

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

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

CIVIL ADMINISTRATIVE ORDER

This 28th day of March, 2000.

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

IT IS ORDERED:

' **1. Statement of Policy**

From the commencement of a civil action to its resolution 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 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 Civil Case Management Plan for

each County shall apply to all civil cases in which trial is available in the Superior Court of Delaware.

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

The time standards for the Superior Court of the State of Delaware relating to civil case disposition shall be:

a. 90% of all civil cases should be settled, tried, or otherwise concluded within 365 days of the date of case filing;

b. 98% of all civil cases should be settled, tried, or otherwise concluded within 550 days of such filing;

c. The remainder of all civil cases should be settled, tried, or otherwise concluded within 730 days of such filing except for individual cases in which the Court determines exceptional circumstances exist and for which a continuing review should occur.

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

a. *Civil Case Management Plan.* The Superior Court shall adopt a Civil Case Management Plan for each County that shall be amended from time to time as appropriate. The Civil 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 Civil 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 Civil Administrative Judge for each County whose duties will be as set forth in the Civil Case Management Plan for that County.

b. *Rules Committee.* The President Judge shall appoint a Superior Court Civil Rules Committee consisting of members of the Delaware Bar who practice civil law in the Superior Court. The Civil Rules Committee shall give advice to the Court

on the Rules of Civil Procedure for the Superior Court of the State of Delaware including recommending changes to and the general and specific updating of the Rules of Civil Procedure.

c. *Advisory Committees.* The Civil Administrative Judge of each County shall appoint an Advisory Committee consisting of at least one Judge and members of the Delaware Bar who practice civil law in the Superior Court. 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 civil cases.

' **5. Triable Cases Report; Additional Management Information Reports**

a. *Reports.* The Court Administrator's Office shall prepare as of the last day of each month a Report of Civil Case Statistics for each County. The Report shall highlight each case that has not been adjudicated or otherwise concluded within the time standard as stated in ' 3(c). Copies of the Report shall be available for inspection in the Office of the Prothonotary in each County and shall be provided to all Judges. A continuing review of cases highlighted on the Report shall occur and they shall receive priority status for trial. The Prothonotary of each County shall prepare as of the last day of each month a Report of Pending Civil Cases listing case totals by assigned Judge, general category, arbitration/nonarbitration category, cumulative fiscal year totals, and case type category.

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 Civil 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 Civil Administrative Order to 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 on the Court's internet web page. A copy shall be available for inspection in the Law Library of each County.

President Judge

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