

# The Delaware Judiciary

## Annual Report



(Above) March 31, 1965, bill signing

(Below) May 16, 2016, anniversary commemoration



2016

**Celebrating 50 years of the modern  
Justice of the Peace Court**

## **On the Cover:**

The photo to the left, from March 31, 1965, depicts Governor Charles L. Terry signing the measure that brought the Justice of the Peace Court into the State Courts system. (Image from Delaware Public Archives)

The photo on the right, from May 11, 2016 shows Delaware Supreme Court Chief Justice Leo E. Strine, Jr. (at the podium) speaking at the Delaware Public Archives at an event marking the 50th Anniversary of the Justice of the Peace Court joining the Delaware State Court system. Looking on from left to right are Justice of the Peace Court Chief Magistrate Alan G. Davis, Governor Jack A. Markell (partially obscured) and House Speaker Peter C. Schwartzkopf. (Image from the Office of Governor Jack A. Markell)

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# INTRODUCTION

## DELAWARE COURTS – TAKING THE ROAD LESS TRAVELED TOWARD THE PROMISE OF EQUAL JUSTICE UNDER THE LAW

The Delaware Courts have a long history. And in 2016, the Justice of the Peace Court commemorated its 50th anniversary as a part of the state court system, the Supreme Court celebrated its 65th anniversary, and the Family Court reached 45 years of age. Delaware’s other state courts have even longer histories—the Court of Chancery has been in operation since 1792 (224 years), the Superior Court since 1832 (185 years), and the Court of Common Pleas for close to 100 years (1917). These courts have tried to bring justice to life in Delaware and continue to seek ways to resolve disputes more fairly, efficiently, and expeditiously.

### A History of Change and Modernization

Continuous improvement in the pursuit of excellence is a recurring theme in the Delaware Judiciary’s history. A good example is the Justice of the Peace Court. That court traces its origins back to the 1600s, but society’s needs outgrew its original design. That problem was addressed in 1965 when Governor Charles L. Terry signed legislation bringing the Justices of the Peace into the Delaware state court system. With that change, Justices of the Peace were no longer paid from the fees and fines that they charged, but became the independent judicial officers a just society rightly demands. In the ensuing 50 years, the Justice of the Peace Court has evolved into a modern and well-respected court.

Efforts for reform and improvement have occurred throughout the Delaware Judiciary’s past, with the advent of improvements such as electronic filing, the creation of a Family Court, the emergence of problem-solving courts, and the expansion of alternative forms of dispute resolution. Under the leadership of the presiding judges of our trial courts, those efforts have been invigorated recently, with the separate courts engaging together in a cooperative and systemic review of our justice system, and undertaking initiatives to streamline and improve the services that we provide. A few of the recent improvement efforts are highlighted here.

### Recent Efforts to Improve the Courts

#### *Improvements to civil justice—Access to Justice Commission*

Access to civil justice—the peaceful resolution of disputes and vindication of personal rights—is critical to the success of a society under law. Recognizing that, the Delaware Supreme Court established the Access to Justice Commission (“ATJ Commission”), which began its work in December of 2014. Composed of diverse stakeholders, including members of the bar, members of the bench, and community leaders, the ATJ Commission has been identifying gaps in critical civil justice needs, as well as potential steps for eliminating existing barriers that impede access to civil justice for our citizens. Three committees were established to analyze various civil justice issues, focusing on:

- Efficient delivery and adequate funding of legal services to the poor;
- Judicial Branch coordination in helping *pro se* litigants; and
- Promoting greater private sector representation of underserved litigants.

These committees have spent the last year and a half collecting information through surveys and interviews of the various stakeholders and are in the process of submitting their final reports and proposed recommendations to the Delaware Supreme Court. An example of one of the proposed recommendations is to reallocate existing resources by rethinking the use of the law libraries and repurposing them to serve as resource centers for litigants.

#### *Old problem, new approach—re-evaluating our criminal justice system*

Access to Justice Commissions have typically focused on the delivery of civil services—and not on the criminal justice system. But, the concerns about serious racial disparities in Delaware’s prison populations led to the ATJ Com-



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mission's examination of the criminal justice system to look for systemic changes that could improve racial equity and reduce the on-going effects of 400 years of racial oppression, without negatively affecting public safety. Through subcommittees, the ATJ Commission's Committee on Fairness in the Justice System ("Fairness Committee") is focusing on ways to improve the fairness and quality of our criminal justice system. The Fairness Committee has five subcommittees to address important subject areas including:

- Bail and pretrial detention;
- Charging and sentencing;
- Policing strategies;
- Alternatives to incarceration; and
- Root causes.

The Fairness Committee held a series of statewide public hearings in late 2015. Nationally recognized criminal justice experts and members of the public spoke about ways to address racial disparities, improve the quality of justice, and increase public safety. One of the key recommendations of the experts—to conduct a detailed racial disparity study—was completed in September 2016

by the University of Pennsylvania. The report, entitled "Evaluating the Role of Race in Criminal Justice Adjudications in Delaware," looked at the outcome of all cases involving adults arrested between 2012 and 2014 to see if there were trends or patterns that might explain racial disparities in the State's prison population. Although the study does not identify the stark fact that black people comprise a much larger percentage of our prison population than of our overall population, factors such as poverty and other socioeconomic factors appear to be important contributors, leading more black offenders to have an earlier involvement in the criminal justice system, less access to pretrial release, less access to a private lawyer, and without the vocational and educational skills to get a good job in a legitimate economy. These sad realities highlight the need to address the persistence of economic

inequality in our state, where more than 56% of black families are at 200% or less of the federal poverty level. Another recommendation that came out of the public hearings was the utility of a systemwide implicit bias training program for all professionals in the justice system, including judges. An initial implicit bias training session, organized by the Judicial Branch, was held in October 2016 for over 500 Judicial Branch and Executive Branch employees. Work is underway to develop practical training modules for use in police and correctional officers' academies, and continuing legal education programs for judges, defense attorneys and prosecutors that are effective, scalable, and sustainable and to develop approaches to counteract implicit bias.



*Over 500 members of the criminal justice system gathered in October 2016 for a joint training session at Dover Downs to learn about implicit bias.*

The Fairness Committee's Subcommittee on Bail and Pretrial Reform joined forces with the Executive Branch's Smart Pretrial Demonstration Initiative to examine our bail system. In 2014, Delaware was one of three recipients of a grant by the federal Bureau of Justice Assistance's Pretrial Justice Institute to test alternative ways of handling pretrial procedures and detention without compromising public safety. The goal is to move toward the adoption of an unbiased, objective risk assessment tool that would allow

for the prompt release of low-risk individuals of limited financial means who have previously been unable to post bail, while making sure that dangerous offenders—regardless if they are wealthy drug kingpins—are detained so that the public is protected.

The Judicial Branch is also helping the Delaware General Assembly's Criminal Justice Improvement Committee ("CJIC") with its Criminal Code Improvement Project. Delaware's criminal code was first adopted in 1973 and involved a streamlined, coherent code based on the Model Penal Code but, as new laws were enacted, the code lost much of its coherence, comprehensibility, and rationality and has grown to mammoth proportions, causing one leading police chief to call it "Franken Code." To address this, the General Assembly asked the CJIC to review the

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criminal code to identify “disproportionate, redundant, outdated, duplicative or inefficient statutes.” Members of the Judiciary, consistent with long-standing Delaware tradition, were asked to help the General Assembly in this process. The CJIC Criminal Code Improvement Project is working to simplify the existing criminal code by reducing outdated, inconsistent, and redundant parts of the Code that have cropped up over the past 40 years, and providing an improved Code that will help police, prosecutors, defense attorneys, judges, and citizens have a clearer, more coherent, and easier-to-understand criminal code. The improved Code is not a Code from scratch. Rather, it involves following the epilogue mandate to restore and distill the Code down to the more coherent, clear, and therefore fairer form it originally had.

## *Improving specialty courts—new solutions to old problems*

The Criminal Justice Council of the Judiciary (“CJCJ”) completed its review of specialty or “problem-solving” courts, like Drug Court, Mental Health Court, DUI Court, and Veterans Court. The CJCJ was created by the Supreme Court and charged with reviewing Delaware’s problem-solving courts to ensure their effectiveness, consistency, and reliance on best practices. Led by Superior Court President Judge Jan Jurden and Superior Court Judge William C. Carpenter—and comprised entirely of trial judges—the CJCJ’s final recommendations include: 1) the eventual consolidation of the “big three” problem-solving courts (Drug Court, Mental Health Court, and Veterans Court) into one treatment court—jointly run by the Superior Court and the Court of Common Pleas on a no “wrong door” concept and with combined staff with cross-court jurisdiction to address all cases, 2) the creation of core standards and “bench books” for the problem-solving courts to ensure consistent treatment in each case and that the Judiciary, lawyers, correctional officials, treatment providers, and litigants are singing from the same well-crafted hymnal, and 3) the implementation of coherent and convenient scheduling that allows treatment providers, the Department of Correction, the Department of Justice, and Public Defender personnel to spend less time on uncoordinated calendars and more time serving the litigants and public. Grant funding available through Delaware’s Criminal Justice Council will be used to develop those statewide core standards. In time, implementation of the Council’s recommendations will allow for the creation of a comprehensive statewide “treatment” court

following national best practices and the build out of a re-entry community, along with the capacity to measure performance and deliver services consistently and fairly.

## *Improving the way we do business—American College of Trial Lawyers Report*

In cooperation with the Supreme Court, the Delaware Chapter of the American College of Trial Lawyers (“ACTL”) and the Delaware State Bar Association (“DSBA”) conducted a year-long survey of members of the bar and members of the bench. The “Joint Study of the Delaware Courts” (the “ACTL/DSBA Study”) published June 14, 2016 compiled the responses of more than 120 face-to-face interviews and 1,300 online survey responses. The ACTL/DSBA Study outlines the strengths and weaknesses of each court and administrative law practices and suggests recommended reforms.

The courts have seized on these recommendations to promote the process of change. A number of recommended changes have been implemented and many more are underway. One recommendation of the ACTL/DSBA Study focused on inefficiencies in criminal scheduling processes. In partnership with the National Center for State Courts and the University of Delaware, and with the aid of a grant from the State Justice Institute, a review of our criminal scheduling processes is currently underway. The goal is to reduce litigant wait time by more effectively leveraging court resources and making schedules more convenient and consistent for lawyers, correctional officials and other constituents.

## *Improving the way we do business—rethinking old processes*

November 2016 marked the second anniversary of the Judiciary’s 10-year partnership with the University of Delaware’s Alfred Lerner College of Business and Economics to implement a single, high-quality approach to process improvement throughout the Judiciary, to instill a common management culture in the Judiciary, and to invest in the skills of our employees. Administrative leaders, high-level managers, and others in the courts and partner agencies, including the Attorney General, Office of Defense Services, Department of Correction, Division of Youth Rehabilitative Services, Governor’s Office, and the police have been trained in Lean Six Sigma process improvement techniques. In its first year, process improvement

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initiatives saved the Judicial Branch and participating partner agencies more than 4,250 staff hours. In its second year, the program helped Family Court to reduce litigants' wait time in Family Court's resource centers, standardized the Court of Common Pleas' scheduling process and improved its case management resulting in 100 hours of saved staff time, and increased efficiency in the Department of Correction's Central Offender Records and the Office of Defense Services' billing and budgeting.

Deepening our efforts to bring better management practices to our work, the Judicial Branch has entered into yet another collaboration with the University of Delaware—we instituted a Judicial Fellows program, beginning in January 2017. Like the Legislative Fellows program, the courts will have graduate-level students from the University helping with some of our most pressing management and policy issues. We are working with the Institute of Public Administration

and the Lerner College of Business on this initiative. The brainpower of the University of Delaware graduate students (and, as important, their faculty mentors) will help our administrators drive initiatives to improve productivity.

## *Improving the way we do business—integrated e-filing*

The Delaware Judicial Branch has been working to establish a single state e-filing system for all civil and criminal cases. This will be a major step for Family Court, which still operates on a paper and manila folders system and does not have an e-filing system. Transitioning to a single e-filing system is a complex and difficult task. When achieved, this project will put the Delaware Courts in the forefront of court systems in the nation and save taxpayers money, help lawyers and litigants process their cases more efficiently, and give them better organized and more timely access to their case files. And, critically, e-filing will give all criminal justice agencies (including the police

and Department of Correction) the ability to file all key documents electronically and access criminal justice information more easily. The courts expect to begin implementation of the new system with civil cases in the Court of Common Pleas in March 2017 followed by implementation in the Justice of the Peace Court and Family Court later in the year. Expansion to criminal case e-filing is expected in 2018.



ABOVE : A September 2016 process improvement class, led by University of Delaware, at the Leonard Williams Justice Center in Wilmington.

## *Improving the way we do business—investing in our capital infrastructure*

Safe, dignified, accessible, and efficient courthouses are necessary if the Delaware Courts are to live up to our commitment to the rule of law. When litigants feel unsafe or intimidated, they do not feel the law or society protects them. When a courthouse is run down and in tawdry shape, it makes litigants feel like their cases—and thus they—do not matter. But, investments in judicial facilities in Delaware have another unique value. In large part inspired by the reliability of our corporate laws and

Judiciary, the formation of business entities and the legal services industry are Delaware's leading economic drivers, in terms of tax revenue and jobs. As important, Delaware's legal industry has remained loyal to the state's core downtowns, remaining there when many other industries have left. The loyalty of the legal community provides a stable business base for our county seats, and also drives customer flow to downtown local businesses. Furthermore, the legal industry's loyalty to downtown areas reduces sprawl and helps preserve open space—both important state policy priorities. And, if courthouses are built in a historically coherent and aesthetically attractive way, they make other businesses want to locate there, helping the state's efforts to grow its business base.

Therefore, investing in judicial facilities is not simply an investment in a core function of a republican democracy—providing justice under law—but also maintains our state's preeminence in its leading industry and makes its key cities more attractive to other industries.

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To promote the economic health of our towns, we want to strengthen Wilmington as a legal center and create centralized legal centers in Dover and Georgetown to make the lives of those who do the difficult job of handling important cases easier—folks like Deputy Attorney Generals, Assistant Public Defenders, Correctional Officers, Department of Services for Children, Youth and Their Families case workers, law enforcement, and private attorneys. It's hard to be responsible for handling a high volume of difficult cases and even more difficult when the facilities in which you must work are not safe, built to purpose, or conveniently located. The courts are the hub of all legal activities: where the courts go, the legal communities go. Law firms are among our major downtown employers, and their employees eat at restaurants, shop at stores, and go to plays and performances near their work places. We also want the courthouses to be built where people can easily arrive by public transit or walking. If we can transform vacant, underutilized, unappealing, and possibly environmentally unsound areas of the downtowns into dignified and beautiful courthouses that are a symbol of our respect for the rule of law, the positive effect on the look and the vitality of our downtown districts should be substantial.

A key piece of this vision is replacing the unacceptable downstate Family Court facilities. The Family Court facilities in Kent and Sussex Counties suffer from serious inadequacies and fail to meet modern day security and operational requirements. A 2006 Southern Court Facilities Space Study rated the Sussex Family Court facility as “inappropriate” and the Kent County Family Court as “inadequate,” with operational deficiencies related to circulation zones, courtroom sizes, detention areas, and support spaces. Functional issues within those courthouses have only worsened since that report was issued—*over a decade ago*. Further, security concerns have increasingly become a focal point. The U.S. Marshal's 2012 review of the Family Court Sussex Courthouse confirmed that there are serious security issues with that facility's outdated design, including the failure to provide separate victims' waiting rooms, or to separate inmates from the public, judges, or court staff. In the Kent and Sussex facilities, inmates are either brought into court through the public lobby area or in the elevator which the judges also use—this is not safe. As troubling is that the inadequacy of these facilities diminishes the perception of justice in those courts. Preliminary efforts in planning, design, land acquisition, and architectural and engineering work for the downstate Family Court facilities are underway, although

funding for construction of those facilities has still not been obtained.

## Change and Taking the Road Less Traveled By

The Delaware Courts recognize that to make important progress in the justice system overall, we must choose different approaches than we have in the past. Or, as Robert Frost's poem “The Road Not Taken” describes—we must take the road “less traveled by.” New approaches are often difficult and cause concern because they take us out of our “comfort zone.” In particular, for generations, it has been common for trial courts to work in isolation from each other and even to think of themselves as a separate court for a particular county, not the State of Delaware as a whole. However comfortable, that approach leads to the perpetuation of outdated practices, to some litigants getting better service than others, to mistakes that cause cases to be retried at great expense, to inefficient uses of scarce taxpayer dollars, and to an uneven quality of justice. The Delaware courts realize that it is critical to move toward an integrated, consistent *statewide* approach, which varies only when rational, sensible, reasons dictate. An approach that is chosen because it is best for the public, not because of inertia or turf protection. Changes in this direction must, of course, be thoughtfully and carefully developed, but it is only through finding new ways to become productive and adaptable that we can prepare ourselves to meet the challenges of the future. Our efforts today will determine what our courts will look like in five or ten years—and even in 50 years, when the Justice of the Peace Court will be celebrating its 100th anniversary. But, the road we are taking is leading toward a key promise of our republic—that all citizens have equal rights under the law. By working together, not as separate trial courts, but as one Delaware Judiciary, we ensure that the public gets the best bang for its buck and all litigants in all counties get the same, high-quality service. By thinking of ourselves as courts of one state, and not separate fiefdoms, we can identify the best approaches to common problems and implement them statewide, better assuring equal justice for all. Doing justice is the duty of the Delaware Judiciary, and we have committed ourselves to be open to new ideas, to making our system function as one coherent statewide unit, and meeting our obligations to resolve the diverse legal disputes important to Delawareans expertly, efficiently, and fairly. ♦



# MESSAGE FROM THE STATE COURT ADMINISTRATOR

## HONORABLE PATRICIA W. GRIFFIN



The Administrative Office of the Courts (AOC) plays an important role in the Judicial Branch's efforts to stay responsive to the needs of its constituents and to improve delivery of justice. Over the past year, the AOC has continued to provide logistical, operational, and administrative support, as the Judicial Branch undergoes a systemic evaluation of its current operations and procedures, as well as future planning to meet the needs of our changing society. Efforts towards maximizing system-wide efficiencies to bolster existing resources are ongoing. Throughout this process we have worked to strengthen relationships, and have sought opportunities to partner with other branches of government, our academic institutions, the Bar, the business community and others, to explore ways of conducting business so that we might better serve the public. Access to justice remains a focal point of those efforts. And, under the leadership of Chief Justice Leo E. Strine, Jr. and the Delaware Courts, the AOC continues to provide support for initiatives to increase access to justice for all. I am grateful for the opportunity to highlight some of our achievements and ongoing work below.

### **Mobile or stationary – no problem! Information is but a click away**

The AOC, along with its technical support division, the Judicial Information Center (JIC), re-

launched the Delaware State Courts website <https://courts.delaware.gov> on March 16, 2016. The redesigned website is brighter, more user-friendly and may be accessed from a variety of electronic devices. The project took nearly a year and involved over 1,200 web pages and applications. New features of the website include a footer menu, which gives users an index and instant access to all parts of the website, and four new user "portals" that reflect the Courts' core constituents: the public, jurors, attorneys, and the media. The portals are designed to collect information and resources tailored to each group on a single webpage.

The new design and functionality has been well-received by our users – some of whom are accessing our website from faraway places including India, the United Kingdom, and the Philippines. We would like to thank our partners at the Office of the Secretary of State and its technical support division, the Government Information Center, for their assistance in bringing this project to fruition.

### **Coming soon to a location near you – self-payment kiosks**

The AOC continued to expand the network of self-payment kiosks operated by the AOC's Office of State Court Collections Enforcement (OSCCE) for those who wish to pay fees, fines

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or other similar obligations. To make it more convenient to make payments, in March 2016, kiosks were installed in all Delaware Division of Motor Vehicles offices across the state. The kiosks were also reconfigured to expand payment options to include the collection of child support payments on behalf of the Delaware Division of Child Support Services. Since the expansion in Fiscal Year 2016, the use of the kiosks has grown significantly from collecting about \$29,000 in FY 2012 to over \$161,000 in FY 2016. More than 200 of those transactions (since March) involved child support payments. The AOC is grateful for the cooperation of the Division of Motor Vehicles, the Department of Correction, the Division of Child Support Services, and the Courts in making this joint project happen. We look forward to further expansion of this important service in the future.

## New ways of bridging communication gaps

Like many court interpreter programs around the country, the Delaware Court Interpreter Program has continued to look for innovative ways to meet the increasing demand for language services. Turning to our data experts for assistance, the Court Interpreter Program analyzed growth trends and innovative scheduling practices resulting in a pilot program which we hope will help us better focus our interpreter resources to handle high volume calendars across our courts.

The Court Interpreter Program also redoubled its efforts to recruit new court interpreters. The first wave of participants completed the Delaware Court Interpreter Shadowing Program introduced in 2015. This program provides individual language students, or interpreters seeking to become certified in Delaware, with a wonderful opportunity to shadow a registered court interpreter during public court proceedings and interact with the registered interpreter. Language students have found this program particularly gratifying as it has raised their awareness of interpreting opportunities in the Judicial Branch. The Court Interpreter Program hopes to build on this program to attract and retain qualified court interpreters.

## Innovation, improvement, and education

### *New solutions and approaches*

The AOC was actively involved in providing critical administrative support for many new and ongoing programs that seek to bring change to the delivery of civil and criminal justice and enhance our operational efficiencies. These include:

- The Access to Justice Commission (ATJ Commission) and its various committees focused on improving access to the civil courts by those who cannot afford counsel or appear *pro se*;



*The redesigned Delaware Courts website*

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- The ATJ Commission’s Committee on Fairness in the Criminal Justice System held a series of public hearings in fall 2015 and is working on improvements to make our criminal justice system more equitable and to improve public safety;
- A disparity study of Delaware Courts, “Evaluating the Role of Race in Criminal Justice Adjudications in Delaware,” authored by University of Pennsylvania’s Professor John M. MacDonald and Lecturer Dr. Ellen Donnelly. The study, which was released in September 2016, analyzed data of all cases involving adults arrested for criminal offenses between 2012 and 2014 and looked for trends and patterns that might explain racial disparities in the state’s prison population;
- An introductory session of implicit bias training organized by the AOC for over 500 employees of criminal justice agencies and the courts in October 2016. This session is a precursor to efforts to develop on-going implicit bias training programs for the courts and criminal justice agencies in Delaware;
- The “Joint Study of the Delaware Courts by the Delaware Chapter of the American College of Trial Lawyers and the Delaware State Bar Association” surveyed Delaware attorneys and made recommendations on ways to improve court operations. The report on the study was released in June 2016, and follow-up efforts are underway;
- The Criminal Justice Council of the Judiciary (CJCJ) completed its review of problem-solving courts in July 2016, recommending that statewide standards for operations of all problem-solving courts be established and that certain problem-solving courts be consolidated to better deploy scarce resources and ensure consistency. Planning is underway to implement a recently received federal grant to implement these recommendations. The grant will support a statewide problem-solving court coordinator to work with the National Center for State Courts and the AOC in developing core standards and bench books, and implementing other recommendations of the CJCJ report; and
- We assisted in the legislatively driven Criminal Justice Improvement Committee as it began its work on the criminal code improvement project to identify statutes that are disproportionate, redundant, outdated, duplicative or inefficient; crimes that should or should not constitute jail time; and study bail and alternatives to incarceration.



*Chief Justice Leo Strine makes an introduction at the June 14, 2016 unveiling of the Joint Study of the Delaware Courts conducted by the Delaware State Bar Association and the Delaware Chapter of the American College of Trial Lawyers.*

## *Future technology and a way of thinking about change*

The AOC, through JIC, is a key player in the Judicial Branch’s 10-year process improvement initiative, in partnership with the University of Delaware’s Alfred Lerner College of Business and Economics, to implement a single, high-quality approach to process improvements throughout the Judiciary and the justice system. Administrative leaders, high level managers, and others in the courts and partner agencies, including the Office of the Attorney General, Office of Defense Services, Department of Correction, Division of Youth Rehabilitative Services, and the police have been trained in Lean Six Sigma process improvement techniques, through this program. In addition, JIC continues to work hard to strengthen the Judicial Branch’s technology infrastructure and to modernize outdated technology and systems. Other important technology projects include establishing a single state e-filing system for civil and criminal cases, updating the Automated Sentence Operating Program, and making improvements to online access of court materials.

## *Supporting innovation and new models*

In FY 2016, the AOC continued to oversee and administer a number of federally supported Judicial Branch initia-

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tives. These included the Victim Awareness and Safety Enhancement (VASE) Project and a Bureau of Justice Assistance award to support the development of a database collection platform tailored to the needs of Delaware's problem-solving courts.

Work has also begun on the recently awarded grant from the State Justice Institute to secure consulting services from the National Center for State Courts to analyze criminal case scheduling through case flow management and scheduling efficiencies for litigants, attorneys, and court.

## *The court as a classroom for the leaders of tomorrow*

In January 2017, the Judiciary instituted the Judicial Fellows program, in partnership with the University of Delaware's Institute of Public Administration. Through this program, graduate-level students from the University of Delaware will research and work on improvement business and policy issues in the courts.



*Alexander Burns (left) and Josh Berkowitz (right) were named the first Judicial Fellows in the court's new Judicial Fellows program launched in January 2017.*

Aspiring lawyers of tomorrow had the opportunity to exercise their skills at the 25th Annual Delaware High School Mock Trial Competition held at the New Castle County Courthouse (now the Leonard L. Williams Justice Center) in February 2016. Two hundred and fifty

students from twenty-five different public, private, parochial, and charter schools throughout Delaware participated in the two-day event that was facilitated by the AOC.

Forty-two high school students, many in foster care, had the opportunity to get a firsthand look at careers with the Judicial Branch through the AOC Summer Volunteer Youth Program. This program, which is in its 8th year, provides the youth with an opportunity to get real life job skills training, as well as pointers in interviewing and workplace etiquette.

Middle school-aged students were given an opportunity to learn about the judicial system through the Youth Forum program. Working with judges and attorneys in an impromptu mock trial held in a real courtroom setting, Youth Forum students prepared and presented a trial from opening to closing arguments and through to jury deliberations and a final verdict. This year, foreign exchange students from France participated in the Youth Forum Program.

## **New challenges**

Ending on a personal note, I was gratified to have had the opportunity to serve as President of the Conference of State Court Administrators (COSCA) and Vice-Chair of the National Center for State Courts Board of Directors during this past fiscal year. As Past President of COSCA, I continue to advocate at the national level, through the work of COSCA, the Conference of Chief Justices, and the National Center for State Courts, in support of initiatives that impact Delaware courts.

Finally, as we look forward to the challenges ahead, the AOC will continue to help the Courts in their efforts to better serve their constituents and the citizens of Delaware, and to support initiatives to improve our justice system as a whole. ♦

# LEGISLATION

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. The following legislation affecting the Judicial Branch was passed during FY 2016 by the 148<sup>th</sup> session of the General Assembly:

BILL NUMBER	DESCRIPTION
SB 206	Updates a general provision of the code to reflect current practice and conform with specific statutory language applicable to the appointment of a vacant office for a commissioner in the Superior Court or the Court of Common Pleas.
SB 210	Permits the imposition of work referral by the Justice of the Peace Court for civil violations in lieu of payment of fees and fines under Title 21.
SB 212	Permits the Superior Court to temporarily assign duties to a retired commissioner, as is already done in the Court of Common Pleas and Family Court.
HB 249	Allows for recognized appraisal standards to be used to set the fair market value of seized goods at auction in the Justice of the Peace Court.
HB 255	Adds violations of a county or municipal code to the list of offenses that are eligible for probation before judgment.
HB 303	Changes the start of a Public Guardian’s term of office to the date of swearing in instead of the date of appointment in order to allow for a transition period when there is a change in office holders.
HB 313	Permits use of unsworn declarations made under penalty of perjury in lieu of sworn declarations. This change recognizes the increasing use of electronic filing and will permit self-represented litigants greater access to justice while continuing to ensure that litigants confirm the veracity of their pleadings.
SCR 75	Resolution recognizing the 50 <sup>th</sup> anniversary of the Justice of the Peace Court joining the Delaware State Court system.

# THE YEAR IN PICTURES



TOP: 7/22/16 The unveiling of the new sign for the Leonard L. Williams Justice Center (formerly the New Castle County Courthouse).

MIDDLE LEFT: 12/23/16 Family Court Judge Barbara Crowell (left) following a Star Wars-themed adoption ceremony for Zoe Pedicone and her “heart” mother Deanna Pedicone (center left).

MIDDLE RIGHT: 3/24/16 Chief Justice Leo E. Strine, Jr. speaks to audience members at a Delaware Historical Society panel discussion on race.

BOTTOM: 9/23/16 Chief Justice Strine speaks at the release of a study on the role of race in the Delaware Criminal Justice system to the Access to Justice Commission.



# FISCAL OVERVIEW

## SUMMARY OF JUDICIAL BUDGETS - FISCAL YEARS 2015-2017

### GENERAL FUNDS - State Judicial Agencies and Bodies

	FY 2015 Enacted Budget	FY 2016 Enacted Budget	FY 2017 Enacted Budget
Supreme Court	\$ 3,368,200	\$ 3,368,500	\$ 3,388,100
Court of Chancery	3,196,700	3,197,400	3,214,600
Superior Court	25,018,400	25,024,000	25,348,700
Family Court	20,940,100	20,947,800	20,688,600
Court of Common Pleas	10,120,000	10,121,900	10,278,100
Justice of the Peace Court	18,294,500	18,320,200	18,732,100
Administrative Office of the Courts (AOC)	3,687,200	3,691,000	3,753,500
AOC Custodial Pass Through Funds*	3,023,700	3,017,200	3,013,200
Office of State Court Collections Enforcement	560,900	562,600	584,400
Information Technology	3,758,600	3,768,200	3,828,400
Law Libraries	469,600	470,000	476,200
Office of the Public Guardian	642,400	650,800	668,700
Child Placement Review Board	562,400	563,400	669,200
Office of the Child Advocate	922,100	979,500	1,214,600
Child Death Review Commission	433,200	377,100	438,600
DE Nursing Home Residents Quality Assurance Commission	61,800	61,900	84,000
<b>TOTAL</b>	<b>\$ 95,059,800</b>	<b>\$ 95,121,500</b>	<b>\$ 96,381,000</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, and other funds.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE\* - FISCAL YEAR 2016

### SUBMITTED TO THE STATE GENERAL FUND

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Supreme Court	\$ 97,200	\$ -	\$ -	\$ -	\$ 97,200
Court of Chancery	9,100	-	-	981,300	990,400
Superior Court	3,660,100	305,200	700	277,900	4,243,900
Family Court	283,200	27,900	-	42,200	353,300
Court of Common Pleas	2,199,600	443,200	-	89,000	2,731,800
Justice of the Peace Court	2,425,800	2,220,900	-	393,400	5,040,100
Office of State Court Collections		-	-		
OSCCE - DOC Fees**	695,500	-	-	-	695,500
<b>State Total***</b>	<b>\$ 9,370,500</b>	<b>\$ 2,997,200</b>	<b>\$ 700</b>	<b>\$ 1,783,800</b>	<b>\$ 14,152,200</b>

### SUBMITTED TO COUNTIES AND MUNICIPALITIES

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 151,200	\$ 60,200	\$ -	\$ -	\$ 211,400
Court of Common Pleas	400	441,400	-	-	441,800
Justice of the Peace Court	-	2,844,800	-	-	2,844,800
<b>Counties and Municipalities Total</b>	<b>\$ 151,600</b>	<b>\$ 3,346,400</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,498,000</b>
<b>GRAND TOTAL</b>	<b>\$ 9,522,100</b>	<b>\$ 6,343,600</b>	<b>\$ 700</b>	<b>\$ 1,783,800</b>	<b>\$ 17,650,200</b>

\*Figures represent only revenue actually received, not the total amount of fines and costs assessed. Figures include funds generated for the FY16 Fee Increase Spending Plan.

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

\*\*\* Of the total funds shown, the Judicial Branch has spending authority for \$1,200,000 as per section 48 of the FY 2016 Budget Act.

Source: Administrative Office of the Courts



# FISCAL OVERVIEW

COURT GENERATED REVENUE - FISCAL YEAR 2016			
RESTITUTION - FISCAL YEAR 2016			
	Assessed	Collected	Disbursed
Superior Court	\$ 6,603,000	\$ 2,224,500	\$ 2,216,500
Family Court	109,200	179,700	182,700
Court of Common Pleas	871,500	877,000	866,100
Justice of the Peace Court	42,200	44,300	38,400
Office of State Court Collections Enforcement*	-	36,100	50,500
<b>RESTITUTION TOTAL</b>	<b>\$ 7,625,900</b>	<b>\$ 3,361,600</b>	<b>\$ 3,354,200</b>
ASSESSMENTS AND COLLECTIONS FOR THE TRANSPORTATION TRUST FUND			
	Assessed	Collected	
Superior Court	\$ 200,800	\$ 135,100	
Family Court	5,100	4,800	
Court of Common Pleas	559,200	392,300	
Justice of the Peace Court	2,871,300	2,440,100	
<b>TRANSPORTATION TRUST FUND TOTAL</b>	<b>\$ 3,636,400</b>	<b>\$ 2,972,300</b>	
COLLECTIONS BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT			
ON BEHALF OF COURTS AND AGENCIES**			
			Total
Superior Court			\$ 2,764,600
Department of Correction			695,500
Justice of the Peace Court			108,400
Pre-2001 Family Court			36,100
Court of Chancery			4,100
<b>OSCCE - TOTAL COLLECTIONS</b>			<b>\$ 3,608,700</b>

\* The figures shown in this table for the Office of State Court Collections Enforcement (OSCCE) reflect restitution only 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 those courts are included in the restitution figures for those courts.

\*\* In FY 2016, 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 and restitution figures for those courts.

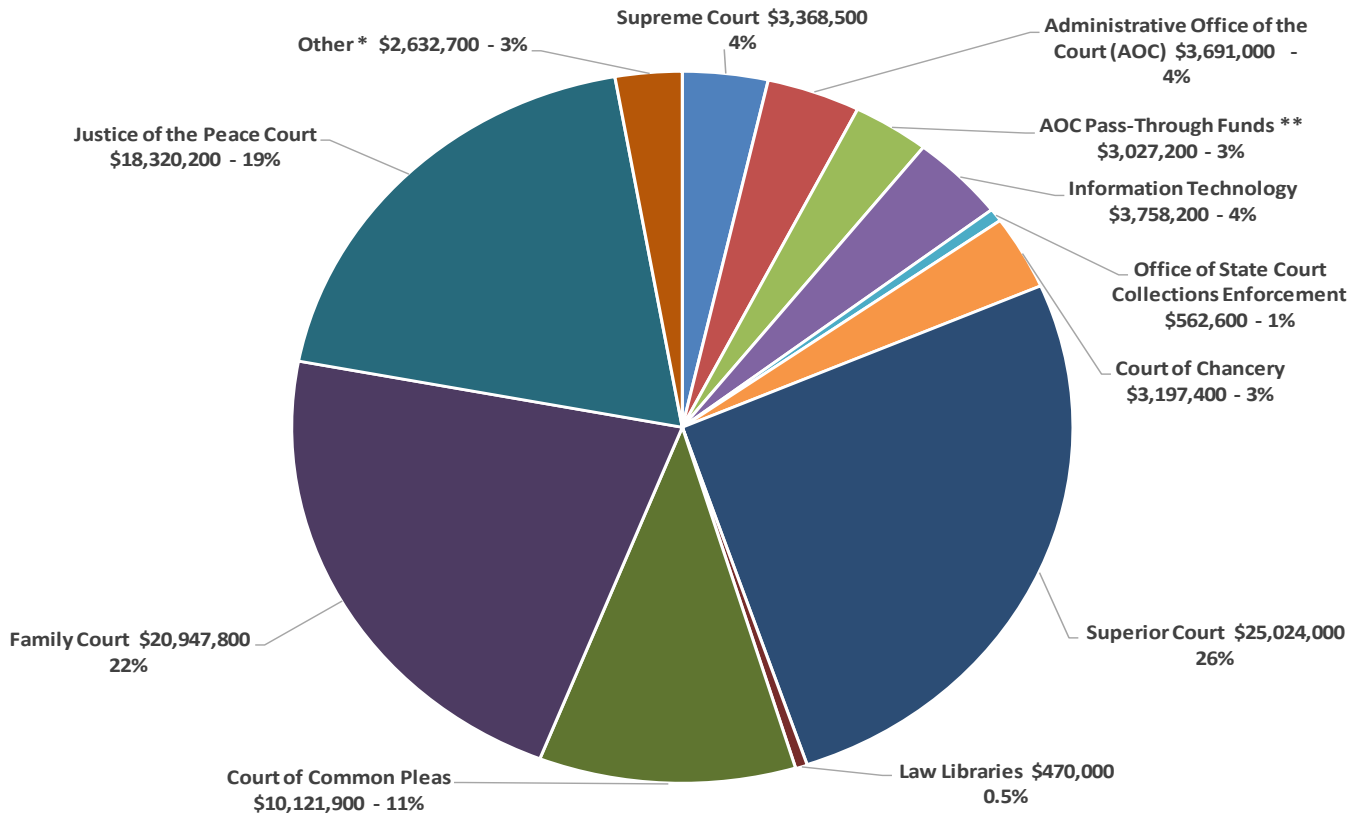
Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2016

Public Education	\$ 1,305,084,200	33.39%
Health and Social Services	1,118,804,100	28.62%
Correction	284,086,800	7.27%
Higher Education	230,005,700	5.88%
Children, Youth and Their Families	155,065,800	3.97%
Safety and Homeland Security	130,687,300	3.34%
<b>Judicial Branch</b>	<b>95,121,500</b>	<b>2.43%</b>
All Other	589,638,900	15.09%
<b>TOTAL</b>	<b>\$ 3,908,494,300</b>	<b>100%</b>

## JUDICIAL APPROPRIATIONS - FISCAL YEAR 2016



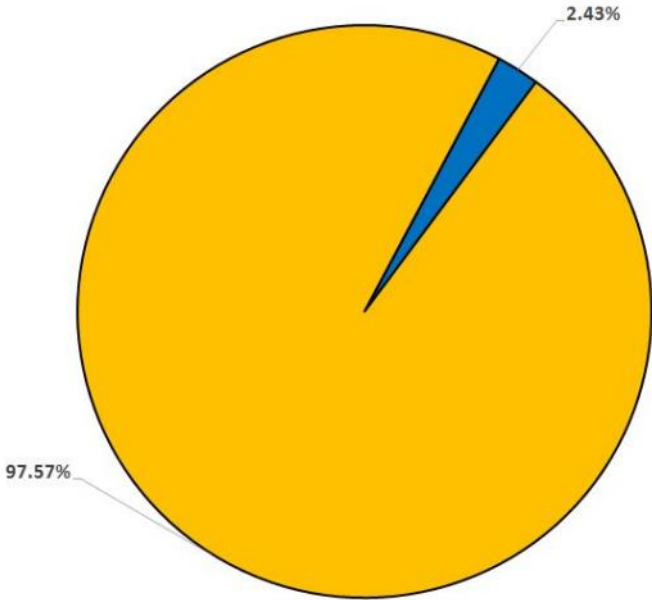
\* Other: Office of the Public Guardian; Child Placement Review Board; Office of the Child Advocate; Child Death Review Commission; and Delaware Nursing Home Residents Quality Assurance Commission.

\*\* AOC Pass Through Funds consist of CASA Attorneys, Family Court Civil Attorneys, Court Appointed Attorneys/Involuntary Commitment, Interpreters, Victim Offender Mediation Program, Elder Law Program and DCAP Maint. Agreements (in IT).

Source: Administrative Office of the Courts

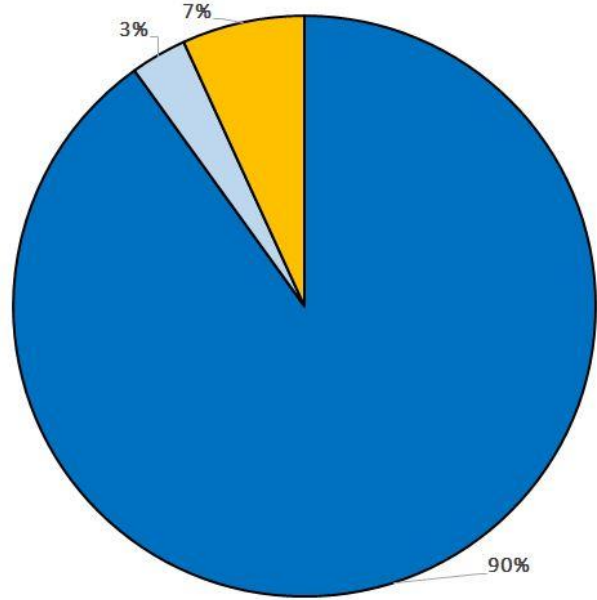
# FISCAL OVERVIEW

The Judiciary's FY 2016 appropriation is 2.43% of the State GF Budget.



■ Judicial Branch ■ Non-Judicial State Budget

The FY 2016 Judicial Branch budget breakdown: 90% Personnel, 3% Pass-Throughs to Other Entities, and 7% Other.



■ Total Personnel ■ Pass-Thrus ■ Other



# INTRODUCTION TO THE DELAWARE COURT SYSTEM



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, the Administrative Office of the Courts, and related judicial agencies.

In terms of interrelationships among the courts, the Delaware court system is similar to a pyramid. The Justice of the Peace 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 interest, does not exceed \$50,000. In criminal cases, the Court of Common Pleas has jurisdiction over all misdemeanors except certain drug-related offenses. It also handles motor vehicle offenses (excluding felonies). In addition, the Court is responsible 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 various state agencies, boards and commissions. 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 equity. The litigation in this tribunal deals largely with corporate issues, trusts, estates, other fiduciary matters, disputes involving the purchase of land, and questions of title to real estate, as well as commercial and contractual matters. The Court of Chancery has a national reputation in the business community and is responsible for developing 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 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 state agencies associated with the Delaware Judicial Branch include: Child Placement Review Board; Law Libraries; Office of the Public Guardian; Office of the Child Advocate; Child Death Review Commission; and the Delaware Nursing Home Residents Quality Assurance Commission. ♦

# THE DELAWARE COURT SYSTEM

## Supreme Court

- Court of last resort.
- 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.
- Jurisdiction over questions of law certified to the Supreme Court by other Delaware Courts, U.S. Supreme Court, a U.S. Court of Appeals, a U.S. District Court, a U.S. Bankruptcy Court, U.S. Securities & Exchange Commission, or the highest appellate court of any state.

## Court of Chancery

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

## Superior Court

- Law 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 various state agencies, boards and commissions.

## Family Court

- Extensive legal and equitable jurisdiction over all domestic relation 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) and motor vehicle offenses (except felonies).
- Responsible for preliminary hearings.
- Appeals from the Justice of the Peace Court, Alderman's Courts, and the Division of Motor Vehicles.

## Justice of the Peace Court

- Statewide jurisdiction over civil cases that do not exceed \$15,000.
- Jurisdiction over certain misdemeanors and most motor vehicle cases (except felonies).
- May act as committing magistrate for all crimes.
- Jurisdiction over landlord/tenant (possession) disputes.

# SUPREME COURT



## SUPREME COURT

### CHIEF JUSTICE LEO E. STRINE, JR.

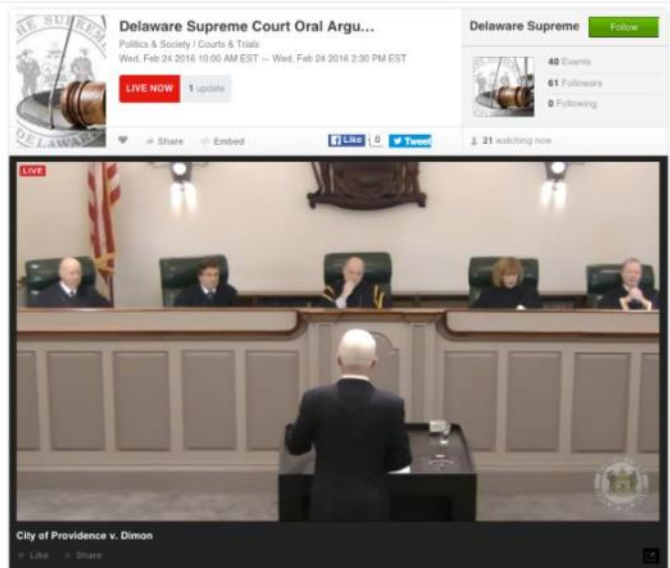


Consistent with the Judicial Branch's overall goal of ensuring that cases are resolved in an expedited, timely, and effective way, the Supreme Court undertook several steps in 2016 to improve its ability to meet this goal and to use taxpayer dollars wisely.

This year marked the launch of a totally revamped website for the Branch and all of its courts. This change makes a wealth of valuable information about the individual courts and their operations more easily available to the legal community and the general public. The new website better meets the important goals of the Americans with Disabilities Act and our Access to Justice initiative. It also provides users with an attractive, uncluttered site that is easy to use on the device (desktop, tablet, smart phone, etc.) of the user's choosing.

The Supreme Court has also taken strides to improve the quantity and quality of the free public information that it makes available on its website. Starting in March 2016 the

Court began making its non-confidential oral arguments available online, as they happen in Dover. A link on the Court's website takes viewers to a live broadcast of the Court's proceedings. Although this real time access is an obvious benefit to the legal community, it is the Court's hope that these live broadcasts will also provide an educational opportunity to students, schools



A screen image of the Livestream of Delaware Supreme Court oral arguments online.

# SUPREME COURT

**SUPREME COURT FY 2016 AVERAGE NUMBER OF DAYS FROM FILING TO DISPOSITION BY CASE TYPE**



\*Includes the Board on Professional Responsibility and the Board of Bar Examiners.

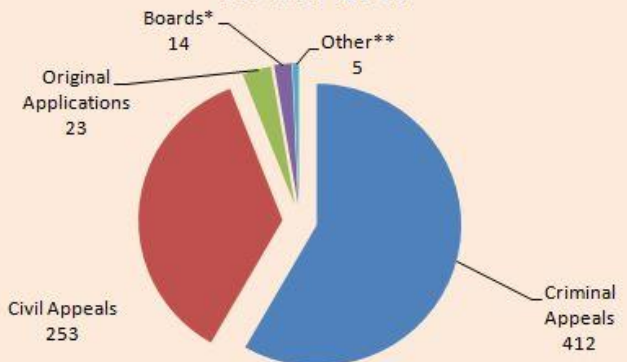
and members of the public interested in learning about the Supreme Court.

Because technology is also useful to the Court and its staff in accomplishing their duties more expertly and expeditiously, the Court created an intranet site for its own internal use. This intranet contains valuable shared information such as a master calendar, key administrative documents, frequently used forms including templates for sample orders and opinions, and information for and about the Court’s law clerks.

In the interests of the continuous improvement of the Supreme Court’s own processes and those of the other courts, the Chief Justice asked the Delaware Chapter of the American College of Trial Lawyers and the Delaware State Bar Association in 2015 to conduct a survey of the effectiveness and efficiency of the Judicial Branch. Their “Joint Study of Delaware Courts” was released in May of 2016 and it contained informative data gathered from interviews with more than 120 respected practitioners, sitting and former members of the Delaware bench as well as from more than 1,300 anonymous online survey responses from members of the Delaware Bar.

Each court received a detailed executive summary of the major themes that were elicited regarding their specific court. The Supreme Court has already taken affirmative steps to address this valuable ACTL/DSBA feedback, as reflected in its recent amendments to several Supreme Court rules implementing word counts for briefs in place of page counts and providing more guidance regarding when the Court

**NUMBER OF SUPREME COURT FILINGS BY TYPE FY 2016**



\* Includes the Board on Professional Responsibility and the Board of Bar Examiners.  
 \*\* Includes four certifications and one other.

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# SUPREME COURT

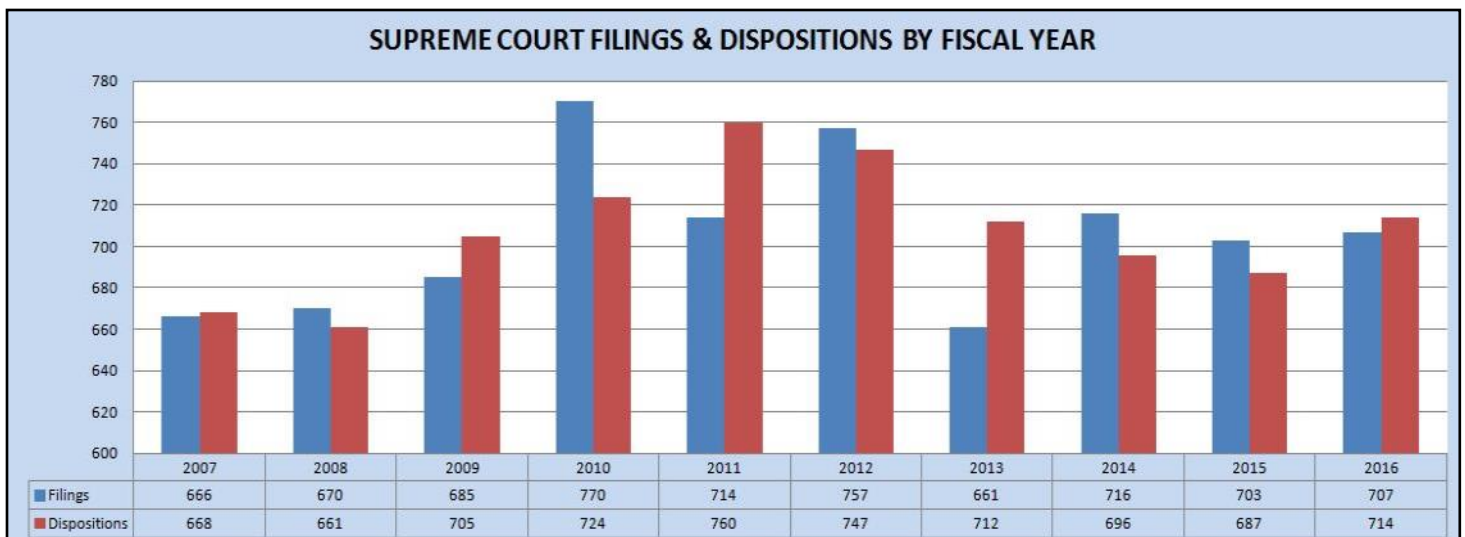
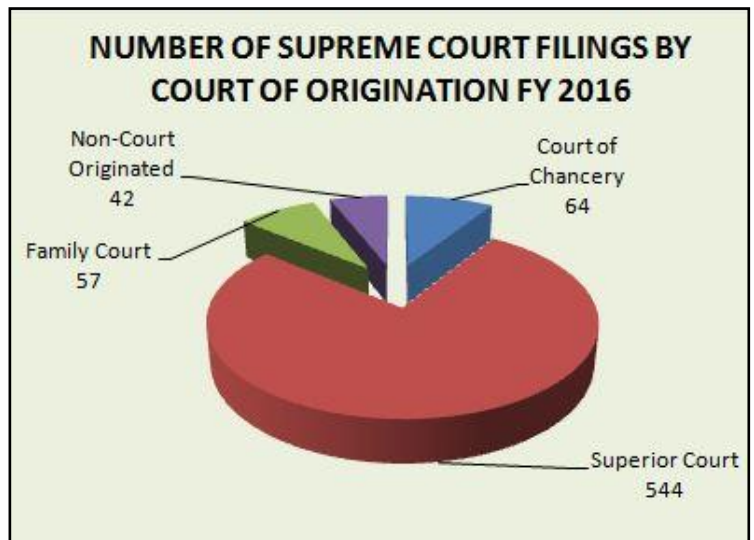
will consider interlocutory appeals. The Court also recently updated its Internal Operating Procedures.

In Fiscal Year 2016 the Court continued its tradition of taking the timely disposition of its caseload very seriously. During the year, the Court received 707 new appeals and disposed of a total of 714 by opinion, order or dismissal. The appeals were decided an average of 29.7 days from the date of submission to the date of final decision. In 98.6% of the appeals decided in FY 2016, the Court met the standard for the Delaware Judiciary for deciding cases within 90 days of the date of submission. The Court also met its performance measure for disposition of 75% of all cases within 290 days of the date of the filing of a notice of appeal, exceeding this objective by disposing of 87% of all cases within the 290 day timeframe.

This past year also marks the end of an era with the retirement of Court Clerk Cathy B. Howard after almost 39 years of distinguished service to the bench, the bar, and the citizens of Delaware. We express our heartfelt thanks to Cathy for the unfailing caring and commitment that she brought to her work and wish her well in all of her future endeavors. The Court is very pleased to announce that another experienced and dedicated Court employee,

Elizabeth A. “Lisa” Dolph, took on the critical role of Court Clerk on January 1, 2017.

Finally, 2016 marked a very special event in this Court’s history. Our esteemed colleague Justice Randy J. Holland marked his 30th year of distinguished service as a Justice. A nationally recognized jurist and international leader of the Inns of Court movement, Justice Holland has served our state with great distinction and has been a role model for generations of Delaware lawyers. ♦





# SUPREME COURT



## Supreme Court Justices

*Standing left to right:*

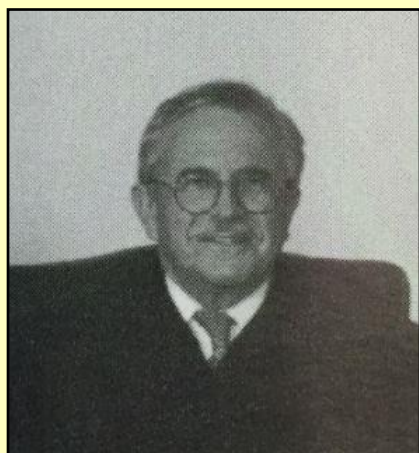
Justice James T. Vaughn, Jr.  
Justice Randy J. Holland  
Chief Justice Leo E. Strine, Jr.  
Justice Karen L. Valihura  
Justice Collins J. Seitz, Jr.

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# SUPREME COURT

## IN MEMORIAM

### The HONORABLE HENRY RIDGELY HORSEY



The Honorable Henry Ridgely Horsey served as a Justice on the Delaware Supreme Court from 1978 until 1994. Justice Horsey hailed from a family with a long tradition of reverence for the law and service to the citizens of Delaware. One of his forefathers, Nicholas Ridgely of Eden Hill Farm, served as a judge of provincial Supreme Court of the three lower counties of the Pennsylvania colony, an area that later became the State of Delaware. Justice Horsey served in the U.S. Army for three years, from 1943 to 1946 during World War II, first in the infantry and later in the combat en-

gineers, with two years in the European Theater. Upon his discharge in 1946 as a sergeant, he resumed his education at Harvard College and Harvard Law School, graduating in 1952. He was admitted to the Delaware Bar in 1953 and practiced law in Wilmington as an associate and then a partner at Berl, Potter & Anderson (now Potter, Anderson & Corroon) from 1953 to 1962. From 1962 until 1965, Justice Horsey served as a trust officer and Assistant Vice President of the Wilmington Trust Company. He then returned to the practice of law in Dover, joining the Delaware Attorney General's Office for several years and operating a solo law practice until 1969 when he joined the Dover office of Morris, James, Hitchens & Williams. In 1978, he was appointed to the Delaware Supreme Court. During his tenure on the state's highest court, Justice Horsey authored more than 200 published opinions. Many of Justice Horsey's opinions became landmark decisions, most notably his opinion in *Riley v. State*, which became the format for the seminal holding by the U.S. Supreme Court in the landmark 1986 case *Batson v. United States*, which prohibits attorneys from removing prospective jurors during jury selection in criminal proceedings based on race. Many other opinions by Justice Horsey are landmark rulings in regard to principles of corporate governance.

“It was an honor for me to serve with Justice Horsey, who warmly welcomed me to the Delaware Supreme Court. Justice Horsey continued a family tradition of judicial and public service that spans 250 years. Many of his opinions are landmark decisions on a wide variety of legal principles.” — Justice Randy J. Holland.

# SUPREME COURT

## IN MEMORIAM

### The HONORABLE WILLIAM T. QUILLEN



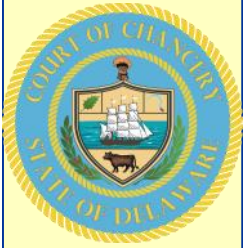
The Honorable William T. Quillen, served as a Judge on the Delaware Superior Court from 1966 to 1973, as Chancellor of the Delaware Court of Chancery from 1973 to 1976, as a Justice on Delaware Supreme Court from 1978 to 1983 and then again as a Judge on the Delaware Superior Court from 1994 until 2000.

Justice Quillen grew up in New Castle and graduated from Wilmington Friends School in 1952. He then went on to graduate from Williams College in 1956 and received his LL.B. from Harvard Law School and an LL.M from the University of Virginia School of Law. Justice Quillen was an officer in the JAG Corps of the United States Air Force from 1959 to 1962. On his return to civilian life, he served as a law clerk to Judge Charles Terry before working briefly as an associate at

Richards, Layton & Finger. He then became Counsel to Judge Terry who by then had become Governor Terry. In 1966, Governor Terry appointed Justice Quillen to his first term on the bench with the Delaware Superior Court. After Justice Quillen left the Bench in 1983, he worked in the Trust Department at Wilmington Trust and then as a partner at Potter, Anderson & Corroon. He ran for Governor in 1984 and also served as General Counsel for the Howard Hughes Medical Institution and taught Ethics and Constitutional Law at Widener University. He returned to public service in 1993 as Delaware's Secretary of State under Governor Tom Carper before his return to the bench and the Superior Court in 1994. Upon leaving the bench again in 2000, Justice Quillen was of Counsel at Drinker, Biddle & Reath. After he retired as an attorney, Justice Quillen maintained an office at Seitz, Ross, Aronstam & Moritz where he was working on a biography of Judge Collins J. Seitz with his friend and Judge Seitz's son, Delaware Supreme Court Justice Collins J. Seitz, Jr. In 2013 Governor Jack Markell awarded Justice Quillen the Governor's Heritage Award for his contributions to the preservation and celebration of the state's history.

“Delaware has lost one of its most talented, loyal and unique citizens; someone who graced us by spending much of his career as an outstanding and exemplary member of our Judiciary. Relentlessly, almost restlessly, curious, deeply intelligent, and passionate about our state, Bill Quillen was always ready to take up the next challenge, to push himself and those around him to make the institutions he helped lead serve the people of Delaware better,” — Chief Justice Leo E. Strine, Jr.

# COURT OF CHANCERY



## CHANCERY COURT

### CHANCELLOR ANDRE G. BOUCHARD



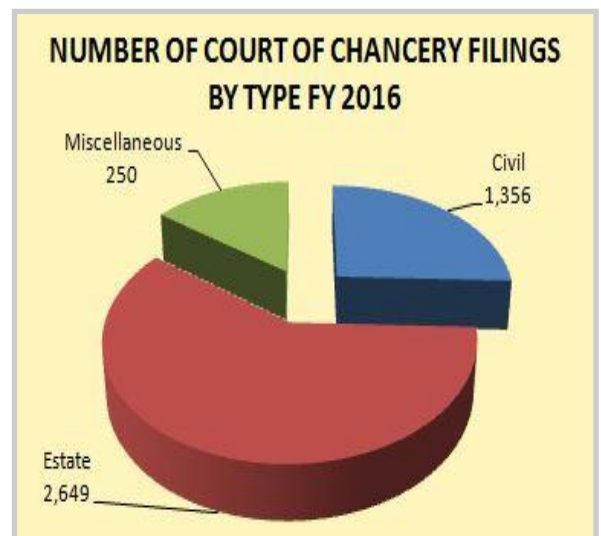
The mission of the Court of Chancery is to administer justice by providing fair, prompt and well-reasoned decisions in all causes in equity and other matters within the Court's jurisdiction.

Continuing a trend of the past several years, the Court experienced two more significant personnel changes during the 2016 fiscal year. In February 2016, Vice Chancellor John W. Noble retired after fifteen years of distinguished service to the Court. Vice Chancellor Noble was well known for his calm demeanor, dry wit, and inherent sense of equity. He relished the intellectual challenges of the job, and was unfailingly patient with those who appeared before him. We wish him all the best in the next phase of his career.

Also in February, Master in Chancery Abigail M. LeGrow left the Court after four years of exemplary service to become an Associate Judge on the Superior Court. During her tenure with us, Master LeGrow became a recognized expert in guardian-

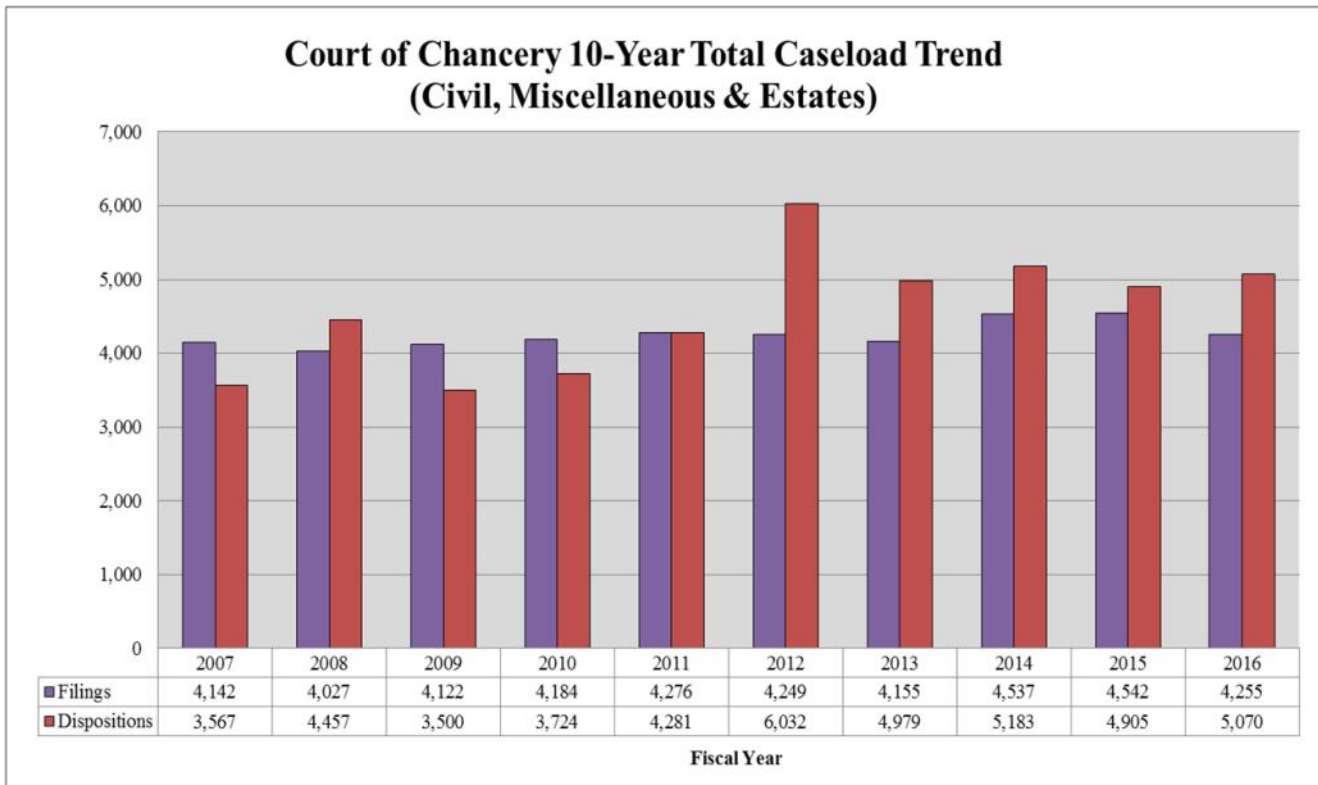
ship and trust matters, and quickly gained an overall reputation for excellence as a jurist. She was instrumental in overseeing a sweeping revision of the Court's rules and procedures governing guardianship, trust and estate matters. The Superior Court's gain is clearly our loss.

Joseph R. Slight III was selected to succeed Vice Chancellor Noble. Vice Chancellor Slight's appointment marks his re-



# COURT OF CHANCERY

TABLE 1



turn to the bench after serving a twelve year term on the Superior Court, from 2000 to 2012, where he played a prominent role in the launch of the Complex Commercial Litigation Division. He is the Court’s resident judge in Kent County.

In March 2016, Morgan Zurn was appointed as the Court’s newest Master in Chancery. Master Zurn comes to us from the Delaware Department of Justice, where she has worked since 2009 and most recently served as a Deputy Attorney General in the Appeals and the Consumer Protection Units.

In 2016, the Delaware Chapter of the American College of Trial Lawyers and the Delaware State Bar Association delivered the results of a jointly-conducted study of the Delaware court system based on interviews and surveys of practitioners and jurists. The study reported a number of favorable conclusions concerning the Court of Chancery’s man-

agement of its docket, willingness to accommodate the needs of litigants, and use of technology. The study also made several recommendations, including that the Court provide a written codification of e-filing requirements and guidelines to better explain the basis on which a filing may be rejected. This topic currently is addressed by the Register in Chancery’s Recommended Best Practices for electronic filing, which is posted on our website. In response to the joint study’s recommendation, a subcommittee of the Court’s Rules Committee has been established to undertake a thorough review of the Court’s current procedures.

In past annual reports, the Court has reported the number of filings and dispositions for the most recent ten-year period on an aggregated basis. Those data are depicted in **Table 1**. This year, we also have included charts depicting the number of filings and dispositions for the most recent ten-year period

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# COURT OF CHANCERY

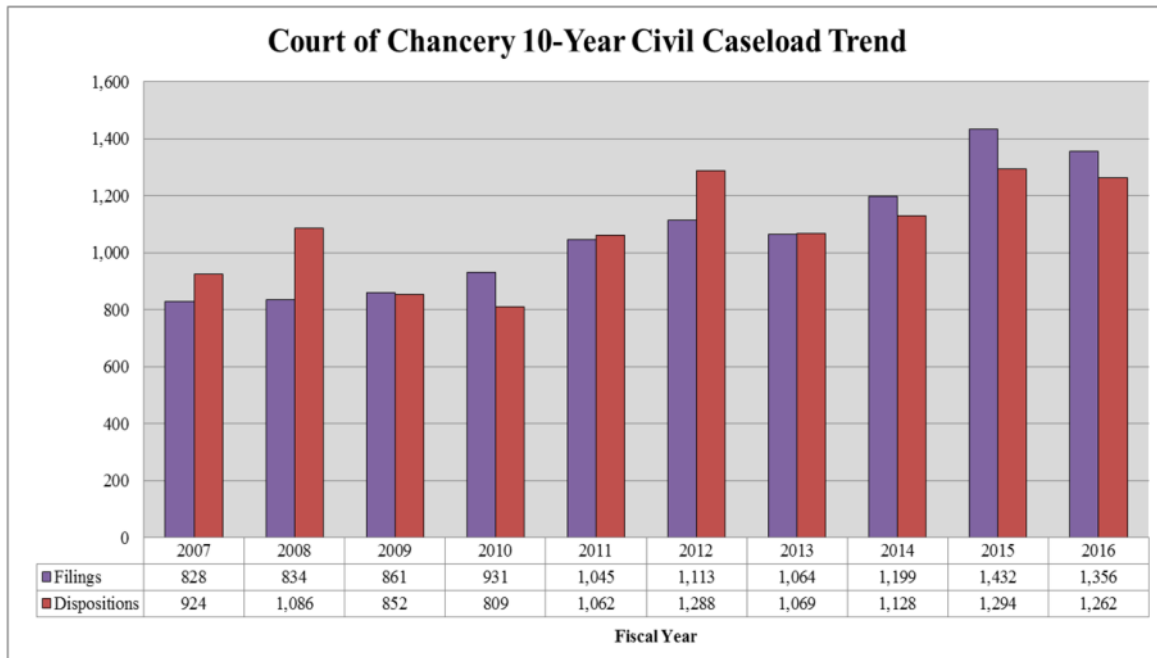
for each of the three categories that make up the totals: (1) civil actions, (2) civil miscellaneous matters, and (3) estate matters. These data are depicted in **Tables 2, 3 and 4**, respectively.

The civil actions principally consist of corporate and commercial cases, which are individually assigned to members of the Court. These cases, which often involve multiple parties and complex disputes, consume the vast majority of the time and attention of the Court’s judicial officers. The civil miscellaneous matters largely consist of guardianship proceedings involving adults and the property of adults and juveniles as well as some estate-related proceedings. Most of these matters are handled during routine calendars. Estate matters consist of probate proceedings that are initiated in one of the three county offices of the Register of Wills. The Register of Wills in each county serves as a clerk of the Court by statute (10 *Del. C.* § 2501) who initiate civil miscellaneous

matters as needed in connection with pending probate proceedings.

The break out of the data reveals some interesting trends. Over the past ten years, the Court has seen a significant increase in its annual civil action filings, which rose in a fairly steady fashion from 828 in FY 2007 to 1,356 in FY 2016, an increase of approximately 64% (**Table 2**). By contrast, the number of civil miscellaneous filings declined from 835 in FY 2007 to 250 in FY 2016, a decrease of approximately 70%, with the most significant reduction (from 733 to 341) occurring in FY 2015. This decline logically followed from the implementation of statutory changes adopted in 2014 to allow funds below a specified level to be placed in an account established under the Uniform Transfers to Minors Act account instead of establishing a Court-ordered guardianship, and to permit trust beneficiaries to opt out of filing accountings with the Court. ♦

**TABLE 2**



# COURT OF CHANCERY

TABLE 3

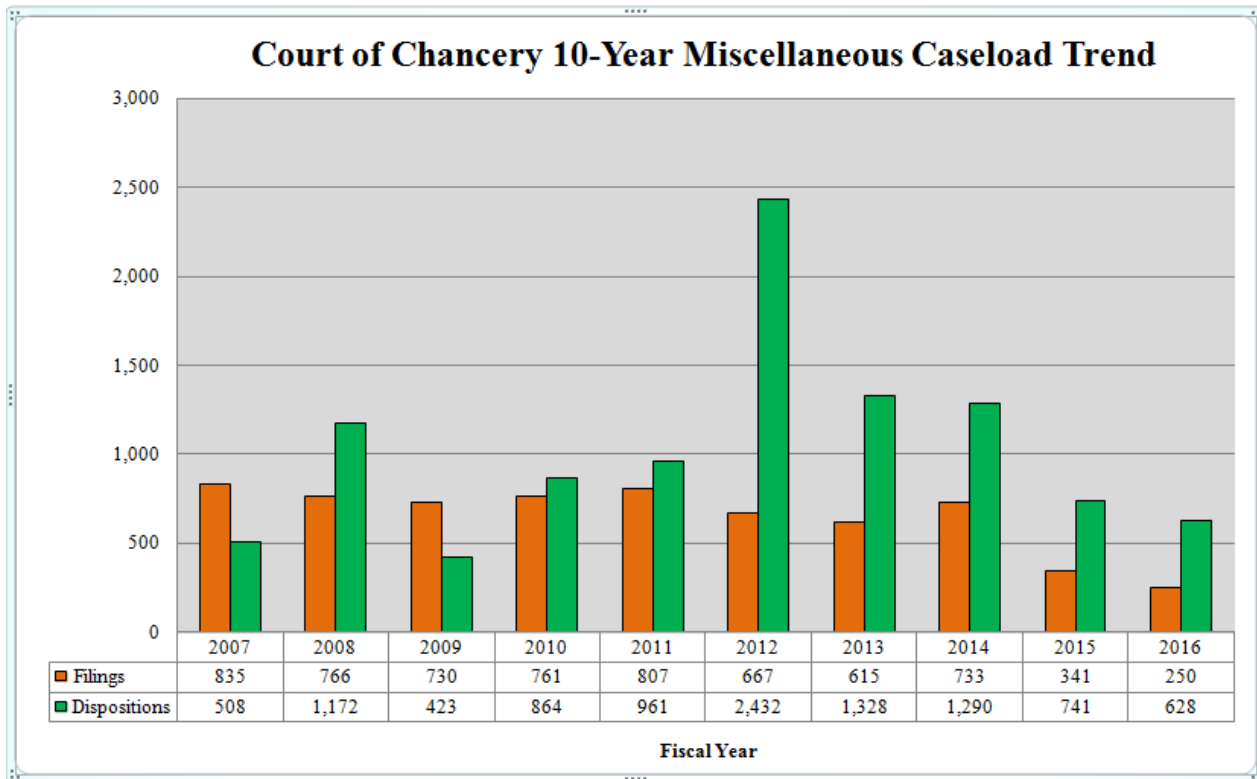
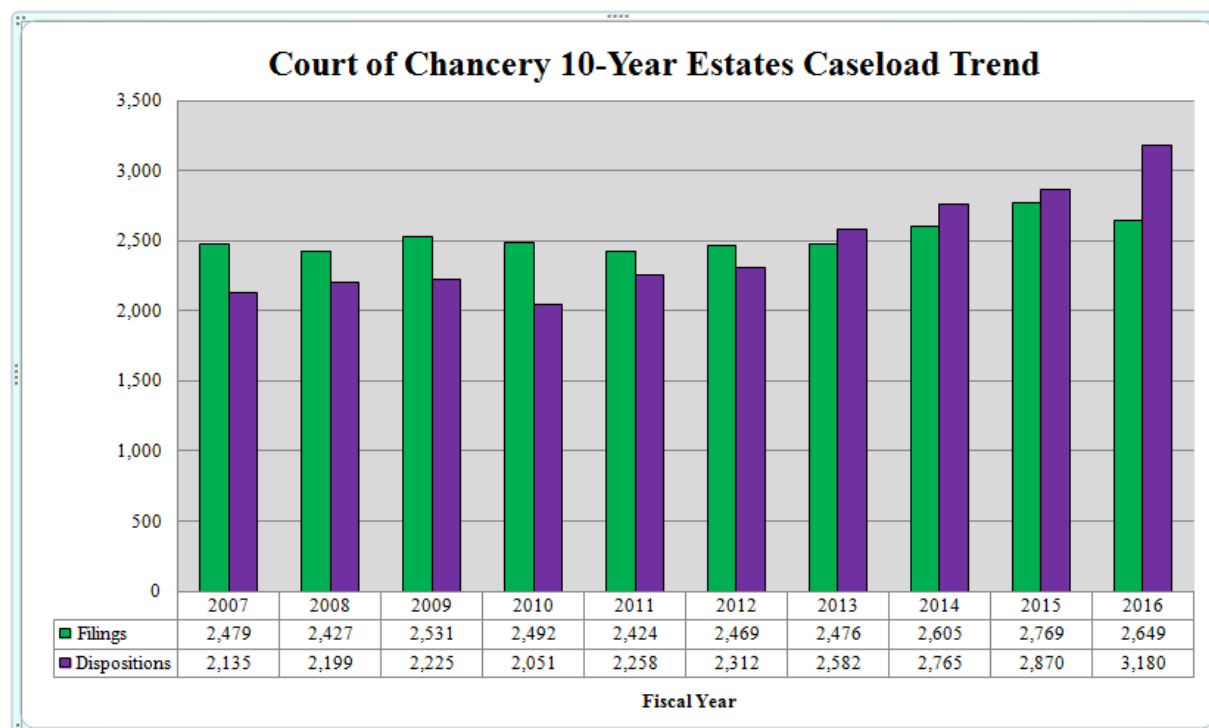


TABLE 4



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# COURT OF CHANCERY



## Court of Chancery

***Standing left to right:***

Vice Chancellor Tamika Montgomery-Reeves

Vice Chancellor Joseph R. Slight III

***Sitting left to right:***

Vice Chancellor J. Travis Laster

Chancellor Andre G. Bouchard

Vice Chancellor Sam Glasscock III

The **Honorable Joseph R. Slight III** was formally sworn in for his first term as a Vice Chancellor of the Delaware Court of Chancery on March 28, 2016. Prior to his appointment, Vice Chancellor Slight was a partner at Morris James LLP and was a Superior Court Judge. Vice Chancellor Slight replaced Vice Chancellor John W. Noble who retired from the bench.



# SUPERIOR COURT



## PRESIDENT JUDGE JAN R. JURDEN



# SUPERIOR COURT

The Superior Court is proud to announce its 185 year anniversary since the Court was established under the Constitution of 1831. FY 2016 has been no different in that our Judicial Officers and staff worked tirelessly to support the mission of the Superior Court, which is to serve the public. We accomplish this mission by providing a fair and efficient system of justice, a commitment to excellence, fostering public trust, understanding and confidence.

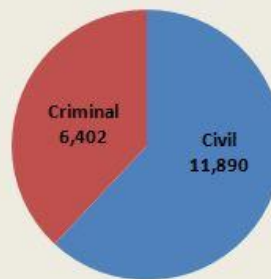
As Delaware's court of general jurisdiction, each year the Superior Court handles thousands of civil and criminal cases. Similar to preceding years, FY 2016 was an extremely busy year for the Superior Court. There were 11,890 civil filings and 6,402 criminal filings. The Court had an unprecedented number of First Degree Murder cases - 94 in FY 2016. The Court also had a high number of gang and criminal racketeering cases, which, because of the number of defendants (and counsel) involved, presented significant scheduling challenges.

Trial by jury continues to be the bedrock of our criminal and civil justice systems.

Every week, hundreds of jurors are summoned by this Court for service in the Superior Court (and the Court of Common Pleas) in all three counties. The Court continues to use technology in its efforts to streamline the processes for producing and issuing jury summonses, jury registration and scheduling, and to minimize juror inconvenience. Jury Services routinely solicits feedback from our jurors and responds promptly to feedback and suggestions, often implementing suggested changes.

The Superior Court's Complex Commercial Litigation Division (CCLD) remains steady in filings but the cases be-

**NUMBER OF SUPERIOR COURT FILINGS  
BY TYPE FY 2016**

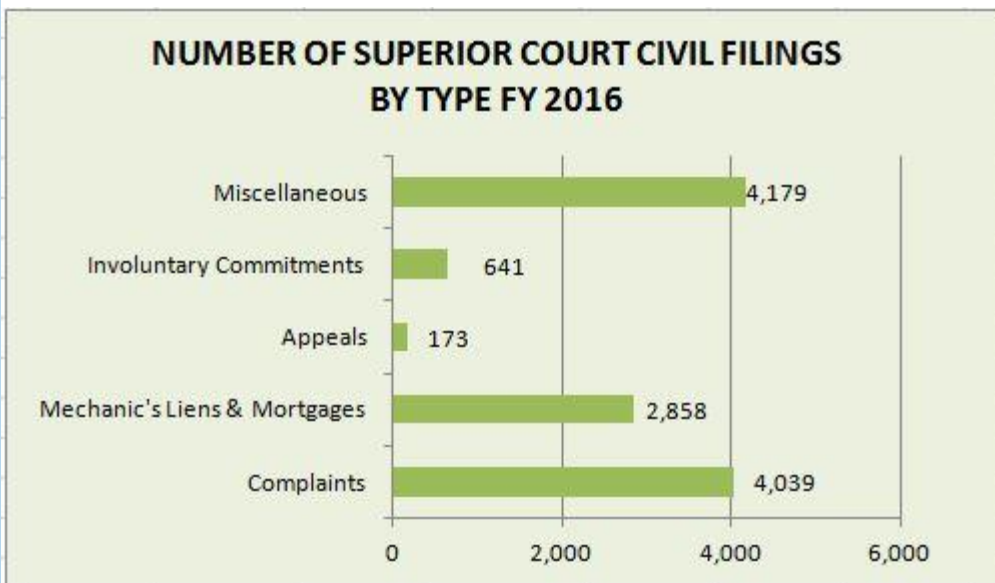


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# SUPERIOR COURT

ing filed are growing increasingly complex. These cases include either a claim asserted by any party (direct or declaratory judgment) with an amount in controversy of \$1 million or more, either jury or non-jury trials, or cases that involve an exclusive choice of court agreement, or is so designated by the President Judge to qualify for assignment to the CCLD. When a case is so designated, it is assigned to one of the four CCLD judges: Judge Mary M. Johnston, Judge Eric M. Davis, Judge William C. Carpenter, and Judge Paul R. Wallace. CCLD filings for FY 2016 were 56, dispositions were 35 and 85 cases are pending.

One such court is the Mental Health Court (MHC). Effective October 2016, President Judge Jan R. Jurden, who presided over MHC in New Castle County for eight years, stepped down as the MHC presiding judge, and Judge Andrea L. Rocanelli, a recipient of the Judicial Partnership Award by the Delaware Division of Substance Abuse and Mental Health, took over. Judge Rocanelli, while a judge on the Court of Common Pleas, presided over that court's Drug Court and is extremely knowledgeable about co-occurring disorders and use of best practices in problem solving courts. Judge Robert B. Young and Resident Judge T. Henley Graves preside over Mental Health Court in Kent County and Sussex County respectively.



Another such court is the Veterans Treatment Court (VTC), started by Resident Judge William L. Witham in 2011. This court continues to grow and has been recognized for its highly successful efforts in reducing recidivism and improving outcomes. The presiding VTC judges are Resident Judge William L. Witham Jr., a retired Delaware Army National Guard Colonel, in Kent County; Judge Richard F. Stokes, a former Captain in the United States Air

Force, in Sussex County; and Judge Paul R. Wallace, a former United States Marine, in New Castle County. The VTC is fortunate to have several peer mentors and veterans from different branches of the Armed Forces who support the participating veterans. Successful graduates of VTC credit the involvement and support of peer mentors for their successful completion of the program.

The Court's asbestos docket is managed by Judge Vivian L. Medinilla and Judge Calvin L. Scott, with the assistance of Special Master Matthew F. Boyer, Esq. in New Castle County. During FY 2016, there were 148 filings, 347 dispositions and 1,111 cases pending.

The Superior Court has a number of problem solving courts: These courts strive not only to improve outcomes for the individual, but reduce recidivism and improve public safety.

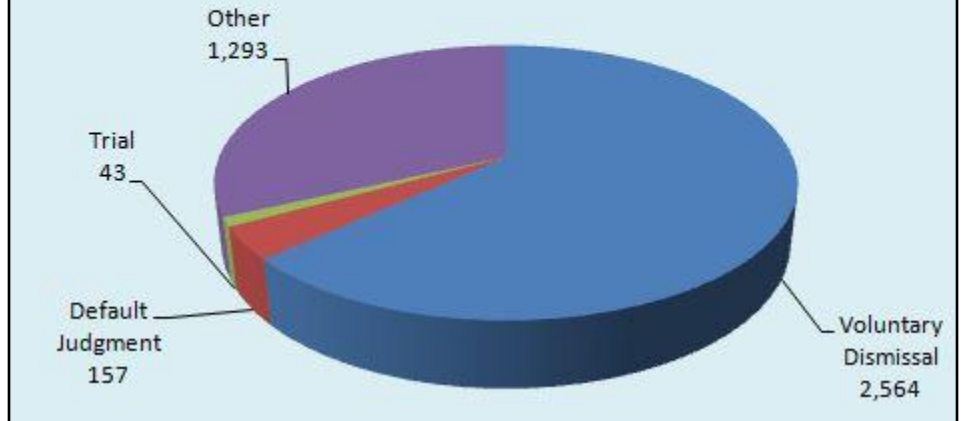
New Castle County operates a Reentry Court, presided over by Judge Charles E. Butler. The Court works in collaboration with probation officers and

# SUPERIOR COURT

staff from the Wilmington Achievement Center, the Delaware Center for Justice and the Treatment Access Center (TASC) to provide reentry services to city residents that are reentering society after a prison sentence. The court meets regularly with program participants and service providers to emphasize those positive changes necessary to avoid a return to prison. Unlike routine probation, the reentry court judge is an active participant in the offender's supervision so that rewards and sanctions are delivered quickly, and particular difficulties faced by former offenders can be addressed before they become critical issues resulting in re-incarceration. At any time, the reentry court supervises between 40 and 80 returning participants.

The Superior Court continues to look for ways to improve the administration of justice, to train and educate staff and stakeholders on evidence-based best practices and to reduce recidivism. By way of example, this past June, the Superior Court applied for and was awarded a grant to provide domestic violence training to Superior Court Officers. This grant afforded the opportunity for all Judicial Officers and Investigative Service Officers to receive

**NUMBER OF SUPERIOR COURT CIVIL COMPLAINT DISPOSITIONS BY METHOD FY 2016**

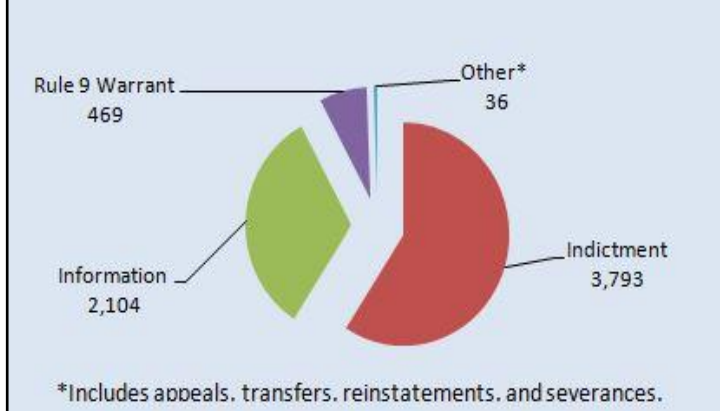


training on domestic violence, sexual assault, dating violence and stalking. Our judges, commissioners and employees serve on a wide array of committees, projects and task forces - all of which are dedicated to improving the delivery of justice.

With the assistance of the Administrative Office of the Courts and the Judicial Information Center, this Court continues to explore the use of technology to improve efficiency in all departments, and insure that our jury courtrooms are equipped with state of the art technology that meets the needs of our litigants.

Superior Court continues to review our criminal and civil court processes in an effort to reduce redundancy, expedite processing, standardize our processes, and to prepare training manuals to reduce learning curves for new employees. The criminal division is developing a training guide outlining step by step procedures for all processes used in criminal cases. This training guide will not only enable new case managers to learn their duties and responsibilities more quickly, but will also educate them as to the purpose and importance of the procedures in the everyday functioning of the court.

**NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2016**



Continued on next page

# SUPERIOR COURT

The Superior Court is working on unifying our financial case management system statewide. In the past, all three counties entered financial information into the Judicial Information Center accounting system (JIC). This process only allowed Superior Court to access the financials, which resulted in limited information sharing, thereby creating delays in the acceptance of payments for court fines, costs and restitution. The new process will move the existing and future financials into the Delaware Criminal Justice Information System (DELJIS). Because DELJIS is an integrated criminal justice system, the new process will enable the Superior Court to not only notify individuals of when payments are due, but more efficiently monitor payments, and refer cases with unpaid costs, fines and restitution to the Office of the State Court Collections Enforcement (OSCCE) in a timelier manner.

Each year the Superior Court issues thousands of orders and opinions which it publishes on the court website. We continually update our website in an on-going effort to keep the Bar and public informed and to improve access to justice.

This past fiscal year, the Court experienced a high turnover in staff, 27%, and yet still managed to ensure justice was served efficiently and effectively. This Court is indebted to our dedicated staff who have worked twice as hard to maintain the level of superb service that litigants deserve and have come to expect.

Effective December 2016, Sharon Agnew retired as the New Castle Prothonotary after 44 years of State Service. In February 2016, after 34 years of dedicated service as the Court's Deputy Prothonotary in New Castle County, Sandy Autman, retired. In November 2015, the Chief Deputy Prothonotary in Kent County, Janet Shane, retired, after 17 years of dedicated service. The Court salutes Ms. Agnew, Ms. Autman and Ms. Shane for the significant contributions they made over the years and thanks them for their tireless efforts to improve the administration of justice.

Our Court Administration Office has experienced exciting personnel changes with the addition of our new Court Administrator, Susan Judge, who brings new energy and ideas, and a strong work ethic, to a tremendously challenging job, and Michael Ferry, a talented Management Analyst III, who worked in the Prothonotary's office for 12 years. Our former Deputy Court Administrator, Roger Kling, has transitioned to the position of Controller and enters his 17<sup>th</sup> year of service with the Court.

The Court said farewell to two judicial officers as well. In November 2015, the Honorable Fred S. Silverman retired after 22 years of dedicated service on the bench as a Superior Court Judge. On February 15, 2016, the Court welcomed the Honorable Abigail M. LeGrow, who previously served as a Master in the Court of Chancery. In June 2016, the Honorable Mark S. Vavala retired after 18 years of dedicat-

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

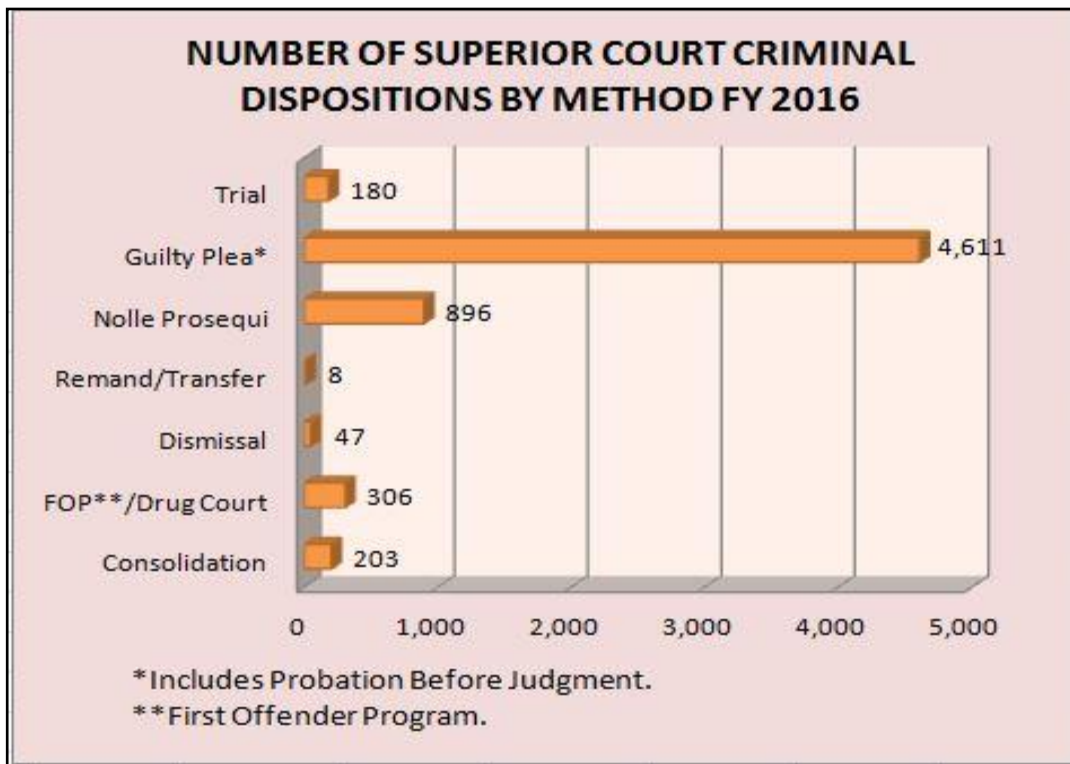


# SUPERIOR COURT

ed service on the bench as a Superior Court Master and then a Commissioner. Prior to becoming a judicial officer, Commissioner Vavala served the Court in various capacities including court clerk, jury manager, Chief Deputy Prothonotary, Technology Director and Master for Superior Court. The vacancy created by Commissioner Vavala's departure was filled in July 2016 when the Court welcomed the Honorable Katharine L. Mayer, who previously worked as a litigation partner with McCarter & English.

recognizes the importance of investing in our employees. With changes occurring at a rapid pace, we strive to offer training opportunities and the necessary resources to support our employees. Despite fiscal constraints, rising health insurance costs, staff turnover and staggering caseloads, our dedicated and loyal employees continue to be a major reason the Superior Court is consistently rated one of the top general jurisdiction courts in the country. ♦

The Court has 26 Judicial Officers, and over 300 employees, with each performing an important function critical to our core mission. The Court



Continued on next page

# SUPERIOR COURT



## SUPERIOR COURT COMMISSIONERS

*Standing (left to right):*

Commissioner Lynne M. Parker  
Commissioner Andrea Maybee Freud  
Commissioner Bradley V. Manning  
Commissioner Alicia B. Howard  
Commissioner Katharine L. Mayer

The **Honorable Katharine L. Mayer** was formally sworn in for her first term as Commissioner of the Superior Court of Delaware on July 11, 2016. Prior to her appointment, Commissioner Mayer worked as a litigation partner with McCarter & English.

# SUPERIOR COURT



## SUPERIOR COURT JUDGES

***Front row (sitting left to right):***

Judge Fred S. Silverman  
(retired November 28, 2015)  
Judge T. Henley Graves (SC Resident Judge)  
President Judge Jan R. Jurden  
Judge Richard R. Cooch (NCC Resident Judge)  
Judge William C. Carpenter, Jr.

***Middle row (standing left to right) :***

Judge John A. Parkins, Jr.  
Judge Robert B. Young  
Judge Calvin L. Scott, Jr.  
Judge Richard F. Stokes  
Judge William L. Witham, Jr.  
(KC Resident Judge)  
Judge E. Scott Bradley  
Judge Mary M. Johnston  
Judge M. Jane Brady

***Back row (standing left to right):***

Judge Jeff J Clark  
Judge Andrea L. Rocanelli  
Judge Paul R. Wallace  
Judge Charles E. Butler  
Judge Diane Clarke Streett  
Judge Eric M. Davis  
Judge Vivian L. Medinilla  
Judge Ferris W. Wharton

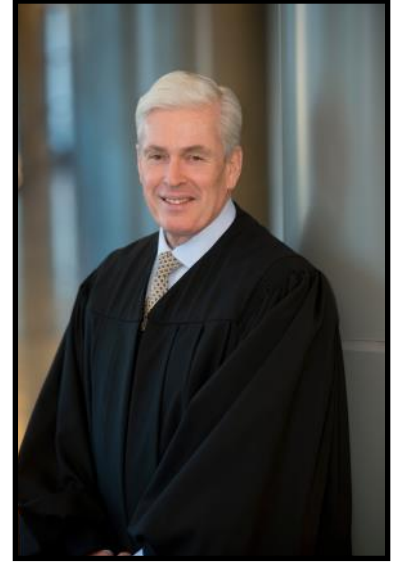
The **Honorable Abigail M. Legrow (not pictured)** was formally sworn in for her first term as a Judge of the Superior Court of Delaware on Feb. 15, 2016. Prior to her appointment, Judge Legrow served as Master in Chancery on the Delaware Court of Chancery from 2011 until her appointment to the Superior Court. Judge Legrow filled the vacancy created by the retirement of Judge Fred S. Silverman.

# FAMILY COURT



# FAMILY COURT

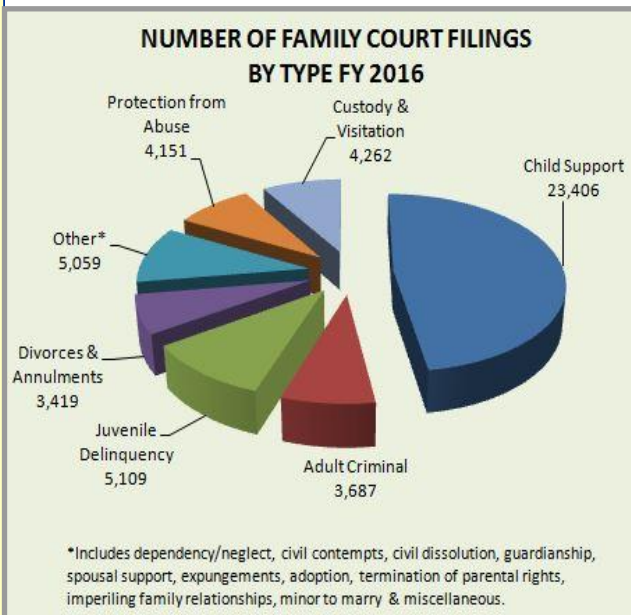
## CHIEF JUDGE MICHAEL K. NEWELL



In FY 2016, Family Court continued its work in achieving its goal of providing equal access to justice for the families and children under its jurisdiction in a manner that is fair and efficient and that maintains the public's trust and confidence in an independent and accountable judiciary.

Filings increased by 5.17% overall in FY 2016. The Family Court's civil filings increased by 5.84%, while the court's criminal and delinquency filings both increased

by 2%. By county, New Castle realized the most growth in its civil filings, with an increase of 13% from the previous year while Sussex County's civil filings decreased by 3%. Both Kent County and New Castle County realized a 6% increase in juvenile delinquency filings, while Sussex County's delinquency filings were down 12% from Fiscal Year 15. The Court's criminal filings increased by more than 8% in Kent County, 2% in New Castle County while decreasing in Sussex County by 6%.



In addition to growth in our filings, Family Court's criminal jurisdiction expanded to give the court jurisdiction over misdemeanor offenses between former spouses, persons cohabitating who hold themselves out as a couple with or without a child in common, and persons living apart with a child in common.

Family Court continued its work on several significant process improvement initiatives, including the Family Court Enhancement Project (sponsored by the Department of Justice's Office on Violence Against Women, in collaboration with the National Council of Juvenile and Family



# FAMILY COURT

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



Court Judges, the Battered Women’s Justice Project, the Center for Court Innovation, and the National Institute for Justice), a caseload assessment, a branch-wide electronic filing project, several projects related to trial court performance measurements and Family Court mediator training. The court looks forward to implementing the recommendations from several of these important projects next year. Under the leadership of Chief Judge Newell in FY 2016, the Family Court began a project to review and revise its Rules of Civil Procedure.

In partnership with the other courts and the Office of Management and Budget, Family Court continued its work to secure funding and to identify appropriate sites for new courthouses in Kent and Sussex Coun-

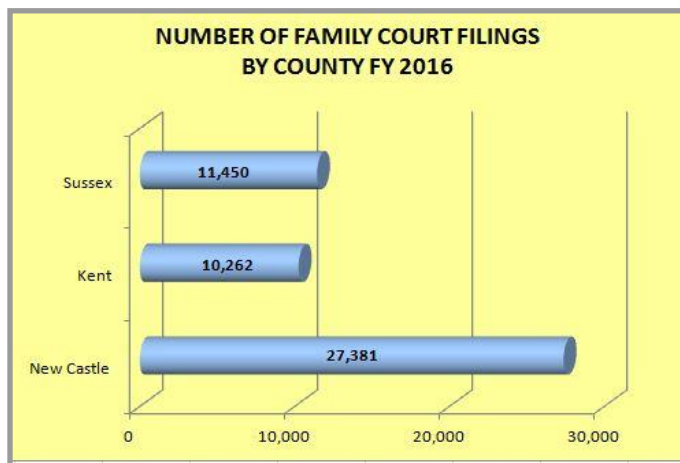
ties. In February 2015 the Court Facilities Improvement Working Group issued its report concluding that the need to address existing security and operational inadequacies in both Family Court’s Kent and Sussex courthouses remains critical and the current Family Court facilities do not offer the dignified and secure facilities necessary.

FY 2016 continued to bring new faces to the Family Court bench. In November 2015, the Honorable Jennifer L. Ranji was sworn in as a Family Court Judge serving in New Castle County, upon the resignation of the Honorable William L. Chapman Jr., who served the Family Court for more than 20 years with distinction. Also in November, the court welcomed the Honorable Danielle Blount who was sworn in as a Family Court Commissioner serving in New Castle County. Commissioner Blount filled the vacancy left by the well-deserved retirement of the Honorable Mary Ann Herlihy, who served the court for 16 years. The Honorable Arlene Minus Coppadge was reappointed as a Judge for New Castle County in November and began her second term with the Family Court.

In December 2015, the Honorable Natalie Haskins became a Family Court Judge, serving in New Castle County. Judge Haskins filled the vacancy left by the untimely death of the Honorable Alan N. Cooper,

Continued on next page

**NUMBER OF FAMILY COURT FILINGS BY COUNTY FY 2016**



# FAMILY COURT

who passed away in October 2015, having served 10 years with the court.

In February 2016, the Honorable Kim DeBonte was sworn in as a Family Court Commissioner serving Sussex County, following the retirement of the Honorable Pamela Holloway, who dedicated more than 24 years to public service as a Family Court Commissioner.

In June 2016, the Honorable Mary Much was reappointed as a Commissioner for New Castle County

and two of the court's Commissioners were sworn in as Family Court Judges: the Honorable Louann Vari, in Kent County; and the Honorable Janell Ostroski in New Castle County. Judge Vari filled the vacancy created by the retirement of the Honorable William N. Nicholas, who retired after a distinguished judicial career spanning 24 years at Family Court. Judge Ostroski filled the vacancy left by the court's longest serving Judge, the Honorable Jay H. Conner, who retired after 34 years of dedicated service to Family Court as a Judge. ♦

On October 7, 2016 an inspirational mural dedicated to the memory of the late Family Court Judge Alan N. Cooper was unveiled in the Leonard L. Williams Justice Center. The Delaware Children's Department, the Office of the Child Advocate and the Delaware Youth Advisory Council organized the mural project. The artwork itself was designed and painted by foster children under the guidance of artist John Donato.

**BOTTOM LEFT:** Family Court Chief Judge Michael K. Newell speaks at the October unveiling of the mural outside Courtroom 3D.

**BOTTOM RIGHT:** The "Coop Moose" in the mural itself recalling the spirit of Judge Cooper (inset).



# FAMILY COURT



## FAMILY COURT JUDGES

Bottom first row (from left to right): Judge Barbara Crowell, Judge Mardi Pyott, Judge Aida Waserstein, Judge Paula Ryan, Judge Arlene Minus-Coppadge, Judge Felice Kerr, Judge Janell Ostroski, Judge Natalie Haskins.

Middle Row (on the steps from left to right): Judge William Walls, Jr. [retired], Judge Louann Vari, Judge Kenneth Millman, Judge Mark Buckworth.

Top Row (from left to right): Judge Joelle Hitch, Judge Peter Jones, Chief Judge Michael Newell, Judge Robert Coonin, Judge Jennifer Ranji.

*Not pictured:* Judge James McGiffin, Jr.

The **Honorable James McGiffin, Jr.** was formally sworn in for his first term as Judge of the Family Court of Delaware on Oct. 24, 2016. Prior to his appointment to Family Court, Judge McGiffin served as Counsel to the Majority Caucus in the Delaware State Senate and a Senior Staff Attorney with Community Legal Aid Society Inc. in Kent County. He also served as a Family Court Commissioner from 1994 to 1998. Judge McGiffin replaced Judge William Walls Jr. who retired from the bench.

Continued on next page

# FAMILY COURT



## FAMILY COURT COMMISSIONERS

Bottom Row (from left to right): Para Wolcott, DeSales Haley, Kim DeBonte, Susan Tussey, Angela Fowler, John Carrow, Sonja Wilson, James Maxwell, Danielle Blount, Loretta Young.

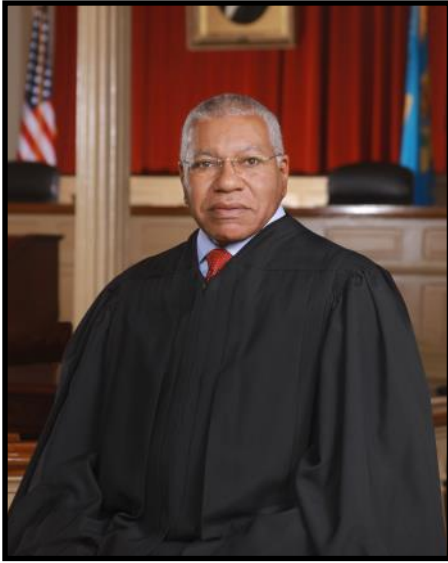
Top Row (from left to right): Jennifer Mayo, David Jones, Chief Judge Newell, Andrew Southmayd, Mary Much.

*Not pictured:* Gretchen Gilchrist and Theresa Sedivec.

The **Honorable Gretchen Gilchrist** was formally sworn in for her first term as Commissioner of the Family Court of Delaware on Nov. 18, 2016. Prior to joining the Family Court, Commissioner Gilchrist operated her own law firm in Smyrna and was Legislative Advisor to the Wilmington City Council.

The **Honorable Theresa Sedivec** was formally sworn in for her first term as Commissioner of the Family Court of Delaware on Dec. 19, 2016. Prior to joining the Family Court, Commissioner Sedivec served as the Unit Head of the Juvenile Delinquency and Truancy unit in the Family Division of the Delaware Department of Justice.

# COURT OF COMMON PLEAS



## CHIEF JUDGE ALEX J. SMALLS

Fiscal Year 2016 was a busy and challenging year for the Court of Common Pleas. The number of cases transferred to, and filed with, the Court of Common Pleas contributed to a high-volume environment in the Court. Over the past fiscal year, criminal caseloads continuously increased, and while the civil case load decreased, the cases are more complex. The number of cases proceeding forward to trial continues to increase, placing an ever growing demand on the Court's and judicial partners' resources.

### Civil Initiatives

The Court of Common Pleas received 5,864 new civil complaints combined with 3,858 civil judgments, name changes and appeals, resulting in a 5.6% decrease in overall civil caseload since last year. This is primarily because FY

2015 was an exceptionally large year for the Court's civil caseload; increasing 15% from FY 2014. FY 2016's caseload is slightly above the historical mean of the past five fiscal years. In addition, the caseload continues to grow in complexity; which results in a more extensive motion practice and trials.

The civil division of the Office of the Clerk, in conjunction with the criminal division, integrated into a new office space that provided seven offices for supervisors, a secured cash room monitored by closed-circuit cameras, and an open filing system that allows civil and criminal to store all pending, probation, and capias files in one central location.

In 2012, the Court adopted Administrative Directive 2012-2 setting forth procedural guidelines in consumer debt collection cases, with the goal of ensuring fairness to all litigants and improving efficiency in the administration of justice. There were 4,293 consumer debt cases filed with the Court in FY 2016. This represents a 9.5% decrease from FY 2015.

### Criminal Initiatives

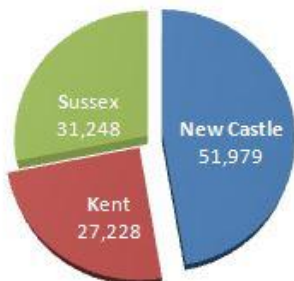
FY 2016 was a period of significant institutional reorganization and infrastructure improvement for the Court of Common Pleas.

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COURT OF COMMON PLEAS

COURT OF COMMON PLEAS CIVIL & CRIMINAL  
FILINGS BY COUNTY FY 2016



# COURT OF COMMON PLEAS

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



The criminal division of the Office of the Clerk in New Castle County completed its transition to a larger office and expanded the available filing space in order to meet the demands of the Court's increasing caseload and recent office reorganization. The Court continues to identify process improvement opportunities for further collaboration and re-engineering.

The number of criminal misdemeanor filings in the Court of Common Pleas in FY 2016 was 103,825 with 8,689 preliminary hearings held. Both of these figures represent a small (<1%) increase in filings from FY 2015. Additionally, there were 44,720 traffic charges filed with the Court of Common Pleas during FY 2016. This represents a 1.9% increase in the number of filings from FY 2015.

The Department of Justice continues to aggressively review felony cases at preliminary hearings and, as appropriate, resolve those in the Court of Common Pleas. This effort has a positive effect on the entire criminal justice system because it eliminates the need for these cases to be handled twice in the Court of Common Pleas and once in the Superior Court; which occurs when felony charges are reduced to misdemeanors and returned to the Court after being bound over at preliminary hearings.

## Mediation Program

The Mediation Program continues to experience growth in each county. Originally housed in the Investigative Ser-

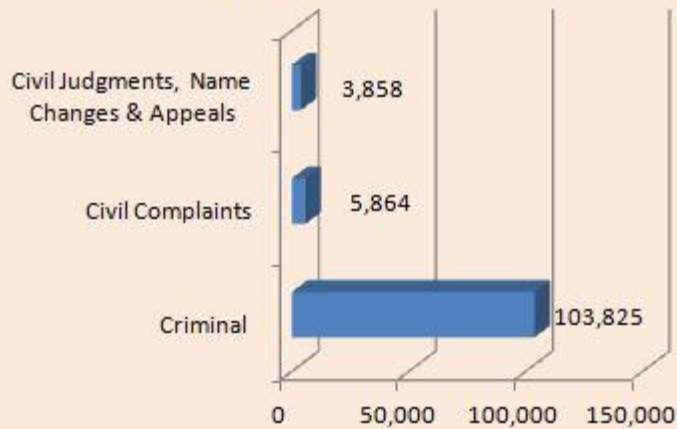
vices Unit since its creation in 2001, the Program's success, consistency, and the increasing demand for Alternative Dispute Resolution (ADR) services warranted the establishment of a new, larger location, adjacent to the Clerk's office, with facilities that provide easy access for the public.

Since 2001, the Court has referred over 16,010 cases for mediation, with 1,426 referrals made to the program in FY 16. Mediation provides an alternative to criminal prosecution, assists the Court in the management of its busy calendars, and leaves participants with an increased sense of satisfaction with the justice system. In FY 2016, the Court's mediation program had a success/satisfaction rate of 95.5 percent. This is an increase of 1.5% from the previous fiscal year.

In recent years, the Court of Common Pleas extended its successful criminal mediation program to include civil cases. This option has been well received by civil litigants and has been responsible for the successful settlement of an increasing number of cases. The Court has also adopted a Community Mediation Program, which receives referrals regularly from the New Castle County Police Community section and municipalities seeking mediation assistance with minor neighborhood disputes, rather than referring matters for criminal or civil litigation. This growth has been a result of the positive relationships with the community at large.

# COURT OF COMMON PLEAS

**COURT OF COMMON PLEAS NUMBER OF FILINGS BY TYPE FY 2016**



## Drug Diversion

The Court continues to operate its highly successful court-supervised comprehensive Drug Diversion Program for non-violent offenders. This program is under the direction of Judge Robert H. Surlis in New Castle County, Judge Charles W. Welch, III in Kent County and Judge Kenneth S. Clark, Jr. in Sussex County. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing, and treatment. The Drug Diversion Program represents a collaborative effort between the Court of Common Pleas, the Department of Justice, the Public Defenders, the private bar, the treatment providers, and the Treatment Research Institute (TRI) at the University of Pennsylvania. (The TRI program is limited to New Castle County). Collaboration with the TRI provides a basis for observation, research, and analysis, which assists in launching scores of other drug diversion programs throughout the United States and internationally. The Court of Common Pleas Drug Diversion Program has served more than 8,531 participants since its inception in 1998, including 896 participants in FY 2016.

To enhance its ability to identify the needs of all participants, the New Castle County Drug Diversion Program introduced a new tool July 1, 2010. The tool referred to as “RANT Assessment,” a web-based evaluation instrument developed by the Court’s partners at the Treatment Research Institute. “RANT” is an acronym for Risk and Needs Assessment Triage. The assessment is used to as-

sess an individual’s risks and needs. Based upon the results, a defendant is placed into one of four treatment quadrants: low risks/low needs; low risks/high needs; high risks/low needs; and high risks/high needs. Identifying these risks/needs groups allows treatment to be tailored to meet the individual needs of the client, promote successful program completion, and reduce recidivism.

In FY 2015 the Chief Justice appointed a committee of treatment court judges from all the counties to work in conjunction with evaluators from American University to study the effectiveness of the Judiciary’s treat-

ment courts. The American University report identified many areas for improvement in service delivery of the treatment courts. It was recommended that treatment would be more effective where there exists a single type court in each county. It concluded that Drug Diversion Court should be housed in the Court of Common Pleas, and the Mental Health Courts should be housed in the Superior Court. Efforts are underway to implement these recommendations.

## DUI Court

In FY 2016, 3,098 DUI cases were transferred from the Justice of the Peace Court to the Court of Common Pleas. On July 18, 2012, the Department of Justice was given authority to transfer certain Driving Under the Influence (DUI) cases to the Court of Common Pleas from the Justice of the Peace Court. The statute also provided that the Court of Common Pleas shall take steps towards implementation of a Driving Under the Influence Court. On July 31, 2014, the statute was amended which authorized the creation of a DUI Treatment Program in the Court of Common Pleas.

The DUI Treatment Court Program, under the direction of Chief Judge Smalls, with the assistance of Judge Sheldon Rennie, accepted its first participants on December 19, 2014. To date, 89 individuals have entered the program, 44 are participating, 40 individuals have successfully completed the program, and 5 individuals were terminated. The requirements for entry into the program are: (1)

Continued on next page

# COURT OF COMMON PLEAS

the DUI must be a first offense with a high BAC level or a second offense; (2) the DUI must not have resulted in severe bodily injury or death; (3) the individual must be evaluated through the DUI-RANT Assessment and placed within the High Risk/High Needs quadrant; and (4) the individual must plead guilty to the offense.

Safety of the community and promotion of lifestyle change through specialized treatment is the major focus of the DUI Court. Accordingly, individuals must attend individual and group counseling sessions provided by Brandywine Counseling & Community Services. Specifically, they participate in the Prime For Life Program, a motivational intervention program used to address alcohol or drug problems which encourage participants to change their behavior. Participants also are required to complete 30 days of community service.

There is zero tolerance for drug and alcohol use and participants are subject to random drug/alcohol screenings. Individuals are monitored by Probation and Parole through the use of the Transdermal Alcohol Device (TAD) worn on the ankle for 90 days. Additionally, an Ignition Interlock Device is installed on the participant's motor vehicle. DUI Court had its first set of graduates in November 2015 and to date has had 40 participants successfully complete the program.

## Process Improvement Initiatives

In FY 2016, the Court of Common Pleas continued/initiated several projects aimed at updating processes and increasing efficiencies. One such project focused on the way we record and return bail payments. A group of students from the Judiciary's partnership with the University of Delaware's Alfred Lerner College of Business and Economics worked with the Court to create spreadsheets to generate receipts and another excel workbook to use in place of our record keeping books. This project was piloted in New Castle County in FY 2015, and expanded to Kent and Sussex counties this year. We have used this process to enhance security measures and reduce staff time.

A second group of partner students from the University of Delaware developed an improved process for scheduling court staff in New Castle County. The students expanded on our current process of using a shared outlook calendar and set it up to be an automated, rotating schedule for judicial assign-

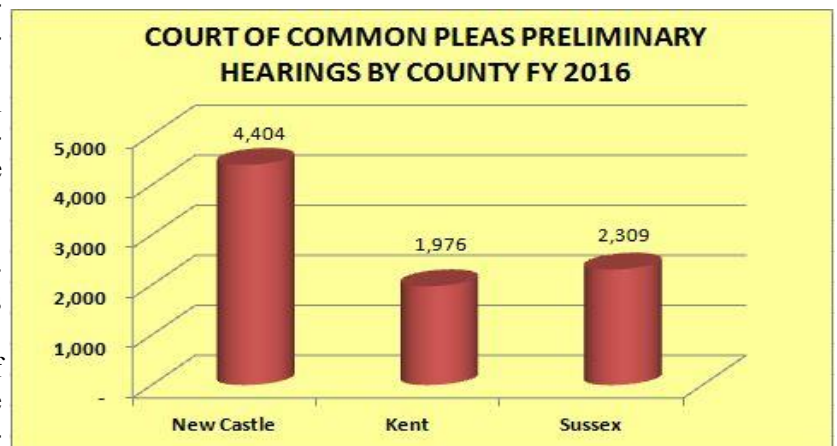
ments. This new process assists judges and staff in handling cases that may require special scheduling. The students also worked with supervisors one-on-one and showed them how this tool can be used to assign staff to court calendars.

The Court also implemented a series of Resource Mailboxes to receive prior plea agreements and bail requests. This process permits attorneys to file prior pleas by e-mail and bail agents to submit bail documents electronically. The utilization of the two mailboxes eliminates the need for faxes and long wait times in the Clerk's Office, by allowing attorneys and bail agents to contact the court without appearing in person.

## Title 16 Jurisdiction Changes

The recent changes to the drug statutes regarding possession and use of controlled substances on June 18, 2015 vested the Court with additional jurisdiction.

With these changes, the Court of Common Pleas experienced an 8% decrease in the number of drug cases filed statewide under prior jurisdiction, but experienced an overall increase of 33.4% in the number of misdemeanor drug cases filed in comparison to the previous year prior to the jurisdiction change. To address the increased volume, the Court re-engineered several of its processes for case management. In New Castle County, a Title 16 Arraignment calendar and a Title 16 Case Review calendar were introduced; Kent County created a Title 16 Case Review calendar; and Sussex County created a Title 16 Arraignment calendar. From these specialized events, cases are managed to achieve efficient and effective resolution.





# COURT OF COMMON PLEAS

## **Investing in Employees and Infrastructure**

A study of the New Castle County Court of Common Pleas clerks' office indicated its space was inadequate for the number of personnel and level of workers housed in the location. The relocation of adjacent offices allowed the clerks' office to expand to accommodate the employees and files. This made a significant improvement in productivity by giving every clerk sufficient work space, managers and supervisors their own offices, mediation space with an adjacent conference room, as well as creating a central file location and secure cash room.

This investment in infrastructure and employees in the New Castle County Court of Common Pleas has shown to be extremely valuable. It has given employees their own spaces to efficiently complete their work and has furthered the productivity of the clerks' office as a whole. The mediation program has been able to efficiently meet its high demand in its new and improved location, while the file center and the secure cash room have improved security and accountability of the court.

## **American College of Trial Lawyers Study**

The results of a study conducted by the Delaware State Bar Association and the Delaware Chapter of the American College of Trial Lawyers encouraged the need for uniformity among counties, as well as improvements to the process of filing appeals from the Justice of the Peace Court.

The study concluded that the Court of Common Pleas employs varying procedures from county to county and more uniformity of policies and procedures would improve the ease of practicing in the multiple counties within the state. The study stated, "Uniformity promotes administrative efficiencies statewide and allows litigants and counsel to have consistent expectations regardless of the county in which a particular case may be pending" (Section 6, page 10). It is the Court of Common Pleas' goal to address this issue, and therefore the Court is documenting our policies and procedures to make changes so they are more consistent. Additionally, we have been reviewing all of the Court's forms to create statewide forms to be utilized in all three counties.

Respondents of the study noted a need for improvement in the appeals process from the Justice of the Peace Court to the Court of Common Pleas. In response, Chief Judge Smalls issued Administrative Directive No. 2016-7 which created a Rules Committee to review and support changes to address complexities in the appellate processes and increase efficiency.

## **Technology Innovation**

Technology has helped improve the court system to become more efficient and cost effective. In a new effort to increase efficiency through technology, the Court has begun to review how cases can be tried using video appearances. The areas where this appears to be most productive are pretrial in civil matters, appearances in consumer debt proceedings, and for office conferences.

In another development, The Court of Common Pleas is working on upgrading their telephone system in the clerks' office to allow for incoming calls to be distributed between more employees. Doing so would make it possible for calls to be answered and addressed sooner, with the goal of cutting down wait times.

## **Enforcement of Court Orders**

In FY 2016, the Court of Common Pleas collected approximately \$6,358,007 in fines, costs, and assessments. A significant portion of the Court's collections also represents restitution and compensation payments for victims of crime. The Court returns more than 59% of its operating budget to Delaware's General Fund.

## **Conclusion**

Notwithstanding 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 a neutral forum for the people and institutions of Delaware in the resolution of everyday problems, disputes, and more complex legal matters in a fair, professional, efficient and practical manner." ♦

Continued on next page

# COURT OF COMMON PLEAS



## COURT OF COMMON PLEAS COMMISSIONERS

*Standing left to right:*

Abby L. Adams

Mary McDonough

## COURT OF COMMON PLEAS JUDGES



*Front row (standing left to right):*

Judge John K. Welch

Chief Judge Alex J. Smalls

Judge Rosemary Betts

Beauregard

Judge Kenneth S. Clark, Jr.

*Second row (standing left to right):*

Judge Sheldon Rennie

Judge Robert H. Surles

Judge Charles W. Welch, III

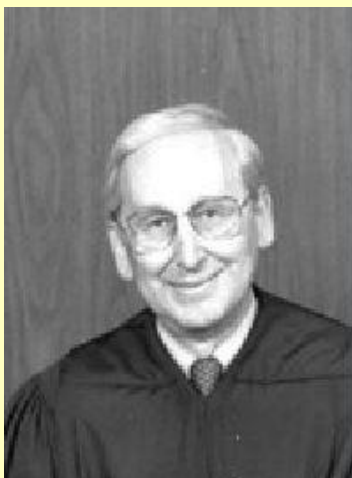
Judge Anne Hartnett Reigle

Judge Carl C. Danberg

# COURT OF COMMON PLEAS

## IN MEMORIAM

### The HONORABLE ALFRED FRACZKOWSKI



The Honorable Alfred Fraczkowski was first appointed to the Municipal Court in Wilmington, as Chief Judge, in November 1969. He became a Judge in the Court of Common Pleas after the two courts merged in May 1998. Judge Fraczkowski retired from full-time work in May 2000, but continued as a Retired Judge, assisting the Court with its significant caseload. His most recent appointment to the Court of Common Pleas was in June 2016 to run through June 2017.

Born in Wilmington, Judge Fraczkowski was the son of the late Peter L. and Laura C. (Chlebowski) Fraczkowski. He was a 1944 graduate of Salesianum School, earned his undergraduate degree from the University of Delaware and his law degree from the University of Pennsylvania. He proudly served in the U.S. Army and served the community in many other ways including as counsel to the Diocese of Wilmington, the Board of St. Francis Hospital, and the Board of Trustees of Catholic Cemeteries.

“His service to the Court was invaluable both in terms of handling cases and mentoring new judges appointed to the court,” said Court of Common Pleas Chief Judge Alex J. Smalls.

“Our state and judiciary have suffered a huge loss, one that makes us remember how important it is to let the people we respect and love know how we feel. Judge Fraczkowski was old school in all the best ways, a true gentleman who treated everyone with civility, dignity, and respect, and made the concept of a people's court come alive in the finest sense, from his many days as a Municipal Court Judge to his many years serving in the Court of Common Pleas. We shall miss him tremendously,” said Delaware Supreme Court Chief Justice Leo E. Strine, Jr.

# JUSTICE OF THE PEACE COURT



## JUSTICE OF THE PEACE COURT

### CHIEF MAGISTRATE ALAN G. DAVIS



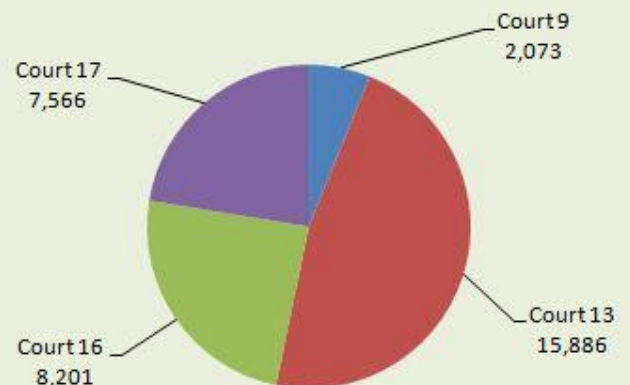
Calendar year 2016 marks the 50th anniversary of the modern iteration of the Justice of the Peace Court in Delaware. The position of Justice of the Peace has existed going back to the Dutch colonial days of the 1600's, but its establishment as a unified court within the state's Judiciary is of relatively recent vintage. The actions and foresight of those who helped recreate the Justice of the Peace system in the period between 1964 and 1966 established a foundation upon which the entire judiciary of the State of Delaware now rests. The Justice of the Peace Court is now in many ways the epitome of a strong and vital limited jurisdiction court. It is innovative in its approach to both civil and criminal case processing; it boasts a bench of wide experience and deep commitment to legal excellence; and it continuously works to improve the conditions under which it provides entry level access to Delaware's criminal and civil justice systems.

It was not always this way. The Justice of the Peace system in this state had long been plagued by twin problems. First, not only were its members not typically educated in the law, their path to appointment and their lack of a support system provided no incentive to improve their understand-

ing of the requirements of the positions that they held and the importance of their role in the justice system. Justice of the Peace positions were often treated as political plums to be doled out and there was no supervision or encouragement for self-improvement once in office. Second, the system itself created incentives for bad behavior. Justices of the Peace were paid through the costs and fines that they collected, which for some of lesser morals meant that finding in favor of the wrong party could take money out of their own pocket. As a result there were often calls to reform or eliminate the positions altogether.

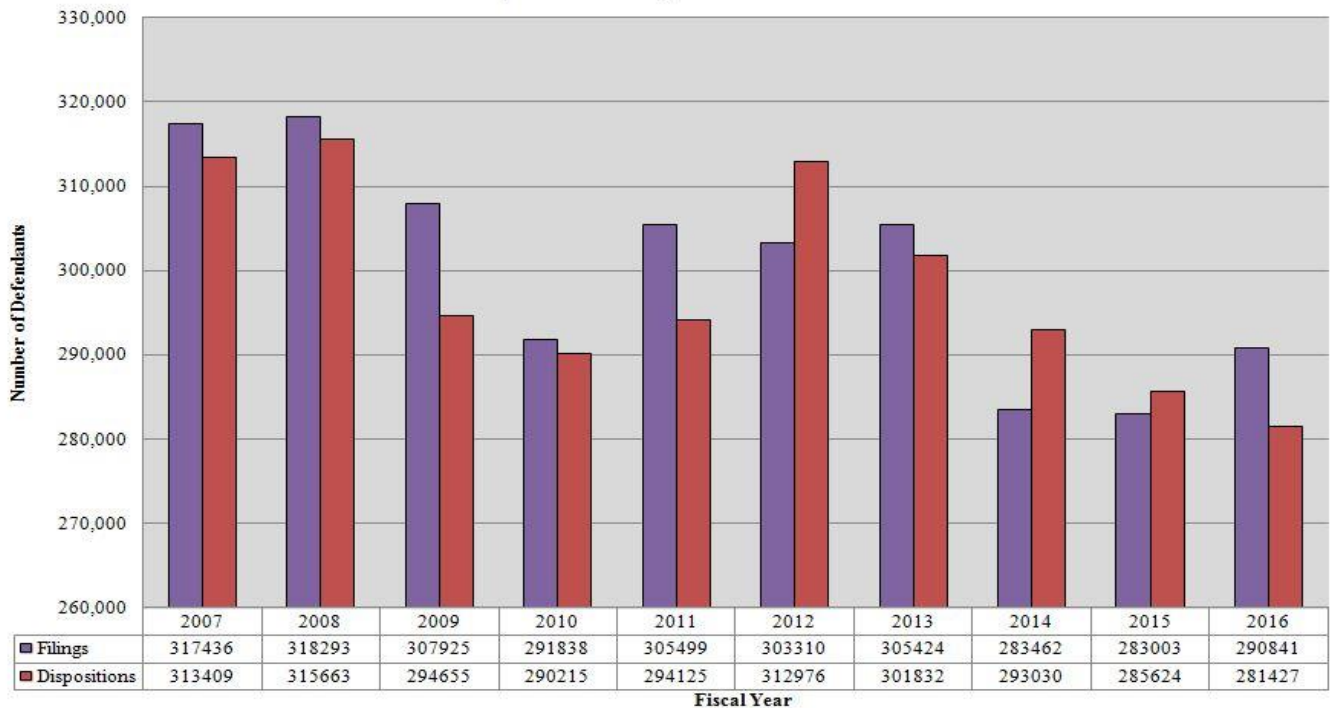
But for a twist of historical fate, the Justice of the Peace Court might not even exist today. In

**TOTAL JUSTICE OF THE PEACE COURT CIVIL CASES FILED BY COURT FY 2016**



# JUSTICE OF THE PEACE COURT

**Justice of the Peace Court Civil & Criminal/Traffic Filings and Dispositions by Fiscal Year\***



\* Criminal filings & dispositions are by defendant

1964, Charles Terry was serving as Chief Justice of the Delaware Supreme Court. Tiring of his structural inability to address the failings of the Justice of the Peace system and the constant calls for him to do something, he established oversight of the independent judges by putting a Deputy Court Administrator in charge of monitoring, coaching and general wrangling of the Justices of the Peace. He did so with no clear authority, since the system fell outside the purview of the state judiciary.

Later that year, Terry’s political party came to call asking that he consider running for Governor. He agreed, resigned as Chief Justice and made part of his platform the reform of the Justice of the Peace system. He won the election, and, true to his promise, in the 1965 legislative session Governor Terry, along with a number of supporters in the General Assembly and the Bar, proposed and won passage of reform legislation that addressed many of the issues facing the system.

No longer would Justices of the Peace get any portion of their pay from the fines and costs; they were awarded a small salary paid by the State. They also were given better accommodations. Holding court in living rooms and garages and on back porches was out; the State

would provide office space for the administration of justice. Perhaps most importantly, the legislation brought the system into the state’s Judiciary, providing the opportunity for administrative control, educational opportunities and access to better understanding of the role in the overall justice system. The legislation did, however, retain the lay character of the bench, highlighting the need for this level of court to be closely aligned with the people it served.

In the years since 1966, when the first judges were put in place under the new, unified court system, the Justice

### Sponsored Service Projects Commemorating the 50th Anniversary

- March – Food Bank of Delaware
- April – Faithful Friends Animal Shelter
- May – Salvation Army Clothing Drive
- July – Project Journey Bags – DSCYF
- August – School Supply Drive
- September – Delaware Mud Run for Leukemia Research
- October – Juvenile Diabetes Research Foundation
- November – Shoe Drive
- December – Toys for Tots

Continued on next page

# JUSTICE OF THE PEACE COURT

of the Peace Court has seen continuous efforts to improve and make itself into a standard-bearer limited jurisdiction court. In 1980, the Court got its first presiding judge when Norman Barron was appointed Chief Magistrate. A statewide mandatory judicial education program has been established, with an extensive basic legal education curriculum for newly appointed judges and continuing legal education credit requirements exceeding those of Delaware attorneys. The Court has improved its facilities incrementally and consolidated locations regularly to improve the experience of those who use the Court and avoid the cost of increasing staffing. Case management improvement has been a constant effort. From the establishment of the judiciary's first electronic case management system to the creation of a voluntary assessment center, to the advancement of the use of videophone technology, to the development of our police prosecution process, we have always had an eye on innovating and capitalizing on the strengths of the organization.

The stature and standing of this Court has done nothing but improve since its reform in 1966. To commemorate these fifty years of growth and success, the Court has come together for the entire year to learn about the history of the Court, to celebrate our experiences and to give something back to the community we serve. We have "branded" our fiftieth anniversary, shared fun facts about our history, engaged in court-wide events and games, and conducted service projects supporting local and national charities. To that end, our staff and judges have contributed tens of thousands of dollars worth of money, goods and time to such worthy causes as the Food Bank of Delaware, providing transition bags for youth going to foster care, and helping fund a cure for Type 1 diabetes. A lot of

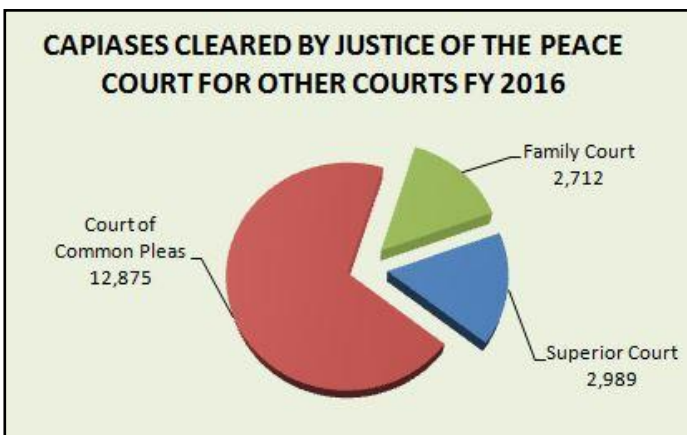
## Post-Reform Highlights of Justice of the Peace Court

- 1965 – Legislation is introduced and enacted reforming the Justice of the Peace Court system
- 1966 – New statewide Justice of the Peace Court becomes operational
- 1980 – Norman A. Barron, Delaware's first Chief Magistrate, takes office
- 1987 – First purpose-built Justice of the Peace Court is completed in Milford
- 1990 – First case management system is implemented
- 1991 – Wearing of judicial robes is required; Voluntary Assessment Center (VAC) is opened
- 1993 – Videophone communication systems for warrants and arraignments are first installed
- 1994 – Twelve-week Basic Legal Education program for new judges is created
- 1995 – Jurisdiction in civil cases is increased from \$5,000 to \$15,000
- 1996 – Statewide truancy court is created
- 1998 – Filings in the City of Wilmington come under the jurisdiction of the Justice of the Peace Court
- 2002 – Statewide videophone court is established
- 2006 – Police prosecution program is established to resolve traffic cases more expeditiously
- 2009 – Court Security assessment is implemented to fund the hiring of additional security officers
- 2013 – New risk assessment tool is launched to help provide greater consistency in bail decisions
- 2015 – Audio recording of all court proceedings begins

us even got really wet and muddy at the Delaware Mud Run to help advance leukemia research.

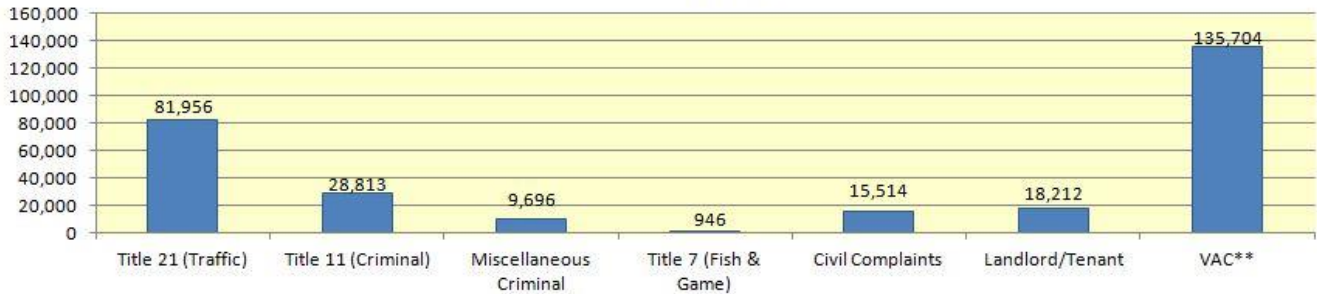
Just because we are celebrating fifty years of progress in the advancement of justice does not mean we are resting on our laurels. As the Court with the largest and arguably most diverse caseload in the Delaware Judiciary, we must constantly work toward improving our processes and ensuring that we provide high-quality justice. Not only do we have to provide expeditious and cost-effective resolution of matters, but we must do so while remaining fair to all of those who rely on our service.

Just as the last fifty years must be our example in how to keep improving, we must also embrace a lesson from before the reform - a court that does not serve the public with actual and perceived fairness is not a court at all. ♦



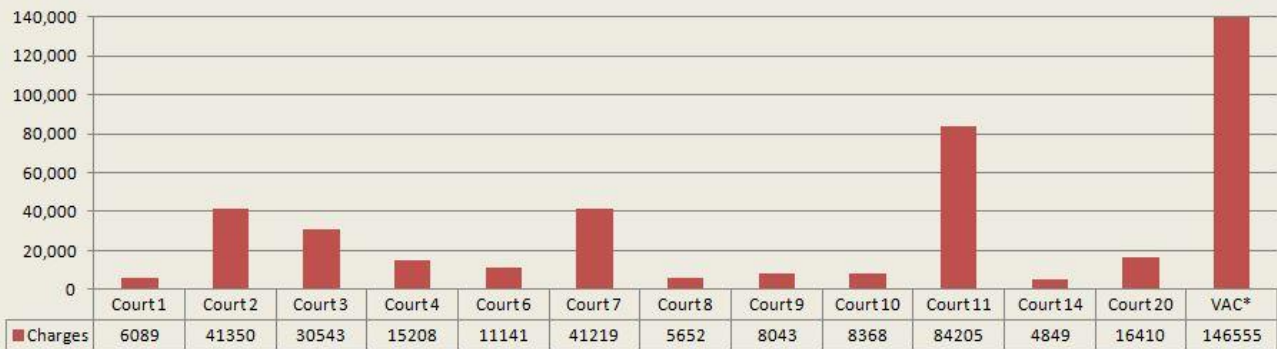
# JUSTICE OF THE PEACE COURT

**NUMBER OF JUSTICE OF THE PEACE COURT FILINGS\* BY TYPE  
FY 2016**



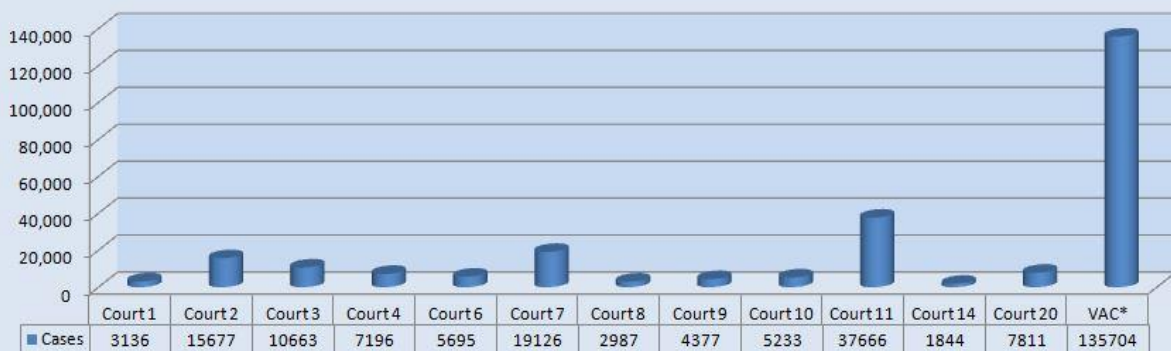
\*Criminal filings are by defendant.  
\*\*Voluntary Assessment Center.

**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CHARGES BY COURT FY 2016**



\*Voluntary Assessment Center.

**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CASES BY DEFENDANT BY COURT FY 2016**



\*Voluntary Assessment Center.

Continued on next page

# JUSTICE OF THE PEACE COURT



## NEW CASTLE COUNTY JUDGES

***Sitting, front row (left to right):***

Susan Cline; Cheryl Stallmann; Rosalie Rutkowski; Bonita Lee, Deputy Chief Magistrate; Nina Bawa; Kathy Gravell; Marie Page; Amanda Moyer.

***Standing, middle row (left to right):***

Nancy Roberts; Katherine Ross; Roberto Lopez; Marilyn Letts; Beatrice Freel.

***Standing, back row (left to right):***

Carman Jordan-Cox; Thomas Brown; Thomas Kenney; James Hanby, Sr.; Emily Ferrell; David Skelley; William Moser; Gerald Ross, III; William Young, III; Sean McCormick; James Tull; Christopher Portante.

***Not pictured:***

Vincent Kowal; Cheryl McCabe-Stroman; Deborah McNesby; John Potts; Kerry Taylor; Susan Ufberg.



# JUSTICE OF THE PEACE COURT



## KENT COUNTY JUDGES

***Sitting, front row (left to right):***

W. G. Edmanson, II; Michael Sherlock; D. Ken Cox.

***Standing, back row (left to right):***

Dana Tracy; Alexander Montano; William J. Sweet; James Murray; Kevin Wilson.

***Not pictured:***

Ernst Arndt, Deputy Chief Magistrate; Pamela Darling; Cathleen Hutchison.

Continued on next page

# JUSTICE OF THE PEACE COURT



## SUSSEX COUNTY JUDGES

***Sitting, front row (left to right):***

Deborah J. Keenan; Michelle Jewell; Sheila Blakely, Deputy Chief Magistrate; Jana Mollohan; Rochelle Knapp.

***Standing, middle row (left to right):***

Nicholas Mirro; James Horn; John McKenzie.

***Standing back row (left to right):***

John Hudson; Christopher Bradley; William J. Wood; John Martin; William Boddy, III; John Adams; Richard Comly.

***Not pictured:***

Stephani Adams; Jennifer Sammons; Larry Sipple; Scott Willey.

## JUDICIAL BRANCH EMPLOYEES RECOGNIZED



**Tracy Davis from the Justice of the Peace Court** was named the 2015 **Judicial Branch Employee of the Year** and was recognized for her consistently valuable service, positive and professional attitude and in particular for her work in creating and implementing trial and shift rotation schedules. In her role as Management Analyst III, Tracy has proven to be an invaluable asset to all sections of the Justice of the Peace Court. In addition to her innovative ideas, Tracy is pleasant, helpful and professional and has never failed to make herself available either over the phone, in person or over Skype messenger.

**Sussex County Superior Court Chief of Security Rene Flores** was given a 2015 **Delaware Award for Heroism** at the State Employee Awards in Dover. Chief Flores received the Heroism award for his actions on April 16, 2015, before his promotion to Chief, where he and Justice of the Peace Court Security Officer Cody Clogg came upon the scene of a school bus crash on their way into work. The two men immediately stopped and rushed to the bus that was carrying several children to get them off the bus and out of harm's way. The chain-reaction accident involving three school buses was caused by a Mack dump truck running a red light, according to police, and as a result of the ensuing accident the gas tank of the vehicles ruptured, causing a fuel spill. The two officers checked each of the children, who were headed to a child-care center in Lincoln, for injuries and worked to calm and comfort the children who ranged in age from four to seven years old. The officers then helped get the school bus drivers and the driver of the dump truck away from their vehicles and assisted in directing traffic away from the scene. Officer Clogg was also nominated but has since left his position with the state.



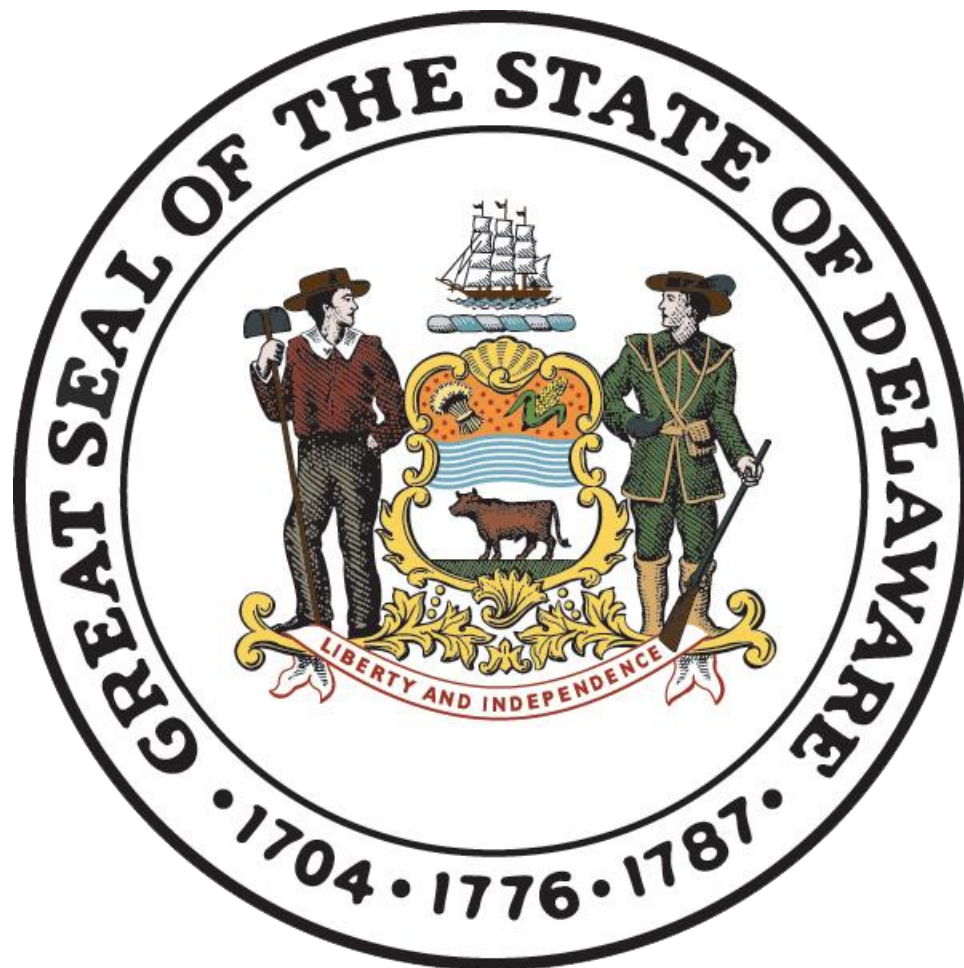
Other employees nominated for the Branch Employee of the Year award, and who were honored as Employee of the Year for their respective courts are:

**Tamara Burton, Deputy Court Administrator, Court of Common Pleas.** As the only Deputy Administrator for the Court of Common Pleas, Tamara devotes her time to the court staff of all three counties and does so with a positive attitude and strong dedication to all the Court's 130 plus employees. Tamara was instrumental in the development and implementation of the State of Delaware's first DUI Court in New Castle County.

**Michelle Hoffman, Management Analyst III, Family Court.** Michelle has been an incredible asset to the Family Court Enhancement Project since its inception. According to her supervisors, she has gone above and beyond in her dedication and availability to the subcommittees. While dedicating herself to the work of the FCEP, Michelle has nonetheless continued to carry out her regular (and sizable) workload in an exemplary fashion.

**Katie Coombes, Special Projects Analyst, Administrative Office of the Courts.** Katie has epitomized the team player from the get go. In her role as Special Projects Analyst, Katie has filled the need on many different projects ranging in topics from mental health initiatives, community outreach, Access to Justice, grant monitoring and much, much more. Her willingness to do what it takes to get the job done is second to none.

**Laura Makransky, Judicial Law Clerk, Superior Court.** Laura served as the Judicial Law Clerk for the Honorable Diane Clarke Streett. Laura was knowledgeable about not only her job but also was willing to assist with other key judicial chambers responsibilities whenever necessary to get the job done. Laura was commended for her exceptional initiative and customer service to the Superior Court through her actions to substitute for the administrative assistant and making sure the Judges' Chambers ran smoothly, while still meeting her law clerk responsibilities. ♦



**Many thanks to the Presiding Judges, Court Administrators and others in the Courts, and the Administrative Office of the Courts for their efforts in preparing this Annual Report.**

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

*<http://courts.delaware.gov/AOC/AnnualReports/FY16>  
(2016 Annual Report, Statistical Report of the Delaware  
Judiciary and additional Delaware Courts background  
information)*



# State of Delaware

## 2016 Annual Report Statistical Information



**SUPREME COURT**  
State of Delaware

**2016 Annual Report Statistical Information**

## SUPREME COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Filings</b>				
	2015	2016	Change	% Change
Criminal Appeals	414	412	-2	-0.5%
Civil Appeals	245	253	8	3.3%
Certifications	2	4	2	100%
Original Applications	26	23	-3	-11.5%
Bd. on Prof. Resp.	15	14	-1	-6.7%
Bd. of Bar Exam	0	0	0	0%
Advisory Opinions	0	0	0	0%
Other	1	1	0	0.0%
<b>Total</b>	<b>703</b>	<b>707</b>	<b>4</b>	<b>0.6%</b>

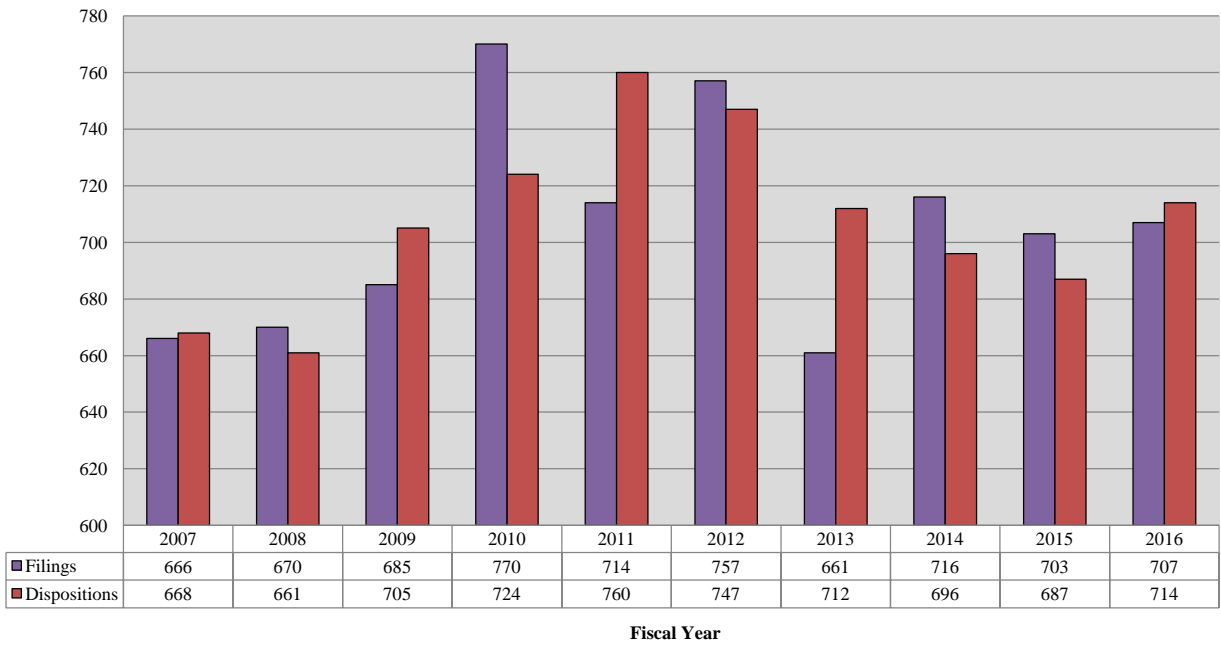
<b>Caseload Comparison - Fiscal Years 2015-2016 - Dispositions</b>				
	2015	2016	Change	% Change
Criminal Appeals	396	436	40	10.1%
Civil Appeals	251	232	-19	-7.6%
Certifications	3	3	0	0%
Original Applications	18	26	8	44.4%
Bd. on Prof. Resp.	13	16	3	23%
Bd. of Bar Exam	0	0	0	0%
Advisory Opinions	0	0	0	0%
Other	6	1	-5	-83%
<b>Total</b>	<b>687</b>	<b>714</b>	<b>27</b>	<b>3.9%</b>

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

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

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

### Supreme Court 10-Year Total Caseload Trend





## SUPREME COURT

<b>Caseload Breakdowns - Fiscal Year 2016 - Filings</b>										
	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	0	0%	412	100%	0	0%	0	0%	412	100%
Civil Appeals	64	25.3%	132	52.2%	57	22.5%	0	0%	253	100%
Other*	0	0%	0	0%	0	0%	42	100%	42	100%
<b>Total</b>	<b>64</b>	<b>9.1%</b>	<b>544</b>	<b>76.9%</b>	<b>57</b>	<b>8.1%</b>	<b>42</b>	<b>5.9%</b>	<b>707</b>	<b>100%</b>

<b>Caseload Breakdowns - Fiscal Year 2016- Dispositions</b>										
	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	0	0%	436	100%	0	0%	0	0%	436	100%
Civil Appeals	62	26.7%	119	51.3%	51	22.0%	0	0%	232	100%
Other*	0	0%	0	0%	0	0%	46	100%	46	100%
<b>Total</b>	<b>62</b>	<b>8.7%</b>	<b>555</b>	<b>77.7%</b>	<b>51</b>	<b>7.1%</b>	<b>46</b>	<b>6.4%</b>	<b>714</b>	<b>100%</b>

\*Includes Original Applications; Certifications; Advisory Opinions; Appeals from the Board on Professional Responsibility and the Board of Bar Examiners; and Other Filing & Disposition Types.

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

**SUPREME COURT**

<b>Types of Dispositions - Fiscal Year 2016</b>										
	Affirmed		Affirmed Part/Reversed Part		Reversed		Remanded		Voluntary Dismissal	
Criminal Appeals	288	66.1%	2	0.5%	9	2.1%	7	1.6%	32	7.3%
Civil Appeals & Other	141	50.7%	2	0.7%	10	3.6%	1	0.4%	35	12.6%
<b>Total</b>	<b>429</b>	<b>60.1%</b>	<b>4</b>	<b>0.6%</b>	<b>19</b>	<b>2.7%</b>	<b>8</b>	<b>1.1%</b>	<b>67</b>	<b>9.4%</b>
	Court Dismissal		Leave to Appeal Denied		Other*				<b>Total</b>	
Criminal Appeals	98	22.5%	0	0.0%	0	0.0%			436	100%
Civil Appeals & Other	53	19.1%	15	5.4%	21	7.6%			278	100%
<b>Total</b>	<b>151</b>	<b>21.1%</b>	<b>15</b>	<b>2.1%</b>	<b>21</b>	<b>2.9%</b>			<b>714</b>	<b>100%</b>

<b>Methods of Dispositions - Fiscal Year 2016</b>						
	Assigned Opinion		Per Curiam Opinion		Written Order	
Criminal Appeals	26	6.0%	0	0%	378	86.7%
Civil Appeals	27	11.6%	0	0%	171	73.7%
Certifications	3	100%	0	0%	0	0%
Original Applications	2	8%	0	0%	23	88%
Bd. on Prof. Resp.	0	0%	2	13%	14	87.5%
Bd. of Bar Exam.	0	0%	0	0%	0	0%
Advisory Opinions	0	0%	0	0%	0	0%
Other	0	0%	0	0%	1	100%
<b>Total</b>	<b>58</b>	<b>8.1%</b>	<b>2</b>	<b>0%</b>	<b>587</b>	<b>82.2%</b>
	Voluntary Dismissal		Other		<b>Total</b>	
Criminal Appeals	32	7.3%	0	0%	436	100%
Civil Appeals	34	14.7%	0	0%	232	100%
Certifications	0	0.0%	0	0%	3	100%
Original Applications	1	3.8%	0	0%	26	100%
Bd. on Prof. Resp.	0	0.0%	0	0%	16	100%
Bd. of Bar Exam.	0	0%	0	0%	0	-
Advisory Opinions	0	0%	0	0%	0	-
Other	0	0%	0	0%	1	100%
<b>Total</b>	<b>67</b>	<b>9.4%</b>	<b>0</b>	<b>0%</b>	<b>714</b>	<b>100%</b>

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

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

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

## SUPREME COURT

<b>Performance Summary - Fiscal Year 2016 - Average Elapsed Time to Disposition</b>					
	Number of Dispositions	Average Time From Filing to Disposition		Average Time From Submission to Disposition*	
Criminal Appeals	436	177.0	days	34.2	days
Civil Appeals	232	178.8	days	25.7	days
Certifications	3	138.7	days	13.3	days
Original Applications	26	68.9	days	30.7	days
BPR	16	29.8	days	7.6	days
BBE	0	-	days	-	days
Advisory Opinions	0	-	days	-	days
Other	1	21.0	days	9.0	days
<b>Total</b>	<b>714</b>	<b>167.4</b>	<b>days</b>	<b>29.7</b>	<b>days</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Average Time from Filing to Disposition</b>						
	2015		2016		Change	% Change
Criminal Appeals	172.8	days	177.0	days	4.2 days	2.5%
Civil Appeals	187.1	days	178.8	days	-8.3 days	-4.4%
Certifications	171.3	days	138.7	days	-32.6 days	-19.1%
Original Applications	50.5	days	68.9	days	18.4 days	36.5%
BPR	62.4	days	29.8	days	-32.6 days	-52.2%
BBE		days	-	days	- days	-
Advisory Opinions		days	-	days	- days	-
Other	35.5	days	21.0	days	-14.5 days	-40.8%
<b>Total</b>	<b>167.2</b>	<b>days</b>	<b>167.4</b>	<b>days</b>	<b>0.2 days</b>	<b>0.1%</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 = Board on Professional Responsibility.

BBE = Board of Bar Examiners.

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

## SUPREME COURT

<b>Performance Breakdowns - Fiscal Year 2016 - Elapsed Time by Disposition Type</b>					
	Number of Dispositions	Average Time From Filing to Disposition		Average Time From Submission to Disposition*	
Affirmed	429	215.4	days	37.7	days
Affirmed Part/Reversed Part	4	299.0	days	48.5	days
Reversed	19	302.7	days	43.3	days
Remanded	8	184.5	days	43.5	days
Voluntary Dismissal	67	78.2	days	0.1	days
Court Dismissal	151	78.7	days	21.6	days
Leave to Appeal Denied	15	22.5	days	13.2	days
Other	21	58.9	days	10.0	days
<b>Total</b>	<b>714</b>	<b>167.4</b>	<b>days</b>	<b>29.7</b>	<b>days</b>

<b>Performance Breakdowns - Fiscal Year 2016 - Elapsed Time by Disposition Method</b>					
	Number of Dispositions	Average Time From Filing to Disposition		Average Time From Submission to Disposition*	
Assigned Opinion	58	276.5	days	31.7	days
Per Curiam Opinion	2	78.5	days	27.5	days
Written Order	587	167.1	days	32.9	days
Voluntary Dismissal	67	78.2	days	0.1	days
Other	0	-	days	-	days
<b>Total</b>	<b>714</b>	<b>167.4</b>	<b>days</b>	<b>29.7</b>	<b>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**

**2016 Annual Report Statistical Information**

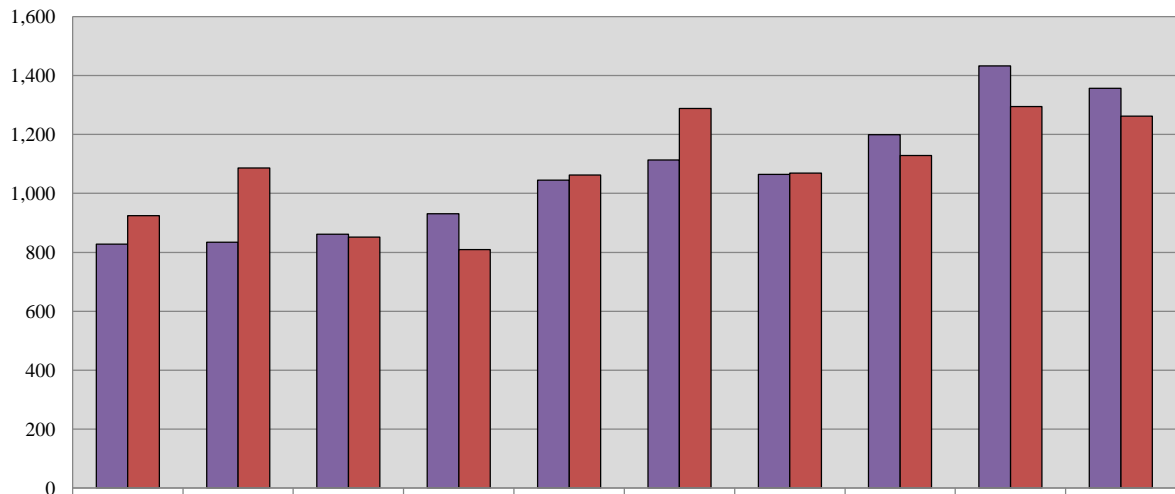
## COURT OF CHANCERY

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Filings</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>1,432</b>	<b>1,356</b>	<b>-76</b>	<b>-5.3%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Dispositions</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>1,294</b>	<b>1,262</b>	<b>-32</b>	<b>-2.5%</b>

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

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



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
■ Filings	828	834	861	931	1,045	1,113	1,064	1,199	1,432	1,356
■ Dispositions	924	1,086	852	809	1,062	1,288	1,069	1,128	1,294	1,262

**Fiscal Year**

**COURT OF CHANCERY**

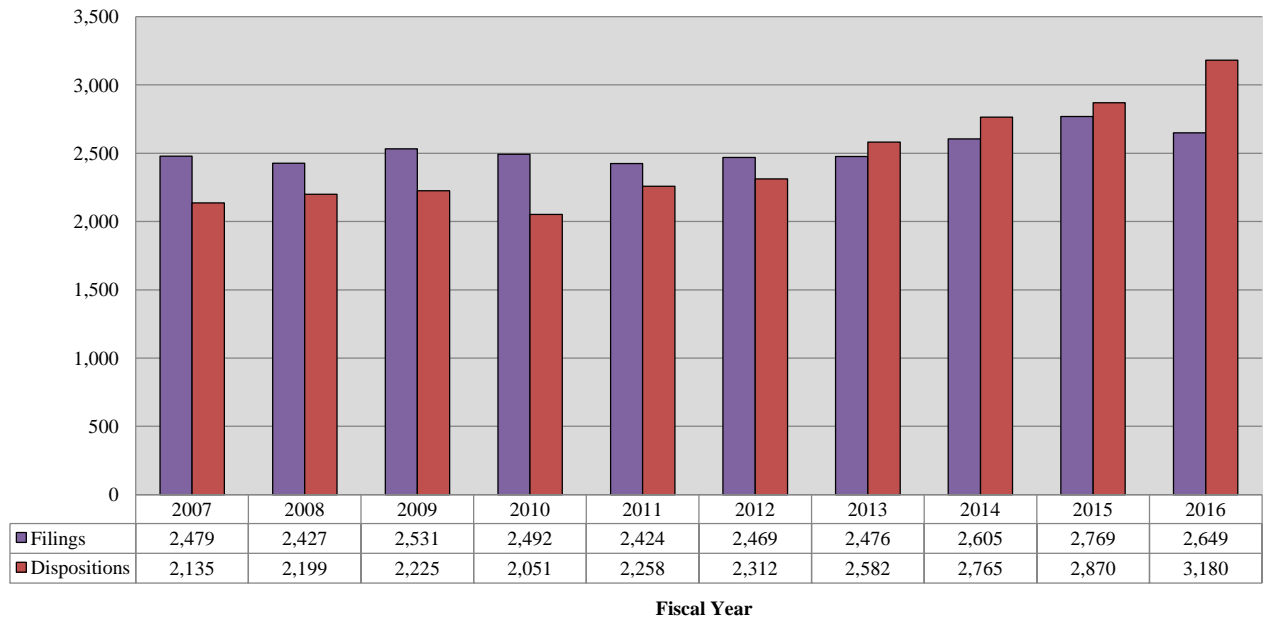
<b>Caseload Comparison - Fiscal Years 2015-2016 - Estates Filings</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>2,769</b>	<b>2,649</b>	<b>-120</b>	<b>-4.3%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Estates Dispositions</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>2,870</b>	<b>3,180</b>	<b>310</b>	<b>10.8%</b>

Source: Register of Wills; Administrative Office of the Courts.



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



**COURT OF CHANCERY**

<b>Caseload Comparison - Fiscal Years 2015-2016 - Miscellaneous Matters Filings</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>341</b>	<b>250</b>	<b>-91</b>	<b>-26.7%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Miscellaneous Matters Dispositions</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>741</b>	<b>628</b>	<b>-113</b>	<b>-15.2%</b>

Source: Registers of Wills; Administrative Office of the Courts.

## COURT OF CHANCERY

### Caseload Breakdown - Fiscal Year 2016 - Miscellaneous Matters Filings

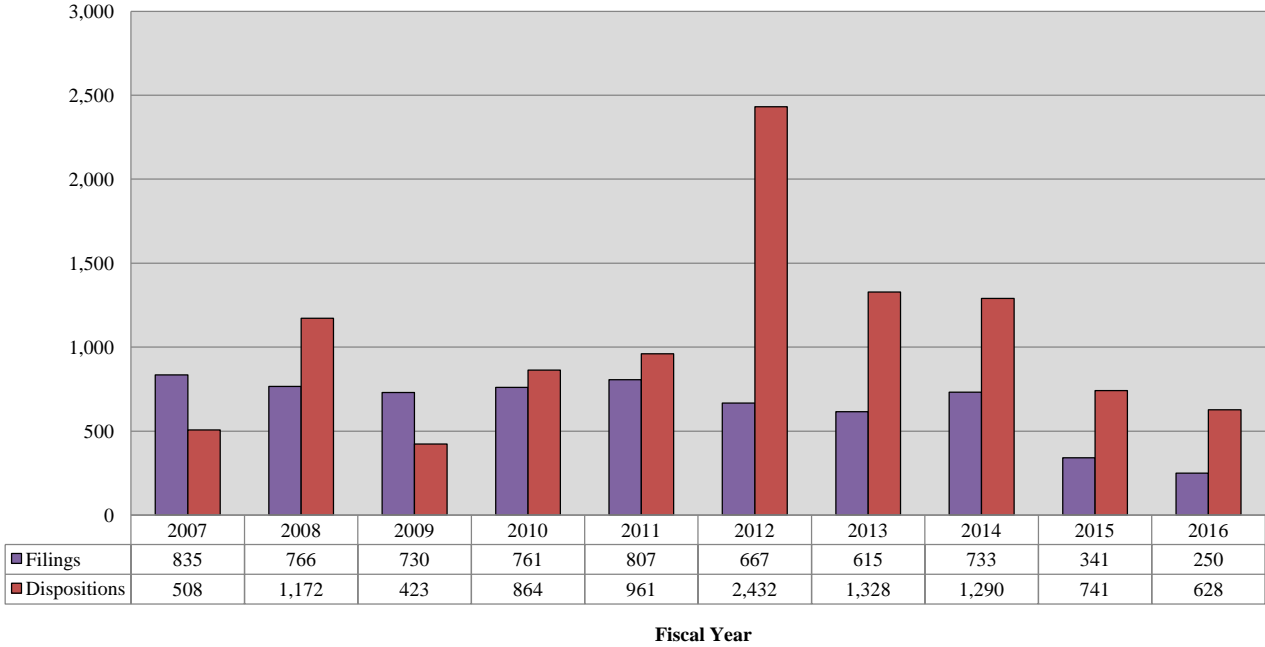
	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		Total	
<b>State</b>	<b>30</b>	<b>12.0%</b>	<b>218</b>	<b>87.2%</b>	<b>2</b>	<b>0.8%</b>	<b>0</b>	<b>0.0%</b>	<b>250</b>	<b>100%</b>

### Caseload Breakdown - Fiscal Year 2016 - Miscellaneous Matters Dispositions

	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		Total	
<b>State</b>	<b>305</b>	<b>48.6%</b>	<b>188</b>	<b>29.9%</b>	<b>85</b>	<b>13.5%</b>	<b>50</b>	<b>8.0%</b>	<b>628</b>	<b>100%</b>

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

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



**Fiscal Year**

**COURT OF CHANCERY**

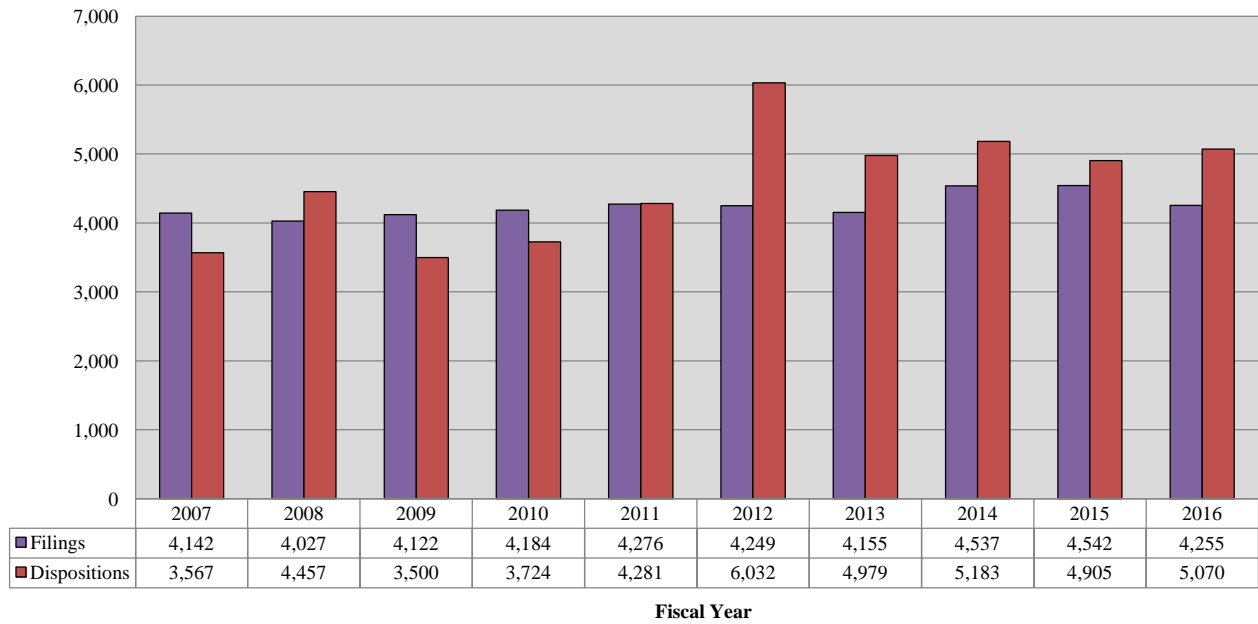
<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Filings*</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>4,542</b>	<b>4,255</b>	<b>-287</b>	<b>-6.3%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Dispositions*</b>				
	2015	2016	Change	% Change
<b>State</b>	<b>4,905</b>	<b>5,070</b>	<b>165</b>	<b>3.4%</b>

\*Total 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)





**SUPERIOR COURT**  
**State of Delaware**

**2016 Annual Report Statistical Information**

## SUPERIOR COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Criminal Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	3,677	3,272	-405	-12.4%
Kent County	1,410	1,143	-267	-23.4%
Sussex County	1,955	1,987	32	1.6%
<b>State</b>	<b>7,042</b>	<b>6,402</b>	<b>-640</b>	<b>-10.0%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Criminal Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	3,831	3,304	-527	-16.0%
Kent County	1,446	1,185	-261	-22.0%
Sussex County	1,739	1,763	24	1.4%
<b>State</b>	<b>7,016</b>	<b>6,252</b>	<b>-764</b>	<b>-12.2%</b>

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



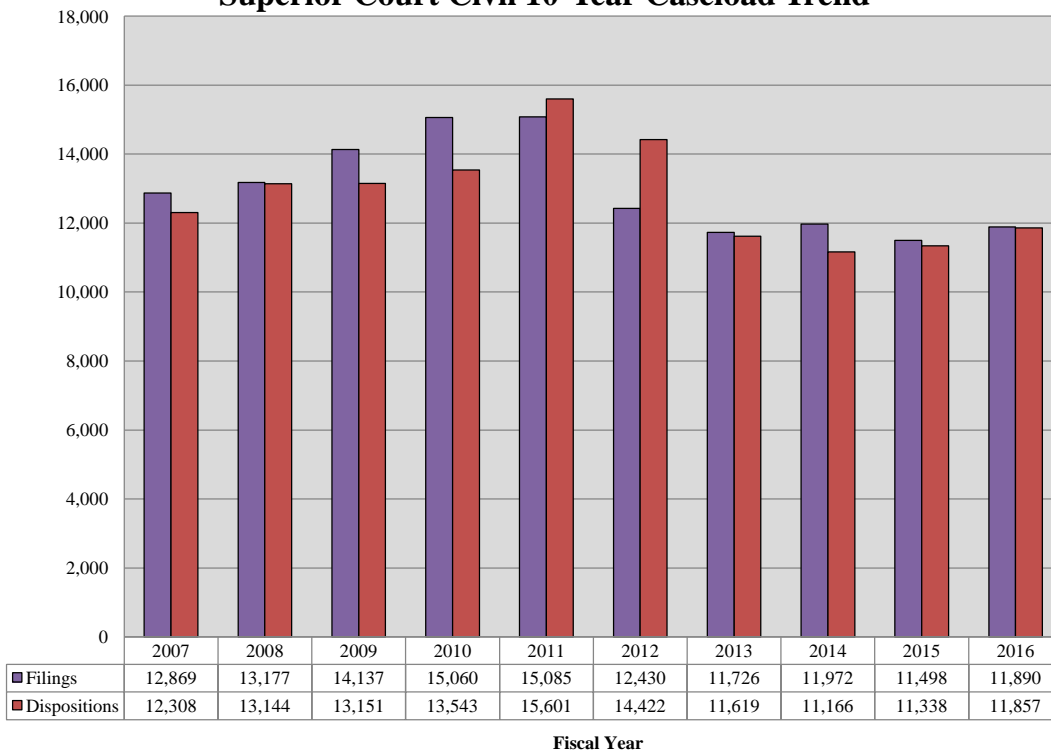
## SUPERIOR COURT

<b>Caseload Breakdowns - Fiscal Year 2016 - Civil Case Filings</b>						
	Complaints		Mechanic's Liens and Mortgages		Appeals	
New Castle County	3,279	36.8%	1,647	18.5%	106	1.2%
Kent County	373	25.6%	586	40.2%	39	2.7%
Sussex County	387	25.3%	625	40.9%	28	1.8%
<b>State</b>	<b>4,039</b>	<b>34.0%</b>	<b>2,858</b>	<b>24.0%</b>	<b>173</b>	<b>1.5%</b>
	Involuntary Commitments		Miscellaneous		<b>Total</b>	
New Castle County	513	5.8%	3,362	37.7%	8,907	100%
Kent County	128	8.8%	330	22.7%	1,456	100%
Sussex County	0	0%	487	31.9%	1,527	100%
<b>State</b>	<b>641</b>	<b>5.4%</b>	<b>4,179</b>	<b>35.1%</b>	<b>11,890</b>	<b>100%</b>

<b>Caseload Breakdowns - Fiscal Year 2016- Civil Case Dispositions</b>						
	Complaints		Mechanic's Liens and Mortgages		Appeals	
New Castle County	3,229	36.6%	1,604	18.2%	107	1.2%
Kent County	436	28.7%	637	41.9%	27	1.8%
Sussex County	392	25.8%	617	40.6%	31	2.0%
<b>State</b>	<b>4,057</b>	<b>34.2%</b>	<b>2,858</b>	<b>24.1%</b>	<b>165</b>	<b>1.4%</b>
	Involuntary Commitments		Miscellaneous		<b>Total</b>	
New Castle County	239	2.7%	3,640	41.3%	8,819	100%
Kent County	116	7.6%	303	19.9%	1,519	100%
Sussex County	3	0.2%	476	31.3%	1,519	100%
<b>State</b>	<b>358</b>	<b>3.0%</b>	<b>4,419</b>	<b>37.3%</b>	<b>11,857</b>	<b>100%</b>

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

### Superior Court Civil 10-Year Caseload Trend



\* Report incorporates additional data made available since publication of the FY 2015 Annual Report.

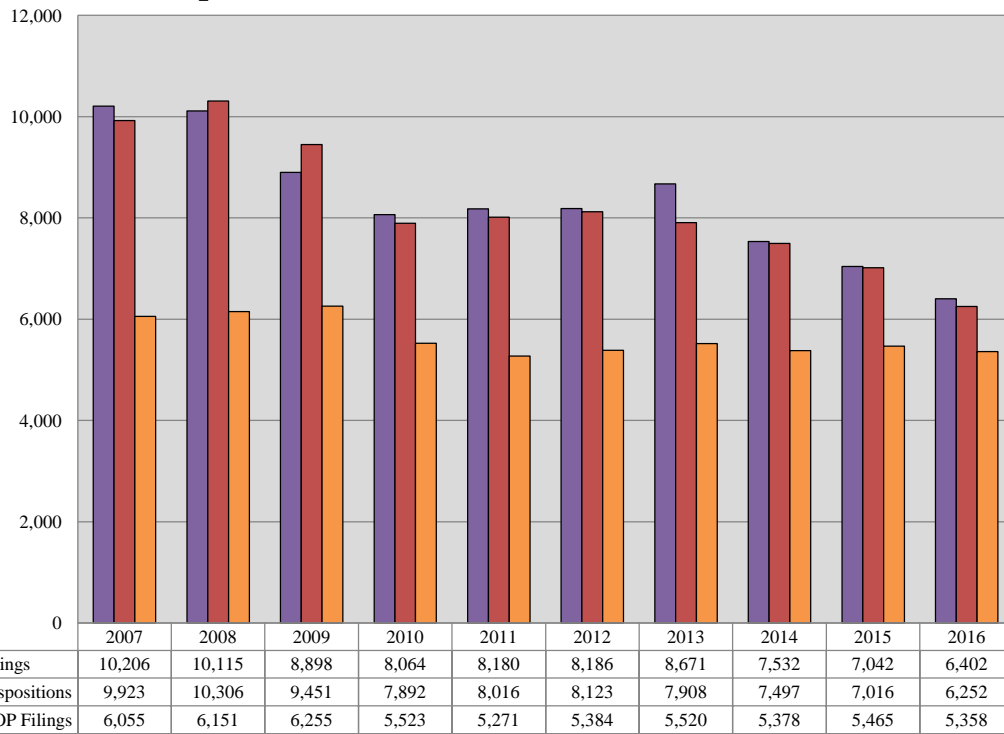
## SUPERIOR COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	8,381	8,907	526	5.9%
Kent County	1,553	1,456	-97	-6.7%
Sussex County	1,564	1,527	-37	-2.4%
<b>State</b>	<b>11,498</b>	<b>11,890</b>	<b>392</b>	<b>3.3%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	8,228	8,819	591	6.7%
Kent County	1,517	1,519	2	0.1%
Sussex County	1,593	1,519	-74	-4.9%
<b>State</b>	<b>11,338</b>	<b>11,857</b>	<b>519</b>	<b>4.4%</b>

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

### Superior Court Criminal 10-Year Caseload Trend



Fiscal Year

VOP = Violation of Probation.

**SUPERIOR COURT**

<b>Caseload Breakdowns- Fiscal Year 2016 - Criminal Filings</b>									
	Indictment		Rule 9 Warrant		Information		Other*		Total
New Castle County	2,240	68.5%	224	6.8%	773	23.6%	35	1.1%	3,272
Kent County	801	70.1%	41	3.6%	300	26.2%	1	0.1%	1,143
Sussex County	752	37.8%	204	10.3%	1,031	51.9%	0	0%	1,987
<b>State</b>	<b>3,793</b>	<b>59.2%</b>	<b>469</b>	<b>7.3%</b>	<b>2,104</b>	<b>32.9%</b>	<b>36</b>	<b>0.6%</b>	<b>6,402</b>

<b>Caseload Breakdowns- Fiscal Year 2016 - Criminal Dispositions</b>										
	Trial		Guilty Plea**		Nolle Prosequi		Remand/Transfer		Order/Reserved Decision	
New Castle County	139	4.2%	2,317	70.1%	450	13.6%	5	0.2%	0	0%
Kent County	21	1.8%	825	69.7%	209	17.7%	0	0%	0	0%
Sussex County	20	1.1%	1,469	83.3%	237	13.4%	3	0.2%	0	N/A
<b>State</b>	<b>180</b>	<b>2.9%</b>	<b>4,611</b>	<b>73.8%</b>	<b>896</b>	<b>14.3%</b>	<b>8</b>	<b>0.1%</b>	<b>-</b>	<b>0%</b>
	Dismissal		FOP/Drug Court		Consolidation		Total			
New Castle County	15	0.5%	207	6.3%	171	5.2%	3,304	100%		
Kent County	29	2.4%	71	6.0%	29	2.4%	1,184	100%		
Sussex County	3	0.2%	28	1.6%	3	0.2%	1,763	100%		
<b>State</b>	<b>47</b>	<b>0.8%</b>	<b>306</b>	<b>4.9%</b>	<b>203</b>	<b>3.2%</b>	<b>6,251</b>	<b>100%</b>		

\*Includes appeals, transfers, reinstatements, and severances.

\*\*Includes Probation Before Judgment.

FOP = First Offender Program.

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

## SUPERIOR COURT

<b>Types of Dispositions - Fiscal Year 2016 - Criminal Trials - Part One</b>							
	Jury Trial		Non-Jury Trial		Total		
New Castle County	140	87.0%	21	13.0%	161	100%	
Kent County	17	81.0%	4	19.0%	21	100%	
Sussex County	20	100%	0	19.0%	20	100%	
<b>State</b>	<b>177</b>	<b>87.6%</b>	<b>25</b>	<b>12.4%</b>	<b>202</b>	<b>100%</b>	

	Guilty		Not Guilty*		No Final Disposition**		Total	
New Castle County	114	70.8%	25	15.5%	22	13.7%	161	100%
Kent County	14	66.7%	7	33.3%	0	0%	21	100%
Sussex County	15	75.0%	2	10.0%	3	15.0%	20	100%
<b>State</b>	<b>143</b>	<b>70.8%</b>	<b>34</b>	<b>16.8%</b>	<b>25</b>	<b>12.4%</b>	<b>202</b>	<b>100%</b>

\*Includes Acquittals, Dismissals at Trial, and Nolle Prosequis at Trial.

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

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

**SUPERIOR COURT**

<b>Types of Dispositions - Fiscal Year 2016 - 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	82	10	23	3	1	6	15	140	
Kent County	9	0	4	3	1	0	0	17	
Sussex County	12	0	0	3	2	0	3	20	
<b>State</b>	<b>103</b>	<b>10</b>	<b>27</b>	<b>9</b>	<b>4</b>	<b>6</b>	<b>18</b>	<b>177</b>	
Non-Jury Trial									
	Guilty	Guilty LIO	Not Guilty	Pled Guilty at Trial	Nol Pros/Dismissed at Trial	Mistrial	Reserved Decision	Total*	
New Castle County	18	0	1	1	0	0	1	21	
Kent County	2	0	2	0	0	0	0	4	
Sussex County	0	0	0	0	0	0	0	0	
<b>State</b>	<b>20</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>25</b>	
All Trials									
	Guilty	Guilty LIO	Not Guilty	Pled Guilty at Trial	Nol Pros/Dismissed at Trial	Mistrial	Hung Jury	Reserved Decision	Total
New Castle County	100	10	24	4	1	6	15	1	161
Kent County	11	0	6	3	1	0	0	0	21
Sussex County	12	0	0	3	2	0	3	0	20
<b>State</b>	<b>123</b>	<b>10</b>	<b>30</b>	<b>10</b>	<b>4</b>	<b>6</b>	<b>18</b>	<b>1</b>	<b>202</b>

<b>Types of Dispositions Fiscal Year 2016 - Criminal Nolle Prosequis</b>									
	Nolle Prosequis By Special Condition		Nolle Prosequis By Merit		NPL		Total		
New Castle County	159	35.3%	269	59.8%	22	4.9%	450	100%	
Kent County	153	73.2%	56	26.8%	0	0%	209	100%	
Sussex County	18	7.6%	219	92.4%	0	0%	237	100%	
<b>State</b>	<b>330</b>	<b>36.8%</b>	<b>544</b>	<b>60.7%</b>	<b>22</b>	<b>2.5%</b>	<b>896</b>	<b>100%</b>	

LIO = Lesser Included Offense.

Nol Pros = Nolle Prosequi.

## SUPERIOR COURT

<b>Types of Dispositions Fiscal Year 2016 - Criminal Felony Guilty Pleas</b>						
	Pled Guilty Original		Pled Guilty Lesser		Total	
New Castle County	1,298	85.1%	227	14.9%	1,525	100%
Kent County	462	86.0%	75	14.0%	537	100%
Sussex County	674	85.2%	117	14.8%	791	100%
<b>State</b>	<b>2,434</b>	<b>85.3%</b>	<b>419</b>	<b>14.7%</b>	<b>2,853</b>	<b>100%</b>

<b>Types of Dispositions Fiscal Year 2016- Criminal Misdemeanor Guilty Pleas</b>						
	Pled Guilty Original		Pled Guilty Lesser*		Total	
New Castle County	516	65.2%	276	34.8%	792	100%
Kent County	152	52.8%	136	47.2%	288	100%
Sussex County	374	55.2%	304	44.8%	678	100%
<b>State</b>	<b>1,042</b>	<b>59.3%</b>	<b>716</b>	<b>40.7%</b>	<b>1,758</b>	<b>100%</b>

<b>Types of Dispositions Fiscal Year 2016 - Criminal Total Guilty Pleas</b>						
	Pled Guilty Original		Pled Guilty Lesser*		Total	
New Castle County	1,814	78.3%	503	21.7%	2,317	100%
Kent County	614	74.4%	211	25.6%	825	100%
Sussex County	1,048	71.3%	421	28.7%	1,469	100%
<b>State</b>	<b>3,476</b>	<b>75.4%</b>	<b>1,135</b>	<b>24.6%</b>	<b>4,611</b>	<b>100%</b>

\*Includes Probation Before Judgment.

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



## SUPERIOR COURT

<b>Performance Summary Fiscal Year 2016 - Criminal Cases - Elapsed Time</b>			
	Total Number of Cases Disposed	Average Time from Arrest to Disposition	Average Time from Indictment to Disposition
New Castle County	3,304	166.2 days	97.7 days
Kent County	1,185	193.9 days	129.6 days
Sussex County	1,763	154.2 days	104.3 days
<b>State</b>	<b>6,252</b>	<b>168.1 days</b>	<b>105.6 days</b>

<b>Performance Summary Fiscal Year 2016 - Criminal Cases - Compliance with Speedy Trial Standards</b>							
	Total Number of Cases Disposed	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	3,304	2,148	65.0%	2,856	86.4%	3,242	98.1%
Kent County	1,185	747	63.0%	898	75.8%	1,090	92.0%
Sussex County	1,763	1,220	69.2%	127	7.2%	1,688	95.7%
<b>State</b>	<b>6,252</b>	<b>4,115</b>	<b>65.8%</b>	<b>3,881</b>	<b>62.1%</b>	<b>6,020</b>	<b>96.3%</b>

### **Criminal Cases Performance Explanatory Notes - Fiscal Year 2016**

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 mental examinations, the time between the date that the examination is ordered and the date of the receipt of the results.
  - d) For all defendants deemed to be incompetent, the period in which the defendant is considered incompetent.

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

## SUPERIOR COURT

### Performance Comparison - Fiscal Years 2015-2016 - Criminal Cases - Average Time from Arrest to Disposition

	2015 (in days)	2016 (in days)	Change (in days)	% Change
New Castle County	165.1	166.2	1.1	0.7%
Kent County	181.5	193.9	12.4	6.4%
Sussex County	173.4	154.2	-19.2	-12.4%
<b>State</b>	<b>170.5</b>	<b>168.1</b>	<b>-2.4</b>	<b>-1.4%</b>

### Performance Comparison - Fiscal Years 2015-2015 - Criminal Cases - Average Time from Indictment to Disposition

	2015 (in days)	2016 (in days)	Change (in days)	% Change
New Castle County	101.2	97.7	-3.5	-3.6%
Kent County	114.2	129.6	15.4	11.9%
Sussex County	107.2	104.3	-2.9	-2.8%
<b>State</b>	<b>105.4</b>	<b>105.6</b>	<b>0.2</b>	<b>0.2%</b>

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

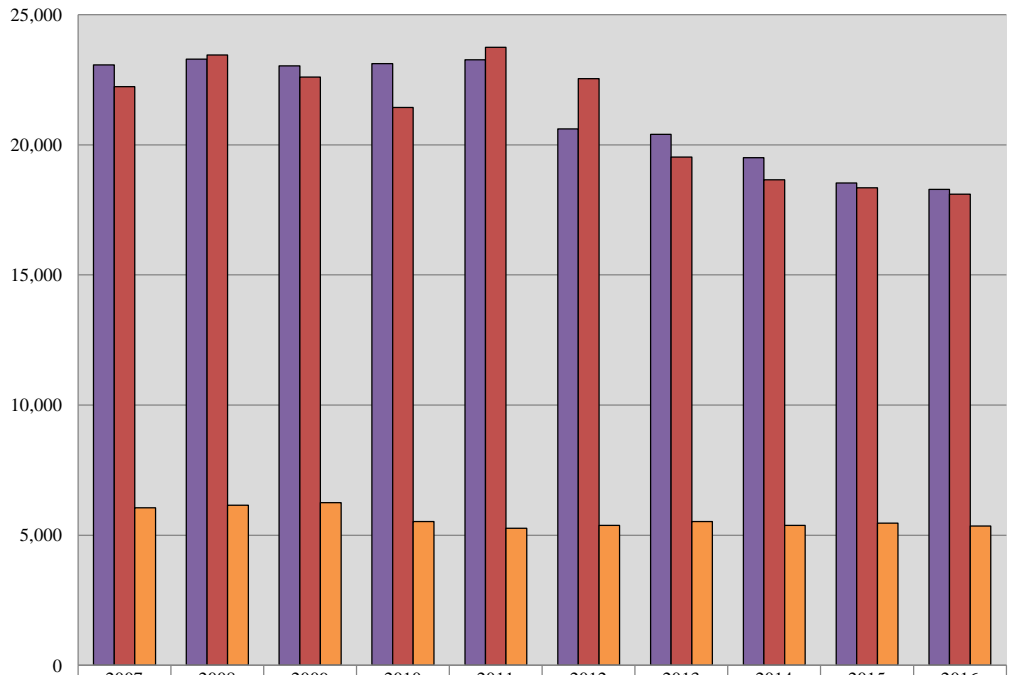
## SUPERIOR COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	12,058	12,179	121	1.0%
Kent County	2,963	2,599	-364	-14.0%
Sussex County	3,519	3,514	-5	-0.1%
<b>State</b>	<b>18,540</b>	<b>18,292</b>	<b>-248</b>	<b>-1.4%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	12,059	12,123	64	0.5%
Kent County	2,963	2,704	-259	-9.6%
Sussex County	3,332	3,282	-50	-1.5%
<b>State</b>	<b>18,354</b>	<b>18,109</b>	<b>-245</b>	<b>-1.4%</b>

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

### Superior Court Total 10-Year Caseload Trend



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
■ Filings	23,075	23,292	23,035	23,124	23,265	20,616	20,397	19,504	18,540	18,292
■ Dispositions	22,231	23,450	22,602	21,435	23,752	22,544	19,527	18,663	18,354	18,109
■ VOP Filings	6,055	6,151	6,255	5,523	5,271	5,384	5,520	5,378	5,465	5,358

Fiscal Year



**FAMILY COURT**  
**State of Delaware**

**2016 Annual Report Statistical Information**

**FAMILY COURT**

<b>Caseload Comparison - Fiscal Years 2015-2016 - Adult Criminal Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	2,231	2,290	59	2.6%
Kent County	708	769	61	8.6%
Sussex County	669	628	-41	-6.1%
<b>State</b>	<b>3,608</b>	<b>3,687</b>	<b>79</b>	<b>2.2%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Adult Criminal Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	2,307	2,162	-145	-6.3%
Kent County	702	725	23	3.3%
Sussex County	627	617	-10	-1.6%
<b>State</b>	<b>3,636</b>	<b>3,504</b>	<b>-132</b>	<b>-3.6%</b>

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

## FAMILY COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	19,688	22,185	2,497	12.7%
Kent County	8,283	8,317	34	0.4%
Sussex County	10,103	9,795	-308	-3.0%
<b>State</b>	<b>38,074</b>	<b>40,297</b>	<b>2,223</b>	<b>5.8%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	19,465	21,271	1,806	9.3%
Kent County	7,866	8,437	571	7.3%
Sussex County	9,598	9,750	152	1.6%
<b>State</b>	<b>36,929</b>	<b>39,458</b>	<b>2,529</b>	<b>6.8%</b>

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

## FAMILY COURT

### Caseload Breakdown - Fiscal Year 2016 - Civil Case Filings

	Child Support/New Non-support		Child Support/Modifications		Child Support/Arrearages		Child Support/Verified Notice of Income Attachment	
New Castle County	4,295	19.4%	1,611	7.3%	3,753	16.9%	13	0.1%
Kent County	1,447	17.4%	571	6.9%	1,289	15.5%	5	0.1%
Sussex County	1,698	17.3%	614	6.3%	2,351	24.0%	0	0.0%
<b>State</b>	<b>7,440</b>	<b>18.5%</b>	<b>2,796</b>	<b>6.9%</b>	<b>7,393</b>	<b>18.3%</b>	<b>18</b>	<b>0.0%</b>
	Child Support/Determination of Parentage		Child Support/Revocation		Child Support/Registration of Foreign Order		Child Support/Notice of Admin. Adjustment	
New Castle County	323	1.5%	937	4.2%	217	1.0%	1,494	6.7%
Kent County	43	0.5%	357	4.3%	73	0.9%	539	6.5%
Sussex County	73	0.7%	337	3.4%	89	0.9%	1,221	12.5%
<b>State</b>	<b>439</b>	<b>1.1%</b>	<b>1,631</b>	<b>4.0%</b>	<b>379</b>	<b>0.9%</b>	<b>3,254</b>	<b>8.1%</b>
	Child Support/Other Support		Custody		Dependency/Neglect		Visitation	
New Castle County	15	0.1%	2,039	9.2%	225	1.0%	368	1.7%
Kent County	8	0.1%	797	9.6%	93	1.1%	142	1.7%
Sussex County	33	0.3%	801	8.2%	73	0.7%	115	1.2%
<b>State</b>	<b>56</b>	<b>0.1%</b>	<b>3,637</b>	<b>9.0%</b>	<b>391</b>	<b>1.0%</b>	<b>625</b>	<b>1.6%</b>
	Termination of Parental Rights		Civil Dissolution		Guardianship		Spousal Support	
New Castle County	134	0.6%	0	0.0%	1,070	4.8%	68	0.3%
Kent County	24	0.3%	0	0.0%	450	5.4%	17	0.2%
Sussex County	51	0.5%	0	0.0%	467	4.8%	9	0.1%
<b>State</b>	<b>209</b>	<b>0.5%</b>	<b>0</b>	<b>0.0%</b>	<b>1,987</b>	<b>4.9%</b>	<b>94</b>	<b>0.2%</b>
	Expungements (Juv .& Adult)		Imperiling Family Relationships		Protection from Abuse		Divorce/Annulment	
New Castle County	444	2.0%	29	0.1%	2,368	10.7%	1,911	8.6%
Kent County	160	1.9%	2	0.0%	1,086	13.1%	755	9.1%
Sussex County	174	1.8%	0	0.0%	697	7.1%	753	7.7%
<b>State</b>	<b>778</b>	<b>1.9%</b>	<b>31</b>	<b>0.1%</b>	<b>4,151</b>	<b>10.3%</b>	<b>3,419</b>	<b>8.5%</b>
	Rules to Show Cause/Other Civil Contempt		Minor to Marry		Miscellaneous Civil		Adoption	
New Castle County	516	2.3%	2	0.0%	231	1.0%	122	0.5%
Kent County	184	2.2%	0	0.0%	248	3.0%	27	0.3%
Sussex County	127	1.3%	3	0.0%	57	0.6%	52	0.5%
<b>State</b>	<b>827</b>	<b>2.1%</b>	<b>5</b>	<b>0.0%</b>	<b>536</b>	<b>1.3%</b>	<b>201</b>	<b>0.5%</b>
	<b>Total</b>							
New Castle County	22,185	100%						
Kent County	8,317	100%						
Sussex County	9,795	100%						
<b>State</b>	<b>40,297</b>	<b>100%</b>						

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



## FAMILY COURT

Caseload Breakdown - Fiscal Year 2016 - Civil Case Dispositions								
	Child Support/New Non-support		Child Support/Modifications		Child Support/Arrearages		Child Support/Verified Notice of Income Attachment	
New Castle County	4,164	19.6%	1,381	6.5%	3,164	14.9%	11	0.1%
Kent County	1,566	18.6%	592	7.0%	1,260	14.9%	5	0.1%
Sussex County	1,694	17.4%	571	5.9%	2,346	24.1%	0	0.0%
<b>State</b>	<b>7,424</b>	<b>18.8%</b>	<b>2,544</b>	<b>6.4%</b>	<b>6,770</b>	<b>17.2%</b>	<b>16</b>	<b>0.0%</b>
	Child Support/Determination of Parentage		Child Support/Revocation		Child Support/Registration of Foreign Order		Child Support/Notice of Admin. Adjustment	
New Castle County	299	1.4%	870	4.1%	232	1.1%	1,490	7.0%
Kent County	53	0.6%	361	4.3%	74	0.9%	533	6.3%
Sussex County	67	0.7%	322	3.3%	87	0.9%	1,223	12.5%
<b>State</b>	<b>419</b>	<b>1.1%</b>	<b>1,553</b>	<b>3.9%</b>	<b>393</b>	<b>1.0%</b>	<b>3,246</b>	<b>8.2%</b>
	Child Support/Other Support		Custody		Dependency/Neglect		Visitation	
New Castle County	15	0.1%	1,965	9.2%	210	1.0%	388	1.8%
Kent County	8	0.1%	818	9.7%	84	1.0%	140	1.7%
Sussex County	32	0.3%	801	8.2%	57	0.6%	145	1.5%
<b>State</b>	<b>55</b>	<b>0.1%</b>	<b>3,584</b>	<b>9.1%</b>	<b>351</b>	<b>0.9%</b>	<b>673</b>	<b>1.7%</b>
	Termination of Parental Rights		Civil Dissolution		Guardianship		Spousal Support	
New Castle County	137	0.6%	0	0.0%	1,025	4.8%	79	0.4%
Kent County	35	0.4%	0	0.0%	488	5.8%	27	0.3%
Sussex County	43	0.4%	0	0.0%	476	4.9%	9	0.1%
<b>State</b>	<b>215</b>	<b>0.5%</b>	<b>0</b>	<b>0.0%</b>	<b>1,989</b>	<b>5.0%</b>	<b>115</b>	<b>0.3%</b>
	Expungements (Juv .& Adult)		Imperiling Family Relationships		Protection from Abuse		Divorce/Annulment	
New Castle County	433	2.0%	28	0.1%	2,385	11.2%	2,162	10.2%
Kent County	136	1.6%	5	0.1%	1,062	12.6%	754	8.9%
Sussex County	157	1.6%	1	0.0%	710	7.3%	780	8.0%
<b>State</b>	<b>726</b>	<b>1.8%</b>	<b>34</b>	<b>0.1%</b>	<b>4,157</b>	<b>10.5%</b>	<b>3,696</b>	<b>9.4%</b>
	Rules to Show Cause/Other Civil Contempt		Minor to Marry		Miscellaneous Civil		Adoption	
New Castle County	539	2.5%	2	0.0%	208	1.0%	84	0.4%
Kent County	202	2.4%	0	0.0%	216	2.6%	18	0.2%
Sussex County	139	1.4%	2	0.0%	56	0.6%	32	0.3%
<b>State</b>	<b>880</b>	<b>2.2%</b>	<b>4</b>	<b>0.0%</b>	<b>480</b>	<b>1.2%</b>	<b>134</b>	<b>0.3%</b>
	<b>Total</b>							
New Castle County	21,271	100%						
Kent County	8,437	100%						
Sussex County	9,750	100%						
<b>State</b>	<b>39,458</b>	<b>100%</b>						

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

## FAMILY COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Juvenile Delinquency Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	2,725	2,906	181	6.6%
Kent County	1,107	1,176	69	6.2%
Sussex County	1,167	1,027	-140	-12.0%
<b>State</b>	<b>4,999</b>	<b>5,109</b>	<b>110</b>	<b>2.2%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Juvenile Delinquency Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	2,938	2,907	-31	-1.1%
Kent County	1,235	1,114	-121	-9.8%
Sussex County	1,146	1,084	-62	-5.4%
<b>State</b>	<b>5,319</b>	<b>5,105</b>	<b>-214</b>	<b>-4.0%</b>

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

## FAMILY COURT

<b>Caseload Breakdowns - Fiscal Year 2016 - Juvenile Delinquency Case Filings</b>						
	Felony		Misdemeanor		Traffic	
New Castle County	620	21.3%	1,786	61.5%	216	7.4%
Kent County	203	17.3%	734	62.4%	113	9.6%
Sussex County	183	17.8%	613	59.7%	138	13.4%
<b>State</b>	<b>1006</b>	<b>19.7%</b>	<b>3,133</b>	<b>61.3%</b>	<b>467</b>	<b>9.1%</b>
	VOP				Total	
New Castle County	284	9.8%			2,906	100%
Kent County	126	10.7%			1,176	100%
Sussex County	93	9.1%			1,027	100%
<b>State</b>	<b>503</b>	<b>9.8%</b>			<b>5,109</b>	<b>100%</b>

<b>Caseload Breakdowns - Fiscal Year 2016 - Juvenile Delinquency Case Dispositions</b>						
	Felony		Misdemeanor		Traffic	
New Castle County	548	18.9%	1,911	65.7%	185	6.4%
Kent County	176	15.8%	733	65.8%	101	9.1%
Sussex County	141	13.0%	706	65.1%	151	13.9%
<b>State</b>	<b>865</b>	<b>16.9%</b>	<b>3,350</b>	<b>65.6%</b>	<b>437</b>	<b>8.6%</b>
	VOP				Total	
New Castle County	263	9.0%			2,907	100%
Kent County	104	9.3%			1,114	100%
Sussex County	86	7.9%			1,084	100%
<b>State</b>	<b>453</b>	<b>8.9%</b>			<b>5,105</b>	<b>100%</b>

VOP = Violations of Probation.

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

**FAMILY COURT**

<b>Caseload Comparison - Fiscal Years 2015-2016 - Mediation Hearings Scheduled</b>				
	2015	2016	Change	% Change
New Castle County	6,622	5,981	-641	-9.7%
Kent County	2,750	2,677	-73	-2.7%
Sussex County	3,226	3,132	-94	-2.9%
<b>State</b>	<b>12,598</b>	<b>11,790</b>	<b>-808</b>	<b>-6.4%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Mediation Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	4,040	3,632	-408	-10.1%
Kent County	1,676	1,600	-76	-4.5%
Sussex County	2,013	2,006	-7	-0.4%
<b>State</b>	<b>7,729</b>	<b>7,238</b>	<b>-491</b>	<b>-6.4%</b>

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

## FAMILY COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	24,644	27,381	2,737	11.1%
Kent County	10,098	10,262	164	1.6%
Sussex County	11,939	11,450	-489	-4.1%
<b>State</b>	<b>46,681</b>	<b>49,093</b>	<b>2,412</b>	<b>5.2%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	24,710	26,340	1,630	6.6%
Kent County	9,803	10,276	473	4.8%
Sussex County	11,371	11,451	80	0.7%
<b>State</b>	<b>45,884</b>	<b>48,067</b>	<b>2,183</b>	<b>4.8%</b>

### **FY2016 Notes:**

\*A civil filing is defined as one petition or one single civil incident filed with the Family Court. In a divorce matter, although the petition may contain multiple ancillary matters to the divorce, it is counted as only one filing.

\*A criminal or delinquency filing is defined as one incident filed against one individual or defendant. A single criminal or juvenile delinquency filing may be comprised of a single or of multiple charges relating to a single incident.

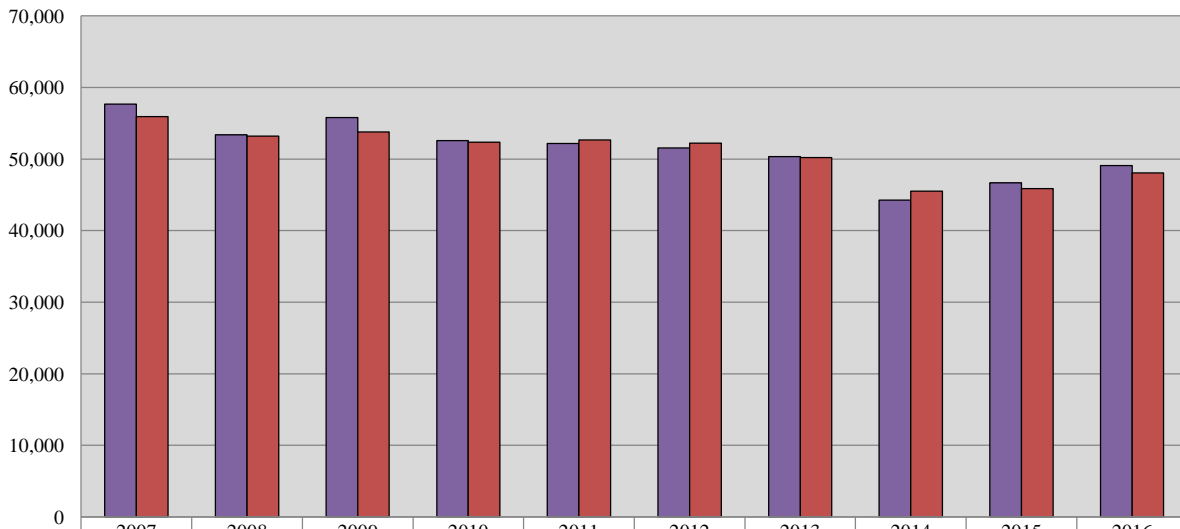
\*Mediation is the process prior to adjudication in which a trained mediator attempts to assist the parties in reaching an agreement. If the parties are unable to reach an agreement, the matter is scheduled to be heard before a Commissioner or Judge.

\*Custody, support, visitation, paternity, guardianship, imperiling family relations, and rule to show cause filings are scheduled for mediation unless bypass mediation rules apply as indicated in 13 Del. C. § 711A and 13 Del. C. § 728A; Family Court Procedures OCI-914 and OCI-902.

\*Automatic Expungements/Pardons resulting in Automatic Juvenile Expungements are counted as filings in this report due to the amount of staff effort to process them. Although there is not a disposition from a Hearing Officer for Automatic Expungements, the directive letter from SBI is acted upon by our staff. Therefore, the resolution of these types of filings are added to the same month they are received in the Disposition sections of this report.

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

### Family Court 10-Year Total Caseload Trend



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
■ Filings	57672	53366	55,797	52,580	52,189	51,568	50,364	44,243	46,681	49,093
■ Dispositions	55920	53211	53,772	52,353	52,661	52,213	50,191	45,516	45,884	48,067

Fiscal Year

Note: The number of filings for Fiscal Year 2009 was amended.



**COURT OF COMMON PLEAS**  
**State of Delaware**

**2016 Annual Report Statistical Information**

**COURT OF COMMON PLEAS**

<b>Caseload Summary - Fiscal Years 2015-2016 - Civil Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	6,169	5,727	-442	-7.2%
Kent County	2,014	1,887	-127	-6.3%
Sussex County	2,112	2,108	-4	-0.2%
<b>State</b>	<b>10,295</b>	<b>9,722</b>	<b>-573</b>	<b>-5.6%</b>

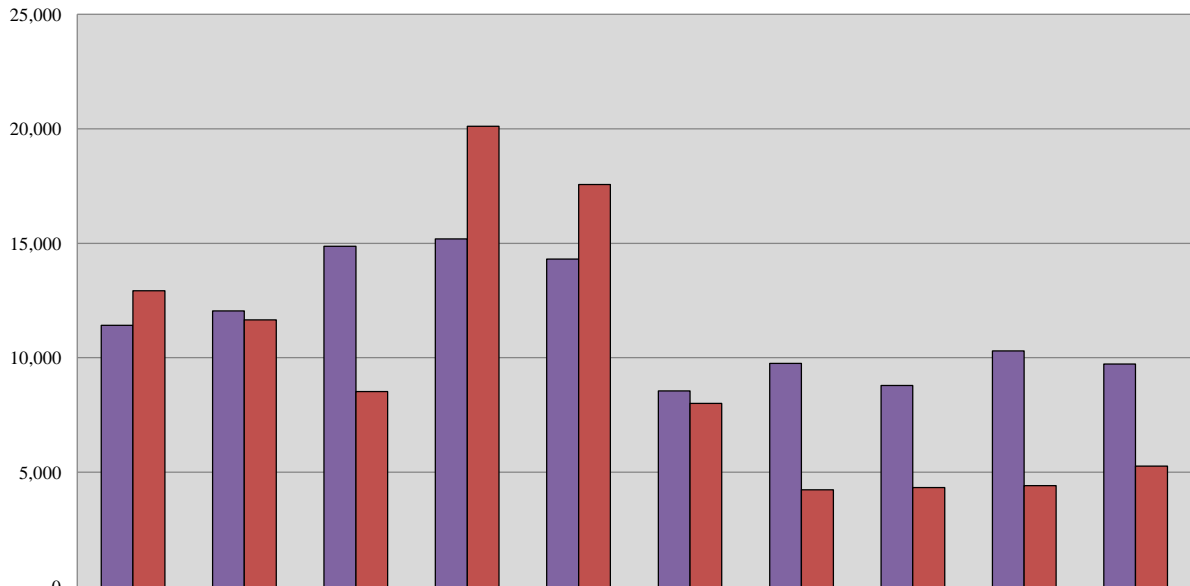
<b>Caseload Summary - Fiscal Years 2015-2016 - Civil Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	2,602	2,952	350	13.5%
Kent County	748	1,014	266	35.6%
Sussex County	1,065	1,300	235	22.1%
<b>State</b>	<b>4,415</b>	<b>5,266</b>	<b>851</b>	<b>19.3%</b>

<b>Caseload Breakdowns - Fiscal Year 2016 - Civil Case Filings</b>						
	Complaints		Civil Judgments, Name Changes & Appeals		Total	
New Castle County	3,516	64.6%	2,211	35.4%	5,727	100%
Kent County	1,096	59.4%	791	40.6%	1,887	100%
Sussex County	1,252	62.7%	856	37.3%	2,108	100%
<b>State</b>	<b>5,864</b>	<b>60.3%</b>	<b>3,858</b>	<b>39.7%</b>	<b>9,722</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



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
■ Filings	11,420	12,045	14,874	15,191	14,314	8,552	9,748	8,793	10,295	9,722
■ Dispositions	12,921	11,657	8,526	20,111	17,573	8,013	4,229	4,327	4,415	5,266

Fiscal Year

## COURT OF COMMON PLEAS

### Caseload Summary - Fiscal Years 2015-2016 - Criminal Misdemeanor Case Filings\*

	2015	2016	Change	% Change
New Castle County	45,885	48,014	2,129	4.6%
Kent County	27,824	25,984	-1,840	-6.6%
Sussex County	29,467	29,827	360	1.2%
<b>State</b>	<b>103,176</b>	<b>103,825</b>	<b>649</b>	<b>0.6%</b>

### Caseload Summary - Fiscal Years 2015-2016 - Criminal Misdemeanor Case Dispositions

	2015	2016	Change	% Change
New Castle County	40,192	37,970	-2,222	-5.5%
Kent County	23,084	18,244	-4,840	-21.0%
Sussex County	24,090	21,459	-2,631	-10.9%
<b>State</b>	<b>87,366</b>	<b>77,673</b>	<b>-9,693</b>	<b>-11.1%</b>

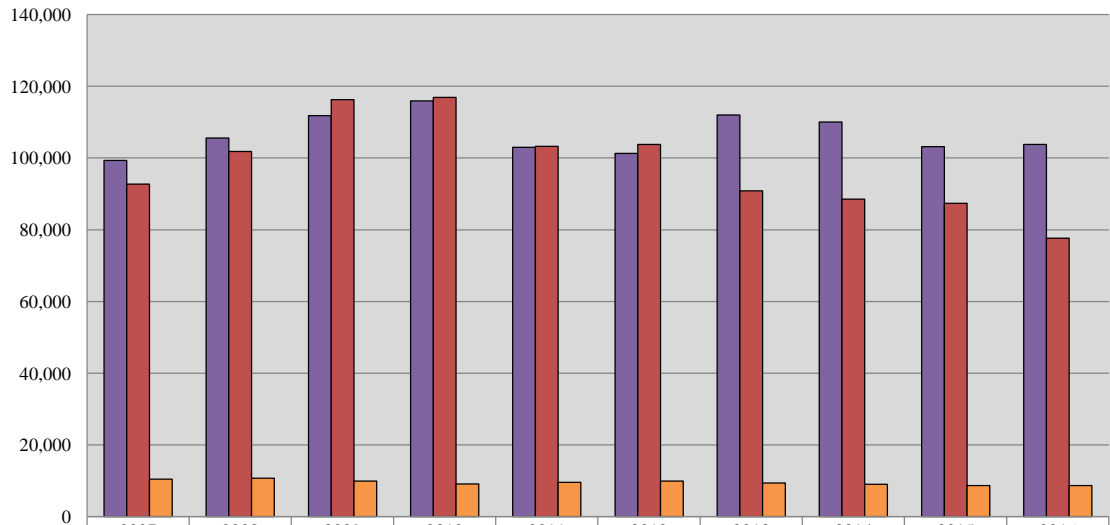
### Caseload Summary - Fiscal Years 2015-2016 - Criminal Preliminary Hearing Case Filings

	2015	2016	Change	% Change
New Castle County	4,389	4,404	15	0.3%
Kent County	1,936	1,976	40	2.1%
Sussex County	2,296	2,309	13	0.6%
<b>State</b>	<b>8,621</b>	<b>8,689</b>	<b>68</b>	<b>0.8%</b>

\*Includes Contempt of Court cases.

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

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



■ Misdemeanor Filings	99,345	105,607	111,797	115,882	102,939	101,284	112,004	110,071	103,176	103,825
■ Misdemeanor Dispositions	92,691	101,823	116,278	116,926	103,209	103,802	90,873	88,507	87,366	77,673
■ Preliminary Hearings	10,413	10,720	9,940	9,066	9,590	9,917	9,398	9,011	8,621	8,689

Fiscal Year

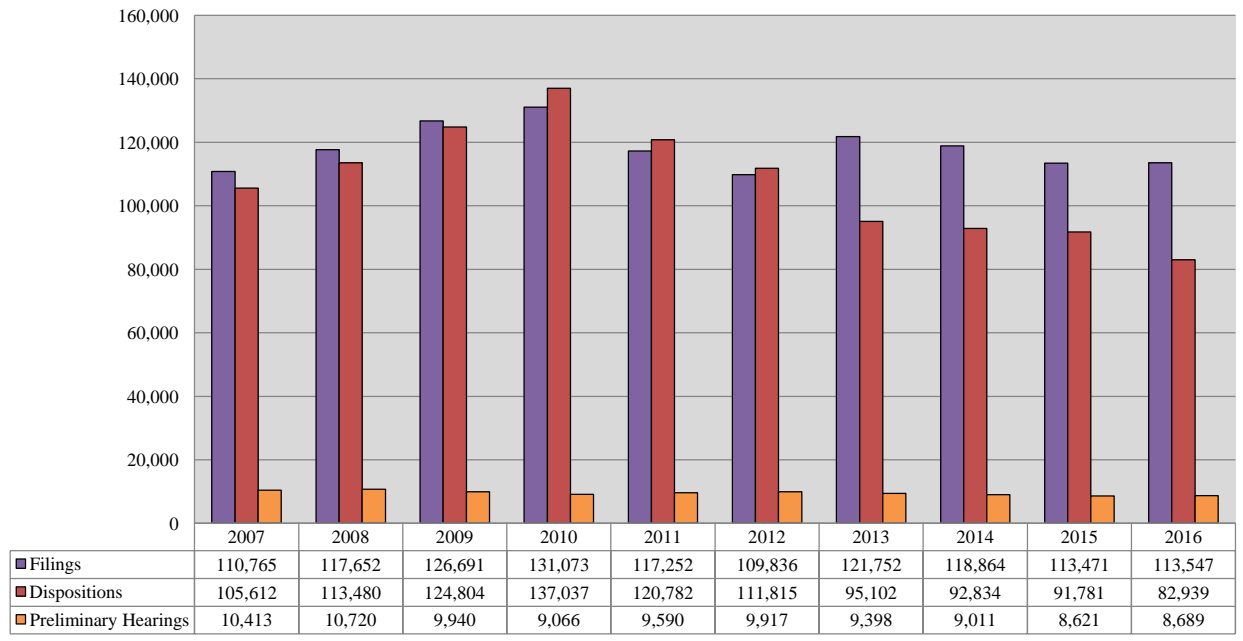
**COURT OF COMMON PLEAS**

<b>Caseload Summary - Fiscal Years 2015-2016 - Total Criminal Misdemeanor and Civil Case Filings</b>				
	2015	2016	Change	% Change
New Castle County	52,054	53,741	1,687	3.2%
Kent County	29,838	27,871	-1,967	-6.6%
Sussex County	31,579	31,935	356	1.1%
<b>State</b>	<b>113,471</b>	<b>113,547</b>	<b>76</b>	<b>0.1%</b>

<b>Caseload Summary - Fiscal Years 2015-2016 - Total Criminal Misdemeanor and Civil Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County	42,794	40,922	-1,872	-4.4%
Kent County	23,832	19,258	-4,574	-19.2%
Sussex County	25,155	22,759	-2,396	-9.5%
<b>State</b>	<b>91,781</b>	<b>82,939</b>	<b>-8,842</b>	<b>-9.6%</b>

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

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



Fiscal Year



**JUSTICE OF THE PEACE COURT**  
**State of Delaware**

**2016 Annual Report Statistical Information**

**JUSTICE OF THE PEACE COURT**

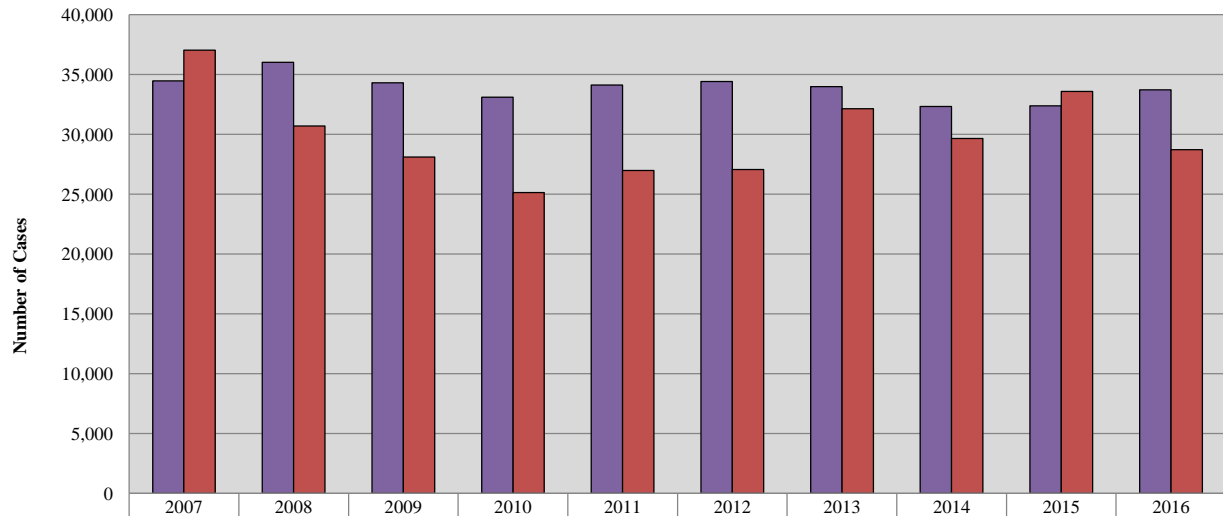
<b>Caseload Summary - Fiscal Year 2016 - Civil Cases</b>		
	Filings	Dispositions
New Castle County		
Court 9	2,073	1,789
Court 13	15,886	14,227
Kent County		
Court 16	8,201	6,652
Sussex County		
Court 17	7,566	6,041
<b>State</b>	<b>33,726</b>	<b>28,709</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Case Filings</b>				
	2015	2016	Change	% Change
New Castle County				
Court 9	2,034	2,073	39	1.9%
Court 13	15,511	15,886	375	2.4%
Kent County				
Court 16	7,666	8,201	535	7.0%
Sussex County				
Court 17	7,170	7,566	396	5.5%
<b>State</b>	<b>32,381</b>	<b>33,726</b>	<b>1,345</b>	<b>4.2%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Civil Case Dispositions</b>				
	2015	2016	Change	% Change
New Castle County				
Court 9	2,200	1,789	-411	-18.7%
Court 13	18,514	14,227	-4,287	-23.2%
Kent County				
Court 16	6,725	6,652	-73	-1.1%
Sussex County				
Court 17	6,139	6,041	-98	-1.6%
<b>State</b>	<b>33,578</b>	<b>28,709</b>	<b>-4,869</b>	<b>-14.5%</b>

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

### JP Court 10-Year Civil Caseload Trend



	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
■ Filings	34,453	36,016	34,297	33,088	34,127	34,416	33,981	32,321	32,381	33,726
■ Dispositions	37,033	30,690	28,108	25,134	26,983	27,071	32,144	29,657	33,578	28,709

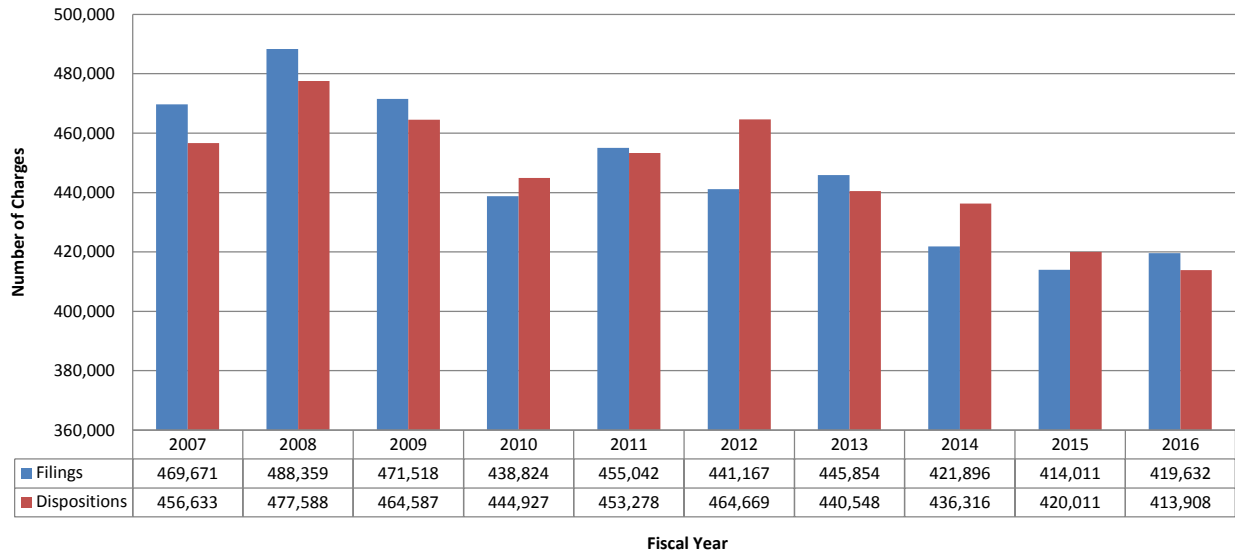
Fiscal Year



<b>Caseload Breakdowns - Fiscal Year 2016 - Civil Case Filings</b>							
	<b>Complaints</b>		<b>Landlord/Tenant</b>		<b>Total</b>		
New Castle County							
Court 9	1,689	81.5%	384	18.5%	2,073	100%	
Court 13	4,686	29.5%	11,200	70.5%	15,886	100%	
Kent County							
Court 16	4,589	56.0%	3,612	44.0%	8,201	100%	
Sussex County							
Court 17	4,550	60.1%	3,016	39.9%	7,566	100%	
<b>State</b>	<b>15,514</b>	<b>46.0%</b>	<b>18,212</b>	<b>54.0%</b>	<b>33,726</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\*



\*Criminal filings and disposition information is by charge.

## JUSTICE OF THE PEACE COURT

<b>Caseload Breakdowns - Fiscal Year 2016 - Criminal and Traffic Filings (Defendants)</b>										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	87	2.0%	259	5.9%	3,886	88.8%	145	3.3%	4,377	100%
Court 10	93	1.8%	221	4.2%	3,215	61.4%	1,704	32.6%	5,233	100%
Court 11	82	0.2%	8,458	22.5%	26,972	71.6%	2,154	5.7%	37,666	100%
Court 20	21	0.3%	2,637	33.8%	4,301	55.1%	852	10.9%	7,811	100%
Kent County										
Court 6	14	0.2%	222	3.9%	5,344	93.8%	115	2.0%	5,695	100%
Court 7	131	0.7%	4,167	21.8%	13,465	70.4%	1,363	7.1%	19,126	100%
Court 8	0	0%	110	3.7%	2,800	93.7%	77	2.6%	2,987	100%
Sussex County										
Court 1	44	1.4%	134	4.3%	2,601	82.9%	357	11.4%	3,136	100%
Court 2	86	0.5%	9,093	58.0%	4,975	31.7%	1,523	9.7%	15,677	100%
Court 3	377	3.5%	3,065	28.7%	6,074	57.0%	1,147	10.8%	10,663	100%
Court 4	10	0.1%	396	5.5%	6,606	91.8%	184	2.6%	7,196	100%
Court 14	1	0.1%	51	2.8%	1,717	93.1%	75	4.1%	1,844	100%
State w/o VAC	946	0.8%	28,813	23.7%	81,956	67.5%	9,696	8.0%	121,411	100%
VAC	1,312	1.0%	0	0%	132,723	97.8%	1,669	1.2%	135,704	100%
<b>State with VAC</b>	<b>2,258</b>	<b>0.9%</b>	<b>28,813</b>	<b>11.2%</b>	<b>214,679</b>	<b>83.5%</b>	<b>11,365</b>	<b>4.4%</b>	<b>257,115</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

<b>Caseload Breakdowns - Fiscal Year 2016 - Criminal and Traffic Filings (Charges)</b>										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	216	2.7%	412	5.1%	7,204	89.6%	211	2.6%	8,043	100%
Court 10	110	1.3%	300	3.6%	5,940	71.0%	2,018	24.1%	8,368	100%
Court 11	165	0.2%	18,484	22.0%	60,515	71.9%	5,041	6.0%	84,205	100%
Court 20	32	0.2%	5,325	32.4%	9,312	56.7%	1,741	10.6%	16,410	100%
Kent County										
Court 6	26	0.2%	425	3.8%	10,491	94.2%	199	1.8%	11,141	100%
Court 7	404	1.0%	9,620	23.3%	28,436	69.0%	2,759	6.7%	41,219	100%
Court 8	0	0%	143	2.5%	5,386	95.3%	123	2.2%	5,652	100%
Sussex County										
Court 1	63	1.0%	174	2.9%	5,395	88.6%	457	7.5%	6,089	100%
Court 2	135	0.3%	24,970	60.4%	11,380	27.5%	4,865	11.8%	41,350	100%
Court 3	1,178	3.9%	11,487	37.6%	14,700	48.1%	3,178	10.4%	30,543	100%
Court 4	12	0.1%	631	4.1%	14,171	93.2%	394	2.6%	15,208	100%
Court 14	4	0.1%	103	2.1%	4,577	94.4%	165	3.4%	4,849	100%
State w/o VAC	2,345	0.9%	72,074	26.4%	177,507	65.0%	21,151	7.7%	273,077	100%
VAC	1,552	1.1%	0	0%	142,817	97.4%	2,186	1.5%	146,555	100%
<b>State with VAC</b>	<b>3,897</b>	<b>0.9%</b>	<b>72,074</b>	<b>17.2%</b>	<b>320,324</b>	<b>76.3%</b>	<b>23,337</b>	<b>5.6%</b>	<b>419,632</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**

<b>Caseload Comparison - Fiscal Years 2015-2016 - Criminal and Traffic Filings (Defendants)</b>				
	2015	2016	Change	% Change
New Castle County				
Court 9	3,525	4,377	852	24.2%
Court 10	3,028	5,233	2,205	72.8%
Court 11	38,974	37,666	-1,308	-3.4%
Court 20	7,902	7,811	-91	-1.2%
Kent County				
Court 6	5,463	5,695	232	4.2%
Court 7	19,796	19,126	-670	-3.4%
Court 8	2,591	2,987	396	15.3%
Sussex County				
Court 1	3,576	3,136	-440	-12.3%
Court 2	15,749	15,677	-72	-0.5%
Court 3	11,120	10,663	-457	-4.1%
Court 4	7,967	7,196	-771	-9.7%
Court 14	1,704	1,844	140	8.2%
State Without VAC	121,395	121,411	16	0.0%
VAC	129,227	135,704	6,477	5.0%
<b>State with VAC</b>	<b>250,622</b>	<b>257,115</b>	<b>6,493</b>	<b>2.6%</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 2015-2016 - Criminal and Traffic Filings (Charges)

	2015	2016	Change	% Change
New Castle County				
Court 9	6,627	8,043	1,416	21.4%
Court 10	3,828	8,368	4,540	118.6%
Court 11	86,659	84,205	-2,454	-2.8%
Court 20	16,599	16,410	-189	-1.1%
Kent County				
Court 6	11,238	11,141	-97	-0.9%
Court 7	43,353	41,219	-2,134	-4.9%
Court 8	5,262	5,652	390	7.4%
Sussex County				
Court 1	6,489	6,089	-400	-6.2%
Court 2	41,517	41,350	-167	-0.4%
Court 3	31,317	30,543	-774	-2.5%
Court 4	17,212	15,208	-2,004	-11.6%
Court 14	4,334	4,849	515	11.9%
State Without VAC	274,435	273,077	-1,358	-0.5%
VAC	139,576	146,555	6,979	5.0%
<b>State with VAC</b>	<b>414,011</b>	<b>419,632</b>	<b>5,621</b>	<b>1.4%</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>Court Rankings - Fiscal Years 2015-2016 - Total Cases Filed* (Charges)</b>				
2015 Rank w/o VAC	2016 Rank w/o VAC		2016 Total Filings	2016 % of Total w/o VAC
1	1	Court 11	84,205	27.4%
3	2	Court 2	41,350	13.5%
2	3	Court 7	41,219	13.4%
4	4	Court 3	30,543	10.0%
6	5	Court 20	16,410	5.3%
7	6	Court 13	15,886	5.2%
5	7	Court 4	15,208	5.0%
8	8	Court 6	11,141	3.6%
9	9	Court 9	10,116	3.3%
15	10	Court 10	8,368	2.7%
10	11	Court 16	8,201	2.7%
11	12	Court 17	7,566	2.5%
12	13	Court 1	6,089	2.0%
13	14	Court 8	5,652	1.8%
14	15	Court 14	4,849	1.6%
		2016 State w/o VAC	306,803	100%
		2016 VAC	146,555	
		<b>2016 State w/ VAC</b>	<b>453,358</b>	

\*Includes civil, criminal, and traffic filings.

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 Years 2015-2016 - Total Case Filings (Defendants)</b>				
2015 Rank w/o VAC	2016 Rank w/o VAC		2015 Total Filings	2015 % of Total w/o VAC
1	1	Court 11	37,666	24.3%
2	2	Court 7	19,126	12.3%
4	3	Court 13	15,886	10.2%
3	4	Court 2	15,677	10.1%
5	5	Court 3	10,663	6.9%
8	6	Court 16	8,201	5.3%
7	7	Court 20	7,811	5.0%
9	8	Court 17	7,566	4.9%
6	9	Court 4	7,196	4.6%
10	10	Court 9	6,450	4.2%
11	11	Court 6	5,695	3.7%
10	12	Court 10	5,233	3.4%
12	13	Court 1	3,136	2.0%
14	14	Court 8	2,987	2.2%
15	15	Court 14	1,844	0.6%
2016 State w/o VAC			155,137	100%
2016 VAC			135,704	
<b>2016 State w/ VAC</b>			<b>290,841</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 2015-2016 - Total Cases Filed (Charges)</b>				
	2015	2015	Change	% Change
Criminal & Traffic	414,011	419,632	5,621	1.4%
Civil	32,381	33,726	1,345	4.2%
<b>Total</b>	<b>446,392</b>	<b>453,358</b>	<b>6,966</b>	<b>1.6%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Cases Disposed (Charges)</b>				
	2015	2016	Change	% Change
Criminal & Traffic	420,011	413,908	-6,103	-1.5%
Civil	33,578	28,709	-4,869	-14.5%
<b>Total</b>	<b>453,589</b>	<b>442,617</b>	<b>-10,972</b>	<b>-2.4%</b>

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

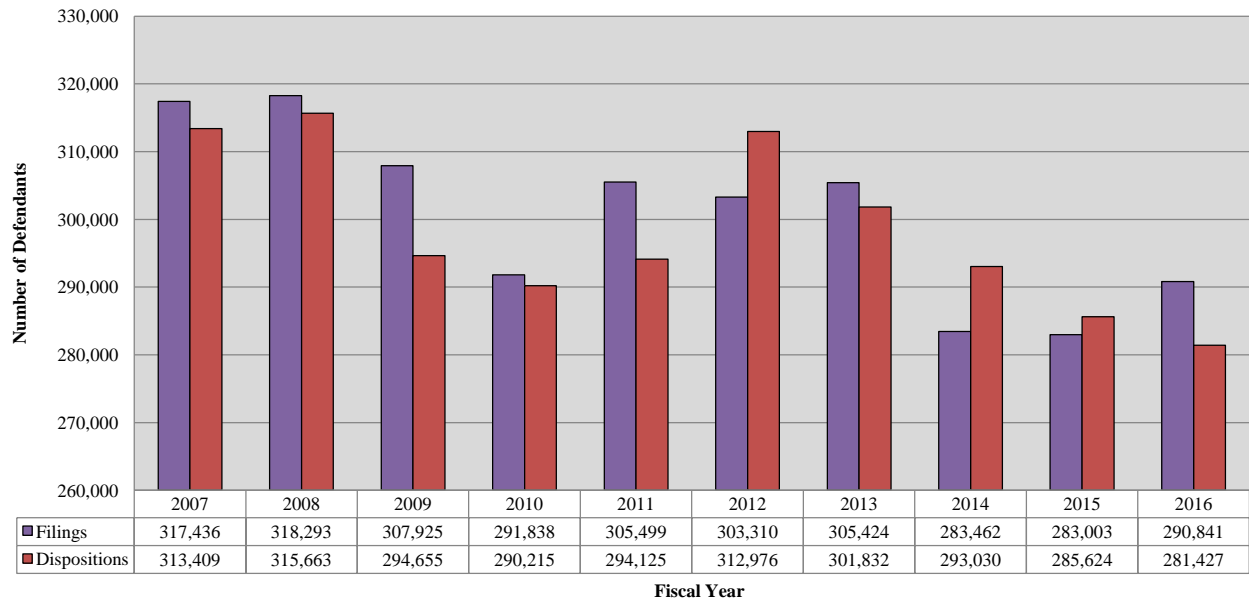
## JUSTICE OF THE PEACE COURT

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Case Filings (Defendants)</b>				
	2015	2016	Change	% Change
Criminal & Traffic	271,443	257,115	-14,328	-5.3%
Civil	33,981	33,726	-255	-0.8%
<b>Total</b>	<b>305,424</b>	<b>290,841</b>	<b>-14,583</b>	<b>-4.8%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Cases Dispositions (Defendants)</b>				
	2015	2016	Change	% Change
Criminal & Traffic	269,688	252,718	-16,970	-6.3%
Civil	32,144	28,709	-3,435	-10.7%
<b>Total</b>	<b>301,832</b>	<b>281,427</b>	<b>-20,405</b>	<b>-6.8%</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)



\*Criminal filings and disposition information is by defendant.



**ALDERMAN'S COURTS**  
State of Delaware

**2016 Annual Report Statistical Information**

**ALDERMAN'S COURTS\***

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Filings</b>				
	2015	2016	Change	% Change
<b>New Castle County</b>				
Newark	12,515	11,571	-944	-7.5%
Newport	6,843	7,426	583	8.5%
<b>Sussex County</b>				
Bethany Beach	1,761	2,634	873	49.6%
Dewey Beach	520	545	25	4.8%
Laurel	3,210	3,637	427	13.3%
Rehoboth Beach	2,102	1,825	-277	-13.2%
<b>State</b>	<b>26,951</b>	<b>27,638</b>	<b>687</b>	<b>2.5%</b>

<b>Caseload Comparison - Fiscal Years 2015-2016 - Total Dispositions</b>				
	2015	2016	Change	% Change
<b>New Castle County</b>				
Newark	13,631	12,138	-1,493	-11.0%
Newport	6,843	7,426	583	8.5%
<b>Sussex County</b>				
Bethany Beach	1,761	2,634	873	49.6%
Dewey Beach	866	787	-79	-9.1%
Laurel	3,073	3,291	218	7.1%
Rehoboth Beach	2,227	2,506	279	12.5%
<b>State</b>	<b>28,401</b>	<b>28,782</b>	<b>381</b>	<b>1.3%</b>

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

\*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.

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