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Chief Justice Collins J. Seitz Jr. delivers State of the Judiciary speech at 2022 Bench and Bar conference

In his address to the 2022 Delaware Bench and Bar Conference, Delaware Supreme Court Chief Justice Collins J. Seitz, Jr. declared that the state of the Delaware Judiciary is “strong,” adding “the future is bright for the Bench and Bar of Delaware.”

The Chief Justice’s remarks were part of his State of the Judiciary address at the Delaware State Bar Association’s June 17, 2022 conference before a crowd of about 350 Delaware judges and lawyers at the Chase Center on the Riverfront in Wilmington.

“As we continue to find our sea legs after over two years of uncertainty, the Delaware judiciary is building the infrastructure and looking ahead to meet the challenges of this uncertain but exciting time,” he said. “I and our team of leaders at the Administrative Office of the Courts and the Arms of Court are honored to lead the charge.”

The 2022 Delaware Bench and Bar gathering was the first since 2019 due to the COVID-19 pandemic. The DSBA adopted the theme “Come Together” for the conference. And reflecting further the long break since the last Bench and Bar, the Chief Justice focused part of his remarks on how the Courts responded to the COVID-19 pandemic to keep the justice system working while also keeping litigants, court staff and the public safe.

He singled out Superior Court Judge William C. Carpenter, Jr., a 2021 First State Distinguished Service Award recipient, for his nearly 30 years of service as a Superior Court judge. Judge Carpenter led the judiciary’s reopening efforts after the pandemic outbreak in the spring of 2020. “I put him in charge of the courts’ state-wide plan. Like a symphony conductor, he orchestrated everything from remote prison hearings to sequencing trials in the courthouses. Thank you, Judge Carpenter, for the countless hours you dedicated to the courts,” he said.

The Chief Justice also thanked Dr. Alfred Bacon who helped advise the Delaware Judiciary throughout the pandemic on the best health safety practices. He then recognized key members of court staff, including State Court Administrator Gayle Lafferty, Supreme Court Administrator Karlis Johnson, Deputy Court Administrator Elmer Setting, and Deputy Court Administrator and Information Systems Manager Ken Kelemen. “Their steady hands, good judgment and hard work kept the courts and the judicial branch employees focused on our mission,” he said.

While some called the early part of the pandemic a “lockdown,” and court facilities were briefly closed to the public, the Chief Justice noted that the word lockdown was not a fair description for what happened in the Delaware Courts. The Judicial Branch continued its work despite the pandemic’s unprecedented challenges. Through the use of video technology, the Supreme Court heard 45 arguments and disposed of 353 appeals. The Court of Chancery held more than 300 hearings and issued over 500 rulings. He noted that the other trial courts – Superior Court, Family Court, Court of Common Pleas, and the Justice of the Peace Court – had to scale back

operations but turned to technology like the video platform Zoom to keep their courts operating and serving the public. The Justice of the Peace Court, in particular, “kept emergency operations in place in all three counties to keep the criminal justice system functioning. The court also developed an online mediation program for landlord-tenant cases to allow struggling Delaware citizens to stay in their homes.”

Looking forward, the Chief Justice said the Delaware Judiciary continued to plan for the future and worked on many projects during the pandemic. He named a few: the Delaware Bench and Bar Diversity Project, the Domestic Violence Bail Review Task Force, Revised Bail Rules, and Fees and Fines Reform. On that same note, the Chief Justice said that the Delaware Courts wrote off over \$30 million in uncollectible debt owed to the courts– not including restitution – to assist those who are trying to re-start their lives.

“The challenges of the last two years ushered in a new era of cooperation with the Executive Branch and the General Assembly,” said the Chief Justice. He noted how the Governor and the General Assembly supported the Court’s turn to remote work and funding for several court priorities such as a new Diversity Equity and Inclusion Officer, a new Court of Common Pleas Commissioner, and a new Master in Chancery. He also thanked all those involved for help in securing funding for key capital projects, including \$210 million for new Family Court courthouses in Kent and Sussex counties and funding for renovation and expansion of the historic Custom House at the Leonard L. Williams Justice Center. The renovated Custom House will provide space for the Supreme Court, Administrative Office of the Courts, Arms of Court, Community Court, as well as the Delaware State Bar Association. “The consolidation of operations in the Custom House will save us over \$800,000 a year in rental expenses,” he said.

“It is my hope we will continue to have good relations with the other two branches of government so all three branches can work together to improve the lives of the citizens of the First State,” he said.

In closing, the Chief Justice asked the gathered members of the Delaware Bench and Bar for their help. “While we have had many successes to celebrate, we also have an unprecedented need for Delaware lawyers to step up and take public service positions. The Department of Justice has too many open attorney positions as does the Office of Defense Services. The Judicial Nominating Commission is open to receiving more qualified applicants to serve as judicial officers across our courts. We know the public sector attorney positions cannot compare to the financial rewards of the private sector. But there is great personal satisfaction in public service. Attorneys are the building blocks of our democracy. I would ask that those who are able to consider supporting our government institutions in the First State.”