

ADMINISTRATIVE DIRECTIVE NO. 138

This 25th day of February 2002,

IT APPEARS THAT:

(1) The State of Delaware is presently confronted by an unanticipated and substantial shortfall in projected revenue for the current fiscal year, and

(2) The Governor has instituted a program of major cutbacks in expenditures among all executive branch departments, divisions and agencies in order to ameliorate both the near and long-term effects of the State's diminished resources upon the operation of State government, and

(3) The Governor and the Budget Director have requested that the Judiciary cooperate in the current effort to cut costs in State government to the greatest extent possible, and

(4) For the reasons stated above, it is incumbent upon all State courts and judicial agencies to cooperate fully in efforts to cope with the State's serious financial difficulties.

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

(A) Effective this date and until further notice, there shall be in the Judicial Branch a ban on the hiring of personnel, except upon the written approval of the Chief Justice. Any such approval will be based in part upon a certification of the Chief Judge of the Court or head of a judicial agency involved that the hiring is critical to the operation of the court or agency, and that appropriate funds are believed to be available to pay the salary of the person to be hired.

(B) Each Chief Judge or head of a judicial agency shall provide to the State Court Administrator, not later than March 1, 2002, and on the first day of each month thereafter, a current listing of all vacant positions and all vacancies that are expected to occur before the next report will be issued.

BY THE COURT:

Chief Justice

cc: The Honorable Ruth Ann Minner
The Honorable Joseph T. Walsh
The Honorable Randy J. Holland
The Honorable Carolyn Berger
The Honorable Myron T. Steele
Counsel to the Governor

Members of the Judicial Conference
The Honorable M. Jane Brady
Mr. Dennis B. Jones
Court Administrators
Clerk of Supreme Court
Budget Director
Chair of Senate Judiciary Committee
Chair of House Judiciary Committee