

Delaware Supreme Court Adopts Special Rule of Criminal Procedure for Pretrial Release

By order dated February 28, 2022 the Delaware Supreme Court has replaced the Interim Special Rule of Criminal Procedure for Pretrial Release, originally adopted on December 13, 2018, with the Special Rule of Criminal Procedure for Pretrial Release.

Since adoption of the Interim Special Rule, a Committee composed of representatives of the Superior Court, the Family Court, the Court of Common Pleas, the Justice of the Peace Court, the Administrative Office of the Courts, the Department of Justice, the Office of Defense Services, DELJIS, and other stakeholders have conferred regularly about how the rule was working and whether any amendments were necessary. After extensive review and analysis of the issues surrounding implementation of the Interim Special Rule, the Committee submitted to the Supreme Court, a set of revisions to the Interim Special Rule to incorporate more recent legislative changes, afford greater consideration to the unique circumstances involved in domestic violence cases, and significantly streamline the Interim Special Rule.

The Supreme Court and the presiding judges of the Superior Court, the Family Court, the Court of Common Pleas, and the Justice of the Peace Court agreed that the Interim Special Rule should be replaced with the Special Rule of Criminal Procedure for Pretrial Release.

The Special Rule of Criminal Procedure for Pretrial Release will go into effect on April 4, 2022.

The Special Rule of Criminal Procedure for Pretrial Release is available on the [Court's website](#).