

ADMINISTRATIVE DIRECTIVE NO. 92

This 21st day of December, 1993,

IT APPEARING THAT:

(1) The various courts of this State have long used different standards and definitions in the maintenance of court dockets with a resulting lack of consistency and uniformity;

(2) A Docketing Standards Committee, appointed by Chief Justice Andrew D. Christie, comprised of judges and administrative personnel of the various courts has surveyed current docket practices and has concluded that specific standards and definitions should be adopted on a uniform basis for use through the Delaware court system;

(3) The purpose of this Directive is to establish uniform docketing standards which shall be adhered to by all courts within the State of Delaware. The promulgation of these standards is to promote uniformity and efficiency within the court system and is not intended to enlarge or diminish the legal rights of litigants.

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

(1) Effective January 1, 1994, all courts within the Delaware court system shall establish procedures to maintain their respective dockets in conformity with the attached "Action Docket Standards." In order to ensure an orderly transition process, each court may avail itself of an implementation period not to exceed ninety days

(2) Each Chief Judge shall ensure the implementation of and adherence to these standards.

(3) The Municipal Court of the City of Wilmington shall adhere to these standards to the extent feasible within budgetary limitations.

E. Norman Veasey
CHIEF JUSTICE

xc: Honorable Henry R. Horsey
Honorable Andrew G. T. Moore, II
Honorable Joseph T. Walsh
Honorable Randy J. Holland
Judicial Conference
Administrative Office of the Courts
Court Administrators
Clerk of the Supreme Court

ACTION DOCKET STANDARDS

STANDARD I. EACH COURT SHALL MAINTAIN A STANDARD ACTION DOCKET.

An action docket is defined as a fully captioned chronological list of every permanent record, all major events, and each judicial action pertaining to the procedures executed or employed during the processing of a civil or criminal action.

STANDARD II. EACH COURT SHALL ADHERE TO A STANDARD CHRONOLOGY FOR AN ACTION DOCKET FOR THE LISTING OF ALL PERMANENT RECORDS, MAJOR EVENTS, AND JUDICIAL ACTIONS ARRANGED IN ORDER OF TIME OF OCCURRENCE.

A. Every permanent record filed with a court shall be entered on the action docket by the filing date, which is defined as the date the document was filed; i.e. the clock-in date. Every appealable judgment or order shall be entered on the docket on the same date that the order is signed. Each permanent record shall appear on the action docket in chronological order with major events and judicial actions.

B. All major events shall be entered on the action docket by the event date, which is defined as the date the event took place. Each major event shall appear in chronological order with permanent records and judicial actions.

C. Each judicial action shall be entered on the action docket by the action date, which is defined as the date the action took place. Every appealable judgment or order must be entered on the action docket on the same date that the order is signed. Each judicial action shall appear in chronological order with permanent records and major events.

STANDARD III. EACH COURT SHALL ADHERE TO A STANDARD ACTION DOCKET FORMAT CONTAINING BOTH A STANDARD CAPTION AND A STANDARD FORM OF DOCKET ENTRY.

A. The action docket caption for each civil action or criminal action case shall contain the following information:

1. The name of the court and its venue
2. The type of matter or matters
3. The case number
4. The name or names of the plaintiff or petitioner
5. The name or names of the plaintiff's attorney
6. The name or names of the defendant or respondent
7. The name or names of the defendant's attorney

8. The filing date of the initial document which causes the creation of the civil or criminal action.

B. The action docket entries for each civil or criminal action shall contain the following information:

1. The docket entry number
2. The docket entry date which is defined as the date that information or data is actually entered on the action docket
3. The abstract descriptive entry
4. The date of the filing or the event or the action.

STANDARD IV. EACH COURT SHALL ADHERE TO STANDARD IDENTIFICATIONS AND DESCRIPTIONS FOR DOCKET ENTRIES.

A. Every permanent record shall be identified by a brief notation of the nature of the document filed or the substance of the document created.

B. Permanent records are public records as defined in Title 29 Delaware Code Sections 501 and 502 and must include, but are not limited to, pleadings and judicial decisions, such as orders, opinions, and mandates. A permanent record also includes each document or record filed with or created by any state court and identified by that court for permanent preservation by microfilming or some other approved archival medium. Each court shall adhere to retention and disposition schedule for permanent records as approved by the state Bureau of Archives and Records Management as required by Title 29 Delaware Code Section 524.

C. Permanent records shall be maintained in accordance with the following format: (1) Every pleading by a party must be identified. If there are multiple parties or multiple attorneys, the individual's name must be used. (2) Each judicial decision document must identify the judicial officer by surname only, followed by "C. J." for the Chief Justice or a Chief Judge; "C" for Chancellor and "V.C." for Vice Chancellor; "P.J." for the President Judge; or "J" for Judge or Justice, or "M" for Master, as appropriate.

D. The notation for permanent record entries shall consist of the required identifiers followed by a brief statement of the essential part of the record or document sufficient to identify its nature or substance. Examples include the following: complaint, answer, reply to a counterclaim, answer to a cross-claim, a third party complaint, petition; motion to amend, motion to dismiss, motion for reargument, rule to show cause; judgment, order, decision, opinion, mandate, verdict.

Preliminary or covering documents, such as a Notice of Motion or a transmittal letter, are NOT permanent records and shall NOT be included as part of the docket entry notation.

All decision document entries for judicial actions, such as orders and opinions, shall include the surname of the judge or master and the essential part of the decision; i.e. affirmed,

denied, judgment for plaintiff, granted, reversed and remanded, etc.

E. All major events shall be identified by a brief notation describing the event. Major events are all steps, connected incidents or proceedings from first proceeding to the final result. Major events include, but are not limited to, arraignments, oral arguments, office conferences resulting in a disposition or an order, pre-trial conferences, jury trials, non-jury trials, hearings.

The notation for major entries shall consist of a brief statement identifying the type of event, the judge or master involved, and the result of the event.

F. Each judicial action shall be identified by a brief notation describing the action. Each judicial action is defined as each decision or judgment of a court upon a cause by determining what shall be adjudged or decreed. Judicial actions include, but are not limited to, decisions on permanent records, decisions on major events, or decisions on any court cause or issue, such as: directing attorneys to issue memoranda of law; or annotating any document with "So Ordered," the date signed, and the signature of a judge or a master.

The notation for judicial action entries shall consist of a brief statement identifying the issue or subject matter of controversy and the judge or master involved.