

ADMINISTRATIVE DIRECTIVE NO. 152

This 24th day of December 2003,

IT APPEARS THAT:

(1) On October 23, 2002, Administrative Directive No. 143 was promulgated for the purpose of ensuring that State Courts and Judicial Agencies cooperate fully with the Executive Branch in efforts to cope with the State's serious financial difficulties at that time.

(2) Included among the requirements established under Administrative Directive No. 143 was a ban on the hiring of Judicial Branch personnel, except upon written approval of the Chief Justice.

(3) By Memorandum dated December 16, 2003 to Cabinet Secretaries/Agency Heads, Governor Ruth Ann Minner lifted the Executive Branch hiring freeze.

(4) Notwithstanding the State's improving financial conditions, budgetary deficits have confronted the Judicial Branch from time to time, thus making it desirable for the Chief Justice to maintain the written approval process in order to ensure systemwide fiscal integrity.

(5) Although budgetary deficits remain problematic and still require that remedial action be taken toward the elimination thereof, it is the view of the Chief Justice and the

Supreme Court that these deficits can be managed successfully by the presiding judges of those courts affected. Accordingly, Administrative Directive No. 143 should be rescinded. Each court is hereby directed to manage its personnel funding line to ensure that the court does not have a personnel funding deficit at the end of the current fiscal year.

(6) In the event there should be a future deterioration in either the State's or the Judicial Branch's financial condition or control, the reinstatement of systemwide controls over the hiring of personnel may be necessary.

NOW, THEREFORE IT IS DIRECTED, with the unanimous concurrence of the members of the Supreme Court pursuant to Del. Const. Art. IV, § 13, that:

Effective immediately, Administrative Directive No. 143 is hereby rescinded.

BY THE COURT:

Chief Justice

cc:	The Honorable Ruth Ann Minner	The Honorable Lawrence M. Sullivan
	The Honorable Randy J. Holland	State Court Administrator
	The Honorable Carolyn Berger	Court Administrators
	The Honorable Myron T. Steele	Clerk of the Supreme Court
	The Honorable Jack B. Jacobs	Counsel to the Governor
	Members of the Judicial Conference	Chair, Senate Judiciary Committee
	The Honorable M. Jane Brady	Chair, House Judiciary Committee