

# JUSTICE OF THE PEACE COURT



## JUSTICE OF THE PEACE COURT

### CHIEF MAGISTRATE ALAN G. DAVIS

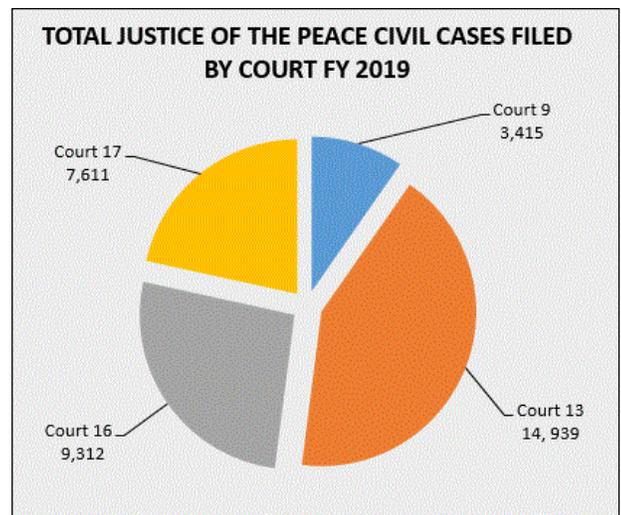


In my message contained in last year’s annual report, I talked about what a “resourcefully innovative” organization the Justice of the Peace Court is. We take the limited tools we have at our disposal and put them to work for the benefit of our users, our staff and the public at large to create new processes and improved outcomes. This year’s message will echo some of that, but add a dash of another Justice of the Peace Court characteristic – adaptability.

Last year I briefly mentioned a new process we were testing to allow police officers to use electronic signatures to swear to warrants. We were also working through the logistics of using Skype in lieu of our regular videophone system, to allow officers to swear to a warrant from the road. I am pleased to say that this past fiscal year saw the statewide rollout of the electronic warrant swear-to process and expanded use of Skype by a number of approved police agencies.

Here is how the process works. An officer writes an arrest warrant application in the Law Enforcement Investigative Support Service (LEISS), as they have for years.

The Delaware Criminal Justice Information System (DELJIS) has built a dashboard for our judges to log into to see warrant applications as they are queued up for their particular court location. The judge selects and reviews the warrant online for probable cause and then either preliminarily approves or rejects the warrant. An email is sent to the officer indicating the judge’s decision. If the warrant is preliminarily approved, the court initiates either a videophone or a Skype call with the officer to swear the officer to the contents of the warrant. Once sworn to, the judge approves the warrant on the dashboard and the electronic signatures



# JUSTICE OF THE PEACE COURT

of the judge and the officer are applied to the warrant and retained in the system.

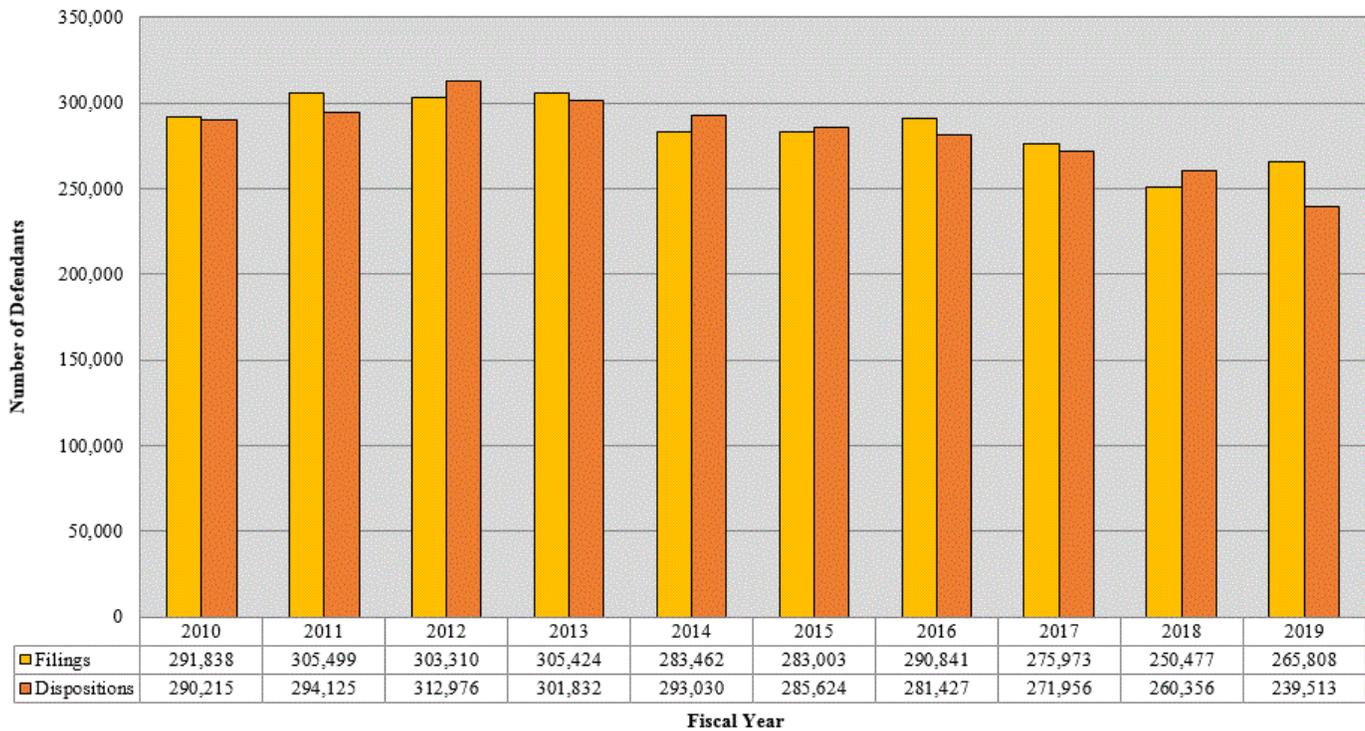
In this day and age, this seems pretty simple and straightforward. I can hear some of you saying right now, “How is this innovation when it is how half the world conducts operations on a day-to-day basis?” What is remarkable to me is that it is built on a foundation of thirty-plus year-old technology (with an overlay of some newer add-ons), and is — as far as I have been able to ascertain — the only statewide fully automated warrant review and approval system in use.

Furthermore, once we are able to maximize use of Skype, there will be significant benefits to both the police and the public. In theory, we should be able to achieve a situation where an officer may be able to investigate a criminal act, make an arrest, have the necessary warrant approved, conduct an initial

presentment before the Court with a defendant in custody, and – if the defendant is not going to be otherwise held – release that individual, all without leaving the initial scene. That will save hundreds of thousands of hours a year.

Finally, this little program may well become the backbone of this Court’s magisterial operations and forever change the way that we do our business. The Justice of the Peace Court is obligated by law to operate on a 24/7/365 basis. We have three 24-hour locations that are constantly staffed by clerical workers, security officers and judges. By leveraging this new system, the Court may well be able to reduce our 24-hour footprint by consolidation of off-hours operations, thereby decreasing our likelihood of having to request additional resources in the future and diverting those already applied to this service to other needs within the Court.

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

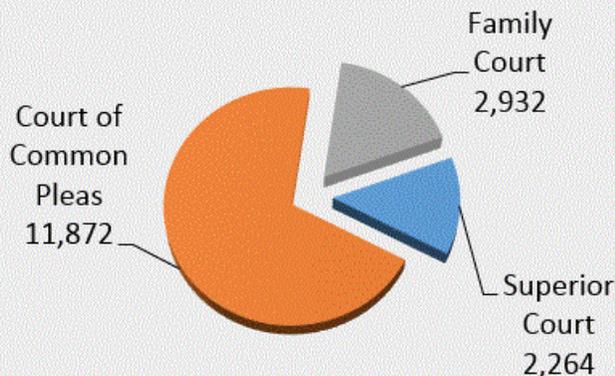


\*Criminal filings and disposition information is by defendant

Continued on next page

# JUSTICE OF THE PEACE COURT

## CAPIASES CLEARED BY JUSTICE OF THE PEACE COURT FOR OTHER COURTS FY 2019



In a similar display of innovation, the Court has adopted, with the help of the Secretary of State's office, a method to electronically transmit out-of-state service of process paperwork, often called long-arm service, to the Secretary of State's office for proper service of defendants residing in another state. The previous process involved manual filing of papers by both the Court user and the Court itself, the transport of paperwork across county lines by Constables and duplicate data entry by clerical staff. As with any process that involves shuttling papers from one location to another, there was always the risk of documents getting lost, misplaced, or misfiled. By partnering with the Secretary of State's office, and using an e-filing system already in use by that organization, Court staff can now directly – electronically – file this service of process paperwork. This saves Court personnel approximately 600 hours per year. Perhaps best of all, from a Court user standpoint, they no longer have to cut separate checks to both the Court and the Secretary of State and they can use the Court's e-filing system to file all necessary paperwork, without any direct interaction with the Secretary of State.

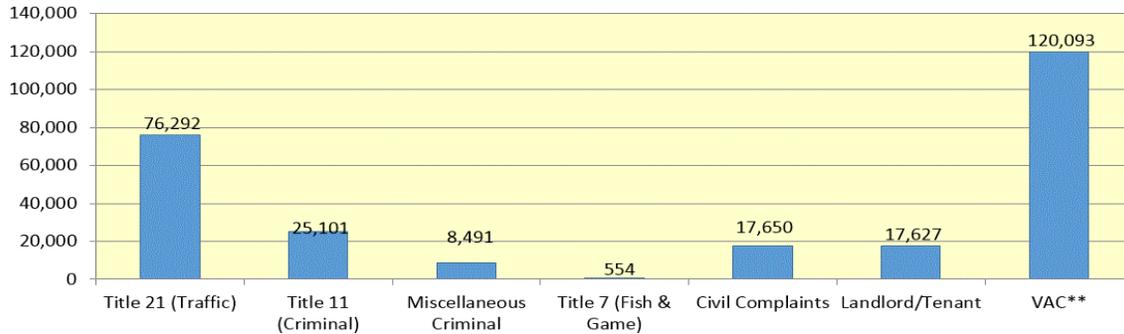
This Court also had an opportunity to display its adaptability this past fiscal year. With the passage of House Bill 204, the pretrial system of Delaware changed in significant ways. The new legislation required the use of a standardized, empirically-developed risk assessment tool as well as a focus on using alternatives to detention where applicable. This pairing results in less reliance on monetary bail. The judges of this Court have always examined cases on an individual basis while still trying to treat similar cases and similarly situated individuals similarly. The Court has also used a version of a risk assessment tool for several years, but the new system brought significant challenges.

The new law meant the establishment of new rules. Due to the press of time after passage of the legislation, the interim rules were not ready for roll-out until weeks before their implementation. While the system established by the rules was certainly appropriate and within the realm of the foundation of the legislative mandate, the Court was not entirely prepared for the changes that this brought.

I once heard a Justice of the Peace Court employee say, "We make the impossible look easy." True to that "can do" and "make it happen" attitude, the judges and staff of this Court buckled down and learned an entirely new system of pretrial justice within just a few weeks. Yes, there were some bumps and hiccups, but for the most part this system has been implemented with relatively few major issues. We are in a position now of monitoring the data generated by this newly implemented system and looking for ways to improve it. Because the rules are interim, acknowledging that some changes will be necessary to address known problems, in the near future the Court will once again be asked to modify its way of doing business to address a newly modified system. While not nearly as drastic a change as what we experienced in the past year, it will nonetheless test our ability to adapt to our changing world. ♦

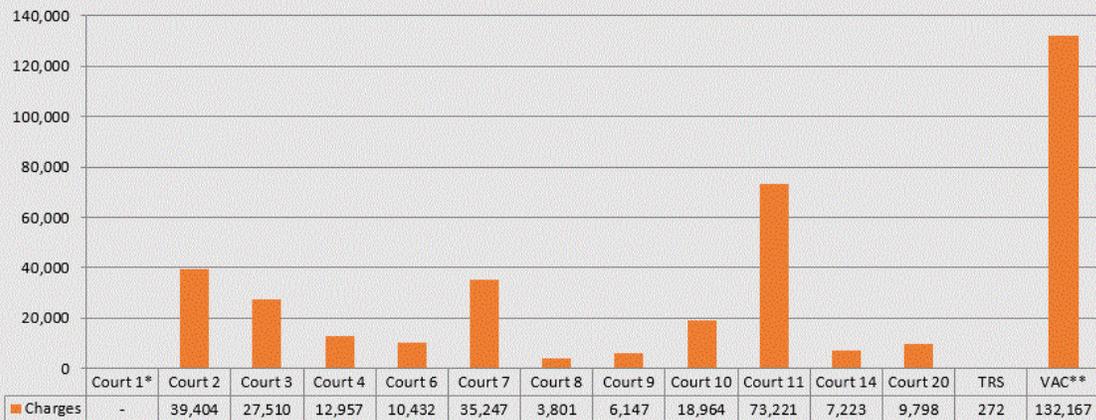
# JUSTICE OF THE PEACE COURT

**NUMBER OF JUSTICE OF THE PEACE COURT FILINGS\* BY TYPE  
FY 2019**



\*Criminal filings are by defendant.  
\*\*Voluntary Assessment Center.

**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CHARGES BY COURT FY 2019**



\*JP Court 1 closed November 2016.

\*\*Voluntary Assessment Center.

**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CASES BY DEFENDANT BY COURT FY 2019**



\*JP Court 1 closed November 2016.

\*\*Voluntary Assessment Center.

Continued on next page

# JUSTICE OF THE PEACE COURT



## NEW CASTLE COUNTY JUDGES

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

Cheryl McCabe-Stroman, Amanda Moyer, Deputy Chief Magistrate Sean McCormick, Marie Page, Kerry Taylor, Shameka Booker

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

John Potts, Thomas Kenny, Rodney Vodery, Susan Ufberg, Maria Perez-Chambers, Mary Ellen Naugle, Robert Lopez, Christopher Portante, Bobby Hoof

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

Senior Judge William Moser, James R. Hanby, Sr., David Skelley, Peter Burcat, Thomas Brown, Vincent Kowal, Gerald Ross, Alexander Peterson III

***Not pictured:***

Nina Bawa, Susan Cline, Bracy Dixon, Jr., Emily Ferrell, Beatrice Freel, Shelley Losito, Katharine Ross

# JUSTICE OF THE PEACE COURT



## KENT COUNTY JUDGES

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

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

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

Dwight Dillard, Kevin Wilson, D. Ken Cox, James Murray, Alexander Montano

***Not pictured:***

Dana Tracy, W.G. Edmanson II, Michael Sherlock

Continued on next page

# JUSTICE OF THE PEACE COURT



## SUSSEX COUNTY JUDGES

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

Senior Judge Jeni Coffelt, Leah Chandler, Deborah Keenan, Deputy Chief Magistrate Sheila Blakely, Stephani Adams, Senior Judge Marcealeat Ruffin

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

John McKenzie, W. Patrick Wood, Maria Castro, Michelle Jewell, Christopher Bradley, James Horn, John Hudson, Scott Willey, Nicholas Mirro, Mirta Collazo

***Not pictured:***

John Adams, Bethany Fiske, Jana Mollohan, Jennifer Sammons