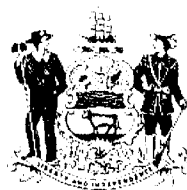




Fiscal Year 2000

# ANNUAL REPORT OF THE DELAWARE JUDICIARY



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## Message from Chief Justice E. Norman Veasey

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E. NORMAN VEASEY  
CHIEF JUSTICE

December 2000



### SUPREME COURT OF DELAWARE

To the Governor, Members of the General Assembly, and Citizens of the State of Delaware:

It is my honor to present the 2000 Annual Report of the Delaware Judiciary. The Judiciary's theme for the past year has been to promote unity through collaborative effort. The courts have worked unselfishly in the intense coordination of the new New Castle County Courthouse, in the development of a proposed systemwide case and financial management system, and most recently, in the preparation of a unified budget request.

Under Administrative Directive No. 122, I established a Council of Court Administrators operating under the leadership of State Court Administrator, Dennis B. Jones. The purpose of this Council is to expand the concept of systemwide cooperation by having the State Court Administrator and court administrators meet on a regular basis to develop systemwide administrative initiatives and policies to promote innovation, efficiency, and consistency within the Judicial Branch. My goal, which will continue into next year, is to have all courts address administrative issues in a unified manner.

I want to give special thanks to the Governor and the General Assembly for their generous support in supplying funds necessary to build the new courthouse in Wilmington. This building represents a once in a lifetime opportunity for our citizens to have access to the court system in a state of the art building dedicated to meeting the needs of the citizens. For the first time, all the courts are developing processes, procedures and policies to perform centralized services such as filing, cashiering, security, administration, financial management, and case management in a coordinated and uniform fashion. Multiple courts locating in this new facility will enhance the Judiciary's ability to provide our citizens with swift and fair justice.

The Judiciary is also working together to provide greater assistance to both courts and litigants in cases in which litigants are representing themselves on a *pro se* basis. Funds have previously been allocated to develop a *pro se* center for the Family Court in Kent County. To help unrepresented litigants file procedurally and substantively accurate documents, the courts are working to establish *pro se* centers in each county where *pro se* litigants can access information concerning court procedures, rules, forms, and processes.

The State Judiciary, Council of Court Administrators and our dedicated and hard working judicial employees will continue to provide our individual and corporate citizens with a modern and reliable court system. We will uphold the values of a strong work ethic, integrity, efficiency, competence and promptness that the Delaware courts have established in earning their national reputation for excellence.

Respectfully,

*E. Norman Veasey*

## Highlights and Developments



### FY 2000 LEGISLATIVE INITIATIVES

There were multiple legislative initiatives in FY 2000, which impact the Judiciary. Highlighted below are those initiatives which were passed by the General Assembly and signed into law by the Governor.

**House Joint Resolution 31** – Recommends the abolishment of the Register in Chancery as an elected office and will enable the Court of Chancery to select its own Register in Chancery.

**House Bill 683** – Ensures that individuals have the opportunity for a judicial hearing prior to having their name placed on the child abuse registry. It also provides for the expungement of the names of individuals who have been placed on the registry in error.

**House Bill 593** – This is the first leg of the Constitutional amendment that creates the position of Senior Judge.

**House Bill 540** – Modernizes and replaces the Foster Child Review Act with the Child Placement Review Act and broadens the review process.

**House Bill 492** – The Uniform Electronic Transactions Act is a procedural act that provides the framework for creating enforceable electronic contracts.

**House Bill 404** – Creates the Office of Child Advocate to assist the Child Protection Accountability Commission in protecting Delaware's children.

**House Bill 355** – Adds two additional judgeships to the Family Court for Kent and Sussex Counties.

**House Bill 302** – Changes the title of the Director of the Administrative Office of the Courts to the State Court Administrator in order to emphasize that the position carries statewide responsibilities and is consistent with titles used to describe equivalent positions in other states.

**House Bill 213** – Updates Delaware's truancy laws.

**House Bill 126** – This is the second leg of the constitutional amendment providing that persons convicted of certain felonies would have their right to vote restored upon being pardoned or five years after the expiration of their sentences.

**Senate Bill 426** – Clarifies certain restrictions upon the eligibility requirements for probation before judgment and ensures that only first-time offenders or infrequent offenders will be admitted to the program.

**Senate Bill 415** – Amends the current Court Appointed Special Advocate and the Office of the Child Advocate statutes to ensure representation of a child's best interest in every child welfare proceeding.

**Senate Bill 392** – Amends the current termination of parental rights statute to permit termination of parental rights where abandonment has occurred regardless of whether the abandonment is intentional and provided that specific findings are made.

**Senate Bill 368** – This is the first leg of a constitutional amendment that provides for an integrated Register in Chancery and is related to House Joint Resolution 31 previously mentioned.

**Senate Bill 350** – This enabling legislation is a companion bill to restoration of felon's voter's rights.

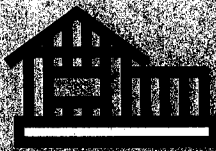
**Senate Bill 329** – Extends the statute of limitations on crimes when the prosecution is based upon DNA testing. The bill also allows overturning convictions if forensic DNA testing, which was not available at the time of trial, now establishes the innocence of the convicted person.

**Senate Bill 310** – Expands pre-judgment interest to cases involving court actions.

**Senate Bill 206** – Adds two additional judgeships to the Court of Common Pleas for Kent and Sussex Counties.

**Senate Bill 99** – Provides for full faith and credit to domestic violence protective orders issued from other states.

## Highlights and Developments



### COURT FACILITIES

**New Castle County Courthouse:** Significant progress continued toward the completion of the New Castle County Courthouse in Wilmington. The project is on time and within budget with an expected completion date of September 2, 2002. The Executive Committee established by the FY 1998 Bond Bill continues to oversee this building project. The Executive Committee is composed of the co-chairs of the Joint Legislative Committee on Capital Improvement programs, respective chairs of the Senate and House Judiciary committees, two members of the Judiciary appointed by the Chief Justice and three members of the Executive Branch who are the Secretary of Administrative Services, the Director of Facilities Management and the State Budget Director. The FY 2001 Bond Bill appropriated \$32,043,000 to finish the construction of this multi-year project.

**Kent County Courthouse:** Planning and evaluation for the state needs of the Judiciary in Kent County continued through FY 2000. A master plan was recommended that included the acquisition of the Kent County Courthouse along with a multi-phase approach to the expansion and renovation of the facility. The FY 2001 Capital Bond Bill contains epilogue language which directs the Secretary of Administrative Services to evaluate the purchase of the O'Brien Building. A plan and recommendation regarding the O'Brien Building are to be submitted to the co-chairs of the Joint Legislative Committee on Capital Improvements by January 31, 2001.

**Sussex County Courthouse:** Work continues on renovations of the Sussex County Courthouse. Substantial completion of the court annex building was accomplished. The law library is scheduled to move into the annex with other court services in the near future.

**Justice of the Peace Court:** In FY 2000, the Justice of the Peace Court system was able to secure land in order to relocate a combined Court 5 and 6 in the Harrington-Milford area. This new site will enable the court to expand its hours of service to both Kent and Sussex Counties, and enhance the court's ability to deliver services effectively.

### AUTOMATED SENTENCING ORDER PROJECT

In May 2000, the Superior Court of Delaware began issuing sentence orders statewide using a new Automated Sentencing Order Project (ASOP) to streamline criminal justice. In cooperation with the Judicial Information Center and the Department of Correction, ASOP went into production in December 1999 in Kent County, in January 2000 in Sussex County and full statewide production in May 2000.

The ASOP application enables Court issued sentence orders to be transmitted to other agencies and courts throughout the State almost simultaneously with a judge's order. Previously, it often took days or weeks to disseminate sentencing information to all criminal justice agencies. Sentencing data is electronically filed and transferred within minutes to prisons and other agencies, defendants receive a complete copy of their sentencing order in the courtroom, and criminal histories are immediately updated for courts and law enforcement agencies.

Delaware has become the first State to implement such a broad reaching sentence order system and the results are impressive. Updated criminal records are available at the time of sentencing. With the click of a button, the judge can view the criminal history of the defendant. Prison authorities will receive the order electronically before the defendant arrives for incarceration. Similarly, the Probation and Parole Department will now have an order on file in advance of a defendant appearing to begin probation. Police officers on patrol will have current information, and judges will be able to see whether a capias or warrant is active on a defendant.

The system was demonstrated at a Justice of the Peace Court retreat in September 2000 and at a Criminal Justice Council/DELJIS retreat in October 2000. It was also featured at the Knowledge Fair of the Mid-Atlantic Associations for Court Managers in Ocean City, Maryland, in October 1999.

## Highlights and Developments

### THE CHILD PLACEMENT REVIEW BOARD

*Judicial Annual Report on The Foster Care Review Board and Its Successor, The Child Placement Review Board*

#### OVERVIEW

The Foster Care Review Board (FCRB), now the Child Placement Review Board (CPRB), enters its third decade of service to the children of Delaware with an updated mandate, new and growing partnerships in the public sector, and broad resources in the form of a professional staff and review committees of trained volunteers. In addition, the FCRB's new name, the Child Placement Review Board, reflects today's scope and charter.

#### ACCOMPLISHMENTS

##### Legislation

The name, powers, and privileges of the Board were substantially changed when HB 540 was passed and signed into law by Governor Carper. This legislation takes the place of 31 Del. C. Section 38, et seq., which established the Foster Care Review Board in 1978. One advance of the law is the combination of two parallel review systems. Initially, the Foster Care Review Board was charged with reviewing all foster care cases handled by the Division of Family Services (DFS). The Board had also conducted independent reviews of cases handled by Youth Rehabilitative Services (YRS). Because these two review systems are now combined, this change has been reflected by a new name, the Child Placement Review Board.

##### Interaction with the Family Court system

Completion of the Court Improvement Project (CIP) has opened the door to much more effective partnerships between the courts and agencies having standing in cases relating to a child's welfare. The findings and recommendations from the CPRB review committees will now become part of a child's Family Court record.

##### Training

CPRB staff members received in-house training on the provisions and implications of changes in federal law. This training allowed them to support the work of review committees accurately. With approximately

100 volunteers serving on review committees, training is a priority for the CPRB.

##### Relationships

To achieve its goal of timely and thorough reviews for children in the care of the State, the Child Placement Review Board works in conjunction with an array of judicial and social service agencies, such as DFS, YRS, Child Mental Health (CMH), Family Court, the leadership of the Court Appointed Special Advocate (CASA) program, community-based service agencies, and the Office of Child Advocate. Establishing and maintaining good working relationships is an accomplishment that is central to the working of the CPRB and to its effectiveness in serving Delaware's children.

##### Ivyane Davis Scholarships

Scholarship funds are allocated by the General Assembly on an annual basis, and they are awarded by the CPRB. For the 2000 fiscal year, \$31,544 was distributed to nine students at a total of seven institutions. Awards ranged from \$1,440 to \$4,000. One student completed post-secondary education under this program and is ready to enter the workforce. The Ivyane D.F. Davis Scholarship Fund continues to be a viable means of supporting the efforts of young people who have been in foster care, matching their motivation and achievement with funding to meet their educational goals.

Child Placement Review Board Annual Statistics		F-Y 2000
Reviews Conducted		1,751
Children in Care		1,570
Unduplicated Children Reviewed		998
Unreviewed Children in Care*		577

\*Children in care less than five months are not reviewed by the CPRB.

## Highlights and Developments

### CERTIFIED COURT INTERPRETER'S PROGRAM

Language barriers are preventing millions of non-English speaking Americans from receiving equal access to the judicial system. During Fiscal Year 2000, the Administrative Office of the Courts received a \$10,000 grant from the Criminal Justice Council to continue to expand the Certified Court Interpreter's Program, which is designed to provide qualified interpreters to meet the legal needs of Delaware's growing ethnic populations.

Two orientation sessions were held statewide for 60 prospective interpreters. Phase II of the Spanish test for consecutive interpreting was held in October 1999. Three applicants were tested, and no one passed. Testing in both Phase I and Phase II will be conducted in November and December 2000.

The Delaware Supreme Court, in the Diaz decision issued in December 1999, remanded a case back to the Superior Court because a certified court interpreter was not used during police interrogations. This decision resulted in the need to increase the number of training sessions during FY01 to accommodate those police officers that previously served as interpreters.

A request for \$15,500 in funding has been submitted to the Governor and the General Assembly for continuation of the Certified Court Interpreter's Program in FY01. During the annual meeting of the National Consortium of Certified Court Interpreter Program in November 1999, Chief Magistrate Patricia W. Griffin was elected chair for a term of one year.



### STAFF TRAINING AND DEVELOPMENT PROGRAM

During fiscal year 2000, the Staff Training and Development Program offered thirteen different computer software training classes to judicial branch staff. Training topics were also offered in: legal research, new staff orientation, the Family Medical Leave Act, avoiding giving legal advice on the job and conferences for court security staff and court clerks. In addition to those classes, the Program provided funding for 11 court managers/supervisors to attend State Personnel's Frontline Leadership training program, as well as assisted with funding a two-day conference for Family Court Mediators.

On June 27, 2000, Chief Justice E. Norman Veasey issued a directive mandating all non-judicial staff of Delaware courts and Judicial Branch agencies complete six hours of training per fiscal year. In that directive, the Administrative Office of the Courts (AOC) is charged with tracking all training programs attended by non-judicial staff, issuing an annual report to staff and supervisors and publishing annually a curriculum designed to improve the knowledge, skills and abilities of non-judicial staff of Delaware courts and Judicial Branch agencies.

The Staff Training and Development Program is managed by the Training and Staff Development Officer in the AOC. Liaisons from each of the six state courts and two representatives of Judicial Branch agencies, as well as staff of the AOC, serve on the Staff Training Advisory Board. The Board identifies and coordinates staff training initiatives.

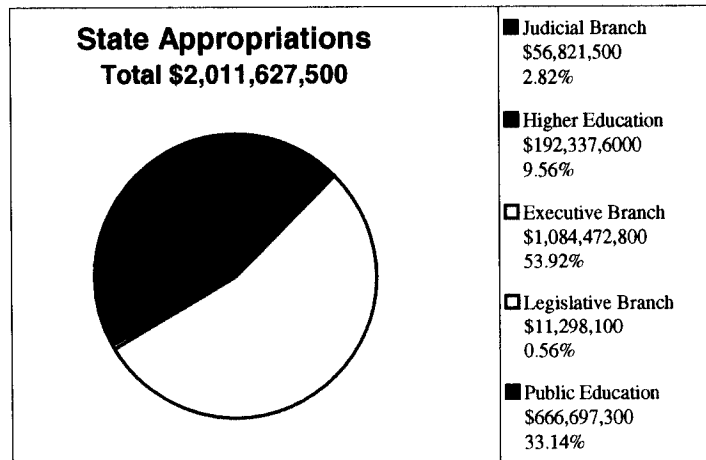
COURSE/PROGRAM	SESSIONS	PARTICIPANTS
Computer software training--includes 13 courses	45	175
Orientation for New Court Employees	2	90
What Every Supervisor Should Know about the Family Medical Leave Act	1	15
Court Security Conference	1	58
Court Clerks Conference	1	73
Legal Research for Bailiffs	3	14
How to Avoid Giving Legal Advice on the Job	2	19
<b>TOTALS</b>	<b>55</b>	<b>444</b>

## Fiscal Overview

### DELAWARE GOVERNMENT APPROPRIATIONS\*

FISCAL YEAR 2000

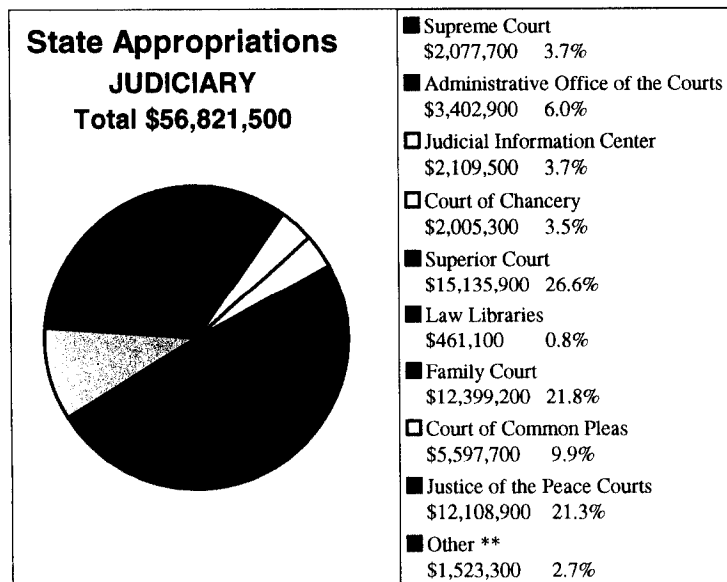
STATE APPROPRIATIONS — TOTAL: \$2,011,627,500



### DELAWARE GOVERNMENT APPROPRIATIONS\*

FISCAL YEAR 2000

STATE APPROPRIATIONS — JUDICIARY: \$56,821,500



\*The chart reflects state general fund monies only. In addition to those amounts, the Supreme Court received \$65,500, the Family Court received \$2,723,700, the Court of Common Pleas received \$30,700 and the Violent Crimes Compensation Board received \$2,196,900 in appropriated special funds.

\*\*Other: Public Guardian (\$386,200), Office of State Court Collections Enforcement (\$419,600), Child Placement Review Board (\$408,800), Educational Surrogate Program (\$68,700) and the Office of the Child Advocate (\$240,000).

Source: 140th General Assembly, House Bill 400.



## Supreme Court

In the past fiscal year, the Delaware Supreme Court decided over 500 appeals by written opinion or order. A Supreme Court decision by order is often as comprehensive as a decision in opinion format and such orders are regularly cited as authoritative. The Court's jurisdiction is broad and often the issues before the Court are complex, and the decisions of the Court in such cases are of national or international significance.

Despite a record number of filings, the Court continues to decide cases within an average time of 33.3 days, well under the ninety-day standard from submission date to final decision date. By providing fair, efficient and prompt disposition of appeals, the Court's goal of maintaining the public's trust and confidence in our judicial institutions is met.

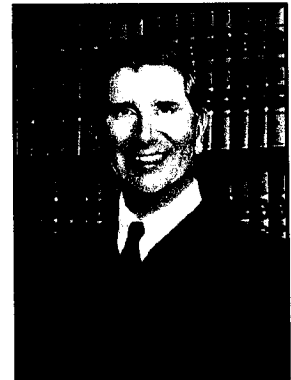
The composition of the Court changed during FY 2000. Justice Maurice A. Hartnett, III retired from the Court on June 30, 2000. His retirement closes a long and distinguished career of judicial service. The Honorable Myron T. Steele took the oath of office as a Justice of the Court on July 28, 2000. Justice Steele previously served as a Kent County Resident Judge of the Superior Court and, most recently, as a Vice Chancellor in the Court of Chancery.

There was a change in the leadership of the Administrative Office

of the Courts. With the concurrence of the Justices and the Executive Committee, I selected Dennis B. Jones as our new State Court Administrator. He previously served as Chief Deputy Director of the California Administrative Office of the Courts.

On August 5, 1999, I took office as President of the Conference of Chief Justices. The Conference is the primary representative of the state courts, providing them with national leadership and a national voice in the administration of justice. The two primary goals for the Conference during the past year were: (1) to meet the challenges to state courts by expanding federal activity and (2) to find ways that state judiciaries can achieve "best practices." On November 12-13, 1999, in Wilmington, I chaired a Joint Session of the Boards of the Directors of the Conference of Chief Justices, of the Conference of State Court Administrators and of the National Center for State Courts. This session was designated as an Advance on Achieving Excellence in Judicial Administration. The goal of the Advance was to commence the process for identifying "best practices" and how to disseminate information about these practices for implementation. The Advance has been recognized as a success and has led to a national Best Practices Institute.

*(continued on next page)*



**E. Norman Veasey**  
Chief Justice

By providing fair, efficient and prompt disposition of appeals, the Court's goal of maintaining the public's trust and confidence in our judicial institutions is met.

FISCAL YEAR 2000 TOTAL CASES CASELOAD SUMMARY						
	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
New Castle	142	273	240	175	+33	+23.2%
Kent	144	317	298	163	+19	+13.2%
Sussex	14	66	61	19	+5	+35.7%
<b>STATE</b>	<b>300</b>	<b>656</b>	<b>599</b>	<b>357</b>	<b>+57</b>	<b>+19.0%</b>

## Supreme Court

Beginning in April 2000, access to non-confidential appeal documents filed in the Court since January 2000 is available on the Internet through the Virtual Docket. All filings are available online within 24 hours of filing with the Court. Furthering its commitment to the public, the Court has greatly improved its website over the last year. Opinions and orders are now placed on line within three days of a decision. The site includes the calendar for oral arguments, rules, forms, administrative directives and the most current news releases. I encourage you to visit us at <http://courts.state.de.us/supreme>.

On April 4, 2000, the Court held a special session in the new Ruby R. Vale Moot Courtroom at Widener Law School. The justices sat *en Banc* (all five justices) for the arguments in the newly-renovated Legal Information Center on the Delaware campus. During my address at the

dedication of the new courtroom, I announced that one of the Court's argument days each year would be conducted in the courtroom in keeping with a nationwide initiative of law-related education to enhance public trust and confidence in the judicial system.

The construction of the new New Castle County Courthouse in Wilmington continues to move forward on schedule. The Governor and the General Assembly have been most generous in providing funds necessary to build this new courthouse as well as funding for courthouses in Kent and Sussex Counties. The successful completion of these projects will ensure that our citizens' legal needs can be met in secure and state of the art facilities in all three counties to further enhance public trust and confidence.



### Supreme Court

*Seated (left to right):*  
Justice Joseph T. Walsh  
Justice Carolyn Berger

*Standing (left to right):*  
Justice Myron T. Steele  
Chief Justice E. Norman Veasey  
Justice Randy J. Holland

**JUDICIAL BRANCH WEBSITE:** <http://courts.state.de.us>

The Judicial Branch website is continuing to improve by frequently adding new features. From the homepage, a visitor can link to each of the courts, employment opportunities in the judicial branch, juror information or visit the Arms of the Court. If you have not stopped by recently, visit our site at <http://courts.state.de.us>.



## Court of Chancery

This year, the ranks of the Court of Chancery have again been reduced by an appointment to the State's highest court. Upon the retirement of Justice (and former Vice Chancellor) Hartnett, Governor Carper appointed Vice Chancellor Myron T. Steele to the Delaware Supreme Court. His replacement has yet to be named.

The General Assembly this year took a major step toward providing this Court with a unified court clerk's office under the Chancellor's control. The Court of Chancery remains the only State court without authority over its clerical staff; currently, the Register in Chancery for each county is an elected office, and each Register appoints their own staff and follows their own procedures. While the county Registers have, throughout this Court's history, provided excellent service in each county, the growth in the Court's docket, the increase in complexity of cases before the Court and the growing availability of electronic communication have made the county Register system an anachronism. Recognizing this, the General Assembly adopted the first leg of a constitutional amendment, sponsored by the Court, which if passed again next year, will result in a unified Register in Chancery office under the Court's direct supervision. This will allow standard and modernized procedures for case filing and docketing. It will also enable the

Court to continue to improve and expedite its management of cases. A unified Register's office will facilitate the use of Internet technology to make dockets and pleadings from all three counties available to practitioners and the public, and will ease the transition to electronic filing, which approaches on the horizon.

As the Court looks forward to occupying new quarters currently under construction in New Castle County, its prospects for moving to a permanent home in Sussex County, in the short-term, remain clouded. The State has acquired a parcel off the Circle, and plans for construction of a courthouse on the site are in development. Meanwhile, the Court's old quarters in the Sussex County Courthouse and the Family Court Building have yielded to the expansion of the Family Court and Court of Common Pleas, and the Court of Chancery Chambers have relocated, again on a temporary basis, to the Sabo Building on Market Street.

The next few months and years will bring a new Vice Chancellor in Kent County, new courthouses in Sussex and New Castle Counties, and a new Statewide court clerk's system. Clearly, many changes are coming to the Court, but they are changes that will allow continued improvement in the administration of justice.



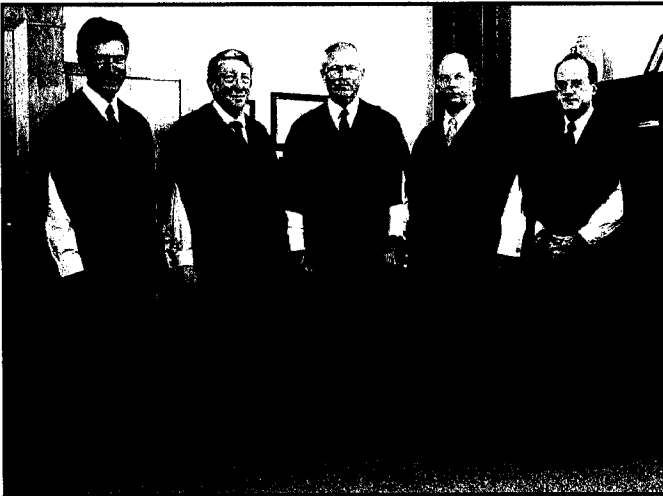
**William B. Chandler III**  
Chancellor

Clearly, many changes are coming to the Court, but they are changes that will allow continued improvement in the administration of justice.

### FISCAL YEAR 2000 TOTAL CASES - CASeload SUMMARY

	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
New Castle	7,762	3,220	3,299	7,683	-79	-1.0%
Kent	2,591	482	399	2,674	+83	+3.2%
Sussex	2,905	740	669	2,976	+71	+2.4%
<b>STATE</b>	<b>13,258</b>	<b>4,442</b>	<b>4,367</b>	<b>13,333</b>	<b>+75</b>	<b>+0.6%</b>

## Court of Chancery



### Court of Chancery

*Standing (left to right):*

Vice Chancellor Stephen P. Lamb  
Vice Chancellor Jack B. Jacobs  
Chancellor William B. Chandler III  
Vice Chancellor Myron T. Steele  
Vice Chancellor Leo E. Strine, Jr.

### OFFICE OF THE CHILD ADVOCATE

*By Tania Culley, Child Advocate*

Fiscal Year 2000 was an important year for our abused and neglected children as the Office of the Child Advocate became Delaware's newest State agency. The Office has been charged with safeguarding the welfare of Delaware's children through education, system reform, public awareness, training, and legal representation of children. The Child Advocate began employment on February 7, 2000.

While the first few months were largely spent securing office space, furniture and supplies, and hiring staff, time was also devoted to drafting legislation detailing the rights and responsibilities of attorneys and Court Appointed Special Advocates in their representation of children's best interests in Family Court proceedings. That legislation was passed as Senate Bill 415 on June 30, 1999. With these laws, it is now clear what role a guardian *ad litem* has in a child welfare proceeding.

In the first five months of its operation, without the benefit of publicity or knowledge of the Office, the Office received referrals on 25 children.



Due to severely limited legal resources, only three of those children received the benefit of attorney guardian *ad litem* representation. Two of those children are represented by the Child Advocate, and a third child is represented by a member of the private bar. In addition, the Child Advocate submitted an *amicus curiae* brief in an important child welfare matter. Funding was approved for FY01 for the addition of a

full-time attorney to the Office, whose primary duty will be to represent the best interests of abused, neglected and dependent children in Family Court.

The Office looks forward to tackling its statutory mandates in Fiscal Year 2001, with the primary goals of the Office ensuring that: (1) every child's voice is heard in every court proceeding which affects their life; (2) every player in the child protection system has the necessary education and training to put a child's safety and well-being above all else; and (3) Delaware's child welfare laws reflect the needs of our children and are a model for the nation.

## Superior Court

During this fiscal year, the Honorable Richard R. Cooch was appointed Resident Judge in New Castle County as the successor of Resident Judge Vincent A. Bifferato and the Honorable T. Henley Graves was appointed Resident Judge in Sussex County to succeed Resident Judge William Swain Lee. The Honorable E. Scott Bradley was appointed to fill the vacancy in Sussex County.

The Superior Court continues to apply a best commercial practices and customer service approach to improve our performance. This year we launched a comprehensive Web site (<http://courts.state.de.us/superior>) which provides helpful information to the legal community and the public. Some examples of the information provided: our history, information on e-litigation, our nationally known Drug Court, juror orientation, court calendars, case management plans, job postings, rules, forms, a self-help center, and victim information. Our web site was featured in the national e-magazine Civic.com.

To provide for the safety and security of all visitors, we completed the transition to a single public entrance in each courthouse. Each public entrance is staffed by security personnel who screen for weapons.

The Court's nationwide reputation as a problem-solving innovator was recognized again when it was selected by the U.S. Department of Justice as one of nine pilot sites in the country to test the concept of Re-entry Courts. Re-entry Courts focus on the need to create accountability systems and support networks for returning offenders to increase the chances of successful reintegration into their communities. We are testing two approaches to Re-entry: one targets returning domestic violence offenders in Sussex County and the other deals with the general population of returning offenders in New Castle County.

The Court implemented the far-reaching Automated Sentencing Order Project (ASOP). ASOP is designed to support Delaware's sentencing process by standardizing the format of sentence orders, accelerate the transmission of sentencing information to the criminal history database and to other criminal justice agencies, support the judicial decision-making process, allow for data entry and sentence order generation in the courtroom, and cutting back on the use of paper by sending realtime electronic court orders to the Department of Correction.

*(continued on next page)*



**Henry duPont Ridgely**  
President Judge

Our vision is to be the Superior Court with the most Superior Service in the nation. Our mission is to provide Superior Service to the public in pursuit of justice.

### FISCAL YEAR 2000 TOTAL CASES - CASELOAD SUMMARY

	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
New Castle	11,110	12,176	11,452	11,834	+724	+6.5%
Kent	1,874	3,014	3,104	1,784	-90	-4.8%
Sussex	1,514	2,857	2,666	1,705	+191	+12.6%
<b>STATE</b>	<b>14,498</b>	<b>18,047</b>	<b>17,222</b>	<b>15,323</b>	<b>+825</b>	<b>+5.7%</b>

## Superior Court

The Court continued its efforts to improve the overall effectiveness of the criminal justice system by inter-agency collaboration. We are now conducting contempt hearings in welfare fraud cases where the defendant has failed to make restitution payments to the State. Working in cooperation with the Division of Audit and Recovery of the Department of Health and Social Services, these

contempt hearings have been expanded.

The Court expanded its initiatives to improve the collection rate of unpaid Court assessments. Court staff are serving as faculty at the training academy for new Probation and Parole Officers. We also provide training in the use of the Court's case management system to Records Office personnel at Gander Hill prison.

We started accepting payments to the Court by credit cards in Kent County to make the collection process more efficient and to speed up the return of restitution funds to victims of crime.

Finally, we refined our vision, mission and core values through the collaborative efforts of Superior Court Judges and staff from across Delaware. Our vision is to be the Superior Court with the most

Superior Service in the nation. Our mission is to provide Superior Service to the public in pursuit of justice. We have agreed that our core values as an organization are UNITED which stands for unity, neutrality, integrity, timeliness, equality and dedication. We are committed to building on the quality of justice and public service for which the Superior Court of Delaware is well known here and across the nation.



### Superior Court

#### *Seated (left to right)*

Associate Judge John E. Babiarz, Jr.  
Resident Judge Vincent A. Bifferato\*  
President Judge Henry du Pont Ridgely  
Associate Judge Richard S. Gebelein  
Resident Judge William Swain Lee\*\*

#### *Middle (left to right)*

Associate Judge Charles H. Toliver, IV  
Associate Judge Jerome O. Herlihy  
Associate Judge Susan C. Del Pesco  
Associate Judge William T. Quillen  
Associate Judge Norman A. Barron  
Resident Judge T. Henley Graves  
Associate Judge Carl Goldstein

#### *Back (left to right)*

Associate Judge William L. Witham, Jr.  
Associate Judge William C. Carpenter, Jr.  
Resident Judge Richard R. Cooch  
Associate Judge Haile L. Alford  
Associate Judge Fred S. Silverman  
Resident Judge James T. Vaughn, Jr.  
Associate Judge Richard F. Stokes

\*Judge Richard R. Cooch succeeded Judge Vincent A. Bifferato as Resident Judge as of May 10, 2000.

\*\*Judge E. Scott Bradley succeeded Judge William Swain Lee as of April 7, 2000.

## Family Court

Every organization in order to move forward requires a plan. In January 2000, Family Court welcomed the Twenty-First century with the publication of its plan in the form of the Family Court Performance Standards. Modeled after the Trial Court Performance Standards which have been endorsed by numerous national legal and judicial associations and by courts throughout the country, the Family Court Performance Standards are focused on the unique jurisdiction of the family courts as we address issues related to children and families, victims of domestic violence and victims of juvenile crime.

These standards represent points of reference against which we will begin to measure our responsibility to serve the citizens of our State. It is against the backdrop of these standards that we will:

- Build new programs such as those designed to address children in placement or to serve the needs of self represented litigants.
- Analyze processes to ensure that every case is heard as expeditiously as possible but never at the expense of the rule of justice and fairness.
- Ask the public to better understand our responsibilities and the work we do.

Since publication, the Family Court Performance Standards have received national attention and have become a part of the National Center for State Court's training regimen that is offered to

the courts throughout this country and other nations. Indeed, the Family Court Performance Standards have permitted Delaware to set the example of how a family court should work and how its performance should be perceived. We have set the bar high for Delaware's Family Court. The citizens of our State deserve and should expect nothing less.

Beyond the publication of these standards but in keeping with them, the Court made substantial progress in the realization of its goals in FY2000 particularly in three specific areas, namely, case processing improvements, the provision of services for the self represented, and the institution of enhanced judicial management of key caseloads.

**Case Processing:** The Criminal Case Management System (CMS) was implemented in February, 2000. This system served to eliminate many of the paper related processes and focused on reducing delays at the earliest hearing stages. Combined with the establishment of a corps of criminal case managers, the management of criminal cases in Family Court made several strides toward improving the timeliness of its actions.

On the civil side, several modifications to the FAMIS system will continue to allow us to better track information on our cases, the litigants, and all participants. Components of our civil information

*(continued on next page)*



**Vincent J. Popplitt**  
Chief Judge

With the help of our judges, commissioners, administrative team and staff, we have made strides to determine our direction as we commence the new century.

### FISCAL YEAR 2000 TOTAL CASES - CASeload SUMMARY

	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
New Castle	7,715	34,709	36,464	5,960	-1,755	-22.7%
Kent	1,880	10,687	10,294	2,273	+393	+20.9%
Sussex	2,980	11,880	11,757	3,103	+123	+4.1%
<b>STATE</b>	<b>12,575</b>	<b>57,276</b>	<b>58,515</b>	<b>11,336</b>	<b>-1,239</b>	<b>-9.9%</b>

## Family Court

system have been the focus of several national conferences on family courts in the past six months.

**Services for the Self Represented:** Throughout the year, the Court has spent numerous hours meeting with representatives throughout the legal community to develop a process designed to assist the 72% of the litigants who elect to represent themselves. Our Family Court Resource Centers should be operative in Kent and Sussex Counties by the end of the fiscal year. Key components of the program include easily understood written materials, expanded Internet capabilities, assistance to indigents, and the availability of limited representation for those who seek it.

**Caseload Management:** Beginning in Sussex County, the Court is moving toward the Statewide implementation of the recommendations of the Court Improvement Project dealing with children in placement. Central to this effort is the hands on management of this caseload by the assigned judge. The management of those cases by the judge results in clear expectations being established for all parties, and hearings being scheduled at specified intervals with target dates for permanency determinations. The ultimate beneficiaries of this intensive judicial case management will be the children who will receive the undivided attention of the Court.

With the help of our judges, commissioners, administrative team and staff, we have made strides to determine our direction as we commence the new century. I am confident that we will continue to do better tomorrow than we are doing today in discharging the special public trust that we hold.



### Family Court

*Seated (left to right)* Associate Judge Aida Waserstein, Associate Judge Kenneth M. Millman, Chief Judge Vincent J. Poppiti, Associate Judge Peggy L. Ableman, Associate Judge Jay H. Conner

*Standing (left to right)* Associate Judge Alison Whitmer Tumas, Associate Judge Mark D. Buckworth, Associate Judge William N. Nicholas, Associate Judge Peter B. Jones, Associate Judge William L. Chapman, Jr., Associate Judge Chandlee Johnson Kuhn, Associate Judge Barbara D. Crowell, Associate Judge William J. Walls, Jr.

*Not pictured:* Associate Judge Mardi F. Pyott

### Judicial Branch Employee of the Year: *Mitzi Boddy*

Congratulations to Mitzi Boddy, the 1999 recipient of the Judicial Branch Employee of the Year Award. Mitzi is the Sussex County Prothonotary for Superior Court. Ms. Boddy was nominated by the Superior Court for her leadership and personal contribution to the Automated Sentencing Order Project (ASOP). Her tireless effort on this important project has benefited not only the Superior Court and criminal justice agencies but also other Delaware courts.

Her work on ASOP is only one example of her dedication to the administration of justice. According to Chief Justice E. Norman Veasey, "Mitzi's leadership on total quality management initiatives within Superior Court also reflects her commitment to the principles of service to the citizens of Delaware, and has motivated others to help assure the mission of the court system is carried out."

Since Fiscal Year 1991, the Judicial Branch Employee of the Year award has been presented annually to one staff member selected for his or her outstanding public service. Chief Justice Veasey presented Mitzi with the award at an annual dinner held in May 2000. Congratulations and thanks to Mitzi for your enthusiastic hard work.



## Court of Common Pleas

This was another year of growth for the Court of Common Pleas. Judges and staff were added, and the caseload increased making the Court busier than ever before.

On April 28, 2000, the Court welcomed a new Judge for Sussex County, the Honorable Kenneth S. Clark, Jr. He is the first Native American to hold a judgeship in the State of Delaware. His appointment brought the total number of judges serving in the Court Statewide to eight.

On May 1, 2000, Judge Alfred Fraczkowski, formerly Chief Judge of the Municipal Court, retired from the Court of Common Pleas after 31 years of service in the Delaware Judiciary. Judge Fraczkowski joined the Court of Common Pleas upon the merger with the Municipal Court in 1998.

The Strategic Planning Committee has begun compiling an Employee Policies and Procedures Manual for all employees. This project will be a work in progress.

After a year and a half, a long awaited reclassification project for Court clerical staff was finally approved. A number of our staff were reclassified bringing them into line with other courts in title and pay for the same jobs performed. At present, the State Personnel Office is working with the courts to combine job descriptions across the board. This is an important first step in the development of a career

ladder for our clerk positions.

Another exciting initiative for the Court is the Drug Diversion Program, a court-supervised, comprehensive program for non-violent offenders. This is a voluntary program that includes regular court appearances before a Judge, participation in substance abuse education, regular drug testing, and, if necessary, treatment. Fiscal Year 2000 saw 392 people go through the program, with a success rate of 83%. A federally funded grant awarded to the University of Pennsylvania is currently studying the role of Judicial Status hearings in the drug court in the Court of Common Pleas. This is the first study of this nature in the nation.

The Court of Common Pleas is preparing to institute a Mediation Program (dispute resolution) with federal funding through the Criminal Justice Council. Cases eligible for mediation will be identified at or before arraignment and referred to trained mediators. The three-year program will provide a viable alternative to criminal prosecution in certain cases and is expected to aid the Court in reducing some of its large backlog of criminal cases. The Delaware Center for Justice and the Center of Community Justice will assist the Court with this program.



**Alex J. Smalls**  
Chief Judge

An exciting initiative for the Court is the Drug Diversion Program, a court-supervised, comprehensive program for non-violent offenders. This is a voluntary program that includes regular court appearances before a Judge, participation in substance abuse education, regular drug testing, and treatment.



FISCAL YEAR 2000 TOTAL CASES - CASeload SUMMARY						
	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
New Castle	23,581	38,861	34,660	27,782	+4,201	+17.8%
Kent	5,174	17,150	17,018	5,306	+132	+2.6%
Sussex	5,786	22,636	21,530	6,892	+1,106	+19.1%
<b>STATE</b>	<b>34,541</b>	<b>78,647</b>	<b>73,208</b>	<b>39,980</b>	<b>+5,439</b>	<b>+15.7%</b>

## Court of Common Pleas



### Court of Common Pleas

#### *Seated (left to right)*

Judge Merrill C. Trader

Chief Judge Alex J. Smalls

Judge William C. Bradley, Jr.

#### *Standing (left to right)*

Judge Kenneth S. Clark, Jr.

Judge Rosemary B. Beauregard

Judge Jay Paul James

Judge John K. Welch

### CONTINUING JUDICIAL EDUCATION



Through the Continuing Judicial Education Program administered by the Administrative Office of the Courts, the judiciary continued the practice of attending education programs on both national and local levels.

The judiciary met in September 1999 in Rehoboth for a two-day program entitled "Advanced Judicial Writing" featuring Bryan Garner, Esquire, a nationally prominent speaker from Dallas, Texas. In March 2000, the judiciary met at the Buena Vista State Conference Center to discuss "Our Newest Customer: The *Pro-Se* Litigant". These litigants have caused a dramatic increase in the courts' workload. Charisse Hutton, Esquire, Director of the New Britain, Connecticut Court Service Center, spoke on issues relating to operations of a *pro se* center. The judiciary also received updates on deferred compensation by State Treasurer Jack Markell and judicial pensions by Pension Administrator David Craik.

The annual Bench and Bar Conference was held June 7, 2000 at the Wyndham Plaza Hotel in Wilmington. The educational program included

*Multi-Disciplinary Practice* with Steven C. Krane, Esquire, President-Elect of the New York State Bar Association; *Ethics 2000* with Chief Justice E. Norman Veasey and Larry J. Fox, Esquire; *Civil Trials: Judge or Jury?* with Professor Neil Vidmar and Judge John E. Babiarz, Jr.; *Civil Jury Trials – The Proposed 5th/6th Constitution Amendment* with Barry I. Guerke, Esquire, Robert B. Young, Esquire and Professor Valerie Hans; and the *Advantage of Delaware as the Situs of a Trust* with Richard W. Nenno, Esquire and Thomas R. Pulsifer, Esquire.

In October 1999, Chief Justice E. Norman Veasey was a featured speaker at the National Symposium on the Future of Judicial Branch Education in St. Louis, Missouri. The Chief Justice noted the importance of educating not only the judiciary but court staff as well and challenged the audience to explore different types of learning methods such as distance learning. Following the Symposium, Franny Maguire, Judicial Educator in the Administrative Office of the Courts, was installed as President of the National Association of State Judicial Educators.

## Justice of the Peace Court

**Justice of the Peace Court Webpage.** Fiscal year 2000 brought the inauguration of the Justice of the Peace Court's webpage, <http://courts.state.de.us/jpcourt/>, which provides information about court procedures, the court generally, locations of court sites, and copies of court forms, the Chief Magistrate's legal memoranda and policy directives, and the Court's rules, including its new civil rules, which became effective on July 15, 2000.

**Continuing Legal Education for Judges.** Continuing legal education topics in FY 00 for the judges included the Court's new civil rules, probable cause, driving under the influence, ethics, and domestic violence. In addition, judges who serve as instructors in the Court's Basic Legal Education (BLE) program attended a two day train the trainer program, in conjunction with the redesigning of the BLE program to enhance the Court's ability to provide training to new judges. Twenty-eight of 57 judges presently sitting, or 50%, have completed the BLE program.

**Strategic Planning Highlights.** Other FY 00 Justice of the Peace Court highlights included the successful implementation of the civil case management program in the fall of 1999 (alleviating the frustrations associated with tracking and processing cases by hand), substantial efforts toward the establishment of a clerical career ladder, implementation of the

Court's records retention program, and other initiatives to implement recommendations of the National Center for State Courts study. For example, modifications to procedures for the Voluntary Assessment Center (VAC), the Court's mail-in traffic fine center, have helped reduce processing delays at the VAC, even given the VAC's dramatic caseload increase in FY 00. In addition, the Court has received a grant from the First State Quality Improvement Fund to conduct a staffing standards analysis for the civil courts, similar to the one performed for the JP criminal courts in FY 99.

**Increases in Case Filings.** Even considering efficiencies gained through civil automation and other strategic efforts, the Court continues to struggle to manage its burgeoning caseload. Its total case filings increased from 371,450 in FY 99 to 406,488 in FY 00, with the most significant increases occurring in New Castle County criminal courts (an additional 15,710 cases, or a 14% increase from last year), in Sussex County criminal courts (an additional 4,881 cases, or up 8% from last year) and in the Voluntary Assessment Center (an additional 14,782 cases, or up 11% from last year). This year's increase, when considered in conjunction with last year's increase, represents a 34% increase between FY 98 and FY 00 – or 94,813 additional case filings in FY 00

*(continued on next page)*



**Patricia Walther Griffin**  
Chief Magistrate

Justice of the Peace Court highlights included the successful implementation of the civil case management program, substantial efforts towards the establishment of a clerical career ladder, and implementation of the Court's records retention program.

### FISCAL YEAR 2000 TOTAL CASES – CASELOAD SUMMARY

	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
Criminal	38,152	376,895	380,354	34,693	-3,459	-9.1%
Civil	7,334	29,729	31,150	5,913	-1,421	-19.4%
<b>STATE</b>	<b>45,486</b>	<b>406,624</b>	<b>411,504</b>	<b>40,606</b>	<b>-4,880</b>	<b>-10.7%</b>

## Justice of the Peace Court

as compared to FY 98 total case filings.

**Capias Processing – Time Savings for Law Enforcement and Litigants.** In considering ways to manage its caseload, the Court has looked at using videophone access to obtain a more equitable distribution of workload (using a videophone to direct arraignments and warrant processing to less overloaded JP Courts) and other methods to enhance its effectiveness. Another redistribution of workload, or the Court's change in policy which permitted JP Courts to handle other JP Courts' capiases, has continued to allow significant time savings for law enforcement, corrections and defendants by reducing travel time between courts. Prior to this policy, the police or correctional officer were required to transport a defendant to each JP Court in which the defendant had an outstanding capias; now, the first Court where the defendant is taken or appears through the use of the videophone usually handles all pending capiases. In FY 00, 6,243 JP Court capiases have been handled by courts other than the originating JP Court, saving thousands of hours of officers' travel time. The Court also handled 10,400 Court of Common Pleas capiases, 2,524 Family Court capiases, and 2,876 Superior Court capiases.

**Justice of the Peace Court Award for Outstanding Judicial Service.** The Honorable Bonita Lee was selected to receive the first annual Chief Justice's Award for Outstanding Judicial Service for the Justice of the Peace Court. This award was established by the Chief Justice to recognize Justices of the Peace who demonstrate outstanding judicial service, including demonstrated professionalism, sensitivity to litigants, witnesses, jurors and colleagues, strong work ethic, legal, analytical and writing skills, and teamwork. Judge Lee has served as Deputy Chief Magistrate for New Castle County since July 1998, and joined the Justice of the Peace Court in October 1990. She is committed to the highest professional standards and was recognized for her dignified and gracious presence, calming influence on litigants and fellow judges, impressive analytical and problem solving skills, and ability to manage a demanding administrative workload (court assignments and scheduling of 28 judges and 8 courts), along with her

judicial duties.

**Justice of the Peace Court Employee of the Year.** Willard Irwin, Justice of the Peace Court Clerk at Justice of the Peace Court No. 7 in Dover, was named Justice of the Peace Court 1999 Employee of the Year for his exceptional accomplishment, initiative and long and outstanding State service. Since beginning his commitment to serving the public, especially during his tenure as the midnight to 8 a.m. clerk in Dover, Will has demonstrated loyalty, perseverance, and has skillfully and courteously handled all court customers.



### DELAWARE JUDGESHIPS

- Justice Maurice A. Harthen, III retired as a Justice of the Supreme Court on June 30, 2000.
- Sussex County Resident Judge William Swain Lee retired from the Superior Court on November 13, 1999.
- Sussex County Resident Judge T. Henley Graves took the oath of office as a Resident Judge for the Superior Court on January 19, 2000.
- New Castle County Resident Judge Vincent A. Bifferato retired from the Superior Court on March 1, 2000.
- Associate Judge E. Scott Bradley took the oath of office as a Superior Court Judge on April 7, 2000.
- New Castle County Resident Judge Richard R. Cooch took the oath of office as a Resident Judge of the Superior Court on May 10, 2000.
- Associate Judge Mardi F. Pyott took the oath of office as a Family Court Judge on March 31, 2000.
- Judge Alfred Fraczkowski retired from the Court of Common Pleas on April 28, 2000.
- Judge Kenneth S. Clark, Jr. took the oath of office as a Court of Common Pleas Judge on April 28, 2000.

## Justice of the Peace Court



### NEW CASTLE COUNTY

#### *Seated from left:*

Judge Wayne Hanby  
Judge Vernon Taylor  
Judge Nancy Roberts  
Judge Linda Gray  
Judge Rosalie Rutkowski  
Judge Katharine Ross  
Judge Marie Page

Judge Bonita Lee  
(Deputy Chief Magistrate)  
Judge Roberto Lopez

#### *Standing from left:*

Judge Paul Smith  
Judge James Tull  
Judge Kathleen Lucas  
Judge Clarence Bennett

Judge Roger Barton  
Judge Rosalind Toulson  
Judge Sean McCormack  
Judge Joseph Schiavi  
Judge Thomas Cole  
Judge David Skelley  
Judge Thomas Kenney  
Judge William Moser

Judge Laurence Fitchett,  
Judge Marilyn Letts  
Judge Thomas Brown  
*Not pictured:*  
Judge Robert Armstrong  
Judge Stanley Petraschuk  
Judge Edward Poling



### SUSSEX COUNTY

#### *Seated from left:*

Judge Jeni Coffelt  
Judge Marcealeate Ruffin  
Judge Sheila Blakely  
(Deputy Chief Magistrate)  
Judge Edward Davis  
Judge John O'Bier  
Judge William Brittingham  
Judge Margaret Barrett

#### *Standing from left:*

Judge John McKenzie  
Judge William Boddy  
Judge Richard Comly  
Judge John Martin  
Judge Joseph Melson  
Judge Howard William Mulvaney  
Judge Herman Hagan  
Judge William Hopkins  
Judge John Hudson  
Judge William Patrick Wood

#### *Not pictured:*

Judge Jana Mollohan  
Judge Terry Smith



### KENT COUNTY

#### *From left:*

Judge Charles Stump  
(Deputy Chief Magistrate)  
Judge Harvey Leighty  
Judge Margaret Barrett,  
Judge Frederick Dewey  
Judge Russell Rash

#### *Not pictured:*

Judge Ernst Arndt  
Judge Karen Bundeck  
Judge Fred Lord  
Judge James Murray  
Judge Ellis Parrott  
Judge Agnes Pennella  
Judge Robert Wall

## Alderman's Court

FISCAL YEAR 2000 TOTAL CASES COST/LOAD SUMMARY						
	Pending 6/30/99	Filings	Dispositions	Pending 6/30/00	Change in Pending	% Change in Pending
<b>NEW CASTLE</b>						
Newark	5,243	9,147	9,399	4,991	-252	-4.8%
Newport	N/A	N/A	N/A	N/A	N/A	N/A
<b>SUSSEX COUNTY</b>						
Bethany Beach	N/A	N/A	N/A	N/A	N/A	N/A
Delmar	579	830	1,021	388	-191	-33.0%
Dewey Beach	0	1,358	1,358	0	0	—
Laurel	272	2,102	2,098	276	+4	+1.5%
Ocean View	0	0	0	0	0	—
Rehoboth Beach	193	1,241	1,092	342	+149	+77.2%
<b>STATE</b>	<b>6,287</b>	<b>14,678</b>	<b>14,968</b>	<b>5,997</b>	<b>-290</b>	<b>-4.6%</b>

\*The unit of count for criminal and traffic cases is the charge. For example, a defendant with three charges disposed of is counted as three dispositions.

Alderman Harold Britton Barber, *Bethany Beach*  
 Alderman Francis J. Pryal, *Bethany Beach*  
 Alderman David B. Striegel, *Delmar*  
 Sr. Alderman Marvin Guberman, *Dewey Beach*  
 Assistant Alderman Roger Mallet, *Dewey Beach*  
 Alderman Paul H. Sheridan, *Laurel*

Chief Alderman Loreto P. Rufo, *Newark*  
 Assistant Alderman Robert P. Welshmer, *Newark*  
 Alderman Joyce Nolan, *Newport*  
 Assistant Alderman Barry Newstadt, *Newport*  
 Alderman Melanie Buchanan Nooney, *Ocean View*  
 Alderman Michael J. DeFiore, *Rehoboth Beach*

### CHIEF JUSTICE'S AWARDED FOR OUTSTANDING JUDICIAL SERVICE JUDGE JEROME O. HERLIHY

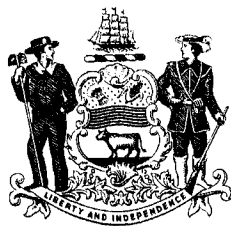
Chief Justice E. Norman Veasey presented the Fifth Annual Chief Justice's Award for Outstanding Judicial Service to Judge Jerome O. Herlihy of the Superior Court at a meeting of the Delaware Judicial Conference on September 30, 1999.

Judge William T. Quillen and Judge William C. Carpenter, Jr. nominated Judge Herlihy citing Judge Herlihy's conscientious performance of his judicial duties and his dedication to true case progress. Judge Herlihy is particularly distinguished for his effectiveness in helping to create the nationally prominent Drug Court, in reforming the Superior Court's work to establish a sharing of civil and criminal responsibilities, in

rewriting the criminal jury instructions, and in keeping his colleagues current on pending and recently enacted legislation.

The Chief Justice also noted Judge Herlihy's leadership in a number of administrative areas, including his current role as Chair of the Automated Sentence Order Committee, which is striving to change the sentencing process in all the criminal courts in Delaware. The Chief Justice echoed the sentiments of Judge Quillen by saying, "In an era of specialization, he is a true Superior Court Judge of the old school—he does it all. Judge Herlihy is a tireless constant in the push for excellence in the Judiciary."





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