

Amendments to Delaware Superior Court Criminal Rule 16 Related to Discovery in Criminal Cases.

The Delaware Superior Court has overhauled its Criminal Rule 16 to set forth new requirements and procedures for discovery in criminal cases.

The final version of this rule is the result of years-long effort by several working committees that have studied Delaware's current discovery rules and procedures, those of other states, and best practices suggested by treatises and academia. Each of those committees sought to craft rules and procedures that fostered the exchange of information between the State and Defense at the earliest possible stage in a case, while ensuring to public safety and respecting victims and witnesses' security, dignity and privacy.

The final product represents a substantive re-write of Superior Court's Criminal Rule 16. In turn, the order adopting what is, in effect, a new Criminal Rule 16 strikes the entirety of the existing rule and adopts the new version.

To give those affected by this rule change an opportunity to institute the required revised procedures, new Rule 16 will become effective and applicable to all cases accepted by the Superior Court on or after September 1, 2023.

Superior Court Criminal Rule 16 is on the [Rules of the Delaware State Courts website](#).