

# SUPERIOR COURT



## PRESIDENT JUDGE JAN R. JURDEN



# SUPERIOR COURT

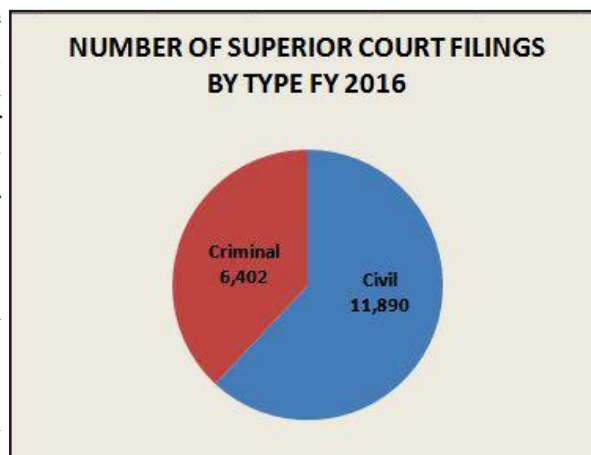
The Superior Court is proud to announce its 185 year anniversary since the Court was established under the Constitution of 1831. FY 2016 has been no different in that our Judicial Officers and staff worked tirelessly to support the mission of the Superior Court, which is to serve the public. We accomplish this mission by providing a fair and efficient system of justice, a commitment to excellence, fostering public trust, understanding and confidence.

As Delaware's court of general jurisdiction, each year the Superior Court handles thousands of civil and criminal cases. Similar to preceding years, FY 2016 was an extremely busy year for the Superior Court. There were 11,890 civil filings and 6,402 criminal filings. The Court had an unprecedented number of First Degree Murder cases - 94 in FY 2016. The Court also had a high number of gang and criminal racketeering cases, which, because of the number of defendants (and counsel) involved, presented significant scheduling challenges.

Trial by jury continues to be the bedrock of our criminal and civil justice systems.

Every week, hundreds of jurors are summoned by this Court for service in the Superior Court (and the Court of Common Pleas) in all three counties. The Court continues to use technology in its efforts to streamline the processes for producing and issuing jury summonses, jury registration and scheduling, and to minimize juror inconvenience. Jury Services routinely solicits feedback from our jurors and responds promptly to feedback and suggestions, often implementing suggested changes.

The Superior Court's Complex Commercial Litigation Division (CCLD) remains steady in filings but the cases be-

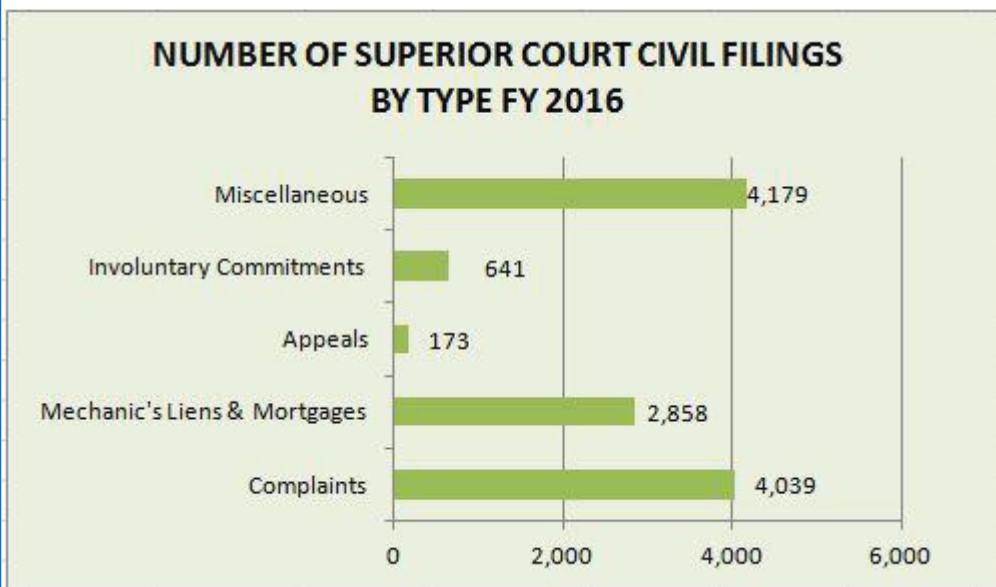


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# SUPERIOR COURT

ing filed are growing increasingly complex. These cases include either a claim asserted by any party (direct or declaratory judgment) with an amount in controversy of \$1 million or more, either jury or non-jury trials, or cases that involve an exclusive choice of court agreement, or is so designated by the President Judge to qualify for assignment to the CCLD. When a case is so designated, it is assigned to one of the four CCLD judges: Judge Mary M. Johnston, Judge Eric M. Davis, Judge William C. Carpenter, and Judge Paul R. Wallace. CCLD filings for FY 2016 were 56, dispositions were 35 and 85 cases are pending.

One such court is the Mental Health Court (MHC). Effective October 2016, President Judge Jan R. Jurden, who presided over MHC in New Castle County for eight years, stepped down as the MHC presiding judge, and Judge Andrea L. Rocanelli, a recipient of the Judicial Partnership Award by the Delaware Division of Substance Abuse and Mental Health, took over. Judge Rocanelli, while a judge on the Court of Common Pleas, presided over that court's Drug Court and is extremely knowledgeable about co-occurring disorders and use of best practices in problem solving courts. Judge Robert B. Young and Resident Judge T. Henley Graves preside over Mental Health Court in Kent County and Sussex County respectively.



Another such court is the Veterans Treatment Court (VTC), started by Resident Judge William L. Witham in 2011. This court continues to grow and has been recognized for its highly successful efforts in reducing recidivism and improving outcomes. The presiding VTC judges are Resident Judge William L. Witham Jr., a retired Delaware Army National Guard Colonel, in Kent County; Judge Richard F. Stokes, a former Captain in the United States Air

Force, in Sussex County; and Judge Paul R. Wallace, a former United States Marine, in New Castle County. The VTC is fortunate to have several peer mentors and veterans from different branches of the Armed Forces who support the participating veterans. Successful graduates of VTC credit the involvement and support of peer mentors for their successful completion of the program.

The Court's asbestos docket is managed by Judge Vivian L. Medinilla and Judge Calvin L. Scott, with the assistance of Special Master Matthew F. Boyer, Esq. in New Castle County. During FY 2016, there were 148 filings, 347 dispositions and 1,111 cases pending.

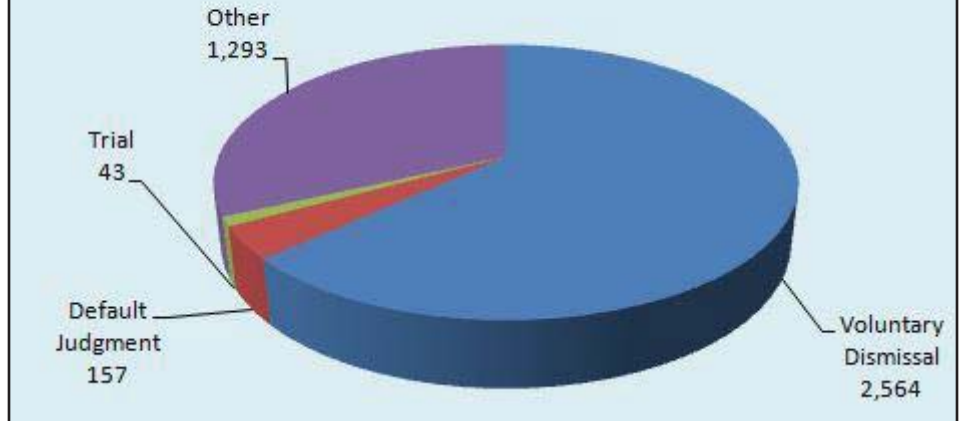
New Castle County operates a Reentry Court, presided over by Judge Charles E. Butler. The Court works in collaboration with probation officers and

# SUPERIOR COURT

staff from the Wilmington Achievement Center, the Delaware Center for Justice and the Treatment Access Center (TASC) to provide reentry services to city residents that are reentering society after a prison sentence. The court meets regularly with program participants and service providers to emphasize those positive changes necessary to avoid a return to prison. Unlike routine probation, the reentry court judge is an active participant in the offender's supervision so that rewards and sanctions are delivered quickly, and particular difficulties faced by former offenders can be addressed before they become critical issues resulting in re-incarceration. At any time, the reentry court supervises between 40 and 80 returning participants.

The Superior Court continues to look for ways to improve the administration of justice, to train and educate staff and stakeholders on evidence-based best practices and to reduce recidivism. By way of example, this past June, the Superior Court applied for and was awarded a grant to provide domestic violence training to Superior Court Officers. This grant afforded the opportunity for all Judicial Officers and Investigative Service Officers to receive

**NUMBER OF SUPERIOR COURT CIVIL COMPLAINT DISPOSITIONS BY METHOD FY 2016**

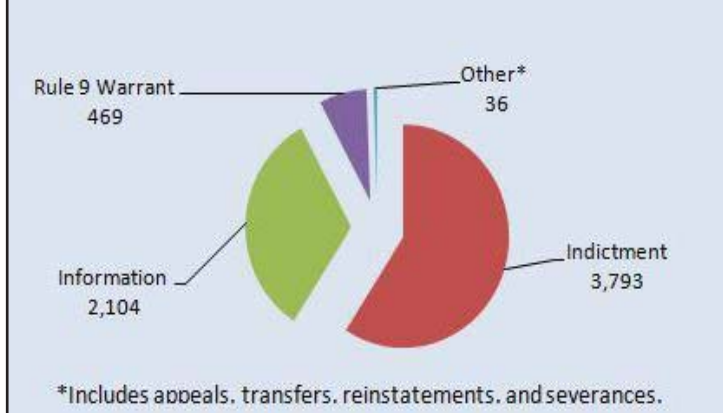


training on domestic violence, sexual assault, dating violence and stalking. Our judges, commissioners and employees serve on a wide array of committees, projects and task forces - all of which are dedicated to improving the delivery of justice.

With the assistance of the Administrative Office of the Courts and the Judicial Information Center, this Court continues to explore the use of technology to improve efficiency in all departments, and insure that our jury courtrooms are equipped with state of the art technology that meets the needs of our litigants.

Superior Court continues to review our criminal and civil court processes in an effort to reduce redundancy, expedite processing, standardize our processes, and to prepare training manuals to reduce learning curves for new employees. The criminal division is developing a training guide outlining step by step procedures for all processes used in criminal cases. This training guide will not only enable new case managers to learn their duties and responsibilities more quickly, but will also educate them as to the purpose and importance of the procedures in the everyday functioning of the court.

**NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2016**



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# SUPERIOR COURT

The Superior Court is working on unifying our financial case management system statewide. In the past, all three counties entered financial information into the Judicial Information Center accounting system (JIC). This process only allowed Superior Court to access the financials, which resulted in limited information sharing, thereby creating delays in the acceptance of payments for court fines, costs and restitution. The new process will move the existing and future financials into the Delaware Criminal Justice Information System (DELJIS). Because DELJIS is an integrated criminal justice system, the new process will enable the Superior Court to not only notify individuals of when payments are due, but more efficiently monitor payments, and refer cases with unpaid costs, fines and restitution to the Office of the State Court Collections Enforcement (OSCCE) in a timelier manner.

Each year the Superior Court issues thousands of orders and opinions which it publishes on the court website. We continually update our website in an on-going effort to keep the Bar and public informed and to improve access to justice.

This past fiscal year, the Court experienced a high turnover in staff, 27%, and yet still managed to ensure justice was served efficiently and effectively. This Court is indebted to our dedicated staff who have worked twice as hard to maintain the level of superb service that litigants deserve and have come to expect.

Effective December 2016, Sharon Agnew retired as the New Castle Prothonotary after 44 years of State Service. In February 2016, after 34 years of dedicated service as the Court's Deputy Prothonotary in New Castle County, Sandy Autman, retired. In November 2015, the Chief Deputy Prothonotary in Kent County, Janet Shane, retired, after 17 years of dedicated service. The Court salutes Ms. Agnew, Ms. Autman and Ms. Shane for the significant contributions they made over the years and thanks them for their tireless efforts to improve the administration of justice.

Our Court Administration Office has experienced exciting personnel changes with the addition of our new Court Administrator, Susan Judge, who brings new energy and ideas, and a strong work ethic, to a tremendously challenging job, and Michael Ferry, a talented Management Analyst III, who worked in the Prothonotary's office for 12 years. Our former Deputy Court Administrator, Roger Kling, has transitioned to the position of Controller and enters his 17<sup>th</sup> year of service with the Court.

The Court said farewell to two judicial officers as well. In November 2015, the Honorable Fred S. Silverman retired after 22 years of dedicated service on the bench as a Superior Court Judge. On February 15, 2016, the Court welcomed the Honorable Abigail M. LeGrow, who previously served as a Master in the Court of Chancery. In June 2016, the Honorable Mark S. Vavala retired after 18 years of dedicat-

**SUPERIOR COURT CIVIL & CRIMINAL FILINGS & DISPOSITIONS BY FISCAL YEAR**

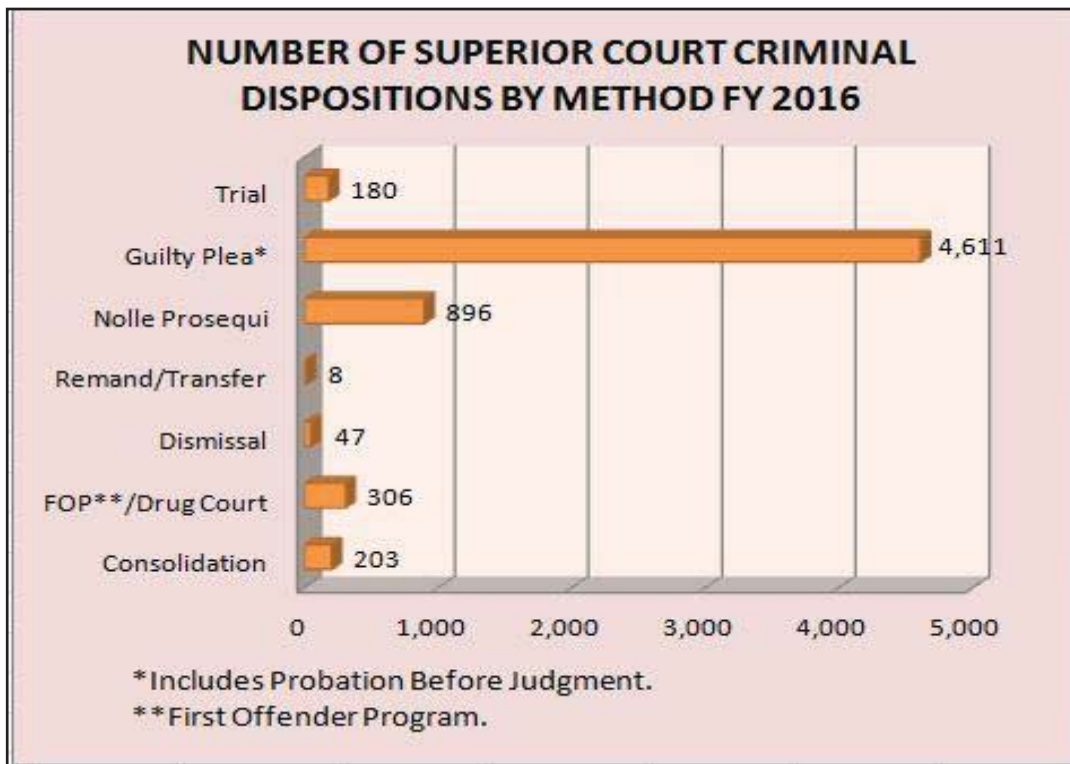


# SUPERIOR COURT

ed service on the bench as a Superior Court Master and then a Commissioner. Prior to becoming a judicial officer, Commissioner Vavala served the Court in various capacities including court clerk, jury manager, Chief Deputy Prothonotary, Technology Director and Master for Superior Court. The vacancy created by Commissioner Vavala's departure was filled in July 2016 when the Court welcomed the Honorable Katharine L. Mayer, who previously worked as a litigation partner with McCarter & English.

recognizes the importance of investing in our employees. With changes occurring at a rapid pace, we strive to offer training opportunities and the necessary resources to support our employees. Despite fiscal constraints, rising health insurance costs, staff turnover and staggering caseloads, our dedicated and loyal employees continue to be a major reason the Superior Court is consistently rated one of the top general jurisdiction courts in the country. ♦

The Court has 26 Judicial Officers, and over 300 employees, with each performing an important function critical to our core mission. The Court



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# SUPERIOR COURT



## SUPERIOR COURT COMMISSIONERS

*Standing (left to right):*

Commissioner Lynne M. Parker  
Commissioner Andrea Maybee Freud  
Commissioner Bradley V. Manning  
Commissioner Alicia B. Howard  
Commissioner Katharine L. Mayer

The **Honorable Katharine L. Mayer** was formally sworn in for her first term as Commissioner of the Superior Court of Delaware on July 11, 2016. Prior to her appointment, Commissioner Mayer worked as a litigation partner with McCarter & English.

# SUPERIOR COURT



## SUPERIOR COURT JUDGES

***Front row (sitting left to right):***

Judge Fred S. Silverman  
(retired November 28, 2015)  
Judge T. Henley Graves (SC Resident Judge)  
President Judge Jan R. Jurden  
Judge Richard R. Cooch (NCC Resident Judge)  
Judge William C. Carpenter, Jr.

***Middle row (standing left to right) :***

Judge John A. Parkins, Jr.  
Judge Robert B. Young  
Judge Calvin L. Scott, Jr.  
Judge Richard F. Stokes  
Judge William L. Witham, Jr.  
(KC Resident Judge)  
Judge E. Scott Bradley  
Judge Mary M. Johnston  
Judge M. Jane Brady

***Back row (standing left to right):***

Judge Jeff J Clark  
Judge Andrea L. Rocanelli  
Judge Paul R. Wallace  
Judge Charles E. Butler  
Judge Diane Clarke Streett  
Judge Eric M. Davis  
Judge Vivian L. Medinilla  
Judge Ferris W. Wharton

The **Honorable Abigail M. Legrow (not pictured)** was formally sworn in for her first term as a Judge of the Superior Court of Delaware on Feb. 15, 2016. Prior to her appointment, Judge Legrow served as Master in Chancery on the Delaware Court of Chancery from 2011 until her appointment to the Superior Court. Judge Legrow filled the vacancy created by the retirement of Judge Fred S. Silverman.