

the Delaware judiciary » 1979 annual report

COVER

The Public Building  
King, 10th, French, and 11th Streets, Wilmington

Courthouse for the Court of Chancery, Superior Court, and the  
Court of Common Pleas in New Castle County; also courthouse for  
Wilmington Municipal Court and Justice of the Peace Court No. 13

Drawing is of west elevation, King Street by Moeckel/Carbonell &  
Partners, Architects

THE 1979 ANNUAL REPORT OF THE DELAWARE JUDICIARY

DECEMBER 21, 1979

PREPARED BY  
THE ADMINISTRATIVE OFFICE OF THE COURTS:

JOHN R. FISHER, DIRECTOR

VINCENT P. MECONI, JUDICIAL PLANNER

ADAM GOLBY, RESEARCH ASSISTANT

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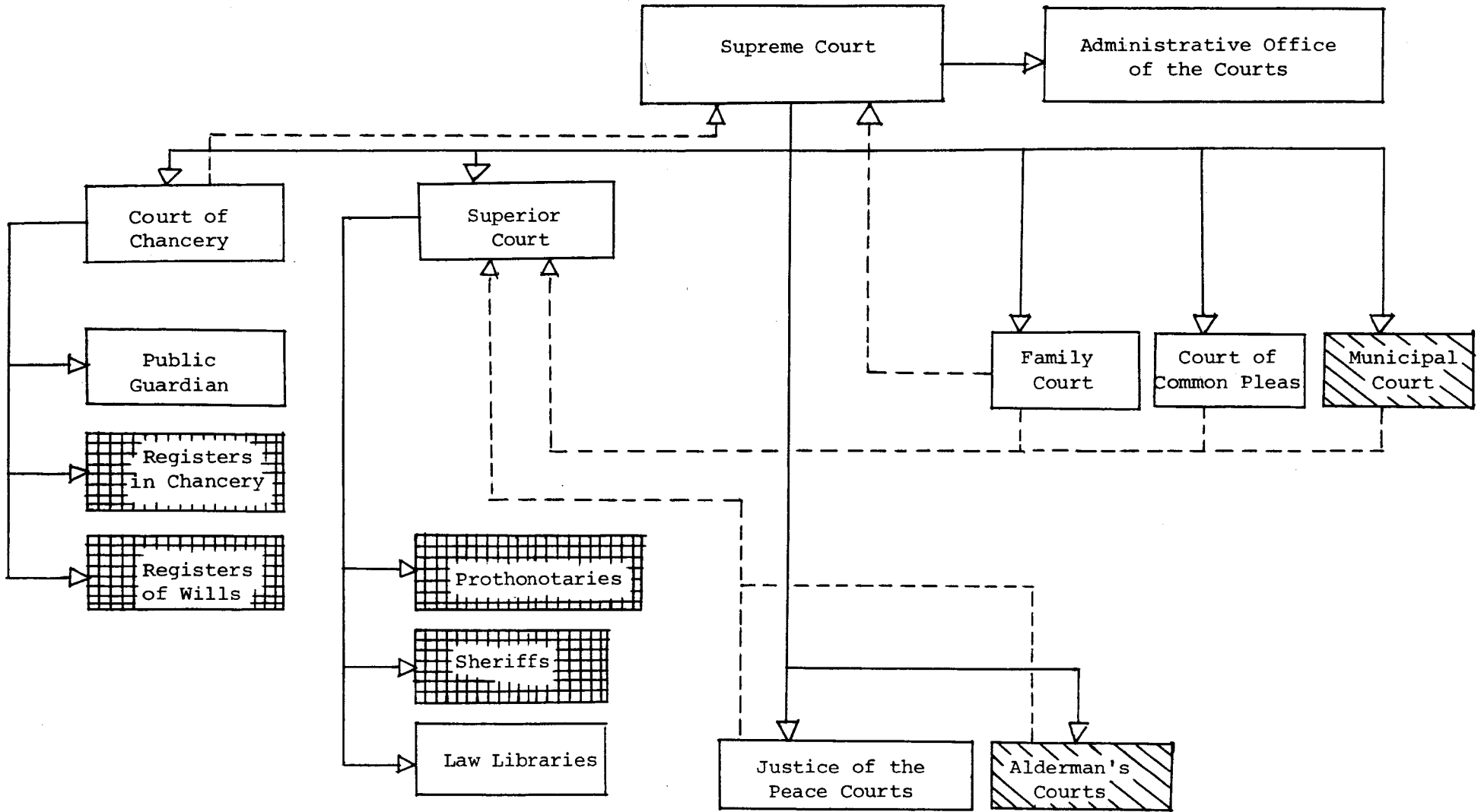
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**General  
Introduction  
and  
Overview**

THE DELAWARE JUDICIAL SYSTEM



KEY: Administrative Authority

Appeals

Funded by the State

Funded by Counties

Funded by Municipalities

SUMMARY OF JUDICIAL BUDGETS

FISCAL YEARS 1978-1979-1980-1981

	FY 1978 Actual <u>Disbursement</u>	FY 1979 Actual <u>Disbursement</u>	FY 1980 <u>Budget</u>	FY 1981 <u>Request</u>
<u>STATE*</u>				
Administrative Office of the Courts	\$1,895,900.00	\$ 2,450,900.00	\$ 3,220,700.00	\$ 3,508,400.00
Supreme Court	322,300.00	483,200.00	647,900.00	702,100.00
Court of Chancery	275,700.00	339,500.00	381,300.00	553,600.00
Public Guardian	80,100.00	80,700.00	98,900.00	111,300.00
Superior Court	1,634,000.00	1,946,100.00	2,528,200.00	3,148,500.00
Law Libraries	118,500.00	153,900.00	134,000.00	262,700.00
Family Court	2,833,000.00	3,429,100.00	4,107,100.00	5,965,300.00
Court of Common Pleas	715,300.00	860,900.00	1,029,000.00	1,186,500.00
Justice of the Peace Courts	<u>2,094,000.00</u>	<u>2,293,200.00</u>	<u>2,959,400.00</u>	<u>3,338,200.00</u>
STATE TOTALS	\$9,968,800.00	\$12,037,500.00	\$15,106,500.00	\$18,776,600.00
<u>COUNTIES**</u>				
Registers in Chancery	\$ 263,640.49	\$ 269,324.49	\$ 314,825.00	N.A.
Registers of Wills	258,121.94	317,338.70	324,990.00	N.A.
Prothonotaries	692,272.75	760,358.59	856,383.00	N.A.
Sheriffs	<u>538,700.26</u>	<u>606,235.45</u>	<u>731,358.00</u>	<u>N.A.</u>
COUNTIES TOTALS	\$1,752,735.44	\$ 1,953,257.43	\$ 2,227,556.00	N.A.
<u>MUNICIPALITIES</u>				
Municipal Court#	\$ 488,156.00	\$ 613,009.00	\$ 620,382.00	N.A.
Alderman's Courts	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
MUNICIPALITIES TOTALS	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
GRAND TOTALS--JUDICIAL BRANCH†	\$12,209,691.44	\$14,603,766.43	\$17,954,438.00	\$18,776,600.00

N.A. = Not Available

\*Figures include federal and other funds (if any) as well as State general funds.

\*\*Figures for New Castle County and Kent County only. Sussex County not available.

#Figures include federal funds and City of Wilmington funds.

†Totals for FY 1978, FY 1979, and FY 1980 do not include Alderman's Courts or County monies for Sussex County.

Totals for FY 1981 do not include Alderman's Courts, Municipal Court, or any County monies.



COURT-GENERATED REVENUE\*

FISCAL YEAR 1979

	<u>Fees</u>	<u>Costs</u>	<u>Fines</u>	<u>Interest</u>	<u>Other**</u>	<u>TOTAL</u>	<u>Revenue as % of Operating Budget#</u>
<u>SUBMITTED TO STATE GENERAL FUND</u>							
Administrative Office of the Courts	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0	0.0%
Supreme Court	5,300	0	0	0	0	5,300	1.1%
Court of Chancery	0	0	0	170,900##	0	170,900	50.3%
Public Guardian	0	0	0	0	0	0	0.0%
Superior Court	22,800	13,000	11,200	13,100##	9,900	70,000	3.6%
Law Libraries	0	0	0	0	0	0	0.0%
Family Court	278,000	25,500	34,400	0	13,700	351,600	10.3%
Court of Common Pleas	0	48,200	78,700	0	2,400	129,300	15.0%
Justice of the Peace Courts	0	1,024,200	1,512,900	0	4,100	2,541,200	110.8%
STATE TOTALS	<u>\$306,100</u>	<u>\$1,110,900</u>	<u>\$1,637,200</u>	<u>\$184,000</u>	<u>\$30,100</u>	<u>\$3,268,300</u>	<u>27.2%</u>
<u>SUBMITTED TO COUNTIES¶</u>							
Registers in Chancery	N.A.	N.A.	N.A.	\$170,900	N.A.	\$ 310,440	115.3%
Registers of Wills	N.A.	N.A.	N.A.	N.A.	N.A.	713,600	224.9%
Prothonotaries	N.A.	N.A.	N.A.	970	N.A.	352,820	46.4%
Sheriffs	N.A.	N.A.	N.A.	N.A.	N.A.	47,040	7.8%
COUNTIES TOTALS	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>\$171,870</u>	<u>N.A.</u>	<u>\$1,423,900</u>	<u>72.9%</u>
<u>SUBMITTED TO MUNICIPALITIES</u>							
Municipal Court	\$ 0	\$ 134,943	\$ 440,372	\$ 0	\$ 0	\$ 575,315	93.9%
Justice of the Peace Courts	0	0	387,649	0	0	387,649	¶¶
Alderman's Courts	0	117,929	441,379	0	0	559,308	N.A.
MUNICIPALITIES TOTALS	<u>\$ 0</u>	<u>\$ 252,872</u>	<u>\$1,269,400</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$1,522,272</u>	<u>N.A.</u>
GRAND TOTALS-JUDICIAL BRANCH	<u>\$306,100</u>	<u>\$1,363,772</u>	<u>\$2,906,600</u>	<u>\$355,870</u>	<u>\$30,100</u>	<u>\$6,214,472§</u>	<u>41.3%§§</u>

N.A. = Not Available

\*Figures represent only revenue actually collected, not the total amount of fees, fines, costs, etc. assessed.

\*\*Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, and copying machine revenue.

#FY 1979 Revenue divided by FY 1979 Actual Disbursement; the Actual Disbursement includes State general funds, federal funds, and other funds.

##Counties receive 50% of all Court of Chancery interest money and 25% of all Superior Court interest money.

¶Sussex County figures are not available except for Register in Chancery interest money.

¶¶Total revenue generated by the JP Courts in FY 1979 was \$2,928,850, which represents 127.7% of expenditures for the year.

§Column totals do not sum to grand total because some breakdowns are not available.

§§This figure is approximate as some data for both revenue and expenditures is not available.

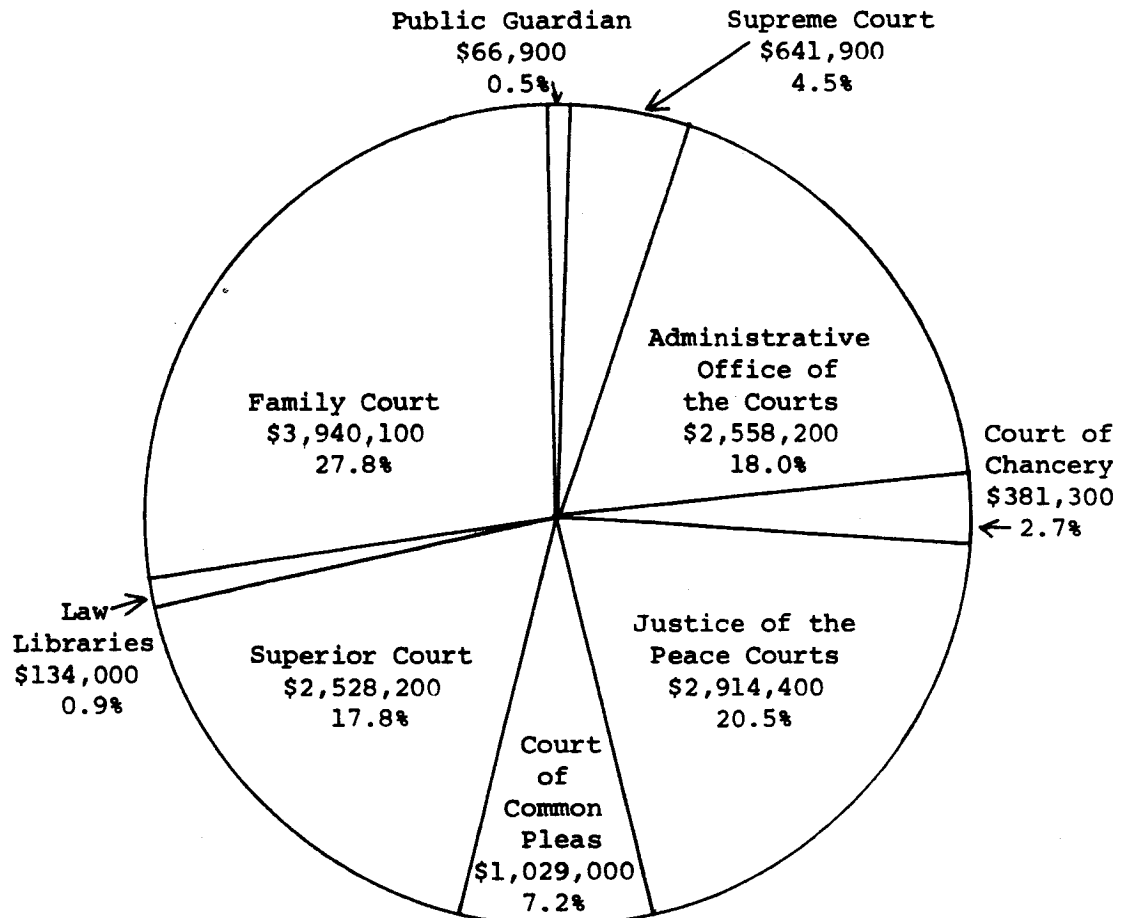
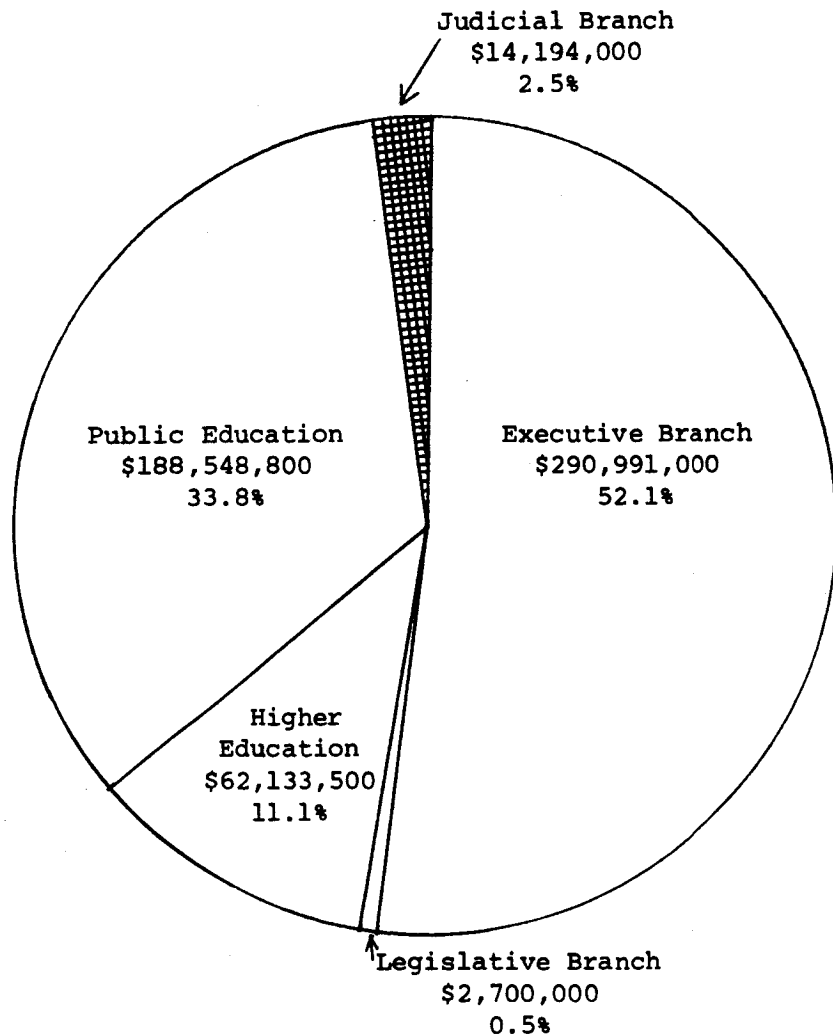
DELAWARE STATE GOVERNMENT APPROPRIATIONS\*

FISCAL YEAR 1980

TOTAL: \$558,567,300

STATE APPROPRIATIONS - TOTAL  
\$558,567,300

STATE APPROPRIATIONS - JUDICIARY  
\$14,194,000



\*State general fund monies only.

Source: 130th General Assembly, House Bill 333 and Senate Bill 373.

**Administrative  
Office  
of  
the  
Courts**

ADMINISTRATIVE OFFICE OF THE COURTSLegal Authorization

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

Duties

The Administrative Office of the Courts serves as the focal point for coordination and communication concerning all court administrative activities in the judicial system. The office prepares budgets for the Supreme Court and the Court of Chancery and assists in preparation of the budgets of the Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is largely responsible for the acquisition of space or facilities for the judicial system, and is responsible for the supervision of lease negotiations and the payment of all rentals. The Administrative Office has assumed a role of general supervision over and assistance to the Alderman's Courts. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. Together with the Division of Central Data Processing, the Administrative Office of the Courts is developing a computerized judicial information system. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves 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.

The staff of the Judicial Planning Committee is operationally part of the Administrative Office of the Courts.

ADMINISTRATIVE OFFICE OF THE COURTS

Main Office  
11th Floor  
Wilmington State Office Building  
820 North French Street  
Wilmington, DE 19801

Data Processing Center  
Mezzanine  
Public Building  
1020 King Street  
Wilmington, DE 19801

PERSONNEL

Director

John R. Fisher  
Carolyn Walker, Secretary  
(571-2481)

Assistant Administrator

Lowell L. Groundland  
(571-3562)

Director of Planning

Vincent P. Meconi  
(571-2483)

Data Processing Manager

James P. Boulanger (Federally Funded)  
(571-2344)

Accounting Supervisor

E. Dawn Bowman  
(571-3557)

Research Assistant

Adam Golby (Federally Funded)  
(571-2483)

Systems Analysts

Lawrence J. Clark (Federally Funded)  
Robert F. McGinty  
(571-2344)

Accounting Clerks

E. Lynn Deramo  
(571-3560)  
Georgia A. Roberts  
(571-3569)

Secretary

Paula Cannon (Federally Funded)  
(571-2483)

Computer Programmers

Noreen O. Manning  
Vacant  
(571-2344)

Secretary

Maria Cook  
(571-2480)

Computer Operators

Pauline A. Hudson  
Christine L. Creegan (Federally Funded)  
(571-2344)

# **Supreme Court**

SUPREME COURTLegal 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 Authorization

The Court has final appellate jurisdiction in criminal cases in which the penalty exceeds certain minimums and in civil cases as to final judgments and certain other orders of Superior Court, Chancery Court, and Family Court. Appeals are heard on the record. 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 four Associate Justices, who are appointed by the Governor on a bi-partisan basis with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law.

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 manage the non-judicial aspects of court administration. The Supreme Court itself is staffed by a Clerk and Chief Deputy Clerk, law clerks, and secretaries.

Caseload Trend

Though the total of 339 criminal and civil cases filed in FY 1979 is 22 less than the 361 filings in FY 1978, a decrease of 7.8%, it still is almost double the total of just ten years ago. The number of pending cases decreased from 329 to 310 in FY 1979, a decrease of 5.8% and the first annual drop in pending since FY 1971. This may be attributed to the Court's increased capacity as the expansion to 5 Justices occurred last year. Civil appeals were disposed of in an average of 319.5 days, criminal appeals in an average of 337.2 days, and other cases in an average of 110.5 days. The average of all cases combined was 316.5 days from filing to disposition.

SUPREME COURT

JUDICIARY

Chief Justice

Hon. Daniel L. Herrmann (8/9/85)  
C. Jane Obold, Secretary  
(571-2427)

Associate Justices

Hon. William Duffy (8/9/85)  
Ruth Laird, Secretary  
(571-3730)

Hon. John J. McNeilly (10/25/86)  
Ida Mae Ellis, Secretary  
(856-5364)

Hon. William T. Quillen (10/30/90)  
Barbara M. Normille, Secretary  
(571-3700)

Hon. Henry R. Horsey (10/30/90)  
Audrey F. Bacino, Secretary  
(678-4214)



SUPREME COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Chief Deputy Clerk of the Supreme Court

Stephen D. Taylor  
(571-3706)

Administrative Secretary

Lois D. Taylor  
(571-2429)

Law Clerks

James Gkonos  
(571-3799)  
David Markell  
(571-3709)  
Nina Landsberg  
(571-3737)

Receptionist

Joanne Spoonamore  
(571-2425)

ADDRESSES

Supreme Court Chambers  
11th Floor  
Wilmington State Office Building  
820 North French Street  
Wilmington, DE 19801

KENT COUNTY

Clerk of the Supreme Court

T. E. Townsend, Jr.  
(678-4155, 734-3001)

Court Clerk

Cathy L. Boyer

Bailiff

Charles W. Atkins  
(678-4155)

Mark Amrhein  
(678-4214)

Supreme Court Building  
55 The Green  
P.O. Box 476  
Dover, DE 19901

SUSSEX COUNTY

Bruce McNew  
(856-5364)

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

SUPREME COURT

FISCAL YEAR 1979  
WORKLOAD

	<u>Pending 6/30/78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/79</u>	<u>Change In Pending</u>
Criminal Appeals	133*	126	124	135	+ 2
Civil Appeals	188*	191	218	161	-27
Original Applications	6	16	11	11	+ 5
Advisory Opinions	0	2	0	2	+ 2
Certifications	2	4	5	1	- 1
TOTAL	<u>329</u>	<u>339</u>	<u>358</u>	<u>310</u>	<u>-19</u>

COMPARISON - FISCAL YEARS 1978-1979  
WORKLOAD

FILINGS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	135	126	- 9	- 6.7%
Civil Appeals	209	191	-18	- 8.6%
Original Applications	9	16	+ 7	+ 77.0%
Advisory Opinions	2	2	0	0.0%
Certifications	6	4	- 2	- 33.3%
TOTAL	<u>361</u>	<u>339</u>	<u>-22</u>	<u>- 6.1%</u>

DISPOSITIONS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	86	124	+38	+ 44.2%
Civil Appeals	214	218	+ 4	+ 1.9%
Original Applications	7	11	+ 4	+ 57.1%
Advisory Opinions	4	0	- 4	-100.0%
Certifications	8	5	- 3	- 37.5%
TOTAL	<u>319</u>	<u>358</u>	<u>+39</u>	<u>+ 12.2%</u>

PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	133*	135	+ 2	+ 1.5%
Civil Appeals	188*	161	-27	- 14.4%
Original Applications	6	11	+ 5	+ 83.3%
Advisory Opinions	0	2	+ 2	
Certifications	2	1	- 1	- 50.0%
TOTAL	<u>329</u>	<u>310</u>	<u>-19</u>	<u>- 5.8%</u>

\*Figure adjusted from 1978 Annual Report.

Source: Clerk of the Supreme Court

## SUPREME COURT

FISCAL YEAR 1979  
WORKLOAD

## FILINGS BY CASE TYPE

	<u>Court of Chancery</u>	<u>Superior Court</u>	<u>Family Court</u>	<u>Not From Any Court</u>	<u>TOTAL</u>
Criminal Appeals	0	126	0	0	126
Civil Appeals	33	101	57	0	191
Advisory Opinions	0	0	0	2	2
Certifications	0	0	0	4	4
Original Applications	0	0	0	16	16
TOTAL	33	227	57	22	339

Percentage of Total:	9.7%	67.0%	16.8%	6.5%	100.0%
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## DISPOSITIONS BY CASE TYPE

	<u>Court of Chancery</u>	<u>Superior Court</u>	<u>Family Court</u>	<u>Not From Any Court</u>	<u>TOTAL</u>
Criminal Appeals	0	124	0	0	124
Civil Appeals	31	132	55	0	218
Advisory Opinions	0	0	0	0	0
Certifications	0	0	0	5	5
Original Applications	0	0	0	11	11
TOTAL	31	256	55	16	358

Percentage of Total:	8.7%	71.5%	15.4%	4.5%	100.0%
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Source: Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1979

WORKLOAD

TYPE OF DISPOSITION

	<u>Affirmed</u>	<u>Reversed</u>	<u>Reversed and Remanded</u>	<u>Affirmed in Part/ Reversed in Part</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Answered</u>	<u>Declined to Answer</u>	<u>Denied</u>	<u>TOTAL</u>
Criminal Appeals	79	11	5	5	16	8	0	0	0	124
Civil Appeals	102	23	10	6	48	29	0	0	0	218
Advisory Opinions	0	0	0	0	0	0	0	0	0	0
Certifications	0	0	0	0	0	0	3	1	1	5
Original Applications	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>11</u>
TOTAL	183	34	15	11	65	40	3	1	6	358

Percentage of Total:	51.2%	9.5%	4.2%	3.1%	18.2%	11.2%	0.8%	0.3%	1.7%	100.0%
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METHOD OF DISPOSITION

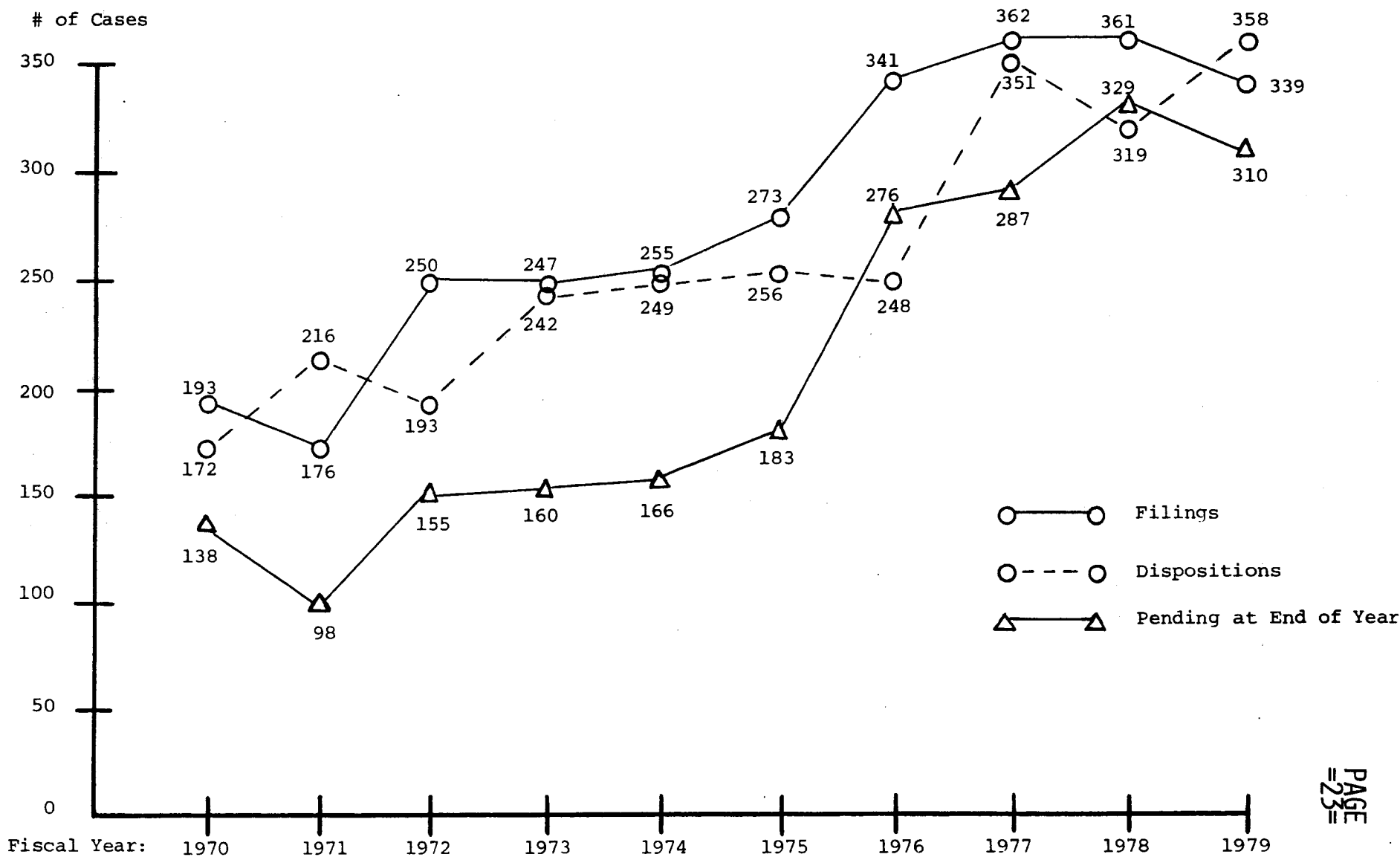
	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Assigned Opinion</u>	<u>Per Curium Opinion</u>	<u>Written Order</u>	<u>TOTAL</u>
Criminal Appeals	16	8	30	3	67	124
Civil Appeals	48	29	46	2	97	218
Advisory Opinions	0	0	0	0	0	0
Certifications	0	0	3	1	1	5
Original Applications	<u>1</u>	<u>3</u>	<u>0</u>	<u>2</u>	<u>5</u>	<u>11</u>
TOTAL	65	40	79	8	166	358

Percentage of Total:	18.2%	11.2%	22.1%	2.2%	46.4%	100.0%
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Source: Administrative Office of the Courts

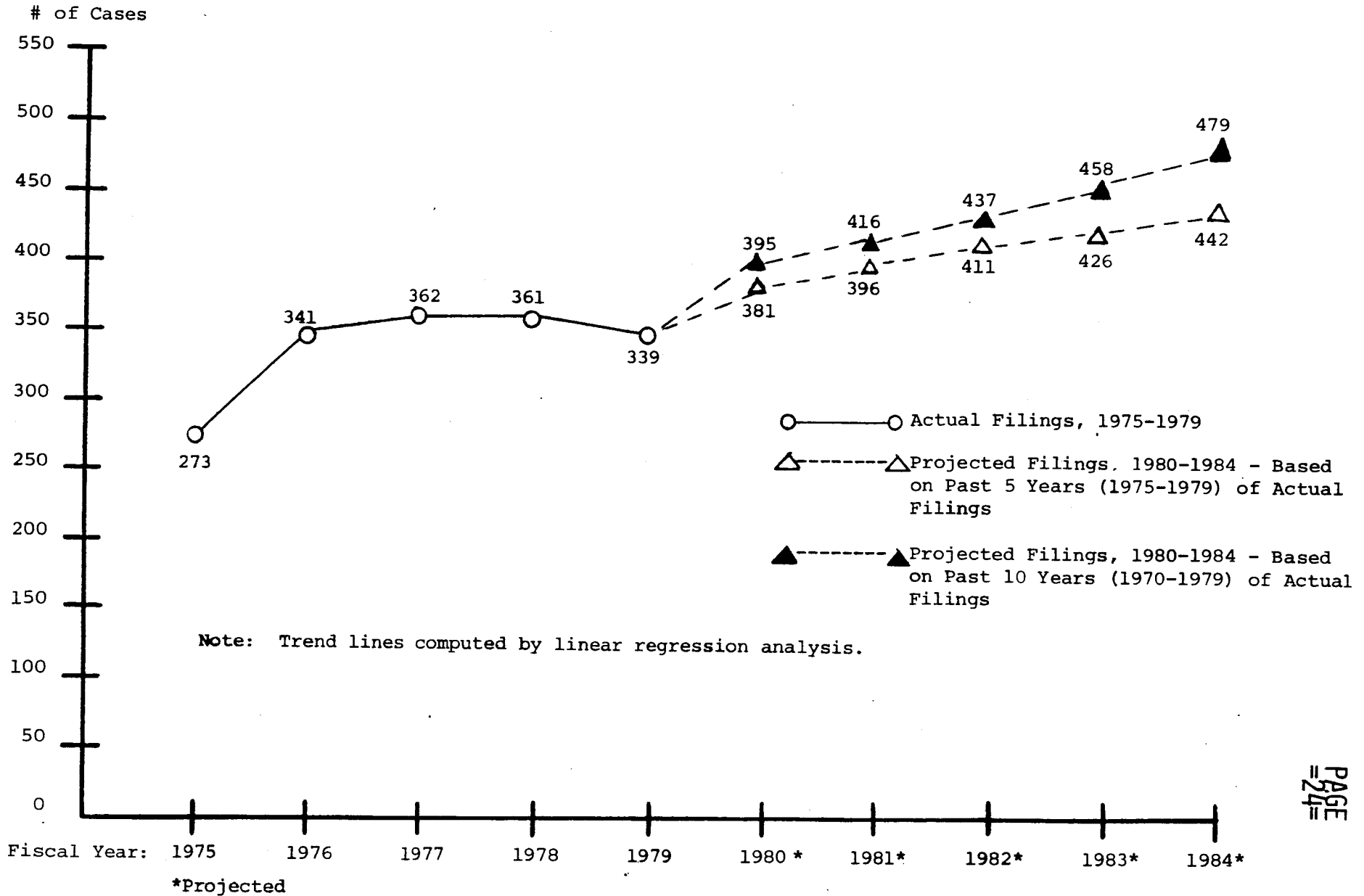


SUPREME COURT  
10-YEAR WORKLOAD TREND  
TOTAL CASES



Source: Administrative Office of the Courts

SUPREME COURT  
5-YEAR WORKLOAD PROJECTIONS  
TOTAL CASES



Source: Administrative Office of the Courts

## SUPREME COURT

FISCAL YEAR 1979  
PERFORMANCE

## ELAPSED TIME BY CASE TYPE

<u>Case Type</u>	<u>Number of Dispositions</u>	<u>Average Elapsed Time Between Filing and Disposition</u>
Criminal Appeals	124	337.2 days
Civil Appeals	218	319.5
Advisory Opinions	0	-
Certifications	5	169.4
Original Applications	<u>11</u>	<u>83.7</u>
TOTALS	358	316.3 days

## ELAPSED TIME BY DISPOSITION TYPE

<u>Disposition Type</u>	<u>Number of Dispositions</u>	<u>Average Elapsed Time Between Filing and Disposition</u>
Affirmed	183	366.6 days
Reversed	34	422.7
Reversed and Remanded	15	482.2
Affirmed in Part/Reversed in Part	11	486.5
Voluntary Dismissal	65	183.9
Court Dismissal	40	177.3
Answered	3	200.3
Declined to Answer	1	147.0
Denied	<u>6</u>	<u>67.4</u>
TOTALS	358	316.3 days

## ELAPSED TIME BY DISPOSITION METHOD

<u>Disposition Method</u>	<u>Number of Dispositions</u>	<u>Average Elapsed Time Between Filing and Disposition</u>
Voluntary Dismissal	65	183.9 days
Court Dismissal	40	177.3
Assigned Opinion	79	449.1
Per Curiam Opinion	8	250.3
Written Order	<u>166</u>	<u>334.8</u>
TOTALS	358	316.3 days



**Court  
of  
Chancery**

COURT OF CHANCERYLegal 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 consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, and the clearing of clouds on title, as well as commercial and contractual matters in general. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues in Superior Court.

Judges

One Chancellor and two Vice-Chancellors 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 or 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 power are now held by the Court of Chancery. A Register of Wills is elected in each county for that county. The Chancellor names a Chief Deputy Register of Wills for each county.

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.

Caseload Trend

Two of the three categories of work handled by the Court of Chancery (civil cases and estates) experienced increases in the number of filings in FY 1979 while filings for miscellaneous matters decreased. The number of statewide civil cases filed increased from 400 to 417, a 5.1% rise. The number of estates filed in Delaware during FY 1979 was 1,766, an increase of 1.3% from the previous year's total of 1,744. The number of miscellaneous matters decreased, however, from 613 in FY 1978 to 474 in FY 1979, a 22.7% drop. The numbers of pending cases in each category at year's end rose by amounts ranging from 1.1% for miscellaneous matters to 5.1% for civil cases.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. William Marvel (9/29/88)  
Carolyn J. Hazen, Secretary  
(571-2441)

Vice-Chancellor

Hon. Maurice A. Hartnett, III (9/29/88)  
Shirley D. Wood, Secretary  
Joyce D. Stockslager, Secretary  
(678-4397)

Vice-Chancellor

Hon. Grover C. Brown (5/9/85)  
Mary Lou Wilcoxson, Secretary  
(856-5338)

COURT OF CHANCERY

SUPPORT PERSONNEL

Court Reporters

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

Judicial Secretary

Dorothy Cordell  
(571-2440)

Law Clerks

Michelle L. Welch  
Samuel A. Nolan  
(571-2444)

ADDRESSES

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

Court of Chancery  
45 The Green  
Dover, Delaware 19901

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

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

Registers in Chancery

John D. Kelly, III

Chief Deputies

Jane L. Koke  
Milton Roger Holmes

Deputies

Reta Handlin  
Alberta Maxwell

Court Clerks

Francis M. Donovan  
Valerie A. Ventura

KENT COUNTY

Stanley Wayne Anthony

Loretta Wooten

Lydia M. McClary

SUSSEX COUNTY

Harvey F. Donovan, Sr.

Mary P. Hill

Lorene C. Breasure

Bonnie E. Matthews

COURT OF CHANCERY

SUPPORT PERSONNEL (CONTINUED)

REGISTERS IN CHANCERY (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Account Clerks

Madge S. Wells

Carmella M. Wilson

Key Operator

Cynthia Maxwell

Secretaries

Patricia G. Randolph

Jeannette Raiford

Loretta L. Wootten

Clerk Typist

Edna H. May

ADDRESSES

Register in Chancery  
M-32 Public Building  
1020 King Street  
Wilmington, Delaware 19801  
(571-7540)

Register in Chancery  
Kent County Courthouse  
38 The Green  
Dover, Delaware 19901  
(736-2242)

Register in Chancery  
Sussex County Courthouse  
The Circle  
Georgetown, Delaware 19947  
(856-7702 X250)

REGISTERS OF WILLS

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Registers of Wills

Gerald E. Reilly

Ralph R. Smith

Wilson O. McCabe, Jr.

COURT OF CHANCERY

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Chief Deputies

Maryanne Cluff  
Grover C. Luttrell, Jr.

Deputies

Eleanor M. Riley

Account Clerks

Adelaide D. Giacoma  
Virginia Lovett  
Ann McLean  
Elva M. Phillips

Clerk

Rosie M. Perkins

Secretaries

Lillian T. Banks  
Diane I. Halligan

Clerk Typists

Victoria B. Clark  
Donna S. Dougherty  
John N. Drupieski  
Lillian Kleveland  
Brenda Lumpkin

ADDRESSES

Register of Wills  
M-32 Public Building  
1020 King Street  
Wilmington, Delaware 19801  
(571-7545)

REGISTERS OF WILLS (CONTINUED)

KENT COUNTY

Betty A. Strobel

Emma D. Tarburton

Register of Wills  
Kent County Courthouse  
38 The Green  
Dover, Delaware 19901  
(736-2233)

SUSSEX COUNTY

Isabelle P. Morris

Marie A. Scott

Register of Wills  
Sussex County Courthouse  
The Circle  
Georgetown, Delaware 19947  
(856-7701)

## COURT OF CHANCERY

FISCAL YEAR 1979  
CIVIL CASES

	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
New Castle	484	316	299	501	+17
Kent	69	40	27	82	+13
Sussex	<u>108</u>	<u>61</u>	<u>57</u>	<u>112</u>	<u>+ 4</u>
State	661	417	383	695	+34

COMPARISON - FISCAL YEARS 1978-1979  
CIVIL CASESFILINGS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	311	316	+ 5	+ 1.6%
Kent	30	40	+10	+33.3%
Sussex	<u>59</u>	<u>61</u>	<u>+ 2</u>	<u>+ 3.4%</u>
State	400	417	+17	+ 4.3%

DISPOSITIONS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	335	299	-36	-10.7%
Kent	36	27	- 9	-25.0%
Sussex	<u>46</u>	<u>57</u>	<u>+11</u>	<u>+23.9%</u>
State	417	383	-34	- 8.2%

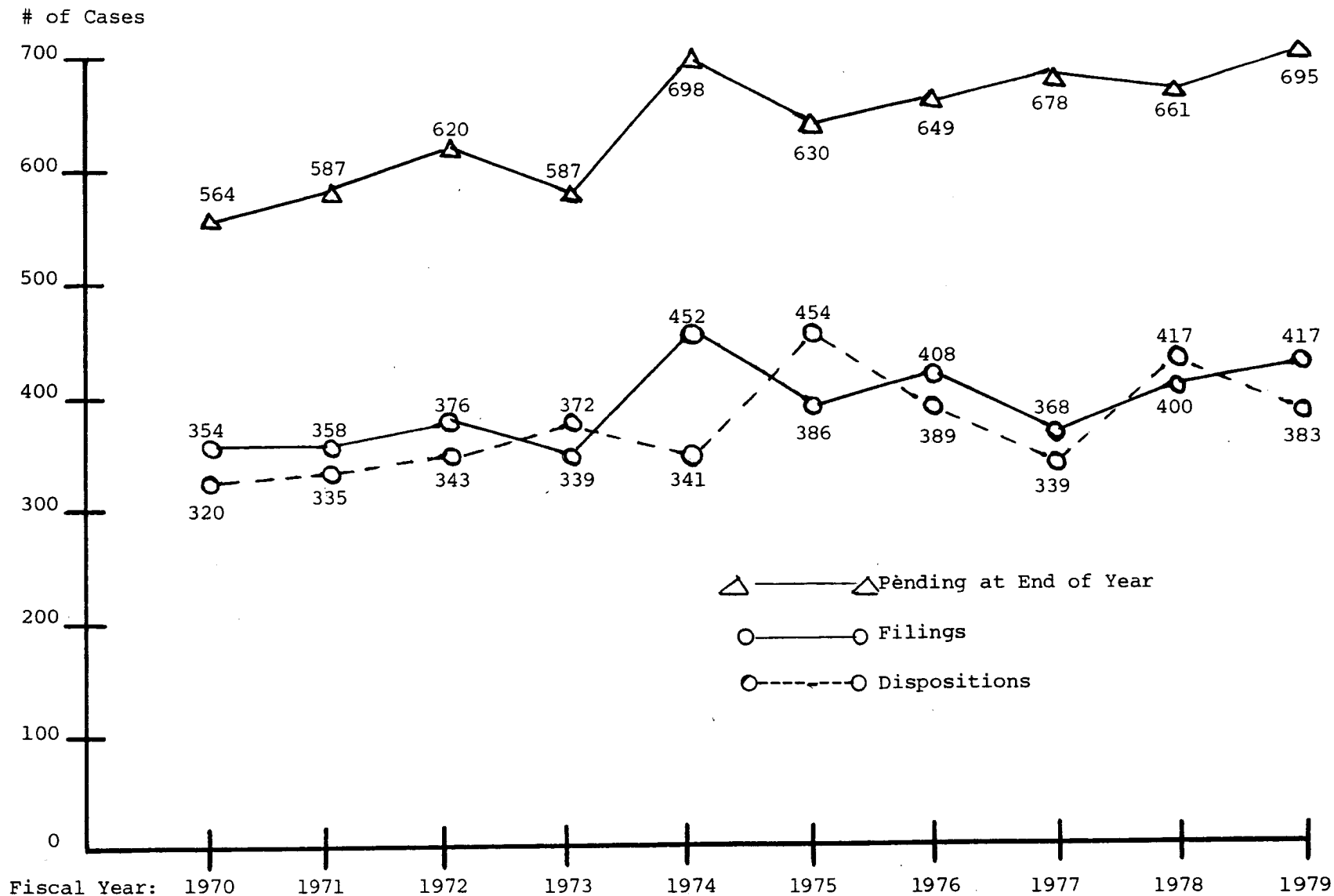
PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	484	501	+17	+ 3.5%
Kent	69	82	+13	+18.8%
Sussex	<u>108</u>	<u>112</u>	<u>+ 4</u>	<u>+ 3.7%</u>
State	661	695	+34	+ 5.1%

Source: Register in Chancery

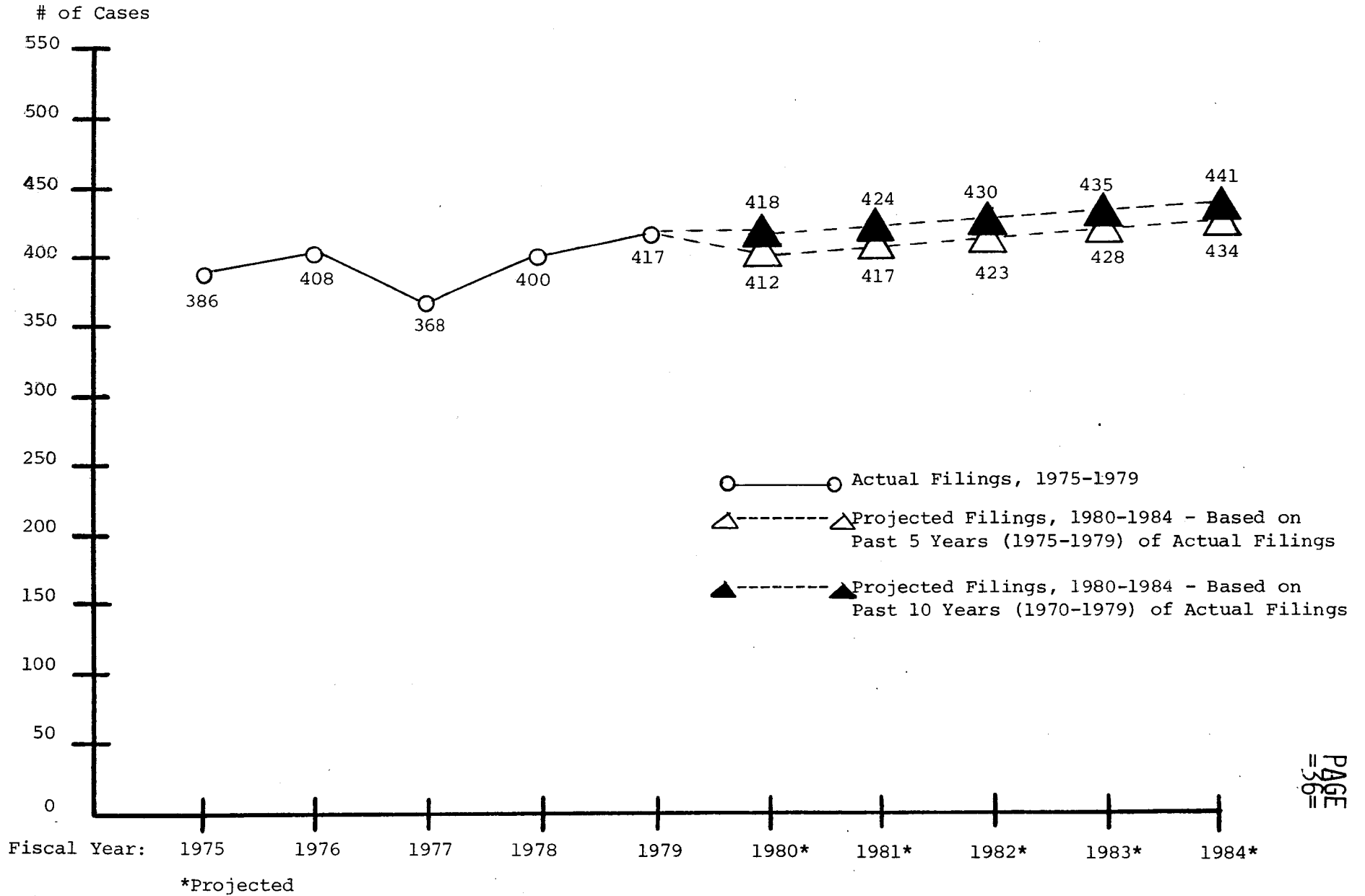


COURT OF CHANCERY  
 10-YEAR WORKLOAD TREND  
 CIVIL CASES



Source: Administrative Office of the Courts

COURT OF CHANCERY  
5-YEAR WORKLOAD PROJECTIONS  
CIVIL CASES



Source: Administrative Office of the Courts

## COURT OF CHANCERY

FISCAL YEAR 1979  
MISCELLANEOUS MATTERS

<u>NEW CASTLE</u>	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
Guardians for Minors	592	78	121	549	- 43
Guardians for Infirm	549	87	51	585	+ 36
Trustees for Mentally Ill	142	6	4	144	+ 2
Other Matters	280	31	12	299	+ 19
Trusts	<u>1,492</u>	<u>71</u>	<u>115</u>	<u>1,448</u>	<u>- 44</u>
TOTALS	3,055	273	303	3,025	- 30

<u>KENT</u>	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
Guardians for Minors	183	30	11	202	+19
Guardians for Infirm	88	15	5	98	+10
Trustees for Mentally Ill	11	0	0	11	0
Other Matters	9	5	4	10	+ 1
Trusts	<u>117</u>	<u>2</u>	<u>1</u>	<u>118</u>	<u>+ 1</u>
TOTALS	408	52	21	439	+31

<u>SUSSEX</u>	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
Guardians for Minors	299	18	19	298	- 1
Guardians for Infirm	86	20	17	89	+ 3
Trustees for Mentally Ill	16	0	0	16	0
Other Matters	18	47	50	15	- 3
Trusts	<u>373</u>	<u>64</u>	<u>17</u>	<u>420</u>	<u>+47</u>
TOTALS	792	149	103	838	+46

<u>STATE</u>	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
Guardians for Minors	1,074	126	151	1,049	-25
Guardians for Infirm	723	122	73	772	+49
Trustees for Mentally Ill	169	6	4	171	+ 2
Other Matters	307	83	66	324	+17
Trusts	<u>1,982</u>	<u>137</u>	<u>133</u>	<u>1,986</u>	<u>+ 4</u>
TOTALS	4,255	474	427	4,302	+47

Source: Register in Chancery

COURT OF CHANCERY  
COMPARISON - FISCAL YEARS 1978-1979  
MISCELLANEOUS MATTERS

FILINGS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	358	273	- 85	- 23.7%
Kent	55	52	- 3	- 5.5%
Sussex	<u>200</u>	<u>149</u>	<u>- 51</u>	<u>- 25.5%</u>
State	613	474	- 139	- 22.7%

DISPOSITIONS

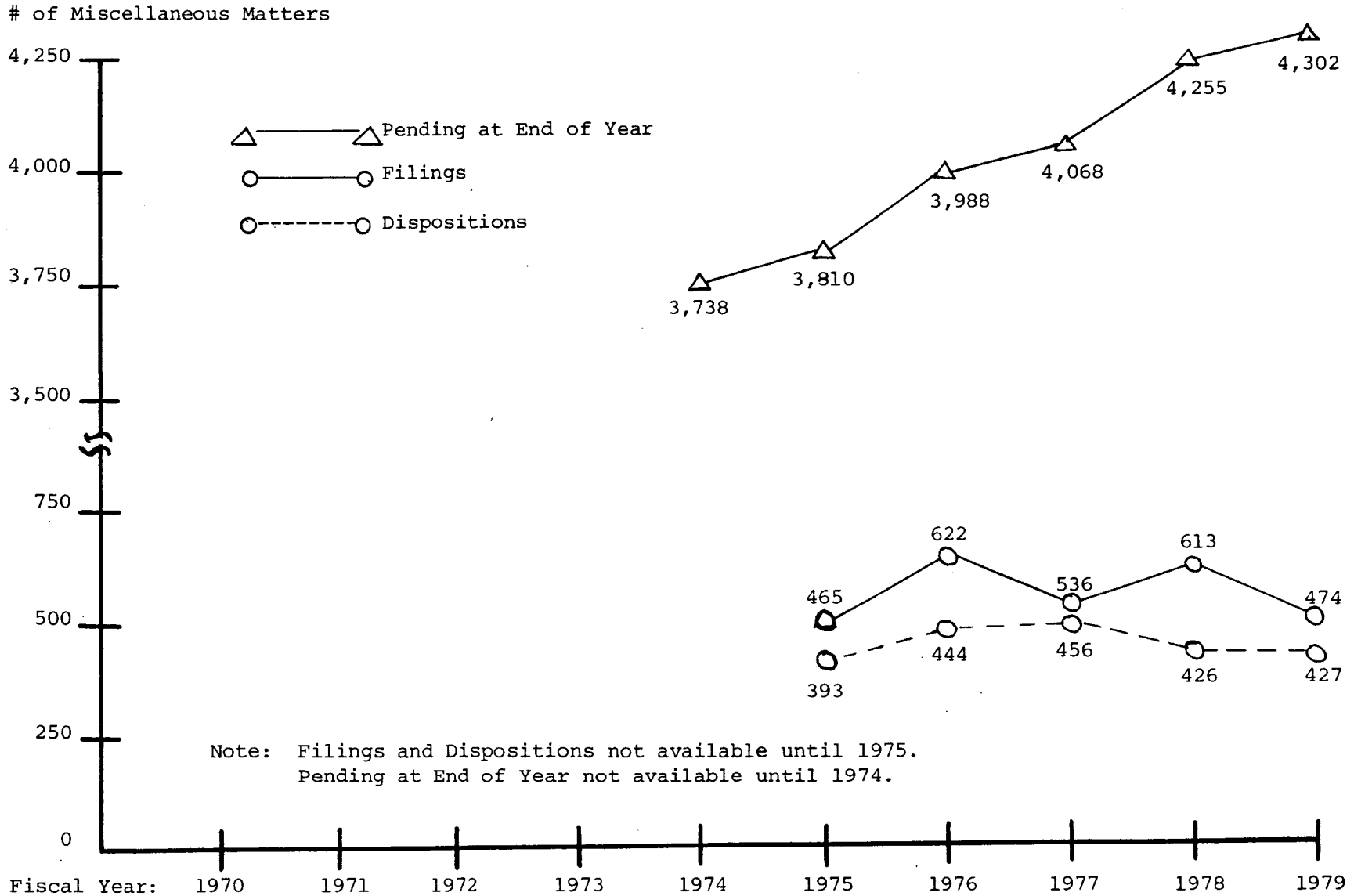
	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	272	303	+ 31	+ 11.4%
Kent	40	21	- 19	- 47.5%
Sussex	<u>114</u>	<u>103</u>	<u>- 11</u>	<u>- 9.6%</u>
State	426	427	+ 1	+ 0.2%

PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,055	3,025	- 30	- 1.0%
Kent	408	439	+ 31	+ 7.6%
Sussex	<u>792</u>	<u>838</u>	<u>+ 46</u>	<u>+ 5.8%</u>
State	4,255	4,302	+ 47	+ 1.1%

Source: Register in Chancery

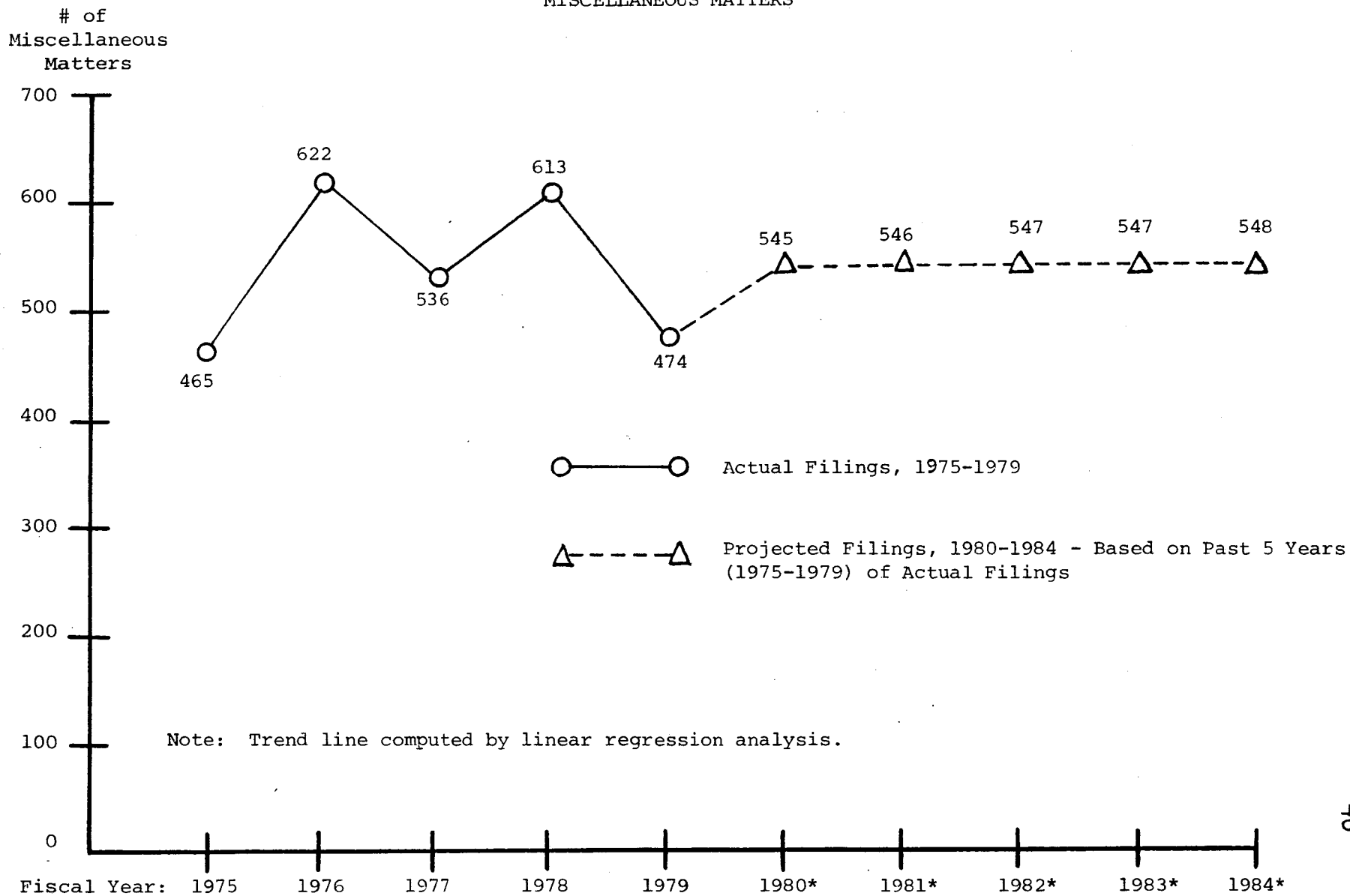
COURT OF CHANCERY  
 10-YEAR WORKLOAD TREND  
 MISCELLANEOUS MATTERS



Source: Administrative Office of the Courts

COURT OF CHANCERY

5-YEAR WORKLOAD PROJECTION  
MISCELLANEOUS MATTERS



Source: Administrative Office of the Courts

\*Projected

## COURT OF CHANCERY

FISCAL YEAR 1979  
ESTATES

	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
New Castle	1,682	1,084	1,020	1,746	+ 64
Kent	691	267	245	713	+ 22
Sussex	<u>535</u>	<u>415</u>	<u>392</u>	<u>558</u>	<u>+ 23</u>
State	2,908	1,766	1,657	3,017	+109

COMPARISON - FISCAL YEARS 1978-1979  
ESTATESESTATES OPENED

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,070	1,084	+ 14	+ 1.3%
Kent	272	267	- 5	- 1.8%
Sussex	<u>402</u>	<u>415</u>	<u>+ 13</u>	<u>+ 3.2%</u>
State	1,744	1,766	+ 22	+ 1.3%

ESTATES CLOSED

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,074	1,020	- 54	- 5.0%
Kent	167	245	+ 78	+46.7%
Sussex	<u>347</u>	<u>392</u>	<u>+ 45</u>	<u>+13.0%</u>
State	1,588	1,657	+ 69	+ 4.3%

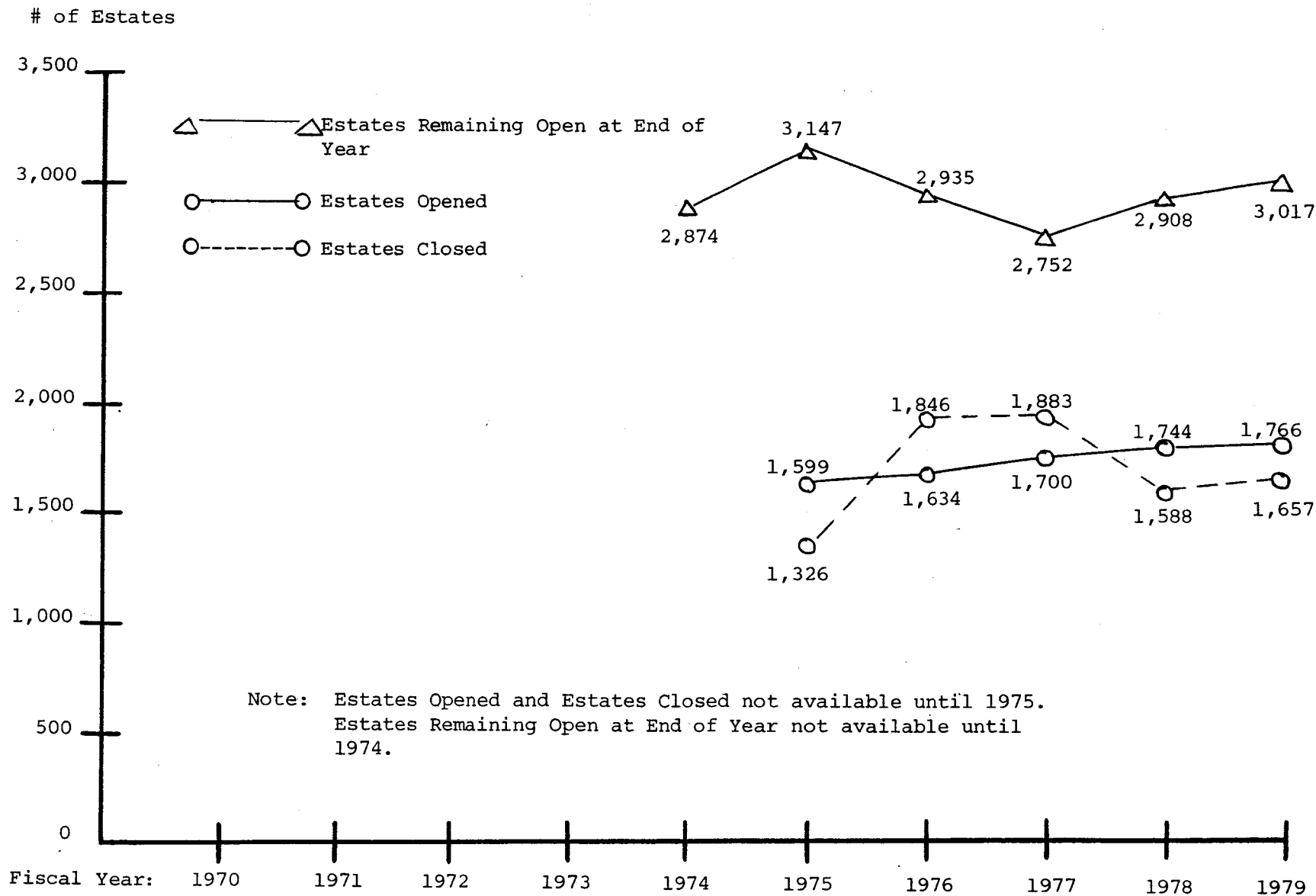
ESTATES REMAINING OPEN AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,682	1,746	+ 64	+ 3.8%
Kent	691	713	+ 22	+ 3.2%
Sussex	<u>535</u>	<u>558</u>	<u>+ 23</u>	<u>+ 4.3%</u>
State	2,908	3,017	+109	+ 3.7%

Source: Register of Wills

COURT OF CHANCERY

10-YEAR WORKLOAD TREND  
ESTATES

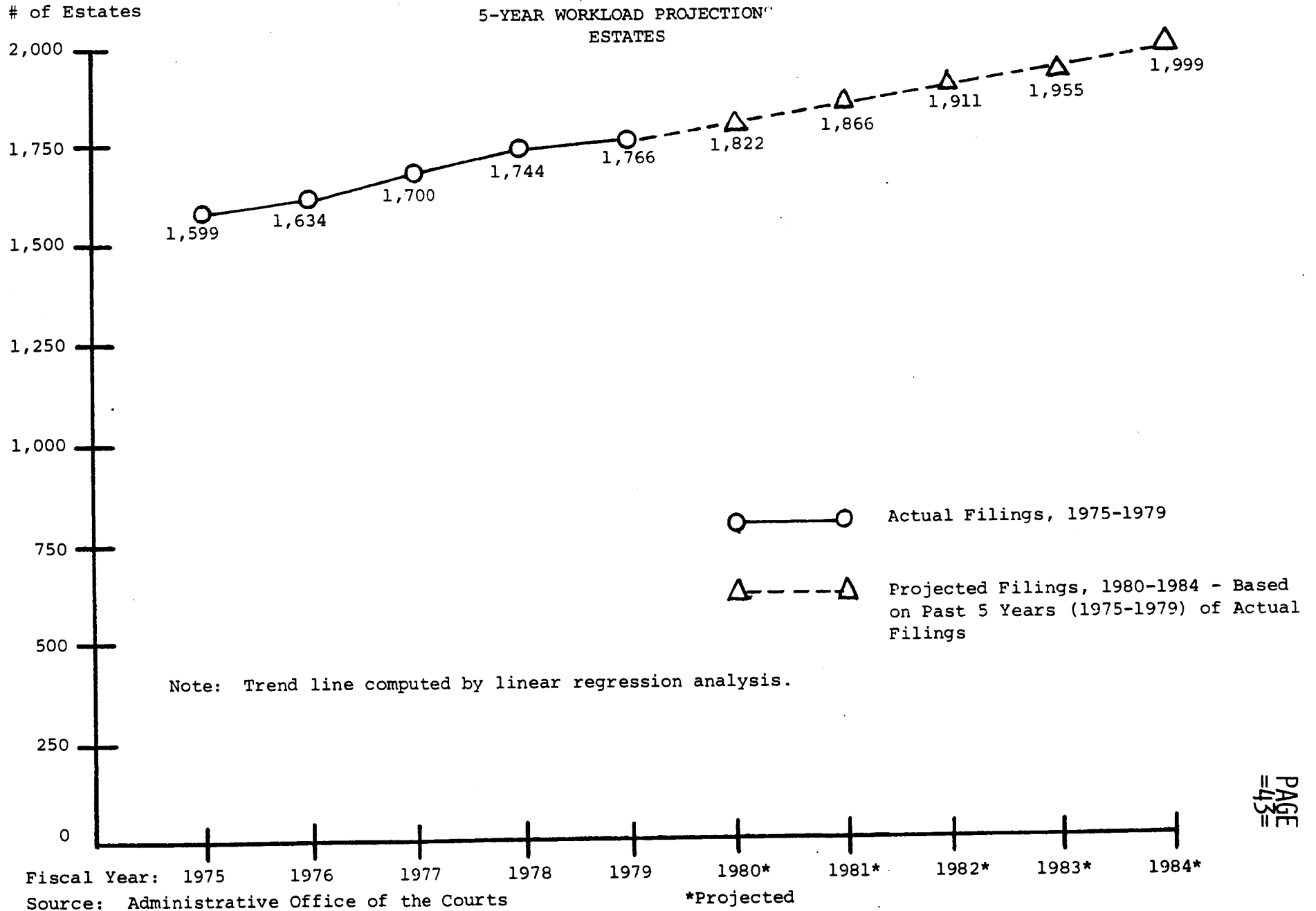


Source: Administrative Office of the Courts



COURT OF CHANCERY

5-YEAR WORKLOAD PROJECTION  
ESTATES



# **Public Guardian**

PUBLIC GUARDIAN

Legal 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 one caseworker.

Caseload

In the year of operation July 1, 1978 to June 30, 1979, the office received 119 referrals. Of this number, 8 were determined to need the services of the Public Guardian as a guardian, and petitions were presented in the appropriate counties. As of June 30, 1979, the Public Guardian had responsibility for a total of 40 wards - 30 in New Castle County, 1 in Kent, and 9 in Sussex.

The remaining 111 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. Their services were provided by two caseworkers who are paid solely from Federal funds (Title XX of the Social Security Act). This program is maintained by the Office of the Public Guardian as an adjunct to its primary function of legal guardianship, because of the absence of any adult protective service program in the Department of Health and Social Services. Eighty-five percent of all individuals referred to the Office of the Public Guardian are in need of protective services rather than legal guardianship.

PUBLIC GUARDIAN

PERSONNEL

Public Guardian  
Thomas J. Posatko

NEW CASTLE COUNTY

Administrative Assistant  
Barbara A. Walker

Caseworkers  
Patricia E. Gesler  
Barbara Tevebaugh (Federally Funded)

KENT COUNTY

Carolyn R. Pruett (Federally Funded)

ADDRESSES

Public Guardian  
11th Floor  
Wilmington State Office Building  
820 North French Street  
Wilmington, DE 19801  
(571-2990)

Public Guardian  
Priscilla Building  
152 South State Street  
Dover, DE 19901  
(678-4392)

PUBLIC GUARDIAN

FISCAL YEAR 1979  
WORKLOAD

	<u>Pending 6-30-78</u>	<u>New Referrals</u>	<u>Cases Closed</u>	<u>Pending 6-30-78</u>	<u>Change In Pending</u>
Guardianships	41	8	9	40	- 1
Investigations	<u>38</u>	<u>111</u>	<u>101</u>	<u>48</u>	<u>+10</u>
TOTALS	79	119	110	88	+ 9

COMPARISON - FISCAL YEARS 1978-1979  
WORKLOAD

NEW REFERRALS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Guardianships	13	8	- 5	- 38.5%
Investigations	<u>146</u>	<u>111</u>	<u>-35</u>	<u>- 24.0%</u>
TOTALS	159	119	-40	- 25.2%

CASES CLOSED

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Guardianships	4	9	+ 5	+125.0%
Investigations	<u>120</u>	<u>101</u>	<u>-19</u>	<u>- 15.8%</u>
TOTALS	124	110	-14	- 11.3%

PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Guardianships	41	40	- 1	- 2.4%
Investigations	<u>38</u>	<u>48</u>	<u>+10</u>	<u>+ 26.3%</u>
TOTALS	79	88	+ 9	+ 11.4%

Source: Office of the Public Guardian

# **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

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over adoptions and terminations of parental rights and also over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court, administrative agencies such as the Industrial Accident Board, Unemployment Insurance Appeal Board, Alcohol Beverage Control Commission, Tax Appeal Board, 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 trials de novo (second trials) in Superior Court. Appeals from Superior Court are argued on the record before 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

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 Superior Court for that county. The Prothonotary is the record-keeper for Superior Court, and as such, the Prothonotary is directly involved with the civil court calendar. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of fees for the courts and for the Attorney General. Administratively, for example, the New Castle County Prothonotary's office is divided as follows: Civil, Criminal, Indexing and Entry of Judgements and Executions, Administrative, and Terminations and Adoptions. Further, the Prothonotary's office is charged with the security, care and custody of Court's exhibits.

Elected Sheriffs, one per county, also serve Superior Court.

#### Caseload Trend

Superior Court was able, in FY 1979 to dispose of 85.7% of its criminal cases in New Castle County (82.7% statewide) within 120 days of arrest, the time interval specified by the Chief Justice's Speedy Trial Directive. The Court was able to achieve this rate because the Court controls its own criminal calendar through the Case Scheduling Office and the Criminal Office Judge, and because of the policy in New Castle County of regularly assigning 5 of New Castle County's 8 judges to criminal matters and 3 to civil matters. The total number of criminal cases filed in Superior Court declined by 10.4% over the previous year, in part due to increased preindictment screening of defendants by the Attorney General's office. Superior Court held 325 criminal trials in FY 1979, an average of over 27 per month. The Court disposed of more criminal cases than were filed, and thus was able to reduce the number of pending cases statewide by 16.7%.

However, Superior Court's emphasis on criminal cases has continued to handicap its efforts to deal with its civil jurisdiction. The Court experienced a 5.3% rise in the number of filings statewide, and while the Court disposed of slightly more cases in FY 1979 than it did in FY 1978, it was not able to dispose of as many cases as were filed. Thus, the number of civil cases pending adjudication rose by more than 350 cases in FY 1979. Projections show that the number of civil filings in the court will continue to rise over the next several years. Even excluding the effects of any increases, it is estimated that Superior Court needs two additional judges to give the Court the resources to deal as adequately with civil cases as it does with criminal cases.

SUPERIOR COURT

JUDICIARY

President Judge

Hon. Albert J. Stiftel (8/8/90)  
Ann Lafferty, Secretary  
(571-2355)

New Castle County Resident Judge

Hon. Andrew D. Christie (4/29/81)  
Elaine M. Ryan, Secretary  
(571-2358)

Kent County Resident Judge

Hon. George R. Wright (7/1/84)  
Janet L. Case, Secretary  
(678-5331)

Sussex County Resident Judge

Hon. Claud L. Tease (10/25/86)  
Mary Ellen Greenley, Secretary  
(856-5256)

Associate Judges

Hon. Robert C. O'Hara (3/23/90)  
Doris Myers, Secretary  
(571-2370)

Hon. Vincent A. Bifferato (7/26/80)  
Betty Gilson, Secretary  
(571-2361)

Hon. Clarence W. Taylor (7/1/84)  
Carol Edwards, Secretary  
(571-2374)

Hon. Joseph T. Walsh (7/1/84)  
Linda Flohr, Secretary  
(571-2369)

Hon. Bernard Balick (9/18/85)  
Ivone Marvel, Secretary  
(571-2367)

Hon. Joseph J. Longobardi (10/25/86)  
Anne Marie Brown, Secretary  
(571-2544)

Associate Judge

Hon. William G. Bush, III (9/12/84)  
Eileen Masino, Secretary  
(678-5331)

SUPERIOR COURT

SUPPORT PERSONNEL

Administrator

Frederick Kirch

S. Maureen Golden, Secretary  
(571-2380)

Administrative Assistant

Doris E. Harris

NEW CASTLE COUNTY

Accountant

Michael E. Indellini  
(571-2376)

Receptionist

Irma Whittington  
(571-2350)

Case Scheduling Office

Mary Ann Hoff, Chief  
Gail A. Flynn  
Phyllis H. Laffey  
Ruth L. Huellemeier (Federally Funded)  
(571-2414)

Law Clerks

Jeffrey Bove  
Cynthia Collins  
Anthony Clark  
James Owens

Jury Commissioners

John N. Russo  
Delores G. Tatman

KENT COUNTY

Joyce C. Burnett  
(678-5328)

Andrew Reinhardt

Wallace F. McFaul, Jr.  
John R. McDonald

SUSSEX COUNTY

Lisa I. Burns  
(856-5525)

Thomas Barnett

Ralph L. Swain  
Walter M. Betts

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Presentence Officers

Frank T. Miller, Chief  
Gregory L. Fullhart, Assistant Chief  
William G. Echols, Assistant Chief  
Cillie W. Anderson  
Linden F. Ballance  
Thomas Carroll  
Barbara P. Holloway  
Charles P. Linder  
Kathleen C. Lucas  
Debroah M. Wailes  
    Barbara Rogers, Secretary  
    (571-2420)

Clerk Stenographers

Angela Adams  
Marsha Alfree  
Lisa Baldwin  
Catherine Cowart  
Cheryl Hicken  
Romona Monsen  
Mary Nelson  
Megan Proud  
Peggy Sweringen

Clerk Typists

Carol A. Hames  
Vickie L. Lally

Court Reporters

Morris D. Pearson, Chief  
Betty J. Gleason  
Gary S. Kivelowitz  
Jerome Harrison  
David G. Meddings

KENT COUNTY

Ralph D. Knotts, Jr.  
Norma Jean Tribbitt  
Horace B. Willey  
    Vacant, Secretary  
    (678-5275)

Linda M. Lavender  
Elizabeth Messick, Typist  
    (678-5311)

SUSSEX COUNTY

Robert D. Downes  
Jana Mallahan  
J. Milton Messick  
    Edna Snowden, Secretary  
    (856-5549)

Debra S. Mitchell  
Eileen Murawski  
    Priscilla Stuchlik, Secretary  
    (856-5502)

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Court Reporters (Continued)

Thomas R. Aitken  
Kathleen Donahue  
William J. Dawson  
Joel Leibow  
William Colvin  
John White, Jr.  
Charles Iuliano  
Frances Dawson  
Delores Blevins, Secretary  
George Ackerman, Secretary  
(571-2390)

Bailiffs

Stanford V. Williams, Chief  
Walter G. Darrell  
Benjamin H. Ellegood, Jr.  
Constance H. Harding  
William A. Landon  
Jean L. Luff  
Rita L. McCaffery  
John R. Whittington  
Arnold L. Williams  
William Gibson  
Victor Ayala  
John K. Truitt  
Edward Ksiazek

ADDRESSES

Superior Court  
Public Building  
1020 King Street  
Wilmington, DE 19801

KENT COUNTY

Thomas Rogers  
John Garrity  
Madeline Powell

Superior Court  
Kent County Courthouse  
38 The Green  
Dover, DE 19901

SUSSEX COUNTY

Earl E. Clark  
Sydney Hitchens  
William L. Marvel

Superior Court  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

PROTHONOTARIES

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Prothonotaries

George J. Fisher  
Dorothy Blythe, Secretary

John H. Shaffer

Lawrence E. Sammons

Chief Deputies

Elizabeth O. Richeson  
Frank D. Vari

Delores A. Chadwick

Carol B. Thomas

Deputies

Sharon Agnew  
Barbara Hrinak  
Wilma McDowell  
Raymond Wilson

Suzanne B. Brode

Myrtle E. Shockley  
Sarah D. Washington

Court Clerks

Elda Aubertin  
Barbara Burris  
Charles Fitzpatrick  
Edgar Johnson  
William MacLaren  
Paul Reynolds  
Theresa Snyder  
Walter Tomlinson  
Roland Volzone  
Alice Wilson

Clerks

Rita Casale  
Hattie Phelan  
Jacqueline Britt (Federally Funded)  
Janet Hudson (Federally Funded)

Frances A. Bergold  
Marie A. Johnson  
Teresa D. Lindale  
Rebecca S. Manchester

Myrtle Thomas  
Barbara Ward

Secretaries

Elizabeth Budney  
Karen Kamalski  
Catherine Straight

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

PROTHONOTARIES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Account Clerks

Kenneth Lagowski  
Linda Lawson

Clerk Typists

Jamesina Alexander  
Sandy Borowski  
Kethleen Buchanan  
Debbie Cronk  
Hattie Cummings  
Althea Desmond  
Carol Duffy  
Thelma Emory  
Margaret Figun  
Patricia Flinn  
Anita Hopes  
Barbara J. Kellam  
Lillian Kemper  
Cynthia Konkiel  
Mary Frances Lofland  
Rita Ogonowski  
Josephine Pribish  
Henrietta Russell  
Jeanette Thomas  
Jean Trusczienski  
Dale Yancey  
Margaret Meding (Federally Funded)  
Mary E. Pitcavage (Federally Funded)  
Virginia Sailer (Federally Funded)  
Belinda Thompson (Federally Funded)  
Elizabeth Turcol (Federally Funded)

Debbie A. Donovan

ADDRESSES

Prothonotary  
Public Building  
1020 King Street  
Wilmington, DE 19801  
(571-2396, 571-7575)

Prothonotary  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(678-5328)

Prothonotary  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-5559, 856-7701 X235)

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Sheriff

William I. Houghton

Chief Deputy

R. Arline Miller

Chief Deputy Sheriff

Edward F. Bonk, Sr.

Deputy

Clara R. Torrence

Deputy Sheriffs

Anthony L. Carter, Jr.

Keith Collins

Theodore Czerwinski

Luther M. Davis

Mark F. Grandell

Vincent J. Grillo

Julia A. Kemp

Louis E. Moser

James R. Osborne

James F. Orth, Jr.

Frank W. Page

Lee Smith

George W. Talley

Ronald H. Wilson

John Zewecke

Accountant

Francis J. Cole

Account Clerks

Frank R. Behringer

Sophia M. Puit

SHERIFFS

KENT COUNTY

George J. Dill

Hazel M. Clendaniel

George D. Hill, Jr.

Richard G. Winchell

SUSSEX COUNTY

Ray H. Elliott

Stephen E. Rogers

Richard J. Argo

Sarah B. Murray

Violet P. Pepper



SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Secretary

Dorothy P. Talley

Clerk Typists

Connie L. Allen

Diane D. Baker

Kelly A. Holtzlander

Kathleen J. Moore

June C. Seeney

Rose C. Stopyra

ADDRESSES

Sheriff

Public Building

1020 King Street

Wilmington, DE 19801

(571-7564, 571-7565)

SHERIFFS (CONTINUED)

KENT COUNTY

Darla L. Clendaniel

Sheriff

Kent County Courthouse

38 The Green

Dover, DE 19901

(678-3100, X212)

SUSSEX COUNTY

Sheriff

Sussex County Courthouse

The Circle

Georgetown, DE 19947

(856-7701, X240)

SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL CASES

	<u>Number of Defendants</u>			<u>Pending 6-30-79</u>	<u>Change In Pending</u>
	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>		
New Castle	1,000	2,243	2,440	803	-197
Kent	322	422	428	316	- 6
Sussex	95	285	318	62	- 33
State	1,417	2,950	3,186	1,181	-236

COMPARISON - FISCAL YEARS 1978-1979  
CRIMINAL CASES

FILINGS

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1978</u>	<u>1979</u>		
New Castle	2,593	2,243	-350	-13.5%
Kent	357	422	+ 65	+18.2%
Sussex	343	285	- 58	-16.9%
State	3,293	2,950	-343	-10.4%

DISPOSITIONS

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1978</u>	<u>1979</u>		
New Castle	2,698	2,440	-258	- 9.6%
Kent	330	428	+ 98	+29.7%
Sussex	442	318	-124	-28.1%
State	3,470	3,186	-284	- 8.2%

PENDING AT END OF YEAR

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1978</u>	<u>1979</u>		
New Castle	1,000	803	-197	-19.7%
Kent	322	316	- 6	- 1.9%
Sussex	95	62	- 33	-34.7%
State	1,417	1,181	-236	-16.7%

Source: Superior Court Case Scheduling Office

SUPERIOR COURTFISCAL YEAR 1979  
CRIMINAL FILINGS  
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 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is 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 itself holds jury trials, there are no transfers in those 2 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. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
  - Mistrial
  - Hung Jury
  - Motion for new trial granted
  - Guilty plea withdrawn
  - Lower court appeal reinstated after being dismissed
  - Conviction overturned by Supreme Court; remanded to Superior Court for new trial

## SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL FILINGSNEW CASTLE

<u>Month</u>	# of Defendants brought to Superior Court By:					<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Transfer</u>	<u>Reinstatement</u>	
July 1978	107	4	14	19	11	155
August 1978	158	3	13	21	2	197
September 1978	106	9	16	30	4	165
October 1978	227	3	14	21	5	270
November 1978	134	6	17	20	6	183
December 1978	102	3	10	18	10	143
January 1979	114	5	16	24	5	164
February 1979	114	7	15	26	14	176
March 1979	78	36	15	24	3	156
April 1979	119	42	10	12	7	190
May 1979	187	50	10	18	7	272
June 1979	<u>100</u>	<u>30</u>	<u>14</u>	<u>25</u>	<u>3</u>	<u>172</u>
TOTALS	1,546	198	164	258	77	2,243
Percentage of Total:	68.9%	8.8%	7.3%	11.5%	3.4%	100.0%

KENT

<u>Month</u>	# of Defendants brought to Superior Court By:				<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Reinstatement</u>	
July 1978	35	0	2	0	37
August 1978	34	0	3	0	37
September 1978	35	1	1	0	37
October 1978	34	2	1	0	37
November 1978	45	0	2	1	48
December 1978	18	2	3	2	25
January 1979	37	3	3	1	44
February 1979	30	6	2	1	39
March 1979	20	3	0	3	26
April 1979	27	0	1	1	29
May 1979	27	0	3	0	30
June 1979	<u>28</u>	<u>4</u>	<u>0</u>	<u>1</u>	<u>33</u>
TOTALS	370	21	21	10	422
Percentage of Total:	87.7%	5.0%	5.0%	2.4%	100.0%

Source: Superior Court Case Scheduling Office

## SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL FILINGSSUSSEX

<u>Month</u>	# of Defendants brought to Superior Court By:				<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Reinstatement</u>	
July 1978	23	1	1	0	25
August 1978	13	1	3	0	17
September 1978	36	0	4	1	41
October 1978	27	2	2	1	32
November 1978	24	4	2	0	30
December 1978	19	1	6	0	26
January 1979	26	3	2	0	31
February 1979	22	4	2	0	28
March 1979	12	2	3	0	17
April 1979	6	1	5	0	12
May 1979	8	4	3	0	15
June 1979	<u>8</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>11</u>
TOTALS	224	23	36	2	285
Percentage of Total:	78.6%	8.1%	12.6%	0.7%	100.0%

STATE

<u>Month</u>	# of Defendants brought to Superior Court By:					<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Transfer</u>	<u>Reinstatement</u>	
July 1978	165	5	17	19	11	217
August 1978	205	4	19	21	2	251
September 1978	177	10	21	30	5	243
October 1978	288	7	17	21	6	339
November 1978	203	10	21	20	7	261
December 1978	139	6	19	18	12	194
January 1979	177	11	21	24	6	239
February 1979	166	17	19	26	15	243
March 1979	110	41	18	24	6	199
April 1979	152	43	16	12	8	231
May 1979	222	54	16	18	7	317
June 1979	<u>136</u>	<u>34</u>	<u>17</u>	<u>25</u>	<u>4</u>	<u>216</u>
TOTALS	2,140	242	221	258	89	2,950
Percentage of Total:	72.5%	8.2%	7.5%	8.7%	3.0%	100.0%

Source: Superior Court Case Scheduling Office

SUPERIOR COURTFISCAL YEAR 1979  
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.
2. A defendant is defined as an individual named in an indictment; an individual named in three indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.
3. The trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials per se. The date of disposition is the trial date, unless the decision is reserved, in which case it is the date when the opinion is handed down.
4. 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 guilty 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, and his disposition date is the date of the plea.
5. 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 is 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 would mean counting two dispositions for one case.
6. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, or reinstatement are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court. Counting them as dispositions would be erroneously counting dispositions for cases which were never filed.
7. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to lower court.
8. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.

## EXPLANATORY NOTES (CONTINUED)

9. Other types of dispositions include consolidations and diversions. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, who has the charges tried together will receive one trial disposition and one consolidation disposition. Diversions represent those defendants who are charged with driving under the influence and are first time offenders. The defendants elect to enroll in a rehabilitation program and waive their right to a speedy trial. If the individual satisfactorily completes the program and pays all fees, the driving under the influence charge will be nolle prossed.
10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed. Unindicted nolle prosequis are not counted as dispositions because they are not counted as filings until an indictment or information is filed.

SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS

NEW CASTLE

# of Defendants Disposed Of By:

<u>Month</u>	<u>Trial</u>	<u>Guilty Plea</u>	<u>Nolle Prosequi</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand</u>	<u>Other</u>	<u>TOTALS</u>	<u>Unindicted Nolle Prosequi</u>
July 1978	30	108	50	3	6	0	0	197	17
August 1978	18	100	30	1	3	0	0	152	10
September 1978	24	128	48	3	3	1	0	207	20
October 1978	28	86	77	0	6	0	0	197	15
November 1978	21	112	60	2	5	0	0	200	12
December 1978	20	88	71	1	4	0	0	184	30
January 1979	23	158	47	2	4	0	2	236	7
February 1979	27	62	54	3	2	0	0	148	8
March 1979	29	122	73	1	6	0	1	232	16
April 1979	23	138	67	2	1	0	2	233	21
May 1979	14	173	35	4	4	0	2	232	15
June 1979	<u>20</u>	<u>136</u>	<u>58</u>	<u>3</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>222</u>	<u>16</u>
TOTALS	277	1,411	670	25	49	1	7	2,440	187
Percentage of Total:	11.3%	57.0%	27.5%	1.0%	2.0%	0.1%	0.3%	100.0 %	

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office



SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS

KENT

# of Defendants Disposed Of By:

<u>Month</u>	<u>Trial</u>	<u>Guilty Plea</u>	<u>Nolle Prosequi</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand</u>	<u>Other</u>	<u>TOTALS</u>	<u>Unindicted Nolle Prosequi</u>
July 1978	2	8	0	0	0	0	0	10	2
August 1978	2	0	1	0	0	0	0	3	0
September 1978	3	58	6	0	1	0	0	68	3
October 1978	6	44	6	0	0	0	0	56	2
November 1978	0	18	3	0	0	2	0	23	0
December 1978	6	10	3	0	1	1	0	21	2
January 1979	2	40	14	1	0	0	0	57	0
February 1979	0	10	0	1	0	0	0	11	2
March 1979	6	66	13	0	0	0	0	85	3
April 1979	3	19	11	0	0	0	0	33	2
May 1979	3	13	6	0	1	0	0	23	0
June 1979	<u>1</u>	<u>31</u>	<u>6</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>38</u>	<u>5</u>
TOTALS	34	317	69	2	3	3	0	428	21
Percentage of Total:	7.9%	74.1%	16.1%	0.5%	0.7%	0.7%	0.0%	100.0%	

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS

SUSSEX

# of Defendants Disposed Of By:

Month	Trial	Guilty Plea	Nolle Prosequi	Dismissal	ADRR	Remand	Other	TOTALS	Unindicted	
									Nolle	Prosequi
July 1978	3	12	1	0	0	0	0	16	2	
August 1978	2	17	4	1	1	0	0	25	1	
September 1978	1	19	5	0	1	0	0	26	4	
October 1978	0	27	7	0	0	0	0	34	1	
November 1978	4	24	4	2	0	0	0	34	4	
December 1978	0	16	5	0	0	0	0	21	10	
January 1979	4	24	10	0	0	0	0	38	6	
February 1979	1	25	4	0	0	0	0	30	4	
March 1979	1	26	8	0	0	0	0	35	0	
April 1979	2	11	4	1	0	1	0	19	6	
May 1979	0	21	2	0	1	0	0	24	3	
June 1979	<u>1</u>	<u>12</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>16</u>	<u>8</u>	
TOTALS	19	234	57	4	3	1	0	318	49	
Percentage of Total:	6.0%	73.6%	17.9%	1.3%	0.9%	0.3%	0.0%	100.0%		

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS

STATE

# of Defendants Disposed Of By:

<u>Month</u>	<u>Trial</u>	<u>Guilty Plea</u>	<u>Nolle Prosequi</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand</u>	<u>Other</u>	<u>TOTALS</u>	<u>Unindicted Nolle Prosequi</u>
July 1978	35	128	51	3	6	0	0	223	21
August 1978	22	117	35	2	4	0	0	180	11
September 1978	28	205	59	3	5	1	0	301	27
October 1978	34	157	90	0	6	0	0	287	18
November 1978	25	154	67	4	5	2	0	257	16
December 1978	26	114	79	1	5	1	0	226	42
January 1979	29	222	71	3	4	0	2	331	13
February 1979	28	97	58	4	2	0	0	189	14
March 1979	36	214	94	1	6	0	1	352	19
April 1979	28	168	82	3	1	1	2	285	29
May 1979	17	207	43	4	6	0	2	279	18
June 1979	<u>22</u>	<u>179</u>	<u>67</u>	<u>3</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>276</u>	<u>29</u>
TOTALS	330	1,962	796	31	55	5	7	3,186	257
Percentage of Total:	10.4%	61.6%	25.0%	1.0%	1.7%	0.2%	0.2%	100.0%	

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1979  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART ONE

	# of Defendants Disposed of By:					# of Defendants:							
	<u>Jury Trial</u>		<u>Non-Jury Trial</u>		<u>Total</u>	<u>Guilty</u>		<u>Not Guilty</u>		<u>No Final Disposition*</u>	<u>Total</u>		
New Castle	250	90.3%	27	9.7%	277	188	67.9%	58	20.9%	31	11.2%	277	100.0%
Kent	24	70.6%	10	29.4%	34	28	82.4%	6	17.6%	0	0.0%	34	100.0%
Sussex	6	31.6%	13	68.4%	19	11	57.9%	8	42.1%	0	0.0%	19	100.0%
State	280	84.8%	50	15.2%	330	227	68.8%	72	21.8%	31	9.4%	330	100.0%

\*Hung juries and mistrials.

TRIAL DISPOSITIONS - PART TWO

	# of Defendants Disposed of By:									Non-Jury Trial							<u>TOTALS</u>
	<u>Jury Trial</u>									<u>Guilty</u>	<u>Guilty-LIO</u>	<u>Pled Guilty at Trial</u>	<u>Pled Guilty-LIO at Trial</u>	<u>Not Guilty</u>	<u>Directed Verdict of Acquittal</u>	<u>Nolle Prosequi at Trial</u>	
New Castle	112	24	21	14	34	10	4	20	11	17	0	0	0	9	0	1	277
Kent	15	0	3	3	1	0	2	0	0	6	0	1	0	3	0	0	34
Sussex	3	0	0	0	3	0	0	0	0	7	1	0	0	4	1	0	19
State	130	24	24	17	38	10	6	20	11	30	1	1	0	16	1	1	330

LIO = Lesser Included Offense

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS  
GUILTY PLEA DISPOSITIONS  
EXPLANATORY NOTES

1. "PG-All" means that the defendant pled guilty to every charge facing him. These pleas of guilty are the only ones not plea-bargained.
2. "PG-Most Serious" indicates that the defendant pled guilty to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-LIO" denotes that a defendant pled guilty to a lesser included offense of the most serious charge. Pleas of guilty to amended informations are counted in with the PG-LIO's.
4. "PG-Lesser" indicates a plea of guilty to a lesser charge of the same indictment or other filing.
5. "PG-LIO Lesser" means that the defendant pled guilty to a lesser included offense of a lesser charge of a multi-count indictment or other filing. This is the weakest type of plea.
6. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
7. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General. This is always a reduced charge.
8. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to an LIO is counted in with the PG-LIO's.

SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS

GUILTY PLEA DISPOSITIONS

	# of Defendants Who:				PG-		PG-		PG-		PG-		PG-		<u>TOTALS</u>	
	<u>PG- All</u>		<u>PG- Most Serious</u>		<u>LIO</u>		<u>Lesser</u>		<u>LIO-Lesser</u>		<u>NI</u>		<u>Information</u>			
New Castle	123	8.7%	416	29.5%	430	30.5%	145	10.3%	24	1.7%	72	5.1%	201	14.2%	1,411	100.0%
Kent	53	16.7%	91	28.7%	101	31.9%	38	12.0%	17	5.4%	1	0.3%	16	5.0%	317	100.0%
Sussex	28	12.0%	38	16.2%	137	58.5%	8	3.4%	7	3.0%	4	1.7%	12	5.1%	234	100.0%
State	204	10.4%	545	27.8%	668	34.0%	191	9.7%	48	2.4%	77	3.9%	229	11.7%	1,962	100.0%

NOLLE PROSEQUI DISPOSITIONS - PART ONE\*

	# of Defendants With Nolle Prosequis by <u>Special Condition**</u>		# of Defendants With Nolle Prosequis <u>by Merit#</u>		<u>Total # of Defendants With Nolle Prosequis</u>	
New Castle	306	45.7%	364	54.3%	670	100.0%
Kent	13	18.8%	56	81.2%	69	100.0%
Sussex	9	15.8%	48	84.2%	57	100.0%
State	328	41.2%	468	58.8%	796	100.0%

\*Nolle prosequis for indicted defendants only.

\*\*Nolle prosequis by special condition for Kent and Sussex Counties were determined by using the standards for plea-related nolle prosequis.

#Nolle prosequis by merit for Kent and Sussex Counties were determined by using the standards for non-plea related nolle prosequis.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1979

CRIMINAL DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART TWO\*

	Number of Defendants With Nolle Prosequis by Special Condition								Number of Defendants With Nolle Prosequis by Merit											
	<u>Guilty of Other Charges, Different Indictment</u>	<u>Tried on Same Charges, Other Court</u>	<u>Reindicted</u>	<u>Placed on AG's Probation</u>	<u>Restitution</u>	<u>Placed in Custody of Other Jurisdiction</u>	<u>Indicted on Other Charges</u>	<u>Without Prejudice</u>	<u>Codefendant Guilty</u>	<u>Granted Immunity, AG's Witness</u>	<u>Defense Valid</u>	<u>Prosecutive Merit</u>	<u>Police Problems</u>	<u>Victim/Witness Availability/Deceased</u>	<u>Victim/Witness Attitude/Credibility</u>	<u>Due Process</u>	<u>Insufficient Evidence</u>	<u>Evidence Related</u>	<u>Other</u>	<u>TOTALS</u>
New Castle	133	16	47	85	3	8	10	4	4	4	2	72	2	60	27	5	159	7	22	670
Kent	Not Available																			69
Sussex	Not Available																			57
State	Not Available																			796

\*Nolle prosequis for indicted defendants only.

Source: Superior Court Case Scheduling Office

## SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS  
DISPOSITIONS BY OFFENSE TYPENEW CASTLE

# of Defendants Disposed of By:

Offense	Trial			Total	Guilty		NP	Dismissal	ADRR	Remand*	TOTALS
	G	NG	NFD		Plea						
<u>Crimes of Violence</u>											
Murder 1st	7	2	5	14	5	1	0	0	0	0	20
Murder 2nd	7	0	0	7	4	2	0	0	0	0	13
Manslaughter	0	0	0	0	3	0	0	0	0	0	3
Criminally Negligent Homicide	1	0	0	1	5	3	1	0	0	0	10
Attempted Murder 1st/2nd	6	1	1	8	7	3	0	0	0	0	18
Assault 1st	9	5	2	16	35	16	0	0	0	0	67
Assault 2nd	7	2	2	11	36	20	3	0	0	0	70
Reckless Endangering 1st	3	1	0	4	27	8	0	0	0	0	39
Rape 1st	6	1	0	7	4	1	0	0	0	0	12
Rape 2nd	4	1	1	6	8	3	0	0	0	0	17
Sodomy 1st/2nd	0	0	0	0	5	2	0	0	0	0	7
Kidnapping 1st/2nd	2	0	0	2	6	4	0	0	0	0	12
Robbery 1st	17	0	2	19	35	29	0	0	0	0	83
Robbery 2nd	3	4	2	9	25	18	0	0	0	0	52
<u>Drug Offenses</u>											
Delivery	9	0	0	9	75	24	2	0	0	0	110
Possession W/Intent to Deliver	4	0	1	5	27	8	2	0	0	0	42
Possession NN Schedule I	0	0	0	0	35	16	0	0	0	0	51
Other Drug Offenses	4	1	1	6	32	24	2	0	0	0	64
<u>Other Grand Jury Offenses</u>											
Burglary 1st/2nd/3rd	22	9	1	32	242	106	2	0	0	0	382
Theft/Shoplifting/RSP/Forgery	25	9	3	37	351	121	3	0	0	0	512
All Weapons Offenses	5	3	1	9	71	32	0	0	0	2	114
Other Grand Jury Offenses	14	3	7	24	214	72	3	0	0	0	313
<u>Appeal and Transfer Cases</u>											
DUI/CUI	1	0	0	1	41	1	0	5	4	0	52
Other Traffic Offenses	11	10	1	22	74	52	4	32	0	0	184
Non-Traffic Offenses	21	6	1	28	44	104	3	12	2	0	193
TOTALS	188	58	31	277	1,411	670	25	49	8	0	2,440

G = Guilty

NG = Not Guilty

NFD = No Final Disposition (Hung Juries, Mistrials)

NP = Nolle Prosequi

ADRR = Appeal Dismissed, Recorded Remanded

NN = Non-Narcotic

RSP = Receiving Stolen Property

DUI/CUI = Driving Under the Influence/Control Under the Influence

\*Includes Diversions and Consolidations

Source: Superior Court Case Scheduling Office



SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS  
DISPOSITIONS BY OFFENSE TYPE

KENT

# of Defendants Disposed of By:

Offense	Trial			Guilty Plea	NP	Dismissal	ADRR	Remand	TOTALS
	G	NG	NFD						
<u>Crimes of Violence</u>									
Murder 1st	0	0	0	0	0	0	0	0	0
Murder 2nd	0	0	0	0	1	0	0	0	1
Manslaughter	0	0	0	0	0	0	0	0	0
Criminally Negligent Homicide	0	0	0	0	4	0	0	0	4
Attempted Murder 1st/2nd	0	0	0	0	0	0	0	0	0
Assault 1st	0	0	0	0	7	1	0	0	8
Assault 2nd	2	1	0	3	16	7	0	0	26
Reckless Endangering 1st	0	0	0	0	7	2	0	0	9
Rape 1st	1	0	0	1	4	1	0	1	7
Rape 2nd	1	0	0	1	2	1	0	0	4
Sodomy 1st/2nd	0	0	0	0	0	0	0	0	0
Kidnapping 1st/2nd	2	0	0	2	2	0	1	0	5
Robbery 1st	3	0	0	3	13	2	0	0	18
Robbery 2nd	0	0	0	0	6	2	0	2	10
<u>Drug Offenses</u>									
Delivery	0	0	0	0	9	2	0	0	11
Possession W/Intent to Deliver	0	0	0	0	4	1	0	0	5
Possession NN Schedule I	0	0	0	0	5	0	0	0	5
Other Drug Offenses	0	0	0	0	7	1	0	0	8
<u>Other Grand Jury Offenses</u>									
Burglary 1st/2nd/3rd	5	0	0	5	82	7	0	0	94
Theft/Shoplifting/RSP/Forgery	4	2	0	6	75	14	0	0	95
All Weapons Offenses	5	1	0	6	20	7	0	0	33
Other Grand Jury Offenses	2	0	0	2	42	12	1	0	57
<u>Appeal and Transfer Cases</u>									
DUI/CUI	1	0	0	1	1	1	0	0	3
Other Traffic Offenses	2	2	0	4	10	7	0	0	23
Non-Traffic Offenses	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>2</u>
TOTALS	28	6	0	34	317	69	2	3	428

NFD = No Final Disposition (Hung Juries, Mistrials)

G = Guilty

NG = Not Guilty

NP = Nolle Prosequi

ADRR = Appeals Dismissed, Recorded Remanded

NN = Non-Narcotic

RSP = Receiving Stolen Property

DUI/CUI = Driving Under the Influence/Control Under the Influence

Source: Superior Court Case Scheduling Office

## SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS  
DISPOSITIONS BY OFFENSE TYPESUSSEX

# of Defendants Disposed of By:

<u>Offense</u>	<u>Trial</u>			<u>Guilty</u>		<u>NP</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand</u>	<u>TOTALS</u>
	<u>G</u>	<u>NG</u>	<u>NFD</u>	<u>Total</u>	<u>Plea</u>					
<u>Crimes of Violence</u>										
Murder 1st	2	0	0	2	3	1	0	0	0	6
Murder 2nd	0	1	0	1	1	0	0	0	0	2
Manslaughter	0	0	0	0	7	0	0	0	0	7
Criminally Negligent Homicide	0	0	0	0	2	0	0	0	0	2
Attempted Murder 1st/2nd	0	0	0	0	1	0	0	0	0	1
Assault 1st	0	0	0	0	12	2	0	0	0	14
Assault 2nd	0	1	0	1	10	3	1	0	0	15
Reckless Endangering 1st	0	0	0	0	10	5	0	0	0	15
Rape 1st	1	0	0	1	3	0	0	0	0	4
Rape 2nd	0	0	0	0	1	0	0	0	1	2
Sodomy 1st/2nd	0	0	0	0	1	0	0	0	0	1
Kidnapping 1st/2nd	0	0	0	0	0	0	0	0	0	0
Robbery 1st	1	0	0	1	13	0	0	0	0	14
Robbery 2nd	0	1	0	1	4	0	0	0	0	5
<u>Drug Offenses</u>										
Delivery	0	0	0	0	4	2	1	0	0	7
Possession W/Intent to Deliver	0	0	0	0	7	0	0	0	0	7
Possession NN Schedule I	0	0	0	0	4	1	0	0	0	5
Other Drug Offenses	0	0	0	0	7	2	0	0	0	9
<u>Other Grand Jury Offenses</u>										
Burglary 1st/2nd/3rd	1	3	0	4	60	10	0	0	0	74
Theft/Shoplifting/RSP/Forgery	1	1	0	2	46	9	0	0	0	57
All Weapons Offenses	1	0	0	1	3	4	0	0	0	8
Other Grand Jury Offenses	2	1	0	3	17	5	1	0	0	26
<u>Appeal and Transfer Cases</u>										
DUI/CUI	0	0	0	0	6	1	0	0	0	7
Other Traffic Offenses	1	0	0	1	11	6	0	2	0	20
Non-Traffic Offenses	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>6</u>	<u>1</u>	<u>1</u>	<u>0</u>	<u>10</u>
TOTALS	11	8	0	19	234	57	4	3	1	318

NFD = No Final Disposition (Hung Juries, Mistrials)

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NP = Nolle Prosequi

ADRR = Appeal Dismissed, Recorded Remanded

NN = Non-Narcotic

RSP = Receiving Stolen Property

DUI/CUI = Driving Under the Influence/Control Under the Influence

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL DISPOSITIONS  
DISPOSITIONS BY OFFENSE TYPE

STATE

# of Defendants Disposed of By:

<u>Offense</u>	<u>Trial</u>			<u>Guilty</u>	<u>NP</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand*</u>	<u>TOTALS</u>	
	<u>G</u>	<u>NG</u>	<u>NFD</u>							<u>Total</u>
<u>Crimes of Violence</u>										
Murder 1st	9	2	5	16	8	2	0	0	0	26
Murder 2nd	7	1	0	8	6	2	0	0	0	16
Manslaughter	0	0	0	0	10	0	0	0	0	10
Criminally Negligent Homicide	1	0	0	1	11	3	1	0	0	16
Attempted Murder 1st/2nd	6	1	1	8	8	3	0	0	0	19
Assault 1st	9	5	2	16	54	19	0	0	0	89
Assault 2nd	9	4	2	15	62	30	4	0	0	111
Reckless Endangering 1st	3	1	0	4	44	15	0	0	0	63
Rape 1st	8	1	0	9	11	2	0	0	1	23
Rape 2nd	5	1	1	7	11	4	0	0	1	23
Sodomy 1st/2nd	0	0	0	0	6	2	0	0	0	8
Kidnapping 1st/2nd	4	0	0	4	8	4	1	0	0	17
Robbery 1st	21	0	2	23	61	31	0	0	0	115
Robbery 2nd	3	5	2	10	35	20	0	0	2	67
<u>Drug Offenses</u>										
Delivery	9	0	0	9	88	28	3	0	0	128
Possession W/Intent to Deliver	4	0	1	5	38	9	2	0	0	54
Possession NN Schedule I	0	0	0	0	44	17	0	0	0	61
Other Drug Offenses	4	1	1	6	46	27	2	0	0	81
<u>Other Grand Jury Offenses</u>										
Burglary 1st/2nd/3rd	28	12	1	41	384	123	2	0	0	550
Theft/Shoplifting/RSP/Forgery	30	12	3	45	472	144	3	0	0	664
All Weapons Offenses	11	4	1	16	94	43	0	0	2	155
Other Grand Jury Offenses	18	4	7	29	273	89	5	0	0	396
<u>Appeal and Transfer Cases</u>										
DUI/CUI	2	0	0	2	48	3	0	5	4	62
Other Traffic Offenses	14	12	1	27	95	65	4	36	0	227
Non-Traffic Offenses	22	6	1	29	45	111	4	14	2	205
<b>TOTALS</b>	227	72	31	330	1,962	796	31	55	12	3,186

NFD = No Final Disposition (Hung Juries, Mistrials)

G = Guilty

NG = Not Guilty

NP = Nolle Prosequi

ADRR = Appeal Dismissed, Recorded Remanded

NN = Non-Narcotic

RSP = Receiving Stolen Property

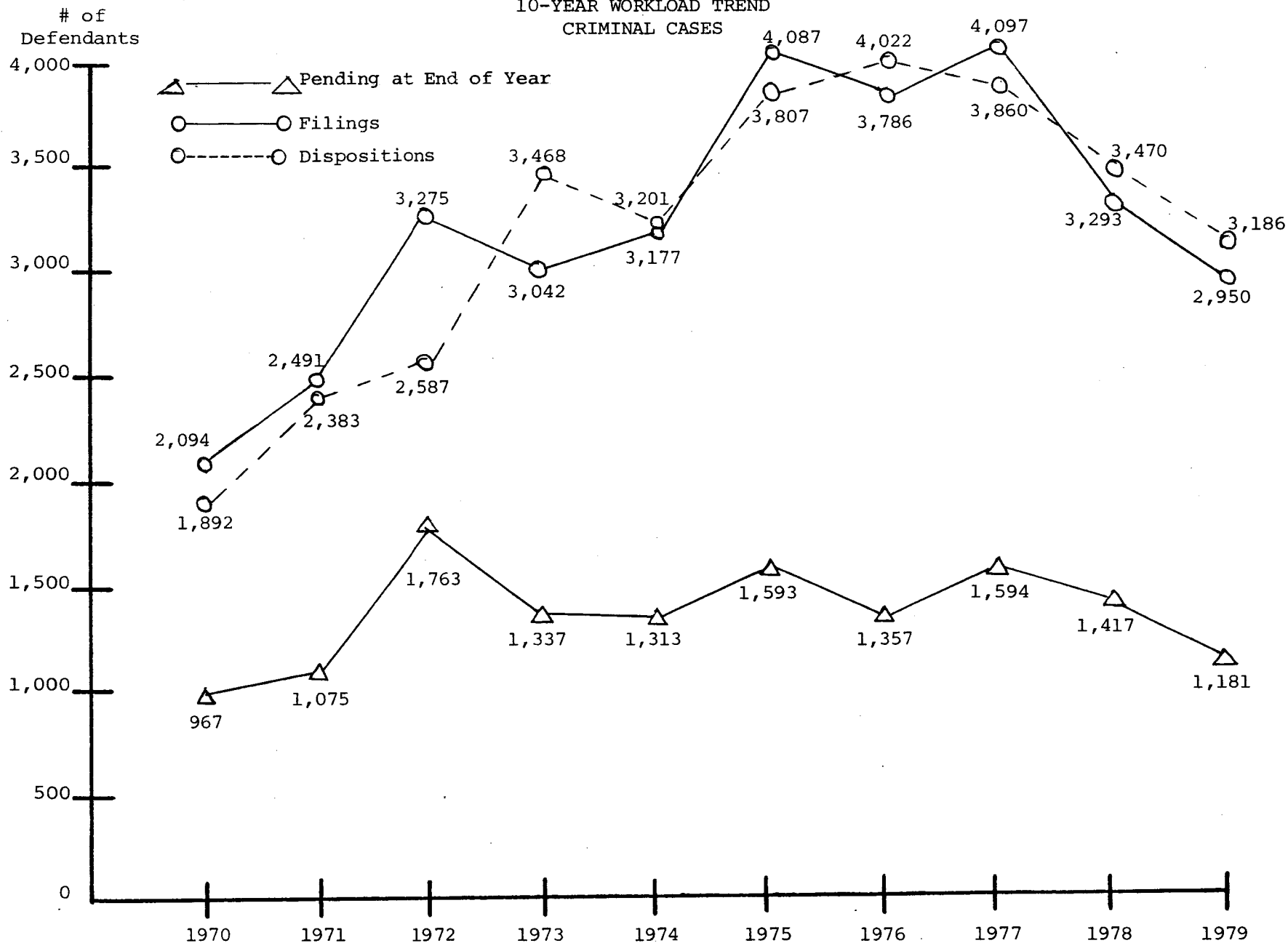
DUI/CUI = Driving Under the Influence/Control Under the Influence

\*Includes diversions and consolidations

Source: Superior Court Case Scheduling Office

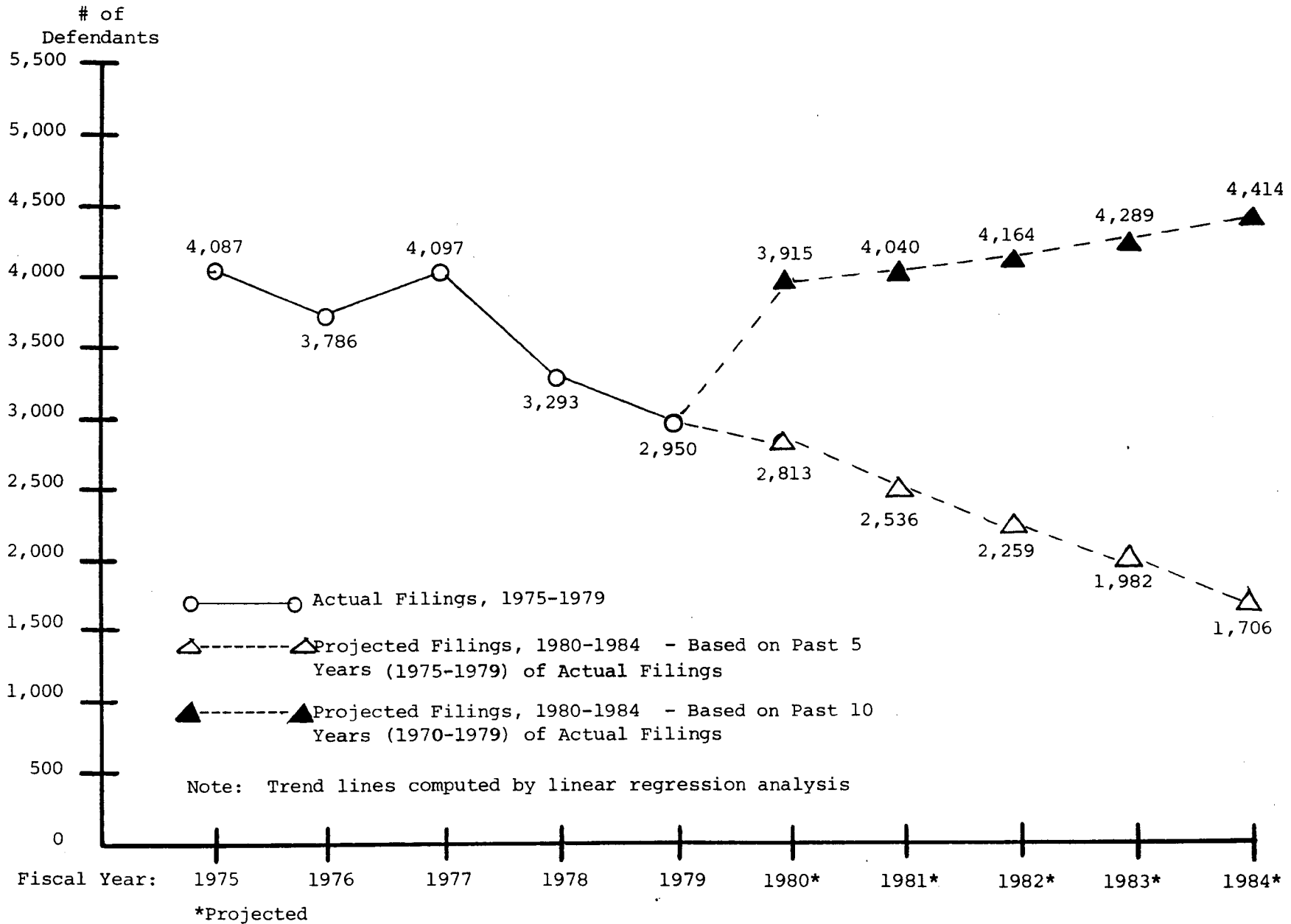
SUPERIOR COURT

10-YEAR WORKLOAD TREND  
CRIMINAL CASES



Source: Administrative Office of the Courts .

SUPERIOR COURT  
5-YEAR WORKLOAD PROJECTIONS  
CRIMINAL CASES



Source: Administrative Office of the Courts

SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL TRIAL ACTIVITY

	<u># of</u> <u>Jury Trials</u>		<u># of</u> <u>Non-Jury Trials</u>		<u>Total #</u> <u>of Trials</u>		<u>Days</u> <u>In Trial</u>	<u>Average Length</u> <u>Per Trial</u>
New Castle	250	90.3%	27	9.7%	277	100.0%	507½	1.83
Kent	23	76.7%	7	23.3%	30	100.0%	46	1.53
Sussex	6	33.3%	12	66.7%	18	100.0%	20½	1.14
State	279	85.8%	46	14.2%	325	100.0%	574	1.77

Source: Superior Court Case Scheduling Office

SUPERIOR COURTFISCAL YEAR 1979  
PERFORMANCE ANALYSIS  
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court should be tried within 120 days of arrest.
2. The Elapsed Time charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment and disposition. Since Superior Court cases do not all originate by indictment, it is not possible to subtract the figures for indictment to disposition from the figures for arrest to disposition to determine preindictment time intervals.
3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:
  - a. For all capiases, the time between the date the capias is issued and the date the capias is executed.
  - b. In the case of arraignment capiases, the interval between the execution of the capias and arraignment.
  - c. In the case of trial capiases, the time between execution of the capias and the first scheduled trial date.
  - d. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment, if any.
  - e. In the case of Rule 9 Warrants, the interval between indictment and arrest.
  - f. In the case of Rule 9 Summonses which are superseded by Rule 9 Warrants, the full interval between indictment and arrest.
  - g. For all nolle prosequis, all time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL PERFORMANCE  
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

NEW CASTLE

<u>Month</u>	<u># of Defendants Disposed of Within 120 Days of Arrest</u>		<u># of Defendants Disposed of 121 Days or More After Arrest</u>		<u>Total # of Defendants Disposed of</u>	
July 1978	170	86.3%	27	13.7%	197	100.0%
August 1978	134	88.2%	18	11.8%	152	100.0%
September 1978	178	86.0%	29	14.0%	207	100.0%
October 1978	161	81.7%	36	18.3%	197	100.0%
November 1978	176	88.0%	24	12.0%	200	100.0%
December 1978	156	84.8%	28	15.2%	184	100.0%
January 1979	207	87.7%	29	12.3%	236	100.0%
February 1979	116	78.4%	32	21.6%	148	100.0%
March 1979	201	86.6%	31	13.4%	232	100.0%
April 1979	192	82.4%	41	17.6%	233	100.0%
May 1979	205	88.4%	27	11.6%	232	100.0%
June 1979	195	87.8%	27	12.2%	222	100.0%
TOTALS	2,091	85.7%	349	14.3%	2,440	100.0%

KENT

<u>Month</u>	<u># of Defendants Disposed of Within 120 Days of Arrest</u>		<u># of Defendants Disposed of 121 Days or More After Arrest</u>		<u>Total # of Defendants Disposed of</u>	
July 1978	2	20.0%	8	80.0%	10	100.0%
August 1978	2	66.7%	1	33.3%	3	100.0%
September 1978	35	51.5%	33	48.5%	68	100.0%
October 1978	34	60.7%	22	39.3%	56	100.0%
November 1978	16	69.9%	7	30.4%	23	100.0%
December 1978	8	38.1%	13	61.9%	21	100.0%
January 1979	38	66.7%	19	33.3%	57	100.0%
February 1979	8	72.7%	3	27.3%	11	100.0%
March 1979	53	62.4%	32	37.6%	85	100.0%
April 1979	20	60.6%	13	39.4%	33	100.0%
May 1979	19	82.6%	4	17.4%	23	100.0%
June 1979	33	86.8%	5	13.2%	38	100.0%
TOTALS	268	62.6%	160	37.4%	428	100.0%



SUPERIOR COURT  
FISCAL YEAR 1979  
CRIMINAL PERFORMANCE  
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

SUSSEX

<u>Month</u>	<u># of Defendants Disposed of Within 120 Days of Arrest</u>		<u># of Defendants Disposed of 121 Days or More After Arrest</u>		<u>Total # of Defendants Disposed of</u>	
July 1978	12	75.0%	4	25.0%	16	100.0%
August 1978	21	84.0%	4	16.0%	25	100.0%
September 1978	19	73.1%	7	26.9%	26	100.0%
October 1978	30	88.2%	4	11.8%	34	100.0%
November 1978	30	88.2%	4	11.8%	34	100.0%
December 1978	20	95.2%	1	4.8%	21	100.0%
January 1979	34	89.5%	4	10.5%	38	100.0%
February 1979	28	93.3%	2	6.7%	30	100.0%
March 1979	30	85.7%	5	14.3%	35	100.0%
April 1979	16	84.2%	3	15.8%	19	100.0%
May 1979	24	100.0%	0	0.0%	24	100.0%
June 1979	13	81.2%	3	18.8%	16	100.0%
<b>TOTALS</b>	<b>277</b>	<b>87.1%</b>	<b>41</b>	<b>12.9%</b>	<b>318</b>	<b>100.0%</b>

STATE

<u>Month</u>	<u># of Defendants Disposed of Within 120 Days of Arrest</u>		<u># of Defendants Disposed of 121 Days or More After Arrest</u>		<u>Total # of Defendants Disposed of</u>	
July 1978	184	82.5%	39	17.5%	223	100.0%
August 1978	157	87.2%	23	12.8%	180	100.0%
September 1978	232	77.1%	69	22.9%	301	100.0%
October 1978	225	78.4%	62	21.6%	287	100.0%
November 1978	222	86.4%	35	13.6%	257	100.0%
December 1978	184	81.4%	42	18.6%	226	100.0%
January 1979	279	84.3%	52	15.7%	331	100.0%
February 1979	152	80.4%	37	19.6%	189	100.0%
March 1979	284	80.7%	68	19.3%	352	100.0%
April 1979	228	80.0%	57	20.0%	285	100.0%
May 1979	248	88.9%	31	11.1%	279	100.0%
June 1979	241	87.3%	35	12.7%	276	100.0%
<b>TOTALS</b>	<b>2,636</b>	<b>82.7%</b>	<b>550</b>	<b>17.3%</b>	<b>3,186</b>	<b>100.0%</b>

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CRIMINAL PERFORMANCE  
 ELAPSED TIME

NEW CASTLE

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**</u>
July 1978	80.4 days	66.0 days	56.4 days	41.0 days
August 1978	80.4	70.0	56.1	49.0
September 1978	89.1	70.0	64.5	48.0
October 1978	87.4	70.0	63.1	42.0
November 1978	74.2	68.0	52.1	43.0
December 1978	80.4	67.5	57.3	40.0
January 1979	79.4	69.0	56.3	43.5
February 1979	90.7	65.5	71.1	43.5
March 1979	74.9	62.5	52.9	37.0
April 1979	82.4	65.0	60.9	49.0
May 1979	92.8	56.5	73.1	33.0
June 1979	<u>80.6</u>	<u>61.0</u>	<u>60.0</u>	<u>38.0</u>
TOTALS	82.6 days	65.5 days #	60.2 days	42.0 days #

\*Includes all defendants.

\*\*Includes indicted defendants only.

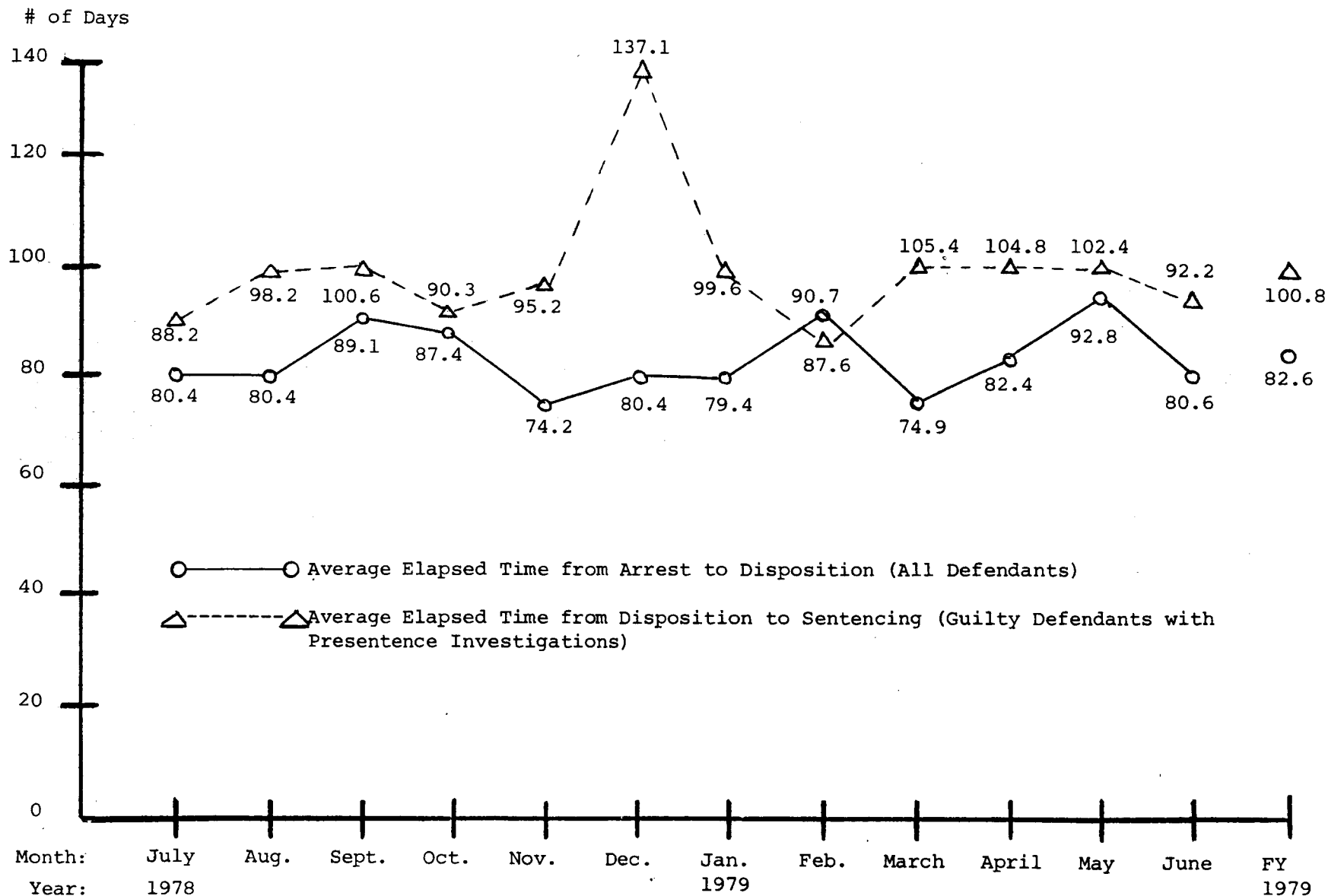
#Calculated using grouped medians method.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1979  
 COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

NEW CASTLE



Source: Administrative Office of the Courts

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CRIMINAL PERFORMANCE  
 ELAPSED TIME

KENT

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**</u>
July 1978	190.9 days	147.0 days	172.2 days	138.5 days
August 1978	137.7	119.0	114.7	94.5
September 1978	151.1	119.0	117.9	94.5
October 1978	118.6	87.0	93.7	58.0
November 1978	105.5	80.0	77.7	45.5
December 1978	151.9	135.0	126.1	117.0
January 1979	105.8	91.0	78.9	71.0
February 1979	61.4	26.0	36.2	0.0
March 1979	137.5	91.0	108.2	57.5
April 1979	136.6	100.0	100.6	57.0
May 1979	100.5	79.0	76.5	45.0
June 1979	<u>102.3</u>	<u>87.0</u>	<u>71.0</u>	<u>49.0</u>
TOTALS	126.2 days	96.0 days #	97.3 days	66.5 days #

\*Includes all defendants.

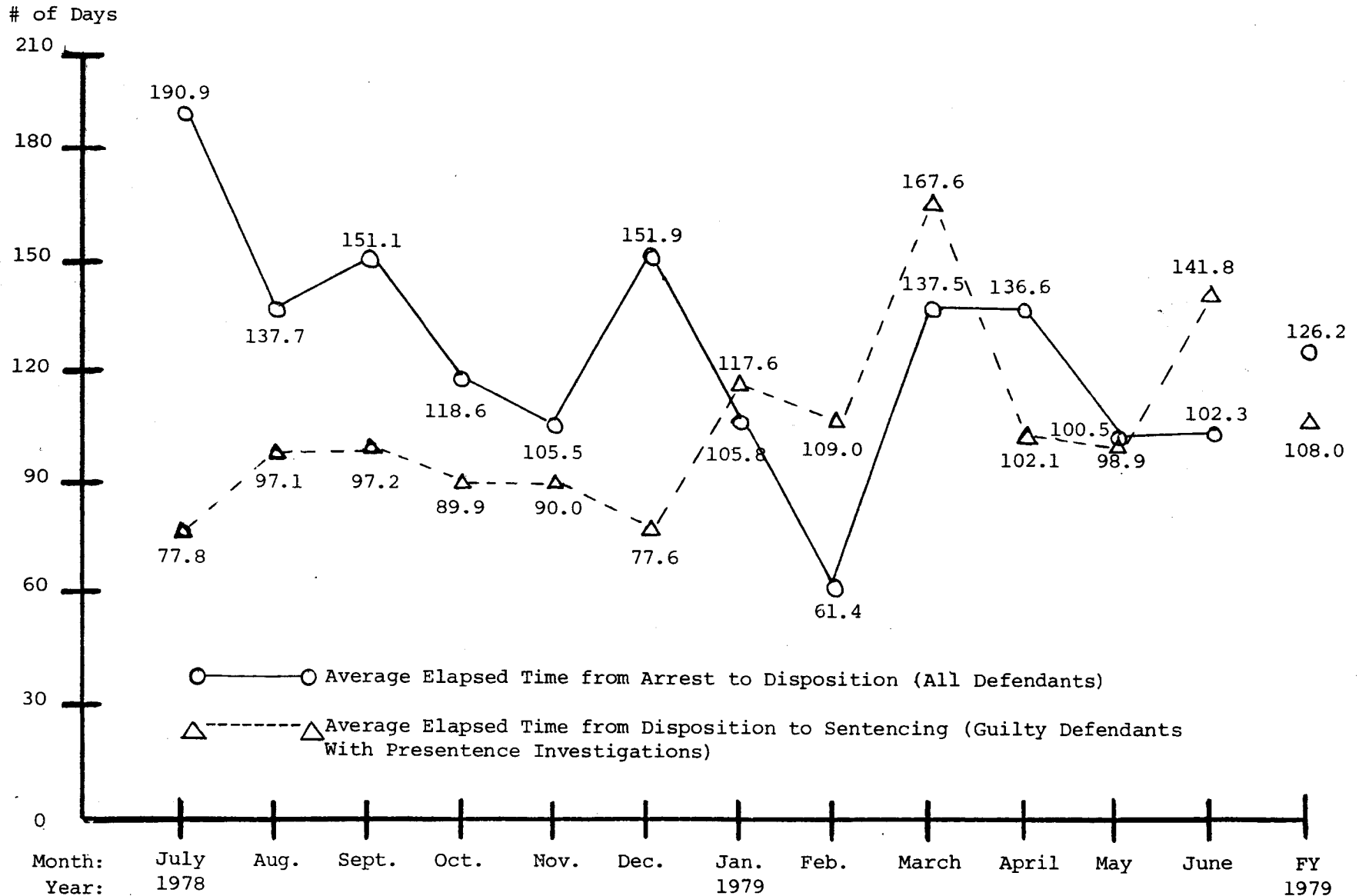
\*\*Includes indicted defendants only.

#Calculated using grouped medians method.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
 FISCAL YEAR 1979  
 COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

KENT



Source: Administrative Office of the Courts

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CRIMINAL PERFORMANCE  
 ELAPSED TIME

SUSSEX

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**</u>
July 1978	98.6 days	61.0 days	66.8 days	47.0 days
August 1978	92.9	69.0	58.3	28.0
September 1978	103.5	89.5	67.5	41.5
October 1978	85.3	66.0	37.8	21.0
November 1978	95.8	82.0	29.9	31.0
December 1978	60.4	54.0	28.2	25.0
January 1979	72.7	79.0	34.0	29.0
February 1979	69.3	80.5	32.8	25.0
March 1979	98.8	85.0	57.2	40.5
April 1979	109.4	75.0	46.9	36.0
May 1979	58.5	55.0	25.9	18.5
June 1979	<u>97.4</u>	<u>80.0</u>	<u>56.9</u>	<u>42.0</u>
TOTALS	85.7 days	74.0 days #	43.6 days	31.0 days #

\*Includes all defendants.

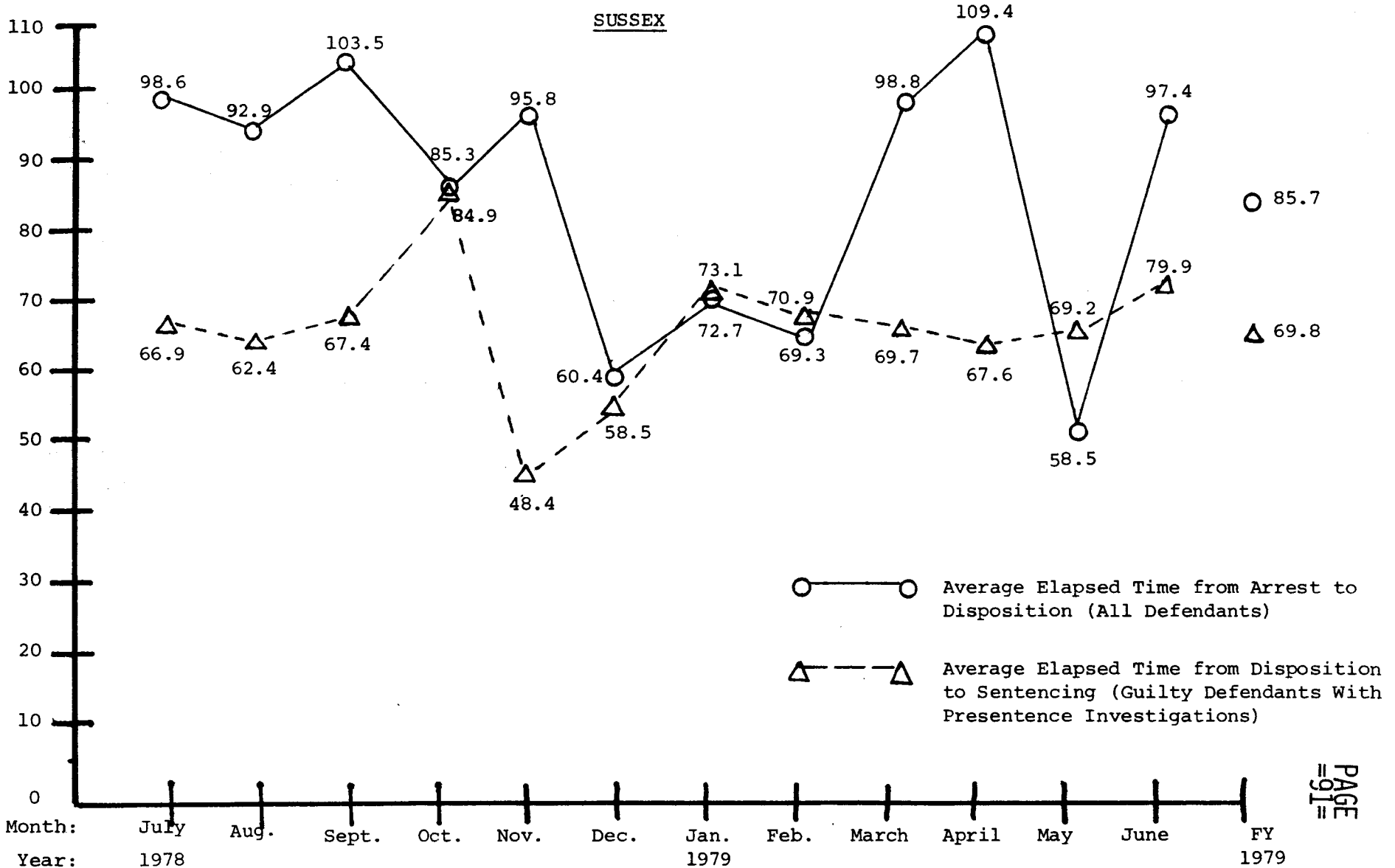
\*\*Includes indicted defendants only.

#Calculated using grouped medians method.

SUPERIOR COURT

FISCAL YEAR 1979  
COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE

# of Days



Month: July Aug. Sept. Oct. Nov. Dec. Jan. Feb. March April May June  
 Year: 1978  
 Source: Administrative Office of the Courts

FY 1979  
TOTALS

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CRIMINAL PERFORMANCE  
 ELAPSED TIME

STATE

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*,#</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**,#</u>
July 1978	87.2 days	69.5 days	66.6 days	49.0 days
August 1978	83.0	70.5	60.5	49.5
September 1978	103.8	82.5	81.1	61.0
October 1978	93.1	73.0	69.3	45.0
November 1978	79.8	71.0	53.9	43.5
December 1978	84.2	72.0	68.6	51.0
January 1979	82.9	74.0	58.8	47.5
February 1979	85.2	65.5	66.0	40.0
March 1979	92.0	71.5	69.1	44.0
April 1979	90.6	69.5	69.1	52.5
May 1979	90.3	58.0	73.3	34.5
June 1979	<u>85.0</u>	<u>66.0</u>	<u>64.8</u>	<u>42.0</u>
TOTALS	88.6 days	70.5 days	67.1 days	46.5 days

\*Includes all defendants.

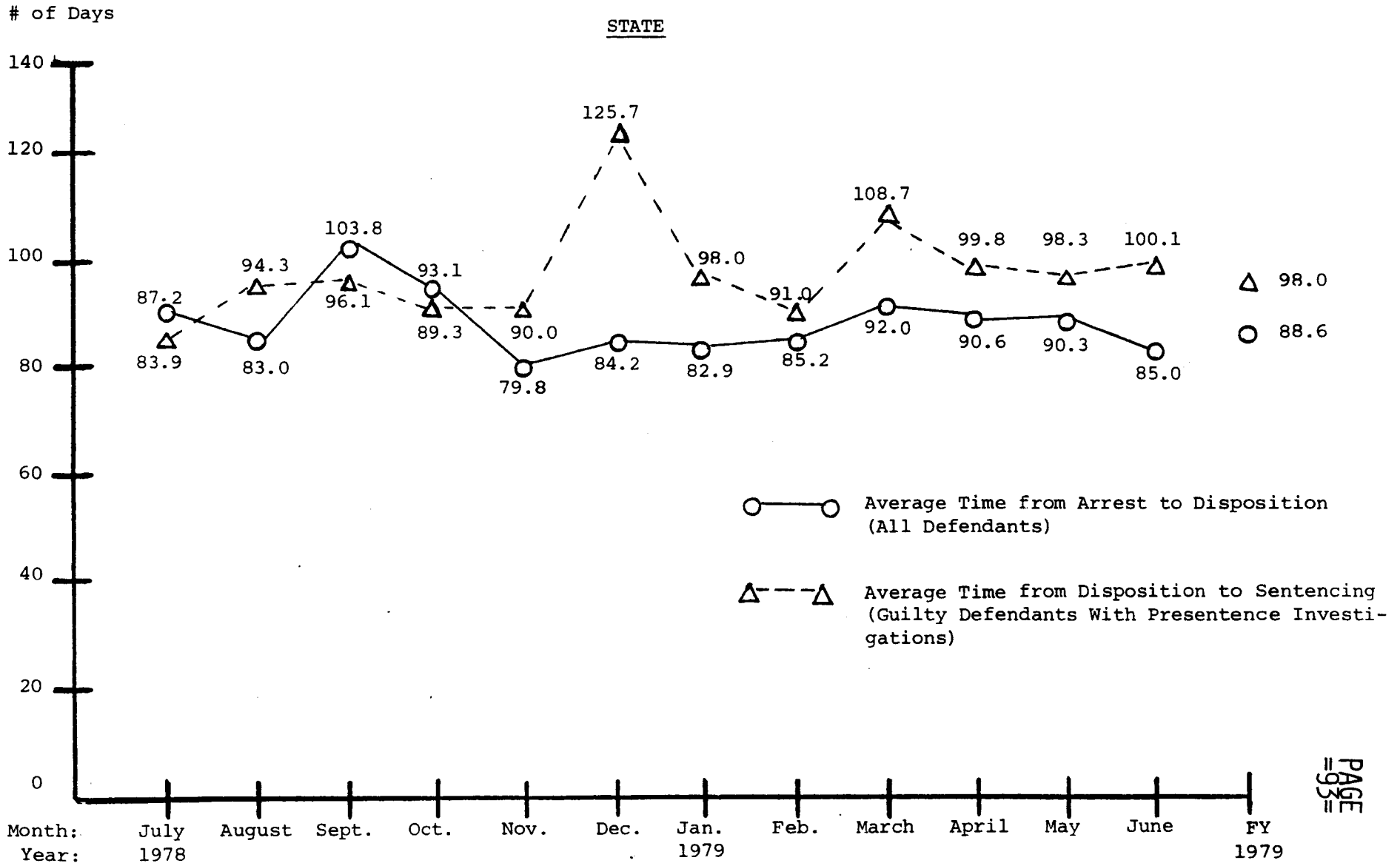
\*\*Includes indicted defendants only.

#Calculated by grouped medians method.

Source: Superior Court Case Scheduling Office



SUPERIOR COURT  
 FISCAL YEAR 1979  
 COMPARISON - CRIMINAL AND PRESENTENCE PERFORMANCE



Month: July August Sept. Oct. Nov. Dec. Jan. Feb. March April May June FY  
 Year: 1978 1979  
 Source: Administrative Office of the Courts  
 TOTALS

SUPERIOR COURT

FISCAL YEAR 1979  
CRIMINAL RESCHEDULINGS

	<u>Total # of Defendants Scheduled*</u>	<u># of Defendants Rescheduled</u>	<u>% of Defendants Rescheduled</u>	<u>Rescheduled at Defense Request</u>	<u>Rescheduled at Prosecution Request</u>	<u>Rescheduled at Mutual Request</u>	<u>Rescheduled at Court Request</u>
New Castle	3,437	1,144	33.3%	557 48.7%	320 28.0%	183 16.0%	84 7.3%
Kent	649	277	42.7%	94 33.9%	71 25.6%	41 14.8%	71 25.6%
Sussex	<u>257</u>	<u>69</u>	<u>26.8%</u>	<u>37 53.6%</u>	<u>10 14.5%</u>	<u>11 15.9%</u>	<u>11 15.9%</u>
State	4,343	1,490	34.3%	688 46.2%	401 26.9%	235 15.8%	166 11.1%

\*All schedulings included are schedulings for trial. Most defendants, however, are disposed of other than by trial.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
WORKLOAD

	<u>Pending 6-30-78</u>	<u>Defendants Referred</u>	<u>Investigations Completed</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
New Castle	217	1,110	1,027	300	+ 83
Kent	57	286	240	103	+ 46
Sussex	<u>43</u>	<u>180</u>	<u>186</u>	<u>37</u>	<u>- 6</u>
State	317	1,576	1,453	440	+123

COMPARISON - FISCAL YEARS 1978-1979  
PRESENTENCE OFFICE  
WORKLOAD

DEFENDANTS REFERRED

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,084	1,110	+ 26	+ 2.4%
Kent	211	286	+ 75	+35.5%
Sussex	<u>229</u>	<u>180</u>	<u>- 49</u>	<u>-21.4%</u>
State	1,524	1,576	+ 52	+ 3.4%

INVESTIGATIONS COMPLETED

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,157	1,027	-130	-11.2%
Kent	185	240	+ 55	+29.7%
Sussex	<u>219</u>	<u>186</u>	<u>- 33</u>	<u>-15.5%</u>
State	1,561	1,453	-108	- 6.9%

INVESTIGATIONS PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	217	300	+ 83	+38.2%
Kent	57	103	+ 46	+80.7%
Sussex	<u>43</u>	<u>37</u>	<u>- 6</u>	<u>-14.0%</u>
State	317	440	+123	+38.8%

Source: New Castle, Kent, and Sussex County Presentence Offices

SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PERFORMANCE

NEW CASTLE

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced*</u>
July 1978	81	48.7 days	4.3 days	53.0 days	35.2 days	88.2 days
August 1978	79	55.5	5.3	60.8	37.4	98.2
September 1978	87	54.9	5.2	60.1	40.5	100.6
October 1978	87	60.4	6.2	66.6	23.7	90.3
November 1978	97	56.8	5.9	62.7	32.5	95.2
December 1978	99	59.7	5.6	65.2	71.9	137.1
January 1979	87	62.1	4.9	66.9	32.6	99.6
February 1979	62	54.8	4.3	59.1	28.5	87.6
March 1979	78	66.7	7.3	74.0	31.4	105.4
April 1979	61	60.4	7.3	67.7	37.1	104.8
May 1979	97	60.8	9.0	69.8	32.6	102.4
June 1979	<u>88</u>	<u>62.2</u>	<u>10.3</u>	<u>72.5</u>	<u>19.7</u>	<u>92.2</u>
TOTALS	1,003	58.7 days	6.3 days	65.0 days	35.8 days	100.8 days

\*These figures are gross elapsed time from the date the presentence investigation was ordered to the defendant's sentencing date. If all the time the sentencings were delayed due to capiases, continuances, and motions was subtracted from these figures, the net average elapsed time for a presentence investigation from the date ordered to the date sentenced would be as follows:

July	- 67.5 days	November	- 78.4	March	- 83.5
August	- 75.4	December	- 92.2	April	- 92.6
September	- 75.5	January	- 80.0	May	- 90.8
October	- 79.2	February	- 72.5	June	- 87.7
				Total	- 81.5 days

SUPERIOR COURT  
 FISCAL YEAR 1979  
 PRESENTENCE OFFICE  
 PERFORMANCE

KENT

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
July 1978	14	47.2 days	3.6 days	50.8 days	26.9 days	77.8 days
August 1978	15	66.9	10.3	77.1	19.9	97.1
September 1978	14	70.0	6.1	76.1	21.1	97.2
October 1978	24	51.7	7.7	59.4	30.5	89.9
November 1978	18	57.9	6.4	64.3	25.7	90.0
December 1978	8	44.9	8.4	53.3	24.4	77.6
January 1979	16	63.9	15.3	79.1	38.4	117.6
February 1979	26	77.4	16.7	94.0	15.9	109.0
March 1979	17	105.4	20.4	125.7	41.9	167.6
April 1979	20	70.7	3.7	74.4	27.7	102.1
May 1979	19	76.5	6.4	82.9	16.0	98.9
June 1979	<u>24</u>	<u>87.0</u>	<u>7.6</u>	<u>94.6</u>	<u>47.1</u>	<u>141.8</u>
TOTALS	215	70.1 days	9.6 days	79.7 days	28.3 days	108.0 days

Source: Administrative Office of the Courts

SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PERFORMANCE

SUSSEX

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
July 1978	15	37.7 days	4.4 days	42.1 days	24.9 days	66.9 days
August 1978	11	44.6	5.8	50.4	12.0	62.4
September 1978	14	43.5	5.5	49.0	18.4	67.4
October 1978	23	44.7	2.1	46.8	38.1	84.9
November 1978	12	28.1	2.7	30.8	17.7	48.4
December 1978	11	35.4	7.7	43.1	15.4	58.5
January 1979	18	35.1	5.2	40.3	32.7	73.1
February 1979	14	46.0	7.5	53.5	17.4	70.9
March 1979	19	43.0	5.6	48.6	21.1	69.7
April 1979	11	47.2	5.7	52.9	14.7	67.6
May 1979	14	45.4	2.6	48.0	21.2	69.2
June 1979	<u>15</u>	<u>62.7</u>	<u>1.9</u>	<u>64.7</u>	<u>15.3</u>	<u>79.9</u>
TOTALS	177	43.0 days	4.6 days	47.5 days	22.3 days	69.8 days

Source: Administrative Office of the Courts

SUPERIOR COURT  
 FISCAL YEAR 1979  
 PRESENTENCE OFFICE  
 PERFORMANCE

STATE

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
July 1978	110	47.0 days	4.2 days	51.2 days	32.7 days	83.9 days
August 1978	105	56.0	6.0	62.0	32.3	94.3
September 1978	115	55.4	5.3	60.7	35.4	96.1
October 1978	134	56.1	5.8	61.9	27.4	89.3
November 1978	127	54.3	5.6	59.9	30.1	90.0
December 1978	118	56.4	5.9	62.3	63.4	125.7
January 1979	121	58.3	6.3	64.6	33.4	98.0
February 1979	102	59.4	7.9	67.2	23.4	91.0
March 1979	114	68.6	9.0	77.5	31.2	108.7
April 1979	92	61.0	6.3	67.4	32.4	99.8
May 1979	130	61.4	7.9	69.4	29.0	98.3
June 1979	<u>127</u>	<u>66.9</u>	<u>8.8</u>	<u>75.7</u>	<u>24.4</u>	<u>100.1</u>
TOTALS	1,395	58.4 days	6.6 days	65.0 days	32.9 days	98.0 days

Source: Administrative Office of the Courts

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1978-1979  
PRESENTENCE OFFICE  
PERFORMANCE

<u>NEW CASTLE</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,160	1,003	-157	- 13.5%
Average Time from Date Ordered to Date Written	54.1 days	58.7 days	+ 4.6 days	+ 8.5%
Average Time from Date Written to Date Typed	10.8 days	6.3 days	- 4.5 days	- 41.7%
Average Time from Date Ordered to Date Typed	64.9 days	65.0 days	+ 0.1 days	+ 0.2%
Average Time from Date Typed to Date Sentenced	32.0 days	35.8 days	+ 3.8 days	+ 11.9%
Average Time from Date Ordered to Date Sentenced	98.9 days	100.8 days	+ 3.9 days	+ 4.0%
<u>KENT</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	181	215	+ 34	+ 18.8%
Average Time from Date Ordered to Date Written	42.2 days	70.1 days	+ 27.9 days	+ 66.1%
Average Time from Date Written to Date Typed	2.4 days	9.6 days	+ 7.2 days	+300.0%
Average Time from Date Ordered to Date Typed	44.6 days	79.7 days	+ 35.1 days	+ 78.7%
Average Time from Date Typed to Date Sentenced	28.0 days	28.3 days	+ 0.3 days	+ 1.1%
Average Time from Date Ordered to Date Sentenced	72.6 days	108.0 days	+ 35.4 days	+ 48.8%
<u>SUSSEX</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	218	177	- 41	- 18.8%
Average Time from Date Ordered to Date Written	33.4 days	43.0 days	+ 9.6 days	+ 28.7%
Average Time from Date Written to Date Typed	5.5 days	4.6 days	- 0.9 days	- 16.4%
Average Time from Date Ordered to Date Typed	38.8 days	47.5 days	+ 8.7 days	+ 22.4%
Average Time from Date Typed to Date Sentenced	26.8 days	22.3 days	- 4.5 days	- 16.8%
Average Time from Date Ordered to Date Sentenced	65.6 days	69.8 days	+ 4.2 days	+ 6.4%
<u>STATE</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,559	1,395	-164	- 10.5%
Average Time from Date Ordered to Date Written	49.8 days	58.4 days	+ 8.6 days	+ 17.3%
Average Time from Date Written to Date Typed	9.1 days	6.6 days	- 2.5 days	- 27.5%
Average Time from Date Ordered to Date Typed	58.9 days	65.0 days	+ 6.1 days	+ 10.4%
Average Time from Date Typed to Date Sentenced	30.8 days	32.9 days	+ 2.1 days	+ 6.8%
Average Time from Date Ordered to Date Sentenced	89.7 days	98.0 days	+ 8.3 days	+ 9.3%

Source: Administrative Office of the Courts



SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PERFORMANCE ANALYSIS  
COMPLIANCE WITH 30-DAY STANDARD\*

	# of Investigations Completed Within <u>30 Days of Verdict*</u>		# of Investigations Completed 31 Days <u>or More After Verdict*</u>		Total # of Investigations <u>Completed</u>	
New Castle	73    7.3%		931   92.7%		1,004	100.0%
Kent	58    24.9%		175   75.1%		233	100.0%
Sussex	<u>20</u> <u>10.8%</u>		<u>166</u> <u>89.2%</u>		<u>188</u>	<u>100.0%</u>
State	151   10.6%		1,272   89.4%		1,423	100.0%

\*The Speedy Trial Directive of Chief Justice Daniel L. Herrmann includes a standard that the time from the court's verdict to the completion of the presentence investigation should not exceed 30 days. A presentence investigation is considered to be completed once it has been written and typed.

SUPERIOR COURT  
 FISCAL YEAR 1979  
 PRESENCE OFFICE  
 PRODUCTIVITY

NEW CASTLE

<u>Month</u>	<u># of Investigations Written</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 1978	83	6.00	13.8	87	2.50	34.8
August 1978	100	6.40	15.6	85	2.50	34.0
September 1978	102	6.80	15.0	96	2.00	48.0
October 1978	84	6.00	14.0	95	2.00	47.5
November 1978	86	6.60	13.0	88	2.00	44.0
December 1978	75	7.00	10.7	83	3.67	22.6
January 1979	85	7.00	12.1	86	3.67	23.4
February 1979	74	7.00	10.6	56	2.67	21.0
March 1979	96	7.00	13.7	86	2.67	32.2
April 1979	76	7.00	10.9	77	2.67	28.8
May 1979	99	7.00	14.1	83	2.67	31.1
June 1979	<u>105</u>	<u>7.00</u>	<u>15.0</u>	<u>82</u>	<u>3.67</u>	<u>22.3</u>
TOTALS	1,065	6.73	13.2/Month 158.2/Year	1,004	2.72	30.8/Month 369.1/Year

Source: New Castle County Presentence Office

SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PRODUCTIVITY

KENT

<u>Month</u>	<u>INVESTIGATIONS</u>			<u>TYPING</u>		
	<u># of Investigations Written</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 1978	22	2.00	11.0	16	1.00	16.0
August 1978	24	2.00	12.0	30	1.00	30.0
September 1978	11	2.00	5.5	13	1.00	13.0
October 1978	20	2.00	10.0	16	1.00	16.0
November 1978	24	2.00	12.0	19	1.00	19.0
December 1978	14	2.00	7.0	14	1.00	14.0
January 1979	24	2.00	12.0	22	1.00	22.0
February 1979	13	2.00	6.5	13	1.00	13.0
March 1979	18	2.00	9.0	27	1.00	27.0
April 1979	16	2.00	8.0	12	1.00	12.0
May 1979	22	2.00	11.0	24	1.00	24.0
June 1979	<u>32</u>	<u>2.00</u>	<u>16.0</u>	<u>27</u>	<u>1.00</u>	<u>27.0</u>
TOTALS	240	2.00	10.0/Month* 120.0/Year*	233	1.00	19.4/Month** 233.0/Year**

\*Kent County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 24 reports written for the Court of Common Pleas during FY 1979 were included, the figures would be 11.0 reports completed per month per investigator and 132.0 reports completed per investigator per year.

\*\*These figures are for Superior Court only and don't include the 24 presentence reports typed for the Court of Common Pleas. Including these reports would change the typing productivity to 21.4 reports typed per typist per month and 257 reports typed per typist per year.

Source: Kent County Presentence Office and Administrative Office of the Courts

SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PRODUCTIVITY

SUSSEX

<u>Month</u>	<u>INVESTIGATIONS</u>			<u>TYPING</u>		
	<u># of Investigations Written</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 1978	12	3.00	4.0	11	1.00	11.0
August 1978	25	3.00	8.3	26	1.00	26.0
September 1978	13	3.00	4.3	13	1.00	13.0
October 1978	18	3.00	6.0	18	1.00	18.0
November 1978	12	3.00	4.0	11	1.00	11.0
December 1978	16	3.00	5.3	18	1.00	18.0
January 1979	18	3.00	6.0	20	1.00	20.0
February 1979	11	3.00	3.7	7	1.00	7.0
March 1979	17	3.00	5.7	16	1.00	16.0
April 1979	13	2.00	6.5	17	1.00	17.0
May 1979	18	2.00	9.0	17	1.00	17.0
June 1979	<u>10</u>	<u>2.00</u>	<u>5.0</u>	<u>12</u>	<u>1.00</u>	<u>12.0</u>
TOTALS	183	2.75	5.5/Month* 66.5/Year*	186	1.00	15.5/Month** 186.0/Year**

\*Sussex County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 17 reports written for the Court of Common Pleas during FY 1979 were included, the figures would be 6.1 reports completed per month and 72.7 reports completed per year per investigator.

\*\*These figures are for Superior Court only. Typists also typed 17 presentence reports for the Court of Common Pleas. Including the typing for the Court of Common Pleas would change the figures to 16.9 reports typed per typist per month and 203.0 reports typed per typist per year.

SUPERIOR COURT  
FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PRODUCTIVITY

STATE

<u>Month</u>	<u>INVESTIGATIONS</u>			<u>TYPING</u>		
	<u># of Investigations Written</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 1978	117	11.00	10.6	114	4.50	25.3
August 1978	149	11.40	13.1	141	4.50	31.6
September 1978	126	11.80	10.7	122	4.00	30.5
October 1978	122	11.00	11.1	129	4.00	32.3
November 1978	122	11.60	10.5	118	4.00	29.5
December 1978	105	12.00	8.8	115	5.67	20.3
January 1979	127	12.00	10.6	128	5.67	22.6
February 1979	98	12.00	8.2	76	4.67	16.3
March 1979	131	12.00	10.9	129	4.67	27.6
April 1979	105	11.00	9.5	106	4.67	22.7
May 1979	139	11.00	12.6	124	4.67	26.6
June 1979	147	11.00	13.4	121	5.67	21.3
TOTALS	1,488	11.48	10.8/Month* 129.6/Year*	1,423	4.72	25.1/Month* 301.5/Year*

\*These figures are for Superior Court only. Court of Common Pleas presentence activity, performed by both the Kent and Sussex Presentence Offices, is excluded.

Source: New Castle County Presentence Office and Administrative Office of the Courts.

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1978-1979  
PRESENTENCE OFFICE  
PRODUCTIVITY

<u>NEW CASTLE</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Investigations Written	1,102	1,065	- 37	- 3.4%
Average # Completed Per Investigator Per Month	14.4	13.2	- 1.2	- 8.3%
Average # Completed Per Investigator Per Year	172.8	158.2	- 14.6	- 8.4%
# of Investigations Typed	1,157	1,004	-153	-13.2%
Average # Typed Per Typist Per Month	34.3	30.8	- 3.5	-10.2%
Average # Typed Per Typist Per Year	411.6	369.1	- 42.5	-10.3%
<u>KENT*</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Investigations Written	182	240	+ 58	+31.9%
Average # Completed Per Investigator Per Month	7.6	10.0	+ 2.4	+31.6%
Average # Completed Per Investigator Per Year	91.2	120.0	+ 28.8	+31.6%
# of Investigations Typed	181	233	+ 52	+28.7%
Average # Typed Per Typist Per Month	15.1	19.4	+ 4.3	+28.5%
Average # Typed Per Typist Per Year	181.2	233.0	+ 51.8	+28.6%
<u>SUSSEX*</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Investigations Written	215	183	- 32	-14.9%
Average # Completed Per Investigator Per Month	6.0	5.5	- 0.5	- 8.3%
Average # Completed Per Investigator Per Year	72.0	66.5	- 5.5	- 7.6%
# of Investigations Typed	208	186	- 22	-10.6%
Average # Typed Per Typist Per Month	17.3	15.5	- 1.8	-10.4%
Average # Typed Per Typist Per Year	207.6	186.0	- 21.6	-10.4%
<u>STATE*</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
# of Investigations Written	1,499	1,488	- 11	- 0.7%
Average # Completed Per Investigator Per Month	11.0	10.8	- 0.2	- 1.8%
Average # Completed Per Investigator Per Year	132.0	129.6	- 2.4	- 1.8%
# of Investigations Typed	1,546	1,423	-123	- 8.0%
Average # Typed Per Typist Per Month	26.8	25.1	- 1.7	- 6.3%
Average # Typed Per Typist Per Year	321.6	301.5	- 20.1	- 6.3%

\*Figures are for Superior Court only. Court of Common Pleas presentence activity, also performed by the Kent and Sussex Presentence Offices, is excluded.

Source: New Castle County Presentence Office and Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL WORKLOAD  
EXPLANATORY NOTES

1. Complaints are suits for damages. The Complaints category includes Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court, Appeals from Arbitration Panel, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.
2. Mechanic's Liens and Mortgages are property suits.
3. Terminations and Adoptions are parental rights cases.
4. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the state's facility for mentally ill patients, is located in New Castle County, all Involuntary Commitment hearings are held in New Castle County.
5. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, Appeals from Municipal Court, and Certioraris.
6. Miscellaneous includes all other cases. During FY 1979 this category consisted of Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Writs of Possession, Bail Forfeitures, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Writ of Quo Warranto, Petitions to Inspect the Record, Petitions to Quash Subpoena, Annulments of Adoption, Petitions for Redemption, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Out of State Subpoenas, Petitions to Sell Real Estate for Property Taxes, Petitions for Exhumation, Petitions for Return of Property, Petitions to Vacate Public Road, Road Resolutions, and Tax Ditches.

## SUPERIOR COURT

PAGE  
=108=FISCAL YEAR 1979  
CIVIL CASES

<u>NEW CASTLE</u>	<u>Pending 6/30/78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/79</u>	<u>Change In Pending</u>
Complaints	1,869	1,423	1,343	1,949	+ 80
Mechanic's Liens and Mortgages	263	492	434	321	+ 58
Terminations and Adoptions	89	187	185	91	+ 2
Involuntary Commitments	104	674	650	128	+ 24
Appeals	316	182	190	308	- 8
Miscellaneous	<u>125</u>	<u>349</u>	<u>324</u>	<u>150</u>	<u>+ 25</u>
TOTALS	2,766	3,307	3,126	2,947	+181
<u>KENT</u>	<u>Pending 6/30/78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/79</u>	<u>Change In Pending</u>
Complaints	430	241	148	523	+ 93
Mechanic's Liens and Mortgages	88	58	57	89	+ 1
Terminations and Adoptions	52*	65	77	40	- 12
Appeals	45	13	10	48	+ 3
Miscellaneous	<u>27</u>	<u>18</u>	<u>4</u>	<u>41</u>	<u>+ 14</u>
TOTALS	642*	395	296	741	+ 99
<u>SUSSEX</u>	<u>Pending 6/30/78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/79</u>	<u>Change In Pending</u>
Complaints	180	211	174	217	+ 37
Mechanic's Liens and Mortgages	34	108	88	54	+ 20
Terminations and Adoptions	44	52	46	50	+ 6
Appeals	33	21	25	29	- 4
Miscellaneous	<u>8</u>	<u>27</u>	<u>12</u>	<u>23</u>	<u>+ 15</u>
TOTALS	299	419	345	373	+ 74
<u>STATE</u>	<u>Pending 6/30/78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/79</u>	<u>Change In Pending</u>
Complaints	2,479	1,875	1,665	2,689	+210
Mechanic's Liens and Mortgages	385	658	579	464	+ 79
Terminations and Adoptions	185*	304	308	181	- 4
Involuntary Commitments	104	674	650	128	+ 24
Appeals	394	216	225	385	- 9
Miscellaneous	<u>160</u>	<u>394</u>	<u>340</u>	<u>214</u>	<u>+ 54</u>
TOTALS	3,707*	4,121	3,767	4,061	+354

\*Figure adjusted from 1978 Annual Report.

Source: New Castle County, Kent County, and Sussex County Prothonotaries



SUPERIOR COURT  
COMPARISON - FISCAL YEARS 1978-1979  
CIVIL CASES

<u>FILINGS</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,049	3,307	+258	+ 8.5%
Kent	482	395	- 87	-18.0%
Sussex	384	419	+ 35	+ 9.1%
State	3,915	4,121	+306	+ 7.8%

<u>DISPOSITIONS</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,867	3,126	+259	+ 9.0%
Kent	390	296	- 94	-24.1%
Sussex	374	345	- 29	- 7.8%
State	3,631	3,767	+136	+ 3.7%

<u>PENDING AT END OF YEAR</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,766	2,947	+181	+ 6.5%
Kent	642*	741	+ 99	+15.4%
Sussex	299	373	+ 74	+24.7%
State	3,707*	4,061	+354	+ 9.5%

\*Figure adjusted from 1978 Annual Report.

Source: New Castle, Kent, and Sussex County Prothonotaries

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL FILINGS

NEW CASTLE

<u>Month</u>	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1978	93	31	17	54	22	11	228
August 1978	124	54	14	74	18	30	314
September 1978	97	36	11	46	16	27	233
October 1978	111	46	18	59	13	29	276
November 1978	117	35	13	47	15	26	253
December 1978	108	39	12	48	16	29	252
January 1979	143	54	15	52	22	40	326
February 1979	128	43	21	49	12	31	284
March 1979	130	53	13	55	10	34	295
April 1979	118	38	9	53	14	30	262
May 1979	117	22	22	65	15	34	275
June 1979	<u>137</u>	<u>41</u>	<u>22</u>	<u>72</u>	<u>9</u>	<u>28</u>	<u>309</u>
TOTALS	1,423	492	187	674	182	349	3,307
Percentage of Total:	43.0%	14.9%	5.7%	20.4%	5.5%	10.6%	100.0%

Source: New Castle County Prothonotary

## SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL FILINGSKENT

<u>Month</u>	<u>Complaints</u>	Mechanic's		<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
		Liens and <u>Mortgages</u>	Terminations and <u>Adoptions</u>			
July 1978	14	4	2	2	0	22
August 1978	15	9	11	0	0	35
September 1978	20	6	10	0	1	37
October 1978	24	5	3	0	3	35
November 1978	24	3	4	0	0	31
December 1978	8	7	2	0	1	18
January 1979	23	4	5	1	3	36
February 1979	18	5	5	0	0	28
March 1979	27	3	10	1	3	44
April 1979	19	6	6	5	4	40
May 1979	28	4	2	2	1	37
June 1979	<u>21</u>	<u>2</u>	<u>5</u>	<u>2</u>	<u>2</u>	<u>42</u>
TOTALS	241	58	65	13	18	395
Percentage of Total:	61.0%	14.7%	16.5%	3.3%	4.6%	100.0%

SUSSEX

<u>Month</u>	<u>Complaints</u>	Mechanic's		<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
		Liens and <u>Mortgages</u>	Terminations and <u>Adoptions</u>			
July 1978	17	15	3	1	3	39
August 1978	19	13	9	6	1	48
September 1978	11	6	3	0	1	21
October 1978	22	9	3	1	2	37
November 1978	23	7	2	0	1	33
December 1978	16	3	4	0	3	26
January 1979	18	12	4	1	2	37
February 1979	17	13	5	1	1	37
March 1979	16	9	5	0	2	32
April 1979	21	7	8	3	3	42
May 1979	14	9	6	4	4	37
June 1979	<u>17</u>	<u>5</u>	<u>0</u>	<u>4</u>	<u>4</u>	<u>30</u>
TOTALS	211	108	52	21	27	419
Percentage of Total:	50.4%	25.8%	12.4%	5.0%	6.4%	100.0%

Source: Kent County Prothonotary, Sussex County Prothonotary

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL FILINGS

STATE

<u>Month</u>	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1978	124	50	22	54	25	14	289
August 1978	158	76	34	74	24	31	397
September 1978	128	48	24	46	16	29	291
October 1978	157	60	24	59	14	34	348
November 1978	164	45	19	47	15	27	317
December 1978	132	49	18	48	16	33	296
January 1979	184	70	24	52	24	45	399
February 1979	163	61	31	49	13	32	349
March 1979	173	65	28	55	11	39	371
April 1979	158	51	23	53	22	37	344
May 1979	159	35	30	65	21	39	349
June 1979	<u>175</u>	<u>48</u>	<u>27</u>	<u>72</u>	<u>15</u>	<u>34</u>	<u>371</u>
TOTALS	1,875	658	304	674	216	394	4,121
Percentage of Total:	45.4%	16.0%	7.4%	16.4%	5.2%	9.6%	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT  
FISCAL YEAR 1979  
CIVIL DISPOSITIONS

NEW CASTLE

<u>Month</u>	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1978	90	38	16	45	15	22	226
August 1978	63	28	21	62	21	10	205
September 1978	79	38	14	50	17	7	205
October 1978	93	27	24	69	4	23	240
November 1978	93	41	11	38	12	15	210
December 1978	98	27	16	61	9	34	245
January 1979	124	37	9	48	15	49	282
February 1979	250	31	17	53	21	46	418
March 1979	128	38	11	48	11	12	248
April 1979	102	41	11	58	17	34	263
May 1979	97	45	17	56	20	51	286
June 1979	<u>126</u>	<u>43</u>	<u>18</u>	<u>62</u>	<u>28</u>	<u>21</u>	<u>298</u>
TOTALS	1,343	434	185	650	190	324	3,126
Percentage of Total:	43.0%	13.9%	5.9%	20.8%	6.1%	10.4%	100.0%

Source: New Castle County Prothonotary

SUPERIOR COURT  
FISCAL YEAR 1979  
CIVIL DISPOSITIONS

KENT

<u>Month</u>	Mechanic's					<u>TOTALS</u>
	<u>Complaints</u>	<u>Mortgages</u>	<u>Liens and Adoptions</u>	<u>Terminations and Appeals</u>	<u>Miscellaneous</u>	
July 1978	10	5	8	0	2	25
August 1978	8	4	11	0	0	23
September 1978	3	9	3	0	0	15
October 1978	15	6	7	0	1	29
November 1978	10	4	4	0	0	18
December 1978	9	1	7	0	0	17
January 1979	10	4	11	0	0	25
February 1979	10	6	1	0	0	17
March 1979	15	3	8	0	0	26
April 1979	16	6	10	3	1	36
May 1979	16	3	3	3	0	25
June 1979	<u>26</u>	<u>6</u>	<u>4</u>	<u>4</u>	<u>0</u>	<u>40</u>
TOTALS	148	57	77	10	4	296
Percentage of Total:	50.0%	19.3%	26.0%	3.4%	1.4%	100.0%

SUSSEX

<u>Month</u>	Mechanic's					<u>TOTALS</u>
	<u>Complaints</u>	<u>Mortgages</u>	<u>Liens and Adoptions</u>	<u>Terminations and Appeals</u>	<u>Miscellaneous</u>	
July 1978	19	10	5	5	0	39
August 1978	17	9	7	3	0	36
September 1978	16	15	6	3	4	44
October 1978	15	5	5	2	1	28
November 1978	7	5	2	2	2	18
December 1978	26	5	3	2	2	38
January 1979	10	2	3	1	1	17
February 1979	11	9	3	1	0	24
March 1979	12	5	3	1	0	21
April 1979	12	13	6	3	0	34
May 1979	14	6	3	1	2	26
June 1979	<u>15</u>	<u>4</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>20</u>
TOTALS	174	88	46	25	12	345
Percentage of Total:	50.4%	25.5%	13.3%	7.2%	3.5%	100.0%

Source: Kent County Prothonotary, Sussex County Prothonotary

SUPERIOR COURT  
FISCAL YEAR 1979  
CIVIL DISPOSITIONS

STATE

<u>Month</u>	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1978	119	53	29	45	20	24	290
August 1978	88	41	39	62	24	10	264
September 1978	98	62	23	50	20	11	264
October 1978	123	38	36	69	6	25	297
November 1978	110	50	17	38	14	17	246
December 1978	133	33	26	61	11	36	300
January 1979	144	43	23	48	16	50	324
February 1979	271	46	21	53	22	46	459
March 1979	155	46	22	48	12	12	295
April 1979	130	60	27	58	23	35	333
May 1979	127	54	23	56	24	53	337
June 1979	<u>167</u>	<u>53</u>	<u>22</u>	<u>62</u>	<u>33</u>	<u>21</u>	<u>358</u>
TOTALS	1,665	579	308	650	225	340	3,767
Percentage of Total:	44.2%	15.4%	8.2%	17.3%	6.0%	9.0%	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT  
FISCAL YEAR 1979  
CIVIL DISPOSITIONS  
COMPLAINTS DISPOSITIONS

NEW CASTLE

Month	TRIAL DISPOSITIONS			NON-TRIAL DISPOSITIONS						TOTALS
	Judgment for Plaintiff -Damages	Judgment for Defendant -Damages	Judgment for Defendant- No Damages	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant- No Damages	Voluntary Dismissal	Court Dismissal	Split Disposition	
July 1978	3	2	1	14	13	0	57	0	0	90
August 1978	6	3	3	21	2	0	26	2	0	63
September 1978	3	0	2	10	0	7*	54	3	0	79
October 1978	5	0	1	8	6	1	70	2	0	93
November 1978	4	2	5	17	6	2	55	1	1	93
December 1978	5	2	3	13	8	4	62	1	0	98
January 1979	5	0	8	28	4	3	71	5	0	124
February 1979	4	0	4	24	4	5	65	144	0	250
March 1979	6	3	4	28	8	4	69	6	0	128
April 1979	6	0	1	16	7	0	71	1	0	102
May 1979	7	2	1	23	7	1	54	2	0	97
June 1979	<u>5</u>	<u>0</u>	<u>4</u>	<u>21</u>	<u>10</u>	<u>3</u>	<u>77</u>	<u>6</u>	<u>0</u>	<u>126</u>
TOTALS	59	14	37	223	75	30*	731	173	1	1,343
Percentage of Total:	4.4%	1.0%	2.8%	16.6%	5.6%	2.2%	54.4%	12.9%	0.1%	100.0%

\*Includes 4 Judgment for Defendant- Damages

Source: New Castle County Prothonotary



SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL DISPOSITIONS  
 COMPLAINTS DISPOSITIONS

KENT

Month	TRIAL DISPOSITIONS			NON-TRIAL DISPOSITIONS						TOTALS
	Judgment for Plaintiff -Damages	Judgment for Plaintiff- No Damages	Judgment for Defendant- No Damages	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant- No Damages	Voluntary Dismissal	Court Dismissal	Split Disposition	
July 1978	0	0	0	1	0	0	7	2	0	10
August 1978	1	0	0	1	0	0	6	0	0	8
September 1978	0	0	0	1	0	0	2	0	0	3
October 1978	0	0	0	5	1	1	8	0	0	15
November 1978	0	0	0	4	1	0	5	0	0	10
December 1978	0	0	0	1	0	0	6	2	0	9
January 1979	1	0	0	0	0	0	7	1	1	10
February 1979	1	0	1	0	1	0	7	0	0	10
March 1979	1	0	0	5	1	0	7	1	0	15
April 1979	1	1	1	2	2	0	10	0	0	16
May 1979	0	0	0	2	2	1	10	0	1	16
June 1979	<u>1</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>0</u>	<u>1</u>	<u>17</u>	<u>2</u>	<u>0</u>	<u>26</u>
TOTALS	5	1	2	27	8	3	92	8	2	148
Percentage of Total:	3.4%	0.7%	1.4%	18.2%	5.4%	2.0%	62.2%	5.4%	1.4%	100.0%

Source: Kent County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL DISPOSITIONS  
 COMPLAINTS DISPOSITIONS

SUSSEX

Month	TRIAL DISPOSITIONS			NON-TRIAL DISPOSITIONS					TOTALS
	Judgment for Plaintiff -Damages	Judgment for Defendant- Damages	Judgment for Defendant- No Damages	Default Judgment for Plaintiff	Judgment for Defendant- Damages	Voluntary Dismissal	Court Dismissal	Split Disposition	
July 1978	0	0	0	7	0	9	2	1	19
August 1978	0	0	0	1	0	5	10	1	17
September 1978	0	0	0	5	0	7	4	0	16
October 1978	1	0	1	3	0	9	1	0	15
November 1978	0	0	0	3	0	3	1	0	7
December 1978	0	0	0	3	0	12	10	1	26
January 1979	1	0	0	1	0	6	2	0	10
February 1979	0	0	0	5	0	6	0	0	11
March 1979	0	0	0	5	0	7	0	0	12
April 1979	3	2	0	2	1	2	2	0	12
May 1979	1	0	0	8	0	4	1	0	14
June 1979	<u>1</u>	<u>0</u>	<u>0</u>	<u>7</u>	<u>0</u>	<u>6</u>	<u>1</u>	<u>0</u>	<u>15</u>
TOTALS	7	2	1	50	1	76	34	3	174
Percentage of Total:	4.0%	1.1%	0.6%	28.7%	0.6%	43.7%	19.5%	1.7%	100.0%

Source: Sussex County Prothonotary

SUPERIOR COURT  
FISCAL YEAR 1979  
CIVIL DISPOSITIONS  
COMPLAINTS DISPOSITIONS

STATE

Month	TRIAL DISPOSITIONS			NON-TRIAL DISPOSITIONS						TOTALS
	Judgment for Plaintiff -Damages	Judgment for Defendant -Damages	Judgment for Defendant- No Damages	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant- No Damages	Voluntary Dismissal	Court Dismissal	Split Disposition	
July 1978	3	2	1	22	13	0	73	4	1	119
August 1978	7	3	3	23	2	0	37	12	1	88
September 1978	3	0	2	16	0	7**	63	7	0	98
October 1978	6	0	2	16	7	2	87	3	0	123
November 1978	4	2	5	24	7	2	63	2	1	110
December 1978	5	2	3	17	8	4	80	13	1	133
January 1979	7	0	8	29	4	3	84	8	1	144
February 1979	5	0	5	29	5	5	78	144	0	271
March 1979	7	3	4	38	9	4	83	7	0	155
April 1979	10*	2	2	20	9	1#	83	3	0	130
May 1979	8	2	1	33	9	2	68	3	1	127
June 1979	<u>7</u>	<u>0</u>	<u>4</u>	<u>33</u>	<u>10</u>	<u>4</u>	<u>100</u>	<u>9</u>	<u>0</u>	<u>167</u>
TOTALS	72*	16	40	300	83	34##	899	215	6	1,665
Percentage of Total:	4.3%	1.0%	2.4%	18.0%	5.0%	2.0%	54.0%	12.9%	0.4%	100.0%

\*Includes 1 Judgment for Plaintiff- No Damages

\*\*Includes 4 Judgment for Defendant- Damages

#Includes 1 Judgment for Defendant- Damages

##Includes 5 Judgment for Defendant- Damages

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL DISPOSITIONS  
 MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

NEW CASTLE

<u>Month</u>	<u>TRIAL DISPOSITIONS</u>		<u>NON-TRIAL DISPOSITIONS</u>					<u>TOTALS</u>
	<u>Judgment for Plaintiff -Damages</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant- No Damages</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Split Disposition</u>	
July 1978	0	25	0	0	13	0	0	38
August 1978	0	20	1	0	7	0	0	28
September 1978	0	30	1	2	5	0	0	38
October 1978	0	22	0	0	5	0	0	27
November 1978	0	28	1	0	12	0	0	41
December 1978	0	14	0	0	12	1	0	27
January 1979	1	28	1	0	7	0	0	37
February 1979	0	23	0	0	7	1	0	31
March 1979	0	28	0	0	10	0	0	38
April 1979	1	28	0	0	12	0	0	41
May 1979	0	35	1	0	9	0	0	45
June 1979	<u>1</u>	<u>25</u>	<u>1</u>	<u>0</u>	<u>16</u>	<u>0</u>	<u>0</u>	<u>43</u>
TOTALS	3	306	6	2	115	2	0	434
Percentage of Total:	0.7%	70.5%	1.4%	0.5%	26.5%	0.5%	0.0%	100.0%

Source: New Castle County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL DISPOSITIONS  
 MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

KENT

<u>Month</u>	<u>TRIAL DISPOSITIONS</u>	<u>NON-TRIAL DISPOSITIONS</u>						<u>TOTALS</u>
	<u>Judgment for Plaintiff -Damages</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant- No Damages</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Split Disposition</u>	
July 1978	0	3	0	0	2	0	0	5
August 1978	0	2	0	0	2	0	0	4
September 1978	0	7	0	0	2	0	0	9
October 1978	0	3	0	0	3	0	0	6
November 1978	0	4	0	0	0	0	0	4
December 1978	0	0	1	0	0	0	0	1
January 1979	0	2	0	0	2	0	0	4
February 1979	0	3	0	0	2	1	0	6
March 1979	0	3	0	0	0	0	0	3
April 1979	0	3	1	0	2	0	0	6
May 1979	0	0	1	0	2	0	0	3
June 1979	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>6</u>
TOTALS	0	33	3	0	20	1	0	57
Percentage of Total:	0.0%	57.9%	5.3%	0.0%	35.1%	1.8%	0.0%	100.0%

Source: Kent County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL DISPOSITIONS  
 MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

SUSSEX

<u>Month</u>	<u>TRIAL DISPOSITIONS</u>		<u>NON-TRIAL DISPOSITIONS</u>					<u>TOTALS</u>
	<u>Judgment for Plaintiff -Damages</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant- No Damages</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Split Disposition</u>	
July 1978	0	6	0	0	3	0	1	10
August 1978	0	5	0	0	4	0	0	9
September 1978	0	4	0	0	2	6	3	15
October 1978	0	4	0	0	1	0	0	5
November 1978	0	4	0	0	0	0	1	5
December 1978	0	2	0	0	0	3	0	5
January 1979	0	1	0	0	1	0	0	2
February 1979	0	4	0	0	5	0	0	9
March 1979	0	2	0	0	3	0	0	5
April 1979	0	11	0	0	2	0	0	13
May 1979	0	3	0	0	2	1	0	6
June 1979	0	3	0	0	1	0	0	4
<b>TOTALS</b>	0	49	0	0	24	10	5	88
Percentage of Total:	0.0%	55.7%	0.0%	0.0%	27.3%	11.4%	5.7%	100.0%

Source: Sussex County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL DISPOSITIONS  
 MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

<u>Month</u>	<u>TRIAL DISPOSITIONS</u>		<u>STATE</u> <u>NON-TRIAL DISPOSITIONS</u>					<u>TOTALS</u>
	<u>Judgment for Plaintiff -Damages</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant- No Damages</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Split Disposition</u>	
July 1978	0	34	0	0	18	0	1	53
August 1978	0	27	1	0	13	0	0	41
September 1978	0	41	1	2	9	6	3	62
October 1978	0	29	0	0	9	0	0	38
November 1978	0	36	1	0	12	0	1	50
December 1978	0	16	1	0	12	4	0	33
January 1979	1	31	1	0	10	0	0	43
February 1979	0	30	0	0	14	2	0	46
March 1979	0	33	0	0	13	0	0	46
April 1979	1	42	1	0	16	0	0	60
May 1979	0	38	2	0	13	1	0	54
June 1979	<u>1</u>	<u>31</u>	<u>1</u>	<u>0</u>	<u>20</u>	<u>0</u>	<u>0</u>	<u>53</u>
TOTALS	3	388	9	2	159	13	5	579
Percentage of Total:	0.5%	67.0%	1.6%	0.3%	27.5%	2.2%	0.9%	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

SUPERIOR COURT  
FISCAL YEAR 1979  
CIVIL DISPOSITIONS

TERMINATIONS AND ADOPTIONS DISPOSITIONS

	<u>Granted</u>		<u>Dismissed</u>		<u>TOTALS</u>	
New Castle	174	94.1%	11	5.9%	185	100.0%
Kent	75	97.4%	2	2.6%	77	100.0%
Sussex	45	97.8%	1	2.2%	46	100.0%
State	294	95.5%	14	4.5%	308	100.0%

INVOLUNTARY COMMITMENTS DISPOSITIONS

	<u>Dismissed-Voluntary Commitment</u>		<u>Dismissed-No Probable Cause</u>		<u>Dismissed-Not Mentally Ill</u>		<u>Dismissed-Released by Hospital</u>		<u>Dismissed-Defendant Deceased</u>		<u>TOTALS</u>	
New Castle	424	65.2%	3	0.5%	0	0.0%	214	32.9%	9	1.4%	650	100.0%
Kent												
Sussex												
State	424	65.2%	3	0.5%	0	0.0%	214	32.9%	9	1.4%	650	100.0%

APPEALS DISPOSITIONS

	<u>Decision/Judgment Affirmed</u>		<u>Decision/Judgment Reversed</u>		<u>Decision Affirmed in Part/ Reversed in Part</u>		<u>Voluntary Dismissal</u>		<u>Court Dismissal</u>		<u>Remanded</u>		<u>TOTALS</u>	
New Castle	65	34.2%	15	7.9%	5	2.6%	54	28.4%	30	15.8%	21	11.1%	190	100.0%
Kent	5	50.0%	0	0.0%	1	10.0%	2	20.0%	0	0.0%	2	20.0%	10	100.0%
Sussex	2	8.0%	5	20.0%	0	0.0%	7	28.0%	7	28.0%	4	16.0%	25	100.0%
State	72	32.0%	20	8.9%	6	2.7%	63	28.0%	37	16.4%	27	12.0%	225	100.0%

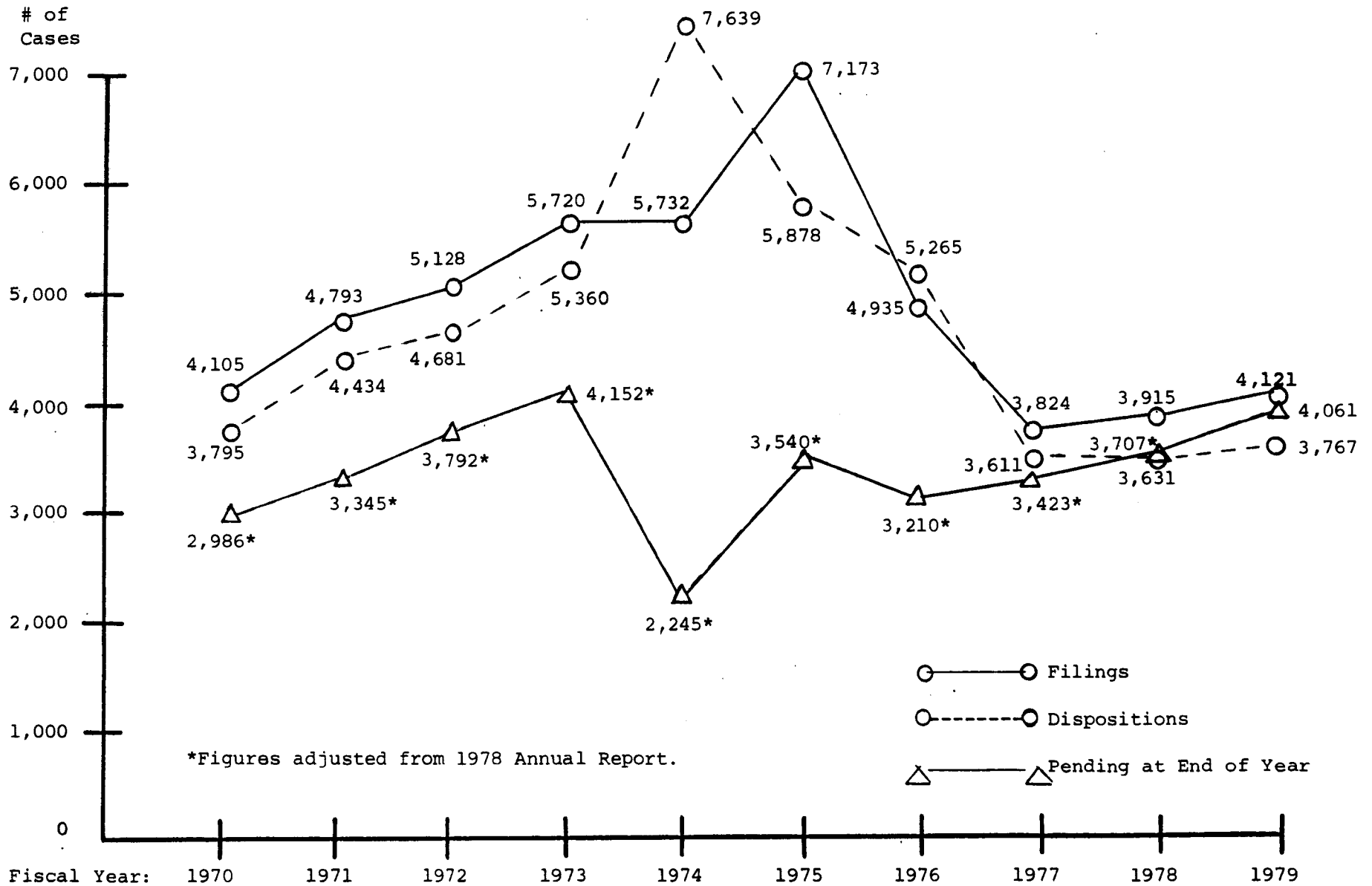
MISCELLANEOUS DISPOSITIONS

	<u>Petition/Order Signed or Granted</u>		<u>Petition/Order Denied or Dismissed</u>		<u>Disposition Simultaneous With Filing</u>		<u>TOTALS</u>	
New Castle	249	76.9%	65	20.1%	10	3.1%	324	100.0%
Kent	2	50.0%	2	50.0%	0	0.0%	4	100.0%
Sussex	9	75.0%	3	25.0%	0	0.0%	12	100.0%
State	260	76.5%	70	20.6%	10	2.9%	340	100.0%

Source: New Castle County, Kent County, and Sussex County Prothonotaries

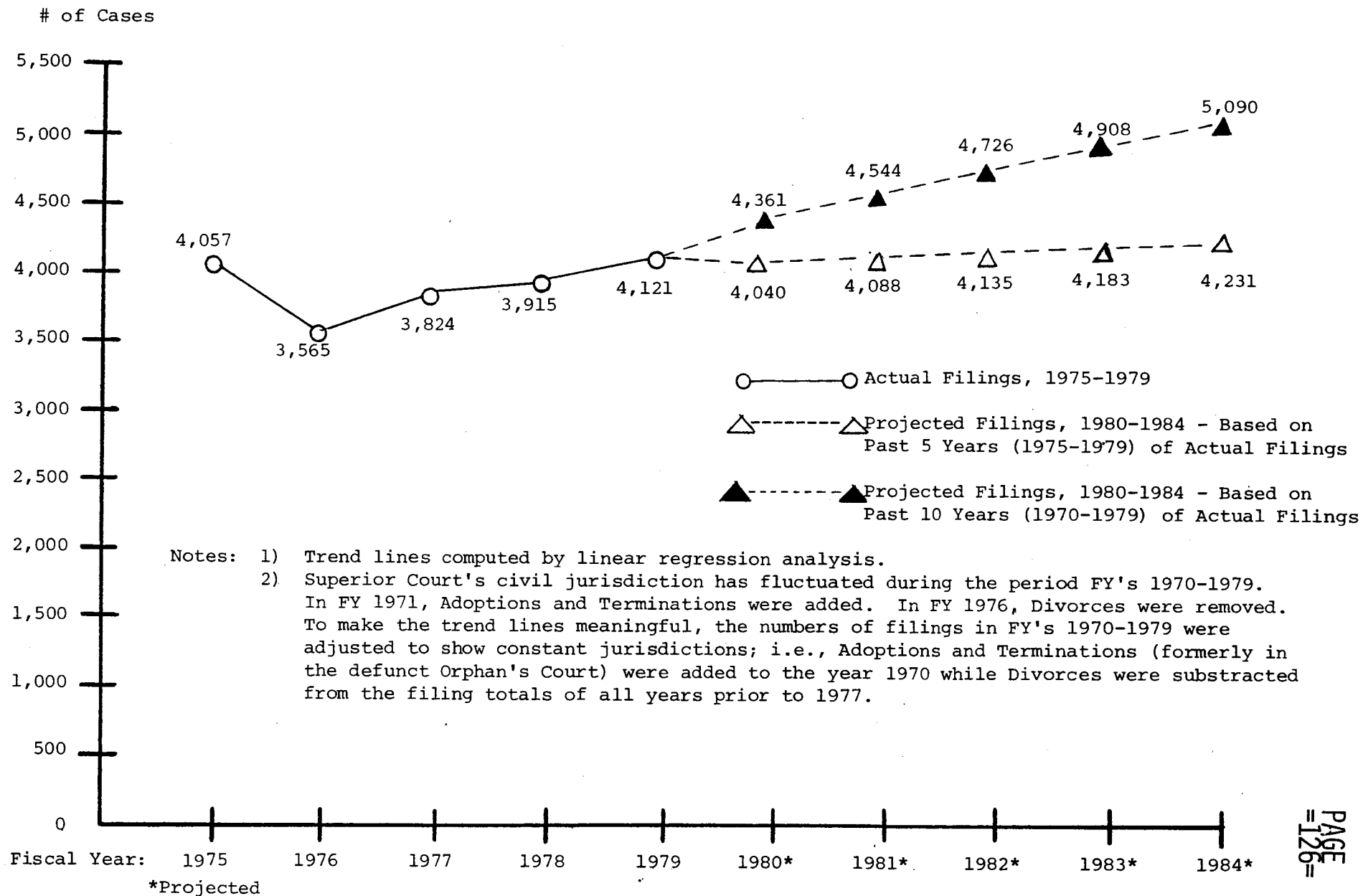


SUPERIOR COURT  
10-YEAR WORKLOAD TREND  
CIVIL CASES



Source: Administrative Office of the Courts

SUPERIOR COURT  
5-YEAR WORKLOAD PROJECTIONS  
CIVIL CASES



Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1979

CIVIL TRIAL ACTIVITY

	<u># of Jury Trials</u>	<u># of Non-Jury Trials</u>	<u># of Special Jury Trials</u>	<u>Total # of Trials</u>	<u>Days In Trial</u>	<u>Average Length Per Trial</u>
New Castle	66	52	4	122	234.54	1.92 days
Kent*	3	4	0	7	N.A.	N.A.
Sussex	<u>5</u>	<u>13</u>	<u>0</u>	<u>18</u>	<u>N.A.</u>	<u>N.A.</u>
State	74	69	4	147	N.A.	N.A.
Percentage of Total:	50.3%	46.9%	2.7%	100.0%		

CIVIL CALENDAR ACTIVITY

	<u>Cases Tried</u>		<u>Cases Settled or Dismissed</u>		<u>Cases Continued for Settlement</u>		<u>Cases Continued Due to Lack of Judge</u>		<u>Cases Continued at Request of Attorney</u>		<u>Total Trials Scheduled</u>	
New Castle	138	16.2%	316	37.1%	12	1.4%	61	7.2%	325	38.1%	852	100.0%
Kent*	7	8.1%	30	34.8%	6	7.0%	2	2.3%	41	47.7%	86	100.0%
Sussex	<u>18</u>	<u>11.9%</u>	<u>50</u>	<u>33.1%</u>	<u>3</u>	<u>2.0%</u>	<u>2</u>	<u>1.3%</u>	<u>78</u>	<u>51.7%</u>	<u>151</u>	<u>100.0%</u>
State	163	15.0%	396	36.4%	21	1.9%	65	6.0%	444	40.8%	1,089	100.0%

N.A. = Not Available

\*Kent County information not available for July 1978 through February 1979.

Source: New Castle County, Kent County, and Sussex County Prothonotaries

## SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE  
ELAPSED TIMENEW CASTLE

<u>Month</u>	<u>COMPLAINTS</u>		<u>MECHANIC'S LIENS AND MORTGAGES</u>		<u>TERMINATIONS AND ADOPTIONS</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	90	563.6 days	38	173.6 days	16	218.9 days
August 1978	63	297.8	28	58.1	21	164.1
September 1978	79	384.7	38	163.8	14	89.9
October 1978	93	379.0	27	108.1	24	115.1
November 1978	93	484.2	41	153.0	11	182.2
December 1978	98	433.0	27	144.5	16	171.0
January 1979	124	481.6	37	165.2	9	162.3
February 1979	250	845.4	31	208.5	17	238.5
March 1979	128	434.1	38	91.7	11	111.3
April 1979	102	448.6	41	140.5	11	92.6
May 1979	97	417.0	45	87.3	17	117.6
June 1979	126	512.4	43	279.6	18	127.7
TOTALS	1,343	521.2 days	434	150.5 days	185	150.0 days

<u>Month</u>	<u>APPEALS</u>		<u>INVOLUNTARY COMMITMENTS</u>		<u>MISCELLANEOUS</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	15	278.1 days	45	56.6 days	22	68.1 days
August 1978	21	383.0	62	24.8	10	31.2
September 1978	17	370.2	50	53.2	7	49.9
October 1978	4	160.0	69	28.9	23	56.0
November 1978	12	342.5	38	65.5	15	59.4
December 1978	9	312.8	61	21.2	34	54.8
January 1979	15	347.9	48	55.1	49	59.6
February 1979	21	1,011.8	53	49.1	46	283.7
March 1979	11	428.8	48	24.9	12	10.0
April 1979	17	393.3	58	18.8	34	57.1
May 1979	20	321.6	56	23.7	51	48.2
June 1979	28	484.5	62	34.0	21	222.9
TOTALS	190	441.8 days	650	36.1 days	324	96.8 days

Avg. = Average

Source: New Castle County Prothonotary

## SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE  
ELAPSED TIMEKENT

<u>Month</u>	<u>COMPLAINTS</u>		<u>MECHANIC'S LIENS AND MORTGAGES</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	10	431.5 days	5	72.3 days
August 1978	8	422.1	4	41.3
September 1978	3	223.0	9	87.0
October 1978	15	394.3	6	232.3
November 1978	10	149.6	4	111.3
December 1978	9	368.4	1	794.0
January 1979	10	856.3	4	142.0
February 1979	10	488.6	6	266.5
March 1979	15	277.7	3	66.7
April 1979	16	420.3	6	123.7
May 1979	16	459.4	3	64.7
June 1979	<u>26</u>	<u>437.0</u>	<u>6</u>	<u>232.3</u>
TOTALS	148	419.9 days	57	151.6 days

<u>Month</u>	<u>TERMINATIONS AND ADOPTIONS</u>		<u>APPEALS</u>		<u>MISCELLANEOUS</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	8	129.5 days	0	- days	2	52.5 days
August 1978	11	114.1	0	-	0	-
September 1978	3	124.3	0	-	0	-
October 1978	7	170.9	0	-	1	126.0
November 1978	4	60.3	0	-	0	-
December 1978	7	91.4	0	-	0	-
January 1979	11	188.7	0	-	0	-
February 1979	1	184.0	0	-	0	-
March 1979	8	74.5	0	-	0	-
April 1979	10	162.6	3	589.0	1	16.0
May 1979	3	53.3	3	462.0	0	-
June 1979	<u>4</u>	<u>133.0</u>	<u>4</u>	<u>460.8</u>	<u>0</u>	<u>-</u>
TOTALS	77	128.8 days	10	499.6 days	4	61.8 days

Avg. = Average

Source: Kent County Prothonotary

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE  
ELAPSED TIME

SUSSEX

<u>Month</u>	<u>COMPLAINTS</u>		<u>MECHANIC'S LIENS AND MORTGAGES</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	19	294.1 days	10	109.4 days
August 1978	17	490.4	9	58.1
September 1978	16	389.9	15	511.2
October 1978	15	282.6	5	52.8
November 1978	7	150.3	5	63.2
December 1978	26	431.0	5	727.8
January 1979	10	266.1	2	44.0
February 1979	11	246.2	9	84.0
March 1979	12	189.3	5	371.6
April 1979	12	319.0	13	76.0
May 1979	14	244.0	6	133.5
June 1979	<u>15</u>	<u>186.3</u>	<u>4</u>	<u>75.5</u>
TOTALS	174	312.3 days	88	207.9 days

<u>Month</u>	<u>TERMINATIONS AND ADOPTIONS</u>		<u>APPEALS</u>		<u>MISCELLANEOUS</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	5	178.8 days	5	346.0 days	0	- days
August 1978	7	132.0	3	528.0	0	-
September 1978	6	38.3	3	247.7	4	165.3
October 1978	5	151.0	2	763.0	1	98.0
November 1978	2	50.5	2	159.5	2	24.0
December 1978	3	75.3	2	348.0	2	6.5
January 1979	3	175.0	1	240.0	1	12.0
February 1979	3	101.7	1	438.0	0	-
March 1979	3	136.7	1	182.0	0	-
April 1979	6	51.2	3	357.0	0	-
May 1979	3	65.3	1	186.0	2	5.0
June 1979	<u>0</u>	<u>-</u>	<u>1</u>	<u>861.0</u>	<u>0</u>	<u>-</u>
TOTALS	46	105.9 days	25	349.6 days	12	70.2 days

Avg. = Average

Source: Sussex County Prothonotary

## SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE  
ELAPSED TIMESTATE

<u>Month</u>	<u>COMPLAINTS</u>		<u>MECHANIC'S LIENS AND MORTGAGES</u>		<u>TERMINATIONS AND ADOPTIONS</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	119	509.5 days	53	151.9 days	29	187.3 days
August 1978	88	346.3	41	56.5	39	144.2
September 1978	98	380.6	62	236.7	23	81.0
October 1978	123	369.1	38	120.4	36	130.9
November 1978	110	432.5	50	140.7	17	138.0
December 1978	133	428.2	33	252.6	26	138.5
January 1979	144	492.7	43	157.4	23	176.6
February 1979	271	807.9	46	191.7	21	216.3
March 1979	155	400.0	46	120.5	22	101.4
April 1979	130	433.1	60	124.9	27	109.3
May 1979	127	403.3	54	91.2	23	102.4
June 1979	167	471.3	53	258.8	22	127.8
TOTALS	1,665	490.4 days	579	159.3 days	308	138.1 days

<u>Month</u>	<u>APPEALS</u>		<u>INVOLUNTARY COMMITMENTS</u>		<u>MISCELLANEOUS</u>	
	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>Number</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	20	253.3 days	45	56.6 days	24	66.8 days
August 1978	24	401.1	62	24.8	10	31.2
September 1978	20	351.8	50	53.2	11	91.8
October 1978	6	361.0	69	28.9	25	60.5
November 1978	14	316.4	38	65.5	17	58.7
December 1978	11	319.2	61	21.2	36	53.6
January 1979	16	341.1	48	55.1	50	58.6
February 1979	22	985.7	53	49.1	46	283.7
March 1979	12	408.3	48	24.9	12	10.0
April 1979	23	414.1	58	18.8	35	56.0
May 1979	24	333.5	56	23.7	53	46.5
June 1979	33	493.0	62	34.0	21	222.9
TOTALS	225	434.1 days	650	36.1 days	340	95.8 days

Avg. = Average

Source: New Castle, Kent, and Sussex County Prothonotaries

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - COMPLAINTS - PART ONE

NEW CASTLE

<u>Month</u>	<u>Cases Placed for Trial</u>		<u>Cases Not Placed for Trial</u>		<u>Total Cases</u>	
	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>
July 1978	34	706.1 days	56	477.1 days	90	563.6 days
August 1978	25	470.9	38	202.3	63	297.8
September 1978	33	569.2	46	252.3	79	384.7
October 1978	38	593.5	55	230.9	93	379.0
November 1978	48	676.0	45	279.6	93	484.2
December 1978	35	652.5	63	311.1	98	433.0
January 1979	54	668.8	70	337.2	124	481.6
February 1979	63	888.0	187	831.0	250	845.4
March 1979	62	672.2	66	210.4	128	434.1
April 1979	50	655.4	52	249.7	102	448.6
May 1979	38	644.8	59	270.3	97	417.0
June 1979	44	661.8	82	432.2	126	512.4
TOTALS	524	672.8 days	819	425.1 days	1,343	521.2 days
Percentage of Total:	39.0%		61.0%		100.0%	

KENT - SUSSEX - STATE

<u>Month</u>	<u>Cases Placed for Trial</u>		<u>Cases Not Placed for Trial</u>		<u>Total Cases</u>	
	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>
-----Not Available-----						

Source: New Castle County Prothonotary



SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - COMPLAINTS - PART TWO

NEW CASTLE

Cases Disposed of By:

Month	<u>TRIAL</u>		<u>DEFAULT JUDGMENT</u>		<u>VOLUNTARY DISMISSAL</u>		<u>OTHER</u>		<u>TOTALS</u>	
	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1978	6	790.1 days	14	81.1 days	57	574.6 days	13	929.9 days	90	563.6 days
August 1978	12	534.1	21	66.1	26	320.4	4	658.0	63	297.8
September 1978	5	550.6	10	95.5	54	427.8	10	358.3	79	384.7
October 1978	6	772.5	8	42.8	70	388.6	9	341.6	93	379.0
November 1978	12	637.0	17	79.3	55	556.4	9	603.4	93	484.2
December 1978	10	635.1	13	293.5	62	440.0	13	384.1	98	433.0
January 1979	13	591.3	28	147.3	71	545.3	12	766.1	124	481.6
February 1979	8	924.1	24	58.2	65	432.8	153	1140.0	250	845.4
March 1979	13	617.7	28	127.9	69	487.3	18	573.8	128	434.1
April 1979	7	948.1	16	66.4	71	486.6	8	438.8	102	448.6
May 1979	10	713.3	23	52.9	54	540.4	10	292.0	97	417.0
June 1979	9	647.4	21	194.2	77	590.3	19	484.2	126	512.4
<b>TOTALS</b>	<b>111</b>	<b>677.8 days</b>	<b>223</b>	<b>109.6 days</b>	<b>731</b>	<b>491.0 days</b>	<b>278</b>	<b>868.2 days</b>	<b>1343</b>	<b>521.2 days</b>

No. = Number  
 Avg. = Average

Source: New Castle County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - COMPLAINTS - PART TWO

KENT

Cases Disposed of By:

<u>Month</u>	<u>TRIAL</u>		<u>DEFAULT JUDGMENT</u>		<u>VOLUNTARY DISMISSAL</u>		<u>OTHER</u>		<u>TOTALS</u>	
	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	0	- days	1	31.0 days	7	460.9 days	2	529.0 days	10	431.5 days
August 1978	1	528.0	1	91.0	6	459.7	0	-	8	422.1
September 1978	0	-	1	30.0	2	319.5	0	-	3	223.0
October 1978	0	-	5	351.0	8	445.1	2	299.5	15	394.3
November 1978	0	-	4	51.0	5	247.2	1	56.0	10	149.6
December 1978	0	-	1	26.0	6	398.5	2	449.5	9	368.4
January 1979	1	1488.0	0	-	7	763.3	2	866.0	10	856.3
February 1979	2	397.5	0	-	7	497.4	1	609.0	10	488.6
March 1979	1	804.0	5	76.8	7	346.3	2	277.0	15	277.7
April 1979	2	174.0	2	33.0	10	513.8	2	586.5	16	420.3
May 1979	0	-	2	393.5	10	423.0	4	582.5	16	459.4
June 1979	1	176.0	5	40.2	17	497.1	3	844.7	26	437.0
<b>TOTALS</b>	<b>8</b>	<b>517.4 days</b>	<b>27</b>	<b>132.6 days</b>	<b>92</b>	<b>466.1 days</b>	<b>21</b>	<b>549.7 days</b>	<b>148</b>	<b>419.9 days</b>

No. = Number  
 Avg. = Average

Source: Kent County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - COMPLAINTS - PART TWO

SUSSEX

Cases Disposed of By:

Month	<u>TRIAL</u>		<u>DEFAULT JUDGMENT</u>		<u>VOLUNTARY DISMISSAL</u>		<u>OTHER</u>		<u>TOTALS</u>	
	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition	No.	Avg. Time Between Filing and Disposition
July 1978	0	- days	7	131.9 days	9	465.3 days	3	158.7 days	19	294.1 days
August 1978	0	-	1	31.0	5	193.6	11	667.1	17	490.4
September 1978	0	-	5	391.2	7	306.6	4	534.3	16	389.9
October 1978	2	546.5	3	318.7	9	231.0	1	111.0	15	282.6
November 1978	0	-	3	111.3	3	136.3	1	309.0	7	150.3
December 1978	0	-	3	63.7	12	284.4	11	691.0	26	431.0
January 1979	1	456.0	1	52.0	6	206.8	2	456.0	10	266.1
February 1979	0	-	5	87.6	6	378.3	0	-	11	246.2
March 1979	0	-	5	139.2	7	225.0	0	-	12	189.3
April 1979	5	364.0	2	143.0	2	438.0	3	282.0	12	319.0
May 1979	1	370.0	8	205.1	4	296.3	1	218.0	14	244.0
June 1979	<u>1</u>	<u>253.0</u>	<u>7</u>	<u>57.6</u>	<u>6</u>	<u>312.7</u>	<u>1</u>	<u>262.0</u>	<u>15</u>	<u>186.3</u>
TOTALS	10	399.2 days	50	158.1 days	76	292.4 days	38	531.8 days	174	312.3 days

No. = Number  
 Avg. = Average

Source: Sussex County Prothonotary

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE

ELAPSED TIME - COMPLAINTS - PART TWO

STATE

Cases Disposed of By:

<u>Month</u>	<u>TRIAL</u>		<u>DEFAULT JUDGMENT</u>		<u>VOLUNTARY DISMISSAL</u>		<u>OTHER</u>		<u>TOTALS</u>	
	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	6	790.1 days	22	95.0 days	73	550.2 days	18	756.8 days	119	509.5 days
August 1978	13	533.6	23	65.7	37	325.8	15	664.7	88	346.3
September 1978	5	550.6	16	183.8	63	410.9	14	408.6	98	380.6
October 1978	8	716.0	16	190.8	87	377.5	12	315.3	123	369.1
November 1978	12	637.0	24	78.6	63	511.9	11	526.9	110	432.5
December 1978	10	635.1	17	237.2	80	413.6	26	519.0	133	428.2
January 1979	15	642.1	29	144.0	84	539.3	16	739.8	144	492.7
February 1979	10	818.8	29	63.3	78	434.4	154	1136.6	271	807.9
March 1979	14	631.1	38	122.7	83	453.3	20	544.1	155	400.0
April 1979	14	628.9	20	70.7	83	488.7	13	425.3	130	433.1
May 1979	11	682.1	33	110.5	68	508.8	15	364.5	127	403.3
June 1979	11	568.7	33	141.9	100	557.8	23	521.5	167	471.3
<b>TOTALS</b>	129	646.3 days	300	119.8 days	899	471.7 days	337	810.5 days	1665	490.4 days

No. = Number  
Avg. = Average

Source: New Castle, Kent, and Sussex County Prothonotaries

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART ONE

NEW CASTLE

<u>Month</u>	<u>Cases Placed for Trial</u>		<u>Cases Not Placed for Trial</u>		<u>Total Cases</u>	
	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>
July 1978	1	359.0 days	37	168.6 days	38	173.6 days
August 1978	1	177.0	27	53.7	28	58.1
September 1978	2	1,524.5	36	88.3	38	163.8
October 1978	1	1,254.0	26	64.0	27	108.1
November 1978	3	567.0	38	120.3	41	153.0
December 1978	0	-	27	144.5	27	144.5
January 1979	2	701.5	35	134.5	37	165.2
February 1979	1	1,316.0	30	171.6	31	208.5
March 1979	0	-	38	91.7	38	91.7
April 1979	1	548.0	40	130.3	41	140.5
May 1979	0	-	45	87.3	45	87.3
June 1979	2	127.0	41	287.0	43	279.6
TOTALS	14	718.6 days	420	131.6 days	434	150.5 days
Percentage of Total:	3.2%		96.8%		100.0%	

KENT - SUSSEX - STATE

<u>Month</u>	<u>Cases Placed for Trial</u>		<u>Cases Not Placed for Trial</u>		<u>Total Cases</u>	
	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>	<u>Number</u>	<u>Average Elapsed Time from Filing to Disposition</u>
-----Not Available-----						

Source: New Castle County Prothonotary

SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

NEW CASTLE

Cases Disposed of By:

<u>Month</u>	<u>No.</u>	<u>TRIAL</u>	<u>DEFAULT JUDGMENT</u>	<u>VOLUNTARY DISMISSAL</u>	<u>OTHER</u>	<u>No.</u>	<u>TOTALS</u>
		Avg. Time Between Filing and Disposition	Avg. Time Between Filing and Disposition	Avg. Time Between Filing and Disposition	Avg. Time Between Filing and Disposition		
July 1978	0	- days	25 80.5 days	13 352.6 days	0 - days	38	173.6 days
August 1978	0	-	20 55.9	7 58.6	1 98.0	28	58.1
September 1978	0	-	32 165.2	5 101.8	1 435.0	38	163.8
October 1978	0	-	22 69.5	5 277.8	0 -	27	108.1
November 1978	0	-	28 77.8	12 299.8	1 496.0	41	153.0
December 1978	0	-	14 78.5	12 176.4	1 686.0	27	144.5
January 1979	1	342.0	28 106.0	7 335.7	1 451.0	37	165.2
February 1979	0	-	23 89.1	7 300.7	1 2310.0	31	208.5
March 1979	0	-	28 76.4	10 134.7	0 -	38	91.7
April 1979	1	548.0	28 54.9	12 306.4	0 -	41	140.5
May 1979	0	-	35 77.4	9 93.6	1 378.0	45	87.3
June 1979	<u>1</u>	<u>137.0</u>	<u>25</u> <u>76.0</u>	<u>16</u> <u>607.4</u>	<u>1</u> <u>267.0</u>	<u>43</u>	<u>279.6</u>
<b>TOTALS</b>	<b>3</b>	<b>342.3 days</b>	<b>308</b> <b>86.1 days</b>	<b>115</b> <b>283.9 days</b>	<b>8</b> <b>640.1 days</b>	<b>434</b>	<b>150.5 days</b>

No. = Number  
 Avg. = Average

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE

ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

KENT

Cases Disposed of By:

<u>Month</u>	<u>No.</u>	<u>TRIAL</u>	<u>DEFAULT JUDGMENT</u>	<u>VOLUNTARY DISMISSAL</u>	<u>OTHER</u>	<u>TOTALS</u>	
		Avg. Time Between Filing and Disposition	Avg. Time Between Filing and Disposition	Avg. Time Between Filing and Disposition	Avg. Time Between Filing and Disposition	<u>No.</u>	Avg. Time Between Filing and Disposition
July 1978	0	- days	3 94.7 days	2 39.0 days	0 -	5	72.3 days
August 1978	0	-	2 26.5	2 56.0	0 -	4	41.3
September 1978	0	-	7 101.7	2 35.5	0 -	9	87.0
October 1978	0	-	3 36.0	3 428.7	0 -	6	232.3
November 1978	0	-	4 111.3	0 -	0 -	4	111.3
December 1978	0	-	0 -	0 -	1 794.0	1	794.0
January 1979	0	-	2 186.5	2 97.5	0 -	4	142.0
February 1979	0	-	3 333.7	2 183.5	1 231.0	6	266.5
March 1979	0	-	3 66.7	0 -	0 -	3	66.7
April 1979	0	-	3 50.0	2 111.5	1 369.0	6	123.7
May 1979	0	-	0 -	2 50.5	1 93.0	3	64.7
June 1979	0	-	3 364.7	3 100.0	0 -	6	232.3
TOTALS	0	- days	33 133.9 days	20 136.7 days	4 371.8 days	57	151.6 days

No. = Number  
Avg. = Average

Source: Kent County Prothonotary

SUPERIOR COURT

FISCAL YEAR 1979  
CIVIL PERFORMANCE

ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

SUSSEX

<u>Month</u>	<u>TRIAL</u>		<u>DEFAULT JUDGMENT</u>		<u>VOLUNTARY DISMISSAL</u>		<u>OTHER</u>		<u>TOTALS</u>	
	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	0	- days	6	143.0 days	3	65.3 days	1	40.0 days	10	109.4 days
August 1978	0	-	5	75.2	4	36.8	0	-	9	58.1
September 1978	0	-	4	72.5	3	444.3	8	755.6	15	511.2
October 1978	0	-	4	54.0	1	48.0	0	-	5	52.8
November 1978	0	-	4	67.0	0	-	1	48.6	5	63.2
December 1978	0	-	2	108.5	0	-	3	1140.7	5	727.8
January 1979	0	-	1	54.0	1	34.0	0	-	2	44.0
February 1979	0	-	4	53.5	5	108.4	0	-	9	84.0
March 1979	0	-	2	157.5	3	514.3	0	-	5	371.6
April 1979	0	-	11	65.0	2	136.5	0	-	13	76.0
May 1979	0	-	3	55.3	2	119.5	1	396.0	6	133.5
June 1979	0	-	3	55.0	1	137.0	0	-	4	75.5
<b>TOTALS</b>	0	- days	49	78.7 days	25	179.7 days	14	710.8 days	88	207.9 days

No. = Number  
Avg. = Average



SUPERIOR COURT  
 FISCAL YEAR 1979  
 CIVIL PERFORMANCE  
 ELAPSED TIME - MECHANIC'S LIENS AND MORTGAGES - PART TWO

STATE

Cases Disposed of By:

<u>Month</u>	<u>TRIAL</u>		<u>DEFAULT JUDGMENT</u>		<u>VOLUNTARY DISMISSAL</u>		<u>OTHER</u>		<u>TOTALS</u>	
	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>	<u>No.</u>	<u>Avg. Time Between Filing and Disposition</u>
July 1978	0	- days	34	92.8 days	18	269.9 days	1	40.0 days	53	151.9 days
August 1978	0	-	27	57.3	13	51.5	1	98.0	41	56.5
September 1978	0	-	43	146.2	10	191.3	9	720.0	62	236.7
October 1978	0	-	29	63.9	9	302.6	0	-	38	120.4
November 1978	0	-	36	80.3	12	299.8	2	272.0	50	140.7
December 1978	0	-	16	82.3	12	176.4	5	980.4	33	252.6
January 1979	1	342.0	31	97.5	10	257.9	1	451.0	43	157.4
February 1979	0	-	30	87.9	14	215.3	2	1270.5	46	191.7
March 1979	0	-	33	104.7	13	222.3	0	-	46	120.5
April 1979	1	548.0	42	58.4	16	260.8	1	369.0	60	124.9
May 1979	0	-	38	79.6	13	90.9	3	289.0	54	91.2
June 1979	1	137.0	31	101.9	20	507.8	1	267.0	53	258.8
TOTALS	3	342.3 days	390	89.2 days	160	249.2 days	26	636.9 days	579	159.3 days

No. = Number  
 Avg. = Average

Source: New Castle, Kent, and Sussex County Prothonotaries

# **Law Libraries**

LAW LIBRARIES

There are three Law Libraries located in the State of Delaware, staffed and maintained by state funds and each 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 information center for the Judiciary, Public Defender's Office, legal representatives of counties 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. All three libraries 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 20,000 books and there is presently seated working space for 26 persons at one time. The 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 with about 35,000 volumes 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 over 13,000 volumes.

All three libraries are currently in need of space for expansion due to the growing number of volumes. In addition, the Kent and Sussex Libraries have recently experienced physical problems - leaking roofs in Kent and structural difficulties in Sussex.

The Law Libraries 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 service 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 the 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 performing other duties associated with library work.

LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

Law Librarian  
Harriet Yucht

Assistant Librarian  
Kevin E. Walsh

KENT COUNTY

Law Librarian  
Carol N. Russell

Assistant Librarian  
Judy Skadsburg

SUSSEX COUNTY

Law Librarian  
Mary F. Tylecki

ADDRESSES

New Castle County Law Library  
Public Building  
1020 King Street  
Wilmington, Delaware 19801  
(571-2537)

Kent County Law Library  
Kent County Courthouse  
38 The Green  
Dover, Delaware 19901  
(678-5467)  
(736-1525)

Sussex County Law Library  
Sussex County Courthouse  
The Circle  
Georgetown, Delaware 19947  
(856-5483)  
(856-5235)

# **Family Court**

FAMILY COURTLegal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the 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 broad civil and criminal jurisdiction over domestic relations matters and over juveniles (persons under 18 years of age) who are dependent, neglected, or delinquent.

Domestic relations jurisdiction includes divorces and annulments, property settlements, separate maintenance of spouses, custody and visitation of children, non-support of dependents, and actions involving family discord.

Matters heard in the interest of a child include neglect, abuse, abandonment, and contribution to the delinquency of a minor, and juvenile delinquency.

The Family Court does not have jurisdiction over adults charged with felonies nor juveniles charged with first degree murder, rape, and kidnapping.

Appeals are made, usually on the record, to Superior Court, except divorce and support cases, which are appealed on the record to the Supreme Court.

Judges

Number: There are 12 judges of equal judicial authority; one is appointed Chief Judge with administrative responsibility for the Court, and the remaining 11 are Associate Judges.

Appointment: The Governor appoints Family Court judges with the consent of the Senate.

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

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a 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. The Chief Judge may reside in any county. After appointment, 7 of the Associate Judges must reside in New Castle County, one in Kent County, one in Sussex County, and one in either Kent or Sussex County.

Other Judicial Personnel

The Chief Judge appoints and commissions suitable persons, who must have resided in the State for at least five years prior to appointment, to act as masters in the Court. Masters may hear any matter properly before them, and

their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

#### Support Personnel

The Family Court employs a staff of more than 200 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, and process servers.

#### Caseload Trend

The Family Court's caseload has maintained a steady rise. Not only has the caseload increased in volume but it has also increased in complexity due to the divorce jurisdiction added in November, 1975 and the Mandatory Sentencing Law declared constitutional in December, 1977.

In the three years between FY 1976 and FY 1979, the workload of Family Court increased by a total of 22.4%. The projected increase for the 5-year period ending with FY 1984 ranges from 11.7% to 19.6%.

FAMILY COURT

JUDICIARY

Chief Judge

Hon. Robert D. Thompson (10/25/86)  
Grace Davis, Secretary  
(856-5301)

New Castle County  
Associate Judges

Hon. Elwood F. Melson, Jr. (2/1/77)  
Anne Botto, Secretary  
(571-2251)  
Hon. Roxana C. Arsht (7/28/83)  
Sally McKendrick, Secretary  
(571-2257)  
Hon. Robert W. Wakefield (3/16/84)  
Suzanne Herrmann, Secretary  
(571-2254)  
Hon. James J. Horgan (9/29/88)  
Sharon Cooper, Secretary  
(571-2229)  
Hon. Jay Paul James (6/30/90)  
Bernadette DeFrancesco, Secretary  
(571-2226)  
Hon. Karl J. Parrish (10/30/90)  
Carol Walton, Secretary  
(571-2232)  
Hon. Vincent J. Poppiti (1/24/91)  
Mary Jane DeMatteis, Secretary  
(571-2432)  
Hon. John T. Gallagher (11/6/91)  
Lynn Booth, Secretary  
(571-3923)

Kent County  
Associate Judges

Hon. David P. Buckson (4/24/87)  
Ruth Potter, Secretary  
(678-4565)  
Hon. Roger D. Kelsey (7/28/87)  
Karen Price, Secretary  
(678-4513)

Sussex County  
Associate Judges

Hon. William Swain Lee (7/1/89)  
Mary Lu McCabe, Secretary  
(856-5417)



FAMILY COURT

SUPPORT PERSONNEL

MASTERS

Chief Master

D. Thomas Reardon

Edith White, Secretary  
(571-2327)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Masters

William H. McDonough

Ellen McGaughan, Secretary  
(571-2417)

David J. Haley

Margaret Creswell, Secretary  
(571-2303)

Frederic H. Kenny

(571-2593)

Nathan Rosbrow

Gary E. Grubb

(678-4501)

James F. Truitt\*

Pretrial Conference Hearing Officer

Francine Gritz

Legal Stenographers

Evelyn Barkovic

Cynthia Parker

Carol Strannahan

Susan Taylor

Gail DiPietro

Carol Paisley

Shirley Downs

Lisa Smith

Clerk Stenographers

Kathleen Mort

Patricia Kane

Sharon Smith

Vacant

Mary Blair

Barbara Wise

Carol Bader (Federally Funded)

Vicki Jones

\*Also Deputy Director of Court Operations

FAMILY COURT

SUPPORT PERSONNEL

STATE OFFICE

COURT OPERATIONS

Director

William E. Davies  
Patti Sobocinski, Secretary  
(571-2209)

Assistant Director for  
Treatment Services

Ernest W. Goldsborough  
(571-2818)

Clinical Psychologist

Joseph Grande  
(571-2238)

Assistant Director for  
Planning and Research

Emmett Partin  
(571-2215)

Management Analysts

Ralph Turner  
(571-2214)

Jerry Bilton  
(571-2152)

Joseph Gallagher

Statisticians

Ocie Lindh  
(571-2319)

Coetta Baker (Federally Funded)

Statistical Clerk

Alice Stark

Clerk Typist

Pat Sanchez

FISCAL SERVICES

Director

William B. Breighner  
(571-2222)

Accountants

John Jett  
Julian Himber (Federally Funded)  
Diane DiStefano, Assistant

Account Clerks

Velma Foertsch  
Betty Rago  
Conrad Rechsteiner (Federally Funded)  
Debbie Shirk  
Gerri Dow  
Jeannette Martin (Federally Funded)

Clerk Typists

Jari Potts  
Virginia Slater

PERSONNEL SERVICES

Director of Personnel and Training

Robert Jackson  
(571-2250)

Administrative Assistant

Odessa Thomas  
(571-2211)

Program and Staff Development

Helen Bass  
(571-2627)

ADMINISTRATIVE STAFF TO CHIEF JUDGE

Executive Assistants

James Murray  
(856-5301)  
Michael K. Newell  
(571-2305)

Administrative Assistants

Polly Bowen  
(571-2206)

Law Clerk

Susan Paikin  
(571-2212)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS

NEW CASTLE COUNTY

Deputy Directors

Edmund G. Pierce  
Debbie Faries, Secretary

Manager, Clerk of Court Services

Mary Lawson

Clerks of Court

Teresa Donovan  
Donna Ward

Deputy Clerks

Ann Dorris  
Margaret Dougherty  
Evelyn O'Neal  
Clyde Taggart  
Frank Ginocchio

Clerks

Lorraine Brunk  
Helen Marshall  
Georgia McCluney  
Stanley Waclawski  
Andrea Hall  
Kathleen Murphy (Federally Funded)  
Vacant (Federally Funded)

Community & Public Relations Coordinator

Krista Mitchell

Counter Clerk

Michelle Civitarese (Federally Funded)

KENT COUNTY

James F. Truitt  
Maureen Haldeman, Secretary

Manager, Clerk of Court and  
Judicial Operations

Richard Speed

Linda Lesser  
Wanda Haldeman

Doris Thompson  
Deborah Webb

SUSSEX COUNTY

Robert F. Stuart

Manager, Clerk of Court Services

Ann Spicer

Charlotte Kirsch

Diane Potter  
Bonnie Short

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS (CONTINUED)

NEW CASTLE COUNTY

Clerk Typists

Mary Battin

Jennie Dunn

Janice Hemingway

Darlene Hemphill

Cathy Lloyd

Laverne Evans (Federally Funded)

Joan Prettyman (Federally Funded)

Betty Chambers

Donzella Selby

Debbie Whye

Bailiffs

Gerry Angeline

Laura Collins

Phil DiSabatino

Paula Dominick

Robert S. Jackson

Robert Johnson

Robert Jones

Paul Pennell

Carl Wynn

Larry Maichle (Federally Funded)

Loretta Rufo

R. McDonald Norman

KENT COUNTY

Denise Davis

Margaret Craik

Robert Depuy

Wesley Kuhns

Edward Moffet

SUSSEX COUNTY

Donna Mowbray

Robin Joseph

Joseph Gorecki

George Lynch

William Walls (Federally Funded)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Process Server  
Vacant

Receptionists  
Mary Jane Kidd  
Evelyn Galarza  
Doris Johnson

Terry Lavacca

Jan McDowell

Accounting Clerks  
Sherry McCarthy

Marianne Truitt

Evelyn Baker

Maintenance Mechanic  
Harrison Wilkerson

Manager, Judicial Operations  
Randall E. Williams

Clerk of Court  
Amanda Powell

Deputy Clerk  
Vacant

Clerk Typists  
Janet Slagowski  
Toni Wiggins  
Joan Nichols  
Mary Lou DiMartino  
Alma Hackett  
Sue Robinson  
Pat Marshall  
Kim Schwanker  
Mary Beth Buskirk

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS (CONTINUED)

NEW CASTLE COUNTY

Counselor Supervisor  
Ana DePaul

Counselors  
Cathy Rossi  
Mary Wurster  
Sean Hebbel  
Janis Fehnel  
Tim Brandau  
Lynn Shreve  
Ernest Lindemer  
Vacant

Counselor Trainee  
Donald Watts

Legal Assistant  
Denise West

Manager of Diversion  
Francis Jornlin

Clerk of Court  
Della Dunning

Deputy Clerk  
Pat Clymer

Clerk Typists  
Vacant (Federally Funded)  
Barbara Deptula  
Donna Roberts  
Carrie Klein  
Mary Fedele

KENT COUNTY

Social Service Administrator  
Ruth Betts

Human Services Worker  
Karen Puchalsky

Diversion/Mediation and  
Treatment Operations Manager  
Vacant

Ann Vornholt

SUSSEX COUNTY

Manager of Treatment and Diversion  
Daniel P. Myers

July Maddox (Federally Funded)  
Sharon Harrold (Federally Funded)  
Gail Rogers

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Clerk Typists (Continued)

Charmayne Grinnell  
Connie Merena  
Joan Montgomery  
Sherry Ellegood (Federally Funded)

Counselor Supervisor

Joyce King

Counselors

Robert Benjamin  
Elizabeth Johnson  
Ken Phillips  
Odis Pough  
Henry Pringle  
Judy Coon (Federally Funded)  
Elizabeth Fahey (Federally Funded)  
Curtis Foster (Federally Funded)

Larry Mayan  
Donna Speed

Jackie Howard  
Ann Maloney  
Hope Murray  
Raymond Quillen  
Melba Webb

Support Officers

Deana Jackson  
Edith Wexler  
Ernie Eggleston

James Sylvester

Kathryn Folk

Human Services Specialist

Margaret Cathcart

Manager of Treatment Services

Regena Manley

Counselor Supervisor

J. J. Nuttall

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COURT OPERATIONS (CONTINUED)

NEW CASTLE COUNTY

Counselors

Craig Fromme

Paul O'Neill

Ken Ryser

Patti Salzenberg

Counselor Trainees

Patricia Gignic

Alvin Paulin

Human Services Specialists

Pat Ryan

Evelyn Tate

Clerk Typist

Margaret Jau

Restitution Project Director

Janice Bodie (Federally Funded)

Social Service Administrator

Bernice Lieberman (Federally Funded)

Counselors

Kathy Clemmons (Federally Funded)

Gerry Mousley (Federally Funded)

Counselor Trainees

Steve DiSabatino (Federally Funded)

Susan Fromme (Federally Funded)

Jackie Gellens (Federally Funded)

Human Services Workers

Willie Calloway (Federally Funded)

Bettie Smith (Federally Funded)

KENT COUNTY

Denise Schultz

Robert Wall

Paul Brown

SUSSEX COUNTY

Social Service Administrator

Clarence Truitt

Human Service Workers

Marion Hudson

Denise James (Federally Funded)

Mary Guy (Federally Funded)

Molly DeCoster (Federally Funded)

Trudy Mifflin (Federally Funded)

Beth Lore (Federally Funded)



FAMILY COURT

SUPPORT PERSONNEL

COURT OPERATIONS (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Clerk Typists

Anita Butcher (Federally Funded)  
Maxine Wiggins (Federally Funded)

Sherry Sheldon (Federally Funded)

ADDRESSES

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

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

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

FAMILY COURTFISCAL YEAR 1979  
WORKLOAD  
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal and juvenile delinquency cases is the defendant.
2. A defendant is defined as an individual brought before Family Court during the fiscal year. A defendant with more than one charge against him is counted as one defendant. A defendant brought before Family Court twice during the same fiscal year for separate incidents is counted as one defendant.
3. Adult criminal defendants and juvenile delinquency traffic and status defendants are rarely brought before Family Court twice in the same year on separate incidents. There are approximately 40% more juvenile delinquency felony incidents per year than there are defendants; in other words, on the average 100 juvenile delinquency defendants will be brought before Family Court for 140 felony incidents. There are approximately 20% more juvenile delinquency misdemeanor incidents per year than there are defendants.
4. The unit of count in divorces and annulments and other civil cases is the petition.
5. The number of civil petitions is virtually identical to the number of petitioners.
6. All filing, disposition, and pending statistics use these definitions.

## FAMILY COURT

FISCAL YEAR 1979  
WORKLOAD

<u>NEW CASTLE</u>	<u># of Defendants and Civil Petitions</u>			<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>		
Adult Criminal	155	1,824	1,811	168	+ 13
Juvenile Delinquency	802	6,656	6,699	759	- 43
Divorces and Annulments	697	2,261	2,451	507	-190
Other Civil	896	7,016	6,487	1,425	+529
TOTALS	2,550	17,757	17,448	2,859	+309

<u>KENT</u>	<u># of Defendants and Civil Petitions</u>			<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>		
Adult Criminal	48	267	250	65	+ 17
Juvenile Delinquency	219	1,157	1,145	231	+ 12
Divorces and Annulments	208	772	789	191	- 17
Other Civil	363	2,290	2,125	528	+165
TOTALS	838	4,486	4,309	1,015	+177

<u>SUSSEX</u>	<u># of Defendants and Civil Petitions</u>			<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>		
Adult Criminal	17	254	267	4	- 13
Juvenile Delinquency	86	1,129	1,114	101	+ 15
Divorces and Annulments	94	527	494	127	+ 33
Other Civil	337	2,721	2,843	215	-122
TOTALS	534	4,631	4,718	447	- 87

<u>STATE</u>	<u># of Defendants and Civil Petitions</u>			<u>Pending</u> <u>6-30-79</u>	<u>Change In</u> <u>Pending</u>
	<u>Pending</u> <u>6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>		
Adult Criminal	220	2,345	2,328	237	+ 17
Juvenile Delinquency	1,107	8,942	8,958	1,091	- 16
Divorces and Annulments	999	3,560	3,734	825	-174
Other Civil	1,596	12,027	11,455	2,168	+572
TOTALS	3,922	26,874	26,475	4,321	+399

Source: Director of Court Operations, Family Court, and Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1979  
TOTAL FILINGS

	<u># of Defendants and Civil Petitions</u>									
	<u>Adult</u>		<u>Juvenile</u>		<u>Divorces and</u>		<u>Other</u>		<u>TOTALS</u>	
	<u>Criminal</u>		<u>Delinquency</u>		<u>Annulments</u>		<u>Civil</u>			
New Castle	1,824	10.3%	6,656	37.5%	2,261	12.8%	7,016	39.5%	17,757	100.0%
Kent	267	6.0%	1,157	25.8%	772	17.2%	2,290	51.0%	4,486	100.0%
Sussex	254	5.5%	1,129	24.4%	527	11.4%	2,721	58.8%	4,631	100.0%
State	2,345	8.7%	8,942	33.3%	3,560	13.2%	12,027	44.8%	26,874	100.0%

JUVENILE DELINQUENCY FILINGS

	<u># of Defendants</u>				<u>Traffic</u>		<u>Status</u>		<u>TOTALS</u>	
	<u>Felony</u>		<u>Misdemeanor</u>							
New Castle	1,638	24.6%	3,978	59.8%	544	8.2%	496	7.4%	6,656	100.0%
Kent	231	20.0%	714	61.7%	107	9.2%	105	9.1%	1,157	100.0%
Sussex	172	15.2%	710	62.9%	112	9.9%	135	12.0%	1,129	100.0%
State	2,041	22.8%	5,402	60.4%	763	8.5%	736	8.2%	8,942	100.0%

OTHER CIVIL FILINGS

	<u># of Petitions</u>															
	<u>New</u>		<u>Arrearages and</u>		<u>Custody/</u>		<u>Visitation</u>		<u>Imperiling</u>		<u>Ancillary</u>		<u>Other</u>		<u>TOTALS</u>	
<u>Support</u>		<u>Modifications</u>		<u>Visitation</u>		<u>Visitation</u>		<u>Imperiling</u>		<u>Matters</u>		<u>Civil</u>				
New Castle	1,975	28.1%	1,640	23.4%	1,264	18.0%	382	5.4%	553	7.9%	628	9.0%	574	8.2%	7,016	100.0%
Kent	780	34.1%	456	19.9%	669	29.2%	102	4.5%	16	0.7%	178	7.8%	89	3.9%	2,290	100.0%
Sussex	650	23.9%	845	31.1%	732	26.9%	107	3.9%	15	0.6%	223	8.2%	149	5.5%	2,721	100.0%
State	3,405	28.3%	2,941	24.5%	2,665	22.2%	591	4.9%	584	4.8%	1,029	8.6%	812	6.8%	12,027	100.0%

Source: Director of Court Operations, Family Court

FAMILY COURT  
FISCAL YEAR 1979  
TOTAL DISPOSITIONS

	<u># of Defendants and Civil Petitions</u>								<u>TOTALS</u>	
	<u>Adult Criminal</u>		<u>Juvenile Delinquency</u>		<u>Divorces and Annulments</u>		<u>Other Civil</u>			
New Castle	1,811	10.4%	6,699	38.4%	2,451	14.0%	6,487	37.2%	17,448	100.0%
Kent	250	5.8%	1,145	26.6%	789	18.3%	2,125	49.3%	4,309	100.0%
Sussex	267	5.7%	1,114	23.6%	494	10.5%	2,843	60.3%	4,718	100.0%
State	2,328	8.8%	8,958	33.8%	3,734	14.1%	11,455	43.3%	26,475	100.0%

Source: Administrative Office of the Courts

## FAMILY COURT

## COMPARISON - FISCAL YEARS 1978-1979

## WORKLOAD

FILINGS

	<u># of Defendants and Civil Petitions</u>			<u>% Change</u>
	<u>1978</u>	<u>1979</u>	<u>Change</u>	
New Castle	17,018	17,757	+ 739	+ 4.3%
Kent	4,147	4,486	+ 339	+ 8.2%
Sussex	<u>4,368</u>	<u>4,631</u>	+ 263	+ 6.0%
State	25,533	26,874	+1,341	+ 5.3%

DISPOSITIONS

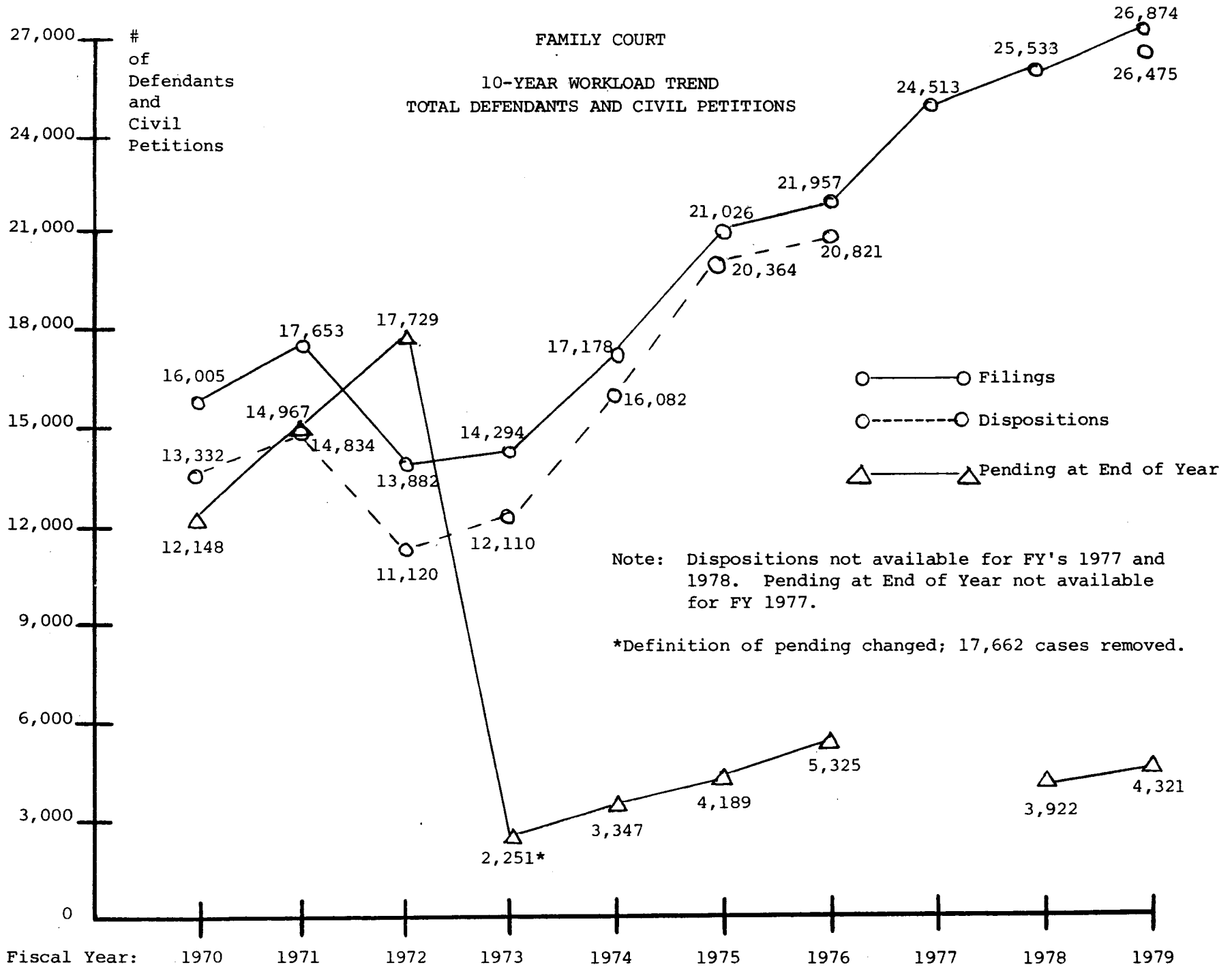
	<u># of Defendants and Civil Petitions</u>			<u>% Change</u>
	<u>1978</u>	<u>1979</u>	<u>Change</u>	
New Castle	N.A.	17,448	N.A.	N.A.
Kent	N.A.	4,309	N.A.	N.A.
Sussex	<u>N.A.</u>	<u>4,718</u>	<u>N.A.</u>	<u>N.A.</u>
State	N.A.	26,475	N.A.	N.A.

PENDING AT END OF YEAR

	<u># of Defendants and Civil Petitions</u>			<u>% Change</u>
	<u>1978</u>	<u>1979</u>	<u>Change</u>	
New Castle	2,550	2,859	+ 309	+12.1%
Kent	838	1,015	+ 177	+21.1%
Sussex	<u>534</u>	<u>447</u>	- 87	-16.3%
State	3,922	4,321	+ 399	+10.2%

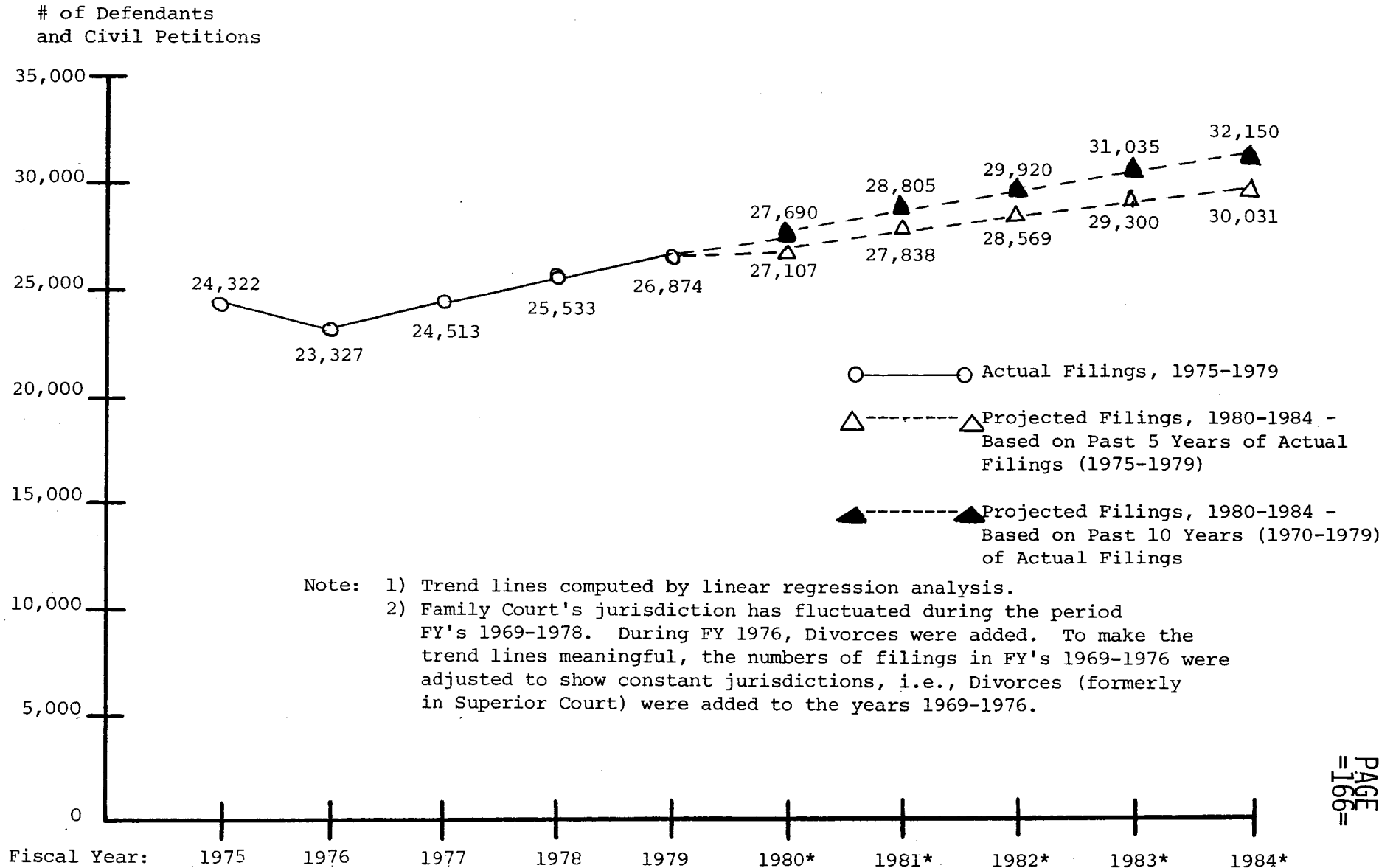
N.A. = Not Available

Source: Director of Court Operations, Family Court, and Administrative Office of the Courts



Source: Administrative Office of the Courts

FAMILY COURT  
5-YEAR WORKLOAD PROJECTIONS  
TOTAL DEFENDANTS AND CIVIL PETITIONS



\*Projected

Source: Administrative Office of the Courts



**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

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed \$5,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases (other than possession of marijuana), and those occurring within the corporate limits of the City of Wilmington. It also is responsible for all preliminary hearings. Jury trial is available to all defendants but in New Castle County jury trials are referred to Superior Court for disposition.

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 and must have been actively engaged in the general practice of law in the State of Delaware for at least five years. No more than a majority of one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, and consist of a Court Administrator (Chief Clerk), one Chief Deputy Clerk for each county, and such other employees as are necessary, including Bailiffs, Court Reporters, Secretaries, Clerks, Presentence Officers, etc.

Caseload Trend

The number of criminal and civil cases filed in the Court of Common Pleas rose dramatically in FY 1979. This is in sharp contrast to the reduction in civil cases filed in the Court of Common Pleas during FY 1978. Criminal case filings again rose in all three counties, ranging from 6.3% to 30.5% with a statewide increase of 13.4%, in contrast to the statewide FY 1978

increase of 3.3%. There was a substantial increase in the number of civil case filings also, with all of the counties rising by over 20% and the state showing an increase of 22.6%. This is a dramatic change from the 10.6% decrease in civil case filings for the state in FY 1978. It thus appears that the 1978 decrease in civil case filings was an anomaly. It should be noted that civil cases filed have become more complicated and there has been a tremendous increase in the use of motion practice and discovery procedures. While this delays disposition in a number of cases, it is felt that the disposal of more complicated cases better serves the whole judicial system in the general movement of civil cases.

It was anticipated that the Court's space limitation problem would have been solved by this time; this, however, has not been accomplished. The Court's program has been delayed by the inability to obtain the necessary approvals to proceed from the Department of Administrative Services, which controls the bond money appropriated for this purpose.

COURT OF COMMON PLEAS

JUDICIARY

Chief Judge

Hon. Robert H. Wahl (10/6/83)

Beulah O. Goldsborough, Secretary  
(571-2410)

New Castle County Resident Judges

Hon. Arthur F. DiSabatino (10/6/83)

Margaret Renai, Secretary  
(571-2410)

Hon. William C. Bradley, Jr. (9/29/88)

Peggy Papili, Secretary  
(571-2410)

Kent County Resident Judge

Hon. Merrill C. Trader (9/12/84)

Mary Elyn Massey, Secretary  
(678-4617)

Sussex County Resident Judge

Hon. Paul E. Ellis (4/18/85)

Katherine Truitt, Secretary  
(856-5333)

COURT OF COMMON PLEAS

SUPPORT PERSONNEL

Court Administrator  
Carole B. Kirshner  
Nancy Bader, Secretary  
(571-2804)

NEW CASTLE COUNTY

Chief Deputy Clerks  
Timothy Donovan, Jr.  
(571-2430)

Deputy Clerks  
Angeline M. Pineault

Assistant Clerks  
Maryanne Hairsine  
Phyllis Feingold

Account Supervisor  
Patricia Fromal

Collections Officer  
Louis Slutsky

Court Reporters  
Carol Schatzman  
Cheryl Simmons  
Jacalyn Anstey  
Marie Fontello, Typist Transcriber  
(571-2863)

KENT COUNTY

Ruth Biddle  
(478-4618)

Anna Benton

Frances Bergold

Sheila Dougherty

SUSSEX COUNTY

Doris Wilkins  
(856-5333)

Jean Henry

Raymond Kenny  
Vera Elliott, Typist Transcriber

COURT OF COMMON PLEAS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Presentence Officers

John Jaremchuk, Jr.

Carolyn Short

Renee Coddington

Diane Korolog, Secretary  
(571-2807)

Clerk Typists

Mary Pasquale

Judy Creedon

Catherine Booth

Anita Wahl

Elizabeth Jonkiert

Vacant

Karen Gallagher

Cynthia Reinholz

Bailiffs

Richard Hurst

Robert McGee, III

Alan Haase

William Arterbridge

Dománick Pilli

KENT COUNTY

David Reid

Mary McFaul

SUSSEX COUNTY

Alcohol Coordinating Counselor

Dallas Fleetwood

Donald Beebe

R. Burton Hicks

ADDRESSES

Court of Common Pleas  
Public Building  
1020 King Street  
Wilmington, Delaware 19801

Court of Common Pleas  
Kent County Courthouse  
38 The Green  
Dover, Delaware 19901

Court of Common Pleas  
Sussex County Courthouse  
The Circle  
Georgetown, Delaware 19947

## COURT OF COMMON PLEAS

FISCAL YEAR 1979  
CRIMINAL CASES\*  
WORKLOADFILINGS

	<u>Original Filings**</u>	<u>Optional Transfers#</u>	<u>Mandatory Transfers¶</u>	<u>TOTALS</u>	<u>Preliminary Hearings</u>
New Castle	152	3,770	899	4,821	2,884
Kent	81	795	226	1,102	800
Sussex	<u>8</u>	<u>1,170</u>	<u>310</u>	<u>1,488</u>	<u>809</u>
State	241	5,735	1,435	7,411	4,493

DISPOSITIONS

	<u>Jury</u>		<u>Non-Jury</u>		<u>TOTALS</u>	
New Castle	0	0.0%	4,818	100.0%	4,818	100.0%
Kent	45	4.1%	1,041	95.9%	1,086	100.0%
Sussex	<u>5</u>	<u>0.3%</u>	<u>1,485</u>	<u>99.7%</u>	<u>1,490</u>	<u>100.0%</u>
State	50	0.7%	7,344	99.3%	7,394	100.0%

PENDING AT END OF YEAR

	<u>Capiases</u>		<u>Triable</u>		<u>TOTALS</u>	
New Castle	504	62.1%	307	37.9%	811	100.0%
Kent	31	28.4%	78	71.6%	109	100.0%
Sussex	<u>40</u>	<u>17.6%</u>	<u>187</u>	<u>82.4%</u>	<u>227</u>	<u>100.0%</u>
State	575	50.1%	572	49.9%	1,147	100.0%

CHANGES IN PENDING

	<u>Capiases</u>	<u>Triable</u>	<u>TOTALS</u>
New Castle	-111	+114	+ 3
Kent	+ 17	- 1	+16
Sussex	<u>+ 22</u>	<u>- 24</u>	<u>- 2</u>
State	- 72	+ 89	+17

\*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

\*\*Matters filed initially in the Court of Common Pleas.

#Cases originally filed in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

¶Matters originally filed with Justices of the Peace which by statute must be transferred to the Court of Common Pleas.

Source: Court Administrator, Court of Common Pleas

## COURT OF COMMON PLEAS

FISCAL YEAR 1979  
CRIMINAL CASES\*  
WORKLOAD

	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
New Castle	808	4,821	4,818	811	+ 3
Kent	93	1,102	1,086	109	+16
Sussex	229	1,488	1,490	227	- 2
State	<u>1,130</u>	<u>7,411</u>	<u>7,394</u>	<u>1,147</u>	<u>+17</u>

COMPARISON - FISCAL YEARS 1978-1979  
CRIMINAL CASES\*  
WORKLOADFILINGS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,537	4,821	+ 284	+ 6.3%
Kent	857	1,102	+ 245	+ 28.6%
Sussex	<u>1,140</u>	<u>1,488</u>	<u>+ 348</u>	<u>+ 30.5%</u>
State	<u>6,534</u>	<u>7,411</u>	<u>+ 877</u>	<u>+ 13.4%</u>

DISPOSITIONS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,418	4,818	+ 400	+ 9.1%
Kent	839	1,086	+ 247	+ 29.4%
Sussex	<u>1,137</u>	<u>1,490</u>	<u>+ 353</u>	<u>+ 31.0%</u>
State	<u>6,394</u>	<u>7,394</u>	<u>+1,000</u>	<u>+ 15.6%</u>

PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	808	811	+ 3	+ 0.4%
Kent	93	109	+ 16	+ 20.4%
Sussex	<u>229</u>	<u>227</u>	<u>- 2</u>	<u>- 0.9%</u>
State	<u>1,130</u>	<u>1,147</u>	<u>+ 17</u>	<u>+ 1.5%</u>

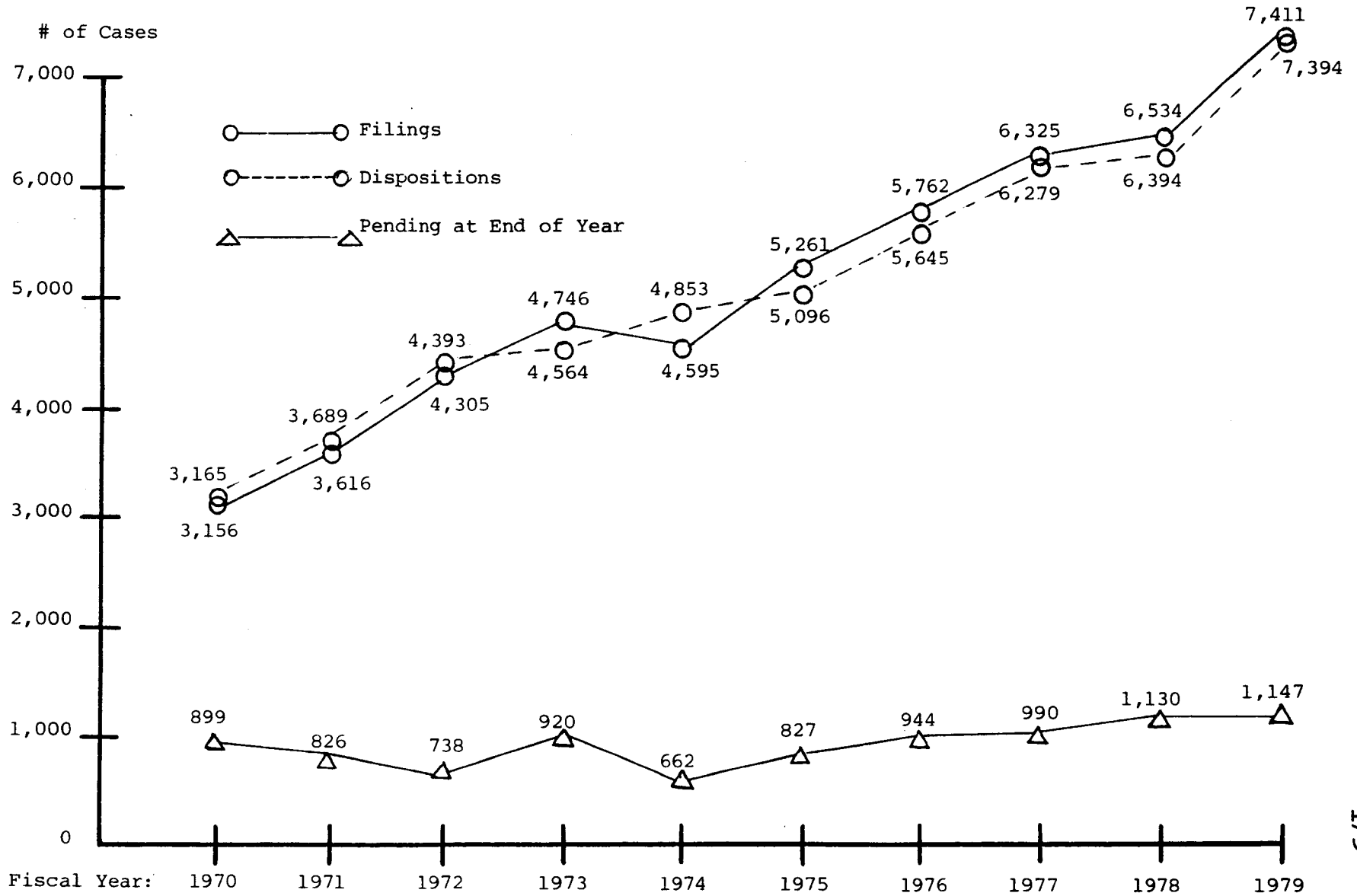
\*The unit of count for criminal cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

Source: Court Administrator, Court of Common Pleas



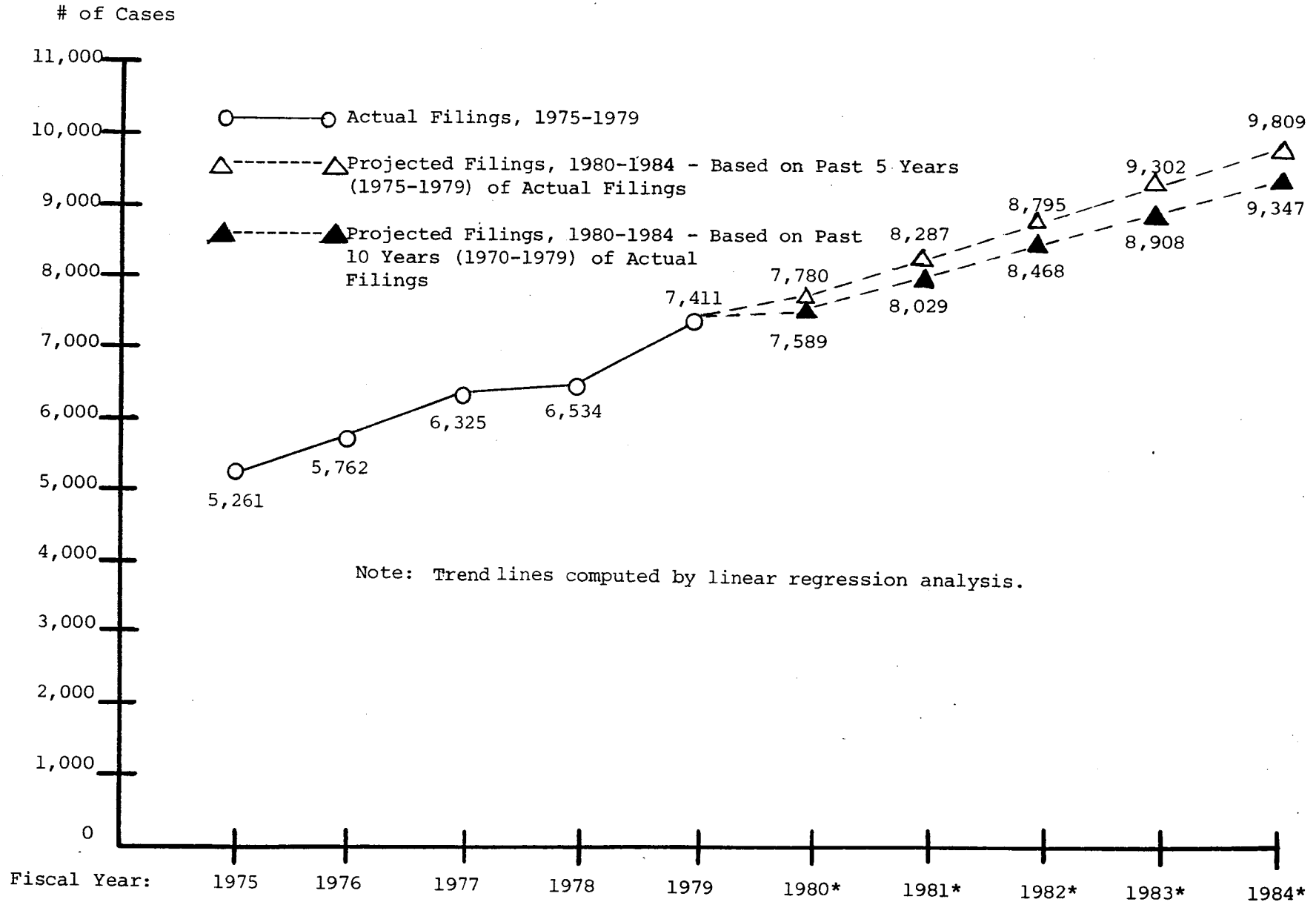
COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND  
CRIMINAL CASES



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS  
5-YEAR WORKLOAD PROJECTIONS  
CRIMINAL CASES



Note: Trendlines computed by linear regression analysis.

\*Projected

Source: Administrative Office of the Courts

## COURT OF COMMON PLEAS

FISCAL YEAR 1979  
PRESENTENCE OFFICE  
WORKLOAD

	<u>Pending 6-30-78</u>	<u>Defendants Referred</u>	<u>Investigations Completed</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
New Castle	16	292	270	38	+22
Kent*	5	20	24	1	- 4
Sussex*	<u>6**</u>	<u>24</u>	<u>20</u>	<u>10</u>	<u>+ 4</u>
State	<u>27**</u>	<u>336</u>	<u>314</u>	<u>49</u>	<u>+22</u>

\*Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.

\*\*Figure adjusted from 1978 Annual Report.

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1979  
PRESENTENCE OFFICE  
PERFORMANCE

NEW CASTLE

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
July 1978	13	25.9 days	0.6 days	26.5 days	5.1 days	31.6 days
August 1978	15	31.7	0.5	32.3	5.5	37.7
September 1978	20	35.0	0.6	35.6	3.7	39.3
October 1978	13	27.2	0.8	28.0	5.6	33.6
November 1978	16	27.6	0.8	28.3	3.9	32.2
December 1978	13	29.5	0.8	30.3	4.5	34.8
January 1979	21	33.8	0.9	34.6	4.0	38.6
February 1979	27	34.4	1.0	35.4	4.3	39.7
March 1979	29	32.2	0.8	33.0	4.7	37.7
April 1979	26	23.5	0.6	24.0	4.7	28.7
May 1979	40	28.6	0.5	29.1	4.6	33.7
June 1979	<u>28</u>	<u>28.0</u>	<u>0.3</u>	<u>28.3</u>	<u>3.6</u>	<u>31.9</u>
TOTALS	261	29.8 days	0.7 days	30.5 days	4.5 days	35.0 days

KENT - SUSSEX - STATE

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
-----NOT AVAILABLE-----						

Source: Court Administrator, Court of Common Pleas

## COURT OF COMMON PLEAS

FISCAL YEAR 1979  
CIVIL CASES  
WORKLOADFILINGS

	<u>Complaints*</u>		<u>Miscellaneous**</u>		<u>TOTALS</u>	
New Castle	2,664	95.4%	129	4.6%	2,793	100.0%
Kent	349	89.5%	41	10.5%	390	100.0%
Sussex	532	95.7%	24	4.3%	556	100.0%
State	3,545	94.8%	194	5.2%	3,739	100.0%

DISPOSITIONS

	<u>By Court</u>		<u>By Counsel</u>		<u>TOTALS</u>	
New Castle	429	18.0%	1,957	82.0%	2,386	100.0%
Kent	38	11.6%	290	88.4%	328	100.0%
Sussex	86	16.4%	438	83.6%	524	100.0%
State	553	17.1%	2,685	82.9%	3,238	100.0%

\*The Complaints category includes Complaints for Damages (including those involving automobiles), Replevins, Foreign Attachments, and Domestic Attachments.

\*\*The Miscellaneous category includes Civil Judgments and Petitions for Name Change.

## COURT OF COMMON PLEAS

FISCAL YEAR 1979  
CIVIL CASES  
WORKLOAD

	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
New Castle	1,270	2,793	2,386	1,677	+407
Kent	130	390	328	192	+ 62
Sussex	186	556	524	218	+ 32
State	1,586	3,739	3,238	2,087	+501

COMPARISON - FISCAL YEARS 1978-1979  
CIVIL CASES  
WORKLOADFILINGS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,273	2,793	+520	+22.9%
Kent	320	390	+ 70	+21.9%
Sussex	456	556	+100	+21.9%
State	3,049	3,739	+690	+22.6%

DISPOSITIONS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,433	2,386	- 47	- 1.9%
Kent	278	328	+ 50	+18.0%
Sussex	431	524	+ 93	+21.6%
State	3,142	3,238	+ 96	+ 3.1%

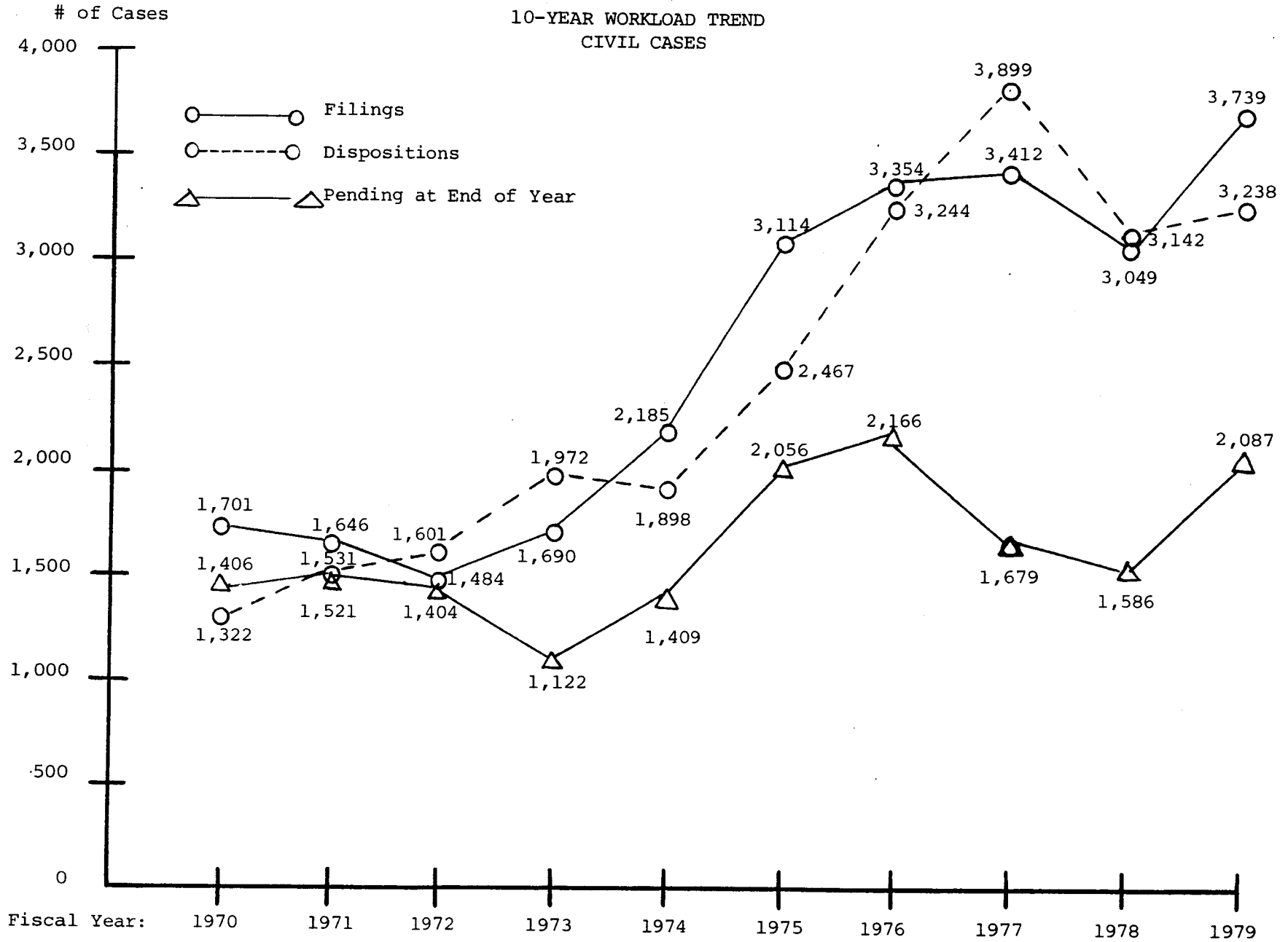
PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,270	1,677	+407	+32.0%
Kent	130	192	+ 62	+47.7%
Sussex	186	218	+ 32	+17.2%
State	1,586	2,087	+501	+31.6%

Source: Court Administrator, Court of Common Pleas

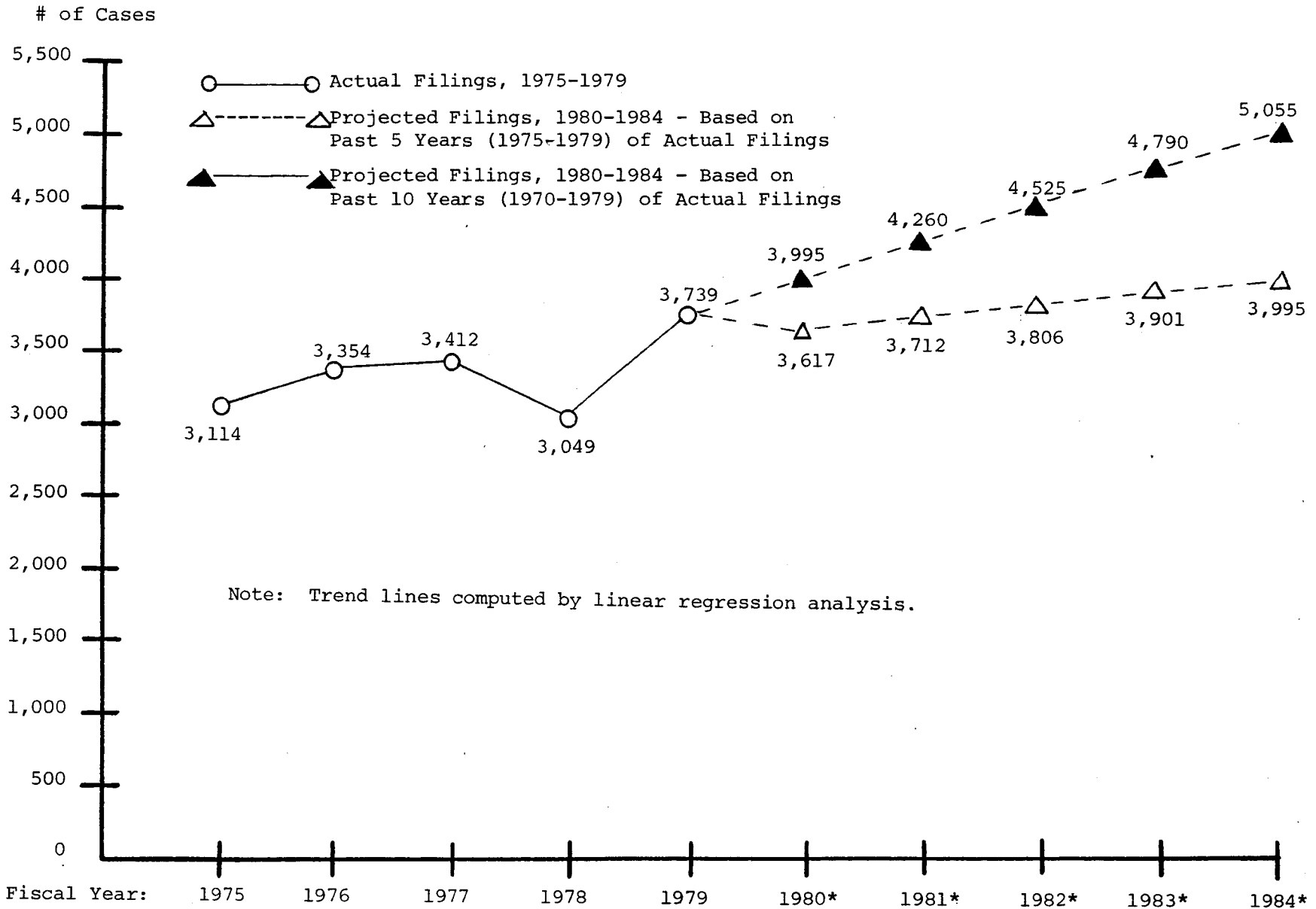
COURT OF COMMON PLEAS

10-YEAR WORKLOAD TREND  
CIVIL CASES



Source: Administrative Office of the Courts

COURT OF COMMON PLEAS  
5-YEAR WORKLOAD PROJECTIONS  
CIVIL CASES



Note: Trend lines computed by linear regression analysis.

\*Projected

Source: Administrative Office of the Courts



# **Municipal Court**

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Section 1701.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

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. The court has a Violations Division which processes all moving and parking citations.

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

Caseload Trend

The Municipal Court criminal caseload exceeded 9,000 cases in FY 1979. This workload has kept the personnel of the Court working at maximum capacity to meet the demands of a constant flow of cases. Two public defenders, five court commissioners, several prosecutors, and the three judges have barely kept pace with this workload. A total of 9,023 criminal 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 a number of 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 has caused an increase in the number of court commissioners to deal with these continual demands.

Municipal Court was also faced with a 5.9% increase in the number of traffic offenses during FY 1979. 17,199 cases - an all-time high and over 6,000 more cases than just two years earlier - were filed during FY 1979. Despite the vast influx of new cases, the number of pending charges decreased by almost one-third to 833 by the year's end from the previous year's total.

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

JUDICIARY

Chief Judge  
Hon. Alfred R. Fraczkowski (9/11/81)  
Karen A. Jones, Executive Secretary  
(571-4550)

Associate Judge  
Hon. Carl G. Goldstein (7/1/82)  
Joyce Vietri, Secretary  
(571-4551)

Associate Judge  
Hon. Leonard L. Williams (6/4/78)  
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners

Charles R. Lee, Chief

(571-4534)

T. Roger Barton

(571-4540)

Richard O. Douglas

(571-4546)

Furio R. Casale

(571-4542)

Lawrence L. Fitchett

(571-4541)

Elizabeth A. Keller, Secretary

(571-4534)

Case Coordinator

Kathy Waksmonski

Law Clerks

Phillip Sarcione

Catherine Colver

Process Server

Elizabeth Henderson

Bailiffs

David Dempsey

Gerald Nolan

Cornelius Morris

William Santiago

Criminal Clerical Staff

Debra Flowers

Dartha Poteat

Josephine Smulski

Robin Henderson

Patricia M. O'Connor

Luz Velasquez

Mary E. Devine

Traffic Violation Staff

Shirley Cohen, Supervisor

Carolyn Sylvester

Ann Collins

Carol Senghaas

## MUNICIPAL COURT

FISCAL YEAR 1979  
WORKLOAD\*

	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
Criminal	407	9,154	9,023	538	+131
Traffic	<u>1,225</u>	<u>17,199</u>	<u>17,591</u>	<u>833</u>	<u>-392</u>
Total	<u>1,632</u>	<u>26,353</u>	<u>26,614</u>	<u>1,371</u>	<u>-261</u>

COMPARISON - FISCAL YEARS 1978-1979  
WORKLOAD\*FILINGS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Criminal	8,893	9,154	+ 261	+ 2.9%
Traffic	<u>16,238</u>	<u>17,199</u>	<u>+ 961</u>	<u>+ 5.9%</u>
Total	<u>25,131</u>	<u>26,353</u>	<u>+1,222</u>	<u>+ 4.9%</u>

DISPOSITIONS

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Criminal	9,044	9,023	- 21	- 0.2%
Traffic	<u>15,431</u>	<u>17,591</u>	<u>+2,160</u>	<u>+14.0%</u>
Total	<u>24,475</u>	<u>26,614</u>	<u>+2,139</u>	<u>+ 8.7%</u>

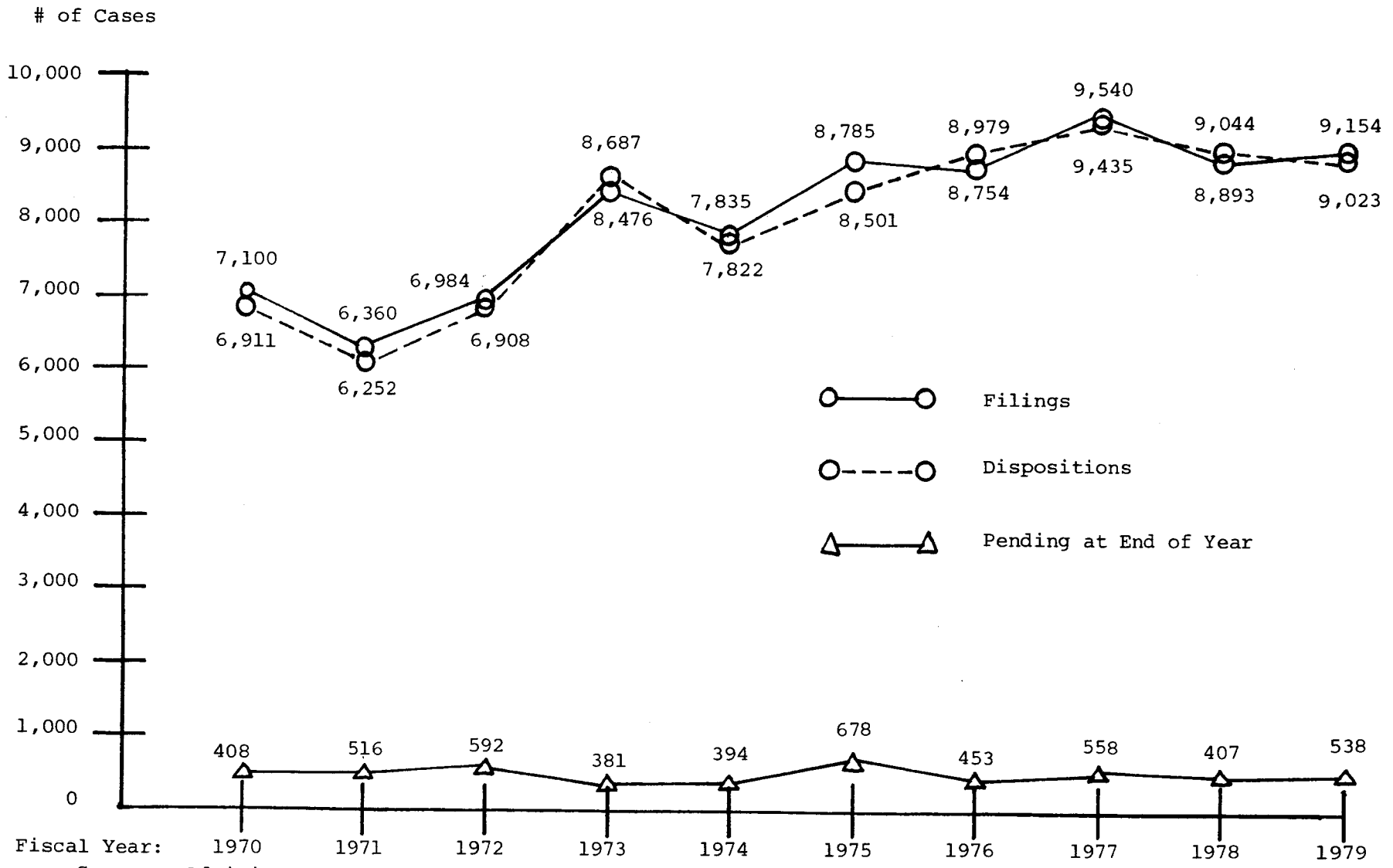
PENDING AT END OF YEAR

	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Criminal	407	538	+ 131	+32.2%
Traffic	<u>1,225</u>	<u>833</u>	<u>- 392</u>	<u>-32.0%</u>
Total	<u>1,632</u>	<u>1,371</u>	<u>- 261</u>	<u>-16.0%</u>

\*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before the court on 3 charges would be counted as 3 cases.

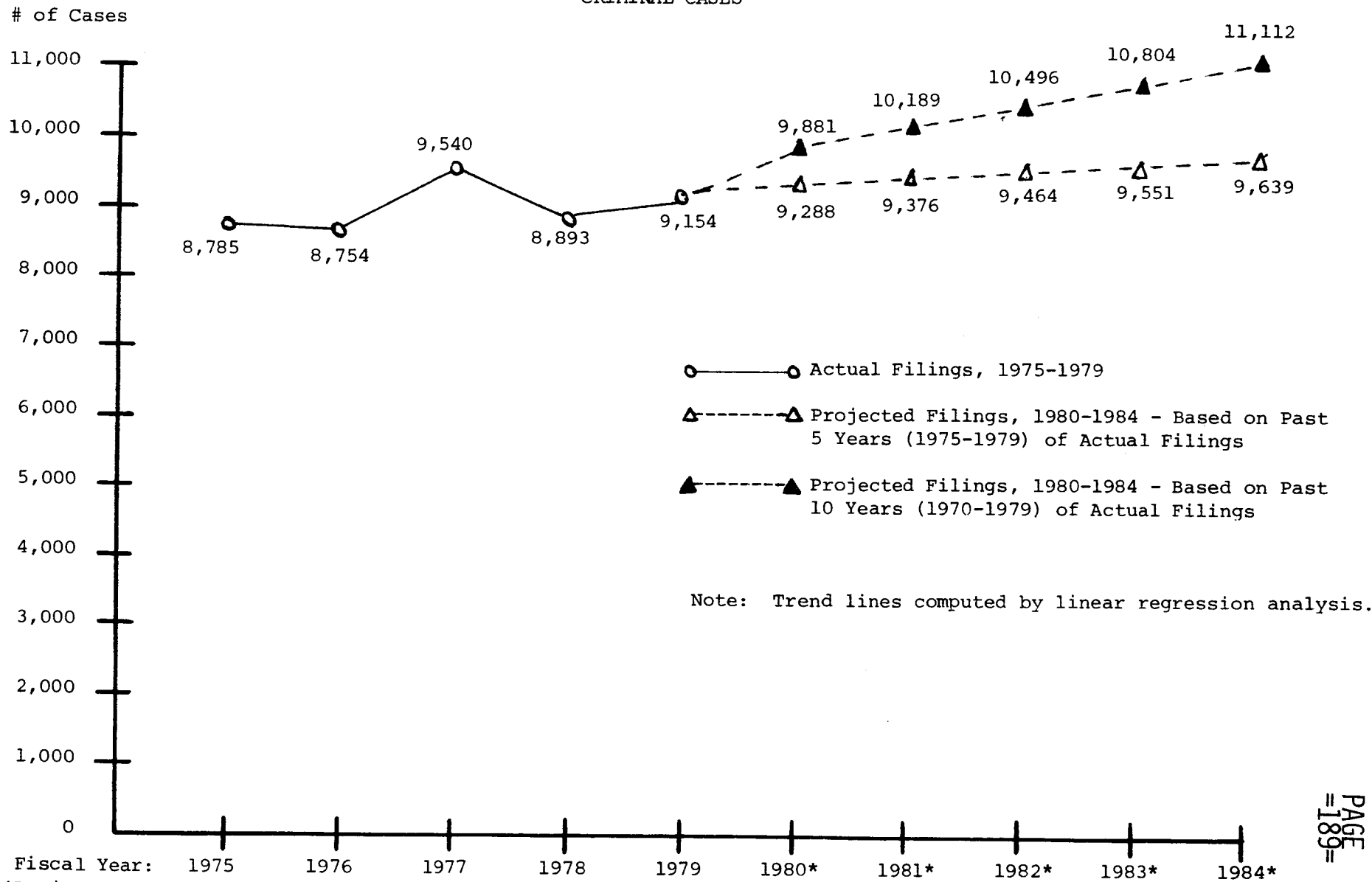
Source: Chief Clerk, Municipal Court

MUNICIPAL COURT  
 10-YEAR WORKLOAD TREND  
 CRIMINAL CASES



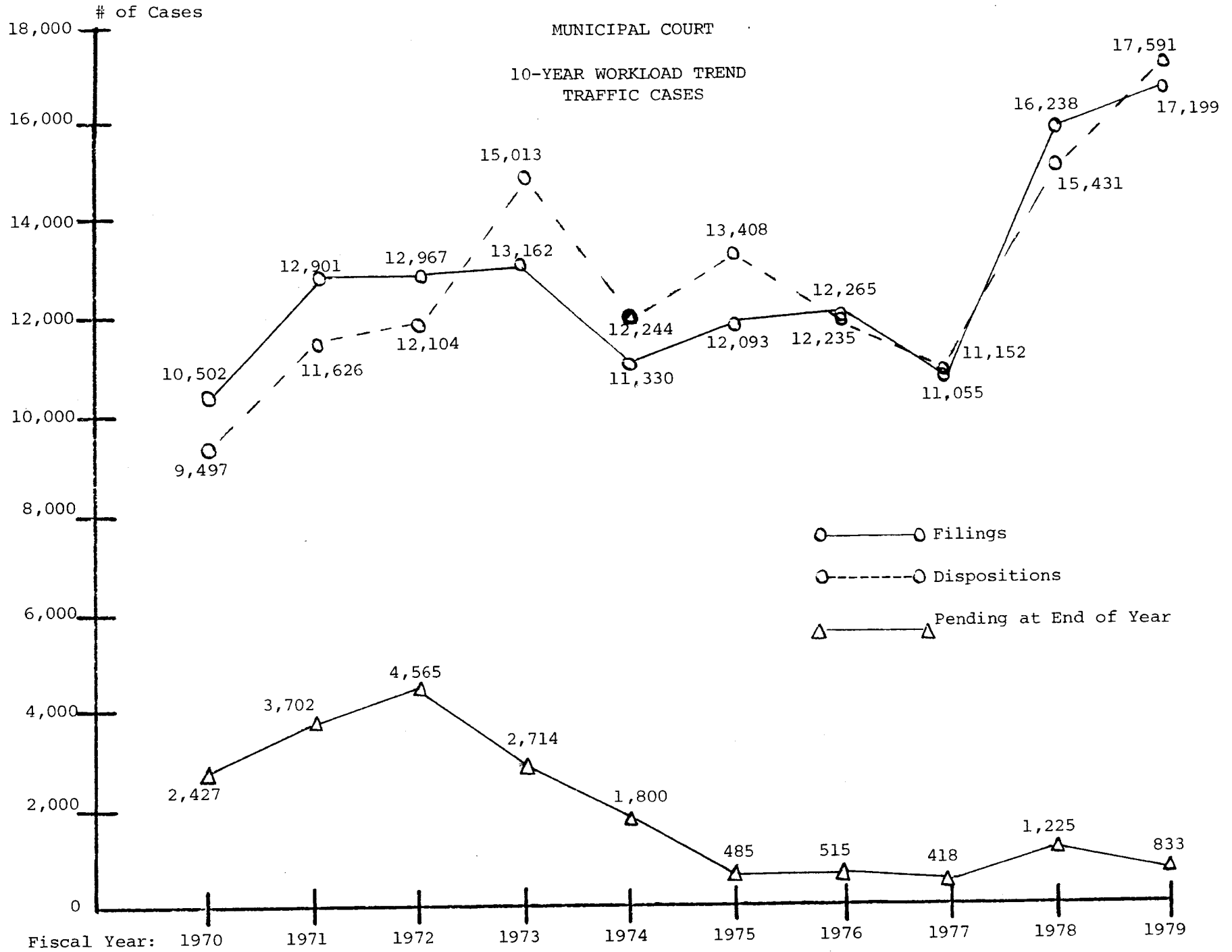
Fiscal Year: 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979  
 Source: Administrative Office of the Courts

MUNICIPAL COURT  
 5-YEAR WORKLOAD PROJECTIONS  
 CRIMINAL CASES



Note: Trend lines computed by linear regression analysis.

Fiscal Year: 1975 1976 1977 1978 1979 1980\* 1981\* 1982\* 1983\* 1984\*  
 \*Projected  
 Source: Administrative Office of the Courts

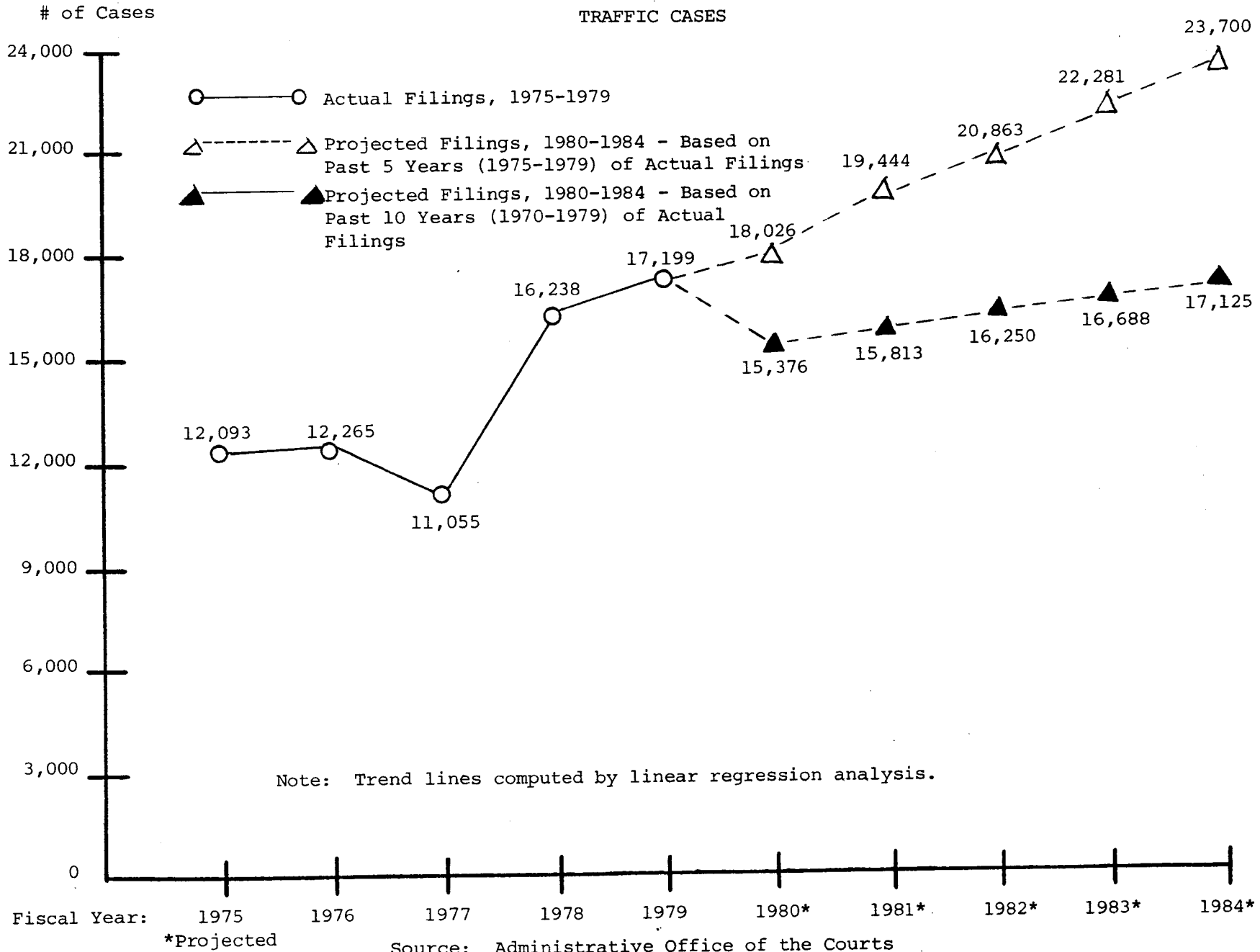


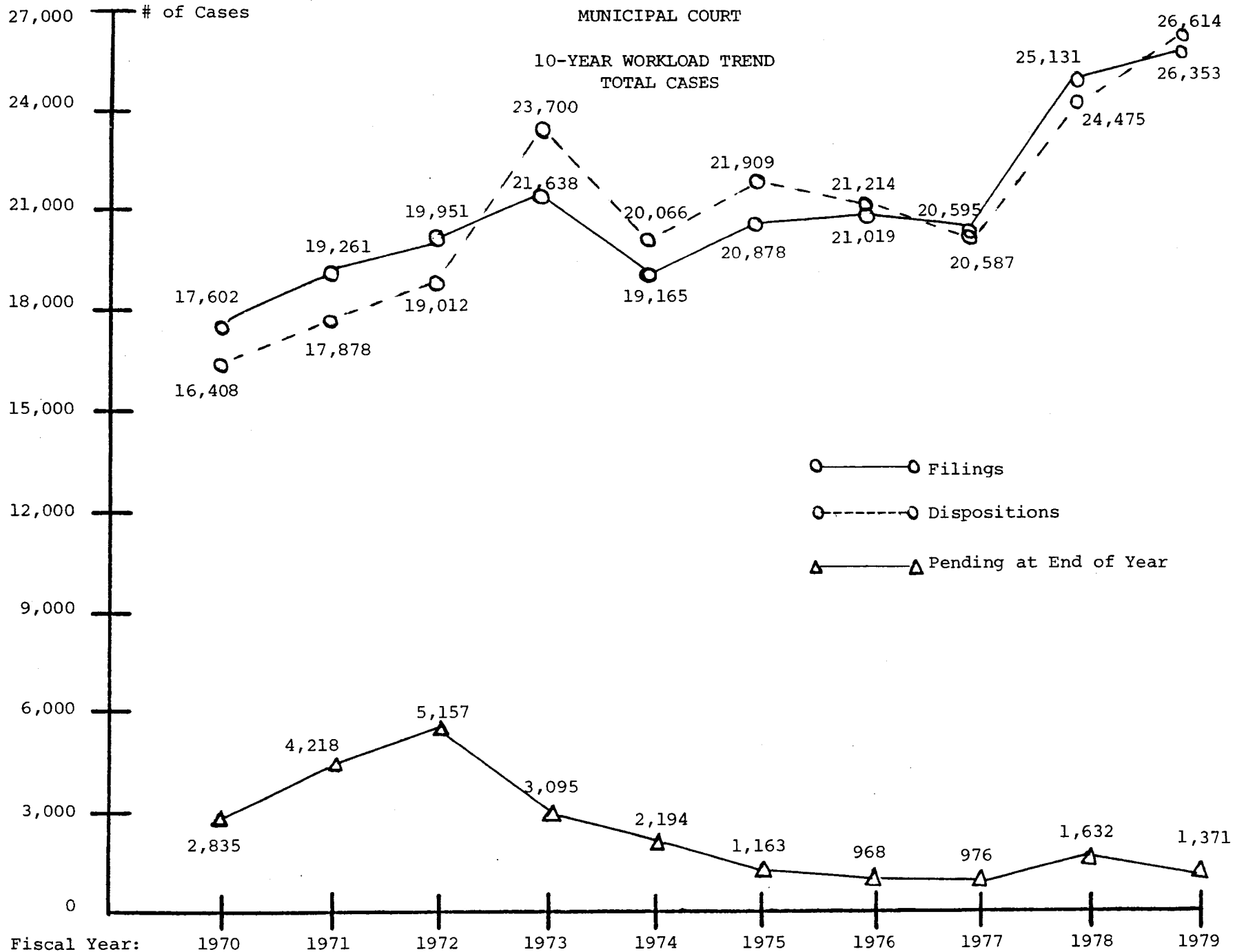
Source: Administrative Office of the Courts



MUNICIPAL COURT

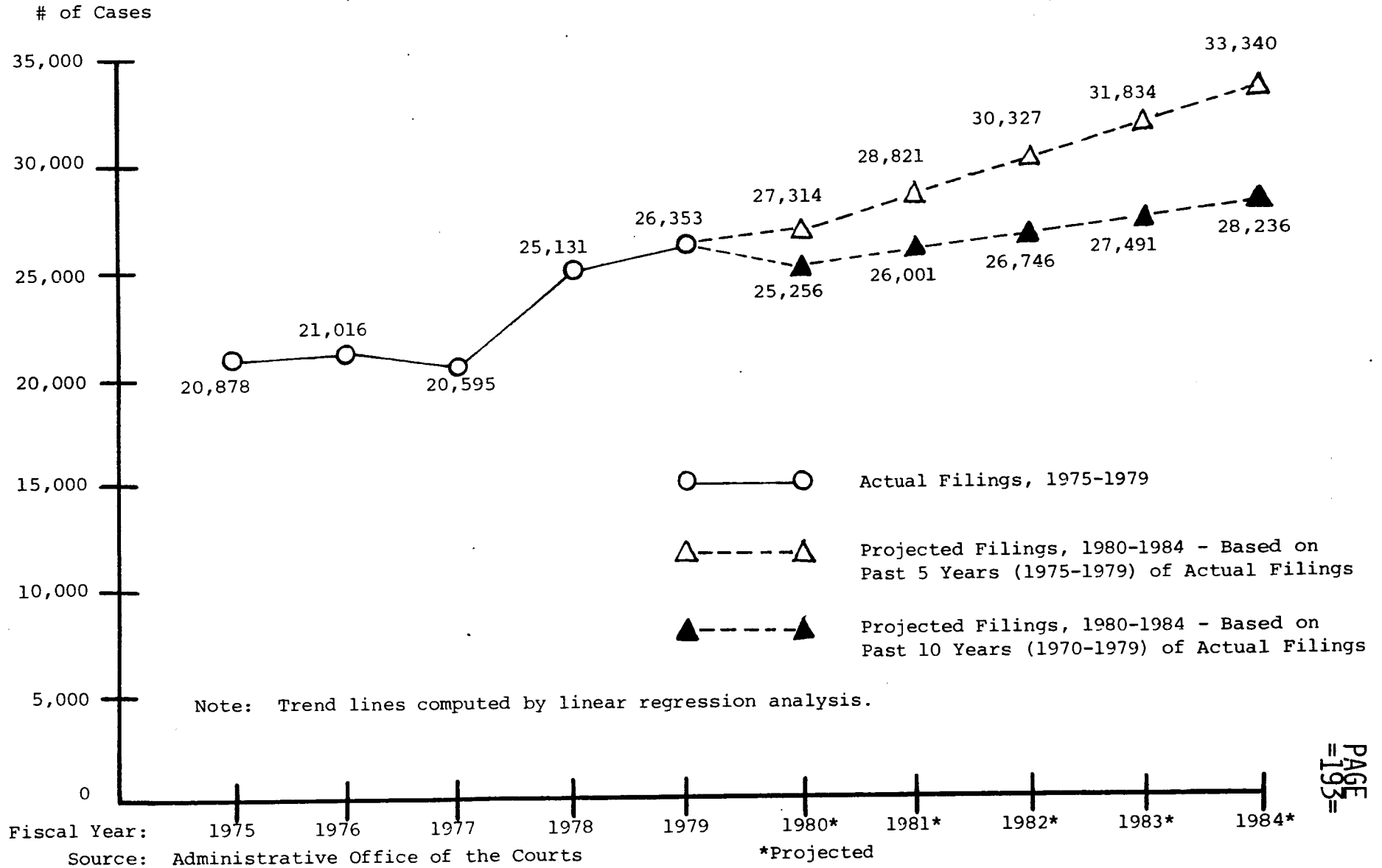
5-YEAR WORKLOAD PROJECTIONS  
TRAFFIC CASES





Source: Administrative Office of the Courts

MUNICIPAL COURT  
 5-YEAR WORKLOAD PROJECTIONS  
 TOTAL CASES



**Justice  
of  
the  
Peace  
Courts**

JUSTICE OF THE PEACE COURTSLegal Authorization

The Justice of the Peace 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. 16 Courts are currently operating: 7 in New Castle County, 4 in Kent County, and 5 in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed \$1,500. JP 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 Court of Common Pleas.

Justices of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace, 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor with Senate confirmation 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 in which he serves. In addition to the 53 Justices of the Peace, the Governor appoints a Chief Magistrate, subject to Senate confirmation.

Support Personnel

During the current vacancy of the Chief Magistrate, the JP Courts are administered by the Administrative Office of the Courts under the supervision of the Chief Justice. An Administrator and an administrative officer direct the JP Courts on a day-to-day basis. The state provides chief clerks, deputy clerks, constables, bailiffs, and presentence officers for the courts.

Caseload Trend

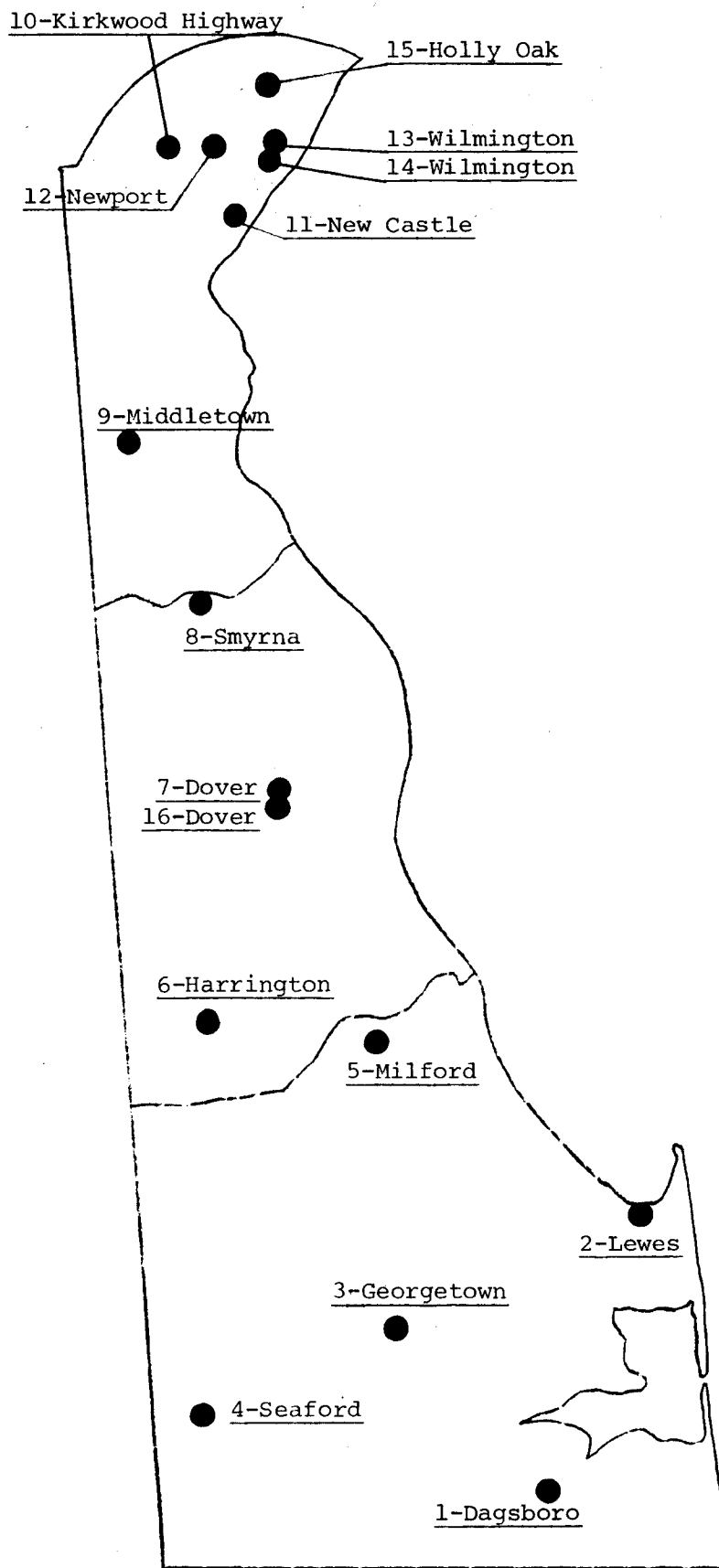
The total number of cases filed in the JP Courts during FY 1979 was 125,770, well above the total of 110,779 for FY 1978. The rise of 14,991 cases represented an increase of 13.5%. This contrasts with the previous year when the total workload actually decreased by 646 cases.

Criminal cases rose in FY 1979 to a new high of 109,311 filings, an increase of 14,376 cases from the total of 94,935 cases in FY 1978. The increase of 15.1% was caused by a surge in the number of mail-ins received by the court during FY 1979. There were 59,276 mail-ins for FY 1979 as compared with 43,926 mail-ins in FY 1978, and the change of 15,350 mail-ins represented an increase of 34.9%.

While mail-ins do require clerical work, they do not require court appearances. The number of criminal court appearances in FY 1979 actually decreased by 974 cases, to 50,035 from the total of 51,009 in FY 1978, a drop of 1.9%.

The number of civil cases filed in FY 1979 rose to 16,459 from the previous year's total of 15,844, an increase of 615 cases or 3.9%. All of the civil cases required court appearances, but even with this rise in civil court appearances the total number of court appearances (criminal plus civil) decreased slightly in FY 1979. FY 1978 had 66,853 total court appearances, which is 359 more than the total of 66,494 court appearances in FY 1979.

JUSTICE OF THE PEACE COURTS IN DELAWARE



JUSTICE OF THE PEACE COURTS

<u>Court</u>	<u>Location</u>	<u>Hours Open (As of 10/1/79)</u>	<u>Total Hours Open Per Week</u>	<u>Jurisdiction</u>
<u>New Castle County</u>				
Court 9	Middletown	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 11	New Castle	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8:30AM-4:30PM	40	Civil
Court 14	Wilmington	M-F 8:30AM-4:30PM	40	Criminal
Court 15	Holly Oak	M-F 8AM-4PM	40	Criminal
<u>Kent County</u>				
Court 6	Harrington	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal & Civil
Court 7	Dover	24 Hours Per Day, 7 Days Per Week	168	Criminal
Court 16	Dover	M, Tu, Th, F 8:30AM-4:30PM; W Noon-8PM	40	Civil
Court 8	Smyrna	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
<u>Sussex County</u>				
Court 1	Dagsboro	M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes	M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
Court 3	Georgetown	24 Hours Per Day, 7 Days Per Week	168	Criminal & Civil
Court 4	Seaford	8AM-Midnight 7 Days Per Week	112	Criminal & Civil
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil



JUSTICE OF THE PEACE COURTS

JUDICIARY

New Castle County Chief Judge  
Morris Levenberg (9/29/80)

Kent County Chief Judge  
Russell T. Rash (10/25/78)

Sussex County Chief Judges  
William J. Hopkins, Jr. (3/19/78)  
Thomas J. Orr (5/2/82)

New Castle County  
Justices of the Peace  
William W. Brittingham (9/29/80)  
Louise T. Brothers (2/5/79)  
Rebecca P. Button (9/29/80)  
Ronald E. Cheeseman (7/28/79)  
Mable M. English (10/25/78)  
Vicki Hagel (5/3/83)  
Anna A. Lewis (5/10/83)  
Barbara C. Hughes (1/13/81)  
Robert S. Jackson (5/10/83)  
Virginia W. Johnson (6/30/82)  
Vivian Kleinman (5/31/83)  
Ruth P. Malm (1/11/81)  
John P. McLaughlin (7/28/79)  
Rosalind Toulson (7/3/83)  
John H. Wilding (9/29/80)  
Vacant  
Vacant  
Vacant  
Vacant  
Vacant  
Vacant  
Vacant

Kent County  
Justices of the Peace  
A. Tyson Cohee (5/2/82)  
John H. Fillmore (10/30/79)  
John P. Greene (10/30/79)  
Courtney P. Houston (5/2/82)  
Joseph A. Knussman (6/22/83)  
Donna R. Kramer (1/5/81)  
George W. Kershner, III (6/30/82)  
Paul Neeman (7/2/83)  
Charles M. Stump (7/28/79)  
Harry M. Thompson (5/2/82)  
Wallace P. Wootten (5/9/78)

Sussex County  
Justices of the Peace  
William A. Booth (5/2/82)  
Emory B. Brittingham (5/2/82)  
Edward G. Davis (7/2/83)  
Walter G. Dill, Jr. (5/20/79)  
Robert F. Handy (10/30/79)  
Henry F. Hill (7/28/79)  
Aubrey T. Hudson (6/22/83)  
Thomas W. Hutson, Jr. (6/27/83)  
William L. Jones (2/5/79)  
John H. McQuay (1/12/81)  
Almetia J. Murray (5/2/82)  
Horace W. Short (3/24/80)  
Abigayle Truitt (7/2/83)  
Emory R. West, Sr. (6/22/83)  
Donald F. Yerkes (5/20/79)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

CHIEF MAGISTRATE'S OFFICE

11th Floor  
Wilmington State Office Building  
820 North French Street  
Wilmington, Delaware 19801  
(571-2485)

Chief Magistrate

Vacant

Vacant, Secretary

Administrator

Arthur R. Carello  
Ethel Jaremchuk, Secretary

Accounting Department

Mary E. Cooper, Supervisor  
Sandra L. Cummings

Building Maintenance Mechanics

John M. Joswick, Sr.  
Daniel Williams

Administrative Officer

Thomas W. Nagle  
Pamela A. Manista, Clerk Stenographer

COURT 1

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

Clerk

Margaret Ross, Chief

Constable

William H. Prettyman

COURT 2

Post Office Box 42  
Route 14  
Lewes, DE 19958  
(645-6477)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

Clerks

Joanne R. Willey, Chief  
Diane Graves  
Kathy Reinhart  
Elizabeth B. Leister  
June Clendaniel (Federally Funded)

COURT 3

Post Office Box 605  
Route 113  
Georgetown, DE 19947  
(856-5448)

Clerks

Barbara E. Adams, Chief  
Jill Chambers  
Dorothy Fetyk  
Elizabeth L. Hudson  
Denise Nichols  
Tammy Kearney  
Doris Smith  
Nancy Rogers (Federally Funded)

Constables

Charles Graves  
Wendell Travis

Presentence Investigator

Rhyspa McCabe

Bailiffs

Carrie J. Reed  
Sarah Jones

COURT 4

Poplar and King Streets  
Seaford, DE 19973  
(629-8101)

Clerks

Mary Lee Lowe, Chief  
June Benson  
Esther Conner  
Ida Mae Friedel  
Julia Price  
Myrtle Collins (Federally Funded)

Constables

William R. Smith  
Leroy Robinson

Bailiff

Shirley Johnson

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

COURT 5

Post Office Box 254  
Causey and Maple Avenues  
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  
Linda Cravens  
Gretha Custer  
Rella Goodson  
Janice Moore  
Eunice Ridgeway  
Susan Wilkinson

Constables

Reginald Cross  
Herschel N. Poore  
Charles M. Snyder

Stores Clerk

Edna Conner

Bailiff

Thomas Boyer

Presentence Investigator

Monica V. Rash

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

COURT 16  
Railroad and Loockerman Streets  
Dover, DE 19901  
(678-4554)

Clerks  
Evelyn Webb, Chief  
Deborah Palmer  
Beverly King

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

Clerk  
Deborah L. Robinson, Chief

Constable  
Samuel Mosley

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

Clerks  
Agnes B. Thompson, Chief  
Arlene Banning

Constable  
Vickers S. LeCates

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

Clerks  
Caroline F. Pini, Chief  
Mildred Dorris  
Linda Holloway

Constable  
Herschel Rollins, Jr.

Bailiffs  
Margo Anderson  
Karen Forsythe

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

Clerks (Continued)

Nancy McGalliard  
Katherine B. Ross  
Nancy Symonds

Presentence Investigators

Hazel D. Plant  
Marie R. Monaghan, Assistant

COURT 11

1202 Delaware Street  
New Castle, DE 19720  
(571-2498)

Clerks

Debbie Palmer, Chief  
Nancy Benjamin  
Barbara Brown  
Mary Lou Oberly

Constables

John H. P. Tidwell  
Albert Laibinis

Bailiff

Mary Merrill

NEW CASTLE COUNTY CAPIAS CONTROL OFFICE

Delaware State Hospital  
duPont Highway  
New Castle, DE 19720  
(421-6433)

Capias Control Clerks

Gaile M. Kerrigan, Chief  
Gladys B. Hewes  
Lynne Ambrosino

COURT 12

1500 East Newport Pike  
Newport  
Wilmington, DE 19804  
(571-2561)

Clerks

Patricia Riley, Chief  
Linda Bell  
Valerie Davis

Constables

Donald E. Watson  
Jack Horgan  
Robert Richardson

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

Clerks (Continued)

Ann Marie Ellingsworth  
Jean D. Powell  
Veronica Reed  
Eleanor Tschopp

Constables (Continued)

Robert Biliski (Federally Funded)

COURT 13

11th Street Entrance  
Public Building  
Wilmington, DE 19801  
(571-2550)

Clerks

Claire Lucas, Chief  
Patricia DiCampi  
Shelia Fox  
Ethel Iacona  
Margaret Kenney  
Audrey R. Lord  
Joyce Mitchell  
Karen Weaver  
Claire A. Wierzbicki

Constables

Francis X. Coen  
Thomas B. Candler  
Lawrence Grantham  
Alan Rogers

Bailiff

Joseph W. Hojnicky, Jr.

COURT 15

1810 Philadelphia Pike  
Wilmington, DE 19803  
(571-2493)

Clerks

Geraldine McLaughlin, Chief  
Janice I. Harvey  
LuAnne Shivone

Constable

Heiko Paul Seitenbecher

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1979  
CRIMINAL CASES\*

<u>Court</u>	<u>Pending</u> <u>June 30, 1978</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>June 30, 1979</u>	<u>Change In</u> <u>Pending</u>
Court 1	5	1,742	1,740	7	+ 2
Court 2	12	12,313	12,309	16	+ 4
Court 3	99	13,532	13,495	136	+ 37
Court 4	39	7,813	7,814	38	- 1
Court 5	7	538	533	12	+ 5
Court 6	7	4,003	4,008	2	- 5
Court 7	139	17,559	17,546	152	+ 13
Court 8	21	2,007	2,018	10	- 11
Court 9	3	4,047	4,046	4	+ 1
Court 10	396	18,949	18,973	372	- 24
Court 11	218	16,891	16,394	715	+497
Court 12**	0	0	0	0	0
Court 13**	0	0	0	0	0
Court 14#	0	0	0	0	0
Court 15	<u>7</u>	<u>9,917</u>	<u>9,918</u>	<u>6</u>	<u>- 1</u>
TOTALS	953	109,311	108,794	1,470	+517

\*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

\*\*Civil Court only.

#Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the totals for other courts.



## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1979  
CRIMINAL CASES\*

<u>Court</u>	<u>FILINGS</u>					<u>TOTALS</u>
	<u>Title 7 Fish/Game</u>	<u>Title 11 Criminal</u>	<u>Title 21 Traffic</u>	<u>Other</u>	<u>Type Not Available</u>	
Court 1	61	191	1,456	24	10	1,742
Court 2	245	638	11,202	84	144	12,313
Court 3	80	1,072	11,877	181	322	13,532
Court 4	100	1,339	6,281	93	0	7,813
Court 5	54	54	399	13	18	538
Court 6	31	523	3,387	62	0	4,003
Court 7	217	2,674	13,821	847	0	17,559
Court 8	49	267	1,540	151	0	2,007
Court 9	175	115	3,667	90	0	4,047
Court 10	527	4,950	12,750	718	4	18,949
Court 11	314	4,827	11,215	535	0	16,891
Court 12**	0	0	0	0	0	0
Court 13**	0	0	0	0	0	0
Court 14#	0	0	0	0	0	0
Court 15	<u>237</u>	<u>920</u>	<u>8,760</u>	<u>0</u>	<u>0</u>	<u>9,917</u>
<b>TOTALS</b>	2,090	17,570	86,355	2,798	498	109,311
Percentage of Total:	1.9%	16.1%	79.0%	2.6%	0.5%	100.0%

\*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

\*\*Civil Court only.

#Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the filings for other courts.

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1979  
CRIMINAL CASES\*DISPOSITIONS

<u>Court</u>	<u>By Mail-In</u>		<u>By Court</u>		<u>By Counsel</u>		<u>TOTALS</u>	
	<u>Fine</u>		<u>Appearance</u>		<u>Appearance</u>			
Court 1	1,249	71.8%	491	28.2%	0	0.0%	1,740	100.0%
Court 2	9,253	75.2%	3,056	24.8%	0	0.0%	12,309	100.0%
Court 3	9,136	67.7%	4,359	32.3%	0	0.0%	13,495	100.0%
Court 4	4,840	61.9%	2,974	38.1%	0	0.0%	7,814	100.0%
Court 5	166	31.1%	365	68.5%	2	0.4%	533	100.0%
Court 6	2,859	71.3%	1,086	27.1%	63	1.6%	4,008	100.0%
Court 7	9,834	56.0%	7,712	44.0%	0	0.0%	17,546	100.0%
Court 8	1,104	54.7%	914	45.3%	0	0.0%	2,018	100.0%
Court 9	3,326	82.2%	514	12.7%	206	5.1%	4,046	100.0%
Court 10	5,809	30.6%	12,778	67.3%	386	2.0%	18,973	100.0%
Court 11	6,406	39.1%	9,988	60.9%	0	0.0%	16,394	100.0%
Court 12**	0		0		0		0	
Court 13**	0		0		0		0	
Court 14#	0		0		0		0	
Court 15	5,294	53.4%	4,624	46.6%	0	0.0%	9,918	100.0%
TOTALS	59,276	54.5%	48,861	44.9%	657	0.6%	108,794	100.0%

\*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

\*\*Civil Court only.

#Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the dispositions for other courts.

Source: Administrator, Justice of the Peace Courts

## JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1978-1979  
CRIMINAL CASES\*FILINGS

<u>Court</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Court 1	1,460	1,742	+ 282	+19.3%
Court 2	8,521	12,313	+ 3,792	+44.5%
Court 3	10,368	13,532	+ 3,164	+30.5%
Court 4	6,989	7,813	+ 824	+11.8%
Court 5	979	538	- 441	-45.0%
Court 6	3,864	4,003	+ 139	+ 3.6%
Court 7	15,685	17,559	+ 1,874	+11.9%
Court 8	2,020	2,007	- 13	- 0.6%
Court 9	3,224	4,047	+ 823	+25.5%
Court 10	17,542	18,949	+ 1,407	+ 8.0%
Court 11	14,859	16,891	+ 2,032	+13.7%
Court 12**	0	0	0	0.0%
Court 13**	0	0	0	0.0%
Court 14	3,526	0	- 3,526	-100.0%
Court 15	<u>9,424</u>	<u>9,917</u>	<u>+ 493</u>	<u>+ 5.2%</u>
TOTALS#	94,935	109,311	+14,376	+15.1%

DISPOSITIONS

<u>Court</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Court 1	1,455	1,740	+ 285	+19.6%
Court 2	8,519	12,309	+ 3,790	+44.5%
Court 3	10,356	13,495	+ 3,139	+30.3%
Court 4	6,997	7,814	+ 817	+11.7%
Court 5	972	533	- 439	-45.2%
Court 6	3,874	4,008	+ 134	+ 3.5%
Court 7	15,546	17,546	+ 2,000	+12.9%
Court 8	2,008	2,018	+ 10	+ 0.5%
Court 9	3,225	4,046	+ 821	+25.5%
Court 10	17,183	18,973	+ 1,790	+10.4%
Court 11	14,895	16,394	+ 1,499	+10.1%
Court 12**	0	0	0	0.0%
Court 13**	0	0	0	0.0%
Court 14	3,526	0	- 3,526	-100.0%
Court 15	<u>9,435</u>	<u>9,918</u>	<u>+ 483</u>	<u>+ 5.1%</u>
TOTALS#	94,465	108,794	+14,329	+15.2%

\*The unit of count for criminal cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

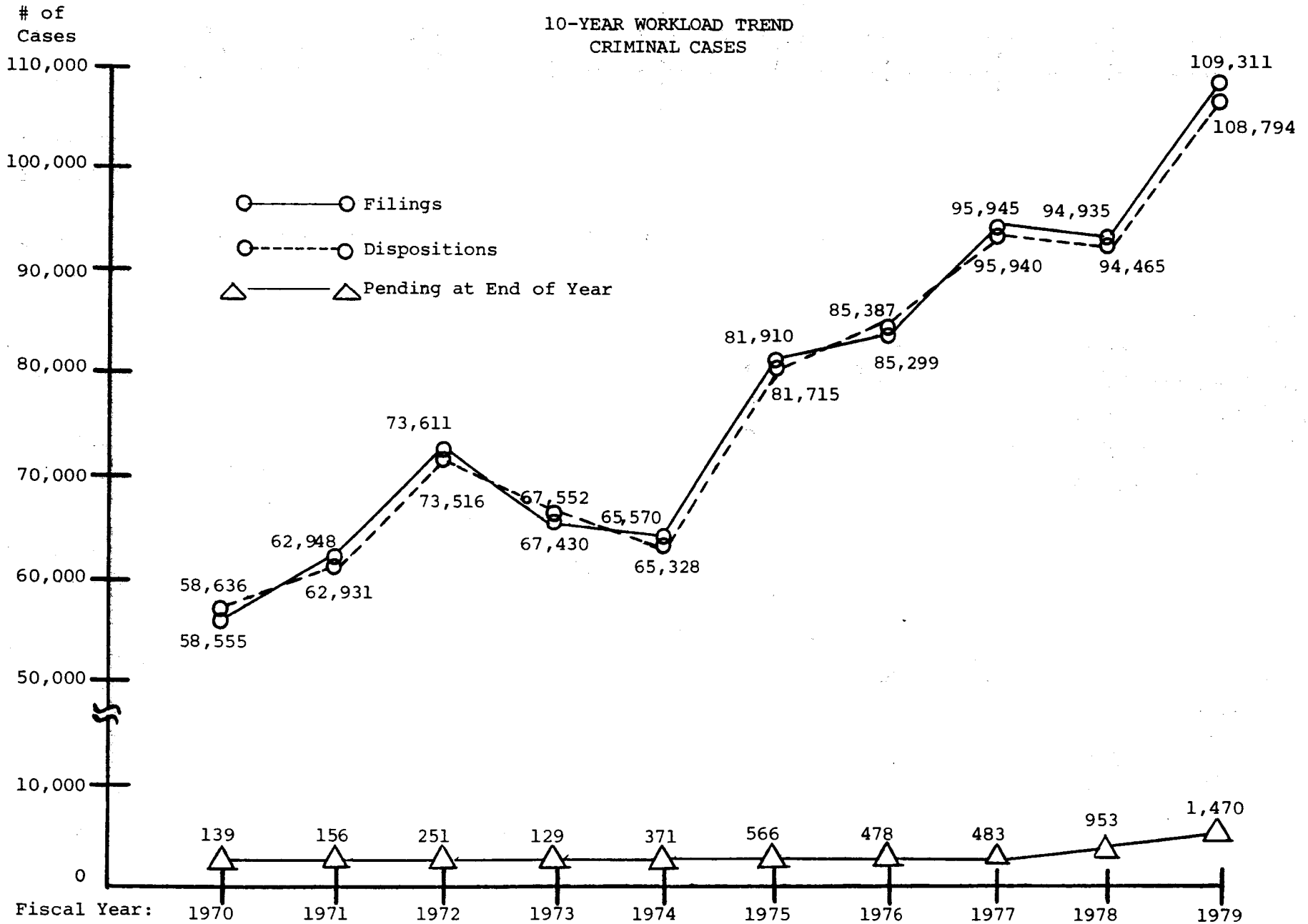
\*\*Civil Court only.

#Totals exclude Court 14 as these cases were already included in the totals for other courts.

Source: Administrator, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

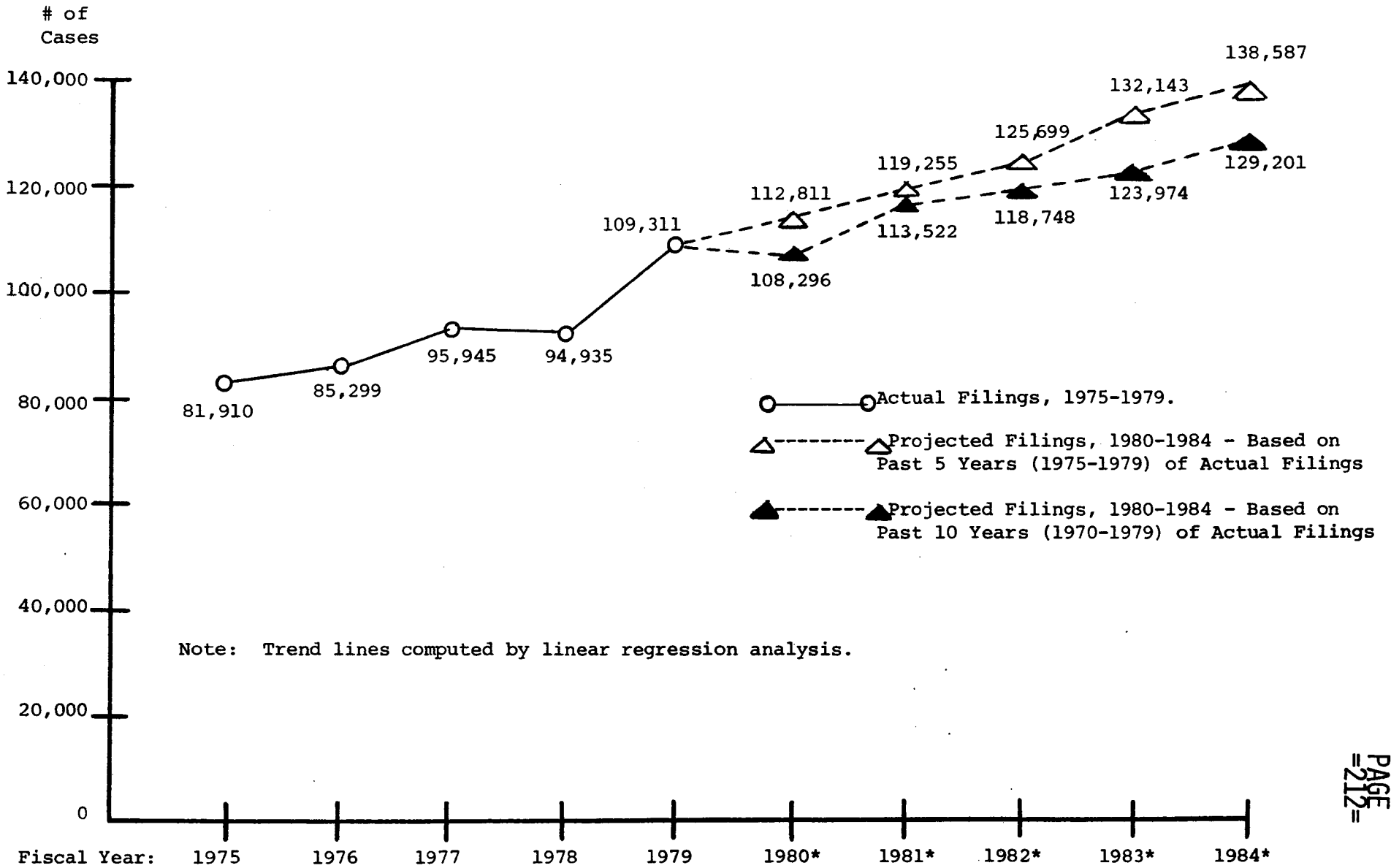
10-YEAR WORKLOAD TREND  
CRIMINAL CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

5-YEAR WORKLOAD PROJECTIONS  
CRIMINAL CASES



Note: Trend lines computed by linear regression analysis.

\*Projected

Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1979  
CIVIL CASES

<u>Court</u>	<u>Pending June 30, 1978</u>	<u>Filings</u>	<u>Dispositions</u>			<u>Pending June 30, 1979</u>	<u>Change In Pending</u>
			<u>By Court</u>	<u>By Counsel</u>	<u>Total</u>		
Court 1	27	274	268	3	271	30	+ 3
Court 2	311	380	256	0	256	435	+ 124
Court 3	188	959	961	0	961	186	- 2
Court 4	49	715	697	0	697	67	+ 18
Court 5	96	536	489	0	489	143	+ 47
Court 6	1,034	439	516	71	587	886	- 148
Court 7	848	1,956	1,768	8	1,776	1,028	+ 180
Court 8	116	373	390	0	390	99	- 17
Court 9	3	666	621	22	643	26	+ 23
Court 10*	5,542	0	421	0	421	5,121	- 421
Court 11*	1,322	0	68	0	68	1,254	- 68
Court 12	867	5,047	3,619	1,601	5,220	694	- 173
Court 13	3,284	5,114	2,940	665	3,605	4,793	+1,509
Court 14*	0	0	0	0	0	0	0
Court 15*	4	0	0	0	0	4	0
TOTALS	13,691	16,459	13,014	2,370	15,384	14,766	+1,075

\*Criminal Court only.

Source: Administrator, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS  
COMPARISON - FISCAL YEARS 1978-1979  
CIVIL CASES

PAGE  
=214=

FILINGS

<u>Court</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Court 1	315	274	- 41	- 13.0%
Court 2	305	380	+ 75	+ 24.6%
Court 3	671	959	+ 288	+ 42.9%
Court 4	726	715	- 11	- 1.5%
Court 5	499	536	+ 37	+ 7.4%
Court 6	443	439	- 4	- 0.9%
Court 7	1,736	1,956	+ 220	+ 12.7%
Court 8	355	373	+ 18	+ 5.1%
Court 9	590	666	+ 76	+ 12.9%
Court 10*	166	0	- 166	-100.0%
Court 11*	108	0	- 108	-100.0%
Court 12**	3,904	5,047	+1,143	+ 29.3%
Court 13	5,656	5,144	- 542	- 9.6%
Court 14#	0	0	0	0.0%
Court 15*	<u>370</u>	<u>0</u>	<u>- 370</u>	<u>-100.0%</u>
TOTALS	15,844	16,459	+ 615	+ 3.9%

DISPOSITIONS

<u>Court</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
Court 1	307	271	- 36	- 11.7%
Court 2	181	256	+ 75	+ 41.4%
Court 3	590	961	+ 371	+ 62.9%
Court 4	708	697	- 11	- 1.6%
Court 5	538	489	- 49	- 9.1%
Court 6	565	587	+ 22	+ 3.9%
Court 7	1,589	1,776	+ 187	+ 11.8%
Court 8	332	390	+ 58	+ 17.5%
Court 9	662	643	- 19	- 2.9%
Court 10*	555	421	- 134	- 24.1%
Court 11*	295	68	- 227	- 76.9%
Court 12**	3,037	5,220	+2,183	+ 71.9%
Court 13	3,190	3,605	+ 415	+ 13.0%
Court 14#	0	0	0	0.0%
Court 15*	<u>376</u>	<u>0</u>	<u>- 376</u>	<u>-100.0%</u>
TOTALS	12,925	15,384	+2,459	+ 19.0%

\*Criminal Court only as of 10/1/77.

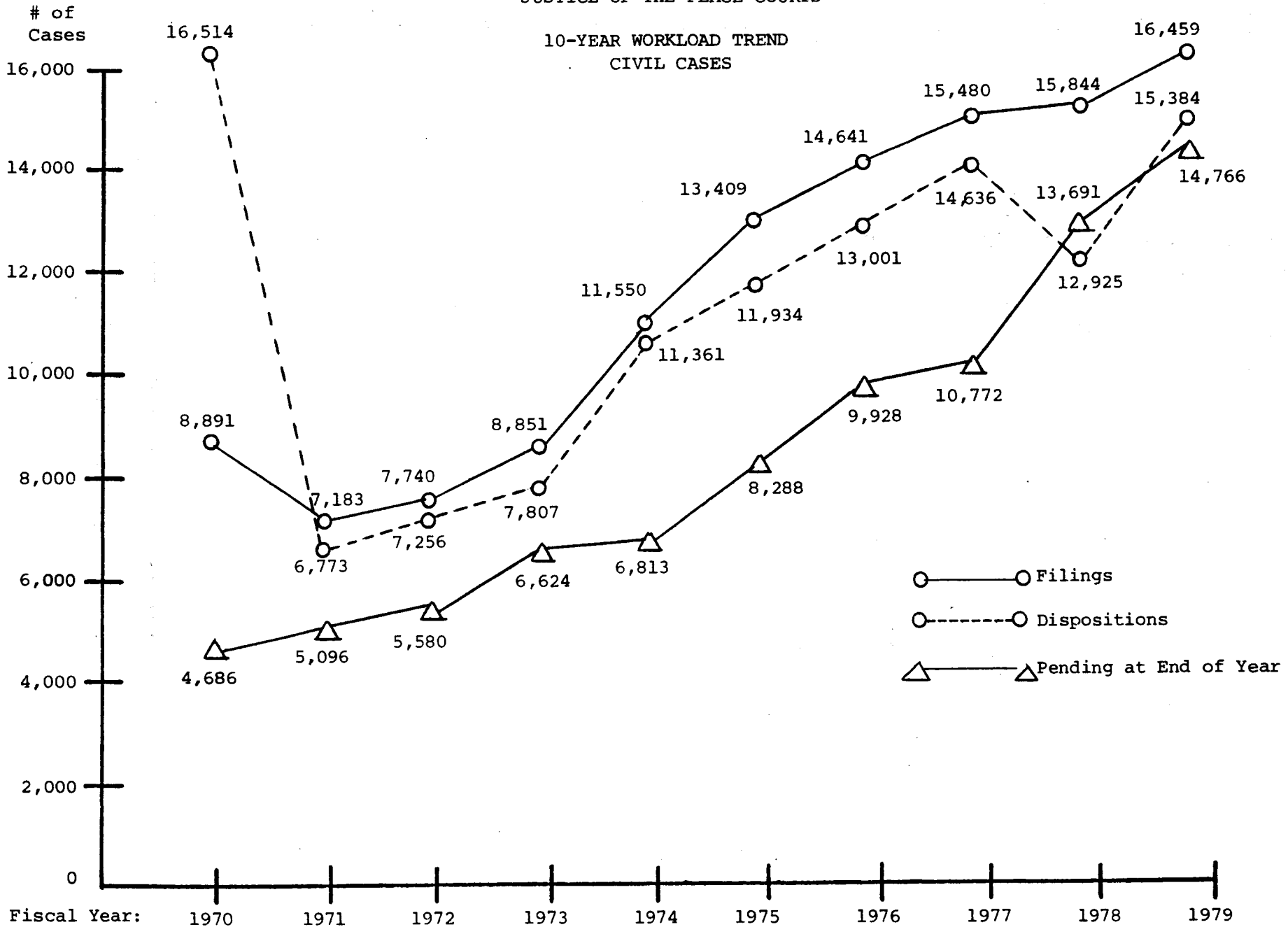
\*\*Court 12 activated on 8/15/77.

#Criminal Court only.

Source: Administrator, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

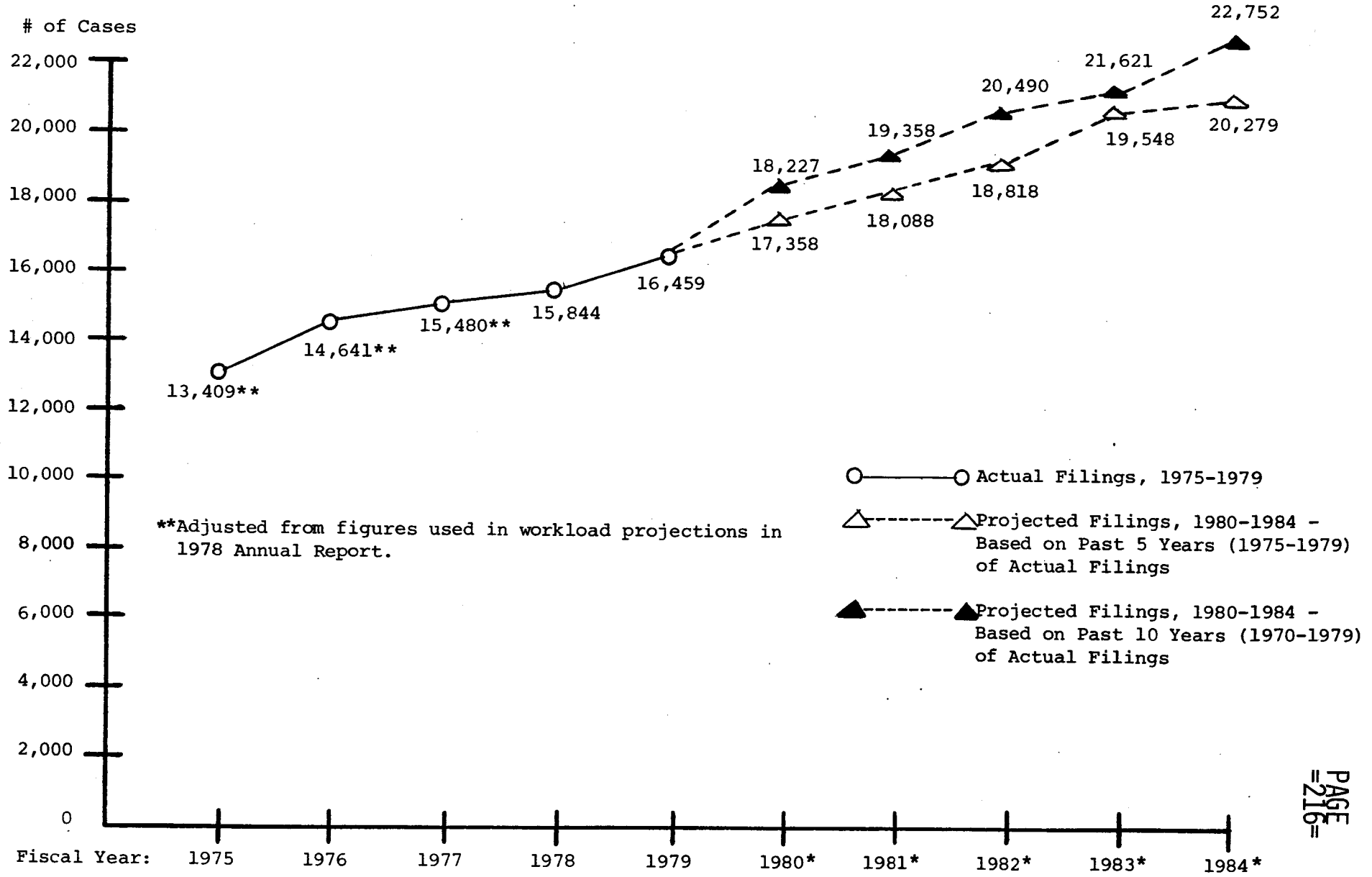
10-YEAR WORKLOAD TREND  
CIVIL CASES



Source: Administrative Office of the Courts



JUSTICE OF THE PEACE COURTS  
 5-YEAR WORKLOAD PROJECTIONS  
 CIVIL CASES



\*\*Adjusted from figures used in workload projections in 1978 Annual Report.

○—○ Actual Filings, 1975-1979  
 △- - -△ Projected Filings, 1980-1984 -  
 Based on Past 5 Years (1975-1979)  
 of Actual Filings  
 ▲- - -▲ Projected Filings, 1980-1984 -  
 Based on Past 10 Years (1970-1979)  
 of Actual Filings

\*Projected

Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS  
FISCAL YEAR 1979  
RANKINGS IN ORDER OF TOTAL CASES FILED

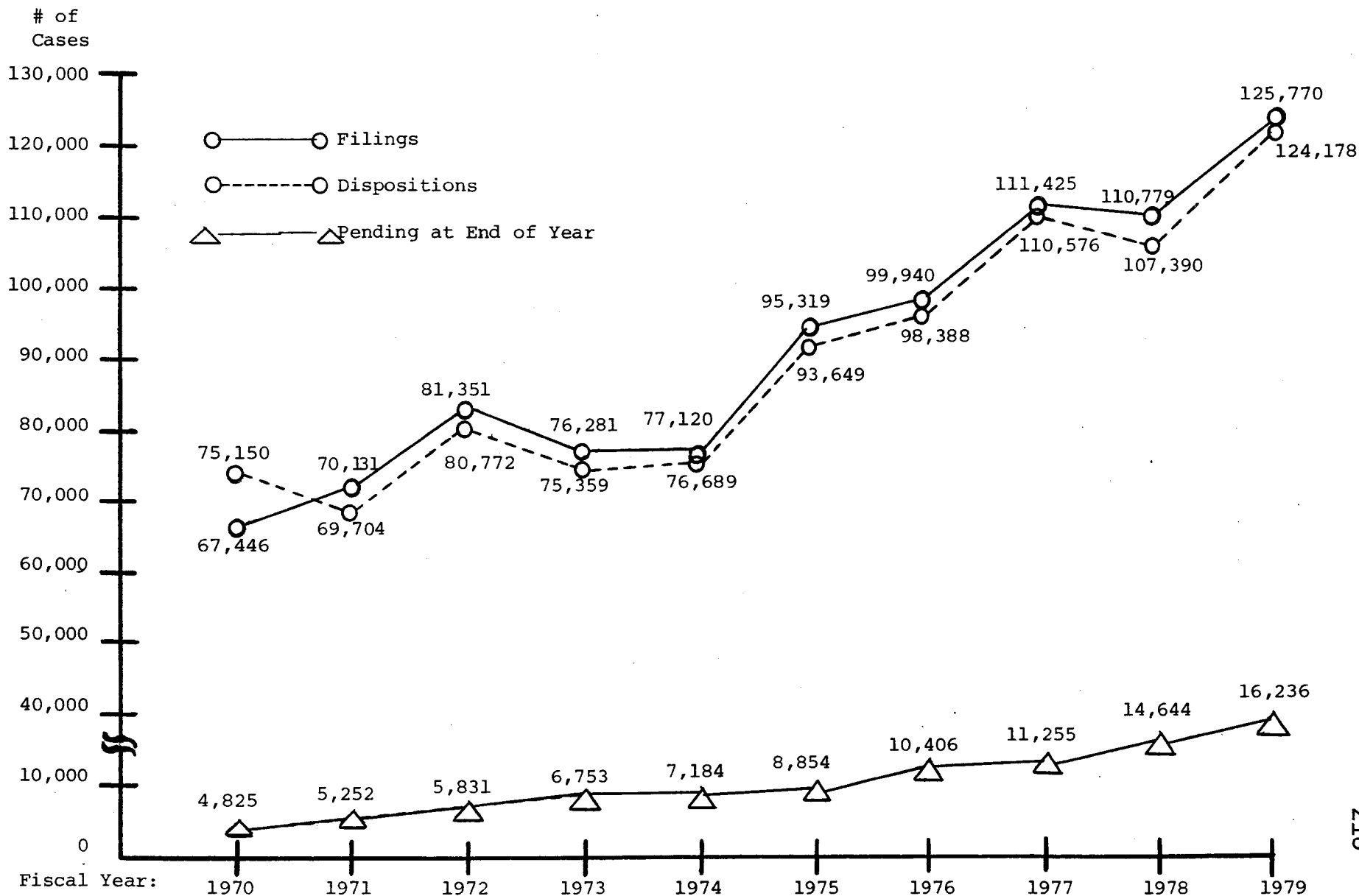
<u>Rank</u>	<u>Court</u>	<u>Total Cases Filed</u>	<u>Percentage of Total</u>	<u>FY 1978 Rank</u>
1	Court 7	19,515	15.5%	2
2	Court 10	18,949	15.1%	1
3	Court 11	16,891	13.4%	3
4	Court 3	14,491	11.5%	4
5	Court 2	12,693	10.1%	6
6	Court 15	9,917	7.9%	5
7	Court 4	8,528	6.9%	7
8	Court 13	5,114	4.1%	8
9	Court 12	5,047	4.0%	10
10	Court 9	4,713	3.7%	11
11	Court 6	4,442	3.5%	9
12	Court 8	2,380	1.9%	13
13	Court 1	2,016	1.6%	14
14	Court 5	1,074	0.9%	15
15	Court 14*	<u>0</u>	<u>0.0%</u>	12
	TOTALS	125,770	100.0%	

\*Court 14 is used to handle some DUI and fugitive warrant cases, which are included in the totals for other courts.

Source: Administrator, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

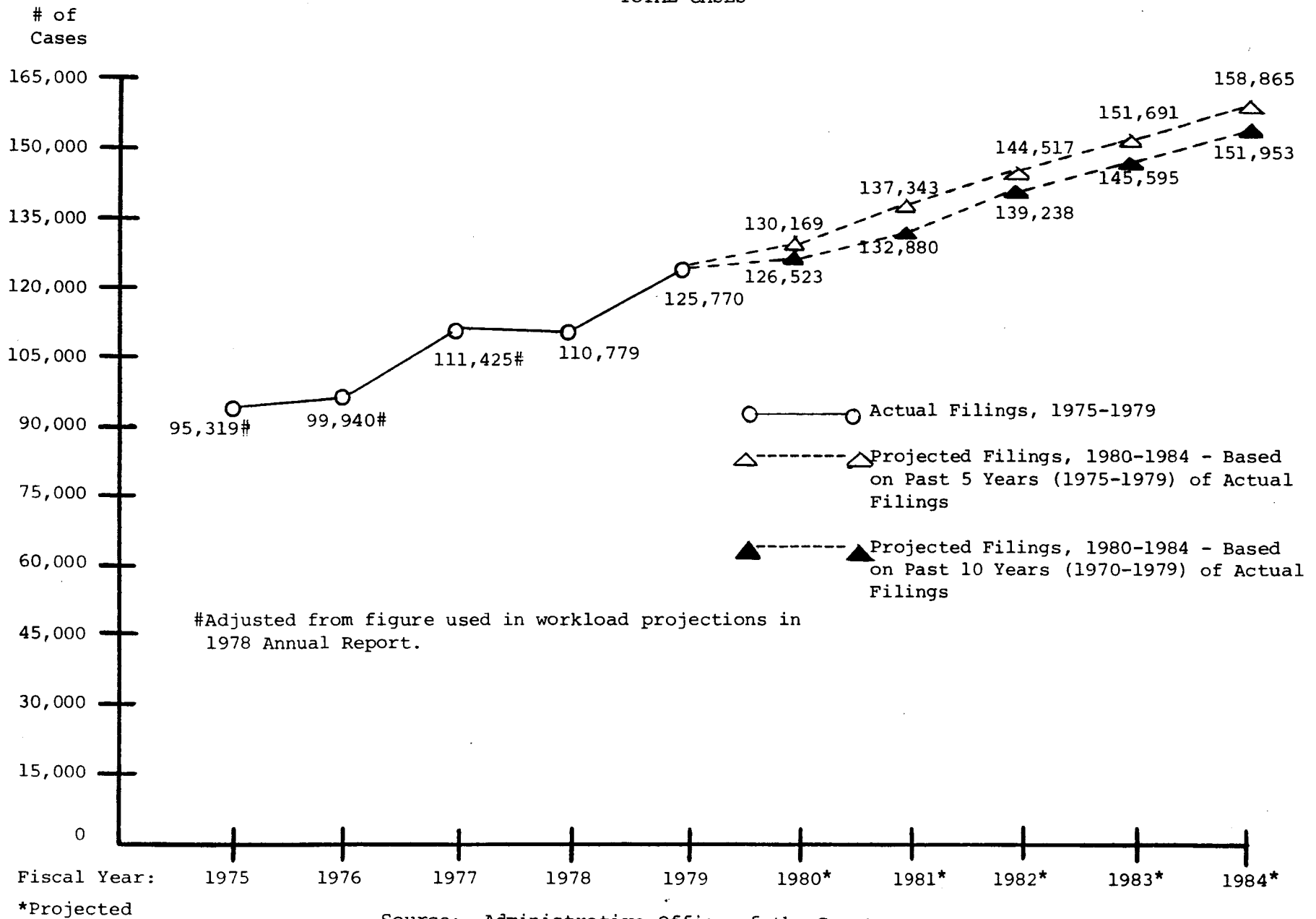
10-YEAR WORKLOAD TREND  
TOTAL CASES



Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

5-YEAR WORKLOAD PROJECTIONS  
TOTAL CASES



Source: Administrative Office of the Courts

# **Alderman's Courts**

ALDERMAN'S COURTSLegal 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. 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 an 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 4 handle a high number of criminal cases. Harrington's court handles primarily civil cases. Appeals are taken de novo to Superior Court within 15 days of the trial.

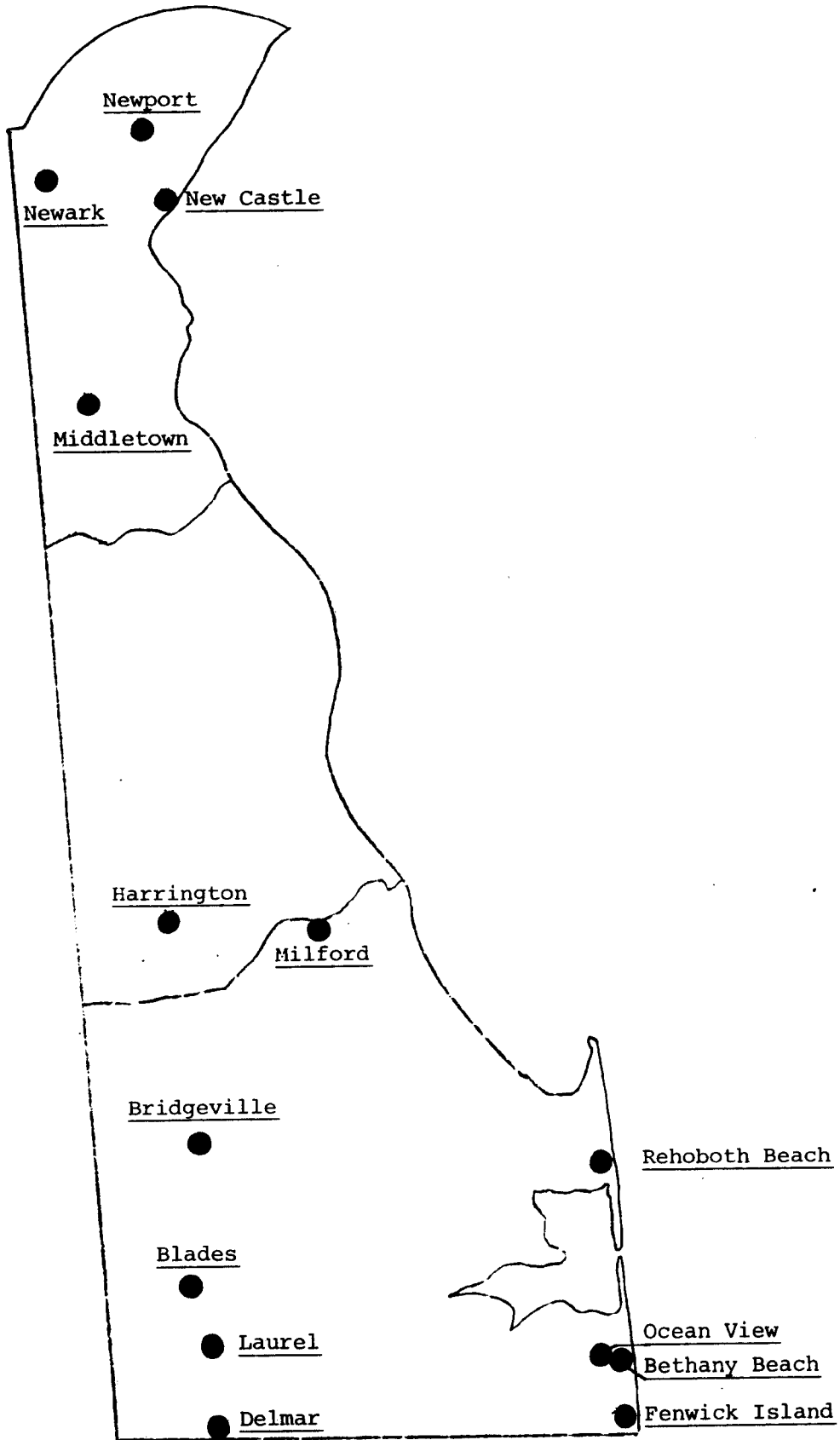
Aldermen

The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers; others choose ordinary citizens. A few aldermen serve full-time, but most are part-time judges. In New Castle the mayor serves as judge of their court.

Caseload Trend

FY 1979 was the fourth year during which complete workload statistics were collected. All 14 courts active during FY 1978 remained active in FY 1979, and no new courts were activated. 7 of the 14 courts active experienced increases ranging from 2% to 170% while 7 of 14 active courts declined in workload, ranging from 4% to 63%. Overall, the total number of cases heard by aldermen in Delaware rose by over 700, a 4.7% increase. Most Sussex County courts continue to have extremely seasonal fluctuations in their caseloads.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

<u>Court</u>	<u>Location</u>	<u>Hours Open (As of 10/1/79)</u>	<u>Total Hours Open Per Week</u>	<u>Jurisdiction</u>
<u>New Castle County</u>				
Court 39	Middletown	Tu 5-6PM	1	Criminal & Traffic
Court 40	Newark	M-Th 4:30PM until all cases are disposed of; W 8:30AM until all cases are disposed of	Varies	Criminal & Traffic
Court 41	New Castle	Tu 7:30PM until all cases are disposed of	Varies	Traffic
Court 42	Newport	M-F 3:30-5PM	7½	Traffic
<u>Kent County</u>				
Court 45	Harrington	No Set Time Schedule	Varies	Civil
<u>Sussex County</u>				
Court 31	Bethany Beach	M, W, Sat 8:30-9:30AM; F 7-7:50PM	4	Criminal & Traffic
Court 48	Blades	W 1-4PM & 7-9PM; Sat 1-4PM	8	Traffic
Court 32	Bridgeville	M, Sat 11AM-4:30PM; Tu, Th 10:30AM-4:30PM; F 11AM-7PM	31	Criminal & Traffic
Court 33	Delmar	Th 7-9PM	2	Criminal & Traffic
Court 34	Fenwick Island	No Set Time Schedule	Varies	Criminal & Traffic
Court 35	Laurel	Tu, W 4:30-9:30PM; F 4:30-9:30PM or 6-11PM	15	Criminal & Traffic
Court 36	Milford	M, Th 8:30-11:30AM & 4:30-8:30PM; W 8-10AM & 5-8PM; F 8-10AM & 6-8PM; Sat 1-4PM & 6-8PM	28	Criminal, Traffic, & Civil
Court 43	Ocean View	No Set Time Schedule	Varies	Criminal & Traffic
Court 37	Rehoboth Beach	No Set Time Schedule	Varies	Criminal & Traffic



ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Middletown

Hon. David D. Chillas, Alderman

Newark

Hon. Vance A. Funk, III, Chief Alderman of Delaware

Hon. Richard E. Franta, Deputy

New Castle

Hon. John F. Klingmeyer, Mayor

Newport

Hon. Joseph A. Palermo, Alderman

KENT COUNTY

Harrington

Hon. Anna R. Hampton, Alderman

SUSSEX COUNTY

Bethany Beach

Hon. J. Joseph Tansey, Alderman

Hon. Harold Britton Barber, Assistant

Blades

Hon. Harvey W. Lee, Alderman

Vacant, Alternate

Bridgeville

Hon. Virgil L. Kinder, Alderman

Delmar

Hon. Charles S. Riley, Alderman

Hon. Robert Martin, Assistant

Fenwick Island

Hon. Richard A. Barton, Deputy Chief

Alderman of Delaware

Hon. Alfred D. Spinner, Alternate

Laurel

Hon. Edward Walmsley, Jr., Alderman

Milford

Hon. Ralph F. Henderlong, Alderman

Ocean View

Hon. Marilyn F. Denny, Alderman

Rehoboth Beach

Hon. George H. Wilson, Alderman

Hon. Harry R. Peterson, Assistant

ALDERMAN'S COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

MIDDLETOWN  
Alderman's Court 39  
P.O. Box 227  
216 North Broad Street  
Middletown, DE 19709  
(378-2711)

None

NEWARK  
Alderman's Court 40  
220 Elkton Road  
P.O. Box 390  
Newark, DE 19711  
(366-7028, 366-7029)

Clerk of the Court  
Margaret B. Nelson

Clerk Typists  
Janet L. Duncan  
Kathlene R. Lloyd

NEW CASTLE  
Mayor's Traffic Court  
220 Delaware Street  
P.O. Box 7  
New Castle, DE 19720  
(328-4804)

KENT COUNTY

HARRINGTON  
Alderman's Court 45  
City Hall  
103 Fleming Street  
Harrington, DE 19952  
(398-3772, 398-3530)

None

SUSSEX COUNTY

BETHANY BEACH  
Alderman's Court 31  
P.O. Box 33  
Bethany Beach, DE 19930  
(539-8011)

None

BLADES  
Alderman's Court 48  
P.O. Box 691  
Blades, DE 19973  
(629-7329, 629-7366)

Town Clerk  
Sarah Linton

Town Clerk Assistant  
George P. Wroten, Jr.

BRIDGEVILLE  
Alderman's Court 32  
101 Main Street  
Bridgeville, DE 19933  
(337-7371)

None

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEW CASTLE (Continued)

Court Clerk  
Mary Travagline

NEWPORT  
Alderman's Court 42  
205 North Marshall Street  
P.O. Box 2053  
Newport  
Wilmington, DE 19804  
(998-2707)

Court Clerk  
Annette Leech

KENT COUNTY

SUSSEX COUNTY

DELMAR  
Alderman's Court 33  
107-A Lincoln Avenue  
Delmar, DE 19940  
(846-2388)

None

FENWICK ISLAND  
Alderman's Court 34  
Town Hall  
Fenwick Island, DE 19944  
(539-3011)

Court Clerk  
Connie Toomey

LAUREL  
Alderman's Court 35  
P.O. Box 210  
Laurel, DE 19956  
(875-2855)

Court Clerk  
Linda Walmsley

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

None

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

OCEAN VIEW  
Alderman's Court 43  
Oakwood Avenue  
Ocean View, DE 19970  
(539-9797)

None

REHOBOTH BEACH  
Alderman's Court 37  
P.O. Box C  
Rehoboth Beach, DE 19971  
(227-7917)

None

## ALDERMAN'S COURTS

FISCAL YEAR 1979  
WORKLOAD  
TOTAL CASES\*

<u>Court</u>	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
<u>New Castle</u>					
Middletown	5	584	554	35	+ 30
Newark	N.A.	5,711	5,525	N.A.	+186
New Castle	1	638	586	53	+ 52
Newport	N.A.	N.A.	2,966	N.A.	N.A.
<u>Kent</u>					
Harrington**	N.A.	N.A.	122	N.A.	N.A.
<u>Sussex</u>					
Bethany Beach	162	N.A.	1,182	N.A.	N.A.
Blades#	9	218	178	16	+ 7
Bridgeville	N.A.	N.A.	1,064	N.A.	N.A.
Delmar	7	166	146	27	+ 20
Fenwick Island	1	844	845	0	- 1
Laurel	17	371	379	9	- 8
Milford	0	889	889	0	0
Ocean View	N.A.	N.A.	578	N.A.	N.A.
Rehoboth Beach	<u>17</u>	<u>1,514</u>	<u>1,526</u>	<u>29</u>	<u>+ 12</u>
TOTALS	N.A.	N.A.	16,540	N.A.	N.A.

N.A. = Not Available

\*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

\*\*Information not available for August through December, 1978.

#Information not available for November and December, 1978 and March, 1979.

## ALDERMAN'S COURTS

FISCAL YEAR 1979

WORKLOAD

CRIMINAL CASES\*

<u>Court</u>	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
<u>New Castle</u>					
Middletown	0	68	65	3	+ 3
Newark	N.A.	745	639	N.A.	+106
New Castle	0	0	0	0	0
Newport	0	0	0	0	0
<u>Kent</u>					
Harrington	0	0	0	0	0
<u>Sussex</u>					
Bethany Beach	0	N.A.	109	N.A.	N.A.
Blades**	0	0	0	0	0
Bridgeville	N.A.	N.A.	18	N.A.	N.A.
Delmar	0	19	15	4	+ 4
Fenwick Island	0	109	109	0	0
Laurel	0	160	156	4	+ 4
Milford	0	292	292	0	0
Ocean View	N.A.	N.A.	2	N.A.	N.A.
Rehoboth Beach	<u>N.A.</u>	<u>N.A.</u>	<u>631</u>	<u>N.A.</u>	<u>N.A.</u>
TOTALS	N.A.	N.A.	2,036	N.A.	N.A.

N.A. = Not Available

\*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charge disposed of is counted as 3 dispositions.

\*\*Information not available for November and December, 1978 and March, 1979.

Source: Alderman's Courts

## ALDERMAN'S COURTS

FISCAL YEAR 1979  
WORKLOAD  
TRAFFIC CASES\*

<u>Court</u>	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
<u>New Castle</u>					
Middletown	5	516	489	32	+ 27
Newark	N.A.	4,966	4,886	N.A.	+ 80
New Castle	1	638	586	53	+ 52
Newport	N.A.	N.A.	2,966	N.A.	N.A.
<u>Kent</u>					
Harrington	0	0	0	0	0
<u>Sussex</u>					
Bethany Beach	162	N.A.	1,073	N.A.	N.A.
Blades**	9	218	178	16	+ 7
Bridgeville	N.A.	N.A.	1,046	N.A.	N.A.
Delmar	7	147	131	23	+ 16
Fenwick Island	1	735	736	0	- 1
Laurel	17	211	223	5	- 12
Milford	0	544	544	0	0
Ocean View	N.A.	N.A.	576	N.A.	N.A.
Rehoboth Beach	<u>N.A.</u>	<u>N.A.</u>	<u>895</u>	<u>N.A.</u>	<u>N.A.</u>
TOTALS	N.A.	N.A.	14,329	N.A.	N.A.

N.A. = Not Available

\*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

\*\*Information not available for November and December, 1978 and March, 1979.

Source: Alderman's Courts

## ALDERMAN'S COURTS

FISCAL YEAR 1979  
WORKLOAD  
CIVIL CASES

<u>Court</u>	<u>Pending 6-30-78</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-79</u>	<u>Change In Pending</u>
<u>New Castle</u>					
Middletown	0	0	0	0	0
Newark	0	0	0	0	0
New Castle	0	0	0	0	0
Newport	0	0	0	0	0
<u>Kent</u>					
Harrington*	N.A.	N.A.	122	N.A.	N.A.
<u>Sussex</u>					
Bethany Beach	0	0	0	0	0
Blades	0	0	0	0	0
Bridgeville	0	0	0	0	0
Delmar	0	0	0	0	0
Fenwick Island	0	0	0	0	0
Laurel	0	0	0	0	0
Milford	0	53	53	0	0
Ocean View	0	0	0	0	0
Rehoboth Beach	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTALS	N.A.	N.A.	175	N.A.	N.A.

N.A. = Not Available

\*Information not available for August through December, 1978.



## ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1978-1979  
DISPOSITIONS\*

<u>Court</u>	<u>1978</u>	<u>1979</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle</u>				
Middletown	205**	554	+349	+170.2%
Newark	5,128	5,525	+397	+ 7.7%
New Castle	966	586	-380	- 39.3%
Newport	2,529	2,966	+437	+ 17.3%
<u>Kent</u>				
Harrington	162	122#	- 40	- 24.7%
<u>Sussex</u>				
Bethany Beach	1,227	1,182	- 45	- 3.7%
Blades	349	178##	-171	- 49.0%
Bridgeville	1,119	1,064	- 55	- 4.9%
Delmar	143	146	+ 3	+ 2.1%
Fenwick Island	566	845	+279	+ 49.3%
Laurel	1,022¶	379	-643	- 62.9%
Milford	1,143	889	-254	- 22.2%
Ocean View	374	578	+204	+ 54.6%
Rehoboth Beach	<u>871</u>	<u>1,526</u>	<u>+655</u>	<u>+ 75.2%</u>
TOTALS	15,804	16,540	+736	+ 4.7%

\*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of would be counted as 3 dispositions.

\*\*Inactive from August through December, 1977.

#Information not information for August through December, 1978.

##Disposition information not available for November and December, 1978, and March, 1979.

¶Information not available for August, 1977.

ALDERMAN'S COURTS  
FISCAL YEAR 1979  
RANKINGS IN ORDER OF TOTAL DISPOSITIONS

<u>Rank</u>	<u>Court</u>	<u>Total Number of Dispositions*</u>	<u>Percentage of Total</u>	<u>FY 1978 Rank</u>
1	Newark	5,525	33.4%	1
2	Newport	2,966	17.9%	2
3	Rehoboth Beach	1,526	9.2%	8
4	Bethany Beach	1,182	7.1%	3
5	Bridgeville	1,064	6.4%	5
6	Milford	889	5.4%	4
7	Fenwick Island	845	5.1%	9
8	New Castle	586	3.5%	7
9	Ocean View	578	3.5%	10
10	Middletown	554	3.3%	12
11	Laurel	379	2.3%	6
12	Blades**	178	1.1%	11
13	Delmar	146	0.9%	14
14	Harrington#	122	0.7%	13
	TOTALS	16,540	100.0%	

\*The unit of count in Alderman's Courts is the charge. For example, a defendant with 3 charges disposed of would be counted as 3 dispositions.

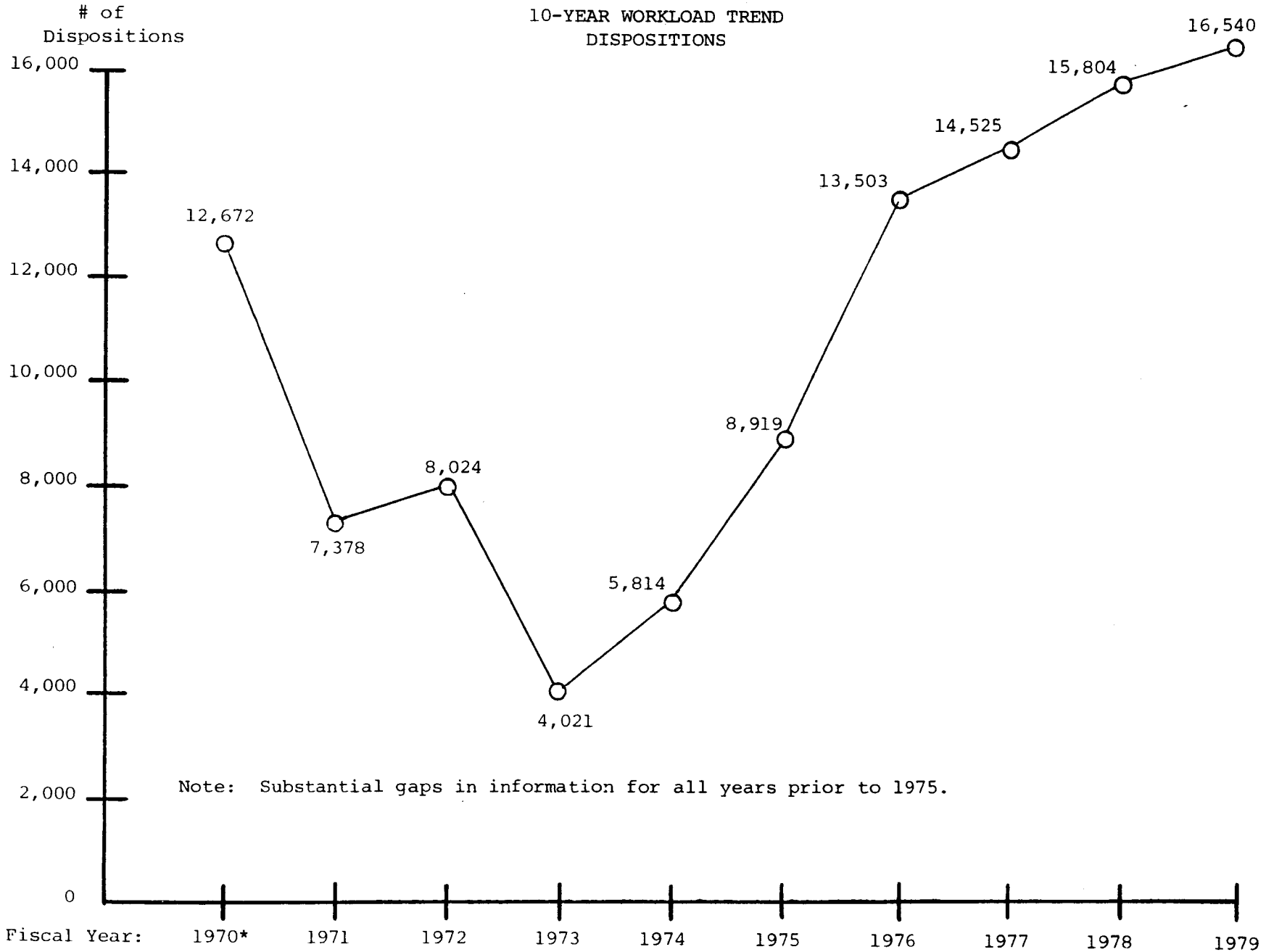
\*\*Disposition information not available for August through December, 1978.

\*Disposition information not available for November and December, 1978, and March, 1979.

Source: Administrative Office of the Courts

ALDERMAN'S COURTS

10-YEAR WORKLOAD TREND  
DISPOSITIONS



Note: Substantial gaps in information for all years prior to 1975.

\*Calendar Year

Source: Administrative Office of the Courts

**Conferences,  
Committees,  
Councils,  
and  
Boards**

COURT ON THE JUDICIARY

Article IV, 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, commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or permanent mental or physical disability interfering with the proper performance of these duties.

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

The Court on the Judiciary has the power to:

- (a) summon witnesses to appear and testify under oath and to compel production of other evidence, and
- (b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

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 towards 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. Scheduled meetings of the Conference are held on the first Wednesdays of December and June.

JUDICIAL PLANNING COMMITTEELegal Authorization

The Judicial Planning Committee (JPC) was created by Chief Justice Daniel L. Herrmann on December 20, 1976. Authorization for the expenditure of federal funds to support planning activities of the JPC is contained in Section 203(c) of Public Law 94-503, "The Crime Control Act of 1976".

Duties

The Judicial Planning Committee is charged with coordinating all requests for federal funds from the various courts to the Law Enforcement Assistance Administration. To this end, the JPC prepares an Annual Judicial Plan for the expenditure of such funds, and provides assistance in designing programs and preparing grant applications.

Administrative Directive Number Thirty Eight of the Chief Justice establishes the Judicial Planning Committee as having final authority to resolve irreconcilable disputes regarding the allocation of data processing resources among the State Courts.

Membership

Membership of the Judicial Planning Committee is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court, and includes judges from those State Courts having criminal jurisdiction, plus the Attorney General and a representative from the Public Defender's Office. Current membership is as follows:

Hon. Vincent A. Bifferato, Associate Judge, Superior Court, Chairman  
Hon. Robert D. Thompson, Chief Judge, Family Court  
Hon. William C. Bradley, Jr., Resident Judge, Court of Common Pleas  
Hon. Alfred R. Fraczkowski, Chief Judge, Municipal Court  
Hon. Richard S. Gebelein, Attorney General  
John R. Fisher, Esq., Director, Administrative Office of the Courts  
Richard M. Baumeister, Esq., Assistant Public Defender

The position representing the Justice of the Peace Courts is currently being filled by the Director of the Administrative Office of the Courts.

Support Personnel

A Director of Planning is appointed by and serves at the pleasure of the Judicial Planning Committee. The Planner may, with the approval of the Chairman, appoint such other personnel as are necessary.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, §2001-2008.

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 Minority Leaders of the House and 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 coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court  
Hon. William Marvel, Chancellor, Court of Chancery  
Hon. Albert J. Stiftel, President Judge, Superior Court  
Hon. John P. Ferguson, Speaker of the House of Representatives  
Hon. Richard S. Cordrey, President Pro Tempore of the Senate  
Hon. John M. Burris, Minority Leader, House of Representatives  
Hon. Andrew G. Knox, Minority Leader, Senate  
Hon. Richard S. Gebelein, Attorney General  
E. A. Trabant, President, University of Delaware  
Victor F. Battaglia, Esq., President, Delaware Bar Association  
Douglas A. Van Sant, Public Member  
Kenneth N. Meyer, Public Member  
Pearl Herlihy, Public Member  
Robert D. Mitchell, Public Member  
Lindsey Greenplate, Public Member



**Projects  
Supported  
by  
Federal  
Funds**

During the past fiscal year, Delaware courts received continued federal support in the effort to improve the criminal justice system from the Delaware Criminal Justice Planning Commission (DCJPC), which is the state criminal justice planning agency (SPA) that administers the Law Enforcement Assistance Administration (LEAA) block grant allocation.

LEAA block grant funds were expended for the following purposes:

1. To provide computer terminals for the courts. LEAA funds enabled the courts to rent 5 computer terminals for the courts, 2 in Superior Court, 1 in Family Court, and 2 in the Justice of the Peace Courts. The terminals enabled these courts to access the state automated criminal justice information system, which provides computerized criminal histories to aid the courts in bail and sentencing decisions.
2. To staff the Judicial Planning Committee. The Judicial Planning Committee (JPC) was created by Chief Justice Daniel L. Herrmann during December, 1976 in accordance with the provisions of PL 94-503, which reauthorized LEAA for a period of three years. The Chief Justice appointed the Honorable Vincent A. Bifferato, Associate Judge of Superior Court, to serve as Chairman. In addition, judges from each of the various courts were appointed along with the Attorney General, a representative of the Public Defender's Office, and the Director of the Administrative Office of the Courts. The mission of the JPC is to plan for the improvement of the Delaware Courts, which includes planning for the utilization of federal block grant monies received through the Delaware Criminal Justice Planning Commission. The Administrative Office of the Courts received funds to employ a professional planning staff to the JPC. A planner, a research assistant, and a secretary have been hired. They must produce the Annual Judicial Plan and perform other administrative and planning functions as required.
3. To provide personnel for the Presentence Office. This subgrant enabled the Superior Court Presentence Office to continue to employ a Presentence Officer and 3 clerk typists to respond to the increasing demand for the timely production of presentence reports.
4. To employ an Administrative Assistant to the Criminal Office Judge. This subgrant enabled Superior Court to continue to employ an Administrative Assistant whose primary responsibilities were to provide the Criminal Office Judge with the means to coordinate the efforts of the Case Scheduling Office with the available Judges and Courtrooms and to provide information to assist in "pre-trying" complex criminal trials.
5. To expand the Superior Court Case Scheduling Office. This subgrant funded a Data Entry/Calendaring Clerk to assist the Case Scheduling Office in Superior Court, New Castle County, particularly in entering data for an interim batch information system.
6. To establish an Arbitration Hearing Unit. This subgrant aided Family Court in continuing an Arbitration Unit. Federal funds add a hearing officer, 2 interview officers, and a clerk typist to 3 state-funded personnel (a hearing officer and 2 interview officers). The Arbitration

Unit seeks to provide an arbitration mechanism for those first and second time offender juveniles and adults charged with misdemeanors, in order to divert defendants from further court involvement while still satisfying complainants and victims.

7. To provide a Case Coordinator. This subgrant enabled the Municipal Court to continue to employ the Case Coordinator, whose primary responsibility was to reduce the number of continuances in bringing cases to preliminary hearing or trial.
8. To improve recording equipment in Municipal Court. Federal funds were used to replace Municipal Court's recording equipment and expand the recording capability into the court's new third courtroom.

LEAA also awarded three discretionary grants to the Delaware courts directly from Washington. These programs were as follows:

9. Comprehensive Data Systems (CDS)  
3 systems analysts, 2 full-time and 1 part-time, have been assigned to work with the Courts in the development of the courts module of the overall criminal justice information system. One analyst is dedicated to the information system for family and juvenile matters and is assigned to Family Court; two analysts are working on information requirements for adult criminal matters and are assigned to the Administrative Office of the Courts. The adult court analysts are designing Superior Court first, to be followed by the Court of Common Pleas.
10. State Judicial Information System (SJIS), Phase I  
LEAA has provided the Delaware Judiciary with a discretionary grant to aid in the development of its information system. This grant contains the money to purchase a minicomputer and supporting software to house the courts information system, plus funds to hire a consultant to design the civil portion of the system for all the courts. The grant also provided money for training of computer support personnel.
11. Restitution Project  
The Family Court "Restitution by Juvenile Offenders Project" is a two-year LEAA grant for over \$800,000. It became operational on 3/1/79. In this project, adjudicated juvenile offenders make monetary payment to the victim, provide direct service to the victim, or engage in community service. Each project juvenile is under the supervision of a project counselor in the court. The Community Services AFL-CIO, a United Way of Delaware agency, is a project subcontractor that locates employment for juveniles ordered to pay monetary restitution.

The courts also received one grant from the federal Department of Health, Education, and Welfare.

## PROJECTS SUPPORTED BY FEDERAL FUNDS (CONTINUED)

12. Public Guardian Caseworkers

The Public Guardian was able to hire two social workers using federal Title XX, Social Security Act funds administered by the State Division of Social Services. These two staff persons provided assistance to the vast number of clients who are referred to the office of the Public Guardian but do not actually need a legal guardian. This service is offered in lieu of an adult protective service program, which the State does not have. By the terms of the contract, the two caseworkers may not provide assistance to anyone who becomes a ward of the Public Guardian. Services provided under the contract an intensive casework and counselling, including assessment of client needs, evaluation of client abilities to do for self, counselling, assisting clients in utilizing appropriate community resources, and long-term follow-up as necessary.

**Court  
Rules  
Changes**

COURT RULES CHANGES

The following additions, deletions, or amendments were made to the rules of Delaware's Courts during FY 1979. This material represents a synopsis of the changes, rather than verbatim copies of the rules themselves. The changes listed became effective between July 1, 1978 and June 30, 1979.

## SUPREME COURT

Rule 9(e)

Effective 2/9/79, this rule deleted the words "to each appeal" from the opening line on the section relating to the transcript.

Rule 9(e)(1)

Effective 5/7/79, this rule states the circumstances for a judge to request the preparation of a transcript. In the past this applied for any case with a guilty verdict for a Class A felony or any crime with a mandatory minimum sentence of 3 years and permitted the Judge to follow with an order for the preparation of the transcript of all relevant proceedings as determined by the trial court. Now the judge may make such an order only after a guilty verdict for a Class A felony. The judge also is to determine the party or parties responsible for paying the costs of the transcript.

Rule 9(e)(III)

This rule designates the forms which may be used by the opposing attorneys in response to a notice of appeal. Within 7 days after receipt of a notice of appeal if designated or within 15 days after the appeal is docketed if not designated the attorneys for each of the other parties to the appeal are to serve upon the other parties to the appeal and file with the clerk of the trial court a written designation and direction in the form prescribed by Official Form C or Official Form D. In the past, the only acceptable format was that set in Official Form D. This became effective 1/19/79.

Rule 10(d)

Effective 5/10/79, 8 copies of briefs and appendices and 4 copies of all other papers are to be filed with the Clerk of the Court or a Deputy Clerk. This modifies the previous standard of 12 copies of briefs and appendices and 6 copies of all other papers.

Rule 51(a)

This rule deals with the Board of Bar Examiners, which is appointed by the Supreme Court. The Board is to consist of 12 members, selected from any

## COURT RULES CHANGES (CONTINUED)

county in the State, with each county to have at least one member on the Board. Formerly the membership was 9. Upon the expiration of the term of any Board member, his term will be filled by an appointment for a 4-year term; previously the term was 7 years. Any vacancy due to death, resignation, inability to serve, or other cause, will be filled for the remainder of the term as had been done previously. This rule became effective 1/19/79.

Rule 63(d)(1)

This rule gives the Censor Committee the right to administer a private censure without recommendation of subsequent discipline by the Court. Effective 9/28/78, it is also stated that confidentiality shall be kept throughout any proceedings in the Supreme Court upon any petition for review. The file of said petition will be kept private and sealed in the Court. The petition will be assigned a docket number and shall be designated as "In re a member of the Delaware Bar". All proceedings on the petition will be private and all papers filed will be kept in the sealed file, private to all except the petitioner and the members of the Censor Committee.

## COURT OF CHANCERY

Rule 77(c)

This rule was entitled "Orders Grantable by the Register or Administrator", but was amended to deal with "Orders Grantable as a Matter of Course by the Register in Chancery". Previously the Register in Chancery or a Deputy or a Court Administrator designated by the Court was authorized to sign and enter without further direction by the Court orders on stipulations extending the time period prescribed for action and orders on stipulations under certain rules. Now only the Register in Chancery has this authority. Also, any order entered by the Clerk under this rule may be modified or vacated by the Court for shown cause. Previously, any orders entered by the Register in Chancery or a Deputy under this could be suspended, altered, or rescinded by the Court for shown cause. The amendment was effective 7/28/78.

Rule 171(b)

Effective 7/28/78, the time for filing briefs can be fixed by the Court or by the parties without need for Court approval as had previously been the case.

Rule 171(d)

This rule states that briefs may be typewritten (in black ink), mimeographed, or printed; no longer may a dittoed brief be presented. This rule became effective on 7/28/78.

Rule 176(b)

This rule deals with the notice of a hearing after a petition for an appointment of a guardian has been presented. In the past, a show cause order and a copy of the petition was delivered to the Sheriff or, if the Sheriff was disqualified, to the county coronor. Effective 7/28/78, if the Sheriff is disqualified the show cause order, along with the copy of the petition, is to be delivered to a person especially appointed by the Court.

## SUPERIOR COURT

Criminal Rule 16(a)

This rule deals with the defendant's right of discovery. The defendant has the right to examine any relevant written or recorded statements or confessions made by the defendant or by a co-defendant and, in what is the amendment to the rule, the substance of any oral statement made by the defendant in response to interrogation by a person known to be a State agent which the State intends to offer into evidence at the trial. The defendant may also examine written reports of autopsies, ballistics tests, etc., along with the results of any physical or mental examinations, and recorded testimony of the defendant before a grand jury. The amended Criminal Rule 16(a) was effective 2/1/79.

Civil Rule 30(j)

This new subsection of Civil Rule 30 states that the deposition of Court employees in which inquiry is to be made concerning the performance of their official duties may be taken only by leave of the Court and on such terms as the Court sets. Court employees include judges, secretaries, court reporters, bailiffs, Presentence Office employees, the Court Administrator and his staff, employees of the Case Scheduling Office, and employees of the Prothonotary's Office. Civil Rule 30(j) became effective 2/1/79.

Civil Rule 72

An additional subsection (h) has been added to Civil Rule 72 on 2/1/79. It deals with cross-appeals and states that any party may cross-appeal to Superior Court from any judgment or order from which an appeal lies to be tried or heard on the record made below. A notice of cross-appeal must be filed within 10 days after the first notice of appeal has been filed. The notice of cross-appeal must designate the decree, judgment, or order, or part thereof, that is sought to be reviewed. It will be docketed under the same number as the main appeal without any filing fee to be paid. The form for the caption of the appeal is also stated in the new subsection.



Civil Rule 87.1

This rule deals with the assignment or transfer of cases from Superior Court to the Court of Common Pleas as described in 10 Del. Code §1315, which states that it is to be done by a certificate of a Superior Court Judge. Civil Rule 87.1, as of 3/15/79, states that the certificate is to include the caption of the case and will direct the Prothonotary to deliver to the Clerk for the Court of Common Pleas the certificate along with those of the original pleadings and exhibits, or true and correct copies, as directed by the Superior Court.

Civil Rule 112

Effective 2/1/79, this rule deals with proceedings in forma pauperis. It previously stated the procedure once a party made a claim of indigency. The addition to the rule states that where a claim for damages is made by a party seeking to use this rule, the Prothonotary will require payment of accrued costs from any party who has benefit from this rule if said party has recovered a judgment in the proceedings or received any money in the settlement before entering a dismissal of the claim or satisfaction of any judgment entered therein. In the event that a claim is sought to be dismissed without settlement or recovery, a party and his attorney of record will file the proper affidavits.

## FAMILY COURT

Rule 350

This rule, which prohibited fingerprinting, photographing, or public naming of children within the Court's jurisdiction without the Court's permission, was repealed effective 2/12/79.

Rule 465

Effective 3/30/79, amendments were made to Family Court Rule 465 dealing with ancillary matters. The amended rule states that all proceedings ancillary to divorce are to be set for pretrial conference unless ordered otherwise. The Clerk will give reasonable notice of the time and place of the conference by mail to counsel. Counsel who is to conduct the trial must appear before the Court for pretrial conference unless otherwise ordered. Should an attorney for a party fail to appear at or participate in a pretrial conference, or to prepare for or cooperate in the preparation of the joint asset report as required by this rule, the Court may, after notice, enter a judgment or order granting relief including assessment of counsel fees or other sanctions as it deems appropriate.

Before the pretrial conference, each attorney must become familiar with his case and must confer with the other attorney as often as is necessary to comply with Rule 465(d), which refers to the submission of a joint asset report to the Court. At the conferences, each attorney must produce all items he plans to introduce into evidence and must produce copies of this evidence for the opposing counsel unless otherwise ordered. The judge may require any party to produce for

inspection of the other party any additional items which he deems appropriate.

The attorney for petitioner is to submit to the Court a draft of a joint asset report and pretrial order in a form approved by the Court, and signed by all parties and their attorneys, at least 3 days before pretrial. If petitioner's attorney is unable to arrange a conference with the opposing attorney as required by this rule, or is unable to obtain the necessary information from respondent's attorney to prepare the pretrial order, he must complete the petitioner's portion of the form at least 5 days before the scheduled pretrial, serve a copy on respondent's attorney, and file the original with the Court along with a statement explaining his efforts to meet with respondent's attorney. The requirement for filing the joint asset report and pretrial order or for holding a pretrial conference may be waived by the Court.

Either at or following the pretrial conference, the Court will enter a definitive pretrial order. Where a party is not represented for the conference by counsel, the party will be notified himself and will have the same duties as would counsel if he were represented.

#### COURT OF COMMON PLEAS

##### Criminal Rule 5

Effective 8/2/78, any person charged with a felony or a crime which by statute requires a preliminary hearing who is brought before a Justice of the Peace will have a preliminary hearing scheduled at the Court of Common Pleas. The defendant will be notified of the date, time, and place of the hearing and must sign an acknowledgement of this notice. The Justice of the Peace will set bail for the defendant and bond will be executed on the Delaware Uniform Bail Bond Form. If the accused is not able to post bail, the preliminary hearing will be set within 10 days of arrest. Otherwise, the hearing will be set within 20 days of arrest.

##### Criminal Rule 6

If the evidence at the preliminary hearing indicates probable cause to believe that an offense has been committed by the defendant, then the defendant will be bound over to the Grand Jury. The finding of probable cause may be found partly or totally upon credible hearsay evidence. The defendant may cross-examine witnesses and may introduce evidence in his own behalf within the limitations set by the Court. Objections to evidence on the grounds that it was acquired by unlawful means may not be made at the preliminary hearing and the Court may choose to hear this evidence to determine its true weight. Motions to suppress must be made to the trial court as indicated in Superior Court Criminal Rule 12.

If no probable cause is found to indicate that the defendant committed an offense or that in fact an offense has been committed, the complaint must be dismissed and the defendant discharged. This rule became effective 8/2/78.

## COURT RULES CHANGES (CONTINUED)

Criminal Rule 10(b)

The requirements for arraignments by prior pleading were amended effective 8/3/78. In the past, it was required in all of the counties that an election that trial by jury was either waived or demanded was held. Now that requirement remains for Kent and Sussex Counties, but for New Castle County an election that trial by jury is waived is required. This is in addition to the other requirements for arraignment by prior pleading as set in Criminal Rule 10(b).

## CENSOR COMMITTEE OF SUPREME COURT

Rule 5

The following addition was made to Rule 5 effective 3/28/79. Whenever the subcommittee ascertains in the course of investigation that there is civil litigation in process to which an attorney under investigation is a party, or a criminal action in which said attorney either already is or is to become a defendant, either of which involve the subject matter of the investigation, the Committee may decide that the matter be stayed for a period not to exceed 90 days and upon terms established by the Committee. The Committee will inform the Supreme Court of the reason for any stay, and will report to the Court on the status of any matters that have been stayed. The Committee may also renew the stay when the 90-day period nears an end and an application for such an extension may also be made. The Committee may also revoke or modify such a stay either upon application or on its own motion. The following factors will enter into the Committee's decision on whether to grant, deny, revoke, or extend a stay: 1) the need to dispose of at as soon as is reasonably possible; 2) the extent to which the issues in the pending litigation are either very much or exactly the same as those before it already; 3) the amount the matter under investigation would be delayed by awaiting the disposition of the pending civil litigation or criminal action; 4) the amount awaiting the plea or judgment in the criminal action would expedite the matter under investigation; 5) the extent to which awaiting evidence to be adduced in the pending litigation would aid the matter under investigation as to the determination of a material issue; 6) the extent to which evidence may be unavailable to the investigation because of any delay caused by withholding further action; 7) the extent to which documents or witnesses may be unavailable to the investigation because of concurrent discovery or trial proceedings in the pending litigation; 8) the extent to which the attorney under investigation or another party to the pending litigation may in fact be prejudiced in the pending litigation by withholding or failing to withhold action.

Rule 7

An additional subsection (e) added to this rule is titled "Stay of Hearing" and sets the standards for a stay of hearing. Upon application by the subcommittee which conducted the preliminary investigation, the respondent, or the Committee itself, the Committee may stay the matter for not more than 90 days and under terms as it deems wise due to pending litigation. The Supreme Court must be advised of the reason any stay is ordered. The stays may be

renewed for periods not to exceed 90 days when they have expired or are about to expire. The Committee also may modify or revoke a stay upon application by the subcommittee which conducted the preliminary investigation, the respondent, or the Committee itself. The factors which the Committee must consider when deciding whether to grant, deny, or revoke a stay are stated in Rule 5 for the Censor Committee of the Supreme Court. Rule 7(e) was promulgated on 3/28/79.

#### Rule 9

Rule 9 states that all witnesses are to be sworn in and that the Rules of Evidence for the Delaware Supreme Court are to be followed by the Censor Committee. Effective 3/28/79, the rule also states that where the respondent has been a party to a proceeding, be it criminal, civil, administrative, or otherwise, the relevant portions of the transcript of the proceedings, exhibits, fact findings, legal conclusions, opinions, decisions, and judgments all will be admitted into evidence. This will be accorded what the Committee considers to be the proper weight, provided that proof of a conviction of the respondent for any crime will in fact be conclusive evidence that the crime in question was committed.

# **Legislation**

LEGISLATION

The following pieces of legislation were enacted during 1979 by the Delaware General Assembly.

## HOUSE OF REPRESENTATIVES

House Bill 49

This bill makes a supplementary appropriation of \$399,405 to fund salary increases and cost of living adjustments for all State judges. This bill became effective 1/17/79. The new salaries are:

Chief Justice, Supreme Court	\$49,500
Associate Justice, Supreme Court	49,000
Chancellor, Court of Chancery	46,500
Vice-Chancellor, Court of Chancery	46,000
President Judge, Superior Court	46,500
Associate Judge, Superior Court	46,000
Chief Judge, Family Court	45,500
Associate Judge, Family Court	45,000
Chief Judge, Court of Common Pleas	45,500
Judge, Court of Common Pleas	45,000

All judges received a \$7,000 salary increase. In addition, all judges on the bench during the period December 31, 1976 through July 1, 1978 received a \$5,300 lump sum cost of living adjustment.

House Bill 87

This bill, signed into law 2/22/79, states that the annual salary of the Chief Deputy Sheriff in New Castle County will be set by the appointing officer. This salary shall not exceed the salary of the Chief Deputy Register in Chancery, Chief Deputy Register of Wills, Chief Deputy Prothonotary, or Chief Deputy Recorder of Deeds in New Castle County. Formerly, the salary of the Chief Deputy Sheriff could not exceed \$15,000.

House Bill 95

This bill, signed into law 6/1/79, abolishes the position of Deputy Administrator of the Justice of the Peace Courts and provides for a Chief Magistrate to be appointed by the Governor, by and with the consent of a majority of all members elected to the Senate, to administer the Justice of the Peace Court System throughout the State. The Chief Magistrate will receive an annual salary of \$30,000.

House Bill 153

This bill, signed into law 4/6/79, gives the New Castle County Council the power to set the fees of the Register of Wills in New Castle County.

The fees of the Register of Wills in Kent and Sussex Counties continue to be set by the State Code. The act becomes effective on the date the County Council establishes the fee schedule.

House Bill 154

This bill, signed into law 4/6/79, gives the New Castle County Council the power to set the fees for the Sheriff's services in New Castle County. The fees of the Sheriffs of Kent and Sussex Counties will continue to be established by State law. This act becomes effective as soon as the County Council establishes a fee schedule.

House Bill 155

This bill, signed into law 4/6/79, gives the New Castle County Council the power to set the fees of the Prothonotary in criminal proceedings. The fees of the Prothonotaries of the other 2 counties continue to be established by State law. The bill becomes effective on the date that the New Castle County Council establishes a fee schedule for criminal proceedings.

House Bill 156

This bill, signed into law 4/6/79, gives the New Castle County Council the power to set the Prothonotary's fees in civil proceedings. The fees of the Prothonotaries of Kent and Sussex Counties remain established by State law. This act becomes effective on the date the New Castle County Council establishes a fee schedule for civil proceedings.

House Bill 336

This bill, signed into law 6/26/79, provides a salary increase and cost of living adjustment for Justices of the Peace. Effective January 1, 1979, each JP will receive an annual salary of \$16,000. Effective January 1, 1980, each Justice will receive compensation of \$17,000 annually. In addition, each person who served as a Justice of the Peace of the State of Delaware from April 1, 1976 through March 31, 1978 shall be paid a lump sum cost of living adjustment of \$1,767.

SENATE

Senate Joint Resolution 14

Senate Joint Resolution 14, signed by the Governor on 5/26/79, requests that the Governor utilize his right to seek an advisory opinion from the Supreme Court on the constitutionality of Senate Concurrent Resolution 47 from the 126th General Assembly, which ratified the Equal Rights Amendment.