



2007 ANNUAL REPORT  
OF THE  
DELAWARE JUDICIARY



**Published by:**

**Administrative Office of the Courts  
500 North King Street, Suite 11600  
Wilmington, Delaware 19801  
(302) 255-0090**

**<http://courts.delaware.gov> (Delaware Judiciary)**

**<http://courts.delaware.gov/AOC/Annual Reports/FY07>  
(2007 Annual Report and Statistical Report of the Delaware Judiciary)**

The AOC would like to offer special thanks to J. Stuart Griffin for his photographic expertise and assistance in creating the cover page of this Annual Report.

# TABLE OF CONTENTS



## DELAWARE COURTS: A FAIR AND INDEPENDENT JUDICIARY

Message from the Chief Justice . . . . .	1
Why a Fair & Independent Judiciary Matters. . . . .	4
Delaware Chief Justices—Leaders of the Judicial Branch . . . . .	5
Administrative Office of the Courts . . . . .	9
Artwork in the New Castle County Courthouse . . . . .	13
Highlights . . . . .	18
Fiscal Overview . . . . .	21
The Delaware Courts . . . . .	27
Supreme Court . . . . .	32
Court of Chancery . . . . .	37
Superior Court . . . . .	40
Family Court . . . . .	46
Court of Common Pleas . . . . .	56
Justice of the Peace Court . . . . .	62



PWG

## MESSAGE FROM THE CHIEF JUSTICE



*"The dignity and stability of government in all its branches, the morals of the people and every blessing of society depend so much upon an upright and skillful administration of justice, that the judicial power ought to be distinct from both the legislative and executive and independent upon both, that so it may be a check upon both, as both should be checks upon that."*

*Thomas Jefferson to George Wythe, 1776.*

## HONORABLE MYRON T. STEELE

In creating the new nation, our founding fathers emphasized that separation of powers of the three co-equal branches of government was critical to a democracy. Today, as in 1776, a fair and independent judiciary is a key component of our system of government. It is necessary that judges must be both free, and perceived to be free, from outside influence in order to ensure confidence that courts decide cases based solely on the law and the facts. To ensure a fair and independent judiciary, it is critical that the judiciary personifies the highest standards of excellence and integrity. In this regard, Delaware is indeed fortunate as the outstanding quality of our judiciary is recognized nationally and internationally.

For example, the Supreme Court and the Court of Chancery, as institutions, were recently named fifth most influential among individuals and entities shaping agendas in boardrooms across the country by the *Directorship*, a leading magazine for public company board directors. The *Directorship* noted that the Delaware Courts have frequently "established the tone and legal direction of corporate governance in America" and that the Court of Chancery is often referred to as "the chief arbiter of right and wrong in Corporate America." The *Directorship* further lauded the Supreme Court and Court of Chancery stating that they "are seen as fair and reasonable with the most efficient litigation practices, and their influence on corporate governance matters rivals that of the SEC or Congress." No other state or federal courts were included in the *Directorship 100*.

This year, the Delaware Courts, the Superior Court in particular, were named for the sixth consecutive year as the premier forum for commercial litigation in the nation by the Harris Poll State Liability Systems Ranking Study of the United States Chamber of Commerce Institute for Legal Reform. This outstanding recognition re-

## MESSAGE FROM THE CHIEF JUSTICE

flects the intense effort, dedication and expertise of our Superior Court judges and staff.

Delaware's Family Court leads its field. For example, this year, the Court initiated a Mental Health Diversion Court for juveniles using federal grant money and recently began a pilot domestic violence court in each county. During the past year, the Family Court also established a pilot call-in center in New Castle County with trained representatives to answer Family Court related questions. This pilot program has enhanced the level of service and accessibility provided to the Court's customers and improved operating efficiencies.

Our other trial courts' innovative programs to improve the delivery of legal services also contribute to the reputation of the Delaware Judiciary. In addition to maintaining a high volume caseload, the Court of Common Pleas has been successfully using a mediation program with 716 criminal and 56 civil cases referred in FY 2007. The Justice of the Peace Court has continued to develop its innovative truancy court program, introducing wraparound services for families of youth who have a history of truancy or are at risk of being truant. That Court has also initiated a successful pilot caspias reduction plan.

I am also pleased to report that the Judicial Branch has made significant progress in implementing its new case management system (COTS), with the successful introduction of the civil system in the Justice of the Peace Courts. Work continues on implementing the COTS civil system in the other courts and on the criminal case management system. Achieving our goals in a timely way and in a manner satisfactory to all remains a daunting task. Only with continued hard work and cooperative spirit will we succeed.

The Judiciary's commitment to those we serve is evident as we pursue a business-like approach to enhancing the effectiveness of court operations while facing a dramatic caseload growth. A snapshot review of filings in all courts (as noted in the chart on the next page) indicates that overall case filings have increased by 58% from 1997-2007. This does not account for the tremendous workload growth that has occurred in recent years that cannot be measured simply by counting the escalating number of cases. For example, from 2002 to 2007, alone, the Superior Court processed 30,461 violations of probation (VOP) arising from 50,000 VOP accusations and other post-judgment proceedings (which are not counted as case filings) for an increase of 5% over those five years. The Family Court's Court Improvement Project has radically changed the Court's handling of dependency and neglect cases to heighten court involvement, in order to reduce the time it takes for a child to attain placement in a permanent home and save expense to the State, as well as to meet federally imposed, unfunded guidelines.

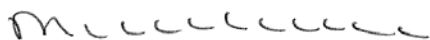
It is with these demands in mind that we focus on the importance of maintaining and supporting a fair and independent Judiciary. I am proud of the contributions of

## MESSAGE FROM THE CHIEF JUSTICE

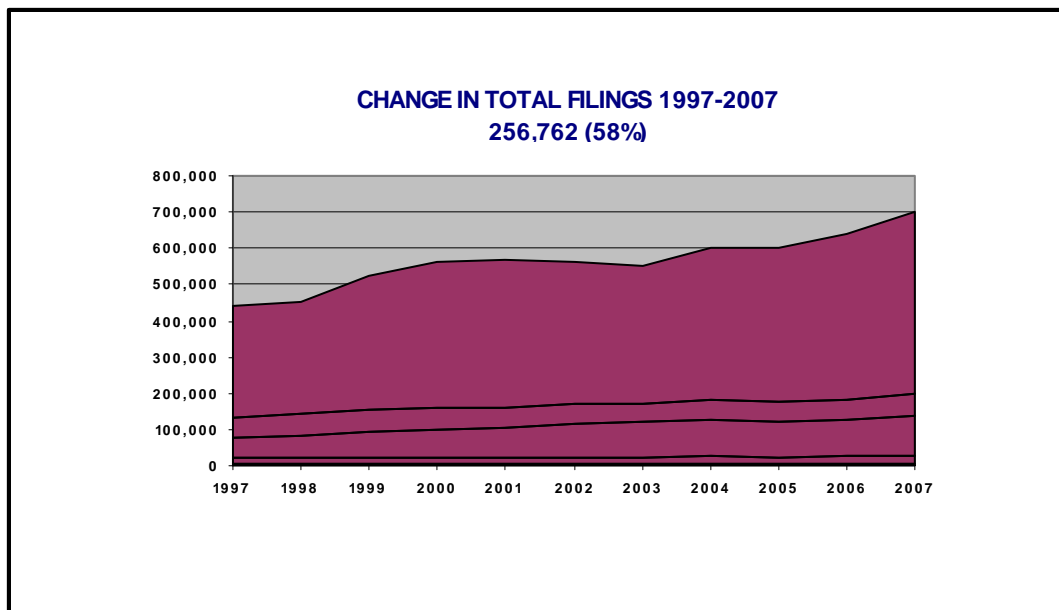
the Judicial Branch to the State as a whole and am pleased that the national and international reputation of our courts plays a key role in enhancing the State's resources through sources such as the franchise tax and corporate fees, which together have traditionally accounted for more than 20% of State revenues.

I am also proud of, and grateful for, the strong spirit of partnership that exists in Delaware among the three branches of government. I would especially like to thank Governor Minner and the General Assembly for their support of the Court Security Assessment legislation that is providing the Judicial Branch with much needed additional funding to help ensure the safety of court personnel and the public in our courthouses, as well as for their ongoing support for the implementation of our new case management system. I look forward to continuing to work together as three co-equal and independent branches to further the principles established by the founding fathers of our State and nation and to best serve the citizens of Delaware and all those who use our court system.

Respectfully,



Myron T. Steele



	Total Filings 1997	Total Filings 2007	% Change In 10 Years
Supreme Court	551	666	21%
Court of Chancery	3,876	4,142	7%
Superior Court	16,103	23,075	43%
Court of Common Pleas	56,067	110,765	98%
Family Court	57,907	57,672	0%
Justice of the Peace Court	309,178	504,124	63%

## WHY A FAIR AND INDEPENDENT JUDICIARY MATTERS

*“All the rights secured to the citizens under the Constitution are worth nothing, and a mere bubble, except guaranteed to them by an independent and virtuous Judiciary.”*

*Andrew Jackson, 1822*

A fair and independent judicial branch is a cornerstone of our democratic system of government. An independent judicial branch is not an end in itself, but a means of ensuring the rule of law, since only by being free from outside influences can judges decide cases on the law and facts alone.

The importance of a fair and independent judicial branch was recognized by our founding fathers as crucial to the fledging democracy. One of the grievances against King George III listed in the Declaration of Independence was that he had made judges “dependent on his will alone.” Thus, the framers of the United States Constitution, and also the Delaware Constitution, wanted to ensure that the judiciary would not be prejudiced by the political will or other outside influences. The 1776 Delaware Declaration of Rights provided “that the independency and uprightness of judges are essential to the impartial administration of justice, and a great security to the rights and liberties of the people.” (Section 22, *Del.C.* Vol. 1, page 111)

A fair and independent judiciary requires not only the freedom for judges to make case decisions without outside influence, but also the recognition of the judicial branch as a co-equal branch of government, separate from the legislative and executive branches within a system of checks and balances, responsible for governing itself and accountable to the public.

The judiciary is accountable for enforcing the ethical conduct of its members, ensuring the fairness of judicial decisions through the appellate process, and managing court operations as effectively as possible, given available resources. The Delaware Judiciary’s business-like approach in matching its budget requests with its highest needs – those initiatives projected to have the most impact on the ability of the courts to serve the public – demonstrates that the Judiciary fully appreciates its responsibilities as a separate branch of government.

This separation of powers among the branches of government, within our system of checks and balances, along with accountability to the public, serves as the keystone of democracy. For, “there is no liberty, if the power of judging be not separated from the legislative and executive powers.” Alexander Hamilton (*Federalist No. 78*). The concept of a fair and independent judiciary remains as important today in the 21<sup>st</sup> century as it was in the 1700s.

*“If the three powers maintain their mutual independence on each other our Government may last long, but not so if either can assume the authorities of the other.”*

*Thomas Jefferson to William Charles Jarvis, 1820*



### CHIEF JUSTICES OF THE MODERN SUPREME COURT

As a separate and co-equal branch of government, the Judicial Branch is led by the Chief Justice, who, pursuant to Article IV, Section 13 of the Delaware Constitution, serves as the administrative head of all of the State courts. Since the founding of the modern Delaware Supreme Court in 1951, there have been seven chief justices, all of whom have served with distinction. In appreciation of their outstanding service and the important role they have played in leading the Judicial Branch, the Judicial Branch recognizes these distinguished leaders.

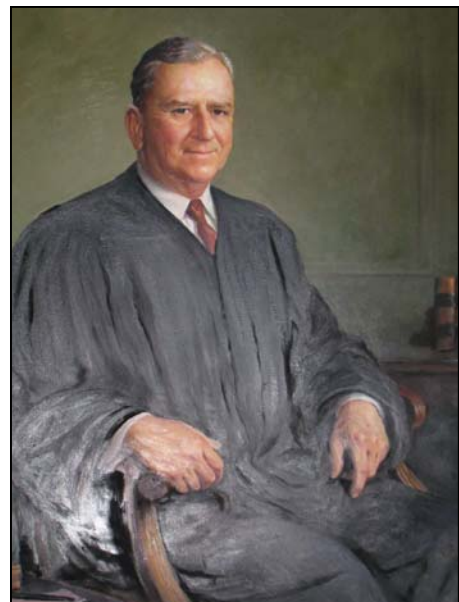


#### **Chief Justice Clarence A. Southerland (1951-1963)**

Chief Justice Southerland was born in Baltimore and raised in Wilmington. After receiving a law degree from Georgetown University, he served in World War I and practiced law. At the time of his appointment as chief justice, he was known as one of the leaders of the corporate bar and during his tenure as chief justice, the Supreme Court issued a number of seminal corporate opinions.

#### **Chief Justice Charles L. Terry, Jr. (1963-1964)**

A native of Kent County, Chief Justice Terry attended Washington and Lee Law School and was admitted to the Delaware bar in 1924. In 1938, after having served as secretary of state, he was appointed resident judge of the Superior Court in Kent County, becoming president judge in 1957. He joined the Supreme Court in 1962 and, in 1963, was elevated to chief justice. However, he served only one year as chief justice, choosing to resign his position and run for governor. Although he had a short tenure as chief justice, Chief Justice Terry was instrumental throughout his career on the bench in improving the judicial system and is also known as the only person in the history of Delaware to have served both as chief justice and as governor.



## DELAWARE CHIEF JUSTICES—LEADERS OF THE JUDICIAL BRANCH

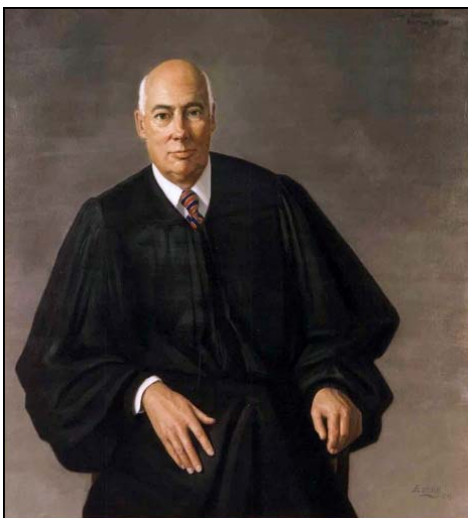


### **Chief Justice Daniel F. Wolcott (1964-1973)**

A Delaware native, Chief Justice Wolcott was a graduate of the University of Pennsylvania Law School. He was appointed to the Superior Court in 1949 and in 1950, was appointed chancellor, a position previously held by his father and grandfather. Upon the creation of the separate Supreme Court in 1951, he was appointed a justice of the Supreme Court and served in that position for fourteen years, until he was named chief justice in 1964. His years on the court marked a period of high growth in the court's caseload and numerous significant opinions.

### **Chief Justice Daniel L. Herrmann (1973-1985)**

Chief Justice Herrmann had been a member of the Supreme Court since 1965 when he was named chief justice in 1973. As chief justice, he took a strong interest in the administration of the court system. Through his efforts, the Supreme Court was enlarged from three members to its current size of five justices. He was also responsible for instituting the state of the judiciary address, initiating computerized case processing systems, establishing priorities in the disposition of criminal cases, and improving court facilities.



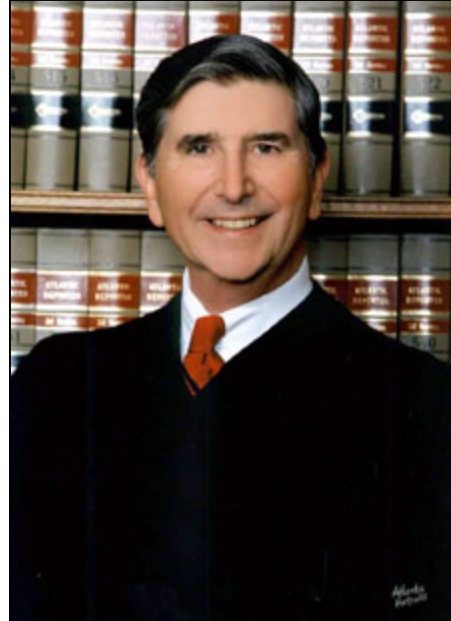
### **Chief Justice Andrew D. Christie (1985-1992)**

A graduate of the University of Pennsylvania Law School, Chief Justice Christie became a member of the Delaware Bar in 1947. He was appointed resident judge of the Superior Court for New Castle County in 1957 and served in that position until appointed to the Supreme Court in 1983. In 1985, he was named chief justice. He was the first chief justice to present a unified budget for the judiciary. His time as chief justice was also a period of intense activity in the corporate law with the Supreme Court handling numerous shareholder derivative suits.

## DELAWARE CHIEF JUSTICES—LEADERS OF THE JUDICIAL BRANCH

### **Chief Justice E. Norman Veasey (1992-2004)**

Chief Justice Veasey, like Chief Justice Southerland, was a leading member of the corporate bar when he was appointed chief justice in 1992. After receiving a law degree from the University of Pennsylvania, he began a lengthy career at the law firm of Richards, Layton & Finger, where he eventually served as managing partner and as president of the firm. Throughout his career as an attorney, he served the judicial branch by chairing numerous Supreme Court committees. As chief justice, he has been credited with leading nationwide programs to ensure professionalism in the practice of law and adopting best practices in the running of the courts during his tenure and served as president of the Conference of Chief Justices.



### **Chief Justice Myron T. Steele (2004- )**

Chief Justice Steele had a long career on the bench prior to being named chief justice, having served on the Superior Court and the Court of Chancery, and as a justice on the Supreme Court. In 1990, while a partner with Prickett, Jones & Elliott, he was named resident judge of the Superior Court in Kent County. He was appointed to the Court of Chancery in 1994 and to the Supreme Court in 2000. He was named chief justice in 2004. He currently serves on the Judicial Conference Committee on Federal-State Jurisdiction and is a member of the American Board of Trial Attorneys, having been the first member of the Delaware Judiciary selected to serve in this capacity. As the head of the court system, he has focused, among other administrative efforts, on the development of a unified budget priority system for all of the courts. Chief Justice Steele holds B.A., J.D. and LL.M. degrees from the University of Virginia.



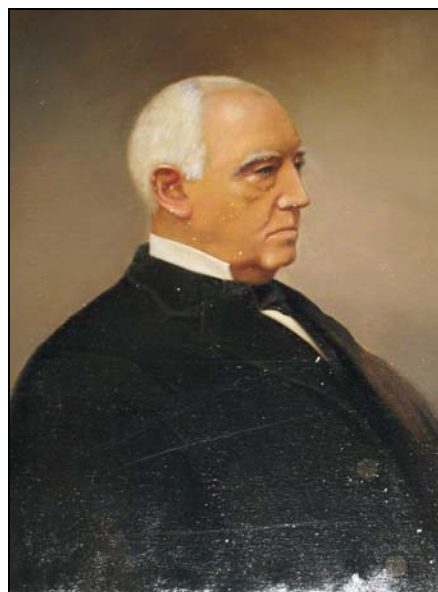
## DELAWARE CHIEF JUSTICES—LEADERS OF THE JUDICIAL BRANCH

### DELAWARE CHIEF JUSTICES FROM 1777 TO THE CREATION OF THE MODERN SUPREME COURT

William Killen (1777-1793)  
Richard Bassett (1793-1793)  
George Read (1793-1799)  
Kensey Johns, Sr. (1799-1799)  
James Booth, Sr. (1799-1828)  
Thomas Clayton (1828-1830)  
Samuel M. Harrington (1830-1837)  
John M. Clayton (1837-1839)  
Richard H. Bayard (1839-1841)  
James Booth, Jr. (1841-1855)  
Samuel M. Harrington (1855-1857)  
Edward W. Gilpin (1857-1876)  
Joseph P. Comegys (1876-1893)  
Alfred P. Robinson (1893-1893)  
Charles B. Lore (1893-1909)  
James Pennewell (1909-1933)  
Daniel J. Layton (1933-1945)  
Charles S. Richards (1945-1951)



**Hon. Richard Bassett**



**Hon. Joseph P. Comegys**



## HONORABLE PATRICIA W. GRIFFIN

The Administrative Office of the Courts seeks to support a fair and independent judiciary by providing the highest level of administrative support to the Delaware courts in a wide variety of areas. To this end, during the past year, the AOC has focused on a number of new initiatives. One such initiative has been the coordination of continuity of operations and emergency planning. Events occurring in other jurisdictions in the recent past have highlighted the need to have plans in place for a variety of situations including natural disasters, as well as terrorism, fire, and other situations which could severely disrupt the court system's operations. In order to help the court system meet any of these possible contingencies, the AOC has been working with the courts, Facilities Management, the Department of Technology and Information and other agencies in the Executive Branch, to develop priorities and plans for continuing and/or resuming operations following a disaster situa-

tion. In addition, the AOC has worked with the courts to develop draft legislation clarifying the authority of the Chief Justice to take extraordinary measures to ensure the operations of the courts and the delivery of justice in emergency situations. An additional facet of emergency planning addressed by the AOC this year was the completion of the fire safety plan for the New Castle County Courthouse.

Another focus of the AOC this past year has been the staff training program. The program is being reinvigorated with new training planned in a variety of areas in which needs were identified by judicial officers, court administrators and staff, and the development of a website compiling information of all state-sponsored training opportunities. One new training initiative was a session on advanced Westlaw techniques and an introduction to the court system's law libraries for new law clerks. Other areas of emphasis

## MESSAGE FROM STATE COURT ADMINISTRATOR

have been first aid and training of court security personnel and other court staff in the use of the defibrillators that are located in courthouses throughout the state, as well as exploring the use of distance learning for courses in judicial administration.

The court interpreter program made great strides during Fiscal Year 2007 with the filling of the new program coordinator position. Rules for the Court Interpreter Program, as well as a continuing education policy, were developed and approved. An emphasis on recruitment has led to an increase in the number of persons attending the orientation program and being certified as court interpreters. Also, a pilot telephone program policy has been developed to help ensure that certified interpreters will be available in situations when it would otherwise be difficult to obtain one.

Another area to which the AOC has devoted significant efforts over the past year has been planning for the National Mock Trial Championships which will be held in Wilmington in May 2008 and in which 44 high school teams from throughout the country will participate. Working as part of a committee which includes members of the judiciary, the bar, and others, the AOC has been focusing on the numerous logistics such as providing accommodations, planning events, and providing court security necessary to make this national event a success.

A recent highlight in AOC services was the revised career ladder process developed by AOC Human Resource Management, which reduced the average time between a person's eligibility for promotion under the career ladder to the date of

decision from 333 days (under the old process) to 186 days, and the average processing time from receipt of the career ladder request to decision from 37.8 days to 1.7 days, or by more than 95%.

The AOC supported the work of the self-help center in the New Castle County Courthouse and the *pro bono* legal assistance program, which offered limited legal assistance through volunteer attorneys. In addition, the AOC worked with the Justice of the Peace Court and others to develop an initiative providing information to landlords and tenants through seminars held at various locations in New Castle County. Work was also undertaken to assist the Court of Chancery in developing interactive accounting forms for guardianships.

During the past year, the AOC provided staff assistance to judicial committees and programs, and assisted in policy development. In particular, assistance was provided this year in addressing retention and recruitment issues relating to the conflict counsel program, supporting the on-going legislative initiative, and developing policies relating to access to information and authorized computer usage. Staff support was also provided to the law library committee in conducting a survey of law library users in Kent and New Castle Counties and preparing a report to the Chief Justice. In addition, the AOC provided on-going staff assistance to the Operations Security Committee and the Courthouse Operations Policy Committee with emphasis during the past year on developing security policies such as centralized parcel delivery, and after-hours access to the New Castle County Courthouse for title abstractors. The AOC also provided many hours of admin-

## MESSAGE FROM STATE COURT ADMINISTRATOR

istrative support to the judicial branch agencies, particularly related to fiscal, personnel and technology matters.

The COTS case management initiative continued to be the major focus of the AOC's Judicial Information Center. Work continued on supporting and maintaining current technology, as well as on new projects, such as the development or redesign of the courts' and judicial branch agencies' internet and intranet web sites, including Family Court, Child Placement Review Board, the law libraries, Violent Crimes Compensation Board and the new AOC intranet site; efforts supporting statistical reporting for the Judiciary's Annual Report; and projects related to the partnership with the Government Information Center of the Delaware Department of State.

In furtherance of its broader approach, the AOC participated for the first time in the Partners for Progress initiative, along with Delaware state agencies; organized a conference on public access to court records for the Mid-Atlantic Region Conference of State Court Administrators, which included representatives from Maryland, New Jersey, New York, Pennsylvania, West Virginia, and Delaware; prepared a COSCA "white paper" entitled "Court Interpretation: Fundamental to Access to Justice"; and served on a panel briefing Congressional staff on court interpreter issues.

Finally, the Office of State Court Collections Enforcement (OSCCE) began a review of its collections methods and anticipates developing new initiatives to expedite and increase collections.

### **FY 2007 AOC Statistical Snapshot: HOW MANY?**

#### ***Dollars OSCCE collected in amounts due to courts and agencies?***

\$3.58 million

#### ***Visitors obtained information from the New Castle County Courthouse (NCCCH) Information/Front Desk?***

204,408 visitors

#### ***Persons received assistance in the NCCCH Self-Help Center and also through the limited pro bono legal assistance program?***

16,295 persons received assistance in the Self-Help Center  
239 persons received help through the limited *pro bono* legal assistance program

#### ***Hours of interpreter services were provided for court proceedings?***

Approximately 5,760 hours

#### ***Requests to address problems did the JIC Helpdesk receive and address?***

8,289 requests

#### ***Employment applications were processed and qualified, career ladder and advanced salary requests analyzed, and orientations conducted by AOC's HRM?***

1,616 employment applications  
34 career ladder  
21 advanced salary requests  
39 employee orientations

## AUTHORIZATION AND FUNCTIONS OF THE AOC

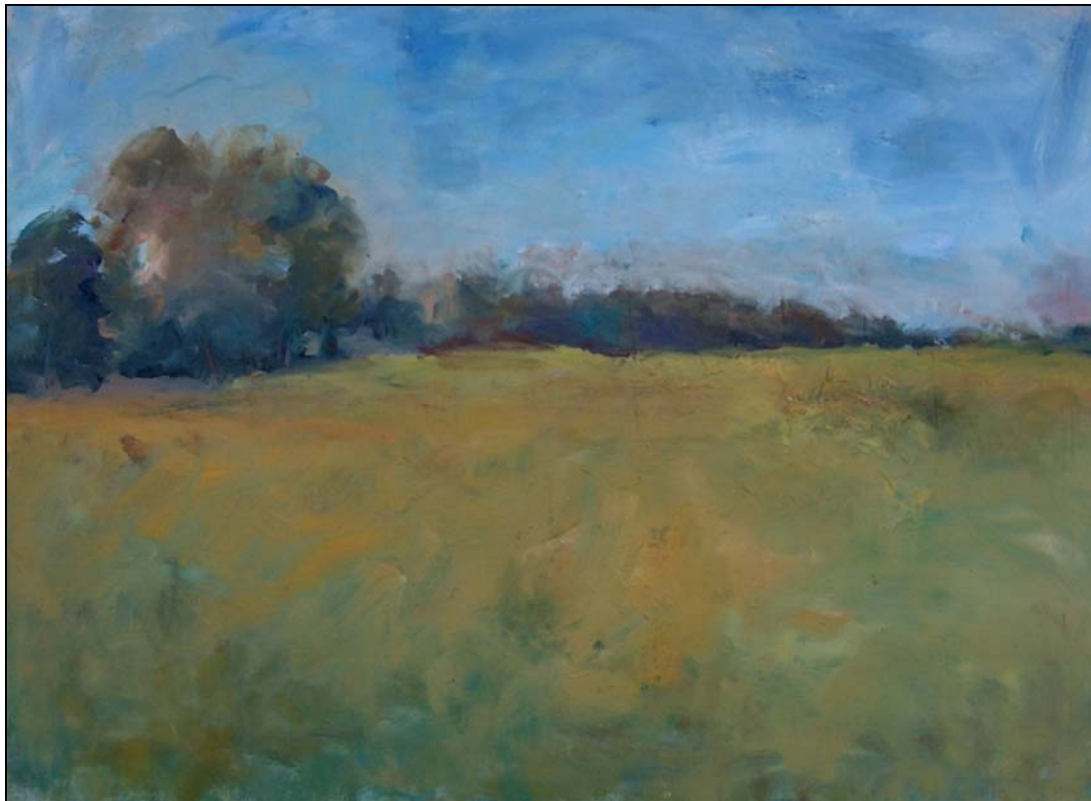
The Administrative Office of the Courts was established in 1971 pursuant to 10 *Del.C.* § 128. The function of the office is to assist the Chief Justice in carrying out the responsibilities as administrative head of the Delaware courts.

The AOC provides a wide variety of support services to the courts ranging from assisting in policy development to technology assistance to providing day-to-day support services. Among its ongoing services are:

- **Preparation of the Judicial Branch Budget in conjunction with the individual courts and agencies and coordination with the Budget Office**
- **Support services for the New Castle County Courthouse including operating the information desk, the filing and payments center and the mailroom**
- **Coordination services relating to the New Castle County Courthouse including staffing the Courthouse Operations Policy Committee and the Security Operations Committee, as well as coordinating with Facilities Management and Capitol Police**
- **Judicial Education and staff training**
- **Court Interpreter coordination to provide interpreters in various languages as well as for hearing impaired persons**
- **Self-represented litigant assistance including operating the New Castle County Courthouse Pro Se Center, the *pro bono* legal assistance program, and related assistance**
- **Public Information including preparation of the Annual Report of the Judiciary, the Delaware Docket Newsletter, and press releases**
- **Research and Statistics including compilation and analysis of data for the Annual Report**
- **Staff support to various Judicial Branch Committees**
- **Legislative Coordination as part of the Judicial Branch's Legislative Team**
- **Personnel and accounting support for the Supreme Court, Arms of the Court, and Judicial Branch Agencies**
- **Coordination of technology-related projects including the COTS integrated case management program**
- **Operation of Helpdesk for technology problems experienced by court users**
- **Website assistance for developing and maintaining websites**
- **Business analysis, program development, and data integration/administration for technology-related initiatives**
- **Statewide collections of certain court-ordered financial assessments.**

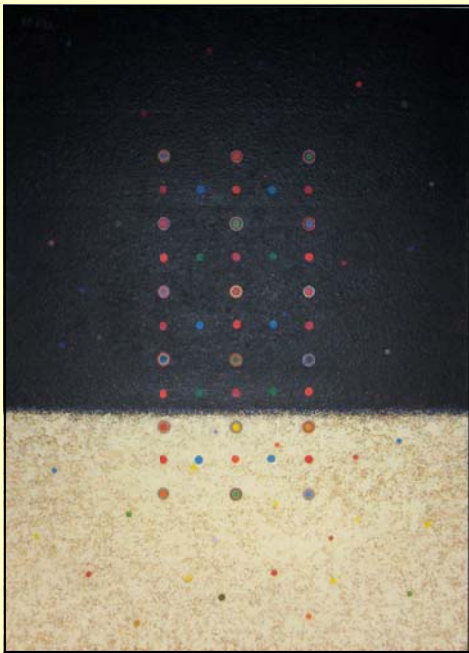


FULFILLING THE VISION OF A  
LEGACY OF GREAT ART IN  
THE NEW CASTLE COUNTY  
COURTHOUSE



“SUSSEX FIELDS”

# FULFILLING THE VISION OF A LEGACY OF GREAT



Unnamed by Teis



“The Non Garden Garden”



“Kinetic Sculpture”

Inspired by the vision of presenting the public with a legacy of great art in the New Castle County Courthouse, the Art Committee has dedicated countless hours over the last four years to making this vision a reality. “Our mission,” said Committee Chair Charles F. Richards, Jr. Esq. “is to enhance the spaces in and outside the Courthouse. We want everyone who enters to experience the work of outstanding artists and to be inspired by the values of artistic creativity, freedom and the pursuit of justice.”

The members of the Committee, which was created by former Chief Justice E. Norman Veasey, have given generously of their time and energy to brighten the courthouse with great works of art. Over the last four years, they have worked tirelessly to accomplish the many tasks required, including the difficult task of fundraising and the development and implementation of a nationwide selection process to ensure that truly great works of art grace the courthouse.

# ART IN THE NEW CASTLE COUNTY COURTHOUSE



Unnamed by Teis



"The Thorn Tree"



"The Artisan"

**It is with great gratitude that the Judiciary acknowledges and thanks Chair Charles F. Richards, Jr. and each and every member of the New Castle County Courthouse Art Committee for their outstanding effort and devotion to fulfilling a vision which will inspire those who visit or work in the New Castle County Courthouse for years to come.**



Unnamed by Teis

# FULFILLING THE VISION OF A LEGACY OF GREAT



“The Delaware Working Man”



Unnamed by Teis



“Beacon”

## **The New Castle County Art Committee**

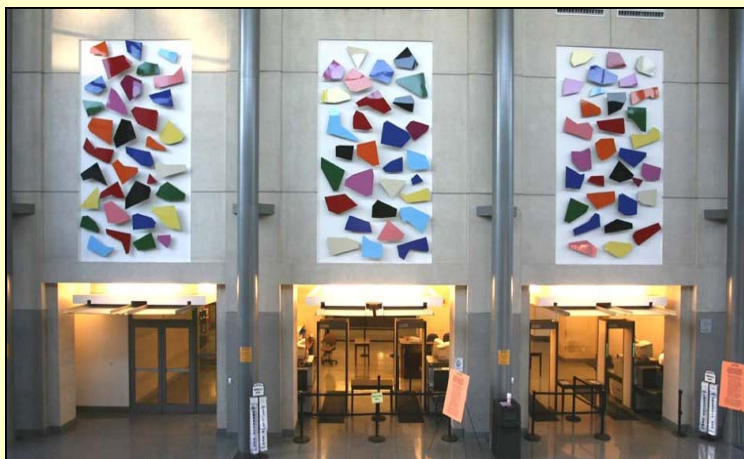
### **Chair**

Charles F. Richards, Jr., Esq.

### **Members**

Annabelle Kressman  
Carole Balick  
Steve Bruni  
Robert Gore  
Gloria Homer  
Alice Hupfel  
The Honorable Deborah Hudson  
The Honorable Stephen P. Lamb  
Sarah Lubin  
Timothy P. McLaughlin  
Alberta Melloy  
Stacy Mobley, Esquire  
Laura Scanlan  
Lewis D. Schiliro, Esquire  
Carl Schnee, Esquire  
Lynn Sharp  
William Shea  
Buck Simperts  
Coleman Townsend  
Suzy Veasey  
Stuart Young, Esquire

# ART IN THE NEW CASTLE COUNTY COURTHOUSE



“Floating Forms”



“The Atlantic”

## **Art in the New Castle Courthouse – The Fulfillment of the Art Committee’s Vision**

**Mary Page Evans** – “Sussex Fields” located on the 12<sup>th</sup> floor

**Bob Goodnough** - “Floating Forms” located in the front lobby

**Brower Hatcher** – “Beacon” in front of the NCCCH

**Victor Lentenoff** – “The Delaware Working Man” located on the 12<sup>th</sup> floor

**Henry Loustau** – “The Non garden Garden” located on the brick wall between the lobby and the parking garage

**Henry W. Peacock** “The Thorn Tree” – LL1 – best seen by using down escalator

**Tim Prentice** – Kinetic Sculpture located in the atrium over the escalators

**Frank E. Schoonover** - “The Artisan” located in the front lobby behind security

**Daniel K. Teis** – seven pieces located on 2<sup>nd</sup> floor, 3<sup>rd</sup> floor, 8<sup>th</sup> floor, 9<sup>th</sup> floor, 10<sup>th</sup> floor, 11<sup>th</sup> floor and 12<sup>th</sup> floor

**Charles Vickery** – “The Atlantic” located on the 12<sup>th</sup> floor

**Permanent Rotating Art** located on each of the Family Court Wings they are as follows:

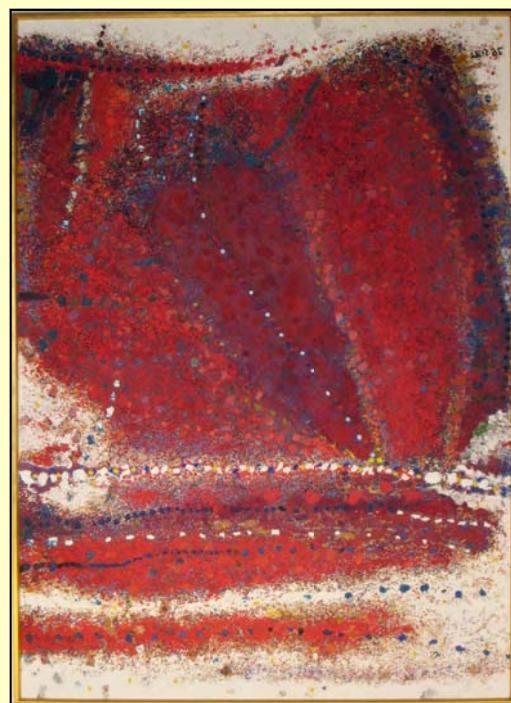
1<sup>st</sup> floor – DCAD

2<sup>nd</sup> floor – Delaware Schools

3<sup>rd</sup> floor - Ferris School

**Delaware Historical Society Pictures** – 1<sup>st</sup> floor and Cafeteria

**Picture Delaware** – thirteen Delaware students from thirteen different areas took photographs of their neighborhood. They are located in Jury Services and the second floor hallway.



Unnamed by Teis

## COTS FY 2007 HIGHLIGHTS



COTS, an acronym for Courts Organized to Serve, is a Judicial Branch-wide project to create an integrated computerized case management system for civil and criminal cases in all Delaware state courts. Development of the system is a multi-year project which is expected to result in one of the most comprehensive case management systems in the country.

The COTS project made significant progress in FY 2007 with the completion of Phases 1 and 2. These phases implemented civil case management and related financial transactions in all Justice of the Peace Civil Courts. Phase 1, which consisted of implementation of the system in Justice of the Peace Courts 17 and 19 in Sussex County and Court 12 in New Castle County, was completed in the fall of 2006. Entry of cases into the new system began on October 30<sup>th</sup> and implementation continued into November with Core and Training Team members providing on-site assistance.

Following the completion of Phase 1, a post-implementation review led to the development of a seven-step plan that emphasized maintaining excellent customer service during the transition. As part of the plan, casual/seasonal positions were created to assist during the training and initial implementation periods, constables were trained to enter information in the system, business and operational processes were reviewed and the use of debit accounts and e-filing were expanded. These adjustments helped to ensure a smooth transition into Phase 2 – implementation of the new system in the remainder of the Justice of the Peace Civil Courts (Courts 9, 13 and 16). This was successfully completed during the summer of 2007.

With the new system's implementation in their civil courts, Justice of the Peace Court staff reported that they have found many advantages to the new civil system. They particularly appreciated the lack of paper files and the ability to obtain information from a file no matter in which court in the Justice of the Peace system the matter was heard. The financial package also proved to be of great assistance to court personnel as it provided for the automatic tabulation of financial information which previously had to be tabulated manually in civil cases. Both judges and staff were very pleased with Courtroom Assistant, a JIC-developed program that allows easy and complete access to Contexte case information in a courtroom setting.

Another system feature added in FY 2007 was the implementation of e-filing in the Phase 1 Justice of the Peace Courts. Pilot frequent filers filed cases electroni-

## COTS FY 2007 HIGHLIGHTS

cally in the Phase 1 courts, relieving clerks of data entry chores and improving filer access.

Intensive efforts continued in FY 2007 to prepare for upcoming phases of this complex project, including phases 3 and 4 of the COTS system which will extend the new system to all civil courts (other than Family Court), and for the implementation of the criminal case management system, which will occur in the subsequent phases.

Introduction of the civil case management system to pilot courts in one county is anticipated to take place in the spring of 2008 with extension to the remaining counties to occur in the fall of 2008.

In addition to implementing Phases 1 and 2, and preparing for phases 3 and 4 in FY 2007, work was continued on reviewing, updating, approving and testing customizations for several project phases. These customizations will cover a variety of functions, including those which will allow courts to share the same forms while minimizing the possibility of intermingling court specific data; creating standard docket text; flags and ticklers; violation expungements; and judge assignments. Other important activities in the last year have included work on the development of the interfaces needed for Phase 5 as well as requirements definition sessions for critical functionality such as sentencing.

As work on the COTS system successfully progresses, thanks are offered to all of the individuals – project team members, judges, and court staff – who have worked hard to ensure that the new case management system will enhance the ability of Delaware courts to continue to provide excellent service to the public and to maintain their leadership role among the nation's courts.



JUSTICE OF THE PEACE COURT 12 on the first day of COTS implementation—relatively smooth operations resulted from hard work by the JP Court staff, with extra help from members of the COTS team.

## LEGISLATIVE HIGHLIGHTS

The Judiciary's legislative team brings together representatives of the courts and the Administrative Office of the Courts to enhance the effectiveness of the judicial branch's relationship with the General Assembly by serving as the main judicial branch contact for legislative matters and by monitoring and analyzing legislation for impact on the Judiciary.

FY 2007 brought a milestone of success to the Judiciary's efforts to ensure the safety of those who appear in Delaware courts, with the enactment of legislation creating separate security assessment funding. This legislation, Senate Substitute 1 for SB 75, represented a new approach to solving the long-standing problem of insufficient resources for court security needs by offering a way to address critical security equipment and personnel shortages, particularly in the Justice of the Peace Courts. Another highlight in FY 2007 was SB 62, the constitutional amendment authorizing the Securities and Exchange Commission to certify questions of Delaware law to the Delaware Supreme Court. This amendment was enacted in response to the express interest of the SEC in seeking the Court's advice on Delaware corporate law issues and was lauded as an opportunity to provide expedited decisions and greater certainty to questions involving Delaware corporate law.

In addition to the legislation discussed above, the following legislation affecting the judicial branch was passed during FY 2007 by the 144<sup>th</sup> session of the General Assembly and has been enacted into law:

Bill No.	Description
SB 26	Allows the Justice of the Peace Court to retain jurisdiction over a contempt charge in a truancy case
SB 30 w/SA 1	Amends various civil procedures of the Justice of the Peace Court
SB 39	Permits Title 21 violations (other than § 4177) occurring in any part of Milford to be heard in the nearest court in Kent County
SB 50	Transfers several Title 21 offenses to Family Court's exclusive jurisdiction when committed by minors
SB 69	Transfers jurisdiction over actions arising from arbitration agreements relating to consumer credit contracts from the Court of Chancery to the Court of Common Pleas
SB 104	Permits commissioners to preside over contested, as well as uncontested, divorce matters
SB 105	Deletes the requirement that social security numbers of the parties appear on all decrees of divorce or annulment
HB 46	Brings the publication requirement for guardianship of a child into conformity with the publication requirements for other civil filings in the Family Court
HB 48	Requires separate filings for child support, custody and visitation requests when filing for divorce
HB 53	This is the second leg of a Constitutional Amendment to delete the use of the surplus term "associate" when referring to judges of the Superior and Family Courts in the Constitution
HB 56 as amended by House Amendment 1	Permits the Justice of the Peace Court to retain jurisdiction over a truancy case when the child is withdrawn from public school



# FISCAL OVERVIEW



# FISCAL OVERVIEW

## SUMMARY OF JUDICIAL BUDGETS-FISCAL YEARS 2006-2009 GENERAL FUNDS - State Judicial Agencies and Bodies

	FY 2006	FY 2007	FY 2008	FY 2009
	Enacted Budget	Enacted Budget	Enacted Budget	Budget Request
Supreme Court	\$ 2,677,300	\$ 3,014,200	\$ 3,195,000	\$ 3,256,900
Court of Chancery	2,553,200	2,888,800	3,074,500	3,148,400
Superior Court	18,272,500	20,351,500	21,605,100	23,656,000
Family Court	15,774,000	18,044,300	19,393,200	20,076,600
Court of Common Pleas	7,497,200	8,412,300	9,035,000	9,640,400
Justice of the Peace Court	14,625,000	16,036,800	17,182,500	19,113,400
Administrative Office of the Courts (AOC)	2,722,100	2,943,000	3,197,000	3,339,700
AOC Custodial Pass Through Funds*	4,142,300	4,675,400	4,675,400	4,806,500
Office of State Court Collections Enforcement	505,800	523,700	559,400	566,300
Judicial Information Center	3,063,800	4,058,300	4,285,000	4,578,600
Law Libraries	474,600	477,500	488,500	491,500
Office of the Public Guardian	452,700	460,800	494,900	579,900
Child Placement Review Board	475,500	493,600	520,800	554,200
Educational Surrogate Parent Program	77,300	79,600	101,000	102,300
Office of the Child Advocate	573,600	662,900	842,600	1,025,800
Child Death, Near Death, Stillbirth Commission	323,600	382,400	402,500	422,100
DE Nursing Home Residents Quality Assurance Comm.**	33,000	55,900	55,900	57,700
<b>TOTAL</b>	<b>\$ 74,243,500</b>	<b>\$ 83,561,000</b>	<b>\$ 89,108,300</b>	<b>\$ 95,416,300</b>

\* These programs are included in AOC funding but are shown separately because they are pass-through funds. They include the Court Appointed Attorney Programs, Interpreters, Victim Offender Mediation Program, Elder Law Program, Retired Judges Program, Continuing Judicial Education, New Castle County Courthouse, and COTS.

\*\* Established by FY 2006 Budget Act, July 1, 2005. FY 2006 funding is partial year. Starting with FY 2007 funding is full year.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE\* - FISCAL YEAR 2007

### Submitted to the State General Fund

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Supreme Court	\$ 68,600	\$ -	\$ -	\$ -	\$ 68,600
Court of Chancery	-	2,200	196,200	-	198,400
Superior Court	2,979,100	478,700	202,200	196,300	3,856,300
Family Court	984,400	72,200	-	5,100	1,061,700
Court of Common Pleas	2,450,300	1,078,800	-	193,800	3,722,900
Justice of the Peace Court	3,047,200	1,776,100	-	34,600	4,857,900
Office of State Court Collections Enforcement** (OSCCE)	15,000	12,400	-	-	27,400
OSCCE - DOC Fees***	429,600	-	-	-	429,600
<b>State Total</b>	<b>\$ 9,974,200</b>	<b>\$ 3,420,400</b>	<b>\$ 398,400</b>	<b>\$ 429,800</b>	<b>\$ 14,222,800</b>

### Submitted to Counties and Municipalities

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 71,509	\$ 46,900	\$ -	\$ -	\$ 118,409
Court of Common Pleas	4,400	901,400	-	-	905,800
Justice of the Peace Court	-	3,315,100	-	-	3,315,100
<b>Counties and Municipalities Total</b>	<b>\$ 75,909</b>	<b>\$ 4,263,400</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,339,309</b>

**GRAND TOTAL**                    **\$ 10,050,109**   **\$ 7,683,800**   **\$ 398,400**   **\$ 429,800**   **\$ 18,562,109**

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

\*\* The figures shown for the Office of State Court Collections Enforcement (OSCCE) in this row reflect fees, costs and fines for cases that have been closed by Family Court. OSCCE also collects fees, costs and fines for current cases for Superior Court and the Justice of the Peace Court. Amounts collected by OSCCE on behalf of Superior Court and the Justice of the Peace Court are included in the figures for these courts. See also OSCCE table on page 24 for amounts collected by OSCCE for each court.

\*\*\* OSCCE collected supervision fees on behalf of the Department of Correction (DOC).

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE - FISCAL YEAR 2007

### Received by Violent Crimes Compensation Board

	Fees & Costs	Fines	Interest	Misc.*	Total
Superior Court	\$ -	\$ 561,745	\$ -	\$ -	\$ 561,745
Family Court	-	25,623	-	-	25,623
Court of Common Pleas	-	756,778	-	-	756,778
Justice of the Peace Court	-	1,178,203	-	-	1,178,203
Alderman Courts	-	161,741	-	-	161,741
Restitution	-	100,014	-	-	100,014
Other	-	-	-	-	94,217
<b>VCCB TOTAL</b>	<b>\$ -</b>	<b>\$ 2,878,321</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,878,321</b>

## RESTITUTION - FISCAL YEAR 2007

	Assessed	Collected	Disbursed
Superior Court	\$ 7,904,800	\$ 2,479,900	\$ 2,524,700
Family Court	123,700	281,900	290,600
Court of Common Pleas	434,900	510,400	522,400
Justice of the Peace Court	60,400	69,900	59,900
Office of State Court Collections Enforcement**	-	59,400	58,600
<b>TOTAL</b>	<b>\$ 8,523,800</b>	<b>\$ 3,401,500</b>	<b>\$ 3,456,200</b>

## COLLECTIONS BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT

### On behalf of Courts and Agencies\*\*\*

	Total
Superior Court	\$ 2,999,300
Family Court	86,800
Justice of the Peace Court	64,200
Department of Correction	429,600
<b>OSCCE - TOTAL COLLECTIONS</b>	<b>\$ 3,579,900</b>

\*Misc. includes unclaimed restitution, refunds, forensic and subrogation.

\*\* The figures shown for the Office of State Court Collections Enforcement (OSCCE) in this table reflect only restitution for cases that have been closed by Family Court. OSCCE also collects restitution on current cases for Superior Court and the Justice of the Peace Court. Amounts collected by OSCCE on behalf of these courts are included in the restitution figures for those courts.

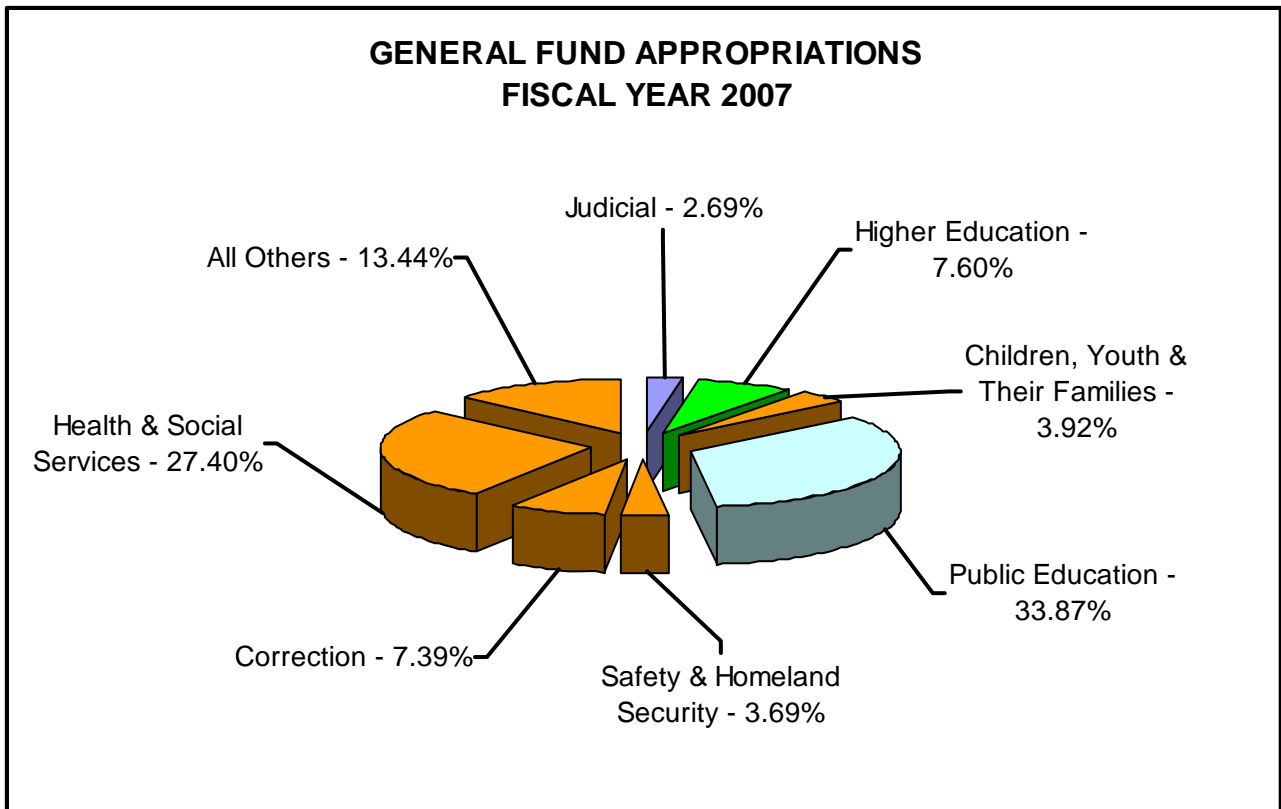
\*\*\*In FY 2007, OSCCE collections included amounts submitted to the general fund, amounts submitted to non-general fund recipients, and restitution. Amounts collected by OSCCE on behalf of all courts, except Family Court, are also included in general fund & restitution figures for those courts.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

DELAWARE GOVERNMENT APPROPRIATIONS*- FISCAL YEAR 2007		
State Appropriations		
	Amount	As a %
Judicial	\$ 83,561,000	2.69%
Higher Education	235,639,400	7.60%
Executive Branch	1,717,675,000	55.38%
Legislative Branch	14,330,600	0.46%
Public Education	1,050,658,900	33.87%
<b>TOTAL</b>	<b>\$ 3,101,864,900</b>	<b>100%</b>

\*State General Funds only



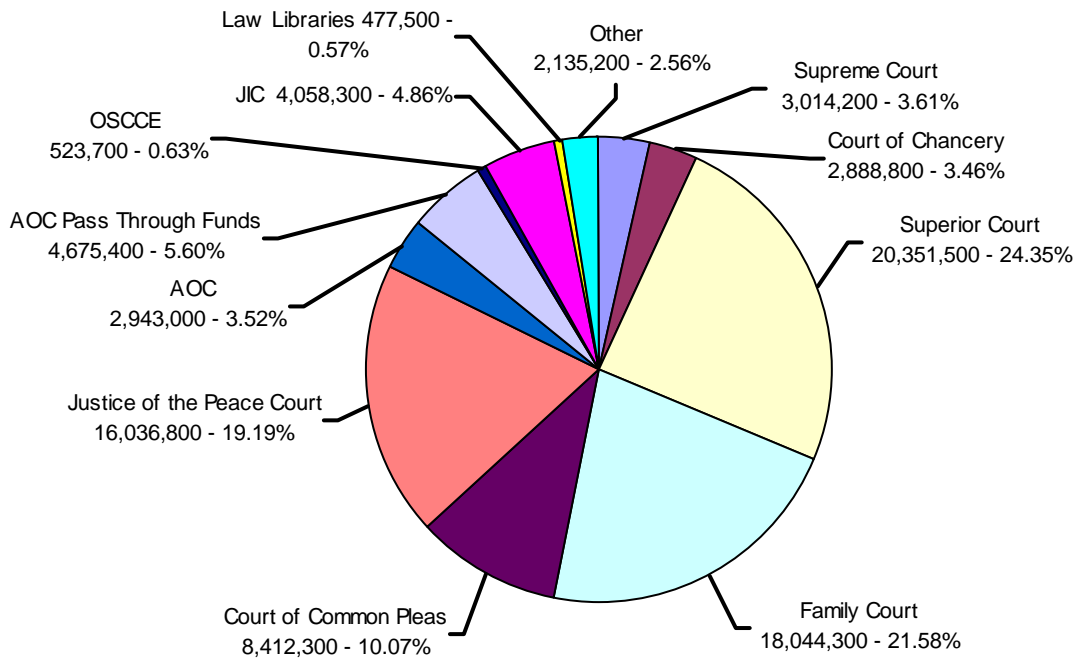
# FISCAL OVERVIEW

## JUDICIAL APPROPRIATIONS - FISCAL YEAR 2007

	Amount	As a %
Supreme Court	\$ 3,014,200	3.61%
Court of Chancery	2,888,800	3.46%
Superior Court	20,351,500	24.35%
Family Court	18,044,300	21.58%
Court of Common Pleas	8,412,300	10.07%
Justice of the Peace Court	16,036,800	19.19%
Administrative Office of the Courts (AOC)	2,943,000	3.52%
AOC Pass Through Funds	4,675,400	5.60%
Office of State Court Collections Enforcement	523,700	0.63%
Judicial Information Center	4,058,300	4.86%
Law Libraries	477,500	0.57%
Other*	2,135,200	2.56%
<b>TOTAL</b>	<b>\$ 83,561,000</b>	<b>100%</b>

\* Other: Office of the Public Guardian, Child Placement Review Board, Educational Surrogate Parent Program, Office of the Child Advocate, Child Death, Near Death, Stillbirth Commission, and Delaware Nursing Home Residents Quality Assurance Commission.

### STATE APPROPRIATIONS JUDICIARY (\$83,561,000) FY 2007



# THE DELAWARE COURTS



The Delaware Judicial Branch consists of the Supreme Court, the Court of Chancery, the Superior Court, the Family Court, the Court of Common Pleas, the Justice of the Peace Court 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 Court represents 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 in resources used to handle the matters and in speedier resolution of the issues at hand.

The Justice of the Peace Court, the initial entry level into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount does not exceed \$15,000. In criminal cases, the Justice of the Peace Court hears certain misdemeanors and most motor vehicle cases (excluding felonies) and the justices of the peace may act as committing magistrates for all crimes. Appeals from the Justice of the Peace Court may be taken to the Court of Common Pleas.

The Court of Common Pleas has jurisdiction in civil cases where the amount in controversy, exclusive of in-



terest, does not exceed \$50,000. In criminal cases, the Court of Common Pleas has jurisdiction over all misdemeanors in the State except certain drug-related offenses. It also handles motor vehicle offenses (excluding those that are felonies). In addition, the Court is respon-

sible for preliminary hearings in felony cases. Appeals may be taken to the Superior Court.

The Family Court has exclusive jurisdiction over virtually all 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, Delaware'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 Superior Court may be taken on the record to the Supreme Court.

The Court of Chancery has jurisdiction to hear all matters relating to eq-



## INTRODUCTION TO THE DELAWARE COURT SYSTEM

uity. 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 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 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 and the Office of the State Court Collections Enforcement, provides services to the Delaware judiciary that are consistent with the statewide policies and goals for judicial administration and support operations established by the Supreme Court.

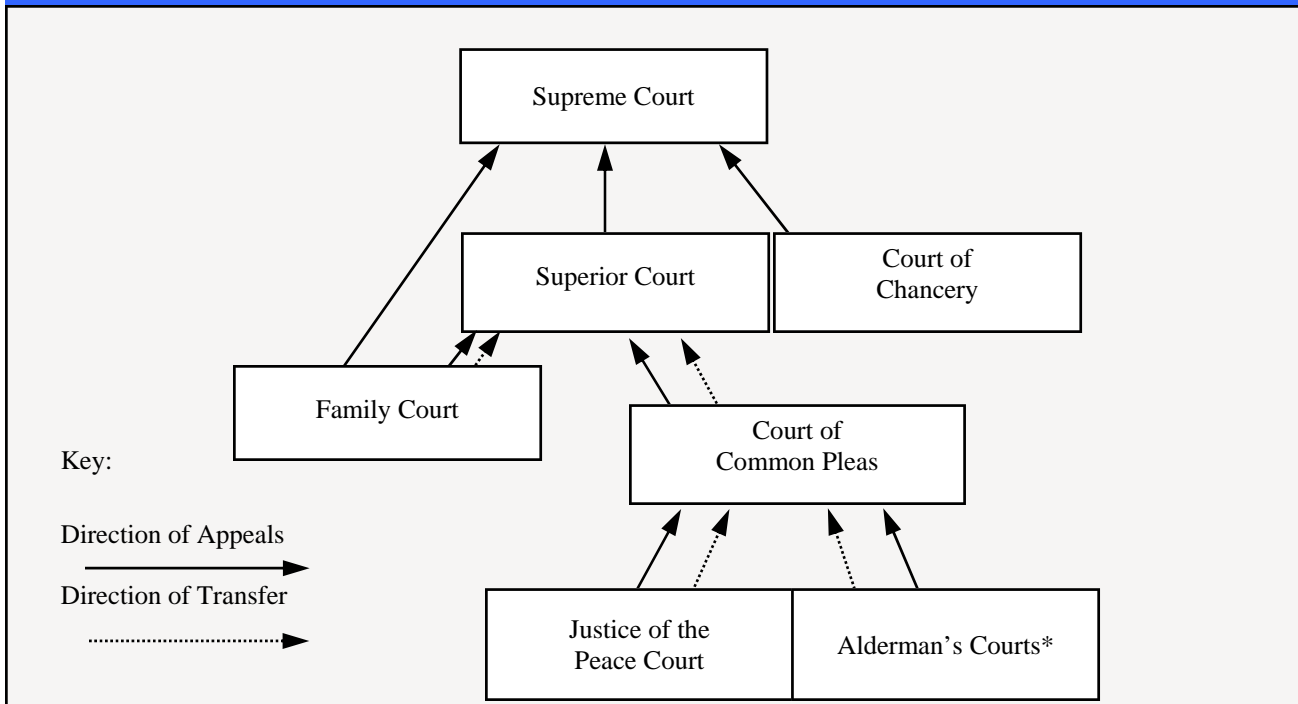
Other agencies associated with the Delaware Judicial Branch include these state agencies: Violent Crimes Compensation Board, Child Placement Review Board, Educational Surrogate Parent Program, Law Libraries, Office of the Public Guardian, Office of the Child Advocate, Child Death, Near Death and Still Birth Commission, and the Nursing Home Residents Quality Assurance Commission.



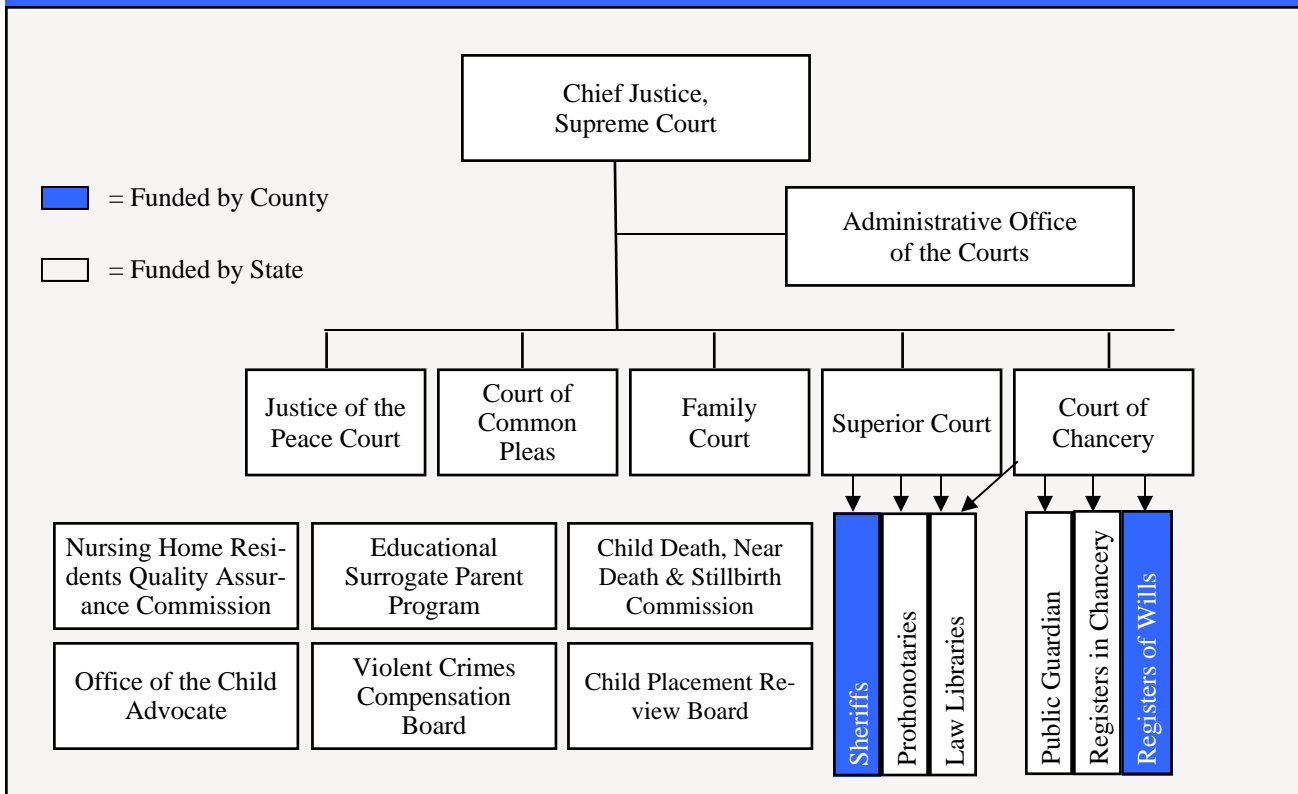
The jury system is an important component of a fair and independent Judiciary.

# OVERVIEW OF THE COURTS

## APPEALS & TRANSFERS



## ADMINISTRATIVE AUTHORITY AND FUNDING



\*Alderman's Courts are not part of the Delaware court system. They are independent entities within their respective Municipalities. However, cases may be transferred or appealed to a State court.

# THE DELAWARE COURT SYSTEM

## COURT OF LAST RESORT

### SUPREME COURT

Final appellate jurisdiction for criminal cases in which the sentence exceeds certain minimums, and in civil cases as to final judgments, certain orders of the Court of Chancery, the Superior Court, and the Family Court and court designated boards. Issuer of certain writs.

## EQUITY COURT

### COURT OF CHANCERY

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

## LAW COURT

### SUPERIOR COURT

Original statewide jurisdiction over criminal and civil cases (except equity cases). Exclusive jurisdiction over felonies and drug offenses (except marijuana possession and most felonies/drugs involving minors). Involuntary commitments to Delaware Psychiatric Center. Intermediate appellate court from the Court of Common Pleas, Family Court (adult criminal) and administrative boards.

## COURTS OF LIMITED JURISDICTION

### FAMILY COURT

Extensive jurisdiction over all domestic relations matters, including divorce, custody, guardianships, adoptions, visitation, child and spousal support, and property division. Jurisdiction over intrafamily misdemeanors, misdemeanor crimes against children, and civil domestic violence protective orders. Jurisdiction over all juvenile offenses except certain serious offenses.

### COURT OF COMMON PLEAS

Statewide jurisdiction in civil actions that do not exceed \$50,000. All criminal misdemeanors (except certain drug-related offenses). All motor vehicle offenses (except felonies). Responsible for preliminary hearings. Appeals from the Justice of the Peace Courts, Alderman's Courts, and the Division of Motor Vehicles.

### JUSTICE OF THE PEACE COURT

Civil cases that do not exceed \$15,000. Certain misdemeanors and most motor vehicle cases (except felonies). May act as committing magistrate for all crimes. Landlord/tenant disputes.

### ALDERMAN'S COURTS\*

Minor misdemeanors, traffic, parking, and minor civil matters occurring within town limits (specific jurisdiction varies with town charter, as approved by the General Assembly).

\*Alderman's Courts are not part of the Delaware court system. They are independent entities within their respective municipalities. However, cases may be transferred or appealed to a State court.



Dover Supreme Court

# SUPREME COURT



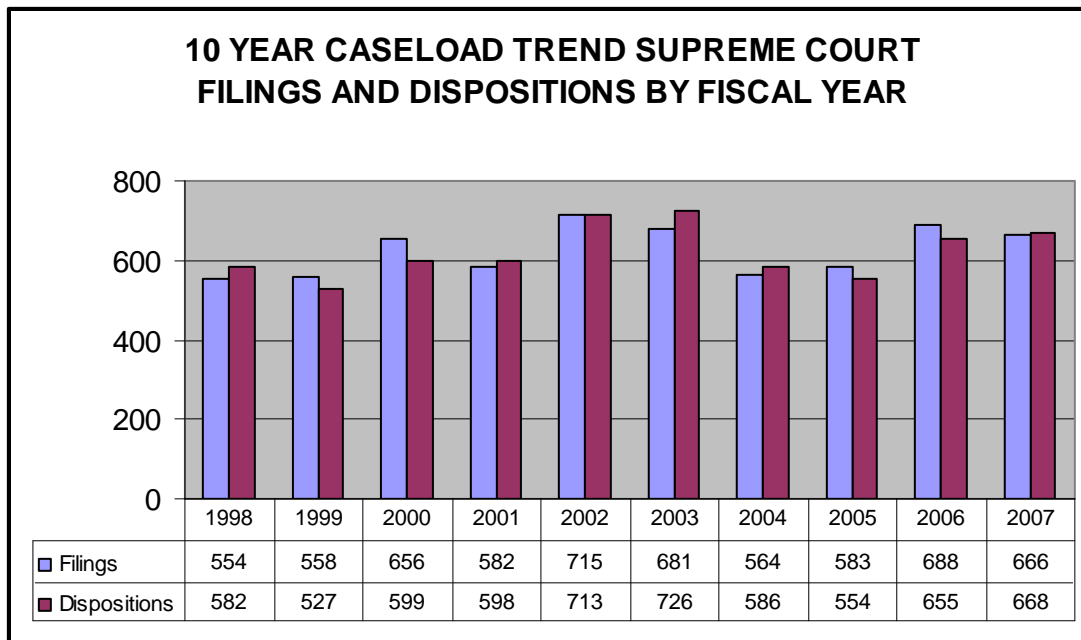
In Fiscal Year 2007, the Delaware Supreme Court received 666 appeals and disposed of 668 appeals by opinion, order or dismissal. On average, the appeals were decided within 37.8 days from the date of submission to the date of final decision. In 95.1% of the appeals decided in FY 2007, the Court met the standard of the Delaware Judiciary for deciding cases within the 90 days of the date of submission for decision. Based on the American Bar Association's Standards Relating to Appellate Courts, the Court set a performance measure for the disposition of 75% of all cases within 290 days of the date of the filing of the notice of appeal. The Court exceeded this objective by disposing of 84.6% of all cases within the 290 day timeframe. The Court set another performance measure for the disposition of 95% of all cases within one year of the date of the filing of the notice of appeal. The Court disposed of 92.5% within this one year timeframe.

A recent initiative supporting Delaware's national and international status as a center for

corporate law was the General Assembly's wise enactment of a Judiciary sponsored Delaware constitutional amendment authorizing the Delaware Supreme Court to accept certified questions of Delaware law from the Securities and Exchange Commission. The amendment enables the Securities and Exchange Commission to bring critical and urgent questions concerning Delaware law to the Delaware Supreme Court; thus providing expedited decisions and greater certainty with regard to corporate law. Previously, only other courts were able to certify questions of law to the Delaware Supreme Court.

Over 50% of publicly-traded corporations, and 60% of Fortune 500 companies, are incorporated in Delaware. In addition, in 2006, more than 70% of new initial public offerings on U.S. exchanges were made by corporations incorporated in Delaware. With the large number of companies choosing Delaware as their place of incorporation, and the outstanding reputations of Delaware's courts, this expedited process for addressing corporate law issues will

## SUPREME COURT



further strengthen the Delaware courts' preeminence as the forum of choice for corporations.

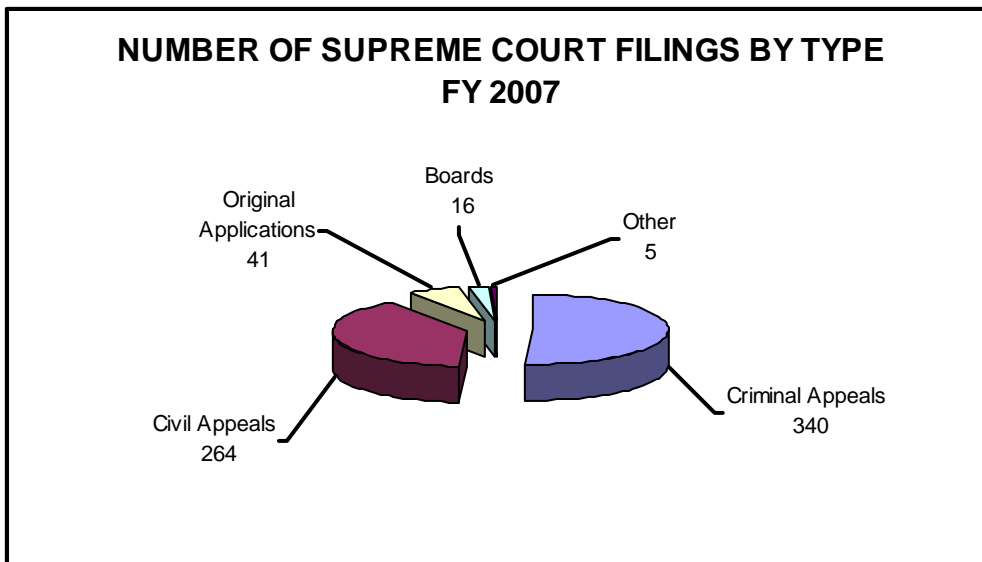
The Supreme Court further focused international attention on Delaware by adopting a Foreign Legal Consultant Rule facilitating the transnational practice of law, thereby making Delaware the first State to act consistently with a Conference of Chief Justices' Resolution recommending that action by all states.

On December 4, 2006, the Delaware Supreme Court expanded its e-Filing initiative to include all appeals from Superior Court criminal matters and from all Family Court matters. Previously, only civil appeals from the Court of Chancery and the Superior Court were electronically filed. This is the third and final phase of the Court's implementation of its e-Filing project for appeals. The Delaware Supreme Court is the first appellate court in the nation to require all appeals to be filed electronically using the LexisNexis File & Serve System. This

project further solidifies Delaware's reputation as an innovator in the use of technology in its courts.

During the past fiscal year, 3,478 Delaware lawyers filed Annual Registration Statements with the Court pursuant to Supreme Court Rule 69. The Court amended the Statement to provide for an increased assessment to be paid by each active Delaware lawyer to fund the Delaware Lawyers' Assistance Program. Under Supreme Court Rule 74(b), the purpose of the program is to provide assistance to Delaware attorneys and members of the State Judiciary with alcohol, drug, gambling, emotional, behavioral, or other personal problems that affect well-being and professional performance. The program is overseen by the Delaware State Bar Association which receives an annual grant from the Court's Rule 69 assessments, and operated through the Association's Lawyers' Assistance Program. Carol Waldhauser was hired as the Executive Director of the Delaware Lawyers' Assistance Program.

# SUPREME COURT



## **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.

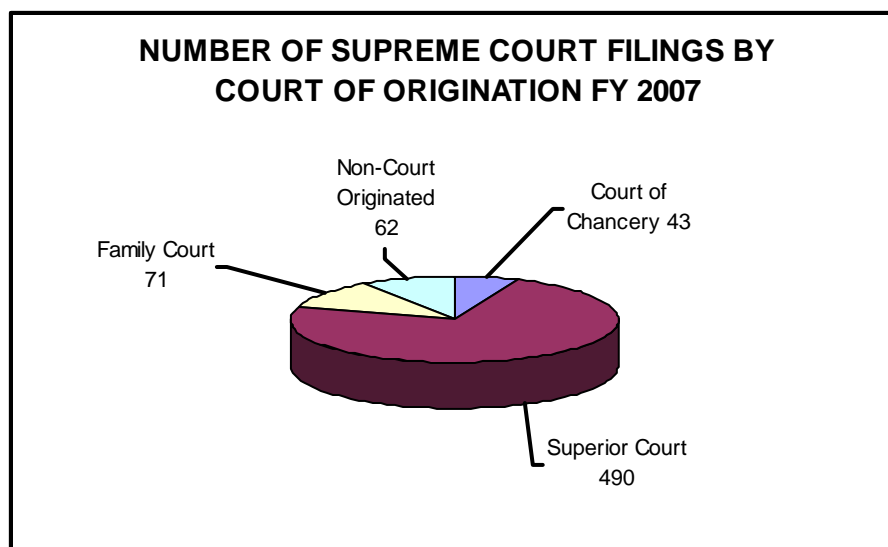
## **COURT HISTORY**

The modern 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 a 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.

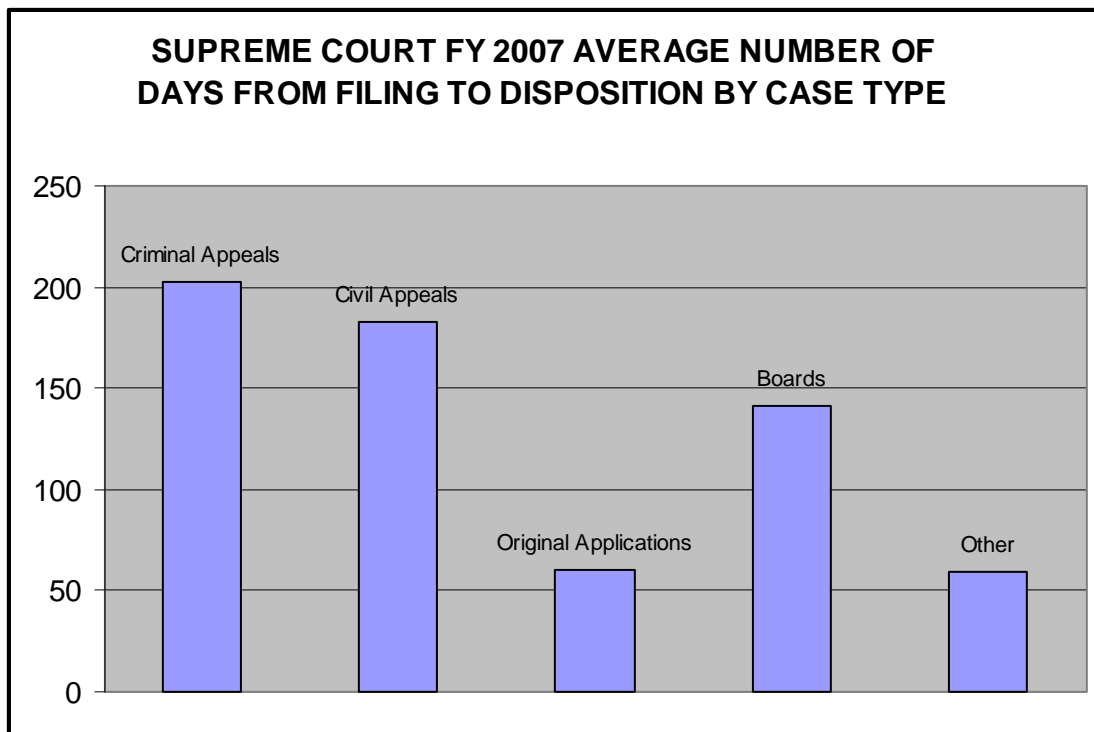


# SUPREME COURT

## 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. The Court may have no more than a majority of one justice from any political party.

## ADMINISTRATION

The chief justice is responsible for the administration of all courts in the State and appoints a state court administrator to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a court administrator, clerk of the court, staff attorneys, an assistant clerk, law clerks, secretaries, and court clerks.

## SUPREME COURT



### **Supreme Court Justices:**

#### ***Front Row (sitting left to right)***

Justice Randy J. Holland  
Chief Justice Myron T. Steele  
Justice Carolyn Berger

#### ***Back Row (standing left to right)***

Justice Henry duPont Ridgely  
Justice Jack B. Jacobs



**Dover Supreme Court**

PWG



## COURT OF CHANCERY



### CHANCELLOR WILLIAM B. CHANDLER, III



Court of Chancery  
Georgetown

Since 1792 the Court of Chancery has been an indispensable component of Delaware's legal culture. The Court's preeminence in American business law has long been established. Two of the ingredients that have enabled the Court to achieve its stature within the national and international legal community are its expertise in its jurisdiction as evidenced in its extensive case law and its ability to deal with matters in a timely fashion. In FY 2007 the Court took steps to continue its tradition of excellence.

The e-filing effort first launched in 2003 continues to produce outcomes consistent with the project's original goals and objectives. To capitalize on that effort, the court is working with the developers of COTS to secure the efficiencies realized to date and maximize the potential of e-filing throughout the entirety of the court's caseload. With this expansion under COTS the Court is also focused on the development of a viable case management system which can provide measures of the court's performance against established benchmarks.

Part of the plan to continue the Court's tradition of excellence is to take advantage of the opportunities presented with the legislation which established the statewide Register in Chancery Office. Thanks to e-filing and the resultant elimination of many pa-

per intensive tasks, the Court has benefited from the reallocation of resources within the Register's Office.

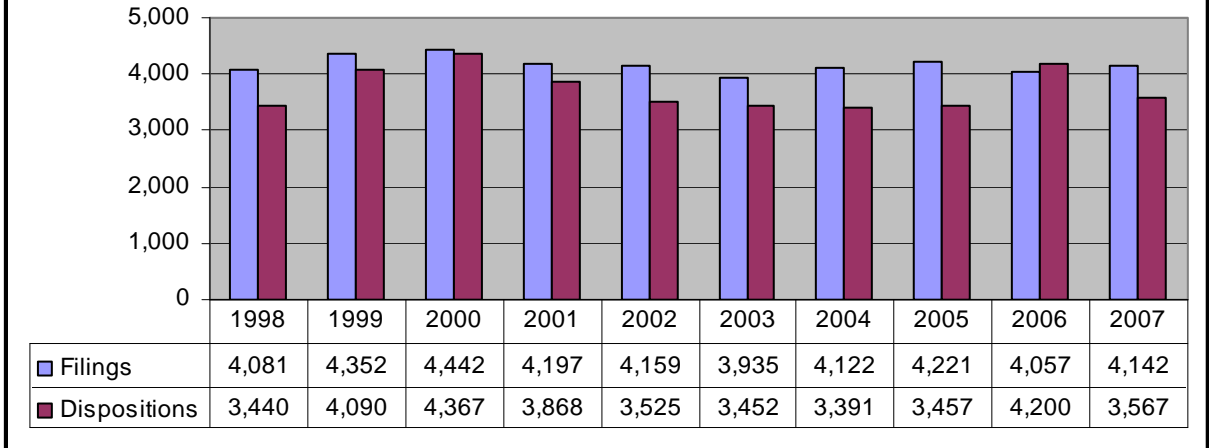
Efficiencies continue to be sought in the area of Civil Miscellaneous filings. Two senior Finance students from the University of Delaware assisted the Court in analyzing the level of access to information that the Register's Office was providing to persons seeking guardianships. With the graying of the population, the number of persons seeking guardianships is expected to grow significantly. It is anticipated that there is a potential for this burgeoning population to need assistance in managing their personal and financial affairs. Having materials and procedures that are user friendly and that can guide citizens is important to providing the public with the access it deserves.

As the fiscal year came to a close, the Court was given another expedited caseload in the form of filings involving communities attempting to enforce deed restrictions and covenants. Once again the Court is being called upon to provide an expedited solution to a community problem. With the assistance of a new Master in FY 2007, the Court is able to deal more expeditiously with these particular cases and to continue to handle its traditional caseload in a fashion for which this Court is known.

# COURT OF CHANCERY

# COURT OF CHANCERY

## COURT OF CHANCERY FILINGS AND DISPOSITIONS BY FISCAL YEAR



### LEGAL AUTHORIZATION

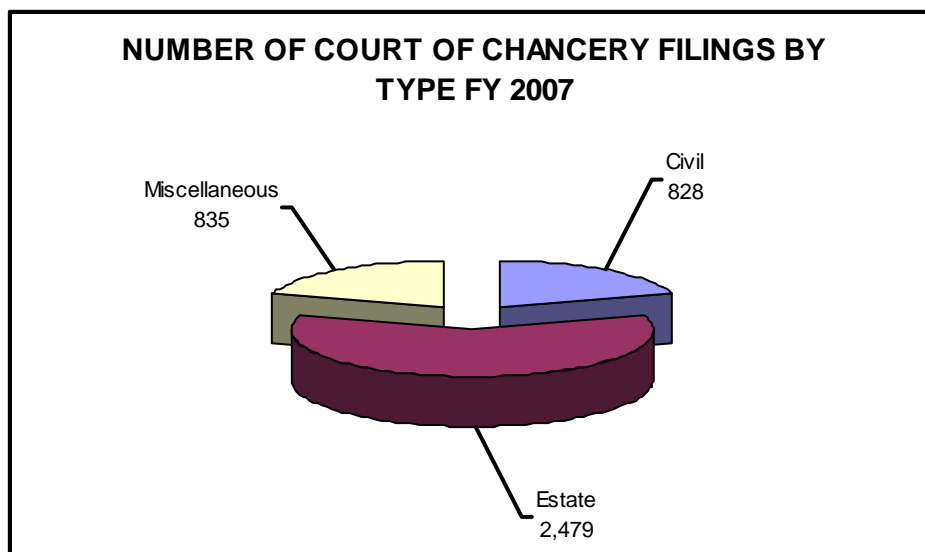
The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

### COURT HISTORY

The Court of Chancery came into existence as a separate court under the Delaware Constitution of 1792. Its creation contradicted an historical

trend in eighteenth century America away from chancery courts. The Court consisted solely of a chancellor until 1939 when the position of vice chancellor was added. The increase of 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 occurring in 1989.

### NUMBER OF COURT OF CHANCERY FILINGS BY TYPE FY 2007



### **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, 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).



**Court of Chancery (standing left to right)**

Vice Chancellor John W. Noble  
Vice Chancellor Leo E. Strine, Jr.  
Chancellor William B. Chandler, III  
Vice Chancellor Stephen P. Lamb  
Vice Chancellor Donald F. Parsons, Jr.

## SUPERIOR COURT



Kent County  
Superior Court



## PRESIDENT JUDGE JAMES T. VAUGHN, JR.

# SUPERIOR COURT

Superior Court proudly celebrated its 175<sup>th</sup> Anniversary this year on April 9, the very day of the first session of the Court in 1892. To commemorate this anniversary, a special session of Superior Court was held in the New Castle Court House in historic old New Castle. Here, Delaware judges, government officials, and distinguished guests gathered to honor and recall the Court's history and the people who, along the way, fashioned the Superior Court of 2007.

As of April 1, 2007, all new Alternative Dispute Resolution (ADR) complaints filed in Superior Court are filed electronically (e-filed). With the addition of the ADR cases, the majority of the Court's civil caseload is now e-filed. On the Superior Court website, the ADR membership listing pages were reformatted and upgraded. ADR filings across the state for 2007 numbered 3,453, and ADR dispositions, 3,343.

Statewide for 2007, Superior Court filings totaled 23,075, a 10 percent increase over last year; dispositions totaled 22,231, an 11 percent increase. The number of non-first degree murder cases moving through the system within allotted time frames remains consistent. At the end of June this year, thirty Murder 1<sup>st</sup> cases were pending in Superior Court. Additionally, the Court disposed of 5,134 Violation of Probation cases.

Superior Court's mortgage foreclosure filings have been steadily on the rise this year, and the trend is expected to continue. In keeping with its commitment to serving the public, the Court is involved in two projects associated with mortgage foreclosures—one initiated by the Office of the State Bank Commissioner (OSBC), and one initiated on its own.

## SUPERIOR COURT

At the request of the OSBC, the Court agreed to give access to its JIC database for a study on mortgage foreclosure filings. This in-depth study was released this fiscal year. The study, in part, estimated “that 46% of owners in foreclosure either lost or sold their home subsequent to the foreclosure filing.” OSBC has established initiatives to help homeowners avoid foreclosures, and it continues to monitor monthly data supplied by the Superior Court Prothonotary Offices. Last quarter’s data showed a 32% increase in foreclosures across the state.

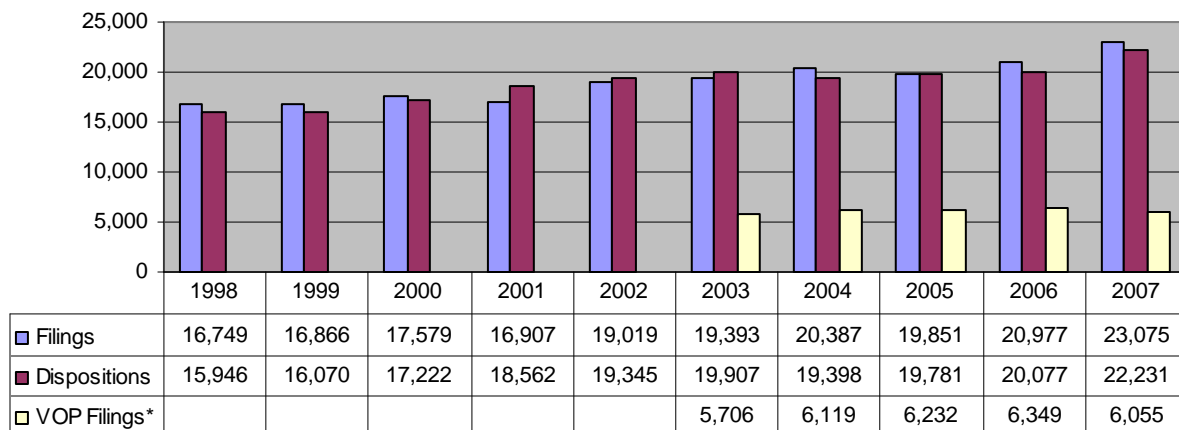
“Project Rightful Owner” went live on May 10, 2007. Conceived by Superior Court Judge Susan Del Pesco, the project is designed to help give something back to those citizens who have already lost their homes through Sheriff’s sales. Project Rightful Owner seeks to unite nearly \$5 million in excess proceeds of Sheriff’s sales with those to whom it rightfully belongs. The project has received some media coverage, and the process is fully outlined on the Court’s website. It takes

some time and effort to recover these excess proceeds. Even so, to date, over 30 disbursements of surplus funds have been released to petitioners.

As the COTS initiative moves forward, with each successful implementation seemingly coming faster and faster, Superior Court prepares for Phase 3 in 2008. Phase 3 will bring the Sussex County civil cases on to the new Contexte case management system. Superior Court judges and staff meet regularly with our Core Team members and Project Team representatives so that the Contexte system will work for us and the entire judiciary.

Finally, it is six years in a row now that Superior Court has been recognized as the premier court of general jurisdiction in the country by The Harris Poll State Liability Systems Ranking Study. It is gratifying to know that the Court’s core values of unity, neutrality, integrity, timeliness, equality, and dedication are working for the public it serves.

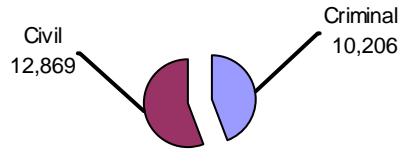
**SUPERIOR COURT CIVIL & CRIMINAL  
FILINGS & DISPOSITIONS BY FISCAL YEAR**



\*The number of VOP filings are not available for 1998-2007. The decrease in VOP cases for FY 2007 reflects the consolidation of VOP cases under Senate Bill 50 (11 *Del.C.* § 4333) and the ongoing research work of the SB 50 pilot unit.

# SUPERIOR COURT

**NUMBER OF SUPERIOR COURT FILINGS BY TYPE  
FY 2007**



## **LEGAL AUTHORIZATION**

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

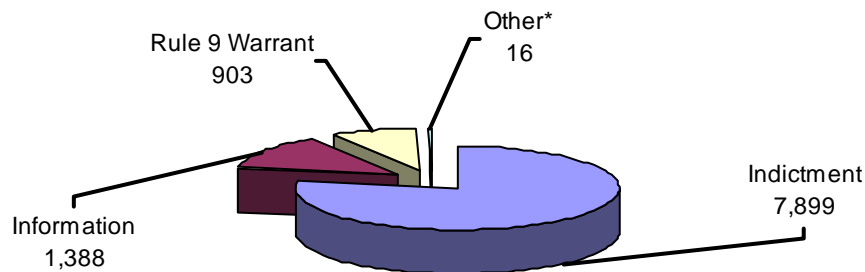
## **COURT HISTORY**

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 nineteen today.

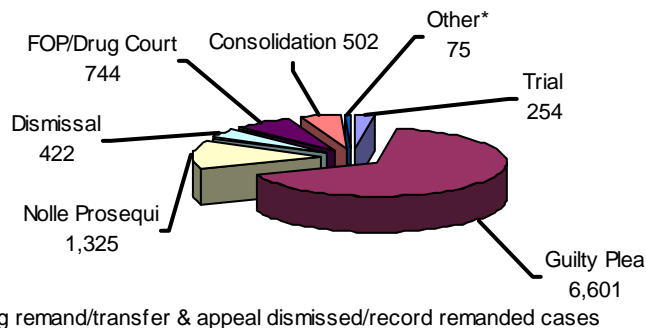
**NUMBER OF SUPERIOR COURT CRIMINAL  
FILINGS BY TYPE FY 2007**



\*Includes appeals, transfers, reinstatements & severances

# SUPERIOR COURT

## NUMBER OF SUPERIOR COURT CRIMINAL DISPOSITIONS BY TYPE FY 2007



## GEOGRAPHIC ORGANIZATION

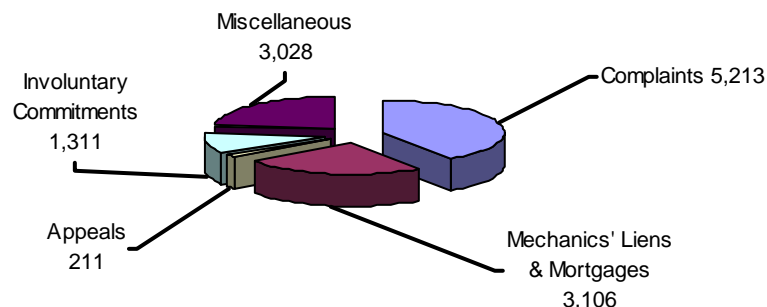
Sessions of Superior Court are held in each of the three counties, at the county seat.

## 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 medi-

cal malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics' liens, and condemnations. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and possession of marijuana and certain other drug-related possession cases). Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware Psychiatric Center. 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 fifty administrative agencies including the Industrial Accident, Zoning

## NUMBER OF SUPERIOR COURT CIVIL FILINGS BY TYPE FY 2007



# SUPERIOR COURT

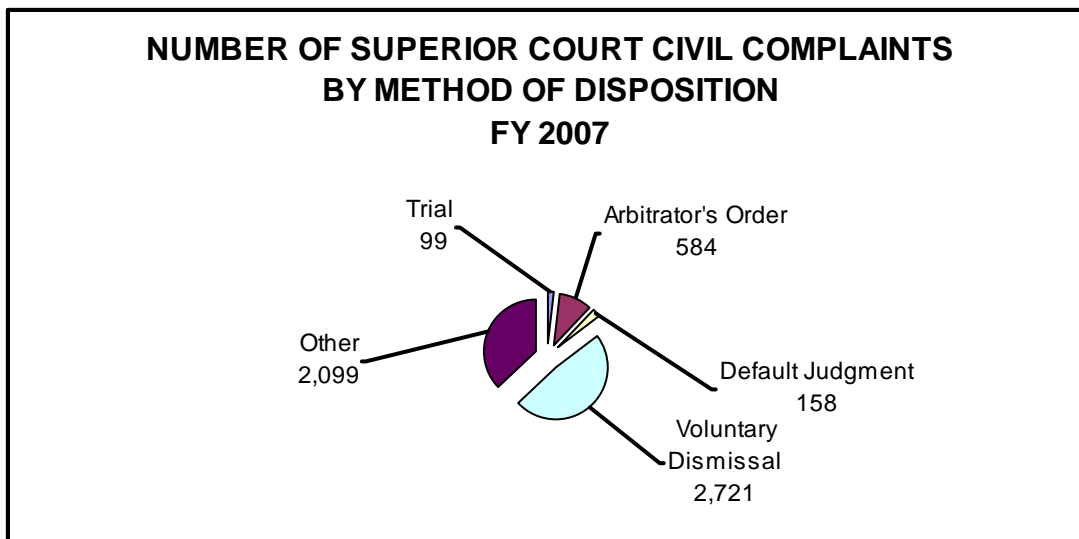
and Adjustment Boards, and other quasi-judicial bodies. Appeals from Superior Court are argued on the record before the Supreme Court.

## **SUPPORT PERSONNEL**

Superior Court employs court reporters, law clerks, bailiffs, investigative services officers, a secretary for each judge, and other support personnel.

A prothonotary for each county serves as clerk of the Superior Court for that county. The prothonotary is directly involved with the daily operations of the

Court. The prothonotary handles jury lists and property liens and is the custodian of costs and fees for the Court. That office also 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 Psychiatric Center and collects and distributes restitution monies ordered by the Court in addition to numerous other duties. The prothonotary is also charged with security, care, and custody of the Court's exhibits. Sheriffs for each county also serve Superior Court.



## **JUDGES**

Superior Court judges are nominated by the Governor and confirmed by the Senate. The judges are appointed for twelve year terms and must be learned in the law. There may be nineteen judges appointed to the Superior Court bench, one of whom is appointed president judge.

Three judges 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.



## SUPERIOR COURT



***Front Row (sitting left to right)***

Judge Jerome O. Herlihy  
Judge John E. Babiarz, Jr.  
President Judge James T. Vaughn, Jr.  
Judge Susan C. Del Pesco  
Judge T. Henley Graves (SC Resident Judge)

***Second Row (standing left to right)***

Judge Richard F. Stokes  
Judge William C. Carpenter, Jr.  
Judge Richard R. Cooch (NCC Resident Judge)  
Judge Charles H. Toliver, IV  
Judge Fred S. Silverman  
Judge William L. Witham, Jr. (KC Resident Judge)  
Judge E. Scott Bradley

***Back Row (standing left to right)***

Judge Robert B. Young  
Judge Calvin L. Scott, Jr.  
Judge Joseph R. Slight, III  
Judge Peggy L. Ableman  
Judge Jan R. Jurden  
Judge Mary M. Johnston  
Judge M. Jane Brady

## FAMILY COURT



Family Court  
Dover



## CHIEF JUDGE CHANDLEE JOHNSON KUHN

# FAMILY COURT

We are pleased to present the annual report of the Family Court of the State of Delaware. Family Court remains firmly committed to its mission and strategic plan.

In accordance with its statutory mission, set forth in 10 Del.C. § 902(a),

*“The court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interest of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another.”*

### **STRATEGIC PLANNING**

Family Court’s Strategic Plan reads as follows:

**WE, THE JUDGES OF THE FAMILY COURT OF THE STATE OF DELAWARE**, this 12<sup>th</sup> day of August, 2004, in furtherance of the Family Court’s legislative mandate to best serve the interests of the citizens, families, and children of the State of Delaware, and all other individuals who appear before us, do hereby set forth the Court’s guiding ideals, goals, and strategies.

### **Guiding Ideals**

*The Family Court of the State of Delaware – its judicial officers and staff – is committed to securing meaningful access to justice for those who come before the Family Court; to striving for safety, permanency, and rehabilitation of our children; to protecting the peace and safety of the public; to resolving disputes impartially and fairly; to demanding respect, intellectual honesty, integrity, and accountability from ourselves as well as from those we serve; to responding to the social changes and innovative ideas of the future; to giving due deference to legal precedents of the past; and, ultimately, to enhancing the quality of life of the citizens, children and families of the State of Delaware.*

### **Goals**

*Safety and security  
Timely and expeditious hearings and case processing  
Institutional competence (fully trained and engaged judicial officers and staff)  
Conflict resolution in the least adversarial manner  
Comity in governmental relations  
Balanced court workload*

### **Broad Strategies**

*Effective judicial governance*  
*Continuous learning (training and education)*  
*Innovation*  
*Alternate dispute resolution (ADR)*  
*Good working relationships with other branches of government and justice system partners*  
*Community outreach*

### **COURT IMPROVEMENT PROJECT (CIP)**

The Court Improvement Program (CIP) is a multi-year, federally funded grant project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994 and continues to utilize this federal resource to embark on a dynamic new partnership with the child welfare system by focusing on the common goal of improving the safety, stability and well-being of children who have experienced abuse and neglect.

Initial CIP efforts resulted in today's best practice of having all stages of a dependency and neglect case heard by the same judge within a schedule of hearings and reviews that meet federal standards. More children and parents have representation, case plans are more meaningful, orders more consistently include detailed reasoning, and reunification or permanency is achieved in a more timely manner.

The Court is building on that foundation through a more active partnership with others in the child welfare system, primarily the Division of Family Services, but also with legal professionals, advocates and service providers.

### **Highlights include:**

October 2006 – the Court used federal resources to engage a full-time CIP Coordinator. Among other contributions, the Coordinator has enabled the Court to develop a five-year strategic plan for data collection, training and

collaboration and to apply for additional federal funds to support the activities in the plan.

November 2006 - the Family Court partnered with the Department for Children Youth and Their Families to host a two-day Statewide Summit on the Protection of Children entitled: *Joining Forces for Delaware's Children*. Both national and local experts presented to approximately 400 participants. This conference was a result of an action plan developed by a team of Judges, staff and child welfare professionals who attended The National Leadership Summit on the Protection of Children.

The Family Court actively planned and participated with DSCYF in preparation for the federal Child and Family Services Review. The review consisted of a week-long review in March 2007 wherein the CFSR team of reviewers interviewed judges, social workers, advocates and others and reviewed 65 case files. The resulting report is intended to help identify areas of strength as well as areas for improvement to further the goal of providing all children with safe, permanent families in which their physical, emotional, and social needs are met.

Additional collaboration is occurring at the county level through quarterly stakeholders meetings intended for partners to remedy local challenges and share beneficial information.

The path forward includes utilizing additional federal support to collect and analyze data in order to specifically identify areas for improvement, to design and offer a schedule of educational opportunities for judicial officers and others in order to achieve improvements, and to collaborate with partners on replicating best practices statewide.

Because of its sweeping systemic reforms, the Delaware Family Court was selected as a study site for the U. S. Department of Health and Human Services (HHS) to evaluate the impact of the CIP. Pal Tech will conduct the court-focused evaluation in New Castle County under contract with HHS. The study began in the fall of 2006 and will continue over a five-year period. It will include observations and empirical information regarding the impact of

## FAMILY COURT

court reforms, including their influence on the Division of Family Services and its ability to meet federal child welfare requirements.

### **JUVENILE JUSTICE**

#### ***Mental Health Diversion Court***

The Family Court, in collaboration with the Public Defenders Office and the Division of Child Mental Health received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with delinquency charges pending against them in the New Castle County Family Court. The program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. The program began in January of 2007 and quickly acquired a full caseload.

In conjunction with the Mental Health Court program, the Family Court in New Castle County has created a dedicated juvenile competency calendar for conducting competency hearings and monitoring compliance with treatment recommendations for non-competent juveniles still facing open charges. One dedicated Judge is assigned to hear and track all the competency hearings.

#### ***Delaware Girls Initiative***

The Delaware Girls Initiative (DGI) began as a statewide volunteer initiative comprised of more than one hundred advocates. Under the guidance of the Honorable Chandlee Johnson Kuhn, Chief Judge of Family Court, DGI was developed as a result of the growing need for gender specific resources for at-risk girls. Its mission is to advocate for a 'continuum of services' that ensures gender specific resources and programs for all girls at-risk in Delaware. In May 2006, the *Blueprint for Systematic Change* was debuted at Legislative Hall in a remarkable unveiling ceremony.

As a result of the dedication of Chief Judge Kuhn and Family Court, as well as many other State and nonprofit agencies, DGI has grown from purely volunteer committee work into a program staffed with two full-time em-

ployees. Coordinator, Allison L. Cassidy, LCSW, was hired in March 2007 and Program Assistant, Carolyn Petrak, MPA, began in April. Together, Ms. Cassidy and Ms. Petrak are coordinating the efforts of the DGI Committee work, including a source book for girls, contact book for professionals, and girls' focus groups.

In June, DGI released its Annual Workshop Calendar that offers thirty-six workshops statewide that provide gender responsive training to professionals and individuals in Delaware. Delaware Girls Initiative will forge into 2008 with a strong foothold in the State's effort to serve Delaware's at-risk girls.

### **SERVICES FOR SELF-REPRESENTED LITIGANTS**

In its continued efforts to serve *pro se* litigants, the Family Court helped nearly 50,000 people by providing assistance through the Resource Centers statewide. Over 25,000 people in New Castle County utilized the services provided in the Self-Help Center and Intake Center. Kent County's Resource Center provided assistance to approximately 14,000 people, and Sussex County's Resource Center provided assistance to approximately 10,000 people. These numbers indicate that Delaware's citizens continue to benefit from the variety of services offered in the Resource Centers.

Over the past year, the Court developed and implemented instruction booklets and informational resources in the areas of termination of parental rights, adoption, registration of foreign custody orders and registration of foreign protection orders. These materials are in addition to instructional booklets already available on divorce and annulment, custody, visitation, custody modification, guardianship and permanent guardianship. These books provide extensive information to *pro se* litigants regarding how to complete court forms (including sample forms), the court process and information to assist them in preparing for their particular court hearing. The booklets and resources are available to *pro se* litigants in all Family Court Resource Centers and are accessible on the Family Court webpage. The Family Court webpage was also redesigned this year in

order to be more user-friendly for *pro se* litigants. The Court is currently developing additional instruction booklets in the areas of child support and motions practice as well as creating videos to compliment each instruction packet. Finally, the Court has been active in developing desk reference books for *pro bono* attorneys volunteering in the area of family law.

In addition to the volunteers who serve in our resource centers, the Family Court sponsored a Public Ally this year, who worked as a member of the *pro se* services department. The Public Ally program of leadership and community services development for young adults works to strengthen our community and the Family Court is proud to expand our *pro se* services team in this way.

The Court's *pro se* litigant program has enhanced the public's access to the Court, has enhanced litigants' participation in the Court process and has contributed to more efficient Court operations.

### **DOMESTIC VIOLENCE**

In staying at the forefront of developments in the area of domestic violence, the Family Court has undertaken a number of initiatives this year to continue our proactive momentum in this area.

In its continued efforts to provide protection and relief to victims of domestic violence, as well as ensure treatment and counseling for offenders, the Family Court will begin a pilot program in each county in September 2007, creating a specialized domestic violence court. The intention of this specialized court will be twofold: to create greater continuity in Family Court cases involving domestic violence and to create a more standardized system of compliance for offenders, which will include review hearings.

On November 1, 2005, Family Court implemented the Writ of Injunction/Sequestration Procedure on Protection of Abuse cases to provide authority for the police to search and seize weapons that have the potential for use in a

domestic violence situation. Upon completion of an affidavit and testimony before a Judge and the issuance of an ex parte order, a Family Court Judge may order a Writ of Injunction/Sequestration authorizing the police to seize firearms to prevent further abuse and a possible domestic violence fatality. Since implementation on November 1, 2005 and through July 31, 2007, Family Court has issued 90 writs statewide resulting in 407 firearms being seized, thus further protecting families and the citizens of Delaware.

Additionally, the Family Court prepares for the expansion of our jurisdiction in the area of domestic violence, which commences on September 20, 2007. This expanded jurisdiction is the result of Senate Bill 57, which was signed into law on June 20, 2007, with a 90 day implementation date. This Bill expands the jurisdictional requirements for civil protective hearings to include dating couples, a class which had not previously been granted standing to request civil protection. This new class includes all dating couples, regardless of age, sexual orientation or cohabitation.

Finally, several Family Court Judges attended conferences sponsored by the National Judicial Institute on Domestic Violence throughout the year. These intensive, hands-on workshops provided Family Court Judges the opportunity to learn from experts in the field of domestic violence, as well as work with peers on a national level to ensure best judicial practices in the area of domestic violence.

### **COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM**

The vision of the CASA Program is to provide volunteer advocacy for every child in the court system who has been abused and/or neglected. In 2006, nearly 215 CASA volunteers represented 553 children in our state. The goal for FY07 was to recruit volunteers to represent the population in which we serve. The Court reached more than 2000 individuals with the CASA message through a variety of outreach efforts such as public service announcements; radio interviews; print advertisements in Delaware Today Magazine, Metro Kids

## FAMILY COURT

Magazines, and several local newspapers statewide; the DART Bus campaign; and participation in festivals and community activities. These efforts produced over 250 inquiries from potential volunteers.

A 10 percent increase in the volunteer pool as well as the number of children CASA serves was projected during the above-mentioned time period. CASA met both of these goals by serving a 10 percent increase of children and obtaining over a 70 percent increase in the volunteer pool.

### **HUMAN RESOURCES DEVELOPMENT**

The Family Court continues to focus on the professional development of its administrative support staff with the goal of enhancing overall organizational effectiveness and individual competencies. The emphasis is on providing our employees with the knowledge and skills needed to effectively provide information and assistance to litigants.

The guiding principles that the Court uses as its long range human resources strategy are embedded in its Strategic Plan that has been adopted and approved by all Family Court Judges. Additionally, the framework that exists in the National Association of Court Management's (NACM) Core Competency Guidelines is being explored as the basis for specific long-term professional development strategies for court managers and administrative support staff.

The Court's current development program for its supervisors and managers centers on two one-day conferences that are held annually at a central location with full participation required. In April of 2007, all managers and supervisors attended a one-day conference entitled "Building a Stronger Team" conducted by HMS Corporation specializing in employee assistance programs and work/life issues.

In October of 2007, all Commissioners and all administrative support staff attended the Family Court Staff Development Conference entitled "Building Effective Work Place Skills."

The agenda focused on child abuse reporting procedures, effective customer service techniques, selection interviewing and the new State of Delaware recruiting system (for Commissioners and managers).

In November of 2007, the Relations Unit from the State of Delaware Office of Human Resource Management will be presenting management updates at the second managers' conference of the year.

In addition to the Family Court Staff Development Conference, employees in administrative support positions attend various educational programs offered by the Administrative Office of the Courts, the Office of Human Resource Management and other training resources. The Judges, Commissioners, managers and supervisors are committed to the participation of their unit members in these programs.

The Court continues to encourage employees to apply for its employee educational assistance program which provides tuition reimbursement to employees who are pursuing college degrees.

Under the Court's Excellence in Performance program, annual ceremonies were held in each county in May and awards were presented for a broad range of individual and group achievements, including Employees of the Year, Manager of the Year and Directors' Awards.

A significant number of the administrative support staff are in career ladder positions and a revised career ladder review board process was instituted to streamline the opportunity for staff to advance in their respective career ladders. Workshops entitled "Managing and Strengthening Your Career" were conducted to increase awareness of the career ladders and other opportunities for advancement.

Workshops that focused on "Respect in the Workplace" were held for supervisors and managers and separate sessions were conducted with administrative support staff.

### **SECURITY, SAFETY AND FUNCTIONALITY OF THE FAMILY COURT FACILITIES STATEWIDE**

In May 2006, the Department of Administrative Services purchased a parcel of land adjacent to the present Family Court building in Sussex County, which is earmarked for additional parking. With surplus funds from that project, Family Court Judges and administrative staff are working with the Division of Facilities Management to identify and correct the most critical security deficiencies in need of immediate attention in Sussex County. We hope to receive additional funding in the next fiscal year to combine with monies already earmarked to complete those renovations. The long term space needs assessments have been completed with the Kent County Courthouse receiving an unacceptable rating and Sussex County Courthouse a lower rating of inappropriate. Capital improvement funding is being sought to construct new facilities in both counties.

### **COTS – COURTS ORGANIZED TO SERVE**

Family Court Judges and staff continue with their commitment to the statewide COTS (Courts Organized to Serve) automation initiative. During Fiscal Year 2007, the COTS case management system was implemented successfully in three Justice of the Peace civil courts. The Family Court has continued to offer its assistance to the Justice of the Peace Courts as they work through this transitional period. During Fiscal Year 2008, the COTS initiative will be implemented in the remainder of the JP civil courts as well as piloted in the Court of Common Pleas and Superior Court. Personnel from all levels of the court continue to work on the project to ensure further successful implementations.

### **CALL CENTER PILOT**

The Family Court Customer Call Center is a pilot program in New Castle County with significant statewide potential. The Customer

Call Center offers especially trained, courteous representatives who promptly answer a variety of Family Court related questions.

The pilot program was initiated with the following goals in mind:

Enhancing the image of the Court.

Reducing high call volume in the processing units.

Improving operating efficiencies.

Enhancing the level of service provided to the Court's internal and external customers.

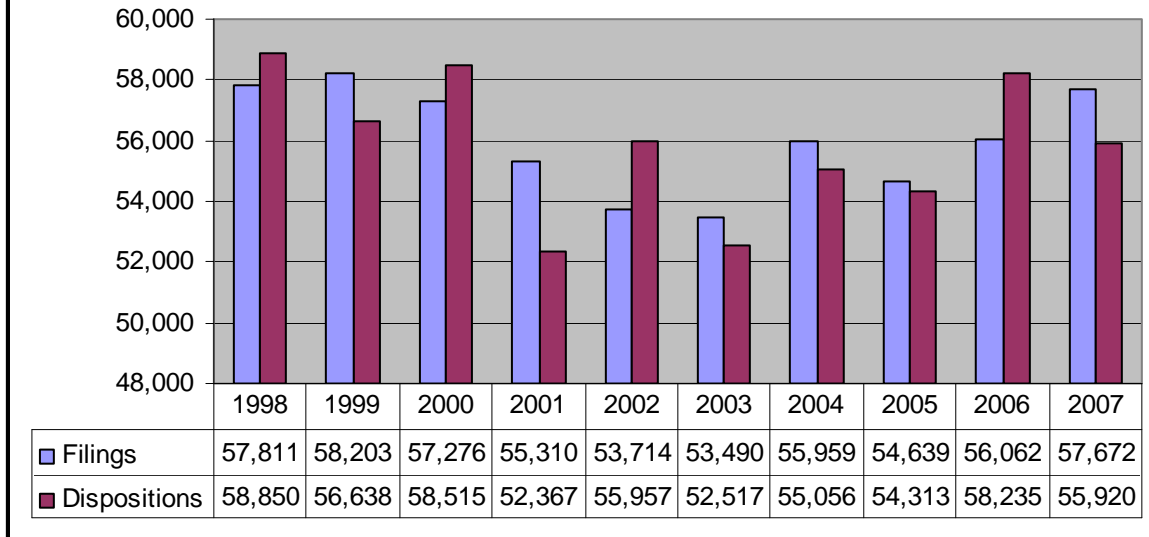
New Castle County was chosen to pilot the Customer Call Center because it is the county with the largest volume of calls. The Customer Call Center currently has one supervisor and 4 employees. These 5 positions were taken from other operational units. The representatives strive to answer each call in a prompt, courteous, and professional manner. The Call Center has received positive feedback from both internal and external customers.

The Customer Call Center representatives took 17,496 calls from January 24, 2007 through June 30, 2007. These calls were taken from the selection of options from the main number to the New Castle County Family Court. This number is not all inclusive of the total number of calls Family Court receives.

Although the Customer Call Center is a pilot, it has proven to be very successful and highly recognized by internal and external customers. The Customer Call Center's motto is "Failure is not an option". Family Court is committed to the highest standard of customer service.

## FAMILY COURT

### FAMILY COURT CIVIL & CRIMINAL FILINGS AND DISPOSITIONS BY FISCAL YEAR



#### **LEGAL AUTHORIZATION**

The Constitution of Delaware, Article IV, Section 1, 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 1930s, there was a campaign to establish a Family Court in the northernmost county, and this idea came to fruition 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 1950s, 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.

In 2005, Family Court was granted Constitutional status by an act of the General Assembly.

#### **GEOGRAPHIC ORGANIZATION**

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

#### **LEGAL JURISDICTION**

The Family Court has had conferred upon it by the General Assembly jurisdiction over statutorily enumerated juvenile delinquency matters, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spousal support, paternity of children, custody and visitation



## FAMILY COURT

of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, orders of protection from abuse and intra-family misdemeanor crimes.

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

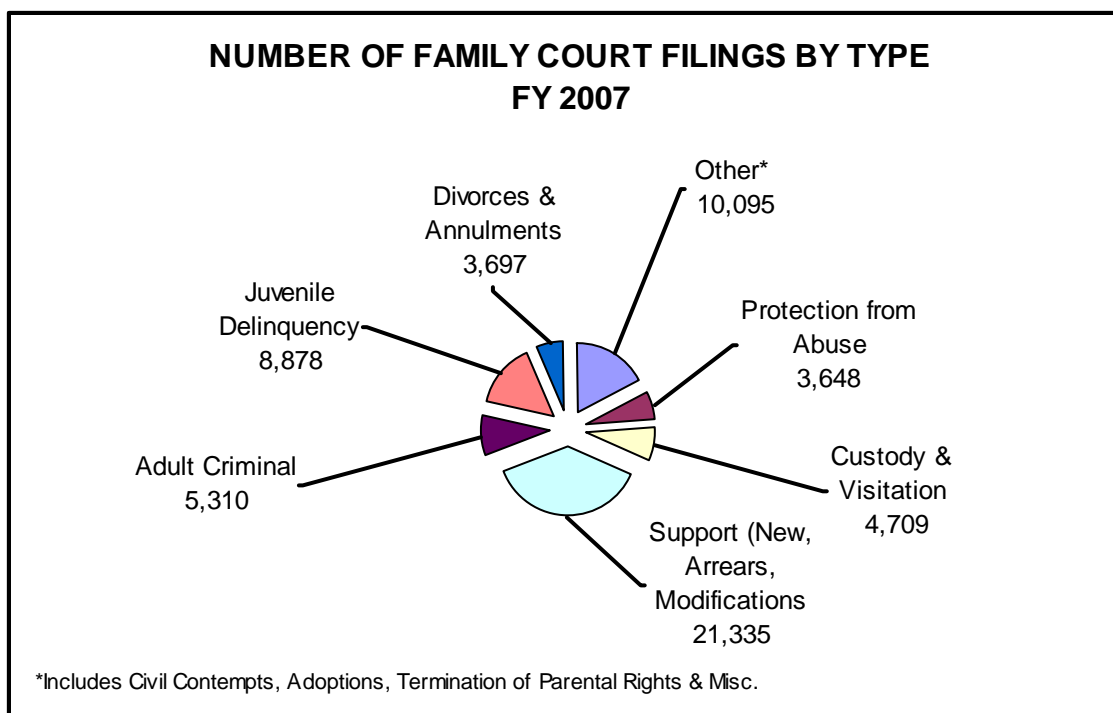
### JUDGES

Family Court has 17 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.

The Governor nominates the Judges, who must be confirmed by the Senate. The Judges are appointed for 12-year terms. Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and children's issues. They shall not practice law during their tenure and may be re-appointed.

### COMMISSIONERS

Family Court has 16 Commissioners of equal judicial authority. Commissioners are attorneys at law who are nominated by the Governor, confirmed by the Senate and serve an initial four-year term. Upon second and subsequent appointments and confirmation, Commissioners serve six-year terms.



## FAMILY COURT

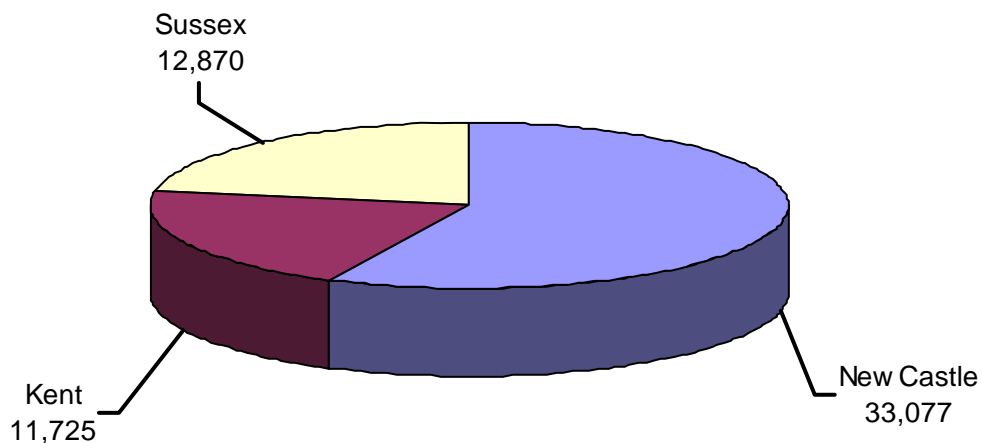
Commissioners hear a broad range of cases including divorce, child support, misdemeanor crimes and delinquency, civil protection orders, bail hearings and other cases as assigned by the Chief Judge. Orders from Commissioners are subject to review by Family Court Judges.

During this fiscal year, Commissioner Andrew Horsey retired after 20 years on the bench. On June 6, 2007, Commissioner Louann Vari was confirmed by the Senate for a four year term as his replacement, and was sworn in on July 16, 2007.

### **ADMINISTRATIVE SUPPORT PERSONNEL**

The Family Court has an administrative support staff of 300 full-time positions in addition to the above-referenced Judges and Commissioners. The Court's administrative support staff includes positions such as the Court Administrator, directors of operations, supervisors, administrative specialists, accountants, judicial assistants, mediation/arbitration officers, intake officers, program coordinators and volunteers working in all areas of the Court.

**NUMBER OF FAMILY COURT FILINGS BY COUNTY FY 2007**



## FAMILY COURT



### ***Front Row (sitting left to right)***

Judge William J. Walls, Jr.  
Judge Jay H. Conner  
Chief Judge Chandlee Johnson Kuhn  
Judge Kenneth M. Millman  
Judge Mark D. Buckworth

### ***Back Row (standing left to right)***

Judge Arlene Minus Coppadge  
Judge Peter B. Jones  
Judge Barbara D. Crowell  
Judge Michael K. Newell  
Judge Robert B. Coonin  
Judge William L. Chapman, Jr.  
Judge Joelle P. Hitch  
Judge Alan N. Cooper  
Judge Aida Waserstein  
Judge Mardi F. Pyott

***Not pictured:*** Judge John E. Henriksen and Judge William M. Nicholas



Court of Common Pleas, NCCCH  
Wilmington

# COURT OF COMMON PLEAS



## CHIEF JUDGE ALEX J. SMALLS

The Court of Common Pleas continues to be challenged by caseload growth. In the past year, the Court experienced statewide increases in all case categories. The Court's civil caseload rose by 15.9% from 9,850 filings in FY 2006 to 11,420 filings in FY 2007. Criminal misdemeanor defendant filings rose by 9.2%, going from 90,964 filings in FY 2006 to 99,345 in FY 2007. Preliminary hearing cases increased by 13.6%, going from 9,165 filings in FY 2006 to 10,413 cases in FY 2007.

The large number of criminal misdemeanor filings received by the Court each week during last year made it increasingly difficult to keep pace, resulting in delays in processing and scheduling cases. Requests for jury trials in criminal cases have continued to increase dramatically, rising by 17.5% in FY 2007 in New Castle County alone. The Court's appellate caseload also continues to rise. Appeals from the JP Court and from the Alderman's Court take more Judicial and staff time

to handle and nearly all appeal cases go to trial.

The demands associated with the increased caseload are considerable. The civil cases handled by the Court involve increased amounts and complexity of issues. Prior to the increase in jurisdiction, the Court's workload in this area primarily involved collection matters and minor contract actions. Presently, the cases involve disputes regarding personal injury matters and complex contract disputes. As a result, there are more extensive motion practices and longer periods for trial.

The Court acquired new jurisdiction this year in the form of confirmation of arbitration awards in actions arising from contracts to provide consumer credit. Previously handled by the Court of Chancery, legislation transferring the jurisdiction to the Court of Common Pleas was signed into law in May 2007.

## COURT OF COMMON PLEAS

Aside from its more traditional caseload, the Court handles two special types of caseloads in what are commonly referred to as therapeutic courts. These include a court-supervised, comprehensive drug diversion program in all three counties. More than 4,100 defendants have entered the program since it began in 1998. In FY 2007, 413 defendants entered the New Castle program; 106 entered the program in Kent County; and 71 entered the Sussex County program. The combination of education and treatment, drug monitoring and close supervision by a judge, has resulted in a high success rate in all three counties.

The second type of caseload is handled through the Court's Mental Health Court, the first such program in the state of Delaware. Started in October 2003 and modeled on the drug court concept, Mental Health Court is designed to provide a diversion program in the form of treatment and counseling to mentally ill persons in an effort to reduce their contact with the criminal justice system. The program provides regular contact with a judge and close contact with mental health professionals to modify behavior and ensure appropriate treatment therapies. The judge serves as the center of the treatment and supervision process and provides the incentive for cooperation and completion.

Other initiatives of the Court include a successful mediation (alternate dispute resolution) program. This program provides an alternative to criminal prosecution and gives participants the opportunity to resolve conflicts more effectively and satisfactorily than going through the regular court process. Since its inception in 2001, the Court has han-

dled more than 3,900 cases and has experienced a success rate of nearly 90%. In FY 2005, the Court's mediation program was modified to include civil cases. In FY 2007, 716 criminal cases and 56 civil cases were referred to mediation.

While the heavy case load challenges an already very busy court, the Court of Common Pleas remains committed to maintaining a high quality of service and to providing a just resolution in every case. The goal is to ensure that each case, while receiving the required attention, is resolved timely. To that end, the Court continues to revise its case management approach to meet the needs of its clients.

One such example was the establishment of Traffic Court in New Castle County in 2003. At that time, the Court initiated a revised procedure to manage its high volume traffic cases through a calendaring process designed to provide greater efficiency in the management of cases and reduce the burden on citizens. Traffic Court was instituted to allow most offenses to be scheduled for a single event; defendants are arraigned in the morning and trials, if necessary, are held in an afternoon session. This program continues to be successful in eliminating multiple court appearances for citizens charged with traffic offenses.

The Court of Common Pleas also continues its commitment to providing service to self-represented citizens. The number of self-represented litigants accessing the Court of Common Pleas continues to increase. Public access computers are available and used regularly at all court locations. In addition, the Court continued to expand its web site this year

## COURT OF COMMON PLEAS

by increasing the number of forms and accompanying instructions on the Internet. Likewise, the numbers of persons accessing the Court requiring interpreter services continues to rise. The Court provides interpreters for all criminal proceedings and has translated most of its forms and instructions into Spanish. These changes provide improved accessibility to the courts to many Delaware citizens and help support the Court's mission of assisting people in the resolution of their everyday problems.

Another means of assisting litigants is through the use of an arraignment video that provides information to citizens regarding their rights and the procedures they will encounter when they appear in Court. The Court wrote and produced a new video this year in order to enhance and expedite the arraignment process.

The Court continues to encourage professional staff development. Court employees are encouraged to take advantage of training opportunities and to share their knowledge and experience. The Court bailiffs are now required to complete a 40 hour training program developed by the Delaware State Police and the Clerks of Court are participating in an ongoing program to develop core competencies provided by the Mid-Atlantic Association for Court Management. Many of the Court's Electronic Court Reporters are active members of the American Association of Electronic Reporters and Transcribers (AAERT). Four of the

Court's eleven reporters are currently certified and two more are scheduled for testing in November.

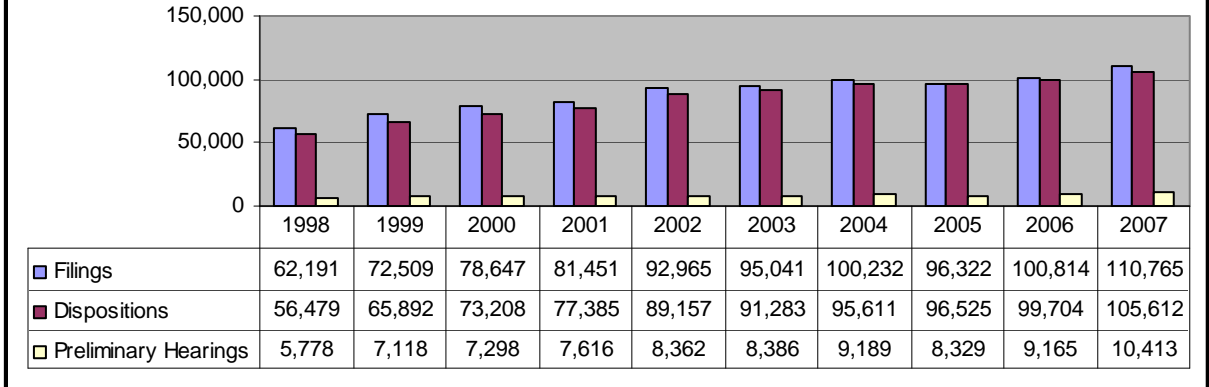
The Court of Common Pleas was also awarded a grant under the Blue Collar Jobs Act to help train a total of 48 clerks to enhance productivity and in preparation for COTS. The training was designed to reinforce the fundamentals of navigation and the performance of common tasks in a Windows-based environment.

The Court continues its commitment to supporting a successful COTS project for the Delaware Judiciary. It has dedicated several staff to the effort full-time and is providing staff support for COTS committees. The Court's Change Agent Team has been increasingly focused on preparing for Phases 3 and 4, which will be implemented in 2008.

In spite of the challenges of managing a large and increasingly complex caseload, judges and staff remain committed to the mission of the Court of Common Pleas - to provide assistance and a neutral forum to people in the resolution of their everyday problems and disputes in a fair, professional, efficient and practical manner. Each member of the Court is responsible to the people the Court serves to carry out that mission on a daily basis.

# COURT OF COMMON PLEAS

**COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS  
& DISPOSITIONS & PRELIMINARY HEARINGS  
BY FISCAL YEAR**



## LEGAL AUTHORIZATION

Art. IV, Sec. 1 of the Delaware Constitution authorizes the Court of Common Pleas.

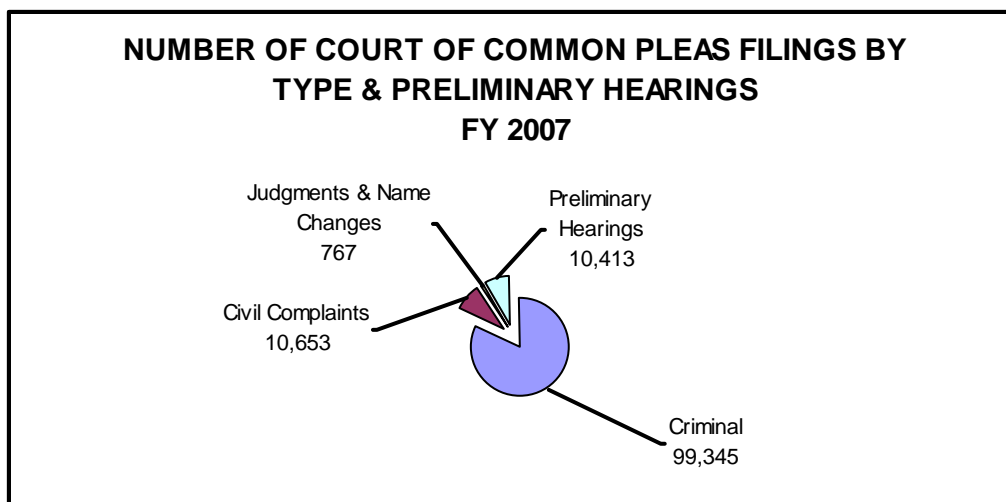
## COURT HISTORY

Common Pleas Courts were established in Pennsylvania's three lower counties (now Delaware) during the colonial period. The Delaware Constitution of 1792 continued their existence in the State of Delaware for a few decades. These, however, were courts of general jurisdiction and, as such, the antecedents of the present Superior Court.

The modern day Court of Common Pleas was established in 1917 when a court of limited civil and criminal jurisdiction was established in New Castle County. A Court of Common Pleas was later established in Kent County in 1931 and Sussex County in 1953. In 1969, the three County Courts of Common Pleas became state courts and, in 1973, the three Courts merged into a single Statewide Court of Common Pleas.

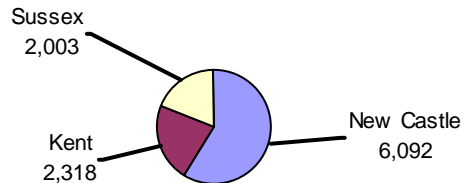
In 1994, The Commission on Delaware Courts 2000 recommended new jurisdiction for the Court of Common Pleas as vital

**NUMBER OF COURT OF COMMON PLEAS FILINGS BY  
TYPE & PRELIMINARY HEARINGS  
FY 2007**



## COURT OF COMMON PLEAS

### NUMBER OF COURT OF COMMON PLEAS PRELIMINARY HEARINGS BY COUNTY FY 2007



to the Delaware Court system. Legislation implementing the Commission Report vested significant new areas of jurisdiction in the Court in 1995. On May 1, 1998, the Municipal Court was merged into the State court system, and pending cases were transferred to the Court of Common Pleas.

#### **GEOGRAPHIC ORGANIZATION**

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

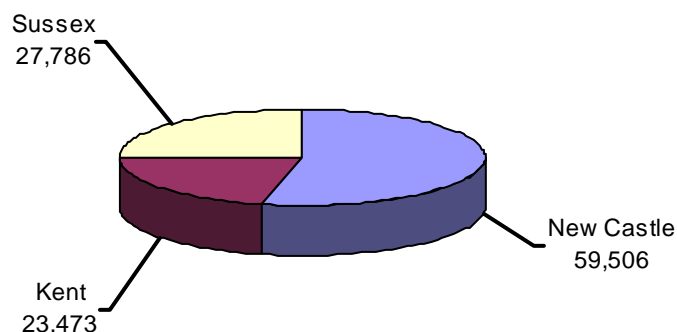
#### **LEGAL JURISDICTION**

The Court of Common Pleas has statewide jurisdiction, which includes concurrent

jurisdiction with Superior Court in civil matters where the amount in controversy, exclusive of interest, does not exceed \$50,000 on the complaint. There is no limitation in amount on counterclaims and cross-claims. It also has jurisdiction over change of name petitions and habitual offender motor vehicle hearings. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except certain drug-related offenses. In addition, it has jurisdiction over traffic offenses (other than those that are felonies). It is also responsible for preliminary hearings. Jury trial is available to all criminal defendants.

### NUMBER OF COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS BY COUNTY FY 2007





## COURT OF COMMON PLEAS

The Court has jurisdiction over appeals from Justice of the Peace and Alderman's Courts in both civil and criminal cases. It also has jurisdiction over administrative appeals from the Department of Motor Vehicles and from the Dog Control Panel.

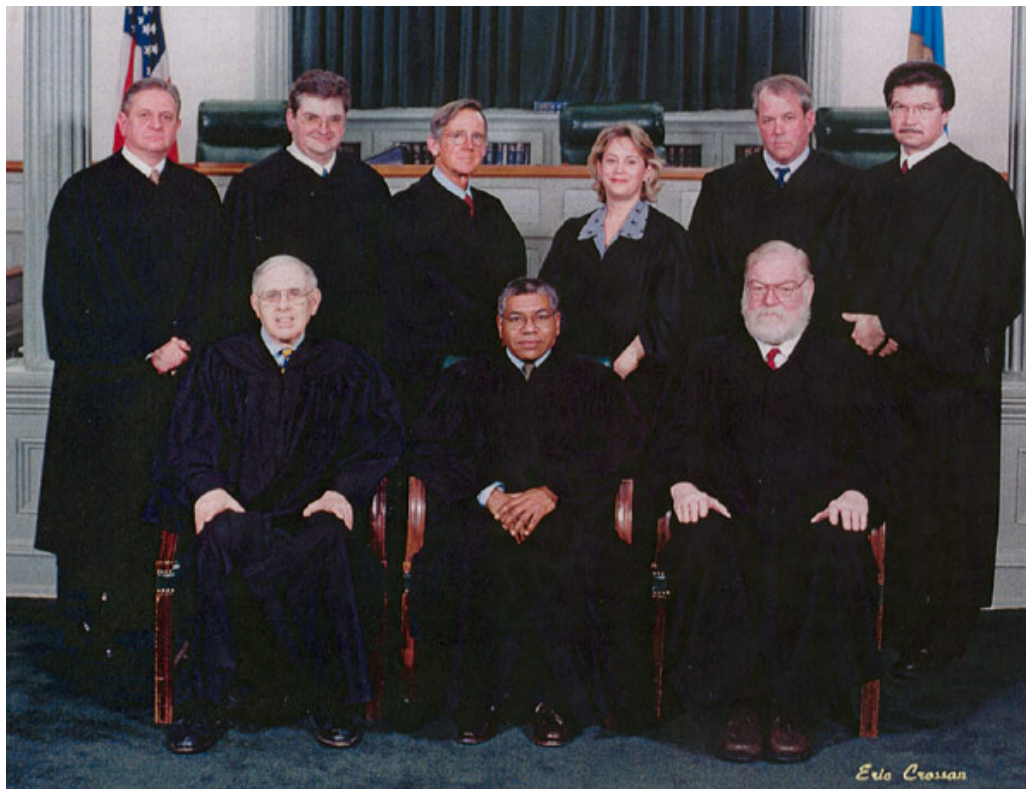
### **JUDGES**

There are nine judges of the Court of Common Pleas, of which five serve in New Castle County, two in Kent County, and two in 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 prac-

tice 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 chief judge serves as the administrative head of the Court.

### **SUPPORT PERSONNEL**

The staff of the Court of Common Pleas includes a court administrator and one clerk of the court for each county as well as bailiffs, court reporters, secretaries, clerks and investigative services officers.



**Front Row (from left to right):**  
Judge Merrill C. Trader  
Chief Judge Alex J. Smalls  
Judge William C. Bradley, Jr.

**Standing (from left to right):**  
Judge Joseph F. Flickinger, III  
Judge Charles W. Welch, III  
Judge Jay Paul James  
Judge Rosemary B. Beauregard  
Judge John K. Welch  
Judge Kenneth S. Clark, Jr.



Justice of the Peace  
Court No. 7—Dover

# JUSTICE OF THE PEACE COURT



## CHIEF MAGISTRATE ALAN G. DAVIS

Fiscal Year 2007 marked another period of steady increase in case volume for the Justice of the Peace Court, and another year of continued dependable, expeditious and fair handling of those cases. The dedication of the Court's staff and judges is not measured in the number of cases processed, but in the ability to work under trying conditions while providing the members of the public who come through our doors - often not of their own will - with an understanding that their case has been considered thoughtfully, skillfully, and with respect.

In terms of sheer volume of case processing, this Court's benefit to the judicial system of the State of Delaware cannot be denied. However, this Court also plays a large role in the advancement of innovative and unique processes and programs that either support our core services or complement them in some way. The Justice of the Peace Court is the leader in the use of video-

phone technology in the Delaware criminal justice community. This Court maximized the use of automated case processing in the State's judiciary and continues to forge ahead as the first users of the planned branch-wide COTS case management system.

Below you will find additional concrete examples of our efforts over the past year to not only be the highest-volume court in the state, but the Court "Where Justice Starts":

**Pro se litigant seminars** - The Justice of the Peace Court sees thousands of *pro se* litigants move through its doors each year. Very often those people have had little or no interaction with the court system and, economically, have little choice but to represent themselves. Understanding court processes, rules, and the general expectations of the Court can be daunting to a person without prior exposure, even in the "people's court." In an effort to better educate the public that we serve and, in the process, receive

feedback from that public, the Court embarked on a project to improve the public's understanding of the Court and how it works. The first step in that project was a series of public workshops providing insight into the handling of landlord/tenant cases. The Court partnered with attorneys and others involved in the regular litigation of cases before the Court in developing seminar-type presentations, mock trials, and other educational experiences for both landlords and tenants. The seminars were held at sites convenient to the target audience, often in the very apartment complexes from which many of the Court's landlord/tenant cases arise.

**COTS Implementation** – In November 2006 the JP Court implemented the first phase of the statewide case management system, COTS. The second phase was implemented on August 1, 2007. As of that date, COTS was operating in all Justice of the Peace Court civil locations. Staff worked diligently with representatives from other courts to move implementation to the second phase. The Court's personnel involved in this implementation honed processes; refined reports; trained staff; and reviewed data to ensure a smooth transition to COTS with Phase 2 court locations. It has been a monumental change for the JP Court staff to move to a new system. As we grow with the implementation of Phase 2, we will continue to take advantage of improved financial processing and other features of the system. All case documents are now converted into electronic format, eliminating the need for paper files. Availability of records in electronic format will be enhanced by the ability of litigants to file cases and pleadings electronically. We are currently piloting an e-

filing system for selected parties who file significant numbers of civil cases in our court, with an eye towards expansion in the near future.

**Capias processing** – The Court piloted its capias reduction plan in two New Castle County and two Kent County Justice of the Peace Court locations in efforts to eliminate extremely stale capias cases in which there is no real likelihood of bringing to justice those who failed to appear in court or failed to pay fines and costs. The program provides a cogent process for sorting capias cases to determine which should be dismissed and which are still viable. This initiative, in conjunction with the Court's change in policy several years ago to permit individual JP courts to handle other JP Court locations' capias cases has continued to result in significant reductions in the time necessary for capias processing. These JP Court initiatives are expected to dovetail with the criminal justice community's statewide effort to reduce the numbers of wanted status cases through the Warrant/Capias Project.

**Police Prosecution Pilot** – In Court 6 (Kent County), the Court initiated a pilot program with the Felton and Harrington Police Departments to facilitate plea bargaining and limit unnecessary transfers to the Court of Common Pleas. Officers from the police agencies act as prosecutors not only at trial, but at arraignment, providing the public with an opportunity to resolve cases expeditiously and eliminating the need for officers to appear at court proceedings that will not go to trial. The pilot has shown promise, and may be expanded to other court locations where feasible.

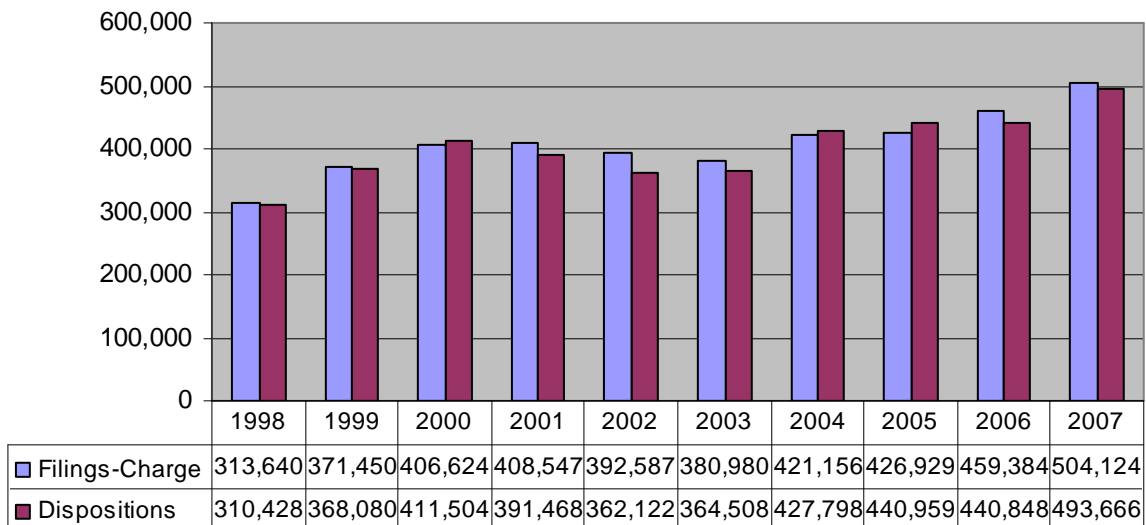
## JUSTICE OF THE PEACE COURT

**Court Security Assessment** – During the 144<sup>th</sup> General Assembly the Justice of the Peace Court, along with the judiciary’s entire legislative team, sought and achieved passage of Senate Substitute 1 for Senate Bill 75, which provides for a court security assessment as part of court costs on most civil cases and all criminal/traffic pleas of guilt or adjudications of guilt. While the entire judiciary will benefit from the additional security made available by this funding source, the Justice of the Peace Court will be the greatest beneficiary. Currently, 45% of the Court’s weekly shifts at the various locations are without the presence of any security personnel and have very few

physical security measures. The funding received from this assessment will eventually allow for security to be present during all times that court business is being conducted, improvement of physical security measures, and enhanced training of security personnel, thus ensuring the safety of court personnel, case participants and the public.

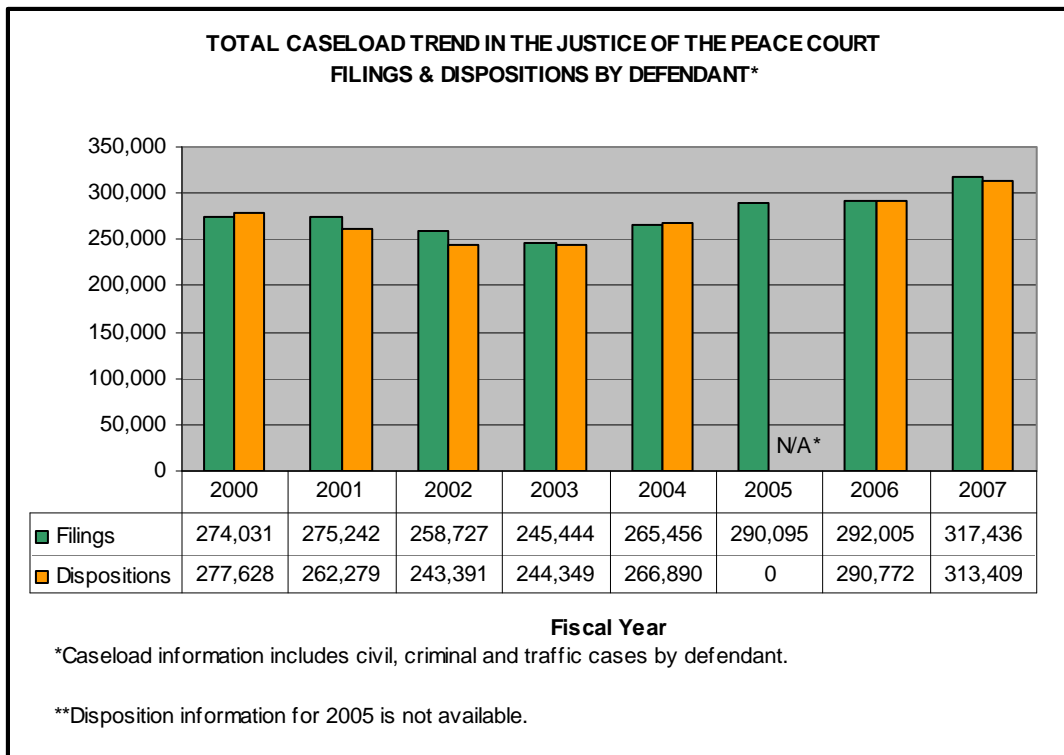
These are but a small sampling of the efforts we have recently undertaken to improve the Justice of the Peace Court’s processes and the experience of the public we serve. We will continue on this path of advancement in the course of coming years.

**JUSTICE OF THE PEACE COURT  
FILINGS & DISPOSITIONS BY CHARGE\***



\*Criminal Filings include civil, criminal and traffic cases by charge.

# JUSTICE OF THE PEACE COURT



## **LEGAL AUTHORIZATION**

The Justice of the Peace Court is 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 17<sup>th</sup> and 18<sup>th</sup> 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 from 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. In 1966 the individual justices of the peace were absorbed into the state judicial system, and the first chief magistrate was installed in 1980 as the administrative head of the Court.

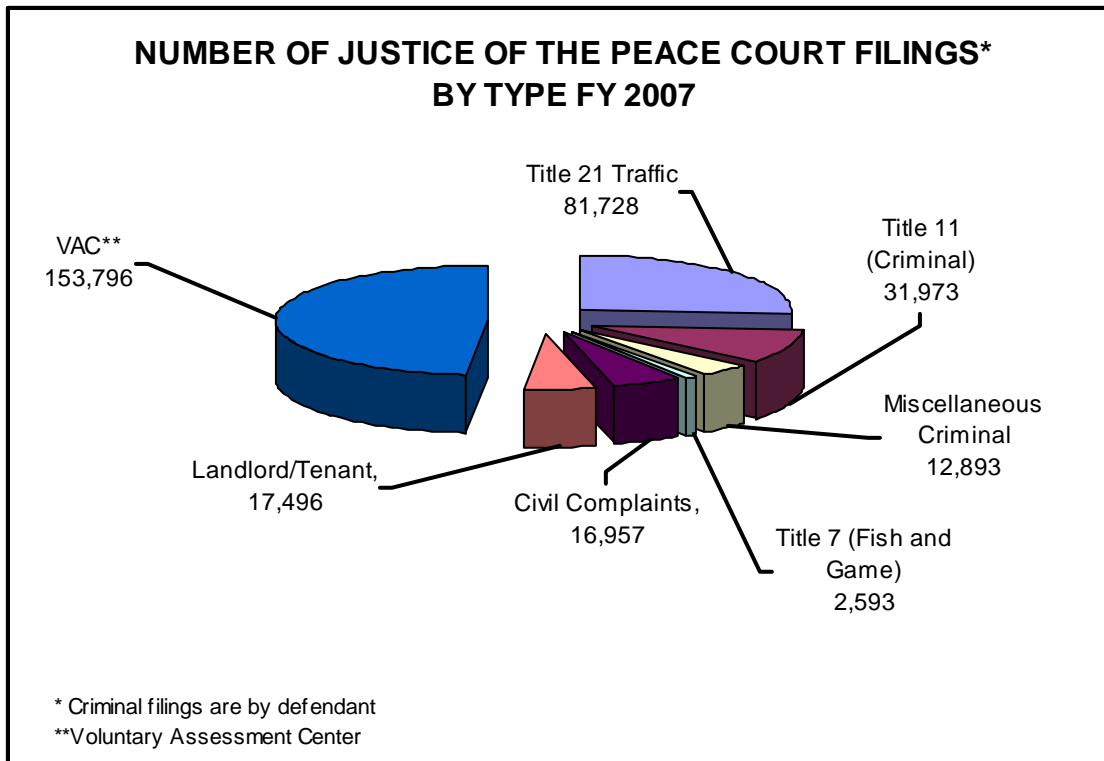
## **LEGAL JURISDICTION**

The Justice of the Peace Court has jurisdiction over civil cases in which the amount in controversy is not greater than \$15,000 and over summary possession (landlord-tenant) actions. Justices of the peace are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Appeals (other than in summary possession cases, which are appeals to a three judge panel in the Justice of the Peace Court) may be taken to

## JUSTICE OF THE PEACE COURT

the Court of Common Pleas. The subject matter jurisdiction of the Justice of the Peace Court is shared with the Court of Common Pleas, except that the Justice of the Peace Court has sole jurisdiction

over summary possession actions. The Justice of the Peace Court also shares jurisdiction over replevin actions with the Superior Court, rather than the Court of Common Pleas.



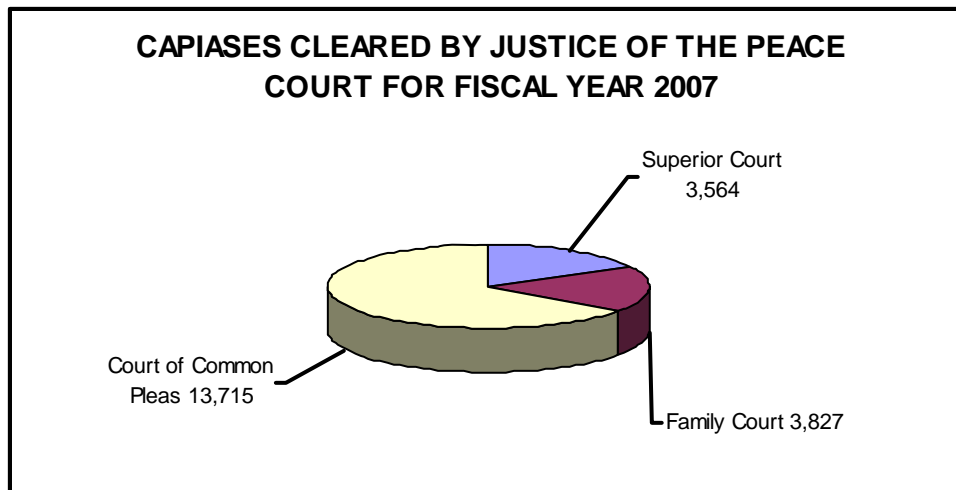
### GEOGRAPHIC ORGANIZATION

The jurisdiction of the Court is state-wide and sessions are held throughout the State. Of the 18 courts currently operating, seven are in New Castle County, four are in Kent County, and seven are in Sussex County. The Voluntary Assessment Center, which handles mail-in fines, is located in Dover.

### SUPPORT PERSONNEL

A court administrator, two operations managers, an administrative officer, and a fiscal administrative officer help the chief magistrate direct the Justice of the Peace Court on a daily basis. The Court also employs clerks, constables, and other support personnel.

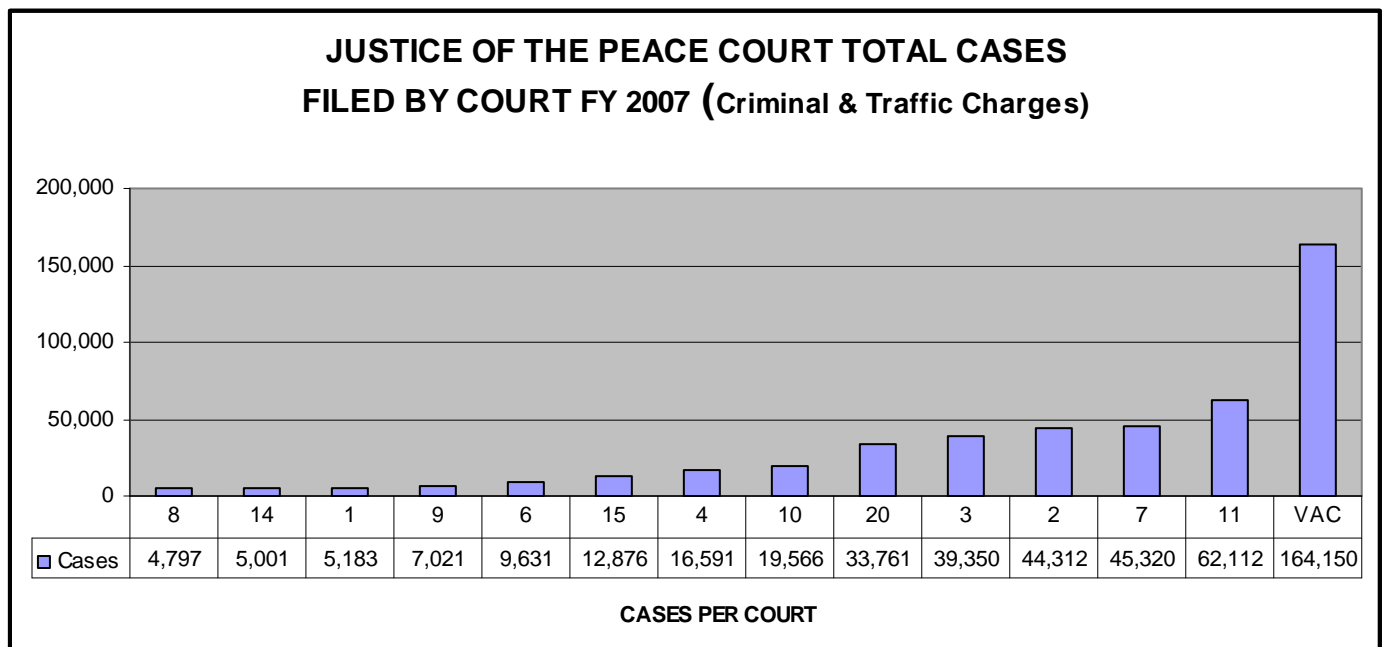
# JUSTICE OF THE PEACE COURT



## JUSTICES OF THE PEACE

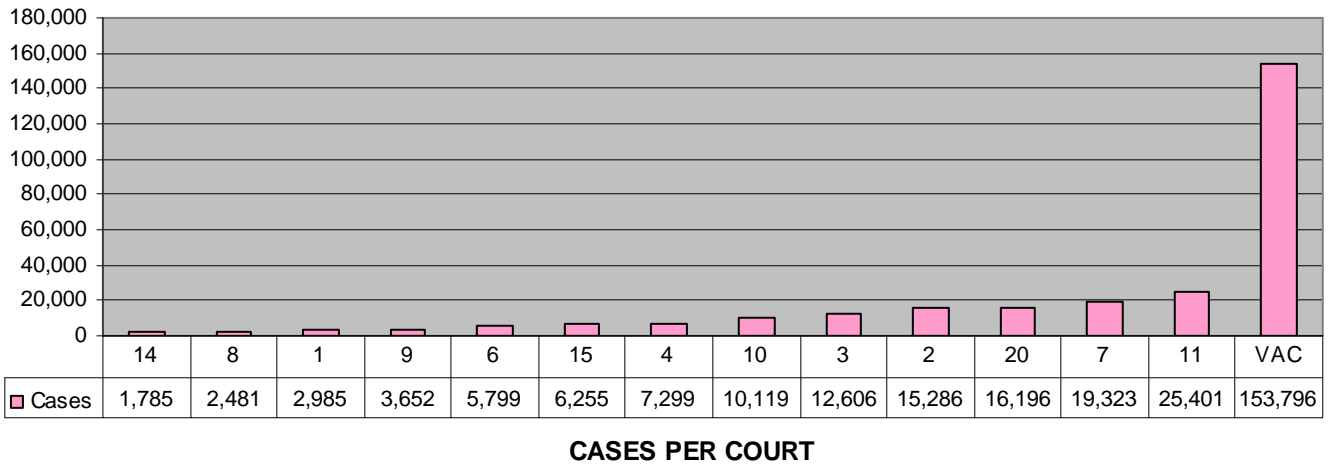
The Delaware Code authorizes a maximum of 60 justices of the peace. The maximum number of justices of the peace permitted in each county is 29 in New Castle County, 12 in Kent County and 19 in Sussex County. All justices of the peace are nominated by the Governor and confirmed by the Senate. A justice

of the peace must be at least 21 years of age and a resident of the State of Delaware and the county in which the justice of the peace serves. In addition to the 60 justices of the peace, the Governor nominates a chief magistrate, subject to Senate confirmation.

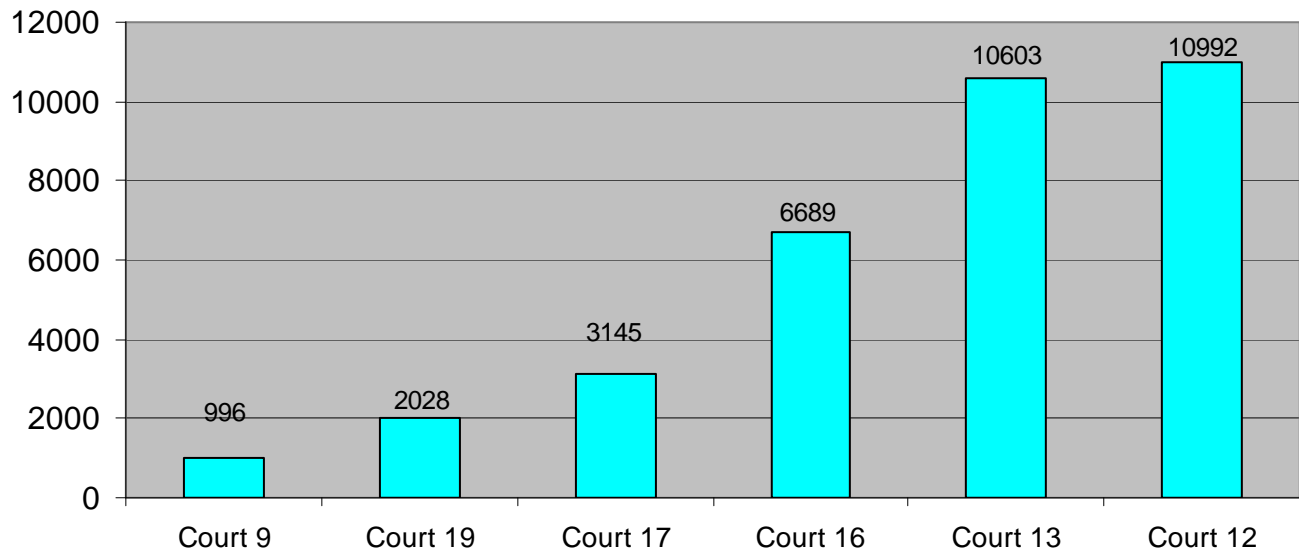


# JUSTICE OF THE PEACE COURT

## JUSTICE OF THE PEACE COURT TOTAL CASES FILED BY COURT FY 2007 (Criminal & Traffic Defendants)



## JUSTICE OF THE PEACE COURT TOTAL CASES FILED BY COURT FY 2007 (CIVIL)





## JUSTICE OF THE PEACE COURT



### **New Castle County:**

**Seated from left to right** – Bonita Lee, Cheryl Stallmann, Katharine Ross, Alan G. Davis, Nancy Roberts, Deborah McNesby, Susan Cline

**Second Row, left to right** – Marilyn Letts, Kathleen Lucas, Thomas Kenney, Roberto Lopez, Rosalind Toulson, Sean McCormick, Vernon Taylor, Marie Page

**Third Row, left to right** – Terry Smith, James Hanby, Thomas Brown, David Skelley, James Tull, Donald Callender, Jr., Lawrence Fitchett, Wayne Hanby

**Not pictured:** Robert Armstrong, Sidney Clark, Beatrice Freel, William Moser, Stanley Petraschuk, Rosalie Rutkowski, and Paul Smith

### **Kent County:**

**Seated from left to right** -- Debora Foor, Alan G. Davis, Cathleen Hutchison

**Second row from left to right** -- Christian Plack Sr., Agnes Pennella, Pamela Darling

**Third row from left to right** – Dwight Dillard, D. Ken Cox, Michael Sherlock, Jeffrey Sweet, Ernst Arndt, James Murray, Robert B. Wall, Jr.



## JUSTICE OF THE PEACE COURT

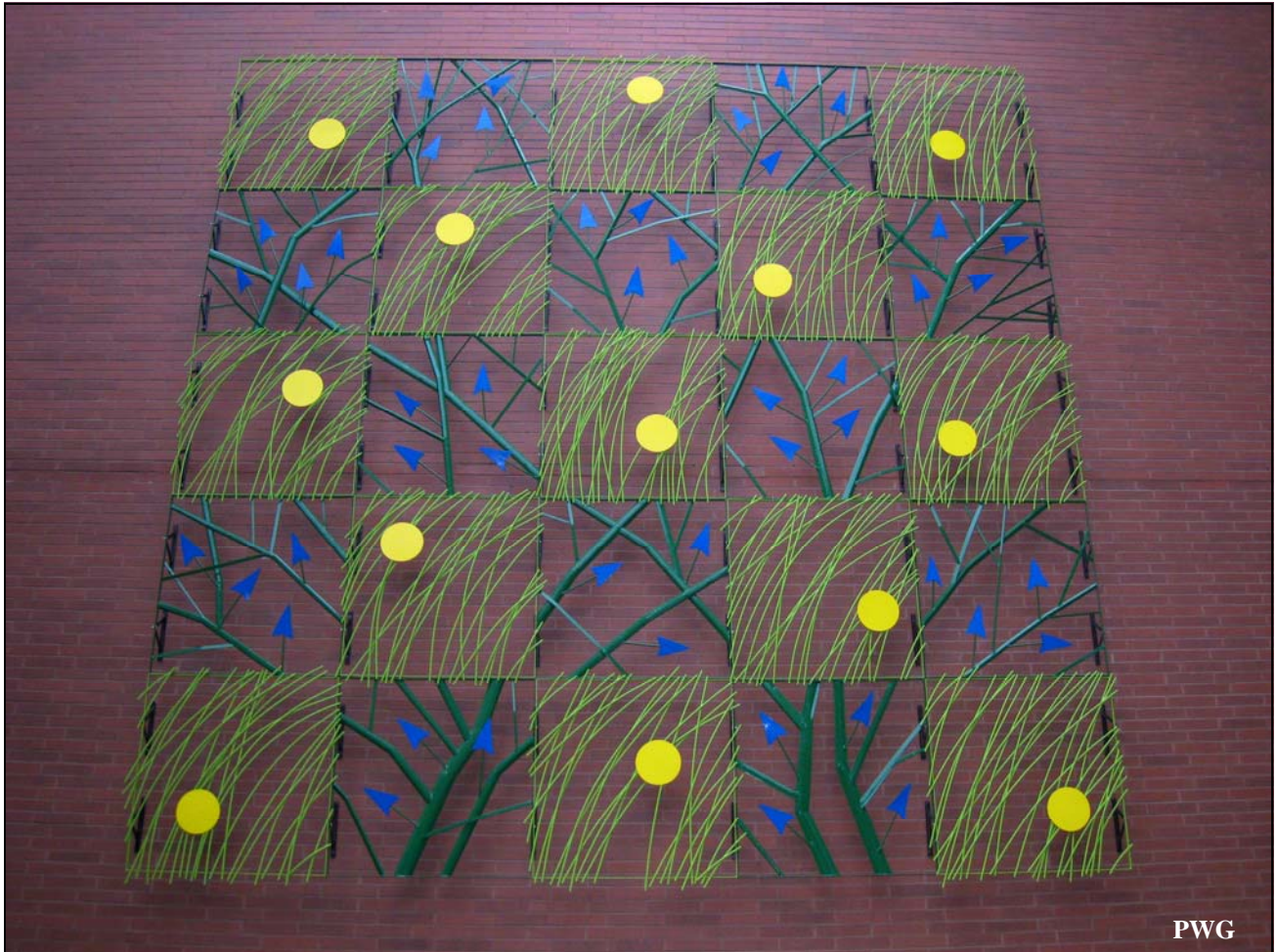


**Sussex County:**

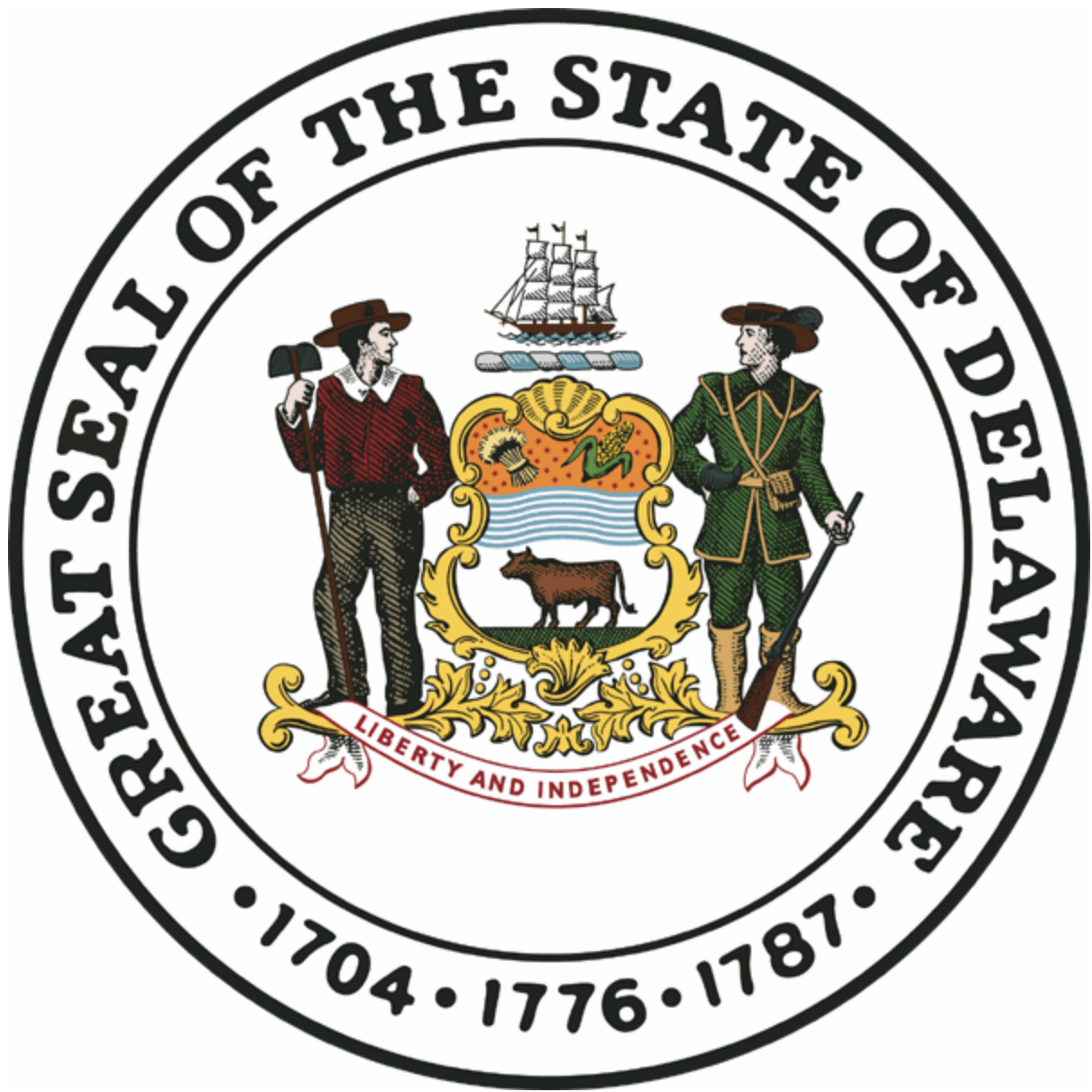
**Seated from left to right** – Edward G. Davis, Marcealeate Ruffin, Alan G. Davis, Sheila Blakely, Jana Mollohan

**Standing from left to right** -- H. William Mulvaney III, Richard Comly, John D. McKenzie, William J. Hopkins, Jr., John C. Martin, James G. Horn, Herman Hagan, John O'Bier, William Boddy III, John Hudson, Christopher Bradley, Larry Sipple

**Not pictured:** Stephani Adams, Jeni Coffelt, William P. Wood



*Special thanks in preparing this Annual Report go to the chief judges and court administrators of each of the courts and to the Administrative Office of the Courts staff, including Connie Magee for countless hours spent composing and arranging for the publication of this Report; Christine Sudell, Esq., for writing and content development; Marianne Lego and Barbara Mooney for their work on Report statistics; Amy Whitman for internet publication of this Report; and other JIC staff for technical support.*



PUBLISHED BY:

The Administrative Office of the Courts, January 2008  
All Rights Reserved.



2007 ANNUAL STATISTICAL REPORT  
of the  
DELAWARE JUDICIARY

SUPREME COURT  
State of Delaware

2007 Annual Report Statistical Information

**SUPREME COURT**

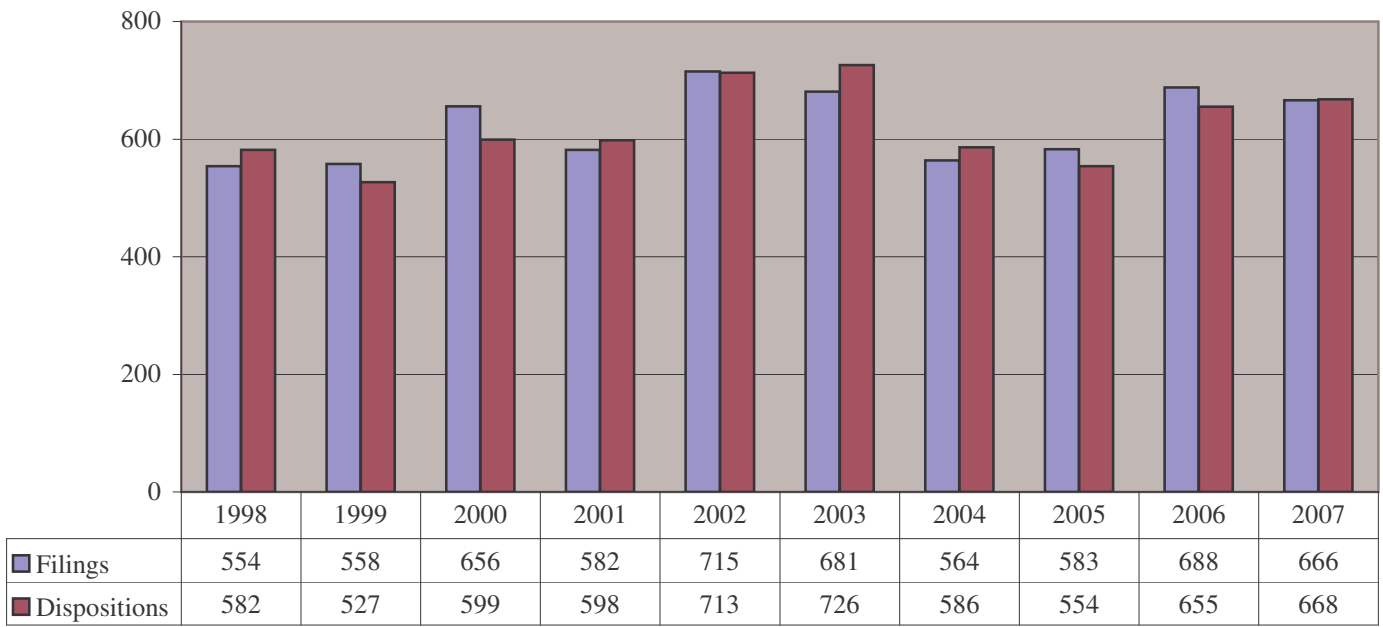
<b>Caseload Comparison - Fiscal Years 2006-2007 - Filings</b>				
	2006	2007	Change	% Change
Criminal Appeals	339	340	1	0.3%
Civil Appeals	289	264	-25	-8.7%
Certifications	1	0	-	-
Original Applications	38	41	3	7.9%
Bd. on Prof. Resp.	17	15	-2	-11.8%
Bd. of Bar Exam.	1	1	0	0.0%
Un. Prac. Law	0	1	-	-
Advisory Opinions	1	0	-	-
Other	2	4	2	100.0%
<b>Total</b>	<b>688</b>	<b>666</b>	<b>-22</b>	<b>- 3.2%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Dispositions</b>				
	2006	2007	Change	% Change
Criminal Appeals	321	338	17	5.3%
Civil Appeals	275	267	-8	-2.9%
Certifications	1	0	-	-
Original Applications	39	39	0	0.0%
Bd. on Prof. Resp.	17	17	0	0.0%
Bd. of Bar Exam.	0	2	-	-
Un. Prac. Law	0	1	-	-
Advisory Opinions	0	1	-	-
Other	2	3	1	50.0%
<b>Total</b>	<b>655</b>	<b>668</b>	<b>13</b>	<b>2.0%</b>

Bd. on Prof. Resp. = Board on Professional Responsibility  
 Bd. of Bar Exam. = Board of Bar Examiners  
 Un. Prac. Law = Board on the Unauthorized Practice of Law

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

### Supreme Court 10 Year Total Caseload Trend



**Fiscal Year**



## SUPREME COURT

### Caseload Breakdowns Fiscal Year 2007 - Filings

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	-		340	100.0%	-		-		340	100%
Civil Appeals	43	16.3%	150	56.8%	71	26.9%	-		264	100%
Original Applications*	-		-		-		62	100.0%	62	100%
<b>Total</b>	<b>43</b>	<b>6.5%</b>	<b>490</b>	<b>73.6%</b>	<b>71</b>	<b>10.7%</b>	<b>62</b>	<b>9.3%</b>	<b>666</b>	<b>100%</b>

### Caseload Breakdowns Fiscal Year 2007 - Dispositions

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	-		338	100.0%	-		-		338	100%
Civil Appeals	49	18.4%	145	54.3%	73	27.3%	-		267	100%
Original Applications*	-		-		-		63	100.0%	63	100%
<b>Total</b>	<b>49</b>	<b>7.3%</b>	<b>483</b>	<b>72.3%</b>	<b>73</b>	<b>10.9%</b>	<b>63</b>	<b>9.4%</b>	<b>668</b>	<b>100%</b>

\*Original Applications include Certifications, Bd. On Prof. Resp., Bd. Of Bar Exam., Un. Prac. Law, Advisory Opinions, and Other.

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

Bd. of Bar Exam. = Board of Bar Examiners

Un. Prac. Law = Unauthorized Practice of Law

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

**SUPREME COURT**

<b>Types of Dispositions Fiscal Year 2007 - Appeals</b>																		
	Affirmed		Affirmed Part/ Reversed Part		Reversed		Remanded		Voluntary Dismissal		Court Dismissal		Leave to Appeal Denied		Other		Total	
Criminal Appeals	245	72.5%	0	0.0%	10	3.0%	4	1.2%	27	8.0%	49	14.5%	0	0.0%	3	0.9%	338	100.0%
Civil Appeals	128	38.8%	9	2.7%	19	5.8%	3	0.9%	51	15.5%	85	25.8%	13	3.9%	22	6.7%	330	100.0%
<b>Total</b>	<b>373</b>	<b>55.8%</b>	<b>9</b>	<b>1.3%</b>	<b>29</b>	<b>4.3%</b>	<b>7</b>	<b>1.0%</b>	<b>78</b>	<b>11.7%</b>	<b>134</b>	<b>20.1%</b>	<b>13</b>	<b>1.9%</b>	<b>25</b>	<b>3.7%</b>	<b>668</b>	<b>100.0%</b>

<b>Methods of Dispositions Fiscal Year 2007</b>												
	Assigned Opinion		Per Curiam Opinion		Written Order		Voluntary Dismissal		Other		Total	
Criminal Appeals	34	10.1%	0		277	82.0%	27	8.0%	0		338	100%
Civil Appeals	43	16.1%	0		177	66.3%	47	17.6%	0		267	100%
Certifications	0		0		0		0		0		0	
Original Applications	1	2.6%	0		36	92.3%	2	5.1%	0		39	100%
Bd. on Prof. Resp.	0		6	35.3%	10	58.8%	1	5.9%	0		17	100%
Bd. of Bar Exam.	0	0.0%	0		1	50.0%	1	50.0%	0		2	100%
Un. Prac. Law	0		0		1	100.0%	0		0		1	100%
Advisory Opinions	1	100.0%	0		0		0		0		1	100%
Other	0		0		3	100.0%	0		0		3	100%
<b>Total</b>	<b>79</b>	<b>11.8%</b>	<b>6</b>	<b>0.9%</b>	<b>505</b>	<b>75.6%</b>	<b>78</b>	<b>11.7%</b>	<b>0</b>	<b>0.0%</b>	<b>668</b>	<b>100%</b>

Bd. on Prof. Resp. = Board on Professional Responsibility  
 Bd. of Bar Exam. = Board of Bar Examiners  
 Un. Prac. Law = Unauthorized Practice of Law

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

## SUPREME COURT

Performance Summary Fiscal Year 2007 - Average Elapsed Time to Disposition			
	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Criminal Appeals	338	202.8 days	43.8 days
Civil Appeals	267	182.9 days	30.0 days
Certifications	0	-	-
Original Applications	39	59.8 days	37.3 days
BPR&BBE	19	141.1 days	34.4 days
Un. Prac. Law	1	77.0 days	12.0 days
Advisory Opinions	1	56.0 days	10.0 days
Other	3	45.3 days	23.7 days
<b>Total</b>	<b>668</b>	<b>183.8 days</b>	<b>37.8 days</b>

Caseload Comparison - Fiscal Years 2006-2007 - Average Time From Filing to Disposition				
	2006	2007	Change	% Change
Criminal Appeals	200.7 days	202.8 days	2.1 days	1.0%
Civil Appeals	168.0 days	182.9 days	14.9 days	8.9%
Certifications	13.0 days	-	-	-
Original Applications	68.3 days	59.8 days	-8.5 days	-12.5%
BPR&BBE	44.1 days	141.1 days	97.0 days	220.1%
Un. Prac. Law	-	77.0 days	-	-
Advisory Opinions	-	56.0 days	-	-
Other	44.5 days	45.3 days	0.8 days	1.9%
<b>Total</b>	<b>175.3 days</b>	<b>183.8 days</b>	<b>8.5 days</b>	<b>4.8%</b>

\*Average time from date submitted for judicial decision to actual date of disposition. The time for a case that is submitted and disposed in the same day is zero. Not all Supreme Court cases require a judicial decision.

BPR&BBE = Board on Professional Responsibility and Board of Bar Examiners

Un. Prac. Law = Unauthorized Practice of Law

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

## SUPREME COURT

Performance Breakdowns Fiscal Year 2007 - Elapsed Time by Disposition Type			
Type of Disposition	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Affirmed	373	221.3 days	46.6 days
Affirmed Part/Reversed Part	9	219.7 days	47.4 days
Reversed	29	310.5 days	69.0 days
Remanded	7	346.9 days	34.1 days
Voluntary Dismissal	78	110.9 days	0.0 days
Court Dismissal	134	106.0 days	31.3 days
Leave to Appeal Denied	13	28.5 days	16.2 days
Other	25	144.0 days	30.6 days
<b>Total</b>	<b>668</b>	<b>183.8 days</b>	<b>37.8 days</b>

Performance Breakdowns Fiscal Year 2007 - 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	79	308.6 days	61.7 days
Per Curium Opinion	6	120.0 days	48.7 days
Written Order	505	176.3 days	39.7 days
Voluntary Dismissal	78	110.9 days	0.00 days
Other	0	-	-
<b>Total</b>	<b>668</b>	<b>183.8 days</b>	<b>37.8 days</b>

\*Average time from date submitted for judicial decision to actual date of disposition. The time for a case that is submitted and disposed in the same day is zero. Not all Supreme Court cases require a judicial decision.

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

COURT OF CHANCERY  
State of Delaware

2007 Annual Report Statistical Information

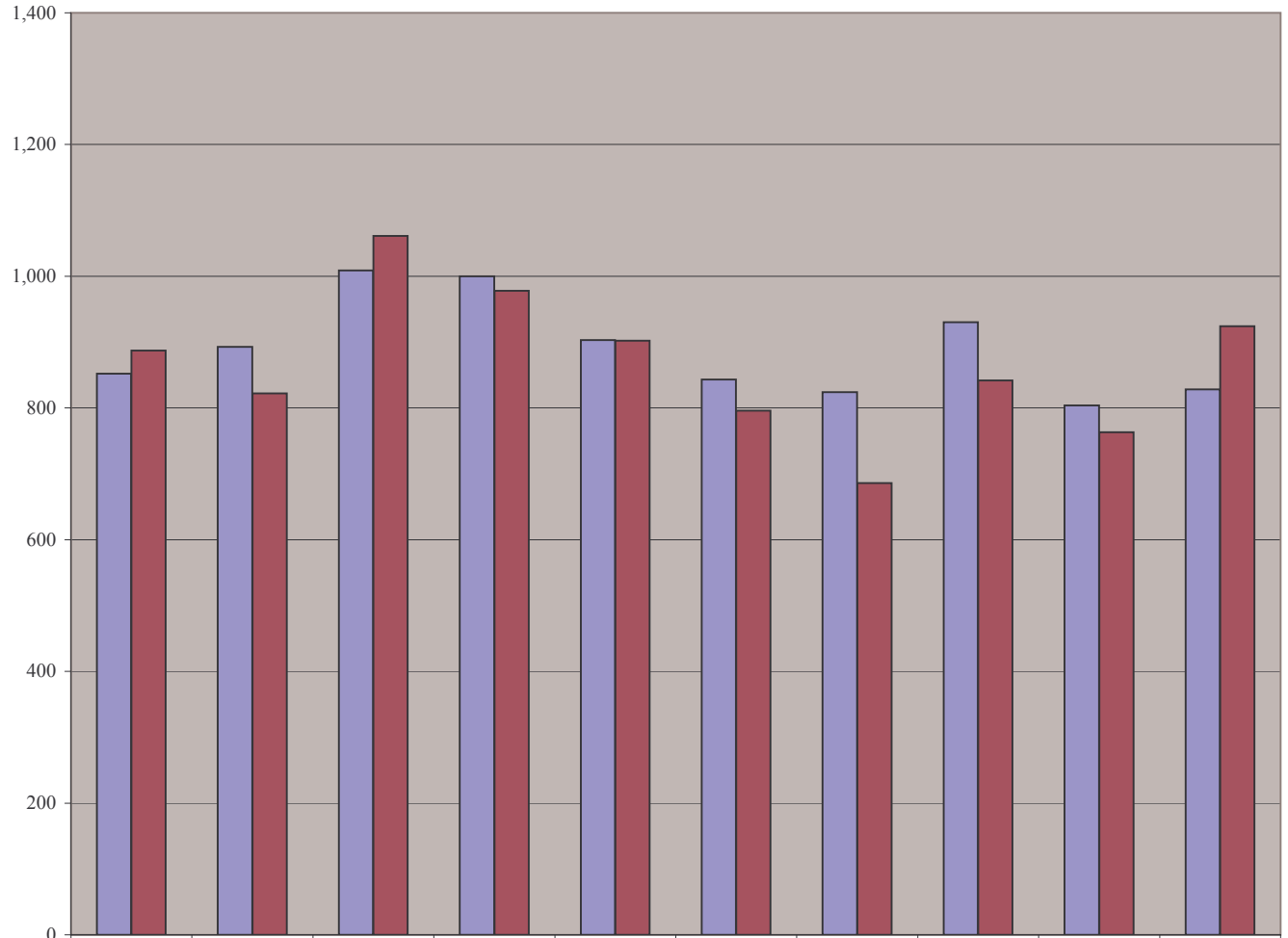
**COURT OF CHANCERY**

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Filings</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>804</b>	<b>828</b>	<b>24</b>	<b>3.0%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Dispositions</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>763</b>	<b>924</b>	<b>161</b>	<b>21.1%</b>

Source: Registers in Chancery; Administrative Office of the Courts

**Court of Chancery 10-Year Civil Caseload Trend**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	852	893	1,009	1,000	903	843	824	930	804	828
Dispositions	887	822	1,061	978	902	796	686	842	763	924

**Fiscal Year**

**COURT OF CHANCERY**

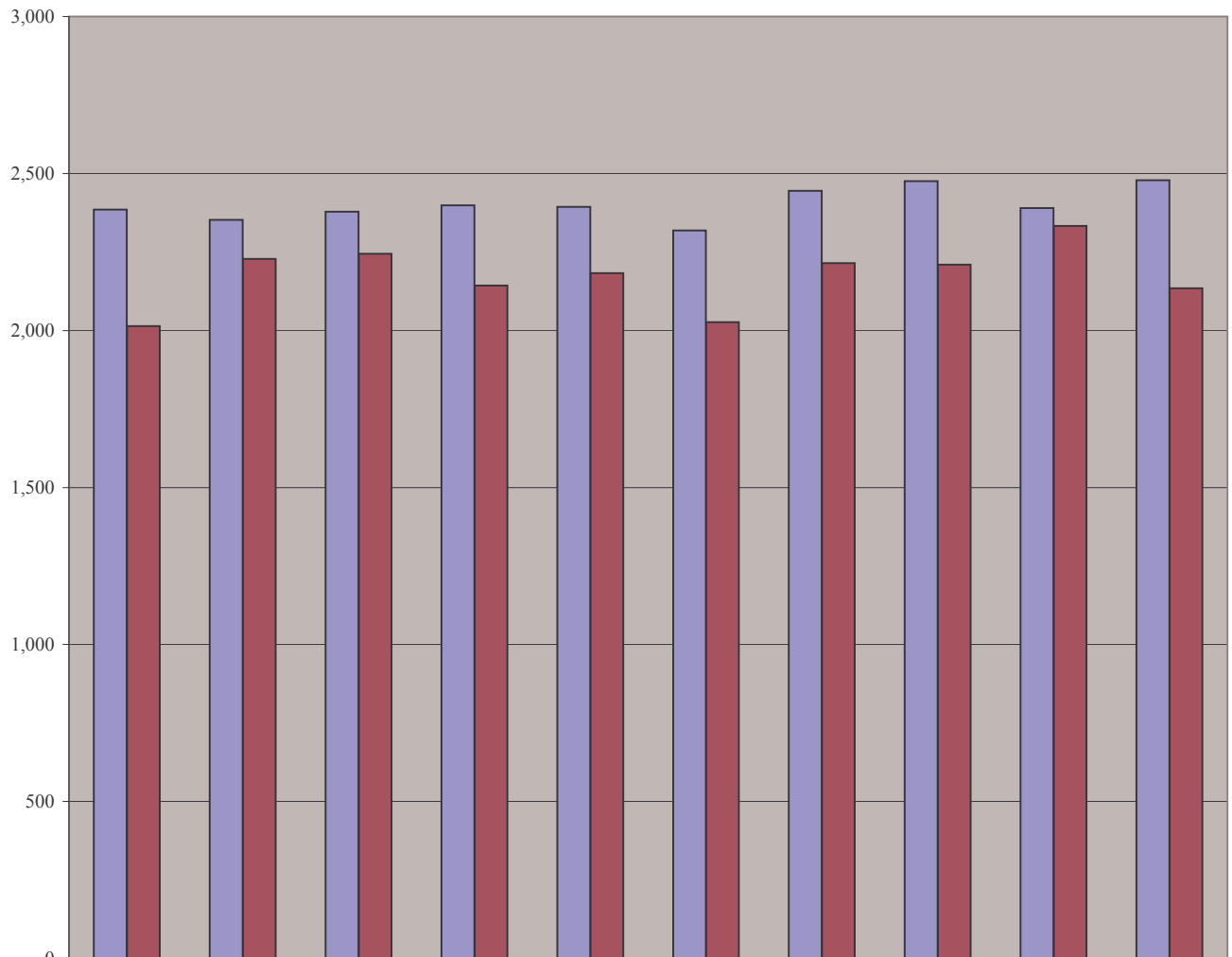
<b>Caseload Comparison - Fiscal Years 2006-2007 - Estates Filings</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>2,390</b>	<b>2,479</b>	<b>89</b>	<b>3.7%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Estates Dispositions</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>2,333</b>	<b>2,135</b>	<b>-198</b>	<b>-8.5%</b>

Source: Registers of Wills; Administrative Office of the Courts



**Court of Chancery 10-Year Estates Caseload Trend**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	2,385	2,352	2,378	2,399	2,394	2,319	2,445	2,476	2,390	2,479
Dispositions	2,014	2,228	2,244	2,143	2,183	2,027	2,215	2,210	2,333	2,135

**Fiscal Year**

## COURT OF CHANCERY

<b>Caseload Summary Fiscal Years 2006-2007- Miscellaneous Matters Filings</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>863</b>	<b>835</b>	<b>-28</b>	<b>-3.2%</b>

<b>Caseload Summary Fiscal Years 2006-2007- Miscellaneous Matters Dispositions</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>1,104</b>	<b>508</b>	<b>-596</b>	<b>-54.0%</b>

\* The number of 2006 dispositions reflects a one time file maintenance initiative

Source: Registers in Chancery; Administrative Office of the Courts

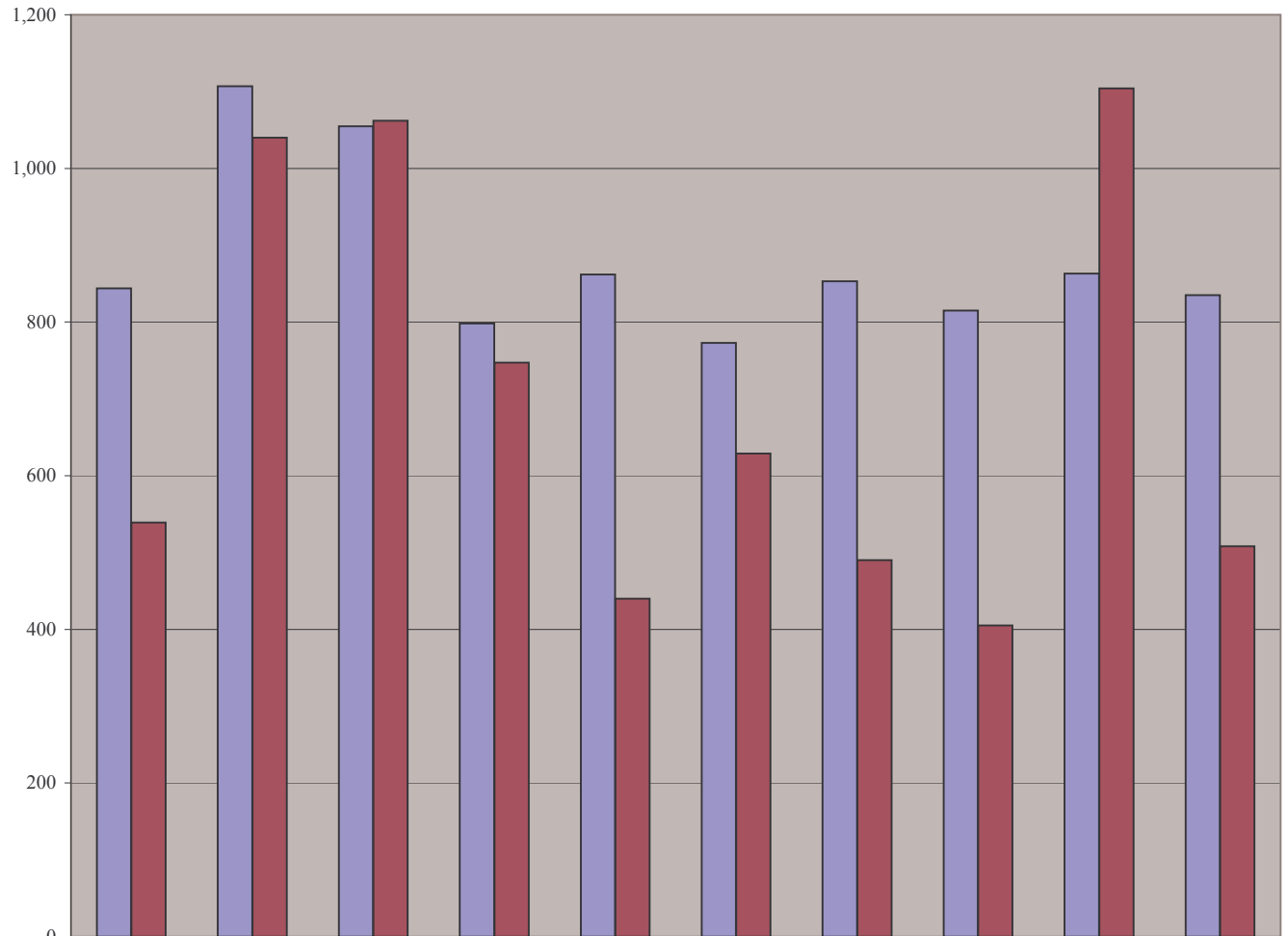
**COURT OF CHANCERY**

<b>Caseload Breakdown Fiscal Year 2007 - Miscellaneous Matters Filings</b>									
	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		Totals
<b>Statewide</b>	<b>326</b>	<b>39.0%</b>	<b>257</b>	<b>30.8%</b>	<b>31</b>	<b>3.7%</b>	<b>221</b>	<b>26.5%</b>	<b>835 100.0%</b>

<b>Caseload Breakdown Fiscal Year 2007 - Miscellaneous Matters Dispositions</b>									
	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		Totals
<b>Statewide</b>	<b>244</b>	<b>48.0%</b>	<b>145</b>	<b>28.5%</b>	<b>50</b>	<b>9.8%</b>	<b>69</b>	<b>13.6%</b>	<b>508 100.0%</b>

Source: Registers in Chancery; Administrative Office of the Courts

**Court of Chancery 10-Year Miscellaneous Caseload Trend**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	844	1,107	1,055	798	862	773	853	815	863	835
Dispositions	539	1,040	1,062	747	440	629	490	405	1,104	508

**Fiscal Year**

**COURT OF CHANCERY**

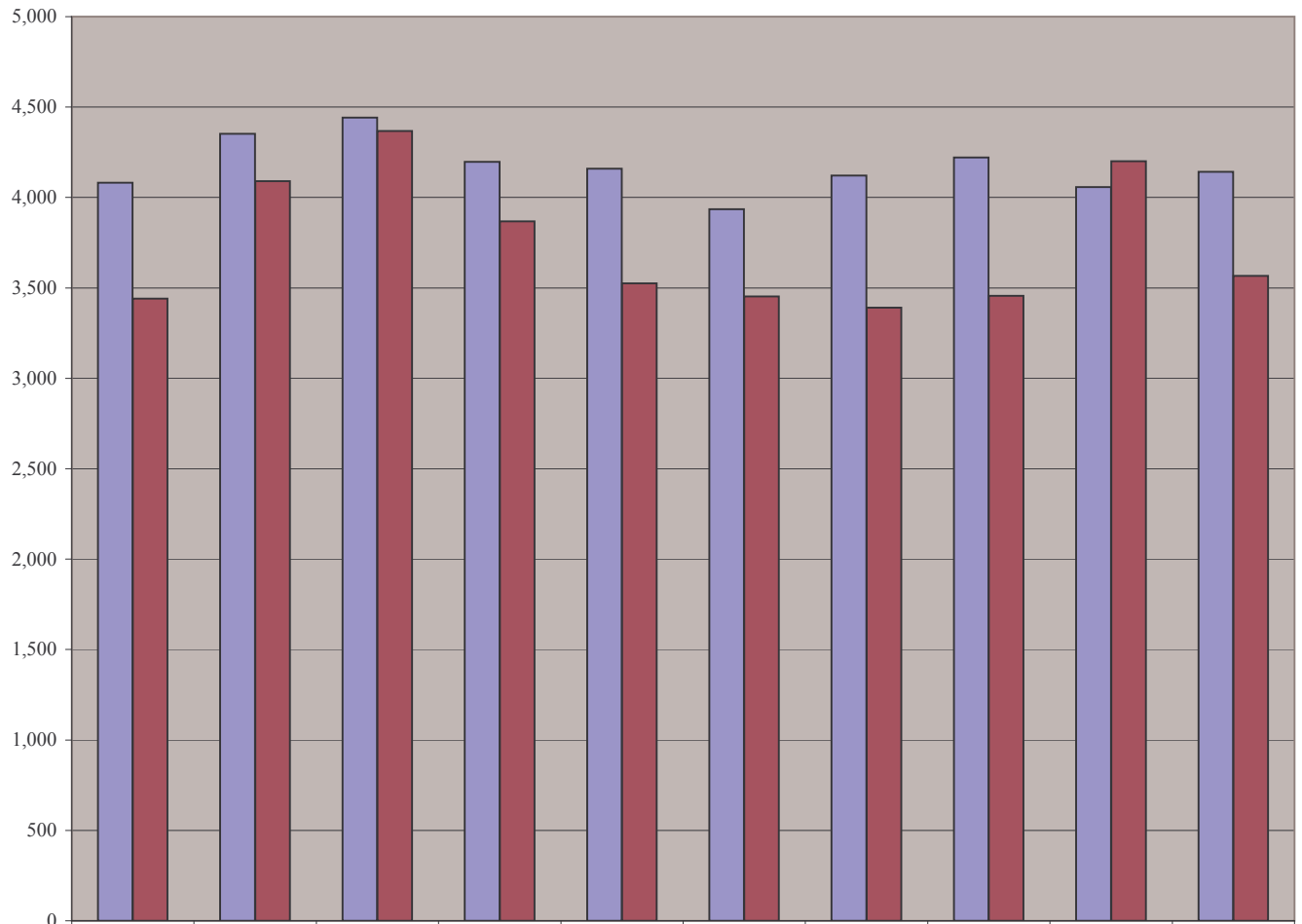
<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Filings</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>4,057</b>	<b>4,142</b>	<b>85</b>	<b>2.1%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Dispositions</b>				
	2006	2007	Change	% Change
<b>Statewide</b>	<b>4,200</b>	<b>3,567</b>	<b>-633</b>	<b>-15.1%</b>

\* Includes Civil, Miscellaneous, and Estates

Source: Registers in Chancery; Registers of Wills; Administrative Office of the Courts

**Court of Chancery 10-Year Total Caseload Trend (Civil, Miscellaneous, & Estates)**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	4,081	4,352	4,442	4,197	4,159	3,935	4,122	4,221	4,057	4,142
Dispositions	3,440	4,090	4,367	3,868	3,525	3,452	3,391	3,457	4,200	3,567

**Fiscal Year**

SUPERIOR COURT  
State of Delaware

2007 Annual Report Statistical Information

## SUPERIOR COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	8,482	9,823	1341	15.8%
Kent County	1,347	1,633	286	21.2%
Sussex County	1,212	1,413	201	16.6%
<b>State</b>	<b>11,041</b>	<b>12,869</b>	<b>1828</b>	<b>16.6%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	8,047	9,646	1599	19.9%
Kent County	1,272	1,363	91	7.2%
Sussex County	1,246	1,299	53	4.3%
<b>State</b>	<b>10,565</b>	<b>12,308</b>	<b>1743</b>	<b>16.5%</b>

Source: Prothonotary's Offices, Superior Court; Administrative Office of the Courts



## SUPERIOR COURT

### Caseload Breakdowns Fiscal Year 2007 - Civil Case Filings

	Mechanic's Liens				Involuntary				Total		
	Complaints		and Mortgages		Appeals		Commitments	Miscellaneous			
New Castle County	4,254	43.3%	2,034	20.7%	115	1.2%	1,195	12.2%	2,225	22.7%	9,823
Kent County	582	35.6%	504	30.9%	58	3.6%	116	7.1%	373	22.8%	1,633
Sussex County	377	26.7%	568	40.2%	38	2.7%	0	0.0%	430	30.4%	1,413
<b>State</b>	<b>5,213</b>	<b>40.5%</b>	<b>3,106</b>	<b>24.1%</b>	<b>211</b>	<b>1.6%</b>	<b>1,311</b>	<b>10.2%</b>	<b>3,028</b>	<b>23.5%</b>	<b>12,869</b>

### Caseload Breakdowns Fiscal Year 2007 - Civil Case Dispositions

	Mechanic's Liens				Involuntary				Total		
	Complaints		and Mortgages		Appeals		Commitments	Miscellaneous			
New Castle County	4,681	48.5%	1,744	18.1%	119	1.2%	1,049	10.9%	2,053	21.3%	9,646
Kent County	580	42.6%	347	25.5%	50	3.7%	94	6.9%	292	21.4%	1,363
Sussex County	397	30.6%	472	36.3%	31	2.4%	4	0.3%	395	30.4%	1,299
<b>State</b>	<b>5,658</b>	<b>46.0%</b>	<b>2,563</b>	<b>20.8%</b>	<b>200</b>	<b>1.6%</b>	<b>1,147</b>	<b>9.3%</b>	<b>2,740</b>	<b>22.3%</b>	<b>12,308</b>

Source: Prothonotary's Offices, Superior Court; Administrative Office of the Courts

**SUPERIOR COURT**

<b>Types of Dispositions Fiscal Year 2007 - Civil Complaints</b>																		
Trial Dispositions					Non-Trial Dispositions													
	Judgment for Plaintiff		Judgment for Defendant		Default Judgment for Plaintiff *		Other Judgment for Plaintiff		Judgment for Defendant		Voluntary Dismissal		Court Dismissal		Other	Total		
New Castle County	40	0.9%	27	0.6%	114	2.4%	4	0.1%	3	0.1%	2,042	43.6%	1,887	40.3%	564	12.0%	4,681	
Kent County	7	1.2%	5	0.9%	17	2.9%	16	2.8%	0	0.0%	440	75.9%	50	8.6%	45	7.8%	580	
Sussex County	13	3.3%	7	1.8%	27	6.8%	18	4.5%	0	0.0%	239	60.2%	43	10.8%	50	12.6%	397	
<b>State</b>	<b>60</b>	<b>1.1%</b>	<b>39</b>	<b>0.7%</b>	<b>158</b>	<b>2.8%</b>	<b>38</b>	<b>0.7%</b>	<b>3</b>	<b>0.1%</b>	<b>2,721</b>	<b>48.1%</b>	<b>1,980</b>	<b>35.0%</b>	<b>659</b>	<b>11.6%</b>	<b>5,658</b>	

<b>Types of Dispositions Fiscal Year 2007 - Mechanic's Liens and Mortgages</b>																		
Trial Dispositions					Non-Trial Dispositions													
	Judgment for Plaintiff		Judgment for Defendant		Default Judgment for Plaintiff		Other Judgment for Plaintiff		Judgment for Defendant		Voluntary Dismissal		Court Dismissal		Other	Total		
New Castle County	0	0.0%	0	0.0%	931	53.4%	1	0.1%	0	0.0%	617	35.4%	177	10.1%	18	1.0%	1,744	
Kent County	0	0.0%	0	0.0%	213	61.4%	0	0.0%	0	0.0%	122	35.2%	12	3.5%	0	0.0%	347	
Sussex County	2	0.4%	1	0.2%	266	56.4%	4	0.8%	0	0.0%	169	35.8%	20	4.2%	10	2.1%	472	
<b>State</b>	<b>2</b>	<b>0.1%</b>	<b>1</b>	<b>0.0%</b>	<b>1,410</b>	<b>55.0%</b>	<b>5</b>	<b>0.2%</b>	<b>0</b>	<b>0.0%</b>	<b>908</b>	<b>35.4%</b>	<b>209</b>	<b>8.2%</b>	<b>28</b>	<b>1.1%</b>	<b>2,563</b>	

<b>Types of Dispositions Fiscal Year 2007 - Civil Appeals</b>																		
	Affirmed				Reversed				Remanded				Voluntary Dismissal		Court Dismissal		Other	Total
New Castle County	40	33.6%	6	5.0%	12	10.1%	23	19.3%	36	30.3%	2	1.7%	119					
Kent County	27	54.0%	2	4.0%	2	4.0%	5	10.0%	13	26.0%	1	2.0%	50					
Sussex County	9	29.0%	4	12.9%	0	0.0%	9	29.0%	7	22.6%	2	6.5%	31					
<b>State</b>	<b>76</b>	<b>38.0%</b>	<b>12</b>	<b>6.0%</b>	<b>14</b>	<b>7.0%</b>	<b>37</b>	<b>18.5%</b>	<b>56</b>	<b>28.0%</b>	<b>5</b>	<b>2.5%</b>	<b>200</b>					

Source: Prothonotary's Offices, Superior Court; Administrative Office of the Courts

**SUPERIOR COURT**

<b>Trial Activity Fiscal Year 2007 - Civil Trials</b>						
	Number of Jury Trials	Number of Non-Jury Trials	Number of Special Jury Trials	Total Number of Trials	Trial Time*	Average Trial Time
New Castle County	89	18	0	107	353 days	3.30 days
Kent County	12	0	0	12	49 days	4.08 days
Sussex County	11	17	0	28	43.5 days	1.55 days
<b>State</b>	<b>112</b>	<b>35</b>	<b>0</b>	<b>147</b>	<b>445.5 days</b>	<b>3.03 days</b>

<b>Calendar Activity Fiscal Year 2007 - Civil Cases</b>											
	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 County	107	10.2%	706	67.0%	41	3.9%	5	0.5%	195	18.5%	1054
Kent County	12	3.8%	190	60.1%	15	4.7%	6	1.9%	93	29.4%	316
Sussex County	28	9.5%	203	68.6%	0	0.0%	1	0.3%	64	21.6%	296
<b>State</b>	<b>147</b>	<b>8.8%</b>	<b>1099</b>	<b>66.0%</b>	<b>56</b>	<b>3.4%</b>	<b>12</b>	<b>0.7%</b>	<b>352</b>	<b>21.1%</b>	<b>1,666</b>

<b>Performance Summary Fiscal Year 2007 - Civil Cases</b>							
	<b>COMPLAINTS</b>		<b>MECHANIC'S LIENS AND MORTGAGES</b>		<b>APPEALS</b>		
	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 County	4,681	1576.2 days	1,744	160.8 days	119	266.6 days	
Kent County	580	398.0 days	347	164.5 days	50	255.7 days	
Sussex County	397	328.9 days	472	134.9 days	31	240.7 days	
<b>State</b>	<b>5,658</b>	<b>1367.9 days</b>	<b>2,563</b>	<b>156.5 days</b>	<b>200</b>	<b>259.8 days</b>	
	<b>INVOLUNTARY COMMITMENTS</b>		<b>MISCELLANEOUS</b>		<b>TOTAL</b>		
	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 County	1,049	96.1 days	2,053	55.1 days	9,646	819.4 days	
Kent County	94	233.7 days	292	84.6 days	1,363	254.9 days	
Sussex County	4	2,244.8 days	395	54.6 days	1,299	178.8 days	
<b>State</b>	<b>1,147</b>	<b>114.9 days</b>	<b>2,740</b>	<b>58.2 days</b>	<b>12,308</b>	<b>689.3 days</b>	

\* Trial time is the total time spent in all trials

Source: Prothonotary's Offices, Superior Court; Administrative Office of the Courts

## SUPERIOR COURT

<b>Performance Breakdowns Fiscal Year 2007 - Civil Complaints - Method of Disposition</b>											
	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other		Total
New Castle County	67	1.4%	513	11.0%	114	2.4%	2,042	43.6%	1,945	41.6%	4,681
Kent County	12	2.1%	33	5.7%	17	2.9%	440	75.5%	81	13.9%	583
Sussex County	20	5.0%	38	9.6%	27	6.8%	239	60.2%	73	18.4%	397
<b>State</b>	<b>99</b>	<b>1.7%</b>	<b>584</b>	<b>10.3%</b>	<b>158</b>	<b>2.8%</b>	<b>2,721</b>	<b>48.1%</b>	<b>2099</b>	<b>37.1%</b>	<b>5,661</b>

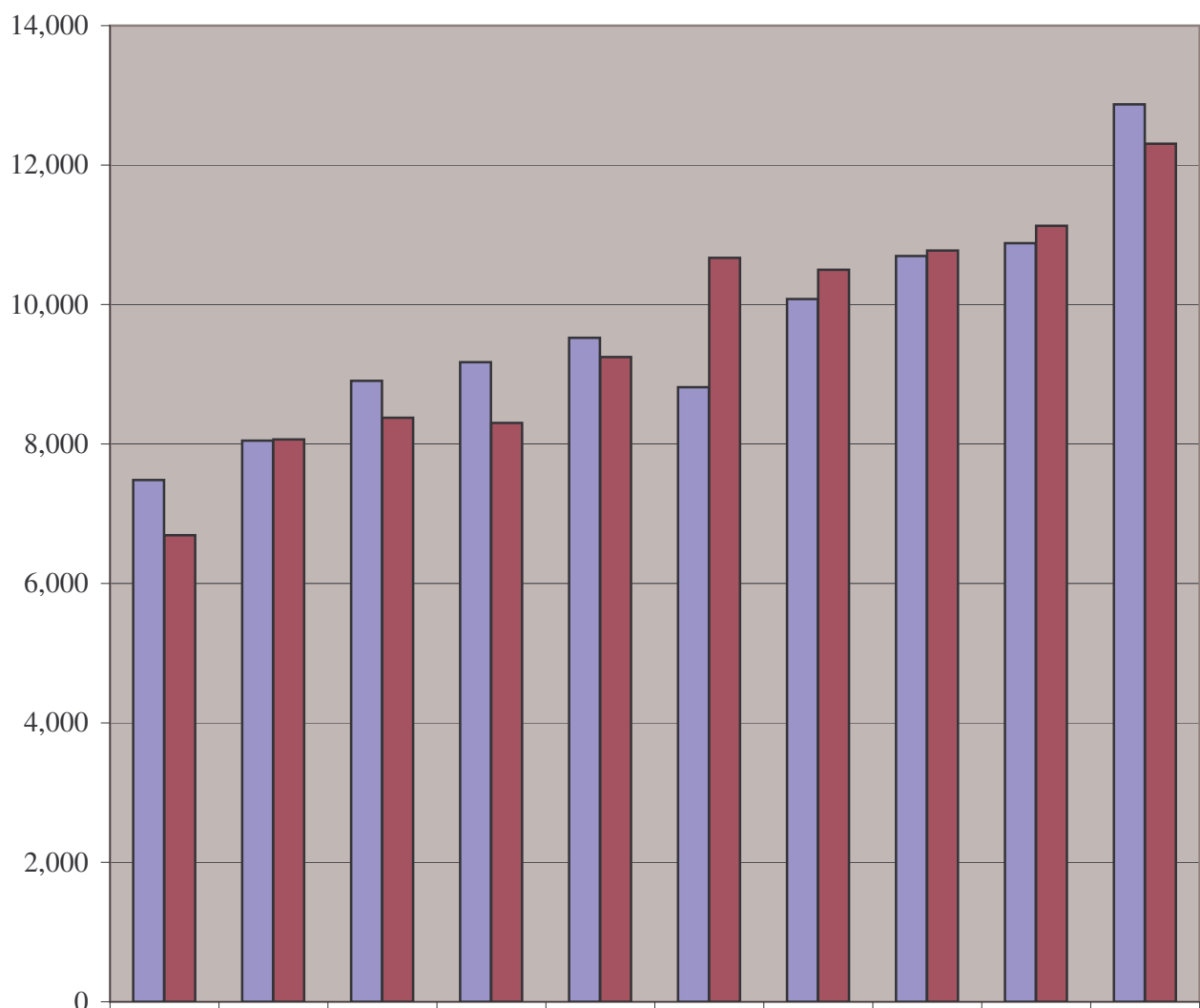
<b>Performance Breakdowns Fiscal Year 2007 - Civil Complaints - Elapsed Time</b>										
<b>Average Time From Filing to Disposition</b>										
	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other	Total
New Castle County	852.0 days		333.0 days		214.5 days		415.5 days		3227.4 days	1576.2 days
Kent County	947.3 days		310.0 days		215.9 days		387.7 days		431.1 days	398.0 days
Sussex County	477.8 days		293.5 days		145.6 days		347.9 days		312.0 days	328.9 days
<b>State</b>	<b>759.0 days</b>		<b>312.2 days</b>		<b>192.0 days</b>		<b>383.7 days</b>		<b>1323.5 days</b>	<b>767.7 days</b>

<b>Performance Breakdowns Fiscal Year 2007 - Mechanic's Liens and Mortgages - Method of Disposition</b>											
	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other		Total
New Castle County	0	0.0%	2	0.1%	931	53.4%	617	35.4%	194	11.1%	1,744
Kent County	0	0.0%	0	0.0%	213	61.4%	122	35.2%	12	3.5%	347
Sussex County	3	0.6%	1	0.2%	266	56.4%	169	35.8%	33	7.0%	472
<b>State</b>	<b>3</b>	<b>0.1%</b>	<b>3</b>	<b>0.1%</b>	<b>1,410</b>	<b>55.0%</b>	<b>908</b>	<b>35.4%</b>	<b>239</b>	<b>9.3%</b>	<b>2,563</b>

<b>Performance Breakdowns Fiscal Year 2007 - Mechanic's Liens and Mortgages - Elapsed Time</b>										
<b>Average Time From Filing to Disposition</b>										
	Trial		Arbitrator's Order		Default Judgment		Voluntary Dismissal		Other	Total
New Castle County	0.0 days		401.0 days		97.8 days		147.4 days		503.2 days	160.8 days
Kent County	0.0 days		0.0 days		135.3 days		167.1 days		655.8 days	164.5 days
Sussex County	658.3 days		294.0 days		86.1 days		177.4 days		258.6 days	134.9 days
<b>State</b>	<b>658.3 days</b>		<b>365.3 days</b>		<b>101.2 days</b>		<b>155.6 days</b>		<b>477.1 days</b>	<b>156.5 days</b>

Source: Prothonotary's Offices, Superior Court; Administrative Office of the Courts

### Superior Court Civil 10 Year Caseload Trend



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	7,485	8,047	8,904	9,175	9,523	8,812	10,078	10,696	10,878	12,869
Dispositions	6,693	8,064	8,376	8,303	9,246	10,671	10,499	10,776	11,130	12,308

**Fiscal Year**

## SUPERIOR COURT

### Caseload Comparison - Fiscal Years 2006-2007 - Civil Rule 16.1 ADR Filings

	2006	2007	Change	% Change
New Castle County	2,786	2,761	-25	-0.9%
Kent County	427	424	-3	-0.7%
Sussex County	263	268	5	1.9%
<b>State</b>	<b>3,476</b>	<b>3,453</b>	<b>-23</b>	<b>-0.7%</b>

### Caseload Comparison - Fiscal Years 2006-2007 - Civil Rule 16.1 ADR Dispositions

	2006	2007	Change	% Change
New Castle County	2,744	2,713	-31	-1.1%
Kent County	473	448	-25	-5.3%
Sussex County	327	273	-54	-16.5%
<b>State</b>	<b>3,544</b>	<b>3,434</b>	<b>-110</b>	<b>-3.1%</b>

Source: ADR Unit, Superior Court

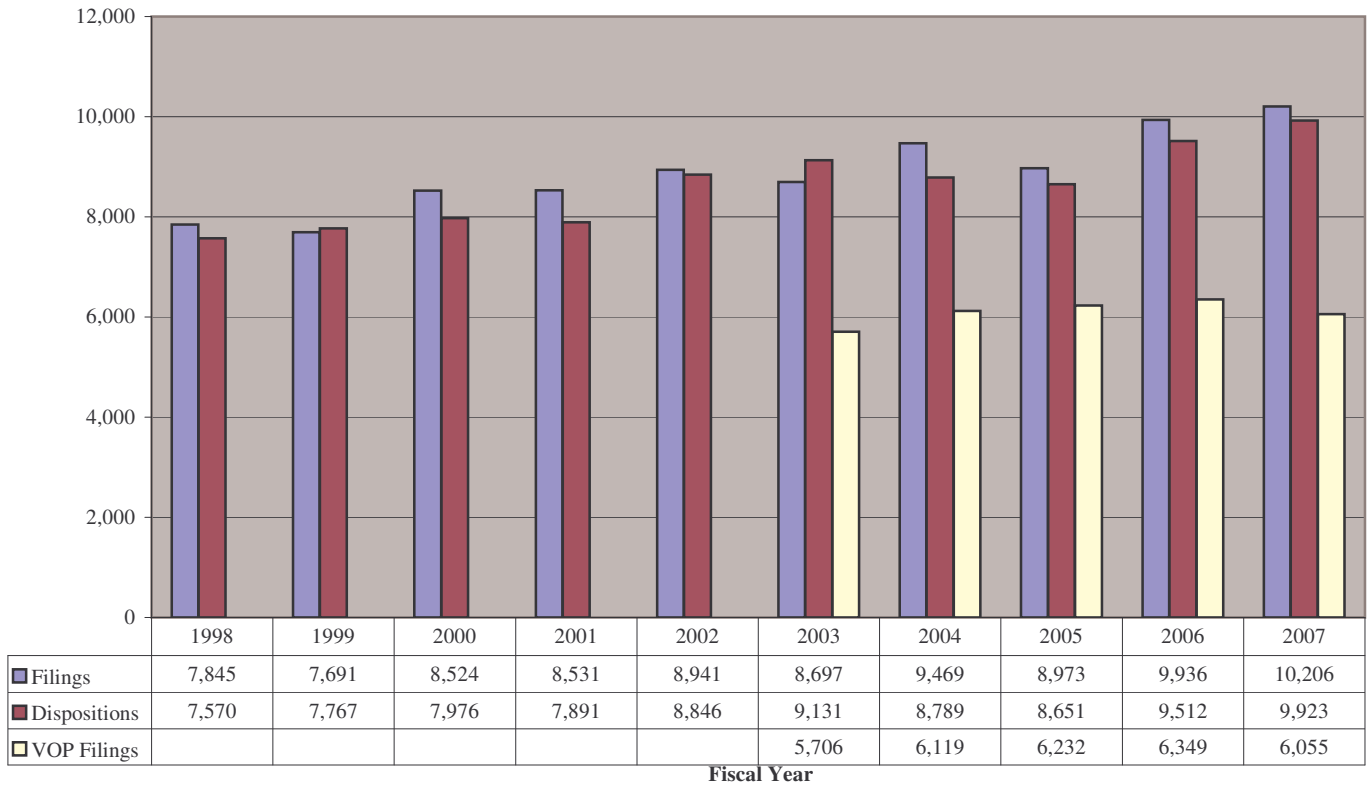
## SUPERIOR COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Criminal Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	5,506	5,718	212	3.9%
Kent County	2,413	2,258	-155	-6.4%
Sussex County	2,017	2,230	213	10.6%
<b>State</b>	<b>9,936</b>	<b>10,206</b>	<b>270</b>	<b>2.7%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Criminal Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	5,280	5,711	431	8.2%
Kent County	2,324	2,211	-113	-4.9%
Sussex County	1,908	2,001	93	4.9%
<b>State</b>	<b>9,512</b>	<b>9,923</b>	<b>411</b>	<b>4.3%</b>

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

**Superior Court Criminal 10-Year Caseload Trend**



The numbers of VOP filings are not available for 1998 - 2007.

The decrease in VOP cases in FY 2007 reflects the consolidation of VOP cases under Senate Bill 50 (11Del C. 4333) and the ongoing research work of the SB 50 pilot unit.



**SUPERIOR COURT**

<b>Caseload Breakdowns - Fiscal Year 2007 - Criminal Filings</b>									
	Indictment		Rule 9 Warrant		Information		Other*		Total
New Castle County	5,092	89.1%	472	8.3%	143	2.5%	11	0.2%	5,718
Kent County	2,070	91.7%	80	3.5%	103	4.6%	5	0.2%	2,258
Sussex County	737	33.0%	351	15.7%	1,142	51.2%	0	0.0%	2,230
<b>State</b>	<b>7,899</b>	<b>77.4%</b>	<b>903</b>	<b>8.8%</b>	<b>1,388</b>	<b>13.6%</b>	<b>16</b>	<b>0.2%</b>	<b>10,206</b>

<b>Caseload Breakdowns - Fiscal Year 2007 - Criminal Dispositions</b>									
	Trial		Guilty Plea		Nolle Prosequi		Remand/Transfer		ADRR***
New Castle County	179	3.1%	3,684	64.5%	756	13.2%	6	0.1%	0
Kent County	37	1.7%	1,501	67.9%	301	13.6%	28	1.3%	0
Sussex County	38	1.9%	1,416	70.8%	268	13.4%	40	2.0%	1
<b>State</b>	<b>254</b>	<b>2.6%</b>	<b>6,601</b>	<b>66.5%</b>	<b>1,325</b>	<b>13.4%</b>	<b>74</b>	<b>0.7%</b>	<b>1</b>

<b>Caseload Breakdowns - Fiscal Year 2007 - Criminal Dispositions (cont.)</b>									
	Dismissal		FOP/Drug Court**		Consolidation		Total		
New Castle County	330	5.8%	531	9.3%	225	3.9%	5,711		
Kent County	76	3.4%	159	7.2%	109	4.9%	2,211		
Sussex County	16	0.8%	54	2.7%	168	8.4%	2,001		
<b>State</b>	<b>422</b>	<b>4.3%</b>	<b>744</b>	<b>7.5%</b>	<b>502</b>	<b>5.1%</b>	<b>9,923</b>		

\* Includes appeals, transfers, reinstatements and severances.

\*\* FOP = First Offender Program

\*\*\* ADRR = Appeal Dismissed Record Remanded

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

**SUPERIOR COURT**

<b>Types of Dispositions Fiscal Year 2007 - Criminal Trials - Part One</b>							
	Jury Trial		Non-Jury Trial			Total	
New Castle County	188	88.3%	25	11.7%		213	100.0%
Kent County	35	94.6%	2	5.4%		37	100.0%
Sussex County	34	89.5%	4	10.5%		38	100.0%
<b>State</b>	<b>257</b>	<b>89.2%</b>	<b>31</b>	<b>10.8%</b>		<b>288</b>	<b>100.0%</b>

	Guilty		Not Guilty*		No Final Disposition**		Total	
New Castle County	134	62.9%	45	21.1%	34	16.0%	213	100.0%
Kent County	26	70.3%	5	13.5%	6	16.2%	37	100.0%
Sussex County	1	100.0%	0	0.0%	0	0.0%	1	100.0%
<b>State</b>	<b>161</b>	<b>64.1%</b>	<b>50</b>	<b>19.9%</b>	<b>40</b>	<b>15.9%</b>	<b>251</b>	<b>100.0%</b>

<b>Types of Dispositions Fiscal Year 2007 - Criminal Trials - Part Two</b>								
Jury Trial								
	Guilty	Guilty LIO***	Not Guilty	Pled Guilty At Trial	Nol Pros/ Dismissed at Trial	Mistrial	Hung Jury	Total
New Castle County	89	15	34	7	9	8	26	188
Kent County	13	6	2	6	2	6	0	35
Sussex County	19	5	4	3	2	1	0	34
<b>State</b>	<b>121</b>	<b>26</b>	<b>40</b>	<b>16</b>	<b>13</b>	<b>15</b>	<b>26</b>	<b>257</b>

Non-Jury Trial								
	Guilty	Guilty LIO***	Not Guilty	Pled Guilty	Nol Pros/ Dismissed at Trial	Mistrial	Total	
New Castle County	16	5	1	2	1	0	25	
Kent County	1	0	1	0	0	0	2	
Sussex County	3	1	0	0	0	0	4	
<b>State</b>	<b>20</b>	<b>6</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>31</b>	

All Trials								
	Guilty	Guilty LIO***	Not Guilty	Pled Guilty at Trial	Nol Pros/ Dismissed at Trial	Mistrial	Hung Jury	Total
New Castle County	105	20	35	9	10	8	26	213
Kent County	14	6	3	6	2	6	0	37
Sussex County	22	6	4	3	2	1	0	38
<b>State</b>	<b>141</b>	<b>32</b>	<b>42</b>	<b>18</b>	<b>14</b>	<b>15</b>	<b>26</b>	<b>288</b>

<b>Types of Dispositions Fiscal Year 2007 - Criminal Nolle Prosequis</b>						
	Nolle Prosequis By Special Condition		Nolle Prosequis By Merit		Total	
New Castle County	268	35.4%	488	64.6%	756	100.0%
Kent County	217	72.1%	84	27.9%	301	100.0%
Sussex County	78	29.1%	190	70.9%	268	100.0%
<b>State</b>	<b>563</b>	<b>42.5%</b>	<b>762</b>	<b>57.5%</b>	<b>1,325</b>	<b>100.0%</b>

\*Includes Dismissals at Trial and Nolle Prosequis at Trial

\*\*Hung Juries, Mistrials, and Reserved Decisions

\*\*\*LIO = Lesser Included Offense

Nol Pros = Nolle Prosequi

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

**SUPERIOR COURT**

<b>Types of Dispositions Fiscal Year 2007 - Criminal Felony Guilty Pleas</b>						
	Pled Guilty Original		Pled Guilty Lesser		Total	
New Castle County	2,026	90.3%	217	9.7%	2,243	100.0%
Kent County	881	87.8%	122	12.2%	1003	100.0%
Sussex County	840	85.0%	148	15.0%	988	100.0%
<b>State</b>	<b>3,747</b>	<b>88.5%</b>	<b>487</b>	<b>11.5%</b>	<b>4,234</b>	<b>100.0%</b>

<b>Types of Dispositions Fiscal Year 2007 - Criminal Misdemeanor Guilty Pleas</b>						
	Pled Guilty Original		Pled Guilty Lesser		Total	
New Castle County	732	50.8%	709	49.2%	1,441	100.0%
Kent County	232	46.6%	266	53.4%	498	100.0%
Sussex County	323	75.5%	105	24.5%	428	100.0%
<b>State</b>	<b>1287</b>	<b>54.4%</b>	<b>1080</b>	<b>45.6%</b>	<b>2,367</b>	<b>100.0%</b>

<b>Types of Dispositions Fiscal Year 2007 - Criminal Total Guilty Pleas</b>						
	Pled Guilty Original		Pled Guilty Lesser		Total	
New Castle County	2,758	74.9%	926	25.1%	3,684	100.0%
Kent County	1113	74.2%	388	25.8%	1,501	100.0%
Sussex County	1163	82.1%	253	17.9%	1,416	100.0%
<b>State</b>	<b>5,034</b>	<b>76.3%</b>	<b>1,567</b>	<b>23.7%</b>	<b>6,601</b>	<b>100.0%</b>

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

**SUPERIOR COURT**

<b>Performance Summary Fiscal Year 2007 - Criminal Cases - Elapsed Time</b>			
	Total Number of Cases Disposed of	Average Time from Arrest to Disposition	Average Time from Indictment to Disposition
New Castle County	5,711	159.2 days	110.0 days
Kent County	2,211	145.8 days	103.7 days
Sussex County	2,001	128.9 days	89.4 days
<b>State</b>	<b>9,923</b>	<b>144.6 days</b>	<b>101.0 days</b>

<b>Performance Summary Fiscal Year 2007 - Criminal Cases - Compliance With Speedy Trial Standards</b>							
	Total Number of Cases Disposed of	Disposed of within 120 Days of Indictment (90%)		Disposed of within 180 Days of Indictment (98%)		Disposed of within 365 Days of Indictment (100%)	
New Castle County	5,711	3,745	65.6%	5,051	88.4%	5,588	97.8%
Kent County	2,211	1,574	71.2%	1,915	86.6%	2,177	98.5%
Sussex County	2,001	1,631	81.5%	1,866	93.3%	1,997	99.8%
<b>State</b>	<b>9,923</b>	<b>6,950</b>	<b>70.0%</b>	<b>8,832</b>	<b>89.0%</b>	<b>9,762</b>	<b>98.4%</b>

**Criminal Cases Performance Explanatory Notes Fiscal Year Criminal Cases Performance Explanatory Notes Fiscal Year**

1. The performance summary charts measure the average time from the date of arrest to the date of disposition as well as the average time from the date of indictment/information to the date of disposition.
2. In measuring the elapsed time for defendants for the purpose of determining the rate of compliance with the speedy trial standards, the following are excluded by the Court:
  - a. For all capiases, the time between the date that the capias is issued and the date that it is executed.
  - b. For all Rule 9 summonses and Rule 9 warrants, the time between the arrest and the indictment/information, if any.
  - c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequis.
  - d. For all mental examinations, the time between the date that the examination is ordered and the date of the receipt of the results.
  - e. For all defendants deemed to be incompetent, the period in which the defendant is considered incompetent.

Source: Court Administrator and Case Scheduling Offices, Superior Court; Administrative Office of the Courts

## SUPERIOR COURT

<b>Performance Comparison - Fiscal Years 2006-2007 - Criminal Cases</b>				
<b>Average Time From Arrest to Disposition</b>				
	2006	2007	Change	% Change
New Castle County	159.0 days	159.2 days	0.2 days	0.1%
Kent County	143.5 days	145.8 days	2.3 days	1.6%
Sussex County	116.7 days	128.9 days	12.2 days	10.5%
<b>State</b>	<b>139.8 days</b>	<b>144.6 days</b>	<b>4.8 days</b>	<b>3.4%</b>

<b>Performance Comparison - Fiscal Years 2006-2007 - Criminal Cases</b>				
<b>Average Time From Indictment to Disposition</b>				
	2006	2007	Change	% Change
New Castle County	119.4 days	110.0 days	-9.4 days	-7.9%
Kent County	95.3 days	103.7 days	8.4 days	8.8%
Sussex County	72.4 days	89.4 days	17.0 days	23.5%
<b>State</b>	<b>95.7 days</b>	<b>101.0 days</b>	<b>5.3 days</b>	<b>5.5%</b>

Source: Court Administrator and Case Scheduling Offices, Superior Court; Administrative Office of the Courts

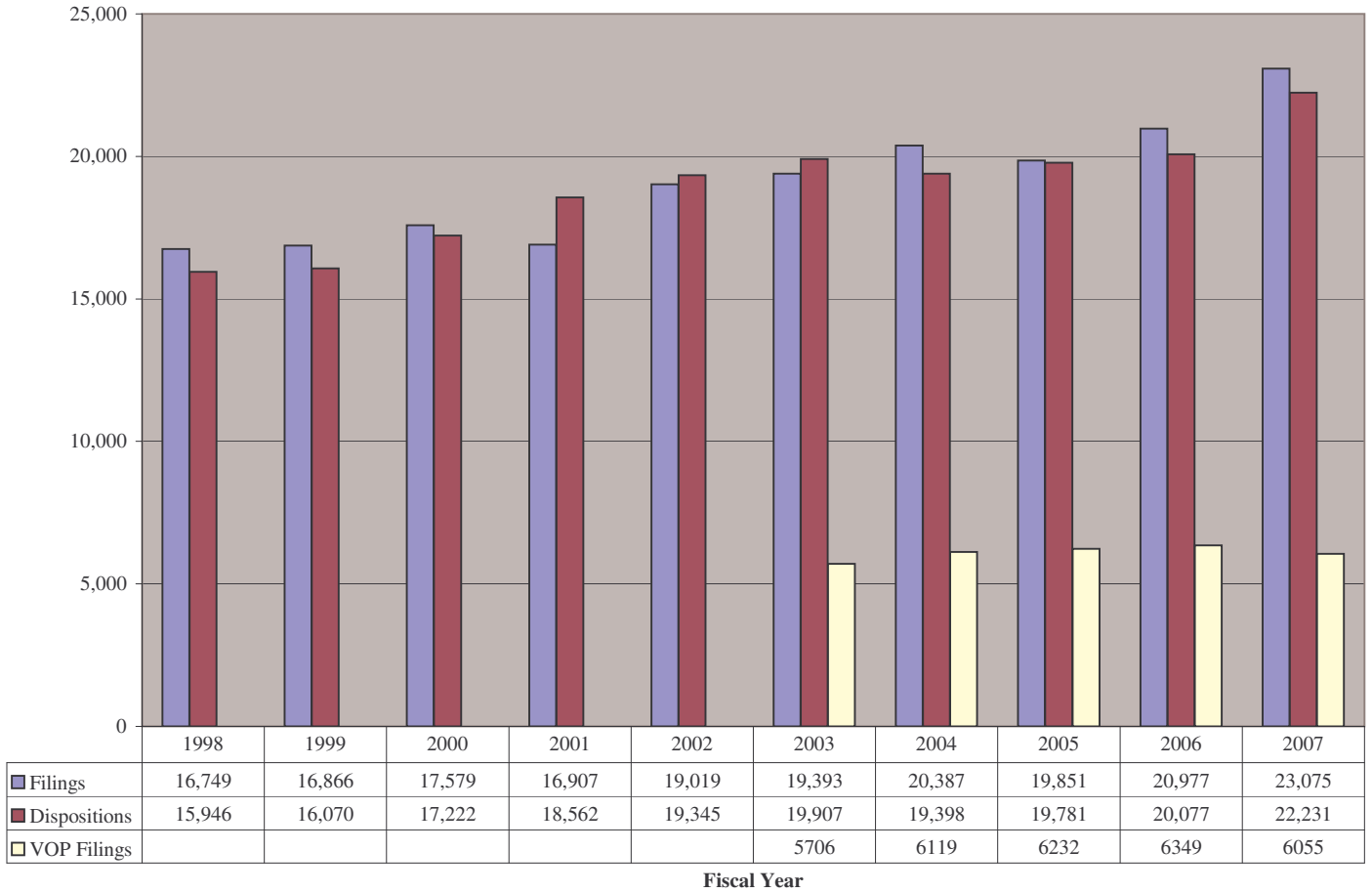
**SUPERIOR COURT**

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	13,988	15,541	1553	11.1%
Kent County	3,760	3,891	131	3.5%
Sussex County	3,229	3,643	414	12.8%
<b>State</b>	<b>20,977</b>	<b>23,075</b>	<b>2098</b>	<b>10.0%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	13,327	15,357	2030	15.2%
Kent County	3,596	3,574	-22	-0.6%
Sussex County	3,154	3,300	146	4.6%
<b>State</b>	<b>20,077</b>	<b>22,231</b>	<b>2154</b>	<b>10.7%</b>

Source: Court Administrator, Prothonotaries Offices, and Case Scheduling Offices, Superior Court; Administrative Office of the Courts

### Superior Court Total 10-Year Caseload Trend



The numbers of VOP filings are not available for 1998 - 2007.

The decrease in VOP cases in FY 2007 reflects the consolidation of cases under Senate Bill 50 (11 Del C. 4333) and the ongoing research work of the SB 50 pilot unit.

FAMILY COURT  
State of Delaware

2007 Annual Report Statistical Information



## FAMILY COURT

<b>Caseload Summary Fiscal Years 2006-2007 - Adult Criminal Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	2,787	3,642	855	30.7%
Kent County	760	875	115	15.1%
Sussex County	743	793	50	6.7%
<b>State</b>	<b>4,290</b>	<b>5,310</b>	<b>1020</b>	<b>23.8%</b>

<b>Caseload Summary Fiscal Years 2006-2007 - Adult Criminal Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	2,770	3,474	704	25.4%
Kent County	799	868	69	8.6%
Sussex County	745	831	86	11.5%
<b>State</b>	<b>4,314</b>	<b>5,173</b>	<b>859</b>	<b>19.9%</b>

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

## FAMILY COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	23,272	24,124	852	3.7%
Kent County	8,827	8,986	159	1.8%
Sussex County	10,307	10,374	67	0.7%
<b>State</b>	<b>42,406</b>	<b>43,484</b>	<b>1,078</b>	<b>2.5%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	23,753	23,851	98	0.4%
Kent County	9,422	8,911	-511	-5.4%
Sussex County	10,247	10,340	93	0.9%
<b>State</b>	<b>43,422</b>	<b>43,102</b>	<b>-320</b>	<b>-0.7%</b>

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

**FAMILY COURT**

<b>Caseload Breakdown Fiscal Year 2007 - Civil Case Filings</b>												
	Divorces and Annulments		RTSC/Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle County	2,056	8.5%	711	2.9%	4,945	20.5%	4,506	18.7%	2,063	8.6%	2,200	9.1%
Kent County	817	9.1%	218	2.4%	1,767	19.7%	1,800	20.0%	660	7.3%	847	9.4%
Sussex County	824	7.9%	149	1.4%	1,870	18.0%	2,925	28.2%	799	7.7%	799	7.7%
<b>State</b>	<b>3,697</b>	<b>8.5%</b>	<b>1,078</b>	<b>2.5%</b>	<b>8,582</b>	<b>19.7%</b>	<b>9,231</b>	<b>21.2%</b>	<b>3,522</b>	<b>8.1%</b>	<b>3,846</b>	<b>8.8%</b>
	Visitation		Protection From Abuse		Adoptions		Termination of Parental Rights		Miscellaneous		Total	
New Castle County	498	2.1%	2,029	8.4%	157	0.7%	129	0.5%	4,830	20.0%	24,124	100%
Kent County	206	2.3%	791	8.8%	53	0.6%	42	0.5%	1,785	19.9%	8,986	100%
Sussex County	159	1.5%	828	8.0%	41	0.4%	39	0.4%	1,941	18.7%	10,374	100%
<b>State</b>	<b>863</b>	<b>2.0%</b>	<b>3,648</b>	<b>8.4%</b>	<b>251</b>	<b>0.6%</b>	<b>210</b>	<b>0.5%</b>	<b>8,556</b>	<b>19.7%</b>	<b>43,484</b>	<b>100%</b>

<b>Caseload Breakdown Fiscal Year 2007 - Civil Case Dispositions</b>												
	Divorces and Annulments		RTSC/Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle County	2,053	8.6%	752	3.2%	4,924	20.6%	4,553	19.1%	2,142	9.0%	2,313	9.7%
Kent County	788	8.8%	214	2.4%	1,735	19.5%	1,689	19.0%	664	7.5%	874	9.8%
Sussex County	825	8.0%	210	2.0%	1,927	18.6%	2,469	23.9%	886	8.6%	799	7.7%
<b>State</b>	<b>3,666</b>	<b>8.5%</b>	<b>1,176</b>	<b>2.7%</b>	<b>8,586</b>	<b>19.9%</b>	<b>8,711</b>	<b>20.2%</b>	<b>3,692</b>	<b>8.6%</b>	<b>3,986</b>	<b>9.2%</b>
	Visitation		Protection From Abuse		Adoptions		Termination of Parental Rights		Miscellaneous		Total	
New Castle County	527	2.2%	2,025	8.5%	150	0.6%	101	0.4%	4,311	18.1%	23,851	100%
Kent County	202	2.3%	787	8.8%	51	0.6%	27	0.3%	1,880	21.1%	8,911	100%
Sussex County	195	1.9%	875	8.5%	47	0.5%	28	0.3%	2,079	20.1%	10,340	100%
<b>State</b>	<b>924</b>	<b>2.1%</b>	<b>3,687</b>	<b>8.6%</b>	<b>248</b>	<b>0.6%</b>	<b>156</b>	<b>0.4%</b>	<b>8,270</b>	<b>19.2%</b>	<b>43,102</b>	<b>100%</b>

RTSC = Rules to Show Cause

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

**FAMILY COURT**

<b>Caseload Comparison - Fiscal Years 2006-2007 - Juvenile Delinquency Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	5,418	5,311	-107	-2.0%
Kent County	1,950	1,864	-86	-4.4%
Sussex County	1,998	1,703	-295	-14.8%
<b>State</b>	<b>9,366</b>	<b>8,878</b>	<b>-488</b>	<b>-5.2%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Juvenile Delinquency Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	6,458	4,146	-2,312	-35.8%
Kent County	2,023	1,831	-192	-9.5%
Sussex County	2,018	1,668	-350	-17.3%
<b>State</b>	<b>10,499</b>	<b>7,645</b>	<b>-2,854</b>	<b>-27.2%</b>

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

## FAMILY COURT

<b>Caseload Breakdowns Fiscal Year 2007 - Juvenile Delinquency Case Filings</b>								
	Felony		Misdemeanor		Traffic		Total	
New Castle County	1,114	21.0%	3,767	70.9%	430	8.1%	5,311	100%
Kent County	365	19.6%	1,345	72.2%	154	8.3%	1,864	100%
Sussex County	276	16.2%	1,262	74.1%	165	9.7%	1,703	100%
<b>State</b>	<b>1,755</b>	<b>19.8%</b>	<b>6,374</b>	<b>71.8%</b>	<b>749</b>	<b>8.4%</b>	<b>8,878</b>	<b>100%</b>

<b>Caseload Breakdowns Fiscal Year 2007 - Juvenile Delinquency Case Dispositions</b>								
	Felony		Misdemeanor		Traffic		Total	
New Castle County	851	20.5%	2,986	72.0%	309	7.5%	4,146	100%
Kent County	325	17.7%	1,346	73.5%	160	8.7%	1,831	100%
Sussex County	315	18.9%	1,198	71.8%	155	9.3%	1,668	100%
<b>State</b>	<b>1,491</b>	<b>19.5%</b>	<b>5,530</b>	<b>72.3%</b>	<b>624</b>	<b>8.2%</b>	<b>7,645</b>	<b>100%</b>

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

## FAMILY COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Mediation Filings</b>				
	2006	2007	Change	% Change
New Castle County	8,909	9,147	238	2.7%
Kent County	3,092	2,577	-515	-16.7%
Sussex County	3,739	3,350	-389	-10.4%
<b>State</b>	<b>15,740</b>	<b>15,074</b>	<b>-666</b>	<b>-4.2%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Mediation Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	9,706	9,159	-547	-5.6%
Kent County	3,122	2,572	-550	-17.6%
Sussex County	3,643	3,464	-179	-4.9%
<b>State</b>	<b>16,471</b>	<b>15,195</b>	<b>-1,276</b>	<b>-7.7%</b>

### Mediation Explanatory Notes Fiscal Year 2007

1. Mediation is a process prior to adjudication in which a trained mediator attempts to assist the parties in reaching an agreement in disputes which involve child custody, support, visitation, guardianships, imperiling 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 to be heard before a commissioner or a judge.

Note: Mediation data was reported as Arbitration data in previous fiscal years.

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

## FAMILY COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	31,477	33,077	1,600	5.1%
Kent County	11,537	11,725	188	1.6%
Sussex County	13,048	12,870	-178	-1.4%
<b>State</b>	<b>56,062</b>	<b>57,672</b>	<b>1,610</b>	<b>2.9%</b>

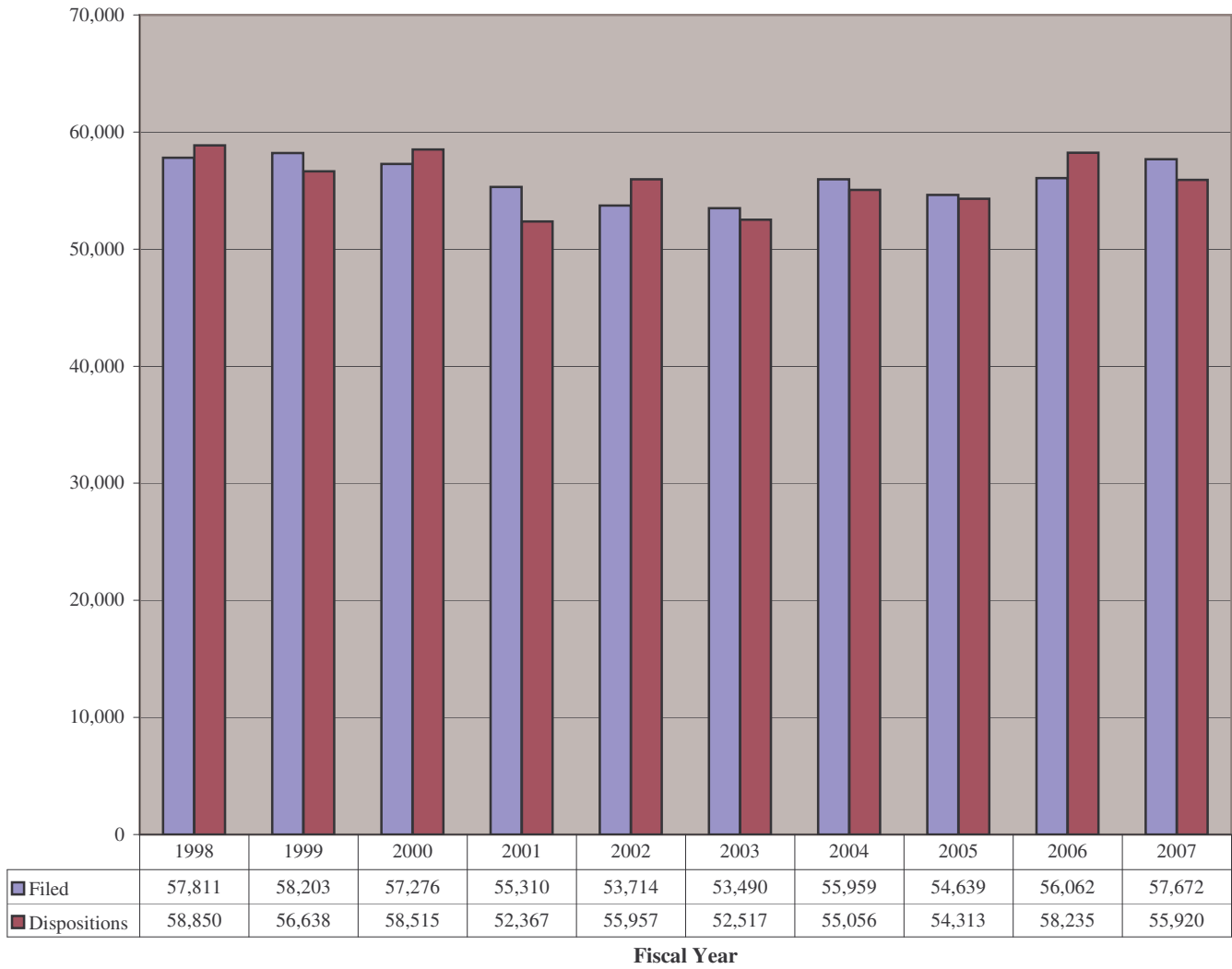
<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	32,981	31,471	-1,510	-4.6%
Kent County	12,244	11,610	-634	-5.2%
Sussex County	13,010	12,839	-171	-1.3%
<b>State</b>	<b>58,235</b>	<b>55,920</b>	<b>-2,315</b>	<b>-4.0%</b>

### Total Cases Explanatory Notes Fiscal Year 2007

1. The unit of count in Family Court for 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 multiple incidents brought before the Court on a single individual are counted as multiple charges.
  - 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 is received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.
3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In a divorce, although the petition may contain multiple ancillary matters to the divorce, it is counted as one filing.

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

**Family Court 10-Year Total Caseload Trend**





COURT OF COMMON PLEAS  
State of Delaware

2007 Annual Report Statistical Information

**COURT OF COMMON PLEAS**

<b>Caseload Summary Fiscal Year 2006-2007 - Civil Case Filings</b>				
	2006	2,007	Change	%Change
New Castle County	6,500	7,069	569	8.8%
Kent County	1,551	2,002	451	29.1%
Sussex County	1,799	2,349	550	30.6%
<b>State</b>	<b>9,850</b>	<b>11,420</b>	<b>1570</b>	<b>15.9%</b>

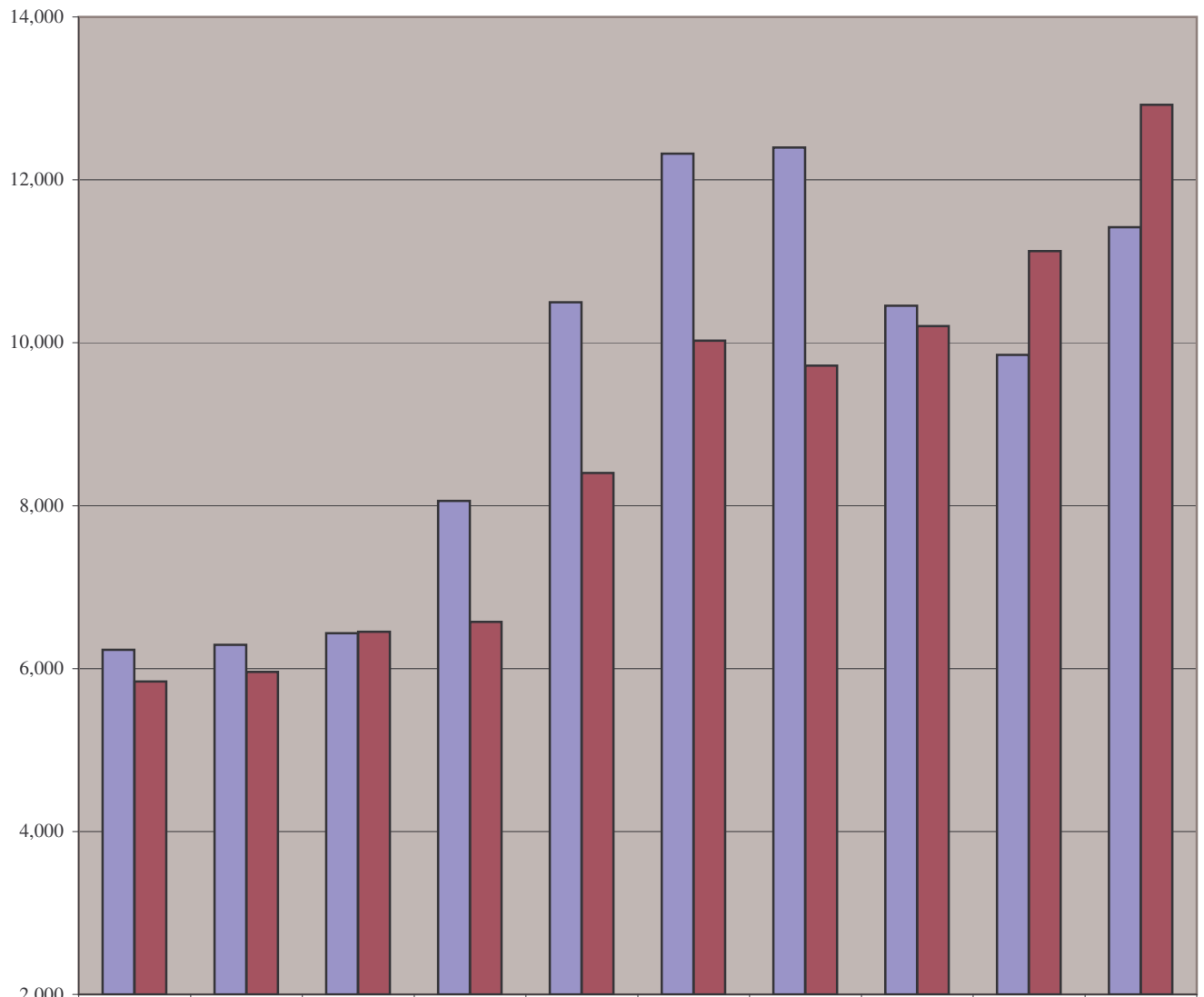
<b>Caseload Summary Fiscal Year 2006-2007 - Civil Case Dispositions</b>				
	2006	2,007	Change	% Change
New Castle County	7,779	9,038	1259	16.2%
Kent County	1,418	1,732	314	22.1%
Sussex County	1,930	2,151	221	11.5%
<b>State</b>	<b>11,127</b>	<b>12,921</b>	<b>1794</b>	<b>16.1%</b>

<b>Caseload Breakdowns Fiscal Year 2007 - Civil Case Filings</b>						
	Complaints		Civil Judgments, Name Changes, Appeals		Total	
New Castle County	6,594	93.3%	475	6.7%	7,069	100%
Kent County	1,846	92.2%	156	7.8%	2,002	100%
Sussex County	2,213	94.2%	136	5.8%	2,349	100%
<b>State</b>	<b>10,653</b>	<b>93.3%</b>	<b>767</b>	<b>6.7%</b>	<b>11,420</b>	<b>100%</b>

<b>Caseload Breakdowns Fiscal Year 2007 - Civil Case Dispositions</b>						
	Court Action		Counsel Action		Total	
New Castle County	4,076	45.1%	4,962	54.9%	9,038	100%
Kent County	434	25.1%	1,298	74.9%	1,732	100%
Sussex County	648	30.1%	1,503	69.9%	2,151	100%
<b>State</b>	<b>5,158</b>	<b>39.9%</b>	<b>7,763</b>	<b>60.1%</b>	<b>12,921</b>	<b>100%</b>

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

**Court of Common Pleas 10-Year Civil Caseload Trend**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	6,231	6,293	6,436	8,058	10,496	12,322	12,396	10,455	9,850	11,420
Dispositions	5,841	5,959	6,453	6,574	8,400	10,026	9,718	10,206	11,127	12,921

**Fiscal Year**

## COURT OF COMMON PLEAS

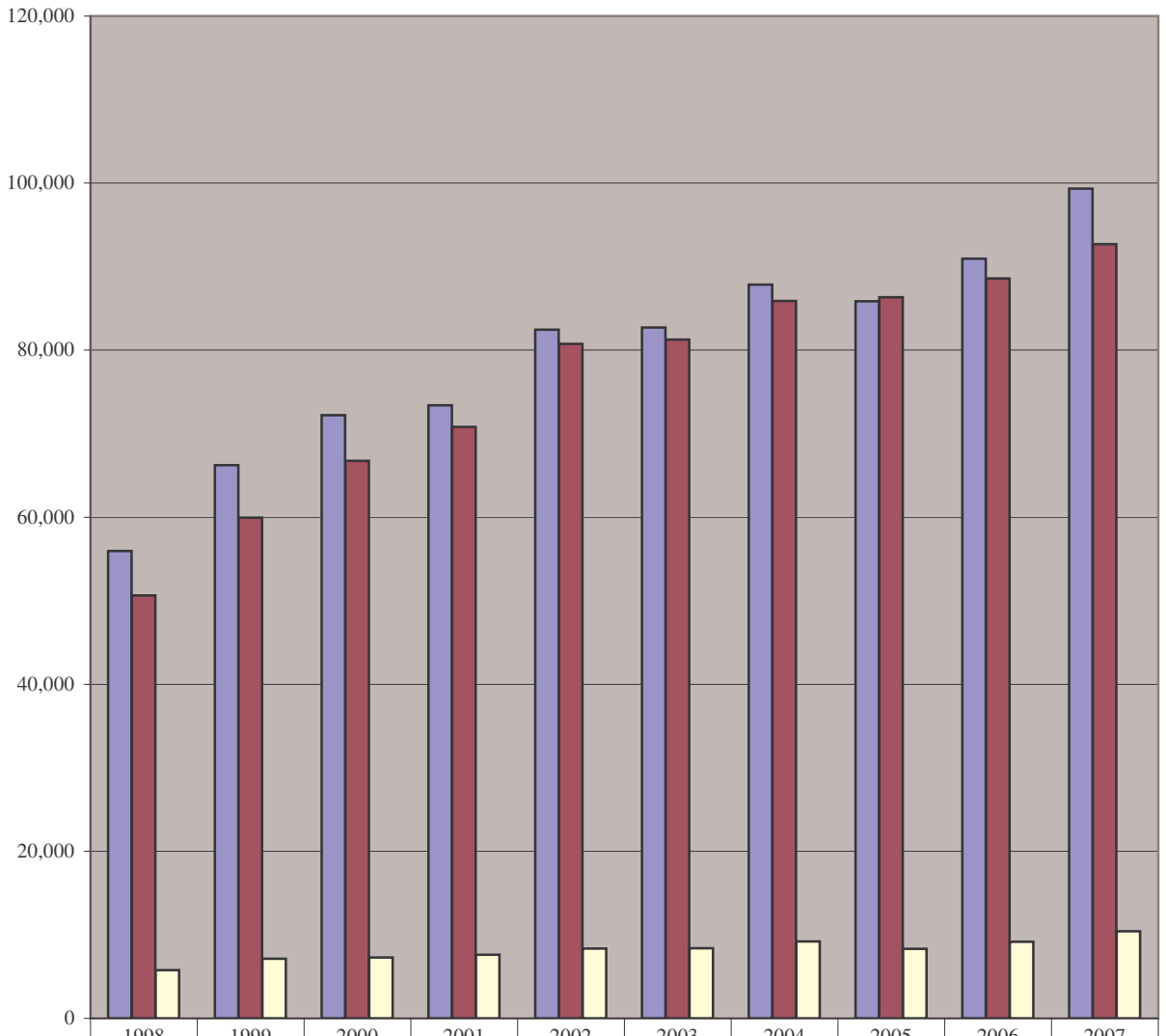
<b>Caseload Summary Fiscal Year 2006-2007 - Criminal Case Filings</b>				
	2006	2007	Change	% Change
New Castle County	44,978	52,437	7,459	16.6%
Kent County	20,112	21,471	1,359	6.8%
Sussex County	25,874	25,437	-437	-1.7%
<b>State</b>	<b>90,964</b>	<b>99,345</b>	<b>8,381</b>	<b>9.2%</b>

<b>Caseload Summary Fiscal Year 2006-2007 - Criminal Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County	43,062	46,689	3,627	8.4%
Kent County	20,207	20,758	551	2.7%
Sussex County	25,308	25,244	-64	-0.3%
<b>State</b>	<b>88,577</b>	<b>92,691</b>	<b>4,114</b>	<b>4.6%</b>

<b>Caseload Summary Fiscal Year 2006-2007 - Criminal Case Preliminary Hearings Held</b>				
	2006	2007	Change	% Change
New Castle County	5,322	6,092	770	14.5%
Kent County	2,005	2,318	313	15.6%
Sussex County	1,838	2,003	165	9.0%
<b>State</b>	<b>9,165</b>	<b>10,413</b>	<b>1,248</b>	<b>13.6%</b>

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

**Court of Common Pleas 10-Year Criminal Caseload Trend**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Misdemeanor Filings	55,960	66,216	72,211	73,393	82,469	82,719	87,836	85,867	90,964	99,345
Misdemeanor Dispositions	50,638	59,933	66,755	70,811	80,757	81,257	85,893	86,319	88,577	92,691
Preliminary Hearings	5,778	7,118	7,298	7,616	8,362	8,386	9,189	8,329	9,165	10,413

**Fiscal Year**

## COURT OF COMMON PLEAS

### Caseload Comparison - Fiscal Years 2006-2007 - Total Case Filings

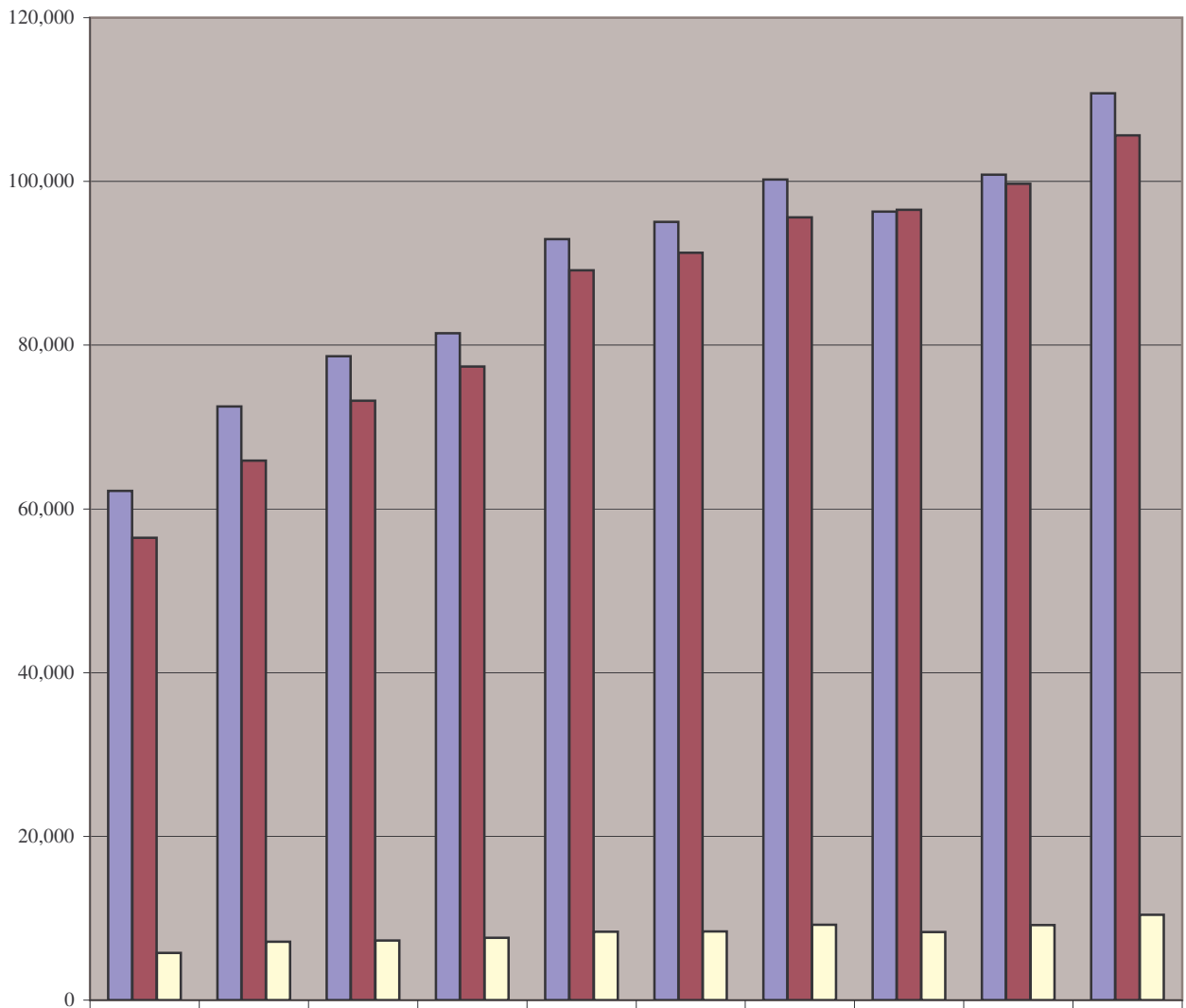
	2006	2007	Change	% Change
New Castle County	51,478	59,506	8028	15.6%
Kent County	21,663	23,473	1810	8.4%
Sussex County	27,673	27,786	113	0.4%
<b>State</b>	<b>100,814</b>	<b>110,765</b>	<b>9951</b>	<b>9.9%</b>

### Caseload Comparison - Fiscal Years 2006-2007 - Total Case Dispositions

	2006	2007	Change	% Change
New Castle County	50,841	55,727	4886	9.6%
Kent County	21,625	22,490	865	4.0%
Sussex County	27,238	27,395	157	0.6%
<b>State</b>	<b>99,704</b>	<b>105,612</b>	<b>5908</b>	<b>5.9%</b>

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

**Court of Common Pleas 10-Year Total Caseload Trend (Civil & Criminal)**



	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
Filings	62,191	72,509	78,647	81,451	92,965	95,041	100,232	96,322	100,814	110,765
Dispositions	56,479	65,892	73,208	77,385	89,157	91,283	95,611	96,525	99,704	105,612
Preliminary Hearings	5,778	7,118	7,298	7,616	8,362	8,386	9,189	8,329	9,165	10,413

**Fiscal Year**

JUSTICE OF THE PEACE COURT  
State of Delaware

2007 Annual Report Statistical Information



## JUSTICE OF THE PEACE COURT

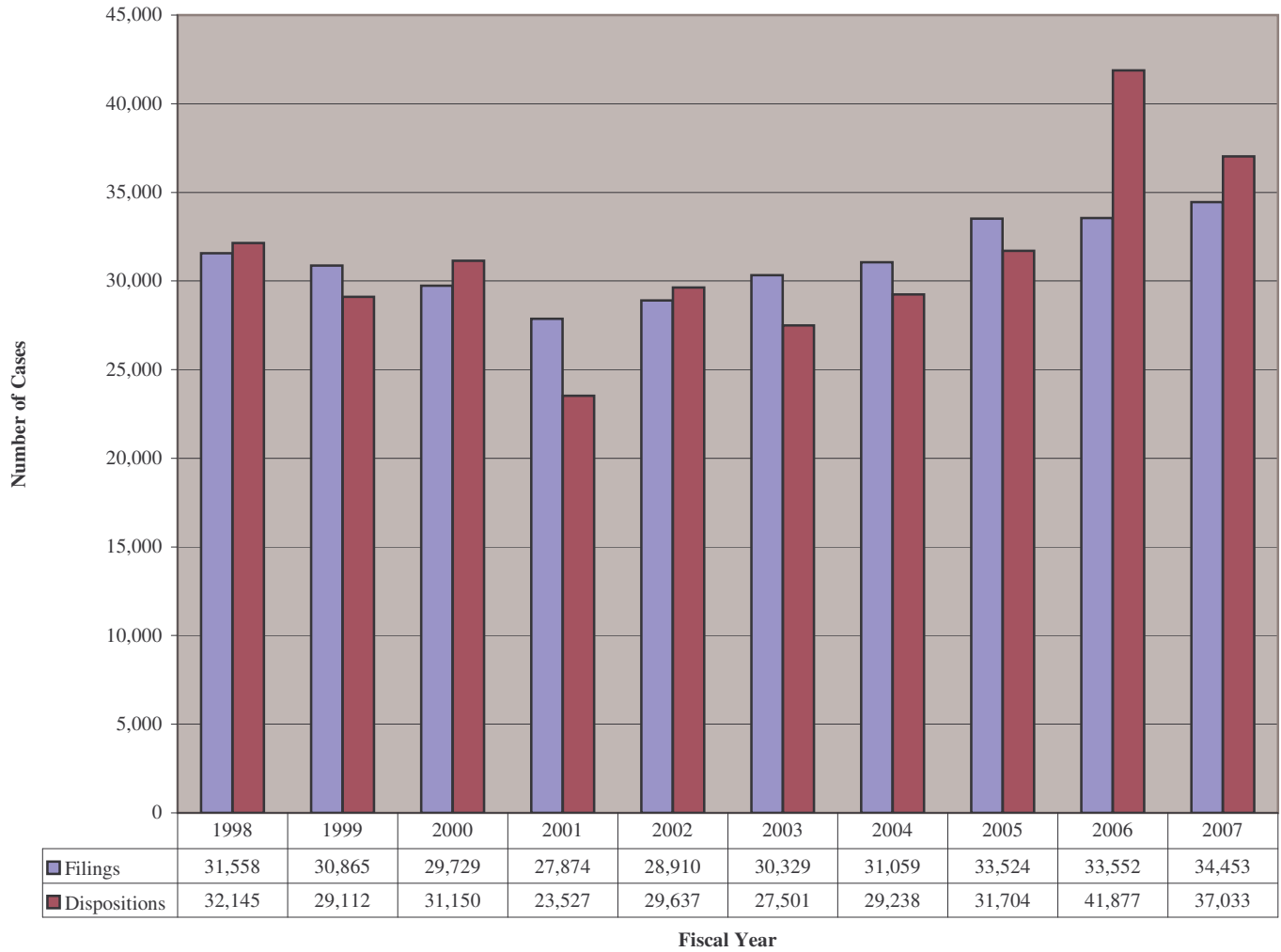
<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Case Filings</b>				
	2006	2007	Change	% Change
New Castle County				
Court 9	1,097	996	-101	-9.2%
Court 12	11,199	10,992	-207	-1.8%
Court 13	10,193	10,603	410	4.0%
Kent County				
Court 16	5,940	6,689	749	12.6%
Sussex County				
Court 17	3,180	3,145	-35	-1.1%
Court 19	1,943	2,028	85	4.4%
<b>State</b>	<b>33,552</b>	<b>34,453</b>	<b>901</b>	<b>2.7%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Civil Case Dispositions</b>				
	2006	2007	Change	% Change
New Castle County				
Court 9*	1,419	1,105	-314	-22.1%
Court 12	12,064	11,623	-441	-3.7%
Court 13*	15,289	11,367	-3,922	-25.7%
Kent County				
Court 16	7,562	7,262	-300	-4.0%
Sussex County				
Court 17	3,193	3,564	371	11.6%
Court 19	2,350	2,112	-238	-10.1%
<b>State</b>	<b>41,877</b>	<b>37,033</b>	<b>-4,844</b>	<b>-11.6%</b>

\* The significant % Change in civil dispositions for JP Court 9 and JP Court 13 reflects a one-time file maintenance initiative in FY2006.

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

**JP Court - 10 Year Civil Caseload Trend**



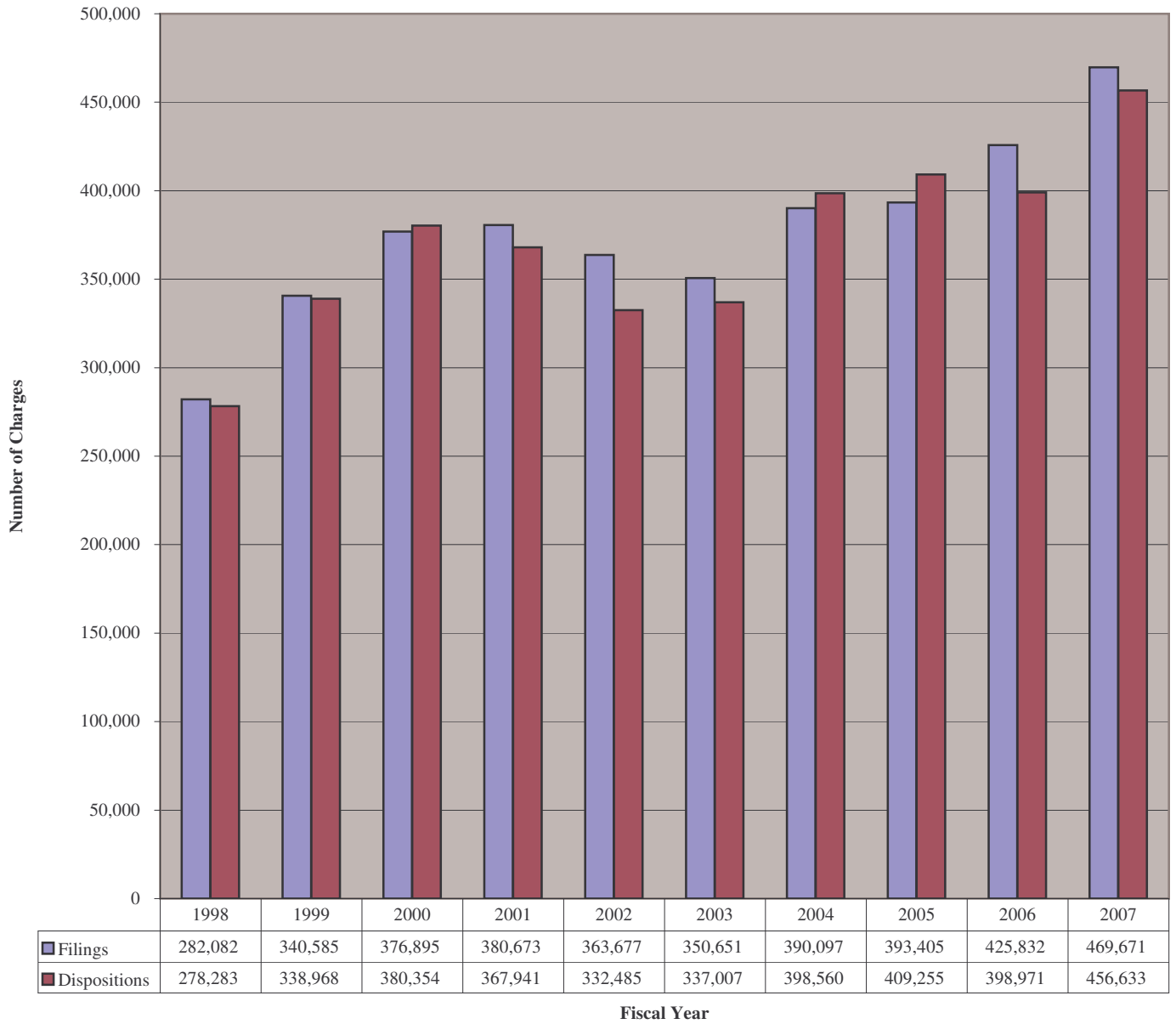
2005 Dispositions Amended

## JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2007 - Civil Case Filings						
	Complaints		Landlord/Tenant		Total	
New Castle County						
Court 9	600	60.2%	396	39.8%	996	100%
Court 12	4,220	38.4%	6,772	61.6%	10,992	100%
Court 13	5,911	55.7%	4,692	44.3%	10,603	100%
Kent County						
Court 16	3,707	55.4%	2,982	44.6%	6,689	100%
Sussex County						
Court 17	1,638	52.1%	1,507	47.9%	3,145	100%
Court 19	881	43.4%	1,147	56.6%	2,028	100%
<b>State</b>	<b>16,957</b>	<b>49.2%</b>	<b>17,496</b>	<b>50.8%</b>	<b>34,453</b>	<b>100%</b>

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

**JP Court - 10 Year Criminal and Traffic Caseload Trend**



2004 Dispositions Amended

## JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2007 - Criminal and Traffic Filings (defendants)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	116	3.2%	104	2.8%	3,315	90.8%	117	3.2%	3,652	100%
Court 10	124	1.2%	633	6.3%	8,494	83.9%	868	8.6%	10,119	100%
Court 11	584	2.3%	6,709	26.4%	15,113	59.5%	2,995	11.8%	25,401	100%
Court 15	2	0.0%	513	8.2%	5,554	88.8%	186	3.0%	6,255	100%
Court 20	142	0.9%	5,206	32.1%	7,679	47.4%	3,169	19.6%	16,196	100%
Kent County										
Court 6	155	2.7%	263	4.5%	5,159	89.0%	222	3.8%	5,799	100%
Court 7	474	2.5%	4,555	23.6%	12,399	64.2%	1,895	9.8%	19,323	100%
Court 8	5	0.2%	94	3.8%	2,311	93.1%	71	2.9%	2,481	100%
Sussex County										
Court 1	74	2.5%	108	3.6%	2,325	77.9%	478	16.0%	2,985	100%
Court 2	445	2.9%	8,856	57.9%	4,747	31.1%	1,238	8.1%	15,286	100%
Court 3	461	3.7%	3,839	30.5%	6,964	55.2%	1,342	10.6%	12,606	100%
Court 4	11	0.2%	1,041	14.3%	5,987	82.0%	260	3.6%	7,299	100%
Court 14	0	0.0%	52	2.9%	1,681	94.2%	52	2.9%	1,785	100%
State without VAC*	2,593	2.0%	31,973	24.7%	81,728	63.3%	12,893	10.0%	129,187	100%
VAC*	317	0.2%	1	0.0%	153,359	99.7%	119	0.1%	153,796	100%
<b>State with VAC*</b>	<b>2,910</b>	<b>1.0%</b>	<b>31,974</b>	<b>11.3%</b>	<b>235,087</b>	<b>83.1%</b>	<b>13,012</b>	<b>4.6%</b>	<b>282,983</b>	<b>100%</b>

\* VAC = Voluntary Assessment Center

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

## JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2007 - Criminal and Traffic Filings (charges)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	149	2.1%	156	2.2%	6,565	93.5%	151	2.2%	7,021	100%
Court 10	159	0.8%	926	4.7%	17,463	89.3%	1,018	5.2%	19,566	100%
Court 11	1,112	1.8%	15,024	24.2%	36,656	59.0%	9,320	15.0%	62,112	100%
Court 15	8	0.1%	923	7.2%	11,664	90.6%	281	2.2%	12,876	100%
Court 20	203	0.6%	10,373	30.7%	16,577	49.1%	6,608	19.6%	33,761	100%
Kent County										
Court 6	193	2.0%	414	4.3%	8,650	89.8%	374	3.9%	9,631	100%
Court 7	1,042	2.3%	14,925	32.9%	24,506	54.1%	4,847	10.7%	45,320	100%
Court 8	5	0.1%	194	4.0%	4,445	92.7%	153	3.2%	4,797	100%
Sussex County										
Court 1	121	2.3%	214	4.1%	4,337	83.7%	511	9.9%	5,183	100%
Court 2	539	1.2%	27,131	61.2%	12,315	27.8%	4,327	9.8%	44,312	100%
Court 3	1,057	2.7%	14,016	35.6%	20,391	51.8%	3,886	9.9%	39,350	100%
Court 4	15	0.1%	3,074	18.5%	12,894	77.7%	608	3.7%	16,591	100%
Court 14	3	0.1%	191	3.8%	4,709	94.2%	98	2.0%	5,001	100%
State without VAC*	4,606	1.5%	87,561	28.7%	181,172	59.3%	32,182	10.5%	305,521	100%
VAC*	320	0.2%	1	0.0%	163,689	99.7%	140	0.1%	164,150	100%
<b>State with VAC*</b>	<b>4,926</b>	<b>1.0%</b>	<b>87,562</b>	<b>18.6%</b>	<b>344,861</b>	<b>73.4%</b>	<b>32,322</b>	<b>6.9%</b>	<b>469,671</b>	<b>100%</b>

\* VAC = Voluntary Assessment Center

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

## JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2006-2007 - Criminal and Traffic Filings (defendants)				
	2006	2007	Change	% Change
New Castle County				
Court 9	3,099	3,652	553	17.8%
Court 10	10,933	10,119	-814	-7.4%
Court 11	22,630	25,401	2,771	12.2%
Court 15	5,856	6,255	399	6.8%
Court 20	15,424	16,196	772	5.0%
Kent County				
Court 6	4,671	5,799	1,128	24.1%
Court 7	18,008	19,323	1,315	7.3%
Court 8	2,078	2,481	403	19.4%
Sussex County				
Court 1	2,757	2,985	228	8.3%
Court 2	13,086	15,286	2,200	16.8%
Court 3	11,811	12,606	795	6.7%
Court 4	7,567	7,299	-268	-3.5%
Court 14	1,541	1,785	244	15.8%
State without VAC*	119,461	129,187	9,726	8.1%
VAC*	138,992	153,796	14,804	10.7%
<b>State with VAC*</b>	<b>258,453</b>	<b>282,983</b>	<b>24,530</b>	<b>9.5%</b>

VAC = Voluntary Assessment Center

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

## JUSTICE OF THE PEACE COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Criminal and Traffic Filings (charges)</b>				
	2006	2007	Change	Change
New Castle County				
Court 9	5,875	7,021	1,146	19.5%
Court 10	20,956	19,566	-1,390	-6.6%
Court 11	55,980	62,112	6,132	11.0%
Court 15	12,246	12,876	630	5.1%
Court 20	32,627	33,761	1,134	3.5%
Kent County				
Court 6	8,088	9,631	1,543	19.1%
Court 7	39,803	45,320	5,517	13.9%
Court 8	4,307	4,797	490	11.4%
Sussex County				
Court 1	4,727	5,183	456	9.6%
Court 2	38,609	44,312	5,703	14.8%
Court 3	35,933	39,350	3,417	9.5%
Court 4	15,117	16,591	1,474	9.8%
Court 14	4,469	5,001	532	11.9%
State without VAC*	278,737	305,521	26784	9.6%
VAC*	147,095	164,150	17,055	11.6%
<b>State with VAC*</b>	<b>425,832</b>	<b>469,671</b>	<b>43,839</b>	<b>10.3%</b>

\* VAC = Voluntary Assessment Center

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



## JUSTICE OF THE PEACE COURT

Court Rankings - Fiscal Year 2006-2007 - Total* Filings (charges)				
Rank w/o VAC	Total Filings		% of Total w/o VAC	
1	Court	11	62,112	18.3%
2	Court	7	45,320	13.3%
3	Court	2	44,312	13.0%
4	Court	3	39,350	11.6%
5	Court	20	33,761	9.9%
6	Court	10	19,566	5.8%
7	Court	4	16,591	4.9%
8	Court	15	12,876	3.8%
9	Court	12	10,992	3.2%
10	Court	13	10,603	3.1%
11	Court	6	9,631	2.8%
12	Court	9	8,017	2.4%
13	Court	16	6,689	2.0%
14	Court	1	5,183	1.5%
15	Court	14	5,001	1.5%
16	Court	8	4,797	1.4%
17	Court	17	3,145	0.9%
18	Court	19	2,028	0.6%
State w/o VAC			339,974	100.0%
VAC			164,150	
State w/ VAC			<b>504,124</b>	

\* Includes civil, criminal, and traffic  
 VAC = Voluntary Assessment Center

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

## JUSTICE OF THE PEACE COURT

<b>Court Rankings Fiscal Year 2006-2007 - Total Cases Filed (defendants)</b>				
Rank w/o VAC		Total Filings		% of Total w/o VAC
1	Court 11	25,401		15.5%
2	Court 7	19,323		11.8%
3	Court 20	16,196		9.9%
4	Court 2	15,286		9.3%
5	Court 3	12,606		7.7%
6	Court 12	10,992		6.7%
8	Court 13	10,603		6.5%
7	Court 10	10,119		6.2%
9	Court 4	7,299		4.5%
10	Court 16	6,689		4.1%
11	Court 15	6,255		3.8%
12	Court 6	5,799		3.5%
13	Court 9	4,648		2.8%
14	Court 17	3,145		1.9%
15	Court 1	2,985		1.8%
16	Court 8	2,481		1.5%
17	Court 19	2,028		1.2%
18	Court 14	1,785		1.1%
State w/o VAC*		163,640		100%
VAC*		153,796		
State w/ VAC*		317,436		

\* VAC = Voluntary Assessment Center

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

## JUSTICE OF THE PEACE COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Cases Filed (charges)</b>				
	2006	2007	Change	% Change
Criminal & Traffic	425,832	469,671	43,839	10.3%
Civil	33,552	34,453	901	2.7%
<b>Total</b>	<b>459,384</b>	<b>504,124</b>	<b>44,740</b>	<b>9.7%</b>

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Cases Disposed (charges)</b>				
	2006	2007	Change	% Change
Criminal & Traffic	398,971	456,633	57,662	14.5%
Civil*	41,877	37,033	-4,844	-11.6%
<b>Total</b>	<b>440,848</b>	<b>493,666</b>	<b>52,818</b>	<b>12.0%</b>

\* The decrease in dispositions reflects a one time file maintenance initiative in FY2006.

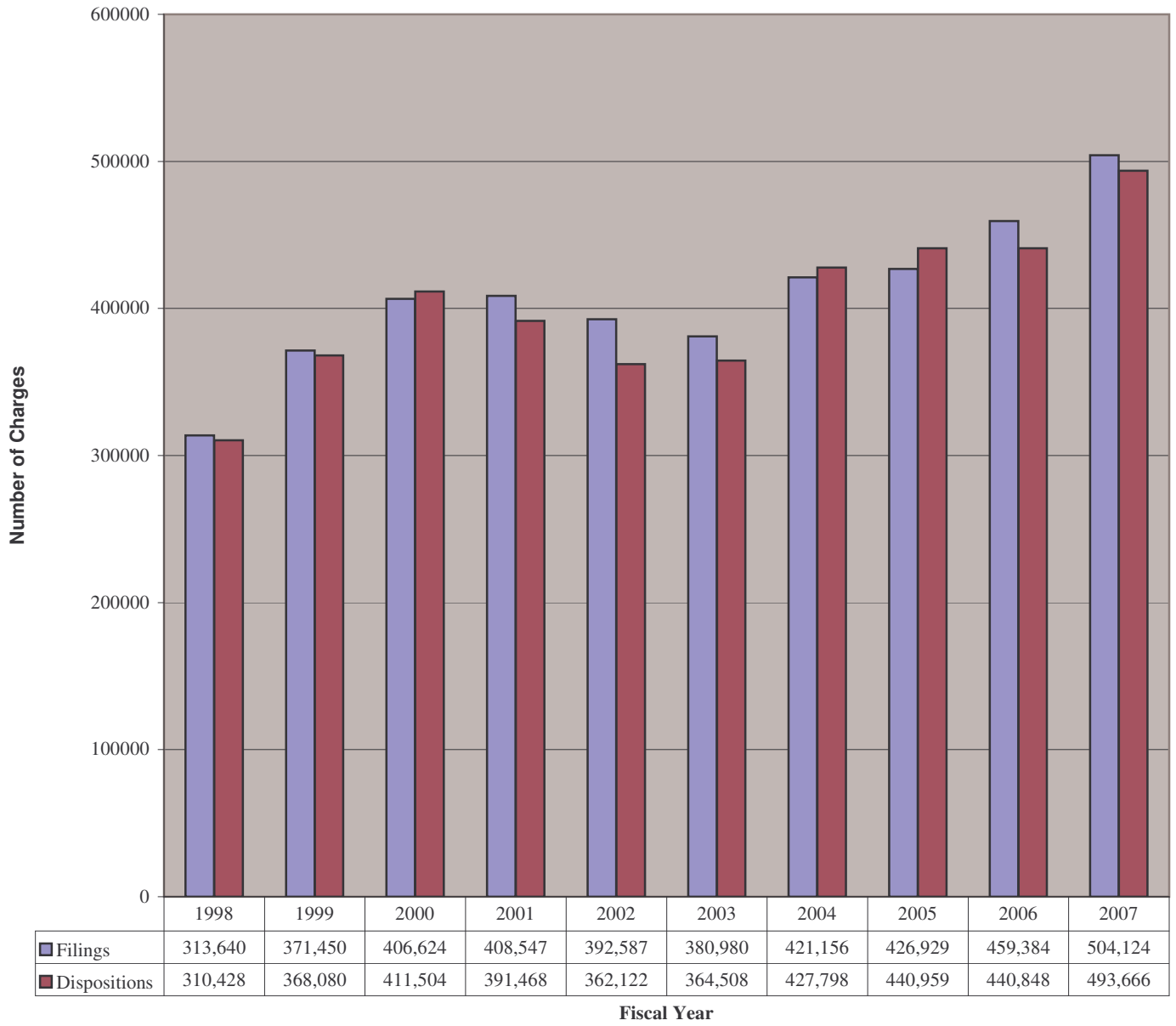
Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts

## JUSTICE OF THE PEACE COURT

<b>Caseload Comparison - Fiscal Years 2006-2007 - Total Case Filings (defendants)</b>				
	2006	2007	Change	% Change
Criminal & Traffic	258,453	282,983	24,530	9.5%
Civil	33,552	34,453	901	2.7%
<b>Total</b>	<b>292,005</b>	<b>317,436</b>	<b>25,431</b>	<b>8.7%</b>

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

**JP Court - 10 Year Total Caseload Trend (Civil, Criminal & Traffic)**



2003 Filings Amended

Criminal/Traffic filings are based on charges because data by defendants is not available for all years.