

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

**IN RE: POLICY, TIME STANDARDS,)
AND PROCEDURES RELATING TO)
CRIMINAL CASE DISPOSITION)**

CRIMINAL ADMINISTRATIVE ORDER

This 28th day of March, 2000.

This Criminal Administrative Order of the Superior Court is adopted to promote the just, speedy and efficient determination of criminal actions in the Superior Court of the State of Delaware.

IT IS ORDERED:

' **1. Statement of Policy**

From the commencement of a criminal prosecution to its conclusion by adjudication or otherwise, any elapsed time other than reasonably required for pleadings, discovery, and Court events is unacceptable and should be eliminated. To enable just and efficient resolution of cases, the Superior Court, not counsel or the litigants, shall control the pace of litigation. Counsel for the State and the defendant have a responsibility as officers of the Court to eliminate unnecessary delay consistent with their ethical obligations to their clients.

' **2. Applicability**

The procedures provided hereinafter or in the Criminal Case Management Plan for each County shall apply to all criminal cases in which trial is available in the Superior Court of Delaware.

' **3. Time Standards for Criminal Case Disposition**

The time standards for the Superior Court of the State of Delaware relating to criminal case disposition shall be consistent with Administrative Directives issued by the Chief Justice.

' **4. Establishment of Criminal Case Management Plan for Each County; Advisory Committees**

a. *Criminal Case Management Plan.* The Superior Court shall adopt a Criminal Case Management Plan for each County that shall be amended from time to time as appropriate. The Criminal Case Management Plan for each County shall be filed with the Prothonotary of that County and posted on the Court's internet web page. The Criminal Case Management Plans for each County shall be identical except to the extent appropriate to accommodate the particular circumstances of a County. The President Judge shall appoint a Criminal Administrative Judge for each County whose duties will be as set forth in the Criminal Case Management Plan for that County.

b. *Advisory Committees.* The Criminal Administrative Judge of each county shall appoint an Advisory Committee consisting of at least one judge and members of the Delaware Bar who practice criminal law in the Superior Court. Trial counsel from the Department of Justice, the Office of the Public Defender, the Contract Attorney Program and the private bar shall be represented. The Advisory Committee, as officers of the Court, will serve as liaisons for the Delaware Bar and will assist the Court in identifying and eliminating causes of unnecessary delay so that timely dispositions consistent with the time standards stated in ' 3 and the circumstances of each individual case may be assured. The Advisory Committee shall also make recommendations to the

Superior Court relating to general improvements to the processing of criminal cases.

' **5. Criminal Statistical Report; Additional Case Management Information Reports**

a. *Criminal Statistical Report.* The Court Administrator's Office shall prepare as of the last day of each month a Criminal Statistical Report for each County.

The Report shall highlight each case that has not been adjudicated or otherwise concluded within 80 days of indictment or 120 days of arrest. The report shall include the elapsed time from the date of arrest, whether the defendant is held in custody, the amount of secured bail, and the names of counsel. Copies of the report shall be available for inspection in the Office of the Prothonotary in each County and shall be provided to the President Judge, with copies to all judges to the Criminal Administrative Judge and to the Offices of the Attorney General and the Public Defender. A continuing review of cases highlighted on the Report shall occur, and they shall receive priority status for trial.

b. *Additional Management Information Reports.* The Court Administrator's Office shall prepare such additional management information reports as requested by the President Judge to assist in assessing performance, identifying problem areas, predicting trends, and eliminating causes of unnecessary delay.

' **6. Effective Date**

This Criminal Administrative Order shall be effective January 1, 2000. All prior inconsistent Administrative Orders and Administrative Directives are hereby rescinded to the extent of any inconsistency.

' **7. Publication**

a. The Court Administrator shall provide a copy of this Criminal Administrative Order to the Offices of the Attorney General and the Public Defender and the Delaware Bar Association Newsletter for publication.

b. A copy of this Order shall be posted in the Office of the Prothonotary in each County and posted on the Court's internet web page. A copy shall be available for inspection in the Law Library of each County.

President Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge

Judge