

ADMINISTRATIVE DIRECTIVE NO. 114

This 13th day of January, 1998,

IT APPEARS THAT:

(1) The normal budgetary practice is that the Chief Justice, after giving full consideration to the requests of various courts and judicial agencies, presents an annual systemwide judicial budget request to both the Executive and Legislative Branches of government.

(2) Past experience indicates that both the Executive and Legislative Branches often consider the "picking up" of previously-funded grants, especially those involving positions and the incumbents, a priority in the annual state budget process.

(3) This practice may create problems for the state in future years when federal funding ceases.

NOW, THEREFORE, IT IS DIRECTED, with the unanimous approval of the Justices of the Supreme Court (pursuant to Delaware Constitution, art. IV, §13) that:

(A) Effective February 1, 1998, any court or judicial agency contemplating the submission of a request for funds to initiate or supplement an existing program, shall at the earliest practicable time, advise the Director of the Administrative Office of the Courts of the intention of such court or agency to make application for a program and related funding. The Director shall review and evaluate all proposals and provide the Chief Justice, and the requesting court or agency, with a preliminary recommendation as to the proposed project.

(B) Recognizing that in certain instances there is little or no time for an internal review and approval process, a court or agency may submit an application under exigent circumstances with a copy concurrently being sent to the Director for review and evaluation.

(C) The Director shall make a recommendation to the Chief Justice as to the appropriateness of all applications. This recommendation shall inform the Chief Justice of the merits of the application as well as any potential liabilities that might be associated with the acceptance of funds from sources outside of the annual state budget process.

(D) The Director shall review all applications with a view to their consistency with the overall budget priorities and policies of the Judicial Branch of government.

(E) In all cases where a court or agency is notified that an application for funding has been approved or recommended for funding, a notice shall be sent to the Director. The Director shall make a recommendation to the Chief Justice, who shall have the final review and approval over the acceptance of all grants.

(F) Administrative Directive No. 46 is hereby rescinded.

DELAWARE SUPREME COURT

E. Norman Veasey
CHIEF JUSTICE

cc: The Honorable Joseph T. Walsh
The Honorable Randy J. Holland
The Honorable Maurice A. Hartnett, III
The Honorable Carolyn Berger
Members of the Judicial Conference
Lowell L. Groundland
Court Administrators
Clerk of Supreme Court