



President Judge James T. Vaughn, Jr.

SUPERIOR COURT

For the fourth year in a row, the Superior Court of Delaware has been recognized 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. Delaware continues to rank number one overall.

Fiscal Year 2005 brought several changes to the Superior Court bench. First, on July 22, 2004, after 20 years with Superior Court, the last 14 years as President Judge, the Honorable Henry duPont Ridgely was appointed to the Supreme Court of Delaware. Next, on October 14, 2004, we welcomed our new President Judge, the Honorable James T. Vaughn, Jr., formerly Kent County's Resident Judge. Consequently, the Honorable William L. Witham Jr., became Resident Judge of Kent County on January 19, 2005. Finally, on February 17, 2005, the chain of events triggered by Justice Ridgely's appointment ended when the Honorable Robert B. Young was appointed to the Kent County Superior Court vacancy.

In this year, there were 19,798 dispositions (civil and criminal), an increase of two percent (+382 cases) from the end of the Fiscal Year 2004. The number of non-first degree murder

cases moving through the system within allotted time frames remains consistent. Of the non-first degree murder criminal cases, 67 percent were disposed within 120 days of indictment; and the rates for those cases disposed within 180 days and within one year remain consistent as well. A total of seven capital murder cases went to trial this year.

Alternative Dispute Resolution (ADR) filings this year were up 4.7 percent statewide. Even with this increase in filings, the Court continued to see a rise in its disposition rate with a 13.5 percent statewide increase. The ADR help desk responded to over 100 inquiries from arbitrators and mediators needing information or assistance concerning scheduling.

Superior Court's Web site Listserv information service continues to grow. Eighteen separate Listservs are maintained, with over 1300 members to provide instant notification to our users. Users include attorneys, state officials, insurance companies, research utilities, and universities. Our Web Feedback helpdesk responded to over 229 citizens who had questions regarding how to locate information on the Court's opinions and orders, forms, fees, records, and jury duty.

The COTS initiative has Superior Court judicial and non-judicial personnel involved at many levels: the Operations Steering Commit-

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Committee, Executive Steering Committee, the Core Team, the Working Committee, Training Team, subcommittee level. We remain dedicated to and supportive of making this effort successful for the entire judiciary. With so many involved in COTS however, it is not an easy task to maintain our high standard of service to the public. Special Recognition is due all Superior Court staff for its collective dedication to maintaining a level of excellence in all areas.

Superior Court is UNITED in its core values of unity, neutrality, integrity, timeliness, equality, and dedication. Our vision still holds in being the best Superior Court in the nation by providing superior service to the public in pursuit of justice. We continue to build on the quality of justice and public service for which we are known in our own state and every other state in the nation.



Legal Authorization

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

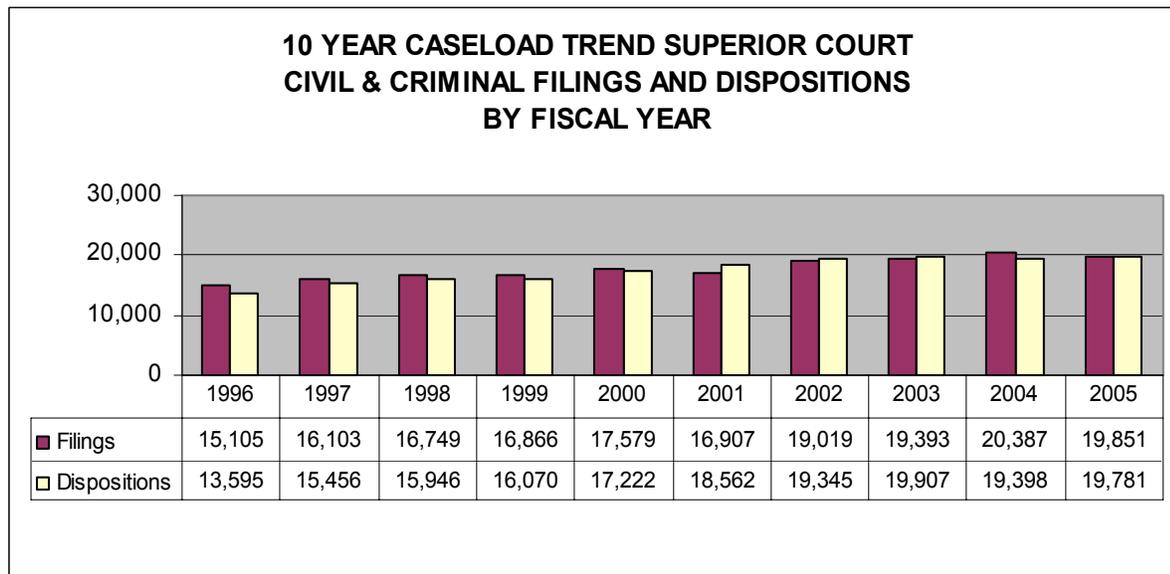
Court History

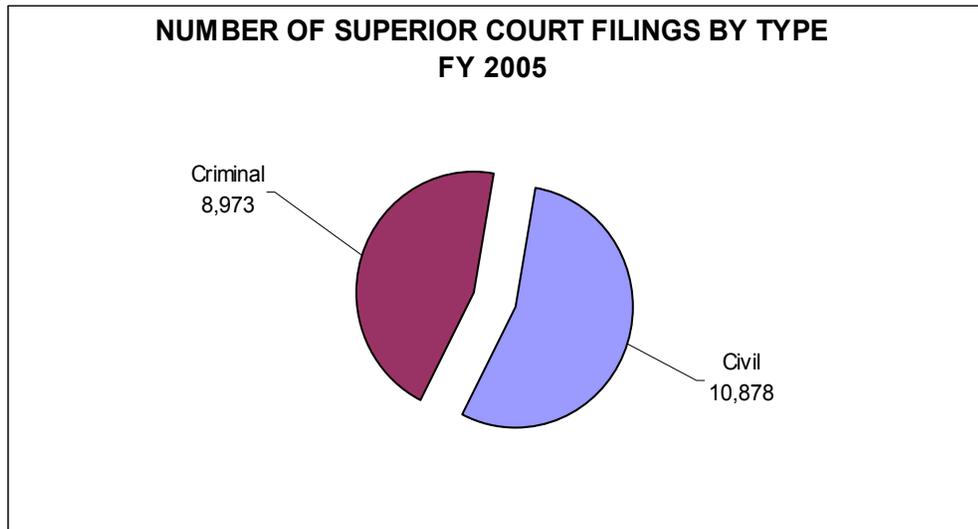
Superior Court's roots can be traced back more than 300 years to December 6, 1669 when John Binckson and two others were tried for treason for leading an insurrection against colonists loyal to England in favor of the King of Sweden.

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 Court judges in 1951; there are nineteen today.

Geographic Organization

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

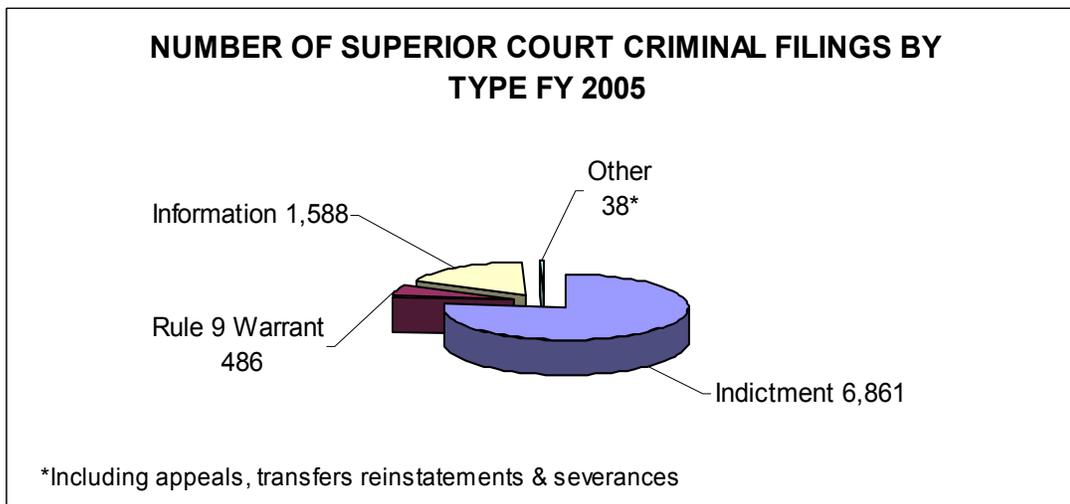




Legal Jurisdiction

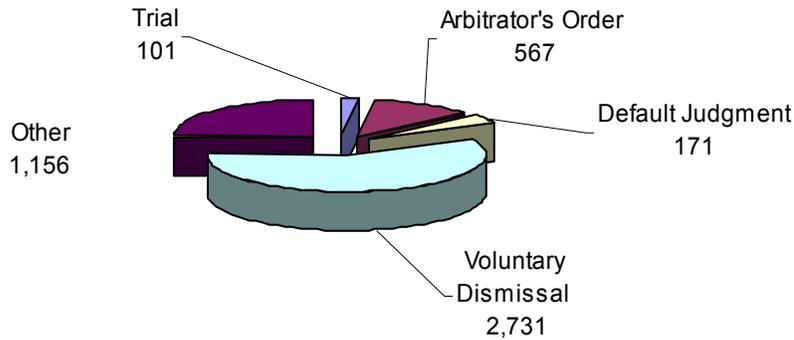
Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction and domestic relations matters, which jurisdiction is vested with the Family Court. The Court’s authority to award damages is not subject 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. The Court has exclu-

sive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana and certain other drug-related possession 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.



SUPERIOR COURT

NUMBER OF SUPERIOR COURT CIVIL COMPLAINTS BY METHOD OF DISPOSITION FY 2005



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 whom is appointed president judge. Three judges 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.

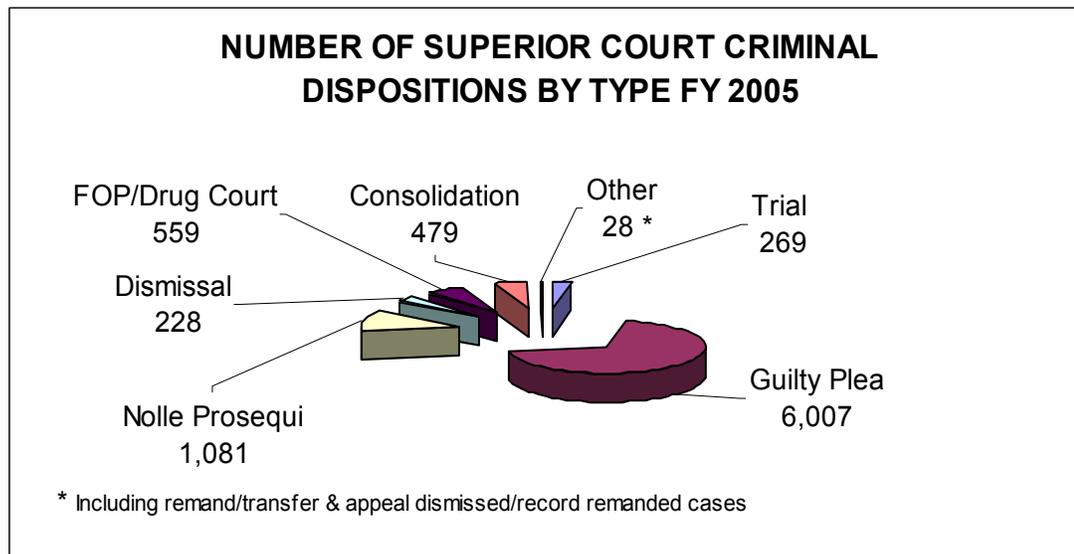
Superior Court Judges:

President Judge James T. Vaughn, Jr.
Judge John E. Babiarz, Jr.
Judge Susan C. Del Pesco
Judge Jerome O. Herlihy
Resident Judge T. Henley Graves
Judge Charles H. Toliver, IV
Resident Judge Richard R. Cooch
Judge Fred S. Silverman
Judge William C. Carpenter



Resident Judge William L. Witham, Jr.

Judge Richard F. Stokes
Judge E. Scott Bradley
Judge Peggy L. Ableman
Judge Joseph R. Slights, III
Judge Jan R. Jurden
Judge Calvin L. Scott
Mary M. Johnston
Judge Robert Young
Judge M. Jane Brady (Joined the Court
on December 7, 2005)



Support Personnel

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

A prothonotary for each county serves as clerk of the Superior Court for the county. The prothonotary is directly involved with the daily operations of the Court. The prothonotary handles jury lists 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 ordered by the Court in addition to numerous other duties. The prothonotary is also charged with security, care, and custody of the Court's exhibits. Sheriffs for each county also serve Superior Court.

