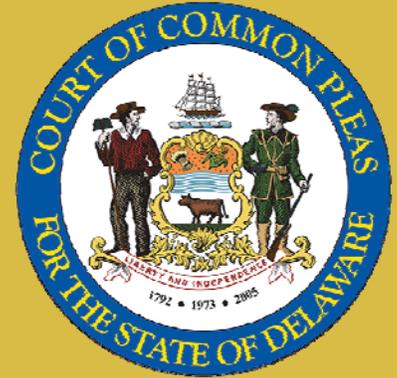


COURT OF COMMON PLEAS



FY 2013 was a busy and challenging year for the Court of Common Pleas. The number of cases transferred to, and filed with, the Court of Common Pleas contributes to a high volume environment in the Court. While criminal and civil caseloads indicate a slight decline from prior years, the complexity of the case load and the number of cases proceeding forward to trial continue to increase, placing an ever growing demand on Court and Judicial resources.

Changes in the Court

In Fiscal Year 2013 the Honorable Joseph F. Flickinger III retired from his position with the Court of Common Pleas and the Honorable Eric Davis was appointed to the Superior Court, leaving two vacancies on the Court of Common Pleas. Judge Robert J. Surles was sworn in to fill the vacancy left by Judge Flickinger on January 18 and Judge Carl C. Danberg was sworn in to fill the vacancy left by Judge Davis on February 15. In July of Fiscal Year 2013, the Court of Common Pleas long time Court Administrator, Carole Kirshner retired after 42 years of dedicated service to the Court and the Court's Deputy Court Administrator, Stephanie Fitzgerald was appointed and presently serves in that position.

Civil Initiatives

The Court of Common Pleas received 5,599 new civil cases in FY 2013. Though this number reflects a drop in the civil caseload from prior years, the cases are of greater complexity which results in more extensive motion practice and more trial time.

In FY 2011 the Court of Common Pleas adopted Administrative Directive 2010-3, creating the Court's SPEED



*Chief Judge
Alex J. Smalls*

Docket (**S**pecial **E**lection and **E**xpedited **D**ocket) available in all civil cases filed in the Court and appeals de novo from the Justice of the Peace Court where the amount in controversy is between \$10,000 and \$50,000, excluding consumer debt cases and appeals on the record. Special scheduling rules are applied to SPEED cases which ensure an expedited resolution, than that which is available through traditional scheduling tracks. Additionally, the case is specially assigned to a Judge to handle all matters until the case is resolved. A scheduling conference is scheduled within 30 days of the filing of an answer or a motion by any party and the trial scheduled within five months of the scheduling conference. In FY 2013 there were 25 SPEED cases filed with the Court of Common Pleas.

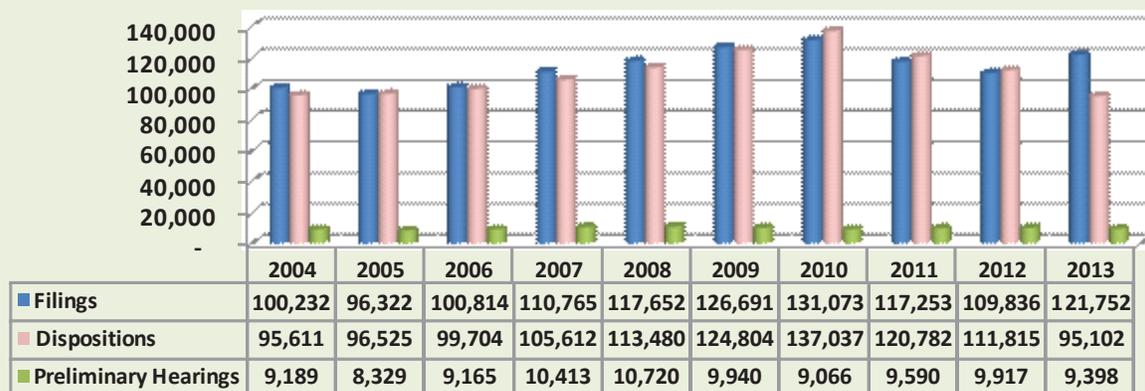
In FY 2011, the Court of Common Pleas adopted Administrative Directive 2011-1 pertaining to Consumer Debt Collection cases. This directive was rescinded and replaced with Administrative Directive 2012-2 following the Delaware Bar Committee study and report. The directive set forth procedural guidelines in consumer debt collection cases, aimed at ensuring fairness to all litigants and improving efficiency in the administration of Justice.

Criminal Initiatives

The number of criminal misdemeanor filings in the Court of Common Pleas in FY 2013 was 112,004, a slight increase in the reported number of misdemeanor filings from last year. The Court has developed a more accurate criminal statistic gathering system which will improve the quality of statistical data reported by the Court. The Court of Common Pleas had 9,383 preliminary hearing

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS & DISPOSITIONS & PRELIMINARY HEARINGS BY FISCAL YEAR



filings in FY 2013. The Department of Justice continues to aggressively review felony arrests prior to their scheduled hearings and the Court of Common Pleas continues to take a significant number of pleas at preliminary hearing. This has a positive effect on the entire criminal justice system because it eliminates the need for these cases to be handled twice in the Court of Common Pleas and once in the Superior Court, which occurs when felony charges are reduced to Misdemeanors and returned to the Court following Preliminary Hearings. Many such cases, if not pled, would be re-filed in the Court of Common Pleas after the defendant is bound over to the Superior Court.

Grant Funded Initiatives and DUI Court

The Court continues to work aggressively to manage its caseload in spite of greater demands on judges and staff. Additional calendars and the application of aggressive case management techniques have reduced the time to disposition in most case categories. The Court continued to receive funding in FY 2013 from a Byrne Justice Assistance Grant to provide resources for the expansion of the mental health court to Kent and Sussex Counties. Additionally, the Court received grant funding from the Office on Violence Against Women for a coordinator to staff on a part-time basis the Court's Trauma Informed Probation Calendar.

On September 23, 2012, the Administrative Office of the Courts received funding to support the creation of a part-time State Judicial Outreach Liaison to assist with educational and training initiatives. The grant position will provide assistance to the Court of Common Pleas in the coordination, planning and implementation of a DUI Court.

The Court of Common Pleas received 3,018 DUI cases in FY 2013.

Mediation

Since 2001, the Court has referred over 11,600 cases for mediation, with more than 1,609 referrals made to the program in FY 2013. Mediation provides an alternative to criminal prosecution, assists the Court in the management of its busy calendars, and leaves participants with an increased sense of satisfaction with the justice system. In FY 2013, the Court's mediation program had a success/satisfaction rate of nearly 88%.

In recent years, the Court of Common Pleas extended its successful criminal mediation program to include civil cases. This option has been well received by civil litigants and has been responsible for the successful settlement of an increasing number of cases.

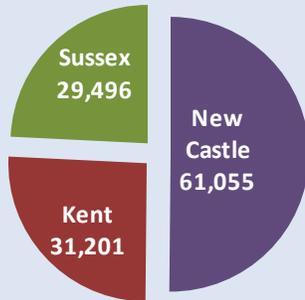
Treatment Courts

The Court continued to operate its highly successful court-supervised comprehensive Drug Diversion Program for non-violent offenders. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing, and treatment. The Drug Diversion Program represents a collaborative effort between the Court of Common Pleas, the Department of Justice, the Public Defenders, the private bar, the treatment providers, and the Treatment Research Institute (TRI) at the University of Pennsylvania. (The TRI program is limited to New Castle County.) Collaboration with the Treatment Research Center (TRI) has provided the

Continued on next page

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS BY COUNTY FY 2013



basis for observation, research, and analysis to launch scores of other drug diversion programs throughout the United States and internationally. The Court has handled more than 7,256 participants since its inception in 1998.

To address the needs of all participants, the New Castle County Drug Diversion Court introduced a new tool on July 1, 2010. The tool referred to as the "RANT Assessment" a web-based placement tool developed by the Court's partners at the Treatment Research Institute at the University of Pennsylvania. "RANT" is an acronym for Risk and Needs Assessment Triage. The assessment tool is used to assess each client's risks and needs. Base upon the results a defendant is placed into one of four quadrants, those with: low risks/low needs; low risks/high needs; high risks/low needs; and high risks/high needs. Identifying these risks/needs groups allows treatment to be tailored to meet the individual needs of the client, promote successful program completion, and to reduce recidivism rates.

Established in 2003 as the first such court in the State, the Court of Common Pleas continues to operate its Mental Health Court in New Castle County. Modeled on the Drug Court concept, the goal of Mental Health Court is to effectively serve the special needs of the mental health population through continuous judicial oversight and intensive case management and, through this approach, to reduce this population's contacts with the criminal justice system. The Court, through the receipt of grant funding, was able to expand its mental health court in FY 2012 to Kent and Sussex Counties. Approximately 120 Defendants entered Court of Common Pleas mental health court statewide.

In Fiscal Year 2012, the Court introduced the Trauma Informed Probation calendar (TIP). TIP is a new treatment

court designed to handle female defendants who have experienced significant trauma in their backgrounds. The goal is to provide trauma-informed care to help improve outcomes for the TIP participants and to reduce recidivism rates. Trauma Informed Probation entered 24 participants into the program in FY 2013.

Technology Initiatives

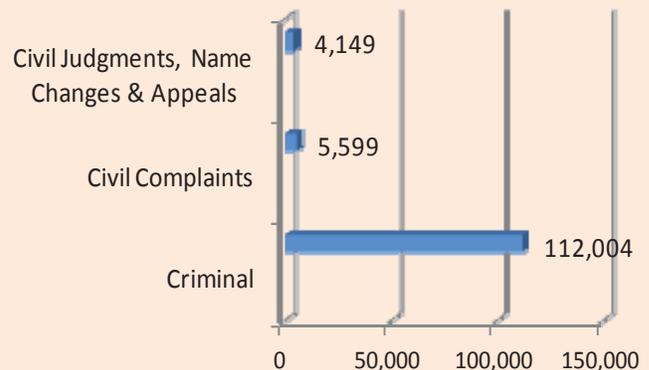
The Court continues to explore avenues to increase efficiency through technology. The success of the civil e-filing initiative; increased use of a web-based system for the payment of fines, costs, and restitution through an internet application; and increased use of, and reliance on the Court's web site have afforded the Court productivity gains. The Court continues to explore other opportunities by which it can serve its customers through improved public access, such as through the future implementation of Interactive Voice Response System and through expansion of E-payment and E-filing.

The continued success of the civil automation implementation has significantly improved access to the civil cases and civil case information. E-filing has been extremely successful, with more than 90% of the Court's civil case-load being e-filed.

Enforcement of Court Orders

The Court of Common Pleas in FY 2013 collected approximately \$6,785,000 in fines, costs and assessments. The Court returns more than 45% of its operating budget to the State's General Fund. A significant portion of the Court's collections also represents restitution and compensation payments for victims of crime.

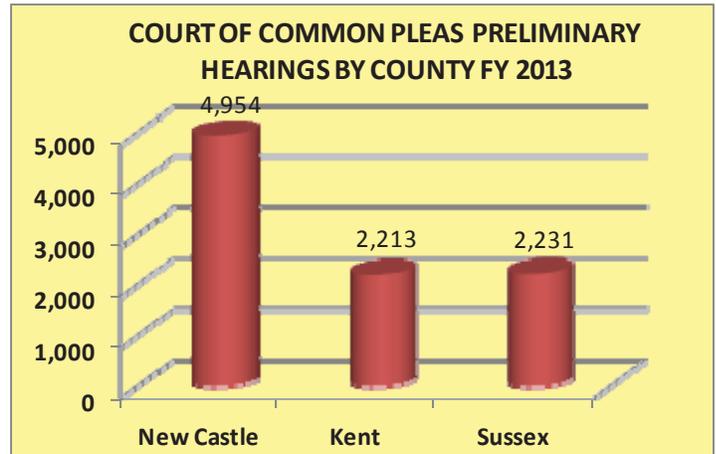
COURT OF COMMON PLEAS NUMBER OF FILINGS BY TYPE FY 2013



COURT OF COMMON PLEAS

Conclusion

Notwithstanding the challenges of managing a large and increasingly complex caseload, judges and staff remain committed to the mission of the Court of Common Pleas – to provide a neutral forum for the people and institutions of Delaware in the resolution of everyday problems, disputes, and more complex legal matters in a fair, professional, efficient, and practical manner.



Front row (standing left to right)

Judge Andrea L. Rocanelli
Chief Judge Alex J. Smalls
Judge Rosemary Betts Beauregard

Judge Kenneth S. Clark, Jr.
Judge John K. Welch
Judge Charles W. Welch, III
Judge Anne Hartnett Reigle
Judge Carl C. Danberg

Second row (standing left to right)

Judge Robert H. Surles