

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

**IN RE: NOTICE REQUIREMENT WHEN)
AN EMPLOYEE’S CLOSE RELATIVE IS)
CRIMINALLY CHARGED OR WHEN AN)
EMPLOYEE OR AN EMPLOYEE’S CLOSE)
RELATIVE HAS CONTACT WITH LAW)
ENFORCEMENT)**

ADMINISTRATIVE ORDER 2019-1

This 8th day of July, 2019.

WHEREAS, to further ensure the confidentiality of information acquired in the course of employment and to promote the public’s confidence in the judicial system;

WHEREAS, Superior Court “employees may not disclose to any unauthorized person, for any reason, any confidential information¹ acquired in the course of employment;”²

NOW, THEREFORE, this 8th day of July, IT IS ORDERED that the notice requirements as set forth in this Administrative Order 2019-1 shall be followed as stated below:

1. Statement of current Code of Conduct

All Superior Court employees³ are subject to the Code of Conduct for Judicial Branch Employees (Judicial Branch Operating Procedures, Appendix K, attached hereto as Ex. 1) which requires that

¹ Confidential information includes but is not limited to, information that is not a matter of public record. Code of Conduct, § IV, A. 2.

² Code of Conduct, § IV. A. 1.

³ The term “employees” include all full-time, part-time, casual, seasonal, and contractual non-judicial personnel, whether paid or unpaid. Code of Conduct, § II, A. 1.

any Judicial Branch employee charged with a violation of Title 11; Title 16; or sections 2701, 2756, 4103, 4175, 4177, 4201, or 4202 of Title 21 of the Delaware Code, or of any civil or criminal matter . . . or a comparable provision under other state or federal law shall report the charge within two (2) workdays to the appointing authority⁴. The employee shall also report to the appointing authority a conviction for any of the above offenses within two (2) workdays of the conviction.

2. Additional Reporting Requirements

- a. All Superior Court employees are required to report when a close relative⁵ is charged with a violation of Title 11; Title 16; or sections 2701, 2756, 4013, 4175, 4177, 4201, or 4202 of Title 21 of the Delaware Code, or of any civil or criminal matter or a comparable provision under other state or federal law within two (2) workdays of learning of such charge to appointing authorities. The employee shall also report to the appointing authority a conviction for any of the above offenses within two (2) workdays of the conviction.
- b. All Superior Court employees are required to report when the employee or the employee's close relative has contact⁶ with law

⁴ For purposes of this Administrative Order, the term "appointing authority" shall be the employee's immediate supervisor.

⁵ For the purposes of this Administrative Order, the term "close relative" includes the employee's spouse or domestic partner, parent, stepparent, or child of the employee, employee's grandparent or grandchild, employee's sibling, spouse of employee's child; or any minor child for whom the employee has assumed and carried out parental responsibilities, and any person with whom the employee cohabitates regardless of the relationship and the length of such cohabitation. Code of Conduct, § II, D. with additions.

⁶ The term "contact" refers to any contact initiated by law enforcement personnel.

enforcement⁷ within two (2) workdays of such contact or within (2) workdays of learning of such contact.

3. Effective Date

This Administrative Order shall be effective July __, 2019. All prior inconsistent Administrative Orders and/or Administrative Directives are hereby rescinded to the extent of any inconsistency.

4. Publication and Acknowledgement

- a. The Court Administrator shall provide a copy of this Administrative Order to the Deputy Court Administrator in each county, who shall provide a copy to each employee.
- b. Along with a copy of this Administrative Order, each employee shall be provided with an Acknowledgement of Reading and Agreement to Abide page. After reading this Administrative Order each employee shall sign the provided Acknowledgement of Reading and Agreement to Abide page and submit the signed Acknowledgement of Reading and Agreement to Abide to the employee's Deputy Court Administrator.
- c. A copy of each employee's signed Acknowledgement of Reading and Agreement to Abide page shall be placed in the employee's personnel file.

⁷ The term "law enforcement" includes people who enforce laws, investigate crimes, and make arrests.

d. A copy of this Administrative Order shall be provided to the Prothonotary in each county.



President Judge Jurden

EXHIBIT 1

ACKNOWLEDGEMENT OF READING
AND
AGREEMENT TO ABIDE
BY
ADMINISTRATIVE ORDER 2019-1

NOTICE REQUIREMENT WHEN AN
EMPLOYEE'S CLOSE RELATIVE IS CRIMINALLY
CHARGED OR WHEN AN EMPLOYEE OR AN EMPLOYEE'S
CLOSE RELATIVE HAS CONTACT WITH LAW ENFORCEMENT

This is to certify that I have read and agree to abide by the provisions set forth in Administrative Order 2019-1.

Printed Name

Signature

County

Date