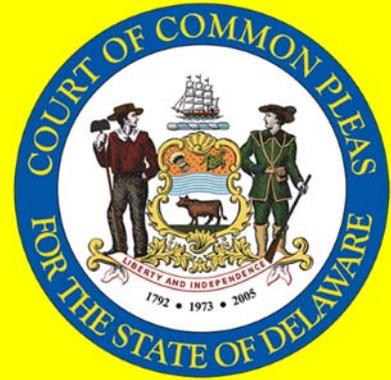


COURT OF COMMON PLEAS



Fiscal Year 2014 was a busy and challenging year for the Court of Common Pleas. The number of cases that are transferred to, and filed in, the Court of Common Pleas contributes to it burgeoning high volume. While criminal and civil caseloads have slightly declined from prior years, the complexity and the number of cases proceeding forward to trial continue to increase. This places an ever increasing demand on the resources of both the Court and the Court's partners. In order to continue to administer first-rate service to the public, notwithstanding these increased demands, the Court of Common Pleas has implemented several innovations, initiatives and reforms in FY14.



*Chief Judge
Alex J. Smalls*

Court Innovation

During FY14, the Court enhanced reporting metrics and developed a reports folder on the Court's intranet site for electronic access to the Court's statistical information.

This year, the Court received funding to pilot the Interactive Voice Recognition Project (IVR). The IVR will be programmed to make available basic court information, such as locations and operating hours, to provide up-to-date case information, and to accept credit card payments. The information made available by the IVR will reduce the number of incoming phone calls that must be answered by the Court's case processing staff. This will allow the staff to focus on critical case processing duties.

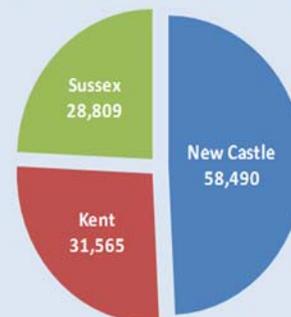
In an effort to improve the workflow, encourage cross training, and make operations more efficient the Court restructured the Clerks' Office by reclassifying two judicial case managers to judicial operations managers. This enabled the Court to merge the existing customer service section with the cost and fines section as one larger customer service section. Additionally, the Court merged the

criminal intake section and the criminal scheduling section into a larger, more flexible criminal section.

The Court will be providing iPads to all court reporters in order to enhance communication while in the courtroom. In addition, the Court has taken initiatives to improve security and ensure the safety of our staff by installing ballistic glass in all public access areas in all three counties.

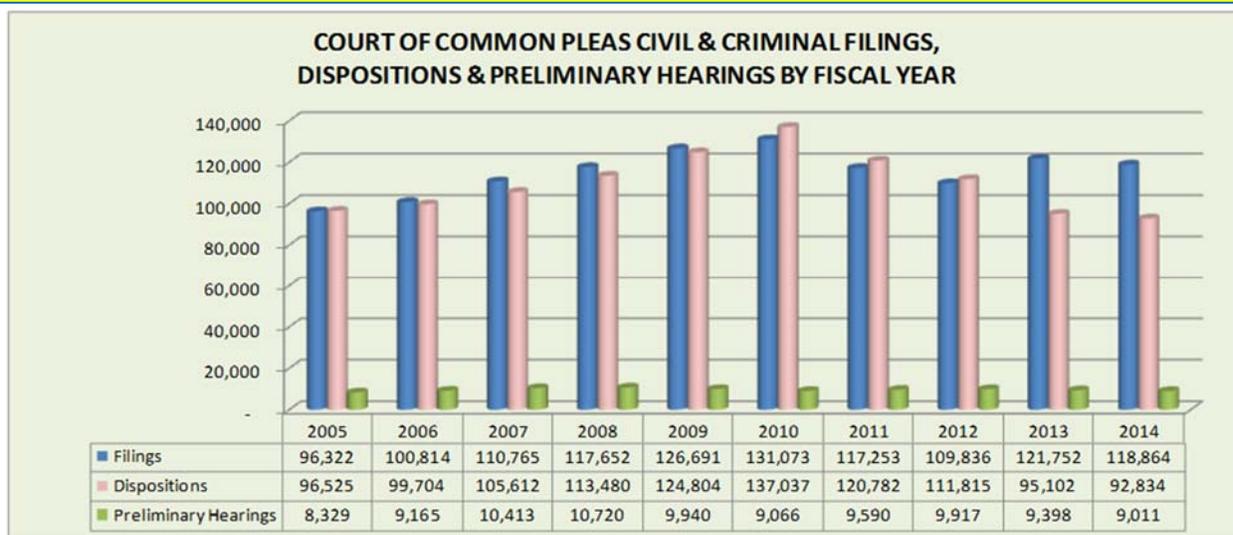
With the assistance of the Judicial Information Center, the Court completed an enhancement to its archiving program. The enhancement allows the merger of Excel spreadsheets with our existing case management system and provides the missing data elements needed for transfer of boxes of case files to archives. This enhancement replaces the time consuming process of Court clerks manually entering data elements into an Excel spreadsheet.

COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS BY COUNTY FY 2014



Continued on next page

COURT OF COMMON PLEAS



The Court also made improvements to its case management system, which now allows for more efficient processing of expungements of those cases that were transferred from the now defunct Wilmington Municipal Court.

Civil Initiatives

Judge Sheldon K. Rennie was sworn in to the Bench in July of 2013, filling the vacancy left when Judge Andrea Rocanelli was appointed to the Superior Court. Judge Rennie's strong civil background has been helpful in addressing the increase in complex civil cases that are being filed in New Castle County.

For example, the Court of Common Pleas received 4,677 new civil complaints in FY14. Though this number reflects a drop in the civil caseload from prior years, the cases are of greater complexity which results in more extensive motion practice and more trial time.

There has also been an increase in the amount of cases filed under the Special Election and Expedited Docket of the Court. In FY11, the Court of Common Pleas adopted Administrative Directive 2010-3, creating the Court's SPEED Docket (**SP**ecial **E**lection and **E**xpedited **D**ocket) available in all civil cases filed where the amount in controversy is between \$10,000 and \$50,000, excluding consumer debt cases and appeals on the record. Special scheduling rules are applied to SPEED cases which ensure an expedited resolution. Additionally, the cases are specially assigned to a judge who handles all matters in the case until it is resolved. A scheduling conference is scheduled within 30 days of the filing of the answer or a motion by any party and the trial is scheduled within five

months of the scheduling conference. In FY14 there were 23 SPEED cases filed with the Court of Common Pleas.

Likewise, there was an increase in the amount of consumer debt collection cases filed in the Court. In FY11, the Court of Common Pleas also adopted Administrative Directive 2011-1 pertaining to Consumer Debt Collection cases. This directive was rescinded and replaced with Administrative Directive 2012-2 following the Delaware Bar Committee study and report. The directive set forth procedural guidelines in consumer debt collection cases, with the goal of ensuring fairness to all litigants and improving efficiency in the administration of justice. There were 3,050 consumer debt cases filed with the Court in FY14.

Criminal Initiatives

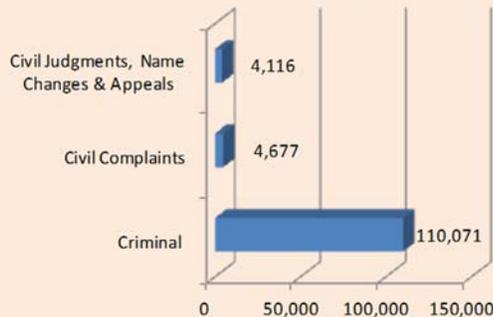
The number of criminal misdemeanor filings in the Court of Common Pleas in FY14 was 110,071 with 9,011 preliminary hearings filed. The Department of Justice continues to aggressively review felony arrests at preliminary hearings and, as appropriate, resolve those in the Court of Common Pleas. This has a positive effect on the entire criminal justice system because it eliminates the need for these cases to be handled twice in the Court of Common Pleas and once in the Superior Court, which occurs when felony charges are reduced to misdemeanors and returned to the Court after being bound over at preliminary hearings.

Mediation

Since 2001, the Court has referred over 13,085 cases for mediation, with 1,485 referrals made to the program in

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS NUMBER OF FILINGS BY TYPE FY 2014



FY14. Mediation provides an alternative to criminal prosecution, assists the Court in the management of its busy calendars, and leaves participants with an increased sense of satisfaction with the justice system. In FY14, the Court's mediation program had a success/satisfaction rate of 90 percent.

In recent years, the Court of Common Pleas extended its successful criminal mediation program to include civil cases. This option has been well received by civil litigants and has been responsible for the successful settlement of an increasing number of cases. The Court has also adopted a Community Mediation Program, which receives referrals regularly from the New Castle County Police Community section and municipalities seeking mediation assistance with minor neighborhood disputes. The use of this mediation program reduces the need to refer matters for criminal or civil litigation. In addition, the increased demand for this program is reflective of the positive relationships that the Mediation Program has been able to establish throughout the community at large.

Treatment Courts

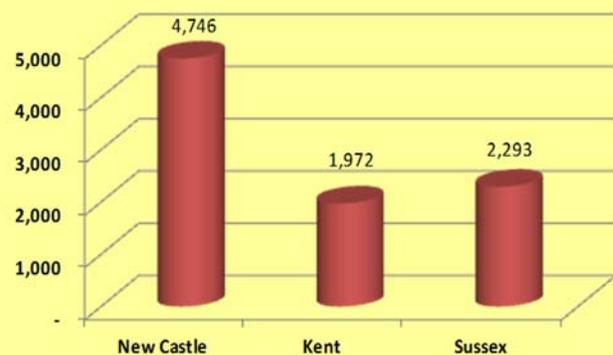
The Court continued to operate its highly successful court-supervised comprehensive Drug Diversion Program for non-violent offenders. The Court's Drug Diversion program is now under the direction of Judge Robert Surles who was appointed to the Court in 2013. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing, and treatment. The Drug Diversion Program represents a collaborative effort between the Court of Common Pleas, the Department of Justice, the Office of the Public Defender, the private bar, treatment providers, and the Treatment Research Institute (TRI) at the University of Pennsylvania. (The TRI program is limited to New Castle County.) Collaboration with the TRI program has provid-

ed the basis for observation, research, and analysis to launch scores of other drug diversion programs throughout the United States and internationally. The Court has served more than 6,478 participants since its inception in 1998.

To address the needs of all participants, the New Castle County Drug Diversion Court introduced a new tool on July 1, 2010. The tool referred to as the "RANT Assessment," a web-based placement tool developed by the Court's partners at the Treatment Research Institute. RANT is an acronym for **R**isk and **N**eeds Assessment **T**riage. The assessment tool is used to assess each client's risks and needs. Based upon the results, a defendant is placed into one of four quadrants: low risks/low needs; low risks/high needs; high risks/low needs; and high risks/high needs. Identifying these risks/needs groups allows treatment to be tailored to meet the individual needs of the client, promote successful program completion, and reduce recidivism.

In 2003, the Court of Common Pleas established Delaware's first Mental Health Court in New Castle County. It was modeled on the concept of a problem solving court, which incorporates the judge into the rehabilitative process as an authority figure able to provide positive feedback and impose sanctions for negative behavior to participants in the program. The Mental Health Court in New Castle County is supervised by Judge Carl C. Danberg. In 2012, the Court of Common Pleas received federal funding to expand its Mental Health Court to the other two counties. These programs are supervised by Judge Anne Hartnett Reigle in Kent County and Judge Kenneth S. Clark, Jr., in Sussex County. All three Mental Health Courts effectively serve the special needs of individuals suffering from mental illnesses, substance abuse, and co-occurring disorders through continuous judicial oversight

COURT OF COMMON PLEAS PRELIMINARY HEARINGS BY COUNTY FY 2014



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COURT OF COMMON PLEAS

and intensive case management. This approach has reduced recidivism and the program participants' contact with the criminal justice system. Since its inception, approximately 117 defendants have entered the Court of Common Pleas Mental Health Court statewide.

The Human Trafficking Court is a voluntary, treatment-focused program that began in January 2012. The target population is comprised of offenders who have experienced significant trauma in their lives and are caught in a cycle which typically manifests itself as an accumulation of prostitution, loitering, possession of drug paraphernalia, or other misdemeanor charges, combined with substantial addiction issues. This program is designed to offer a support system and helps to connect these probationers with drug treatment, mental health counseling, trauma services, housing options, and educational and/or employment training. During FY14, the Human Trafficking Court added 23 probationers to the program. During that same period of time, seven women graduated from the program, bringing the total number of graduates since the program's inception to 23.

DUI Court

House Bill 378 was signed into law by Governor Markell on July 18, 2012 and authorizes the Department of Justice to transfer certain Driving Under the Influence (DUI) cases to the Court of Common Pleas from the Justice of the Peace Court. Additionally, the statute tasked the Court of Common Pleas with establishing the state's first impaired driving court aimed at targeting hardcore DUI offenders. Senate Bill 260 was signed into law by Governor Markell on July 31, 2014 and allows offenders charged with DUI offenses to participate in the Court of Common Pleas' DUI Treatment Program. The Program began accepting participants in December 2014 and is being piloted in New Castle County. The Court of Common Pleas received 2,709 DUI cases in FY14.

In order to make the DUI Court as effective as possible, the Court has collaborated with multiple stakeholders, including representatives from the Attorney General's Office, the Office of the Public Defender, the Department of Correction, Police Agencies, TASC, Brandywine Counseling, and the University of Pennsylvania. Additionally, in March 2014 the Court submitted a grant request to the Department of Highway Safety to fund training for the

multi-disciplinary team. The grant was approved in July 2014, and the team attended training in Athens, Georgia in October 2014. The Court has also submitted a federal grant application to the Bureau of Justice Assistance's 2014 Adult Drug Court Discretionary Grant to help fund the operation of the DUI Court. DSAMH, working in conjunction with TASC and the University of Pennsylvania, submitted the SAMSHA Behavioral Health Treatment Court Collaborative Grant application in April 2014 to obtain funding for treatment resources for DUI Court participants and a case management TASC Program manager.

Grant Funded Initiatives

The Court continues to work aggressively to manage its caseload in spite of great demands on Judges and staff. Additional calendars and the application of aggressive case management techniques have reduced the time to disposition in most case categories. The Court received funding in FY14 from a Byrne Justice Assistance Grant to provide resources for the expansion of the Mental Health Courts in Kent and Sussex Counties. Additionally, the Court received grant funding, from the Office on Violence Against Women, for a part-time coordinator to staff the Human Trafficking Court calendar.

Enforcement of Court Orders

In FY14, the Court of Common Pleas collected approximately \$6,888,917 in fines, costs, and assessments. The Court returns more than 44 percent of its operating budget to the State's General Fund. A significant portion of the Court's collections also represents restitution and compensation payments for victims of crime.

Conclusion

Notwithstanding the challenges of managing a large and increasingly complex caseload, the Judges and staff of the Court of Common Pleas remain committed to employing ingenuity and innovation to the administration of justice so that the people and institutions of Delaware will continue to have a neutral forum to resolve their everyday problems and disputes and more complex legal matters in a fair, professional, efficient, and practical manner.

COURT OF COMMON PLEAS



COMMISSIONERS:

Abby L. Adams
Mary McDonough



COURT OF COMMON PLEAS JUDGES:

Front row (standing left to right)

Judge John K. Welch
Chief Judge Alex J. Smalls
Judge Rosemary Betts Beauregard
Judge Kenneth S. Clark, Jr.

Second row (standing left to right)

Judge Sheldon Rennie
Judge Robert H. Surles
Judge Charles W. Welch, III
Judge Anne Hartnett Reigle
Judge Carl C. Danberg