

The Delaware Judiciary

Annual Report

Investing
in
Justice



2022

On the cover:

On the Cover:

The Sept. 22, 2022 groundbreaking for the new Kent County Family Court facility in Dover.

From right to left: Family Court Chief Judge Michael K. Newell; State Sen. Kyle Evans Gay; Chief Justice Collins J. Seitz, Jr.; Gov. John Carney; State Rep. Sean M. Lynn; State Treasurer Colleen C. Davis; Lt. Gov Bethany Hall-Long; State Sen. Trey Paradee; State Rep. Lyndon D. Yearick; State Sen. Darius J. Brown; State Sen. President Pro Tem David P. Sokola; State Sen. David L. Wilson.



**DELAWARE
COURTS**
JUDICIAL BRANCH

In early 2022, the Delaware Judiciary adopted a new branch logo (see above). It was created with the help of the Government Information Center and is designed to reflect the unique history of Delaware and the Delaware Court system. The image in the logo is a stylized version of the dome over the Delaware Supreme Court entrance in Dover and the three stars above the dome represents both the three counties of Delaware and our three co-equal branches of government. The diamond shape, meanwhile, is a reference to Delaware's nickname of "The Diamond State."

This Annual Report is published by the State of Delaware Administrative Office of the Courts.

405 N. King Street, Suite 507
Wilmington, DE 19801

Design, layout and all photographs (except judicial officers) by AOC Chief of Community Relations Sean O'Sullivan, unless otherwise noted.

TABLE OF CONTENTS

Message from the State Court Administrator.....	2
Message from the Chief Justice.....	3
Legislation.....	7
The Year in Pictures	8
Introduction to the Delaware Courts.....	10
Fiscal Overview.....	12
Interpreter Services	19
Supreme Court.....	20
Court of Chancery.....	25
Superior Court.....	29
Family Court.....	35
Court of Common Pleas.....	42
Justice of the Peace Court.....	49
Judicial Branch Employees Recognized.....	57

MESSAGE FROM THE STATE COURT ADMINISTRATOR

Annual Report 2022

Welcome to the Delaware Judicial Branch's Annual Report for 2022.

After nearly three years, I hoped to avoid any COVID-19 references in this Report. Unfortunately, the pandemic still had a grip on us in 2022; but, better vaccines and better vaccination rates made it possible for the Judicial Branch to end our masking requirements and our COVID-19 testing program for employees. We also eased our social distancing requirements to permit expanded access to the courts, which allowed us to schedule more jury trials and continue clearing the backlog as we resumed regular operations.

Pandemic notwithstanding, this year gave us much to celebrate as a Branch – groundbreakings for two new Family Court facilities in Kent and Sussex Counties; funding to begin design plans to renovate the Custom House; the 230th anniversary of the Court of Chancery; the release of the Strategic Plan for Improving Diversity in the Delaware Bench and Bar (“the Diversity Report”); and the unification of our employees under a single system of personnel administration solely within the Judicial Branch – just to name a few.

I am extremely proud of the team at the Administrative Office of the Courts and the work they do every day in support of the Courts' mission to provide equal access to justice. Some highlights from this year include:

Project CASCADE: Our multi-year technology initiative to establish a unified solution for electronic filing, case management, and document management for all courts and case types made significant gains in 2022. We established a governance structure and branding for the project and hired a project manager. Most exciting, we engaged vendors and have nearly completed civil case discovery, which is the first phase of the project.

Courtroom Technology Upgrades: Using grant funding provided under the American Rescue Plan Act, our Judicial Information Center team has been hard at work upgrading the technology in our courtrooms throughout the state. These long-term technology investments expand our capacity to hold remote and hybrid hearings, allowing access to those who cannot appear in person and greatly improving the quality of the proceedings.

Accessibility: We continued progress toward improved access to the courts for those with disabilities and limited English proficiency. The AOC began executing a remediation plan for our web content, including court forms, to ensure that the content is ADA-compliant and is translated into other languages. We also filled our first of three full-time court interpreter positions.

Fees and Fines Reform: Working with many other stakeholders, the Judicial Branch supported significant reforms to Delaware's system of criminal fees and fines, which disproportionately affect our poorest citizens.

Diversity, Equity, and Inclusion: Under Chief Justice Seitz's leadership, the AOC dug into the Diversity Report and began working with stakeholders on implementation of specific recommendations. One of those recommendations was realized when the Judicial Branch hired its first Diversity, Equity, and Inclusion Officer who will help lead the Judicial Branch's efforts to enhance DEI training for judges and employees, expand civics and law-related educational programming in our schools, and build pipelines and structure paid internships for students of color to encourage pursuit of a career in the courts or legal profession.

Supervisor Series Training: Judicial Branch employees had the opportunity to participate in a comprehensive training series created specifically for new supervisors within the courts to help build management skills and cultivate professional growth.

Employee Wellbeing Program: In order to foster a sense of wellbeing for our employees, a Judicial Branch team created a program to bring awareness to mental and emotional wellness and the impact of vicarious trauma caused by the difficult work court employees do.

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

Sincerely,



Gayle P. Lafferty
State Court Administrator



MESSAGE FROM CHIEF JUSTICE COLLINS J. SEITZ, JR.

2022: Investing in Justice



In 2022 we emerged from the COVID-19 lockdowns and restrictions and started our journey back to normal judicial branch operations. We also worked to improve the Delaware courts for years to come. The other branches of government joined us and invested in justice like never before.

For more than 15 years, since significant safety and space issues were identified in the 2006 Southern Court Facilities Space Study, the courts have been working to make the new Kent and Sussex Family Court courthouses a reality. Safety is critical in all our court facilities, but it is of particular importance in Family Court where the judges and commissioners handle some of the most difficult and emotionally charged matters.



Shovels at the ready before the ceremonial groundbreaking for the new Sussex County Family Court facility in Georgetown on June 28, 2022.

On June 28, 2022, we held a ceremonial groundbreaking in Georgetown for the new Sussex County Family Court facility and less than three months later, on Sept. 22, 2022, we put shovels in the ground again in Dover to mark the ceremonial start of work on the Kent County Family Court facility.

These facilities will be larger, modern, safer, and more secure for litigants, Family Court legal practitioners, and for our court staff and judicial officers. The new courthouses will address longstanding issues with substandard detention areas; lobbies that do not provide adequate space for security screening and spacing between parties; and courtrooms that do not allow for sufficient space between litigants, those sitting in the gallery, and court staff.

Continued on next page

MESSAGE FROM THE CHIEF JUSTICE

Each facility is about 107,000 square feet – more than three times the size of the existing Family Court facilities in each county – and each contains eight courtrooms, rather than the six courtrooms in the current buildings. And courtrooms in each are about twice as large as courtrooms in the current Family Court buildings in Georgetown and Dover.

In designing and building these new facilities, the Delaware Judiciary was aware of its responsibility to the communities they will serve. We were mindful of our duty to taxpayers, so we worked to save time and money by using a standard design for both buildings. We also worked to ensure that each

new courthouse was kept in the downtown core of those communities to keep them vital and to make visiting court convenient. The new Georgetown Family Court building is being built next to the Sussex County Courthouse, a block from its current location on the Circle. The new Dover Family Court facility will rise a block away from the Kent County Courthouse, putting it much closer to the main county courthouse than the existing building at 400 Court Street. In addition, that new courthouse is on a former brownfield, which had difficulty attracting development. It will return the land to active use and help spur business in that area. Each courthouse will include a multistory parking garage, helping to ease parking congestion in both communities. Lastly, in designing the buildings, we worked closely with both communities to ensure that their courthouse's facade reflects their unique historic nature and architecture.

Construction is now underway, and we look forward to seeing these state-of-the-art facilities open their doors to the public – in 2024 in Georgetown and in 2025 in Dover.

Our 2022 capital improvements do not end there. The Governor and General Assembly also agreed to invest in New Castle County at the Leonard L. Williams Justice Center by approving funding to renovate and expand the Custom House building. This historic structure, which dates to 1855 and was the home to the first federal courtroom in Delaware, will become the centerpiece of a new wrap-around

building that will house the chambers of Delaware Supreme Court Justices in Wilmington, the Arms of Court, and the Administrative Office of the Courts, all of which are currently located in rented space. This capital investment will keep the courts in one geographic



Courtesy TEVEBAUGH Architecture

An architect's rendering of the expansion plan for the Custom House at the Leonard L. Williams Justice Center in Wilmington.

location while also preserving an important piece of Delaware history. Community Court's Resource Center will also be expanding to office space in the building which will to give the program greater flexibility to operate after-hours if needed without the expense and difficulty of keeping the 12-story justice center opened and staffed. Funding for improvements to the Sussex County Courthouse's entrance and security checkpoints were also approved.

The Judicial Branch is grateful for the financial support from the Governor and General Assembly to make all these projects a reality. It is my hope we will continue to maintain this level of cooperation with the other two branches of government and continue to make investments in the State's judicial branch for the benefit of Delaware citizens.

There have also been investments beyond brick and mortar in 2022. With \$23 million in American Rescue Plan funding, the Delaware Courts have embarked on updating and enhancing the technology in our courtrooms and implementing a comprehensive

MESSAGE FROM THE CHIEF JUSTICE

electronic docketing and case management system. During the pandemic, our Judicial Information Center (JIC) employees came up with some brilliant, improvised solutions to hold remote hearings, ideas that were so impressive that the Governor recognized their initiative and ingenuity with the GEAR P3 Innovation and Efficiency Award in 2021. But the improvised solutions were just that – improvised. We are now making permanent upgrades and updates to our courtrooms that will better allow for remote hearings and other technology enhancements to help present cases, like improved audio and video displays.

Equally important – and something that the challenges of the pandemic also highlighted as a critical issue for the courts – is modernizing how we manage our caseload. While some of our courts, notably the Court of Chancery, have long had e-filing, other courts, like Family Court and criminal cases in Superior Court, are still operating on an antiquated paper-and-manila-folder filing system. Moving all courts to a unified electronic case management and e-filing system will reap countless benefits for operational efficiency, securely sharing data and improvements in generating needed data to evaluate court programs and performance. Eliminating paper files will free up needed space in all our courthouses.

We also launched a different kind of investment in justice in 2022, with the release of our Strategic Plan on Improving Diversity in the Delaware Bench and Bar. Diversity is a priority for the Judicial Branch to ensure our courts reflect the community we serve. The Supreme Court requested the study to provide us with a list of concrete steps we could take to improve diversity in our Bench and in our Bar.

The final report contains over 50 recommendations and takes a comprehensive approach to addressing diversity. It starts with the creation of programs to get students of various backgrounds interested in the study of law early, in elementary school and high school. It follows through to the college-level and sets forth ways to create a pipeline program to get diverse students into law school. And beyond law school, the report has recommendations for changes to the Bar exam, including the potential for an alternate path to admission to the Delaware Bar through

an intensive apprenticeship program. There are also recommendations for law firms to help increase diversity in their upper ranks. Finally, there are recommendations for the Judicial Branch itself, including improved outreach to diverse candidates for judicial positions, enhanced transparency about the judicial selection process and the creation of mentorship programs. One of the key recommendations for the Delaware Judiciary, and the one from which many of the other recommendations will flow, was the creation of a statewide Diversity Equity and Inclusion (DEI) Officer for the branch to oversee and implement the initiatives in the Strategic Plan. I am pleased to report that on Oct. 10, 2022, the Delaware Judiciary welcomed Kaelea Shaner as our first DEI officer.



The Delaware Judiciary's first Diversity Equity and Inclusion Officer, Kaelea Shaner, who was named to the position on Oct. 10, 2022.

Prior to joining the Delaware Courts, Kaelea was the Diversity Equity and Inclusion Program Manager for the Herndon, Virginia-based Strategic Education Inc., an education services company. We are thrilled to have Kaelea as a member of our team in the Administrative Office of the Courts and again want to thank the Governor and General Assembly for recognizing the importance of this position to the Judicial Branch by establishing it through the Budget Act.

Continued on next page

MESSAGE FROM THE CHIEF JUSTICE

These are some of the triumphs of 2022, but like in any year there were also disappointments. We were saddened by the loss of one of our own, retired Justice Randy J. Holland. He was our court historian, a well-respected colleague whose well-reasoned rulings will endure in the law for generations to come, a friend and a dedicated public servant. He also holds the twin distinctions of being, at the time he was appointed, the youngest person ever named to the Supreme Court and, at the time he stepped down, the longest serving justice in the court's history. You can read more about Justice Holland's life and legacy elsewhere in the Annual Report.

We also faced the continuing challenge of the COVID-19 pandemic. While the judicial emergency ended in July 2021 and a re-imposed mask mandate was lifted in March 2022, some of our courts continue to dig out from under the massive backlog of cases that were paused or slowed in the interest of health and safety during 2020 and 2021. Great progress has been made in eliminating that backlog and we fully expect to have our court calendars back on track in the coming year.

It is worth noting that some measures that were adopted for safety reasons ended up being blessings

in disguise. We are now using them as more efficient ways of conducting court business. This includes more use of videoconferencing and teleconferencing for certain proceedings and continued remote work by some employees that do not need to be in the courthouse or office to do their jobs.

For example, as our Judicial Information Center is moving to new workspace in New Castle County, they have found they will not need as much room in their new offices. During the pandemic, supervisors found that allowing some employees to continue to work remotely was just as effective as having them work from the office, reducing the need for in-person office space.

We continue with a cautious approach toward COVID-19, and are hopeful that the worst is behind us. My sincere thanks to all Judicial Branch employees for your resilience and dedication through these difficult times.

With the dawn of a New Year comes the hopes for a brighter future. I hope to build on the many successes we had in 2022, learn from disappointments how we can do better, and continue our mission to provide Delawareans with equal justice under the law. ♦



Photo courtesy of the White House

Chief Justice Collins J. Seitz, Jr. (right) with President Joseph R. Biden, Jr. (center) along with former students from the former Hockessin School 107C and Claymont High School and other dignitaries at the May 12, 2022 bill signing for S.270 recognizing two Delaware sites as Brown v. Board of Education national landmarks.

LEGISLATIVE OVERVIEW

LEGISLATION

The Judiciary’s legislative team brings together representatives of the Courts and the Administrative Office of the Courts to enhance the effectiveness of the Judicial Branch’s relationship with the General Assembly by serving as the main Judicial Branch contact for legislative matters and by monitoring and analyzing legislation for impact on the Judiciary. The following legislation supported by the Judicial Branch was passed during FY 2022 by the 151st session of the General Assembly:

BILL NUMBER	DESCRIPTION
HB 56	Repeals Title 16 §7204 regarding the act of recovering a liquified petroleum gas container. This section was typically unused and the act of recovering a container possessed by someone other than the owner is more appropriately handled through the civil replevin process.
HB 57 w/SA 1	Requires a landlord to provide 15 days written notice to a single room tenant prior to the termination of a rental agreement for any reason other than a material violation.
HB 59 w/HA 1	Allows the court of competent jurisdiction to dismiss minor equipment violations upon a showing that repair(s) have been made.
HB 60	Adjusts the amount that a tenant may deduct from rent in order to have necessary work done on the rental premises if the landlord fails to repair or maintain the premises after proper notice. With this Act, the amount increased from \$200 to \$400 to reflect inflation of rent and the cost of repairs.
HB 244 w/HA 2	The Judicial Branch worked collaboratively with our criminal justice partners, the Legislative Branch and advocates on this Act to reform fees and fines in criminal cases. Among other things, this Act eliminates the suspension of licenses as a penalty for the nonpayment of criminal fees and fines, and eliminates various fees such as the Probation Supervision Fee and the Public Defender Fee. It also creates a study group to review other potential recommendations for criminal fees and fines reform.
HB 461	Modified Superior Court’s statute pertaining to the creation of the Court’s record. While the statute previously only contemplated stenographic recordings of court proceedings, technology permits the Court to utilize other methods, in addition to stenographers, to create the Court’s record.
SB 39	Clarifies that Probation Before Judgment (PBJ) may be entered for multiple charges arising from a single arrest. Also allows a defendant to be permitted Probation Before Judgment more than once in a five-year period so long as the offenses are in different titles of the Code.
SB 40	Allows the Court to suspend an amount of the fine for uninsured driving if the defendant provides evidence that they have now secured insurance, demonstrating compliance with the law.
SB 91	Allows Family Court the flexibility of permitting litigants to publish through a legal notice website established by the Court.
SB 234	Updates the per diem compensation for any retired judge accepting an active-duty designation from \$250 per day to 1/365 of the annual salary for such a judicial officer.
SB 268	Reflects the current managerial authority and budgetary control of the Administrative Office of the Courts over the Judicial Information Center, the Office of State Court Collections Enforcement, and the Law Libraries.
SB 318	Unifies all Judicial Branch employees under the Judicial Branch Personnel Rules.

THE YEAR IN PICTURES



Above: Court reporters Douglas Zweizig (left) and Juli LaBadia (right) were each honored for their transcription skills in competitions in 2022.



Above: The Delaware Judiciary and the U.S. Department of Veterans Affairs held a joint Employment and Resource Fair for justice-involved veterans on Sept. 26, 2022 outside the Leonard L. Williams Justice Center in Wilmington.



Above: Delaware High School Mock Trial Co-Chair Daniel Attaway announces the winners of the 2022 Delaware High School Mock Trial competition, which was held March 4-5 2022 via Zoom.

Top Left: Judicial Officers of the Court of Chancery listen to speakers during the investiture ceremony for Vice Chancellor Nathan A. Cook on Sept. 28, 2022. From left to right, VC Lori Will, VC Morgan Zurn, Chancellor Kathaleen McCormick, VC Sam Glasscock, VC Paul Fioravanti, and VC Nathan Cook.

THE YEAR IN PICTURES



Winners of the 2022 Delaware High School Mock Trial Competition from Wilmington Friends School meet with Supreme Court Justice Tamika Montgomery-Reeves (back row center) at the Leonard L. Williams Justice Center to celebrate their win.



Superior Court Judge Patricia A. Winston (center) takes the Oath of Office from Family Court Judge Arlene Minus Coppadge (left) as Judge Winston's mother (right) holds the family Bible on Oct. 28, 2022.



Comfort dog, Capitol Police Officer Vinn, along with his handler, Cpl. Donna DiClemente meets with Chief Justice Collins J. Seitz, Jr.

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 a cost savings in resources used to handle the matters and in a 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, the law libraries 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: Office of the Public Guardian, Office of the Child Advocate, Maternal and 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, the U.S. Supreme Court, a U.S. Court of Appeals, a U.S. District Court, a U.S. Bankruptcy Court, the U.S. Securities & Exchange Commission, the highest appellate court of any state, and any other entities as detailed in Article 4, Section 11(8) of the Delaware Constitution.

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 BRANCH BUDGETS – FISCAL YEARS 2021-2023

GENERAL FUNDS – State Judicial Agencies and Bodies

	FY 2021 Enacted Budget	FY 2022 Enacted Budget	FY 2023 Enacted Budget
Supreme Court	\$ 3,541,100	\$ 3,543,300	\$ 3,978,200
Court of Chancery	4,064,100	4,066,800	4,597,200
Superior Court	26,761,900	26,885,500	27,873,200
Family Court	21,608,800	21,621,200	22,284,400
Court of Common Pleas	10,912,600	11,157,800	11,389,400
Justice of the Peace Court	19,890,000	19,997,100	20,858,500
Administrative Office of the Courts (AOC)	3,882,700	4,139,100	4,482,400
AOC Custodial Pass-Through Funds*	2,921,600	3,035,100	3,035,100
Office of State Court Collections Enforcement (OSCCE)	625,900	626,200	633,800
Information Technology	3,936,000	4,031,600	4,059,800
Law Libraries	461,000	461,100	463,000
Office of the Public Guardian	811,800	812,200	820,900
Office of the Child Advocate	2,166,700	2,617,400	3,168,800
Maternal and Child Death Review Commission**	459,100	459,300	463,700
Delaware Nursing Home Residents Quality Assurance Commission	88,900	89,000	89,900
TOTAL	\$ 102,132,200	\$ 103,542,700	\$ 108,198,300

* 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.

** The Child Death Review Commission was renamed the Maternal and Child Death Review Commission with the passage of House Bill 340 of the 151st General Assembly.

Source: Administrative Office of the Courts

FISCAL OVERVIEW

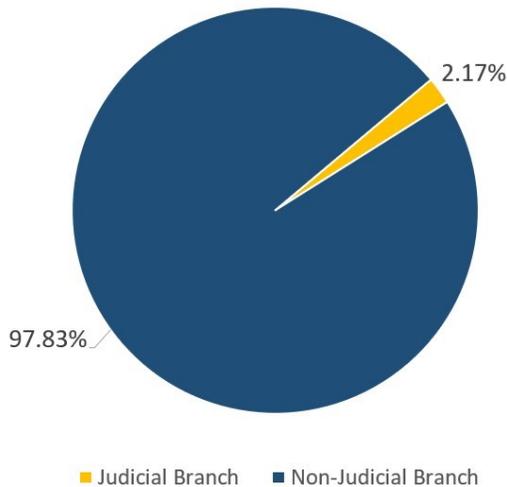
GENERAL FUND APPROPRIATIONS – FISCAL YEAR 2022

The Judiciary's FY 2022 appropriation is 2.17% of the State's General Fund Budget

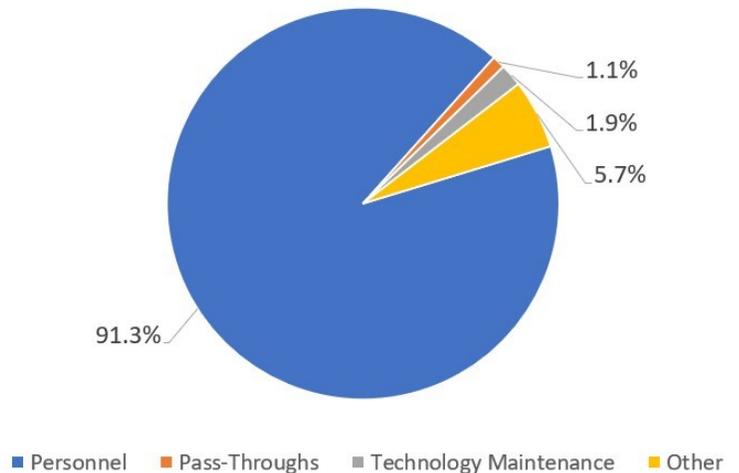
Public Education	\$	1,710,106,900	35.84%
Health and Social Services		1,288,966,700	27.01%
Department of Correction		364,904,700	7.65%
Higher Education		256,873,000	5.38%
Children Youth and Their Families		197,566,900	4.14%
Safety and Homeland Security		157,688,700	3.30%
Judicial Branch		103,542,700	2.17%
All Other		691,862,600	14.50%
TOTAL	\$	4,771,492,200	100%*

* Percentages may not total 100 due to rounding

The Judiciary's FY 2022 appropriation is 2.17% of the State GF Budget



The FY 2022 Judicial Branch budget breakdown: 91.3% Personnel, 3.0% Pass-Throughs and Technology Maintenance, and 5.7% Other



Source: Administrative Office of the Courts

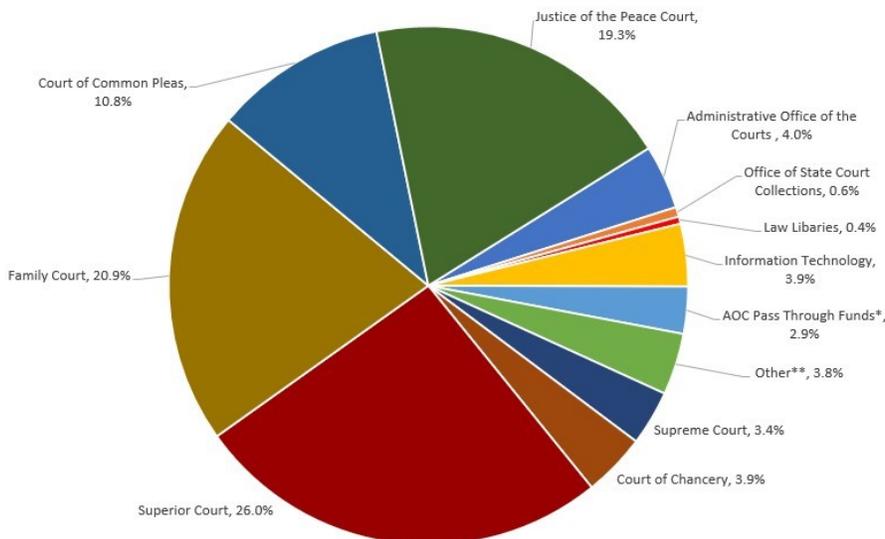
FISCAL OVERVIEW

JUDICIAL BRANCH APPROPRIATIONS – FISCAL YEAR 2022

General Funds by Court or Unit

Supreme Court	\$ 3,543,300	3.42%
Court of Chancery	4,066,800	3.93%
Superior Court	26,885,500	25.97%
Family Court	21,621,200	20.88%
Court of Common Pleas	11,157,800	10.78%
Justice of the Peace	19,997,100	19.31%
Administrative Office of the Courts (AOC)	4,139,100	4.00%
AOC Pass Through Funds*	3,035,100	2.93%
Office of State Court Collections	626,200	0.60%
Information Technology	4,031,600	3.89%
Law Libraries	461,100	0.45%
Other**	3,977,900	3.84%
TOTAL	\$103,542,700	100%***

JUDICIAL APPROPRIATIONS - FISCAL YEAR 2022



* AOC Pass-Through Funds consist of Court Appointed Attorneys/Involuntary Commitment, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, and Technology Maintenance.

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

*** Percentages may not total 100 due to rounding.

Source: Administrative Office of the Courts

FISCAL OVERVIEW

COURT GENERATED REVENUE* – FISCAL YEAR 2022

SUBMITTED TO THE STATE GENERAL FUND

	Fees & Costs	Fines	Interest**	Miscellaneous	Total
Supreme Court	\$ 72,250	\$ -	\$ -	\$ -	\$ 72,250
Court of Chancery	1,014,454	-	-	-	1,014,454
Superior Court	2,403,887	121,427	31,320	78,781	2,635,415
Family Court	83,759	13,750	-	150,754	248,263
Court of Common Pleas	1,027,288	248,636	-	13,450	1,289,374
Justice of the Peace Court	1,339,743	1,429,334	-	16,049	2,785,126
OSCCE collecting DOC Fees***	802,643	-	-	-	802,643
State Total	\$ 6,744,024	\$ 1,813,147	\$ 31,320	\$ 259,034	\$ 8,847,525

SUBMITTED TO COUNTIES AND MUNICIPALITIES

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 58,664	\$ 23,107	\$ -	\$ -	\$ 81,771
Family Court	-	1,004	-	-	1,004
Court of Common Pleas	100	160,493	-	-	160,593
Justice of the Peace Court	-	2,339,746	-	-	2,339,746
Office of State Court Collections Enforcement	835	1,150	-	-	1,985
Counties and Municipalities Total	\$ 59,599	\$ 2,525,500	\$ -	\$ -	\$ 2,585,099

GRAND TOTAL **\$ 6,803,623** **\$ 4,338,647** **\$ 31,320** **\$ 259,034** **\$ 11,432,624**

* Figures represent only revenue actually received, not the total amount of fines and costs assessed. Figures include funds generated for the FY 2022 Fee Increase Spending Plan. Court Generated Revenue for this table does not include most criminal Statutory Assessments collected on behalf of other agencies, such as the Fund to Combat Violent Crime or the Videophone Fund.

** From bail bond deposits.

***Office of State Court Collections Enforcement (OSCCE) collected supervision fees on behalf of the Department of Correction (DOC).

Source: Administrative Office of the Court, information for "Court Generated Revenue Submitted to the State General Fund" from report DGL118

FISCAL OVERVIEW

STATUTORY ASSESSMENTS COLLECTED BY THE COURTS – FY 2022

Criminal Only	
Court Security Fee*	\$ 1,162,740
Drug Diversion Fee	12,409
Drug Ed/Rehab SARTEP	31,439
DELJIS	116,255
Fund to Combat Violent Crime (State)	851,317
Fund to Combat Violent Crime (Local)	850,280
Senior Trust Fund	8,335
Voluntary Ambulance Fund	1,118,110
Victim Compensation	1,191,395
Victim Rights Fund	25,029
Video Phone Fund	102,343
Transportation Trust Fund	1,984,770
Civil Red Light Fee	22,942
Statutory transfers from Court Fees to DELDOT:	
Inspection & Maintenance	2,511,402
DMVT	24,298

*Revenue from Court Security totals \$1,538,251 when civil collections are added to the criminal collections.

Percent of Judicial Branch Budget from Criminal Fines and Fees (Judicial Branch GF and Appropriated Special Funds Combined)

Judicial GF FY22 Budget	\$ 103,542,700
Judicial ASF FY22 Budget	\$13,252,700
Total GF + ASF FY 22 Budget	\$116,795,400
Authority from Criminal Fees and Fines**	\$1,426,026
Criminal Fees and Fines as a Percent of the total Judicial Branch Budget	1.22%

** Criminal Only. Includes only those collections which are retained by the Judicial Branch.

What are Appropriated Special Funds (ASF)? ASF Funds are derived from fees that are collected and designated for a specific purpose to support program functions. Most court collections listed in the top table support programs that are outside of the Judicial Branch.

Note: There are additional ASF revenues which are indirectly associated with Fees and Fines, primarily civil. Specifically, there is an ASF line called “Judicial Services” for \$2,050,000 in FY 2022, appropriated in connection with certain fees. Nearly all of those fees were civil, although there is one fee which can be either civil or criminal.

In Section 1 and Section 43 of the FY 2022 Budget Act (HB 250 of the 151st General Assembly), ASF funds are also appropriated to the Court of Chancery and the Court of Common Pleas for their operating budgets from “the fees and fines that it collects”; no specific fees or fines are earmarked. The funds are appropriated through the budget process. The Court of Chancery’s fines and fees are civil; the Court of Common Pleas collects both civil and criminal fines and fees. The Court of Chancery’s ASF appropriation related to this epilogue totals \$259,100 ASF, which is additional to the ASF authority listed in the table above.

Source: Administrative Office of the Courts, information for “Statutory Assessments Collected” using report CJCM49P and the FY 2022 State Budget

FISCAL OVERVIEW

Total Criminal Collections by Type and Recipient – FY 2022

Distribution of Collections	Fines	Fees & Costs	Assessments	Restitution	Total Criminal	Recipient Break-down
Courts	\$ —	\$ 263,286	\$ 1,162,740	\$ —	\$ 1,426,026	7.7%
Counties/ Municipalities including Statutory Funds	\$ 2,525,500	\$ 59,599	\$ 1,968,389	\$ —	\$ 4,553,488	24.7%
State Statutory Funds	\$ 5,609	\$ 2,530,090	\$ 4,346,235	\$ —	\$ 6,881,934	37.3%
General Fund/State	\$ 2,184,576	\$ 873,180	\$ —	\$ —	\$ 3,057,756	16.6%
Victims	\$ —	\$ —	\$ —	\$ 2,535,148	\$ 2,535,148	13.7%
Total	\$ 4,715,685	\$ 3,726,155	\$ 7,477,364	\$ 2,535,148	\$ 18,454,352	100.0%

The above represents the collections from Delaware’s criminal courts: Superior Court, Family Court, Court of Common Pleas, the Justice of the Peace Court, and the Office of State Court Collections Enforcement. Much of the above is not defined as court revenue, but rather as court collections which is technically revenue for the State or other entities. Definitions below are not intended to be all-inclusive.

Fines: Includes state fines, town fines, criminal fines, DUI fines, and Forensic Fines.

Fees and Costs: Includes court costs, extradition, kiosks, Public Defender (PD) fees, drug diversion fees, and capias fees. The PD Fee will be eliminated upon the effective date of HB 244 w/ HA 2 of the 151st General Assembly. Some fees and costs collections – late fees and e-payment fees for the Voluntary Assessment Center – will no longer be assessed with the implementation of HB 244 w/ HA 2.

Assessments: Includes Court Security, Senior Trust Fund, Victim Rights, Victim Compensation, Drug Ed/Rehab Substance Abuse (SARTEP), Civil Penalty/Drug Diversion Fees, Transportation Trust Fund Surcharge, Voluntary Ambulance Fund, the DELJIS Fund, the Videophone Fund, and the Fund to Combat Violent Crime.

Revenues for the Volunteer Ambulance Company Fund and the Fund to Combat Violent Crimes (Local) are pass-throughs from State agencies or commissions to municipalities or local entities. They are reported under “Counties/ Municipalities including Statutory Funds.”

Source: Administrative Office of the Courts using report CJJCM49P

FISCAL OVERVIEW

COURT GENERATED REVENUE – FISCAL YEAR 2022

RESTITUTION – FISCAL YEAR 2022

	Assessed	Collected	Disbursed
Superior Court	\$ 3,154,169	\$ 851,242	\$ 735,344
Family Court	105,735	111,035	105,437
Court of Common Pleas	871,778	485,731	474,183
Justice of the Peace Court	11,929	21,959	21,773
Office of State Court Collections Enforcement* (OSCCE)	-	1,065,181	846,561
RESTITUTION TOTAL	\$ 4,143,611	\$ 2,535,148	\$ 2,183,298

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

	Total
Superior Court	\$ 1,057,550
Family Court	154,876
Court of Common Pleas	111,191
Justice of the Peace Court	84,438
OSCCE Receivables	1,108,564
Department of Correction	802,643
Court of Chancery	2,437
Child Support	153,373
OSCCE ASSISTANCE TOTAL	\$ 3,475,072

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

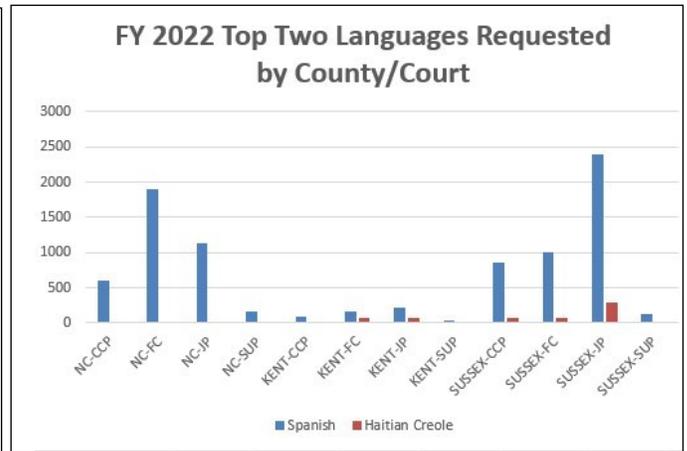
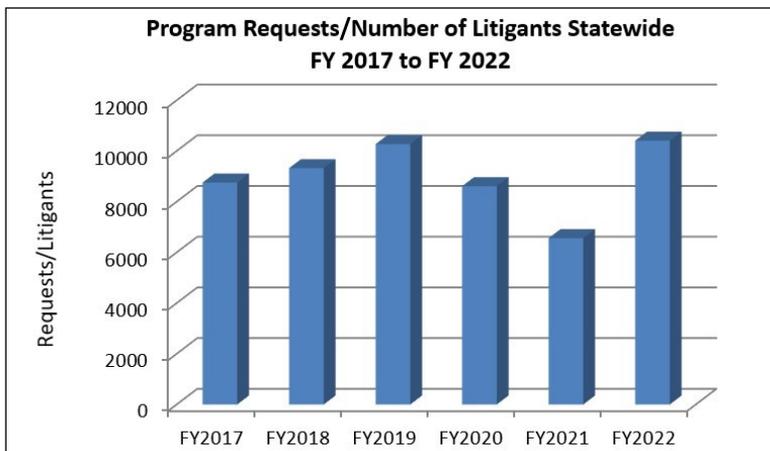
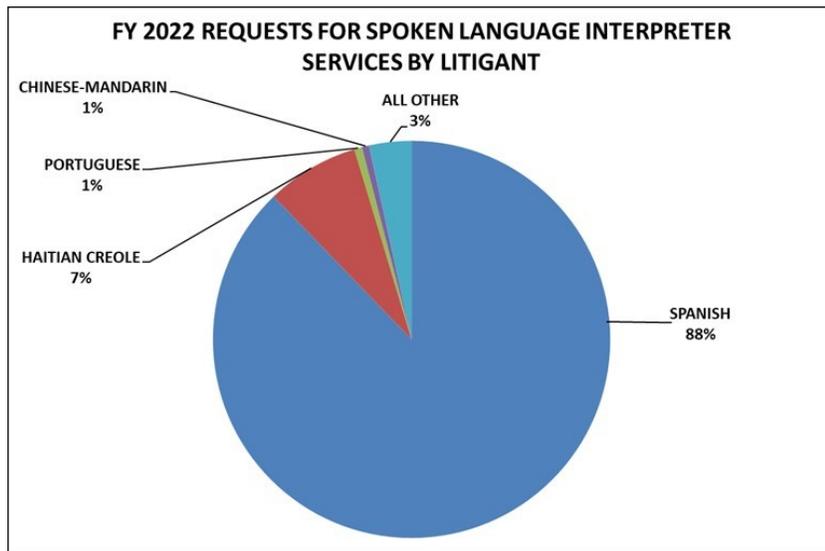
** These figures, in large part, overlap with amounts collected by the various courts and agencies, and should not be considered additional (excluding OSCCE receivables).

Source: Administrative Office of the Courts, information for restitution using report CJJCM49P

INTERPRETER SERVICES



The Delaware Judiciary provides language access to those with limited English proficiency and members of the deaf and hard of hearing community. The Court Interpreter Program is managed by the Administrative Office of the Courts (AOC) under the direction of the Court Interpreter Advisory Board. Below are several charts detailing the demand for interpretation services.



SUPREME COURT



SUPREME COURT

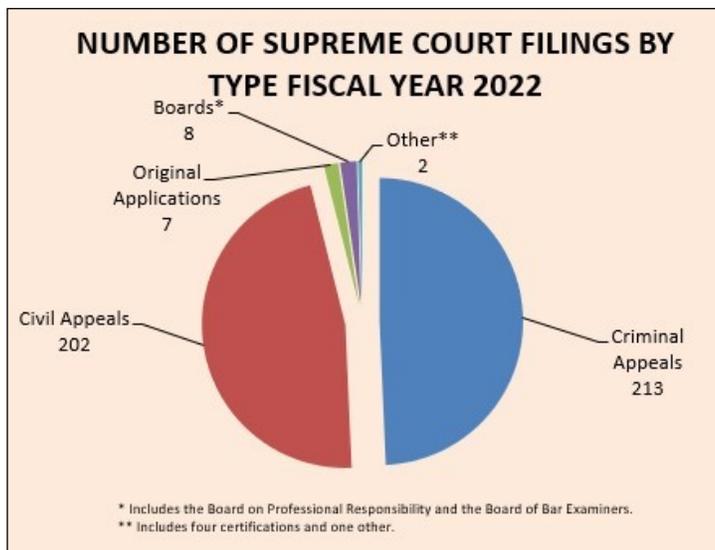
CHIEF JUSTICE COLLINS J. SEITZ, JR.



After dealing with two challenging years caused by the COVID-19 pandemic, the Supreme Court and Arms of Court gradually returned to normal operations in Fiscal Year 2022. In January 2022, the Supreme Court held the first-ever virtual bar admission ceremony for our newest attorneys who passed the 2021 Delaware Bar Exam. By March 2022 we transitioned from Zoom to in-person oral arguments. The court also resumed oral arguments at the Delaware Law School of Widener University to benefit the students. In July, the Board of Bar Examiners administered the bar exam in-

person for the first time since 2019. And finally, in December 2022, the court held its traditional, in-person admission ceremony for those attorneys who passed the July exam, which brought us closer to a feeling of normalcy.

In Fiscal Year 2022, the Delaware Supreme Court received 432 appeals and resolved 392 cases by opinion, order or dismissal. Even with pandemic-related challenges, the court decided appeals an average of 37 days from the date of submission to the date of final decision. In 98% of the appeals decided in FY 22, the court met the Delaware Judiciary standard for deciding cases within 90 days of the date of submission. The court resolved 91% of all cases within 290 days of filing of a notice of appeal and 96% of all cases were resolved within a one-year timeframe. In FY 22, the court held 79 oral arguments, 5 of which were reheard before the full court. In addition, 100 cases were submitted for decision on the briefs.



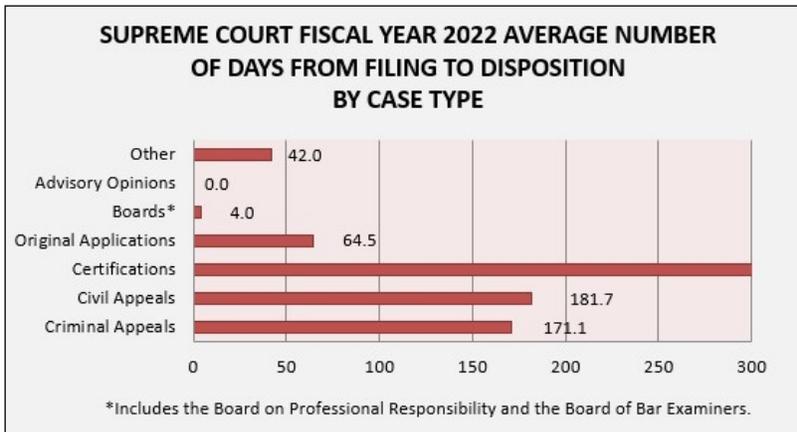
SUPREME COURT

In Fiscal Year 2021, the Supreme Court, in collaboration with the National Center for State Courts and AccessLex Institute, launched the Delaware Bench and Bar Diversity Project. A steering committee and five working groups studied the lack of diversity among Delaware’s bench and bar. This work culminated in the February 2022 release of a detailed strategic plan with 50 recommendations for improving diversity in the legal community. The court is grateful to all the judges, attorneys, and educators who served on the steering committee and working groups for their work of such great importance to the court and the Judicial Branch. The court is in the process of considering and implementing the recommendations.

In personnel changes in FY 22 Patricia Bartley Schwartz, formerly with the Office of Disciplinary Counsel, was selected as the Executive Director of the Board of Bar Examiners. In this position, Ms. Schwartz oversees the Commission on Continuing Legal Education, Lawyers Fund for Client Protection, as well as administration of the Delaware Bar Exam. The court also welcomed Jessica Tyler as a Staff Attorney with the Office of Disciplinary Counsel. Prior to this position, Ms. Tyler worked for the Marshall Dennehy law firm. Margot Millar, Assistant Director for the Commission on Continuing Legal Education, retired this year after serving over 30 years with the Arms of Court in various positions. We are



Members of the Delaware Supreme Court attending the investiture for Vice Chancellor Nathan Cook in September 2022 (From left to right, Justice Karen L. Valihura, Justice Gary F. Traynor, Justice James T. Vaughn, Jr., and Chief Justice Collins J. Seitz, Jr.).



grateful to Ms. Millar for her commitment to Delaware’s legal community and we wish her the best.

In March, we lost our friend and colleague, former Justice Randy J. Holland. When he was appointed in 1986, Justice Holland was the youngest person to serve on the Delaware Supreme Court and went on to serve the court for 30 years, making him the longest serving justice in the court’s history. We honored Justice Holland and his legacy in a memorial service on April 20, 2022, at Delaware State University in Dover.

The coming year will bring even more change for the court with the pending

retirement of Justice James Vaughn, Jr., and Justice Montgomery-Reeves’ appointment to the United States Court of Appeals for the Third Circuit. We wish Justice Vaughn well in retirement and Justice Montgomery-Reeves well in her new position and look forward to welcoming two new colleagues to the bench in 2023.

The last couple of years were difficult, but as with the rest of the Judicial Branch, the Supreme Court was able to pivot and adjust as needed to keep our operations going while maintaining the safety of our staff and the public. We are hopeful that the worst days are behind us and we can return to our central mission – insuring equal justice for all. ♦

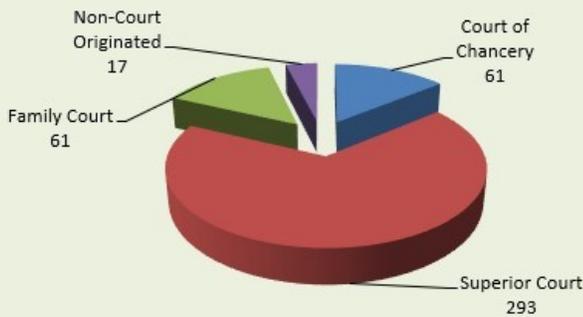
Continued on next page

SUPREME COURT



PHOTO :Dick Dubroff

NUMBER OF SUPREME COURT FILINGS BY COURT OF ORIGINATION FISCAL YEAR 2022



Top left: The April 30, 2022 memorial service for former Delaware Supreme Court Justice Randy J. Holland in Dover at Delaware State University.

Above: Chief Justice Collins J. Seitz, Jr. speaking at the Hotel DuPont on Nov. 30, 2022 at the Court of Chancery 230th Anniversary Celebration.

SUPREME COURT FILINGS & DISPOSITIONS BY FISCAL YEAR



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

SUPREME COURT

IN MEMORIAM JUSTICE RANDY J. HOLLAND



Justice Randy J. Holland, who passed away on March 15, 2022, was appointed and reappointed to the Delaware Supreme Court by three different Governors and served with four different Chief Justices during his tenure on the bench. At his appointment to the Supreme Court in 1986 by Governor Mike Castle, Justice Holland became the youngest person ever to serve on the state’s highest court and went on to also become the Court’s longest serving Justice at his retirement in March 2017. Throughout his 30 years on the bench, Justice Holland wrote more than 700 reported opinions and several thousand case dispositive orders.

Chief Justice Collins J. Seitz, Jr., described Holland as one of Delaware’s greatest public servants. “Randy Holland wrote cogent and authoritative opinions in all areas of the law that have withstood the test of time. He championed the highest ethical standards for Delaware lawyers and judges. As president of the American Inns of Court, he worked to further its nationwide mission to improve the skills, professionalism and ethics of the bench and bar. Most recently, he chaired a court committee to work on bail reform in domestic violence cases. What Justice Randy Holland will be

most remembered for is his kindness, humility, and graciousness, and his personal notes written with a blue felt tip pen,” Seitz said.

“Delaware just lost one of its true servants,” said former Chief Justice Leo E. Strine, Jr., who served with Justice Holland from 2014 to 2017. “No one loved our state or its bar more than Justice Holland. Through his dedication to the judicial craft, his fostering of bench-bar relations through the Inns of Court movement, his preservation of our state’s history, and his concern for the most vulnerable of litigants – particularly the children served by our Family Court – Randy made our state a better place and burnished its reputation as a legal center of excellence. We will miss his friendship and are profoundly sorry for his family’s irreplaceable loss.”

During his years on the Court, Justice Holland was known as not only an expert on state constitutional law but also as an avid historian of Delaware and the Delaware Supreme Court. He authored or co-authored ten books, including two books on the Delaware Constitution, two histories of the Delaware Supreme Court, and a History of the Delaware Bar in the Twentieth Century in addition to many law review articles. “Justice Holland was a great and historic jurist of the Court,” said former Chief Justice E. Norman Veasey, who served with Justice Holland from 1992 to 2004. “Indeed, he was a quintessential and intellectual jurist, with an extraordinary grounding in the law and a marvelous sense of fairness and equity. Not only was he historically long-serving as a jurist but also he was an extraordinarily gifted and scholarly writer, having authored or co-authored nine books and treatises as well as innumerable articles. Above all, he was a warm and noble human being – a truly good man in all respects. He was devoted to his wife of 50 years, Dr. Ilona Holland, their son, Ethan, daughter-in-law, Jen, and their granddaughters, Rori and Chloe. He will be missed in ways we have not begun to fathom by all who knew him, worked with him, and admired him.”

Justice Holland graduated from Swarthmore College and the University of Pennsylvania Law School, where he received the Loughlin Award for legal ethics. He later earned a Master of Laws in Judicial Process from the University of Virginia Law School and was awarded honorary Doctor of Law degrees by the Delaware Law School and Swarthmore College. Justice Holland taught corporate governance, appellate practice and state constitutional law and frequently focused on business ethics. He traveled internationally to advance corporate governance and ethics including working with the justice system in Taiwan. On several occasions he hosted visiting delegations from Taiwan to Delaware.

After leaving the Delaware Supreme Court, he became Senior of Counsel in the Wilmington office of Wilson Sonsini Goodrich & Rosati. In 2018 the Randy J. Holland Family Law Endowment was created in his honor for the Combined Campaign for Justice to fund a full-time fellowship position to work on family law needs for low-income families. ♦

COURT OF CHANCERY



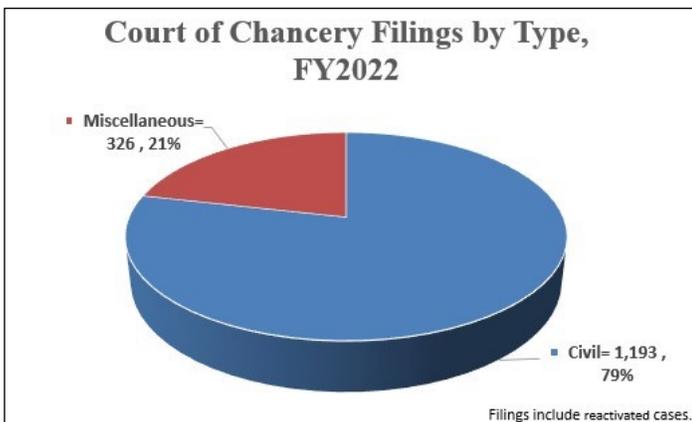
CHANCELLOR KATHALEEN ST. J. MCCORMICK

The year 2022 marked the 230th anniversary of the Court of Chancery and the 70th anniversary of Chancellor Seitz’s landmark *Belton v. Gebhart* decision, in which the State of Delaware’s first attorney of color, Louis Redding, successfully argued that students of color who were denied admittance to white public schools were denied equal protection of the law. These anniversaries served as a powerful reminder of our judicial officers’ oaths –to respect the right of future generations to share in the rich heritage of our state – as well as the court’s mission – to render fair, prompt, and well-

reasoned decisions in all matters within our jurisdiction.

The year 2022 was as busy and challenging as ever for the Court of Chancery. The numbers speak to the court’s success. Case filings and dispositions remained as staggeringly high as those of 2021, with 1,136 new matters filed (compared to 1,138 in 2021). The court witnessed an increase in requests for expedition, with 36% of new cases being accompanied by a request for expedited treatment. All told, the court conducted over 1,200 hearings and issued over 300 opinions. Filings in our guardianships cases likewise remained at a high level in 2022, with 326 new cases filed compared to 329 in 2021.

The court accomplished this level of productivity while grappling, like so many other courts and the State in general, with staffing shortages and recruitment chal-



Continued on next page



COURT OF CHANCERY

COURT OF CHANCERY

lenges. Technology helped with the court's efficiency. Although the pandemic seems largely in our rearview, it has left a legacy on our work-a-day world: video streaming technology is now commonplace for our court. Judicial officers frequently conduct fully remote and hybrid hearings, not only to ensure the safety of court staff and litigants when warranted, but also where doing so is more convenient for court staff and litigants. It was, by all measures, a banner year.

The year was marked with transition. We celebrated the retirement of one of our veteran leaders. Vice Chancellor Joseph R. Slight's retired from the bench on June 1, 2022, after seventeen years with the State, including seven years with the Court of Chancery. Master Patricia Griffin retired from the bench on December 1, 2022, after serving over 29 years for the state, five of which were for the Court of Chancery.

We also welcomed new colleagues. To fill Vice Chancellor Slight's position, Nathan A. Cook, was sworn in on July 21, 2022. Prior to joining the court, Vice Chancellor Cook was the managing partner of Block & Leviton's Delaware office. His practice focused on trial and appellate litigation relating to Delaware corporations and alternative entities. Before entering private practice, Vice Chancellor Cook served as a law clerk to Vice Chancellor John W. Noble. To fill Master Griffin's position, Master Bonnie W. David joined the court

in early 2023. Master David joins the court from Skadden, Arps, Slate, Meagher & Flom, LLP where she served as a Litigation Associate for seven years and Counsel for two years. Before entering private practice, Master David served as a law clerk to Vice Chancellor Sam Glasscock III.

In addition, in December 2022, the court welcomed Loren Mitchell to a newly funded Master in Chancery position. Master Mitchell joined the court from the Department of Justice, where she was the Deputy Attorney General, General Counsel to the Department of Labor. Master Mitchell is currently an adjunct professor at both the University of Delaware, Professional & Continuing Studies, and Wilmington University.

For the second year, the court welcomed high school interns participating in the Delaware Department of State's Future Leaders Internship Initiative ("FLii"). We enjoyed the company and enthusiasm of our high school interns as well as the collaboration with our sister branch of government.

Other members of the Chancery team celebrated victories. The Court of Chancery is very proud to recognize two members of our elite court reporting staff, Juli LaBadia and Douglas Zweizig, who received awards for their transcription skills in competitions this summer held in the Netherlands and Florida, respectively. The Court of Chancery Court



Chancellor Kathaleen St. J. McCormick administers the Oath of Office to Vice Chancellor Nathan A. Cook, as the Vice Chancellor's wife Christine holds the Bible in a ceremony on Sept. 28, 2022

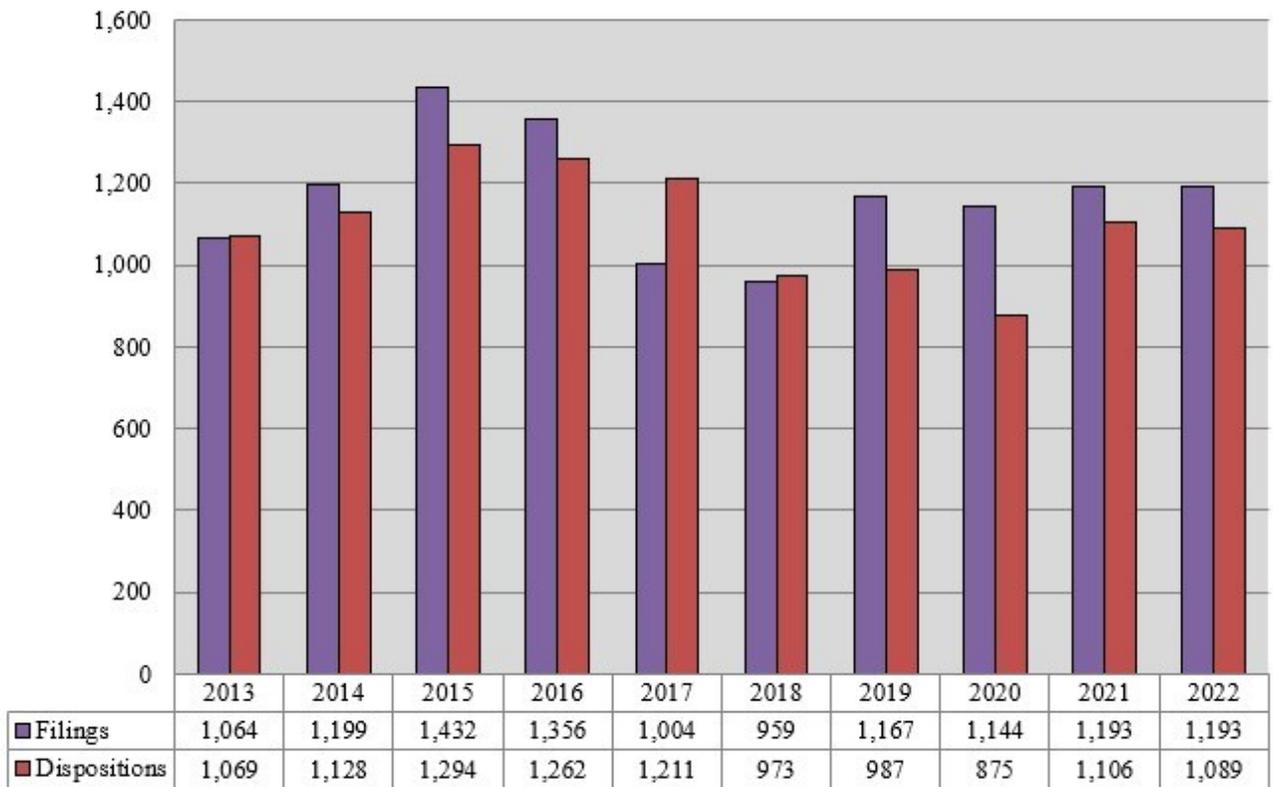
COURT OF CHANCERY

Reporters are truly world class and vital to the court’s ability to swiftly administer justice.

It remains true today, as in years past, that the strength of the court is in its people. As we head into the new year, we continue to be grateful for the efforts of the court staff who work tirelessly to ensure that the court provides fair, prompt, and well-reasoned decisions in all causes in equity and other matters within the jurisdiction of this court. ♦



Court of Chancery 10-Year Civil Caseload Trend



Fiscal Year Filings include reactivated cases.

Continued on next page

COURT OF CHANCERY



Court of Chancery

Standing left to right:

Master in Chancery Loren Mitchell, Master in Chancery Patricia W. Griffin (retired 12/2022),
Vice Chancellor Lori W. Will, Vice Chancellor Nathan A. Cook,
Master in Chancery Selena E. Molina, Master in Chancery Bonnie W. David.

Seated left to right:

Vice Chancellor Morgan T. Zurn, Vice Chancellor J. Travis Laster,
Chancellor Kathaleen St. J. McCormick,
Vice Chancellor Sam Glasscock III, Vice Chancellor Paul A. Fioravanti.

SUPERIOR COURT



PRESIDENT JUDGE JAN R. JURDEN



SUPERIOR COURT

“To improve is to change; to be perfect is to change often.” – Winston Churchill.

Introduction/Overview

It is through the hard work and dedication of our employees that the Superior Court remains true to its long-standing mission – *to serve the public by providing fair, prompt and well-reasoned decisions in all matters coming before the court.* Our team of judicial officers and staff continue to identify needed improvements in our processes and the delivery of services to the public, litigants and to the Delaware Bar. We are guided by the court’s core

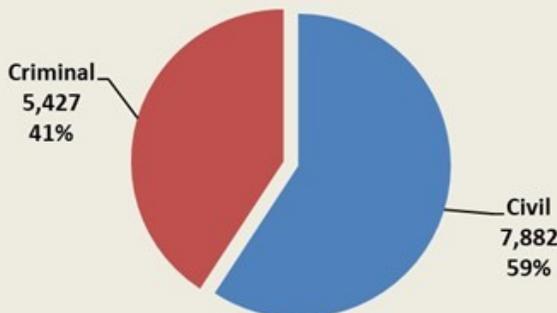
values – **“UNITED”** – *Unity, Neutrality, Integrity, Timeliness, Equality and Dedication.*

We welcomed two new judicial officers: Judge Patricia A. Winston (June 1, 2022) and Commissioner Martin B. O’Connor (November 1, 2021). We also welcomed back Colleen Redmond as our Prothonotary in New Castle County. Colleen has 30 years’ experience in this office.

Statistical Overview

Each year the Superior Court handles thousands of matters. In Fiscal Year 2022, we had 7,882 civil filings and 5,427 criminal filings. The court worked with its justice partners to efficiently schedule grand juries, case reviews, sentencing, motions, and trials to work through its pending case load. Due to electronic filing, the court was able to handle most of its civil filings without disruption despite the pandemic. The court continues to utilize technology to handle matters remotely. During FY 22, the court conducted 402 civil proceedings and 1427 criminal proceedings remotely.

**NUMBER OF SUPERIOR COURT FILINGS
BY TYPE, FISCAL YEAR 2022**



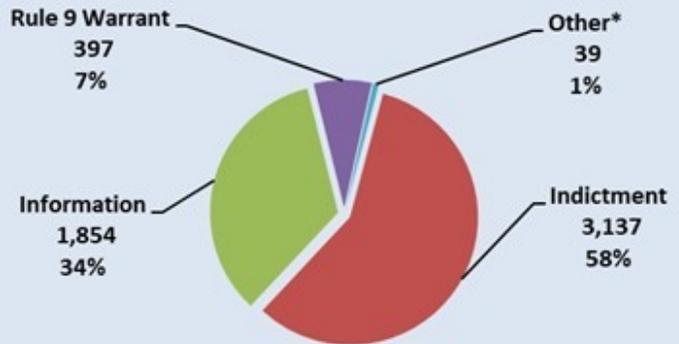
Continued on next page

SUPERIOR COURT

From July 1, 2021, to September 30, 2022, the court issued and posted on its website 384 civil opinions, 72 Complex Commercial Litigation Division (“CCLD”) opinions/orders and 214 criminal opinions/orders. The court is endeavoring to provide more information to the public via our webpage. Currently, the Court’s Administrative Directives, Administrative Orders, Rule Changes, and Standing Orders can be found on the webpage. Statistical information regarding permits to carry a deadly weapon and weapon relinquishment hearings were also added. The court’s webpage is routinely updated with new information in our effort to keep the Bar and the public informed and provides useful information on court processes, forms, schedules, and other material to aid in navigation of our court system.

The information received through our Bench and Bar Liaisons aided in the permanent implementation of remote processes and procedures introduced during the pandemic. The court continues to work closely with the Bar to solicit suggestions about how

NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FISCAL YEAR 2022



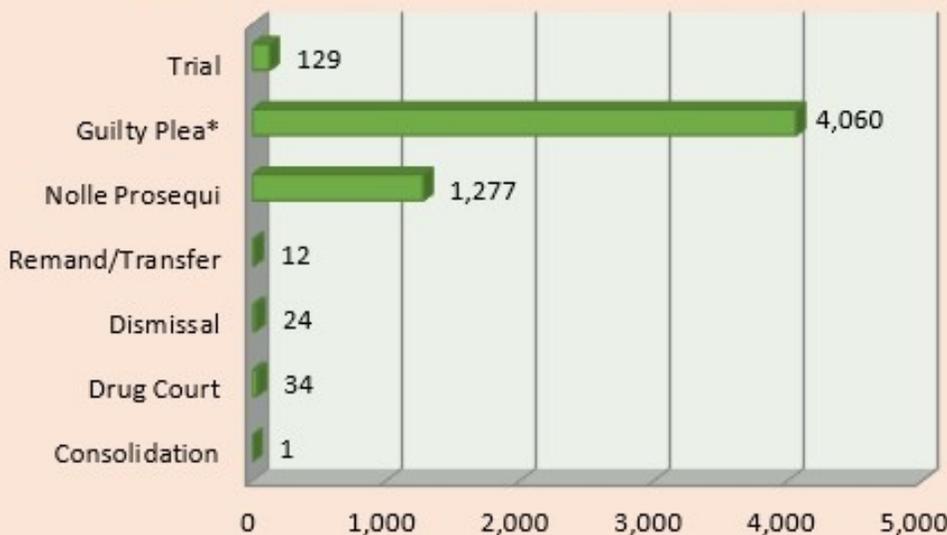
*Includes appeals, transfers, reinstatements, and severances.

to improve processes and best serve the Bar and justice partners.

Complex Commercial Litigation Division (CCLD)/Mass Torts/Asbestos

The CCLD caseload continues to grow. In FY22, there were 126 new cases filed. Due to the increased filings, Judge Meghan A. Adams was added to the CCLD panel on August 4, 2022, joining Judges Johnston, Davis, Wallace, and LeGrow. In addition to the CCLD cases, the court maintains a large docket of mass torts and asbestos cases handled by Judges Jones and Brennan. At the end of FY22 there were 2,589 CCLD cases, 474 mass tort cases, and 664 asbestos cases pending.

NUMBER OF SUPERIOR COURT CRIMINAL DISPOSITIONS BY METHOD FISCAL YEAR 2022



*Includes Probation Before Judgment & Guilty but Mentally Ill, First Offender Program & civil possession of marijuana.

Expungements

The court continues to work closely with its justice partners to implement the expungement statutes passed by the General Assembly and signed by

SUPERIOR COURT

the Governor. The Clean Slate Act, Senate Bill 111, 151st General Assembly, effective August 1, 2024, creates an automatic expungement process to address individuals eligible for a mandatory expungement and requires coordination between the court, Delaware Criminal Justice Information Systems (DELJIS) and State Bureau of Identification (SBI). This automatic expungement process will provide relief for eligible individuals without the requirement and expense of filing a petition. Additionally, in coordination with DELJIS and the Judicial Information Center (JIC), the court is working on a process to review potential errors in the criminal justice record keeping system which could negatively impact an individual from seeking an expungement. House Bill 447 implemented some of the recommendations of the African American Task Force Safety and Justice Subcommittee and requires cases or charges that meet a certain criterion to be treated as resolved in favor of the accused for purposes of expungement. Modifications to the court's current expungement processes and procedures are necessary to realize the General Assembly's intention "to protect persons from unwarranted damage which may occur when the existence of a criminal history continues indefinitely."

Notable

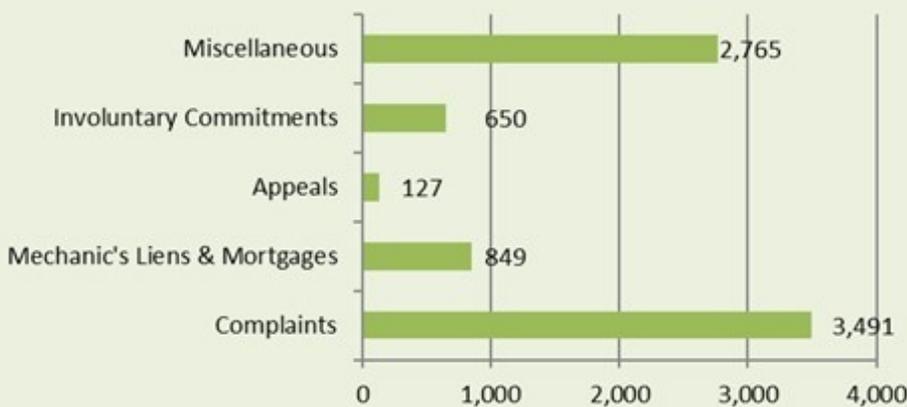
The Superior Court was saddened by the death of the Honorable Richard S. Gebelein on December

22, 2021, and the death of Marc Niedzielski on August 28, 2022. Judge Gebelein started his judicial career with the Superior Court on October 5, 1984, and retired on August 31, 2005 to become an international judge on the State Court of Bosnia and Herzegovina. Mr. Niedzielski served as the court's Asbestos Litigation Master beginning in 1987 for several years.

This past year, two of our employees received awards for their outstanding service. Cynthia Coleman was named Superior Court's Employee of the Year and the Judicial Branch Employee of the Year. She was also named one of the recipients of the 2021 Governor's Award for Excellence and Commitment in State Service, an award designed to honor employees "who exemplify the highest standards of excellence and commitment in state service." Cynthia started with the Superior Court in 2003 as a casual/seasonal employee and worked her way up to her current position as Judicial Operations Manager. She was nominated because of her outstanding professionalism, management style and unfailing positive attitude. Cynthia's creativity, work attitude, and organizational skills were particularly useful during the pandemic as she and her team performed on-site and remotely to keep the civil filings moving forward.

Tracy Walls-Pulling was named the recipient of the 2022 Delaware State Bar Association's Myrna L. Rubenstein Professional Support Recognition Award. Judge Carpenter presented Tracy with the award during the Delaware State Bar Association's Law Day program on May 2, 2022. This award is given to a support person who has contributed in a "significant way . . . to the high ideals of the legal profession." Tracy has worked with the court as Judge Carpenter's Administrative Assistant for the past 37 years. In describing Tracy, President Judge

**NUMBER OF SUPERIOR COURT CIVIL FILINGS
BY TYPE FISCAL YEAR 2022**

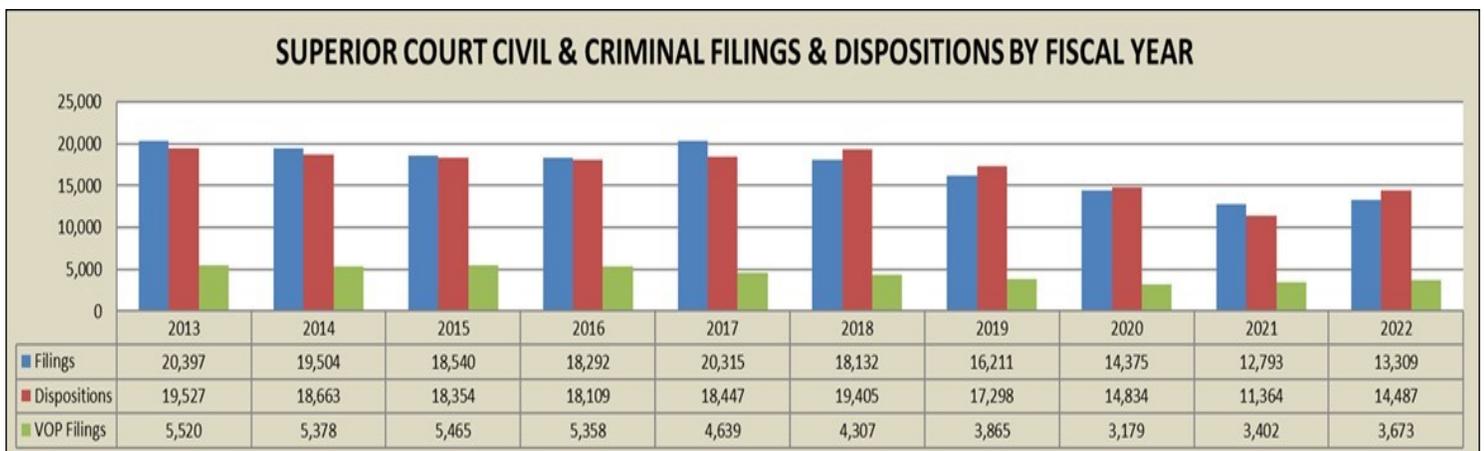
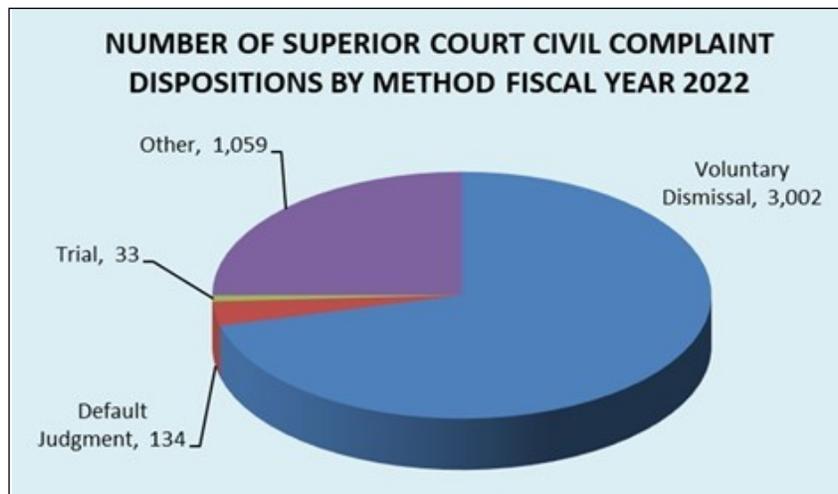
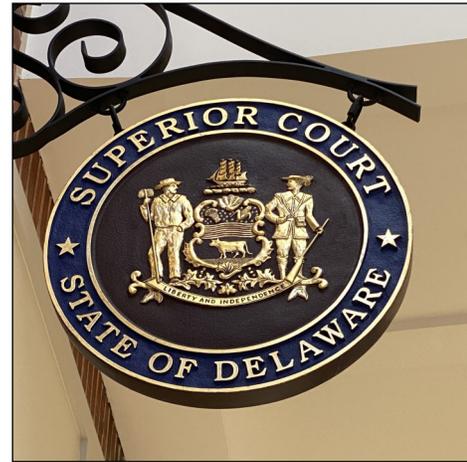


Continued on next page

SUPERIOR COURT

Jurden and Judge Carpenter stated that she “is the standard by which all who support those who work or practice in our judicial branch should strive to achieve and represents the very best of those that serve our legal community.”

The Superior Court would like to recognize and thank all its staff for their tireless dedication and exemplary work ethic, particularly during these trying times. The Superior Court, along with all its employees, stands **UNITED** in our continuing efforts to improve and provide exemplary service to all those we are honored to serve. ♦



SUPERIOR COURT



SUPERIOR COURT JUDGES

Back Row (left to right): Judge Danielle J. Brennan, Judge Robert H. Robinson Jr., Judge Francis J. Jones Jr., Resident Judge Craig A. Karsnitz, Judge Sheldon K. Rennie, Judge Meghan A. Adams, Judge Mark H. Conner, Judge Reneta L. Green-Streett, Judge Patricia A. Winston.

Middle Row (left to right): Judge Abigail M. LeGrow, Judge Ferris W. Wharton, Judge Paul R. Wallace, Judge Eric M. Davis, Judge Vivian L. Medinilla, Resident Judge Jeffrey J. Clark, Judge Noel Eason Primos.

Front Row (left to right): Judge Mary J. Johnston, Judge William C. Carpenter Jr., President Judge Jan R. Jurden, Judge Calvin L. Scott, Resident Judge Charles E. Butler.

SUPERIOR COURT



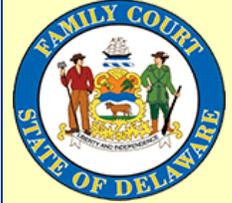
SUPERIOR COURT COMMISSIONERS

Left to right: Commissioner Janine M. Salomone, Commissioner Alicia B. Howard, Commissioner Martin B. O'Connor, Commissioner Andrea M. Freud, Commissioner Lynne M. Parker.

FAMILY COURT



CHIEF JUDGE MICHAEL K. NEWELL



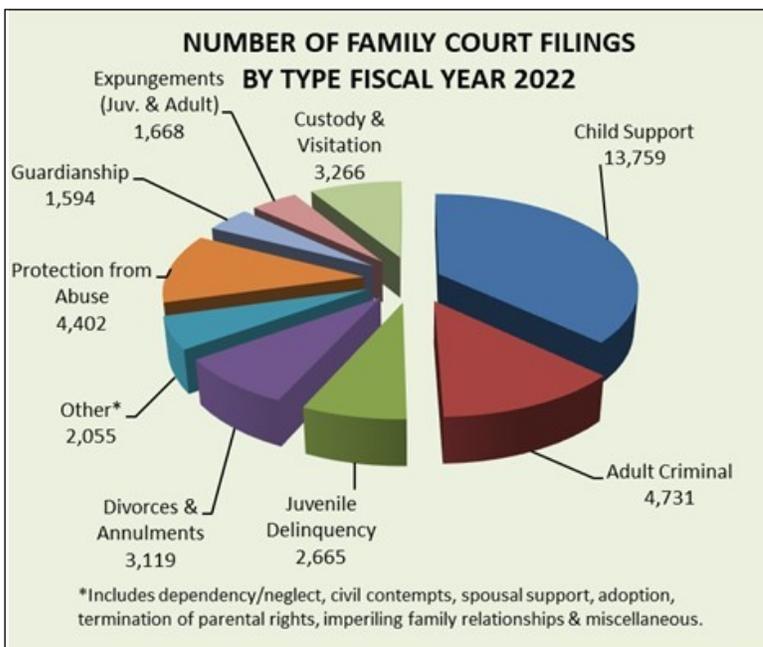
FAMILY COURT

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.

In Fiscal Year 2022, the court processed 37,259 filings, a slight decrease of 0.8% from last year, but with noticeable filing trends in several case types. The court's total civil filings decreased by 3.5%, while its adult criminal filings increased by 8.3%, and juvenile delinquency filings increased by 18.4%. Within the civil filings there was a significant shift in that child support filings, which has tradition-

ally represented the highest volume of filings for Family Court, decreased 12.6% following a decrease of 9.6% in FY 21, and 20.4% in FY 20. This trend was consistent in all three counties with child support decreasing 11.5% in New Castle County, 15.9% in Kent County, and 11.8% in Sussex County.

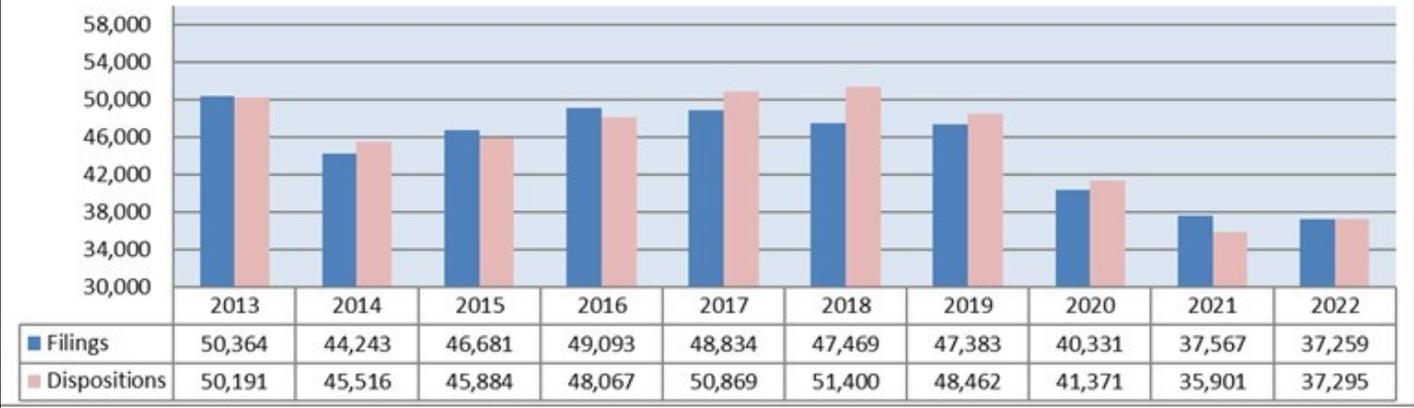
Although child support filings decreased significantly, all other civil filings, which are grouped



Continued on next page

FAMILY COURT

FAMILY COURT CIVIL & CRIMINAL FILINGS & DISPOSITIONS BY FISCAL YEAR



together as non-support civil filings, increased by 5.9% to 16,104 petitions filed in FY 22. While custody, visitation, and divorce filings saw a decrease from the previous year, dependency/neglect filings were up 39.8% statewide, termination of parental rights filings increased by 8%, and guardianship filings increased by 19.6% statewide. Protection from Abuse petitions increased 13.6%, and expungement filings increased by 29.3%.

In the criminal and delinquency area, there was an increase of 11.7%. The most noticeable increase was in juvenile misdemeanor filings with an increase of 45% from the previous fiscal year.

The court continued to utilize technology to improve the way litigants access the court. In addition to our Call Center, litigants can now access a representative via Live Chat through the website, and a Virtual Assistant is available to answer frequently asked



Chief Judge Michael K. Newell with the ceremonial groundbreaking shovel for the Sussex County Family Court building on June 28, 2022.

questions anytime of day or night. Additionally, legal notices are now published on the court's webpage, which reduces the cost of newspaper publication for litigants.

Family Court has 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 Court Improvement Project ("CIP") work, improve outcomes for children and families, and support our ever-evolving child welfare practices. This year, the court implemented a new data management system that enables further collaboration with child welfare stakeholders. Additionally, workgroups are engaged in an effort to set statewide benchmarks for hearing timeliness and improve kinship and guardianship placements. Quality legal representation remains a focus of CIP with continued efforts to develop a multidisciplinary approach for parent representation. The court continues its efforts to expand

FAMILY COURT

the teaming of social workers with parent attorneys and adding peer parent advocates to the multidisciplinary team.

Family Court recently changed the name of its mental health treatment court to Youth Wellness Court to better identify the goal of the program and reduce the stigma of being part of it. The court continues to work to bolster all of the treatment court programs to meet the changing needs of Delaware families. Finally, Family Court continues to lead staff workgroups on vicarious trauma both within Family Court and within the wider Judicial Branch in an effort to improve workplace culture and staff wellbeing.

Family Court also continues its work to sustain the efforts of the Family Court Enhancement Project (FCEP). The project has focused on improving practices in domestic violence, custody, and visitation matters. One recommendation from the project included holding compliance calendars for respondents ordered to domestic violence treatment (also known as Batterers Intervention Programs, or BIP). This year, through an OVW (Office of Violence Against Women) grant and a mentor court program facilitated by the Center for Court Innovation, Family Court has received technical assistance from St. Louis County's Domestic Violence Court and will pilot a compliance calendar in New Castle County. The Domestic Violence Coordinator has also partnered with the Justice of the Peace Court to serve default and ex parte emergency Protection From Abuse orders on respondents who appear in JP

Court on other matters, and coordinated domestic violence training for the Magistrates at their fall judicial conference. The court also collaborated with the AOC to facilitate a training for court staff, and the Delaware Coalition Against Domestic Violence to create a web-based module domestic violence training that will be used in the onboarding of all

new Family Court staff beginning in early 2023. The Family Court continued the tradition of celebrating its successes and providing stakeholders with updates during Domestic Violence Awareness Month at a FCEP follow up "round table" discussion followed by the Governor signing the 2022 Domestic Violence Awareness Month Proclamation.

Family Court's efforts to construct new Family Court buildings in Kent

and Sussex Counties were advanced this past year with groundbreaking ceremonies in Dover and Georgetown. The first event was held on June 28, 2022 for the Sussex County facility, followed closely by the groundbreaking for Kent County on September 22, 2022. Demolition at both locations is nearly complete and construction will begin in the upcoming fiscal year. The current buildings are undersized, undignified, and unsafe. These projects are critical to providing Family Court and the citizens of Delaware with adequate, secure, and dignified facilities.

On October 31, 2021, the Honorable Kenneth M. Millman retired after more than 35 years as a Family Court Judge in Sussex County. The Honorable The-



Family Court Commissioner Kelly Hicks Sheridan (left) takes the Oath of Office, administered by Family Court Chief Judge Michael K. Newell (center) as her husband Joseph (right) holds the Bible on Sept. 16, 2022.

Continued on next page

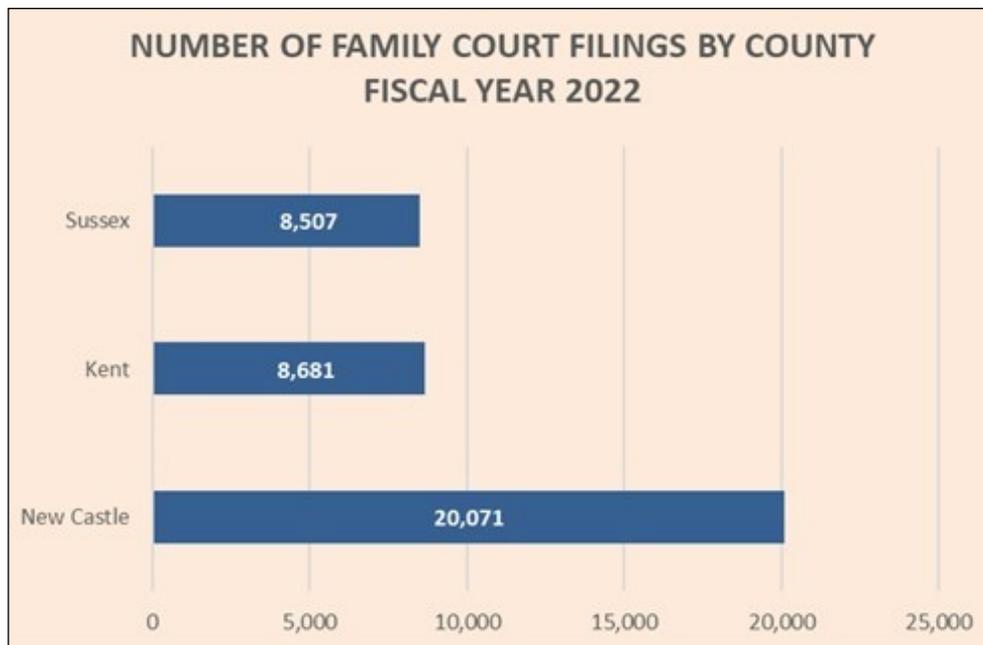
FAMILY COURT

resa M. Hayes was sworn in to replace Judge Millman in November. In June of this year, the Honorable Kelly H. Sheridan was confirmed as a Commissioner in New Castle County. In October, the Honorable Peter B. Jones was reappointed to a third term as a Judge in Sussex County, and the Honorable Emily A. Farley was reappointed to a second term as a Commissioner in Kent County.

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.” CORE prepared a report this fiscal year

that included the recommendations of its various committees, and that report will serve as a path forward in reforming our practices and improving the culture to create a more welcoming and inclusive Family Court.

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. ♦



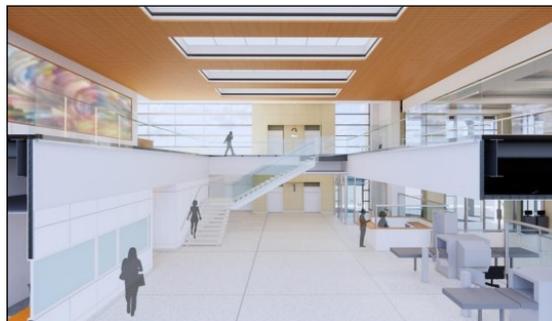
FAMILY COURT

Architect's renderings of the new downstate Family Court facilities

All images courtesy TEVEBAUGH Architecture

Sussex County

Kent County



From top to bottom: Renderings of the Sussex County Family Court building and parking garage and an interior hallway.
In the middle: Renderings of a courtroom and lobby design for both buildings.

From top to bottom: Renderings of the Kent County Family Court building, and parking garage and a courtroom corridor.

Continued on next page

FAMILY COURT



FAMILY COURT JUDGES

Back Row (left to right): Judge Joelle P. Hitch, Judge Peter B. Jones, Judge Theresa M. Hayes, Chief Judge Michael K. Newell, Judge Mary S. Much, Judge Michael W. Arrington, Judge Janell S. Ostroski, Judge Mardi F. Pyott.

Front Row (left to right): Judge Felice G. Kerr, Judge Louann Vari, Judge Natalie J. Haskins, Judge James G. McGiffin, Jr., Judge Jennifer B. Ranji, Judge Mark D. Buckworth, Judge Paula T. Ryan, Judge Arlene Minus Coppadge.

Not Pictured: Judge Robert B. Coonin.

FAMILY COURT



FAMILY COURT COMMISSIONERS

Back Row (left to right): Commissioner Gretchen C. Gilchrist, Commissioner David W. Jones, Commissioner Jennifer Mayo, Chief Judge Michael K. Newell, Commissioner Francis E. Mieczkowski, III, Commissioner M. DeSales Haley, Commissioner James Maxwell.

Front Row (left to right): Commissioner Danielle S. Blount, Commissioner Loretta Young, Commissioner Andrew K. Southmayd, Commissioner Kelly Hicks Sheridan, Commissioner Craig R. Fitzgerald, Commissioner Sonja T. Wilson, Commissioner Para K. Wolcott, Commissioner Theresa A. Sedivec.

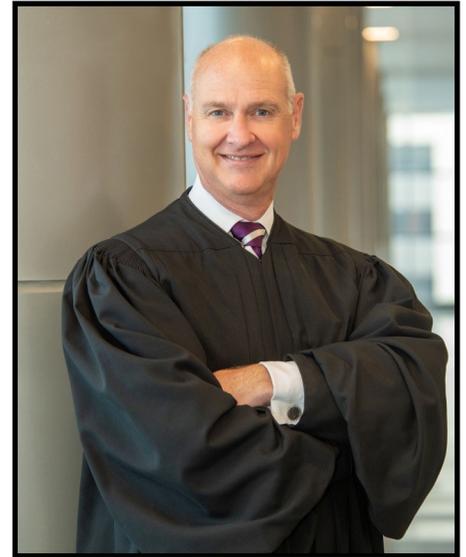
Not Pictured: Commissioner Emily A. Farley, Commissioner Kim DeBonte.

COURT OF COMMON PLEAS



COURT OF COMMON PLEAS

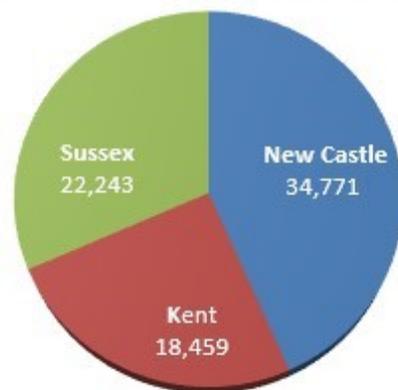
CHIEF JUDGE CARL C. DANBERG



The Court of Common Pleas plays a vital role in providing the citizens of Delaware equal justice under the law. The court is proud to report that access to justice is strong in the First State. Fiscal Year 2022 presented considerable operational challenges as the court returned to full operation in the wake of the global pandemic. Thanks to the hard work and perseverance of its dedicated staff, the court continued to serve as a neutral forum for the efficient resolution of cases. Despite unprecedented staffing shortages, pressure to manage a growing caseload, and the challenges inherent to social distancing requirements, court staff rose to the challenge and demonstrated their commitment to the administration of justice. Not only did the staff fulfil their responsibilities with regards to new incoming cases, they rolled up their sleeves and worked together to develop strategies to triage the seemingly insurmountable backlog of cases accumulated during the pandemic. I remain confident that the Court of Common Pleas is well poised to handle new challenges in the years to come.

FY 22 was a year of significant progression in the Court of Common Pleas. The court continued to provide meaningful access to justice by investing resources in the development and implementation of new procedures to safely conduct in-person court proceedings. The court maximized its limited resources to facilitate timely disposition of criminal cases, balancing the need for efficiency with careful judicial oversight. In addition, the court conducted an analysis of its civil case management

COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS BY COUNTY FISCAL YEAR 2022



COURT OF COMMON PLEAS

procedures to identify opportunities to improve and streamline the civil litigation experience.

In FY 22, the Court of Common Pleas was provided funding for a new Commissioner and was honored to welcome Gregory R. Babowal to serve as Commissioner in Kent County. Commissioner Babowal's appointment has allowed the court to assign Commissioner Donald Bucklin to Sussex County on a full-time basis. This has enabled the court to continue to manage its growing caseload, particularly with regards to the individualized treatment court needs.

Statistical Overview

The Court of Common Pleas has continued to be one of the busiest courts in the State of Delaware with over 90,178 total case filings in FY 22 – an increase of 19.4% over FY 21.

The Court of Common Pleas saw a marginal decrease in total civil case filings, down 3.8% from FY 21, due to a decrease in consumer debt cases. However, the court's civil workload continued to increase as the cases filed were more complex, with appeals and non-consumer debt cases increasing by 13.3% over FY 21. In addition, due in part to the court's concerted efforts to efficiently address its backlog of cases, the number of dispositions entered in civil cases increased by 39.2% over FY 21.

Criminal case filings increased significantly in FY 22. A total of 81,806 misdemeanor criminal cases were filed in the Court of Common Pleas, and 7,745 cases were before the court for a preliminary hearing. These figures represent a 22.6% increase in criminal misdemeanor filings and a 3% increase in total criminal caseload compared to FY 21. Addi-

tionally, the growth rate of more complex criminal cases, such as drug and alcohol cases, has consistently outpaced other criminal filings. Statewide DUI cases increased 71% – growing from 1,970 to 3,368 – between FY 13 and FY 22. 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 12 and FY 22.

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. It provides a forum for justice through negotiated resolution and acceptance of responsibility, rather than prosecution.

In FY 22 there were 1,301 cases referred for mediation statewide, and the Program boasted an impressive statewide success/satisfaction rate of 95%.



Problem-Solving Courts

The Court of Common Pleas is proud of its problem-solving courts which provide court-monitored treatment and access to social services designed to minimize the likelihood of reoffending.

Drug Diversion Program

The Court of Common Pleas continues to operate its highly successful court-supervised Drug Diversion Program, headed by Judge Robert Surles in New Castle County and Judge Kenneth Clark in Sussex County. The Drug Diversion Program represents a collaborative effort between the court, its justice partners, and the Public Health Management Corporation (PHMC). Collaboration with PHMC provides observation, research, and data analysis, which has

Continued on next page

COURT OF COMMON PLEAS

assisted in launching scores of other drug diversion programs throughout the United States and internationally. The Drug Diversion Program has served 9,158 individuals since its inception in 1998, and the program is continuing to grow and adapt, incorporating national best practices. In FY 23, the Court of Common Pleas will expand Drug Diversion to Kent County and will standardize Drug Court procedures across all three counties.

DUI Treatment Court Program

The Court of Common Pleas continues to operate the statewide DUI Treatment Court Program, under the direction of Judge Monica A. Horton in New Castle County, Commissioner Gregory Babow-

al in Kent County, and Commissioner Donald Bucklin in Sussex County. Since its inception in December 2014, 366 individuals have entered the Program, with 267 having successfully completing the program. There were 67 active participants in FY 22.

The DUI program is authorized under 21 *Del. C.* § 4177 (d) (2). Its goal is 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 Corrections. The Program encourages its participants by reminding them that life does not get better by chance, it gets better by CHANGE.

Wilmington Community Court

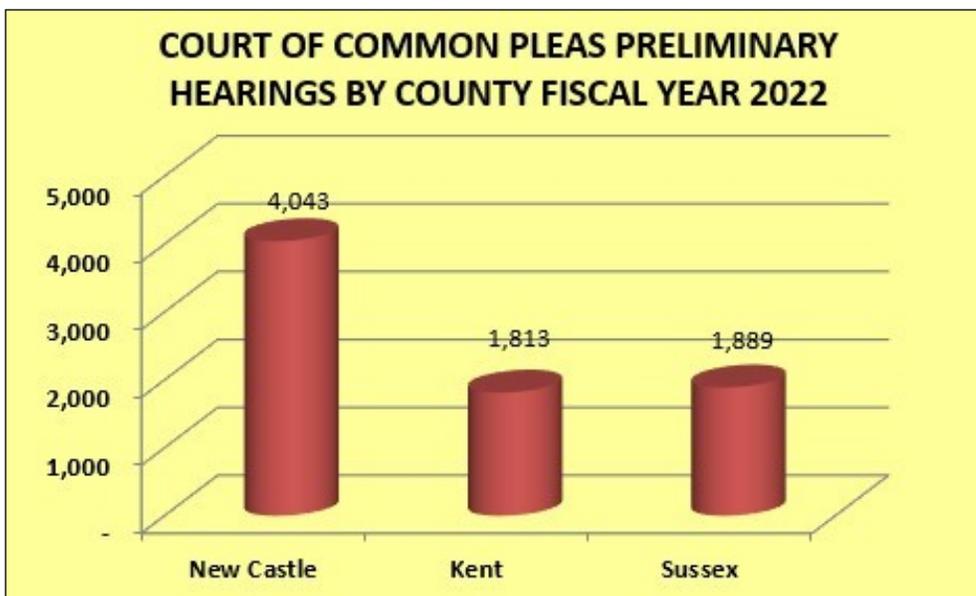
The Wilmington Community Court seeks to reduce crime and recidivism by addressing the quality-of-life issues facing its communities, and utilizing a restorative justice approach. Since opening in the Fall of 2019, Community Court has served 416 participants, offering those charged with certain misdemeanors the chance to complete alternative mandates to the traditional jail time or fines. A Community Resource Center is located on the second floor of the Leonard L. Williams Justice Center in Wil-

mington. It is open to any member of the public and serves as a mechanism to connect individuals with a variety of social service providers. One goal of the Community Court is to have offenders invest in the communities they have harmed

through criminal behavior. To better understand the needs of those communities, and to facilitate community service, in FY 23 the Community Court will partner with a downtown community center.

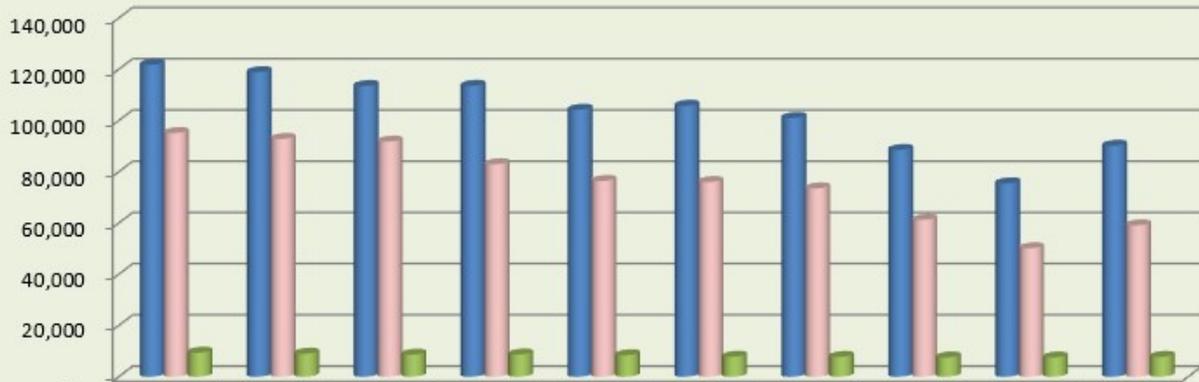
Conclusion

The Court of Common Pleas continues to successfully operate a busy, high-volume court despite limited resources. Thanks to its dedicated staff, the Court of Common Pleas perseveres in its mission “to provide a neutral forum for the people and institutions of Delaware in the resolution of everyday problems, disputes, and more complex legal matters in a fair, professional, efficient and practical manner.” ♦



COURT OF COMMON PLEAS

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



	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Filings	121,752	118,864	113,471	113,547	104,205	105,796	100,995	88,519	75,473	90,178
Dispositions	95,102	92,834	91,781	82,939	76,435	76,012	73,535	61,250	50,155	59,098
Preliminary Hearings	9,398	9,011	8,621	8,689	8,402	7,798	7,739	7,520	7,521	7,745



Continued on next page

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS JUDGES/ COMMISSIONERS OF NEW CASTLE COUNTY



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

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

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS JUDGES/ COMMISSIONERS OF KENT COUNTY



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



Commissioner Gregory R. Babowal.

Continued on next page

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS JUDGES/ COMMISSIONERS OF SUSSEX COUNTY



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



Commissioner Donald R. Bucklin.

JUSTICE OF THE PEACE COURT



CHIEF MAGISTRATE ALAN G. DAVIS

As the Justice of the Peace Court marks the first full year without significant COVID-related restrictions, the primary effort has been to continue to adapt to the changing landscape and move forward with reducing pandemic related backlogs. We were not unique in the challenge of attracting and retaining quality employees during an unprecedented earthquake in the labor market. While turnover rates have been somewhat better than in 2021, hiring remains difficult and keeping good employees requires new approaches. The inevitable need for enhanced training takes time away from addressing some operational needs. Still the wheels of justice are turning in this court. We would like to highlight just a couple of things we have done to both support our

staff and to press forward with innovative ideas.

Investing Time and Energy in Our Employees

Investing in justice involves much more than just dollars and cents. It is also about making the judiciary a place where our own employees believe spending time at work is a good investment. As the Justice of the Peace Court began the process of moving out of pandemic mode, staffing concerns were on the forefront of the court's agenda. Specifically, because of the very large number of new employees resulting from heavy turnover, the court focused on improving communication among all levels and areas of our court. We have done this through several avenues.

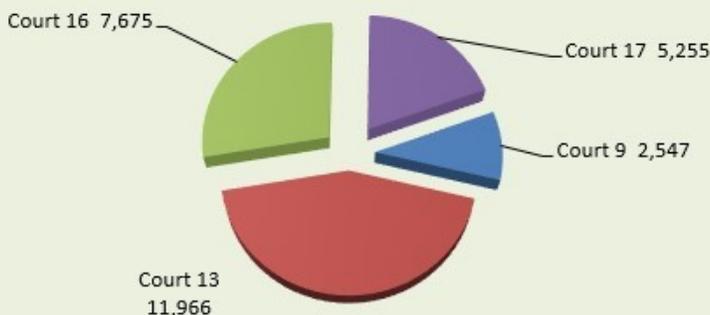
First, we continued two pandemic era communication vehicles – the JP Court Employee Spotlight in which employees are given the opportunity to be interviewed – on a voluntary basis – virtually to talk about their work. The video then is shared with the rest of the court as part of periodic virtual town hall meetings, designed to

Continued on next page



JUSTICE OF THE PEACE COURT

**TOTAL JUSTICE OF THE PEACE CIVIL CASES FILED
BY COURT FISCAL YEAR 2022**



JUSTICE OF THE PEACE COURT

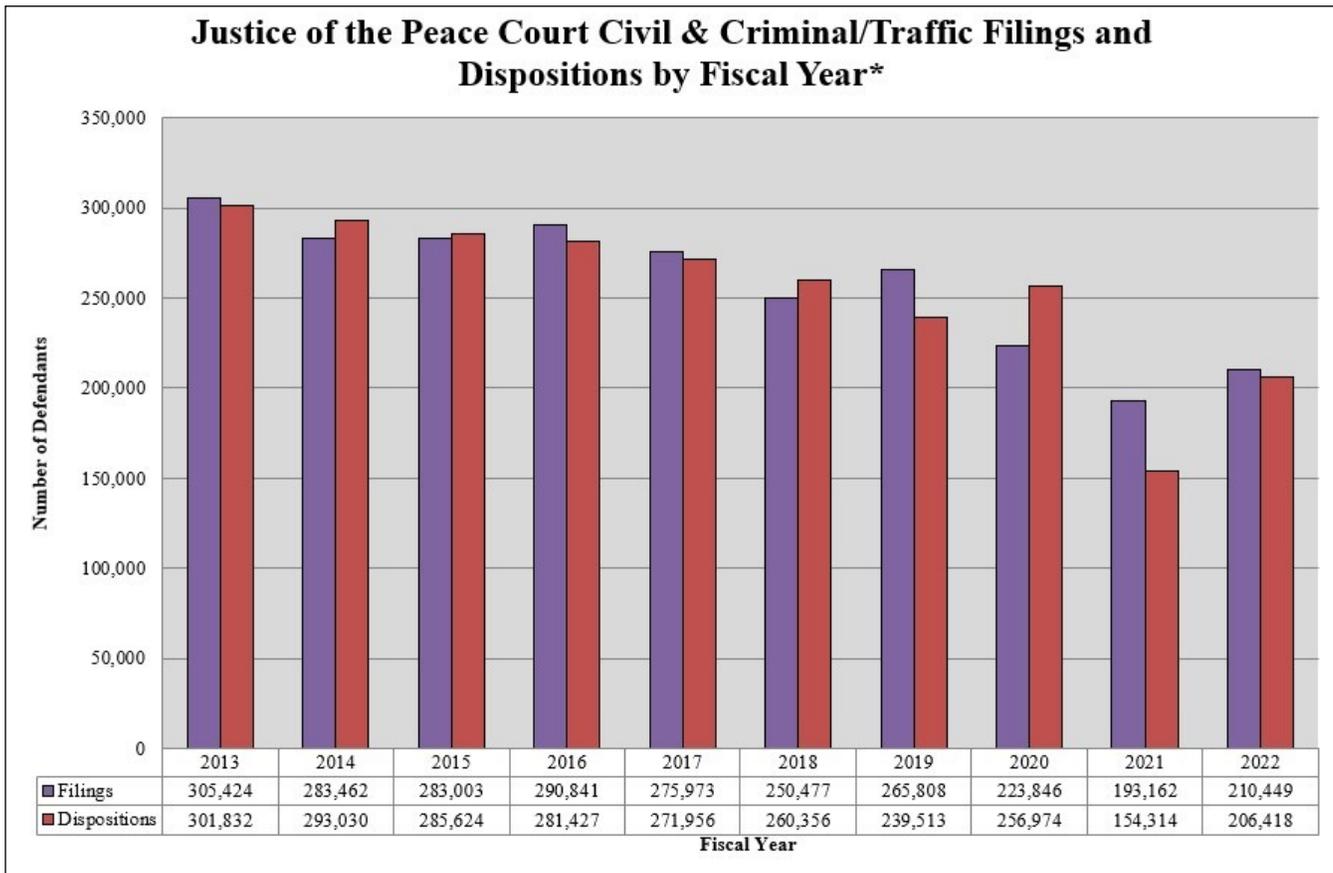
update staff on leadership initiatives, public health status, and other issues of interest.

Second, we have held two sessions of a JP Leadership Summit that was intended to build trust and communication between levels of supervision in our court. The sessions focused on communication skills and teambuilding and will be repeated annually.

The third prong of our enhanced communication plan was the creation of JP Court Staff Symposiums. We held four such events in 2022 and plan to continue this as a quarterly event. The Staff Symposiums are designed to give the frontline employees in our court information and updates on the work that is going on behind the scenes by court leadership as well as providing training in need-based areas.

Piloting Success

The Justice of the Peace Court participated in several pilot programs this past year including two significant joint efforts to enhance public safety. In the first, the court's staff worked with the Red Clay School District in New Castle County on a program that uses school bus safety cameras to issue civil violations to drivers who illegally overtake and pass a school bus. This program, as outlined in House Bill 202, allows for cameras to be placed on the exterior of school buses in the district to capture recorded images used to identify an illegally passing motor vehicle. The purpose of this program is to protect students. Revenue from violations pays for the program and provides funds to spread public awareness of the dangers of illegally passing a school bus while it is loading and unloading school children.



*Criminal filings and disposition information is by defendant
JP Court 1, 12 and 19 closed prior to this Fiscal Year. As a result they have been removed from any charts.

Continued on next page

JUSTICE OF THE PEACE COURT

Since this program went “live” on April 4, 2022, 113 violations were issued through July 31st, with only three cases appealed to the Justice of the Peace Court. While the numbers are not large at this point, this program is worth watching to see how successful it is in helping to reduce incidents and protect students. As the program moves into its first full school year, the Red Clay School District and the court will be monitoring any impact for future recommendations on whether this should become a statewide program.

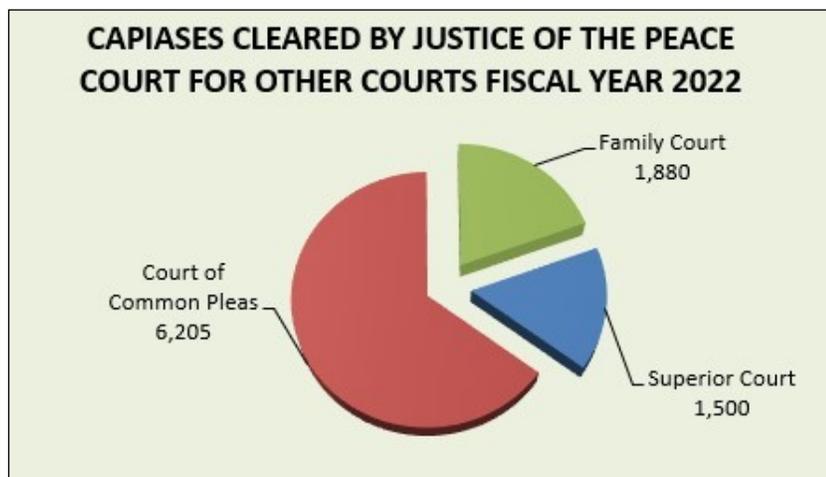
The second pilot is an effort to address the number of unserved Protection From Abuse Orders (“PFAs”) issued by Family Court. Often, because a PFA has been obtained through a hearing where the subject of the order does not appear, individuals are unaware that they have the pending order. Further, certain actions to ensure the safety of the PFA petitioner cannot take place until the PFA is served. Because our court sees a large volume of individuals come through our doors each year and many of them have pending matters in our sister courts, we initiated a pilot program at our busiest location to provide service of pending PFAs.

All individuals who appear at the court location are screened at check in and identified if there is an outstanding unserved PFA. Through a non-confrontational process involving clerical and security staff and the judge on duty, the PFA is served on the individual and Family Court is notified of the

completed service. In just the first few months of the program, eleven PFAs have been served, and the Court is planning to expand the program to other court locations.

Justice of the Peace Court also participated in a third pilot effort – one aimed at making courts more accessible for the public by allowing individuals to bring their cell phones and other personal electronic devices into court. The early part of the pilot effort focused on Justice of the Peace Court and Family Court to test allowing members of the public to bring their cell phones into court as both courts have a large number of litigants who represent themselves and therefore may need to have access to their devices for not only personal needs, but also to help present their case. Justice of the Peace Court 3 and 17 (Georgetown) and Court 11 (New Castle) were involved in the year-long program. The pilot effort recognizes that cell phones have become an important part of modern life and the expectation is that the pilot program may be expanded in the future to allow cell phones in other courts as well.

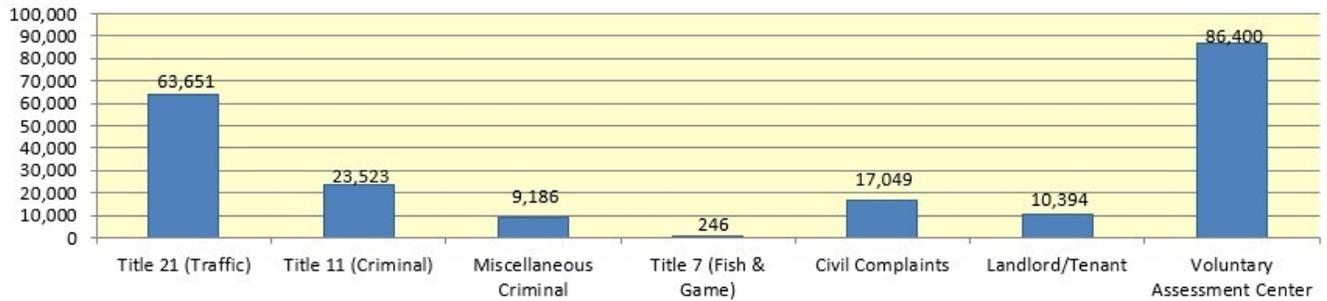
These are but a few efforts the court has undertaken to both make this a good place to work and to advance the interests of justice. As we continue to gather momentum, using lessons learned during the pandemic and its aftermath, we forge ahead with a renewed purpose, new tools to do our jobs, and a refreshed sense of what it means to provide justice to the people of Delaware. ♦



Continued on next page

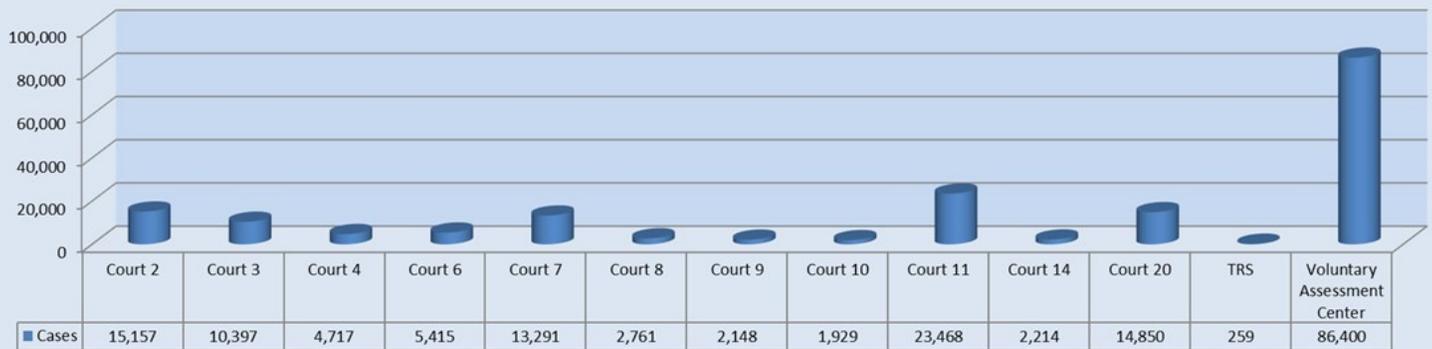
JUSTICE OF THE PEACE COURT

**NUMBER OF JUSTICE OF THE PEACE COURT FILINGS* BY TYPE
FISCAL YEAR 2022**

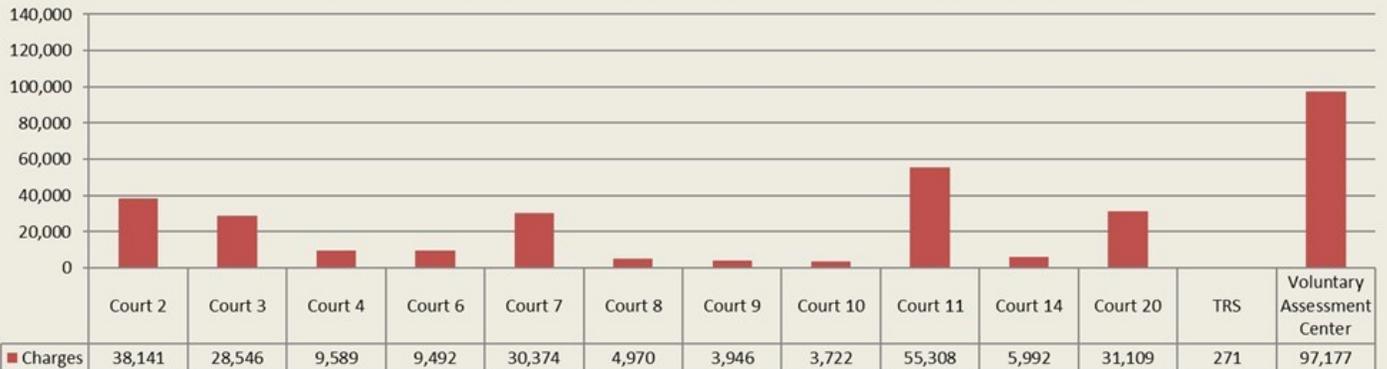


*Criminal filings are by defendant.

JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CASES BY DEFENDANT BY COURT FISCAL YEAR 2022



JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CHARGES BY COURT FISCAL YEAR 2022



JUSTICE OF THE PEACE COURT

NEW CASTLE COUNTY JUDGES



Back Row (left to right): Christopher Portante, Mary Ellen Naugle, Thomas Kenney, David Skelley, Earl MacFarlane, Michelle Michini-Adam, Alex Peterson III, John Potts, Bobby Hoof, Susan Ufberg, Walter Newton, Nicholas Brock.

Front Row (left to right): Kerry Kowal, Shelley Losito, Amanda Moyer, Maria Perez-Chambers, Marie Page, Shameka Booker, Cheryl McCabe-Stroman.

Not Pictured: Nina Bawa, Peter Burcat, Bracy Dixon Jr., Shanaya Eyong, James Hanby Sr., Sean McCormick (DCM), Gerald Ross III, Katharine Ross, Rodney Vodery.

Continued on next page

JUSTICE OF THE PEACE COURT

KENT COUNTY JUDGES



Back Row (left to right): D. Ken Cox, Alexander Montano, James Murray, Michael Green.

Front Row (left to right): Nicole Alston-Jackson, Kevin Wilson (DCM), Dana Tracy, Jamie Hicks, Judy Smith.

Not Pictured: Dwight Dillard, W.G. Edmanson II, Michael Sherlock.

JUSTICE OF THE PEACE COURT

SUSSEX COUNTY JUDGES



Back Row (left to right): Christopher Bradley, Scott Willey, John Hudson, Brett Graves, Maria Castro, Kristine Kellenbenz, Matthew Tingle, Richard Comly, William Patrick Wood.

Front Row (left to right): Candace Whitelock, Terri Davis, Deborah Keenan (DCM), Catherine Hester, Stephani Adams, Leah Chandler.

Not Pictured: John Adams, Mirta Collazo, Bethany Crowley, Jennifer Sammons.

Continued on next page

JUSTICE OF THE PEACE COURT

IN MEMORIAM MARK E. HITCH



The Delaware Judiciary was saddened by the passing of Justice of the Peace Court Administrator Mark E. Hitch at the end of 2022.

Hitch had been battling cancer and his colleagues at the court showed their support for his fight, and his sense of humor, by wearing gray “Fight like a Hitch” wristbands.

“No words can adequately convey the heartbreak I feel about Mark’s passing,” said Justice of the Peace Court Chief Magistrate Alan Davis. “Mark was more than a dedicated employee of this court; he was as loyal and devoted a person as you could find. De-

spite the time and energy he needed to fight cancer over the past year, he continued to make significant contributions to the court. In his entire career with the Justice of the Peace Court, he had a hand in countless outstanding improvements, but his crowning achievement was the personal relationships he forged and the caring, professional environment he fostered.”

Hitch joined the Court in 2013 and served as Operations Manager for eight years before being promoted to Court Administrator in August 2021.

Prior to joining the Justice of the Peace Court, Hitch was a 24-year veteran of the New Castle County Police Department. Hitch began his career as a patrol officer in 1988 and worked his way up through the ranks to detective, sergeant, lieutenant, captain, and ultimately departed the department as a major in 2012.

Hitch received his BA in criminal justice from the University of Delaware and received training at the Federal Bureau of Investigation’s National Academy in Quantico, VA, and the JFK School of Government at Harvard University.

Hitch is the son of Eugene Hitch, Faye Littleton and stepfather, Lee Littleton. He is survived by his wife – Joelle; son – Cortlan and fiancé, Meghan O’Brien; daughters – Jordan and Jaycie, and Jaycie’s boyfriend, Michael DiNardo; brother – Michael Littleton; and sister – Kathy and her husband, Brian Kunkowski, their son – Scott and his wife, Megan. ♦

JUDICIAL BRANCH EMPLOYEES RECOGNIZED



*Judicial Branch Employee of
the Year 2021
Cynthia Coleman*

Cynthia Coleman Judicial Operations Manager with the Superior Court, was named the Delaware Judicial Branch Employee of the Year for 2021. Cynthia began her career with the Superior Court in 2003 as a casual/seasonal employee in the New Castle County Prothonotary’s criminal department. She quickly advanced to a full-time position with the civil department as a Judicial Case Processor I, and rose through the ranks quickly from Case Processor to Case Manager and ultimately the Judicial Operations Manager of the Prothonotary’s Civil Administration Department. As her nominator stated, Cynthia “has been one of our shining stars since then.” She has reflected excellence and professionalism in every position she has held and has gained much respect and admiration from her peers and staff. She is supportive of her staff and maintains an open-door policy. She places her newest staff at the counter, so that they have the experience of learning all the nuances of the civil department. If she hears a rare question and knows her staff does not have the answer, she always has the information on hand and will come to the counter to assist. “Cynthia fights for what she believes,” said her nominator, “If she does not believe a new office policy or procedure is productive for her staff or fair to the public, she will always bring the issue to her superiors, explain her position, and provide solutions to the problem. Everyone should take a page from Cynthia’s book on how to be a good, professional manager as well as a team member.” Because of the pandemic, Cynthia had to get very creative to have staff work from home as well as having the on-site duties performed. In particular Cynthia worked with her

superiors and staff to organize a system to deal with and then clear a backlog of writs that were paused during the pandemic. “The most satisfying quality that Cynthia possesses is her positive attitude throughout the Judicial Emergency. She checks in on her staff regularly and reminds everyone, including her own managers, to keep things within proper perspective and to take care of themselves throughout this difficult time. Cynthia Coleman’s brave front throughout this pandemic has truly made her a leader to all Prothonotary staff. We are extremely grateful that she has remained a member of our team and know that she will carry her positive attitude, professionalism, and great management experience way into the future. She is truly an asset to the Judicial Branch,” wrote her nominator.

We also want to recognize the following employees who were nominated for the Judicial Branch’s Employee of the Year Award:

Ann Hsu, Help Desk Support, Judicial Information Center. Ann was nominated because of the outstanding service she provides to the Courts on a day-to-day basis and for her dedication and perseverance in solving difficult technical issues that others cannot resolve. Her nominator described Ann as positive and helpful and a “strong go-to person” because of her expertise and knowledge and willingness to work on a problem until it is ultimately fixed. Ann “goes above and beyond on a regular basis” even if it means working on weekends and holidays to help Judicial Branch employees resolve their technology issues.

Amy Kelly, Judicial Case Processor II, Family Court. Amy was nominated because she is a team player who is always willing to adapt and provide coverage to other Family Court functions whenever the need arises. She has been asked to cover records and the receptionist desk many times in 2021, and she never hesitates to offer her assistance. In addition to her regular duties as a Judicial Case Processor and providing additional coverage in other areas as needed, she also was responsible for procuring supplies and managing all printer issues throughout Family Court in New Castle County while the position responsible for those duties was vacant. Amy is an asset to Family Court and her dedication to the court and pride in her work is truly appreciated.

Christine Syva, Civil Case Manager, Court of Common Pleas. Christine has been employed with the Court of Common Pleas for 16 years and currently works as a case manager in the civil section in the Kent County clerk’s office. Christine is the Court’s subject matter expert on civil cases and is frequently called upon to answer civil questions statewide. Additionally, Christine has extensive criminal case experience and assists in the criminal section in Kent County on a regular basis. Christine assists in training her co-workers and is very knowledgeable in court operations. In addition to her regular duties, Christine has served as a subject matter expert on Court of Common Pleas’ civil processes and represents the Court on a committee assigned to implementation of a new civil e-filing and case management solution.

Ramon Ramos, Court Security Officer II, Justice of the Peace Court. Ray was selected as the Justice of the Peace Court Employee of the Year because of his outstanding perseverance and accomplishment against great odds and difficulties in 2021, as well as his longstanding service to the Court. His nominator stated that Ray provides consistent, professional service with “warmth, kindness, and humor to everyone working at the various JP locations.” Despite his own personal tragedy in 2021, Ray was a positive source of energy who remained “committed to maintaining court operations with his uplifting spirit.” ♦



**DELAWARE
COURTS**

JUDICIAL BRANCH

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

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

*<http://courts.delaware.gov/AOC/AnnualReports/FY22>
2022 Annual Report, Statistical Report of the Delaware Judiciary and
additional Delaware Courts background information*