



President Judge James T. Vaughn, Jr.

SUPERIOR COURT

As Superior Court celebrates its 175th Anniversary in Fiscal Year 2007, we look back to our origins and review our present day challenges. It was under the Constitution of 1832 that Superior Court came to be. Ever since that time, the Court has been in the business of pursuing justice—only more so today. In 1832, four judges were appointed to the Superior Court bench. According to “The Abstract of the Fifth Census,” the total population in 1832 for the State of Delaware was 76,748. Today, 19 judges are appointed to the bench, and the U.S. Census estimates 843,524 citizens reside in the State. Superior Court has a long, strong heritage, one that we carry proudly into the future.

This year, Superior Court is recognized for the fifth year in row as the premier court of general jurisdiction in the country by The Harris Poll State Liability Systems Ranking Study. For the third year in a row, the Superior Court has undergone a change in judicial officers. On August 31, 2005, Hon. Richard S. Gebelein, Attorney General for the State before coming to the bench, retired from Superior Court to assume the role of International Judge. Thereafter, Hon. M. Jane Brady, the first woman to serve as Attorney General, who also came to the bench from that office, was appointed on December 7, 2005.

Statewide, filings totaled 20,977, a six percent increase (+1,126 cases) over last year; dispositions totaled 20,077, a two percent increase (+296 cases). The number of non-first degree murder cases moving through the system within allotted time frames re-

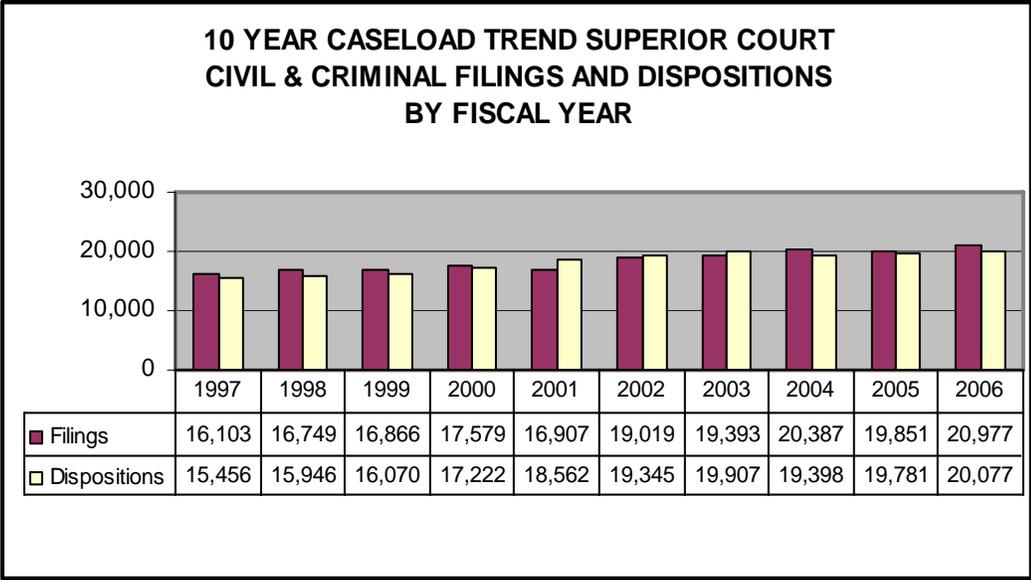
mained consistent. Of the number of first-degree murder cases moving through the system, 81% were within the standard. A total of 16 murder first cases went to trial: eight capital murder cases and eight non-capital murder cases.

During fiscal year 2006, a change was made in the assignment of civil and criminal cases in New Castle County. For some years prior to that date, three judges were assigned to criminal cases only and ten tried both civil and criminal cases on a rotating basis. Effective January 1, 2006, all thirteen judges try both civil and criminal cases on a rotating basis. During the six month period from January 1, 2006 to June 30, 2006, the number of pending criminal cases in New Castle County declined by 215 (12%).

Our web site's Listserv, with 18 separate Listservs, has increased its membership to 1,750, 35 percent more over last year. The Web feedback helpdesk responded to 292 citizens (28 percent more) who had questions regarding how to locate information regarding the Court's forms, opinions and orders, fees, records, and jury duty.

Superior Court's core values of unity, neutrality, integrity, timeliness, equality, and dedication keep us UNITED. In the pursuit of justice, our vision is to provide superior service to the public. We take pride in the work we do, and we never forget we are accountable to the citizens of the State of Delaware for the work we do.

SUPERIOR COURT



Legal Authorization

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

Court History

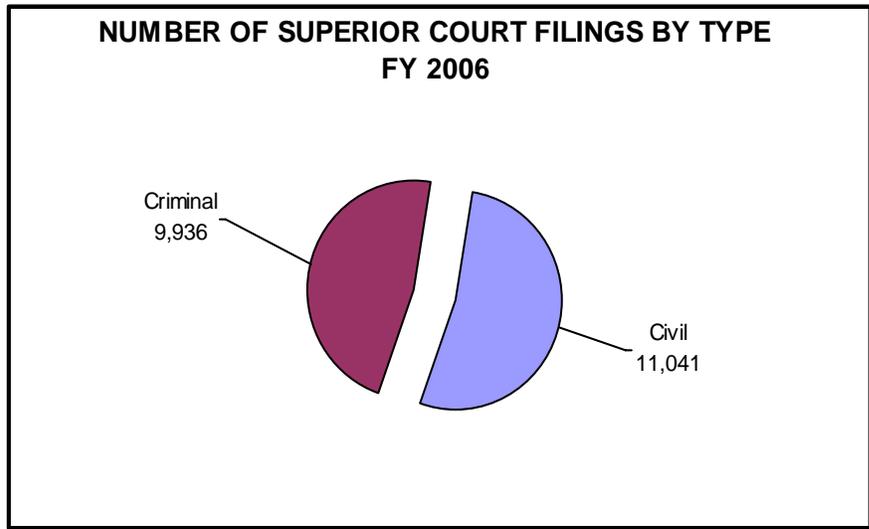
Superior Court's roots can be traced back more than 300 years to December 6, 1669 when John Binckson and two others were tried for treason for leading an insurrection against colonists loyal to England in favor of the King of Sweden.

The law courts, which represent today's Superior Court jurisdiction, go back as far as 1831 when they included Superior Court, which

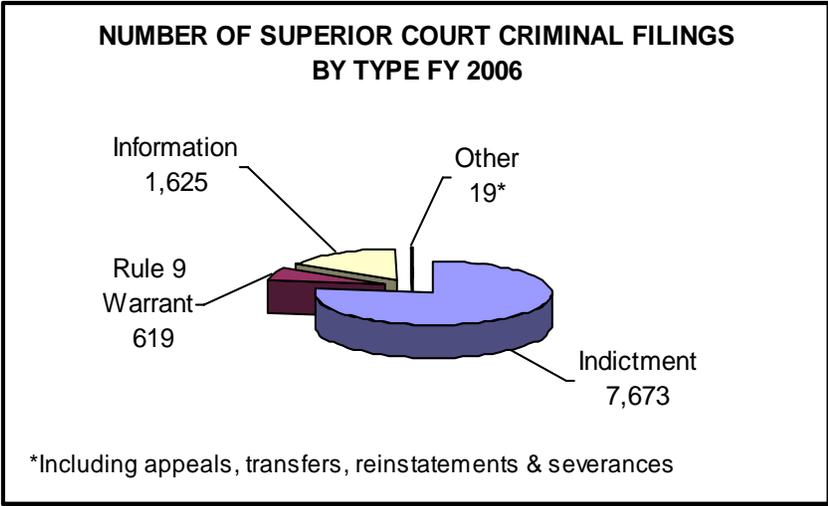
heard civil matters, the Court of General Sessions, which heard criminal matters, and the Court of Oyer and Terminer, which heard capital cases and consisted of all four law judges for the other two courts. In 1951, the Court of Oyer and Terminer and the Court of General Sessions were abolished and their 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.



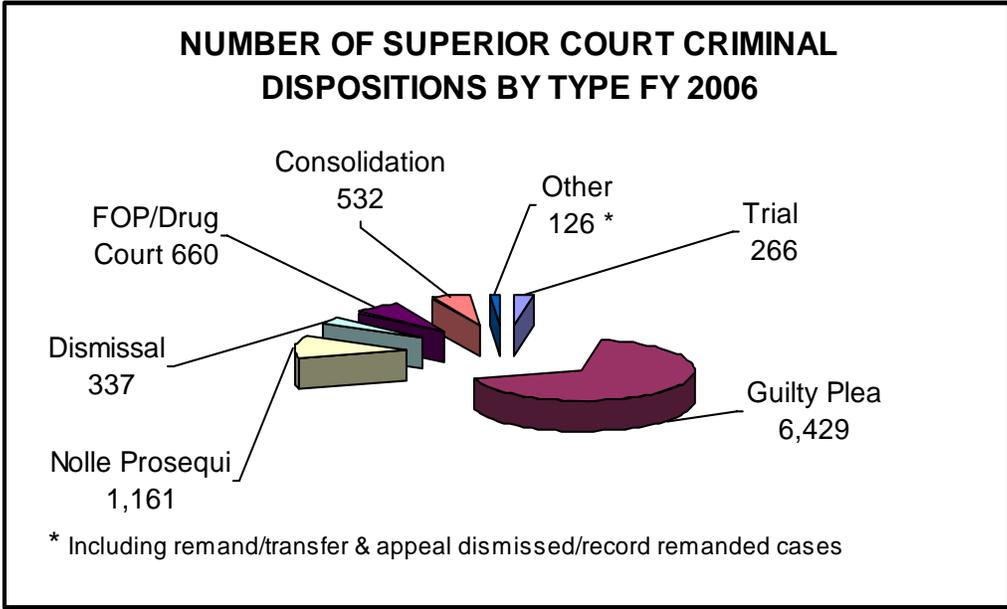
SUPERIOR COURT

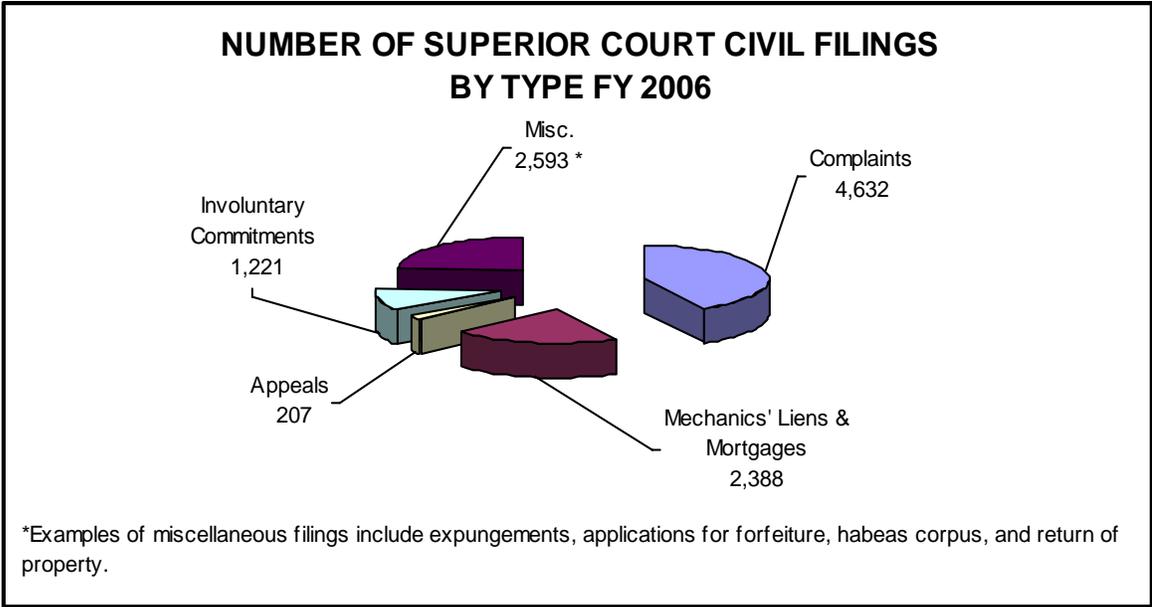


Legal Jurisdiction

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 exclusive jurisdiction over felonies and drug offenses (except

most felonies and drug offenses involving minors and 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 Accident, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Superior Court are argued on the record before the Supreme Court.



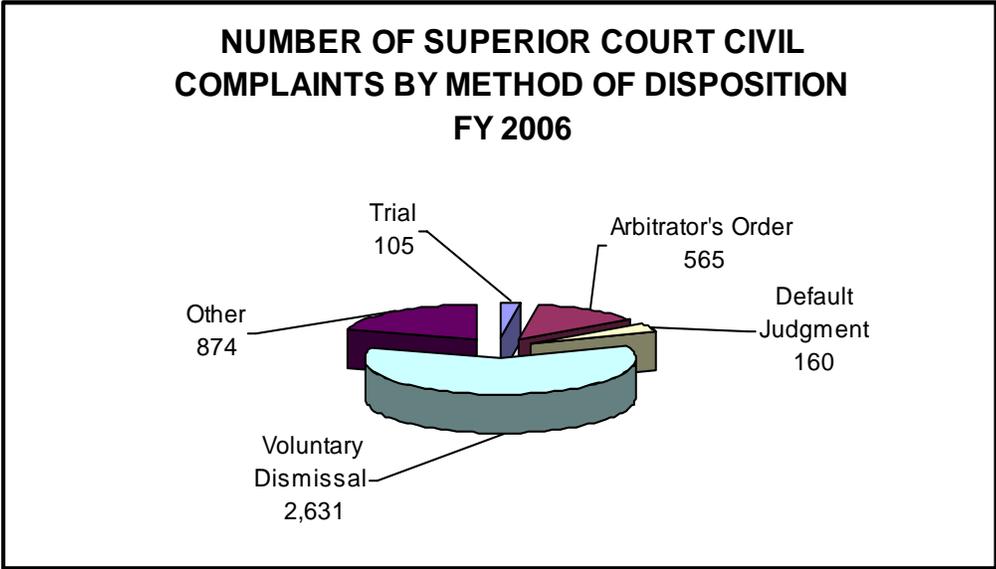


Support Personnel

Superior Court employs court reporters, law clerks, bailiffs, investigative service 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.

That office also 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.



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

Front Row (sitting left to right)

Judge Jerome O. Herlihy
 Judge John E. Babiarz, Jr.
 President Judge James T. Vaughn, Jr.
 Judge Susan C. DeIPesco
 Judge T. Henley Graves (SC Resident Judge)

Second Row (standing left to right)

Judge Richard F. Stokes
 Judge William C. Carpenter, Jr.
 Judge Richard R. Cooch (NCC Resident Judge)
 Judge Charles H. Toliver, IV
 Judge Fred S. Silverman
 Judge William L. Witham, Jr. (KC Resident Judge)
 Judge E. Scott Bradley

Back Row (standing left to right)

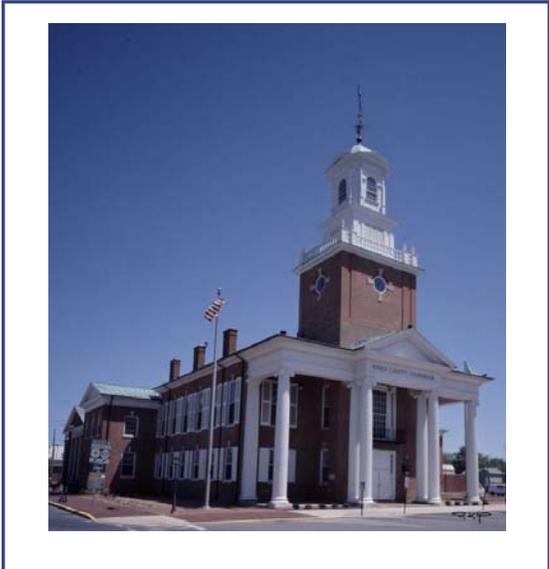
Judge Robert B. Young
 Judge Calvin L. Scott, Jr.
 Judge Joseph R. Slights, III
 Judge Peggy L. Ableman
 Judge Jan R. Jurden
 Judge Mary M. Johnston
 Judge M. Jane Brady



New Castle County Courthouse



Kent County Courthouse



Sussex County Courthouse