



JUSTICE OF THE PEACE COURT

Chief Magistrate Alan G. Davis

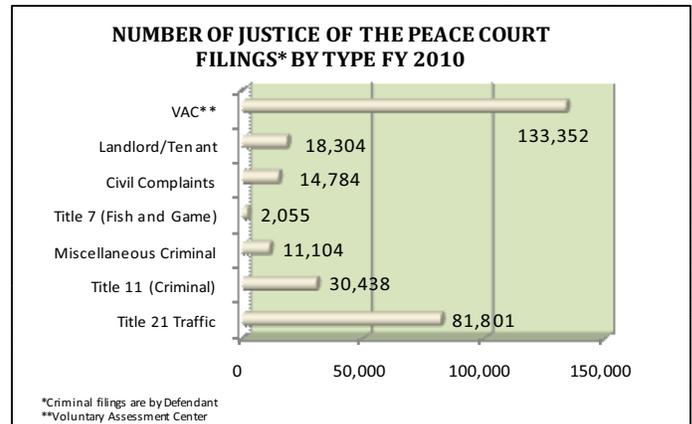
While the economic and budgetary climate over the recent past has continued to present formidable challenges, the Justice of the Peace Court made some significant advances in Fiscal Year 2010. The efforts of the administration, staff and judges of this court all contributed to making this past year one of progress and success. There are numerous individual efforts I would like to chronicle that this space and format will not allow. As such I will limit my comments to two endeavors that have and will continue to change the shape and direction of this organization for years to come. In addition to continuing to process an incredible caseload, the Court embarked on a remarkable new method of processing traffic cases. Additionally, we consolidated and enhanced New Castle County criminal court resources by moving into an expanded location that not only meets our current needs, but gives opportunity for growth.

Police Prosecution Process

Several years ago, as a result of the effect of some local police practices on case processing, Court #6 engaged the Harrington and Felton Police Departments in a project to reduce the number of cases going to trial in that small venue. A process was developed in which the police agency would send an officer to the arraignment calendar to discuss traffic cases with the defendants. This was a unique situation in the Justice of the Peace Court; traditionally, only defendants would appear at arraignment day, without the presence of the police or a prosecutor. In the original system a defendant would only have three choices: plead guilty as charged; transfer the case to the Court of Common Pleas, where he or she could interact with a prosecutor; or request a trial in Justice of the Peace Court, where the arresting officer would prosecute the case. Obviously, the incentive for the defendant was to transfer the case or request trial in this court. Arraignment was essentially a wasted day for the vast majority of defendants and ensured that most cases would see a second contact with the court system.

Under the new program at Court #6, the Court began to schedule the cases for the specific agency on a single calendar. The officer attending that agency's arraignment calendar would attempt to negotiate pleas in the cases before the Court. If the case could not be resolved, the arresting officer was on call to

try the case the same day. This was a fairly successful method of dealing with these traffic cases. The Court benefited by having fewer cases transferred or going to trial, the agency had some consistency in case processing, and senior officers were able to better monitor the activity of road officers. Seeing this success, the Court decided to move forward with implementation of a similar process with other agencies and in other Court locations.



The process changed a bit as a result of consultation with the Police Chiefs' Council and other stakeholders. Instead of having trial the same day as arraignments, individual police agency calendars were established to handle arraignment on a single day and schedule requested trial dates to meet work schedules of individual arresting officers. This eliminated the need for on-call overtime costs and optimized the opportunity for meaningful plea negotiations at the call of the calendar. In addition, the Attorney General's office, which has ultimate prosecutorial authority in this state, came on board to provide training and evaluation resources for police agencies engaged in this process.

As a result of these modifications and the interest of the law enforcement community in finding cost savings measures, the Court moved forward in expanding the process throughout the state. As of the end of FY 2010, the process was in place in almost every Justice of the Peace Court criminal location, with all of the Kent County locations involved. Two of the three largest

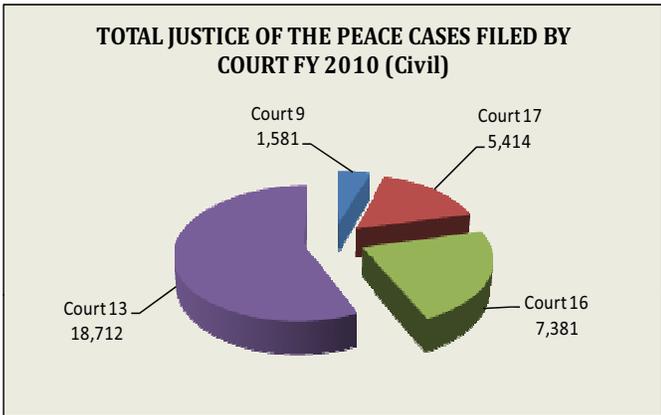
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police agencies in the State were participating, with plans for the third to come on early in FY 2011. Many local police agencies had joined in the process as well. While the Court had anecdotal evidence of success in the areas of initial case disposition, reduction of transfers and smaller trial calendars, it became evident as the expansion was occurring that there was a real need for data collection and documentation of the effects of this process not only on the Justice of the Peace Court, but also on the police agencies, the Court of Common Pleas and the Department of Justice. The Court engaged the Delaware Statistical Analysis Center to study the process to determine its effect on the overall criminal justice system. I look forward to sharing some of the data from that evaluation with you next year.

the Peace Court in New Castle County. Consolidation to a more centralized, user-friendly facility was the natural solution to address all of these concerns.

In advance of FY 2010 many of our leased locations in New Castle County had come to the end of their lease terms, providing a unique opportunity to address facility needs in a comprehensive manner. The epilogue language of the FY 2010 budget authorized the Justice of the Peace Court to consolidate a number of court resources and facilities. Following a process of evaluating several locations for possible consolidation, a leased facility in the Corporate Commons business development was selected to house the unified court facility.

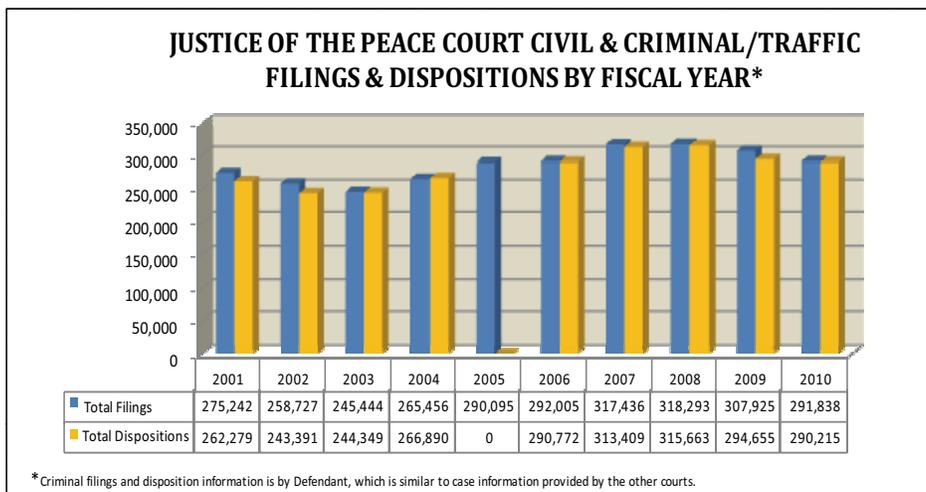
In late December 2009, the Court took possession of its new facility, a 25,000 square foot space custom renovated to meet the needs of the Court. The facility contains five public courtrooms, a secure forthwith presentment courtroom for detained individuals, and a dedicated videophone courtroom. In addition to the courtroom space, it has a large waiting room; individual space for victims, prosecutors and defense counsel; enhanced workspace and break areas for staff; and semi-private judges' chambers. The new location boasts complete generator backup to meet the needs of a 24-hour court facility and to support the Court's continuity of operations plan. Further, the space provides the court adequate storage space and state-of-the-art security components.



Consolidation and Relocation in New Castle County

Economic pressures led much of state government to begin looking at ways to streamline services over the past couple of years; the Justice of the Peace Court was no exception. The Justice of the Peace Court has long operated out of multiple small locations throughout each county. While having many locations provides some level of convenience for our users, it hampers other efforts to provide better service once the user is actually in the courthouse. Operating out of multiple leased facilities, providing redundant services in many locations, and using inconveniently located facilities for centralized case processing services did not provide optimum efficiency for the Justice of

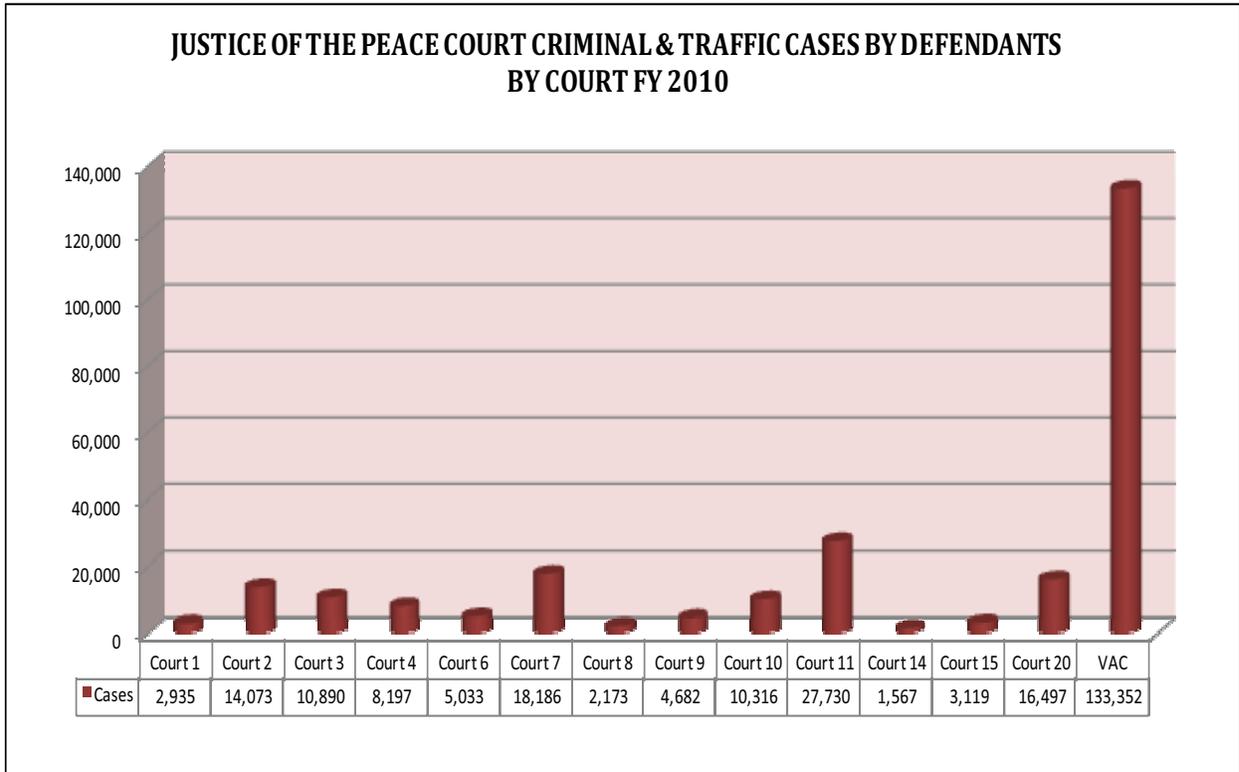
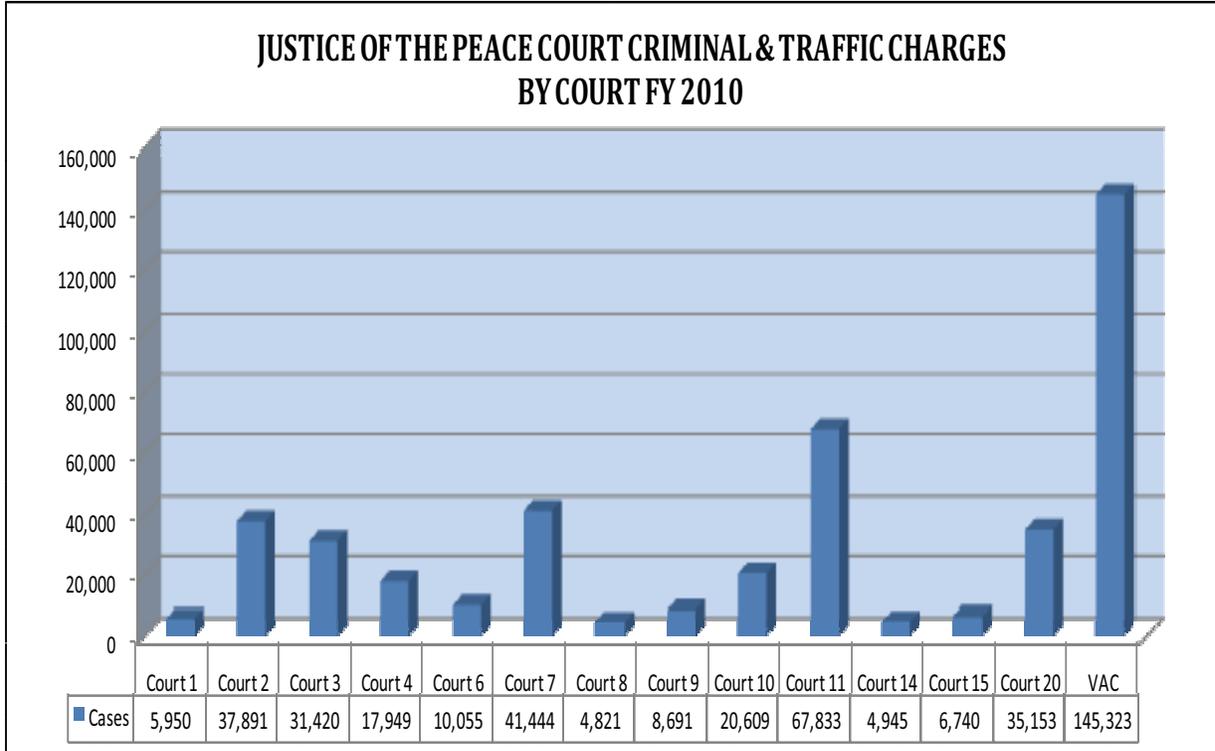
Several Court operations were consolidated into this location. The Justice of the Peace Court Administrative Office, Courts 11 and 15 and the Constable Central operation were all incorporated into the new facility. This allowed for the better management of case types, such as central DUI processing, which had been taking place remotely at Court 15. This move also set the table for this court location to begin actively participating in the Police Prosecution Process as the main location for that operation in New Castle County. Not only has this move provided a better environment for the Court's staff, judges and public users, it has allowed the Court to process cases in a more efficient and effective manner.



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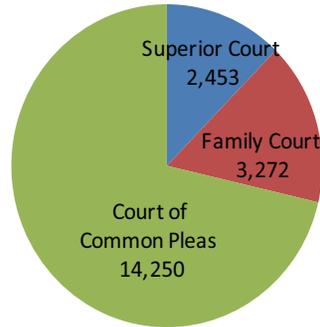
These two advancements mark significant achievements for this Court. One is “concrete” and provides a long-term home for the bulk of criminal case processing in New Castle County. It will serve this organization well as it sees changes resulting from the other, process-oriented development. Both Police

Prosecution and the consolidated facility represent a new view of the Justice of the Peace Court – one with an eye toward efficiency, but grounded in justice.



JUSTICE OF THE PEACE COURT

CAPIASES CLEARED BY JUSTICE OF THE PEACE COURT FOR OTHER COURTS FY 2010



JUSTICE OF THE PEACE COURT JUDGES

SUSSEX COUNTY



Seated (left to right)

John R. Hudson, Stephani Adams, Jeni Coffelt, CM Alan Davis, DCM Sheila G. Blakely, William J. Hopkins Jr.

Standing (left to right)

John D. McKenzie, Christopher A. Bradley, Michelle Jewell, Larry R. Sipple, James G. Horn, John Martin, Jana Mollohan, John Adams, William P. Wood, Marcealeate Ruffin.

Not pictured: William L. Boddy, III, Richard D. Comly, Herman G. Hagan, H. William Mulvaney, III

JUSTICE OF THE PEACE COURT

KENT COUNTY

Seated (left to right)

Robert B. Wall Jr., Cathleen M. Hutchison, CM
Alan Davis, James A. Murray, Dwight D.
Dillard

Standing (left to right)

R. Hayes Grapperhaus, William J. Sweet, D.
Kenneth Cox

Not pictured:

Ernst M. Arndt, DCM, Pamela Darling, Debora
Foor, Michael P. Sherlock



NEW CASTLE COUNTY



Seated (left to right)

Laurence L. Fitchett, Jr., Cheryl Stallmann, Bonita N. Lee, DCM, CM Davis, Marie Page, Stanley J. Petraschuk, Kathleen C. Lucas.

Standing middle row (left to right)

Katharine B. Ross, Rosalind Toulson, Vernon A. Taylor, Deborah McNesby, Roberto Lopez, Marilyn Letts, Kathy Gravell, Nancy C. Roberts

Standing back row (left to right)

Susan E. Cline, Paul J. Smith, William T. Moser, David R. Skelley, James A. Tull, Donald W. Callender, Jr., William S. Young, III, Thomas P. Brown, James Hanby Sr., Sean McCormick, Beatrice Freel

Not pictured: Sidney Clark, Thomas M. Kenney, Rosalie Rutkowski, Terry L. Smith