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November 14, 2024

Court of Chancery Implements Amendments to Court Rules 143 and 144

The amendments streamline the Court's Rules governing proceedings before the Magistrates in Chancery.

Chancellor Kathaleen St. Jude McCormick today signed an order adopting amendments to Court of Chancery Rules 143 and 144. These amendments are effective as of December 9, 2024.

The amendments were the result of a year-long effort by Magistrates in Chancery to update the Court of Chancery rules regarding proceedings before the Magistrates and exceptions to Magistrate reports. In addition to substantive, formatting, and stylistic changes to each of the amendments, the Court has issued a commentary to each of the amended rules to provide interpretive guidance for practitioners. These commentaries do not add obligations beyond the Rules themselves.

Today's amendments make the following improvements:

- Establish nomenclature to distinguish between Draft Reports, Reports, and Final Reports and introduce the term "Reviewing Judge," which is the constitutionally appointed judge assigned to hear exceptions;
- Impose default schedules and clarify the effect of failing to adhere to these schedules;
- Conform the Rules to the procedural review process that has been applied in practice since 2021;
- Clarify the time for taking exceptions and the effects of failing to meet the default deadlines;
- Clarify that the Reviewing Judge hears exceptions based on the record established before the Magistrate in Chancery and that the Reviewing Judge may permit expansion of the record for good cause; and
- Retain language allowing parties to stipulate to final adjudication before the Magistrate in various forms.

"This amendment effort was led by our Magistrate Judges Selena E. Molina, Loren Mitchell, and Bonnie David, who are always identifying ways to improve court processes for our judges and litigants," said Chancellor McCormick. "Fully leveraging our scarce judicial resources is essential to maintaining the high standards of our court," she said.

A copy of the order implementing the amendments to Court of Chancery Rules 143 and 144 may be viewed at the following web address:
<https://courts.delaware.gov/forms/download.aspx?id=269108>.