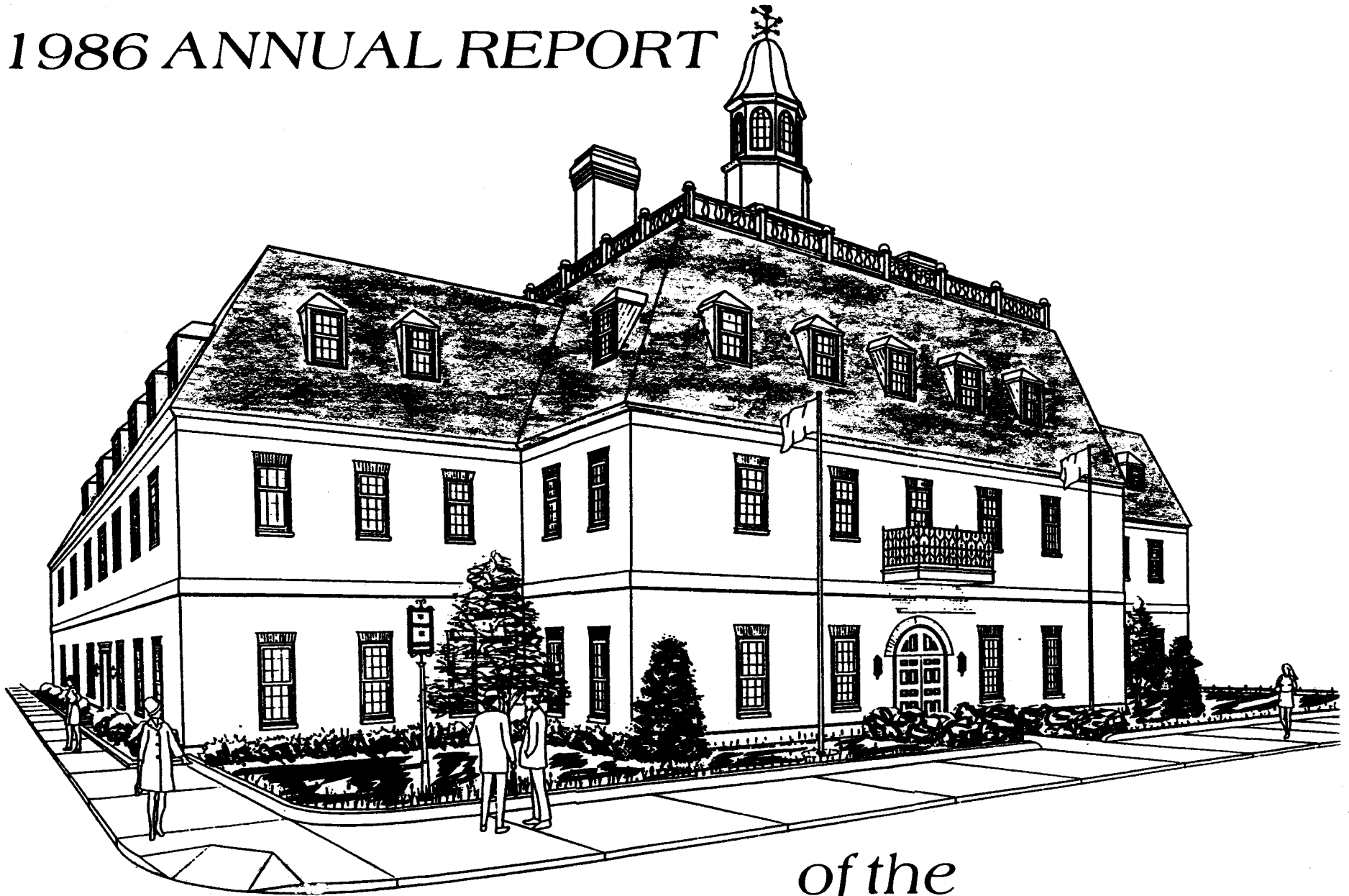


# 1986 ANNUAL REPORT



of the  
**DELAWARE JUDICIARY**

*An architect's prospective by French and Ryan, Inc., of the the new Sussex  
County Family Court Building, which is to be located in Georgetown.*

*1986 ANNUAL REPORT*  
*of the*  
*DELAWARE JUDICIARY*

*December 30, 1986*

*Prepared by the*  
*ADMINISTRATIVE OFFICE OF THE COURTS*

*John R. Fisher*  
*Director*

*Lowell L. Groundland*  
*Deputy Director*

*Adam Golby*  
*Statistician*

TABLE OF CONTENTS

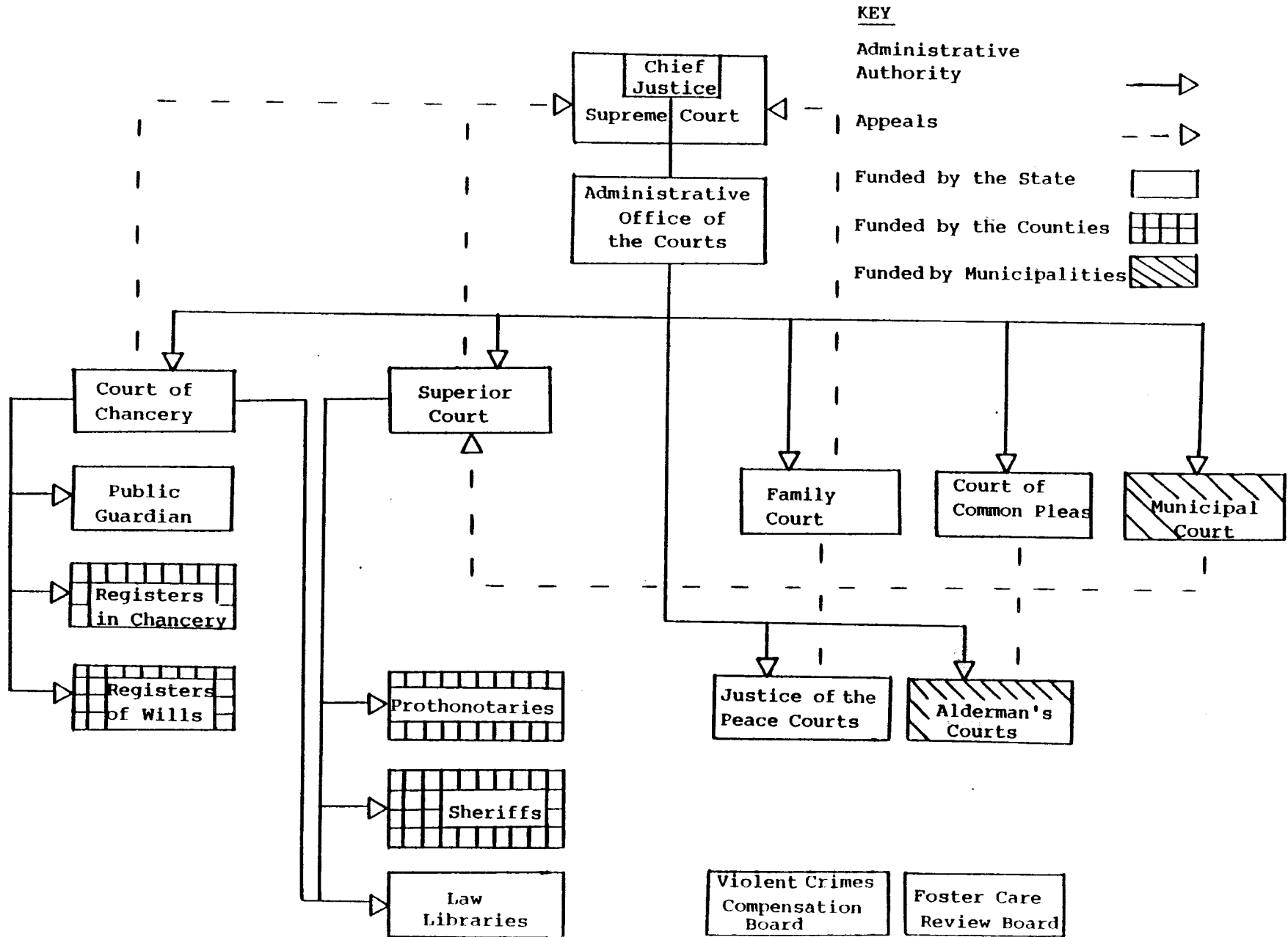
I.	INTRODUCTION & OVERVIEW .....	5
	Organization Chart of the Delaware Judiciary .....	6
	Summary of Judicial Budgets - FY's 1985-1986-1987-1988 .....	7
	Court-Generated Revenue - FY 1986 .....	9
	Delaware State Government and Judiciary Appropriations - FY 1987 .....	11
II.	ADMINISTRATIVE OFFICE OF THE COURTS .....	13
	Description .....	14
	Personnel .....	15
III.	SUPREME COURT .....	17
	Description .....	18
	Judiciary .....	20
	Support Personnel .....	21
	Statistics .....	22
IV.	COURT OF CHANCERY .....	29
	Description .....	30
	Judiciary .....	32
	Support Personnel .....	33
	Statistics .....	36
V.	PUBLIC GUARDIAN .....	43
	Description .....	44
	Personnel .....	46
	Statistics .....	47
VI.	SUPERIOR COURT .....	49
	Description .....	50
	Judiciary .....	52
	Support Personnel .....	53
	Statistics .....	56
VII.	LAW LIBRARIES .....	95
	Description .....	96
	Personnel .....	97
VIII.	FAMILY COURT .....	99
	Description .....	100
	Judiciary .....	102
	Support Personnel .....	103
	Statistics .....	105
IX.	COURT OF COMMON PLEAS .....	117
	Description .....	118
	Judiciary .....	120
	Support Personnel .....	121
	Statistics .....	122

## TABLE OF CONTENTS (CONTINUED)

X.	MUNICIPAL COURT .....	131
	Description .....	132
	Judiciary .....	134
	Support Personnel .....	135
	Statistics .....	136
XI.	JUSTICE OF THE PEACE COURTS .....	141
	Description .....	142
	Map of Court Locations .....	144
	Organization Chart .....	145
	Judiciary .....	146
	Support Personnel .....	147
	Statistics .....	151
XII.	ALDERMAN'S COURTS .....	165
	Description .....	166
	Map of Court Locations .....	167
	Aldermen .....	168
	Support Personnel .....	169
	Statistics .....	171
XIII.	VIOLENT CRIMES COMPENSATION BOARD .....	177
	Description .....	178
	Personnel .....	179
XIV.	FOSTER CARE REVIEW BOARD .....	181
	Description .....	182
	Personnel .....	184
XV.	CONFERENCES AND COUNCILS .....	185
	Court on the Judiciary .....	186
	Judicial Conference .....	186
	Criminal Justice Council.....	187
XVI.	LEGISLATION .....	189
	Description .....	190

# **Introduction & Overview**

THE DELAWARE JUDICIAL SYSTEM



SUMMARY OF JUDICIAL BUDGETS  
FISCAL YEARS 1985-1986-1987-1988

	F.Y. 1985 Actual <u>Disbursement</u>	F.Y. 1986 Actual <u>Disbursement</u>	F.Y. 1987 <u>Appropriation</u>	F.Y. 1988 <u>Request</u>
<u>STATE*</u>				
Administrative Office of the Courts	\$ 2,593,300	\$ 2,776,400	\$ 2,902,700	\$ 3,479,600
Judicial Information Center	468,800	542,600	597,400	1,148,700
Supreme Court	991,900	1,057,600	1,174,600	1,301,700
Court of Chancery	768,400	934,900	976,700	1,042,300
Public Guardian	122,200	134,900	140,700	156,100
Superior Court	3,483,900	4,164,200	4,564,100	6,546,000
Law Libraries	266,600	333,900	303,000	337,100
Family Court	5,991,900	7,060,500	8,127,200	9,949,100
Court of Common Pleas	1,653,800	1,833,700	1,896,000	2,143,200
Justice of the Peace Courts	4,565,600	5,385,300	5,542,500	6,186,400
Violent Crimes Compensation Board	570,200	827,100	906,500	965,800
Foster Care Review Board	123,900	132,900	177,400	200,700
STATE TOTALS	<u>\$21,600,500</u>	<u>\$25,184,000</u>	<u>\$27,308,800</u>	<u>\$33,456,700</u>
<u>NEW CASTLE COUNTY</u>				
Register in Chancery	\$ 397,300	\$ 404,809	\$ 419,446	N.A.
Register of Wills	405,640	478,770	493,058	N.A.
Prothonotary	1,197,215	1,284,831	1,413,523	N.A.
Sheriff	801,665	905,694	908,753	N.A.
NEW CASTLE COUNTY TOTALS	<u>\$ 2,801,820</u>	<u>\$ 3,074,104</u>	<u>\$ 3,234,780</u>	<u>N.A.</u>
<u>KENT COUNTY</u>				
Register in Chancery	\$ 54,796	\$ 61,576	\$ 64,835	N.A.
Register of Wills	40,828	41,608	49,962	N.A.
Prothonotary	123,456	162,103	189,147	N.A.
Sheriff	95,368	116,966	119,162	N.A.
KENT COUNTY TOTALS	<u>\$ 314,448</u>	<u>\$ 382,253</u>	<u>\$ 423,106</u>	<u>N.A.</u>

\*Figures include State governed funds, federal funds, and other funds.  
N.A. = Not Available



SUMMARY OF JUDICIAL BUDGETS (CONTINUED)  
FISCAL YEARS 1985-1986-1987-1988

	<u>F.Y. 1985</u> Actual <u>Disbursement</u>	<u>F.Y. 1986</u> Actual <u>Disbursement</u>	<u>F.Y. 1987</u> <u>Appropriations</u>	<u>F.Y. 1988</u> <u>Request</u>
<u>SUSSEX COUNTY</u>				
Register in Chancery	\$ 51,586	\$ 50,618	\$ 53,098	N.A.
Register of Wills	42,556	47,964	53,869	N.A.
Prothonotary	78,664	90,349	96,098	N.A.
Sheriff	<u>97,277</u>	<u>77,775</u>	<u>87,687</u>	<u>N.A.</u>
SUSSEX COUNTY TOTALS	\$ 270,083	\$ 266,706	\$ 290,752	N.A.
<u>MUNICIPALITIES</u>				
Municipal Court*	\$ 808,874	\$ 873,098	\$ 948,104	N.A.
Alderman's Courts	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
MUNICIPALITIES TOTALS	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH**	\$25,795,725	\$29,780,161	\$32,205,542	\$33,456,700

N.A. = Not Available

\*Figures include City of Wilmington funds and federal funds.

\*\*Alderman's Courts not included in any totals. Totals for FY 1988 include only State totals.

COURT-GENERATED REVENUE\*

FISCAL YEAR 1986

	<u>Fees and Costs</u>	<u>Fines</u>	<u>Interest**</u>	<u>Miscellaneous#</u>	<u>TOTALS</u>	<u>Revenue as a % of Disbursement##</u>
<u>SUBMITTED TO STATE GENERAL FUND</u>						
Administrative Office of the Courts	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	0.0%
Judicial Information Center	0	0	0	0	0	0.0%
Supreme Court	15,800	0	0	0	15,800	1.5%
Court of Chancery	0	0	296,600	441,100	737,700	78.9%
Public Guardian	0	0	0	1,600	1,600	1.2%
Superior Court	15,600	9,500	46,600	48,000	119,700	2.9%
Law Libraries	0	0	0	0	0	0.0%
Family Court	322,500	24,300	0	11,400	358,200	5.1%
Court of Common Pleas	133,600	226,600	0	4,600	364,800	19.9%
Justice of the Peace Courts	1,483,400	2,175,700	0	13,500	3,672,600	68.2%
Foster Care Review Board	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS	<u>\$1,970,900</u>	<u>\$2,436,100</u>	<u>\$343,200</u>	<u>\$520,200</u>	<u>\$5,270,400</u>	<u>20.9%</u>
<u>RECEIVED BY VICTIMS COMPENSATION FUND</u>						
Superior Court	-	\$ 59,086	-	-	\$ 59,086	-
Family Court	-	2,405	-	-	2,405	-
Court of Common Pleas	-	58,123	-	-	58,123	-
Municipal Court	-	85,270	-	-	85,270	-
Justice of the Peace Courts	-	496,217	-	-	496,217	-
Alderman's Courts	-	84,116	-	-	84,116	-
Restitution	-	9,368	-	-	9,368	-
VICTIMS COMPENSATION FUND TOTALS	-	<u>\$ 794,585</u>	-	-	<u>\$ 794,585</u>	<u>95.9%</u>
<u>SUBMITTED TO NEW CASTLE COUNTY</u>						
Register in Chancery	\$ 221,647	\$ 0	\$284,658	\$ 0	\$ 506,305	146.7%
Register of Wills	1,280,752	0	105,824	0	1,386,576	286.4%
Prothonotary	401,124	0	43,415	0	444,539	40.6%
Sheriff	262,952	0	0	0	262,952	30.5%
Justice of the Peace Courts	0	269,885	0	0	269,885	5.0%
NEW CASTLE COUNTY TOTALS	<u>\$2,166,475</u>	<u>\$ 269,885</u>	<u>\$433,897</u>	<u>\$ 0</u>	<u>\$2,870,257</u>	<u>88.3%¶</u>

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

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

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1986 Revenue divided by FY 1986 Actual Disbursement, which includes State general, federal, and other funds.

¶Revenue as % of disbursement for county offices.

COURT-GENERATED REVENUE (CONTINUED)\*

	<u>Fees and Costs</u>	<u>Fines</u>	<u>Interest**</u>	<u>Miscellaneous#</u>	<u>TOTALS</u>	<u>Revenue as a % of Disbursement##</u>
<u>SUBMITTED TO KENT COUNTY</u>						
Register in Chancery	\$ 11,913	\$ 0	\$ 6,603	\$ 0	\$ 18,516	30.1%
Register of Wills	197,810	0	0	0	197,810	475.4%
Prothonotary	75,425	0	1,253	0	76,678	47.3%
Sheriff	14,122	0	0	0	14,122	12.1%
KENT COUNTY TOTALS	\$ 299,270	\$ 0	\$ 7,856	\$ 0	\$ 307,126	80.3%
<u>SUBMITTED TO SUSSEX COUNTY</u>						
Register in Chancery	\$ 29,860	\$ 0	\$ 2,168	\$ 0	\$ 32,028	63.3%
Register of Wills	301,187	0	0	0	301,187	627.9%
Prothonotary	58,118	11,014	3,270	7,857	80,259	88.8%
Sheriff	53,353	0	0	0	53,353	68.6%
SUSSEX COUNTY TOTALS	\$ 442,518	\$11,014	\$ 5,438	\$7,857	\$ 466,827	175.0%
<u>SUBMITTED TO MUNICIPALITIES</u>						
Municipal Court	\$ 133,191	\$ 632,381	\$ 0	\$ 0	\$ 765,572	87.7%
Justice of the Peace Courts	0	669,863	0	0	669,863	12.4%
Alderman's Courts	175,373	635,777	0	0	\$ 811,150	N.A.
MUNICIPALITIES TOTALS	\$ 308,564	\$1,938,021	\$ 0	\$ 0	\$2,246,585	N.A.
GRAND TOTALS - JUDICIAL BRANCH	\$5,187,727	\$5,449,605	\$790,391	\$528,057	\$11,955,780	40.1%§

N.A. = Not Available

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

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

#Bond forfeitures, transcript charges, fees for licenses of deadly weapons, duplicate dog licenses, copying machine revenue, and escheated funds.

##FY 1986 Revenue divided by FY 1986 Actual Disbursement, which includes State general, federal, and other funds.

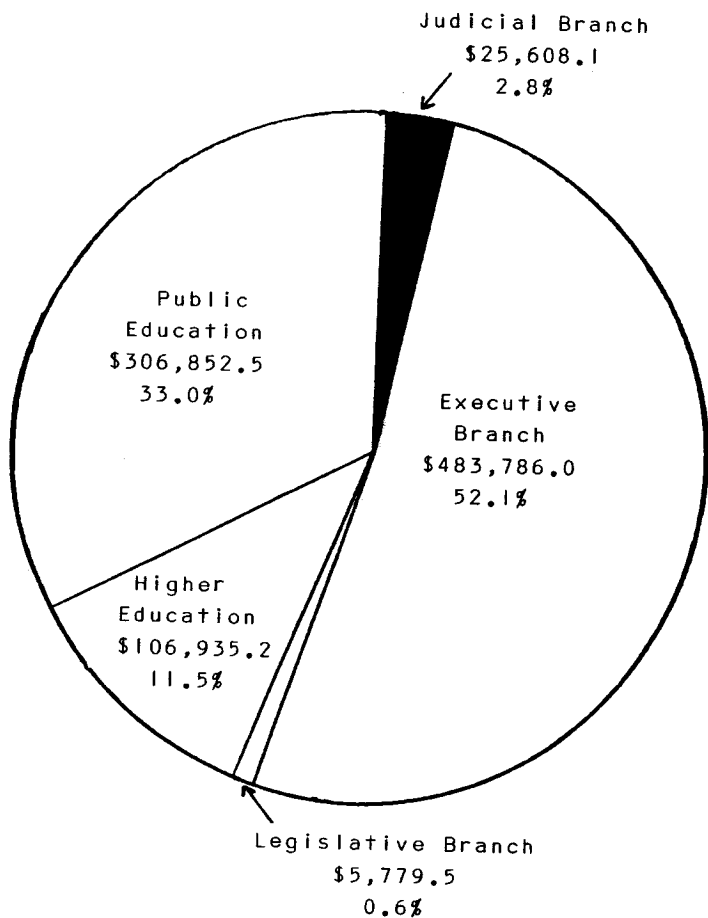
§This figure is approximate as some expenditure data is not available.

NOTE: Total revenue generated by the Justice of the Peace Courts in FY 1986 was \$4,612,348, which represents 85.6% of expenditures for that year.

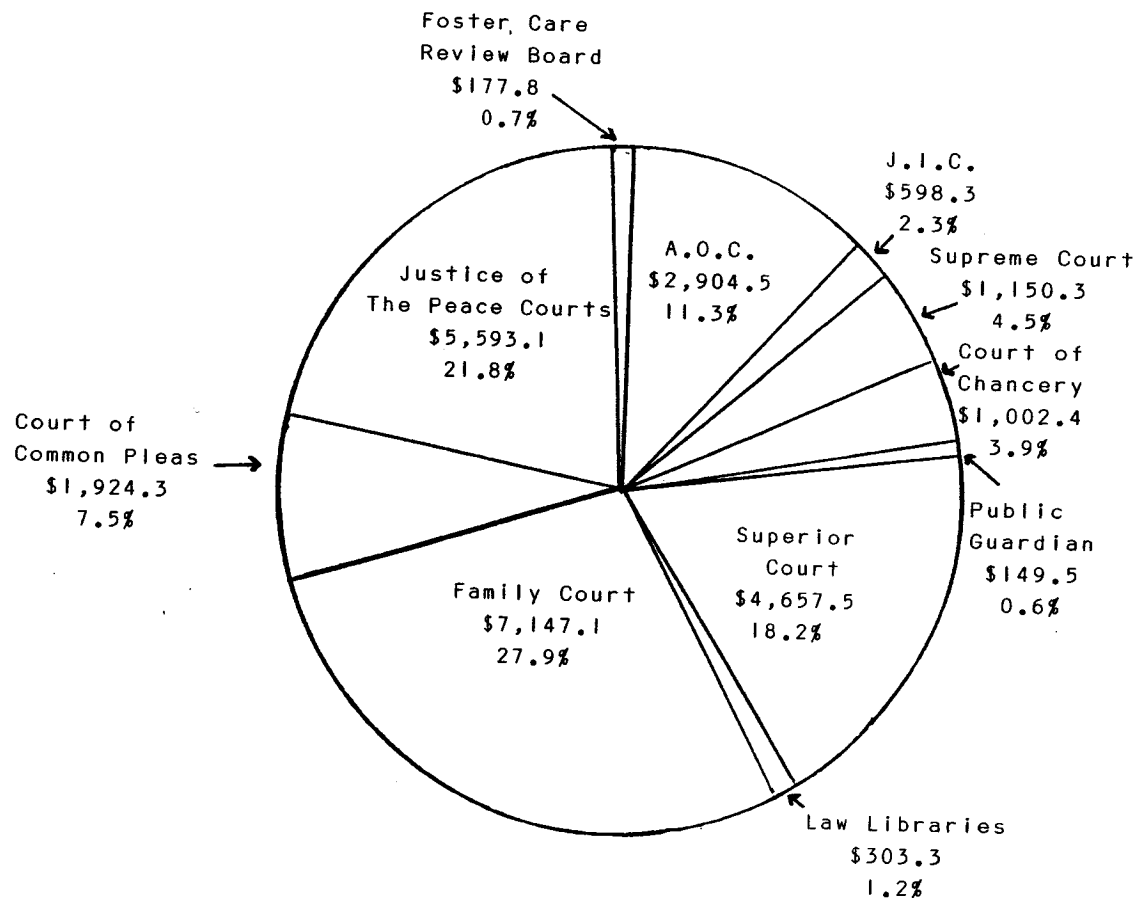
DELAWARE STATE GOVERNMENT APPROPRIATIONS\*  
(IN THOUSANDS)

FISCAL YEAR 1987

STATE APPROPRIATIONS - TOTAL  
\$928,961.3



STATE APPROPRIATIONS - JUDICIARY  
\$25,608.1



\*State general fund monies only.  
A.O.C. = Administrative Office of the Courts  
J.I.C. = Judicial Information Center

Source: 133rd General Assembly, Senate Bill 560

# **Administrative Office of the Courts**

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

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

Duties

The Administrative Office of the Courts serves as the central point for coordination and communications concerning all court administrative activities in the judicial system. The office prepares budgets for the Court of Chancery, and the Foster Care Review Board, and assists in preparation of the budgets of the Supreme Court, Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is responsible for the payment of certain court rentals. It has primary responsibility for the acquisition, supervision, and administration of federal funds received to assist the court system. The Administrative Office of the Courts has responsibility for the development and maintenance of the computerized judicial information system and the Personnel System for the Non-Merit System Courts. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels. The Administrative Office of the Courts collects statistics from the various courts and produces the Annual Report of the Delaware Judiciary. The AOC also performs other duties as prescribed by the Chief Justice.

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.

ADMINISTRATIVE OFFICE OF THE COURTS

PAGE  
=15=

Main Office  
11th Floor  
Elbert N. Carvel Delaware State Building  
820 North French Street  
Wilmington, DE 19801  
(571-2480)

Judicial Information Center  
Public Building  
1020 King Street  
Wilmington, DE 19801  
(571-2344)

PERSONNEL

Director

John R. Fisher (Vacant eff. 1/1/87)  
Joyce A. Zeller, Secretary

Deputy Director

Lowell L. Groundland

Statistician

Adam Golby

Personnel Manager

Vacant

Fiscal Services Manager

E. Dawn Bowman

Information Resources Manager

James D. Brown

Data Processing Manager

James P. Boulanger

Personnel Officer

E. Lynn Deramo-Durr

Accounting Clerks

Geeta T. Nandakumar  
Robin C. Jenkins

Data Base Administrator

Donald L. Hudgins

Word Processing Operator

Maria Cook

Programmer/Analysts

Ernest J. Hoh  
Allan Bruner  
Robert N. Parlier  
Michael D. Gibson  
Robby U. Khanal

Computer Operators

Patricia A. Hall  
Annette Lang

Clerk Typist

Jackie Morehouse-Philips

# **Supreme Court**



Supreme CourtAuthorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section I. The Supreme Court sits in Dover but the Justices maintain their chambers in the counties where they reside.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums, in civil cases as to final judgements, and for certain other orders of Court of Chancery, Superior Court, and Family Court. Appeals are heard on the record. Under some circumstances the Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices, who are appointed by the Governor with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

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 is staffed by a Court Administrator, a Clerk, law clerks, a Chief Deputy Clerk, secretaries and a clerk/bailiff.

Caseload Trends

There were 420 filings during FY 1986, which is a 2.7% rise from the 409 filings in FY 1985. There was an increase of 11.5% in dispositions from 375 in FY 1985 to 418 in FY 1986. Pending cases rose only slightly during FY 1986 from 235 at the end of FY 1985 to 237 at the end of FY 1986.

Elapsed time information on the average time from filing to disposition was collected once again during FY 1986 while data on the average time from submission to disposition was obtained for the first time during FY 1986. The former measure deals with the time from the date on which the case is filed in the Supreme Court to the date of disposition while the latter is limited to the time from the date on which the case is submitted for judicial decision to the date of disposition. The average elapsed time from filing to disposition fell from 234.6 days in FY 1985 to 186.3 days in FY 1986. The average time from submission to disposition was 40.9 days in FY 1986.

The time taken from the date of filing for a case in Supreme Court to the date on which it is submitted for judicial decision is the cause for the substantial difference in the elapsed time data from filing to disposition as compared with submission to disposition. This reflects the fact that a case may take up to 165 days from the date it is filed to the date it is submitted for judicial decision even where no time extensions are granted. These delays are caused by the time periods allowed by the rules for the preparation of transcript of the proceedings in the trial and for the submission of briefs in the Supreme Court.

SUPREME COURT

JUDICIARY

Chief Justice Andrew D. Christie (R, 9/30/97)  
Elaine M. Ryan, Secretary (571-3700)  
Elbert N. Carvel Delaware State Building, 11th Floor  
820 North French Street  
P.O. Box 1997  
Wilmington, DE 19899

Justice Henry R. Horsey (R, 10/30/90)  
Audrey F. Bacino, Secretary (736-4214)  
Supreme Court Building  
57 The Green  
P.O. Box 476  
Dover, DE 19903

Justice Andrew G. T. Moore, II (D, 5/13/94)  
Carolyn Walker, Secretary (571-3730)  
Elbert N. Carvel Delaware State Building, 11th Floor  
820 North French Street  
P.O. Box 1997  
Wilmington, DE 19899

Justice Joseph T. Walsh (D, 9/30/97)  
Linda Flohr, Secretary (571-2690)  
Elbert N. Carvel Delaware State Building, 11th Floor  
820 North French Street  
P.O. Box 1997  
Wilmington, DE 19899

Justice Randy J. Holland (R, 12/2/98)  
Mary Catherine Pritchett (856-5363)  
Supreme Court Chambers  
Sussex County Courthouse  
The Circle  
P.O. Box 229  
Georgetown, DE 19947

SUPREME COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Supreme Court Chambers  
11th Floor  
Elbert N. Carvel Delaware State Building  
820 North French Street  
P.O. Box 1997  
Wilmington, DE 19899

Court Administrator

Stephen D. Taylor  
(571-3706)

Administrative Secretary

Cecelia E. Kelley  
(571-2429)

Law Clerks

Matthew Boyer  
(571-3709)  
Steven Miriani  
(571-3722)  
Steven Brock  
(571-3799)

Receptionist/Clerk Typist

Deborah L. Collins  
(571-2425)

KENT COUNTY

Supreme Court Building  
55 The Green  
P.O. Box 476  
Dover, DE 19903

Clerk of the Supreme Court

Andrew T. Horsey, Esquire  
(736-4155)

Chief Deputy Clerk

Cathy L. Howard  
(736-4155)

Bailiff/Clerk

Deborah Zatlokovicz  
(736-4155)

Russell Phillips  
(736-4214)

SUSSEX COUNTY

Supreme Court Chambers  
Sussex County Courthouse  
The Circle  
P.O. Box 229  
Georgetown, DE 19947

Kevin McKenna  
(856-5363)

SUPREME COURT

FISCAL YEAR 1986  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Criminal Appeals	83#	155	128	110	+27	+ 32.5%
Civil Appeals	135#	230	246	119	-16	- 11.9%
Certifications	2	3	3	2	0	0.0%
Original Applications*	<u>15</u>	<u>32</u>	<u>41</u>	<u>6</u>	<u>- 9</u>	<u>- 60.0%</u>
TOTALS	235	420	418	237	+ 2	+ 0.9%

COMPARISON - FISCAL YEARS 1985-1986  
WORKLOAD

FILINGS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	127	155	+28	+ 22.0%
Civil Appeals	256	230	-26	- 10.2%
Certifications	3	3	0	0.0%
Original Applications	9	25	+16	+177.8%
Bd. on Prof. Resp.	14	4	-10	- 71.4%
Bd. of Bar Exam.	<u>0</u>	<u>3</u>	<u>+ 3</u>	<u>-</u>
TOTALS	409	420	+11	+ 2.7%

DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	140	128	-12	- 8.6%
Civil Appeals	217	246	+29	+ 13.4%
Certifications	2	3	+ 1	+ 50.0%
Original Applications	9	26	+17	+188.9%
Bd. on Prof. Resp.	7	13	+ 6	+ 85.7%
Bd. of Bar Exam.	<u>0</u>	<u>2</u>	<u>+ 2</u>	<u>-</u>
TOTALS	375	418	+43	+ 11.5%

\*Board of Bar Examiners and Board on Professional Responsibility are included with the original applications in the Workload Summary. Each is listed separately, however, in the Workload Comparison.

#Amended from 1985 Annual Report.

Bd. on Prof. Resp. = Board on Professional Responsibility

Bd. of Bar Exam. = Board of Board Examiners

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT  
FISCAL YEAR 1986  
WORKLOAD BREAKDOWNS

FILINGS

	<u>Court of Chancery</u>	<u>Superior Court</u>	<u>Family Court</u>	<u>Non-Court Originated</u>	<u>TOTALS</u>
Criminal Appeals	0 0.0%	155 100.0%	0 0.0%	0 0.0%	155 100.0%
Civil Appeals	46 20.0%	129 56.1%	55 23.9%	0 0.0%	230 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	3 100.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	25 100.0%	25 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	4 100.0%	4 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	3 100.0%	3 100.0%
TOTALS	46 11.0%	284 67.6%	55 13.1%	35 8.3%	420 100.0%

DISPOSITIONS

	<u>Court of Chancery</u>	<u>Superior Court</u>	<u>Family Court</u>	<u>Non-Court Originated</u>	<u>TOTALS</u>
Criminal Appeals	0 0.0%	128 100.0%	0 0.0%	0 0.0%	128 100.0%
Civil Appeals	65 26.4%	127 51.6%	54 22.0%	0 0.0%	246 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	3 100.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	26 100.0%	26 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	13 100.0%	13 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	2 100.0%	2 100.0%
TOTALS	65 15.6%	255 61.0%	54 12.9%	44 10.5%	418 100.0%

CHANGE IN PENDING CASES

	<u>Court of Chancery</u>	<u>Superior Court</u>	<u>Family Court</u>	<u>Non-Court Originated</u>	<u>TOTALS</u>
Criminal Appeals	0	+27	0	0	+27
Civil Appeals	-19	+ 2	+1	0	-16
Certifications	0	0	0	0	0
Original Applications	0	0	0	-1	- 1
Bd. on Prof. Resp.	0	0	0	-9	- 9
Bd. of Bar Exam.	0	0	0	+1	+ 1
TOTALS	-19	+29	+1	-9	+ 2

Bd. on Prof. Resp. = Board on Professional Responsibility.  
Bd. of Bar Exam. = Board of Bar Examiners.

Source: Court Administrator and Clerk of the Supreme Court

SUPREME COURT  
FISCAL YEAR 1986  
WORKLOAD  
TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	<u>Affirmed</u>	<u>Aff.Pt./ Rev.Pt.</u>	<u>Reversed</u>	<u>Reversed and Remanded</u>	<u>Remanded</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Leave to Appeal Denied</u>	<u>TOTALS</u>
Criminal Appeals	87 68.0%	4 3.1%	0 0.0%	2 1.6%	2 1.6%	13 10.2%	19 14.8%	1 0.8%	128 100.0%
Civil Appeals	134 54.5%	8 3.3%	4 1.6%	7 2.8%	1 0.4%	41 16.7%	31 12.6%	20 8.1%	246 100.0%
TOTALS	221 59.1%	12 3.2%	4 1.1%	9 2.4%	3 0.8%	54 14.4%	50 13.4%	21 5.6%	374 100.0%

MISCELLANEOUS DISPOSITIONS

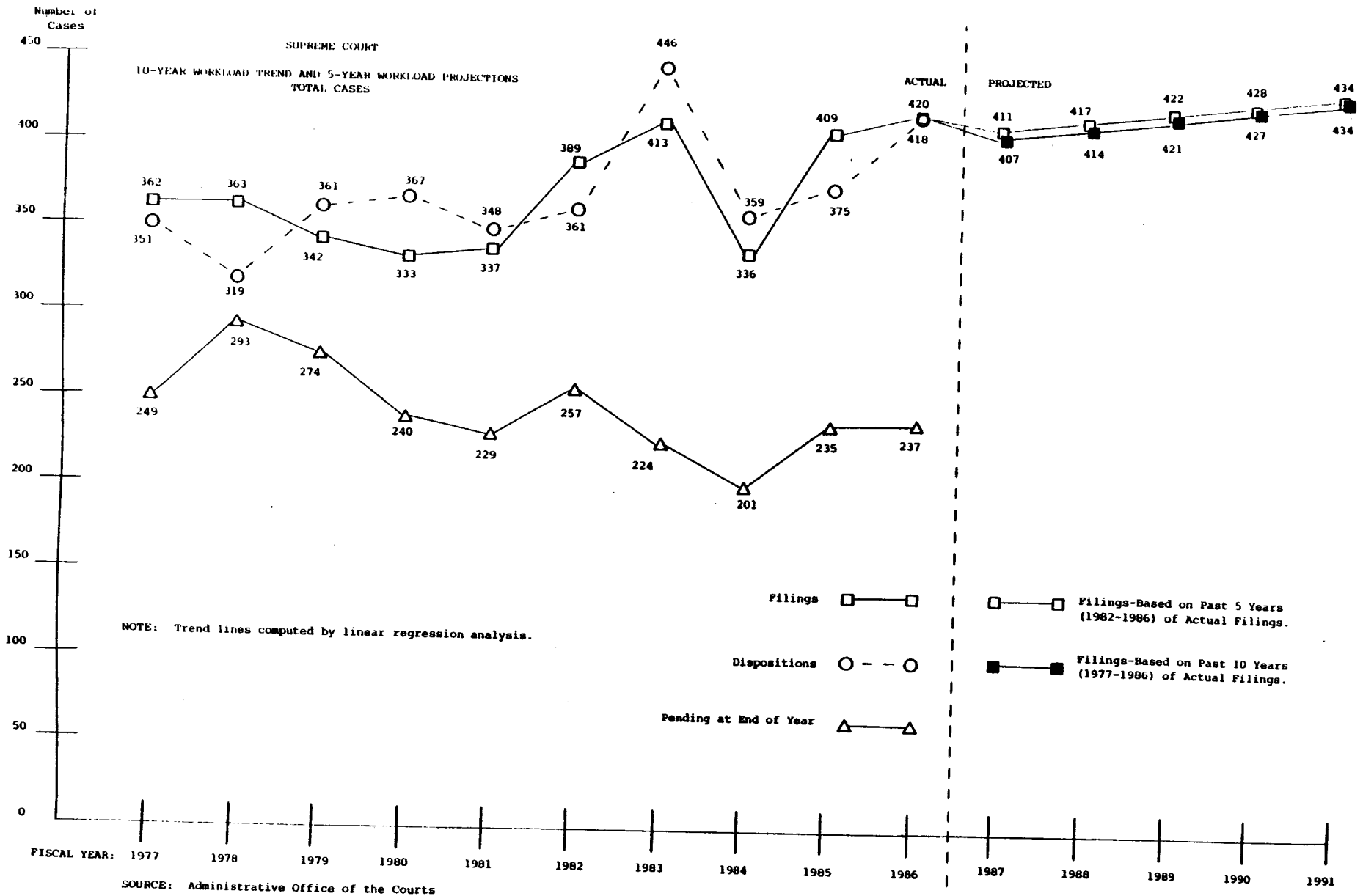
	<u>Affirmed</u>	<u>Aff. Pt./ Rev. Pt.</u>	<u>Remanded</u>	<u>Leave to Appeal Denied</u>	<u>Court Dismissal</u>	<u>TOTALS</u>
Certifications	0 0.0%	1 33.3%	0 0.0%	2 66.7%	0 0.0%	3 100.0%
Original Applications	1 3.8%	0 0.0%	0 0.0%	5 19.2%	20 76.9%	26 100.0%
Board of Bar Examiners	0 0.0%	0 0.0%	1 50.0%	1 50.0%	0 0.0%	2 100.0%
Bd. on Prof. Resp.	12 92.3%	0 0.0%	0 0.0%	0 0.0%	1 7.7%	13 100.0%
TOTALS	13 29.5%	1 2.3%	1 2.3%	8 18.2%	21 47.7%	44 100.0%

METHODS OF DISPOSITIONS

	<u>Assigned Opinion</u>	<u>Per Curiam Opinion</u>	<u>Written Order</u>	<u>Voluntary Dismissal</u>	<u>TOTALS</u>
Criminal Appeals	10 7.8%	2 1.6%	103 80.5%	13 10.2%	128 100.0%
Civil Appeals	39 15.9%	8 3.3%	158 64.2%	41 16.7%	246 100.0%
Certifications	1 33.3%	0 0.0%	2 66.7%	0 0.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	26 100.0%	0 0.0%	26 100.0%
Board of Bar Examiners	0 0.0%	0 0.0%	2 100.0%	0 0.0%	2 100.0%
Bd. on Prof. Resp.	7 53.8%	3 23.1%	3 23.1%	0 0.0%	13 100.0%
TOTALS	57 13.6%	13 3.1%	294 70.3%	54 12.9%	418 100.0%

Aff.Pt./Rev.Pt. = Affirmed in Part/Reversed in Part  
Bd. on Prof. Resp. = Board on Professional Responsibility.

Source: Court Administrator and Clerk of the Supreme Court





SUPREME COURT

FISCAL YEAR 1986  
PERFORMANCE SUMMARY

	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Average Time from Submission to Disposition*</u>
Criminal Appeals	128	234.7 days	43.3 days
Civil Appeals	246	177.3	42.4
Certifications	3	68.3	50.7
Original Applications	26	25.0	11.4
Bd. on Prof. Resp.	13	257.8	55.8
Bd. of Bar Exam.	2	11.0	11.0
TOTALS*	<u>418</u>	<u>186.3 days</u>	<u>40.9 days</u>

COMPARISON - FISCAL YEARS 1985-1986  
PERFORMANCE SUMMARY\*\*

AVERAGE TIME FROM FILING TO DISPOSITION

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	305.1 days	234.7 days	- 70.4 days	- 23.1%
Civil Appeals	196.0	177.3	- 18.7	- 9.5%
Certifications	21.0	68.3	+ 47.3	+225.2%
Original Applications	67.2	25.0	- 42.2	- 62.8%
Bd. on Prof. Resp.	295.4	257.8	- 37.6	- 12.7%
Bd. of Bar Exam.	-	11.0	-	-
TOTALS	<u>234.6 days</u>	<u>186.3 days</u>	<u>- 48.3 days</u>	<u>- 20.6%</u>

\*Average time from date submitted for judicial decision to actual date of disposition.

Not all Supreme Court dispositions require a judicial decision.

\*\*Average time from submission to disposition not available for FY 1985.

Bd. on Prof. Resp. = Board on Professional Responsibility.

Bd. of Bar Exam. = Board of Bar Examiners.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT  
FISCAL YEAR 1986  
PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

<u>Type of Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Average Time from Submission to Disposition*</u>
Affirmed	234	241.0 days	44.2 days
Affirmed Part/Reversed in Part	13	405.8	124.6
Reversed	4	373.5	61.3
Reversed and Remanded	9	330.4	93.2
Remanded	4	245.8	40.0
Voluntary Dismissal	54	96.8	-
Court Dismissal	71	65.2	16.6
Leave to Appeal Denied	29	31.3	16.7
TOTALS	418	<u>186.3 days</u>	<u>40.9 days</u>

ELAPSED TIME BY DISPOSITION METHOD

<u>Method of Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Average Time from Submission to Disposition*</u>
Assigned Opinion	57	408.1 days	116.5 days
Per Curium Opinion	13	235.2	36.0
Written Order	294	157.6	26.4
Voluntary Dismissal	54	96.8	-
TOTALS	418	<u>186.3 days</u>	<u>40.9 days</u>

\*Average time from date submitted for judicial decision to actual date of disposition.  
Not all Supreme Court dispositions require a judicial decision.

Source: Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

# **Court of Chancery**

Legal Authorization

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

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown.

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 questions of title to real estate, as well as commercial and contractual matters in general. When issues of fact to be tried by a jury arise, the Court of Chancery may order such facts to trial by issues at the Bar of the Superior Court (10 Del. C. §369).

Judges

The Court of Chancery consists of one Chancellor and three Vice-Chancellors. 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 and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. The Register in Chancery is the Clerk of the Court for all actions except those within the jurisdiction of the Register of Wills. A Register in Chancery is elected for each county. The Chancellor or Vice-Chancellor resident in the county is to appoint one Chief Deputy Register in Chancery in each county.

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

Caseload Trend

There were 685 civil cases filings during FY 1986 which was an increase of 6.9% from the 641 filings in FY 1985. 659 cases were completed in FY 1986, a decrease of 2.9% from the 673 cases terminated in the previous fiscal year. The rise in filings and the fall in dispositions led to a 3.1% increase in year end pending to 857 in FY 1986 from 831 in FY 1985.

There were 544 miscellaneous petitions filed and heard by the Court in FY 1986 (miscellaneous petitions include applications for appointment of guardians, for approval of tort settlements for minors, etc. and usually are completed at one judicial hearing). This represents an increase of 2.6% in statewide miscellaneous matters filed during FY 1986 along with a 1.9% decrease in miscellaneous matters disposed during FY 1986 which resulted in a 2.5% increase in pending at the end of the year between FY 1985 and FY 1986.

The 2,080 estates opened during FY 1986 marked the first time in which over 2,000 estates had been handled during a single fiscal year. This was 4.6% more than the 1,989 estates filed during FY 1985, which had been the largest number of estates filed in a fiscal year. There was a 13.0% rise in dispositions from 1,601 in FY 1985 to 1,809 in FY 1986, but there was a 9.9% increase in pending between FY 1985 and FY 1986 despite this increase in dispositions because of the large number of estates opened.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. William T. Allen (R, 5/30/97)  
Vickie L. Lally, Secretary  
(571-2442)

Vice-Chancellors

Hon. Maurice A. Hartnett, III (D, 9/29/88)  
Shirley D. Wood, Secretary  
Joyce D. Stockslager, Secretary  
(736-4397, 571-2440)

Hon. Carolyn Berger (D, 3/27/96)  
Rosalie Barbera, Secretary  
(571-2443)

Hon. Jack B. Jacobs (D, 9/30/97)  
R. Cathy Daniels, Secretary  
(571-2441)

COURT OF CHANCERY

SUPPORT PERSONNEL

NEW CASTLE COUNTY

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

Master in Chancery

Richard C. Kiger, Esquire  
(571-2348)

Court Reporters

Henry D. Skogmo, Chief  
(571-2447)

Lorraine B. Marino  
(571-2448)

Jack B. White  
(571-2447)

Notereader/Transcribers

Sharon McClure  
Ann Nolan

Law Clerks

Louis Herring  
Bruce A. Rogers  
Melanie Sharp  
Peter J. Walsh  
(571-2444)

KENT COUNTY

Court of Chancery  
48 The Green  
Dover, Delaware 19901

SUSSEX COUNTY

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

Judicial Secretary/Receptionist

Mary Lou Wilcoxson  
(856-5338)

COURT OF CHANCERY

SUPPORT PERSONNEL (CONT'D)

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

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

Registers in Chancery  
John D. Kelly, III

Chief Deputies  
M. Roger Holmes  
Jane L. Koke

Deputies  
Patricia G. Randolph  
Ken Lagowski

KENT COUNTY

Register in Chancery  
Kent County Courthouse  
38 The Green  
Dover, Delaware 19901  
(736-2242; 736-2243)

Loretta L. Wootten

B. Gail Shaughnessy

Lydia M. McClary

SUSSEX COUNTY

Register in Chancery  
Sussex County Courthouse  
The Circle  
Georgetown, Delaware 19947  
(856-7701, X250)

Harvey F. Donovan, Sr.

Bonnie E. Gregory

Shirley S. Sommers  
Marie A. Whaley



COURT OF CHANCERY

REGISTERS OF WILLS

NEW CASTLE COUNTY

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

Registers of Wills

Joseph F. Flickinger, III  
Diane Button, Secretary

Chief Deputies

Grover D. Luttrell, Jr.  
Patricia Olesky

Deputies

Lillian Kleveland  
Adelaide Giacomia

KENT COUNTY

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

Sandra W. Dean

Francine Gilbert

Dawn A. Gray

SUSSEX COUNTY

Register of Wills  
Sussex County Courthouse  
P.O. Box 111  
The Circle  
Georgetown, Delaware 19947  
(856-7701, X206)

Ronald B. Waller

Isabelle P. Morris

Marie A. Scott

## COURT OF CHANCERY

FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	657	555	536	676	+19	+ 2.9%
Kent	60	45	35	70	+10	+16.7%
Sussex	<u>114</u>	<u>85</u>	<u>88</u>	<u>111</u>	- 3	- 2.6%
State	831	685	659	857	+26	+ 3.1%

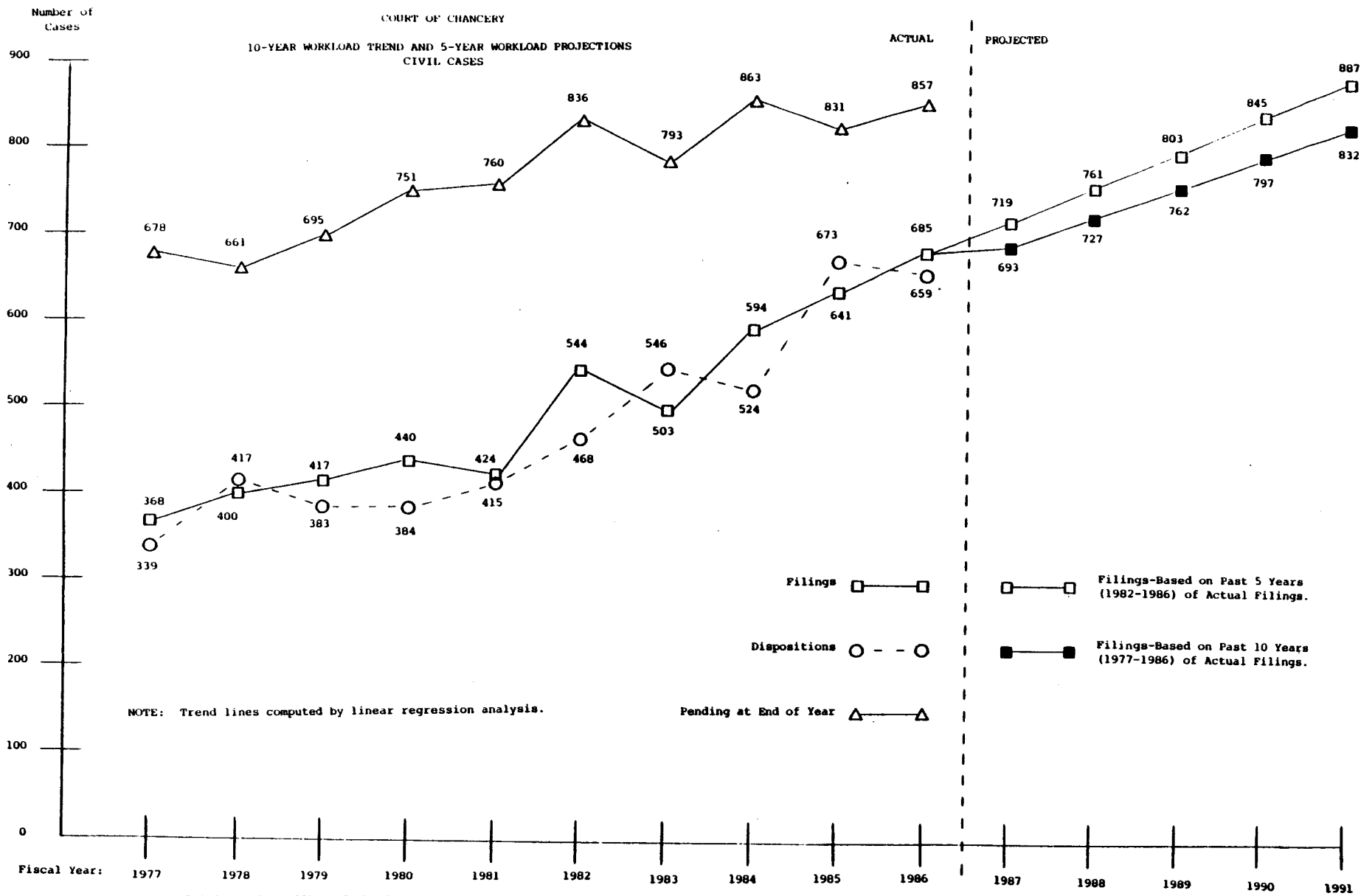
COMPARISON - FISCAL YEARS 1985-1986  
CIVIL CASES  
WORKLOADFILINGS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	539	555	+ 16	+ 3.0%
Kent	32	45	+ 13	+40.6%
Sussex	<u>70</u>	<u>85</u>	<u>+ 15</u>	<u>+21.4%</u>
State	641	685	+ 44	+ 6.9%

DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	560	536	- 24	- 4.3%
Kent	52	35	- 17	-32.7%
Sussex	<u>61</u>	<u>88</u>	<u>+ 27</u>	<u>+44.3%</u>
State	673	659	- 14	- 2.1%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



COURT OF CHANCERY  
FISCAL YEAR 1986  
MISCELLANEOUS MATTERS  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,116	292	248	3,160	+ 44	+1.4%
Kent	653	50	28	675	+ 22	+3.4%
Sussex	<u>1,178</u>	<u>202</u>	<u>144</u>	<u>1,236</u>	<u>+ 58</u>	<u>+4.9%</u>
State	4,947	544	420	5,071	+124	+2.5%

COMPARISON - FISCAL YEARS 1985-1986  
MISCELLANEOUS MATTERS

FILINGS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	297	292	- 5	- 1.7%
Kent	48	50	+ 2	+ 4.2%
Sussex	<u>185</u>	<u>202</u>	<u>+17</u>	<u>+ 9.2%</u>
State	530	544	+14	+ 2.6%

DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	264	248	-16	- 6.1%
Kent	22	28	+ 6	+27.3%
Sussex	<u>142</u>	<u>144</u>	<u>+ 2</u>	<u>+ 1.4%</u>
State	428	420	- 8	- 1.9%

Source: New Castle County, Kent County, and Sussex County Registers in Chancery

## COURT OF CHANCERY

FISCAL YEAR 1986  
MISCELLANEOUS MATTERS  
WORKLOAD BREAKDOWNSFILINGS

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	82 28.1%	102 34.9%	5 1.7%	81 27.7%	22 7.5%	292 100.0%
Kent	19 38.0%	19 38.0%	1 2.0%	3 6.0%	8 16.0%	50 100.0%
Sussex	<u>22 10.9%</u>	<u>36 17.8%</u>	<u>0 0.0%</u>	<u>86 42.6%</u>	<u>58 28.7%</u>	<u>202 100.0%</u>
State	123 22.6%	157 28.9%	6 1.1%	170 31.3%	88 16.2%	544 100.0%

DISPOSITIONS

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	71 28.6%	69 27.8%	4 1.6%	96 38.7%	8 3.2%	248 100.0%
Kent	11 39.3%	6 21.4%	3 10.7%	6 21.4%	2 7.1%	28 100.0%
Sussex	<u>21 14.6%</u>	<u>40 27.8%</u>	<u>0 0.0%</u>	<u>22 15.3%</u>	<u>61 42.4%</u>	<u>144 100.0%</u>
State	103 24.5%	115 27.4%	7 1.7%	124 29.5%	71 16.9%	420 100.0%

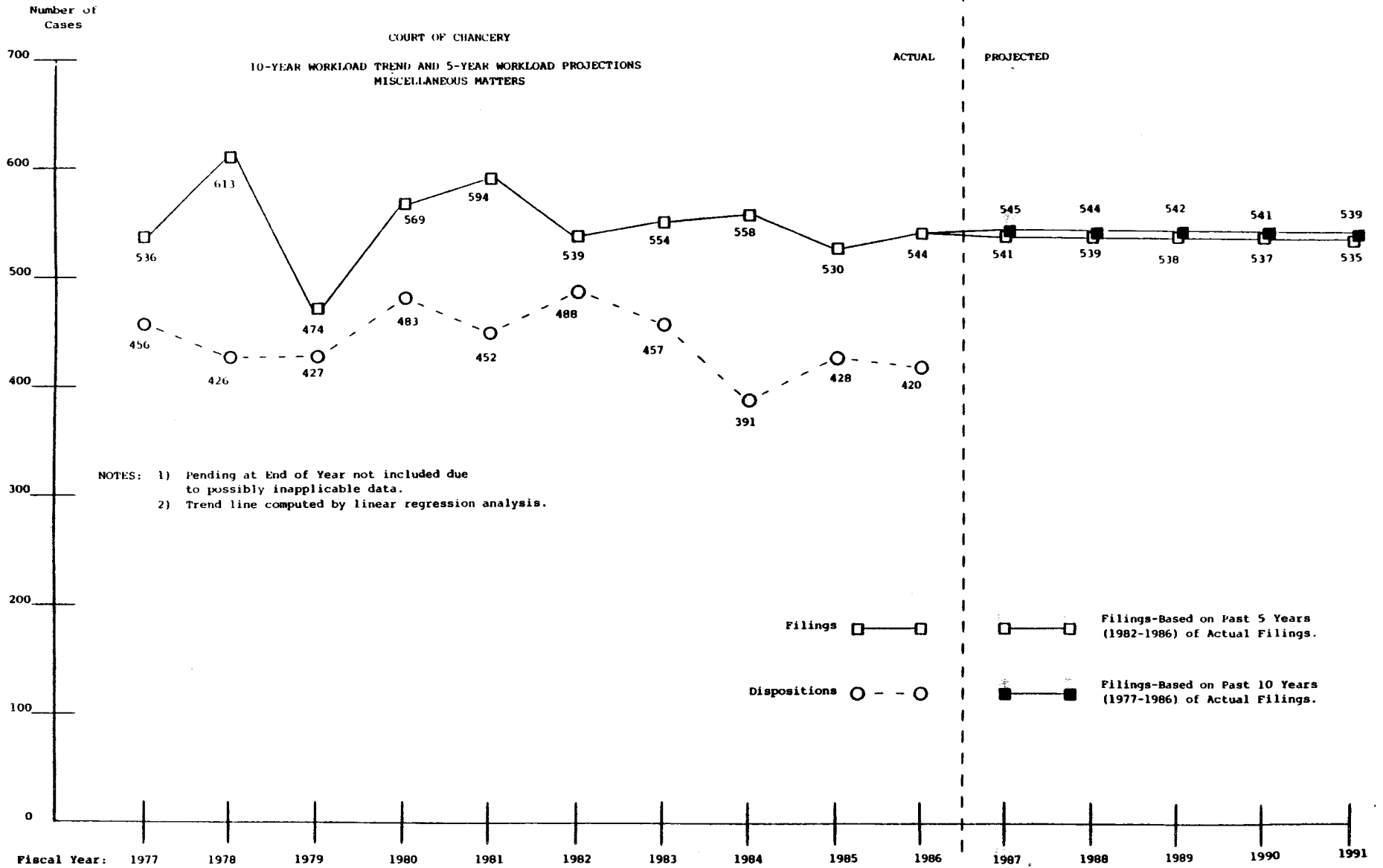
PENDING AT END OF YEAR

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	429 13.6%	876 27.7%	158 5.0%	1,299 41.1%	398 12.6%	3,160 100.0%
Kent	276 40.9%	220 32.6%	15 2.2%	140 20.7%	24 3.6%	675 100.0%
Sussex	<u>305 24.7%</u>	<u>106 8.6%</u>	<u>16 1.3%</u>	<u>796 64.4%</u>	<u>13 1.1%</u>	<u>1,236 100.0%</u>
State	1,010 19.9%	1,202 23.7%	189 3.7%	2,235 44.1%	435 8.6%	5,071 100.0%

CHANGE IN PENDING

	<u>Guardians for Minors</u>	<u>Guardians for Infirm</u>	<u>Trustees for Mentally Ill</u>	<u>Trusts</u>	<u>Other Matters</u>	<u>TOTALS</u>
New Castle	+ 11	+ 33	+ 1	- 15	+ 14	+ 44
Kent	+ 8	+ 13	- 2	- 3	+ 6	+ 22
Sussex	<u>+ 1</u>	<u>- 4</u>	<u>0</u>	<u>+ 64</u>	<u>- 3</u>	<u>+ 58</u>
State	+ 20	+ 42	- 1	+ 46	+ 17	+124

Source: New Castle County, Kent County, and Sussex County Registers in Chancery



NOTES: 1) Pending at End of Year not included due to possibly inapplicable data.  
2) Trend line computed by linear regression analysis.

Source: Administrative Office of the Courts

## COURT OF CHANCERY

FISCAL YEAR 1986  
ESTATES  
WORKLOAD SUMMARY

	<u>Pending</u> <u>6/30/85</u>	<u>Opened</u>	<u>Closed</u>	<u>Pending</u> <u>6/30/86</u>	<u>Change In</u> <u>Pending</u>	<u>% Change</u> <u>In Pending</u>
New Castle	1,083	1,300	1,142	1,241	+158	+14.6%
Kent	1,020	327	222	1,125	+105	+10.3%
Sussex	<u>628</u>	<u>453</u>	<u>445</u>	<u>636</u>	<u>+ 8</u>	<u>+ 1.3%</u>
State	2,731	2,080	1,809	3,002	+271	+ 9.9%

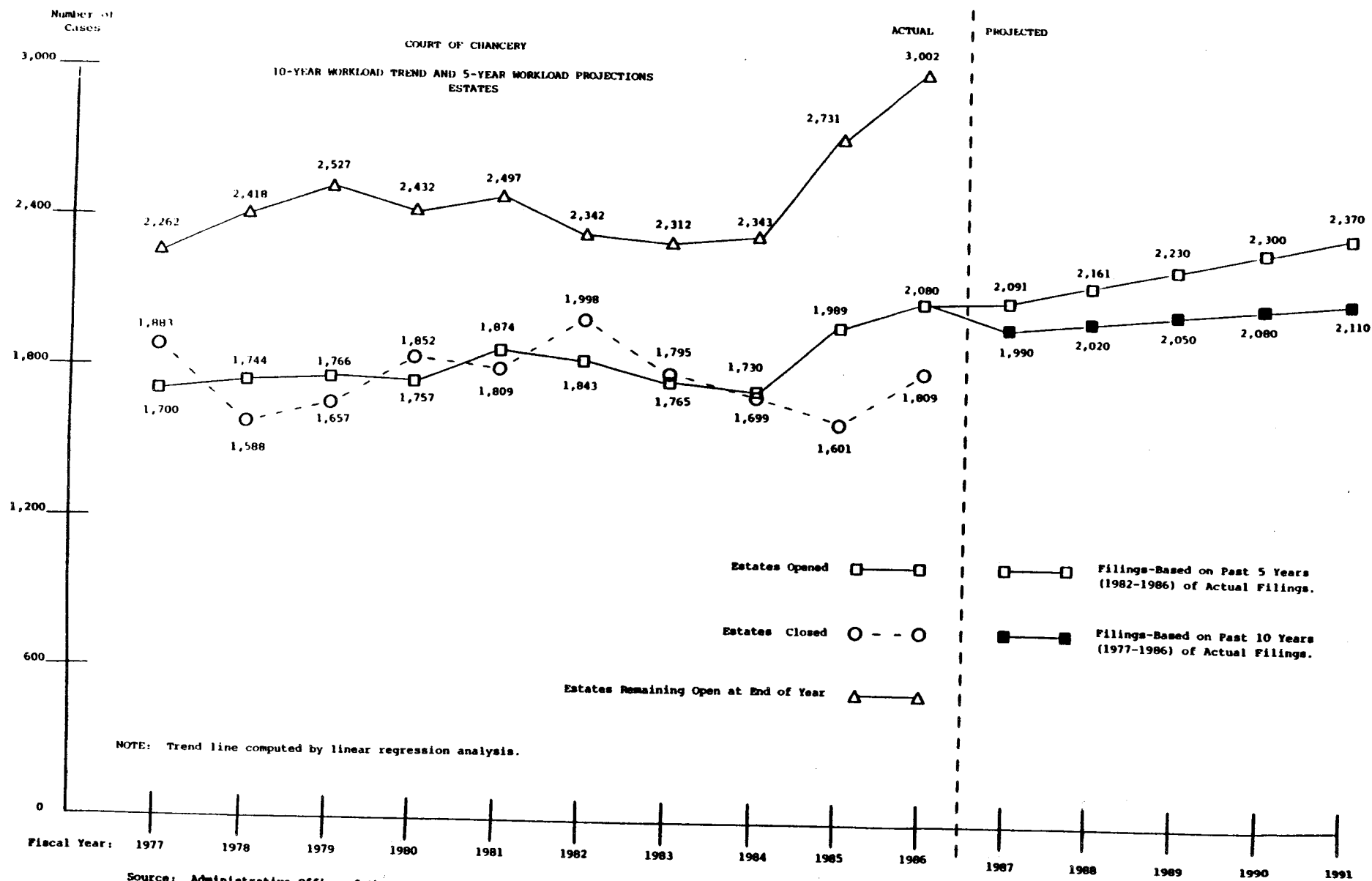
COMPARISON - FISCAL YEARS 1985-1986  
ESTATES  
WORKLOADOPENED

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,267	1,300	+ 33	+ 2.6%
Kent	290	327	+ 37	+12.8%
Sussex	<u>432</u>	<u>453</u>	<u>+ 21</u>	<u>+ 4.9%</u>
State	1,989	2,080	+ 91	+ 4.6%

CLOSED

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,115	1,142	+ 27	+ 2.4%
Kent	154	222	+ 68	+44.2%
Sussex	<u>332</u>	<u>445</u>	<u>+113</u>	<u>+34.0%</u>
State	1,601	1,809	+208	+13.0%

Source: New Castle County, Kent County, and Sussex County Registers of Wills





# **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, which states that:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure..."

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 stated in Title 12, §3992, of the Delaware Code:

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

1. Serve as a 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 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 legislation creating the Office of the Public Guardian creates a guardianship capability for a person needing a guardian but who does not have a 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 best be served by a neutral guardian. This has resulted in the Office of the Public Guardian serving as consultant to agencies, attorneys, or families about guardianship matters.

Personnel

The Public Guardian is aided by a staff assistant, one full-time and two part-time caseworkers, and an accounting clerk.

Caseload

The Office of the Public Guardian received a total of 107 referrals during FY 1986 compared with 102 referrals in FY 1985. 16 of the referrals in FY 1986 were determined to need the services of the Public Guardian as a guardian and petitions were presented in the appropriate counties in these cases. The Public Guardian was responsible for 53 wards as of June 30, 1986, which was an increase from the 46 wards at the end of FY 1985.

The remaining 91 referrals were determined not to need guardianship to resolve their problems and were served by utilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client take some voluntary action on his own behalf, or offering counseling to help the client solve his own problems.

PUBLIC GUARDIAN

New Castle County

11th Floor  
Elbert N. Carvel Delaware State Bldg.  
820 North French Street  
Wilmington, DE 19801  
(571-2990)

Kent County

James Williams State Service Center  
805 River Road  
Dover, DE 19901  
(736-4072)

Sussex County

Laurel State Service Center  
111 Mechanic Street  
Laurel, DE 19956  
(856-5223)

PERSONNEL

Public Guardian

Barbara F. Blevins

Staff Assistant

Barbara A. Walker

Caseworker

Patricia E. Gesler

Accounting Clerk

Marilyn Bergeron-Huard

Caseworker

Hugh Waters

Caseworker

Karen E. Bounds

PUBLIC GUARDIAN

FISCAL YEAR 1986  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>New Referrals</u>	<u>Cases Closed</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Guardianships	46	16	9	53	+ 7	+ 15.2%
Investigations	<u>6</u>	<u>91</u>	<u>90</u>	<u>7</u>	<u>+ 1</u>	<u>+ 16.7%</u>
TOTALS	52	107	99	60	+ 8	+ 15.4%

COMPARISON - FISCAL YEARS 1985-1986  
WORKLOAD

New Referrals

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Guardianships	9	16	+ 7	+ 77.8%
Investigations	<u>93</u>	<u>91</u>	<u>- 2</u>	<u>- 2.2%</u>
TOTALS	102	107	+ 5	+ 4.9%

Cases Closed

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Guardianships	13	9	- 4	- 30.8%
Investigations	<u>98</u>	<u>90</u>	<u>- 8</u>	<u>- 8.2%</u>
TOTALS	111	99	- 12	- 10.8%

Source: Office of the Public Guardian

# **Superior Court**

SUPERIOR COURTLegal 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's authority to award damages is not subject to a monetary maximum. The Court hears cases of personal injury, libel and slander, and contract claims. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, and appeals related to landlord-tenant disputes and appeals from the Automobile Arbitration Board. 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 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, and more than 50 administrative agencies including 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 on 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 thirteen judges appointed to the Superior Court bench. One judge 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. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

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.

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 the Superior Court for that county. The Prothonotary is the record keeper for the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the courts and for the Attorney General. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital and collects and distributes restitution monies as ordered by the Court in addition to numerous other duties. It is also charged with the security, care and custody of Courts' exhibits.

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

Caseload Trend

There was a 4.9% increase in criminal filings from an amended total of 4,425 criminal filings in FY 1985 to 4,642 in FY 1986. Criminal dispositions increased very slightly from 4,142 in FY 1985 to 4,172 in FY 1986. The increase in filings while dispositions remained almost constant caused a 26.6% increase in criminal pending to 2,234 at the end of FY 1986 from an amended total of 1,764 criminal pending at the end of FY 1985. The rate of compliance with the 120 Day Speedy Trial Directive dropped from 67.3% statewide during FY 1985 to 56.2% in FY 1986. This was due in large part to the 48.7% rate of compliance in New Castle County during FY 1986.

Civil filings increased in each county during FY 1986 with civil filings statewide increasing by 8.6% from 3,745 in FY 1985 to 4,067 in FY 1986. Civil dispositions also rose in each county with the statewide total of civil dispositions increasing by 8.0% to 3,470 in FY 1986 from 3,213 in FY 1985. Civil pending rose by 12.2% from an amended total of 4,912 at the end of FY 1985 to 5,509 at the end of FY 1986.

The increase in both criminal and civil filings during FY 1986 led to an increase of 6.6% in total filings from an amended total of 8,170 filings in FY 1985 to 8,709 in FY 1986. Total dispositions rose by 3.9% from 7,355 during FY 1985 to 7,642 in FY 1986. Since more cases were filed than were disposed of, the total number of cases pending increased by 16.0% from an amended total of 6,676 pending at the end of FY 1985 to 7,743 total pending at the end of FY 1986.



## JUDICIARY

## NEW CASTLE COUNTY

President Judge

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

Resident Judge

Hon. Joshua W. Martin, III (R, 6/9/95)  
Ann Wallace, Secretary  
(571-2544)

Associate Judges

Hon. Robert C. O'Hara (R, 3/23/90)  
Doris Myers, Secretary  
(571-2370)  
Hon. Vincent A. Bifferato (D, 8/5/92)  
Betty Gilson, Secretary  
(571-2361)  
Hon. Vincent J. Poppiti (D, 6/10/95)  
Mary Jane DeMatteis, Secretary  
(571-2358)  
Hon. Clarence W. Taylor (R, 7/1/96)  
Barbara Rogers, Secretary  
(571-2374)  
Hon. Richard S. Gebelein (R, 9/14/96)  
Patrice Wheeler, Secretary  
(571-2369)  
Hon. Bernard Balick (D, 9/30/97)  
Ivone Marvel, Secretary  
(571-2367) 2367  
Hon. John E. Babiarz, Jr. (D, 9/30/97)  
Carol Edwards, Secretary  
(571-2354)

## KENT COUNTY

Resident Judge

Hon. William G. Bush, III (D, 9/13/96)  
Eileen Masino, Secretary  
(736-5333)

Associate Judge

Hon. Henry duPont Ridgely (R, 9/14/96)  
Deborah Martin, Secretary  
(736-5331)

## SUSSEX COUNTY

Resident Judge

Hon. William B. Chandler, III (R, 6/30/9  
Mary Ellen Greenley, Secretary  
(856-5257)

Associate Judge

Hon. William S. Lee (R, 6/30/98)  
Karen J. Taylor, Secretary  
(856-5256)

SUPERIOR COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Superior Court  
Public Building  
1020 North King Street  
Wilmington, DE 19801

Administrator

Thomas J. Ralston  
S. Maureen Golden, Secretary  
(571-2380)

Jury Manager

Doris E. Harris  
(571-2380)

Accountant

Michael E. Indellini  
(571-2376)

Arbitration Coordinator

Felicia Ciuffetelli-Jones  
(571-2343)

Case Scheduling Office

Phyllis Laffey, Director  
(571-2409)

Law Clerks

Christopher R. Baum  
John R. Christie  
Karen M. Cunningham  
Richard A. DiLiberto  
Andrew S. Goldman  
Kevin G. Healy  
Peter O. Jamison, III  
Amy L. Sklut

Jury Commissioners

Alma C. Allen  
Robert S. Chapin

KENT COUNTY

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

Joyce C. DuBour  
(736-5353)

Carole E. L. Davis  
Harold H. Hester

Wallace F. McFaul, Jr.  
John F. McDonald

SUSSEX COUNTY

Superior Court  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947

Lisa D. Isaacs  
(856-5525)

Kim Ayvazian

Ralton H. Dennis  
Milan F. West

## SUPERIOR COURT

## SUPPORT PERSONNEL (CONTINUED)

## NEW CASTLE COUNTY

Presentence Officers

William G. Echols, Chief  
Barbara P. Holloway, Assistant Chief  
(571-2420)

Court Reporters

Morris D. Pearson, Chief  
(571-2390)

Bailiffs

John K. Truitt, Chief

## KENT COUNTY

Jesse L. Williams, Chief  
(736-5275)

Debra S. Holt  
(736-5311)

William R. Staats, Chief

## SUSSEX COUNTY

Jana E. Mollahan, Chief  
(856-5549)

Eileen G. Kimmel  
(856-5596)

Sydney J. Hitchens, Chief

## PROTHONOTARIES

## NEW CASTLE COUNTY

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

Prothonotaries

Deborah H. Capano

Chief Deputies

Elizabeth O. Richeson  
Sandra Autman

Deputies

Sharon Agnew  
Barbara Hrinak  
Wilma McDowell  
Raymond Wilson

## KENT COUNTY

Prothonotary  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(736-5328)

Emily G. Morris

Mary Jane Cronk  
Phyllis Lints

## SUSSEX COUNTY

Prothonotary  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-7701, X270)

Lynn W. Moore

Carol B. Thomas  
Faith Wilson

Shirley Washington

SUPERIOR COURT

SHERIFFS

NEW CASTLE COUNTY

Sheriff  
Public Building  
1020 North King Street  
Wilmington, DE 19801  
(571-7564, 571-7565)

Sheriffs

Michael P. Walsh

Chief Deputies

Loretta Forsythe-Walsh

Chief Deputy Sheriff

Edward F. Bonk, Sr.

KENT COUNTY

Sheriff  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(736-2000, X212)

Carl M. Wright

SUSSEX COUNTY

Sheriff  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-7701, X240)

William L. Jones

Robert D. Snowden

SUPERIOR COURT  
FISCAL YEAR 1986  
CRIMINAL CASES  
WORKLOAD SUMMARY

	<u>Number of Defendants</u>			<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>			
New Castle	1,322	3,532	3,142	1,712	+390	+29.5%
Kent	284	606	546	344	+ 60	+21.1%
Sussex	<u>158*</u>	<u>504</u>	<u>484</u>	<u>178</u>	<u>+ 20</u>	<u>+12.7%</u>
State	1,764*	4,642	4,172	2,234	+470	+26.6%

COMPARISON - FISCAL YEARS 1985-1986  
WORKLOAD

FILINGS

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	3,510	3,532	+ 22	+ 0.6%
Kent	494	606	+112	+22.7%
Sussex	<u>421*</u>	<u>504</u>	<u>+ 83</u>	<u>+19.7%</u>
State	4,425*	4,642	+217	+ 4.9%

DISPOSITIONS

	<u>Number Of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	3,218	3,142	- 76	- 2.4%
Kent	523	546	+ 23	+ 4.4%
Sussex	<u>401</u>	<u>484</u>	<u>+ 83</u>	<u>+20.7%</u>
State	4,142	4,172	+ 30	+ 0.7%

\*Amended from 1985 Annual Report.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
  
FISCAL YEAR 1986  
CRIMINAL CASES  
WORKLOAD  
EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. 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.
2. Informations are filed if defendants waive indictment.
3. 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 either of those counties.
4. 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
5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.
6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial rather than the number of trials. The date of disposition is the trial date. Should the decision be reserved, it will be the date when the opinion is handed down.
7. 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. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nolle-prosessed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.
8. 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.

9. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance 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.
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.
11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to the lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. 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.
12. 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, will receive one trial disposition and one consolidation disposition if the charges are tried together.
13. Diversions are defendants who are charged with driving under the influence or select drug possession charges and are first-time offenders. The defendants choose to enroll in a rehabilitation program and waive their right to a speedy trial in the process. The charge is dropped once the defendant satisfactorily completes the program and pays all fees.

SUPERIOR COURT

FISCAL YEAR 1986  
CRIMINAL CASES  
WORKLOAD BREAKDOWNS

FILINGS

	Number of Defendants Brought to Superior Court By:													
	<u>Indictment</u>		<u>Information</u>		<u>Appeal</u>		<u>Transfer</u>		<u>Reinstatement</u>		<u>Severance</u>		<u>TOTALS</u>	
New Castle	2,873	81.3%	34	1.0%	127	3.6%	464	13.1%	26	0.7%	8	0.2%	3,532	100.0%
Kent	573	94.6%	24	4.0%	3	0.5%	0	0.0%	1	0.2%	5	0.8%	606	100.0%
Sussex	138	27.4%	348	69.0%	8	1.6%	0	0.0%	8	1.6%	2	0.4%	504	100.0%
State	3,584	77.2%	406	8.7%	138	3.0%	464	10.0%	35	0.8%	15	0.3%	4,642	100.0%

DISPOSITIONS

	Number of Defendants Disposed of By:											<u>TOTALS</u>						
	<u>Trial</u>		<u>Guilty Plea</u>		<u>Nolle Prosequi</u>		<u>Dismissal</u>		<u>ADRR</u>		<u>Remand or Transfer</u>			<u>First Offender</u>		<u>Consolidation</u>		
New Castle	301	9.6%	2,093	66.6%	637	20.3%	14	0.4%	25	0.8%	2	0.1%	68	2.2%	2	0.1%	3,142	100.0%
Kent	28	5.1%	450	82.4%	63	11.5%	1	0.2%	1	0.2%	1	0.2%	2	0.4%	0	0.0%	546	100.0%
Sussex	39	8.1%	339	70.0%	80	16.5%	2	0.4%	4	0.8%	9	1.9%	11	2.3%	0	0.0%	484	100.0%
State	368	8.8%	2,882	69.1%	780	18.7%	17	0.4%	30	0.7%	12	0.3%	81	1.9%	2	0.1%	4,172	100.0%

PENDING AT END OF YEAR

	<u>Number of Defendants</u>				<u>TOTALS</u>					
	<u>Triable</u>		<u>Non-Triable</u>		<u>Triable</u>		<u>Non-Triable</u>		<u>TOTALS</u>	
New Castle	1,324	77.3%	388	22.7%	1,712	100.0%				
Kent	92	26.7%	252	73.3%	344	100.0%				
Sussex	102	57.3%	76	42.7%	178	100.0%				
State	1,518	67.9%	716	32.1%	2,234	100.0%				

CHANGE IN PENDING

	<u>Number of Defendants</u>				<u>TOTALS</u>					
	<u>Triable</u>		<u>Non-Triable</u>		<u>Triable</u>		<u>Non-Triable</u>		<u>TOTALS</u>	
New Castle	+371		+ 19		+390					
Kent	+ 39		+ 21		+ 60					
Sussex	+ 23		- 3		+ 20					
State	+433		+ 37		+470					

ADRR = Appeal Dismissed, Record Remanded

Source: Superior Court Case Scheduling Office



SUPERIOR COURT  
FISCAL YEAR 1986  
CRIMINAL CASES  
TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

Number of Defendants Disposed of By:

	<u>Jury Trial</u>		<u>Non-Jury Trial</u>		<u>TOTALS</u>		<u>Guilty</u>		<u>Not Guilty*</u>		<u>No Final Dispositions**</u>		<u>TOTALS</u>	
New Castle	284	94.4%	17	5.6%	301	100.0%	219	72.8%	54	17.9%	28	9.3%	301	100.0%
Kent	27	96.4%	1	3.6%	28	100.0%	23	82.1%	3	10.7%	2	7.1%	28	100.0%
Sussex	<u>21</u>	<u>53.8%</u>	<u>18</u>	<u>46.2%</u>	<u>39</u>	<u>100.0%</u>	<u>27</u>	<u>69.2%</u>	<u>8</u>	<u>20.5%</u>	<u>4</u>	<u>10.3%</u>	<u>39</u>	<u>100.0%</u>
State	332	90.2%	36	9.8%	368	100.0%	269	73.1%	65	17.7%	34	9.2%	368	100.0%

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of By:

	<u>Jury Trial</u>							<u>Non-Jury Trial</u>							<u>TOTALS</u>
	<u>Guilty</u>	<u>LI0</u>	<u>Not Guilty</u>	<u>Nolle Prosequi At Trial</u>	<u>Dismissed At Trial</u>	<u>Mistrial</u>	<u>Hung Jury</u>	<u>Guilty</u>	<u>LI0</u>	<u>Not Guilty</u>	<u>Nolle Prosequi At Trial</u>	<u>Dismissed At Trial</u>	<u>Mistrial</u>		
New Castle	176	28	36	12	4	7	21	13	2	1	1	0	0	301	
Kent	18	4	2	1	0	1	1	1	0	0	0	0	0	28	
Sussex	<u>10</u>	<u>2</u>	<u>4</u>	<u>1</u>	<u>0</u>	<u>4</u>	<u>0</u>	<u>12</u>	<u>3</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>39</u>	
State	204	34	42	14	4	12	22	26	5	4	1	0	0	368	

LI0 = Lesser Included Offense

\*Includes Dismissals at Trial and Nolle Prosequis at Trial

\*\*Hung Juries and Mistrials

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986  
CRIMINAL CASES  
TYPES OF DISPOSITIONS  
GUILTY PLEA DISPOSITIONS

Felony

	<u>PG-Original</u>	<u>PG-Lesser</u>	<u>PG-NI</u>	<u>PG-Information</u>	<u>TOTALS</u>
New Castle	596 70.6%	206 24.4%	18 2.1%	24 2.8%	844 100.0%
Kent	194 79.8%	41 16.9%	3 1.2%	5 2.1%	243 100.0%
Sussex	121 60.8%	39 19.6%	1 0.5%	38 19.1%	199 100.0%
State	911 70.8%	286 22.2%	22 1.7%	67 5.2%	1,286 100.0%

Misdemeanor

	<u>PG-Original</u>	<u>PG-Lesser</u>	<u>PG-NI</u>	<u>PG-Information</u>	<u>TOTALS</u>
New Castle	205 16.4%	614 49.2%	85 6.8%	345 27.6%	1,249 100.0%
Kent	70 33.8%	117 56.5%	6 2.9%	14 6.8%	207 100.0%
Sussex	50 35.7%	79 56.4%	1 0.7%	10 7.1%	140 100.0%
State	325 20.4%	810 50.7%	92 5.8%	369 23.1%	1,596 100.0%

Guilty Plea Totals

	<u>PG Original</u>	<u>PG-Lesser</u>	<u>PG-NI</u>	<u>PG-Information</u>	<u>TOTALS</u>
New Castle	801 38.3%	820 39.2%	103 4.9%	369 17.6%	2,093 100.0%
Kent	264 58.7%	158 35.1%	9 2.0%	19 4.2%	450 100.0%
Sussex	171 50.4%	118 34.8%	2 0.6%	48 14.2%	339 100.0%
State	1,236 42.9%	1,096 38.0%	114 4.0%	436 15.1%	2,882 100.0%

EXPLANATORY NOTES

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.
2. "PG-Original" includes defendants who pled guilty to all charges or to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-Lesser" includes defendants who pled guilty to a lesser included offense of the most serious charge, a less serious charge of a multi-count indictment or other filings, or a lesser included offense of a less serious charge of a multi-count indictment or other filing.
4. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
5. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General.
6. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to a lesser included offense is counted with the PG-Lesser.

SUPERIOR COURT

FISCAL YEAR 1986  
CRIMINAL CASES  
TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART ONE\*

	Number of Defendants With Nolle Prosequis By Special Condition	Number of Defendants With Nolle Prosequis By Merit	Total Number of Defendants Disposed Of By Nolle Prosequi
New Castle	309 48.5%	328 51.5%	637 100.0%
Kent	29 46.0%	34 54.0%	63 100.0%
Sussex	<u>38 47.5%</u>	<u>42 52.5%</u>	<u>80 100.0%</u>
State	376 48.2%	404 51.8%	780 100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO\*

	Number of Defendants with Nolle Prosequis by Special Condition										Number of Defendants With Nolle Prosequis by Merit										TOTALS
	Guilty of Other Charges, Different Indictment	Disposed of in Other Court	Reindicted	Placed on AG's Probation	Made Restitution	Placed in Custody of Other Jurisdiction	Indicted on Other Charges	W/O Prejudice	Miscellaneous	Codefendant Guilty	Police Problems	Defense Valid	Prosecutive Merit	Victim/Witness Availability/ Deceased	Victim/Witness Attitude/ Credibility	Related to Indictment	Insufficient Evidence	Due Process	Miscellaneous		
New Castle	26	36	78	44	9	2	6	0	108	10	6	5	110	49	48	19	74	3	4	637	
Kent	3	3	6	6	8	0	1	2	0	2	0	0	21	0	0	0	10	0	1	63	
Sussex	<u>15</u>	<u>4</u>	<u>0</u>	<u>4</u>	<u>6</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>8</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>7</u>	<u>6</u>	<u>5</u>	<u>0</u>	<u>20</u>	<u>3</u>	<u>0</u>	<u>80</u>	
State	44	43	84	54	23	2	8	2	116	12	6	6	138	55	53	19	104	6	5	780	

\*Nolle Prosequis for indicted defendants only.

AG = Attorney General

Source: Superior Court Case Scheduling Office

FISCAL YEAR 1986  
CRIMINAL CASES  
DISPOSITIONS BY OFFENSE TYPE  
NEW CASTLE COUNTY

Offense	Trial G-NG-NFD	Number of Defendants Disposed of By:					Remand/ Transfer	First Offender	Consol.	TOTALS
		Guilty Plea	NP	Dismissal	ADRR					
<u>Crimes of Violence</u>										
Murder 1st	6- 0- 0	3	0	0	0	0	0	0	0	9
Murder 2nd	0- 0- 0	11	2	0	0	0	0	0	0	13
Manslaughter	0- 0- 0	1	0	0	0	0	0	0	0	1
Attempted Murder 1st	8- 0- 0	12	4	0	0	0	0	0	0	24
Assault 1st	3- 2- 0	39	13	0	0	0	0	0	0	57
Assault 2nd	7- 1- 3	55	21	1	0	0	0	0	0	88
Rape 1st	10- 1- 3	16	7	0	0	0	0	0	0	37
Rape 2nd	3- 0- 1	6	6	0	0	0	0	0	0	16
Sodomy 1st/2nd	1- 0- 0	6	1	0	0	0	0	0	0	8
Kidnapping 1st/2nd	1- 2- 0	16	2	0	0	0	0	0	0	21
Robbery 1st	11- 3- 1	51	40	2	0	0	0	0	0	108
Robbery 2nd	6- 1- 0	36	23	0	0	0	0	0	0	66
<u>Drug Offenses</u>										
Delivery	21- 2- 0	130	20	0	0	0	0	1	0	174
Possession w/Intent to Deliver	24- 5- 2	124	22	0	0	0	0	0	0	177
Possession NN Schedule I	0- 0- 0	7	6	0	0	0	0	20	0	33
Other Drug Offenses	1- 2- 0	82	27	0	0	0	0	19	0	131
<u>Remaining Indicted Offenses</u>										
All Forgery	3- 1- 0	152	20	1	0	0	0	0	0	177
Theft/RSP/Burglary	30- 9- 5	680	167	3	1	0	0	0	0	895
Weapons Offenses	10- 3- 0	147	51	0	0	0	0	0	0	211
Other	15- 3- 4	275	62	3	1	0	0	0	0	363
<u>Appeals and Transfers</u>										
DUI/CUI	31- 8- 6	122	12	1	15	0	28	0	0	223
Other Traffic Offenses	15- 2- 3	44	31	1	1	2	0	0	0	99
Non-Traffic Offenses	13- 9- 0	78	100	2	7	0	0	2	2	211
TOTALS	219-54-28	2,093	637	14	25	2	68	2	2	3,142

ADRR = Appeal Dismissed, Record Remanded  
 DUI/CUI = Driving Under the Influence/Control Under  
 the Influence  
 G = Guilty  
 NFD = No Final Disposition (Hung Juries and Mistrials)

NG = Not Guilty (includes Dismissals at Trial and  
 Nolle Prosequis at Trial)

NN = Non-Narcotic  
 NP = Nolle Prosequi  
 RSP = Receiving Stolen Property  
 Consol. = Consolidation

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986  
CRIMINAL CASES  
DISPOSITIONS BY OFFENSE TYPE

KENT COUNTY

<u>Offense</u>	<u>Trial G-NG-NFD</u>	<u>Guilty Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand Transfer</u>	<u>First Offender</u>	<u>TOTALS</u>
<u>Crimes of Violence</u>								
Murder 1st	2-0-0	2	0	0	0	0	0	4
Murder 2nd	0-0-0	0	0	0	0	0	0	0
Manslaughter	2-0-0	1	0	0	0	0	0	3
Attempted Murder 1st	0-0-0	3	0	0	0	0	0	3
Assault 1st	1-0-0	7	0	0	0	0	0	8
Assault 2nd	1-0-0	12	1	0	0	0	0	14
Rape 1st	1-1-0	2	1	0	0	1	0	6
Rape 2nd	1-0-0	3	2	0	0	0	0	6
Sodomy 1st/2nd	0-0-0	3	1	0	0	0	0	4
Kidnapping 1st/2nd	0-0-0	8	2	0	0	0	0	10
Robbery 1st	4-1-1	7	2	0	0	0	0	15
Robbery 2nd	0-0-0	9	1	0	0	0	0	10
<u>Drug Offenses</u>								
Delivery	4-0-0	19	4	0	0	0	0	27
Possession w/Intent to Deliver	0-0-1	14	1	0	0	0	0	16
Possession NN Schedule I	0-0-0	1	0	0	0	0	1	2
Other Drug Offenses	0-0-0	25	1	0	0	0	0	26
<u>Remaining Indicted Offenses</u>								
All Forgery	1-0-0	47	6	0	0	0	0	54
Theft/RSP/Burglary	3-0-0	172	19	1	0	0	0	195
Weapons Offenses	1-0-0	45	6	0	0	0	0	52
Other	0-1-0	68	15	0	0	0	0	84
<u>Appeals and Transfers</u>								
DUI/CUI	2-0-0	1	0	0	1	0	1	5
Other Traffic Offenses	0-0-0	0	1	0	0	0	0	1
Non-Traffic Offenses	0-0-0	1	0	0	0	0	0	1
TOTALS	23-3-2	450	63	1	1	1	2	546

ADRR = Appeal Dismissed, Record Remanded  
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 the Influence  
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NG = Not Guilty - (Includes Dismissals at Trial  
 and Nolle Prosequis at Trial)  
 NN = Non-Narcotic  
 NP = Nolle Prosequi  
 RSP = Receiving Stolen Property

## SUPERIOR COURT

PAGE  
=65=FISCAL YEAR 1986  
CRIMINAL CASES  
DISPOSITIONS BY OFFENSE TYPE

## SUSSEX COUNTY

<u>Offense</u>	<u>Trial G-NG-NFD</u>	<u>Guilty Plea</u>	<u>NP</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand/ Transfer</u>	<u>First Offender</u>	<u>TOTALS</u>
<u>Crimes of Violence</u>								
Murder 1st	2- 0-0	2	1	0	0	0	0	5
Murder 2nd	0- 0-0	1	0	0	0	0	0	1
Manslaughter	0- 1-0	0	0	0	0	0	0	1
Attempted Murder 1st	0- 0-0	3	1	0	0	0	0	4
Assault 1st	0- 0-0	11	1	0	0	0	0	12
Assault 2nd	1- 0-0	18	4	0	0	0	0	23
Rape 1st	0- 0-1	3	1	0	0	4	0	9
Rape 2nd	1- 0-0	5	2	0	0	2	0	10
Sodomy 1st/2nd	0- 0-0	3	0	0	0	0	0	3
Kidnapping 1st/2nd	1- 0-0	2	1	0	0	0	0	4
Robbery 1st	1- 0-1	18	0	0	0	0	0	20
Robbery 2nd	1- 0-0	5	0	0	0	0	0	6
<u>Drug Offenses</u>								
Delivery	2- 1-0	8	2	1	0	0	0	14
Possession w/Intent to Deliver	2- 0-1	12	9	0	0	0	0	24
Possession NN Schedule I	0- 0-0	8	2	0	0	0	2	12
Other Drug Offenses	0- 0-0	5	1	0	0	0	1	7
<u>Remaining Indicted Offenses</u>								
All Forgery	0- 0-0	9	4	0	0	0	0	13
Theft/RSP/Burglary	7- 2-1	112	34	0	0	0	0	156
Weapons Offenses	2- 1-0	11	2	0	0	0	0	16
Other	5- 3-0	71	9	0	0	2	0	90
<u>Appeals and Transfers</u>								
DUI/CUI	0- 0-0	16	4	1	3	0	8	32
Other Traffic Offenses	1- 0-0	6	1	0	1	0	0	9
Non-Traffic Offenses	<u>1- 0-0</u>	<u>10</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>0</u>	<u>13</u>
TOTALS	27- 8-4	339	80	2	4	9	11	484

ADRR = Appeal Dismissed, Record Remanded  
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the Influence  
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and Nolle Prosequis at Trial)

NN = Non-Narcotic  
NP = Nolle Prosequi  
RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986  
CRIMINAL CASES  
DISPOSITIONS BY OFFENSE TYPE

STATE

Offense	Number of Defendants Disposed of By:							First Offender	Consol.	TOTALS
	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer				
<u>Crimes of Violence</u>										
Murder 1st	10- 0- 0	7	1	0	0	0	0	0	0	18
Murder 2nd	0- 0- 0	12	2	0	0	0	0	0	0	14
Manslaughter	2- 1- 0	2	0	0	0	0	0	0	0	5
Attempted Murder 1st	8- 0- 0	18	5	0	0	0	0	0	0	31
Assault 1st	4- 2- 0	57	14	0	0	0	0	0	0	77
Assault 2nd	9- 1- 3	85	26	1	0	0	0	0	0	125
Rape 1st	11- 2- 4	21	9	0	0	5	0	0	0	52
Rape 2nd	5- 0- 1	14	10	0	0	2	0	0	0	32
Sodomy 1st/2nd	1- 0- 0	12	2	0	0	0	0	0	0	15
Kidnapping 1st/2nd	2- 2- 0	26	5	0	0	0	0	0	0	35
Robbery 1st	16- 4- 3	76	42	2	0	0	0	0	0	143
Robbery 2nd	7- 1- 0	50	24	0	0	0	0	0	0	82
<u>Drug Offenses</u>										
Delivery	27- 3- 0	157	26	1	0	0	1	0	0	215
Possession w/Intent to Deliver	26- 5- 4	150	32	0	0	0	0	0	0	217
Possession NN Schedule I	0- 0- 0	16	8	0	0	0	23	0	0	47
Other Drug Offenses	1- 2- 0	112	29	0	0	0	20	0	0	164
<u>Remaining Indicted Offenses</u>										
All Forgery	4- 1- 0	208	30	1	0	0	0	0	0	244
Theft/RSP/Burglary	40-11- 6	964	220	4	1	0	0	0	0	1,246
Weapons Offenses	13- 4- 0	203	59	0	0	0	0	0	0	279
Other	20- 7- 4	414	86	3	1	2	0	0	0	537
<u>Appeals and Transfers</u>										
DUI/CUI	33- 8- 6	139	16	2	19	0	37	0	0	260
Other Traffic Offenses	16- 2- 3	50	33	1	2	2	0	0	0	109
Non-Traffic Offenses	14- 9- 0	89	101	2	7	1	0	2	2	225
TOTALS	269-65-34	2,882	780	17	30	12	81	2	2	4,172

ADRR = Appeal Dismissed, Record Remanded  
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 the Influence  
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 Nolle Prosequis at Trial)  
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 RSP = Receiving Stolen Property  
 Consol. = Consolidation

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1986  
CRIMINAL CASES

CRIMINAL TRIALS

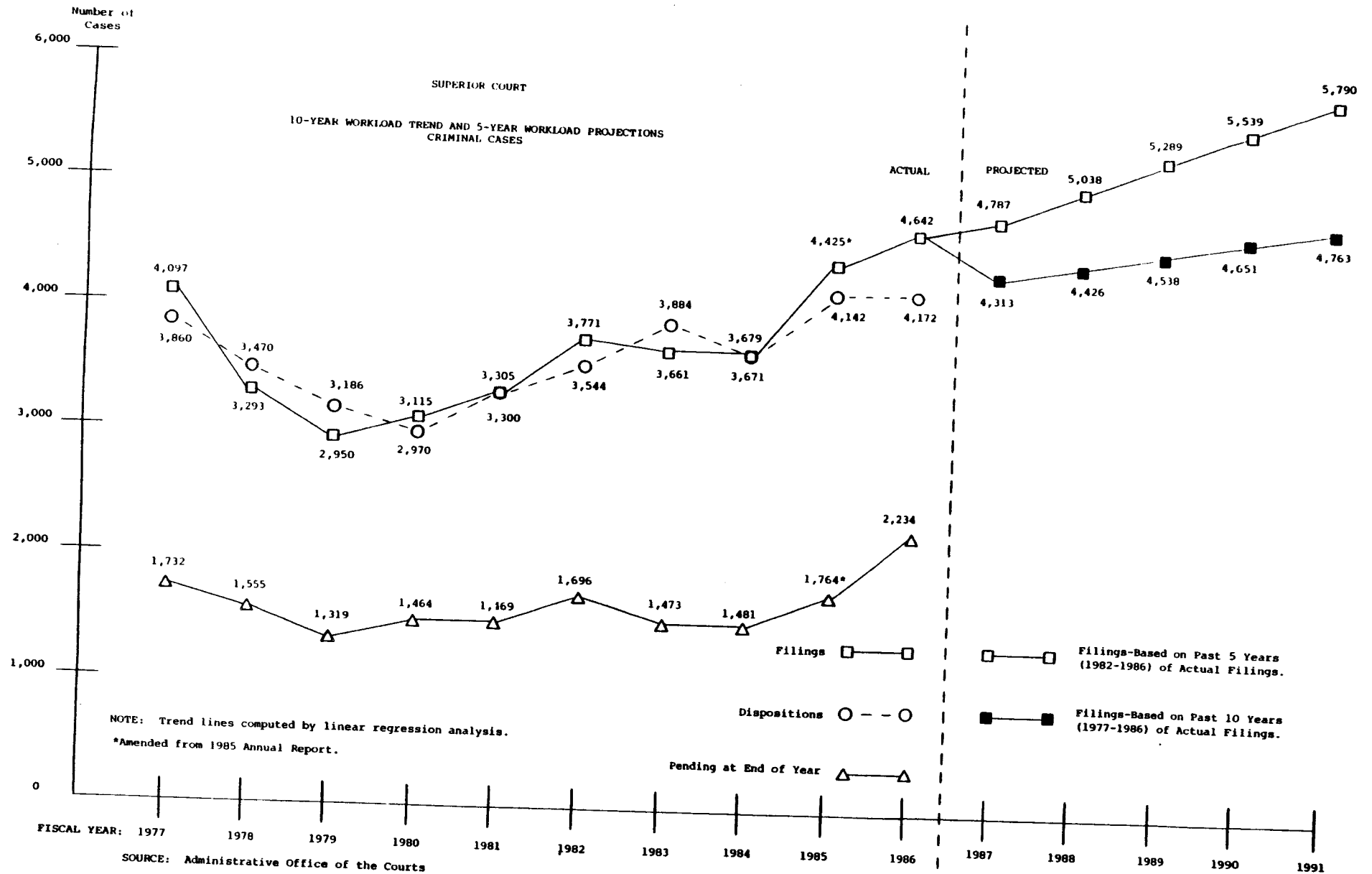
	<u>Number of Jury Trials</u>		<u>Number of Non-Jury Trials</u>		<u>Total Number of Trials</u>		<u>Days In Trial</u>	<u>Average Length Per Trial</u>
New Castle	255	95.5%	12	4.5%	267	100.0%	552.0	2.07 days
Kent	28	96.6%	1	3.4%	29	100.0%	78.0	2.69
Sussex	<u>21</u>	<u>53.8%</u>	<u>18</u>	<u>46.2%</u>	<u>39</u>	<u>100.0%</u>	<u>63.5</u>	<u>1.63</u>
State	304	90.7%	31	9.3%	335	100.0%	693.5	2.07 days

CRIMINAL TRIAL CALENDAR ACTIVITY

	<u>Total Number Of Defendants Scheduled</u>	<u>Number of Defendants Rescheduled</u>	<u>Percentage 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	3,480	1,542	44.3%	690 44.8%	489 31.7%	247 16.0%	116 7.5%
Kent	587	346	58.9%	189 54.6%	77 22.3%	53 15.3%	27 7.8%
Sussex	<u>497</u>	<u>210</u>	<u>42.3%</u>	<u>120 57.1%</u>	<u>31 14.8%</u>	<u>34 16.2%</u>	<u>25 11.9%</u>
State	4,564	2,098	46.0%	999 47.6%	597 28.5%	334 15.9%	168 8.0%

Source: Superior Court Case Scheduling Office





SUPERIOR COURT  
 FISCAL YEAR 1986  
 CRIMINAL CASES  
 PERFORMANCE SUMMARY

	<u>Total Number of Defendants Disposed of</u>	<u>Average Time from Arrest to Disposition</u>	<u>Median Time from Arrest to Disposition*</u>	<u>Average Time from Indictment/Information to Disposition#</u>	<u>Median Time from Indictment/Information to Disposition*#</u>
New Castle	3,142	141.8 days	121.9 days	113.8 days	93.8 days
Kent	546	77.5 days	61.0 days	48.9 days	22.1 days
Sussex	<u>484</u>	<u>103.0 days</u>	<u>85.4 days</u>	<u>73.1 days</u>	<u>58.6 days</u>
State	4,172	128.9 days	109.7 days	100.6 days	80.3 days

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	<u>Number of Defendants Disposed of Within 120 Days of Arrest</u>	<u>Number of Defendants Disposed of 121 Days or More After Arrest</u>	<u>Total Number of Defendants Disposed of</u>
New Castle	1,530 48.7%	1,612 51.3%	3,142 100.0%
Kent	470 86.1%	76 13.9%	546 100.0%
Sussex	<u>343 70.9%</u>	<u>141 29.1%</u>	<u>484 100.0%</u>
State	2,343 56.2%	1,829 43.8%	4,172 100.0%

\*Calculated using grouped medians method.

#Includes only defendants brought to Superior Court by indictment or information.

Source: Superior Court Case Scheduling Office

SUPERIOR COURT  
FISCAL YEAR 1986  
CRIMINAL CASES  
PERFORMANCE  
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 charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment/information and disposition. Subtracting the figures for indictment/information to disposition from the figures for arrest to disposition would not determine the time from arrest to indictment/information exactly. This is because there may be a different number of cases being counted in the different categories (i.e., unindicted nolle prosequis).
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. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment/information, if any.
  - c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequi.

## SUPERIOR COURT

PAGE  
=71=FISCAL YEAR 1986  
PRESENTENCE OFFICE  
WORKLOAD SUMMARY

	Pending* <u>6/30/85</u>	Investigations <u>Ordered</u>	Investigations** <u>Completed</u>	Pending* <u>6/30/86</u>	Change In <u>Pending</u>	% Change <u>In Pending</u>
New Castle	367	1,251	1,384	234	-133	- 36.2%
Kent***	56	304	327	33	- 23	- 41.1%
Sussex***	<u>39</u>	<u>257</u>	<u>184</u>	<u>112</u>	<u>+ 73</u>	<u>+187.2%</u>
State	462	1,812	1,895	379	- 83	- 18.0%

COMPARISON - FISCAL YEARS 1985-1986  
PRESENTENCE OFFICE  
WORKLOADINVESTIGATIONS ORDERED

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,510	1,251	-259	-17.2%
Kent***	308	304	- 4	- 1.3%
Sussex***	<u>220</u>	<u>257</u>	<u>+ 37</u>	<u>+16.8%</u>
State	2,038	1,812	-226	-11.1%

INVESTIGATIONS COMPLETED\*\*

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,559	1,384	- 175	-11.2%
Kent***	363	327	- 36	- 9.9%
Sussex***	<u>224</u>	<u>184</u>	<u>- 40</u>	<u>-17.9%</u>
State	2,146	1,895	- 251	-11.7%

\*A pending investigation is one which has been ordered but has not yet been been written and typed or otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

\*\*An investigation is completed when it has been both written and typed or has been otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).

\*\*\*The Kent County and Sussex County Presentence Offices do investigations for both Superior Court and Court of Common Pleas. These figures reflect Superior Court investigations.

Source: Superior Court Presentence Offices: New Castle, Kent and Sussex Counties.

SUPERIOR COURT

FISCAL YEAR 1986  
PRESENTENCE OFFICE

PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence <u>Investigations</u>	Average Time From Date Ordered to <u>Date Written</u>	Average Time From Date Written to <u>Date Typed</u>	Average Time From Date Ordered to <u>Date Typed</u>	Average Time From Date Typed to <u>Date Sentenced</u>	Average Time From Date Ordered to <u>Date Sentenced*</u>
New Castle	1,517	50.0 days	8.1 days	58.0 days	60.9 days	119.0 days
Kent	328	49.3	3.6	52.9	40.2	93.0
Sussex	<u>188</u>	<u>86.8</u>	<u>2.4</u>	<u>89.2</u>	<u>30.3</u>	<u>119.5</u>
State	2,033	53.3 days	6.8 days	60.1 days	54.8 days	114.8 days

COMPLIANCE WITH 30-DAY STANDARD\*\*

	Number of Investigations Completed Within <u>30 Days of Verdict</u>	Number of Investigations Completed 31 Days or More After Verdict	Total Number of Investigations Completed
New Castle	204 14.7%	1,180 85.3%	1,384 100.0%
Kent	177 54.1%	150 45.9%	327 100.0%
Sussex	<u>12 6.5%</u>	<u>172 93.5%</u>	<u>184 100.0%</u>
State	393 20.7%	1,502 79.3%	1,895 100.0%

\*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 times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle 97.1 days  
Kent 84.1 days  
Sussex Not Available  
State Not Available

\*\*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 or otherwise closed (i.e., motion granted, defendant deceased, etc.).

Source: New Castle County, Kent County, and Sussex County Presentence Offices;  
Administrative Office of the Courts

## SUPERIOR COURT

PAGE  
=73=COMPARISON - FISCAL YEARS 1985-1986  
PRESENTENCE OFFICE  
PERFORMANCENEW CASTLE COUNTY

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,393	1,517	+124	+ 8.9%
Average Time From Date Ordered to Date Written	72.1 days	50.0 days	- 22.1 days	- 30.7%
Average Time From Date Written to Date Typed	9.3 days	8.1 days	- 1.2 days	- 12.9%
Average Time From Date Ordered to Date Typed	81.4 days	58.0 days	- 23.4 days	- 28.7%
Average Time From Date Typed to Date Sentenced	71.5 days	60.9 days	- 10.6 days	- 14.8%
Average Time From Date Ordered to Date Sentenced	152.9 days	119.0 days	- 33.9 days	- 22.2%

KENT COUNTY\*

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	349	328	- 21	- 6.0%
Average Time From Date Ordered to Date Written	104.0 days	49.3 days	- 54.7 days	- 52.6%
Average Time From Date Written to Date Typed	4.0 days	3.6 days	- 0.4 days	- 10.0%
Average Time From Date Ordered to Date Typed	108.0 days	52.9 days	- 55.1 days	- 51.0%
Average Time From Date Typed to Date Sentenced	31.8 days	40.2 days	+ 8.4 days	+ 26.4%
Average Time From Date Ordered to Date Sentenced	139.9 days	93.0 days	- 46.9 days	- 33.5%

SUSSEX COUNTY\*

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	227	188	- 39	- 17.2%
Average Time From Date Ordered to Date Written	65.8 days	86.8 days	+ 21.0 days	+ 31.9%
Average Time From Date Written to Date Typed	3.8 days	2.4 days	- 1.4 days	- 36.8%
Average Time From Date Ordered to Date Typed	69.6 days	89.2 days	+ 19.6 days	+ 28.2%
Average Time From Date Typed to Date Sentenced	37.4 days	30.3 days	- 7.1 days	- 19.0%
Average Time From Date Ordered to Date Sentenced	107.0 days	119.5 days	+ 12.5 days	+ 11.7%

STATE\*

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,969	2,033	+ 64	+ 3.3%
Average Time From Date Ordered to Date Written	77.1 days	53.3 days	- 23.8 days	- 30.9%
Average Time From Date Written to Date Typed	7.7 days	6.8 days	- 0.9 days	- 11.7%
Average Time From Date Ordered to Date Typed	84.8 days	60.1 days	- 24.7 days	- 29.1%
Average Time From Date Typed to Date Sentenced	60.5 days	54.8 days	- 5.7 days	- 9.4%
Average Time From Date Ordered to Date Sentenced	145.3 days	114.8 days	- 30.5 days	- 21.0%

\*Kent County and Sussex County Presentence Offices also do investigations for the Court of Common Pleas. These figures are for Superior Court only.

Source: New Castle County, Kent County, and Sussex County Presentence Offices;  
Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,475	3,154	2,686	3,943	+468	+13.5%
Kent	1,082*	455	396	1,141	+ 59	+ 5.5%
Sussex	<u>355</u>	<u>458</u>	<u>388</u>	<u>425</u>	<u>+ 70</u>	<u>+19.7%</u>
State	4,912*	4,067	3,470	5,509	+597	+12.2%

COMPARISON - FISCAL YEARS 1985-1986  
CIVIL CASES  
WORKLOAD

FILINGS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,888	3,154	+266	+ 9.2%
Kent	439	455	+ 16	+ 3.6%
Sussex	<u>418</u>	<u>458</u>	<u>+ 40</u>	<u>+ 9.6%</u>
State	3,745	4,067	+322	+ 8.6%

DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,603	2,686	+ 83	+ 3.2%
Kent	298	396	+ 98	+32.9%
Sussex	<u>312</u>	<u>388</u>	<u>+ 76</u>	<u>+24.4%</u>
State	3,213	3,470	+257	+ 8.0%

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

SUPERIOR COURT  
FISCAL YEAR 1986  
CIVIL CASES  
EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1986, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Breach of Contract, Transfers and Removals from the Court of Chancery, and Transfers and Removals from the Court of Common Pleas.
2. Mechanic's Leins and Mortgages are property suits.
3. 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, almost all Involuntary Commitment hearings are held in New Castle County.
4. Appeals are appeals on the record. This category includes Appeals from Administrative Agencies, Appeals from Family Court, Appeals from the Court of Common Pleas, and Certioraris.
5. Miscellaneous includes all other cases. During FY 1986 this category included Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgment, Petitions to Extend Judgment, Petitions for Bail Forfeitures, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions to set aside a Sheriff's Sale, Petitions for Writ of Quo Warranto, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions to Strike a Satisfied Mortgage, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Rules to Show Cause, Road Resolutions, Cease and Desist Orders, and Motions for Habitual Offenders.



SUPERIOR COURT  
FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD BREAKDOWNS

FILINGS

	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Appeals</u>	<u>Involuntary Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	1,875 59.4%	359 11.4%	219 6.9%	387 12.3%	314 10.0%	3,154 100.0%
Kent	273 60.0%	75 16.5%	34 7.5%	1 0.2%	72 15.8%	455 100.0%
Sussex	243 53.1%	125 27.3%	41 9.0%	0 0.0%	49 10.7%	458 100.0%
State	2,391 58.8%	559 13.7%	294 7.2%	388 9.5%	435 10.7%	4,067 100.0%

DISPOSITIONS

	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Appeals</u>	<u>Involuntary Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	1,409 52.5%	346 12.9%	222 8.3%	393 14.6%	316 11.8%	2,686 100.0%
Kent	301 76.0%	53 13.4%	10 2.5%	1 0.3%	31 7.8%	396 100.0%
Sussex	233 60.1%	79 20.4%	34 8.8%	0 0.0%	42 10.8%	388 100.0%
State	1,943 56.0%	478 13.8%	266 7.7%	394 11.4%	389 11.2%	3,470 100.0%

PENDING AT END OF YEAR

	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Appeals</u>	<u>Involuntary Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	3,194 81.0%	269 6.8%	280 7.1%	77 2.0%	123 3.1%	3,943 100.0%
Kent	468 41.0%	223 19.5%	177 15.5%	0 0.0%	273 23.9%	1,141 100.0%
Sussex	289 68.0%	75 17.6%	45 10.6%	0 0.0%	16 3.8%	425 100.0%
State	3,951 71.7%	567 10.3%	502 9.1%	77 1.4%	412 7.5%	5,509 100.0%

CHANGE IN PENDING\*

	<u>Complaints</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Appeals</u>	<u>Involuntary Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	+466	+13	- 3	- 6	- 2	+468
Kent*	- 28	+22	+24	0	+41	+ 59
Sussex*	+ 10	+46	+ 7	0	+ 7	+ 70
State*	+448	+81	+28	- 6	+46	+597

\*Change in pending from amended pending for the end of FY 1985.

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

SUPERIOR COURT

FISCAL YEAR 1986  
CIVIL CASES  
TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS\*

	<u>Trial Dispositions</u>		<u>Non-Trial Dispositions*</u>							<u>TOTALS</u>	
	<u>Judgment for Plaintiff</u>	<u>Judgment for Defendant</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Other</u>			
New Castle	44 3.1%	24 1.7%	50 3.5%	111 7.9%	52 3.7%	1,014 72.0%	108 7.7%	6 0.4%	1,409	100.0%	
Kent	6 2.0%	4 1.3%	11 3.7%	7 2.3%	0 0.0%	159 52.8%	114 37.9%	0 0.0%	301	100.0%	
Sussex	<u>11 4.7%</u>	<u>2 0.9%</u>	<u>40 17.2%</u>	<u>5 2.1%</u>	<u>12 5.2%</u>	<u>127 54.5%</u>	<u>33 14.2%</u>	<u>3 1.3%</u>	<u>233</u>	<u>100.0%</u>	
State	61 3.1%	30 1.5%	101 5.2%	123 6.3%	64 3.3%	1,300 66.9%	255 13.1%	9 0.5%	1,943	100.0%	

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS\*

	<u>Trial Dispositions</u>		<u>Non-Trial Dispositions*</u>							<u>TOTALS</u>	
	<u>Judgment for Plaintiff</u>	<u>Judgment for Defendant</u>	<u>Default Judgment for Plaintiff</u>	<u>Other Judgment for Plaintiff</u>	<u>Judgment for Defendant</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Other</u>			
New Castle	0 0.0%	1 0.3%	146 42.2%	23 6.6%	5 1.4%	148 42.8%	21 6.1%	2 0.6%	346	100.0%	
Kent	0 0.0%	0 0.0%	30 56.6%	3 5.7%	0 0.0%	19 35.8%	1 1.9%	0 0.0%	53	100.0%	
Sussex	<u>1 1.3%</u>	<u>0 0.0%</u>	<u>43 54.4%</u>	<u>3 3.8%</u>	<u>0 0.0%</u>	<u>28 35.4%</u>	<u>4 5.1%</u>	<u>0 0.0%</u>	<u>79</u>	<u>100.0%</u>	
State	1 0.2%	1 0.2%	219 45.8%	29 6.1%	5 1.0%	195 40.8%	26 5.4%	2 0.4%	478	100.0%	

\*Includes cases assigned for arbitration that are disposed of for Superior Court.

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

SUPERIOR COURT

FISCAL YEAR 1986  
CIVIL CASES  
TYPES OF DISPOSITIONS

INVOLUNTARY COMMITMENTS DISPOSITIONS\*

	<u>Dismissed- Voluntary Commitment</u>	<u>Dismissed- No Probable Cause</u>	<u>Dismissed- Released By Hospital</u>	<u>Dismissed- Defendant Deceased</u>	<u>TOTAL</u>
New Castle	307 77.9%	0 0.0%	86 21.8%	1 0.3%	394 100.0%

APPEALS DISPOSITIONS

	<u>Affirmed</u>	<u>Reversed</u>	<u>Affirmed Part/ Reversed Part</u>	<u>Voluntarily Dismissed</u>	<u>Dismissed By Court</u>	<u>Remanded</u>	<u>TOTALS</u>
New Castle	80 36.0%	18 8.1%	9 4.1%	43 19.4%	35 15.8%	37 16.7%	222 100.0%
Kent	1 10.0%	0 0.0%	0 0.0%	9 90.0%	0 0.0%	0 0.0%	10 100.0%
Sussex	<u>12 35.3%</u>	<u>1 2.9%</u>	<u>1 2.9%</u>	<u>14 41.2%</u>	<u>4 11.8%</u>	<u>2 5.9%</u>	<u>34 100.0%</u>
State	93 35.0%	19 7.1%	10 3.8%	66 24.8%	39 14.7%	39 14.7%	266 100.0%

MISCELLANEOUS DISPOSITIONS

	<u>Signed/Granted</u>	<u>Denied/Dismissed</u>	<u>Disposition Simultaneous With Filing</u>	<u>TOTALS</u>
New Castle	245 77.5%	54 17.1%	17 5.4%	316 100.0%
Kent	25 80.6%	5 16.1%	1 3.2%	31 100.0%
Sussex	<u>30 71.4%</u>	<u>9 21.4%</u>	<u>3 7.1%</u>	<u>42 100.0%</u>
State	300 77.1%	68 17.5%	21 5.4%	389 100.0%

\*Includes 1 Involuntary Commitment in Kent County which was dismissed due to a voluntary commitment.

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

## SUPERIOR COURT

FISCAL YEAR 1986  
CIVIL CASES

## CIVIL TRIALS

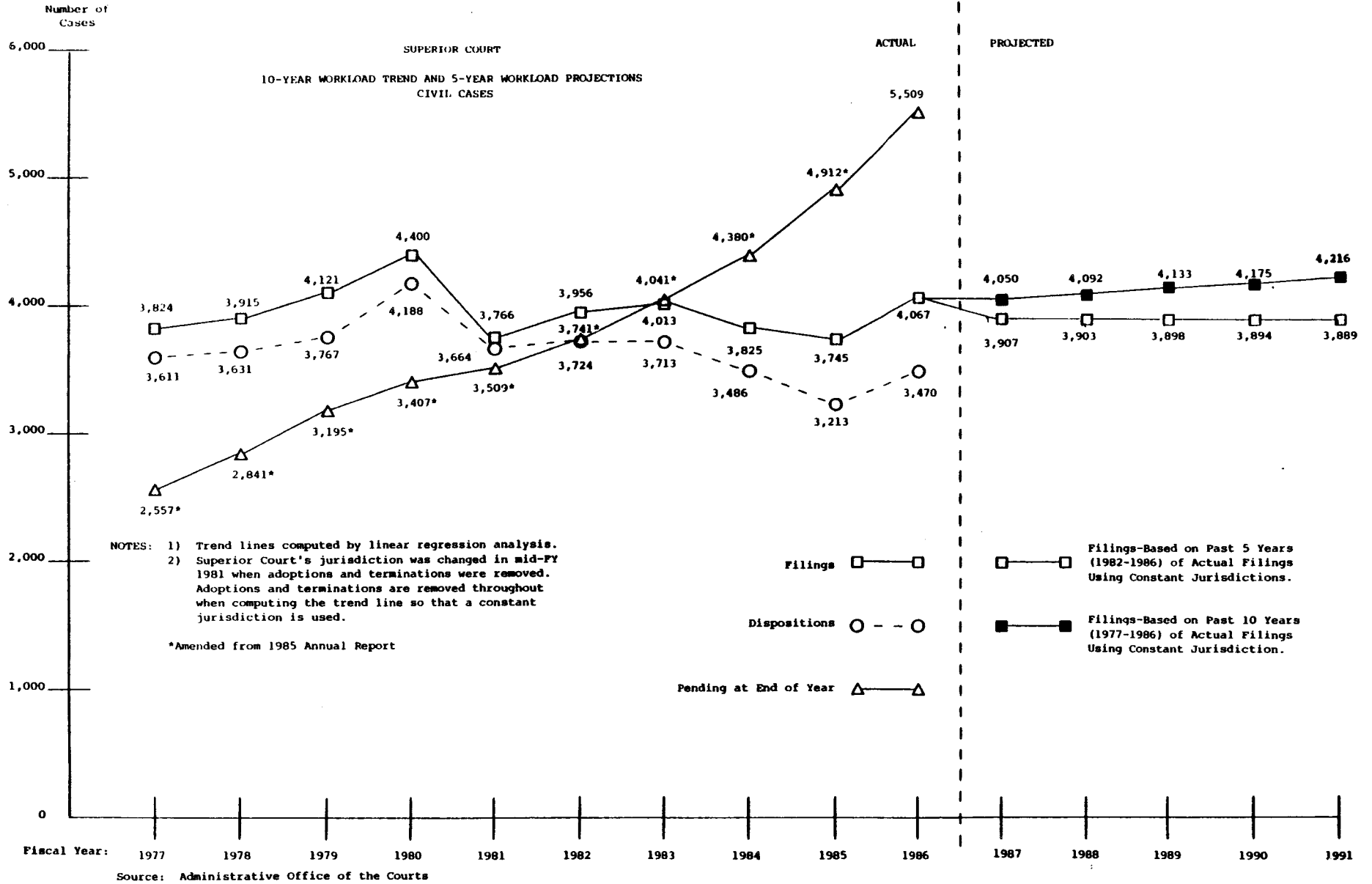
	<u>No. of Jury Trials</u>	<u>No. of Non-Jury Trials</u>	<u>Total No. of Trials</u>
New Castle	58 69.9%	25 30.1%	83 100.0%
Kent	11 91.7%	1 8.3%	12 100.0%
Sussex	<u>7 58.3%</u>	<u>5 41.7%</u>	<u>12 100.0%</u>
State	76 71.0%	31 29.0%	107 100.0%

## 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 Cases Scheduled</u>
New Castle	83 14.2%	245 41.8%	5 0.9%	26 4.4%	227 38.7%	586 100.0%
Kent	12 17.4%	21 30.4%	3 4.3%	0 0.0%	33 47.8%	69 100.0%
Sussex	<u>12 19.7%</u>	<u>23 37.7%</u>	<u>0 0.0%</u>	<u>4 6.5%</u>	<u>22 36.1%</u>	<u>61 100.0%</u>
State	107 14.9%	289 40.4%	8 1.1%	30 4.2%	282 39.4%	716 100.0%

No. = Number

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



SUPERIOR COURT

FISCAL YEAR 1986  
CIVIL CASES  
PERFORMANCE SUMMARY

	<u>Complaints</u>		<u>Mechanic's Liens and Mortgages</u>	
	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>
New Castle	1,409	604.6 days	346	276.9 days
Kent	301	864.9 days	53	192.9 days
Sussex	<u>233</u>	<u>497.7 days</u>	<u>79</u>	<u>267.9 days</u>
State	1,943	632.1 days	478	266.1 days

	<u>Appeals</u>		<u>Involuntary Commitments</u>		<u>Miscellaneous</u>	
	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>	<u>Number of Dispositions</u>	<u>Average Time from Filing to Disposition</u>
New Castle	222	338.5 days	393	51.0 days	316	60.8 days
Kent	10	283.4 days	1	15.0 days	31	39.2 days
Sussex	<u>34</u>	<u>349.0 days</u>	<u>0</u>	<u>-</u>	<u>42</u>	<u>133.2 days</u>
State	266	337.8 days	394	50.9 days	389	67.0 days

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices;  
Administrative Office of the Courts

SUPERIOR COURT  
FISCAL YEAR 1986  
CIVIL CASES  
PERFORMANCE BREAKDOWNS

COMPLAINTS - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	<u>Trial</u>		<u>Arbitrator's Order</u>		<u>Default Judgment</u>		<u>Voluntary Dismissal</u>		<u>Other</u>		<u>TOTAL</u>	
New Castle	68	4.8%	102	7.2%	50	3.5%	1,014	72.0%	175	12.4%	1,409	100.0%
Kent	10	3.3%	Not Available		11	3.7%	159	52.8%	121	40.2%	301	100.0%
Sussex	13	5.6%	Not Available		40	17.2%	127	54.5%	53	22.7%	233	100.0%
State	91	4.7%	102*	5.2%	101	5.2%	1,300	66.9%	349	18.0%	1,943	100.0%

COMPLAINTS-ELAPSED TIME

AVERAGE TIME FROM FILING TO DISPOSITION

Cases Disposed of by:

	<u>Trial</u>	<u>Arbitrator's Order</u>	<u>Default Judgment</u>	<u>Voluntary Dismissal</u>	<u>Other</u>	<u>TOTAL</u>
New Castle	1,097.7 days	229.4 days	159.1 days	550.8 days	1,070.8 days	604.6 days
Kent	828.8 days	Not Available		96.5 days	616.3 days	864.9 days
Sussex	504.8 days	Not Available		48.4 days	478.8 days	497.7 days
State	983.5 days	229.4 days*	108.4 days	551.7 days	1,140.0 days	632.1 days

\*New Castle County only.

Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices,  
Administrative Office of the Courts.

## SUPERIOR COURT

FISCAL YEAR 1986  
CIVIL CASES  
PERFORMANCE BREAKDOWNS

## MECHANIC'S LIENS AND MORTGAGES - METHOD

METHOD OF DISPOSITIONNumber of Cases Disposed of by:

	<u>Trial</u>	<u>Arbitrator's Order</u>	<u>Default Judgment</u>	<u>Voluntary Dismissal</u>	<u>Other</u>	<u>TOTAL</u>
New Castle	1 0.3%	9 2.6%	146 42.2%	148 42.8%	42 12.1%	346 100.0%
Kent	0 0.0%	Not Available	30 56.6%	19 35.8%	4 7.5%	53 100.0%
Sussex	1 1.3%	Not Available	43 54.4%	28 35.4%	7 8.9%	79 100.0%
State	2 0.4%	9* 1.9%	219 45.8%	195 40.8%	53 11.1%	478 100.0%

## MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME

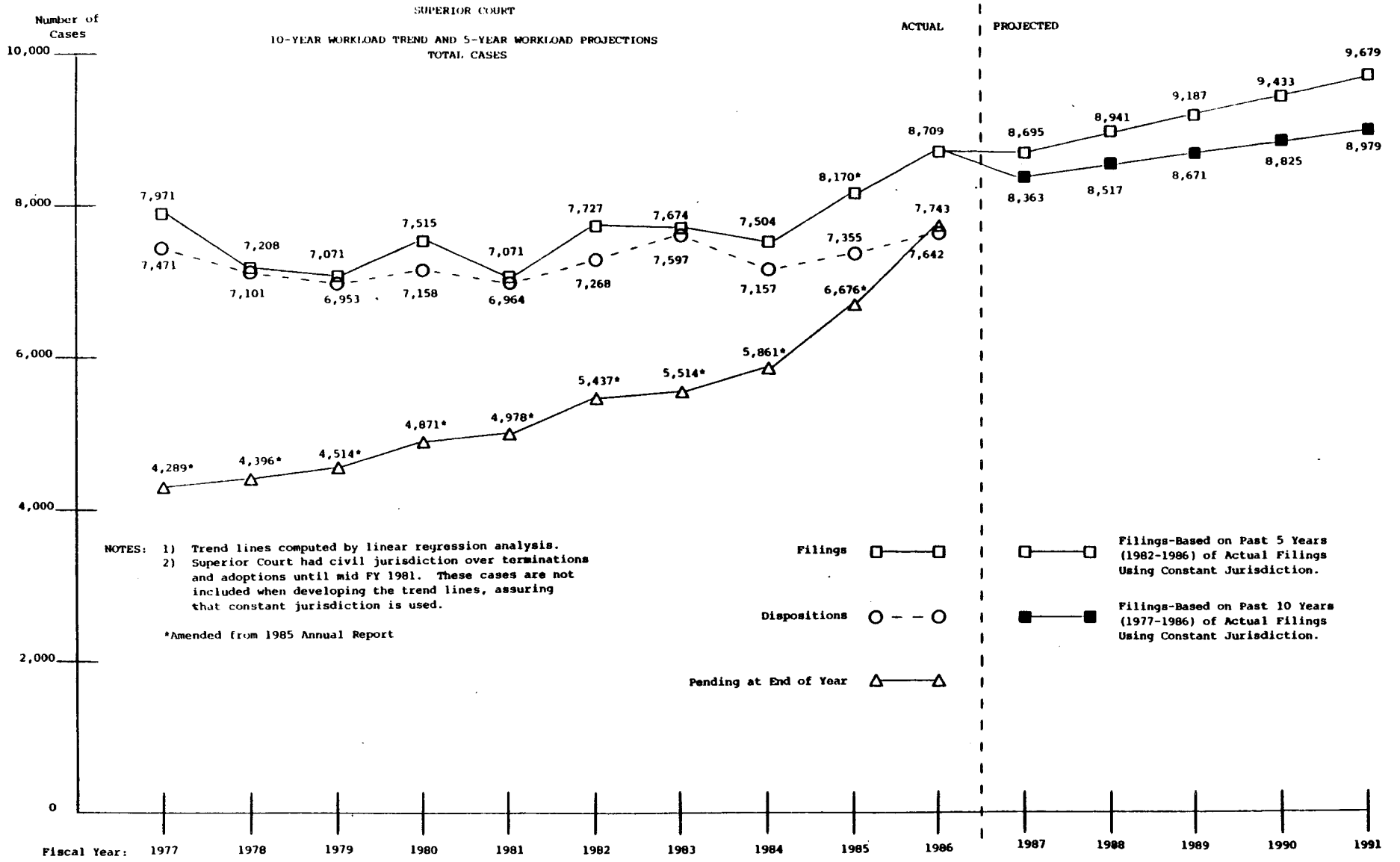
AVERAGE TIME FROM FILING TO DISPOSITIONCases Disposed of by:

	<u>Trial</u>	<u>Arbitrator's Order</u>	<u>Default Judgment</u>	<u>Voluntary Dismissal</u>	<u>Other</u>	<u>TOTAL</u>
New Castle	820.0 days	167.8 days	92.0 days	324.7 days	762.0 days	276.9 days
Kent	-	Not Available	90.1 days	353.1 days	203.5 days	192.9 days
Sussex	827.0 days	Not Available	92.9 days	304.3 days	1,117.9 days	267.9 days
State	823.5 days	167.8 days*	91.9 days	324.5 days	766.9 days	266.1 days

\*New Castle County only.

Source: New Castle County, Kent County and Sussex County Prothonotaries' Offices.  
Administrative Office of the Courts.





SUPERIOR COURT

FISCAL YEAR 1986  
ARBITRATION  
EXPLANATORY NOTES

1. Arbitration is compulsory for civil cases in which:
  - a) Trial is available, and
  - b) Monetary damages are sought, and
  - c) Non-monetary damages are insubstantial, and
  - d) Damages do not exceed \$30,000
  
2. The President Judge of Superior Court or his designee is to select the arbitrator for an arbitration proceeding subject to the following guidelines:
  - a) The parties may request a specific arbitrator by joint agreement, or
  - b) If the parties fail to agree upon a set arbitrator of their choice, the Court then is to provide a list of three (3) alternative arbitrators for review by the parties. The plaintiff(s) and the defendant(s) may each strike one alternative arbitrator, and the Court is to appoint the arbitrator from the remaining alternative arbitrators.
  
3. The arbitrator's decision is to be in the form of a written order. The order is to become a judgment of the Court unless a trial de novo is requested. Any party may request a trial de novo before Superior Court within 20 days following the arbitrator's order.

SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings*</u>	<u>Dispositions**</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change</u>
New Castle	481	1,100	904	677	+196	+40.7%
Kent	69	181	163	87	+ 18	+26.1%
Sussex	64	220	189	95	+ 31	+48.4%
State	674	1,501	1,256	859	+245	+39.9%

WORKLOAD

FILINGS

	<u>Cases Eligible for Arbitration***</u>				<u>All Civil Cases</u>							
	<u>Arbitration Cases Filed*</u>		<u>Non-Arbitration Cases Filed</u>		<u>Arbitration Cases Filed*</u>		<u>Non-Arbitration Cases Filed</u>		<u>Total Filed</u>			
New Castle	1,100	47.9%	1,195	52.1%	2,295	100.0%	1,100	34.9%	2,054	65.1%	3,154	100.0%
Kent	181	51.3%	172	48.7%	353	100.0%	181	39.8%	274	60.2%	455	100.0%
Sussex	220	58.0%	259	42.0%	379	100.0%	220	48.0%	238	52.0%	458	100.0%
State	1,501	49.6%	1,526	50.4%	3,027	100.0%	1,501	36.9%	2,566	63.1%	4,067	100.0%

PENDING AT END OF YEAR

	<u>Awaiting Responsive Pleading</u>		<u>Assigned to an Arbitrator</u>		<u>Totals</u>	
New Castle	559	82.6%	118	17.4%	677	100.0%
Kent	67	77.0%	20	23.0%	87	100.0%
Sussex	77	81.1%	18	18.9%	95	100.0%
State	703	81.8%	156	18.2%	859	100.0%

\*Includes new arbitration cases, cases stipulated into arbitration, cases reactivated, and cases omitted previously.

\*\*Includes cases removed before hearing, final disposition at hearing, and de novo appeals.

\*\*\*Includes complaints and mechanic's liens and mortgages.

Source: Court Administrator, Superior Court

SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986

TYPES OF FILINGS\*

	<u>Number of Filings</u>		<u>Mechanic's Liens and Mortgages</u>		<u>Total</u>	
	<u>Complaints</u>					
New Castle	843	77.8%	240	22.2%	1,083	100.0%
Kent	133	75.1%	44	24.9%	177	100.0%
Sussex	<u>134</u>	<u>62.6%</u>	<u>80</u>	<u>37.4%</u>	<u>214</u>	<u>100.0%</u>
State	1,110	75.3%	364	24.7%	1,474	100.0%

Complaints

	<u>Number of Filings</u>		<u>Debt/Breach of Contract</u>	<u>Arbitration Board Appeals</u>	<u>Other</u>	<u>Total</u>	
	<u>Personal Injury (Auto)</u>	<u>Personal Injury (Non-Auto)</u>					
New Castle	322	38.2%	289	34.3%	45	5.3%	843 100.0%
Kent	52	39.1%	47	35.3%	7	5.3%	133 100.0%
Sussex	<u>37</u>	<u>27.6%</u>	<u>49</u>	<u>36.6%</u>	<u>12</u>	<u>9.0%</u>	<u>134 100.0%</u>
State	411	37.0%	385	34.7%	64	5.8%	1,110 100.0%

Mechanic's Liens and Mortgages

	<u>Number of Filings</u>		<u>Mortgages</u>		<u>Total</u>	
	<u>Mechanic's Liens</u>					
New Castle	64	26.7%	176	73.3%	240	100.0%
Kent	18	40.9%	26	59.1%	44	100.0%
Sussex	<u>24</u>	<u>30.0%</u>	<u>56</u>	<u>70.0%</u>	<u>80</u>	<u>100.0%</u>
State	106	29.1%	258	70.9%	364	100.0%

\*Includes only new filings.

Source: Court Administrator, Superior Court

SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986  
METHOD OF DISPOSITION

	<u>Number of Dispositions</u>		<u>Final Disposition</u>		<u>De Novo Appeal***</u>		<u>Total</u>	
	<u>Removed</u>		<u>Arbitrator's Order**</u>					
	<u>Before Hearing*</u>							
New Castle	563	62.3%	160	17.7%	181	20.0%	904	100.0%
Kent	95	58.3%	26	16.0%	42	25.8%	163	100.0%
Sussex	<u>124</u>	<u>65.6%</u>	<u>35</u>	<u>18.5%</u>	<u>30</u>	<u>15.9%</u>	<u>189</u>	<u>100.0%</u>
State	782	62.3%	221	17.6%	253	20.1%	1,256	100.0%

Removed Before Hearing\*

	<u>Number of Dispositions</u>		<u>Dismissal</u>		<u>Settled</u>		<u>Other</u>		<u>Total</u>	
	<u>Default</u>									
	<u>Judgment</u>									
New Castle	144	25.6%	339	60.2%	8	1.4%	72	12.8%	563	100.0%
Kent	25	26.3%	54	56.8%	0	0.0%	16	16.8%	95	100.0%
Sussex	<u>58</u>	<u>46.8%</u>	<u>42</u>	<u>33.9%</u>	<u>4</u>	<u>3.2%</u>	<u>20</u>	<u>16.1%</u>	<u>124</u>	<u>100.0%</u>
State	227	29.0%	435	55.6%	12	1.5%	108	13.8%	782	100.0%

Arbitrator's Orders

	<u>Number of Dispositions</u>		<u>De Novo Appeal***</u>		<u>Total</u>	
	<u>Final Disposition**</u>					
New Castle	160	46.9%	181	53.1%	341	100.0%
Kent	26	38.2%	42	61.8%	68	100.0%
Sussex	<u>35</u>	<u>53.8%</u>	<u>30</u>	<u>46.2%</u>	<u>65</u>	<u>100.0%</u>
State	221	46.6%	253	53.4%	474	100.0%

\*Includes dispositions before hearing and removals (certificate of value, stay orders, etc.)

\*\*Cases in which the arbitrator's decision is not appealed de novo.

\*\*\*Cases in which the arbitrator's decision is appealed de novo.

Source: Court Administrator, Superior Court

SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986

TYPES OF DISPOSITIONS  
NEW CASTLE COUNTY

	<u>FINAL DISPOSITION*</u>				<u>DE NOVO APPLICATIONS</u>						<u>HEARINGS</u>	
	<u>Judg.</u>	<u>Judg.</u>	<u>Dismiss</u>	<u>TOTAL</u>	<u>Order for Plain.</u>			<u>Order for Def.</u>			<u>All</u>	<u>TOTAL</u>
	<u>for</u>	<u>for</u>			<u>App.</u>	<u>App.</u>	<u>Total</u>	<u>App.</u>	<u>App.</u>	<u>Total</u>	<u>TOTAL</u>	
<u>Plain.</u>	<u>Def.</u>	<u>Plain.</u>	<u>Def.</u>	<u>Plain.</u>	<u>Def.</u>	<u>Total</u>	<u>Plain.</u>	<u>Def.</u>	<u>Total</u>	<u>TOTAL</u>	<u>TOTAL</u>	
Personal Injury (auto)	53	7	2	62	17	21	38	10	0	10	48	110
Personal Injury (non-auto)	19	6	3	28	8	17	25	15	0	15	40	68
Debt/Breach of Contract	24	7	0	31	5	24	29	17	2	19	48	79
Arbitration Board Appeal	11	4	1	16	3	5	8	7	2	9	17	33
Other Complaints	5	3	0	8	6	7	13	4	0	4	17	25
Mechanic's Lien	7	1	0	8	1	5	6	3	0	3	9	17
Mortgage	<u>6</u>	<u>0</u>	<u>1</u>	<u>7</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>9</u>
TOTAL	125	28	7	160	41	80	121	56	4	60	181	341

\*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment  
Plain. = Plaintiff  
Def. = Defendant  
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986

TYPES OF DISPOSITIONS  
KENT COUNTY

	<u>FINAL DISPOSITION*</u>				<u>DE NOVO APPLICATIONS</u>						<u>HEARINGS</u>	
	Judg. for <u>Plain.</u>	Judg. for <u>Def.</u>	<u>Dismiss</u>	<u>TOTAL</u>	<u>Order for Plain.</u>			<u>Order for Def.</u>			<u>All</u>	<u>TOTAL</u>
					App. by <u>Plain.</u>	App. by <u>Def.</u>	<u>Total</u>	App. by <u>Plain.</u>	App. by <u>Def.</u>	<u>Total</u>	<u>TOTAL</u>	<u>TOTAL</u>
Personal Injury (auto)	11	0	0	11	4	4	8	3	0	3	11	22
Personal Injury (non-auto)	2	2	0	4	1	2	3	4	0	4	7	11
Debt/Breach of Contract	4	2	0	6	1	8	9	5	0	5	14	20
Arbitration Board Appeal	1	1	0	2	1	0	1	3	0	3	4	6
Other Complaints	1	0	0	1	0	2	2	0	0	0	2	3
Mechanic's Lien	2	0	0	2	1	2	3	0	0	0	3	5
Mortgage	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1</u>	<u>1</u>
TOTAL	21	5	0	26	8	19	27	15	0	15	42	68

\*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment  
Plain. = Plaintiff  
Def. = Defendant  
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986

TYPES OF DISPOSITIONS  
SUSSEX COUNTY

	<u>FINAL DISPOSITION*</u>				<u>DE NOVO APPLICATIONS</u>						<u>HEARINGS</u>	
	<u>Judg. for Plain.</u>	<u>Judg. for Def.</u>	<u>Dismiss</u>	<u>TOTAL</u>	<u>Order for Plain.</u>			<u>Order for Def.</u>			<u>All</u>	<u>TOTAL</u>
					<u>App. by Plain.</u>	<u>App. by Def.</u>	<u>Total</u>	<u>App. by Plain.</u>	<u>App. by Def.</u>	<u>Total</u>	<u>TOTAL</u>	
Personal Injury (auto)	14	1	0	15	3	1	4	1	0	1	5	20
Personal Injury (non-auto)	0	1	0	1	3	1	4	2	0	2	6	7
Debt/Breach of Contract	9	1	0	10	3	3	6	6	1	7	13	23
Arbitration Board Appeal	4	1	0	5	0	0	0	2	0	2	2	7
Other Complaints	0	1	0	1	0	0	0	0	0	0	0	1
Mechanic's Lien	1	0	0	1	0	3	3	1	0	1	4	5
Mortgage	<u>2</u>	<u>0</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>2</u>
TOTAL	30	5	0	35	9	8	17	12	1	13	30	65

\*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment  
Plain. = Plaintiff  
Def. = Defendant  
App. = Application

Source: Court Administrator, Superior Court



SUPERIOR COURT  
ARBITRATION  
FISCAL YEAR 1986

TYPES OF DISPOSITIONS  
STATE

	<u>FINAL DISPOSITION*</u>				<u>DE NOVO APPLICATIONS</u>						<u>HEARINGS</u>	
	<u>Judg. for Plain.</u>	<u>Judg. for Def.</u>	<u>Dismiss</u>	<u>TOTAL</u>	<u>Order for Plain.</u>			<u>Order for Def.</u>			<u>All</u>	<u>TOTAL</u>
					<u>App. by Plain.</u>	<u>App. by Def.</u>	<u>Total</u>	<u>App. by Plain.</u>	<u>App. by Def.</u>	<u>Total</u>	<u>TOTAL</u>	
Personal Injury (auto)	78	8	2	88	24	26	50	14	0	14	64	152
Personal Injury (non-auto)	21	9	3	33	12	20	32	21	0	21	53	86
Debt/Breach of Contract	37	10	0	47	9	35	44	28	3	31	75	122
Arbitration Board Appeal	16	6	1	23	4	5	9	12	2	14	23	46
Other Complaints	6	4	0	10	6	9	15	4	0	4	19	29
Mechanic's Lien	10	1	0	11	2	10	12	4	0	4	16	27
Mortgage	<u>8</u>	<u>0</u>	<u>1</u>	<u>9</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>12</u>
TOTAL	176	38	7	221	58	107	165	83	5	88	253	474

\*Arbitrator's order is not followed by de novo application. In such cases, the arbitrator's order becomes a judgment.

Judg. = Judgment  
Plain. = Plaintiff  
Def. = Defendant  
App. = Application

Source: Court Administrator, Superior Court

SUPERIOR COURT  
FISCAL YEAR 1986  
ARBITRATION  
PERFORMANCE SUMMARY

	<u>Average Time From Date of Filing to Date of Appointment</u>	<u>Average Time From Date of Appointment To Date of Hearing</u>	<u>Average Time From Date of Filing To Date of Hearing</u>
New Castle	136.7 days	35.3 days	172.0 days
Kent	93.7 days	52.3 days	146.0 days
Sussex	<u>79.2 days</u>	<u>50.0 days</u>	<u>129.2 days</u>
State	122.0 days	40.0 days	162.0 days

	<u>Average Time From Filing to Final Disposition*</u>	<u>Average Time From Filing to De Novo Appeal</u>	<u>Average Time from Filing to Final Disposition or De Novo Appeal**</u>
New Castle	200.6 days	190.5 days	195.2 days
Kent	191.0 days	192.6 days	192.0 days
Sussex	<u>175.3 days</u>	<u>146.6 days</u>	<u>162.1 days</u>
State	195.4 days	185.6 days	190.2 days

COMPLIANCE WITH 40-DAY RULE\*\*\*

	<u>Number of Hearings Held Within 40 Days After Appointment of Arbitrator</u>		<u>Number of Hearings Held More Than 40 Days After Appointment of Arbitrator</u>		<u>Total Number of Hearings Held</u>	
New Castle	183	53.7%	158	46.3%	341	100.0%
Kent	28	41.2%	40	58.8%	68	100.0%
Sussex	<u>35</u>	<u>53.8%</u>	<u>30</u>	<u>46.2%</u>	<u>65</u>	<u>100.0%</u>
State	246	51.9%	228	48.1%	474	100.0%

\*Disposed of at arbitration hearing and not followed by de novo appeal.

\*\*All cases for which an arbitration hearing was held.

\*\*\*Superior Court Civil Rule 16(c)(6)(A) states that the arbitration hearing is to be held within 40 days of the appointment. Arbitrators are authorized to grant an extension of time for a hearing to a date certain.

Source: Court Administrator, Superior Court

# **Law Libraries**

LAW LIBRARIES

The standards for the control and supervision of the three Law Libraries are set in 10 Del. Code §1941.

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 although use of the Kent County Law Library has sometimes been limited to court-related users. Assistance is given to persons wishing to use the facilities whenever possible.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses about 25,000 books and there is presently seated working space for about 32 persons at one time. The recent purchase of a reader-printer which can make positive printouts from both microfiche and microfilm records has been a help to the Law Library and its users. The facility is maintained and administered by a Law Librarian and a Library 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 Law Librarian. The Sussex County Law Library is staffed by one Law Librarian and houses about 14,000 volumes.

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

New Castle County Law Library  
Public Building  
1020 North King Street  
Wilmington, DE 19801  
(571-2437)

Law Librarian  
Rene Yucht

Library Assistant  
Alda Monsen

KENT COUNTY

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

Law Librarian  
Carol N. Russell

SUSSEX COUNTY

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

Law Librarian  
Mary Tylecki Dickson

# **Family Court**

FAMILY COURT

Legal 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 had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first degree murder, rape, or kidnapping.

Appeals are made to either Superior Court or the Supreme Court, depending on the type of case.

Judges

Number: The Court is allowed 13 judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

Appointment: The Governor appoints the judges, subject to confirmation by 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 5 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.

Other Judicial Personnel

The Chief Judge appoints and commissions masters for the Court who shall hold office at his pleasure and must have resided in the State for at least 5 years prior to their appointment. Masters may hear any matters 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 3 major administrative divisions of the Court are Court Operations, Fiscal Services, and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 220 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, process servers, and hearing officers in mediation and arbitration cases, as well as volunteers working in all areas of the Court.

Caseload Trend

Total filings in Family Court increased by 9.6% from an amended statewide total of 33,121 filings in FY 1985 to 36,287 in FY 1986. Filings increased in each of the counties during FY 1986, and the total filings statewide during FY 1986 was the largest number ever during a fiscal year in Family Court.

There were 35,953 total dispositions statewide during FY 1986 in Family Court, and this was the largest number of total dispositions in a single fiscal year for Family Court. The rise from an amended total of 31,663 dispositions in FY 1985 to 35,953 dispositions in FY 1986 was an increase of 13.5%.

Though dispositions rose sharply during FY 1986, the influence of the great number of filings led to an increase in total pending during FY 1986. The pending at the end of FY 1986 had risen by 3.7% to 9,309 total pending from an amended total of 8,975 pending at the end of FY 1985.



FAMILY COURT

JUDICIARY

Chief Judge

Hon. Robert D. Thompson (D, 10/25/86)  
Grace Davis, Secretary  
(856-5301)  
Lynn Booth, Secretary  
(571-2205)

NEW CASTLE COUNTY

Associate Judges

Hon. James J. Horgan (D, 9/29/88)  
Kathy Mort, Secretary  
(571-2229)  
Hon. Jay Paul James (R, 7/31/90)  
Cecilia Gallagher, Secretary  
(571-2226)  
Hon. Karl J. Parrish (D, 10/30/90)  
Carol Walton, Secretary  
(571-2232)  
Hon. John T. Gallagher (D, 11/6/91)  
Diane H. Ruggiero, Secretary  
(571-3923)  
Hon. Jay H. Conner (R, 12/17/93)  
Dolores A. Howard, Secretary  
(571-6286)  
Hon. Charles K. Keil (D, 9/30/95)  
Marianne H. O'Donnell, Secretary  
(571-2432)  
Hon. Peggy L. Ableman (D, 9/30/95)  
Barbara Hedgepath, Secretary  
(571-2257)  
Hon. Robert W. Wakefield (R, 9/30/97)  
Janie Bebber, Secretary  
(571-2254)

KENT COUNTY

Associate Judges

Hon. David P. Buckson (R, 4/24/87)  
Ruth Potter, Secretary  
(736-4565)  
Hon. Roger D. Kelsey (R, 7/28/87)  
Karen Price, Secretary  
(736-4513)

SUSSEX COUNTY

Associate Judges

Hon. Battle R. Robinson (R, 8/29/97)  
Judy Maddox, Secretary  
(856-5540)  
Hon. Kenneth M. Millman (R, 9/18/98)  
Ruth Chasanov, Secretary  
(856-5417, 856-5320)

FAMILY COURT

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Family Court  
Family Court Building  
900 King Street  
P.O. Box 2359  
Wilmington, DE 19899  
(571-2200)

Chief Master

Dennis T. Reardon  
Pat Kane, Secretary  
(571-2315)

Masters

William H. McDonough  
Ellen McGaughan, Secretary  
(571-2417)  
Maureen Murphy  
Joan Prettyman, Secretary  
(571-2593)  
Mary Ann Herlihy  
Mary Lou McNulty, Secretary  
(571-2212)  
David J. Haley  
Michelle Lewis, Secretary  
(571-2303)  
Nivea Castro-Figueroa  
Pat Berry, Secretary  
(571-2631)

KENT COUNTY

Family Court  
Arden Building  
11 North Street  
P.O. Box 310  
Dover, DE 19901  
(736-4501)

Gary E. Grubb  
Janice Carroll, Secretary  
(736-5031)

SUSSEX COUNTY

Family Court  
Family Court Building  
Race and East Pine Streets  
P.O. Box 609  
Georgetown, DE 19947  
(856-7702)

Pamela Deeds Holloway  
Judy Goff, Secretary  
(856-5638)  
Mark Buckworth  
Kay VanAuken, Secretary  
(856-5254)

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

FOR THE STATEWIDE COURT

Administrator  
James T. Glessner  
(571-2216)

Chief of Fiscal Services  
William B. Breighner  
(571-2222)

Chief of Personnel Services  
Hope M. Murray  
(571-2296)

Director for Research & Planning  
Emmett M. Partin  
(571-2215)

Director for Treatment Services  
Janis F. Harrison  
(571-2219)

Director of Support  
Susan F. Paikin  
(571-3867)

NEW CASTLE COUNTY

Director  
Randall E. Williams  
(571-2241)

KENT COUNTY

Director  
James F. Truitt  
(736-4297)

SUSSEX COUNTY

Director  
Robert F. Stuart  
(856-5515)

FAMILY COURT  
FISCAL YEAR 1986  
WORKLOAD SUMMARY

	<u>Number of Filings</u>			<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/85</u>	<u>Filed</u>	<u>Disposed</u>			
New Castle	5,518*	20,765	20,619	5,664	+ 146	+ 2.6%
Kent	1,731*	7,735	7,688	1,778	+ 47	+ 2.7%
Sussex	<u>1,726*</u>	<u>7,787</u>	<u>7,646</u>	<u>1,867</u>	<u>+ 141</u>	<u>+ 8.2%</u>
State	8,975*	36,287	35,953	9,309	+ 334	+ 3.7%

COMPARISON - FISCAL YEARS 1985-1986  
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	19,925*	20,765	+ 840	+ 4.2%
Kent	6,546*	7,735	+1,189	+18.2%
Sussex	<u>6,650*</u>	<u>7,787</u>	<u>+1,137</u>	<u>+17.1%</u>
State	33,121*	36,287	+3,166	+ 9.6%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	19,566*	20,619	+1,053	+ 5.4%
Kent	5,982*	7,688	+1,706	+28.5%
Sussex	<u>6,115*</u>	<u>7,646</u>	<u>+1,531</u>	<u>+25.0%</u>
State	31,663*	35,953	+4,290	+13.5%

\*Amended from 1985 Annual Report.

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986

TOTAL CASES  
WORKLOAD  
EXPLANATORY NOTES

1. The unit of count in Family Court adult criminal, juvenile delinquency, and civil cases is the filing.
2. A criminal or delinquency filing is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the Court on a single individual are counted as three criminal or delinquency filings.
  - a. A single criminal or delinquency filing may be comprised of single or multiple charges relating to a single incident.
  - b. A criminal filing is received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.
3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FAMILY COURT  
FISCAL YEAR 1986  
ADULT CRIMINAL CASES  
WORKLOAD SUMMARY

	<u>Number of Filings</u>			Pending <u>6/30/86</u>	Change In <u>Pending</u>	% Change <u>In Pending</u>
	<u>Pending 6/30/85</u>	<u>Filed</u>	<u>Disposed</u>			
New Castle	302	2,132	1,977	457	+155	+ 51.3%
Kent	42	404	373	73	+ 31	+ 73.8%
Sussex	<u>112</u>	<u>636</u>	<u>590</u>	<u>158</u>	<u>+ 46</u>	<u>+ 41.1%</u>
State	456	3,172	2,940	688	+232	+ 50.9%

COMPARISON - FISCAL YEARS 1985-1986  
ADULT CRIMINAL CASES  
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	1,789	2,132	+343	+19.2%
Kent	342	404	+ 62	+18.1%
Sussex	<u>551</u>	<u>636</u>	<u>+ 85</u>	<u>+15.4%</u>
State	2,682	3,172	+490	+18.3%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	1,702	1,977	+275	+16.2%
Kent	398	373	- 25	- 6.3%
Sussex	<u>524</u>	<u>590</u>	<u>+ 66</u>	<u>+12.6%</u>
State	2,624	2,940	+316	+12.0%

Source: Statistician, Family Court

FAMILY COURT  
FISCAL YEAR 1986  
JUVENILE DELINQUENCY CASES  
WORKLOAD SUMMARY

	<u>Number of Filings</u>		<u>Disposed</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/85</u>	<u>Filed</u>				
New Castle	892	4,266	4,006	1,152	+260	+29.1%
Kent	164	1,096	1,023	237	+ 73	+44.5%
Sussex	<u>364</u>	<u>1,334</u>	<u>1,374</u>	<u>324</u>	<u>- 40</u>	<u>-11.0%</u>
State	1,420	6,696	6,403	1,713	+293	+20.6%

COMPARISON - FISCAL YEARS 1985-1986  
JUVENILE DELINQUENCY CASES  
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	4,488	4,266	- 222	- 4.9%
Kent	962	1,096	+ 134	+13.9%
Sussex	<u>1,400</u>	<u>1,334</u>	<u>- 66</u>	<u>- 4.7%</u>
State	6,850	6,696	- 154	- 2.2%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	4,977	4,006	- 971	-19.5%
Kent	954	1,023	+ 69	+ 7.2%
Sussex	<u>1,292</u>	<u>1,374</u>	<u>+ 82</u>	<u>+ 6.3%</u>
State	7,223	6,403	- 820	-11.4%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1986  
JUVENILE DELINQUENCY CASES  
WORKLOAD BREAKDOWNS

FILED

	<u>Number of Filings</u>			<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>			
New Castle	1,022 24.0%	2,975 69.7%	269 6.3%	4,266 100.0%	
Kent	238 21.7%	785 71.6%	73 6.7%	1,096 100.0%	
Sussex	<u>265 19.9%</u>	<u>952 71.4%</u>	<u>117 8.8%</u>	<u>1,334 100.0%</u>	
State	1,525 22.8%	4,712 70.4%	459 6.9%	6,696 100.0%	

DISPOSED

	<u>Number of Filings</u>			<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>			
New Castle	1,032 25.8%	2,715 67.8%	259 6.5%	4,006 100.0%	
Kent	231 22.6%	735 71.8%	57 5.6%	1,023 100.0%	
Sussex	<u>342 24.9%</u>	<u>876 63.8%</u>	<u>156 11.4%</u>	<u>1,374 100.0%</u>	
State	1,605 25.1%	4,326 67.6%	472 7.4%	6,403 100.0%	

PENDING AT END OF YEAR

	<u>Number of Filings</u>			<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>			
New Castle	276 24.0%	812 70.5%	64 5.6%	1,152 100.0%	
Kent	34 14.3%	164 69.2%	39 16.5%	237 100.0%	
Sussex	<u>73 22.5%</u>	<u>226 69.8%</u>	<u>25 7.7%</u>	<u>324 100.0%</u>	
State	383 22.4%	1,202 70.2%	128 7.5%	1,713 100.0%	

CHANGE IN PENDING

	<u>Number of Filings</u>			<u>Traffic</u>	<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>			
New Castle	- 10	+260	+ 10	+260	
Kent	+ 7	+ 50	+ 16	+ 73	
Sussex	- 77	+ 76	- 39	- 40	
State	- 80	+386	- 13	+293	

Source: Statistician, Family Court



FAMILY COURT  
FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD SUMMARY

	<u>Number of Filings</u>		<u>Disposed</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/85</u>	<u>Filed</u>				
New Castle	4,324*	14,367	14,636	4,055	- 269	- 6.2%
Kent	1,525*	6,235	6,292	1,468	- 57	- 3.7%
Sussex	<u>1,250*</u>	<u>5,817</u>	<u>5,682</u>	<u>1,385</u>	<u>+ 135</u>	<u>+10.8%</u>
State	7,099*	26,419	26,610	6,908	- 191	- 2.7%

COMPARISON - FISCAL YEARS 1985-1986  
CIVIL CASES  
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	13,648*	14,367	+ 719	+ 5.3%
Kent	5,242*	6,235	+ 993	+18.9%
Sussex	<u>4,699*</u>	<u>5,817</u>	<u>+1,118</u>	<u>+23.8%</u>
State	23,589*	26,419	+2,830	+12.0%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
New Castle	12,887*	14,636	+1,749	+13.6%
Kent	4,630*	6,292	+1,662	+35.9%
Sussex	<u>4,299*</u>	<u>5,682</u>	<u>+1,383</u>	<u>+32.2%</u>
State	21,816*	26,610	+4,794	+22.0%

\*Amended from 1985 Annual Report.

Source: Statistician, Family Court

FAMILY COURT  
FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD BREAKDOWNS

FILED

	<u>Divorces and Annulments</u>	<u>Divorce Ancillary Matters</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	2,115 14.7%	1,054 7.3%	3,155 22.0%	1,304 9.1%	1,723 12.0%	1,404 9.8%
Kent	733 11.8%	125 2.0%	1,427 22.9%	897 14.4%	797 12.8%	951 15.2%
Sussex	<u>621 10.7%</u>	<u>129 2.2%</u>	<u>1,282 22.0%</u>	<u>964 16.6%</u>	<u>785 13.5%</u>	<u>819 14.1%</u>
State	3,469 13.1%	1,308 5.0%	5,864 22.2%	3,165 12.0%	3,305 12.5%	3,174 12.0%

	<u>Visitation</u>	<u>Imperiling Family Relations</u>	<u>Adoptions</u>	<u>Terminations of Parental Rights</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	498 3.5%	549 3.8%	127 0.9%	112 0.8%	2,326 16.2%	14,367 100.0%
Kent	237 3.8%	86 1.4%	47 0.8%	17 0.3%	918 14.7%	6,235 100.0%
Sussex	<u>166 2.9%</u>	<u>151 2.6%</u>	<u>39 0.7%</u>	<u>40 0.7%</u>	<u>821 14.1%</u>	<u>5,817 100.0%</u>
State	901 3.4%	786 3.0%	213 0.8%	169 0.6%	4,065 15.4%	26,419 100.0%

DISPOSED

	<u>Divorces and Annulments</u>	<u>Divorce Ancillary Matters</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	2,234 15.3%	745 5.1%	3,336 22.8%	1,377 9.4%	1,871 12.8%	1,390 9.5%
Kent	736 11.7%	165 2.6%	1,393 22.1%	915 14.5%	778 12.4%	1,004 16.0%
Sussex	<u>553 9.7%</u>	<u>127 2.2%</u>	<u>1,200 21.1%</u>	<u>975 17.2%</u>	<u>768 13.5%</u>	<u>829 14.6%</u>
State	3,523 13.2%	1,037 3.9%	5,929 22.3%	3,267 12.3%	3,417 12.8%	3,223 12.1%

	<u>Visitation</u>	<u>Imperiling Family Relations</u>	<u>Adoptions</u>	<u>Terminations of Parental Rights</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	477 3.3%	587 4.0%	161 1.1%	122 0.8%	2,336 16.0%	14,636 100.0%
Kent	232 3.7%	91 1.4%	46 0.7%	27 0.4%	905 14.4%	6,292 100.0%
Sussex	<u>197 3.5%</u>	<u>156 2.7%</u>	<u>29 0.5%</u>	<u>29 0.5%</u>	<u>819 14.4%</u>	<u>5,682 100.0%</u>
State	906 3.4%	834 3.1%	236 0.9%	178 0.7%	4,060 15.3%	26,610 100.0%

FAMILY COURT  
FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	<u>Divorces and Annulments</u>	<u>Divorce Ancillary Matters</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	870 21.5%	1,312 32.4%	574 14.2%	245 6.0%	229 5.6%	346 8.5%
Kent	296 20.2%	92 6.3%	337 23.0%	211 14.4%	143 9.7%	192 13.1%
Sussex	<u>306 22.1%</u>	<u>144 10.4%</u>	<u>311 22.5%</u>	<u>168 12.1%</u>	<u>147 10.6%</u>	<u>112 8.1%</u>
State	1,472 21.3%	1,548 22.4%	1,222 17.7%	624 9.0%	519 7.5%	650 9.4%

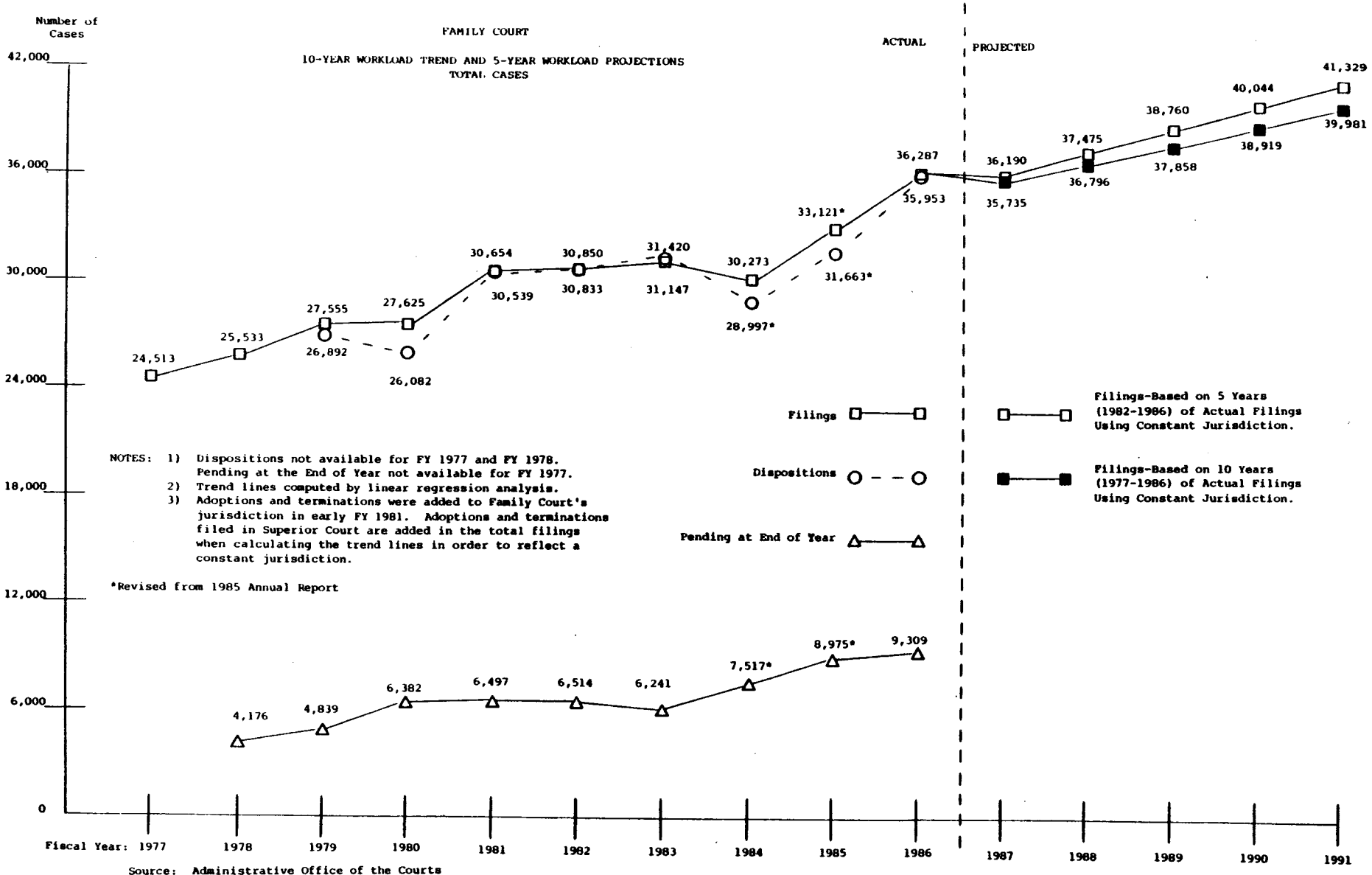
	<u>Visitation</u>	<u>Imperiling Family Relations</u>	<u>Adoptions</u>	<u>Terminations of Parental Rights</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	162 4.0%	109 2.7%	1 0.0%	43 1.1%	164 4.0%	4,055 100.0%
Kent	59 4.0%	4 0.3%	18 1.2%	12 0.8%	104 7.1%	1,468 100.0%
Sussex	<u>17 1.2%</u>	<u>15 1.1%</u>	<u>35 2.5%</u>	<u>32 2.3%</u>	<u>98 7.1%</u>	<u>1,385 100.0%</u>
State	238 3.4%	128 1.9%	54 0.8%	87 1.3%	366 5.3%	6,908 100.0%

CHANGE IN PENDING

	<u>Divorces and Annulments</u>	<u>Divorce Ancillary Matters</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	-119	+309	-181	- 73	-148	+ 14
Kent	- 3	- 40	+ 34	- 18	+ 19	- 53
Sussex	<u>+ 68</u>	<u>+ 2</u>	<u>+ 82</u>	<u>- 11</u>	<u>+ 17</u>	<u>- 10</u>
State	- 54	+271	- 65	-102	-112	- 49

	<u>Visitation</u>	<u>Imperiling Family Relations</u>	<u>Adoptions</u>	<u>Terminations of Parental Rights</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	+ 21	- 38	- 34	- 10	- 10	- 269
Kent	+ 5	- 5	+ 1	- 10	+ 13	- 57
Sussex	<u>- 31</u>	<u>- 5</u>	<u>+ 10</u>	<u>+ 11</u>	<u>+ 2</u>	<u>+ 135</u>
State	- 5	- 48	- 23	- 9	+ 5	- 191

Source: Statistician, Family Court



Source: Administrative Office of the Courts

FAMILY COURT  
FISCAL YEAR 1986  
ARBITRATION  
EXPLANATORY NOTES

1. Arbitration is a process in which a hearing officer from the Arbitration Unit attempts to resolve a case. Certain juvenile delinquency and adult criminal cases may be taken to arbitration.
2. Family Court decides if a case should be prosecuted at a formal hearing or if it should be referred to the Arbitration Unit.
3. A hearing officer determines if the case should be dismissed, sent to a formal hearing, or kept open. A case is kept open if a defendant is required to fulfill conditions set by the officer and agreed to by the defendant.
4. The complainant, victim, defendant, or parent has ten (10) days to request a review of the disposition. The review is done by a Deputy Attorney General, who either upholds the disposition or decides that the matter should go to a formal hearing.

FAMILY COURT

FISCAL YEAR 1986  
ARBITRATION ACTIVITY  
WORKLOAD BREAKDOWNS

	Juvenile		Juvenile		Total	
	No.	% of Juvenile	No.	% of Adult	No.	% of Total
Defendant Refused Conference	89	4.7%	89	8.7%	178	6.1%
Arbitration Officer Refused Conference	51	2.7%	52	5.1%	103	3.5%
Removed from Arbitration	18	1.0%	29	2.8%	47	1.6%
Withdrawn	46	2.4%	204	20.0%	250	8.6%
Returned to Deputy Attorney General	18	1.0%	12	1.2%	30	1.0%
Dismissal Recommended at Conference	84	4.4%	114	11.2%	198	6.8%
Conditions Imposed	<u>1,583</u>	<u>83.8%</u>	<u>522</u>	<u>51.1%</u>	<u>2,105</u>	<u>72.3%</u>
TOTAL	1,889	100.0%	1,022	100.0%	2,911	100.0%

	Juvenile		Adult		Total	
	No.	% of Pros. Cat.	No.	% of Pros. Cat.	No.	% of Pros. Cat.
Defendant Refused Conference	89	50.0%	89	50.0%	178	100.0%
Arbitration Officer Refused Conference	51	49.5%	52	50.5%	103	100.0%
Removed from Arbitration	18	38.3%	29	61.7%	47	100.0%
Withdrawn	46	18.4%	204	81.6%	250	100.0%
Returned to Deputy Attorney General	18	60.0%	12	40.0%	30	100.0%
Dismissal Recommended at Conference	84	42.4%	114	57.6%	198	100.0%
Conditions Imposed	<u>1,583</u>	<u>75.2%</u>	<u>522</u>	<u>24.8%</u>	<u>2,105</u>	<u>100.0%</u>
TOTAL	1,889	64.9%	1,022	35.1%	2,911	100.0%

No. = Number

Pros. Cat. = Processing Category

Source: Statistician, Family Court

# **Court of Common Pleas**

Legal Authorization

The state 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 \$15,000 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 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. They are appointed by the Governor with the consent of the Senate for 12 year terms. They must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. A majority of not more than one judge may be from the same political party.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, including a Court Administrator (Chief Clerk) and one Clerk of the Court for each county. Other employees as are necessary are also added, including bailiffs, court reporters, secretaries, clerks, presentence officers, etc.

Caseload Trend

There were increases in filings and dispositions statewide for both criminal and civil cases during FY 1986. The increase in criminal filings and dispositions followed a year of limited change in the criminal sector during FY 1985. The sharp increase in civil filings contrasted with the decreased civil filings in FY 1985 while civil dispositions rose for the second consecutive year.



There were 17,841 criminal filings in FY 1986, a 12.4% rise from 15,872 criminal filings in FY 1985. Criminal dispositions increased to 17,521 in FY 1986 from 15,429 in FY 1985, which is an increase of 13.6%. The increase in filings led to a 12.7% increase in pending to 2,831 at the end of FY 1986 from 2,511 at the end of FY 1985 despite the increase in dispositions.

Civil filings rose sharply to 5,681 filings during FY 1986, an increase of 1,934 filings from the 3,747 filings in FY 1985. This increase can be traced to a rise of 1,937 civil filings in New Castle County to a total of 4,697 during FY 1986, a 70.2% increase from the 2,760 filings in FY 1985. Civil dispositions increased to 4,630 dispositions in FY 1986 which was a rise of 528 civil dispositions from the FY 1985 total of 4,102 dispositions. As with the filings, the increase in civil dispositions can be shown to be the result of an increase in New Castle County. Civil dispositions rose by 533 in New Castle County during FY 1986 to 3,662 from the 3,129 civil dispositions in FY 1985. Civil pending rose by 1,035 to 4,047 civil pending at the end of FY 1986, due almost totally to an increase of 1,035 civil pending in New Castle County during FY 1986.

JUDICIARY

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Chief Judge

Hon. Robert H. Wahl (D, 9/14/96)  
Beulah O. Goldsborough, Secretary  
(571-2412)

Resident Judge

Hon. William C. Bradley, Jr. (D, 9/29/88)  
Peggy Papili, Secretary  
(571-2410)  
Hon. Arthur F. DiSabatino (R, 6/27/97)  
Margaret Renai, Secretary  
(571-2411)

Resident Judge

Hon. Merrill C. Trader (R, 9/14/96)  
Mary Elyn Massey, Secretary  
(736-4617)

Resident Judge

Hon. Paul E. Ellis (D, 8/28/97)  
Katherine Truitt, Secretary  
(856-5591)

COURT OF COMMON PLEAS

Court Administrator (571-2804)  
Carole B. Kirshner  
Shari Berkowitz, Secretary  
Joan Stadelman, Account Clerk

NEW CASTLE COUNTY (571-2430)

Court of Common Pleas  
Courthouse  
10th & King Streets  
Wilmington, DE 19801

Clerks of Court  
Frederick Kirch

Deputy Clerks  
Angeline Pineault, Chief  
Elizabeth Jonkiert  
Catherine Wharton

Court Reporters (571-2863)  
Carol Schatzman  
Jacalyn Aff  
Cheryl Simmons

Presentence Officers (571-3834)  
John Jaremchuk, Jr., Chief

Bailiffs  
Allan Rogers, Chief

KENT COUNTY (736-4618)

Court of Common Pleas  
Courthouse  
The Green  
Dover, DE 19901

Ruth Biddle

Anna Benton

Sheila Dougherty

David Reid  
Mary McFaul

SUSSEX COUNTY (856-5333)

Court of Common Pleas  
Courthouse  
The Circle  
Georgetown, DE 19947

Doris Wilkins

Joyce Betts

Raymond Kenney

Substance Abuse  
Coordinating Counselor  
Shirley Fish

Donald Beebe  
R. Burton Hicks

## COURT OF COMMON PLEAS

FISCAL YEAR 1986  
CRIMINAL CASES\*  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	1,523	10,741	10,519	1,745	+222	+14.9%
Kent	380	3,765	3,615	530	+150	+39.5%
Sussex	<u>608</u>	<u>3,335</u>	<u>3,387</u>	<u>556</u>	<u>- 52</u>	<u>- 8.6%</u>
State	2,511	17,841	17,521	2,831	+320	+12.7%

COMPARISON - FISCAL YEARS 1985-1986  
CRIMINAL CASES\*  
WORKLOADFILINGS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	10,466	10,741	+ 275	+ 2.6%
Kent	2,798	3,765	+ 967	+34.6%
Sussex	<u>2,608</u>	<u>3,335</u>	<u>+ 727</u>	<u>+27.9%</u>
State	15,872	17,841	+1,969	+12.4%

DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	10,224	10,519	+ 295	+ 2.9%
Kent	2,737	3,615	+ 878	+32.1%
Sussex	<u>2,468</u>	<u>3,387</u>	<u>+ 919</u>	<u>+37.2%</u>
State	15,429	17,521	+2,092	+13.6%

\*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

FISCAL YEAR 1986  
CRIMINAL CASES\*  
WORKLOAD BREAKDOWNS

FILINGS

	<u>Original**</u>	<u>Optional Transfers#</u>	<u>Mandatory Transfers##</u>	<u>Reduced to Misdemeanor@</u>	<u>TOTALS</u>	<u>Preliminary Hearings</u>
New Castle	519 4.8%	9,335 86.9%	436 4.1%	451 4.2%	10,741 100.0%	4,784
Kent	226 6.0%	3,145 83.6%	370 9.8%	24 0.6%	3,765 100.0%	1,857
Sussex	<u>351 10.6%</u>	<u>2,406 72.1%</u>	<u>327 9.8%</u>	<u>251 7.5%</u>	<u>3,335 100.0%</u>	<u>2,081</u>
State	1,096 6.1%	14,886 83.4%	1,133 6.4%	726 4.1%	17,841 100.0%	8,722

DISPOSITIONS

	<u>Jury</u>	<u>Non-Jury</u>	<u>TOTALS</u>
New Castle	0 0.0%	10,519 100.0%	10,519 100.0%
Kent	100 2.8%	3,515 97.2%	3,615 100.0%
Sussex	<u>7 0.2%</u>	<u>3,380 99.8%</u>	<u>3,387 100.0%</u>
State	107 0.6%	17,414 99.4%	17,521 100.0%

PENDING AT END OF YEAR

	<u>Capiases</u>	<u>Other@@</u>	<u>TOTALS</u>
New Castle	935 53.6%	810 46.4%	1,745 100.0%
Kent	64 12.1%	466 87.9%	530 100.0%
Sussex	<u>75 13.5%</u>	<u>481 86.5%</u>	<u>556 100.0%</u>
State	1,074 37.9%	1,757 62.1%	2,831 100.0%

CHANGE IN PENDING

	<u>Capiases</u>	<u>Other@@</u>	<u>TOTALS</u>
New Castle	+197	+ 25	+222
Kent	+ 20	+130	+150
Sussex	- 52	0	- 52
State	+165	+155	+320

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

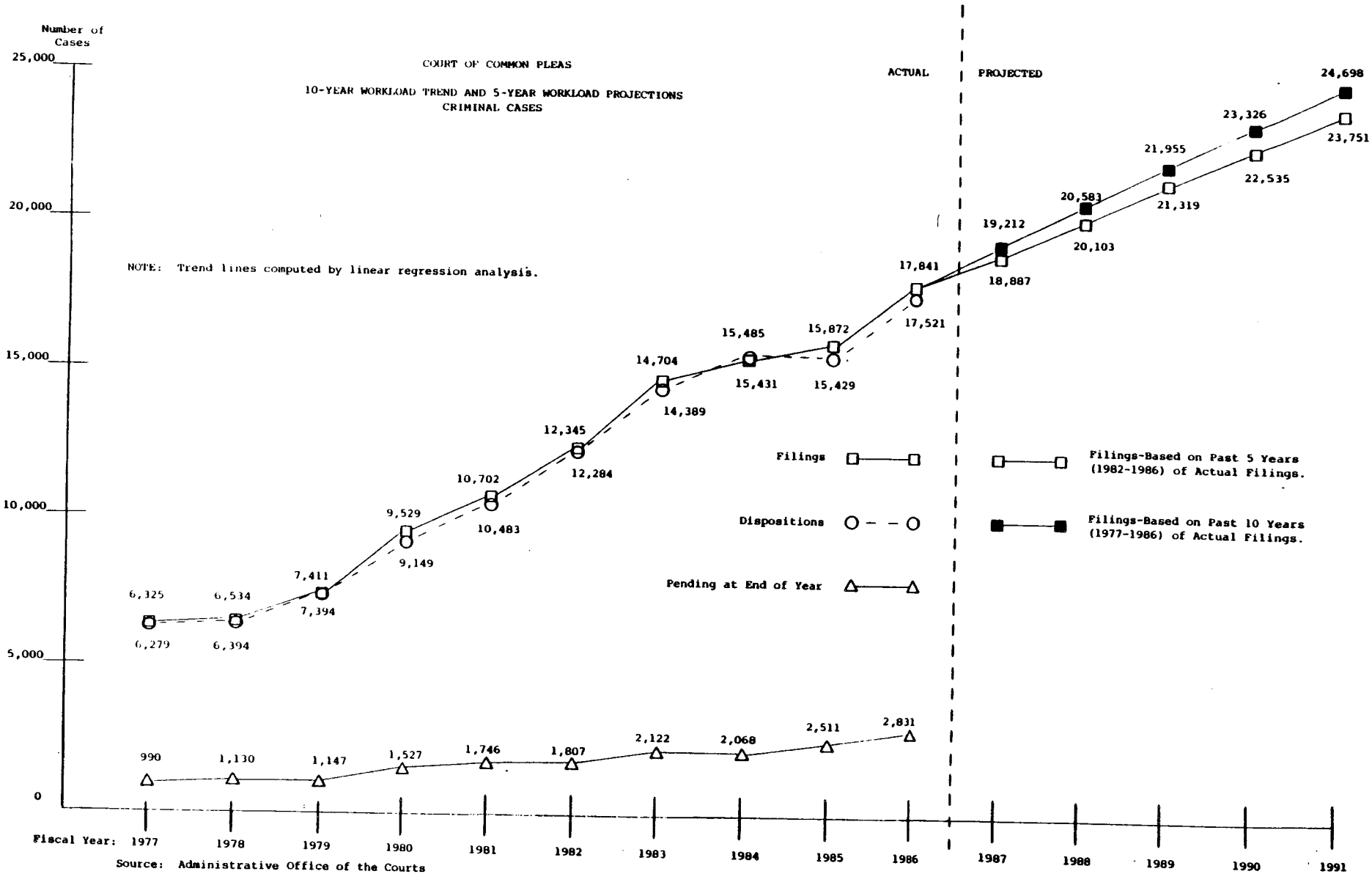
\*\*Charges filed initially in the Court of Common Pleas.

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

##Charges originally filed in Justice of the Peace Courts which by statute must be transferred to the Court of Common Pleas.

@Felony charges brought before the Court of Common Pleas for preliminary hearing which are reduced to misdemeanors and pled guilty to.

@@Includes triable cases and first offenders undergoing rehabilitation according to the Driving Under the Influence statute.



COURT OF COMMON PLEAS

FISCAL YEAR 1986  
PRESENTENCE OFFICE  
WORKLOAD SUMMARY

	Pending <u>6/30/85</u>	Investigations <u>Ordered</u>	Investigations <u>Completed*</u>	Pending <u>6/30/86</u>	Change In <u>Pending</u>	% Change <u>In Pending</u>
New Castle	120	447	435	132	+12	+ 10.0%
Kent**	9	25	32	2	- 7	- 77.8%
Sussex**	<u>13</u>	<u>19</u>	<u>20</u>	<u>12</u>	<u>- 1</u>	<u>- 7.7%</u>
State	142	491	487	146	+ 4	+ 2.8%

COMPARISON - FISCAL YEARS 1985-1986  
PRESENTENCE OFFICE  
WORKLOAD

INVESTIGATIONS ORDERED

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	382	447	+65	+ 17.0%
Kent**	47	25	-22	- 46.8%
Sussex**	<u>21</u>	<u>19</u>	<u>- 2</u>	<u>- 9.5%</u>
State	450	491	+41	+ 9.1%

INVESTIGATIONS COMPLETED\*

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	367	435	+68	+ 18.5%
Kent**	55	32	-23	- 41.8%
Sussex**	<u>19</u>	<u>20</u>	<u>+ 1</u>	<u>+ 5.3%</u>
State	441	487	+46	+ 10.4%

\*An investigation is considered completed when it has been both written and typed or has been otherwise closed (i.e. deceased defendant, motion for new trial granted, etc.).  
\*\*Presentence investigations for the Court of Common Pleas in Kent and Sussex Counties are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas; Superior Court Presentence Offices, Kent and Sussex Counties.

COURT OF COMMON PLEAS

FISCAL YEAR 1986  
PRESENTENCE OFFICE  
PERFORMANCE

	<u>No. of Defendants Sentenced After Presentence Investigation</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>
New Castle	439	27.9 days	0.5 days	28.4 days	1.3 days	29.7 days
Kent	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.
Sussex	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
State	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.

PRODUCTIVITY

	<u>INVESTIGATIONS</u>		<u>TYPING</u>	
	<u>Number of Investigations Written</u>	<u>Average Number Written Per Month</u>	<u>Number of Investigations Typed</u>	<u>Average Number Typed Per Month</u>
New Castle	435	36.3	435	36.3
Kent	N.A.	N.A.	N.A.	N.A.
Sussex	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
State	N.A.	N.A.	N.A.	N.A.

N.A. = Not Applicable. This is because presentence investigations for the Court of Common Pleas in Kent County and Sussex County are done by the Superior Court Presentence Office.

Source: Court Administrator, Court of Common Pleas



## COURT OF COMMON PLEAS

FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD SUMMARY

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	2,542	4,697	3,662	3,577	+1,035	+40.7%
Kent	211	438	425	224	+ 13	+ 6.2%
Sussex	<u>243</u>	<u>546</u>	<u>543</u>	<u>246</u>	<u>+ 3</u>	<u>+ 1.2%</u>
State	2,996	5,681	4,630	4,047	+1,051	+35.1%

COMPARISON - FISCAL YEARS 1985-1986  
CIVIL CASES  
WORKLOADFILINGS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,760	4,697	+1,937	+70.2%
Kent	451	438	- 13	- 2.4%
Sussex	<u>536</u>	<u>546</u>	<u>+ 10</u>	<u>+ 1.9%</u>
State	3,747	5,681	+1,934	+51.6%

DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,129	3,662	+533	+17.0%
Kent	449	425	- 24	- 5.4%
Sussex	<u>524</u>	<u>543</u>	<u>+ 19</u>	<u>+ 3.6%</u>
State	4,102	4,630	+528	+12.9%

Source: Court Administrator, Court of Common Pleas

## COURT OF COMMON PLEAS

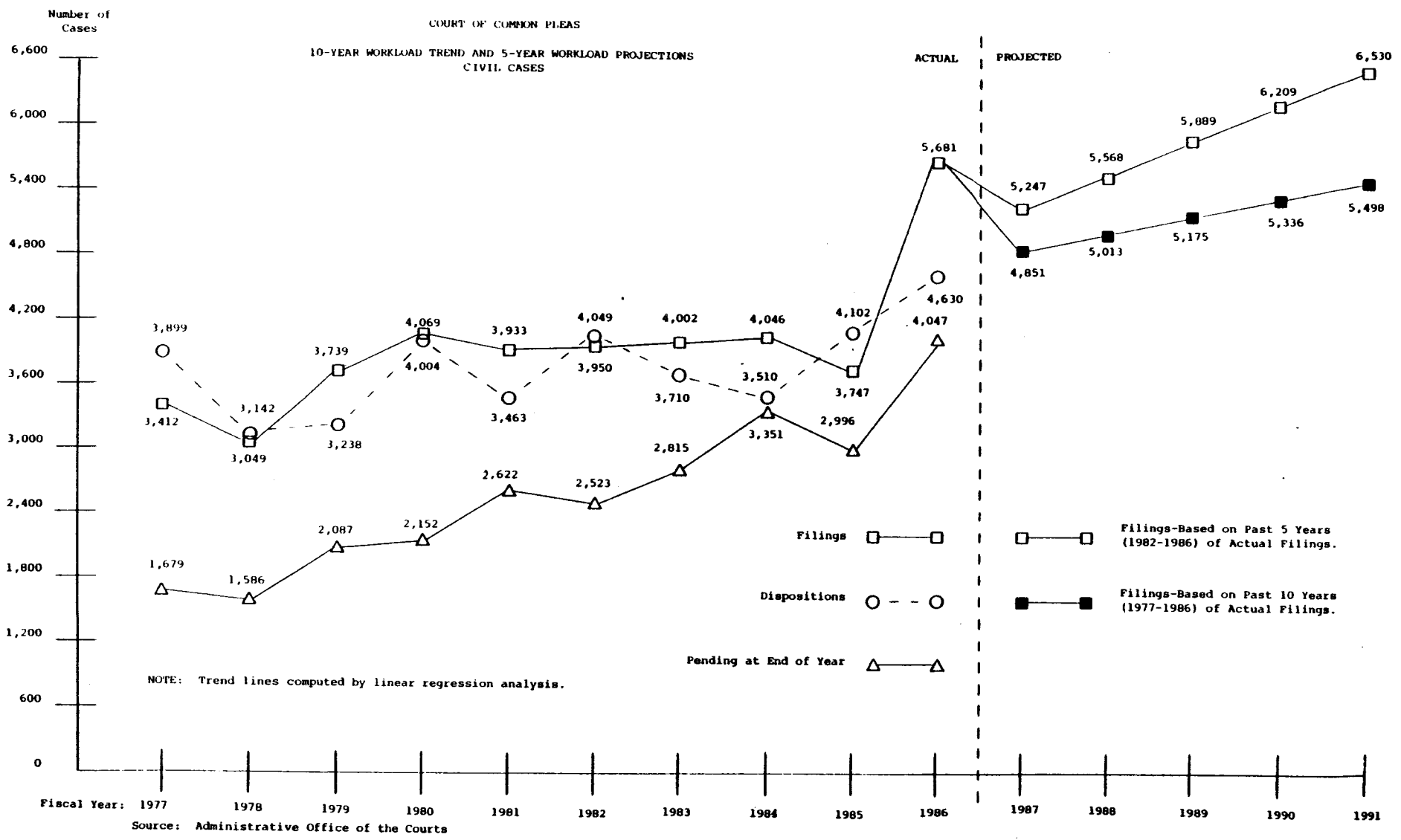
FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD BREAKDOWNSFILINGS

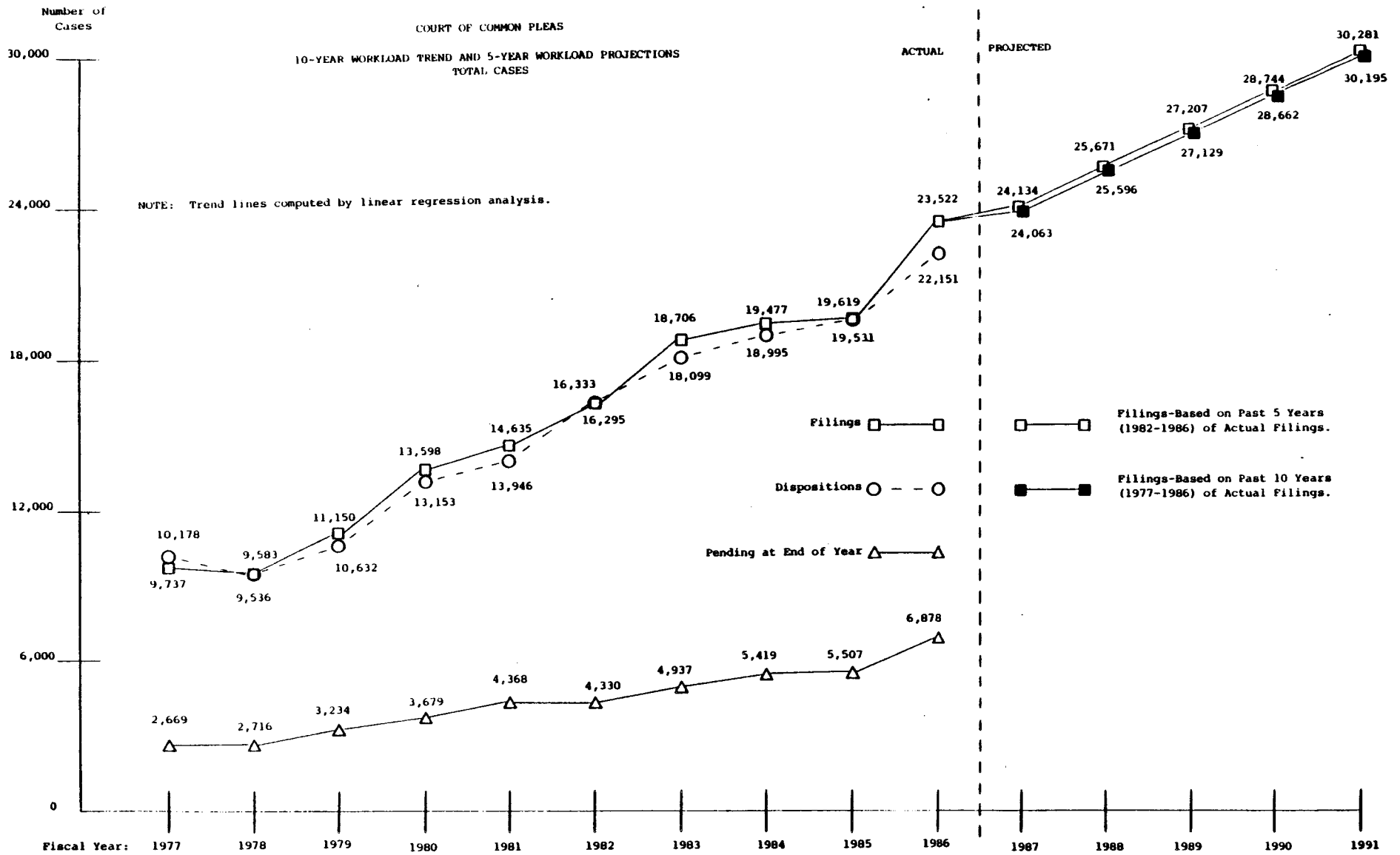
	<u>Complaints</u>		<u>Civil Judgments, Name Changes</u>		<u>TOTALS</u>	
New Castle	4,299	91.5%	398	8.5%	4,697	100.0%
Kent	397	90.6%	41	9.4%	438	100.0%
Sussex	<u>494</u>	<u>90.5%</u>	<u>52</u>	<u>9.5%</u>	<u>546</u>	<u>100.0%</u>
State	5,190	91.4%	491	8.6%	5,681	100.0%

DISPOSITIONS

	<u>By Court</u>		<u>By Counsel</u>		<u>TOTALS</u>	
New Castle	706	19.3%	2,956	80.7%	3,662	100.0%
Kent	148	34.8%	277	65.2%	425	100.0%
Sussex	<u>127</u>	<u>23.4%</u>	<u>416</u>	<u>76.6%</u>	<u>543</u>	<u>100.0%</u>
State	981	21.2%	3,649	78.8%	4,630	100.0%

Source: Court Administrator, Court of Common Pleas





# **Municipal Court**

MUNICIPAL COURTLegal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 Delaware Code, Chapter 17.

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 Justice of the Peace Courts 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; at present two are full time and one is part time. Not more than 2 of the Judges may be members of the same political party. |
| 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 11,841 criminal cases filed in Municipal Court during FY 1985 rose by 7.6% to 12,740 criminal filings during FY 1986. There were 12,988 criminal dispositions in FY 1986, an increase of 1,602 dispositions from the 11,386 criminal dispositions in FY 1985.

The totals for traffic cases increased during FY 1986 from the traffic filing and disposition totals in FY 1985. Filings rose by 14.4% to 17,801 in FY 1986 from 15,555 in FY 1985, an increase of 2,246 filings. Dispositions in traffic cases rose even more sharply to 17,526 in FY 1986 from 15,086 in FY 1985. This increase of 2,440 dispositions resulted in a percentage increase of 16.2%.

The increase in criminal filings was not as great as the rise in criminal dispositions during FY 1986, which was a cause for the drop in criminal pending. The 1,751 criminal pending at the end of FY 1985 fell by 248 cases to 1,503 pending at the end of FY 1986, a drop of 14.2%. Traffic pending rose by 18.7% from 1,471 at the end of FY 1985 to 1,746 at the end of FY 1986.

Totals for both filings and dispositions increased in FY 1986. Total filings increased by 11.5% to 30,541 in FY 1986 from 27,396 in FY 1985. Total dispositions rose by 15.3% to 30,514 in FY 1986 from 26,472 in FY 1985. There was a slight increase in year's end pending from 3,222 at the end of FY 1985 to 3,249 at the end of FY 1986.

MUNICIPAL COURT  
Court House  
1000 King Street  
Wilmington, Delaware 19801  
(571-4530)

JUDICIARY

Chief Judge

Hon. Alfred Fraczkowski (R, 8/7/93)  
Karen A. Brandenberger, Executive Secretary  
(571-4550)

Associate Judges

Hon. Carl Goldstein (R, 6/30/94)  
Joyce Vietri, Secretary  
(571-4551)  
Hon. Leonard L. Williams (D, 6/4/78)  
(571-4551)



MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners

T. Roger Barton, Clerk of Court  
(571-4534)

Richard O. Douglas, Deputy Clerk  
(571-4540)

Furio R. Casale, Deputy Clerk  
(571-4540)

Laurence L. Fitchett, Deputy Clerk  
(571-4540)

Nancy L. Roberts, Deputy Clerk  
(571-4540)

Carolyn A. Carroll, Secretary  
(571-4534)

Process Service

Steven Jonkiert

Bailiffs

David L. Dempsey

Gerald Nolan

Cornelius Morris

Lucy Gomez

Criminal Clerical Staff

Josephine Smulski

Kathy Holstein

Mary E. Devine

Diane DeCusatis

Debra Gibbs

Evelyn M. Smith

Jacquelyn Smith

Janet Davis (part-time)

Traffic Violation Staff

Shirley S. Cohen

Carolyn Sylvester

Ann Collins

Kimberly Betz

MUNICIPAL COURT

FISCAL YEAR 1986  
WORKLOAD SUMMARY\*

	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Criminal	1,751	12,740	12,988	1,503	-248	-14.2%
Traffic	<u>1,471</u>	<u>17,801</u>	<u>17,526</u>	<u>1,746</u>	<u>+275</u>	<u>+18.7%</u>
TOTALS	3,222	30,541	30,514	3,249	+ 27	+ 0.8%

COMPARISON - FISCAL YEARS 1985-1986  
WORKLOAD\*

FILINGS

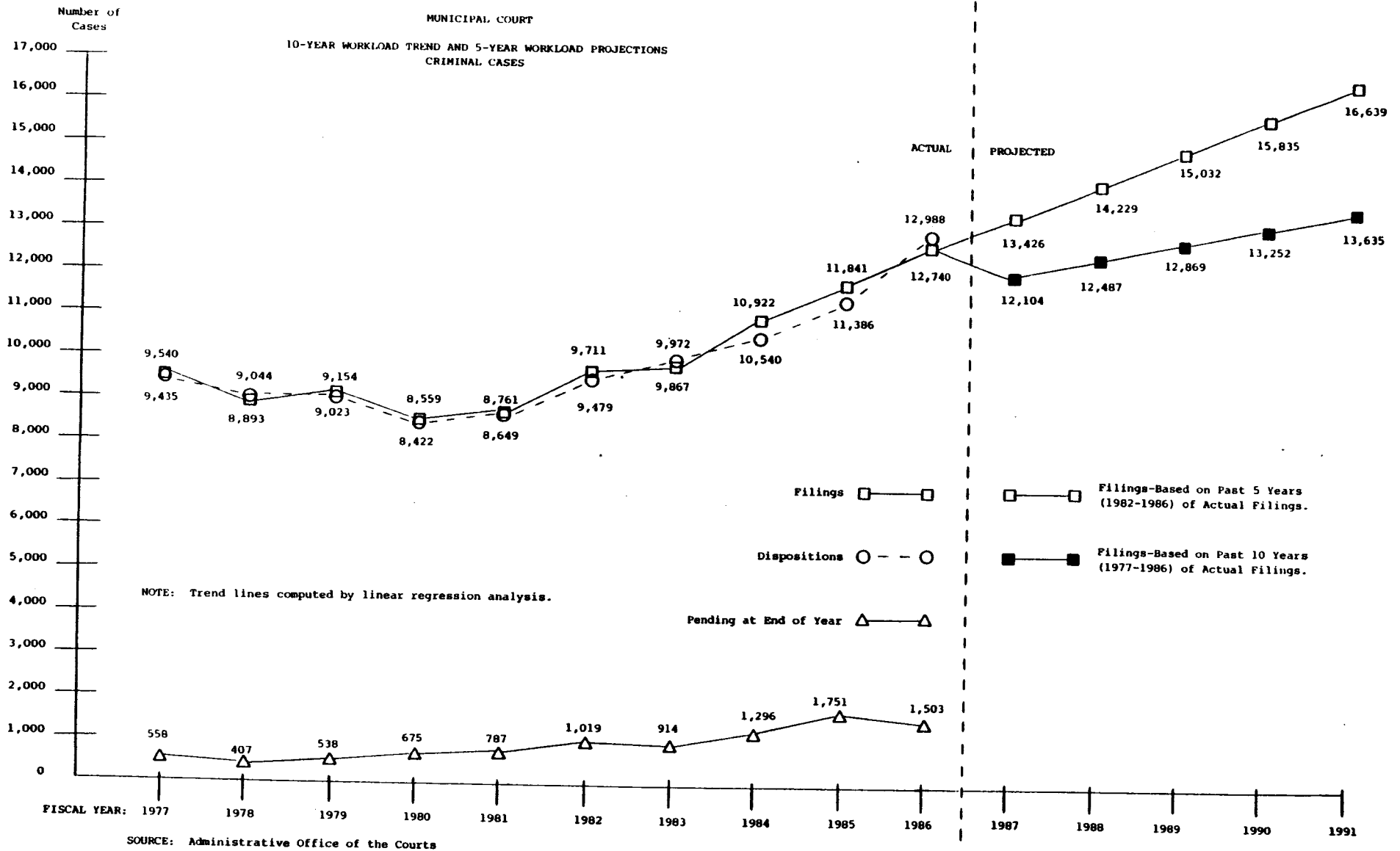
	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Criminal	11,841	12,740	+ 899	+ 7.6%
Traffic	<u>15,555</u>	<u>17,801</u>	<u>+2,246</u>	<u>+14.4%</u>
TOTALS	27,396	30,541	+3,145	+11.5%

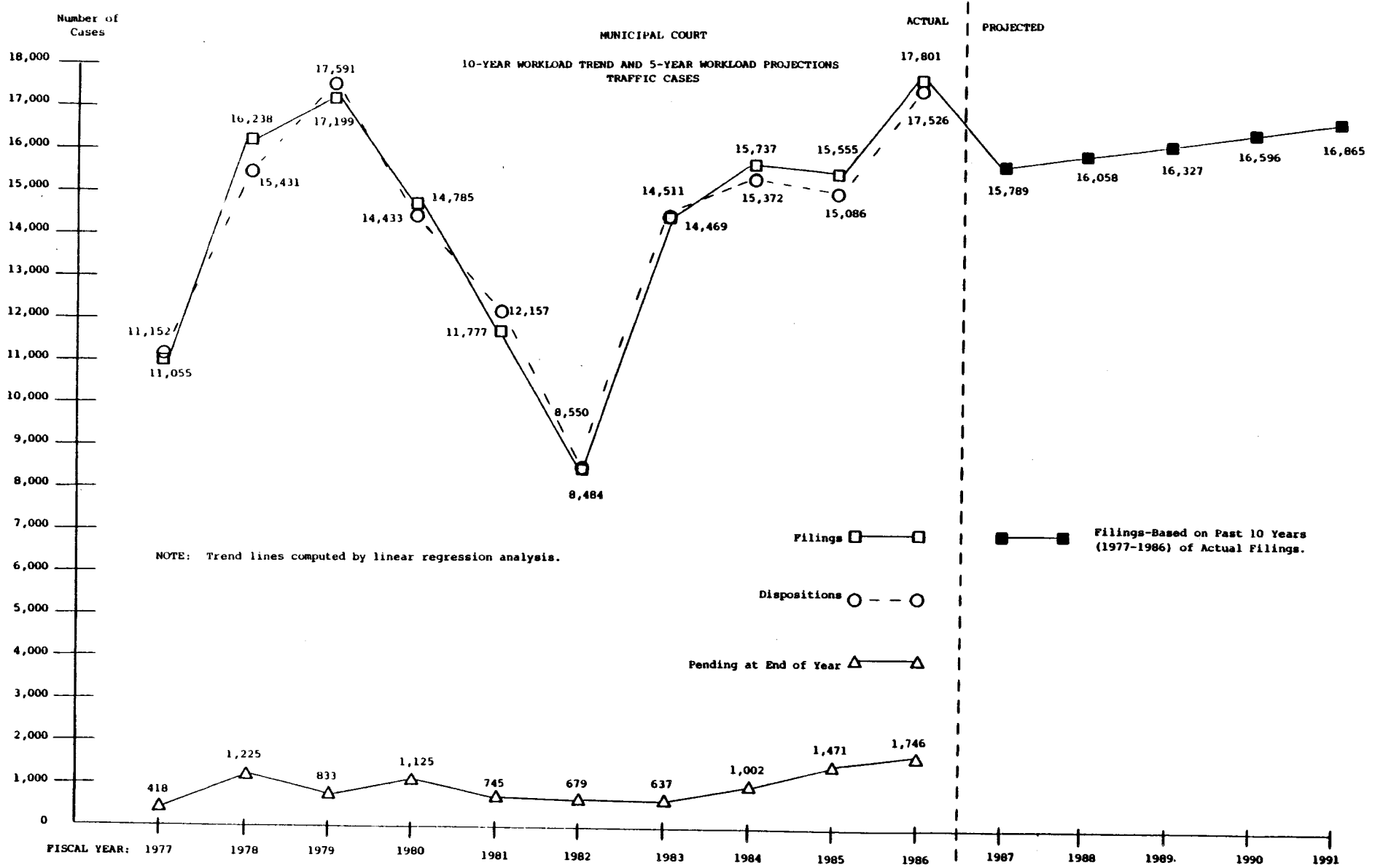
DISPOSITIONS

	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
Criminal	11,386	12,988	+1,602	+14.1%
Traffic	<u>15,086</u>	<u>17,526</u>	<u>+2,440</u>	<u>+16.2%</u>
TOTALS	26,472	30,514	+4,042	+15.3%

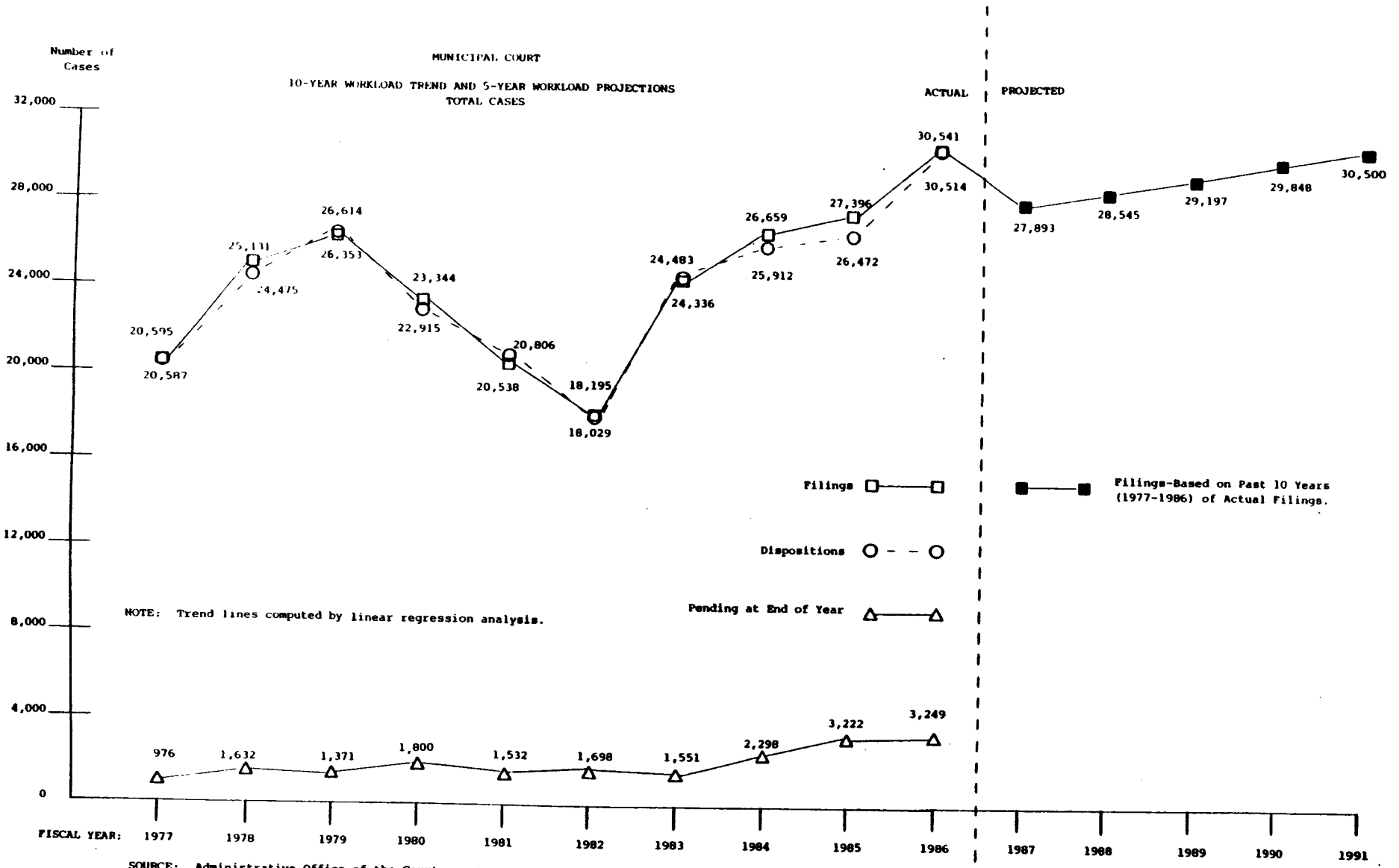
\*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

Source: Chief Court Commissioner, Municipal Court





SOURCE: Administrative Office of the Courts



SOURCE: Administrative Office of the Courts

# **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 1.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the State. Of the 19 Courts currently operating, 8 are in New Castle County, 4 are in Kent County, and 7 are 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 \$2,500. JP Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. 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. The maximum number of Justices of the Peace permitted in each county is: 24 in New Castle County, 12 in Kent County, and 17 in Sussex County. Magistrates are appointed by the Governor and confirmed by the Senate for terms of four years. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and of 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

An Administrator, two administrative officers, and a fiscal administrative officer help the Chief Magistrate direct the JP Courts on a day-to-day basis. The State provides clerks of the court, constables, presentence officers, and other personnel for the courts.

Caseload Trend

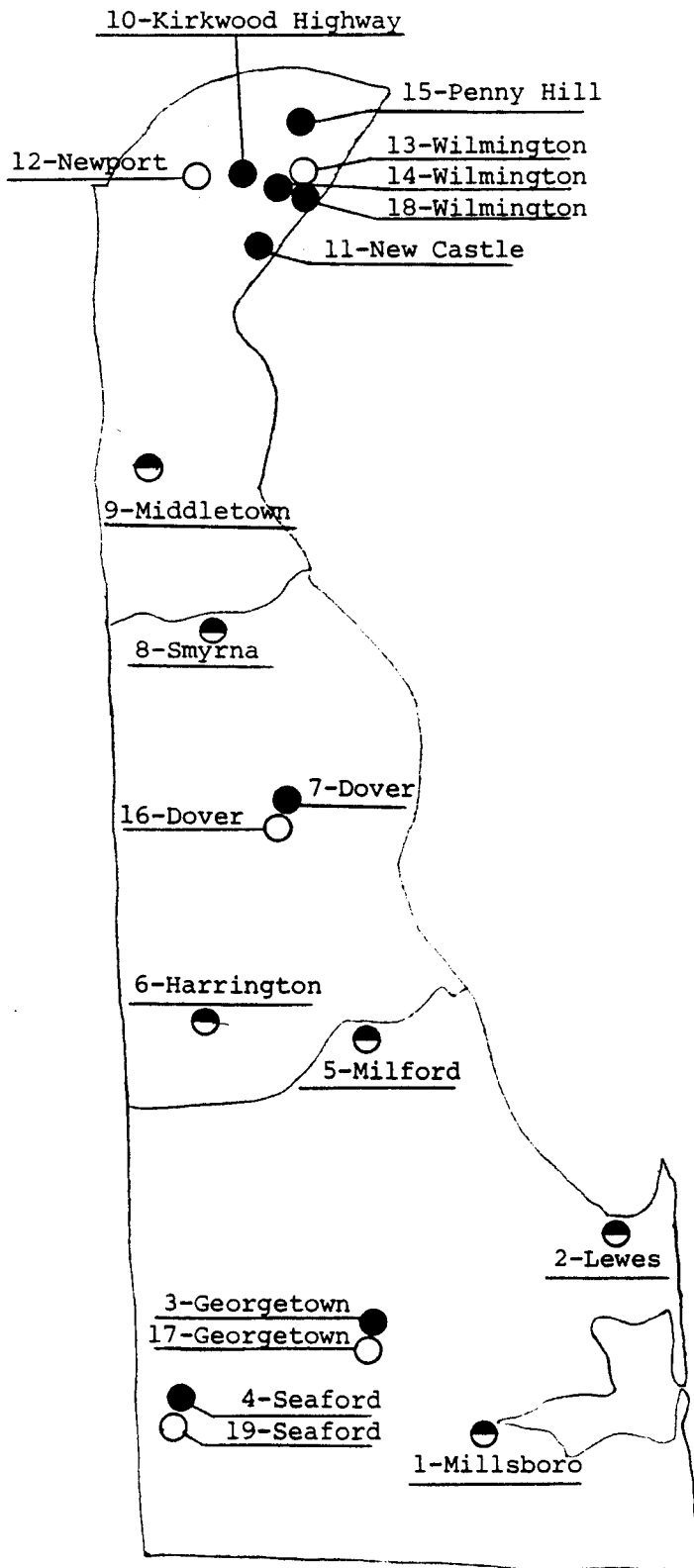
Both criminal filings and dispositions rose to new single fiscal year levels during FY 1986. There was an increase of 19,105 criminal filings from 147,922 in FY 1985 to 167,027 during FY 1986, a rise of 12.9%. The 165,212 criminal dispositions for FY 1986 are 11.2% above the 148,631 in FY 1985, an increase of 16,581 dispositions. There was a rise in criminal pending from 3,680 at the end of FY 1985 to 5,495 criminal pending at the end of FY 1986, an increase of 1,815 criminal pending.

Civil filings and dispositions both rose to record levels in FY 1986, eclipsing records set in the previous fiscal year. Civil filings rose by 7.4% from 24,164 civil filings in FY 1985 to 25,955 civil filings in FY 1986. Civil dispositions increased to 27,232 in FY 1986 from 26,015 in FY 1985, a rise of 4.7%. Civil pending fell by 1,277 cases from 6,952 at the end of FY 1985 to 5,675 at the end of FY 1986.

The new record levels for criminal filings and dispositions and for civil filings and dispositions resulted in record amounts of total filings and dispositions during FY 1986. There were 192,982 total filings in FY 1986, a rise of 12.1% from the 172,086 total filings during FY 1985. The 192,444 total dispositions during FY 1986 are 10.2% higher than the 174,646 total dispositions during FY 1985. Because filings rose more substantially than total dispositions during FY 1986, there was a 5.1% increase from 10,632 total pending at the end of FY 1985 to 11,170 total pending at the end of FY 1986.



JUSTICE OF THE PEACE COURTS IN DELAWARE



KEY

- Criminal and Traffic Court
- Civil Court
- ◐ Criminal, Traffic, and Civil Court

JUSTICE OF THE PEACE COURTS

<u>Court</u>	<u>Location</u>	<u>Hours Open</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	7 Days Per Week, 8AM-Midnight	112	Criminal
Court 11	New Castle	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 12	Newport	M-F 8:30AM-4:30PM	40	Civil
Court 13	Wilmington	M-F 8AM-4PM	40	Civil
Court 14	Wilmington	M-F 8AM-4PM	40	Criminal
Court 15	Penny Hill	M, Sat 8AM-4PM; Tu-F 8AM-Midnight	80	Criminal
Court 18	Wilmington	M-F 9AM-5PM	40	Criminal
<u>Kent County</u>				
Court 6	Harrington	M-F 8AM-4PM	40	Criminal & Civil
Court 7	Dover	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 16	Dover	M-F 8:30AM-4:30PM	40	Civil
Court 8	Smyrna	M-F 8AM-4PM	40	Criminal & Civil
<u>Sussex County</u>				
Court 1	Millsboro	M-F 9AM-5PM	40	Criminal & Civil
Court 2	Lewes	Winter: M, Tu 8AM-4PM; W-Sat 8AM-Midnight	80	Criminal & Civil
		Summer: Sun, M 8AM-4PM; T-Sat 8AM-Midnight	96	Criminal & Civil
Court 3	Georgetown	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 17	Georgetown	M-F 8AM-4PM	40	Civil
Court 4	Seaford	M-Sat 8AM-Midnight	96	Criminal
Court 19	Seaford	M-F 8AM-4PM	40	Civil
Court 5	Milford	M-F 8AM-4PM	40	Criminal & Civil

JUDICIARY

Chief Magistrate

Hon. Norman A. Barron (6/20/88)  
Pamela A. Nagle, Secretary

New Castle County

Deputy Chief Magistrate

Hon. Morris Levenberg (6/30/89)

Kent County

Deputy Chief Magistrate

Hon. Charles M. Stump (6/5/88)

Sussex County

Deputy Chief Magistrate

Hon. William J. Hopkins, Jr. (4/19/86)  
Hon. Thomas J. Orr (6/20/90)

New Castle County

Justices of the Peace

Hon. Andrew G. Ahern, Jr. (6/27/88)  
Hon. David R. Anderson (10/6/90)  
Hon. Richard L. Brandenburg (6/30/90)  
Hon. William W. Brittingham (6/20/89)  
Hon. Ronald E. Cheeseman (5/22/88)  
Hon. Thomas E. Cole (4/16/90)  
Hon. Barbara C. Hughes (6/30/89)  
Hon. Lorin P. Hunt (6/27/88)  
Hon. Virginia W. Johnson (6/30/90)  
Hon. Vivian K. Kleinman (5/31/87)  
Hon. Ann A. Lewis (5/10/87)  
Hon. Edwin L. Lord, Jr. (6/30/89)  
Hon. Kathleen C. Lucas (6/30/89)  
Hon. Ruth P. Malm (1/11/81)  
Hon. John P. McLaughlin (5/22/88)  
Hon. Marc P. Niedzielski (6/1/84)  
Hon. Mable M. Pitt (6/22/83)  
Hon. Edward M. Poling (6/30/89)  
Hon. William S. Rowe, Jr. (6/27/88)  
Hon. Rosalie O. Rutkowski (8/5/88)  
Hon. David R. Skelley (6/30/89)  
Hon. Rosalind Toulson (6/2/87)  
Hon. John H. Wilding (9/29/84)

Kent County

Justices of the Peace

Hon. Ernst M. Arndt (6/30/89)  
Hon. Margret L. Barrett (6/29/86)  
Hon. Helen M. Brandt (6/20/86)  
Hon. George W. Kershner, III (6/30/90)  
Hon. Joseph A. Knussman (6/22/87)  
Hon. Ellis B. Parrott (6/10/90)  
Hon. Agnes E. Pennella (7/19/87)  
Hon. Russell T. Rash (6/30/89)  
Hon. Alice W. Stark (9/1/89)  
Hon. Wallace P. Wootten (5/9/78)  
Vacant

Sussex County

Justices of the Peace

Hon. Sheila A. Blakely (7/19/87)  
Hon. William A. Booth (7/1/86)  
Hon. Francis G. Charles (9/30/89)  
Hon. Richard D. Comly (8/28/89)  
Hon. Edward G. Davis (7/2/87)  
Hon. Walter J. Godwin (6/30/88)  
Hon. Jeffrey W. Hague (7/1/88)  
Hon. Robert F. Handy (6/5/88)  
Hon. Thomas W. Hutson (6/27/87)  
Hon. Howard W. Mulvaney, III (7/19/87)  
Hon. Almetia J. Murray (7/1/90)  
Hon. William F. Plack, Jr. (6/20/90)  
Hon. Edward G. Pollard, Jr. (6/30/88)  
Hon. Horace W. Short (5/29/88)  
Hon. Abigayle E. Truitt (7/2/87)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Administrative Office  
61 Christiana Road  
New Castle, DE 19720  
(323-4530)

Administrator  
Michael E. McLaughlin  
Anne Amalfitano, Secretary

Administrative Officers  
Thomas W. Nagle  
Mary E. Cooper  
Christine H. Roberts, Clerk

Fiscal Administrative Officer  
Earl Shockley

Administrative Assistant  
Sandra L. Coleman

COURT 9

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

Clerk of the Court

Agnes B. Thompson

KENT COUNTY

COURT 6

Post Office Box 3  
Route 13  
(398-8247)

Clerk of the Court

Betty Pleasanton

SUSSEX COUNTY

COURT 1

Post Office Box 192  
Route 113  
(934-7268)

Clerk of the Court

Debbie Vickers

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 10

2207 St. James Church Road  
Wilmington, DE 19808  
(995-8640)

Clerk of the Court  
Caroline F. Pini

Presentence Officer  
Hazel Plant

COURT 11

61 Christiana Road  
New Castle, DE 19720  
(323-4450)

Clerk of the Court  
Nancy Snipes

COURT 12

1500 East Newport Pike  
Wilmington, DE 19804  
(994-9314, 994-9652)

Clerk of the Court  
Ann Marie Ellingsworth

KENTY COUNTY

COURT 7

Post Office Box 1081  
Railroad & Loockerman Streets  
Dover, DE 19901  
(736-4554, 736-4555)

Clerk of the Court  
Marjorie Nolette

Presentence Officer  
Monika Rash

COURT 8

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

Clerk of the Court  
Ruth Porter

COURT 16

Post Office Box 1081  
Railroad & Loockerman Streets  
Dover, DE 19901  
(736-4316)

Clerk of the Court  
Evelyn Webb

SUSSEX COUNTY

COURT 2

Post Office Box 492  
Route 9  
Lewes, DE 19958  
(645-6163)

Clerk of the Court  
Joanne R. Ash

COURT 3

Post Office Box 605  
Route 113  
(856-1445)

Clerk of the Court  
Barbara E. Adams

Presentence Officer  
Wanda Black

COURT 4

Post Office Box 718  
817 Norman Eskridge Highway  
Seaford, DE 19973  
(629-8101)

Clerk of the Court  
Mary Lee Lowe

JUSTICE OF THE PEACE COURTS  
SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

COURT 13

Elbert N. Carvel Delaware State Bldg.  
820 North French Street  
Wilmington, DE 19801  
(571-2550)

Clerk of the Court

Claire Lucas

COURT 14

Elbert N. Carvel Delaware State Bldg.  
820 North French Streets  
Wilmington, DE 19801  
(571-2552)

Clerk of the Court

Margaret Kenney

COURT 15

716 Philadelphia Pike  
Wilmington, DE 19801  
(764-4142)

Clerk of the Court

Geraldine McLaughlin

COURT 18

Multi-Purpose Criminal Justice Facility  
Post Office Box 9279  
1301 East 12th Street  
Wilmington, DE 19809  
(429-7740, 429-7741)

Clerk of the Court

Edna Conner

KENT COUNTY

SUSSEX COUNTY

COURT 5

Post Office Box 254  
248 South Rehoboth Boulevard  
Milford, DE 19963  
(422-5922)

Clerk of the Court

Leah Betts

COURT 17

Post Office Box 605  
Route 113  
Georgetown, DE 19947  
(856-1447)

Clerk of the Court

Wanda Abbott

COURT 19

Post Office Box 718  
817 Norman Eskridge Highway  
Seaford, DE 19973  
(629-5433)

Clerk of the Court

Ida Mae Friedel

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY CAPIAS CONTROL CENTER  
Justice of the Peace Court No. 11  
61 Christiana Road  
New Castle, DE 19720  
(323-4451)

Clerk of the Court  
Gaile Kerrigan

KENT COUNTY CAPIAS CONTROL CENTER  
Justice of the Peace Court No. 7  
Post Office Box 1081  
Railroad & Loockerman Streets  
Dover, DE 19901  
(736-4353)

Clerk of the Court  
Rella Goodson

SUSSEX COUNTY CAPIAS CONTROL CENTER  
Justice of the Peace Court No. 3  
Post Office Box 605  
Route 113  
Georgetown, DE 19947  
(856-5222)

Clerk of the Court  
Shirley Johnson

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986  
CRIMINAL AND TRAFFIC CASES\*  
WORKLOAD SUMMARY

	<u>Pending</u> <u>6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6/30/86</u>	<u>Change In</u> <u>Pending</u>	<u>% Change</u> <u>In Pending</u>
<u>New Castle County</u>						
Court 9	6	5,435	5,422	19	+ 13	+216.7%
Court 10	135	22,391	22,465	61	- 74	- 54.8%
Court 11	906	40,837	39,776	1,967	+1,061	+117.1%
Court 14**	0	0	0	0	0	-
Court 15	0	14,815	14,815	0	0	-
Court 18	0	3,827	3,827	0	0	-
<u>Kent County</u>						
Court 6	0	6,329	6,322	7	+ 7	-
Court 7	330	25,061	24,939	452	+ 122	+ 37.0%
Court 8	181	2,783	2,789	175	- 6	- 3.3%
<u>Sussex County</u>						
Court 1	5	2,866	2,867	4	- 1	- 20.0%
Court 2	1,759	14,734	14,030	2,463	+ 704	+ 40.0%
Court 3	197	12,663	12,638	222	+ 25	+ 12.7%
Court 4	99	12,760	12,803	56	- 43	- 43.4%
Court 5	<u>62</u>	<u>2,526</u>	<u>2,519</u>	<u>69</u>	<u>+ 7</u>	<u>+ 11.3%</u>
State	3,680	167,027	165,212	5,495	+1,815	+ 49.3%

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts



## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986  
CRIMINAL AND TRAFFIC CASES\*  
WORKLOAD BREAKDOWNSFILINGS

	<u>Title 7</u> <u>Fish/Game</u>	<u>Title 11</u> <u>Criminal</u>	<u>Title 21</u> <u>Traffic</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
<u>New Castle County</u>					
Court 9	179 3.3%	152 2.8%	4,933 90.8%	171 3.1%	5,435 100.0%
Court 10	467 2.1%	3,336 14.9%	17,159 76.6%	1,429 6.4%	22,391 100.0%
Court 11	458 1.1%	8,223 20.1%	29,568 72.4%	2,588 6.3%	40,837 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	172 1.2%	1,244 8.4%	13,399 90.4%	0 0.0%	14,815 100.0%
Court 18	0 0.0%	2,984 78.0%	302 7.9%	541 14.1%	3,827 100.0%
<u>Kent County</u>					
Court 6	29 0.5%	436 6.9%	5,696 90.0%	168 2.6%	6,329 100.0%
Court 7	383 1.5%	4,487 17.9%	18,854 75.2%	1,337 5.3%	25,061 100.0%
Court 8	58 2.1%	360 12.9%	2,273 81.7%	92 3.3%	2,783 100.0%
<u>Sussex County</u>					
Court 1	155 5.4%	422 14.7%	2,203 76.9%	86 3.0%	2,866 100.0%
Court 2	127 0.9%	671 4.6%	13,827 93.8%	109 0.7%	14,734 100.0%
Court 3	89 0.7%	4,218 33.3%	8,039 63.5%	317 2.5%	12,663 100.0%
Court 4	141 1.1%	1,320 10.3%	11,145 87.4%	154 1.2%	12,760 100.0%
Court 5	<u>38 1.5%</u>	<u>589 23.3%</u>	<u>1,820 72.1%</u>	<u>79 3.1%</u>	<u>2,526 100.0%</u>
State	2,296 1.4%	28,442 17.0%	129,218 77.4%	7,071 4.2%	167,027 100.0%

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS  
FISCAL YEAR 1986  
CRIMINAL AND TRAFFIC CASES\*  
WORKLOAD BREAKDOWNS (CONTINUED)

DISPOSITIONS

	<u>Title 7</u> <u>Fish/Game</u>	<u>Title 11</u> <u>Criminal</u>	<u>Title 21</u> <u>Traffic</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
<u>New Castle County</u>					
Court 9	173 3.2%	147 2.7%	4,932 91.0%	170 3.1%	5,422 100.0%
Court 10	546 2.4%	3,167 14.1%	17,351 77.3%	1,401 6.2%	22,465 100.0%
Court 11	465 1.2%	7,945 20.0%	28,958 72.8%	2,408 6.0%	39,776 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	172 1.2%	1,244 8.4%	13,399 90.4%	0 0.0%	14,815 100.0%
Court 18	0 0.0%	2,984 78.0%	302 7.9%	541 14.1%	3,827 100.0%
<u>Kent County</u>					
Court 6	29 0.5%	436 6.9%	5,689 90.0%	168 2.7%	6,322 100.0%
Court 7	381 1.5%	4,466 17.9%	18,753 75.2%	1,339 5.4%	24,939 100.0%
Court 8	58 2.1%	368 13.2%	2,274 81.5%	89 3.2%	2,789 100.0%
<u>Sussex County</u>					
Court 1	152 5.3%	419 14.6%	2,210 77.1%	86 3.0%	2,867 100.0%
Court 2	112 0.8%	576 4.1%	13,244 94.4%	98 0.7%	14,030 100.0%
Court 3	88 0.7%	4,190 33.2%	8,042 63.6%	318 2.5%	12,638 100.0%
Court 4	151 1.2%	1,349 10.5%	11,148 87.1%	155 1.2%	12,803 100.0%
Court 5	<u>37 1.5%</u>	<u>577 22.9%</u>	<u>1,826 72.5%</u>	<u>79 3.1%</u>	<u>2,519 100.0%</u>
State	2,364 1.4%	27,868 16.9%	128,128 77.6%	6,852 4.1%	165,212 100.0%

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986  
CRIMINAL AND TRAFFIC CASES\*  
WORKLOAD BREAKDOWNSCHANGE IN PENDING

	<u>Title 7</u> <u>Fish/Game</u>	<u>Title 11</u> <u>Criminal</u>	<u>Title 21</u> <u>Traffic</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
<u>New Castle County</u>					
Court 9	+ 6	+ 5	+ 1	+ 1	+ 13
Court 10	- 79	+169	-192	+ 28	- 74
Court 11	- 7	+278	+610	+180	+1,061
Court 14**	0	0	0	0	0
Court 15	0	0	0	0	0
Court 18	0	0	0	0	0
<u>Kent County</u>					
Court 6	0	0	+ 7	0	+ 7
Court 7	+ 2	+ 21	+101	- 2	+ 122
Court 8	0	- 8	- 1	+ 3	- 6
<u>Sussex County</u>					
Court 1	+ 3	+ 3	- 7	0	- 1
Court 2	+ 15	+ 95	+583	+ 11	+ 704
Court 3	+ 1	+ 28	- 3	- 1	+ 25
Court 4	- 10	- 29	- 3	- 1	- 43
Court 5	<u>+ 1</u>	<u>+ 12</u>	<u>- 6</u>	<u>0</u>	<u>+ 7</u>
State	- 68	+574	+1,090	+219	+1,815

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986  
CRIMINAL AND TRAFFIC CASES\*  
TYPES OF DISPOSITIONS

	<u>By Mail-In</u> <u>Fine</u>	<u>By Court</u> <u>Appearance</u>	<u>By Counsel</u> <u>Appearance</u>	<u>TOTALS</u>
<u>New Castle County</u>				
Court 9	4,232 78.1%	1,096 20.2%	94 1.7%	5,422 100.0%
Court 10	10,503 46.8%	11,108 49.4%	854 3.8%	22,465 100.0%
Court 11	15,323 38.5%	22,375 56.3%	2,078 5.2%	39,776 100.0%
Court 14**	0 -	0 -	0 -	0 -
Court 15	7,325 49.4%	7,490 50.6%	0 0.0%	14,815 100.0%
Court 18	0 0.0%	3,827 100.0%	0 0.0%	3,827 100.0%
<u>Kent County</u>				
Court 6	5,016 79.3%	1,263 20.0%	43 0.7%	6,322 100.0%
Court 7	11,692 46.9%	12,708 50.9%	539 2.2%	24,939 100.0%
Court 8	1,490 53.4%	1,202 43.1%	97 3.5%	2,789 100.0%
<u>Sussex County</u>				
Court 1	1,804 62.9%	1,052 36.7%	11 0.4%	2,867 100.0%
Court 2	10,075 71.8%	3,955 28.2%	0 0.0%	14,030 100.0%
Court 3	4,507 35.7%	8,131 64.3%	0 0.0%	12,638 100.0%
Court 4	7,651 59.8%	5,152 40.2%	0 0.0%	12,803 100.0%
Court 5	<u>903 35.8%</u>	<u>1,594 63.3%</u>	<u>22 0.9%</u>	<u>2,519 100.0%</u>
State	80,521 48.7%	80,953 49.0%	3,738 2.3%	165,212 100.0%

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts

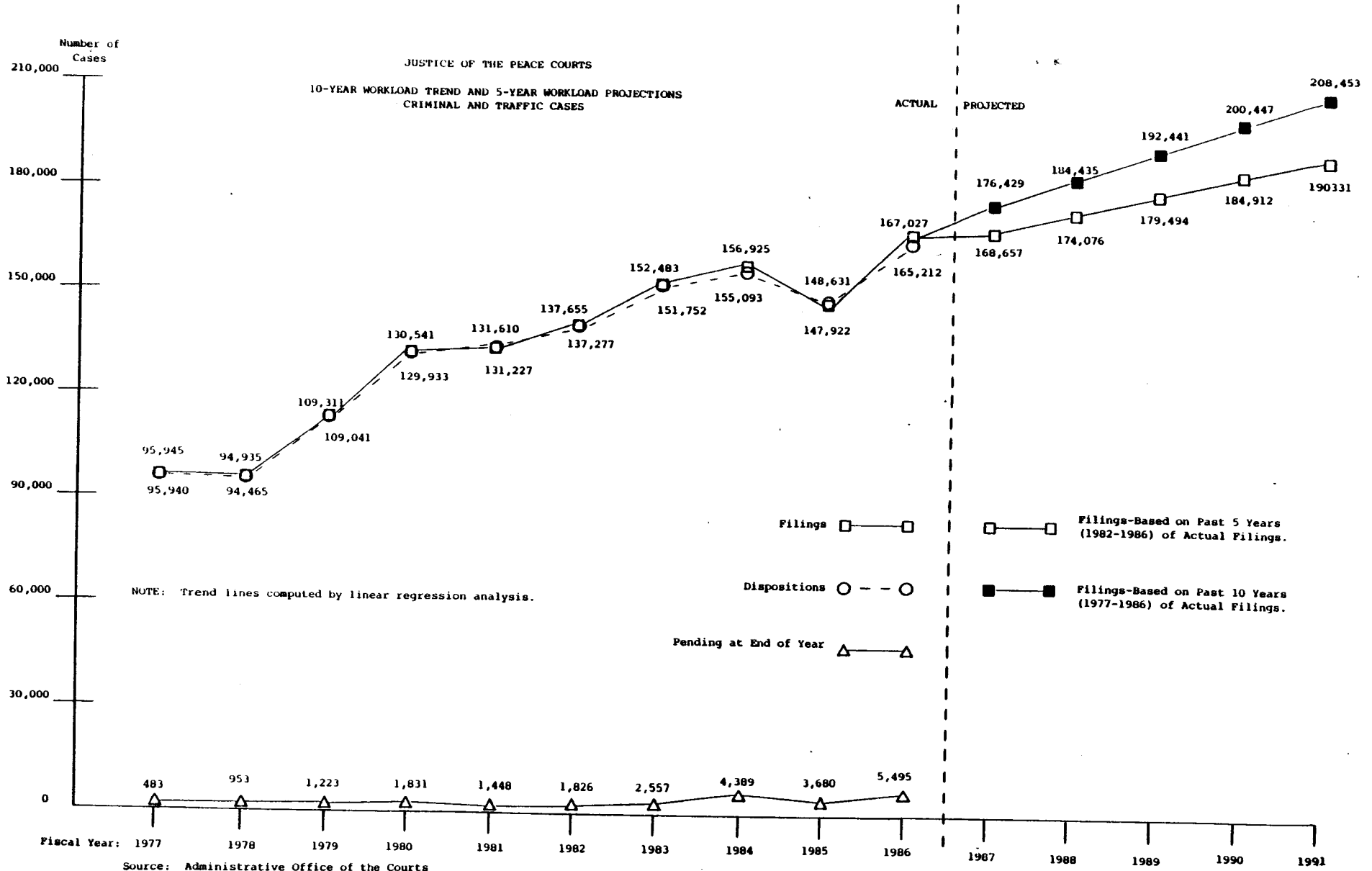
JUSTICE OF THE PEACE COURTS  
COMPARISON - FISCAL YEARS 1985-1986  
CRIMINAL AND TRAFFIC CASES\*  
WORKLOAD

	<u>FILINGS</u>				<u>DISPOSITIONS</u>			
	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle County</u>								
Court 9	3,034	5,435	+2,401	+79.1%	3,039	5,422	+ 2,383	+78.4%
Court 10	20,496	22,391	+1,895	+ 9.2%	20,475	22,465	+ 1,990	+ 9.7%
Court 11	35,949	40,837	+4,888	+13.6%	37,238	39,776	+ 2,538	+ 6.8%
Court 14**	0	0	0	-	0	0	0	-
Court 15	14,052	14,815	+ 763	+ 5.4%	14,052	14,815	+ 763	+ 5.4%
Court 18	3,545	3,827	+ 282	+ 7.9%	3,545	3,827	+ 282	+ 7.9%
<u>Kent County</u>								
Court 6	4,346	6,329	+1,983	+45.6%	4,347	6,322	+ 1,975	+45.4%
Court 7	22,189	25,061	+2,872	+12.9%	22,127	24,939	+ 2,812	+12.7%
Court 8	3,086	2,783	- 303	- 9.8%	3,095	2,789	- 306	- 9.9%
<u>Sussex County</u>								
Court 1	2,478	2,866	+ 388	+15.7%	2,475	2,867	+ 392	+15.8%
Court 2	12,071	14,734	+2,663	+22.1%	11,652	14,030	+ 2,378	+20.4%
Court 3	11,682	12,663	+ 981	+ 8.4%	11,664	12,638	+ 974	+ 8.4%
Court 4	11,975	12,760	+ 785	+ 6.6%	11,948	12,803	+ 855	+ 7.2%
Court 5	<u>3,019</u>	<u>2,526</u>	<u>- 493</u>	<u>-16.3%</u>	<u>2,974</u>	<u>2,519</u>	<u>- 455</u>	<u>-15.3%</u>
State	147,922	167,027	+19,105	+12.9%	148,631	165,212	+16,581	+11.2%

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts



## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD SUMMARY

	<u>Pending</u> <u>6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending</u> <u>6/30/86</u>	<u>Change In</u> <u>Pending</u>	<u>% Change</u> <u>In Pending</u>
<u>New Castle County</u>						
Court 9	5	418	401	22	+ 17	+340.0%
Court 12	1,465	7,594	7,770	1,289	- 176	- 12.0%
Court 13	1,073	7,777	7,841	1,009	- 64	- 6.0%
<u>Kent County</u>						
Court 6	26	665	671	20	- 6	- 23.1%
Court 16	2,544	3,610	4,616	1,538	-1,006	- 39.5%
Court 8	119	397	476	40	- 79	- 66.4%
<u>Sussex County</u>						
Court 1	43	680	683	40	- 3	- 7.0%
Court 2	1,143	514	458	1,199	+ 56	+ 4.9%
Court 17	156	1,599	1,589	166	+ 10	+ 6.4%
Court 19	134	1,368	1,308	194	+ 60	+ 44.8%
Court 5	<u>244</u>	<u>1,333</u>	<u>1,419</u>	<u>158</u>	<u>- 86</u>	<u>- 35.2%</u>
State	6,952	25,955	27,232	5,675	-1,277	- 18.4%

Source: Chief Magistrate's Office, Justice of the Peace Courts

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD BREAKDOWNS

	<u>FILINGS</u>			<u>DISPOSITIONS</u>		
	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>
<u>New Castle County</u>						
Court 9	333 79.7%	85 20.3%	418 100.0%	319 79.6%	82 20.4%	401 100.0%
Court 12	5,250 69.1%	2,344 30.9%	7,594 100.0%	5,477 70.5%	2,293 29.5%	7,770 100.0%
Court 13	4,991 64.2%	2,786 35.8%	7,777 100.0%	5,445 69.4%	2,396 30.6%	7,841 100.0%
<u>Kent County</u>						
Court 6	568 85.4%	97 14.6%	665 100.0%	588 87.6%	83 12.4%	671 100.0%
Court 16	3,074 85.1%	536 14.9%	3,610 100.0%	4,144 89.8%	472 10.2%	4,616 100.0%
Court 8	362 91.2%	35 8.8%	397 100.0%	434 91.2%	42 8.8%	476 100.0%
<u>Sussex County</u>						
Court 1	494 72.6%	186 27.4%	680 100.0%	497 72.2%	186 27.8%	683 100.0%
Court 2	360 70.0%	154 30.0%	514 100.0%	317 69.2%	141 30.8%	458 100.0%
Court 17	1,521 95.1%	78 4.9%	1,599 100.0%	1,514 95.3%	75 4.7%	1,589 100.0%
Court 19	1,108 81.0%	260 19.0%	1,368 100.0%	1,054 80.6%	254 19.4%	1,308 100.0%
Court 5	<u>1,315 98.6%</u>	<u>18 1.4%</u>	<u>1,333 100.0%</u>	<u>1,394 98.2%</u>	<u>25 1.8%</u>	<u>1,419 100.0%</u>
State	19,376 74.7%	6,579 25.3%	25,955 100.0%	21,183 77.8%	6,049 22.2%	27,232 100.0%

Source: Chief Magistrate's Office, Justice of the Peace Courts



JUSTICE OF THE PEACE COURTS  
FISCAL YEAR 1986  
CIVIL CASES  
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

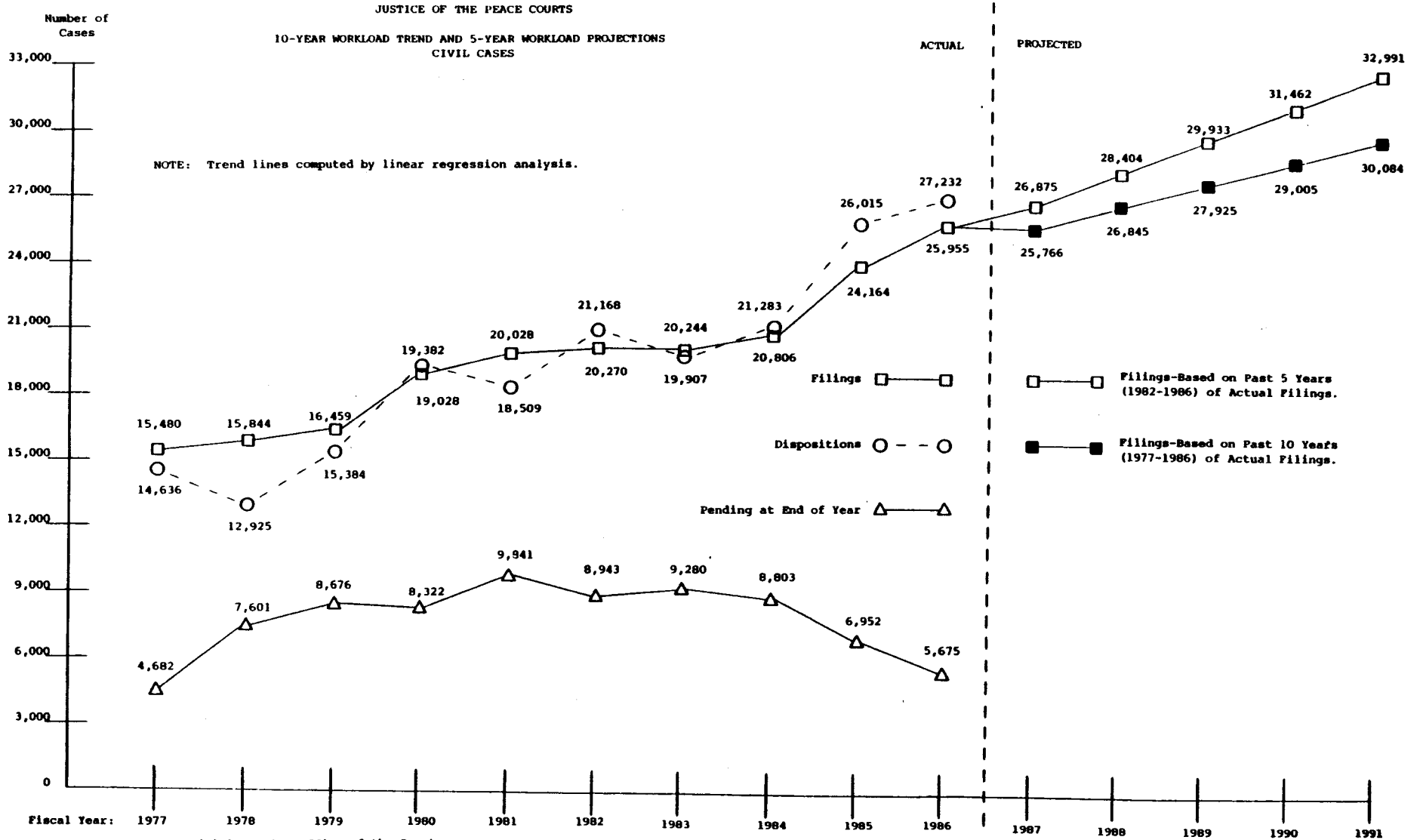
	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>
<u>New Castle County</u>			
Court 9	+ 14	+ 3	+ 17
Court 12	- 227	+ 51	- 176
Court 13	- 454	+ 390	- 64
<u>Kent County</u>			
Court 6	- 20	+ 14	- 6
Court 16	-1,070	+ 64	-1,006
Court 8	- 72	- 7	- 79
<u>Sussex County</u>			
Court 1	- 3	0	- 3
Court 2	+ 43	+ 13	+ 56
Court 17	+ 7	+ 3	+ 10
Court 19	+ 54	+ 6	+ 60
Court 5	- 79	- 7	- 86
State	-1,807	+ 530	-1,277

Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS  
COMPARISON - FISCAL YEARS 1985-1986  
CIVIL CASES  
WORKLOAD

	<u>FILINGS</u>				<u>DISPOSITIONS</u>			
	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>	<u>1985</u>	<u>1986</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle County</u>								
Court 9	234	418	+ 184	+ 78.6%	236	401	+ 165	+ 69.9%
Court 12	6,433	7,594	+1,161	+ 18.1%	7,543	7,770	+ 227	+ 3.0%
Court 13	8,055	7,777	- 278	- 3.5%	8,863	7,841	-1,022	- 11.5%
<u>Kent County</u>								
Court 6	711	665	- 46	- 6.5%	724	671	- 53	- 7.3%
Court 16	3,377	3,610	+ 233	+ 6.9%	3,533	4,616	+1,083	+ 30.7%
Court 8	502	397	- 105	- 20.9%	531	476	- 55	- 10.4%
<u>Sussex County</u>								
Court 1	491	680	+ 189	+ 38.5%	472	683	+ 211	+ 44.7%
Court 2	469	514	+ 45	+ 9.6%	371	458	+ 87	+ 23.5%
Court 17	1,634	1,599	- 35	- 2.1%	1,667	1,589	- 78	- 4.7%
Court 19	1,034	1,368	+ 334	+ 32.3%	959	1,308	+ 349	+ 36.4%
Court 5	<u>1,224</u>	<u>1,333</u>	<u>+ 109</u>	<u>+ 8.9%</u>	<u>1,116</u>	<u>1,419</u>	<u>+ 303</u>	<u>+ 27.2%</u>
State	24,164	25,955	+1,791	+ 7.4%	26,015	27,232	+1,217	+ 4.7%

Source: Chief Magistrate's Office, Justice of the Peace Courts



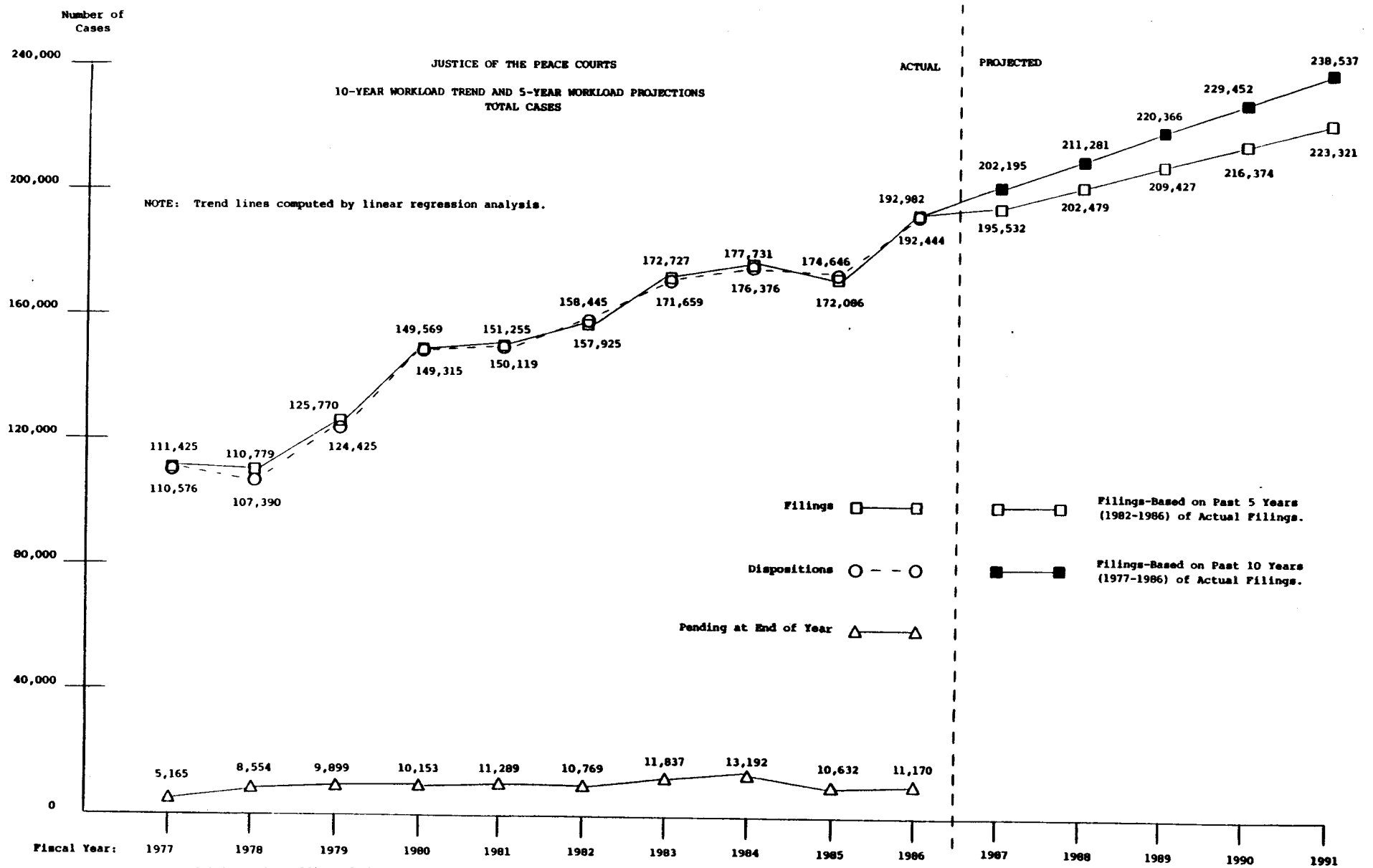
JUSTICE OF THE PEACE COURTS  
FISCAL YEAR 1986  
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>	<u>Court</u>	<u>Total Number of Cases Filed*</u>	<u>Percentage of Total</u>	<u>FY 1985 Rank</u>
1	11	40,837	21.2%	1
2	7	25,061	13.0%	2
3	10	22,391	11.6%	3
4	2	15,248	7.9%	5
5	15	14,815	7.7%	4
6	4	12,760	6.6%	6
7	3	12,663	6.6%	7
8	13	7,777	4.0%	8
9	12	7,594	3.9%	9
10	6	6,994	3.6%	10
11	9	5,853	3.0%	15
12	5	3,859	2.0%	11
13	18	3,827	2.0%	13
14	16	3,610	1.9%	14
15	1	3,546	1.8%	16
16	8	3,180	1.7%	12
17	17	1,599	0.8%	17
18	19	1,368	0.7%	18
19	14**	<u>0</u>	<u>0.0%</u>	19
	State	192,982	100.0%	

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

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

Source: Chief Magistrate's Office, Justice of the Peace Courts.



Source: Administrative Office of the Courts

# **Alderman's Courts**

ALDERMAN'S COURTS

Legal Authorization

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

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There were 13 active Alderman's or Mayor's Courts during FY 1986; 5 in New Castle County and 8 in Sussex County. 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 varies with the town charter (which is approved by the State Legislature). Appeals are taken de novo to Superior Court within 15 days of the trial.

Aldermen

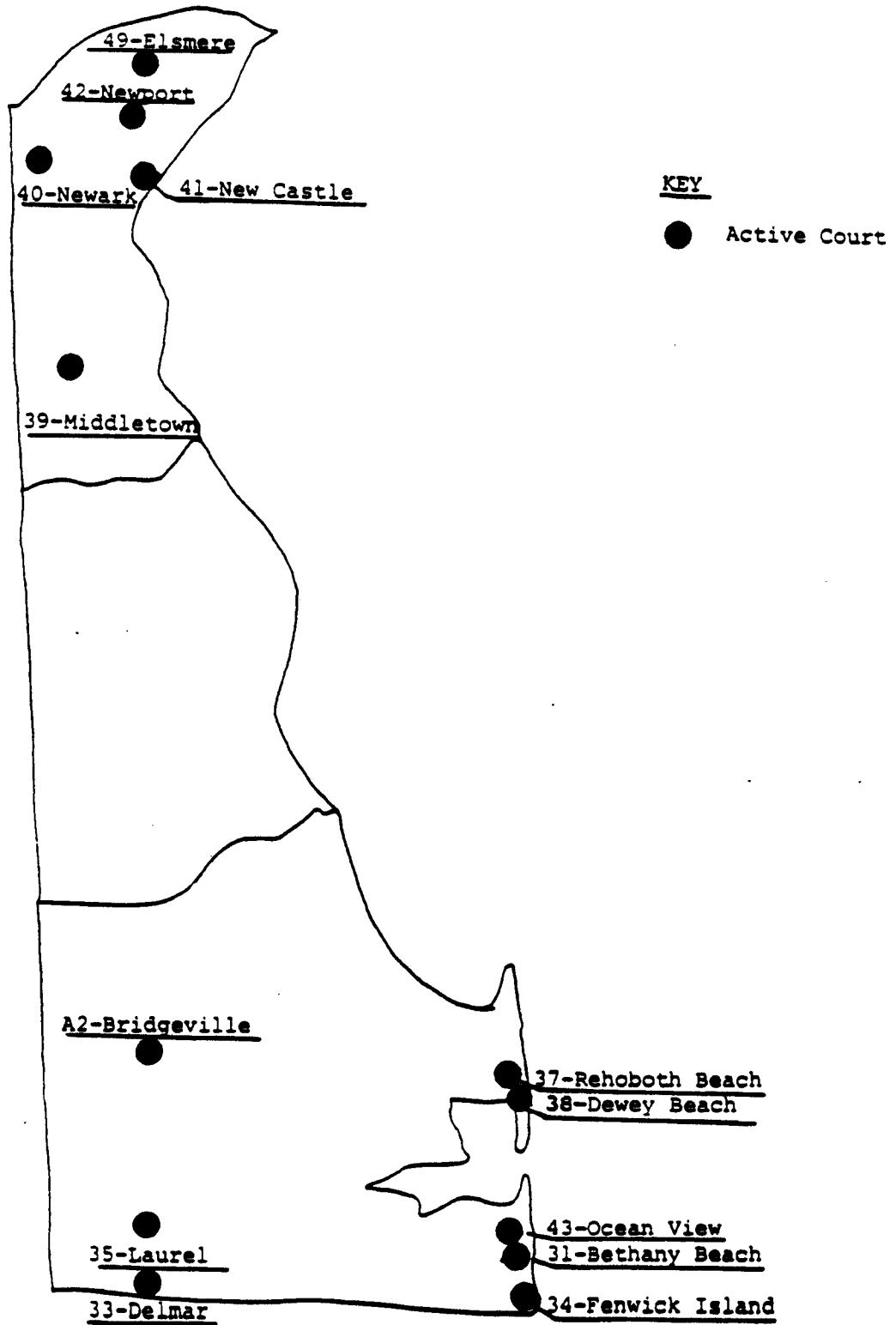
The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers while others choose ordinary citizens. A few aldermen serve full-time, while some are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

Total statewide filings in the Alderman's Courts rose by 17.9% to 24,620 during FY 1986 from 20,877 in FY 1985. There was a 16.2% rise in total statewide dispositions for the Alderman's Courts from 20,514 in FY 1985 to 23,828 in FY 1986.

Information on total pending for Alderman's Courts began for FY 1980 and has risen during each fiscal year. FY 1986 was no exception as there was a 20.8% increase from 3,806 total pending at the end of FY 1985 to 4,598 total pending at the end of FY 1986.

ALDERMAN'S COURTS IN DELAWARE





ALDERMAN'S COURTS

ALDERMEN

NEW CASTLE COUNTY

Elsmere

Hon. Edward F. Doyle, Jr., Mayor

Middletown

Vacant, Alderman

Newark

Hon. Thomas B. Ferry, Chief Alderman  
of Delaware

Hon. Michael B. Joseph, Deputy Alderman

New Castle

Hon. John F. Klingmeyer, Mayor

Newport

Hon. Annette Leech, Alderman

KENT COUNTY

SUSSEX COUNTY

Bethany Beach

Hon. J. Joseph Tansey, Alderman

Hon. Harold Britton Barber, Assistant Alderman

Brideville

Hon. Constance H. Collins, Alderman

Hon. F. Eugene Crockett, Assisant Alderman

Delmar

Hon. Linda H. Walmsley, Aldermen

Dewey Beach

Hon. James C. Pope, II, Alderman

Hon. Albert C. Gibson, Alderman

Fenwick Island

Hon. Richard A. Barton, Chief Deputy

Alderman of Delaware

Laurel

Hon. Edward Walmsley, Jr., Alderman

Hon. Linda H. Walmsley, Assistant Alderman

Ocean View

Hon. Marilyn F. Denny, Alderman

Rehoboth Beach

Hon. Michael J. DeFiore, Alderman

Vacant, Assistant Alderman

ALDERMAN'S COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

ELSMERE  
Mayor's Court 49  
11 Poplar Avenue  
Elsmere, DE 19805  
(998-2215)

Executive Secretary  
Dee J. Russler

MIDDLETOWN  
Alderman's Court 39  
P.O. Box 227  
216 N. Broad Street  
Middletown, DE 19709  
(834-5015)

✓ NEWARK  
Alderman's Court 40  
220 Elkton Road  
P.O. Box 390  
Newark, DE 19715  
(366-7028, 366-7029)

Clerk of the Court  
Margaret B. Nelson

Clerk Typists  
Betty Hales  
Kathleen R. Wright  
Donna Mooyman (part-time)  
Kathryn Conner (part-time)

*May 25, 1987*  
*Can you  
look it up the  
still have court*

*not a court anymore*  
*not installed*

*1 yr - not used  
needs to be moved.*

KENT COUNTY

*Can not be  
removed  
power*

SUSSEX COUNTY

BETHANY BEACH  
Alderman's Court 31  
P.O. Box 109  
Bethany Beach, DE 19930  
(539-8011)

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

DELMAR  
Alderman's Court 33  
P.O. Box 398  
Delmar, DE 19940  
(846-2138)

DEWEY BEACH  
Alderman's Court 36  
Town Hall  
105 Rodney Street  
Dewey Beach, DE 19971  
(227-6363)

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

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEW CASTLE

Mayor's Court 41  
220 Delaware Street  
New Castle, DE 19720  
(322-9802)

*they are  
going to  
the  
middle Delaware*

Court Clerk

P. M. DiEmidio  
MI

NEWPORT

Alderman's Court 42  
15 N. Augustine Street  
P.O. Box 3053  
Newport, DE 19804  
(998-2707)

*has one  
not hooded up  
14R in cap*

*CTR - 076  
TRM - 078/2  
REN - 281-3*

KENT COUNTY

SUSSEX COUNTY

LAUREL

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

Court Clerk

Linda H. Walmsley

OCEAN VIEW

Alderman's Court 43  
Town Hall  
Oakwood Avenue  
P.O. Box 3  
Ocean View, DE 19970  
(539-9797)

REHOBOTH BEACH

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

ALDERMAN'S COURT  
FISCAL YEAR 1986  
TOTAL CASES\*  
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere**	44	2,635	2,557	122	+ 78	+177.3%
Middletown	99	1,029	1,013	155	+ 16	+ 16.2%
Newark	2,496	7,068	6,875	2,689	+193	+ 7.7%
New Castle	1	1,026	1,027	0	- 1	-100.0%
Newport**	541	2,687	2,794	434	-107	- 19.8%
<u>Sussex County</u>						
Bethany Beach	241	1,620	1,542	319	+ 78	+ 32.4%
Bridgeville	0	2,881	2,682	199	+199	-
Delmar	96	449	439	106	+ 10	+ 10.4%
Dewey Beach	0	1,228	804	424	+424	-
Fenwick Island	0	1,158	1,158	0	0	-
Laurel	123	942	963	102	- 21	- 17.1%
Ocean View	0	157	157	0	0	-
Rehoboth Beach	<u>165</u>	<u>1,740</u>	<u>1,817</u>	<u>88</u>	<u>- 77</u>	<u>- 46.7%</u>
TOTALS	3,806	24,620	23,828	4,598	+792	+ 20.8%

\*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

\*\*The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

## ALDERMAN'S COURTS

FISCAL YEAR 1986  
CRIMINAL CASES\*  
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere	0	0	0	0	0	-
Middletown	4	68	70	2	- 2	- 50.0%
Newark	853	1,837	1,740	950	+ 97	+ 11.4%
New Castle	0	2	2	0	0	-
Newport	0	0	0	0	0	-
<u>Sussex County</u>						
Bethany Beach	28	68	75	21	- 7	- 25.0%
Bridgeville	0	179	168	11	+ 11	-
Delmar	14	31	22	23	+ 9	+ 64.3%
Dewey Beach	0	367	188	179	+179	-
Fenwick Island	0	96	96	0	0	-
Laurel	27	154	159	22	- 5	- 18.5%
Ocean View	0	0	0	0	0	-
Rehoboth Beach	<u>0</u>	<u>304</u>	<u>302</u>	<u>2</u>	<u>+ 2</u>	<u>-</u>
TOTALS	926	3,106	2,822	1,210	+284	+ 30.7%

\*The unit of count for criminal cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

Source: Alderman's Courts

## ALDERMAN'S COURTS

PAGE  
=173=FISCAL YEAR 1986  
TRAFFIC CASES\*  
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/85</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/86</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere**	44	2,635	2,557	122	+ 78	+177.3%
Middletown	95	961	943	113	+ 18	+ 19.0%
Newark	1,643	5,231	5,135	1,739	+ 96	+ 5.8%
New Castle	1	1,024	1,025	0	- 1	-100.0%
Newport**	541	2,687	2,794	434	-107	- 19.8%
<u>Sussex County</u>						
Bethany Beach	213	1,552	1,467	298	+ 85	+ 39.9%
Bridgeville	0	2,702	2,514	188	+188	-
Delmar	82	418	417	83	+ 1	+ 1.2%
Dewey Beach	0	861	616	245	+245	-
Fenwick Island	0	1,062	1,062	0	0	-
Laurel	96	788	804	80	- 16	- 16.7%
Ocean View	0	157	157	0	0	-
Rehoboth Beach	<u>165</u>	<u>1,436</u>	<u>1,515</u>	<u>86</u>	<u>- 79</u>	<u>- 47.9%</u>
TOTALS	2,880	21,514	21,006	3,388	+508	+ 17.6%

\*The unit of count in traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 defendants.

\*\*The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1985-1986  
TOTAL CASES  
WORKLOAD

<u>Court</u>	<u>Number of Dispositions*</u>		<u>Change</u>	<u>% Change</u>
	<u>1985</u>	<u>1986</u>		
<u>New Castle County</u>				
Elsmere**	1,451	2,557	+1,106	+ 76.2%
Middletown	1,047	1,013	- 34	- 3.3%
Newark	7,718	6,875	- 843	- 10.9%
New Castle	832	1,027	+ 195	+ 23.4%
Newport**	2,794	2,794	0	0.0%
<u>Sussex County</u>				
Bethany Beach	1,305	1,542	+ 237	+ 18.2%
Bridgeville	1,483	2,682	+1,199	+ 80.8%
Delmar	440	439	- 1	- 0.2%
Dewey Beach#	0	804	+ 804	-
Fenwick Island	872	1,158	+ 286	+ 32.8%
Laurel	883	963	+ 80	+ 9.1%
Ocean View	401	157	- 244	- 60.8%
Rehoboth Beach	<u>1,288</u>	<u>1,817</u>	<u>+ 529</u>	<u>+ 41.1%</u>
TOTALS	20,514	23,828	+3,314	+ 16.2%

\*The unit of count in criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

\*\*The Elsmere Court and the Newport Court collect fines for traffic cases and do not actually try the case.

#Dewey Beach Court activated in 7/85.

Source: Alderman's Courts

## ALDERMAN'S COURTS

FISCAL YEAR 1986  
RANKINGS IN ORDER OF TOTAL CASES FILED

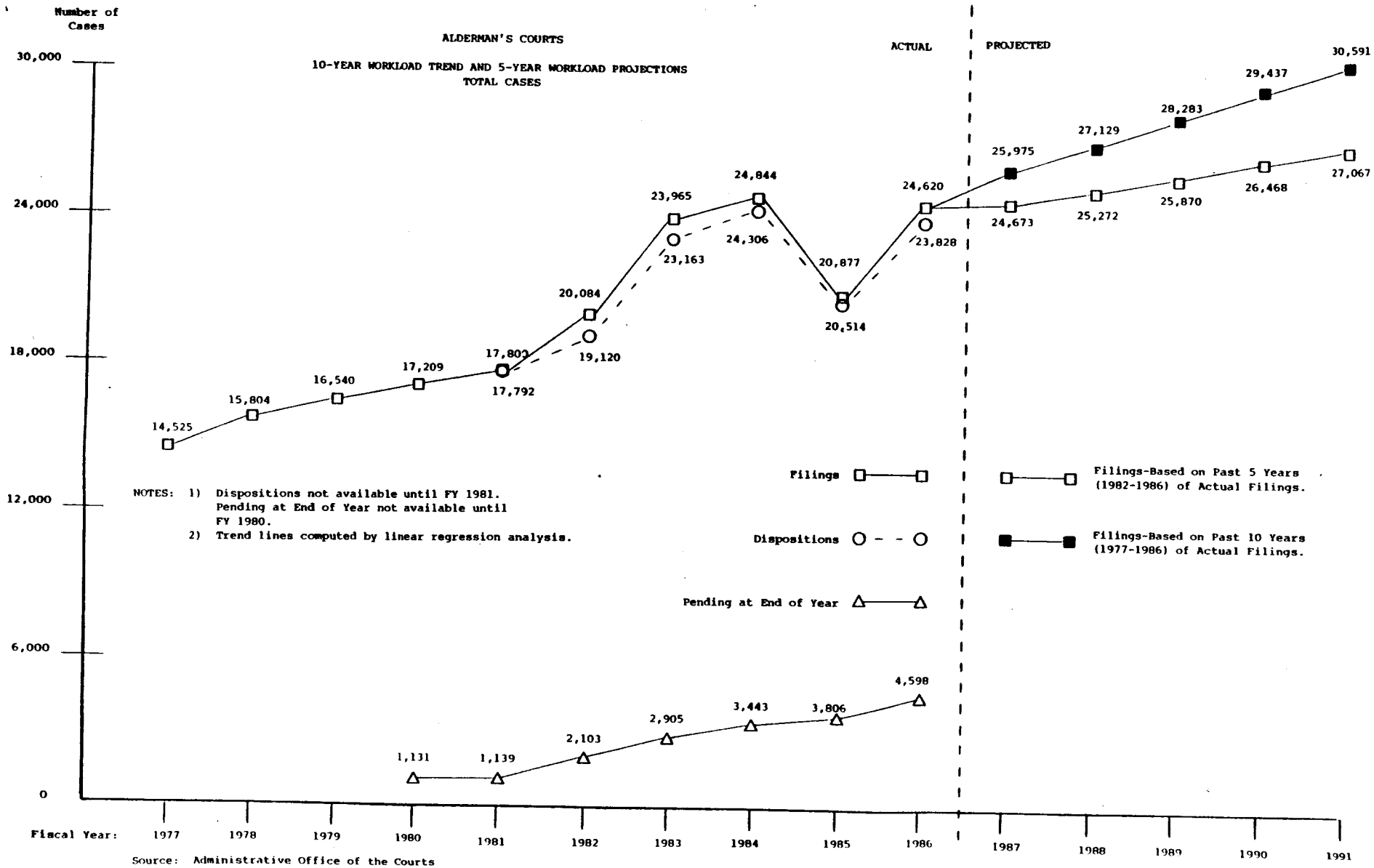
<u>Rank</u>		<u>Total Number of Filings*</u>	<u>Percentage of Total</u>	<u>FY 1985 Rank</u>
1	Newark	7,068	28.7%	1
2	Bridgeville	2,881	11.7%	3
3	Newport**	2,687	10.9%	2
4	Elsmere**	2,635	10.7%	4
5	Rehoboth Beach	1,740	7.1%	5
6	Bethany Beach	1,620	6.6%	6
7	Dewey Beach	1,228	5.0%	-
8	Fenwick Island	1,158	4.7%	9
9	Middletown	1,029	4.2%	7
10	New Castle	1,026	4.2%	10
11	Laurel	942	3.8%	8
12	Delmar	449	1.8%	11
13	Ocean View	<u>157</u>	<u>0.6%</u>	12
	TOTALS	24,620	100.0%	

\*The unit of count for criminal and traffic cases is the charge. For example, a defendant with 3 charges disposed of is counted as 3 dispositions.

\*\*The Elsmere Court and the Newport Court only collect fines for traffic cases and do not actually try the case.

Source: Alderman's Courts





# **Violent Crimes Compensation Board**

VIOLENT CRIMES COMPENSATION BOARDLEGAL AUTHORIZATION

The Violent Crimes Compensation Board is authorized by 11 Delaware Code, Chapter 90.

PURPOSE

It is the purpose of the Violent Crimes Compensation Board to "promote the public welfare by establishing a means of meeting the additional hardships imposed upon the innocent victims of certain crimes and the family and dependents of those victims." Compensation is available to meet the added burden which sometimes face the innocent crime victim up to a maximum of \$20,000. The minimum award is \$25, though in dire hardship cases the minimum loss may be waived. The Board receives a 15% penalty assessment which, by law, is added onto every state fine, penalty and forfeiture. These monies are deposited into the "Victim's Compensation Fund" for use when needed. The fund is also replenished through court ordered restitution. With the passage of "The Victims of Crime Act of 1984", Delaware's Violent Crimes Compensation Board receives reimbursement for 35% of the amount paid out in claims from the state's victim compensation fund for the previous federal fiscal year.

GEOGRAPHIC ORGANIZATION

The Board is responsible for handling requests for compensation throughout the State of Delaware. Hearings on these requests may be held anywhere in the State at the convenience of the victim, with the Administrative Office of the Violent Crimes Compensation Board located in Wilmington.

PERSONNEL

The Violent Crimes Compensation Board consists of five members: a chairman, a vice-chairman and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years as long as no more than two members have their terms expire at the end of any given year. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of five at any one time. The Board currently employs an Executive Secretary, an administrative assistant, two claim investigators, and a secretary.

CASELOAD TREND

The revenue receipts of over \$794,500 received from penalty assessments and court ordered restitution during FY 86 were deposited in the "Victim's Compensation Fund". The budget expenditures of roughly \$828,600 are a combination of approximately \$188,600 in administrative costs and \$640,000 in award payments and revenue refunds. The Board has awarded over \$3,454,800 through FY 1986 with actual award payments just under \$2,814,500. The difference is due to awards granted but later reverted to the victim's fund because of payments made on medical accounts by various local insurance carriers. In FY 1986, the Board awarded over \$732,100 but, due to budget limitations, paid out \$640,000. The difference of \$92,100 will be paid out in FY 1987.

VIOLENT CRIMES COMPENSATION BOARD

Suite 10  
1500 East Newport Pike  
Wilmington, Delaware 19804  
(995-8383)

BOARD MEMBERS

Stephen L. Manista, Chairman (R, 1/20/88)  
Leah W. Betts, Vice-Chairman (D, 8/6/86)  
Edward S. Stansky (D, 6/30/87)  
Saxton C. Lambertson (R, 5/30/88)  
Charles H. Toliver, IV (R, 6/30/88)

SUPPORT PERSONNEL

Executive Secretary  
Oakley M. Banning, Jr.

Administrative Assistant  
Ann L. DelNegro

Claim Investigators  
Marcia A. Jenkins  
Howard P. Wilson

Secretary  
Barbara E. Weiss

# **Foster Care Review Board**

FOSTER CARE REVIEW BOARD

Legal Authorization

The Foster Care Review Board is authorized by 31 Delaware Code, Chapter 38.

Purpose

The Board serves as a volunteer based monitoring system responsible for identifying and periodically reviewing Delaware's children placed in out-of-home foster care. Periodic reviews of children in out-of-home placement are conducted to ensure that continuing efforts are being made to obtain permanent homes for children, to provide stability in the lives of children who must be removed from their homes, and to emphasize the needs for a child's physical, mental and emotional growth in permanency planning. The Board must report annually to the Chief Justice of the Supreme Court, the General Assembly and the governor upon the effectiveness of its activities and is to make recommendations concerning resources, policies, and statutes which affect the goal of permanency for children at that time.

Geographic Organization

The Board is responsible for reviewing the placements of children throughout the State of Delaware and actual review sessions are conducted in Wilmington, Dover, Milford and Georgetown. The Administrative Office of the Board is located in Wilmington.

Personnel

42 citizen volunteers composed the Foster Care Review Board in FY 1986. Board members are appointed by the Governor and serve terms of not more than three years. Not more than a simple majority of the Board members may be members of either major political party. The Governor designates one member who serves at his pleasure as Chairman of the Board. The Board hires an Executive Director who may, in turn, employ additional support personnel.

Performance

The Board conducted 750 case reviews of children in foster care during FY 1986. The Board or its Executive Committee may petition Family Court for a judicial hearing when the Board believes there has been no progress towards achieving permanency for a child during a six-month period or when the placement agency disagrees with the Board's recommendation. The Board filed petitions for a judicial hearing on behalf of 44 foster children during FY 1986.

The Board's statewide inventory of children identified 830 foster children as of June, 1986. The Board's sample of children to be reviewed contained 442 children as of June, 1986, in accordance with existing statutory limitations that allowed the Board to conduct reviews for only 50% of the children in foster care. This limitation was lifted when Governor Michael N. Castle signed Senate Bill 432 on June 19, 1986. This legislation requires the Board's program be expanded so that 100% of the children in foster care are to be subject to the case review system by March 1, 1987.

FOSTER CARE REVIEW BOARD  
7th Floor  
Elbert N. Carvel Delaware State Building  
820 North French Street  
Wilmington, Delaware 19801  
(571-6000)

BOARD MEMBERS

Chairman

Shirley A. Cupery (D)

Vice-Chairmen

Nancy McKenna (D, 9/7/89)

Linda Burris (R, 10/31/87)

SUPPORT PERSONNEL

Executive Director

Barbara A. Brown

Staff Assistant

Andra D. Berry

Denise M. Jacono

Lynn J. Hale (part-time)

Deborah L. Simon (part-time)

Secretary

Charlotte J. Harris

Lorraine Kunz



# **Conferences & Councils**

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 Justices of the Supreme Court, the Chancellor of the Court of Chancery, and the President Judge of 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 can 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 71.

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, holds symposia of Bench and Bar, and reviews continuing judicial education programs.

Membership

The membership of the Conference includes the Judges of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, 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.

Legal Authorization

The Criminal Justice Council is authorized by 11 Delaware Code, Chapter 87.

Duties

The Council is charged with the continuous study of the administration of justice in the State, including 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 other criminal justice agencies and makes recommendations to the Governor, the General Assembly, the courts and/or the bar. The Council allocates federal block grant funds to various agencies for the improvement of the state criminal justice system.

Membership

The 19 members of the Council are: the Chief Justice, the President Judge of Superior Court, the Chief Judge of Family Court, the Chief Magistrate, the Attorney General, the Public Defender, the Commissioner for the Department of Correction, the Chief of the Bureau of Adult Correction, the Director of the Division of Youth Rehabilitation, the Chairman of the Board of Parole, the Superintendent of the State Police, the Chiefs' of Police for New Castle County and Wilmington, the Chairman of the Delaware Police Chiefs' Council, the Superintendent of Public Instruction, and four (4) at-large members selected by the Governor. The current members are as follows:

Hon. Andrew D. Christie, Chief Justice, Supreme Court  
Hon. Albert J. Stiftel, President Judge, Superior Court  
Hon. Robert D. Thompson, Chief Judge, Family Court  
Hon. Norman A. Barron, Chief Magistrate, Justice of the Peace Courts  
Charles M. Oberly, III, Attorney General  
Lawrence M. Sullivan, Esq., Public Defender  
John L. Sullivan, Commissioner, Department of Correction  
Raymond Jones, Chief, Bureau of Adult Correction  
Daniel W. Cox, Director, Division of Youth Rehabilitation  
Oliver Casson, Chairman, Board of Parole  
Col. Clifford Graviat, Superintendent, State Police  
John McCarnan, Chief, New Castle County Police  
Joseph Pennell, Chief, Wilmington Police  
Donald McGinty, Vice-Chairman, Delaware Police Chiefs' Council  
Dr. William B. Keene, Superintendent, Public Instruction  
Carl Schnee, Esq., (Chairman), At-Large Member  
James E. Liquori, Esq., At-Large Member  
Ann Burton, At-Large Member  
Robert C. Forney, At-Large Member

# **Legislation**

LEGISLATION

The following select, court-related legislation was enacted during 1986 by the Delaware General Assembly.

SENATE

Senate Bill 21

Sponsors: Senator McBride; Representative Jonkiert.  
Signed by the Governor 6/30/86.

This bill provides for the uniform enforcement of the Foreign Judgements Act.

Senate Bill 109

Sponsors: Senator Sharp; Representative Spence.  
Signed by the Governor 7/9/86.

This bill reduces from 50 pounds the amount of marijuana necessary to trigger the provisions of the drug trafficking statute.

Senate Bill 171

Sponsors: Senators Berndt, McBride, Sharp, Torbert, Knox and Arnold; Representatives Maroney and Smith.  
Signed by the Governor 2/5/86.

This bill adopts the Uniform Determination of Death Act.

Senate Bill 206

Sponsor: Senator Adams.  
Became law without the signature of the Governor on 2/12/86.

This bill prohibits visitation by grandparents under certain circumstances.

Senate Bill 220

Sponsors: Senators Marshall and McBride; Representatives Spence and Jonkiert.  
Signed by the Governor 7/10/86.

This bill requires a mandatory minimum imprisonment for those convicted of robbery in the second degree against persons 65 years of age or older.

Senate Bill 227

Sponsors: Senator Vaughn and Representative Davis.  
Signed by the Governor 6/23/86.

This bill amends the court pleadings and practice section of Title 10 of the Delaware Code.

Senate Bill 354

Sponsors: Senators Vaughn, Citro, Slatcher, Torbert and Cook; Representatives Spence, Reynolds, B. Ennis, Jester, Davis, Van Sant and Houghton.  
Signed by the Governor 5/21/86.

This bill permits the Violent Crimes Compensation Board to grant awards for other than pecuniary loss.

Senate Bill 380

Sponsors: Senator Vaughn; Representatives Quillen and Barnes.  
Signed by the Governor 6/27/86.

This bill changes the Delaware Code relating to occasion for suing out writs of scire facias; parties and notice.

Senate Bill 384

Sponsors: Senators Vaughn and Cook; Representatives B. Ennis, Jester and Van Sant.  
Signed by the Governor 6/30/86.

This bill amends the Delaware Code relating to the term of guardianship.

Senate Bill 432

Sponsors: Senators Holloway, Adams, Bair, Bane, Berndt, Citro, Cordrey, Knox, Martin, McBride, McDowell, Minner, Slatcher, Torbert, Zimmerman; Representatives Bennett, Boykin, Corrozi, B. Ennis, D. Ennis, Hebner, Outten, Petrilli, Spence and Van Sant.  
Signed by the Governor 6/19/86.

This bill amends the Foster Care Review Act by requiring the Board to assume jurisdiction over 100% of those children in foster care in Delaware by March 1, 1987. This amends the responsibility of the Board for review of those children in foster care from 50% as had been stated in the Act.

Senate Bill 497

Sponsors: Senators Holloway, Marshall and Berndt; Representatives Maroney, Sills, West, Van Sant, Plant and Davis.  
Signed by the Governor 7/8/86.

This bill provides line-of-duty death benefits for certain employees of the Courts.

Senate Bill 507

Sponsor: Senator Torbert.  
Signed by the Governor 7/3/86.

This bill updates the Delaware Code regarding Justice of the Peace Court Constables.

Senate Bill 530

Sponsors: Senator Vaughn and Representative Spence.  
Signed by the Governor 7/8/86.

This bill provides a mechanism for judicial oversight once a termination of parental rights has been granted.

Senate Bill 533

Sponsors: Senators Sharp, Bane, Berndt, Citro, Cordrey, Vaughn and Zimmerman; Representatives Spence, Hebner, Jonkiert, Reynolds and Van Sant.  
Signed by the Governor 6/18/86.

This bill amends the Delaware General Corporation Law.

Senate Bill 577

Sponsor: Senator Cordrey.  
Signed by the Governor 7/3/86.

This bill revises and enacts certain laws relating to banks and trust companies as fiduciaries, and to the administration of estates and trusts.

HOUSE OF REPRESENTATIVES

House Bill 32

Sponsors: Representatives Roy, Bennett, Boykin, Buckworth, Steele, Cordrey, Corrozi, Reynolds, B. Ennis, D. Ennis, Houghton, Jonkiert, Mack, Taylor, Petrilli, Quillen, Smith and Van Sant; Senators Adams, Bair, Berndt, Citro, Slatcher, Martin and Sharp.  
Signed by the Governor 6/13/86.

This bill changes the method of execution in Delaware from hanging to lethal injection.

House Substitute No. 1 for House Bill 116

Sponsors: Representatives Barnes, Buckworth, Davis, hebner, Jonkiert, Oberle, Reynolds, Spence, B. Ennis and Houghton; Senators Citro, Connor, McBride and Vaughn.  
Signed by the Governor 7/9/86.

This bill provides for a Delaware Racketeer Influenced and Corrupt Organizations Act.

House Bill 228

Sponsors: Representative Maroney; Senator Holloway.  
Signed by the Governor 2/3/86.

This bill amends the Delaware Code relating to child support enforcement.

House Bill 261

Sponsors: Representatives Petrilli, Boykin, Anderson, Brady and Van Sant; Senator Marshall.  
Signed by the Governor 6/30/86.

This bill amends the escheat law relating to unclaimed corporate stock.

House Bill 326

Sponsors: Representatives Maroney, Barnes and Steele; Senators Connor and Torbert.  
Signed by the Governor 7/9/86.

This bill revises the Delaware Code regarding certain sexual offenses and redefines other sexual offenses.

House Bill 409

Sponsor: Representative Bennett.

This is a Constitutional Amendment permitting the Sheriffs of Kent and Sussex Counties to run for four-year terms and removes restrictions on succeeding themselves in office.

House Bill 452

Sponsors: Representatives Spence, Houghton, Caulk, Carey, Roy, Hebner, Oberle, Davis, Reynolds, B. Ennis, Van Sant, Taylor, Steele and D. Ennis; Senators McBride, Sharp and Connor.  
Signed by the Governor 7/3/86.

This bill provides various minimum mandatory periods of incarceration for those offenders convicted of vehicular homicide.



House Bill 464

Sponsors: Representatives Jonkier and Spence.  
Signed by the Governor 7/9/86.

This bill increases certain jurisdictional amounts from \$300 to \$500.

House Bill 508

Sponsors: Representatives Taylor and Van Sant; Senators Bair and Holloway.  
Signed by the Governor 7/9/86.

This bill relates to the Uniform Controlled Substances Act offenses and penalties.