

1997



**Annual
Report of
the
Delaware
Judiciary**



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NOTE: The Administrative Office of the Courts also prepares the 1997 Statistical Report of the Delaware Judiciary.

1997 Annual Report of the Delaware Judiciary

(July 1, 1996 – June 30, 1997)

The Honorable E. Norman Veasey
Chief Justice of Delaware

Prepared by the

**Administrative Office
of the Courts**

Lowell L. Groundland
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LETTER OF TRANSMITTAL



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LOWELL L. GROUNDLAND
DIRECTOR

MICHAEL E. MCLAUGHLIN
DEPUTY DIRECTOR

The Honorable Chief Justice and Justices of the Supreme Court of the State of Delaware:

In accordance with Supreme Court Rule 87, the Administrative Office of the Courts is pleased to present the 1997 Annual Report of the Delaware Judiciary. The information and data provided in this document covers the period beginning July 1, 1996 and ending June 30, 1997.

Gratitude is expressed to those individuals in the various courts and judicial agencies who have spent considerable time and effort in providing the information which is necessary to produce this publication.

It is hoped that this record of events and activities in the Judicial Branch during the last fiscal year will be both interesting and informative.

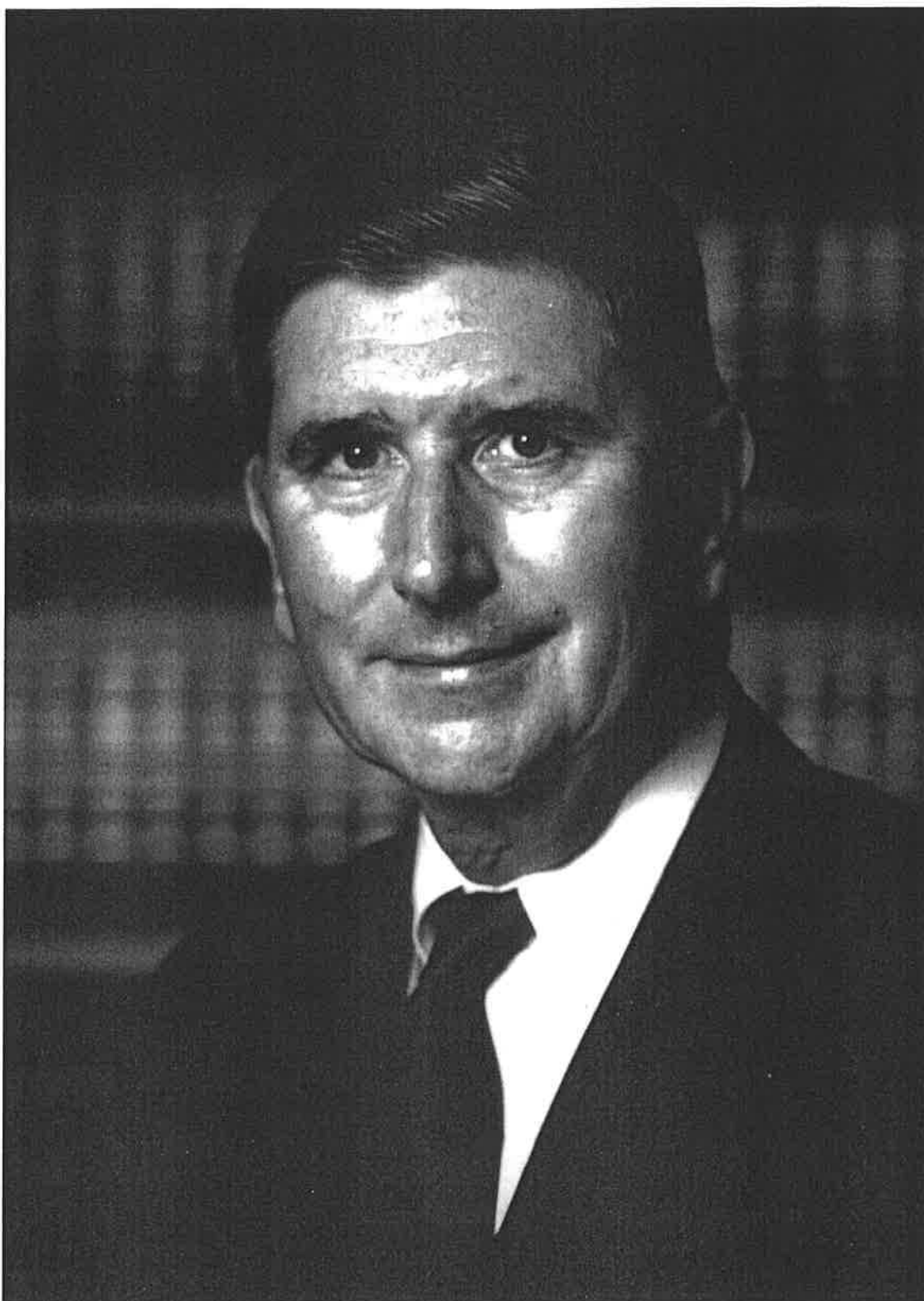
Respectfully,

A handwritten signature in cursive script, reading "Lowell L. Groundland".

Lowell L. Groundland
Director
Administrative Office of the Courts

**A Letter from
Chief Justice
E. Norman Veasey**

LETTER FROM THE CHIEF JUSTICE



Chief Justice E. Norman Veasey

LETTER FROM THE CHIEF JUSTICE



SUPREME COURT OF DELAWARE

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December 31, 1997

Delaware's Judiciary and its jurisprudence are nationally renowned. In my view this recognition can be traced to the wisdom of the framers of the Delaware Constitution of 1897 who met a century ago in convention in Dover. This year we celebrate the Centennial of that Constitution, and we particularly note that one of the cornerstones of that document is Article IV, the Judicial Article.

The framers chose wisely one hundred years ago when they developed the judicial selection system that has benefitted Delaware ever since — appointment by the Governor with the consent of the Senate for a twelve-year term and with the further unique proviso that the composition of the Judiciary shall be bipartisan—no more than a bare majority may be from the same political party.

That formula for judicial excellence has been, in my view, a major factor in Delaware's attractiveness as the preeminent state of incorporation. Early in this century the track record of the Court of Chancery and the Supreme Court in handling corporate disputes began to develop and led to the international trust for skill, intellectual honesty, promptness and predictability that our entire Judiciary enjoys to this day.

Today we are focused not only on the importance of our Delaware Judiciary to the international corporate community, but on the quality service we provide to Delaware citizens in the Justices of the Peace Courts, Wilmington Municipal Court, Court of Common Pleas, Family Court, Superior Court, Court of Chancery and Supreme Court. That service must increasingly depend on state-of-the-art judicial management techniques and technology.

We are approaching a crossroad in the Delaware Judicial Branch. In April of 1998 I will have reached the mid-point of my twelve-year term as Chief Justice. At about the same time we will have a new Director of the Administrative Office of the Courts and a new strategic plan. This may be a good time for all of us to focus on maintaining and improving the advancements we have made and to begin some improvements and new directions. All courts and the Administrative Office of the Courts must work together better than they ever

(Continued)

LETTER FROM THE CHIEF JUSTICE

December 31, 1997

Letter from Chief Justice E. Norman Veasey

Page Two

have in the past to improve the operation of the Judicial Branch and the service to the citizens of the State of Delaware.

By the advent of the year 2004, we will have seen enormous change, including an entirely new world of technology and court management protocols. Indeed, we have already seen dramatic changes that have developed in recent years. The Delaware Judiciary is small enough and good enough so that it should be "ahead of the curve"—a model for the nation in administration as well as in jurisprudence. We must prepare now to address these goals and not be content with "business as usual" (as I know we are not). Our primary goal should be to "make a difference".

State-of-the-art judicial management calls for vision, creativity and analysis in working out ways to deal with the increasing complexity of litigation (not merely the increase in raw numbers of cases). We need to take a critical look at how we can more effectively deploy the skills of judges, commissioners, masters, law clerks, court clerks, staff attorneys, paralegals, staff and technology.

My objective is to devote the next six years to ever-progressive administrative enhancement of the Judicial Branch as a whole while maintaining appropriate autonomy of trial courts and improving the excellent quality of our judicial decisions and efficient case management.

Thanks to the wisdom of the General Assembly and the Governor, we are on the threshold of the realization of a modern, safe and efficient new courthouse in New Castle County—a state-of-the-art facility to last us well into the next century. This is welcome news for the victims, jurors, litigants, witnesses, lawyers and court personnel who have had to endure unsafe, shabby and inefficient facilities for far too long. We are also on the threshold of developing a modern, systemwide court business planning and technology management that will take us to a new level of judicial management. These modern methods and the new facilities will converge into that national model to which we aspire.

The Delaware court system is a great organization because of great judges, administrators and other staff. All successful organizations spend time seeking to improve the way they do business. We acknowledge that there is still much we can do to make our great court system even better. We will focus on the future by addressing all aspects of judicial service as rapidly as possible. Each of us must commit ourselves to work together toward these ends if we are to be successful.

A handwritten signature in black ink that reads "E. Norman Veasey". The signature is written in a cursive style with a large, decorative flourish at the end of the name.

**Introduction
to the
Delaware
Court
System**

INTRODUCTION TO THE DELAWARE COURT SYSTEM

Court Organization and Jurisdiction

The Delaware Judiciary is composed of the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, the Justice of the Peace Courts, the Municipal Court of Wilmington, the Alderman's Courts, and related judicial agencies.

In terms of interrelationships among the courts, the Delaware Court System is similar to a pyramid. The Justice of the Peace Courts and the Alderman's Courts represent the base of the pyramid and the Supreme Court the apex of the pyramid. As a litigant goes upward through the Court

System pyramid, the legal issues generally become more complex and, thus, more costly to litigate. For this reason, cases decided as close as possible to the entry level of the Court system generally result in cost savings to the judiciary in resources used to handle the matters and in a speedier resolution of the issues at hand for the litigants. The jurisdiction and routes of appeals and transfers of the various courts are described in the paragraphs below and are depicted graphically in Figures 1 and 2.

The Justice of the Peace Courts, the initial entry level into the Court

System for most citizens, have jurisdiction over civil cases in which the disputed amount is less than \$15,000. In criminal cases, the Justice of the Peace Courts hear certain misdemeanors and most motor vehicle cases (excluding felonies) and the Justices of the Peace may act as committing magistrates for all crimes. In criminal cases with the possibility of incarceration or a fine of \$15 or more or both, the accused may elect to transfer the case to the Court of Common Pleas. Appeals from the Justice of the Peace Courts may be taken to the Court of Common Pleas. Over one-half of all cases are

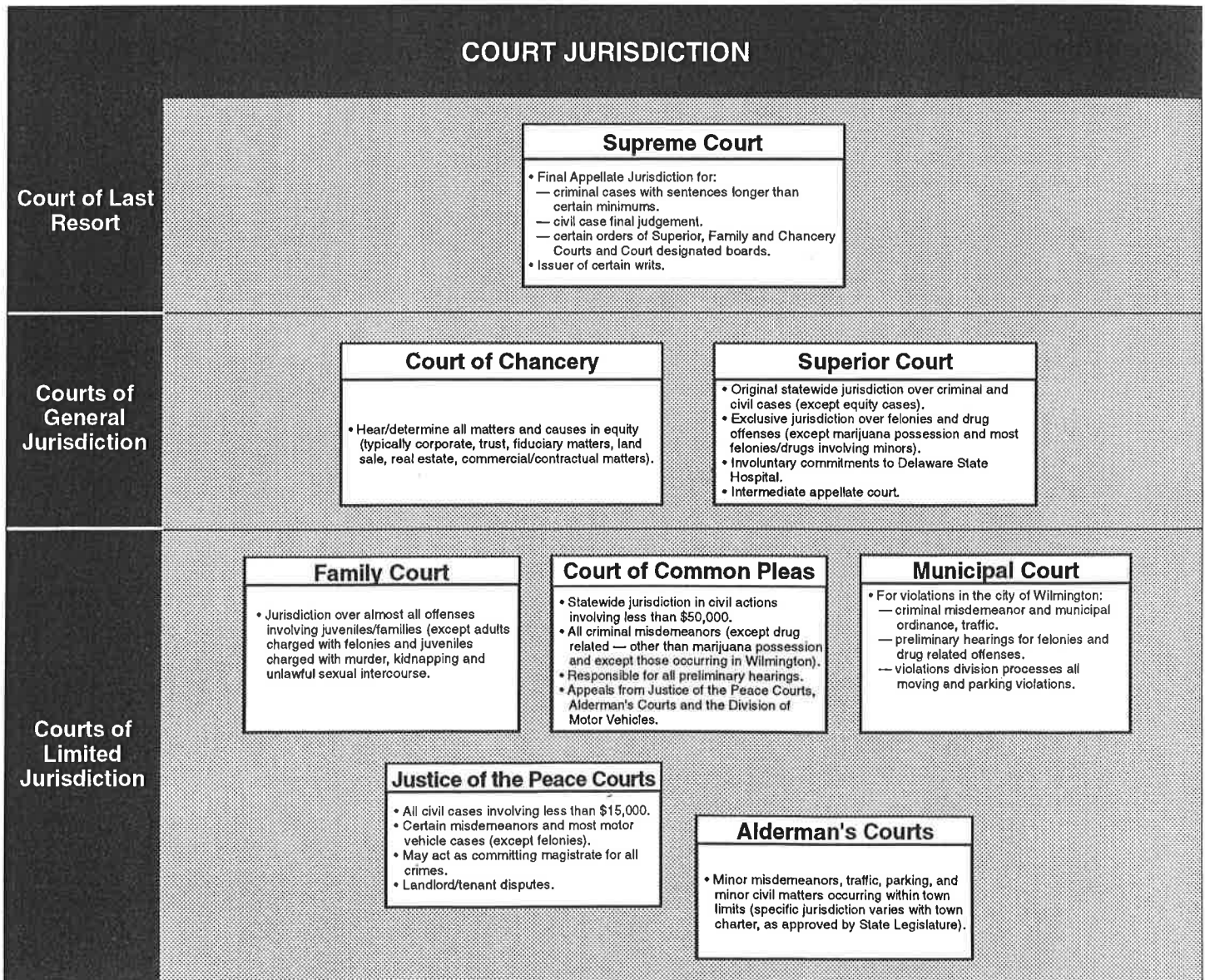


Figure 1

INTRODUCTION TO THE DELAWARE COURT SYSTEM

disposed of rapidly at the Justice of the Peace Courts level without further impact on the remainder of the judicial system.

The Court of Common Pleas has jurisdiction in civil cases where the amount involved, exclusive of interest, does not exceed \$50,000. In criminal cases, the Court of Common Pleas handles all misdemeanors occurring in the State except drug-related cases (other than possession of marijuana), and those cases occurring in Wilmington. The Court is also responsible for all preliminary hearings in felony cases except

those occurring in Wilmington. Appeals may be taken to the Superior Court.

The Family Court has almost comprehensive jurisdiction over family and juvenile matters. All civil appeals including those relating to juvenile delinquency go directly to the Supreme Court while criminal cases are appealed to the Superior Court.

The Superior Court, the State's court of general jurisdiction, has original jurisdiction over criminal and civil cases except equity cases. The Court has exclusive jurisdiction over

felonies and almost all drug offenses. In civil matters, the Court's authority to award damages is not subject to a monetary maximum. The Superior Court also serves as an intermediate appellate court by hearing appeals on the record from the Court of Common Pleas, the Family Court (in criminal cases), and a number of administrative agencies. Appeals from the Municipal Court are heard as trials de novo (second trials) in the Superior Court. Appeals from the Superior Court may be taken on the record to the Supreme Court.

APPEALS & TRANSFERS

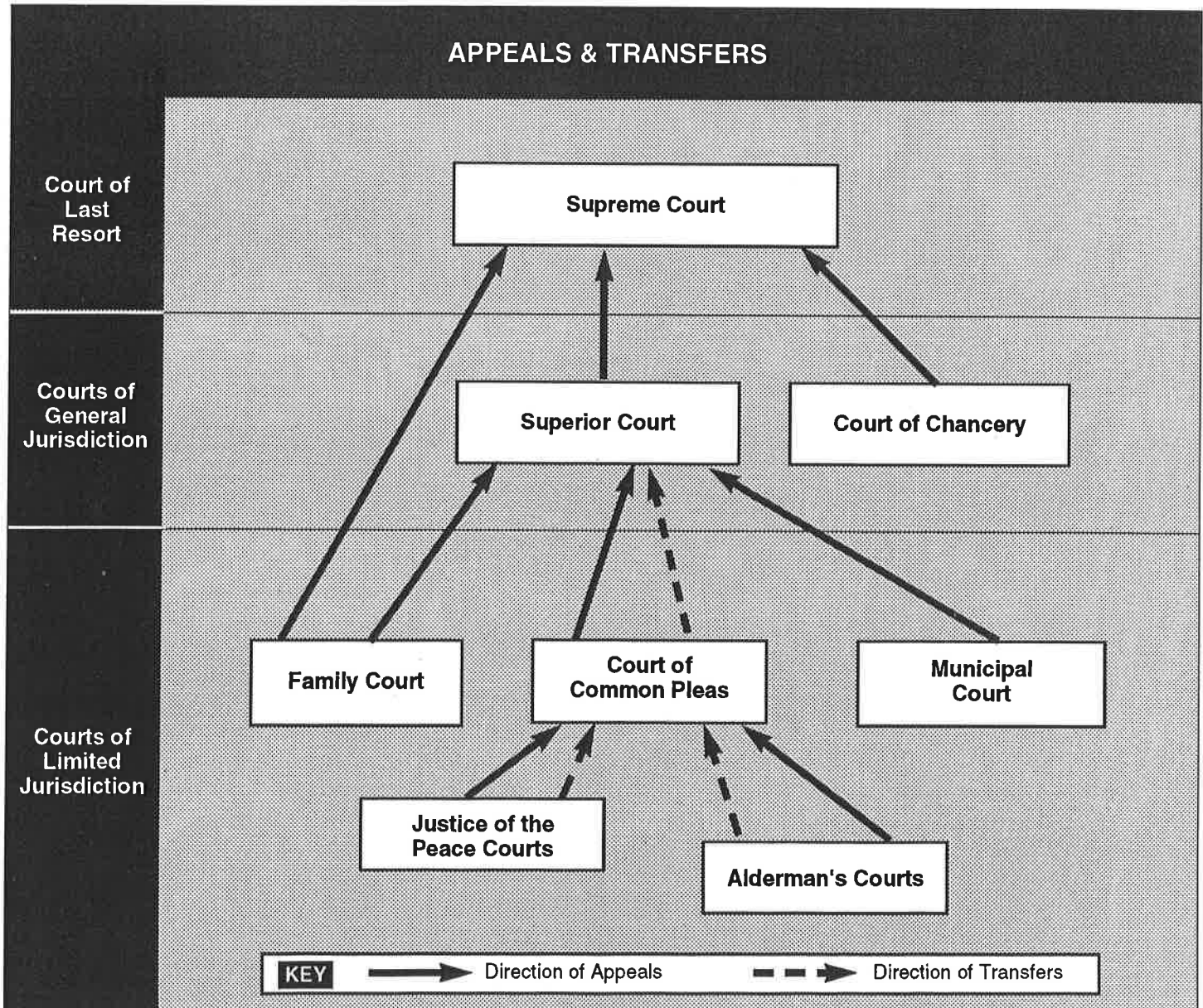


Figure 2

INTRODUCTION TO THE DELAWARE COURT SYSTEM

The Court of Chancery has jurisdiction to hear all matters relating to equity. The litigation in this tribunal deals largely with corporate issues, trusts, estates, other fiduciary matters, disputes involving the purchase of land and questions of title to real estate as well as commercial and contractual matters. The Court of Chancery has a national reputation in the business community and is responsible for developing the case law in Delaware on corporate matters. Appeals from the Court of Chancery may be taken on the record to the Supreme Court.

The Supreme Court is the State's appellate court which receives direct appeals from the Court of Chancery, the Superior Court, and the Family Court.

As administrative head of the Courts, the Chief Justice of the Supreme Court, in consultation with the other Justices, sets administrative policy for the Court System.

The Administrative Office of the Courts, including the Judicial Information Center and the Office of State Court Collections Enforcement, provides those centralized services to the Delaware Judiciary which are consistent with the statewide policies

and goals for judicial administration and support operations as established by the Chief Justice of the Supreme Court.

Other components of the Delaware Judiciary as seen on the figure below are for funding purposes only.

As seen on Figure 3, the majority of the parts of the Delaware judicial system are funded by the State. Exceptions to this are the Municipal Court of the City of Wilmington, the Alderman's Courts, the Registers in Chancery and the Registers of Wills for the Court of Chancery, and the Sheriffs for the Superior Court.

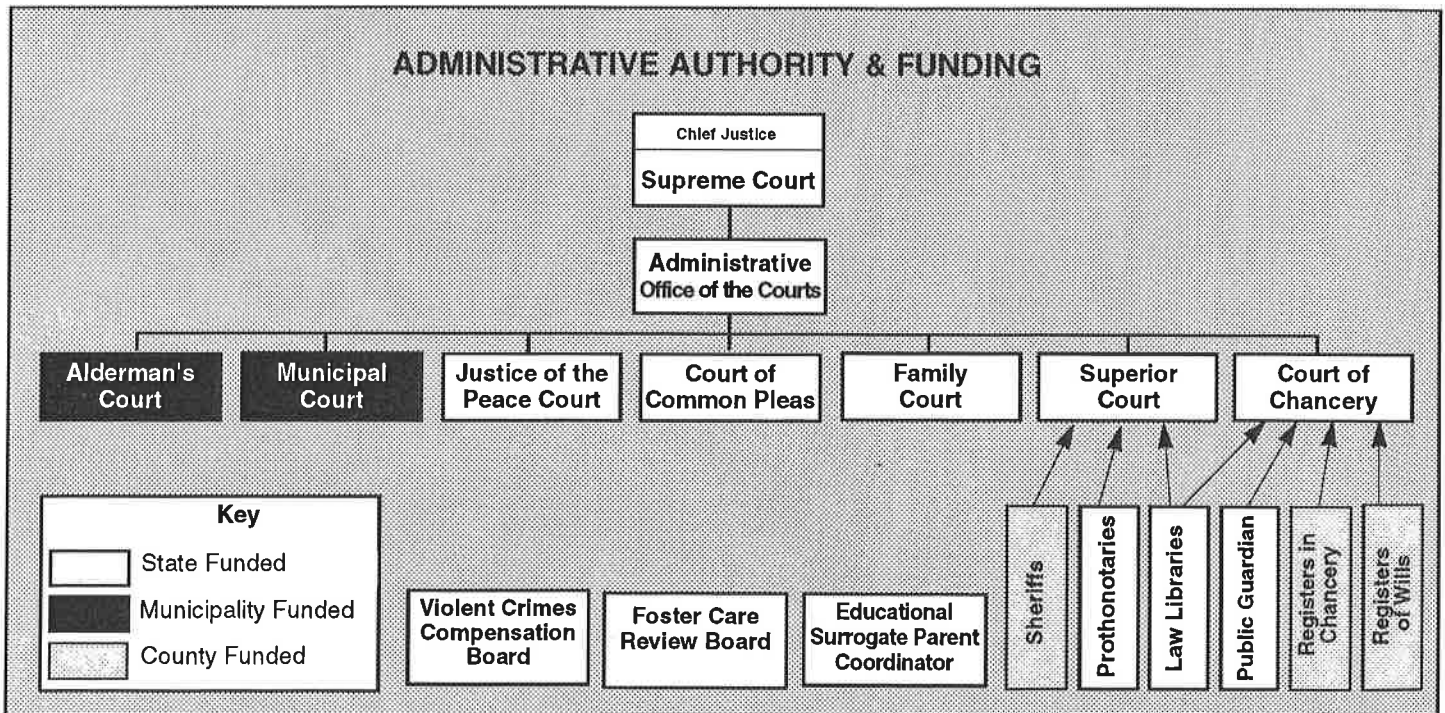


Figure 3

**Court
Caseload
Summaries
for Fiscal
Year 1997**

COURT CASELOAD SUMMARIES FOR FY 1997

SYSTEMWIDE OVERVIEW

There was an overall increase in both criminal and civil caseload activity in the courts during FY '97, with record levels of filings in the Superior Court, the Family Court, and the Court of Common Pleas.

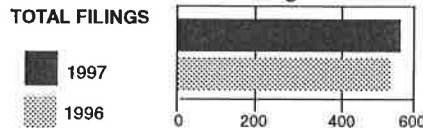
The most dramatic increase came in the criminal filings in the Court of Common Pleas where there was a statewide increase of over 56%. A substantial rise in criminal contempts filed in the court led to an increase of approximately 100% in both Kent and Sussex Counties. The increase in total filings was over 50% as civil filings rose as well in each county.

The increase in filings in Superior Court for both criminal and civil filings led to a record level of total filings for the Court. The increase in criminal filings in both Kent and Sussex Counties of 20% and 14% respectively was far greater than the rate of increase for the State.

The caseload for the Family Court has continued to rise to record levels for the past four years, with the statewide increase being across the board during FY '97 in adult criminal, juvenile delinquency and civil cases.

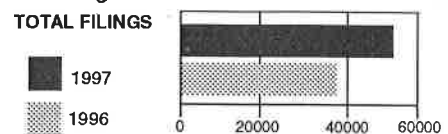
SUPREME COURT

There was an increase in total filings in the Court during FY '97 unlike the previous year when the number of filings had been almost unchanged.



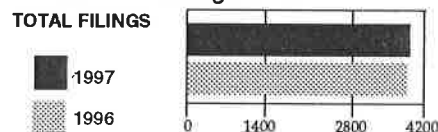
COURT OF COMMON PLEAS

The Court leaped to a new level of record filings with an increase in total filings of over 50%, as both criminal and civil filings rose in each of the counties.



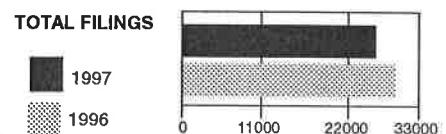
COURT OF CHANCERY

For the second consecutive year, there was only a slight change in the number of total filings with there having been a rise of less than 1% during FY '97.



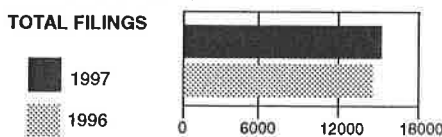
MUNICIPAL COURT

Total filings decreased during FY '97 with decreases in both criminal and traffic filings after an increase in total filings in FY '96.



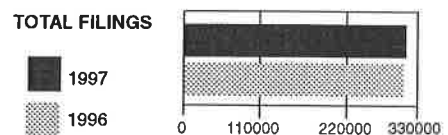
SUPERIOR COURT

As in FY '96 there were increases of over 5% in both criminal and civil filings with an increase in total filings during FY '97 of over 7%.



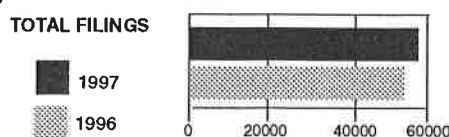
JUSTICE OF THE PEACE COURTS

There was an increase of over 4% in total filings which resulted from a rise of almost 5% in criminal filings that offset the slight decrease in civil filings during FY '97.



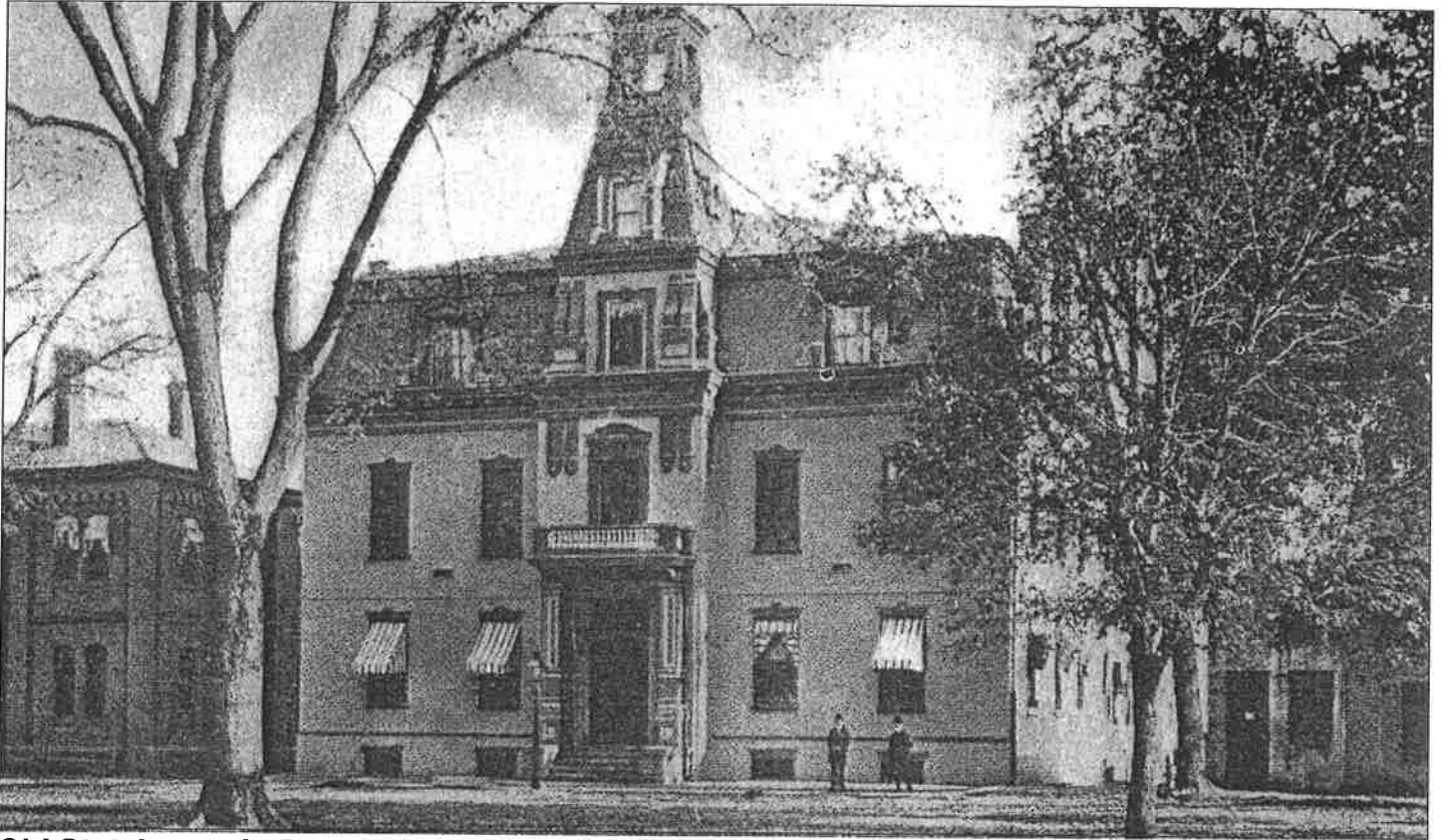
FAMILY COURT

Total filings rose by over 5% with increases in all of the major categories measured as the Court reached a record level of filings for the fourth consecutive year.



**Centennial
Celebration**

CENTENNIAL CELEBRATION



**Old Statehouse in Dover, Delaware circa 1900.
Photograph provided by Delaware Public Archives**

On June 10, 1997, dignitaries from the executive and judicial branches participated in a Joint Session of the 139th General Assembly observing the Centennial Celebration of the Delaware Constitution of 1897.

The significance of this very special occasion in Delaware's history was proclaimed in Senate Concurrent Resolution No. 41 which observed in part that:

"... this Celebration, which was broadcast live on WHYY-TV 12, featured the stirring vocals of Patricia Malcolm, an informative keynote address by Dr. John A. Munroe of the University of Delaware, and timely comments from Governor Thomas R. Carper, Lieutenant Governor Ruth Ann Minner, Chief Justice E. Norman Veasey and Justice Randy J. Holland of the Supreme Court of Delaware, Speaker of the House Terry R. Spence, Senate President Pro Tempore Thomas B. Sharp and Harvey Bernard Rubenstein, Esquire."

"... the Centennial Celebration for the Delaware Constitution of 1897 provided all Delawareans with an excellent opportunity to appreciate the long-standing tradition of cooperation and interdependence that has characterized relations between the executive, legislative and judicial branches of our State government and to reflect on the many individual liberties that are guaranteed by this historic document . . ."

Senate Concurrent Resolution No. 41 paid tribute to the members of the Centennial Celebration Planning Committee (chaired by Justice Randy J. Holland) for successfully planning and executing the Centennial Celebration.

In commemoration of the centennial of the Delaware Constitution, the Delaware State Bar Association published a new book entitled The Delaware Constitution of 1897 - The First Hundred Years.

In this book it was stated "By far the most significant change in the judicial branch that resulted from the 1897 Convention related to those provisions which governed the selection and tenure of members of the major judiciary. . ." The book also noted that "Eventually the convention adopted the system that has endured to this day: appointment by the governor for the 12-year terms subject to senate confirmation."

Chief Justice E. Norman Veasey paid tribute to the many authors of the book in his State of the Judiciary Message calling it a "... magnificent work. . .", "... a compilation of sixteen scholarly chapters by distinguished Delawareans on various aspects of our Constitution. . .". The book was co-edited by Supreme Court Justice Randy J. Holland and Harvey Bernard Rubenstein, Esquire.

**Fiscal Year
1997
Highlights
and
Developments**

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

CHIEF JUSTICE'S STATE OF THE JUDICIARY MESSAGE FOCUSES ON A CENTRAL THEME

Against the background of the State's celebration of the Centennial of Delaware's Constitution of 1897, Supreme Court Chief Justice E. Norman Veasey used his presentation of the State of the Judiciary Message to focus attention on the urgent need for a new courthouse in Wilmington by the turn of the century. This written message, which was presented to the General Assembly on Law Day (May 1), began with a recognition of the significant impact which the revisions made in the Delaware Constitution of 1897 had on the Delaware Judiciary. The Chief Justice proceeded to discuss the significant contributions to the state which resulted from the efforts of the Court of Chancery and the Supreme Court in their dealings with "Corporate America". His ensuing commendation of the Delaware court system as a whole set the stage for his call for a new courthouse facility in Wilmington.

The Chief Justice painted a grim picture of the "frighteningly unsafe and unsatisfactory surroundings of the Daniel L. Herrmann Courthouse and the Family Court Building in Wilmington", and he expressed the view that "we need urgently to replace these facilities". The Chief Justice emphasized that any further efforts at renovation of the Herrmann Courthouse and the Family Court Building would be futile. Focusing attention on the needs of the people of our state, the Chief Justice said that a "new combined facility with appropriate safety arrangements is both feasible and essential".

INTRODUCTION

The following sections recognize individual accomplishments as well as the accomplishments of the Judicial Branch in introducing new programs, expanding the automation of specific court functions, standardizing systemwide processes, and carrying out other initiatives designed to promote quality and efficiency in the administration of justice.

CHIEF JUDGE POPPITI RECEIVES NATIONAL AWARD

On November 18, 1996, Family Court Chief Judge Vincent J. Poppiti was named the first recipient of the William H. Rehnquist Award for Judicial Excellence by the National Center for State Courts. The National Center for State Courts sponsors the Award for one judge who possesses the qualities of judicial excellence, as exemplified by Chief Justice Rehnquist, in the areas of "integrity, fairness, open-mindedness, knowledge of the law, professional ethics, creativity, sound judgement, intellectual courage and decisiveness." Chief Judge Poppiti was selected from among all judges nationwide with more than 15 years of experience on state courts of appellate, general and

special jurisdiction. Chief Judge Poppiti was selected by a committee that included Chief Justice Rehnquist, the Chief Justice of the Supreme Court of Virginia, and the presidents of the Conference of Chief Justices, American Judges Association, Conference of State Court Administrators, and the National Center for State Courts.

The Committee recognized Chief Judge Poppiti for "demonstrating the highest quality of judicial excellence," promoting innovations in the management of state courts and providing leadership at the national and state levels to improve state systems of justice. The Committee also noted the national recognition that Chief Judge Poppiti received for his unique management of complex civil litigation and his professionalism in the courtroom during his tenure as an Associate Judge and Resident Judge of the Superior Court for New Castle County, Delaware from 1983 to 1992. His service since 1994 as a member of the White House Advisory Council on Violence Against Women and as a presenter at the Vice President's Family Re-union Conference in 1996 was also acknowledged.

Prior to the presentation of the Award, United States Attorney General Janet Reno spoke of Chief Judge Poppiti's accomplishments at the Family Court. She said that it was "fitting and proper that the National Center's first William Rehnquist Award for Judicial Excellence goes to Judge Poppiti, a judge who has focused on the single hardest group of problems that come before our courts today: child support, dependency, delinquency, domestic violence all the cases that come together to form the problems that we see." The Attorney General noted that Poppiti has been at the forefront of efforts across the country to address the "intersection of families, children and the justice system."

The national award was presented by Chief Justice Rehnquist of the United States Supreme Court at a special dinner at the great Hall of the Supreme Court in Washington D.C., just twelve days after the Family Court celebrated its twenty-fifth year as a statewide unified court.

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

CHIEF JUSTICE'S AWARD FOR OUTSTANDING JUDICIAL SERVICE

Chief Justice E. Norman Veasey presented the Second Annual Chief Justice's Award for Outstanding Judicial Service to Chancellor William T. Allen at the Delaware Judicial Conference which was held at Buena Vista on December 13, 1996.

Chancellor Allen, who has served on the Court of Chancery since June of 1985, was nominated for this award by Vice Chancellor William B. Chandler, III, who wrote a glittering letter of praise on his behalf. In addition to the attributes articulated in support of his nomination, Chief Justice Veasey touted Chancellor Allen's national reputation in corporate law saying that, "He is admired, followed, and much sought-after at national seminars and lectures on that topic, which is only one of his many areas of expertise". Citing the fact that Chancellor Allen has written over 500 judicial opinions on a broad range of legal questions, Chief Justice Veasey continued, "he is nationally renowned not only because of his corporate law opinions and the scholarship inherent in them, but because his reputation has also been enhanced by his academic writing, lectures and associations with institutions of higher learning". [Note: After completing his first term in office on June 30, 1997, Chancellor William T. Allen resigned from the Court of Chancery to accept the position of Professor of Law and Director of the Center for Law and Business at New York University.]

JUDICIAL BRANCH EMPLOYEE OF THE YEAR AWARD

Since FY 1991, the Judicial Branch Employee of the Year Award has been presented annually to one staff member selected for his or her outstanding public service. This year, the award went to a team of employees from the Justice of the Peace Courts. Debra Hall, Court Clerk (New Castle County), Anna A. Lewis, J. P. Court Operations Manager (New Castle County), and Jerome Smuzynski, Chief of Court Security (New Castle County) were co-

recipients of this honor in 1996 for their outstanding efforts on the Constable Centralization Project in New Castle County.

Justice Randy J. Holland presented the award to the employees at a ceremony held on May 9, 1997 in Newark.

JUDGESHIPS

Chancellor William T. Allen, who did not seek reappointment to a second term, left the Court of Chancery on June 30, 1997. Former Vice Chancellor William B. Chandler, III, was sworn in as Chancellor on June 30, 1997.

Associate Judge Peggy L. Ableman took the oath of office to begin her second twelve year term as a Family Court judge on April 15, 1997.

Judge Merrill C. Trader took the oath of office beginning a third term as a judge for the Court of Common Pleas on February 7, 1997.

Judge Richard F. Stokes took the oath of office as a judge on the Court of Common Pleas on July 26, 1996.

COURT CONSOLIDATION TO TAKE EFFECT MAY 1, 1998

Senate Bill No. 204 consolidating the Municipal Court for the City of Wilmington with the Court of Common Pleas and the Justice of the Peace Courts was signed into law on July 14, 1997 in a ceremony held at the Daniel L. Herrmann Courthouse. The consolidation of these courts was one of the top priorities on the legislative agenda of the Commission on Delaware Courts 2000.

Effective May 1, 1998, the two full-time Municipal Court judges will become judges of the Court of Common Pleas, thereby increasing the total number of judges on that court to seven.

Teams consisting of representatives from all three courts, as well as personnel from the Administrative Office of the Courts, will be working together in developing plans to make the transition a successful one.

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

PLANNING FOR A NEW COURTHOUSE IN WILMINGTON

Owing to the support of Governor Thomas R. Carper and the members of the General Assembly, the concept of building a new court facility in Wilmington took a major step forward to becoming a reality.

\$500,000 has been appropriated to the Department of Administrative Services in the FY 1998 Bond and Capital Improvements Act (HB No. 400) ". . .to initiate programming necessary to facilitate design of a new Wilmington Courthouse. . ." In addition to authorizing the Department of Administrative Services to negotiate the acquisition of land for the new Courthouse and empowering the Department to negotiate the sale of the Daniel L. Herrmann Courthouse, the "Bond Bill" also calls for the creation of a nine member Executive Committee that will oversee all aspects of the building program. The Executive committee will include the Co-Chairs of the Joint Legislative Committee on the Capital Improvement Program, the respective Chairs of the House and Senate Judiciary Committees, two members of the Judiciary as appointed by the Chief Justice, and three members of the Executive Department including the Secretary of Administrative Services, the Director of the Division of Facilities Management, and the State Budget Director, or their respective designees.

Highlighting the significance of this event, Chief Justice E. Norman Veasey expressed his gratitude to the Governor, the members of the General Assembly and to all others who have given their support to this initiative which began nearly a decade ago.

OTHER COURT FACILITIES

Sussex County Courthouse

Having completed the final installment of the State's purchase of the Sussex County Courthouse with FY 1997 funds provided by the General Assembly, key officials from the Department of Administrative Services and the Courthouse Space Planning Committee, which is chaired

by Resident Judge William Swain Lee, have been working closely with an architectural firm in preparing for the renovations to the Courthouse. \$2.5 million was appropriated for FY 1998 to begin the first phase of this multi-year project.

Kent County Courthouse

The Judiciary requested \$50,000 in the FY 1998 Capital Budget for a space evaluation, program planning and a cost estimate for renovations for the courts and related agencies which occupy the Kent County Courthouse. This analysis is necessary to determine the near and long term needs of the courts which have been and continue to be confronted with serious space problems. Because this initiative was not funded in FY 1998, the Judiciary is seeking funding in the FY 1999 Capital Budget Request. The Kent County Courthouse Committee, which is chaired by Resident Judge N. Maxson Terry, Jr., has already conducted its preliminary assessment of the Courthouse's space needs, and it is ready to move forward when monies are appropriated.

Justice of the Peace Courts

The Justice of the Peace Courts continue to make substantial progress in their long term, statewide building program. Upon the completion of architectural and engineering studies in FY 1996, construction began in FY 1997 on a new, combined facility for J.P. Court Nos. 7 and 16 in Dover. The Bond Bill Committee appropriated \$2,634,600 in FY 1997, and an additional \$370,400 was provided by that Committee to complete the project. It is expected that the new courts will be open to serve the public in the late summer or early fall of 1998.

In Sussex County, the Justice of the Peace Courts look forward to opening a new Justice of the Peace Court No. 2 outside of Lewes, Delaware. This facility, which is the product of a build-to-suit lease agreement, is expected to be completed in the summer of 1998.

Proposals for the construction of a new Justice of the Peace Court No. 6 in Harrington have been received by

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

the Department of Administrative Services. This facility also will be the product of a build-to-suit lease agreement between the State and private enterprise.

Minor Capital Improvements

Although not sufficient to meet all of the pressing needs of the Courts, the FY 1997 Bond Bill did provide \$250,000 for minor capital improvements. In continuing the excellent working relationship between the Executive and Judicial Branches of government, the Director of the Administrative Office of the Courts, Lowell L. Groundland, and the Secretary of the Department of Administrative Services, Vincent P. Meconi, agreed to allocate funds for the following projects: New Castle County Family Court received \$69,577 for the installation of bullet resistant glass at the main desk and the cashier's window; the Kent County Courthouse received \$128,400 for Phase 2 security improvements; \$39,300 was provided to the Superior Court for judicial chambers in the Daniel L. Herrmann Courthouse; and \$7,000 was allocated for bullet resistant glass at the cashier's window in the Kent County Family Court. The remaining \$5,723 will be held in reserve for future minor capital project needs.

TECHNOLOGY

In FY '97, the courts and the Judicial Information Center (JIC) implemented important improvements in the Judicial Branch's computing infrastructure and began to phase in important changes related to JIC operations. These initiatives are geared towards establishing a stronger foundation to build a first-class automation program over the long-term.

Projects completed in FY '97 that improved the computing infrastructure are:

- Approximately 300 new personal computers were installed in the courts.
- New networks were installed at four Justice of the Peace Court locations.
- Existing networks were significantly upgraded at the Court of Chancery, Family Court and the Court of Common Pleas.

Two major initiatives were started in FY '97 geared towards improving JIC's ability to serve the courts. The first initiative is to transfer JIC's mainframe operations to the Office of Information Systems. This transfer will allow the JIC to reallocate staff and financial resources from JIC's mainframe computer to the development and support of court case management systems. In addition, the cost of operating the JIC mainframe computer would have increased significantly in FY '98 and FY '99 due to increases in workload. Through "mainframe consolidation" these additional costs are avoided and the State and Judicial Branch can better focus limited resources on other priorities geared towards meeting the needs of the public and the courts. The "mainframe consolidation" was approved in June and will be implemented in the fall of 1997.

The second initiative is to phase out JIC's large dependence on contractual programmers for the support of existing systems. Contract programmers were needed in the short-term to handle major increases in workload, but this approach is not cost-effective over the long-term. In FY '97 JIC received through the budget process one programmer position. Through the "mainframe consolidation" initiative described above JIC was able to create two programmer positions through the reclassification process. And through the FY '98 budget process JIC received three programmer positions. When JIC is fully staffed, under normal workload scenarios, this staffing configuration will allow JIC to support the automated systems currently in operation.

The two initiatives described above will change the JIC at a fundamental level and create many new opportunities over the long-term. However, during FY '97, these changes created a difficult and uncertain working environment for most JIC staff.

In FY '97, work proceeded on the following projects:

- Automated sentence order project
- Justice of the Peace Court civil case management
- Family Court criminal case management and financial management
- Management reporting

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

- "Clean up" and enhancements to the criminal case management system used by the Superior Court and Court of Common Pleas.

JIC also provided 307 "student days" of training on the use of personal computers and PC software in FY '97. Most class participants rated the training as "excellent."

In FY '98, the JIC will focus on completing projects on the current priority list, continuing to make major improvements related to computing infrastructure, and addressing staffing shortages related to the support of personal computers and networks.

ADMINISTRATIVE ENHANCEMENT COMMITTEE REPORT

The Administrative Enhancement Committee, which was created by Chief Justice E. Norman Veasey's Administrative Directive No. 105 to "examine the operational effectiveness of the assistance and support provided to the Chief Justice in carrying out the "Administrative Function . . .", and to focus on Supreme Court Rule 87 for the purpose of evaluating how the functions under the Rule are being carried out, submitted its Final Report to the Chief Justice on December 12, 1996. The Report focused on five (5) areas in which it provided both specific findings and recommendations: 1) overall operations of the AOC; 2) technology; 3) budget for the courts; 4) personnel; and 5) legislative liaison activities.

Regarding overall operations, the Committee found principally that the AOC was not meeting all of its mandates under Supreme Court Rule 87, and it recommended that the Rule should be "substantially revised". The Report also found, among other things, that "the AOC has been and continues to be underfunded and understaffed" and that the Office has not been given adequate support and clear direction regarding its authority and responsibilities within the Judicial Branch of government.

Specific findings and recommendations were provided in each of the four remaining areas. Chief Justice Veasey sent copies of the

Committee's Report to all of the members of the Supreme Court, the members of the Executive Committee, and the Director of the AOC in December, 1996.

AOC STRATEGIC PLANNING/ REORGANIZATION/ SEARCH COMMITTEE

The Strategic Planning/ Reorganization/Search Committee with Justice Joseph T. Walsh as Chair, was appointed by Chief Justice E. Norman Veasey in his Administrative Directive No. 111 of February 1, 1997. The Committee is charged with recommending goals and objectives for the Administrative Office of the Courts and the administrative functions of the various courts and judicial agencies, and the feasibility of other enumerated goals and objectives. The report of the Commission on Delaware Courts 2000 and the recommendations of the Administrative Enhancement Committee will be considered for implementation where deemed appropriate. The Committee is to make its recommendations to the Chief Justice as to the successor of the Director of the Administrative Office of the Courts within an adequate time frame so that the office which becomes vacant on May 1, 1998 upon the retirement of the current Director, can be filled not later than July 1, 1998.

CONTINUING JUDICIAL EDUCATION

Through the Continuing Judicial Education Program administered by the Administrative Office of the Courts with appropriations from the General Assembly, the Judiciary continued the practice of attending conferences on both a local and national level.

A Judicial Education Retreat was held September 25-27, 1996, at the Boardwalk Plaza Hotel in Rehoboth. A noted legal expert on writing opinions, Bryan Garner, Esquire, of Law Prose in Dallas, Texas, conducted the 1.5 day program.

The Judicial Conference met December 13, 1996, at Buena Vista

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

State Conference Center, New Castle, for an educational program on professionalism and civility. Keynote speakers were Cynthia Gray, Esquire, of the American Judicature Society in Chicago, and Dr. David H. Baum of Baum and Associates in New Hampshire.

The Annual Bench and Bar conference was held June 4, 1997, at the Sheraton Hotel in Dover, and celebrated the 100th Anniversary of the Delaware Constitution. A special program marking this historic date featured Professor Jennifer Friesen, Loyola Law School, Wisconsin Chief Justice Shirley Abrahamson, Connecticut Justice Ellen Peters, Indiana Chief Justice Randall Shepard, and Delaware Justice Joseph T. Walsh discussing the role of state constitutions. President Jerome J. Shestack of the American Bar Association brought welcoming remarks on behalf of his organization.

STAFF TRAINING

With an appropriation from the General Assembly, staff in the Delaware courts attended for the first time, training sessions sponsored by the Administrative Office of the Courts. Customer Service training was held statewide for over 500 court employees and members of the judiciary of the Justice of the Peace Courts. Other training opportunities included computer training at Delaware Technical and Community College; Frontline Leadership, sponsored by the Office of State Personnel; and Mandatory Orientation for New Employees. Plans are underway to expand the staff training program to include basic skills and job related educational programs.

DIVERSITY TRAINING

Based upon the recommendation of the Delaware Gender Fairness Task Force and the Supreme Court Task Force on Racial and Ethnic Fairness, the Administrative Office of the Courts applied for and received a grant from the Criminal Justice Council in the amount of \$20,000 to conduct diversity workshops for the judiciary and court staff. The Training Administrator is working with

consultants from Progressive Human Resource Management to plan the training program which is scheduled to begin in January, 1998.

CERTIFIED COURT INTERPRETER'S PROGRAM

During FY '97, the Administrative Office of the Courts implemented the Certified Court Interpreter's Program as outlined in Chief Justice E. Norman Veasey's Administrative Directive No. 107. Four orientation sessions were held throughout the state for all interested applicants including court staff. Two tests were administered for Spanish interpreters: Phase I, which was for sight and simultaneous interpreting; and, Phase II, which consisted of consecutive interpreting. Forty-five applicants were tested in Phase I and eleven passed. During Phase II, ten applicants were tested and nine passed.

The Court Interpreters' Advisory Board was established by Chief Justice Veasey to establish policies and fully implement the program. Chief Magistrate Patricia W. Griffin was named as the Chair with the following judges serving on the Board: Vice Chancellor Jack B. Jacobs, Judge Haile Alford, Chief Judge Alex J. Smalls, Judge Aida Wasserstein, and Judge William Boddy. The Training Administrator in the Administrative Office of the Courts was appointed as staff.

A grant to continue the Court Interpreter's Program was received from the Criminal Justice Council in the amount of \$11,582. Orientations and testing will be held in both FY '98 and FY '99 to enlarge the program.

TASK FORCE ON CITIZEN INVOLVEMENT IN THE JUDICIAL SYSTEM

In his Administrative Directive No. 109 of July 26, 1996, Chief Justice E. Norman Veasey created the Delaware Task Force on Citizen Involvement in the Judicial System. This Task Force, which is chaired by F. Michael Parkowski, Esquire, has been charged with the primary responsibility of promoting among the public a better understanding of the judicial system,

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

understanding of the judicial system, and providing input to the Judicial Branch on appropriate methods for improving the quality of service provided by the courts. The Task Force produced the *Guide to the Delaware Court System* in April 1997. This document contains a wealth of consumer information about the Delaware Judicial system including: an overview of the courts; an explanation of the jurisdiction of each court along with the names, addresses, and telephone numbers of judges by court location. Information regarding services provided by criminal justice agencies, and other entities both public and private is also contained in the Guide.

DOMESTIC VIOLENCE CONFERENCE

During FY '97, a grant was received from the Criminal Justice Council and the Violence Against Women Act in the amount of \$25,000 to conduct two one-day conferences in October 1997 for members of Delaware's judiciary, court staff, deputy attorneys general, assistant public defenders, police, legislators, probation and parole officers, and victims' advocates.

COURTS/CORRECTIONS TRANSPORTATION COMMITTEE

The current Courts/Corrections Transportation Committee (CCTC) was formed in the fall of 1996 by Chief Justice E. Norman Veasey and Budget Director Peter M. Ross as a cooperative joint venture between the judicial and executive branches of government to examine ways of addressing security, scheduling, and cost issues associated with the transportation of inmates to the courts. This Committee is co-chaired by Superior Court Judge Jerome O. Herlihy and Bureau of Prisons Chief Paul Howard.

The Committee was assigned to conduct a thorough analysis of the issues and problems of transporting prisoners to courts, including: 1) the need for improved security; 2) better scheduling coordination among the various courts and the Department of Correction; 3) streamlining procedures; 4) improving communications to produce greater efficiencies and cost savings; and 5) other

related matters. Increased opportunities for the appropriate application of technologies (e.g., videoconferencing) which are consistent with due process considerations to court proceedings and their associated transportation requirements are also to be explored.

Currently, the Committee is focusing on determining how, if at all, there can be efficient, increased use of videophone technology at the four major adult institutions (the Multi-Purpose Criminal Justice Facility, the Baylor Women's Correctional Institution, the Delaware Correctional Center, and the Sussex Correctional Institution). The specific subject matters being studied include *capias* returns, control for representation, bail motions, and Public Defender interviews with incarcerated clients.

STANDARDIZATION AND UNIFORMITY IN AUTOMATED ACCOUNTING AND COLLECTIONS SYSTEMS

Procedures and policies in fiscal matters applicable statewide continue to be developed and put into practice. Automated financial management systems have been implemented in the Justice of the Peace Courts and the Court of Common Pleas. The Family Court will be the next court to be brought into the core system, and Superior Court is scheduled to be converted to this system within the next year.

The Office of State Court Collections Enforcement was established in FY 1994 in the Administrative Office of the Courts to support the enforcement of sentences involving the collection of monetary obligations such as fines, costs, restitution, etc. The ultimate success of this Office is very closely linked to the expansion of the automated standardized accounting system to each court. The Office has had to work with incomplete data, and in some cases manually prepared information, in order to establish contact with clients who have balances due and whose accounts are, in most cases, in delinquent status. Despite these drawbacks, the Office has achieved modest success and was able to increase the amount of funds collected in the last fiscal year by over \$100,000.00.

FISCAL YEAR 1997 HIGHLIGHTS AND DEVELOPMENTS

SUMMARY OF GRANTS AND SUB GRANTS AWARDED IN FY 1997

Superior Court

- Delay Reduction Grant from US Department of Justice, Bureau of Justice Assistance (BJA) \$300,000, 5.0 positions. This grant provides funding for five criminal case managers who will provide support to our commissioners so that the commissioners will have additional time to provide relief to the judges. The additional judicial time will increase availability for trial which, in turn, will increase disposition rates and reduce delay.
- The First State Quality Improvement Fund (administered by State Personnel), \$13,000. These funds will be used to acquire a public information kiosk for visitors to the Kent County Courthouse.
- Byrne Grant Set Aside Funds, Data Alignment Project, \$63,242. These funds will be used to pay overtime to court personnel to identify, research and correct data errors, particularly where JIC data does not reconcile with data on CJIS/DELJIS.

Family Court

- The Byrne Memorial Grant has provided Family Court with automation hardware necessary to generate sentencing orders in the courtroom and to monitor compliance with the Dispositional Guidelines for Juveniles. This grant has greatly reduced the amount of time necessary to enter dispositional information into the automated system. \$169,263
- The National CASA Association awarded the Family Court an \$80,000 expansion grant which provides a part-time coordinator who will recruit, train, and supervise Court Appointed Special Advocates (CASA). The volunteers represent the child in dependency, neglect and abuse cases in the Family Court. This grant will help the State move toward compliance with the federal mandate to provide representation for every child who is the subject of this type of proceeding.

Court of Common Pleas

- First State Quality Improvement Fund - \$4,300. The court held two strategic planning sessions to develop a strategic plan that follows the Trial Court Performance standards.

Administrative Office of the Courts

- CJC Sub Grant Domestic Violence - During FY'97, the Office of the Director received a grant of \$25,000 from the Criminal Justice Council and the Violence Against Women Act to conduct training for the judiciary, court staff, probation and parole officers, deputy attorneys general, public defenders, police, and members of the treatment community. A Conference Planning Committee, comprised of members of the targeted audience, was formed in December, 1996. The conference was held on October 23 and 24, 1997, at the Sheraton Hotel in Dover.
- CJC Sub Grant - Court Interpreters Program, \$11,582.00. This funding enables the Office of the Director to contract with the National Center for State Courts to test 20 additional Spanish language interpreters, and to contract with professional interpreters to provide orientation training to 20 new court interpreters.

Fiscal Overview

FISCAL OVERVIEW

SUMMARY OF JUDICIAL BUDGETS - FISCAL YEAR 1996-1997-1998-1999

	F.Y. 1996 Actual Disbursement	F.Y. 1997 Actual Disbursement	F.Y. 1998 Appropriations	F.Y. 1999 Request
STATE *				
Administrative Office of the Courts	\$ 2,606,000	\$ 2,468,700	\$ 3,306,600	\$ 3,343,300
Judicial Information Center	1,886,500	2,200,500	1,844,900	3,139,100
State Court Collections Enforcement**	369,900	346,500	363,800	369,500
Supreme Court	2,055,900	2,698,900	2,153,000	2,204,200
Continuing Judicial Education***	37,000	51,700	51,300	53,300
Court of Chancery	1,729,100	1,752,300	1,865,300	1,942,300
Public Guardian	292,300	315,200	359,500	371,100
Superior Court	12,429,600	12,922,200	13,396,800	13,927,300
Law Libraries	421,500	434,200	452,000	485,100
Family Court	12,874,200	13,146,000	13,578,200	14,061,400
Court of Common Pleas	3,903,200	4,634,600	4,116,300	5,054,400
Justice of the Peace Courts	12,921,900	13,016,900	9,982,400	11,272,000
Violent Crimes Compensation Board	1,583,800	1,800,900	2,166,500	2,166,500
Foster Care Review Board	309,200	404,500	413,200	438,700
Educational Surrogate Parent Program	56,200	57,200	62,100	66,200
STATE TOTALS	\$ 53,476,300	\$ 56,250,300	\$ 54,111,900	\$ 58,894,400
NEW CASTLE COUNTY				
Register in Chancery	\$ 728,548	\$ 753,488	\$ 745,166	
Register of Wills	840,759	843,166	861,472	
Sheriff	1,348,637	1,426,900	1,402,003	
NEW CASTLE COUNTY TOTALS****	\$ 2,993,744	\$ 3,100,484	\$ 3,085,571	
KENT COUNTY				
Register in Chancery	\$ 100,726	\$ 138,938	\$ 140,495	
Register of Wills	73,580	133,795	149,501	
Sheriff	207,325	222,887	169,855	
KENT COUNTY TOTALS	\$ 381,631	\$ 495,620	\$ 459,851	
SUSSEX COUNTY				
Register in Chancery	\$ 100,487	\$ 107,450	\$ 112,095	
Register of Wills	119,011	131,035	138,297	
Sheriff	192,936	241,219	170,546	
SUSSEX COUNTY TOTALS	\$ 412,434	\$ 479,704	\$ 420,938	
MUNICIPALITIES*****				
Municipal Court	\$ 1,143,131	\$ 1,196,047	\$ 1,174,429	
GRAND TOTALS- JUDICIAL BRANCH	\$ 58,407,240	\$ 61,522,155	\$ 59,252,699	

*Figures include State governed funds, federal funds, and other funds.

**The Office of State Court Collections Enforcement was previously known as the Central Collections Office.

***Continuing judicial education is funded as part of the Administrative Office of the Courts' budget, but is shown separately for informational purposes.

****Includes monies disbursed for the Office of the Prothonotary.

*****Alderman's Courts not available.

Source: Administrative Office of the Courts.

FISCAL OVERVIEW

COURT GENERATED REVENUE * - FISCAL YEAR 1997

SUBMITTED TO STATE GENERAL FUND

	Fees and Costs	Fines	Interest**	Miscellaneous	TOTALS	Revenue as a % of Disbursement#
Administrative Office of the Courts	\$ 0	\$ 0	\$ 0	\$ 1,500	\$ 1,500	0.1%
Judicial Information Center	0	0	0	0	0	0.0%
State Court Collections Enforcement	400	0	0	0	400	0.1%
Supreme Court	50,600	10,000	0	0	60,600	2.2%
Continuing Judicial Education	0	0	0	0	0	0.0%
Court of Chancery	0	0	417,500	0	417,500	23.8%
Public Guardian	600	0	0	0	600	0.2%
Superior Court	1,405,500	282,300	4,200	401,400	2,093,400	16.2%
Law Libraries	0	0	0	0	0	0.0%
Family Court	302,800	42,500	0	30,000	375,300	2.9%
Court of Common Pleas	1,036,800	629,600	0	37,700	1,704,100	36.8%
Justice of the Peace Courts	1,801,300	536,000	0	22,300	2,359,600	18.1%
Foster Care Review Board	0	0	0	0	0	0.0%
Educ. Surr. Parent Program	0	0	0	0	0	0.0%
STATE GENERAL FUND TOTALS##	\$4,602,900	\$1,500,400	\$421,700	\$492,900	\$7,013,000	12.9%

COURT GENERATED REVENUE * - FISCAL YEAR 1997

RECEIVED BY VICTIMS COMPENSATION FUND

	Fees and Costs	Fines	Interest**	Miscellaneous	TOTALS	Revenue as a % of Disbursement#
Superior Court	\$0	\$ 353,539	\$ 0	\$ 0	\$ 353,539	—
Family Court	0	13,203	0	0	13,203	—
Court of Common Pleas	0	530,367	0	0	530,367	—
Municipal Court	0	119,178	0	0	119,178	—
Justice of the Peace Courts	0	1,236,934	0	0	1,236,934	—
Alderman's Courts	0	185,305	0	0	185,305	—
Restitution	0	64,665	0	0	64,665	—
Other	0	2,070	25,043	304	27,417	—
VICTIMS COMPENSATION FUND TOTALS	\$0	\$2,505,261	\$25,043	\$304	\$2,530,608	196.6%

*Figures represent only revenue actually received, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money.

#FY 1997 Revenue divided by FY 1997 Actual Disbursement, which includes State general, federal, and other funds.

##Includes \$4,900 submitted by Municipal Court for the Public Defender's fund.

Source: Administrative Office of the Courts.

FISCAL OVERVIEW

COURT GENERATED REVENUE * - FISCAL YEAR 1997

SUBMITTED TO NEW CASTLE COUNTY

	Fees and Costs	Fines	Interest**	Miscellaneous	TOTALS	Revenue as a % of Disbursement#
Register in Chancery	\$ 507,880	\$ 0	\$225,161	\$ 0	\$ 733,041	87.2%
Register of Wills	1,733,206	0	0	640	1,733,846	185.8%
Prothonotary	35,507	2,675	0	466	38,648	50.2%
Sheriff	1,027,320	0	2,000	3,706	1,033,026	70.5%
Justice of the Peace Courts	0	493,990	0	0	493,990	3.8%
NEW CASTLE COUNTY TOTALS	\$3,303,913	\$496,665	\$227,161	\$ 4,812	\$4,032,551	106.7%##

COURT GENERATED REVENUE * - FISCAL YEAR 1997

SUBMITTED TO KENT COUNTY

	Fees and Costs	Fines	Interest**	Miscellaneous	TOTALS	Revenue as a % of Disbursement#
Register in Chancery	\$ 19,729	\$ 0	\$ 0	\$ 0	\$ 19,729	13.0%
Register of Wills	340,288	0	0	0	340,288	254.1%
Sheriff	195,683	0	0	0	195,683	81.6%
Justice of the Peace Courts	10,961	0	0	0	10,961	0.1%
KENT COUNTY TOTALS	\$566,661	\$ 0	\$ 0	\$ 0	\$566,661	105.8%##

COURT GENERATED REVENUE * - FISCAL YEAR 1997

SUBMITTED TO SUSSEX COUNTY

	Fees and Costs	Fines	Interest**	Miscellaneous#	TOTALS	Revenue as a % of Disbursement#
Register in Chancery	\$ 35,605	0	\$ 1,268	\$ 0	\$ 36,873	29.7%
Register of Wills	604,935	0	0	0	604,935	391.8%
Sheriff	263,195	0	0	0	263,195	94.6%
Justice of the Peace Courts	680	0	0	0	680	0.0%
SUSSEX COUNTY TOTALS	\$ 904,415	0	\$ 1,268	\$ 0	\$ 905,683	162.6%##

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money.

#FY 1997 Revenue divided by FY 1997 Actual Disbursement.

##Revenue as a % of disbursement for county offices.

Source: Administrative Office of the Courts.

FISCAL OVERVIEW

COURT GENERATED REVENUE * - FISCAL YEAR 1997

SUBMITTED TO MUNICIPALITIES

	Fees and Costs	Fines	Interest**	Miscellaneous	TOTALS	Revenue as a % of Disbursement#
Court of Common Pleas	\$ 0	\$ 572,553	\$ 0	\$ 0	\$ 572,553	12.4%
Municipal Court	139,982	474,073	0	0	614,055	44.8%
Justice of the Peace Courts	0	2,988,691	0	0	2,988,691	23.0%
Alderman's Courts	347,086	916,390	0	14,632	1,278,108	N.A.
MUNICIPALITIES TOTALS	\$ 487,068	\$4,951,707	\$ 0	\$14,632	\$ 5,453,407	N.A.

COURT GENERATED REVENUE * - FISCAL YEAR 1997

GRAND TOTALS - JUDICIAL BRANCH

	Fees and Costs	Fines	Interest**	Miscellaneous	TOTALS	Revenue as a % of Disbursement#
TOTALS	\$9,864,957	\$9,454,033	\$675,172	\$512,648	\$20,506,811	34.1%##

RESTITUTION - FISCAL YEAR 1997

Court	Restitution Assessed	Restitution Collected	Restitution Disbursed
Supreme Court	\$ 0	\$ 0	\$ 0
Court of Chancery	0	0	0
Superior Court	4,163,103	1,016,692	921,081
Family Court	357,482	177,596	144,711
Court of Common Pleas	195,690	185,388	176,277
Municipal Court	N/A	69,045	64,355
Justice of the Peace Courts	154,127	80,330	80,330
TOTALS	\$4,870,402	\$1,529,051	\$1,386,754

N.A. = Not Available

*Figures represent only revenue actually collected, not the total amount of fines and costs actually assessed.

**Counties receive 50% of all Court of Chancery interest money.

FY 1997 Revenue divided by FY 1997 Actual Disbursement, which includes State general, federal, and other funds.

This figure is approximate as some expenditure data is not available.

Source: Administrative Office of the Courts.

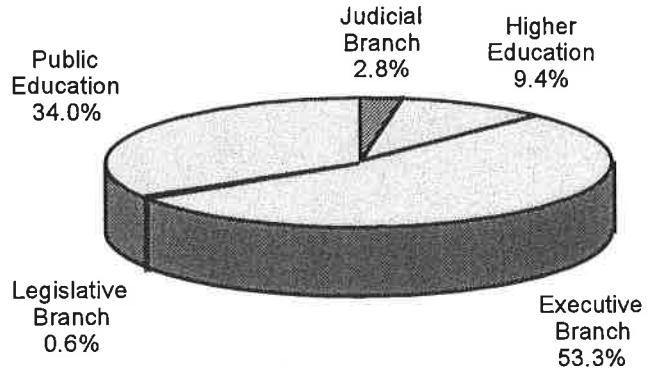
FISCAL OVERVIEW

DELAWARE GOVERNMENT APPROPRIATIONS * (IN THOUSANDS) - FISCAL YEAR 1997

STATE APPROPRIATIONS - TOTAL (\$1,787,782.3)

STATE APPROPRIATIONS - TOTAL

Judicial Branch	\$	49,338.7
Higher Education	\$	168,028.4
Executive Branch	\$	952,868.4
Legislative Branch	\$	9,926.5
Public Education	\$	607,620.3
TOTAL		\$ 1,787,782.3

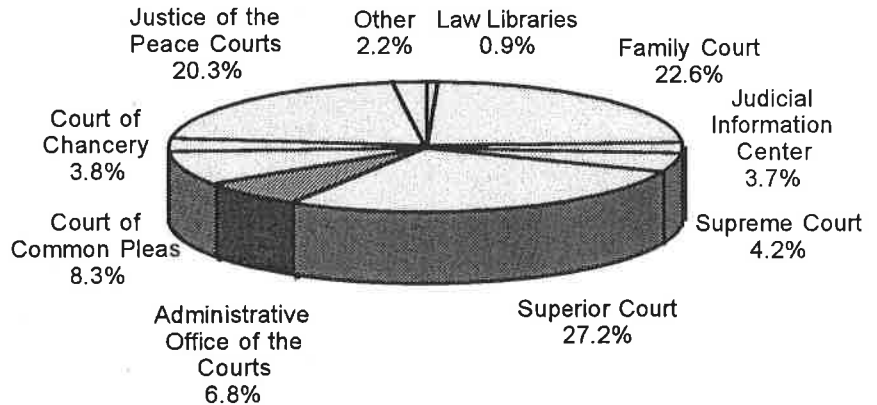


DELAWARE GOVERNMENT APPROPRIATIONS * (IN THOUSANDS) - FISCAL YEAR 1997

STATE APPROPRIATIONS - JUDICIARY (\$49,338.7)

STATE APPROPRIATIONS - JUDICIARY

Family Court	\$	11,136.5
Judicial Information Center	\$	1,844.9
Superior Court	\$	13,396.8
Law Libraries	\$	452.0
Other	\$	1,098.6
Justice of the Peace Courts	\$	9,982.4
Supreme Court	\$	2,088.0
Administrative Office of the Courts	\$	3,357.9
Court of Chancery	\$	1,865.3
Court of Common Pleas	\$	4,116.3
TOTAL		\$ 49,388.7

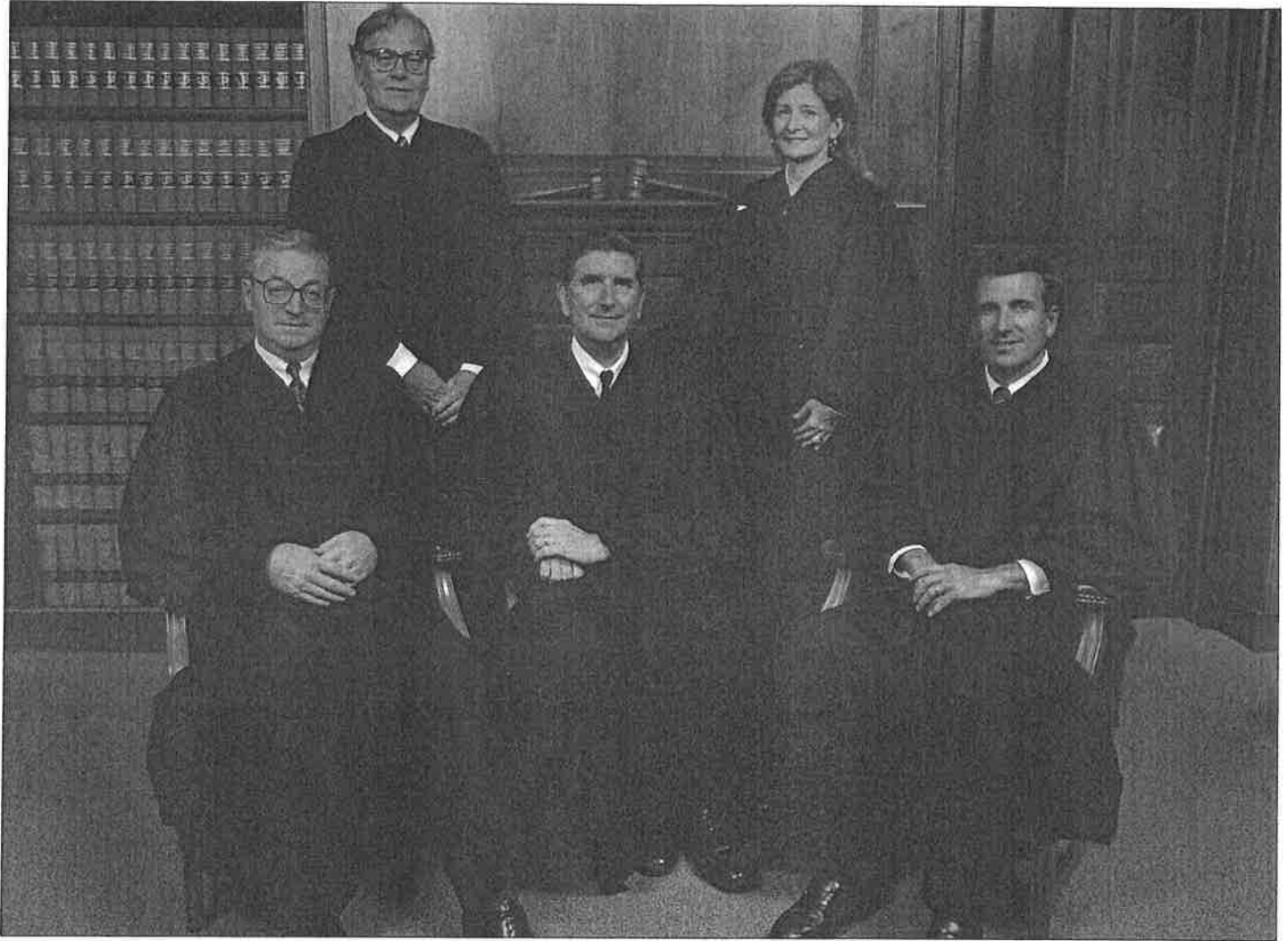


Other: Public Guardian 0.7% (\$359.5), Office of State Court Collections Enforcement 0.7% (\$363.8), Foster Care Review Board 0.6% (\$313.2), Educational Surrogate Parent Program 0.1% (\$62.1).

*State general fund monies only.

Source: 139th General Assembly, House Bill 375.

The Supreme Court



SUPREME COURT

Seated (Left to Right)

Justice Joseph T. Walsh

Chief Justice E. Norman Veasey

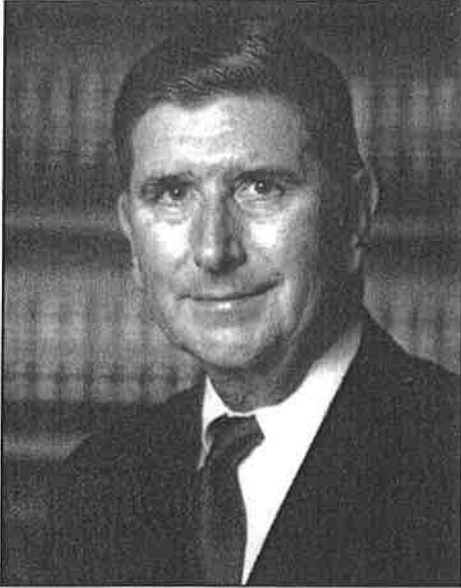
Justice Randy J. Holland

Standing (Left to Right)

Justice Maurice A. Hartnett, III

Justice Carolyn Berger

Message From the Chief Justice



Chief Justice E. Norman Veasey

During the last fiscal year, the Delaware Supreme Court continued to maintain its excellent record for deciding cases in a prompt manner. The national standard, based on American Bar Association standards, for deciding cases from date of submission for decision to date of final decision is 90 days. The Delaware Supreme Court issues final decision in most cases within less than 30 days from date of submission.

In FY 97, the Court continued the process of consolidating the administrative functions of the Arms of the Court, which are the Office of Disciplinary Counsel, the Board on Professional Responsibility, the Board on the Unauthorized Practice of Law, the Lawyers' Fund for Client Protection, the Commission on Mandatory Continuing Legal Education, and the Board of Bar Examiners. The goals of the consolidation were to regulate the practice of law in Delaware more efficiently, serve the needs of the public, and to relieve volunteer lawyer members of the various Boards from administrative details.

The Court also initiated an examination of Delaware's Mandatory Continuing Legal Education requirement for all active Delaware lawyers. The rules and regulations of the Commission on Continuing Legal Education have been in place for over ten years without a major review. The Court appointed a Mandatory Continuing Legal Education Review Committee to solicit comments from the Bar and make recommendations to the Court to improve the effectiveness of the Continuing Legal Education program.

SUPREME COURT

Legal Authorization

The Supreme Court is created by the *Constitution of Delaware*, Article IV, Section 1. The Supreme Court sits in Dover but the Justices maintain their chambers in the counties where they reside.

Court History

The modern day Supreme Court was established in 1951 by constitutional amendment. The State's first separate Supreme Court initially consisted of three Justices and was enlarged to the current five Justices in 1978.

Prior to 1951, Delaware was without a separate Supreme Court. The highest appellate authority prior to the creation of the separate Supreme Court consisted of those judges who did not participate in the original litigation in the lower courts. These judges would hear the appeal en banc (collectively) and would exercise final jurisdiction in all matters in both law and equity.

Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums, and in civil cases as to final judgments and for certain other orders of the Court of Chancery, the Superior Court and the Family Court. Appeals are heard on the record. Under some circumstances the Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari and mandamus.

Justices

The Supreme Court consists of a Chief Justice and four Justices who are nominated by the Governor and confirmed by the Senate. The Justices are appointed for 12-year terms and must be learned in the law and citizens of the State. Three of the Justices must be of one of the major political parties while the other two Justices must be of the other major political party.

Administration

The Chief Justice is responsible for the administration of all courts in the State and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a Court Administrator, a Clerk of the Court/Staff Attorney, an assistant clerk, law clerks, secretaries, two senior clerks and a court clerk.

SUPREME COURT

FISCAL YEAR 1997 - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
Criminal Appeals	129	211	212	128	- 1	- 0.8%
Civil Appeals	141	287	273	155	+ 14	+ 9.9%
Original Applications*	13	53	52	14	+ 1	+ 7.7%
TOTALS	283	551	537	297	+ 14	+ 4.9%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

FILINGS

	1996	1997	Change	% Change
Criminal Appeals	217	211	- 6	- 2.8%
Civil Appeals	271	287	+ 16	+ 5.9%
Certifications	5	3	- 2	- 40.0%
Original Applications	23	32	+ 9	+ 39.1%
Bd. On Prof. Resp.	15	17	+ 2	+ 13.3%
Bd. Of Bar Exam.	1	1	+ 0	+ 0.0%
TOTALS	532	551	+ 19	+ 3.6%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
Criminal Appeals	188	212	+ 24	+ 12.8%
Civil Appeals	297	273	- 24	- 8.1%
Certifications	7	5	- 2	- 28.6%
Original Applications	27	31	+ 4	+ 14.8%
Bd. On Prof. Resp.	14	16	+ 2	+ 14.3%
Bd. Of Bar Exam.	1	0	- 1	- 100.0%
Advisory Opinions	1	0	- 1	- 100.0%
TOTALS	535	537	+ 2	+ 0.4%

*Board on Professional Responsibility, Board of Bar Examiners and Advisory Opinions are included with the original applications in the Caseload Summary. Each is listed separately, however, in the Caseload Comparison.

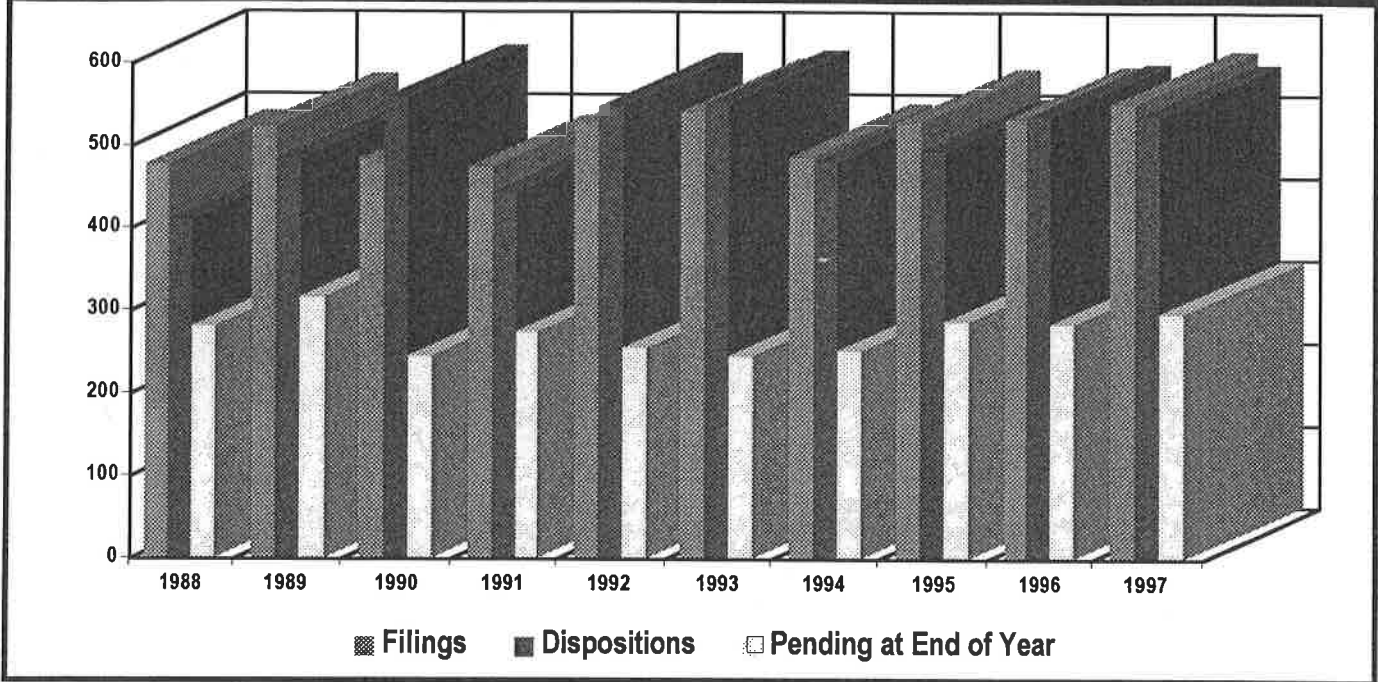
Bd. On Prof. Resp. = Board on Professional Responsibility

Bd. Of Bar Exam. = Board of Bar Examiners

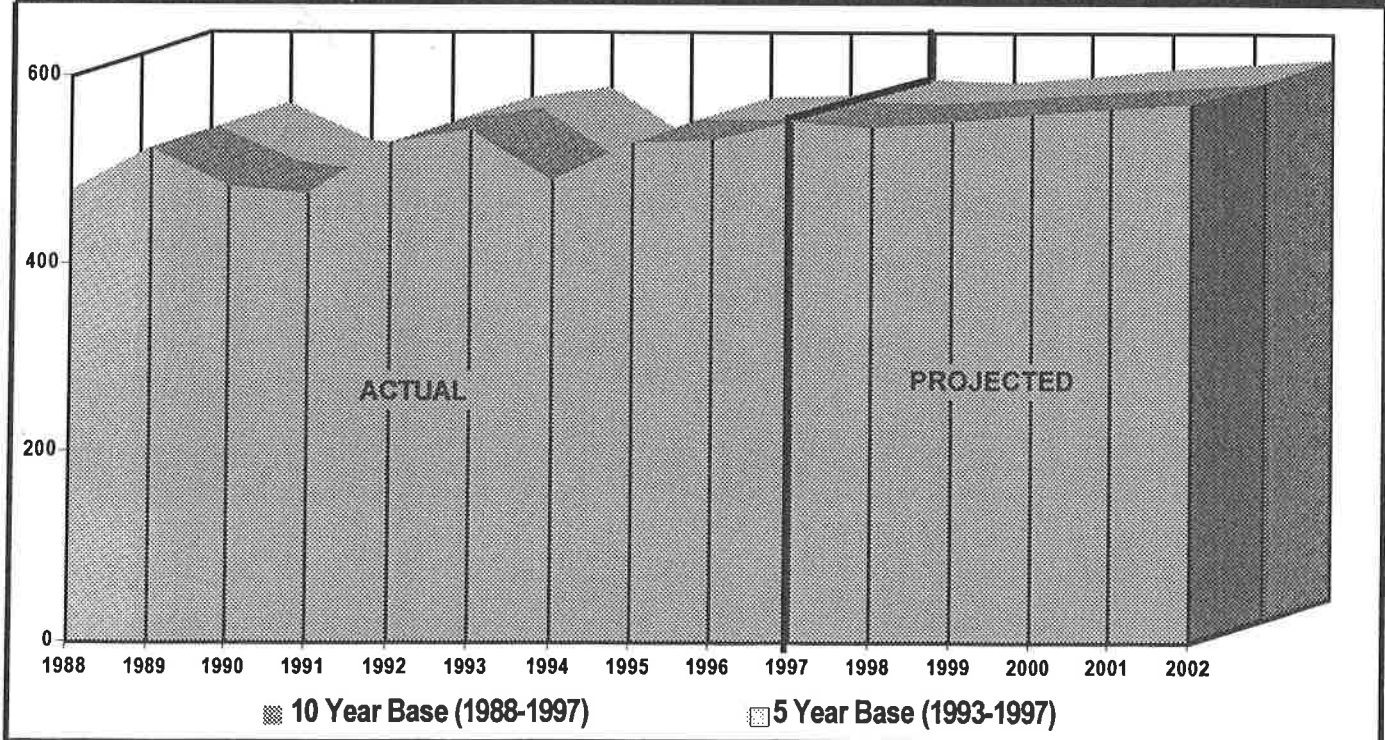
Source : Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT - TOTAL

10 YEAR CASELOAD TRENDS



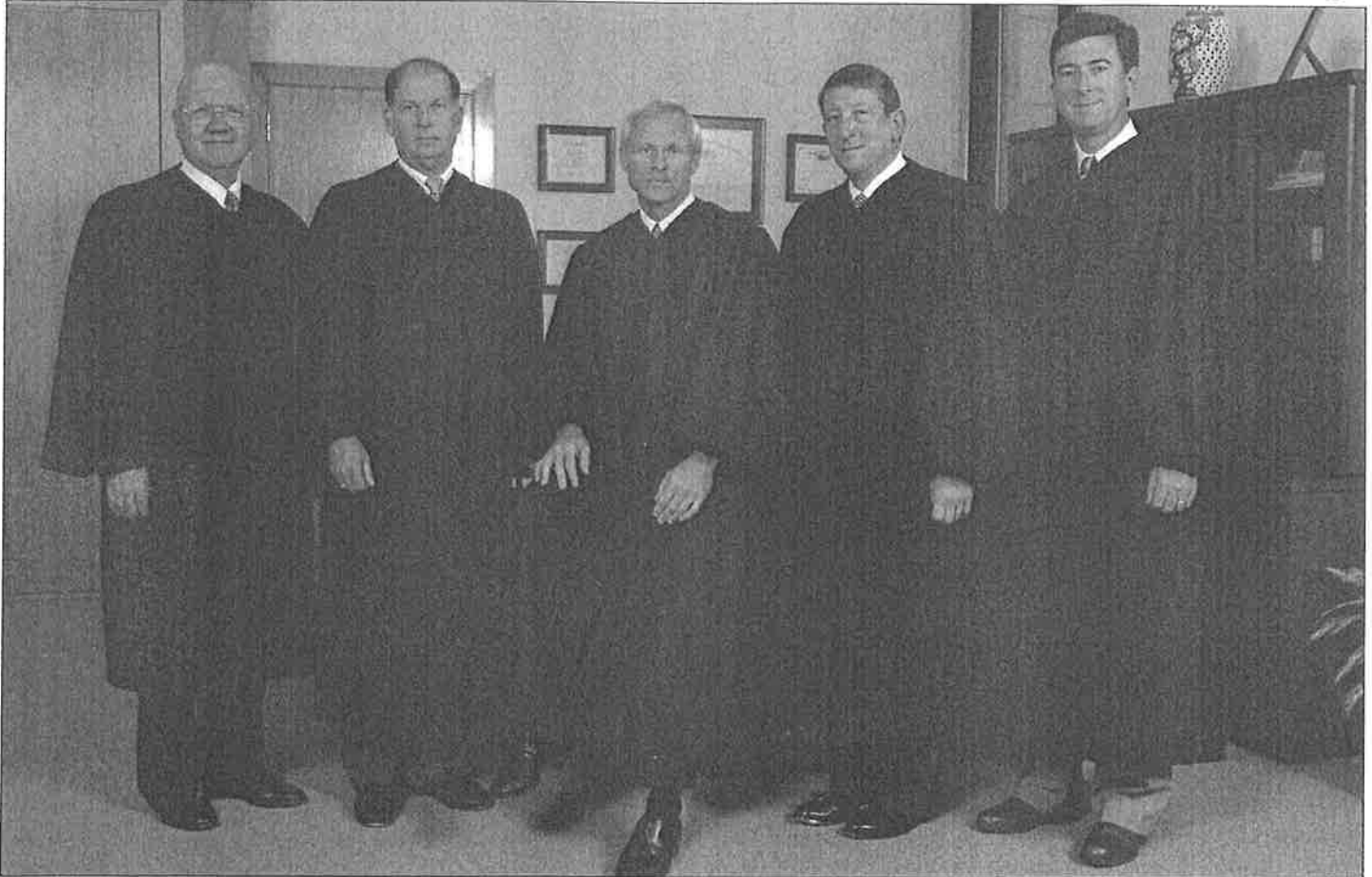
5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

The Court of Chancery



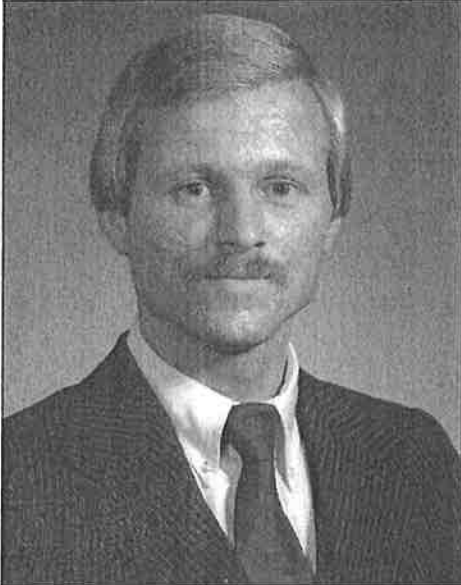
COURT OF CHANCERY

Vice Chancellor Bernard Balick
Vice Chancellor Myron T. Steele
Chancellor William B. Chandler, III
Vice Chancellor Jack B. Jacobs
Vice Chancellor Stephen P. Lamb

*The Honorable William T. Allen left the Court
on 6/30/97 when the Honorable William B. Chandler, III
took the oath of office as Chancellor.

**The Honorable Stephen P. Lamb took the oath of office on 7/28/97.

Message From the Chancellor



Chancellor William B. Chandler, III

The Court of Chancery has experienced an eventful year. Chancellor William T. Allen decided not to seek a second term as Chancellor. Governor Carper appointed me to assume that role and appointed Stephen P. Lamb, a highly regarded corporate law practitioner, to fill the vacancy on the Court created by my appointment as Chancellor.

In addition to the changes in personnel on the Court, technological improvements have better enabled the Court's staff to carry out their duties in a highly professional and efficient manner. The Court also has moved ahead in its efforts to introduce video-conferencing to assist in scheduling and conducting office conferences and hearings. Additionally, the Court is taking steps to obtain new quarters in Sussex County. Remodeling of the former Family Court building, immediately adjacent to the Sussex County Courthouse where the Court of Chancery traditionally had its offices, is underway. Once this project is completed, the Court

hopes to have space adequate to accommodate its needs well into the next century. Moreover, the new structure will for the first time unite in one building the Court of Chancery with the Register in Chancery and the Register of Wills. This way these offices can operate as a single unit without being physically separated or having to share space with other tenants.

All of the members of the Court and its staff continue to work very hard to assure that the Court fulfills its mission of providing prompt, fair and thoughtful resolutions to the controversies that come before it.

COURT OF CHANCERY

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 Constitution of 1792. It was modeled on the High Court of Chancery in England and is in direct line of succession from that Court. The Court consisted solely of the Chancellor until 1939 when the position of Vice Chancellor was added. The increase on 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 being made in 1989.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover and Georgetown.

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, the 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).

Judges

The Court of Chancery consists of one Chancellor and four Vice Chancellors. The Chancellor and Vice Chancellors are nominated by the Governor and must be confirmed by the Senate for 12-year terms. The Chancellor and Vice Chancellors must be learned in the law and must be Delaware citizens.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers or pages, and law clerks. The Register in Chancery is the Clerk of the Court for all actions except those within the jurisdiction of the Register of Wills. A Register in Chancery is elected for each county. The Chancellor or Vice Chancellor resident in the county is to appoint one Chief Deputy Register in Chancery in each county. The Register in Chancery in New Castle County appoints a Chief Deputy Register in Chancery as well.

Public Guardian

The Chancellor has the duty to appoint the Public Guardian.

COURT OF CHANCERY

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	880	732	693	919	+ 39	+ 4.4%
Kent	87	32	45	74	- 13	- 14.9%
Sussex	<u>101</u>	<u>83</u>	<u>82</u>	<u>102</u>	<u>+ 1</u>	<u>+ 1.0%</u>
STATE	1,068	847	820	1,095	+ 27	+ 2.5%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	775	732	- 43	- 5.5%
Kent	42	32	- 10	- 23.8%
Sussex	<u>63</u>	<u>83</u>	<u>+ 20</u>	<u>+ 31.7%</u>
STATE	880	847	- 33	- 3.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	767	693	- 74	- 9.6%
Kent	42	45	+ 3	+ 7.1%
Sussex	<u>81</u>	<u>82</u>	<u>+ 1</u>	<u>+ 1.2%</u>
STATE	890	820	- 70	- 7.9%

Source : Registers in Chancery; Administrative Office of the Courts

COURT OF CHANCERY

FISCAL YEAR 1997 MISCELLANEOUS MATTERS - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	3,225	451	303	3,373	+148	+ 4.6%
Kent	1,015	95	52	1,058	+ 43	+ 4.2%
Sussex	<u>2,223</u>	<u>203</u>	<u>176</u>	<u>2,250</u>	<u>+ 27</u>	<u>+ 1.2%</u>
STATE	6,463	749	531	6,681	+218	+ 3.4%

COMPARISON - FISCAL YEARS 1996-1997 MISCELLANEOUS - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	348	451	+ 103	+ 29.6%
Kent	85	95	+ 10	+ 11.8%
Sussex	<u>287</u>	<u>203</u>	<u>- 84</u>	<u>- 29.3%</u>
STATE	720	749	+ 29	+ 4.0%

COMPARISON - FISCAL YEARS 1996-1997 MISCELLANEOUS - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	763	303	- 460	- 60.3%
Kent	53	52	- 1	- 1.9%
Sussex	<u>269</u>	<u>176</u>	<u>- 93</u>	<u>- 34.6%</u>
STATE	1,085	531	- 554	- 51.1%

Source: Registers in Chancery; Administrative Office of the Courts.

COURT OF CHANCERY

FISCAL YEAR 1997 ESTATES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	2,559	1,435	1,319	2,675	+116	+ 4.5%
Kent	1,262	346	240	1,368	+106	+ 8.4%
Sussex	804	499	514	789	- 15	- 1.9%
STATE	4,625	2,280	2,073	4,832	+207	+ 4.5%

COMPARISON - FISCAL YEARS 1996-1997 ESTATES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	1,400	1,435	+ 35	+ 2.5%
Kent	313	346	+ 33	+ 10.5%
Sussex	540	499	- 41	- 7.6%
STATE	2,253	2,280	+ 27	+ 1.2%

COMPARISON - FISCAL YEARS 1996-1997 ESTATES - CASELOAD

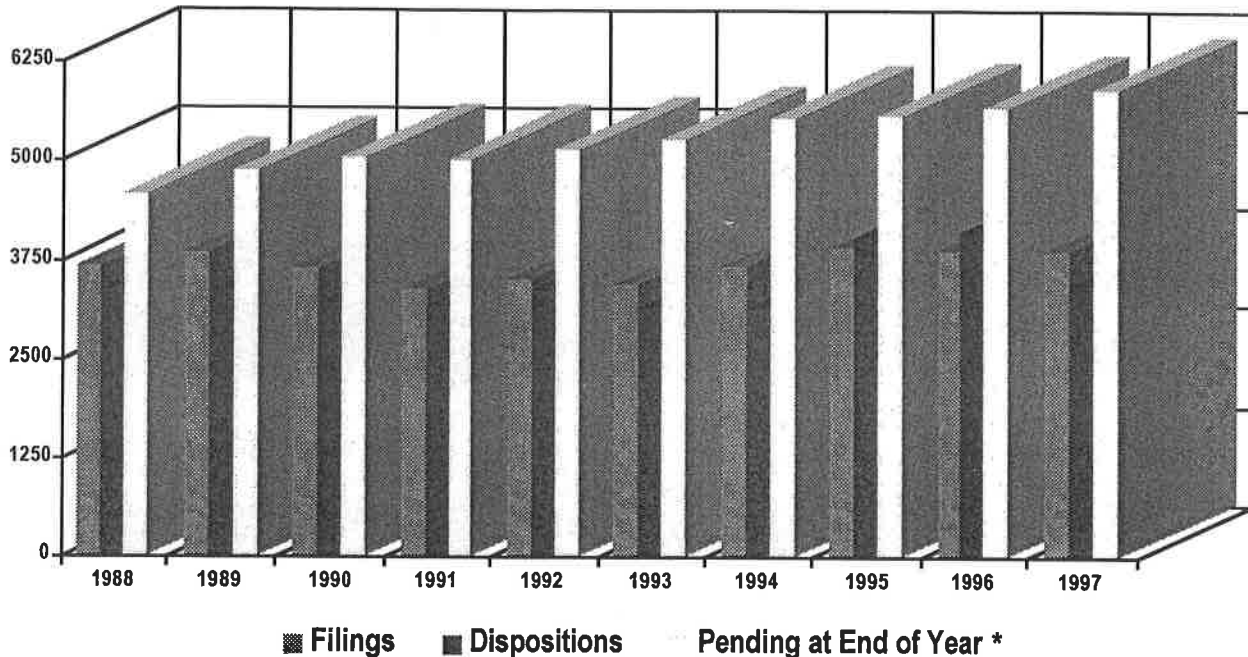
DISPOSITIONS

	1996	1997	Change	% Change
New Castle	1,287	1,319	+ 32	+ 2.5%
Kent	268	240	- 28	- 10.4%
Sussex	567	514	- 53	- 9.3%
STATE	2,122	2,073	- 49	- 2.3%

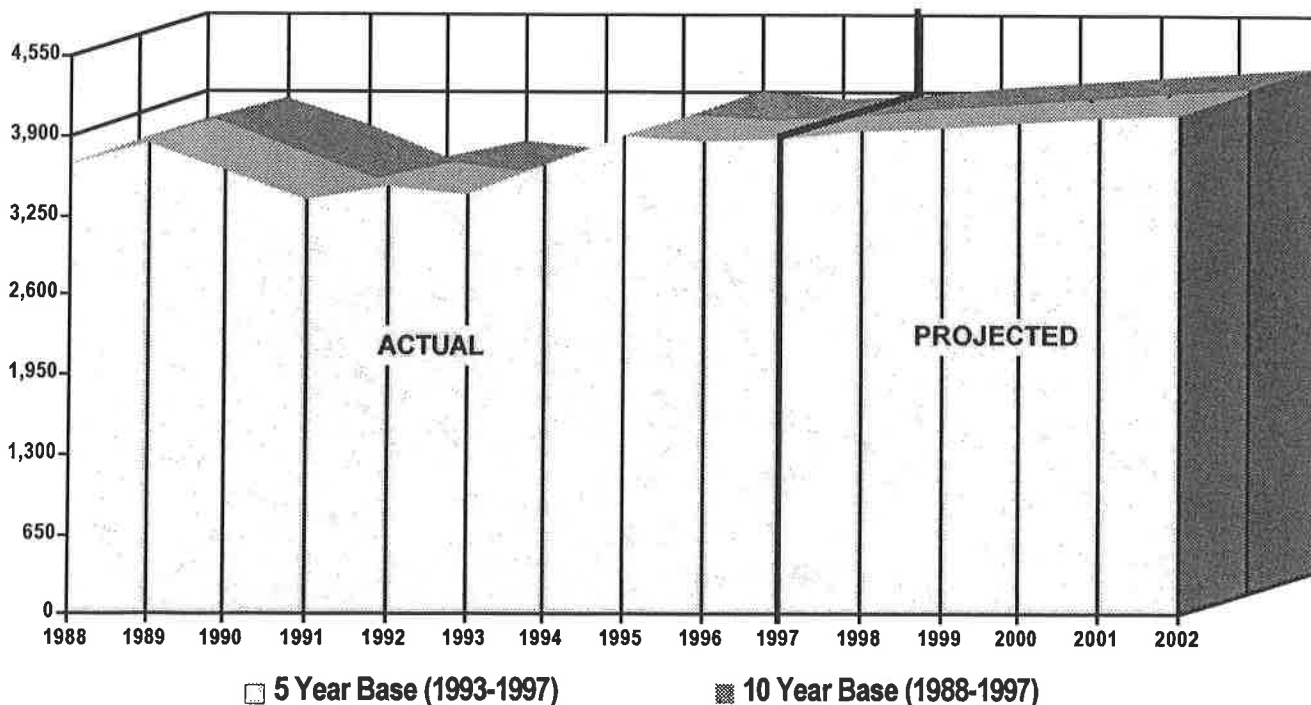
Source : Registers of Wills; Administrative Office of the Courts

COURT OF CHANCERY - TOTAL

10 YEAR CASELOAD TRENDS

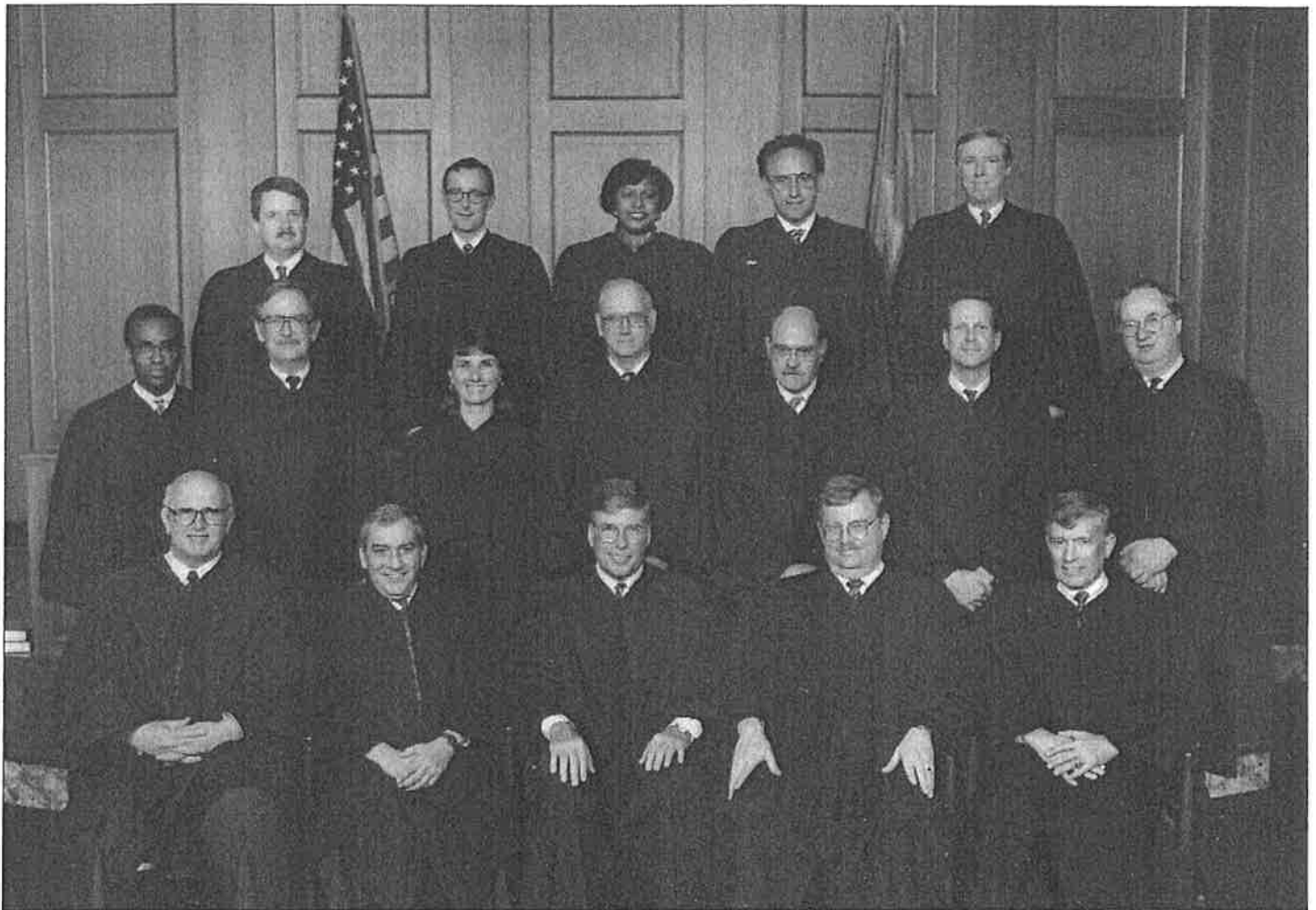


5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



*Includes civil cases and estates.
Trend lines computed by linear regression analysis.
Source: Administrative Office of the Courts

The Superior Court



SUPERIOR COURT

Seated (Left-Right)

Associate Judge John E. Babiarz, Jr.
Resident Judge Vincent A. Bifferato
President Judge Henry du Pont Ridgely
Associate Judge Richard S. Gebelein
Resident Judge William Swain Lee

Middle (Left-Right)

Associate Judge Charles H. Toliver, IV.
Associate Judge Jerome O. Herlihy
Associate Judge Susan C. Del Pesco
Associate Judge William T. Quillen
Associate Judge Norman A. Barron
Associate Judge T. Henley Graves
Associate Judge Carl Goldstein

Back (Left-Right)

Associate Judge William C. Carpenter, Jr.
Associate Judge Richard R. Cooch
Associate Judge Haile L. Alford
Associate Judge Fred S. Silverman
Resident Judge N. Maxson Terry, Jr.

SUPERIOR COURT

Message from the President Judge



**President Judge
Henry duPont Ridgely**

The total number of new cases filed exceeded the previous year's record high number for the fourth year in a row. The increase in the Court's caseload is particularly acute in the number of criminal cases filed in Kent and Sussex Counties. Since Fiscal Year 1986, criminal case filings have increased by 149% in Kent County and 174% in Sussex County.

Final plea offers, a feature first developed in the Drug Court, are incorporated into the management of all criminal cases. Final plea offers, which include deadlines for the acceptance of plea agreements, are set prior to the trial date. The effect is to reduce the number of cases scheduled for trial thereby increasing the chances that cases scheduled for trial are tried the first time scheduled. By reducing the number of cases scheduled for trial, the Court is able to reduce the cost to the public, keep police officers on the street and to minimize inconvenience to jurors and witnesses.

The Court is participating in several joint initiatives with Executive Branch agencies to improve efficiency. Operation Safe Streets targeted probationers who were found in high crime and drug use areas or who violated curfew restrictions. Probation Officers accompanied Wilmington Police Department officers on patrol. Superior Court expedited the processing of the resulting violation of probation (VOP) hearings.

The Court is participating in the Courts/Correction Transportation Committee to find ways to adjust court schedules and increase the use of technology, including videophones, to reduce cellblock overcrowding, prisoner transport costs and security risks.

The Court negotiated the installation of a Probation and Parole Intake Office in the Daniel L. Herrmann Courthouse. It will be operational in November 1997. The intake office will expedite the referral of defendants sentenced to probation and eliminate the problems which occur when a defendant fails to report to P&P after sentencing.

The Drug Court continues to provide a lower-cost and more effective alternative to incarceration for offenders with chronic drug addictions. The Court

also launched its Drug Court Data Integration Project. With funding provided by the U.S. Department of Justice (USDOJ) and the State Justice Institute (SJI), it will establish an electronic network for the exchange of offender performance and other decision support information between the Court, Probation and Parole, TASC and treatment providers. It will also create a central database of information about Drug Court referrals which will be used to evaluate and quantify program performance. Also with USDOJ funding, the Court has retained the Statistical Analysis Center to conduct a major performance evaluation of the Drug Court.

The Court received a \$300,000 Delay Reduction Grant from the Bureau of Justice Assistance (BJA). The funds will be used to employ criminal case managers and to acquire hardware, software and communications equipment for the Drug Court Data Integration Project.

The Court continues to seek new opportunities to expand the use of Alternative Dispute Resolution (ADR) techniques to resolve disputes. The Court is developing a community justice center concept for resolving disputes before they are filed as complaints in a court. Another example is our participation in a meeting of the Delaware Claims Association, a group of insurance industry specialists and claims adjusters. The Court's ADR Coordinator conducted an educational presentation regarding the various ADR procedures which are available in the Court and through other organizations.

Perimeter security of the Kent County Courthouse was implemented. All visitors are now screened before entering the building at a single public entrance.

The Court conducted educational presentations for visiting groups which covered such subjects as Drug Court, using technology in the courtroom, and general Court operations. The visitors included judges and court personnel from Michigan, Florida, Texas, Latvia, Israel, Tanzania, and Ukraine. Other visiting groups included law firm personnel, citizens groups and school students.

SUPERIOR COURT

Legal Authorization

The *Constitution of Delaware*, Article IV, Section I, created the Superior Court.

Court History

Superior Court's roots can be traced back more than 300 years to December 6, 1669 when John Binckson and two others were tried for treason for leading an insurrection against colonists loyal to England in favor of the King of Sweden.

The law courts which represent today's Superior Court jurisdiction go back as far as 1831 when they included Superior Court, which heard civil matters, the Court of General Sessions, which heard criminal matters, and the Court of Oyer and Terminer, which heard capital cases and consisted of all four law judges for the other two Courts.

In 1951 the Court of Oyer and Terminer and the Court of General Sessions were abolished and their jurisdictions were combined in today's Superior Court. The presiding judge of Superior Court was renamed President Judge. There were five Superior Court judges in 1951; there are seventeen today.

Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

Legal Jurisdiction

Superior Court has statewide original jurisdiction over criminal and civil cases, except equity cases, over which the Court of Chancery has exclusive jurisdiction, and domestic relations matters, which jurisdiction is vested with the Family Court. The Court's authority to award damages is not subject to a monetary maximum. The Court hears cases of personal injury, libel and slander and contract claims. The Court also tries cases involving medical malpractice, legal malpractice, property cases involving mortgage foreclosures, mechanics liens, condemnations, and appeals related to landlord-tenant disputes and appeals from the Automobile Arbitration Board. The Court has exclusive jurisdiction over felonies and drug offenses (except most felonies and drug offenses involving minors and except possession of marijuana cases).

Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware State Hospital. The Court serves as an intermediate appellate court, hearing appeals on the record from the Court of Common Pleas, Family Court (adult criminal), and more than 50 administrative agencies including the Industrial Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard on trials *de novo* (second trials) in Superior Court. Appeals from Superior Court are argued on the record before the Supreme Court.

Judges

Number: There may be seventeen judges appointed to the Superior Court bench. One of the seventeen Judges is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed. No

more than a bare majority of the Judges may be of one political party; the rest must be of the other major political party.

Appointment: Superior Court Judges are nominated by the Governor and confirmed by the Senate.

Tenure: The Judges are appointed for 12-year terms.

Qualifications: The Judges must be learned in the law.

Support Personnel

Superior Court may appoint court reporters, law clerks, bailiffs, pre-sentence officers, a secretary for each judge and other personnel.

An appointed Prothonotary for each county serves as Clerk of the Superior Court for that county. The Prothonotary is the record keeper for the Superior Court and is directly involved with the daily operations of the Court. The Office handles the jury list, property liens, registration of law students and attorneys, and is the custodian of costs and fees for the Court and for the Attorney General. It issues permits to carry deadly weapons, receives bail, deals with the release of incarcerated prisoners, issues certificates of notary public where applicable, issues certificates of election to elected officials, issues commitments to the State Hospital and collects and distributes restitution monies as ordered by the Court in addition to numerous other duties. It is also charged with the security, care and custody of Court's exhibits.

Elected Sheriffs, one per county, also serve Superior Court.

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD SUMMARY

Number of Defendants

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	3,586	4,677	4,339	3,924	+338	+ 9.4%
Kent	609	1,604	1,410	803	+194	+ 31.9%
Sussex	<u>608</u>	<u>1,775</u>	<u>1,643</u>	<u>740</u>	<u>+132</u>	<u>+ 21.7%</u>
STATE	4,803	8,056	7,392	5,467	+664	+ 13.8%

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

FILINGS

Number of Defendants

	1996	1997	Change	% Change
New Castle	4,713	4,677	- 36	- 0.8%
Kent	1,337	1,604	+ 267	+ 20.0%
Sussex	<u>1,570</u>	<u>1,775</u>	<u>+ 205</u>	<u>+ 13.1%</u>
STATE	7,620	8,056	+ 436	+ 5.7%

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

DISPOSITIONS

Number of Defendants

	1996	1997	Change	% Change
New Castle	4,241	4,339	+ 98	+ 2.3%
Kent	1,235	1,410	+ 175	+ 14.2%
Sussex	<u>1,426</u>	<u>1,643</u>	<u>+ 217</u>	<u>+ 15.2%</u>
STATE	6,902	7,392	+ 490	+ 7.1%

Source : Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASES EXPLANATORY NOTES

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.
2. Informations are filed if defendants waive indictment.
3. Transfers were defendants brought before the Court of Common Pleas in New Castle County who requested jury trials before January 15, 1995. After January 15, 1995, the Court of Common Pleas began to hear jury trials.
4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
 - Mistrial
 - Hung jury
 - Motion for new trial granted
 - Guilty plea withdrawn
 - Lower court appeal reinstated after being dismissed
 - Conviction overturned by Supreme Court; remanded to Superior Court for new trial.
5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.
6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial rather than the number of trials. The date of disposition is the trial date. Should the decision be reserved, it will be the date when the opinion is handed down.
7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.
8. Defendants are not counted as disposed of by nolle prosequi if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a new information. This is a further action in an existing case and is not counted as a separate filing, so the nolle prosequi is not the primary disposition.
9. Only nolle prosequis filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.
10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.
11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to the lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.
12. Participation in the First Offender Program is limited to defendants who are charged with driving under the influence or select drug possession charges and are first-time offenders. The defendants choose to enroll in a rehabilitation program and waive their right to a speedy trial in the process. The charge is dropped once the defendant satisfactorily completes the program and pays all fees.
13. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, will receive one trial disposition and one consolidation disposition if the charges are tried together.
14. A triable criminal case is one in which there has been an indictment, information, or notice of appeal de novo filed with the Court. Defendants who have capiases or Rule 9 Warrants or Summonses outstanding or who have been judged to be incompetent stand trial are not triable and are not included in the triable pending cases.

SUPERIOR COURT

FISCAL YEAR 1997 CIVIL CASES EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1997, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court and from arbitration panels, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Breach of Contract, Transfers and Removals from the Court of Chancery, Transfers and Removals from the Court of Common Pleas and Debt Actions.
2. Mechanic's Liens and Mortgages are property suits.
3. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the State's facility for mentally ill patients is located in New Castle County, most Involuntary Commitment hearings are held in New Castle County. These actions are not included in the Court's caseload.
4. Appeals are appeals on the record. This category includes appeals from administrative agencies, appeals from Family Court, appeals from the Court of Common Pleas and certioraris.
5. Miscellaneous includes all other cases.

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96*	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	5,225	5,588	5,663	5,150	- 75	- 1.4%
Kent	768	994	993	769	+ 1	+ 0.1%
Sussex	543	883	848	578	+ 35	+ 6.4%
STATE	6,536	7,465	7,504	6,497	- 39	- 0.6%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS

	1996*	1997	Change	% Change
New Castle	5,111	5,588	+ 477	+ 9.3%
Kent	937	994	+ 57	+ 6.1%
Sussex	816	883	+ 67	+ 8.2%
STATE	6,864	7,465	+ 601	+ 8.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

DISPOSITIONS

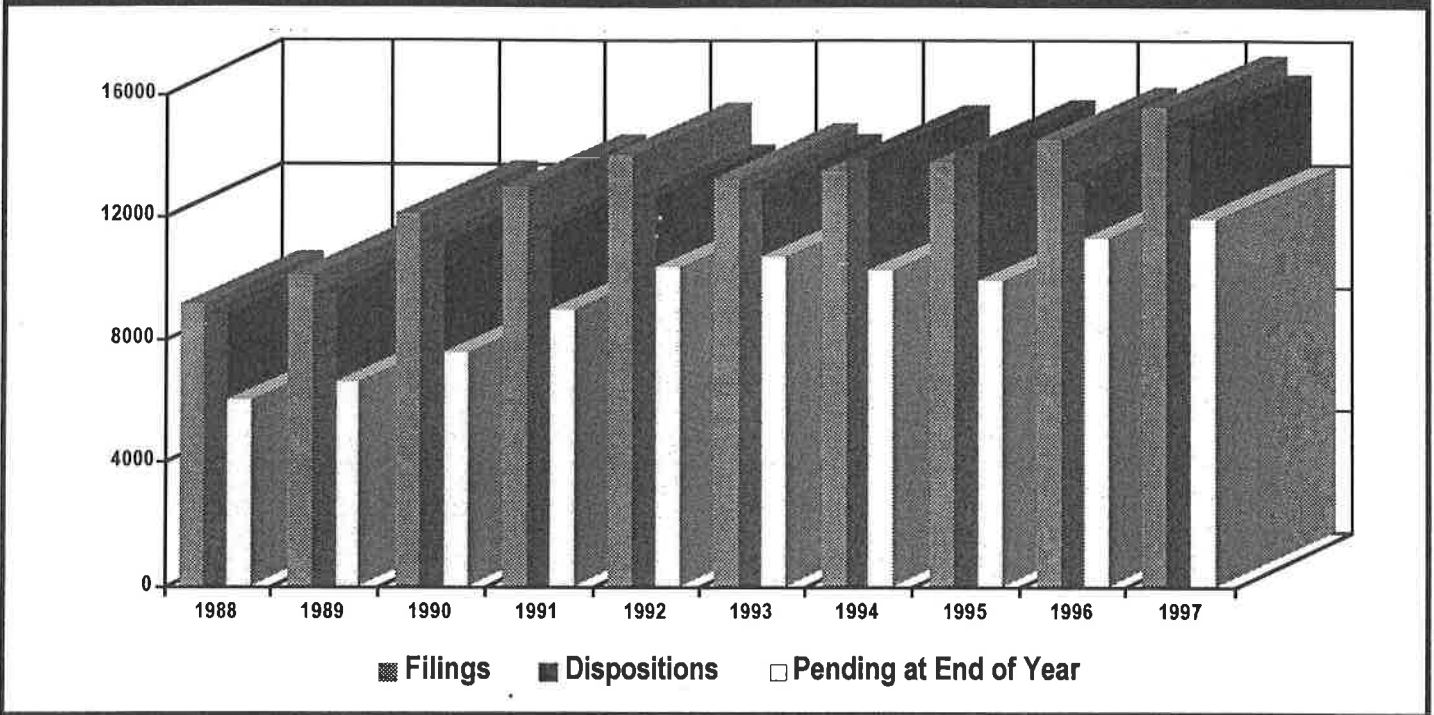
	1996*	1997	Change	% Change
New Castle	4,542	5,663	+1,121	+ 24.7%
Kent	852	993	+ 141	+ 16.5%
Sussex	794	848	+ 54	+ 6.8%
STATE	6,188	7,504	+1,316	+ 21.3%

*Amended from 1996 Annual Report.

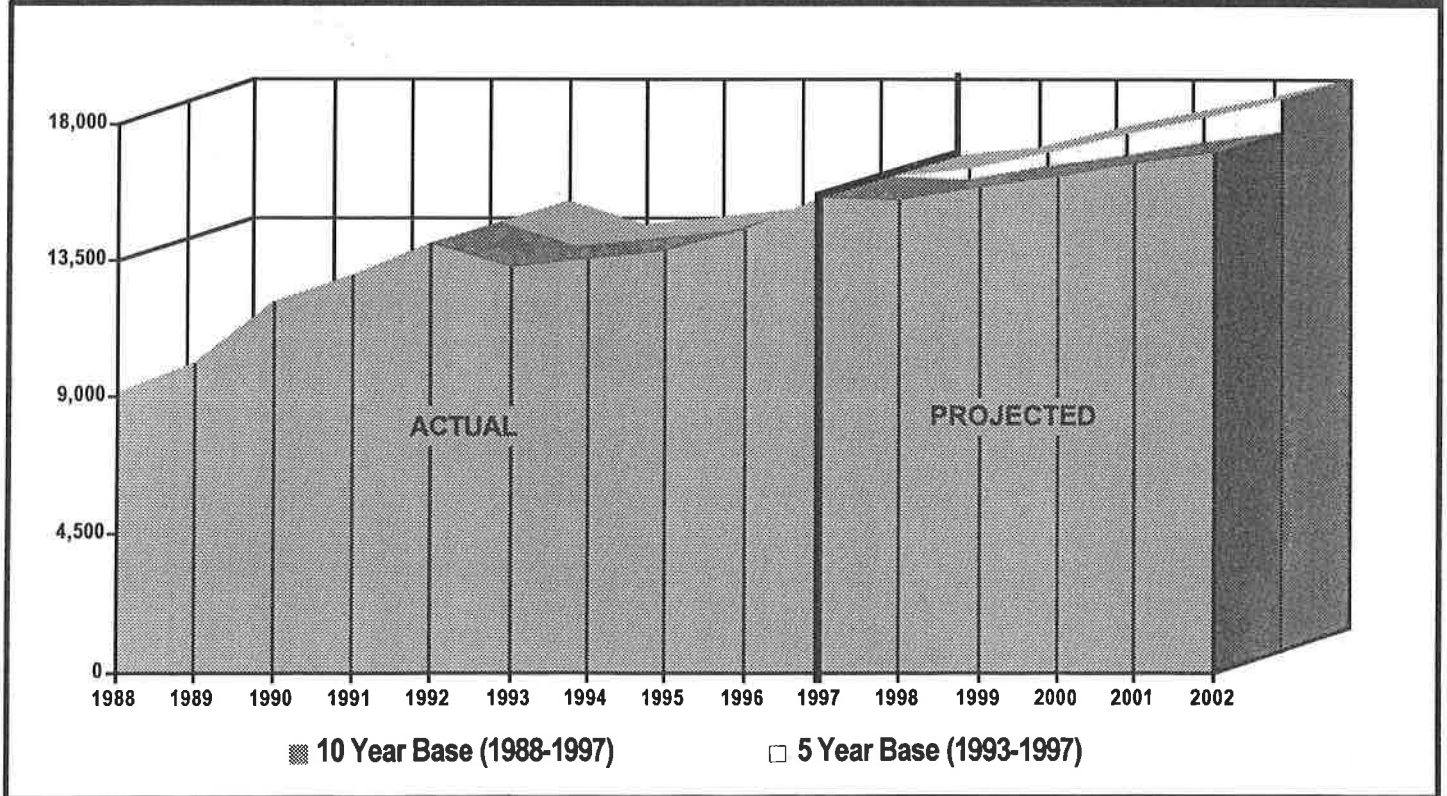
Source : Prothonotary Offices, Superior Court; Administrative Office of the Courts

SUPERIOR COURT - TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 ARBITRATION CASES EXPLANATORY NOTES

1. Arbitration is compulsory for civil cases in which:
 - a) Trial is available, and
 - b) Monetary damages are sought, and
 - c) Non-monetary damages are substantial, and
 - d) Damages do not exceed \$100,000
2. The President Judge of Superior Court or his designee assigns each arbitration case to an arbitrator who is appointed pursuant to the following guidelines:
 - a) The parties may request a specific arbitrator by joint agreement,
 - b) If the parties fail to mutually agree upon an arbitrator of their choice, the Court provides a list of three (3) alternative arbitrators for review by the parties. The plaintiff(s) and the defendant(s) may each strike one alternative arbitrator, and the Court appoints the arbitrator from the remaining alternative arbitrators.
3. The arbitrator's decision is to be in the form of a written order. The order is to become a judgment of the Court unless a trial de novo is requested. Any party may request a trial de novo before Superior Court within 20 days following the arbitrator's order.

FISCAL YEAR 1997 - CASELOAD SUMMARY

	Pending 6/30/96	Filings*	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	3,099	3,425	3,912	2,612	- 487	- 15.7%
Kent	499	590	631	458	- 41	- 8.2%
Sussex	307	287	328	266	- 41	- 13.4%
STATE	<u>3,905</u>	<u>4,302</u>	<u>4,871</u>	<u>3,336</u>	- 569	- 14.6%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION - CASELOAD

FILINGS*

	1996	1997	Change	% Change
New Castle	3,271	3,425	+ 154	+ 4.7%
Kent	552	590	+ 38	+ 6.9%
Sussex	313	287	- 26	- 8.3%
STATE	<u>4,136</u>	<u>4,302</u>	+ 166	+ 4.0%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	4,107	3,912	- 195	- 4.7%
Kent	764	631	- 133	- 17.4%
Sussex	418	328	- 90	- 21.5%
STATE	<u>5,289</u>	<u>4,871</u>	- 418	- 7.9%

*Includes new arbitration cases and cases transferred.

Source : Arbitration Unit, Superior Court; Administrative Office of the Courts

The Family Court



FAMILY COURT

Seated (Left to Right)

Associate Judge Alison Whitmer Tumas
Associate Judge Peggy L. Ableman
Chief Judge Vincent J. Poppiti
Associate Judge Kenneth M. Millman
Associate Judge Barbara D. Crowell

Standing (Left to Right)

Associate Judge William J. Walls, Jr.
Associate Judge William N. Nicholas
Associate Judge Aida Waserstein
Associate Judge William L. Chapman, Jr.
Associate Judge Battle R. Robinson
Associate Judge Jay H. Conner
Associate Judge Mark D. Buckworth

Note: Associate Judge Jay Paul James left the Court to begin serving as a Judge on the Court of Common Pleas on 12/1/97.



Chief Judge Vincent J. Poppiti

Fiscal Year 1997 brought close to 58,000 cases to the Family Court as detailed in the statistical summary. This new high represents increases totaling 30% over the five years since my appointment as Chief Judge of the Family Court. During that time, the Court has re-engineered much of its process in order to handle the ever-increasing caseload. However, if there is one word that best describes what took place in the Family Court in the face of these staggering numbers during FY 1997, it is "*Recognition.*"

- Recognition of the Court's twenty-fifth anniversary.
- Recognition of the Court's achievements
- Recognition that for the Court to be all that it should and could be there is much to be done.

On November 6, 1996 at the Modern Maturity Center in Dover, current and former staff and judicial officers of the Family Court gathered to recognize and celebrate 25 years of service to the citizens of Delaware by this statewide court. Throughout those 25 years, the court has frequently been the focus of national attention for its unique approach to resolving matters centered on the family and young people. The development of the Melson formula, the use of masters and commissioners, the implementation of mediation and arbitration

programs and dispositional guidelines for juveniles have often put Delaware in the forefront on issues centered around Family and Juvenile Law.

Fiscal Year 1997 continued the tradition of national attention through two important National Center for State Courts' efforts. In November 1996, I had the distinct honor of accepting the William H. Rehnquist Award, which recognized many of the accomplishments of our court. In January 1997, the National Center for State Courts issued an assessment of Civil Protection Orders and pointed to the performance of Delaware's Family Court as one of the most recent additions to states granting such orders.

The primary goal of the Court continues to be the speedy and fair resolution of the most sensitive and emotional issues that its litigants may ever face. On an average day, approximately 1,400 people pass through our doors and experience a Delaware court in operation. Based on that experience, these victims, witnesses, defendants, petitioners, respondents, and their relatives make assessments on how well we in Family Court and in the Delaware judiciary are dealing with their needs. The Court is cognizant of that responsibility, and in recognition of that duty, has labored on several fronts to achieve this primary goal.

- Courting Quality was a program first begun in Kent County in 1995. The program is designed to optimize the level of service to litigants utilizing the principles of quality management. In this past year, the effort was expanded to a statewide program. The focus has been on staff training, public awareness, facilities, reduction in delays, and recognition of employees.
- The management of the Court's criminal caseload is largely dependent on the availability of the information that the Court receives from and supplies to other courts and agencies: the

police, Justice of the Peace Court, Department of Corrections, Division of Youth Rehabilitative Services, Attorney General, Public Defender, and others. In 1997, the criminal caseload jumped to 16,380 cases - a rise of 19.8% in five years. This past year, the Court has focused attention on putting together a procedural plan in advance of both the criminal case management and financial management information systems. This plan will lead to the re-engineering of many tasks and the reduction in the duplication of work by both court staff and those in other courts and agencies.

- The Court Improvement Project provided federal funding to complete an assessment of the manner in which the Court handles cases leading to adoption. The results of the study propose major revisions to the processing of these important cases including enhanced judicial oversight and expedited timelines for bringing the case to resolution. The second phase of the Project will build an implementation plan for achieving the goal of reduced time in foster care for dependent and neglected children needing a permanent home.

As the year drew to a close, the Court was preparing for FY98 when it will focus efforts on developing internal operating procedures, standards in keeping with the Trial Court Performance Standards, a review of all rules, and the development of a strategic plan.

FAMILY COURT

Legal Authorization

The Family Court Act, rule 10, Chapter 9, *Delaware Code*, authorizes the Family Court.

Court History

The Family Court of the State of Delaware has its origin in the Juvenile Court for the City of Wilmington which was founded in 1911. A little over a decade later, in 1923, the jurisdiction of the Juvenile Court for the City of Wilmington was extended to include New Castle County. In 1933, the Juvenile Court for Kent and Sussex Counties was created.

From the early 1930's there was a campaign to establish a Family Court in the northernmost county, and this ideal was achieved in 1945 when the Legislature created the Family Court for New Castle County, Delaware. In 1951, legislation was enacted to give the Juvenile Court for Kent and Sussex Counties jurisdiction over all family matters, and in early 1962 the name of the Juvenile Court for Kent and Sussex Counties was changed to the Family Court for Kent and Sussex Counties.

As early as the 1950's the concept of a statewide Family Court had been endorsed. The fruition of this concept was realized with the statutory authorization of the Family Court of the State of Delaware in 1971.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has had conferred upon it by the General Assembly jurisdiction over juvenile delinquency, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spouse support, paternity of children, custody and visitation of children, adoptions, terminations of parental rights, divorces and annulments, property divisions, specific enforcement of separation agreements, guardianship over minors, imperiling the family relationship, orders of protection from abuse and intra-family misdemeanor crimes.

The Family Court does not have jurisdiction over adults charged with felonies or juveniles charged with first and second degree murder, rape, or kidnapping.

Cases are appealed to the Supreme Court with the exception of adult criminal cases which are appealed to the Superior Court.

Judges

Number: The Court is allowed 13 Judges of equal judicial authority, one of whom is appointed by the Governor as Chief Judge and who is the chief administrative and executive officer for the Court. A bare majority of the Judges must be of one major political party with the remainder of the other major political party.

Appointment: The Governor nominates the Judges, who must be confirmed by the Senate.

Tenure: The Judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least 5 years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

Other Judicial Personnel

Family Court uses masters and commissioners to hear specific types of cases. Masters are appointed by the Chief Judge and serve at his pleasure while commissioners are appointed for four-year terms by the Governor with the consent of a majority of the Senate.

Support Personnel

The three major administrative divisions of the Court are Court Operations, Fiscal Services and Personnel Services. Fiscal Services and Personnel Services perform staff functions, whereas Court Operations is responsible for the delivery of services to the public.

The Family Court has a staff of more than 270 persons in addition to the judiciary. The Court has a Court Administrator and a Director of Operations in each County as well as Clerks of the Court, secretaries, typists, accountants, clerks, data entry operators, judicial assistants, mediation/arbitration officers, child support officers, and volunteers working in all areas of the Court.

FAMILY COURT

FISCAL YEAR 1997 TOTAL CASES WORKLOAD EXPLANATORY NOTES

1. The unit of count in the Family Court adult criminal, juvenile delinquency, and civil cases is the filing.
2. A criminal or delinquency filing is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the court on a single individual are counted as three criminal or delinquency filings or multiple charges.
 - a. A single criminal or delinquency filing may be comprised of a single or multiple charges relating to a single incident.
 - b. A criminal filing received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.
3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FISCAL YEAR 1997 TOTAL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	6,782	34,125	33,951	6,956	+ 174	+ 2.6%
Kent	2,283	11,557	11,823	2,017	- 266	- 11.7%
Sussex	<u>3,185</u>	<u>12,225</u>	<u>12,334</u>	<u>3,076</u>	<u>- 109</u>	<u>- 3.4%</u>
STATE	12,250	57,907	58,108	12,049	- 201	- 1.6%

COMPARISON - FISCAL YEARS 1996-1997 TOTAL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	31,889	34,125	+2,236	+ 7.0%
Kent	11,041	11,557	+ 516	+ 4.7%
Sussex	<u>12,017</u>	<u>12,225</u>	<u>+ 208</u>	<u>+ 1.7%</u>
STATE	54,947	57,907	+2,960	+ 5.4%

COMPARISON - FISCAL YEARS 1996-1997 TOTAL CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	31,709	33,951	+2,242	+ 7.1%
Kent	11,035	11,823	+ 788	+ 7.1%
Sussex	<u>12,162</u>	<u>12,334</u>	<u>+ 172</u>	<u>+ 1.4%</u>
STATE	54,906	58,108	+3,202	+ 5.8%

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 ADULT CRIMINAL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	564	3,247	3,139	672	+ 108	+ 19.1%
Kent	129	994	956	167	+ 38	+ 29.5%
Sussex	349	1,051	998	402	+ 53	+ 15.2%
STATE	<u>1,042</u>	<u>5,292</u>	<u>5,093</u>	<u>1,241</u>	<u>+ 199</u>	<u>+ 19.1%</u>

COMPARISON - FISCAL YEARS 1996-1997 ADULT CRIMINAL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	2,975	3,247	+ 272	+ 9.1%
Kent	902	994	+ 92	+ 10.2%
Sussex	<u>922</u>	<u>1,051</u>	<u>+ 129</u>	<u>+ 14.0%</u>
STATE	<u>4,799</u>	<u>5,292</u>	<u>+ 493</u>	<u>+ 10.3%</u>

COMPARISON - FISCAL YEARS 1996-1997 ADULT CRIMINAL CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	2,963	3,139	+ 176	+ 5.9%
Kent	892	956	+ 64	+ 7.2%
Sussex	<u>931</u>	<u>998</u>	<u>+ 67</u>	<u>+ 7.2%</u>
STATE	<u>4,786</u>	<u>5,093</u>	<u>+ 307</u>	<u>+ 6.4%</u>

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 JUVENILE DELINQUENCY CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	1,520	6,489	6,708	1,301	- 219	- 14.4%
Kent	430	2,058	2,110	378	- 52	- 12.1%
Sussex	<u>737</u>	<u>2,991</u>	<u>2,880</u>	<u>848</u>	<u>+ 111</u>	<u>+ 15.1%</u>
STATE	<u>2,687</u>	<u>11,538</u>	<u>11,698</u>	<u>2,527</u>	<u>- 160</u>	<u>- 6.0%</u>

COMPARISON - FISCAL YEARS 1996-1997 JUVENILE DELINQUENCY CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	6,464	6,489	+ 25	+ 0.4%
Kent	1,682	2,058	+ 376	+ 22.4%
Sussex	<u>2,430</u>	<u>2,991</u>	<u>+ 561</u>	<u>+ 23.1%</u>
STATE	<u>10,576</u>	<u>11,538</u>	<u>+ 962</u>	<u>+ 9.1%</u>

COMPARISON - FISCAL YEARS 1996-1997 JUVENILE DELINQUENCY CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	6,629	6,708	+ 79	+ 1.2%
Kent	1,468	2,110	+ 642	+ 43.7%
Sussex	<u>2,071</u>	<u>2,880</u>	<u>+ 809</u>	<u>+ 39.1%</u>
STATE	<u>10,168</u>	<u>11,698</u>	<u>+1,530</u>	<u>+ 15.0%</u>

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	4,698	24,389	24,104	4,983	+ 285	+ 6.1%
Kent	1,724	8,505	8,757	1,472	- 252	- 14.6%
Sussex	<u>2,099</u>	<u>8,183</u>	<u>8,456</u>	<u>1,826</u>	<u>- 273</u>	<u>- 13.0%</u>
STATE	8,521	41,077	41,317	8,281	- 240	- 2.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	22,450	24,389	+1,939	+ 8.6%
Kent	8,457	8,505	+ 48	+ 0.6%
Sussex	<u>8,665</u>	<u>8,183</u>	<u>- 482</u>	<u>- 5.6%</u>
STATE	39,572	41,077	+1,505	+ 3.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

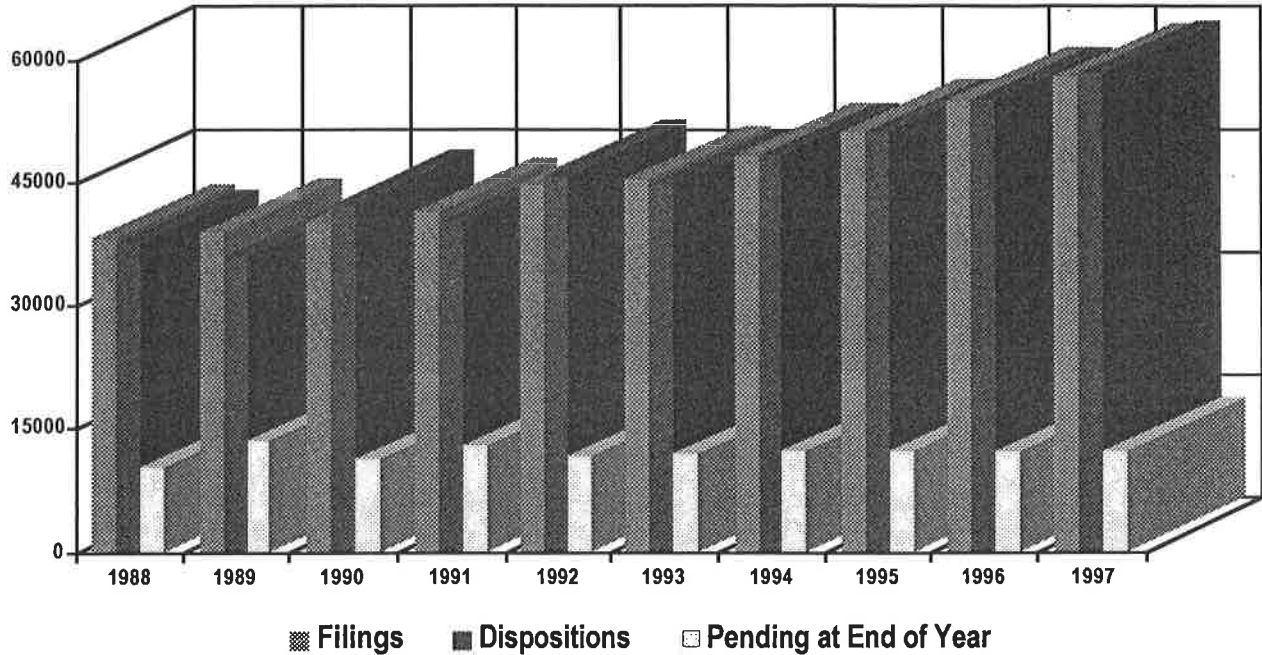
DISPOSITIONS

	1996	1997	Change	% Change
New Castle	22,117	24,104	+1,987	+ 9.0%
Kent	8,675	8,757	+ 82	+ 0.9%
Sussex	<u>9,160</u>	<u>8,456</u>	<u>- 704</u>	<u>- 7.7%</u>
STATE	39,952	41,317	+1,365	+ 3.4%

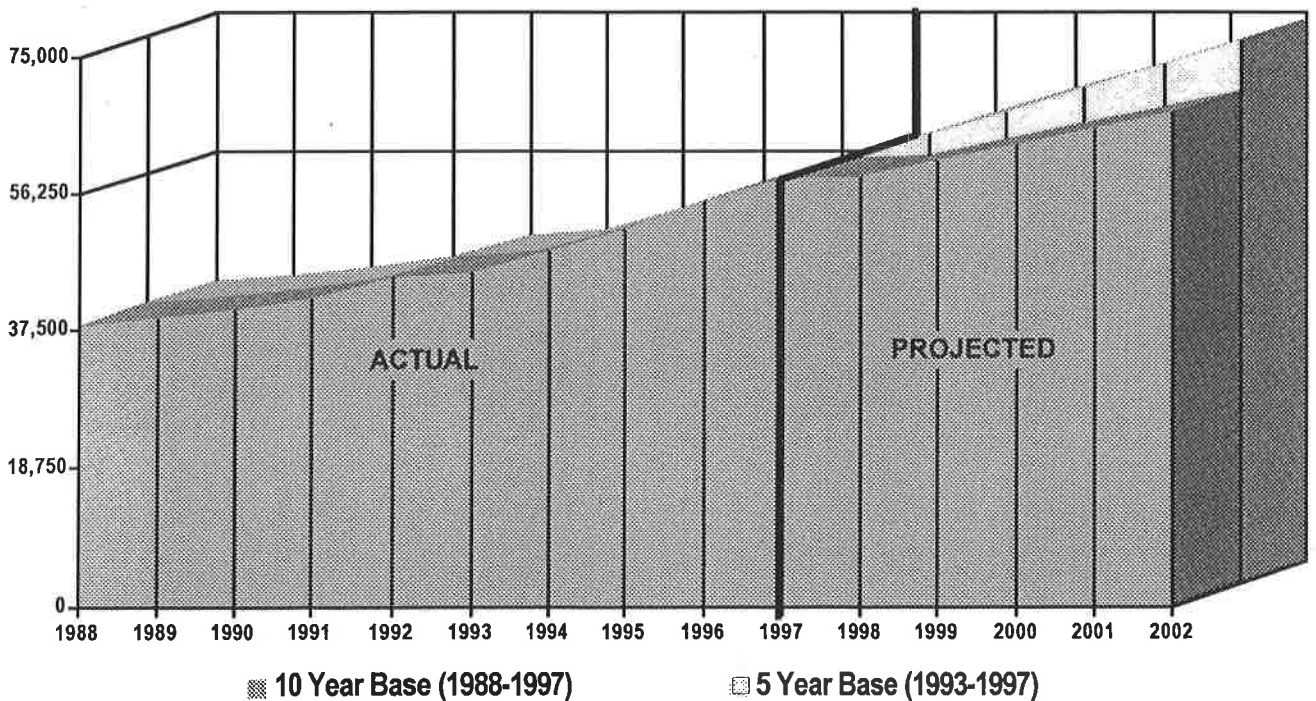
Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT - TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 ARBITRATION EXPLANATORY NOTES

1. Arbitration is an informal proceeding in which a specially trained arbitration officer attempts to resolve juvenile delinquency cases involving minor charges and adult criminal cases involving selected misdemeanors.
2. Family Court decides according to established criteria if a case should be prosecuted at a formal hearing or if it should be referred to the Arbitration Unit.
3. An Arbitration Officer determines if the case should be dismissed, sent to a formal hearing, or kept open. A case is kept open if a defendant is required to fulfill conditions set by the officer and agreed to by the defendant.
4. The complainant, victim, defendant, or parent has ten (10) days to request a review of the disposition. The review is done by a Deputy Attorney General, who either upholds the disposition or decides that the manner should go to a formal hearing.

FISCAL YEAR 1997 ARBITRATION CASES - CASELOAD SUMMARY

	Pending 6/30/96*	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	245	1,305	1,347	203	- 42	- 17.1%
Kent	20	533	538	15	- 5	- 25.0%
Sussex	61	580	593	48	- 13	- 21.3%
STATE	326	2,418	2,478	266	- 60	- 18.4%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	731	1,305	+ 574	+ 78.5%
Kent	411	533	+ 122	+ 29.7%
Sussex	377	580	+ 203	+ 53.8%
STATE	1,519	2,418	+ 899	+ 59.2%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	690	1,347	+ 657	+ 95.2%
Kent	380	538	+ 158	+ 41.6%
Sussex	345	593	+ 248	+ 71.9%
STATE	1,415	2,478	+1,063	+ 75.1%

*Pending for all counties amended from 1996 Annual Report.

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 MEDIATION EXPLANATORY NOTES

1. Mediation is a pre-adjudicatory proceeding where a trained mediator attempts to assist the parties in reaching an agreement in disputes involving child custody, support, visitation, guardianships, imperilling family relations, and rules to show cause. Mediation is mandatory in child custody, visitation and support matters.
2. If the parties are unable to reach an agreement, the matter is scheduled for a hearing before a master or a judge.

FISCAL YEAR 1997 MEDIATION CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	58	8,552	8,427	183	+ 125	+215.5%
Kent	244	3,235	3,290	189	- 55	- 22.5%
Sussex	<u>238</u>	<u>2,985</u>	<u>2,983</u>	<u>240</u>	<u>+ 2</u>	<u>+ 0.8%</u>
STATE	540	14,772	14,700	612	+ 72	+ 13.3%

COMPARISON - FISCAL YEARS 1996-1997 MEDIATION CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	7,689	8,552	+ 863	+ 11.2%
Kent	3,030	3,235	+ 205	+ 6.8%
Sussex	<u>3,414</u>	<u>2,985</u>	<u>- 429</u>	<u>- 12.6%</u>
STATE	14,133	14,772	+ 639	+ 4.5%

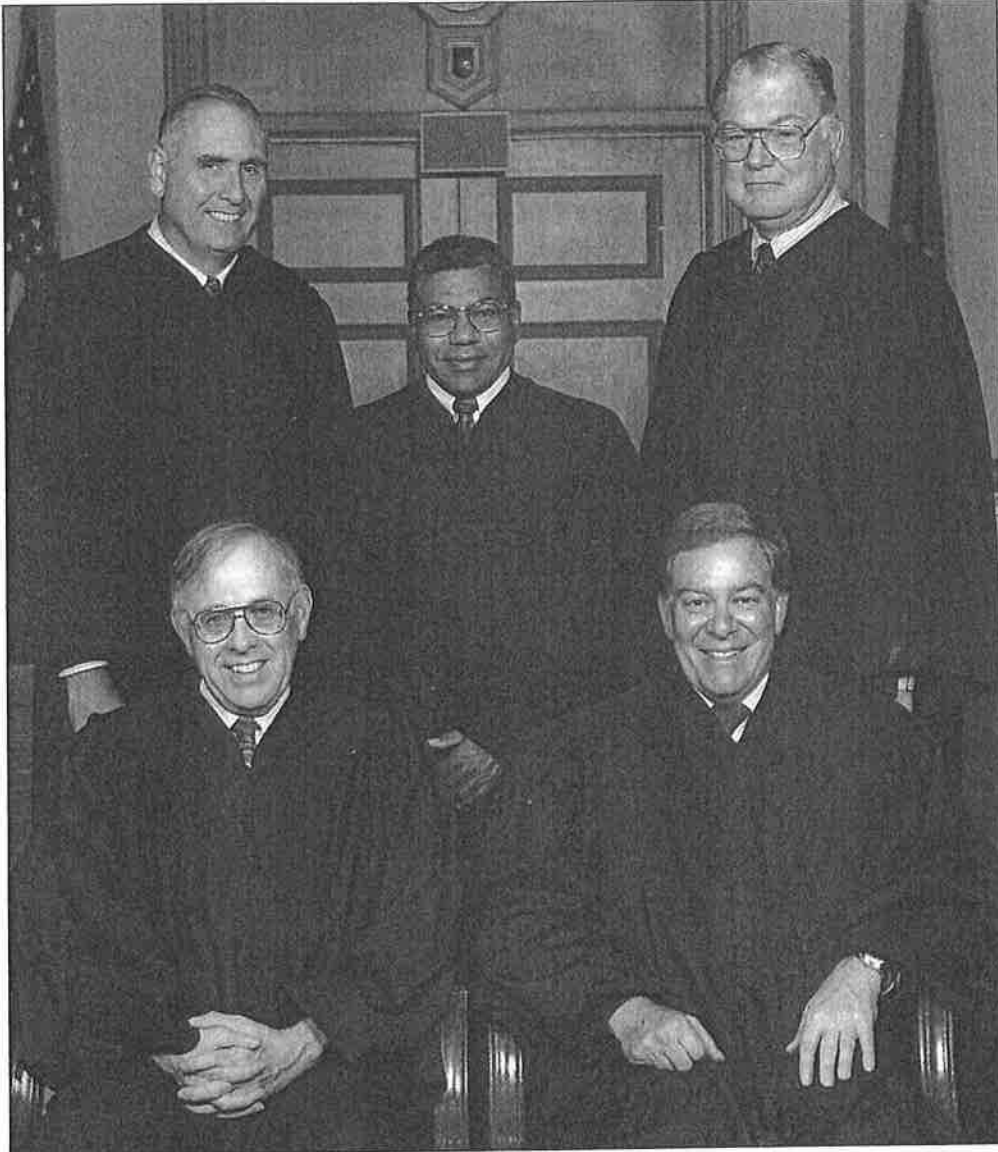
COMPARISON - FISCAL YEARS 1996-1997 MEDIATION CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	7,724	8,427	+ 703	+ 9.1%
Kent	3,062	3,290	+ 228	+ 7.4%
Sussex	<u>3,466</u>	<u>2,983</u>	<u>- 483</u>	<u>- 13.9%</u>
STATE	14,252	14,700	+ 448	+ 3.1%

Source : Court Administrator, Family Court; Administrative Office of the Courts

The Court of Common Pleas



COURT OF COMMON PLEAS

Seated (Left to Right)

Judge Merrill C. Trader

Chief Judge Arthur F. DiSabatino

Standing (Left to Right)

Judge Richard F. Stokes

Judge Alex J. Smalls

Judge William C. Bradley, Jr.

*The Honorable Alex J. Smalls became Chief Judge on 7/1/97 in place of the Honorable Arthur F. DiSabatino, who left the Court on 9/30/97.

COURT OF COMMON PLEAS

Message from the Chief Judge



Chief Judge Arthur F. DiSabatino

FY 1997 was a busy and productive year for the Court of Common Pleas. The Court continued to adapt to the 1995 changes in jurisdiction and, at the end of FY 1997, began to turn its attention to the merger with the Municipal Court, set to take place on May 1, 1998.

The Court worked hard in FY 1997 to reduce its growing backlog and was successful in significantly reducing the time from arraignment to trial in spite of an increase in caseload. The Court continued to take a proactive role in managing its caseload through the use of Case Review calendars and additional specialized trial calendars, including the introduction of Domestic Violence Case Review and Trial calendars in New Castle County. Also, in New Castle County arraignment processes were refined by including videotaped instructions by the Judge about the process, and pleas at arraignment increased.

Caseload growth was experienced throughout the State but was greatest in the lower counties. The Court needs additional Judicial help to manage the caseload and hopes to acquire Commissioners to assist the Judges in both of the downstate Courts.

The Court was pleased to welcome Judge Richard Stokes to the bench in Sussex County. Judge Stokes worked hard in the past year to manage the huge increase in caseload in Sussex County and instituted a number of changes to increase efficiency, e.g., pre-trial conferences in civil cases. The Court was also pleased that Judge Trader was reappointed for an additional 12-year term. At the end of FY 1997, Chief Judge DiSabatino announced his retirement and on June 30, 1997, Judge Smalls was confirmed by the Senate as the Court's new Chief Judge.

The Court adopted the Trial Court Performance Standards and began the process of strategic planning at a Judicial Retreat in the spring. Court staff will be having similar training in the fall after which the Court will begin implementation of the Standards throughout the State.

The Court continued internal training in automation and refined its processes in both Criminal Case Management and Financial Management. However, the staff must be provided additional training in automation to make the most effective use of available equipment and systems.

The Court collected an additional \$1,000,000 over the previous year through aggressive collection efforts and expects to maintain a higher level of collections now that all three counties are fully utilizing the automated financial system.

The Court expanded its use of the videophone and now routinely uses it in Kent and New Castle Counties. Cabling was completed for Sussex County. The Court hopes to acquire additional equipment in order to expand the use of this technology even further.

The Court continues to have serious space problems in all three counties. The lack of a jury courtroom in New Castle County and adequate clerical space in all three counties hampers the Court's effectiveness.

COURT OF COMMON PLEAS

Legal Authorization

The statewide Court of Common Pleas was created by 10 *Delaware Code*, Chapter 13, effective July 5, 1973.

Court History

Initially established under William Penn in the 17th Century, the Court of Common Pleas served as the supreme judicial authority in the State. During the latter part of the 18th Century and through most of the 19th Century, however, the Court was abolished during an era of Court reorganization.

The modern day Court of Common Pleas was established in 1917 when a Court with limited civil and criminal jurisdiction was established in New Castle County. Courts of Common Pleas were later established in Kent County in 1931 and Sussex County in 1953.

In 1969, the three County Courts of Common Pleas became State Courts. In 1973, the Statewide Court of Common Pleas was established.

In 1994, The Commission on Delaware Courts 2000 recommended new jurisdiction for the Court of Common Pleas as vital to the Delaware Court System. Legislation implementing the Commission Report vested significant new areas of jurisdiction in the Court in 1995.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed \$50,000 on the complaint. There is no limitation in amount on counter-claims and crossclaims. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug related cases, and those occurring within the limits of the City of Wilmington. It is also responsible for all preliminary hearings. Jury trial is available to all defendants.

The Court has jurisdiction over appeals from Justice of the Peace and Alderman's Courts in both civil and criminal cases. It also has jurisdiction over administrative appeals from the Department of Motor Vehicles.

Judges

There are five Judges of the Court of Common Pleas, of which three are to be residents of New Castle County, one of Kent County, and one of Sussex County. They are nominated by the Governor with the confirmation of the Senate for 12-year terms. They must have been actively engaged in the general practice of law in the State of Delaware for at least five years and must be citizens of the State. A majority of not more than one Judge may be from the same political party. The Judge who has seniority in service is to serve as Chief Judge.

Support Personnel

Personnel are appointed by the Chief Judge of the Court of Common Pleas, including a Court Administrator and one Clerk of the Court for each county. Other employees as are necessary are also added, including bailiffs, court reporters, secretaries, clerks, presentence officers, etc.

COURT OF COMMON PLEAS

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD SUMMARY

<i>Number of Defendants</i>	Pending* 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	9,071	18,684	19,558	8,197	- 874	- 9.6%
Kent	3,887	15,135	15,773	3,249	- 638	- 16.4%
Sussex	<u>2,476</u>	<u>15,814</u>	<u>14,616</u>	<u>3,674</u>	<u>+1,198</u>	<u>+ 48.4%</u>
STATE	<u>15,434</u>	<u>49,633</u>	<u>49,947</u>	<u>15,120</u>	<u>- 314</u>	<u>- 2.0%</u>

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

FILINGS

<i>Number of Defendants</i>	1996**	1997	Change	% Change
New Castle	16,303	18,684	+ 2,381	+ 14.6%
Kent#	7,595	15,135	+ 7,540	+ 99.3%
Sussex#	<u>7,820</u>	<u>15,814</u>	<u>+ 7,994</u>	<u>+ 102.2%</u>
STATE	<u>31,718</u>	<u>49,633</u>	<u>+17,915</u>	<u>+ 56.5%</u>

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

DISPOSITIONS

<i>Number of Defendants</i>	1996***	1997	Change	% Change
New Castle	11,847	19,558	+ 7,711	+ 65.1%
Kent #	4,679	15,773	+11,094	+ 237.1%
Sussex#	<u>5,989</u>	<u>14,616</u>	<u>+ 8,627</u>	<u>+ 144.0%</u>
STATE	<u>22,515</u>	<u>49,947</u>	<u>+27,432</u>	<u>+ 121.8%</u>

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

PRELIMINARY HEARINGS

<i>Number of Defendants</i>	1996	1997	Change	% Change
New Castle	2,372	2,802	+ 430	+ 18.1%
Kent	1,514	1,528	+ 14	+ 0.9%
Sussex	<u>2,100</u>	<u>1,582</u>	<u>- 518</u>	<u>- 24.7%</u>
STATE	<u>5,986</u>	<u>5,912</u>	<u>- 74</u>	<u>- 1.2%</u>

* Pending amended from 1996 Annual Report.

**Filings amended from 1996 Annual Report.

***Dispositions amended from 1996 Annual Report.

#The large increases in Kent and Sussex Counties are due in large part to a substantial rise in criminal contempts.

Source : Court Administrator , Court of Common Pleas ; Administrative of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	4,636	3,939	3,124	5,451	+ 815	+ 17.6%
Kent	554	1,436	1,374	616	+ 62	+ 11.2%
Sussex	779	1,059	813	1,025	+ 246	+ 31.6%
STATE	5,969	6,434	5,311	7,092	+1,123	+ 18.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS				
	1996	1997	Change	% Change
New Castle	3,652	3,939	+ 287	+ 7.9%
Kent	1,021	1,436	+ 415	+ 40.6%
Sussex	918	1,059	+ 141	+ 15.4%
STATE	5,591	6,434	+ 843	+ 15.1%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

DISPOSITIONS				
	1996	1997	Change	% Change
New Castle	2,610	3,124	+ 514	+ 19.7%
Kent	766	1,374	+ 608	+ 79.4%
Sussex	731	813	+ 82	+ 11.2%
STATE	4,107	5,311	+ 1,204	+ 29.3%

FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD BREAKDOWNS

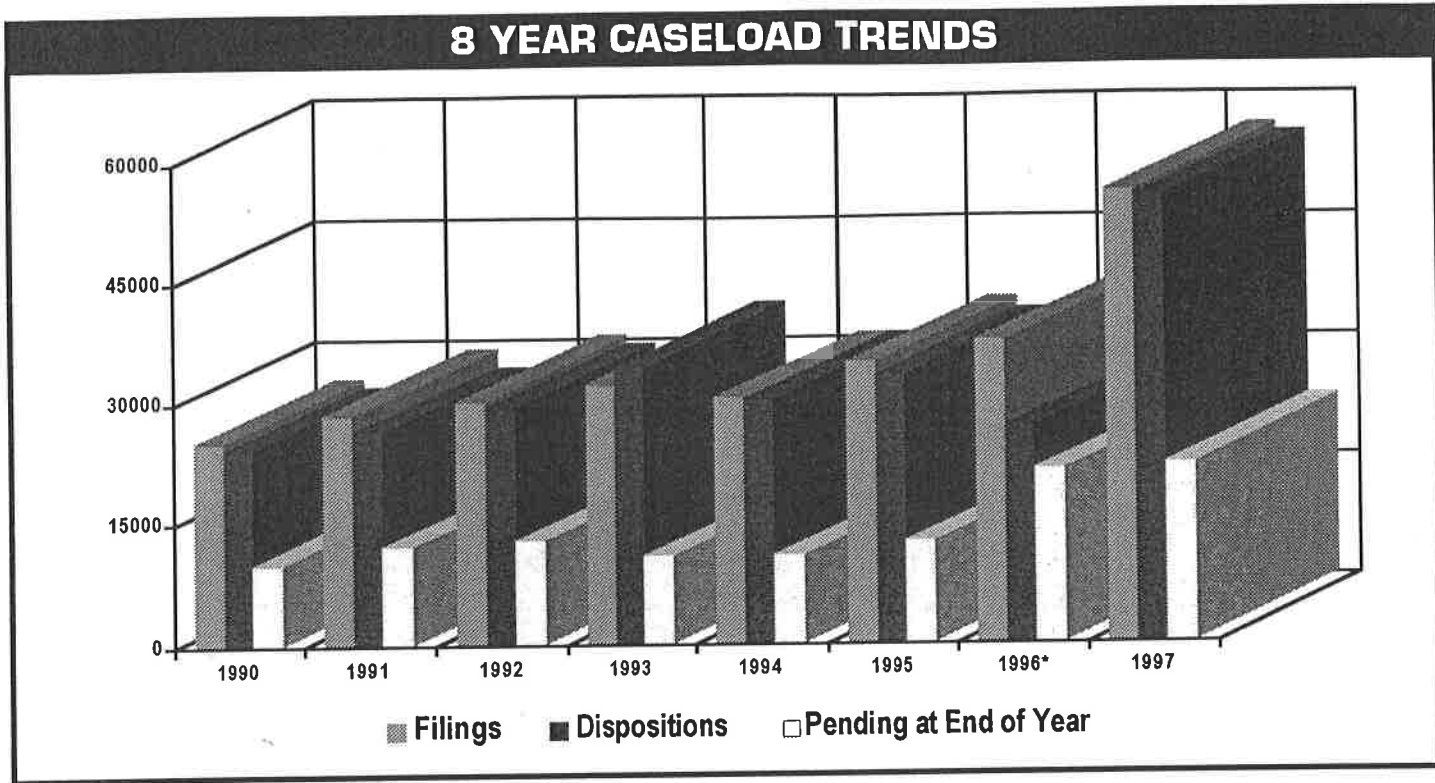
FILINGS						
	Complaints		Civil Judgements, Name Changes		Totals	
New Castle	3,667	93.1%	272	6.9%	3,939	100.0%
Kent	1,341	93.4%	95	6.6%	1,436	100.0%
Sussex	958	90.5%	101	9.5%	1,059	100.0%
STATE	5,966	92.7%	468	7.3%	6,434	100.0%

FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD BREAKDOWNS

DISPOSITIONS						
	Court Action		Counsel Action		Totals	
New Castle	1,006	32.2%	2,118	67.8%	3,124	100.0%
Kent	570	41.5%	804	58.5%	1,374	100.0%
Sussex	310	38.1%	503	61.9%	813	100.0%
STATE	1,886	35.5%	3,425	64.5%	5,311	100.0%

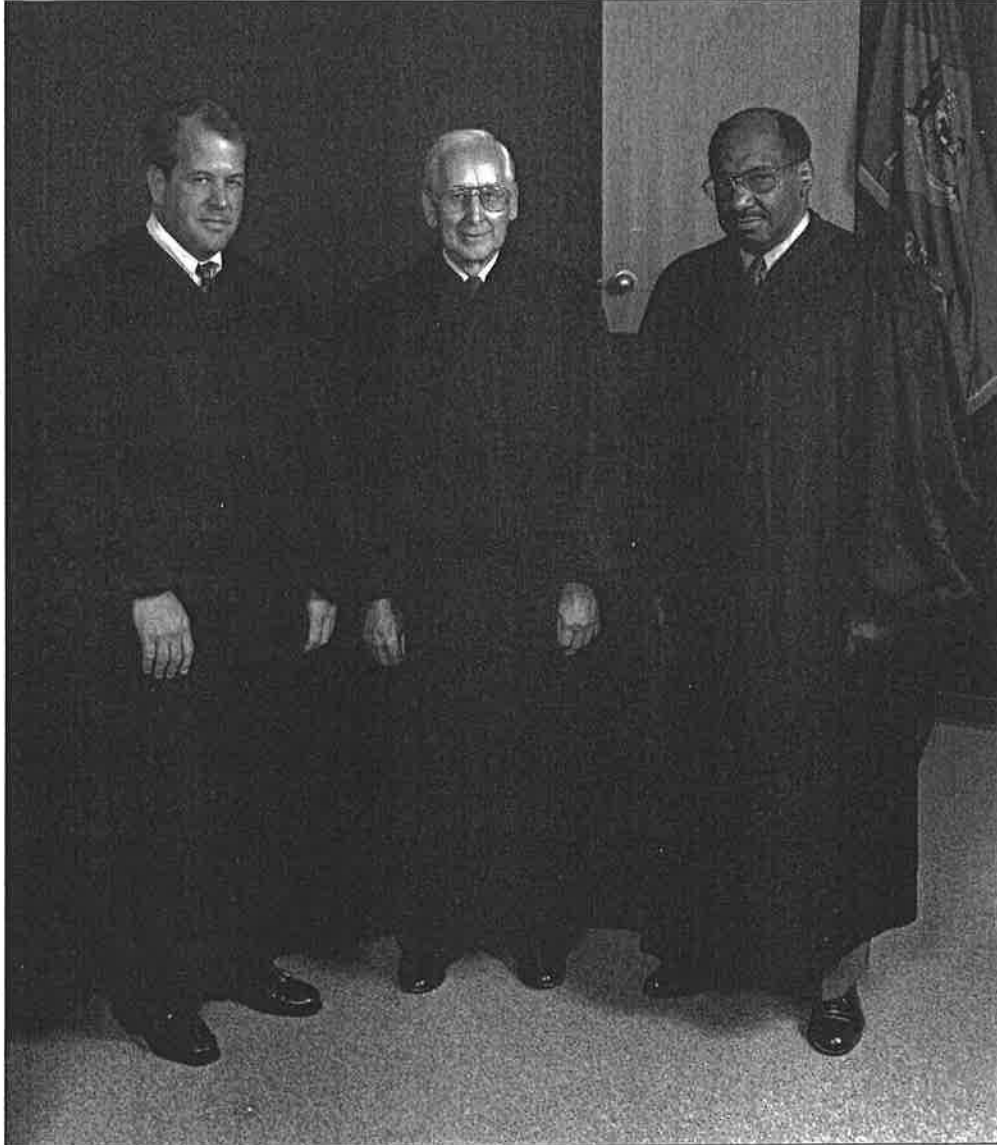
Source : Court Administrator, Court of Common Pleas; Administrative Office of the Courts

COURT OF COMMON PLEAS - TOTAL



*Projections are not possible because of the large changes in total caseload in recent years.
*Amended from 1996 Annual Report.
Trend lines computed by linear regression analysis.
Source: Administrative Office of the Courts

The Municipal Court



MUNICIPAL COURT

(Left to Right)

Associate Judge John K. Welch

Chief Judge Alfred Fraczkowski

Associate Judge Leonard L. Williams

MUNICIPAL COURT

Message from the Chief Judge



Chief Judge Alfred Fraczkowski

During FY 1997 Municipal Court for the City of Wilmington experienced two significant events. The Court was fully staffed with two full time judges for the entire year. The Delaware Legislature passed a bill which will merge the Municipal Court into the State Court System by May, 1998.

With the addition of full time second judge for the entire year the caseload in the Court has been processed in an acceptable and timely manner. The backlog of cases which accumulated in the period prior to July 1, 1996 has been resolved.

The control and monitoring of payment and disposition of restitution, fines, costs and other assessments ordered by the Court was further refined during the past year. The system has not reached the optimum level which had been expected but it has shown an improvement over prior years. The most significant problem which must be resolved is the monitoring of failure to pay fines at the time and in the manner ordered by the Court. One of the primary goals of the Court for next year is to refine the system so that this deficiency will be corrected.

During the past year a new bi-lingual bailiff joined the court staff. The Court now has three persons who act as bailiffs and who act as competent Hispanic bi-lingual interpreters. The Court has other persons on staff who can act as interpreters in emergencies. With the number of persons now available for interpretation, the Court can schedule cases involving Hispanic persons without concern as to the possibility that an interpreter will not be available on the day the case is scheduled.

The Court has used the services of the Alternative Dispute Resolution Program which is supervised by the Wilmington City Law Department. While the number of cases diverted from the court does not significantly affect the number of cases processed by the Court, the mediation of disputes without intervention of criminal responsibility has impressed people who have been involved in the program and has, in most instances, resolved such issues without subjecting the parties involved to criminal records.

The Court has made excellent use of the video phone arraignment with the Wilmington Police Department. The video phone bail hearings are processed by Court Commissioners during night time and weekend hours. The system is also used by the judges on a daily basis to cover those cases which have accumulated and are being processed by the Wilmington Police. The procedure has had a most favorable impact on the processing and completion of bail hearings and arraignments.

In conjunction with the Office of the Public Defender the Court has further developed a system which permits defendants who are assigned Public Defender representation to meet with an intake officer on the very day that they are arraigned by the Court. The system assists both the Public Defender Office and the Court because it assures that persons

referred to the Defender will appear for an initial interview and the necessity for continuing cases when the defendant has failed to report for an interview has greatly diminished. The system is not in effect every day of the week due to personnel constraints in the Public Defender's Office.

For the entire year the Court has been adversely affected by the lack of a full staff complement. The most severe impact has come from the lack of one Deputy Clerk/Court Commissioner. The problem has existed for some years. While the Clerks/Court Commissioners have developed a schedule which allows adequate coverage during the day and evening hours, any disruption through vacation and/or illness adversely affects this operation.

The Court has marked time in the implementation of the new Criminal Case Management System and the Automated Sentencing Project. The final implementation of these two projects will be governed largely by the merger of the Municipal Court into the State Court System.

MUNICIPAL COURT

Legal Authorization

The Municipal Court of the City of Wilmington is authorized by 10 *Delaware Code*, Chapter 17.

Geographic Organization

The Court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

The Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justice of the Peace Courts and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The Court has a Violations Division which processes all moving and parking citations.

Judges

Number: There are 3 Judges authorized for the Municipal Court of Wilmington. Not more than 2 of the Judges may be members of the same political party.

Appointment: The Judges are nominated by the Governor, with confirmation by the Senate.

Tenure: Judges are appointed for 12-year terms.

Qualifications: The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Chief Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint deputies.

MUNICIPAL COURT

FISCAL YEAR 1997 - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change in Pending
Criminal	2,422	13,534	13,614	2,342	- 80	- 3.3%
Traffic	<u>3,468</u>	<u>12,305</u>	<u>11,658</u>	<u>4,115</u>	<u>+ 647</u>	<u>+ 18.7%</u>
TOTAL	5,890	25,839	25,272	6,457	+ 567	+ 9.6%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

FILINGS

	1996	1997	Change	% Change
Criminal	14,722	13,534	- 1,188	- 8.1%
Traffic	<u>16,848</u>	<u>12,305</u>	<u>- 4,543</u>	<u>- 27.0%</u>
TOTAL	31,570	25,839	- 5,731	- 18.2%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

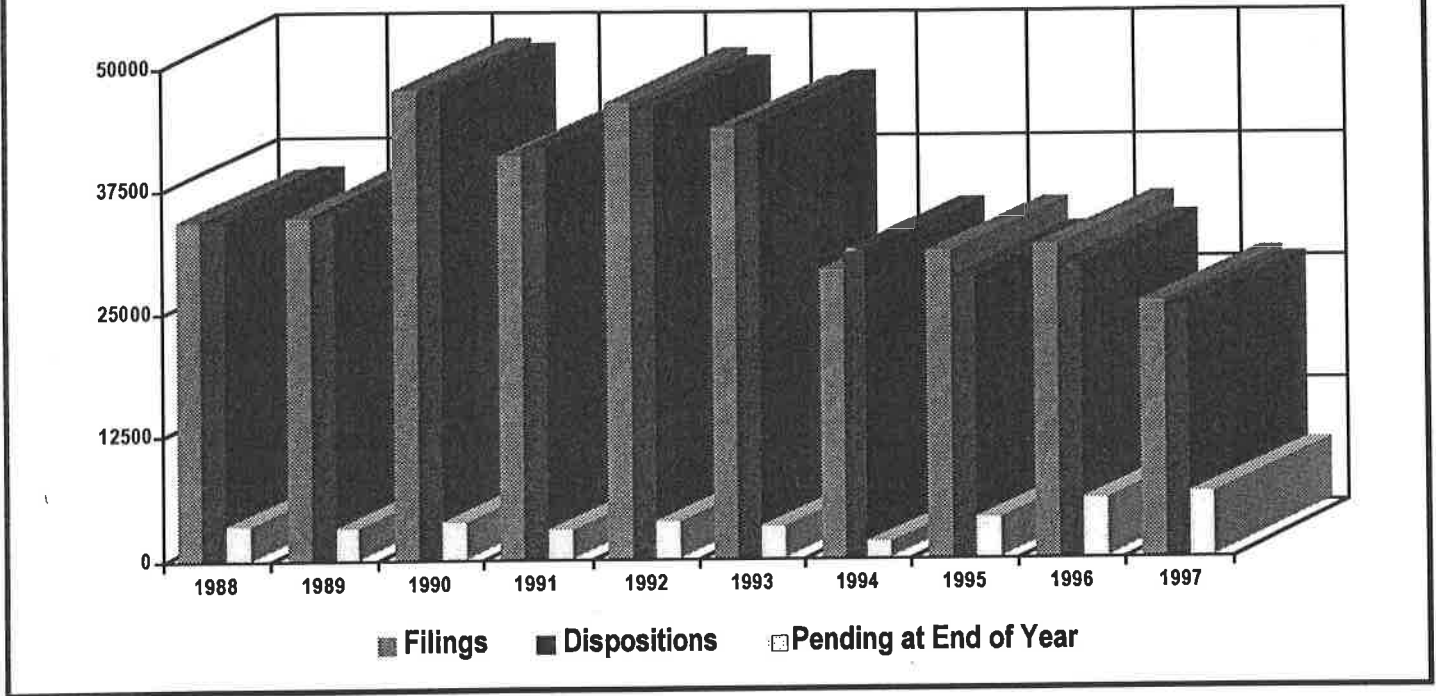
DISPOSITIONS

	1996	1997	Change	% Change
Criminal	13,818	13,614	- 204	- 1.5%
Traffic	<u>15,866</u>	<u>11,658</u>	<u>- 4,208</u>	<u>- 26.5%</u>
TOTAL	29,684	25,272	- 4,412	- 14.9%

Source : Clerk of the Court, Municipal Court; Administrative Office of the Courts

MUNICIPAL COURT - TOTAL

10 YEAR CASELOAD TRENDS



*Projections are not possible due to large fluctuations in caseload in recent years.

Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts

The Justice of the Peace Courts

NEW CASTLE COUNTY

(Left-right): **Ronald E. Cheeseman, Terry L. Smith, Sean McCormick, David R. Skelly, Clarence S. Bennett, Katharine B. Ross, Rosalie O. Rutkowski, Thomas P. Brown, Joyce E. Nolan, James A. Tull, Joseph R. Schiavi, Nancy C. Roberts, Wayne R. Hanby, Edward M. Poling, Bonita N. Lee, Thomas M. Kenney, Vernon A. Taylor, and Rosalind Toulson.**

Missing: **Robert Armstrong, Thomas E. Cole, Kathleen C. Lucas, William T. Moser, Stanley J. Petraschuk, Paul J. Smith.**



KENT COUNTY

(Left-right): **Agnes E. Pennella, Fred C. Lord, Russell T. Rash, Joseph W. Maybee, Margaret L. Barrett, Charles M. Stump, Frederick W. Dewey, Jr., Patricia W. Griffin, Ernst M. Arndt, James C. Koehring, Robert B. Wall, Jr.**
Missing: **Karen N. Bundeck, Ellis B. Parrott.**

SUSSEX COUNTY

(Left-right): **Sheila G. Blakely, William L. Boddy, III, John W. O'Bier, William W. Brittingham, Jeni L. Coffelt, Richard D. Comly, Edward G. Davis, William J. Hopkins, Jr., Marcealeate S. Ruffin, Joseph B. Melson, Jr., Abigayle E. Truitt.** Missing: **Walter J. Godwin, Herman G. Hagan, John R. Hudson, Jana E. Mollohan, H. William Mulvaney, III, and William P. Wood.**



Message from the Chief Magistrate



**Chief Magistrate
Patricia Walther Griffin**

Fiscal Year 1997 proved to be another exceptional year for the Justice of the Peace Court. The additional funds needed to complete the construction of a new court facility for JP Courts 7/16/VAC were appropriated and the groundbreaking ceremony was held on May 1, 1997. The new courthouse should be completed in the fall of 1998. In June of 1997, the Legislature passed the second leg of a constitutional amendment that provides for a six-year term for justices of the peace who have been appointed and confirmed to second subsequent terms. Additionally, the Compensation Commission recommended raises for the magistrates directly related to their terms of service.

Of critical importance to the Court is the strategic planning process which was initiated in October 1996 and continued throughout the fiscal year. This process is a disciplined effort to produce fundamental decisions and actions that shape what the Court is, what it does, and why it does it. It will help develop a strategy for moving into the future. One of the first items of business was to establish a Mission Statement for the Court:

As the place **WHERE JUSTICE STARTS**, it is the mission of the Justice of the Peace Court to:

- Serve the people of Delaware by the efficient and accessible administration of justice for all, and to
- Treat all persons with integrity, fairness, and respect.

As part of the process, surveys were sent out to the general public, attorneys, court employees and other users of the Court. Preliminary results of the surveys show that 70% of the public and 90% of the attorneys who completed the survey had a positive impression of the JP Court and 80% of the public felt that they had been

treated fairly and 90% of the attorneys felt that cases are decided fairly in the Justice of the Peace Court. The main areas of concern expressed included the length of time from filing to trial (36% felt time was too long, 58% felt time was "about right"), the time spent waiting in the courtroom (33% felt time was too long, 64% felt time was "about right"), service provided by court staff and (for attorneys) the need for more legal training for judges. To address strategic issues, the Court will plan additional training and other changes to improve the way we do business. A final strategic planning report will be issued in November 1997.

Effective the Spring of 1996, all truancy cases in New Castle County were scheduled for arraignments and trial at JP Court 14 The "Truancy Court" was developed as a result of the recent Truancy Task Force co-chaired by Senator Sokola and Representative Maier and follows an approach similar to that of the Superior Court's "Drug Court". The same judge is assigned to hear and to hold case reviews in the truancy cases, to ensure consistency and historical knowledge of individual cases. Judge Toulson has ably served as the Truancy Court judge since its inception with the Attorney General's Office prosecuting truancy cases. Preliminary statistics are extremely positive - of 464 cases filed between April 1996 until June 1997, there has been compliance (regular attendance at school) or closure in 60% of the cases heard by a judge. Anecdotal successes include one student who was flunking class and not attending school had not missed one day of school and had achieved a B average, and another student went from straight F to straight A grades. The "Truancy Court" program is to be extended to Sussex County in the Fall 1997.

(continued)

JUSTICE OF THE PEACE COURTS

A new Policy Directive dealing with processing capiases issued by the Justice of the Peace Court took effect in October of 1996. This new process reduces police transport time, prison overcrowding and inconvenience to the general public and those persons involved in the criminal justice system. Since its inception, an average of approximately 2,000 capiases has been cleared each month, thus saving thousand of hours of travel time for the police and corrections.

During FY 97, the first step in modernizing the infrastructure of the Court so as to gain access to the State Banyan Network was accomplished by networking (4) four Justice of the Peace Court sites. This has allowed the Court to communicate more efficiently thereby increasing productivity both internally and with other state agencies. It is anticipated that the project will be completed during FY 98 with the networking of the rest of the Justice of the Peace Courts statewide.

Since fiscal year 1995, the Justice of the Peace Courts has participated in the Delaware tax refund and lottery intercept/set-off program to assist in the collection of unpaid fines and court costs. This program has resulted in the collection of an additional \$32,002 of unpaid fines and court costs from 268 persons who were delinquent in making court payments.

Through cooperative efforts by the Office of the State Treasurer and DELJIS, the Justice of the Peace Court successfully implemented a pilot program for accepting credit cards in Justice of the Peace Court No. 7 and Voluntary Assessment Center in Dover on November 1, 1995. Since that time, it has been expanded to Court 2 in Lewes and Court 3 in Georgetown (June 6, 1996). Credit Card payments activity exceeded \$125,000 in FY 1997.

Fiscal Year 1998 appears equally as busy - JP court building projects, the Municipal Court merger, civil case management automation, and implementation of strategic planning initiatives will keep us moving ahead -- at an ever-increasing pace.

JUSTICE OF THE PEACE COURTS

Legal Authorization

The Justice of the Peace Courts are authorized by the *Constitution of Delaware*, Article IV, Section 1.

Court History

As early as the 1600's, Justices of the Peace were commissioned to handle minor civil and criminal cases. Along with a host of other duties, the administering of local government in the 17th and 18th Centuries on behalf of the English Crown was a primary duty of the Justices of the Peace. With the adoption of the State Constitution of 1792, the Justices of the Peace were stripped of their general administrative duties leaving them with minor civil and criminal jurisdiction. During the period 1792 through 1964, the Justices of the Peace were compensated entirely by the costs and fees assessed and collected for the performance of their legal duties.

Geographic Organization

The jurisdiction of the Courts is state-wide and sessions are held throughout the State. Of the 19 Courts currently operating, 8 are in New Castle County, 4 are in Kent County and 7 are in Sussex County. The Voluntary Center, which handles mail-in fines, is located in Dover.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy is not greater than \$15,000. This increased from \$5,000 in January, 1995. Justice

of the Peace Courts are authorized to hear certain misdemeanors and most motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Appeals may be taken to the Court of Common Pleas effective January, 1995. In the past, these appeals were taken to the Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Justice of the Peace

The Delaware Code authorizes a maximum of 53 Justices of the Peace. The maximum number of Justices of the Peace permitted in each county is 24 in New Castle County, 12 in Kent County and 17 in Sussex County. Justices of the Peace are nominated by the Governor and confirmed by the Senate for terms of four years. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county in which he serves. In addition to the 53 Justices of the Peace, the Governor nominates a Chief Magistrate, subject to Senate confirmation.

Support Personnel

An Administrator, two Operations Managers, an administrative officer and a fiscal administrative officer help the Chief Magistrate direct the Justice of the Peace Courts on a daily basis. The State provides clerks of the court, constables and other personnel for the courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES * - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Court 9	1,763	3,268	3,185	1,846	+ 83	+ 4.7%
Court 10	2,035	16,223	15,656	2,602	+ 567	+ 27.9%
Court 11	7,618	33,189	32,214	8,593	+ 975	+ 12.8%
Court 14	811	1,872	1,718	965	+ 154	+ 19.0%
Court 15	1,899	10,371	9,755	2,515	+ 616	+ 32.4%
Court 18	150	11,572	11,557	165	+ 15	+ 10.0%
Kent County						
Court 6	699	4,651	4,460	890	+ 191	+ 27.3%
Court 7	1,370	29,401	28,837	1,934	+ 564	+ 41.2%
Court 8	315	2,571	2,554	332	+ 17	+ 5.4%
Sussex County						
Court 1	540	3,931	3,932	539	- 1	- 0.2%
Court 2	517	8,862	8,633	746	+ 229	+ 44.3%
Court 3	2,602	23,917	23,211	3,308	+ 706	+ 27.1%
Court 4	767	11,672	11,221	1,218	+ 451	+ 58.8%
Court 5	651	4,307	4,222	736	+ 85	+ 13.1%
Total	21,737	165,807	161,155	26,389	+ 4,652	+ 21.4%
VAC	5,660	113,741	113,054	6,347	+ 687	+ 12.1%
STATE	27,397	279,548	274,209	32,736	+ 5,339	+ 19.5%

VAC = Voluntary Assessment Center

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

Sources: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES *-CASELOAD

	FILINGS			
	1996	1997	Change	% Change
New Castle County				
Court 9	3,514	3,268	- 246	- 7.0%
Court 10	16,278	16,223	- 55	- 0.3%
Court 11	32,946	33,189	+ 243	+ 0.7%
Court 14	1,487	1,872	+ 385	+ 25.9%
Court 15	7,697	10,371	+ 2,674	+ 34.7%
Court 18	11,288	11,572	+ 284	+ 2.5%
Kent County				
Court 6	4,500	4,651	+ 151	+ 3.4%
Court 7	27,134	29,401	+ 2,267	+ 8.4%
Court 8	2,169	2,571	+ 402	+ 18.5%
Sussex County				
Court 1	4,094	3,931	- 163	- 4.0%
Court 2	7,756	8,862	+ 1,106	+ 14.3%
Court 3	23,531	23,917	+ 386	+ 1.6%
Court 4	10,720	11,672	+ 952	+ 8.9%
Court 5	3,699	4,307	+ 608	+ 16.4%
Total	156,813	165,807	+ 8,994	+ 5.7%
VAC	110,082	113,741	+ 3,659	+ 3.3%
STATE	266,895	279,548	+12,653	+ 4.7%

COMPARISON - FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES *-CASELOAD

	DISPOSITIONS			
	1996	1997	Change	% Change
New Castle County				
Court 9	3,531	3,185	- 346	- 9.8%
Court 10	15,816	15,656	- 160	- 1.0%
Court 11	32,753	32,214	- 539	- 1.6%
Court 14	1,472	1,718	+ 246	+ 16.7%
Court 15	7,426	9,755	+ 2,329	+ 31.4%
Court 18	11,230	11,557	+ 327	+ 2.9%
Kent County				
Court 6	4,138	4,460	+ 322	+ 7.8%
Court 7	26,842	28,837	+ 1,995	+ 7.4%
Court 8	2,108	2,554	+ 446	+ 21.2%
Sussex County				
Court 1	3,855	3,932	+ 77	+ 2.0%
Court 2	7,885	8,633	+ 748	+ 9.5%
Court 3	23,851	23,211	- 640	- 2.7%
Court 4	11,413	11,221	- 192	- 1.7%
Court 5	3,600	4,222	+ 622	+ 17.3%
Total	155,920	161,155	+ 5,235	+ 3.4%
VAC	109,077	113,054	+ 3,977	+ 3.6%
STATE	264,997	274,209	+ 9,212	+ 3.5%

VAC = Voluntary Assessment Center

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

Sources: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Court 9	65	1,041	1,066	40	- 25	- 38.5%
Court 12*	1,478	8,923	9,043	1,358	- 120	- 8.1%
Court 13*	1,524	8,002	9,213	313	- 1,211	- 79.5%
Kent County						
Court 8	8	28	32	4	- 4	- 50.0%
Court 16	2,397	5,648	5,683	2,362	- 35	- 1.5%
Sussex County						
Court 2	4	0	0	4	0	0.0%
Court 17	798	3,809	3,633	974	+ 176	+ 22.1%
Court 19*	1,192	2,179	2,254	1,117	- 75	- 6.3%
STATE*	7,466	29,630	30,924	6,172	- 1,294	- 17.3%

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

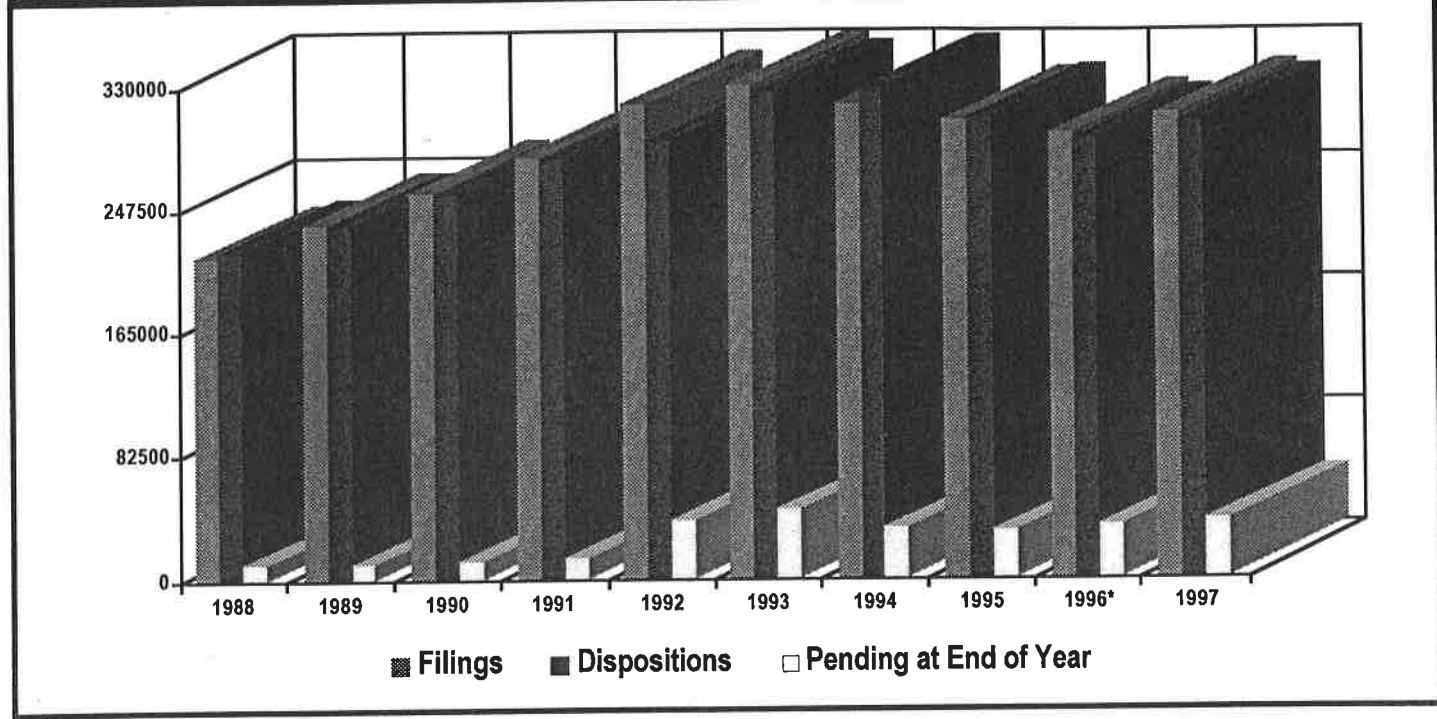
	FILINGS			DISPOSITIONS		
	Complaints	Landlord/ Tenant	TOTALS	Complaints	Landlord/ Tenant	TOTALS
New Castle County						
Court 9	884 84.9%	157 15.1%	1,041 100.0%	908 85.2%	158 14.8%	1,066 100.0%
Court 12	5,263 59.0%	3,660 41.0%	8,923 100.0%	5,265 58.2%	3,778 41.8%	9,043 100.0%
Court 13	4,769 59.6%	3,233 40.4%	8,002 100.0%	5,789 62.8%	3,424 37.2%	9,213 100.0%
Kent						
Court 8	28 100.0%	0 0.0%	28 100.0%	32 100.0%	0 0.0%	32 100.0%
Court 17	4,206 74.5%	1,442 25.5%	5,648 100.0%	4,266 75.1%	1,417 24.9%	5,683 100.0%
Sussex						
Court 2	0 ---	0 ---	0 ---	0 ---	0 ---	0 ---
Court 17	3,015 79.2%	794 20.8%	3,809 100.0%	2,802 77.1%	831 22.9%	3,633 100.0%
Court 19	1,704 78.2%	475 21.8%	2,179 100.0%	1,760 78.1%	494 21.9%	2,254 100.0%
STATE*	19,869 67.1%	9,761 32.9%	29,630 100.0%	20,822 67.3%	10,102 32.7%	30,924 100.0%

* Pending at the end of FY'96 amended from 1996 Annual Report.

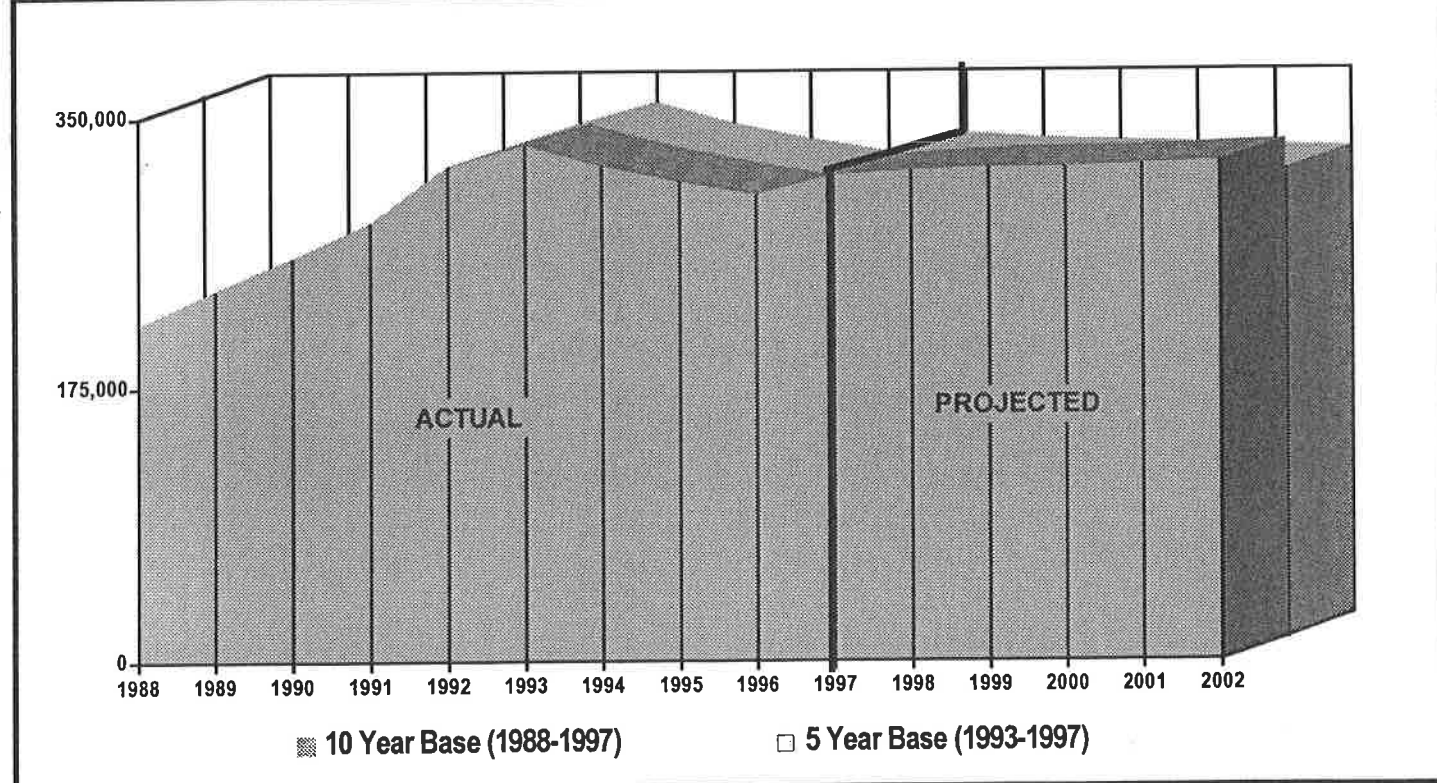
Sources: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS - TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



*Dispositions and Pending at End of Year amended from 1996 Annual Report.
 Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts

Alderman's Courts

Chief Alderman Loreto P. Rufo (Newark)

Alderman Harold Britton Barber (Bethany Beach)

Alderman Melanie M. Buchanan (Ocean View)

Alderman Michael J. DeFiore (Rehoboth Beach)

Alderman James R. Folsom (Newport)

Alderman Marvin Guberman (Dewey Beach)

Alderman David B. Striegel (Delmar)

Alderman Paul H. Sheridan (Laurel)

ALDERMAN'S COURT

FISCAL YEAR 1997 TOTAL CASES - CASELOAD SUMMARY *

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Newark	5,179	10,828	11,110	4,897	- 282	- 5.4%
Newport	278	5,843	5,781	340	+ 62	+ 22.3%
Sussex County						
Bethany Beach	560	2,035	1,902	693	+ 133	+ 23.8%
Delmar	666	2,025	1,943	748	+ 82	+ 12.3%
Dewey Beach	0	1,752	1,752	0	0	0.0%
Laurel	18	1,159	1,072	105	+ 87	+ 483.3%
Ocean View	3	0	3	0	- 3	- 100.0%
Rehoboth Beach**	267	2,042	2,146	163	- 104	- 39.0%
STATE**	6,971	25,684	25,709	6,946	- 25	- 0.4%

FISCAL YEAR 1997 CRIMINAL CASES * - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Newark	332	934	1,178	88	- 244	- 73.5%
Newport	0	0	0	0	0	0.0%
Sussex County						
Bethany Beach	0	0	0	0	0	0.0%
Delmar	98	58	38	118	+ 20	+ 20.4%
Dewey Beach	0	796	796	0	0	0.0%
Laurel	4	230	206	28	+ 24	+ 600.0%
Ocean View	3	0	3	0	- 3	- 100.0%
Rehoboth Beach**	8	209	213	4	- 4	- 50.0%
STATE**	445	2,227	2,434	238	- 207	- 46.5%

FISCAL YEAR 1997 TRAFFIC CASES * - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Newark	4,847	9,894	9,932	4,809	- 38	- 0.8%
Newport	278	5,843	5,781	340	+ 62	+ 22.3%
Sussex County						
Bethany Beach	560	2,035	1,902	693	+ 133	+ 23.8%
Delmar	568	1,967	1,905	630	+ 62	+ 10.9%
Dewey Beach	0	956	956	0	0	0.0%
Laurel	14	929	866	77	+ 63	+ 450.0%
Ocean View	0	0	0	0	0	0.0%
Rehoboth Beach	259	1,833	1,933	159	- 100	- 38.6%
STATE	6,526	23,457	23,275	6,708	+ 182	+ 2.8%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant with three charges disposed of is counted as three dispositions.

** Pending amended from 1996 Annual Report.

Source : Alderman's Courts, Administrative Office of the Courts

ALDERMAN'S COURT

Legal Authorization

Alderman's Courts are authorized by the town charters of their respective municipalities.

Geographic Organization

Alderman's Courts have jurisdiction only within their own town limits. There were 8 active Alderman's Courts at the end of FY 1997, two in New Castle County and six in Sussex County. When a town is without a Court or an Alderman for any period of time, its cases are

transferred to the nearest Justice of the Peace Court.

Legal Jurisdiction

The jurisdiction of an Alderman's Court is limited to misdemeanors, traffic offenses, parking violations and minor civil matters. The specific jurisdiction of each court varies with the town charter (which is approved by the State Legislature). Appeals are taken de novo to the Court of Common Pleas within 15 days of trial.

Aldermen

The selection, number, tenure and qualifications of Aldermen are determined by the towns themselves. Some require lawyers while others choose ordinary citizens. A few Aldermen serve full-time, while some are part-time judges.

COMPARISON - FISCAL YEAR 1997 TOTAL CASES - CASELOAD

Number of filings*

	1996	1997	Change	% Change
New Castle County				
Newark	9,493	10,828	+1,335	+ 14.1%
Newport	6,502	5,843	- 659	- 10.1%
Sussex County				
Bethany Beach	2,198	2,035	- 163	- 7.4%
Bridgeville**	0	0	0	0.0%
Delmar	1,676	2,025	+ 349	+ 20.8%
Dewey Beach	1,873	1,752	- 121	- 6.5%
Fenwick Island**	17	0	- 17	- 100.0%
Laurel	1,230	1,159	- 71	- 5.8%
Ocean View	3	0	- 3	- 100.0%
Rehoboth Beach	2,540	2,042	- 498	- 19.6%
STATE	25,532	25,684	+ 152	+ 0.6%

COMPARISON - FISCAL YEAR 1997 TOTAL CASES - CASELOAD

Number of dispositions*

	1996	1997	Change	% Change
New Castle County				
Newark	9,138	11,110	+1,972	+ 21.6%
Newport	6,561	5,781	- 780	- 11.9%
Sussex County				
Bethany Beach	2,067	1,902	- 165	- 8.0%
Bridgeville**	174	0	- 174	- 100.0%
Delmar	1,663	1,943	+ 280	+ 16.8%
Dewey Beach	1,873	1,752	- 121	- 6.5%
Fenwick Island**	17	0	- 17	- 100.0%
Laurel	1,234	1,072	- 162	- 13.1%
Ocean View	0	3	+ 3	0.0%
Rehoboth Beach***	2,340	2,146	- 194	- 8.3%
STATE***	25,067	25,709	+ 642	+ 2.6%

Source : Alderman's Courts, Administrative Office of the Courts

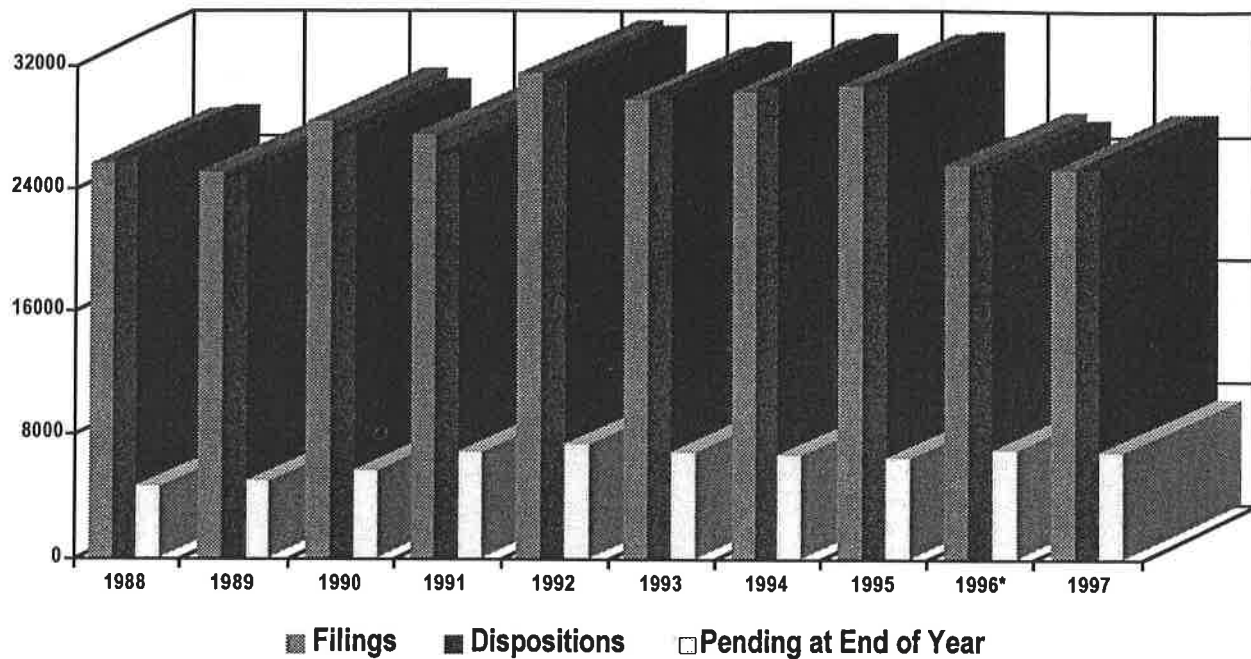
* The unit of count for criminal and traffic cases is the charge. For example, a defendant with three charges disposed of is counted as three dispositions.

**Courts not active during FY 1997.

***Amended from 1996 Annual Report.

ALDERMAN'S COURT - TOTAL

10 YEAR CASELOAD TRENDS



*Projections are not possible because of the large changes in civil caseload in recent years due to a change in the civil jurisdiction of the Court.

Trend lines computed by linear regression analysis.

*Amended from 1996 Annual Report.





State of Delaware
ADMINISTRATIVE OFFICE OF THE COURTS
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**1997 Statistical
Report of the
Delaware Judiciary**

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NOTE: The Administrative Office of the Courts also prepares the 1997 Annual Report of the Delaware Judiciary.

Supreme Court

SUPREME COURT

FISCAL YEAR 1997 - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change in Pending	% Change In Pending
Criminal Appeals	129	211	212	128	- 1	- 0.8%
Civil Appeals	141	287	273	155	+ 14	+ 9.9%
Original Applications*	<u>13</u>	<u>53</u>	<u>52</u>	<u>14</u>	<u>+ 1</u>	<u>+ 7.7%</u>
TOTALS	283	551	537	297	+ 14	+ 4.9%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

FILINGS

	1996	1997	Change	% Change
Criminal Appeals	217	211	- 6	- 2.8%
Civil Appeals	271	287	+ 16	+ 5.9%
Certifications	5	3	- 2	- 40.0%
Original Applications	23	32	+ 9	+ 39.1%
Bd. On Prof. Resp.	15	17	+ 2	+ 13.3%
Bd. Of Bar Exam.	<u>1</u>	<u>1</u>	<u>0</u>	<u>0.0%</u>
TOTALS	532	551	+ 19	+ 3.6%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
Criminal Appeals	188	212	+ 24	+ 12.8%
Civil Appeals	297	273	- 24	- 8.1%
Certifications	7	5	- 2	- 28.6%
Original Applications	27	31	+ 4	+ 14.8%
Bd. On Prof. Resp.	14	16	+ 2	+ 14.3%
Bd. Of Bar Exam.	1	0	- 1	- 100.0%
Advisory Opinions	<u>1</u>	<u>0</u>	<u>- 1</u>	<u>- 100.0%</u>
TOTALS	535	537	+ 2	+ 0.4%

*Board on Professional Responsibility, Board of Bar Examiners and Advisory Opinions are included with the original applications in the Caseload Summary. Each is listed separately, however, in the Caseload Comparison.

Bd. On Prof. Resp. = Board on Professional Responsibility

Bd. Of Bar Exam. = Board of Bar Examiners

Source : Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1997 - CASELOAD BREAKDOWN

FILINGS

	Court of Chancery		Superior Court		Family Court		Non Court Originated		TOTALS	
Criminal Appeals	0	0.0%	211	100.0%	0	0.0%	0	0.0%	211	100.0%
Civil Appeals	58	20.2%	162	56.4%	67	23.3%	0	0.0%	287	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	3	100.0%	3	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	32	100.0%	32	100.0%
Bd. On Prof. Resp.	0	0.0%	0	0.0%	0	0.0%	17	100.0%	17	100.0%
Bd. Of Bar Exam.	0	0.0%	0	0.0%	0	0.0%	1	100.0%	1	100.0%
TOTALS	58	10.5%	373	67.7%	67	12.2%	53	9.6%	551	100.0%

FISCAL YEAR 1997 - CASELOAD BREAKDOWN

DISPOSITIONS

	Court of Chancery		Superior Court		Family Court		Non Court Originated		TOTALS	
Criminal Appeals	0	0.0%	212	100.0%	0	0.0%	0	0.0%	212	100.0%
Civil Appeals	59	21.6%	151	55.3%	63	23.1%	0	0.0%	273	100.0%
Certifications	0	0.0%	0	0.0%	0	0.0%	5	100.0%	5	100.0%
Original Applications	0	0.0%	0	0.0%	0	0.0%	31	100.0%	31	100.0%
Bd. On Prof. Resp.	0	0.0%	0	0.0%	0	0.0%	16	100.0%	16	100.0%
TOTALS	59	11.0%	363	67.6%	63	11.7%	52	9.7%	537	100.0%

FISCAL YEAR 1997 - CASELOAD BREAKDOWN

CHANGE IN PENDING

	Court of Chancery	Superior Court	Family Court	Non Court Originated	TOTALS
Criminal Appeals	0	- 1	0	0	- 1
Civil Appeals	- 1	+ 11	+ 4	0	+ 14
Certifications	0	0	0	- 2	- 2
Original Applications	0	0	0	+ 1	+ 1
Bd. On Prof. Resp.	0	0	0	+ 1	+ 1
Bd. Of Bar Exam	0	0	0	+ 1	+ 1
TOTALS	- 1	+ 10	+ 4	+ 1	+ 14

Bd. On Prof. Resp. = Board on Professional Responsibility

Bd. Of Bar Exam. = Board of Bar Examiners

Source : Court Administrator and Clerk of the Supreme Court, Administrative Office of the Courts

SUPREME COURT

TYPES OF DISPOSITIONS - FISCAL YEAR 1997 - CASELOAD

Appeals Dispositions

	Affirmed	Aff .Pt./ Rev. Pt.	Reversed	Remanded	Voluntary Dismissal	Court Dismissal	Leave to Appeal Denied	Other	Totals
Criminal Appeals	151 71.2%	1 0.5%	6 2.8%	2 0.9%	17 8.0%	35 16.5%	0 0.0%	0 0.0%	212 100.0%
Civil Appeals	144 44.3%	9 2.8%	23 7.1%	5 1.5%	38 11.7%	73 22.5%	12 3.7%	21 6.5%	325 100.0%
Totals	295 54.9%	10 1.9%	29 5.4%	7 1.3%	55 10.2%	108 20.1%	12 2.2%	21 3.9%	537 100.0%

TYPES OF DISPOSITIONS - FISCAL YEAR 1997 - CASELOAD

Miscellaneous Dispositions

	Action Taken*	Approved	Answered	Voluntary Dismissal	Court Dismissal	Totals
Original Applications	0 0.0%	0 0.0%	5 13.9%	1 2.8%	30 83.3%	36 100.0%
Bd. On Prof. Resp.	8 50.0%	7 43.8%	0 0.0%	0 0.0%	1 6.3%	16 100.0%
Totals	8 15.4%	7 13.5%	5 9.6%	1 1.9%	31 59.6%	52 100.0%

TYPES OF DISPOSITIONS - FISCAL YEAR 1997 - CASELOAD

Methods of Dispositions

	Assigned Opinion	Per Curiam Opinion	Written Order	Voluntary Dismissal	Totals
Criminal Appeals	26 12.3%	2 0.9%	167 78.8%	17 8.0%	212 100.0%
Civil Appeals	50 18.3%	5 1.8%	181 66.3%	37 13.6%	273 100.0%
Original Applications	6 16.7%	1 2.8%	28 77.8%	1 2.8%	36 100.0%
Bd. On Prof. Resp.	0 0.0%	3 18.8%	13 81.3%	0 0.0%	16 100.0%
Totals	82 15.3%	11 2.0%	389 72.4%	55 10.2%	537 100.0%

*Action taken includes disbarments, suspensions and reinstatements.

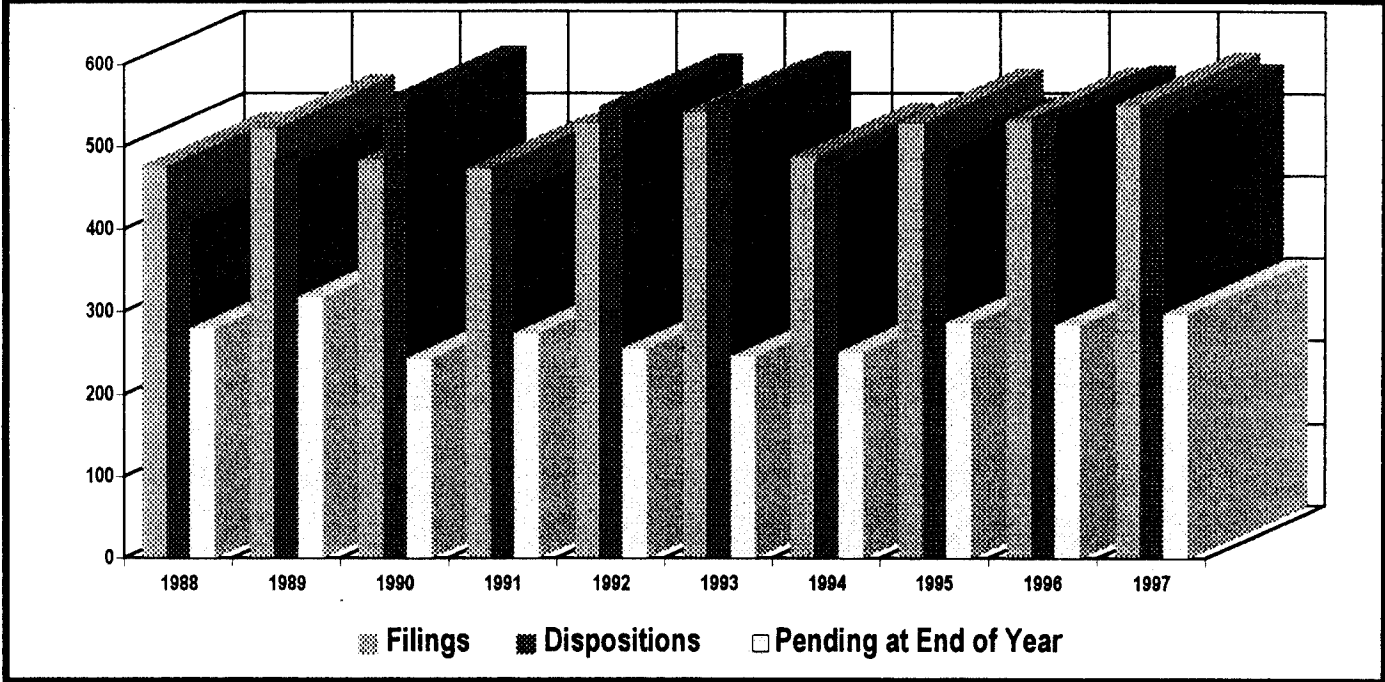
Aff Pt./Rev. Pt./= Affirmed in Part/Reversed in Part

Bd. On Prof. Resp.= Board on Professional Responsibility

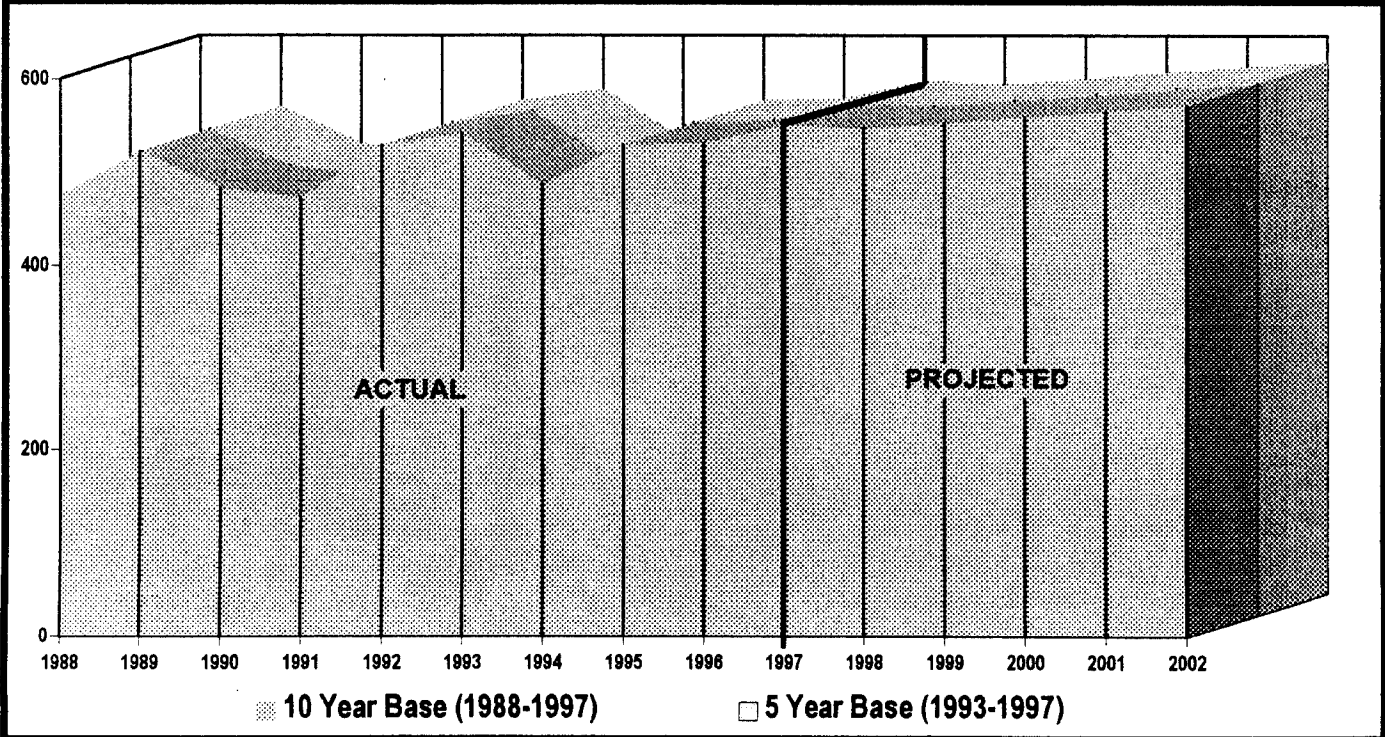
Source : Court Administrator and Clerk of the Supreme Court, Administrative Office of the Courts

SUPREME COURT – TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

SUPREME COURT

FISCAL YEAR 1997 - PERFORMANCE SUMMARY

Average Elapsed Time to Disposition

	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Criminal Appeals	212	203.6 days	23.4 days
Civil Appeals	273	188.3 days	27.7 days
Certifications	5	276.4 days	87.2 days
Original Applications	31	29.9 days	18.5 days
Bd. On Prof. Resp.	16	99.4 days	16.8 days
TOTALS	537	183.0 days	25.7 days

COMPARISON - FISCAL YEARS 1996-1997 - PERFORMANCE SUMMARY

	1996	1997	Change	% Change
Criminal Appeals	212.8 days	203.6 days	- 9.2 days	- 4.3%
Civil Appeals	181.5 days	188.3 days	+ 6.8 days	+ 3.7%
Certifications	159.3 days	276.4 days	+117.1 days	+ 73.5%
Original Applications	33.9 days	29.9 days	- 4.0 days	- 11.8%
Bd. On Prof. Resp.	178.5 days	99.4 days	- 79.1 days	- 44.3%
Bd. Of Bar Exam.	157.0 days	----	----	----
Advisory Opinions	174.0 days	----	----	----
TOTALS	184.6 days	183.0 days	- 1.6 days	- 0.9%

*Average time from date submitted for judicial decision to actual date of disposition.

Not all Supreme Court dispositions require a judicial decision.

Bd. On Prof. Resp. = Board on Professional Responsibility

Bd. Of Bar Exam. = Board of Bar Examiners

Source : Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

SUPREME COURT

FISCAL YEAR 1997 - PERFORMANCE BREAKDOWNS

Elapsed Time by Disposition Type

Type of Disposition	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Affirmed	295	226.5 days	26.3 days
Affirmed Part/Reversed Part	10	317.8 days	50.4 days
Reversed	29	313.3 days	60.4 days
Remanded	7	368.3 days	27.3 days
Voluntary Dismissal	55	85.0 days	---
Court Dismissal	108	81.6 days	12.6 days
Leave to Appeal Denied	12	13.1 days	8.0 days
Other	<u>21</u>	<u>141.6 days</u>	<u>33.6 days</u>
TOTALS	537	183.0 days	25.7 days

FISCAL YEAR 1997 - PERFORMANCE BREAKDOWNS

Elapsed Time by Disposition Method

Method of Disposition	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Assigned Opinion	82	325.8 days	60.3 days
Per Curium Opinion	11	234.8 days	53.2 days
Written Order	389	165.3 days	17.6 days
Voluntary Dismissal	<u>55</u>	<u>85.0 days</u>	<u>---</u>
TOTALS	537	183.0 days	25.7 days

*Average time from date submitted for judicial decision to actual date of disposition. Not all Supreme Court cases require a judicial decision.

Source : Court Administrator and Clerk of the Supreme Court; Administrative Office of the Courts

Court of Chancery

COURT OF CHANCERY

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	880	732	693	919	+ 39	+ 4.4%
Kent	87	32	45	74	- 13	- 14.9%
Sussex	<u>101</u>	<u>83</u>	<u>82</u>	<u>102</u>	<u>+ 1</u>	<u>+ 1.0%</u>
STATE	1,068	847	820	1,095	+ 27	+ 2.5%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	775	732	- 43	- 5.5%
Kent	42	32	- 10	- 23.8%
Sussex	<u>63</u>	<u>83</u>	<u>+ 20</u>	<u>+ 31.7%</u>
STATE	880	847	- 33	- 3.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

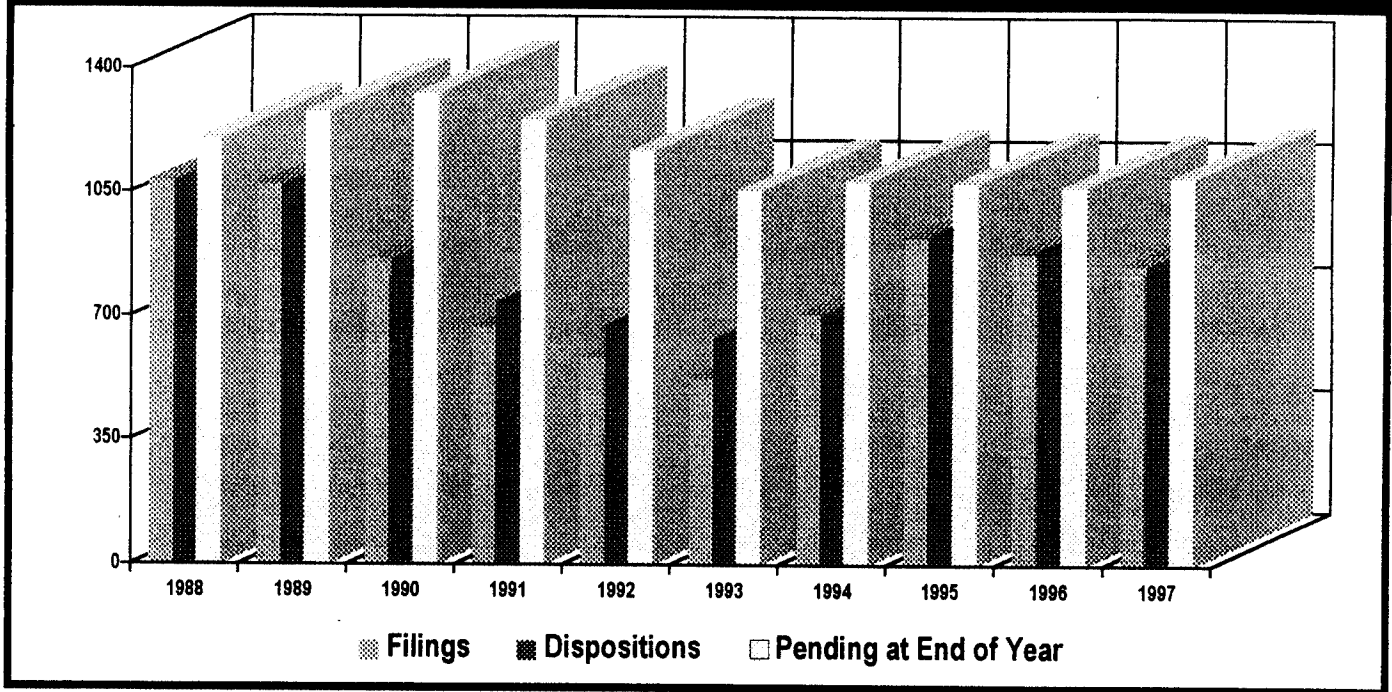
DISPOSITIONS

	1996	1997	Change	% Change
New Castle	767	693	- 74	- 9.6%
Kent	42	45	+ 3	+ 7.1%
Sussex	<u>81</u>	<u>82</u>	<u>+ 1</u>	<u>+ 1.2%</u>
STATE	890	820	- 70	- 7.9%

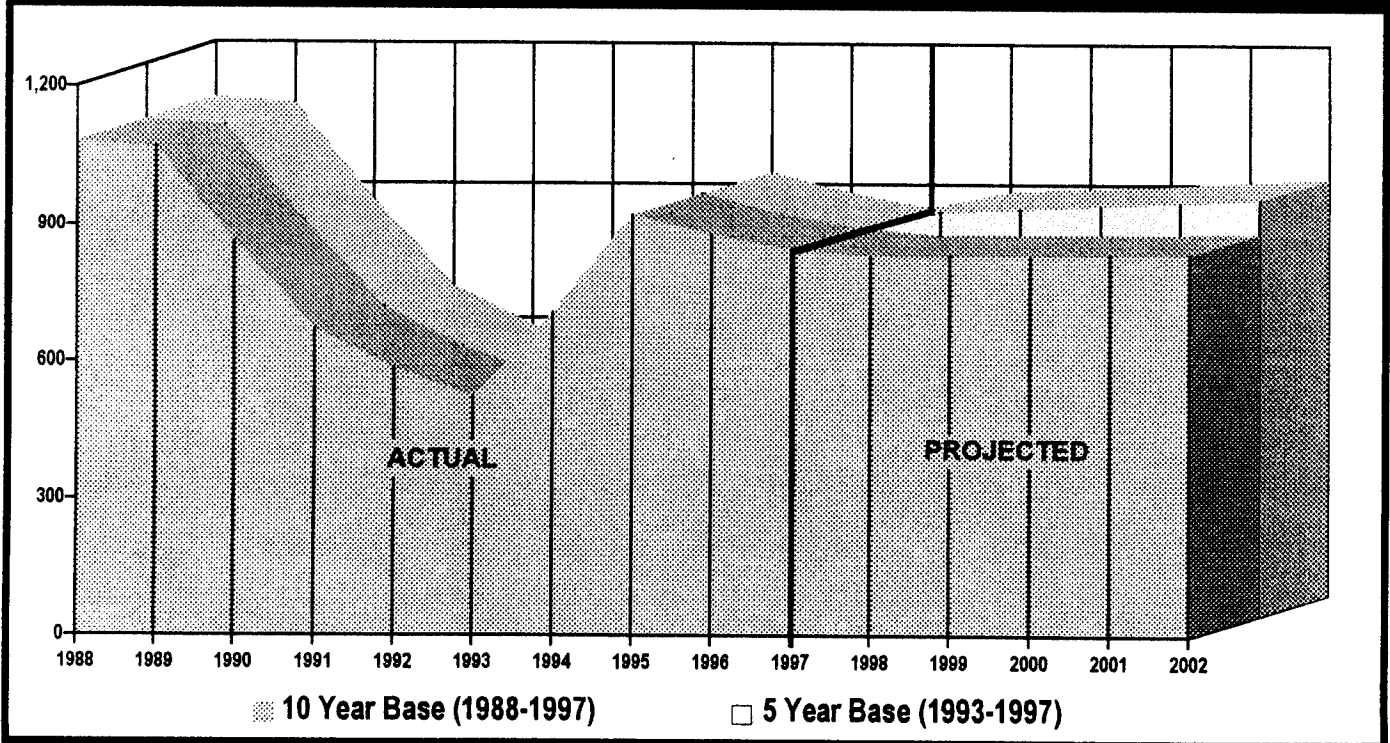
Source : Registers in Chancery; Administrative Office of the Courts

COURT OF CHANCERY – CIVIL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

COURT OF CHANCERY

FISCAL YEAR 1997 MISCELLANEOUS MATTERS - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	3,225	451	303	3,373	+148	+ 4.6%
Kent	1,015	95	52	1,058	+ 43	+ 4.2%
Sussex	<u>2,223</u>	<u>203</u>	<u>176</u>	<u>2,250</u>	<u>+ 27</u>	<u>+ 1.2%</u>
STATE	6,463	749	531	6,681	+218	+ 3.4%

COMPARISON - FISCAL YEARS 1996-1997 MISCELLANEOUS - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	348	451	+ 103	+ 29.6%
Kent	85	95	+ 10	+ 11.8%
Sussex	<u>287</u>	<u>203</u>	- 84	- 29.3%
STATE	720	749	+ 29	+ 4.0%

COMPARISON - FISCAL YEARS 1996-1997 MISCELLANEOUS - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	763	303	- 460	- 60.3%
Kent	53	52	- 1	- 1.9%
Sussex	<u>269</u>	<u>176</u>	- 93	- 34.6%
STATE	1,085	531	- 554	- 51.1%

Source: Registers in Chancery; Administrative Office of the Courts.

COURT OF CHANCERY

FISCAL YEAR 1997 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

FILINGS

	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		TOTALS	
New Castle	242	53.7%	159	35.3%	27	6.0%	23	5.1%	451	100.0%
Kent	50	52.6%	31	32.6%	2	2.1%	12	12.6%	95	100.0%
Sussex	<u>37</u>	<u>18.2%</u>	<u>41</u>	<u>20.2%</u>	<u>34</u>	<u>16.7%</u>	<u>91</u>	<u>44.8%</u>	<u>203</u>	<u>100.0%</u>
STATE	329	43.9%	231	30.8%	63	8.4%	126	16.8%	749	100.0%

FISCAL YEAR 1997 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

DISPOSITIONS

	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		TOTALS	
New Castle	100	33.0%	132	43.6%	57	18.8%	14	4.6%	303	100.0%
Kent	25	48.1%	21	40.4%	2	3.8%	4	7.7%	52	100.0%
Sussex	<u>37</u>	<u>21.0%</u>	<u>36</u>	<u>20.5%</u>	<u>0</u>	<u>0.0%</u>	<u>103</u>	<u>58.5%</u>	<u>176</u>	<u>100.0%</u>
STATE	162	30.5%	189	35.6%	59	11.1%	121	22.8%	531	100.0%

FISCAL YEAR 1997 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		TOTALS	
New Castle	1,011	30.0%	1,307	38.7%	861	25.5%	194	5.8%	3,373	100.0%
Kent	446	42.2%	355	33.6%	205	19.4%	52	4.9%	1,058	100.0%
Sussex	<u>306</u>	<u>13.6%</u>	<u>126</u>	<u>5.6%</u>	<u>1,693</u>	<u>75.2%</u>	<u>125</u>	<u>5.6%</u>	<u>2,250</u>	<u>100.0%</u>
STATE	1,763	26.4%	1,788	26.8%	2,759	41.3%	371	5.6%	6,681	100.0%

FISCAL YEAR 1997 MISCELLANEOUS MATTERS - CASELOAD BREAKDOWNS

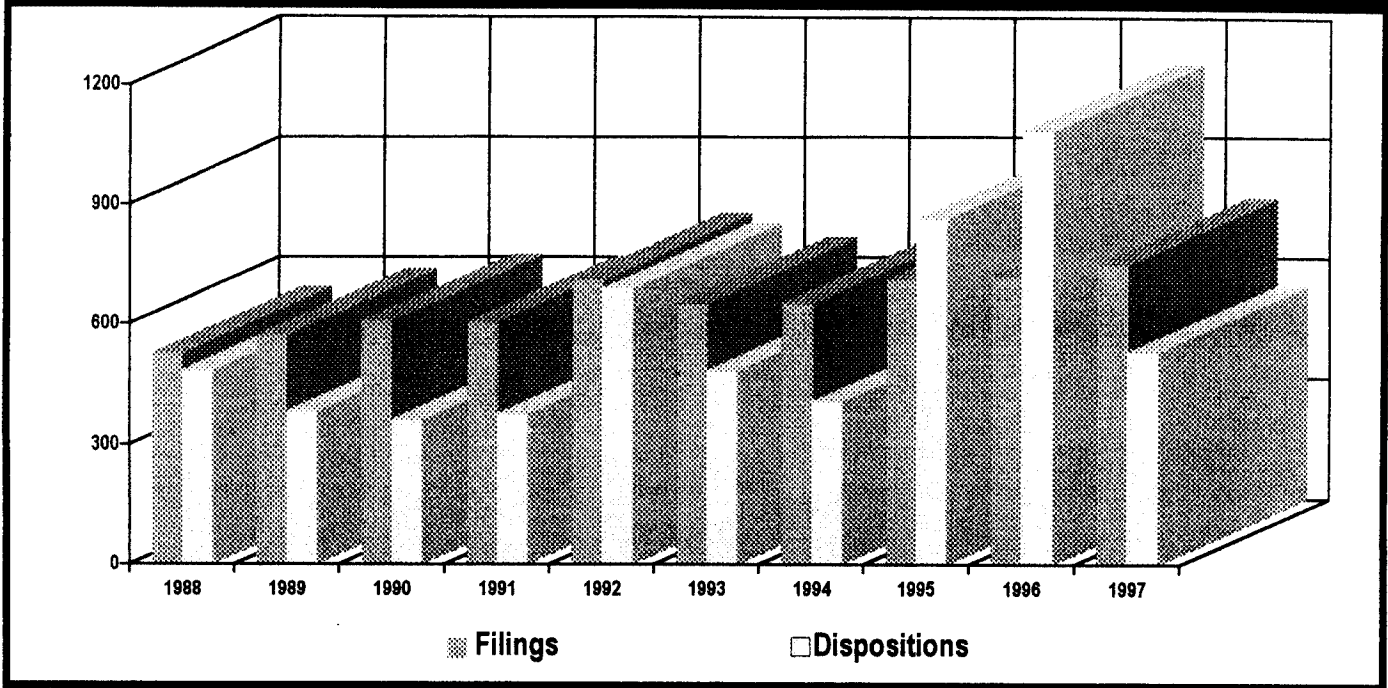
CHANGE IN PENDING

	Guardians for Minors		Guardians for Infirm		Trusts		Other Matters		TOTALS	
New Castle	+ 142		+ 27		- 30		+ 9		+ 148	
Kent	+ 25		+ 10		0		+ 8		+ 43	
Sussex	<u>0</u>		<u>+ 5</u>		<u>+ 34</u>		<u>- 12</u>		<u>+ 27</u>	
STATE	+ 167		+ 42		+ 4		+ 5		+ 218	

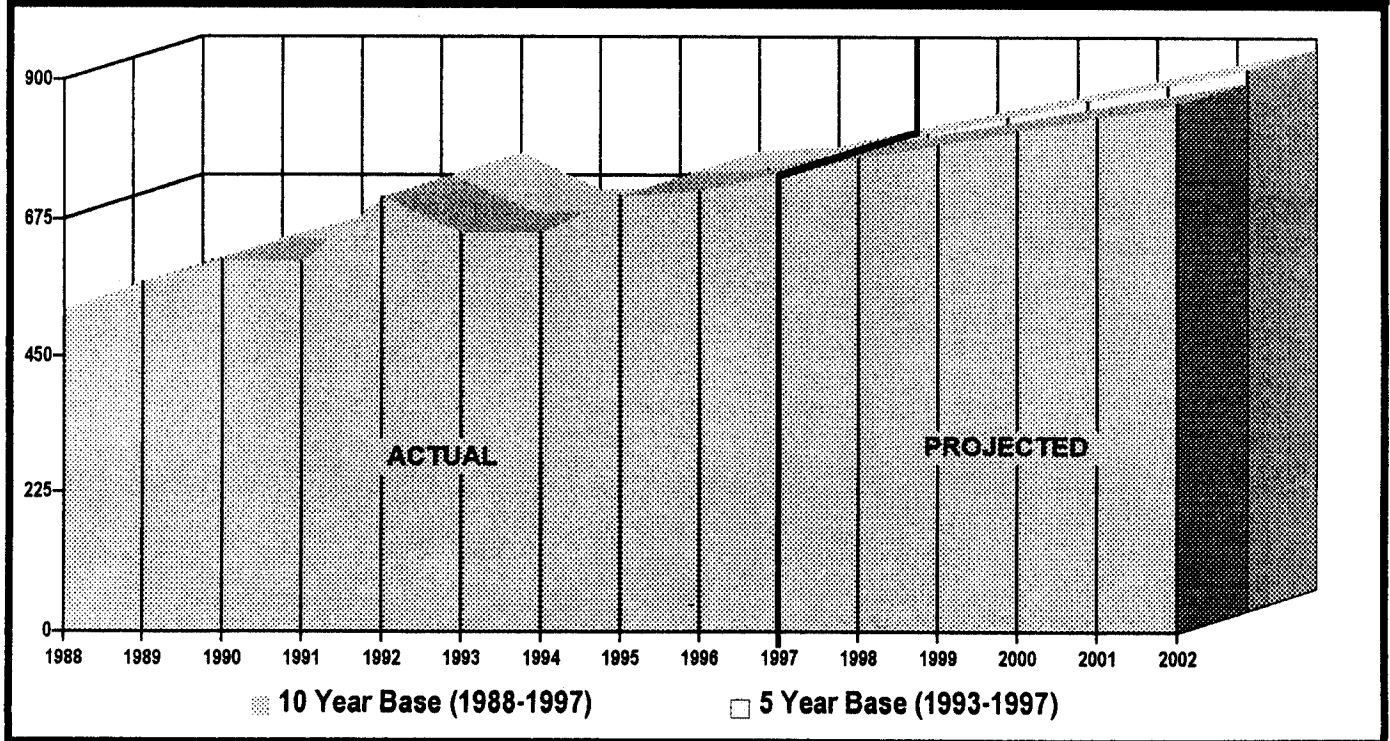
Source: Registers in Chancery; Administrative Office of the Courts.

COURT OF CHANCERY – MISCELLANEOUS

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

COURT OF CHANCERY

FISCAL YEAR 1997 ESTATES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	2,559	1,435	1,319	2,675	+116	+ 4.5%
Kent	1,262	346	240	1,368	+106	+ 8.4%
Sussex	<u>804</u>	<u>499</u>	<u>514</u>	<u>789</u>	<u>- 15</u>	<u>- 1.9%</u>
STATE	4,625	2,280	2,073	4,832	+207	+ 4.5%

COMPARISON - FISCAL YEARS 1996-1997 ESTATES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	1,400	1,435	+ 35	+ 2.5%
Kent	313	346	+ 33	+ 10.5%
Sussex	<u>540</u>	<u>499</u>	<u>- 41</u>	<u>- 7.6%</u>
STATE	2,253	2,280	+ 27	+ 1.2%

COMPARISON - FISCAL YEARS 1996-1997 ESTATES - CASELOAD

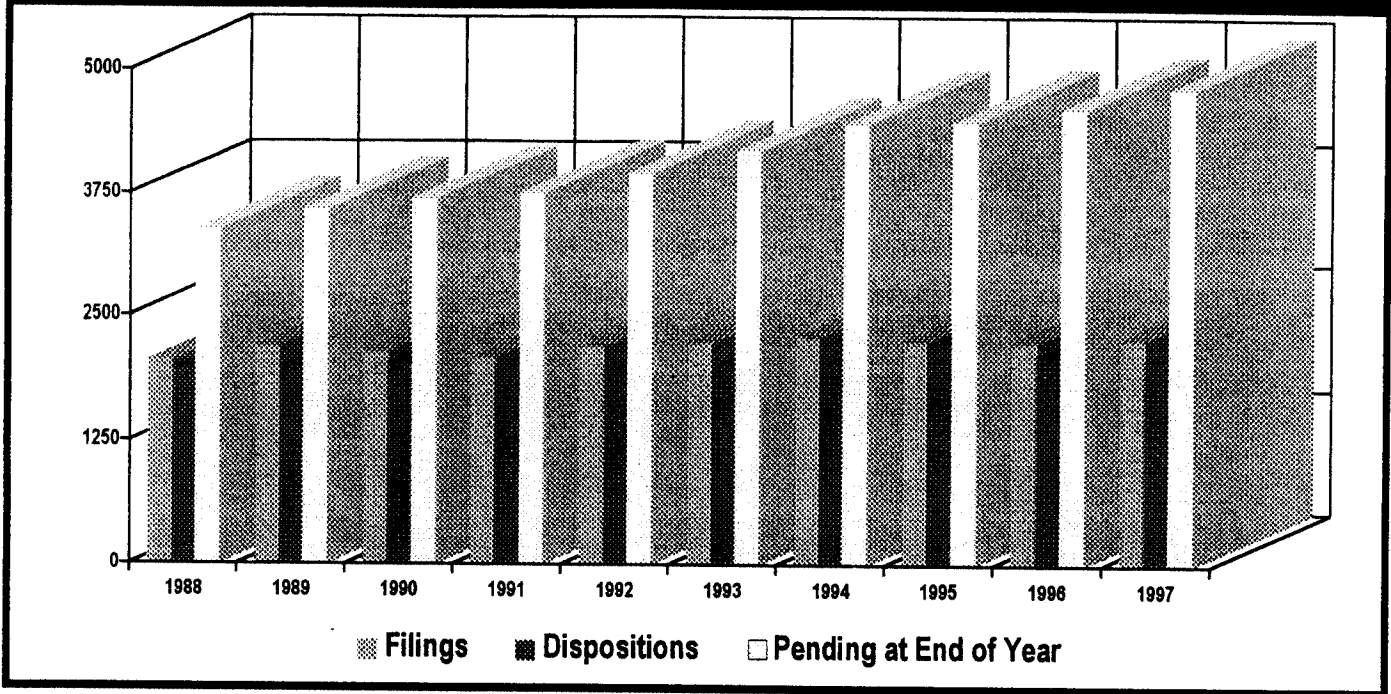
DISPOSITIONS

	1996	1997	Change	% Change
New Castle	1,287	1,319	+ 32	+ 2.5%
Kent	268	240	- 28	- 10.4%
Sussex	<u>567</u>	<u>514</u>	<u>- 53</u>	<u>- 9.3%</u>
STATE	2,122	2,073	- 49	- 2.3%

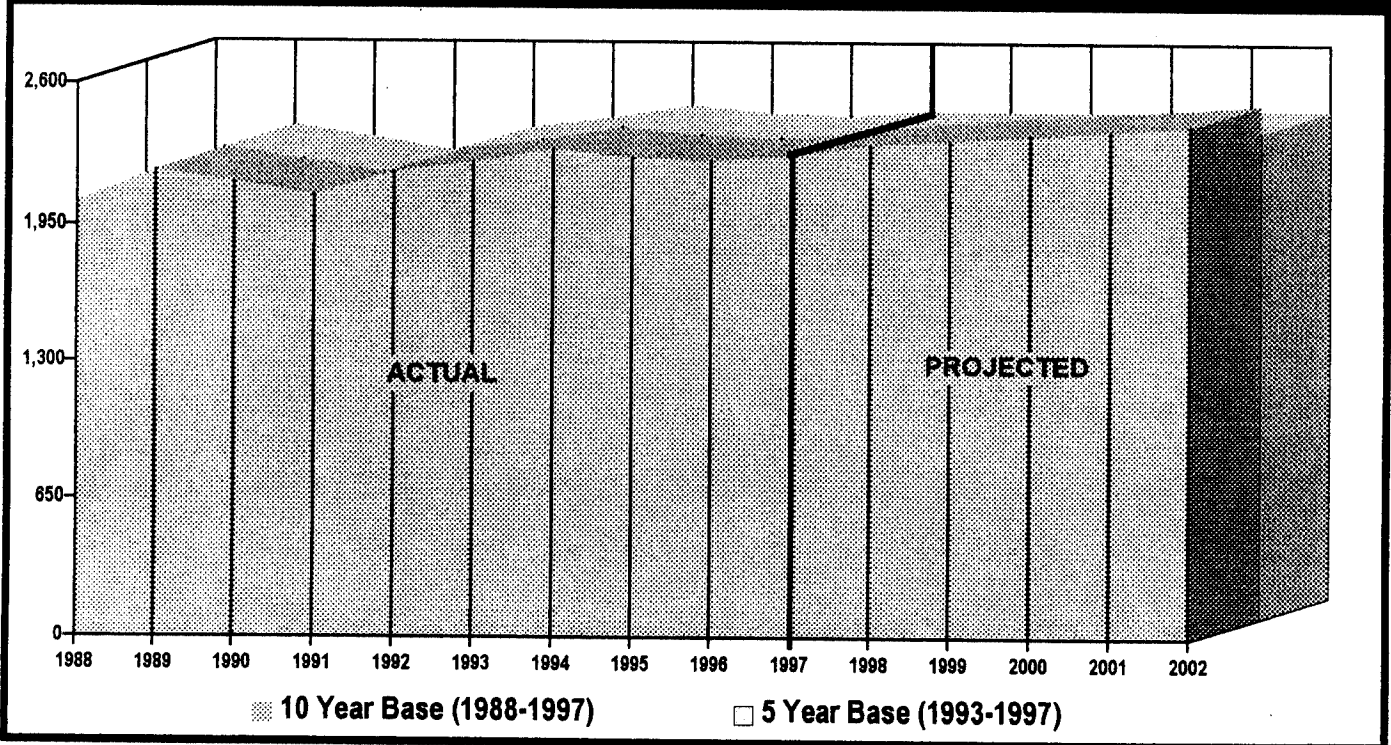
Source : Registers of Wills; Administrative Office of the Courts

COURT OF CHANCERY – ESTATES

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.

Source: Administrative Office of the Courts.

Superior Court

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD SUMMARY

Number of Defendants

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	3,586	4,677	4,339	3,924	+338	+ 9.4%
Kent	609	1,604	1,410	803	+194	+ 31.9%
Sussex	608	1,775	1,643	740	+132	+ 21.7%
STATE	<u>4,803</u>	<u>8,056</u>	<u>7,392</u>	<u>5,467</u>	<u>+664</u>	<u>+ 13.8%</u>

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

FILINGS

Number of Defendants

	1996	1997	Change	% Change
New Castle	4,713	4,677	- 36	- 0.8%
Kent	1,337	1,604	+ 267	+ 20.0%
Sussex	1,570	1,775	+ 205	+ 13.1%
STATE	<u>7,620</u>	<u>8,056</u>	<u>+ 436</u>	<u>+ 5.7%</u>

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

DISPOSITIONS

Number of Defendants

	1996	1997	Change	% Change
New Castle	4,241	4,339	+ 98	+ 2.3%
Kent	1,235	1,410	+ 175	+ 14.2%
Sussex	1,426	1,643	+ 217	+ 15.2%
STATE	<u>6,902</u>	<u>7,392</u>	<u>+ 490</u>	<u>+ 7.1%</u>

Source : Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts

SUPERIOR COURT

Fiscal Year 1997 Criminal Cases – Caseload Explanatory Notes

1. The unit of count in Superior Court criminal cases is the defendant. A defendant is defined as an individual named in an indictment, so that an individual named in 3 indictments is counted as 3 defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day is counted as one defendant.
2. Informations are filed if defendants waive indictment.
3. Transfers were defendants brought before the Court of Common Pleas in New Castle County who requested jury trials before January 15, 1995. After January 15, 1995, the Court of Common Pleas began to hear jury trials.
4. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
 - Mistrial
 - Hung jury
 - Motion for new trial granted
 - Guilty plea withdrawn
 - Lower court appeal reinstated after being dismissed
 - Conviction overturned by Supreme Court; remanded to Superior Court for new trial.
5. Severances are defendants indicted on multiple charges whose charges are severed to be tried separately.
6. Trial dispositions refer to the number of defendants whose charges were disposed of at a trial rather than the number of trials. The date of disposition is the trial date. Should the decision be reserved, it will be the date when the opinion is handed down.
7. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. For example, if a defendant pleads guilty to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea on the date of the plea.
8. Defendants are not counted as disposed of by nolle prosequi if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a new information. This is a further action in an existing case and is not counted as a separate filing, so the nolle prosequi is not the primary disposition.
9. Only nolle prosequis filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, reinstatement, or severance are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court.
10. Unindicted nolle prosequis are felony or drug defendants who were arrested and were bound over to Superior Court by a lower court either because probable cause was found or because the defendant waived preliminary hearing. The Attorney General then decided not to seek indictment or the grand jury ignored the indictment and a nolle prosequi was filed.
11. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to the lower court. ADRR's are cases in which an appeal to Superior Court has been dismissed with the record being remanded to the court from which it came. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.
12. Participation in the First Offender Program is limited to defendants who are charged with driving under the influence or select drug possession charges and are first-time offenders. The defendants choose to enroll in a rehabilitation program and waive their right to a speedy trial in the process. The charge is dropped once the defendant satisfactorily completes the program and pays all fees.
13. A consolidation represents a single individual who is indicted separately on different charges but whose charges are consolidated to be tried together. Thus an individual indicted in January and again in February, and who is counted as two filings, will receive one trial disposition and one consolidation disposition if the charges are tried together.
14. A triable criminal case is one in which there has been an indictment, information, or notice of appeal de novo filed with the Court. Defendants who have capiases or Rule 9 Warrants or Summonses outstanding or who have been judged to be incompetent to stand trial are not triable and are not included in the triable pending cases.

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD BREAKDOWNS

FILINGS

Number of defendants brought to Superior Court by:

	Indictment		Rule 9 Warrant		Information		Other*		Total	
New Castle	4,300	91.9%	143	3.1%	234	5.0%	0	0.0%	4,677	100.0%
Kent	899	56.0%	0	0.0%	705	44.0%	0	0.0%	1,604	100.0%
Sussex	<u>425</u>	<u>23.9%</u>	<u>0</u>	<u>0.0%</u>	<u>1,341</u>	<u>75.5%</u>	<u>9</u>	<u>0.5%</u>	<u>1,775</u>	<u>100.0%</u>
STATE	5,624	69.8%	143	1.8%	2,280	28.3%	9	0.1%	8,056	100.0%

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD BREAKDOWNS

DISPOSITIONS

Number of defendants disposed of by:

	Trial		Guilty Plea		Nolle Prosequi		Remand or Transfer		ADRR**		Dismissal		First Offender		Consolidation		Total	
New Castle	115	2.7%	3,242	74.7%	451	10.4%	1	0.0%	7	0.2%	58	1.3%	306	7.1%	159	3.7%	4,339	100.0%
Kent	26	1.8%	1,036	73.5%	221	15.7%	7	0.5%	0	0.0%	6	0.4%	114	8.1%	0	0.0%	1,410	100.0%
Sussex	<u>78</u>	<u>4.7%</u>	<u>1,081</u>	<u>65.8%</u>	<u>203</u>	<u>12.4%</u>	<u>4</u>	<u>0.2%</u>	<u>1</u>	<u>0.1%</u>	<u>2</u>	<u>0.1%</u>	<u>99</u>	<u>6.0%</u>	<u>175</u>	<u>10.7%</u>	<u>1,643</u>	<u>100.0%</u>
STATE	219	3.0%	5,359	72.5%	875	11.8%	12	0.2%	8	0.1%	66	0.9%	519	7.0%	334	4.5%	7,392	100.0%

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

	Triable Pending		Non-Triable Pending		Total Pending	
New Castle	1,753	44.7%	2,171	55.3%	3,924	100.0%
Kent	315	39.2%	488	60.8%	803	100.0%
Sussex	<u>329</u>	<u>44.5%</u>	<u>411</u>	<u>55.5%</u>	<u>740</u>	<u>100.0%</u>
STATE	2,397	43.8%	3,070	56.2%	5,467	100.0%

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Triable Pending		Non-Triable Pending		Total Pending	
New Castle	+ 73		+ 265		+ 338	
Kent	+ 34		+ 160		+ 194	
Sussex	<u>+ 50</u>		<u>+ 82</u>		<u>+ 132</u>	
STATE	+ 157		+ 507		+ 664	

Source : Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts

*Includes appeals, transfers, reinstatements and severances.

**ADRR = Appeal Dismissed, Record Remanded.

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASES - TYPES OF DISPOSITIONS

Trial Dispositions-Part One

Number of Defendants Disposed of by:

	Jury Trial		Non-Jury Trial		Totals		Guilty		Not Guilty*		No Final Disposition**		Totals	
New Castle	108	93.9%	7	6.1%	115	100.0%	76	66.1%	32	27.8%	7	6.1%	115	100.0%
Kent	26	100.0%	0	0.0%	26	100.0%	17	65.4%	8	30.8%	1	3.8%	26	100.0%
Sussex	<u>68</u>	<u>87.2%</u>	<u>10</u>	<u>12.8%</u>	<u>78</u>	<u>100.0%</u>	<u>58</u>	<u>74.4%</u>	<u>11</u>	<u>14.1%</u>	<u>9</u>	<u>11.5%</u>	<u>78</u>	<u>100.0%</u>
STATE	202	92.2%	17	7.8%	219	100.0%	151	68.9%	51	23.3%	17	7.8%	219	100.0%

FISCAL YEAR 1997 CRIMINAL CASES - TYPES OF DISPOSITIONS

Trial Dispositions-Part Two

Number of Defendants Disposed of by:

	Jury Trial							Non-Jury Trial							TOTALS
	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/Dismiss at Trial	Mistrial	Hung Jury	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/Dismiss at Trial	Mistrial		
New Castle	64	0	25	7	5	7	0	5	0	2	0	0	0	0	115
Kent	16	1	8	0	0	0	1	0	0	0	0	0	0	0	26
Sussex	<u>43</u>	<u>7</u>	<u>9</u>	<u>0</u>	<u>0</u>	<u>6</u>	<u>3</u>	<u>8</u>	<u>0</u>	<u>2</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>78</u>
STATE	123	8	42	7	5	13	4	13	0	4	0	0	0	0	219

FISCAL YEAR 1997 CRIMINAL CASES - TYPES OF DISPOSITIONS

Nolle Prosequi Dispositions

	Number of Defendants With Nolle Prosequis By Special Condition		Number of Defendants With Nolle Prosequis By Merit		Total Number of Defendants Disposed Of By Nolle Prosequi	
New Castle	221	49.0%	230	51.0%	451	100.0%
Kent	161	72.9%	60	27.1%	221	100.0%
Sussex	<u>63</u>	<u>31.0%</u>	<u>140</u>	<u>69.0%</u>	<u>203</u>	<u>100.0%</u>
STATE	445	50.9%	430	49.1%	875	100.0%

LIO = Lesser Included Offense

Nol Pros = Nolle Prosequi

*Includes Dismissals at Trial and Nolle Prosequis at Trial

**Hung Juries and Mistrials

Source : Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts

SUPERIOR COURT

Explanatory Notes

1. Guilty plea dispositions do not include pleas made during trials. They are included in the trial disposition totals.
2. "PG-Original" includes defendants who pled guilty to all charges or to the major charge of a multi-count indictment, appeal, transfer or reinstatement.
3. "PG-Lesser" includes defendants who pled guilty to a lesser included offense of the most serious charge, a less serious charge of a multi-count indictment or other filings, or a lesser included offense of a less serious charge of a multi-count indictment or other filing.
4. A plea of nolo contendere is considered to be the equivalent of a guilty plea; e.g., a plea of nolo contendere to a lesser included offense is counted with PG-Lesser.

FISCAL YEAR 1997 CRIMINAL CASES - TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS - FELONY

	PG - Original		PG - Lesser		PG - Information/ New Information		Totals	
New Castle	1,695	86.6%	259	13.2%	4	0.2%	1,958	100.0%
Kent	541	82.5%	115	17.5%	0	0.0%	656	100.0%
Sussex	487	62.4%	284	36.4%	10	1.3%	781	100.0%
STATE	2,723	80.2%	658	19.4%	14	0.4%	3,395	100.0%

FISCAL YEAR 1997 CRIMINAL CASES - TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS - MISDEMEANOR

	PG - Original		PG - Lesser		PG - Information/ New Information		Totals	
New Castle	595	46.3%	688	53.6%	1	0.1%	1,284	100.0%
Kent	221	58.2%	159	41.8%	0	0.0%	380	100.0%
Sussex	294	98.0%	6	2.0%	0	0.0%	300	100.0%
STATE	1,110	56.5%	853	43.4%	1	0.1%	1,964	100.0%

FISCAL YEAR 1997 CRIMINAL CASES - TYPES OF DISPOSITIONS

GUILTY PLEA DISPOSITIONS - TOTALS

	PG - Original		PG - Lesser		PG - Information/ New Information		Totals	
New Castle	2,290	70.6%	947	29.2%	5	0.2%	3,242	100.0%
Kent	762	73.6%	274	26.4%	0	0.0%	1,036	100.0%
Sussex	781	72.2%	290	26.8%	10	0.9%	1,081	100.0%
STATE	3,833	71.5%	1,511	28.2%	15	0.3%	5,359	100.0%

Source : Court Administrator and Case Scheduling Office, Superior Court; Administrative Office of the Courts
PG = Pled Guilty

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASELOAD AND DISPOSITION DATA

DISPOSITIONS BY OFFENSE TYPE (by defendant) - NEW CASTLE COUNTY

CRIMES OF VIOLENCE	T-DSM/							PG	NP	ADRR	Dism.	Rem/ Trans	1st Off.	Cons.	TOTAL
	T-G	T-NG	T-HJ	T-MST	NP	T-PG	T-ALL								
Murder 1st	8	1	0	0	0	0	9	0	1	0	0	0	0	0	10
Murder 2nd	0	0	0	0	0	0	0	4	3	0	0	0	0	0	7
Att. Murder 1st	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	5	0	0	0	0	0	0	5
Sexual Intercourse 1 & 2	4	2	0	0	0	0	6	7	7	0	1	0	0	4	25
Sex. Inter. 3; Sex. Pen.	1	1	0	0	0	0	2	40	2	0	1	0	0	1	46
Sexual Contact	2	0	0	0	0	0	2	28	3	0	1	0	0	2	36
Kidnap 1st	0	0	0	0	0	0	0	2	1	0	0	0	0	0	3
Kidnap 2nd	0	0	0	0	0	0	0	3	0	0	0	0	0	1	4
Robbery 1st	1	2	0	1	0	3	7	62	12	0	6	0	0	10	97
Robbery 2nd	1	0	0	0	0	0	1	49	9	0	4	0	0	0	63
Assault 1st	1	0	0	0	0	0	1	16	1	0	0	0	0	1	19
Assault 2nd	4	1	0	0	0	1	6	116	23	0	4	0	0	3	152
SUBTOTAL	22	7	0	1	0	4	34	332	62	0	17	0	0	22	467
DRUG OFFENSES															
Trafficking Drugs	8	5	0	4	3	1	21	90	13	0	2	0	2	2	130
Drug Delivery	4	1	0	0	0	0	5	92	11	0	0	0	10	0	118
Possession w/lt deliver	2	2	0	0	1	1	6	137	24	0	3	0	33	3	206
Possession N & NN	1	1	0	0	0	1	3	254	19	0	0	0	94	3	373
Other Drug-Felony	1	2	0	0	1	0	4	143	10	0	0	0	59	0	216
Other Drug-Misdemeanor	0	0	0	0	0	0	0	48	12	0	1	0	56	0	117
SUBTOTAL	16	11	0	4	5	3	39	764	89	0	6	0	254	8	1,160
REMAINING INDICTED OFFENSES															
All Arson	1	0	0	0	0	0	1	18	4	0	0	0	0	1	24
Criminally Negligent Hom.	1	0	0	0	0	0	1	5	0	0	0	0	0	0	6
Reckless Endangering	0	0	0	0	0	0	0	43	2	1	2	0	0	0	48
Vehicular Homicide	0	0	0	0	0	0	0	2	0	0	0	0	0	1	3
Vehicular Assault	0	0	0	0	0	0	0	41	3	0	0	0	0	3	47
PDWDCF	3	2	0	0	0	0	5	44	36	0	14	0	1	3	103
Other Weapons	3	0	0	1	0	0	4	121	18	0	0	0	2	0	145
All Theft	0	1	0	0	0	0	1	506	49	0	2	0	24	19	601
All RSP	1	0	0	0	0	0	1	140	12	0	1	0	0	1	155
All Burglary	5	2	0	0	0	0	7	186	33	0	1	0	1	17	245
All Forgery	3	0	0	0	0	0	3	188	25	0	5	0	7	17	245
Escape	1	0	0	0	0	0	1	86	2	0	0	0	0	0	89
Other Felony	8	2	0	1	0	0	11	276	54	0	5	0	14	24	384
DUI/CUI	0	0	0	0	0	0	0	8	0	0	0	0	0	0	8
Other Traffic	1	1	0	0	0	0	2	64	13	3	1	1	1	23	108
Non-Traffic Misdemeanor	4	1	0	0	0	0	5	418	49	3	4	0	2	20	501
SUBTOTAL	31	9	0	2	0	0	42	2,146	300	7	35	1	52	129	2,712
GRAND TOTAL	69	27	0	7	5	7	115	3,242	451	7	58	1	306	159	4,339

Source : Superior Court Case Scheduling Office; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASELOAD AND DISPOSITION DATA

DISPOSITIONS BY OFFENSE TYPE (by defendant) - KENT COUNTY

CRIMES OF VIOLENCE	T-G	T-NG	T-HJ	T-DSM/				PG	NP	ADRR	Dism.	Rem/ Trans	1st Off.	Cons.	TOTAL
				T-MST	NP	T-PG	T-ALL								
Murder 1st	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Murder 2nd	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Att. Murder 1st	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Intercourse 1 & 2	1	1	1	0	0	0	3	5	1	0	0	1	0	0	10
Sex. Inter. 3; Sex. Pen.	2	0	0	0	0	0	2	24	2	0	0	0	0	0	28
Sexual Contact	1	0	0	0	0	0	1	14	3	0	0	0	0	0	18
Kidnap 1st	0	0	0	0	0	0	0	1	1	0	0	1	0	0	3
Kidnap 2nd	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1
Robbery 1st	2	0	0	0	0	0	2	13	4	0	0	0	0	0	19
Robbery 2nd	0	0	0	0	0	0	0	16	5	0	0	0	0	0	21
Assault 1st	0	0	0	0	0	0	0	5	0	0	0	0	0	0	5
Assault 2nd	1	0	0	0	0	0	1	34	15	0	1	0	0	0	51
SUBTOTAL	7	2	1	0	0	0	10	114	32	0	1	2	0	0	159
DRUG OFFENSES															
Trafficking Drugs	1	0	0	0	0	0	1	8	5	0	0	0	1	0	15
Drug Delivery	1	0	0	0	0	0	1	32	5	0	1	0	1	0	40
Possession w/t deliver	0	0	0	0	0	0	0	25	11	0	0	0	11	0	47
Possession N & NN	0	0	0	0	0	0	0	57	10	0	0	0	28	0	95
Other Drug-Felony	1	0	0	0	0	0	1	32	13	0	0	0	23	0	69
Other Drug-Misdemeanor	0	0	0	0	0	0	0	44	16	0	0	0	45	0	105
SUBTOTAL	3	0	0	0	0	0	3	198	60	0	1	0	109	0	371
REMAINING INDICTED OFFENSES															
All Arson	0	0	0	0	0	0	0	2	2	0	0	0	0	0	4
Criminally Negligent Hom	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reckless Endangering	0	0	0	0	0	0	0	9	0	0	0	0	0	0	9
Vehicular Homicide	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
Vehicular Assault	0	0	0	0	0	0	0	9	0	0	0	0	0	0	9
PDWDCF	1	3	0	0	0	0	4	6	11	0	1	2	0	0	24
Other Weapons	1	0	0	0	0	0	1	35	3	0	0	0	0	0	39
All Theft	0	0	0	0	0	0	0	135	25	0	0	0	0	0	160
All RSP	0	1	0	0	0	0	1	20	1	0	0	0	0	0	22
All Burglary	1	2	0	0	0	0	3	106	19	0	1	0	0	0	129
All Forgery	0	0	0	0	0	0	0	86	25	0	0	0	0	0	111
Escape	0	0	0	0	0	0	0	1	1	0	0	0	0	0	2
Other Felony	2	0	0	0	0	0	2	138	25	0	1	2	3	0	171
DUI/CUI	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
Other Traffic	1	0	0	0	0	0	1	34	11	0	1	1	1	0	49
Non-Traffic Misdemeanor	1	0	0	0	0	0	1	139	6	0	0	0	1	0	147
SUBTOTAL	7	6	0	0	0	0	13	724	129	0	4	5	5	0	880
GRAND TOTAL	17	8	1	0	0	0	26	1,036	221	0	6	7	114	0	1,410

Source : Superior Court Case Scheduling Office; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASELOAD AND DISPOSITION DATA

DISPOSITIONS BY OFFENSE TYPE (by defendant) - SUSSEX COUNTY

CRIMES OF VIOLENCE	T-G	T-NG	T-HJ	T-DSM/				PG	NP	ADRR	Dism.	Rem/ Trans	1st Off.	Cons.	TOTAL
				T-MST	NP	T-PG	T-ALL								
Murder 1st	4	0	0	0	0	0	4	1	0	0	0	0	0	0	5
Murder 2nd	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1
Att. Murder 1st	2	0	0	0	0	0	2	1	1	0	0	0	0	0	4
Manslaughter	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
Sexual Intercourse 1 & 2	6	2	0	0	0	0	8	14	3	0	0	0	0	1	26
Sex. Inter. 3; Sex. Pen.	1	0	0	0	0	0	1	10	4	0	0	0	0	0	15
Sexual Contact	1	0	0	0	0	0	1	15	3	0	0	0	0	2	21
Kidnap 1st	0	0	0	0	0	0	0	2	0	0	0	0	0	0	2
Kidnap 2nd	1	0	0	0	0	0	1	2	0	0	0	0	0	6	9
Robbery 1st	5	2	0	0	0	0	7	36	10	0	0	0	0	2	55
Robbery 2nd	0	0	0	0	0	0	0	6	1	0	0	0	0	0	7
Assault 1st	0	1	0	0	0	0	1	14	1	0	0	0	0	1	17
Assault 2nd	0	0	0	1	0	0	1	61	12	0	0	0	0	6	80
SUBTOTAL	20	5	0	1	0	0	26	165	35	0	0	0	0	18	244
DRUG OFFENSES															
Trafficking Drugs	2	1	0	1	0	0	4	13	4	0	0	0	1	2	24
Drug Delivery	3	0	0	0	0	0	3	20	7	0	0	0	0	5	35
Possession w/lt deliver	0	0	0	0	0	0	0	26	3	0	0	0	4	2	35
Possession N & NN	2	0	0	0	0	0	2	35	5	0	0	0	85	1	128
Other Drug-Felony	0	0	0	0	0	0	0	13	2	0	0	0	1	3	19
Other Drug-Misdemeanor	2	1	0	0	0	0	3	64	13	0	0	0	1	6	87
SUBTOTAL	9	2	0	1	0	0	12	171	34	0	0	0	92	19	328
REMAINING INDICTED OFFENSES															
All Arson	0	0	0	0	0	0	0	5	0	0	0	0	0	2	7
Criminally Negligent Hom	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Reckless Endangering	0	0	0	0	0	0	0	26	4	0	0	0	0	2	32
Vehicular Homicide	0	0	0	0	0	0	0	3	0	0	0	0	0	0	3
Vehicular Assault	0	0	0	0	0	0	0	6	0	0	0	0	0	0	6
PDWDCF	0	0	0	0	0	0	0	2	6	0	0	0	0	2	10
Other Weapons	0	0	0	0	0	0	0	28	0	0	0	0	0	6	34
All Theft	6	2	1	2	0	0	11	140	26	0	0	0	0	17	194
All RSP	1	0	0	1	0	0	2	28	6	0	0	0	0	3	39
All Burglary	6	1	0	1	0	0	8	97	39	0	0	0	0	49	193
All Forgery	0	2	0	0	0	0	2	56	9	0	0	0	0	24	91
Escape	1	0	0	0	0	0	1	66	3	0	0	1	0	3	74
Other Felony	1	0	0	0	0	0	1	101	23	0	1	0	0	9	135
DUI/CUI	10	1	0	0	0	0	11	82	5	1	1	1	7	2	110
Other Traffic	1	0	0	0	0	0	1	18	5	0	0	1	0	6	31
Non-Traffic Misdemeanor	3	0	0	0	0	0	3	87	8	0	0	1	0	13	112
SUBTOTAL	29	6	1	4	0	0	40	745	134	1	2	4	7	138	1,071
GRAND TOTAL	58	13	1	6	0	0	78	1,081	203	1	2	4	99	175	1,643

Source : Superior Court Case Scheduling Office; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASELOAD AND DISPOSITION DATA DISPOSITIONS BY OFFENSE TYPE (by defendant) - STATE OF DELAWARE

CRIMES OF VIOLENCE	T-G	T-NG	T-HJ	T-MST	T-DSM/		T-ALL	PG	NP	ADRR	Dism.	Rem/ Trans	1st Off.	Cons.	TOTAL
					NP	T-PG									
Murder 1st	12	1	0	0	0	0	13	2	1	0	0	0	0	0	16
Murder 2nd	0	0	0	0	0	0	0	6	3	0	0	0	0	0	9
Att. Murder 1st	2	0	0	0	0	0	2	1	2	0	0	0	0	0	5
Manslaughter	0	0	0	0	0	0	0	7	0	0	0	0	0	0	7
Sexual Intercourse 1 & 2	11	5	1	0	0	0	17	26	11	0	1	1	0	5	61
Sex. Inter. 3; Sex. Pen.	4	1	0	0	0	0	5	74	8	0	1	0	0	1	89
Sexual Contact	4	0	0	0	0	0	4	57	9	0	1	0	0	4	75
Kidnap 1st	0	0	0	0	0	0	0	5	2	0	0	1	0	0	8
Kidnap 2nd	1	1	0	0	0	0	2	5	0	0	0	0	0	7	14
Robbery 1st	8	4	0	1	0	3	16	111	26	0	6	0	0	12	171
Robbery 2nd	1	0	0	0	0	0	1	71	15	0	4	0	0	0	91
Assault 1st	1	1	0	0	0	0	2	35	2	0	0	0	0	2	41
Assault 2nd	5	1	0	1	0	1	8	211	50	0	5	0	0	9	283
SUBTOTAL	49	14	1	2	0	4	70	611	129	0	18	2	0	40	870
DRUG OFFENSES															
Trafficking Drugs	11	6	0	5	3	1	26	111	22	0	2	0	4	4	169
Drug Delivery	8	1	0	0	0	0	9	144	23	0	1	0	11	5	193
Possession w/lt deliver	2	2	0	0	1	1	6	188	38	0	3	0	48	5	288
Possession N & NN	3	1	0	0	0	1	5	346	34	0	0	0	207	4	596
Other Drug-Felony	2	2	0	0	1	0	5	188	25	0	0	0	83	3	304
Other Drug-Misdemeanor	2	1	0	0	0	0	3	156	41	0	1	0	102	6	309
SUBTOTAL	28	13	0	5	5	3	54	1,133	183	0	7	0	455	27	1,859
REMAINING INDICTED OFFENSES															
All Arson	1	0	0	0	0	0	1	25	6	0	0	0	0	3	35
Criminally Negligent Hom	1	0	0	0	0	0	1	5	0	0	0	0	0	0	6
Reckless Endangering	0	0	0	0	0	0	0	78	6	1	2	0	0	2	89
Vehicular Homicide	0	0	0	0	0	0	0	7	0	0	0	0	0	1	8
Vehicular Assault	0	0	0	0	0	0	0	56	3	0	0	0	0	3	62
PDWDCF	4	5	0	0	0	0	9	52	53	0	15	2	1	5	137
Other Weapons	4	0	0	1	0	0	5	184	21	0	0	0	2	6	218
All Theft	6	3	1	2	0	0	12	781	100	0	2	0	24	36	955
All RSP	2	1	0	1	0	0	4	188	19	0	1	0	0	4	216
All Burglary	12	5	0	1	0	0	18	389	91	0	2	0	1	66	567
All Forgery	3	2	0	0	0	0	5	330	59	0	5	0	7	41	447
Escape	2	0	0	0	0	0	2	153	6	0	0	1	0	3	165
Other Felony	11	2	0	1	0	0	14	515	102	0	7	2	17	33	690
DUI/CUI	10	1	0	0	0	0	11	92	5	1	1	1	7	2	120
Other Traffic	3	1	0	0	0	0	4	116	29	3	2	3	2	29	188
Non-Traffic Misdemeanor	8	1	0	0	0	0	9	644	63	3	4	1	3	33	760
SUBTOTAL	67	21	1	6	0	0	95	3,615	563	8	41	10	64	267	4,663
GRAND TOTAL	144	48	2	13	5	7	219	5,359	875	8	66	12	519	334	7,392

Source : Superior Court Case Scheduling Office; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 CRIMINAL CASES PERFORMANCE EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Andrew D. Christie, effective May 16, 1990, states that 90% of all criminal defendants brought before Superior Court (except murder in the first degree cases) should be disposed of within 120 days of arrest, 98% within 180 days of arrest, and 100% within 365 days of arrest.

2. The charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment/information and disposition. Subtracting the figures for indictment/information to disposition from the figures for arrest to disposition might not determine the time from arrest to indictment/information exactly. This is because there may be a different number of cases being counted in the different categories (i.e., unindicted nolle prosequis).

3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy trial directives or average elapsed time, Superior Court excludes the following time intervals:

- For all capiases, the time between the date the capias is issued and the date the capias is executed.
- For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment/information, if any.
- For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequi.
- For all mental examinations, the time between the date the examination is ordered and the receipt date for the results.
- For all defendants deemed incompetent to stand trial, the period in which the defendants remain incompetent.

FISCAL YEAR 1997 CRIMINAL CASES – PERFORMANCE SUMMARY

	Total Number of Defendants Disposed of	Average Time from Arrest to Disposition	Median Time from Arrest to Disposition	Average Time from Arrest/Indictment to Disposition	Median Time from Arrest/Indictment to Disposition
New Castle	4,339	184.3 days	118.4 days	148.7 days	91.4 days
Kent	1,410	133.5 days	105.5 days	91.4 days	61.0 days
Sussex	<u>1,643</u>	<u>94.5 days</u>	<u>75.5 days</u>	<u>67.1 days</u>	<u>51.2 days</u>
STATE	<u>7,392</u>	<u>154.7 days</u>	<u>106.4 days</u>	<u>119.6 days</u>	<u>76.7 days</u>

FISCAL YEAR 1997 CRIMINAL CASES – PERFORMANCE SUMMARY

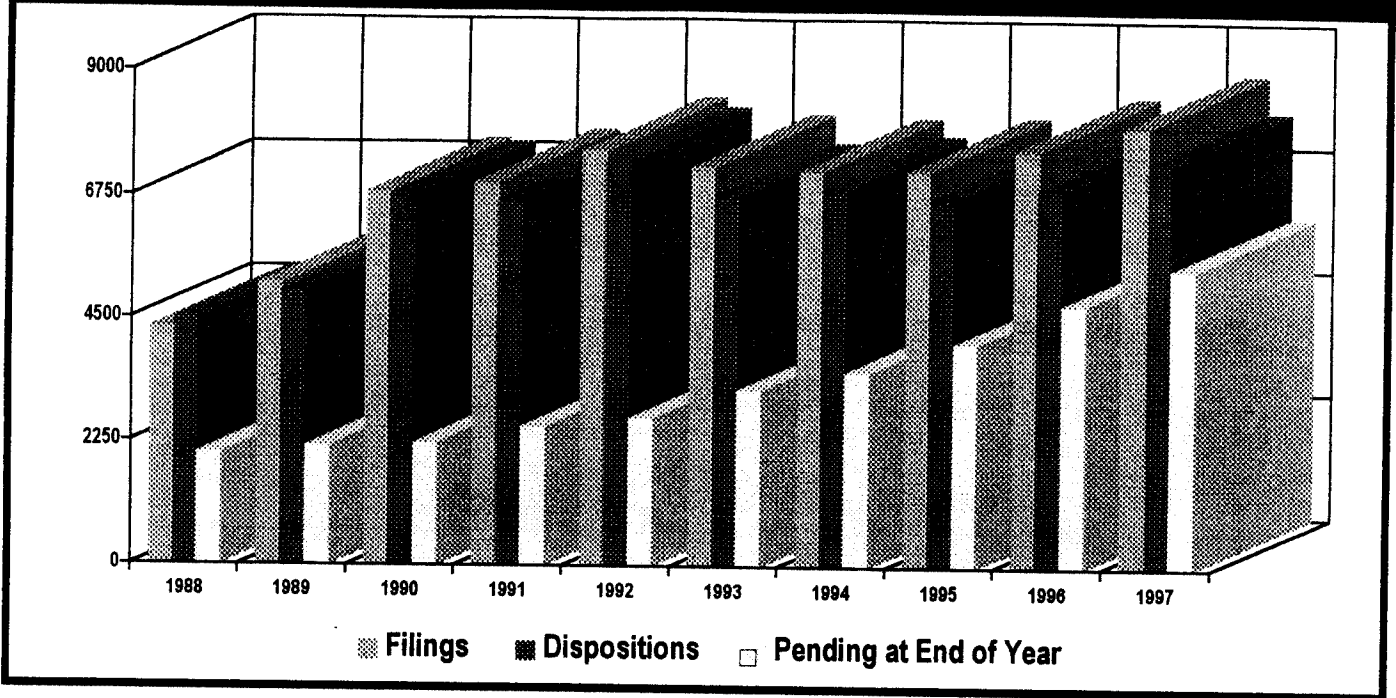
COMPLIANCE WITH SPEEDY TRIAL MANDATE

	Total Number Disposed of	No. Disposed of Within 120 Days of Arrest (90%)	No. Disposed of Within 180 Days of Arrest (98%)	No. Disposed of Within 365 Days of Arrest (100%)
New Castle	4,339	2,196 50.6%	3,014 69.5%	3,900 89.9%
Kent	1,410	824 58.4%	1,111 78.8%	1,353 96.0%
Sussex	<u>1,643</u>	<u>1,028 62.6%</u>	<u>1,421 86.5%</u>	<u>1,621 98.7%</u>
STATE	<u>7,392</u>	<u>4,048 54.8%</u>	<u>5,546 75.0%</u>	<u>6,874 93.0%</u>

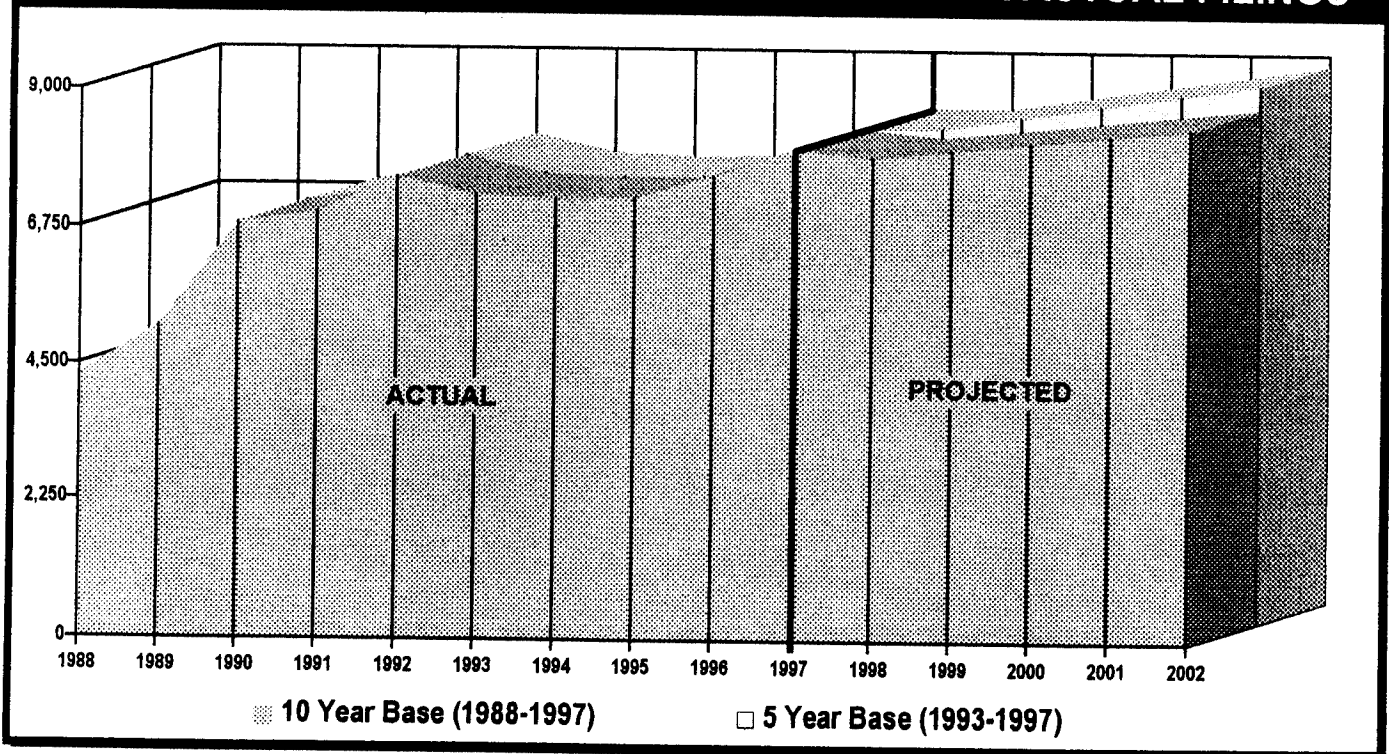
Source: Court Administrator and Case Scheduling Office, Superior Court, Administrative Office of the Courts.

SUPERIOR COURT – CRIMINAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1997 CIVIL CASES EXPLANATORY NOTES

1. Complaints are suits for damages. During FY 1997, activity in the Complaints category included Complaints for Damages, Condemnations, Ejectments, Appeals from Justice of the Peace Court and from arbitration panels, Declaratory Judgments, Foreign Judgments, Replevins, Foreign Attachments, Domestic Attachments, Interpleaders, Amicable Actions, Breach of Contract, Transfers and Removals from the Court of Chancery, Transfers and Removals from the Court of Common Pleas and Debt Actions.
2. Mechanic's Liens and Mortgages are property suits.
3. Involuntary Commitments are proceedings held to determine whether individuals shall be involuntarily committed as mentally ill. Because Delaware State Hospital, the State's facility for mentally ill patients is located in New Castle County, most Involuntary Commitment hearings are held in New Castle County. These actions are not included in the Court's caseload.
4. Appeals are appeals on the record. This category includes appeals from administrative agencies, appeals from Family Court, appeals from the Court of Common Pleas and certioraris.
5. Miscellaneous includes all other cases.

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96*	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	5,225	5,588	5,663	5,150	- 75	- 1.4%
Kent	768	994	993	769	+ 1	+ 0.1%
Sussex	543	883	848	578	+ 35	+ 6.4%
STATE	<u>6,536</u>	<u>7,465</u>	<u>7,504</u>	<u>6,497</u>	- 39	- 0.6%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS

	1996*	1997	Change	% Change
New Castle	5,111	5,588	+ 477	+ 9.3%
Kent	937	994	+ 57	+ 6.1%
Sussex	816	883	+ 67	+ 8.2%
STATE	<u>6,864</u>	<u>7,465</u>	+ 601	+ 8.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

DISPOSITIONS

	1996*	1997	Change	% Change
New Castle	4,542	5,663	+1,121	+ 24.7%
Kent	852	993	+ 141	+ 16.5%
Sussex	794	848	+ 54	+ 6.8%
STATE	<u>6,188</u>	<u>7,504</u>	+1,316	+ 21.3%

Source : Prothonotary's Offices; Superior Court; Administrative Office of the Courts
*Amended from 1996 Annual Report.

SUPERIOR COURT

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

FILINGS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Miscellaneous	Totals	Involuntary Commitments
New Castle	3,339 59.8%	975 17.4%	195 3.5%	1,079 19.3%	5,588 100.0%	536
Kent	498 50.1%	209 21.0%	43 4.3%	244 24.5%	994 100.0%	15
Sussex	<u>328 37.1%</u>	<u>257 29.1%</u>	<u>67 7.6%</u>	<u>231 26.2%</u>	<u>883 100.0%</u>	<u>31</u>
STATE	4,165 55.8%	1,441 19.3%	305 4.1%	1,554 20.8%	7,465 100.0%	582

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

DISPOSITIONS

	Complaints	Mechanic's Liens and Mortgages	Appeals	Miscellaneous	Totals	Involuntary Commitments
New Castle	3,392 59.9%	971 17.1%	168 3.0%	1,132 20.0%	5,663 100.0%	517
Kent	503 50.7%	202 20.3%	37 3.7%	251 25.3%	993 100.0%	15
Sussex	<u>346 40.8%</u>	<u>243 28.7%</u>	<u>41 4.8%</u>	<u>218 25.7%</u>	<u>848 100.0%</u>	<u>28</u>
STATE	4,241 56.5%	1,416 18.9%	246 3.3%	1,601 21.3%	7,504 100.0%	560

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

PENDING AT END OF YEAR

	Complaints	Mechanic's Liens and Mortgages	Appeals	Miscellaneous	Totals	Involuntary Commitments
New Castle	4,408 85.6%	427 8.3%	136 2.6%	179 3.5%	5150 100.0%	364
Kent	586 76.2%	98 12.7%	37 4.8%	48 6.2%	769 100.0%	0
Sussex	<u>358 61.9%</u>	<u>126 21.8%</u>	<u>51 8.8%</u>	<u>43 7.4%</u>	<u>578 100.0%</u>	<u>27</u>
STATE	5,352 82.4%	651 10.0%	224 3.4%	270 4.2%	6,497 100.0%	391

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Complaints	Mechanic's Liens and Mortgages	Appeals	Miscellaneous	Totals	Involuntary Commitments
New Castle	- 53	+ 4	+ 27	- 53	- 75	+ 19
Kent	- 5	+ 7	+ 6	- 7	+ 1	0
Sussex	<u>- 18</u>	<u>+ 14</u>	<u>+ 26</u>	<u>+ 13</u>	<u>+ 35</u>	<u>+ 3</u>
STATE	- 76	+ 25	+ 59	- 47	- 39	+ 22

Source: Prothonotary's Offices, Superior Court, Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1997 CIVIL CASES - TYPES OF DISPOSITIONS

COMPLAINTS DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions							Totals	
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other			
New Castle	69 2.0%	44 1.3%	247 7.3%	392 11.6%	59 1.7%	1,944 57.3%	594 17.5%	43 1.3%	3,392	100.0%	
Kent	18 3.6%	6 1.2%	24 4.8%	16 3.2%	11 2.2%	352 70.0%	68 13.5%	8 1.6%	503	100.0%	
Sussex	<u>9 2.6%</u>	<u>8 2.3%</u>	<u>22 6.4%</u>	<u>51 14.7%</u>	<u>7 2.0%</u>	<u>202 58.4%</u>	<u>34 9.8%</u>	<u>13 3.8%</u>	<u>346</u>	<u>100.0%</u>	
STATE	<u>96 2.3%</u>	<u>58 1.4%</u>	<u>293 6.9%</u>	<u>459 10.8%</u>	<u>77 1.8%</u>	<u>2,498 58.9%</u>	<u>696 16.4%</u>	<u>64 1.5%</u>	<u>4,241</u>	<u>100.0%</u>	

FISCAL YEAR 1997 CIVIL CASES - TYPES OF DISPOSITIONS

MECHANIC'S LIENS AND MORTGAGES DISPOSITIONS

	Trial Dispositions		Non-Trial Dispositions							Totals	
	Judgment for Plaintiff	Judgment for Defendant	Default Judgment for Plaintiff	Other Judgment for Plaintiff	Judgment for Defendant	Voluntary Dismissal	Court Dismissal	Other			
New Castle	1 0.1%	0 0.0%	544 56.1%	11 1.1%	3 0.3%	272 28.0%	133 13.7%	6 0.6%	970	100.0%	
Kent	0 0.0%	0 0.0%	122 60.4%	6 3.0%	0 0.0%	55 27.2%	19 9.4%	0 0.0%	202	100.0%	
Sussex	<u>1 0.4%</u>	<u>0 0.0%</u>	<u>156 64.2%</u>	<u>15 6.2%</u>	<u>1 0.4%</u>	<u>50 20.6%</u>	<u>11 4.5%</u>	<u>9 3.7%</u>	<u>243</u>	<u>100.0%</u>	
STATE	<u>2 0.1%</u>	<u>0 0.0%</u>	<u>822 58.1%</u>	<u>32 2.3%</u>	<u>4 0.3%</u>	<u>377 26.6%</u>	<u>163 11.5%</u>	<u>15 1.1%</u>	<u>1,415</u>	<u>100.0%</u>	

FISCAL YEAR 1997 CIVIL CASES - TYPES OF DISPOSITIONS

APPEALS DISPOSITIONS

	Affirmed		Reversed		Voluntary Dismissal		Court Dismissal		Remanded		Other		Totals	
New Castle	69	40.8%	17	10.1%	22	13.0%	49	29.0%	11	6.5%	1	0.6%	169	100.0%
Kent	12	32.4%	1	2.7%	9	24.3%	11	29.7%	2	5.4%	2	5.4%	37	100.0%
Sussex	<u>15</u>	<u>36.6%</u>	<u>8</u>	<u>19.5%</u>	<u>17</u>	<u>41.5%</u>	<u>1</u>	<u>2.4%</u>	<u>0</u>	<u>0.0%</u>	<u>0</u>	<u>0.0%</u>	<u>41</u>	<u>100.0%</u>
STATE	<u>96</u>	<u>38.9%</u>	<u>26</u>	<u>10.5%</u>	<u>48</u>	<u>19.4%</u>	<u>61</u>	<u>24.7%</u>	<u>13</u>	<u>5.3%</u>	<u>3</u>	<u>1.2%</u>	<u>247</u>	<u>100.0%</u>

Source : Prothonotary's Offices, Superior Court; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 CIVIL CASES - TRIALS

	Number of Jury Trials	Number of Non-Jury Trials	Number of Special Jury Trials	Total Number of Trials	Number of days	Average Trial Time
New Castle	106	46	1	153	463	3.03 days
Kent	21	1	2	24	80	3.33 days
Sussex	12	10	0	22	44	2.00 days
STATE	139	57	3	199	587	2.95 days

FISCAL YEAR 1997 CIVIL CASES - CALENDAR ACTIVITY

	Cases Tried	Cases Settled or Dismissed	Cases Continued for Settlement	Cases Continued Due to Lack of Judge	Cases Continued at Request of Attorney	Total Cases Rescheduled
New Castle	153 17.6%	412 47.5%	57 6.6%	11 1.3%	235 27.1%	868 100.0%
Kent	24 25.5%	44 46.8%	1 1.1%	3 3.2%	22 23.4%	94 100.0%
Sussex	22 14.1%	60 38.5%	26 16.7%	0 0.0%	48 30.8%	156 100.0%
STATE	199 17.8%	516 46.2%	84 7.5%	14 1.3%	305 27.3%	1,118 100.0%

FISCAL YEAR 1997 CIVIL CASES - PERFORMANCE SUMMARY

COMPLAINTS			MECHANIC'S LIENS AND MORTGAGES		
	Number of Dispositions	Average Time from Filing to Disposition		Number of Dispositions	Average Time from Filing to Disposition
New Castle	3,392	445.6 days		970	245.3 days
Kent	503	421.4 days		202	202.1 days
Sussex	346	394.5 days		243	178.9 days
STATE	4,241	438.6 days		1,415	227.7 days

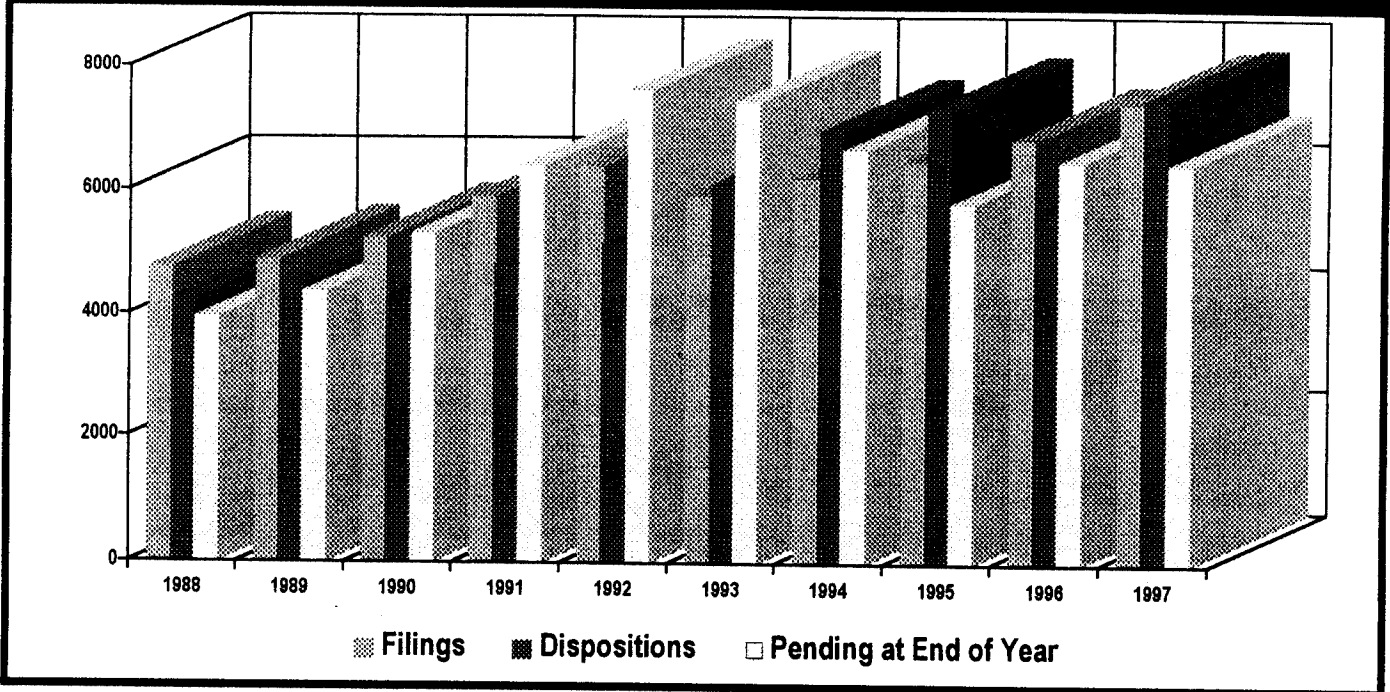
FISCAL YEAR 1997 CIVIL CASES - PERFORMANCE SUMMARY (Cont'd)

APPEALS			MISCELLANEOUS		INVOLUNTARY COMMITMENTS	
	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition	Number of Dispositions	Average Time from Filing to Disposition
New Castle	168	226.9 days	1,132	96.3 days	517	165.7 days
Kent	37	316.8 days	251	48.0 days	15	287.6 days
Sussex	41	249.4 days	218	37.6 days	28	266.5 days
STATE	246	244.2 days	1,601	80.7 days	560	174.0 days

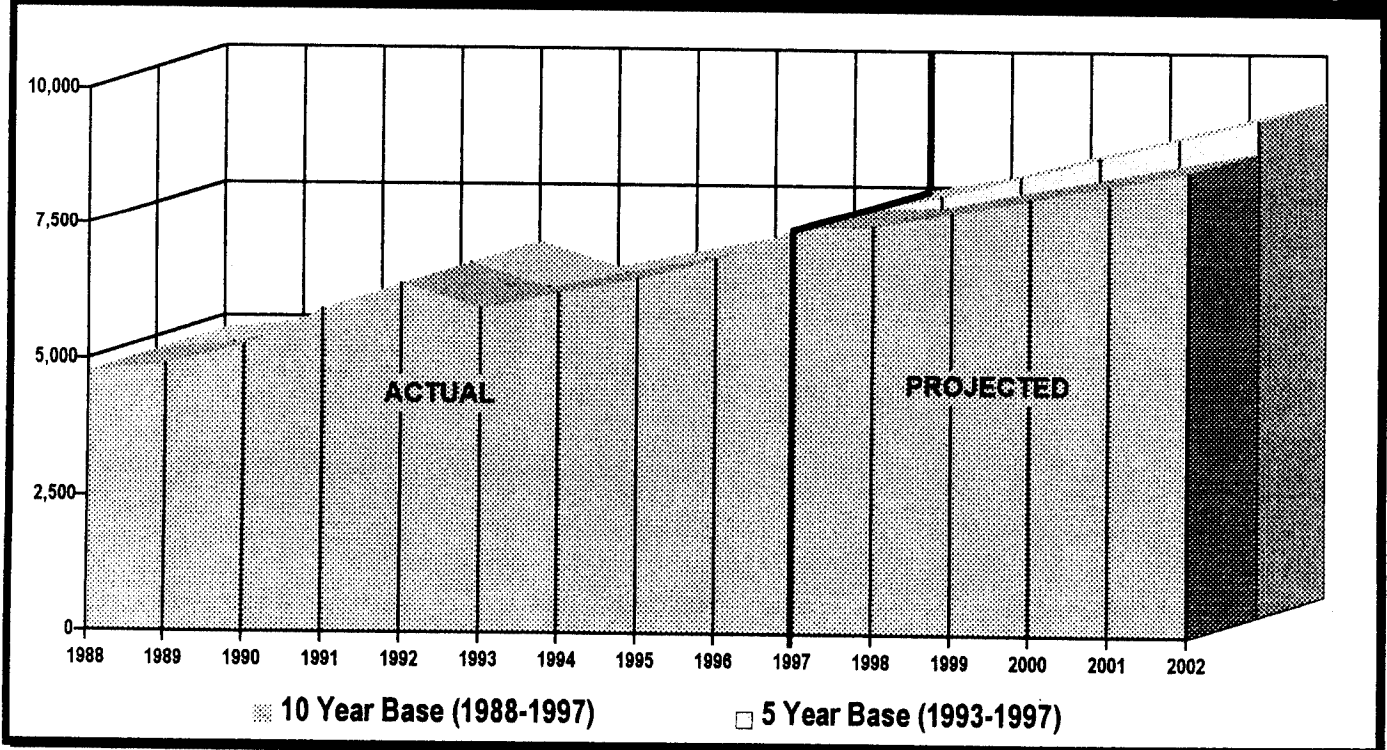
Source: Prothonotary's Offices; Superior Court; Administrative Office of the Courts.

SUPERIOR COURT – CIVIL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1997 CIVIL CASES - PERFORMANCE BREAKDOWNS

COMPLAINTS - METHOD

Number of Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Court Dismissal	Other	TOTAL
	New Castle	113 3.3%	447 13.2%	247 7.3%	1,944 57.3%	594 17.5%	47 1.4%
Kent	24 4.8%	13 2.6%	24 4.8%	352 70.0%	68 13.5%	22 4.4%	503 100.0%
Sussex	17 4.9%	32 9.2%	22 6.4%	202 58.4%	34 9.8%	39 11.3%	346 100.0%
STATE	154 3.6%	492 11.6%	293 6.9%	2,498 58.9%	696 16.4%	108 2.5%	4,241 100.0%

FISCAL YEAR 1997 CIVIL CASES - PERFORMANCE BREAKDOWNS

COMPLAINTS-ELAPSED TIME

AVERAGE TIME FROM FILING TO DISPOSITION

Number of Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other*	TOTAL
	New Castle	911.1 days	319.3 days	187.6 days	440.2 days	567.7 days
Kent	746.9 days	359.5 days	219.7 days	374.1 days	582.2 days	421.4 days
Sussex	654.2 days	286.8 days	204.6 days	382.6 days	471.4 days	394.5 days
STATE	857.2 days	318.2 days	191.5 days	426.2 days	560.6 days	438.6 days

FISCAL YEAR 1997 CIVIL CASES - PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - METHOD

Number of Cases Disposed of by:

	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Court Dismissal	Other	TOTAL
	New Castle	1 0.1%	11 1.1%	544 56.1%	272 28.0%	133 13.7%	9 0.9%
Kent	0 0.0%	0 0.0%	122 60.4%	55 27.2%	19 9.4%	6 3.0%	202 100.0%
Sussex	1 0.4%	5 2.1%	156 64.2%	50 20.6%	11 4.5%	20 8.2%	243 100.0%
STATE	2 0.1%	16 1.1%	822 58.1%	377 26.6%	163 11.5%	35 2.5%	1,415 100.0%

FISCAL YEAR 1997 CIVIL CASES - PERFORMANCE BREAKDOWNS

MECHANIC'S LIENS AND MORTGAGES - METHOD

AVERAGE TIME FROM FILING TO DISPOSITION

Number of Cases Disposed of by:

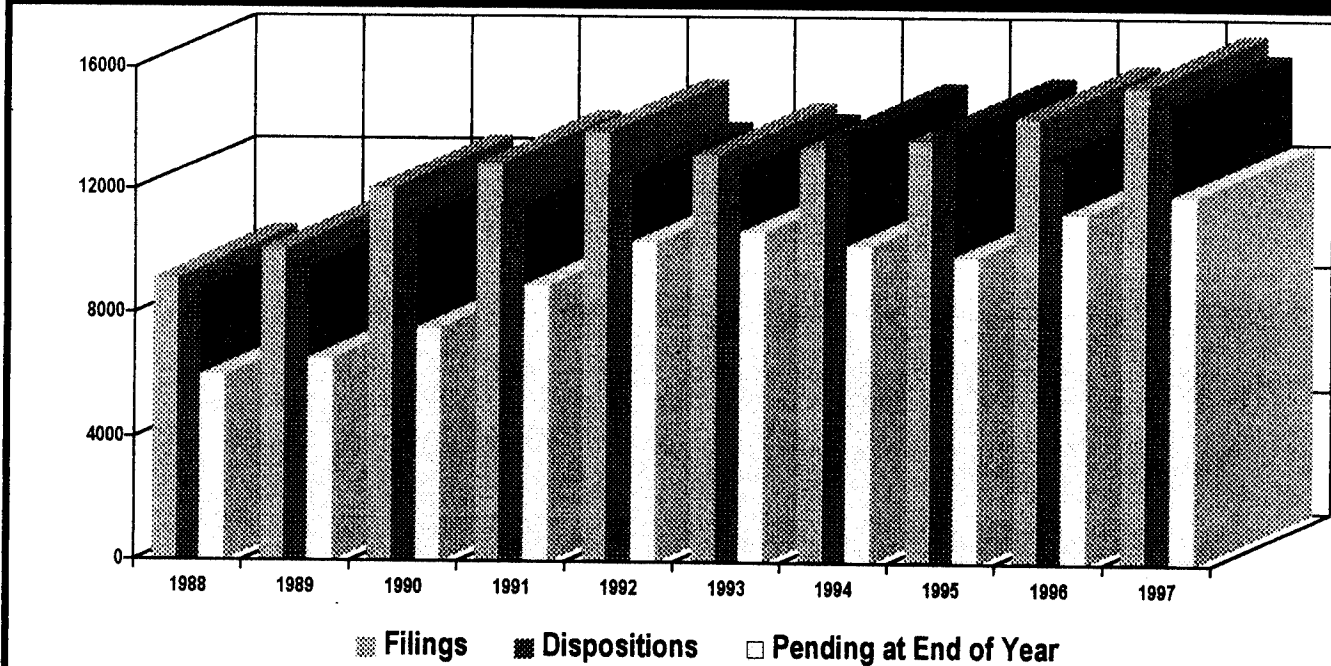
	Trial	Arbitrator's Order	Default Judgment	Voluntary Dismissal	Other*	TOTAL
	New Castle	519.0 days	379.1 days	128.2 days	274.4 days	624.9 days
Kent	---	--- days	168.5 days	217.3 days	332.6 days	202.1 days
Sussex	133.0 days	362.6 days	123.4 days	231.3 days	345.3 days	178.9 days
STATE	326.0 days	373.9 days	133.3 days	260.4 days	544.2 days	227.7 days

*Court dismissal included with "other" in elapsed time breakdowns.

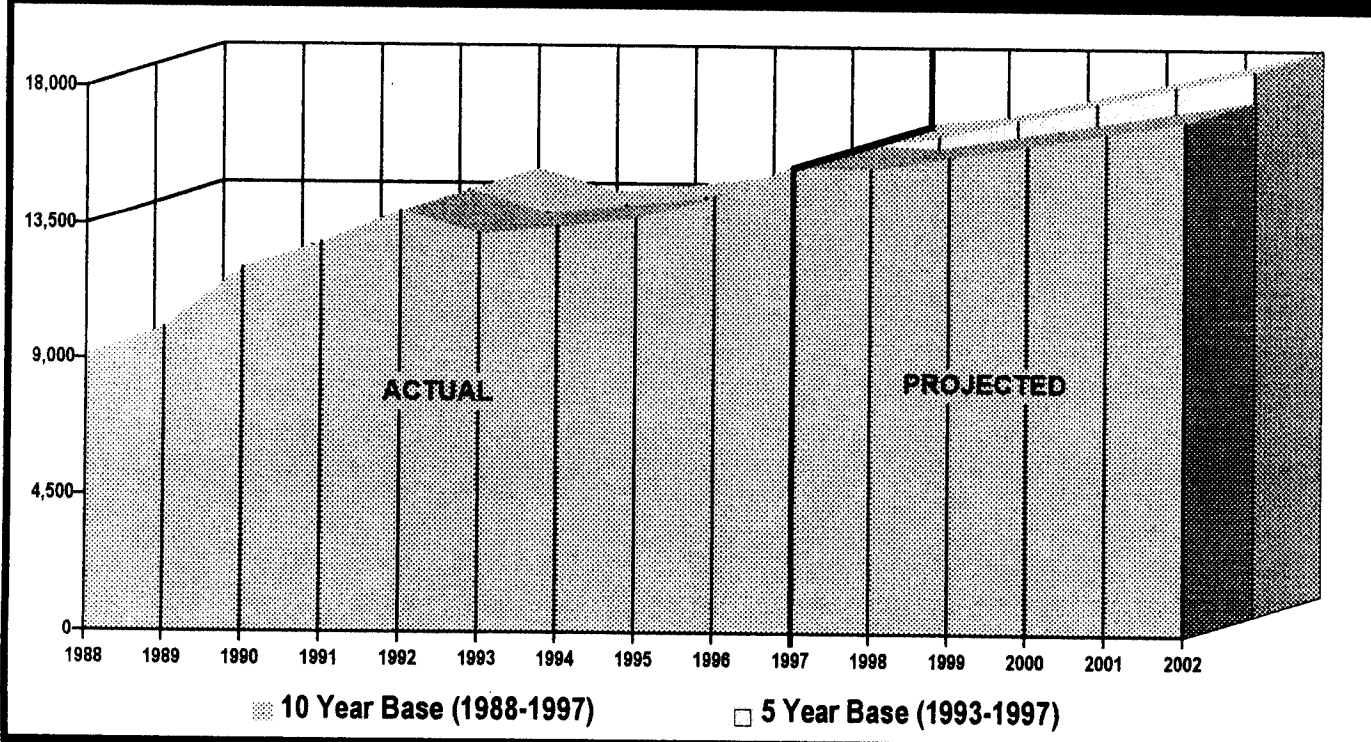
Source: Prothonotary's Offices; Superior Court; Administrative Office of the Courts.

SUPERIOR COURT – TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

SUPERIOR COURT

FISCAL YEAR 1997 ARBITRATION CASES EXPLANATORY NOTES

1. Arbitration is compulsory for civil cases in which:
 - a) Trial is available, and
 - b) Monetary damages are sought, and
 - c) Non-monetary damages are substantial, and
 - d) Damages do not exceed \$100,000
2. The President Judge of Superior Court or his designee assigns each arbitration case to an arbitrator who is appointed pursuant to the following guidelines:
 - a) The parties may request a specific arbitrator by joint agreement,
 - b) If the parties fail to mutually agree upon an arbitrator of their choice, the Court provides a list of three (3) alternative arbitrators for review by the parties. The plaintiff(s) and the defendant(s) may each strike one alternative arbitrator, and the Court appoints the arbitrator from the remaining alternative arbitrators.
3. The arbitrator's decision is to be in the form of a written order. The order is to become a judgment of the Court unless a trial de novo is requested. Any party may request a trial de novo before Superior Court within 20 days following the arbitrator's order.

FISCAL YEAR 1997 - CASELOAD SUMMARY

	Pending 6/30/96	Filings*	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	3,099	3,425	3,912	2,612	- 487	- 15.7%
Kent	499	590	631	458	- 41	- 8.2%
Sussex	<u>307</u>	<u>287</u>	<u>328</u>	<u>266</u>	<u>- 41</u>	<u>- 13.4%</u>
STATE	3,905	4,302	4,871	3,336	- 569	- 14.6%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION - CASELOAD

FILINGS*

	1996	1997	Change	% Change
New Castle	3,271	3,425	+ 154	+ 4.7%
Kent	552	590	+ 38	+ 6.9%
Sussex	<u>313</u>	<u>287</u>	<u>- 26</u>	<u>- 8.3%</u>
STATE	4,136	4,302	+ 166	+ 4.0%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	4,107	3,912	- 195	- 4.7%
Kent	764	631	- 133	- 17.4%
Sussex	<u>418</u>	<u>328</u>	<u>- 90</u>	<u>- 21.5%</u>
STATE	5,289	4,871	- 418	- 7.9%

*Includes new arbitration cases and cases transferred.

Source : Arbitration Unit, Superior Court; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 ARBITRATION CASES - CASELOAD

FILINGS

Cases Eligible for Arbitration*

	Arbitration Cases Filed**	Non-Arbitration Cases Filed	Total Filed
New Castle	3,425 79.4%	889 20.6%	4,314 100.0%
Kent	590 83.5%	117 16.5%	707 100.0%
Sussex	287 49.1%	298 50.9%	585 100.0%
STATE	4,302 76.7%	1,304 23.3%	5,606 100.0%

All Civil Cases

	Arbitration Cases Filed**	Non-Arbitration Cases Filed	Total Filed
New Castle	3,425 61.3%	2,163 38.7%	5,588 100.0%
Kent	590 59.4%	404 40.6%	994 100.0%
Sussex	287 32.5%	596 67.5%	883 100.0%
STATE	4,302 57.6%	3,163 42.4%	7,465 100.0%

FISCAL YEAR 1997 ARBITRATION CASES - CASELOAD

PENDING AT END OF YEAR

	Awaiting Responsive Pleading	Arbitrator Appointed	Total Pending
New Castle	1,013 38.8%	1,599 61.2%	2,612 100.0%
Kent	255 55.7%	203 44.3%	458 100.0%
Sussex	140 52.6%	126 47.4%	266 100.0%
STATE	1,408 42.2%	1,928 57.8%	3,336 100.0%

* Includes complaints and mechanic's liens and mortgages.

**Includes new filings and transfers.

Source : Arbitration Unit, Superior Court; Administrative Office of the Courts

SUPERIOR COURT

FISCAL YEAR 1997 ARBITRATION - METHOD OF DISPOSITION NUMBER OF DISPOSITIONS

Number of Dispositions

	Removed Before Hearing *	Final Disposition Arbitrator's Order**	De Novo Appeal***	TOTAL
New Castle	2,881 73.6%	457 11.7%	574 14.7%	3,912 100.0%
Kent	366 58.0%	123 19.5%	142 22.5%	631 100.0%
Sussex	<u>228 69.5%</u>	<u>52 15.9%</u>	<u>48 14.6%</u>	<u>328 100.0%</u>
STATE	3,475 71.3%	632 13.0%	764 15.7%	4,871 100.0%

FISCAL YEAR 1997 ARBITRATION - METHOD OF DISPOSITION DISPOSED BEFORE HEARING*

Number of Dispositions

	Default Judgment	Dismissed/ Settled	Other	TOTAL
New Castle	638 22.1%	2,202 76.4%	41 1.4%	2,881 100.0%
Kent	122 33.3%	227 62.0%	17 4.6%	366 100.0%
Sussex	<u>22 9.6%</u>	<u>197 86.4%</u>	<u>9 3.9%</u>	<u>228 100.0%</u>
STATE	782 22.5%	2,626 75.6%	67 1.9%	3,475 100.0%

FISCAL YEAR 1997 ARBITRATION - METHOD OF DISPOSITION ARBITRATOR'S ORDERS

Number of Dispositions

	Final Disposition**	De Novo Appeal***	Total
New Castle	457 44.3%	574 55.7%	1,031 100.0%
Kent	123 46.4%	142 53.6%	265 100.0%
Sussex	<u>52 52.0%</u>	<u>48 48.0%</u>	<u>100 100.0%</u>
STATE	632 45.3%	764 54.7%	1,396 100.0%

*Includes dispositions before hearing and removals.

**Cases in which the arbitrator's decision is not appealed de novo.

***Cases in which the arbitrator's decision is appealed de novo.

Source : Arbitration Unit, Superior Court; Administrative Office of the Courts

Family Court

FAMILY COURT

FISCAL YEAR 1997 TOTAL CASES WORKLOAD EXPLANATORY NOTES

1. The unit of count in the Family Court adult criminal, juvenile delinquency, and civil cases is the filing.
2. A criminal or delinquency filing is defined as one incident filed against one individual. Each incident is counted separately, so that three incidents brought before the court on a single individual are counted as three criminal or delinquency filings or multiple charges.
 - a. A single criminal or delinquency filing may be comprised of a single or multiple charges relating to a single incident.
 - b. A criminal filing received by the Court in the form of an information or a complaint, and a delinquency filing is received by the Court in the form of a petition or a complaint.
3. A civil filing is defined as a single civil incident filed with Family Court. A civil incident is initiated by a petition. In the instance of a divorce, although the petition may contain multiple matters ancillary to the divorce, each petition is counted as one filing.

FISCAL YEAR 1997 TOTAL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	6,782	34,125	33,951	6,956	+ 174	+ 2.6%
Kent	2,283	11,557	11,823	2,017	- 266	- 11.7%
Sussex	3,185	12,225	12,334	3,076	- 109	- 3.4%
STATE	<u>12,250</u>	<u>57,907</u>	<u>58,108</u>	<u>12,049</u>	<u>- 201</u>	<u>- 1.6%</u>

COMPARISON - FISCAL YEARS 1996-1997 TOTAL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	31,889	34,125	+2,236	+ 7.0%
Kent	11,041	11,557	+ 516	+ 4.7%
Sussex	12,017	12,225	+ 208	+ 1.7%
STATE	<u>54,947</u>	<u>57,907</u>	<u>+2,960</u>	<u>+ 5.4%</u>

COMPARISON - FISCAL YEARS 1996-1997 TOTAL CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	31,709	33,951	+2,242	+ 7.1%
Kent	11,035	11,823	+ 788	+ 7.1%
Sussex	12,162	12,334	+ 172	+ 1.4%
STATE	<u>54,906</u>	<u>58,108</u>	<u>+3,202</u>	<u>+ 5.8%</u>

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 ADULT CRIMINAL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	564	3,247	3,139	672	+ 108	+ 19.1%
Kent	129	994	956	167	+ 38	+ 29.5%
Sussex	349	1,051	998	402	+ 53	+ 15.2%
STATE	<u>1,042</u>	<u>5,292</u>	<u>5,093</u>	<u>1,241</u>	<u>+ 199</u>	<u>+ 19.1%</u>

COMPARISON - FISCAL YEARS 1996-1997 ADULT CRIMINAL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	2,975	3,247	+ 272	+ 9.1%
Kent	902	994	+ 92	+ 10.2%
Sussex	<u>922</u>	<u>1,051</u>	<u>+ 129</u>	<u>+ 14.0%</u>
STATE	<u>4,799</u>	<u>5,292</u>	<u>+ 493</u>	<u>+ 10.3%</u>

COMPARISON - FISCAL YEARS 1996-1997 ADULT CRIMINAL CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	2,963	3,139	+ 176	+ 5.9%
Kent	892	956	+ 64	+ 7.2%
Sussex	<u>931</u>	<u>998</u>	<u>+ 67</u>	<u>+ 7.2%</u>
STATE	<u>4,786</u>	<u>5,093</u>	<u>+ 307</u>	<u>+ 6.4%</u>

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 JUVENILE DELINQUENCY CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	1,520	6,489	6,708	1,301	- 219	- 14.4%
Kent	430	2,058	2,110	378	- 52	- 12.1%
Sussex	<u>737</u>	<u>2,991</u>	<u>2,880</u>	<u>848</u>	<u>+ 111</u>	<u>+ 15.1%</u>
STATE	2,687	11,538	11,698	2,527	- 160	- 6.0%

COMPARISON - FISCAL YEARS 1996-1997 JUVENILE DELINQUENCY CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	6,464	6,489	+ 25	+ 0.4%
Kent	1,682	2,058	+ 376	+ 22.4%
Sussex	<u>2,430</u>	<u>2,991</u>	<u>+ 561</u>	<u>+ 23.1%</u>
STATE	10,576	11,538	+ 962	+ 9.1%

COMPARISON - FISCAL YEARS 1996-1997 JUVENILE DELINQUENCY CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	6,629	6,708	+ 79	+ 1.2%
Kent	1,468	2,110	+ 642	+ 43.7%
Sussex	<u>2,071</u>	<u>2,880</u>	<u>+ 809</u>	<u>+ 39.1%</u>
STATE	10,168	11,698	+1,530	+ 15.0%

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 JUVENILE DELINQUENCY CASES-CASELOAD BREAKDOWNS

	FILINGS						TOTALS	
	Felony		Misdemeanor		Traffic			
New Castle	1,670	25.7%	4,526	69.7%	293	4.5%	6,489	100.0%
Kent	372	18.1%	1,320	64.1%	366	17.8%	2,058	100.0%
Sussex	<u>451</u>	<u>15.1%</u>	<u>2,274</u>	<u>76.0%</u>	<u>266</u>	<u>8.9%</u>	<u>2,991</u>	<u>100.0%</u>
STATE	2,493	21.6%	8,120	70.4%	925	8.0%	11,538	100.0%

FISCAL YEAR 1997 JUVENILE DELINQUENCY CASES-CASELOAD BREAKDOWNS

	DISPOSITIONS						TOTALS	
	Felony		Misdemeanor		Traffic			
New Castle	1,780	26.5%	4,646	69.3%	282	4.2%	6,708	100.0%
Kent	405	19.2%	1,360	64.5%	345	16.4%	2,110	100.0%
Sussex	<u>328</u>	<u>11.4%</u>	<u>2,369</u>	<u>82.3%</u>	<u>183</u>	<u>6.4%</u>	<u>2,880</u>	<u>100.0%</u>
STATE	2,513	21.5%	8,375	71.6%	810	6.9%	11,698	100.0%

FISCAL YEAR 1997 JUVENILE DELINQUENCY CASES-CASELOAD BREAKDOWNS

	PENDING AT END OF YEAR						TOTALS	
	Felony		Misdemeanor		Traffic			
New Castle	288	22.1%	943	72.5%	70	5.4%	1,301	100.0%
Kent	67	17.7%	273	72.2%	38	10.1%	378	100.0%
Sussex	<u>162</u>	<u>19.1%</u>	<u>555</u>	<u>65.4%</u>	<u>131</u>	<u>15.4%</u>	<u>848</u>	<u>100.0%</u>
STATE	517	20.5%	1,771	70.1%	239	9.5%	2,527	100.0%

FISCAL YEAR 1997 JUVENILE DELINQUENCY CASES-CASELOAD BREAKDOWNS

	CHANGE IN PENDING				TOTALS
	Felony	Misdemeanor	Traffic		
New Castle	- 110	- 120	+ 11		- 219
Kent	- 33	- 40	+ 21		- 52
Sussex	<u>+ 123</u>	<u>- 95</u>	<u>+ 83</u>		<u>+ 111</u>
STATE	- 20	- 255	+ 115		- 160

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	4,698	24,389	24,104	4,983	+ 285	+ 6.1%
Kent	1,724	8,505	8,757	1,472	- 252	- 14.6%
Sussex	2,099	8,183	8,456	1,826	- 273	- 13.0%
STATE	<u>8,521</u>	<u>41,077</u>	<u>41,317</u>	<u>8,281</u>	<u>- 240</u>	<u>- 2.8%</u>

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	22,450	24,389	+1,939	+ 8.6%
Kent	8,457	8,505	+ 48	+ 0.6%
Sussex	8,665	8,183	- 482	- 5.6%
STATE	<u>39,572</u>	<u>41,077</u>	<u>+1,505</u>	<u>+ 3.8%</u>

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	22,117	24,104	+1,987	+ 9.0%
Kent	8,675	8,757	+ 82	+ 0.9%
Sussex	9,160	8,456	- 704	- 7.7%
STATE	<u>39,952</u>	<u>41,317</u>	<u>+1,365</u>	<u>+ 3.4%</u>

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 CIVIL CASES-CASELOAD BREAKDOWNS

FILINGS

	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	2,183 9.0%	1,081 4.4%	3,898 16.0%	4,107 16.8%	2,669 10.9%	3,380 13.9%
Kent	763 9.0%	354 4.2%	1,070 12.6%	1,778 20.9%	750 8.8%	1,283 15.1%
Sussex	777 9.5%	251 3.1%	1,332 16.3%	1,850 22.6%	864 10.6%	990 12.1%
STATE	<u>3,723 9.1%</u>	<u>1,686 4.1%</u>	<u>6,300 15.3%</u>	<u>7,735 18.8%</u>	<u>4,283 10.4%</u>	<u>5,653 13.8%</u>

	Visitation	Protection From Abuse	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	736 3.0%	2,173 8.9%	136 0.6%	95 0.4%	3,931 16.1%	24,389 100.0%
Kent	337 4.0%	703 8.3%	28 0.3%	14 0.2%	1,425 16.8%	8,505 100.0%
Sussex	278 3.4%	449 5.5%	35 0.4%	14 0.2%	1,343 16.4%	8,183 100.0%
STATE	<u>1,351 3.3%</u>	<u>3,325 8.1%</u>	<u>199 0.5%</u>	<u>123 0.3%</u>	<u>6,699 16.3%</u>	<u>41,077 100.0%</u>

FISCAL YEAR 1997 CIVIL CASES-CASELOAD BREAKDOWNS

DISPOSITIONS

	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	2,065 8.6%	1,055 4.4%	3,793 15.7%	3,530 14.6%	3,173 13.2%	3,134 13.0%
Kent	806 9.2%	337 3.8%	1,182 13.5%	1,695 19.4%	806 9.2%	1,273 14.5%
Sussex	782 9.2%	231 2.7%	1,284 15.2%	2,139 25.3%	850 10.1%	991 11.7%
STATE	<u>3,653 8.8%</u>	<u>1,623 3.9%</u>	<u>6,259 15.1%</u>	<u>7,364 17.8%</u>	<u>4,829 11.7%</u>	<u>5,398 13.1%</u>

	Visitation	Protection From Abuse	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	734 3.0%	2,209 9.2%	96 0.4%	61 0.3%	4,254 17.6%	24,104 100.0%
Kent	412 4.7%	699 8.0%	29 0.3%	14 0.2%	1,504 17.2%	8,757 100.0%
Sussex	319 3.8%	449 5.3%	30 0.4%	17 0.2%	1,364 16.1%	8,456 100.0%
STATE	<u>1,465 3.5%</u>	<u>3,357 8.1%</u>	<u>155 0.4%</u>	<u>92 0.2%</u>	<u>7,122 17.2%</u>	<u>41,317 100.0%</u>

RTSC = Rules to Show Cause

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS (cont'd)

PENDING AT END OF YEAR

	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	547 11.0%	329 6.6%	835 16.8%	715 14.3%	597 12.0%	1,016 20.4%
Kent	166 11.3%	71 4.8%	225 15.3%	285 19.4%	104 7.1%	337 22.9%
Sussex	242 13.3%	93 5.1%	356 19.5%	380 20.8%	211 11.6%	238 13.0%
STATE	<u>955 11.5%</u>	<u>493 6.0%</u>	<u>1,416 17.1%</u>	<u>1,380 16.7%</u>	<u>912 11.0%</u>	<u>1,591 19.2%</u>

	Visitation	Protection From Abuse	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	258 5.2%	61 1.2%	93 1.9%	73 1.5%	459 9.2%	4,983 100.0%
Kent	103 7.0%	30 2.0%	17 1.2%	17 1.2%	117 7.9%	1,472 100.0%
Sussex	86 4.7%	23 1.3%	11 0.6%	10 0.5%	176 9.6%	1,826 100.0%
STATE	<u>447 5.4%</u>	<u>114 1.4%</u>	<u>121 1.5%</u>	<u>100 1.2%</u>	<u>752 9.1%</u>	<u>8,281 100.0%</u>

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Divorces and Annulments	RTSC/Other Civil Contempts	New Non-Support	Support Arrearages	Support Modifications	Custody
New Castle	+ 118	+ 26	+ 105	+ 577	- 504	+ 246
Kent	- 43	+ 17	- 112	+ 83	- 56	+ 10
Sussex	- 5	+ 20	+ 48	- 289	+ 14	- 1
STATE	<u>+ 70</u>	<u>+ 63</u>	<u>+ 41</u>	<u>+ 371</u>	<u>- 546</u>	<u>+ 255</u>

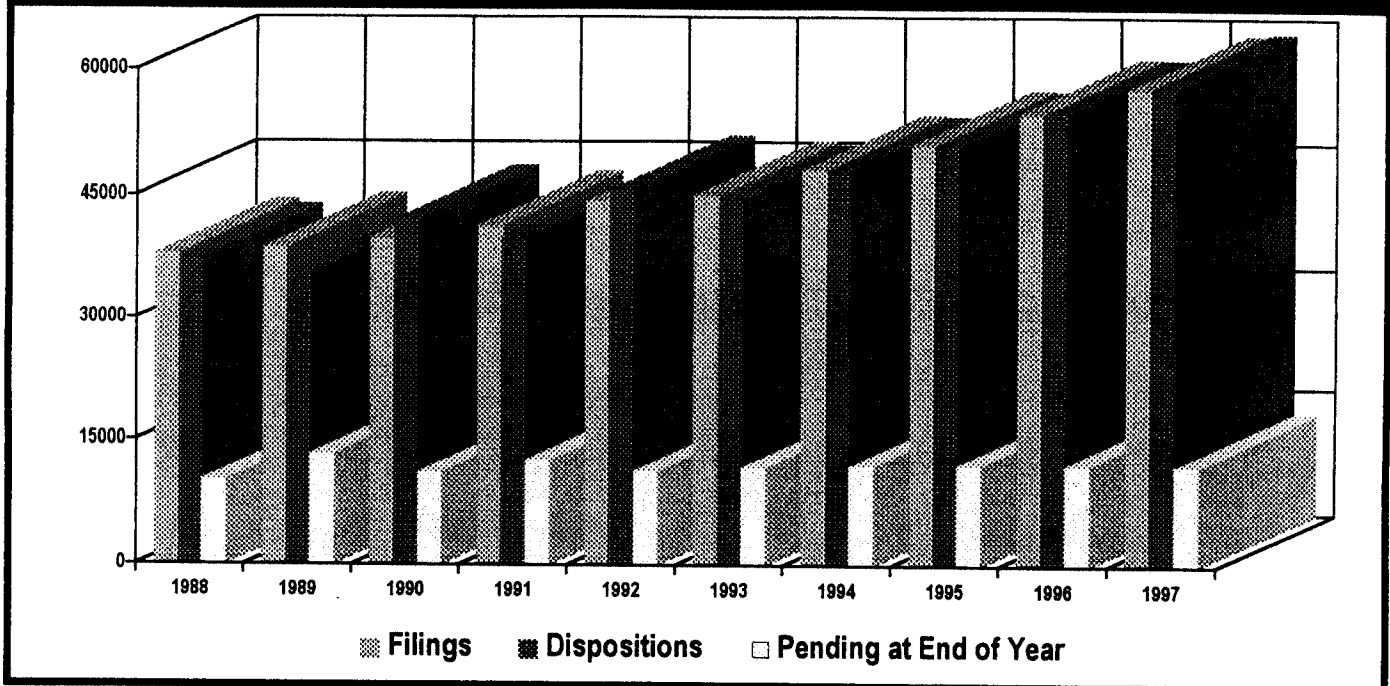
	Visitation	Protection From Abuse	Adoptions	Terminations of Parental Rights	Miscellaneous	TOTALS
New Castle	+ 2	- 36	+ 40	+ 34	- 323	+ 285
Kent	- 75	+ 4	- 1	0	- 79	- 252
Sussex	- 41	0	+ 5	- 3	- 21	- 273
STATE	<u>- 114</u>	<u>- 32</u>	<u>+ 44</u>	<u>+ 31</u>	<u>- 423</u>	<u>- 240</u>

RTSC = Rules to Show Cause

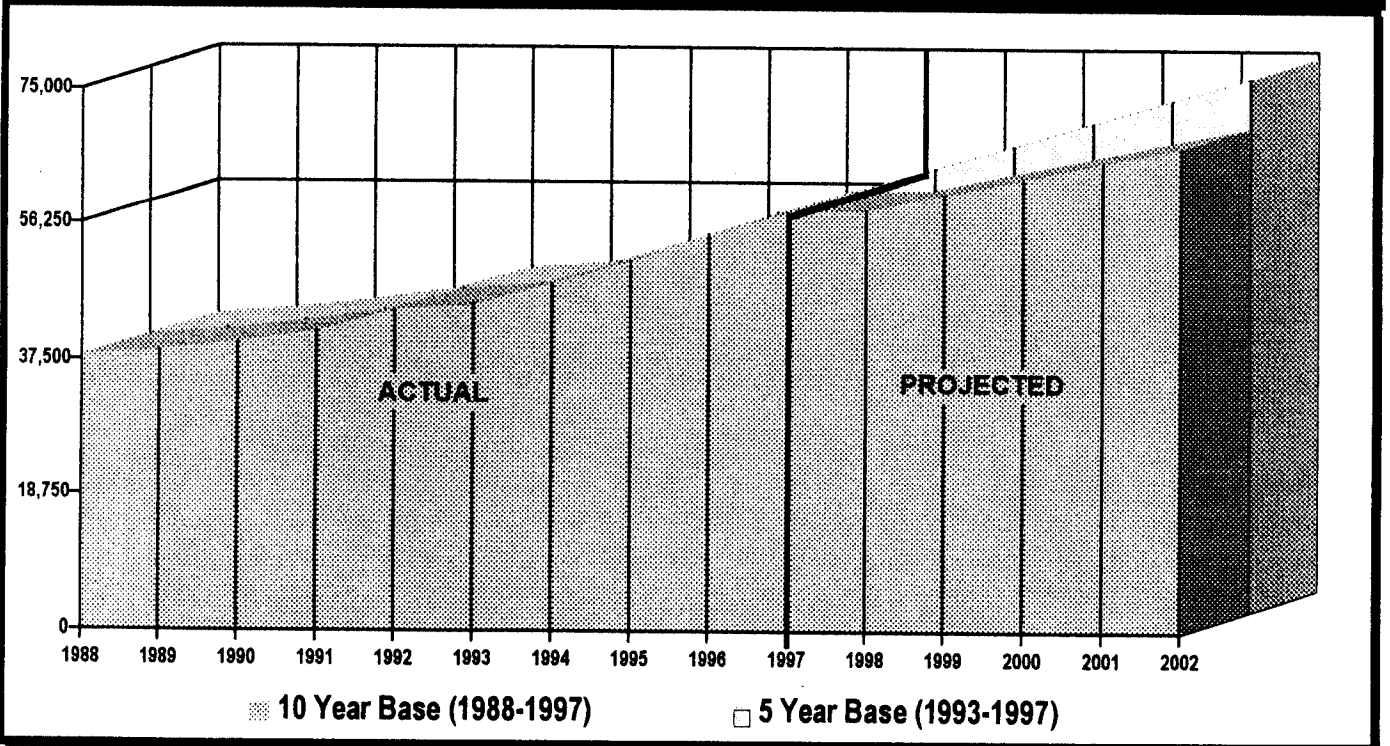
Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT – TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by linear regression analysis.
 Source: Administrative Office of the Courts.

FAMILY COURT

FISCAL YEAR 1997 ARBITRATION EXPLANATORY NOTES

1. Arbitration is an informal proceeding in which a specially trained arbitration officer attempts to resolve juvenile delinquency cases involving minor charges and adult criminal cases involving selected misdemeanors.
2. Family Court decides according to established criteria if a case should be prosecuted at a formal hearing or if it should be referred to the Arbitration Unit.
3. An Arbitration Officer determines if the case should be dismissed, sent to a formal hearing, or kept open. A case is kept open if a defendant is required to fulfill conditions set by the officer and agreed to by the defendant.
4. The complainant, victim, defendant, or parent has ten (10) days to request a review of the disposition. The review is done by a Deputy Attorney General, who either upholds the disposition or decides that the manner should go to a formal hearing.

FISCAL YEAR 1997 ARBITRATION CASES - CASELOAD SUMMARY

	Pending 6/30/96*	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	245	1,305	1,347	203	- 42	- 17.1%
Kent	20	533	538	15	- 5	- 25.0%
Sussex	<u>61</u>	<u>580</u>	<u>593</u>	<u>48</u>	<u>- 13</u>	<u>- 21.3%</u>
STATE	326	2,418	2,478	266	- 60	- 18.4%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	731	1,305	+ 574	+ 78.5%
Kent	411	533	+ 122	+ 29.7%
Sussex	<u>377</u>	<u>580</u>	<u>+ 203</u>	<u>+ 53.8%</u>
STATE	1,519	2,418	+ 899	+ 59.2%

COMPARISON - FISCAL YEARS 1996-1997 ARBITRATION CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	690	1,347	+ 657	+ 95.2%
Kent	380	538	+ 158	+ 41.6%
Sussex	<u>345</u>	<u>593</u>	<u>+ 248</u>	<u>+ 71.9%</u>
STATE	1,415	2,478	+1,063	+ 75.1%

*Pending for all counties amended from 1996 Annual Report.

Source : Court Administrator, Family Court; Administrative Office of the Courts

FAMILY COURT

FISCAL YEAR 1997 MEDIATION EXPLANATORY NOTES

1. Mediation is a pre-adjudicatory proceeding where a trained mediator attempts to assist the parties in reaching an agreement in disputes involving child custody, support, visitation, guardianships, imperilling family relations, and rules to show cause. Mediation is mandatory in child custody, visitation and support matters.
2. If the parties are unable to reach an agreement, the matter is scheduled for a hearing before a master or a judge.

FISCAL YEAR 1997 MEDIATION CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	58	8,552	8,427	183	+ 125	+215.5%
Kent	244	3,235	3,290	189	- 55	- 22.5%
Sussex	<u>238</u>	<u>2,985</u>	<u>2,983</u>	<u>240</u>	<u>+ 2</u>	<u>+ 0.8%</u>
STATE	540	14,772	14,700	612	+ 72	+ 13.3%

COMPARISON - FISCAL YEARS 1996-1997 MEDIATION CASES - CASELOAD

FILINGS

	1996	1997	Change	% Change
New Castle	7,689	8,552	+ 863	+ 11.2%
Kent	3,030	3,235	+ 205	+ 6.8%
Sussex	<u>3,414</u>	<u>2,985</u>	<u>- 429</u>	<u>- 12.6%</u>
STATE	14,133	14,772	+ 639	+ 4.5%

COMPARISON - FISCAL YEARS 1996-1997 MEDIATION CASES - CASELOAD

DISPOSITIONS

	1996	1997	Change	% Change
New Castle	7,724	8,427	+ 703	+ 9.1%
Kent	3,062	3,290	+ 228	+ 7.4%
Sussex	<u>3,466</u>	<u>2,983</u>	<u>- 483</u>	<u>- 13.9%</u>
STATE	14,252	14,700	+ 448	+ 3.1%

Source : Court Administrator, Family Court; Administrative Office of the Courts

Court of Common Pleas

COURT OF COMMON PLEAS

FISCAL YEAR 1997 CRIMINAL CASES - CASELOAD SUMMARY

Number of Defendants

	Pending* 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	9,071	18,684	19,558	8,197	- 874	- 9.6%
Kent	3,887	15,135	15,773	3,249	- 638	- 16.4%
Sussex	<u>2,476</u>	<u>15,814</u>	<u>14,616</u>	<u>3,674</u>	<u>+1,198</u>	<u>+ 48.4%</u>
STATE	15,434	49,633	49,947	15,120	- 314	- 2.0%

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

FILINGS

Number of Defendants

	1996**	1997	Change	% Change
New Castle	16,303	18,684	+ 2,381	+ 14.6%
Kent#	7,595	15,135	+ 7,540	+ 99.3%
Sussex#	<u>7,820</u>	<u>15,814</u>	<u>+ 7,994</u>	<u>+ 102.2%</u>
STATE	31,718	49,633	+17,915	+ 56.5%

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

DISPOSITIONS

Number of Defendants

	1996***	1997	Change	% Change
New Castle	11,847	19,558	+ 7,711	+ 65.1%
Kent #	4,679	15,773	+11,094	+ 237.1%
Sussex#	<u>5,989</u>	<u>14,616</u>	<u>+ 8,627</u>	<u>+ 144.0%</u>
STATE	22,515	49,947	+27,432	+ 121.8%

COMPARISON - FISCAL YEARS 1996-1997 CRIMINAL CASES - CASELOAD

PRELIMINARY HEARINGS

Number of Defendants

	1996	1997	Change	% Change
New Castle	2,372	2,802	+ 430	+ 18.1%
Kent	1,514	1,528	+ 14	+ 0.9%
Sussex	<u>2,100</u>	<u>1,582</u>	<u>- 518</u>	<u>- 24.7%</u>
STATE	5,986	5,912	- 74	- 1.2%

* Pending amended from 1996 Annual Report.

**Filings amended from 1996 Annual Report.

***Dispositions amended from 1996 Annual Report.

#The large increases in Kent and Sussex Counties are due in large part to a substantial rise in criminal contempts.

Source : Court Administrator , Court of Common Pleas ; Administrative of the Courts

COURT OF COMMON PLEAS

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle	4,636	3,939	3,124	5,451	+ 815	+ 17.6%
Kent	554	1,436	1,374	616	+ 62	+ 11.2%
Sussex	<u>779</u>	<u>1,059</u>	<u>813</u>	<u>1,025</u>	+ 246	+ 31.6%
STATE	5,969	6,434	5,311	7,092	+1,123	+ 18.8%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

	FILINGS			
	1996	1997	Change	% Change
New Castle	3,652	3,939	+ 287	+ 7.9%
Kent	1,021	1,436	+ 415	+ 40.6%
Sussex	<u>918</u>	<u>1,059</u>	+ 141	+ 15.4%
STATE	5,591	6,434	+ 843	+ 15.1%

COMPARISON - FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD

	DISPOSITIONS			
	1996	1997	Change	% Change
New Castle	2,610	3,124	+ 514	+ 19.7%
Kent	766	1,374	+ 608	+ 79.4%
Sussex	<u>731</u>	<u>813</u>	+ 82	+ 11.2%
STATE	4,107	5,311	+ 1,204	+ 29.3%

FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD BREAKDOWNS

	FILINGS				Totals	
	Complaints		Civil Judgements, Name Changes			
New Castle	3,667	93.1%	272	6.9%	3,939	100.0%
Kent	1,341	93.4%	95	6.6%	1,436	100.0%
Sussex	<u>958</u>	<u>90.5%</u>	<u>101</u>	<u>9.5%</u>	<u>1,059</u>	<u>100.0%</u>
STATE	5,966	92.7%	468	7.3%	6,434	100.0%

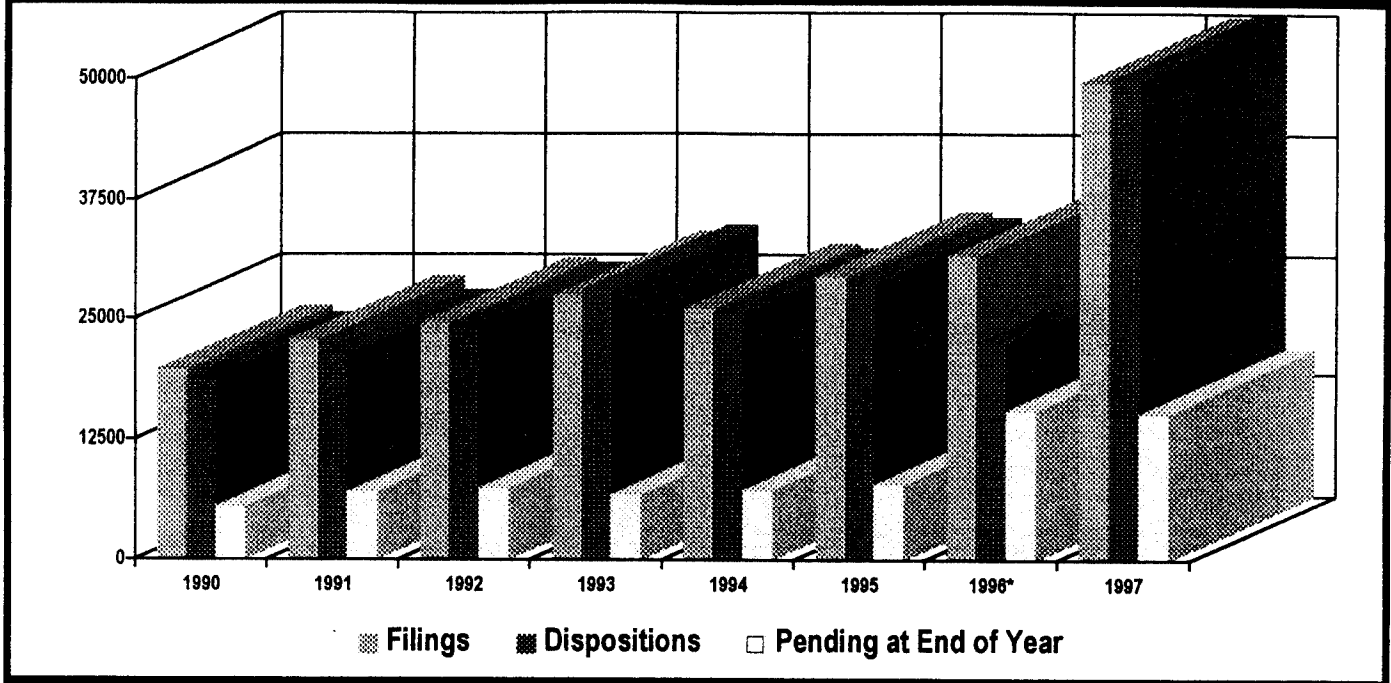
FISCAL YEARS 1996-1997 CIVIL CASES - CASELOAD BREAKDOWNS

	DISPOSITIONS				Totals	
	Court Action		Counsel Action			
New Castle	1,006	32.2%	2,118	67.8%	3,124	100.0%
Kent	570	41.5%	804	58.5%	1,374	100.0%
Sussex	<u>310</u>	<u>38.1%</u>	<u>503</u>	<u>61.9%</u>	<u>813</u>	<u>100.0%</u>
STATE	1,886	35.5%	3,425	64.5%	5,311	100.0%

Source : Court Administrator, Court of Common Pleas; Administrative Office of the Courts

COURT OF COMMON PLEAS – CRIMINAL

8 YEAR CASELOAD TRENDS



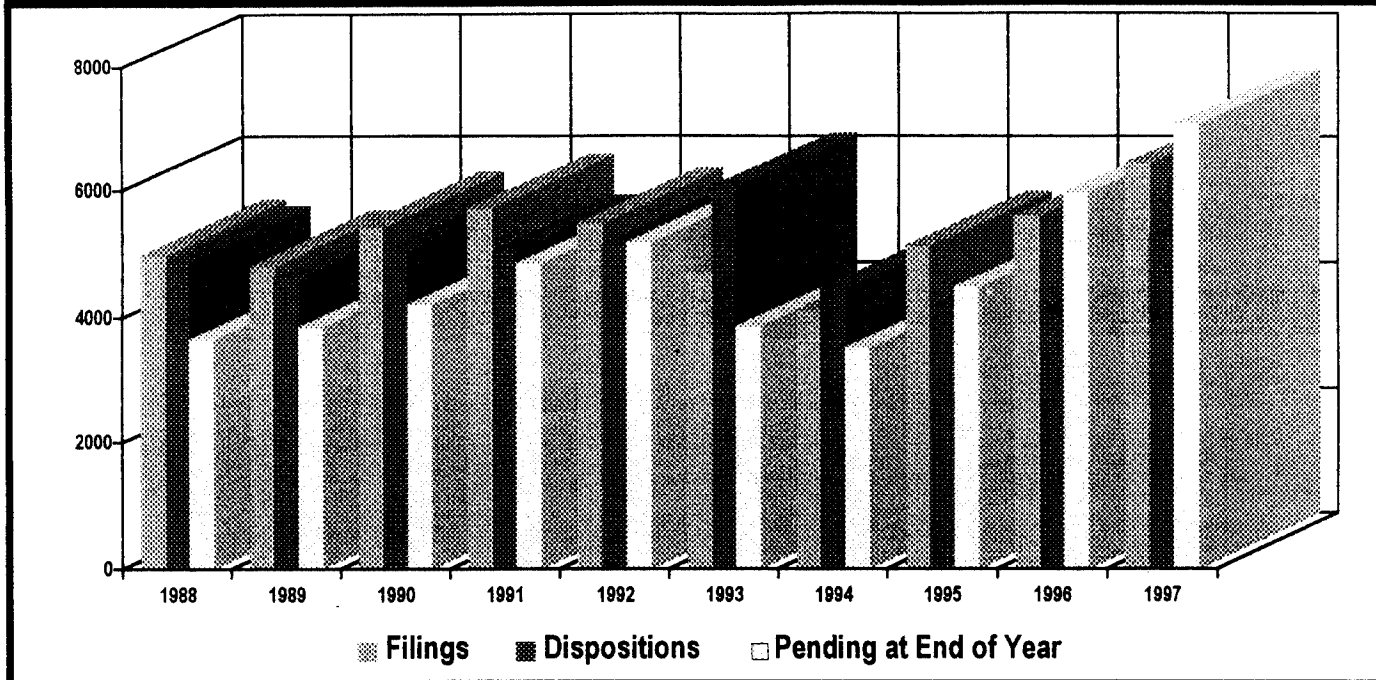
Projections are not possible because of the large changes in criminal caseload in recent years.

**Amended from 1996 Annual Report.*

Source : Administrative Office of the Courts.

COURT OF COMMON PLEAS – CIVIL

10 YEAR CASELOAD TRENDS

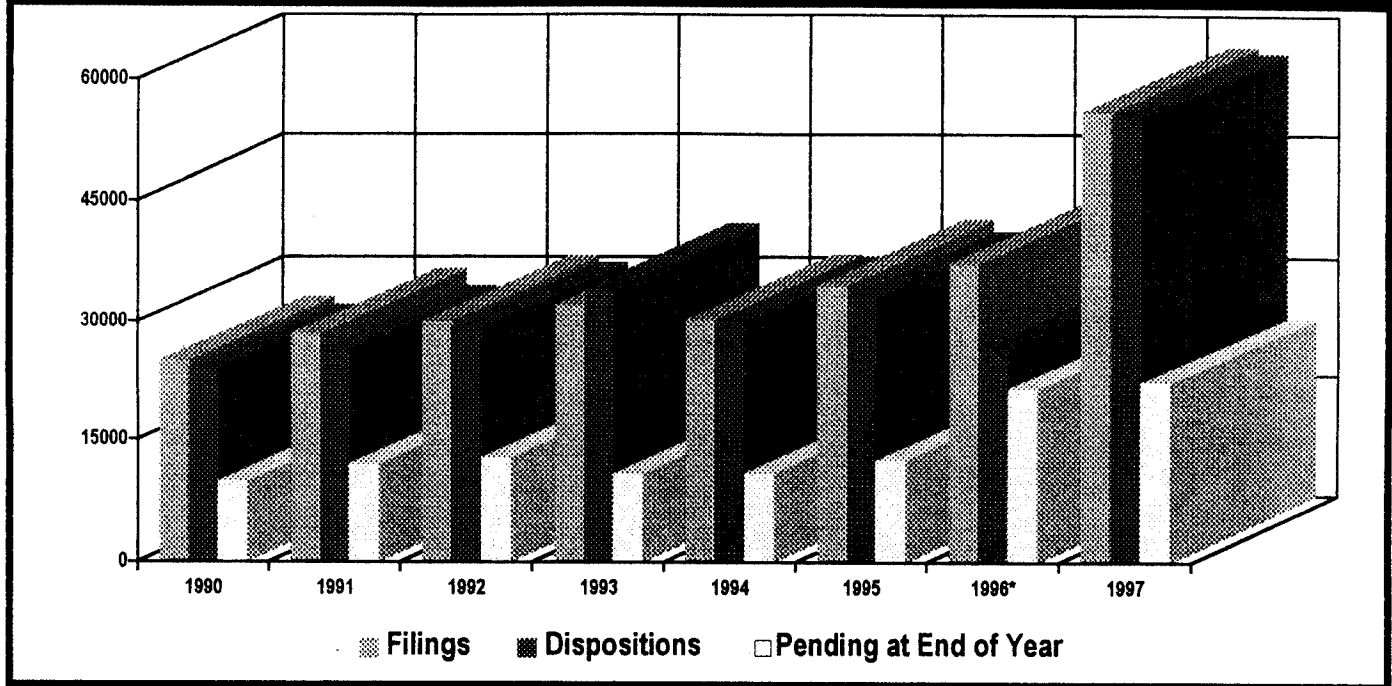


Projections are not possible because of the large changes in civil caseload in recent years due to a change in the civil jurisdiction of the Court.

Source : Administrative Office of the Courts.

COURT OF COMMON PLEAS – TOTAL

8 YEAR CASELOAD TRENDS



Projections are not possible because of the large changes in civil caseload in recent years due to a change in the civil jurisdiction of the Court.

**Amended from 1996 Annual Report.*

Source : Administrative Office of the Courts.

Municipal Court

MUNICIPAL COURT

FISCAL YEAR 1997 - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
Criminal	2,422	13,534	13,614	2,342	- 80	- 3.3%
Traffic	<u>3,468</u>	<u>12,305</u>	<u>11,658</u>	<u>4,115</u>	+ 647	+ 18.7%
TOTAL	5,890	25,839	25,272	6,457	+ 567	+ 9.6%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

FILINGS

	1996	1997	Change	% Change
Criminal	14,722	13,534	- 1,188	- 8.1%
Traffic	<u>16,848</u>	<u>12,305</u>	<u>- 4,543</u>	<u>- 27.0%</u>
TOTAL	31,570	25,839	- 5,731	- 18.2%

COMPARISON - FISCAL YEARS 1996-1997 - CASELOAD

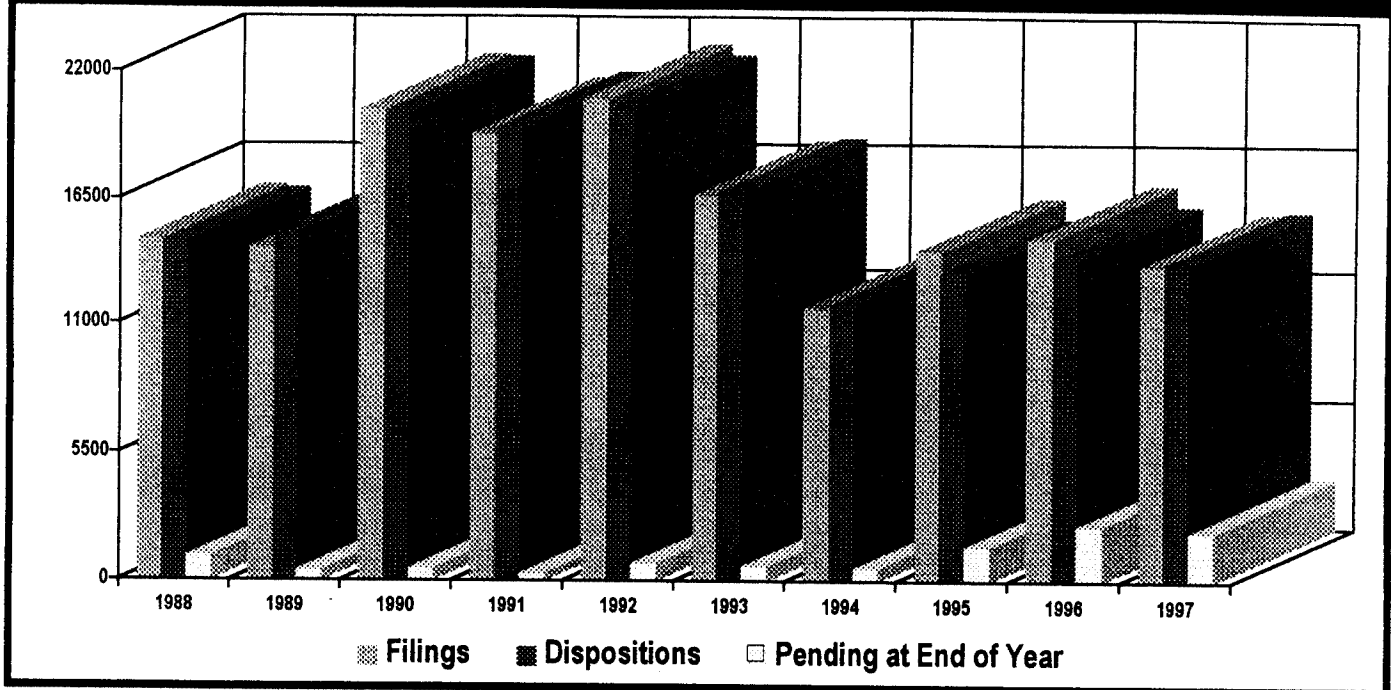
DISPOSITIONS

	1996	1997	Change	% Change
Criminal	13,818	13,614	- 204	- 1.5%
Traffic	<u>15,866</u>	<u>11,658</u>	<u>- 4,208</u>	<u>- 26.5%</u>
TOTAL	29,684	25,272	- 4,412	- 14.9%

Source : Clerk of the Court, Municipal Court; Administrative Office of the Courts

MUNICIPAL COURT – CRIMINAL

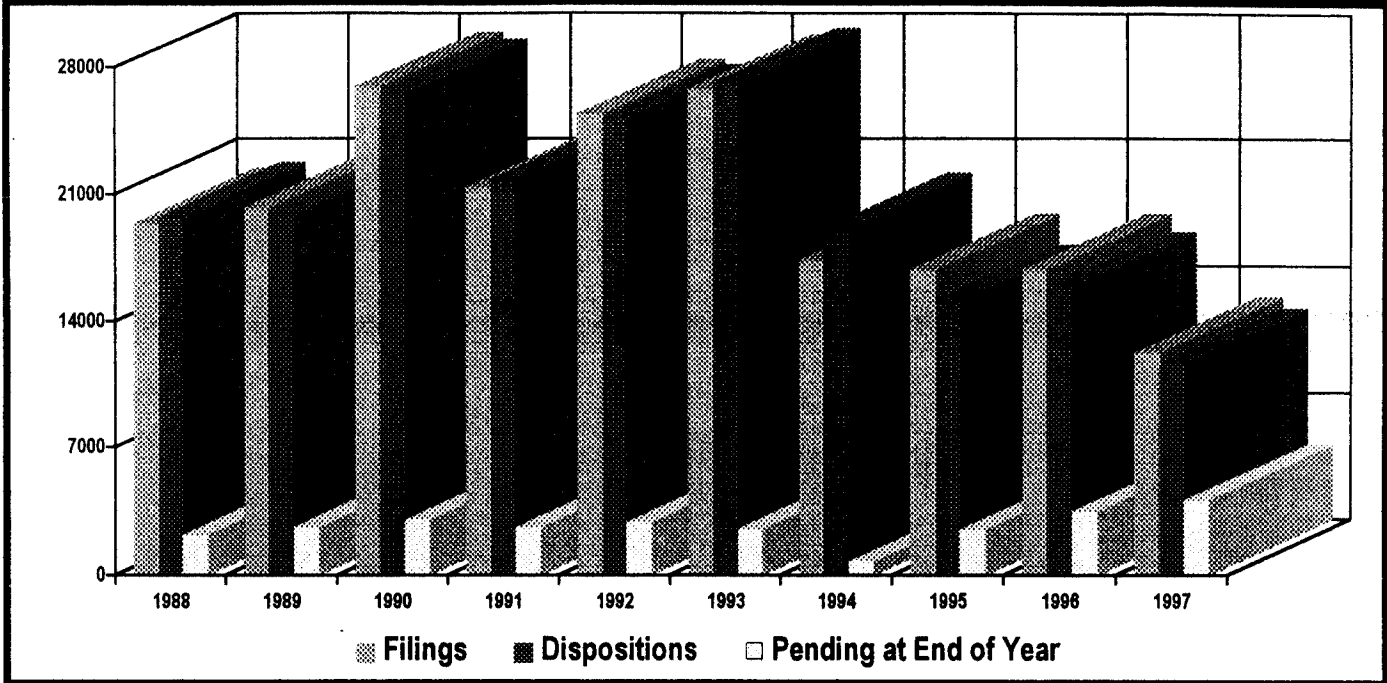
10 YEAR CASELOAD TRENDS



Projections are not possible due to large fluctuations in caseload in recent years.
Source : Administrative Office of the Courts.

MUNICIPAL COURT – TRAFFIC

10 YEAR CASELOAD TRENDS

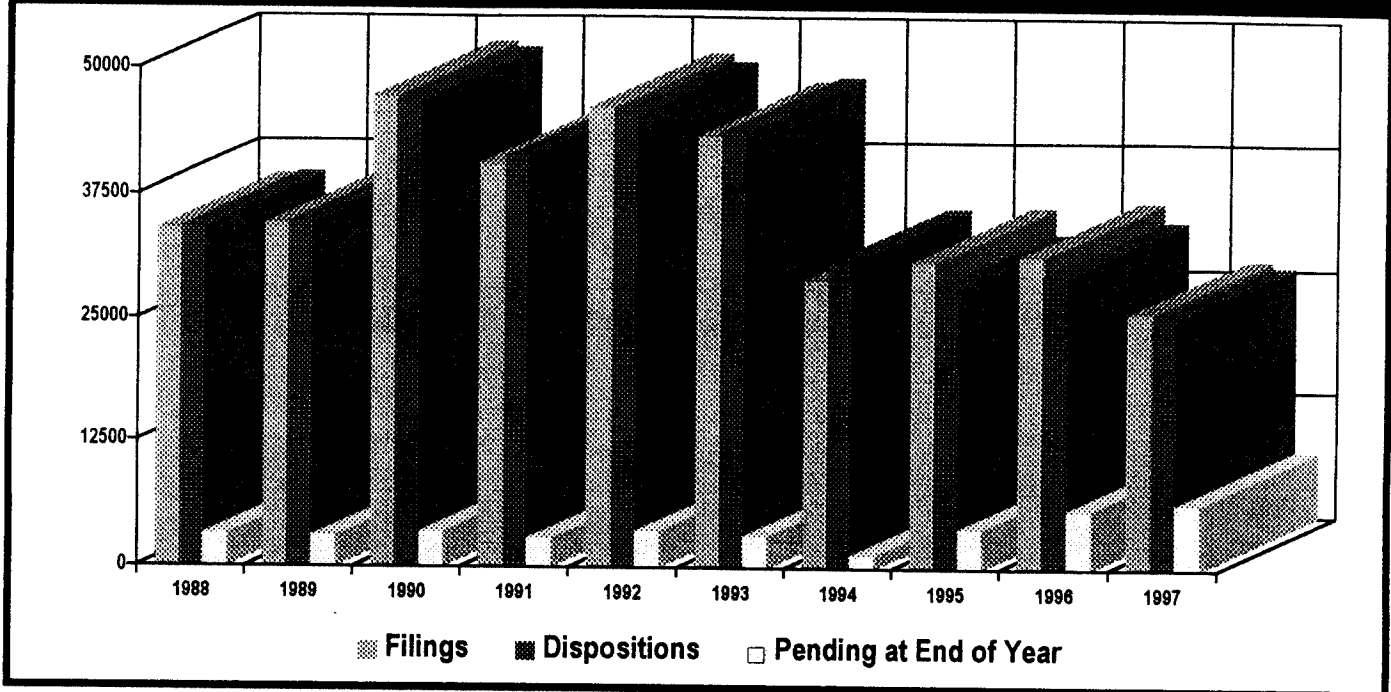


Projections are not possible due to large fluctuations in caseload in recent years.

Source : Administrative Office of the Courts.

MUNICIPAL COURT – TOTAL

10 YEAR CASELOAD TRENDS



Projections are not possible due to large fluctuations in caseload in recent years.
Source : Administrative Office of the Courts.

Justice of the Peace Courts

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES* - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Court 9	1,763	3,268	3,185	1,846	+ 83	+ 4.7%
Court 10	2,035	16,223	15,656	2,602	+ 567	+ 27.9%
Court 11	7,618	33,189	32,214	8,593	+ 975	+ 12.8%
Court 14	811	1,872	1,718	965	+ 154	+ 19.0%
Court 15	1,899	10,371	9,755	2,515	+ 616	+ 32.4%
Court 18	150	11,572	11,557	165	+ 15	+ 10.0%
Kent County						
Court 6	699	4,651	4,460	890	+ 191	+ 27.3%
Court 7	1,370	29,401	28,837	1,934	+ 564	+ 41.2%
Court 8	315	2,571	2,554	332	+ 17	+ 5.4%
Sussex County						
Court 1	540	3,931	3,932	539	- 1	- 0.2%
Court 2	517	8,862	8,633	746	+ 229	+ 44.3%
Court 3	2,602	23,917	23,211	3,308	+ 706	+ 27.1%
Court 4	767	11,672	11,221	1,218	+ 451	+ 58.8%
Court 5	651	4,307	4,222	736	+ 85	+ 13.1%
Total	21,737	165,807	161,155	26,389	+ 4,652	+ 21.4%
VAC	5,660	113,741	113,054	6,347	+ 687	+ 12.1%
STATE	27,397	279,548	274,209	32,736	+ 5,339	+ 19.5%

VAC = Voluntary Assessment Center

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES*-CASELOAD BREAKDOWNS

FILINGS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	299	9.1%	295	9.0%	2,425	74.2%	249	7.6%	3,268	100.0%
Court 10	234	1.4%	3,249	20.0%	11,805	72.8%	935	5.8%	16,223	100.0%
Court 11	504	1.5%	14,921	45.0%	15,159	45.7%	2,605	7.8%	33,189	100.0%
Court 14	0	0.0%	138	7.4%	1,456	77.8%	278	14.9%	1,872	100.0%
Court 15	69	0.7%	2,410	23.2%	7,520	72.5%	372	3.6%	10,371	100.0%
Court 18	5	0.0%	8,977	77.6%	1,406	12.2%	1,184	10.2%	11,572	100.0%
Kent County										
Court 6	122	2.6%	1,060	22.8%	3,176	68.3%	293	6.3%	4,651	100.0%
Court 7	844	2.9%	9,972	33.9%	16,555	56.3%	2,030	6.9%	29,401	100.0%
Court 8	20	0.8%	482	18.7%	1,914	74.4%	155	6.0%	2,571	100.0%
Sussex County										
Court 1	361	9.2%	148	3.8%	3,218	81.9%	204	5.2%	3,931	100.0%
Court 2	588	6.6%	1,666	18.8%	6,089	68.7%	519	5.9%	8,862	100.0%
Court 3	319	1.3%	10,454	43.7%	11,565	48.4%	1,579	6.6%	23,917	100.0%
Court 4	262	2.2%	1,973	16.9%	9,042	77.5%	395	3.4%	11,672	100.0%
Court 5	39	0.9%	803	18.6%	3,270	75.9%	195	4.5%	4,307	100.0%
Total	3,666	2.2%	56,548	34.1%	94,600	57.1%	10,993	6.6%	165,807	100.0%
VAC	86	0.1%	0	0.0%	113,640	99.9%	15	0.0%	113,741	100.0%
STATE	3,752	1.3%	56,548	20.2%	208,240	74.5%	11,008	3.9%	279,548	100.0%

FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES*-CASELOAD BREAKDOWNS

DISPOSITIONS

	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
New Castle County										
Court 9	282	8.9%	277	8.7%	2,397	75.3%	229	7.2%	3,185	100.0%
Court 10	229	1.5%	3,080	19.7%	11,508	73.5%	839	5.4%	15,656	100.0%
Court 11	503	1.6%	14,554	45.2%	14,733	45.7%	2,424	7.5%	32,214	100.0%
Court 14	0	0.0%	121	7.0%	1,373	79.9%	224	13.0%	1,718	100.0%
Court 15	66	0.7%	2,341	24.0%	7,029	72.1%	319	3.3%	9,755	100.0%
Court 18	5	0.0%	9,001	77.9%	1,356	11.7%	1,195	10.3%	11,557	100.0%
Kent County										
Court 6	91	2.0%	1,010	22.6%	3,082	69.1%	277	6.2%	4,460	100.0%
Court 7	820	2.8%	10,029	34.8%	15,997	55.5%	1,991	6.9%	28,837	100.0%
Court 8	19	0.7%	480	18.8%	1,894	74.2%	161	6.3%	2,554	100.0%
Sussex County										
Court 1	339	8.6%	161	4.1%	3,226	82.0%	206	5.2%	3,932	100.0%
Court 2	569	6.6%	1,657	19.2%	5,894	68.3%	513	5.9%	8,633	100.0%
Court 3	329	1.4%	10,360	44.6%	10,947	47.2%	1,575	6.8%	23,211	100.0%
Court 4	291	2.6%	1,986	17.7%	8,556	76.2%	388	3.5%	11,221	100.0%
Court 5	38	0.9%	813	19.3%	3,180	75.3%	191	4.5%	4,222	100.0%
Total	3,581	2.2%	55,870	34.7%	91,172	56.6%	10,532	6.5%	161,155	100.0%
VAC	72	0.1%	0	0.0%	112,970	99.9%	12	0.0%	113,054	100.0%
STATE	3653	1.3%	55,870	20.4%	204,142	74.4%	10,544	3.8%	274,209	100.0%

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

VAC = Voluntary Assessment Center

Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

COMPARISON – FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES* -CASELOAD

		FILINGS		
	1996	1997	Change	% Change
New Castle County				
Court 9	3,514	3,268	- 246	- 7.0%
Court 10	16,278	16,223	- 55	- 0.3%
Court 11	32,946	33,189	+ 243	+ 0.7%
Court 14	1,487	1,872	+ 385	+ 25.9%
Court 15	7,697	10,371	+ 2,674	+ 34.7%
Court 18	11,288	11,572	+ 284	+ 2.5%
Kent County				
Court 6	4,500	4,651	+ 151	+ 3.4%
Court 7	27,134	29,401	+ 2,267	+ 8.4%
Court 8	2,169	2,571	+ 402	+ 18.5%
Sussex County				
Court 1	4,094	3,931	- 163	- 4.0%
Court 2	7,756	8,862	+ 1,106	+ 14.3%
Court 3	23,531	23,917	+ 386	+ 1.6%
Court 4	10,720	11,672	+ 952	+ 8.9%
Court 5	3,699	4,307	+ 608	+ 16.4%
Total	156,813	165,807	+ 8,994	+ 5.7%
VAC	110,082	113,741	+ 3,659	+ 3.3%
STATE	266,895	279,548	+12,653	+ 4.7%

COMPARISON – FISCAL YEAR 1997 CRIMINAL AND TRAFFIC CASES* -CASELOAD

		DISPOSITIONS		
	1996	1997	Change	% Change
New Castle County				
Court 9	3,531	3,185	- 346	- 9.8%
Court 10	15,816	15,656	- 160	- 1.0%
Court 11	32,753	32,214	- 539	- 1.6%
Court 14	1,472	1,718	+ 246	+ 16.7%
Court 15	7,426	9,755	+ 2,329	+ 31.4%
Court 18	11,230	11,557	+ 327	+ 2.9%
Kent County				
Court 6	4,138	4,460	+ 322	+ 7.8%
Court 7	26,842	28,837	+ 1,995	+ 7.4%
Court 8	2,108	2,554	+ 446	+ 21.2%
Sussex County				
Court 1	3,855	3,932	+ 77	+ 2.0%
Court 2	7,885	8,633	+ 748	+ 9.5%
Court 3	23,851	23,211	- 640	- 2.7%
Court 4	11,413	11,221	- 192	- 1.7%
Court 5	3,600	4,222	+ 622	+ 17.3%
Total	155,920	161,155	+ 5,235	+ 3.4%
VAC	109,077	113,054	+ 3,977	+ 3.6%
STATE	264,997	274,209	+ 9,212	+ 3.5%

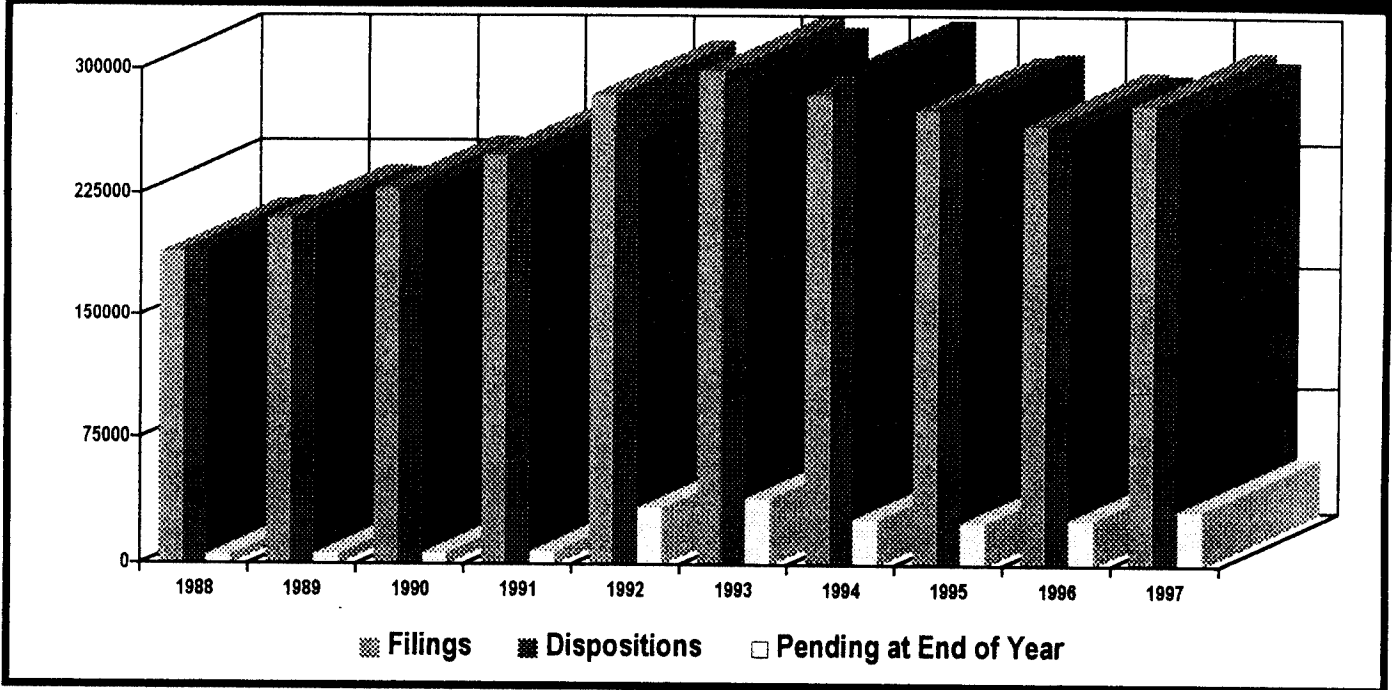
VAC = Voluntary Assessment Center

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

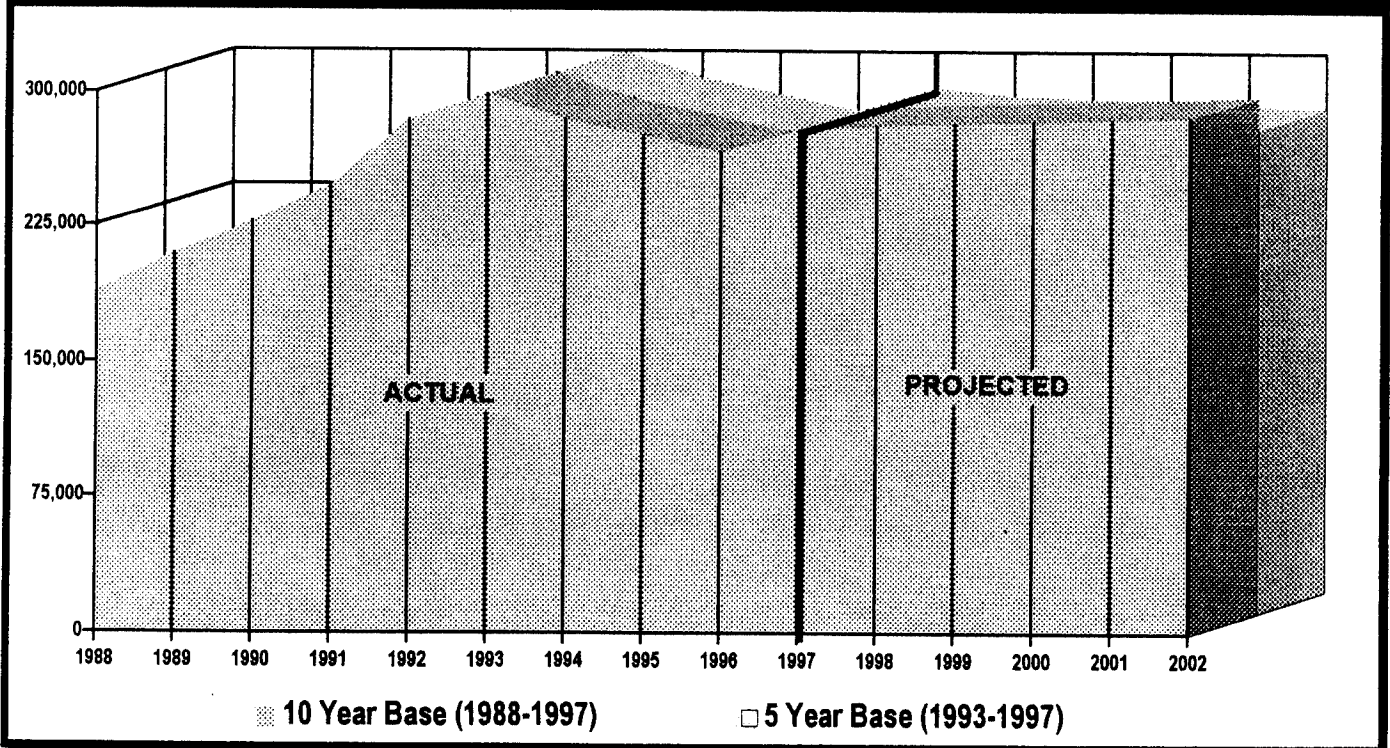
Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS – CRIMINAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Source: Administrative Office of the Courts.
Trend Lines computed by regression analysis.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 CIVIL CASES - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Court 9	65	1,041	1,066	40	- 25	- 38.5%
Court 12*	1,478	8,923	9,043	1,358	- 120	- 8.1%
Court 13*	1,524	8,002	9,213	313	- 1,211	- 79.5%
Kent County						
Court 8	8	28	32	4	- 4	- 50.0%
Court 16	2,397	5,648	5,683	2,362	- 35	- 1.5%
Sussex County						
Court 2	4	0	0	4	0	0.0%
Court 17	798	3,809	3,633	974	+ 176	+ 22.1%
Court 19*	1,192	2,179	2,254	1,117	- 75	- 6.3%
STATE*	7,466	29,630	30,924	6,172	- 1,294	- 17.3%

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

	FILINGS			DISPOSITIONS		
	Complaints	Landlord/ Tenant	TOTALS	Complaints	Landlord/ Tenant	TOTALS
New Castle County						
Court 9	884 84.9%	157 15.1%	1,041 100.0%	908 85.2%	158 14.8%	1,066 100.0%
Court 12	5,263 59.0%	3,660 41.0%	8,923 100.0%	5,265 58.2%	3,778 41.8%	9,043 100.0%
Court 13	4,769 59.6%	3,233 40.4%	8,002 100.0%	5,789 62.8%	3,424 37.2%	9,213 100.0%
Kent						
Court 8	28 100.0%	0 0.0%	28 100.0%	32 100.0%	0 0.0%	32 100.0%
Court 17	4,206 74.5%	1,442 25.5%	5,648 100.0%	4,266 75.1%	1,417 24.9%	5,683 100.0%
Sussex						
Court 2	0 ---	0 ---	0 ---	0 ---	0 ---	0 ---
Court 17	3,015 79.2%	794 20.8%	3,809 100.0%	2,802 77.1%	831 22.9%	3,633 100.0%
Court 19	1,704 78.2%	475 21.8%	2,179 100.0%	1,760 78.1%	494 21.9%	2,254 100.0%
STATE	19,869 67.1%	9,761 32.9%	29,630 100.0%	20,822 67.3%	10,102 32.7%	30,924 100.0%

* Pending at the end of FY'96 amended from 1996 Annual Report.

Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 CIVIL CASES - CASELOAD BREAKDOWNS

CHANGE IN PENDING

	Complaints	Landlord/ Tenant	TOTAL
New Castle County			
Court 9	- 24	- 1	- 25
Court 12	- 2	- 118	- 120
Court 13	-1,020	- 191	-1,211
Kent County			
Court 8	- 4	+ 0	- 4
Court 17	- 60	+ 25	- 35
Sussex County			
Court 2	+ 0	+ 0	+ 0
Court 17	+ 213	- 37	+ 176
Court 19	- 56	- 19	- 75
STATE	- 953	- 341	-1,294

COMPARISON - FISCAL YEAR 1997 CIVIL CASES*-CASELOAD

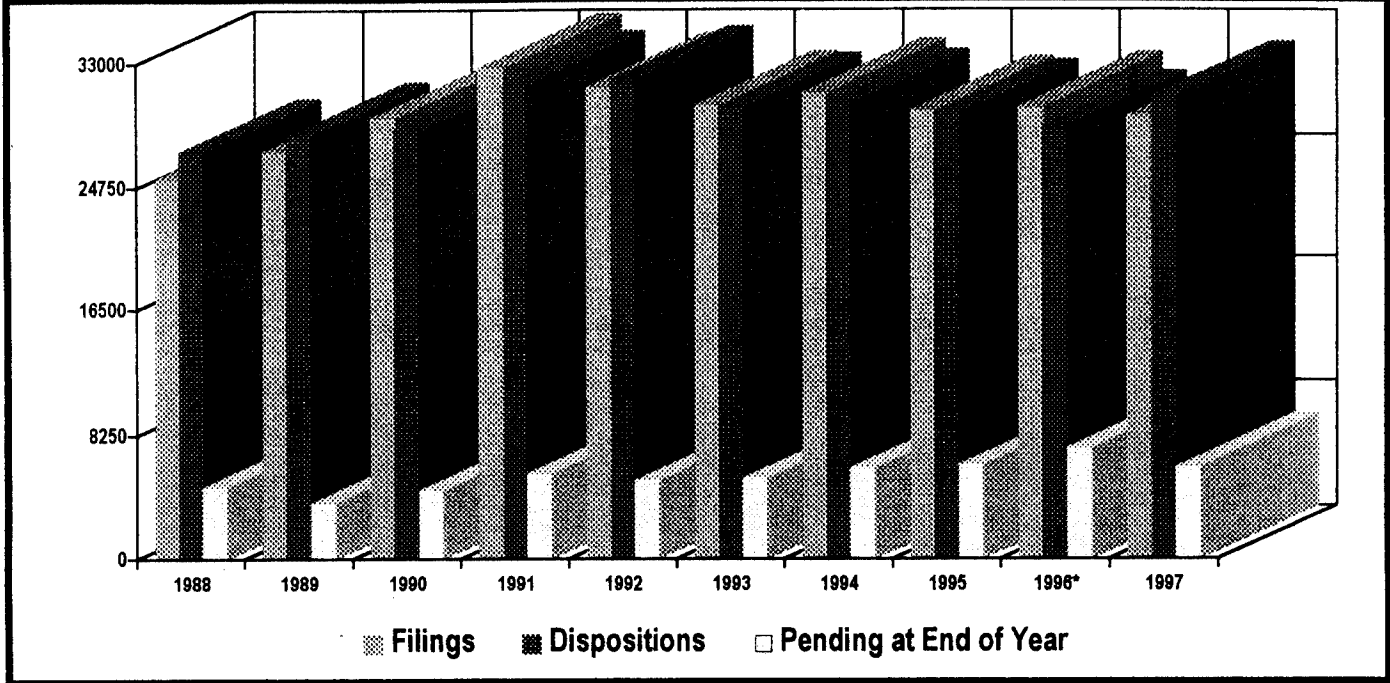
	FILINGS				DISPOSITIONS			
	1996	1997	Change	% Change	1996	1997	Change	% Change
New Castle County								
Court 9	985	1,041	+ 56	+ 5.7%	1,000	1,066	+ 66	+ 6.6%
Court 12*	9,814	8,923	- 891	- 9.1%	9,204	9,043	- 161	- 1.7%
Court 13*	7,387	8,002	+ 615	+ 8.3%	7,534	9,213	+1,679	+ 22.3%
Kent County								
Court 8	27	28	+ 1	+ 3.7%	22	32	+ 10	+ 45.5%
Court 16	5,542	5,648	+ 106	+ 1.9%	4,684	5,683	+ 999	+ 21.3%
Sussex County								
Court 2	0	0	0	0.0%	0	0	0	0.0%
Court 17	3,848	3,809	- 39	- 1.0%	3,600	3,633	+ 33	+ 0.9%
Court 19*	2,581	2,179	- 402	- 15.6%	2,905	2,254	- 651	- 22.4%
STATE*	30,184	29,630	- 554	- 1.8%	28,949	30,924	+1,975	+ 6.8%

*Dispositions amended from 1996 Annual Report.

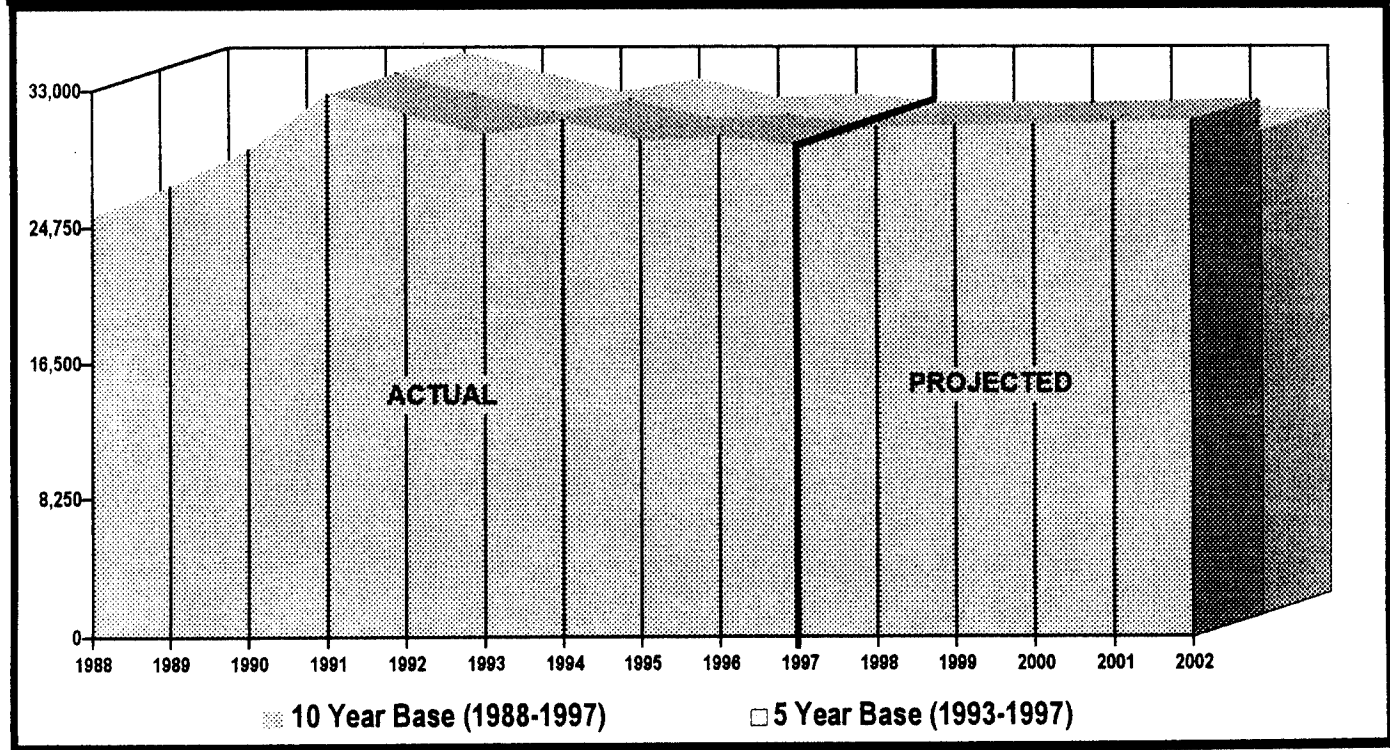
Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS – CIVIL

10 YEAR CASELOAD TRENDS*



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



*Dispositions and pending at end of year amended from 1996 Annual Report.
Trend Lines computed by regression analysis.
Source: Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1997 RANKINGS IN ORDER OF TOTAL CASES FILED

1997 Rank (w/o VAC)	Court Number	Total Filings*	% of Total w/o VAC	1996 Rank (w/o VAC)
1	Court 11	33,189	17.0%	1
2	Court 7	29,401	15.0%	2
3	Court 3	23,917	12.2%	3
4	Court 10	16,223	8.3%	4
5	Court 4	11,672	6.0%	6
6	Court 18	11,572	5.9%	5
7	Court 15	10,371	5.3%	9
8	Court 12	8,923	4.6%	7
9	Court 2	8,862	4.5%	8
10	Court 13	8,002	4.1%	10
11	Court 16	5,648	2.9%	11
12	Court 6	4,651	2.4%	12
13	Court 9	4,309	2.2%	13
14	Court 5	4,307	2.2%	16
15	Court 1	3,931	2.0%	14
16	Court 17	3,809	1.9%	15
17	Court 8	2,599	1.3%	18
18	Court 19	2,179	1.1%	17
19	Court 14	1,872	1.0%	19
State w/o VAC		195,437		
VAC		113,741		
State w/ VAC		309,178		

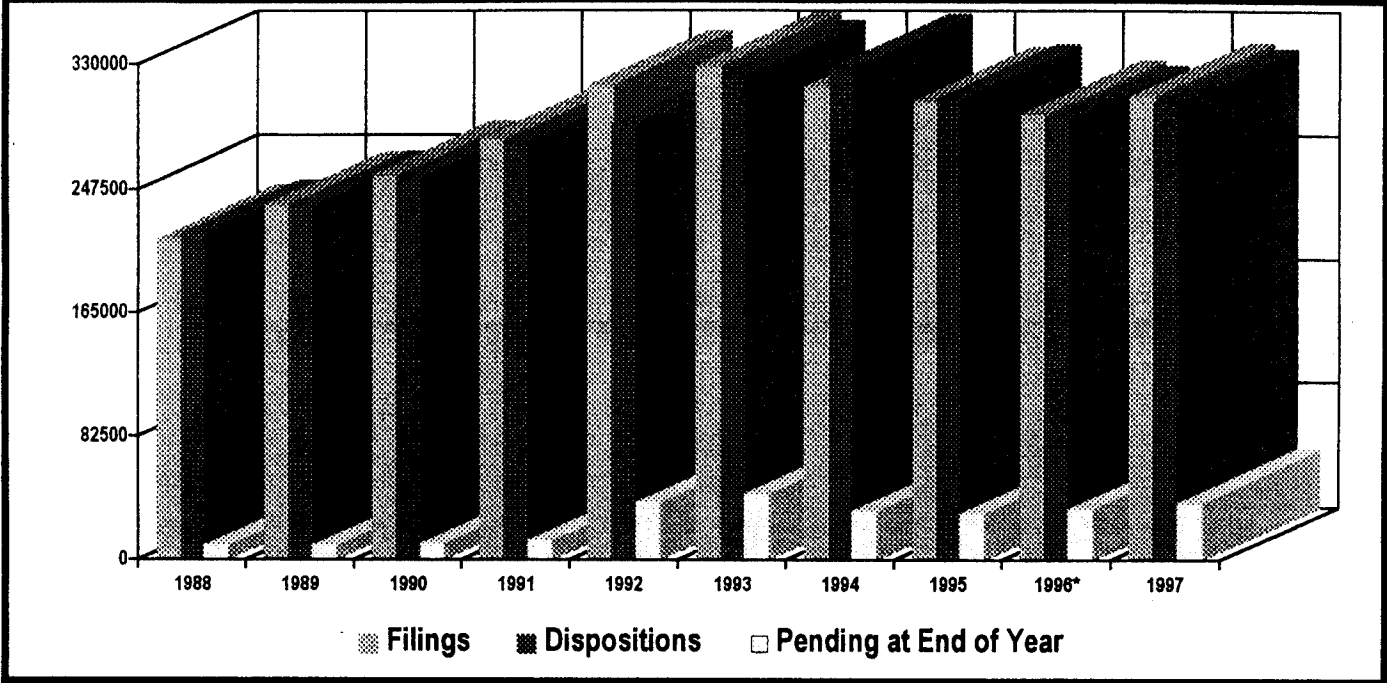
VAC = Voluntary Assessment Center

*The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on 3 charges would be counted as 3 cases.

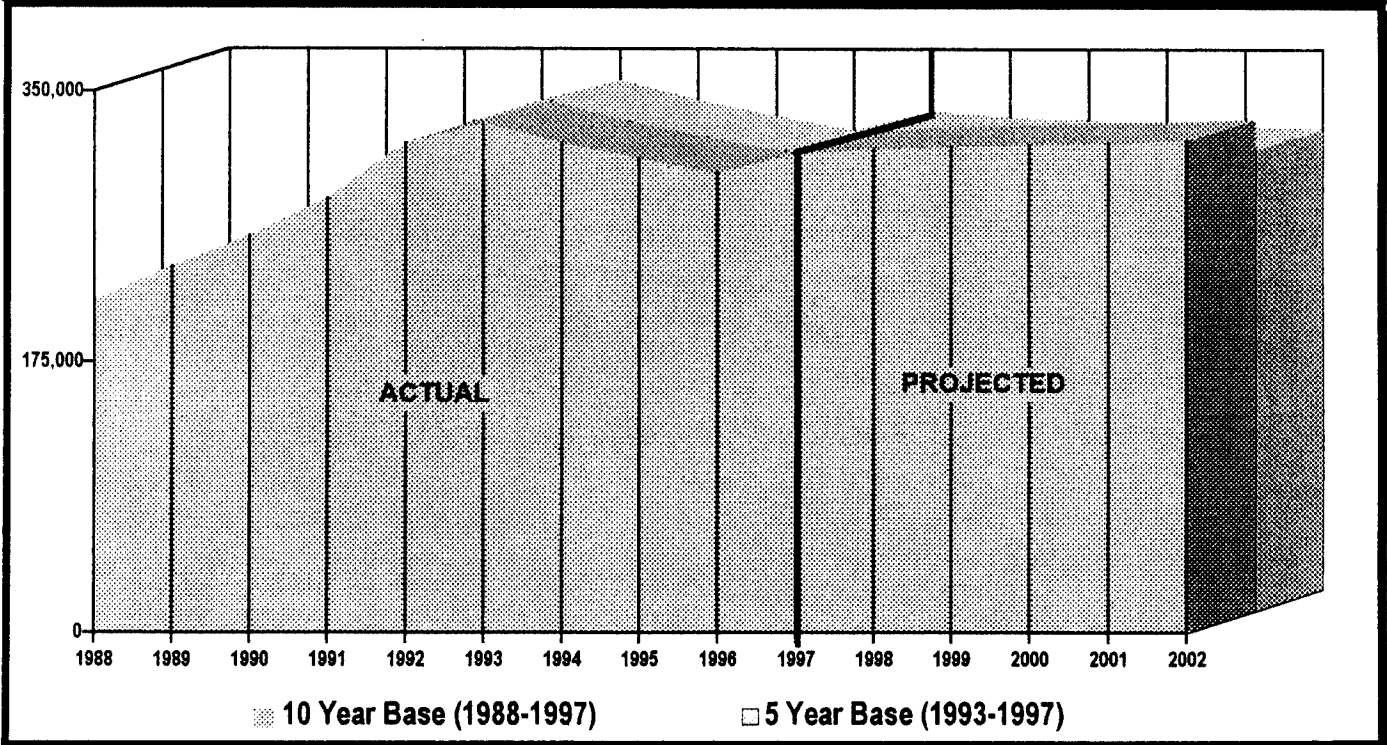
Source: Chief Magistrate's Office, Justice of the Peace Courts, Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS – TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



*Dispositions and pending at end of year amended from 1996 Annual Report.
 Trend Lines computed by regression analysis.
 Source: Administrative Office of the Courts.

Alderman's Court

ALDERMAN'S COURT

FISCAL YEAR 1997 TOTAL CASES - CASELOAD SUMMARY*

	Pending 9/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Newark	5,179	10,828	11,110	4,897	- 282	- 5.4%
Newport	278	5,843	5,781	340	+ 62	+ 22.3%
Sussex County						
Bethany Beach	560	2,035	1,902	693	+ 133	+ 23.8%
Delmar	666	2,025	1,943	748	+ 82	+ 12.3%
Dewey Beach	0	1,752	1,752	0	0	0.0%
Laurel	18	1,159	1,072	105	+ 87	+ 483.3%
Ocean View	3	0	3	0	- 3	- 100.0%
Rehoboth Beach**	267	2,042	2,146	163	- 104	- 39.0%
STATE**	6,971	25,684	25,709	6,946	- 25	- 0.4%

FISCAL YEAR 1997 CRIMINAL CASES* - CASELOAD SUMMARY

	Pending 9/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Newark	332	934	1,178	88	- 244	- 73.5%
Newport	0	0	0	0	0	0.0%
Sussex County						
Bethany Beach	0	0	0	0	0	0.0%
Delmar	98	58	38	118	+ 20	+ 20.4%
Dewey Beach	0	796	796	0	0	0.0%
Laurel	4	230	206	28	+ 24	+ 600.0%
Ocean View	3	0	3	0	- 3	- 100.0%
Rehoboth Beach**	8	209	213	4	- 4	- 50.0%
STATE**	445	2,227	2,434	238	- 207	- 46.5%

FISCAL YEAR 1997 TRAFFIC CASES* - CASELOAD SUMMARY

	Pending 6/30/96	Filings	Dispositions	Pending 6/30/97	Change In Pending	% Change In Pending
New Castle County						
Newark	4,847	9,894	9,932	4,809	- 38	- 0.8%
Newport	278	5,843	5,781	340	+ 62	+ 22.3%
Sussex County						
Bethany Beach	560	2,035	1,902	693	+ 133	+ 23.8%
Delmar	568	1,967	1,905	630	+ 62	+ 10.9%
Dewey Beach	0	956	956	0	0	0.0%
Laurel	14	929	866	77	+ 63	+ 450.0%
Ocean View	0	0	0	0	0	0.0%
Rehoboth Beach	259	1,833	1,933	159	- 100	- 38.6%
STATE	6,526	23,457	23,275	6,708	+ 182	+ 2.8%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant with three charges disposed of is counted as three dispositions.

** Pending amended from 1996 Annual Report.

Source : Alderman's Courts, Administrative Office of the Courts

ALDERMAN'S COURT

COMPARISON - FISCAL YEAR 1997 TOTAL CASES - CASELOAD

	FILINGS*			
	1996	1997	Change	% Change
New Castle County				
Newark	9,493	10,828	+1,335	+ 14.1%
Newport	6,502	5,843	- 659	- 10.1%
Sussex County				
Bethany Beach	2,198	2,035	- 163	- 7.4%
Bridgeville**	0	0	0	0.0%
Delmar	1,676	2,025	+ 349	+ 20.8%
Dewey Beach	1,873	1,752	- 121	- 6.5%
Fenwick Island**	17	0	- 17	- 100.0%
Laurel	1,230	1,159	- 71	- 5.8%
Ocean View	3	0	- 3	- 100.0%
Rehoboth Beach	<u>2,540</u>	<u>2,042</u>	<u>- 498</u>	<u>- 19.6%</u>
STATE	25,532	25,684	+ 152	+ 0.6%

COMPARISON - FISCAL YEAR 1997 TOTAL CASES - CASELOAD

	DISPOSITIONS*			
	1996	1997	Change	% Change
New Castle County				
Newark	9,138	11,110	+1,972	+ 21.6%
Newport	6,561	5,781	- 780	- 11.9%
Sussex County				
Bethany Beach	2,067	1,902	- 165	- 8.0%
Bridgeville**	174	0	- 174	- 100.0%
Delmar	1,663	1,943	+ 280	+ 16.8%
Dewey Beach	1,873	1,752	- 121	- 6.5%
Fenwick Island**	17	0	- 17	- 100.0%
Laurel	1,234	1,072	- 162	- 13.1%
Ocean View	0	3	+ 3	---
Rehoboth Beach***	<u>2,340</u>	<u>2,146</u>	<u>- 194</u>	<u>- 8.3%</u>
STATE***	25,067	25,709	+ 642	+ 2.6%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant with three charges disposed of is counted as three dispositions.

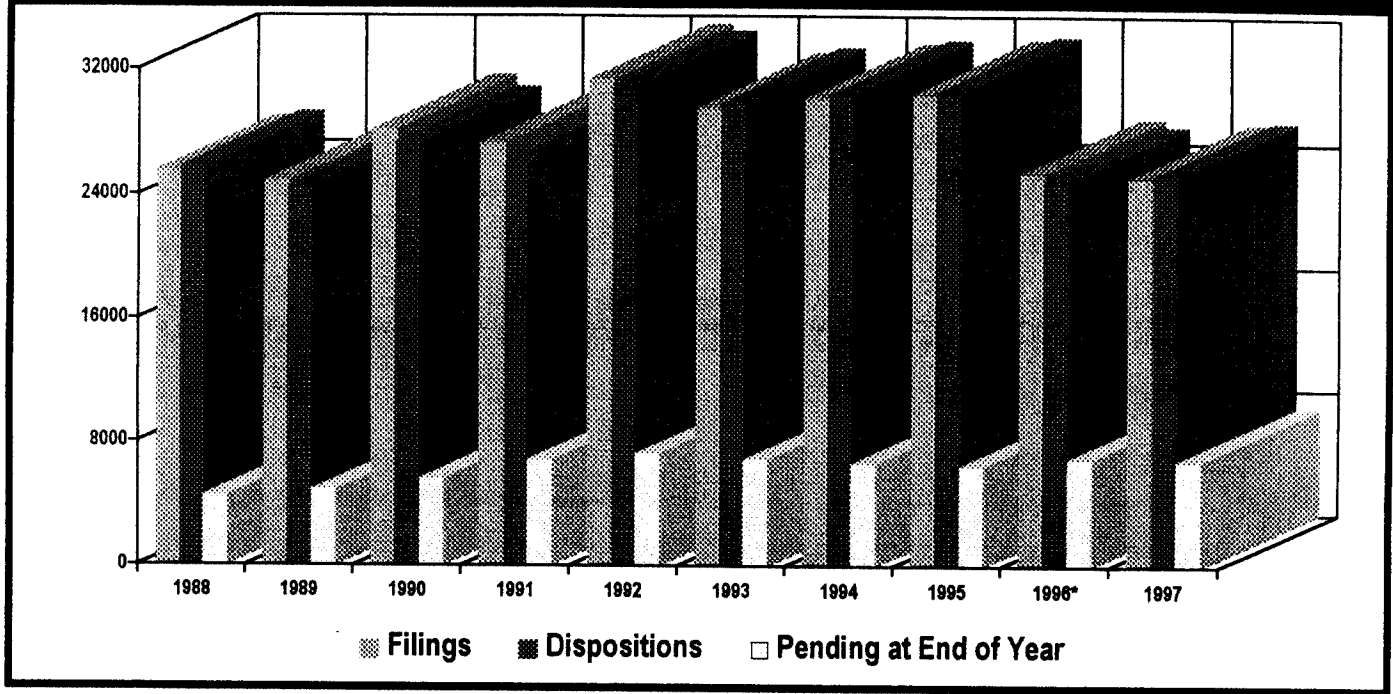
**Courts not active during FY 1997.

***Amended from 1996 Annual Report.

Source : Alderman's Courts, Administrative Office of the Courts

ALDERMAN'S COURT

10 YEAR CASELOAD TRENDS



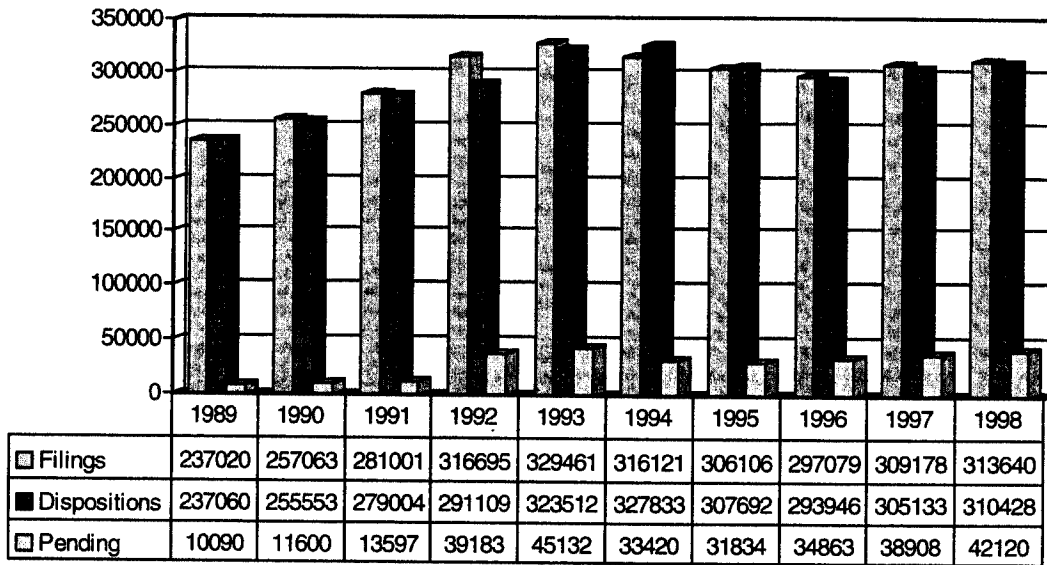
Projections are not possible because of the large changes in caseload in recent years.

*Amended from 1996 Annual Report.

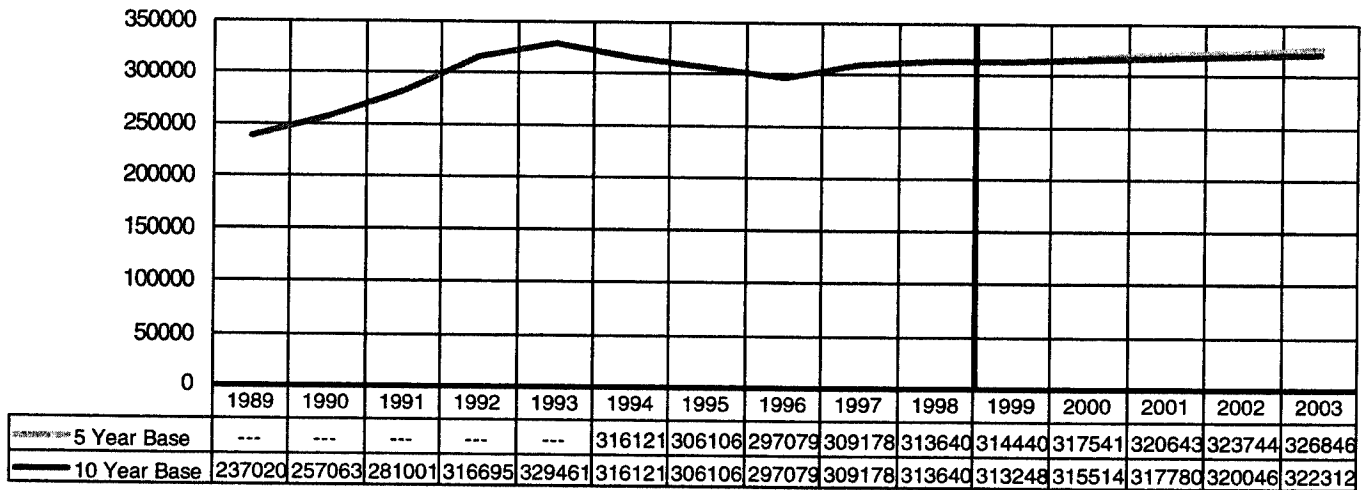
Source : Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS- TOTAL

10 YEAR CASELOAD TRENDS



5 YEAR PROJECTED FILINGS BASED ON 10 YEAR ACTUAL FILINGS



Trend lines computed by regression analysis.

Source: Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

FISCAL YEAR 1998 CRIMINAL AND TRAFFIC CASES*

	Pending 6/30/97	Filings	Dispositions	Pending 6/30/98	Change in Pending	% Change in Pending
NEW CASTLE COUNTY						
Court 10	2,602	15,302	15,226	2,678	+ 76	+ 2.9%
Court 14	965	1,922	1,933	954	- 11	- 1.1%
Court 18	165	12,962	12,565	562	+ 397	+ 240.6%
KENT COUNTY						
Court 7	1,934	32,686	32,377	2,243	+ 309	+ 16.0%
SUSSEX COUNTY						
Court 2	746	9,287	9,346	687	- 59	- 7.9%
Court 4	1,218	13,909	13,049	2,078	+ 860	+ 70.6%
TOTAL	26,389	175,472	169,592	32,269	+ 5,880	+ 22.3%
VAC	6,347	106,610	108,691	4,266	- 2,081	- 32.8%
STATE	32,736	282,082	278,283	36,535	+ 3,799	+ 11.6%

VAC= Voluntary Assessment Center.

* The unit of count for criminal and traffic cases is the charge. For example, a defendant brought before a court on three charges would be counted as three cases.

Source: Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1998 CRIMINAL AND TRAFFIC CASES* - CASELOAD BREAKDOWN

NEW CASTLE COUNTY	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
Court 9										
Court 10	113	0.7%	2,831	18.5%	11,217	73.3%	1,141	7.5%	15,302	100.0%
Court 11										
Court 14	1	0.1%	180	9.4%	1,385	72.1%	356	18.5%	1,922	100.0%
Court 15										
Court 18	1	0.0%	10,259	79.1%	1,438	11.1%	1,264	9.8%	12,962	100.0%
Court 20										
KENT COUNTY										
Court 6										
Court 7	887	2.7%	12,374	37.9%	16,956	51.9%	2,469	7.6%	32,686	100.0%
Court 8										
SUSSEX COUNTY										
Court 1										
Court 2	701	7.5%	1,764	19.0%	6,459	69.5%	363	3.9%	9,287	100.0%
Court 3										
Court 4	275	2.0%	2,316	16.7%	10,984	79.0%	334	2.4%	13,909	100.0%
Court 5										
TOTAL	4,681	2.7%	63,166	36.0%	95,880	54.6%	11,745	6.7%	175,472	100.0%
VAC	110	0.1%	0	0.0%	106,496	99.9%	4	0.0%	106,610	100.0%
STATE	4,791	1.7%	63,166	22.4%	202,376	71.7%	11,749	4.2%	282,082	100.0%

FISCAL YEAR 1998 CRIMINAL AND TRAFFIC CASES* - CASELOAD BREAKDOWN

NEW CASTLE COUNTY	Title 7 Fish/Game		Title 11 Criminal		Title 21 Traffic		Miscellaneous		TOTALS	
Court 9										
Court 10	184	1.2%	2,762	18.1%	11,331	74.4%	949	6.2%	15,226	100.0%
Court 11										
Court 14	0	0.0%	114	5.9%	1,507	78.0%	312	16.1%	1,933	100.0%
Court 15										
Court 18	2	0.0%	9,897	78.8%	1,594	12.7%	1,072	8.5%	12,565	100.0%
Court 20										
KENT COUNTY										
Court 6										
Court 7	797	2.5%	11,780	36.4%	17,542	54.2%	2,258	7.0%	32,377	100.0%
Court 8										
SUSSEX COUNTY										
Court 1										
Court 2	595	6.4%	1,946	20.8%	6,417	68.7%	388	4.2%	9,346	100.0%
Court 3										
Court 4	297	2.3%	2,060	15.8%	10,356	79.4%	336	2.6%	13,049	100.0%
Court 5										
TOTAL	3,683	2.2%	60,688	35.8%	94,488	55.7%	10,733	6.3%	169,592	100.0%
VAC	99	0.1%	0	0.0%	108,587	99.9%	5	0.0%	108,691	100.0%
STATE	3,782	1.4%	60,688	21.8%	203,075	73.0%	10,738	3.9%	278,283	100.0%

VAC=Voluntary Assessment Center

*The unit of count for criminal and traffic cases is the charge.

Source : Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1997 - 1998 CRIMINAL AND TRAFFIC CASES*

NEW CASTLE COUNTY	1997	1998	Change	% Change
Court 10	16,223	15,302	- 921	- 5.7%
Court 14	1,872	1,922	+ 50	+ 2.7%
Court 18	11,572	12,962	+ 1,390	+ 12.0%
KENT COUNTY				
Court 7	29,401	32,686	+ 3,285	+ 11.2%
SUSSEX COUNTY				
Court 2	8,862	9,287	+ 425	+ 4.8%
Court 4	11,672	13,909	+ 2,237	+ 19.2%
TOTAL	165,807	175,472	+ 9,665	+ 5.8%
VAC	113,741	106,610	- 7,131	- 6.3%
STATE	279,548	282,082	+ 2,534	+ 0.9%

COMPARISON - FISCAL YEARS 1997 - 1998 CRIMINAL AND TRAFFIC CASES*

NEW CASTLE COUNTY	1997	1998	Change	% Change
Court 10	15,656	15,226	- 430	- 2.7%
Court 14	1,718	1,933	+ 215	+ 12.5%
Court 18	11,557	12,565	+ 1,008	+ 8.7%
KENT COUNTY				
Court 7	28,837	32,377	+ 3,540	+ 12.3%
SUSSEX COUNTY				
Court 2	8,633	9,346	+ 713	+ 8.3%
Court 4	11,221	13,049	+ 1,828	+ 16.3%
TOTAL	161,155	169,592	+ 8,437	+ 5.2%
VAC	113,054	108,691	- 4,363	- 3.9%
STATE	274,209	278,283	+ 4,074	+ 1.5%

VAC= Voluntary Assessment Center

*The unit of count is the charge.

Source: Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

FISCAL YEAR 1998 CIVIL CASES

	Pending 6/30/97	Filings	Dispositions	Pending 6/30/98	Change in Pending	% Change in Pending	Executions Filed
NEW CASTLE COUNTY							
Court 12	1,358	9,401	8,772	1,987	+ 629	+ 46.3%	1,976
KENT COUNTY							
Court 16	2,362	6,595	7,596	1,361	-1,001	- 42.4%	2,665
SUSSEX COUNTY							
Court 17	974	3,797	3,925	846	- 128	- 13.1%	1,617
STATE	6,172	31,558	32,145	5,585	- 587	- 9.5%	9,506

FISCAL YEAR 1998 CIVIL CASELOAD BREAKDOWNS

	Complaints		Landlord/ Tenant		TOTALS		Complaints		Landlord/ Tenant		TOTALS	
NEW CASTLE COUNTY												
Court 12	5,339	56.8%	4,062	43.2%	9,401	100.0%	4,647	53.0%	4,125	47.0%	8,772	100.0%
KENT COUNTY												
Court 17	4,795	72.7%	1,800	27.3%	6,595	100.0%	5,357	70.5%	2,239	29.5%	7,596	100.0%
SUSSEX COUNTY												
Court 17	2,877	75.8%	920	24.2%	3,797	100.0%	2,986	76.1%	939	23.9%	3,925	100.0%
STATE	20,662	65.5%	10,896	34.5%	31,558	100.0%	20,477	63.7%	11,668	36.3%	32,145	100.0%

Source: Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

FISCAL YEAR 1998 CIVIL CASES - CASELOAD BREAKDOWN

	Complaints	Landlord/Tenant	TOTAL
NEW CASTLE COUNTY			
Court 12	+ 692	- 63	+ 629
KENT COUNTY			
Court 17	- 562	- 439	- 1001
SUSSEX COUNTY			
Court 17	- 109	- 19	- 128
STATE	+ 185	- 772	- 587

FISCAL YEAR 1998 CIVIL CASES - CASELOAD BREAKDOWN

	1997	1998	Change	% Change	1997	1998	Change	% Change
NEW CASTLE COUNTY								
Court 12	8,923	9,401	+ 478	+ 5.4%	9,043	8,772	- 271	- 3.0%
KENT COUNTY								
Court 17	5,648	6,595	+ 947	+ 16.8%	5,683	7,596	+1,913	+ 33.7%
SUSSEX COUNTY								
Court 17	3,809	3,797	- 12	- 0.3%	3,633	3,925	+ 292	+ 8.0%
STATE	29,630	31,558	+1,928	+ 6.5%	30,924	32,145	+1,221	+ 3.9%

Source: Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1998 RANKINGS IN ORDER OF TOTAL CASES FILED

1998 Rank (w/o VAC)	Court Number	Total Filings*	% of Total w/o VAC	1997 Rank (w/o VAC)
1	Court 1	31,073	16.5%	1
2	Court 7	32,686	15.8%	2
3	Court 8	24,321	13.8%	3
4	Court 10	15,302	7.4%	4
5	Court 4	18,889	8.7%	5
6	Court 18	12,962	6.3%	6
7	Court 15	2,366	1.2%	7
8	Court 12	9,401	4.5%	8
9	Court 2	9,373	4.5%	9
10	Court 13	8,242	4.0%	10
11	Court 3	5,325	2.6%	11
12	Court 6	5,325	2.6%	12
13	Court 11	5,707	2.8%	13
14	Court 9	3,636	1.8%	14
15	Court 1	3,573	1.7%	15
16	Court 5	3,428	1.7%	16
17	Court 19	2,634	1.2%	17
18	Court 14	1,922	0.9%	18
19	Court 17	1,915	0.9%	19
20	Court 20	1,617	0.8%	20
	STATE w/o VAC	207,030	100.0%	
	VAC	106,610		
	STATE w/VAC	313,640		

VAC=Voluntary Assessment Center

*The unit of count is the charge.

Source : Chief Magistrate's Office, Justice of the Peace Courts; Administrative Office of the Courts.

ALDERMAN'S
COURT

FISCAL YEAR 1998 TOTAL CASES

NEW CASTLE COUNTY	Pending 6/30/97	Filings	Dispositions	Pending 6/30/98	Change in Pending	% Change in Pending
Newport	340	N/A	N/A	N/A	N/A	N/A
SUSSEX COUNTY						
Delmar	748	1,313	1,654	407	- 341	- 45.6%
Laurel	105	1,312	1,351	66	- 39	- 37.1%
Rehoboth Beach	163	1,758	1,583	338	+175	+ 107.4%
STATE	6,946	16,413	16,679	N/A	N/A	N/A

FISCAL YEAR 1998 CRIMINAL CASES

NEW CASTLE COUNTY	Pending 6/30/97	Filings	Dispositions	Pending 6/30/98	Change in Pending	% Change in Pending
Newport	0	0	0	0	0	---
SUSSEX COUNTY						
Delmar	118	29	117	30	- 88	- 74.6%
Laurel	28	463	448	43	+ 15	+ 53.6%
Rehoboth Beach	4	333	309	28	+ 24	+ 600.0%
STATE	238	2,592	2,495	335	+ 97	+ 40.8%

FISCAL YEAR 1998 TRAFFIC CASES

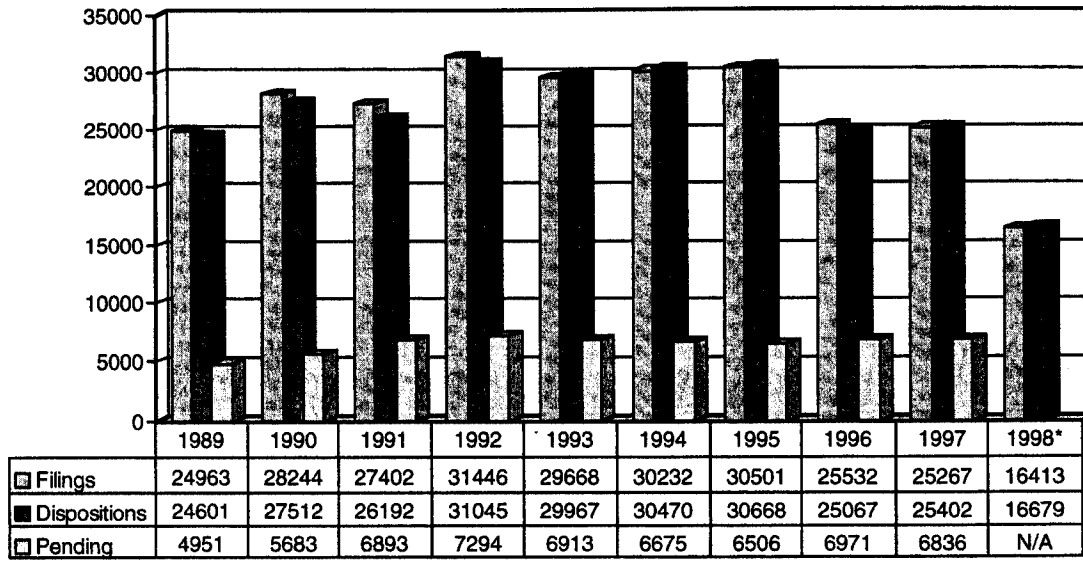
NEW CASTLE COUNTY	Pending 6/30/97	Filings	Dispositions	Pending 6/30/98	Change in Pending	% Change in Pending
Newport	340	N/A	N/A	N/A	N/A	N/A
SUSSEX COUNTY						
Delmar	630	1,284	1,537	377	- 253	- 40.2%
Laurel	77	849	903	23	- 54	- 70.1%
Rehoboth Beach	159	1,425	1,274	310	+ 151	+ 95.0%
STATE	6,708	13,821	14,184	6,345	- 363	- 5.4%

* The unit of count for criminal and traffic cases is the charge. For example, a defendant with three charges disposed of is counted as three dispositions.

Note: Data not available for Newport and Bethany Beach courts for FY'98.

Source: Alderman's Courts, Administrative Office of the Courts

10 YEAR CASELOAD TRENDS



* Pending not available.
 Projections are not possible because of the large changes in caseload in recent years.
 Source: Alderman's Courts, Administrative Office of the Courts.

COMPARISON - FISCAL YEAR 1998 TOTAL CASES

NEW CASTLE COUNTY	1997	1998	Change	% Change
Newport	5,843	N/A	0	---
KENT COUNTY				
Delmar	2,025	1,313	- 712	- 35.2%
Laurel	1,159	1,312	+ 153	+ 13.2%
Rehoboth Beach	2,042	1,758	- 284	- 13.9%
STATE	25,684	16,413	-1,393	- 5.4%

COMPARISON - FISCAL YEAR 1998 TOTAL CASES

NEW CASTLE COUNTY	1997	1998	Change	% Change
Newport	5,781	N/A	---	---
KENT COUNTY				
Delmar	1,943	1,654	- 289	- 14.9%
Laurel	1,072	1,351	+ 279	+ 26.0%
Rehoboth Beach	2,146	1,583	- 563	- 26.2%
STATE	25,709	16,679	-1,347	- 5.2%

Note: Data not available for Newport and Bethany Beach courts for FY'98.
 Source: Alderman's Courts, Administrative Office of the Courts.