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1992

1992

Annual Report of the Delaware Judiciary

1992



1992 Annual Report of the Delaware Judiciary

(July 1, 1991 – June 30, 1992)

The Honorable E. Norman Veasey
Chief Justice of Delaware

Prepared by the

Administrative Office of the Courts

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LETTER OF TRANSMITTAL



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LOWELL L. GROUNDLAND
DIRECTOR

MICHAEL E. MCLAUGHLIN
DEPUTY DIRECTOR

The Honorable Chief Justice and Justices of the Supreme Court of the State of Delaware:

Pursuant to Supreme Court Rule 87, the Administrative Office of the Courts is pleased to present the 1992 Annual Report of the Delaware Judiciary. The statistical information contained herein covers the period beginning July 1, 1991 and ending June 30, 1992.

A special expression of thanks and appreciation is extended to the many individuals in the various courts and judicial offices throughout the state who provided the Administrative Office with statistical data and other important information which form the foundation of this document.

It is hoped that the Annual Report will be both informative and useful to the reader.

Respectfully,

A handwritten signature in cursive script, reading 'Lowell L. Groundland'.

Lowell L. Groundland
Director
Administrative Office of the Courts

LETTER FROM THE CHIEF JUSTICE



SUPREME COURT OF DELAWARE

E. NORMAN VEASEY
CHIEF JUSTICE

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February 2, 1993

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I present with pride the accomplishments of the judicial system of this State as related in the 1992 Annual Report of the Delaware Judiciary. During the past fiscal year, our courts experienced the largest caseload in history while at the same time operating with a reduced work force. This reduction in work force was due to judicial vacancies, the loss of employee positions through the State's early retirement program, and the hiring freeze which my predecessor Chief Justice Andrew D. Christie imposed, and I continued in force, to help cope with the State's revenue shortages. In this environment of limited resources, our judges and staff succeeded in disposing of a record number of cases and in initiating new programs which have resulted in increased efficiency in the operations of our courts.

I want to take this opportunity to congratulate Chief Justice Andrew D. Christie upon his retirement and to thank former Governors Michael N. Castle and Dale E. Wolf, Governor Thomas R. Carper, and the members of the General Assembly for their continued cooperation and support.

We look on the important achievements of the Delaware Judiciary in FY 1992 as a foundation for implementing further changes designed to promote excellence in all areas of court operations and to make Delaware the model court system in the nation.

E. Norman Veasey

A Change in Leadership

A CHANGE IN LEADERSHIP

CHIEF JUSTICE ANDREW D. CHRISTIE RETIRES

Chief Justice Andrew D. Christie retired on February 29, 1992 after 34 years of service in the Delaware Judiciary.

After receiving his undergraduate degree with honors in History from Princeton University, Chief Justice Christie obtained his LL.B. degree from the University of Pennsylvania where he was editor of the *University of Pennsylvania Law Review* and elected to the Order of the Coif.

In 1949, he was admitted to the Delaware Bar and, from 1950 to 1957, he practiced law in Wilmington. During the first three years of his law practice, he assisted in rewriting the Delaware Code, and from 1953 to 1957, he served as Executive Director of the Legislative Reference Bureau, and in this capacity was Chief Attorney for the State Legislature.

Chief Justice Christie became a Judge in the Superior Court on April 29, 1957 and was reappointed for two subsequent terms to that bench. On March 23, 1983, he left his post as Resident Judge of the Superior Court in New Castle County to be sworn in as Justice of the Supreme Court of Delaware, and on March 30, 1985 he succeeded the Honorable Daniel L. Herrmann as Chief Justice of the Delaware Supreme Court. A signal honor for Chief Justice Christie was the honorary Doctor of Jurisprudence bestowed upon him by Widener University's Delaware Law School in 1988.

During Chief Justice Christie's term as head of the Delaware judicial system, the Judiciary's budgetary process was centralized through his office, a construction program to expand and renovate the physical facilities of the courts was begun, and the Administrative Office of the Courts

was expanded and its duties delineated through Administrative Directive Number Eighty-Seven in conformity with American Bar Association's *Standards Relating to Court Administration*.

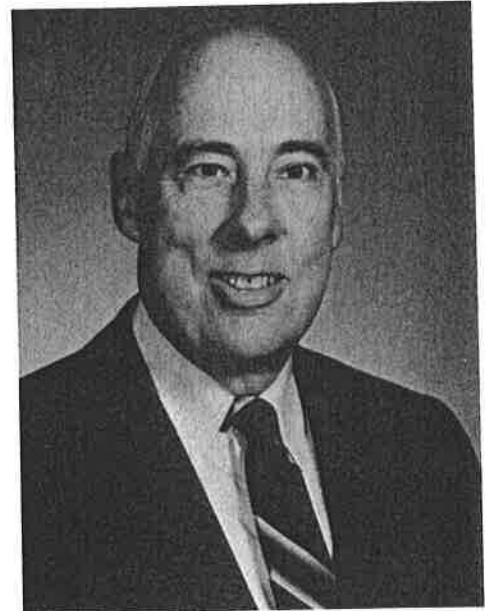
Throughout his career, Chief Justice Christie was active in professional organizations. From 1957 to 1967, he served as President of the Legal Aid Society of Delaware. He regularly participated in the programs and seminars of such organizations as the National Conference of State Trial Judges, the National Judicial College, and the National Conference of Chief Justices, and he conducted seminars in judicial conferences in a number of states.

The Chief Justice's civic affiliations included the Boy Scouts, the Red Cross, and various United Way agencies, and he was President of the Board of Trustees of Westminster Presbyterian Church.

Chief Justice Christie and his wife, Carol Graves Christie, live in Greenville and have four adult children and seven grandchildren.

On May 11, 1992, Chief Justice Christie was honored for his distinguished career by the Bench and Bar at a reception and dinner held at the Gold Ballroom of the Hotel DuPont.

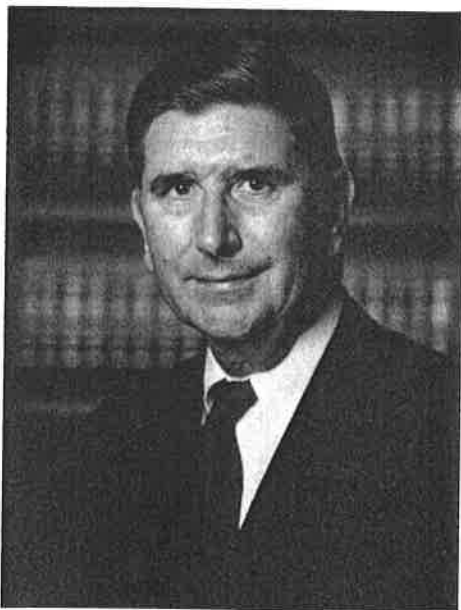
The Delaware judicial system expresses appreciation to the Honorable Andrew D. Christie for his notable contributions to the legal field and to this State's court system.



The Honorable Andrew D. Christie

A CHANGE IN LEADERSHIP

E. NORMAN VEASEY INVESTED AS CHIEF JUSTICE OF THE SUPREME COURT OF DELAWARE



The Honorable E. Norman Veasey

The Honorable E. Norman Veasey became the sixth Chief Justice of the Supreme Court of Delaware when he was sworn in at a special session of the Supreme Court in Dover on April 7, 1992.

Chief Justice Veasey received his A.B. degree from Dartmouth College in 1954, and in 1957 he was awarded his LL.B. degree from the University of Pennsylvania Law School where he was a member of the Board of Editors and the Senior Editor of the *University of Pennsylvania Law Review*.

From 1957 until he took office as Chief Justice, he practiced law with the Wilmington law firm of Richards, Layton and Finger where he concentrated on business law, corporate transactions, litigation, and counselling. From 1963 until 1992, he was a member of this firm and served at various times as managing partner and the chief executive officer of the firm. During 1961-62, he served as a Deputy Attorney General of the State

of Delaware, and in 1963 he served as Chief Deputy Attorney General. He was legal officer of the Delaware Air National Guard, and was honorably discharged with the rank of captain in 1963 after six years of service. In 1982-83, he was President of the Delaware State Bar Association.

Chief Justice Veasey is Vice-Chair of the Section of Business Law of the American Bar Association and is the Editor of *The Business Lawyer*, the scholarly legal journal published by that Section. He is expected to become Chair of the Section in 1994. He is a Fellow of the American College of Trial Lawyers, a Life Fellow of the American Bar Foundation, and a member of the American Law Institute, and numerous other professional organizations. A prolific contributor to publications specializing in corporate law, he has conducted lectures and seminars sponsored by the American Bar Association, the Practising Law Institute, the National Securities Institute, the Securities Regulation Institute, the American College of Investment Counsel, and other organizations.

Throughout his career, the Chief Justice has been active in governmental and civic affairs. In the period from 1965 to 1968, he served as Co-Chair of the Governor's Committee on Criminal Law Revision; from 1969 to 1971, he was Chair of the Governor's Task Force on the Reorganization of the Executive Branch of the Delaware State Government; and from 1977 to 1980 he was Co-Chair of the Delaware Intergovernmental Task Force. He served as a Trustee of the University of Delaware from 1975 to 1992 and as Vice-Chair of the Presidential Search Committee of the University of Delaware in 1988-89. Currently he is a director of the Institute for Law and

Economics at the University of Pennsylvania, a member of the Wilmington Rotary Club, and a parishioner of the Cathedral Church of St. John in Wilmington.

Chief Justice Veasey and his wife, the former Suzanne Johnson of Wilmington, have four children and two grandchildren.

The Delaware Judiciary looks forward to Chief Justice Veasey's leadership as the Delaware court system strives to cope with rapidly occurring societal and technological changes, and to enhance its long-standing national reputation for excellence.

**Fiscal Year
1992
Executive
Summary**

A Commentary by Chief Justice E. Norman Veasey

In the paragraphs that follow, I am summarizing the salient points in the FY 1992 Annual Report and providing my views concerning the current state of the Delaware judicial system and the course that our courts should be taking in the future.

Since taking office as Chief Justice of the Supreme Court in April 1992, I have often said that this State can boast of one of the finest court systems in the nation. At the same time, I believe that it is important to emphasize that our courts are being threatened by inadequate resources. . . .

Since taking office as Chief Justice of the Supreme Court in April 1992, I have often said that this State can boast of one of the finest court systems in the nation. At the same time, I believe that it is important to emphasize that our courts are being threatened by inadequate resources, and we need to concentrate on augmenting resources and enhancing management techniques. I will be discussing in greater detail in my State of the Judiciary Message (scheduled for March 1993) the kinds of resources - both human and material - which our courts must have immediately and in the future.

For the last several years, most of the Delaware courts have experienced record level caseloads. . . .

During calendar year 1992, there were several changes in judgeships. Chief Justice Andrew D. Christie retired on February 29, 1992, after 35 years of distinguished service in the Delaware Judiciary. On April 7, 1992, I was sworn in as the Chief Justice of the Supreme Court of the State of Delaware. Other changes in the Judiciary were: the appointment of the Honorable Vincent A. Bifferato as

Resident Judge of the Superior Court in New Castle County; the retirement of Associate Judge Clarence W. Taylor from Superior Court; the departure of the Honorable Vincent J. Poppiti from Superior Court where he was Resident Judge in New Castle County so that he might assume his post as the new Chief Judge of the Family Court; and the retirement of members of the Family Court bench, including Chief Judge Robert D. Thompson and Associate Judge Roger D. Kelsey. The Honorable Haile L. Alford and the Honorable Richard R. Cooch became Associate Judges of the Superior Court, and the Honorable William N. Nicholas, the Honorable William J. Walls, and the Honorable Alison Whitmer Tumas became Associate Judges of the Family Court.

For the last several years, most of the Delaware courts have experienced record level caseloads with the greatest growth in criminal cases. Since FY 1988, the criminal caseload of the Court of Common Pleas has grown by 92%, that of Superior Court by almost 75%, and that of the Justice of the Peace Courts by 46%. During this period, these courts have not been able to acquire a sufficient number of new staff positions to manage this increased workload. Superior Court is especially hard

pressed to handle its rising criminal and civil caseloads. In December 1991, the Delaware Superior Court Study Committee Report recommended the addition of two additional judges and two commissioners for the Superior Court in New Castle County. This proposal for the enlargement of Superior Court has been endorsed by the Delaware Courts Planning Committee¹, the

¹ Formerly known as the Long Range Courts Planning Committee.

FISCAL YEAR 1992 EXECUTIVE SUMMARY

Delaware State Bar Association, the Delaware Trial Lawyers Association, and the Criminal Justice Council. Since the release of the 1991 report,

This Annual Report recognizes that the installation of security equipment and the placement of security personnel at the entrance of the Daniel

Superior Court is especially hard pressed to handle its rising criminal and civil caseloads.

the requirement for additional judicial resources in Superior Court has become even more acute. For this reason, I have assigned as the first priority in the FY 1994 judicial budget the request for two additional judges, two court commissioners, and support staff for these judicial officers in Superior Court.

I also included as a priority item in the FY 1994 judicial budget the request for a staff attorney position for the Supreme Court and an administrative secretary to support this attorney. In addition, the Supreme Court sorely needs additional law clerks and various support personnel. The Supreme Court's filings in 1992 represent a 17% increase over 1991 and a 70% increase over 1978. This significant caseload growth, along with the increase in pro se litigation and the additional requirements under recent United States Supreme Court decisions, attest to the urgency of obtaining these positions.

During the last two years, two other factors have further exacerbated the problem of staff shortages in our courts. Both Chief Justice Christie and I have maintained a hiring moratorium in all but the most essential staff positions so that the Judicial Branch might shoulder its share of the sacrifices needed to cope with the State's difficulties. Since June 30, 1990, our courts have also lost 27 employees whose positions were abolished through the State's early retirement program.

L. Herrmann Courthouse² in Wilmington during the past year have resulted in improved perimeter security and tighter control of the ingress into and egress from the courts in the building. This represents only a minuscule step in providing adequate security in our courts, and the fact is that all of our courts are vulnerable to violent incidents. Clearly some are

For this reason, I have assigned as the first priority in the FY 1994 judicial budget the request for two additional judges, two court commissioners, and support staff for these judicial officers in Superior Court.

more at risk than others with the greatest problem existing in the Justice of the Peace Courts where there is no regular armed police presence. As is well known, violence can be sporadic, unpredictable, and deadly. Tragic incidents in Delaware outside the court facilities, but related to court matters, and headline-capturing events in courtrooms of other states indicate the potential for violence. We simply do not have in our Delaware courts adequate precautions to identify and prevent the happening of violence. It is universally recognized that the Capitol Police system, as it is currently deployed, is not effective in providing protection against violence in our court buildings.

² Formerly the Public Building.

FISCAL YEAR 1992 EXECUTIVE SUMMARY

I have concluded that the Delaware judicial system needs to work toward the goal of the equivalent of the United States Marshal system under the control of the courts. Considerable planning and sizeable funding will be required to achieve this goal, but in the meantime, we are cooperating with the Executive Branch to intensify the deployment of Capitol Police and to

comprehensive building project and to complete the renovation of the Murphey House in Dover so that the Court of Chancery might obtain relief from its crowded quarters in the Sykes Building.

The most severe space shortage is in the courts located in the City of Wilmington. Several studies have been conducted on this topic in recent years. The most recent and perhaps the most definitive examination was that conducted by the Wilmington Space Planning Committee under the direction of the Department of Administrative Services. The 1990 report resulting from this analysis recommended the erection of the New Courts Center (now referred to as the Wilmington Justice Center) in downtown Wilmington to house the Superior Court, the Court of Common Pleas, and several of the Justice of the Peace Courts and suggested that the Daniel L. Herrmann Courthouse be used for the Supreme Court, the Court of Chancery, and the Administrative Office of the Courts. This proposal also could not be implemented because of Delaware's revenue problems.

In May 1992, I appointed the Wilmington Justice Center Committee

I have concluded that the Delaware judicial system needs to work toward the goal of the equivalent of the United States Marshal system under the control of the courts.

allocate additional resources to protect our courts. At an absolute minimum, we have an immediate need for security provisions such as weapons screening devices in all of the courts and uniformed, armed state police officers in certain courts where there is currently no police presence.

The State's economic downturn also resulted in the fact that only two construction projects during the year could be initiated in the Judiciary's overall plan to improve and expand its physical facilities. There was

We simply do not have in our Delaware courts adequate precautions to identify and prevent the happening of violence.

considerable progress made in the redesign and renovation of the interior of the Sussex County Courthouse along with the expansion of the structure to include another jury courtroom and a prisoner holding area. The erection of a jury assembly room for the Superior Court in the Daniel L. Herrmann Courthouse in Wilmington was started late in FY 1992. Unfortunately, the State's negative financial environment meant that no funds could be allocated to continue the Justice of the Peace Courts

which has stressed the need to move forward with the erection of this court facility in Wilmington. Accordingly, I included as the first priority in the Judiciary's FY 1994 capital budget request funds for the Wilmington Justice Center. I also inserted as priority capital items funds for: acquiring and renovating the Sussex County Courthouse and purchasing the Georgetown Post Office, along with three nearby county-owned buildings for use by our courts in the southern-most county; the completion

FISCAL YEAR 1992 EXECUTIVE SUMMARY

of the renovation of the Murphey House in Dover; and the beginning of the construction of courthouses for the Justice of the Peace Courts in Harrington, Dover, and Claymont. Unfortunately, none of these capital budget requests was incorporated into

three administrators, developed a comprehensive proposal for expanding our judicial education program for judges and staff. This plan has been approved by the Judicial Education Committee and is beginning to be implemented.

. . . I included as the first priority in the Judiciary's FY 1994 capital budget request funds for the Wilmington Justice Center.

the Governor's Recommended Capital Budget for FY 1994. The courts simply cannot continue to handle their growing volume of cases in cramped and insecure quarters. Therefore, the Judiciary must intensify its campaign to obtain the resources for initiating the building projects to which I have just referred.

Through the Continuing Judicial Education Program, administered by the Delaware Supreme Court with appropriations from the General Assembly, our Judiciary was able to continue the practice of attending in-state seminars conducted by recognized experts, and of participating in the conferences of national professional organizations. In FY 1992, the training program conducted by the Administrative Office of the Courts for non-judicial staff included eight workshops presented by instructors from Delaware and other states and attended by over 100 employees from our courts. This year the Delaware judicial system was one of six selected to participate in the Third Year Annual Leadership Institute in Judicial Education at Appalachian State University in Boone, North Carolina during April 25-30, 1992. The five-member contingent from our State, consisting of two judges and

I am heartened by the progress that our trial courts are making in their efforts to adhere to the time standards of the Speedy Trial Directive of May 16, 1990. Data from the reports from these courts at fiscal year's end show that progress is being made to move the criminal cases through the court system more quickly. Clearly, the large caseload increases and the staff shortages are hindering these courts from meeting some of these specific time standards.

[All of our] courts simply cannot continue to handle their growing volume of cases in cramped and insecure quarters.

Superior Court's Criminal Administrative Order and Civil Administrative Order issued last year which promulgated time standards and processing procedures in these two case categories have promoted the expeditious handling of that Court's rapidly growing caseload.

Some important advances were made this past year in automating our criminal and civil case management systems. In the criminal area, the benefits of the "automated warrant system" introduced in FY 1991 are

FISCAL YEAR 1992 EXECUTIVE SUMMARY

becoming more evident. The system results in the saving of police staff time and in the collection of data which can be tapped subsequently by the courts and criminal justice agencies. All Justice of the Peace Courts and the Municipal Court are now using the Voluntary Assessment Centers, a centralized computerized system for processing all mail-in traffic violations. The first automated criminal case management system, introduced in

Management System" of Superior Court, both begun last year, are improving these courts' capabilities to handle their caseloads. National attention has been focused on Superior Court's "Complex Litigation Automated Docket System" (CLAD), which was introduced this year. CLAD, developed jointly by Superior Court judges and practicing attorneys, is a computerized filing system designed for complex civil cases involving multiple parties and voluminous court documents. The system permits litigants in these cases to file documents with the court and serve those papers on other parties by computer rather than by service through hand or mail. Judges can use terminals in their offices to file orders and other papers. Through their terminals, lawyers for their clients can access and print out documents filed in CLAD cases. The "Automated Civil Case Docketing System," under development last year and now operational in the Court of Common Pleas, is contributing to time-savings and greater accuracy in the handling of that Court's civil cases. The largest initiative in automating civil processes to date was started in FY 1991 with the development of the "Family Court

Data from the reports from [our trial] courts at fiscal year's end show that progress is being made to move the criminal cases through the court system more quickly.

some Justice of the Peace Courts in FY 1991, was operating in all JP Courts except Court 14 by the end of FY 1992. The Administrative Office of the Courts and the Delaware Justice Information System Board of Managers (DELJIS) are in the process of completing the integration of the data bases of the Criminal Justice Information System and the Judicial Information Center. The completion of this initiative will permit the exchange of criminal data among the courts and

National attention has been focused on Superior Court's "Complex Litigation Automated Docket System" (CLAD), which was introduced this year.

the criminal justice agencies.

The automation of the courts' civil processes is occurring gradually under the direction of the Judicial Information Center. The "Family Court Automated Case Index System" and the computerized "Civil Core Case

Child Support Case Management Project". During FY 1992, the analysis of that Court's civil processes and the definition of system requirements were defined and the design and construction of the project are scheduled for FY 1993. When

FISCAL YEAR 1992 EXECUTIVE SUMMARY

completed, the program will enable Delaware to adhere to the time standards set by the Family Support Act of 1988 for disposing of child support cases.

An automated Supreme Court docket is now operating through the Judicial Information Center mainframe with the result that there is more rapid and simultaneous access to the Court's case information in all three counties.

growth of our judicial network of computers. I also wish to follow the actions of my predecessors, Chief Justice Daniel L. Herrmann and Chief Justice Andrew D. Christie, in supporting the funding needs of DELJIS with which the courts collaborate in administering an automated system for their criminal cases. If DELJIS receives its requested budgetary appropriation from the General Assembly, the

As all of the studies of our judicial system have concluded in recent years, the acceleration of automating our court case processing is essential to keeping current with case receipts and improving caseload management.

The Judiciary is pleased to report that the General Assembly did appropriate \$389,000 in the FY 1993 budget for upgrading the Judicial Information Center's mainframe. This expansion is the first step in a five-year plan to expand the mainframe's capacity in order to handle the projected expansion of automated court functions within this time frame.

As our courts are confronted with the largest caseloads in history with a reduced work force to process this voluminous workload, we must have creative management solutions as well as legislative action in strengthening resources. As all of the studies of our judicial system have concluded in recent years, the acceleration of automating our court case processing is essential to keeping current with case receipts and improving caseload management. It was for this reason that I established as a priority for the FY 1994 judicial budget a request for an increase in the base operating budget of the Judicial Information Center and for the hiring of an additional staff member for the Center to support the present and projected

development of an integrated criminal justice information system can become a reality within the next two fiscal years.

Delaware courts, like their counterparts throughout the country, are increasingly using Alternate Dispute Resolution (ADR) measures to process some of the less serious and complex cases. The arbitration and mediation programs of both Family Court and Superior Court, which are

Delaware courts, like their counterparts throughout the country, are increasingly using Alternate Dispute Resolution (ADR) measures to process some of the less serious and complex cases. . . . I believe that the "Multi-Door Courthouse" concept should be pursued vigorously.

described in this report, are proving to be effective Alternate Dispute Resolution mechanisms. I believe that the "Multi-Door Courthouse" concept should be pursued vigorously.

FISCAL YEAR 1992 EXECUTIVE SUMMARY

Among the accomplishments by the Administrative Office of the Courts' Records Management Program last year were the undertaking of a pilot project to test the proposed statewide docket standards and the continued development of a Judicial Disaster Preparedness and Recovery Plan.

The Superior Court has introduced a videotape presentation describing the State's judicial system and its own caseflow processes. This videotape is used in the orientation of new court employees and in informing citizens about the Court's operations.

Family Court continues the development of its juvenile dispositional guidelines in preparation for submitting to the General Assembly recommended statutory revisions relating to juvenile sentencing guidelines.

The Administrative Office of the Courts launched a project to reconcile all accounts held in the individual courts' names and has adopted the fiscal components of the Justice of the Peace automated criminal case management system as the standard for computerized accounting in all courts.

The Task Force on Court-Related Needs of the Elderly and Persons with Disabilities, chaired by Vice Chancellor Maurice A. Hartnett, III, of the Court of Chancery, and composed of lawyers, citizens, and representatives of state and private agencies, was appointed in FY 1992. The group is studying the needs of the elderly and the disabled and proposing long- and short-term methods for accommodating these citizens in the court setting. Following the recommendation of the Task Force, the Administrative Office of the Courts and the various courts in the State administered surveys designed to reveal compliance with the provisions of the Americans with Disabilities Act.

Among the subjects under study by the Delaware Courts Planning Committee, were the need for more judges and staff, courthouse security,

the urgency of expanding physical facilities, and court consolidation.

In June 1992, I appointed a committee, chaired by Henry N. Herndon, Esquire, to make a study of the Court of Common Pleas, to identify problems faced by that Court, and to recommend solutions for those problems. The Committee, in its Report of October 15, 1992, recommended the merger of the Superior Court and the Court of Common Pleas along with several other measures. These proposals are still under review.

The Delaware Courts Planning Committee, with my approval, endorsed several bills for passage in the 136th General Assembly. Four of the bills were constitutional amendments which passed their first legs and will be reintroduced during the first session of the 137th General Assembly. These four legislative proposals dealt with the certification of questions of law to the Delaware Supreme Court³; the housekeeping amendments relating to the present five-member Supreme Court; the changing of the Register in Chancery position in each county from an elected position to one appointed by that Court; and the creation of the judicial office of Senior Judge. The Delaware Courts Planning Committee also supported the new law (originally Senate Bill No. 454) which requires the appointment of a Family Court Commissioner for each county.

• • • •

The noteworthy accomplishments made by the Delaware judicial system during FY 1992 will serve to enhance this State's national reputation acquired over the years for adhering to the highest standards in administering justice.

³The second leg of this amendment passed in January 1993 and thereby became law.

Introduction to the Delaware Court System

INTRODUCTION TO THE DELAWARE COURT SYSTEM

Court Organization and Jurisdiction

The Delaware Judiciary is composed of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, the Justice of the Peace Courts, the Municipal Court of Wilmington, the Alderman's Courts, and related judicial agencies.

In terms of interrelationships among the courts, the Delaware Court System is similar to a pyramid. The Justice of the Peace Courts and the Alderman's Courts represent the base of the pyramid and the Supreme Court the apex of the pyramid. As a litigant goes upward through the Court

System pyramid, the legal issues generally become more complex and, thus, more costly to litigate. For this reason, cases decided as close as possible to the entry level of the Court system generally result in cost savings to the judiciary in resources used to handle the matters and in a speedier resolution of the issues at hand for the litigants. The jurisdiction and routes of appeals and transfers of the various courts are described in the paragraphs below and are depicted graphically in Figures 1 and 2.

The Justice of the Peace Courts, the initial entry level into the Court

System for most citizens, have jurisdiction over civil cases in which the disputed amount is less than \$5,000. In criminal cases, the Justice of the Peace Courts hear certain misdemeanors and most motor vehicle cases (excluding felonies) and the Justices of the Peace 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. Over one-half of all cases are disposed of rapidly at the Justice of

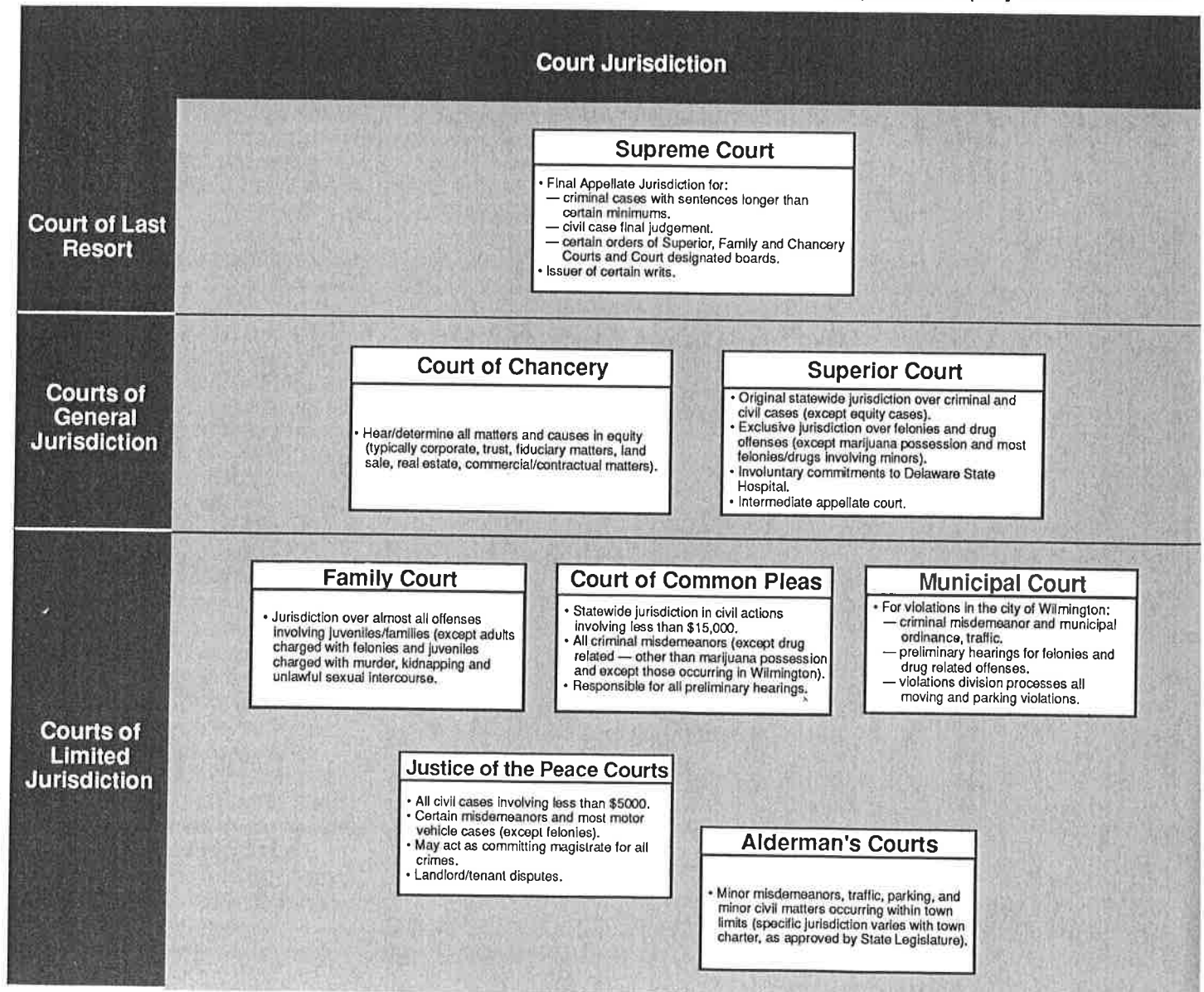


Figure 1

INTRODUCTION TO THE DELAWARE COURT SYSTEM

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. In criminal cases, the Court of Common Pleas handles all misdemeanors occurring in the State except drug-related cases (other than possession of marijuana), and those cases occurring in Wilmington. The Court is also responsible for all preliminary hearings in felony cases except those occurring in Wilmington.

Appeals may be taken to the Superior Court.

The Family Court has almost comprehensive jurisdiction over family and juvenile matters. All civil appeals including those relating to juvenile delinquency go directly to the Supreme Court while criminal cases are appealed to the Superior Court.

The Superior Court, the State's court of general jurisdiction, has original jurisdiction over criminal and civil cases except equity cases. The Court has exclusive jurisdiction over felonies and almost all drug offenses.

In civil matters, the Court's authority to award damages is not subject to a monetary maximum. The Superior Court also 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 a number of 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.

Appeals & Transfers

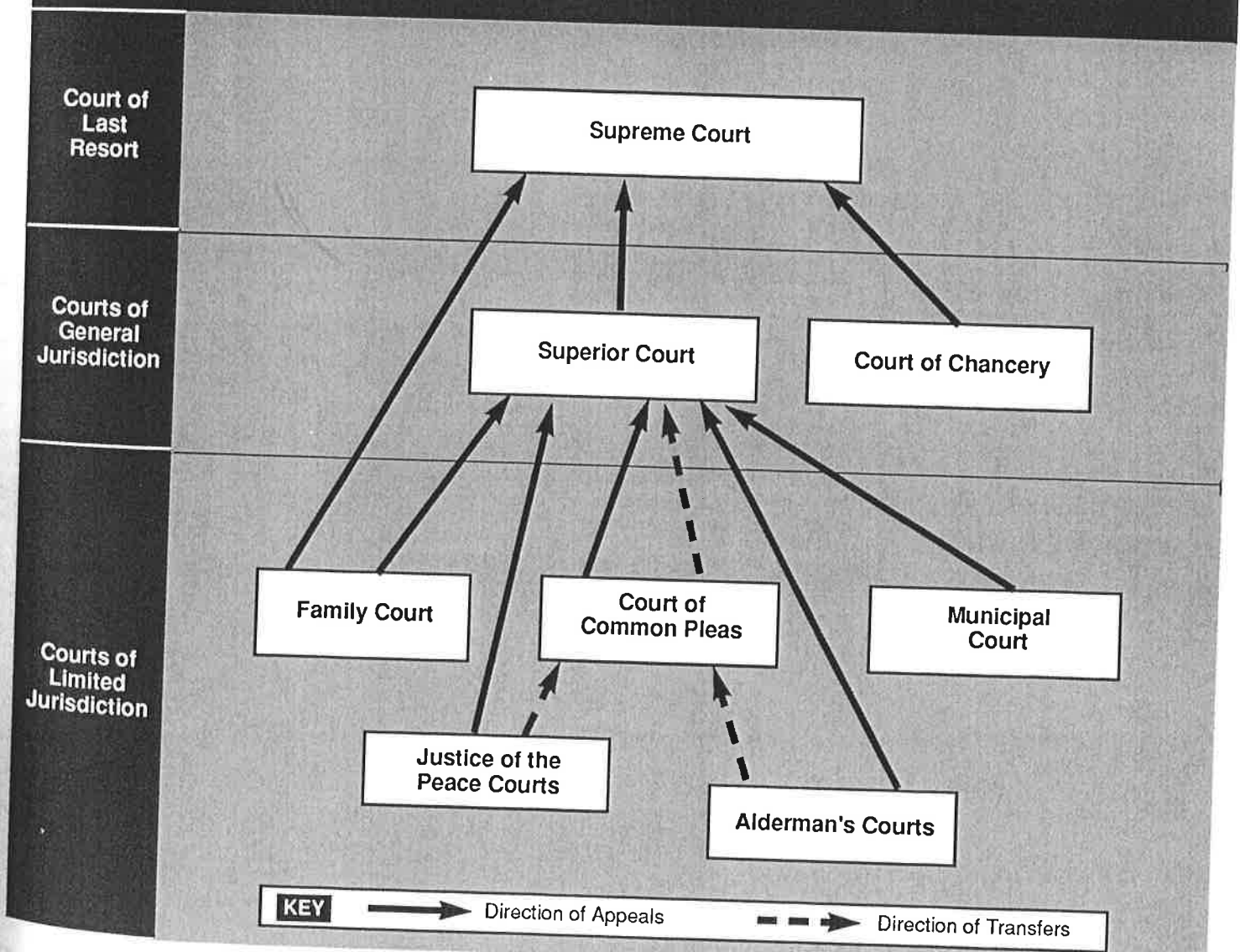


Figure 2

INTRODUCTION TO THE DELAWARE COURT SYSTEM

The Court of Chancery has jurisdiction to hear all matters relating to equity. The litigation in this tribunal deals largely with corporate issues, 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. The Court of Chancery has a national reputation in the business community and is responsible for developing the case law in Delaware on corporate matters. Appeals from the Court of Chancery may be taken on the record to the Supreme Court.

The 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 of the Supreme Court, in consultation with the other Justices, sets administrative policy for the Court System.

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 as seen on the figure below are for funding purposes only.

As seen on Figure 3, the majority of the parts of the Delaware judicial system are funded by the State. Exceptions to this are the Municipal Court of the City of Wilmington, the Alderman's Courts, the Registers in Chancery and the Registers of Wills for the Court of Chancery, and the Sheriffs for the Superior Court.

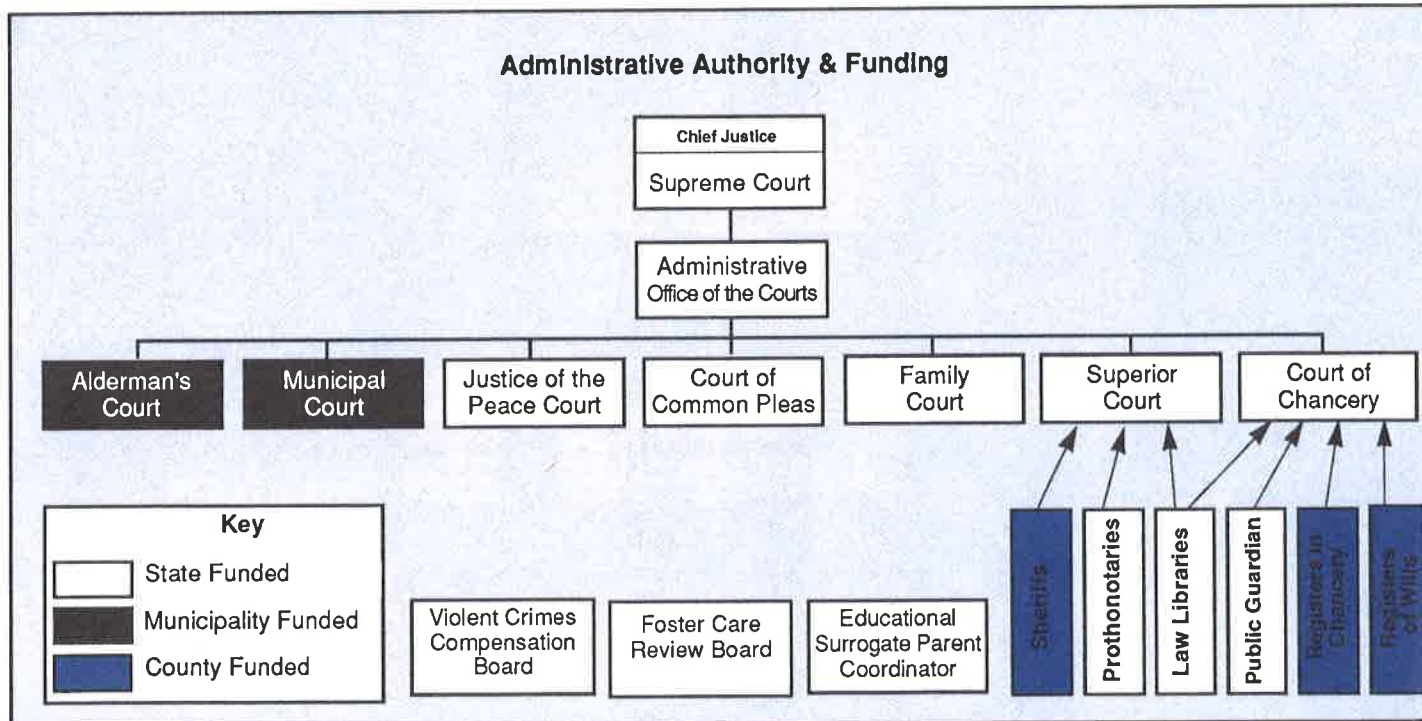


Figure 3

Administration of the Delaware Judicial System

ADMINISTRATION OF THE DELAWARE JUDICIAL SYSTEM

The administrative structure of the Delaware judicial system mirrors closely the model set forth in the 1990 *Standards Relating to Court Administration* promulgated by the American Bar Association. The Chief Justice of the Supreme Court is the administrative head and the Supreme Court is the policy-making body of the State judicial system. The Administrative Office of the Courts (AOC) is responsible for carrying out those centralized services required to support the Chief Justice and the Supreme Court in their administrative roles. The Director of the AOC is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court. The functions of the AOC as specified by Supreme Court Rule 87 are to:

- Participate in the development and implementation of administrative policy;
- Coordinate the preparation, review, and submission of the judicial budget;
- Prepare and administer system-wide policies, standards, and procedures relating to the management of the judicial personnel, fiscal, and records management systems;
- Develop, implement, and manage the automated judicial information system, including the computerized record keeping functions;
- Participate in the development, coordination, and monitoring of system-wide caseload time and clearance standards;
- Serve as liaison for the entire court system with the legislature, the executive branch, local government, the bar, news media, and general public;
- Conduct system-wide planning, research, program development and evaluation, and statistical collection and analysis functions;
- Coordinate with the executive branch the monitoring of the construction, remodeling, maintenance, and security of physical facilities;

- Administer the court system's continuing education programs for judges, judicial officers and court administrators, and staff;
- Provide technological and management expertise and assistance to the courts and judicial agencies;
- Manage the staff and activities of the Administrative Office of the Courts;
- Serve as the secretariat for the judicial agencies and bodies and other administrative meetings as mandated by the Supreme Court;
- Prepare the *Annual Report of the Delaware Judiciary*.

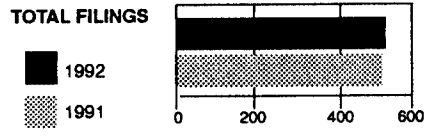
In carrying out their managerial responsibilities for the entire judicial system, the Chief Justice and the Supreme Court also rely on the important services rendered by the Judicial Conference, the Delaware Courts Planning Committee, and the Judicial Education Committee. (See "Judicial Agencies and Bodies" for the functions of the last-named groups and other entities in the judicial system.)

Each trial court within the judicial system has its own administrative component. The presiding judge of the trial court is responsible for the management of that organization, and court administrator, appointed by the presiding judge, oversees the direct administration of the day-to-day operations of the trial court in conformity with system-wide policies.

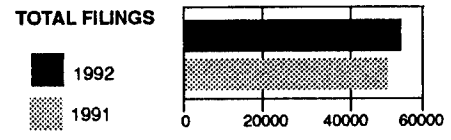
The Chief Justice confers periodically with the Executive Committee of the Judicial Conference, consisting of the presiding judges of the trial courts, regarding administrative matters. Similarly, the Director of the Administrative Office of the Courts confers regularly with the administrators of the trial courts concerning subjects pertaining to court administration.

Court Caseload Summaries for Fiscal Year 1992

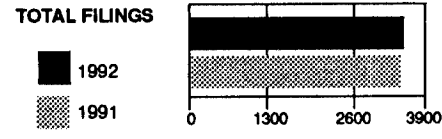
Filings established and dispositions approached record levels in the **Supreme Court** during FY 1992. Filings and dispositions both increased after having decreased during the previous fiscal year.



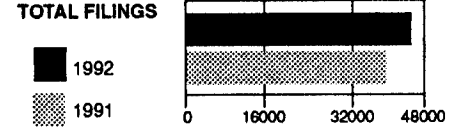
The **Court of Common Pleas** once again rose to record levels of criminal filings and dispositions during FY 1992. There was a fall in the number of civil filings while civil dispositions increased during FY 1992. The rises in criminal activity led to record levels of both total filings and total dispositions.



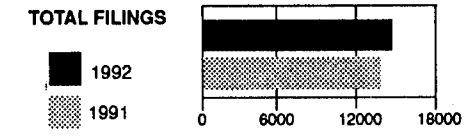
The **Court of Chancery** experienced an increase in total civil filings during FY 1992 while the total civil dispositions rose as well. These rises followed decreases in both categories during FY 1991.



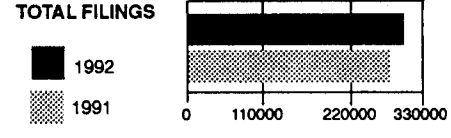
Criminal and traffic activity each rose in the **Municipal Court** for both filings and dispositions during FY 1992 following drops in each of these categories during the previous fiscal year. There were record levels of both criminal filings and dispositions in the Court during FY 1992.



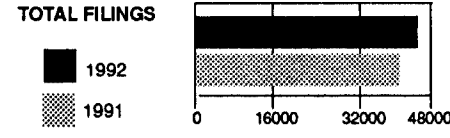
The number of filings and dispositions in the **Superior Court** increased to record levels for both criminal civil activity and during FY 1992. There were over 7,500 criminal filings as well as almost 7,000 civil filings. Though there were nearly 7,500 criminal dispositions and over 5,500 civil dispositions, the number of total pending rose once again during FY 1992.



The number of criminal filings and dispositions were each at record levels in the **Justice of the Peace Courts** during FY 1992. Civil filings and dispositions each fell from FY 1992, but there was a rise in the number of total filings as well as the total number of dispositions as a result of the increases in criminal activity.



There were record levels of both filings and dispositions in the **Family Court** during FY 1992. The rise in filings continued a recent pattern of growth in total filings in the Court while the rise in dispositions followed a slight drop during FY 1991.



**Fiscal Year
1992
Highlights
and
Major
Developments**

THE ENVIRONMENT OF THE COURTS

For the last several years, most of the Delaware courts have experienced record-level caseloads with the greatest increase occurring in the trial courts. From FY 1988 through FY 1992, Superior Court's caseload grew by almost 56%, that of the Court of Common Pleas by 79%, Family Court by 20%, and the Justice of the Peace Courts by over 43%. The largest rise in caseload has been in the criminal area. Since FY 1988, criminal filings in the Court of Common Pleas have increased by 92%, those in Superior Court by almost 75%, and those in the Justice of the Peace Courts by 46%. Unfortunately, during this five year period, these courts have not received a sufficient number of new staff positions to handle this spiraling workload. Especially critical is the situation in Superior Court where there is an immediate need for two additional judges and two commissioners along with support staff for those judicial officers.

During the last two years, the courts' capability to carry out their constitutional and statutory responsibilities has been hampered by other factors. Both former Chief Justice Andrew D. Christie and Chief Justice E. Norman Veasey have maintained a hiring freeze on all but the most essential staff positions so that the judicial branch might share with the executive branch the sacrifices required to cope with the State's financial difficulties. Since June 30, 1990, the courts have lost 27 employees whose positions were eliminated through the State's early retirement program. The State's revenue shortages have also resulted in inadequate funding to the courts for automating additional criminal and case processing functions, obtaining sufficient personnel and equipment to maintain security in the court environment, and to continue the construction program to expand and renovate courthouses throughout the State. Consequently, the courts have been forced to rely too heavily on the labor intensive case management system and to operate in crowded quarters with judges, staff, and the public vulnerable to risks stemming from potential outbreaks of violence.

Despite the obstacles cited above, the judicial system was able to make the notable accomplishments listed below during FY 1992:

JUDGESHIPS

Chief Justice Andrew D. Christie retired on February 29, 1992, after 35 years of service in the Delaware Judiciary. On April 7, 1992, the Honorable E. Norman Veasey was sworn in as the new Chief Justice of the Delaware Supreme Court. (See pp.vi and vii on careers of Chief Justice Christie and Chief Justice Veasey).

On May 8, 1992, the Honorable Vincent A. Bifferato became Resident Judge of the Superior Court in New Castle County, where he had formerly served as an Associate Judge since July 26, 1968.

Associate Judge Clarence W. Taylor retired from Superior Court on June 30, 1992. Originally appointed on July 1, 1972, Judge Taylor completed over 20 years of service on the Superior Court bench.

The Honorable Vincent J. Poppiti assumed the office of Chief Judge of Family Court on January 31, 1992. Judge Poppiti began his judicial career as an Associate Judge of Family Court on January 24, 1979, and served until June 9, 1983, when he became an Associate Judge of Superior Court. On January 18, 1990, he was named the Resident Judge of the Superior Court in New Castle County, a post which he held until January 31, 1992 when he succeeded the Honorable Robert D. Thompson as Chief Judge of the Family Court.

Chief Judge Thompson embarked on his judicial career on February 6, 1962 as Judge of the Family Court for Sussex County, and was a statewide Family Court Associate Judge until April 1, 1974, at which time he returned to private practice for a brief period. On October 25, 1974, he was confirmed as Chief Judge of the statewide Family Court, and he remained in that position until his retirement on January 31, 1992.

The Honorable William N. Nicholas took the oath of office as an Associate Judge of the Family Court on May 14, 1992, and thereby succeeded Associate Judge Roger D. Kelsey. Beginning as Judge of the Family Court for Kent County on January 24, 1969, Judge Kelsey continued as Associate Judge of the statewide Family Court from 1971 until his retirement on May 14, 1992.

COURT FACILITIES AND SECURITY

The remodeling of the Kent County Courthouses' prisoner holding area completed during the last fiscal year has resulted in the improved control and supervision of detainees awaiting trial in Superior Court and the Court of Common Pleas in that building.

Due to the State's economic downturn, only two construction projects during the last twelve months could be initiated in the Judiciary's overall plan to improve and expand its physical facilities. Considerable progress was made in the redesign and renovation of the interior of the Sussex County Courthouse along with the erection of a small addition to the structure to provide another jury courtroom and a much needed prisoner holding facility. Completion of this initiative is scheduled for the early part of calendar year 1993. The construction of a jury assembly room for Superior Court in the Daniel L. Herrmann Courthouse (formerly Public Building) in Wilmington was also begun late in FY 1992.

The State's negative financial climate precluded the allocation of funds to advance the Justice of the Peace comprehensive building project and to complete the renovation of the Murphey House in Dover so that the Court of Chancery can obtain relief from its cramped quarters in the Sykes Building.

The most pressing need for space - that for the Courts in the City of Wilmington - has been the subject of extensive study in the past few years. The latest report, released in 1990 by the Wilmington Space Planning Committee under the auspices of the Department of Administrative Services, identified the space requirements of all courts and criminal justice agencies in the City and recommended the erection of the Wilmington Justice Center in the downtown area to house Superior Court, the Court of Common Pleas, and several of the Justice of the Peace Courts. The group suggested that the Daniel L. Herrmann Courthouse serve as the quarters for the Supreme Court, the Court of Chancery, and the Administrative Office of the Courts. Unfortu-

nately, Delaware's revenue problems required that this proposal also be placed on hold. Very recently, the Wilmington Justice Center Committee, appointed by Chief Justice E. Norman Veasey, stressed the importance of moving forward with the construction of the Wilmington Justice Center and cited as priority steps the selection of a site and the acquisition of funds with which to specify the architectural requirements of the proposal.

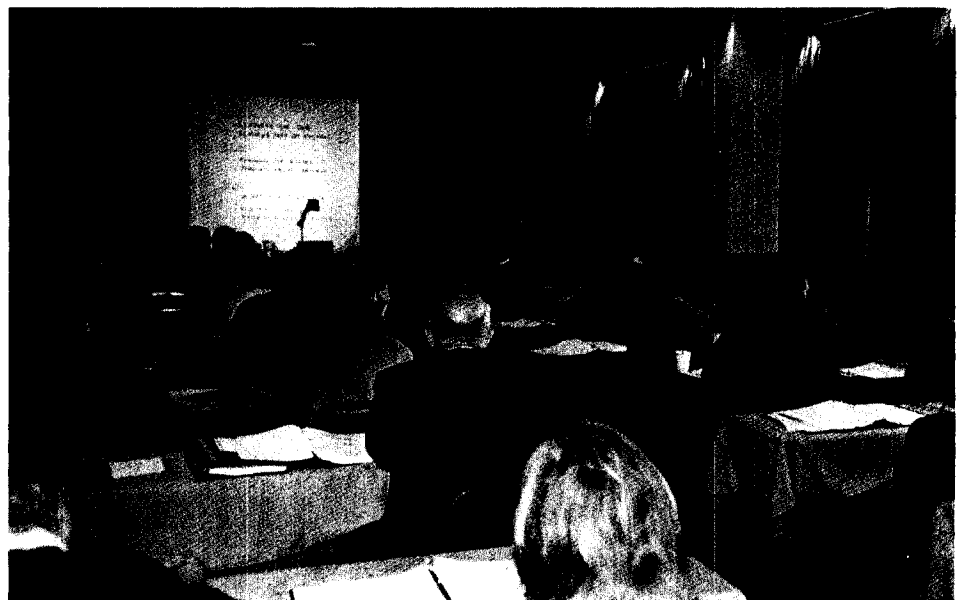
While the installation of security equipment and the assignment of security personnel at the entrance of the Daniel L. Herrmann Courthouse in Wilmington during the past year have resulted in enhanced perimeter security and tighter control of the ingress into and egress from the courts housed in that building, security precautions for most of the other courts in the State are either woefully inadequate or non-existent. This problem is especially acute in the Justice of the Peace Courts statewide. It is imperative that all of the courts immediately obtain properly armed and trained security personnel as well as equipment in order to protect against the outbreak of violence in the court setting and to ensure the safety of the Judiciary, court staff, and citizens who use the buildings of the Delaware judicial system.

CONTINUING JUDICIAL EDUCATION

Continuing judicial education is employed locally and nationally to keep the Judiciary informed of the latest developments in law and the judicial function.

The Continuing Judicial Education Program, administered by the Delaware Supreme Court with appropriations from the General Assembly, enables members of the Judiciary in this State to expand their legal knowledge, hone their judicial skills, and keep abreast of techniques used in other jurisdictions to improve the administration of justice by attending in-state educational seminars conducted by recognized experts and by participating in conferences sponsored by national professional organizations.

At the educational segment of the Judicial Conference on December 4, 1991 at the Buena Vista Conference Center, Assignment Judge Samuel G. DeSimone and Judge Donald A. Smith, Jr., both of the Superior Court of Cumberland County, New Jersey, lectured on "Effective Settlement Techniques." At the Judicial Continuing Education Seminar in Rehoboth Beach on September 11-13,



Judicial Education Committee Seminar — Rehoboth Beach, DE

1991, presentations included: "Critical Legal Studies" by Professor J. Willard O'Brien of Villanova University; "Expert Testimony" by Professor Paul Rothstein of Georgetown Law Center and "Recent Developments in Tort Law" by Sheila Birnbaum, Esquire, of the law firm Skadden, Arps, Slate, Meagher, and Flom in New York City.

By utilizing grants received by the Administrative Office of the Courts from the State Justice Institute and other local and national funding sources, the Delaware Judiciary was able to co-sponsor two specialized educational programs. The theme of the Delaware Bar-Bench-Media Conference on October 4, 1991 in Wilmington was "Reporting on the Courts and the Law," and among the prominent speakers were: Fred W. Friendly, the Edward R. Murrow Professor Emeritus at Columbia University Graduate School of Journalism; John Seigenthaler, Editor and Publisher, *The Tennessean* and former Editorial Director, *USA Today*; and Floyd Abrams, Esquire, a specialist on first amendment issues from the New York City law firm of Cahill, Gordon, and Reindel. On February 7-8, 1992, in Wilmington, 50 judges from Delaware, New Jersey, and Pennsylvania participated in the interstate judges seminar on "Effective Sentencing of Substance Abusing Offenders." The event consisted of workshops and lectures by Judge Michael B. Getty of the Illinois Circuit Court of Appeals; Dr. Mario P. Pazzaglini, Staff Psychologist of St. Francis Hospital (Wilmington); Foster Cook, M.D., University of Alabama School of Medicine (Birmingham); Melody Heaps, Executive Director of Treatment Alternatives for Special Clients in Chicago; and Judge Jonathan E. Silbert of the Superior Court of Connecticut.

During the past year, Delaware judges were awarded scholarships through the State Justice Institute and the Bureau of Justice Assistance to attend educational courses conducted by the National Judicial College at Reno, Nevada.

Delaware was one of six states selected to participate in the Third Annual Leadership Institute in Judicial Education at Appalachian State University in Boone, North Carolina during April 25-30, 1992. The five-member contingent from Delaware - Family Court Judge Jay Paul James, Court of Common Pleas Judge William C. Bradley, Jr., and three staff members of the Administrative Office of the Courts - developed, under the direction of the Institute's faculty, a proposal for expanding this State's judicial education program. This plan for incrementally enlarging the course offerings for both judges and staff in the Delaware judicial system has been submitted to the Judicial Education Committee for review and modification.

Judicial education seminars are videotaped whenever practicable so that they may be subsequently utilized in the training of newly-appointed judges or magistrates.

SPEEDY TRIAL DIRECTIVE/CASE MANAGEMENT

The Speedy Trial Directive, issued by Chief Justice Andrew D. Christie on May 16, 1990, set time standards for the disposition of criminal cases and required the submission of compliance reports on meeting these standards by Superior Court, Family Court, Court of Common Pleas, and Municipal Court. Data from these reports at fiscal year's end show that progress is being made to move the criminal cases through the court system more quickly. However, the large increases in caseloads and the insufficient number of personnel in these courts resulted in their inability to meet these standards.

The Criminal and Civil Administrative Orders issued last year by the Superior Court, with the approval of the Supreme Court, contributed to the expeditious handling of the Court's rapidly growing

caseload. The Criminal Administrative Order established time standards and processing procedures for criminal cases in an effort to manage efficiently the unprecedented rise in criminal matters, and to conform to the standards of the Speedy Trial Directive. The Order called for the creation of multi-judge case processing teams (two divisions in New Castle County and one each in Kent and Sussex Counties) to handle the criminal cases and specified sanctions which Superior Court may impose on parties or their attorneys for failure to adhere to the provisions of the Order.

The Civil Administrative Order was aimed at accelerating the disposition of civil cases whose pending number had been rising for several years due to the required focusing of resources on the staggering criminal caseload in that Court. The Civil Order paralleled closely the Criminal Order through the provisions for multi-judge case processing teams. The Civil Administrative Order mandated a differentiated case management system for scheduling civil cases on one of three time tracks - expedited, standard, and complex - according to their complexity, and provided for the potential use of alternative dispute resolution procedures for handling selected civil cases.

The Voluntary Assessment Center, a centralized automated system for processing all mail-in traffic violations initiated in the Justice of the Peace Courts in Kent and Sussex Counties in FY 1991, was expanded to Justice of the Peace Courts in New Castle County this fiscal year. In FY 1992, the Municipal Court also began use of its own Voluntary Assessment Center. Both centers have enhanced the capability of these courts to manage the large volume of mail-in traffic violations.

ARBITRATION AND MEDIATION

Arbitration and mediation in both Superior Court and Family Court have proven to be effective alternative dispute resolution techniques.

Superior Court

In Superior Court, the ceiling for monetary damages sought in civil cases subject to compulsory pretrial arbitration was raised from \$50,000 to \$100,000. In this process, an arbitrator, selected by the Court from a list of practicing attorneys or appointed by agreement of the parties, presides over the hearing and issues a written order which becomes a judgment of the Court if there is no request for a trial de novo by one of the parties. In FY 1992, there were 3,318 new arbitration filings in Superior Court and there were 979 arbitration hearings. The fact that a growing number of civil cases not subject to the mandatory arbitration rule are being stipulated into this program indicates that this procedure is highly accepted by the Bar.

Superior Court launched the Voluntary Mediation Program on January 1, 1992. According to Interim Court Rule 16.2, any civil case may be referred to the mediation program by election of the parties or by the Court according to established guidelines. Mediators are selected by agreement of the litigants or appointed by the Court. All mediators are required to receive training in conflict resolution techniques. At the mediation conference, which all parties and at least one attorney for each party must attend, the mediator assists the participants in reaching a mutually acceptable resolution of the dispute. If the parties agree to a settlement, the terms are included in a written agreement signed by the disputants and the mediator. Once it is filed by the mediator, the agreement becomes a part of the Court record. If no accord is reached, the mediator terminates the conference without prejudice to either party or subsequent proceedings.

The Voluntary Mediation Program in Superior Court provides that a settlement week may be designated in any two weeks of the calendar year by the President Judge. During this period, any mediator meeting the eligibility requirements may be required to serve in the program with the aim of reducing the Court's civil case backlog.

During this past fiscal year, forty attorneys were trained for the Voluntary Mediation Program in preparation for starting the actual mediation of civil cases in FY 1993.

Family Court

Arbitration is an informal proceeding in which a trained arbitration officer attempts to resolve juvenile delinquency cases involving minor charges and selected adult misdemeanor cases. In the non-adversarial proceeding, the arbitration officer, after reviewing the charges and listening to the respective positions of the parties, issues a disposition specifying conditions, such as probation or restitution, which must be met by the defendant within 90 days. An important feature of this arbitration process is that a defendant who fulfills the dispositional terms does not have a formal finding of guilt. The complainant or defendant may request a review of the disposition by the Deputy Attorney General within ten days of the arbitration proceeding. In FY 1992, Family Court processed almost 3,700 complaints through arbitration.

In the Family Court Mediation Program, parties may settle disputes involving child custody, visitation, support, imperiling the family relationship, and guardianship issues under the direction of a trained mediator. According to Family Court Civil Rule 16(a) and (b), mediation sessions are mandatory for support, custody, and visitation matters. In the proceeding, the mediator guides the parties in crafting a mutually acceptable solution to the case. If both parties agree to and sign the written agreement, it is forwarded to a judicial officer for review. Once the document

is approved and signed by the judicial officer, it becomes an order of the Court. Should the mediator be unsuccessful in leading the parties to a settlement, the case will be heard by a judge or master. In the past fiscal year, Family Court disposed of 9,489 cases through mediation.

AUTOMATION OF THE COURTS

The Administrative Office of the Courts plans and directs the development of and oversees the management of automated information systems which serve to support case flow management and processing, and statistical functions in order to expedite the handling of cases and meet the management requirements of all the courts. Major accomplishments and existing needs in this important field are described below.

Criminal Justice Information Systems (CJIS)

In administering the automated systems for its criminal cases, the Judiciary collaborates with the Delaware Justice Information System (DELJIS) Board of Managers which develops and maintains the Criminal Justice Information Systems (CJIS) for the purpose of meeting the comprehensive information requirements of all the courts, the police, the prosecution, the defense, and correctional agencies for adults and juveniles. Important projects and activities in the criminal area were the following.

- Through the "automated warrant system," initiated in FY 1991, police officers statewide can produce warrants and request warrant approval from the courts. Notice of the approval and issuance of the warrants are disseminated electronically to all law enforcement agencies. The system results in the saving of police staff time and in the collection of data which can be used subsequently by the courts and criminal justice agencies.

- In the Voluntary Assessment Center of the Justice of the Peace Courts, staff, through the CJIS, monitor payment of traffic tickets, dun late payers, produce and issue warrants, generate financial reports on fines, costs, and the Victims' Compensation Fund, and account for funds payable to the various municipalities by the Justice of the Peace Courts. During FY 1992, the Municipal Court began use of its Voluntary Assessment Center to process selected traffic violations.
- The first automated criminal case management system, introduced in the Justice of the Peace Courts in FY 1991, was operating in all of these courts except Court 14 by the end of this fiscal year. Through this system, the docketing and scheduling functions can be performed, and court orders including dispositions and capiases as well as case management and financial reports, can be generated. The program is designed to utilize ultimately the data from the "automated warrant system" and thereby eliminate the redundant entry of information. Data added to CJIS by this system can be tapped by other courts and criminal justice agencies. During the coming year, this automated system will be adapted for use in the Wilmington Municipal Court and the Newark Alderman's Court.
- Through collaboration with the Delaware State Police, a federal grant from the U.S. Department of Justice was obtained to complete the integration of the data bases of the CJIS and of the Judicial Information Center (JIC). Completion of this task by DELJIS and the Administrative Office of the Courts, scheduled for the spring of 1993, will permit the exchange of criminal data among the courts and the criminal justice agencies.

Civil Court Information Systems (CIVIS)

The Judicial Information Center staff administers the Civil Court Information System (CIVIS) for developing and implementing the automated processes to handle the courts' civil cases. Even though there was only limited State funding available for computerized civil case management during the year, the following significant events did occur.

- The "Family Court Automated Case Index System," begun in the spring of 1991, replaces the former labor intensive manual index system, reduces the information retrieval time substantially, and allows multiple individuals to gain access to the index at the same time.
- The "Civil Core Case Management System," designed by the JIC staff and placed into operation in Superior Court during the last fiscal year, results in the automation of selected functions in the civil caseload: indexing, docketing, calendaring, notification, and production of management reports. The system enables public access to certain court records.
- Superior Court introduced the "Complex Litigation Automated Docket System" (CLAD), a computerized filing system, to handle certain complex cases, particularly disputes over insurance coverage for environmental cleanup costs and product liability claims — issues which involve multiple parties and numerous court documents.

The project, developed by the Superior Court Complex Litigation Committee comprised of judges and attorneys, enables litigants in these cases to file documents with the Court and serve those papers on other parties by computer rather than by service via hand or mail. Through terminals in their respective offices, judges can file orders and attorneys for the parties are able to access documents and print out documents filed in CLAD cases.

Superior Court contracted with Mead Data Central, Inc., the operator of the legal research program LEXIS, to establish and maintain the data base for Superior Court's electronic filings.

CLAD, whose costs are borne by the litigants, reduces the amount of space required for the storage of the voluminous files associated with complex cases, increases access to case information by the Court and attorneys, and lowers the cost of these lawsuits. Believed to be the first project of this kind in the United States, CLAD can serve as a prototype for expanding the use of electronic access to court records. This pilot program has elicited inquiries from courts in numerous other states and has been publicized at several national conferences.

- The completion of the "Automated Civil Case Docketing System," introduced last fiscal year in the Court of Common Pleas, contributes to time-savings and increased accuracy in the management of the Court's civil caseload.
- The "Family Court Automated Child Support Case Management Project" initiated in FY 1991 represents the largest computerized initiative undertaken to date in the civil area. During the past fiscal year, a detailed analysis of the court's civil processes was completed, and system requirements for the project were defined. In FY 1993, efforts will be focused on the design and construction of the project with an implementation date set for early 1993. This project will enable Delaware to expedite the handling of child support cases and thereby meet the standards for the disposition of these cases required by the Family Support Act of 1988 in order to receive federal funds in this jurisdictional area, and it can serve as a prototype for building a comprehensive automated civil case processing system for Family Court and other courts in the State.

Supreme Court Docket

An automated Supreme Court docket operating through the JIC mainframe was installed to replace the former manual docket. The system provides more rapid and simultaneous access to case information in the Supreme Court from all of the counties.

The Judicial Mainframe System

The legislature responded to the Judiciary's request to upgrade the Judicial Information Center mainframe by appropriating \$389,000 in the FY 1993 budget for this purpose. This expansion represents the first step in a five-year plan to enlarge the mainframe in order to accommodate the projected expansion of automated court functions within this time frame.

RECORDS MANAGEMENT

The role of the Administrative Office of the Courts in records management is to prepare and administer standards, policies, and procedures relating to the security, access, and control of all records in the judicial system statewide.

The standards for uniform and consistent statewide docket procedures proposed in FY 1991 were reviewed by the Docket Standards Committee which proposed several revisions. The Committee recommended a pilot project be undertaken in the Office of the Kent Prothonotary to test these revised standards before extending them to all courts. It is anticipated that this pilot project will result in docket standards applicable to all courts which can begin to be implemented statewide in FY 1993.

The policy for retention and preservation of court records resulted in the completion of the project begun in FY 1990 relating to the preparation of a quarter of a million Supreme Court records for microfilming.

In progress last year was the development of a comprehensive Judicial Disaster Preparedness and Recovery Plan. In FY 1993 the courts will work with the Division of Emergency Planning and Operations of the Department of Public Safety toward a practical program containing preventive steps and action responses to potential and actual disasters for all court facilities.

FY 1993 will see the ongoing development of records management policies and standards with an emphasis on electronic records and revisions to most records retention schedules.

STAFF TRAINING AND DEVELOPMENT

The training program conducted by the Administrative Office of the Courts (AOC) for non-judicial staff statewide featured eight workshops. Over 100 employees took advantage of these educational opportunities which included the following courses and instructors: "Creativity Techniques - How to Look at Things Differently" by Dr. David Tanner, Director of the DuPont Company's Center for Creativity and Innovation; "Handling Difficult Clients" by Sergeant Donald McHugh of the Delaware State Police; and "Survival Skills for Managing Career, Home, and Family" by Joan Weinman, Operations Manager of The Child Care Connection. In addition, two specialized workshops were held. The session on "Grievance Procedure" for the supervisors of Superior Court was conducted by staff members of the Department of Natural Resources and the AOC while the "Sexual Harassment Workshop" for the judges and supervisors of the Justice of the Peace Courts was taught by instructors of the State Personnel Office.

The Administrative Office of the Courts joined with the Delaware Public Administration Institute of the University of Delaware in sponsoring a symposium for women in public administration in the State on

November 1, 1991. Prominent speakers for the conference whose theme was "Power and Leadership: How Women Can Be More Effective in the 1990's" were: Georgia Sorenson, Director of the Center for Political Leadership and Participation at the University of Maryland, and Dr. Betty McCummings, Director of the Masters in Public Administration Program at the University of Delaware.

SUPERIOR COURT VIDEOTAPE ORIENTATION

Superior Court developed a videotape describing the Delaware judicial system and the caseflow process of both civil and criminal cases which is used in the orientation of new court employees and to inform students and civil groups about the court.

JUVENILE DISPOSITIONAL GUIDELINES FOR FAMILY COURT

The Committee on Dispositional Guidelines, authorized by Senate Bill 510 which was enacted into law July 18, 1990, is jointly chaired by representatives of Family Court and the Department of Services for Children, Youth, and Their Families. During FY 1992, the Committee oversaw the testing of the original Family Court juvenile dispositional guidelines in Sussex County. An analysis of the cases using these guidelines made by the Delaware Council on Crime and Justice revealed that there were a relatively small number of overrides to the guidelines. The risk assessment instrument developed by Family Court to determine the needs of juvenile violators and the security levels to which these youths should be assigned is in the process of revision.

UNIFORM ACCOUNTING PRACTICES

The Administrative Office of the Courts (AOC) has adopted the fiscal components of the automated criminal case management system employed in the Justice of the Peace Courts as the standard for computerized accounting in all of the courts.

The AOC has launched another project which will contribute to the uniformity in the accounting system in the judicial system. As authorized by House Bill 350 (the FY 1992 Appropriations Act), the AOC has implemented a project to reconcile all accounts held in the individual courts' names. A project team has been appointed to review and analyze the accounts receivable and payable for each court jurisdiction for the purpose of retiring accounts identified as uncollectible or unpayable and standardizing the record keeping on these accounts. This project team will carry out its duties in the Justice of the Peace Courts, the Family Court, the Court of Common Pleas, and the Superior Court. The project is scheduled for completion in FY 1993, and its results will be beneficial to the courts as they move from a manual to an automated accounting system.

THE COURTS AND THE DISABLED AND ELDERLY

In early FY 1992, Chief Justice Andrew D. Christie appointed the Task Force on Court-Related Needs of the Elderly and Persons with Disabilities.

The group is chaired by Vice Chancellor Maurice A. Hartnett, III, of the Court of Chancery and includes in its membership attorneys, citizens, and agencies serving the elderly and handicapped. The charge of the Task Force is to conduct a needs assessment concerning requirements for the elderly and handicapped in the courts and to recommend short- and long-term methods for meeting the needs of these citizens as well as for complying with the mandates of the Americans with Disabilities Act (ADA)

in the Judiciary. Following the recommendation of the Task Force, the Administrative Office of the Courts and the individual courts collaborated in administering surveys relating to compliance with the provisions of ADA within the judicial system concerning programs and services, personnel practices, and architectural provisions for the disabled.

JUDICIAL BRANCH EMPLOYEE OF THE YEAR AWARD

The Judicial Branch Employee of the Year Award, initiated by the Delaware Judiciary last fiscal year, recognizes one staff member each year for his or her outstanding public service. The annual honor is part of the State's Making a Difference for Delaware Employee Recognition Program which culminates annually in the selection of recipients of the Delaware Award for Excellence and Commitment in State Service.

Adolph W. Poppe, a bailiff in the Superior Court in New Castle County since December 1, 1979, was named the 1991 Judicial Employee of the Year at a special ceremony in Superior Court in February, 1992. Chief Justice Andrew D. Christie presented Mr. Poppe with a framed certificate and a \$200 savings bond at a ceremony in Superior Court in February, 1992. In presenting the honor, the Chief Justice praised Mr. Poppe's work as a bailiff and his special services in applying cardio-pulmonary resuscitation in two emergency situations and in wiring and cabling courtrooms so that automated files could be accessed from the bench.

COURT-RELATED LEGISLATION

The legislative agenda, endorsed by the Delaware Courts Planning Committee and approved by the Chief Justice for the improvement of the administration of justice during the second session of the 136th General Assembly, consisted of four proposed constitutional amendments and five proposed statutory amendments.

The following are proposed constitutional amendments which have passed their respective first legs. Each bill will be reintroduced during the first session of the 137th General Assembly for consideration of their respective second legs.

Senate Bill No. 452

This proposed constitutional amendment would permit federal courts, as well as the highest appellate court of each state, to certify questions of law to the Delaware Supreme Court.

House Bill No. 19

This bill contains primarily housekeeping amendments to certain sections of the Delaware Constitution which are inconsistent with the present five-member Supreme Court. In addition, it includes amendments relating to the absence, disqualification, incapacity, or vacancy in the office of the Chief Justice of the Supreme Court, the Chancellor of the Court of Chancery, or President Judge of the Superior Court, and it eliminates references to the Orphan's Court which was abolished many years ago.

House Bill No. 23

The Register in Chancery, who is the Clerk of the Court of Chancery, is an elected official. This bill provides that this position in each county will be appointed by the Court of Chancery.

House Bill No. 605

This bill creates the office of Senior Judge and establishes the compensation, the eligibility and the work requirements for this post.

The following bill was enacted into law during the 136th General Assembly:

Senate Bill No. 454

This law mandates the appointment of a Family Court Commissioner for each county and designates the duties which each Commissioner shall perform.

Listed below are proposed statutory amendments which failed to gain passage during the 136th General Assembly. It is expected that the Delaware Courts Planning Committee and the Chief Justice will support the re-introduction of these bills (or approved versions thereof) during the 1993 legislative session.

House Bill No. 21

This bill would have limited Superior Court appellate jurisdiction in motor vehicle cases to matters involving a fine of more than \$100 or imprisonment.

House Bill No. 22

A right to jury trials in criminal cases would have been limited to those cases in which a person might have been imprisoned for more than 30 days in this proposed statute.

House Bill No. 313

This bill would have transferred the authority for the Wilmington Municipal Court to the State of Delaware over a five year period.

House Bill No. 546

An increase in certain criminal and traffic costs for the Justice of the Peace Courts was proposed in this bill.



Legislative Hall — Dover, DE

¹ The second leg of this amendment passed in January 1993 and thereby became law.

Fiscal Overview

FISCAL OVERVIEW

SUMMARY OF JUDICIAL BUDGETS – FISCAL YEAR 1991-1992-1993-1994

	F.Y. 1991 Actual Disbursement	F.Y. 1992 Actual Disbursement	F.Y. 1993 Appropriations	F.Y. 1994 Request
STATE *				
Administrative Office of the Courts	\$ 2,910,000	\$ 2,990,400	\$ 3,113,600	\$ 3,662,900
Judicial Information Center	698,200	753,700	1,266,200	1,398,100
Supreme Court	1,793,800	1,512,800	1,527,300	1,624,700
Continuing Judicial Education**	—	33,300	37,300	37,300
Court of Chancery	1,576,200	1,543,700	1,532,200	1,548,400
Public Guardian	236,600	251,700	256,500	292,800
Superior Court	9,168,800	9,118,100	9,300,300	10,300,300
Law Libraries	398,300	384,000	397,200	409,900
Family Court	11,021,400	10,918,800	11,053,900	11,271,300
Court of Common Pleas	2,727,300	2,756,100	2,679,800	2,830,500
Justice of the Peace Courts	7,468,700	7,522,300	7,768,700	8,111,000
Violent Crimes Compensation Board	1,904,700	2,240,700	2,120,900	2,774,600
Foster Care Review Board	240,900	240,100	334,300	359,200
Educational Surrogate Parent Program	46,700	45,600	50,000	52,500
STATE TOTALS	\$40,191,600	\$40,316,500	\$41,438,200	\$44,643,500
NEW CASTLE COUNTY				
Register in Chancery	\$ 637,953	\$ 646,179	\$ 708,454	
Register of Wills	711,241	767,723	810,065	
Sheriff	1,128,031	1,274,553	1,327,388	
NEW CASTLE COUNTY TOTALS***	\$ 2,559,797	\$ 2,763,455	\$ 2,921,737	
KENT COUNTY				
Register in Chancery	\$ 89,734	\$ 93,768	\$ 100,726	
Register of Wills	55,810	67,083	72,287	
Sheriff	190,028	203,334	207,355	
KENT COUNTY TOTALS	\$ 335,572	\$ 364,185	\$ 380,368	
SUSSEX COUNTY				
Register in Chancery	\$ 82,920	\$ 88,681	\$ 99,673	
Register of Wills	92,484	109,824	127,262	
Sheriff	202,280	185,249	198,479	
SUSSEX COUNTY TOTALS	\$ 377,684	\$ 383,754	\$ 425,414	
MUNICIPALITIES****				
Municipal Court	\$ 1,159,103	\$ 1,121,301	\$ 1,194,774	
<hr/>				
GRAND TOTALS- JUDICIAL BRANCH	\$44,623,756	\$44,949,195	46,360,493	

N.A. = Not Available
 *Figures include State governed funds, federal funds, City of Wilmington funds, and other funds.
 **Continuing judicial education was funded as part of Supreme Court's FY 1991 budget.
 ***Includes monies disbursed for the Office of the Prothonotary.
 ****Alderman's Courts not available.
 Source: Administrative Office of the Courts.

FISCAL OVERVIEW

COURT GENERATED REVENUE * - FISCAL YEAR 1992

SUBMITTED TO STATE GENERAL FUND

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement#
Administrative Office of the Courts	\$ 0	\$ 0	\$ 0	\$ 500	\$ 500	0.0%
Judicial Information Center	0	0	0	0	0	0.0%
Supreme Court	30,900	0	0	100	31,000	2.1%
Continuing Judicial Education	0	0	0	0	0	0.0%
Court of Chancery	0	0	208,900	4,600	213,500	13.8%
Public Guardian	0	0	0	1,200	1,200	0.5%
Superior Court	1,342,720	303,606	43,686	37,718	1,727,730	19.0%
Law Libraries	0	0	0	0	0	0.0%
Family Court	358,400	40,100	0	7,200	405,700	3.7%
Court of Common Pleas	311,600	517,700	0	40,000	869,300	31.5%
Justice of the Peace Courts	2,493,000	2,700,100	0	34,400	5,227,500	69.5%
Foster Care Review Board	0	0	0	200	200	0.1%
Educ. Surr. Parent Program	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS	\$4,536,620	\$3,561,506	\$252,586	\$125,918	\$8,476,630	21.0%

COURT GENERATED REVENUE * - FISCAL YEAR 1992

RECEIVED BY VICTIMS COMPENSATION FUND

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement#
Superior Court	—	\$ 214,429	—	—	\$ 214,429	—
Family Court	—	13,415	—	—	13,415	—
Court of Common Pleas	—	169,202	—	—	169,202	—
Municipal Court	—	135,817	—	—	135,817	—
Justice of the Peace Courts	—	1,123,157	—	—	1,123,157	—
Alderman's Courts	—	188,927	—	—	188,927	—
Restitution	—	24,910	—	—	24,910	—
Other	—	36,735	14,690	148	51,573	—
VICTIMS COMPENSATION FUND TOTALS	—	\$1,906,592	14,690	148	\$1,921,430	85.8%

*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.

#FY 1992 Revenue divided by FY 1992 Actual Disbursement, which includes State general, federal, and other funds.

Educ. Surr. Parent Program = Educational Surrogate Parent Program.

Source: Administrative Office of the Courts.

COURT GENERATED REVENUE * - FISCAL YEAR 1992**SUBMITTED TO NEW CASTLE COUNTY**

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement#
Register in Chancery	\$ 397,685	\$ 0	\$206,092	\$ 0	\$ 603,777	93.4%
Register of Wills	1,794,183	0	0	0	1,794,183	231.0%
Prothonotary	86,358	7,395	0	0	93,753	125.0%
Sheriff	861,254	0	0	95,000	956,254	75.0%
Justice of the Peace Courts	0	603,446	0	0	603,446	8.0%
NEW CASTLE COUNTY TOTALS	\$3,139,480	\$610,841	\$206,092	\$95,000	\$4,051,413	146.6%##

COURT GENERATED REVENUE * - FISCAL YEAR 1992**SUBMITTED TO KENT COUNTY**

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement#
Register in Chancery	\$ 17,128	\$ 0	\$ 1,026	\$ 0	\$ 18,154	19.4%
Register of Wills	302,473	0	0	0	302,473	453.0%
Sheriff	213,529	0	0	0	213,529	113.1%
Justice of the Peace Courts	4,597	0	0	0	4,597	0.1%
KENT COUNTY TOTALS	\$537,727	\$ 0	\$ 1,026	\$ 0	\$538,753	147.9%##

COURT GENERATED REVENUE * - FISCAL YEAR 1992**SUBMITTED TO SUSSEX COUNTY**

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement#
Register in Chancery	\$ 28,782	\$ 0	\$ 1,782	\$ 0	\$ 30,564	34.5%
Register of Wills	425,834	0	0	0	425,834	387.7%
Prothonotary	20,053	2,215	0	0	22,268	—
Sheriff	125,665	0	0	0	125,665	67.8%
SUSSEX COUNTY TOTALS	\$600,334	\$ 2,215	\$ 1,782	\$ 0	\$604,331	157.5%##

*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.

#FY 1992 Revenue divided by FY 1992 Actual Disbursement.

##Revenue as a % of disbursement for county offices.

Source: Administrative Office of the Courts.

FISCAL OVERVIEW

COURT GENERATED REVENUE * - FISCAL YEAR 1992

SUBMITTED TO MUNICIPALITIES

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement##
Municipal Court	\$116,654	\$ 740,557	\$ 0	\$ 0	\$ 857,211	76.4%
Justice of the Peace Courts	0	2,148,479	0	0	2,148,479	28.6%#
Alderman's Courts	272,707	1,092,830	0	0	\$1,365,557	N.A.
MUNICIPALITIES TOTALS	\$389,361	\$3,981,866	\$ 0	\$ 0	\$4,371,227	N.A.

COURT GENERATED REVENUE * - FISCAL YEAR 1992

GRAND TOTALS - JUDICIAL BRANCH

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement##
TOTALS	\$9,203,522	\$10,063,020	\$476,176	\$221,066	\$19,963,784	45.6%§

RESTITUTION - FISCAL YEAR 1992

Court	Restitution Assessed	Restitution Collected	Restitution Disbursed
Supreme Court	\$ 0	\$ 0	\$ 0
Court of Chancery	0	0	0
Superior Court			
New Castle County Prothonotary	2,312,194	369,621	347,527
Kent County Prothonotary	618,680	100,980	87,571
Sussex County Prothonotary	558,304	163,325	157,634
Family Court	255,451	117,589	117,589
Court of Common Pleas	203,430	181,858	169,524
Municipal Court	N/A	55,875	48,470
Justice of the Peace Courts§§	100,846	88,168	88,168
TOTALS	\$3,948,906	\$1,077,421	\$1,016,483

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.

Total revenue generated by the Justice of the Peace Courts in FY 1992 was \$9,195,347 which represents 122.2% of expenditures for that year.

FY 1992 Revenue divided by FY 1992 Actual Disbursement, which includes State general, federal, and other funds.

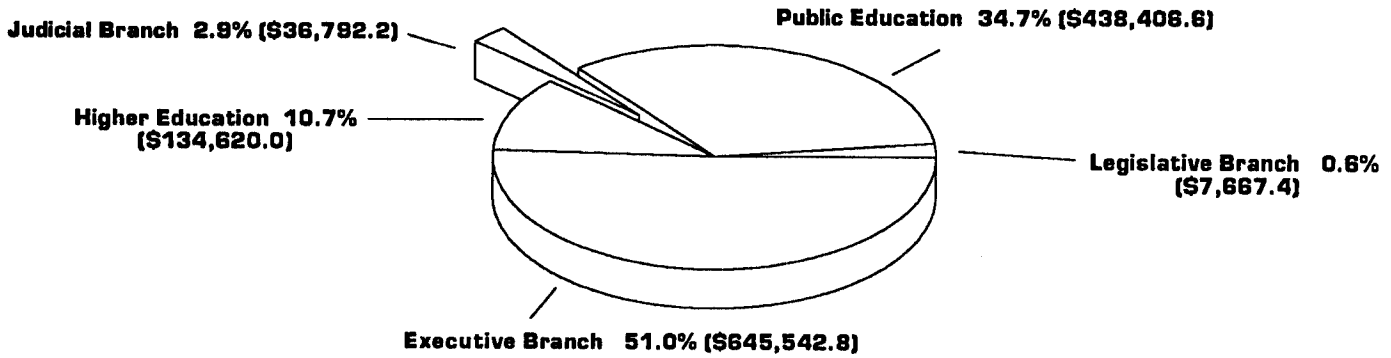
§ This figure is approximate as some expenditure data is not available.

§§ 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.

Source: Administrative Office of the Courts.

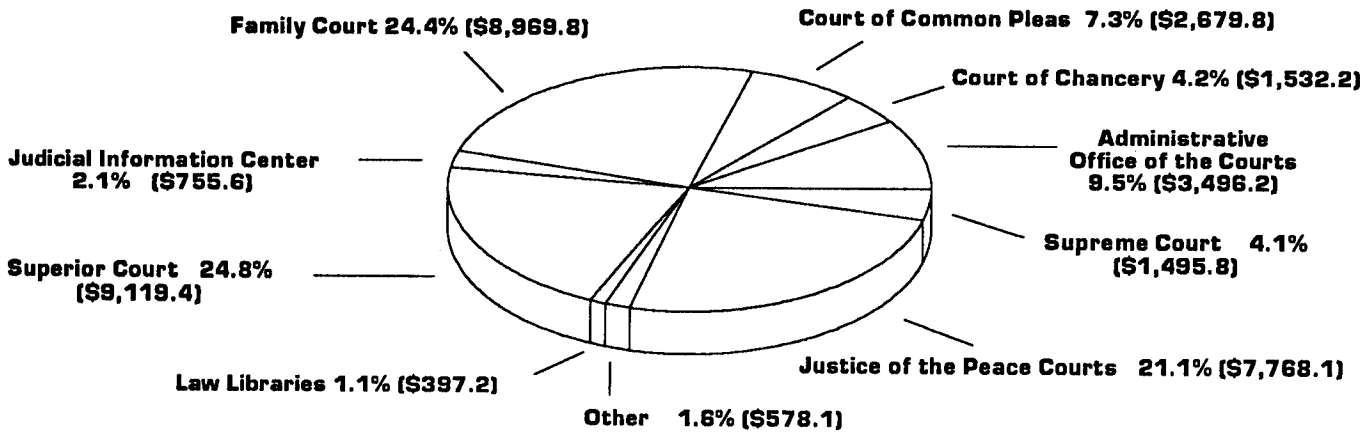
DELAWARE GOVERNMENT APPROPRIATIONS * (IN THOUSANDS) - FISCAL YEAR 1993

STATE APPROPRIATIONS - TOTAL (\$1,263,051.0)



DELAWARE GOVERNMENT APPROPRIATIONS * (IN THOUSANDS) - FISCAL YEAR 1993

STATE APPROPRIATIONS - JUDICIARY (\$36,792.2)



Other: Public Guardian 0.7% (256.5), Foster Care Review Board 0.6% (234.3), Educational Surrogate Parent Program 0.1% (50.0), Continuing Judicial Education 0.1% (37.3).

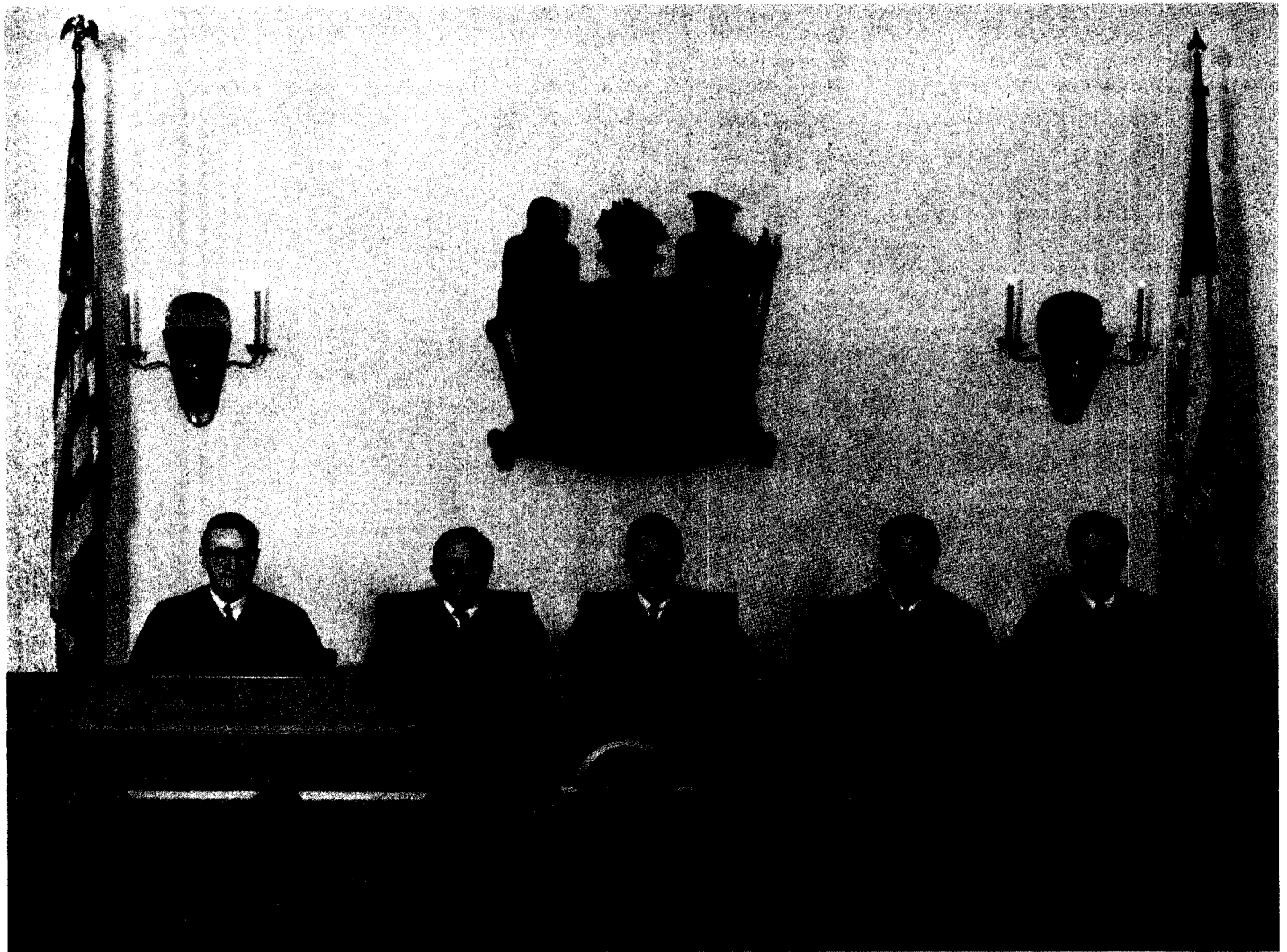
*State general fund monies only.

**Administrative Office of the Courts.

Source: 136th General Assembly, House Bill 444.

Supreme Court

Chief Justice E. Norman Veasey
Justice Henry R. Horsey
Justice Andrew G.T. Moore, II
Justice Joseph T. Walsh
Justice Randy J. Holland



SUPREME COURT

(Left to Right)

Justice Joseph T. Walsh

Justice Henry R. Horsey

Chief Justice E. Norman Veasey

Justice Andrew G.T. Moore, II

Justice Randy J. Holland

Legal 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.

Court History

The modern day Supreme Court was established in 1951 by constitutional amendment. The State's first separate Supreme Court initially consisted of three Justices and was enlarged to the current five Justices in 1978.

Prior to 1951, Delaware was without a separate Supreme Court. The highest appellate authority prior to the creation of the separate Supreme Court consisted of those judges who did not participate in the original litigation in the lower courts. These judges would hear the appeal en banc (collectively) and would exercise final jurisdiction in all matters in both law and equity.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums, and 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 nominated by the Governor and confirmed by the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

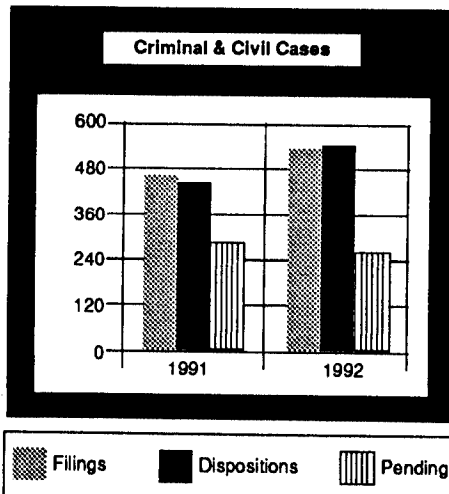
Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Court Administrator, a Clerk of the Court/Staff Attorney, an assistant clerk, law clerks, secretaries, two senior clerks and a court clerk.

Caseload Trends

The number of filings rose by 11.8% from 474 in FY 1991 to 530 in FY 1992. Dispositions increased by 23.6% from 444 in FY 1991 to 549 in FY 1992. The large increase in dispositions led to a 6.9% drop in the number of cases pending to 255 at the end of FY 1992 from 274 at the end of FY 1991.

The average elapsed time from the date of filing to the date of disposition fell from 210.7 days in FY 1991 to 207.2 days in FY 1992. The average time from the date of submission of a case for judicial decision to the date of disposition decreased as well, falling to 32.1 days in FY 1992 from 49.3 days in FY 1991.



ARMS OF THE SUPREME COURT

Board 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 members of the Bar to serve as Assistant Disciplinary Counsel as needed. 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 four-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.

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 56 which govern the testing and procedures for admission to the Bar.

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.

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 members are appointed by the Court for three-year terms. The function of the Committee is to oversee and monitor the operation of the Delaware IOLTA Program as established pursuant to Rule 1.15 and Interpretive Guideline number 2 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 disburse all funds generated by the IOLTA program.

Board on the Unauthorized Practice of Law

The Board on the Unauthorized Practice of Law is authorized by Supreme Court Rule 86. The Board consists of six members appointed by the Court for four-year terms. Five

members of the Board must be lawyers, and one person must be a public non-lawyer member. The Court may appoint associate members of the Board to assist each member of the Board. It is the duty of the Board to administer Supreme Court Rule 86, to investigate matters sua sponte, and to deal with matters referred from any source regarding issues on the unauthorized practice of law.

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

FISCAL YEAR 1992 - CASELOAD SUMMARY

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
Criminal Appeals	153*	226	241	138	- 15	- 9.8%
Civil Appeals	116	268	270	114	- 2	- 1.7%
Original Applications**	5	36	38	3	- 2	- 40.0%
TOTALS	274*	530	549	255	- 19	- 6.9%

COMPARISON - FISCAL YEARS 1991-1992 - CASELOAD

FILINGS

	1991	1992	Change	% Change
Criminal Appeals	197*	226	+ 29	+ 14.7%
Civil Appeals	242	268	+ 26	+ 10.7%
Certifications	0	8	+ 8	—
Original Applications	27	17	- 10	- 37.0%
Bd. on Prof. Resp.	5	11	+ 6	+ 120.0%
Bd. of Bar Exam.	3	0	- 3	- 100.0%
TOTALS	474*	530	+ 56	+ 11.8%

COMPARISON - FISCAL YEARS 1991-1992 - CASELOAD

DISPOSITIONS

	1991	1992	Change	% Change
Criminal Appeals	165	241	+ 76	+ 46.1%
Civil Appeals	247	270	+ 23	+ 9.3%
Certifications	0	8	+ 8	+ 60.0%
Original Applications	24	19	- 5	- 20.8%
Bd. on Prof. Resp.	5	11	+ 6	+ 120.0%
Bd. of Bar Exam.	3	0	- 3	- 100.0%
TOTALS	444	549	+ 105	+ 23.6%

* Amended from 1991 Annual Report.

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

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

Bd. of Bar Exam. = Board of Board Examiners

FISCAL YEAR 1992 - CASELOAD BREAKDOWNS

FILINGS

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	226	100.0%	0	0.0%	0	0.0%	226	100.0%
Civil Appeals	50	18.7%	149	55.6%	69	25.7%	0	0.0%	268	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	25	100.0%	25	100.0%
Bd. on Prof. Resp.	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>	<u>11</u>	<u>100.0%</u>	<u>11</u>	<u>100.0%</u>
TOTALS	50	9.4%	375	70.8%	69	13.0%	36	6.8%	530	100.0%

FISCAL YEAR 1992 - CASELOAD BREAKDOWNS

DISPOSITIONS

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		TOTALS	
Criminal Appeals	0	0.0%	241	100.0%	0	0.0%	0	0.0%	241	100.0%
Civil Appeals	53	19.6%	144	53.3%	73	27.0%	0	0.0%	270	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	27	100.0%	27	100.0%
Bd. on Prof. Resp.	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>	<u>11</u>	<u>100.0%</u>	<u>11</u>	<u>100.0%</u>
TOTALS	53	9.7%	385	70.1%	73	13.3%	38	6.9%	549	100.0%

FISCAL YEAR 1992 - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Court of Chancery	Superior Court	Family Court	Non-Court Originated	TOTALS
Criminal Appeals	0	- 15	0	0	- 15
Civil Appeals	- 3	+ 5	- 4	0	- 2
Original Applications	0	0	0	- 2	- 2
Bd. on Prof. Resp.	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTALS	- 3	- 10	- 4	- 2	- 19

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

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

SUPREME COURT

TYPES OF DISPOSITIONS - FISCAL YEAR 1992 - CASELOAD

APPEALS DISPOSITIONS

	Affirmed		Aff. Pt./ Rev. Pt.		Reversed		Remanded		Voluntary Dismissal		Court Dismissal		Leave to Appeal Denied		Totals	
Criminal Appeals	176	73.0%	1	0.4%	11	4.6%	1	0.4%	17	7.1%	34	14.1%	1	0.4%	241	100.0%
Civil Appeals	139	45.1%	16	5.2%	23	7.5%	4	1.3%	39	12.7%	66	21.4%	21	6.8%	308	100.0%
Totals	315	57.4%	17	3.1%	34	6.2%	5	0.9%	56	10.2%	100	18.2%	22	4.0%	549	100.0%

TYPES OF DISPOSITIONS - FISCAL YEARS 1992 - CASELOAD

MISCELLANEOUS DISPOSITIONS

	Action Taken*		Remanded		Answered		Granted		Denied/ Stricken		Court Dismissal		Totals	
Original Applications	0	0.0%	0	0.0%	8	29.5%	1	3.7%	5	18.5%	13	48.1%	27	100.0%
Bd. on Prof. Resp.	6	54.5%	4	36.4%	0	0.0%	0	0.0%	0	0.0%	1	9.1%	11	100.0%
Totals	6	15.8%	4	10.5%	8	21.1%	1	2.6%	5	13.2%	14	36.8%	38	100.0%

TYPES OF DISPOSITIONS - FISCAL YEARS 1992 - CASELOAD

METHODS OF DISPOSITIONS

	Assigned Opinion		Per Curiam Opinion		Written Order		Voluntary Dismissal		Totals	
Criminal Appeals	20	8.3%	0	0.0%	204	84.6%	17	7.1%	241	100.0%
Civil Appeals	42	15.6%	0	0.0%	189	70.0%	39	14.4%	270	100.0%
Original Applications	10	37.0%	1	3.7%	16	59.3%	0	0.0%	27	100.0%
Bd. on Prof. Resp.	0	0.0%	1	9.1%	10	90.9%	0	0.0%	11	100.0%
Totals	72	13.1%	2	0.4%	419	76.3%	56	10.2%	549	100.0%

*Action Taken includes disbarment, suspensions, restrictions, reprimands and reinstatements.

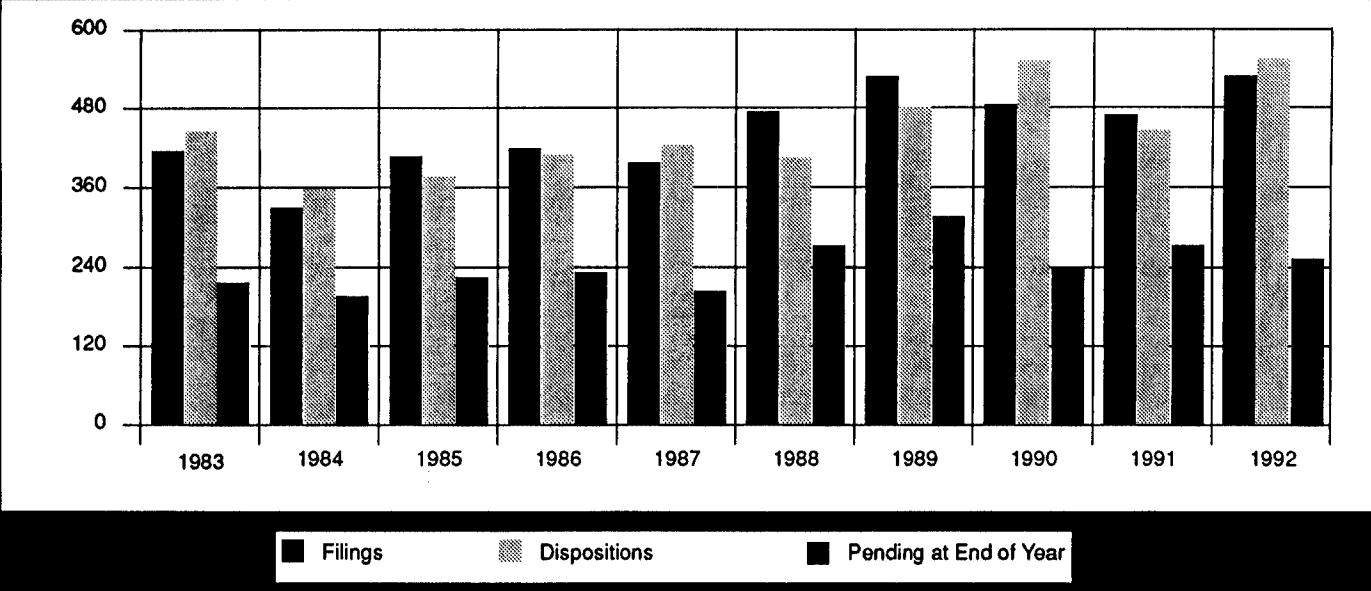
Aff. Pt./Rev. Pt. = Affirmed in Part/Reversed in Part

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

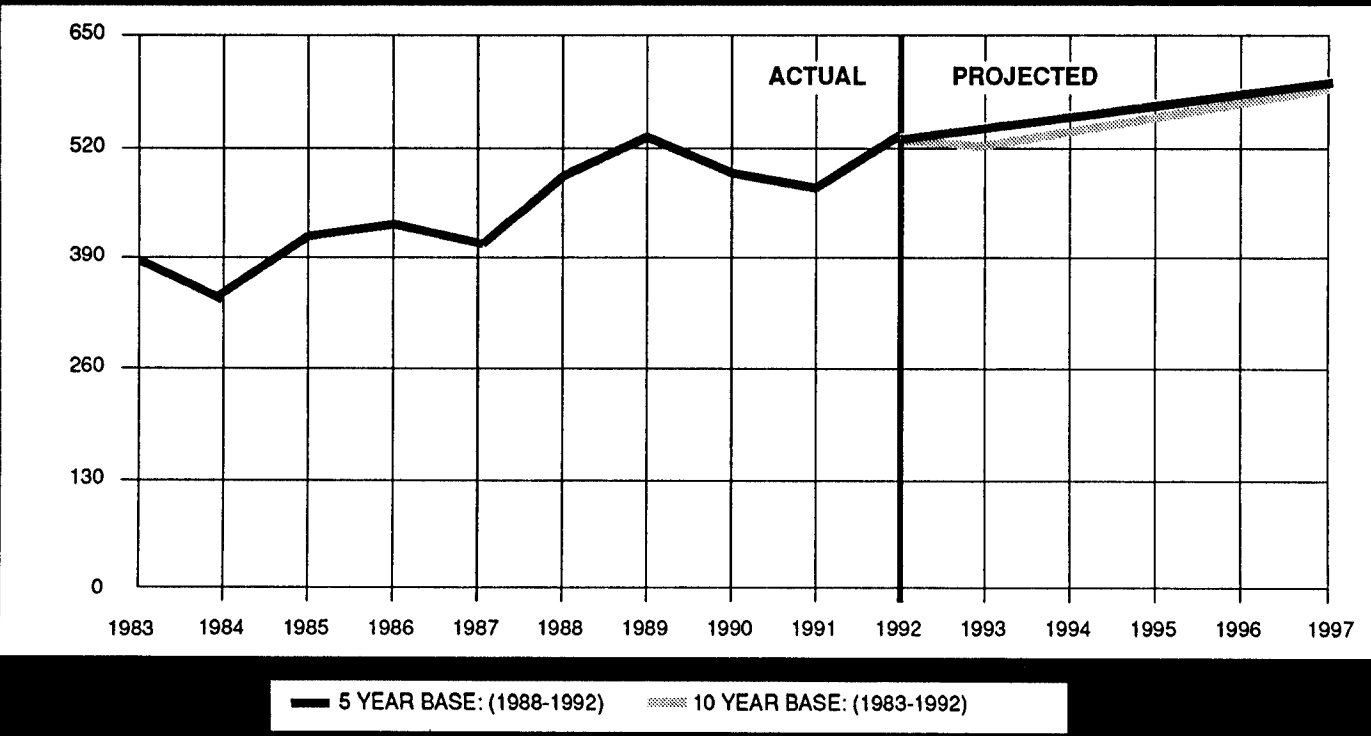
Source: Court Administrator and Clerk of the Supreme Court, Administrative Office of the Courts

SUPREME COURT — TOTAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

FISCAL YEAR 1992 - PERFORMANCE SUMMARY

AVERAGE ELAPSED TIME TO DISPOSITION

	Number of Dispositions	Average Time from Filing to Disposition	Average Time from Submission to Disposition*
Criminal Appeals	241	261.9 days	30.2 days
Civil Appeals	270	179.3 days	35.3 days
Original Applications	27	65.9 days	28.7 days
Bd. on Prof. Resp.	11	42.8 days	12.1 days
TOTALS	549	207.2 days	32.1 days

COMPARISON - FISCAL YEARS 1991-1992 - PERFORMANCE SUMMARY

AVERAGE TIME FROM FILING TO DISPOSITION

	1991	1992	Change	% Change
Criminal Appeals	301.6 days	261.9 days	- 39.7 days	- 13.2%
Civil Appeals	170.2 days	179.3 days	+ 9.1 days	+ 5.3%
Certifications	—	78.9 days	—	—
Original Applications	31.2 days	60.5 days	+ 29.3 days	+ 93.9%
Bd on Prof. Resp.	169.0 days	42.8 days	-126.2 days	- 74.7%
Bd. of Bar Exam.	43.3 days	—	—	—
TOTALS	210.7 days	207.2 days	- 3.5 days	- 1.7%

*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 Chambers — Dover, DE

FISCAL YEAR 1992 - PERFORMANCE BREAKDOWNS

ELAPSED TIME BY DISPOSITION TYPE

Type of Disposition	Number of Dispositions	Average Time from Filing to Disposition	Average Time from Submission to Disposition
Affirmed	302	256.4 days	31.5 days
Affirmed Part/Reversed Part	17	391.4 days	131.6 days
Reversed	34	291.1 days	56.8 days
Remanded	5	49.8 days	15.4 days
Voluntary Dismissal	56	118.4 days	—
Court Dismissal	94	113.6 days	11.6 days
Leave to Appeal Denied	22	22.5 days	11.1 days
Other	19	91.5 days	39.0 days
TOTALS	549	207.2 days	32.1 days

FISCAL YEAR 1992 - PERFORMANCE BREAKDOWNS

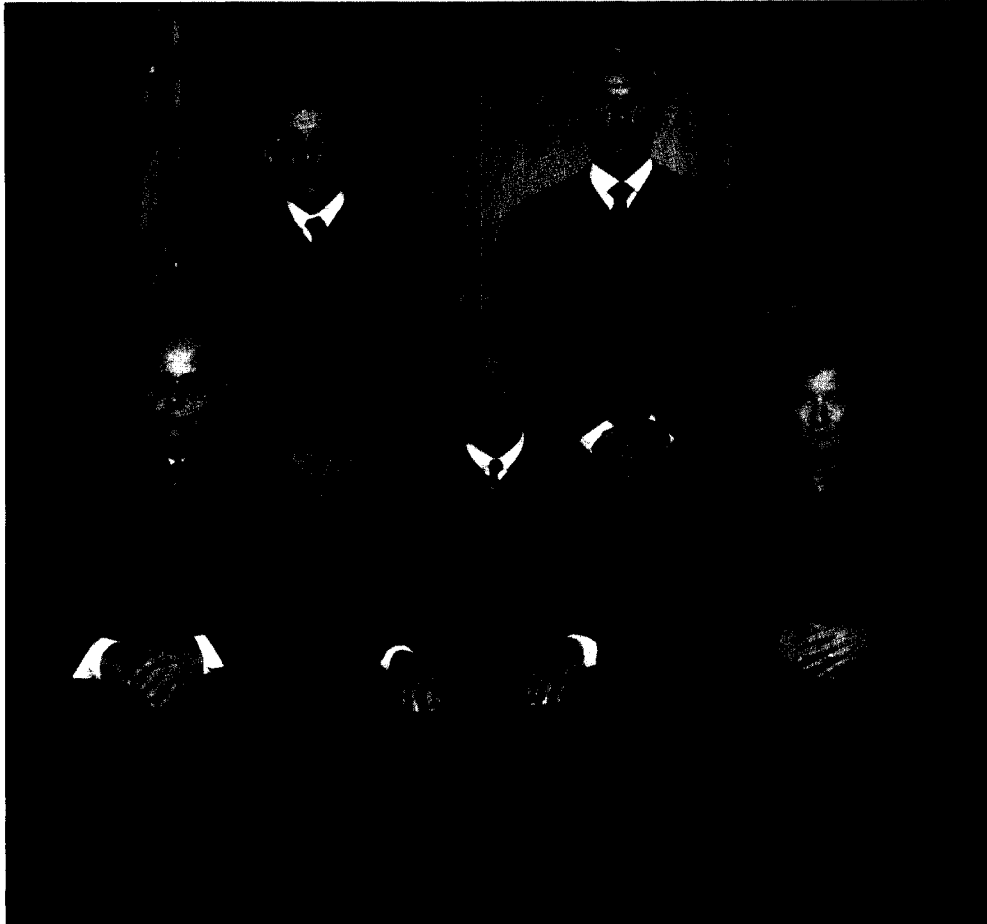
ELAPSED TIME BY DISPOSITION METHOD

Method of Disposition	Number of Dispositions	Average Time from Filing to Disposition	Average Time from Submission to Disposition*
Assigned Opinion	72	362.7 days	85.3 days
Per Curium Opinion	2	57.0 days	4.5 days
Written Order	419	194.0 days	23.3 days
Voluntary Dismissal	56	118.4 days	—
TOTALS	549	207.2 days	32.1 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

Chancellor William T. Allen
Vice-Chancellor Maurice A. Hartnett, III
Vice-Chancellor Carolyn Berger
Vice-Chancellor Jack B. Jacobs
Vice-Chancellor William B. Chandler, III



COURT OF CHANCERY

Seated (Left to Right)

Vice-Chancellor Maurice A. Hartnett, III

Chancellor William T. Allen

Vice-Chancellor Carolyn Berger

Standing (Left to Right)

Vice-Chancellor Jack B. Jacobs

Vice-Chancellor William B. Chandler, III

COURT OF CHANCERY

Legal Authorization

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

The Court of Chancery came into existence as a separate court under the Constitution of 1792. It was modeled on the High Court of Chancery in England and is in direct line of succession from that Court. The Court consisted solely of the Chancellor until 1939 when the position of Vice-Chancellor was added. The increase on the Court's workload since then has led to further expansions to its present complement of a Chancellor and four Vice-Chancellors, with the addition of the fourth Vice-Chancellor being made in 1989.

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 four Vice-Chancellors. The fourth Vice-Chancellor position is authorized by House Bill 60 which became law in January, 1989. The Chancellor and Vice-Chancellors are nominated by the Governor and must be confirmed by the Senate for 1 2-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

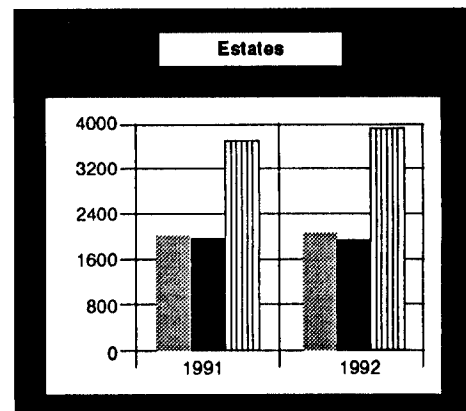
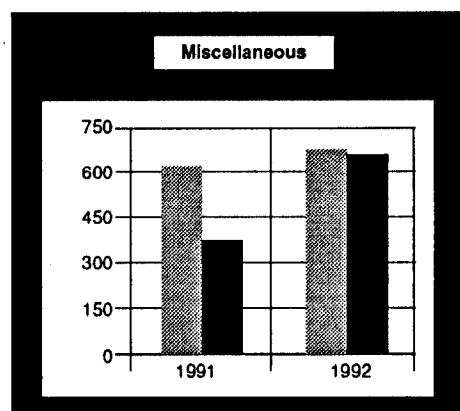
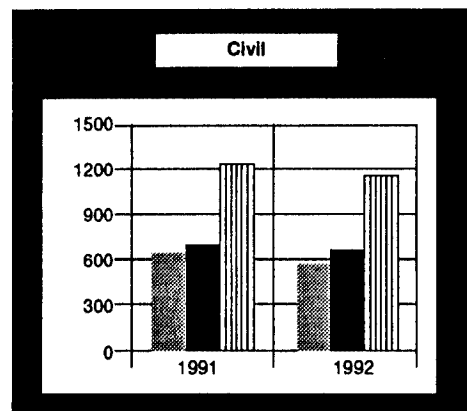
The Chancellor has the duty to appoint the Public Guardian.

Caseload Trends

The number of civil filings fell by 12.7% from 670 in FY 1991 to 585 in FY 1992. The number of dispositions fell as well, dropping by 8.6% to 676 in FY 1992 from 749 in FY 1991. There was a decrease of 7.2% in pending at the end of the year from 1,260 at the end of FY 1991 to 1,169 at the end of FY 1992.

The number of miscellaneous matters filed in the Court was up by 17.5% from 604 during FY 1991 to 710 in FY 1992. There was a rise of 83.5% in dispositions, to 688 in FY 1992 from 375 during FY 1991. The number of matters pending rose by only 0.4% during the fiscal year because of the large rise in dispositions, increasing from 5,968 at the end of FY 1991 to 5,990 at the end of FY 1992.

The number of estates opened increased by 5.1% to 2,198 during FY 1992 from 2,091 in FY 1991. The number of estates closed fell by 2.0% to 1,992 in FY 1992 from 2,032 in FY 1991. The result of the rise in openings and the fall in closings was a 5.5% increase in the number of estates remaining open at the end of the fiscal year, from 3,764 at the end of FY 1991 to 3,970 at the end of FY 1992.



REGISTER IN CHANCERY

FISCAL YEAR 1992 CIVIL CASES - CASELOAD SUMMARY *

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	1,002	491	568	925	- 77	- 7.7%
Kent	98	37	40	95	- 3	- 3.1%
Sussex	160	57	68	149	- 11	- 6.9%
State	1,260	585	676	1,169	- 91	- 7.2%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

FILINGS					
	1991	1992	Change	% Change	
New Castle	586	491	- 95	- 16.2%	
Kent	33	37	+ 4	+ 12.1%	
Sussex	51	57	+ 6	+ 11.8%	
State	670	585	- 85	- 12.7%	

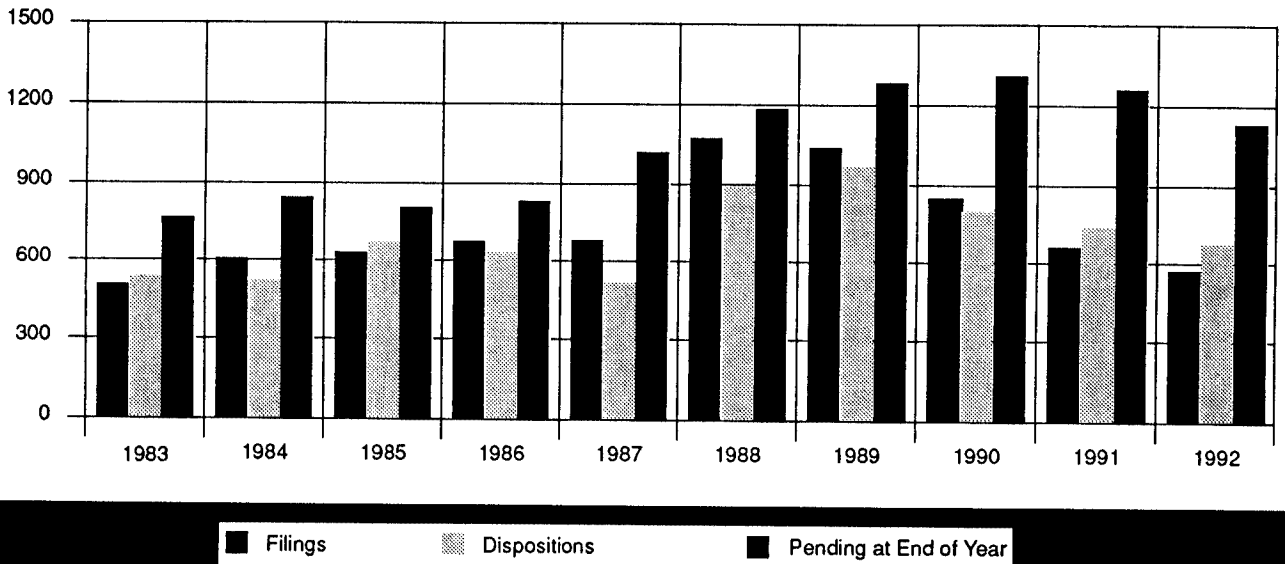
COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

DISPOSITIONS					
	1991	1992	Change	% Change	
New Castle	653	568	- 85	- 13.0%	
Kent	44	40	- 4	- 9.1%	
Sussex	43	68	+ 25	+ 58.1%	
State	740	676	- 64	- 8.6%	

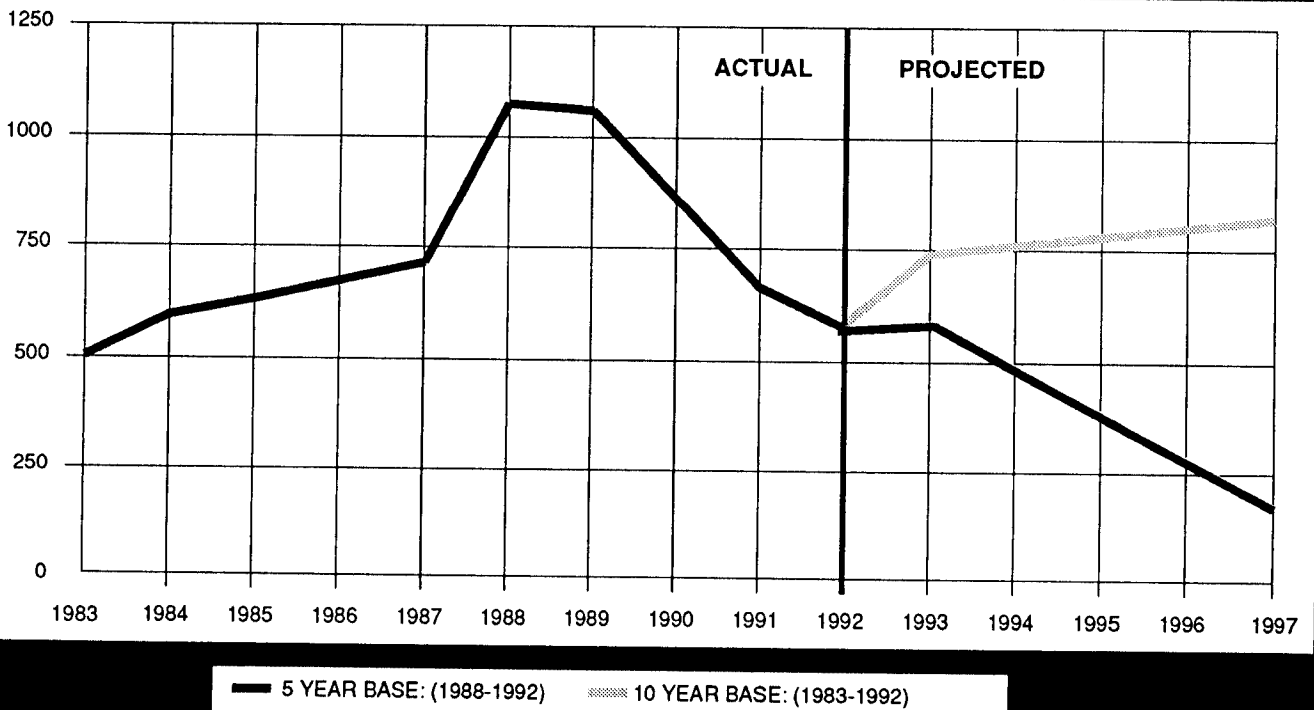
Source: New Castle County, Kent County, Sussex County Registers in Chancery, Administrative Office of the Courts.

COURT OF CHANCERY — CIVIL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1992 MISCELLANEOUS CASES - CASELOAD SUMMARY *

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	3,687	384	425	3,646	- 41	- 1.1%
Kent	830	94	69	855	+ 25	+ 3.0%
Sussex	<u>1,451</u>	<u>232</u>	<u>194</u>	<u>1,489</u>	<u>+ 38</u>	<u>+ 2.6%</u>
State	5,968	710	688	5,990	+ 22	+ 0.4%

COMPARISON - FISCAL YEARS 1991-1992 MISCELLANEOUS CASES - CASELOAD

FILINGS				
	1991	1992	Change	% Change
New Castle	289	384	+ 95	+ 32.9%
Kent	116	94	- 22	- 19.0%
Sussex	<u>199</u>	<u>232</u>	<u>+ 33</u>	<u>+ 16.6%</u>
State	604	710	+ 106	+ 17.5%

COMPARISON - FISCAL YEARS 1991-1992 MISCELLANEOUS CASES - CASELOAD

DISPOSITIONS				
	1991	1992	Change	% Change
New Castle	169	425	+ 256	+ 151.5%
Kent	47	69	+ 22	+ 46.8%
Sussex	<u>159</u>	<u>194</u>	<u>+ 35</u>	<u>+ 22.0%</u>
State	375	688	+ 313	+ 83.5%

Source: New Castle County, Kent County, Sussex County Registers in Chancery, Administrative Office of the Courts.

FISCAL YEAR 1992 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

FILINGS

	Guardians for Minors		Guardians for Infirm		Trustees for Mentally Ill		Trusts		Other Matters		TOTALS	
New Castle	157	40.9%	108	28.1%	6	1.6%	88	22.9%	25	6.5%	384	100.0%
Kent	33	35.1%	34	36.2%	0	0.0%	20	21.3%	7	7.4%	94	100.0%
Sussex	45	19.4%	61	26.3%	0	0.0%	47	20.3%	79	34.1%	232	100.0%
State	235	33.1%	203	28.6%	6	0.8%	155	21.8%	111	15.6%	710	100.0%

FISCAL YEAR 1992 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

DISPOSITIONS

	Guardians for Minors		Guardians for Infirm		Trustees for Mentally Ill		Trusts		Other Matters		TOTALS	
New Castle	37	8.7%	45	10.6%	6	1.4%	176	41.4%	161	37.9%	425	100.0%
Kent	26	37.7%	34	49.3%	0	0.0%	6	8.7%	3	4.3%	69	100.0%
Sussex	40	20.6%	74	38.1%	0	0.0%	2	1.0%	78	40.2%	194	100.0%
State	103	15.0%	153	22.2%	6	0.9%	184	26.7%	242	35.2%	688	100.0%

FISCAL YEAR 1992 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

	Guardians for Minors		Guardians for Infirm		Trustees for Mentally Ill		Trusts		Other Matters		TOTALS	
New Castle	851	23.3%	1,168	32.0%	177	4.9%	1,129	31.0%	321	8.8%	3,646	100.0%
Kent	332	38.2%	276	32.3%	15	1.8%	190	22.2%	42	4.9%	855	100.0%
Sussex	306	20.6%	97	6.5%	16	1.1%	1,051	70.6%	19	1.3%	1,489	100.0%
State	1,489	24.9%	1,541	25.7%	208	3.5%	2,370	39.6%	382	6.4%	5,990	100.0%

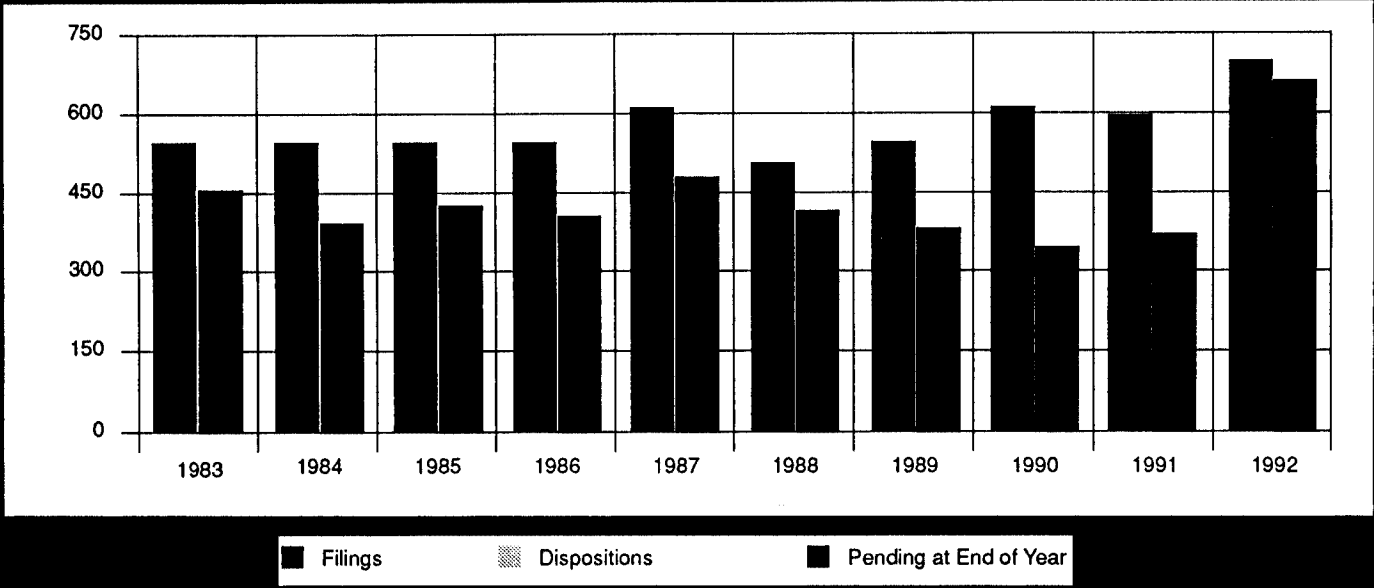
FISCAL YEAR 1992 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

CHANGE IN PENDING

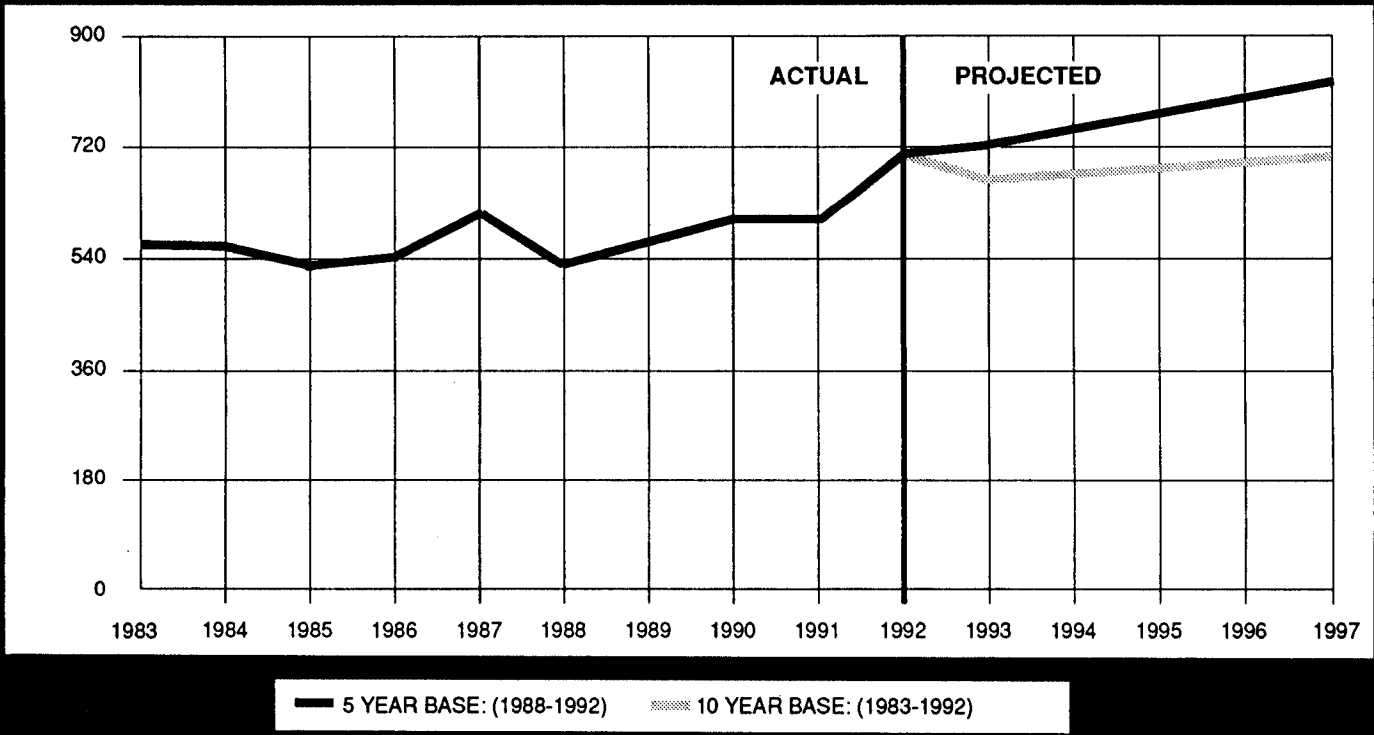
	Guardians for Minors		Guardians for Infirm		Trustees for Mentally Ill		Trusts		Other Matters		TOTALS	
New Castle	+ 120		+ 63		0		- 88		- 136		- 41	
Kent	+ 7		0		0		+ 14		+ 4		+ 25	
Sussex	+ 5		- 13		0		+ 45		+ 1		+ 38	
State	+ 132		+ 50		0		- 29		- 131		+ 22	

Source: New Castle County, Kent County, Sussex County Registers in Chancery, Administrative Office of the Courts.

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.
Source: Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1992 ESTATES - CASELOAD SUMMARY

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	1,895	1,403	1,244	2,054	+ 159	+ 8.4%
Kent	1,108	297	295	1,110	+ 2	+ 0.2%
Sussex	761	498	453	806	+ 45	+ 5.9%
State	3,764	2,198	1,992	3,970	+ 206	+ 5.5%

COMPARISON - FISCAL YEARS 1991-1992 ESTATES - CASELOAD

FILINGS

OPENED

	1991	1992	Change	% Change
New Castle	1,330	1,403	+ 73	+ 5.5%
Kent	272	297	+ 25	+ 9.2%
Sussex	489	498	+ 9	+ 1.8%
State	2,091	2,198	+ 107	+ 5.1%

COMPARISON - FISCAL YEARS 1991-1992 ESTATES - CASELOAD

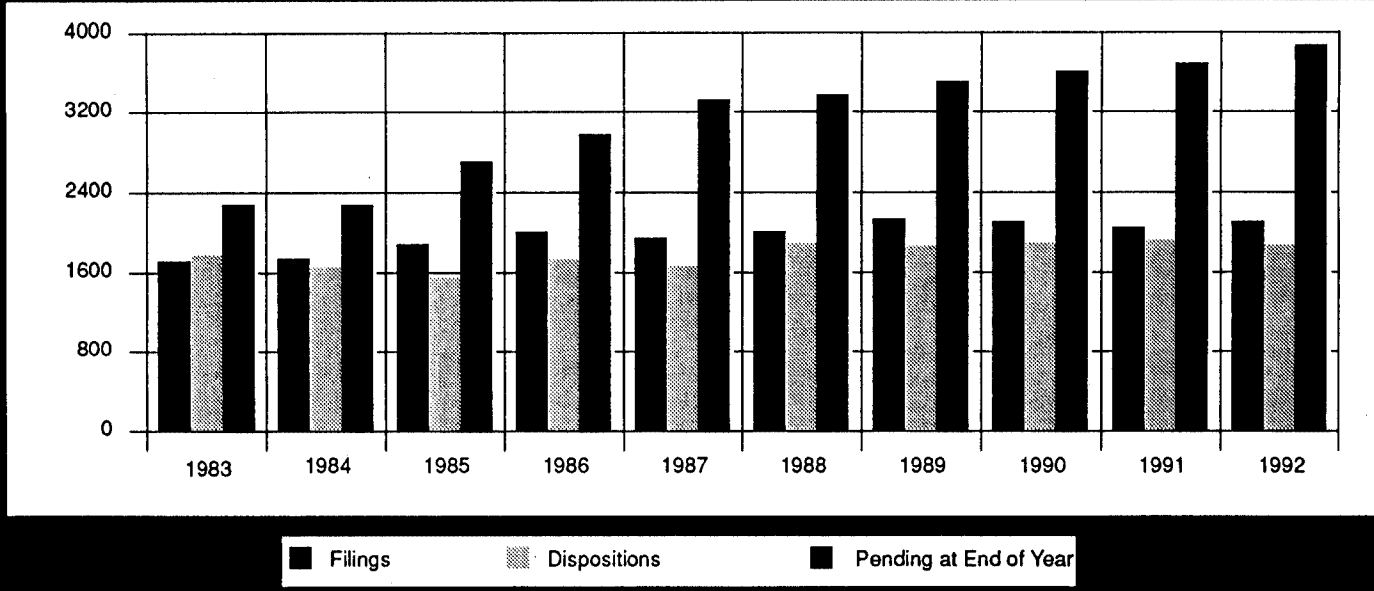
FILINGS

CLOSED

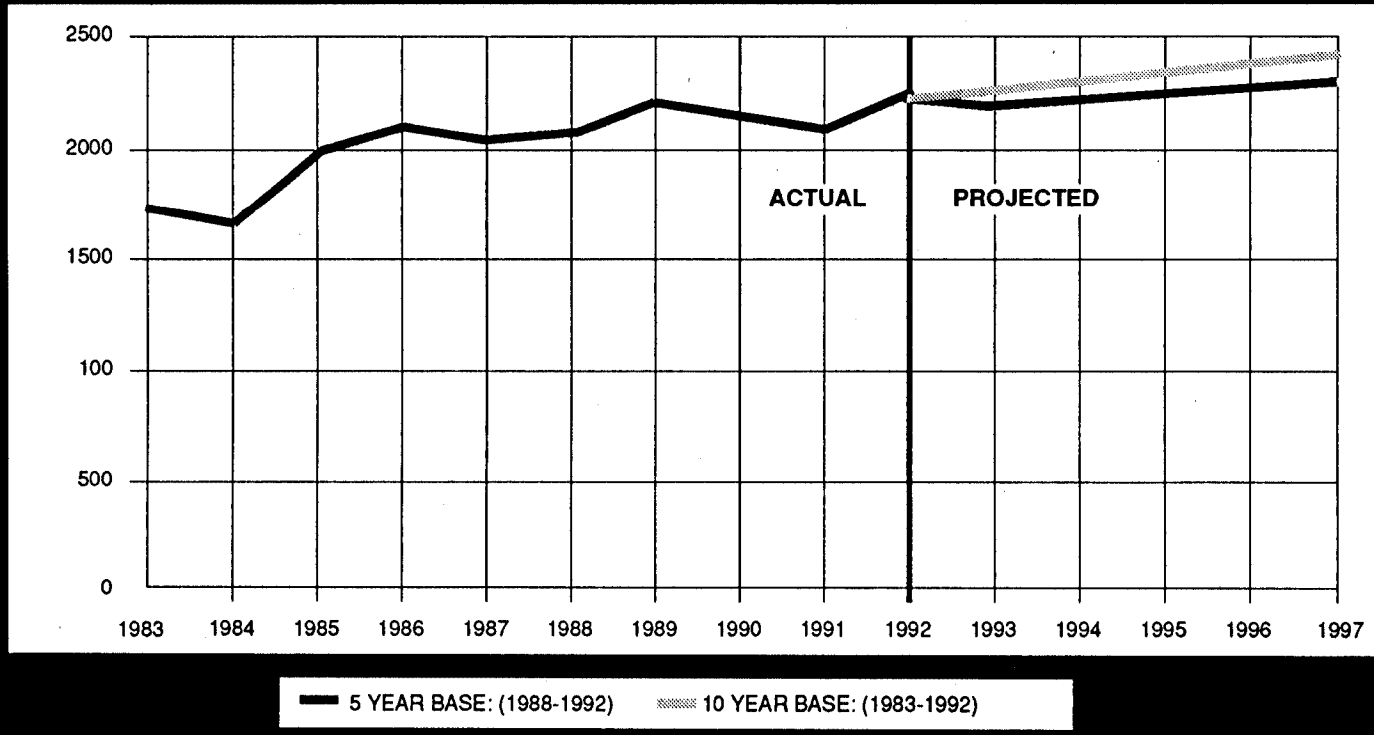
	1991	1992	Change	% Change
New Castle	1,273	1,244	- 29	- 2.3%
Kent	299	295	- 4	- 1.3%
Sussex	460	453	- 7	- 1.5%
State	2,032	1,992	- 40	- 2.0%

Source: New Castle County, Kent County, Sussex County Registers in Chancery, Administrative Office of the Courts.

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS

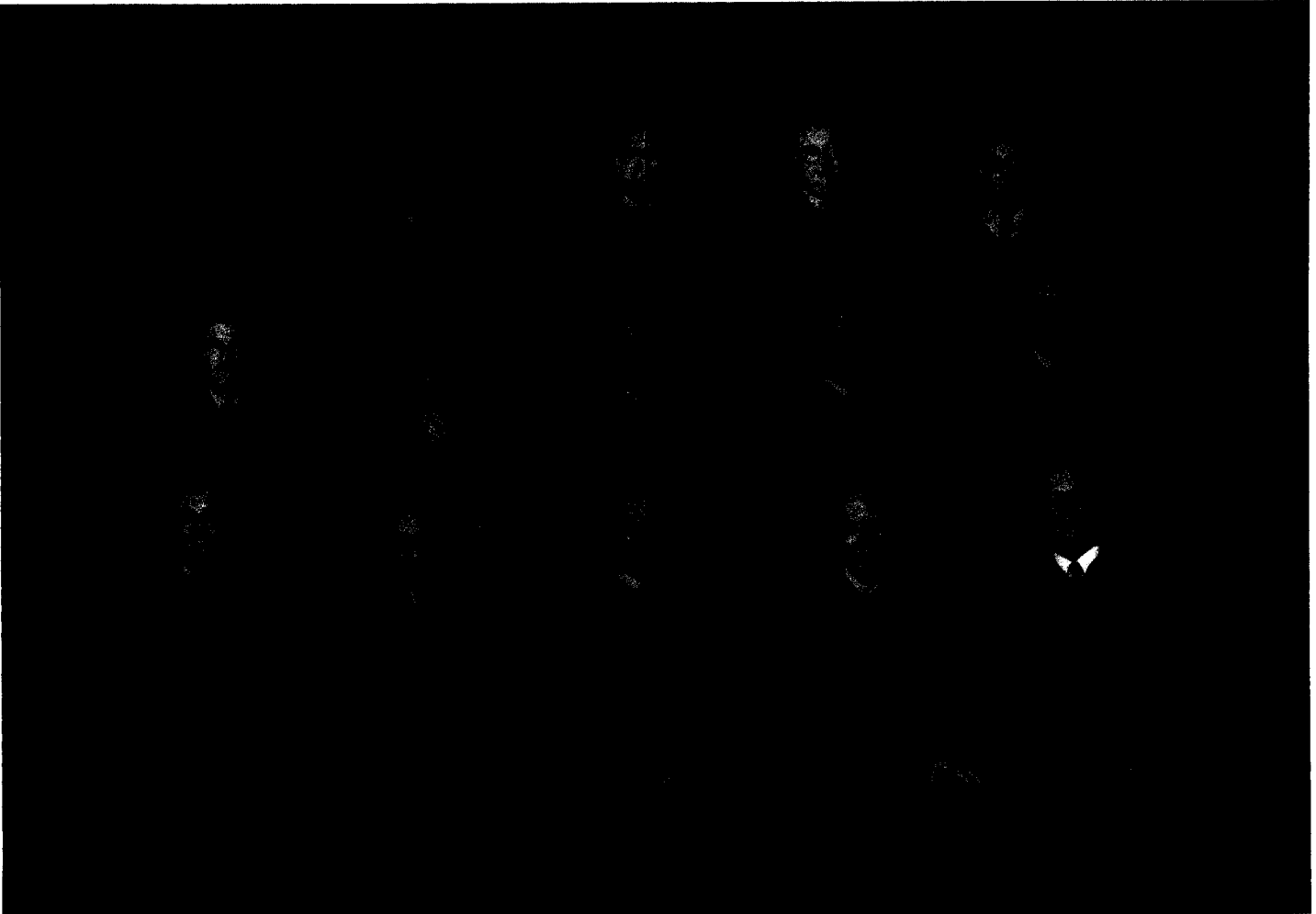


Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts

Superior Court

President Judge Henry du Pont Ridgely
Resident Judge Vincent A. Bifferato
Associate Judge Bernard Balick
Associate Judge Richard S. Gebelein
Associate Judge John E. Babiarz, Jr.
Resident Judge William Swain Lee
Associate Judge Susan C. Del Pesco
Resident Judge Myron T. Steele
Associate Judge Norman A. Barron
Associate Judge Jerome O. Herlihy
Associate Judge T. Henley Graves
Associate Judge Charles H. Tolliver, IV
Associate Judge Carl G. Goldstein
Associate Judge Haile L. Alford
Associate Judge Richard R. Cooch

SUPERIOR COURT



SUPERIOR COURT

Seated (Left-Right)

- Associate Judge Richard S. Gebelein**
- Resident Judge Vincent A. Bifferato**
- President Judge Henry du Pont Ridgely**
- Associate Judge Bernard Balick**
- Associate Judge John E. Babiarz, Jr.**

Middle (Left-Right)

- Associate Judge Norman A. Barron**
- Associate Judge Susan C. Del Pesco**
- Resident Judge William Swain Lee**
- Resident Judge Myron T. Steele**
- Associate Judge Jerome O. Herlihy**

Back (Left-Right)

- Associate Judge Haile L. Alford**
- Associate Judge Charles H. Tolliver, IV**
- Associate Judge T. Henley Graves**
- Associate Judge Carl G. Goldstein**
- Associate Judge Richard R. Cooch**

Legal Authorization

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

Court History

Superior Court's roots can be traced back more than 300 years to December 6, 1669 when John Binckson and two others were tried for treason for leading an insurrection against colonists loyal to England in favor of the King of Sweden.

The law courts which represent today's Superior Court jurisdiction go back as far as 1831 when they included Superior Court, which heard civil matters, the Court of General Sessions, which heard criminal matters, and the Court of Oyer and Terminer, which heard capital cases and consisted of all four law judges for the other two Courts.

In 1951 the Court of Oyer and Terminer and the Court of General Sessions were abolished and their jurisdictions were combined in today's Superior Court. The presiding judge of Superior Court was renamed President Judge. There were five Superior Court judges in 1951; there are fifteen today.

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, and domestic relations matters, which jurisdiction is vested with the Family Court. 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. 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: Superior Court Judges are nominated by the Governor and confirmed by 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, pre-sentence 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 Court 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.

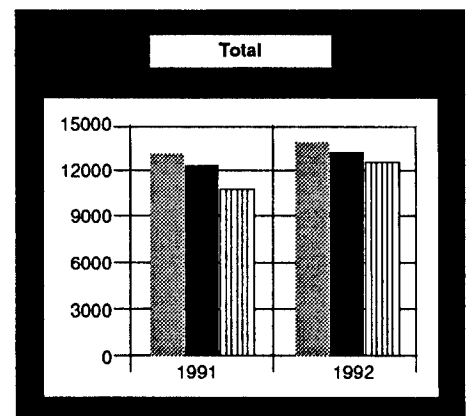
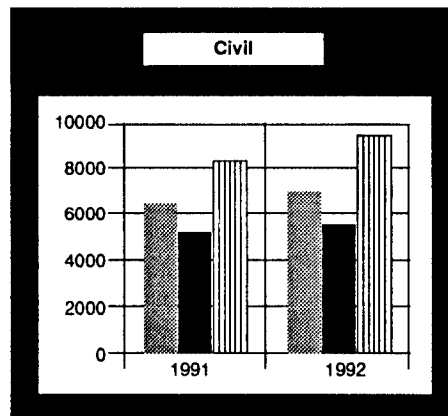
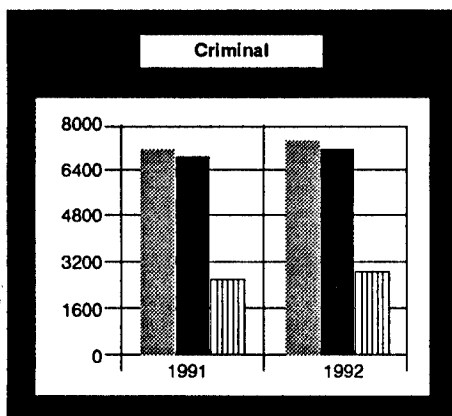
Elected Sheriffs, one per county, also serve Superior Court.

Caseload Trend

The number of criminal filings increased by 8.3% from 7,003 in FY 1991 to 7,581 in FY 1992. Criminal dispositions rose by 10.5% to 7,413 in FY 1992 from 6,709 in FY 1991. There were increases for both filings and dispositions in each of the counties. The rate of compliance with the 120-day speedy trial standard, which had fallen during FY 1991 to 57.7%, increased to 60.3% in FY 1992.

Civil filings rose by 9.6% from 6,341 in FY 1991 to 6,952 in FY 1992. Civil dispositions rose by 3.9% to 5,585 in FY 1992 from 5,375 in FY 1991. The greater rate of increase in civil filings than in dispositions led to a 16.2% rise in civil pending from 8,417 at the end of FY 1991 to 9,784 at the end of FY 1992.

Increases in filings and dispositions on both the criminal and civil side led to rises in total caseload activity. There were increases of 8.9% in total filings to 14,533 in FY 1992 from 13,344 in FY 1991, of 7.6% in total dispositions from 12,084 in FY 1991 to 12,998 in FY 1992, and of 14.0% in total pending to 12,490 at the end of FY 1992 from 10,985 at the end of FY 1991.



Filings
 Dispositions
 Pending

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD SUMMARY

	Number of Defendants					
	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	1,900	5,165	5,041	2,024	+ 124	+ 6.5%
Kent	403	1,238	1,269	372	- 31	- 7.7%
Sussex	<u>235</u>	<u>1,178</u>	<u>1,103</u>	<u>310</u>	<u>+ 75</u>	<u>+ 31.9%</u>
State	2,538	7,581	7,413	2,706	+ 168	+ 6.6%

COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL CASES - CASELOAD

FILINGS

	Number of Defendants			
	1991	1992	Change	% Change
New Castle	5,065	5,165	+ 100	+ 2.0%
Kent	1,029	1,238	+ 209	+ 20.3%
Sussex	<u>909</u>	<u>1,178</u>	<u>+ 269</u>	<u>+ 29.6%</u>
State	7,003	7,581	+ 578	+ 8.3%

COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL CASES - CASELOAD

DISPOSITIONS

	Number of Defendants			
	1991	1992	Change	% Change
New Castle	4,762	5,041	+ 279	+ 5.9%
Kent	957	1,269	+ 312	+ 32.6%
Sussex	<u>990</u>	<u>1,103</u>	<u>+ 113</u>	<u>+ 11.4%</u>
State	6,709	7,413	+ 704	+ 10.5%

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD 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. 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.
13. 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.
14. A triable criminal case is one in which there has been an indictment, information, or notice of appeal de novo filed with the Court. Defendants who have capiases or Rule 9 Warrants or Summonses outstanding or who have been judged to be incompetent to stand trial are not triable and are not included in the triable pending cases.

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD BREAKDOWNS

FILINGS

Number of Defendants Brought to Superior Court By:

	Indictment		Information		Appeal		Transfer		Reinstatement		Severance		TOTALS	
New Castle	4,317	83.6%	276	5.3%	53	1.0%	509	9.9%	0	0.0%	10	0.2%	5,165	100.0%
Kent	643	51.9%	581	46.9%	7	0.6%	0	0.0%	5	0.4%	2	0.2%	1,238	100.0%
Sussex	241	20.5%	906	76.9%	15	1.3%	2	0.2%	6	0.5%	8	0.7%	1,178	100.0%
State	5,201	68.6%	1,763	23.3%	75	1.0%	511	6.7%	11	0.1%	20	0.3%	7,581	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD BREAKDOWNS

DISPOSITIONS

Number of Defendants Disposed of By:

	Trial	Guilty Plea	Nolle Prosequi	Remand or Transfer	ADRR	Dismissal	First Offender	Cons.	TOTALS	
New Castle	184 3.7%	3,571 70.8%	1,221 22.6%	21 0.4%	6 0.3%	46 0.9%	69 1.4%	3 0.0%	5,041	100.0%
Kent	34 2.7%	926 73.0%	277 21.8%	0 0.0%	2 0.2%	3 0.2%	27 2.1%	0 0.0%	1,269	100.0%
Sussex	41 3.7%	830 75.2%	178 16.1%	5 0.5%	1 0.1%	4 0.4%	41 3.7%	3 0.3%	1,103	100.0%
State	259 3.5%	5,327 71.9%	1,596 21.5%	26 0.4%	9 0.1%	53 0.7%	137 1.8%	6 0.1%	7,413	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

Number of Defendants

	Triable		Non-Triable		TOTALS	
New Castle	1,294	63.9%	730	36.1%	2,024	100.0%
Kent	96	25.8%	276	74.2%	372	100.0%
Sussex	193	62.3%	117	37.7%	310	100.0%
State	1,583	58.5%	1,123	41.5%	2,706	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

Number of Defendants

	Triable	Non-Triable	TOTALS
New Castle	- 193	+ 317	+ 124
Kent	- 56	+ 25	- 31
Sussex	+ 51	+ 24	+ 75
State	- 198	+ 366	+ 168

ADRR = Appeal Dismissed, Record Remanded

Cons. = Consolidation

Source: Superior Court Case Scheduling Office, Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART ONE

Number of Defendants Disposed of by:

	Jury Trial		Non-Jury Trial		Totals		Gilty		Not Guilty*		No Final Disposition**		Totals	
New Castle	167	90.8%	17	9.2%	184	100.0%	119	64.7%	41	22.3%	24	13.0%	184	100.0%
Kent	34	100.0%	0	0.0%	34	100.0%	24	70.6%	4	11.8%	6	17.6%	34	100.0%
Sussex	38	92.7%	3	7.3%	41	100.0%	27	65.9%	10	24.4%	4	9.8%	41	100.0%
State	239	92.3%	20	7.7%	259	100.0%	170	65.6%	55	21.2%	34	13.1%	259	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

TRIAL DISPOSITIONS - PART TWO

Number of Defendants Disposed of by:

	Jury Trial							Non Jury Trial							TOTALS
	Gilty	Gilty LIO	Not Guilty	Pled Guilty At Trial	NoI Pros/ Dismissed At Trial	Mistrial	Hung Jury	Gilty	Gilty LIO	Not Guilty	Pled Guilty At Trial	NoI Pros/ Dismissed At Trial	Mistrial		
New Castle	104	0	39	0	0	22	2	15	0	2	0	0	0	0	184
Kent	21	2	4	1	0	4	2	0	0	0	0	0	0	0	34
Sussex	19	4	7	1	3	2	2	3	0	0	0	0	0	0	41
State	144	6	50	2	3	28	6	18	0	2	0	0	0	0	259

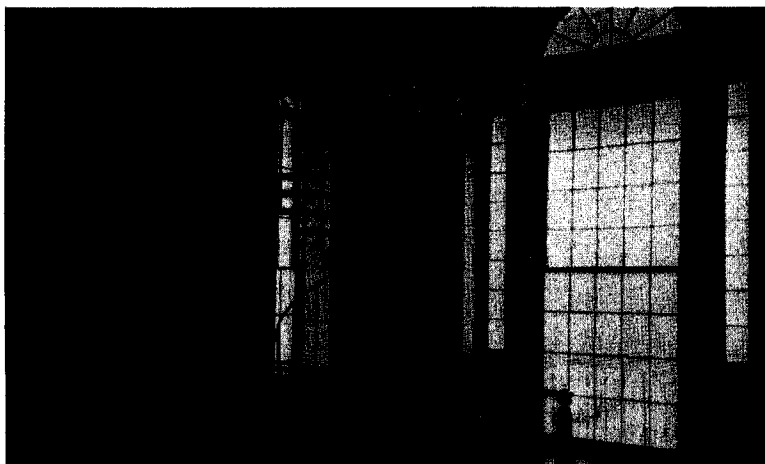
LIO = Lesser Included Offense

NoI Pros = Nolle Prosequi

*Includes Dismissals at Trial and Nolle Prosequis at Trial

**Hung Juries and Mistrials

Source=Superior Court Case Scheduling Office, Administrative Office of the Court.



Interior of Sussex
County Courthouse
— Georgetown, DE

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 PG-Lesser.

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS - FELONY

	PG-Original		PG-Lesser		PG-NI		PG-Information		Totals	
New Castle	1,384	53.6%	1,160	44.9%	5	0.2%	34	1.3%	2,583	100.0%
Kent	161	40.7%	42	10.6%	1	0.3%	192	48.5%	396	100.0%
Sussex	376	63.4%	214	36.1%	3	0.5%	0	0.0%	593	100.0%
State	1,921	53.8%	1,416	39.6%	9	0.3%	226	6.3%	3,572	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS - MISDEMEANOR

	PG-Original		PG-Lesser		PG-NI		PG-Information		Totals	
New Castle	917	92.8%	42	4.3%	14	1.4%	15	1.5%	988	100.0%
Kent	90	17.9%	151	28.5%	0	0.0%	289	54.5%	530	100.0%
Sussex	231	97.5%	4	1.7%	2	0.8%	0	0.0%	237	100.0%
State	1,238	70.5%	197	11.2%	16	0.9%	304	17.3%	1,755	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS - TOTALS

	PG-Original		PG-Lesser		PG-NI		PG-Information		Totals	
New Castle	2,301	64.4%	1,202	33.7%	19	0.5%	49	1.4%	3,571	100.0%
Kent	251	27.1%	193	20.8%	1	0.1%	481	51.9%	926	100.0%
Sussex	607	73.1%	218	26.3%	5	0.6%	0	0.0%	830	100.0%
State	3,159	59.3%	1,613	30.3%	25	0.5%	530	9.9%	5,327	100.0%

SUPERIOR COURT

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART ONE *

	Number of Defendants With Nolle Prosequis By Special Condition		Number of Defendants With Nolle Prosequis By Merit		Total Number of Defendants Disposed Of By Nolle Prosequi	
New Castle	601	52.7%	540	47.3%	1,141	100.0%
Kent	172	62.1%	105	37.9%	277	100.0%
Sussex	94	52.8%	84	47.2%	178	100.0%
State	867	54.3%	729	45.7%	1,596	100.0%

FISCAL YEAR 1992 CRIMINAL CASES - TYPES OF DISPOSITIONS

NOLLE PROSEQUI DISPOSITIONS - PART TWO *

	New Castle County	Kent County	Sussex County	State
Number of Defendants with Nolle Prosequis by Special Condition				
Guilty of Other Charges, Different Indictment	127	33	57	217
Disposed of in Other Court	65	4	3	72
Reindicted	107	10	0	117
Placed on AG's Probation	82	32	15	129
Made Restitution	12	7	3	22
Placed in Custody of Other Jurisdiction	3	0	1	4
Indicted on Other Charges	11	2	0	13
Without Prejudice	3	64	1	68
Miscellaneous	191	20	14	225
Number of Defendants with Nolle Prosequis by Merit				
Codefendant Guilty	10	3	4	17
Police Problems	6	5	1	12
Defense Valid	4	2	5	11
Prosecutive Merit	184	25	21	230
Victim or Witness Availability/Deceased	92	9	11	112
Victim or Witness Attitude/Credibility	50	9	9	68
Related to Indictment	17	1	0	18
Insufficient Evidence	151	16	32	199
Due Process	4	0	0	4
Miscellaneous	22	35	1	58
TOTAL	1,141	277	178	1,596

*Nolle Prosequis for indicted defendants only.
 AG = Attorney General
 Source: Superior Court Case Scheduling Office, Administrative Office of the Courts.

FISCAL YEAR 1992 CRIMINAL CASES - DISPOSITIONS BY OFFENSE TYPE

NEW CASTLE COUNTY

Number of Defendants Disposed of By:

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	Cons.	TOTALS
Crimes of Violence									
Murder 1st	10- 1 - 1	10	3	1	0	0	0	0	26
Murder 2nd	2 - 1 - 0	0	0	2	0	0	0	0	5
Manslaughte	1 - 0 - 0	2	0	0	0	0	0	0	3
Attempted Murder 1st	1 - 1 - 0	12	6	0	0	0	0	0	20
Assault 1st	1 - 1 - 0	30	8	0	0	0	0	0	40
Assault 2nd	7 - 0 - 1	140	24	0	0	0	0	0	172
Sexual Intercourse 1st/2nd	0 - 2 - 1	10	3	0	0	0	0	0	16
Sexual Intercourse 3rd; Sex. Pen.	4 - 0 - 4	42	12	1	0	0	0	0	63
Sexual Contact	5 - 2 - 0	30	9	1	0	0	0	0	47
Kidnapping 1st/2nd	1 - 0 - 1	12	10	0	0	0	0	0	24
Robbery 1st	5 - 1 - 1	81	39	1	0	0	0	0	128
Robbery 2nd	0 - 2 - 0	52	13	0	0	0	0	0	67
Drug Offenses									
Trafficking	14 - 8 - 2	131	45	2	0	0	0	0	202
Delivery	9 - 2 - 0	293	97	2	0	0	0	0	403
Possession w/Intent to Deliver	14 - 0 - 2	377	93	1	0	0	0	0	487
Possession of Drugs	4 - 3 - 1	324	97	3	0	9	41	0	482
Other Drug Offenses	3 - 1 - 0	17	21	0	0	0	0	0	42
Remaining Indicted Offenses									
All Forgery	2 - 0 - 0	180	59	0	0	0	0	0	241
Theft/RSP/Burglary	12 - 4 - 0	846	156	2	2	0	0	0	1,022
Weapons Offenses	3 - 4 - 1	127	83	9	0	0	0	2	229
Other	9 - 3 - 1	390	118	7	0	0	0	1	529
Appeals and Transfers									
DUI/CUI	4 - 2 - 2	69	18	1	3	3	26	0	128
Other Traffic Offenses	4 - 2 - 4	143	59	2	1	5	0	0	220
Non-Traffic Offenses	4 - 1 - 2	<u>253</u>	<u>168</u>	<u>11</u>	<u>0</u>	<u>4</u>	<u>2</u>	<u>0</u>	<u>445</u>
TOTALS	119 -41 -24	3,571	1,141	46	6	21	69	3	5,041

Sex. Pen. = Sexual Penetration
 RSP = Receiving Stolen Property
 DUI/CUI = Driving Under the Influence/Control Under the Influence.
 G = Guilty (includes Pled Guilty at Trial)
 NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial).
 NFD = No Final Disposition (Hung Juries and Mistrials)
 NP = Nolle Prosequi
 ADRR = Appeal Dismissed, Record Remanded
 Cons. = Consolidation

Source: Superior Court Case Scheduling Office, Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1992 CRIMINAL CASES - DISPOSITIONS BY OFFENSE TYPE KENT COUNTY

Number of Defendants Disposed of By:

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	Cons.	TOTALS
Crimes of Violence									
Murder 1st	2 - 0 - 0	0	1	0	0	0	0	0	3
Murder 2nd	0 - 0 - 0	3	0	0	0	0	0	0	3
Manslaughter	0 - 0 - 0	2	0	0	0	0	0	0	2
Attempted Murder 1st	1 - 1 - 0	0	2	0	0	0	0	0	4
Assault 1st	1 - 0 - 0	4	2	0	0	0	0	0	7
Assault 2nd	2 - 1 - 0	18	10	0	0	0	0	0	31
Sexual Intercourse 1st/2nd	0 - 0 - 0	3	7	0	0	0	0	0	10
Sexual Intercourse 3rd; Sex. Pen.	1 - 0 - 0	14	3	0	0	0	0	0	18
Sexual Contact	0 - 0 - 0	22	4	0	0	0	0	0	26
Kidnapping 1st/2nd	0 - 0 - 0	4	0	0	0	0	0	0	4
Robbery 1st	1 - 0 - 0	6	14	0	0	0	0	0	21
Robbery 2nd	0 - 0 - 0	19	4	0	0	0	0	0	23
Drug Offenses									
Trafficking	3 - 0 - 0	10	16	1	0	0	0	0	30
Delivery	4 - 3 - 1	35	19	0	0	0	0	0	62
Possession w/Intent to Deliver	2 - 0 - 1	38	25	0	0	0	0	0	66
Possession of Drugs	1 - 0 - 0	117	13	0	0	0	23	0	154
Other Drug Offenses	0 - 0 - 0	48	10	0	0	0	0	0	58
Remaining Indicted Offenses									
All Forgery	0 - 0 - 0	73	24	0	0	0	0	0	97
Theft/RSP/Burglary	3 - 0 - 2	228	83	0	0	0	0	0	316
Weapons Offenses	0 - 0 - 0	29	12	0	0	0	0	0	41
Other	2 - 0 - 1	54	16	0	0	0	0	0	73
Appeals and Transfers									
DUI/CUI	0 - 0 - 0	6	0	0	1	0	4	0	11
Other Traffic Offenses	0 - 0 - 0	38	2	2	0	1	0	0	43
Non-Traffic Offenses	1 - 0 - 0	155	10	0	0	0	0	0	166
TOTALS	24 - 5 - 5	926	277	3	1	1	27	0	1,269

Sex. Pen. = Sexual Penetration
 RSP = Receiving Stolen Property
 DUI/CUI = Driving Under the Influence/Control Under the Influence.
 G = Guilty (includes Pled Guilty at Trial)
 NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequi at Trial).
 NFD = No Final Disposition (Hung Juries and Mistrials)
 NP = Nolle Prosequi
 ADRR = Appeal Dismissed, Record Remanded
 Cons. = Consolidation

Source: Superior Court Case Scheduling Office, Administrative Office of the Courts

FISCAL YEAR 1992 CRIMINAL CASES - DISPOSITIONS BY OFFENSE TYPE

SUSSEX COUNTY

Number of Defendants Disposed of By:

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	Cons.	TOTALS
Crimes of Violence									
Murder 1st	0 - 0 - 0	0	0	0	0	0	0	0	0
Murder 2nd	0 - 0 - 0	2	0	0	0	0	0	0	2
Manslaughter	0 - 0 - 0	1	0	0	0	0	0	0	1
Attempted Murder 1st	1 - 0 - 0	3	0	0	0	0	0	0	4
Assault 1st	1 - 0 - 0	14	0	0	0	0	0	0	15
Assault 2nd	3 - 0 - 0	40	20	0	0	0	0	0	63
Sexual Intercourse 1st/2nd	4 - 0 - 0	5	4	0	0	1	0	0	13
Sexual Intercourse 3rd; Sex. Pen.	1 - 0 - 0	22	2	0	0	0	0	0	25
Sexual Contact	0 - 2 - 0	16	3	0	0	0	0	0	21
Kidnapping 1st/2nd	0 - 0 - 0	1	1	0	0	0	0	0	2
Robbery 1st	2 - 0 - 0	5	8	0	0	0	0	0	15
Robbery 2nd	0 - 0 - 0	15	2	0	0	0	0	0	17
Drug Offenses									
Trafficking	6 - 0 - 0	10	5	0	0	0	0	0	21
Delivery	1 - 1 - 0	10	3	0	0	0	0	0	15
Possession w/Intent to Deliver	0 - 0 - 1	40	7	0	0	0	4	0	52
Possession of Drugs	0 - 1 - 0	50	10	0	0	0	30	0	91
Other Drug Offenses	0 - 0 - 0	73	7	0	0	0	0	0	80
Remaining Indicted Offenses									
All Forgery	0 - 2 - 0	31	11	0	0	0	0	0	44
Theft/RSP/Burglary	0 - 2 - 1	248	61	0	0	0	0	2	314
Weapons Offenses	1 - 1 - 0	23	6	0	0	2	0	1	34
Other	3 - 1 - 2	153	20	0	0	3	0	0	182
Appeals and Transfers									
DUI/CUI	2 - 0 - 0	20	2	1	0	0	7	0	32
Other Traffic Offenses	2 - 0 - 0	25	2	3	1	0	0	0	33
Non-Traffic Offenses	0 - 0 - 0	23	4	0	0	0	0	0	27
TOTALS	27 - 10 - 4	830	178	4	1	5	41	3	1,103

Sex. Pen. = Sexual Penetration
 RSP = Receiving Stolen Property
 DUI/CUI = Driving Under the Influence/Control Under the Influence.
 G = Guilty (includes Pled Guilty at Trial)
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 ADRR = Appeal Dismissed, Record Remanded
 Cons. = Consolidation

Source: Superior Court Case Scheduling Office, Administrative Office of the Courts

FISCAL YEAR 1992 CRIMINAL CASES - DISPOSITIONS BY OFFENSE TYPE

STATE

Number of Defendants Disposed of By:

Offense	Trial G-NG-NFD	Guilty Plea	NP	Dismissal	ADRR	Remand/ Transfer	First Offender	Cons.	TOTALS
Crimes of Violence									
Murder 1st	12 - 1 - 1	10	4	1	0	0	0	0	29
Murder 2nd	2 - 1 - 0	5	0	2	0	0	0	0	10
Manslaughter	1 - 0 - 0	5	0	0	0	0	0	0	6
Attempted Murder 1st	3 - 2 - 0	15	8	0	0	0	0	0	28
Assault 1st	3 - 1 - 0	48	10	0	0	0	0	0	62
Assault 2nd	12 - 1 - 1	198	54	0	0	0	0	0	266
Sexual Intercourse 1st/2nd	4 - 2 - 1	18	14	0	0	0	0	0	39
Sexual Intercourse 3rd; Sex. Pen.	6 - 0 - 4	78	17	1	0	0	0	0	106
Sexual Contact	5 - 4 - 0	68	16	1	0	0	0	0	94
Kidnapping 1st/2nd	1 - 0 - 1	17	11	0	0	0	0	0	30
Robbery 1st	8 - 1 - 1	92	61	1	0	0	0	0	164
Robbery 2nd	0 - 2 - 0	86	19	0	0	0	0	0	107
Drug Offenses									
Trafficking	23 - 8 - 2	151	66	3	0	0	0	0	253
Delivery	14 - 6 - 1	338	119	2	0	0	0	0	480
Possession w/Intent to Deliver	16 - 0 - 4	455	125	1	0	0	4	0	605
Possession of Drugs	5 - 4 - 1	491	120	3	0	9	94	0	727
Other Drug Offenses	3 - 1 - 0	138	38	0	0	0	0	0	180
Remaining Indicted Offenses									
All Forgery	2 - 2 - 0	284	94	0	0	0	0	0	382
Theft/RSP/Burglary	15 - 6 - 3	1,322	300	2	2	0	0	2	1,652
Weapons Offenses	4 - 5 - 1	179	101	9	0	2	0	3	304
Other	14 - 4 - 4	597	154	7	0	3	0	1	784
Appeals and Transfers									
DUI/CUI	6 - 2 - 2	95	20	2	4	3	37	0	171
Other Traffic Offenses	6 - 2 - 4	206	63	7	2	6	0	0	296
Non-Traffic Offenses	5 - 1 - 2	431	182	11	0	4	2	0	638
TOTALS	<u>170 -56 -33</u>	<u>5,327</u>	<u>1,596</u>	<u>53</u>	<u>8</u>	<u>27</u>	<u>137</u>	<u>6</u>	<u>7,413</u>

Sex. Pen. = Sexual Penetration
 RSP = Receiving Stolen Property
 DUI/CUI = Driving Under the Influence/Control Under the Influence.
 G = Guilty (includes Pled Guilty at Trial).
 NG = Not Guilty (includes Dismissals at Trial and Nolle Prosequis at Trial).
 NFD = No Final Disposition (Hung Juries and Mistrials)
 NP = Nolle Prosequi
 ADRR = Appeal Dismissed, Record Remanded
 Cons. = Consolidation

Source: Superior Court Case Scheduling Office, Administrative Office of the Courts

FISCAL YEAR 1992 CRIMINAL CASES - TRIAL CALENDAR ACTIVITY

	Total Number of Defendants Scheduled	Number of Defendants Rescheduled	Percentage of Defendants Rescheduled	Rescheduled at Defense Request		Rescheduled at Prosecution Request		Rescheduled at Mutual Request		Rescheduled at Court Request	
New Castle	5,047	2,804	55.6%	1,676	59.8%	531	18.9%	127	4.5%	470	16.8%
Kent	823	226	27.5%	85	37.6%	30	13.3%	45	19.9%	66	29.2%
Sussex	833	262	31.5%	142	54.2%	53	20.2%	23	8.8%	44	16.8%
State	6,703	3,292	49.1%	1,903	57.8%	614	18.7%	195	5.9%	580	17.6%

COMPARISON - FISCAL YEARS 1991-1992 - CALENDAR ACTIVITY

SCHEDULED

Number of Defendants		1991	1992	Change	% Change
New Castle	4,953	5,047	+ 94	+ 1.9%	
Kent	609	823	+ 214	+ 35.1%	
Sussex	791	833	+ 42	+ 5.3%	
State	6,353	6,703	+ 350	+ 5.5%	

COMPARISON - FISCAL YEARS 1991-1992 - CALENDAR ACTIVITY

RESCHEDULED

Number of Defendants		1991	1992	Change	% Change
New Castle	2,566	2,804	+ 238	+ 9.3%	
Kent	166	226	+ 60	+ 36.1%	
Sussex	265	262	- 3	- 1.1%	
State	2,997	3,292	+ 295	+ 9.8%	

**FISCAL YEAR 1992 CRIMINAL CASES PERFORMANCE
EXPLANATORY NOTES**

1. The Speedy Trial Directive of Chief Justice Andrew D. Christie, effective May 16, 1990, states that 90% of all criminal defendants brought before Superior Court (except murder in the first degree cases) should be disposed of 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 capias, 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.
 - d. For all mental examinations, the time between the date the examination is ordered and the receipt date for the results.
 - e. For all defendants deemed incompetent to stand trial, the period in which the defendants remain incompetent.

FISCAL YEAR 1992 CRIMINAL CASES - PERFORMANCE SUMMARY

	Total Number of Defendants Disposed of	Average Time from Arrest to Disposition	Median Time from Arrest to Disposition*	Average Time from Indictment/Information to Disposition#	Median Time from Indictment/Information to Disposition*#
New Castle	5,041	176.1 days	108.3 days	151.5 days	70.9 days
Kent	1,269	101.2 days	85.2 days	55.5 days	37.2 days
Sussex	1,103	98.2 days	83.5 days	71.9 days	62.2 days
State	7,413	151.6 days	100.6 days	123.2 days	63.8 days

FISCAL YEAR 1992 CRIMINAL CASES - PERFORMANCE SUMMARY

COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

	Number of Defendants Disposed of Within 120 Days of Arrest		Number of Defendants Disposed of 121 Days or More After Arrest		Total Number of Defendants Disposed of	
New Castle	2,795	55.4%	2,246	44.6%	5,041	100.0%
Kent	885	69.7%	384	30.3%	1,269	100.0%
Sussex	787	71.4%	316	28.6%	1,103	100.0%
State	4,467	60.3%	2,946	39.7%	7,413	100.0%

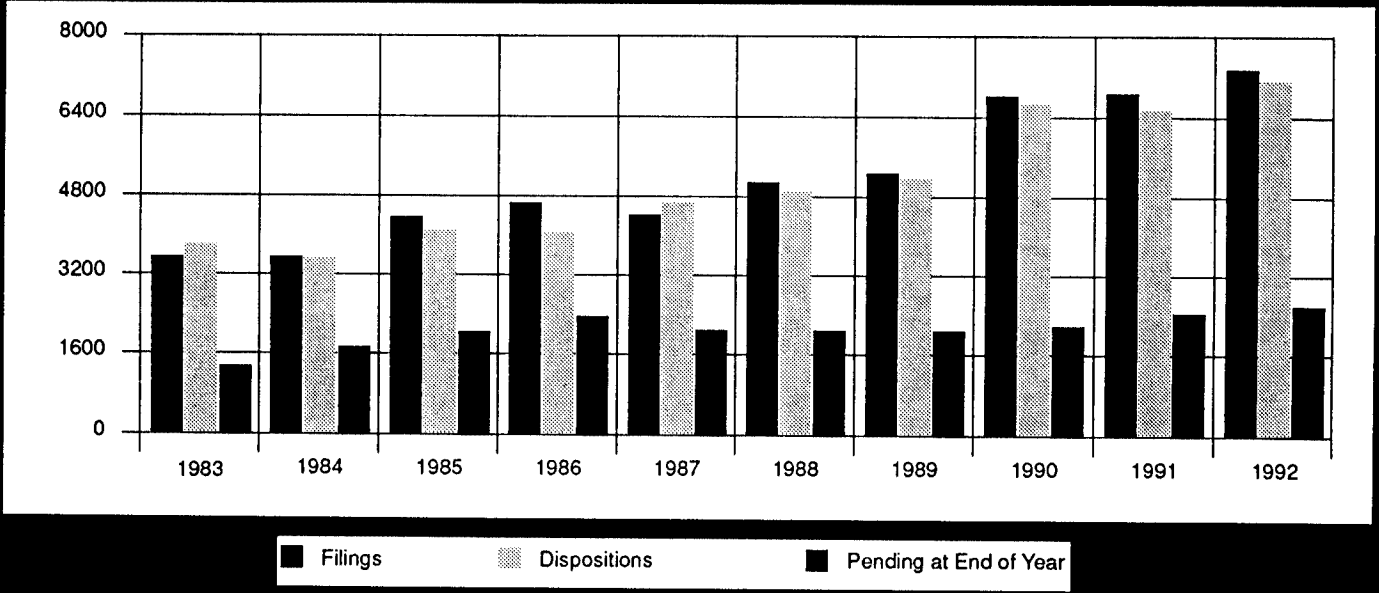
*Calculated using grouped medians method.

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

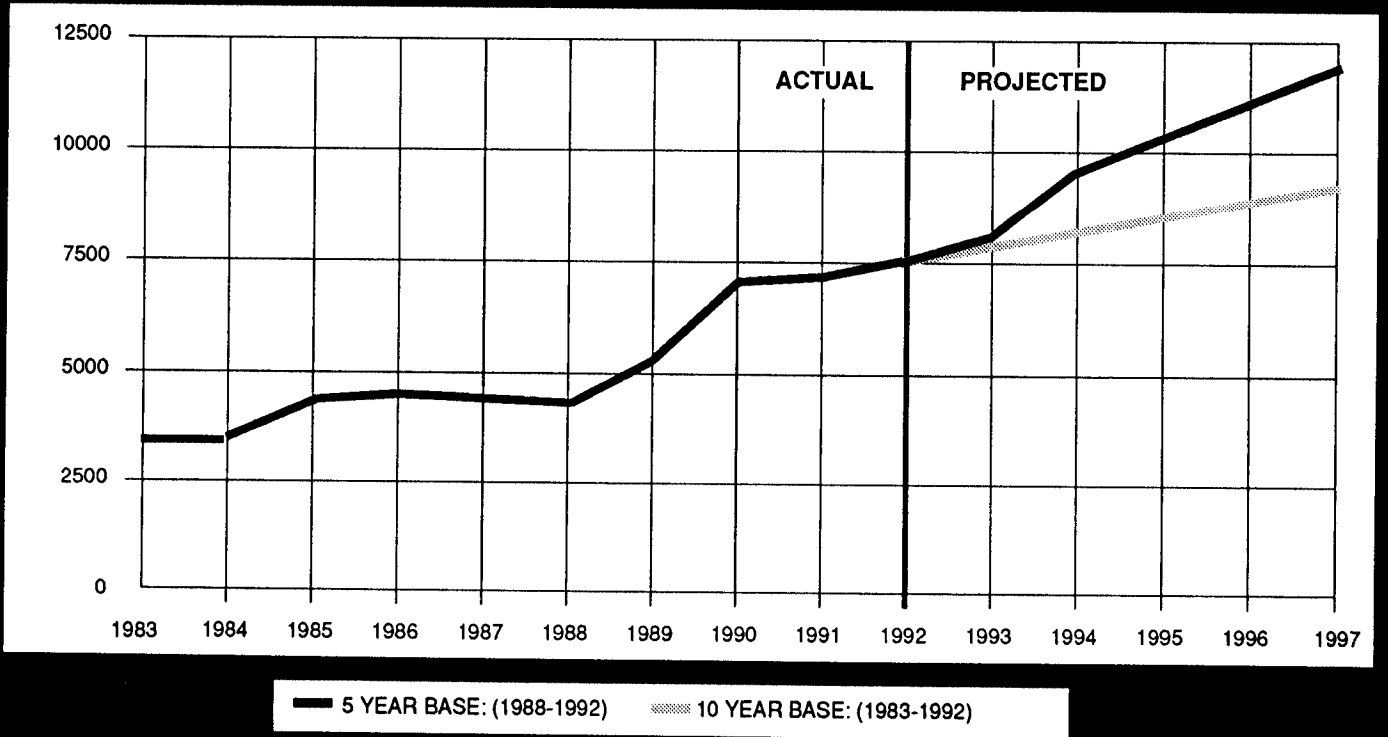
Source: Superior Court Case Scheduling Office, Administrative Office of the Courts

SUPERIOR COURT — CRIMINAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts

FISCAL YEAR 1992 CIVIL CASES EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1992, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court and from arbitration panels, Declaratory Judgments, Foreign Judgments, 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.

FISCAL YEAR 1992 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	6,227	5,405	4,269	7,363	+ 1,136	+ 18.2%
Kent	962	753	624	1,091	+ 129	+ 13.4%
Sussex	1,228	794	692	1,330	+ 102	+ 8.3%
State	8,417	6,952	5,585	9,784	+ 1,367	+ 16.2%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

FILINGS

	1991	1992	Change	% Change
New Castle	4,927	5,405	+ 478	+ 9.7%
Kent	642	753	+ 111	+17.3%
Sussex	772	794	+ 22	+ 2.8%
State	6,341	6,952	+ 611	+ 9.6%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

DISPOSITIONS

	1991	1992	Change	% Change
New Castle	4,177	4,269	+ 92	+ 2.2%
Kent	495	624	+ 129	+ 26.1%
Sussex	703	692	- 11	- 1.6%
State	5,375	5,585	+ 210	+ 3.9%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

FILINGS

	Complaints		Mechanics's Liens and Mortgages		Appeals		Involuntary Commitments		Miscellaneous		TOTALS	
New Castle	3,365	62.3%	800	14.8%	180	3.3%	551	10.2%	509	9.4%	5,405	100.0%
Kent	491	65.2%	171	22.7%	41	5.4%	0	0.0%	50	6.6%	753	100.0%
Sussex	415	52.3%	226	28.5%	49	6.2%	0	0.0%	104	13.1%	794	100.0%
State	4,271	61.4%	1,197	17.2%	270	3.9%	551	7.9%	663	9.5%	6,952	100.0%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

DISPOSITIONS

	Complaints		Mechanics's Liens and Mortgages		Appeals		Involuntary Commitments		Miscellaneous		TOTALS	
New Castle	2,710	63.5%	627	14.7%	115	2.7%	411	9.6%	406	9.5%	4,269	100.0%
Kent	412	66.0%	113	18.1%	51	8.2%	0	0.0%	48	7.7%	624	100.0%
Sussex	358	51.7%	200	28.9%	38	5.5%	0	0.0%	96	13.9%	692	100.0%
State	3,480	62.3%	940	16.8%	204	3.7%	411	7.4%	550	9.8%	5,585	100.0%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

	Complaints		Mechanics's Liens and Mortgages		Appeals		Involuntary Commitments		Miscellaneous		TOTALS	
New Castle	5,847	79.4%	821	11.2%	237	3.2%	156	2.1%	302	4.1%	7,363	100.0%
Kent	815	74.7%	142	13.0%	102	9.3%	0	0.0%	32	2.9%	1,091	100.0%
Sussex	754	56.7%	314	23.6%	111	8.3%	0	0.0%	151	11.4%	1,330	100.0%
State	7,416	75.8%	1,277	13.1%	450	4.6%	156	1.6%	485	5.0%	9,784	100.0%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Complaints		Mechanics's Liens and Mortgages		Appeals		Involuntary Commitments		Miscellaneous		TOTALS	
New Castle	+ 655		+ 173		+ 65		+ 140		+ 103		+ 1,136	
Kent	+ 79		+ 58		- 10		0		+ 2		+ 129	
Sussex	+ 57		+ 26		+ 11		0		+ 8		+ 102	
State	+ 791		+ 257		+ 66		+ 140		+ 113		+ 1,367	

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

SUPERIOR COURT

FISCAL YEAR 1992 CIVIL CASES - TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS*

	Trial Dispositions		Non-Trial Dispositions*					TOTALS
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	
New Castle	75 2.8%	46 1.7%	298 11.0%	106 3.9%	25 0.9%	1,950 72.0%	210 7.7%	2,710 100.0%
Kent	23 5.6%	8 1.9%	36 8.7%	10 2.4%	1 0.2%	290 70.4%	44 10.7%	412 100.0%
Sussex	29 8.1%	14 3.9%	39 10.9%	31 8.7%	1 0.3%	216 60.3%	28 7.8%	358 100.0%
State	127 3.6%	68 2.0%	373 10.7%	147 4.2%	27 0.8%	2,456 70.6%	282 8.1%	3,480 100.0%

FISCAL YEAR 1992 CIVIL CASES - TYPES OF DISPOSITIONS

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS*

	Trial Dispositions		Non-Trial Dispositions*					TOTALS
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	
New Castle	2 0.3%	0 0.0%	324 51.7%	43 6.9%	1 0.2%	219 34.9%	38 6.1%	627 100.0%
Kent	0 0.0%	1 0.9%	81 71.7%	1 0.9%	0 0.0%	30 26.5%	0 0.0%	113 100.0%
Sussex	4 2.0%	0 0.0%	98 49.0%	29 14.5%	0 0.0%	48 24.0%	21 10.5%	200 100.0%
State	6 0.6%	1 0.1%	503 53.5%	73 7.8%	1 0.1%	297 31.6%	59 6.3%	940 100.0%

FISCAL YEAR 1992 CIVIL CASES - TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	Affirmed		Affirmed Part/Reversed		Voluntary Reversed Part		Dismissed Dismissed		By Court	Remanded	TOTALS
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage			
New Castle	45	39.1%	8	7.0%	3	2.6%	25	21.7%	18	15.7%	115 100.0%
Kent	14	27.5%	0	0.0%	0	0.0%	18	35.3%	15	29.4%	51 100.0%
Sussex	16	42.1%	3	7.9%	0	0.0%	13	34.2%	4	10.5%	38 100.0%
State	75	36.8%	11	5.4%	3	1.5%	56	27.5%	37	18.1%	204 100.0%

FISCAL YEAR 1992 CIVIL CASES - TYPES OF DISPOSITIONS

MISCELLANEOUS DISPOSITIONS

INVOLUNTARY COMMITMENTS

	Signed/Granted		Denied/Dismissed		Disposition Simultaneous With Filing		TOTALS	Dismissed-Voluntary Commitment	Dismissed-Released by Hospital	Dismissed-Other Reason	TOTALS	
	Count	Percentage	Count	Percentage	Count	Percentage						
New Castle	318	78.3%	52	12.8%	36	8.9%	406 100.0%	189	46.0%	220	53.5%	411 100.0%
Kent	34	70.8%	14	29.2%	0	0.0%	48 100.0%	0	0.0%	0	0.0%	0 100.0%
Sussex	68	70.8%	27	28.1%	1	1.0%	96 100.0%	0	0.0%	0	0.0%	0 100.0%
State	420	76.4%	93	16.9%	37	6.7%	550 100.0%	189	46.0%	220	53.5%	411 100.0%

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

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

SUPERIOR COURT

FISCAL YEAR 1992 CIVIL CASES - TRIALS

	Number of Jury Trials		Number of Non-Jury Trials		Total Number Of Trials	
New Castle	92	63.9%	54	37.0%	146	100.0%
Kent	32	100.0%	0	0.0%	32	100.0%
Sussex	24	44.4%	30	55.6%	54	100.0%
State	148	63.8%	84	36.2%	232	100.0%

FISCAL YEAR 1992 CIVIL CASES - CALENDAR ACTIVITY

	Cases Tried		Cases Settled or Dismissed		Cases Continued for Settlement		Cases Continued Due to Lack of Judge		Cases Continued at Request of Attorney		Total Cases Scheduled	
New Castle	146	9.9%	630	42.8%	75	5.1%	24	1.6%	596	40.5%	1,471	100.0%
Kent	32	18.1%	64	36.2%	0	0.0%	0	0.0%	81	45.8%	177	100.0%
Sussex	54	18.3%	116	39.3%	0	0.0%	0	0.0%	125	42.4%	295	100.0%
State	232	11.9%	810	41.7%	75	3.9%	24	1.2%	802	41.3%	1,943	100.0%

FISCAL YEAR 1992 CIVIL CASES - PERFORMANCE SUMMARY

	COMPLAINTS		MECHANIC'S LIENS AND MORTGAGES	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	2,710	517.3 days	627	295.0 days
Kent	412	456.5 days	113	130.2 days
Sussex	358	545.0 days	200	231.9 days
State	3,480	513.0 days	940	261.8 days

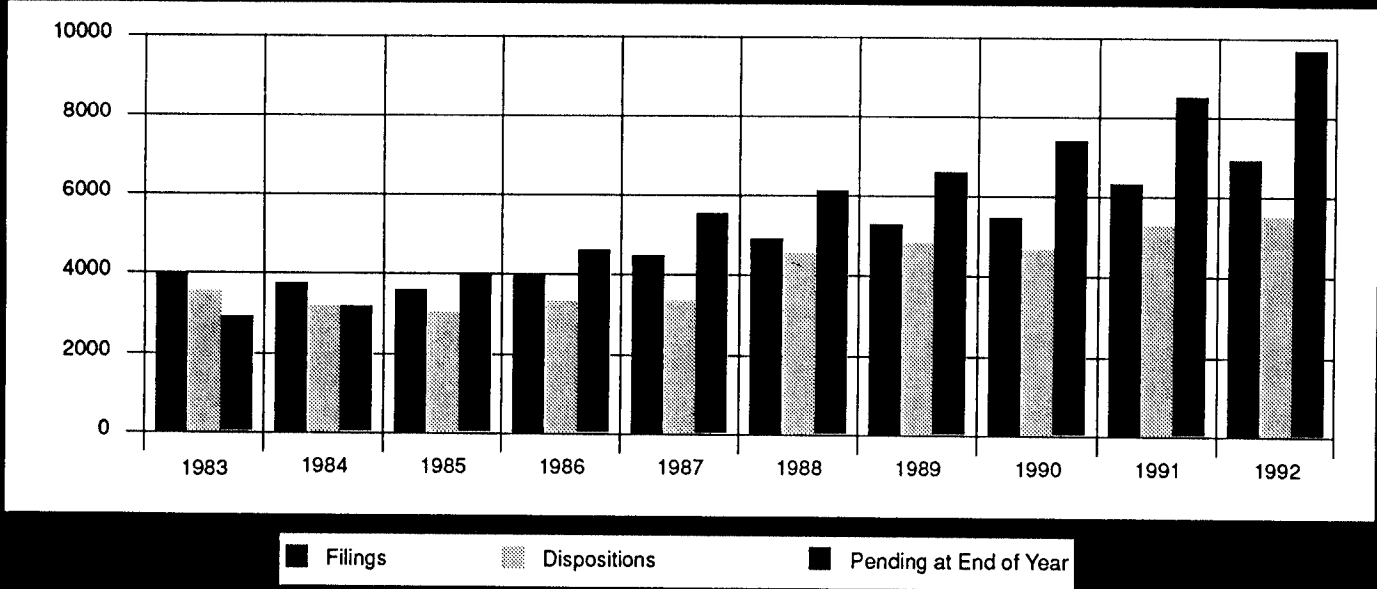
COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL CASES - CASELOAD

	APPEALS		INVOLUNTARY COMMITMENTS		MISCELLANEOUS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	115	284.2 days	411	119.0 days	406	49.4 days
Kent	51	668.2 days	0	—	48	29.7 days
Sussex	38	288.0 days	0	—	96	172.6 days
State	204	380.9 days	411	119.0 days	550	69.2 days

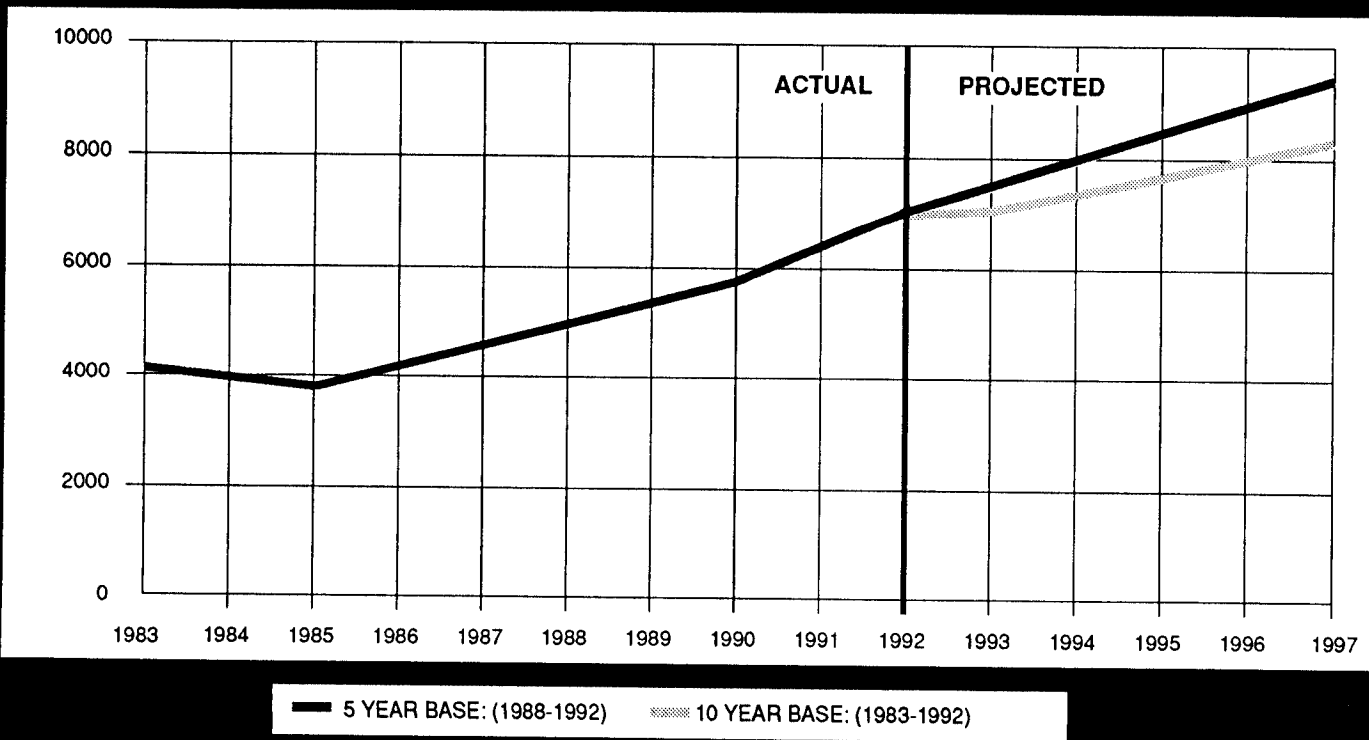
Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices, Administrative Office of the Courts.

SUPERIOR COURT — CIVIL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1992 CIVIL CASES - PERFORMANCE BREAKDOWNS

COMPLAINTS - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other		TOTAL	
New Castle	121	4.5%	32	1.2%	298	11.0%	1,950	72.0%	309	11.4%	2,710	100.0%
Kent	31	7.5%	15	3.6%	36	8.7%	285	69.2%	45	10.9%	412	100.0%
Sussex	43	12.0%	14	3.9%	39	10.9%	216	60.3%	46	12.8%	358	100.0%
State	195	5.6%	61	1.8%	373	10.7%	2,451	70.4%	400	11.5%	3,480	100.0%

FISCAL YEAR 1992 CIVIL CASES - PERFORMANCE BREAKDOWNS

COMPLAINTS - ELAPSED TIME

AVERAGE TIME FROM FILING TO DISPOSITION

Number of Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	TOTAL
New Castle	987.0 days	366.8 days	148.1 days	510.9 days	745.7 days	517.3 days
Kent	761.9 days	342.7 days	131.4 days	422.6 days	758.1 days	456.5 days
Sussex	705.9 days	293.6 days	116.6 days	584.8 days	647.6 days	545.0 days
State	992.9 days	344.1 days	143.2 days	507.1 days	735.8 days	513.0 days

FISCAL YEAR 1992 CIVIL CASES - PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - METHOD

METHOD OF DISPOSITION

Number of Cases Disposed of by:

	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other		TOTAL	
New Castle	2	0.3%	1	0.2%	324	51.7%	219	34.9%	81	12.9%	627	100.0%
Kent	0	0.0%	0	0.0%	81	71.7%	30	26.5%	2	1.8%	113	100.0%
Sussex	4	2.0%	1	0.5%	98	49.0%	48	24.0%	49	24.5%	200	100.0%
State	6	0.6%	2	0.2%	503	53.5%	297	31.6%	132	14.0%	940	100.0%

FISCAL YEAR 1992 CIVIL CASES - PERFORMANCE BREAKDOWNS

MECHANICS LIENS AND MORTGAGES - ELAPSED TIME

AVERAGE TIME FROM FILING TO DISPOSITION

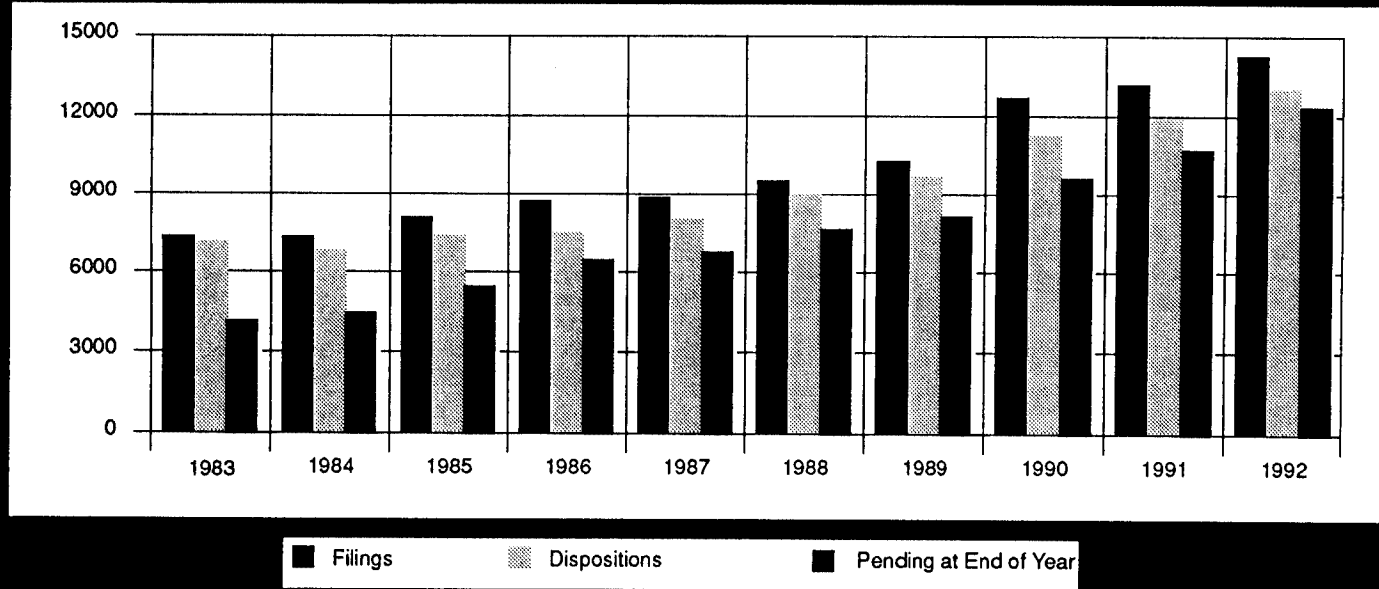
Number of Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	TOTAL
New Castle	1,983.5 days	932.0 days	112.5 days	438.5 days	587.7 days	295.0 days
Kent	— days	— days	89.1 days	226.2 days	355.0 days	130.2 days
Sussex	592.8 days	923.0 days	97.4 days	175.6 days	512.3 days	231.9 days
State	1,056.3 days	927.5 days	105.8 days	374.6 days	556.2 days	261.8 days

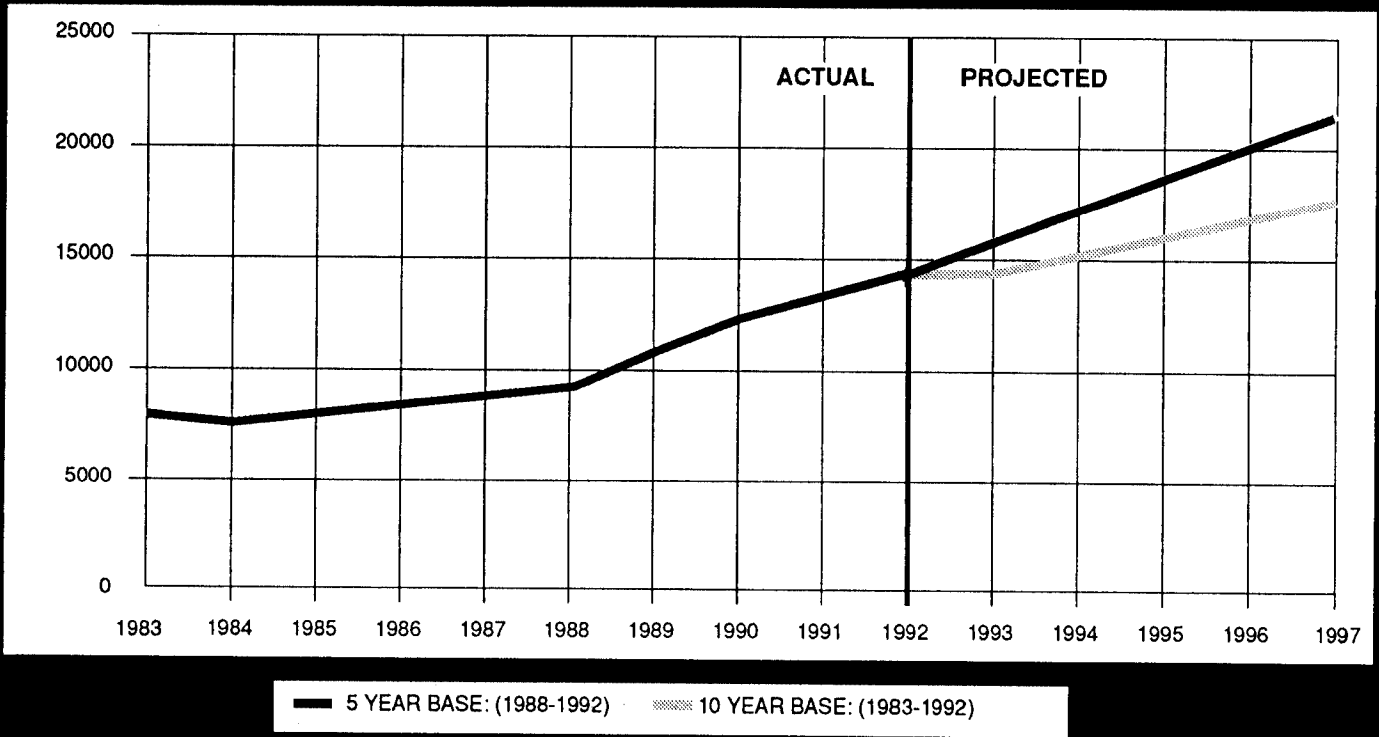
Source: New Castle County, Kent County, and Sussex County Prothonotaries' Offices, Administrative Office of the Courts.

SUPERIOR COURT - TOTAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1992 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 substantial, and
 - d) Damages do not exceed \$100,000
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 judgment of the Court unless a trial de novo is requested. Any party may request a trial de novo before Superior Court within 20 days following the arbitrator's order.

FISCAL YEAR 1992 ARBITRATION - CASELOAD SUMMARY

	Pending 6/30/91	Filings*	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	2,326	2,613	2,064	2,875	+ 549	+ 23.6%
Kent	371	323	166	528	+ 157	+ 42.3%
Sussex	418	382	314	486	+ 68	+ 16.3%
State	3,115	3,318	2,544	3,889	+ 774	+ 24.8%

COMPARISON - FISCAL YEARS 1991-1992 ARBITRATION - CASELOAD

FILINGS*

	1991	1992	Change	% Change
New Castle	2,522	2,613	+ 91	+ 3.6%
Kent	317	323	+ 6	+ 1.9%
Sussex	452	382	- 70	- 15.5%
State	3,291	3,318	+ 27	+ 0.8%

COMPARISON - FISCAL YEARS 1991-1992 ARBITRATION - CASELOAD

DISPOSITIONS*

	1991	1992	Change	% Change
New Castle	2,161	2,064	- 97	- 4.5%
Kent	231	166	- 65	- 28.1%
Sussex	330	314	- 16	- 4.8%
State	2,722	2,544	- 178	- 6.5%

*Includes new arbitration cases, cases stipulated into arbitration, cases reactivated, cases omitted previously, and cases transferred.
Source: Arbitration Unit, Superior Court, Administrative Office of the Courts.

FISCAL YEAR 1992 ARBITRATION - CASELOAD

FILINGS

Cases Eligible for Arbitration*		Arbitration** Cases Filed		Non-Arbitration Cases Filed		Total Filed	
New Castle	2,566	61.6%	1,599	38.4%	4,165	100.0%	
Kent	314	47.4%	348	52.6%	662	100.0%	
Sussex	380	59.3%	261	40.7%	641	100.0%	
State	3,260	59.6%	2,208	40.4%	5,468	100.0%	

All Civil Cases		Arbitration** Cases Filed		Non-Arbitration Cases Filed		Total Filed	
New Castle	2,566	47.5%	2,839	52.5%	5,405	100.0%	
Kent	314	41.7%	439	58.3%	753	100.0%	
Sussex	380	47.9%	414	52.1%	794	100.0%	
State	3,260	46.9%	3,692	53.1%	6,952	100.0%	

FISCAL YEAR 1992 ARBITRATION - CASELOAD

PENDING AT END OF YEAR

	Awaiting Responsive Pleading		Assigned to An Arbitrator		Total Pending	
New Castle	1,749	60.8%	1,126	39.2%	2,875	100.0%
Kent	405	76.7%	123	23.3%	528	100.0%
Sussex	293	60.3%	193	39.7%	486	100.0%
State	2,447	62.9%	1,442	37.1%	3,889	100.0%

*Includes complaints and mechanic's liens and mortgages.

**Includes only new filings.

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

Source: Arbitration Unit, Superior Court, Administrative Office of the Courts.

FISCAL YEAR 1992 ARBITRATION - TYPES OF FILINGS

Number of Filings	Complaints		Mechanic's Liens and Mortgages		Total	
New Castle	2,143	83.5%	423	16.5%	2,566	100.0%
Kent	240	74.3%	83	25.7%	323	100.0%
Sussex	<u>234</u>	<u>61.3%</u>	<u>148</u>	<u>38.7%</u>	<u>382</u>	<u>100.0%</u>
State	2,617	80.0%	654	20.0%	3,271	100.0%

FISCAL YEAR 1992 ARBITRATION - TYPES OF FILINGS

COMPLAINTS

Number of Filings	Personal Injury (Auto)		Personal Injury (Non-Auto)		Debt/Breach of Contract		Arbitration Board Appeals		Other		Total	
New Castle	1,069	49.9%	194	9.1%	648	30.2%	193	9.0%	39	1.8%	2,143	100.0%
Kent	125	52.1%	28	11.7%	69	28.8%	5	2.1%	13	5.4%	240	100.0%
Sussex	<u>118</u>	<u>50.4%</u>	<u>39</u>	<u>16.7%</u>	<u>66</u>	<u>28.2%</u>	<u>1</u>	<u>0.4%</u>	<u>10</u>	<u>4.3%</u>	<u>234</u>	<u>100.0%</u>
State	1,312	50.1%	261	10.0%	783	29.9%	199	7.6%	62	2.4%	2,617	100.0%

FISCAL YEAR 1992 ARBITRATION - TYPES OF FILINGS

MECHANIC'S LIENS AND MORTGAGES

Number of Filings	Mechanic's Liens		Mortgages		Total	
New Castle	155	36.6%	268	63.4%	423	100.0%
Kent	29	34.9%	54	65.1%	83	100.0%
Sussex	<u>27</u>	<u>18.2%</u>	<u>121</u>	<u>81.8%</u>	<u>148</u>	<u>100.0%</u>
State	211	32.3%	443	67.7%	654	100.0%

*Includes only new filings.
Source: Arbitration Unit, Superior Court, Administrative Office of the Courts.

FISCAL YEAR 1992 ARBITRATION - METHOD OF DISPOSITION

	Number of Dispositions		Final Disposition		De Novo Appeal***		Total	
	Removed Before Hearing*		Arbitrator's Order**					
New Castle	1,318	63.9%	385	18.7%	361	17.5%	2,064	100.0%
Kent	71	42.8%	62	37.3%	33	19.9%	166	100.0%
Sussex	176	56.1%	58	18.5%	80	25.3%	314	100.0%
State	1,565	61.5%	505	19.9%	474	18.6%	2,544	100.0%

FISCAL YEAR 1992 ARBITRATION - METHOD OF DISPOSITION

DISPOSED BEFORE HEARING*

	Number of Dispositions		Dismissal		Settled		Other		Total	
	Default Judgment									
New Castle	344	26.1%	458	34.7%	304	23.1%	212	16.1%	1,318	100.0%
Kent	17	23.9%	51	71.8%	1	1.4%	2	2.8%	71	100.0%
Sussex	72	40.9%	91	51.7%	3	1.7%	10	5.7%	176	100.0%
State	433	27.7%	600	38.3%	308	19.7%	224	14.3%	1,565	100.0%

FISCAL YEAR 1992 ARBITRATION - METHOD OF DISPOSITION

ARBITRATOR'S ORDERS

	Number of Dispositions		De Novo Appeal***		Total	
	Final Disposition**					
New Castle	385	51.6%	361	48.4%	746	100.0%
Kent	62	65.3%	33	34.7%	95	100.0%
Sussex	58	42.0%	80	58.0%	138	100.0%
State	505	51.6%	474	48.4%	979	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, Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1992 ARBITRATION - TYPES OF DISPOSITIONS

NEW CASTLE COUNTY

	FINAL DISPOSITION*			DE NOVO APPLICATIONS						HEARINGS TOTAL	
	Judg. for Plain.	Judg. for Def.	TOTAL	Order for Plain.			Order for Def.				All TOTAL
				App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total		
Personal Injury (auto)	227	7	234	52	72	124	45	1	46	170	404
Personal Injury (non-auto)	35	15	50	15	21	36	19	0	19	55	105
Debt-Breach of Contract	53	11	64	21	45	66	39	0	39	105	169
Lower Court and Board Appeals	18	5	23	3	8	11	2	0	2	13	36
Other Complaints	1	2	3	0	2	2	2	0	2	4	7
Mechanic's Lien	6	2	8	3	3	6	2	0	2	8	16
Mortgage	3	0	3	1	4	5	1	0	1	6	9
TOTAL	343	42	385	95	155	250	110	1	111	361	746

FISCAL YEAR 1992 ARBITRATION - TYPES OF DISPOSITIONS

KENT COUNTY

	FINAL DISPOSITION*			DE NOVO APPLICATIONS						HEARINGS TOTAL	
	Judg. for Plain.	Judg. for Def.	TOTAL	Order for Plain.			Order for Def.				All TOTAL
				App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total		
Personal Injury (auto)	31	4	35	9	9	18	2	0	2	20	55
Personal Injury (non-auto)	7	1	8	0	2	2	1	0	1	3	11
Debt/Breach of Contract	6	1	7	2	1	3	2	1	3	6	13
Lower Court and Board Appeals	2	1	3	0	1	1	0	1	1	2	5
Other Complaints	4	3	7	1	0	1	1	0	1	2	9
Mechanic's Lien	1	0	1	0	0	0	0	0	0	0	1
Mortgage	0	1	1	0	0	0	0	0	0	0	1
TOTAL	51	11	62	12	13	25	6	2	8	33	95

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

Judg. = Judgment

Plain. = Plaintiff

Def. = Defendant

App. = Application

Source: Arbitration Unit, Superior Court, Administrative Office of the Courts.

FISCAL YEAR 1992 ARBITRATION - TYPES OF DISPOSITIONS

SUSSEX COUNTY

FINAL DISPOSITION*	DE NOVO APPLICATIONS									HEARINGS TOTAL	
	Judg. for Plain.	Judg. for Def.	TOTAL	Order for Plain.			Order for Def.				All TOTAL
				App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total		
Personal Injury (auto)	26	2	28	9	20	29	5	2	7	36	64
Personal Injury (non-auto)	7	0	7	3	4	7	0	10	10	17	24
Debt/Breach of Contract	12	1	13	2	10	12	4	0	4	16	29
Lower Court and Board Appeals	0	1	1	0	0	0	0	0	0	0	1
Other Complaints	2	1	3	0	0	0	3	2	5	5	8
Mechanic's Lien	3	3	6	0	5	5	0	0	0	5	11
Mortgage	0	0	0	0	1	1	0	0	0	1	1
TOTAL	50	8	58	14	40	54	12	14	26	80	138

FISCAL YEAR 1992 ARBITRATION - TYPES OF DISPOSITIONS

STATE

FINAL DISPOSITION*	DE NOVO APPLICATIONS									HEARINGS TOTAL	
	Judg. for Plain.	Judg. for Def.	TOTAL	Order for Plain.			Order for Def.				All TOTAL
				App. by Plain.	App. by Def.	Total	App. by Plain.	App. by Def.	Total		
Personal Injury (auto)	284	13	297	70	101	171	52	3	55	226	523
Personal Injury (non-auto)	49	16	65	18	27	45	20	10	30	75	140
Debt/Breach of Contract	71	13	84	25	56	81	45	1	46	127	211
Lower Court and Board Appeals	20	7	27	3	9	12	2	1	3	15	42
Other Complaints	7	6	13	1	2	3	6	2	8	11	24
Mechanic's Lien	10	5	15	3	8	11	2	0	2	13	28
Mortgage	3	1	4	1	5	6	1	0	1	7	11
TOTAL	444	61	505	121	208	329	128	17	145	474	979

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

Judg. = Judgment

Plain. = Plaintiff

Def. = Defendant

App. = Application

Source: Arbitration Unit, Superior Court, Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1992 ARBITRATION - PERFORMANCE SUMMARY

	Average Time From Date of Filing to Date of Appointment	Average Time From Date of Appointment To Date of Filing	Average Time From Date of Filing To Date of Hearing
New Castle	239.0 days	77.0 days	316.0 days
Kent	159.0 days	78.0 days	237.0 days
Sussex	166.0 days	79.0 days	245.0 days
State	220.9 days	77.4 days	298.3 days

	Average Time From Filing to Final Disposition*	Average Time From Filing to De Novo Appeal	Average Time From Filing to Final Disposition or De Novo Appeal**
New Castle	481.0 days	399.0 days	441.3 days
Kent	257.0 days	242.0 days	251.8 days
Sussex	269.0 days	270.0 days	269.9 days
State	429.2 days	366.3 days	398.7 days

FISCAL YEAR 1992 ARBITRATION - PERFORMANCE SUMMARY

COMPLIANCE WITH 40-DAY RULE***

	Number of Hearings Held Within 40 Days After Appointment of Arbitrator		Number of Hearings Held More Than 40 Days After Appointment of Arbitrator		Total Number of Hearings Held	
New Castle	428	57.4%	318	42.6%	746	100.0%
Kent	22	23.2%	73	76.8%	95	100.0%
Sussex	42	30.4%	96	69.6%	138	100.0%
State	492	50.3%	487	49.7%	979	100.0%

FISCAL YEAR 1992 ARBITRATION - TYPES OF FILINGS

HEARINGS HELD

	Number of Hearings Held Within 40 Days After Appointment of Arbitrator			
	1991	1992	Change	% Change
New Castle	571	428	- 143	- 25.0%
Kent	31	22	- 9	- 29.0%
Sussex	34	42	+ 8	+ 23.5%
State	636	492	- 144	- 22.6%

	Number of Hearings Held More Than 40 Days After Appointment of Arbitrator			
	1991	1992	Change	% Change
New Castle	192	318	+ 126	+ 65.6%
Kent	73	73	0	0.0%
Sussex	74	96	+ 22	+ 29.7%
State	339	487	+ 148	+ 43.7%

	Total Number of Hearings Held			
	1991	1992	Change	% Change
New Castle	763	746	- 17	- 2.2%
Kent	104	95	- 9	- 8.7%
Sussex	108	138	+ 30	+ 27.8%
State	975	979	+ 4	+ 0.4%

*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, Administrative Office of the Courts.

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1991-1992 ARBITRATION - PERFORMANCE SUMMARY

ELAPSED TIME - FILING TO HEARING

Average Time From Date of Filing To Date of Appointment

	1991	1992	Change	% Change
New Castle	158.0 days	239.0 days	+ 81.0 days	+ 51.3%
Kent	186.0 days	159.0 days	- 27.0 days	- 14.5%
Sussex	187.0 days	166.0 days	- 21.0 days	- 11.2%
State	164.0 days	220.9 days	+ 56.9 days	+ 34.7%

Average Time From Date of Appointment To Date of Hearing

	1991	1992	Change	% Change
New Castle	74.0 days	77.0 days	+ 3.0 days	+ 4.1%
Kent	66.0 days	78.0 days	+ 12.0 days	+ 18.2%
Sussex	56.0 days	79.0 days	+ 23.0 days	+ 41.1%
State	71.0 days	77.4 days	+ 6.4 days	+ 9.0%

Average Time From Date of Filing To Date of Hearing

	1991	1992	Change	% Change
New Castle	232.0 days	316.0 days	+ 84.0 days	+ 36.2%
Kent	252.0 days	237.0 days	- 15.0 days	- 6.0%
Sussex	243.0 days	245.0 days	+ 2.0 days	+ 0.8%
State	235.0 days	298.3 days	+ 63.3 days	+ 26.9%

COMPARISON - FISCAL YEARS 1991-1992 ARBITRATION - PERFORMANCE SUMMARY

ELAPSED TIME - FILING TO DISPOSITION/APPEAL

Average Time From Filing To Final Disposition*

	1991	1992	Change	% Change
New Castle	252.0 days	481.0 days	+ 229.0 days	+ 90.9%
Kent	261.0 days	257.0 days	- 4.0 days	- 1.5%
Sussex	272.0 days	269.0 days	- 3.0 days	- 1.1%
State	255.0 days	429.2 days	+ 174.2 days	+ 68.3%

Average Time From Filing to De Novo Appeal

	1991	1992	Change	% Change
New Castle	260.0 days	399.0 days	+ 139.0 days	+ 53.5%
Kent	274.0 days	242.0 days	- 32.0 days	- 11.7%
Sussex	247.0 days	270.0 days	+ 23.0 days	+ 9.3%
State	260.0 days	366.3 days	+ 106.3 days	+ 40.9%

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

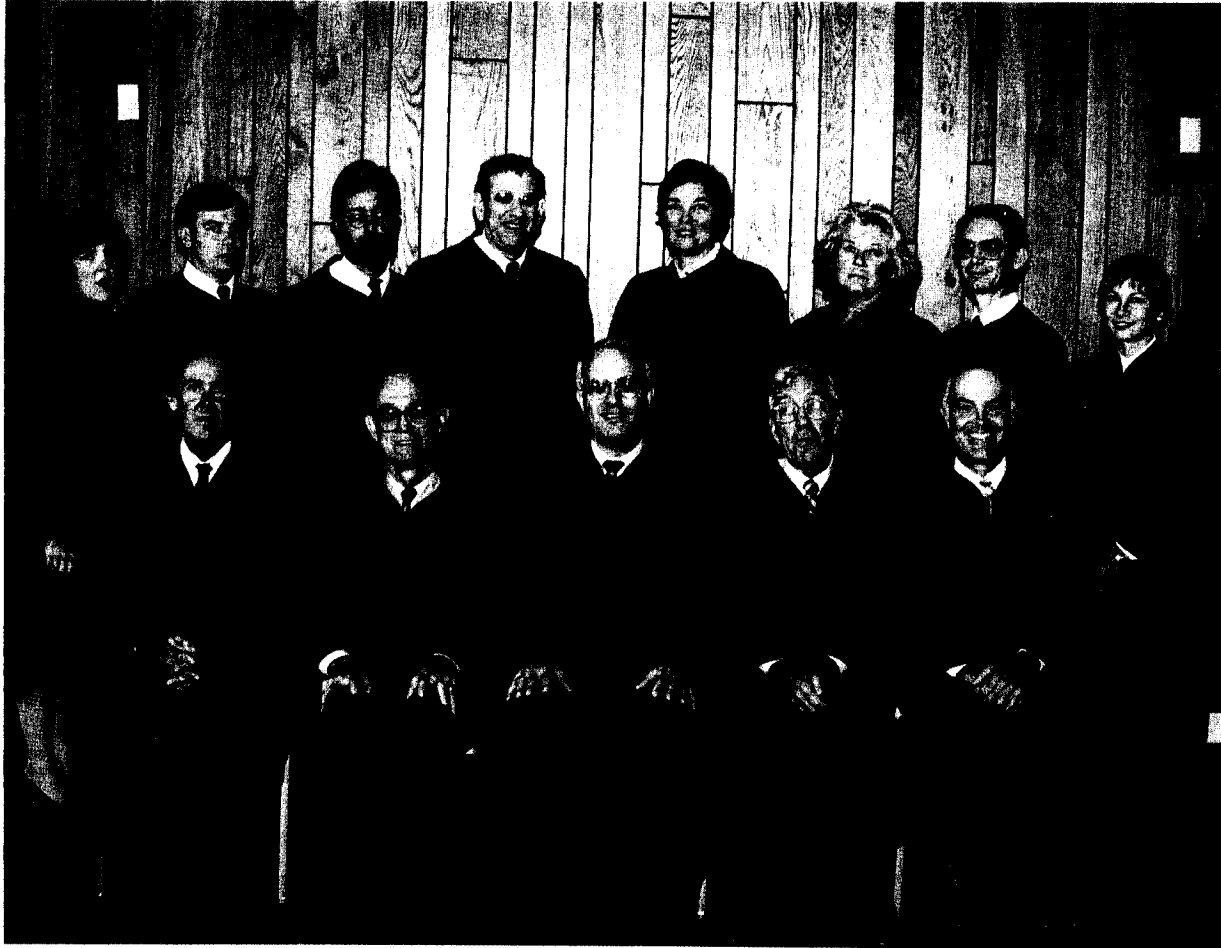
	1991	1992	Change	% Change
New Castle	256.4 days	441.3 days	+ 184.9 days	+ 72.1%
Kent	268.5 days	251.8 days	- 16.7 days	- 6.2%
Sussex	256.0 days	269.9 days	+ 13.9 days	+ 5.4%
State	257.7 days	398.7 days	+ 141.0 days	+ 54.7%

*Disposed of at arbitration hearing and not followed by de novo appeal.
Source: Arbitration Unit, Superior Court, Administrative Office of the Courts.

Family Court

Chief Judge Vincent J. Poppiti
Associate Judge Robert W. Wakefield
Associate Judge James J. Horgan
Associate Judge Jay Paul James
Associate Judge Jay H. Conner
Associate Judge Peggy L. Ableman
Associate Judge Charles K. Keil
Associate Judge Battle R. Robinson
Associate Judge Kenneth M. Millman
Associate Judge William N. Nicholas
Associate Judge Jean A. Crompton
Associate Judge William J. Walls
Associate Judge Alison Whitmer Tumas

FAMILY COURT



FAMILY COURT

Seated (Left to Right)

Associate Judge Jay Paul James
Associate Judge Robert W. Wakefield
Chief Judge Vincent J. Poppiti
Associate Judge James J. Horgan
Associate Judge Jay H. Conner

Standing (Left to Right)

Associate Judge Alison Whitmer Tumas
Associate Judge William J. Walls
Associate Judge William N. Nicholas
Associate Judge Charles K. Keil
Associate Judge Battle R. Robinson
Associate Judge Jean A. Crompton
Associate Judge Kenneth M. Millman
Associate Judge Peggy L. Ableman

Legal Authorization

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

Court History

The Family Court of the State of Delaware has its origin in the Juvenile Court for the City of Wilmington which was founded in 1911. A little over a decade later, in 1923, the jurisdiction of the Juvenile Court for the City of Wilmington was extended to include New Castle County. In 1933, the Juvenile Court for Kent and Sussex Counties was created.

From the early 1930's there was a campaign to establish a Family Court in the northernmost county, and this ideal was achieved in 1945 when the Legislature created the Family Court for New Castle County, Delaware. In 1951, legislation was enacted to give the Juvenile Court for Kent and Sussex Counties jurisdiction over all family matters, and in early 1962 the name of the Juvenile Court for Kent and Sussex Counties was changed to the Family Court for Kent and Sussex Counties.

As early as the 1950's the concept of a statewide Family Court had been endorsed. The fruition of this concept was realized with the statutory authorization of the Family Court of the State of Delaware in 1971.

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 nominates the Judges, who must be confirmed 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 the Court in writing within 10 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.

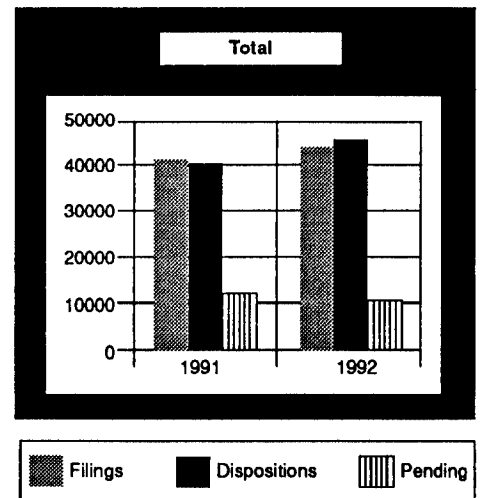
The Family Court has a staff of more than 270 persons in addition to the judiciary. The Court has a Court Administrator and a Director of Operations in each County as well as Clerks of the Court, secretaries, typists, accountants, clerks, data entry operators, judicial assistants, mediation/arbitration officers, child support officers, and volunteers working in all areas of the Court.

Caseload Trends

The caseload activity for Family Court during FY 1992 showed record levels for both filings and dispositions. Total filings rose by 7.2% from 41,498 in FY 1991 to

44,500 in FY 1992. The number of dispositions increased by 14.1% to 45,755 in FY 1992 from 40,101 in FY 1991. The change in dispositions was due largely to the 20.3% rise in dispositions in New Castle County which disposes of the majority of the cases in Family Court.

Because of the larger rate of increase in dispositions than in filings during FY 1992, total pending fell by 9.9% to 11,445 at the end of FY 1992 from 12,700 at the end of FY 1991. The drop of 23.5% in total pending in New Castle County was a major reason for the small decrease.



FISCAL YEAR 1992 TOTAL CASES WORKLOAD EXPLANATORY NOTES

1. The unit of count in the 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 a single or multiple charges relating to a single incident.
 - b. A criminal filing 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.

FISCAL YEAR 1992 - CASELOAD SUMMARY

Number of Filings	Pending 6/30/91	Filed	Disposed	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	8,575	25,426	27,441	6,560	- 2,015	- 23.5%
Kent	1,941	9,214	9,288	1,867	- 74	- 3.8%
Sussex	2,184	9,860	9,026	3,018	+ 834	+ 38.2%
State	12,700	44,500	45,755	11,445	- 1,255	- 9.9%

COMPARISON - FISCAL YEARS 1991-1992 - CASELOAD

FILED

Number of Filings	1991	1992	Change	% Change
New Castle	24,018	25,426	+ 1,408	+ 5.9%
Kent	8,323	9,214	+ 891	+ 10.7%
Sussex	9,157	9,860	+ 703	+ 7.7%
State	41,498	44,500	+ 3,002	+ 7.2%

COMPARISON - FISCAL YEARS 1991-1992 - CASELOAD

DISPOSED

Number of Filings	1991	1992	Change	% Change
New Castle	22,812	27,441	+ 4,629	+ 20.3%
Kent	8,268	9,288	+ 1,020	+ 12.3%
Sussex	9,021	9,026	+ 5	+ 0.1%
State	40,101	45,755	+ 5,654	+ 14.1%

Source: Statistician, Family Court, Administrative Office of the Courts.

FISCAL YEAR 1992 ADULT CRIMINAL CASES - CASELOAD SUMMARY

Number of Filings

	Pending 6/30/91	Filed	Disposed	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	710	3,179	3,135	754	+ 44	+ 6.2%
Kent	144	696	724	116	- 28	- 19.4%
Sussex	125	663	604	184	+ 59	+ 47.2%
State	979	4,538	4,463	1,054	+ 75	+ 7.7%

COMPARISON - FISCAL YEARS 1991-1992 ADULT CRIMINAL CASES - CASELOAD

FILED

Number of Filings

	1991	1992	Change	% Change
New Castle	3,175	3,179	+ 4	+ 0.1%
Kent	586	696	+ 110	+ 18.8%
Sussex	622	663	+ 41	+ 6.6%
State	4,383	4,538	+ 155	+ 3.5%

COMPARISON - FISCAL YEARS 1991-1992 ADULT CRIMINAL CASES - CASELOAD

DISPOSED

Number of Filings

	1991	1992	Change	% Change
New Castle	3,495	3,135	- 360	- 10.3%
Kent	629	724	+ 95	+ 15.1%
Sussex	663	604	- 59	- 8.9%
State	4,787	4,463	- 324	- 6.8%

Source: Statistician, Family Court, Administrative Office of the Courts.

FISCAL YEAR 1992 JUVENILE DELINQUENCY CASES - CASELOAD SUMMARY

Number of Filings	Pending 6/30/91	Filed	Disposed	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	1,724	5,903	5,894	1,733	+ 9	+ 0.5%
Kent	219	1,831	1,850	200	- 19	- 8.7%
Sussex	245	1,772	1,627	390	+ 145	+ 59.2%
State	2,188	9,506	9,371	2,323	+ 135	+ 6.2%

COMPARISON - FISCAL YEARS 1991-1992 JUVENILE DELINQUENCY CASES - CASELOAD

FILED

Number of Filings	1991	1992	Change	% Change
New Castle	5,420	5,903	+ 483	+ 8.9%
Kent	1,423	1,831	+ 408	+ 28.7%
Sussex	1,481	1,772	+ 291	+ 19.6%
State	8,324	9,506	+ 1,182	+ 14.2%

COMPARISON - FISCAL YEARS 1991-1992 JUVENILE DELINQUENCY CASES - CASELOAD

DISPOSED

Number of Filings	1991	1992	Change	% Change
New Castle	5,048	5,894	+ 846	+ 16.8%
Kent	1,604	1,850	+ 246	+ 15.3%
Sussex	1,694	1,627	- 67	- 4.0%
State	8,346	9,371	+ 1,025	+ 12.3%

Source: Statistician, Family Court, Administrative Office of the Courts.

FAMILY COURT

FISCAL YEAR 1992 JUVENILE DELINQUENCY CASES - CASELOAD BREAKDOWNS

FILED

Number of Filings	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	1,663	28.2%	4,026	68.2%	214	3.6%	5,903	100.0%
Kent	433	23.6%	1,285	70.2%	113	6.2%	1,831	100.0%
Sussex	<u>377</u>	<u>21.3%</u>	<u>1,272</u>	<u>71.8%</u>	<u>123</u>	<u>6.9%</u>	<u>1,772</u>	<u>100.0%</u>
State	2,473	26.0%	6,583	69.3%	450	4.7%	9,506	100.0%

FISCAL YEAR 1992 JUVENILE DELINQUENCY CASES - CASELOAD BREAKDOWNS

DISPOSED

Number of Filings	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	1,786	30.3%	3,940	66.8%	168	2.9%	5,894	100.0%
Kent	430	23.2%	1,314	71.0%	106	5.7%	1,850	100.0%
Sussex	<u>364</u>	<u>21.1%</u>	<u>1,173</u>	<u>73.7%</u>	<u>90</u>	<u>5.2%</u>	<u>1,627</u>	<u>100.0%</u>
State	2,580	27.2%	6,427	68.9%	364	3.8%	9,371	100.0%

FISCAL YEAR 1992 JUVENILE DELINQUENCY CASES - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

Number of Filings	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	775	44.7%	908	52.4%	50	2.9%	1,733	100.0%
Kent	18	9.0%	155	77.5%	27	13.5%	200	100.0%
Sussex	<u>50</u>	<u>12.8%</u>	<u>297</u>	<u>76.2%</u>	<u>43</u>	<u>11.0%</u>	<u>390</u>	<u>100.0%</u>
State	843	36.3%	1,360	58.5%	120	5.2%	2,323	100.0%

FISCAL YEAR 1992 JUVENILE DELINQUENCY CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

Number of Filings	Felony		Misdemeanor		Traffic		TOTALS	
New Castle	- 123		+ 86		+ 46		+ 9	
Kent	+ 3		- 29		+ 7		- 19	
Sussex	<u>+ 13</u>		<u>+ 99</u>		<u>+ 33</u>		<u>+ 145</u>	
State	- 107		+ 156		+ 86		+ 135	

Source: Court Administrator, Family Court, Administrative Office of the Courts.

FAMILY COURT

FISCAL YEAR 1992 CIVIL CASES - CASELOAD SUMMARY

Number of Filings	Pending 6/30/91	Filed	Disposed	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	6,141	16,344	18,412	4,073	- 2,068	- 33.7%
Kent	1,578	6,687	6,714	1,551	- 27	- 1.7%
Sussex	1,814	7,425	6,795	2,444	+ 630	+ 34.7%
State	9,533	30,456	31,921	8,068	- 1,465	- 15.4%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

FILED

Number of Filings	1991	1992	Change	% Change
New Castle	15,423	16,344	+ 921	+ 6.0%
Kent	6,314	6,687	+ 373	+ 5.9%
Sussex	7,054	7,425	+ 371	+ 5.3%
State	28,791	30,456	+ 1,665	+ 5.8%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

DISPOSED

Number of Filings	1991	1992	Change	% Change
New Castle	14,269	18,412	+ 4,143	+ 29.0%
Kent	6,035	6,714	+ 679	+ 11.3%
Sussex	6,664	6,795	+ 131	+ 2.0%
State	26,968	31,921	+ 4,953	+ 18.4%

Source: Statistician, Family Court, Administrative Office of the Courts.

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

FILED

	Divorces and Annulments		RTSC/ Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	2,165	13.2%	1,016	6.2%	3,520	21.5%	2,324	14.2%	2,345	14.3%	1,393	8.5%
Kent	678	10.1%	274	4.1%	1,220	18.2%	1,296	19.4%	996	14.9%	846	12.7%
Sussex	709	9.5%	223	3.0%	1,638	22.1%	1,724	23.2%	1,064	14.3%	820	11.0%
State	3,552	11.7%	1,513	5.0%	6,378	20.9%	5,344	17.5%	4,405	14.5%	3,059	10.0%

	Visitation		Imperilling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	603	3.7%	118	0.7%	133	0.8%	80	0.5%	2,647	16.2%	16,344	100.0%
Kent	307	4.6%	30	0.4%	43	0.6%	18	0.3%	979	14.6%	6,687	100.0%
Sussex	248	3.3%	69	0.9%	35	0.5%	10	0.1%	885	11.9%	7,425	100.0%
State	1,158	3.8%	217	0.7%	211	0.7%	108	0.4%	4,511	14.8%	30,456	100.0%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

DISPOSED

	Divorces and Annulments		RTSC/ Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	3,600	19.6%	1,060	5.8%	4,064	22.1%	2,368	12.9%	2,633	14.3%	1,144	6.2%
Kent	733	10.9%	303	4.5%	1,153	17.2%	1,199	17.9%	1,087	16.2%	859	12.8%
Sussex	693	10.2%	198	2.9%	1,487	21.9%	1,467	21.6%	1,038	15.3%	778	11.4%
State	5,026	15.7%	1,561	4.9%	6,704	21.0%	5,034	15.8%	4,758	14.9%	2,781	8.7%

	Visitation		Imperilling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	571	3.1%	115	0.6%	121	0.7%	94	0.5%	2,642	14.3%	18,412	100.0%
Kent	297	4.4%	23	0.3%	45	0.7%	11	0.2%	1,004	15.0%	6,714	100.0%
Sussex	205	3.0%	65	1.0%	34	0.5%	11	0.2%	819	12.1%	6,795	100.0%
State	1,073	3.4%	203	0.6%	200	0.6%	116	0.4%	4,465	14.0%	31,921	100.0%

RTSC = Rule to Show Cause

Source: Statistician, Family Court, Administrative Office of the Courts.

FAMILY COURT

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS (cont'd)

PENDING AT END OF YEAR

	Divorces and Annulments		RTSC/ Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	377	9.3%	199	4.9%	1,060	26.0%	572	14.0%	607	14.9%	549	13.5%
Kent	225	14.5%	63	4.1%	467	30.1%	214	13.8%	128	8.3%	219	14.1%
Sussex	309	12.6%	102	4.2%	657	26.9%	497	20.3%	299	12.2%	277	11.3%
State	911	11.3%	364	4.5%	2,184	27.1%	1,283	15.9%	1,034	12.8%	1,045	13.0%

	Visitation		Imperilling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	178	4.4%	27	0.7%	54	1.3%	55	1.4%	395	9.7%	4,073	100.0%
Kent	93	6.0%	10	0.6%	10	0.6%	21	1.4%	101	6.5%	1,551	100.0%
Sussex	105	4.3%	12	0.5%	12	0.5%	8	0.3%	166	6.8%	2,444	100.0%
State	376	4.7%	49	0.6%	76	0.9%	84	1.0%	662	8.2%	8,068	100.0%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Divorces and Annulments		RTSC/ Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle	- 1,435		- 44		- 544		- 44		- 288		+ 249	
Kent	- 55		- 29		+ 67		+ 97		- 91		- 13	
Sussex	+ 16		+ 25		+ 151		+ 257		+ 26		+ 42	
State	- 1,474		- 48		- 326		+ 310		- 353		+ 278	

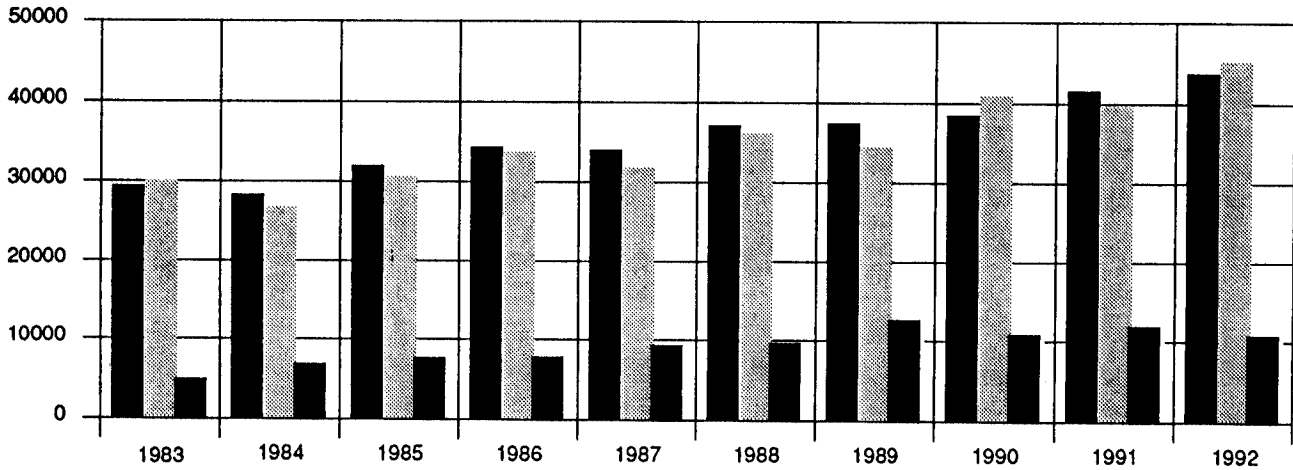
	Visitation		Imperilling Family Relations		Adoptions		Terminations of Parental Rights		Miscellaneous		TOTALS	
New Castle	+ 32		+ 3		+ 12		- 14		+ 5		- 2,068	
Kent	+ 10		+ 7		- 2		+ 7		- 25		- 27	
Sussex	+ 43		+ 4		+ 1		- 1		+ 66		+ 630	
State	+ 85		+ 14		+ 11		- 8		+ 46		- 1,465	

RTSC = Rule to Show Cause

Source: Statistician, Family Court, Administrative Office of the Courts.

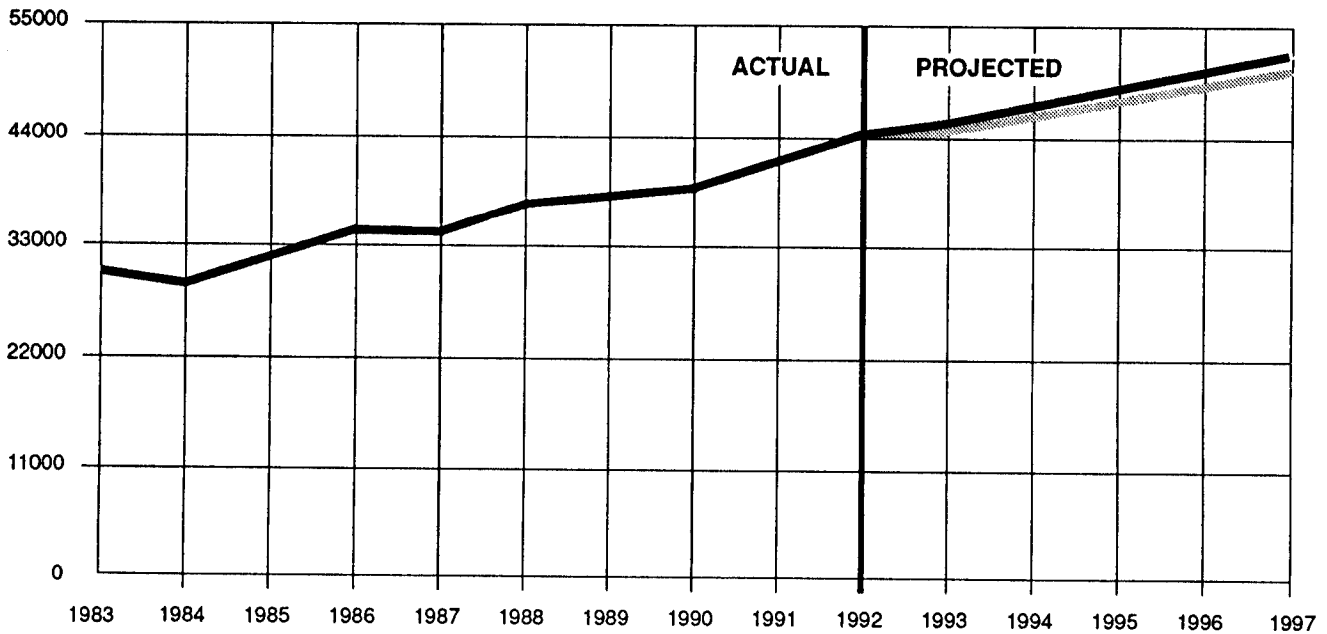
FAMILY COURT — TOTAL

10 YEAR CASELOAD TREND



Filings
 Dispositions
 Pending at End of Year

5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



5 YEAR BASE: (1988-1992)
 10 YEAR BASE: (1983-1992)

Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

FISCAL YEAR 1992 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 manner should go to a formal hearing.

FISCAL YEAR 1992 CASELOAD SUMMARY

Number of Filings

	Pending 6/30/91	Filed	Disposed*	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	302	2,934	2,476	760	+ 458	+ 151.7%
Kent	54	577	569	62	+ 8	+ 14.8%
Sussex	40	627	638	29	- 11	- 27.5%
State	396	4,138	3,683	851	+ 455	+ 114.9%

COMPARISON - FISCAL YEARS 1991-1992 ARBITRATION ACTIVITY - CASELOAD

FILED

Number of Filings

	1991	1992	Change	% Change
New Castle	2,881	2,934	+ 53	+ 1.8%
Kent	589	577	- 12	- 2.0%
Sussex	407	627	+ 220	+ 54.1%
State	3,877	4,138	+ 261	+ 6.7%

COMPARISON - FISCAL YEARS 1991-1992 ARBITRATION ACTIVITY - CASELOAD

DISPOSED *

Number of Filings

	1991	1992	Change	% Change
New Castle	3,098	2,476	- 622	- 20.1%
Kent	633	569	- 64	- 10.1%
Sussex	400	638	+ 238	+ 59.5%
State	4,131	3,683	- 448	- 10.8%

*Cases processed by Family Court Arbitration Unit which may reflect final Court disposition.
Source: Statistician, Family Court, Administrative Office of the Courts.

FISCAL YEAR 1992 MEDIATION EXPLANATORY NOTES

1. Mediation is a pre-adjudicatory proceeding where a trained mediator attempts to assist the parties in reaching an agreement in disputes involving child custody, support, visitation, guardianships, imperilling family relations, and rules to show cause. Mediation is mandatory in child custody, visitation and support matters.
2. If the parties are unable to reach an agreement, the matter is scheduled for a hearing before a master or a judge.

FISCAL YEAR 1992 MEDIATION ACTIVITY - CASELOAD SUMMARY

Number of Matters	Pending 6/30/91	Filed	Disposed*	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	691	8,850	8,763	778	+ 87	+ 12.6%
Kent	394	3,487	3,450	431	+ 37	+ 9.4%
Sussex	315	3,244	3,013	546	+ 231	+ 73.3%
State	1,400	15,581	15,226	1,755	+ 355	+ 25.4%

COMPARISON - FISCAL YEARS 1991-1992 MEDIATION ACTIVITY - CASELOAD

FILED

Number of Matters	1991	1992	Change	% Change
New Castle	7,563	8,850	+ 1,287	+ 17.0%
Kent	3,280	3,487	+ 207	+ 6.3%
Sussex	3,330	3,244	- 86	- 2.6%
State	14,173	15,581	+ 1,408	+ 9.9%

COMPARISON - FISCAL YEARS 1991-1992 MEDIATION ACTIVITY - CASELOAD

DISPOSED *

Number of Matters	1991	1992	Change	% Change
New Castle	7,905	8,763	+ 858	+ 10.9%
Kent	3,234	3,450	+ 216	+ 6.7%
Sussex	3,326	3,013	- 313	- 9.4%
State	14,465	15,226	+ 761	+ 5.3%

*Matters processed by Family Court Mediation Unit which may reflect final Court disposition.
Source: Statistician, Family Court, Administrative Office of the Courts.

Court of Common Pleas

**Chief Judge Robert H. Wahl
Judge Arthur F. DiSabatino
Judge Merrill C. Trader
Judge Paul E. Ellis
Judge William C. Bradley, Jr.**



COURT OF COMMON PLEAS

Seated (Left to Right)
Judge Arthur F. DiSabatino
Chief Judge Robert H. Wahl

Standing (Left to Right)
Judge Merrill C. Trader
Judge William C. Bradley, Jr.
Judge Paul E. Ellis

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapter 13, effective July 5, 1973.

Court History

Initially established under William Penn in the 17th Century, the Court of Common Pleas served as the supreme judicial authority in the State. During the latter part of the 18th Century and through most of the 19th Century, however, the Court was abolished during an era of Court reorganization.

The modern day Court of Common Pleas was established in 1917 when a Court with limited civil and criminal jurisdiction was established in New Castle County. Courts of Common Pleas were later established in Kent County in 1931 and Sussex County in 1953.

In 1973, the Court of Common Pleas became a State of Delaware Court rather than county courts.

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, and those occurring within the limits of the City of Wilmington. It is also responsible for all preliminary hearings. Jury trial is available to defendants; however, in New Castle County jury trials are transferred 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 nominated by the Governor with the confirmation 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.

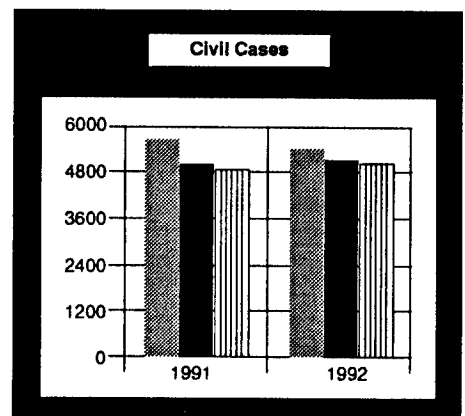
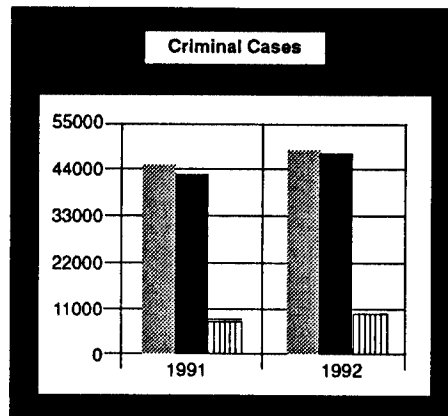


Daniel L. Herrmann Courthouse
— Wilmington, DE

Caseload Trends

For the second consecutive fiscal year there was an increase in the number of both criminal filings and criminal dispositions in each of the counties. The number of criminal filings, dispositions and pending statewide all were at record levels during FY 1992. The number of criminal filings statewide rose by 10.2% to 50,278 in FY 1992 from 45,625 in FY 1991. There was an increase of 16.7% in criminal dispositions from 42,673 in FY 1991 to 49,815 in FY 1992. Criminal pending rose by 4.4% to 10,920 at the end of FY 1992 from 10,457 at the end of FY 1991.

Civil filings fell by 4.0% from 5,711 at the end of FY 1991 to 5,481 at the end of FY 1992. Civil dispositions rose by 1.9% to 5,157 during FY 1992 from 5,062 in FY 1991. The civil pending at the end of the year increased by 6.7% from 4,861 at the end of FY 1991 to 5,185 at the end of FY 1992.



Filings
 Dispositions
 Pending

COURT OF COMMON PLEAS

FISCAL YEAR 1992 CRIMINAL CASES - CASELOAD SUMMARY *

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	7,204	26,782	25,749	8,237	+ 1,033	+ 14.3%
Kent	1,887	10,709	11,162	1,434	- 453	- 24.0%
Sussex	1,366	12,787	12,904	1,249	- 117	- 12.6%
State	10,457	50,278	49,815	10,920	+ 463	+ 4.4%

COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL CASES - CASELOAD

FILINGS

	1991	1992	Change	% Change
New Castle	24,806	26,782	+ 1,976	+ 8.0%
Kent	9,510	10,709	+ 1,199	+ 12.6%
Sussex	11,309	12,787	+ 1,478	+ 13.1%
State	45,625	50,278	+ 4,653	+ 10.2%

COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL CASES - CASELOAD

DISPOSITIONS

	1991	1992	Change	% Change
New Castle	22,625	25,749	+ 3,124	+ 13.8%
Kent	9,026	11,162	+ 2,136	+ 23.7%
Sussex	11,022	12,904	+ 1,882	+ 17.1%
State	42,673	49,815	+ 7,142	+ 16.7%

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

Source: Court Administrator, Court of Common Pleas, Administrative Office of the Courts.

COURT OF COMMON PLEAS

FISCAL YEAR 1992 CRIMINAL CASES* - CASELOAD BREAKDOWNS

FILINGS

	Original**		Optional Transfers#		Mandatory Transfers##		Reduced to Misdemeanors@		Totals		Preliminary Hearings
New Castle	662	2.5%	25,160	93.9%	636	2.4%	324	1.2%	26,782	100.0%	5,827
Kent	921	8.6%	9,159	85.5%	624	5.8%	5	0.0%	10,709	100.0%	3,790
Sussex	24	0.2%	10,732	83.9%	1,786	14.0%	245	1.9%	12,787	100.0%	3,325
State	1,607	3.2%	45,051	89.6%	3,046	6.1%	574	1.1%	50,278	100.0%	12,942

FISCAL YEAR 1992 CRIMINAL CASES* - CASELOAD BREAKDOWNS

DISPOSITIONS

	Jury		Non-Jury		Totals	
New Castle	0	0.0%	25,749	100.0%	25,749	100.0%
Kent	34	0.3%	11,578	99.7%	11,612	100.0%
Sussex	7	0.1%	12,897	99.9%	12,904	100.0%
State	41	0.1%	49,774	99.9%	49,815	100.0%

FISCAL YEAR 1992 CRIMINAL CASES* - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

	Capiases		Other		Totals	
New Castle	3,949	47.9%	4,288	52.1%	8,237	100.0%
Kent	638	44.5%	796	55.5%	1,434	100.0%
Sussex	281	22.5%	968	77.5%	1,249	100.0%
State	4,868	44.6%	6,052	55.4%	10,920	100.0%

FISCAL YEAR 1992 CRIMINAL CASES* - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Capiases	Other	Totals
New Castle	+ 685	+ 348	+ 1,033
Kent	- 494	+ 41	- 453
Sussex	+ 62	- 179	- 117
State	+ 253	+ 210	+ 463

* 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 the 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.

Source: Court Administrator, Court of Common Pleas, Administrative Office of the Courts.

COURT OF COMMON PLEAS

FISCAL YEAR 1992 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle	4,125	4,058	3,813	4,370	+ 245	+ 5.9%
Kent	307	528	491	344	+ 37	+ 12.1%
Sussex	429	895	853	471	+ 42	+ 9.8%
State	4,861	5,481	5,157	5,185	+ 324	+ 6.7%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

FILINGS

	1991	1992	Change	% Change
New Castle	4,201	4,058	- 143	- 3.4%
Kent	551	528	- 23	- 4.2%
Sussex	959	895	- 64	- 6.7%
State	5,711	5,481	- 230	- 4.0%

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

DISPOSITIONS

	1991	1992	Change	% Change
New Castle	3,541	3,813	+ 272	+ 7.7%
Kent	589	491	- 98	- 16.6%
Sussex	932	853	- 79	- 8.5%
State	5,062	5,157	+ 95	+ 1.9%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

FILINGS

	Complaints		Civil Judgments, Name Changes		Totals	
New Castle	3,832	94.4%	226	5.6%	4,058	100.0%
Kent	452	85.6%	76	14.4%	528	100.0%
Sussex	821	91.7%	74	8.3%	895	100.0%
State	5,105	93.1%	376	6.9%	5,481	100.0%

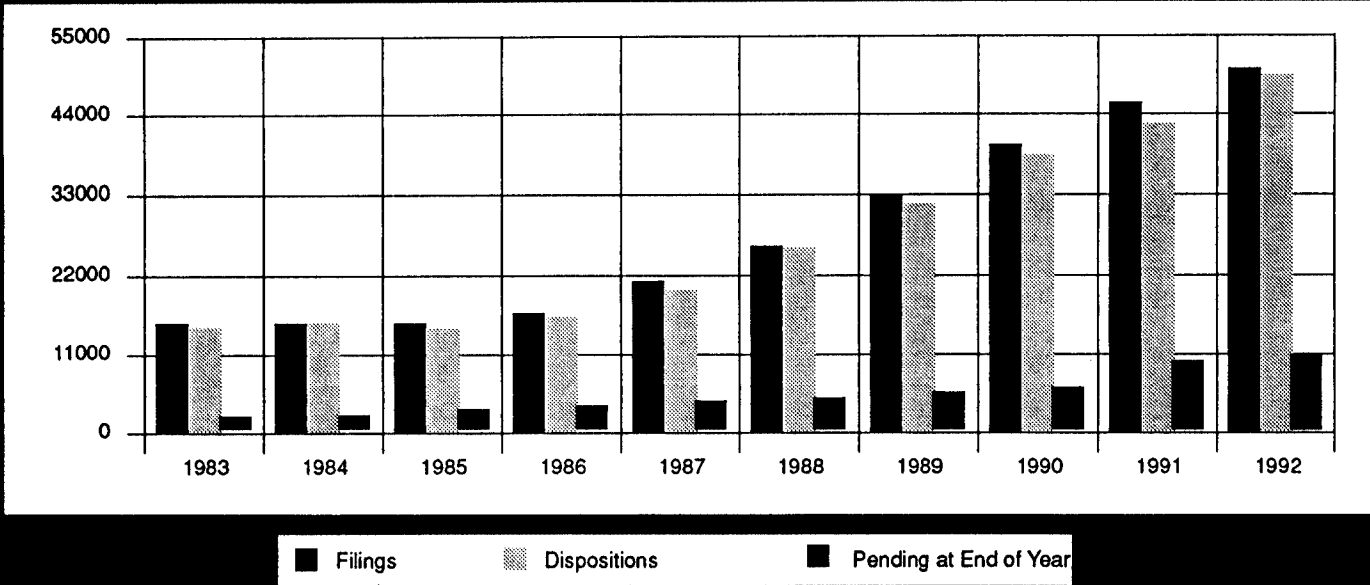
FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

DISPOSITIONS

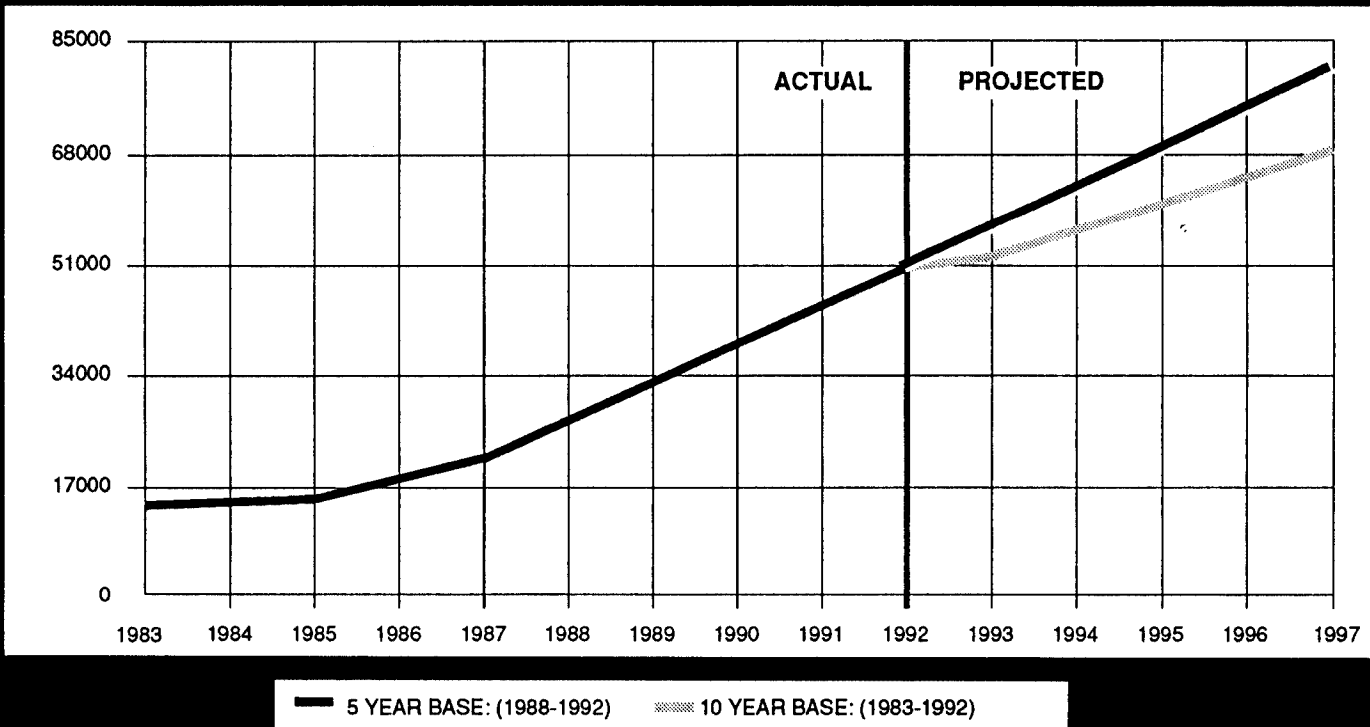
	By Court		By Counsel		Totals	
New Castle	838	22.0%	2,975	78.0%	3,813	100.0%
Kent	148	30.1%	343	69.9%	491	100.0%
Sussex	254	29.8%	599	70.2%	853	100.0%
State	1,240	24.0%	3,917	76.0%	5,157	100.0%

Source: Court Administrator, Court of Common Pleas, Administrative Office of the Courts.

10 YEAR CASELOAD TREND



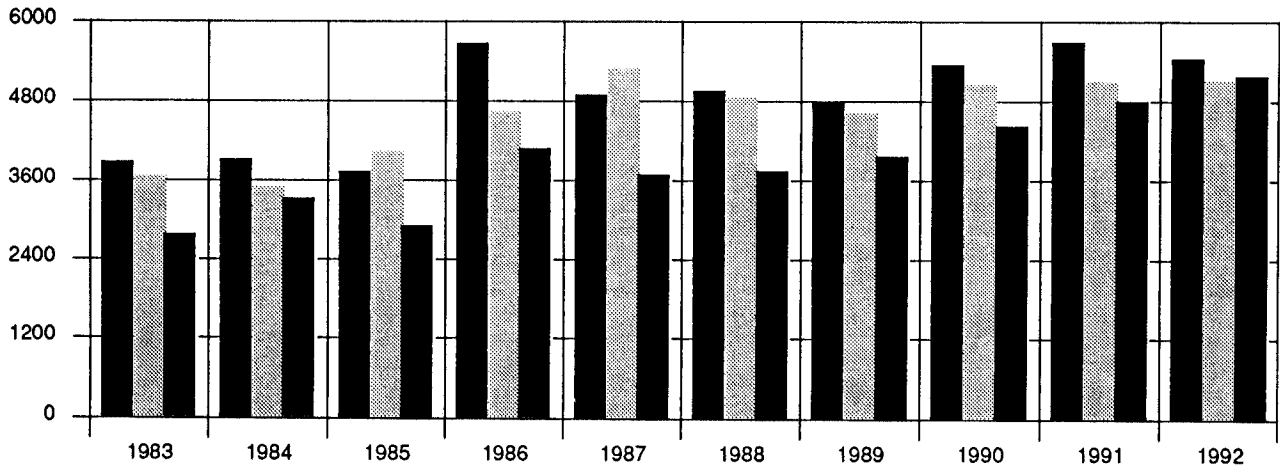
5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

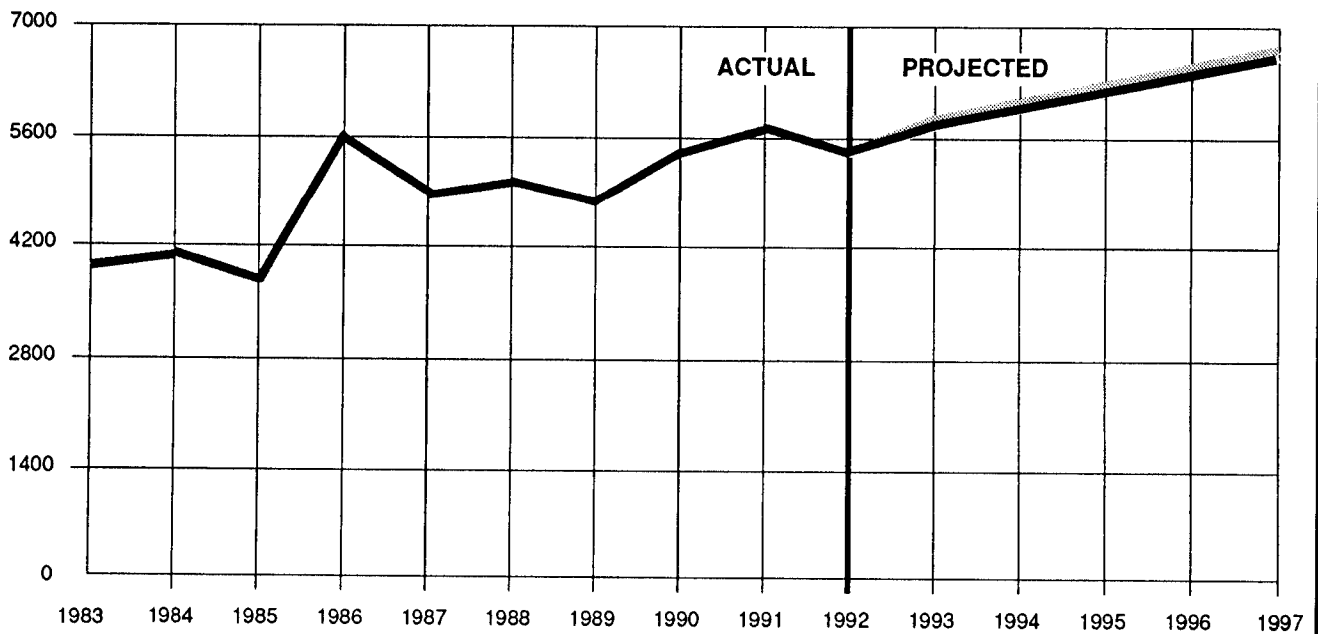
Source: Administrative Office of the Courts

10 YEAR CASELOAD TREND



■ Filings ▨ Dispositions ■ Pending at End of Year

5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



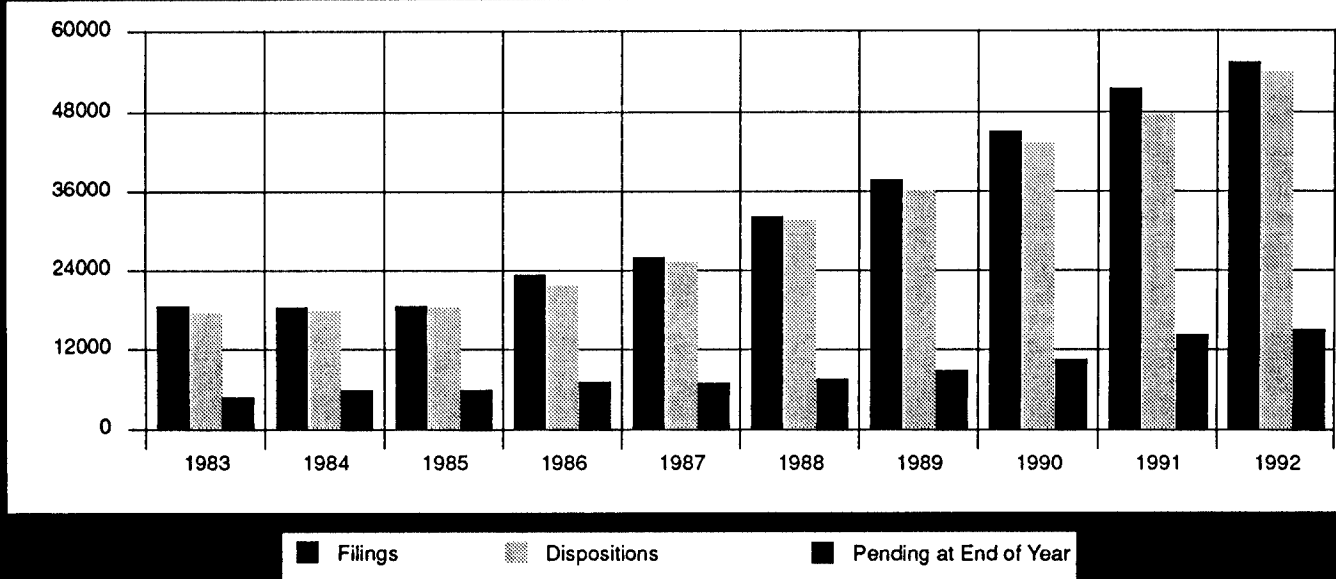
— 5 YEAR BASE: (1988-1992) ▨ 10 YEAR BASE: (1983-1992)

Trend lines computed by linear regression analysis.

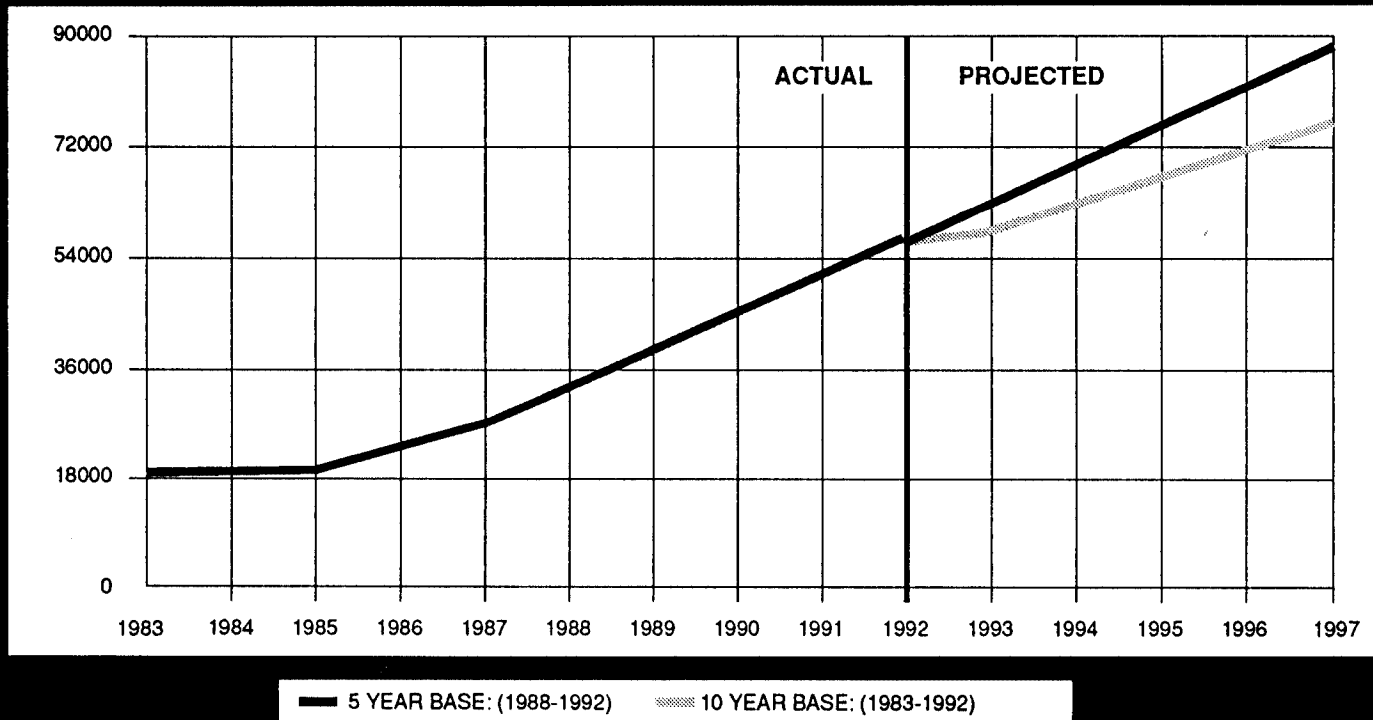
Source: Administrative Office of the Courts

REPORT OF COMMON PLEAS - TOTAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



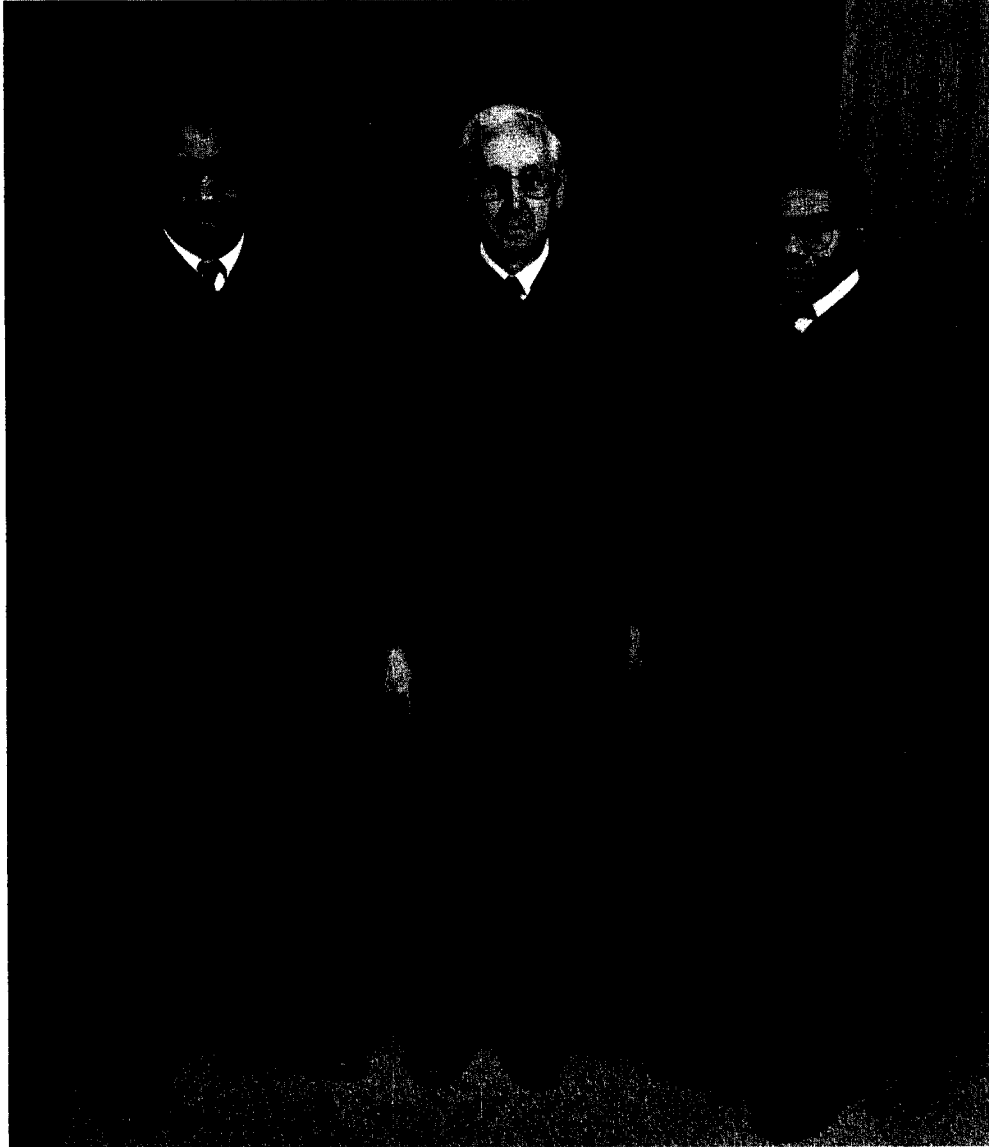
Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

Municipal Court

**Chief Judge Alfred Fraczkowski
Associate Judge Leonard L. Williams
Associate Judge Alex J. Smalls**

MUNICIPAL COURT



MUNICIPAL COURT

(Left to Right)

Associate Judge Leonard L. Williams

Chief Judge Alfred Fraczkowski

Associate Judge Alex J. Smalls

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 nominated by the Governor, with confirmation 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

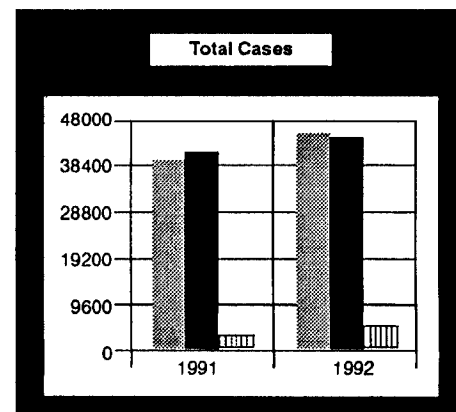
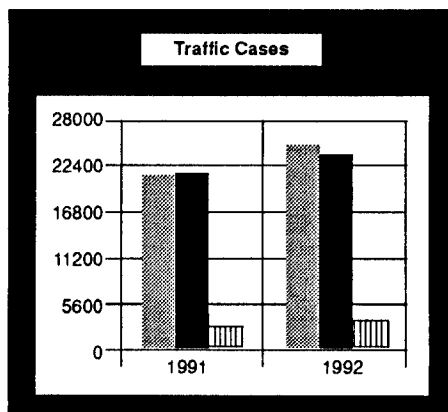
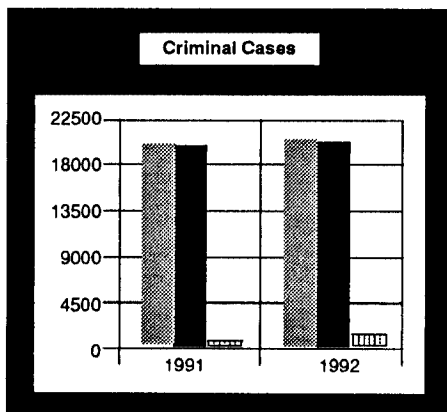
The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint deputies.

Caseload Trends

There was an increase of 7.6% in the number of criminal filings from 19,350 in FY 1991 to 20,816 in FY 1992. The number of criminal dispositions rose by 3.9% to 20,355 in FY 1992 from 19,591 in FY 1991. The number of criminal filings pending rose to 782 at the end of FY 1992 from 321 at the end of FY 1991 after having fallen during the previous fiscal year.

Traffic filings rose by 19.0% to 25,420 during FY 1992 from 21,363 during FY 1991. The number of traffic dispositions rose as well, up by 15.3% from 21,796 in FY 1991 to 25,133 in FY 1992. There was an increase of 11.1% in traffic pending to 2,869 at the end of FY 1992 from 2,582 at the end of FY 1991.

The increase in both criminal and traffic activity led to rises in total caseload. Total filings rose by 13.6% from 40,713 in FY 1991 to 46,236 in FY 1992. Total dispositions increased by 9.9% to 45,488 in FY 1992 from 41,387 in FY 1991. Total pending rose to 3,651 at the end of FY 1992 from 2,903 at the end of FY 1991.



Filings
 Dispositions
 Pending

MUNICIPAL COURT

FISCAL YEAR 1992 - CASELOAD SUMMARY *

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
Criminal	321	20,816	20,355	782	+ 461	+ 143.6%
Traffic	2,582	25,420	25,133	2,869	+ 287	+ 11.1%
TOTALS	<u>2,903</u>	<u>46,236</u>	<u>45,488</u>	<u>3,651</u>	<u>+ 748</u>	<u>+ 25.8%</u>

COMPARISON - FISCAL YEARS 1991-1992 - CASELOAD

FILINGS				
	1991	1992	Change	% Change
Criminal	19,350	20,816	+ 1,466	+ 7.6%
Traffic	21,363	25,420	+ 4,057	+ 19.0%
TOTALS	<u>40,713</u>	<u>46,236</u>	<u>+ 5,523</u>	<u>+ 13.6%</u>

COMPARISON - FISCAL YEARS 1991-1992 - CASELOAD

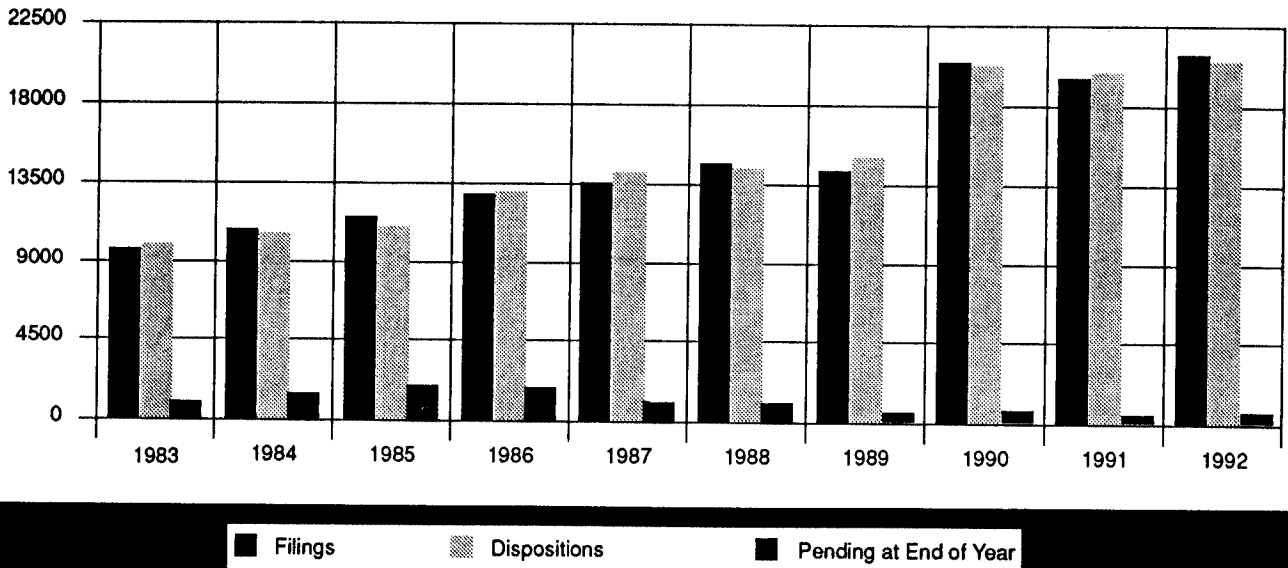
DISPOSITIONS				
	1991	1992	Change	% Change
Criminal	19,591	20,355	+ 764	+ 3.9%
Traffic	21,796	25,133	+ 3,337	+ 15.3%
TOTALS	<u>41,387</u>	<u>45,488</u>	<u>+ 4,101</u>	<u>+ 9.9%</u>

*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.

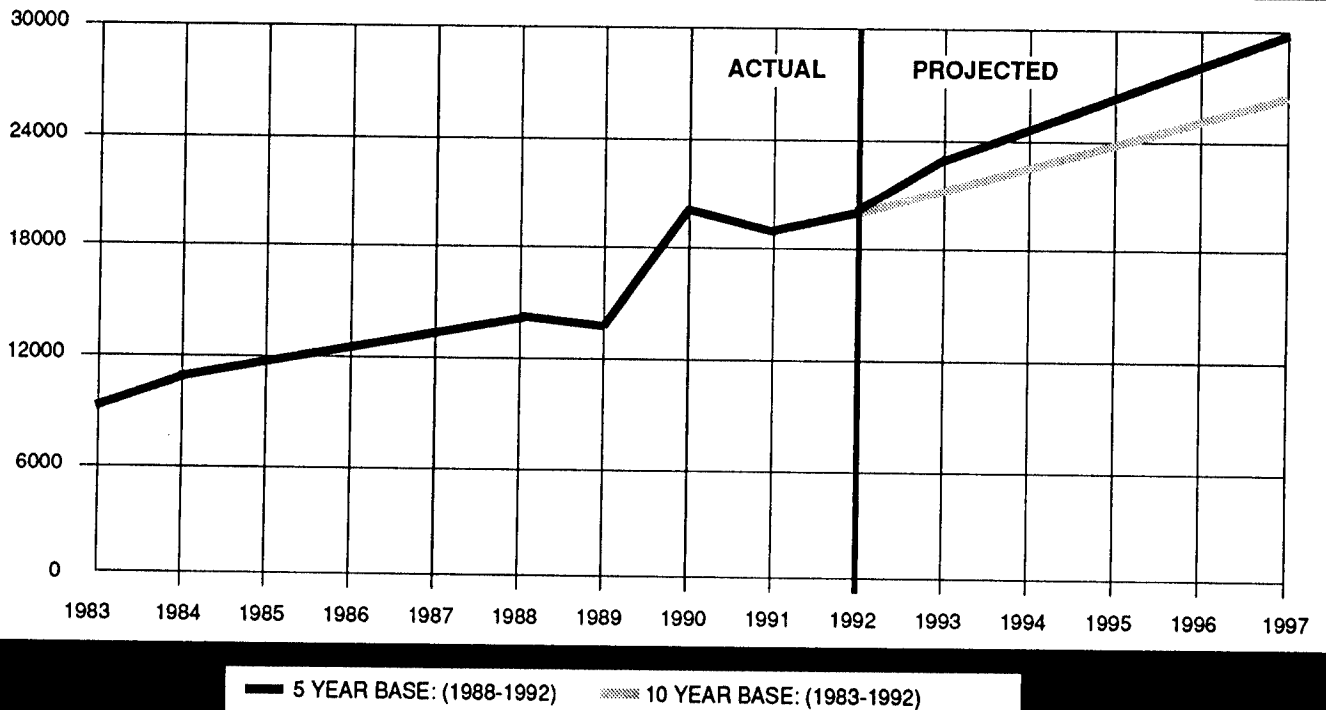
Source: Clerk of the Court, Municipal Court, Administrative Office of the Courts.

MUNICIPAL COURT - CRIMINAL

10 YEAR CASELOAD TREND



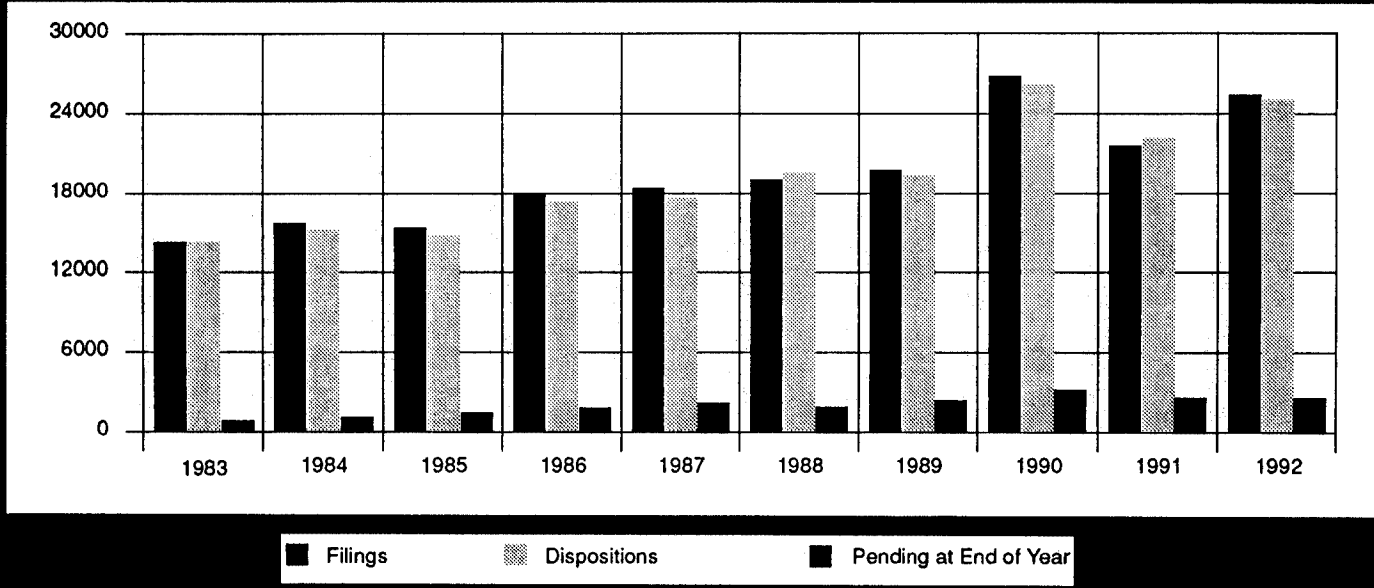
5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



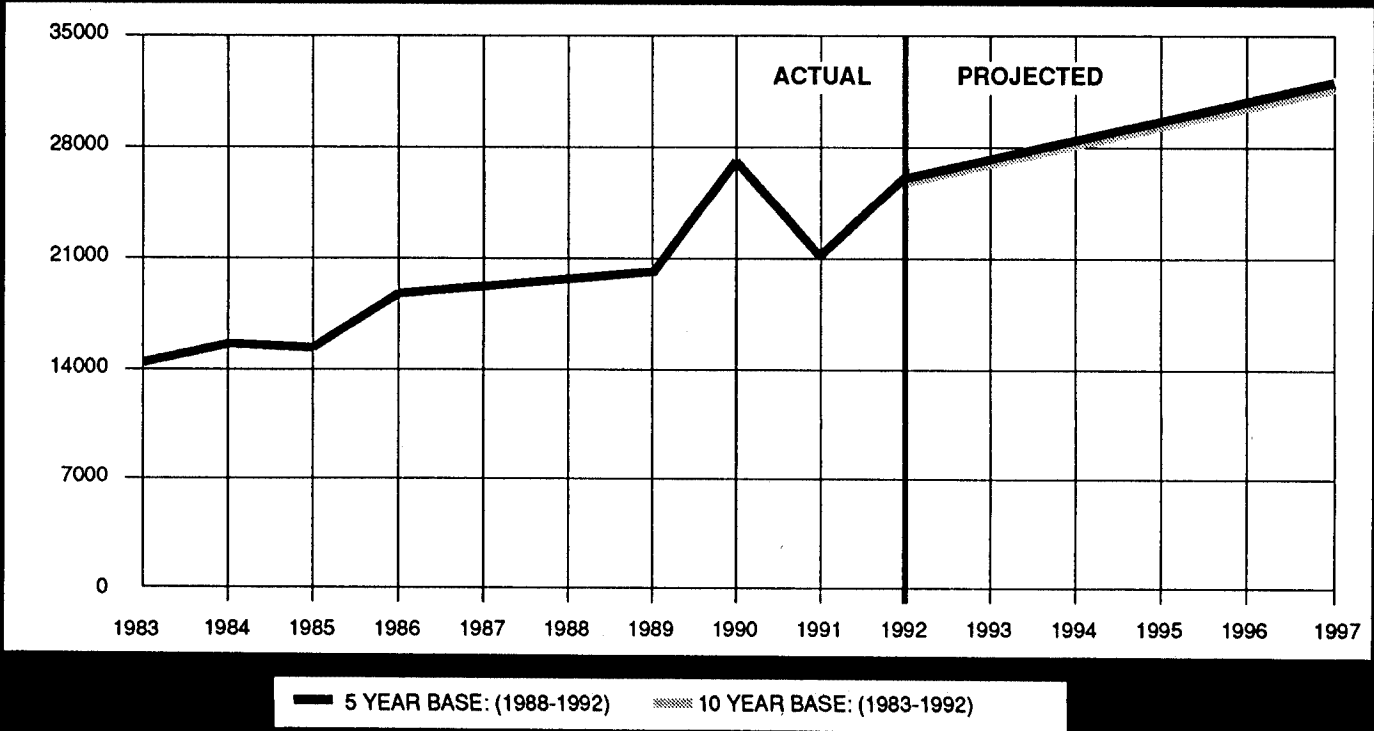
Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

10 YEAR CASELOAD TREND



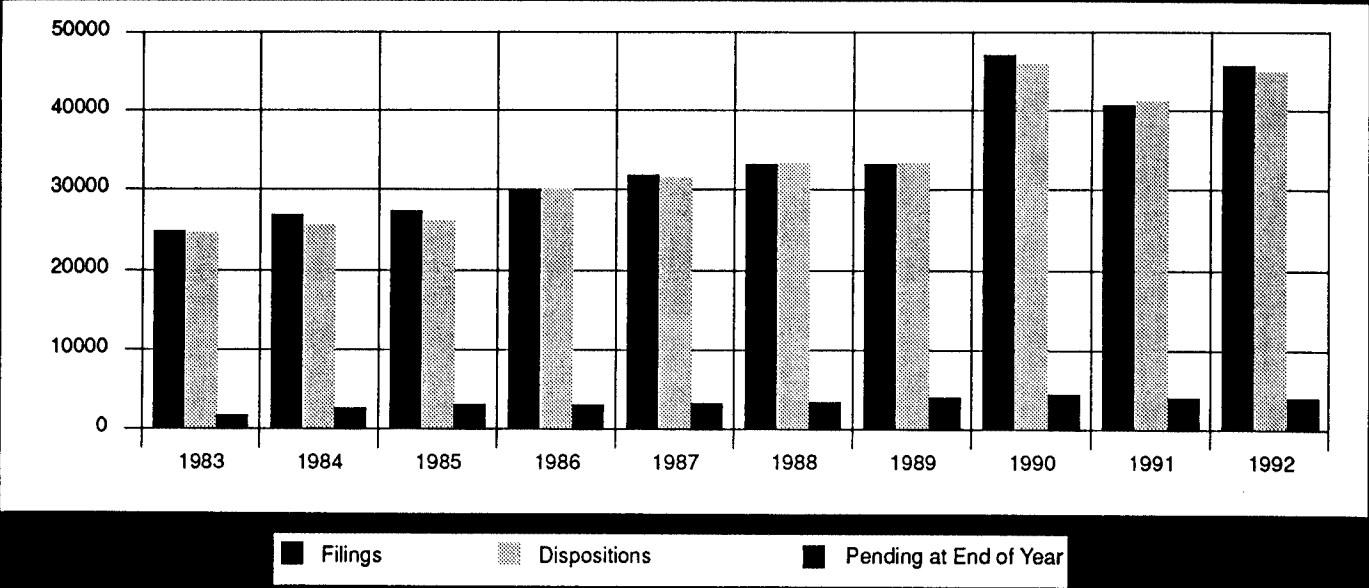
5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



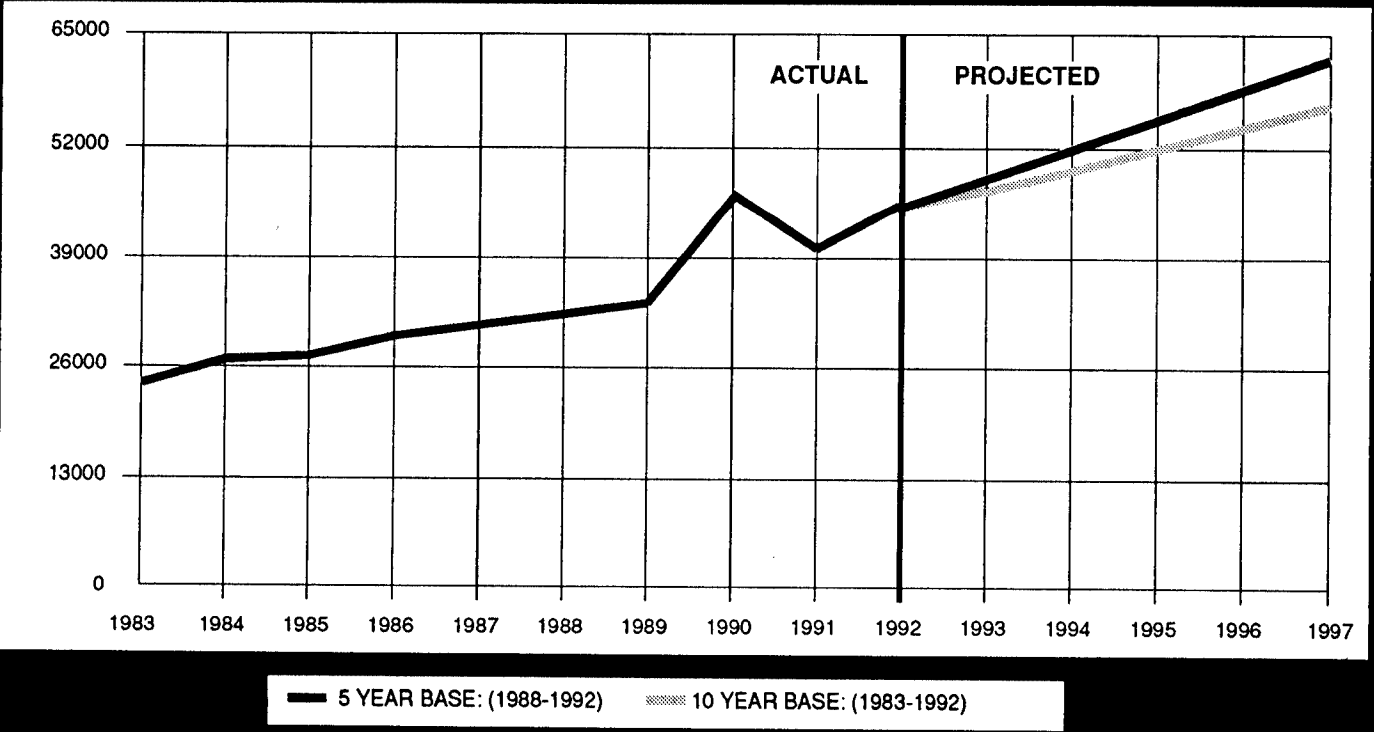
Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts

MUNICIPAL COURT TOTAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS

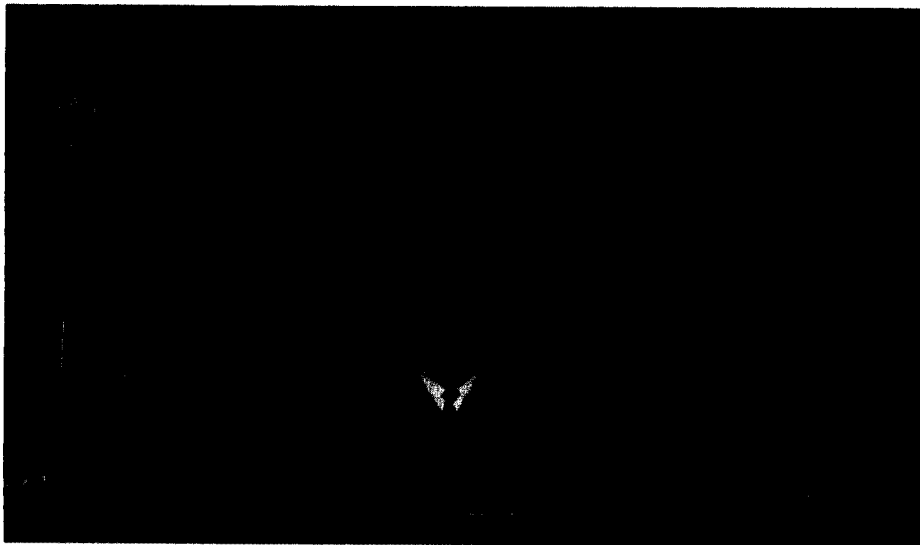


Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

Chief Magistrate William F. Richardson
Justice of the Peace David R. Anderson
Justice of the Peace Robert A. Armstrong
Justice of the Peace Ernst M. Arndt
Justice of the Peace Margaret L. Barrett
Justice of the Peace William L. Boddy, III
Justice of the Peace Richard L. Brandenburg
Justice of the Peace William W. Brittingham
Justice of the Peace Karen N. Bundek
Justice of the Peace Francis G. Charles
Deputy Chief Magistrate Ronald E. Cheeseman
Justice of the Peace Thomas E. Cole
Justice of the Peace Richard D. Comly
Justice of the Peace Edward G. Davis
Justice of the Peace Frederick W. Dewey, Jr.
Justice of the Peace Walter J. Godwin
Justice of the Peace Wayne R. Hanby
Justice of the Peace William W. Henning, Jr.
Justice of the Peace William J. Hopkins, Jr.
Justice of the Peace Barbara C. Hughes
Justice of the Peace Virginia W. Johnson
Justice of the Peace Vivian K. Kleinman
Justice of the Peace James C. Koehring
Justice of the Peace Bonita N. Lee
Justice of the Peace Kathleen C. Lucas
Justice of the Peace Joseph W. Maybee
Justice of the Peace John P. McLaughlin
Justice of the Peace Joseph B. Melson, Jr.
Justice of the Peace Howard W. Mulvaney, III
Justice of the Peace Barry B. Newstadt
Justice of the Peace Joyce E. Nolan
Justice of the Peace John W. O'Bier
Justice of the Peace Ellis B. Parrott
Justice of the Peace Agnes E. Pennella
Justice of the Peace Stanley J. Petraschuk
Justice of the Peace Mable M. Pitt
Justice of the Peace William F. Plack, Jr.
Justice of the Peace Edward M. Poling
Justice of the Peace Russell T. Rash
Justice of the Peace William S. Rowe, Jr.
Justice of the Peace Marcealeate S. Ruffin
Justice of the Peace Rosalie O. Rutkowski
Justice of the Peace David R. Skelley
Justice of the Peace Paul J. Smith
Justice of the Peace Alice W. Stark
Deputy Chief Magistrate Charles M. Stump
Justice of the Peace Rosalind Toulson
Justice of the Peace Abigayle E. Truitt
Deputy Chief Magistrate Sheila G. Wilkins
Justice of the Peace William C. Wright

Justice of the Peace Courts



JUSTICE OF THE PEACE COURTS

Chief Magistrate William F. Richardson

Legal Authorization

The Justice of the Peace Courts are authorized by the *Constitution of Delaware*, Article IV, Section 1.

Court History

As early as the 1600's, Justices of the Peace were commissioned to handle minor civil and criminal cases. Along with a host of other duties, the administering of local government in the 17th and 18th Centuries on behalf of the English Crown was a primary duty of the Justices of the Peace. With the adoption of the State Constitution of 1792, the Justices of the Peace were stripped of their general administrative duties leaving them with minor civil and criminal jurisdiction. During the period 1792 through 1964, the Justices of the Peace were compensated entirely by the costs and fees assessed and collected for the performance of their legal duties.

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. The Voluntary Center, which handles mail-in fines, is located in Dover..

Legal Jurisdiction

The Justice of the Peace Courts had jurisdiction over civil cases during FY 1992 in which the amount in controversy did not exceed \$5,000. Justice of the Peace 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.

Justice 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. Justices of the Peace are nominated 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 the county in which he serves. In addition to the 53 Justices of the Peace, the Governor nominates a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator, two Operations Managers, an administrative officer and a fiscal administrative officer help the Chief Magistrate direct the Justice of the Peace Courts on a daily basis. The State provides clerks of the court, constables and other personnel for the courts.

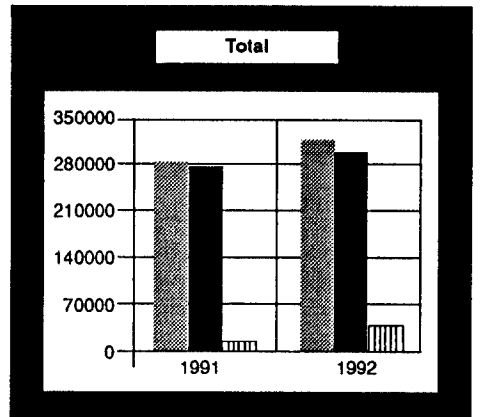
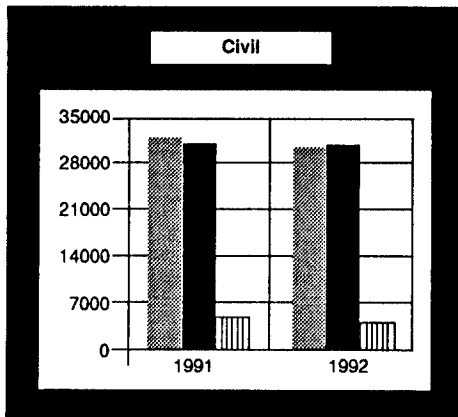
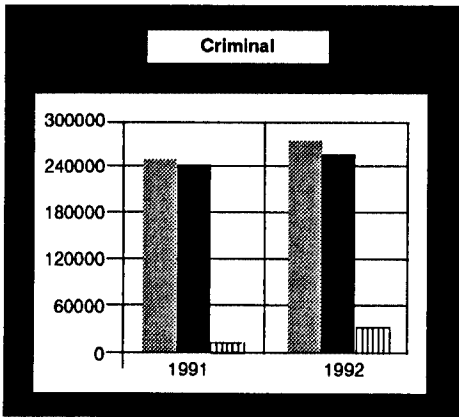
JUSTICE OF THE PEACE COURTS

Caseload Trends

The method in which the Justice of the Peace Courts counted criminal filings was adjusted in FY 1992 in conjunction with the implementation of the Case Management System. This was part of the reason for the 14.9% increase in criminal filings from 248,262 in FY 1991 to 285,201 in FY 1992. This revision does not impact the manner in which the criminal dispositions are counted, and they rose by 4.8% to 259,167 in FY 1992 from 247,361 in FY 1991. The rise in criminal pending to 33,895 at the end of FY 1992 from 7,861 at the end of FY 1991 may be explained largely by the substantial number of criminal filings during the fiscal year.

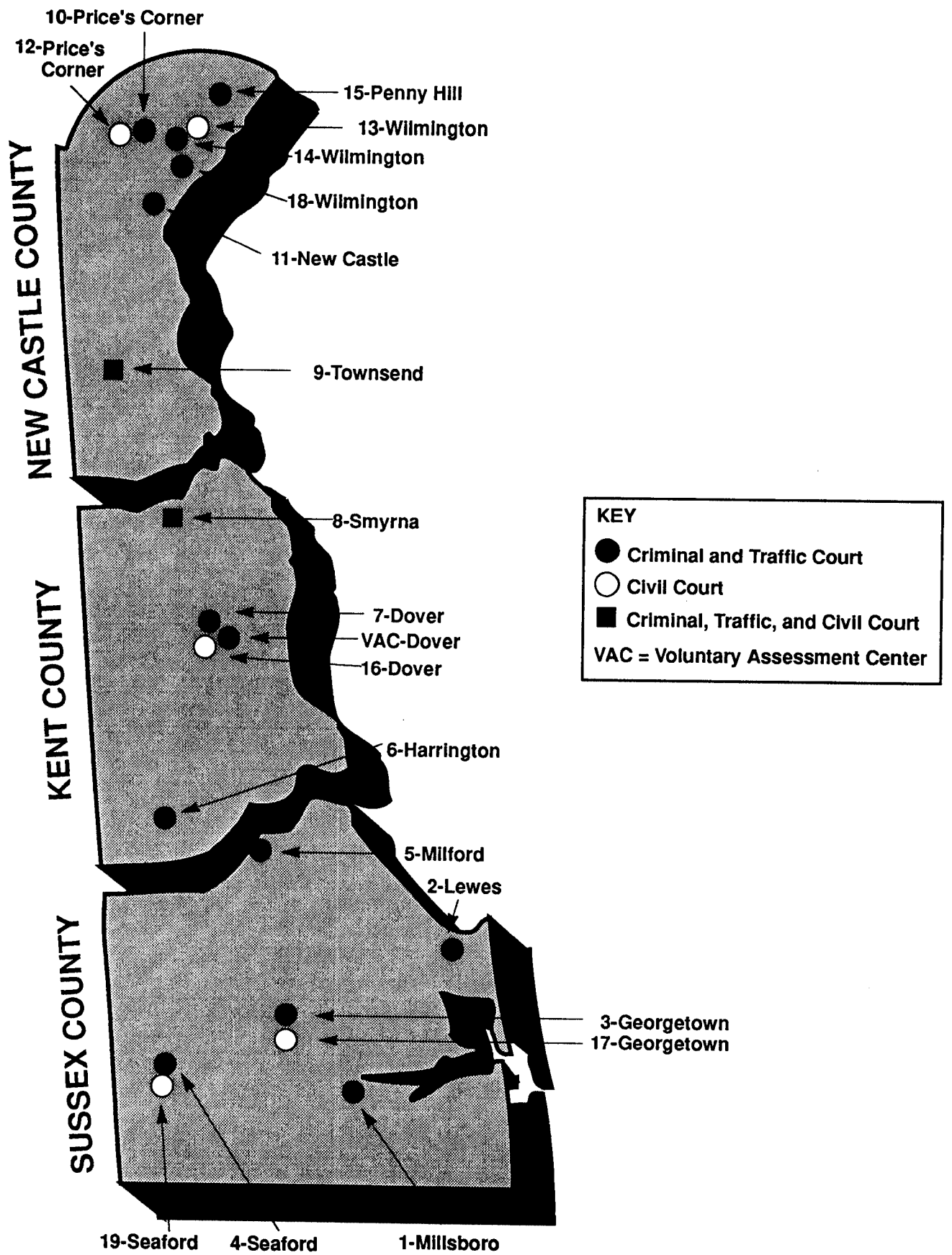
Civil filings fell by 3.8% to 31,494 in FY 1992 from 32,739 in FY 1991. Civil dispositions increased only slightly to 31,942 in FY 1992 from 31,643 in FY 1991 while civil pending fell by 7.8% to 5,288 at the end of FY 1992 from 5,736 at the end of FY 1991.

The large rise in criminal filings led to an increase of 12.7% in total filings from 281,001 in FY 1991 to 316,695 in FY 1992. Total dispositions increased by 4.3% to 291,009 in FY 1992 from 279,004 in FY 1991. The jump in criminal pending led to a 188.2% increase in total pending from 13,597 at the end of FY 1991 to 39,183 at the end of FY 1992.



JP Court #3 /17
— Georgetown, Delaware.

JUSTICE OF THE PEACE COURTS



JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1992 CRIMINAL AND TRAFFIC CASES * - CASELOAD SUMMARY

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle County						
Court 9	183	12,278	9,084	3,377	+ 3,194	+ 1,745.4%
Court 10	1,715	25,277	24,012	2,980	+ 1,265	+ 73.8%
Court 11	3,459	47,368	42,431	8,396	+ 4,937	+ 142.7%
Court 14**	0	0	0	0	0	—
Court 15	354	15,393	14,516	1,231	+ 877	+ 247.7%
Court 18	0	10,118	9,891	227	+ 227	—
Kent County						
Court 6	33	3,906	3,810	134	+ 96	+ 252.6%
Court 7	1,163	24,942	24,672	1,433	+ 270	+ 23.2%
Court 8	45	2,156	2,171	30	- 15	- 33.3%
Sussex County						
Court 1	55	3,592	3,365	282	+ 227	+ 412.7%
Court 2	78	6,862	5,896	1,044	+ 966	+ 1,238.5%
Court 3	646	25,238	23,520	2,364	+ 1,718	+ 265.9%
Court 4	41	9,501	8,988	554	+ 513	+ 1,251.2%
Court 5	84	4,211	3,651	644	+ 560	+ 666.7%
Total	7,861	190,842	176,007	22,696	+ 14,835	+ 188.7%
VAC	0	94,359	83,160	11,199	+ 11,199	—
State	7,861	285,201	259,167	33,895	+ 26,034	+ 331.2%

FISCAL YEAR 1992 CRIMINAL AND TRAFFIC CASES * - TYPES OF DISPOSITIONS

	By Mail-In Fine		By Court/Counsel Appearance		TOTALS	
New Castle County						
Court 9	4,999	55.0%	4,085	45.0%	9,084	100.0%
Court 10	11,486	47.8%	12,526	52.2%	24,012	100.0%
Court 11	8,558	20.2%	33,873	79.8%	42,431	100.0%
Court 14**	0	—	0	—	0	—
Court 15	5,891	40.6%	8,625	59.4%	14,516	100.0%
Court 18	0	0.0%	9,891	100.0%	9,891	100.0%
Kent County						
Court 6	438	11.5%	3,372	88.5%	3,810	100.0%
Court 7	508	2.1%	24,164	97.9%	24,672	100.0%
Court 8	56	2.6%	2,115	97.4%	2,171	100.0%
Sussex County						
Court 1	869	25.8%	2,496	74.2%	3,365	100.0%
Court 2	518	8.8%	5,378	91.2%	5,896	100.0%
Court 3	555	2.4%	22,965	97.6%	23,520	100.0%
Court 4	869	9.7%	8,119	90.3%	8,988	100.0%
Court 5	368	10.1%	3,283	89.9%	3,651	100.0%
Total	35,115	20.0%	140,892	80.0%	176,007	100.0%
VAC	83,160	100.0%	0	0.0%	83,160	100.0%
State	118,275	45.6%	140,892	54.4%	259,167	100.0%

VAC = Voluntary Assessment Center

* 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 and other cases which are included in the totals for other courts.

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

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1992 CRIMINAL AND TRAFFIC CASES * - CASELOAD BREAKDOWNS

FILINGS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	272	2.2%	647	5.3%	10,856	88.4%	503	4.1%	12,278	100.0%
Court 10	364	1.4%	2,130	8.4%	21,266	84.1%	1,517	6.0%	25,277	100.0%
Court 11	645	1.4%	16,489	34.8%	26,584	56.1%	3,650	7.7%	47,368	100.0%
Court 14**	0	—	0	—	0	—	0	—	0	—
Court 15	67	0.4%	1,654	10.7%	12,987	84.4%	685	4.5%	15,393	100.0%
Court 18	1	0.0%	7,347	72.6%	858	8.5%	1,912	18.9%	10,118	100.0%
Kent County										
Court 6	47	1.2%	957	24.5%	2,672	68.4%	230	5.9%	3,906	100.0%
Court 7	566	2.3%	10,057	40.3%	11,420	45.8%	2,899	11.6%	24,942	100.0%
Court 8	30	1.4%	471	21.8%	1,536	71.2%	119	5.5%	2,156	100.0%
Sussex County										
Court 1	528	14.7%	372	10.4%	2,383	66.3%	309	8.6%	3,592	100.0%
Court 2	522	7.6%	786	11.5%	5,259	76.6%	295	4.3%	6,862	100.0%
Court 3	348	1.4%	11,167	44.2%	12,156	48.2%	1,567	6.2%	25,238	100.0%
Court 4	372	3.9%	1,819	19.1%	7,069	74.4%	241	2.5%	9,501	100.0%
Court 5	51	1.2%	995	23.6%	3,039	72.2%	126	3.0%	4,211	100.0%
Total	3,813	2.0%	54,891	28.8%	118,085	61.9%	14,053	7.4%	190,842	100.0%
VAC	0	0.0%	1	0.0%	94,350	100.0%	8	0.0%	94,359	100.0%
State	3,813	1.3%	54,892	19.2%	212,435	74.5%	14,061	4.9%	285,201	100.0%

FISCAL YEAR 1992 CRIMINAL AND TRAFFIC CASES * - CASELOAD BREAKDOWNS

DISPOSITIONS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	187	2.1%	486	5.4%	7,974	87.8%	437	4.8%	9,084	100.0%
Court 10	324	1.3%	1,804	7.5%	20,213	84.2%	1,671	7.0%	24,012	100.0%
Court 11	510	1.2%	14,194	33.5%	23,988	56.5%	3,739	8.8%	42,431	100.0%
Court 14**	0	—	0	—	0	—	0	—	0	—
Court 15	68	0.5%	1,623	11.2%	12,252	84.4%	573	3.9%	14,516	100.0%
Court 18	1	0.0%	7,189	72.7%	844	8.5%	1,857	18.8%	9,891	100.0%
Kent County										
Court 6	46	1.2%	944	24.8%	2,591	68.0%	229	6.0%	3,810	100.0%
Court 7	563	2.3%	10,089	40.9%	11,140	45.2%	2,880	11.7%	24,672	100.0%
Court 8	28	1.3%	528	24.3%	1,500	69.1%	115	5.3%	2,171	100.0%
Sussex County										
Court 1	475	14.1%	363	10.8%	2,243	66.7%	284	8.4%	3,365	100.0%
Court 2	425	7.2%	704	11.9%	4,515	76.6%	252	4.3%	5,896	100.0%
Court 3	313	1.3%	10,653	45.3%	11,024	46.9%	1,530	6.5%	23,520	100.0%
Court 4	356	4.0%	1,783	19.8%	6,628	73.7%	221	2.5%	8,988	100.0%
Court 5	39	1.1%	886	24.3%	2,616	71.7%	110	3.0%	3,651	100.0%
Total	3,335	1.9%	51,246	29.1%	107,528	61.1%	13,898	7.9%	176,007	100.0%
VAC	0	0.0%	0	0.0%	83,151	100.0%	9	0.0%	83,160	100.0%
State	3,335	1.3%	51,246	19.8%	190,679	73.6%	13,907	5.4%	259,167	100.0%

VAC = Voluntary Assessment Center

* 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.

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

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL AND TRAFFIC CASES* - CASELOAD

FILINGS				
	1991	1992	Change	% Change
New Castle County				
Court 9	14,653	12,278	- 2,375	- 16.2%
Court 10	29,831	25,277	- 4,554	- 15.3%
Court 11	45,091	47,368	+ 2,277	+ 5.0%
Court 14**	0	0	0	—
Court 15	19,887	15,393	- 4,494	- 22.6%
Court 18	9,719	10,118	+ 399	+ 4.1%
Kent County				
Court 6	11,378	3,906	- 7,472	- 65.7%
Court 7	29,903	24,942	- 4,961	- 16.6%
Court 8	2,704	2,156	- 548	- 20.3%
Sussex County				
Court 1	5,584	3,592	- 1,992	- 35.7%
Court 2	20,055	6,862	- 13,193	- 65.8%
Court 3	26,955	25,238	- 1,717	- 6.4%
Court 4	16,141	9,501	- 6,640	- 41.1%
Court 5	5,290	4,211	- 1,079	- 20.4%
Total	237,191	190,842	- 46,349	- 19.5%
VAC	11,071	94,359	+ 83,288	+ 752.3%
State	248,262	285,201	+ 36,939	+ 14.9%

COMPARISON - FISCAL YEARS 1991-1992 CRIMINAL AND TRAFFIC CASES* - CASELOAD

DISPOSITIONS				
	1991	1992	Change	% Change
New Castle County				
Court 9	14,567	9,084	- 5,483	- 37.6%
Court 10	29,033	24,012	- 5,021	- 17.3%
Court 11	45,194	42,431	- 2,763	- 6.1%
Court 14**	0	0	0	—
Court 15	19,676	14,516	- 5,160	- 26.2%
Court 18	9,719	9,891	+ 172	+ 1.8%
Kent County				
Court 6	11,348	3,810	- 7,538	- 66.4%
Court 7	30,109	24,672	- 5,437	- 18.1%
Court 8	2,670	2,171	- 499	- 18.7%
Sussex County				
Court 1	5,542	3,365	- 2,177	- 39.3%
Court 2	20,034	5,896	- 14,138	- 70.6%
Court 3	26,871	23,520	- 3,351	- 12.5%
Court 4	16,286	8,988	- 7,298	- 44.8%
Court 5	5,241	3,651	- 1,590	- 30.3%
Total	236,290	176,007	- 60,283	- 25.5%
VAC	11,071	83,160	+ 72,089	+ 651.2%
State	247,361	259,167	+ 11,806	+ 4.8%

VAC = Voluntary Assessment Center

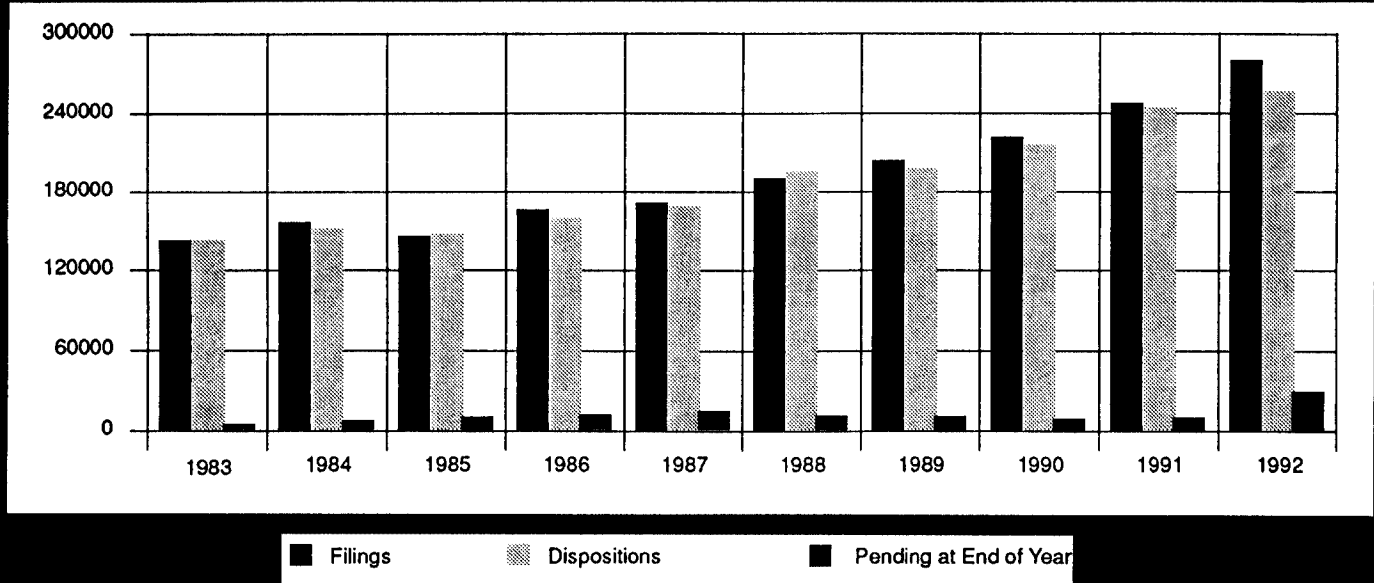
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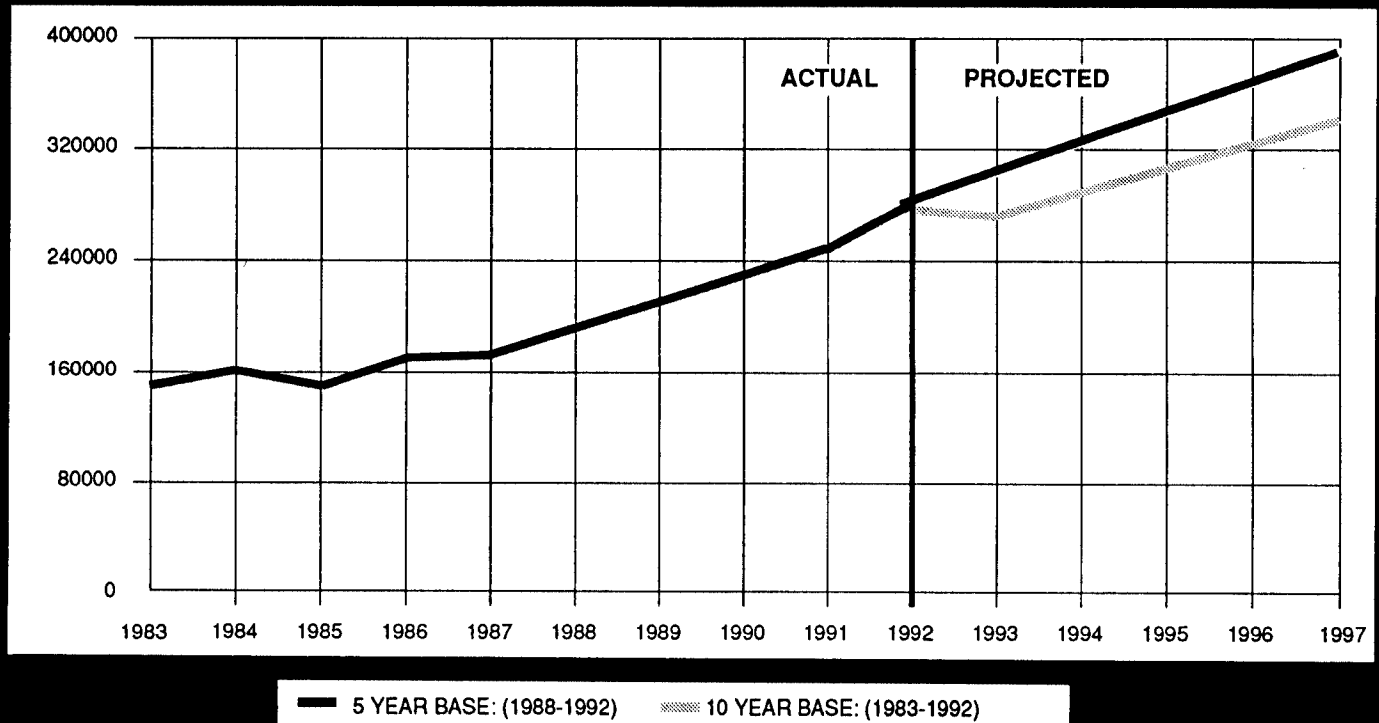
Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS – CRIMINAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1992 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle County						
Court 9	53	532	498	87	+ 34	+ 64.2%
Court 12	926	9,375	9,995	306	- 620	- 67.0%
Court 13	2,476	8,800	9,457	1,819	- 657	- 26.5%
Kent County						
Court 6	6	0	6	0	- 6	- 100.0%
Court 16	816	5,408	5,005	1,219	+ 403	+ 49.4%
Court 8	15	0	11	4	- 11	- 73.3%
Sussex County						
Court 1	16	0	14	2	- 14	- 87.5%
Court 2	27	0	22	5	- 22	- 81.5%
Court 17	555	4,107	4,095	567	+ 12	+ 2.2%
Court 19	268	3,272	2,261	1,279	+1,011	+ 377.2%
Court 5	578	0	578	0	- 578	- 100.0%
State	5,736	31,494	31,942	5,288	- 448	- 7.8%

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

	FILINGS						DISPOSITIONS					
	Complaints		Landlord/Tenant		TOTALS		Complaints		Landlord/Tenant		TOTALS	
New Castle County												
Court 9	473	88.9%	59	11.1%	532	100.0%	437	87.8%	61	12.2%	498	100.0%
Court 12	5,487	58.5%	3,888	41.5%	9,375	100.0%	5,821	58.2%	4,174	41.8%	9,995	100.0%
Court 13	6,068	69.0%	2,732	31.0%	8,800	100.0%	6,538	69.1%	2,919	30.9%	9,457	100.0%
Kent County												
Court 6	0	—	0	—	0	—	5	83.3%	1	16.7%	6	100.0%
Court 16	4,328	80.0%	1,080	20.0%	5,408	100.0%	3,993	79.8%	1,012	20.2%	5,005	100.0%
Court 8	0	—	0	—	0	—	10	90.9%	1	9.1%	11	100.0%
Sussex County												
Court 1	0	—	0	—	0	—	11	78.6%	3	21.4%	14	100.0%
Court 2	0	—	0	—	0	—	18	81.8%	4	18.2%	22	100.0%
Court 17	3,596	87.6%	511	12.4%	4,107	100.0%	3,597	87.8%	498	12.2%	4,095	100.0%
Court 19	2,951	90.2%	321	9.8%	3,272	100.0%	1,943	85.9%	318	14.1%	2,261	100.0%
Court 5	0	—	0	—	0	—	557	96.4%	21	3.6%	578	100.0%
State	22,903	72.7%	8,591	27.3%	31,494	100.0%	22,930	71.8%	9,012	28.2%	31,942	100.0%

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

REPORT OF THE PEACE COURTS

FISCAL YEAR 1992 CIVIL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

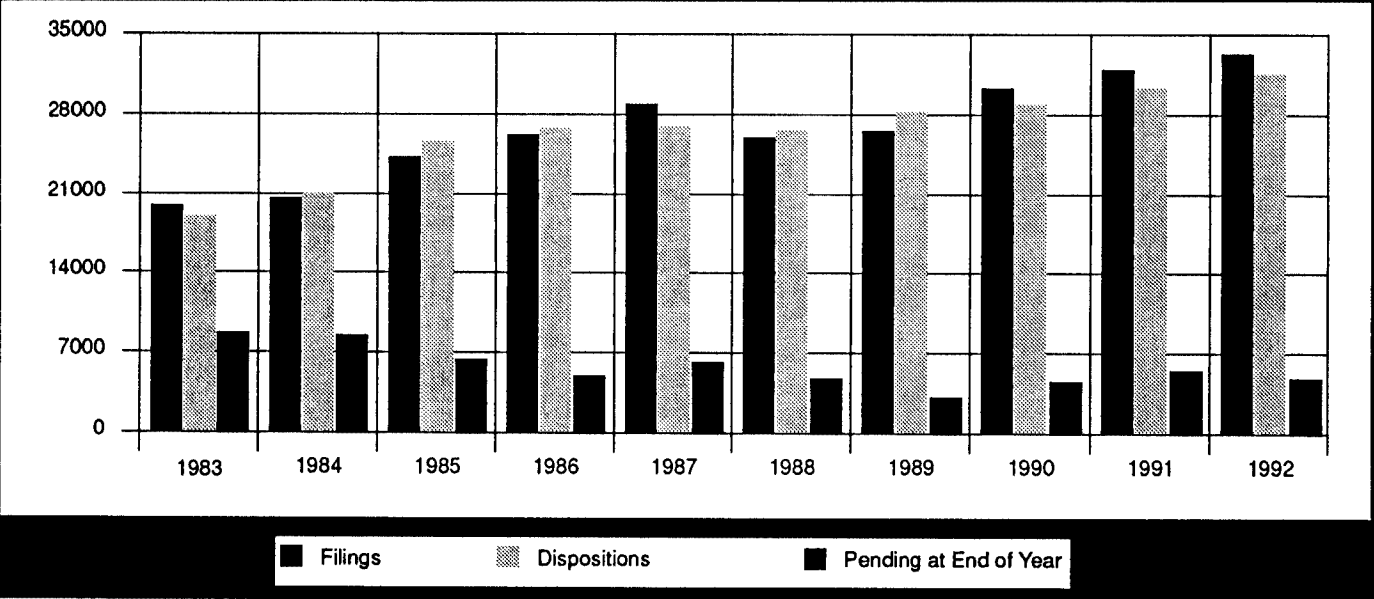
	Complaints	Landlord/Tenant	TOTALS
New Castle County			
Court 9	+ 36	- 2	+ 34
Court 12	- 334	- 286	- 620
Court 13	- 470	- 187	- 657
Kent County			
Court 6	- 5	- 1	- 6
Court 16	+ 335	+ 68	+ 403
Court 8	- 10	- 1	- 11
Sussex County			
Court 1	- 11	- 3	- 14
Court 2	- 18	- 4	- 22
Court 17	- 1	+ 13	+ 12
Court 19	+ 1,008	+ 3	+ 1,011
Court 5	- 557	- 21	- 578
State	- 27	- 421	- 448

COMPARISON - FISCAL YEARS 1991-1992 CIVIL CASES - CASELOAD

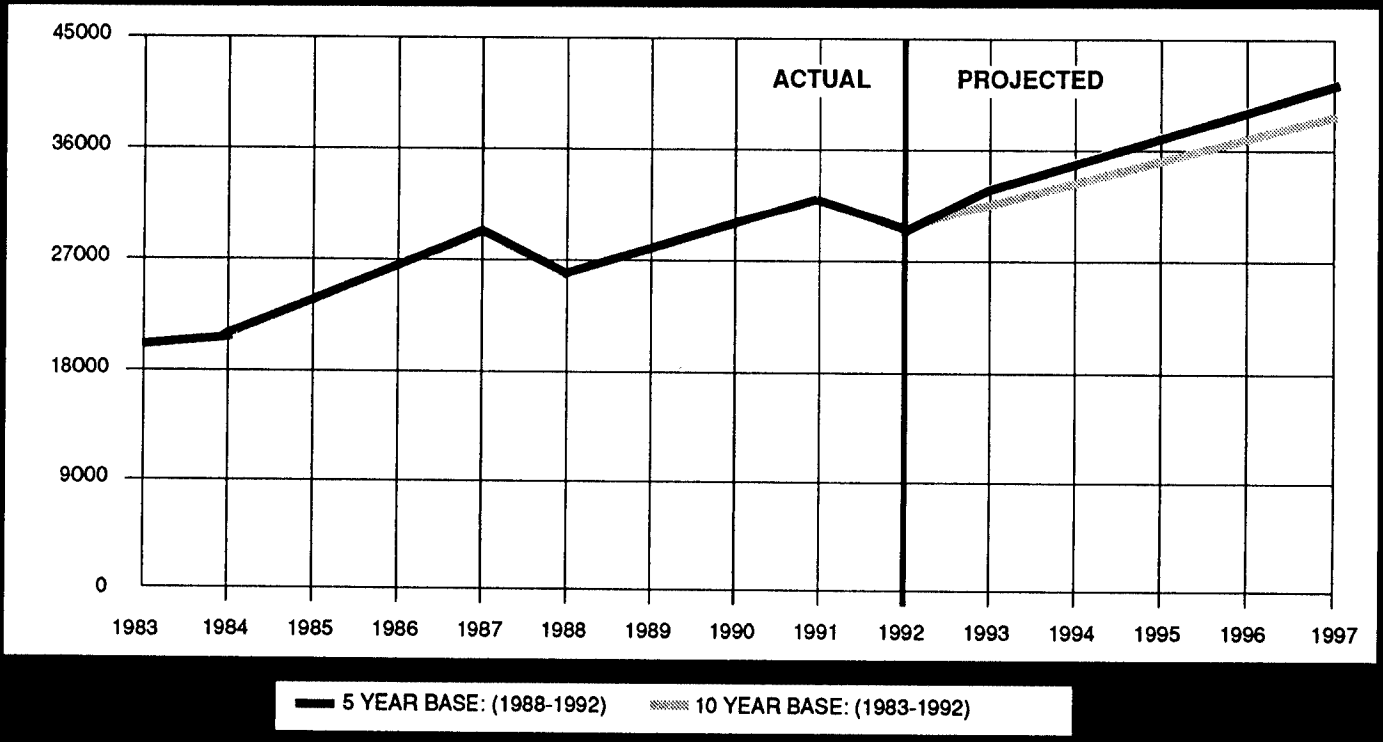
	FILINGS				DISPOSITIONS			
	1991	1992	Change	% Change	1991	1992	Change	% Change
New Castle County								
Court 9	389	532	+ 143	+ 36.8%	409	498	+ 89	+ 21.8%
Court 12	9,229	9,375	+ 146	+ 1.6%	9,658	9,995	+ 337	+ 3.5%
Court 13	8,882	8,800	- 82	- 0.9%	7,463	9,457	- 1,994	+ 26.7%
Kent County								
Court 6	3,200	0	- 3,200	- 100.0%	3,199	6	- 3,193	- 99.8%
Court 16	3,775	5,408	+ 1,633	+ 43.3%	3,809	5,005	+ 1,196	+ 31.4%
Court 8	297	0	- 297	- 100.0%	364	11	- 353	- 97.0%
Sussex County								
Court 1	654	0	- 654	- 100.0%	740	14	- 726	- 98.1%
Court 2	686	0	- 686	- 100.0%	723	22	- 701	- 97.0%
Court 17	2,746	4,107	+ 1,361	+ 49.6%	2,399	4,095	+ 1,696	+ 70.7%
Court 19	1,688	3,272	+ 1,584	+ 93.8%	1,587	2,261	+ 674	+ 42.5%
Court 5	1,193	0	- 1,193	- 100.0%	1,292	578	- 714	- 55.3%
State	32,739	31,494	- 1,245	- 3.8%	31,643	31,942	+ 299	+ 0.9%

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

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts

OFFICE OF THE PEACE COURTS

FISCAL YEAR 1992 RANKINGS IN ORDER OF TOTAL CASES FILED

1992 Rank (w/o VAC)	Court Number	Total Filings*	% w/o VAC	1991 Rank (w/o VAC)
1	Court 11	47,368	21.3%	1
2	Court 10	25,277	11.4%	3
3	Court 3	25,238	11.4%	4
4	Court 7	24,942	11.2%	2
5	Court 15	15,393	6.9%	6
6	Court 9	12,810	5.8%	8
7	Court 18	10,118	4.6%	10
8	Court 4	9,501	4.3%	7
9	Court 12	9,375	4.2%	11
10	Court 13	8,800	4.0%	12
11	Court 2	6,862	3.1%	5
12	Court 16	5,408	2.4%	15
13	Court 5	4,211	1.9%	13
14	Court 17	4,107	1.8%	17
15	Court 6	3,906	1.8%	9
16	Court 1	3,592	1.6%	14
17	Court 19	3,272	1.5%	18
18	Court 8	2,156	1.0%	16
19	Court 14	0	0.0%	19
	State w/o VAC	222,336	100.0%	
	VAC	94,359		
	State w/ VAC	316,695		

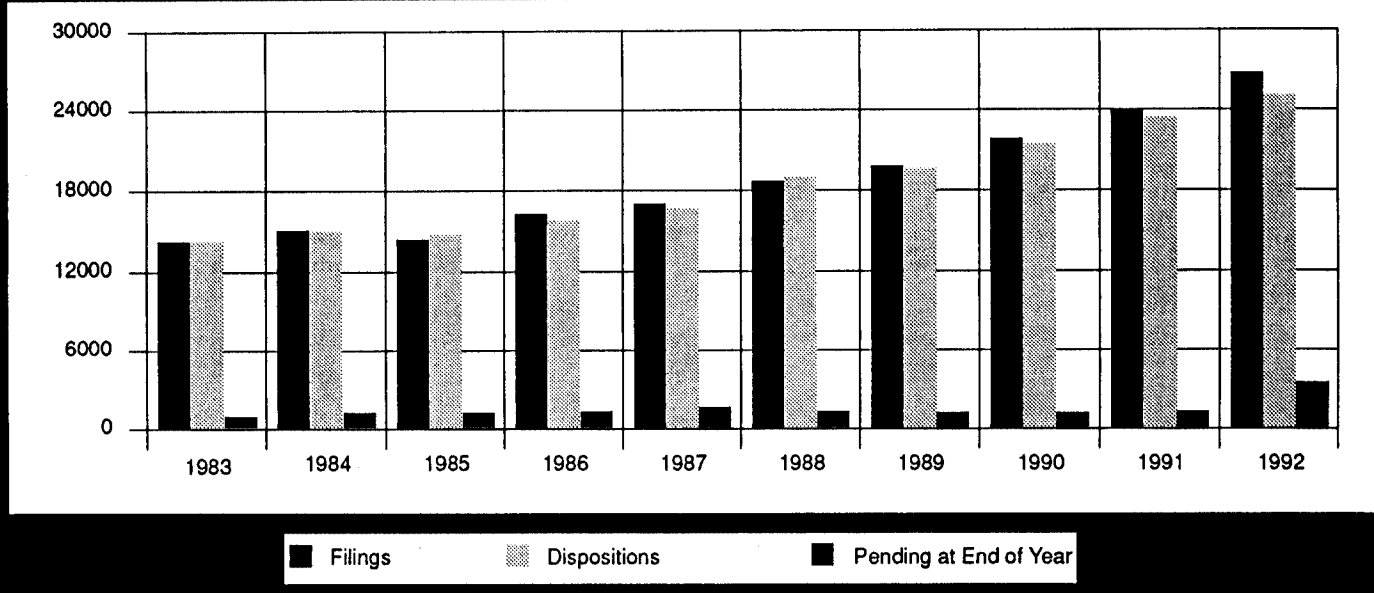
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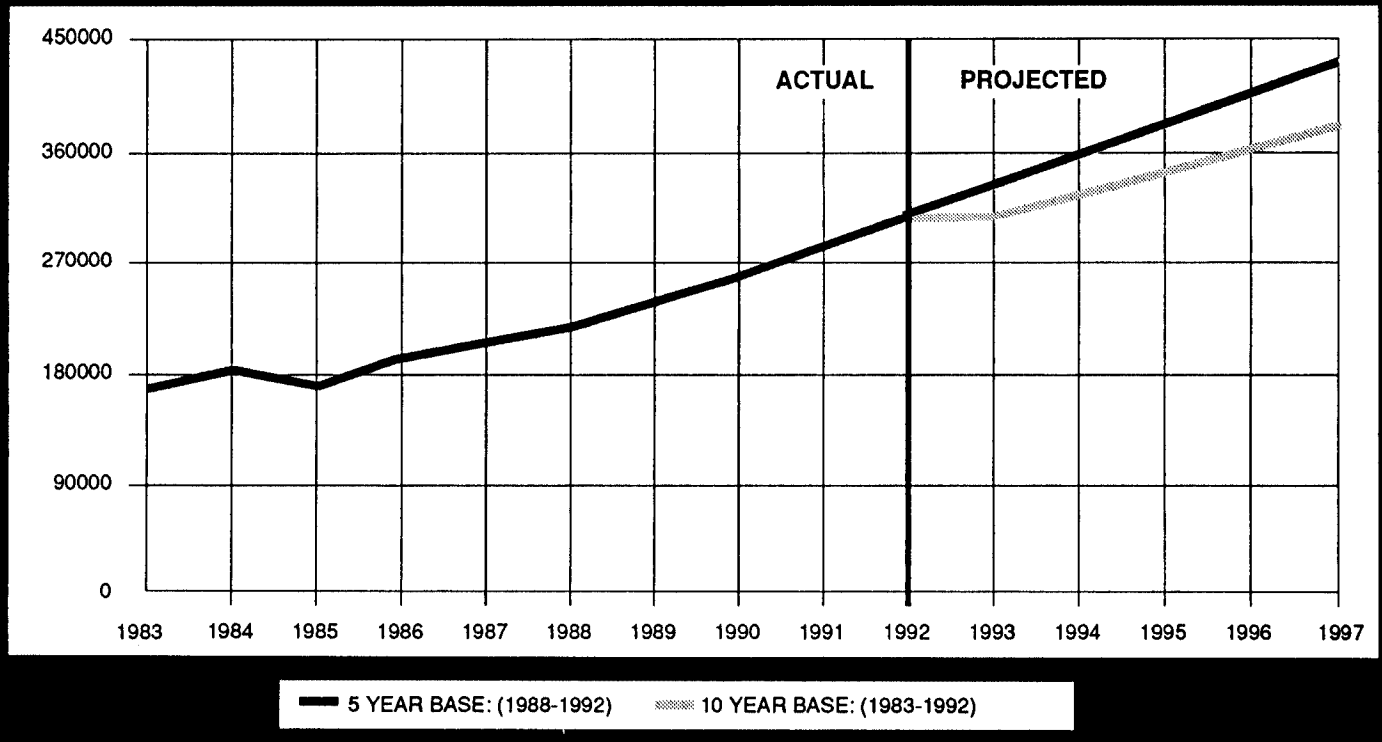
Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS — TOTAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts

Alderman's Courts

Chief Alderman Thomas B. Ferry (Newark)
Alderman Harold Britton Barber (Bethany Beach)
Deputy Chief Alderman Richard A. Barton (Fenwick Island)
Alderman Melanie M. Buchanan (Ocean View)
Alderman Michael J. DeFiore (Rehoboth Beach)
Alderman Donald F. Godfrey (Delmar)
Alderman Marvin Guberman (Dewey Beach)
Mayor John F. Klingmeyer (New Castle)
Alderman Annette Leech (Newport)
Alderman Willie A. Robert, Jr. (Bridgeville)
Alderman Edward Walmsley, Jr. (Laurel)

ALDERMAN'S COURT

Legal Authorization

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

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There were 11 active Alderman's or Mayor's Courts at the start of FY 1992; three 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

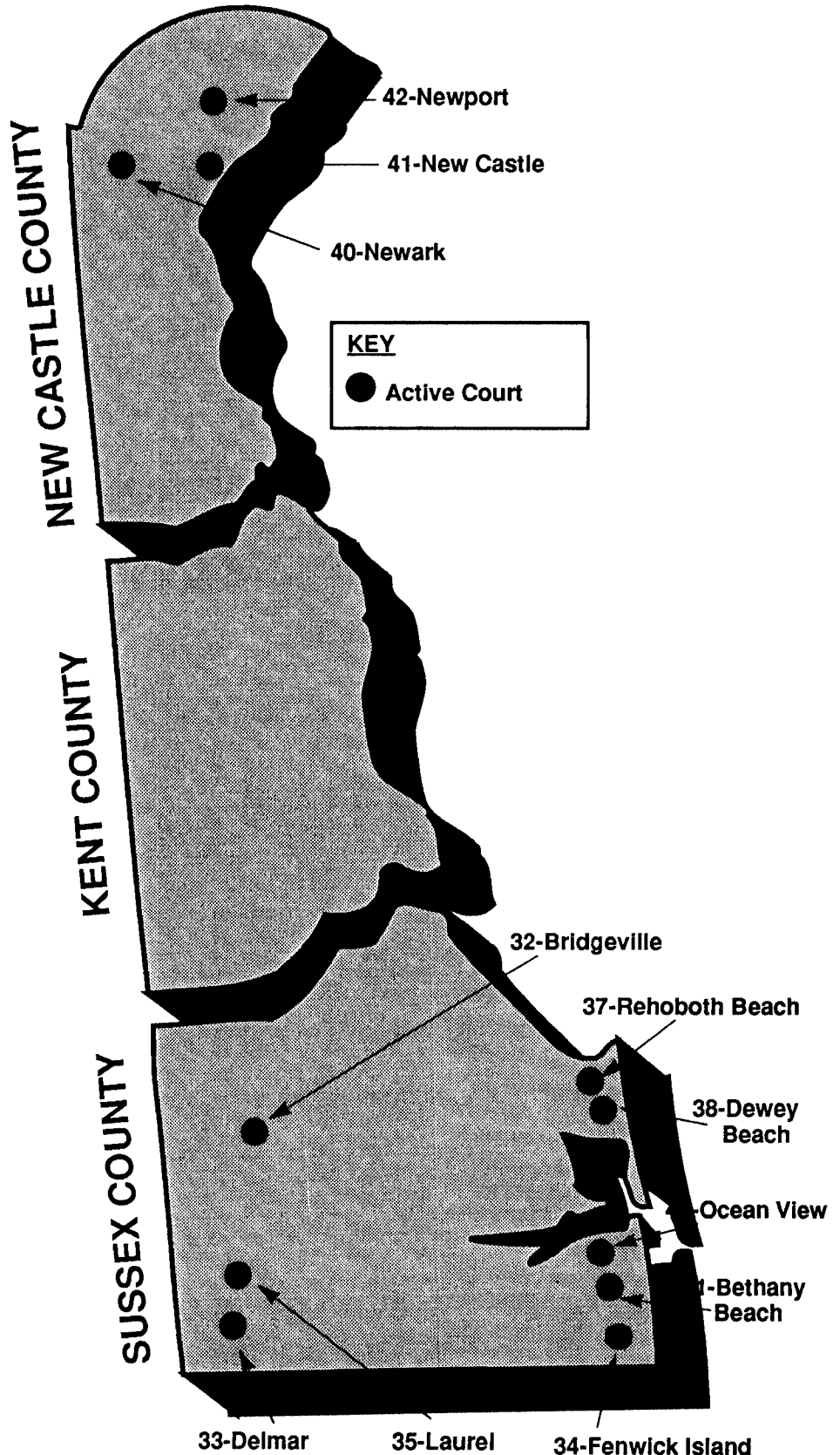
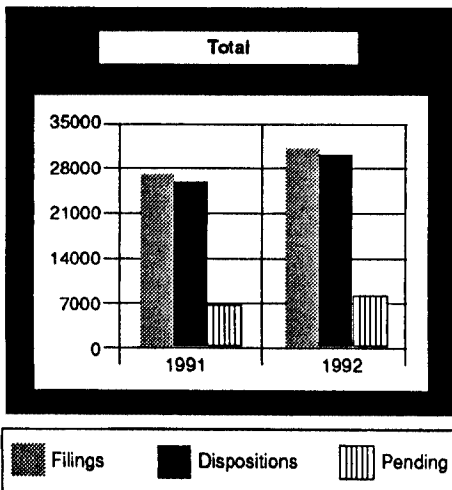
The jurisdiction of an Alderman's Court is limited to misdemeanors, traffic offenses, parking violations and minor civil matters. The specific jurisdiction of each court varies with the town charter (which is approved by the State Legislature). Appeals are taken de novo to Superior Court within 15 days 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 Trends

There was a rise of 12.9% in the total number of filings from an amended total of 27,402 in FY 1991 to a total of 31,446 in FY 1992. There was an increase in dispositions, with the total number of dispositions rising by 15.6% from an amended total of 26,192 in FY 1991 to 31,045 in FY 1992. The total number of cases pending at the end of the year increased as well, rising by 5.8% to 7,294 at the end of FY 1992 from an amended total of 6,893 at the end of FY 1991. Each of the measures of caseload activity were at new record levels for the Alderman's Courts during FY 1992.



ALDERMAN'S COURT

FISCAL YEAR 1992 TOTAL CASES * - CASELOAD SUMMARY

Court	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle County						
Elsmere	97 **	928	922	0	- 94	+ 100.0%
Newark	5,867	10,013	10,623	5,257	- 610	- 10.4%
New Castle	1	452	450	3	+ 2	+ 200.0%
Newport	122	5,545	5,328	339	+ 217	+ 177.9%
Sussex County						
Bethany Beach	178	2,972	2,493	657	+ 479	+ 269.1%
Bridgeville	415 **	5,472	5,107	780	+ 365	+ 88.0%
Delmar	145	539	508	175	+ 31	+ 21.4%
Dewey Beach	0	1,944	1,944	0	0	—
Fenwick Island	0	1,576	1,576	0	0	—
Laurel	0 **	1,052	1,052	0	0	—
Ocean View	0	0	0	0	0	—
Rehoboth Beach	71	1,053	1,042	82	+ 11	+ 15.5%
TOTALS	6,893 **	31,446	31,045	7,294	+ 401	+ 5.8%

FISCAL YEAR 1992 CRIMINAL CASES * - CASELOAD SUMMARY

Court	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change In Pending
New Castle County						
Elsmere	0	0	0	0	0	—
Newark	1,459	4,060	4,494	1,025	- 434	- 29.7%
New Castle	0	2	2	0	0	—
Newport	0	0	0	0	0	—
Sussex County						
Bethany Beach	0	0	0	0	0	—
Bridgeville	0	1	1	0	0	—
Delmar	27	99	79	47	+ 20	- 74.1%
Dewey Beach	0	1,164	1,164	0	0	—
Fenwick Island	0	20	20	0	0	—
Laurel	0 **	492	492	0	0	—
Ocean View	0	0	0	0	0	—
Rehoboth Beach	0	346	342	4	+ 4	—
TOTALS	1,486 **	6,184	6,594	1,076	- 410	- 27.6%

*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.

**Amended from 1991 Annual Report.

Source: Alderman's Courts, Administrative Office of the Courts.

FISCAL YEAR 1992 TRAFFIC CASES * - CASELOAD SUMMARY

Court	Pending 6/30/91	Filings	Dispositions	Pending 6/30/92	Change In Pending	% Change in Pending
New Castle County						
Elsmere	94 **	828	922	0	- 94	- 100.0%
Newark	4,408	5,953	6,129	4,232	- 176	- 4.0%
New Castle	1	450	448	3	+ 2	+ 200.0%
Newport	122	5,545	5,328	339	+ 217	+ 177.9%
Sussex County						
Bethany Beach	178	2,972	2,493	657	+ 479	+ 269.1%
Bridgeville	415 **	5,471	5,106	780	+ 365	+ 88.0%
Delmar	118	440	429	129	+ 11	+ 9.3%
Dewey Beach	0	780	780	0	0	—
Fenwick Island	0	1,556	1,556	0	0	—
Laurel	0 **	560	560	0	0	—
Ocean View	0	0	0	0	0	—
Rehoboth Beach	71	707	700	78	+ 7	+ 9.9%
TOTALS	5,407 **	25,262	24,451	6,218	+ 811	+ 15.0%

COMPARISON - FISCAL YEARS 1991-1992 TOTAL CASES- CASELOAD

Number of Filings*

COURT	1991	1992	Change	% Change
New Castle				
Elsmere	3,142	828	- 2,314	- 73.6%
Newark	10,177	10,013	- 164	- 1.6%
New Castle	648	452	- 196	- 30.2%
Newport**	3,191	5,545	+ 2,354	+ 73.8%
Sussex County				
Bethany Beach	1,777	2,972	+ 1,195	+ 67.2%
Bridgeville	2,674 **	5,472	+ 2,798	+104.6%
Delmar	302	539	+ 237	+ 44.0%
Dewey Beach	1,179	1,944	+ 765	+ 64.9%
Fenwick Island	1,249	1,576	+ 327	+ 26.2%
Laurel	1,368 **	1,052	- 316	- 30.0%
Ocean View	4	0	- 4	-100.0%
Rehoboth Beach	1,691	1,053	- 638	- 37.7%
TOTALS	27,402 **	31,446	+ 4,044	+ 12.9%

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

**Amended from 1991 Annual Report.

Source: Alderman's Courts, Administrative Office of the Courts.

ALDERMAN'S COURT

COMPARISON - FISCAL YEARS 1991-1992 TOTAL CASES- CASELOAD (cont'd.)

Number of Dispositions*				
COURT	1991	1992	Change	% Change
New Castle				
Elsmere	3,130 **	922	- 2,208	- 70.5%
Newark	9,162	10,623	+ 1,461	+ 15.9%
New Castle	647	450	- 197	- 30.4%
Newport	3,120	5,328	+ 2,208	+ 70.8%
Sussex County				
Bethany Beach	1,599	2,483	+ 894	+ 55.9%
Bridgeville	2,684 **	5,107	+ 2,423	+ 90.3%
Delmar	331	508	+ 177	+ 53.5%
Dewey Beach	1,179	1,944	+ 765	+ 64.9%
Fenwick Island	1,249	1,576	+ 327	+ 25.2%
Laurel	1,368	1,052	- 345	- 23.1%
Ocean View	4	0	- 4	-100.0%
Rehoboth Beach	1,719	1,042	- 677	- 39.4%
TOTALS	26,192 **	31,045	+ 4,853	+ 15.6%

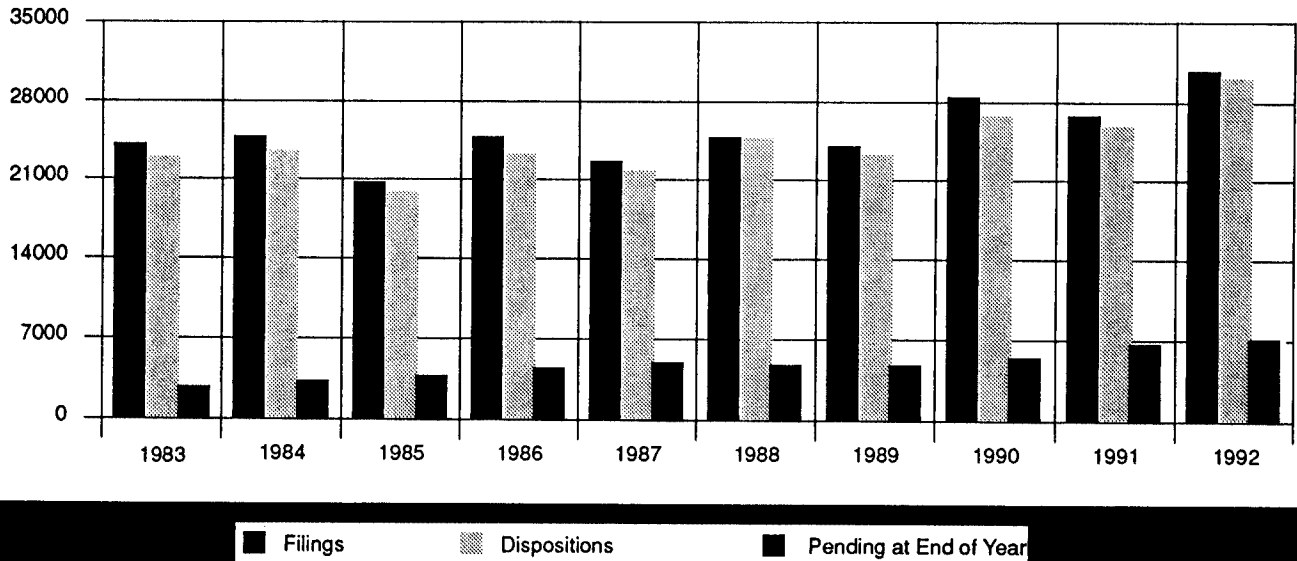
FISCAL YEAR 1992 — RANKING IN ORDER OF TOTAL CASES FILED

Rank	Total Number of Filings*	Percentage of Total	FY 1991 Rank
1 Newark	10,013	31.8%	1
2 Newport	5,545	17.6%	2
3 Bridgeville	5,472	17.4%	4
4 Bethany Beach	2,972	9.5%	5
5 Dewey Beach	1,944	6.2%	9
6 Fenwick Island	1,576	5.0%	8
7 Rehoboth Beach	1,053	3.3%	6
8 Laurel	1,052	3.3%	7
9 Elsmere	828	2.6%	3
10 Delmar	539	1.7%	11
11 New Castle	452	1.4%	10
12 Ocean View	0	0.0%	12
TOTALS	31,446	100.0%	

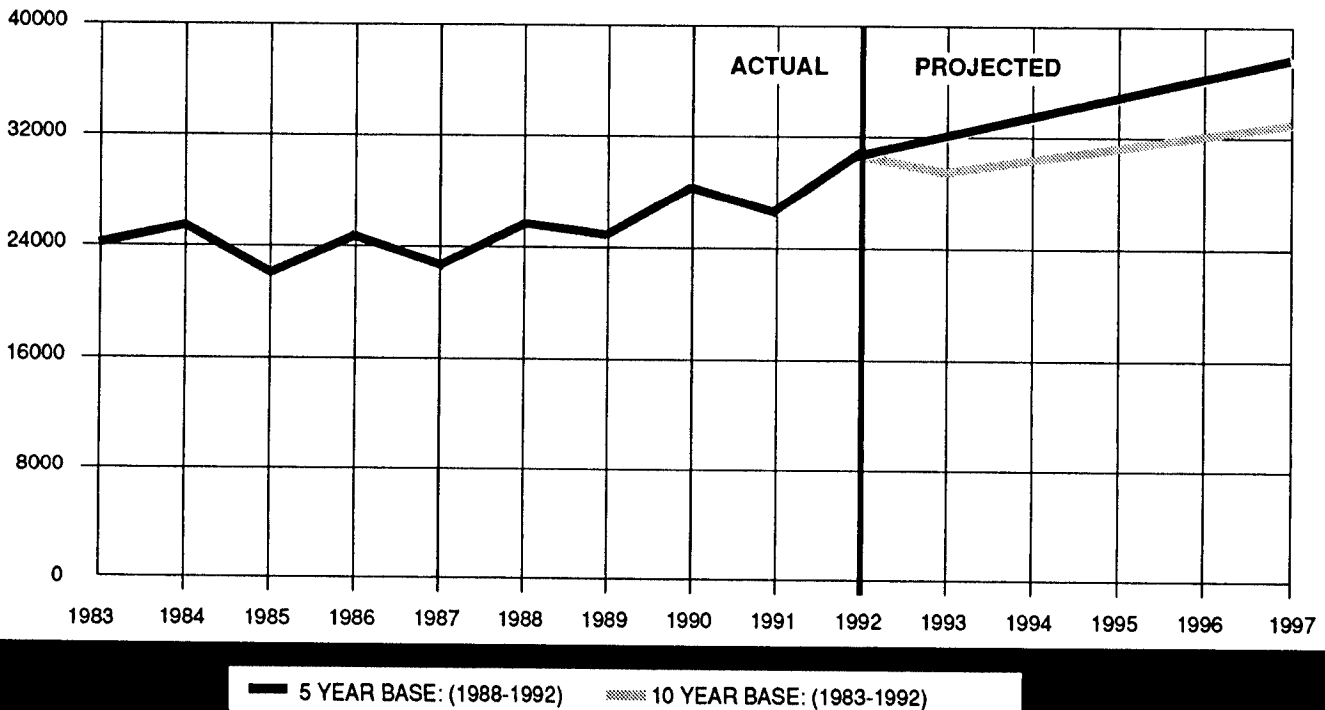
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 **Amended from 1991 Annual Report.
 Source: Alderman's Courts, Administrative Office of the Courts.

ALDERMAN'S COURT — TOTAL

10 YEAR CASELOAD TREND



5 YEARS PROJECTED FILINGS BASED ON 10 YEARS ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

Judicial Agencies and Bodies

ADMINISTRATIVE OFFICE OF THE COURTS

Legal Authorization

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

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 support personnel as required.

Duties

A description of the duties of the Administrative Office of the Courts is provided in the chapter, "The Administration of the Delaware Judicial System."

DELAWARE COURTS PLANNING COMMITTEE

History

The Delaware Courts Planning Committee (formerly 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."

Membership

The Chief Justice appoints individuals to serve as members on the Committee.

The current twenty-six member Committee contains representation from all of the courts as well as lawyers statewide. The present co-chairmen of the Committee are Justice Joseph T. Walsh and Victor F. Battaglia, Sr., Esq.

The other members of the Judiciary on the Committee are Justice Andrew G. T. Moore, II, Vice Chancellors Maurice A. Hartnett, III, and Carolyn Berger, President Judge Henry duPont Ridgely, Judge Susan C. DelPescio, Chief Judge Vincent J. Poppiti, Judge Jay Paul James, Judge Arthur F. DiSabatino, Judge Alex J. Smalls, and Chief Magistrate William F. Richardson.

The non-judicial members of the Committee are Sidney Balick, Esq., O. Francis Biondi, Esq., Thomas J. Capano, Esq., Howard M. Handelman, Esq., Joseph M. Kwiatkowski, Esq., Attorney General Charles M. Oberly, III, Bernard J. O'Donnell, Esq., Richard E. Poole, Esq., Harvey B. Rubenstein, Esq., John F. Schmutz, Esq., Carl Schnee, Esq., Dennis L. Schrader, Esq., Bruce M. Stargatt, Esq., and Gerald I. Street, Esq., Lowell L.

Groundland, Director of the Administrative Office of the Courts, serves as Secretary to the Committee

Accomplishments

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, the provision of adequate court facilities and making the Prothonotaries appointed rather than elected officials. The Committee is currently 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. Sufficient judicial and support staff for the courts, courthouse security, adequate court facilities and court consolidation remain areas of continuing special concern.

In recognition of the Committee's outstanding contribution to the administration of justice for 22 years, Chief Justice E. Norman Veasey views its role as essential to dealing with all important issues confronting the courts. The Chief Justice desires to keep the Committee actively engaged in its pursuit of measures which will be advantageous for the court system and to the administration of justice in Delaware.

JUDICIAL AGENCIES AND BODIES

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 81.

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 the Bench and Bar and reviews continuing judicial education programs.

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 presides over the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Meetings of the Conference are held during the months of December and June as selected by the Chief Justice. Additional meetings may be called by the Chief Justice or by the senior Justice if he is absent.

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. The Chief Justice appoints judges from each of the State courts and the Chief Magistrate to serve on the Judicial Education Committee with the charge to design and direct the implementation of educational programs which will permit members of the Judiciary to meet the requirements of the Rule.

Through funds provided by the General Assembly, the Committee plans in-state continuing judicial education programs at an annual seminar and arranges for 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 Jerome O. Herlihy, Judge Jay Paul James, Judge William C. Bradley, Jr., and Chief Magistrate William F. Richardson. The Training Administrator of the Administrative Office of the Courts is the coordinator of the judicial education programs. Guest lecturers and speakers at each seminar have included distinguished jurists, legal scholars, and others with expert knowledge in matters of importance to the judicial function.

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 AGENCIES AND BODIES

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. Assistance is given to persons using 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 Law Library Assistant. The Kent County Law Library, due to its location, is designated as the State Library, with about 25,000 volumes and is staffed by the Law Librarian and a Law Library Assistant. 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.

EDUCATIONAL SURROGATE PARENT PROGRAM

Legal Authorization

The Educational Surrogate Parent (ESP) Program is authorized by 14 *Del. C.* §31 32.

Purpose

P.L. 94-142, the Federal special education law, requires that each state have a system for providing trained volunteers to represent the interests of special education children in State custody whose parents are not available. The ESP has authority to act on the child's behalf in all decision making processes concerning the child's educational placement and services. Enough volunteers must be recruited, trained, and supported to ensure that every eligible child as an ESP.

Geographic Organization

The program is statewide. ESPs are available in all school districts. Each eligible child is matched with an appropriate volunteer in his/her geographical area.

The Coordinator's office is located in Wilmington.

Personnel

In FY 1992 107 ESPs were appointed or available. ESPs are certified by the Department of Public Instruction and serve as long as they are willing and continue to meet the certification requirements. The program is administered by a Coordinator.

Caseload

During FY 1992, 23 new ESPs were trained, 42 appointments were processed and 102 children were represented by an ESP.

JUDICIAL AGENCIES AND BODIES

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 aged or 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 guardian of both 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 a Deputy Public Guardian; an administrative officer, one full-time and two part-time caseworkers, and an accounting clerk in providing guardianship services.

Caseload

The Office of the Public Guardian received 114 referrals during FY 1992, of which 30 were deemed to need the services of the Public Guardian as a guardian. It was determined that the remaining 84 referrals during FY 1992 were not in need of guardianship to resolve their problems and were served by utilizing the resources of other state and private agencies.

There was a 38.0% decrease in total referrals from 184 in FY 1991 to 114 in FY 1992. Total dispositions fell slightly from 147 in FY 1991 to 144 in FY 1992. The total pending fell by 19.4% to 125 at the end of FY 1992 from 155 at the end of FY 1991.

FISCAL YEAR 1992 PUBLIC GUARDIAN - CASELOAD BREAKDOWNS

	Pending 6/30/91	New Referrals	Cases Closed	Pending 6/30/92	Change In Pending	% Change In Pending
Guardianships	105	30	31	104	- 1	- 0.1%
Investigations	50	84	113	21	- 29	- 58.0%
TOTALS	155	114	144	125	- 30	- 19.4%

COMPARISON - FISCAL YEARS 1991-1992 PUBLIC GUARDIAN - CASELOAD

NEW REFERRALS

	1991	1992	Change	% Change
Guardianships	57	30	- 27	- 47.4%
Investigations	127	84	- 43	- 33.9%
TOTALS	184	114	- 70	- 38.0%

COMPARISON - FISCAL YEARS 1991-1992 PUBLIC GUARDIAN - CASELOAD

CASES CLOSED

	1991	1992	Change	% Change
Guardianships	17	31	+ 14	+ 82.4%
Investigations	130	113	- 17	+ 13.1%
TOTALS	147	144	- 3	- 2.0%

FOSTER CARE REVIEW BOARD

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 in placement throughout 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; 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.

The Board's committee conducts semi-annual reviews of foster children which consist of interviewing the agency social worker, the foster parents, the child and the interested parties in order to determine if the case plan for the child is appropriate. The Board issues recommendations and may petition Family Court for a judicial hearing on behalf of the child.

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. 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 out of home programs.

Geographic Organization

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

Personnel

Approximately 90 citizen volunteers comprised the Foster Care Review Board in Fiscal Year 1992. 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 1992, the Board conducted 1,340 reviews of children in foster care. The Board's volunteer based program generates about 10,000 volunteer hours annually.

The Board also administers the Iwayne Davis D.F. Memorial Scholarship, which allocated approximately \$25,000 to colleges in FY 1992 on behalf of seven deserving Delaware residents who have been in foster care.

VIOLENT CRIMES COMPENSATION BOARD

Legal 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 \$25,000 in compensation to those who are victimized in the State of Delaware. The Board receives an 18% 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 chairman, a vice-chairman and three additional Board members. Each member is appointed by the Governor and must be approved by the Senate before serving on the Board. The term of each Board member is three years so 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 eight at one time. The Board currently employs an executive director, an administrative officer, two claim investigators, one administrative secretary, and one senior secretary.

Caseload Trend

In Fiscal Year 1992, the Board received 433 applications for compensation. During this operational period a total of 512 claims were processed. The Board disbursed \$1,906,780 to a total of 379 successful applicants. From FY 1975 through FY 1992, the Board has received 3,445 personal injuries/ death benefits claim forms and has awarded over \$10,000,000. Revenue receipts for FY 1992 totalled \$1,921,282.54, consisting mostly of \$1,854,401.44 from the 18% penalty assessment.

Directory

SUPREME COURT

General Information: 739-4155

Judiciary

Chief Justice E. Norman Veasey
 Justice Henry R. Horsey
 Justice Andrew G.T. Moore, II
 Justice Joseph T. Walsh
 Justice Randy J. Holland

Court Administrator

Stephen D. Taylor

Clerk of the Court/Staff Attorney

Margaret L. Naylor, Esquire

COURT OF CHANCERY

General Information: 577-2440

Judiciary

Chancellor William T. Allen
 Vice-Chancellor Maurice A. Hartnett, III
 Vice-Chancellor Carolyn Berger
 Vice-Chancellor Jack B. Jacobs
 Vice-Chancellor William B. Chandler, III

Master in Chancery

Richard C. Kiger, Esquire

Registers in Chancery**New Castle County**

Priscilla B. Rakestraw

Kent County

Loretta L. Wooten

Sussex County

David L. Wilson, Sr

Registers of Wills**New Castle County**

Joseph F. Flickinger, III

Kent County

Ross W. Trader

Sussex County

Howard Clendaniel

SUPERIOR COURT

General Information: 577-2380

Judiciary

President Judge Henry duPont Ridgely
 Resident Judge Vincent A. Bifferato
 Associate Judge Bernard Balick
 Associate Judge Richard S. Gebelein
 Associate Judge John E. Babiarz, Jr.
 Resident Judge William Swain Lee
 Associate Judge Susan C. Del Pesco
 Resident Judge Myron T. Steele
 Associate Judge Norman A. Barron
 Associate Judge Jerome O. Herlihy
 Associate Judge T. Henley Graves
 Associate Judge Charles H. Tolliver, IV
 Associate Judge Carl G. Goldstein
 Associate Judge Haile L. Alford
 Associate Judge Richard R. Cooch

Court Commissioner

Bernard Conaway

Court Administrator

Thomas J. Ralston

Deputy Court Administrator

Felicia Jones - New Castle County

Jesse Williams - Kent/Sussex Counties

Prothonotaries**New Castle County**

Sharon Agnew

Kent County

Mary Jane Smith

Sussex County

Jeffrey L. Howell

FAMILY COURT

General Information: 577-2200

Judiciary

Chief Judge Vincent J. Poppiti
 Associate Judge Robert W. Wakefield
 Associate Judge James J. Horgan
 Associate Judge Jay Paul James
 Associate Judge Jay H. Conner
 Associate Judge Peggy L. Ableman
 Associate Judge Charles K. Keil
 Associate Judge Battle R. Robinson
 Associate Judge Kenneth M. Millman
 Associate Judge William N. Nicholas
 Associate Judge Jean A. Crompton
 Associate Judge William J. Walls
 Associate Judge Alison Whitmer Tumas

Masters

Frederick H. Kenney, Chief Master

John R. Carrow

Courtney Collier

Carolee M. Grilla

Gary E. Grubb

Mary Ann Herlihy

Pamela Deeds Holloway

Andrew T. Horsey, Jr.

Susan F. Paikin

Martha Saekovich

Andrew K. Southmayd

Court Administrator

Edward G. Pollard, Jr.

Directors of Operations

Randall K. Williams

Harry H. Hill, III

Robert F. Stuart

COURT OF COMMON PLEAS

General Information: 577-2430

Judiciary

Chief Judge Robert H. Wahl
 Judge Arthur F. DiSabatino
 Judge Merrill C. Trader
 Judge Paul E. Ellis
 Judge William C. Bradley, Jr.

Court Administrator

Carole B. Kirshner

Clerks of the Court**New Castle County**

Frederick Kirch

Kent County

Teresa Lindale

Sussex County

Doris Wilkins

MUNICIPAL COURT

General Information: 571-4530

Judiciary

Chief Judge Alfred Fraczkowski
 Associate Judge Leonard L. Williams
 Associate Judge Alex J. Smalls

Clerk of the Court

T. Roger Barton

JUSTICE OF THE PEACE COURTS

General Information: 323-4530

JUDICIARY

Chief Magistrate William F. Richardson
Justice of the Peace David R. Anderson
Justice of the Peace Robert A. Armstrong
Justice of the Peace Ernst M. Arndt
Justice of the Peace Margaret L. Barrett
Justice of the Peace William L. Boddy, III
Justice of the Peace Richard L. Brandenburg
Justice of the Peace William W. Brittingham
Justice of the Peace Karen N. Bundek
Justice of the Peace Francis G. Charles
Deputy Chief Magistrate Ronald E.
Cheeseman

Justice of the Peace Thomas E. Cole
Justice of the Peace Richard D. Comly
Justice of the Peace Edward G. Davis
Justice of the Peace Frederick W. Dewey, Jr.
Justice of the Peace Walter J. Godwin
Justice of the Peace Wayne R. Hanby
Justice of the Peace William W. Henning, Jr.
Justice of the Peace William J. Hopkins, Jr.
Justice of the Peace Barbara C. Hughes
Justice of the Peace Virginia W. Johnson
Justice of the Peace Vivian K. Kleinman
Justice of the Peace James C. Koehring
Justice of the Peace Bonita N. Lee
Justice of the Peace Kathleen C. Lucas
Justice of the Peace Joseph W. Maybee
Justice of the Peace John P. McLaughlin
Justice of the Peace Joseph R. Melson, Jr.
Justice of the Peace Howard W. Mulvaney, III
Justice of the Peace Barry B. Newstadt
Justice of the Peace Joyce E. Nolan
Justice of the Peace John W. O'Bier
Justice of the Peace Ellis B. Parrott
Justice of the Peace Agnes E. Pennella
Justice of the Peace Stanley J. Petraschuk
Justice of the Peace Mable M. Pitt
Justice of the Peace William F. Plack, Jr.
Justice of the Peace Edward M. Poling
Justice of the Peace Russell T. Rash
Justice of the Peace William S. Rowe, Jr.
Justice of the Peace Marcealeate S. Ruffin
Justice of the Peace Rosalie O. Rutkowski
Justice of the Peace David R. Skelley
Justice of the Peace Paul J. Smith
Justice of the Peace Alice W. Stark
Deputy Chief Magistrate Charles M. Stump
Justice of the Peace Rosalind Toulson
Justice of the Peace Abigayle E. Truitt
Deputy Chief Magistrate Sheila G. Wilkins

Court Administrator

Thomas W. Nagle

Operations Manager

New Castle County

Ann A. Lewis

Kent/Sussex County

Vacant

Clerks of the Court

Wanda Abbott (Court 19)
Barbara Adams (Court 3)
Joanne Ash (Court 2)
Marilyn Burbage (Court 6)
Linda Chapman (Court 18)
Mildred Dorris (Court 10)
Ann Marie Ellingsworth (Court 12)
Sheila Fox (Court 16)
Ethel Iacono (Court 13, Court 14)
Gaile Kerrigan (Court 11)
Debbie Long (Court 1)
Mary Lee Lowe (Court 4)
Jill Magee (Court 5)
Marjorie Nolette (Court 7)
Linda Parton (Court 8)
Eunice Ridgeway (Court 17)
Agnes Thompson (Court 9)
Cindy Veal (Court 15)

ALDERMAN'S COURTS

Chief Alderman Thomas B. Ferry (Newark)
Alderman Harold Britton Barber
(Bethany Beach)
Deputy Chief Alderman Richard A. Barton
(Fenwick Island)
Alderman Melanie M. Buchanan (Ocean View)
Alderman Michael J. DeFiore (Rehoboth Beach)
Alderman Donald F. Godfrey (Delmar)
Alderman Marvin Guberman (Dewey Beach)
Mayor John F. Klingmeyer (New Castle)
Alderman Annette Leech (Newport)
Alderman Willie A. Robert, Jr. (Bridgeville)
Alderman Edward Walmsley, Jr. (Laurel)

ADMINISTRATIVE OFFICE OF THE COURTS

Director

Lowell L. Groundland

Deputy Director

Michael E. McLaughlin

LAW LIBRARIES

Law Librarians

New Castle County

Rene Yucht

Kent County

Aurora Gardner

Sussex County

Mary Tylecki Dickson

OFFICE OF THE PUBLIC GUARDIAN

Public Guardian

Mary Bergstrom

FOSTER CARE REVIEW BOARD

Executive Director

Barbara A. Brown

VIOLENT CRIMES

COMPENSATION BOARD

Executive Director

Edward Stansky



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