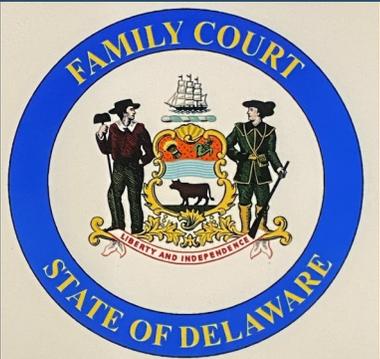
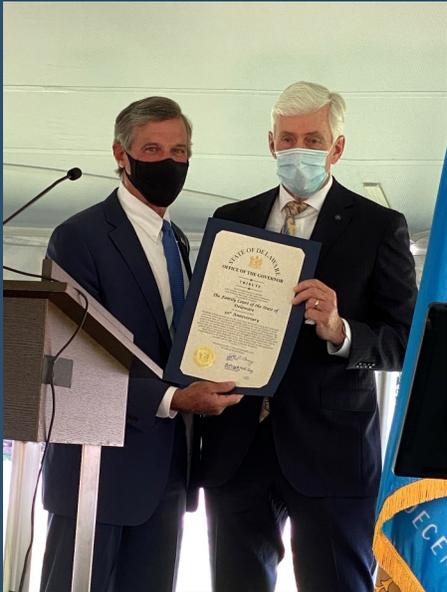
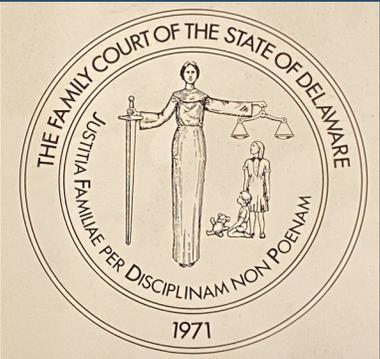


# The Delaware Judiciary

## Annual Report



# Family Court's 50th Anniversary



2021

# On the cover:

## On the Cover

**On the top: Attendees listening to Chief Judge Michael K. Newell speak at the Family Court 50th Anniversary event held in Dover, Delaware, September 7, 2021.**

**On the bottom (left to right): The Family Court of Delaware seal in 1971; Governor John Carney and Chief Judge Michael K. Newell at the Family Court 50th Anniversary event held in Dover, Delaware, September 7, 2021; the Family Court of Delaware seal in 2021.**

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# MESSAGE FROM THE STATE COURT ADMINISTRATOR

## The 2021 Annual Report of the Delaware Judiciary

Last year, I described 2020 as a year “unlike any other.” But as COVID-19 persisted, 2021 was very much the same. Even so, the Judicial Branch was able to resume operations and make meaningful progress on several major initiatives – the creation of the Delaware Bench and Bar Diversity Project to increase diversity in Delaware’s legal system and securing substantial funding for the construction of two new Family Court facilities in Kent and Sussex Counties and for renovation design of the historic Custom House in Wilmington. I am also proud to share the Administrative Office of the Courts’ achievements in 2021, especially as this marks our 50th year serving the Delaware Judicial Branch.

In reopening the Courts and resuming operations, many changes that started as temporary pandemic responses became everyday fixtures in 2021. Social distancing and plexiglass barriers remained in place, the mask mandate was reinstated, and we saw the integration of technology into almost every facet of our Courts’ functions. But 2021 also gave us new tools to protect the health and safety of our employees and visitors. With the widespread availability of COVID-19 tests and vaccines, the Judicial Branch expanded its efforts to help combat the pandemic. The Judiciary hosted several vaccination clinics in all three counties. The Judiciary also directed that all employees provide proof of vaccination or participate in weekly COVID-19 testing. The AOC oversaw the successful implementation of both efforts.

The Judicial Branch’s technology infrastructure was key to our Courts’ successful reopening. Without the tremendous work of our Judicial Information Center staff in installing, maintaining, and supporting that infrastructure and training court employees to use new tools, reopening would not have been possible. JIC’s remarkable efforts have been widely recognized, and we are so pleased to congratulate the team who received the Governor’s GEAR P3 Innovation and Efficiency Award in May 2021. We also congratulate JIC’s leader, Ken Kelemen, whom the Delaware State Bar Association celebrated in December as the recipient of its 2021 Government Service Award. These honors were well-deserved.

Our pandemic experience underscored how vital technology has become for the Judicial Branch. The AOC is committed to the continuous improvement of the Judiciary’s technology infrastructure. We are upgrading our courtrooms and embarking on our long-awaited statewide electronic filing, case management and document management system project. These projects will enable more efficient and cost-effective operations branch-wide and guarantee greater access to justice for all.

Another major AOC initiative arising from the pandemic occurred in court collections. In April 2020, Chief Justice Seitz ordered a moratorium on court collections. Before resuming collections in 2021, the Judicial Branch adopted a new policy to clear aged fees and fines accounts, forgiving non-restitution debts over 10 years old. Bill DiBartola of the Office of State Court Collections Enforcement successfully coordinated this massive write-off effort. The new policy recognized that these receivables were uncollectible and that the continued threat of collection created more hardship for people on their path to rehabilitation and a return to society.

Finally, in 2021 the AOC welcomed several new members to our core services team: Jenna Quigley was named our Statewide Problem Solving Court Coordinator; Marlaine White was appointed Staff Attorney following Ashley Tucker’s promotion to Deputy Court Administrator; and Zoe Carter and Shannon Samuels joined our Human Resources unit. Together, the AOC looks forward as we begin our 51st year of service to the Judicial Branch.

Sincerely,



Gayle P. Lafferty  
State Court Administrator



# MESSAGE FROM CHIEF JUSTICE COLLINS J. SEITZ, JR.

## 2021 A Year of Change, Challenges and History



For the Delaware Judiciary 2021 was a year of challenges and changes, but also a time for celebrating our history. While the Judiciary continued to navigate the COVID-19 pandemic, the courts were able to largely resume normal operations thanks to the lessons we learned and several critical transformations brought about by our pandemic response.

This year we commemorated Family Court's 50th anniversary. While we recognize September 7, 1971, as its official "birthday," Family Court's origins go back to 1911 with the founding of the Juvenile Court for Wilmington. In 1923 that court's jurisdiction grew to encompass New Castle County, and in 1933 a juvenile court was created for Kent and Sussex Counties. While later legislation expanded the courts' jurisdiction to cover all family matters, it was not until 1971 that legislation created a unified Family Court, giving Delaware the modern Family Court system we have today.

On September 7, 2021, the Judiciary hosted an outdoor ceremony on the Green outside Legislative Hall in Dover. Past and present members of the Judiciary, legislative leaders and other guests gathered to celebrate Family Court's historical milestone. Family

Court Chief Judge Michael K. Newell led the ceremony. He praised the actions of our state leaders 50 years ago who "had the remarkable foresight to create one unified statewide Family Court to address some of the most personal and intimate problems facing citizens of Delaware. In my conversations with other juvenile and family court judges from around our country, I always come away with the unquestioned feeling that we did it right."

Governor John Carney spoke at the ceremony and presented a proclamation to Family Court, thanking all the Judges and Staff in Family Court for the hard work they do every day. Delaware State Senate President Pro Tempore David P. Sokola and State Representative Krista M. Z. Griffith, a former prosecutor in Family Court, also spoke. They each presented a proclamation from the Delaware Senate and Delaware House, respectively. I also had the honor of offering remarks along with former Supreme Court Justice Randy J. Holland and retired Family Court Judge Jay H. Conner.

This year was also key to Family Court's future. In 2021, the Legislature approved \$131 million in funding for the construction of new Family Court facili-

*Continued on next page*

# MESSAGE FROM THE CHIEF JUSTICE

ties in Kent and Sussex County. The Judiciary's effort to build these new courthouses in Dover and Georgetown began 15 years ago when a space study identified significant issues in the existing court facilities. Among those issues were inadequate space for separating litigants and for legal consultation, courtrooms too small for effective security and safety, and lack of adequate space for detainee separation and transfer. The construction of the new Family Court facilities will rectify these issues with spacious segmented waiting areas and private conference rooms, larger courtrooms, separate and secure holding and transfer areas, and state-of-the-art technology.

And, thanks to Family Court's outreach efforts in Kent and Sussex County these new facilities will benefit downtown businesses and help Dover and Georgetown continue to thrive. In Georgetown, Family Court collaborated with the community to keep the new courthouse in the downtown area and to ensure that the new building mirrors the historic character of the county seat. The new courthouse will be located directly across from the historic Sussex County Courthouse and will have a dedicated parking facility to help alleviate longstanding parking issues in that area. Groundbreaking on the Georgetown Family Court facility is expected in 2022. Construction of the new Family Court facility in Dover – to be located a few blocks from the Kent County Courthouse on Water Street – is expected to follow soon thereafter. These new court facilities will ensure that Family Court matters, which are often the most contentious cases in Delaware Courts, continue to be addressed with safety, efficiency, and dignity.

This year also marked the 50th anniversary of the Administrative Office of the Courts. The Administrative Office of the Courts was created in 1971 to assist the Chief Justice in carrying out the constitutional duties as the administrative head of all the Delaware Courts. Much of the AOC's work is behind-the-scenes. Yet, the AOC is indispensable in providing the critical administrative services to support the Judicial Branch's operations, such as development and implementation of branch-wide administrative policies, standards and procedures; branch-wide technical support by the Judicial Infor-

mation Center; serving as the Judicial Branch's legislative liaison; and coordinating the preparation, review and submission of the Judiciary's budget. The AOC has also been instrumental in the Judiciary's continued success in overcoming the many challenges presented by the COVID-19 pandemic throughout 2021.

Following the national COVID-19 vaccine rollout and a drop in infection and mortality rates in late spring, the Judiciary ended the state of emergency declared in March 2020. We resumed jury trials and restored full court operations. Unfortunately, that return to normalcy was brief as the COVID-19 Delta variant emerged, causing infection and hospitalization rates to again rise. This prompted our maintaining the safety measures adopted in 2020 and restoring the mask mandate for all Court Staff and visitors. The Judiciary also wanted to do its part to help increase Delaware's vaccination rates. Here again, the AOC played a crucial role in realizing that goal. In addition to participating in several Executive Branch-sponsored vaccination events, the Judicial Branch hosted several vaccination clinics during the summer in the Leonard L. Williams Justice Center in Wilmington, and in the Kent and Sussex County courthouses. We also coordinated with our federal judicial colleagues to offer vaccines. In September 2021, the Judiciary directed that its employees provide proof of vaccination or participate in weekly COVID-19 testing. The weekly testing program was a significant and complicated undertaking. But, with the efforts and dedication of the AOC and all our Courts, the program was quickly and successfully implemented and continues to operate smoothly, thereby ensuring the health and safety of all who come into the Delaware Courts.

Before the pandemic, it was hard to imagine court proceedings not being in-person. In 2021, however, online and video technology shifted from a temporary measure to a regular feature of our daily operations. It will remain a core part of Judicial Branch functions even after we return to pre-COVID activities. The complete integration of video technology and online platforms in all Courts, necessitated by the continuing pandemic, was a transformative change for the Judiciary. Through this increased use of technology the Judiciary was able to review how

## MESSAGE FROM THE CHIEF JUSTICE

our Courts function and identify areas in critical need of improvement. With the many lessons learned in adapting to pandemic constraints and with a substantial boost in funding from the General Assembly and the federal government, the Judiciary redoubled its efforts to implement a state-wide electronic filing, case management and document management system. Along with several other projects to upgrade and enhance courtroom technology, the state-wide electronic filing, case management and document management system project will finally modernize and fully integrate Delaware's unified court system. It will improve efficiency in document processing, facilitate communication and information exchange between Courts, and reduce operating costs. It will also enable the Judiciary to better track, synthesize and analyze case data so that our Courts can evaluate their programs and processes. Most importantly, this project will expand access to justice for everyone coming to our Courts.

The Delaware Judicial System is synonymous with fairness, objectivity and consistency. Ensuring this fairness, objectivity and consistency in 2021 required our employees to quickly adapt to the technological evolution of the Judiciary's operations and functions. Across the entire Judicial Branch our employees rose to this challenge and ensured the Judiciary's fair administration of equal justice for all despite the continuing pandemic. The Judicial Branch could not have achieved any of its successes in 2021 without their hard work, flexibility and commitment.

We would not have survived the pandemic without the tremendous efforts of our Judicial Information Center. Our JIC staff put in countless hours installing, launching and maintaining the vast technical infrastructure needed to support all Judicial Branch operations. From the pandemic's onset in 2020 and throughout 2021, JIC mobilized a response team to assess the IT needs of every court in every county, and nimbly deployed resources throughout the state. They provided comprehensive VPN remote access, training and support to all court staff. The JIC team also created more than a dozen interactive internal and public webpages that provided information and updates on court operations, access to pandemic policies and procedures, and access to new online forms. They installed equipment in courtrooms and offices

to facilitate over 33,000 virtual hearings, meetings, and remote trials between April 1, 2020 and April 1, 2021. JIC's most creative innovation was mobilizing PCs and video equipment. Mounted on small carts, the PC and video equipment was easily moved between and within courtrooms, allowing full remote access in 75 different courtrooms in 24 different buildings. A team from JIC was formally recognized for their stellar performance by Governor Carney, receiving the Governor's Award for Efficiency and Innovation in May 2021. We congratulate JIC on their well-deserved award, and again thank them for their extraordinary and dedicated service to the Judiciary.

In addition to technological integration, 2021 brought another substantial development for the Judiciary. The onset of the pandemic prompted the Judiciary to set a moratorium on the collections of fees and fines, which was lifted in the Fall of 2021. While the moratorium was in place, the Courts worked with the Office of State Court Collections Enforcement to conduct a thorough review of the fees and fines charged to convicted defendants in each of our Courts, how payments of fees and fines are handled, how fees and fines debts are discharged, what mechanisms are used to collect delinquent accounts, and how those mechanisms can be improved. This review led to several important reforms. We have started to develop a set of collections standards based on best practices used in private sector collections. Also, when collections resumed, we ended efforts to collect non-restitution debts consisting solely of fees and fines that were greater than 10 years old. Collection enforcement of such non-restitution debts inhibits rehabilitation and often disproportionately impacts Delaware's most vulnerable populations. This policy change resulted in debt forgiveness for more than 42,000 cases and has allowed the Office of State Court Collections Enforcement to devote more attention to collecting restitution for victims. Of note, studies have shown that a collections policy based on ability to pay can actually increase collections.

In 2021, the Judicial Branch saw the retirement of two of our noted jurists. Chancellor Andre Bouchard retired from the bench at the end of April. For seven years Chancellor Bouchard served the Delaware Judiciary with distinction. During his tenure Chan-

*Continued on next page*

## MESSAGE FROM THE CHIEF JUSTICE

cellor Bouchard oversaw the Court's expansion, navigated the Court's significantly increased case load, and confronted the early, most challenging months of the COVID-19 pandemic. We thank him for his outstanding service to the Judiciary.



*Former Court of Common Pleas Chief Judge Smalls' (left) portrait unveiling ceremony.*

In May, Chief Judge Alex J. Smalls retired from the Court of Common Pleas. Chief Judge Smalls graced the Delaware Judiciary with exemplary service for over 29 years. Not only was Chief Judge Smalls a universally respected jurist, he was also a pioneer of equality. Chief Judge Smalls was one of the first African Americans appointed to a state court when he was named as a judge on Wilmington's Municipal Court. There he served alongside Judge Leonard L. Williams, another equal justice pioneer. Chief Judge Smalls again made history when he was appointed to the Court of Common Pleas. He was the first African American to lead the Court of Common Pleas, and the first African American to head a Delaware Court. We thank him for his dedicated and exemplary service.

This year's judicial appointments brought several important firsts for the bench. The appointment of

the Honorable Kathaleen St. J. McCormick as Chancellor marks the first time a woman has led the Court of Chancery. With Chancellor McCormick's appointment and the appointment of Vice Chancellor Lori Will, 2021 is the second time in its history that Chancery Court has a majority of female judicial officers. This year's Superior Court and Court of Common Pleas appointments also brought notable achievements in diversity. The appointment of the Honorable Reneta Green-Streets to Superior Court marks the first time both a woman and a person of color has served on the bench in Kent County. The appointment of the Honorable Monica Horton marked the first time an African American woman has served as a Court of Common Pleas judge in New Castle County. And, the appointment of the Honorable Rae M. Mims marked the first time an African American woman has served on the Court of Common Pleas in Sussex County. We are proud of these groundbreaking judicial appointments and the progress they represent for the Judiciary's ongoing efforts to diversify our Bench and Bar.

In May 2021, we officially launched the Delaware Bench and Bar Diversity Project. The Judiciary is working with the National Center for State Courts and the AccesLex Institute to develop a strategic plan to address the systemic obstacles to diversity in Delaware's legal profession. Justice Montgomery-Reeves will join me in chairing this initiative, and we are confident that this project will serve as a national model for other jurisdictions.

For 2022, the Judiciary looks forward to building on its achievements, further enhancing diversity and access to justice, and maintaining the unparalleled excellence for which the Delaware Courts are universally renowned. ♦

# THE YEAR IN PICTURES



*Chief Justice Collins J. Seitz, Jr. (left) stands with Court of Common Pleas Chief Judge Carl C. Danberg (right) just after Chief Judge Danberg's swearing in ceremony.*



*Outgoing Chancellor Andre G. Bouchard (right) swearing in incoming Chancellor Kathaleen St. J. McCormick (left) whose daughter, Fiona (middle), is holding the bible. This marked the first time a woman has held that position.*



*Courthouse security officer Jacqueline Green was named the 2021 Sunstates Security officer of the year and received the 2021 ASIS Ralph Day Award for her actions in May 2020 to protect the Leonard L. Williams Justice Center during protests.*



*The Honorable William C. Carpenter, Jr., was presented with the Delaware State Bar Association's First State Distinguished Service Award by President Judge Jan Jurden at a ceremony on June 23, 2021.*

# 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 into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount does not exceed \$25,000. 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 \$75,000. 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 of Common Pleas 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. Criminal cases may be 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 Superior Court has

exclusive jurisdiction 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 hears 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 entire Judicial Branch.

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.
- Hears all cases in equity (typically corporate, trust, fiduciary matters, land sale, real estate, and commercial/contractual matters).

## Superior Court

- Law court.
- Original statewide jurisdiction over all 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 cases, 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 criminal offenses except certain serious offenses.

## Court of Common Pleas

- Statewide jurisdiction in civil actions that do not exceed \$75,000.
- 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 \$25,000.
- Jurisdiction over certain misdemeanors and most motor vehicle cases (except felonies).
- May act as committing magistrate for all crimes.
- Jurisdiction over landlord/tenant (possession) cases.



# FISCAL OVERVIEW

## SUMMARY OF JUDICIAL BUDGETS - FISCAL YEARS 2020-2022

### GENERAL FUNDS - State Judicial Agencies and Bodies

	FY 2020 Enacted Budget	FY 2021 Enacted Budget	FY 2022 Enacted Budget
Supreme Court	\$ 3,508,400	\$ 3,541,100	\$ 3,543,300
Court of Chancery	4,024,800	4,064,100	4,066,800
Superior Court	26,408,300	26,761,900	26,885,500
Family Court	21,297,000	21,608,800	21,621,200
Court of Common Pleas	10,755,100	10,912,600	11,157,800
Justice of the Peace Court	19,538,900	19,890,000	19,997,100
Administrative Office of the Courts (AOC)	3,849,000	3,882,700	4,139,100
AOC Custodial Pass-Through Funds*	2,921,600	2,921,600	3,035,100
Office of State Court Collections Enforcement (OSCCE)	614,300	625,900	626,200
Information Technology	3,899,900	3,936,000	4,031,600
Law Libraries	458,400	461,000	461,100
Office of the Public Guardian	800,400	811,800	812,200
Office of the Child Advocate	2,064,000	2,166,700	2,617,400
Child Death Review Commission	452,800	459,100	459,300
Delaware Nursing Home Residents Quality Assurance Commission	87,600	88,900	89,000
<b>TOTAL</b>	<b>\$ 100,680,500</b>	<b>\$ 102,132,200</b>	<b>\$ 103,542,700</b>

\* These programs are included in AOC funding but are shown separately because they are pass-through funds. They include the Superior Court Appointed Attorney Program, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, and other funds. CASA funding was included in AOC Custodial Pass Through Funds until FY 2022 when it was renamed "Child Attorneys" and the funding was transferred to the Office of the Child Advocate. Technology Maintenance consists of pass-through funding to other state departments and vendors for equipment and services Branch-wide.

Source: Administrative Office of the Courts

# FISCAL OVERVIEW

## COURT GENERATED REVENUE\* - FISCAL YEAR 2021

### SUBMITTED TO THE STATE GENERAL FUND

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Supreme Court	\$ 95,821	\$ -	\$ -	\$ -	\$ 95,821
Court of Chancery	1,305,147	-	-	-	1,305,147
Superior Court	2,665,781	136,092	242	30,692	2,832,807
Family Court	220,263	7,940	-	3,522	231,725
Court of Common Pleas	1,212,354	263,310	-	1,645	1,477,309
Justice of the Peace Court	1,118,491	1,145,231	-	24,448	2,288,170
OSCCE collecting DOC Fees**	233,054	-	-	-	233,054
<b>State Total</b>	<b>\$ 6,850,911</b>	<b>\$ 1,552,573</b>	<b>\$ 242</b>	<b>\$ 60,307</b>	<b>\$ 8,464,033</b>

### SUBMITTED TO COUNTIES AND MUNICIPALITIES

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 67,814	\$ 20,049	\$ -	\$ -	\$ 87,863
Family Court	-	1,785	-	-	1,785
Court of Common Pleas	46	164,450	-	-	164,496
Justice of the Peace Court	-	1,988,696	-	-	1,988,696
Office of State Court Collections Enforcement	-	9,381	-	-	9,381
<b>Counties and Municipalities Total</b>	<b>\$ 67,860</b>	<b>\$ 2,184,361</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,252,221</b>

**GRAND TOTAL**                    **\$ 6,918,771**    **\$ 3,736,934**    **\$ 242**    **\$ 60,307**    **\$ 10,716,254**

\* Figures represent only revenue actually received, not the total amount of fines and costs assessed. Figures include funds generated for the FY 2021 Fee Increase Spending Plan.

\*\* Office of State Court Collections Enforcement (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 2021

### RESTITUTION - FISCAL YEAR 2021

	Assessed	Collected	Disbursed
Superior Court	\$ 1,820,691	\$ 1,391,564	\$ 1,390,866
Family Court	49,925	86,009	84,546
Court of Common Pleas	497,881	576,407	588,446
Justice of the Peace Court	6,540	14,353	12,795
Office of State Court Collections Enforcement*(OSCCE)	-	13,247	13,483
<b>RESTITUTION TOTAL</b>	<b>\$ 2,375,037</b>	<b>\$ 2,081,580</b>	<b>\$ 2,090,136</b>

## ASSESSMENTS AND COLLECTIONS FOR THE TRANSPORTATION TRUST FUND

	Assessed	Collected
Superior Court	\$ 56,456	\$ 67,898
Family Court	1,055	728
Court of Common Pleas	162,063	179,896
Justice of the Peace Court	1,832,216	1,495,687
OSCCE	-	50
<b>TRANSPORTATION TRUST FUND TOTAL</b>	<b>\$ 2,051,790</b>	<b>\$ 1,744,259</b>

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

	Total
Superior Court	\$ 1,893,056
Family Court	145,651
Court of Common Pleas	174,723
Justice of the Peace Court	62,689
OSCCE Receivables	15,576
Department of Correction	233,055
Court of Chancery	1,246
Child Support	103,176
<b>OSCCE ASSISTANCE TOTAL</b>	<b>\$ 2,629,172</b>

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

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

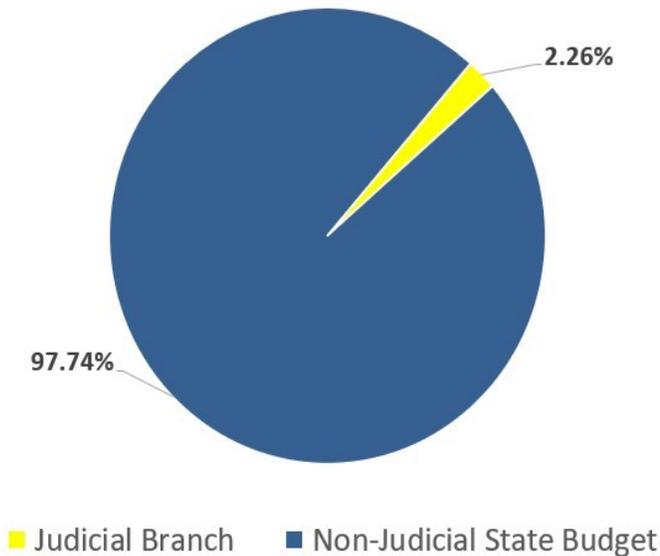
Source: Administrative Office of the Courts

# FISCAL OVERVIEW

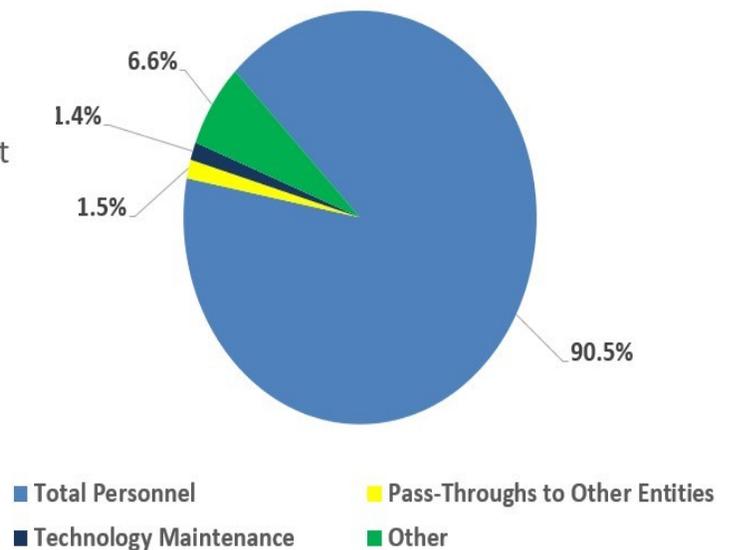
## GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2021

Public Education	\$ 1,644,198,300	36.3%
Health and Social Services	1,239,610,300	27.4%
Department of Correction	350,038,800	7.7 %
Higher Education	252,761,600	5.6 %
Children, Youth and Their Families	190,521,300	4.2 %
Safety and Homeland Security	153,474,100	3.4 %
<b>Judicial Branch</b>	<b>102,132,200</b>	<b>2.26 %</b>
All Other	592,472,300	13.1 %
<b>TOTAL</b>	<b>\$ 4,525,208,900</b>	<b>100%</b>

The Judiciary's FY 2021 appropriation is 2.26% of the State GF Budget

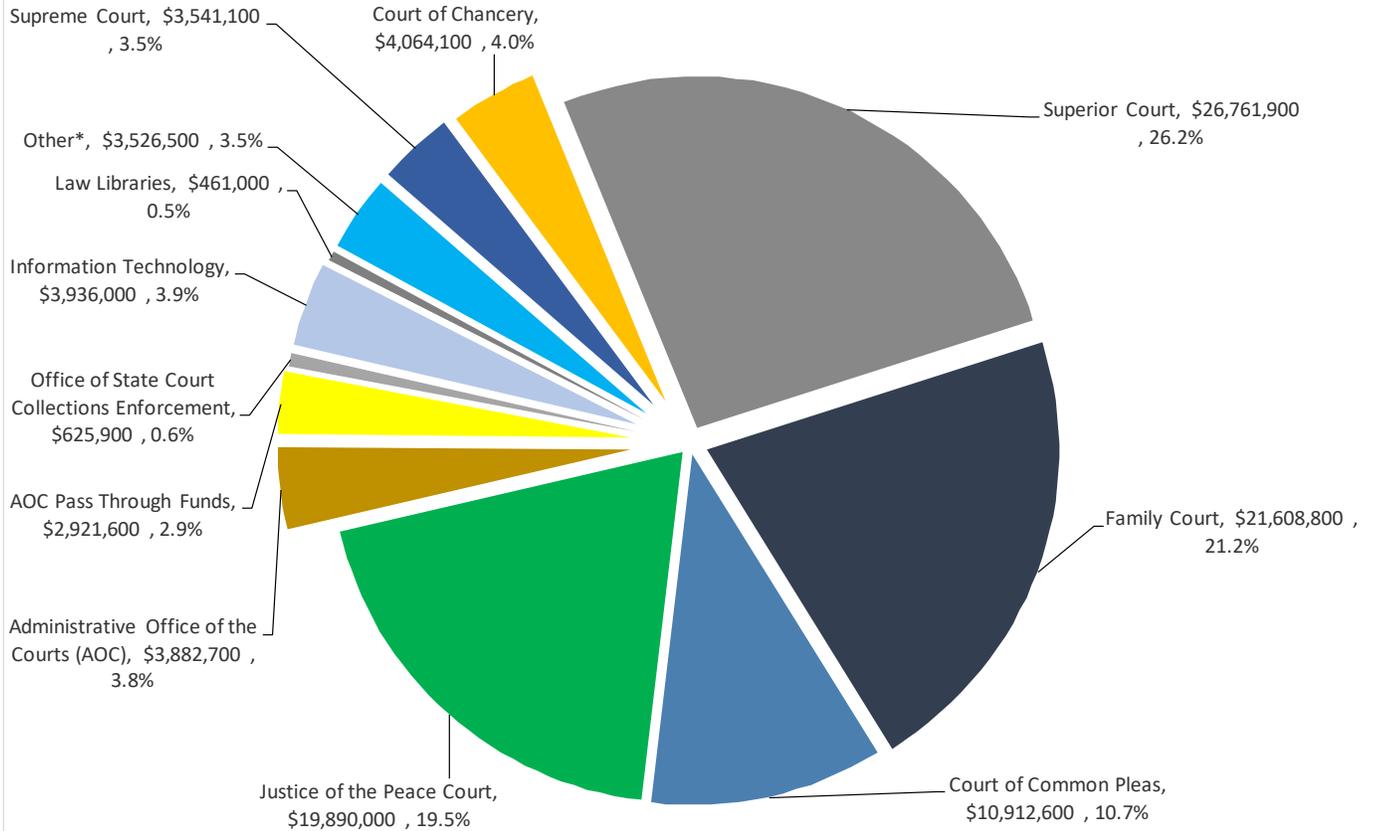


The FY 2021 Judicial Branch budget breakdown: 90.5% Personnel, 2.9% Pass-Throughs and Technology Maintenance, and 6.6% Other



# FISCAL OVERVIEW

## JUDICIAL APPROPRIATIONS - FISCAL YEAR 2021



\* 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 Court Appointed Attorneys/Involuntary Commitment, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, and Technology Maintenance.

Source: Administrative Office of the Courts

# SUPREME COURT



# SUPREME COURT



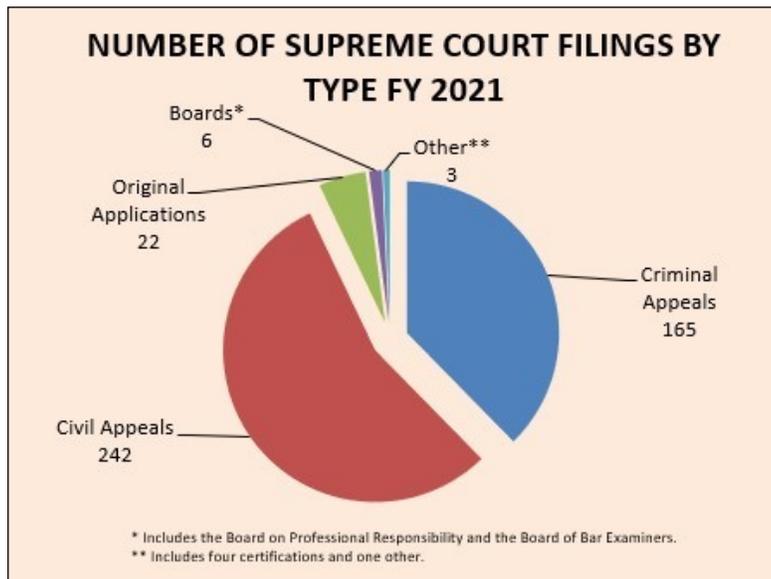
## CHIEF JUSTICE COLLINS J. SEITZ, JR.

The Supreme Court and Arms of The Court soldiered on during Fiscal Year 2021, despite the challenges posed by the COVID-19 pandemic and the Delta variant. As with other Delaware Courts, the Supreme Court transitioned from Zoom oral arguments to in-person oral arguments, but continued with social distancing and face mask requirements. Even though we lifted the judicial emergency order, our top priority was always the safety of the Justices, court staff, and litigants.

Because of safety and logistical concerns attributable to the pandemic, the Court cancelled the 2020 Delaware Bar Exam. All 2020 bar applicants were able to apply for limited practice privileges to start their legal careers under the supervision of a Delaware lawyer until the 2021 exam. While we hoped to return to an in-person exam in 2021, safety concerns caused us to administer the 2021 Delaware Bar Exam remotely. Remotely administering the 2021 Bar Exam for the first time was not without

its challenges. Yet, despite some technical issues, we saw the highest passing rate compared to the six prior years. The Court is grateful to the Board of Bar Examiners for continuing their important work in the face of an unprecedented pandemic.

In Fiscal Year 2021, the Delaware Supreme Court received 438 appeals and resolved 485 cases by opinion, order, or dismissal. The Court decided appeals an average of 32 days from the date of submission to the



*Continued on next page*

# SUPREME COURT

date of final decision. In 100% of the appeals decided in FY 2021, the Court met the Delaware Judiciary standard for deciding cases within 90 days of the date of submission. The Court resolved 78% of all cases within 290 days of the filing of a notice of appeal, and 88% of all cases within a one-year timeframe—a remarkable accomplishment given the COVID-19 pandemic.

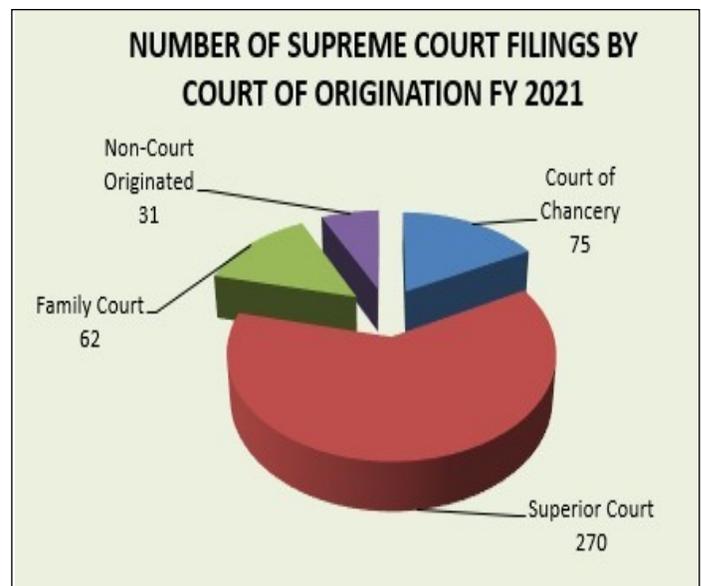
In 2021, the Court welcomed David White as the new Chief Disciplinary Counsel. Mr. White joined the Office of Disciplinary Counsel after working as the Managing Partner of the Wilmington office of McCarter & English LLP, where his practice was devoted to Alternative Dispute Resolution. Prior to joining the law firm, he served as a Superior Court Commissioner. Mr. White received his law degree from Widener University Delaware Law School and attended the University of Delaware for his undergraduate degree.

Former Justice Randy J. Holland edited and published “Delaware Supreme Court History 1951-2021” to commemorate the 70-year history of the Court, which he dedicated to all the Justices throughout the history of the Court and their work to uphold the rule of law and the fair administration of equal justice for all. Justice Holland also served as Chair of a task force, which made recommendations for bail rule reforms in domestic violence cases. The Court is grateful to former Justice Holland for his continued service to the Delaware judiciary, and to the members of Delaware’s legal community who contributed to the updated history.

In closing, there are several retirements to note. Debra Zatlokovicz and Deborah Collins retired after 31 and 41 years of service to the Supreme Court and the State of Delaware, respectively. We are grateful for their dedication to the Court and wish them all the best as they enter the next chapter of their lives. The Court also wishes to recognize Richard K. Herrmann, Esquire, for his steadfast dedication to improving the practice of law through technology. The Court thanks him for his service and offers him well wishes in his retirement. ♦

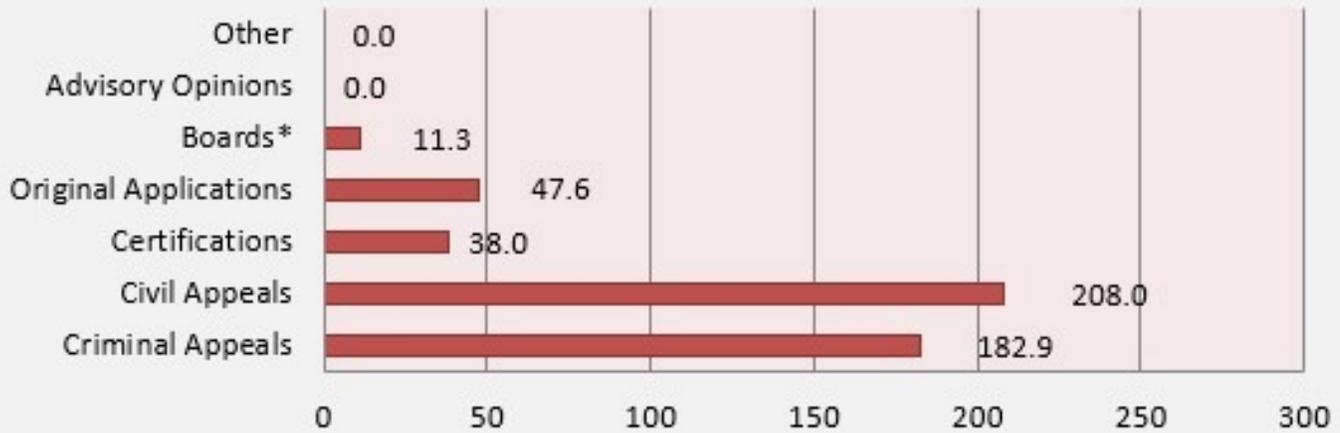


*Delaware Supreme Court Chief Justice Collins J. Seitz, Jr., working in his office located in Wilmington, Delaware.*



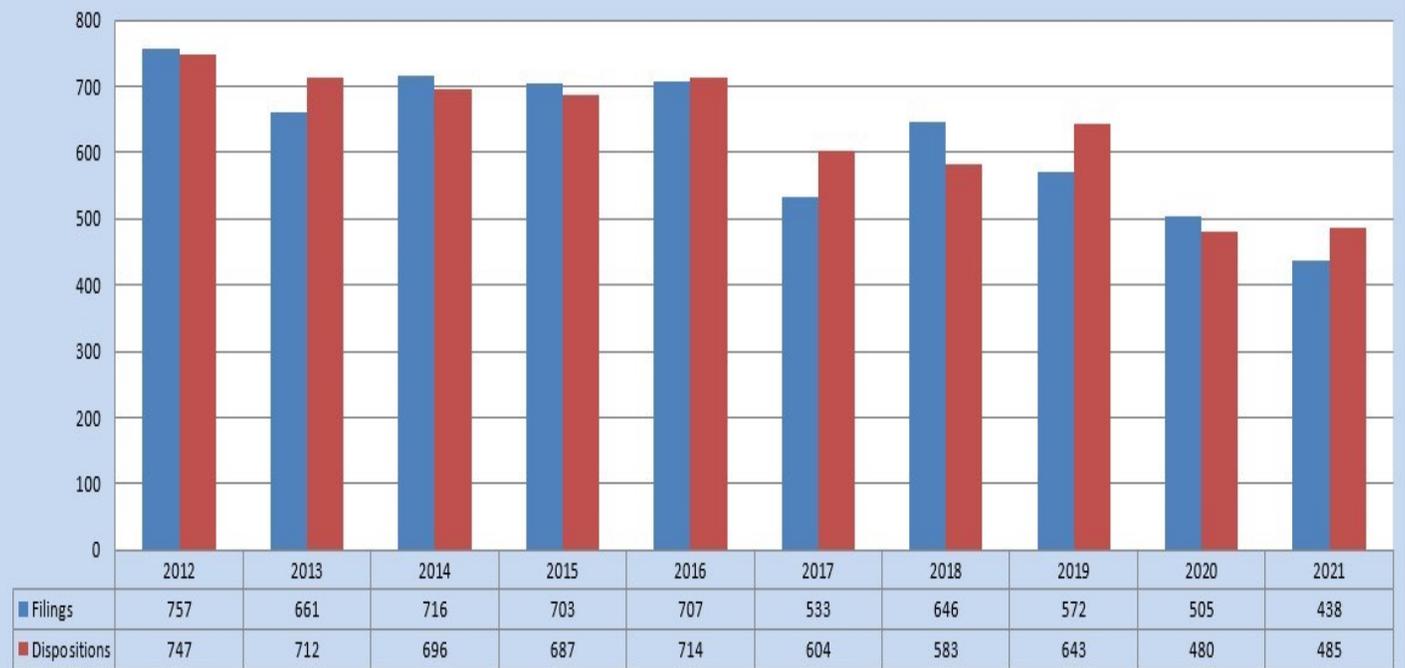
# SUPREME COURT

## SUPREME COURT FY 2021 AVERAGE NUMBER OF DAYS FROM FILING TO DISPOSITION BY CASE TYPE



\*Includes the Board on Professional Responsibility and the Board of Bar Examiners.

## SUPREME COURT FILINGS & DISPOSITIONS BY FISCAL YEAR



Continued on next page

# SUPREME COURT



## Supreme Court Justices

*Standing left to right:*

Justice Gary F. Traynor  
Justice Karen L. Valihura  
Chief Justice Collins J. Seitz, Jr.  
Justice James T. Vaughn, Jr.  
Justice Tamika R. Montgomery-Reeves

# COURT OF CHANCERY



# COURT OF CHANCERY

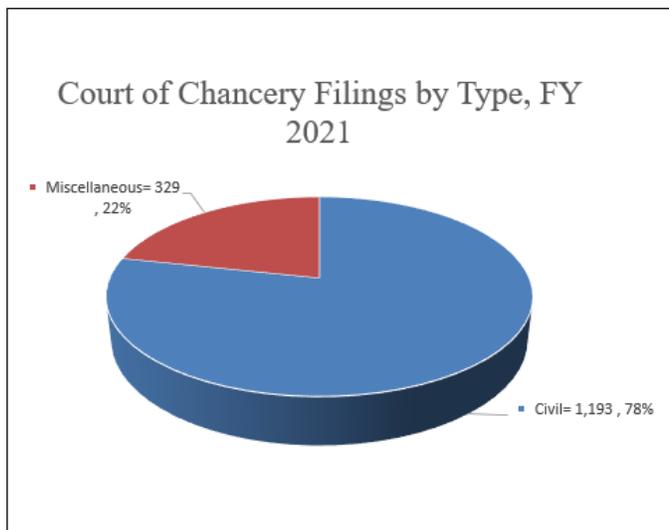


## CHANCELLOR KATHALEEN ST. J. MCCORMICK

In this, my first address to the community on behalf of the Court of Chancery, I begin by thanking my predecessor, Chancellor Andre G. Bouchard, who retired on May 5, 2021. As this court's twenty-second leader in its 229 years, Chancellor Bouchard personally authored many seminal decisions in corporate law, fostered a collaborative and positive work environment, and steered the Court of Chancery through the tumult of

the pandemic. It was a privilege to serve with and learn from him. Thanks to Chancellor Bouchard, our court not only survived but also thrived over the past year, and we are well-positioned to address the challenges of the years ahead.

While the Court's leadership changed, intractable problems remained. We convinced ourselves that the harried conditions of 2020 made for a unique year in the court's history. Then came 2021. As the pandemic lingered, and the emergency orders were extended, the demands of litigants on our Court increased. Civil cases continued to increase in volume and complexity, with 38% of new filings accompanied by motions to expedite. Petitions for guardianships over adults with disabilities increased dramatically too, with emergency petitions comprising over 25% of all petitions.



*Continued on next page*

# COURT OF CHANCERY

Equipped with the lessons learned from 2020, the court redoubled its efforts to meet these increasing demands, and Fiscal Year 2021 marked one of the most productive years in recent history. The Court disposed of over 25% more civil matters compared with the prior fiscal year, and conducted over 30 trials and 1,200 hearings while issuing over 225 rulings year to date.

Against the dark backdrop of the pandemic, the Court's many milestone achievements during the past year shone brighter and provided cause for much-needed celebration.

We celebrated our newest judicial officers. On May 26, 2021, the Honorable Lori W. Will was sworn in as Vice Chancellor. Prior to joining the Court, Vice Chancellor Will was a partner at Wilson Sonsini Goodrich & Rosati, P.C., where she focused on the representation of business entities and their directors and officers in corporate, complex commercial, and federal securities litigation. On August 2, 2021, members of the Court gathered with the friends and family of Vice Chancellor Paul A. Fioravanti, Jr., in the gardens of the Delaware Art Museum for his pandemic-delayed investiture.

We celebrated our veteran leaders. On August 5, 2021, we acknowledged several significant service accomplishments. Vice Chancellor Joseph R. Slight III—now with 17 years in service to the Judiciary and seven to this Court—was belatedly recognized for his first 15 years' service. Judicial Operations Manager Katrina Kruger and Judicial Case Management Supervisor Arline Simmons each celebrated 25 years of Judiciary service. Vice Chancel-

lor Sam Glasscock III too achieved 25 years of service to the Judiciary, with 22 of those spent in service to this Court. Court Reporter Jeanne Cahill celebrated 30 years with the State and ten years with this Court. Deputy Court Administrator, Ramona Monsen, celebrated her 45 years of service to the State and over 30 years of service to this Court. Then, on October 13, 2021, we gathered to witness the Senate confirm Vice Chancellor J. Travis Laster to his second term on the bench. On behalf of the Court, I thank all of our veteran employees and their families for the sacrifices they have made for this Court and those we serve.



*Delaware Supreme Court Justice Gary Traynor (right) administers the oath of office to Vice Chancellor Paul Fioravanti at the Delaware Art Museum in Wilmington on August 2, 2021.*

We also celebrated gender diversity. The appointment of Vice Chancellor Will allowed the Court to reclaim the distinction of being majority female. The Court earned this status only once before, in 2018 when Vice Chancellor Morgan T. Zurn and I were appointed to serve with then-Vice Chancellor Montgomery-Reeves, Master Patricia W. Griffin, and Master Selena E. Molina. The gender diversity of our Court's administrative leadership is also notable. When I was sworn in as Chancellor on May 6, 2021, I joined a leadership team including Court Administrator Susan Judge, who joined this Court in March of 2020, Deputy Court Administrator Ramona Monsen, who assumed her position in August of 2020, Chief Court Reporter Juli LaBadia, who was elevated to her position in November of 2020, and the Court's Fiscal Administrative Officer, Monica Jones, who has held this position since 2014.

# COURT OF CHANCERY

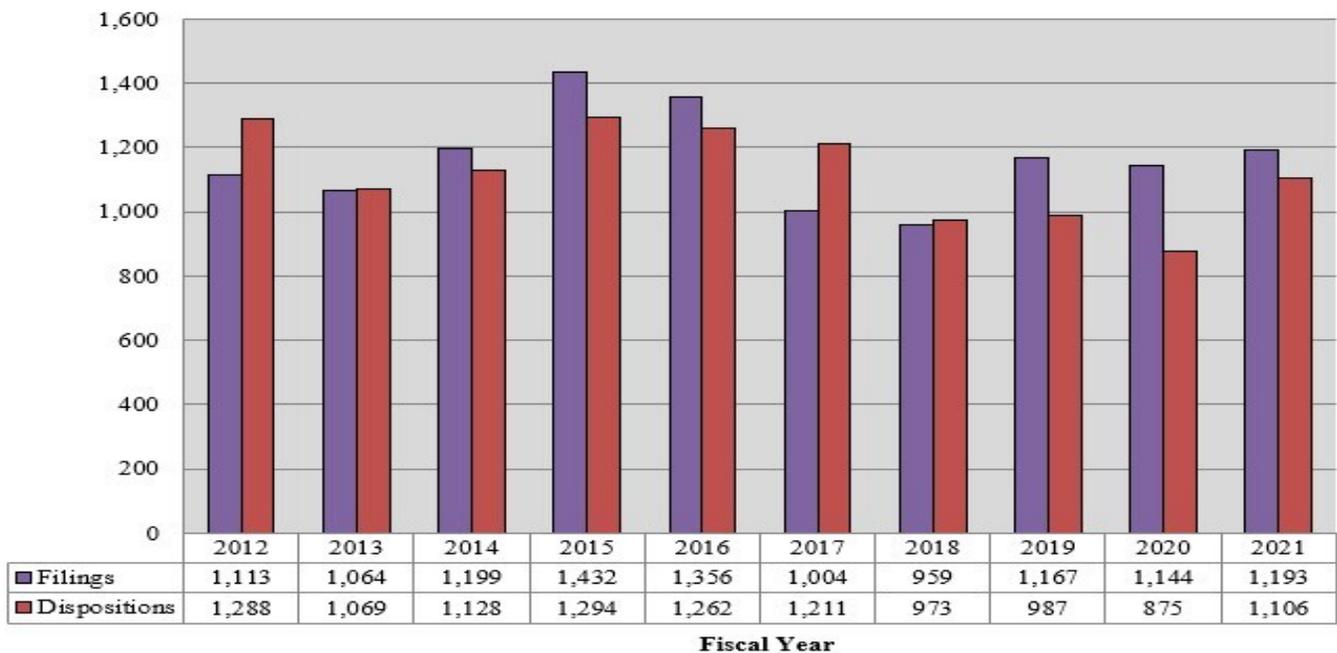
As the achievements of the past year underscore, the strength of our Court is in its people. As we head into our 230th year, it is my honor to work alongside the fresh faces and seasoned hands of the second-ever majority-female, first-ever female-led Court of Chancery. ♦



*Top: Vice Chancellor Lori W. Will being sworn in on May 26, 2021 on the plaza outside the Leonard L. Williams Justice Center in Wilmington.*

*Left: Vice Chancellor J. Travis Laster being sworn in for his second term on October 29, 2021 at the Leonard L. Williams Justice Center.*

## Court of Chancery 10-Year Civil Caseload Trend



*Continued on next page*

# COURT OF CHANCERY



## Court of Chancery

***Standing left to right:***

Master in Chancery Patricia W. Griffin, Vice Chancellor Paul A. Fioravanti, Jr.,  
Vice Chancellor Lori W. Will, Master in Chancery Selena E. Molina.

***Seated left to right:***

Vice Chancellor Joseph R. Slights III, Vice Chancellor J. Travis Laster, Chancellor Kathaleen St. J. McCormick,  
Vice Chancellor Sam Glasscock III, Vice Chancellor Morgan T. Zurn.

# SUPERIOR COURT



# SUPERIOR COURT



## PRESIDENT JUDGE JAN R. JURDEN

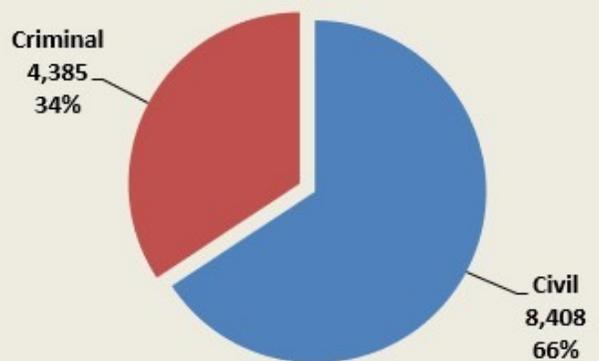
*“Change is the only constant in life.” Heraclitus, Greek Philosopher.*

Superior Court is embracing the ever-changing work environment. Like everyone, sometimes reluctantly, sometimes eagerly. All our employees and all aspects of our core functions have been affected and continue to be affected by the fluid landscape brought by the pandemic. While the pandemic started the Superior Court on this epic journey, along the way we have learned much. In order to maintain and remain true to Superior Court’s long standing mandated mission – to serve the public by providing fair, prompt and well-reasoned decisions in all matters coming before the Court – our Superior Court team, judicial officers and staff contributed ingenuity, creativity, hard work, flexibility and cooperation to fulfill this critical mission. The outstanding effort and dedication demonstrated through this seemingly endless difficult period was remarkable. It was through every Court employee’s adherence to our core values **“UNITED”** – Unity, Neutrality, Integrity, Timeliness, Equality and Dedication that allowed us to carry on court business despite

the pandemic in FY 21.

COVID’s safety concerns continued to impact all court processes in FY 21 and, in response, the Superior Court added additional remote/virtual civil and criminal proceedings and processes. On the criminal side, the Court, through the partnership and coordination of the Judicial Information Center, sustained the collaborative work with its justice partners started the previous year. Working in such a collaborative manner enabled judicial branch technology to work in concert with executive branch

**NUMBER OF SUPERIOR COURT FILINGS  
BY TYPE, FY 2021**



*Continued on next page*

# SUPERIOR COURT

technology and permitted enhanced communications between the Courthouses in all three counties, the Department of Correction institutions, and Probation and Parole offices. This enhanced technology enabled the Court to hold additional remote hearings with probationers and incarcerated individuals. While this extraordinary effort began the year before, without the continuous involvement and cooperation of these agencies and their experienced dedicated employees, the Court would not have been able to continue to perform its core functions. The Court continues to be extremely grateful for the exceptional teamwork and collaboration of all the Courts, the Administrative Office of the Courts, the Judicial Information Center, and our criminal justice partners. The Court is also grateful for the continued input and flexibility of the Civil Bar who worked with us to present important matters remotely.

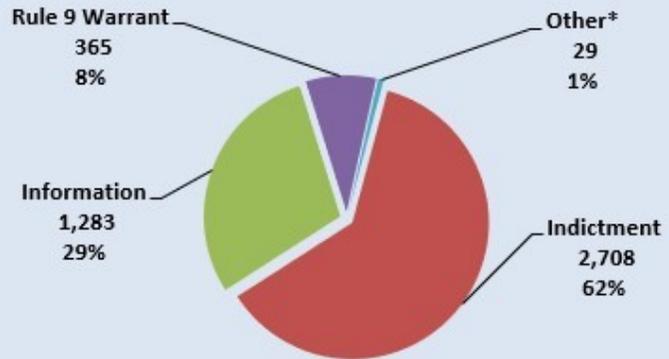
In addition to technology, communication and patience were key. The sustained use of teleconferences to have ongoing discussions with justice partners allowed us to exchange critical information,

raise issues and concerns, problem-solve and plan – in real time. Because of this, we were able to quickly adjust and adapt our processes to address issues raised by our partners and effectively implement innovative changes in response to this ever-changing and uncertain landscape.

Each year the Superior Court handles thousands of civil and criminal filings and cases. In FY 2021, we had 8,408 civil filings and 4,385 criminal filings. (The criminal filings include 37 Murder 1<sup>st</sup> cases in FY 21.) Due to the ongoing pandemic, FY 2021 continued to be different in many ways, including how cases and filings were processed, the temporary interruption of certain services, and the limited number of proceedings the Court was able to schedule.

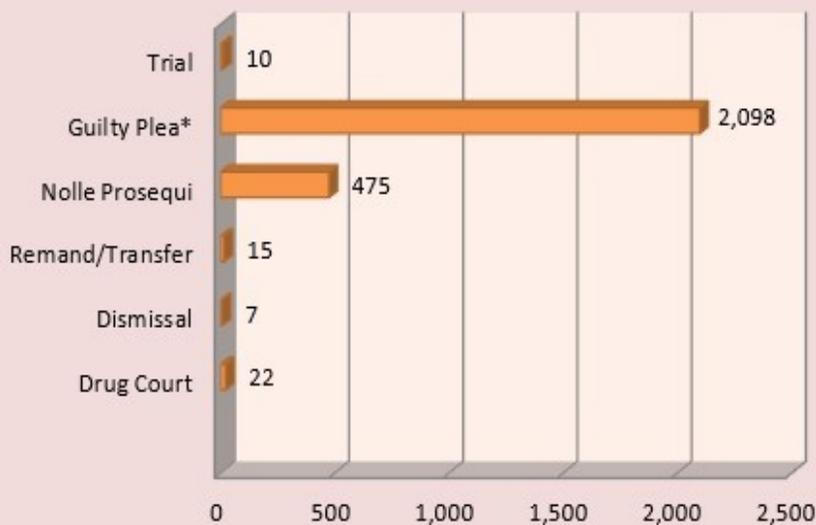
On the criminal side, the Court continued to handle a large number of first-degree murder and serious felony cases, including several complex multi-defendant gang participation and criminal racketeering cases. During the pandemic, the Court was able to conduct 2,764 criminal proceedings remotely. On the civil side, thanks to electronic filing, the pandemic did not disrupt most civil filings to the extent it did criminal. And, thanks to technol-

**NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2021**



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

**NUMBER OF SUPERIOR COURT CRIMINAL DISPOSITIONS BY METHOD FY 2021**



\*Includes Probation Before Judgment.

\*\*First Offender Program.

# SUPERIOR COURT

ogy and the unending help of the Judicial Information Center, as with criminal matters, we were able to maintain our modified processes and handle 395 civil proceedings remotely/virtually.

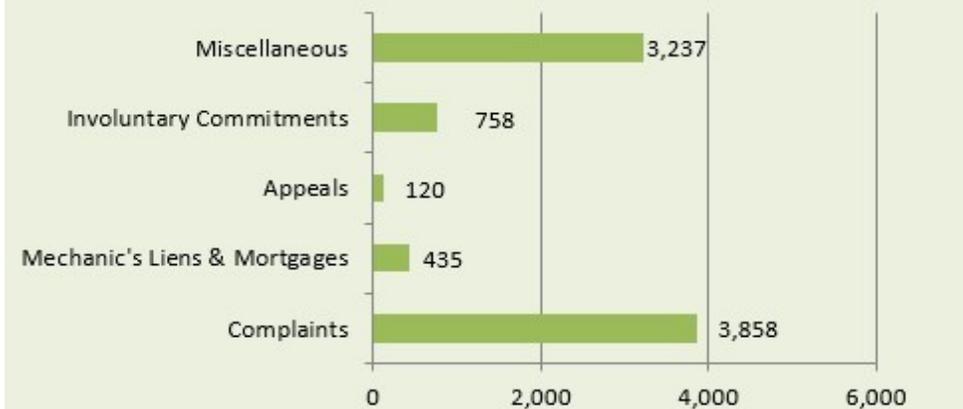
Through our Bench-Bar Liaisons, the Court continued to receive helpful suggestions, ideas, and feedback from civil and criminal law practitioners. That information proved very useful as we considered how to best implement remote/virtual civil proceedings during all phases of COVID-19 and consider what modified processes to adopt permanently. The disruption and many challenges presented by COVID caused the Court to take a hard look at its current practices and make changes to facilitate remote/virtual proceedings, improve efficiency, and better use of our limited resources. The Court is committed to listening to feedback from the Bar and our justice partners and improving our processes as needed to best serve the Bar and the public.

From July 1, 2020, to June 30, 2021, the Superior Court issued 508 civil opinions to include 101 Complex Commercial Litigation opinions and orders and 209 criminal opinions and orders. Many of these civil and criminal opinions and orders are posted on the Court's webpage. In addition to posting opinions and orders on its webpage, the Court distributes its Administrative Directives, Administrative Orders, Rule Changes and Standing Orders through the Bar's

Listserv. The Court's webpage is routinely updated with new information to keep the Bar and the public informed. This webpage also provides useful information on court processes, forms, schedules, and other material to aid in navigation of the court system.

In response to COVID-19, Governor Carney continued to issue modifications to the State of Emergency which impacted Court processes. The Governor's State of Emergency and the federal government's passage of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") originally established a moratorium on mortgage foreclosures, evictions, and summary possessions. The Court worked with the Department of Justice and the Governor's Office on the implementation of this moratorium on new filings, previously filed matters, and those matters currently involved in Superior Court's Automatic Residential Mortgage Foreclosure Mediation Program. Effective July 1, 2020, the Governor's Twenty-Third Modification of the State of Emergency lifted certain stays on residential mortgage foreclosures commenced prior to the declaration of the State of Emergency. Thereafter on September 3, 2020, the Governor's Twenty-Seventh modification of the State of Emergency lifted the stay on all deadlines in residential mortgage foreclosure actions commenced prior to the state of emergency. The Centers for Disease Control and Prevention ("CDC") eviction moratorium was set to expire on December 31, 2020. Congress extended the moratorium through January 2021 and President Biden further extended the moratorium through March, June, and July 2021. On August 3, 2021, the CDC announced a limited eviction moratorium through October 3, 2021. To appropriately address the changing restrictions brought about by modifications to the State of Emergency and numerous federal entities on what actions could be taken on various mortgages, the Superior Court issued Administrative Orders requiring compliance with all federal, state, local and municipal statutes, orders, restrictions, and preclusions. The

**NUMBER OF SUPERIOR COURT CIVIL FILINGS  
BY TYPE FY 2021**



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# SUPERIOR COURT

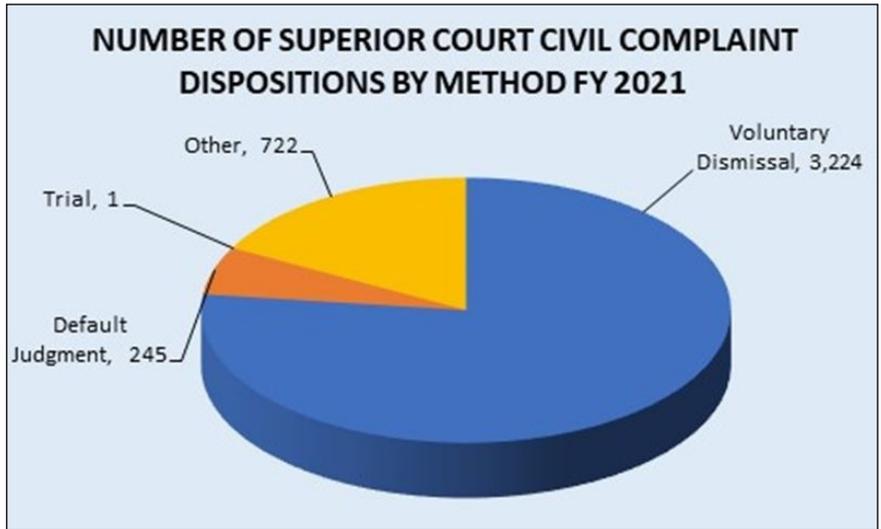
moratorium on foreclosure matters resulted in 381 mortgage and 54 mechanics lien filings statewide, a decrease from the previous year.

Our acclaimed Complex Commercial Litigation Division (“CCLD”) remained steady in new filings in FY 21, with 123 new cases filed. CCLD cases include complex commercial/business disputes with an amount in controversy of \$1 million or more. Judges Mary M. Johnston, Eric M. Davis, Paul R. Wallace, and Abigail M. LeGrow expertly handle these cases. In addition to the specialized CCLD docket, the Court has a large docket of mass torts and asbestos cases.

Judges Rennie and Adams handle the asbestos cases. As of June 30, 2021, there were 661 mass tort cases, 601 asbestos cases and 216 CCLD cases pending. During the pandemic, the use of virtual/remote hearings in the CCLD, mass tort and asbestos cases has proven successful. The Court believes that the continued use of virtual/remote hearings after the pandemic will promote judicial economy.

Along with managing our heavy civil and criminal caseloads, the Court expended significant time and resources preparing for the resumption of jury trials under COVID-19 safety protocols. This involved, for example, courtroom modifications, including installation of clear safety barriers and reconfiguration of juror seating in the courtrooms, and modified processes and procedures to ensure the safety and well-being of employees, jurors, litigants, witnesses, and members of the press and public.

The Court continued to summon jurors for service in the Superior Court and the Court of Common Pleas in all three counties. In adherence with the Chief Justice’s Reopening Plan, the Court did not summons any jurors through the end of June 2020. In June, the Chief Justice established a Jury Committee composed of judges and administrators to study and evaluate courthouse structures and jury processes in all three counties and provide a comprehensive report with recommendations as to how we could resume jury trials safely during COVID-19. The Commit-



tee’s report, adopted by the Supreme Court, was the blue print we followed as we prepared to resume criminal jury trials in late October. After holding one trial in Kent County Superior Court, the trials were again put on hold due to pandemic-related safety concerns in November. With the installation of protective barriers around jurors and the use of courtrooms as jury rooms, to allow for additional spacing of jurors, the Court resumed jury trials in June. In FY 21, the Court held 10 criminal jury trials and 9 civil bench trials.

As long as the pandemic continues, the Court will continue to review its jury management plan to ensure that we implement and maintain all necessary safety precautions and practices for the resumption of jury trials.

Our improved Jury Management System enables jurors to complete their juror questionnaires and request for rescheduling or excusal online. We added additional questions to the questionnaire to address COVID-19 safety and concerns. To meet appropriate social distancing guidelines, we made modifications to the Jury Services Department in each courthouse. These include installation of safety barriers and the creative use of technology.

The right to trial by jury is the bedrock of our criminal and civil justice system. As such, we continue to scrutinize and update our processes in an effort to

# SUPERIOR COURT

minimize juror inconvenience and maximize juror safety during this pandemic and into the future.

Superior Court’s Problem-Solving Courts continue to work with justice partners in an ongoing effort to improve outcomes for participants, reduce recidivism and improve public safety. The Mental Health Court (“MHC”) presided over by the following judicial officers: in Sussex County, Judge Conner replaced retired Resident Judge Stokes; in New Castle County, Court of Common Pleas Judge Mayer was cross designated to handle Superior Court cases following the retirement of Judge Rocanelli; and in Kent County Commissioner Freud. Two retired judges, Resident Judge Witham, and Resident Judge Stokes were specially designated to sit and handle the Veterans Treatment Courts in Kent and Sussex Counties. Judge Wallace continues to handle this problem-solving court in New Castle County. Resident Judge Butler, who presides over New Castle County Superior Court’s Reentry Court, continues his work as Superior Court’s representative on the Delaware Correctional Reentry Commission (“DCRC”) established by Governor Carney’s Executive Order No. 27. The DCRC issued its final report on December 31, 2020. Resident Judge Butler’s reentry work with the DCRC continues as this Commission transitions under the Family Services Cabinet Council.

Over the past years, applications for Concealed Carry Permits have increased exponentially. Currently, the Court has a manual process to receive, submit to

the Department of Justice (“DOJ”) for review and approve these applications. The Court is working with the DOJ to identify and implement a more efficient manner to address these applications. The statistics for these applications along with other court related statistics are available on the Superior Court’s website. The Court continues to provide information regarding its workload on the Court’s website for public access.

The Superior Court is privileged to have extremely hardworking, dedicated, and loyal staff who work tirelessly to provide excellent service. Our staff is our greatest resource. The staff’s efforts during this unprecedented time are astonishing. Their outstanding work ethic, flexibility, and innovation make us proud. The safety and well-being of our employees remains in the forefront of each decision made during this unparalleled time. Superior Court’s employees have shown their commitment to the Court and the citizens of Delaware during an extremely difficult time, and we are grateful.

Fiscal Year 21, like Fiscal Year 20, continues to bring many personnel changes. In New Castle County, we welcomed Lisa Fontello as the new Prothonotary. Lisa’s, long career with the judicial branch began in 1999 with the Court of Common Pleas. She then moved to Superior Court in 2012. She has held many positions in our Court, before being appointed the Prothonotary. New Castle County also welcomed a new Chief Deputy Prothonotary – Mark Senigo. He started his career with the



*Continued on next page*

# SUPERIOR COURT

Superior Court in 2009 in Jury Services. His steadfast hard work has been recognized with his promotion to Chief Deputy Prothonotary. Additionally, the Court welcomed thirty-one (31) new employees this fiscal year, but continues to struggle to maintain staff in light of the pandemic and low wages.

Regarding Judicial changes we said goodbye to several of our colleagues. Resident Judge Richard F. Stokes retired on January 31, 2021. Resident Judge



*The Honorable Danielle J. Brennan takes the oath of office on Sept. 9, 2021 in courtroom 7B of the Leonard L. Williams Justice Center.*

William L. Witham retired on May 14, 2021, and Judge Andrea L. Rocanelli retired on May 21, 2021. These retirements resulted in the elevation of Judge Craig A. Karsnitz to Resident Judge of Sussex County on February 2, 2021, and the elevation of Judge Jeffrey J Clark to Resident Judge of Kent County on May 17, 2021. The Court was pleased to welcome three new Judges: Robert H. Robinson, Jr. as Judge in Sussex County on February 5, 2021; Reneta L. Green-Streett as Judge in Kent County on May 26,

2021; and Danielle J. Brennan as Judge in New Castle County on July 1, 2021.

Notwithstanding this seemingly unending pandemic, heavy workloads, staff shortages, changing processes



*The Honorable Reneta L. Green-Streett takes the oath of office on May 26, 2021 in courtroom 1 at the Kent County Courthouse.*

and uncertainty as to when we can return to a “new normal,” Superior Court is embracing change and stands UNITED in our continuing efforts to provide exemplary service to those we are honored to serve. ♦

# SUPERIOR COURT



## SUPERIOR COURT JUDGES

**Top Row (left to right):** Judge Danielle J. Brennan; Judge Mark H. Conner; Judge Meghan A. Adams; Judge Sheldon K. Rennie; Judge Noel Eason Primos; Resident Judge Craig A. Karsnitz; Judge Francis J. Jones, Jr.; Judge Robert H. Robinson, Jr.; Judge Reneta L. Green-Streett.

**Middle Row (left to right):** Resident Judge Jeffrey J. Clark; Judge Vivian L. Medinilla; Judge Eric M. Davis; Resident Judge Charles E. Butler; Judge Paul R. Wallace; Judge Ferris W. Wharton; Judge Abigail M. LeGrow.

**Bottom Row (left to right):** Judge Mary Miller Johnston; Judge William C. Carpenter, Jr.; President Judge Jan R. Jurden; Judge Calvin L. Scott, Jr.; Judge Diane Clarke Streett.

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# SUPERIOR COURT



## SUPERIOR COURT COMMISSIONERS

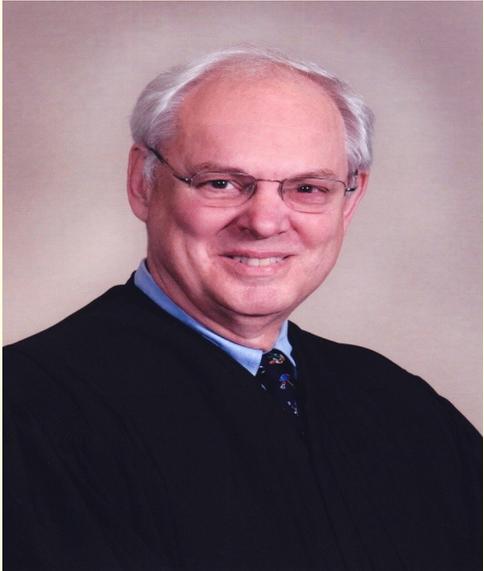
***Top Row (left to right):*** Commissioner Alicia B. Howard; Commissioner Andrea M. Freud; Commissioner Lynne M. Parker.

***Bottom Row:*** Commissioner Janine M. Salomone.

# SUPERIOR COURT

## IN MEMORIAM

### The HONORABLE ROBERT B. YOUNG



The Superior Court of the State of Delaware expresses condolences to family, friends and coworkers of retired Superior Court Judge Robert B. Young who passed away on February 24, 2021.

“Judge Young was a great colleague, a cherished friend and a wonderful human being. He loved the Superior Court, he loved his Superior Court family, and he loved helping others,” said Superior Court President Judge Jan R. Jurden.

Judge Young, 77, was appointed to the bench in February 2005 as a Superior Court Judge for Kent County by Governor Ruth Ann Minner. He retired from full-time service in March 2017, though he returned to assist the Court periodically by special designation.

In addition to his distinguished work on the bench, where he headed the Kent County Mental Health Court, Judge Young was well known for his work outside of court, particularly his comedic song-writing abilities. He is the author of *The Trial of Elinor Ruttee*, a musical celebrating 300 years of Court on *The Green in Dover*; *Macbeth—A Family Musical*; *A Tale of Two Cities—The Rock Opera*; *Moby Dick—A Maritime Musicale*; *An American Tragedy—A Comedy*; *Madame Bovary—Ho, Ho, Ho*; *The Crucible—Plymouth Rocks*; *The Public Enemy: Runnin’ Wild*, and *The Tennessee Waltz*. Nearly all performances involved members of the Delaware State Bar Association and proceeds of the shows were donated to charity, particularly the Combined Campaign for Justice that provides legal assistance to the indigent.

“He had a rare combination of historical knowledge of musical theater and an ear for everything interesting before 1975 and a stubborn tenacity to have things done the way he wanted them done,” said Family Court Judge James McGiffin, who frequently performed with Judge Young. “He had a large measure of creative and comedic genius.”

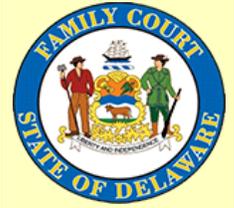
Judge Young was also a valued member of the *Miracle on 34th Street* cast that performs the courtroom scene from the classic 1947 movie for school children at Delaware courthouses each holiday season. Judge Young performed in a variety of roles and most recently he appeared as the psychiatrist in one of the December 2020 performances, which was held by Zoom due to the pandemic.

Prior to joining the Court, Judge Young began his career practicing law in Dayton, Ohio in 1969. He was admitted to the Delaware Bar in 1975 and opened a practice in Dover. In 1996, his son joined the firm and they practiced as *Young & Young* until he was appointed to the bench. After he retired from Superior Court he joined the firm *Reger Rizzo & Darnall LLP*.

Judge Young was also a past president of the Delaware State Bar Association and the Delaware Chapter of the American Board of Trial Advocates. He was a past counselor of the Terry-Carey Inn of Court, and was the recipient of its Professionalism Award. He also received a number of other legal and community-based awards, including the Shofar Judicial Award for Outstanding Service, the ABOTA Distinguished Service Recognition Award, the Combined Campaign for Justice’s Appreciation Recognition, and the American Inns of Court Award for Professionalism, among others.

# FAMILY COURT

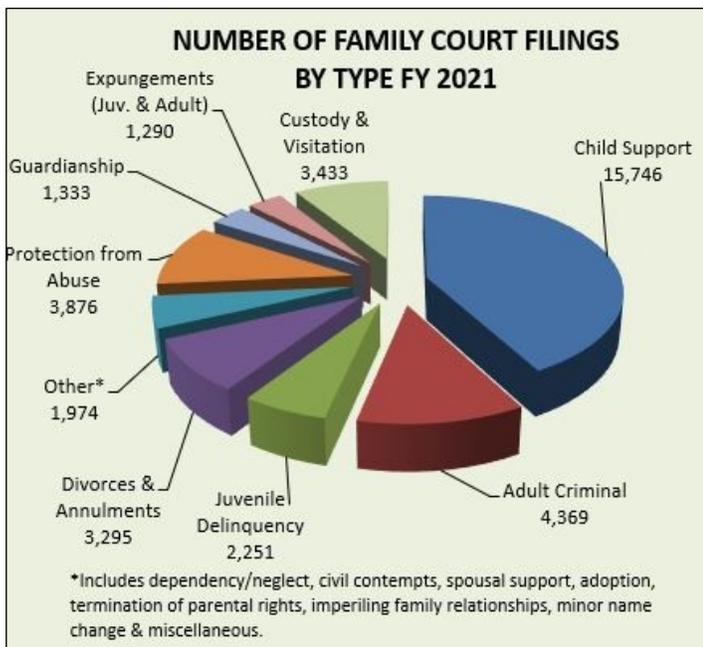
## CHIEF JUDGE MICHAEL K. NEWELL



# FAMILY COURT

Family Court continues to be guided by its mission: to provide equal access to justice for the families and children under its jurisdiction in a manner that is fair and efficient and that maintains the public's trust and confidence in an independent and accountable judiciary. We strive each day to build an atmosphere that ensures all members of the public are treated with courtesy, dignity, and respect.

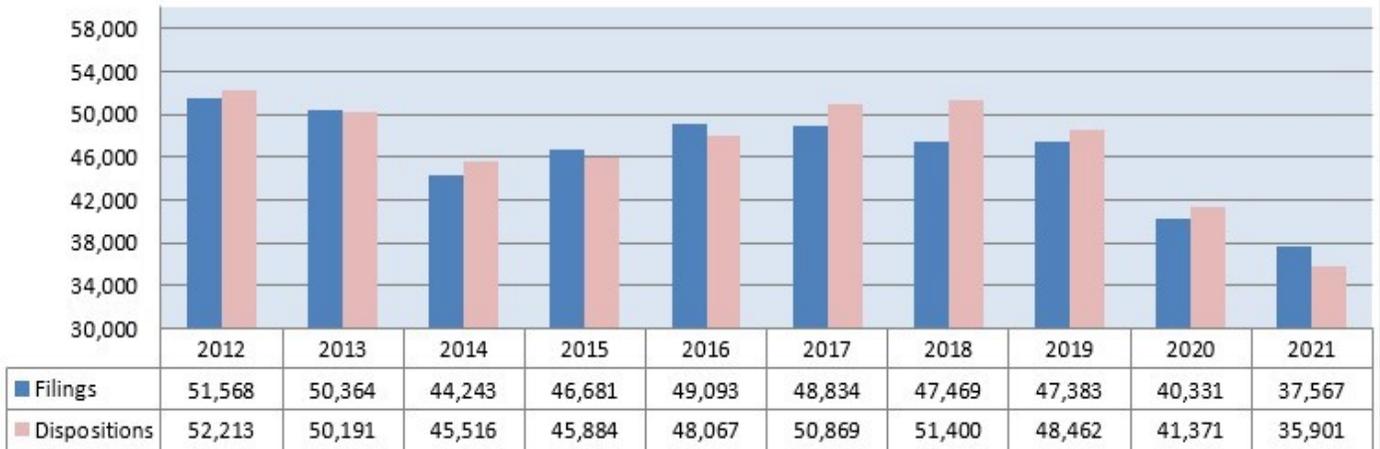
As the Court continued to address challenges presented by the COVID-19 pandemic, this year Family Court institutionalized many of the positive changes that were initially necessary to keep the Court running during the State of Emergency. Throughout the pandemic, Family Court continued to accept filings, hold hearings, and created innovative ways for litigants to access justice.



In Fiscal Year 2021, the Court processed 37,567 filings, a decrease of 6.9% from last year. The Court's civil filings decreased by 4.6%, and its adult criminal filings decreased by 2.9%. Juvenile delinquency filings decreased by 33.7% with juvenile misdemeanor cases dropping by over 52%. The downward trend continued among all three counties with New Castle's overall filings decreasing by 3.9%, Kent's decreasing by 7.5%, and Sus-

# FAMILY COURT

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



sex’s decreasing by 12.8%. These decreases are attributable to the pandemic.

While child support filings continue to represent the highest volume of filings for Family Court with over 15,000 filings in Fiscal Year 2021, the Court saw a decrease of 9.6% following a decrease of 20.4% the previous fiscal year. Notably, child support arrears filings dropped by 81.7% statewide. Protection from abuse filings remained relatively stable, but divorce, custody, and new child support filings increased in every county.

Family Court completed the Court Improvement Program (“CIP”) Strategic Plan this past year, which will guide our child welfare work for the next five years. We have continued to receive technical assistance and training from the National Council of Juvenile and Family Court Judges (“NCJFCJ”) as an Implementation Site in an effort to enhance our CIP work, improve outcomes for children and families, and support our ever-evolving child welfare practices. Quality legal representation remains a focus of CIP with parent attorney standards being drafted this past fiscal year, as well as the development of a mul-

tidisciplinary approach for parent representation. The Court plans to expand the teaming of social workers with parent attorneys and will add peer advocates to the multidisciplinary team in the upcoming year.

Family Court also continues its work to sustain the efforts of the Family Court Enhancement Project. The project has focused on improving practices in domestic violence, custody, and visitation matters. Through work completed by a Domestic Violence Coordinator, Family Court has improved upon its PFA processes, case processing practices, and the overall courthouse and virtual experience for litigants. The Family Court continued the tradition of celebrating its successes and providing stakeholder updates during Domestic Violence Awareness Month with a virtual “round table” discussion. The Domestic Violence Coordinator tracked PFA firearm relinquishment and DV intervention compliance, and aided in the implementation of virtual hearings, the creation of litigant self-help materials, and the addition of self-help materials to Family Court’s website in response to COVID-19.

*Continued on next page*

# FAMILY COURT

Family Court efforts to construct new Family Court buildings in Kent and Sussex Counties continued this fiscal year. The current buildings are under-sized, undignified, and unsafe. These projects are critical to providing Family Court and the citizens of Delaware with adequate, secure, and dignified facilities. Design of both buildings progressed this past



*Architect's rendering of the proposed Sussex County Family Courthouse in Georgetown.*

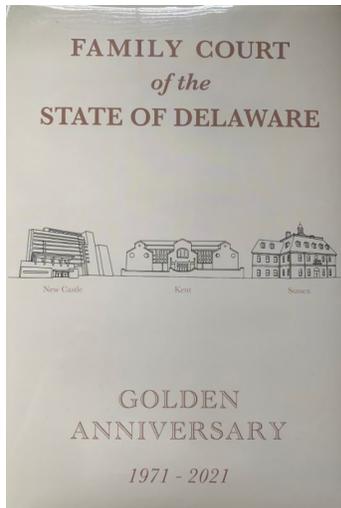
year, and it is anticipated that groundbreaking will take place in Sussex County during Fiscal Year 2022.

In January of this year, the Honorable Theresa Sedivec and the Honorable Gretchen Gilchrist were both reappointed to their second terms as Commissioners in New Castle County and Kent County, respectively. The Honorable Craig Fitzgerald was reappointed to his second term as a Commissioner in New Castle County in June of this year.

Family Court's Council on Racial Equity ("C.O.R.E.") continued its work to "eliminate systemic and institutional racism that serves as a barrier to accessing and achieving justice for litigants of color, and to promote a supportive and inclusive environment for employees that is dedicated to celebrating diversity by removing any social, cultural or other inequities that stifle professional development." Work continues at the committee level in

preparation for the submission of a report which will establish the path forward for the Family Court in this critical area of reform.

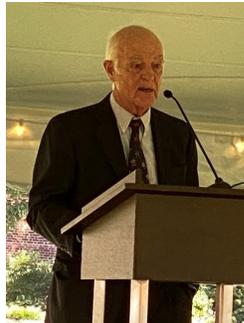
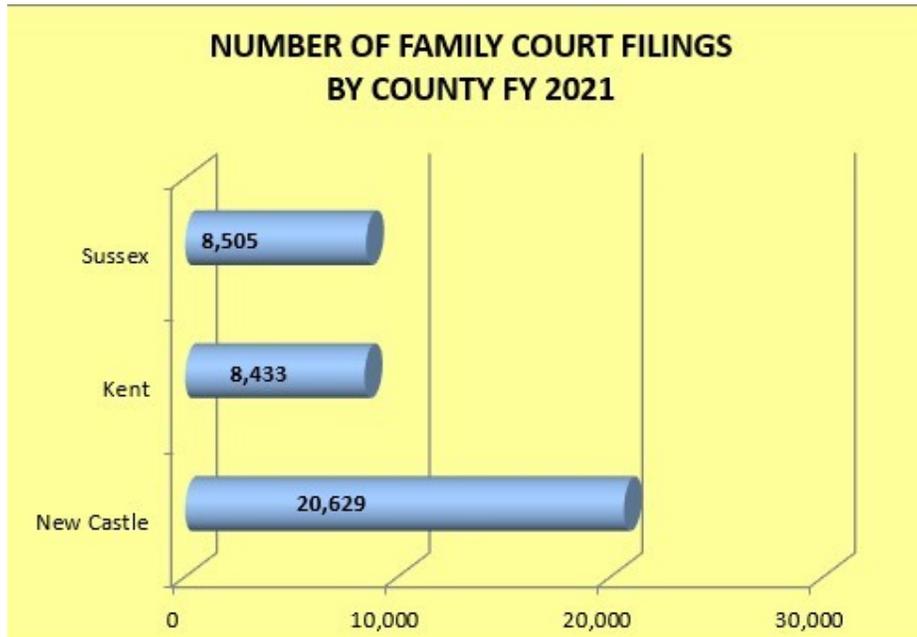
Finally, while Family Court's origins date back to 1911 with the founding of the Juvenile Court for Wilmington, on September 7, 2021, Family Court celebrated its 50th anniversary as a statewide court. A ceremony was held in Dover on Legislative Mall to commemorate the anniversary, and to recognize Family Court's historical contributions to the State. In addition to the public ceremony, the Court shared the celebration with employees with the distribution of commemorative tiles and copies of the Family Court's 50th Anniversary history book. The book was published just prior to the celebration and includes chapters written by current and past members of the bench, and family law attorneys. Complimentary copies of the book were made available to members of the bench and bar.



*The Family Court's 50th Anniversary history book.*

The Family Court is privileged to serve all citizens of Delaware, particularly its most vulnerable citizens, its children. The Court has a large caseload and hears some of the most intimate and sensitive issues that affect families, parents, and children. Our Judges, Commissioners, administration, and staff strive to ensure equal access to justice for our citizens and are dedicated to the Court's mission. We are proud of what we have accomplished in our court system during the past Fiscal Year and look forward to doing even more in the year ahead. ♦

# FAMILY COURT



*Speakers from the 50th Anniversary of Family Court event held on the Legislative Mall in Dover, in September 2021.  
Top Row (from left to right): Chief Judge Michael K. Newell; Governor John C. Carney; Chief Justice Collins J. Seitz, Jr.  
Bottom Row (from left to right): Former Justice Randy J. Holland; Former Judge Jay H. Conner; Senator David P. Sokola;  
Representative Krista Griffith; Delaware Public Archives Director Stephen M. Marz.*

*Continued on next page*

# FAMILY COURT



## FAMILY COURT JUDGES

**Front Row (left to right):** Judge Janell S. Ostroski; Judge Michael W. Arrington; Judge Natalie J. Haskins; Judge Paula Ryan; Judge Mark D. Buckworth; Judge Jennifer B. Ranji; Judge James G. McGiffin, Jr.

**Middle Row (left to right):** Judge Joelle P. Hitch; Judge Louann Vari; Judge Kenneth M. Millman.

**Back Row (left to right):** Judge Arlene Minus Coppadge; Judge Peter B. Jones; Chief Judge Michael K. Newell; Judge Robert B. Coonin; Judge Mardi F. Pyott.

**Not Pictured:** Judge Felice Glennon Kerr; Judge Mary S. Much.

# FAMILY COURT



## FAMILY COURT COMMISSIONERS

**Front Row (left to right):** Commissioner DeSales Haley; Commissioner Para K. Wolcott; Commissioner Danielle S. Blount; Commissioner Emily A. Farley; Commissioner Loretta Young; Commissioner Samantha J. Lukoff; Commissioner Craig R. Fitzgerald.

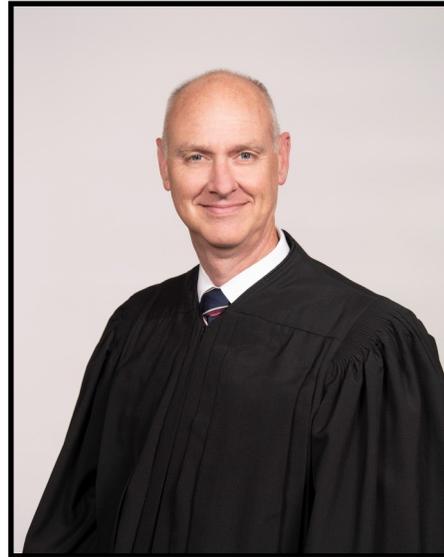
**Middle Row (left to right):** Commissioner Kim DeBonte; Commissioner Sonja T. Wilson; Commissioner Theresa A. Sedivec; Commissioner James J. Maxwell.

**Back Row (left to right):** Commissioner Jennifer Mayo; Commissioner David W. Jones; Chief Judge Michael K. Newell; Commissioner Andrew K. Southmayd; Commissioner Gretchen Gilchrist.

**Not Pictured:** Commissioner Francis Mieczkowski III.

# COURT OF COMMON PLEAS

## CHIEF JUDGE CARL C. DANBERG



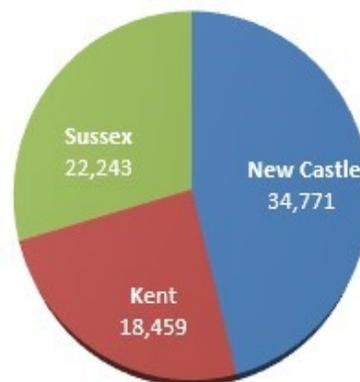
Fiscal Year 2021 can best be summarized as a year of novelty for the Court of Common Pleas. The COVID-19 pandemic necessitated quick innovations in Court operations. As the Court settled into its new, virtual-dependent normal, it did so, for the first time in the Court of Common Pleas' history, with a majority-female judiciary.

Like the other courts of the State of Delaware and in jurisdictions nation-wide, the COVID-19 pandemic fundamentally changed operations within the Court of Common Pleas. However, the Court of Common Pleas quickly adapted and implemented innovatory virtual-based solutions to continue offering the people and institutions of Delaware fair and efficient access to the justice system. Although court facilities operated at reduced capacity throughout FY 2021, the Court of Common Pleas staff rose to the occasion, working from their homes and in the office to ensure that the Court continued to operate as smoothly as practicable. The Court refined its methods for conducting business remotely and held a wide range of court

proceedings via video platforms. The Court also modified and retrofitted courtrooms to accommodate both video and in-person proceedings under social distancing guidelines. Additionally, while continuing to address new incoming cases, the Court, with the help and support of its justice partners, developed creative strategies to efficiently and effectively address the sizeable backlog of cases accumulated during the pandemic.

The Court of Common Pleas saw a number of "firsts" throughout FY 2021, beyond changes in the procedures, practices, and

**COURT OF COMMON PLEAS CIVIL & CRIMINAL  
FILINGS BY COUNTY FY 2021**



**COURT OF COMMON PLEAS**

# COURT OF COMMON PLEAS

social distancing measures employed. The Court of Common Pleas also had the distinct honor of welcoming an unprecedented number of women to the Bench in FY 2021. The Honorable Monica A. Horton became the first judge of Asian descent appointed to serve as a judge in any Delaware State Court. Along with the Honorable Rae M. Mims, the first African American judge appointed in Sussex County, they were the first African American females to serve as judges in the Court of Common Pleas. In May 2021, the Honorable Katharine L. Mayer was appointed as a judge in New Castle County, and the Honorable Emily Ferrell was appointed to serve as commissioner in New Castle County. With these historic appointments, the tide shifted to a majority-female Bench in the Court of Common Pleas for the first time in the Court's history.

In this, my first Annual Report message as the Chief Judge, I would like to recognize the retirement of Chief Judge Alex J. Smalls, who served on the Bench for over 29 years, the last 23 of which he served as Chief Judge for the Court of Common Pleas. Chief Judge Smalls was a pioneering jurist in his own right and a leader who never forgot what allows justice to thrive: the people. His compassion was a guiding principle in matters of the bench and his interactions with Court staff; I am fortunate to have been mentored by him for the last eight years and am honored to continue his work. With the legacy imparted by Chief Judge Smalls, coupled with the groundbreaking judicial appointments in recent years, the Court of Common Pleas is poised to keep justice strong in Delaware for years to come.

Despite the challenges presented by the COVID-19 pandemic, the Court of Common Pleas has continued to be one of the busiest courts in the State of Delaware, with over 81,132 case filings in FY 2021. Civil case filings in the Court of Common Pleas decreased in FY 2021, but the Court continued to maintain a heavy civil caseload. In FY 2021, the Court of Common Pleas received 6,320 new civil complaints, in addition to 2,416 civil judgments, name changes and appeals. Consumer debt collection continued to make up the bulk of the Court's civil caseload, accounting for 81.4% of the cases filed in FY 2021. Notably, to minimize the spread of COVID-19, the Court of Common Pleas established

strategies for conducting civil proceedings, including motion hearings, pre-trial conferences, and name change petition hearings, via video platforms. Criminal case filings also decreased in FY 2021. Criminal misdemeanor filings in the Court of Common Pleas in FY 2021 totaled 66,737, and 7,521 preliminary hearings were scheduled. These figures represent a 15.6% decrease in criminal misdemeanor filings and a 14.3% decrease in total criminal caseload compared to FY 2020. It should be noted that the Court of Common Pleas continued to conduct criminal proceedings for defendants in custody via video throughout the COVID-19 pandemic and closure of court facilities.

While the criminal caseload has declined, the types of cases filed in the Court of Common Pleas are considerably more complex than in years past. Traffic cases now make up a smaller share of the total caseload in each county. In FY 2021, there were 24,449 traffic charges filed in the Court of Common Pleas. This is a 16.7% decrease from the 29,354 filed in FY 2020. However, the overall misdemeanor filing total decreased by only 15.6% during the same period, and the growth rate of drug and alcohol cases has consistently outpaced other criminal filings. Statewide DUI transfers increased 53.4%—growing from 1,970 to 3,022—between FY 2013 and FY 2021. 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 FY 2012 and FY 2021.

## **The Court of Common Pleas' Mediation Program**

The Court of Common Pleas Mediation Program continues to distinguish itself 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. The Community section of the Mediation Program assists local police agencies in resolving neighborhood disputes as well as those who wish to resolve disputes without the need for costly criminal or civil

*Continued on next page*

# COURT OF COMMON PLEAS

litigation. In addition, the Mediation Program serves as an ADR educational resource for attorneys studying for the Delaware Bar exam or Mediation Certification.

In FY 2021 there were 1,417 cases referred for mediation statewide. Mediation provides an alternative to criminal prosecution, assists the Court in the management of its busy calendars, and leaves participants with an increased sense of satisfaction with the justice system. In FY 2021, the Court's Mediation Program had a statewide success/satisfaction rate of 94%.

The Court of Common Pleas Mediation Program also continued to provide service without interruption during the COVID-19 Judicial Emergency. During the initial weeks of the emergency, we quickly adapted to provide services remotely through Zoom technology, teleconference, and email. The use of remote options in conducting mediations has been so successful that we will continue to provide these options beyond the pandemic.

FY 2021 also saw an increase in Community mediation referrals (cases not involving any criminal charges or pending civil litigation) specifically from police agencies statewide under the Pre-Arrest/Police Diversion Program. Working closely with police agencies,

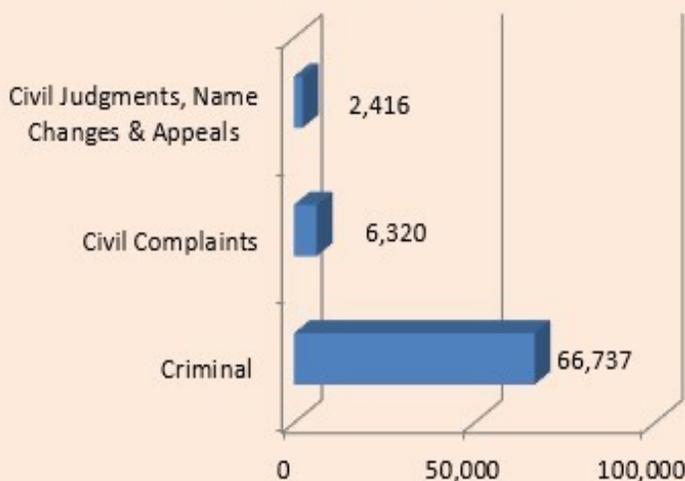
we provide a forum for justice through resolution, rather than prosecution.

## Court of Common Pleas Treatment Courts

The Court continued to operate its highly successful court-supervised Drug Diversion Program for non-violent offenders. This program is under the jurisdiction of Judge Robert Surles in New Castle County, Commissioner Donald Bucklin in Kent County, and Judge Kenneth Clark in Sussex County. The Drug Diversion Program represents a collaborative effort between the Court, the Department of Justice, the Office of Defense Services, the private bar, treatment providers and the Public Health Management Corporation (PHMC). Collaboration with PHMC 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 9,139 participants since its inception in 1998.

The Court of Common Pleas continues to operate the DUI Treatment Court Program which is available in all three counties. With the retirement of Chief Judge Smalls, the New Castle County program is now under the direction of Judge Monica Horton. Since its inception in December 2014, 232 individuals have entered the program, with 189 successfully completing the program and 18 terminations from the program. In FY 2021, there were 25 active participants in the program. The program was expanded into Kent County in February 2018 and is under the direction of Commissioner Donald Bucklin. To date, 47 individuals have entered the program with 35 individuals successfully completing the program and 4 terminations. In FY 2021, there are 8 active participants in the program. The planned expansion into Sussex County has been completed and was initiated in August 2020 with this program also being under the direction of Commissioner Bucklin. To date, 29 individuals have entered the program with 1 successful graduate and 3 terminations. In FY 2021, there are 25 active participants in the program.

**COURT OF COMMON PLEAS NUMBER OF FILINGS BY TYPE FY 2021**



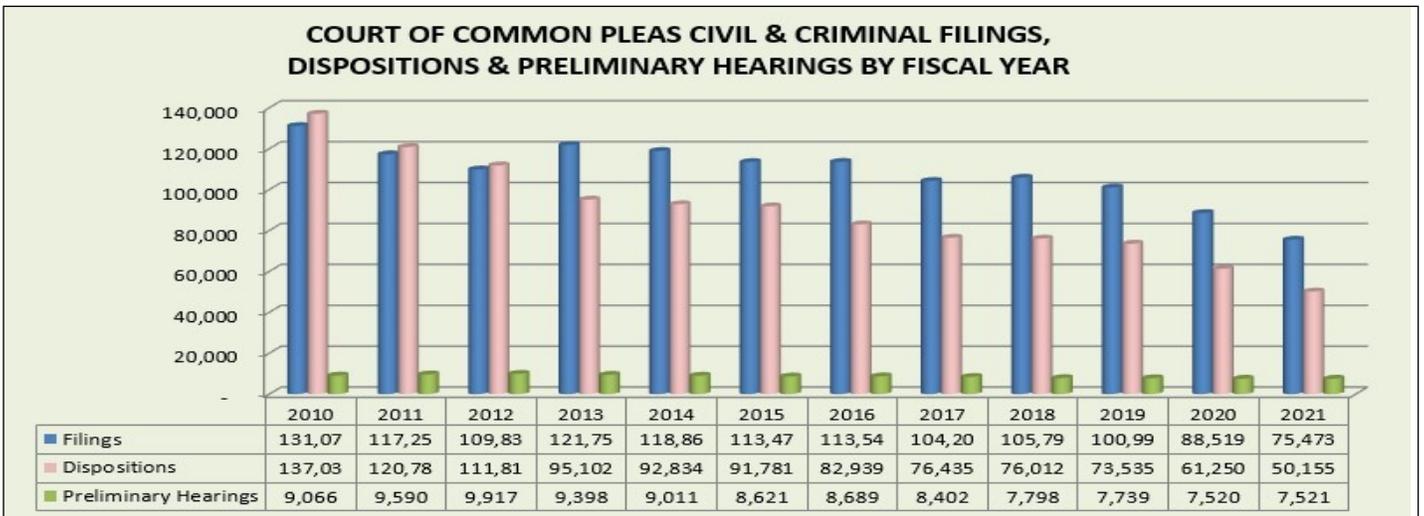
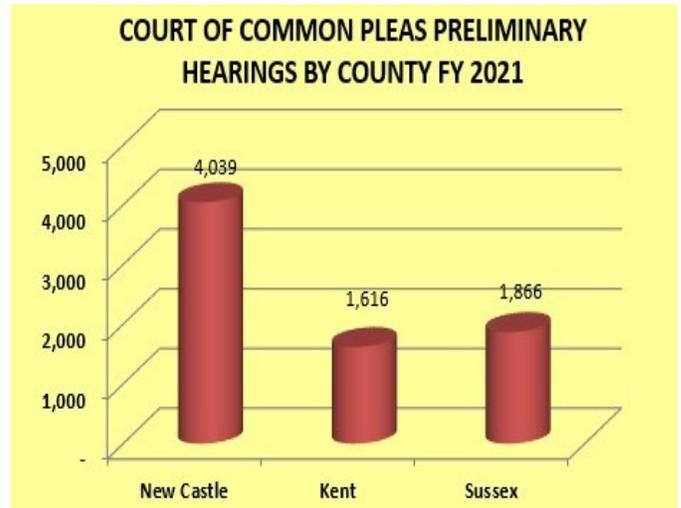
# COURT OF COMMON PLEAS

To be eligible for the program, the DUI must be a first offense with a high blood alcohol content (BAC) level or a second DUI offense; the DUI must not have resulted in severe bodily injury or death; the individual is subject to the DUI-RANT Assessment and must test within the High Risk/High Need quadrant; and the individual must plead guilty to the offense. The program is authorized under 21 *Del. C.* § 4177(d)(2) with its goal being to enhance community safety through the promotion of lifestyle changes with specialized treatment provided by the designated treatment provider and community supervision under the direction of the Department of Correction. The treatment program requires all participants to complete an evaluation for determination of treatment needs to establish a motivational intervention program that addresses alcohol and/or drug problems with the goal to change behaviors. Participants are also required to complete 240 hours of community service.

The Court of Common Pleas also collaborated with other courts in the Judiciary, justice partners, state service agencies and community groups to establish a Community Court in the City of Wilmington. The Wilmington Community Court seeks to reduce crime and recidivism by addressing the quality-of-life issues facing its communities utilizing a restorative justice approach, by forging meaningful partnerships, and improving public trust and confidence in the justice system. A Community Resource Center was opened in conjunction with Community Court. It is located on the second floor of the Leonard L.

Williams Justice Center in Wilmington, is open to any member of the public and provides individuals immediate access to connections with a variety of service providers to address needs ranging from education, employment, mental health, substance abuse, housing, and food.

Since opening in the Fall of 2019, Community Court has served 365 people, by offering those charged with certain misdemeanors the chance to complete mandated alternatives to the traditional jail time or fines. These mandates include some combination of community and/or social service. With the retirement of Chief Judge Smalls, the program is now under my direction as Chief Judge. ♦



Continued on next page

# COURT OF COMMON PLEAS

## COURT OF COMMON PLEAS JUDGES/ COMMISSIONERS OF NEW CASTLE COUNTY



*Front Row (left to right):* Judge Katharine L. Mayer; Judge Monica A. Horton.

*Back Row (left to right):* Commissioner Emily Ferrell; Judge Bradley V. Manning; Chief Judge Carl C. Danberg; Judge Robert H. Surles.

## COURT OF COMMON PLEAS COMMISSIONER OF KENT/SUSSEX COUNTY



Commissioner Donald R. Bucklin.

# COURT OF COMMON PLEAS

## COURT OF COMMON PLEAS JUDGES KENT COUNTY



*Left to right:* Judge Anne E. Hartnett; Judge Kathleen K. Amalfitano.

## COURT OF COMMON PLEAS JUDGES SUSSEX COUNTY



*Left to right:* Judge Rae M. Mims; Judge Kenneth S. Clark, Jr.

# JUSTICE OF THE PEACE COURT

## CHIEF MAGISTRATE ALAN G. DAVIS



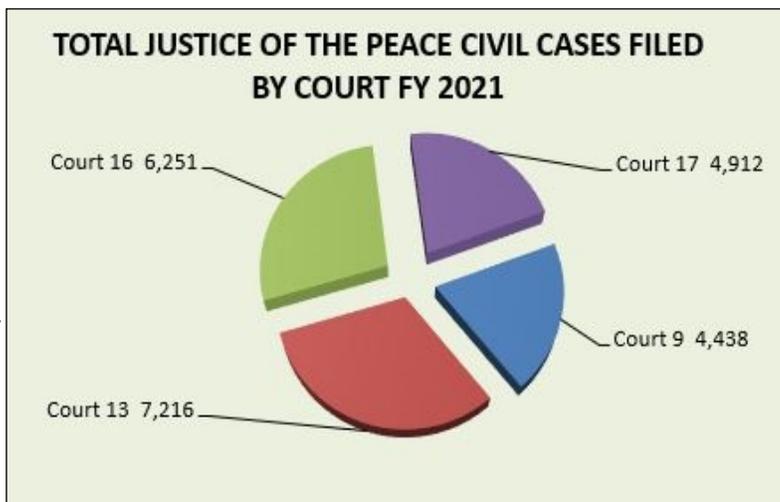
At the beginning of this past fiscal year, it was evident that the COVID-19 pandemic and its impact would last much longer than anyone could have expected. Although the Justice of the Peace Court had maintained essential operations throughout the lockdown period, vast swaths of the Court's operations were just beginning to see what the new landscape looked like. Landlord-tenant cases started to be filed again. Traffic and criminal calendars had been halted or moved to an entirely virtual platform. The Court was adjusting to the challenges and opportunities that the "new normal" presented. As a forward thinking and highly reactive organization, we have several specific achievements to tout.

different manner. We began by offering online, synchronous mediation services for these cases as a stop-gap measure, with an eye toward providing a better platform.

On November 2, 2020, our online dispute resolution (ODR) system, called MeDEate, became available for cases filed on or after July 1, 2020. This effort was one of the first uses of ODR systems to assist in the resolution of landlord-tenant cases. By November 5, 2020, 2,454 cases were uploaded into the MeDEate system. The Court notified parties to register in MeDEate, and scheduled cases for trial, pending the outcome of the mediation. The Court employed seasoned judges with mediation training and volun-

### IMPLEMENTATION OF ON-LINE DISPUTE RESOLUTION SYSTEM

Mediation is not an option often thought of as compatible with the summary nature of landlord-tenant proceedings. With the restrictions put on filing and disposing of landlord-tenant matters from both state and national authorities, it was evident that we needed to approach this part of our jurisdiction in a



JUSTICE OF THE PEACE COURT

# JUSTICE OF THE PEACE COURT

teers from the Bar and beyond to serve as online mediators.

In the first step of mediation, parties could have an online, asynchronous conversation captured in the system. If that was unsuccessful, the parties could request a mediator to assist in the conversation. Finally, if the mediator thought that resolution of the case was possible, but needed a final push, an online, synchronous mediation could be scheduled. A significant number of cases were resolved using this process, many with the assistance of quick access to the DEHAP program, which provided funding for resolution of cases involving non-payment of rent.

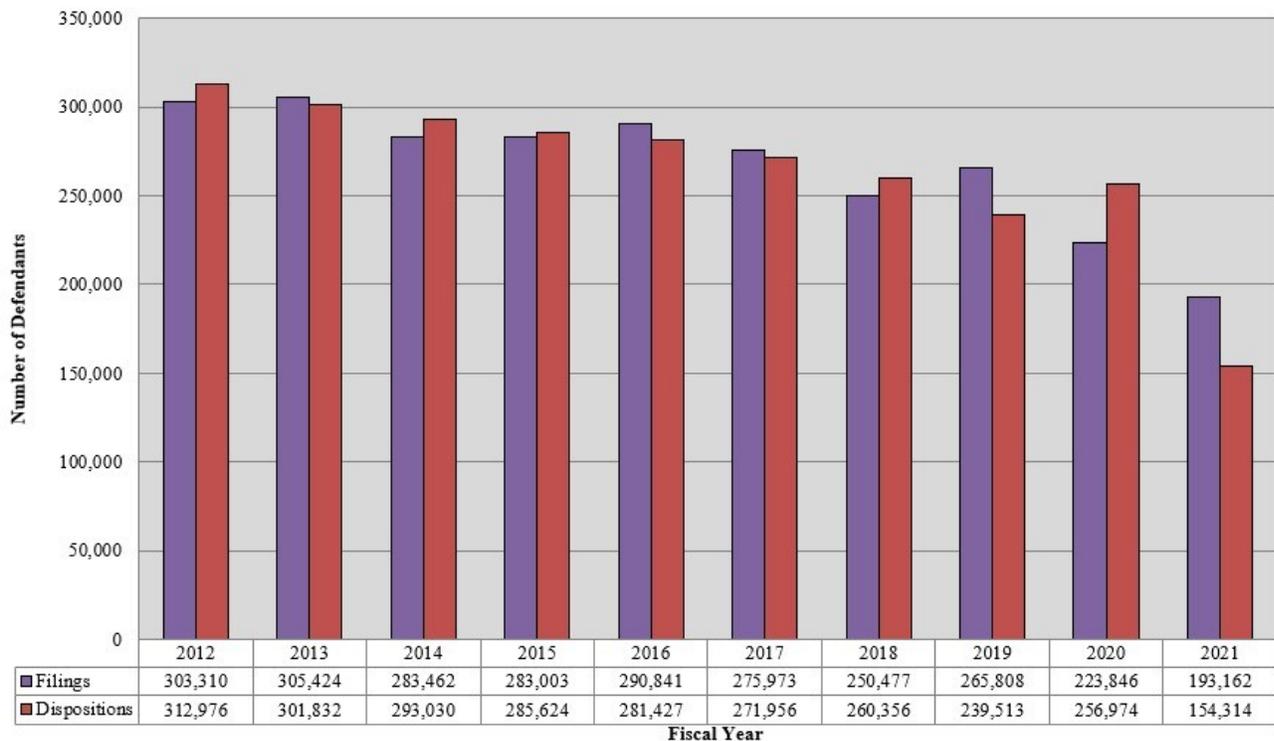
We are currently developing an expansion of the ODR system to include debt cases. Parties to a debt dispute will have the ability to utilize the Online Dispute Resolution system as a tool to assist them in reaching a resolution.

## CIVIL CASE MANAGEMENT SYSTEM UPGRADE

The Justice of the Peace Court has been working with the Judicial Information Center (JIC) and other courts in Delaware to upgrade our civil case management system (Contexte). The implementation of the Contexte upgrade on June 13, 2021 is the culmination of over 2 years of work from our civil clerical staff, supervisors, constables, management analysts and others. Prior to the upgrade, our Court Administrator for the Justice of the Peace Court made it a priority to work with JIC to completely document, update and standardize our civil processes. These documented processes were crucial to the upgrade, as JIC and JP staff used these processes to test and vet the changes to our civil case management system prior to going live.

This upgrade included enhancements that were developed after the original implementation of Con-

**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

texte in 2008, changes to resolve our outstanding Java issues that affect Contexte as well as other applications that require Java; and building a new infrastructure for the system to run on to make it more safe, secure and stable. JIC also created a new Contexte Reporting application to replace our old Crystal Report model. In a coordinated effort, JIC and the JP Court also worked with our eFiling vendor to create a system maintenance upgrade.

All these changes to our CMS, eFiling and Reporting applications required our Justice of the Peace Civil staff to commit many hours of testing and documentation to ensure that all systems are functioning on the “go-live” date. As with all large projects, we had some bumps in the road, but our Court staff handled themselves with incredible poise and patience.

## TRUANCY

Legislation passed in 2019 changed the jurisdiction over Truancy cases to include the participation of Family Court in the more complex matters that arise in this area of our jurisdiction. We collaborated with Family Court and other relevant stakeholders, including the Department of Justice, the Office of Defense Services, the Division of Youth Rehabilitative Services and the school districts, to develop processes and procedures for shared truancy jurisdiction. Part of that work included establishing protocols for

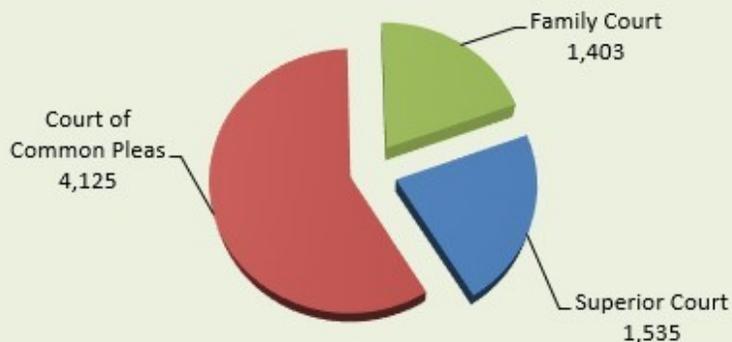
the transfer of juvenile contempt jurisdiction to Family Court. We were well prepared when the change in jurisdiction went into effect on August 9, 2021.

Like other areas of our jurisdiction, the Truancy Court successfully utilized Zoom for truancy hearings as we moved out of COVID-19 restrictions. Following initial challenges with individual Zoom events for each defendant for scheduled calendars, we moved to single session Zoom events for calendars, whereby one Zoom event is used for large blocks of cases scheduled at different times. This accounted for late appearances and allowed the use of the waiting room feature in Zoom. Overall, this dramatically increased our virtual hearing appearance rates.

While these accomplishments are worth singling out, the real achievement of the Justice of the Peace Court through the past fiscal year can be generally attributed to the grace, determination, skill, and resiliency of our judges, clerical staff, uniformed services personnel and administration employees. In a period when no process was unexamined and most were modified on what seemed like a daily basis, it is hard to overstate how incredibly steadfast the resolve of our workforce has been. Though much of the effort to keep this organization churning forward in uncertain times may not have been closely documented, it has not gone unnoticed. Many of those contributions

will have lasting impact, helping chart our path forward in a new, uncertain future. I am proud of each and every person who has helped this Court lead the way. ♦

**CAPIASES CLEARED BY JUSTICE OF THE PEACE COURT FOR OTHER COURTS FY 2021**

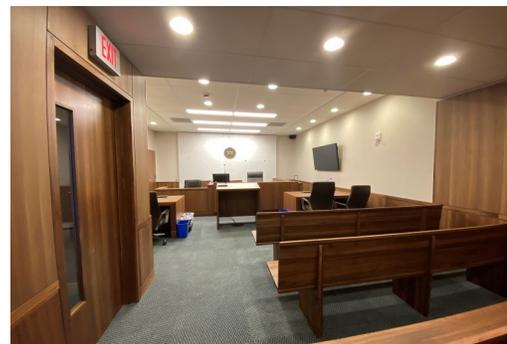


# JUSTICE OF THE PEACE COURT

*Out with the old locations of Justice of the Peace Court 10 (Prices Corner) and 20 (Wilmington Public Safety Building), which closed in September and October 2021.*



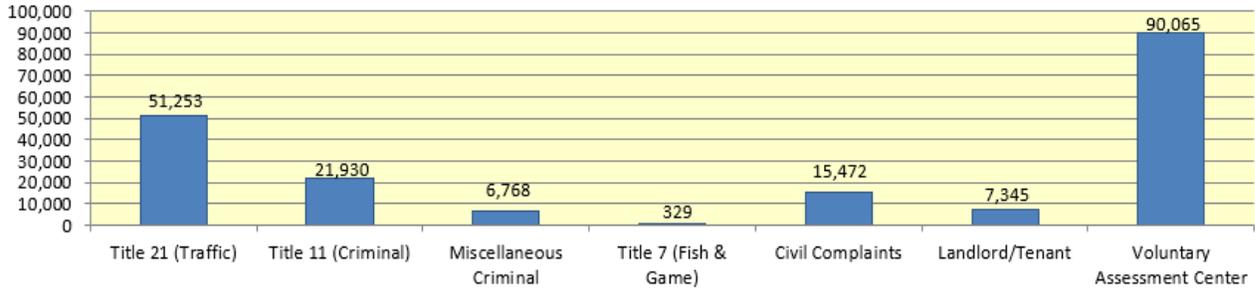
*In with the new location of the combined Justice of the Peace Court 20 at the Leonard L. Williams Justice Center in October 2021.*



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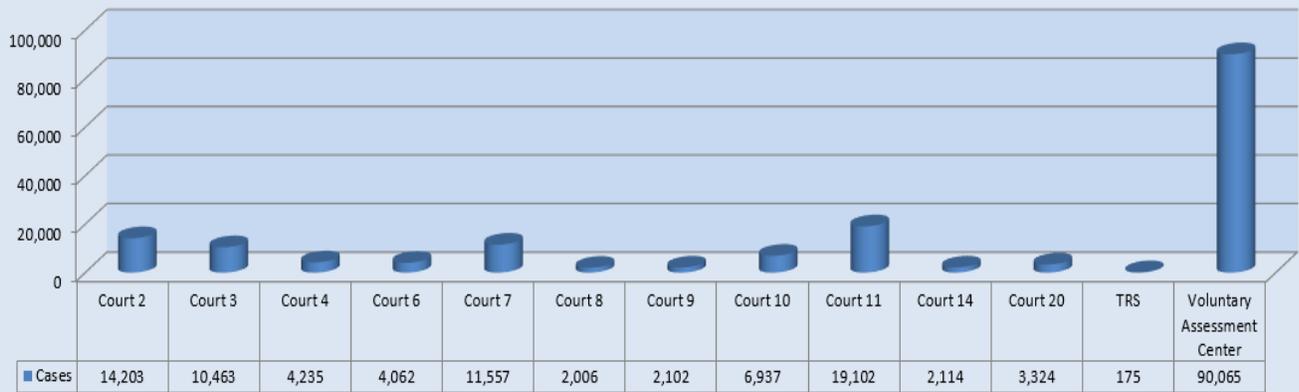
# JUSTICE OF THE PEACE COURT

**NUMBER OF JUSTICE OF THE PEACE COURT FILINGS\* BY TYPE  
FY 2021**

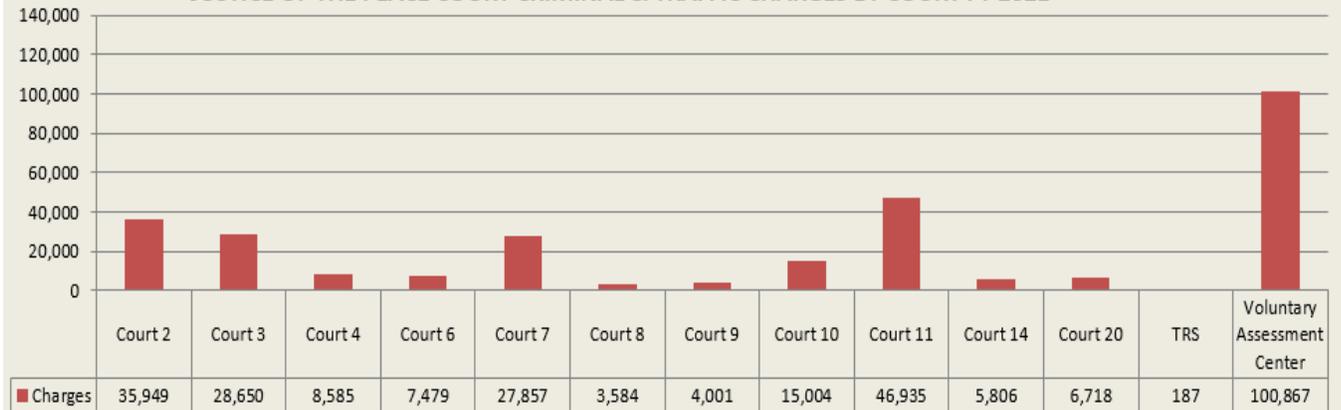


\*Criminal filings are by defendant.

**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CASES BY DEFENDANT BY COURT FY 2021**



**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CHARGES BY COURT FY 2021**



# JUSTICE OF THE PEACE COURT

## NEW CASTLE COUNTY JUDGES



***Top Row (left to right):***

Nina Bawa; Shameka Booker; Nicholas Brock; Peter Burcat; Bracy Dixon, Jr.; Shanaya Eyong.

***Middle Row (left to right):***

Beatrice Freel; James R. Hanby, Sr.; Bobby Hoof; Thomas M. Kenney; Kerry Kowal; Shelley Losito.

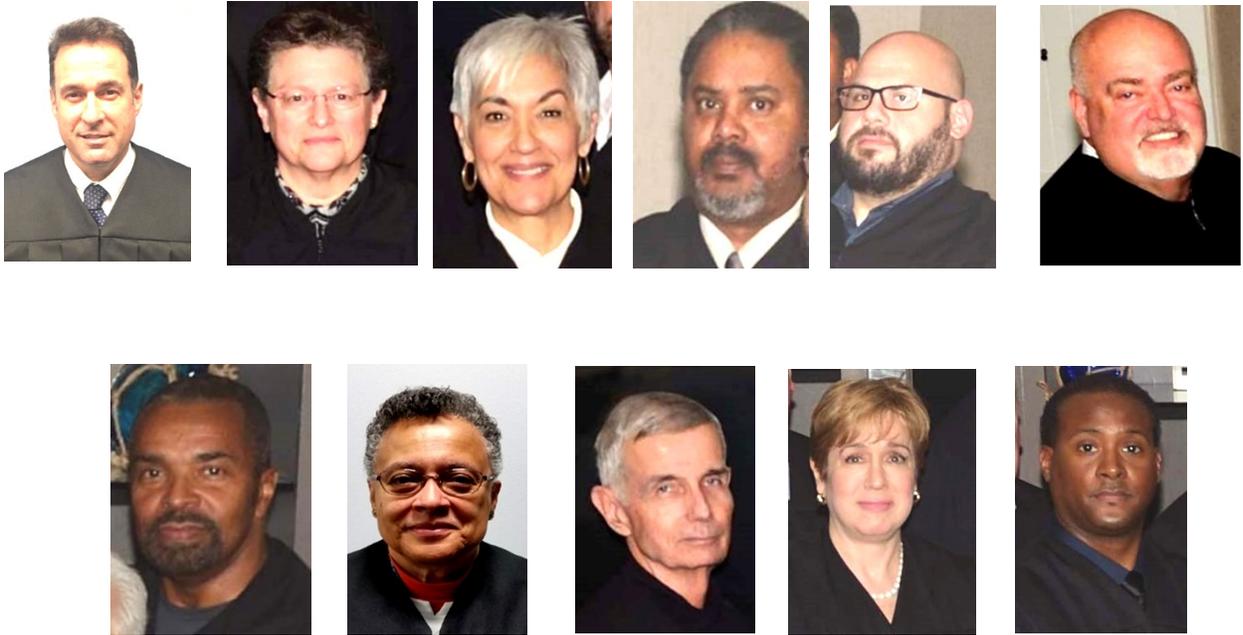
***Bottom Row (left to right):***

Earl MacFarlane; Cheryl McCabe-Stroman; Deputy Chief Magistrate Sean McCormick; Michelle Michini; Amanda Moyer; Mary Ellen Naugle.

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# JUSTICE OF THE PEACE COURT

## NEW CASTLE COUNTY JUDGES

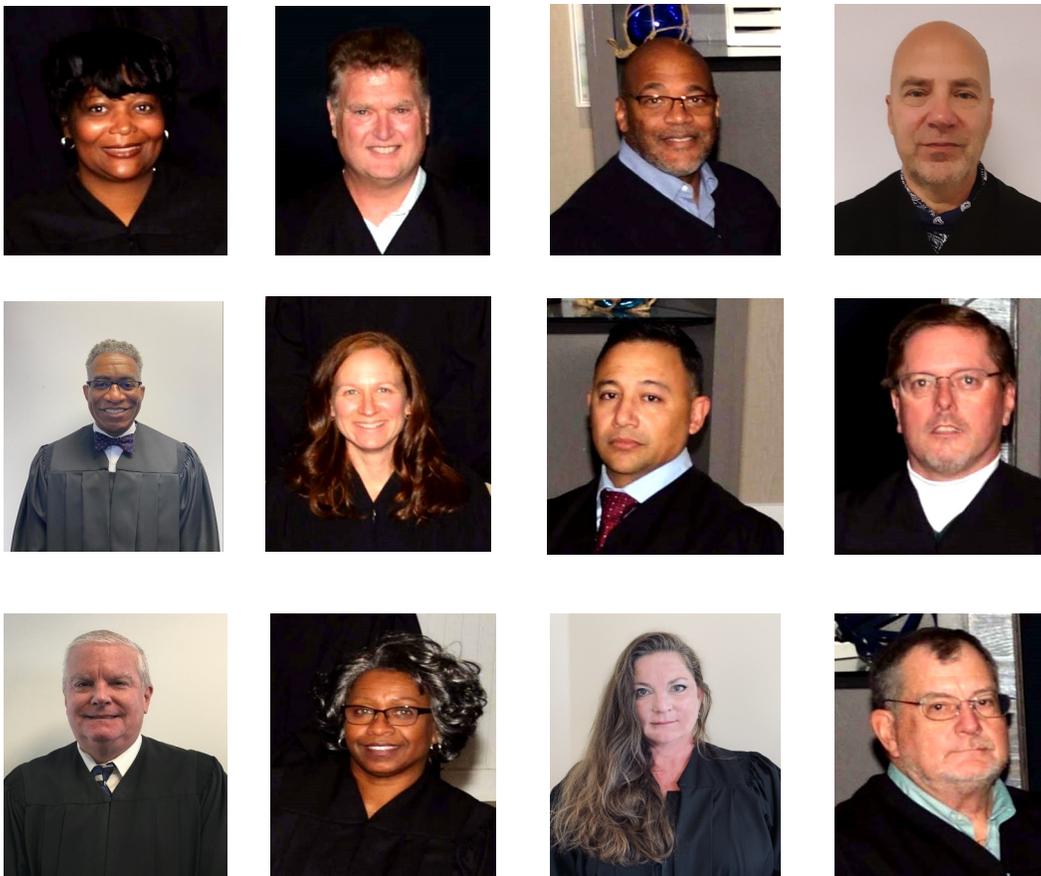


***Top Row (left to right):***  
Walter Newton; Marie Page; Maria Perez-Chambers; Alex Peterson III;  
Christopher Portante; John Potts.

***Bottom Row (left to right):***  
Gerald Ross III; Katharine B. Ross; David R. Skelley; Susan Ufberg; Rodney  
Vodery.

# JUSTICE OF THE PEACE COURT

## KENT COUNTY JUDGES



***Top Row (left to right):***

Nicole Alston-Jackson; D. Kenneth Cox; Dwight Dillard; Wallace G. Edmanson II.

***Middle Row (left to right):***

Michael Green; Jamie Hicks; Alexander Montano; James A. Murray.

***Bottom Row (left to right):***

Michael P. Sherlock; Judy Smith; Dana Tracy; Deputy Chief Magistrate Kevin Wilson.

*Continued on next page*

# JUSTICE OF THE PEACE COURT

## SUSSEX COUNTY JUDGES



***Top Row (left to right):***

John J. Adams; Stephani Adams; Christopher A. Bradley; Maria Castro; Leah Chandler; Mirta Collazo; Richard D. Comly.

***Middle Row (left to right):***

Terri Davis; Bethany Fiske; Brett Graves; Catherine Hester; John R. Hudson; Michelle Jewell; Deputy Chief Magistrate Deborah Keenan.

***Bottom Row (left to right):***

Kristine Kellenbenz; Jennifer Sammons; Candace Whitelock; Scott Willey; William Patrick Wood.

# JUDICIAL BRANCH EMPLOYEES RECOGNIZED

## The Judicial Information Center's COVID-19 Response Team receives the Governor's GEAR P3 Innovation and Efficiency Award.



*Senior Application Support Specialist Sruthi Raghunathan.*

The team of 16 was honored on May 6, 2021, for their work delivering innovative, impactful, sustainable, and highly efficient business processes and services during the COVID-19 pandemic. At the outset of the pandemic, JIC became a centerpiece of the Delaware Judiciary's efforts to keep court operations going. JIC responded by mobilizing a response team to assess the varying IT needs of every court in every county and then procured and deployed resources statewide. JIC also facilitated remote access for court employees, tested the security and sufficiency of different remote solutions, and then provided training and technical support for court staff. The JIC team also created more than a dozen webpages, for both judicial branch employees and the public, to provide status updates on court operations and access to new policies and procedures that were implemented to deal with the pandemic and to provide access to new online forms to ensure continued court access.

**Sruthi Raghunathan, Senior Application Support Specialist with the Judicial Information Center.** Named the Judicial Branch's Employee of the Year for 2020, Sruthi has been working under the Process Improvement Manager for 2 years and has proven to be a key component of JIC's delivery of services to the Delaware Courts. According to her nominator, Sruthi's sheer determination to complete a task, assignment, or project is evident in the work she performs. Her job role goes far beyond that of the average Business Analyst.

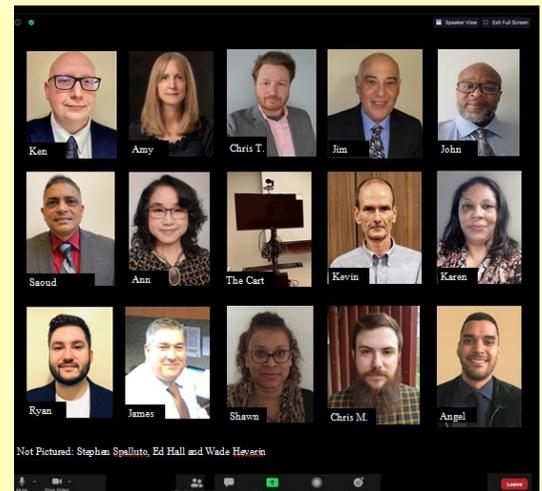
Because of her eagerness to learn new things and her demonstrated success in tackling varied issues, Sruthi has become the "go-to" person in JIC. From Desktop Support to development changes and from conception to implementation, Sruthi is a true team player and a highly valued asset, not only to JIC, but to the entire Judicial Branch. Sruthi's enthusiastic customer service is beyond reproach. She goes above and beyond to provide excellent customer service, and she has demonstrated an outstanding ability to work as part of a team both within the Courts and with other State agencies. Sruthi also goes outside her normal duties by providing production application support for the Courts, assisting the Help Desk, Application Support and Operation Teams.

**Annette Ashley, Prothonotary, Superior Court.** When the COVID-19 pandemic began, Annette adapted quickly by changing court schedules, reorganizing staff, managing technology challenges and even implementing a cleaning schedule within her office, which she personally performs including wiping down the front counter, phones and door handles to keep employees healthy. Annette always responds quickly to a problem and the professionalism and compassion she shows motivates the entire staff immensely. Annette goes above and beyond what a supervisor needs to do and exemplifies what a Superior Court employee should be.

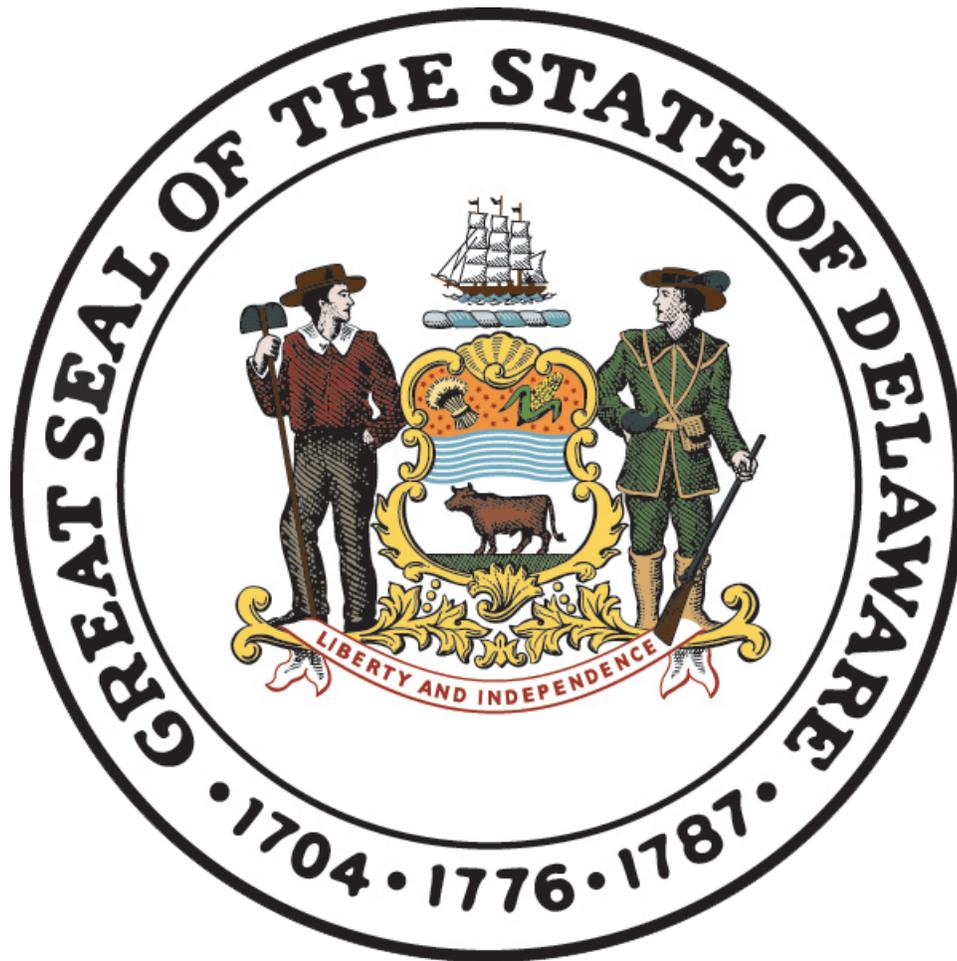
**Lori Moritz, Management Analyst III, Family Court.** During the COVID crisis Lori agreed to serve as point of contact to receive filings from all attorneys statewide until new mailboxes were set up, and going into the office during off hours/weekends to get other projects completed on time. Lori also volunteered to pick up loaner devices from DTI and deliver them to our Courthouses so multiple staff did not need to go and get them individually. This was not only an efficiency, but also an effort to keep everyone healthy by minimizing travel and contact.

**Whitney Frame, Staff Attorney, Court of Common Pleas.** As COVID began to impact the Court, Whitney stepped up without hesitation to lead the efforts to begin holding essential Court events virtually. She spent many hours testing courtroom A/V equipment and assisting the Court in its initial efforts to hear incarcerated preliminary hearing, and bail hearings remotely. Whitney also served as the Court's liaison to the Department of Correction and other justice partners on procedures for remote proceedings and was an integral part of ongoing planning. She did all this while continuing to support the Court in her role as Staff Attorney.

**Zoe Carter, Human Resources Specialist III, Justice of the Peace Court.** Zoe was selected because of her outstanding perseverance and accomplishment against great odds and difficulties in 2020. Just prior to the pandemic, Zoe took the lead responsibility for handling Human Resources in addition to her regular responsibilities due to a vacancy in the HR Manager position. She made sure that employees were paid, received their benefits and managed leaves that were necessitated by the stay at home orders and closings. Throughout this challenging time she remained positive and focused to make sure that the employees' needs were met so they could focus on the business of the court. ♦



*Judicial Information Center's COVID-19 response team.*



**Many thanks to the Presiding Judges, Court Administrators, 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/FY21>  
2021 Annual Report, Statistical Report of the Delaware Judiciary and additional Delaware Courts background information*