

LEGISLATION

The Judiciary's legislative team brings together representatives of the courts and the Administrative Office of the Courts to enhance the effectiveness of the Judicial Branch's relationship with the General Assembly by serving as the main Judicial Branch contact for legislative matters and by monitoring and analyzing legislation for impact on the Judiciary. The following legislation affecting the Judicial Branch was passed during FY 2010 by the General Assembly:

BILL NUMBER	DESCRIPTION
SB 24	Second leg of a Constitutional Amendment making the chief magistrate a state judge under Article IV of the Delaware Constitution.
SB 217 w/HA 1	Codifies the current practice by police and the Justice of the Peace Court of temporarily holding or placing in Department of Correction custody defendants who are unable to meaningfully participate in presentment proceedings because they are under the influence of alcohol or drugs until they are able to participate.
SB 218	Makes court costs for civil traffic offenses subject to court rule, as for other court costs, pursuant to 10 <i>Del.C.</i> § 9801.
SB220	Extends lien on chattel goods levied for sale in the Justice of the Peace Court to three years from two, consistent with provisions in Superior Court.
SB 310, Section 51	Allows for the addition of two new Superior Court judges if funding becomes available.
SB 320 w/SA 1	Provides for inmates sentenced after the enactment of the statute to be awarded good time credit. However, those inmates serving a life sentence or sentenced as habitual offenders under 11 <i>Del.C.</i> § 4214 or sentenced under 11 <i>Del.C.</i> § 4204(k) are excluded.
HB 324	Eliminates a reference to a code section which no longer regulates court costs in the Justice of the Peace Court. Court costs are now regulated by court rule subject to the approval of the Chief Justice.
HB364	Changes the upper-level management positions in the Court of Common Pleas from classified service to exempt service, consistent with similar positions in the Superior Court and the Family Court. The provisions of this legislation shall become effective at the time incumbents separate from state service.
House Joint Resolution 14	Requests Delaware's United States Congressional delegation to immediately enact legislation implementing a court fee intercept program to intercept federal tax refunds to pay overdue State court-ordered restitution, fines, fees and costs. This resolution was part of a national effort by the Conference of Chief Justices.