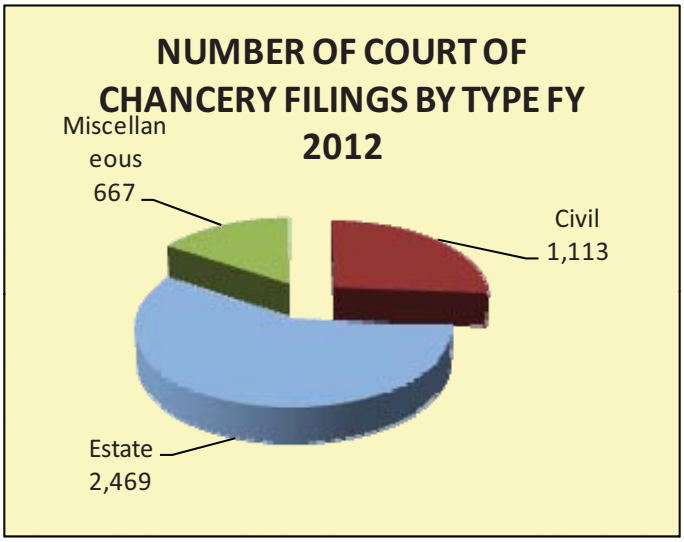
# COURT OF CHANCERY

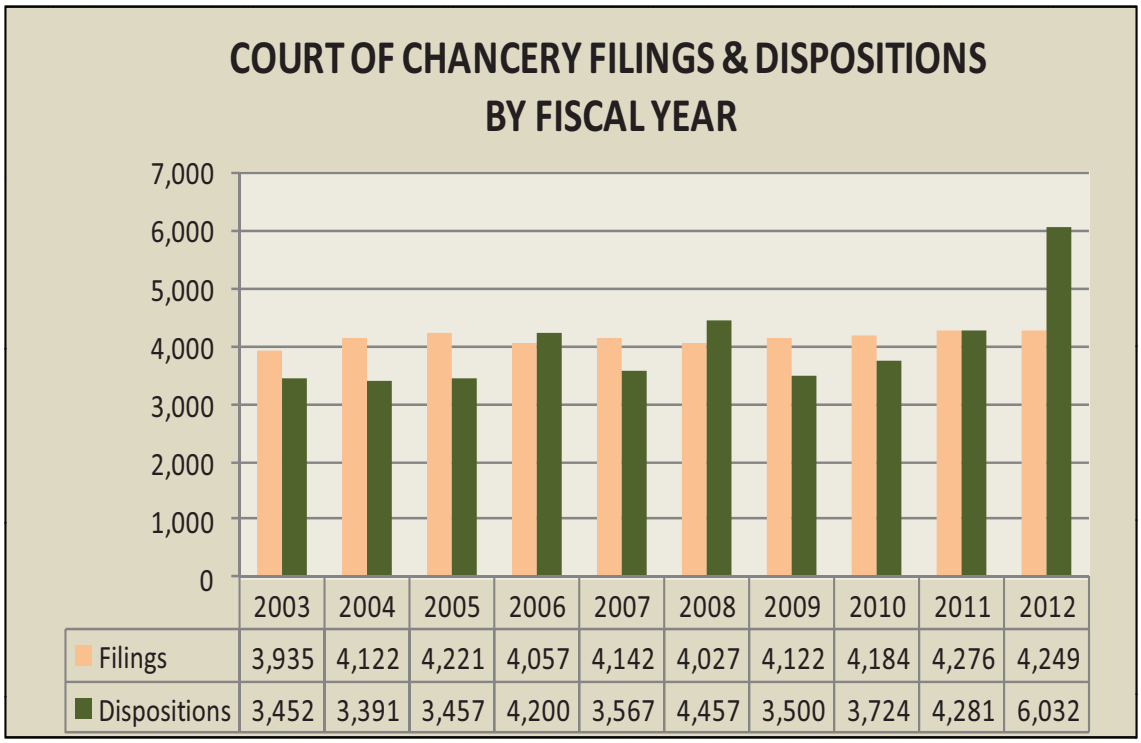
During the last decade, the Court of Chancery began two important initiatives to enable it to continue to deliver timely, cost-effective justice in the face of increasing caseloads, the enormous growth in the evidentiary records of many cases due to technology such as smart phones and tablets that generate huge amounts of discoverable evidence, and limited state budget growth. One initiative was electronic filing, which reduces the cost of storing paper records and allows the court and its litigants to process cases more efficiently. The other was a constitutional amendment to make the Court's clerk, the Register In Chancery, an effective statewide unit, directly accountable to the Court and operating consistently in each County, rather than three separate units operating under three different sets of policies under three separate elected officials.

*Chancellor Leo E. Strine, Jr.*

Capitalizing on change of that kind takes time. In the last year, the Court has undertaken important steps to make further gains from these initiatives. In terms of e-filing, the Court, with the leadership of the Register of Wills in New Castle County, is implementing an initiative that requires electronic filing of all Court of Chancery cases filed in the New Castle County Register of Wills. The Court is in the midst of implementing that change and has initiated conversations with the Registers of Wills in Kent and Sussex County, with the goal of having *all* cases in Chancery e-filed by the end of 2013. This will provide consistency and efficiency for practitioners, reduce storage costs and pressures to add staff, and limit the fiscal impact of an aging population and a resulting growth in the number of trust and estate cases on the Court and the Register of Wills' offices.

Likewise, the Court has taken important steps this past year to truly make the Register In Chancery a cohesive statewide unit. A step-by-step manual was developed to aid courtroom clerks in preparing for, handling, and completing their trial-related duties, a manual that now is used in all counties. Statewide standards for case management have been put in place, outlining the responsibilities for case managers and their relationship with chambers, and a case management manual has been completed, which provides staff with useful information about expectations and guidance about how to meet those expectations. Similarly, an effort is underway to make sure that guardianship and trusts and estates cases are handled in a consistent way in each county, and






| | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
|---|---|---|---|---|---|---|---|---|---|---|
| Filings | 3,935 | 4,122 | 4,221 | 4,057 | 4,142 | 4,027 | 4,122 | 4,184 | 4,276 | 4,249 |
| Dispositions | 3,452 | 3,391 | 3,457 | 4,200 | 3,567 | 4,457 | 3,500 | 3,724 | 4,281 | 6,032 |

that employees are provided with better guidance about their responsibilities. To aid this project, a new subcommittee of the Court's Rules Committee was formed, adding distinguished practitioners in the fields of guardianship and trusts and estates to help improve the process for handling these sensitive and important matters. In sum, no longer is each Register In Chancery office a separate unit, rather there is one Register In Chancery unit working to marshal its resources to address in the most effective way the Court's caseload, regardless of the county of filing. That was a goal of Chancellor Chandler when he led the effort to end the elected Register In Chancery system, and we are committed to obtaining its full benefits for the State. Although there is a good deal of work that remains to be done, the progress made in the last year has been considerable, and has been seen in sharp increases in cases disposed of during 2012.

As the Court moves forward, we are continuing to look for ways to better serve our litigants' needs in a cost-effective way. To make the Court's processes more understandable, the Court is endeavoring to develop a complete list of operating procedures that will be available on its website. This will put in one place those procedures that litiants should know about, but which are not appropriate for inclusion in the Court's Rules of Procedure, and will eliminate the need for litigants to be familiar with various standing orders.

Consistent with making information about the Court's processes more readily accessible, in concert with our Rules Committee, the Court has also developed useful guidance for litigants practicing in the Court. This guidance is designed to help practitioners process cases more cost-effectively and to focus more on the merits, and less on costly, procedural jousting. Important work is now underway to supplement this guidance with specific guidance addressing the area of practice that most vexes practitioners - discovery - and that guidance should be available by the end of 2012.

Through these efforts, the Court hopes that it will give practitioners, litigants, and the public three basic, reliable, up-to-date sources to consult about practice in the Court: the formal Rules of Procedure; a set of up-to-date operating procedures; and guidelines that make helpful, non-binding suggestions for effective practice before the Court.

The goal of all these efforts is to ensure that the Court of Chancery and its bar continue the tradition of being able to resolve the important cases within the Court's jurisdiction in a timely and effective way.

**Court of Chancery *:***

***Front row (sitting left to right)***
Vice Chancellor John W. Noble
Chancellor Leo E. Strine, Jr.
Vice Chancellor Donald F. Parsons, Jr.

***Back row (standing left to right)***
Vice Chancellor J. Travis Laster
Vice Chancellor Sam Glasscock, III