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THE CHIEF JUSTICE REMARKS ON THE STATE OF THE JUDICIARY AT BENCH AND BAR

At the Bench and Bar Conference on June 9, 2010, Chief Justice Myron T. Steele presented his annual State of the Judiciary message. He spoke about both the fiscal and budget challenges facing Delaware’s Judicial Branch and recent accomplishments. Chief Justice Steele stated that “the Judicial Branch continues to struggle to manage growing demands on the constitutionally-mandated services we provide, with diminishing resources.” He highlighted the Judiciary’s efforts since the beginning of the fiscal challenges in 2008 to work in partnership with the other branches of government in addressing the State’s serious fiscal problems. Those efforts led to the Judiciary adjusting to several million dollars in budget cuts between FY 2008 and FY 2010, instituting a stringent hiring review process starting in March 2008 which resulted in savings to the State of more than \$3.5 million in the last two years, and increasing state revenues by close to \$5 million during that period through fee increases, collections efforts, and other sources.



Chief Justice Steele speaking at the Annual Bench and Bar held on June 9, 2010.

He spoke about the 2.5% pay cut in FY 2010 for state employees which brought employee morale to a low point, noting that the restoration of personnel funding to re-

turn Judicial Branch employees’ salaries to pre-2.5% pay cut levels was the Judicial Branch’s top priority for FY 2011. *[The State’s FY 2011 budget, implemented on July 1, 2010, returned state employees’ compensation to pre-pay cut levels.]* He

highlighted the commitment of the members of the Judiciary who, in support of staff, all voluntarily took a similar reduction in pay in FY 2010, either through a voluntary pay reduction or contributions to law related organizations, without regard to deductibility. In addition

to expressing concerns about long-term pay inadequacies for employees, as well as the negligible pay increases provided to Delaware judges since 2005 (the last Compensation Commission Report), the Chief Justice focused on the critical need for additional judicial and staff resources to address burgeoning caseloads, stressing the need to fully fund the two new Superior Court judges for New Castle County and associated staff so that those desperately needed resources can be available to address workload demands. A high point of the FY 2011 budget is the \$19.2 million appropriated to continue renovation of the Kent County Courthouse, which will help bring the new construction phase of the

project to completion in July 2011, with renovations of the historic courthouse to begin immediately thereafter.

The Chief Justice also discussed growing fiscal concerns about dramatically increasing indigent services costs for court-appointed attorneys who represent indigent persons in criminal cases. Those cost increases specifically related to an escalating number of capital and murder 1 cases involving conflict attorney representation, with costs jumping from \$132,000 in FY 2006 to over \$1 million in FY 2010.

“The Delaware Courts’ position of pre-eminence benefits far more than the litigants who choose our courts. According to the U.S. Chamber Institute for Legal Reform, the arm of the Chamber which conducted the survey, two-thirds of the corporate lawyers surveyed stated that a state’s legal environment is ‘likely to impact important business decisions at their company, such as where to locate or expand their business – up 10% from just three years ago.’”

Chief Justice Myron T. Steele

Despite fiscal challenges, the Chief Justice emphasized the Courts’ continuing ability to process cases as efficiently as possible with the limited resources currently available. Efforts to achieve system-wide improvements continue, through initiatives such as the Delaware Supreme Court Task Force on Criminal Justice and Mental Health, chaired by Justice Henry duPont Ridgely, which continues work to improve outcomes for persons with mental illness engaged in the criminal justice system and the Delaware Courts: Fairness for All Task Force, co-chaired by Chief Magistrate Alan Davis and State Court Administrator, Pat Griffin, which is currently implementing steps to improve the accessibility and perceived fairness of the courts. He underscored the Delaware Judiciary’s efforts to be poised to handle disputes arising out of choice-of-court agreements in international business contracts following last year’s

signing of the Hague Convention on Choice of Court Agreements by the United States. Those efforts include the Complex Commercial Litigation Division established by the Superior Court and procedural changes for business dispute arbitrations enacted by the Court of Chancery.

The Chief Justice’s remarks also drew attention to the continuing pre-eminence of the Delaware Courts, as demonstrated by a recent national survey on fairness of process, which ranked Delaware Courts, with the focus on the Superior Court, as the premier courts in the country, for the eighth year in a row.

In addition to administrative highlights, such as the adoption of a model policy for courts to address domestic violence in the workplace, the Chief Justice featured other court accomplishments, such as:

- Expansion of the Court of Chancery’s guardianship program through a volunteer monitoring program;
- Superior Court’s mortgage foreclosure mediation program, felony Violation of Probation Mental Health Court, and Veterans’ Court;
- Family Court’s specialized Juvenile Gun Court and development of a risk assessment for pre-adjudicated juveniles;
- Justice of the Peace Court’s and Court of Common Pleas’ e-filing and e-payment initiatives; and
- Justice of the Peace Court’s police prosecution project.

COURT OF CHANCERY ADOPTS NEW VOLUNTARY BINDING ARBITRATION RULES

New rules for voluntary binding arbitration adopted by the Court of Chancery help provide a cost-effective means of resolving business disputes. The rules, which implement previously passed legislation, provide a number of advantages for those choosing arbitration. Perhaps chief among these is that the arbitrator is a chancellor or master sitting permanently on the Court of Chancery, which means that parties are assured of the high quality of the arbitrator. Another important feature provided for in the rules is fast track handling of the arbitration, with arbitration hearings to be generally held within 90 days of filing. Under the rules, arbitration hearings are private proceedings that

only the parties and their representatives may attend, unless all parties agree otherwise. The arbitrator is empowered to grant any remedy or relief the arbitrator deems just and equitable and within the scope of any applicable agreement of the parties, as well as interim rulings and orders.

Parties may choose binding arbitration if at least one of the parties is a business entity and is organized under Delaware law or has its principal place of business in Delaware, no party is a consumer, and, in cases involving solely a claim for monetary damages, the amount in controversy is at least one million dollars.

SUPERIOR COURT ESTABLISHES NEW COMPLEX COMMERCIAL LITIGATION DIVISION

A new Superior Court Complex Commercial Litigation Division ("CCLD") was created on May 1, 2010. According to President Judge James T. Vaughn, Jr., "The new division will provide for streamlined and more uniform administration of complex commercial cases." Cases will be streamlined by being given firm pretrial and prompt trial dates. In addition, they will be assigned to one of the three judges on a panel of Superior Court judges created to hear these cases and will be given scheduling priority over other cases heard by the assigned judge.

Uniformity in administration will be promoted through the establishment of consistent procedures by the panel of judges, as well as a case management order that will provide guidance on handling discovery disputes and dispositive motions, require mandatory disclosures such as those contemplated by Federal Rule of Civil Procedure 26(a), and establish procedures for other matters relevant to the case, including electronic discovery. A sample case management order and a sample e-discovery plan are included as exhibits to the Administrative Directive.

To be eligible for the CCLD, a case must involve an amount in controversy of one million dollars or more, be designated by the President Judge of the Superior Court, or involve an exclusive choice of court agreement or a judgment resulting from an exclusive choice of court agreement. However, to ensure that the CCLD focuses on true large-scale commercial disputes, the following types of cases are excluded: any case containing a claim for personal, physical or mental injury; mortgage foreclosure actions; mechanics' lien actions; condemnation proceedings; and any case involving an exclusive choice of court agreement where a party to the agreement is an individual acting primarily for personal, family, or household purposes or where the agreement relates to an individual or collective contract of employment.

Judges will be assigned to the CCLD panel for a term of three years. The first three judges appointed to the panel, each of whom has an extensive background in complex business litigation, are: The Hon. Fred S. Silverman, The Hon Joseph R. Slights, III, and the Hon. Jan R. Jurden.

NEW TECHNOLOGY INITIATIVES INTRODUCED

REFRESHER TRAINING FOR eFILING NOW AVAILABLE ONLINE

For those who have already attended the two hour efilng training sessions offered by the Administrative Office of the Courts but would like a bit of extra help, a new resource - a series of online lessons - is being created. Those lessons currently available can be accessed through the Judicial Branch website's efilng page. Additional lessons are planned and will be added to the website as they are completed.

COURTCONNECT PROVIDES INFORMATION ON COURT CASES

Civil case information for the Superior Court, Court of Common Pleas, and Justice of the Peace Court is now available over the internet. By logging on to CourtConnect, users can obtain docket information on current and past civil cases as well as judgment information. Although the system does not provide any case documents, Superior Court case documents may be viewed online on the public terminals in the court facilities. CourtConnect was developed as part of the COTS civil case management system. Users can connect to CourtConnect through links on the websites of the Superior Court, Court of Common Pleas and Justice of the Peace Court or directly at <http://courtconnect.courts.delaware.gov>.

SUPREME COURT ADOPTS RULES AND PROCEDURES FOR EMPLOYMENT RELATIONS

A new employment relations system for the Judicial Branch was recently created by the Delaware Supreme Court. The Court created the new system as the result of its decision in *Superior Court v. State of Delaware Public Employment Relations Board*, 988 A.2d 429 (Del. 2010), in which it found that the Delaware Public Employment Relations Board had violated the Delaware Constitution's doctrine of separation of powers by certifying a union for Superior Court employees. According to the Court's opinion, the violation occurred because the Board, as an agency of the Executive Branch of government, did not have authority over the Superior Court employees because they were a part of the Judicial Branch. In order to ensure that these Superior Court employees, as well as other Judicial Branch employees, are able to exercise their right to collective bargaining, the Supreme Court issued Administrative Directive 174 (revised) and amended the Judicial Branch Personnel Rules, which apply to Judicial Branch employees not under the Merit System, to set forth separate rules and procedures for Judicial Branch employment relations. Under

the revised Personnel Rules, the state court administrator or his or her designee is designated as the "Administrator" of employment relations for the Judicial Branch and has the authority to undertake all responsibilities necessary to implement Judicial Branch employment relations pursuant to the procedures contained in the Rules. Should a hearing be required, the Administrator has the authority to appoint an attorney as hearing officer. Decisions of the hearing officer may be appealed to the Chief Justice or his or her designee. The Administrator is also authorized to petition the Court of Chancery for enforcement of any order issued in regard to unfair labor practices or binding interest arbitration.

Administrative Directive 174 (revised), including the new Employment Relations Rules and Procedures, can be found on the Delaware Supreme Court's web site.

For further information contact Pat Dilenno by e-mail at pat.dienno@state.de.us.

SUPREME COURT 2009-2010 LAW CLERKS AND WIDENER STUDENTS



Pictured on the front row from left to right: Justice Jack B. Jacobs, Justice Randy J. Holland, Chief Justice Myron T. Steele, Justice Carolyn Berger and Justice Henry duPont Ridgely, with their 2009-2010 law clerks and Widener University School of Law students.

Members of the Supreme Court welcomed another talented group of law clerks and Widener University School of Law students who appreciated the opportunity to learn about the law and the Supreme Court through first-hand experience.

DELAWARE JUDICIARY RECOGNIZED

Chief Justice Myron T. Steele recently joined the Board of Directors of the National Center for State Courts, a nonprofit organization that aims to improve administration of justice through leadership and service to the nation's state courts. He will serve a four year term on the Board. In addition, he was elected Vice-President of the Conference of Chief Justices (CCJ), an organization established to provide an opportunity for the highest judicial officers of the states to meet to focus on improvements to key matters in the administration of justice, court rules and procedures, and the organization and operation of state judicial systems. As Vice-President, Chief Justice Steele is anticipated to assume the position of President of the CCJ in August 2012.

Justice Randy J. Holland of the Delaware Supreme Court is one of the coauthors of a new law school textbook. The title is *State Constitutional Law, The Modern Experience*. It is published by West Company as part of the American Casebook Series. The focus of this book is on the fifty state constitutions with an emphasis on the interrelation between state constitutions and the federal Constitution.

Judge Jan R. Jurden of the Superior Court coauthored "*The Assault on Judicial Independence and the Uniquely Delaware Response*," *Penn State Law Review*, Vol. 14. No. 1, 2009.

The Delaware courts, with emphasis on the Superior Court, were ranked number one for the eighth year in a row by the Harris State Liability Systems Ranking Study for the U.S. Chamber Institute for Legal Reform for doing the best job of "having a litigation environment perceived to be fair and reasonable in its handling of civil cases."

Superior Court welcomed **Judge Diane Clarke Streett** to the bench on February 15, 2010. Prior to joining the bench, Judge Streett was the Register of Wills for New Castle County. She is a graduate of Cornell University Law School.



Chief Justice Myron T. Steele swears in Judge Dianne Clarke Streett, with her daughter, Courtney.



Photo by: Lou Angeli

The Court of Common Pleas welcomed **Judge Eric M. Davis** to the bench on April 14, 2010. Judge Davis is a graduate of the University of Virginia and Emory Law School. He was previously with the Wilmington office of Skadden, Arps, Slate, Meagher & Flom LLP where he focused primarily on bankruptcy and corporate reorganizations and was in charge of pro bono matters for the office.

U.S. Bankruptcy Court Judge Christopher S. Sontchi swears in Judge Eric M. Davis, with his wife, Lisa.

The Family Court welcomed **Susan P. Tussey** as a commissioner on July 30, 2010. Commissioner Tussey was formerly with the Delaware Department of Justice and is a graduate of the University of Delaware and the Widener University School of Law.

JUSTICE OF THE PEACE INITIATES NEW PROSECUTION PROCESS FOR TRAFFIC AND MINOR CRIMINAL CASES

A new process for prosecuting minor traffic and criminal cases being phased into different locations of the Justice of the Peace Court is saving time and money for defendants, police agencies, and others. Prior to the initiation of this process, traffic defendants hoping to obtain a plea bargain in their case typically had to appear in court twice: first at arraignment in the Justice of the Peace Court and then at trial in either the Justice of the Peace Court or Court of Common Pleas (if the defendant elected to transfer the case to that Court). Under the new procedure established by Chief Magistrate Alan G. Davis, in conjunction with police agencies, these cases can usually be resolved in one court appearance.

The new procedure provides for a call of the calendar with defendants given a set time and date to appear. Once in court, a senior member of the arresting police agency is available to discuss the charges with defendants and, when appropriate, can offer a plea agreement at this appearance. This saves the need to appear in court a second time. The new process, which began as a pilot project in Court 6 (Harrington) in June 2007, is now operating throughout Kent County (including, Courts 7 (Dover) and 8 (Smyrna) and Court 6), as well as in Sussex County in Courts 3 (Georgetown) and 4 (Seaford). The remaining Sussex County courts are expected to begin police prosecutions in the very near future. In New Castle County,

Courts 9 (Middletown) and 11 (New Castle) have also begun operating with the new process with some police agencies, with additional New Castle County Police troops' participation expected to begin soon.

Before participating in the police prosecution process, a police agency informs the State Prosecutor at the Department of Justice of the agency's desire to participate. If the State Prosecutor deems an agency's participation appropriate, a letter of authority is issued to the police agency permitting its senior officers to act as prosecutors in the Justice of the Peace Court for this purpose.

The process is already reducing costs, improving efficiency, and eliminating duplicative efforts for the Justice of the Peace Court, the Court of Common Pleas, and for participating police departments, as well as enhancing public safety by relieving road officers from attendance at most court hearings. It also saves time for the Office of the Attorney General by reducing the number of traffic cases they need to handle in the Court of Common Pleas, thus giving them additional time to address more serious cases. Defendants also benefit by being able to resolve their cases in a single court appearance.

For further information, contact Marianne Kennedy by e-mail at Marianne.Kennedy@state.de.us.

JUSTICE OF THE PEACE COURT HOLDS SEMINAR ON IMMIGRATION ISSUES

Justices of the Peace, along with several members of the Office of the Public Defender, attended a seminar on May 18, 2010 to learn more about the intersection of state criminal cases and federal immigration law. A focus of discussion was the recent case of *Padilla v. Kentucky* in which the United States Supreme Court held that counsel in a criminal case must inform a client if his or her guilty plea could have an impact on their immigration status. Participants learned that decisions, even in Justice of the Peace Court cases, can have immigration consequences because offenses that are misdemeanors under state law can be considered "aggravated felonies" under federal law and conviction of such offenses can have consequences for an individual's immigration status. Specific misdemeanors under Justice of the Peace Court jurisdiction

that would fit into this category were identified and discussion ensued on ways to ensure that defendants without attorneys can best be made aware that a guilty plea could have an impact on their immigration status.

The seminar was presented by the Center for Public Policy Studies and was part of a national project of the Center and the State Justice Institute concerning the effects of federal immigration law on state courts. As one of the learning sites for the project, the Delaware Justice of the Peace Court had previously participated with the Center in a study of immigration issues in New Castle and Sussex Counties. The seminar, which the participants agreed was extremely useful, was a recommendation resulting from the study.

DELAWARE SUPREME COURT MAKES CHANGES IN IOLTA PROGRAM

Many attorneys routinely receive client funds that they hold in trust for clients for future use. Traditionally, such funds had been placed in non-interest-bearing checking accounts. However since 1983, when the Delaware Supreme Court instituted the IOLTA program in Delaware, attorneys have been able to pool eligible client funds in an interest-bearing account. Interest from the account has then been used by the IOLTA program (administered by the Delaware Bar Foundation) to assist Delaware's legal services providers for low income persons, including Community Legal Aid Society, Inc., Delaware Volunteer Legal Services, Inc., and Legal Services Corporation of Delaware. Since its inception in Delaware, the IOLTA program has provided almost \$23 million to these organizations.

While attorneys with trust accounts may currently opt out of participation in the IOLTA program, starting November 1, 2010, the Delaware Supreme Court will

require participation for all attorneys with pooled trust accounts pursuant to new Rule 1.15 of the Rules of Delaware Lawyers' Rules of Professional Conduct. The new Rule, which was issued by the Supreme Court on June 10, 2010, also requires IOLTA accounts to be kept in financial institutions that provide "interest rate comparability" for IOLTA accounts. This means that the interest rate paid on these accounts must be comparable to the rates by the financial institution on its other accounts with similar attributes.

Delaware joins a majority of states that have made their IOLTA programs mandatory and have adopted interest rate comparability. These changes were made by the Supreme Court on the recommendation of its IOLTA Advisory Committee and the Delaware Bar Foundation.

For further information contact Steve Taylor by e-mail at steve.taylor@state.de.us.

2010 SUPREME COURT "CLASSROOM TO COURTROOM" TEACHERS PROGRAM



Pictured are teacher participants at the Supreme Court with (center left to right) Justice Ridgely, Chief Justice Steele, and Justice Berger.



For the second year in a row, teachers from all over the state participated in the Supreme Court's "Classroom to Courtroom" program, sponsored by the Administrative Office of the Courts in partnership with the Delaware Business, Industry, Education Alliance, the Delaware State Chamber of Commerce and the Delaware Department of Education. This summer's program participants included Mary Pinkston, from the Brandywine School District, the 2010 Delaware Teacher of the Year.

COTS PROJECT REORGANIZES FOR MOVE INTO NEW PHASE

Now that implementation of civil case management has been completed, the Judicial Branch is assessing how best to move forward with the criminal and Family Court phases of the new case management system. In order to facilitate this process, the Supreme Court has adopted a modified COTS governance structure. According to Justice Henry duPont Ridgely, "The new governance structure establishes a framework that will help us achieve successful criminal and Family Court case management systems within cost and time limitations."

The new structure will provide for major policy decisions and overall project oversight to be undertaken by a Project Leadership Team (PLT) chaired by Justice Henry duPont Ridgely and comprised of the chief judges of each of the courts, as well as the state court administrator.

Reporting to the PLT, a new Trial Courts COTS Committee (TCCC) has been charged with evaluating all possible approaches for meeting the courts' criminal case management and Family Court's civil case management needs. Chaired by Justice of the Peace Court Administrator Marianne Kennedy the TCCC is comprised of the court administrators and others from each of the trial courts (except Chancery), and involves others, such as the Office of the Attorney General and

the Public Defender, as needed. Finally, a Technical Advisory Committee (TAC) serves in a technical advisory role, overseeing technical project planning, implementation and oversight to carry out PLT and TCCC policy and procedural directions. This committee is also chaired by Marianne Kennedy and is composed of AOC staff members and representatives of DTI and DELJIS.

As project manager, Cheryl Kingston, along with other members of the AOC, will serve as staff to each of the committees.

Focusing on the criteria of cost, functionality, time frame, user confidence, and interface requirements, the TAC and TCCC are currently reviewing various approaches to implementation of the criminal and Family Court case management systems. It is anticipated that a final decision on the approach to be taken will be made within the next few months. In addition, the COTS effort has focused on modifying the courts' current case management system to ensure that it works with the State of Delaware's new financial system, among other ongoing initiatives.



JUDICIAL BRANCH EMERGENCY PLANNING MOVES FORWARD

What would happen if the New Castle County Courthouse were destroyed by fire or the Sussex County Family Court Building were damaged by a hurricane? While none of us like to think about such dire possibilities, it is imperative that the Judicial Branch be prepared to handle such scenarios. To that end, the Branch has been participating in statewide efforts to develop plans for the continuity of operations in the event of a disaster. It recently became one of the first State entities to complete the Living Disaster Recovery Planning System (LDRPS), a statewide effort coordinated by the Department of Technology and Information. Each court and the Administrative Office of the Courts participated in this process and developed a plan tailored to its operational needs, which was then compiled into an overall Judicial Branch plan. Included in the plan are the designation of key decision-makers in emergency situations and the identification of lines of communication. The plan also priori-

tizes judicial functions for reestablishment during disaster recovery and identifies the equipment, particularly computer hardware and networks, needed to support each function as it is reestablished.

The next phase of continuity of operations planning will involve testing of the plan in a process known as Notifind. Although this testing will most likely involve a tabletop exercise, the court system has already conducted a limited test of establishing temporary court operations off site during the U.S. Marshal's Fugitive Safe Surrender Program in the spring of 2009. Continuity of operations planning for the Judicial Branch was supported by legislation passed in the spring of 2009 which permits the Chief Justice to declare a judicial emergency and take necessary actions such as ordering that court be held in a different county or suspending normal deadlines.

NEW INITIATIVES IN FAMILY COURT

FAMILY COURT'S GUN COURT COMBATS JUVENILE GUN CRIME

Delaware has witnessed a trend towards a "street gun culture" among juvenile delinquents over the last decade, particularly in the City of Wilmington. According to statistics from the Criminal Justice Council, 20% of all perpetrators of Wilmington gun crime in 2008 were juveniles between the ages of 14 and 16 years of age.

Responding to this alarming trend, Family Court Chief Judge Chandlee Johnson Kuhn initiated a Gun Court exclusively for juveniles in New Castle County in April 2009 and expanded the program statewide the following July. The results have been promising. Working with the Office of the Attorney General, the Office of the Public Defender, and the Division of Youth Rehabilitative Services, Family Court has created a single, streamlined forum to foster a more efficient judicial response to juvenile gun crime. Gun Court provides most juvenile defendants with a single forum in which to resolve these cases quickly while providing sentencing that includes appropriate treatment, rehabilitative efforts and close court supervision. Data collected in Gun Court also allows the Court to predict trends in juvenile gun crime so that the State may direct its resources more economically and effectively towards prevention and rehabilitation.

FAMILY COURT'S nCOURT INITIATIVE EXPANDS

Family Court's convenient web-based filing system for court pleadings, which began in June 2009 with online custody filings, has expanded. Online forms and filings are now available for divorce and annulment, and motions with guardianship filings are on the horizon. An Atlanta based government services company called nCourt has facilitated this project.

Over the past few months, there has been significant growth in the number of individuals utilizing this resource. The added flexibility of filing when it's convenient for the litigant has proven to be a valuable benefit which Family Court and nCourt have been pleased to provide. To follow Family Court's progress in the development of this system, information and a link to the nCourt filing page is available on their website at <http://courts.delaware.gov/courts/family>.



DIVERSITY TRAINING

Diversity workshop trainings, sponsored by the Administrative Office of the Courts, were held for court employees in all three counties this year to discuss diversity and fairness issues. Edwin Justiniano of Amigo Consulting is pictured with court staff attending the workshop at the Delaware State Service Center in Georgetown on January 26, 2010.

DELAWARE COURTS: FAIRNESS FOR ALL TASK FORCE PROVIDES NEW WAYS TO ASSIST SELF-REPRESENTED LITIGANTS

The Delaware Courts: Fairness for All Task Force, which issued a report in October 2009, made a number of recommendations to ensure fairness in the court system, including ways to assist self-represented litigants. The following are two efforts which have been recently completed as a result of the Task Force's recommendations.

VIDEO PROVIDES INFORMATION ON THE COURT PROCESS

A new video designed to help self-represented litigants has recently been made available on the internet through the efforts of the Delaware Courts: Fairness for All Task Force and the Administrative Office of the Courts. Following two cases, one in the Justice of the Peace Court and one in the Family Court, the video shows the steps involved from the filing and answer to the complaint or petition through preparing the case for trial, and culminating in the court hearing. The video is broken into separate sections so that litigants can watch the section that is applicable to them at the time of viewing. The video can be found on the Judicial Branch website at <http://courts.delaware.gov>.

Because several agencies testifying before the Fairness for All Task Force indicated that many self-represented individuals have difficulty in understanding written materials, the Task Force believed that a video could be of great benefit to such individuals as well as a means to allow all self-represented litigants to better understand the court process and what is expected of them when they come to court. The video was filmed and edited by a Delaware film company, Timeline Media.

INTERACTIVE FORM HELPS TENANTS WITH CLAIMS FOR RETURN OF SECURITY DEPOSIT

A new tool is now available, free of charge, to help litigants file claims for the return of their security deposit in the Justice of the Peace Court. Using graphics to guide an interview process, the filer is asked questions relating to their claim and the program automatically fills in the complaint, including the statement of facts, using their answers. Upon completion, a document ready to be filed in court can be printed out by the litigant. Part of a planned series, the new interactive form was developed by the Administrative Office of the Courts and the Justice of the Peace Court, working with a private programmer. The form can be found on the Justice of the Peace Court website and the website of the Legal Services Corporation of Delaware, which is also a partner in this effort.

Next on the list to be developed is a form to guide filers of summary possession actions, with other forms to follow after that. Both the existing and planned forms rely on A2J Author software development, which is supported by grants from the Chicago-Kent College of Law, State Justice Institute, Center for Access to the Courts through Technology, Center for Computer-Assisted Legal Instruction, and Legal Services Corporation.

For further information, contact Chris Sudell by e-mail at chris.sudell@state.de.us.

STUDENT VOLUNTEERS HELP WITH COURT OF COMMON PLEAS ARCHIVING PROJECT

Fourteen high school students have been learning more about the working world as they help the Court of Common Pleas complete a project to archive back cases. The students, who are volunteering their time, are working in the mornings to help Court of Common Pleas archivist Ann Snowden to purge, organize and prepare court files for archiving. According to the student coordinator Vivian Banks (herself a volunteer), *"This is the first work experience for most of the students. Not only are they helping the Court, they are also gaining an understanding of what it is like to work in an office setting that will be helpful to them in the future."* Carole Kirshner, Court Administrator for the Court of Common Pleas, stated: *"The volunteer program has been of tremendous value to the Court of Common Pleas."*



New Castle High School student volunteers pictured during their tour of the New Castle County Courthouse, including a discussion about juries.

Robin Jenkins of the Administrative Office of the Courts, who developed and oversees the program, emphasizes that, *"The program promotes the importance of volunteerism to teens."* An additional bonus of the program is an opportunity for the students to learn more about the courts through observing a trial and touring the courthouse. While most of the students work in the New Castle County Courthouse, there is also a student working in Kent County and one in Sussex County, under supervision by Court of Common Pleas staff.

The student volunteer program, which is in its second year, is being operated in conjunction with the Foster Care Program, which recommended children for the project. Others supporting the program are Colonial Parking, Dunkin Donuts, Season's Pizza and Dr. Herbert Casalena.

STATE COURT ADMINISTRATOR APPOINTED CHAIR OF STATE EMPLOYEES BENEFIT ADVISORY COMMITTEE

Patricia Griffin, State Court Administrator, was recently appointed by the Governor as chair of the State Employees Benefit Advisory Committee (SEBAC), which serves as a forum to obtain feedback from state employees on statewide benefits programs (such as health, life and disability insurance, but excluding the deferred compensation program). SEBAC provides the information it receives from state employees to the State Employee Benefits Committee (SEBC) which manages the benefit programs for state employees. Justice Carolyn Berger represents the Judicial Branch on the SEBC. Pat Griffin stated: *"To enhance the effectiveness of the SEBAC, I am interested in receiving comments and concerns from court employees on statewide benefits programs. Please contact me at patricia.griffin@state.de.us if you have issues on the overall statewide benefits programs that you would like to share with the SEBAC."* Questions

about an individual's personnel benefits should be directed to that employee's HR person.

OTHER ANNOUNCEMENT

Patricia Griffin, State Court Administrator, attended an executive leadership program on "Women and Power: Leadership in a New World" at the John F. Kennedy School of Government at Harvard University, in May 2010. Her participation in the week-long program was funded through the Robert L. Doss, Jr. Memorial Scholarship, which is awarded by the National Center for State Courts, the Conference of Chief Justices and Conference of State Court Administrators (COSCA) to a member of COSCA who has demonstrated leadership through significant contributions to the field of court administration.

SUMMER YOUTH PROGRAMS HELD



Family Court Judge William L. Chapman, Jr. presiding over a case along with a student participant from the Latin American Community Center.



Youth Forum participants from the H. Fletcher Brown Boys and Girls Club serving as members of the jury during their mock trial.

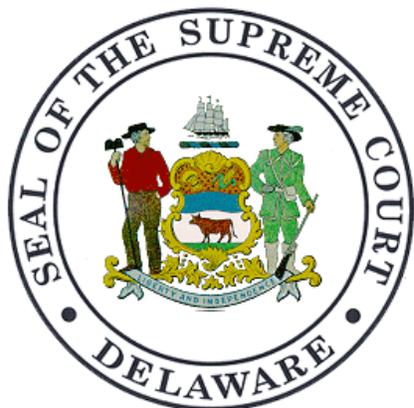
In 2010, youth forum programs sponsored by the Administrative Office of the Courts were expanded to provide opportunities for student groups to participate during the summer. Groups from the Latin American Community Center and the H. Fletcher Brown Boys and Girls Club visited the New Castle County Courthouse to participate in the 2010 summer programs.

We are pleased to present the Summer 2010 issue of the *Delaware Docket*, the Newsletter of the Delaware Judiciary, which is published semi-annually to provide updates on activities and events in the Judicial community. All are welcome to suggest topics, contribute articles for future editions, and provide suggestions on the newsletter. This and previous versions of the Delaware Docket are available on line at <http://courts.delaware.gov/AOC/?publications.htm>.

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