

2003 ANNUAL REPORT OF THE DELAWARE JUDICIARY



**Administrative
Office of the
Courts**

2003 Annual Report of the Delaware Judiciary

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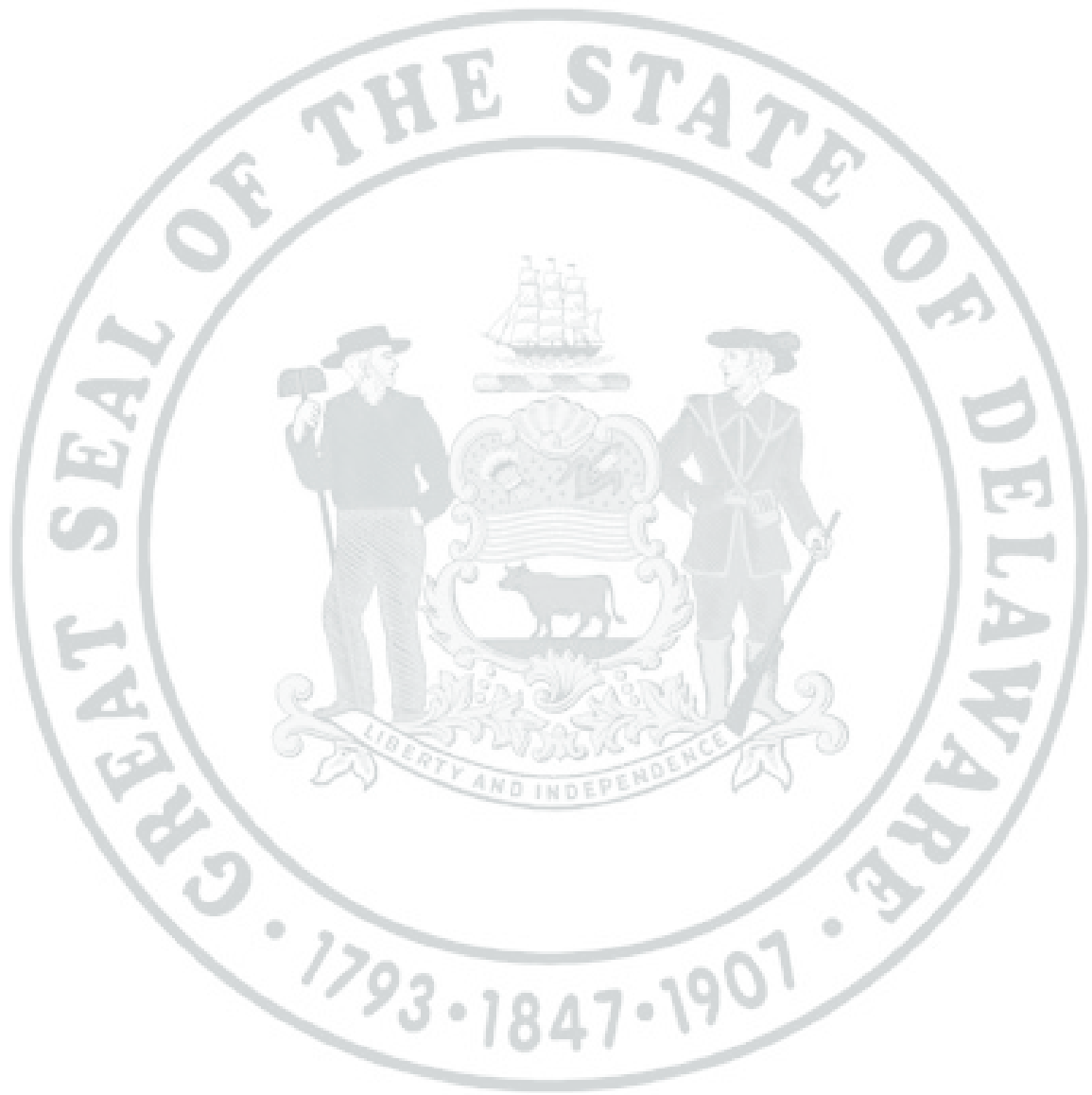
Annual caseload statistics for the Delaware State Courts are published under separate cover in the "2003 Statistical Report of the Delaware Judiciary." Copies of this publication can be obtained by contacting the Administrative Office of the Courts or online at <http://courts.state.de.us>



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Administrative Office of the Courts
500 North King Street, Suite 11600
Wilmington, Delaware 19801
<http://courts.state.de.us>
(302) 255-0090



Message from Chief Justice E. Norman Veasey

To Governor Ruth Ann Minner, Members of the General Assembly, and Citizens of the State of Delaware:



It is my privilege to present to you the 2003 Annual Report of the Delaware Judiciary. This will be my twelfth and final submission of the Annual Report as Chief Justice.

I want to take this opportunity to commend the Delaware Judiciary. Our State is truly fortunate to have the services and expertise of extraordinary and dedicated judges and staff. The preeminence of our courts and Bar is nationally acknowledged, and we continue to build on our reputation on a daily basis by being innovative and progressive. In fact, for the second year in a row, a Harris poll survey of corporate counsel conducted by the United States Chamber of Commerce ranked the Delaware Judiciary as the Number One Judiciary in the Nation in the key areas of the competent handling of civil litigation.

The Justice of the Peace Court has: (1) instituted a statewide videophone court at Court 2 in Rehoboth; and (2) accepted the Program of the Year Award from the International Association for Truancy and Dropout Prevention. In the 2002-2003 school year, more than 400 students in Delaware successfully completed the program, staying in school. The Court of Common Pleas is expanding its Drug Court program to Kent and Sussex Counties. The Family Court has adopted new guidelines for the expeditious disposition of dependency and neglect cases. The Family Court continues to be a national model for child support formulas. The Court of Chancery and the Superior Court are expanding the courts' e-filing systems. The Court of Chancery's jurisdiction has been expanded to adjudicate technology disputes exceeding one million dollars and is undertaking a new and creative mediation-only process. The Supreme Court is working with the courts and our Judicial Information Center to produce a unified world-class web site for the dissemination of information to the public and the Bar.

The entire Judiciary is moving forward with the development of our commercial-off-the-shelf case and financial management system (COTS). The Judiciary is not content to rest on its laurels but rather is a dynamic force in delivering services to our clientele – the citizens of Delaware.

During my term as Chief Justice, I have seen the number of judicial officers increase, new court-houses built or renovated, the expansion of our technological capabilities, the promise of COTS, and many other improvements. The Judiciary has prospered during economic boom times and weathered economic downturns. It has been a challenging and rewarding journey for me personally to work as a public servant and with other public servants. The work that we are doing is important and vital to the welfare of the citizens that we serve. We are very gratified that our work has achieved swift and fair justice as the standard and that we have done our utmost to earn the trust and confidence of the public.

Respectfully,

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COURT DEVELOPMENTS



In fiscal year 2003, the Judiciary continued to make progress toward the goal of acquiring a comprehensive, statewide, integrated case management system for the Delaware Courts (COTS). In spite of fiscal constraints that kept the COTS project from going forward at full speed, there were several significant project accomplishments during the year.

Pursuant to Chief Justice Veasey's Administrative Directive 142, several COTS committees were established: 1) the Executive Steering Committee, charged with guiding and directing the project; 2) a statewide Operational Policy Committee to deal with policy issues brought to it by the Executive Steering Committee; 3) the Project Management Team, which will have the lead role in day-to-day project management; 4) the Working Committee, charged with the development of uniform practices and procedures for the Courts; and 5) a Change Management Team.

Grant funds in the amount of \$360,000 allowed for limited continued work on the project and negotiations with the selected vendor, ACS, began for the first phase of COTS – the Proof of Concept. The Proof of Concept was designed to make certain that the primary interface with DELJIS and the ACS system works as anticipated. The Project Management Team began to focus its work on the Proof of Concept and the Executive Steering Committee began regular meetings to track project progress, while the Working Committee continued efforts toward the development of uniform practices and procedures.

Funding was pursued on several fronts and the project's efforts were rewarded when the Judiciary received \$2.5 million in the FY 2004 Bond Bill to provide first year funding for COTS. Contingent on a successful Proof of Concept, this allocation will allow the courts to make significant progress in the coming fiscal year.

Working together with its justice partners, the Judiciary is looking forward to soon being able to provide its staff, other agencies, and the citizens of the Delaware with a world-class case management system.

eFiling

During fiscal year 2003, the Superior Court worked to expand its electronic filing services. The Court upgraded from the Complex Litigation Automated Docket (CLAD) system utilized since 1991 to the LexisNexis™ File & Serve® eFiling system. The new system will improve court operations and lower litigation costs while improving the security of court documents and enabling access to case file documents online immediately, anytime, anywhere. Eventually, the system will apply to all civil filings in the Superior Court.

WORLD CLASS SERVICE

For the second year, the Harris Poll State Liability Systems Ranking Study, conducted for the U.S. Chamber Institute for Legal Reform, recognized the Delaware Superior Court for "having a litigation environment perceived to be fair and reasonable in its handling of civil cases." The study on corporate America's perception of which state is doing the best job of creating a fair and reasonable litigation environment with their state court liability system focused on overall treatment of tort and contract litigation, treatment of class action suits, punitive damages, timeliness of summary judgment/dismissal, discovery, scientific and technical evidence, judges' impartiality, judges' competence, juries' predictability and juries' fairness. The study's respondents, 928 corporate general counsels and senior attorneys at a number of large corporations, graded all 50 states in each of the categories; Delaware was ranked number one overall.

The Family Court implemented new performance measures during fiscal year 2003. These standards will enable the Court to assess

how well they are serving litigants and facilitate goal setting for the future to improve the quality of services and delivery of justice within the Family Court.

The Court of Common Pleas has made a large amount of material available for pro se litigants in the Self-Help Center located in the New Castle County Courthouse. In addition, the Court of Common Pleas clerk's office provides a number of public access computers for electronic access to court case information. Moving forward, the Court of Common Pleas continues to improve its performance and its dedication to providing a just resolution to all cases.

The Justice of the Peace Court conducted public surveys on the services it provides. Results of these surveys were used to develop programs implementing policies and procedures to best meet the needs of the litigants and the public. In addition, customer service training was provided to all non-judicial staff. Surveys will be conducted again for comparison purposes.

Improving the Administration of Justice

In June, 2003, The Honorable Randy J. Holland, Justice of the Delaware Supreme Court, was recognized for his outstanding efforts and contributions to the Delaware State Court System. Justice Holland received the *Herbert Harley Award*, the American Judicature Society's premier award for outstanding service aimed at improving the administration of justice at the local level.





New Castle County Courthouse Self-Help Center

The Administrative Office of the Courts has opened a Self-Help Center in New Castle County to increase access to justice for self-represented litigants. Modeled after Family Court's Resource Centers, the Self-Help Center is Delaware's first Center to serve litigants of *all* of Delaware's State Courts and is located on the second floor of the New Castle County Courthouse. The Self-Help Center provides litigants with a central location where they can find resources to help guide them through the legal process and to deal with the emotional challenges resulting from their legal circumstances. At the Self-Help Center, litigants have access to resources such as: an information desk, court forms, instructions, educational materials, legal self-help books, books addressing the emotional aspects of people's cases, a data bank of attorneys who are willing to represent a litigant on a specific area of family law, notary services for court forms, computers with Microsoft Word and Internet access, a high speed printer, a photocopier machine, a television and VCR for free viewing of court-related videos, a fax machine and other equipment to enable litigants to prepare for their cases at one location. Instructional materials range from Instruction and Forms Packets and other court-related materials to instructions on how to address an envelope.

In addition to the resources available, litigants can file their Family Court documents at the Center and have staff review the documents for completeness. There is even a kid's corner where children will find toys and books (in English and Spanish) to keep children occupied while their parents avail themselves of the resources at the Center.

In October 2003, the Administrative Office of the Courts hired a Manager of *Pro Se* Services to enhance the services and resources available at the Self-Help Center, to enhance partnerships throughout the Delaware community and to bring the Self-Help Center statewide to effectuate world class service and access to justice.

Centralization of Administrative Services

The move of four courts into a single facility, the New Castle County Courthouse, underscored the need to consolidate resources and offer to the courts the opportunity to centralize services related to those administrative functions that are necessary to the daily operations of each court. Even before the move to the New Castle County Courthouse it was known that some functions would need to be centralized immediately: mail handling, public information desk, security procedures, and notice of facility-wide activities such as evacuation plans and building closings. On the other hand, some other administrative functions did not lend themselves to immediate centralization for reasons such as lack of resources and the need for development of uniform policy and procedure statements.

When the courthouse first opened mail handling, loading dock management, shipping and receiving were immediately centralized under the auspices of the Administrative Office of the Courts. Also added to the responsibility of the Administrative Office of the Courts was the establishment of a public information unit to direct visitors, staff and incoming phone calls. Although the Filing and Payment Center was set up with centralization in mind, the limitations of the financial and case management systems used by the courts have prevented the Center from becoming a fully functioning centralized entity. Fortunately, the upcoming development and implementation of COTS will enable the Center to expand services and better serve all courts.

Central services will one day include a branch-wide bail program that will incorporate the authorization and management of bail providers as well as the maintenance and management of a financial bail account. Records retention, archiving, document imaging, restitution management, volunteer/intern programs, coordination of transcripts, interpreters and process service, public relations and public education are all areas in which centralized services might someday be achieved.





Electronic Courtrooms

With the completion of the new Sussex County Court of Chancery Courthouse comes the Delaware Judiciary's newest electronic courtroom. Working with the Court of Chancery, the Judicial Information Center designed and implemented an electronic evidence presentation system for the new courthouse. The system includes a state-of-the-art sound system as well as high tech electronics to allow evidence to be displayed on dual wall mounted plasma displays. Evidence presented at the high tech podium is displayed on evidence monitors on the judge's bench, the attorney tables and on the plasma screens. The system also includes a built-in video teleconferencing system that allows remote testimony to be displayed on the monitors within the courtroom during trials

Customer Service in the New Millennium

The New Castle County Courthouse opened its doors in September 2002. This new state of the art facility utilizes staff and technology to create a customer service oriented environment. The new courthouse was designed specifically to facilitate public access and was featured in the May/June 2003 issue of the *Courtroom Information Project* newsletter. The newsletter is published by the Courtroom 21 Project, a joint project with the William & Mary Law School and the National Center for State Courts, which seeks to determine how technology can best improve all the components of the legal system. Delaware was recognized for the successful creation and utilization of a centralized calendaring system and the availability of public information staff with access to court hearing information at the New Castle County Courthouse. The implementation of these services has proved invaluable and has enabled the courthouse to operate in a smooth and efficient manner. Response from the public, litigants, members of the Bar, witnesses and law enforcement officers has been overwhelmingly positive. Moving forward, the Delaware Judiciary is in the process of implementing similar services throughout the State.



Court Facilities

Construction of the new Sussex County Court of Chancery Courthouse on The Circle in Georgetown was completed in fiscal year 2003. The support staff and chambers are now consolidated in one building which facilitates improved access for the public and the Bar.

Superior Court and the Court of Common Pleas building projects in Kent and Sussex Counties also progressed in fiscal year 2003. The purchase of the O'Brien Building in Kent County is finalized, and renovations will begin in fiscal year 2004. In Sussex County, the long-delayed courthouse construction project made considerable headway, and the courts are on target to move their clerical staff into their new office space in fiscal year 2004.

The Justice of Peace Court received the funding to relocate Court 1 from its rental facility in Millsboro to the town of Frankford. In addition, the Court continues its efforts in constructing a new facility in Houston to allow for the merger of Courts 5 (Milford) and 6 (Harrington), and extend hours of operation at that site. This project is expected to be completed in fiscal year 2004.

Delaware Judicial Officer Appointments

- * President Judge Henry duPont Ridgely was reappointed as President Judge of the Superior Court October 10, 2002.
- * The Honorable Carl T. Goldstein retired from the Superior Court on January 28, 2003.
- * The Honorable Vincent J. Poppiti retired from the Family Court on January 31, 2003.
- * The Honorable Calvin L. Scott Jr. was appointed as Associate Judge of the Superior Court on February 19, 2003.
- * The Honorable Joseph T. Walsh retired from the Supreme Court on April 30, 2003.
- * The Honorable Jack B. Jacobs was appointed as Justice of the Supreme Court on June 4, 2003.
- * The Honorable Chandlee Johnson Kuhn was appointed as Chief Judge of the Family Court on June 4, 2003.

LEGISLATIVE UPDATE

SB 28—Amends Title 11 of the Delaware Code relating to bail conditions of DUI offenders prohibiting anyone charged with Felony DUI from driving a vehicle.

SB 58—Enables Delaware businesses to voluntarily submit disputes involving various kinds of commercial technology (e.g., computer, biological, and engineering technology) for resolution by the Court of Chancery.

HB 2—Rewrites the Mobile Home Lots and Leases Act of 1986 and was crafted from the consensus of representatives from the Delaware Manufactured Home Owners Association. It governs the rental of lots upon which manufactured homes are placed by their owners in manufactured home communities and specifies the rights and duties of community owners and home owners.

HB 43—Establishes failure to wear a seat belt as a primary offense. This enables Delaware law enforcement officers to lawfully stop motor vehicles based upon the non-use of a seat belt by any occupant of the passenger compartment of a motor vehicle.

HB 66—Eliminates the statute of limitations on sexual offenses and provides that such prosecutions may be commenced at any time. Although this act does not subject those for whom the old statute of limitations has passed to additional criminal liability, it is intended to ensure that in the future sexual offenses may be prosecuted regardless of when the crime was discovered or reported.

HB 287—Reaffirms the intent of the General Assembly that the sentencing judge in a capital murder case shall be ultimately responsible for determining the penalty to be imposed.

HR 17—Extends the due date for the Bail Bond Task Force to report their findings to the House of Representatives.

HR 25—Establishes a Mediation Technology Task Force to examine ways to creatively apply new technologies to those disputes mediated in the Court of Chancery.

HR 28—Commemorates Justice Joseph T. Walsh for his outstanding services as a member of the Delaware Judiciary.

HR 41—Establishes a task force to investigate ways to implement the recommendations, with regards to Alderman Courts, contained in the final report of the Commission on Delaware Courts 2000.

During the 2003 fiscal year a number of sentencing reform initiatives, including the following, were passed into law and implemented. These initiatives address issues pertaining to violations of probation, certain drug offenses, traffic offenses and violent offenses committed by juveniles.

Court Case Consolidation (Senate Bill 50/150)

Under this legislation, the Superior Court is authorized to consolidate multiple pending cases for a given defendant into one proceeding regardless of the court or county in which the sentences were originally imposed. This practice is intended to simplify sentences while conserving scarce judicial resources.

Other than when it is necessary to ensure public safety or effective substance abuse treatment, probation sentences will be limited to a maximum of two years and will be based on the seriousness of the offense. Violations of probation are now the largest single source of admission to Delaware's prison system and account for approximately one-third of all inmates. By allowing the courts to consolidate violation of probation cases and limiting the length of probation, this legislation may help avoid the cost associated with extended probationary periods.

Finally, the new provisions are also intended to benefit victims of crimes by strengthening the State's ability to collect restitution from offenders through the utilization of probation. Victims will also be given new tools which will permit them to use civil remedies to seek restitution.

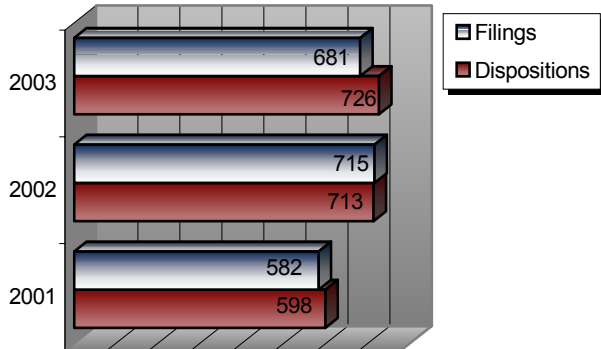
Sentencing Reform (House Bill 210)

Under the provisions of this legislation, the minimum weight of cocaine necessary to establish the crime of "Trafficking in Cocaine" is increased from 5 grams to 10 grams. In addition, this legislation changes sentencing guidelines regarding terms of incarceration for weapons offenses and burglary offenses. Changes in incarceration and supervision terms for certain offenses under Title 21 resulting in death, injury or non-injury are also addressed.

According to legislative sponsors, this legislation is intended to combat the rise in the number of armed robberies and violent assaults committed by juveniles by transferring original jurisdiction over the crimes of Robbery First Degree and Assault First Degree from the Family Court to the Superior Court. By doing so, the legislation provides the Superior Court with discretion to either retain jurisdiction over such cases, thereby substantially increasing the range of available penalties, or to transfer the case back to the Family Court for prosecution.

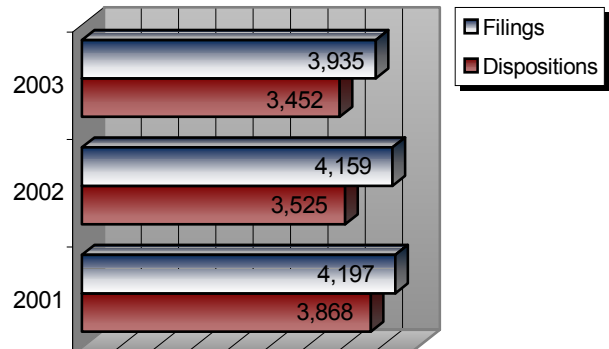
COURT STATISTICS BY FISCAL YEAR (JULY 1, 2002 - JUNE 30, 2003)

Supreme Court



- The Supreme Court of Delaware saw a 4.75% decrease in case filings in FY 2003 from the previous fiscal year.
- The Supreme Court disposed of 1.8% more cases in FY 2003 than in FY 2002.
- The difference between filings and dispositions resulted in a pending caseload decrease of 13.1%, from 344 at the end of FY 2002 to 299 at the end of FY 2003.

Court of Chancery

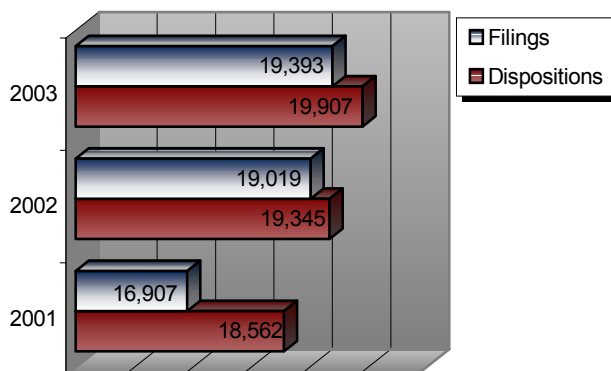


- Court of Chancery FY 2003 case filings decreased about 5% from cases filed in FY 2002.
- Cases disposed of by the Court in FY 2003 decreased 2% from the previous fiscal year.
- The difference between filings and dispositions resulted in a 3.5% increase in pending caseload, from 13,743 at the end of FY 2002 to 14,364 at the end of FY 2003.

FY 2003 CASE FILINGS BY COUNTY

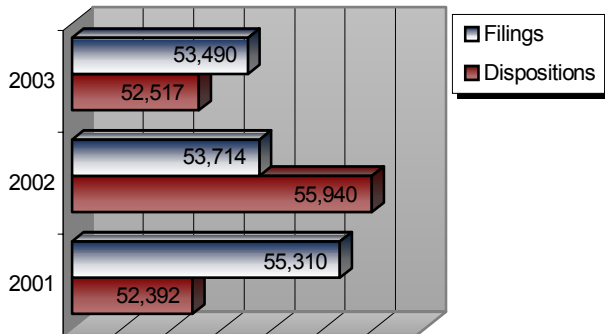
Court	New Castle	Kent	Sussex
Court of Chancery	2,617	543	775
Superior Court	13,080	3,247	3,066
Family Court	31,160	10,105	12,225
CCP	48,353	20,656	25,974
JP Court	68,169	26,949	40,410
Totals:	163,379	61,500	82,450

Superior Court



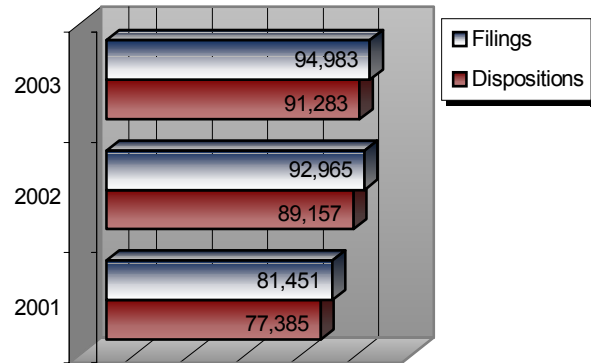
- Total case filings in FY 2003 increased about 2% from cases filed the preceding fiscal year.
- Dispositions increased 2.9% in the same period.
- Civil case filings went up 6.1% during FY 2003, from 10,078 in FY 2002 to 10,696 in FY 2003.
- Civil case dispositions increased 2.6% during the same period from 10,499 in FY 2002 to 10,776 in FY 2003.
- Criminal case filings decreased 2.7% from 8,941 in FY 2002 to 8,697 in FY 2003.
- During the same period criminal case dispositions increased 3.2% from 8,846 in FY 2002 to 9,131 in FY 2003.
- Total pending caseload decreased 4.0%.

Family Court



- Total case filings in FY 2003 were approximately the same as in FY 2002. Total case dispositions decreased 6.1% during the same period.
- Civil case filings decreased about 1%, from 39,016 in FY 2002 to 38,616 in FY 2003. Civil case dispositions also decreased about 5.6% from 40,571 to 38,318 during the same period.
- Adult criminal case filings were up 4.6% from 5,378 in FY 2002 to 5,594 in FY 2003. Criminal case dispositions increased 4.8% from 5,388 to 5,644.
- Juvenile case filings were about the same in FY 2003 as in FY 2002. Juvenile case dispositions decreased 14.3% from 9,981 to 8,555.
- At the end of FY 2003 there were a total of 13,001 cases pending compared with 12,028 pending at the end of FY 2002, an increase of 8.1%

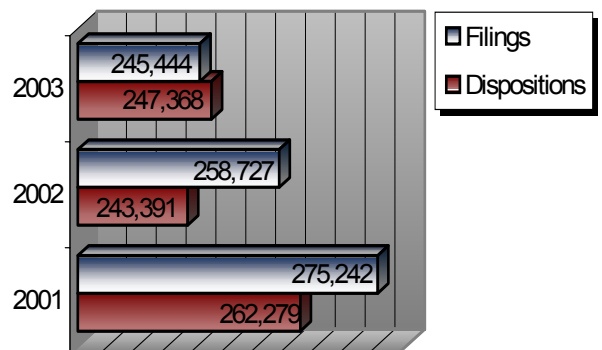
Court of Common Pleas



- In FY 2003, total case filings went up 2.2% from FY 2002. Dispositions increased 2.4% during the same time period.
- Civil case filings increased 16.8% during FY 2003, from 10,496 in FY 2002 to 12,264 in FY 2003. In the same period, civil case dispositions went up 19.4% from 8,400 in FY 2002 to 10,026 in FY 2003.
- Criminal case filings remained fairly constant increasing by only 250 cases from 82,469 in FY 2002 to 82,719 in FY 2003, an increase of about .3%. Similarly, criminal case dispositions increased only by .6% from 80,757 in FY 2002 to 81,257 in FY 2003.
- The difference between case filings and case dispositions resulted in a 7.7% increase in the total pending caseload, from 47,854 at the end of FY 2002 to 51,554 at the end of FY 2003.

- FY 2003 case filings decreased 5.1% from FY 2002.
- Case dispositions increased 1.6% during the same period.
- Civil case filings increased 4.9% from 28,910 in FY 2002 to 30,329 in FY 2003. During the same time period civil case dispositions went down 7.2% from 29,637 to 27,501.
- Criminal and traffic case filings went down 6.4% from 229,817 in FY 2002 to 215,115 in FY 2003. Criminal and traffic case dispositions increased 2.9% from 213,754 to 219,867 during the same period.
- The difference between filings and dispositions resulted in a pending caseload decrease of 3.5%, from 54,482 at the end of FY 2002 to 52,558 at the end of FY 2003.

Justice of the Peace Court



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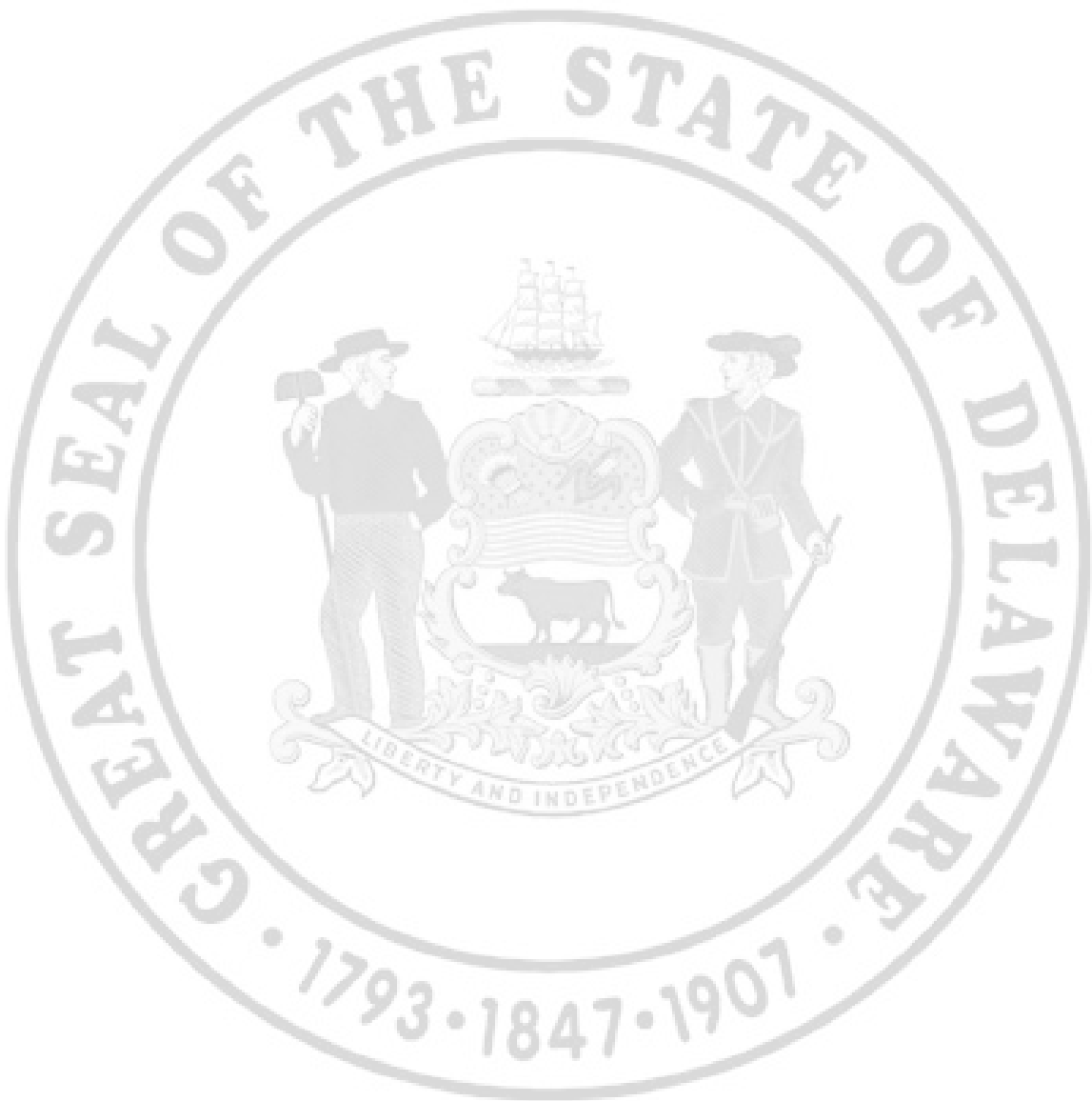
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INTRODUCTION TO THE DELAWARE COURT SYSTEM



The Delaware Judiciary consists of the Supreme Court, the Court of Chancery, the Superior Court, the Family Court, the Court of Common Pleas, the Justice of the Peace Court, and related judicial agencies.

In terms of interrelationships among the courts, the Delaware Court system is similar to a pyramid. The Justice of the Peace Court and the Alderman's Courts represent the base of the pyramid and the Supreme Court the apex of the pyramid. As a litigant goes upward through the court system pyramid, the legal issues generally become more complex and, thus, more costly to litigate. For this reason, cases decided as close as possible to the entry level of the court system generally result in cost savings to the judiciary in resources used to handle the matters and in speedier resolution of the issues at hand for the litigants.

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 is less than \$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. Over one-half of all cases are disposed of rapidly at the Justice of the Peace Court level without further impact on the remainder of the judicial system.

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 handles all misdemeanors occurring in the State except certain drug-related offenses and traffic offenses. The Court is also responsible for all preliminary hearings in felony cases. Appeals may be taken to the Superior Court.

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

The Superior Court, Delaware's court of general jurisdiction, has original jurisdiction over criminal

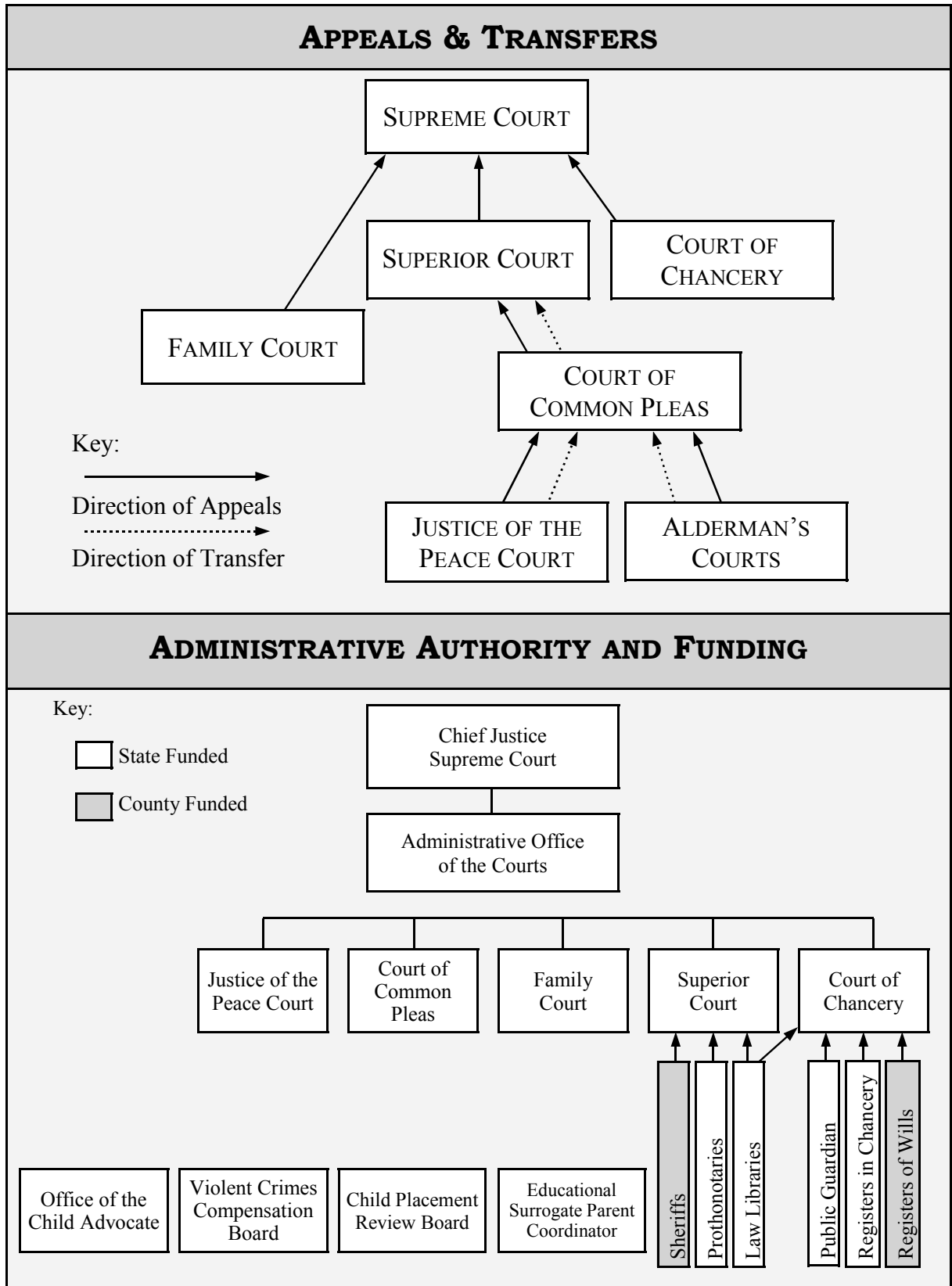
and civil cases except equity cases. The Court has exclusive jurisdiction over felonies and almost all drug offenses. In civil matters, the Court's authority to award damages is not subject to a monetary maximum. The Superior Court also serves as an intermediate appellate court by hearing appeals on the record from the Court of Common Pleas, the Family Court (in criminal cases), and a number of administrative agencies. Appeals from the Superior Court may be taken on the record to the Supreme Court.

The Court of Chancery has jurisdiction to hear all matters relating to equity. The litigation in this tribunal deals largely with corporate issues, trusts, estates, other fiduciary matters, disputes involving the purchase of land and questions of title to real estate as well as commercial and contractual matters. The Court of Chancery has a national reputation in the business community and is responsible for developing the case law in Delaware on corporate matters. Appeals from the Court of Chancery may be taken on the record to the Supreme Court.

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

The Administrative Office of the Courts, including the Judicial Information Center and the Office of the State Court Collections Enforcement, provides those centralized services to the Delaware judiciary that are consistent with the statewide policies and goals for judicial administration and support operations as established by the Chief Justice of the Supreme Court.

Other agencies associated with the Delaware Judiciary include these state funded agencies: Violent Crimes Compensation Board, Child Placement Review Board, Educational Surrogate Parent Coordinator, Prothonotaries, Law Libraries, and Public Guardian. The majority of the components of the Delaware judicial system are funded by the State. Exceptions to this are the Alderman's Courts and the Registers of Wills for the Court of Chancery, and the Sheriffs' Offices.



COURT OF LAST RESORT

SUPREME COURT

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

EQUITY COURT

COURT OF CHANCERY

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

LAW COURT

SUPERIOR COURT

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

COURTS OF LIMITED JURISDICTION

FAMILY COURT

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

COURT OF COMMON PLEAS

Statewide jurisdiction in civil actions involving less than \$50,000. All criminal misdemeanors (except certain drug-related offenses and traffic offenses). Responsible for all preliminary hearings. Appeals from the Justice of the Peace Courts, Alderman's Courts, and the Division of Motor Vehicles.

JUSTICE OF THE PEACE COURT

All civil cases involving less than \$15,000. Certain misdemeanors and most motor vehicle cases (except felonies). May act as committing magistrate for all crimes. Landlord/tenant disputes.

ALDERMAN'S COURTS*

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

*Alderman's Courts are not part of the Delaware court system, they are independent entities within their respective municipalities. However, appealed cases are transferred to a state Court.

Fiscal Overview

FISCAL OVERVIEW

SUMMARY OF JUDICIAL BUDGETS-FISCAL YEARS 2002-2003-2004-2005				
State Judicial Agencies and Bodies*				
	FY 2002 Actual Disbursements	FY 2003 Actual Disbursements	FY 2004 Appropriations	FY 2005 Request
Administrative Office of the Courts (AOC)#	\$ 1,935,108	\$ 3,055,300	\$ 3,275,300	\$ 3,380,800
Court Appointed Attorney Programs**,###	1,858,957	1,874,100	2,508,200	2,807,000
Interpreters	139,435	158,500	193,900	275,100
Victim Offender Mediation Program**	424,800	420,600	424,800	424,800
Elder Law Program**	50,000	50,000	50,000	50,000
Judicial Information Center###	2,913,100	2,470,800	2,882,600	3,097,800
State Court Collection Enforcement Office	409,600	525,200	445,200	475,900
Supreme Court	3,587,100	3,822,700	3,404,100	3,484,400
Retired Judges Program**	31,800	55,200	47,000	47,000
Continuing Judicial Education**	75,100	58,800	13,300	53,300
Court of Chancery####	2,693,200	3,935,300	3,659,800	3,940,900
Public Guardian	387,700	419,500	418,800	440,500
Superior Court	16,862,200	17,315,200	16,527,800	17,997,600
Law Libraries	535,000	455,400	473,600	474,600
Family Court	17,564,200	18,235,500	17,531,300	18,479,600
Court of Common Pleas	8,307,900	8,331,000	6,994,300	7,495,300
Justice of the Peace Court	16,993,800	16,545,900	13,463,900	14,211,000
Violent Crimes Compensation Board ***	2,108,000	9,177,400	3,067,900	3,067,900
Child Placement Review Board****	437,700	431,200	555,900	571,000
Educational Surrogate Parent Program	79,700	75,500	72,300	73,500
Office of the Child Advocate	439,300	454,000	453,100	445,600
Totals	\$ 77,833,700	\$ 87,867,100	\$ 76,463,100	\$ 81,293,600

County Judicial Agencies and Bodies				
NEW CASTLE COUNTY				
Register in Chancery	\$ 831,973	NA	NA	
Register of Wills	1,019,475	1,082,604	1,174,962	
Prothonotary^	32,074	20,676	44,000	
Sheriff	1,313,552	1,304,829	1,469,672	
NEW CASTLE COUNTY TOTALS	\$ 3,197,074	\$ 2,408,109	\$ 2,688,634	
KENT COUNTY				
Register in Chancery	\$ 175,000	NA	NA	
Register of Wills	169,000	282,710	196,600	
Sheriff	338,300	358,541	408,600	
KENT COUNTY TOTALS	\$ 682,300	\$ 641,251	\$ 605,200	
SUSSEX COUNTY				
Register in Chancery	\$ 131,689	NA	NA	
Register of Wills	214,038	227,563	236,681	
Sheriff	358,061	401,317	457,611	
SUSSEX COUNTY TOTALS	\$ 703,788	\$ 628,880	\$ 694,292	
GRAND TOTALS-JUDICIAL BRANCH	\$ 82,416,862	\$ 91,545,340	\$ 80,451,226	

*Figures include all funds, including State General Funds, Appropriated Special Funds, federal funds and/or other funds.

**These programs are funded as part of the AOC. They are shown separately for informational purposes.

***Dramatic increase in "expenditures" is due to the FY 2003 Budget Act capping the Violent Crimes Compensation Fund at \$6 million. Funds in excess of the cap, totalling \$7,183,100, were deposited to the General Fund.

****This Board was previously known as the Foster Care Review Board.

#Majority of growth is due to funding related to opening the new courthouse in Wilmington.

##Majority of FY 2004 JIC Budget Request increase is related to the implementation of an integrated case and financial management system (COTS).

###Includes \$400,000 appropriated in FY 2004 to the Contingency "Indigent Legal Aid" in the State Budget Office.

The FY 2005 Budget request reflects transfer of that contingency to the Judicial Branch Budget.

####Majority of growth is due to transfer of the Register in Chancery offices from county to state control on 01/01/2001.

^Reflects pension monies for those employed by the County prior to the Prothonotary coming under State control.

NA: Not applicable due to the transfer of the Register in Chancery offices from county to state control on 01/01/2001.

Source: Administrative Office of the Courts

COURT GENERATED REVENUE* - FISCAL YEAR 2003

Submitted to the State General Fund

	Fees and Costs	Fines	Interest**	Misc.	Totals	Revenues as a % of Disbursements
Administrative Office of the Courts (AOC)	\$ -	\$ -	\$ -	\$ -	-	0.0%
Judicial Information Center	-	-	-	-	-	0.0%
State Court Collections Enforcement Office	22,300	8,100	-	5,300	35,700	6.8%
Supreme Court	57,800	-	-	-	57,800	1.5%
Court of Chancery	-	-	-	21,800	21,800	0.6%
Office of the Public Guardian	-	-	-	-	-	0.0%
Superior Court	2,432,100	414,500	21,900	397,300	3,265,800	18.9%
Law Libraries	-	-	-	-	-	0.0%
Family Court	666,600	84,400	-	22,100	773,100	4.2%
Court of Common Pleas	2,124,100	995,500	-	151,200	3,270,800	39.3%
Justice of the Peace Court	2,200,200	906,400	-	30,200	3,136,800	19.0%
Child Placement Review Board****	-	-	-	-	-	0.0%
Violent Crimes Compensation Board#	-	-	-	7,183,100	7,183,100	78.3%
Educational Surrogate Parent Program	-	-	-	-	-	0.0%
Office of the Child Advocate	-	-	-	-	-	0.0%
STATE TOTALS	\$ 7,503,100	\$ 2,408,900	\$ 21,900	\$ 7,811,000	\$ 17,744,900	20.2%

Received by Violent Crimes Compensation Board

	Fees and Costs	Fines	Interest	Misc.	Totals
Superior Court	\$ -	\$ 504,146	\$ -	\$ -	\$ 504,146
Family Court	-	26,318	-	-	26,318
Court of Common Pleas	-	681,449	-	-	681,449
Justice of the Peace Court	-	1,035,801	-	-	1,035,801
Alderman Courts	-	146,169	-	-	146,169
Restitution	-	83,539	-	-	83,539
Other	-	2,319	3,746	22,123	28,188
VCCB TOTALS	\$ -	\$ 2,479,742	\$ 3,746	\$ 22,123	\$ 2,505,611

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

**For the first 6 months of FY 2003, counties received 50% of all Court of Chancery interest revenues.

***FY 2003 revenue divided by FY 2003 actual disbursement, which includes State General Funds, federal funds and other funds.

**** This Board was previously known as the Foster Care Review Board.

#Represents deposit of funds in excess of \$6 million cap on the Victim's Compensation Fund, per FY 2003 Budget Act

Source: Administrative Office of the Courts

FISCAL OVERVIEW

COURT GENERATED REVENUE*-FISCAL YEAR 2003							
Submitted to New Castle County							
	Fees & Costs	Fines	Interest	Miscellaneous	TOTALS	Revenue as a % of Disbursement	
Register in Chancery	\$ -	\$ -	\$ -	\$ -	-	----	
Register of Wills	1,801,139	-	-	-	1,801,139	166.4%	
Prothonotary	33,530	-	-	-	33,530	162.2%	
Sheriff	1,925,242	-	14,209	-	1,939,451	148.6%	
Justice of the Peace Court	-	406,732	-	-	406,732	----	
New Castle County Totals	\$ 3,759,911	\$ 406,732	\$ 14,209	\$ -	\$ 4,180,852	156.7%	
Submitted to Kent County							
	Fees & Costs	Fines	Interest	Miscellaneous	TOTALS	Revenue as a % of Disbursement	
Register in Chancery	\$ -	\$ -	\$ -	\$ -	-	----	
Register of Wills	352,837	-	-	-	352,837	124.8%	
Sheriff	522,937	-	-	-	522,937	145.9%	
Justice of the Peace Court	-	3,304	-	-	3,304	----	
Kent County Totals	\$ 875,774	\$ 3,304	\$ -	\$ -	\$ 879,078	136.6%	
Submitted to Sussex County							
	Fees & Costs	Fines	Interest	Miscellaneous	TOTALS	Revenue as a % of Disbursement	
Register in Chancery	\$ -	\$ -	\$ -	\$ -	-	----	
Register of Wills	727,313	-	-	-	727,313	319.6%	
Sheriff	487,071	-	-	-	487,071	121.4%	
Justice of the Peace Court	-	686	-	-	686	----	
Sussex County Totals	\$ 1,214,384	\$ 686	\$ -	\$ -	\$ 1,215,070	193.1%	
Submitted to Municipalities							
	Fees & Costs	Fines	Interest	Miscellaneous	TOTALS	Revenue as a % of Disbursement	
Prothonotary	\$ -	\$ 65	\$ -	\$ -	65	----	
Court of Common Pleas	-	947,846	-	-	947,846	11.4%	
Justice of the Peace Court	-	2,569,274	-	-	2,569,274	15.5%	
Alderman Courts	228,474	393,124	-	-	621,598	NA	
Municipalities Totals	\$ 228,474	\$ 3,910,244	\$ -	\$ -	\$ 4,138,718	NA	
Grand Totals-Judicial Branch							
	Fees & Costs	Fines	Interest	Miscellaneous	TOTALS	Revenue as a % of Disbursement	
TOTALS	\$ 13,581,644	\$ 6,729,866	\$ 36,109	\$ 7,811,000	\$ 28,158,619	NA	

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

#FY 2003 revenue divided by FY 2003 actual disbursement.

Source: Administrative Office of the Courts.

RESTITUTION-FISCAL YEAR 2003				
	Assessed	Collected	Disbursed	
Supreme Court	\$ -	\$ -	\$ -	
Court of Chancery	-	-	-	
Superior Court	6,534,571	1,209,281	1,055,100	
Family Court	588,115	272,530	286,394	
Court of Common Pleas	364,048	459,925	426,271	
Justice of the Peace Court	101,162	113,001	116,113	
TOTALS	\$ 7,587,896	\$ 2,054,737	\$ 1,883,878	

DELAWARE GOVERNMENT APPROPRIATIONS* - FISCAL YEAR 2003			
State Appropriations			
		\$'s	As a %
Judicial	\$	65,547,000	2.74%
Higher Education		204,747,200	8.56%
Executive Branch		1,315,121,100	54.98%
Legislative Branch		11,814,800	0.49%
Public Education		794,961,300	33.23%
Total	\$	2,392,191,400	100.00%

Judicial Appropriations - Fiscal Year 2003*			
		\$'s	As a %
Supreme Court	\$	2,383,300	3.64%
Administrative Office of the Courts		5,423,100	8.27%
Judicial Information Center		2,683,000	4.09%
Court of Chancery		2,139,300	3.26%
Superior Court		16,378,900	24.99%
Law Libraries		498,600	0.76%
Family Court		14,319,800	21.85%
Court of Common Pleas		6,594,600	10.06%
Justice of the Peace Court		13,328,600	20.33%
Other**		1,797,800	2.74%
Total	\$	65,547,000	100.00%

*State General Fund monies only.

**Other: Public Guardian, Office of State Court Collections Enforcement, Child Placement Review Board, Educational Surrogate Program and the Office of the Child Advocate.

Source: Administrative Office of the Courts

Supreme Court

In Fiscal Year 2003, the Delaware Supreme Court received 681 appeals and disposed of 727 appeals by opinion, order or dismissal. The vast majority of the appeals were decided within 40 days from the date of submission to the date of final decision. In 91.2% of appeals decided in FY2003, the Court met the standard of the Delaware Judiciary for deciding cases within 90 days of the date of submission for decision. By continually striving for excellence and the prompt adjudication of matters on appeal, the Court's reputation as one of the finest State appellate courts remains unchallenged.

On March 31, 2003, Justice Joseph T. Walsh retired after a distinguished 32 year career as a member of the Delaware Judiciary serving as a Superior Court Judge, a Vice Chancellor of the Court of Chancery and, for the past 18 years, as a Justice of the Delaware Supreme Court. During his service on the Supreme Court, he authored more than 300 opinions in the areas of civil, criminal, and corporate law. His judgment, dedication, civility and work ethic were exceptional. He will always be known as a judges' judge.

In June, 2003, Justice Jack B. Jacobs was sworn in as a Justice of the Delaware Supreme Court to succeed Justice Walsh. Before his appointment to the Court, Justice Jacobs served as a Vice Chancellor of the Court of Chancery since October, 1985, after having practiced corporate and business litigation in Wilmington since 1968. He is an outstanding addition to the Court.

The Court issued several noteworthy Administrative Directives regulating the administration of the courts and the Bar. Administrative



Chief Justice E. Norman Veasey

Directive 142 directed that the Delaware Judiciary purchase and implement the selected commercial off-the-shelf (COTS) system for all courts, including the Justice of the Peace Court, the Court of Common Pleas, the Family Court, the Superior Court, the Court of Chancery, and the Supreme Court. The implementation of an integrated case and financial management system is a top priority of the Delaware Judiciary. Administrative Directive 144 designated Justice Randy J. Holland as Liaison Justice

to the Administrative Office of the Court. The appointment of a Liaison Justice was one of the recommendations of the Court Resources Task Force chaired by the late James H. Gilliam, Jr., Esquire who brought unparalleled leadership skills and vision to his dedication to serving the public. The underlying concept for the appointment was that the management functions of the Delaware Judiciary would benefit from having a Liaison Justice report to and assist the Chief Justice in carrying out the complex and time-consuming administrative demands of the office of Chief Justice. Administrative Directive 148 appointed a committee, chaired by Justice Myron T. Steele, to develop a protocol and uniform policy concerning: (a) applications for attorneys' fees and expenses; (b) agreements with contract counsel; and (c) court appointments other than contract counsel in the Supreme Court, Superior Court and Family Court.



Supreme Court Justices

Front Row (sitting left to right)
Justice Randy J. Holland
Chief Justice E. Norman Veasey
Justice Carolyn Berger

Back Row (standing left to right)
Justice Jack B. Jacobs
Justice Myron T. Steele

Legal Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1. The Supreme Court sits in Dover but the justices maintain their chambers in the counties where they reside.

Court History

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

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

Jurisdiction

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

Justices

The Supreme Court consists of a chief justice and four justices who are nominated by the Governor and confirmed by the Senate. The justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the justices must be of one of the major political parties while the other two justices must be of the other major political party.

Administration

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

Caseload Summary - Fiscal Year 2003						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
Criminal Appeals	196	359	389	166	-30	-15.31%
Civil Appeals	136	264	275	125	-11	-8.09%
Original Applications*	12	58	62	8	-4	-33.33%
Total*	344	681	726	299	-45	-13.08%

Caseload Comparison - Fiscal Years 2002-2003 - Filings				
	2002	2003	Change	% Change
Criminal Appeals	329	359	+30	+9.1%
Civil Appeals	306	264	-42	-13.73%
Certifications	1	3	+2	+200.0%
Original Applications	56	35	-21	-37.50%
Bd. On Prof. Resp.	23	18	-5	-21.74%
Bd. Of Bar Exam.	0	2	+2	+200.0%
Un. Prac. Of Law	0	0	0	-----
Total	715	681	-34	-4.76%

Caseload Comparison - Fiscal Years 2002-2003 - Dispositions				
	2002	2003	Change	% Change
Criminal Appeals	305	389	+84	+27.5%
Civil Appeals	330	275	-55	-16.67%
Certifications	2	3	+1	+50.0%
Original Applications	54	38	-16	-29.63%
Bd. On Prof. Resp.	21	20	-1	-4.76%
Bd. Of Bar Exam.	1	1	0	-----
Un. Prac. Of Law	0	0	0	-----
Total*	713	726	+13	+1.8%

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

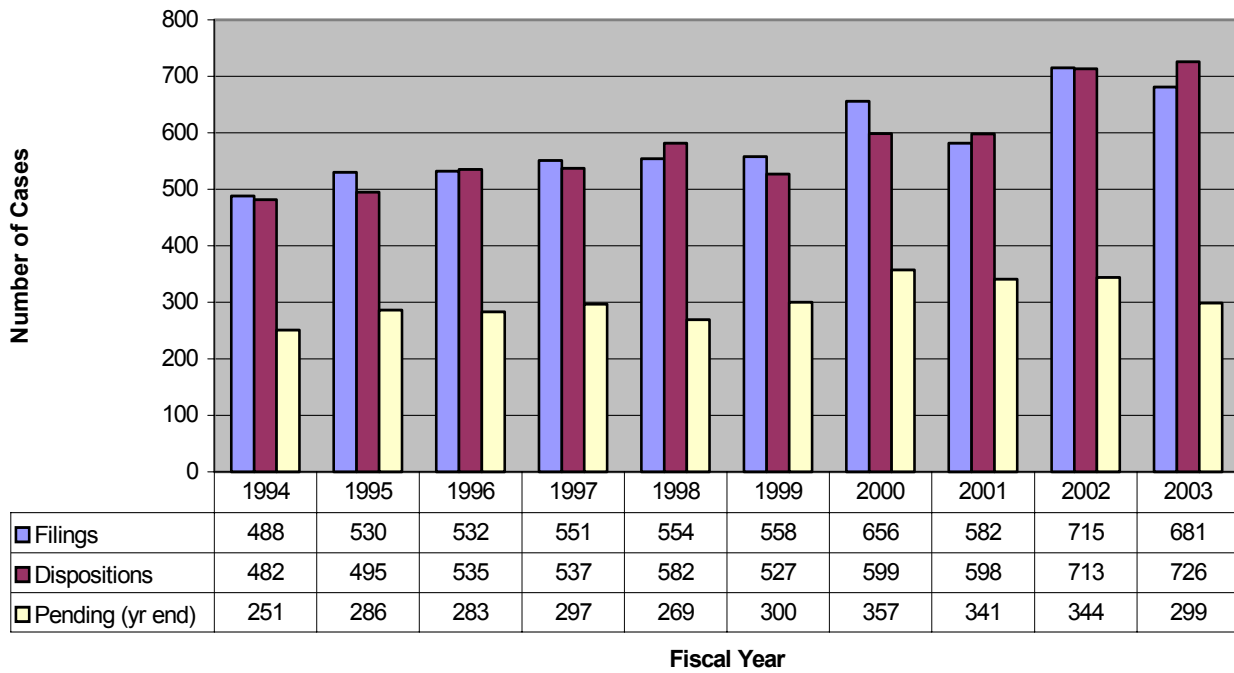
Bd. On Prof. Resp. = Board on Professional Responsibility

Bd. Of Bar Exam. = Board of Bar Examiners

Un. Prac. Of Law = Board on the Unauthorized Practice of Law

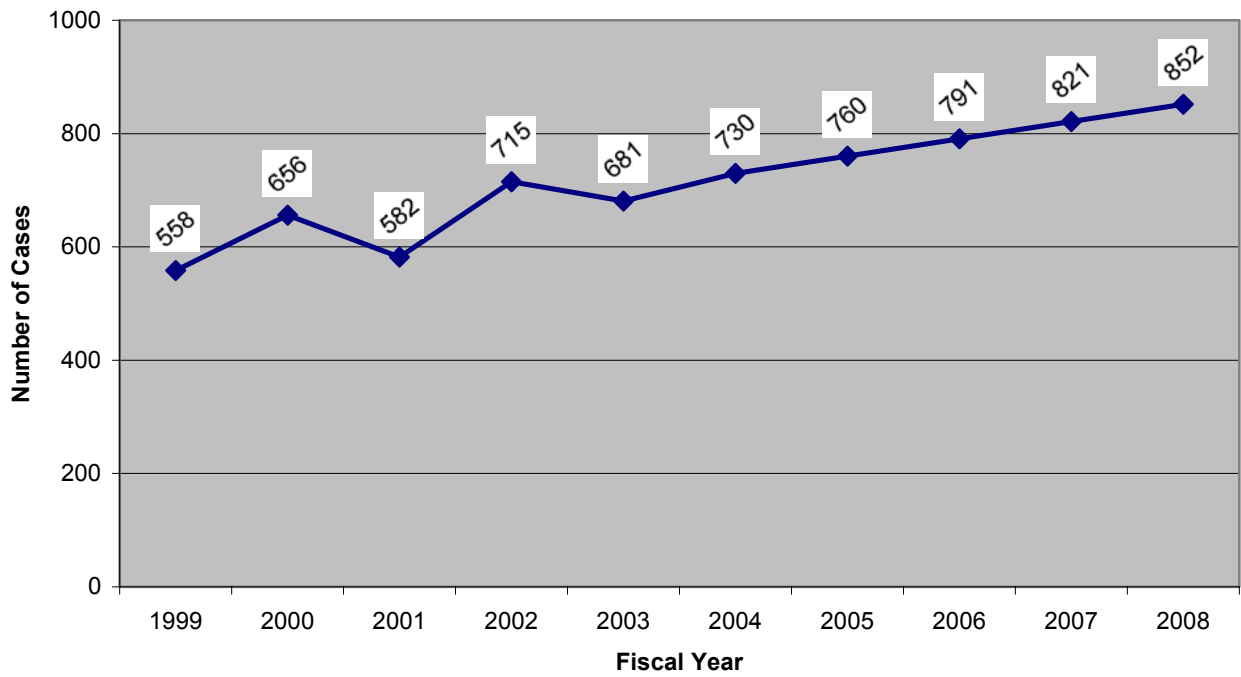
Source: Court Administrator and Clerk of the Supreme Court, Administrative Office of the Courts.

Supreme Court - 10 Year Caseload Trend

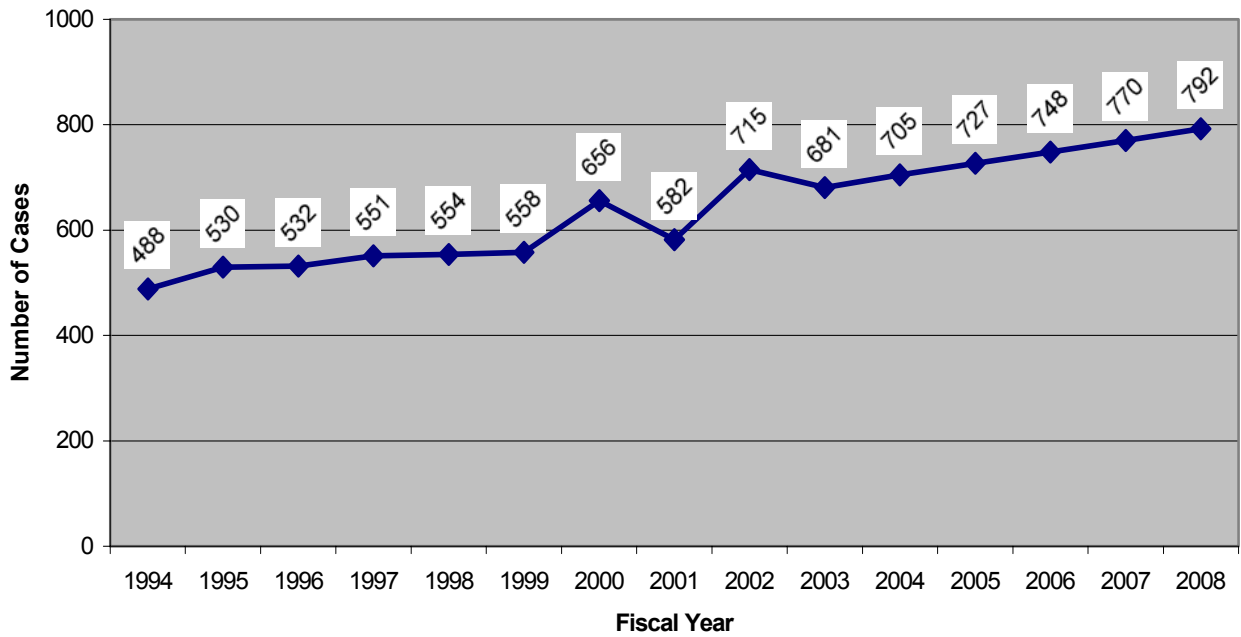


Source: Clerk of the Supreme Court; Administrative Office of the Courts.

Supreme Court - 5 Year Case Filing Projections With 5 Year Base



Supreme Court - 5 Year Case Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

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

SUPREME COURT

Caseload Breakdowns Fiscal Year 2003 - Filings										
	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	0	0.0%	359	100.0%	0	0.0%	0	0.0%	359	100.0%
Civil Appeals	47	17.8%	140	53.0%	77	29.2%	0	0.0%	264	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	3	100.0%	3	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	35	100.0%	35	100.0%
Bd. On Prof. Resp.	0	0.0%	0	0.0%	0	0.0%	18	100.0%	18	100.0%
Bd. Of Bar Exam.	0	0.0%	0	0.0%	0	0.0%	2	0.0%	2	0.0%
Un. Prac. Of Law	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	100.0%
Total	47	6.9%	499	73.3%	77	11.3%	58	8.5%	681	100.0%

Caseload Breakdowns Fiscal Year 2003 - Dispositions										
	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	0	0.0%	389	100.0%	0	0.0%	0	0.0%	389	100.0%
Civil Appeals	56	20.4%	143	52.0%	76	27.6%	0	0.0%	275	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	3	100.0%	3	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	38	100.0%	38	100.0%
Bd. On Prof. Resp.	0	0.0%	0	0.0%	0	0.0%	20	100.0%	20	100.0%
Bd. Of Bar Exam	0	0.0%	0	0.0%	0	0.0%	1	100.0%	1	100.0%
Un. Prac. Of Law	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total	56	7.7%	532	73.3%	76	10.5%	62	8.5%	726	100.0%

Caseload Breakdowns Fiscal Year 2003 - Change in Pending						
	Court of Chancery	Superior Court	Family Court	Non-Court Originated	Total	
Criminal Appeals	0	-30	0	0	-30	
Civil Appeals	-9	-3	+1	0	-11	
Certifications	0	0	0	0	0	
Original Applications	0	0	0	-3	-3	
Bd. On Prof. Resp.	0	0	0	-2	-2	
Bd. Of Bar Exam	0	0	0	+1	+1	
Un. Prac. Of Law	0	0	0	0	0	
Total	-9	-33	+1	-4	-45	

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

Bd. Of Bar Exam. = Board of Bar Examiners

Un. Prac. Of Law = Board on the Unauthorized Practice of Law

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

Types of Dispositions Fiscal Year 2003 - Appeals

	Affirmed Part/		Reversed Part		Remanded		Voluntary Dismissal		Court Dismissal		Leave to Appeal Denied		Other		Total	
	Affirmed	Reversed Part	Reversed	Remanded	Voluntary Dismissal	Court Dismissal	Denied	Appeal Denied	Other	Total						
Criminal Appeals	284	72.8%	9	2.3%	15	3.8%	2	0.5%	32	8.2%	48	12.3%	0	0.0%	390	100.0%
Civil Appeals	140	41.7%	8	2.4%	23	6.8%	1	0.3%	43	12.8%	81	24.1%	17	5.1%	336	100.0%
Total	424	58.4%	17	2.3%	38	5.2%	3	0.4%	75	10.3%	129	17.8%	17	2.3%	726	100.0%

Types of Dispositions Fiscal Year 2003 - Miscellaneous

Action Taken*	Voluntary Dismissal		Court Dismissal		Leave to Appeal Denied		Other	Total								
	Approved	Answered	Dismissal	Denied	Appeal Denied	Other										
Original Applications	0	0.0%	0	0.0%	37	97.4%	0	0.0%	0	0.0%	0	0.0%	38	100.0%		
Certifications	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%		
Bd. On Prof. Resp.	11	55.0%	8	40.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	20	100.0%		
Bd. Of Bar Exam.	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	100.0%		
Total	11	18.6%	8	13.6%	0	0.0%	2	3.4%	37	62.7%	0	0.0%	1	1.7%	59	100.0%

Methods of Dispositions Fiscal Year 2003

	Assigned Opinion	Per Curiam Opinion		Written Order		Voluntary Dismissal		Other	Total			
		Opinion	Order	Order	Dismissal	Dismissal	Other					
Criminal Appeals	37	9.5%	10	2.6%	311	79.7%	32	8.2%	0	0.0%	390	100.0%
Civil Appeals	28	10.2%	9	3.3%	196	71.3%	42	15.3%	0	0.0%	275	100.0%
Certifications	1	33.3%	0	0.0%	0	0.0%	0	0.0%	2	66.7%	3	100.0%
Original Applications	0	0.0%	0	0.0%	37	97.4%	1	2.6%	0	0.0%	38	100.0%
Bd. On Prof. Resp.	1	5.0%	3	15.0%	15	75.0%	1	5.0%	0	0.0%	20	100.0%
Bd. Of Bar Exam.	0	0.0%	1	100.0%	0	0.0%	0	0.0%	0	0.0%	1	100.0%
Total	67	9.2%	23	3.2%	559	76.9%	76	10.5%	2	0.3%	727	100.0%

* Action taken includes disbarments, suspensions and reinstatements.

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

Bd. Of Bar Exam. = Board of Bar Examiners

Un. Prac. Of Law = Board on the Unauthorized Practice of Law

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

SUPREME COURT

Performance Summary Fiscal Year 2003 - Average Elapsed Time to Disposition			
	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Criminal Appeals	389	192.3 days	45.8 days
Civil Appeals	275	179.4 days	34.2 days
Certifications	3	63.7 days	27.3 days
Original Applications	38	50.7 days	29.6 days
Bd. On Prof. Resp.	20	84.7 days	28.4 days
Bd of Bar Exam.	1	145.0 days	6.0 days
Total	726	180.1 days	41.1 days

Caseload Comparison - Fiscal Years 2002-2003 - Average Time From Filing to Disposition				
	2002	2003	Change	% Change
Criminal Appeals	240.6 days	192.3 days	-48.3 days	-20.1%
Civil Appeals	186.6 days	179.4 days	-7.2 days	-3.9%
Certifications	15.5 days	63.7 days	+48.2 days	+310.8%
Original Applications	53.4 days	50.7 days	-2.7 days	-5.0%
Bd. On Prof. Resp.	131.4 days	84.7 days	-46.8 days	-35.6%
Bd. Of Bar Exam.	290 days	145.0 days	-145 days	-50.0%
Total	198 days	180.1 days	-17.9 days	-9.0%

Performance Breakdowns Fiscal Year 2003 - Elapsed Time by Disposition Type			
Type of Disposition	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Affirmed	424	201.2 days	42.9 days
Affirmed Part/Reversed Part	17	422.2 days	105.1 days
Reversed	36	343.5 days	61.2 days
Remanded	3	243.7 days	59.3 days
Voluntary Dismissal	75	138.1 days	---
Court Dismissal	131	83.3 days	25.9 days
Leave to Appeal Denied	17	19.6 days	12.6 days
Other	23	96.3 days	34.7 days
Total	726	178.2 days	41.1 days

Performance Breakdowns Fiscal Year 2003 - Elapsed Time by Disposition Method			
Method of Disposition	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Assigned Opinion	68	396.6 days	98.2 days
Per Curium Opinion	21	325.2 days	52.9 days
Written Order	561	152.9 days	34.3 days
Voluntary Dismissal	75	138.1 days	----
Other	2	15.5 days	15.5 days
Total	727	178.7 days	41.5 days

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

**Eight cases that were stayed by the filing of a bankruptcy proceeding in the U.S. Bankruptcy Court have been excluded from the average time from filing to disposition. If included, the average elapsed time from filing to disposition for cases dismissed by the court would be 185.0 days and the average elapsed time from filing to disposition for cases disposed by means of a written order would be 176.0 days.

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

Court of Chancery

In fiscal year 2003, the Court of Chancery completed its transition of the Court and the Register in Chancery to a statewide office and implemented statewide practices and procedures making the Court as a whole more accessible to the public and the bar. In addition, the Court completed construction of the new Court of Chancery building on The Circle in Georgetown. The support staff and chambers are now consolidated in



Chancellor William B. Chandler III

one building which also facilitates improved access for the public and the bar.

In addition to improved access, the legislature approved expanding the Court's jurisdiction over technology disputes and the ability to conduct a "mediation only" program for technology and business disputes. The Court recently adopted rules implementing the new technology jurisdiction and "mediation only" program that were created pursuant to Senate Bill No. 58, which added Sections 346 and 347 to Title 10 of the Delaware Code. The technology dispute jurisdiction, as well as the "mediation only" program, will further expand the services that the Court of Chancery offers to entities incorporated or formed in Delaware, or that have their place of business here.

More recently, the Court of Chancery launched its new electronic filing system. As of October 20, 2003 all documents filed in pending or new civil action cases are required to be filed electronically through the LexisNexis e-filing system. Thus, the Court of Chancery becomes the first statewide court in the country to adopt e-filing for all of its civil docket, regardless of the amount in controversy. E-filing will enhance the Court's reputa-

tion for efficiency, speed and accessibility, as well as reduce the amount of storage space needed for documents filed with the Register in Chancery. With the implementation of the LexisNexis e-filing system, the Court is now accessible not only by all Chambers and Register in Chancery staff, but by the bar and the public through internet access. This system will enable staff to better facilitate the management of the civil actions caseload. The Court of Chancery looks forward to the implementation of COTS which will combine the Court's entire caseload into a single case and financial management system.



From Left to Right
Vice Chancellor John W. Noble
Vice Chancellor Leo E. Strine
Chancellor William B. Chandler III
Vice Chancellor Stephan P. Lamb
Vice Chancellor Donald F. Parsons, Jr.

Legal Authorization

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

Court History

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

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover and Georgetown. The chancellor and vice chancellors are nominated by the Governor and must be confirmed by the Senate for 12-year terms. The chancellor and vice chancellors must be learned in the law and must be Delaware citizens.

Public Guardian

The chancellor has the duty to appoint the public guardian.

Support Personnel

The register in chancery is the clerk of the court for all actions except those within the jurisdiction of the register of wills. The chancellor or vice chancellor resident in the county is to appoint one chief deputy register in chancery in each county. The register in chancery in New Castle County appoints a chief deputy register in chancery as well.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, questions of title to real estate, and commercial and contractual matters in general. When issues of fact to be tried by a jury arise, the Court of Chancery may order such facts to trial by issues at the Bar of the Superior Court (10 Del. C., §369).

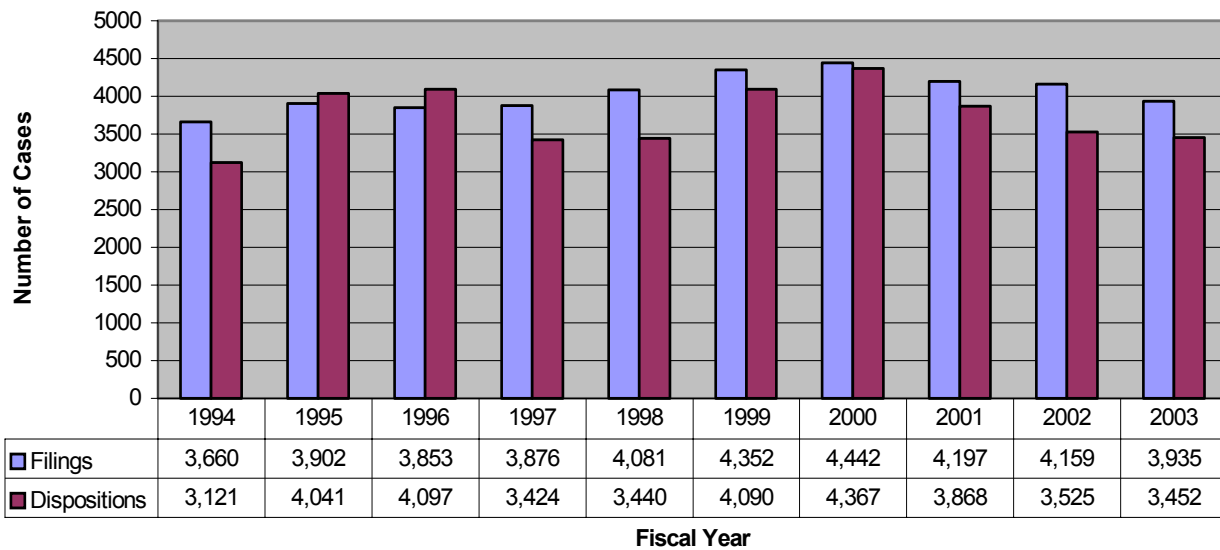
Caseload Summary Fiscal Year 2003 - Total Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	8,284	2,617	2,129	8,772	+488	+5.9%
Kent County	2,185	543	634	2,094	-91	-4.2%
Sussex County	3,274	775	689	3,360	+86	+2.6%
State	13,743	3,935	3,452	14,226	+483	+3.5%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Filings				
	2002	2003	Change	% Change
New Castle County	2,808	2,617	-191	-6.8%
Kent County	526	543	+17	+3.2%
Sussex County	825	775	-50	-6.1%
State	4,159	3,935	-224	-5.4%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Dispositions				
	2002	2003	Change	% Change
New Castle County	2,317	2,129	-188	-8.1%
Kent County	501	634	+133	+26.5%
Sussex County	707	689	-18	-2.5%
State	3,525	3,452	-73	-2.1%

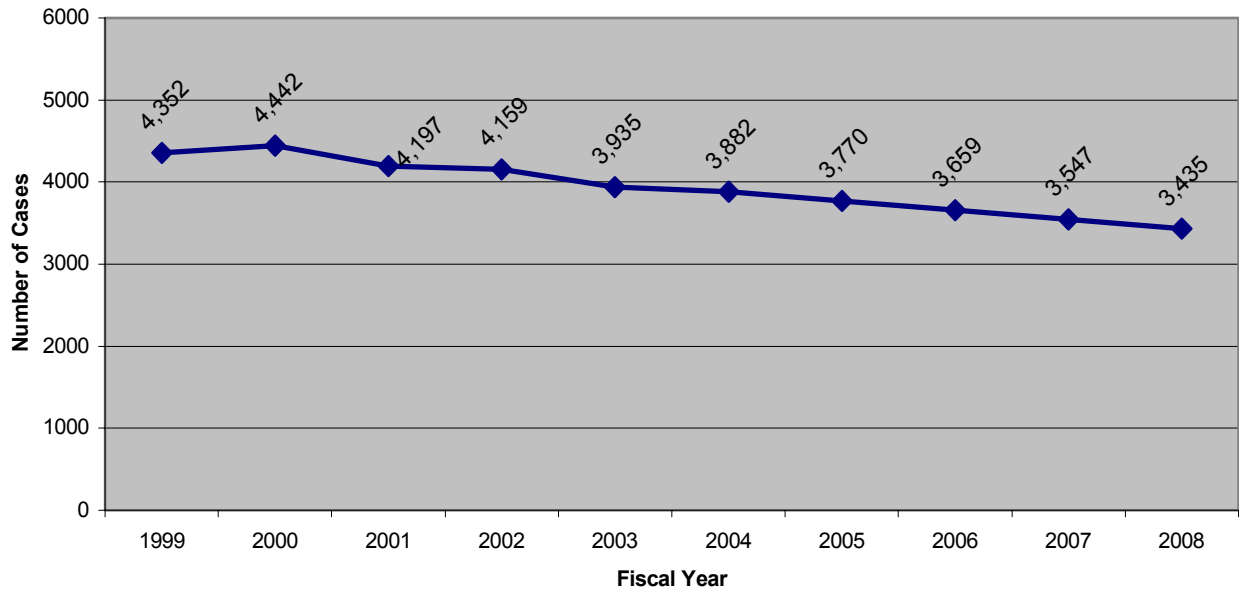
Source: Register in Chancery; Registers of Wills; Administrative Office of the Courts.

Court of Chancery - 10 Year Total Caseload Trend

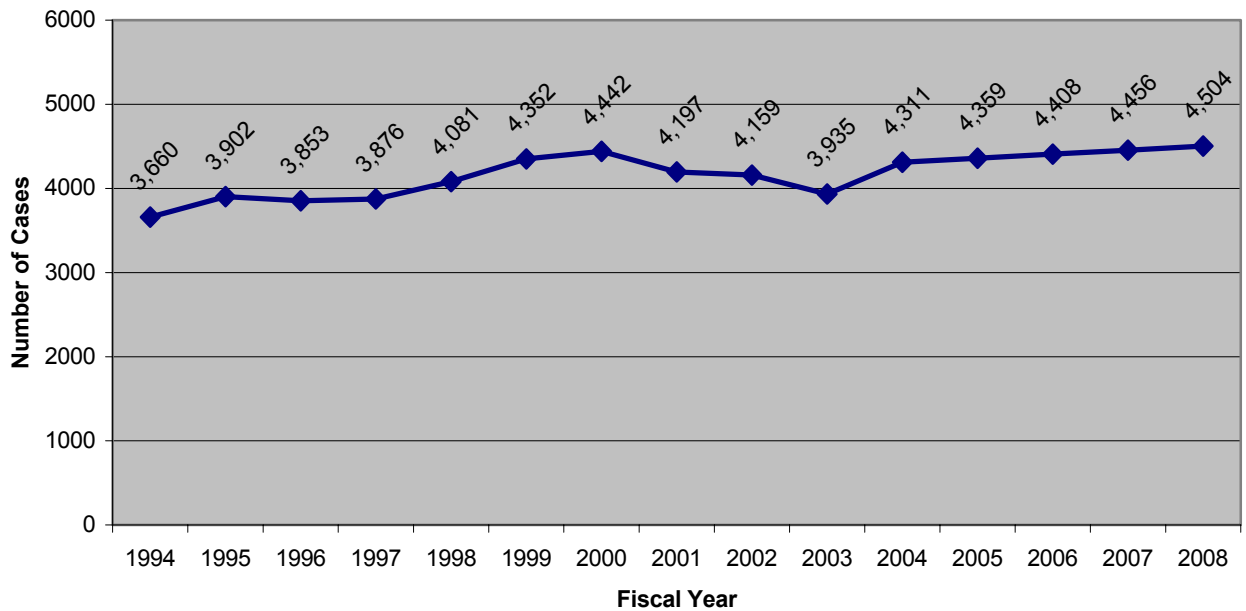


Source: Register in Chancery; Registers of Wills; Administrative Office of the Courts.

Court of Chancery - 5 Year Total Filing Projections With 5 Year Base



Court of Chancery - 5 Year Total Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

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

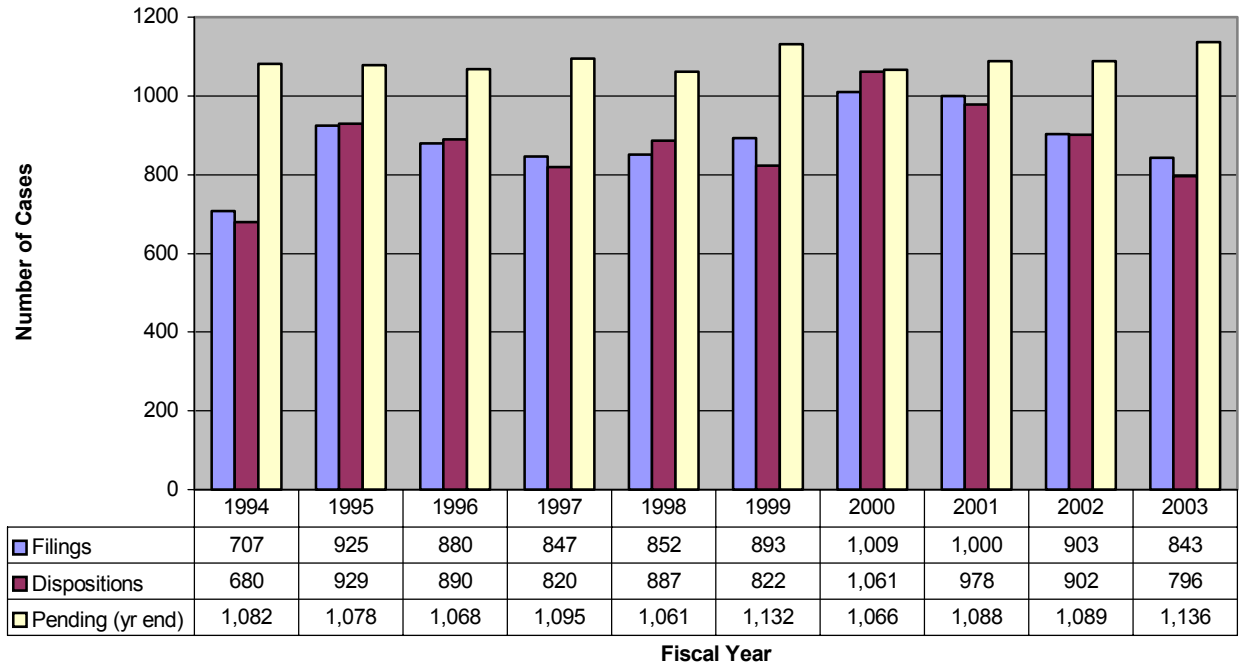
Caseload Summary Fiscal Year 2003 - Civil Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	899	708	696	911	+12	+1.3%
Kent County	63	35	31	67	+4	+6.3%
Sussex County	127	100	69	158	+31	+24.4%
State	1,089	843	796	1,136	+47	+4.3%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Filings				
	2002	2003	Change	% Change
New Castle County	778	708	-70	-9.0%
Kent County	45	35	-10	-22.2%
Sussex County	80	100	+20	+25.0%
State	903	843	-60	-6.6%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Dispositions				
	2002	2003	Change	% Change
New Castle County	778	696	-82	-10.5%
Kent County	54	31	-23	-42.6%
Sussex County	70	69	-1	-1.4%
State	902	796	-106	-11.8%

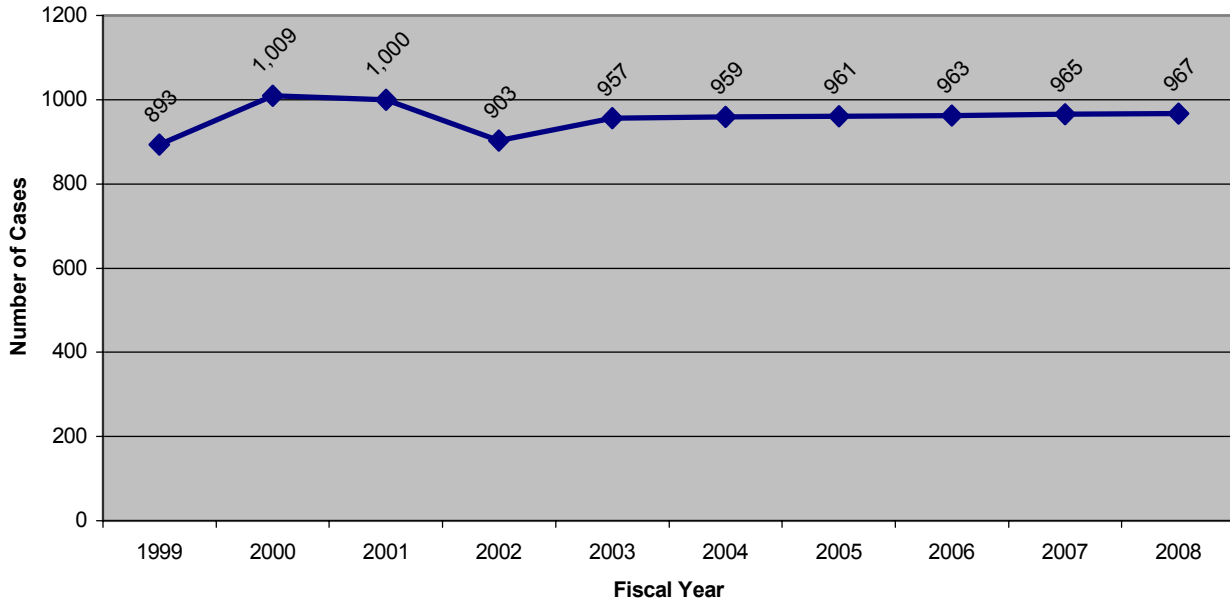
Source: Register in Chancery; Administrative Office of the Courts.

Court of Chancery - 10 Year Civil Caseload Trend

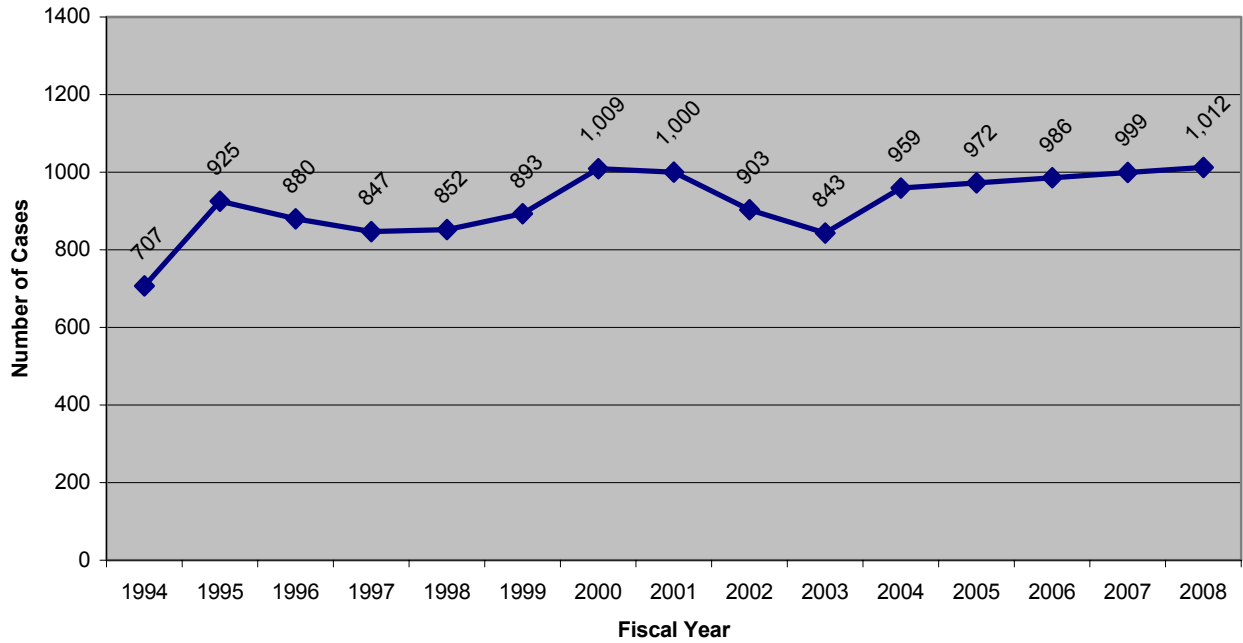


Source: Register in Chancery, Administrative Office of the Courts.

Court of Chancery - 5 Year Civil Filing Projections With 5 Year Base



Court of Chancery - 5 Year Civil Filing Projections With 10 Year Base



Trend lines computed by regression analysis.
 Source: Register in Chancery, Administrative Office of the Courts.

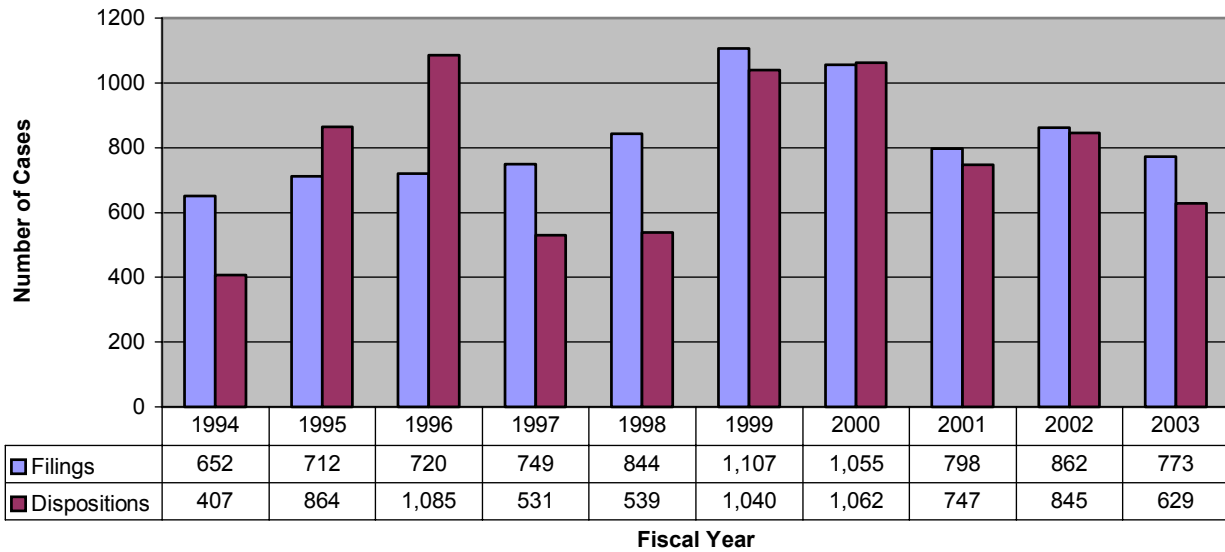
Caseload Summary Fiscal Year 2003 - Miscellaneous Matters						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	3,781	490	289	3,982	+201	+5.3%
Kent County	795	141	256	680	-115	-14.5%
Sussex County	2,150	142	84	2,208	+58	+2.7%
State	6,726	773	629	6,870	+144	+2.1%

Caseload Comparison - Fiscal Years 2002-2003 - Miscellaneous Matters Filings				
	2002	2003	Change	% Change
New Castle County	581	490	-91	-15.7%
Kent County	121	141	+20	+16.5%
Sussex County	160	142	-18	-11.3%
State	862	773	-89	-10.3%

Caseload Comparison - Fiscal Years 2001-2002 - Miscellaneous Matters Dispositions				
	2002	2003	Change	% Change
New Castle County	298	289	-9	-3.0%
Kent County	69	256	+187	+271.0%
Sussex County	73	84	+11	+15.1%
State	440	629	+189	+43.0%

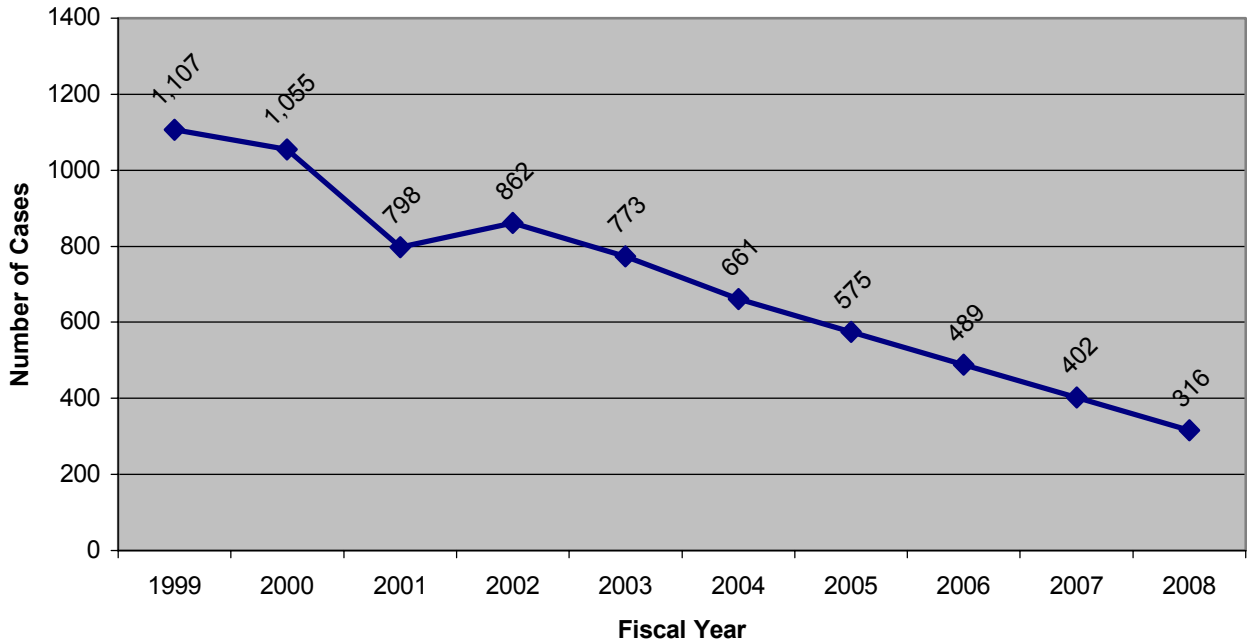
Source: Register in Chancery; Administrative Office of the Courts.

Court of Chancery - 10 Year Miscellaneous Caseload Trend

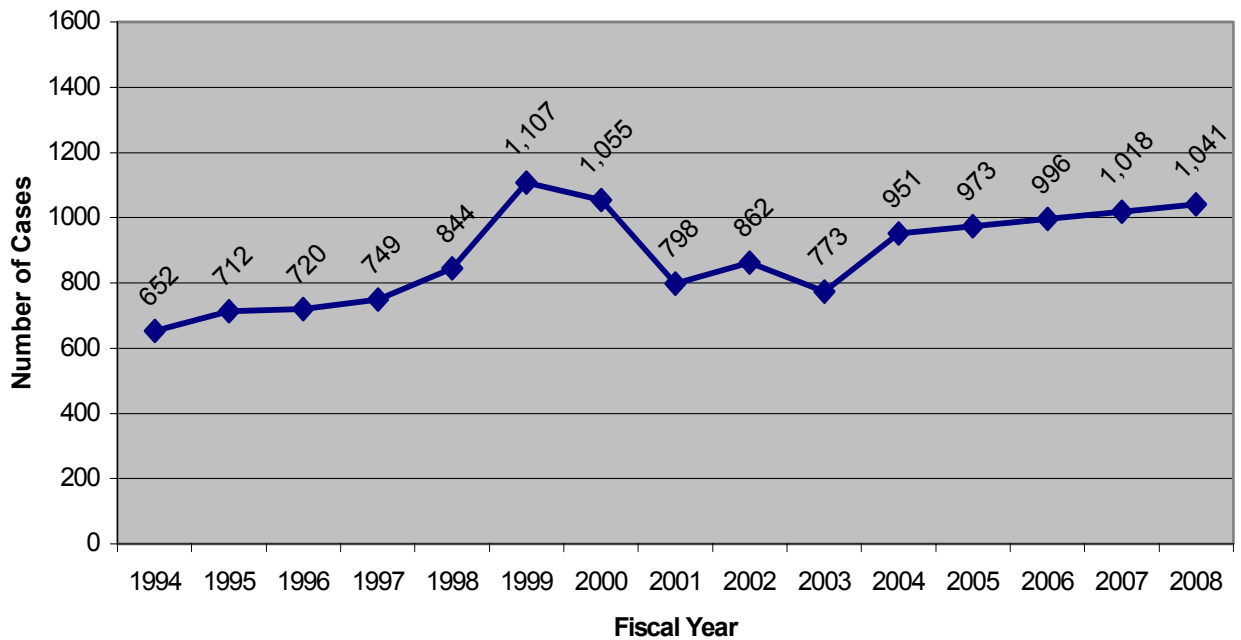


Source: Register in Chancery, Administrative Office of the Courts.

Court of Chancery - 5 Year Miscellaneous Filing Projections With 5 Year Base



Court of Chancery - 5 Year Miscellaneous Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

Source: Register in Chancery, Administrative Office of the Courts.

Caseload Breakdowns Fiscal Year 2003 - Miscellaneous Matters Filed					
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals
New Castle County	186	148	46	110	490
Kent County	66	56	1	18	141
Sussex County	54	52	2	34	142
State	306	256	49	162	773
	38.0%	30.2%	9.4%	22.4%	100.0%
	46.8%	39.7%	0.7%	12.8%	100.0%
	38.0%	36.6%	1.4%	23.9%	100.0%
	39.6%	33.1%	6.3%	21.0%	100.0%

Caseload Breakdowns Fiscal Year 2003 - Miscellaneous Matters Disposed					
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals
New Castle County	147	92	40	10	289
Kent County	88	128	0	40	256
Sussex County	22	23	8	31	84
State	257	243	48	81	629
	50.9%	31.8%	13.8%	3.5%	100.0%
	34.4%	50.0%	0.0%	15.6%	100.0%
	26.2%	27.4%	9.5%	36.9%	100.0%
	40.9%	38.6%	7.6%	12.9%	100.0%

Caseload Breakdowns Fiscal Year 2003 - Miscellaneous Matters Pending at End of Year					
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals
New Castle County	1429	1526	537	490	3,982
Kent County	357	235	69	19	680
Sussex County	819	1053	148	188	2,208
State	2,605	2,814	754	697	6,870
	35.9%	38.3%	13.5%	12.3%	100.0%
	52.5%	34.6%	10.1%	2.8%	100.0%
	37.1%	47.7%	6.7%	8.5%	100.0%
	37.9%	41.0%	11.0%	10.1%	100.0%

Caseload Breakdowns Fiscal Year 2003 - Miscellaneous Matters Change in Pending					
	Guardians for Minors	Guardians for Infirm	Trusts	Other Matters	Totals
New Castle County	+39	+56	+6	+100	+201
Kent County	-22	-72	+1	-22	-115
Sussex County	+32	+29	-6	+3	+58
State	+49	+13	+1	+81	+144

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

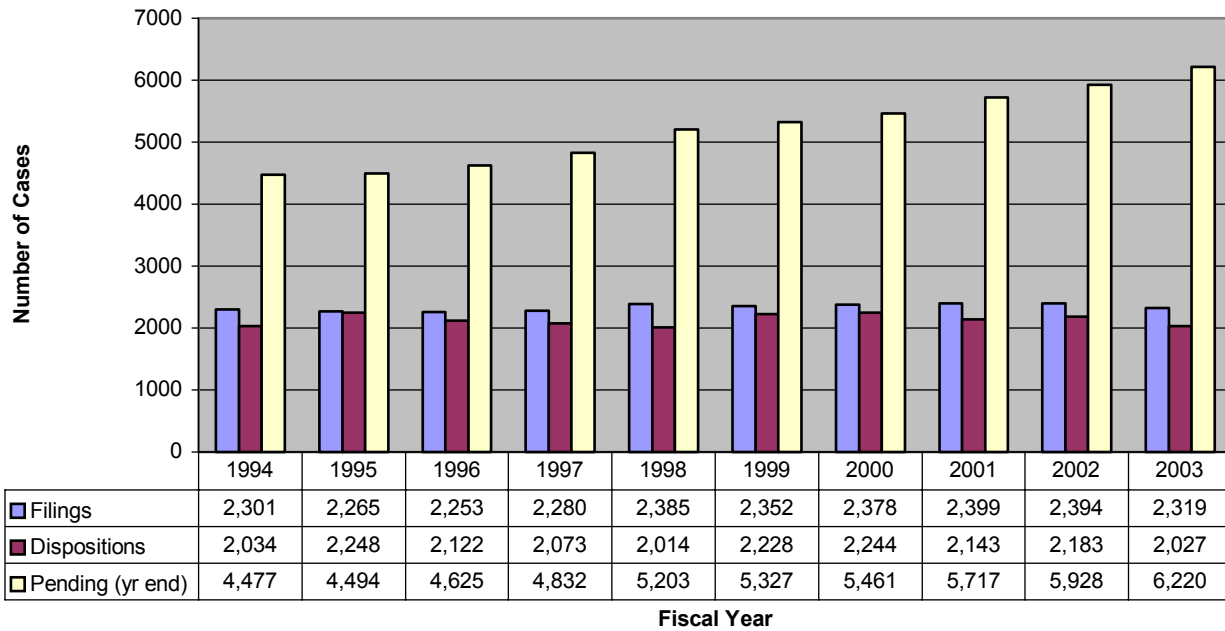
Caseload Summary Fiscal Year 2003 - Estates						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	3,604	1,419	1,144	3,879	+275	+7.6%
Kent County	1,327	367	347	1,347	+20	+1.5%
Sussex County	997	533	536	994	-3	-0.3%
State	5,928	2,319	2,027	6,220	+292	+4.9%

Caseload Comparison - Fiscal Years 2002-2003 - Estate Filings					
	2002	2003	Change	% Change	
New Castle County	1,449	1,419	-30	-2.1%	
Kent County	360	367	+7	+1.9%	
Sussex County	585	533	-52	-8.9%	
State	2,394	2,319	-75	-3.1%	

Caseload Comparison - Fiscal Years 2002-2003 - Estate Dispositions					
	2002	2003	Change	% Change	
New Castle County	1,241	1,144	-97	-7.8%	
Kent County	378	347	-31	-8.2%	
Sussex County	564	536	-28	-5.0%	
State	2,183	2,027	-156	-7.1%	

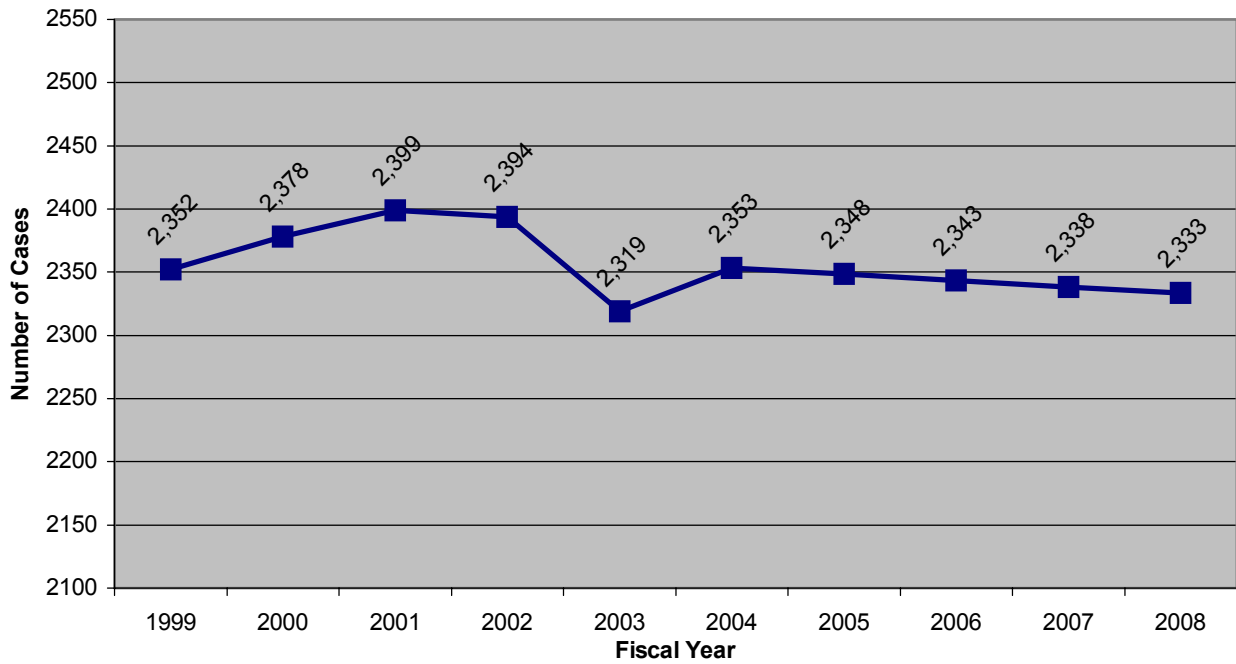
Source: Registers of Wills; Administrative Office of the Courts.

Court of Chancery - 10 Year Estates Caseload Trend

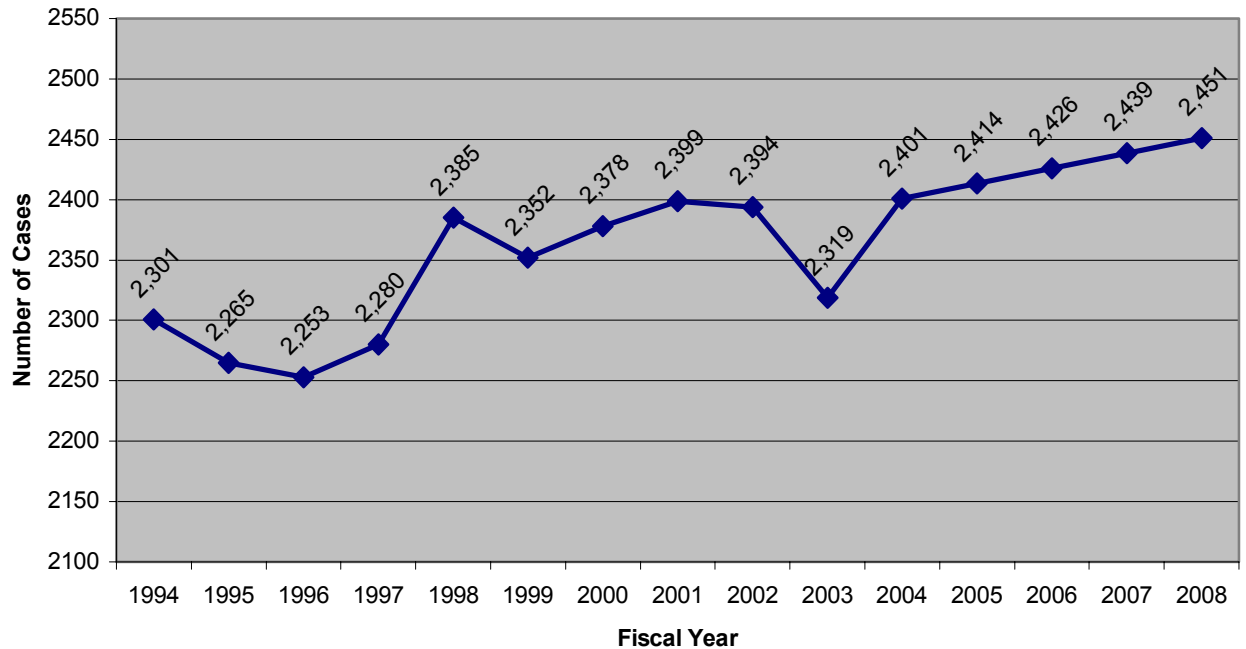


Source: Registers of Wills, Administrative Office of the Courts.

Court of Chancery - 5 Year Estates Filing Projections With 5 Year Base



Court of Chancery - 5 Year Estates Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

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

Superior Court

For the second year in a row, I am very pleased to report that the nation's top corporate counsel and senior litigators recognized the Superior Court of Delaware as the premier court of general jurisdiction in the country. The Harris Poll State Liability Systems Ranking Study conducted for the United States Chamber Institute for Legal Reform measured corporate America's perception of which state is doing the best job of creating a fair and reasonable litigation environment and focused on numerous factors. Among the areas surveyed were overall treatment of tort and contract litigation, treatment of class action suits, punitive damages, timeliness of summary judgment/dismissal, discovery, scientific and technical evidence, judges' impartiality, judges' competence, juries' predictability and fairness. The study's respondents, corporate general counsels and senior attorneys at companies with annual revenues of at least \$100 million, graded all 50 states in each of the categories. Delaware was ranked number one overall.

During Fiscal Year 2003, the court concentrated on the expansion of its electronic service delivery, browser-based report distribution and conversion of paper-based communications to electronic communications. The court continued to build upon the foundation of its content-rich Web site. A new Web site was unveiled with new graphic design and dy-



President Judge Henry duPont Ridgely

amic navigation. Other improvements to the Courts' Web site included the addition of over 150 new pages of ADR-related material, an advanced search capability, expansion of our legal research links, and the addition of a Reentry Court section. The Jury Services and County pages were enhanced, supplemented and streamlined for user ease. To enhance the Courts' expansion of eFiling, information was added, with

direct login capability for users. A Listserv information service was begun that already serves over 700 members. It provides instant notification of orders, court opinions, rule changes and other information.

In other efforts to maximize the use of available technology, the Court implemented a criminal imaging system in Kent County, with expansion to Sussex and New Castle Counties slated for the winter of 2003-04. The Court will shortly install state-of-the-art presentation technology systems in three more of its trial courtrooms. The Superior Court also obtained a grant from the State Justice Institute to fund the development and implementation of criminal eFiling in Kent and Sussex Counties in partnership with LexisNexis. The court implemented Real-Time court reporting in all three counties for all civil and criminal trials, as well as other designated court proceedings.

The renovation and expansion of the Sussex County Courthouse was completed which resulted in the long-needed expansion of the

Prothonotary's Office. In New Castle County, the Court faced the challenges presented by the move into the recently occupied New Castle County Courthouse, with the expansion of the number of courtrooms from 10 to 16, at a time when hiring freezes and personnel shortages became commonplace.

In New Castle County, improvements in the scheduling of suppression hearings and trials in criminal cases, in tandem with the ongoing grant-funded Criminal Case Management project and the diligent work of the Bench, have produced measurable results.

Despite the chronic shortage of Prothonotary and other court staff, because of budget constraints and hiring freezes, services to the public did not falter. Further, the rate of disposition of non-first degree murder criminal cases within 120 days of indictment increased from 49.8% at the beginning of the fiscal year to 63.6% at the end of the fiscal year, with the rate of disposition within one year increasing from 91.8% to 96%. The number of non-first-degree murder cases pending over 120 days saw a dramatic decrease, as well, by over 56%. There were 183 criminal trials conducted, compared to 169 the previous year.

Further, trials resumed in first-degree murder cases as part of the concerted effort to bring them to disposition expeditiously. In the civil division, eFiling efforts were expanded enabling the uploading and scanning

of documents in asbestos and coverage cases.

Superior Court and the Delaware Bar Associations jointly presented statewide training sessions on the court's amended Alternative Dispute Resolution Civil Rule 16.1. A Superior Court Judge, Commissioners and staff served on the panels. In addition, the ADR Manual was updated and published online. The online edition is available on the Courts' Web site and includes ADR practitioner listings, complete with interactive e-mail links. Finally, uniform, statewide ADR forms were designed and implemented, replacing different forms used in each county.

Superior Court saw other changes as well, with the February retirement of Judge Carl Goldstein and the investiture that same month of Judge Calvin Scott.

Finally, Superior Court continued its dedication to its vision, mission and core values through the collaborative efforts of its judges and staff from across Delaware. The vision of Superior Court is to be the best Superior Court in the nation by providing superior service to the public in pursuit of justice. The court has agreed that the core values as an organization are UNITED, which stands for unity, neutrality, integrity, timeliness, equality and dedication. The court is committed to building on the quality of justice and public service for which the Superior Court of Delaware is well known both in Delaware and throughout the nation.



Front Row (sitting left to right)
Associate Judge Susan C. Del Pesco
Associate Judge Richard S. Gebelein
President Judge Henry duPont Ridgely
Associate Judge John E. Babiarez, Jr.
Associate Judge Jerome O. Herlihy

Second Row (standing left to right)
Associate Judge Fred S. Silverman
Associate Judge Haile L. Alford
Associate Judge Charles H. Toliver, IV
Resident Judge T. Henley Graves
Associate Judge Carl A. Goldstein
Resident Judge Richard R. Cooch
Associate Judge William C. Carpenter, Jr.

Third Row (standing left to right)
Associate Judge Joseph R. Slight, III
Associate Judge E. Scott Bradley
Associate Judge William L. Witham, Jr.
Resident Judge James T. Vaughn, Jr.
Associate Judge Richard F. Stokes
Associate Judge Peggy L. Ableman
Associate Judge Jan R. Jurden

Legal Authorization

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

Court History

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

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

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

Geographic Organization

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

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction, and domestic relations matters which jurisdiction is vested with the Family Court. The Court's authority to award damages is not subject to a monetary maximum. The Court hears cases of personal injury, libel and slander, and contract claims. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics' liens, condemnations, and appeals related to landlord-tenant disputes, and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of mari-

juana cases). Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court (adult criminal), and more than 50 administrative agencies including the Industrial Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Superior Court judges are nominated by the Governor and confirmed by the Senate. The judges are appointed for 12-year terms and must be learned in the law. There may be nineteen judges appointed to the Superior Court bench. One of the nineteen judges is appointed president judge with administrative responsibility for the Court. Three are appointed as resident judges and must reside in the county in which they are appointed. No more than a bare majority of the judges may be of one political party; the rest must be of the other major political party.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, pre-sentence officers, a secretary for each judge, and other personnel.

An appointed prothonotary for each county serves as clerk of the Superior Court for the county. The prothonotary for each county serves as clerk of the Superior Court and is directly involved with the daily operations of the Court. The office handles the jury list and property liens and is the custodian of costs and fees for the Court. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital, and collects and distributes restitution monies as ordered by the Court in addition to numerous other duties. It is also charged with security, care, and custody of Court's exhibits. Elected sheriffs, one per county, also serve Superior Court.

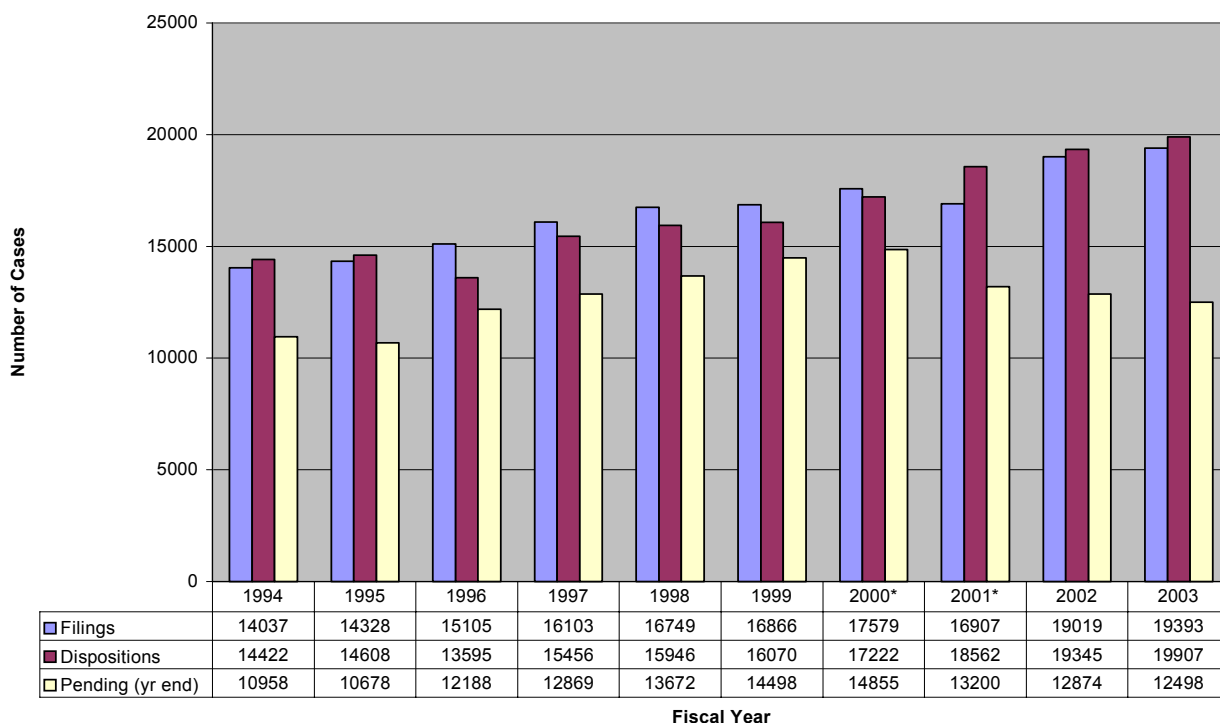
Caseload Summary Fiscal Year 2003 - Total Cases						
	Pending			Pending	Change	% Change
	6/30/2002	Filings	Dispositions	6/30/2003	In Pending	In Pending
New Castle County	9,739	13,080	13,385	9,434	-305	-3.1%
Kent County	1,589	3,247	3,191	1,645	+56	+3.5%
Sussex County	1,684	3,066	3,331	1,419	-265	-15.7%
State	13,012	19,393	19,907	12,498	-514	-4.0%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Filings				
	2002	2003	Change	% Change
New Castle County	12,463	13,080	+617	+5.0%
Kent County	2,883	3,247	+364	+12.6%
Sussex County	2,827	3,066	+239	+8.5%
State	18,173	19,393	+1220	+6.7%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Dispositions				
	2002	2003	Change	% Change
New Castle County	12,531	13,385	+854	+6.8%
Kent County	3,011	3,191	+180	+6.0%
Sussex County	2,848	3,331	+483	+17.0%
State	18,390	19,907	+1517	+8.2%

Source: Court Administrator and Prothonotaries' Offices, Superior Court;
Administrative Office of the Courts.

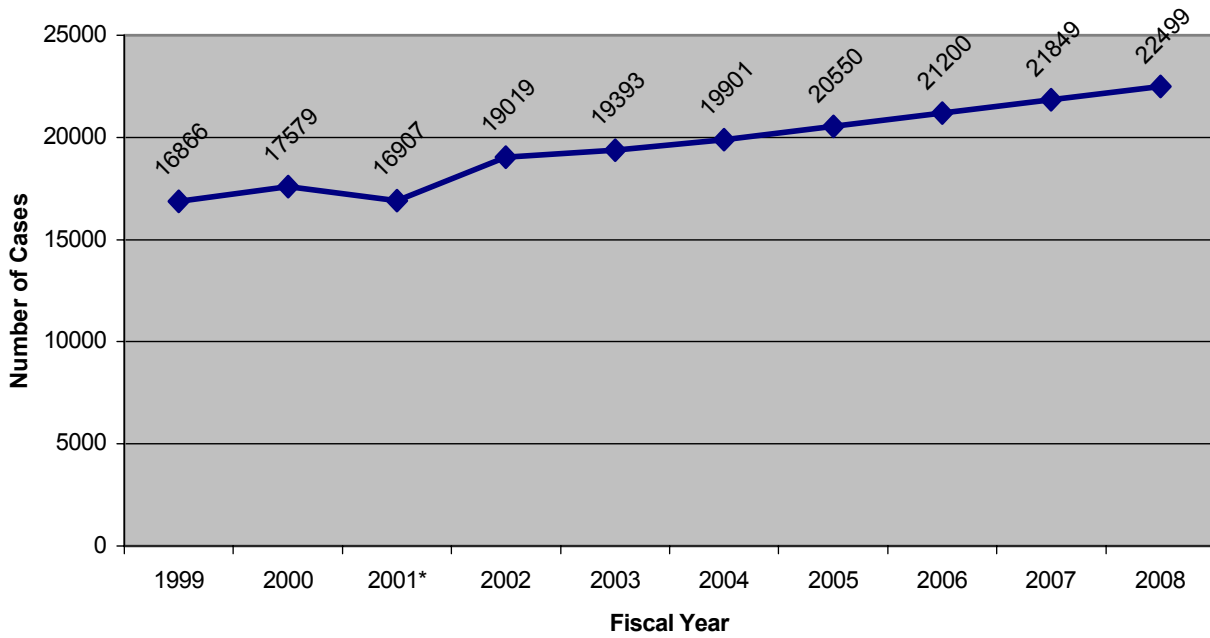
Superior Court - 10 Year Total Caseload Trend



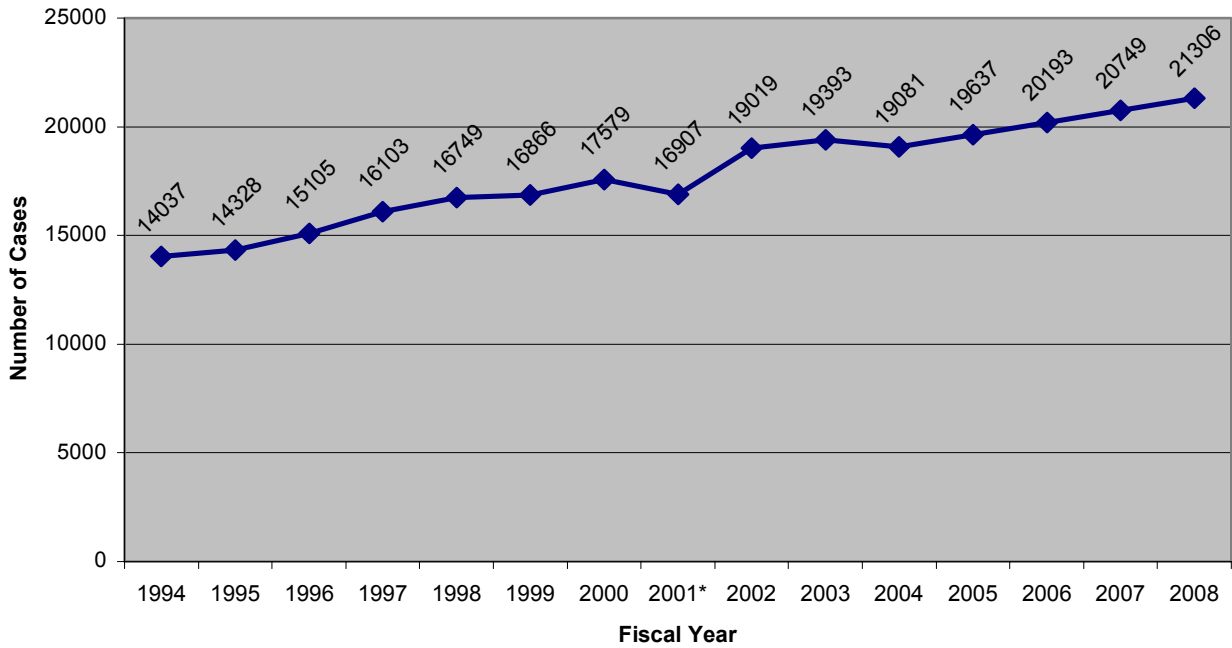
*Filings and pending at end of year amended.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Superior Court - 5 Year Filing Projections With 5 Year Base



Superior Court - 5 Year Filing Projections With 10 Year Base



*2001 Filings are amended from FY 2001 Statistical Report.

Trend lines computed by regression analysis.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

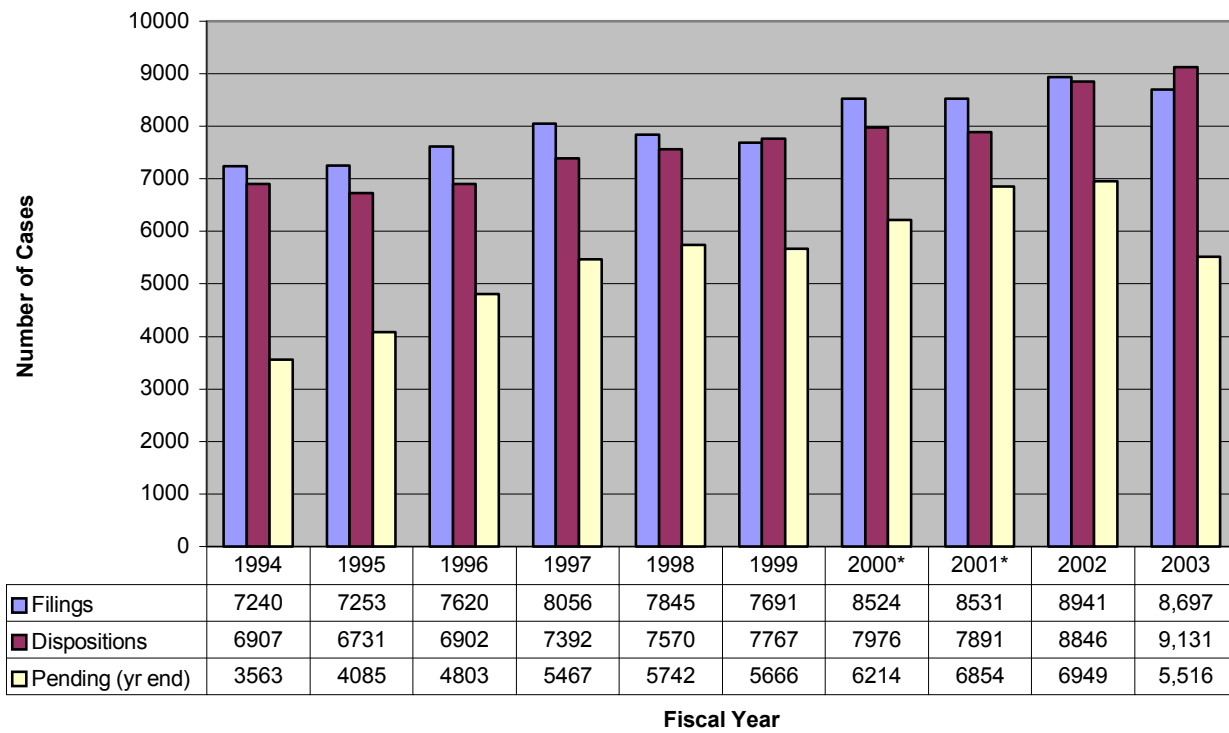
Caseload Summary Fiscal Year 2003 - Criminal Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	4,046	4,856	5,220	3,682	-364	-9.0%
Kent County	926	1,912	1,868	970	+44	+4.8%
Sussex County	978	1,929	2,043	864	-114	-11.7%
State	5,950	8,697	9,131	5,516	-434	-7.3%

Caseload Comparison - Fiscal Years 2002-2003 - Criminal Case Filings				
	2002	2003	Change	% Change
New Castle County	4,742	4,856	+114	+2.4%
Kent County	1,657	1,912	+255	+15.4%
Sussex County	1,696	1,929	+233	+13.7%
State	8,095	8,697	+602	+7.4%

Caseload Comparison - Fiscal Years 2002-2003 - Criminal Case Dispositions				
	2002	2003	Change	% Change
New Castle County	4,577	5,220	+643	+14.0%
Kent County	1,675	1,868	+193	+11.5%
Sussex County	1,639	2,043	+404	+24.6%
State	7,891	9,131	+1240	+15.7%

Source: Court Administrator and Prothonotaries' Offices, Superior Court;
Administrative Office of the Courts.

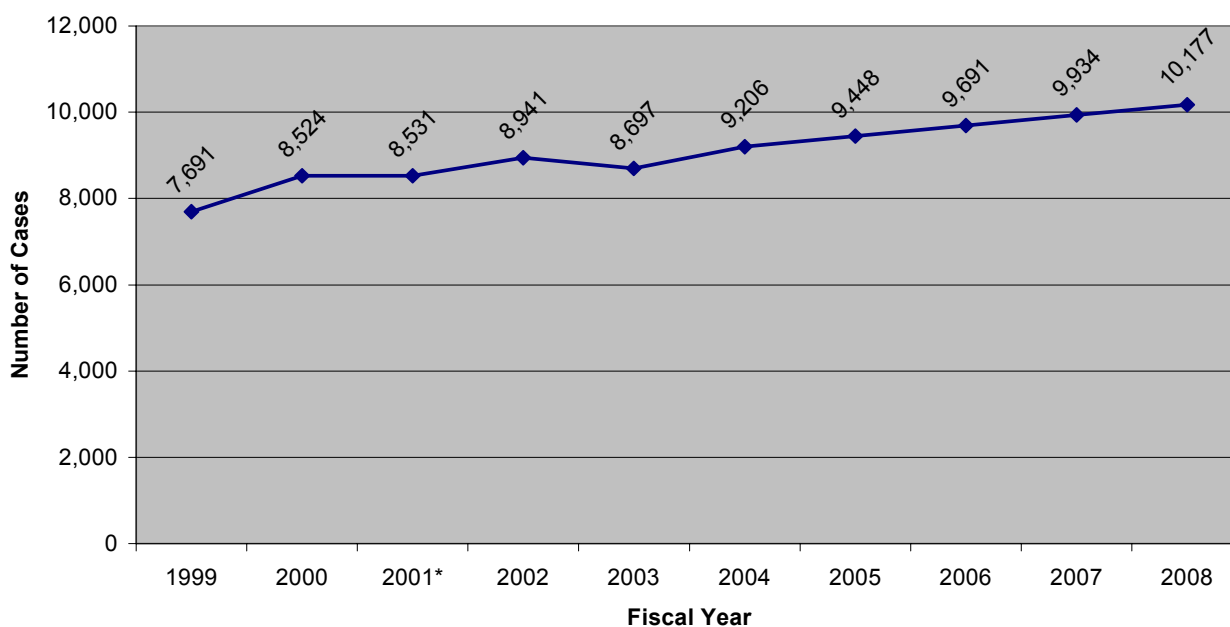
Superior Court - 10 Year Criminal Caseload Trend



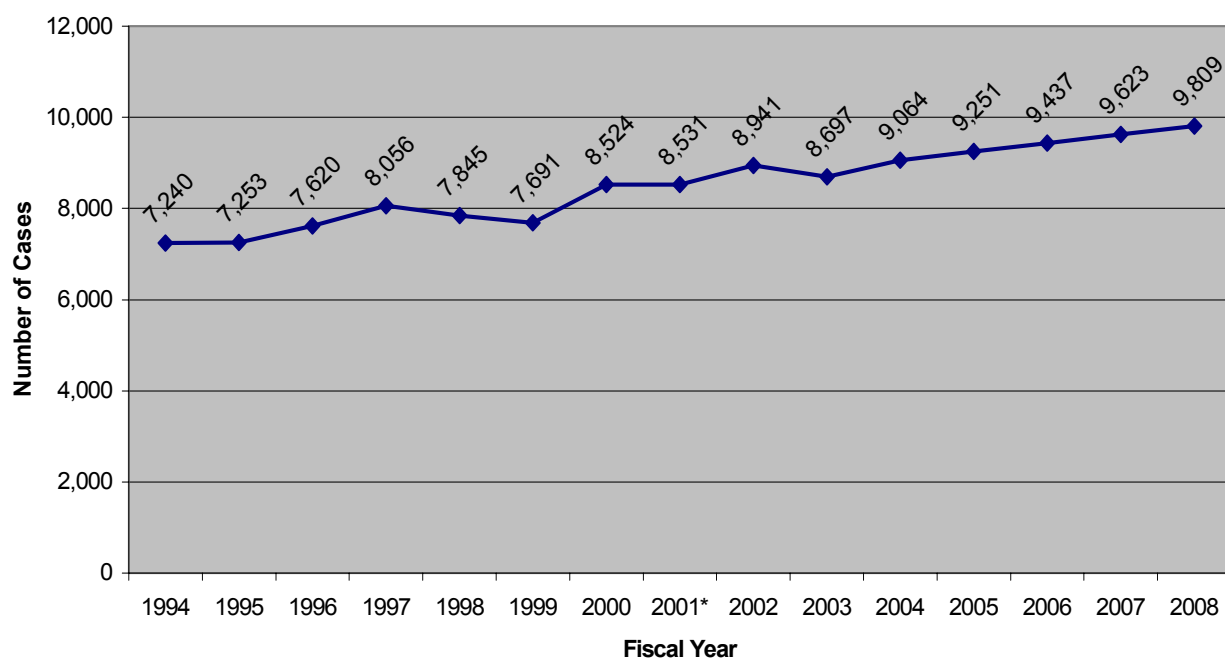
*Filings and pending at end of year amended.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Superior Court - 5 Year Criminal Case Filing Projections With 5 Year Base



Superior Court - 5 Year Criminal Case Filing Projections With 10 Year Base



*2001 Filings are amended from FY 2001 Statistical Report.

Trend lines computed by regression analysis.

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

SUPERIOR COURT

Caseload Breakdowns Fiscal Year 2003 - Criminal Filings										
	Indictment		Rule 9 Warrant		Information		Other*		Total	
New Castle County	4,370	90.0%	303	6.2%	150	3.1%	33	0.7%	4,856	100.0%
Kent County	1,741	91.1%	7	0.4%	139	7.3%	25	1.3%	1,912	100.0%
Sussex County	402	20.8%	120	6.2%	1,397	72.4%	10	0.5%	1,929	100.0%
State	6,513	74.9%	430	4.9%	1,686	19.4%	68	0.8%	8,697	100.0%

Caseload Breakdowns Fiscal Year 2003 - Criminal Dispositions										
	Trial		Guilty Plea		Nolle Prosequi		Remand/Transfer		ADRR	
New Castle County	183	3.5%	3,494	66.9%	771	14.8%	8	0.2%	0	0.0%
Kent County	59	3.2%	1,277	68.4%	236	12.6%	1	0.1%	0	0.0%
Sussex County	42	2.1%	1,335	65.3%	214	10.5%	4	0.2%	0	0.0%
State	284	3.1%	6,106	66.9%	1,221	13.4%	13	0.1%	0	0.0%

Caseload Breakdowns Fiscal Year 2003 - Criminal Dispositions (cont.)										
	Dismissal		FOP/Drug Court		Consolidation		Total			
New Castle County	221	4.2%	321	6.1%	222	4.3%	5,220	100.0%		
Kent County	35	1.9%	168	9.0%	92	4.9%	1,868	100.0%		
Sussex County	98	4.8%	173	8.5%	177	8.7%	2,043	100.0%		
State	354	3.9%	662	7.3%	491	5.4%	9,131	100.0%		

Caseload Breakdowns Fiscal Year 2003 - Criminal Pending at End of Year										
	Triable Pending				Non-Triable Pending				Total	
New Castle County	1,112	30.2%			2,570	69.8%			3,682	100.0%
Kent County	349	36.0%			621	64.0%			970	100.0%
Sussex County	343	39.7%			521	60.3%			864	100.0%
State	1,804	32.7%			3,712	67.3%			5,516	100.0%

Caseload Breakdown Fiscal Year 2003 - Criminal Change in Pending										
	Triable Pending				Non-Triable Pending				Total	
New Castle County	-380				+16				-364	
Kent County	+82				-38				+44	
Sussex County	-62				-52				-114	
State	-360				+74				-434	

*Includes appeals, transfers, reinstatements and severances.

ADRR = Appeal Dismissed Record Remanded

FOP = First Offender Program

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

Types of Dispositions Fiscal Year 2003 - Criminal Trials - Part One							
	Jury Trial		Non-Jury Trial		Total	Average Trial Length	
New Castle County	166	90.7%	17	9.3%	183	100.0%	2.55 days
Kent County	56	94.9%	3	5.1%	59	100.0%	2.69 days
Sussex County	40	95.2%	2	4.8%	42	100.0%	2.53 days
State	262	92.3%	22	7.7%	284	100.0%	2.58 days
	Guilty		Not Guilty*		No Final Disposition**		Total
New Castle County	117	58.5%	45	22.5%	38	19.0%	200
Kent County	45	72.6%	3	4.8%	14	22.6%	62
Sussex County	36	81.8%	4	9.1%	4	9.1%	44
State	198	64.7%	52	17.0%	56	18.3%	306

Types of Dispositions Fiscal Year 2003 - Criminal Trials - Part Two								
Jury Trial								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/Dismiss at Trial	Mistrial	Hung Jury	Total
New Castle County	74	16	32	14	9	19	2	166
Kent County	29	1	3	12	0	10	1	56
Sussex County	30	0	2	4	2	2	0	40
State	133	17	37	30	11	31	3	262
Non-Jury Trial								
	Guilty	Guilty LIO	Not Guilty	Nol Pros/Dismiss at Trial		Mistrial	Reserved Decision	Total
New Castle County	11	2	3	1		0	74	91
Kent County	3	0	0	0		0	0	3
Sussex County	2	0	0	0		0	0	2
State	16	2	3	1		0	74	96
All Trials								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/Dismiss at Trial	Mistrial	Hung Jury/Reserved Decision	Total
New Castle County	85	18	35	14	10	19	76	257
Kent County	32	1	3	12	0	10	1	59
Sussex County	32	0	2	4	2	2	0	42
State	149	19	40	30	12	31	77	358

Types of Dispositions Fiscal Year 2003 - Criminal Nolle Prosequis					
	Nolle Prosequis By Special Condition		Nolle Prosequis By Merit		Total
New Castle County	377	48.9%	394	51.1%	771
Kent County	115	48.7%	121	51.3%	236
Sussex County	31	14.5%	183	85.5%	214
State	523	42.8%	698	57.2%	1,221

LIO = Lesser Included Offense

Nol Pros = Nolle Prosequi

*Includes Dismissals at Trial and Nolle Prosequis at Trial

**Hung Juries, Mistrials, and Reserved Decisions.

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

Types of Dispositions Fiscal Year 2003 - Criminal Felony Guilty Pleas								
	PG - Original		PG - Lesser		PG - Information/ New Information		Total	
New Castle County	2,017	90.4%	213	9.6%	0	0.0%	2,230	100.0%
Kent County	605	86.6%	94	13.4%	0	0.0%	699	100.0%
Sussex County	662	61.6%	412	38.4%	0	0.0%	1,074	100.0%
State	3,284	82.0%	719	18.0%	0	0.0%	4,003	100.0%

Types of Dispositions Fiscal Year 2003 - Criminal Misdemeanor Guilty Pleas								
	PG - Original		PG - Lesser		PG - Information/ New Information		Total	
New Castle County	607	48.7%	629	50.5%	10	0.8%	1,246	100.0%
Kent County	302	52.2%	276	47.8%	0	0.0%	578	100.0%
Sussex County	223	85.4%	36	13.8%	2	0.8%	261	100.0%
State	1,132	54.3%	941	45.1%	12	0.6%	2,085	100.0%

Types of Dispositions Fiscal Year 2003 - Criminal Total Guilty Pleas								
	PG - Original		PG - Lesser		PG - Information/ New Information		Total	
New Castle County	2,624	75.5%	842	24.2%	10	0.3%	3,476	100.0%
Kent County	907	71.0%	370	29.0%	0	0.0%	1,277	100.0%
Sussex County	885	66.3%	448	33.6%	2	0.1%	1,335	100.0%
State	4,416	72.5%	1,660	27.3%	12	0.2%	6,088	100.0%

Source: Court Administrator and Prothonotaries' Offices, Superior Court;
Administrative Office of the Courts.

Criminal Cases Performance Explanatory Notes Fiscal Year 2003

1. The Speedy Trial Directive of Chief Justice Andrew D. Christie was effective as of May 16, 1990. In the directive it states that 90% of all criminal defendants brought before Superior Court (excluding those charged with murder in the first degree) are to be disposed of within 120 days of the date of arrest, 98% are to be disposed of within 180 days of the date of arrest, and 100% are to be disposed of within 365 days of the arrest date. The standards were modified effective July 1, 2001 in the Speedy Trial Directive of Chief Justice E. Norman Veasey, changing the starting point for the time measures from the date of arrest to the date of indictment.
2. The performance summary charts measure the average and median time from the date of arrest to the date of disposition as well as the average and median time from the date of indictment/information to the date of disposition.
3. In measuring the elapsed time for defendants for the purpose of determining the rate of compliance with the speedy trial standards, the following are excluded by the Court :
 - a. For all capiases, the time between the date that the capias is issued and the date that it is executed.
 - b. For all Rule 9 summonses and Rule 9 warrants the time between the arrest and the indictment/information, if any.
 - c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequis.
 - d. For all mental examinations, the time between the date that the examination is ordered and the date of the receipt of the results.
 - e. For all defendants deemed to be incompetent the period in which the defendant is considered incompetent.

Performance Summary Fiscal Year 2003 - Criminal Cases Elapsed Time					
	Total Number Disposed of	Average Time from Arrest to Disposition	Median Time from Arrest to Disposition	Average Time from Indictment to Disposition	Median Time from Indictment to Disposition
New Castle County	5,220	161.1 days	126.7 days	121.9 days	88.8 days
Kent County	1,868	119.1 days	100.3 days	77.6 days	56.1 days
Sussex County	2,043	121.6 days	115.7 days	71.8 days	67.6 days
State	9,131	143.7 days	118.9 days	118.9 days	118.9 days

Performance Summary Fiscal Year 2003 - Criminal Case Compliance With Speedy Trial Standard							
	Total Number Disposed of	Number Disposed of Within 120 Days of Indictment (90%)		Number Disposed of Within 180 Days of Indictment (98%)		Number Disposed of Within 365 Days of Arrest (100%)	
New Castle County	5,220	2,470	47.3%	3,459	66.3%	4,905	94.0%
Kent County	1,868	1,599	85.6%	1,742	93.3%	1,845	98.8%
Sussex County	2,043	1,758	86.0%	1,970	96.4%	2,040	99.9%
State	9,131	5,827	63.8%	7,171	78.5%	8,790	96.3%

Source: Court Administrator and Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases				
Average Time From Arrest to Disposition				
	2002	2003	Change	% Change
New Castle County	128.3 days	161.1 days	+ 32.8 days	+ 25.6%
Kent County	94.2 days	119.1 days	+ 24.9 days	+ 26.5%
Sussex County	156.9 days	121.6 days	-35.3 days	-22.5%
State	154.1 days	143.7 days	-10.4 days	-6.8%

Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases				
Median Time From Arrest to Disposition				
	2002	2003	Change	% Change
New Castle County	107.7 days	126.7 days	+19.1 days	+17.7%
Kent County	95.0 days	100.3 days	+5 days	+5.6%
Sussex County	123.6 days	115.7 days	-7.9 days	-6.4%
State	116.6 days	118.9 days	+2 days	+1.9%

Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases				
Average Time From Indictment to Disposition				
	2002	2003	Change	% Change
New Castle County	82.8 days	121.9 days	+39.0 days	+47.1%
Kent County	57.5 days	77.6 days	+20 days	+34.9%
Sussex County	115.9 days	71.8 days	-44.1 days	-38.1%
State	114.4 days	118.9 days	+4.4 days	+3.9%

Performance Comparison - Fiscal Years 2002-2003 - Criminal Cases				
Median Time From Indictment to Disposition				
	2002	2003	Change	% Change
New Castle County	62.6 days	88.8 days	+26.1 days	+41.7%
Kent County	57.6 days	56.1 days	-1.5 days	-2.6%
Sussex County	83.5 days	67.6 days	-15.8 days	-19.0%
State	78.3 days	118.9 days	+40.6 days	+51.9%

Source: Court Administrator and Prothonotaries' Offices, Superior Court;
Administrative Office of the Courts.

Fiscal Year 2003 Civil Cases Explanatory Notes

1. Complaints most often are suits for damages though there are a number of other types of cases included in this category.
2. Mechanic's Liens and Mortgages are property suits.
3. Involuntary Commitments are proceedings to determine whether individuals are to be committed as mentally ill. Most involuntary commitments are held in New Castle County because the Delaware State Hospital, which is the State's facility for mentally ill patients, is located in New Castle County.
4. Appeals are on the record and come from a number of different courts and agencies.
5. Miscellaneous appeals include all other civil cases in the Superior Court.

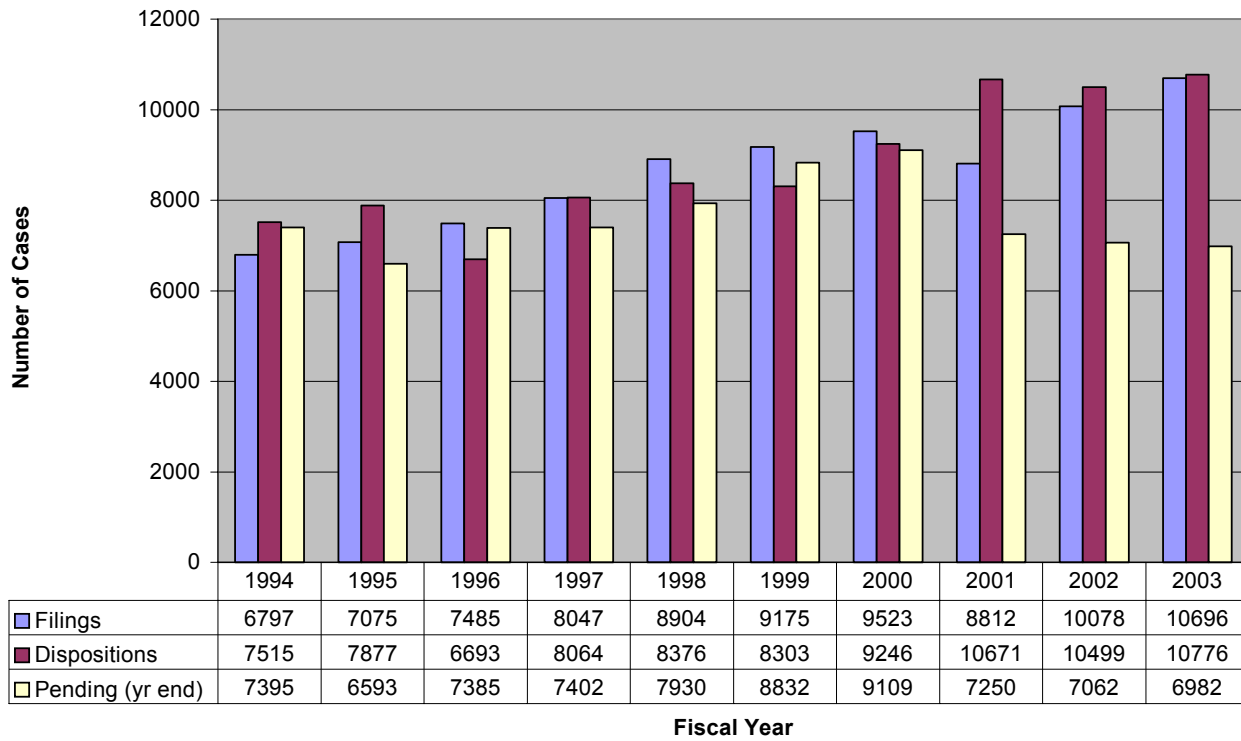
Caseload Summary Fiscal Year 2003 - Civil Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	5,693	8,224	8,165	5,752	+59	+1.0%
Kent County	663	1,335	1,323	675	+12	+1.8%
Sussex County	706	1,137	1,288	555	-151	-21.4%
State	7,062	10,696	10,776	6,982	-80	- 1.1%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Filings				
	2002	2003	Change	% Change
New Castle County	7,721	8,224	+503	+6.5%
Kent County	1,226	1,335	+109	+8.9%
Sussex County	1,131	1,137	+6	+0.5%
State	10,078	10,696	+618	+6.1%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Dispositions				
	2002	2003	Change	% Change
New Castle County	7,954	8,165	+211	+2.7%
Kent County	1,336	1,323	-13	-1.0%
Sussex County	1,209	1,288	+ 79	+6.5%
State	10,499	10,776	+277	+2.6%

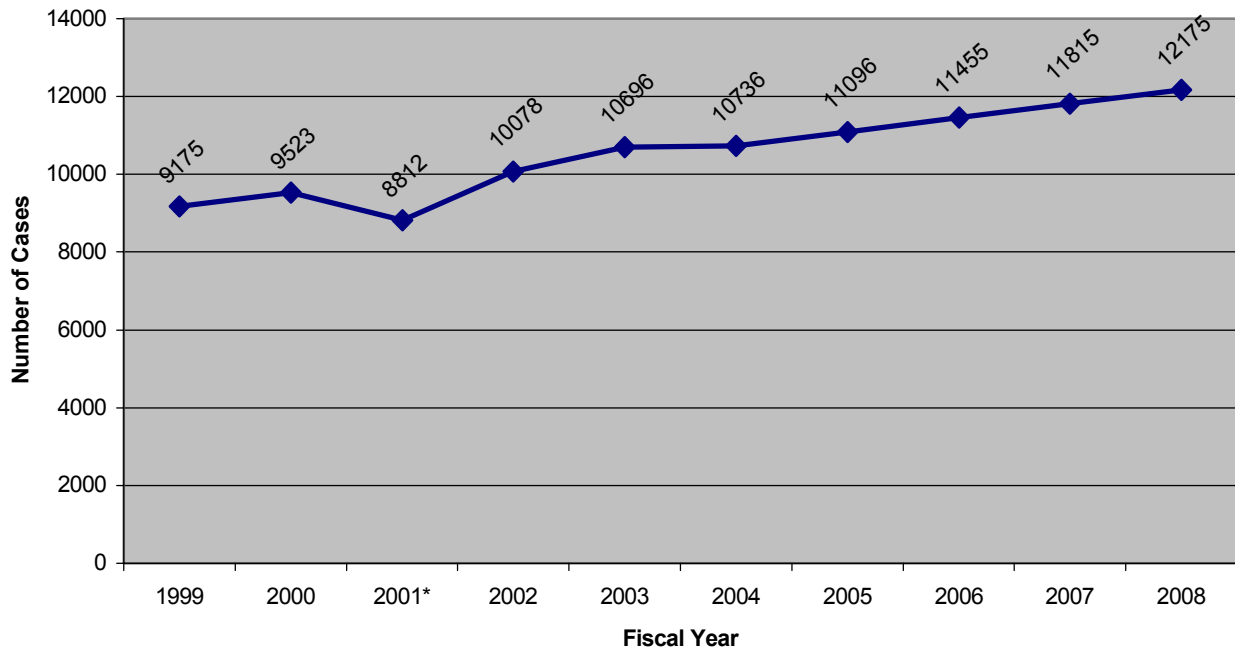
Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Superior Court - 10 Year Civil Caseload Trend

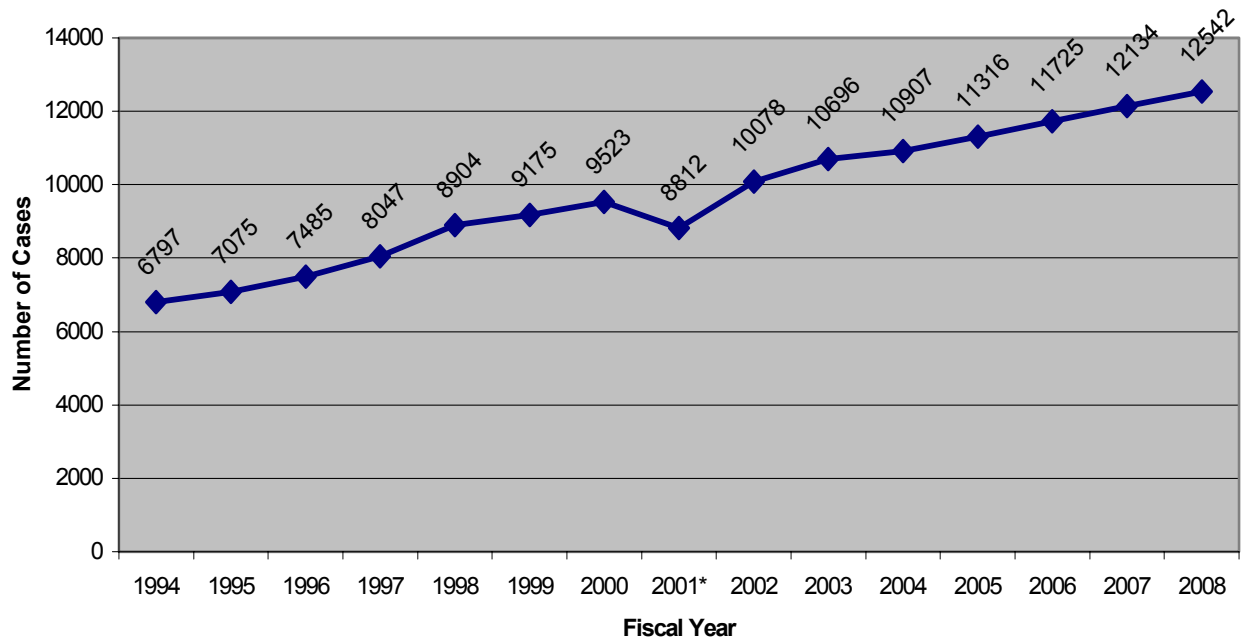


Source: Prothonotaries' Offices, Superior Court; Administrative Office of the Courts.

Superior Court - 5 Year Civil Filing Projections With 5 Year Base



Superior Court - 5 Year Civil Filing Projections With 10 Year Base



*2001 filings are amended from the FY 2001 Statistical Report.

Trend lines computed by regression analysis.

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

Caseload Breakdowns Fiscal Year 2003 - Civil Cases Filings												
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total						
New Castle County	3,359	40.8%	140	1.7%	1,452	17.7%	1,557	18.9%	8,224	100.0%		
Kent County	555	41.6%	409	30.6%	45	3.4%	33	2.5%	293	21.9%	1,335	100.0%
Sussex County	364	32.0%	427	37.6%	28	2.5%	1	0.1%	317	27.9%	1,137	100.0%
State	4,278	40.0%	2,552	23.9%	213	2.0%	1,486	13.9%	2,167	20.3%	10,696	100.0%

Caseload Breakdowns Fiscal Year 2003 - Civil Cases Dispositions												
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total						
New Castle County	3,284	40.2%	1,635	20.0%	133	1.6%	1,589	19.5%	1,524	18.7%	8,165	100.0%
Kent County	568	42.9%	394	29.8%	42	3.2%	25	1.9%	294	22.2%	1,323	100.0%
Sussex County	412	32.0%	512	39.8%	44	3.4%	10	0.8%	310	24.1%	1,288	100.0%
State	4,264	39.6%	2,541	23.6%	219	2.0%	1,624	15.1%	2,128	19.7%	10,776	100.0%

Caseload Breakdowns Fiscal Year 2003 - Civil Cases Pending at End of Year												
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total						
New Castle County	4,539	82.2%	547	9.9%	69	1.3%	162	2.9%	202	3.7%	5,519	100.0%
Kent County	440	65.2%	126	18.7%	36	5.3%	57	8.4%	16	2.4%	675	100.0%
Sussex County	360	64.9%	73	13.2%	18	3.2%	39	7.0%	65	11.7%	555	100.0%
State	5,339	79.1%	746	11.1%	123	1.8%	258	3.8%	283	4.2%	6,749	100.0%

Caseload Breakdowns Fiscal Year 2003 - Civil Cases Change in Pending						
	Complaints	Mechanics' Liens and Mortgages	Appeals	Involuntary Commitments	Miscellaneous	Total
New Castle County	+75	+81	+7	-137	+33	+59
Kent County	-13	+15	+3	+8	-1	+12
Sussex County	-48	-85	-16	-9	+7	-151
State	+14	+11	-6	-138	+39	-80

Source: Prothonotaries Offices, Superior Court; Administrative Office of the Courts.

Types of Dispositions Fiscal Year 2003 - Civil Cases, Complaints Dispositions

	Trial Dispositions				Non-Trial Dispositions				Total
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Other Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	
New Castle County	41	29	173	1	0	2021	610	409	3,284
Kent County	12	5	17	9	0	403	69	53	568
Sussex County	9	7	13	30	0	269	29	55	412
State	62	41	203	40	0	2,693	708	517	4,264
	1.5%	1.0%	4.8%	0.9%	0.0%	63.2%	16.6%	12.1%	100.0%

Types of Dispositions Fiscal Year 2003 - Civil Cases, Mechanic's Lien and Mortgages Dispositions

	Trial Dispositions				Non-Trial Dispositions				Total
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other	
New Castle County	0	0	1013	0	0	514	106	1637	3,270
Kent County	0	0	282	1	0	90	21	396	790
Sussex County	3	1	248	8	0	183	36	543	1022
State	3	1	1,543	9	0	787	163	2576	5,082
	0.1%	0.0%	30.4%	0.2%	0.0%	15.5%	3.2%	50.7%	100.0%

Types of Dispositions Fiscal Year 2003 - Civil Cases, Appeals Dispositions

	Trial Dispositions			Non-Trial Dispositions			Total
	Affirmed	Reversed	Remanded	Voluntary Dismissal	Court Dismissal	Other	
New Castle County	64	7	12	28	21	1	133
Kent County	17	3	2	9	11	0	42
Sussex County	18	2	0	18	4	1	43
State	99	12	14	55	36	2	218
	45.4%	5.5%	6.4%	25.2%	16.5%	0.9%	100.0%

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

Trial Activity Fiscal Year 2003 - Civil Trials						
	Number of Jury Trials	Number of Non-Jury Trials	Number of Special Jury Trials	Total Number of Trials	Trial Time	Average Trial Time
New Castle County	88	10	0	98	309 days	3.15 days
Kent County	21	0	0	21	73 days	3.48 days
Sussex County	8	11	1	20	40 days	2.00 days
State	117	21	1	139	422 days	3.04 days

Calendar Activity Fiscal Year 2003 - Civil Cases											
	Cases Tried	Cases Settled or Dismissed	Cases Continued for Settlement	Cases Continued Due to Lack of Judge	Cases Continued at Request of Attorney	Total Cases Scheduled					
New Castle County	98	834	68.0%	35	2.9%	7	0.6%	252	20.6%	1,226	100.0%
Kent County	21	201	53.3%	10	2.7%	7	1.9%	138	36.6%	377	100.0%
Sussex County	20	83	50.3%	4	2.4%	1	0.6%	57	34.5%	165	100.0%
State	139	1118	63.2%	49	2.8%	15	0.8%	447	25.3%	1,768	100.0%

Performance Summary Fiscal Year 2003 - Civil Cases									
	COMPLAINTS			MECHANIC'S LIENS AND MORTGAGES			APPEALS		
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	
New Castle County	3,284	451 days	1,635	130 days	133	214 days	42	283 days	
Kent County	569	372 days	394	155 days	44	308 days	44	308 days	
Sussex County	412	369 days	512	198 days	219	246 days	219	246 days	
State	4,265	433 days	2,541	147 days	219	246 days	219	246 days	

TOTAL						
	INVOLUNTARY COMMITMENTS			MISCELLANEOUS		
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle County	1,589	141 days	1,524	60 days	8,165	250 days
Kent County	25	279 days	294	51 days	1,324	231 days
Sussex County	6	1,161 days	311	72 days	1,234	329 days
State	1,620	147 days	2,129	60 days	10,723	256 days

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

Performance Breakdowns Fiscal Year 2003-Civil Complaints-Method of Disposition												
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total						
New Castle County	70	2.1%	363	11.1%	171	5.2%	2,021	61.5%	659	20.1%	3,284	100.0%
Kent County	18	3.2%	45	7.9%	16	2.8%	403	70.8%	87	15.3%	569	100.0%
Sussex County	16	3.9%	30	7.3%	13	3.2%	269	65.3%	84	20.4%	412	100.0%
State	104	2.4%	438	10.3%	200	4.7%	2,693	63.1%	830	19.5%	4,265	100.0%

Performance Breakdowns Fiscal Year 2003-Civil Complaints-Elapsed Time							
Average Time From Filing to Disposition							
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total	
New Castle County	874.6 days	306.6 days	221.8 days	457.0 days	528.9 days	451.5 days	
Kent County	783.7 days	269.0 days	155.4 days	362.1 days	425.8 days	372.0 days	
Sussex County	753.5 days	327.5 days	121.9 days	366.7 days	353.7 days	368.5 days	
State	840.2 days	304.2 days	210.0 days	433.8 days	500.4 days	432.9 days	

Performance Breakdowns Fiscal Year 2003-Civil Mechanics' Liens and Mortgages-Method of Disposition												
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total						
New Castle County	0	0.0%	1	0.1%	1,013	62.0%	514	31.4%	107	6.5%	1,635	100.0%
Kent County	0	0.0%	1	0.3%	281	71.3%	90	22.8%	22	5.6%	394	100.0%
Sussex County	4	0.8%	4	0.8%	248	48.4%	183	35.7%	73	14.3%	512	100.0%
State	4	0.2%	6	0.2%	1,542	60.7%	787	31.0%	202	7.9%	2,541	100.0%

Performance Breakdowns Fiscal Year 2003-Civil Mechanics' Liens and Mortgages-Elapsed Time							
Average Time From Filing to Disposition							
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other	Total	
New Castle County	0.0 days	224.0 days	107.0 days	127.6 days	353.5 days	129.7 days	
Kent County	0.0 days	803.0 days	114.9 days	152.6 days	646.5 days	155.0 days	
Sussex County	986.5 days	357.0 days	140.6 days	225.7 days	273.4 days	198.2 days	
State	986.5 days	409.2 days	113.8 days	153.3 days	356.5 days	147.4 days	

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

Caseload Summary Fiscal Year 2003 - Civil Arbitration						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	2,894	2,532	2,482	2,944	+50	+1.7%
Kent County	379	421	432	368	-11	-2.9%
Sussex County	289	260	263	286	-3	-1.0%
State	3,562	3,213	3,177	3,598	+36	+1.0%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Arbitration Filings				
	2002	2003	Change	% Change
New Castle County	2,658	2,532	-126	-4.7%
Kent County	396	421	+25	+6.3%
Sussex County	315	260	-55	-17.5%
State	3,369	3,213	-156	-4.6%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Arbitration Dispositions				
	2002	2003	Change	% Change
New Castle County	3,017	2,482	-535	-17.7%
Kent County	393	432	+39	+9.9%
Sussex County	358	263	-95	-26.5%
State	3,768	3,177	-591	-15.7%

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

Family Court

The Family Court experienced a number of significant changes during Fiscal Year 2003. The first occurred in August 2002 when the judges and staff of the Family Court in New Castle County moved from our courthouse at 900 King Street to the New Castle County Courthouse at 500 King Street. The new courthouse is a state-of-the-art facility creating an environment conducive to the efficient and effective delivery of justice.

On July 31, 2002, Edward G. Pollard left his position as the Family Court Administrator to become the Deputy State Court Administrator within the Administrative Office of the Courts. Mr. Pollard joined the Family Court in December 1992 as the Family Court Administrator and worked tirelessly to define, develop and improve the administrative functions within the Family Court. While Mr. Pollard's experience and service is missed in Family Court, the Judicial Branch is quite fortunate to have a person with his experience, knowledge and expertise working in the Administrative Office of the Courts in a position that will provide benefits to the entire Judicial Branch.

On March 31, 2003, Chief Judge Vincent J. Poppiti retired from the Delaware Judiciary after 24 years on the bench in Delaware. Judge Poppiti served as an Associate Judge with the Family Court from February 1979 to June 1983 at which time he became a judge in the Superior Court of Delaware. Judge Poppiti served as a Superior Court judge until January 1992, when he was nominated and confirmed as the Chief Judge of the Family Court. During his tenure with the Family Court, Chief Judge Poppiti oversaw the introduction of new and innovative programs while stabi-



Chief Judge Chandlee Johnson Kuhn

lizing and enhancing the administrative functions at both the statewide and county level.

Family Court Chief Judge Chandlee Johnson Kuhn was sworn in as the Chief Judge of the Family Court on June 4, 2003. Since that time, Chief Judge Kuhn has focused much of her time on the transition from her role as an Associate Judge to her new role as the Family Court's Chief Judge. Chief Judge Kuhn's priorities include continuing and enhancing those programs that were in place and performing well when she took office, as well as pursuing new initiatives

which complement and facilitate the Court's Mission and Strategic Plan. Other priorities for Chief Judge Kuhn include: improvement of the security, safety and functionality of the Family Court buildings in all three counties; enhancement of the services provided for self-represented litigants coming before the Court; implementation of the Family Court Performance Standards and Measures coupled with the development of a formal strategic plan for the Court; acquisition of the Judicial and staff resources necessary for the Court to meet its established performance standards; full participation in the COTS initiative so as to ensure the development of an information and case management system which will facilitate the Court in meeting our case management objectives; expansion and enhancement of the degree of collaboration among the judges and administrative staff relative to the strategic direction and administrative function of the Court; and continuation of the full statewide implementation of the Court Improvement Project. Chief Judge Kuhn emphasizes the importance of focusing the resources of the Court on the quality of service we provide to the citizens of our state so

that matters within the Court's jurisdiction are resolved as expeditiously as possible while meeting our obligation to provide our citizens with the highest quality of justice feasible.

On October 17, 2003, Arlene Minus Coppadge became the 39th individual since 1971 to be sworn as an Associate Judge on the Family Court of the State of Delaware, and the first to be sworn in at the Court's new home in New Castle County. Judge Coppadge filled the vacancy left by Chief Judge Kuhn when she assumed her new role as Chief Judge. Judge Coppadge sits in New Castle County and currently is assigned to the Civil Division. She most recently comes to Family Court from the Court of Common Pleas, where she served as a commissioner since 1994.

In June, the Court welcomed Jennifer L. Mayo as the Court's newest Commissioner. Commissioner Mayo was sworn in by Chief Judge Kuhn on June 12, 2003. Commissioner Mayo was appointed by Governor Ruth Ann Minner to fill a position funded by the Fiscal Year 2004 budget to hear the Child Protection Registry caseload on a statewide basis. She conducts child protection registry hearings in all three counties.

Fiscal Year 2003 was not only a year of significant change for the Family Court but also a year of significant accomplishments.

Family Court continues to strive to provide quality services to self-represented litigants. The Family Court operates Resource Centers in Dover and Georgetown and participates as a full partner in the New Castle County Courthouse Self Help Center. During Fiscal Year 2003, 24,418 individuals availed themselves to the services of the Family Court Resource Centers in Kent and Sussex Counties. The New Castle County Courthouse Self Help Center assisted 18,964 visitors during this past fiscal year. The Family Court has made great strides and has received substantial praise for our efforts on behalf of those citizens who represent themselves in Family Court. Based on feedback from a variety of sources, implementation of Family Court's *pro se* program has already contributed to more efficient court operations, to enhancing the public's access to the Court, and to enhancing litigants' participation in the court process and their meaningful right to be heard. Litigants are being referred to the Resource and Self

Help Centers by state agencies, organizations, legislators and attorneys. Litigants continue to report to Family Court that they have benefited from the gamut of resources available at a single location to help guide them through the legal process. Some litigants were particularly thankful to have visited the Centers because the resources helped them determine whether they were capable of representing themselves. Staff report that they spend significantly less time trying to assist self-represented litigants since the Resource Centers have opened. Communications with self-represented litigants are more succinct because the resources at the Centers supplement the information staff provides. Furthermore, deficient and inappropriate filings have appeared to decrease particularly in the areas where instruction packets are available. The addition of the Filings Examiner position also has contributed to decreased bottlenecks and deficient filings. Judicial Officers report spending less time explaining the legal process because litigants are more prepared and/or because they can refer litigants having questions or requiring additional information to the Resource and Self Help Centers.

In 1999, the Delaware Supreme Court's special committee on Family Court Internal Operating Procedures recommended that the Family Court's filing process could be improved materially if legally-trained personnel reviewed filings at the outset. In Fiscal Year 2001 the Family Court hired its first Filings Examiner. This position is unique in Delaware's courts and rare throughout the nation. The intent in developing the filings examiner concept was to reduce the frustration of the self-represented litigant who inadvertently or unwittingly filed inappropriate or insufficient documents with the Court and waited sometimes months only to find out that the Court could not proceed and that he/she would have to start over. The law-trained position reviews all filings received by the Court from the self-represented and promptly intercedes to expedite the return of any insufficient documents to the litigant so that the necessary corrections can be made early on and the process expedited. As a result, the litigant's time, as well as that of staff, is not wasted while the paperwork moves forward through what could be unnecessary processing. During the six-month period of April through September 2003, the Fil-

ings Examiner reviewed 733 civil petitions filed by self-represented litigants. Of these, 215 petitions (29 percent of those filed) required corrective action. Accordingly, these 215 deficient petitions were either corrected or dismissed before they reached a court calendar. Additionally, the work of the Filings Examiner helped to ensure that the remaining 518 *pro se* petitions (71 percent of those filed) were ready for Court action when calendared. This proactive effort by Family Court makes great strides in achieving what the committee called the most important aspect of Family Court work from the litigant's perspective, the "rendering of timely justice". Family Court's single Filings Examiner is located in the Family Court in Kent County. Additional filings examiners for Sussex and New Castle Counties will allow the Court to provide this most worthwhile program on a statewide basis.

The Court Improvement Program (CIP) is a multi-year, federally-funded grants project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994. In Fiscal Year 2003, representatives from James Bell Associates were contracted by the U. S. Department of Health and Human Services to conduct an evaluability study to determine if and how the impact of CIP initiatives could be measured. In some states, specific aspects of particular court reforms were recommended for study and evaluation. However, because of its sweeping systemic reforms, the Delaware Family Court was recommended as a statewide study site and was ultimately selected as one of only two states to be included in a national plan for evaluation of CIP, pending availability of federal funds. During Fiscal Year 2003, the Family Court sponsored several training programs grounded in child welfare law for judges, attorneys, children's representatives and providers of social services.

The Court Appointed Special Advocate Program (CASA) provides trained volunteers to represent the best interests of abused and neglected children in court proceedings. Despite a staff shortage and hiring freeze, in Fiscal Year 2003, 215 CASA volunteers served as guardians *ad litem* for 639 abused and neglected children in the Family Court.

With a goal to diversify its volunteer pool to better reflect the community it serves, the CASA program developed new public relations materials and specific plans for targeted volunteer recruitment in each county. The statewide program served as a pilot site for the National CASA Association's new Quality Assurance Program that measures compliance with national standards and is included in the first group of programs to complete the Quality Assurance process.

In May 2002, the Family Court implemented an automated financial management system in its collections offices, records rooms and Pro Se Centers. This system is modeled after the system currently in use in JP Court and the Court of Common Pleas. With the adoption of the Financial Management System (FMS), the Family Court is on the same technological level as the other courts and is in a position to accept branch-wide collections rather than restricting activities only to Family Court functions. As such, the collection resources of the judiciary will be broader in terms of knowledge, capabilities and the ability to serve a larger portion of the citizenry of the State. Additionally, the Family Court is now able to proactively manage accounts receivable in order to ensure that court orders are honored. In an attempt to increase receivables from both old and new cases, Family Court has partnered with OSCCE (Office of State Court Collections Enforcement). In addition to their standard collection practices, OSCCE has been successful in collecting older fines via tax intercept and by the recent scheduling of contempt calendars in Family Court. As for increasing collection of current receivables, plans are underway to allow OSCCE to take payments on Family Court cases at each of their satellite offices, thus increasing the number of payment locations from 3 to 8 statewide. In October 2003, Family Court began accepting credit card payments for all fines and fees. It is anticipated that as a result, outstanding "receivables" will be reduced substantially, and restitution payments to victims will be accelerated.

While the Court has settled in at its new state-of-the-art facility in New Castle County, the Family Court buildings in Kent and Sussex Counties, now fourteen (14) and fifteen (15) years old respectively, have become outdated, overcrowded

and simply no longer adequately meet the needs of the Court and the public we serve. Family Court, in conjunction with the Department of Administrative Services and the Administrative Office of the Courts, has begun a multi-year initiative to renovate and expand our courthouses in our southern counties. Architectural space needs studies have been completed for both facilities, which clearly identify the deficiencies in both facilities and provide a multi-year plan for addressing those deficiencies. The first of several phases of renovations will begin shortly in Kent County, and funding has been requested to begin the project in Sussex County during Fiscal Year 2005. The initial phases of renovations in both Kent and Sussex Counties are aimed at correcting significant deficiencies relative to security, public accessibility, prisoner holding and management and general overcrowding in public and office areas.

House Bill #528, enacted by the 141st General Assembly, established the Child Protection Registry and assigned jurisdiction for hearing these cases to the Family Court. The Child Abuse Registry Act was signed into law and became effective on February 2, 2003. The Fiscal Year 2004 Budget provides funding for one full-time commissioner to hear the Child Protection Registry Act caseload. At present the commissioner hears all Child Protection Registry cases on a statewide basis and conducts hearings in all three counties.

In Fiscal Year 2002, Family Court completed a review of Drug Court best practices and designed a new Adjudicated Drug Court model. The proposed approach received legislative endorsement with the passage of a law that grants conditional licenses to misdemeanor participants, permits the vacating of their sentences once they have completed the program successfully and gives the Court authority to compel parents into assessment and treatment if indicated. In addition, treatment funding will allow the Division of Child Mental Health, to act as the managed care organization for a host of treatment agencies. Since the first juvenile entered this program in January 2003, the Juvenile Drug Court Program has grown steadily. At one point, the program had reached its maximum enrollment capacity in New Castle and Kent Counties. It had grown so much in New Castle County that an additional judge was added to hear juvenile Drug Court cases in that county. Presently, there

are 21 juveniles enrolled in New Castle County, 15 in Kent and 7 in Sussex (43 statewide). The continuing subject of the bi-monthly Drug Court Team Meetings is reaching the goal of 75 enrolled youth at any given time by the end of the program's first year.

Family Court was the program recipient of a Violence Against Women Act (VAWA) grant to provide pre-trial supervision of offenders in domestic violence cases. The program is aimed at providing greater safety for victims of domestic violence by better managing their alleged abusers during the pre-trial period of the criminal prosecution process. The program has served 70 cases since the onset of the grant. Currently, 40 cases are in the active group and 40 are in the comparison group. The grant activity at present is confined to Family Court, as the Court of Common Pleas and Superior Court are revising their entry processes. With the help of the Attorney General's Office, a process has been developed whereby the Domestic Violence Investigative Services Officer picks up cases during arraignments and bail review hearings. Pre-trial reports are submitted only when the defendant pleads guilty or has been found guilty as a result of trial. The Court anticipates meeting the 90 case goal by the end of the year.

The Judicial Branch Career Ladder project that had been underway for several years in partnership with all of the courts and the State Personnel Office came to fruition. A total of 7 supervisors and 41 Family Court employees in the civil and criminal case processing units were promoted during the initial implementation of the career ladders. Additionally, the structure is in place so that employees will have continued opportunities to move up as they qualify for higher-level positions through experience and job skills attainment.

One of the key elements for advancement through the career ladders is the need for each employee to have a current performance evaluation in his/her human resources file. In concert with this need and the recognition that all employees benefit from regular performance feedback, several initiatives were undertaken in order to sustain performance that is exceptional, improve performance that is below standard and provide performance-enhanced feedback to all Court employees.



Family Court Judges

Back Row (standing left to right)

Associate Judge Aida Waserstein
Associate Judge John E. Henriksen
Associate Judge Arlene Minus Coppadge
Associate Judge Jay H. Conner
Associate Judge Alison Whitmer Tumas
Associate Judge Mardi F. Pyott
Associate Judge Peter Jones
Associate Judge William N. Nicholas
Associate Judge William L. Chapman, Jr.
Associate Judge Barbara D. Crowell

Front Row (sitting left to right)

Associate Judge Mark D. Buckworth
Associate Judge Kenneth M. Millman
Chief Judge Chandlee Johnson Kuhn
Associate Judge William J. Walls, Jr.
Associate Judge Robert B. Coonin

Legal Authorization

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

Court History

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

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

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

Geographic Organization

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

Legal Jurisdiction

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

ship, orders of protection from abuse and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first and second degree murder, rape and kidnapping, and assault and robbery in the first degree.

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

Judges

Family Court has 15 judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the judges must be of one major political party with the remainder of the other major political party.

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

Other Judicial Personnel

Family Court uses commissioners to hear specific types of cases. Commissioners are appointed for six-year terms by the Governor with the consent of a majority of the Senate.

Support Personnel

The Family Court has a staff of more than 290 persons in addition to judicial officers, including a court administrator, directors, clerks of court, administrative specialists, accountants, judicial assistants, mediation/arbitration officers, intake officers, program coordinators and volunteers working in all areas of the Court.

Total Cases Explanatory Notes Fiscal Year 2003

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

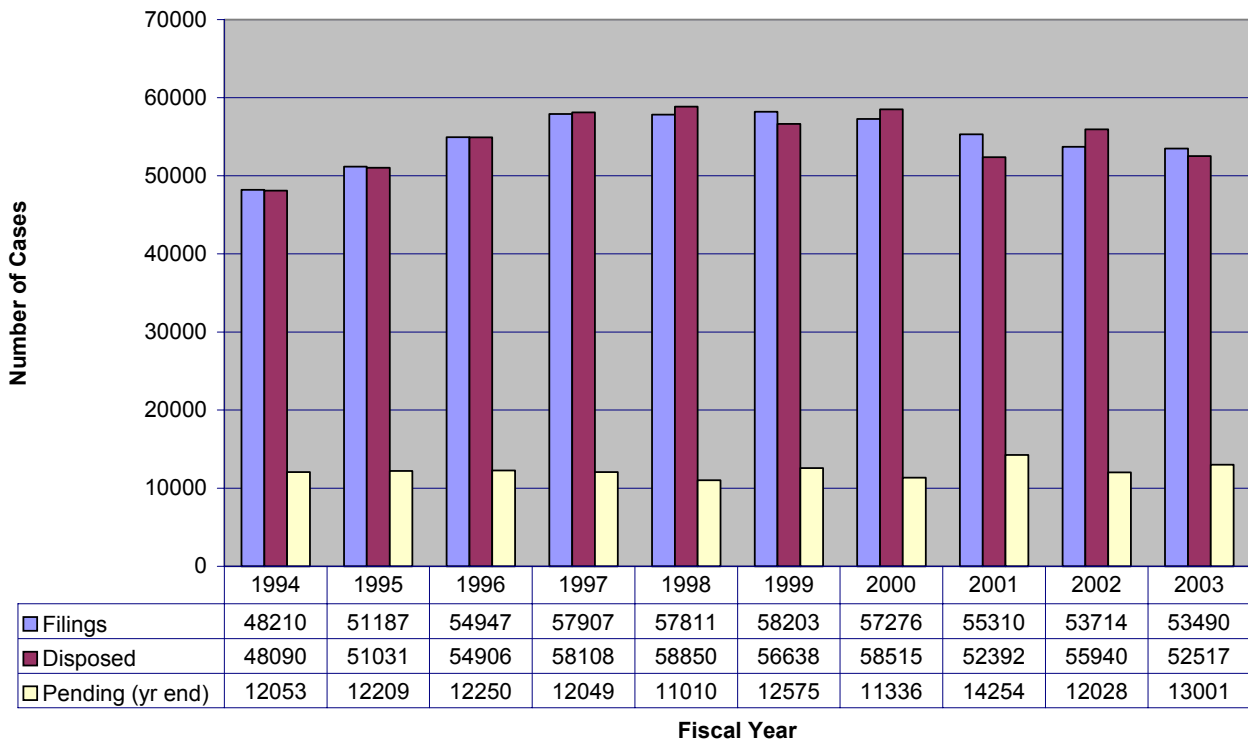
Caseload Summary Fiscal Year 2003 - Total Caseload						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	7,124	31,160	30,313	7,971	+847	+11.9%
Kent County	2,030	10,105	10,022	2,113	+83	+4.1%
Sussex County	2,874	12,225	12,182	2,917	+43	+1.5%
State	12,028	53,490	52,517	13,001	+973	+8.1%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Filings				
	2002	2003	Change	% Change
New Castle County	31,793	31,160	-633	-2.0%
Kent County	10,114	10,105	-9	-0.1%
Sussex County	11,807	12,225	+418	+3.5%
State	53,714	53,490	-224	-0.4%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Dispositions				
	2002	2003	Change	% Change
New Castle County	32,759	30,313	-2446	-7.5%
Kent County	10,940	10,022	-918	-8.4%
Sussex County	12,241	12,182	-59	-0.5%
State	55,940	52,517	-3423	-6.1%

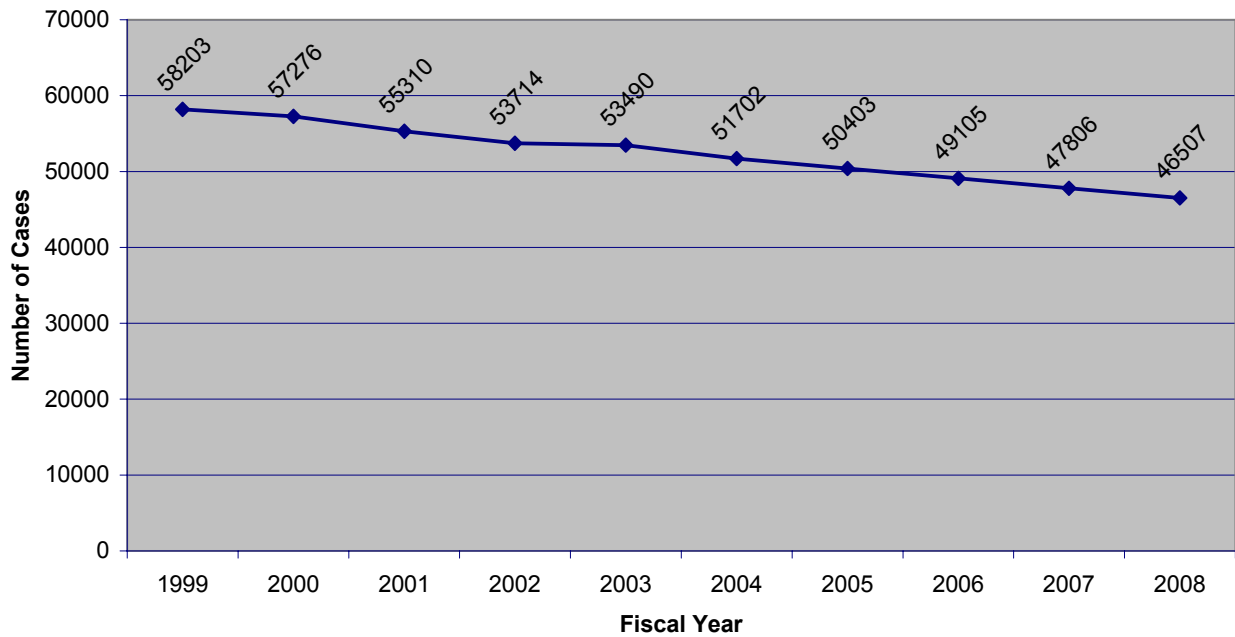
Source: Court Administrator, Family Court; Administrative Office of the Courts.

Family Court - 10 Year Total Caseload Trend

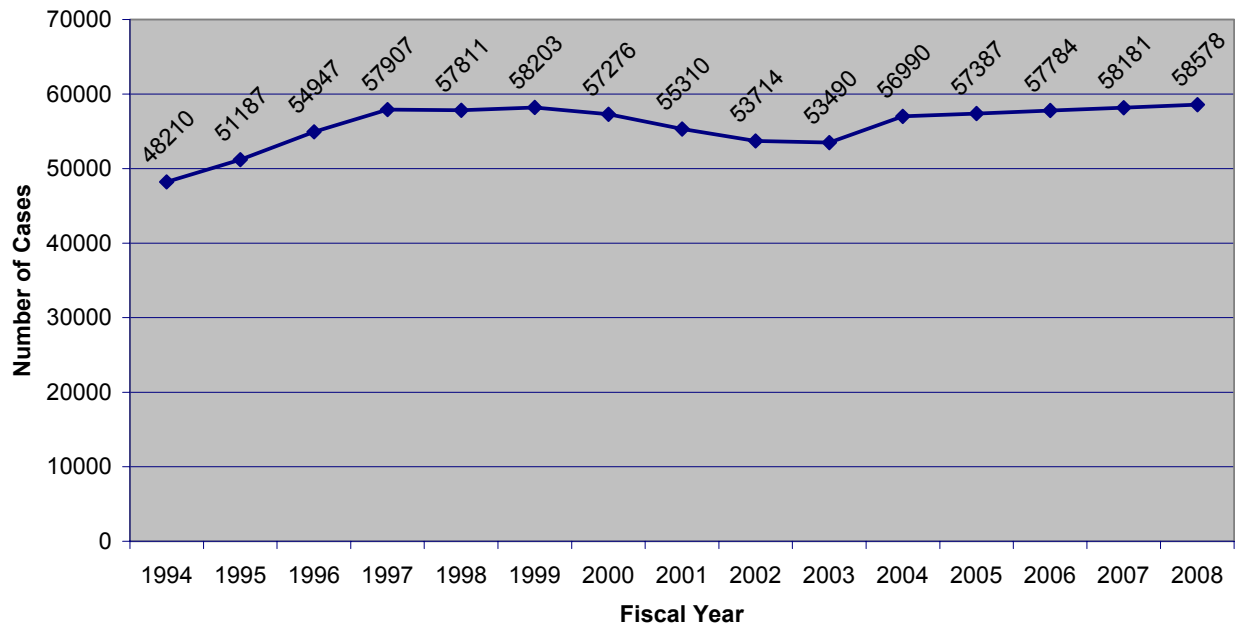


Source: Court Administrator, Family Court; Administrative Office of the Courts.

Family Court - 5 Year Total Case Filing Projections With 5 Year Base



Family Court - 5 Year Total Case Filing Projections With 10 Year Base



Trend lines computed by linear regression.

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

Caseload Summary Fiscal Year 2003 - Adult Criminal Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	858	3,516	3,519	855	-3	-0.3%
Kent County	100	1,010	1,023	87	-13	+13.0%
Sussex County	135	1,068	1,102	101	-34	+25.2%
State	1,093	5,594	5,644	1,043	-50	-4.6%

Caseload Comparison - Fiscal Years 2002-2003 - Adult Criminal Case Filings				
	2002	2003	Change	% Change
New Castle County	3,352	3,516	+164	+4.9%
Kent County	982	1,010	+28	+2.9%
Sussex County	1,044	1,068	+24	+2.3%
State	5,378	5,594	+216	+4.0%

Caseload Comparison - Fiscal Years 2002-2003 - Adult Criminal Case Dispositions				
	2002	2003	Change	% Change
New Castle County	3,379	3,519	+140	+4.1%
Kent County	974	1,023	+49	+5.0%
Sussex County	1,035	1,102	+67	+6.5%
State	5,388	5,644	+256	+4.8%

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

Caseload Summary Fiscal Year 2003 - Juvenile Delinquency Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	1,457	5,684	5,160	1,981	+524	+36.0%
Kent County	177	1,656	1,416	417	+240	+135.6%
Sussex County	266	1,940	1,979	227	-39	-14.7%
State	1,900	9,280	8,555	2,625	+725	+38.2%

Caseload Comparison - Fiscal Years 2002-2003 - Juvenile Delinquency Case Filings				
	2002	2003	Change	% Change
New Castle County	5,742	5,684	-58	-1.0%
Kent County	1,670	1,656	-14	-0.8%
Sussex County	1,908	1,940	+32	+1.7%
State	9,320	9,280	-40	-0.4%

Caseload Comparison - Fiscal Years 2002-2003 - Juvenile Delinquency Case Dispositions				
	2002	2003	Change	% Change
New Castle County	6,214	5,160	-1054	-17.0%
Kent County	1,860	1,416	-444	-23.9%
Sussex County	1,907	1,979	+72	+3.8%
State	9,981	8,555	-1426	-14.3%

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

Caseload Breakdowns Fiscal Year 2003 - Juvenile Delinquency Case Filings								
	Felony	Misdemeanor	Traffic	Total				
New Castle County	1,190	20.9%	4,030	70.9%	464	8.2%	5,684	100.0%
Kent County	258	15.6%	1,250	75.5%	148	8.9%	1,656	100.0%
Sussex County	320	16.5%	1,389	71.6%	231	11.9%	1,940	100.0%
State	1,768	19.1%	6,669	71.9%	843	9.1%	9,280	100.0%

Caseload Breakdowns Fiscal Year 2003 - Juvenile Delinquency Case Dispositions								
	Felony	Misdemeanor	Traffic	Total				
New Castle County	987	19.1%	3,787	73.4%	386	7.5%	5,160	100.0%
Kent County	188	13.3%	1,092	77.1%	136	9.6%	1,416	100.0%
Sussex County	363	18.3%	1,380	69.7%	236	11.9%	1,979	100.0%
State	1,538	18.0%	6,259	73.2%	758	8.9%	8,555	100.0%

Caseload Breakdown Fiscal Year 2003 - Juvenile Delinquency Cases Pending at End of Year								
	Felony	Misdemeanor	Traffic	Total				
New Castle County	384	19.4%	1,379	69.6%	218	11.0%	1,981	100.0%
Kent County	122	29.3%	276	66.2%	19	4.6%	417	100.0%
Sussex County	40	17.6%	171	75.3%	16	7.0%	227	100.0%
State	546	20.8%	1,826	69.6%	253	9.6%	2,625	100.0%

Caseload Breakdowns Fiscal Year 2003 - Juvenile Delinquency Cases, Change in Pending					
	Felony	Misdemeanor	Traffic	Total	
New Castle County	+203	+243	+78	+524	
Kent County	+70	+158	+12	+240	
Sussex County	-43	+9	-5	-39	
State	+230	+410	+85	+725	

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

Caseload Summary Fiscal Year 2003 - Civil Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	4,809	21,960	21,634	5,135	+326	+6.8%
Kent County	1,753	7,439	7,583	1,609	-144	-8.2%
Sussex County	2,473	9,217	9,101	2,589	+116	+4.7%
State	9,035	38,616	38,318	9,333	+298	+3.3%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Filings				
	2002	2003	Change	% Change
New Castle County	22,699	21,960	-739	-3.3%
Kent County	7,462	7,439	-23	-0.3%
Sussex County	8,855	9,217	+362	+4.1%
State	39,016	38,616	-400	-1.0%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Dispositions				
	2002	2003	Change	% Change
New Castle County	23,166	21,634	-1532	-6.6%
Kent County	8,106	7,583	-523	-6.5%
Sussex County	9,299	9,101	-198	-2.1%
State	40,571	38,318	-2253	-5.6%

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

Caseload Breakdown Fiscal Year 2003 - Civil Case Filings							
	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody	
New Castle County	1,939	702	3,315	4,187	2,122	2,429	
Kent County	735	241	1,033	1,236	672	881	
Sussex County	752	154	1,348	2,638	869	850	
State	3,426	1,097	5,696	8,061	3,663	4,160	10.8%
	Visitation	Protection from Abuse	Adoptions	Termination of Parental Rights	Miscellaneous	Total	
New Castle County	622	1,965	168	115	4,396	21,960	100.0%
Kent County	284	747	47	22	1,541	7,439	100.0%
Sussex County	187	811	46	30	1,532	9,217	100.0%
State	1,093	3,523	261	167	7,469	38,616	100.0%

Caseload Breakdown Fiscal Year 2003 - Civil Case Dispositions							
	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody	
New Castle County	1,862	710	3,015	4,298	2,016	2,290	
Kent County	723	236	1,083	1,215	699	882	
Sussex County	713	122	1,446	2,541	841	814	
State	3,298	1,068	5,544	8,054	3,556	3,986	10.4%
	Visitation	Protection from Abuse	Adoptions	Termination of Parental Rights	Miscellaneous	Total	
New Castle County	622	1,965	196	130	4,530	21,634	100.0%
Kent County	280	740	48	39	1,638	7,583	100.0%
Sussex County	187	802	39	15	1,581	9,101	100.0%
State	1,089	3,507	283	184	7,749	38,318	100.0%

RTSC=Rules to Show Cause

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

Caseload Breakdown Fiscal Year 2003 - Civil Cases Pending at End of Year

	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle County	696 13.6%	194 3.8%	1,125 21.9%	686 13.4%	489 9.5%	685 13.3%
Kent County	299 18.6%	71 4.4%	170 10.6%	210 13.1%	106 6.6%	255 15.8%
Sussex County	338 13.1%	77 3.0%	316 12.2%	948 36.6%	175 6.8%	270 10.4%
State	1,333 14.3%	342 3.7%	1,611 17.3%	1,844 19.8%	770 8.3%	1,210 13.0%
	Visitation	Protection from Abuse	Adoptions	Termination of Parental Rights	Miscellaneous	Total
New Castle County	156 3.0%	111 2.2%	31 0.6%	78 1.5%	884 17.2%	5,135 100.0%
Kent County	83 5.2%	27 1.7%	29 1.8%	33 2.1%	326 20.3%	1,609 100.0%
Sussex County	84 3.2%	40 1.5%	14 0.5%	30 1.2%	297 11.5%	2,589 100.0%
State	323 3.5%	178 1.9%	74 0.8%	141 1.5%	1,507 16.1%	9,333 100.0%

Caseload Breakdown Fiscal Year 2003 - Civil Cases, Change in Pending

	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle County	+77	-8	+300	-111	+106	+139
Kent County	+12	+5	-50	+21	-27	-1
Sussex County	+39	+32	-98	+97	+28	+36
State	+128	+29	+152	+7	+107	+174
	Visitation	Protection from Abuse	Adoptions	Termination of Parental Rights	Miscellaneous	Total
New Castle County	0	0	-28	-15	-134	+326
Kent County	+4	+7	-1	-17	-97	-144
Sussex County	0	+9	+7	+15	-49	+116
State	4	+16	-22	-17	-280	+298

RTSC=Rules to Show Cause

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

Mediation Explanatory Notes Fiscal Year 2003

1. Mediation is a proceeding prior to adjudication in which a trained mediator attempts to assist the parties in reaching an agreement in disputes which involve child custody, support, visitation, guardianships, imperiling family relations, and rules to show cause. Mediation is mandatory in child custody, visitation, and support matters.
2. If the parties are unable to reach an agreement, the matter is scheduled to be heard before a commissioner or a judge.

Caseload Summary Fiscal Year 2003 - Mediations						
	Pending*			Pending	Change	% Change
	6/30/2002	Filings	Dispositions	6/30/2003	In Pending	In Pending
New Castle County	120	9,639	9,639	120	0	0.0%
Kent County	287	2,526	2,622	191	-96	-33.4%
Sussex County	161	3,413	3,359	215	54	+33.5%
State	568	15,578	15,620	526	-42	-7.4%

Caseload Comparison - Fiscal Years 2002-2003 - Mediations Filed				
	2002	2003	Change	% Change
New Castle County	9,135	9,639	+504	+5.5%
Kent County	2,535	2,526	-9	-0.4%
Sussex County	3,627	3,413	-214	-5.9%
State	15,297	15,578	+281	+1.8%

Caseload Comparison - Fiscal Years 2002-2003 - Mediations Disposed				
	2002	2003	Change	% Change
New Castle County	9,119	9,639	+520	+5.7%
Kent County	2,444	2,622	+178	+7.3%
Sussex County	3,865	3,359	-506	-13.1%
State	15,428	15,620	+192	+1.2%

*Sussex County and State Total amended from 2002 Annual Statistical Report.

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

Court of Common Pleas

The Court of Common Pleas had a busy and productive year in FY 2003. Much of the Court's activities in New Castle County centered around planning for the move to the new courthouse, the move itself and adjustments to court operations after the move. The new building improved the Court's ability to serve the public and provided better working conditions for Judges and staff. The Court acquired one additional courtroom, providing hearing space for all of our Judicial officers for the first time in many years.



Chief Judge Alex J. Smalls

As a result of this new space, the Court was able to change its scheduling to increase the number of cases and to more efficiently schedule calendars. The Court was also able to increase calendar time for civil cases and arraignments, and create special calendars to expedite the cases of defendants who are incarcerated.

The new facility also permits the Court to participate with other courts in providing improved public service. The Court has an active presence in the central filing/collections area, providing two people to collect Court of Common Pleas assessments more quickly and efficiently. The Court also uses the center's central filing service, which reduces the level of traffic in the Clerk's Office.

The Court has made a large amount of material available for pro se litigants in the Self-Help Center and its public access computers are constantly in use.

To facilitate persons coming out of court and reduce time away from the courtroom for bailiffs,

the Court opened satellite clerk's offices outside of its courtrooms. They are used primarily by people arranging for the payment of court assessments.

Building projects in Kent and Sussex Counties also progressed in FY 2003. In Kent County, planning continues for the purchase of the O'Brien Building and for major courthouse renovations. This is critical because the Court's present space is inadequate to meet the needs which have grown over the past several years. In Sussex County, the long-delayed courthouse construc-

tion project made considerable headway and the Court is on target to move its Clerk staff into its new space in FY 2004.

The Court expanded its very successful drug diversion program in New Castle County to Sussex County and the first cases in this program were heard in June. Further expansion to Kent County is expected in FY 2004.

At the same time, the Court in New Castle County began planning for two new court concepts – mental health court and traffic court. Both are planned for implementation in FY 2004.

Most of the Court's courtrooms were equipped with digital recording equipment in FY 2003, including all of the courtrooms in the New Castle County Courthouse. The Court also began the process of converting court files to side tab folders as part of a larger project to provide bar-coded labels for all court files for better file accessibility, control and tracking.

The Court continued to revise its bail bond procedures and regulations and was the first Delaware Court to develop a program to help control the posting of bail bonds in the Court through a central registration process.

Two of the Court's employees received special honors this year. Cheryl Simmons, the Court's Chief Court Reporter, was named the American Association of Electronic Reporters and Transcribers (AAERT) Reporter of the Year. Tina Buckingham, one of the Court's audio

monitors, received the Victims Rights Task Force Outstanding Volunteer of the Year award for her work with the New Castle County Rape Crisis Center.

The Court continued to manage its busy and growing caseload with limited staff, even more limited as a result of the State's hiring freeze. Notwithstanding, the Court continues to improve its performance and its dedication to providing a just resolution to all cases is firm.



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

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

Legal Authorization

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

Court History

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

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

In 1969, the three County Courts of Common Pleas became State Courts. In 1973, the three Courts merged into a single Statewide Court of Common Pleas.

In 1994, The Commission on Delaware Courts 2000 recommended new jurisdiction for the Court of Common Pleas as vital to the Delaware court system. Legislation implementing the Commission Report vested significant new areas of jurisdiction in the Court in 1995.

On May 1, 1998, the Municipal Court was merged into the State court system, and pending cases were transferred to the Court of Common Pleas.

Geographic Organization

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

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction, which includes concurrent jurisdiction with Superior Court in civil matters where the amount in controversy, exclusive of interest, does not exceed \$50,000 on the complaint. There is no limitation in amount on counterclaims and cross-claims. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the state of Delaware except certain drug -related offenses. It is also responsible for all preliminary hearings. Jury trial is available to all defendants.

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

Judges

There are seven judges of the Court of Common Pleas, of which five are to be residents of New Castle County, one of Kent County, and one of Sussex County. They are nominated by the Governor with the confirmation of the Senate for 12-year terms. They must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. A majority of not more than one Judge may be from the same political party. The Chief Judge, also appointed by the Governor, serves as the administrative head of the Court during their term of appointment.

Support Personnel

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

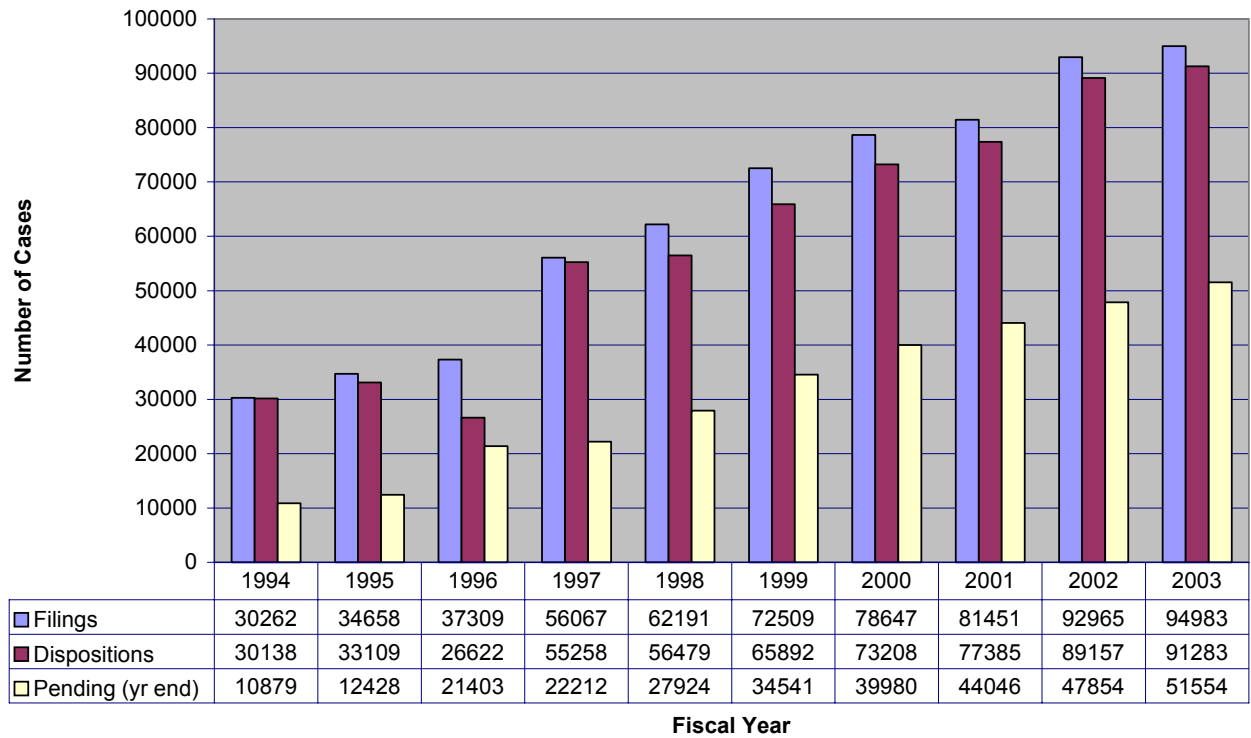
Caseload Summary Fiscal Year 2003 - Total Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	33,214	48,353	45,959	35,608	+2,394	+7.2%
Kent County	6,838	20,656	20,271	7,223	+385	+5.6%
Sussex County	7,802	25,974	25,053	8,723	+921	+11.8%
State	47,854	94,983	91,283	51,554	+3,700	+7.7%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Filings				
	2002	2003	Change	% Change
New Castle County	49,176	48,353	-823	-1.7%
Kent County	19,563	20,656	+1093	+5.6%
Sussex County	24,226	25,974	+1748	+7.2%
State	92,965	94,983	+2018	+2.2%

Caseload Comparison - Fiscal Years 2002-2003 - Total Case Dispositions				
	2002	2003	Change	% Change
New Castle County	47,074	45,959	-1115	-2.4%
Kent County	18,510	20,271	+1761	+9.5%
Sussex County	23,573	25,053	+1480	+6.3%
State	89,157	91,283	+2126	+2.4%

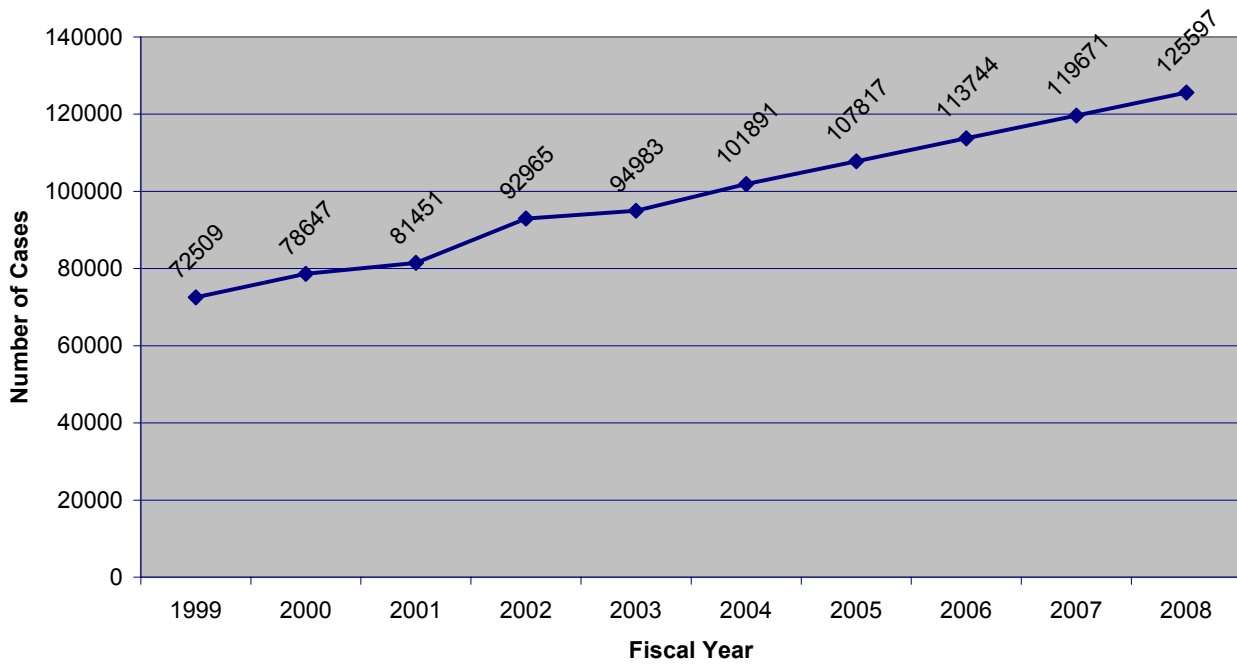
Source: Court Administrator, Court of Common Pleas; Administrative Office of the Courts.

Court of Common Pleas - 10 Year Total Caseload Trend

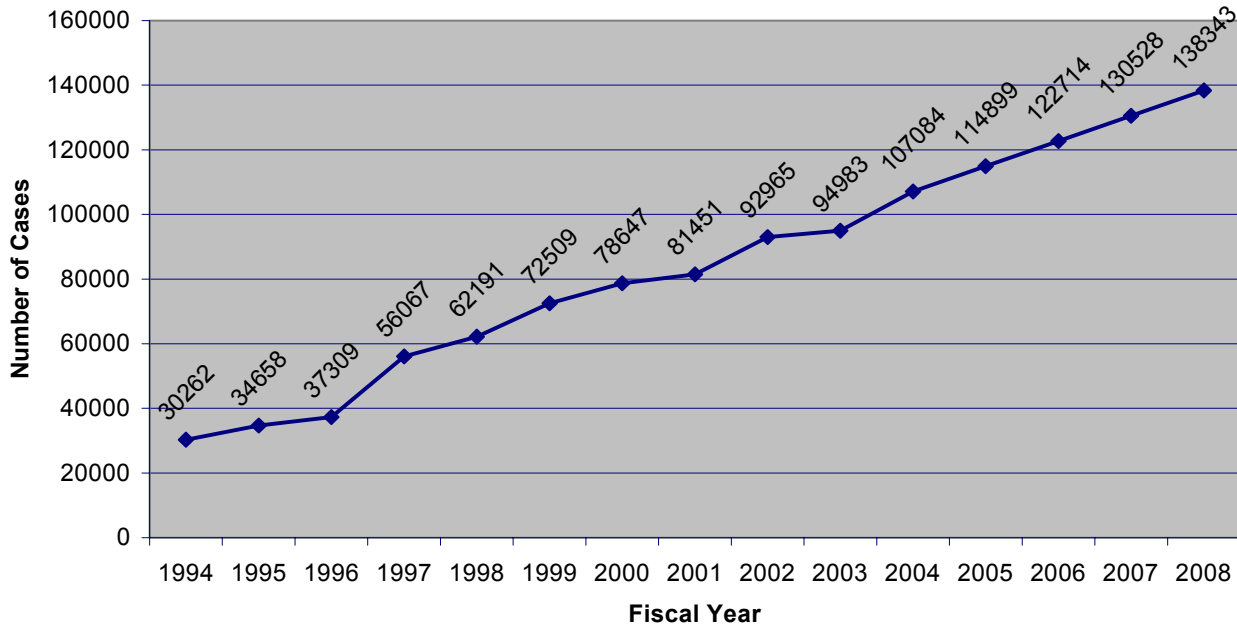


Source: Court Administrator, Court of Common Pleas; Administrative Office of the Courts.

Court of Common Pleas - 5 Year Case Filing Projections With 5 Year Base



Court of Common Pleas - 5 Year Case Filing Projections With 10 Year Base



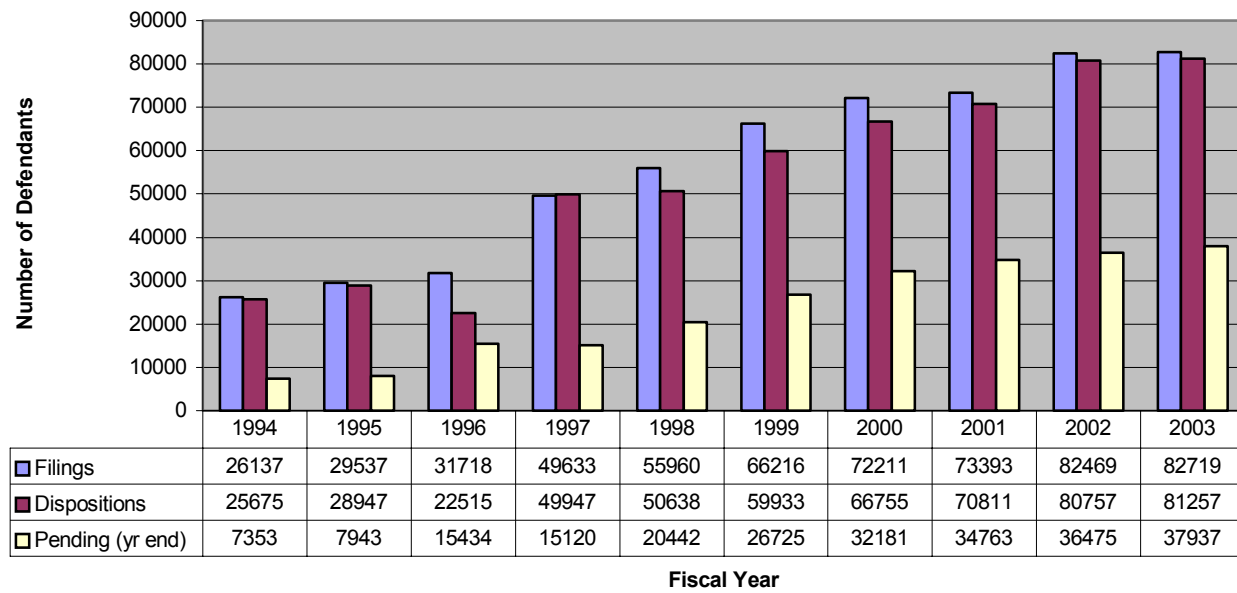
Trend lines computed by regression analysis.

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

Caseload Summary Fiscal Year 2003 - Criminal Cases						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County	24,595	40,089	39,513	25,171	+576	+2.3%
Kent County	5,615	18,750	18,540	5,825	+210	+3.7%
Sussex County	6,265	23,880	23,204	6,941	+676	+10.8%
State	36,475	82,719	81,257	37,937	+1,462	+4.0%
Caseload Comparison - Fiscal Years 2002-2003 - Criminal Case Filings						
	2002		2003		Change	% Change
New Castle County	42,104		40,089		-2015	-4.79%
Kent County	17,892		18,750		+858	+4.8%
Sussex County	22,473		23,880		+1407	+6.3%
State	82,469		82,719		+250	+0.3%
Caseload Comparison - Fiscal Years 2002-2003 - Criminal Case Dispositions						
	2002		2003		Change	% Change
New Castle County	41,709		39,513		-2196	-5.3%
Kent County	17,162		18,540		+1378	+8.0%
Sussex County	21,886		23,204		+1318	+6.0%
State	80,757		81,257		+500	+0.6%
Caseload Comparison - Fiscal Years 2002-2003 - Preliminary Hearings Held						
	2002		2003		Change	% Change
New Castle County	5,156		4,838		-318	-6.2%
Kent County	1,571		1,889		+318	+20.2%
Sussex County	1,635		1,659		+24	+1.5%
State	8,362		8,386		+24	+0.3%

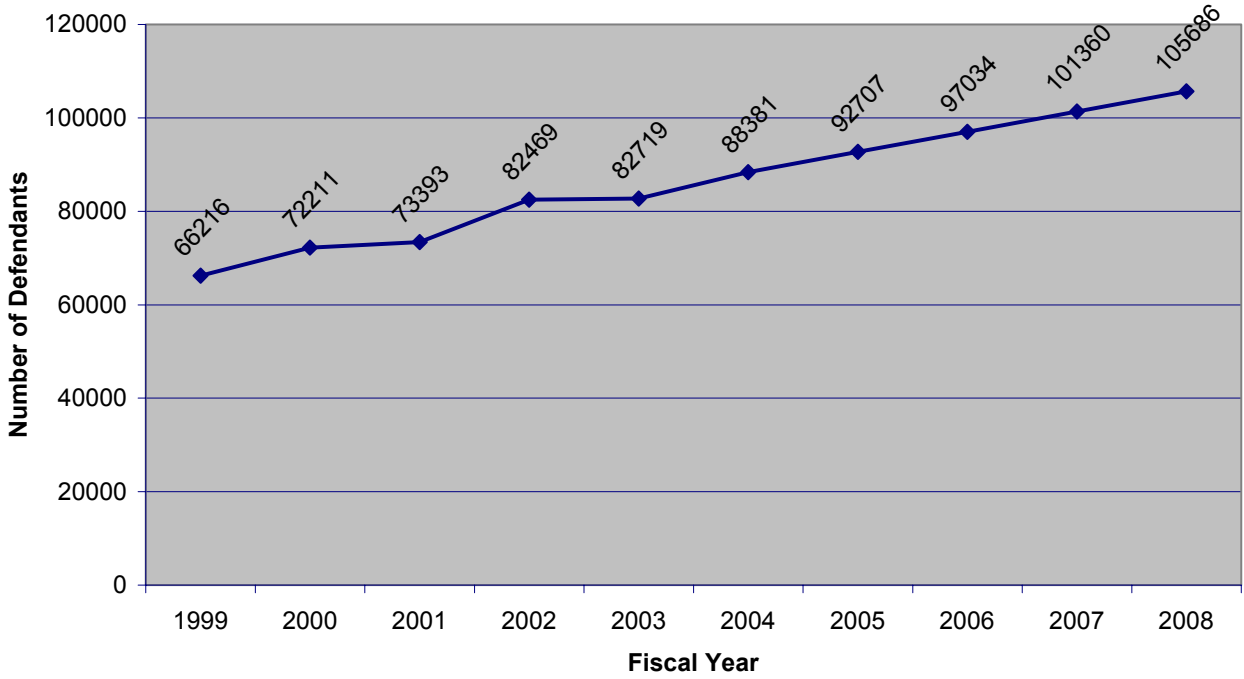
Source: Court Administrator, Court of Common Pleas; Administrative Office of the Courts.

Court of Common Pleas - 10 Year Criminal Caseload Trend

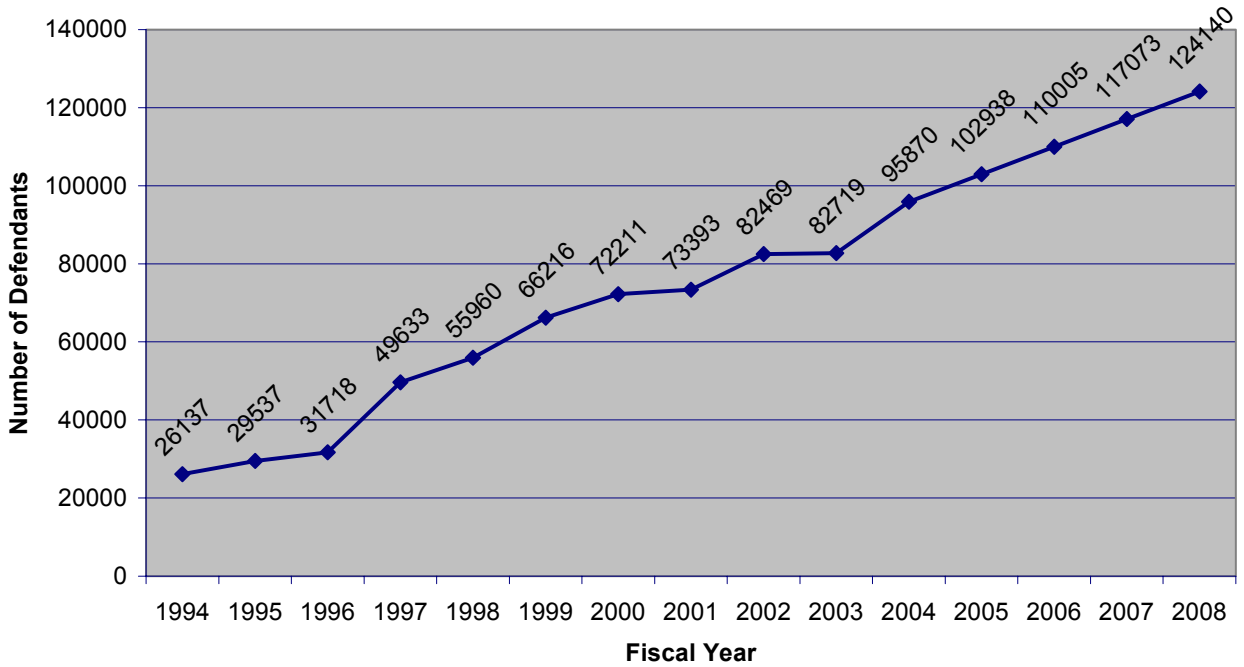


Source: Court Administrator, Court of Common Pleas; Administrative Office of the Courts

Court of Common Pleas - 5 Year Criminal Filing Projections With 5 Year Base



Court of Common Pleas - 5 Year Criminal Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

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

Caseload Summary Fiscal Year 2003 - Civil Cases						
	Pending			Pending	Change	% Change
	6/30/2002	Filings	Dispositions	6/30/2003	In Pending	In Pending
New Castle County	8,619	8,264	6,446	10,437	+1818	+21.1%
Kent County	1,223	1,906	1,731	1,398	+175	+14.3%
Sussex County	1,537	2,094	1,849	1,782	+245	+15.9%
State	11,379	12,264	10,026	13,617	+2,238	+19.7%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Filings				
	2002	2003	Change	% Change
New Castle County	7,072	8,264	+1192	+16.9%
Kent County	1,671	1,906	+235	+14.1%
Sussex County	1,753	2,094	+341	+19.5%
State	10,496	12,264	+1768	+16.8%

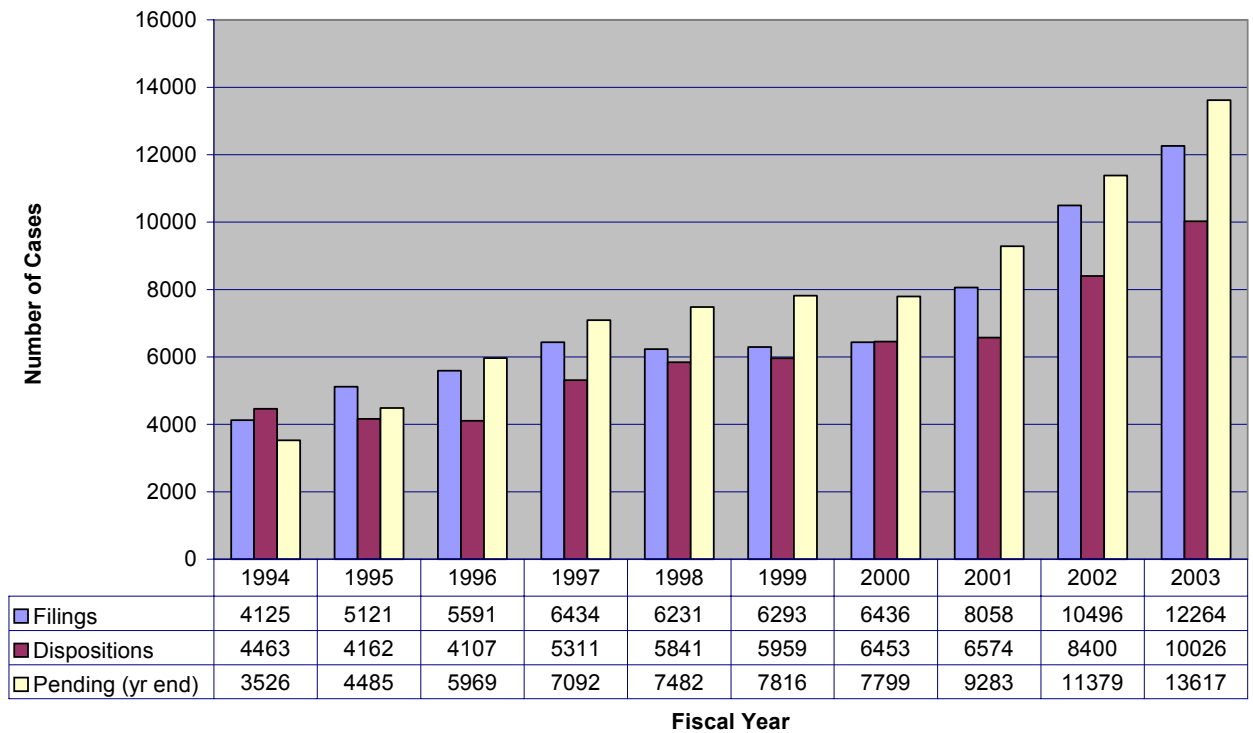
Caseload Comparison - Fiscal Years 2002-2003 - Civil Case Dispositions				
	2002	2003	Change	% Change
New Castle County	5,365	6,446	+1,081	+20.1%
Kent County	1,348	1,731	+383	+28.4%
Sussex County	1,687	1,849	+162	+9.6%
State	8,400	10,026	+1,626	+19.4%

Caseload Breakdowns Fiscal Year 2003 - Civil Case Filings						
	Complaints		Civil Judgments, Name Changes		Total	
New Castle County	7,840	94.9%	424	5.1%	8,264	100.0%
Kent County	1,783	93.5%	123	6.5%	1,906	100.0%
Sussex County	1,976	94.4%	118	5.6%	2,094	100.0%
State	11,599	94.6%	665	5.4%	12,264	100.0%

Caseload Breakdowns Fiscal Year 2003 - Civil Case Dispositions						
	Court Action		Counsel Action		Total	
New Castle County	833	12.9%	5,613	87.1%	6,446	100.0%
Kent County	406	23.5%	1,325	76.5%	1,731	100.0%
Sussex County	535	28.9%	1,314	71.1%	1,849	100.0%
State	1,774	17.7%	8,252	82.3%	10,026	100.0%

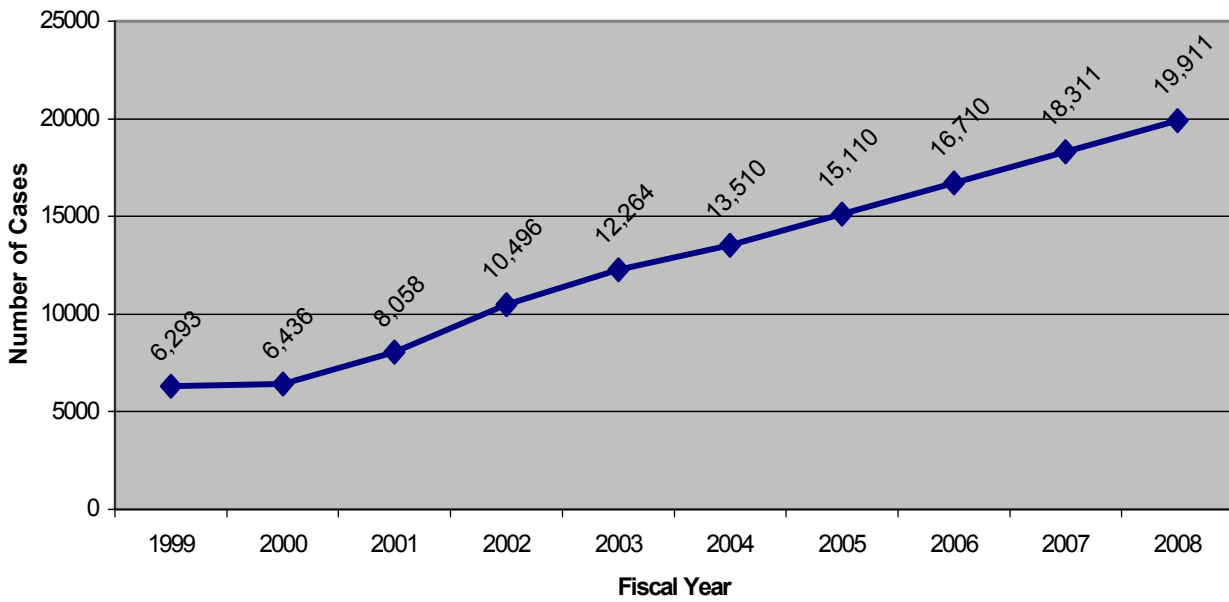
Source: Court Administrator, Court of Common Pleas; Administrative Office of the Courts.

Court of Common Pleas - 10 Year Civil Caseload Trend

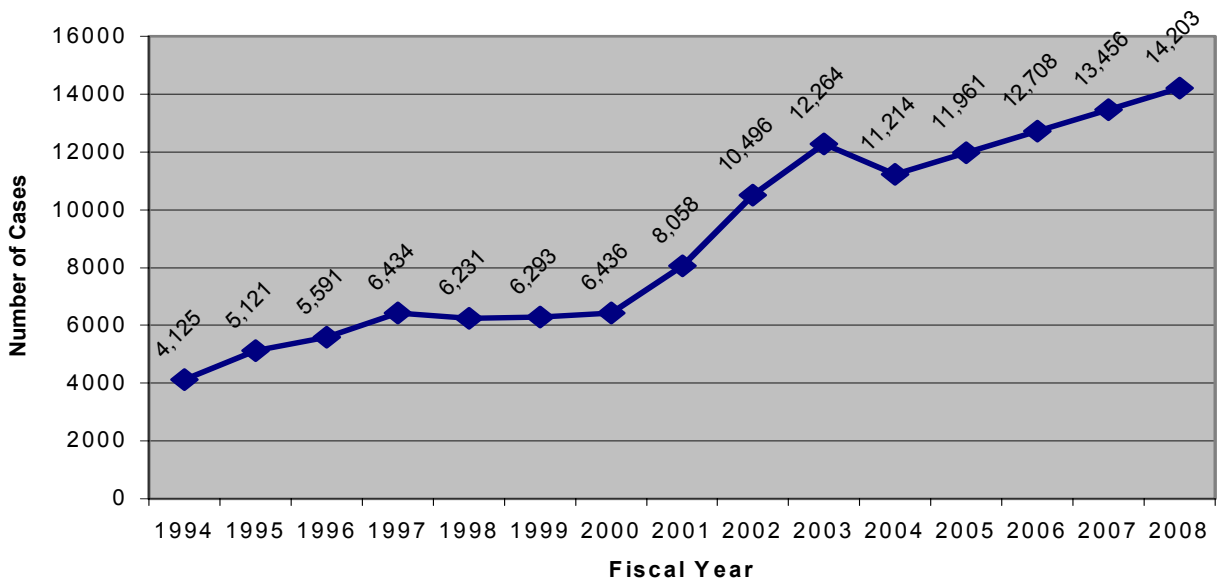


Source: Court Administrator, Court of Common Pleas; Administrative Office of the Courts

Court of Common Pleas - 5 Year Civil Filing Projections With 5 Year Base



Court of Common Pleas - 5 Year Civil Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

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

Justice of the Peace Court

The Justice of the Peace Court continues to improve the quality of services provided and to expedite case dispositions. During fiscal year 2003, the Justice of the Peace Court focused much attention on improving the efficacy of existing programs and services.

Customer Service

Program: In an effort to improve customer service in general, the Court conducted public surveys on the services it provides. Approximately 78% of the respondents indicated that the efficiency, speed of services and overall experience was

“excellent” or “good.” To better serve the needs of both the public and members of the bar, all non-judicial employees are being provided customer service training. This effort, funded by a grant from the First State Quality Improvement Fund and through the donated services of Ken Shock, Customer Service Specialist for the Division of Motor Vehicles, promotes uniformity and better service to the public. With the completion of the training, surveys will be conducted again for comparison purposes.

Pilot Project Providing Legal Representation

at Court 20: Midway through its second year, this pilot project demonstrates the benefits of coordinated efforts amongst state agencies, by using existing resources (for the Judiciary) and federal grant funds (for the Attorney General and the Public Defender), to reduce delays and provide better services to victims and others in the courts. Statistics prepared by the Statistical Analysis Center have consistently shown the pro-



Chief Magistrate Patricia Walther Griffin

gram’s success: since it began in November of 2001, the project has decreased the transfer rate for eligible cases from J.P. Court 20 to the Court of Common Pleas from 46% pre-project to 28.7% since the pilot started. More importantly, the overall average processing time for eligible cases has decreased from 114 days pre-pilot to 63 days post-pilot.

Statewide Videophone

Court: The statewide Videophone Court continued in “full swing” at J.P. Court 2 in Rehoboth during fiscal year 2003. The Court has continued to provide sub-

stantial benefits and resource savings to the criminal justice community through distributing the Justice of the Peace Court’s videophone workload more efficiently and providing quicker and more consistent service. The success of the Statewide Videophone Court is demonstrated in Court 2’s dramatic increase in caseload – a 43% increase (from 18,943 in FY 2002 to 27,059 cases filed in FY 2003), and its average of over 1,000 videophone proceedings per month.

Truancy Court: 2003 represented a banner year for the Justice of the Peace Court’s Truancy Court. The Truancy Court is being recognized as the “2003 Program of the Year” by the International Association for Truancy and Dropout Prevention, because of its comprehensive approach and successfulness in reducing truancy — it combines community health and social service resources with intensive court oversight to strengthen families, improve school attendance, and prevent juvenile delinquency.

Court Facilities: The Justice of the Peace Court received the funding to relocate Court 1 from its rental facility in Millsboro to a former bank building owned by the Town of Frankford. This new facility, which is being renovated during FY 2004, is larger and more suitable for a courthouse, and more centrally located in southwest Sussex County. It is also expected to house the Sussex Truancy Court operations. In addition, efforts continue in constructing a new facility in Houston to allow for the merger of Courts 5 (Milford) and 6 (Harrington), and extended hours of operation at that site. It is expected that this long-overdue project will be completed in FY 2004.

Constable Security: Although security remains a concern in all Justice of the Peace Courts (without sufficient resources to provide security coverage at all shifts of operation), the Court implemented a new program to enhance the security/safety of the Justice of the Peace Court constables by tracking all constable location radio calls through the State Police emergency personnel radio system.

Tax and Lottery Intercept: The Justice of the Peace Court has participated in the tax and lottery intercept program since 1995 and has collected \$110,000 in unpaid fines/costs/restitution through the program since its inception. FY 2003 was a particularly successful year, with triple the usual amount of fines/costs being collected.



Justice of the Peace Court, New Castle County

Front Row (sitting from left to right)

Judge Rosalind Toulson, Judge Kathleen Lucas, Judge Marie Page, Judge Cheryl Stallmann, Judge Susan Cline, Judge Rosalie Rutkowski, Judge Roger Barton and Judge Stanley Petraschuk

Middle Row (standing from left to right)

Judge Terry Smith, Judge Thomas Cole, Judge David Skelley, Judge Sidney Clark, Judge William Moser, Judge Thomas Brown, Judge James Tull and Judge Lawrence Fitchett

Back Row (standing from left to right)

Judge Paul Smith, Judge Wayne Hanby, Judge Marilyn Letts, Judge Roberto Lopez, Judge Thomas Kenney and Deputy Chief Magistrate Bonita N. Lee

Not Pictured

Judge Robert Armstrong, Judge Linda Gray, Judge Sean McCormick, Judge Nancy Roberts, Judge Katharine Ross, Judge Vernon Taylor and Deborah McNesby

Justice of the Peace Court, Kent County



Front Row (sitting left to right)
Judge Pamela Darling, Judge Ellis Parrott and Judge Agnes Pennella

Back Row (standing left to right)
Judge Harvey Leighty, Judge Robert Wall, Judge James Murray and Deputy Chief Magistrate Charles Stump

Not Pictured
Judge Ernst Arndt, Judge Margrett Barrett, Judge Frederick Dewey, Judge Debora Foor and Judge Fred Lord

Justice of the Peace Court, Sussex County

Front Row (sitting left to right)
Judge John Hudson, Judge Jeni Coffelt, Judge William Hopkins, Judge Edward Davis, Judge Jana Mollohan

Back Row (standing left to right)
Judge John McKenzie, Judge Walter Goodwin, Judge Howard Mulvaney, Judge Joseph Melson, Judge John Martin, Judge Herman Hagan and Judge William Wood

Not Pictured
Deputy Chief Magistrate Sheila Blakely, Judge William Boddy III, Judge William Brittingham, Judge Marcealeate Ruffin and Judge John O'Bier



Legal Authorization

The Justice of the Peace Court is authorized by the Constitution of Delaware, Article IV, Section 1.

Court History

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

Legal Jurisdiction

The Justice of the Peace Court has jurisdiction over civil cases in which the amount in controversy is not greater than \$15,000. This increased from \$5,000 in January 1995. Justice of the Peace Court is authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Appeals may be taken to the Court of Common Pleas effective January 1995. In the past, these appeals were taken to the Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas, except for summary possession actions.

The Court's jurisdiction was increased on May 1, 1998, to include filings in the city of Wilmington as a result of the Municipal Court merger.

Geographic Organization

The jurisdiction of the Court is statewide and sessions are held throughout the State. Of the 19 courts currently operating, eight are in New Castle County, four are in Kent County and seven are in Sussex County. The Voluntary Assessment Center, which handles mail-in fines, is located in Dover.

Justice of the Peace

The Delaware Code authorizes a maximum of 58 justices of the peace. The maximum number of justices of the peace permitted in each county is 29 in New Castle County, 12 in Kent County and 17 in Sussex County. All justices of the peace are nominated by the Governor and confirmed by the Senate for terms of four years. A justice of the peace must be at least 21 years of age and a resident of the state of Delaware and the county in which the justice of the peace serves. In addition to the 58 justices of the peace, the Governor nominates a chief magistrate, subject to Senate confirmation.

Support Personnel

An administrator, two operations managers, an administrative officer, and a fiscal administrative officer help the chief magistrate direct the Justice of the Peace Court on a daily basis. The State provides clerks of the court, constables, and other personnel for the Court.

Caseload Summary Fiscal Year 2003 - Total Cases (defendants)						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
Criminal	44,949	215,115	219,867	40,197	-4752	-10.6%
Civil	9,533	30,329	27,501	12,361	+2828	+29.7%
Total	54,482	245,444	247,368	52,558	-1924	-3.5%

Caseload Comparison - Fiscal Years 2002-2003 - Total Cases Filings (defendants)				
	2002	2003	Change	% Change
Criminal	229,817	215,115	-14,702	-6.4%
Civil	28,910	30,329	+1419	+4.9%
Total	258,727	245,444	-13,283	-5.1%

Caseload Comparison - Fiscal Years 2002-2003 - Total Cases Dispositions (defendants)				
	2002	2003	Change	% Change
Criminal	213,754	219,867	+6113	+2.9%
Civil	29,637	27,501	-2136	-7.2%
Total	243,391	247,368	+3977	+1.6%

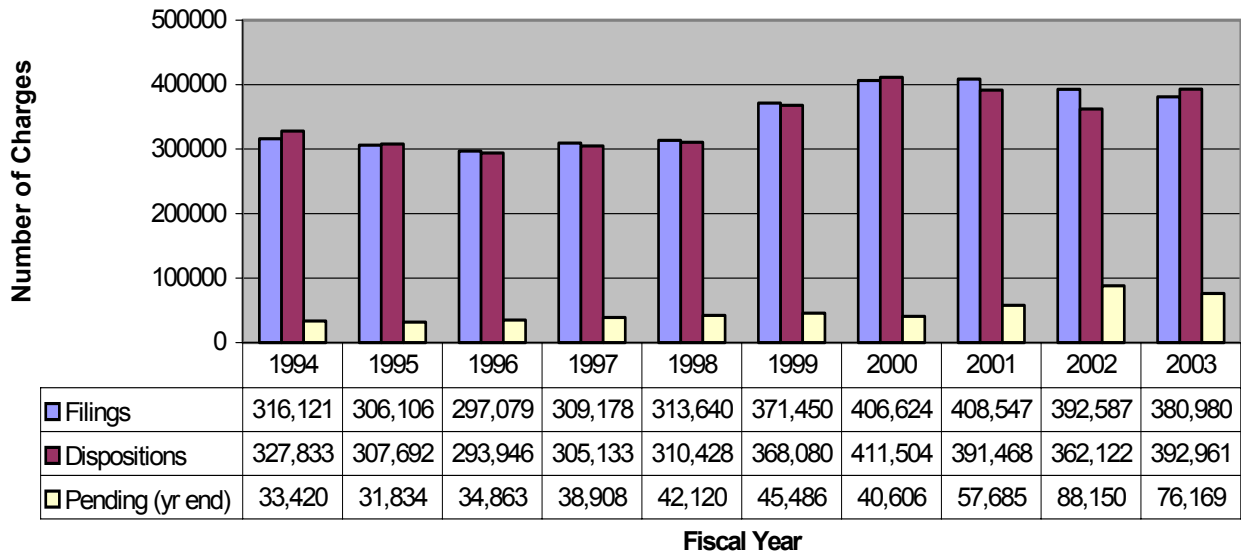
Caseload Summary Fiscal Year 2003-Total Cases (charges)						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
Criminal	78,617	350,651	365,460	63,808	-14809	-18.8%
Civil	9,533	30,329	27,501	12,361	+2828	+29.7%
Total	88,150	380,980	392,961	76,169	-11981	-13.6%

Caseload Comparison - Fiscal Years 2002-2003 - Total Cases Filed (charges)				
	2002	2003	Change	% Change
Criminal	363,677	350,651	-13,026	-3.6%
Civil	28,910	30,329	+1419	+4.9%
Total	392,587	380,980	-11,607	-3.0%

Caseload Comparison - Fiscal Years 2002-2003 - Total Cases Disposed (charges)				
	2002	2003	Change	% Change
Criminal	332,485	365,460	+32975	+9.9%
Civil	29,637	27,501	-2136	-7.2%
Total	362,122	392,961	+30839	+8.5%

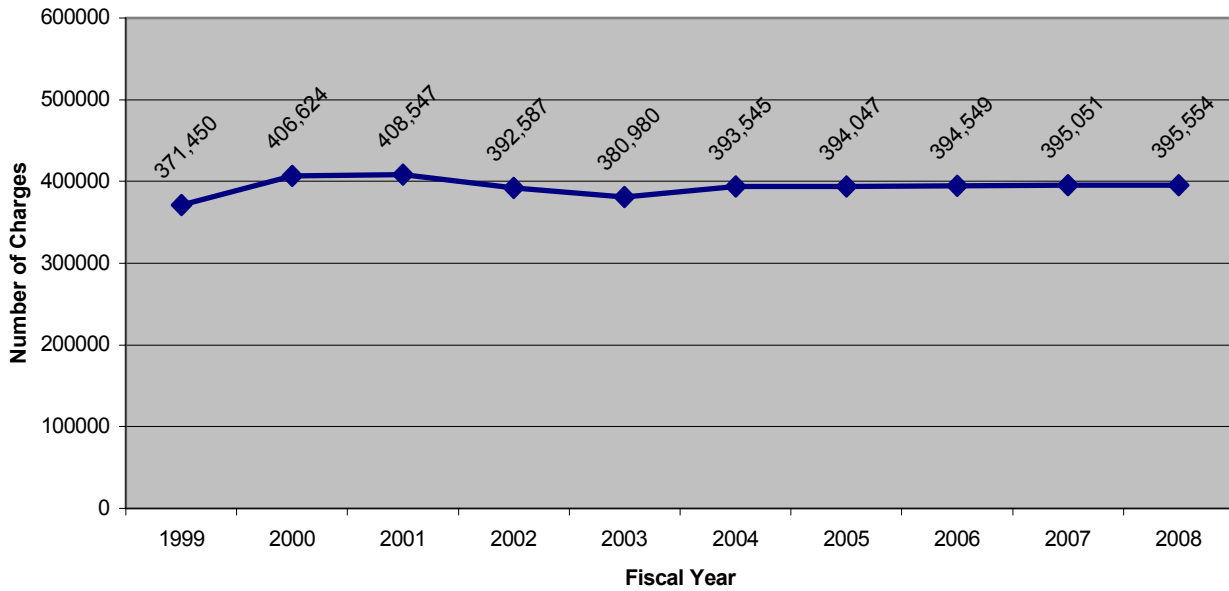
Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts.

JP Court - 10 Year Total Caseload Trend

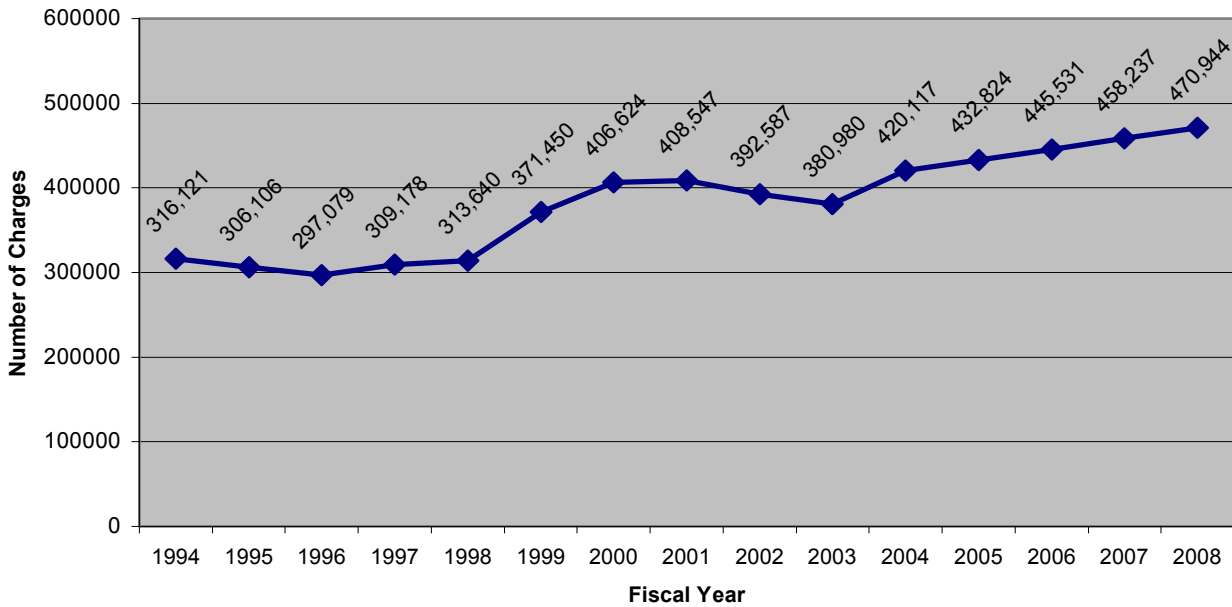


Source: Chief Magistrate’s Office, Justice of the Peace Court; Administrative Office of the Courts.

JP Court - 5 Year Total Filing Projections With 5 Year Base



JP Court - 5 Year Total Filing Projections Using 10 Year Base



Trend lines computed by regression analysis.

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

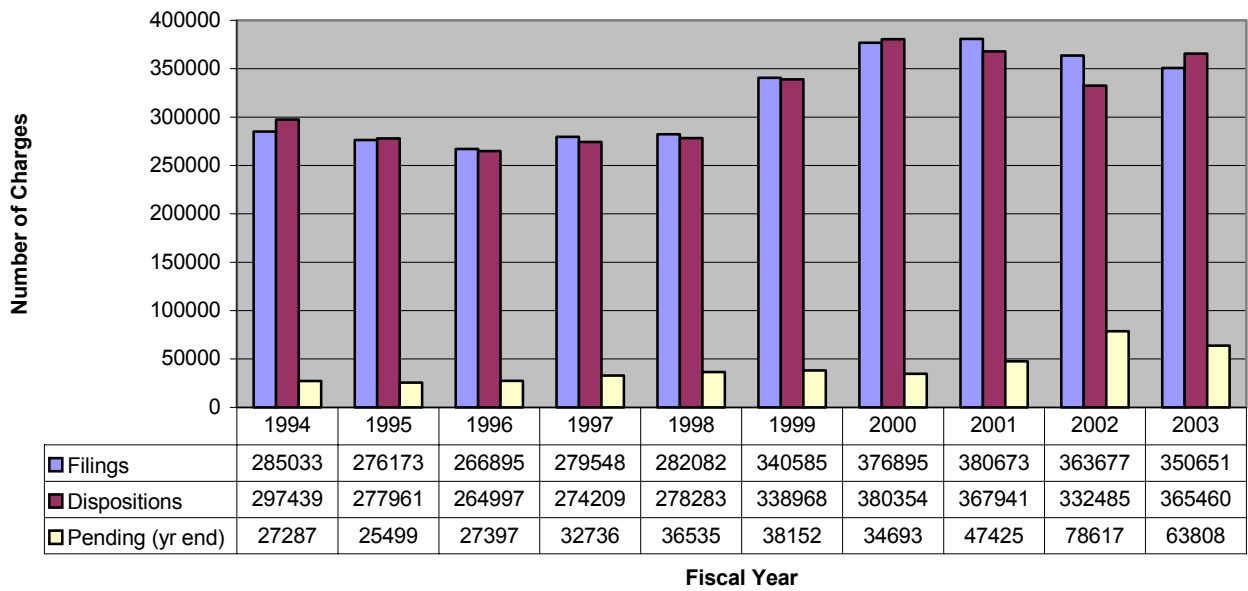
Caseload Summary Fiscal Year 2003 - Criminal and Traffic Cases (defendants)						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County						
Court 9	607	1,934	2,114	427	-180	-29.7%
Court 10	2,317	7,378	6,506	3,189	+872	+37.6%
Court 11	5,454	17,031	17,676	4,809	-645	-11.8%
Court 15	2,609	6,108	6,710	2,007	-602	-23.1%
Court 18	0	0	0	0	-----	-----
Court 20	3,439	16,241	15,125	4,555	+1116	+32.5%
Kent County						
Court 6	1,043	2,909	3,455	497	-546	-52.3%
Court 7	3,285	15,891	16,775	2,401	-884	-26.9%
Court 8	238	2,114	2,057	295	+57	+23.9%
Sussex County						
Court 1	571	2,613	2,575	609	+38	+6.7%
Court 2	1,031	11,361	11,498	894	-137	-13.3%
Court 3	1,877	10,893	10,706	2,064	+187	+10.0%
Court 4	1,360	6,840	6,845	1,355	-5	-0.4%
Court 5	430	2,209	2,141	498	+68	+15.8%
Court 14	324	1,677	1,391	610	+286	+88.3%
State without VAC	24,585	105,199	105,574	24,210	-375	-1.5%
VAC	20,364	109,916	114,293	15,987	-4377	-21.5%
State with VAC	44,949	215,115	219,867	40,197	-4752	-10.6%

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.
VAC=Voluntary Assessment Center
Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts.

Caseload Summary Fiscal Year 2003 - Criminal and Traffic Cases (charges)						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County						
Court 9	1,427	3,792	4,542	677	-750	-52.6%
Court 10	4,541	14,406	13,885	5,062	+521	+11.5%
Court 11	12,596	37,702	42,664	7,634	-4962	-39.4%
Court 15	5,187	12,041	14,042	3,186	-2001	-38.6%
Court 18	0	0	0	0	-----	-----
Court 20	5,992	35,805	34,567	7,230	+1238	+20.7%
Kent County						
Court 6	1,878	4,958	6,047	789	-1089	-58.0%
Court 7	6,214	36,949	39,352	3,811	-2403	-38.7%
Court 8	411	3,652	3,594	469	+58	+14.1%
Sussex County						
Court 1	1,059	4,451	4,544	966	-93	-8.8%
Court 2	1,809	27,059	27,448	1,420	-389	-21.5%
Court 3	4,305	31,698	32,726	3,277	-1028	-23.9%
Court 4	2,660	14,924	15,433	2,151	-509	-19.1%
Court 5	828	4,365	4,402	791	-37	-4.5%
Court 14	791	4,590	4,413	968	+177	+22.4%
State without VAC	49,698	236,392	247,659	38,431	-11267	-22.7%
VAC	28,919	114,259	117,801	25,377	-3542	-12.2%
State with VAC	78,617	350,651	365,460	63,808	-14809	-18.8%

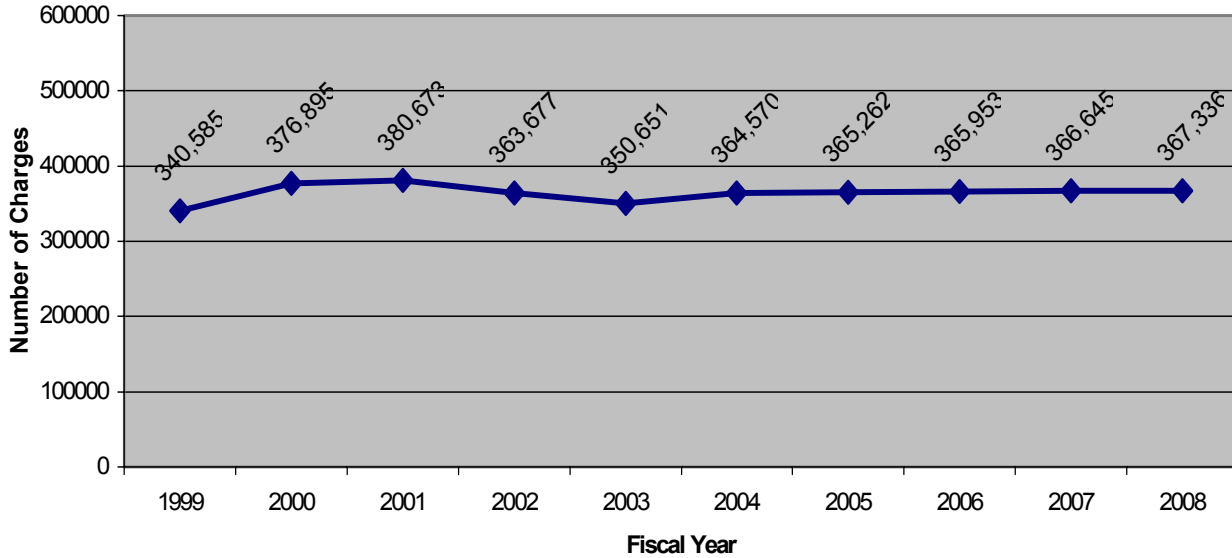
Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.
 VAC=Voluntary Assessment Center
 Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts.

JP Court - 10 Year Criminal and Traffic Caseload Trend

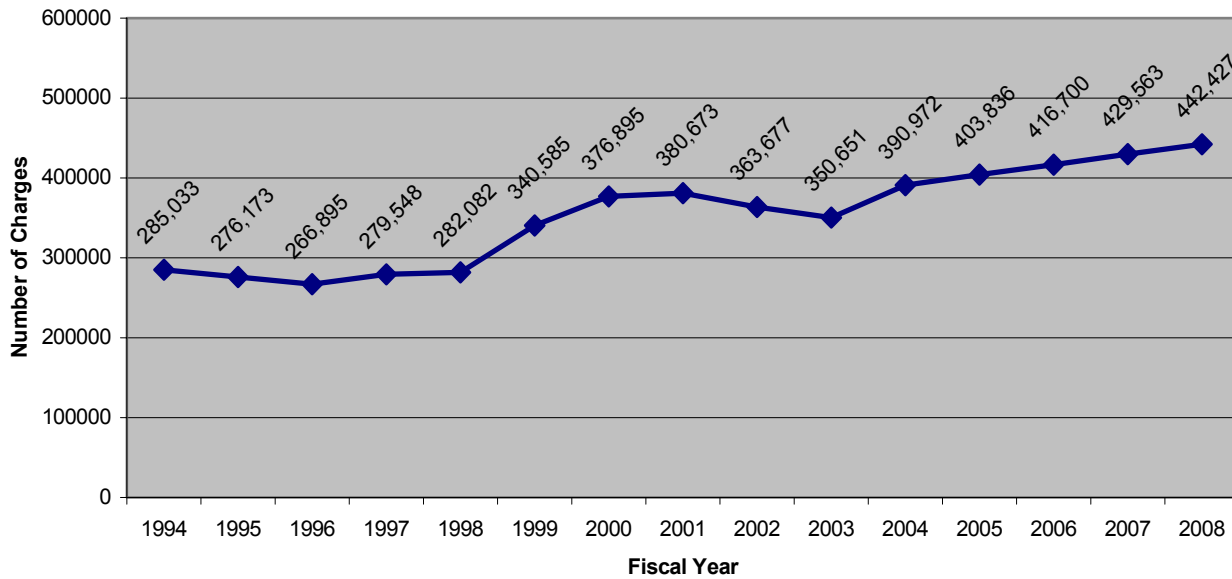


Source: Chief Magistrate’s Office, Justice of the Peace Court; Administrative Office of the Courts.

**JP Court - 5 Year Criminal and Traffic Case Filing Projections
With 5 Year Base**



**JP Court - 5 Year Criminal and Traffic Case Filing Projections
With 10 Year Base**



Trend lines computed by regression analysis.

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

Caseload Breakdowns Fiscal Year 2003 - Criminal and Traffic Filings (defendants)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	156	8.1%	166	8.6%	1,479	76.5%	133	6.9%	1,934	100.0%
Court 10	167	2.3%	857	11.6%	5,504	74.6%	850	11.5%	7,378	100.0%
Court 11	450	2.6%	6,014	35.3%	9,068	53.2%	1,499	8.8%	17,031	100.0%
Court 15	100	1.6%	405	6.6%	4,891	80.1%	712	11.7%	6,108	100.0%
Court 18	0	----	0	----	0	----	0	----	0	100.0%
Court 20	35	0.2%	5,834	35.9%	7,192	44.3%	3,180	19.6%	16,241	100.0%
Kent County										
Court 6	27	0.9%	216	7.4%	2,553	87.8%	113	3.9%	2,909	100.0%
Court 7	360	2.3%	4,896	30.8%	9,405	59.2%	1,230	7.7%	15,891	100.0%
Court 8	2	0.1%	232	11.0%	1,810	85.6%	70	3.3%	2,114	100.0%
Sussex County										
Court 1	299	11.4%	90	3.4%	2,005	76.7%	219	8.4%	2,613	100.0%
Court 2	482	4.2%	6,503	57.2%	3,718	32.7%	658	5.8%	11,361	100.0%
Court 3	208	1.9%	4,145	38.1%	5,486	50.4%	1,054	9.7%	10,893	100.0%
Court 4	50	0.7%	1,127	16.5%	5,498	80.4%	165	2.4%	6,840	100.0%
Court 5	13	0.6%	386	17.5%	1,702	77.0%	108	4.9%	2,209	100.0%
Court 14	1	0.1%	40	2.4%	1,467	87.5%	169	10.1%	1,677	100.0%
State without VAC	2,350	2.2%	30,911	29.4%	61,778	58.7%	10,160	9.7%	105,199	100.0%
VAC	240	0.2%	0	0.0%	109,659	99.8%	17	0.0%	109,916	100.0%
State with VAC	2,590	1.2%	30,911	14.4%	171,437	79.7%	10,177	4.7%	215,115	100.0%

Caseload Breakdowns Fiscal Year 2003 - Criminal and Traffic Dispositions (defendants)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	160	7.6%	150	7.1%	1,650	78.1%	154	7.3%	2,114	100.0%
Court 10	199	3.1%	600	9.2%	5,125	78.8%	582	8.9%	6,506	100.0%
Court 11	340	1.9%	6,025	34.1%	10,028	56.7%	1,283	7.3%	17,676	100.0%
Court 15	125	1.9%	390	5.8%	5,194	77.4%	1,001	14.9%	6,710	100.0%
Court 18	0	----	0	----	0	----	0	----	0	100.0%
Court 20	40	0.3%	3,707	24.5%	8,196	54.2%	3,182	21.0%	15,125	100.0%
Kent County										
Court 6	20	0.6%	367	10.6%	2,919	84.5%	149	4.3%	3,455	100.0%
Court 7	331	2.0%	5,070	30.2%	10,025	59.8%	1,349	8.0%	16,775	100.0%
Court 8	7	0.3%	210	10.2%	1,772	86.1%	68	3.3%	2,057	100.0%
Sussex County										
Court 1	244	9.5%	97	3.8%	2,039	79.2%	195	7.6%	2,575	100.0%
Court 2	475	4.1%	6,545	56.9%	3,853	33.5%	625	5.4%	11,498	100.0%
Court 3	206	1.9%	4,160	38.9%	5,223	48.8%	1,117	10.4%	10,706	100.0%
Court 4	107	1.6%	1,201	17.5%	5,347	78.1%	190	2.8%	6,845	100.0%
Court 5	19	0.9%	315	14.7%	1,708	79.8%	99	4.6%	2,141	100.0%
Court 14	1	0.1%	27	1.9%	1,255	90.2%	108	7.8%	1,391	100.0%
State without VAC	2,274	2.2%	28,864	27.3%	64,334	60.9%	10,102	9.6%	105,574	100.0%
VAC	224	0.2%	0	0.0%	114,064	99.8%	5	0.0%	114,293	100.0%
State with VAC	2,498	1.1%	28,864	13.1%	178,398	81.1%	10,107	4.6%	219,867	100.0%

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.

VAC=Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2003 - Criminal and Traffic Filings (charges)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	244	6.4%	265	7.0%	3,124	82.4%	159	4.2%	3,792	100.0%
Court 10	192	1.3%	1,202	8.3%	11,717	81.3%	1,295	9.0%	14,406	100.0%
Court 11	667	1.8%	12,303	32.6%	21,680	57.5%	3,052	8.1%	37,702	100.0%
Court 15	84	0.7%	686	5.7%	10,649	88.4%	622	5.2%	12,041	100.0%
Court 18	0	----	0	----	0	----	0	----	0	100.0%
Court 20	72	0.2%	11,944	33.4%	16,866	47.1%	6,923	19.3%	35,805	100.0%
Kent County										
Court 6	29	0.6%	554	11.2%	4,218	85.1%	157	3.2%	4,958	100.0%
Court 7	744	2.0%	12,049	32.6%	20,162	54.6%	3,994	10.8%	36,949	100.0%
Court 8	4	0.1%	451	12.3%	3,063	83.9%	134	3.7%	3,652	100.0%
Sussex County										
Court 1	387	8.7%	212	4.8%	3,604	81.0%	248	5.6%	4,451	100.0%
Court 2	550	2.0%	16,554	61.2%	8,049	29.7%	1,906	7.0%	27,059	100.0%
Court 3	624	2.0%	12,435	39.2%	15,244	48.1%	3,395	10.7%	31,698	100.0%
Court 4	97	0.6%	2,693	18.0%	11,738	78.7%	396	2.7%	14,924	100.0%
Court 5	14	0.3%	603	13.8%	3,625	83.0%	123	2.8%	4,365	100.0%
Court 14	1	0.0%	85	1.9%	4,303	93.7%	201	4.4%	4,590	100.0%
State without VAC	3,709	1.6%	72,036	30.5%	138,042	58.4%	22,605	9.6%	236,392	100.0%
VAC	248	0.2%	0	0.0%	113,977	99.8%	34	0.0%	114,259	100.0%
State with VAC	3,957	1.1%	72,036	20.5%	252,019	71.9%	22,639	6.5%	350,651	100.0%

Caseload Breakdowns Fiscal Year 2003 - Criminal and Traffic Dispositions (charges)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	299	6.6%	294	6.5%	3,789	83.4%	160	3.5%	4,542	100.0%
Court 10	219	1.6%	952	6.9%	11,905	85.7%	809	5.8%	13,885	100.0%
Court 11	940	2.2%	14,821	34.7%	23,789	55.8%	3,114	7.3%	42,664	100.0%
Court 15	119	0.8%	498	3.5%	12,790	91.1%	635	4.5%	14,042	100.0%
Court 18	0	----	0	----	0	----	0	----	0	100.0%
Court 20	78	0.2%	11,370	32.9%	16,373	47.4%	6,746	19.5%	34,567	100.0%
Kent County										
Court 6	5	0.1%	875	14.5%	4,981	82.4%	186	3.1%	6,047	100.0%
Court 7	729	1.9%	12,835	32.6%	21,768	55.3%	4,020	10.2%	39,352	100.0%
Court 8	4	0.1%	475	13.2%	2,950	82.1%	165	4.6%	3,594	100.0%
Sussex County										
Court 1	250	5.5%	126	2.8%	3,938	86.7%	230	5.1%	4,544	100.0%
Court 2	399	1.5%	17,375	63.3%	7,798	28.4%	1,876	6.8%	27,448	100.0%
Court 3	675	2.1%	13,558	41.4%	14,773	45.1%	3,720	11.4%	32,726	100.0%
Court 4	190	1.2%	2,889	18.7%	11,879	77.0%	475	3.1%	15,433	100.0%
Court 5	17	0.4%	574	13.0%	3,684	83.7%	127	2.9%	4,402	100.0%
Court 14	1	0.0%	88	2.0%	4,128	93.5%	196	4.4%	4,413	100.0%
State without VAC	3,925	1.6%	76,730	31.0%	144,545	58.4%	22,459	9.1%	247,659	100.0%
VAC	257	0.2%	0	0.0%	117,510	99.8%	34	0.0%	117,801	100.0%
State with VAC	4,182	1.1%	76,730	21.0%	262,055	71.7%	22,493	6.2%	365,460	100.0%

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.

VAC=Voluntary Assessment Center

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

Caseload Comparison - Fiscal Years 2002-2003 - Criminal and Traffic Filings (defendants)				
	2002	2003	Change	% Change
New Castle County				
Court 9	1,426	1,934	+508	+35.6%
Court 10	9,832	7,378	-2454	-25.0%
Court 11	18,031	17,031	-1000	-5.5%
Court 15	6,532	6,108	-424	-6.5%
Court 18	0	0	-----	-----
Court 20	21,791	16,241	-5550	-25.5%
Kent County				
Court 6	2,953	2,909	-44	-1.5%
Court 7	17,558	15,891	-1667	-9.5%
Court 8	1,718	2,114	+396	+23.1%
Sussex County				
Court 1	2,526	2,613	+87	+3.4%
Court 2	6,250	11,361	+5111	+81.8%
Court 3	10,092	10,893	+801	+7.9%
Court 4	6,903	6,840	-63	-0.9%
Court 5	2,141	2,209	+68	+3.2%
Court 14	1,633	1,677	+44	+2.7%
State without VAC	109,386	105,199	- 4,187	-3.8%
VAC	120,431	109,916	-10515	-8.7%
State with VAC	229,817	215,115	-14,702	-6.4%

Caseload Comparison - Fiscal Years 2001-2002 - Criminal and Traffic Dispositions (defendants)				
	2002	2003	Change	% Change
New Castle County				
Court 9	1,574	2,114	+540	+34.3%
Court 10	8,492	6,506	-1986	-23.4%
Court 11	17,458	17,676	+218	+1.2%
Court 15	6,912	6,710	-202	-2.9%
Court 18	0	0	-----	-----
Court 20	20,451	15,125	-5326	-26.0%
Kent County				
Court 6	3,528	3,455	-73	-2.1%
Court 7	16,961	16,775	-186	-1.1%
Court 8	1,573	2,057	+484	+30.8%
Sussex County				
Court 1	2,330	2,575	+245	+10.5%
Court 2	5,686	11,498	+5812	+102.2%
Court 3	8,955	10,706	+1751	+19.6%
Court 4	6,195	6,845	+650	+10.5%
Court 5	2,022	2,141	+119	+5.9%
Court 14	1,456	1,391	-65	-4.5%
State without VAC	103,593	105,574	+1981	+1.9%
VAC	110,161	114,293	+4132	+3.8%
State with VAC	213,754	219,867	+6113	+2.9%

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.

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 2002-2003 - Criminal and Traffic Filings (charges)				
	2002	2003	Change	% Change
New Castle County				
Court 9	3,132	3,792	+660	+21.1%
Court 10	17,926	14,406	-3520	-19.6%
Court 11	37,767	37,702	-65	-0.2%
Court 15	13,573	12,041	-1532	-11.3%
Court 18	0	0	-----	-----
Court 20	45,761	35,805	-9956	-21.8%
Kent County				
Court 6	4,995	4,958	-37	-0.7%
Court 7	36,644	36,949	+305	+0.8%
Court 8	3,293	3,652	+359	+10.9%
Sussex County				
Court 1	4,811	4,451	-360	-7.5%
Court 2	18,943	27,059	+8116	+42.8%
Court 3	29,790	31,698	+1908	+6.4%
Court 4	13,893	14,924	+1031	+7.4%
Court 5	4,270	4,365	+95	+2.2%
Court 14	4,297	4,590	+293	+6.8%
State without VAC	239,095	236,392	-2703	-1.1%
VAC	124,582	114,259	-10,323	-8.3%
State with VAC	363,677	350,651	-13,026	-3.6%

Caseload Comparison - Fiscal Years 2002-2003 - Criminal and Traffic Dispositions (charges)				
	2002	2003	Change	% Change
New Castle County				
Court 9	3,771	4,542	+771	+20.4%
Court 10	15,853	13,885	-1968	-12.4%
Court 11	33,671	42,664	+8993	+26.7%
Court 15	12,485	14,042	+1557	+12.5%
Court 18	0	0	-----	-----
Court 20	44,196	34,567	-9629	-21.8%
Kent County				
Court 6	5,003	6,047	+1044	+20.9%
Court 7	34,251	39,352	+5101	+14.9%
Court 8	3,122	3,594	+472	+15.1%
Sussex County				
Court 1	4,463	4,544	+81	+1.8%
Court 2	17,603	27,448	+9845	+55.9%
Court 3	28,356	32,726	+4370	+15.4%
Court 4	12,795	15,433	+2638	+20.6%
Court 5	3,953	4,402	+449	+11.4%
Court 14	3,770	4,413	+643	+17.1%
State without VAC	223,292	247,659	+24367	+10.9%
VAC	109,193	117,801	+8608	+7.9%
State with VAC	332,485	365,460	+32975	+9.9%

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.

VAC=Voluntary Assessment Center

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

Caseload Summary Fiscal Year 2003 - Capiases Handled*								
	Superior Court		Family Court		Court of Common Pleas		Total	
New Castle County								
Court 9	18	30.0%	4	6.7%	38	63.3%	60	100.0%
Court 10	42	17.0%	30	12.1%	175	70.9%	247	100.0%
Court 11	441	17.1%	366	14.2%	1,765	68.6%	2,572	100.0%
Court 15	13	16.0%	10	12.3%	58	71.6%	81	100.0%
Court 18	0	----	0	----	0	----	0	----
Court 20	883	20.2%	694	15.9%	2,801	64.0%	4,378	100.0%
Kent County								
Court 6	3	15.0%	6	30.0%	11	55.0%	20	100.0%
Court 7	705	18.0%	574	14.7%	2,628	67.3%	3,907	100.0%
Court 8	10	25.6%	5	12.8%	24	61.5%	39	100.0%
Sussex County								
Court 1	6	30.0%	2	10.0%	12	60.0%	20	100.0%
Court 2	372	21.0%	290	16.4%	1,107	62.6%	1,769	100.0%
Court 3	429	17.8%	386	16.0%	1,591	66.1%	2,406	100.0%
Court 4	65	15.5%	60	14.3%	295	70.2%	420	100.0%
Court 5	6	9.2%	7	10.8%	52	80.0%	65	100.0%
Court 14	1	100.0%	0	0.0%	0	0.0%	1	100.0%
Total	2,994	18.7%	2,434	15.2%	10,557	66.0%	15,985	100.0%

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.

*Capiases issued by other courts which are processed by a Justice of the Peace Court.

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

Caseload Summary Fiscal Year 2003 - Civil Cases							
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending	Executions Filed*
New Castle County							
Court 9	286	625	520	391	+105	+36.7%	NA
Court 12	2,600	9,432	8,869	3,163	+563	+21.7%	NA
Court 13	3,116	9,420	7,889	4,647	+1531	+49.1%	NA
Kent County							
Court 8	4	8	2	10	+6	+150.0%	NA
Court 16	1,741	6,027	5,676	2,092	+351	+20.2%	NA
Sussex County							
Court 17	924	2,634	2,404	1,154	+230	+24.9%	NA
Court 19	862	2,183	2,141	904	+42	+4.9%	NA
State	9,533	30,329	27,501	12,361	+2828	+29.7%	-----

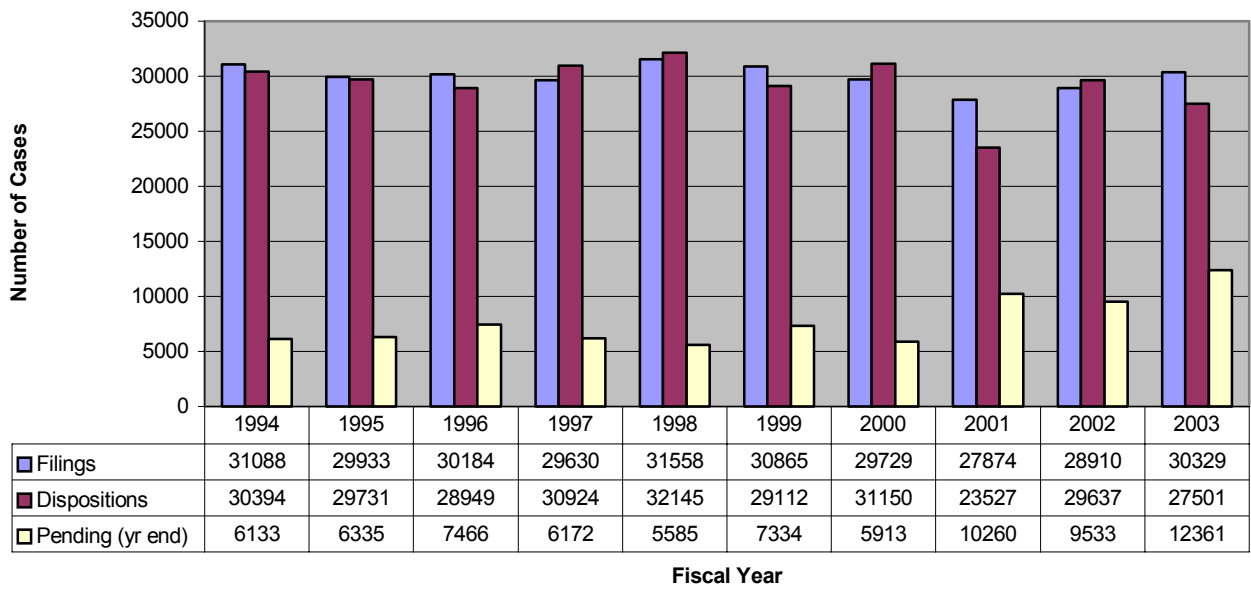
Caseload Comparison - Fiscal Years 2002-2003 - Civil Cases Filings				
	2002	2003	Change	% Change
New Castle County				
Court 9	750	625	-125	-16.7%
Court 12	8,812	9,432	+620	+7.0%
Court 13	8,492	9,420	+928	+10.9%
Kent County				
Court 8	8	8	+0	+0.0%
Court 16	5,615	6,027	+412	+7.3%
Sussex County				
Court 17	2,782	2,634	-148	-5.3%
Court 19	2,451	2,183	-268	-10.9%
State	28,910	30,329	+1,419	+4.9%

Caseload Comparison - Fiscal Years 2002-2003 - Civil Cases Dispositions				
	2002	2003	Change	% Change
New Castle County				
Court 9	682	520	-162	-23.8%
Court 12	9,091	8,869	-222	-2.4%
Court 13	8,838	7,889	-949	-10.7%
Kent County				
Court 8	10	2	-8	-80.0%
Court 16	5,910	5,676	-234	-4.0%
Sussex County				
Court 17	2,901	2,404	-497	-17.1%
Court 19	2,205	2,141	-64	-2.9%
State	29,637	27,501	-2136	-7.2%

*Information on executions filed in fiscal year 2003 was not available at the time of publication.

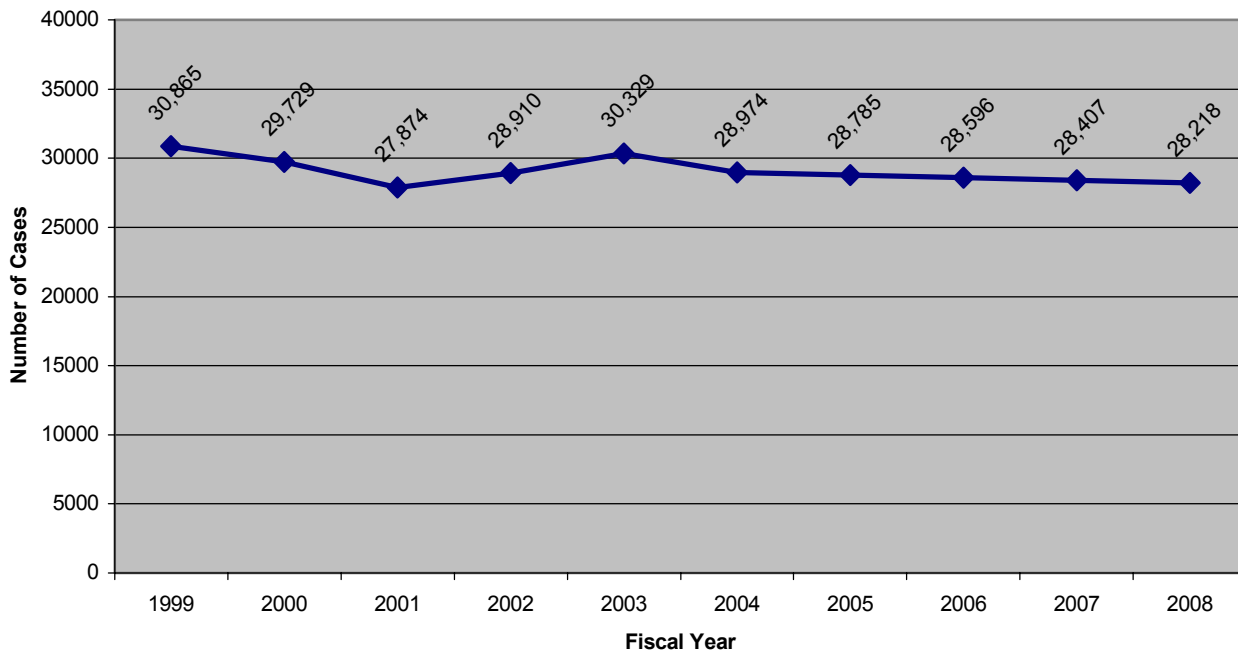
Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts.

JP Court - 10 Year Civil Caseload Trend

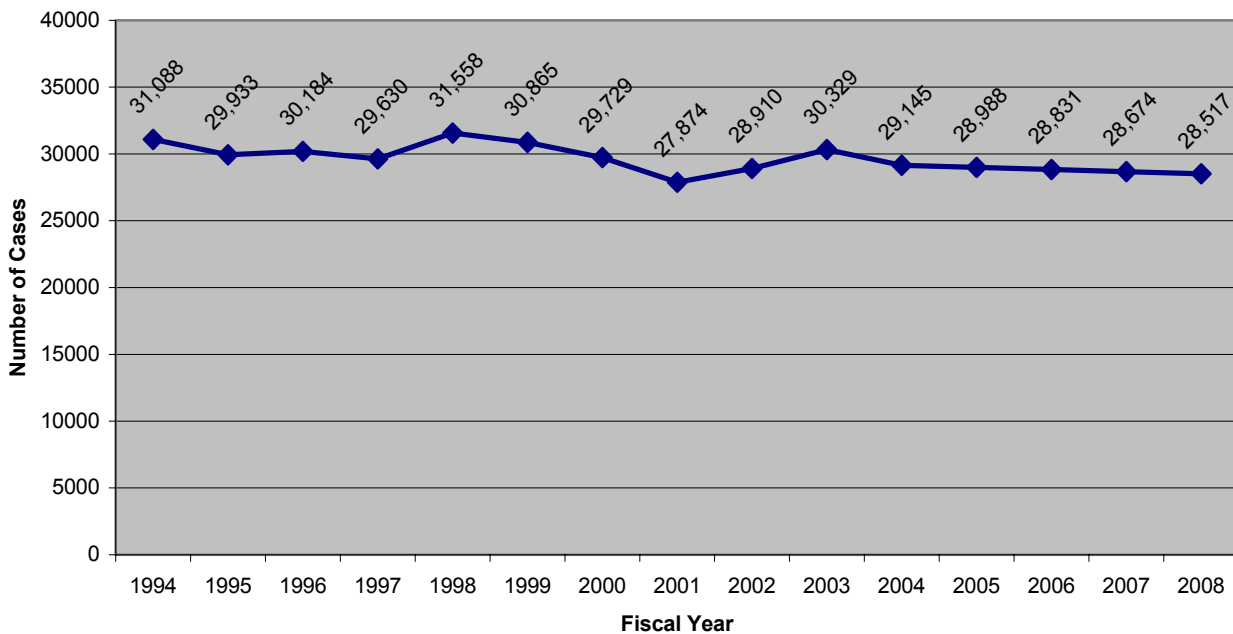


Source: Chief Magistrate’s Office, Justice of the Peace Court; Administrative Office of the Courts.

JP Court - 5 Year Civil Case Filing Projections With 5 Year Base



JP Court - 5 Year Civil Case Filing Projections With 10 Year Base



Trend lines computed by regression analysis.

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

Court Rankings Fiscal Year 2002-2003 - Total Cases Filed (defendants)					
2003 Rank w/o VAC	Court	Total Filings	% of Total w/o VAC	2002 Rank w/o VAC	
1	Court 11	17,031	12.6%	2	
2	Court 20	16,241	12.0%	1	
3	Court 7	15,891	11.7%	3	
4	Court 2	11,361	8.4%	10	
5	Court 3	10,893	8.0%	4	
6	Court 12	9,432	7.0%	6	
7	Court 13	9,420	7.0%	7	
8	Court 10	7,378	5.4%	5	
9	Court 4	6,840	5.0%	8	
10	Court 15	6,108	4.5%	9	
11	Court 16	6,027	4.4%	11	
12	Court 6	2,909	2.1%	12	
13	Court 17	2,634	1.9%	14	
14	Court 1	2,613	1.9%	15	
15	Court 9	2,559	1.9%	17	
16	Court 5	2,209	1.6%	18	
17	Court 19	2,183	1.6%	16	
18	Court 8	2,122	1.6%	19	
19	Court 14	1,677	1.2%	20	
20	Court 18	0	0.0%	13	
State w/o VAC		135,528			
VAC		109,916			
State w/ VAC		245,444			

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.
Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts.

Court Rankings - Fiscal Year 2002-2003 - Total Filings (charges)					
2003 Rank w/o VAC	Court	Total Filings	% of Total w/o VAC	2002 Rank w/o VAC	
1	Court 11	37,702	14.1%	2	
2	Court 7	36,949	13.8%	3	
3	Court 20	35,805	13.4%	1	
4	Court 3	31,698	11.9%	4	
5	Court 2	27,059	10.1%	5	
6	Court 4	14,924	5.6%	7	
7	Court 10	14,406	5.4%	6	
8	Court 15	12,041	4.5%	8	
9	Court 12	9,432	3.5%	9	
10	Court 13	9,420	3.5%	10	
11	Court 16	6,027	2.3%	11	
12	Court 6	4,958	1.9%	12	
13	Court 14	4,590	1.7%	15	
14	Court 1	4,451	1.7%	13	
15	Court 9	4,417	1.7%	17	
16	Court 5	4,365	1.6%	16	
17	Court 8	3,660	1.4%	18	
18	Court 17	2,634	1.0%	19	
19	Court 19	2,634	1.0%	20	
20	Court 18	-	0.0%	17	
State w/o VAC		267,172			
VAC		114,259			
State w/ VAC		381,431			

Note: JP Court 18 was dissolved December 2001, pending caseload was merged with JP Court 20.
 Source: Chief Magistrate's Office, Justice of the Peace Court; Administrative Office of the Courts.

Alderman's Court

Legal Authorization

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

Legal Jurisdiction

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

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There were six active Alderman's Courts at the end of 2003, two in New Castle County and four in Sussex County. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

Aldermen

The selection, number, tenure and qualifications of aldermen are determined by the towns themselves. Some require lawyers while others choose private citizens. A few aldermen serve full-time, while some are part-time.

Caseload Summary Fiscal Year 2003 - Total Cases*						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County						
Newark	5,188	10,671	10,361	5,498	+310	+6.0%
Newport	2,169	4,525	5,476	1,218	-951	-43.8%
Sussex County						
Bethany Beach	0	3,777	3,777	0	0	-----
Delmar**	262	147	409	0	-262	-100.0%
Dewey Beach	0	1,537	1,537	0	0	-----
Laurel	228	1,923	1,728	423	+195	+85.5%
Rehoboth Beach	12	529	442	99	+87	+725.0%
State	7,859	23,109	23,730	7,238	-621	-7.9%

Caseload Summary Fiscal Year 2003 - Criminal Cases*						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County						
Newark	388	2,057	2,088	357	-31	-8.0%
Newport	0	0	0	0	0	-----
Sussex County						
Bethany Beach	0	148	148	0	0	-----
Delmar**	64	71	135	0	-64	-100.0%
Dewey Beach	0	854	854	0	0	-----
Laurel	11	287	260	38	+27	+245.5%
Rehoboth Beach	5	125	120	10	+5	+100.0%
State	468	3,542	3,605	405	-63	-13.5%

Caseload Summary Fiscal Year 2003 - Traffic Cases*						
	Pending 6/30/2002	Filings	Dispositions	Pending 6/30/2003	Change In Pending	% Change In Pending
New Castle County						
Newark	4,800	8,614	8,273	5,141	+341	+7.1%
Newport	2,169	4,525	5,476	1,218	-951	-43.8%
Sussex County						
Bethany Beach	0	3,629	3,629	0	0	-----
Delmar**	198	76	274	0	-198	-100.0%
Dewey Beach	0	683	683	0	0	-----
Laurel	217	1,636	1,468	385	+168	+77.4%
Rehoboth Beach	7	404	322	89	+82	+1171.4%
State	7,391	19,567	20,125	6,833	-558	-7.5%

*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.

**Delmar Alderman's Court discontinued services April 2003.

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

Caseload Comparison - Fiscal Years 2002-2003 - Total Filings*				
	2002	2003	Change	% Change
New Castle County				
Newark	10,413	10,671	+258	+2.5%
Newport	4,817	4,525	-292	-6.1%
Sussex County				
Bethany Beach	3,394	3,777	+383	+11.3%
Delmar**	447	147	-300	-67.1%
Dewey Beach	1,533	1,537	+4	+0.3%
Laurel	1,935	1,923	-12	-0.6%
Rehoboth Beach	426	529	+103	+24.2%
State	22,965	23,109	+144	+0.6%

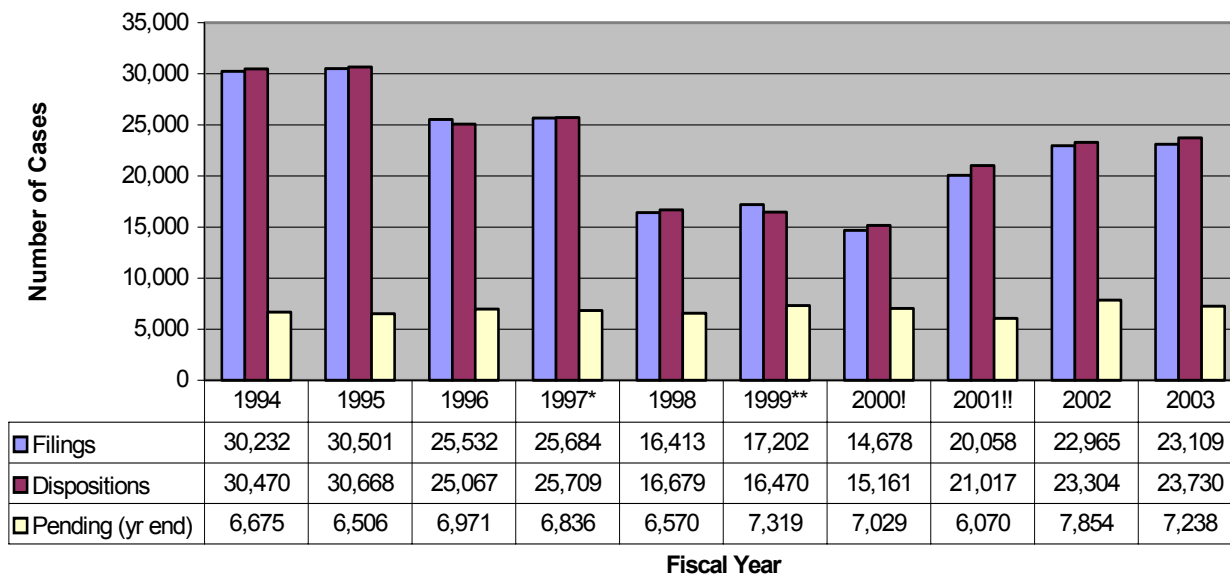
Caseload Comparison - Fiscal Years 2002-2003 - Total Dispositions*				
	2002	2003	Change	% Change
New Castle County				
Newark	10,278	10,361	+83	+0.8%
Newport	5,390	5,476	+86	+1.6%
Sussex County				
Bethany Beach	3,394	3,777	+383	+11.3%
Delmar**	421	409	-12	-2.9%
Dewey Beach	1,533	1,537	+4	+0.3%
Laurel	1,821	1,728	-93	-5.1%
Rehoboth Beach	467	442	-25	-5.4%
State	23,304	23,730	+426	+1.8%

*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.

**Delmar Alderman's Court discontinued services April 2003.

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

Alderman Court - 10 Year Caseload Trend



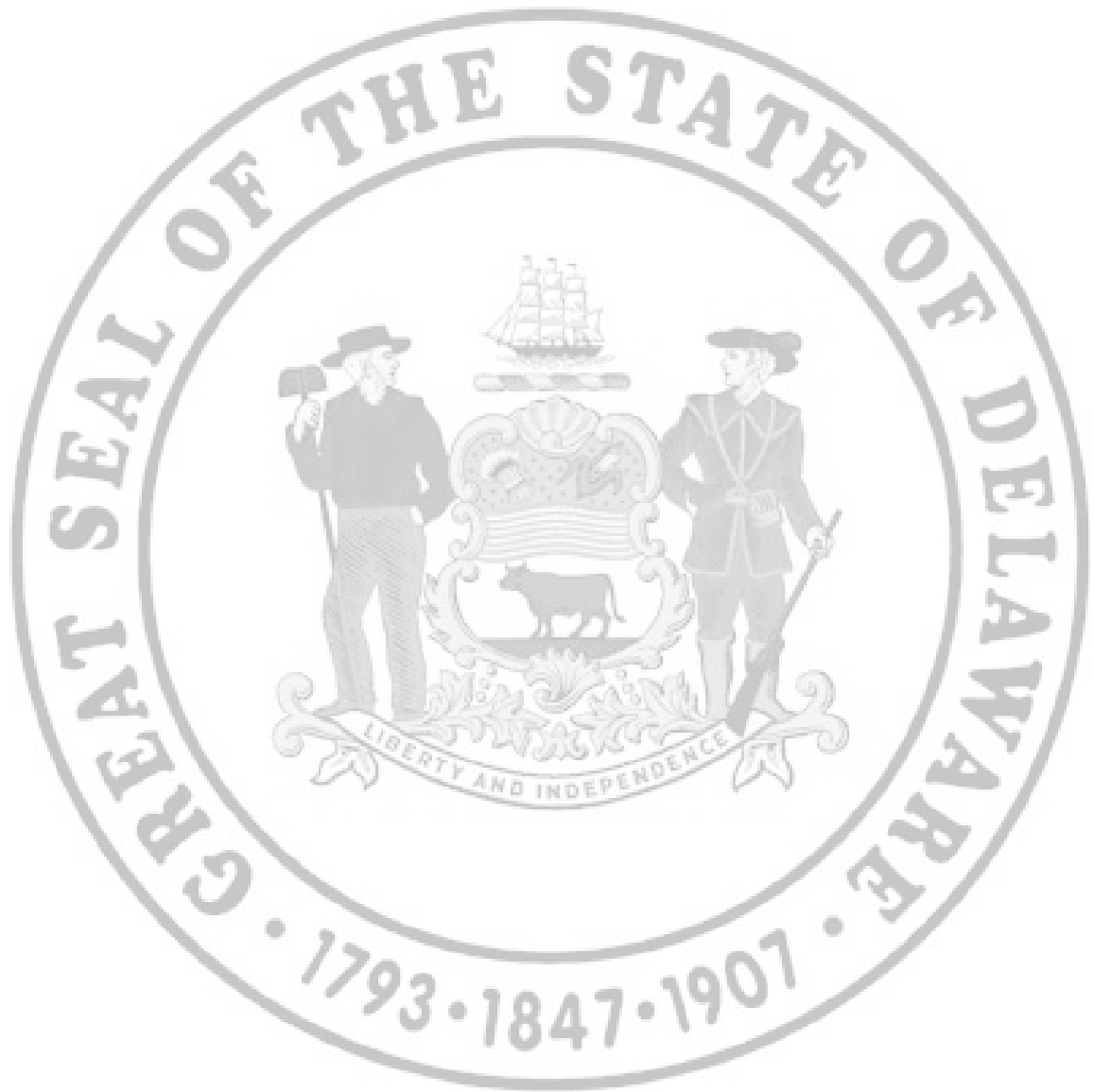
*Filings, dispositions, and pending amended.

**Filings and dispositions amended.

!Dispositions and pending at end of year amended.

!!Pending at end of year amended.

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



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