

Delaware Supreme Court Amends Delaware Supreme Court Rules 7, 9, 20, 26, 26.1, and 93

By an order dated June 14, 2021 and effective July 6, 2021, the Delaware Supreme Court has amended Rules 7, 9, 20, 26, 26.1, and 93.

Rule 7(d) was amended to conform the rule to the Court's practices regarding the use of pseudonyms.

Rule 9(bb) was amended to clarify when and how a third party may apply for the unsealing of a court document or record. The rule was also amended to provide that the Court could direct the trial court to rule upon the application.

Rules 20, 26, and 26.1 were amended to clarify the timing of applications for the recovery of fees incurred on appeal. Under amended Rule 20(f), which governs frivolous appeals, an appellee must file a motion to recover costs and reasonable expenses, including attorneys' fees, by the deadline for the filing of the reply brief. Under amended Rules 26 and 26.1, which govern appeals in criminal, juvenile delinquency, and termination of parental right cases, appointed counsel must file their fee applications within 90 days after issuance of the Court's mandate.

Rule 93 was amended to make minor alterations to the responsibilities of the Supreme Court Rules Committee.

The rule amendments are available on the [Court's website](#).

If you have any questions, please contact Karlis P. Johnson, Supreme Court Administrator, at karlis.johnson@delaware.gov or (302) 651-3906.