohibitions involving misconduct, any conduct which causes or results in a breach in the confidentiality of records, investigations and proceedings of the Censor Committee.

Legislation

LEGISLATIONHouse of Representatives

HOUSE BILL 34

The Uniform Child Custody Jurisdiction Act was signed by the Governor on 4/19/76. The stated purpose of the Act is to "avoid jurisdictional competition and conflict in the courts of other states in matters of child custody which have in the past resulted in the shifting of children from state to state". Under its provisions, the State of Delaware would be competent to make or modify a custody decree only if:

- 1) Delaware is the home state of the child when the action is begun, or
- 2) Delaware has been the child's home state within six months before the action is begun and the child has been removed from the state by a person claiming custody while one parent continues to live in this state, or
- 3) if the child and his parents have significant connections with the state, or
- 4) substantial evidence concerning the child's care and protection is found in the state, or
- 5) the child is present in the state and appears to be abandoned or neglected, or
- 6) it appears that no other state would have jurisdiction under these guidelines, or
- 7) another state has declined to exercise jurisdiction on the ground that Delaware is the most appropriate forum for custody determination.

The Act provides for notice to parties and witnesses, within or without the state, and for proper circumstances where the Court will decline to take jurisdiction. The manner and form of the proceedings are also specified.

The Act declares that a custody decree rendered by a court of this state which had jurisdiction to make such a decree will be conclusive as to issues of law and fact, until the decision is modified.

Provision is also made for the recognition of out-of-state custody decrees by the courts of this state.

LEGISLATION (CONT'D)

HOUSE BILL 178

Effective 1/31/76, a sentence imposed for possession of a deadly weapon during the commission of a felony may not run concurrently with any other sentence. Further, where conviction for another felony accompanies the possession conviction, the sentence for the former felony shall be served before the latter.

HOUSE BILL 473

An act authorizing the courts to impose as a penalty for obscenity the suspension for one year of the business license(s) for that business from which the obscenity conviction arose was signed on 6/4/76. This new penalty may be imposed in addition to any other penalties.

HOUSE BILL 499

The statute regarding adoption and termination of parental rights was amended, effective 7/10/75. The court is permitted to retain jurisdiction over an adoption proceeding until its final decision, even though the petitioner(s) may have moved into another jurisdiction.

Further, an affidavit from the mother of the child stating her name and address, marital status at the time of conception and birth, and name of the mother's husband, if any, and a statement as to the name and last known address of the natural father or an affirmation that the mother knows the name of the natural father but is unwilling to disclose it, or that she has never known it.

A period of supervision by the Division of Social Services is mandated in the case of adoption by a stepparent or blood relative.

Strict standards are imposed to discourage the termination of the parental rights of one parent by the other, where no adoption is contemplated.

In cases of termination of parental rights, a full accounting of efforts made to identify and locate the natural father are required. A procedure for service of notice by publication is also outlined for cases where in-state service is impossible.

HOUSE BILL 553

This amendment to Title 10 clarifies the fact that, once a wage attachment is made, it remains in force until the judgment is satisfied in full. No new attachments are necessary to renew the initial one.

LEGISLATION (CONT'D)

HOUSE BILL 554

In garnishment proceedings, an attachment once made will remain in effect until the judgment is paid in full. This amendment clarifies, but does not change, the existing law.

HOUSE BILL 577

This bill re-enacts a section of Title 13 which was inadvertently repealed when jurisdiction over divorce and annulment were removed to the Family Court. The act empowers Family Court to enforce and modify support orders initially imposed by the Superior Court. Such proceedings are properly brought in the county where the respondent resides, if he or she can be found within the state. Otherwise, the petition may be filed where the petitioner resides.

In addition to its other dispositional authority, the Court is authorized to tax counsel fees against either respondent or petitioner, and to punish a respondent who violates a support order by a contempt citation.

HOUSE BILL 601

This amendment to Title 13 clarifies the legislative intent to permit minors over 12 years of age to consent to treatment of infectious, contagious or communicable diseases, or to the prevention of pregnancy by lawful therapeutic procedures, without parental consent. No minor, however, may authorize an abortion under this section.

HOUSE BILL 605

A new definition of "voluntary separation" for purposes of divorce and annulment proceedings was created, effective 3/30/76. The amendment provides that where a respondent denies that a separation was voluntary, mutual consent or acquiescence must be shown either by written agreement of the parties, or by participation by the respondent in judicial proceedings which rely on the alleged consent or acquiescence of the respondent. This manner of definitive proof was not previously necessary, where the voluntariness of the separation was in issue.

HOUSE BILL 606

Under this act, the dispositional power of the Family Court is expanded in cases of support, or where desertion is alleged. In addition to its other powers, the Court may order the defendant to move from the family home, or to permit the spouse and child(ren) to use it, regardless of whose name title to the home rests in, as

LEGISLATION (CONT'D)

an element of support of the spouse and/or child(ren).

The Court may also enjoin the defendant from molesting or disturbing the peace of the spouse and/or child(ren) whom the defendant is obliged to support.

Further, the Court may restrain the defendant from transferring or disposing of property, "except in the usual course of business or for the necessities of life."

HOUSE BILL 622

The Uniform Reciprocal Enforcement of Support Act is amended to include the payment of arrearages and past due support in the definition of "duty of support".

The jurisdictions utilizing URESA are also expanded to include any province or territory of the Dominion of Canada or any foreign country. "Support order" is defined as any "judgment, decree or order of support in favor of an obligee ... regardless of the kind of action or proceeding in which it is entered.

The authority of the Court in this or a foreign state to determine paternity is specified.

A new procedure is provided for the registration in this state of a foreign support order.

HOUSE BILL 820

A statute of limitations for all unclassified misdemeanors, retroactive to 7/1/73, was enacted. The statute permits prosecution for Class B, Class C and unclassified misdemeanors within two (2) years after commission of the crime.

HOUSE BILL 893

With the exception of judges or other members of the State Judiciary, referees, jurors and other persons appointed by the judiciary, including the Deputy Administrator, all employees of the Justice of the Peace Courts are now members of the Merit System.

HOUSE BILL 1065

Continuing education for Justices of the Peace is provided by this bill. Fees for courses in Constitutional Law, Trespass, Debt, Landlord-Tenant Law, Executions, Criminal Law, Civil Procedure, Criminal Procedure and Evidence will be paid by the State, when offered by and taken at the Delaware Law School or

LEGISLATION (CONT'D)

other State institution.

HOUSE BILL 1099

A constitutional amendment permitting retired state Judges or Justices of the Supreme Court to sit in the Court from which they were retired was enacted. Notwithstanding that the respective judges or justices may be receiving state pensions, additional compensation as provided by the General Assembly is permitted.

HOUSE BILL 1101

The appointment of a Chief Clerk, to be named by the Chief Judge of the Court of Common Pleas, is authorized. The responsibilities of the Clerk include administration of all non-judicial activity within the Court. The Chief Judge may also appoint a Deputy Clerk for each county, and "such other officers and employees deemed necessary to perform the business of the Court."

Senate

SENATE BILL 53

The duty of a parent to support his or her minor child may continue beyond the age of 18 years, where such a child is enrolled in high school, and is likely to graduate. In no case, however, will a parent continue to be liable for support beyond the child's high school graduation or his or her nineteenth birthday, whichever occurs first.

SENATE BILL 110

The Chief Justice of the Supreme Court is now required periodically to deliver an address to the General Assembly concerning the state of the judiciary. Such address shall include recommendations from the Chief Justice as to improvements or modifications deemed "expedient".

SENATE BILL 133

The admissibility of evidence of the sexual conduct of the complaining witness in a rape prosecution is limited in scope.

LEGISLATION (CONT'D)

When such evidence is sought to be introduced, the defendant must make written motion to the Court and to the prosecutor, of the offer of proof. Such motion must describe the relevancy of the evidence to the defense.

Where the Court finds that the offer of proof is sufficient, the witness may be questioned at a hearing out of the presence of the jury. If the Court finds the evidence to be admissible and relevant, an order defining what evidence may be introduced will be issued. The defendant may offer evidence according to the terms of such order.

Except as provided in this section, evidence of reputation, or evidence of specific instances of the sexual conduct of the complaining witness is not admissible to prove consent. This section also applies to prosecution for attempted rape, conspiracy and assault.

SENATE BILL 331

Concurrent sentences are prohibited where the defendant is convicted of two or more offenses arising from the same criminal conduct.

SENATE BILL 334

A minimum mandatory sentence of three years, not subject to suspension, must be imposed where a defendant is convicted of Robbery in the First Degree. Moreover, the defendant is ineligible for probation and/or parole during the first three years of such sentence.

SENATE BILL 347

The civil jurisdiction of the Court of Common Pleas was increased from a \$3,000.00 maximum to \$5,000.00 maximum, effective in July of 1975.

SENATE BILL 433

The Bureau of Child Support Enforcement was created in 1975, pursuant to the Social Security Amendments of 1974. By Senate Bill 433, a special escrow account was established to receive all moneys collected by the Bureau, such account to be separate from the General Fund of the State.

LEGISLATION (CONT'D)

SENATE BILL 434

Pursuant to the creation of the Bureau of Child Support Enforcement, any application for or receipt of public assistance under §503 of Title 31 serves an automatic assignment of all rights to support for any dependent child on whose behalf public assistance is sought or received. Thus, the Bureau has undertaken responsibility for enforcement of support obligations for all those persons receiving public assistance.

SENATE BILL 435

The dispositional power of the Family Court is amended to include the authority to order one under a duty of support to make payments directly to the Court, or through the Bureau of Child Support Enforcement. The Court retains its existing power to order payment to be made directly to the spouse, ex-spouse or custodian of the child, however.

SENATE BILL 475

Jurisdiction over all cases of divorce and annulment were transferred from Superior Court to the Family Court, effective November of 1975. Procedural rights previously afforded to litigants in the Superior Court were likewise available in the Family Court.

The right of appeal from a final or interlocutory order is now made directly to the Supreme Court, on the record of the Court below.

SENATE BILL 577

Beginning on 7/1/77, the definition of truancy is expanded. A truant child will be one who is absent from school without valid excuse for more than three days, or who has been absent for an unreasonable amount of time intermittently, without valid excuse. The act specifically excludes from the category of truants, a child whose parents fail to cause him or her to attend school, for reasons of ensuring his or her safety.