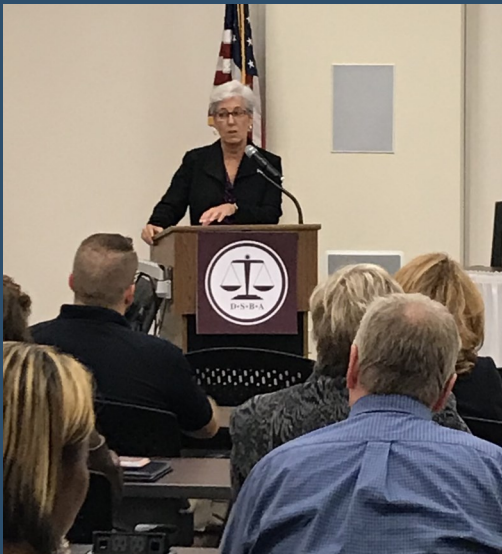


# The Delaware Judiciary

## Annual Report

**ENGAGING**



**OUR**



**COMMUNITY**



2018

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## On the Cover:

**Top Left:** Superior Court President Judge Jan R. Jurden, announcing the Best Practices Standards for the Problem-Solving Courts in September 2018.

**Top Right:** Chief Justice Leo E. Strine, Jr. offering welcoming remarks at the Community Resource Center Fair in August 2018.

**Bottom Left:** Court of Common Pleas Chief Judge Alex J. Smalls speaks with attendees at the Community Resource Center Fair in August 2018.

**Bottom Right:** The 2018 Criminal Justice Summit on Pretrial Reform measures, held at the Rehoboth Beach Convention Center in October 2018.

# MESSAGE FROM THE STATE COURT ADMINISTRATOR

## The 2018 Annual Report of the Delaware Judiciary

I am pleased to present the 2018 Annual Report of the Delaware Judicial Branch. Our theme this year is “Engaging our Community” to highlight the Delaware Judiciary’s work to establish consistent and effective problem-solving approaches to criminal cases, including the development of a Community Court in the City of Wilmington. That work is detailed in the Introduction that follows this short message. In addition, you will find information in this Report on the work of all of our Courts, highlights from the past year by our Presiding Judges, important information about our Branch, including financial and caseload statistics, and recognition our Judicial Branch employees received in 2018.

As for the Administrative Office of the Courts (AOC), we remain focused on our mission of providing administrative support for the Delaware Judiciary in general and for a number of court initiatives in particular, like the Community Court. In August 2018, the AOC organized a Community Resource Center Fair on the plaza of the Leonard L. Williams Justice Center to introduce Wilmington residents to the “Community Court” concept and to preview the Community Resource Center that is slated to open in the courthouse law library in 2019. The Community Court initiative received a significant boost with the announcement that the AOC was awarded a Center for Court Innovation grant in partnership with a Bureau of Justice Assistance Grant to help support the ongoing planning and implementation of the Community Court. In addition to providing grant funding, the Center for Court Innovation will assist in planning and implementation as part of the award. The AOC has also started work on transforming courthouse law libraries into self-help centers – a key recommendation of our Access to Justice Commission. The first phase of the project is focused on the Justice Center and will eventually include law libraries in the other two counties. The AOC also continued to assist the Judicial Branch with a number of initiatives designed to make the criminal justice system more equitable and improve public safety. These programs are all in addition to the AOC’s role in supporting the Court’s traditional — and central — role of serving the community as a place to fairly, equitably, and expeditiously resolve disputes, protect public safety, and uphold the law.

I hope you find this Report useful in understanding our Court System and our ongoing initiatives and I encourage you to visit our website at <http://courts.delaware.gov/> for the latest information about the Delaware Courts.

Sincerely,



Amy Arnott Quinlan, Esq.  
State Court Administrator

# INTRODUCTION

## Engaging with our Community

### Community Court initiative launches in Wilmington

In life we make mistakes, sometimes very serious ones. And that is when having the chance to redeem yourself is most important. None of us are perfect enough that we have not needed a second or third chance, or perhaps even more than that. Any genuine concept of justice embraces this reality. Although defendants who commit criminal acts must be held accountable for their actions, that does not mean we should throw them in metal boxes and forget about them. Not only is that morally wrong, it is counterproductive to society. A much better approach recognizes that justice includes the chance for redemption, especially for people who commit low-level offenses. Likewise, it is just not smart to ignore the reality that incarcerating non-violent offenders among violent convicts causes the non-violent offenders to harden in order to survive, increasing the chance that, once they are back outside, their criminal behavior record will worsen.

To address these realities, our State, and our Judiciary in particular, has sought to help defendants address the underlying problems that contribute to their criminal behavior. When a defendant has a serious opioid addiction, he is going to do whatever he can to feed his habit. If a defendant has a mental disorder that is left untreated, failing to address that problem can lead to behavior that hurts others. And perhaps most important of all, when someone can't feed his family because he can't obtain a decent job in the legitimate economy, he might seek money through the drug trade, not because he wants to be a drug dealer, but because he can't earn a decent living otherwise.

And similar realities extend to the civil litigants before our courts. Child custody and neglect cases often stem from underlying problems like poverty, substance abuse, and mental illness. An inability to address growing debts can lead to homelessness and make it difficult for a parent to support her child.



*Visitors check in for the Community Resource Center Fair at the Leonard L. Williams Justice Center on August 24, 2018.*

To better tackle these stubborn problems, our Judiciary knows that it is critical to reach out and draw on the talents, compassion, and resources of our entire community. This coming year the Judiciary will broaden and deepen our traditional cooperation with, and respect for, our community and government partners. In 2019, the Delaware Courts will work to transform the largest courthouse in our state into a genuine “Community Court,” one where there is only a right

door, and never a wrong door, for criminal defendants and civil litigants in need of help to become more productive and law-abiding citizens.

This ambitious effort brings together two strands of our Judiciary's work: i) our long-standing efforts to create problem-solving approaches to criminal cases that address the underlying causes of criminal behavior; and ii) our overall commitment to making sure that all Delawareans have fair access to justice.

The Judiciary's work with problem-solving courts began in the late 1990s when the Superior Court created a Drug Court. Over the years, other targeted, treatment-focused specialized courts followed, including for defendants with mental health issues and for military veterans. Many of these problem-solving courts were founded



# INTRODUCTION

because of a particular judge's commitment. The problem then arose that if that judge retired, the problem-solving court might cease operations for a time or begin operating in a wholly new way because the court's process was often tailored to that judge's style. This lack of uniform standards in addressing similar cases and problems led to inconsistencies in approach across county lines and across courts. In 2014, the Criminal Justice Council of the Judiciary (CJCJ) was formed, in part, to review the operations of all of the Judiciary's problem-solving courts, to ensure that the problem-solving courts were working efficiently, consistently, and thus effectively. After more than a year of study, the CJCJ made a series of recommendations with a goal of creating a consistent, effective, and unified statewide Treatment Court System.

The recommendations included unifying the separate Drug Courts in the Court of Common Pleas and the Superior Court in New Castle County into a single Drug Court for New Castle County with: i) cross-jurisdictional authority; ii) more streamlined schedules to help treatment providers and other criminal justice system partners; and iii) uniform, high-quality standards. This same approach needs to go statewide, and then be applied to the mental health courts as well, so that litigants have access to a single, high-quality, uniform approach to problem-solving adjudication in all key areas, and so that the system works efficiently for treatment providers and key partners like the Department of Correction.

To this same end, the CJCJ has established best practice standards for all problem-solving courts, based on the latest research and the best practices used by other, similar treatment courts nationwide. The recommended Best Practice Standards (the "Standards") are posted online at <https://courts.delaware.gov/aoc/publications.aspx>. The Standards were developed by a working group consisting of a broad cross-section of the criminal justice community including the Judiciary, the

Department of Justice, the Office of Defense Services, the Bureau of Community Corrections, the Division of Substance Abuse and Mental Health, the Treatment Access Service Center, the U.S. Veterans Administration, and treatment providers from all three counties, helped by consultants from the National Center for State Courts. Treatment courts cannot work fairly and efficiently if there is not agreement among the courts, and their key partners, on the courts' goals, the incentives for participants, and the rewards and consequences that should follow certain behavior. Treating like cases in a like manner is critical to doing non-arbitrary justice and so is providing offenders with a



*Chief Justice Leo E. Strine, Jr. addressing a meeting of the Wilmington Rotary Club on May 3, 2018.*

fair and sensible set of incentives and responsibilities. To do real justice, consistent standards must govern the incentives and consequences litigants face. And all those in authority over the defendant — the probation officer, the judge, the treatment professional — must be working off the same rules, and must adhere to the agreed upon approach. Regardless of the specific judge, the specific county, or the specific probation and parole officer, litigants should receive adherence to the same

fair and predictable standards.

The next step is to take the more general guidance of the Standards and to do the even harder work of actually putting together the manual of rules and procedures, the "playbook" for the court and all its constituents. As with the Standards, the playbook will be developed in concert with all the key players. The playbook will take the best practices from a general level down to the critical level of specific application to litigants by addressing issues like: What should the consequence be for a first-time curfew violation? To what extent should defendants in certain problem-solving courts be tested for substance abuse, and how does this vary on the basis of which of the problem-solving courts is involved?

Continued on next page

# INTRODUCTION

For example, testing for alcohol or marijuana use is essential to a substance abuse court, but may not be as essential in a reentry court setting, where other conditions might be more relevant to both the participant's progress and the safety of the public. Agreeing on the expectations for litigants, and the consequences that should flow from non-compliance, is critical to giving defendants a fair chance through a non-arbitrary process. As important, the playbook must address the positive rewards that can be granted to defendants when they make progress, and ensure that the professionals, like probation officers and treatment staff who work the closest with defendants, are the ones who play the primary role in allocating these rewards. For problem-solving courts to work, the people who spend the most time working with defendants must have carrots, and not just sticks.

The ultimate goal of this effort is to make sure all litigants who might benefit from a community-based sentence addressing the problems contributing to their criminal behavior get access to help. We want a "NO WRONG DOOR" approach, which recognizes that many offenders have co-occurring conditions, and that each offender is a unique human being with diverse challenges. To that end, we need to review the sources of referral to our problem-solving courts to make sure that we are doing the best we can to identify defendants who need our help. By way of example, many defendants arrested for theft or prostitution may primarily need substance abuse treatment, because they engage in that activity to pay for their drug habit. Meanwhile, many poor defendants caught up in the drug trade may not be addicts, but have educational and skill gaps that make them unable to earn an honest living. Therefore, our referral procedures need to be reviewed and brought up-to-date so that we can better identify what problems individual offenders have and refer them to the proper programming.

For many defendants, the biggest underlying problem is poverty and the inability to provide for themselves in the

legitimate economy. But right now, there is a gap in the system. We do not have a "J — O — B" court that focuses on this critical and pervasive issue, and that links offenders to a logical sequence of job readiness training, followed by specific vocational training, and then employment. We must do better in this area, and have reached out to the Executive Branch, the Department of Labor, and the private sector for help. We hope to get private sector businesses to work with us to be "Take-a-Chance" employers, and to give offenders an opportunity to become self-sufficient paycheck earners.



*Superior Court Judge William C. Carpenter Jr. speaking about measures to improve Delaware's Problem-Solving Courts at the Delaware State Bar Association in September 2018.*

The vital next step in these efforts is the creation, in New Castle County, of a "Community Court" in the Leonard L. Williams Justice Center. The Community Court will not operate as something new in addition to our existing efforts at problem-solving. Rather, the Community Court will be the framework within which all of our efforts at problem-solving courts are organized. The goal is to streamline and rationalize court calendars so that treatment providers and probation officers spend less time in the courthouse and more time working with their clients. The goal is to make sure defendants from various courts who have common problems and needs can

be better identified, so that more efficient methods of program delivery can be developed.

With the move of the Justice of the Peace Court into the Justice Center, all the courts in New Castle County will be in the same building, linked directly to all key bus routes. Professionals from the Department of Justice, Office of Defense Services, police agencies, Department of Correction, Department of Labor, Youth Rehabilitative Services, and treatment agencies will not have to go to more than one facility. And with the integration of the problem-solving courts on a non-court specific basis, the professionals will be able to focus their time even more within the courthouse itself.

Much like our Division of Motor Vehicles does to better serve the public, the vision is for Community Court to

*Continued on next page*

# INTRODUCTION

offer evening hours once a week. And the hope is for each week to have a focus on a quadrant of Wilmington, such as West Wilmington Wednesday, allowing city officials, community organizations, and residents from that area of the city to use the courthouse for community meetings, to address cases from that area, and to solve their community issues together. Importantly, we also want to stop making kids in Truancy Court — who by definition are out of school too much — miss classes to come to court during school hours. Likewise, we want to help offenders keep their jobs and having evening hours should further this goal. We hope to offer the courthouse itself as the place where defendants can do some of their initial programming (e.g., an initial course in preparation for more intensive job readiness training) by coming to the Justice Center once a week to attend evening sessions.

Consistent with this effort, we will simultaneously work on using the Justice Center to provide programs to help people with questions about key issues like consumer credit, landlord-tenant disputes, the need for guardianships or other related issues for vulnerable or aging family members, and Family Court problems like child custody and child support. Access to justice does not divide into two stark categories of civil and criminal. For many people, the failure to address a key civil legal problem can be the catalyst for criminal behavior. By opening up the Justice Center through Community Court, and doing our best to help all litigants get effective access to justice, we will strengthen our efforts to address the root causes of crime. And, by helping offenders improve

their prospects, we make it much more likely that they will be able to provide for their children.

A good example of how Community Court will address these related concerns is the Community Resource Center (CRC) set to open in the Justice Center in 2019. The CRC can link litigants, regardless of court, to essential services through our state agencies and community partners including: Brandywine Counseling and Community Services; Pace; In Her Shoes, Inc.; the Food Bank of Delaware; Housing Alliance of Delaware; Catholic Charities; Child, Inc.; Goodwill; Ministry of Caring; Project New Start; Academy of Peace; Girls, Inc.; Stop the Violence Coalition; Sunday Breakfast Mission; United Way of Delaware; Wilmington HOPE Commission; Wilmington Job Corps; Delaware Guidance Services for Children & Youth, Inc.; and the Delaware Community Reinvestment Action Council, Inc.

The breadth of the agencies listed highlights the diverse problems the Community Court seeks to address. Although the challenge is daunting, by drawing on our collective strength as a community and working together in good faith, we can give criminal defendants and all litigants a solid chance to improve their lives. If we can do so, we will improve public safety and the quality of life in our most populous county. And then we hope to build on the lessons learned, and extend the same concepts to Kent County and Sussex County, so that we will be able to say that we have done the best we can to make sure that in the deepest sense, we have provided access to justice for all Delawareans. ♦

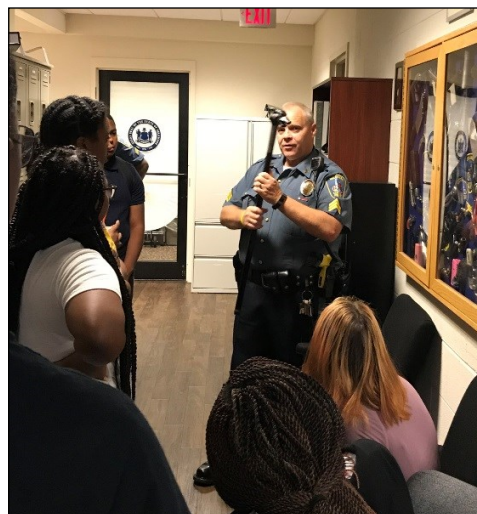
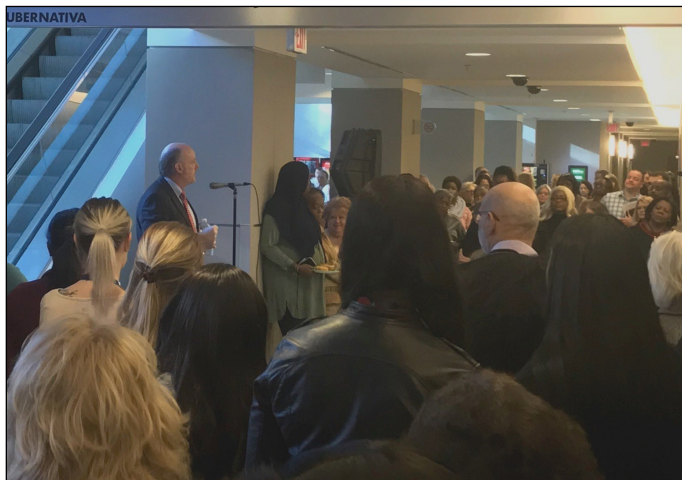
## LEGISLATION

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 proposed by the Judicial Branch was passed during FY 2018 by the 149<sup>th</sup> session of the General Assembly:

BILL NUMBER	DESCRIPTION
SB 232	This Act expands the total number of judges on the Court of Chancery to 7 by adding two new Vice Chancellors.



# THE YEAR IN PICTURES



**TOP LEFT:** Chief Justice Leo E. Strine, Jr. announces a new recruitment and retention program to court staff at the Leonard L. Williams Justice Center on December 11, 2018.

**TOP RIGHT:** Family Court Judge Barbara D. Crowell looks out at Pleasantville Elementary School students as part of a school safety patrol “swearing in” on October 12, 2018.

**LEFT:** Capitol Police Sgt. David Kerr displays dangerous items that have been seized at the Leonard L. Williams Justice Center as part of a tour for Summer Youth Volunteers in August 2018.

**BOTTOM LEFT:** Student competitors in the 2018 High School Mock Trial Competition watch as Daniel Attaway tosses a coin to determine the order of the final round. Organizers Jason C. Jowers and Christopher Griffiths look on.

**BOTTOM RIGHT:** Court of Common Pleas Chief Judge Alex J. Smalls administers the oath of office to Superior Court Judge Sheldon K. Rennie on April 27, 2018 as Judge Rennie’s wife looks on.







# FISCAL OVERVIEW

## SUMMARY OF JUDICIAL BUDGETS - FISCAL YEARS 2017-2019

### GENERAL FUNDS - State Judicial Agencies and Bodies

	FY 2017	FY 2018	FY 2019
	Enacted Budget	Enacted Budget	Enacted Budget
Supreme Court	\$ 3,388,100	\$ 3,437,400	\$ 3,434,700
Court of Chancery	3,214,600	3,265,700	3,948,100
Superior Court	25,348,700	25,752,000	25,728,800
Family Court	20,688,600	20,263,700	20,719,400
Court of Common Pleas	10,278,100	10,446,000	10,433,500
Justice of the Peace Court	18,732,100	19,024,200	19,063,700
Administrative Office of the Courts (AOC)	3,753,500	3,794,100	3,789,700
AOC Custodial Pass-Through Funds*	3,013,200	2,111,800	2,113,100
Office of State Court Collections Enforcement (OSCCE)	584,400	598,500	597,600
Information Technology	3,828,400	3,853,300	3,850,800
Law Libraries	476,200	458,400	458,000
Office of the Public Guardian	668,700	680,800	679,800
Child Placement Review Board	669,200	-	-
Office of the Child Advocate	1,214,600	2,019,500	2,016,200
Child Death Review Commission	438,600	445,500	444,900
Delaware Nursing Home Residents Quality Assurance Commission	84,000	85,500	85,500
<b>TOTAL</b>	<b>\$ 96,381,000</b>	<b>\$ 96,236,400</b>	<b>\$ 97,363,800</b>

\* These programs are included in AOC funding but are shown separately because they are pass-through funds. They include the CASA and Superior Court Appointed Attorney Programs, Interpreters, Victim Offender Mediation Program, Elder Law Program, and other funds. Family Court Civil Attorneys were counted in this number until FY 2019 at which time the appropriation was transferred to Family Court. FY 2018 "Pass Through" totals were adjusted from the FY 2017 Annual Report but the correction does not change the total reported appropriation.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE\* - FISCAL YEAR 2018

### SUBMITTED TO THE STATE GENERAL FUND

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Supreme Court	\$ 103,018	\$ -	\$ -	\$ -	\$ 103,018
Court of Chancery	657,616	-	-	-	657,616
Superior Court	3,505,076	243,416	3,642	98,078	3,850,195
Family Court	242,062	23,228	-	31,218	296,509
Court of Common Pleas	2,286,992	395,819	-	70,015	2,752,755
Justice of the Peace Court	2,123,872	1,971,584	-	132,452	4,227,908
Office of State Court					
Collections DOC Fees**	751,434	-	-	-	751,434
<b>State Total</b>	<b>\$ 9,670,000</b>	<b>\$ 2,634,047</b>	<b>\$ 3,624</b>	<b>\$ 331,763</b>	<b>\$ 12,639,435</b>

### SUBMITTED TO COUNTIES AND MUNICIPALITIES

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 106,958	\$ 39,115	\$ -	\$ -	\$ 146,073
Court of Common Pleas	-	320,577	-	-	320,577
Justice of the Peace Court	-	2,721,534	-	-	2,721,534
Office of State Court	-	2,508	-	-	2,508
Collections	-				
<b>Counties and Municipalities Total</b>	<b>\$ 106,958</b>	<b>\$ 3,083,734</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,190,692</b>

**GRAND TOTAL**      **\$ 9,776,958**    **\$ 5,717,781**    **\$ 3,624**    **\$ 331,763**    **\$ 15,830,127**

\* Figures represent only revenue actually received, not the total amount of fines and costs assessed. Figures include funds generated for the FY 2018 Fee Increase Spending Plan.

\*\* OSCCE collected supervision fees on behalf of the Department of Correction (DOC).

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE - FISCAL YEAR 2018

### RESTITUTION - FISCAL YEAR 2018

	Assessed	Collected	Disbursed
Superior Court	\$ 5,595,184	\$ 2,100,173	\$ 2,126,759
Family Court	106,107	182,407	178,907
Court of Common Pleas	861,567	864,552	851,999
Justice of the Peace Court	14,407	6,174	21,916
Office of State Court Collections Enforcement*(OSCCE)	-	34,278	26,110
<b>RESTITUTION TOTAL</b>	<b>\$ 6,577,265</b>	<b>\$ 3,187,584</b>	<b>\$ 3,205,691</b>

### ASSESSMENTS AND COLLECTIONS FOR THE TRANSPORTATION TRUST FUND

	Assessed	Collected
Superior Court	\$ 174,367	\$ 133,975
Family Court	3,463	4,213
Court of Common Pleas	452,554	359,897
Justice of the Peace Court	2,586,009	2,332,188
OSCCE	-	22
<b>TRANSPORTATION TRUST FUND TOTAL</b>	<b>\$ 3,216,393</b>	<b>\$ 2,830,295</b>

### COLLECTIONS ASSISTANCE BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT ON BEHALF OF COURTS AND AGENCIES\*\*

	Total
Superior Court	\$ 2,701,308
Family Court	296,706
Court of Common Pleas	464,840
Justice of the Peace Court	126,059
OSCCE Receivables	39,886
Department of Correction	751,434
Court of Chancery	4,830
Child Support	269,911
<b>OSCCE ASSISTANCE TOTAL</b>	<b>\$ 4,654,974</b>

\* Figures represent all efforts made by the OSCCE on behalf of the Delaware Judicial Branch.

\*\* Figures, in large part, overlap with amounts collected by the various courts and agencies and should not be considered additional.

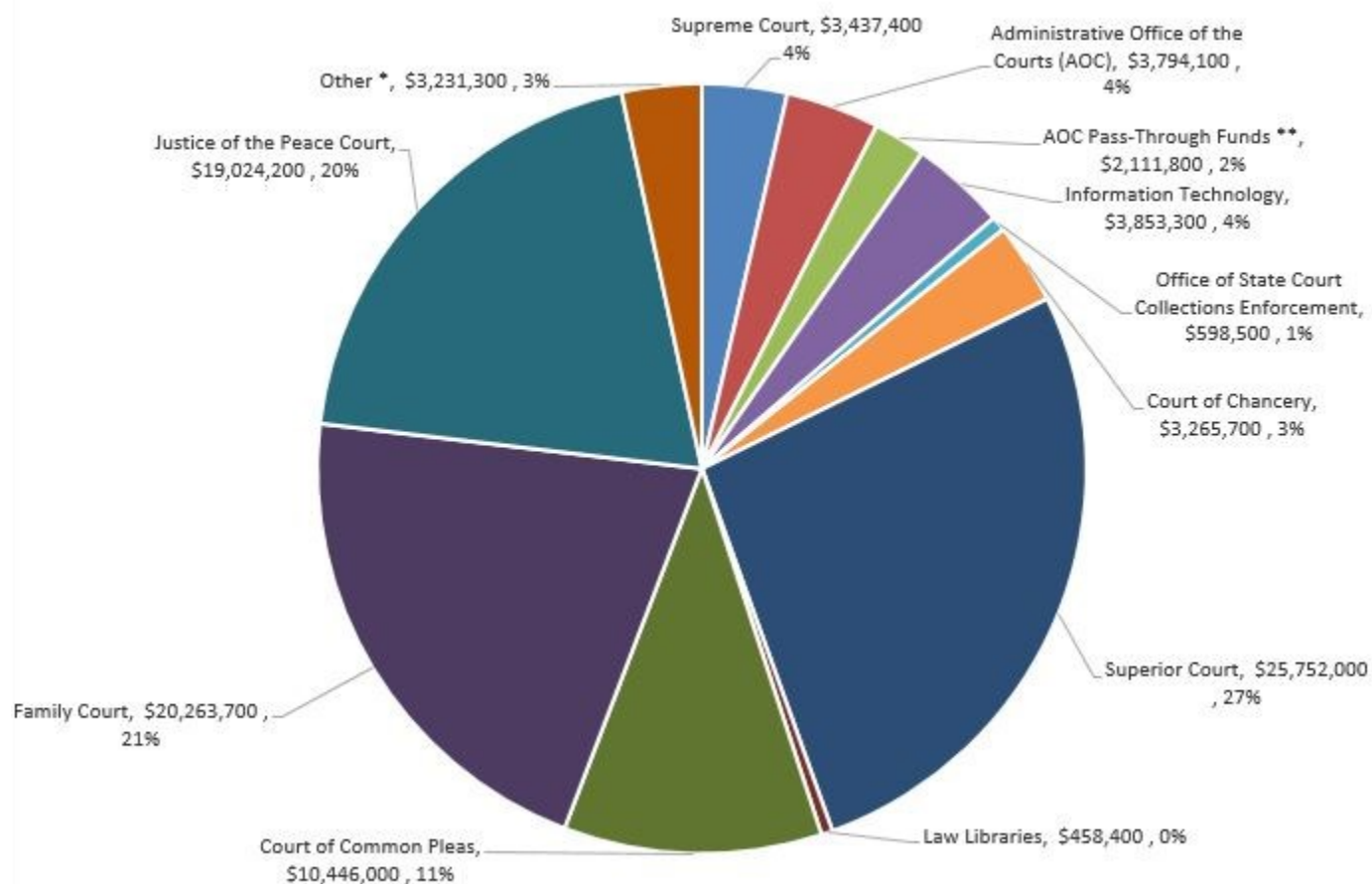
Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2018

Public Education	\$ 1,418,473,800	34.5 %
Health and Social Services	1,178,420,700	28.7 %
Department of Correction	308,147,600	7.5 %
Higher Education	237,069,500	5.8 %
Children, Youth and Their Families	162,251,800	4.0 %
Safety and Homeland Security	135,189,800	3.3 %
<b>Judicial Branch</b>	<b>96,236,400</b>	<b>2.34 %</b>
All Other	571,145,800	13.91 %
<b>TOTAL</b>	<b>\$ 4,106,935,400</b>	<b>100%</b>

## JUDICIAL APPROPRIATIONS - FISCAL YEAR 2018



\* Other: Office of the Public Guardian; Office of the Child Advocate; Child Death Review Commission; and Delaware Nursing Home Residents Quality Assurance Commission.

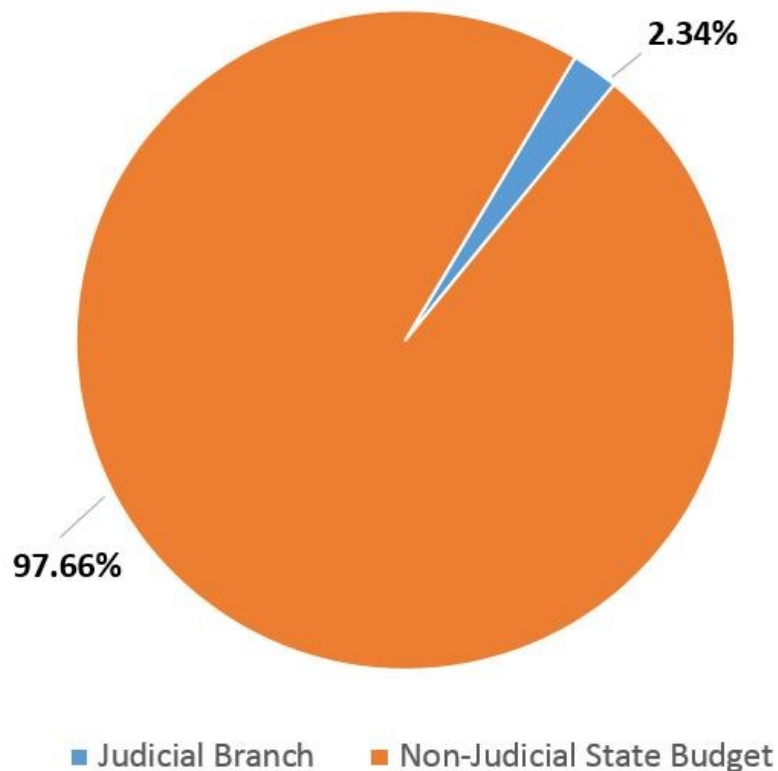
\*\* AOC Pass-Through Funds consist of CASA Attorneys, Family Court Civil Attorneys, Court Appointed Attorneys/Involuntary Commitment, Interpreters, Victim Offender Mediation Program, Elder Law Program and DCAP Maint. Agreements (in IT).

Source: Administrative Office of the Courts

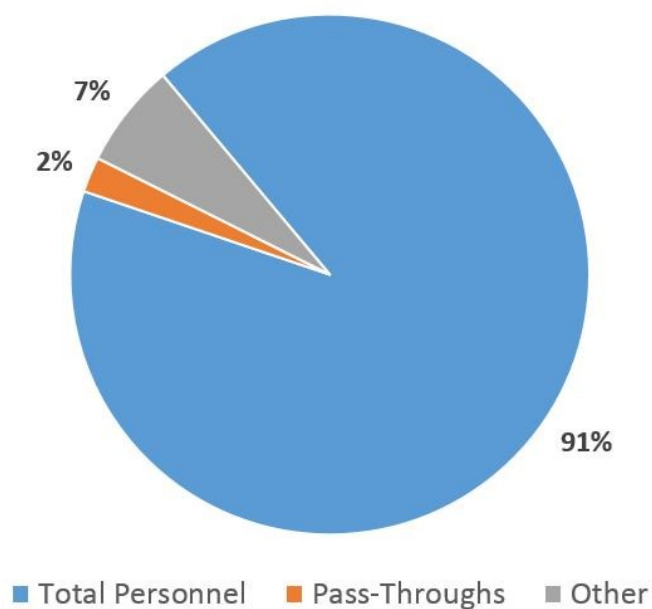


## FISCAL OVERVIEW

The Judiciary's FY 2018 appropriation is 2.34% of the State General Fund Budget.



The FY 2018 Judicial Branch budget breakdown: 91% Personnel, 2% Pass-Throughs to Other Entities, and 7% Other.



# INTRODUCTION TO THE DELAWARE COURT SYSTEM



The Delaware Judicial Branch consists of the Supreme Court, the Court of Chancery, the Superior Court, the Family Court, the Court of Common Pleas, the Justice of the Peace Court, the Administrative Office of the Courts, and related judicial agencies.

In terms of interrelationships among the courts, the Delaware court system is similar to a pyramid. The Justice of the Peace Court represents the base of the pyramid and the Supreme Court the apex of the pyramid. As a litigant goes upward through the court system pyramid, the legal issues generally become more complex and thus more costly to litigate. For this reason, cases decided as close as possible to the entry level of the court system generally result in cost savings in resources used to handle the matters and in speedier resolution of the issues at hand.

The Justice of the Peace Court, the initial entry level into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount does not exceed \$15,000. In criminal cases, the Justice of the Peace Court hears certain misdemeanors and most motor vehicle cases (excluding felonies), and the Justices of the Peace may act as committing magistrates for all crimes. Appeals from the Justice of the Peace Court may be taken to the Court of Common Pleas.

The Court of Common Pleas has jurisdiction in civil cases where the amount in controversy, exclusive of interest, does not exceed \$50,000. In criminal cases, the Court of Common Pleas has jurisdiction over all misdemeanors except certain drug-related offenses. It also handles motor vehicle offenses (excluding felonies). In addition, the Court is responsible for preliminary hearings in felony cases. Appeals may be taken to the Superior Court.

The Family Court has exclusive jurisdiction over virtually all family and juvenile matters. All civil appeals, including those relating to juvenile delinquency, go directly to the Supreme Court while criminal cases are appealed to the Superior Court.

The Superior Court, Delaware's court of general jurisdiction, has original jurisdiction over criminal and civil cases except equity cases. The Court has exclusive jurisdic-

tion over felonies and almost all drug offenses. In civil matters, the Court's authority to award damages is not subject to a monetary maximum. The Superior Court also serves as an intermediate appellate court by hearing appeals on the record from the Court of Common Pleas, the Family Court (in criminal cases), and various state agencies, boards and commissions. Appeals from the Superior Court may be taken on the record to the Supreme Court.

The Court of Chancery has jurisdiction to hear all matters relating to equity. The litigation in this tribunal deals largely with corporate issues, trusts, estates, other fiduciary matters, disputes involving the purchase of land, and questions of title to real estate as well as commercial and contractual matters. The Court of Chancery has a national reputation in the business community and is responsible for developing case law in Delaware on corporate matters. Appeals from the Court of Chancery may be taken on the record to the Supreme Court.

The Supreme Court receives direct appeals from the Court of Chancery, the Superior Court, and the Family Court. As administrative head of the courts, the Chief Justice of the Supreme Court, in consultation with the other justices, sets administrative policy for the court system.

The Administrative Office of the Courts, including the Judicial Information Center and the Office of State Court Collections Enforcement, provides services to the Delaware Judiciary that are consistent with the statewide policies and goals for judicial administration and support operations established by the Supreme Court.

Other state agencies associated with the Delaware Judicial Branch include: Law Libraries, Office of the Public Guardian, Office of the Child Advocate, Child Death Review Commission, and the Delaware Nursing Home Residents Quality Assurance Commission. ♦

# THE DELAWARE COURT SYSTEM

## Supreme Court

- Court of last resort.
- Final appellate jurisdiction for criminal cases in which the sentence exceeds certain minimums, and in civil cases as to final judgments, certain orders of the Court of Chancery, the Superior Court, and the Family Court and court designated boards.
- Issuer of certain writs.
- Jurisdiction over questions of law certified to the Supreme Court by other Delaware Courts, U.S. Supreme Court, a U.S. Court of Appeals, a U.S. District Court, a U.S. Bankruptcy Court, U.S. Securities & Exchange Commission, or the highest appellate court of any state.

## Court of Chancery

- Equity court.
- Hear/determine all matters and causes in equity (typically corporate, trust, fiduciary matters, land sale, real estate, and commercial/contractual matters).

## Superior Court

- Law court.
- Original statewide jurisdiction over criminal and civil cases (except equity cases).
- Exclusive jurisdiction over felonies and drug offenses (except marijuana possession and most felonies/drug offenses involving minors).
- Involuntary commitments to Delaware Psychiatric Center.
- Intermediate appellate court from the Court of Common Pleas, Family Court (adult criminal), and various state agencies, boards, and commissions.

## Family Court

- Extensive legal and equitable jurisdiction over all domestic relations matters, including divorce, custody, guardianships, adoptions, visitation, child and spousal support, and property division.
- Jurisdiction over intrafamily misdemeanors, misdemeanor crimes against children, and civil domestic violence protective orders.
- Jurisdiction over all juvenile offenses except certain serious offenses.

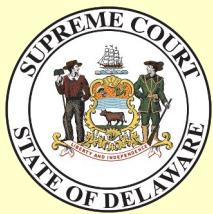
## Court of Common Pleas

- Statewide jurisdiction in civil actions that do not exceed \$50,000.
- All criminal misdemeanors (except certain drug-related offenses) and motor vehicle offenses (except felonies).
- Responsible for preliminary hearings.
- Appeals from the Justice of the Peace Court, Alderman's Courts, and the Division of Motor Vehicles.

## Justice of the Peace Court

- Statewide jurisdiction over civil cases that do not exceed \$15,000.
- Jurisdiction over certain misdemeanors and most motor vehicle cases (except felonies).
- May act as committing magistrate for all crimes.
- Jurisdiction over landlord/tenant (possession) disputes.

# SUPREME COURT



## SUPREME COURT



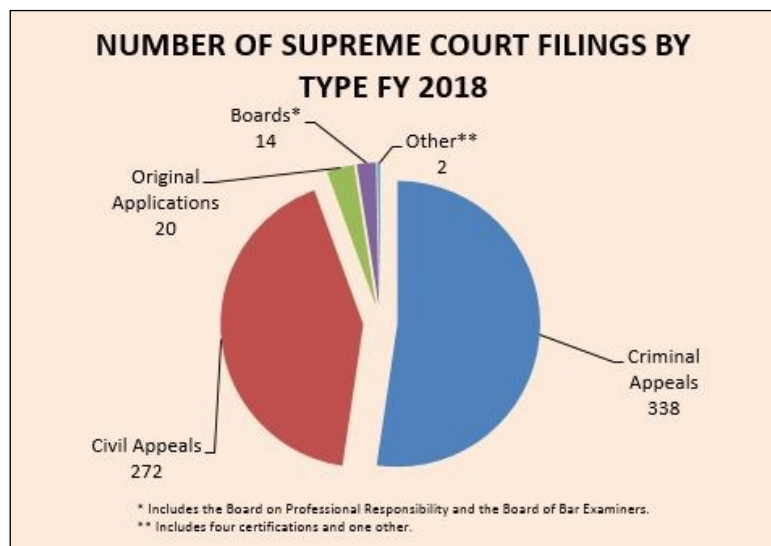
### CHIEF JUSTICE LEO E. STRINE, JR.

The Supreme Court made strides this past year to try to improve both the quality of practice and work life balance for legal professionals in the State. In response to a thoughtful report submitted to the Delaware Judiciary by distinguished trial lawyers from the Delaware Bar, the Court issued an Order that should improve in a measured, but meaningful, way the work life balance of Delaware lawyers. The order encourages all judges to be mindful of the impact that their scheduling decisions can have on the physical and emotional well-being of attorneys,

law firm support staff, and the clients they serve.

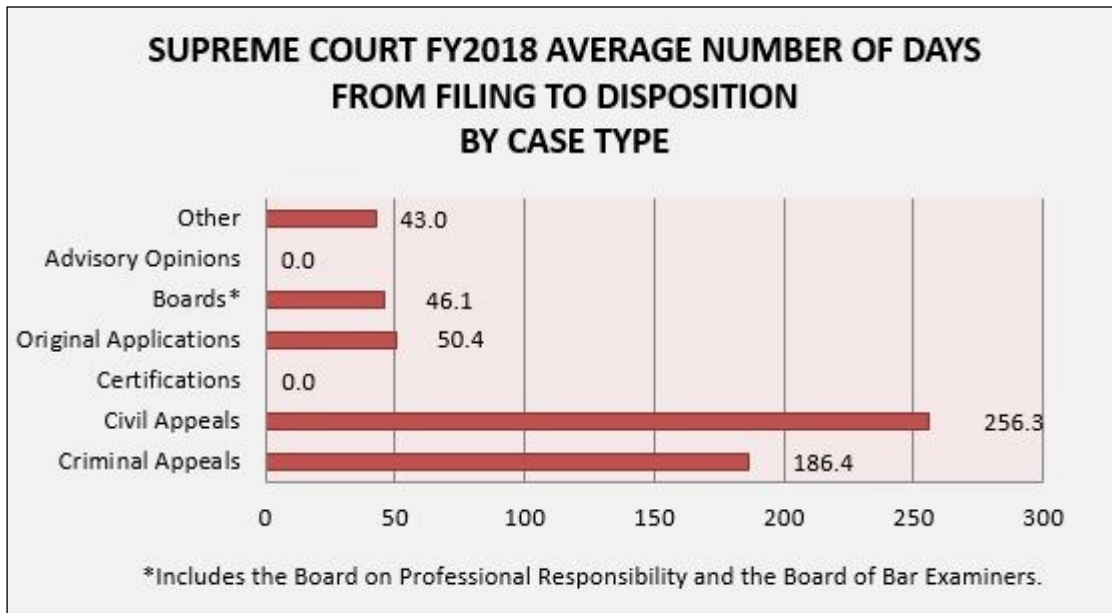
The Order directed those Courts to consider several best practices and policies related to court processes, filing deadlines, and scheduling that affect the lives of Delaware's busy legal professionals. The Order discouraged the imposition of filing due dates on Mondays or the day after a holiday in non-expedited matters, to give lawyers some breathing room on weekends and around holidays. The Judiciary was also urged to re-

frain from the issuance of non-expedited opinions after 4:00 p.m. as a general matter and after noon on Fridays so that lawyers don't have to spend precious off hours talking to clients about non-urgent decisions. The Judiciary was also asked to be considerate in scheduling oral arguments and trials in August (except in expedited matters or where there is an important reason for proceeding at that time) so that family vacations are not disturbed during the key school break of the year. The State





# SUPREME COURT



Trial Courts are to report on their consideration of and progress on these issues by March 15, 2019.

The Court's order also directed the moving of the filing deadline for State Trial Courts from 11:59 p.m. to 5:00 p.m. in non-expedited cases, to ease the burden of the late filing deadline on Delaware attorneys and their support staff. The goal is to move away from the practice of working right up to the old 11:59 p.m. electronic filing deadline, a deadline that was not an intended one in the first place, but a happenstance of technology. The Order excepts expedited cases (even though parties in expedited cases almost always agree to exchange papers during the business day) and complaints to avoid statute of limitation issues.

Lawyers often work at home, after having dinner with the family, exercising, or taking kids to activities. When a brief is to be filed, however, a conscientious lawyer has to be in the office to touch and feel the product to be sent to the judge, and so does support staff. There is no rational reason to have this happen after hours in non-expedited filings. By aligning the filing deadline for non-expedited filings to the traditional workday, and the availability of staff, we hope to promote a better quality of life for everyone in our State's leading industry, allowing them more time to enjoy their families and focus on other important personal pursuits.

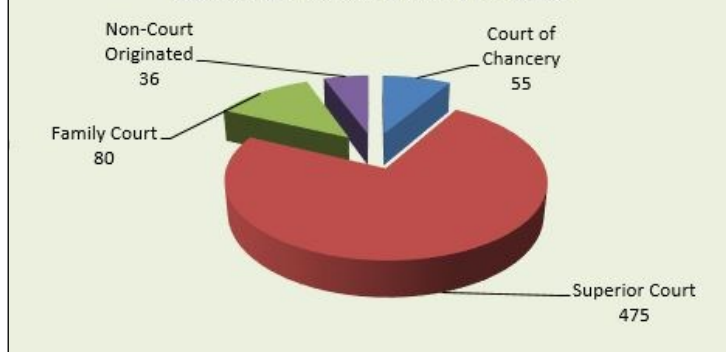
Improving public access to and understanding of the Supreme Court's appeal process has also been a priority for the Court. This past summer, a Supreme Court working group released a revised and updated self-help guide for citizens who represent themselves in matters before the Court without the benefit of an attorney. This "Citizen's Guide" is designed as a step-by-step guide for self-represented, or "Pro Se," litigants who wish to file an appeal to the Supreme Court. It explains the filing process using plain, non-legal, language wherever possible and includes all the forms necessary in an appeal, as well as links to additional helpful resources.

Consistent with its ongoing efforts to ensure that the public has good information about the work of the Court on the Judiciary and respects the integrity of its rulings, the Court made several amendments to that body's rules this year. Chief among them was an amendment to COJ Rule 5.1(b) which now requires the unanimous approval of the Chief Justice and two other Justices of the Supreme Court before a petitioner's complaint against a judicial officer can be dismissed without further proceedings. Before this amendment, Delaware was the only state that vested the ability to dismiss a judicial disciplinary claim with a sole judicial officer. The new approach will ensure that before any complaint is dismissed or allowed to

Continued on next page

# SUPREME COURT

**NUMBER OF SUPREME COURT FILINGS BY COURT OF ORIGATION FY 2018**



proceed, it is subjected to scrutiny by a panel of three Justices so that there is a deliberative process as in other cases. Justices can help each other come to a sound decision, and complainants are assured they have had a review akin to other cases. For these same reasons, the rule provides that if any member of the panel believes a deeper review is needed, the complaint will be referred for a preliminary investigation in accordance with the rules.

The Court's traditional commitment to the timely disposition of the cases before it continued in Fiscal Year 2018. The Court received 646 new appeals and disposed of a total of 583 cases by opinion, order, or dismissal. Appeals were decided on average of 30 days from the date of submission to the date of final decision. In 99% of the appeals decided in FY 2018, the Court met the standard for the Delaware Judiciary for

deciding cases within 90 days of the date of submission. The Court also met its performance measure for the disposition of 99% of all cases within 290 days of the filing of a notice of appeal, and disposed of 100% of all cases within a one-year timeframe.

This fall, the Supreme Court bade a fond farewell to Gayle P. Lafferty, Esquire, who served the Court with great distinction and dedication for more than twenty-five years. As the Court's Chief Staff Attorney, Gayle supervised the small team of staff attorneys that assist the Court with its daily legal duties. Her institutional knowledge and encyclopedic memory made Gayle the "go to" person for questions about the Court. Her expertise in criminal law, professional ethics and appellate practice also made her a natural leader on a myriad of committees and working groups that addressed a wide range of legal issues over the course of her tenure with the Court. The Court wishes Gayle all the best as she transitions from State service.

We are fortunate that another accomplished Court employee, Katherine J. Neikirk, Esquire, accepted the Court's appointment, and will serve as our new Chief Staff Attorney. In addition, another respected attorney, Christine T. DiGuglielmo, Esquire, has been hired to fill the vacancy created by Katherine's well-deserved promotion. ♦

**SUPREME COURT FILINGS & DISPOSITIONS BY FISCAL YEAR**



Continued on next page

# SUPREME COURT



## Supreme Court Justices

*Standing left to right:*

Justice Collins J. Seitz, Jr.  
Justice Karen L. Valihura  
Chief Justice Leo E. Strine, Jr.  
Justice James T. Vaughn, Jr.  
Justice Gary F. Traynor

# SUPREME COURT

## IN MEMORIAM

### The HONORABLE ANDREW G. T. MOORE II



Justice Andrew G. T. Moore II, 83, served on the Delaware Supreme Court from 1982 until 1994. Justice Moore was an iconic figure in American corporate law. At a critical time when Delaware law needed to innovate to address the takeover boom of the 1980s, Justice Moore crafted opinions that secured Delaware's role as the forum where all parties knew they would get a fair hearing and a sensible result at the speed demanded by the business world. To this day, his decisions in *Unocal Corp. v. Mesa Petroleum Co.* and *Aronson v. Lewis* are required reading in any corporate law class in the United States. And his commitment to improving our judiciary in areas like family and criminal law continues to pay off in ways that still benefit Delawareans.

Justice Moore was born in New Orleans and graduated from Tulane University with degrees of Bachelor of Business Administration and Juris Doctor. The future Justice then served as a law clerk to then-Delaware Supreme Court Chief Justice Charles L. Terry, Jr. and practiced law in Wilmington for 18 years, primarily in corporate litigation before he was appointed as a Justice in May 1982 by Gov. Pierre S. du Pont IV.

During his tenure on the court, in addition to the many rulings he wrote that attracted national interest, Justice Moore was instrumental in helping the Lawyer's Guidance Committee of the Delaware State Bar Association provide meaningful assistance to the lawyers in need of its aid. Justice Moore was also among those that helped create a program called Delaware IOLTA (Interest on Lawyer's Trust Accounts) that has provided millions of dollars in aid to poor people who needed legal assistance.

After leaving the bench, Justice Moore joined the investment banking firm of Dresdner, Kleinwort, Wasserstein, Inc. as a Senior Managing Director and Senior Advisor. From 2010 until 2017, Justice Moore was a Director in the Wilmington office of the Law Firm Gibbons P.C. Justice Moore is survived by his wife Betsy, his daughter Marianne Moore Viceconte, her husband Chris Viceconte, two grandchildren, a number of nieces and nephews and a sister Hetsy Pickard (Kevin).



# COURT OF CHANCERY

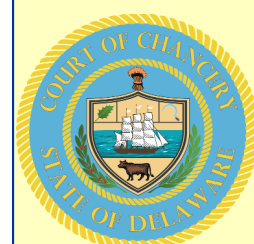


## CHANCELLOR ANDRE G. BOUCHARD

Fiscal Year 2018 was a historic year for the Court of Chancery with the enactment of legislation to expand the court for the first time since 1989, from five to seven members. This legislation was the end result of an extensive study of the court's workload trends that was undertaken in 2017. As described in last year's annual

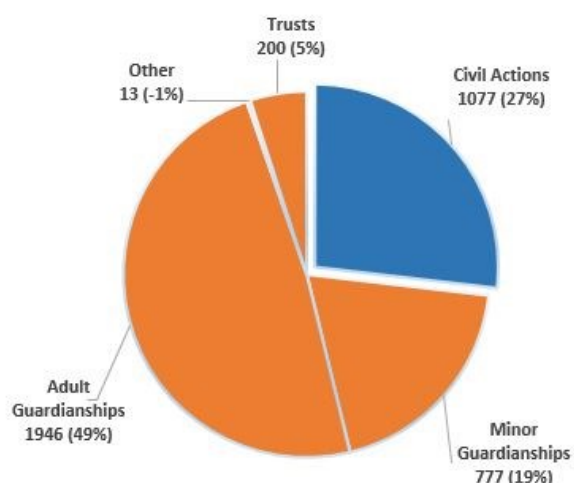
report, that study showed that the primary population the court serves (Delaware business entities) increased by approximately 500% during the 25-year period from 1992 to 2016, and that the court's workload had increased significantly as measured by numerous metrics. The study also explained how the court's case mix had changed over time to include an increasing number of complex commercial cases on top of its traditional docket of corporate governance cases.

In September 2018, Governor Carney nominated Morgan T. Zurn and Kathleen St. J. McCormick to serve as our two newest Vice Chancellors. They both were confirmed by the Delaware State Senate in October 2018, and have since taken the oath of office. Their addition to the Court of Chancery doubles, from two to four, the number of women who have served on the court in its 226-year history.



# COURT OF CHANCERY

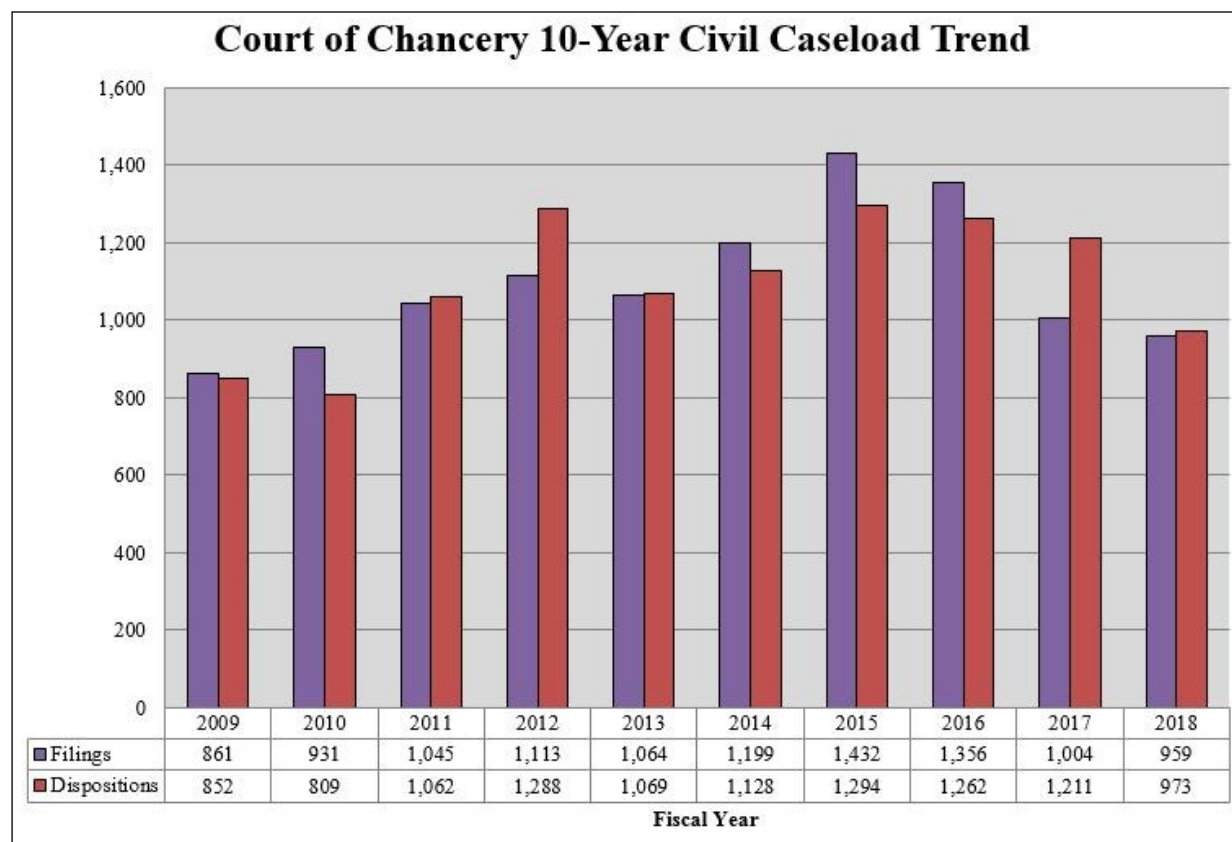
**Court of Chancery Filings by Type FY 2018**



*\*In the above chart, the blue section represents Civil Actions and the orange sections represent Civil Miscellaneous.*

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# COURT OF CHANCERY



Vice Chancellor Zurn formerly served as a Master in Chancery, where she was responsible for adjudicating cases with a focus on guardianship applications, property disputes and trust and estate matters. She previously worked as a Deputy Attorney General in the Delaware Department of Justice and as a patent litigator in private practice.

Before joining the bench, Vice Chancellor McCormick was a partner at Young Conaway Stargatt & Taylor LLP, where her practice focused on corporate, commercial and alternative entity litigation. She previously worked with the Community Legal Aid Society, Inc., handling public interest matters statewide.

We are thrilled to welcome Vice Chancellors Zurn and McCormick to our ranks and are deeply grateful to Governor Carney, Chief Justice Strine, and the

members of the General Assembly for their support in adding these new positions to the Court of Chancery. As a result of Master Zurn's elevation, the court is conducting a search for a new Master.

The vast majority of the time and attention of the court's judicial officers is devoted to handling civil actions, which principally consist of corporate and commercial cases that are individually assigned. The data table (above) depicts the number of civil action filings and dispositions over the past ten years. The court also has a docket of civil miscellaneous matters, which primarily consists of guardianship proceedings for adults and the property of adults and minors as well as trust and estate proceedings. The pie chart (on preceding page) depicts the number of active civil actions and civil miscellaneous matters as of the end of FY 2018. ♦

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# COURT OF CHANCERY



## Court of Chancery

***Standing left to right:***

Vice Chancellor Tamika Montgomery-Reeves

Vice Chancellor Joseph R. Slights III

***Sitting left to right:***

Vice Chancellor J. Travis Laster

Chancellor Andre G. Bouchard

Vice Chancellor Sam Glasscock III

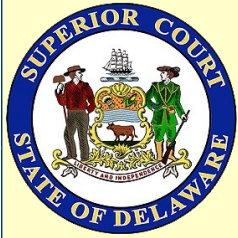
***Not pictured:***

Vice Chancellor Morgan T. Zurn

Vice Chancellor Kathaleen St. J. McCormick



# SUPERIOR COURT



## SUPERIOR COURT



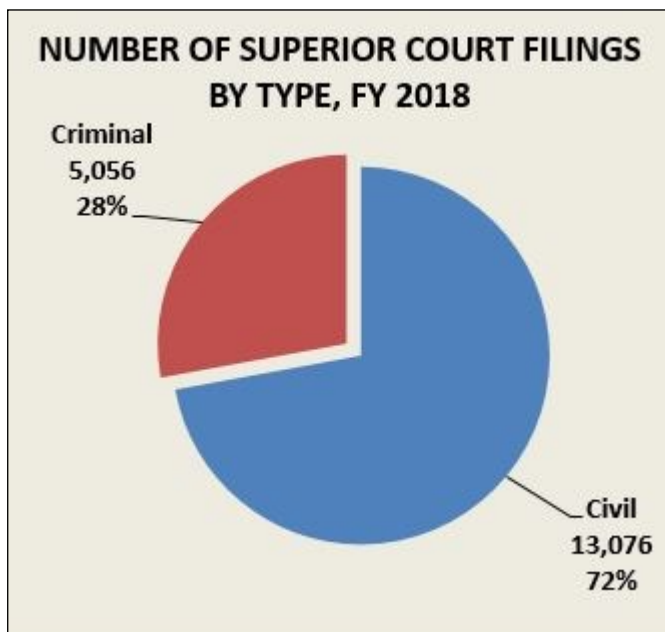
### PRESIDENT JUDGE JAN R. JURDEN

The mission of the Superior Court is to serve the public by providing fair, prompt and well-reasoned decisions in all matters coming before the Court. Our core values remain Unity, Neutrality, Integrity, Timeliness, Equality, and Dedication.

As Delaware's trial court of general jurisdiction, each year the Superior Court handles thousands of civil and criminal cases. Similar to preceding years, FY18 was a busy year for the Superior Court. The

Court had 13,076 civil filings and 5,056 criminal filings. Thirty-nine First Degree Murder cases were filed in FY18, and many complex multi-defendant, multi-count, gang participation and criminal racketeering cases were filed as well. Because of the number of defendants and attorneys involved in such cases, they often present significant logistical, staffing and scheduling challenges.

Superior Court experienced an increase in criminal trials during FY18. Trial by jury continues to be the bedrock of our criminal and civil justice systems. Every week, hundreds of jurors are summoned for service in the Superior Court and the Court of Common Pleas in all three counties. In an effort to use technology to increase efficiency and make the process easier for prospective jurors, the Court has enhanced its Jury Management system. We now offer an online Juror Qualification Questionnaire and jurors have the ability to request excusals and postponements online. Because such requests are made in real time, jury staff are able



Continued on next page

# SUPERIOR COURT

to review and grant or deny requests quickly. We continue to explore ways to minimize juror inconvenience and make the process more efficient and less stressful.

The Superior Court's highly successful Complex Commercial Litigation Division (CCLD), now in its eighth year, saw a 3% increase in filings in FY18. These cases include commercial claims with an amount in controversy of \$1 million or more. Parties filing CCLD cases can expect trial date priority and, if requested, expedited scheduling. The CCLD

Court (MHC), Veterans' Treatment Court (VTC) and Reentry Court.

The Superior Court continues in its efforts to improve the administration of civil and criminal justice in order to better serve the public. Our efforts include: training and education on evidence-based best practices; greater and smarter use of technology; and collaboration with the Bar, courts, agencies and stakeholders on innovative ideas to ensure equal justice for all, reduce recidivism, and improve public safety. By way of example, our staff attends

Access to Justice Committee meetings; is assisting with the conversion of the law libraries to self-help centers; is coordinating with the Administrative Office of the Court to ensure clear and understandable signs in the courthouses and that Court forms are translated into Spanish; and is adopting and implementing national best practices and bench books for our Problem Solving Courts.

In an effort to enhance employee security, Court staff attended *The Civilian Response to Active Shooter Events* training, which provides strategies and guidance for surviving an active shooter event.

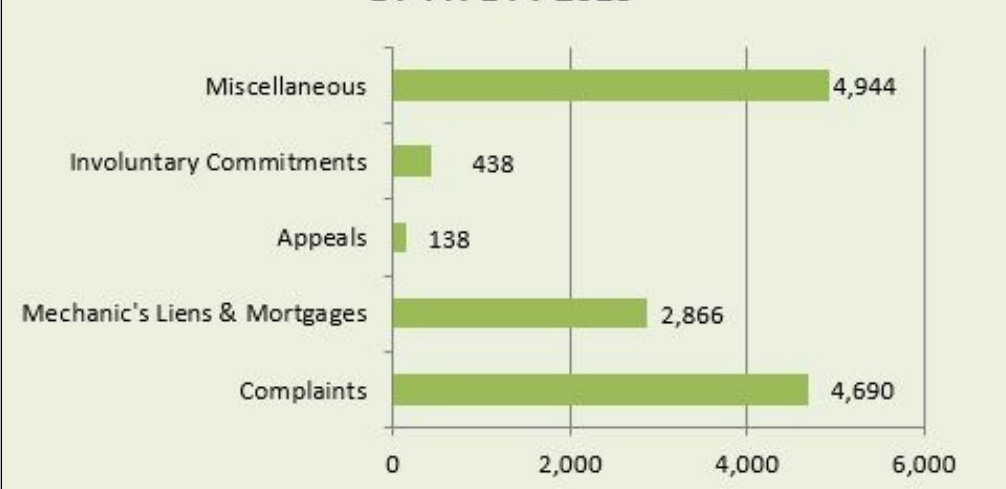
judges are Judge Mary M. Johnston, Judge Eric M. Davis, Judge Paul R. Wallace and Judge Abigail M. LeGrow.

The Court's large Asbestos docket is managed by Judge Ferris W. Wharton and Judge Jeffrey J. Clark, with the able assistance of Special Master Matthew F. Boyer, Esquire. During FY18, there were 132 filings, 708 dispositions and 11,429 cases pending.

The Superior Court has a number of problem solving courts that strive to improve outcomes for the participating individuals, reduce recidivism and improve public safety. These include Mental Health

In FY18, the Superior Court held its fifth annual summer program for high school students. This week-long program affords students an opportunity to observe civil and criminal trials, motions, pleas and sentencings, and to shadow judicial officers. This program not only provides a unique opportunity for interested high school students to learn more about our courts and how they operate, but also about potential careers in the civil and criminal justice system.

**NUMBER OF SUPERIOR COURT CIVIL FILINGS  
BY TYPE FY 2018**



Continued on next page



# SUPERIOR COURT

With the support of the Chief Justice and the assistance of the Administrative Office of the Courts and the Judicial Information Center, the Superior Court continues to explore the use of technology to improve efficiency in all departments, and to ensure that our jury courtrooms are equipped with state-of-the-art technology that meets the needs of our Bar and litigants. This remains a top priority.

We continue to review our criminal and civil court forms and processes in an effort to reduce redundancy, expedite processing, and standardize our processes. We are also developing training manuals to reduce learning curves for new employees. For example, the criminal division is developing a training guide outlining step-by-step procedures for all processes utilized in criminal cases. This training guide will enable new case managers to learn their duties and responsibilities more quickly and will educate them as to the purpose and importance of the procedures in the everyday functioning of the Court. This work will also be instrumental in ensuring a smooth transition to e-filing in criminal cases which we hope to implement in late 2019.

Each year the Superior Court issues thousands of orders and opinions, which are published on the Court's website: <http://courts.delaware.gov/opinions/>. We continually update our website in our concerted effort to keep the Bar and public informed, and to make the court system easier to navigate.

The Superior Court is fortunate to have extremely hardworking, dedicated and loyal staff who work tirelessly to maintain the level of superb service that litigants deserve and have come to expect. The Court is proud of our employees and the significant contributions they make.

Court Security Officer (CSO) Erika Bradley was selected as Superior Court's Employee of the Year and the Judiciary's Employee of the Year. CSO Bradley was presented with the Delaware Award for Excellence and Commitment in State Service by Governor John Carney on May 7, 2018.

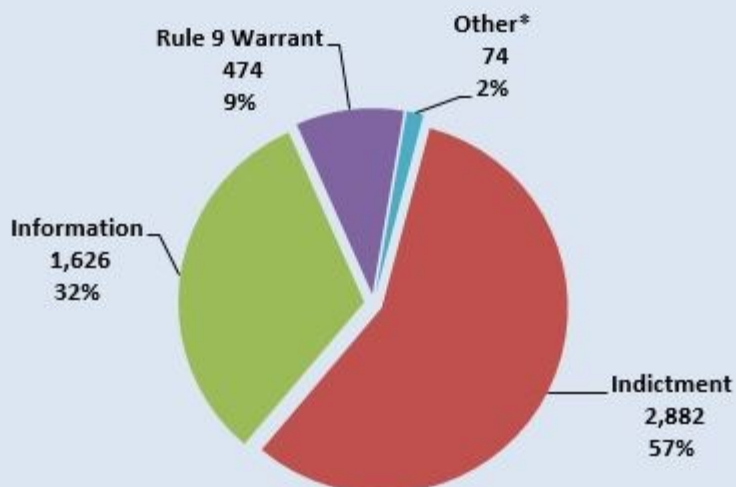
In December 2017, Sharon Agnew, who served as the Prothonotary in New Castle County for over 40 years, was awarded the prestigious Government Service Award by the Delaware State Bar Association.

This award is presented in recognition of dedicated and distinguished contributions to the Administration of Justice.

In December 2017, the Honorable M. Jane Brady retired after 12 years on the bench as a Superior Court Judge. On March 30, 2018, Resident Judge T. Henley Graves retired after serving 29 years as a Superior Court Judge, including a stint as acting President Judge and 18 years as Resident Judge of Sussex County.

Lisa Robinson, our Deputy Court Administrator (DCA) in Kent County, retired in February 2018 after 27 years of service with the Superior Court. Ms. Robinson served the Court in many

**NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2018**



\*Includes appeals, transfers, reinstatements, and severances.

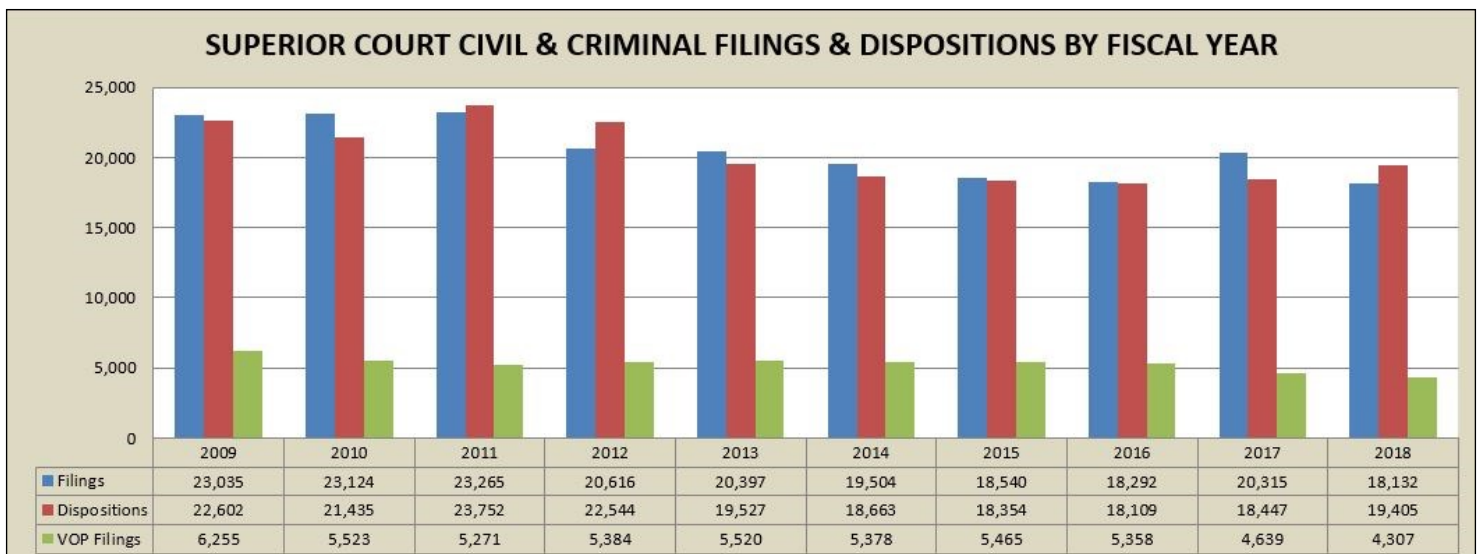
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# SUPERIOR COURT

roles over the course of her career, including Senior Court Clerk, Civil Supervisor, Chief Deputy Prothonotary, Prothonotary and Deputy Court Administrator. Melanie Ewing-Lahutsky is now the DCA in Kent County. She previously served as the Chief Investigative Services Officer in Kent County. Ms. Ewing-Lahutsky has 24 years experience with the Court.

On April 27, 2018, the Superior Court welcomed Judge Sheldon K. Rennie. Prior to joining the Superior Court bench, Judge Rennie served as a Judge on the Court of Common Pleas.

Notwithstanding heavy caseloads and staff turnover, our Court continues to work hard to provide exemplary service to the people we are honored to serve. ♦



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# SUPERIOR COURT



## SUPERIOR COURT JUDGES

**Front Row (L-R):** Resident Judge Richard F. Stokes, Judge William C. Carpenter, Jr., President Judge Jan R. Jurden, Resident Judge Richard R. Cooch, Resident Judge William L. Witham, Jr.

**Middle Row (L-R):** Judge Eric M. Davis, Judge Diane Clarke Streett, Judge Mary Miller Johnston, Judge E. Scott Bradley, Judge Calvin L. Scott, Jr., Judge John A. Parkins, Jr., Judge Charles E. Butler

**Back Row (L-R):** Judge Noel E. Primos, Judge Jeffrey J. Clark, Judge Andrea L. Rocanelli, Judge Paul R. Wallace, Judge Vivian L. Medinilla, Judge Ferris W. Wharton, Judge Abigail M. LeGrow, Judge Sheldon K. Rennie.

The **Honorable Craig A. Karsnitz** was sworn in as a Judge of the Superior Court on October 3, 2018. Prior to his appointment, Judge Karsnitz was a partner at the law firm of Young Conaway Stargatt & Taylor LLP. Judge Karsnitz fills a vacancy created by the retirement of the Honorable T. Henley Graves.



# SUPERIOR COURT



## SUPERIOR COURT COMMISSIONERS

*Standing (left to right):*

Commissioner Lynne M. Parker  
Commissioner Andrea Maybee Freud  
Commissioner Bradley V. Manning (*currently a  
Judge on the Court of Common Pleas*)  
Commissioner Alicia B. Howard  
Commissioner Katharine L. Mayer



# SUPERIOR COURT

## IN MEMORIAM

### The HONORABLE NORMAN A. BARRON



The Honorable Norman A. Barron, 75, served on the Delaware Superior Court from 1989 until 2001. He also served as the first Chief Magistrate of the Delaware Justice of the Peace Court from 1980 to 1988.

Judge Barron was born and raised in South Orange, New Jersey and graduated from Hamilton College in 1964. After college, he served in the United States Navy and was honorably discharged in 1968 as a full Lieutenant.

Judge Barron received his law degree from Emory University and worked as a Delaware Deputy Attorney General and Chief Deputy Attorney General before being appointed Chief Magistrate by Governor Pierre S. du Pont. Judge Barron then briefly served as an Assistant Public Defender before being appointed to the Superior Court by Governor Mike Castle. He presided over many high profile cases and earned the reputation as a law-and-order judge. In 2000, he received the Chief Justice's Annual Award for Outstanding Judicial Service.

*"Judge Barron was a brilliant jurist with a great command of the law, civil and criminal. He was particularly interested in and adept at handling capital and other complex criminal matters. Judge Barron also had a realistic view of how to mesh that knowledge with common sense ... He taught me how to effectively try a criminal case and hopefully to do justice. He also taught me how to apply the law and at the same time retain a sense of humanity. He was my friend and confidant. I miss his intellect, wit, charm and sense of humor. The world is a better place because of his service to others."*

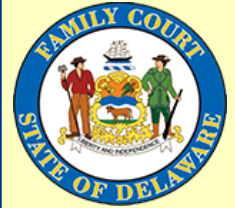
*— Retired Judge Charles H. Toliver, IV*

*"Judge Barron will long be remembered for his great sense of humor and his dedication to duty. He was my 'mentor' when I joined the Court in 1992 (just as he had been, as a Deputy Attorney General, when I joined the Attorney General's Office eighteen years earlier)."*

*— Resident Judge Richard R. Cooch*

# FAMILY COURT

## CHIEF JUDGE MICHAEL K. NEWELL

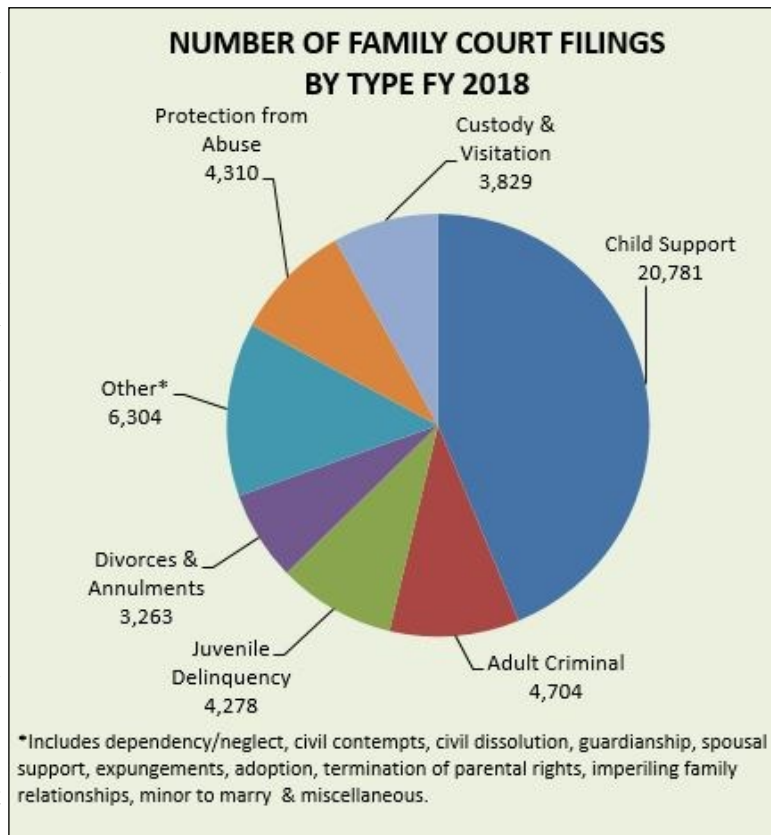


# FAMILY COURT

Family Court strives to provide equal access to justice to the families and children under our jurisdiction in a manner that is fair and efficient and that maintains the public's trust in an independent and accountable judiciary.

In Fiscal Year 2018, Family Court had 47,469 filings, a marginal decrease of 2.8% statewide from the previous year. The court's civil filings decreased by approximately 1,700 since last year. Family Court experienced the most significant increase in adult criminal filings with over 430 more cases filed this fiscal year. Child Support filings decreased by 9.2% statewide, about 2,100 cases, accounting for the most significant impact given that this case type encompasses close to half of all Family Court filings.

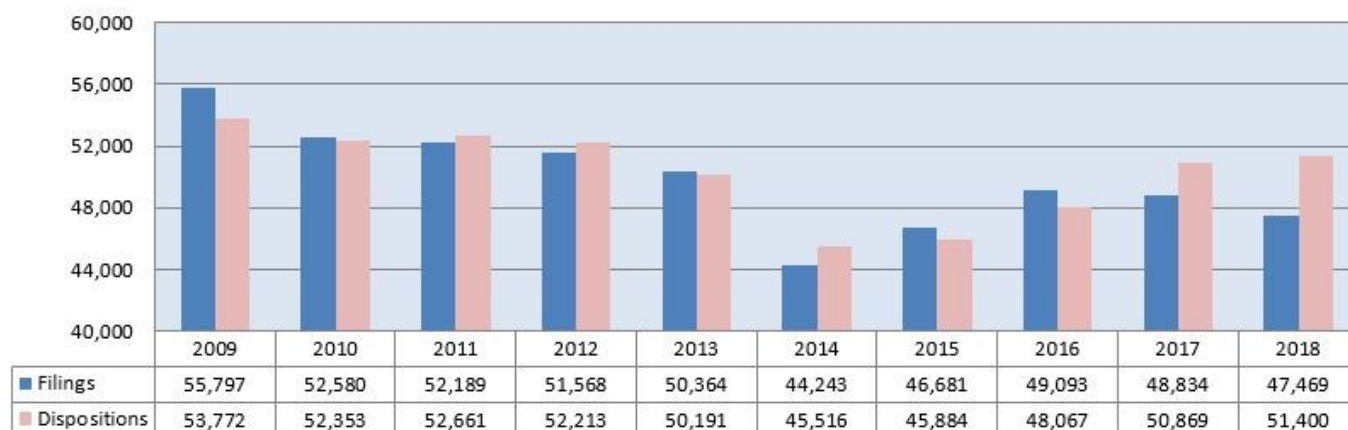
We continued to implement recommendations from the Family Court Enhancement Project (FCEP) Report previously issued in December 2016. The Project is sponsored by the Department of Justice's Office on



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# FAMILY COURT

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



Violence Against Women, in collaboration with the National Council of Juvenile and Family Court Judges, the Battered Women's Justice Project, the Center for Court Innovation, and the National Institute of Justice with a focus on domestic violence and custody. This year, the court completed a Protection from Abuse (PFA) Instruction Packet, as well as a Child Custody Instruction Packet as part of the initiative, and both were translated into Spanish and Creole. With the help of the Delaware Law School Information Technology Team, the court developed informational videos that are presented to litigants during PFA calendars to provide litigants with procedural information on their day in court. Further, the court implemented procedures that assist in information sharing between case types, particularly with coordination of PFA and custody cases.

In addition to changes as a result of FCEP, several process improvements were implemented this fiscal year. Significant changes to Family Court Civil Procedure Rule 16 took effect which standardize our pre-trial civil case management practices, and

better inform litigants on the mediation and court hearing process. We implemented judicial assignment upon filing, and Rule 16 changes alleviated the case dismissal requirement when a parent education course is not completed in a custody case.

In September, Family Court developed an eCourtroom in New Castle County to provide both pro se litigants and attorneys with user-friendly technology for presenting evidence in court. This project came about as a joint effort among the Family Court, Richard K. Herrmann Technology American Inn of Court, and the Melson-Arsht American Inn of Court. The system has allowed the court to expand upon its ability to provide access to justice for self-represented litigants. We plan to expand this technology to Kent and Sussex County Family Courts in the upcoming year.

As a branch, we continue to work on the project to construct new Family Court buildings in Kent and Sussex Counties. In partnership with the Office of Management and Budget, the court is acquiring land

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# FAMILY COURT

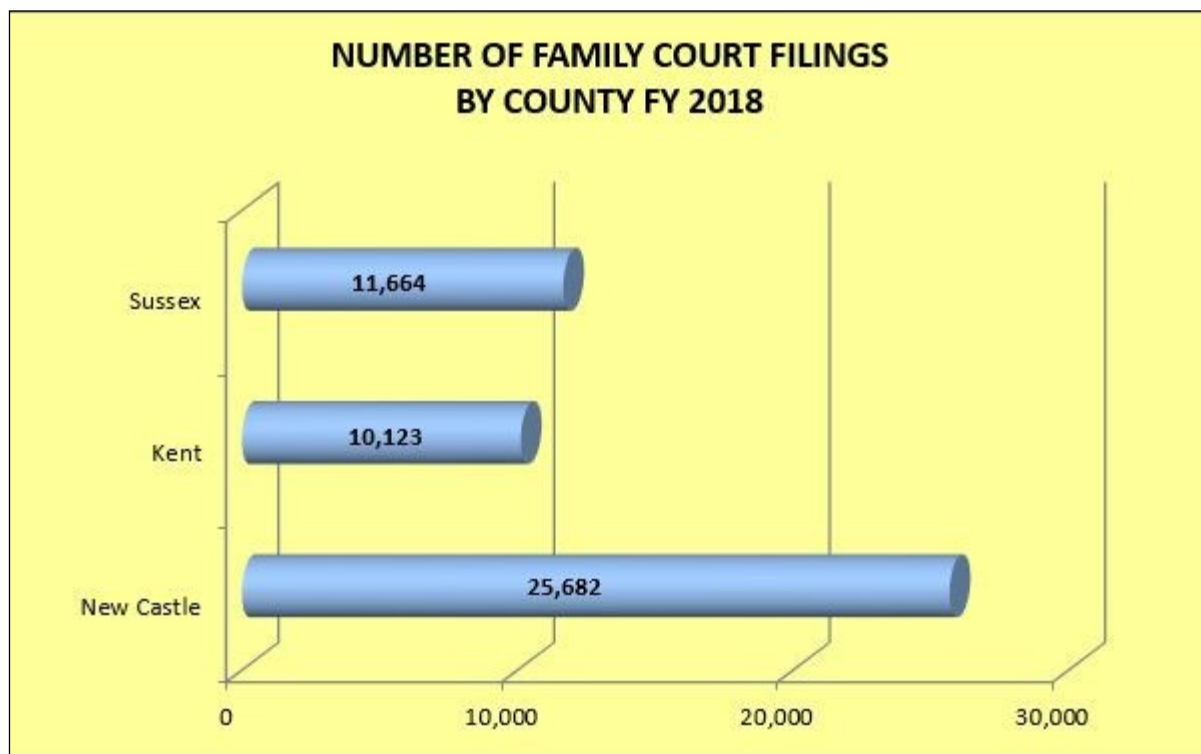
for the proposed locations of the new courthouses. These projects are critical in providing Family Court and the people we serve with safe, secure, and dignified facilities.

The Honorable Joelle P. Hitch was reappointed as a Family Court Judge in January of this year. In addition, reappointed as Commissioners were the Honorable David W. Jones, the Honorable Sonja T. Wilson, and the Honorable Para K. Wolcott.

Family Court welcomed two new Commissioners this fiscal year. The Honorable Samantha J. Lukoff took the oath of office in January 2018, serving in New Castle County. Commissioner Lukoff replaced the Honorable John Carrow, who retired in Septem-

ber after 30 years on the bench in Family Court. The Honorable Emily A. Farley joined Family Court as a Commissioner in Kent County in June 2018.

The Family Court is proud of its role in developing programs to help improve justice for the litigants who need the services of our court. The success of these programs is due to the combined efforts and dedication of the men and women of Family Court. It is critically important that we continue our efforts to improve the efficiency and quality of justice that our litigants deserve. ♦



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# FAMILY COURT



## FAMILY COURT JUDGES

**Bottom Row (from left to right):** Judge Paula T. Ryan, Judge Felice G. Kerr, Judge Mardi F. Pyott, Judge Jennifer B. Ranji, Judge Louann Vari, Judge Mary S. Much.

**Middle Row (from left to right):** Judge Kenneth M. Millman, Judge Natalie J. Haskins, Judge Arlene Minus Coppadge, Judge Mark D. Buckworth, Judge Barbara D. Crowell, Judge Janell S. Ostroski.

**Top Row (from left to right):** Judge Robert B. Coonin, Judge Peter B. Jones, Chief Judge Michael K. Newell, Judge James G. McGiffin, Jr., Judge Joelle P. Hitch.

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# FAMILY COURT



## FAMILY COURT COMMISSIONERS

**Bottom Row (from left to right):** Commissioner Samantha J. Lukoff, Commissioner Theresa A. Sedivec, Commissioner Emily A. Farley, Commissioner Loretta M. Young, Commissioner Jennifer L. Mayo.

**Middle Rows Combined (from left to right):** Commissioner Danielle S. Blount, Commissioner Gretchen C. Gilchrist, Commissioner Kim DeBonte, Commissioner Sonja T. Wilson, Commissioner Susan P. Tussey, Commissioner Paraskevi K. Wolcott.

**Top Row (from left to right):** Commissioner James J. Maxwell, Commissioner Craig R. Fitzgerald, Chief Judge Michael K. Newell, Commissioner Andrew K. Southmayd, Commissioner M. DeSales Haley.

**Not Pictured:** Commissioner David W. Jones.

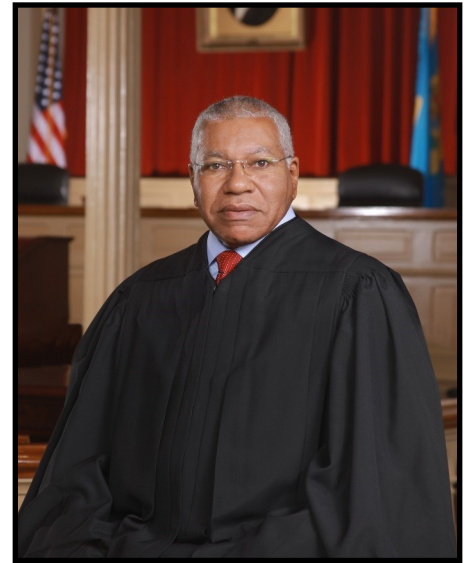


# COURT OF COMMON PLEAS



## COURT OF COMMON PLEAS

### CHIEF JUDGE ALEX J. SMALLS



Fiscal Year 2018 continued the recent trend of being a busy and challenging year for the Court of Common Pleas. This is a result of the number of cases transferred to, and filed with, the Court of Common Pleas. During the past fiscal year, criminal caseloads experienced a small decline from the high levels of the previous three fiscal years. In contrast, the civil caseload continued its trend of substantially increasing over the last fiscal year. Both the civil and criminal caseloads have grown more complex as a result of a change in the type of matters handled by the court. Additionally, the number of cases proceeding to trial continues to increase, placing an ever growing demand on the Court and its judicial partners' resources.

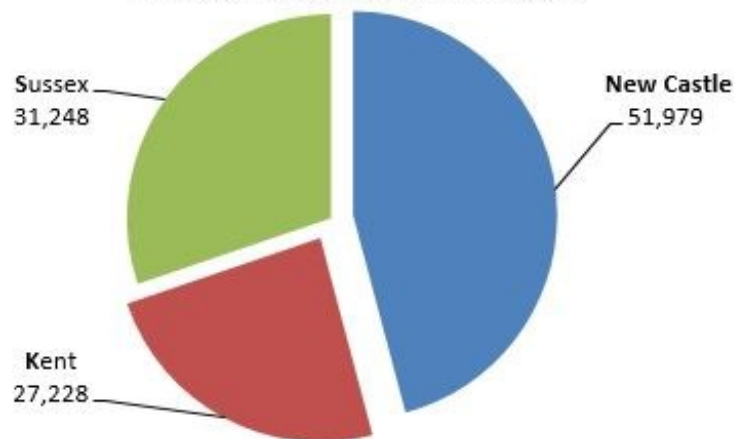
#### Changes in the Court

On February 2, 2018 The Honorable Alex J. Smalls was reappointed as Chief

Judge to serve his third consecutive term on the Court of Common Pleas. On March 29, 2018, the Honorable Sheldon K. Rennie was appointed to the Superior Court, leaving a vacancy in the Court of Common Pleas to be filled in early FY 2019.

There is a high turnover in the court staff which requires continued recruitment and training.

#### COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS BY COUNTY FY 2018



# COURT OF COMMON PLEAS

## Civil Initiatives

The Court of Common Pleas received 9,819 new civil complaints in addition to 3,972 civil judgments, name changes, and appeals resulting in a 30.4% increase in overall civil caseload from last year.

In 2012, the court adopted Administrative Directive 2012-2 setting forth procedural guidelines in consumer debt collection cases, with the goal of ensuring fairness to all litigants and improving efficiency in the administration of justice. There were 8,475 consumer debt cases filed with the court in FY18. This represents a 55.9% increase from FY17.

In FY17, consumer debt cases represented 79.1% of civil complaint filings. In FY18, consumer debt cases became a greater portion of the court's caseload, expanding to 86.3% of all civil complainant filings.

## Criminal Initiatives

The criminal misdemeanor filings in the Court of Common Pleas in FY18 were 92,008, and there were 7,798 preliminary hearings scheduled. These figures represent a 1.7% decrease in criminal misdemeanor filings and a 2% decrease in total criminal caseload compared to FY17.

As stated above, while the criminal caseload has declined, the type of cases has changed such that they are more complex. In FY18, there were 37,194 traffic charges filed in the Court of Common Pleas. This is an 8.7% decrease from the 40,719 filed in FY17. Notwithstanding, the overall misdemeanor filing total decreased by only 1.7% during the same period. In recent years, the court's overall caseload levels have experienced minor changes, but the composition of the cases has changed significantly.

Traffic cases now make up a smaller share of the total caseload in each county and the growth rate of drug and alcohol cases has consistently outpaced other criminal filings. In Sussex County, the portion of the court's caseload consisting of misdemeanor drug cases has doubled, from 5% of the county's total caseload to 11%, between FY12 and FY18.

DUI cases are among the most time-consuming events handled by the court. In FY18, the part of the court's criminal caseload consisting of DUI cases continued to grow. From FY13 to FY18, the number of DUI cases transferred to the court increased by 53.9% statewide. All three counties have experienced the case type change which required additional time to adjudicate. While statewide DUI transfers increased by 53.9%, the number

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



Continued on next page



# COURT OF COMMON PLEAS

of DUI transfers in Sussex County nearly doubled - rising 98.2% during the same period. This significant increase is being evaluated and addressed as we move forward.

The new jurisdictional and programmatic changes have adversely affected the courts ability to handle these matters. These cases require more courtroom time, have a higher than average number of court events, and often require multiple court staff to process the case from filing to disposition.

The Department of Justice continues to aggressively review felony cases at preliminary hearings and, as appropriate, resolve those in the Court of Common Pleas. This effort 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 after being bound over following preliminary hearings.

## **Mediation Program**

The Court of Common Pleas Mediation Program serves as a valuable resource for criminal disputants, civil litigants, and the community at large. The program provides an Alternative Dispute Resolution (“ADR”) option within the court and serves a significant number of clients throughout the state. This ADR option is particularly valuable to indigent populations who otherwise cannot afford the cost of private ADR services. In addition, the program serves as an ADR educational resource for attorneys studying for the Delaware Bar exam or Mediation Certification, and assists local police agencies to resolve neighborhood disputes.

In FY18 there were 854 referrals to mediation; however since 2001, there has been over 18,575 cases referred for mediation. 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 FY18, the court’s mediation program had a success/satisfaction rate of 93%.

The court has also expanded the Community Mediation Program, to receive referrals from the New Castle County Police Community Section and Municipalities. This pro-

gram focuses on mediation assistance with minor neighborhood disputes, rather than referring matters for criminal or civil litigation. The expansion has created a positive relationship with the community at large.

## **Treatment Courts**

### **A) Consolidation**

In FY 2015, the Chief Justice appointed a committee of treatment court judges to work with evaluators from American University to study the effectiveness of the Judiciary’s treatment courts. The study made several recommendations for improvements to the courts, most notably the consolidation of Drug Diversion Court in the Court of Common Pleas, and the Mental Health Court in the Superior Court. The goal is to achieve more efficient use of available resources. The consolidation of Drug Court and Mental Health Court was completed in October of 2015, with the final revision to permit diversion of felony offenses taking place in January of 2017. Legislation also passed to make small quantities of marijuana for personal use a Civil Violation, thus allowing the court and treatment resources to focus on more serious drug offenses.

### **B) Drug Diversion**

The Court continued to operate its highly successful court-supervised comprehensive Drug Diversion Program for non-violent offenders. This program is under the direction of Judge Robert H. Surlis in New Castle County, Judge Charles W. Welch, III in Kent County and Judge Kenneth S. Clark, Jr. in Sussex County. The Drug Diversion Program represents a collaborative effort between the Court of Common Pleas, the Department of Justice, the Office of Defense Services, the private bar, treatment providers, and the Treatment Research Institute (TRI) of the University of Pennsylvania. (The TRI program is limited to New Castle County.) Collaboration with TRI provides observation, research, and data analysis, which has assisted in launching scores of other drug diversion programs throughout the United States and internationally. The Court of Common Pleas Drug Diversion Program has served more than 8,849 participants since its inception in 1998. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing, and treatment.

# COURT OF COMMON PLEAS

To enhance its ability to identify eligible participants, the New Castle County Drug Diversion Program introduced in July 1, 2010 the “RANT Assessment” instrument. “RANT” is the acronym for Risk And Needs Assessment Triage. Based upon the results, a defendant is placed into one of four treatment quadrants: low risks/low needs; low risks/high needs; high risks/low needs; and high risks/high needs. Identifying these risks/needs gives the court a basis to individualize the treatment needs of the client, enhance successful program completion, and reduce recidivism.

## C) Mental Health Court

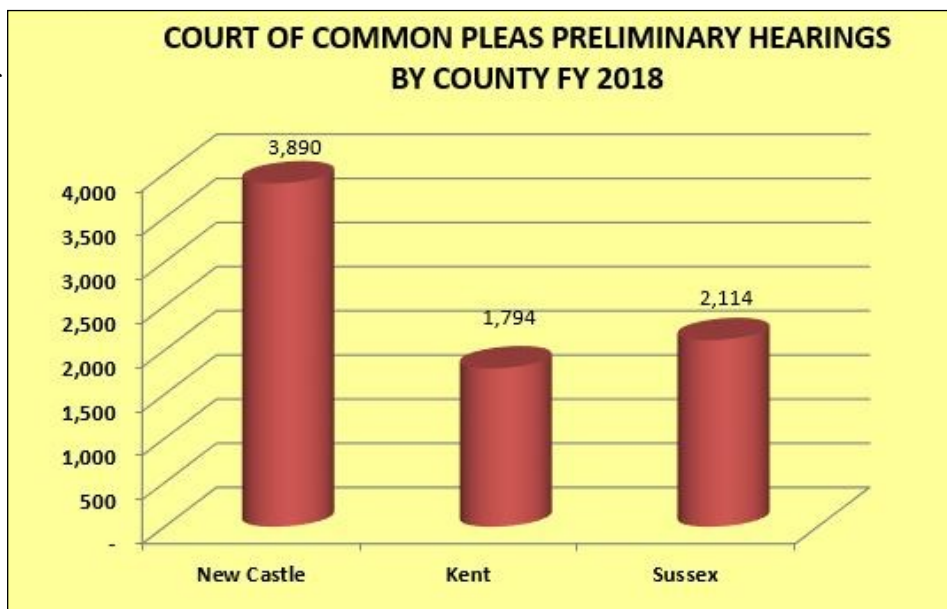
The Court of Common Pleas, under the direction of Judge Carl Danberg, evaluates cases in the Court of Common Pleas for eligibility to enter Superior Court’s Mental Health Court program. The evaluation process involves ordering and analyzing mental health evaluations, determining competency, and referring eligible cases to Superior Court’s Mental Health Court. In FY18, the court transferred over 95 cases for entry to Superior Court.

## D) DUI Court

The Court of Common Pleas continues to operate the DUI Treatment Court Program in New Castle County, under the direction of Chief Judge Smalls, and previously, with Judge Rennie. The court accepted its first participants on December 19, 2014. In FY18, there were 62 active participants in the program, which is approximately double last year’s number. To date, 142 individuals have entered the program, 109 individuals have successfully completed the program, and 11 individuals have been terminated from the program. On February 2, 2018,

DUI Court was expanded to Kent County Court of Common Pleas under the direction of Judge Charles Welch III and Commissioner Donald R. Bucklin. In FY18, 18 individuals entered the program. To be eligible for the DUI Treatment Program, it must be a first offense with a high BAC level or a second DUI offense; the DUI must not have resulted in severe bodily injury or death; the individual must be evaluated through the DUI-RANT Assessment and must be within the High Risk/High Needs quadrant; and the individual must plead guilty to the offense.

The program authorized under 21 Del. C. § 4177 (d) (2) is designed to enhance community safety through the promotion of lifestyle change with specialized treatment.



The treatment program requires all participants to be evaluated by Brandywine Counseling & Community Services and complete the treatment. Specifically, individuals participate in the Prime Solutions Program, a motivational intervention approach to

address alcohol or drug problems which encourage participants to change their behavior. Participants also are required to complete 240 hours of community service.

## E) Community Court

The Court of Common Pleas is collaborating along with other courts, justice partners, state service agencies and community groups to establish a Community Court for the City of Wilmington. A Steering Committee was established with representatives from the other courts, justice partners, social service providers and community group members. The purpose of the committee is to “provide oversight to the planning process, guide the

Continued on next page

# COURT OF COMMON PLEAS

direction of the Community Court through the resolution of pertinent issues, and to assist in the development of necessary partnerships and other entities.” The goal of Community Court is to build a stronger/improved relationship between the criminal justice system and the members of the community by engaging the community members and focusing on criminal justice issues they identify.

A Community Resource Center is the first step in the process and is critical to achieve the Court’s goals. The resource center

will bring a number of service providers together in one location. Justice involved individuals will have immediate site access to make connections with a variety of service providers to address needed issues such as: education, mental

health, substance abuse, housing, and food. Another primary focus of the resource center will be connecting offenders with employment opportunities. Additionally, the resource center will be open to anyone in the community who needs to be connected to the necessary services. This is an innovative way to restore the relationship between the justice system and the community, and to improve access to justice and the public’s trust and confidence in the legal system.

## Process Improvement Initiatives

In September 2017, the court began a review of its civil docket reporting software and its filing compliance practices. During this assessment, a database error caused by file corruption during a 2008 software transfer was discovered. Discovering and correcting this error has prevented over 1,000 cases from wrongly being included in

pending case totals. Following this review, the court implemented a new procedure for docketing Rule 41(e) notices on pending cases. The court also created a new reporting format that eliminates the duplication of Rule 41 (e) notices for cases that have multiple attorneys. This streamlines the Rule 41(e) process each month thus eliminating the need for court staff to issue redundant notices or reviewing each report to determine if it is a duplicate.

In early 2018, students from the University of Delaware’s Alfred Lerner College of Business and Economics part-

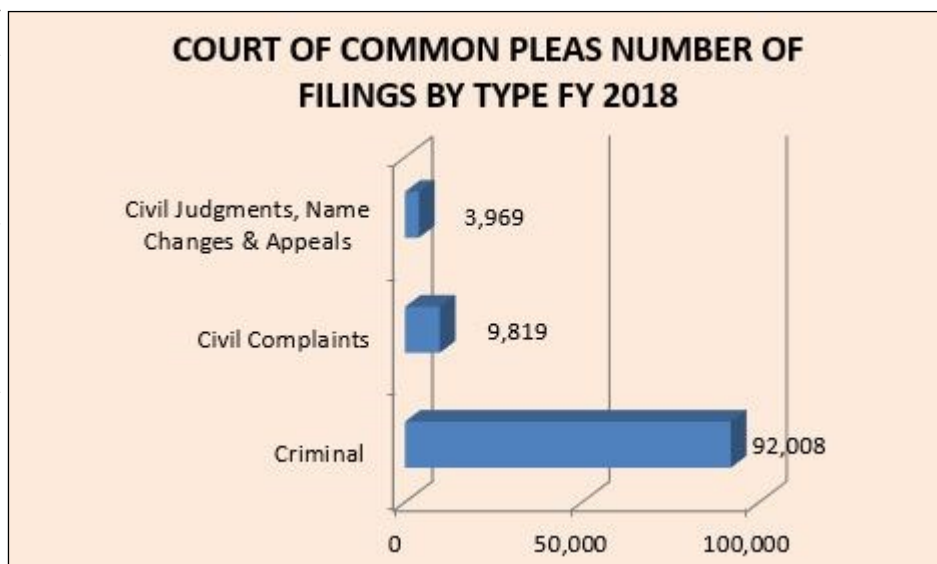
nered with the court to improve the arraignment process in New Castle County. The students conducted research through courtroom observation, surveys, interviews, and reviewed available data. They created operational definitions that standardized the document preparation steps, and implemented guidelines which would enable the Court to move to

real time data entry. The revision made the scheduling process more efficient by reducing the time required to complete the event.

The students then tested these operational definitions and standardized preparation by implementing the process within the courtrooms. Their analysis discovered that the new uniform process with two clerks in the courtroom reduced the average total wait time for defendants by eight minutes and fifty-three seconds. This process improvement initiative also enabled court clerks to improve real time scheduling and docketing of court events, thus reducing the number of overscheduled court events.

In February 2018, the Clerk’s Office in New Castle County instituted a restructuring project, to achieve six goals, which are:

1. Provide excellent service to our internal and external



# COURT OF COMMON PLEAS

- customers;
2. Create consistency with the Judges, tasks and processes;
  3. Provide cross training where experts would share their knowledge with coworkers;
  4. Enter information in the case management systems accurately and at a faster speed;
  5. Assist in creating a formal training system; and
  6. Accountability for both successes and deficiencies.

Thus far, the court has completed the restructuring project in the criminal case management process. The case managers work directly with the assigned Judge and the case processor provides support to the team.

We have found that this revised process in New Castle County has provided the following enhancements:

- Experts in specific court proceedings were able to share their knowledge with their co-workers through formal training sessions.
- Each member of a team has a comprehensive understanding and hands-on experience in all the court proceedings.
- Individuals know what their daily court schedule is – this reduced the need to assign court calendars.
- Reduction in shifting staff to cover calendars.
- Increased communication between assigned team members and other teams.

In Sussex County, the court completed a project to reorganize the digital calendar archives on the shared network. This task was part of a larger process improvement initiative to standardize calendar archiving and labeling practices across all three counties. These changes significantly improve the speed and accuracy of court staff who need to quickly search the archived records. In addition, the standardization of archive formats improves the ability of court staff to share information across counties.

## Technology Innovation

In March 2017, the court launched its new Interactive Voice Response System (IVR) to provide self-service options to customers 24 hours per day. This system provides automated information to the caller without requiring a staff person. The IVR has also significantly improved

productivity and reduced costs to the court by freeing up staff time and providing a reduction in “soft costs” lost time. During FY18, the IVR system received an average of 144 calls per day, which included calls on weekends and holidays. Additionally, we found there was a reduced number of callers who hung up after being placed on hold by nearly two-thirds.

## Enforcement of Court Orders

In FY18, the Court of Common Pleas collected approximately \$5,945,295 in fines, costs, and assessments. A significant portion of the Court’s collections represents restitution payments to victims of crime.

The court has a memorandum of understanding with the Office of State Court Collections Enforcement (OSCCE) to assist in funds collection. OSCCE collected \$14,883 through 297 kiosk transactions in FY18. These community-based service kiosks reduce the need for the public to travel to the courthouse to pay court costs and fines, saving time for both the public and court staff.

## 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.” ♦



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# COURT OF COMMON PLEAS



## COURT OF COMMON PLEAS COMMISSIONERS

*Standing left to right:*  
Commissioner Mary McDonough  
Commissioner Donald Bucklin

## COURT OF COMMON PLEAS JUDGES



*Front row (standing left to right):*

Judge John K. Welch  
Chief Judge Alex J. Smalls  
Judge Rosemary Betts  
Beauregard  
Judge Kenneth S. Clark, Jr.

*Second row (standing left to right):*

Judge Sheldon K. Rennie (*now a Superior Court Judge*)  
Judge Robert H. Surles  
Judge Charles W. Welch, III  
Judge Anne Hartnett Reigle  
Judge Carl C. Danberg

# JUSTICE OF THE PEACE COURT



## CHIEF MAGISTRATE ALAN G. DAVIS

Resourcefulness is the ability to use the resources available in a clever manner to overcome difficulties. We often think of this in relation to sayings such as, “Do more with less” or “Make the most out of what you have.” Being resourceful is less about having all the resources you need than it is about effectively and appropriately using the resources you have.

Innovation is the process of making changes in something established by introducing new methods, ideas or products. Some might consider innovation more in terms of

technology giants and the latest-greatest gadgets that make our lives simpler and more efficient. But innovation is also about improving processes.

While these concepts may seem to be slightly in tension with one another, I have always thought of the Justice of the Peace Court as a resourcefully innovative organization. Our limited access to cutting-edge technology would seem to restrict opportunities for innovation, but countless times over the years we have found creative ways to combine changing processes and practices with the available technology to develop something new for the betterment of our criminal and civil justice systems. Sometimes those improvements are focused on discrete and unique circumstances, but just as often they result in ground-breaking modifications to the way that we – or our partners or users – do business.

With well over 300,000 cases moving through the Justice of the Peace Court system, our

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## JUSTICE OF THE PEACE COURT

**TOTAL JUSTICE OF THE PEACE CIVIL CASES FILED  
BY COURT FY 2018**



# JUSTICE OF THE PEACE COURT

collective mindset is one of having to efficiently and fairly handle the matters before us. Without improvements to how our work is carried out, we would never be able to do so. With a “can do” attitude, a willingness to never fall into the trap of “doing things the way we’ve always done them” and a fantastic set of criminal and civil justice partners who have been agreeable to our suggestions, the Justice of the Peace Court has accomplished remarkable systemic improvements over the years.

Beginning with our first automation project in the 1980s, we have led the Delaware Judiciary in the movement toward elimination of paper and processes that slow down the system until it threatens to stall. While somewhat antiquated by today’s standards, our

adoption of videophone technology to quickly handle warrant applications and presentment of arrested individuals led to the establishment of a statewide videophone court that annually saves the State of Delaware millions of dollars in transportation costs and reduces the risk to public and officer safety presented by moving arrestees physically through our court locations.

The creation of the Voluntary Assessment Center eliminated the forthwith presentment of traffic violators and replaced a cumbersome non-centralized mail-in process. Even further, the adoption of electronic tickets and online payments for those tickets has additionally modified the work of the Voluntary Assessment Center such that we have been able to designate those same personnel as a call

center for most of our court locations. In that function, they are the first point of contact for most phone calls to the Court, and are able to answer in excess of 75% of those inquiries, without having to transfer the call to a specific court location. This has tremendously reduced the impact of “basic information calls” on our clerical staff in the served court locations so that they can focus on the core work of case processing.

The Justice of the Peace Court readily adopted the

**CAPIASES CLEARED BY JUSTICE OF THE PEACE COURT FOR OTHER COURTS FY 2018**



civil e-filing processes that came with a new case management system a decade ago. As the judiciary moves to a new, unified e-filing system, we expect to adapt to the nuanced changes a new system will bring. The Court looks forward to the ability to transfer cases

more seamlessly to our sister courts, as a case moves out of the Justice of the Peace Court system and into the Court of Common Pleas and Family Court for further proceedings.

We have also been innovative in our approach to cases that stay within the jurisdiction of the Justice of the Peace Court. The implementation of calls of the calendar for traffic cases has brought relief to the public in the form of being able to meaningfully dispose of a case at arraignment through a plea bargaining process with the arresting agency. In some Justice of the Peace Court locations, that has virtually eliminated traffic trials, as some agencies have plea rates in the realm of 90% or greater. This is obviously also a benefit to the police agencies, since their road officers have significantly fewer

# JUSTICE OF THE PEACE COURT

trial dates scheduled, allowing those officers to attend to other matters.

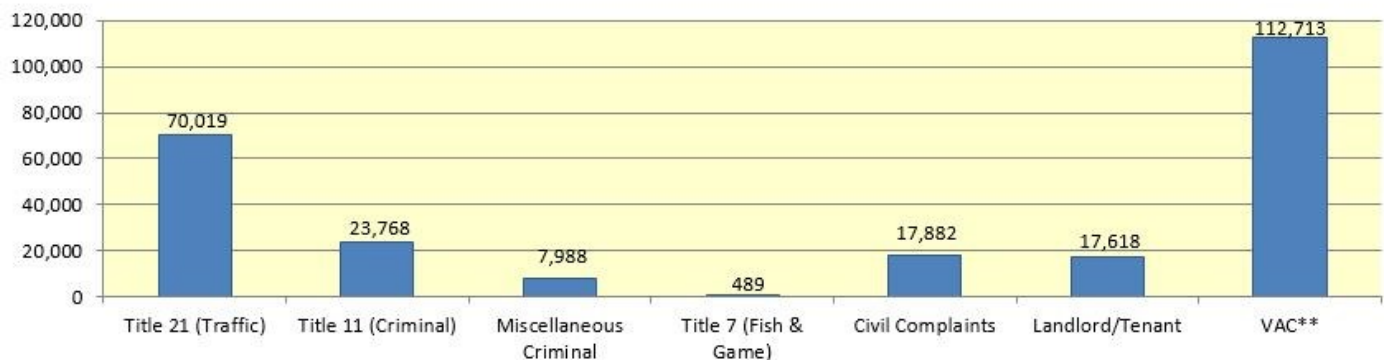
In the past fiscal year, we have continued our efforts to improve processes and leverage the technology available to us for the benefit of the criminal and civil justice systems. On the criminal side, as a predicate to our project directed at reducing our 24-hour footprint in the future, we began piloting the use of electronic signatures on warrant applications. This step alone will eliminate some timing issues, wasted paper resources, and equipment replacement needs that occur with the need to fax paperwork back and forth as an adjunct to video proceedings. As a further step we have also tested the use of Skype to eliminate the need for an officer to go to a standard videophone location to swear to the warrant.

Both tests have gone exceedingly well, and we have begun rolling the process out to additional police agencies for further testing with an eye toward full implementation of the electronic signatures by early 2019. That will be followed closely by the expanded use of the Skype access. We believe this change marks an improvement on par with, if not exceeding, the impact of the original implementation of

the videophone system. Eventually, and with a few other improvements to the system, an officer will be able to investigate a crime, write and swear to a warrant and – if the defendant is in custody – conduct the initial presentment all without leaving the location of the event. If the defendant is to be released, he or she can be released right on the spot. If the defendant is to be detained, the officer may never have to go to a court or police station. While that is down the road a bit, it is a very exciting prospect for the future.

On the civil side, we have also embarked on an electronic procedure that will eliminate a serious choke point in the completion of some civil service of process. Previously, long arm service of process on out-of-state defendants had to be accomplished through a complicated, multi-layered practice that was burdensome to the court's filers as well as court personnel. It involved multiple checks being issued, the physical transportation of paperwork between civil court locations, several duplicative steps for court clerks and the need for a Constable to hand deliver materials on a regular basis to the Secretary of State's office. With an electronic filing solution worked out with the Secretary of State's office, the court will be able to directly file these

**NUMBER OF JUSTICE OF THE PEACE COURT FILINGS\* BY TYPE  
FY 2018**



\*Criminal filings are by defendant.

\*\*Voluntary Assessment Center.

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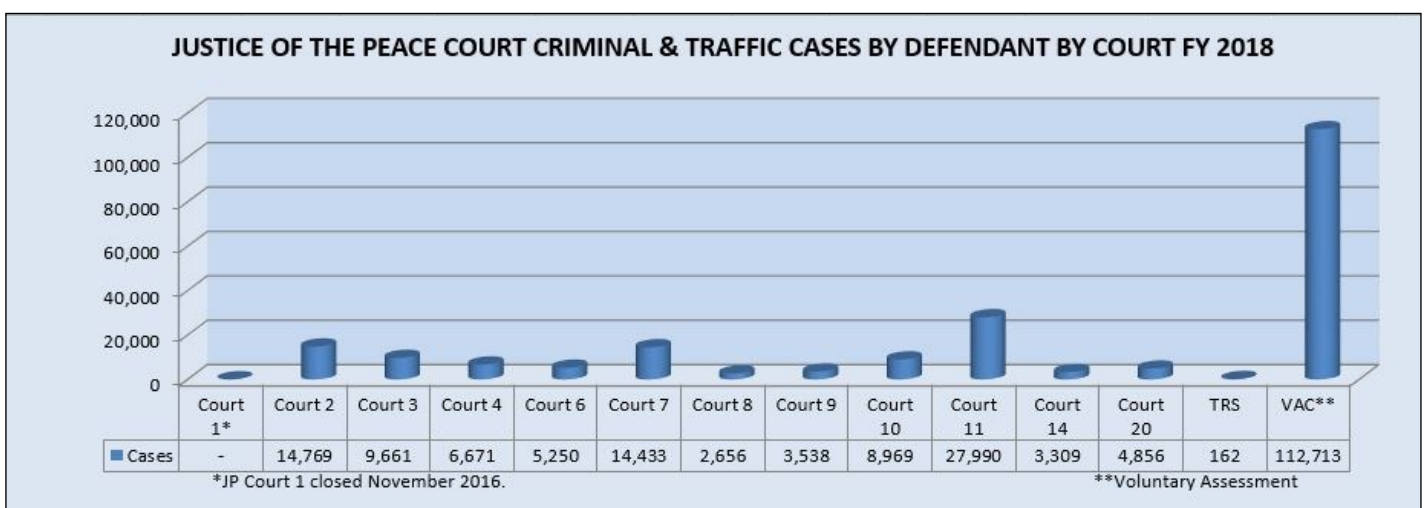
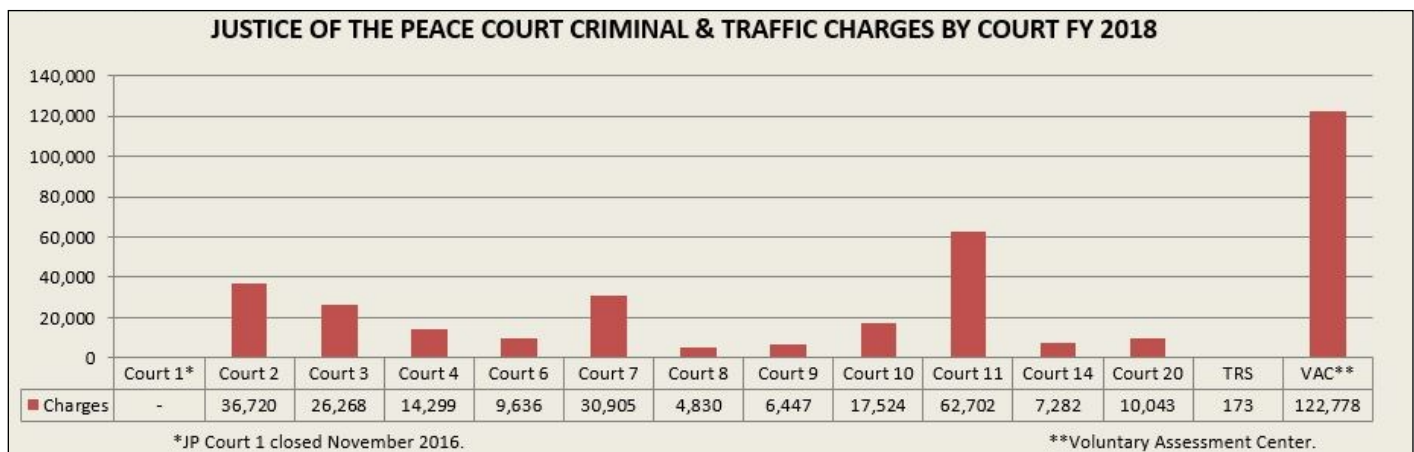


# JUSTICE OF THE PEACE COURT

documents and ease the burden of filers as well by eliminating some additional check writing and paperwork. We estimate that this step will save hundreds of hours of clerical and constable time each year.

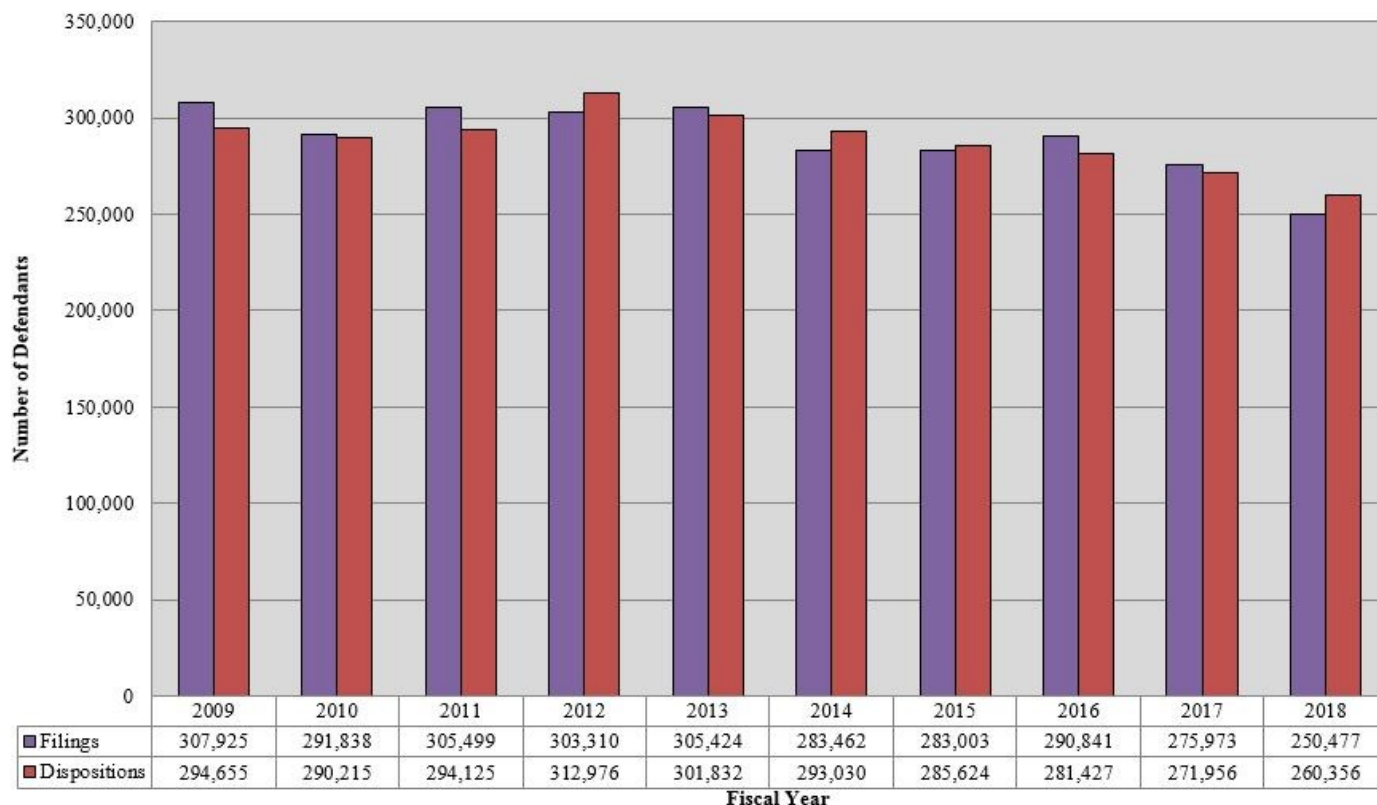
use the tools, time and talents available to us to make the criminal and civil systems work more smoothly for staff, judges, our justice partners and our court users. ♦

This Court is not one to rest on its laurels. While these are excellent improvements for the system, we have many more in the works. We will continue to



# JUSTICE OF THE PEACE COURT

## Justice of the Peace Court Civil & Criminal/Traffic Filings and Dispositions by Fiscal Year\*



\* Criminal filings and disposition information is by defendant.



*Justice of the Peace Court 7 in Dover*

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# JUSTICE OF THE PEACE COURT



## NEW CASTLE COUNTY JUDGES

***Sitting, front row (left to right):***

Susan Ufberg, Katharine Ross, Deputy Chief Magistrate Sean McCormick, Kerry Taylor, Nina Bawa, Amanda Moyer.

***Standing, middle row (left to right):***

Peter Burcat, Senior Judge William Moser, Susan Cline, Senior Judge Marilyn Letts, Roberto Lopez, Shameka Booker, Beatrice Freel, Cheryl McCabe-Stroman.

***Standing, back row (left to right):***

Christopher Portante, Gerald Ross, John Potts, Alexander Peterson, III, Thomas Brown, William Young, James R. Hanby, Sr.

***Not pictured:***

Bracy Dixon, Jr., Emily Ferrell, Carmen Jordan-Cox, Thomas Kenney, Vincent Kowal, Shelley Losito, Mary Ellen Naugle, Marie Page, Maria Perez-Chambers, David Skelley.



# JUSTICE OF THE PEACE COURT



## KENT COUNTY JUDGES

***Sitting, front row (left to right):***

Nicole Alston-Jackson, Deputy Chief Magistrate Cathleen Hutchison, Jamie Hicks.

***Standing, back row (left to right):***

Dwight Dillard, D. Ken Cox, W.G. Edmanson II, Michael Sherlock, Kevin Wilson, James Murray.

***Not pictured:***

Pamela Darling, Alexander Montano, Dana Tracy.

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# JUSTICE OF THE PEACE COURT



## SUSSEX COUNTY JUDGES

***Sitting, front row (left to right):***

Leah Chandler, Jana Mollohan, Stephani Adams, Mirta Collazo.

***Standing, middle row (left to right):***

James Horn, Michelle Jewell, Deputy Chief Magistrate Sheila Blakely, Deborah Keenan.

***Standing, back row (left to right):***

Richard Comly, John Hudson, W. Patrick Wood, Scott Willey, Christopher Bradley, Larry Sipple, John McKenzie.

***Not pictured:***

John Adams, William Boddy, III, Jennifer Sammons.

## JUDICIAL BRANCH EMPLOYEES RECOGNIZED



**Erika Bradley**, a Security Officer for **Superior Court**, was named as the 2017 Judicial Branch Employee of the Year. In addition, Erika was also recognized as one of five recipients of the Governor's Award for Excellence and Commitment in State Service for 2018, marking the first time in recent memory that a Judicial Branch employee has been recognized with the Governor's Award for Excellence and Commitment in State Service. Erika, who has worked for Superior Court for 18 years, was cited for her professional yet friendly manner with jurors and litigants alike. Last year, following a long and difficult trial, the first thing jurors told the trial judge at a post-trial meeting was how much they appreciated Erika and her pleasant and professional demeanor. On another occasion, jurors presented Erika with a signed card. "Erika served with a great deal

of professionalism and at the same time she treated us with kindness and respect," wrote the jurors. "We would like to commend her."

"Erika has consistently demonstrated the utmost professionalism and dedication," said Superior Court President Judge Jan R. Jurden, who attended the May 7, 2018 breakfast where Ms. Bradley was honored. "Not only does Erika provide safety and security in the courtroom for members of the public, litigants, staff and judges, the court frequently receives feedback from jurors about Erika's excellent customer service and helpfulness. She is richly deserving of this recognition and honor."

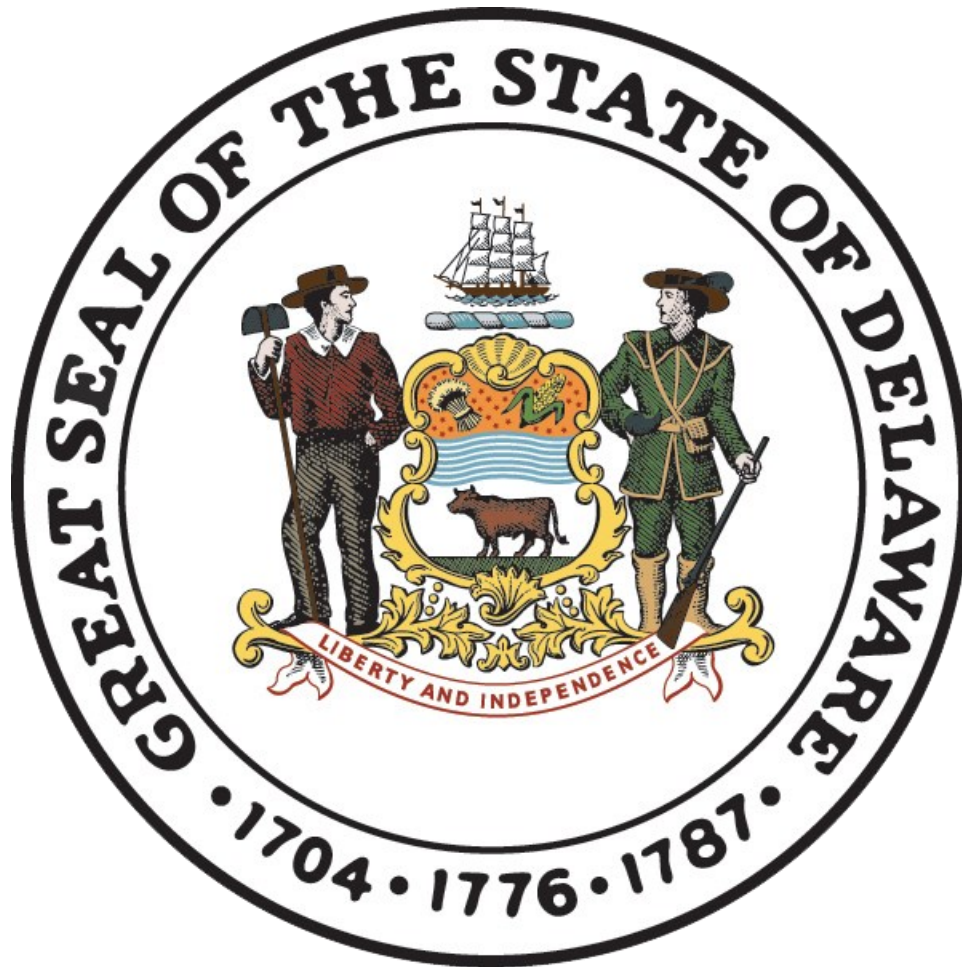
Other employees nominated for the Branch Employee of the Year award and who were honored as Employee of the Year for their respective courts include:

**Barbara Carroll, Judicial Case Processor III, Family Court.** Barbara, who first worked for the Court of Common Pleas before joining Family Court, was cited for her exceptional customer service, dedication, innovation on the job, and willingness to help whether it is a co-worker or member of the public. "Barbara epitomizes a team player on the Family Court Team," said Fran Spinelli, her supervisor. "Barbara is always willing to assist both staff and litigants. She exhibits a can-do attitude and willingness to do what it takes to get the job done."

**Rachel DeColli, Management Analyst II/Information Security Officer, Court of Common Pleas.** During a particularly challenging year for the Court of Common Pleas, Rachel DeColli demonstrated a work ethic and willingness to take the initiative to handle large projects confronting the Court including the conversion of the Court's new e-filing system and addressing an issue with court notices. Rachel took the lead and worked tirelessly to address the situations and coordinate efforts to execute timely responses.

**Kevin Jackson, Constable, Justice of the Peace Court.** An invaluable asset to Justice of the Peace Court, Kevin not only maintains the regular job duties of a constable at a high level of proficiency, he has stepped up to become the leading firearms instructor. Recently, he assumed greater responsibility in the training and certifying of new hires and has reworked parts of the training program, giving new life to the instruction process.

**Ashley Tucker, Staff Attorney, Administrative Office of the Courts.** Ashley is known in the Administrative Office as a hard-working, honest and wise person who demonstrates a common-sense and down-to-earth attitude that makes her a great co-worker and attorney. In particular, Ashley was cited for her work over the past year organizing and carrying out a new set of agreements for the court interpreter program. ♦



**Many thanks to the Presiding Judges, Court Administrators and others in the Courts, and the Administrative Office of the Courts for their efforts in preparing this Annual Report.**

*<http://courts.delaware.gov> (Delaware Judiciary)*

*<http://courts.delaware.gov/AOC/AnnualReports/FY18>  
2018 Annual Report, Statistical Report of the Delaware Judiciary and  
additional Delaware Courts background information*