THE JUDICIARY
STATE OF DELAWARE

1974 ANNUAL
STATISTICAL
REPORT
October 15, 1974

The Honorable Daniel L. Herrmann
Chief Justice - Supreme Court
Public Building
Wilmington, Delaware 19801

RE: 1974 Annual Report

Dear Chief Justice:

I herewith tender the Fourth Annual Report of the Judiciary with statistical reports from all the Courts.

This will be the last year this particular format will be used. The report is being changed to take advantage of recently-acquired information being produced through federally-funded programs. The programs are providing the manpower to assist the Courts in the collection and evaluation of the kind of statistical information required of a modern judicial system and furnishing the capability to develop pertinent information. A prototype of the revised Annual Report of the Judiciary will be published in January, 1975, and henceforth will be circulated in October of each year.

The kind of information compiled and the format in which the statistics will be produced will depend on the needs of the Judiciary to monitor and control the flow of its workload and to manage its personnel system and its finances. A study is being made of the statements of the A.B.A. Commission on the Standards of Judicial Administrations as possible guidelines for the reports to follow. It is anticipated that once these manual systems of data collection and evaluation are perfected, computerization will be possible. A prerequisite toward any implementation of a computer-based information system is eliminating the current deficiencies in the manual processing of data. The major objective for this fiscal year will be the upgrading and refining of the manual information systems.

The difficulty encountered this past fiscal year in establishing new reporting procedures and new information requirements, as well as the necessity of relying exclusively on federally-funded personnel, has delayed the start-up date of the new information system; consequently,
it necessitates the publishing of the special Annual Report in January of 1975 as a preview of things to come. It is anticipated that the January Report should be able to put to greater use a series of important studies recently completed within the Judiciary. They include two organization/management studies, one of the Supreme Court and the other of the Prothonotary Offices, both of which should provide valuable assistance in clearing up some of the problems in the manual processing of information. Also, two studies of information systems, one of the Justice of the Peace Courts and the other of Municipal Court, both of which should provide invaluable input into determining the kind of data that should be collected and in what format the statistical information should be organized.

Again, additional personnel is being requested to help the Administrative Office of the Courts pursue its goal of centralizing the State's Judiciary. A central personnel office for the courts is a primary goal of the Administrative Office. Also, the accounting division requires additional personnel to assist the centralizing of the courts' payrolls and the courts' purchasing functions. Obtaining funds for training programs for the judicial, as well as the non-judicial personnel is another objective for this fiscal year if we are to keep pace with the rapidly-changing environment.

Even without the needed personnel additions, the Administrative Office successfully transferred the payroll of the now state-wide Court of Common Pleas into the Central Payroll Office. Also, the Administrative Office was able to correlate the full physical inventory of all property belonging to the Judiciary.

We are continuing to work towards our established goals of effective administration for all the Courts in Delaware. It is felt that the changes taking place in this fiscal year are important steps in that direction.

Respectfully submitted,

John R. Fisher
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<td>Graph - 5 years</td>
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<td><strong>JUSTICE OF THE PEACE</strong></td>
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<td>Graph - 5 years</td>
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<td>36</td>
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COURT OF LAST RESORT

Supreme Court (1)

Legal Authorization: The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1.

Geographic Organization: The Supreme Court has state-wide jurisdiction and sits in Dover.

Legal Jurisdiction: This Court has final appellate jurisdiction in criminal cases where the penalty exceeds certain minimums and in civil cases as to final judgments and certain interlocutory decrees of Superior Court and Chancery Court. Appeals are heard on the record from the Superior Court and Court of Chancery. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari and mandamus.

Judges:

Number - The Supreme Court consists of a Chief Justice and two Associate Justices.

Appointment - The Justices are appointed by the Governor on a bi-partisan basis with the consent of the Senate.

Tenure - The Justices are appointed for a 12 year term.

Qualifications - Justices must be learned in the law.

Other Judicial Personnel:

Administrative Authority - The Chief Justice has the authority to designate one or more of the State Constitutional Judges (including the Justices of the Supreme Court) to sit in the Court of Chancery or the Superior Court or the Statutory Courts to hear and determine causes in such courts and for such period of time as designated.

Support Personnel: The Chief Justice is responsible for the administration of all Courts in the State and appoints a Director of the Administrative Office of the Courts to handle the non-judicial aspects of courts management as well as secretaries, clerk, court reporter, law clerks, and a crier.
SUPREME COURT

JUDICIARY

Chief Justice Daniel L. Herrmann
Jane Obold, Secretary

Justice James B. Carey*
Edna Snowden, Secretary

Justice William Duffy
Ruth Laird, Secretary

*(Retired effective May 15, 1974.)
SUPREME COURT

JUDICIARY
SUPPORT PERSONNEL

Clerk of Court
T.E. Townsend
Ann Ayrey, Secretary

Bailiff
Wesley Adkins

Law Clerks
Gerard P. Kavanaugh, Jr.
Thomas J. Stumpf
James P. Collins, Jr.

(Federally Funded)

ADMINISTRATIVE OFFICE OF THE COURTS

John R. Fisher, Director
Carol Walker, Secretary

Edward B. Carter, Courts Coordinator
Kelly P. Leone, Administrative Assistant

(Dependently Funded)

Dawn Bowman, Supervisor
Mary Cooper, Clerk
Sandra Cummings, Clerk
Teren Gordon, Clerk
Note No. 1:
As of 6/30/74 there were 107 Civil and 57 Criminal Appeals pending.

Note No. 2:
There were also 18 other cases filed:
Advisory Opinions: 5
Certifications: 4
Original Applications: 9

Percent of increase of cases filed over the last 5 years was 19.7%.
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<td><strong>SUPERIOR COURT</strong></td>
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<td><strong>BUDGET</strong></td>
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<td><strong>SALARIES</strong></td>
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<td>1. Judicial</td>
<td>95,553.15</td>
<td>114,500.</td>
<td>126,500.</td>
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<td><strong>EMPLOYMENT COSTS</strong></td>
<td>-0-</td>
<td>19,196.</td>
<td>23,814.</td>
<td>30,831.</td>
<td>32,989.</td>
<td>35,298.</td>
<td>37,769.</td>
<td>40,413.</td>
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<td><strong>TRAVEL</strong></td>
<td>1,967.60</td>
<td>2,405.</td>
<td>4,531.</td>
<td>4,667.</td>
<td>4,807.</td>
<td>4,951.</td>
<td>5,100.</td>
<td>5,253.</td>
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<td><strong>CONTRACTUAL SERVICES</strong></td>
<td>19,283.31</td>
<td>19,595.</td>
<td>16,993.</td>
<td>18,182.</td>
<td>19,456.</td>
<td>20,817.</td>
<td>22,274.</td>
<td>23,833.</td>
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<td><strong>SUPPLIES &amp; MATERIALS</strong></td>
<td>4,073.31</td>
<td>6,763.</td>
<td>8,450.</td>
<td>8,704.</td>
<td>8,965.</td>
<td>9,234.</td>
<td>9,511.</td>
<td>9,796.</td>
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<td><strong>CAPITAL OUTLAY</strong></td>
<td>2,101.88</td>
<td>908.</td>
<td>7,000.</td>
<td>7,140.</td>
<td>7,283.</td>
<td>7,429.</td>
<td>7,578.</td>
<td>7,730.</td>
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<td>Principal</td>
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<td>Interest</td>
<td>11,602.50</td>
<td>10,615.</td>
<td>9,670.</td>
<td>8,800.</td>
<td>8,008.</td>
<td>7,287.</td>
<td>6,631.</td>
<td>6,034.</td>
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<td><strong>GRAND TOTAL</strong></td>
<td>231,230.36</td>
<td>270,200.</td>
<td>344,826.</td>
<td>353,036.</td>
<td>363,470.</td>
<td>373,757.</td>
<td>384,710.</td>
<td>396,373.</td>
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COURT OF CHANCERY
COURTS OF GENERAL JURISDICTION

Court of Chancery (1 court system, 3 court locations)

Legal Authorization: The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization: The Court of Chancery holds court in Wilmington, Dover, and Georgetown, that is, at one location in each county at the county seat. 10 Del.C. §301.

Legal Jurisdiction: The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. 10 Del. C. §341. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The Constitution of Delaware, Article IV, Section 10; Glanding v. Industrial Trust Co., 28 Del. Ch. 499, 45 A.2d 553 (Supr. Ct. 1945); DuPont v. DuPont, 32 De. Ch. 413, 85 A.2d 724 (Supr. Ct. 1951). The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. The Constitution of Delaware, Article IV, Section 17. In today's practice, the litigation in the Court of Chancery largely consists of: corporate matters; petitions concerning trusts, estates, and other fiduciary matters; disputes involving real property such as boundary and title disputes; commercial and contractual matters; and some areas of domestic relations, particularly separate maintenance. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues at the Bar of the Superior Court. 10 Del. C. §369.

Judges:

Number - There are one Chancellor and two Vice-Chancellors who hold the Court of Chancery. The Constitution of Delaware, Article IV, Section 2 and 10, 10 Del. C. §307.

Appointment - The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members. The Constitution of Delaware, Article IV, Section 3.

Tenure - The Chancellor and Vice-Chancellors serve 12 year terms. The Constitution of Delaware, Article IV, Section 3.

Qualifications - The Chancellor and Vice-Chancellors must be learned in the law. The Constitution of Delaware, Article 10, Section 2.

An elected Register in Chancery of each County is Clerk of the Court of Chancery for that County. The Constitution of Delaware, Article 3, Sections 22 and 23. The Judges appoint one Chief Deputy Register in Chancery in each County. 10 Del. C. §2503 (a).

New Probate Code: By the terms of 59 Del. Laws, Ch. 364, effective December 25, 1974, the Register of Wills shall act as a Clerk of the Court of Chancery. The majority of the Register's judicial and quasi-judicial powers are transferred to the Court of Chancery. A Register of Wills is elected in each County for that County. The Constitution of Delaware, Article 3, Sections 22 and 23. The new Code provides that the Chancellor shall name a Chief Deputy Register of Wills & Estates for each County. 12 Del. C. §2507 (a).

Public Guardian: By the terms of 59 Del. Laws, Ch. 579 at 12 Del. C. §3991, effective July 1, 1974, the Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person and/or property of the aged, the mentally infirm and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Case Load Trend: It should be noted that the number of civil actions filed increased dramatically during fiscal year 1974. Specifically, 452 civil actions were filed in fiscal 1974 as compared with 339 during fiscal 1973. These figures are only civil actions and do not include any of the regular court work in regard to guardians, trustees, partition sales, administrator's sales to pay debts, etc. It should also be noted that the Court was last enlarged in 1961 and that in fiscal 1961 the number of civil actions filed was 210. Moreover, it has been since 1961 that the bulk of the jurisdiction of the Orphans' Courts was transferred to the Court of Chancery. Finally, as noted above, due to the new Probate Code and the creation of the office of Public Guardian, the case load and administrative work of the Court can be expected to continue to increase. It has become apparent that enlargement of the Court is necessary.
JUDICIARY

Chancellor
William T. Quillen
134 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X261
State Line 408
Peggy J. Papili, Secretary

Vice Chancellor
Grover C. Brown
Sussex County Courthouse
Georgetown, Delaware 19947
Telephone: 856-7702 X275
Mary Lou Wilcoxson, Secretary

134 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X262
State Line 408

Vice Chancellor
William Marvel
134 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X263
State Line 408
Carolyn Hazen, Secretary
NOTES: 1. On June 30, 1974 there were 698 cases pending.

2. The case figures do not include many miscellaneous matters handled by the Court. There were 1,244 hearings during the year involving Guardianships, Accounting, etc., of which 38 were still pending on June 30, 1974.

Percent of increase of cases filed over the last 5 years was 29.1%.
COURT OF CHANCERY

JUDICIARY
SUPPORT PERSONNEL

Sec/Receptionist/Bailiff
Carol A. York
134 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X260
State Line 408

Court Reporters
Henry D. Skogmo, Chief
J. Edward Varallo
135 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X264
State Line 408
Marian Wagner, Secretary
Dorothy Cordell, Secretary

Law Clerks
Michael A. Meehan
John H. Small
132 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X260

NOTE: The Administrative Office of the Courts
headed by John R. Fisher, Director,
1112 King Street, Wilmington, Delaware
19801, Telephone 658-9251 X372, serves
as The State Administrator for the Court
of Chancery.

Registers In Chancery
(Elected County Officials)

New Castle County
Mr. Basil R. Battaglia
M 32 Public Building
Wilmington, Delaware 19801
Telephone: 658-6641 X361

Kent County
Mr. Carl F. Prettyman
Kent County Courthouse
Dover, Delaware 19901
Telephone: 734-2319

Sussex County
Mr. Harvey F. Donovan
Sussex County Courthouse
Georgetown, Delaware 19947
Telephone: 856-7702 X229
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<th>SUMMARY OF</th>
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<td>1. Judicial</td>
<td>93,499.68</td>
<td>105,505.00</td>
<td>118,500.00</td>
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<td>2. Employees</td>
<td>98,857.84</td>
<td>111,210.00</td>
<td>129,473.00</td>
<td>135,946.65</td>
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<td>3. Part-time</td>
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<td>26,481.00</td>
<td>30,165.00</td>
<td>32,276.55</td>
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<td>Travel</td>
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<td>2,118.00</td>
<td>3,100.00</td>
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<td>Contract. Serv.</td>
<td>4,597.80</td>
<td>8,458.00</td>
<td>9,608.00</td>
<td>10,280.56</td>
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<td>Supp. &amp; Mat.</td>
<td>4,171.40</td>
<td>4,202.00</td>
<td>6,775.00</td>
<td>6,978.25</td>
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<td>Capital Outlay</td>
<td>4,712.58</td>
<td>5,196.00</td>
<td>7,270.00</td>
<td>7,415.40</td>
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<td>GRAND TOTAL</td>
<td>207,819.51</td>
<td>265,365.00</td>
<td>307,391.00</td>
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Superior Court (1 court system, 3 court locations)

Legal Authorization: The Constitution of Delaware, Article IV, Section 1 authorizes the Superior Court.

Geographic Organization: Sessions of the Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction: This Court has state-wide original jurisdiction over criminal and civil causes, except equity causes over which the Court of Chancery has exclusive jurisdiction. The Court has exclusive jurisdiction over felonies and drug offenses (excepting those offenses involving minors) and jurisdiction over adoptions and termination of parental rights formerly exercised by the Orphan's Court was transferred exclusively to this Court. Superior Court has jurisdiction to hear appeals from the Court of Common Pleas. Appeals from Alderman's Courts and the Justice of the Peace Court are heard as trials de novo in the Superior Court. Cases appealed from the Superior Court are heard on the record in the Supreme Court.

Judges:

Number - There are eleven judges one of whom is President Judge with ultimate administrative responsibility for the Court.

Appointment - The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure - The Judges serve 12 year terms.

Qualifications - The Judges must be learned in the law.

Support Personnel: The Superior Court may appoint court reporters, law clerks, bailiffs, pre-sentence officers and an office secretary for each Judge.

An elected Prothonotary of each county serves as Clerk of the Superior Court in his county. The Prothonotary is the record keeper of the Superior Court and, as such, the Prothonotary is directly involved with the court calendar, jury list, court exhibits, property liens, registering law students and attorneys, custodian of fees for the courts, and custodian of fees for the Attorney General. Functions of the Prothonotary's Office are divided into seven categories; namely, Administrative, Civil, Judgments and Executions, Criminal, Adoptions and Terminations, Court Related, and Indicing of Judgments. Further, the Prothonotary's Office is charged with the security, care, and custody of Court exhibits.
SUPERIOR COURT

Hon. Albert J. Stiftel
President Judge

Ann Lafferty, Secretary

Hon. Andrew D. Christie
New Castle County Resident Judge
Vickie Lally, Secretary

Hon. George R. Wright
Kent County Resident Judge
Janet L. Case, Secretary

Hon. John J. McNeilly
Sussex County Resident Judge
Ida Mae Ellis, Secretary

Associate Judges
Hon. Robert C. O'Hara
Doris Myers, Secretary

Hon. Vincent A. Bifferato
Betty Gilson, Secretary

Hon. Clarence W. Taylor
Carol Edwards, Secretary

Hon. Joseph T. Walsh
Linda Flohr, Secretary

Hon. Bernard P. Balick
Judith Ferrara, Secretary

Associate Judge
Hon. William G. Bush, III
Eileen Masino, Secretary

Associate Judge
Hon. Claude L. Tease
Mary Ellen Greenly, Secretary
JUDICIARY
SUPPORT PERSONNEL

Superior Court

Trial Court Administrator
Frederick Kirch
Lois DeWolfe, Secretary
Michael Indelli, Accountant
Irina Whittington, Receptionist

Pre-sentence Office
Frank T. Miller, Chief
Linden Ballance
William G. Echols
Ronald Keen
Ralph D. Knotts, Jr.
Horace B. Willey
Charles G. Allen
Robert D. Downes
Barbara P. Holloway
Mona Bayard
J. Milton Messick

Ivone Marvel, Secretary
Norma Jean Tribett, Secretary
Kathleen Bourden, Secretary
Ramona Canelongo, Secretary
Maryann Dianna, Secretary
Alexandra Haczynski, Secretary
Carol Thomas, Secretary

Court Reporters
Morris D. Pearson, Chief
Dolores Blevins, Secretary
Betty J. Gleason
Gary S. Kivelowitz
Donald M. Matthews
David G. Meddings
Jack P. White
Robert W. Wilcox, Sr.
Edward N. Hawkins
Robert F. Marshall
Elizabeth O'Malley
Debra A. Mitchell
William Colvin
John White, Jr.
Theodore Roloff

George Ackerman, Secretary
Priscilla Stuchlik, Secretary

Jury Commissioners
Thomas F. Bayard, III
John N. McDowell
William B. Mitten
John F. McDonald
Walter Betts
Ralph L. Swain

Bailiffs
Carl Derrick, Chief
Walter G. Darrell
William F. Davis, Sr.
Constance H. Harding
William A. Landon
Jean L. Luff
Rita McCaffery
Michael Tyrawski
John F. Whittington
Stanford V. Williams
John G. Jester
Earl E. Clark
John E. Storey
Dolores Chadwick
Madeline Powell
Howard C. Davis
Sydney Hitchens
William Marvel

Law Clerks
Alan Kaplan
Richard Morse
John Maziarz
SUPERIOR COURT - CIVIL AND CRIMINAL CASES FILED - 5 YEAR PERIOD

NOTES:

Civil -
There are 4131 cases pending in various stages of litigation.

Criminal -
There are 1734 cases pending in various stages of procedure.

PLUS

There are 382 open committing magistrate charges waiting an indictment or information.

Percent of increase of cases filed over the last 5 years was 37.7%.
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<td>19,778.00</td>
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<td>23,500.00</td>
<td>65,250.00</td>
<td>66,555.00</td>
<td>67,906.00</td>
<td>69,244.00</td>
<td>70,629.00</td>
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<td>1,796,891.00</td>
<td>1,865,811.00</td>
<td>1,930,480.00</td>
<td>2,015,136.00</td>
<td>2,095,970.00</td>
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COURTS OF COMMON PLEAS
Courts of Limited Jurisdiction

Court of Common Pleas (1 court system, 3 court locations)

Legal Authorization: This statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15 & 16, effective July 5, 1973.

Geographic Organization: There is a Court of Common Pleas held in each of the three counties at the respective county seats.

Legal Jurisdiction: The Court of Common Pleas has concurrent jurisdiction with the Superior Court in civil actions here the amount involved, exclusive of interest, does not exceed $3000 on the complaint but is unlimited on counterclaim. It has jurisdiction of all misdemeanors (except drug-related) occurring outside the City of Wilmington. In New Castle County all cases are tried without a jury. Upon demand for trial by jury the action is sent to the Superior Court. In Kent and Sussex Counties there is a right to trial by jury in the Court of Common Pleas.

Appeals from the Court of Common Pleas are on the record to the Superior Court.

Judges:

Number - There are four Judges of the Court of Common Pleas. One (1) Chief Judge and three (3) resident Judges.

Appointment - The Judges are appointed by the Governor with the consent of the Senate.

Tenure - The Judges serve 12 year terms.

Qualifications - The Judges must have been actively engaged in the general practice of law in the State of Delaware for at least five (5) years.

Support Personnel: The Judges of the Court of Common Pleas may appoint clerks, bailiffs, court reporters and secretaries.
<table>
<thead>
<tr>
<th>Hon. Arthur P. DiSabatino</th>
<th>Hon. Merrill C. Trader</th>
<th>Hon. Paul E. Ellis</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Castle County Resident Judge</td>
<td>Kent County Resident Judge</td>
<td>Sussex County Resident Judge</td>
</tr>
<tr>
<td>Carol Schatzman, Secretary</td>
<td>Mary Elyn Massey, Secretary</td>
<td>Katherine Truitt, Secretary</td>
</tr>
</tbody>
</table>
COURT OF COMMON PLEAS

JUDICIARY
SUPPORT PERSONNEL

New Castle County

Court Clerks
Carole Kirshner
Sylvia Snyder (Accounts Clerk)

Court Reporters
David Rudney
Lloyd Adams
Cecilia M. Pontello (Typist-Transcriber)

Clerk/Typist
Ann Pineault
Julia Giacoma
Maryanne Hairsine
Helen Omlor
Phyllis Goldstein
Patricia Ann Falkowski

Bailiffs
George Brown
Richard Hurst

Kent County

Court Clerks
Joyce Burnett
Betty James
Terry Tieman

Court Reporter
Eileen Murawski

Bailiffs
Mary McFaul
George Manlove

Sussex County

Court Clerks
Rodney J. Campbell
Ann D. Messick
Lettie Pettyjohn
Vera Elliott

Court Reporter
Raymond Kenney

Bailiff
Elizabeth Boyd
Notes:

CIVIL - On 06/30/74 there were 1,409 cases pending in various stages of litigation.

CRIMINAL - On 06/30/74 there were 662 cases pending.

Percent of increase of cases filed over the last 5 years was 39.6%.
<table>
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<th>SUMMARY OF</th>
<th>COURT OF COMMON PLEAS</th>
<th>BUDGET</th>
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<td>1. Chief Judge</td>
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<td>243,928.00</td>
<td>289,826.00</td>
<td>304,317.30</td>
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<tr>
<td>4. Part-time</td>
<td>12,429.82</td>
<td>11,897.00</td>
<td>16,157.00</td>
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<td>TRAVEL</td>
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<td>CAPITAL LAYOUT</td>
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<td>4,835.00</td>
<td>9,700.00</td>
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<td>GRAND TOTAL</td>
<td>433,726.16</td>
<td>508,642.00</td>
<td>599,547.00</td>
<td>619,193.78</td>
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</tbody>
</table>
Family Court

Legal Authorization: See Family Court Act. 10 Delaware Code 901.

Geographic Organization: The Family Court is a unified state-wide Court which sits in each of the three counties.

Legal Jurisdiction: The Jurisdiction of the Court is non-exclusive. The Family Court has jurisdiction in dependency, neglect, and delinquency of children, support of adult and juvenile dependents, child corruption and inter-family crimes (excluding felonies). Appeals may be made de novo to the Superior Court and in separate maintenance cases directly to the Supreme Court.

Judges:

Number - There are ten Judges of equal judicial authority. One of the Judges shall be the Chief Judge.

Appointment - The Judges are appointed by the Governor with the approval of the Senate.

Tenure - The Judges serve a 12 year term.

Qualifications - Judges must have legal training with five years experience as an attorney and demonstrate a special interest in the knowledge of child-family relationships.

Other Judicial Personnel: Certain cases may be heard by Masters and their decisions are self-enacting unless a Judge disagrees or a defendant asserts his right to a hearing de novo conducted by a Judge.

Support Personnel: The Court employs clerks, a probation dept., a Director of Treatment Services, an accounting dept., and staff training officers.
JUDICIARY

Hon. Joseph P. Hurley
New Castle County Resident Judge
Mary Mowday, Secretary

Associate Judges

Hon. Elwood F. Melson, Jr.
Ann Botto, Secretary

Hon. Herbert L. Cobin
Nancy Kaper, Secretary

Hon. Roxana C. Arsht
Loretta Neylan, Secretary

Hon. Robert W. Wakefield
Virginia Kelly, Secretary

Hon. Daniel F. Kelleher
Irma Schock, Secretary

FAMILY COURT

Vacant
Chief Judge

Vacant
Secretary

Hon. Roger D. Kelsey
Kent County Resident Judge
Karen Price, Secretary

Hon. James M. Faulkner
Sussex County Resident Judge
Lynn Berryman, Secretary

Vacant
Sussex County Associate Judge
Vacant, Secretary

Masters

Nathan Rosbrow
Kenneth W. Singleton
John Rich

Masters

James H. Hughes, III
William S. Lee

Masters

A. Dean Betts
Robert Halbrook
FAMILY COURT

SUPPORT PERSONNEL

1 Administrator-Director of Treatment Services
1 Administrative Secretary
1 Deputy Director of Treatment
2 Staff Training Officers
2 Administrative Assistants
1 Director of Support
2 Accountants
2 Accounting Clerks
1 Clerk Typist
1 Secretary

New Castle County
1 Chief Supervisor
2 Administrative Assistants
2 Counselor of Support
1 Administrative Service Officer
12 Counselor I
3 Support Officers
3 Social Service Administrators
5 Counselor II
5 Accounting Clerks
1 Accountant
3 Clerk Steno
7 Clerks
1 Clerk of Court
2 Deputy Clerks
1 Process Server
7 Bailiffs
2 Legal Steno
1 Secretary
1 Telephone Operator
2 Social Service Specialists
1 Receptionist
21 Clerk Typists
1 Custodial Worker

Kent County
1 Chief Supervisor
1 Counselor of Support
1 Social Service Administrator
1 Support Officer
1 Clerk of Court
1 Accounting Clerk
1 Deputy Clerk
1 Bailiff
6 Counselors
2 Legal Steno
2 Clerk Steno
3 Clerk Typist

Sussex County
1 Chief Supervisor
1 Support Officer
1 Social Service Specialist
1 Social Service Administrator
1 Administrative Services Officer
2 Clerk Steno
3 Clerk Typist
1 Clerk of Court
1 Deputy Clerk
1 Bailiff
2 Accounting Clerk
1 Secretary
6 Counselors
FAMILY COURTS - CASES FILED - 5 YEARS PERIOD

NOTE:

There are 3,347 Cases Pending.

Percent of increase of cases filed over the last 5 years was 7.1%.
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<td><strong>APPROPRIATION</strong></td>
<td><strong>GENERAL FUND</strong></td>
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<td><strong>TRAVEL</strong></td>
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JUSTICE OF THE PEACE
Courts of Limited Jurisdiction

Justice Courts (13)

Legal Authorization: These Courts are authorized by the Constitution of Delaware, Article IV, Section 1.

Geographic Organization: The jurisdiction of the Courts is state-wide and sessions are held throughout the State, 3 in Kent County, and 5 each in New Castle and Sussex Counties. Fifteen Courts are authorized and all are operative.

Legal Jurisdiction: The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed $1,500. In all Justice of the Peace Courts except one in Wilmington, criminal jurisdiction is exercised. These Courts are authorized to hear minor misdemeanors and motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not Courts of record, appeals may be taken do novo to the Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Courts of Common Pleas.

Judges:

Number - There are 53 magistrates authorized, 51 presently serving full time.

Appointment - The magistrates are appointed by the Governor with Senate approval.

Tenure - The magistrates are appointed for a four year term.

Qualifications - Age 21, resident of the State of Delaware and the county where you are applying for a vacancy.

Support Personnel: A Deputy Administrator for the Justice of the Peace Courts is appointed by the Governor with Senate approval. An Assistant Deputy Administrator assists the Deputy. The State provides Chief Clerks, Deputy Clerks, Constables, and Bailiffs.
Organization
Justices of the Peace Court System of Delaware

Deputy Administrator
James J. Horgan

Assistant Deputy Administrator
Arthur R. Carello

Chief Judges
Sussex County
William J. Hopkins, Jr.
Thomas J. Orr

Chief Judge
Kent County
Russell T. Rash

Chief Judge
New Castle County
Harold T. Perkins

Court No. 1 - Dagswood
Court No. 2 - Lewes
Court No. 3 - Georgetown
Court No. 4 - Seaford
Court No. 5 - Milford

Court No. 6 - Harrington
Court No. 7 - Dover
Court No. 8 - Smyrna

Court No. 9 - Middletown, Wilm.
Court No. 10 - Kirkwood Hwy., Wilm.
Court No. 11 - New Castle
Court No. 13 - King Street, Wilm.
Court No. 15 - Concord Pike, Wilm.
# Justices of the Peace

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<thead>
<tr>
<th>New Castle County</th>
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<th>Sussex County</th>
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<td>Brothers, Louise T.</td>
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<tr>
<td>Constable</td>
<td>Chief Clerk</td>
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<tr>
<td>Deputy Clerk</td>
<td>Bailiff</td>
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Knussman, Joseph A.  
Neeman, Paul  
Rash, Russell T.  
Stump, Charles M.  
Thompson, Harry M.  
Von Urff, Noel H.  
Wootten, Wallace P.
Percent of increase of cases filed over the last 5 years was 13.5%.

* Does not include 1715 preliminary hearings at Ct. 14 which are already included in criminal case total.
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Municipal Court (1)

**Legal Authorization:** This Court is authorized by 10 Delaware Code Section 1701.

**Geographic Organization:** This Court has jurisdiction within the geographic boundaries of Wilmington. The Court has a Violations Division which processes all moving and parking citations.

**Legal Jurisdiction:** The Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available.

**Judges:**

- **Number:** There are 3 Judges of the Municipal Court of Wilmington.
- **Appointment:** The Judges are appointed by the Governor, with approval by the Senate.
- **Tenure:** Judges are appointed for 12 year terms.
- **Qualifications:** The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

**Support Personnel:** The Senior Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.
MUNICIPAL COURT

JUDICIARY

Hon. Alfred Fraczkowski
Chief Judge
Olga Ciabattoni, Secretary

Hon. Carl Goldstein
Associate Judge
Joyce Vietri, Secretary

Hon. Leonard Williams
Associate Judge

Court Commissioners
Charles R. Lee, Chief
T. Roger Barton
Richard O. Douglas
Thomas Murray
Elizabeth Keller, Secretary
MUNICIPAL COURT

FOR THE CITY OF WILMINGTON

JUDICIARY

SUPPORT PERSONNEL

ASSISTANT TO COMMISSIONERS

Mary Dale

BAILIFFS

David Dempsey

CLERICAL STAFF

Furio Casale - Supervisor
Catherine Sexton - Receptionist
Mary Grello
Deborah Cella
Dorothea Jones
Josephine Smulski

ACCOUNTING CLERK

Dorothy Montoro

TRAFFIC VIOLATION STAFF

Shirley Cohen - Supervisor
Carlis Tate
Mary Purnell
Mildred Ward
Carolyn Ward
Carolyn Duncan
Deandra Carter
IN THE MUNICIPAL COURT FOR THE CITY OF WILMINGTON

CRIMINAL CASES ONLY

-1973-

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MOVING VIOLATIONS

-1973-

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JUDICIAL CONFERENCES AND COMMITTEES

Council on the Administration of Justice

Legislative Authority: The Council is authorized by 10 Delaware Code, Section 2001.

Duties: The Council is charged with the continuous study of the Administration of Justice in the State, and of the organization, procedure, practice, rules and methods of administration and operation of each and all the Courts of the State, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the Courts and makes recommendations to the Governor, the General Assembly, the Courts or the Bar.

Membership: There are 15 members including the Chief Justice, the Chancellor, the President Judge of the Superior Court, the President Pro-tem of the Senate, the Speaker of the House, the minority leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term co-extensive with that of the appointed Governor.

Judicial Conference

Legal Authorization: The Judicial Conference is authorized by Supreme Court Rule 35.

Duties: The Judicial Conference studies the judicial business of the various Courts with a view of improving the Administration of Justice in the State. The Conference will also consider improvements in procedure, consider and recommend Legislation, consider and implement the canons of judicial ethics and hold symposia of the Bench and Bar.

Membership: The membership of the Conference includes the members of the Supreme Court, the Court of Chancery, the Superior Court, the various Courts of Common Pleas, the Family Courts and the Municipal Court of Wilmington. The Chief Justice is presiding Officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Stated meetings of the Conference are held on the first Wednesday of December and June.
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COURT ON THE JUDICIARY
COURT ON THE JUDICIARY

Article 4, Section 37, of the Constitution of the State of Delaware created this Court consisting of the Chief Justice and the Associate Justice of the Supreme Court, the Chancellor and the President Judge of the Superior Court.

Any Judicial Officer appointed by the Governor may be censured or removed or retired by the Court on the Judiciary for wilful misconduct in office, wilful and persistent failure to perform duties, for commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or for permanent mental or physical disability interfering with the proper performance of this duties.

No censure or removal or retirement will be effective until the Judicial Officer has been served with written charges and had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has:

(a) - the power to summon witnesses to appear and testify under oath and to compel production of other evidence, and

(b) - the power to adopt rules establishing procedures for the investigation and trial of a Judicial Officer.

Therefore, it is necessary to request funds to enable the Court to operate. If no trials are necessary, all funds will revert at the end of each fiscal year.
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ADMINISTRATIVE OFFICE OF THE COURTS

Legislative Authority: Created by Legislation in the 1971 General Assembly, 10 Delaware Code, Chapter 1.

Duties: The duties of the Director of the Administrative Office of the Courts include the organization and administration of the non-judicial activities of the Delaware Courts, the appointment, assignment and supervision of all non-judicial personnel except the personal staffs of the Judges. The Director is also charged with the preparation of the budget and planning and allocation of space. He will also collect, compile and analyze statistics in connection with research and evaluation of Court business and administration and at least annually prepare and submit a report of the activities of the Courts to the Chief Justice. In addition the Director will establish procedures for management of the jury system and the assignment of Judges and attend their administrative meetings. He will maintain liaison with agencies, both public and private, interested in the Courts' activities and assist in preparation of proposed Legislation.

Support Personnel: The Director of the Administrative Office of the Courts shall be appointed by and serve at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice appoint such Deputies, Administrative Assistants and Clerical Personnel as are required.
SUPREME COURT OF THE STATE OF DELAWARE

CHIEF JUSTICE
Daniel L. Herrmann

ADMINISTRATIVE OFFICE OF THE COURTS

DIRECTOR
John R. Fisher, Esquire

SECRETARY
Carolyn Walker

COURT COORDINATOR
(Federally Funded)
Edward B. Carter

ADMINISTRATIVE ASSISTANT
Kelly F. Leone

TRIAL COURT ADMINISTRATOR
(Superior Court)
Frederick Kirch

ADMINISTRATIVE ASSISTANT
Sarah Jones

SECRETARY
Lois De Wolfe

SUPERIOR COURT ADMINISTRATORS OFFICE
(Federally Funded)

SUPERVISOR
J. Gary Dean

AIDE
Christina Brennan
Sara Golden

DEPUTY ADMIN. J.P.
(Justice of the Peace System)
James J. Horgan, Esquire

SECRETARY
Sharon Cooper

ASST. DEPUTY ADM. J.P.
Arthur Carvello

SECRETARY
Ethel Jaremchuk

ACCOUNTING DEPT.

Fiscal
Judicial Services
Supervisor
Administrative Aide
Dawn Bowman

SUPV. ASST.
Mary E. Cooper

CLERK
Georgia Purse

BOOKKEEPERS
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2. T. Ren Gorden
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LAW LIBRARIES

There are three Law Libraries throughout the State of Delaware and they are staffed and maintained by the State. They are named respectively after the county in which they reside.

The primary function of the Law Library is to provide research material of a legal nature for the Judicial Branch of our Governments. In addition, extensive use of the library is made by the following: Members of the Bar, law students, law clerks, Justices of the Peace and various government agencies, such as the Department of Justice and City Solicitors Office of the City of Wilmington.

New Castle County Law Library provides working space for 22 persons at one time. There are approximately 16,500 volumes which do not include all the volumes that are available or are needed to adequately provide complete research material. The same can be said for Kent and Sussex Law Libraries.

New Castle County and Kent County Law Libraries are staffed by one full-time employee each. Sussex County Law Library has one part-time librarian.

The duties and responsibilities of the librarians include, but are not limited to, the following: insertion of pocket parts, maintenance of loose leaf services, bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several Courts, obtaining and filing ordinances from incorporated municipalities, obtaining and filing copies of rules and regulations promulgated by governmental agencies, maintaining books and having them bound, cataloging and keeping a perpetual inventory of books and their monetary values, handling requests from various persons for information contained in the library and in general performing duties associated with the library work, as well as a lending library.
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