

ADMINISTRATIVE DIRECTIVE NO. 89

This 4th day of February 1993,

IT APPEARING THAT:

(1) The various trial courts of the Delaware Judiciary have long used different statistical standards and definitions in the collection and reporting of caseload data which are distributed for review both within and without the court system;

(2) The inconsistency in the manner in which caseload data are used for analysis and planning of activity within the Delaware Judiciary continues at the present time;

(3) The different methods used by the various courts in counting caseload activity on an inter-court and intra-court basis have limited the usefulness and value of the data collected;

(4) The use of uniform statistical standards and definitions would serve to enhance the Judiciary's ability to formulate and evaluate accurately and effectively caseload trends and projections;

(5) The National Center for State Courts has long encouraged the use of uniform statistical standards and related reporting guidelines.

For the reasons stated above, it is incumbent upon all state courts to report their respective caseload activities in a uniform and consistent manner.

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

(1) Effective July 1, 1993, all courts within the Delaware court system shall use the Uniform Court Statistical Definitions which are attached hereto in measuring and reporting caseload activity.

(2) The Administrative Office of the Courts shall reconvene the Uniform Court Statistical Standards Committee for the purpose of implementing this Administrative Directive.

(3) The Administrative Office of the Courts, in consultation with the Uniform Court Statistical Standards Committee, shall establish such uniform statistical reporting standards and reporting forms as are necessary to assure compliance with this Administrative Directive.

(4) The list of Uniform Court Statistical Definitions attached hereto may be amended by the Chief Justice.

E. Norman Veasey
CHIEF JUSTICE

cc: Judicial Conference
Administrative Office of the Courts

Court Administrators
Clerk of the Supreme Court

UNIFORM COURT STATISTICAL DEFINITIONS

MATTER(S) - The issue or issues brought before the court for disposition. A civil case may be comprised of multiple matters. For example divorce, custody and support are matters that may be brought as a single case.

CHARGE - The specific violation of criminal law attributed to an individual, as officially recorded.

DEFENDANT - A person or legal entity required to answer an accusation in a criminal case or a complaint in a civil case. A defendant is counted when the formal accusation is entered into the court record and remains until the prosecution is withdrawn or dismissed or there is a final judgment pronounced by the court or the matter is otherwise removed from the court's jurisdiction.

COURT FILING - The initiation of a court case by formal submission of a document which sets forth the basis for the accusation along with the request for the issuance of legal process.

PENDING - The status of a court case prior to its disposition by the court in which it has been filed. A criminal or civil case which has been disposed of by the court but remains within its jurisdiction is not considered to be pending.

NON-TRIABLE PENDING - The status of a court case which is not able to be tried for reasons beyond the court's control. For example, a criminal case is considered to be non-triable while a defendant is the subject of an outstanding capias or arrest warrant. A civil matter is considered to be non-triable until service is made upon all defendants.

TRIABLE PENDING - The status of a court case which can be tried. A criminal case is considered triable when there has been an apprehension of a defendant. A civil case is considered triable once service is made upon all defendants and all responsive pleadings are filed.

COURT CASE - An individual defendant or other legal entity called upon to answer a charge or group of consolidated charges, a matter or group of consolidated matters or cause of action, which is presented to a court in a proper legal document for disposition of the issue or issues involved. A criminal case will have only one defendant while a civil case may have one or more defendants. Hearings for violations of probation and motions for post trial relief presented to trial courts are not considered new court cases. A contempt of court charge, which may be based upon a previously disposed of court case, is counted as a new court case.

COURT CASELOAD - The number of cases processed by the court during a given period. Caseload measures include: the number of court cases pending at the beginning of the period, the number of new court cases filed with the court during the period, the number of court cases disposed of during the period, and the number of court cases pending at the end of the period.

CASE DISPOSITION - The termination of a court case by transfer, consolidation, withdrawal, dismissal, a finding or verdict of not guilty, the imposition of a criminal sentence, or the issuance of a final order or opinion.