

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 2011 by the General Assembly:

BILL NUMBER	DESCRIPTION
SB 24	Reforms the Office of the Public Guardian to meet Delaware's increasing needs for guardianship services. Authorizes the Governor to appoint Public Guardians, who must be attorneys. Expands the Office's role to an advocacy and protective agency. Establishes the Delaware Guardianship Commission to assist in creating policies, determine priorities, and assess the needs of incapacitated citizens.
SB 37	First Leg of Constitutional Amendment permitting a Justice of the Peace Court Judge to be reappointed for eight years after completing three terms of office.
SB 81	Grants the Court of Chancery increased discretion regarding approval of the price for a proposed sale of a disabled person's real estate.
SB 116	Grants bailiffs, judicial assistants and court security officers powers incident to a peace officer exercisable in any courthouse or property maintained or used as a courthouse within the state.
HB 22	Modifies procedural requirements regarding obtaining title to, and the sale of, abandoned personal property. Changes include providing that simple and non-technical language should be used in application, notice and declaration forms; that a person with an interest in the property can file a replevin counterclaim prior to a final determination of title; and that notice and publication requirements should conform to actions of similar nature.
HB 64	Amends, or adds language, to make uniform the individual courts' various statutory provisions relating to the role and appointment of judicial law clerks.
HB 77	Grants exclusive jurisdiction related to actions on liens of garage owners to a Justice of the Peace Court in the county in which the garage owner is located. Provides that related replevin and detinue actions will be heard by the Justice of the Peace Court, unless a party requests the transfer of such cases to the Superior Court (and pays the transfer costs) for a jury trial.
HB114	Provides for the joint transfer of ordinance violations and charges over which the Court of Common Pleas has jurisdiction to the Court of Common Pleas.
HB 133	Clarifies that property, such as certificated and uncertificated securities, that is explicitly named in, and escheats pursuant to, 12 DEL. C. § 1203(b) is not subject to interpretation under 12 DEL. C. § 1203(a).