

## COURT OF CHANCERY



### CHANCELLOR WILLIAM B. CHANDLER, III



Court of Chancery  
Georgetown

Since 1792 the Court of Chancery has been an indispensable component of Delaware's legal culture. The Court's preeminence in American business law has long been established. Two of the ingredients that have enabled the Court to achieve its stature within the national and international legal community are its expertise in its jurisdiction as evidenced in its extensive case law and its ability to deal with matters in a timely fashion. In FY 2007 the Court took steps to continue its tradition of excellence.

The e-filing effort first launched in 2003 continues to produce outcomes consistent with the project's original goals and objectives. To capitalize on that effort, the court is working with the developers of COTS to secure the efficiencies realized to date and maximize the potential of e-filing throughout the entirety of the court's caseload. With this expansion under COTS the Court is also focused on the development of a viable case management system which can provide measures of the court's performance against established benchmarks.

Part of the plan to continue the Court's tradition of excellence is to take advantage of the opportunities presented with the legislation which established the statewide Register in Chancery Office. Thanks to e-filing and the resultant elimination of many pa-

per intensive tasks, the Court has benefited from the reallocation of resources within the Register's Office.

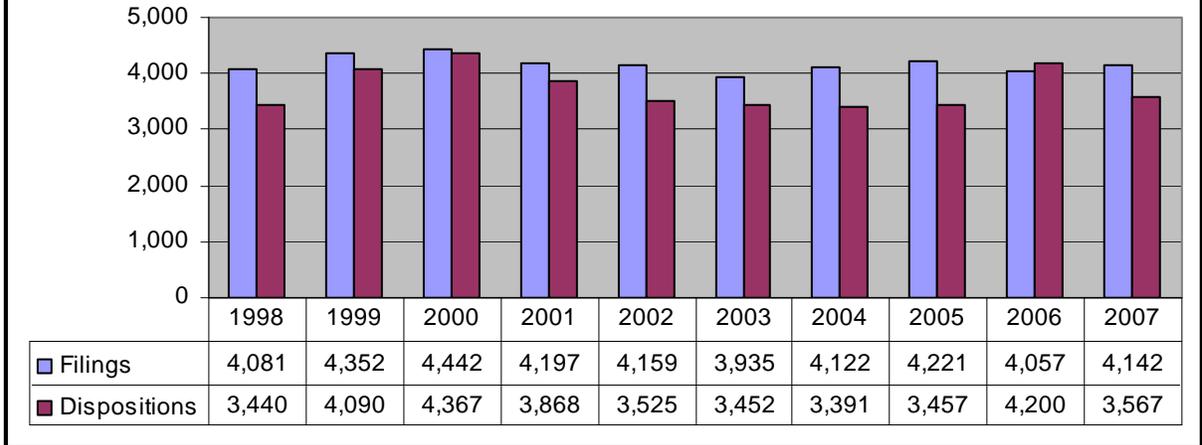
Efficiencies continue to be sought in the area of Civil Miscellaneous filings. Two senior Finance students from the University of Delaware assisted the Court in analyzing the level of access to information that the Register's Office was providing to persons seeking guardianships. With the graying of the population, the number of persons seeking guardianships is expected to grow significantly. It is anticipated that there is a potential for this burgeoning population to need assistance in managing their personal and financial affairs. Having materials and procedures that are user friendly and that can guide citizens is important to providing the public with the access it deserves.

As the fiscal year came to a close, the Court was given another expedited caseload in the form of filings involving communities attempting to enforce deed restrictions and covenants. Once again the Court is being called upon to provide an expedited solution to a community problem. With the assistance of a new Master in FY 2007, the Court is able to deal more expeditiously with these particular cases and to continue to handle its traditional caseload in a fashion for which this Court is known.

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## COURT OF CHANCERY FILINGS AND DISPOSITIONS BY FISCAL YEAR



### LEGAL AUTHORIZATION

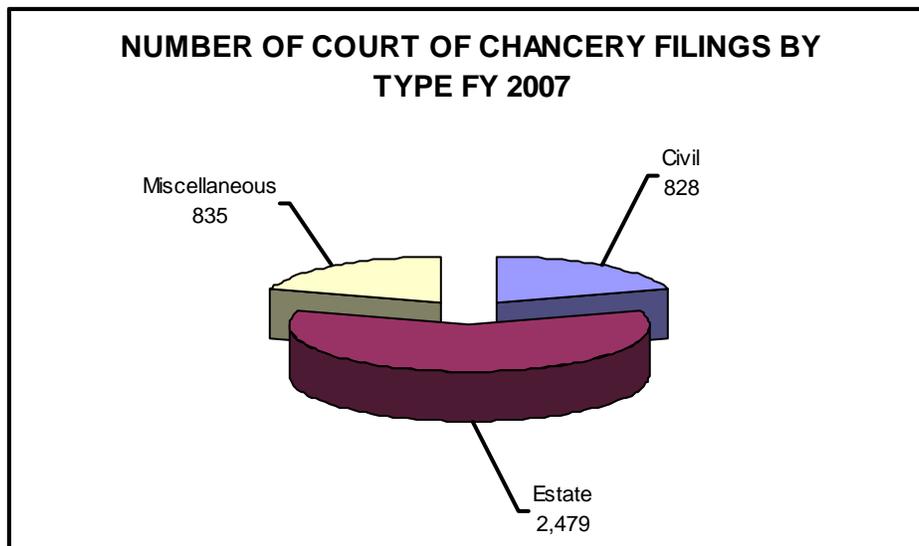
The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

### COURT HISTORY

The Court of Chancery came into existence as a separate court under the Delaware Constitution of 1792. Its creation contradicted an historical

trend in eighteenth century America away from chancery courts. The Court consisted solely of a chancellor until 1939 when the position of vice chancellor was added. The increase of the Court's workload, since then, has led to further expansions to its present complement of a chancellor and four vice chancellors, with the addition of the fourth vice chancellor occurring in 1989.

### NUMBER OF COURT OF CHANCERY FILINGS BY TYPE FY 2007



### **LEGAL JURISDICTION**

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction.

In today's practice, litigation in the Court of Chancery consists largely of corporate matters, trusts, estates, and other fiduciary matters, disputes involving the purchase and sale of land, questions of title to real estate, and commercial and contractual matters in general. When issues of fact to be tried by a jury arise, the Court of Chancery may order such facts to trial by issues at the Bar of the Superior Court (10 *Del.C.* § 369).



**Court of Chancery (*standing left to right*)**

Vice Chancellor John W. Noble  
Vice Chancellor Leo E. Strine, Jr.  
Chancellor William B. Chandler, III  
Vice Chancellor Stephen P. Lamb  
Vice Chancellor Donald F. Parsons, Jr.