

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ORDER AMENDING RULES 93, 94, §
and 95 OF THE RULES OF THE §
SUPREME COURT OF DELAWARE §

Before **STRINE**, Chief Justice; **HOLLAND**, **VALIHURA**, **VAUGHN**, and **SEITZ**, Justices, constituting the Court *en banc*.

ORDER

This 24th day of May 2016, it appears to the Court that it is desirable to amend Supreme Court Rules 93, 94, and 95, effective immediately, as follows:

(1) Supreme Court Rules 94 and 95 shall be deleted in their entirety. In their place, a new Rule 93 shall be adopted as follows:

Rule 93. Permanent Advisory Committee on Supreme Court Rules, Rules of Civil and Criminal Procedure, and Rules of Evidence.

- (a) A permanent Advisory Committee on Supreme Court Rules, Rules of Civil Procedure, and Rules of Evidence is hereby established. The Committee shall be known as the “Supreme Court Rules Committee.”
- (b) It shall consist of members of the Bar who shall be appointed by the Court for such terms as the Court shall determine. One of the members shall be designated as Chair.
- (c) The Committee’s duties shall include:
 - (i) Monitoring the Supreme Court Rules, considering changes where appropriate, considering and drafting changes suggested by the Committee and the Court, receiving and considering comments from members of the Bar, Bench, and public regarding possible improvements to the Rules;

- (ii) Establishing a subcommittee to monitor the Delaware Uniform Rules of Evidence, the various trial courts' Rules of Civil and Criminal Procedure, consult with the rules committees of the trial courts in an effort to ensure the efficiency, fairness, and consistency of these rules, ensure that any court-specific differences are justified, to consider any changes to analogous federal rules of evidence and procedure and ensure timely consideration of whether Delaware's comparable rules should be amended to incorporate those changes, and to receive and consider comments from members of the Bar, Bench and public regarding these topics. This subcommittee shall be called the "Rules of Trial Procedure Advisory Subcommittee" or, the "Trial Procedures Subcommittee" for short. The Chairs of the subcommittee shall be determined by the Chair of the Committee, in consultation with the Chief Justice.
 - (iii) Making recommendations and performing such other duties as the Court and Chief Justice find helpful in fulfilling their responsibilities under § 13 of Article 4 of the Delaware Constitution.
 - (d) The Chair of the Rules Committee may appoint ad hoc members of the Committee in consultation with the Court, for specific purposes when that will aid the accomplishment of the Committee's duties. In particular, the Chair shall, in consultation with the Court, ensure that the Trial Procedures Subcommittee coordinates with the trial courts and their rules committees to accomplish the purposes set forth in this Rule.
- (2) The Clerk of the Court is directed to transmit forthwith a certified copy of this Order to the clerk of each trial court in each county.

BY THE COURT:

/s/ Leo E. Strine, Jr.
Chief Justice