

Annual Report of the Delaware Judiciary



1988

An artist's rendering by Dwight Duncan for the Justice of the Peace
Court No. 5 structure located on Rt. 113 in Milford.

**1988 ANNUAL REPORT
of the
DELAWARE JUDICIARY**

(July 1, 1987 - June 30, 1988)

**Honorable Andrew D. Christie
Chief Justice of Delaware**

Prepared by the

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TABLE OF CONTENTS

A.	FORWARD.....	v
I.	INTRODUCTION TO THE DELAWARE COURT SYSTEM.....	1
	Organization Chart of the Delaware Judicial System.....	2
	Court Organization and Jurisdiction.....	3
	Court Caseload Summaries For Fiscal Year 1988.....	6
	Court Accomplishments and Noteworthy Developments During Fiscal Year 1988.....	7
	Court Structure Overview of the Delaware Judiciary.....	12
II.	FISCAL OVERVIEW.....	14
	Summary of Judicial Budgets - Fiscal Years 1987-1988-1989-1990.....	16
	Court-Generated Revenue - Fiscal Year 1988.....	18
	Restitution - Fiscal Year 1988.....	20
	Delaware State Government and Judiciary Appropriations - Fiscal Year 1989.....	21
	Fiscal Year 1990 Budget Requirements of the Delaware Judiciary.....	22
III.	THE DELAWARE COURTS.....	25
IV.	SUPREME COURT.....	27
	Description.....	28
	Judiciary.....	33
	Support Personnel.....	34
	Statistics.....	35
V.	COURT OF CHANCERY.....	41
	Description.....	42
	Judiciary.....	44
	Support Personnel.....	45
	Statistics.....	48
VI.	SUPERIOR COURT.....	55
	Description.....	56
	Judiciary.....	58
	Support Personnel.....	59
	Statistics.....	62
VII.	FAMILY COURT.....	105
	Description.....	106
	Judiciary.....	108
	Support Personnel.....	109
	Statistics.....	111
VIII.	COURT OF COMMON PLEAS.....	123
	Description.....	124
	Judiciary.....	126
	Support Personnel.....	127
	Statistics.....	128

TABLE OF CONTENTS (CONTINUED)

IX.	MUNICIPAL COURT	137
	Description	138
	Judiciary	140
	Support Personnel	141
	Statistics	142
X.	JUSTICE OF THE PEACE COURTS	147
	Description	148
	Map of Court Locations	150
	Organization Chart	151
	Judiciary	152
	Support Personnel	153
	Statistics	157
XI.	ALDERMAN'S COURTS	171
	Description	172
	Map of Court Locations	173
	Aldermen	174
	Support Personnel	175
	Statistics	177
XII.	JUDICIAL AGENCIES.....	183
	Administrative Office of the Courts.....	184
	Law Libraries.....	186
	Public Guardian.....	188
	Foster Care Review Board.....	193
	Violent Crimes Compensation Board.....	195
XIII.	CONFERENCES, COMMITTEES AND COUNCILS.....	197
	Court on the Judiciary	198
	Judicial Conference	198
	Long Range Courts Planning Committee.....	199
	Judicial Education Committee.....	201
	Criminal Justice Council.....	202
	DELJIS Board of Managers.....	203
XIV.	LEGISLATION.....	205
	Description.....	206

FORWARD

I am pleased to present the 1988 Annual Report of the Delaware Judiciary. This document covers activity for the period from July 1, 1987 through June 30, 1988, and provides statistical information for and written explanations of the activities of the Delaware Judiciary.

The reader should be aware of the fact that not all courts use the same unit of count in measuring caseload activity. As a result, any comparison of caseload data for the courts should be considered only after it has been verified that the courts use the same unit of count. In addition, while courts may use the same unit of count, comparisons of caseload activity may still be impractical due to dramatic differences in jurisdiction which result in the courts hearing very different types of cases. Efforts are currently being made to establish a uniform unit of count for all of the courts with the hope that all courts will be using the same unit of count in the not-too-distant future.

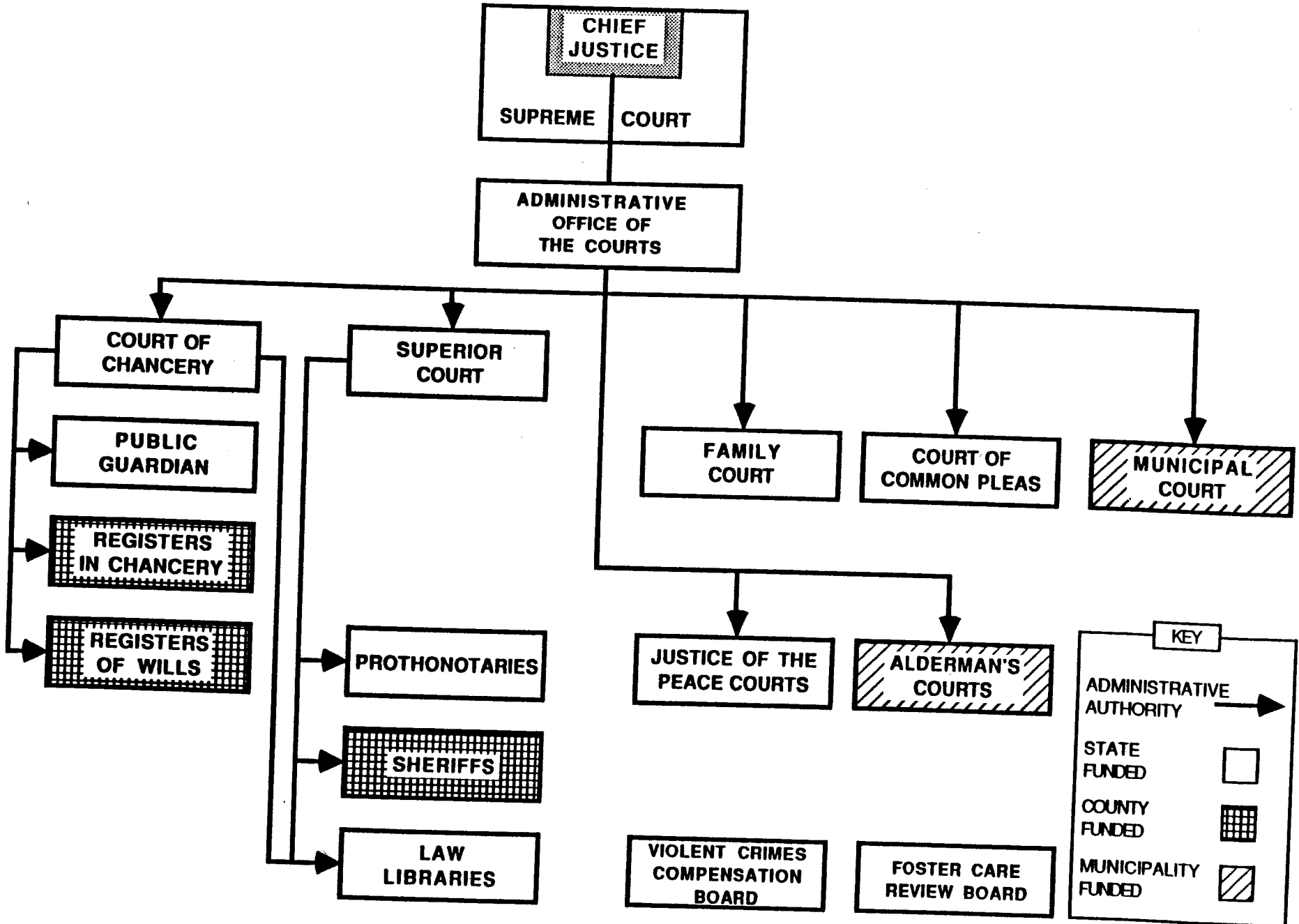
I wish to acknowledge the contributions of all those who work with the Delaware Judiciary from the judges, to the court administrators, to the court clerks and other court employees, without whose help the Annual Report of the Delaware Judiciary would not have been possible. I thank each and every one of those individuals for their invaluable efforts.

Lowell L. Groundland
Director
Administrative Office of the Courts

Introduction To The Delaware Court System

THE DELAWARE JUDICIAL SYSTEM

Courts and Related Agencies



COURT ORGANIZATION AND JURISDICTION

The Delaware Judiciary is composed of the Supreme Court, the Court of Chancery, the Superior Court, the Court of Common Pleas, the Family Court and the Justice of the Peace Courts. While it is a part of the Delaware Judiciary, the Municipal Court is funded by the City of Wilmington. The Administrative Office of the Courts, including the Judicial Information Center, provides those centralized services to the Delaware Judiciary which are consistent with the statewide policies and goals for judicial administration and support operations as established by the Chief Justice of the Supreme Court. Other components of the Delaware Judiciary for funding purposes are the Public Guardian, the Foster Care Review Board, the Violent Crimes Compensation Board and the Law Libraries. However, these other components, except the Law Libraries, are similar to social service agencies rather than adjudicative bodies. While related to the courts, these agencies fall outside the normal scope of the courts' responsibilities. The Prothonotary's Office in each county functions as the Clerk of the Superior Court. Prior to October, 1987, these Offices were funded by the various counties. As of October, 1987, these Offices are funded by the State.

In terms of interrelationships among the courts, the Delaware court system is similar to a pyramid. The Justice of the Peace Courts would be the base of the pyramid, and the Supreme Court would be the apex of the pyramid. As a litigant goes upward through the court system pyramid, the legal issues generally become more complex, the costs to the litigants increase, the potential for delay increases and the costs to the court system as well as to the State in terms of resources and time increase. Therefore, it is beneficial both in terms of resources and time for the litigants and the court system to decide any case at issue as close to the entry level into the system as possible.

The Justice of the Peace Courts are the initial entry level into the court system for most citizens. The Justice of the Peace Courts' jurisdiction is limited to \$2,500 in civil cases. In criminal cases, the Justice of the Peace Courts have jurisdiction over certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. In criminal cases with the possibility of incarceration or a fine of \$15 or more or both, the accused may elect to transfer the case to the Court of Common Pleas. Appeals may be taken de novo to the Superior Court. Eighty five percent (85%) of all cases are disposed of rapidly at the Justice of the Peace Courts level without further impact on the remainder of the judicial system.

The Court of Common Pleas has jurisdiction in civil cases where the amount involved, exclusive of interest, does not exceed \$15,000. Cases that are of lesser monetary significance can be handled promptly by the Court of Common Pleas rather than being referred to the Superior Court where delays can be expected as a result of the large number of pending civil cases in the Superior Court. In criminal cases, the Court of Common Pleas has jurisdiction over all misdemeanors occurring in the State except drug-related cases (other than possession of marijuana), and those cases occurring in Wilmington. It is also responsible for all preliminary hearings in all felony cases except those occurring in Wilmington. Appeals may be taken to the Superior Court.

The Family Court deals almost exclusively with cases concerning family and juvenile issues. Beginning in July, 1987, all civil appeals from the Family Court go directly to the Supreme Court. Criminal cases continue to be appealed to the Superior Court.

The Superior Court is the State's trial court of general jurisdiction. It also serves as an intermediate appellate court. The Superior Court has original jurisdiction over criminal and civil cases except equity cases. The Court's authority to award damages is not subject to a monetary maximum. In criminal cases, the Court has exclusive jurisdiction over felonies and almost all drug offenses. The Superior Court serves as an intermediate appellate court by hearing appeals on the record from the Court of Common Pleas, the Family Court (in criminal cases) and more than 50 administrative agencies. Appeals from the Alderman's Courts, the Justice of the Peace Courts and the Municipal Court are heard as trials de novo (second trials) in the Superior Court. Appeals from the Superior Court may be taken on the record to the Supreme Court. While the Justice of the Peace Courts and the Court of Common Pleas screen many cases out of the court system, the Superior Court continues to experience an increase in the number of filings per year. Furthermore, as cases are brought to the Superior Court for decision, the issues for decision are more complex and require more time to decide. The majority of the serious criminal and significant civil (non-equity) cases filed in Delaware flow into the Superior Court. With a limited number of judges, the Court wages a constant battle to stay current on criminal cases, and as a result, civil cases often must wait for adjudication.

The Court of Chancery is an equity court rather than a court of law and has jurisdiction to hear all matters in equity. The Court of Chancery has a national reputation in the business community and is responsible for developing the case law as to the corporation laws of

Delaware. The litigation in the Court of Chancery deals largely with corporate matters, trusts, estates, other fiduciary matters, disputes involving the purchase of land and questions of title to real estate as well as commercial and contractual matters. Appeals from the Court of Chancery may be taken on the record to the Supreme Court.

The Delaware Supreme Court is the State's appellate court which receives direct appeals from the Court of Chancery, the Superior Court and the Family Court. As administrative head of the courts, the Chief Justice in consultation with the other Justices sets administrative policy for the court system.

COURT CASELOAD SUMMARIES FOR FISCAL YEAR 1988

PAGE
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The **Supreme Court** received 477 new filings in FY 1988, which was a record high. This significant increase, combined with a slight decrease in dispositions, resulted in a 31.2% gain in the number of cases pending at the close of the fiscal year.

In the **Court of Chancery**, there was a sharp rise in civil cases to a level that had not even been approached in past years. The 1,084 civil case filings in FY 1988 was 53.6% higher than the record level set in the previous fiscal year. The Court attempted to deal with the influx of cases by increasing its number of dispositions to 912 in FY 1988, which was 35.5% higher than the previous record level, but the net result was increases in pending in all counties for the second consecutive fiscal year.

In FY 1988, the **Superior Court** experienced a slight decrease in both criminal filings and dispositions while there was a statewide increase in civil activity. Civil filings rose by 9.5% to a new record level and even though civil dispositions rose more sharply by 25.3% to a new record level as well, the net result was that the number of pending civil cases at the close of the fiscal year increased by 8.2%. Additionally, it should be noted that although the Civil Arbitration Program caseload increased by 38% in FY 1988, the Court continues to be burdened by a backlog of civil cases which are not eligible for the Arbitration Program.

The total caseload for the **Family Court**, both in filings and dispositions, rose to record levels during FY 1988. The 38,094 filings and 37,352 dispositions resulted in a 5.5% rise in the total number of cases pending, to a record level of 10,336 cases pending.

While the dramatic increase in civil caseload which had occurred in the **Court of Common Pleas** during FY 1986 has begun to subside in the past two fiscal years, the rate of increase in criminal cases has not diminished. The record level of criminal filings during FY 1988 was 47.9% greater than the level of just two years earlier while criminal dispositions rose by 50.1% to a new record level during the same two-year period.

The **Municipal Court** had record levels of criminal filings and dispositions and traffic filings and dispositions during FY 1988 with a resulting 5.9% rise in total filings and a 7.3% increase in total dispositions. This is the third consecutive year in which record levels have been set for both filings and dispositions, but there has been a change in total pending of only 1.6%.

The **Justice of the Peace Courts** were able to reduce the pending backlog in both criminal and civil cases during FY 1988. Though criminal cases rose from 172,527 in FY 1987 to a record level of 189,805 in FY 1988, a record level of 190,897 criminal dispositions during FY 1988 resulted in a 25.6% drop in criminal pending. The civil filings fell by 11.5% during FY 1988, and even though civil dispositions changed only slightly, civil pending fell by 25.0%.

**COURT ACCOMPLISHMENTS AND NOTEWORTHY
DEVELOPMENTS DURING FISCAL YEAR 1988**

Despite the extreme burden placed upon the various courts by dramatic increases in caseload activity, there were many noteworthy developments and accomplishments which are worthy of recognition.

SUPREME COURT

Despite a record number of filings in FY 1988, the Supreme Court continued to meet its stated goal of deciding cases on appeal within 90 days of submission for decision. The average elapsed time from submission to decision during FY 1988 was 42.3 days, 10 days less than the average of 52.3 days from submission to decision in FY 1987. The average time from filing to disposition fell from 192.4 days in FY 1987 to 185.1 days in FY 1988.

COURT OF CHANCERY

There was a rise of 378 filings between FY 1987 and FY 1988 from 706 in FY 1987 to 1,084 in FY 1988. The Court responded with a 71.8% increase in civil dispositions from 531 in FY 1987 to a record level of 912 in FY 1988. Because of the dramatic increase in civil dispositions, the Court managed to reduce the rate of increase in civil pending to 16.7% during FY 1988 from 20.8% in FY 1987.

SUPERIOR COURT

Restructured their caseflow processes to improve efficiency.

- o More civil motions are decided at oral presentation rather than after briefing, reducing significantly the backlog of pending arguments in New Castle County.
- o Sentencings are scheduled more frequently and more immediate sentencings are reducing elapsed times and helping to relieve detainee overcrowding.
- o Discovery deadlines are being set for all civil cases and cases appealed from arbitration are "fact tracked" in Kent and Sussex Counties.
- o Sentencing dates are assigned when a plea or verdict is entered in Sussex County to shorten the sentencing process. Since March, 1988, sentencings requiring a presentence investigation are routinely held within 30 days of plea or conviction in Sussex County.

The County Prothonotary Offices became State Agencies as divisions within the Superior Court on October 1, 1987.

- o Total personnel increased by 75 positions.
- o The New Castle County Prothonotary hired more than 30 new employees in two months without disruption to Court operations.

Increased disposition of asbestos cases.

- o One judge was assigned full-time to handle asbestos cases.
- o An Asbestos Litigation Master was hired on January 1, 1988.
- o Special standing orders were issued to eliminate the need to address similar issues for each case.
- o Cases with similar circumstances were consolidated for motions and trial purposes.
- o Jury selection was restructured saving State expense and reducing the burden on prospective jurors.
- o By the end of FY 1988, asbestos cases were being disposed as fast as new ones were filed. In other words, the backlog was no longer increasing.

The Arbitration Program continues to accelerate the disposition of civil claims.

- o The ceiling for claims was increased from \$30,000 to \$50,000 on January 1, 1988. It is currently projected that 75% of all civil claims will be subject to arbitration during FY 1989.
- o A total of 701 hearings were conducted during FY 1988.
- o Seventy-nine percent (79%) of cases referred to arbitration were disposed as a result of the arbitration process during FY 1988.
- o All arbitration cases are now maintained in a computer data base which is used to monitor deadlines and generate statistical reports.

Guidelines developed by the Sentencing Accountability Commission were implemented in October, 1987

- o The Superior Court's rate of compliance with sentencing standards exceeded 96%, a clear indication that sentencing disparity has been reduced.
- o The rate of incarceration has slowed, thereby relieving somewhat the prison population.

A new flat-rate, non-refundable filing fee rule was developed and adopted which:

- o Simplifies burdensome accounting requirements.
- o Will generate increased revenues for FY 1989.

Jury management system improvements provide added convenience to citizens.

- o Jurors who request to be excused from their assigned reporting date may select a more convenient future reporting date, increasing utilization of the jury pool.

Records management initiatives undertaken several years ago now receive national attention.

Began publication of "Hearsay", the Court's monthly newsletter, in December, 1987.

Family Court

- o The Court continued involvement in the American Bar Association's project to evaluate judicial performance.
- o The judges endorsed the use of guardians ad litem for juvenile petitioners and juvenile respondents if the parents or guardians will not or cannot sign the petition or consent agreement.
- o The Court's leadership role in the child support field was evident through the requests for information about the Delaware (Melson) child support formula and through the professional activities of the judicial officers in national and regional organizations.
- o The Court-Appointed Special Advocate (CASA) Program's research project comparing six CASA programs drew national attention.

- o Among the specialized programs operated by the Court were: the EARN-IT Restitution Program; the Domestic Violence Project; the Family Violence Project sponsored by the National Council of Juvenile and Family Court Judges with the aim of preserving the family unit; and the federally funded Alternative Placement Screening Project, introduced to provide the judiciary with adequate information with which to decide if community placements rather than incarceration are appropriate dispositional alternatives for selected serious juvenile offenders.
- o The Family Court began to operate statewide the Dispositional Reporting System, the first step in the judiciary's plan to automate criminal case management; expanded the microcomputer-based Support Case Tracking System already in use in New Castle County to the other two counties; prepared for the installation of the Delaware Automated Child Support Enforcement System (DACSES), the computerized informational system of the Division of Child Support Enforcement, in the Family Court in all three counties; and installed a single cable system permitting cost-efficient telecommunications with the major automated systems used by the Court.
- o At year end, the new courthouse in Sussex County was nearing completion; the construction of the Kent County building was progressing well; and attention was being focused on the need for two additional floors in the New Castle County headquarters.
- o The development of the Court's most complete training curriculum for staff, the issuance of a formal policy manual which will contain all judicial and administrative policies, and the administration of a communications survey whose findings will be used to improve methods of disseminating information.

Court of Common Pleas

- o The Court's ability to prepare presentence reports within thirty days of conviction continues to result in prompt sentencing of defendants.
- o Major procedural changes were made to the Court accounting system, resulting in increased efficiency and greater internal control. In addition, an accounting manual was written for use by Court staff.
- o A single fee for costs adopted by the Sheriff's Offices of Kent and Sussex Counties was implemented successfully in the two downstate Court locations.

- o The Court continues to successfully operate the expanded automated case processing system in all three Counties. This has resulted in more efficient case processing of criminal cases.
- o The Court expanded its involvement in the DELJIS Disposition Reporting Project to New Castle County and continues to cooperate in other systemwide development efforts.
- o The Court has continued to make improvements in its record-keeping procedures. Changes to the Court docketing system continue to result in increased efficiency at all Court locations.

Justice of the Peace Courts

- o Continuing legal education classes for Justices of the Peace were held over a ten-week period at the Widner University School of Law covering the Delaware Uniform Rules of Evidence. Monies were also available to send three Justices of the Peace to out-of-state seminars. Additionally, statewide SENTAC Training was presented for all Justices of the Peace.
- o In FY 1988, the Justice of the Peace Courts added the Superior Court to its capias control network (DELJIS). The Justice of the Peace Court system now files, inputs and withdraws all Superior Court capias information.
- o The Justice of the Peace Court system has remained high on the list with regard to the input of information into the Dispositional Reporting System (DRS). This accomplishment may be attributed to the eight new clerical positions acquired through the budgetary process.
- o Security protection with regard to Constables took a big step last year. After certification by the Delaware State Police in firearms training, Constables are authorized to carry hand guns for protection. During FY 1988 the Justice of the Peace Administration purchased 22 hand guns for use by the Constables while performing their duties.
- o The Justice of the Peace Court system continued with the implementation of the Justice of the Peace Court Building Project during the past fiscal year. In October, 1987, the new Justice of the Peace Court No. 5 in Milford opened its doors to the public. A new facility for Justice of the Peace Court No. 9 in Middletown was opened in December, 1987 and a new Justice of the Peace Court No. 8 in Smyrna was completed in June of 1988.

DELAWARE JUDICIARY Court Structure Overview (FY 1988 Data)

COURT OF
LAST RESORT

GENERAL
JURISDICTION

LIMITED JURISDICTION

SUPREME COURT

Filings: 165 Criminal; 279 Civil; 33 Other

- Final appellate jurisdiction for:
 - criminal cases with sentences longer than certain minimums
 - civil case final judgement
 - certain orders of Superior, Family and Chancery courts and Court designated boards
- Issuer of certain writs

REGISTERS OF WILLS
 REGISTERS IN CHANCERY

CHANCERY COURT

Filings: 1,084 Civil; 2,055 Estates; 526 Miscellaneous

- Hear/determine all matters and causes in equity (typically corporate, trust, fiduciary matters, land sale, real estate, commercial/contractual matters)

SUPERIOR COURT

Filings: 4,342 Criminal; 4,999 Civil

- Original statewide jurisdiction over criminal and civil cases (except equity cases)
- Exclusive jurisdiction over felonies and drug offenses (except marijuana possession and most felonies/drugs involving minors)
- Involuntary commitments to Delaware State Hospital
- Intermediate appellate court

PROTHONOTARIES

FAMILY COURT

Filings: 4,098 Adult Criminal; 8,049 Juvenile Delinquency; 25,947 CMI

- Jurisdiction over almost all offenses involving juveniles/families (except adults charged with felonies and juveniles charged with murder, kidnapping and unlawful sexual intercourse)

COURT OF COMMON PLEAS

Filings: 26,393 Criminal; 4,988 Civil

- Statewide jurisdiction in civil actions involving less than \$15,000
- All criminal misdemeanors (except drug related - other than marijuana possession) and except those occurring in Wilmington)
- Responsible for all preliminary hearings

WILMINGTON MUNICIPAL COURT

Filings: 14,707 Criminal; 19,425 Traffic

- For violations in the city of Wilmington:
 - criminal misdemeanor and municipal ordinance, traffic
 - preliminary hearings for felonies and drug related offenses
 - violations division processes all moving and parking violations

ALDERMAN'S COURTS

Filings: 3,875 Criminal; 21,777 Traffic

- Minor misdemeanors, traffic, parking, and minor civil matters occurring within town limits (specific jurisdiction varies with town charter, as approved by State Legislature)

JP COURTS

Filings: 189,085 Criminal; 25,419 Civil

- All civil cases involving less than \$2500
- Certain misdemeanors and most motor vehicle cases (except felonies)
- May act as committing magistrate for all crimes
- Landlord/tenant disputes

(40 Appeals)

(311 Appeals)

(50 Appeals) (Civil)

(Criminal)

(512 Transfers)

(Except Newark Alderman's Court)

(TRANSFERS)

(APPEALS)

NOTES:

- Unless listed separately, traffic cases are included with criminal filings.
- All courts are state-funded, except those noted with shaded titles, which are funded by municipalities or counties.

Fiscal Overview

SUMMARY OF JUDICIAL BUDGETS
FISCAL YEARS 1987-1988-1989-1990

	F.Y. 1987 Actual <u>Disbursement</u>	F.Y. 1988 Actual <u>Disbursement</u>	F.Y. 1989 <u>Appropriations</u>	F.Y. 1990 <u>Request</u>
<u>STATE*</u>				
Administrative Office of the Courts	\$ 3,278,300	\$ 2,977,400	\$ 3,304,200	\$ 5,368,500
Judicial Information Center	583,400	698,000	796,100	946,200
Supreme Court	1,147,800	1,244,300	1,339,400	1,439,300
Court of Chancery	979,200	1,029,900	1,075,500	1,305,600
Public Guardian	158,700	179,100	215,600	258,600
Superior Court	4,570,800	4,821,500	5,503,500	6,181,000
New Castle County Prothonotary	-	974,600	1,583,300	1,858,400
Kent County Prothonotary	-	179,100	277,100	302,700
Sussex County Prothonotary	-	127,500	161,700	280,500
Law Libraries	274,700	344,900	366,300	420,800
Family Court	8,172,400	9,016,300	9,789,400	10,872,000
Court of Common Pleas	1,978,200	2,099,100	2,236,400	2,482,700
Justice of the Peace Courts	5,785,300	6,030,800	6,526,500	7,498,300
Violent Crimes Compensation Board	790,100	1,048,500	1,150,500	1,451,600
Foster Care Review Board	176,900	200,100	214,900	251,200
STATE TOTALS	<u>\$27,895,800</u>	<u>\$30,971,100</u>	<u>\$34,540,400</u>	<u>\$40,917,200</u>
<u>NEW CASTLE COUNTY</u>				
Register in Chancery	\$ 407,235	\$ 440,783	\$ 542,845	N.A.
Register of Wills	475,738	540,714	636,939	N.A.
Prothonotary	1,358,904	421,705	120,000	N.A.
Sheriff	843,859	965,121	1,084,992	N.A.
NEW CASTLE COUNTY TOTALS	<u>\$ 3,085,736</u>	<u>\$ 2,368,323</u>	<u>\$ 2,384,776</u>	N.A.
<u>KENT COUNTY</u>				
Register in Chancery	\$ 59,377	\$ 64,037	\$ 72,488	N.A.
Register of Wills	46,827	53,063	60,246	N.A.
Prothonotary	170,716	45,833	-	-
Sheriff	125,984	142,188	143,884	N.A.
KENT COUNTY TOTALS	<u>\$ 402,904</u>	<u>\$ 305,121</u>	<u>\$ 276,618</u>	N.A.

*Figures include State governed funds, federal funds, and other funds. The Office of the Prothonotary began State funding on October 1, 1987.

N.A. = Not Available

SUMMARY OF JUDICIAL BUDGETS (CONTINUED)
FISCAL YEARS 1987-1988-1989-1990

	F.Y. 1987 Actual <u>Disbursement</u>	F.Y. 1988 Actual <u>Disbursement</u>	F.Y. 1989 <u>Appropriations</u>	F.Y. 1990 <u>Request</u>
<u>SUSSEX COUNTY</u>				
Register in Chancery	\$ 52,697	\$ 54,367	\$ 77,465	N.A.
Register of Wills	54,298	55,486	77,500	N.A.
Prothonotary	98,652	24,866	-	-
Sheriff	<u>119,559</u>	<u>120,414</u>	<u>135,115</u>	<u>N.A.</u>
SUSSEX COUNTY TOTALS	\$ 325,206	\$ 255,133	\$ 290,698	N.A.
 <u>MUNICIPALITIES</u>				
Municipal Court*	\$ 948,104	\$ 900,698	\$ 915,698	N.A.
Alderman's Courts	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
MUNICIPALITIES TOTAL	N.A.	N.A.	N.A.	N.A.
GRAND TOTALS - JUDICIAL BRANCH **	\$32,657,750	\$34,800,375	\$38,407,572	\$40,917,400

N.A. = Not Available

*Figures include City of Wilmington funds and federal funds.

**Alderman's Courts not included in any totals. Totals for F.Y. 1990 include only State totals.

COURT-GENERATED REVENUE*

FISCAL YEAR 1988

	<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	\$ 900	\$ 900	0.0%
Judicial Information Center	0	0	0	0	0	0.0%
Supreme Court	33,300	0	0	0	33,300	2.7%
Court of Chancery	0	0	298,200	0	298,200	29.0%
Public Guardian	0	0	0	3,200	3,200	1.8%
Superior Court	253,300	13,200	82,700	1,100	350,300	7.3%
Law Libraries	0	0	0	0	0	0.0%
Family Court	298,800	32,900	0	12,000	343,700	3.8%
Court of Common Pleas	147,000	311,300	0	6,000	464,300	22.1%
Justice of the Peace Courts	1,895,600	3,004,200	0	11,100	4,910,900	81.4%
Foster Care Review Board	0	0	0	100	100	0.0%
STATE GENERAL FUND TOTALS	\$2,628,000	\$3,361,600	\$380,900	\$34,300	\$6,404,800	20.7%
<u>RECEIVED BY VICTIMS COMPENSATION FUND</u>						
Superior Court	-	\$ 210,373	-	-	\$ 210,373	-
Family Court	-	3,408	-	-	3,408	-
Court of Common Pleas	-	80,072	-	-	80,072	-
Municipal Court	-	123,483	-	-	123,483	-
Justice of the Peace Courts	-	649,809	-	-	649,809	-
Alderman's Courts	-	119,386	-	-	119,386	-
Restitution	-	28,143	-	-	28,143	-
VICTIMS COMPENSATION FUND TOTALS	-	\$1,214,674	-	-	\$1,214,674	131.1%
<u>SUBMITTED TO NEW CASTLE COUNTY</u>						
Register in Chancery	\$ 331,206	\$ 0	\$218,581	\$ 0	\$ 549,787	124.7%
Register of Wills	1,685,753	0	0	0	1,685,753	311.8%
Prothonotary	567,705	0	9,154	0	576,859	41.3%
Sheriff	357,067	0	0	0	357,067	37.0%
Justice of the Peace Courts	0	566,849	0	0	566,849	9.4%
NEW CASTLE COUNTY TOTALS	\$2,941,731	\$ 566,849	\$227,735	\$ 0	\$3,736,315	133.2%

*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 1988 Revenue divided by FY 1988 Actual Disbursement, which includes State general, federal, and other funds.

¶ Revenue as a % 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	\$ 10,427	\$ 0	\$ 3,828	\$ 0	\$ 14,255	22.3%
Register of Wills	215,372	0	0	0	215,372	405.9%
Prothonotary	62,289	0	870	0	63,159	28.0%
Sheriff	25,989	0	0	0	25,989	18.3%
KENT COUNTY TOTALS	\$ 314,077	\$ 0	\$ 4,698	\$ 0	\$ 318,775	98.6%¶
<u>SUBMITTED TO SUSSEX COUNTY</u>						
Register in Chancery	\$ 25,274	\$ 0	\$ 1,916	\$ 0	\$ 27,190	50.8%
Register of Wills	436,996	0	0	0	436,996	787.6%
Prothonotary	30,901	9,819	940	2,470	44,130	29.0%
Sheriff	64,082	0	0	0	64,082	53.2%
SUSSEX COUNTY TOTALS	\$ 557,253	\$ 9,819	\$ 2,856	\$ 2,470	\$ 572,398	229.4%¶
<u>SUBMITTED TO MUNICIPALITIES</u>						
Municipal Court	\$ 115,844	\$ 708,007	\$ 0	\$ 0	\$ 823,851	91.5%
Justice of the Peace Courts	0	1,182,619	0	0	1,182,619	19.6%
Alderman's Courts	178,331	801,116	0	0	\$ 979,447	N.A.
MUNICIPALITIES TOTALS	\$ 294,175	\$ 2,691,742	\$ 0	\$ 0	\$ 2,985,917	N.A.
GRAND TOTALS - JUDICIAL BRANCH	\$ 6,735,236	\$ 7,844,684	\$ 616,189	\$ 36,770	\$ 15,232,879	43.8%§

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 1988 Revenue divided by FY 1988 Actual Disbursement, which includes State general, federal, and other funds.

¶ Revenue as a % of disbursement for county offices.

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

NOTE: Total revenue generated by the Justice of the Peace Courts in FY 1988 was \$6,660,368, which represents 110.4% of expenditures for that year.

RESTITUTION

FISCAL YEAR 1988

<u>Court</u>	<u>Restitution Assessed</u>	<u>Restitution Collected</u>	<u>Restitution Disbursed</u>
Supreme Court	\$ 0	\$ 0	\$ 0
Court of Chancery	0	0	0
Superior Court			
NCC Prothonotary	953,940	283,352	332,287
Kent County Prothonotary	293,293	88,482	88,482
Sussex County Prothonotary	395,663	132,983	132,983
Family Court	195,241	120,634	120,634
Court of Common Pleas	168,628	108,874	112,447
Municipal Court	N/A	46,455	46,715
Justice of the Peace Courts*	<u>141,048</u>	<u>51,164</u>	<u>51,164</u>
TOTALS**	\$2,147,813	\$831,944	\$884,712

NCC = New Castle County
N/A = Not Available

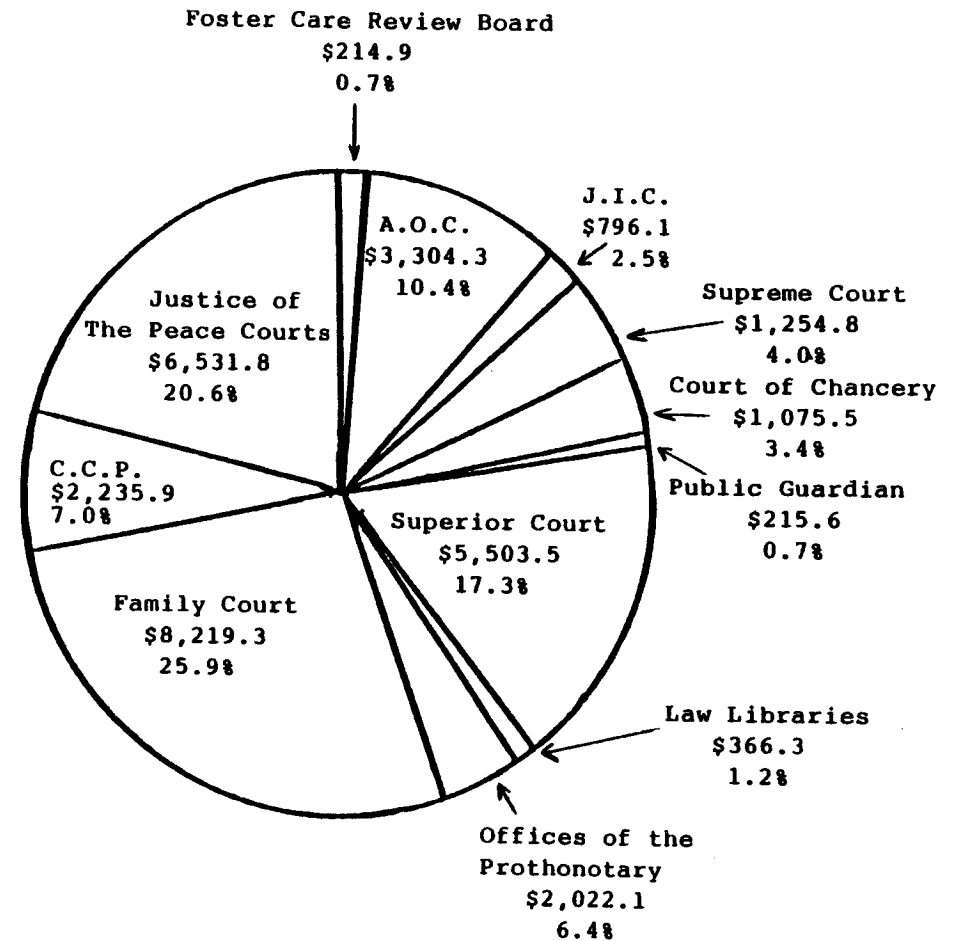
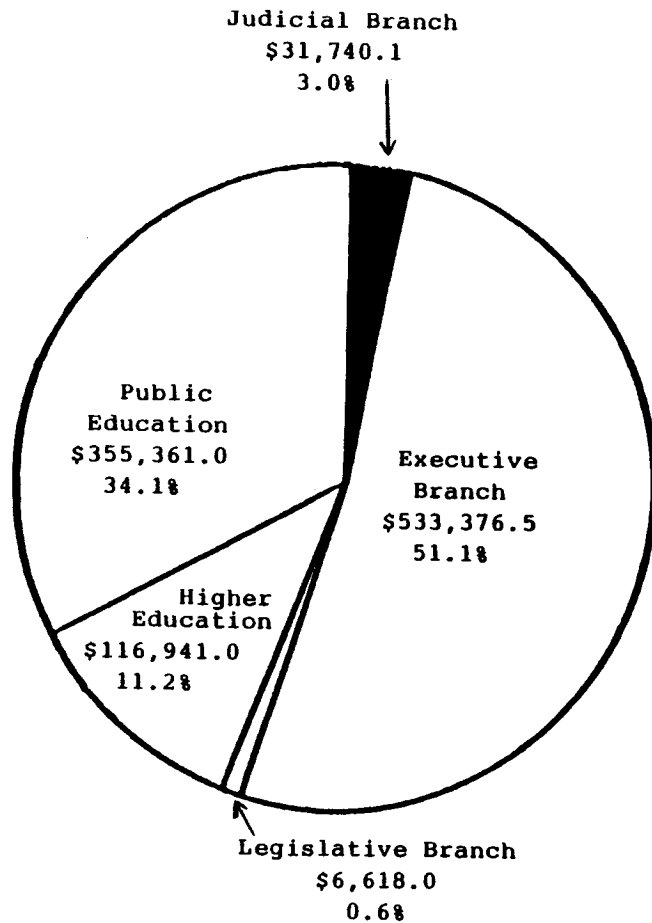
*Most restitution assessed in Justice of the Peace Courts is ordered to be paid directly to the victim, thus explaining the apparent disparity between the amount assessed and the amount collected.

**Totals exclude restitution assessed in Municipal Court.

DELAWARE STATE GOVERNMENT APPROPRIATIONS*
 (IN THOUSANDS)
 FISCAL YEAR 1989

STATE APPROPRIATIONS - TOTAL
 \$1,044,036.6

STATE APPROPRIATIONS - JUDICIARY
 \$31,740.1



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

Source: 134th General Assembly, Senate Bill #480

THE FISCAL YEAR 1990 BUDGET REQUIREMENTS OF THE DELAWARE JUDICIARY

For the second consecutive year, Chief Justice Andrew D. Christie has submitted the "Delaware Judiciary Strategic Plan" and the "Delaware Judiciary Budget Request" to the Governor and the members of the Joint Finance Committee. In so doing, the Chief Justice has identified, in priority order, the greatest overall needs of the court system for FY 1990. Although all courts and judicial agencies have many important needs which should be addressed, it is realized that not all of them can receive the funding they deserve during FY 1990. For this reason, it is the Chief Justice's view that such matters will receive further consideration during the FY.1991 and FY 1992 budgetary processes.

The following is a summary of Chief Justice Christie's funding priorities as shown in the FY 1990 "Delaware Judiciary Strategic Plan" and the "Delaware Judiciary Budget Request":

First and foremost, each court and office needs adequate funding for its basic operating costs. During the budget process, the courts' requests for basic funding are sometimes reduced to levels which cause adversity to operations. It is hoped that special attention will be given to ensuring that base budget needs are satisfied.

The individual courts share many common concerns which cut across their differing jurisdictional responsibilities. The areas of greatest concern beyond the need to maintain adequate funding to cover basic operating costs for all courts are: (1) The need for additional judges with requisite support staff, (2) The need to modernize centralized court services, especially in the areas of automated civil case processing and records management and control, (3) The need to acquire and maintain adequate court facilities, (4) The need to acquire additional operations support staff, (5) The need for improved security for court personnel and the public, and (6) The need to update telecommunications.

Courts have no control over the number and complexity of the cases that are filed. As filings continue to rise, the need for additional judges will remain the top priority for the court system. While administrative measures may lessen the number of pending cases to a limited extent, new judgeships are essential to enable the courts to cope with continually rising caseloads. Of greatest concern at this time is the Court of Chancery where an additional Vice-Chancellor is needed for FY 1990 to prevent that Court from being overwhelmed by litigation filings which increased by 82.5% over the past five years.

As new judgeships are created, it is imperative that requisite support staff be provided simultaneously in order that each judge may function at full capacity in the performance of his duties. The addition of a new Vice-Chancellor must, therefore, be accompanied by a secretary, a law clerk and a court reporter.

The need to modernize court services to support the judicial function is a matter of grave concern and urgency for FY 1990. This is especially true in the areas of civil case processing and records management and control. There is a desperate need in the various courts to accelerate the processing of civil cases which cannot be accomplished efficiently without the tools of automation. Civil litigation is increasing at an alarming rate and the courts are required to respond to the problems associated therewith. The seriousness of this situation is underscored by the fact that civil cases account for 53.5% of the Superior Court's caseload and 68.1% of the Family Court's caseload in FY 1988. The lack of success in acquiring the resources necessary to automate civil case processing during FY 1989 has only exacerbated the problem. Clearly, the only alternative available to the courts in the absence of automation is to continue the trend of requesting additional manpower (clerical personnel and supervisors) year after year to handle the redundant and time-consuming duties which are associated with the management of civil cases. This antiquated approach with all of its attendant inefficiencies makes little sense and is ultimately far more costly to the State and its taxpayers.

The same reasoning applies to the subject of records management and control. During the last five years, Delaware's courts in cooperation with the Bureau of Archives and Records Management have implemented a records management program which is considered to be a national model for comprehensive retention and destruction policies which conform to State law and judicial standards. However, much more must be done to assist our courts with the monumental, labor-intensive tasks of file indexing and tracking, as well as the storage and retrieval of records and the legal documents contained therein. The application of available technologies to the continuation of an aggressive records management program throughout the court system will reduce workloads and greatly enhance productivity for judges and other personnel by providing them with information in a timely manner.

Adequate funding is also necessary to ensure the provision of essential court services in the areas of enhancements to the Judicial Information System, staff development and training and word processing.

The acquisition and maintenance of adequate court facilities continues to be a system-wide concern. It appears that this problem is likely to continue until such time as a long-range, comprehensive plan is developed and implemented to address the needs of the entire court system in each of the three counties. Although the State has expended large sums of money for nearly a decade to update the Public Building in Wilmington, it is clear that this facility, despite the renovations thereto, will soon become inadequate to meet the requirements of all its occupants.

A comprehensive assessment of courts' facilities needs should begin as soon as possible.

There is a continuing need for adequate secretarial, clerical, technical and other personnel in many courts and offices. As filings increase and the demand for services rise, additional personnel must be provided. Current staffing levels are simply not sufficient to keep pace with the amount and complexity of the work which needs to be done. This situation is aggravated by the absence of essential automation resources which would serve to reduce the workload and provide greater efficiencies in the processing of caseloads and related court records.

The lack of adequate security measures in many court locations has yet to be properly addressed. In particular, the Public Building in Wilmington lacks an effective security system to ensure the safety of judges, court personnel and the public. It is essential that a coordinated, comprehensive security program be developed to safeguard all who are at risk in that building and elsewhere. It is hoped that the Department of Administrative Services in conjunction with the Capitol Police and appropriate court officials will take the initiative in regard to correcting this long-standing problem.

The courts seek to replace existing telephone equipment. The acquisition of modern phone equipment will provide more service features to meet the needs of users in a modern office environment while reducing the number of lines to offset the costs of the upgrade.

The Delaware Courts

Supreme Court

SUPREME COURT

Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1. 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 judgments, and for certain other orders of the Court of Chancery, the Superior Court and the 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 the court administration. The Supreme Court is staffed by a Court Administrator, a Clerk, an Assistant Clerk, law clerks, secretaries and two senior clerks.

Caseload Trends

Filings rose by 19.0% from 401 filings in FY 1987 to 477 filings in FY 1988 with increases in both criminal and civil filings. Dispositions decreased to 410 in FY 1988 from 423 in FY 1987, a 3.1% drop. The rise in filings was largely responsible for the 31.2% increase in pending from 215 at the end of FY 1987 to 282 at the end of FY 1988.

Elapsed time information on the average time from filings to disposition along with data on the average time from submission to disposition was kept for FY 1988. 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. There was a decrease of 3.8% in the average elapsed time from filing to disposition from 192.4 days in FY 1987 to 185.1 days in FY 1988. After an increase in FY 1987, there was a drop in the average time from the date of submission to the date of disposition from 52.3 days in FY 1987 to 42.3 days in FY 1988.

ARMS OF THE SUPREME COURTBOARD ON PROFESSIONAL RESPONSIBILITY
AND
OFFICE OF DISCIPLINARY COUNSEL

The Board on Professional Responsibility and Office of Disciplinary Counsel are authorized by Supreme Court Rule 62 and Board on Professional Responsibility Rule 1(c)(3) respectively. The Board on Professional Responsibility consists of 13 persons, nine of whom shall be members of the Bar and four of whom shall be public non-lawyer members. Members of the Board are appointed for three-year terms. Under Supreme Court Rule 62(c), the Court appoints a Preliminary Review Committee consisting of nine persons, six of whom shall be members of the Bar, and three of whom shall be public non-lawyer members. Additionally, under Supreme Court Rule 62(d), the Court appoints seven members of the Bar to serve as Assistant Disciplinary Counsel for three-year terms. The Board, Disciplinary Counsel, the Preliminary Review Committee and Assistant Disciplinary Counsel are responsible for regulation of the conduct of the members of the Delaware Bar. Matters heard by the Board on Professional Responsibility are subject to review by the Delaware Supreme Court.

CLIENTS' SECURITY TRUST FUND

The Clients' Security Trust Fund is authorized by Supreme Court Rule 66. There are nine trustees appointed by the Court, consisting of seven persons who shall be members of the Bar and two persons who shall be non-lawyer members. Trustees are appointed for seven-year terms. The purpose of the trust fund is to establish, as far as practicable, the collective responsibility of the legal profession in respect to losses caused to the public by defalcations of members of the Bar. For the period May 1, 1987 through April 30, 1988, two claims were investigated, recognized as valid, and paid.

BOARD OF BAR EXAMINERS

The Board of Bar Examiners is authorized by Supreme Court Rule 51. The Board consists of 12 members of the Bar who are appointed by the Court for four-year terms. The Court may appoint associate members of the Board to assist each member of the Board. Associate members are appointed for one-year

terms. Currently, there are 12 associate members. It is the duty of the Board to administer Supreme Court Rules 51 through 55 which govern the testing and procedures for admission to the Bar. In calendar year 1987, 103 of the 134 candidates passed the Bar Examination.

COMMISSION ON CONTINUING LEGAL EDUCATION

The Commission on Continuing Legal Education is authorized by Supreme Court Rule 70 and Mandatory Continuing Legal Education Rule 3. The Commission consists of five members who are appointed by the Court for three-year terms. One member shall be a member of the judiciary. No more than one member may be a person who is not an attorney. The purpose of the Commission is to ensure that minimum requirements for continuing legal education are met by attorneys in order to maintain their professional competence throughout their active practice of law. In calendar year 1987, the Commission considered and acted upon more than 250 applications from program providers and attorneys and acted upon approximately 270 requests by attorneys for exemptions from the continuing legal education requirements.

ADVISORY COMMITTEE ON INTEREST ON LAWYER TRUST ACCOUNTS

The six member Supreme Court Advisory Committee on the Interest on Lawyer Trust Accounts Program (IOLTA) is authorized by Supreme Court Rule 65. The Committee consists of six members appointed by the Court for three-year terms. The function of the Committee is to oversee and monitor the operation of the Delaware Interest on Lawyers Trust Accounts Program as established pursuant to DR9-102 of the Delaware Lawyers' Rules of Professional Conduct. The Committee reports annually to the Supreme Court on the status of the program and work of the Committee. It is the exclusive responsibility of the Delaware Bar Foundation, subject to the supervision and approval of the Court, to hold and to disburse all funds generated by the IOLTA program.

PERMANENT ADVISORY COMMITTEE ON SUPREME COURT RULES

The Permanent Advisory Committee on Supreme Court Rules is authorized by Supreme Court Rule 94. The Committee consists of nine or more members of the Bar who shall be appointed by the Court for three-year terms. It is the Committee's responsibility to monitor Supreme Court Rules, consider and draft changes and receive and consider comments from members of the Bar and Bench and from others. The Committee also has the power to make recommendations to the Supreme Court concerning the rules and practices of lower courts.

COMMITTEE ON PUBLICATION OF OPINIONS

The Committee on Publication of Opinions is authorized by Supreme Court Rule 93. The Committee consists of one member each from the Supreme Court, the Court of Chancery, the Superior Court and the Family Court. The members are appointed by the Chief Justice and serve at his pleasure. It is the responsibility of the Committee to determine by majority vote which opinions (or parts thereof) of the Court of Chancery, the Superior Court and the Family Court, respectively, shall be approved for official publication by West Publishing Company in both the Atlantic Reporter and the Delaware Reporter. In discharging such responsibility, the Committee shall consider public interest in the litigation, the novelty of the issues presented, the importance of the case as a legal precedent and/or whether the form of the opinion is appropriate for publication.

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 Miller, 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, 12/12/98)
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

Douglas J. Gall
(571-3709)
Robert L. Snyder
(571-2427)
Chandlee Kuhn
(571-3799)

Senior Clerk

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

Margaret L. Naylor, Esquire
(736-4155)

Assistant Clerk

Cathy L. Howard
(736-4155)

Senior Clerk

Debra Zatlovicz
(736-4155)

Stephen P. Magowan
(736-4214)

SUSSEX COUNTY

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

Andrea L. Sharp
(856-5363, 571-3736)

SUPREME COURT

FISCAL YEAR 1988
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Criminal Appeals	92	165	134	123	+31	+ 33.7%
Civil Appeals	113	279	250	142	+29	+ 25.7%
Certifications	2	4	3	3	+ 1	+ 50.0%
Original Applications*	<u>8</u>	<u>29</u>	<u>23</u>	<u>14</u>	<u>+ 6</u>	<u>+ 75.0%</u>
TOTALS	215	477	410	282	+67	+ 31.2%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

FILINGS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	135	165	+30	+ 22.2%
Civil Appeals	230	279	+49	+ 21.3%
Certifications	4	4	0	0.0%
Original Applications	22	21	- 1	- 4.5%
Bd. on Prof. Resp.	10	7	- 3	- 30.0%
Bd. of Bar Exam.	<u>0</u>	<u>1</u>	<u>+ 1</u>	<u>-</u>
TOTALS	401	477	+76	+ 19.0%

DISPOSITIONS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals	153	134	-19	- 12.4%
Civil Appeals	236	250	+14	+ 5.9%
Certifications	4	3	- 1	- 25.0%
Original Applications	23	16	- 7	- 30.4%
Bd. on Prof. Resp.	6	7	+ 1	+ 16.7%
Bd. of Bar Exam.	<u>1</u>	<u>0</u>	<u>- 1</u>	<u>-100.0%</u>
TOTALS	423	410	-13	- 3.1%

*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.

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 1988
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%	165 100.0%	0 0.0%	0 0.0%	165 100.0%
Civil Appeals	40 14.3%	146 52.3%	93 33.3%	0 0.0%	279 100.0%
Certifications	0 0.0%	0 0.0%	0 0.0%	4 100.0%	4 100.0%
Original Applications	0 0.0%	0 0.0%	0 0.0%	21 100.0%	21 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	7 100.0%	7 100.0%
Bd. of Bar Exam.	0 0.0%	0 0.0%	0 0.0%	1 100.0%	1 100.0%
TOTALS	40 8.4%	311 65.2%	93 19.5%	33 6.9%	477 100.0%

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%	134 100.0%	0 0.0%	0 0.0%	134 100.0%
Civil Appeals	44 17.6%	141 56.4%	65 26.0%	0 0.0%	250 100.0%
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%	16 100.0%	16 100.0%
Bd. on Prof. Resp.	0 0.0%	0 0.0%	0 0.0%	7 100.0%	7 100.0%
TOTALS	44 10.7%	275 67.1%	65 15.9%	26 6.3%	410 100.0%

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	+31	0	0	+31
Civil Appeals	- 4	+ 5	+28	0	+29
Certifications	0	0	0	+1	+ 1
Original Applications	0	0	0	+5	+ 5
Bd. on Prof. Resp.	0	0	0	0	0
Bd. of Bar Exam.	0	0	0	0	0
TOTALS	- 4	+36	+28	+7	+67

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 1988

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	96 71.6%	1 0.8%	3 2.2%	2 1.5%	0 0.0%	8 6.0%	24 17.9%	0 0.0%	134 100.0%
Civil Appeals	<u>117 46.8%</u>	<u>11 4.4%</u>	<u>6 2.4%</u>	<u>10 4.0%</u>	<u>1 0.4%</u>	<u>53 21.2%</u>	<u>38 15.2%</u>	<u>14 5.6%</u>	<u>250 100.0%</u>
TOTALS	213 55.5%	12 3.1%	9 2.3%	12 3.1%	1 0.3%	61 15.9%	62 16.1%	14 3.6%	384 100.0%

MISCELLANEOUS DISPOSITIONS

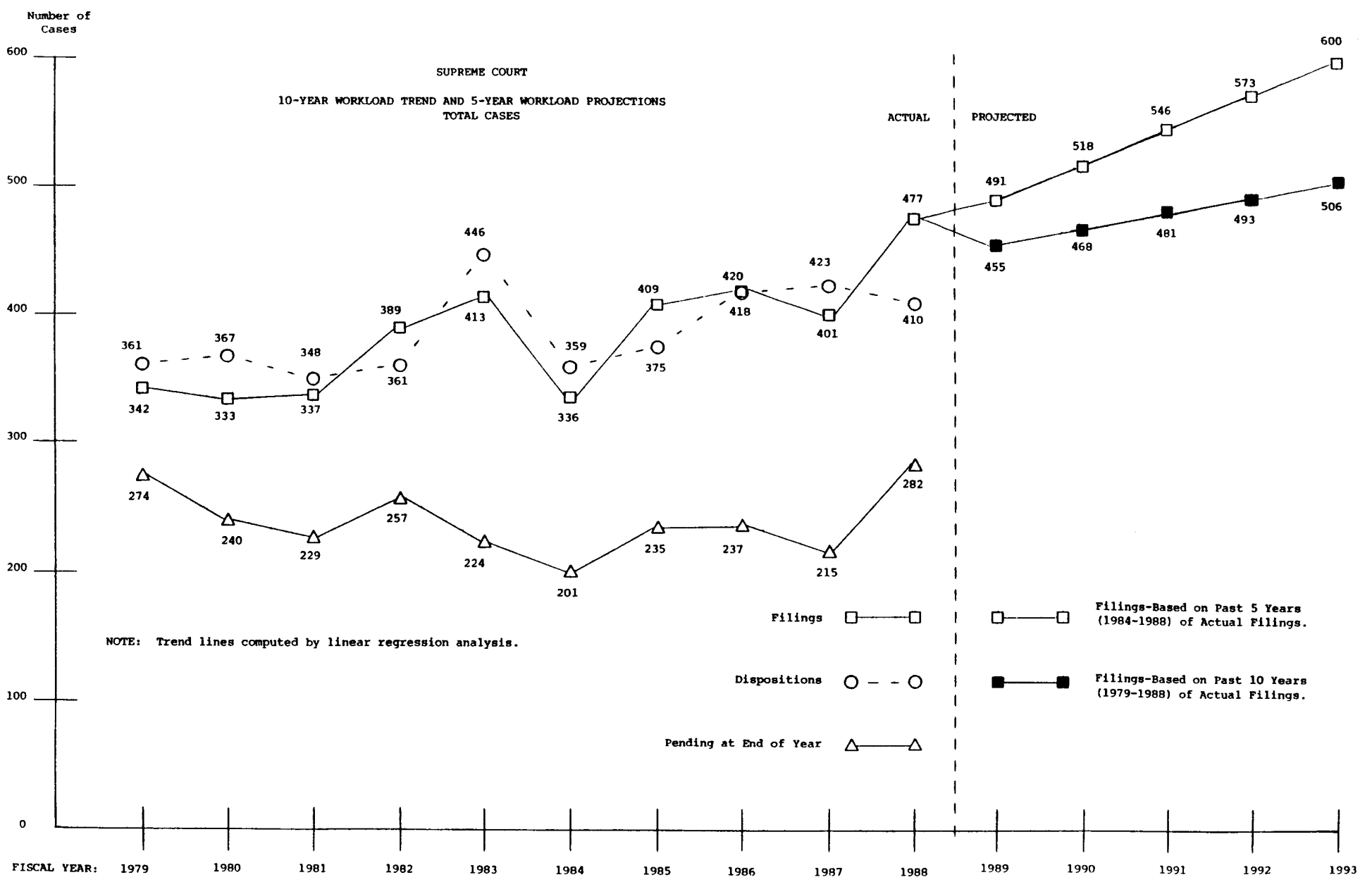
	<u>Affirmed</u>	<u>Reversed</u>	<u>Leave to Appeal Denied</u>	<u>Voluntary Dismissal</u>	<u>Court Dismissal</u>	<u>Question Answered</u>	<u>TOTALS</u>
Certifications	0 0.0%	0 0.0%	1 33.3%	0 0.0%	0 0.0%	2 66.7%	3 100.0%
Original Applications	0 0.0%	1 6.3%	1 6.3%	0 0.0%	14 87.5%	0 0.0%	16 100.0%
Bd. on Prof. Resp.	<u>4 57.1%</u>	<u>0 0.0%</u>	<u>0 0.0%</u>	<u>0 0.0%</u>	<u>3 42.9%</u>	<u>0 0.0%</u>	<u>7 100.0%</u>
TOTALS	4 15.4%	1 3.8%	2 7.7%	0 0.0%	17 65.4%	2 7.7%	26 100.0%

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	17 12.7%	0 0.0%	109 81.3%	8 6.0%	134 100.0%
Civil Appeals	37 14.8%	0 0.0%	160 64.0%	53 21.2%	250 100.0%
Certifications	1 33.3%	1 33.3%	1 33.3%	0 0.0%	3 100.0%
Original Applications	0 0.0%	0 0.0%	16 100.0%	0 0.0%	16 100.0%
Bd. on Prof. Resp.	<u>0 0.0%</u>	<u>2 28.6%</u>	<u>5 71.4%</u>	<u>0 0.0%</u>	<u>7 100.0%</u>
TOTALS	55 13.4%	3 0.7%	291 71.0%	61 14.9%	410 100.0%

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.



Source: Administrative Office of the Courts

SUPREME COURT
FISCAL YEAR 1988
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	134	231.0 days	40.2 days
Civil Appeals	250	165.6	44.3
Certifications	3	269.0	76.7
Original Applications	16	28.6	15.5
Bd. on Prof. Resp.	<u>7</u>	<u>331.6</u>	<u>68.6</u>
TOTALS*	410	185.1 days	42.3 days

COMPARISON - FISCAL YEARS 1987-1988
PERFORMANCE SUMMARY

AVERAGE TIME FROM FILING TO DISPOSITION

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Criminal Appeals*	255.5 days	231.0 days	- 24.5 days	- 9.6%
Civil Appeals	170.3	165.6	- 4.7	- 2.8%
Certifications	179.5	269.0	+ 89.5	+ 49.9%
Original Applications	27.1	28.6	+ 1.5	+ 5.5%
Bd. on Prof. Resp.	111.5	331.6	+220.1	+197.4%
Bd. of Bar Exam.	<u>100.0</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTALS*	192.4 days	185.1 days	- 7.3 days	- 3.8%

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

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 1988
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	217	238.6 days	43.6 days
Affirmed Part/Reversed in Part	12	330.9	123.4
Reversed	10	317.1	105.8
Reversed and Remanded	12	261.8	68.8
Remanded	1	163.0	20.0
Voluntary Dismissal	61	105.5	-
Court Dismissal	79	76.5	18.6
Leave to Appeal Denied	16	29.4	15.6
Question Answered	<u>2</u>	<u>316.0</u>	<u>105.0</u>
TOTALS	410	185.1 days	42.3 days

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	55	341.1 days	111.6 days
Per Curium Opinion	3	591.3	108.7
Written Order	291	167.7	28.4
Voluntary Dismissal	<u>61</u>	<u>105.5</u>	-
TOTALS	410	185.1 days	42.3 days

*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

COURT OF CHANCERYLegal Authorization

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

Geographic Organization

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

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, questions of title to real estate, and 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 in Chancery in New Castle County appoints a Chief Deputy Register in Chancery as well.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian.

Caseload Trend

There was an unprecedented level of civil cases brought before the Court of Chancery in FY 1988 with much of the dramatic increase coming in New Castle County. Civil filings rose by 53.6% from 706 in FY 1987 to 1,084 in FY 1988 with filings rising by over 60% in New Castle County. The overall rise in filings statewide was 378 with filings in New Castle County increasing by 368. Civil dispositions rose by 71.8% to 912 in FY 1988 from 531 in FY 1987, with an increase of 86.9% in New Castle County. Statewide dispositions rose by 381 with New Castle County having a rise of 379 dispositions. The civil pending rose in each county with a statewide increase of 16.7% to 1,204 at the end of FY 1988 from 1,032 at the end of FY 1987.

Miscellaneous matters filed fell by 15.0% statewide to 526 in FY 1988 from 619 in FY 1987 while miscellaneous matters disposed of decreased by 11.8% during FY 1988.

Estates opened (filed) during FY 1988 rose by 1.7% from 2,027 in FY 1987 to 2,055 in FY 1988. Estates closed (disposed) actually rose by 14.7% statewide from 1,722 in FY 1987 to 1,975 in FY 1988, with most of the increase coming as a result of a sharp rise in dispositions in Kent County. The pending rise of 2.4% in FY 1988 to 3,388 at the end of the fiscal year from 3,307 at the end of FY 1987 is less of an increase than the 10.2% rise in FY 1987.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. William T. Allen (R, 5/30/97)
Jackie Hanna, Secretary
(571-2442)

Vice-Chancellors

Hon. Maurice A. Hartnett, III (D, 10/18/00)
Shirley D. Wood, Secretary
Joyce D. Stockslager, Secretary
(736-4397, 571-2440)

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

Hon. Jack B. Jacobs (D, 9/30/97)
B. J. James, Secretary
(571-2441)

COURT OF CHANCERY

SUPPORT PERSONNEL

NEW CASTLE COUNTY

Court of Chancery
134 Public Building
1020 North King Street
Wilmington, Delaware 19801
(571-2440)

Master in Chancery
Richard C. Kiger, Esquire
(571-2348)

Judicial Secretary/Receptionist
Mary Hall
(571-2440)

Court Reporters
Henry D. Skogmo, Chief
(571-2447)
Lorraine B. Marino
(571-2448)
Jack B. White
(571-2447)

Notereader/Transcribers
Ann Nolan
Judith Warner

Law Clerks
Julia Griffith
Michael Sholtz
Arthur Connolly, III
Matthew Marino
(571-2444)

KENT COUNTY

Court of Chancery
38 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

Delores Chadwick

SUSSEX COUNTY

Register in Chancery
Sussex County Courthouse
The Circle
Georgetown, Delaware 19947
(855-7842)

Harvey F. Donovan, Sr.

Bonnie E. Gregory

Shirley S. Sommers

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

Adelaide Giacom
Jane Clifton

KENT COUNTY

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

Sandra W. Dean

Francine Gilbert

Carol A. Dill

SUSSEX COUNTY

Register of Wills
Sussex County Courthouse
P.O. Box 111
The Circle
Georgetown, Delaware 19947
(855-7876)

Ronald B. Waller

Isabelle P. Morris

Marie A. Scott

COURT OF CHANCERY

FISCAL YEAR 1988

CIVIL CASES

WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	838	959	815	982	+144	+17.2%
Kent	71	44	33	82	+ 11	+15.5%
Sussex	<u>123*</u>	<u>81</u>	<u>64</u>	<u>140</u>	<u>+ 17</u>	<u>+13.8%</u>
State	<u>1,032*</u>	<u>1,084</u>	<u>912</u>	<u>1,204</u>	<u>+172</u>	<u>+16.7%</u>

COMPARISON - FISCAL YEARS 1987-1988

CIVIL CASES

WORKLOAD

FILINGS

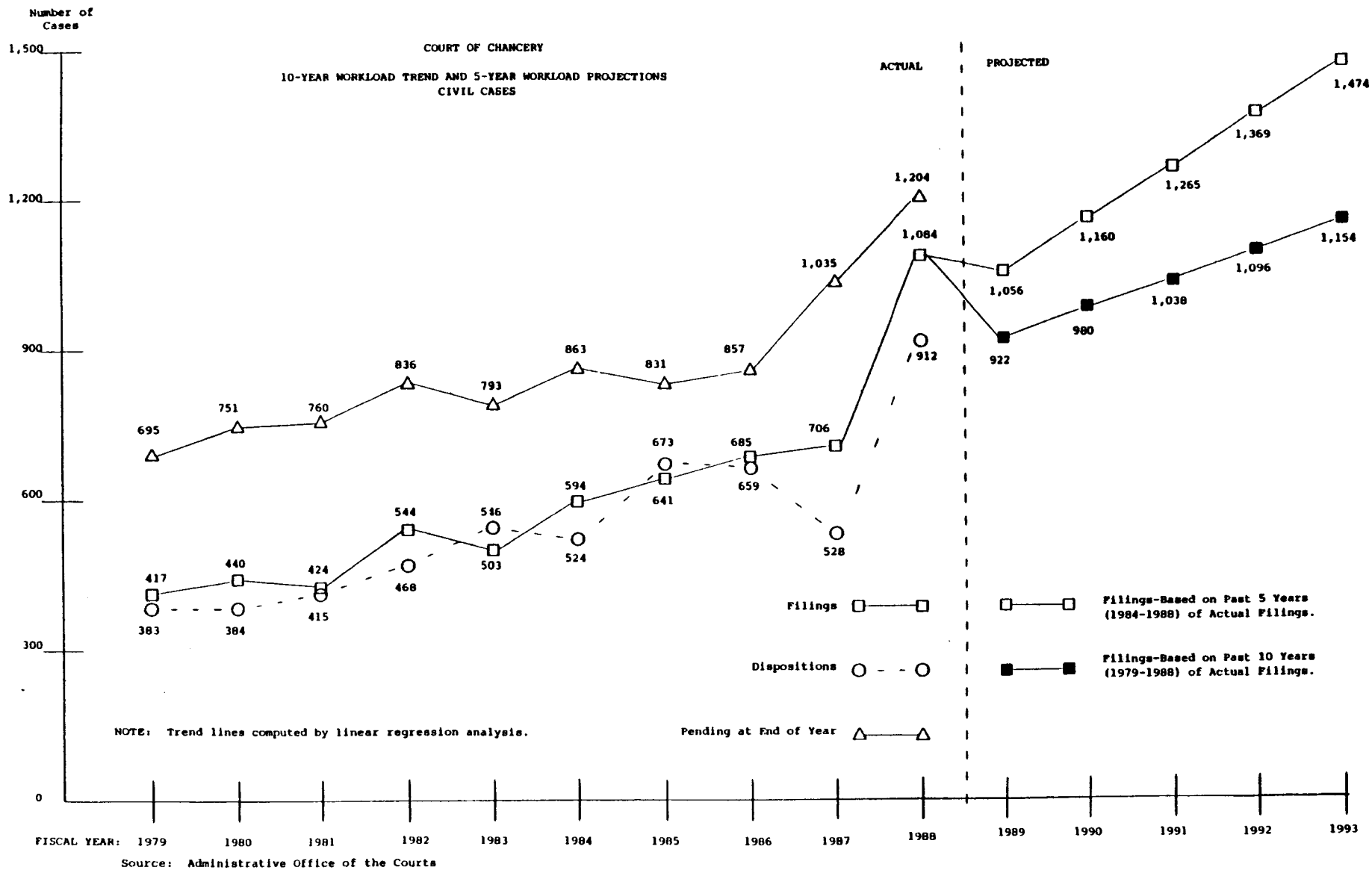
	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	598	959	+361	+ 60.4%
Kent	47	44	- 3	- 6.4%
Sussex	<u>61</u>	<u>81</u>	<u>+ 20</u>	<u>+ 32.8%</u>
State	<u>706</u>	<u>1,084</u>	<u>+378</u>	<u>+ 53.6%</u>

DISPOSITIONS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	436	815	+379	+ 86.9%
Kent	46	33	- 13	- 28.3%
Sussex	<u>49*</u>	<u>64</u>	<u>+ 15</u>	<u>+ 30.6%</u>
State	<u>531*</u>	<u>912</u>	<u>+381</u>	<u>+ 71.8%</u>

*Amended from 1987 Annual Report.

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



COURT OF CHANCERY
FISCAL YEAR 1988
MISCELLANEOUS MATTERS
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,197	306	248	3,255	+ 58	+ 1.8%
Kent	727	64	68	723	- 4	- 0.6%
Sussex	<u>1,282</u>	<u>156</u>	<u>111</u>	<u>1,327</u>	<u>+ 45</u>	<u>+ 3.5%</u>
State	5,206	526	427	5,305	+ 99	+ 1.9%

COMPARISON - FISCAL YEARS 1987-1988
MISCELLANEOUS MATTERS

FILINGS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	299	306	+ 7	+ 2.4%
Kent	140	64	- 76	-54.3%
Sussex	<u>180</u>	<u>156</u>	<u>- 24</u>	<u>-13.3%</u>
State	619	526	- 93	-15.0%

DISPOSITIONS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	262	248	- 14	- 5.4%
Kent	88	68	- 20	-22.7%
Sussex	<u>134</u>	<u>111</u>	<u>- 23</u>	<u>-17.2%</u>
State	484	427	- 57	-11.8%

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

FISCAL YEAR 1988
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	105 34.3%	104 34.0%	5 1.6%	66 21.6%	26 8.5%	306 100.0%
Kent	22 34.4%	24 37.5%	0 0.0%	7 10.9%	11 17.2%	64 100.0%
Sussex	<u>24 15.4%</u>	<u>35 22.4%</u>	<u>0 0.0%</u>	<u>50 32.1%</u>	<u>47 30.1%</u>	<u>156 100.0%</u>
State	151 28.7%	163 31.0%	5 1.0%	123 23.4%	84 16.0%	526 100.0%

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	77 31.0%	64 25.8%	1 0.4%	87 35.1%	19 7.7%	248 100.0%
Kent	15 22.1%	32 47.1%	0 0.0%	11 16.2%	10 14.7%	78 100.0%
Sussex	<u>22 19.8%</u>	<u>32 28.8%</u>	<u>0 0.0%</u>	<u>12 10.8%</u>	<u>45 40.6%</u>	<u>111 100.0%</u>
State	114 26.7%	128 30.0%	1 0.2%	110 25.8%	74 17.3%	427 100.0%

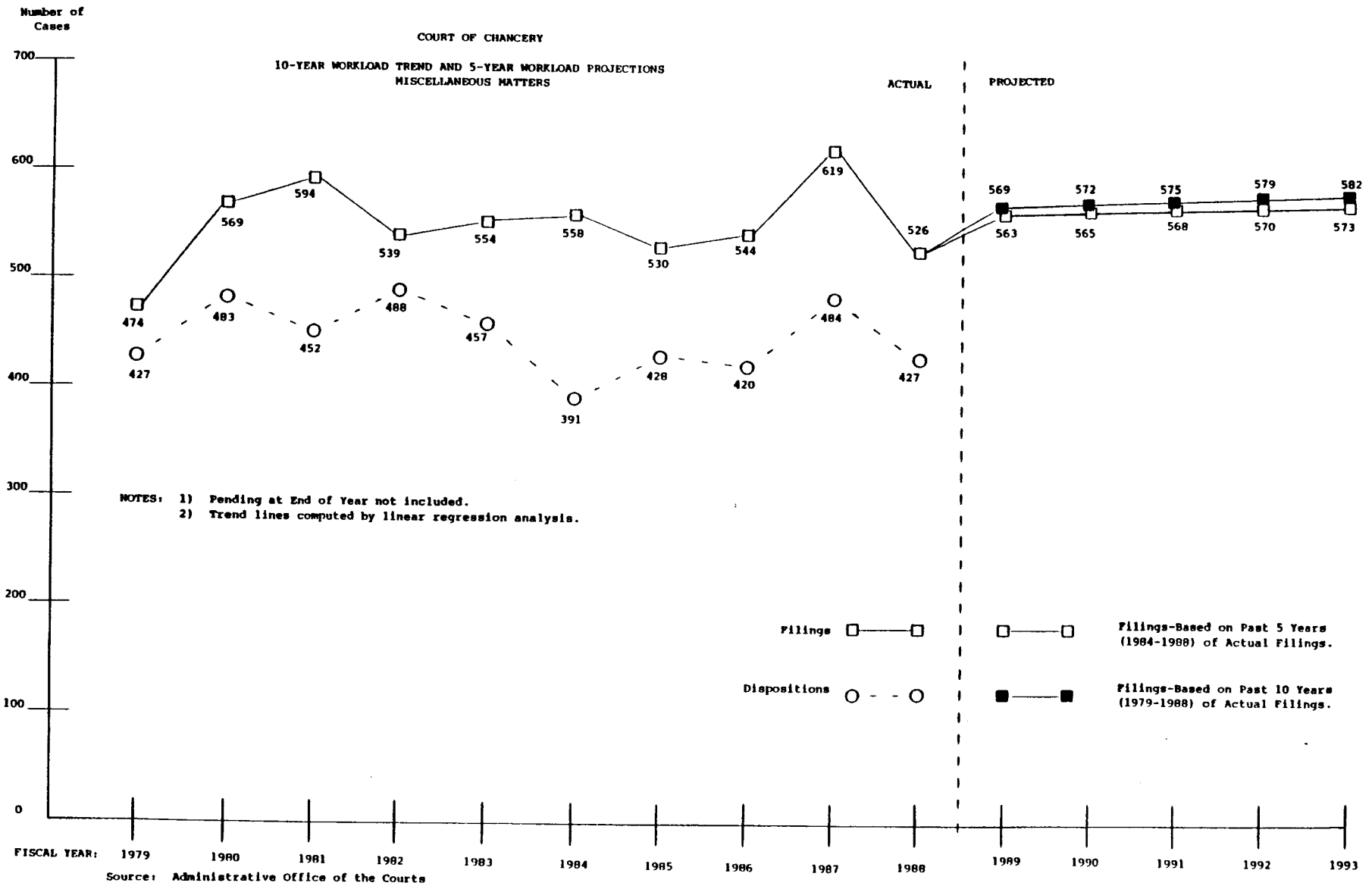
PENDING AT END OF YEAR

	<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	512 15.7%	931 28.6%	164 5.0%	1,222 37.6%	426 13.1%	3,255 100.0%
Kent	280 38.7%	230 31.8%	15 2.1%	172 23.8%	26 3.6%	723 100.0%
Sussex	<u>306 23.1%</u>	<u>108 8.1%</u>	<u>16 1.2%</u>	<u>879 66.2%</u>	<u>18 1.4%</u>	<u>1,327 100.0%</u>
State	1,098 20.7%	1,269 23.9%	195 3.7%	2,273 42.8%	470 8.9%	5,305 100.0%

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	+ 28	+ 40	+ 4	- 21	+ 7	+ 58
Kent	+ 7	- 8	0	- 4	+ 1	- 4
Sussex	<u>+ 2</u>	<u>+ 3</u>	<u>0</u>	<u>+ 38</u>	<u>+ 2</u>	<u>+ 45</u>
State	+ 37	+ 35	+ 4	+ 13	+ 10	+ 99

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



COURT OF CHANCERY

FISCAL YEAR 1988
ESTATES
WORKLOAD SUMMARY

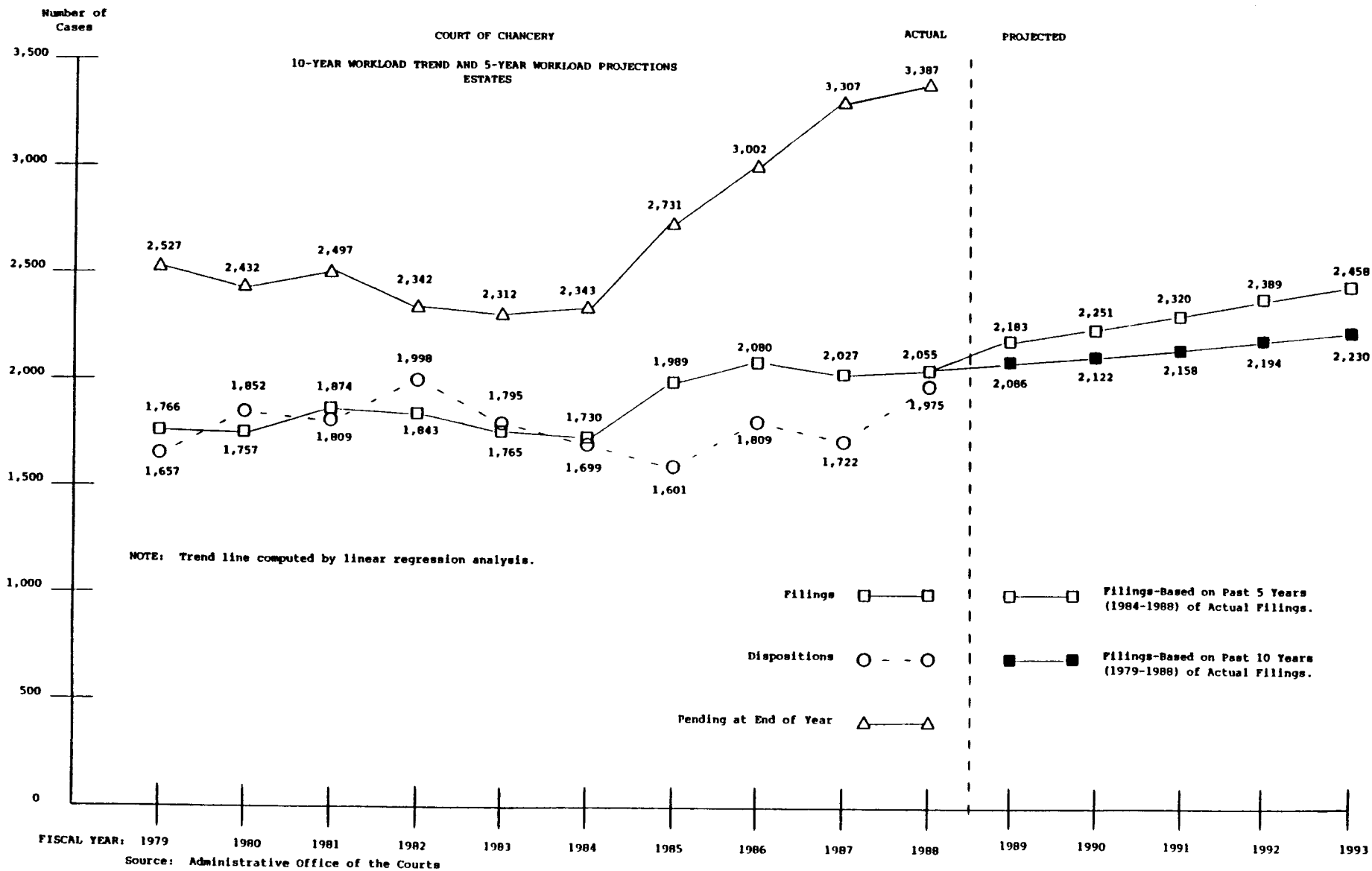
	<u>Pending 6/30/87</u>	<u>Opened</u>	<u>Closed</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	1,312	1,306	1,120	1,498	+186	+14.2%
Kent	1,297	303	370	1,230	- 67	- 5.2%
Sussex	<u>698</u>	<u>446</u>	<u>485</u>	<u>659</u>	<u>- 39</u>	<u>- 5.6%</u>
State	3,307	2,055	1,975	3,387	+ 80	+ 2.4%

COMPARISON - FISCAL YEARS 1987-1988
ESTATES
WORKLOAD

<u>OPENED</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,246	1,306	+ 60	+ 4.8%
Kent	305	303	- 2	- 0.7%
Sussex	<u>476</u>	<u>446</u>	<u>- 28</u>	<u>- 5.9%</u>
State	2,027	2,055	+ 30	+ 1.5%

<u>CLOSED</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,175	1,120	- 55	- 4.7%
Kent	133	370	+237	+178.2%
Sussex	<u>414</u>	<u>485</u>	<u>+ 71</u>	<u>+ 17.1%</u>
State	1,722	1,975	+253	+ 14.7%

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



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 (adult criminal), and more than 50 administrative agencies including the Industrial 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 may be fifteen judges appointed to the Superior Court bench. This represents an increase of two judges as a result of Senate Bill 328. One of the fifteen judges 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 Court's exhibits. Offices of the Prothonotary became State-funded departments within Superior Court on October 1, 1987.

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

Caseload Trend

There was a 2.7% decrease in criminal filings from 4,464 in FY 1987 to 4,342 in FY 1988. Criminal dispositions fell as well, decreasing by 4.3% to 4,528 in FY 1988 from 4,731 in FY 1987. The criminal pending at the end of the year fell by 9.5% from 1,967 at the end of FY 1987 to 1,781 at the end of FY 1988. The rate of compliance with the 120 Day Speedy Trial Directive rose to 51.9% in FY 1988 from 50.2% in FY 1987 after having decreased the previous year.

Civil filings increased by 9.5% from 4,565 in FY 1987 to 4,999 in FY 1988 as civil filings rose in all counties. Civil dispositions rose by 25.3% to 4,491 in FY 1988 from 3,584 in FY 1987 with there being increases in each county. Civil pending also rose in all counties, but the 8.2% increase in civil pending statewide from 6,170 at the end of FY 1987 to 6,687 at the end of FY 1988 was less than the 18.9% increase in civil pending during the previous fiscal year. This may be due in part to the continuing increases in the civil arbitration program, with filings increasing by 38.0% and dispositions by 30.3% during FY 1988.

Total filings rose by 3.5% from 9,029 in FY 1987 to 9,341 in FY 1988. Total dispositions increased by 8.5% to 9,019 in FY 1988 from 8,315 in FY 1987. The 4.0% increase in total pending was from 8,137 at the end of FY 1987 to 8,459 at the end of FY 1988.

SUPERIOR COURT
JUDICIARY

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX 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)

Resident Judge

Hon. Henry duPont Ridgely (R, 5/4/00)
Debora Martin, Secretary
(736-5331)

Resident Judge

Hon. William B. Chandler, III (R, 6/30/98)
Mary Ellen Greenley, Secretary
(856-5257)

Associate Judges

Hon. Vincent A. Bifferato (D, 8/5/92)
Doris Myers, Secretary
(571-2361)

Hon. Clarence W. Taylor (R, 7/1/96)
Barbara Rogers, Secretary
(571-2374)

Hon. Bernard Balick (D, 9/30/97)
Ivone Marvel, Secretary
(571-2367)

Hon. Vincent J. Poppiti (D, 6/10/95)
Vickie L. Lally, Secretary
(571-2358)

Hon. Richard S. Gebelein (R, 9/14/96)
Patrice Wheeler, Secretary
(571-2369)

Hon. John E. Babiarz, Jr. (D, 9/30/97)
Carol Edwards, Secretary
(571-2354)

Hon. Susan C. Del Pesco (R, 5/20/00)
Margaret S. Green, Secretary
(571-2486)

Associate Judge

Hon. Myron T. Steele (D, 5/31/00)
Eileen Masino, Secretary
(736-5333)

Associate Judge

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

Note: At present there are two vacant Associate Judge positions, neither being designated for a specific county.

SUPERIOR COURT
SUPPORT PERSONNEL

PAGE
=59=

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)

Administrative Officer

Michael E. Indellini
(571-2376)

Arbitration Coordinator

Felicia C. Jones
(571-2343)

Case Scheduling Office

Arthur W. Birch, Director
(571-2409)

Asbestos Litigation Master

Marc P. Niedzielski
(571-2353)

Law Clerks

Adam L. Balick
Patricia C. Cantanese
Karen M. Cunningham
Barbara J. Gadbois
Michele C. Gott
Cathy Jenkins
Mary Matterer
Mark Minuti
Joshua L. Simon

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)

John J. Klusman
Margaret Truluck

James E. Parks
W. Charles Paradee, Jr.

SUSSEX COUNTY

Superior Court
Sussex County Courthouse
The Circle
Georgetown, DE 19947

Lisa D. Scartine
(856-5525)

Alicia B. Howard
Susan B. Pittard

Ralton H. Dennis
Milan F. West

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Presentence Officers

William G. Echols, Chief
Cille Andersen
(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
(571-6470)

Prothonotaries

Deborah H. Capano

Chief Deputies

Elizabeth O. Richeson
Sandra Autman

Deputies

Sharon Agnew
Barbara Hrinak
Edgar Johnson
William MacLaren
Mary Elizabeth Pitcavage
Josephine Pribish

KENT COUNTY

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

Emily G. Morris

Mary Jane Smith

Phyllis Lints

SUSSEX COUNTY

Prothonotary
Sussex County Courthouse
The Circle
Georgetown, DE 19947
(856-5740)

Lynn W. Moore

Carol B. Thomas
Faith Wilson

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

Sheriff's Office Administrator
Patricia C. Rappa

Chief Deputy Sheriff
William I. Houghton

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

Kenneth C. Whaley

SUPERIOR COURT

FISCAL YEAR 1988
CRIMINAL CASES
WORKLOAD SUMMARY

	<u>Number of Defendants</u>			<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>			
New Castle	1,393	3,086	3,220	1,259	-134	- 9.6%
Kent	397	602	659	340	- 57	-14.4%
Sussex	177	654	649	182	+ 5	+ 0.3%
State	1,967	4,342	4,528	1,781	-186	- 9.5%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

FILINGS

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	3,232	3,086	- 146	- 4.5%
Kent	616	602	- 14	- 2.3%
Sussex	616	654	+ 38	+ 6.2%
State	4,464	4,342	- 122	- 2.7%

DISPOSITIONS

	<u>Number Of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	3,551	3,220	-331	- 9.3%
Kent	563	659	+ 96	+17.1%
Sussex	617	649	+ 32	+ 5.2%
State	4,731	4,528	-203	- 4.3%

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1988

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 nol-prossed, 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 nolle prosequi if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a new information. The new information is a further action in an existing case and is not counted as a separate filing, so the nolle prosequi is not the primary disposition.
9. Only nolle prosequis 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. Participation in the First Offender Program is limited to 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 1988
CRIMINAL CASES
WORKLOAD BREAKDOWNS

FILINGS

	<u>Number of Defendants Brought to Superior Court By:</u>													
	<u>Indictment</u>		<u>Information</u>		<u>Appeal</u>		<u>Transfer</u>		<u>Reinstatement</u>		<u>Severance</u>	<u>TOTALS</u>		
New Castle	2,332	75.6%	83	2.7%	122	4.0%	512	16.6%	33	1.1%	4	0.1%	3,086	100.0%
Kent	566	94.0%	21	3.5%	14	2.3%	0	0.0%	1	0.2%	0	0.0%	602	100.0%
Sussex	173	26.5%	463	70.8%	15	2.3%	0	0.0%	3	0.5%	0	0.0%	654	100.0%
State	3,071	70.7%	567	13.1%	151	3.5%	512	11.8%	37	0.9%	4	0.1%	4,342	100.0%

DISPOSITIONS

	<u>Number of Defendants Disposed of By:</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>	<u>TOTALS</u>						
New Castle	222	6.9%	2,186	67.9%	641	19.9%	22	0.7%	26	0.8%	2	0.1%	117	3.6%	4	0.1%	3,220	100.0%
Kent	16	2.4%	506	76.8%	125	19.0%	9	1.4%	3	0.5%	0	0.0%	0	0.0%	0	0.0%	659	100.0%
Sussex	43	6.6%	496	76.4%	97	14.9%	4	0.6%	1	0.2%	1	0.2%	7	1.1%	0	0.0%	649	100.0%
State	281	6.2%	3,188	70.4%	863	19.1%	35	0.8%	30	0.7%	3	0.1%	124	2.7%	4	0.1%	4,528	100.0%

PENDING AT END OF YEAR

	<u>Number of Defendants</u>			<u>TOTALS</u>		
	<u>Triable</u>				<u>Non-Triable</u>	
New Castle	1,036	82.3%	223	17.7%	1,259	100.0%
Kent	85	25.0%	255	75.0%	340	100.0%
Sussex	101	55.5%	81	44.5%	182	100.0%
State	1,222	68.6%	559	31.4%	1,781	100.0%

CHANGE IN PENDING

	<u>Number of Defendants</u>			<u>TOTALS</u>
	<u>Triable</u>			
New Castle	+ 16		-150	-134
Kent	- 57		0	- 57
Sussex	- 8		+ 13	+ 5
State	- 49		-137	-186

ADRR = Appeal Dismissed, Record Remanded
Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1988
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 Disposition**</u>		<u>TOTALS</u>	
New Castle	217	97.7%	5	2.3%	222	100.0%	166	74.8%	40	18.0%	16	7.2%	222	100.0%
Kent	16	100.0%	0	0.0%	16	100.0%	11	68.8%	4	25.0%	1	6.3%	16	100.0%
Sussex	26	60.5%	17	39.5%	43	100.0%	27	62.8%	14	32.6%	2	4.7%	43	100.0%
State	259	92.2%	22	7.8%	281	100.0%	204	72.6%	58	20.7%	19	6.8%	281	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>Guilty LIO</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>Guilty LIO</u>	<u>Not Guilty</u>	<u>Nolle Prosequi At Trial</u>	<u>Dismissed At Trial</u>	<u>Mistrial</u>		
New Castle	148	14	37	0	2	5	11	4	0	1	0	0	0	227	
Kent	9	2	4	0	0	1	0	0	0	0	0	0	0	16	
Sussex	14	2	7	1	0	1	1	11	0	5	0	1	0	43	
State	171	18	48	1	2	7	12	15	0	6	0	1	0	281	

LIO = 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 1988
CRIMINAL CASES
TYPES OF DISPOSITIONS (CONT.)
GUILTY PLEA DISPOSITIONS

	<u>PG-Original</u>		<u>PG-Lesser</u>		<u>Felony PG-NI</u>		<u>PG-Information</u>		<u>TOTALS</u>	
	New Castle	676	72.5%	181	19.4%	7	0.8%	69	7.4%	933
Kent	126	67.8%	52	28.0%	0	0.0%	8	4.3%	186	100.0%
Sussex	225	81.8%	49	17.8%	1	0.4%	0	0.0%	275	100.0%
State	1,027	73.7%	282	20.2%	8	0.6%	77	5.5%	1,394	100.0%

	<u>PG-Original</u>		<u>PG-Lesser</u>		<u>Misdemeanor PG-NI</u>		<u>PG-Information</u>		<u>TOTALS</u>	
	New Castle	305	24.4%	541	43.2%	51	4.1%	356	28.4%	1,253
Kent	116	36.3%	175	54.7%	9	2.8%	20	6.3%	320	100.0%
Sussex	125	56.6%	95	43.0%	1	0.5%	0	0.0%	221	100.0%
State	546	30.4%	811	45.2%	61	3.4%	376	21.0%	1,794	100.0%

	<u>PG-Original</u>		<u>PG-Lesser</u>		<u>Guilty Plea Totals PG-NI</u>		<u>PG-Information</u>		<u>TOTALS</u>	
	New Castle	981	44.9%	722	33.0%	58	2.7%	425	19.5%	2,186
Kent	242	47.8%	227	44.9%	9	1.8%	28	5.5%	506	100.0%
Sussex	350	70.6%	144	29.0%	2	0.4%	0	0.0%	496	100.0%
State	1,573	49.4%	1,093	34.3%	69	2.2%	453	14.2%	3,188	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.

Source: Superior Court Case Scheduling Office.

SUPERIOR COURT
FISCAL YEAR 1988
CRIMINAL CASES
TYPES OF DISPOSITIONS (CONT)
NOLLE PROSEQUI DISPOSITIONS - PART ONE*

	<u>Number of Defendants With Nolle Prosequis By Special Condition</u>		<u>Number of Defendants With Nolle Prosequis By Merit</u>		<u>Total Number of Defendants Disposed Of By Nolle Prosequi</u>	
New Castle	349	54.4%	292	45.6%	641	100.0%
Kent	47	37.6%	78	62.4%	125	100.0%
Sussex	24	24.7%	73	75.3%	97	100.0%
State	420	48.7%	443	51.3%	863	100.0%

NOLLE PROSEQUI DISPOSITIONS - PART TWO*

	<u>Number of Defendants with Nolle Prosequis by Special Condition</u>										<u>Number of Defendants with Nolle Prosequis by Merit</u>										
	<u>Guilty of Other Charges, Different Indictment</u>	<u>Disposed of in Other Court</u>	<u>Reindicted</u>	<u>Placed on AG's Probation</u>	<u>Made Restitution</u>	<u>Placed in Custody of Other Jurisdiction</u>	<u>Indicted on Other Charges</u>	<u>W/O Prejudice</u>	<u>Miscellaneous</u>	<u>Codefendant Guilty</u>	<u>Police Problems</u>	<u>Defense Valid</u>	<u>Prosecutive Merit</u>	<u>Victim/Witness Availability/ Deceased</u>	<u>Victim/Witness Attitude/ Credibility</u>	<u>Related to Indictment</u>	<u>Insufficient Evidence</u>	<u>Due Process</u>	<u>Miscellaneous</u>	<u>TOTALS</u>	
New Castle	56	59	69	85	6	3	5	2	64	8	3	1	111	46	40	5	70	3	5	641	
Kent	3	4	4	19	3	0	1	5	8	5	5	1	23	9	10	1	22	0	2	125	
Sussex	11	4	1	7	0	0	0	0	1	1	0	8	22	4	1	33	0	3	97		
State	70	67	74	111	9	3	6	7	73	14	9	2	142	77	54	7	125	3	10	863	

*Nolle Prosequis for indicted defendants only.
AG = Attorney General

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1988
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE
NEW CASTLE COUNTY

Offense	Trial G-NG-NFD	Number of Defendants Disposed of By:					Remand/ Transfer	First Offender	Cons.	TOTALS
		Guilty Plea	NP	Dismissal	ADRR					
<u>Crimes of Violence</u>										
Murder 1st	3- 1- 0	6	7	0	0	0	0	0	0	17
Murder 2nd	0- 0- 0	2	0	0	0	0	0	0	0	2
Manslaughter	0- 0- 0	1	0	0	0	0	0	0	0	1
Attempted Murder 1st	0- 0- 0	22	6	1	0	0	0	0	0	29
Assault 1st	3- 0- 0	21	5	0	0	0	0	0	0	29
Assault 2nd	12- 6- 1	63	12	1	0	0	0	0	0	95
Sexual Intercourse 1st/2nd	8- 1- 4	26	8	2	0	0	0	0	0	49
Sexual Intercourse 3rd; Sex. Pen.	0- 3- 0	22	3	0	0	0	0	0	0	28
Sexual Contact	0- 0- 0	6	4	1	0	0	0	0	0	11
Kidnapping 1st/2nd	6- 0- 0	15	4	0	0	0	0	0	0	25
Robbery 1st	13- 2- 1	60	26	0	0	0	0	0	0	102
Robbery 2nd	3- 0- 0	49	9	2	0	0	0	0	0	63
<u>Drug Offenses</u>										
Delivery	23- 0- 2	196	28	0	0	0	0	5	0	254
Possession w/Intent to Deliver	7- 1- 1	159	18	1	0	0	0	6	0	193
Possession NN Schedule I	3- 1- 0	100	34	0	0	0	0	69	0	207
Other Drug Offenses	3- 0- 0	48	19	0	0	0	0	8	0	78
<u>Remaining Indicted Offenses</u>										
All Forgery	3- 0- 0	159	35	0	0	0	0	0	0	197
Theft/RSP/Burglary	20- 4- 3	510	174	1	1	0	0	0	0	713
Weapons Offenses	7- 2- 1	186	45	4	0	0	0	0	0	245
Other	11- 3- 0	203	56	2	0	0	0	0	0	275
<u>Appeals and Transfers</u>										
DUI/CUI	27- 7- 3	165	22	3	10	1	29	1	1	268
Other Traffic Offenses	2- 4- 2	95	36	1	11	0	0	1	1	152
Non-Traffic Offenses	12- 3- 0	72	90	3	4	1	0	2	1	187
TOTALS	166-38-18	2,186	641	22	26	2	117	4	4	3,220

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

Sex. Pen. = Sexual Penetration

ADRR = Appeal Dismissed, Record Remanded

Cons. = Consolidation

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

FISCAL YEAR 1988
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	3-1-0	3	1	0	0	0	0	8
Murder 2nd	0-0-0	0	0	0	0	0	0	0
Manslaughter	0-0-0	2	3	0	0	0	0	5
Attempted Murder 1st	0-0-0	0	2	0	0	0	0	2
Assault 1st	0-0-0	1	0	0	0	0	0	1
Assault 2nd	1-0-0	19	4	2	0	0	0	26
Sexual Intercourse 1st/2nd	0-1-1	5	6	0	0	0	0	13
Sexual Intercourse 3rd;Sex. Pen.	1-1-0	3	2	0	0	0	0	7
Sexual Contact	0-0-0	5	1	0	0	0	0	6
Kidnapping 1st/2nd	0-1-0	7	1	0	0	0	0	9
Robbery 1st	1-0-0	15	4	0	0	0	0	20
Robbery 2nd	0-0-0	15	0	0	0	0	0	15
<u>Drug Offenses</u>								
Delivery	1-0-0	19	8	1	0	0	0	29
Possession w/Intent to Deliver	1-0-0	20	4	0	0	0	0	25
Possession NN Schedule 1	0-0-0	11	3	0	0	0	0	14
Other Drug Offenses	0-0-0	18	8	0	0	0	0	26
<u>Remaining Indicted Offenses</u>								
All Forgery	0-0-0	51	14	0	0	0	0	65
Theft/RSP/Burglary	1-0-0	165	44	6	3	0	0	219
Weapons Offenses	0-0-0	45	9	0	0	0	0	54
Other	2-0-0	69	6	0	0	0	0	77
<u>Appeals and Transfers</u>								
DUI/CUI	0-0-0	21	3	0	0	0	0	24
Other Traffic Offenses	0-0-0	11	1	0	0	0	0	12
Non-Traffic Offenses	0-0-0	1	1	0	0	0	0	2
TOTALS	11-4-1	506	125	9	3	0	0	659

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
 Sex. Pen. = Sexual Penetration

SUPERIOR COURT
 FISCAL YEAR 1988
 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- 1-1	4	1	0	0	0	0	9
Murder 2nd	0- 0-0	2	0	0	0	0	0	2
Manslaughter	0- 0-0	0	0	0	0	0	0	0
Attempted Murder 1st	0- 0-0	3	0	0	0	0	0	3
Assault 1st	0- 0-0	9	1	0	0	0	0	10
Assault 2nd	1- 0-0	31	9	1	0	0	0	42
Sexual Intercourse 1st/2nd	1- 2-0	10	1	0	0	0	0	14
Sexual Intercourse 3rd;Sex. Pen.	0- 0-0	4	2	0	0	0	0	6
Sexual Contact	0- 0-0	5	0	0	0	1	0	6
Kidnapping 1st/2nd	1- 0-0	4	0	1	0	0	0	6
Robbery 1st	1- 0-0	8	1	0	0	0	0	10
Robbery 2nd	1- 0-0	2	2	2	0	0	0	7
<u>Drug Offenses</u>								
Delivery	3- 1-0	27	2	0	0	0	0	33
Possession w/Intent to Deliver	0- 0-0	12	1	0	0	0	0	13
Possession NN Schedule I	1- 1-0	13	5	0	0	0	2	22
Other Drug Offenses	0- 0-0	13	3	0	0	0	0	16
<u>Remaining Indicted Offenses</u>								
All Forgery	0- 0-0	32	3	0	0	0	0	35
Theft/RSP/Burglary	4- 7-1	160	41	0	0	0	0	213
Weapons Offenses	1- 0-0	16	3	0	0	0	0	20
Other	5- 1-0	102	20	0	0	0	0	128
<u>Appeals and Transfers</u>								
DUI/CUI	2- 0-0	17	1	0	1	0	5	26
Other Traffic Offenses	4- 1-0	22	1	0	0	0	0	28
Non-Traffic Offenses	0- 0-0	0	0	0	0	0	0	0
TOTALS	27-14-2	496	97	4	1	1	7	649

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
 Sex. Pen. = Sexual Penetration
 RSP = Receiving Stolen Property

Source: Superior Court Case Scheduling Office

SUPERIOR COURT

PAGE
=72=

FISCAL YEAR 1988
CRIMINAL CASES
DISPOSITIONS BY OFFENSE TYPE
STATE

Offense	Trial G-NG-NFD	Number of Defendants Disposed of By:					Remand/ Transfer	First Offender	Cons.	TOTALS
		Guilty Plea	NP	Dismissal	ADRR					
<u>Crimes of Violence</u>										
Murder 1st	8- 3- 1	13	9	0	0	0	0	0	0	34
Murder 2nd	0- 0- 0	4	0	0	0	0	0	0	0	4
Manslaughter	0- 0- 0	3	3	0	0	0	0	0	0	6
Attempted Murder 1st	0- 0- 0	25	8	1	0	0	0	0	0	34
Assault 1st	3- 0- 0	31	6	0	0	0	0	0	0	40
Assault 2nd	14- 6- 1	113	25	4	0	0	0	0	0	163
Sexual Intercourse 1st/2nd	9- 4- 5	41	15	2	0	0	0	0	0	76
Sexual Intercourse 3rd; Sex. Pen.	1- 4- 0	29	7	0	0	0	0	0	0	41
Sexual Contact	0- 0- 0	16	5	1	0	1	0	0	0	23
Kidnapping 1st/2nd	7- 1- 0	26	5	1	0	0	0	0	0	40
Robbery 1st	15- 2- 1	83	31	0	0	0	0	0	0	132
Robbery 2nd	4- 0- 0	66	11	4	0	0	0	0	0	85
<u>Drug Offenses</u>										
Delivery	27- 1- 2	242	38	1	0	0	5	0	0	316
Possession w/Intent to Deliver	8- 1- 1	191	23	1	0	0	6	0	0	231
Possession NN Schedule I	4- 2- 0	124	42	0	0	0	71	0	0	243
Other Drug Offenses	3- 0- 0	79	30	0	0	0	8	0	0	120
<u>Remaining Indicted Offenses</u>										
All Forgery	3- 0- 0	242	52	0	0	0	0	0	0	297
Theft/RSP/Burglary	25-11- 4	835	259	7	4	0	0	0	0	1,145
Weapons Offenses	8- 2- 1	247	57	4	0	0	0	0	0	319
Other	18- 4- 0	374	82	2	0	0	0	0	0	480
<u>Appeals and Transfers</u>										
DUI/CUI	29- 7- 3	203	26	3	11	1	34	1	1	318
Other Traffic Offenses	6- 5- 2	128	38	1	11	0	0	1	1	192
Non-Traffic Offenses	12- 3- 0	73	91	3	4	1	0	2	2	189
TOTALS	204-56-21	3,188	863	35	30	3	124	4	4	4,528

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
 Sex. Pen. = Sexual Penetration
 ADRR = Appeal Dismissed, Record Remanded
 Cons. = Consolidation

SUPERIOR COURT
 FISCAL YEAR 1988
 CRIMINAL CASES
 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	2,636	1,032	39.2%	514 49.8%	196 19.0%	141 13.7%	181 17.5%
Kent	611	382	62.5%	139 36.4%	71 18.6%	99 25.9%	73 19.1%
Sussex	<u>665</u>	<u>281</u>	<u>42.3%</u>	<u>174 61.9%</u>	<u>73 26.0%</u>	<u>20 7.1%</u>	<u>14 5.0%</u>
State	3,912	1,695	43.3%	827 48.8%	340 20.1%	260 15.3%	268 15.8%

COMPARISON - FISCAL YEARS 1987-1988
 CALENDAR ACTIVITY

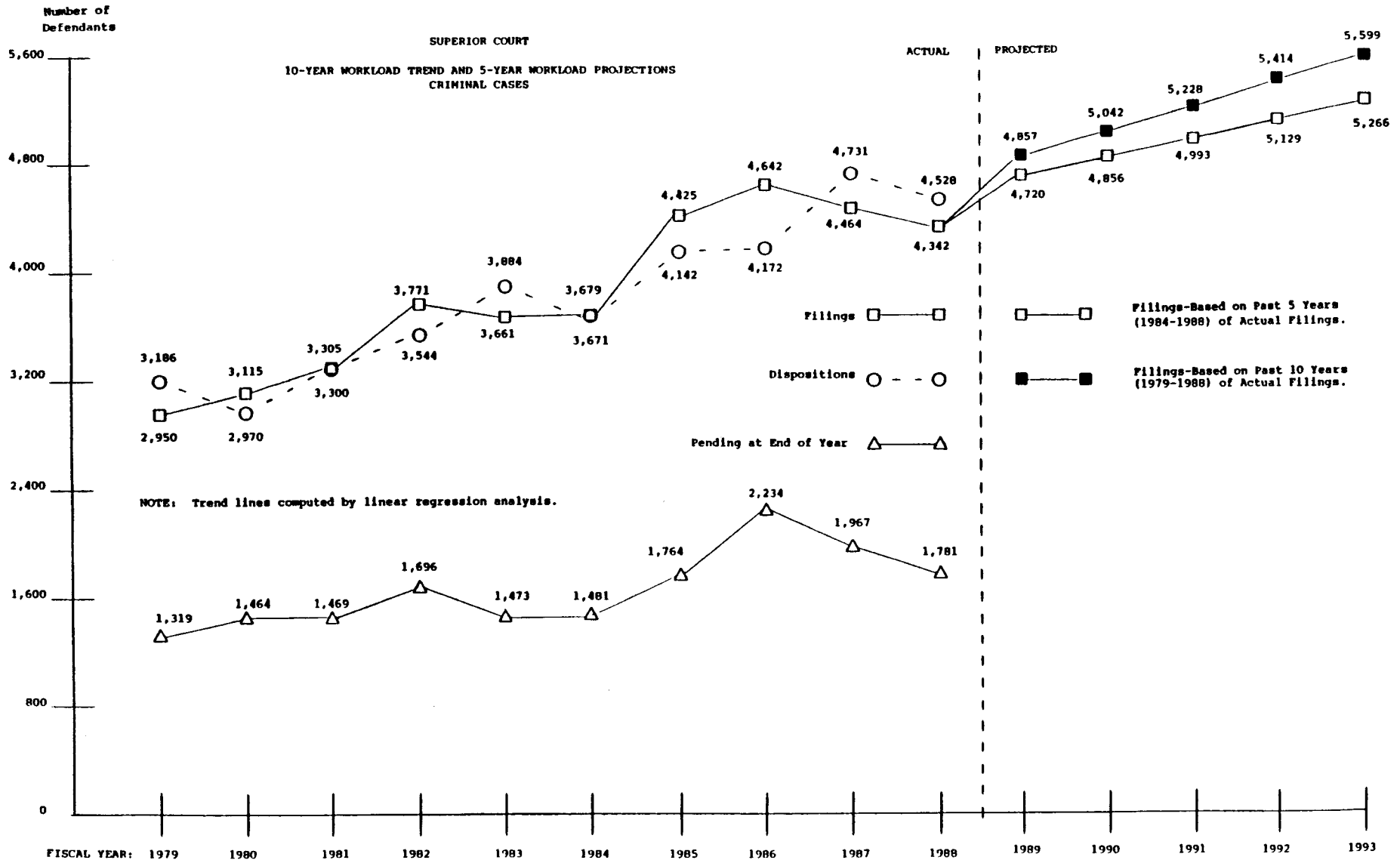
SCHEDULED

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	4,049	2,636	-1,413	- 34.9%
Kent	673	611	- 62	- 9.2%
Sussex	<u>657</u>	<u>665</u>	<u>+ 8</u>	<u>+ 1.2%</u>
State	5,379	3,912	-1,467	- 27.3%

RESCHEDULED

	<u>Number of Defendants</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	1,646	1,032	- 614	- 37.3%
Kent	433	382	- 51	- 11.8%
Sussex	<u>268</u>	<u>281</u>	<u>+ 13</u>	<u>+ 4.9%</u>
State	2,347	1,695	- 652	- 27.8%

Source: Superior Court Case Scheduling Office



Source: Administrative Office of the Courts

SUPERIOR COURT
FISCAL YEAR 1988
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	3,220	153.3 days	125.2 days	118.4 days	83.3 days
Kent	659	139.3 days	100.2 days	97.6 days	44.2 days
Sussex	<u>649</u>	<u>113.7 days</u>	<u>92.3 days</u>	<u>76.6 days</u>	<u>53.5 days</u>
State	4,528	145.6 days	116.9 days	109.4 days	73.3 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	1,537	47.7%	1,683	52.3%	3,220	100.0%
Kent	384	58.3%	275	41.7%	659	100.0%
Sussex	<u>428</u>	<u>65.9%</u>	<u>221</u>	<u>34.1%</u>	<u>649</u>	<u>100.0%</u>
State	2,349	51.9%	2,179	48.1%	4,528	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 1988
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

FISCAL YEAR 1988
PRESENTENCE OFFICE
WORKLOAD SUMMARY

	<u>Pending*</u> <u>6/30/87</u>	<u>Investigations</u> <u>Ordered</u>	<u>Investigations**</u> <u>Completed</u>	<u>Pending*</u> <u>6/30/88</u>	<u>Change In</u> <u>Pending</u>	<u>% Change</u> <u>In Pending</u>
New Castle	278	1,081	1,062	297	+ 19	+ 6.8%
Kent***	24	361	315	70	+ 46	+191.7%
Sussex	<u>101</u>	<u>183</u>	<u>265</u>	<u>19</u>	- 82	+ 81.2%
State	403	1,625	1,642	386	- 17	- 4.2%

COMPARISON - FISCAL YEARS 1987-1988
PRESENTENCE OFFICE
WORKLOAD

INVESTIGATIONS ORDERED

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,157	1,081	- 76	- 6.6%
Kent***	309	361	+ 52	+16.8%
Sussex***	<u>222</u>	<u>183</u>	- 39	-17.6%
State	1,688	1,625	- 63	- 3.7%

INVESTIGATIONS COMPLETED**

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,113	1,062	- 51	- 4.6%
Kent***	318	315	- 3	- 0.9%
Sussex***	<u>233</u>	<u>265</u>	+ 32	+13.7%
State	1,664	1,642	- 22	- 1.3%

*A pending investigation is one which has been ordered but has not yet 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 1988
PRESENTENCE OFFICE
SENTENCINGS

	<u>Immediate Sentencings</u>		<u>Sentenced After Presentence Investigation</u>		<u>Total Sentencings</u>	
New Castle	1,313	56.9%	995	43.1%	2,308	100.0%
Kent	141	29.9%	331	70.1%	472	100.0%
Sussex	<u>337</u>	<u>60.6%</u>	<u>219</u>	<u>39.4%</u>	<u>556</u>	<u>100.0%</u>
State	1,791	53.7%	1,545	46.3%	3,336	100.0%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

IMMEDIATE SENTENCINGS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,321	1,313	- 8	- 0.6%
Kent	123	141	+ 18	+ 14.6%
Sussex	<u>254</u>	<u>337</u>	<u>+ 83</u>	<u>+ 32.7%</u>
State	1,698	1,791	+ 93	+ 5.5%

SENTENCED AFTER
PRESENTENCE INVESTIGATION

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,040	995	- 45	- 4.3%
Kent	276	331	+ 55	+ 19.9%
Sussex	<u>219</u>	<u>219</u>	<u>0</u>	<u>0.0%</u>
State	1,535	1,545	+ 10	+ 0.7%

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

SUPERIOR COURT
FISCAL YEAR 1988
PRESENTENCE OFFICE
PERFORMANCE SUMMARY

	Number of Defendants Sentenced After Presentence <u>Investigations</u>	Average Time From Date Ordered to Date Written	Average Time From Date Written to Date Typed	Average Time From Date Ordered to Date Typed	Average Time From Date Typed to Date Sentenced	Average Time From Date Ordered to Date Sentenced*
New Castle	995	48.4 days	5.2 days	53.6 days	65.1 days	118.7 days
Kent	331	43.6	10.1	53.7	45.3	99.0
Sussex	<u>219</u>	<u>97.3</u>	<u>0.7</u>	<u>97.9</u>	<u>27.6</u>	<u>125.5</u>
State	1,545	54.3 days	5.6 days	59.9 days	55.5 days	115.4 days

*There were 1,791 sentencings done immediately after plea or verdict and for which there was no actual elapsed time. These figures are gross elapsed time for cases where a presentence investigation was ordered from the date the presentence investigation was ordered to the defendant's sentencing date. They include all delays due to capiases, continuances and motions. If these delays were excluded, the elapsed times for presentence investigations from the date ordered to the date sentenced would be as follows:

New Castle	91.1 days
Kent	86.1 days
Sussex	122.4 days
State	94.4 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	149 14.0%	913 86.0%	1,062 100.0%
Kent	72 22.9%	243 77.1%	315 100.0%
Sussex	<u>62 23.4%</u>	<u>203 76.6%</u>	<u>265 100.0%</u>
State	283 17.2%	1,359 82.8%	1,642 100.0%

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

COMPARISON - FISCAL YEARS 1987-1988
PRESENTENCE OFFICE
PERFORMANCENEW CASTLE

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,040	995	-45	- 4.3%
Average Time From Date Ordered to Date Written	41.3 days	48.4 days	+ 7.1 day	+17.2%
Average Time From Date Written to Date Typed	5.5 days	5.2 days	- 0.3 days	- 5.5%
Average Time From Date Ordered to Date Typed	46.8 days	53.6 days	+ 6.8 days	+14.5%
Average Time From Date Typed to Date Sentenced	51.2 days	65.1 days	+13.9 days	+27.1%
Average Time From Date Ordered to Date Sentenced	98.0 days	118.7 days	+20.7 days	+21.1%

KENT COUNTY

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	276	331	+55	+19.9%
Average Time From Date Ordered to Date Written	54.3 days	43.6 days	-10.7 days	-19.7%
Average Time From Date Written to Date Typed	16.4 days	10.1 days	- 6.3 days	-38.4%
Average Time From Date Ordered to Date Typed	70.7 days	53.7 days	-17.0 days	-24.0%
Average Time From Date Typed to Date Sentenced	51.2 days	45.3 days	- 5.9 days	-11.5%
Average Time From Date Ordered to Date Sentenced	121.9 days	99.0 days	-22.9 days	-18.8%

SUSSEX COUNTY*

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	219	219	0	0.0%
Average Time From Date Ordered to Date Written	140.5 days	97.3 days	-43.2 days	-30.7%
Average Time From Date Written to Date Typed	1.6 days	0.7 days	- 0.9 days	-56.3%
Average Time From Date Ordered to Date Typed	142.1 days	97.9 days	-44.2 days	-31.1%
Average Time From Date Typed to Date Sentenced	27.1 days	27.6 days	+ 0.5 days	+ 1.8%
Average Time From Date Ordered to Date Sentenced	169.2 days	125.5 days	-43.7 days	-25.8%

STATE*

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,535	1,545	+ 10	+ 0.7%
Average Time From Date Ordered to Date Written	57.8 days	54.3 days	- 3.5 days	- 6.1%
Average Time From Date Written to Date Typed	6.9 days	5.6 days	- 1.3 days	-18.8%
Average Time From Date Ordered to Date Typed	64.7 days	59.9 days	- 4.8 days	- 7.4%
Average Time From Date Typed to Date Sentenced	47.8 days	55.5 days	+ 7.7 days	+16.1%
Average Time From Date Ordered to Date Sentenced	112.5 days	115.4 days	+ 2.9 days	+ 2.6%

*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 1988
CIVIL CASES
WORKLOAD SUMMARY

	Pending 6/30/87	Filings	Dispositions	Pending 6/30/88	Change In Pending	% Change In Pending
New Castle	4,572	3,802	3,662	4,712	+140	+ 3.1%
Kent	1,008	573	443	1,138	+130	+12.9%
Sussex	590	624	386	828	+238	+40.3%
State	6,170	4,999	4,491	6,678	+508	+ 8.2%

COMPARISON - FISCAL YEARS 1987-1988
CIVIL CASES
WORKLOAD

FILINGS

	1987	1988	Change	% Change
New Castle	3,513	3,802	+289	+ 8.2%
Kent	493	573	+ 80	+16.2%
Sussex	559	624	+ 65	+11.6%
State	4,565	4,999	+434	+ 9.5%

DISPOSITIONS

	1987	1988	Change	% Change
New Castle	2,884	3,662	+778	+27.0%
Kent	319	443	+124	+38.9%
Sussex	381	386	+ 5	+ 1.3%
State	3,584	4,491	+907	+25.3%

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

SUPERIOR COURT
FISCAL YEAR 1988
CIVIL CASES
EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1988, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court and from arbitration panels, Declaratory Judgements, Foreign Judgements, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Breach of Contract, Transfers and Removals from the Court of Chancery, Transfers and Removals from the Court of Common Pleas and debt actions.
2. Mechanic's Liens 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 1988 this category included Complaints Requesting Order, Habeus Corpus, Mandamus, Writs of Prohibition, Petitions for Destruction of Indicia of Arrest, Petitions to Compel Satisfaction of Judgement, Petitions to Extend Judgement, Petitions for Bail Forfeitures, Petitions to Satisfy Mortgage, Petitions to Set Aside Mortgage, Petitions for Issuance of Subpoena, Petitions for Appointment of Attorney, Out of State Depositions, Petitions to Sell Real Estate for Property Taxes, Petitions for Return of Property, Petitions to Vacate Public Road, Tax Ditches, Rules to Show Cause, In Forma Pauperis Actions, Road Resolutions, Cease and Desist Orders and Motions for Habitual Offenders.

SUPERIOR COURT
FISCAL YEAR 1988
CIVIL CASES
WORKLOAD BREAKDOWNS

FILINGS

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	2,654 69.8%	471 12.4%	134 3.5%	224 5.9%	319 8.4%	3,802 100.0%
Kent	344 60.0%	85 14.8%	38 6.6%	0 0.0%	106 18.5%	573 100.0%
Sussex	362 58.0%	151 24.2%	44 7.1%	0 0.0%	67 10.7%	624 100.0%
State	3,360 67.2%	707 14.2%	216 4.3%	224 4.5%	492 9.8%	4,999 100.0%

DISPOSITIONS

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	2,338 63.9%	466 12.7%	256 7.0%	215 5.9%	387 10.6%	3,662 100.0%
Kent	316 71.3%	68 15.4%	5 1.1%	0 0.0%	54 12.2%	443 100.0%
Sussex	241 62.4%	122 31.6%	22 5.7%	0 0.0%	1 0.3%	386 100.0%
State	2,895 64.5%	656 14.6%	283 6.3%	215 4.8%	442 9.8%	4,491 100.0%

PENDING AT END OF YEAR

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	4,088 86.8%	275 5.8%	126 2.7%	104 2.2%	119 2.5%	4,712 100.0%
Kent	582 51.1%	76 6.7%	98 8.6%	0 0.0%	382 33.6%	1,138 100.0%
Sussex	457 55.2%	163 19.7%	89 10.7%	0 0.0%	119 14.4%	828 100.0%
State	5,127 76.8%	514 7.7%	313 4.7%	104 1.6%	620 9.3%	6,678 100.0%

CHANGE IN PENDING

	<u>Complaints</u>	Mechanic's Liens and <u>Mortgages</u>	<u>Appeals</u>	Involuntary <u>Commitments</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
New Castle	+316	+ 5	-122	+ 9	- 68	+140
Kent	+ 28	+17	+ 33	0	+ 52	+130
Sussex	+121	+29	+ 22	0	+ 66	+238
State	+465	+51	- 67	+ 9	+ 50	+508

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

SUPERIOR COURT
FISCAL YEAR 1988
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	42 1.8%	26 1.1%	127 5.4%	218 9.3%	69 3.0%	1,544 66.0%	311 13.3%	1 0.1%	2,338 100.0%	
Kent	3 0.9%	0 0.0%	22 7.0%	14 4.4%	4 1.3%	224 70.9%	47 14.9%	2 0.6%		
Sussex	4 1.7%	3 1.2%	30 12.4%	12 5.0%	2 0.8%	187 77.6%	3 1.2%	0 0.0%		
State	49 1.7%	29 1.0%	179 6.2%	244 8.4%	75 2.6%	1,955 67.5%	361 12.5%	3 0.1%		
										241 100.0%
									2,895 100.0%	

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	2 0.4%	0 0.0%	190 40.8%	9 1.9%	1 0.2%	194 41.6%	70 15.0%	0 0.0%	466 100.0%	
Kent	0 0.0%	1 1.5%	38 55.9%	0 0.0%	1 1.5%	20 29.4%	8 11.8%	0 0.0%		
Sussex	1 0.8%	0 0.0%	51 41.8%	3 2.5%	1 0.8%	63 51.6%	3 2.5%	0 0.0%		
State	3 0.5%	1 0.2%	279 42.5%	12 1.8%	3 0.5%	277 42.2%	81 12.3%	0 0.0%		
										122 100.0%
									656 100.0%	

*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 1988
CIVIL CASES
TYPES OF DISPOSITIONS (CONT)

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	153 71.2%	0 0.0%	62 28.8%	0 0.0%	215 100.0%

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	94 36.7%	12 4.7%	6 2.4%	55 21.5%	60 23.4%	29 11.3%	256 100.0%
Kent	0 0.0%	0 0.0%	0 0.0%	2 40.0%	3 60.0%	0 0.0%	5 100.0%
Sussex	6 27.3%	4 18.2%	0 0.0%	12 54.5%	0 0.0%	0 0.0%	22 100.0%
State	100 35.3%	16 5.7%	6 2.1%	69 24.4%	63 22.3%	29 10.2%	283 100.0%

MISCELLANEOUS DISPOSITIONS

	<u>Signed/Granted</u>	<u>Denied/Dismissed</u>	<u>Disposition Simultaneous With Filing</u>	<u>TOTALS</u>
New Castle	247 63.8%	109 28.2%	31 8.0%	387 100.0%
Kent	34 63.0%	20 37.0%	0 0.0%	54 100.0%
Sussex	0 0.0%	1 100.0%	0 0.0%	1 100.0%
State	281 63.6%	130 29.4%	31 7.0%	442 100.0%

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

SUPERIOR COURT

FISCAL YEAR 1988
CIVIL CASES

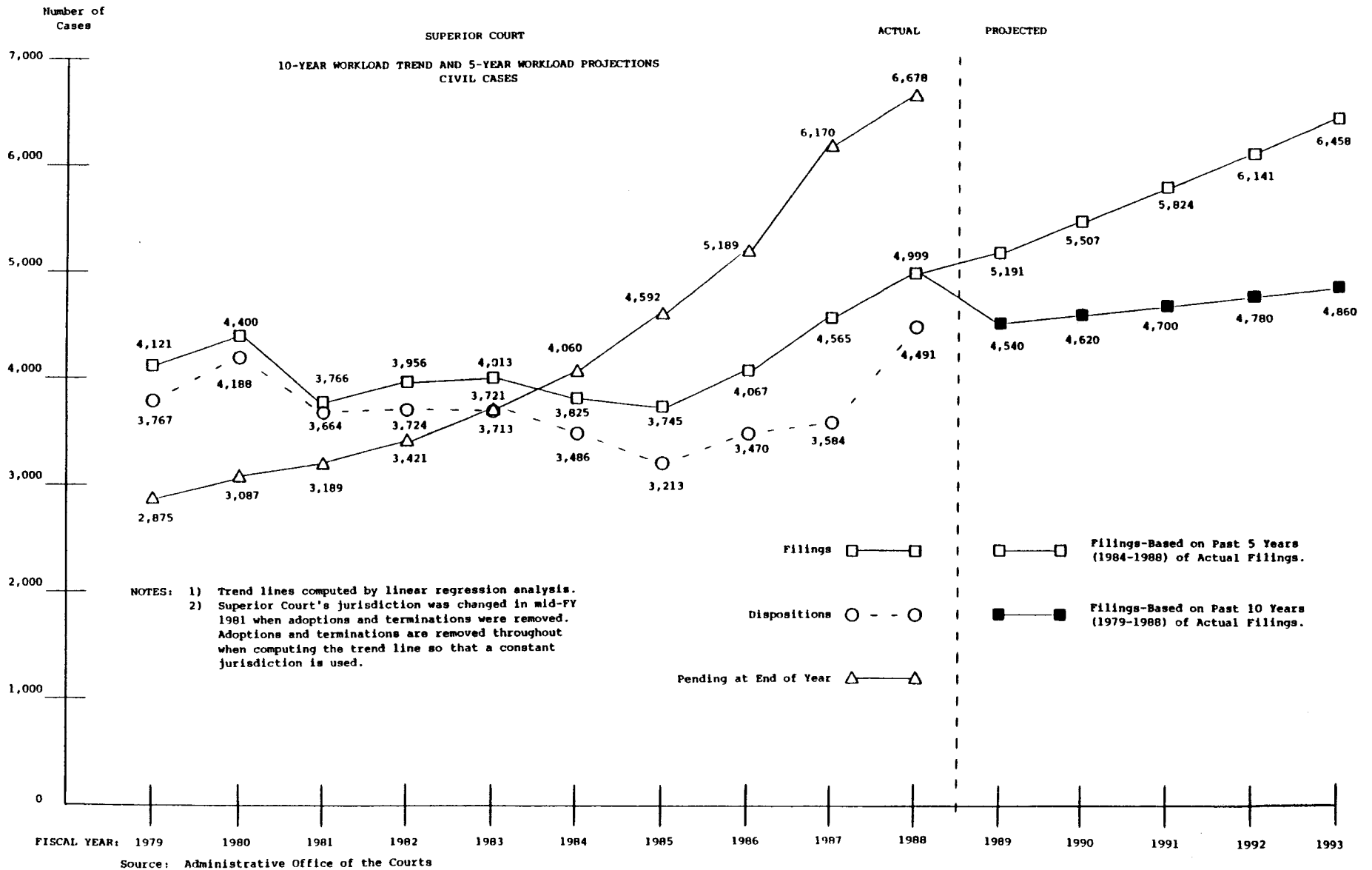
CIVIL TRIALS

	<u>Number of Jury Trials</u>	<u>Number of Non-Jury Trials</u>	<u>Total Number Of Trials</u>
New Castle	62 72.9%	23 27.1%	85 100.0%
Kent	7 87.5%	1 12.5%	8 100.0%
Sussex	<u>8 25.0%</u>	<u>24 75.0%</u>	<u>32 100.0%</u>
State	77 61.6%	48 38.4%	125 100.0%

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	85 10.1%	364 43.2%	4 0.5%	16 1.9%	374 44.4%	843 100.0%
Kent	8 10.4%	35 45.4%	4 5.2%	0 0.0%	30 39.0%	77 100.0%
Sussex	<u>32 22.1%</u>	<u>51 35.2%</u>	<u>0 0.0%</u>	<u>1 0.7%</u>	<u>61 42.1%</u>	<u>145 100.0%</u>
State	125 11.7%	450 42.3%	8 0.8%	17 1.6%	465 43.7%	1,065 100.0%

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



SUPERIOR COURT
FISCAL YEAR 1988
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	2,338	623.3 days	466	382.9 days
Kent	316	609.3 days	68	322.3 days
Sussex	<u>241</u>	<u>463.7 days</u>	<u>122</u>	<u>157.4 days</u>
State	2,895	608.5 days	656	334.7 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	256	395.7 days	215	93.5 days	387	137.1 days
Kent	5	1,063.8 days	0	-	54	26.0 days
Sussex	<u>22</u>	<u>289.9 days</u>	<u>0</u>	<u>-</u>	<u>1</u>	<u>452.0 days</u>
State	283	399.0 days	215	93.5 days	442	124.2 days

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

SUPERIOR COURT
FISCAL YEAR 1988
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 2.9%	198 8.5%	127 5.4%	1,544 66.0%	401 17.2%	2,338 100.0%
Kent	3 0.9%	Not Available	22 7.0%	224 70.9%	67 21.2%	316 100.0%
Sussex	7 2.9%	Not Available	30 12.4%	187 77.6%	17 7.1%	241 100.0%
State	78 2.7%	198* 6.8%	179 6.2%	1,955 67.5%	485 16.8%	2,895 100.0%

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	1,149.6 days	267.5 days	108.4 days	546.6 days	1,168.0 days	623.3 days
Kent	1,049.0 days	Not Available	214.5 days	510.0 days	1,051.0 days	609.3 days
Sussex	763.0 days	Not Available	125.0 days	477.4 days	787.4 days	463.7 days
State	1,111.0 days	267.5 days*	124.2 days	535.8 days	1,138.5 days	608.5 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 1988
CIVIL CASES
PERFORMANCE BREAKDOWNS (CONT)

MECHANIC'S LIENS AND MORTGAGES - 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	2	0.4%	2	0.4%	190	40.8%	194	41.6%	78	16.7%	466	100.0%
Kent	1	1.5%	Not Available		38	55.9%	20	29.4%	9	13.2%	68	100.0%
Sussex	<u>1</u>	<u>0.8%</u>	<u>Not Available</u>		<u>51</u>	<u>41.8%</u>	<u>63</u>	<u>51.6%</u>	<u>7</u>	<u>5.7%</u>	<u>122</u>	<u>100.0%</u>
State	4	0.6%	2*	0.3%	279	42.5%	277	42.2%	94	14.3%	656	100.0%

MECHANIC'S LIENS AND MORTGAGES - ELAPSED TIME

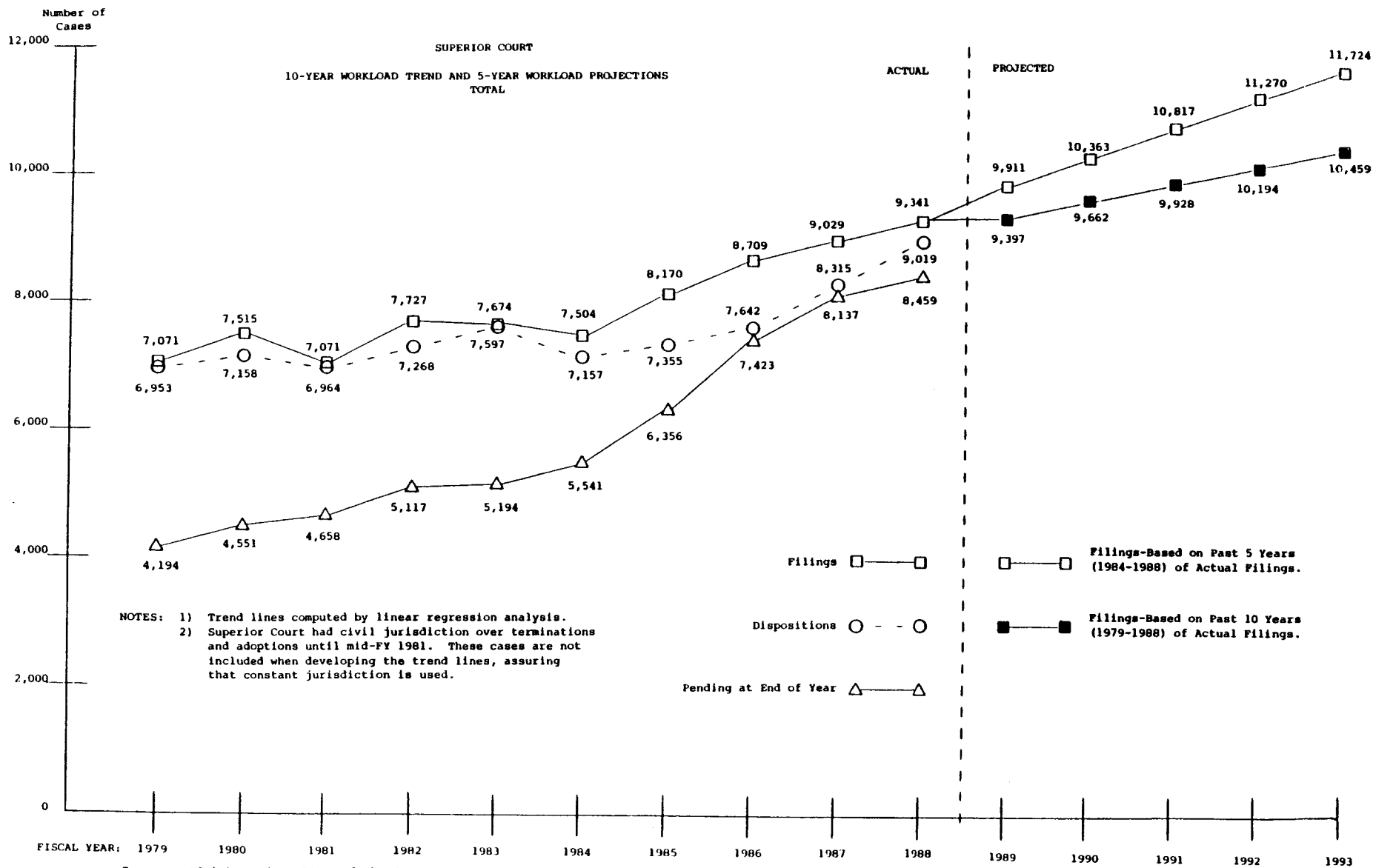
AVERAGE TIME FROM FILING TO DISPOSITION

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	666.5 days	146.0 days	124.3 days	392.3 days	988.2 days	382.9 days
Kent	1,578.0 days	Not Available		123.1 days	190.9 days	1,316.2 days
Sussex	<u>273.0 days</u>	<u>Not Available</u>		<u>87.1 days</u>	<u>190.4 days</u>	<u>157.4 days</u>
State	796.0 days	146.0 days*	117.3 days	331.8 days	972.6 days	334.7 days

*New Castle County only.

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



SUPERIOR COURT

FISCAL YEAR 1988
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 \$50,000 (increased from \$30,000 on 1/1/88).
2. The President Judge of Superior Court or his designee assigns each arbitration case to an arbitrator who is appointed pursuant to the following guidelines:
 - a) The parties may request a specific arbitrator by joint agreement, or
 - b) If the parties fail to mutually agree upon an arbitrator of their choice, the Court provides 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 appoints 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 judgement 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.
4. The Arbitration Unit of the Superior Court prepares an annual report which reviews in greater detail the operation of the Superior Court arbitration program.

SUPERIOR COURT
FISCAL YEAR 1988
ARBITRATION

WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings*</u>	<u>Dispositions**</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change</u>
New Castle	932	1,922	1,471	1,383	+ 451	+48.4%
Kent	106	260	207	159	+ 53	+50.0%
Sussex	<u>143</u>	<u>326</u>	<u>1,949</u>	<u>198</u>	<u>+ 55</u>	<u>+38.5%</u>
State	1,181	2,508	1,949	1,740	+ 559	+47.3%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

<u>Filings*</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,367	1,992	+ 555	+40.6%
Kent	182	260	+ 78	+42.9%
Sussex	<u>269</u>	<u>326</u>	<u>+ 57</u>	<u>+21.2%</u>
State	1,818	2,508	+ 690	+38.0%

<u>Dispositions**</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,112	1,471	+ 359	+32.3%
Kent	163	207	+ 44	+27.0%
Sussex	<u>221</u>	<u>271</u>	<u>+ 50</u>	<u>+22.6%</u>
State	1,496	1,949	+ 453	+30.3%

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

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

Source: Arbitration Unit, Superior Court

SUPERIOR COURT
FISCAL YEAR 1988
ARBITRATION

WORKLOAD SUMMARY (CONT)

FILINGS

Cases Eligible for Arbitration*

	<u>Arbitration**</u> <u>Cases Filed</u>		<u>Non-Arbitration</u> <u>Cases Filed</u>		<u>Total Filed</u>	
New Castle	1,848	59.1%	1,278	40.9%	3,126	100.0%
Kent	256	59.0%	178	41.0%	434	100.0%
Sussex	<u>323</u>	<u>63.2%</u>	<u>188</u>	<u>36.8%</u>	<u>511</u>	<u>100.0%</u>
State	2,427	59.6%	1,644	40.4%	4,071	100.0%

All Civil Cases

	<u>Arbitration**</u> <u>Cases Filed</u>		<u>Non-Arbitration</u> <u>Cases Filed</u>		<u>Total Filed</u>	
New Castle	1,848	48.6%	1,954	51.4%	3,802	100.0%
Kent	256	44.7%	317	55.3%	573	100.0%
Sussex	<u>323</u>	<u>51.8%</u>	<u>301</u>	<u>48.2%</u>	<u>624</u>	<u>100.0%</u>
State	2,427	48.6%	2,572	51.4%	4,999	100.0%

PENDING AT END OF YEAR

	<u>Awaiting</u> <u>Responsive</u> <u>Pleading</u>		<u>Assigned to</u> <u>An Arbitrator</u>		<u>Total Pending</u>	
New Castle	1,023	74.0%	360	26.0%	1,383	100.0%
Kent	133	83.6%	26	16.4%	159	100.0%
Sussex	<u>117</u>	<u>59.1%</u>	<u>81</u>	<u>40.9%</u>	<u>198</u>	<u>100.0%</u>
State	1,273	73.2%	467	26.8%	1,740	100.0%

*Includes complaints and mechanic's liens and mortgages.
**Includes only new filings.

Source: Arbitration Unit, Superior Court

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1988

TYPES OF FILINGS*

	<u>Number of Filings</u>		<u>Mechanic's Liens and Mortgages</u>		<u>Total</u>	
	<u>Complaints</u>					
New Castle	1,532	82.9%	316	17.1%	1,848	100.0%
Kent	200	78.1%	56	21.9%	256	100.0%
Sussex	<u>217</u>	<u>67.2%</u>	<u>106</u>	<u>32.8%</u>	<u>323</u>	<u>100.0%</u>
State	1,949	80.3%	478	19.7%	2,427	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	712	46.5%	138	9.0%	541	35.3%	105	6.9%	36	2.3%	1,532	100.0%
Kent	80	40.0%	21	10.5%	78	39.0%	17	8.5%	4	2.0%	200	100.0%
Sussex	<u>55</u>	<u>25.4%</u>	<u>12</u>	<u>5.5%</u>	<u>117</u>	<u>53.9%</u>	<u>25</u>	<u>11.5%</u>	<u>8</u>	<u>3.7%</u>	<u>217</u>	<u>100.0%</u>
State	847	43.5%	171	8.8%	736	37.8%	147	7.5%	48	2.5%	1,949	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	115	36.4%	201	63.6%	316	100.0%
Kent	8	14.3%	48	85.7%	56	100.0%
Sussex	<u>35</u>	<u>33.0%</u>	<u>71</u>	<u>67.0%</u>	<u>106</u>	<u>100.0%</u>
State	158	33.1%	320	66.9%	478	100.0%

*Includes only new filings.

Source: Arbitration Unit, Superior Court.

SUPERIOR COURT
ARBITRATION

FISCAL YEAR 1988

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	918	62.4%	230	15.6%	323	22.0%	1,471	100.0%
Kent	137	66.2%	30	14.5%	40	19.3%	207	100.0%
Sussex	<u>193</u>	<u>71.2%</u>	<u>33</u>	<u>12.2%</u>	<u>45</u>	<u>16.6%</u>	<u>271</u>	<u>100.0%</u>
State	1,248	64.0%	293	15.0%	408	20.9%	1,949	100.0%

Removed Before Hearing*

	<u>Number of Dispositions</u>				<u>Total</u>			
	<u>Default</u>		<u>Dismissal</u>		<u>Other</u>			
	<u>Judgment</u>			<u>Settled</u>				
New Castle	208	22.7%	597	65.0%	17	1.9%	918	100.0%
Kent	50	36.5%	73	53.3%	0	0.0%	137	100.0%
Sussex	<u>69</u>	<u>35.8%</u>	<u>93</u>	<u>48.2%</u>	<u>0</u>	<u>0.0%</u>	<u>193</u>	<u>100.0%</u>
State	327	26.2%	763	61.1%	17	1.4%	1,248	100.0%

Arbitrator's Orders

	<u>Number of Dispositions</u>		<u>De Novo Appeal***</u>		<u>Total</u>	
	<u>Final Disposition**</u>					
New Castle	230	41.6%	323	58.4%	553	100.0%
Kent	30	42.9%	40	57.1%	70	100.0%
Sussex	<u>33</u>	<u>42.3%</u>	<u>45</u>	<u>57.7%</u>	<u>78</u>	<u>100.0%</u>
State	293	41.8%	408	58.2%	701	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: Arbitration Unit, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1988

TYPES OF DISPOSITIONS
NEW CASTLE COUNTY

	<u>FINAL DISPOSITION*</u>				<u>DE NOVO APPLICATIONS</u>						<u>HEARINGS</u>	
	<u>Judg.</u> <u>for</u> <u>Plain.</u>	<u>Judg.</u> <u>for</u> <u>Def.</u>	<u>Dismiss</u>	<u>TOTAL</u>	<u>Order for Plain.</u>			<u>Order for Def.</u>			<u>All</u>	
					<u>App.</u> <u>by</u> <u>Plain.</u>	<u>App.</u> <u>by</u> <u>Def.</u>	<u>Total</u>	<u>App.</u> <u>by</u> <u>Plain.</u>	<u>App.</u> <u>by</u> <u>Def.</u>	<u>Total</u>	<u>TOTAL</u>	<u>TOTAL</u>
Personal Injury (auto)	121	5	0	126	47	55	102	19	0	19	121	247
Personal Injury (non-auto)	23	6	1	30	17	16	33	21	0	21	54	84
Debt/Breach of Contract	36	4	0	40	18	48	66	29	1	30	96	136
Lower Court and Board Appeals	14	10	0	24	7	10	17	3	0	3	20	44
Other Complaints	6	1	0	7	2	5	7	5	0	5	12	19
Mechanic's Lien	2	1	0	3	3	9	12	3	0	3	15	18
Mortgage	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>5</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>5</u>	<u>5</u>
TOTAL	202	27	1	230	94	148	242	80	1	81	323	553

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

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

Source: Arbitration Unit, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1988

TYPES OF DISPOSITIONS
KENT 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)	10	0	0	10	3	2	5	5	0	5	10	20
Personal Injury (non-auto)	2	0	0	2	1	3	4	1	0	1	5	7
Debt/Breach of Contract	7	4	0	11	6	6	12	4	0	4	16	27
Lower Court and Board Appeals	2	3	0	5	0	0	0	2	0	2	2	7
Other Complaints	0	0	0	0	0	0	0	1	0	1	1	1
Mechanic's Lien	1	1	0	2	0	2	2	1	0	1	3	5
Mortgage	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>3</u>
TOTAL	22	8	0	30	10	16	26	14	0	14	40	70

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

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

Source: Arbitration Unit, Superior Court.

SUPERIOR COURT
ARBITRATION
FISCAL YEAR 1988

TYPES OF DISPOSITIONS
SUSSEX 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> App. by <u>Plain.</u>	<u>Order for Plain.</u> App. by <u>Def.</u>	<u>Total</u>	<u>Order for Def.</u> App. by <u>Plain.</u>	<u>Order for Def.</u> App. by <u>Def.</u>	<u>Total</u>	<u>All</u> <u>TOTAL</u>	<u>TOTAL</u>
Personal Injury (auto)	10	0	0	10	4	2	6	2	0	2	8	18
Personal Injury (non-auto)	1	0	0	1	0	2	2	2	0	2	4	5
Debt/Breach of Contract	9	6	0	15	6	8	14	3	0	3	17	32
Lower Court and Board Appeals	2	0	0	2	2	1	3	1	0	1	4	6
Other Complaints	0	0	0	0	1	0	1	1	0	1	2	2
Mechanic's Lien	2	2	0	4	1	4	5	2	0	2	7	11
Mortgage	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>3</u>	<u>4</u>
TOTAL	24	9	0	33	15	19	34	11	0	11	45	78

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

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

Source: Arbitration Unit, Superior Court.

SUPERIOR COURT
ARBITRATION

FISCAL YEAR 1988
TYPES OF DISPOSITIONS
STATE

	<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>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>	<u>TOTAL</u>
Personal Injury (auto)	141	5	0	146	54	59	113	26	0	26	139	285
Personal Injury (non-auto)	26	6	1	33	18	21	39	24	0	24	63	96
Debt/Breach of Contract	52	14	0	66	30	62	92	36	1	37	129	195
Lower Court and Board Appeals	18	13	0	31	9	11	20	6	0	6	26	57
Other Complaints	6	1	0	7	3	5	8	7	0	7	15	22
Mechanic's Lien	5	4	0	9	4	15	19	6	0	6	25	34
Mortgage	<u>0</u>	<u>1</u>	<u>0</u>	<u>1</u>	<u>1</u>	<u>10</u>	<u>11</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>11</u>	<u>12</u>
TOTAL	248	44	1	293	119	183	302	105	1	106	408	701

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

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

Source: Arbitration Unit, Superior Court.

SUPERIOR COURT
FISCAL YEAR 1988
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	153.6 days	64.0 days	217.6 days
Kent	108.5 days	53.9 days	162.4 days
Sussex	<u>117.3 days</u>	<u>53.7 days</u>	<u>171.0 days</u>
State	145.0 days	61.9 days	206.9 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	229.7 days	236.3 days	233.6 days
Kent	166.7 days	185.9 days	177.7 days
Sussex	<u>186.0 days</u>	<u>190.6 days</u>	<u>188.7 days</u>
State	218.3 days	226.3 days	223.0 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	202	36.5%	351	63.5%	553	100.0%
Kent	41	58.6%	29	41.4%	70	100.0%
Sussex	<u>41</u>	<u>52.6%</u>	<u>37</u>	<u>47.4%</u>	<u>78</u>	<u>100.0%</u>
State	284	40.5%	417	59.5%	701	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: Arbitration Unit, Superior Court

SUPERIOR COURT
FISCAL YEAR 1988
ARBITRATION
PERFORMANCE SUMMARY (Continued)

COMPARISON - FISCAL YEARS 1987-1988
ELAPSED TIME - FILING TO HEARING

Average Time From
Date of Filing To
Date of Appointment

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	131.7 days	153.6 days	+21.9 days	+16.6%
Kent	102.0 days	108.5 days	+ 6.5 days	+ 6.4%
Sussex	<u>107.5 days</u>	<u>117.3 days</u>	<u>+ 9.8 days</u>	<u>+ 9.1%</u>
State	125.7 days	145.0 days	+19.3 days	+15.4%

Average Time From
Date of Appointment
To Date of Hearing

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	57.6 days	64.0 days	+ 6.4 days	+11.1%
Kent	72.1 days	53.9 days	-18.2 days	-25.2%
Sussex	<u>66.3 days</u>	<u>53.7 days</u>	<u>-12.6 days</u>	<u>-19.0%</u>
State	60.2 days	61.9 days	+ 1.7 days	+ 2.8%

Average Time From
Date of Filing
To Date of Hearing

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	189.3 days	217.6 days	+28.3 days	+14.9%
Kent	174.1 days	162.4 days	-11.7 days	- 6.7%
Sussex	<u>173.8 days</u>	<u>171.0 days</u>	<u>- 2.8 days</u>	<u>- 1.6%</u>
State	185.9 days	206.9 days	+21.0 days	+11.3%

Source: Arbitration Unit, Superior Court

SUPERIOR COURT
FISCAL YEAR 1988
ARBITRATION
PERFORMANCE SUMMARY (Continued)

COMPARISON - FISCAL YEARS 1987-1988
ELAPSED TIME - FILING TO DISPOSITION/APPEAL

Average Time
From Filing to
Final Disposition*

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	209.7 days	229.7 days	+20.0 days	+ 9.5%
Kent	185.4 days	166.7 days	-18.7 days	-10.1%
Sussex	<u>199.2 days</u>	<u>186.0 days</u>	-13.2 days	- 6.6%
State	206.3 days	218.3 days	+12.0 days	+ 5.8%

Average Time
From Filing to
De Novo Appeal

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	215.6 days	236.3 days	+20.7 days	+ 9.6%
Kent	203.0 days	185.9 days	-17.1 days	- 8.4%
Sussex	<u>190.9 days</u>	<u>190.6 days</u>	- 0.3 days	- 0.2%
State	210.9 days	226.3 days	+15.4 days	+ 7.3%

Average Time From Filing
to Final Disposition
Or De Novo Appeal**

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	212.7 days	233.6 days	+20.9 days	+ 9.8%
Kent	195.5 days	177.7 days	-17.8 days	- 9.1%
Sussex	<u>193.9 days</u>	<u>188.7 days</u>	- 5.2 days	- 2.7%
State	208.8 days	223.0 days	+14.2 days	+ 6.8%

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

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

Source: Arbitration Unit, Superior Court.

SUPERIOR COURT
FISCAL YEAR 1988
ARBITRATION
PERFORMANCE SUMMARY (Continued)

COMPARISON - FISCAL YEARS 1987-1988
HEARINGS HELD

Number of Hearings Held
Within 40 Days After
Appointment of Arbitrator

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	186	202	+ 16	+ 8.6%
Kent	21	41	+ 20	+95.2%
Sussex	<u>23</u>	<u>41</u>	<u>+ 18</u>	<u>+78.3%</u>
State	230	284	+ 54	+23.5%

Number of Hearings Held
More Than 40 Days After
Appointment of Arbitrator

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	260	351	+ 91	+35.0%
Kent	42	29	- 13	-31.0%
Sussex	<u>40</u>	<u>37</u>	<u>- 3</u>	<u>- 7.5%</u>
State	342	417	+ 75	+21.9%

Total Number of
Hearings Held

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	446	553	+107	+24.0%
Kent	63	70	+ 7	+11.1%
Sussex	<u>63</u>	<u>78</u>	<u>+ 15</u>	<u>+23.8%</u>
State	572	701	+129	+22.6%

Source: Arbitration Unit, Superior Court

Family Court

FAMILY COURT

PAGE
=106=

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.

Cases are appealed to the Supreme Court with the exception of adult criminal cases which are appealed to the Superior Court.

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 assigned to them by the Chief Judge, and their findings and recommendations are reviewed by a judge for approval. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's findings.

Support Personnel

The three 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 260 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, judicial assistants, process servers and mediation/arbitration officers, as well as volunteers working in all areas of the Court.

Caseload Trends

There was a 9.1% increase in filings from FY 1987 to FY 1988 with 38,094 filings in FY 1988 compared with 34,925 in FY 1987. The total filings for FY 1988 represent the largest caseload for any fiscal year.

There was a 14.2% increase in total dispositions from a total of 32,892 in FY 1987 to 37,522 in FY 1988. As with total filings, the total number of dispositions during FY 1988 was greater than that of any previous year.

The total pending rose from 9,794 at the end of FY 1987 to 10,336 at the end of FY 1988, which is a 5.5% increase.

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. Robert W. Wakefield (R, 9/30/97)
Carol Walton, Secretary
(571-2254)
Hon. James J. Horgan (D, 9/29/88)
Kathy Mort, Secretary
(571-2229)
Hon. Jay Paul James (R, 7/31/90)
Paulette Hendrix, Secretary
(571-2226)
Hon. Karl J. Parrish (D, 10/30/90)
Kristi Pedrotti, Secretary
(571-2232)
Hon. John T. Gallagher (D, 11/6/91)
Diane Fanning, 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)
Cathy Slattery, Secretary
(571-2432)
Hon. Peggy L. Ableman (D, 9/30/95)
Janet Charamella, Secretary
(571-2257)

KENT COUNTY

Associate Judges

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

SUSSEX COUNTY

Associate Judges

Hon. Battle R. Robinson (R, 8/29/97)
Judy Maddox, Secretary
(856-5540)
Hon. Kenneth M. Millman (R, 10/31/98)
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

D. Thomas Reardon
Pat Kane, Secretary
(571-2315)

Masters

William H. McDonough
Vacant, Secretary
(571-2417)
Frederick Kenney
Joan Prettyman, Secretary
(571-2592)
Mary Ann Herlihy
Mary Lou McNulty, Secretary
(571-2212)
Susan Paikin, Esquire
Carolyn Wrightson, Secretary
(571-2303)
H. Kemp Vye
Pat Berry, Secretary
(571-2282)

KENT COUNTY

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

Gary E. Grubb
Janice Carroll, Secretary
(736-5030)
Mark Buckworth
Carolyn Downs, Secretary
(736-5351)

SUSSEX COUNTY

Family Court
Family Court Building
10 The Circle
P.O. Box 609
Georgetown, DE 19947
(856-5601)

Pamela Deeds Holloway
Peggy Butler, Secretary
(856-5638)
Andrew Horsey, Jr.
Kay VanAuken, Secretary
(856-5405)

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
Carol J. DeMarco
(571-2296)

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

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

Director of Support
John R. Carrow
(571-2622)

Director of Legal Services
Patricia Tate Stewart
(571-2280)

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 1988
WORKLOAD SUMMARY

	<u>Number of Filings</u>			<u>Pending</u> <u>6/30/88</u>	<u>Change In</u> <u>Pending</u>	<u>% Change</u> <u>In Pending</u>
	<u>Pending</u> <u>6/30/87</u>	<u>Filed</u>	<u>Disposed</u>			
New Castle	5,927	22,750	21,849	6,828	+ 901	+15.2%
Kent	1,706	7,276	7,419	1,563	- 143	- 8.4%
Sussex	<u>2,161</u>	<u>8,068</u>	<u>8,284</u>	<u>1,945</u>	<u>- 216</u>	<u>-10.0%</u>
State	9,794	38,094	37,552	10,336	+ 542	+ 5.5%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	20,605	22,750	+2,145	+10.4%
Kent	6,781	7,276	+ 495	+ 7.3%
Sussex	<u>7,539</u>	<u>8,068</u>	<u>+ 529</u>	<u>+ 7.0%</u>
State	34,925	38,094	+3,169	+ 9.1%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	19,030	21,849	+2,819	+14.8%
Kent	6,761	7,419	+ 658	+ 9.7%
Sussex	<u>7,101</u>	<u>8,284</u>	<u>+1,183</u>	<u>+16.7%</u>
State	32,892	37,552	+4,660	+14.2%

Source: Statistician, Family Court

FAMILY COURT

FISCAL YEAR 1988
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 1988
ADULT CRIMINAL CASES
WORKLOAD SUMMARY

	<u>Number of Filings</u>			<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/87</u>	<u>Filed</u>	<u>Disposed</u>			
New Castle	615	3,141	3,153	603	- 12	- 2.0%
Kent	135	433	444	124	- 11	- 8.1%
Sussex	<u>154</u>	<u>524</u>	<u>515</u>	<u>163</u>	+ 9	+ 5.8%
State	904	4,098	4,112	890	- 14	- 1.5%

COMPARISON - FISCAL YEARS 1987-1988
ADULT CRIMINAL CASES
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	2,418	3,141	+723	+29.9%
Kent	434	433	- 1	- 0.2%
Sussex	<u>646</u>	<u>524</u>	<u>-122</u>	<u>-18.9%</u>
State	3,498	4,098	+600	+17.2%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	2,260	3,153	+893	+39.5%
Kent	372	444	+ 72	+19.4%
Sussex	<u>650</u>	<u>515</u>	<u>-135</u>	<u>-20.8%</u>
State	3,282	4,112	+830	+25.3%

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1988
JUVENILE DELINQUENCY CASES
WORKLOAD SUMMARY

	<u>Number of Filings</u>			<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/87</u>	<u>Filed</u>	<u>Disposed</u>			
New Castle	1,337	4,779	4,424	1,692	+355	+26.6%
Kent	208	1,506	1,397	317	+109	+52.4%
Sussex	519	1,764	1,854	429	- 90	-17.3%
State	2,064	8,049	7,675	2,438	+374	+18.1%

COMPARISON - FISCAL YEARS 1987-1988
JUVENILE DELINQUENCY CASES
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	4,366	4,779	+ 413	+ 9.5%
Kent	1,125	1,506	+ 381	+33.9%
Sussex	1,574	1,764	+ 190	+12.1%
State	7,065	8,049	+ 984	+13.9%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	4,181	4,424	+ 243	+ 5.8%
Kent	1,154	1,397	+ 243	+21.1%
Sussex	1,379	1,854	+ 475	+34.4%
State	6,714	7,675	+ 961	+14.3%

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1988
JUVENILE DELINQUENCY CASES
WORKLOAD BREAKDOWNS

FILED

	<u>Number of Filings</u>			<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	1,044 21.9%	3,451 72.2%	284 5.9%	4,779 100.0%
Kent	344 22.9%	1,056 70.1%	106 7.0%	1,506 100.0%
Sussex	372 21.1%	1,274 72.2%	118 6.7%	1,764 100.0%
State	1,760 21.9%	5,781 71.8%	508 6.3%	8,049 100.0%

DISPOSED

	<u>Number of Filings</u>			<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	663 15.0%	3,525 79.7%	236 5.3%	4,424 100.0%
Kent	334 23.9%	976 69.9%	87 6.2%	1,397 100.0%
Sussex	365 19.7%	1,374 74.1%	115 6.2%	1,854 100.0%
State	1,362 17.7%	5,875 76.6%	438 5.7%	7,675 100.0%

PENDING AT END OF YEAR

	<u>Number of Filings</u>			<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	703 41.5%	866 51.2%	123 7.3%	1,692 100.0%
Kent	43 13.6%	230 72.6%	44 13.8%	317 100.0%
Sussex	122 28.4%	291 67.8%	16 3.7%	429 100.0%
State	868 35.6%	1,387 56.9%	183 7.5%	2,438 100.0%

CHANGE IN PENDING

	<u>Number of Filings</u>			<u>TOTALS</u>
	<u>Felony</u>	<u>Misdemeanor</u>		
New Castle	+381	- 74	+ 48	+355
Kent	+ 10	+ 80	+ 19	+109
Sussex	+ 7	-100	+ 3	- 90
State	+398	- 94	+ 70	+374

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1988
CIVIL CASES
WORKLOAD SUMMARY

	<u>Number of Filings</u>		<u>Disposed</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
	<u>Pending 6/30/87</u>	<u>Filed</u>				
New Castle	3,975	14,830	14,272	4,533	+ 558	+ 14.0%
Kent	1,363	5,337	5,578	1,122	- 241	- 17.7%
Sussex	<u>1,488</u>	<u>5,780</u>	<u>5,915</u>	<u>1,353</u>	- 135	- 9.1%
State	6,826	25,947	25,765	7,008	+ 182	+ 2.7%

COMPARISON - FISCAL YEARS 1987-1988
CIVIL CASES
WORKLOAD

FILED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	13,821	14,830	+1,009	+ 7.3%
Kent	5,222	5,337	+ 115	+ 2.2%
Sussex	<u>5,319</u>	<u>5,780</u>	+ 461	+ 8.7%
State	24,362	25,947	+1,585	+ 6.5%

DISPOSED

	<u>Number of Filings</u>		<u>Change</u>	<u>% Change</u>
	<u>1987</u>	<u>1988</u>		
New Castle	12,589	14,272	+1,683	+13.4%
Kent	5,235	5,578	+ 343	+ 6.6%
Sussex	<u>5,072</u>	<u>5,915</u>	+ 843	+16.6%
State	22,896	25,765	+2,869	+12.5%

Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1988
CIVIL CASES
WORKLOAD BREAKDOWNS

FILED

	<u>Divorces and Annulments</u>	<u>RTSC/ Other Civil Contempts</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	2,185 14.7%	906 6.1%	3,182 21.5%	2,849 19.2%	1,859 12.5%	1,270 8.6%
Kent	727 13.6%	225 4.2%	1,092 20.5%	1,134 21.2%	480 9.0%	793 14.9%
Sussex	<u>661 11.4%</u>	<u>78 1.4%</u>	<u>1,355 23.4%</u>	<u>1,360 23.5%</u>	<u>681 11.8%</u>	<u>718 12.4%</u>
State	3,573 13.8%	1,209 4.7%	5,629 21.7%	5,343 20.6%	3,020 11.6%	2,781 10.7%

	<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	480 3.2%	434 2.9%	115 0.8%	84 0.6%	1,466 9.9%	14,830 100.0%
Kent	194 3.6%	52 1.0%	41 0.8%	17 0.3%	582 10.9%	5,337 100.0%
Sussex	<u>162 2.8%</u>	<u>82 1.4%</u>	<u>42 0.7%</u>	<u>18 0.3%</u>	<u>623 10.8%</u>	<u>5,780 100.0%</u>
State	836 3.2%	568 2.2%	198 0.8%	119 0.5%	2,671 10.3%	25,947 100.0%

DISPOSED

	<u>Divorces and Annulments</u>	<u>RTSC/ Other Civil Contempts</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	2,028 14.2%	812 5.7%	2,741 19.2%	2,604 18.2%	2,005 14.1%	1,362 9.5%
Kent	838 15.0%	219 3.9%	1,150 20.6%	1,146 20.5%	481 8.6%	822 14.7%
Sussex	<u>612 10.3%</u>	<u>75 1.3%</u>	<u>1,341 22.7%</u>	<u>1,388 23.5%</u>	<u>770 13.0%</u>	<u>748 12.6%</u>
State	3,478 13.5%	1,106 4.3%	5,232 20.3%	5,138 20.0%	3,256 12.6%	2,932 11.4%

	<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	551 3.8%	443 3.1%	141 1.0%	90 0.6%	1,495 10.5%	14,272 100.0%
Kent	190 3.4%	57 1.0%	43 0.8%	20 0.4%	612 11.0%	5,578 100.0%
Sussex	<u>171 2.9%</u>	<u>89 1.5%</u>	<u>47 0.8%</u>	<u>15 0.3%</u>	<u>659 11.1%</u>	<u>5,915 100.0%</u>
State	912 3.5%	589 2.3%	231 0.9%	125 0.5%	2,766 10.7%	25,765 100.0%

RTSC = Rule to Show Cause
Source: Statistician, Family Court

FAMILY COURT
FISCAL YEAR 1988
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

PENDING AT END OF YEAR

	<u>Divorces and Annulments</u>	<u>RTSC/ Other Civil Contempts</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	1,229 27.1%	186 4.1%	1,339 29.5%	661 14.6%	395 8.7%	310 6.8%
Kent	266 23.7%	45 4.0%	241 21.5%	199 17.7%	104 9.3%	156 13.9%
Sussex	377 27.9%	57 4.2%	373 27.6%	211 15.6%	80 5.9%	103 7.6%
State	1,872 26.7%	288 4.1%	1,953 27.9%	1,071 15.3%	579 8.3%	569 8.1%

	<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	91 2.0%	72 1.6%	35 0.8%	65 1.4%	150 3.3%	4,533 100.0%
Kent	45 4.0%	3 0.3%	12 1.1%	11 1.0%	40 3.6%	1,122 100.0%
Sussex	39 2.9%	4 0.3%	26 1.9%	27 2.0%	56 4.1%	1,353 100.0%
State	175 2.5%	79 1.1%	73 1.0%	103 1.5%	246 3.5%	7,008 100.0%

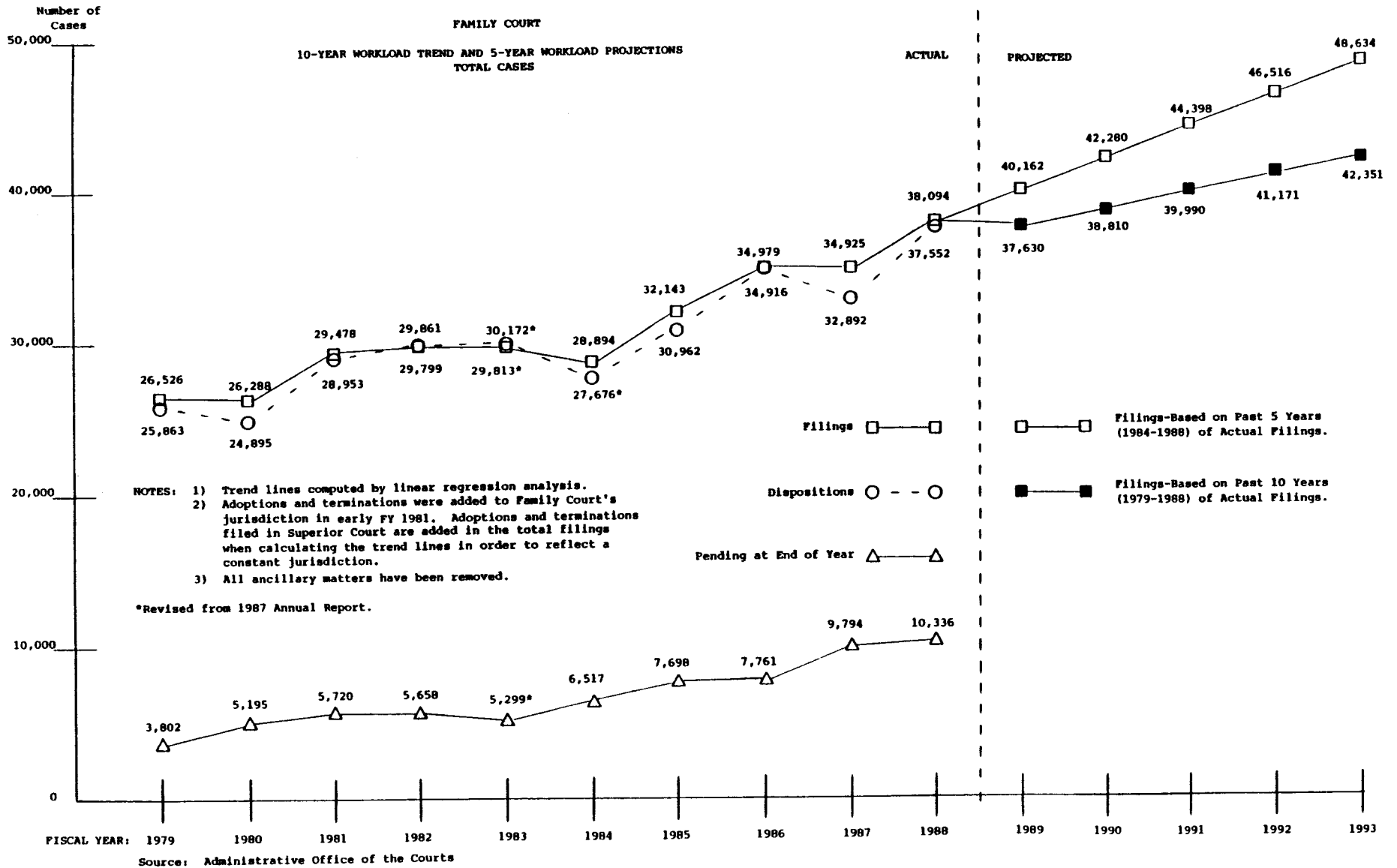
CHANGE IN PENDING

	<u>Divorces and Annulments</u>	<u>RTSC/ Other Civil Contempts</u>	<u>New Non-Support</u>	<u>Support Arrearages</u>	<u>Support Modifications</u>	<u>Custody</u>
New Castle	+157	+ 94	+441	+245	-146	- 92
Kent	-111	+ 6	- 58	- 12	- 1	- 29
Sussex	+ 49	+ 3	+ 14	- 28	- 89	- 30
State	+ 95	+103	+397	+205	-236	-151

	<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	- 71	- 9	- 26	- 6	- 29	+558
Kent	+ 4	- 5	- 2	- 3	- 30	-241
Sussex	- 9	- 7	- 5	+ 3	- 36	-135
State	- 76	-21	- 33	- 6	- 95	+182

RTSC = Rule to Show Cause

Source: Statistician, Family Court



FAMILY COURT

FISCAL YEAR 1988
ARBITRATION
EXPLANATORY NOTES

1. Arbitration is an informal proceeding in which a specially trained arbitration officer attempts to resolve juvenile delinquency cases involving minor charges and adult criminal cases involving selected misdemeanors.
2. Family Court decides according to established criteria if a case should be prosecuted at a formal hearing or if it should be referred to the Arbitration Unit.
3. An arbitration 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 1988
ARBITRATION ACTIVITY

WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filed</u>	<u>Disposed</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>	<u>Placed On Conditions</u>
New Castle	529	2,093	2,098	524	- 5	- 0.9%	1,440
Kent	87	671	687	71	- 16	- 18.4%	582
Sussex	<u>167</u>	<u>443</u>	<u>422</u>	<u>188</u>	<u>+ 21</u>	<u>+ 12.6%</u>	<u>297</u>
State	783	3,207	3,207	783	0	0.0%	2,319

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

FILED

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,282	2,093	- 189	- 8.3%
Kent	611	671	+ 60	+ 9.8%
Sussex	<u>589</u>	<u>443</u>	<u>- 146</u>	<u>- 24.8%</u>
State	3,482	3,207	- 275	- 7.9%

DISPOSED

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,216	2,098	- 118	- 5.3%
Kent	556	687	+ 131	+ 23.6%
Sussex	<u>603</u>	<u>422</u>	<u>- 181</u>	<u>- 30.0%</u>
State	3,375	3,207	- 168	- 5.0%

PLACED ON CONDITIONS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,271	1,440	+ 169	+ 13.3%
Kent	487	582	+ 95	+ 19.5%
Sussex	<u>477</u>	<u>297</u>	<u>- 180</u>	<u>- 37.7%</u>
State	2,235	2,319	+ 84	+ 3.8%

Source: Family Court Statistician

Court of Common Pleas

COURT OF COMMON PLEAS

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapter 13, 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, of which three are to be residents of New Castle County, one of Kent County and one of Sussex County. 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. The Judge who has seniority in service is to serve as Chief Judge.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, including a Court Administrator 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

Criminal activity rose dramatically during FY 1988 with new records being established for criminal filings, criminal dispositions, and criminal pending. Criminal filings rose by 23.2% from an amended record total of 21,418 in FY 1987 to 26,393 in FY 1988. Criminal filings have risen by 47.9% since FY 1986 when there were 17,841 criminal filings, which at that time had been a record level. Criminal dispositions rose even more sharply, increasing by 29.1% to a total of 26,301 in FY 1988 from the previous record level of 20,381 in FY 1987. Even more dramatic is the 50.1% increase since FY 1986 when there was a record level set of 17,521 criminal dispositions. Criminal pending increased by a modest 2.4% from an amended record level of 3,868 at the end of FY 1987 to 3,960 at the end of FY 1988. Criminal pending had been rising sharply in recent years, having increased by 86.8% from the end of FY 1984 to the end of FY 1987.

Civil filings increased by 1.4% from 4,918 during FY 1987 to 4,988 during FY 1988. Civil dispositions fell by 7.4%, due largely to a decrease of 11.8% in New Castle County, from the record level of 5,271 during FY 1987 to 4,884 in FY 1988. Civil pending rose by 2.8% to 3,798 at the end of FY 1988 from 3,694 at the end of FY 1987.

COURT OF COMMON PLEAS

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 Judges

Hon. Arthur F. DiSabatino (R, 6/27/97)
Diane Korolog, Secretary
(571-2411)

Hon. William C. Bradley, Jr. (9/29/88)
Peggy Papili, Secretary
(571-2410)

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

SUPPORT PERSONNEL

Court Administrator (571-2804)

Carole B. Kirshner

Margaret Renai, 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

Karen Gallagher

Court Reporters (571-2863)

Carol Schatzman, Chief

Jacalyn Aff

Cheryl Simmons

Presentence Officers (571-3834)

John Jaremchuk, Jr., Chief

Bailiffs

Allan Rogers, Chief of Security

Richard Hurst, Chief

KENT COUNTY (736-4618)

Court of Common Pleas
Courthouse
The Green
Dover, DE 19901

Teresa Lindale

Anna Benton

Sheila Dougherty

David Reid, Chief

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, Chief

COURT OF COMMON PLEAS

FISCAL YEAR 1988
CRIMINAL CASES*
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	2,083	15,440	15,221	2,302	+ 219	+10.5%
Kent	717**	5,399	5,487	629	- 88	-12.3%
Sussex	<u>1,068</u>	<u>5,554</u>	<u>5,593</u>	<u>1,029</u>	<u>- 39</u>	<u>- 3.7%</u>
State	3,868**	26,393	26,301	3,960	+ 92	+ 2.4%

COMPARISON - FISCAL YEARS 1987-1988
CRIMINAL CASES*
WORKLOAD

<u>FILINGS</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	12,563	15,440	+2,877	+22.9%
Kent	4,641**	5,399	+ 758	+16.3%
Sussex	<u>4,214</u>	<u>5,554</u>	<u>+1,340</u>	<u>+31.8%</u>
State	21,418**	26,393	+4,975	+23.2%

<u>DISPOSITIONS</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	12,225	15,221	+2,996	+24.5%
Kent	4,454	5,487	+1,033	+23.2%
Sussex	<u>3,702</u>	<u>5,593</u>	<u>+1,891</u>	<u>+51.1%</u>
State	20,381	26,301	+5,920	+29.1%

*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.

**Amended from 1987 Annual Report.

Source: Court Administrator, Court of Common Pleas

FISCAL YEAR 1988
CRIMINAL CASES*
WORKLOAD BREAKDOWNSFILINGS

	<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	475 3.1%	13,915 90.1%	426 2.8%	624 4.0%	15,440 100.0%	4,062
Kent	86 1.6%	4,718 87.4%	568 10.5%	27 0.5%	5,399 100.0%	1,803
Sussex	<u>116 2.1%</u>	<u>4,849 87.3%</u>	<u>436 7.9%</u>	<u>153 2.8%</u>	<u>5,554 100.0%</u>	<u>1,989</u>
State	677 2.6%	23,482 89.0%	1,430 5.4%	804 3.0%	26,393 100.0%	7,854

DISPOSITIONS

	<u>Jury</u>	<u>Non-Jury</u>	<u>TOTALS</u>
New Castle	0 0.0%	15,221 100.0%	15,221 100.0%
Kent	91 1.7%	5,396 98.3%	5,487 100.0%
Sussex	<u>19 0.3%</u>	<u>5,574 99.7%</u>	<u>5,593 100.0%</u>
State	110 0.4%	26,191 99.6%	26,301 100.0%

PENDING AT END OF YEAR

	<u>Capiases</u>	<u>Other</u>	<u>TOTALS</u>
New Castle	1,722 74.8%	580 25.2%	2,302 100.0%
Kent	96 15.3%	533 84.7%	629 100.0%
Sussex	<u>117 11.4%</u>	<u>912 88.6%</u>	<u>1,029 100.0%</u>
State	1,935 48.9%	2,025 51.1%	3,960 100.0%

CHANGE IN PENDING

	<u>Capiases</u>	<u>Other</u>	<u>TOTALS</u>
New Castle	+559	-340	+219
Kent	+ 18	-106	- 88
Sussex	<u>0</u>	<u>- 39</u>	<u>- 39</u>
State	+577	-485	+ 92

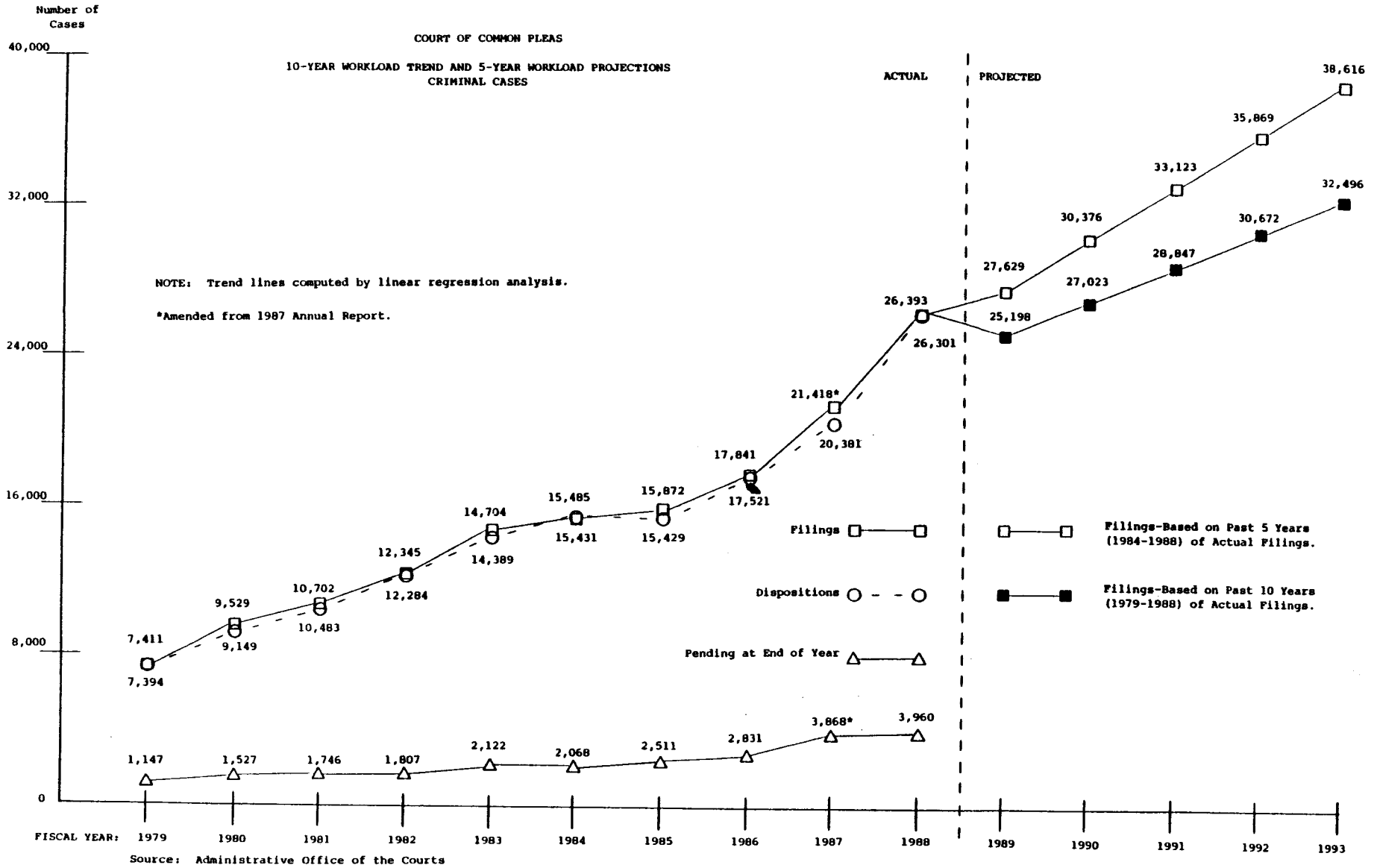
*The unit of count in criminal cases is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

**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.



COURT OF COMMON PLEAS

FISCAL YEAR 1988
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	378	26.0 days	0.5 days	26.5 days	1.4 days	27.9 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	378	9.2	378	31.5
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 1988
CIVIL CASES
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
New Castle	3,175	3,825	3,765	3,235	+ 60	+ 1.9%
Kent	259	396	416	239	- 20	- 7.7%
Sussex	260	767	703	324	+ 64	+24.6%
State	3,694	4,988	4,884	3,798	+ 104	+ 2.8%

COMPARISON - FISCAL YEARS 1987-1988
CIVIL CASES
WORKLOAD

FILINGS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,866	3,825	- 41	- 1.1%
Kent	429	396	- 33	- 7.7%
Sussex	623	767	+144	+23.1%
State	4,918	4,988	+ 70	+ 1.4%

DISPOSITIONS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,268	3,765	-503	-11.8%
Kent	394	416	+ 22	+ 5.6%
Sussex	609	703	+ 94	+15.4%
State	5,271	4,884	-387	- 7.4%

Source: Court Administrator, Court of Common Pleas

COURT OF COMMON PLEAS

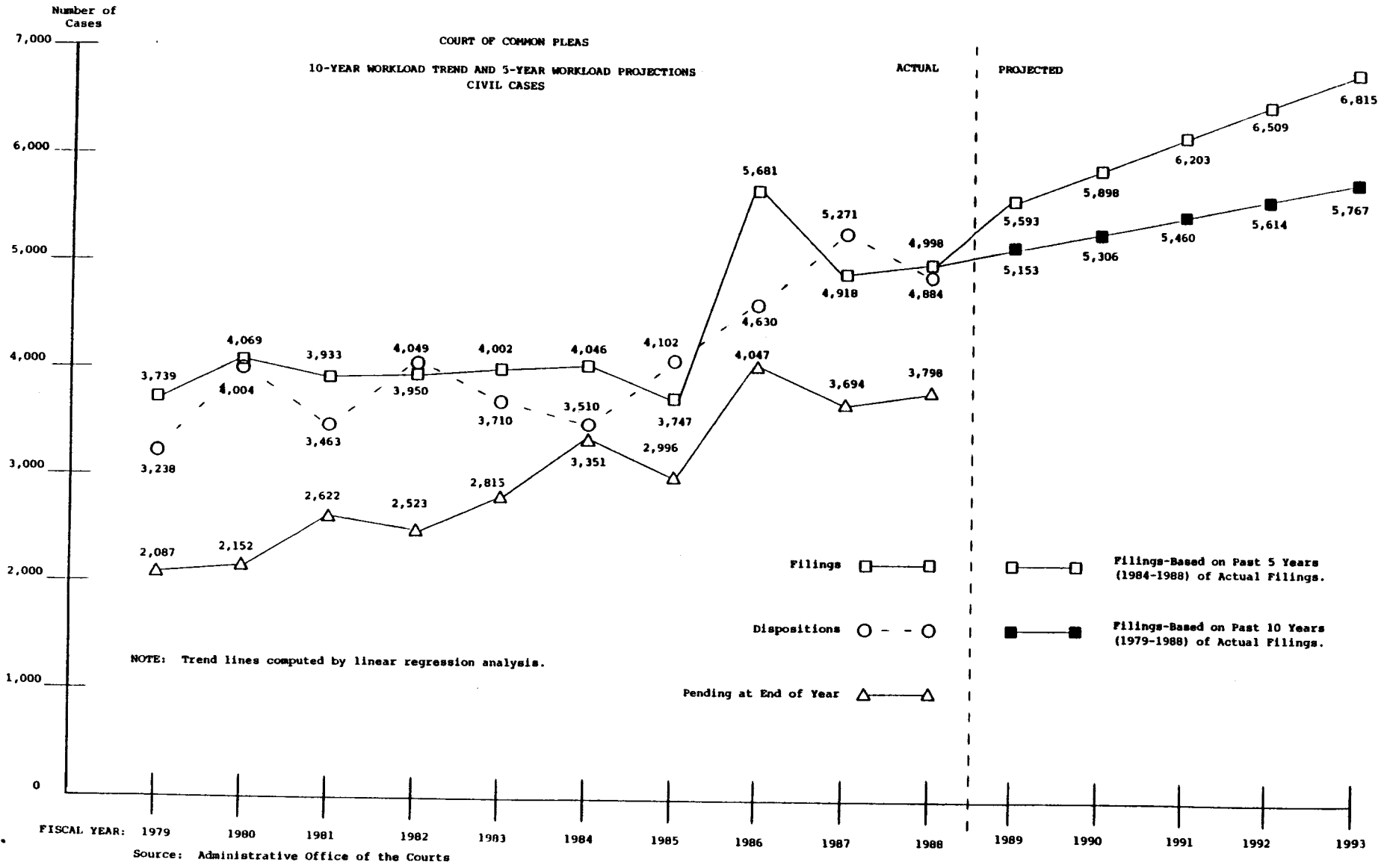
FISCAL YEAR 1988
CIVIL CASES
WORKLOAD BREAKDOWNSFILINGS

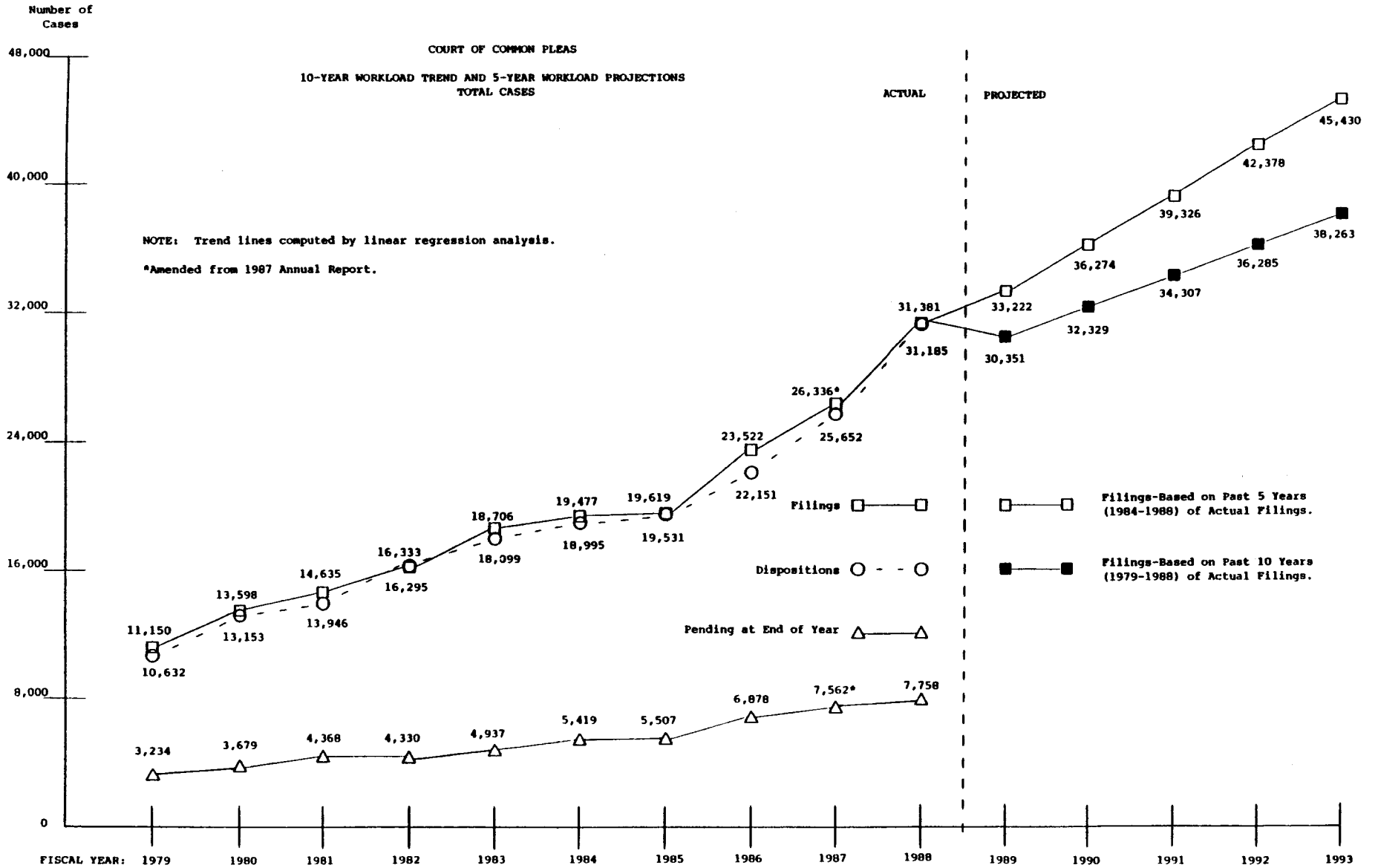
	<u>Complaints</u>		<u>Civil Judgments, Name Changes</u>		<u>TOTALS</u>	
New Castle	3,517	91.9%	308	8.1%	3,825	100.0%
Kent	349	88.1%	47	11.9%	396	100.0%
Sussex	<u>719</u>	<u>93.7%</u>	<u>48</u>	<u>6.3%</u>	<u>767</u>	<u>100.0%</u>
State	4,585	91.9%	403	8.1%	4,988	100.0%

DISPOSITIONS

	<u>By Court</u>		<u>By Counsel</u>		<u>TOTALS</u>	
New Castle	1,243	33.0%	2,522	67.0%	3,765	100.0%
Kent	135	32.5%	281	67.5%	416	100.0%
Sussex	<u>229</u>	<u>32.6%</u>	<u>474</u>	<u>67.4%</u>	<u>703</u>	<u>100.0%</u>
State	1,607	32.9%	3,277	67.1%	4,884	100.0%

Source: Court Administrator, Court of Common Pleas





Municipal Court

MUNICIPAL COURT

Legal 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

The 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

While criminal, traffic and total filings all increased during FY 1988, there were also increases in criminal, traffic, and total dispositions during FY 1988. This is the second consecutive fiscal year in which there were increases in all of these categories.

Criminal filings increased by 7.5% to 14,707 in FY 1988 from 13,685 in FY 1987. Criminal dispositions rose as well, rising by 2.7% from 14,219 in FY 1987 to 14,596 in FY 1988. The greater increase in criminal filings than in criminal dispositions resulted in an increase of 11.5% in criminal pending from 969 at the end of FY 1987 to 1,080 at the end of FY 1988.

Traffic filings were up by 4.8% during FY 1988 to 19,425 from 18,543 in FY 1987. Traffic dispositions rose by 11.0% from 17,767 in FY 1987 to 19,726 in FY 1988. The large increase in traffic dispositions during FY 1988 led to a decrease in traffic pending from 2,522 at the end of FY 1987 to 2,221 at the end of FY 1988, a drop of 11.9%

Total filings rose by 5.9% from 32,228 during FY 1987 to 34,132 during FY 1988 while total dispositions increased by 7.3% from 31,986 during FY 1987 to 34,322 during FY 1988. Total pending fell by 5.5% from 3,491 at the end of FY 1987 to 3,301 at the end of FY 1988.

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

Vacant, Deputy Clerk
(571-4540)

Lucy M. Gomez, Secretary
(571-4534)

Criminal Clerical Staff

Dwight F. Holden

Josephine Smulski

Kathy Holstein

Mary E. Devine

Sonya Crumpler

Debra Gibbs

Evelyn M. Smith

Janet Davis (part-time)

Kathy Craighead (part-time)

Traffic Violation Staff

Shirley E. Cohen

Ann Collins

Maria Berrias

Shirley Winder

Process Service

Steven Jonkiert

Bailiffs

David L. Dempsey

Gerald E. Nolan

Cornelius Morris

Carmen Merced

MUNICIPAL COURT
FISCAL YEAR 1988
WORKLOAD SUMMARY*

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Criminal	969	14,707	14,596	1,080	+111	+ 11.5%
Traffic	<u>2,522</u>	<u>19,425</u>	<u>19,726</u>	<u>2,221</u>	<u>-301</u>	<u>- 11.9%</u>
TOTALS	3,491	34,132	34,322	3,301	-190	- 5.5%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOADFILINGS

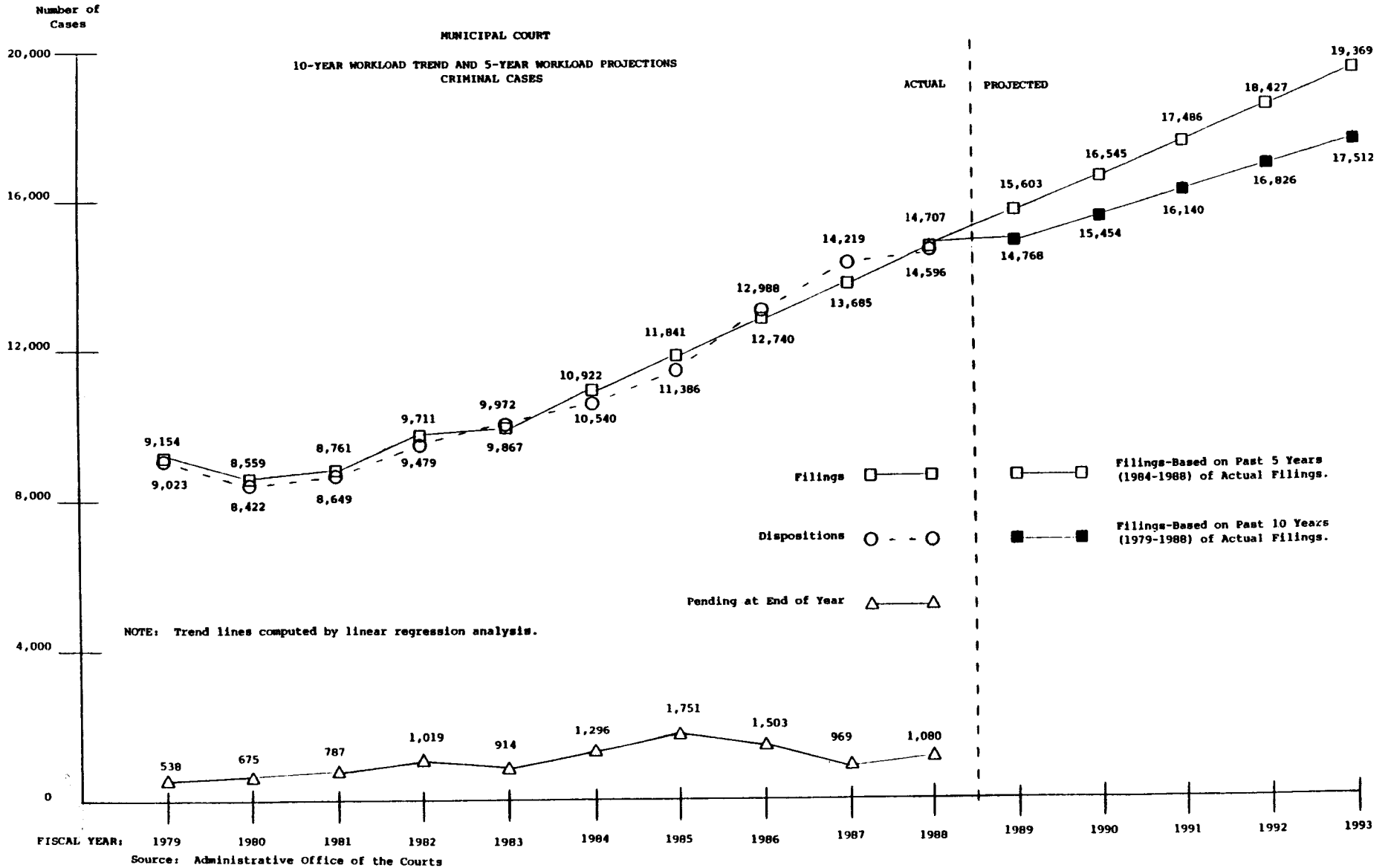
	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Criminal	13,685	14,707	+1,022	+ 7.5%
Traffic	<u>18,543</u>	<u>19,425</u>	<u>+ 882</u>	<u>+ 4.8%</u>
TOTALS	32,228	34,132	+1,904	+ 5.9%

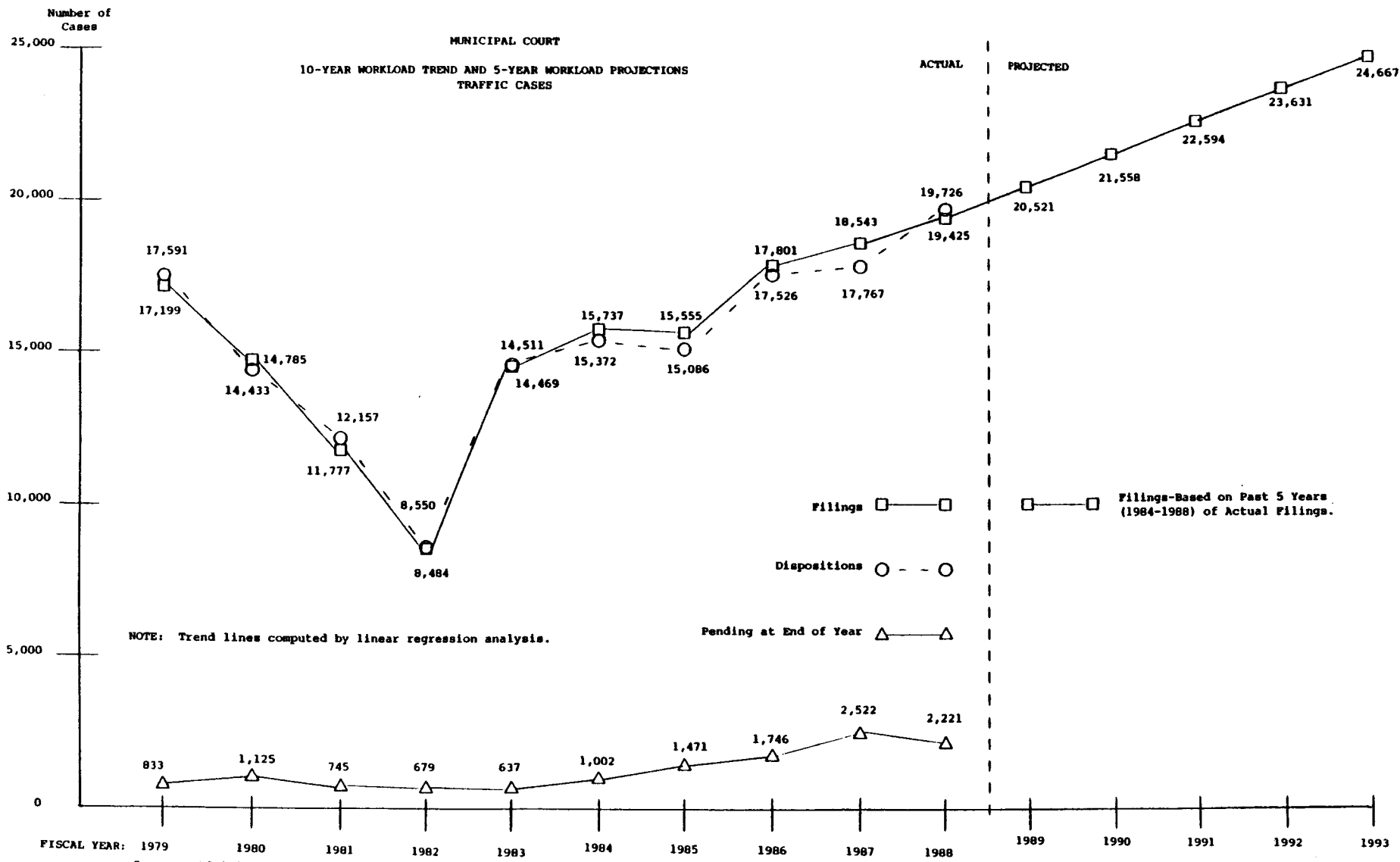
DISPOSITIONS

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Criminal	14,219	14,596	+ 377	+ 2.7%
Traffic	<u>17,767</u>	<u>19,726</u>	<u>+1,959</u>	<u>+11.0%</u>
TOTALS	31,986	34,322	+2,336	+ 7.3%

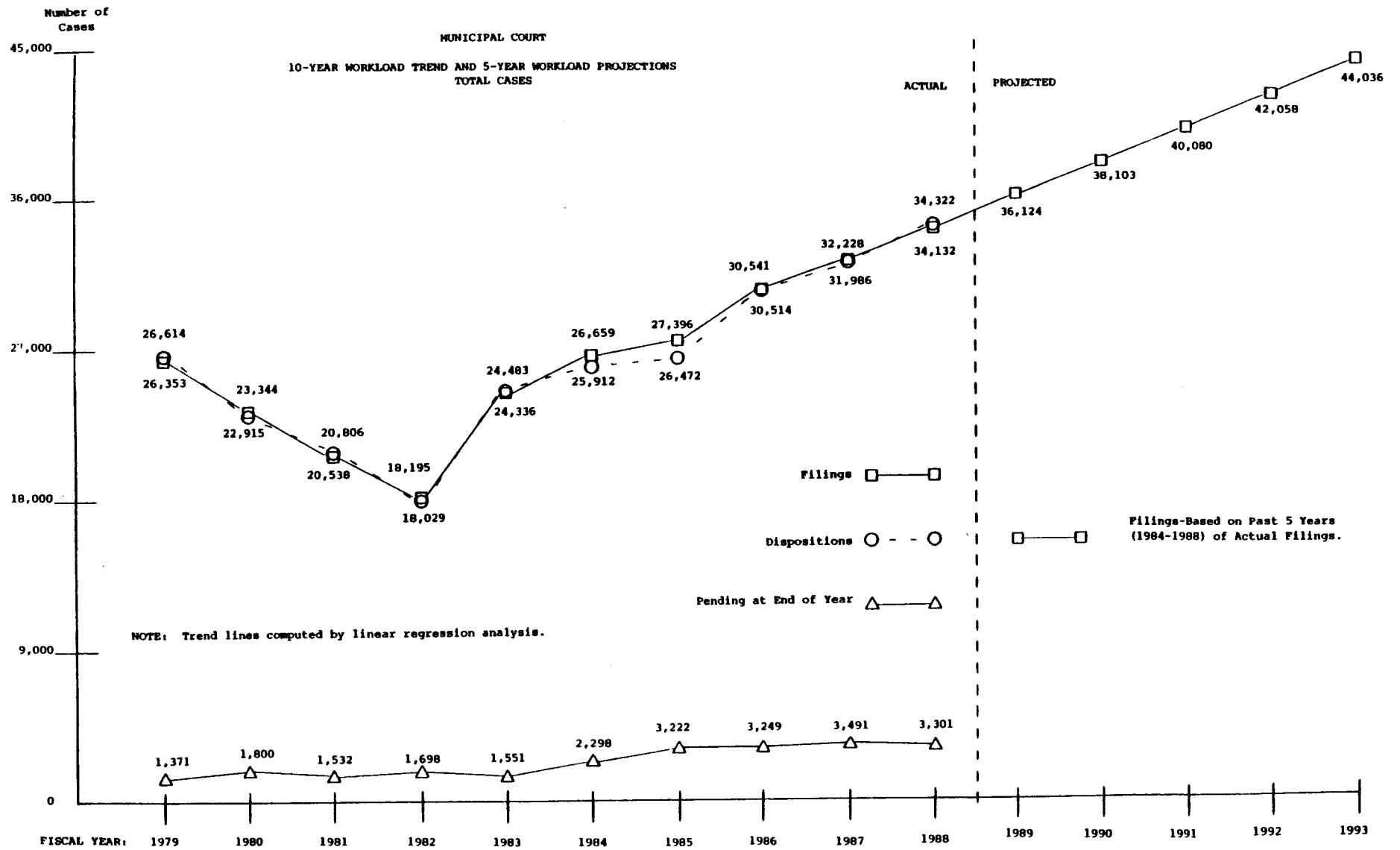
*The unit of count in Municipal Court is the charge. For example, a defendant brought before the Court on 3 charges would be counted as 3 cases.

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, an operations manager, an administrative officer and a fiscal administrative officer help the Chief Magistrate direct the JP Courts on a daily basis. The State provides clerks of the court, constables and other personnel for the courts.

Caseload Trend

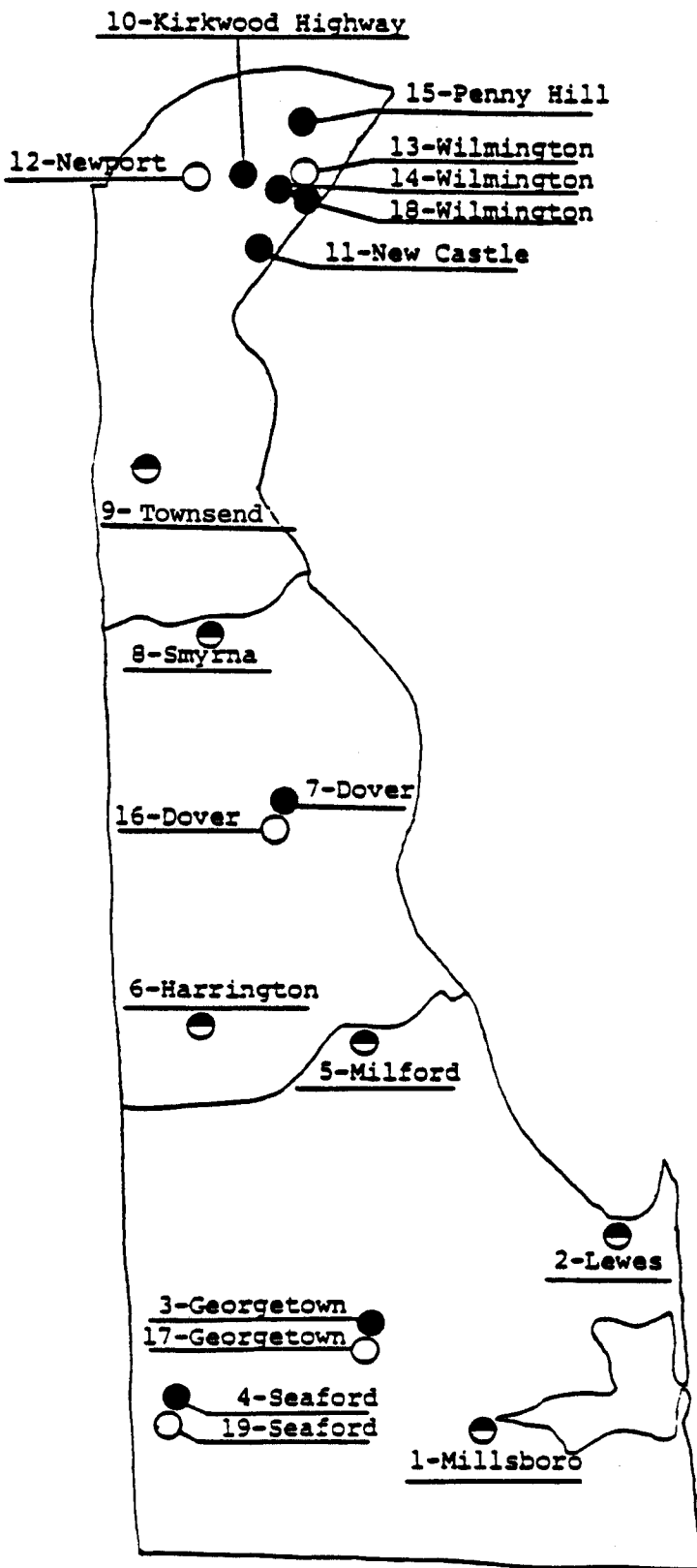
Fiscal year 1988 marks the third consecutive fiscal year in which there were record numbers of both criminal filings and dispositions. Criminal filings rose by 9.6% from 172,527 in FY 1987 to 189,085 in FY 1988, an increase of 16,558 filings. There was an even more substantial increase in criminal dispositions

from 170,946 in FY 1987 to 190,897 in FY 1988. This climb of 11.7% was the result of an increase of 19,951 dispositions from the previous year. The result of the greater rate of increase in criminal dispositions than in filings was a 25.6% decrease in criminal pending from 7,076 at the end of FY 1987 to 5,264 at the end of FY 1988.

Civil activity decreased after the record levels set in FY 1987 with civil filings dropping by 11.5% to 25,419 in FY 1988 from 28,724 in FY 1987. Civil dispositions fell by just 0.5% to 27,188 in FY 1988, the third consecutive year above 27,000 civil dispositions. The greater rate of decrease in filings than in dispositions resulted in a 25% drop in civil pending from 7,070 at the end of FY 1977 to 5,301 at the end of FY 1988.

The substantial increase in criminal activity led to an increase in total caseload during FY 1988. Total filings rose to a record level for the fourth consecutive year, increasing by 6.6% to a total of 214,504 filings in FY 1988 from 201,251 filings in FY 1987. Total dispositions reached record levels for the fourth consecutive year as well, rising by 10.0% from 198,302 dispositions in FY 1987 to 218,085 dispositions in FY 1988. Total pending fell as both criminal and civil pending fell during FY 1988 with a decrease of 25.2% to 10,565 at the end of FY 1988 from 14,119 at the end of FY 1987.

JUSTICE OF THE PEACE COURTS IN DELAWARE



KEY

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

JUSTICE OF THE PEACE COURTS
FISCAL YEAR 1988
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	111 1.3%	191 2.3%	7,828 92.2%	363 4.3%	8,493 100.0%
Court 10	443 1.6%	3,033 11.3%	22,134 82.1%	1,339 5.0%	26,949 100.0%
Court 11	529 1.6%	8,060 23.7%	22,949 67.4%	2,518 7.4%	34,056 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	85 0.5%	1,459 9.3%	14,101 90.1%	0 0.0%	15,645 100.0%
Court 18	0 0.0%	5,850 71.2%	725 8.8%	1,642 20.0%	8,217 100.0%
<u>Kent County</u>					
Court 6	30 0.4%	189 2.7%	6,548 94.1%	194 2.8%	6,961 100.0%
Court 7	346 1.1%	5,139 15.7%	25,269 77.1%	2,011 6.1%	32,765 100.0%
Court 8	56 2.0%	423 15.1%	2,080 74.1%	250 8.9%	2,809 100.0%
<u>Sussex County</u>					
Court 1	249 7.2%	334 9.6%	2,795 80.3%	102 2.9%	3,480 100.0%
Court 2	194 1.1%	1,026 5.9%	16,101 91.9%	201 1.2%	17,522 100.0%
Court 3	183 1.2%	5,509 36.0%	9,125 59.6%	495 3.2%	15,312 100.0%
Court 4	198 1.3%	1,732 10.9%	13,597 85.6%	355 2.2%	15,882 100.0%
Court 5	<u>56 2.0%</u>	<u>754 26.9%</u>	<u>1,922 68.5%</u>	<u>74 2.6%</u>	<u>2,806 100.0%</u>
	2,480 1.3%	33,699 17.7%	145,174 76.1%	9,544 5.0%	190,897 100.0%

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

**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 1988
CRIMINAL AND TRAFFIC CASES*
WORKLOAD BREAKDOWNS

CHANGE 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	0	+ 12	- 24	+ 14	+ 2
Court 10	+ 7	+ 34	+ 57	+ 72	+ 170
Court 11	+ 14	+ 77	+ 775	- 10	+ 856
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	+ 18	+ 3	+ 21
Court 7	+ 5	- 19	+ 142	- 9	+ 119
Court 8	+ 2	+ 14	+ 29	+ 1	+ 46
<u>Sussex County</u>					
Court 1	+ 1	+ 9	+ 6	+ 2	+ 18
Court 2	- 20	-363	-2,677	- 11	-3,071
Court 3	0	+ 5	+ 77	+ 2	+ 84
Court 4	- 6	- 2	- 36	- 8	- 52
Court 5	<u>- 4</u>	<u>+ 3</u>	<u>- 3</u>	<u>- 1</u>	<u>- 5</u>
State	- 1	-230	-1,636	+ 55	-1,812

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JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1988
CRIMINAL AND TRAFFIC CASES*
TYPES OF DISPOSITIONS

	<u>By Mail-In Fine</u>	<u>By Court Appearance</u>	<u>By Counsel Appearance</u>	<u>TOTALS</u>
<u>New Castle County</u>				
Court 9	7,113 83.8%	931 11.0%	449 5.3%	8,493 100.0%
Court 10	14,091 52.3%	12,094 44.9%	764 2.8%	26,949 100.0%
Court 11	9,129 26.8%	23,626 69.4%	1,301 3.8%	34,056 100.0%
Court 14**	0 -	0 -	0 -	0 -
Court 15	6,546 41.8%	9,099 58.2%	0 0.0%	15,645 100.0%
Court 18	0 0.0%	8,217 100.0%	0 0.0%	8,217 100.0%
<u>Kent County</u>				
Court 6	5,578 80.1%	1,336 19.2%	47 0.7%	6,961 100.0%
Court 7	15,008 45.8%	17,103 52.2%	654 2.0%	32,765 100.0%
Court 8	1,463 52.1%	1,324 47.1%	22 0.8%	2,809 100.0%
<u>Sussex County</u>				
Court 1	2,241 64.4%	1,203 34.6%	36 1.0%	3,480 100.0%
Court 2	9,617 54.9%	7,905 45.1%	0 0.0%	17,522 100.0%
Court 3	4,438 29.0%	10,874 71.0%	0 0.0%	15,312 100.0%
Court 4	9,074 57.1%	6,808 42.9%	0 0.0%	15,882 100.0%
Court 5	<u>901 32.1%</u>	<u>1,899 67.7%</u>	<u>6 0.2%</u>	<u>2,806 100.0%</u>
State	85,199 44.6%	102,419 53.7%	3,279 1.7%	190,897 100.0%

*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.

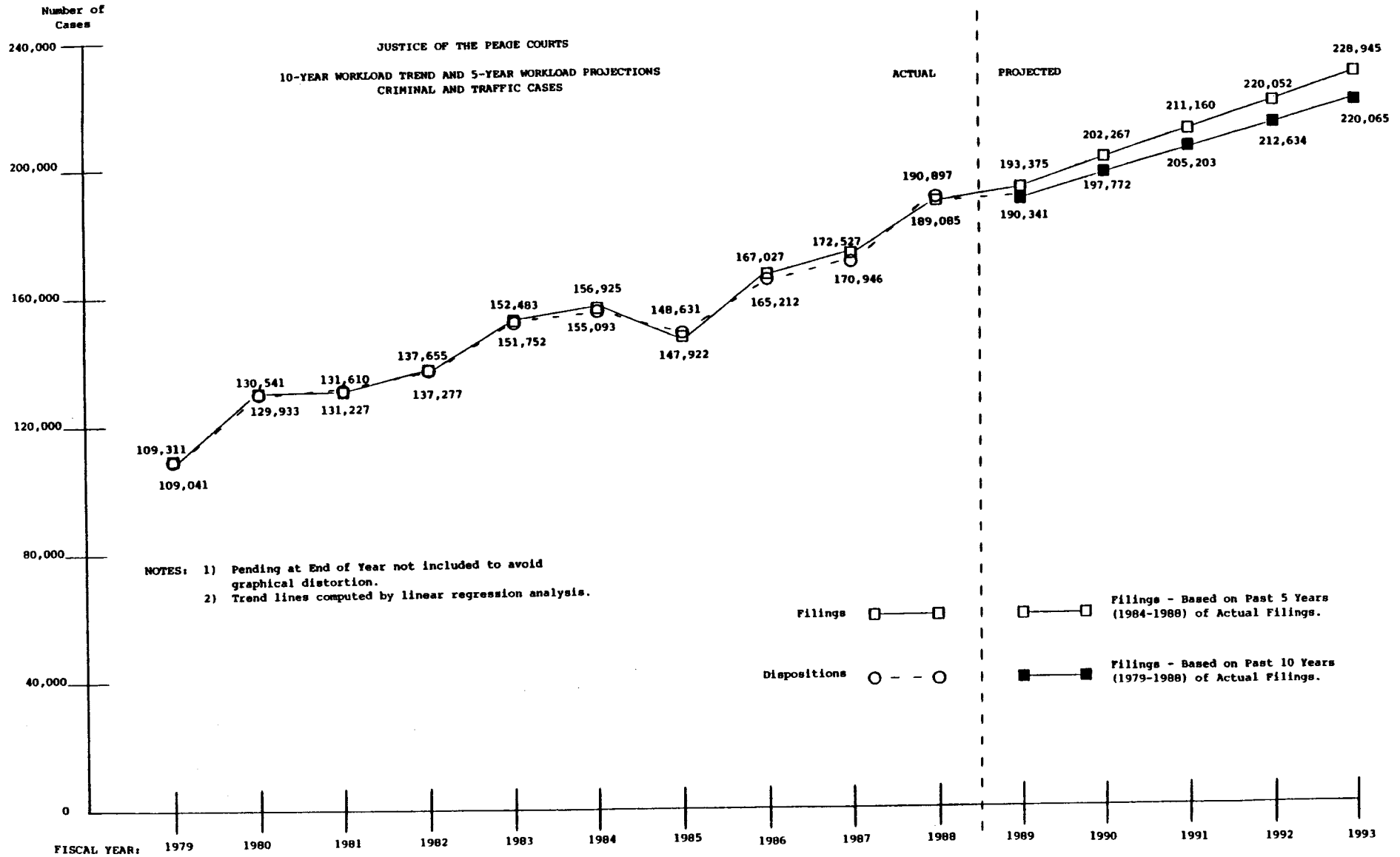
Source: Chief Magistrate's Office, Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS
COMPARISON - FISCAL YEARS 1987-1988
CRIMINAL AND TRAFFIC CASES*
WORKLOAD

	<u>FILINGS</u>				<u>DISPOSITIONS</u>			
	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle County</u>								
Court 9	6,925	8,495	+ 1,570	+22.7%	6,928	8,493	+ 1,565	+22.6%
Court 10	19,006	27,119	+ 8,113	+42.7%	18,986	26,949	+ 7,963	+42.0%
Court 11	35,973	34,912	- 1,061	- 3.0%	35,690	34,056	- 1,634	- 4.6%
Court 14**	0	0	0	-	0	0	0	-
Court 15	16,626	15,645	- 981	- 5.9%	16,626	15,645	- 981	- 5.9%
Court 18	5,653	8,217	+ 2,564	+45.4%	5,653	8,217	+ 2,564	+45.4%
<u>Kent County</u>								
Court 6	5,864	6,982	+ 1,118	+19.1%	5,871	6,961	+ 1,090	+18.6%
Court 7	30,694	32,884	+ 2,190	+ 7.1%	30,499	32,765	+ 2,266	+ 7.4%
Court 8	2,677	2,855	+ 178	+ 6.7%	2,682	2,809	+ 127	+ 4.7%
<u>Sussex County</u>								
Court 1	2,749	3,498	+ 749	+27.3%	2,739	3,480	+ 741	+27.1%
Court 2	15,240	14,451	- 789	- 5.2%	14,244	17,522	+ 3,278	+23.0%
Court 3	13,152	15,396	+ 2,244	+17.1%	13,129	15,312	+ 2,183	+16.6%
Court 4	15,002	15,830	+ 828	+ 5.5%	14,913	15,882	+ 969	+ 6.5%
Court 5	<u>2,966</u>	<u>2,801</u>	- 165	- 5.6%	<u>2,986</u>	<u>2,806</u>	- 180	- 6.0%
State	172,527	189,085	+16,558	+ 9.6%	170,946	190,897	+19,951	+11.7%

*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: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1988
CIVIL CASES
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Court 9	14	304	289	29	+ 15	+107.1%
Court 12	1,970	6,243	6,181	2,032	+ 62	+ 3.2%
Court 13	1,358	7,956	8,058	1,256	- 102	- 7.5%
<u>Kent County</u>						
Court 6	50	1,309	1,348	11	- 39	- 78.0%
Court 16	1,629	3,125	3,740	1,014	- 615	- 37.8%
Court 8	139	1,007	925	221	+ 82	+ 59.0%
<u>Sussex County</u>						
Court 1	41	470	464	47	+ 6	+ 14.6%
Court 2	1,286	593	1,837	42	-1,244	- 96.7%
Court 17	227	1,831	1,803	255	+ 28	+ 12.3%
Court 19	150	1,355	1,420	85	- 65	- 43.3%
Court 5	<u>206</u>	<u>1,226</u>	<u>1,123</u>	<u>309</u>	<u>+ 103</u>	<u>+ 50.0%</u>
State	7,070	25,419	27,188	5,301	-1,769	- 25.0%

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

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1988
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	190 62.5%	114 37.5%	304 100.0%	182 63.0%	107 37.0%	289 100.0%
Court 12	3,756 60.2%	2,487 39.8%	6,243 100.0%	3,404 55.1%	2,777 44.9%	6,181 100.0%
Court 13	5,454 68.6%	2,502 31.4%	7,956 100.0%	5,912 73.4%	2,146 26.6%	8,058 100.0%
<u>Kent County</u>						
Court 6	1,204 92.0%	105 8.0%	1,309 100.0%	1,256 93.2%	92 6.8%	1,348 100.0%
Court 16	2,334 74.7%	791 25.3%	3,125 100.0%	2,696 72.1%	1,044 27.9%	3,740 100.0%
Court 8	949 94.2%	58 5.8%	1,007 100.0%	874 94.5%	51 5.5%	925 100.0%
<u>Sussex County</u>						
Court 1	299 63.6%	171 36.4%	470 100.0%	297 64.0%	167 36.0%	464 100.0%
Court 2	451 76.1%	142 23.9%	593 100.0%	1,569 85.4%	268 14.6%	1,837 100.0%
Court 17	1,724 94.2%	107 5.8%	1,831 100.0%	1,687 93.6%	116 6.4%	1,803 100.0%
Court 19	1,073 79.2%	282 20.8%	1,355 100.0%	1,113 78.4%	307 21.6%	1,420 100.0%
Court 5	1,181 96.3%	45 3.7%	1,226 100.0%	1,091 97.2%	32 2.9%	1,123 100.0%
State	18,615 73.2%	6,804 26.8%	25,419 100.0%	20,081 73.9%	7,107 26.1%	27,188 100.0%

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

JUSTICE OF THE PEACE COURTS
FISCAL YEAR 1988
CIVIL CASES
WORKLOAD BREAKDOWNS (CONTINUED)

CHANGE IN PENDING

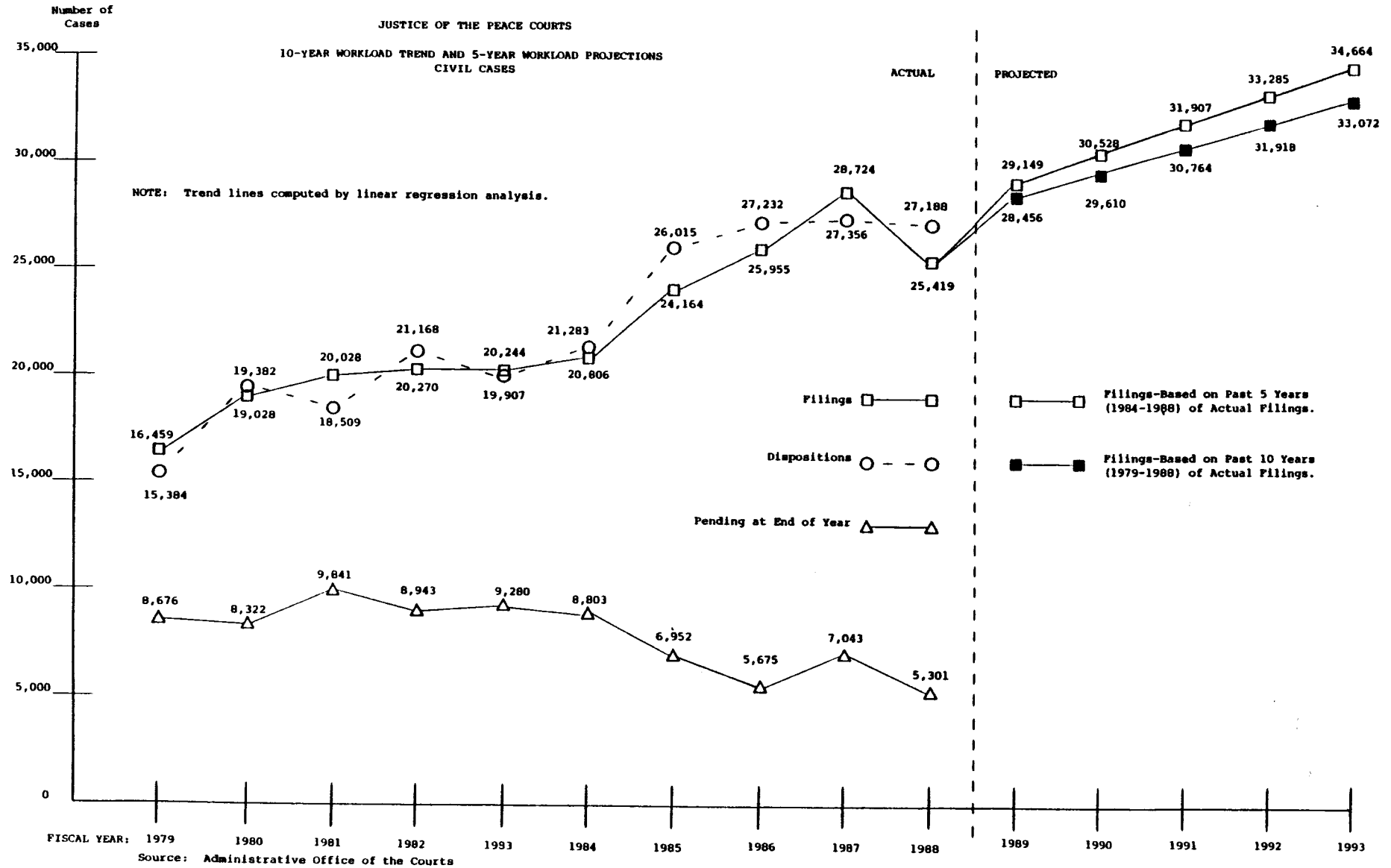
	<u>Complaints</u>	<u>Landlord/Tenant</u>	<u>TOTALS</u>
<u>New Castle County</u>			
Court 9	+ 8	+ 7	+ 15
Court 12	+ 352	- 290	+ 62
Court 13	- 458	+ 356	- 102
<u>Kent County</u>			
Court 6	- 52	+ 13	- 39
Court 16	- 362	- 253	- 615
Court 8	+ 75	+ 7	+ 82
<u>Sussex County</u>			
Court 1	+ 2	+ 4	+ 6
Court 2	- 1,118	- 126	-1,244
Court 17	+ 37	- 9	+ 28
Court 19	- 40	- 25	- 65
Court 5	+ 90	+ 13	+ 103
State	- 1,466	- 303	-1,769

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

JUSTICE OF THE PEACE COURTS
COMPARISON - FISCAL YEARS 1987-1988
CIVIL CASES
WORKLOAD

	<u>FILINGS</u>				<u>DISPOSITIONS</u>			
	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle County</u>								
Court 9	320	304	- 16	- 5.0%	328	289	- 39	- 11.9%
Court 12	6,981	6,243	- 738	- 10.6%	6,300	6,181	- 119	- 1.9%
Court 13	8,719	7,956	- 763	- 8.8%	8,370	8,058	- 312	- 3.7%
<u>Kent County</u>								
Court 6	1,514	1,309	- 205	- 13.5%	1,484	1,348	- 136	- 9.2%
Court 16	4,081	3,125	- 956	- 23.4%	3,990	3,740	- 250	- 6.3%
Court 8	917	1,007	+ 90	+ 9.8%	818	925	+ 107	+ 13.1%
<u>Sussex County</u>								
Court 1	506	470	- 36	- 7.1%	505	464	- 41	- 8.1%
Court 2	624	593	- 31	- 5.0%	537	1,837	+1,300	+242.1%
Court 17	1,930	1,831	- 99	- 5.1%	1,869	1,803	- 66	- 3.5%
Court 19	1,560	1,355	- 205	- 13.1%	1,604	1,420	- 184	- 11.5%
Court 5	<u>1,572</u>	<u>1,226</u>	<u>- 346</u>	<u>- 22.0%</u>	<u>1,524</u>	<u>1,123</u>	<u>- 401</u>	<u>- 26.3%</u>
State	28,724	25,419	-3,305	- 11.5%	27,329	27,188	- 141	- 0.5%

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



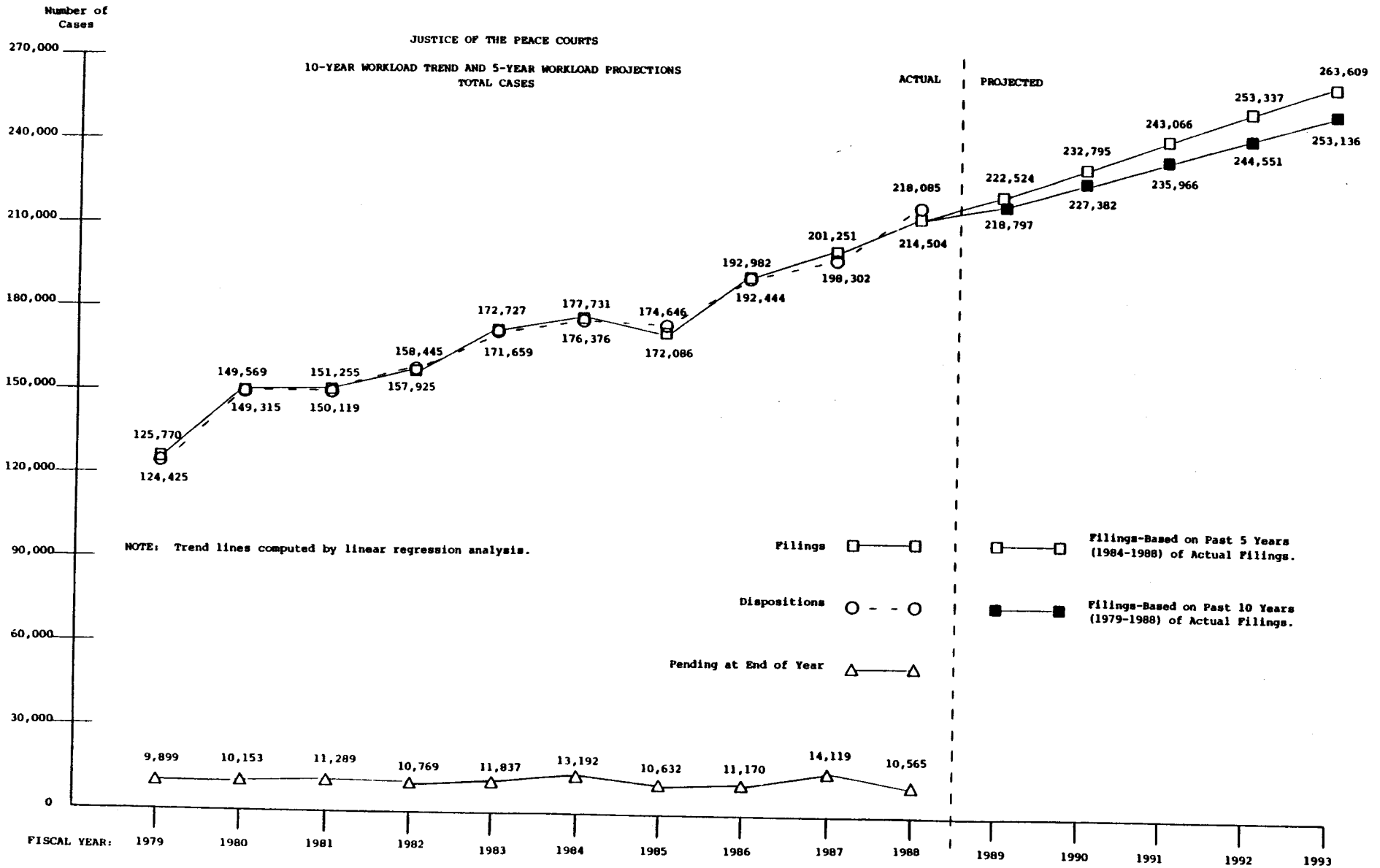
JUSTICE OF THE PEACE COURTS
FISCAL YEAR 1988
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>	<u>Court</u>	<u>Total Number of Cases Filed*</u>	<u>Percentage of Total</u>	<u>FY 1987 Rank</u>
1	11	34,912	16.3%	1
2	7	32,884	15.3%	2
3	10	27,119	12.6%	3
4	4	15,830	7.4%	6
5	15	15,645	7.3%	4
6	3	15,396	7.2%	7
7	2	15,044	7.0%	5
8	9	8,799	4.1%	10
9	6	8,291	3.9%	9
10	18	8,217	3.8%	12
11	13	7,956	3.7%	8
12	12	6,243	2.9%	11
13	5	4,027	1.9%	13
14	1	3,968	1.8%	16
15	8	3,862	1.8%	15
16	16	3,125	1.5%	14
17	17	1,831	0.9%	17
18	19	1,355	0.6%	18
19	14**	<u>0</u>	<u>0.0%</u>	19
	State	214,504	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



Alderman's Courts

ALDERMAN'S COURTLegal 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 12 active Alderman's or Mayor's Courts at the start of FY 1988; four in New Castle County and eight 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 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

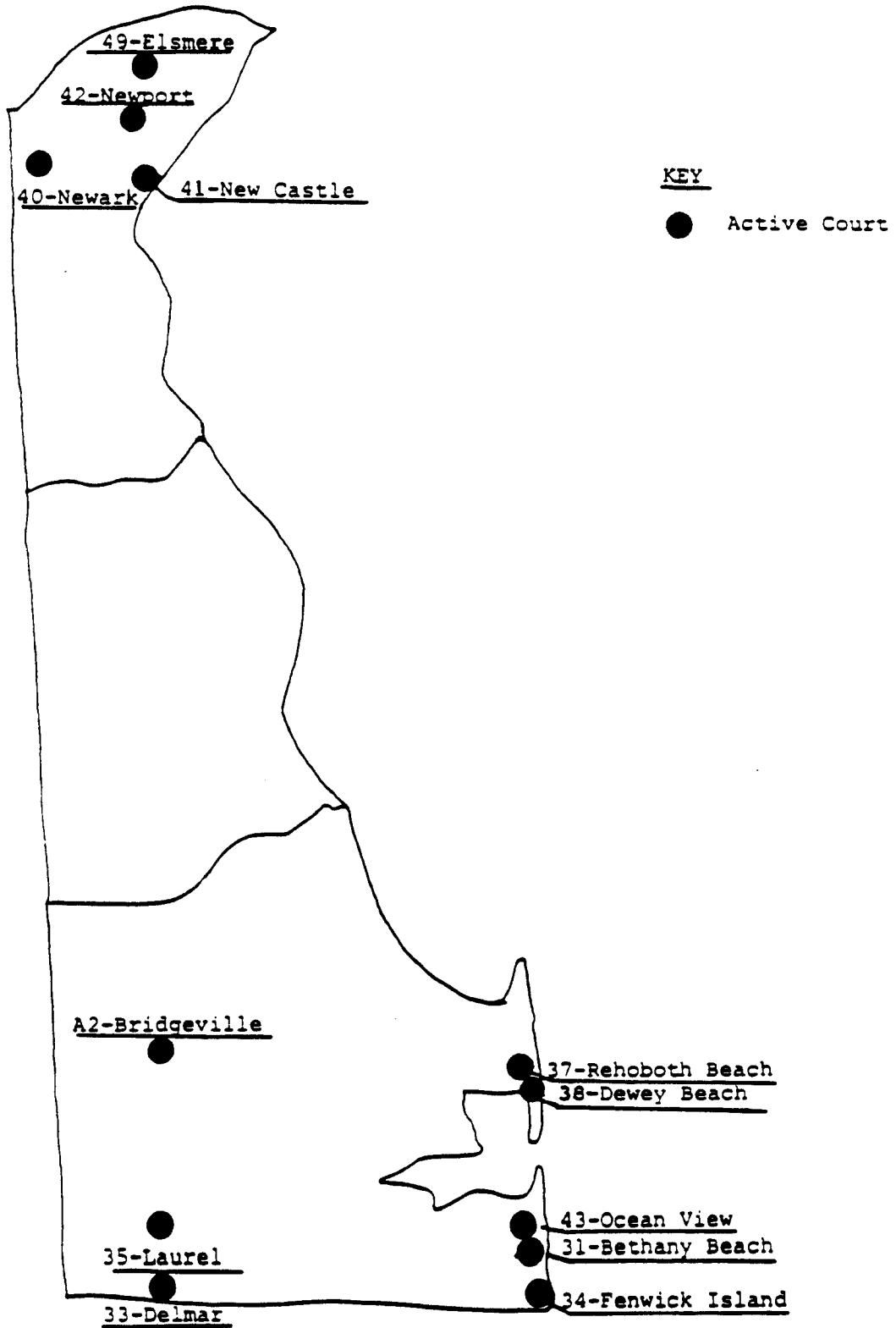
The selection, number, tenure and qualifications of aldermen are determined by the towns themselves. Some require lawyers while others choose ordinary citizens. A few aldermen serve full-time, while some are part-time judges. In New Castle, the mayor serves as judge of their court.

Caseload Trend

Total statewide filings in the Alderman's Courts rose by 14.6% from an amended total of 22,381 during FY 1987 to 25,652 in FY 1988. Total statewide dispositions for the Alderman's Courts increased by 16.6% from 22,009 in FY 1987 to 25,667 in FY 1988.

Total pending was virtually unchanged in FY 1988, falling by 0.3% to 4,955 at the end of FY 1988 from an amended pending of 4,970 at the end of FY 1987.

ALDERMAN'S COURTS IN DELAWARE



ALDERMAN'S COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

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

Executive Secretary
Vacant

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 Typist
Betty Hales
Linda Sielski
Donna Mooyman (part-time)
Kathryn Conner (part-time)

KENT COUNTY

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
(846-2130)

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

ALDERMEN

NEW CASTLE COUNTY

Elsmere

Hon. Edward F. Doyle, Jr., Mayor

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

SUSSEX COUNTY

Bethany Beach

Hon. J. Joseph Tansey, Alderman
Hon. Harold Britton Barber
Assistant Alderman

Bridgeville

Hon. Constance H. Collins, Alderman
Hon. Nina J. Patton
Assistant Alderman

Delmar

Hon. Linda H. Walmsley, Alderman

Dewey Beach

Hon. James C. Pope, II, Alderman
Hon. Marvin Guberman, 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

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	Townsend	M, Tu, Th, F 8AM-4PM; W Noon-8PM	40	Criminal & Civil
Court 10	Kirkwood Highway	7 Days Per Week, 24 Hours Per Day	168	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 8AM-4PM	40	Criminal & Civil
Court 2	Lewes	Winter: M, Tu 8AM-4PM; W-Sat 8AM-Midnight Summer: Sun, M 8AM-4PM; Tu-Sat 8AM-Midnight	80	Criminal & Civil
Court 3	Georgetown	7 Days Per Week, 24 Hours Per Day	96	Criminal & Civil
Court 17	Georgetown	7 Days Per Week, 24 Hours Per Day	168	Criminal
Court 4	Seaford	M-F 8AM-4PM	40	Civil
Court 19	Seaford	M-Sat 8AM-Midnight	96	Criminal
Court 5	Milford	M-F 8AM-4PM	40	Civil
			40	Criminal & Civil

JUSTICE OF THE PEACE COURTS

JUDICIARY

Chief Magistrate

Vacant

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 (6/5/92)

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 (5/10/91)

Hon. Edwin L. Lord, Jr. (6/30/89)

Hon. Kathleen C. Lucas (6/30/89)

Hon. Ruth P. Malm (1/11/89)

Hon. John P. McLaughlin (5/22/88)

Hon. Mable M. Pitt (6/22/83)

Hon. Edward M. Poling (6/30/89)

Hon. William S. Rowe, Jr. (6/20/92)

Hon. Rosalie O. Rutkowski (8/5/88)

Hon. David R. Skelley (6/30/89)

Hon. Rosalind Toulson (6/2/91)

Hon. John H. Wilding (9/29/88)

Vacant

Kent County

Justices of the Peace

Hon. Ernst M. Arndt (6/30/89)

Hon. Margret L. Barrett (6/20/90)

Hon. Helen M. Brandt (6/20/86)

Hon. Joseph A. Knussman (6/22/87)

Hon. Ellis B. Parrott (6/10/90)

Hon. Agnes E. Pennella (7/19/91)

Hon. Russell T. Rash (6/30/89)

Hon. Alice W. Stark (9/1/89)

Vacant

Vacant

Vacant

Sussex County

Justices of the Peace

Hon. Sheila A. Blakely (7/19/91)

Hon. Francis G. Charles (9/30/89)

Hon. Richard D. Comly (8/28/89)

Hon. Edward G. Davis (7/2/91)

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 (6/27/91)

Hon. Howard W. Mulvaney, III (7/19/91)

Hon. Almetia J. Murray (7/1/90)

Hon. William F. Plack, Jr. (6/20/90)

Hon. Edward G. Pollard, Jr. (6/30/88)

Hon. Marcealeate S. Ruffin (7/5/92)

Hon. Abigayle E. Truitt (7/2/91)

Vacant

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

NEW CASTLE COUNTY

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

Administrator (Acting)
Michael E. McLaughlin
Maryann Wolownik, Senior Secretary

Operations Manager
Thomas W. Nagle

Administrative Officer
Mary E. Cooper
Nelida Hernandez, Account Technician
June Burley, Unit Operations Clerk

Fiscal Administrative Officer
Mario V. Spitelli

Personnel Administrator
Sandra L. Coleman
Charlene E. Boyce, Payroll Technician

COURT 9
5355 Summit Bridge Road
Post Office Box 479
Townsend, DE 19734
(378-9533)

Clerk of the Court
Agnes B. Thompson

KENT COUNTY

COURT 6
Post Office Box 3
Route 13
Harrington, DE 19952
(398-8247)

Clerk of the Court
Betty Pleasanton

SUSSEX COUNTY

COURT 1
Post Office Box 192
Route 113
Millsboro, DE 19966
(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

COURT 11

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

Clerk of the Court

Vacant

COURT 12

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

Clerk of the Court

Ann Marie Ellingsworth

KENT COUNTY

COURT 7

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

Clerk of the Court

Marjorie Nolette

COURT 8

100 Monrovia Avenue
Smyrna, DE 19977
(653-7083)

Clerk of the Court

Eunice C. Ridgeway

COURT 16

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

Clerk of the Court

Sheila Fox

SUSSEX COUNTY

COURT 2

Post Office Box 492
Route 9
Lewes, DE 19958
(654-6163)

Clerk of the Court

Joanne R. Ash

COURT 3

Post Office Box 605
Route 113
Georgetown, DE 19947
(856-1445)

Clerk of the Court

Barbara E. Adams

COURT 4

Post Office Box 718
817 Norman Eskridge Hwy.
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 Building
820 North French Street
Wilmington, DE 19801
(571-2550)

Clerk of the Court
Clare Lucas

COURT 14

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

Clerk of the Court
Clare Lucas

COURT 15

716 Philadelphia Pike
Wilmington, DE 19809
(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)

Clerk of the Court
Edna Conner

KENT COUNTY

SUSSEX COUNTY

COURT 5

Post Office Box 254
715 S. DuPont Highway
Milford, DE 19963
(422-8871)

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

Gail Kerrigan

KENT COUNTY CAPIAS CONTROL CENTER
Justice of the Peace Court No. 7
Post Office Box 1081
Railroad and 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 1988
CRIMINAL AND TRAFFIC CASES*
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Court 9	16	8,495	8,493	18	+ 2	+ 12.5%
Court 10	81	27,119	26,949	251	+ 170	+209.9%
Court 11	2,250	34,912	34,056	3,106	+ 856	+ 38.0%
Court 14**	0	0	0	0	0	-
Court 15	0	15,645	15,645	0	0	-
Court 18	0	8,217	8,217	0	0	-
<u>Kent County</u>						
Court 6	0	6,982	6,961	21	+ 21	-
Court 7	647	32,884	32,765	766	+ 119	+ 18.4%
Court 8	170	2,855	2,809	216	+ 46	+ 27.1%
<u>Sussex County</u>						
Court 1	14	3,498	3,480	32	+ 18	+128.6%
Court 2	3,459	14,451	17,522	388	-3,071	- 88.8%
Court 3	245	15,396	15,312	329	+ 84	+ 34.3%
Court 4	145	15,830	15,882	93	- 52	- 35.9%
Court 5	<u>49</u>	<u>2,801</u>	<u>2,806</u>	<u>44</u>	<u>- 5</u>	<u>- 10.2%</u>
State	7,076	189,085	190,897	5,264	-1,812	- 25.6%

*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 1988
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	111 1.3%	203 2.4%	7,804 91.9%	377 4.4%	8,495 100.0%
Court 10	450 1.7%	3,067 11.3%	22,191 81.8%	1,411 5.2%	27,119 100.0%
Court 11	543 1.6%	8,137 23.3%	23,724 68.0%	2,508 7.2%	34,912 100.0%
Court 14**	0 -	0 -	0 -	0 -	0 -
Court 15	85 0.5%	1,459 9.3%	14,101 90.1%	0 0.0%	15,645 100.0%
Court 18	0 0.0%	5,850 71.2%	725 8.8%	1,642 20.0%	8,217 100.0%
<u>Kent County</u>					
Court 6	30 0.4%	189 2.7%	6,566 94.0%	197 2.8%	6,982 100.0%
Court 7	351 1.1%	5,120 15.6%	25,411 77.3%	2,002 6.1%	32,884 100.0%
Court 8	58 2.0%	437 15.3%	2,109 73.9%	251 8.8%	2,855 100.0%
<u>Sussex County</u>					
Court 1	250 7.2%	343 9.8%	2,801 80.1%	104 3.0%	3,498 100.0%
Court 2	174 1.2%	663 4.6%	13,424 92.9%	190 1.3%	14,451 100.0%
Court 3	183 1.2%	5,514 35.8%	9,202 59.8%	497 3.2%	15,396 100.0%
Court 4	192 1.2%	1,730 10.9%	13,561 85.7%	347 2.2%	15,830 100.0%
Court 5	<u>52 1.9%</u>	<u>757 27.0%</u>	<u>1,919 68.5%</u>	<u>73 2.6%</u>	<u>2,801 100.0%</u>
State	2,479 1.3%	33,469 17.7%	143,538 75.9%	9,599 5.1%	189,805 100.0%

*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.

ALDERMAN'S COURTS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

NEW CASTLE

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

Court Clerk

P. M. DiEmidio

NEWPORT

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

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 1988
TOTAL CASES*
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere**	42***	2,769	2,717	94	+ 52	+123.8%
Newark	3,829	7,372	7,322	3,879	+ 50	+ 1.3%
New Castle	0	597	597	0	0	-
Newport**	96	4,570	4,476	190	+ 94	+ 97.9%
<u>Sussex County</u>						
Bethany Beach	331	1,658	1,752	237	- 94	- 28.4%
Bridgeville	194	2,998	3,135	57	- 137	- 70.6%
Delmar	84	230	194	120	+ 36	+ 42.9%
Dewey Beach	199**	1,503	1,572	130	- 69	- 34.7%
Fenwick Island	0	1,723	1,723	0	0	-
Laurel	103	696	648	151	+ 48	+ 46.6%
Ocean View	0	214	214	0	0	-
Rehoboth Beach	<u>92</u>	<u>1,322</u>	<u>1,317</u>	<u>97</u>	<u>+ 5</u>	<u>+ 5.4%</u>
TOTALS	4,970***	25,652	25,667	4,955	- 15	- 0.3%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant with three 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.

***Amended from 1987 Annual Report.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1988
CRIMINAL CASES*
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere	0	0	0	0	0	-
Newark	1,069	2,155	2,064	1,160	+ 91	+ 8.5%
New Castle	0	0	0	0	0	-
Newport	0	0	0	0	0	-
<u>Sussex County</u>						
Bethany Beach	32	66	72	26	- 6	- 18.7%
Bridgeville	0	245	245	0	0	-
Delmar	21	51	25	47	+ 26	+123.8%
Dewey Beach	40	661	609	92	+ 52	+130.0%
Fenwick Island	0	318	318	0	0	-
Laurel	27	113	103	37	+ 10	+ 37.0%
Ocean View	0	0	0	0	0	-
Rehoboth Beach	<u>0</u>	<u>266</u>	<u>265</u>	<u>1</u>	<u>+ 1</u>	<u>-</u>
TOTALS	1,189**	3,875	3,701	1,363	+174	+ 14.6%

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

**Amended from 1987 Annual Report.

Source: Alderman's Courts

ALDERMAN'S COURTS

FISCAL YEAR 1988
TRAFFIC CASES*
WORKLOAD SUMMARY

<u>Court</u>	<u>Pending 6/30/87</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
<u>New Castle County</u>						
Elsmere**	42***	2,769	2,717	94	+ 52	- 123.8%
Newark	2,760	5,217	5,258	2,719	- 41	- 1.5%
New Castle	0	597	597	0	0	-
Newport**	96	4,570	4,476	190	+ 94	+ 97.9%
<u>Sussex County</u>						
Bethany Beach	299	1,592	1,680	211	- 88	- 29.4%
Bridgeville	194	2,753	2,890	57	- 137	- 70.6%
Delmar	63	179	169	73	+ 10	+ 15.9%
Dewey Beach	159	842	963	38	- 121	- 76.1
Fenwick Island	0	1,405	1,405	0	0	-
Laurel	76	583	545	114	+ 38	+ 50.0%
Ocean View	0	214	214	0	0	-
Rehoboth Beach	<u>92</u>	<u>1,056</u>	<u>1,052</u>	<u>96</u>	<u>+ 4</u>	<u>+ 4.3%</u>
TOTALS	3,781***	21,777	21,966	3,592	- 189	- 5.0%

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

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

***Amended from the 1987 Annual Report.

Source: Alderman's Courts

ALDERMAN'S COURTS

COMPARISON - FISCAL YEARS 1987-1988
TOTAL CASES
WORKLOAD

<u>COURT</u>	<u>Number of Dispositions*</u>			
	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle</u>				
Elsmere**	522	2,717	+2,195	+420.5%
Middletown	294	0	- 294	-100.0%
Newark	6,592	7,322	+ 730	+ 11.1%
New Castle	471	597	+ 126	+ 26.8%
Newport**	3,610	4,476	+ 866	+ 24.0%
<u>Sussex County</u>				
Bethany Beach	1,786	1,752	- 34	- 1.9%
Bridgeville	3,458	3,135	- 323	- 9.3%
Delmar	310	194	- 116	- 37.4%
Dewey Beach	1,428	1,572	+ 144	+ 10.1%
Fenwick Island	1,510	1,723	+ 213	+ 14.1%
Laurel	675	648	- 27	- 4.0%
Ocean View	200	214	+ 14	+ 7.0%
Rehoboth Beach	<u>1,153</u>	<u>1,317</u>	<u>+ 164</u>	<u>+ 14.2%</u>
TOTALS	22,009	25,667	+3,658	+ 16.6%

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

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

Source: Alderman's Courts

ALDERMAN'S COURTS

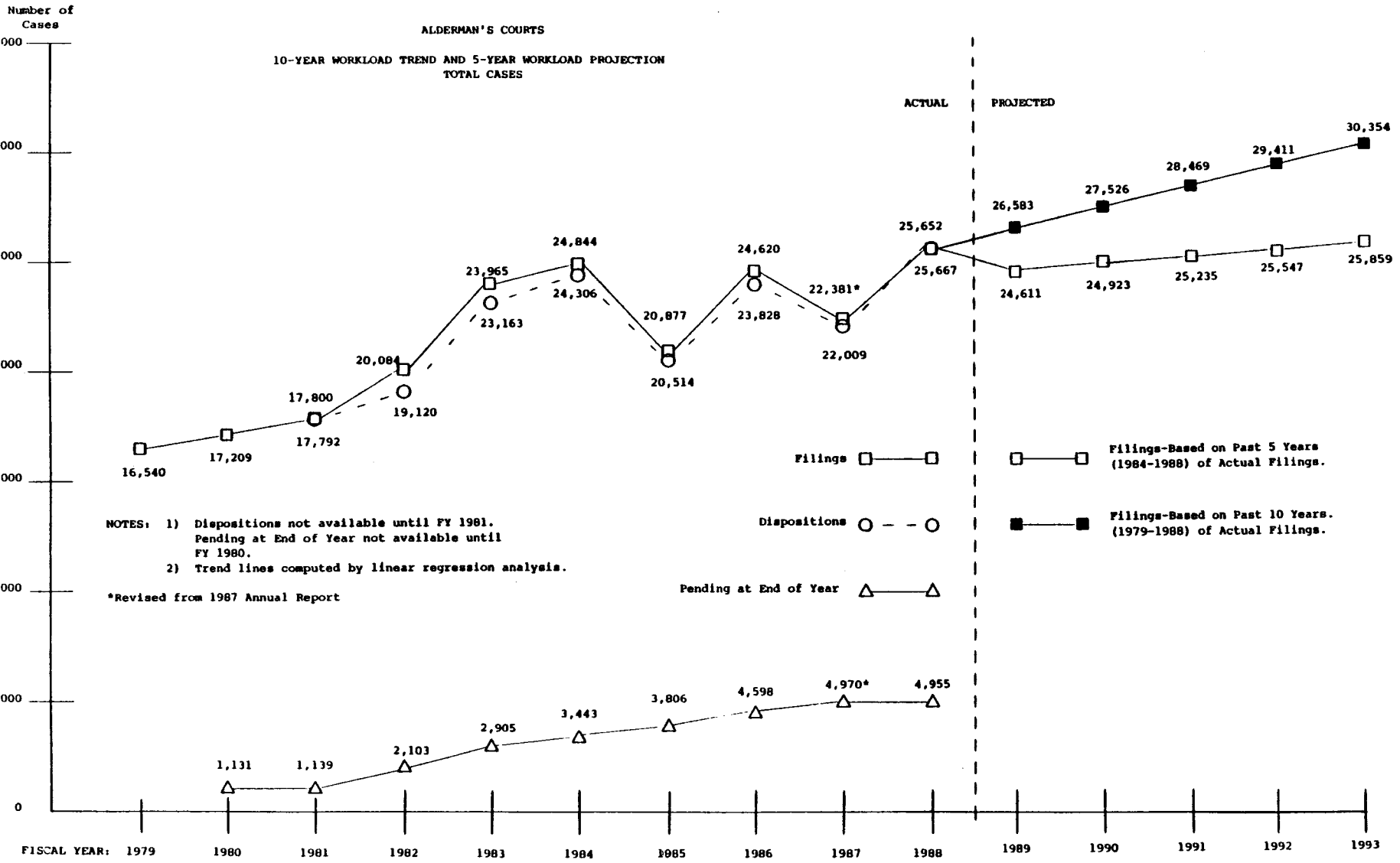
FISCAL YEAR 1988
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>		<u>Total Number of Filings*</u>	<u>Percentage of Total</u>	<u>FY 1987 Rank</u>
1	Newark	7,372	28.7%	1
2	Newport**	4,570	17.8%	3
3	Bridgeville	2,998	11.7%	2
4	Elsmere	2,769	10.8%	10
5	Fenwick Island	1,723	6.7%	5
6	Bethany Beach	1,658	6.5%	4
7	Dewey Beach	1,503	5.9%	6
8	Rehoboth Beach	1,322	5.2%	7
9	Laurel	696	2.7%	8
10	New Castle	597	2.3%	9
11	Delmar	230	0.9%	11
12	Ocean View	<u>214</u>	<u>0.8%</u>	12
	TOTALS	25,652	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



Source: Administrative Office of the Courts

Judicial Agencies

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, §128.

Duties

The Administrative Office of the Courts serves as the central point for coordination and communication concerning all court administrative activities in the judicial system. Over the years, the duties and responsibilities of the Office have steadily increased, and it is likely that this trend will continue as the Office is called upon to expand the scope of centralized services to be provided to the various courts and to implement uniform policies and standards regarding administrative matters. At the present time, the Office is engaged in a wide variety of activities which include: the development and implementation of statewide case and court management information systems, the management of a judicial personnel system which includes four (4) courts and five (5) judicial agencies, the statewide coordination and monitoring of court fiscal matters which include the preparation and coordination of the unified judicial budget, the payment of all jurors, witnesses, and court appointed attorneys, the development and implementation of a uniform accounting system for non-appropriated money handled by the courts, the preparation and publication of the Annual Report of the Delaware Judiciary, secretariat and staff support to the Judicial Conferences and the Long Range Courts Planning Committee, public information services, liaison with Executive Branch departments and the Legislature, and 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

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
Lowell L. Groundland
Joyce Ann Zeller, Executive Secretary

Deputy Director
Michael E. McLaughlin

Statistician
Adam Golby

Information
Resource Manager
James D. Brown

Data Processing Manager
James P. Boulanger

Mgr. Personnel Services
Charlotte T. Lister

Fiscal Services Manager
E. Dawn Bowman

Systems Software Spec.
Donald L. Hudgins
Robby U. Khanal

Personnel Officer
Merry E. Cole

Senior Accountant
E. Lynn Deramo-Durr

App. Support Specialist
Ernest J. Hoh, Jr.
John H. Glancey
Ernest M. Chizmar
Mary Kay Hill

Accountant
Robin C. Jenkins
David J. Nickerson

Secretary
Maria Cook

Computer Operators
Patricia A. Hall
Tien T. Dan

Secretary
Constance A. Davis

LAW LIBRARIES

The standards for the control and supervision of the three Law Libraries are set in 10 Del. C. §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 ultrafiche and microfiche 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
Harold H. Hester

SUSSEX COUNTY

Sussex County Law Library
Sussex County Courthouse
P. O. Box 390
Georgetown, DE 19947
(856-5483, 856-5235)

Law Librarian
Mary Tylecki Dickson

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 and 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 an administrative officer, one full-time and two part-time caseworkers, and an accounting clerk in providing guardianship services. The Educational Surrogate Parent Coordinator is housed in the Office of the Public Guardian, but does not devote any time to the provision of guardianship services.

Caseload

There was a total of 110 referrals received by the Office of the Public Guardian during FY 1988 compared with 120 referrals in FY 1987. 16 of the referrals in FY 1988 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 same number as in FY 1987. The Public Guardian was responsible for 56 wards as of June 30, 1987, which increased to 60 wards as of June 30, 1988.

The remaining 94 referrals during FY 1988 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. This is a decrease of 9.6% from FY 1987 when there were 104 such referrals.

OFFICE OF PUBLIC GUARDIAN

Public Guardian

Barbara F. Blevins
Elbert N. Carvel State Building
11th Floor
820 North French Street
Wilmington, Delaware 19801
(571-2990)

Elections Building
101 Court Street
Dover, Delaware 19901
(736-5651)

Educational Surrogate Parent Coordinator

Janice K. Baly
Elbert N. Carvel State Building
11th Floor
820 North French Street
Wilmington, Delaware 19801
(571-3545)

OFFICE OF PUBLIC GUARDIAN

SUPPORT PERSONNEL

NEW CASTLE COUNTY

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

Administrative Officer
Barbara Walker
(571-2990)

Caseworker
Patricia E. Gesler
(571-2978)

Account Clerk
Marilyn Bergeron-Huard
(571-2967)

KENT COUNTY

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

Caseworker
Hugh Waters
(736-4072)

SUSSEX COUNTY

Office of Public Guardian
Laurel State Service Center
111 Mechanic Street
Laurel, Delaware 19956
(856-5338)

Caseworker
Karen E. Bounds
(856-5338)

PUBLIC GUARDIAN

FISCAL YEAR 1988
WORKLOAD SUMMARY

	<u>Pending 6/30/87</u>	<u>New Referrals</u>	<u>Cases Closed</u>	<u>Pending 6/30/88</u>	<u>Change In Pending</u>	<u>% Change In Pending</u>
Guardianships	56	16	12	60	+ 4	+ 7.2%
Investigations	<u>12</u>	<u>94</u>	<u>97</u>	<u>9</u>	<u>- 3</u>	<u>- 25.0%</u>
TOTALS	68	110	109	69	+ 1	+ 1.5%

COMPARISON - FISCAL YEARS 1987-1988
WORKLOAD

New Referrals

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Guardianships	16	16	0	0.0%
Investigations	<u>104</u>	<u>94</u>	<u>-10</u>	<u>- 9.6%</u>
TOTALS	120	110	-10	- 8.3%

Cases Closed

	<u>1987</u>	<u>1988</u>	<u>Change</u>	<u>% Change</u>
Guardianships	13	12	- 1	- 7.7%
Investigations	<u>99</u>	<u>97</u>	<u>- 2</u>	<u>- 2.0%</u>
TOTALS	112	109	- 3	- 2.7%

Source: Office of the Public Guardian

Legal Authorization

The Foster Care Review Board is authorized by 31 Del. C., C. 38.

Purpose

The mission of the Foster Care Review Board is to provide and administer a volunteer-based citizen Review Board, which acts as an independent monitoring system, charged with identification and periodic review of all children placed in foster care in the State of Delaware. 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 make the needs of a child for physical, mental, and emotional growth the determining factors in permanency planning; and to ensure that foster care remains a temporary status consistent with a child's sense of time.

Periodic reviews for children in out-of-home placement conducted by independent citizen review committees are assisting the state to comply with federal review requirements established by PL96-272, The Adoption Assistance and Child Welfare Act of 1980. The purpose of the Board's child review program is to monitor the case plans made for children and families involved in the state's foster care programs.

Geographic Organization

The Board is organized into 12 review committees, in order to conduct reviews of children in foster care. These 12 review committees meet twice a month at various locations -- Wilmington, Dover, Milford and Georgetown.

The administrative office of the Board is located in Wilmington.

Personnel

Approximately 80 citizen volunteers comprised the Foster Care Review Board in FY 1988. 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 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 has an Executive Director who employs additional support personnel.

Performance

During FY 1988, the Board conducted 1,390 reviews of children in foster care. As of June 1988, the Board's inventory of children in foster care identified 753 children; 457 from New Castle County, 128 from Kent County and 168 from Sussex County. The Board's volunteer-based program generates approximately 10,000 volunteer hours annually.

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, 10/31/90)

SUPPORT PERSONNEL

Executive Director

Barbara A. Brown

Staff Assistant

Andra D. Berry

Robin Mayhew

Cathy K. Conner (part-time)

Vacant (part-time)

Secretary

Charlotte J. Harris

Lorraine Kunz

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 violent crimes, and the family and dependents of those victims". The Board may offer up to \$20,000 in compensation to those who are victimized in the State of Delaware. The Board receives a 15% penalty assessment which, by law, is added onto every fine, penalty and forfeiture assessed by the Courts. The fund is also replenished through court-ordered restitution and through federal assistance.

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 Board located in Wilmington.

Personnel

The Violent Crimes Compensation Board consists of five members: a chairwoman, 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 Board members have their terms expire at the end of any given year. The Board must be composed of not more than three members of any single political party. The Board may appoint an Executive Secretary and other employees as needed up to a maximum of six at one time. The Board currently employs an Executive Secretary, an administrative officer, two claim investigators, and a senior secretary.

Caseload Trend

In fiscal year 1988, the Board received over \$1,186,531 from the 15% penalty assessment levied on fines. Restitution receipts totaled approximately \$28,143 for a yearly revenue of \$1,214,673. The budget expenditures of \$926,581.78 are a combination of \$231,265.07 for administrative costs, \$694,963.51 in victim costs and \$352.20 reimbursed in revenue refunds. Victim awards averaged approximately 75% of the overall budget with administrative costs at 25%. From fiscal year 1976 through fiscal year 1988, the Board has processed approximately 2,296 applications for compensation paying roughly \$4,315,200 in claims.

VIOLENT CRIMES COMPENSATION BOARD

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

BOARD MEMBERS

Leah W. Betts, Chairwoman (D, 8/5/89)
Edward Stansky, Vice-Chairman (D, 6/30/90)
Saxton C. Lambertson, Board Member (R, 5/30/88)
Stephen L. Manista, Board Member (R, 1/20/91)
Charles H. Toliver, IV, Board Member (R, 6/30/88)

SUPPORT PERSONNEL

Executive Secretary
Oakley M. Banning, Jr.

Administrative Officer
Ann L. DelNegro

Claim Investigators
Marcia A. Jenkins
Howard P. Wilson

Senior Secretary
Barbara E. Weiss

Conferences, Committees and 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 after appointment, or other misconduct in violation of the Canons of Judicial Ethics. A judicial officer may be retired because of permanent mental or physical disability interfering with the proper performance of his 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 81.

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 as well as the Chief Magistrate of the Justice of the Peace Courts. 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. Additional meetings may be called by the Chief Justice or by the senior Associate Justice if he is absent.

LONG RANGE COURTS PLANNING COMMITTEE

The Long Range Courts Planning Committee was created by Chief Justice Daniel F. Wolcott on December 15, 1970. At that time, Chief Justice Wolcott appointed nine members to the Committee which was composed of seven judges from the various courts and two members of the Bar. The initial charge of the Committee was to consider "long range planning for the needs of the Courts".

Under the leadership of Chief Justice Daniel L. Herrmann, the Committee was reorganized with a broader charge in May, 1977. A formal "Statement of Purpose" was then adopted:

"The Long Range Courts Planning Committee shall be composed of judges, attorneys and court administrators. The purpose of the Committee is to provide an opportunity for the thoughtful formulation and active support of plans and programs for the improvement of the Delaware Court System which will enable it to better perform its task of administering justice in this State, and to undertake such other tasks as may be assigned to it by the Chief Justice. It is expected that this group will initiate new plans and programs, where appropriate, and will support plans and programs initiated by others, or initiated by this group in the past, which to this group appear worthy of such support. The group is intended not only to provide input from the standpoint of thoughtful ideas, but also to provide active and, where necessary, aggressive impetus at all levels of state government where support for the court system is needed and appropriate."

Today, the Committee is composed of twenty-six members including the two Co-chairmen, Justice Joseph T. Walsh and Victor F. Battaglia, Esquire. The membership includes judicial representatives from every court, and lawyers throughout the State. Working with the cooperation of the executive and legislative branches of government for the betterment of our court system, the accomplishments of the Committee to date have been significant. These include the enlargement of the Supreme Court, additional judges for the Court of Chancery and Superior Court and the provision of adequate court facilities. The Committee played a vital role in helping to achieve judicial salary increases and continues to monitor national and regional salary levels to assure that adequate levels of judicial compensation continue to be provided.

The Committee is engaged in a continuing study of the jurisdiction of the component courts of the Delaware judicial system in order to promote efficiency and eliminate congestion. The Committee sponsored the activities of the Task Force on the Family Court and reviewed legislative proposals recommended in the Task Force report. Court consolidation remains an area of special concern.

In recognition of the Committee's outstanding contribution to the administration of justice for eighteen years, Chief Justice Andrew D. Christie views its role as essential to dealing with all important issues confronting the courts. The Chief Justice desires to keep the Committee vital and has inaugurated a plan to rotate its membership to broaden participation among members of the Bar and Bench.

JUDICIAL EDUCATION COMMITTEE

The Delaware Supreme Court adopted the Mandatory Continuing Legal Education Rule for members of the Bar, including judges, effective January 1, 1987. On July 1, 1987, Chief Justice Andrew D. Christie appointed judges from each of the State Courts and the Chief Magistrate to serve on the Judicial Education Committee to assist members of the judiciary in meeting that requirement.

In administering the funds provided by the General Assembly, the Committee plans in-state continuing judicial education programs at an annual seminar and also enables judges to travel out of state to pursue educational programs at the National Judicial College or to attend seminars offered by other prominent judicial education organizations.

Justice Joseph T. Walsh has served as Chairman of the Judicial Education Committee since its inception. Other members of the Committee are Vice-Chancellor Carolyn Berger, Judge Henry duPont Ridgely, Judge Jay Paul James and Judge William C. Bradley, Jr. Continuing judicial education seminars were held at the University of Delaware's Virden Conference Center in Lewes, Delaware in December, 1987 and September, 1988. Guest lecturers and speakers at each seminar have included distinguished jurists, legal scholars and others having expert knowledge in matters of importance to the judicial function.

CRIMINAL JUSTICE COUNCIL

PAGE
=202=

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 of 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
Vacant, Chief Magistrate, Justice of the Peace Courts
Charles M. Oberly, III, Attorney General
Lawrence M. Sullivan, Esq., Public Defender
Robert J. Watson, Commissioner, Department of Corrections
Henry Risley, Chief, Bureau of Adult Correction
Daniel W. Cox, Director, Division of Youth Rehabilitation
Oliver Casson, Chairman, Board of Parole
Col. Clifford Gravier, Superintendent, State Police
Vacant, Chief, New Castle County Police
Guy Sapp, 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
Tempe Steen, Esq., At-Large Member
Anthony Flynn, Esq., At-Large Member

THE BOARD OF MANAGERS, DELAWARE JUSTICE INFORMATION SYSTEMLegal Authorization

The Board of Managers, Delaware Justice Information System, is authorized by 11 Delaware Code, Chapter 86.

Duties

The Board is charged with the establishing of policy for the development, implementation and operation of comprehensive data systems in support of the agencies and courts of the criminal justice system of the State. Said data systems include, but are not limited to, criminal history record information with the respect to individuals who are arrested, or against whom formal criminal charges are preferred within this State, or against whom proceedings related to the adjudication of a juvenile as delinquent are instituted.

Membership

The Board is composed of fourteen members, nine of whom are voting members who represent the following agencies and courts: the Office of the Governor, the Division of State Police, the Delaware Police Chiefs Council, the Office of the Attorney General, the Office of the Public Defender, the Family Court, all other Courts, the Division of Youth Rehabilitation Services and the Department of Correction. The non-voting members represent the following entities: the Senate, the House of Representatives, the State Bureau of Identification, the Office of Information Systems and the Criminal Justice Council. The current appointing authorities are:

Voting:

Hon. Michael N. Castle, Governor
Hon. Andrew D. Christie, Chief Justice, Supreme Court
Hon. Charles M. Oberly, III, Attorney General
Lawrence M. Sullivan, Esquire, Public Defender
Robert J. Watson, Commissioner, Department of Correction
Daniel W. Cox, Director, Division of Youth Rehabilitation Services
Col. Clifford Graviet, Superintendent, State Police
Chief Donald H. McGinty, Delaware Police Chiefs Council

Non-Voting:

Hon. Richard Cordrey, President Pro Tempore, Senate
Hon. Terry R. Spence, Speaker, House of Representatives
Col. Clifford Graviet, Superintendent, State Police
John Nold, Director, Office of Information Systems
Thomas J. Quinn, Director, Criminal Justice Council

Legislation

LEGISLATION

PAGE
=206=

The following select, court legislation was enacted by the 134th General Assembly and signed by the Governor during FY 1988.

SENATE

Senate Bill 211

The Department of Children, Youth and Their Families is to supervise probation of delinquent children while the Department of Corrections is to supervise probation of adults who are placed on probation by Family Court.

Senate Bill 216

Arrest, police and court records in Family Court may be expunged when the charges have been nolle prosequied, dismissed, dropped or resolved at arbitration without a hearing where agreeable by the Attorney General.

Senate Bill 217

This bill permits Family Court to grant a termination of parental rights without a hearing where the parents have consented and provided the Court with a waiver notice.

Senate Bill 225 with Senate Amendment 1

Family Court may require parents or guardians of a delinquent child to make restitution for personal injury up to \$5,000, provided that the child's delinquent nature was known of and reasonable measures to control the child were not taken.

Senate Bill 248

This bill permits Superior Court to appoint Masters.

Senate Bill 328

This bill adds two (2) judgeships to Superior Court.

Senate Bill 335

This bill allows a service fee of \$30 for processing a worthless check or \$50 for processing more than one worthless check.

Senate Bill 336

This bill amends 11 Del.C. §855, which deals with theft, by adding a new subsection dealing with theft as part of a "scheme or continuous course of conduct."

Senate Bill 374

This allows Delaware citizens who sustain injuries in states without compensation programs for victims to seek compensation from the Delaware Violent Crimes Compensation Board.

Senate Bill 382

This corrects the law relating to pensions for the members of the Delaware Judiciary.

Senate Bill 445

This act makes the Delaware non-claim statute self-executing.

Senate Bill 447

This amendment to 12 Del.C., C. 2 reverses certain presumptions about ownership of a tangible personal property.

Senate Bill 471

This act serves to expand and list the conditions of release and commitment conditions which may be imposed by judges.

Senate Bill 482

This act deals with the designation of inpatient psychiatric facilities for minors by amending 16 Del.C., C. 50 and 51.

Senate Bill 486 as amended by Senate Amendment 1

This permits the Attorney General to appear in criminal proceedings against juveniles and adults in Family Court at his discretion.

HOUSE

House Bill 124 as amended by Senate Amendments 1 and 4

This replaces 13 Del.C. §1512, which addresses alimony, with a new §1512 that redefines permissible periods of alimony for those married less than twenty (20) years.

House Bill 136 as amended by House Amendments 1, 2, and 3
and Senate Amendment 2

This bill amends 19 Del.C., C. 7, and specifically prohibits discrimination in employment practices against qualified handicapped persons.

House Bill 177 as amended by House Amendment 1

This bill serves to exclude property which is inherited during the marriage from being considered marital property.

House Bill 235

This amends 17 Del.C. §511(c) by presenting the jurisdiction limitations for the Court of Common Pleas (\$15,000) and the Justice of the Peace Courts (\$2,500) for civil actions in line with existing Court Rules.

House Bill 341

First offenders who are sentenced without an adjudication of guilt are to be required to pay at least the court costs in their cases.

House Bill 365

Notice for a hearing for contempt or modification of a support order in a matter relating to child support obligations may be made by regular first class mail.

House Substitute 1 to House Bill 396 as amended by House Amendment 3

This bill amends the General Corporation Law as presented in 8 Del.C., C.1, specifically setting more stringent standards which must be met prior to takeover efforts.

House Bill 453 as amended by House Amendment 1

Parents may not remove children from the State of Delaware before Family Court can act on the petition for custody or visitation without written consent from the parents or the Court's permission.

House Bill 525 as amended by House Amendment 1

Justice of the Peace Courts no longer permit default judgements where the certified return card is marked "unclaimed".

House Bill 526

This corrects 10 Del.C. §§9582-9590, specifically providing that a debtor receives a detailed affidavit, a prompt hearing and constitutionally adequate notice.

House Bill 551 as amended by House Amendment 1

This prohibits any insurance company licensed in Delaware from using any discriminatory practices while marketing their product or service.

House Bill 552 as amended by House Amendment 1

This makes the stealing of a child less than 16 years of age to be kidnapping.

