



**2010 ANNUAL REPORT
OF THE
DELAWARE JUDICIARY**

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INNOVATING FOR THE FUTURE

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<http://courts.delaware.gov> (Delaware Judiciary)

*<http://courts.delaware.gov/AOC/AnnualReports/FY10>
(2010 Annual Report, Statistical Report of the Delaware
Judiciary and additional Delaware Courts background
information)*

MESSAGE FROM THE CHIEF JUSTICE



Honorable Myron T. Steele

Innovation is the key to the Delaware Courts' ability to continue to provide core, constitutionally mandated services for our constituents, given growing workload demands and diminishing resources. Our efforts to innovate have increased because the fiscal challenges that the Courts have faced since FY 2008 have increased.

To help address fiscal concerns, the Delaware Courts struggled to adjust to several million dollars in budget cuts between FY 2008 and FY 2010; instituted a stringent hiring review process (which resulted in savings to the State of Delaware of more than \$3.5 million in the last two years); and, increased state revenues by close to \$4 million during that period. Given the increasing workload demands, a 2.5% pay cut for state employees enacted in FY 2010 in response to the State's fiscal challenges, brought court employee morale to a low point. In support of staff, all judges, commissioners, and justices of the peace, constitutionally exempt from a forced pay cut, voluntarily took a similar reduction in pay, either through a direct reduction in pay or by way of contributions to law related organizations, without regard to deductibility. We are extremely relieved and pleased that the State employees pay will be restored in FY 2011. However, employees' compensation continues to fall significantly behind inflation, federal deductions, and the employee share of benefit cost increases. Similarly, Delaware judges' national standing based upon judicial compensation comparisons with other states has fallen. This is not surprising since, factoring in inflation, Delaware judges averaged a loss of nearly \$15,000 apiece in real salary dollars in the last 5 years (since the last Compensation Commission Report).

A critical fiscal area relates to increasing costs in providing constitutionally mandated legal representation and related services to those who are indigent. Dramatic growth in indigent services costs occurred in FY 2010, representing a 9% increase from the previous year, and a 71% increase over the last four years (from \$2.7 million in FY 2006 to \$4.6 million in FY 2010). Although we carefully monitor these expenses to minimize costs, the most critical cost factor is caseload, over which the Courts have no control. The number of homicides requiring conflict attorney representation jumped from 15 in FY 2006 to 57 in FY 2010. Given this trend, we vigilantly monitor this area, and are exploring options to enhance program efficiencies, including possible changes to the program structure.

Another fiscal issue is the federal mandate contained in Title VI of the Civil Rights Act of 1964, which was recently clarified by the United States Department of Justice (USDOJ) to require that state courts provide interpreter services to limited English proficiency parties in all civil, criminal and administrative proceedings, including court functions conducted outside the courtroom, at no cost to the parties and without regard to ability to pay. For the Delaware courts to change their policies to comply fully with the unquantifiable federal mandates by USDOJ, the additional cost will be substantial.

I am pleased to report that the renovation of the Kent County Courthouse progressed as scheduled this fiscal year, and with the \$19.2 million FY 2011 appropriation, the first stage of the project is slated to be completed in July 2011. Renovations of the historic courthouse will begin immediately thereafter.

The need for two new Superior Court judges and associated staff, which were first authorized in FY 2009 – based upon a clearly demonstrated need, remains unaddressed, since these resources have not yet been fully funded. Access to these desperately needed resources to support Superior Court operations in New Castle County must be achieved as soon as possible.

MESSAGE FROM THE CHIEF JUSTICE

Regardless of the fiscal challenges, the Delaware Courts continue to do our best to process cases as efficiently as possible, with the limited resources currently available. We strive to use innovative means to achieve system-wide improvements, through on-going initiatives such as the Delaware Supreme Court Task Force on Criminal Justice and Mental Health, chaired by Justice Henry duPont Ridgely. This task force continues work on improving outcomes for persons with mental illness in the criminal justice system. The Delaware Courts: Fairness for All Task Force, co-chaired by Chief Magistrate Alan G. Davis and State Court Administrator Patricia Griffin, is working on improvements to accessibility and perceived fairness of the courts. Another initiative addressing racial and ethnic fairness in the justice system culminated in the adoption of the Criminal Justice Council's Declaration of Leading Practices to Protect Civil Rights and Promote Racial and Ethnic Fairness in the Criminal Justice System in Delaware during this fiscal year.

Since this year's signing of the Hague Convention on Choice of Court Agreements by the United States, Delaware Courts have undertaken innovative initiatives to ensure that we are poised to handle disputes arising out of choice-of-court agreements in international business contracts. These efforts include the recent creation of the Complex Commercial Litigation Division to enhance the Superior Court's administrative handling of complex commercial and business cases, and the Court of Chancery's procedural changes to arbitration proceedings for business disputes.

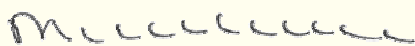
The Delaware Courts play an important role in the lives of the Delaware citizens who may use our courts to address injustices they face, as well as the national and international business community. Again in FY 2010, Delaware Courts, with the focus on fairness of process in the Superior Court, were ranked number one in the country for the eighth year in a row, in a recent national survey. Accordingly to the U.S. Chamber of Commerce's Institute for Legal Reform, which conducted the survey, two-thirds of the corporate lawyers surveyed stated that a state's legal environment is "likely to impact important business decisions at their company, such as where to locate or expand their business – up 10% from just three years ago." In addition, our Courts were included as an "influential" voice in the boardroom by "Directorship" (a magazine for corporate board members and high level corporate executives) – and the *only* court system to make that list. This recognition demonstrates the clear connection between the Delaware Courts' outstanding reputation and the State's attractiveness to businesses and other employers.

Other FY 2010 highlights include the successful completion of the civil phase of the COTS technology project and the restructuring of the COTS project, creating a new Project Leadership Team with Justice Ridgely as its chair. The Team is focusing on determining the best approach for moving forward with implementation of criminal and Family Court case management systems.

The entire system now focuses on the development, expansion, or improvement of innovative projects including the Court of Chancery's guardianship program through a volunteer monitoring program; Superior Court's mortgage foreclosure mediation program, felony Violation of Probation mental health court, and efforts to create a veterans' court; Family Court's specialized juvenile gun court and development of a risk assessment for pre-adjudicated juveniles; the Court of Common Pleas' and the Justice of the Peace Court's e-filing and e-payment initiatives, and the Justice of the Peace Court's police prosecution project.

Though facing many difficult financial challenges, the Judicial Branch continues to seek innovative solutions for meeting the needs of those who use our courts and we look with optimism toward a future improved by our efforts.

Respectfully yours,

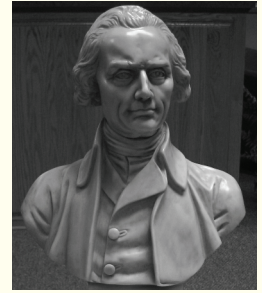


Myron T. Steele

Innovating for the Future

"I like the dreams of the future better than the history of the past."

Thomas Jefferson, Letter to John Adams, 1816



While the Delaware court system has an illustrious history, it recognizes that the spirit of innovation is what makes Delaware courts the pride of our state. Delaware's courts are meeting the challenges of an ever changing world by adopting new programs, improving technologies, and developing creative procedures to constantly advance our efforts to meet the needs of those whom we serve. The efforts discussed below illustrate this spirit of innovation.

Developing new ways to serve our business community

In the Court of Chancery, rules adopted this year for voluntary binding arbitration help provide a cost-effective means of resolving business disputes. The rules, which implement previously passed legislation, provide a number of advantages for those choosing arbitration. These include an arbitrator who is a chancellor, vice chancellor or master sitting permanently on the Court of Chancery; fast track handling of the arbitration, with arbitration hearings generally held within 90 days of filing; and private proceedings that only the parties and their representatives may attend, unless all parties agree otherwise.

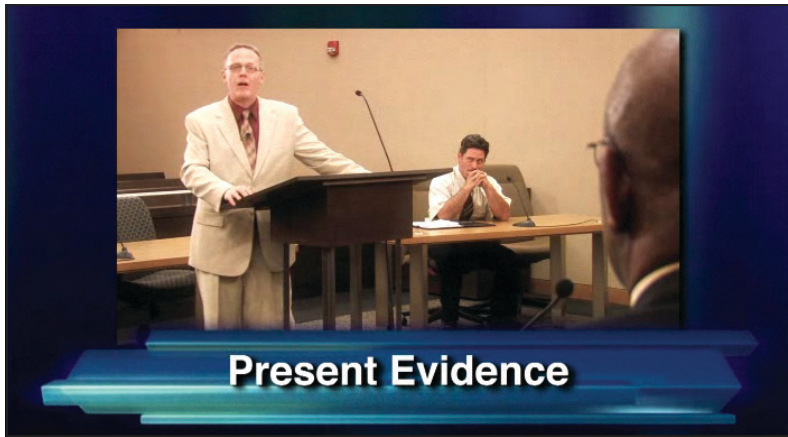
In the Superior Court, a new complex litigation division was inaugurated in 2010. The new division provides for streamlined and more uniform administration of complex commercial cases. Streamlining of cases is assured by providing firm pretrial and prompt trial dates; assigning cases to one of the three judges on the division's panel; and giving scheduling priority over other cases heard by the assigned judge. Uniformity in administration is promoted through the establishment of consistent procedures by the panel of judges, as well as a case management order that provides guidance on commonly occurring issues.

For those seeking to register a trade name with the prothonotary, a new online search of names already in use is now available to make naming and registering their business easier.

Pioneering efforts to assist self-represented litigants

The Delaware courts have long been leaders in providing information to assist self-represented litigants, with initiatives such as the Family Court Resource Centers, the Administrative Office of the Courts' Limited Pro Bono Assistance Program, and brochures and web sites provided by the courts. To promote further innovation in this area, Chief Justice Myron T. Steele created the Delaware Courts: Fairness for All Task Force in June 2008. A report issued by the Task Force during FY 2010 recommended a variety of efforts to promote these goals and implementation efforts began shortly thereafter.

These efforts have included the development of an online video to assist self-represented litigants which is available on the Judicial Branch web site; online interactive forms to assist litigants in filing a complaint; the creation of a Bench Bar Committee on Limited Scope Representation to consider whether any changes need to be made to the Delaware Rules of Professional Conduct and Court Rules to clarify issues regarding limited scope representation; and a Judicial Committee on Self-Represented Litigants to address concerns that judicial officers may have regarding balancing self-represented litigants' perceptions of procedural fairness while maintaining neutrality in the courtroom.



Screen print from the online video series for *pro se* litigants on civil case processing in the Delaware Courts.

Additional efforts serving the self-represented include the Court of Chancery's launch of an online accounting system that helps individuals serving as guardians or trustees prepare an accounting for filing with the Court and the Family Court's online filing of petitions in conjunction with nCourt.

Creating Innovative Special Courts and Programs

Delaware's courts have designed special courts and programs which use effective and efficient procedures tailored to specific case types. From drug and mental health courts, which work with treatment providers to divert those with substance abuse issues or mental illnesses from the criminal justice system, to the recently created gun court in Family Court, which handles cases against juveniles involving a firearm, and the truancy court in the Justice of the Peace Court, Delaware courts are using cutting-edge concepts for processing cases, assisting individuals, and helping the community.

The Delaware Judicial Branch has also taken the lead in applying creative approaches to solving issues affecting the entire criminal justice system. Through the Delaware Supreme Court Task Force on Criminal Justice and Mental Health, the Judicial Branch has been a leader in bringing together representatives of all three branches of state government with community leaders to develop comprehensive ways of diverting individuals with mental illness from the criminal justice system and improving outcomes for such individuals when they are involved in the criminal justice system.

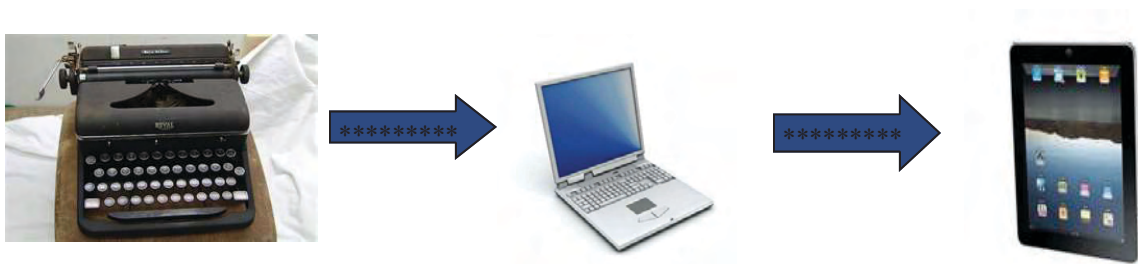
Leading Initiatives in Promoting Racial and Ethnic Fairness in the Justice System

During the past year, Justice Henry duPont Ridgely and Chief Judge Alex J. Smalls, co-chairs of the Criminal Justice Council's Racial and Ethnic Fairness Committee, led the Committee in drafting the "Declaration of Leading Practices to Protect Civil Rights and Promote Racial and Ethnic Fairness in the Criminal Justice System in Delaware." Pursuant to this Declaration, applicants for grants administered by the Criminal Justice Council must certify compliance with the Declaration to receive preference in grant awards. The courts and the Administrative Office of the Courts are focusing on ensuring that their policies and procedures are compliant with the Declaration requirements, including complaint processes, community outreach, and bias-free decision making. As a result of its efforts in this area, Delaware was one of four states awarded an ABA Racial Justice Improvement grant to support further efforts in this area.

Employing Cutting Edge Technology

Starting with the Complex Litigation Automated Docket (CLAD) in 1991, which was the nation’s first electronic docketing and filing system for civil cases, the Delaware courts have been on the leading edge of court technology. Today, some type of electronic filing is used in all of the courts and the COTS civil case management system has computerized case processing in the Superior Court, Court of Common Pleas, and Justice of the Peace Court. Besides the automatic transfer of case information through e-filing into the case management system, the COTS system provides for better document management and management reporting, and access to civil case information remotely through CourtConnect. This enhanced public access allows internet access to general information about the progress of civil cases in the three courts in which it has been implemented. Planning for improvements to the integrated criminal case processing system is currently underway.

In the courtroom, technology such as courtroom computers, projection screens, and real time court reporting supports the needs of judges, attorneys, witnesses, and jurors. For the public, the Judicial Branch web site provides a wealth of information, including “how to” instructions, court rules and forms, and information for jurors.



Teaching Tomorrow’s Citizens Today

Our children are our future and teaching them to understand the importance of an independent judicial system within our democracy is a key to developing informed citizens of tomorrow. To that end, the Judicial Branch has undertaken several creative initiatives to teach students and teachers about its role. A recently developed program, the Youth Forum, brings middle school students to the courthouse for an impromptu mock trial in which students work with real life judges, deputy attorneys general, and assistant public defenders to stage a trial and to use the jury process to determine the guilt or innocence of the “accused.” The program works with schools during the school year and with community groups in the summer.

Other efforts to reach students and teachers include the “From Classroom to Courtroom” project which works with the University of Delaware to sponsor a three day teaching institute to provide teachers with the tools needed to teach students about the justice system and the annual high school mock trial event, in which the Judicial Branch is a participant, along with others, to provide an opportunity for students to learn about the court system and to develop new skills.

Both of these efforts are part of an overall community outreach effort to inform our community about the courts which also includes use of the Judicial Branch web site, the Delaware Docket Newsletter, and the iCivics program.

MESSAGE FROM THE STATE COURT ADMINISTRATOR

Honorable Patricia W. Griffin



Over the past year, the Administrative Office of the Courts has made significant progress in a number of areas, both in initiating new projects and completing existing ones. We will continue to strive to enhance the services provided by the AOC. As a part of that initiative, I would like to recognize the efforts of all of those in the AOC who work to support the Judicial Branch and the citizens of Delaware. It is my hope that the following highlights from the past year will provide the reader with a sense of the AOC's many accomplishments during that time.

Self-Represented Litigants/Procedural Fairness

During the past year, the report of the Delaware Courts: Fairness for All Task Force was completed and approved by the Delaware Supreme Court after which implementation began. Implementation activities included:

- Developing a video for self-represented litigants. The video, which is in short segments that can be viewed individually, explains the various aspects of preparing a case and appearing in court and is available on the Judicial Branch web site.
- Preparing an interactive form for the return of a security deposit in conjunction with the Justice of the Peace Court. The form, which is found on the Court's home page, fills out the complaint form based on the answers provided by litigants to questions. This is the first in a planned series of such forms.
- Staffing a Bench Bar Committee on Limited Scope Representation which reviewed possible rule changes to clarify the parameters of such representation.
- Staffing a Judicial Committee on Self-Represented Litigants which was formed to discuss ways in which judges could be assisted in balancing the needs of self-represented litigants and the need to maintain neutrality in the courtroom.

Mental Health and Criminal Justice Task Force

The Delaware Supreme Court Task Force on Criminal Justice and Mental Health, staffed by the AOC, is charged with identifying ways to improve early identification, prevention, and system-wide responses for persons with mental illnesses entering the criminal justice system or re-entering into the community. To this end, in January 2010, the Task Force released a strategic plan with long and short term objectives based on the sequential intercept model for intercepting and diverting persons from the criminal justice system. Following adoption of the strategic plan, the Task Force began planning implementation efforts. These include a colloquium for mental health providers to be held in November 2010, Crisis Intervention Team (C.I.T.) training for law enforcement officers, which is planned for May 2011, as well as a conference on mental health issues related to the criminal justice system designed for judicial officers, the Department of Justice, the Office of the Public Defender and other appropriate treatment providers and criminal justice agencies, also planned for May 2011.

Community Outreach

During the past year, the AOC's youth forum for middle school students expanded to include seven schools during the school year and three community groups during the summer months, with approximately 350 students participating during the year. The youth forum provides an opportunity for students to learn about the court system by working with real life judges, deputy attorneys general and assistant public defenders in an impromptu mock trial held in a real courtroom during which each student participates by either taking on the role of one of these professionals or serving as a witness or juror. This year also saw the continuation of the Supreme Court's "From Classroom to Courtroom" project, coordinated by the AOC, which is a three day event through which teachers participating in the University of Delaware's externship program learn more about the court system and take this information back to their schools to assist their fellow teachers and students. Other efforts included staffing the Delaware high school mock trial program and assisting in promoting the iCivics program in Delaware. iCivics is a web-based education project, designed to teach students civics and inspire them to be active participants in our democracy. iCivics was started by former U.S. Supreme Court Justice Sandra Day O'Connor and initiated in Delaware by Delaware Supreme Court Justice Randy J. Holland. In addition, the AOC coordinated a volunteer summer internship program for high school students, who learned about the working world and the courts as they helped the Court of Common Pleas with an archiving project.



Family Court Judge William L. Chapman, Jr. talking to student participants from the Latin American Community Center during a Youth Forum last summer.



Teacher Participants in the 2010 Supreme Court "Classroom to Courtroom" Teachers Program, along with Chief Justice Myron T. Steele, Justice Henry duPont Ridgely and Justice Carolyn Berger.

Collections

A new initiative for the Office of State Court Collections is being planned for a pilot project to install kiosks, which would accept payments of fines, costs, and restitution, in Probation and Parole facilities. The system, which will operate at no charge to the State, will provide for secure, real time payments, enhance availability of services to the public, and refocus OSCCE staffing from payment processing to collections enforcement. If the pilot project is successful, OSCCE anticipates expanding the installation of kiosks to additional locations.

Racial and Ethnic Diversity

The AOC worked with the courts to prepare for certifying compliance with the Criminal Justice Council's "Declaration of Leading Practices to Protect Civil Rights and Promote Racial and Ethnic Fairness in the Criminal Justice System in Delaware". An initiative of the CJC's Racial and Ethnic Fairness Committee co-chaired by Justice Henry duPont Ridgely and Chief Judge Alex Smalls, this project is designed to give priority in grants awarded through the CJC to those organizations in compliance with the Declaration's requirements. The AOC and the courts have focused on implementing policies and procedures consistent with those requirements, including complaint processes, community outreach, and bias-free decision making. Additionally, the AOC continued its diversity training programs for court staff. Several training sessions for Justice of the Peace Court staff were held and planning was undertaken for additional diversity training sessions for court staff for next year.

Overseeing the provision of language access services to the courts remains a key focus of the AOC. In FY 2010, the AOC worked with the courts to identify key documents for translation, install Spanish signage for the New Castle County Courthouse (signage for other courthouses is being undertaken through the translation project), and implement a telephonic interpreter pilot project providing language assistance at Justice of the Peace Court front counters.

Continuity of Operations Planning/Security/Facilities

During the past year, the Judicial Branch became one of the first State entities to complete the Living Disaster Recovery Planning System (LDRPS), a statewide effort coordinated by the Department of Technology and Information. In addition, testing of the Notifind system, which provides for notification of key personnel in an emergency, has been completed.

Security and facilities work during FY 2010 focused on improvements to the Department of Corrections parking lot at the New Castle County Courthouse, which was paved and fenced in for security purposes. In addition, work began on installing a security gate for the NCCCH's loading dock and preparing for the installation of new courthouse front doors.

Technology Management and Support

With the completion of the civil phase of the new COTS case management system, the Supreme Court adopted a modified COTS governance structure to be used in support of the remaining phases of the project. Led by a new Project Leadership Team, chaired by Justice Henry duPont Ridgely, and the Trial Courts COTS Committee, headed by Marianne Kennedy, Court Administrator for the Justice of the Peace Court, the COTS focus has been on determining the best approach for moving forward with modernization of the case management system. It is anticipated that a final decision on the approach to be taken for modernization of the Courts' criminal, and Family Court's civil, case management systems will be made in the coming fiscal year.

Starting this year and looking ahead to FY 2011, the AOC is reinvigorating its service-oriented approach for technology to better address COTS project demands and meet the Courts' needs. FY 2010 initiatives included the development of online e-filing user training, website improvements, and refinements to the COTS system, such as enhancements to the "courtroom assistant" program which the Courts have found beneficial.

LEGISLATION

The Judiciary's legislative team brings together representatives of the courts and the Administrative Office of the Courts to enhance the effectiveness of the Judicial Branch's relationship with the General Assembly by serving as the main Judicial Branch contact for legislative matters and by monitoring and analyzing legislation for impact on the Judiciary. The following legislation affecting the Judicial Branch was passed during FY 2010 by the General Assembly:

BILL NUMBER	DESCRIPTION
SB 24	Second leg of a Constitutional Amendment making the chief magistrate a state judge under Article IV of the Delaware Constitution.
SB 217 w/HA 1	Codifies the current practice by police and the Justice of the Peace Court of temporarily holding or placing in Department of Correction custody defendants who are unable to meaningfully participate in presentment proceedings because they are under the influence of alcohol or drugs until they are able to participate.
SB 218	Makes court costs for civil traffic offenses subject to court rule, as for other court costs, pursuant to 10 <i>Del.C.</i> § 9801.
SB220	Extends lien on chattel goods levied for sale in the Justice of the Peace Court to three years from two, consistent with provisions in Superior Court.
SB 310, Section 51	Allows for the addition of two new Superior Court judges if funding becomes available.
SB 320 w/SA 1	Provides for inmates sentenced after the enactment of the statute to be awarded good time credit. However, those inmates serving a life sentence or sentenced as habitual offenders under 11 <i>Del.C.</i> § 4214 or sentenced under 11 <i>Del.C.</i> § 4204(k) are excluded.
HB 324	Eliminates a reference to a code section which no longer regulates court costs in the Justice of the Peace Court. Court costs are now regulated by court rule subject to the approval of the Chief Justice.
HB364	Changes the upper-level management positions in the Court of Common Pleas from classified service to exempt service, consistent with similar positions in the Superior Court and the Family Court. The provisions of this legislation shall become effective at the time incumbents separate from state service.
House Joint Resolution 14	Requests Delaware's United States Congressional delegation to immediately enact legislation implementing a court fee intercept program to intercept federal tax refunds to pay overdue State court-ordered restitution, fines, fees and costs. This resolution was part of a national effort by the Conference of Chief Justices.



FISCAL OVERVIEW

SUMMARY OF JUDICIAL BUDGETS-FISCAL YEARS 2009-2011*

GENERAL FUNDS - State Judicial Agencies and Bodies

	FY 2009	FY 2010	FY 2011
	Enacted Budget	Enacted Budget	Enacted Budget
Supreme Court	\$ 3,219,500	\$ 3,140,700	\$ 3,126,900
Court of Chancery	3,105,100	3,012,700	3,002,500
Superior Court	22,202,600	21,257,200	21,152,600
Family Court	19,619,900	18,984,000	18,590,300
Court of Common Pleas	9,260,400	8,996,900	8,971,600
Justice of the Peace Court	17,261,300	16,664,800	16,611,700
Administrative Office of the Courts (AOC)	3,742,700	3,478,400	3,475,000
AOC Custodial Pass Through Funds**	4,940,000	4,876,300	5,471,300
Office of State Court Collections Enforcement	560,500	543,000	538,300
Judicial Information Center	3,585,700	3,448,400	3,448,200
Law Libraries	491,100	453,000	451,700
Office of the Public Guardian	501,700	481,200	482,900
Child Placement Review Board	526,600	502,200	491,900
Office of the Child Advocate	876,500	836,200	826,600
Child Death, Near Death & Stillbirth Commission	418,600	393,900	393,400
DE Nursing Home Residents Quality Assurance Commission	56,700	54,700	54,800
TOTAL	\$ 90,368,900	\$ 87,123,600	\$ 87,089,700

*The FY 2009 Enacted Budget does not reflect reversions of appropriated budget funds back to the General Fund. Judicial Branch reversions were \$735,200 in FY 2009. No reversions were taken in FY 2010. As of the date of this publication, no reversions were taken in FY 2011.

**These programs are included in AOC funding but are shown separately because they are pass-through funds. They include the Court Appointed Attorney Programs, Interpreters, Victim Offender Mediation Program, Elder Law Program, and COTS.

Source: Administrative Office of the Courts

FISCAL OVERVIEW

COURT GENERATED REVENUE* - FISCAL YEAR 2010

Submitted to the State General Fund

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Supreme Court	\$ 107,200	\$ -	\$ -	\$ -	\$ 107,200
Court of Chancery**	8,500	-	52,700	609,900	671,100
Superior Court	3,890,800	350,600	2,300	305,400	4,549,100
Family Court	505,300	61,600	-	16,100	583,000
Court of Common Pleas	3,243,400	977,800	-	88,900	4,310,100
Justice of the Peace Court	3,094,200	1,094,900	-	19,000	4,208,100
Office of State Court Collections Enforcement (OSCCE)***	9,600	11,300	-	-	20,900
OSCCE - DOC Fees****	890,600	-	-	-	890,600
State Total	\$11,749,600	\$ 2,496,200	\$ 55,000	\$ 1,039,300	\$15,340,100

Submitted to Counties and Municipalities

	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 140,000	\$ 63,300	\$ -	\$ -	\$ 203,300
Court of Common Pleas	2,800	800,700	-	-	803,500
Justice of the Peace Court	-	2,909,400	-	-	2,909,400
Counties and Municipalities Total	\$ 142,800	\$ 3,773,400	\$ -	\$ -	\$ 3,916,200

GRAND TOTAL **\$11,892,400** **\$ 6,269,600** **\$ 55,000** **\$ 1,039,300** **\$ 19,256,300**

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

**Corrected information.

***The figures shown for the Office of State Court Collections Enforcement (OSCCE) in this row reflect fees, costs and fines for cases that have been closed by Family Court. OSCCE also collects fees, costs and fines for current cases for Superior Court and the Justice of the Peace Court. Amounts collected by OSCCE on behalf of Superior Court and the Justice of the Peace Court are included in the figures for those courts. See also the OSCCE table on page 12 for amounts collected by OSCCE for each court.

****OSCCE collected supervision fees on behalf of the Department of Correction (DOC).

Source: Administrative Office of the Courts

FISCAL OVERVIEW

COURT GENERATED REVENUE - FISCAL YEAR 2010

RESTITUTION - FISCAL YEAR 2010

	Assessed	Collected	Disbursed*
Superior Court	\$ 10,737,700	\$ 2,181,400	\$ 2,355,900
Family Court	113,200	267,500	256,400
Court of Common Pleas	673,800	592,600	576,800
Justice of the Peace Court	39,100	56,300	33,800
Office of State Court Collections Enforcement**	-	52,000	58,100
RESTITUTION TOTAL	\$ 11,563,800	\$ 3,149,800	\$ 3,281,000

ASSESSMENTS AND COLLECTIONS FOR THE TRANSPORTATION TRUST FUND

	Assessed	Collected
Superior Court	\$ 218,900	\$ 60,100
Family Court	13,700	10,500
Court of Common Pleas	1,051,100	523,000
Justice of the Peace Court	2,930,900	2,382,400
TRANSPORTATION TRUST FUND TOTAL	\$ 4,214,600	\$ 2,976,000

COLLECTIONS BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT

On Behalf of Courts and Agencies***

	Total
Superior Court	\$ 2,801,100
Family Court	77,900
Justice of the Peace Court	152,300
Department of Correction	890,600
OSCCE - TOTAL COLLECTIONS	\$ 3,921,900

*The amount disbursed is greater than the amount collected because some funds collected in FY 2009 were disbursed in FY 2010.

**The figures shown in this table for the Office of State Court Collections Enforcement (OSCCE) reflect only restitution for cases that have been closed by Family Court. OSCCE also collects restitution on current cases for Superior Court and the Justice of the Peace Court. Amounts collected by OSCCE on behalf of those courts are included in the restitution figures for those courts.

***In FY 2010, OSCCE collections included amounts submitted to the general fund, amounts submitted to non-general fund recipients, and restitution. Amounts collected by OSCCE on behalf of all courts, except Family Court, are also included in general fund and restitution figures for those courts.

NOTE: As of July 1, 2009, the Violent Crimes Compensation Board was transferred to the Department of Justice as the Victims' Compensation Assistance Program.

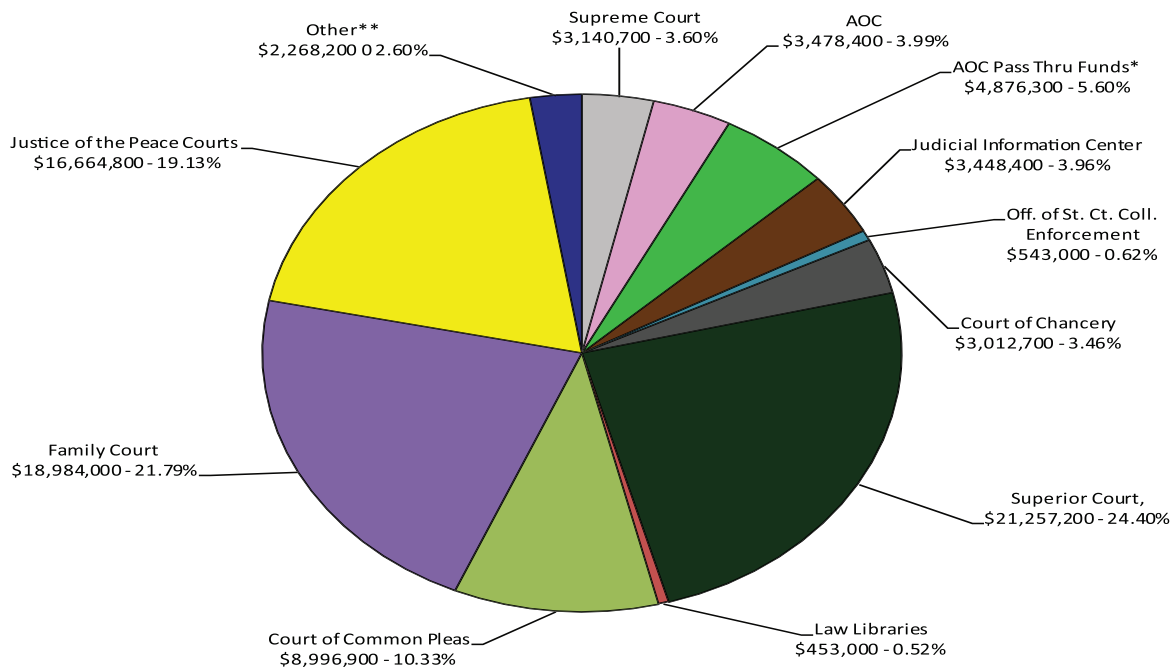
Source: Administrative Office of the Courts

FISCAL OVERVIEW

GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2010

	Total	As a %
Public Education	\$ 1,121,078,700	36.26%
Health and Social Services	813,457,900	26.31%
Correction	249,451,400	8.07%
Higher Education	224,598,100	7.26%
Children, Youth & Their Families	130,934,000	4.24%
Safety & Homeland Security	122,397,200	3.96%
Judicial Branch	87,123,600	2.82%
All Other	342,493,400	11.08%
TOTAL	\$ 3,091,534,300	100%

JUDICIAL APPROPRIATIONS - FISCAL YEAR 2010



*AOC Pass Through Funds - Conflict Attorneys, CASA Attorneys, Family Court Civil Attorneys, Court Appointed Attorneys/Involuntary Commitment, Interpreters, Victim Offender Mediation Program, Elder Law Program, COTS Maintenance Agreements (in JIC).

**Other: Office of the Public Guardian; Child Placement Review Board; Office of the Child Advocate; Child Death, Near Death & Still-birth Commission; and Delaware Nursing Home Residents Quality Assurance Commission.

Source: Administrative Office of the Courts

INTRODUCTION TO THE DELAWARE COURT SYSTEM



The Delaware Judicial Branch consists of the Supreme Court, the Court of Chancery, the Superior Court, the Family Court, the Court of Common Pleas, the Justice of the Peace Court, the Administrative Office of the 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 Court represents 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 in resources used to handle the matters and in speedier resolution of the issues at hand.

The Justice of the Peace Court, the initial entry level into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount does not exceed \$15,000. In criminal cases, the Justice of the Peace Court hears certain misdemeanors and most motor vehicle cases (excluding felonies) and the justices of the peace may act as committing magistrates for all crimes. Appeals from the Justice of the Peace Court may be taken to the Court of Common Pleas.

The Court of Common Pleas has jurisdiction in civil cases where the amount in controversy, exclusive of interest, does not exceed \$50,000. In criminal cases, the Court of Common Pleas has jurisdiction over all misdemeanors except certain drug-related offenses. It also handles motor vehicle offenses (excluding felonies). In addition, the Court is responsible for preliminary hearings in felony cases. Appeals may be taken to the Superior Court.

The Family Court has exclusive jurisdiction over virtually all 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, Delaware'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 Superior Court may be taken on the record to the Supreme Court.

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 case law in Delaware on corporate matters. Appeals from the Court of Chancery may be taken on the record to the Supreme Court.

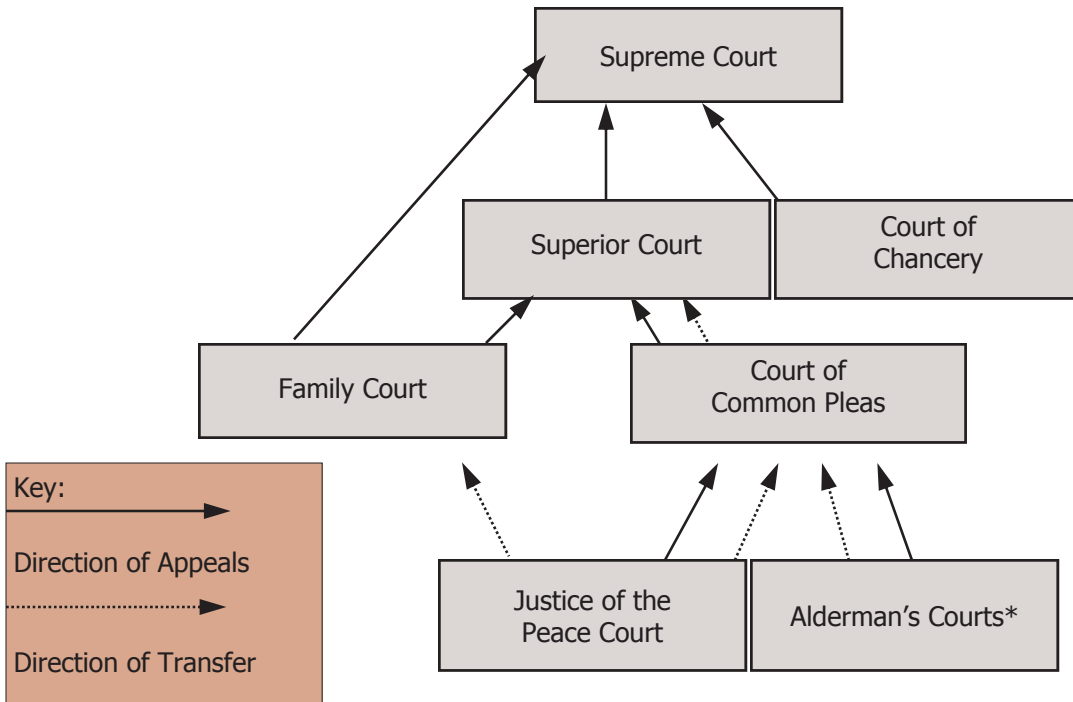
The Supreme Court receives direct appeals from the Court of Chancery, the Superior Court, and the Family Court. As administrative head of the courts, the Chief Justice of the Supreme Court, in consultation with the other justices, sets administrative policy for the court system.

The Administrative Office of the Courts, including the Judicial Information Center and the Office of the State Court Collections Enforcement, provides services to the Delaware judiciary that are consistent with the statewide policies and goals for judicial administration and support operations established by the Supreme Court.

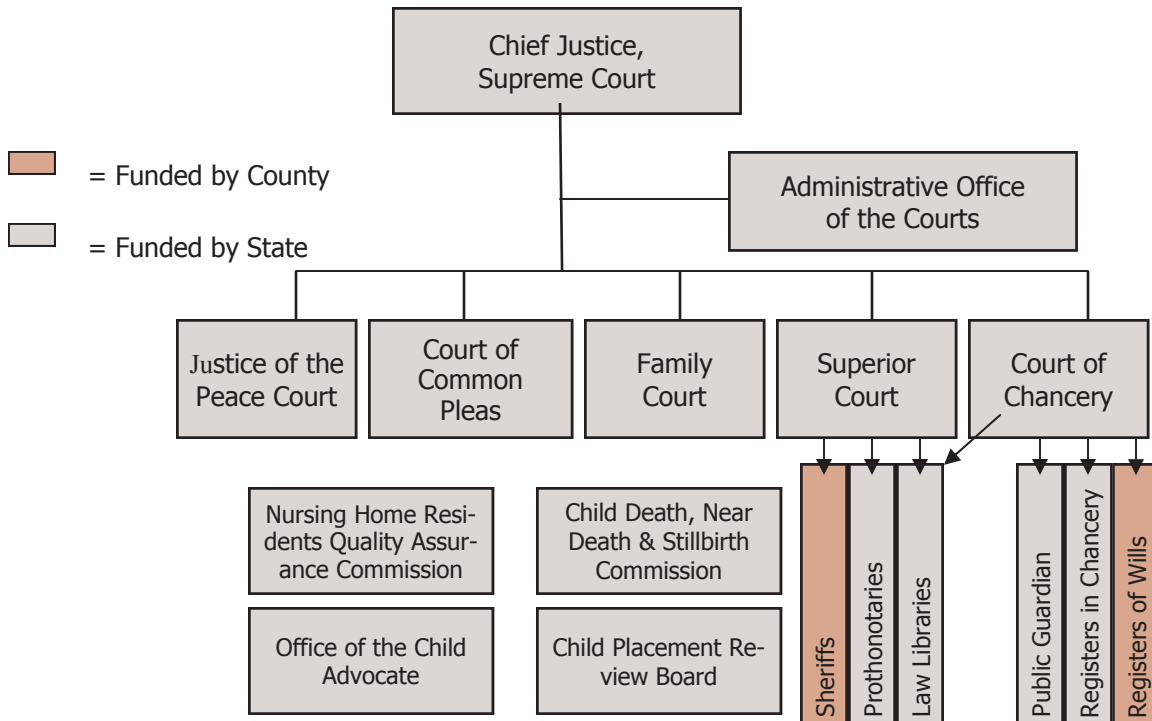
Other state agencies associated with the Delaware Judicial Branch include: Child Placement Review Board, Law Libraries, Office of the Public Guardian, Office of the Child Advocate, Child Death, Near Death and Still Birth Commission, and the Nursing Home Residents Quality Assurance Commission.

OVERVIEW OF THE COURTS

APPEALS & TRANSFERS



ADMINISTRATIVE AUTHORITY AND FUNDING



*Alderman's Courts are not part of the Delaware court system. They are independent entities within their respective municipalities. However, cases may be transferred or appealed to a State court.

THE DELAWARE COURT SYSTEM

COURT OF LAST RESORT

SUPREME COURT

Final appellate jurisdiction for criminal cases in which the sentence exceeds certain minimums, and in civil cases as to final judgments, certain orders of the Court of Chancery, the Superior Court, and the Family Court and court designated boards. Issuer of certain writs.

EQUITY COURT

COURT OF CHANCERY

Hear/determine all matters and causes in equity (typically corporate, trust, fiduciary matters, land sale, real estate, and commercial/contractual matters).

LAW COURT

SUPERIOR COURT

Original statewide jurisdiction over criminal and civil cases (except equity cases). Exclusive jurisdiction over felonies and drug offenses (except marijuana possession and most felonies/drugs involving minors). Involuntary commitments to Delaware Psychiatric Center. Intermediate appellate court from the Court of Common Pleas, Family Court (adult criminal) and administrative boards.

COURTS OF LIMITED JURISDICTION

FAMILY COURT

Extensive jurisdiction over all domestic relations matters, including divorce, custody, guardianships, adoptions, visitation, child and spousal support, and property division. Jurisdiction over intrafamily misdemeanors, misdemeanor crimes against children, and civil domestic violence protective orders. Jurisdiction over all juvenile offenses except certain serious offenses.

COURT OF COMMON PLEAS

Statewide jurisdiction in civil actions that do not exceed \$50,000. All criminal misdemeanors (except certain drug-related offenses). All motor vehicle offenses (except felonies). Responsible for preliminary hearings. Appeals from the Justice of the Peace Court, Alderman's Courts, and the Division of Motor Vehicles.

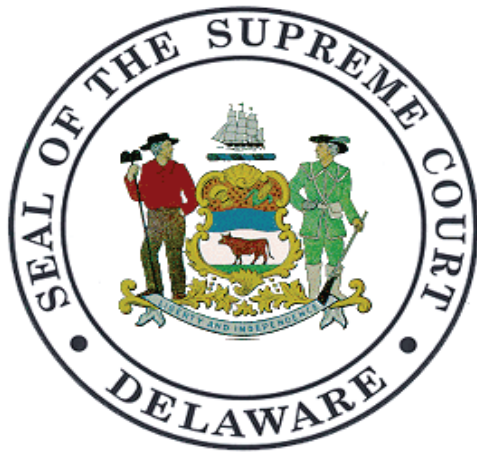
JUSTICE OF THE PEACE COURT

Civil cases that do not exceed \$15,000. Certain misdemeanors and most motor vehicle cases (except felonies). May act as committing magistrate for all crimes. Landlord/tenant disputes.

ALDERMAN'S COURTS*

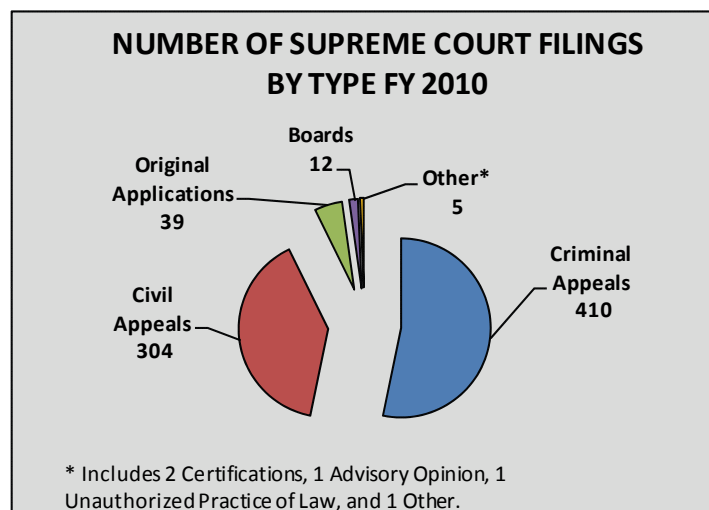
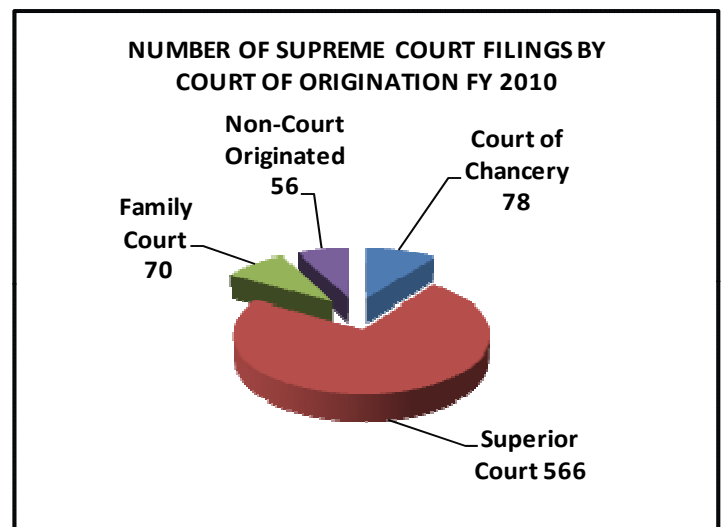
Minor misdemeanors, traffic, parking, and minor civil matters occurring within town limits (specific jurisdiction varies with town charter, as approved by the General Assembly).

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SUPREME COURT

In Fiscal Year 2010, the Delaware Supreme Court received 770 appeals and disposed of 724 appeals by opinion, order or dismissal. On average, the appeals were decided within 32.4 days from the date of submission to the date of final decision. In 95.4% of the appeals decided in FY 2010, the Court met the standard of the Delaware Judiciary for deciding cases within 90 days of the date of submission for decision. Based on the American Bar Association's Standards Relating to Appellate Courts, the Court set a performance measure for the disposition of 75% of all cases within 290 days of the date of the filing of the notice of appeal. The Court exceeded this objective by disposing of 89.4% of all cases within the 290 days timeframe. The Court set another performance measure for the disposition of 95% of all cases within one year of the date of the filing of the notice of appeal. The Court exceeded this objective by disposing of 95.7% of all cases within this one year timeframe.

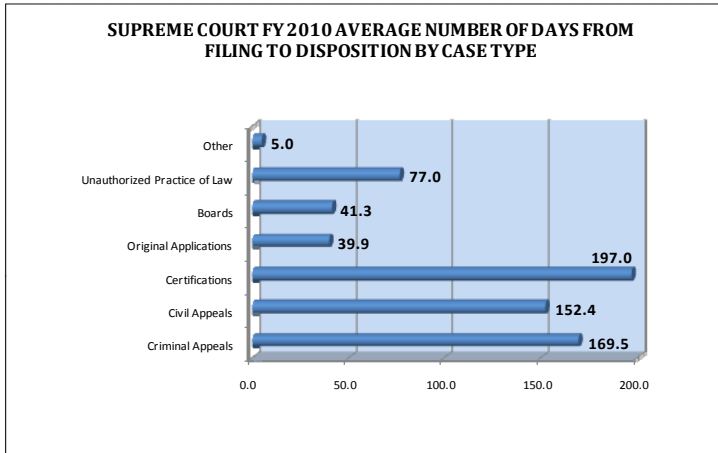


During FY10, the Court issued significant Administrative Directives pursuant to Del.Const.Art.IV, §13(1). Under Revised Administrative Directive No. 171, the Court adopted a revised version of the Judicial Branch Personnel Rules. In Superior Court v. State of Delaware Public Employment Relations Board, 988 A.2d 429 (Del. 2010), the Delaware Supreme Court found that the Public Employment Relations Board had violated the constitutional doctrine of separation of powers by certifying a union for Superior Court employees. In order to ensure that these Superior Court employees as well as other Judicial Branch employees are able to exercise their right to collective bargaining, the Supreme Court stated in the foregoing opinion that it would use its constitutional authority to establish administrative rules for the Judicial Branch setting forth its own process and procedures regarding employment relations for the Judicial Branch. Revised Administrative Directive No. 171 adds a new Chapter 20 containing Employment Relations Rules for

SUPREME COURT

non-judicial, non-merit Judicial Branch employees and an Appendix B containing Employment Relations Procedures for these employees, as well as related forms, and amends Rule 1.4 of the Judicial Branch Personnel Rules. The Court noted in a footnote to the Administrative Directive that although the rules adopted apply only to non-judicial, non-merit employees, the Supreme Court may, in the future, exercise its authority pursuant to Art. IV, § 13 of the Delaware Constitution, to provide for a uniform system of employment relations for all non-judicial Judicial Branch employees.

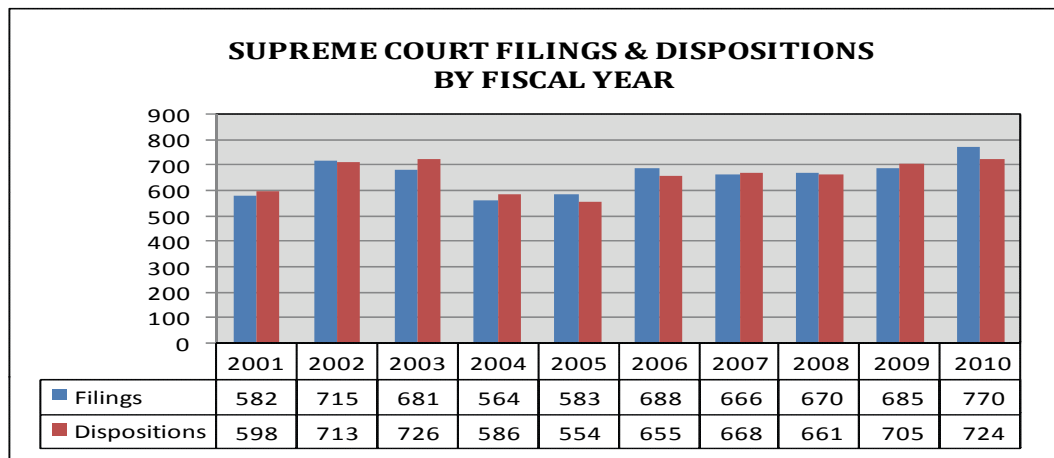
The Delaware Supreme Court Task Force on Criminal Justice and Mental Health, chaired by Justice Henry duPont Ridgely, issued a strategic plan for Delaware on January 28, 2010. The strategic plan is designed to provide a comprehensive blueprint for diverting individuals with mental illnesses, when appropriate, for improving outcomes for those with mental illness who are already engaged with the criminal justice system, for reducing criminal justice costs, and for improving public safety and public health. It requires the courts, law enforcement, state agencies and community service providers to work together to identify individuals with mental illnesses and to be more efficient and responsive in ensuring that the appropriate treatment is received either in the community or, where diversion is not appropriate, in the criminal justice system.



The Delaware Courts: Fairness for All Task Force, co-chaired by Chief Magistrate Alan G. Davis and State Court Administrator Patricia W. Griffin, issued a report on self-represented litigants in September 2009. Among the Report's recommendations is the creation of a Bench Bar Committee to consider whether to clarify rules permitting attorneys to provide limited services to clients in litigation so that those who could otherwise not afford an attorney can obtain help with certain aspects of their cases. Another recommendation is to form a judicial committee on self-represented litigants. Chief Justice Myron T. Steele appointed members to both committees which began meeting in FY 2010.

Under Administrative Directive No. 175, the Court superseded Administrative No. 94 and promulgated new reporting requirements for all members of the Delaware Judiciary regarding cases under advisement. Under Administrative Directive No. 176, the Court superseded Revised Administrative Directive No. 142 and modified the governance structure of the COTS case management system project to provide for the most effective administration of the project. Under Administrative Directive No. 177, the Court strongly encouraged each Court and the Administrative Office of the Courts, including the non-judicial agencies, to adopt a policy addressing the effects of domestic violence on the workplace.

During the past fiscal year, 3,801 Delaware lawyers filed Annual Registration Statements with the Court pursuant to Supreme Court Rule 69. The Court continues to grant Delaware Certificates of Limited Practice to in-house counsel pursuant to Rule 55.1 and Delaware Certificates of Limited Practice as a Foreign Legal Consultant pursuant to Rule 55.2.





Supreme Court Justices:

Front Row (sitting left to right)

Justice Randy J. Holland
Chief Justice Myron T. Steele
Justice Carolyn Berger

Back Row (standing left to right)

Justice Henry duPont Ridgely
Justice Jack B. Jacobs



COURT OF CHANCERY

Chancellor William B. Chandler III

Since 1792 the Court of Chancery has been an indispensable component of Delaware's legal culture. The Court's preeminence in American business law has long been established. Two of the ingredients that have enabled the Court to achieve its stature within the national and international legal community are its expertise in its jurisdiction as evidenced in its extensive case law and its ability to deal with matters in a timely fashion. In FY 2010 the Court took steps to continue its tradition of excellence.

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

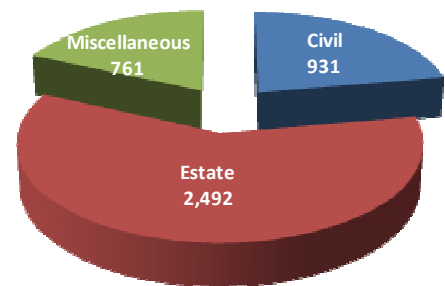
Part of the plan to continue the Court's tradition of excellence is to take advantage of the opportunities presented with the legislation that established the statewide Register in Chancery Office. Thanks to e-filing and the resultant elimination of many paper intensive tasks, the Court has benefited from the reallocation of resources within the Register's Office.

With the graying of the population, the number of persons seeking guardianships is expected to grow significantly. It is anticipated that there is a potential for this burgeoning population to need assistance in managing their personal and financial affairs. Having materials

and procedures that are user friendly and that can guide citizens is important to providing the public with the access it deserves.

The Court has also been given additional statutory jurisdiction, in the form of authority to handle arbitration matters filed with the Court. Once again the Court is being called upon to provide an expedited solution to large business and commercial disputes. In a similar view, the Court's Rules were amended to permit the Court to hold arguments, conferences and hearings via videoconferencing, thus enabling counsel and parties to have access to the Court from distant locations. These steps were taken to further the Court's reputation for providing efficient access and prompt decision-making to those who choose to incorporate in Delaware or who choose Delaware law to apply to their disputes.

NUMBER OF COURT OF CHANCERY FILINGS BY TYPE FY 2010



COURT OF CHANCERY

COURT OF CHANCERY FILINGS & DISPOSITIONS BY FISCAL YEAR



Court of Chancery (left to right)

Vice Chancellor Donald F. Parsons, Jr.
 Vice Chancellor Leo E. Strine, Jr.
 Chancellor William B. Chandler III

Vice Chancellor John W. Noble
 Vice Chancellor J. Travis Laster



SUPERIOR COURT

President Judge James T. Vaughn, Jr.

On January 24, 2010, after nearly 25 years of service, the Honorable John E. Babiartz, Jr., retired from the Superior Court bench. The well-respected, well-liked jurist is not really gone, however, as he continues to serve the Court part-time by appointment of the Chief Justice. On February 15, Superior Court welcomed Judge Diane Clarke Streett as she took her place on the bench to fill the full-time vacancy created by Judge Babiartz's retirement.

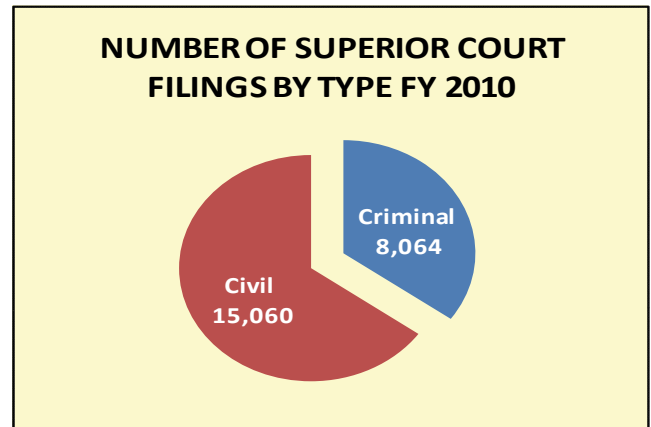
The Court saw an increase in each county's civil filings and dispositions this year. Filings were up seven percent, and disposition increased by three percent. This past year, communities statewide saw mortgage foreclosures rise by 19%. Unfortunately, there has been no decrease in foreclosures from the 39% increase last year.

New Castle County's Project Rightful Owner, designed to help residents who have lost their homes to sheriff's sale, disbursed \$916,604 to petitioners this year. Since the program's implementation in 2007, I am proud to say that over \$4,385,992 in sales proceeds over and above those necessary to pay liens has been given back to the victims of foreclosure.

Our Court's Dormant Docket, where mortgage foreclosures may be moved for up to 24 months, gives the parties in these cases a substantial period of time to negotiate the prevention of foreclosures. Currently, the Dormant Docket reflects 1,043 cases.

Fiscal year FY10 produced several important administrative changes in the Court's civil work. First, on January 1, 2010, Administrative Directive (AD) No. 2009-4 designated judgment cases for e-filing. This was done as part of the Court's effort to expand the use of e-filing to all our civil filings. Next, on February 22, 2010, AD No. 2010-2 eliminated paper files in all civil actions and matters filed

using the LexisNexis File & Serve e-file system. And finally, effective May 1, 2010, AD 2010-3 created a "Complex Commercial Litigation Division" (CCLD) for Superior Court.

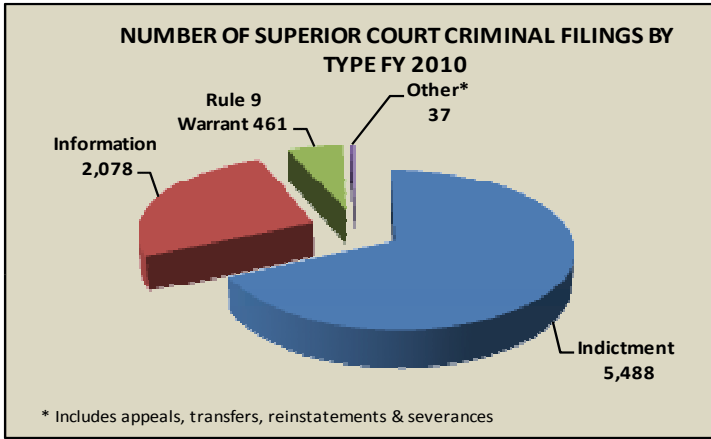


The CCLD's purpose is to improve upon the handling of complex commercial and business cases. Cases may be assigned to the CCLD when the controversy does not involve personal injury and the amount in controversy is one million dollars or greater, when an exclusive choice of court agreement is involved, or when designated by the President Judge. Cases assigned to the CCLD will be specifically assigned to a judge on the CCLD Judges' Panel (AD2010-4).

The Mortgage Foreclosure Mediation (MFM) program provides a way for homeowners to participate in court mediation with their lender. The program's goal is to assist homeowners in avoiding foreclosure by fostering negotiations between homeowners and mortgage companies. To date, there have been 104 mediations held statewide in Superior Court. The program suffered a terrible blow this year with the tragic death of Chris White, former Executive Director of Community Legal Services, Inc.

SUPERIOR COURT

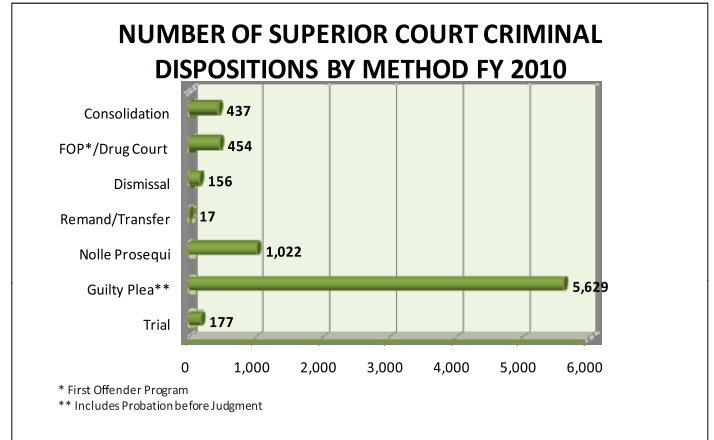
(CLASI). Chris was the driving force in creating and maintaining the program.



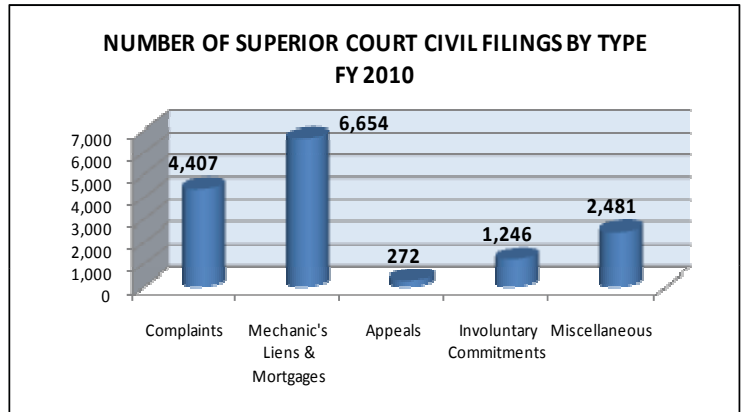
Statewide, our criminal statistics show that there were 8,064 criminal filings and 7,892 cases dispositions. These numbers represent a nine percent decrease in filings from last fiscal year, but there were 15 % fewer cases disposed of. As of June 30, 2010, there were 34 murder cases pending in Superior Court. Seventy-nine percent of these 34 cases are pending in New Castle County. Additionally, 5,523 violations of probation (VOP) cases were filed and 4,535 had final dispositions.

In keeping with our goal to reduce the number of VOP's this year, the Court expanded the VOP Mental Health Court, begun in New Castle County, to Kent and Sussex Counties. Kent County is piloting a Veteran's Court, joining our so-called "specialty courts" which include our Drug Court, Re-Entry Court, and the VOP Mental Health Court. All of these courts are means to find new ways and new treatments to assist specific offenders in getting back control of their lives. The goal of these courts is to help reduce offender recidivism rate and thereby reduce the crowded prison population.

The Court's web site continues to expand, to become more user-friendly and to offer more on-line access for our customers. In October 2009, an all new Superior Court internet site was launched. As part of that effort, a Trade, Business and Fictitious Names database was made available to the public to determine if they are registering a unique name. The application guides people through the process and provides interactive on-line forms to make the process easier. Our Listserv information service continues to grow, with 19 separate Listservs maintained, with nearly 1,974 members with access to instant notifications.



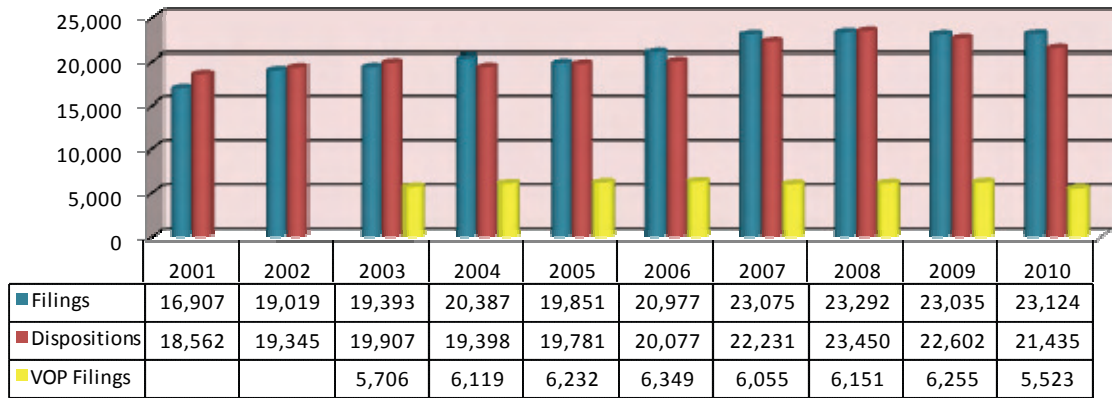
For the eighth year in a row, the Delaware Judiciary, and Superior Court in particular, were voted No.1 by a national survey which ranked Delaware's litigation environment first in the country for fairness. The survey, *Lawsuit Climate 2010: Ranking the States* by the Institute for Legal Reform, shows that Delaware continues to lead the other 49 states, holding the number one ranking for each year since the survey was first conducted in 2002.



Next year, the Court looks forward to moving into the new Kent County Courthouse. It is a building worthy of its historical surroundings. We look to the future to new challenges that the Court will face in an ever changing political and economic climate. As always, we look to work hard and to continue the Court's record of excellence in all three counties throughout the coming years.

SUPERIOR COURT

SUPERIOR COURT CIVIL & CRIMINAL FILINGS & DISPOSITIONS BY FISCAL YEAR



Front row (sitting left to right)

Judge T. Henley Graves (SC Resident Judge)
 Judge John E. Babiarz (retired January, 2010)
 President Judge James T. Vaughn, Jr.
 Judge Jerome O. Herlihy
 Judge Charles H. Toliver, IV

Second row (standing left to right)

Judge E. Scott Bradley
 Judge William L. Witham, Jr. (KC Resident Judge)
 Judge Fred S. Silverman
 Judge Richard R. Cooch (NCC Resident Judge)
 Judge William C. Carpenter, Jr.
 Judge Richard F. Stokes
 Judge Peggy L. Ableman

Back row (standing left to right)

Judge M. Jane Brady
 Judge Mary M. Johnston
 Judge Jan R. Jurden
 Judge Joseph R. Slights, III
 Judge Calvin L. Scott, Jr.
 Judge Robert B. Young
 Judge John A. Parkins, Jr.

Not Pictured: Judge Diane Clarke Streett (Sworn in February, 2010)

Standing (left to right)

Commissioner Michael P. Reynolds
 Commissioner Alicia B. Howard
 Commissioner Mark Vavala
 Commissioner Andrea Maybee Freud
 Commissioner Lynne Parker





FAMILY COURT

Chief Judge Chandlee Johnson Kuhn

We are pleased to present the annual report of the Family Court of the State of Delaware. Family Court remains firmly committed to its statutory mission set forth in 10 *Del.C.* § 902(a),

“The court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interest of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another.”

COURT IMPROVEMENT PROJECT (CIP)

The Court Improvement Program (CIP) is a multi-year, federally funded grant project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994 and continues to utilize this federal resource to embark on a dynamic new partnership with the child welfare system by focusing on the common goal of improving the safety, stability and well-being of children who have experienced abuse and neglect.

Initial CIP efforts resulted in today’s best practice of having all stages of a dependency and neglect case heard by the same judge within a schedule of hearings and reviews that meet federal standards. More children and parents have representation, case plans are more meaningful, orders more consistently include detailed reasoning, and reunification or permanency is achieved more timely.

The Court is building on that foundation through a more active partnership with others in the child welfare system, primarily the Division of Family Services, but also with legal professionals, advocates and service providers. A number of judges serve as champions in particular subject areas, ena-

bling the Court to participate more proactively than reactively with other stakeholders.

Highlights include:

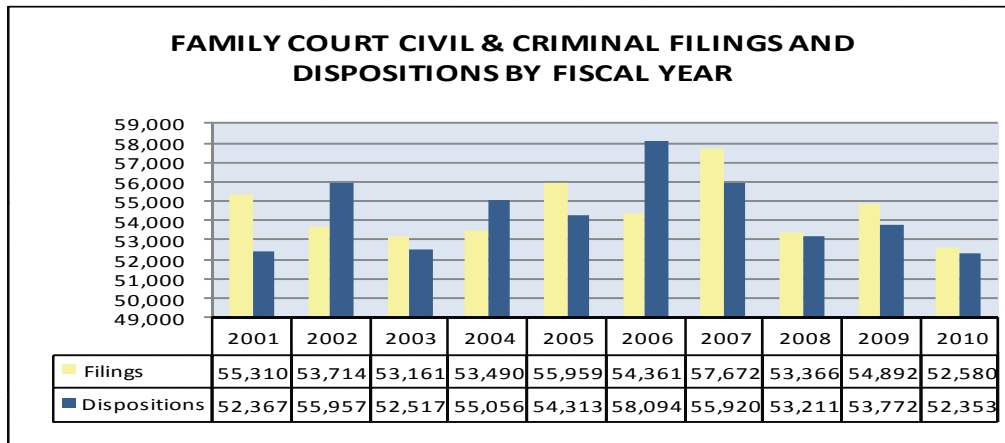
The Family Court actively assisted DSCYF in completing the federal Child and Family Services Review Program Improvement Plan (PIP) to further the goal of providing all children with safe, permanent families in which their physical, emotional, and social needs are met. Members of the Court participate in ongoing workgroups focused on fulfilling the quarterly goals of the plan, as well as other work groups with system partners that focus on legislation, improving education, enhancing services for children, and ensuring they have lasting connections as they go through early adulthood.

Collaboration is advanced through quarterly meetings between Court and DFS leadership, as well as county level quarterly stakeholder meetings intended for partners to remedy local challenges and share beneficial information.

The CIP Judges continue to meet with the Youth Advisory Committee (YAC) to discuss matters of interest to youth in foster care. YAC members and Judges remain in contact, and YAC members are speaking at Court sponsored training sessions, or participating as panel members.

Because of its sweeping systemic reforms, the Delaware Family Court was selected as a study site for the U. S. Department of Health and Human Services (HHS) to evaluate the impact of CIP. Pal Tech is conducting the court-focused evaluation in New Castle County under contract with HHS. The study began in the fall of 2006 and will take place over a five-year period. It includes observations and empirical information regarding the impact of court reforms, including their influence on the Division of Family Services and its ability to meet federal child welfare requirements.

FAMILY COURT



JUVENILE JUSTICE

Mental Health Diversion Court

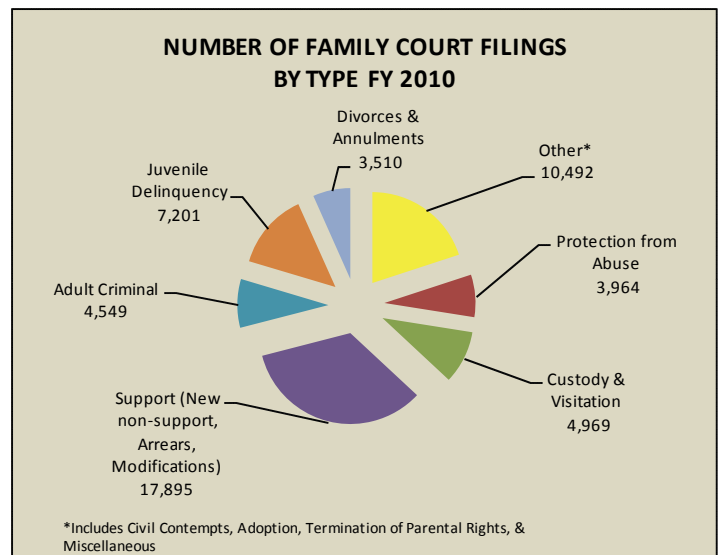
In 2006, the Family Court, in collaboration with the Office of the Public Defender and the Division of Child Mental Health, received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with delinquency charges pending against them in the New Castle County Family Court. The program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. The program began in January of 2007 and quickly acquired a full caseload. Since the programs inception, 94 juveniles have entered into the program and 58 have graduated. Of the 58 juveniles who have graduated from the program, 82% of them have not picked up new charges within six months of graduation.

In conjunction with the Mental Health Court program, the Family Court in New Castle County has created a dedicated juvenile competency calendar for conducting competency hearings and monitoring compliance with treatment recommendations for non-competent juveniles still facing open charges. One dedicated judge is assigned to hear and track all the competency hearings.

Gun Court

In April of 2009, in response to the increasing level of gun violence in the state, Chief Judge Kuhn implemented a Gun Court Calendar in New Castle County. Today, the specialized calendar has expanded to Kent and Sussex Counties. The Chief Judge presides over the calendar, hearing all case reviews, preliminary hearings and motions for all cases involving juveniles with firearm charges, as well as reviews after a finding of guilt or as a condition of a sentence.

The Gun Court provides Delaware's juveniles with an exclusive forum in which to resolve these cases quickly while providing sentencing that includes appropriate treatment, rehabilitation efforts and close court supervision.



As a result of the collaboration between the Family Court, Department of Justice, Department of Services for Children, Youth and Their Families, and law enforcement, Gun Court has been effective in substantially decreasing the population of juveniles charged with gun crimes being detained at the New Castle County Detention Center. These serious cases are being resolved more quickly and efficiently and are subject to judicial oversight.

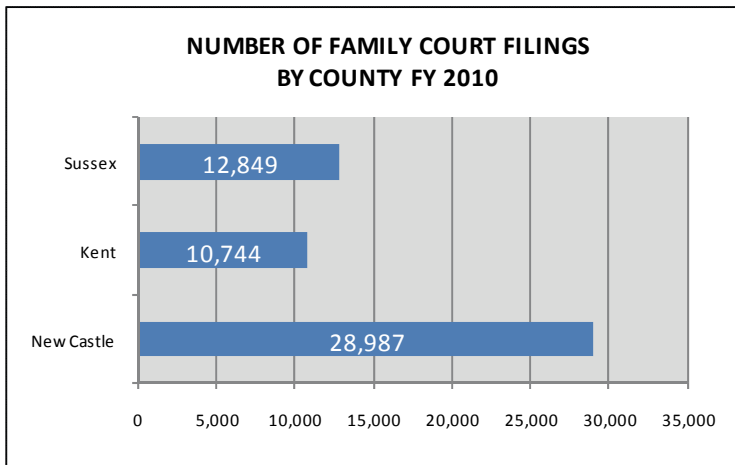
SERVICES FOR SELF-REPRESENTED LITIGANTS

In its continued effort to serve the ever-growing *pro se* litigant population, the Family Court introduced several new initiatives during the past year, while continuing to offer a high level of service to those who seek assistance in repre-

FAMILY COURT

senting themselves. Over 39,000 litigants were assisted in the Family Court Resource Centers statewide, reflecting the national and statewide trend of increasing self-representation in domestic relations law.

Last year, the Family Court partnered with nCourt, and developed an automated and secure filing system in the area of child custody which is funded by the users who pay a small convenience fee. The system prompts litigants to fill in information and answer a series of questions related to their filing, while at the same time providing them with instructions and information related to their filing and the law. At the conclusion of the questions, the system creates the forms that need to be filed for a particular type of pleading. Litigants then pay their court fees and a convenience fee online and are notified when the Family Court has accepted and processed their petition. The end result is a more accurate and legally correct pleading that can be created and filed at the litigants' convenience. The Court expanded its electronic delivery services to divorce and motions this year.



The Family Court continued its efforts to develop and implement instructional packets and resources in a variety of new areas. In addition to developing resources for its self-represented population, the Director of Pro Se Services will begin to focus on staff trainings as a newly named Director of Pro Se and Professional Services. The Director will create training resources and modules designed to increase competency and efficiency of Family Court staff that will enable the Court to better serve the public.

DOMESTIC VIOLENCE

In staying at the forefront of developments in the area of domestic violence, the Family Court has taken on a number of tasks to promote the forward momentum in this area.

In its continued efforts to provide protection and relief to victims of domestic violence, as well as ensure treatment and counseling for offenders, Family Court has created a specialized domestic violence court. The intention of this specialized court is twofold: to create greater continuity in Family Court cases involving domestic violence and to create a more standardized system of compliance for offenders.

In January 2008, Family Court began conducting Protection from Abuse review hearings. These hearings are being scheduled before the Court when a Respondent has not complied with the evaluation and treatment conditions of an active Protection from Abuse order. These reviews do not require the Petitioner to file a contempt petition in order for a hearing to be scheduled. The Court is currently reviewing this process to possibly expand review hearings to other conditions in of the Protection from Abuse order.

In addition to conducting PFA review hearings, Family Court was able to secure federal grant money to continue with the position of the Domestic Violence Court Project Coordinator to promote the efforts of the specialized domestic violence court statewide. The Coordinator will continue to monitor compliance, provide training to court staff as needed and attend various meetings of the Domestic Violence Coordinating Council on behalf of Family Court.

Lastly, on July 1, 2010 Delaware Capitol Police began providing a police officer dedicated to Family Court on PFA hearing duty in each of the three Family Courts located in New Castle, Kent, and Sussex counties. This officer will be assigned to provide a police presence at the hearings and waiting rooms to reduce the potential of violence and to maintain a safe and secured environment for anyone directly involved with PFA issues and concerns.

This officer will also be assigned to liaison with the PFA advocates to ensure that the victims who need additional attention are provided that service. The officer will (upon request) escort victims to/from the courthouse and coordinate with local law enforcement to provide escorts outside of the immediate area.

COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM

The Family Court CASA Program continues to recruit and train volunteers to provide advocacy for abused and neglected children involved in court proceedings. The CASA volunteers establish the child's best interest by gathering information and monitoring the circumstances surrounding

FAMILY COURT

the child(ren) in question. The statewide program continues to operate within each Family Court location. Diligent efforts are in place to train and recruit interested individuals to be a powerful voice for children. The CASA Program used several recruiting techniques such as: outdoor billboards along well traveled routes throughout the state; advertisements in local newspapers, radio stations, and website advertisements on Volunteer Match, Mentors, National CASA Volunteer Referrals and the Family Court CASA website. The CASA Program participated in many community events throughout the state as another means to recruit volunteers. As a result, the program has increased the exposure and knowledge about the volunteer opportunities, resulting in the doubling of the new volunteer pool from the previous year. The CASA Program has been a model used by National CASA to share with other CASA programs across the country in reference to our volunteer recruitment, new volunteer and diversity training.

Currently the program has over 255 volunteers serving over 610 children. On several occasions this year, CASA together with the Office of the Child Advocate, was able to provide 100% representation for Delaware's Children. Our diverse group of volunteers represents many professionals from distinct backgrounds and locations within the state. New volunteer training (offered quarterly) and in-service trainings (offered monthly) are extended to all volunteers within the program. Each volunteer receives over 30 hours of con-

tinuing education a year (12 hours are required annually). Over 3500 hours of service is given by the volunteers on a monthly basis, as they speak for the children we serve. Over 50% of our volunteers have remained assigned to a case beyond the 18 month commitment. The Family Court CASA Program continues to grow and make a difference for Delaware's children.

HUMAN RESOURCES

Over the past year, Family Court's HR Department has partnered with the Administrative Leadership team and focused on three (3) main areas: 1) employee engagement, 2) effective leadership, and 3) developing 'best practices'. These three elements were instrumental in helping grow and develop Family Court's employees. Through various trainings such as *Coaching for Success*, *Performance Management*, and *Sexual Harassment*, Family Court was able to sharpen the skills and knowledge of its current supervisors in an effort to help them become more effective, strategic leaders.

Overall, the Human Resources Department, in collaboration with the Administrative Leadership Team, is committed to creating a challenging work environment that focuses on talent management, talent acquisition and organization effectiveness; while at the same time making Family Court the 'employer of choice'.



Front row (sitting left to right)

Judge William M. Nicholas
Judge Jay H. Conner
Chief Judge Chandlee Johnson Kuhn
Judge Kenneth M. Millman
Judge William J. Walls, Jr.

Second row (standing left to right)

Judge Arlene Minus Coppadge
Judge Aida Wasserstein
Judge Barbara D. Crowell
Judge Joelle P. Hitch
Judge Mardi F. Pyott

Back row (standing left to right)

Judge Mark D. Buckworth
Judge Peter B. Jones
Judge Michael K. Newell
Judge William L. Chapman, Jr.
Judge Robert B. Coonin
Judge John E. Henriksen
Judge Alan N. Cooper



COURT OF COMMON PLEAS

Chief Judge Alex J. Smalls

FY 2010 was another demanding year for the Court of Common Pleas. The number of cases transferred to, and filed with, the Court of Common Pleas contributes to a high volume environment in the Court which intensified in FY 2010. Caseloads continued to rise in most categories, with the civil caseload increase representing an all-time high for the Court.

The Court of Common Pleas welcomed new judge, Eric Davis, to its bench on April 14, 2010. Judge Davis received his B.A. from the University of Virginia in 1985 and subsequently earned his JD from Emory University School of Law, graduating with honors in 1992. Judge Davis began practicing law with the Baltimore law firm of Miles and Stockbridge, P.C. in 1992 and in 1996 went on to become a partner at the law firm of Skadden, Arps, Slate, Meagher & Flom LLP. He will serve primarily in New Castle County.

The number of criminal defendant filings in the Court of Common Pleas in FY 2010 was 115,882, a 3.7% increase over FY 2009. Preliminary Hearing filings dropped from 9,940 to 9,066. However, as a result of an aggressive program by the Department of Justice of reviewing felony arrests prior to their scheduled hearings, the Court of Common Pleas is taking a significantly greater number of pleas at Preliminary Hearing. This has had a positive effect on the entire criminal justice system because it eliminates the need for these cases to be handled twice in the Court of Common Pleas and once in the Superior Court; many such cases, if not pled, would be re-filed in the Court of Common Pleas after the defendant is bound over for the Superior Court.

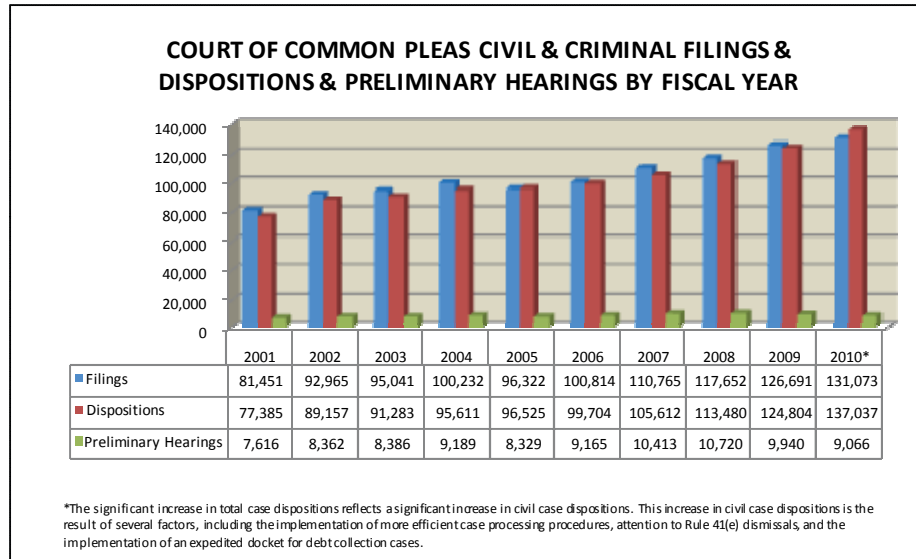
Civil filings also continued to rise. In FY 2010, 15,191 cases were filed with the Court representing a 1.7% in-

crease over FY 2009 and representing the largest number of civil cases ever filed in the Court of Common Pleas. This followed a dramatic 24% increase in FY 2009. Cases of greater complexity continue to be filed in the Court resulting in more extensive motion practice and more trial time. To allow for better management of its more complex caseload, the Court also implemented an expedited process for managing debt collection cases, reducing disposition time as well as providing opportunities for improved time management for litigants, attorneys and judges.

The Court continues to work aggressively to manage its caseload in spite of greater demands on judges and staff. Additional calendars and the application of aggressive case management techniques have begun to reduce the time to disposition in most case categories. The acquisition of funds from the American Recovery and Reinvestment Act allowed the Court to add traffic calendars in New Castle County and expedite case processing, which resulted in a reduction in time to disposition of traffic cases from 38 weeks to 18 weeks in just one year. In spite of the increase in criminal misdemeanor filings, the Court's disposition rate also continued to improve in FY 2010.

The Court also received funding through the Stop Violence Against Women Act to allow greater concentration on the movement of domestic violence cases. The goal of ensuring prompt disposition of these cases by identifying them early in the process, tracking and monitoring case activities, anticipating case flow problems/causes for delay, and initiating appropriate action to expedite cases has begun to be realized and the time to disposition of domestic violence cases dropped by three weeks.

COURT OF COMMON PLEAS

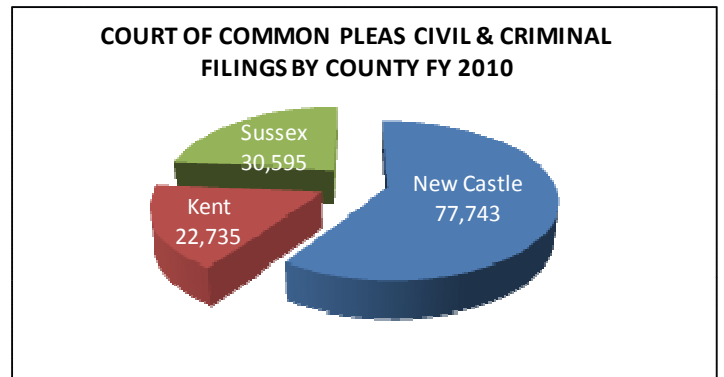


The Court continued to operate its court-supervised comprehensive drug diversion program for non-violent offenders. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing and treatment. The Drug Diversion program represents a collaborative effort between the Court of Common Pleas, the Department of Justice, the Public Defender, the private bar, the treatment providers, and the Treatment Research Institute at the University of Pennsylvania. Collaboration with the Treatment Research Center (TRI) has provided the basis for observation, research and analysis to launch scores of other drug diversion programs throughout the United States and internationally. Based on TRI's research, in FY 2010, the Court made a renewed commitment to identify and accept into the program those defendants who will most benefit from the program and who are committed to a clean and sober lifestyle. The Court has handled more than 5,820 participants since its inception in 1998.

Since 2001, the Court has referred more than 6,950 cases for mediation, with more than 1,025 referrals made to the program in FY 2010. In recent years, the Court's mediation program has been expanded and is available to parties in civil cases as well as criminal cases. Mediation provides an alternative to criminal prosecution and leaves participants in both civil and criminal cases with an increased sense of satisfaction with the justice system. The Court's mediation program continues to have a success/satisfaction rate of nearly 90%.

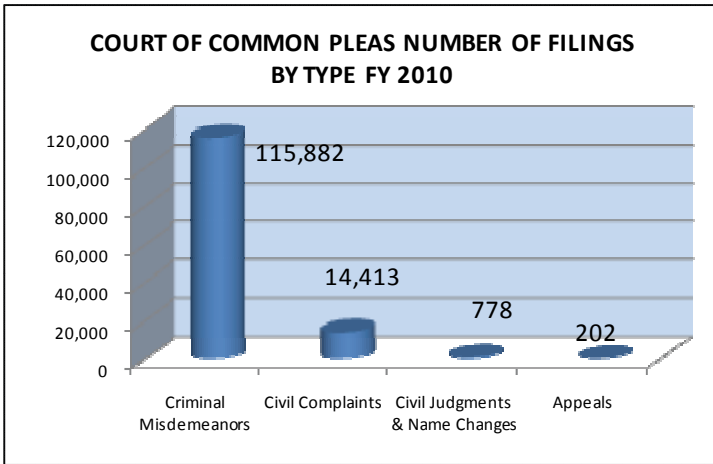
Established in 2003 as the first such court in the State, the Court of Common Pleas continues to operate its Mental Health Court in New Castle County. Modeled on the Drug Court concept, the goal of Mental Health Court is to

effectively serve the special needs of the mental health population through continuous judicial oversight and intensive case management and, through this approach, to reduce this population's contacts with the criminal justice system. Approximately 250 cases have been referred to the Mental Health Court since its inception, exceeding the original goal of serving 100 misdemeanor offenders. Ninety-eight percent of the admissions have been compliant with their case management plans and, as of June 30, 2010, 80% of the individuals who successfully completed the program did not incur new convictions within six months of their graduation.



The Court continues to explore avenues to increase efficiency through technology. A web-based payment system for the payment of fines, costs and restitution through an internet application was implemented at the end of FY 2010 and has continued to reduce the burden on Court staff by allowing people to pay their fines electronically. The Court is also exploring other opportunities by which it can serve its customers through improved public access, such as through an Interactive Voice Recognition Program and through expanded e-Payment opportunities.

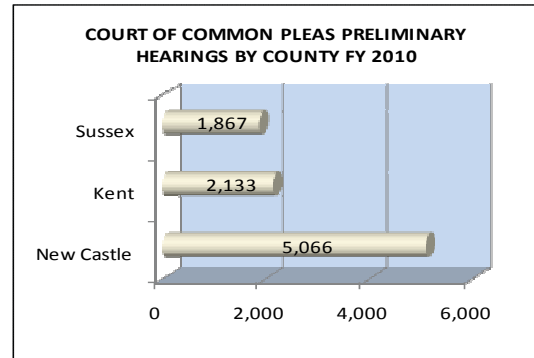
COURT OF COMMON PLEAS



The continued success of the civil COTS implementation has significantly improved access to civil cases and civil case information. E-filing has been extremely successful, with more than 90% of the Court's caseload being e-filed. In FY 2010, the Court received 48,287 e-filings and collected \$1,206,437 in receipts for those filings. Additionally, the COTS implementation provides electronic access by judges and staff to court filings, reduces the Court's reliance on paper, provides access to accurate and complete reporting information for the first time, and provides the public with internet access to civil case information.

The Court of Common Pleas commitment to enforcement of its court orders continues. In spite of a weak economy,

the Court's collection rate rose in FY 2010, going from \$6,029,900 in FY 2009 to \$6,857,200, a 13.7% increase. These collections represent money going to the State's General Fund, as well as to individual municipalities throughout the State. The Court returns more than 48% of its operating budget to the State's General Fund, a far higher percentage than any other Court. A significant portion of the Court's collections also represents restitution and compensation payments to victims of crime.



In spite of the challenges of managing a large and increasingly complex caseload, judges and staff remain committed to the mission of the Court of Common Pleas - to provide assistance and a neutral forum to people in the resolution of their everyday problems and disputes in a fair, professional, efficient and practical manner. Each member of the Court is responsible to the people the Court serves to carry out that mission on a daily basis.



Front row (standing left to right)

Judge Andrea L. Rocanelli
 Chief Judge Alex J. Smalls
 Judge Rosemary Betts Beauregard

Second row (standing left to right)

Judge Charles W. Welch, III
 Judge Joseph F. Flickinger, III
 Judge Anne Hartnett Reigle
 Judge Eric Davis
 Judge Kenneth S. Clark, Jr.
 Judge John K. Welch



JUSTICE OF THE PEACE COURT

Chief Magistrate Alan G. Davis

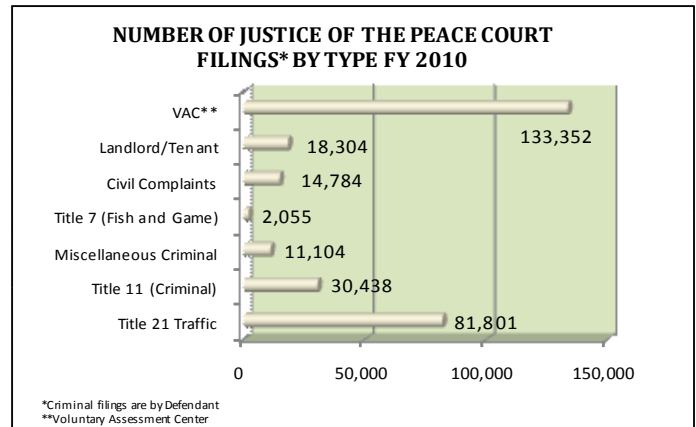
While the economic and budgetary climate over the recent past has continued to present formidable challenges, the Justice of the Peace Court made some significant advances in Fiscal Year 2010. The efforts of the administration, staff and judges of this court all contributed to making this past year one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

Police Prosecution Process

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

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

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



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

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

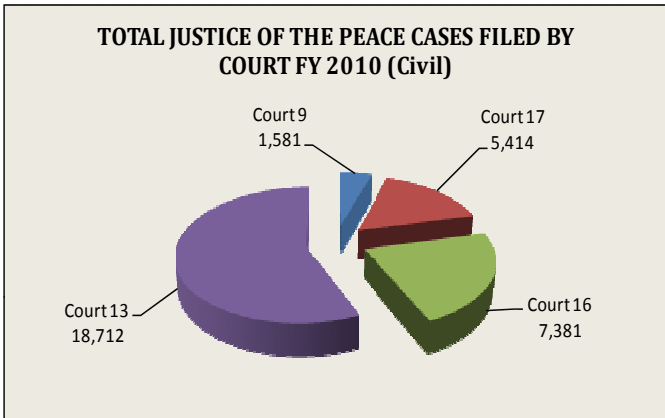
JUSTICE OF THE PEACE COURT

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

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

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

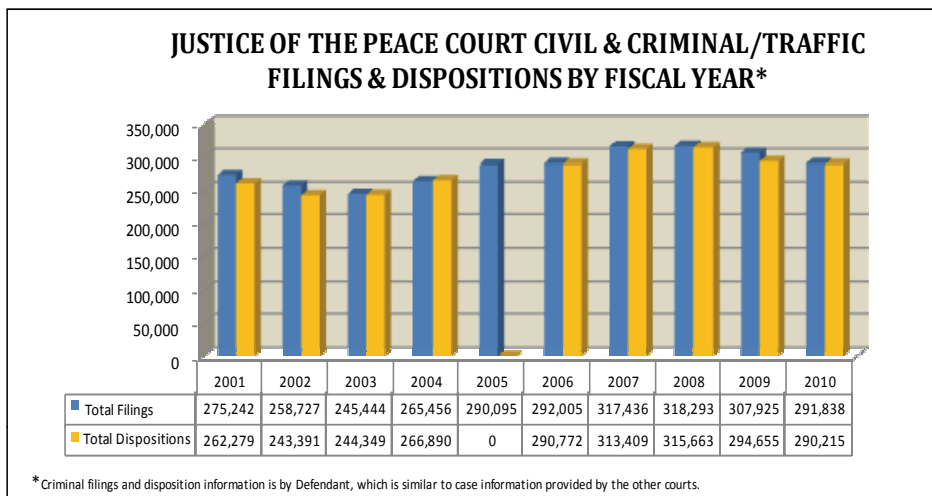
In late December 2009, the Court took possession of its new facility, a 25,000 square foot space custom renovated to meet the needs of the Court. The facility contains five public courtrooms, a secure forthwith presentment courtroom for detained individuals, and a dedicated videophone courtroom. In addition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



Consolidation and Relocation in New Castle County

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

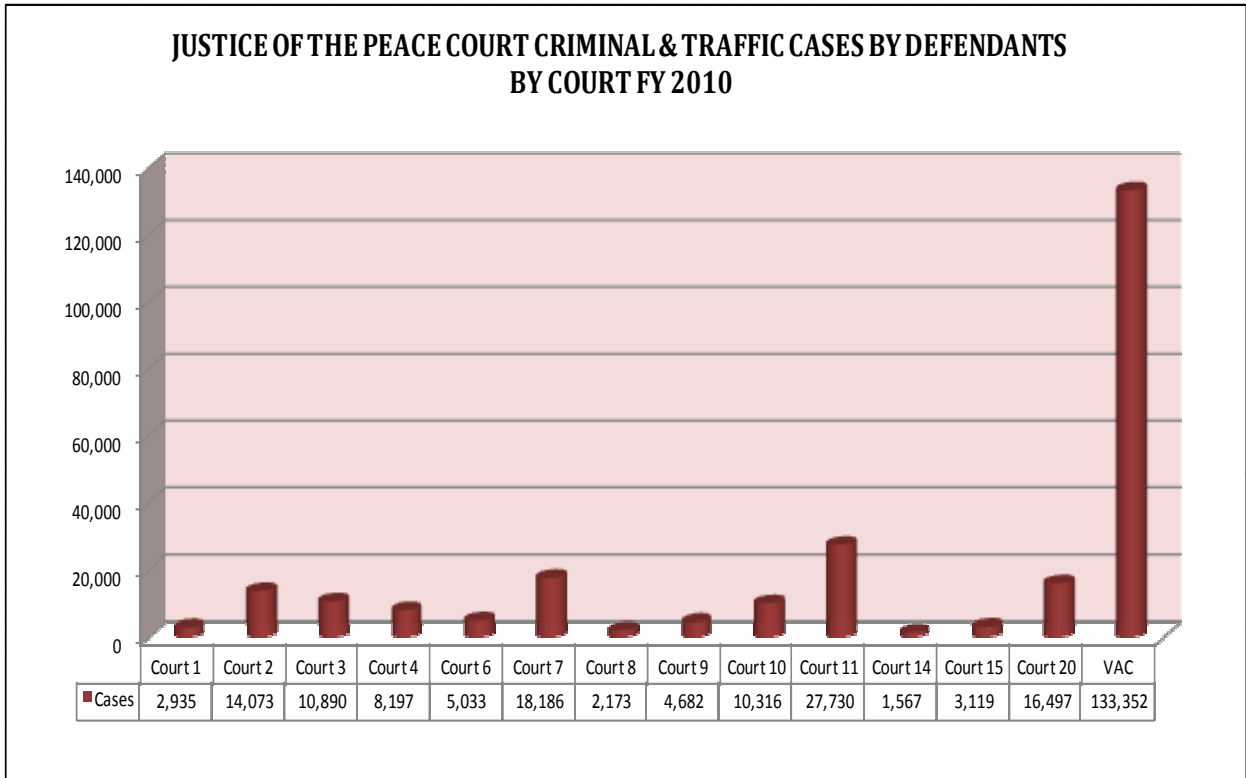
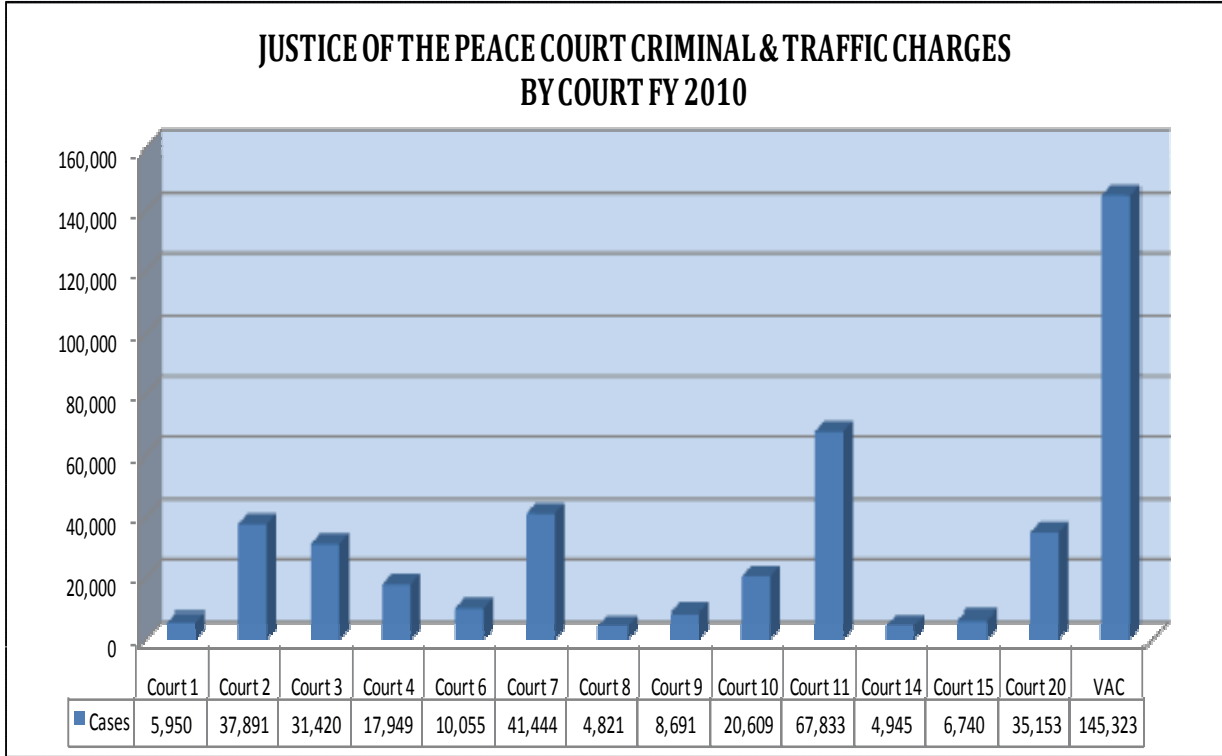
Several Court operations were consolidated into this location. The Justice of the Peace Court Administrative Office, Courts 11 and 15 and the Constable Central operation were all incorporated into the new facility. This allowed for the better management of case types, such as central DUI processing,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



JUSTICE OF THE PEACE COURT

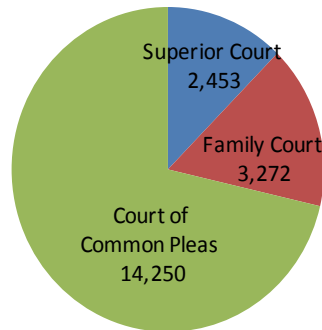
These two advancements mark significant achievements for this Court. One is “concrete” and provides a long-term home for the bulk of criminal case processing in New Castle County. It will serve this organization well as it sees changes resulting from the other, process-oriented development. Both Police

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



JUSTICE OF THE PEACE COURT

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



JUSTICE OF THE PEACE COURT JUDGES

SUSSEX COUNTY



Seated (left to right)

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

Standing (left to right)

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

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

JUSTICE OF THE PEACE COURT

KENT COUNTY

Seated (left to right)

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

Standing (left to right)

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

Not pictured:

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



NEW CASTLE COUNTY



Seated (left to right)

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

Standing middle row (left to right)

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

Standing back row (left to right)

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

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



Many thanks to the Presiding Judges, Court Administrators and others in the Courts and the Administrative Office of the Courts for their efforts related to preparing this annual report.

Special appreciation goes to Deputy State Court Administrator Christine H. Sudell, Esquire, in recognition of her retirement in December 2010, for her dedication and outstanding work as writer and editor for the Delaware Judiciary's Annual Report and the Delaware Docket, among many other contributions during the past six years.



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2010 Annual Report Statistical Information
for the Delaware Judiciary



SUPREME COURT
State of Delaware

2010 Annual Report Statistical Information



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 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 a 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 Supreme 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. The Supreme Court may have no more than a majority of one justice from any political party.

ADMINISTRATION

The Chief Justice is responsible for the administration of all courts in the State and appoints the State Court Administrator to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a court administrator, clerk of the court, staff attorneys, an assistant clerk, law clerks, legal assistants, an administrative secretary, and court clerks.



Supreme Court Justices

Front Row (sitting left to right)

Justice Randy J. Holland
Chief Justice Myron T. Steele
Justice Carolyn Berger

Back Row (standing left to right)

Justice Henry duPont Ridgely
Justice Jack B. Jacobs

SUPREME COURT

Caseload Comparison - Fiscal Years 2009-2010 - Filings				
	2009	2010	Change	% Change
Criminal Appeals	382	410	28	7.3%
Civil Appeals	263	304	41	15.6%
Certifications	2	2	0	0.0%
Original Applications	24	39	15	62.5%
Bd. on Prof. Resp.	12	12	0	0.0%
Bd. of Bar Exam.	1	0	-	-
Un. Prac. Law	0	1	-	-
Advisory Opinions	1	1	0	0.0%
Other	0	1	-	-
Total	685	770	85	12.4%

Caseload Comparison - Fiscal Years 2009-2010 - Dispositions				
	2009	2010	Change	% Change
Criminal Appeals	387	401	14	3.6%
Civil Appeals	271	273	2	0.7%
Certifications	3	2	-1	-33.3%
Original Applications	32	34	2	6.3%
Bd. on Prof. Resp.	11	11	0	0.0%
Bd. of Bar Exam.	0	1	-	-
Un. Prac. Law	0	1	-	-
Advisory Opinions	1	0	-	-
Other	0	1	-	-
Total	705	724	19	2.7%

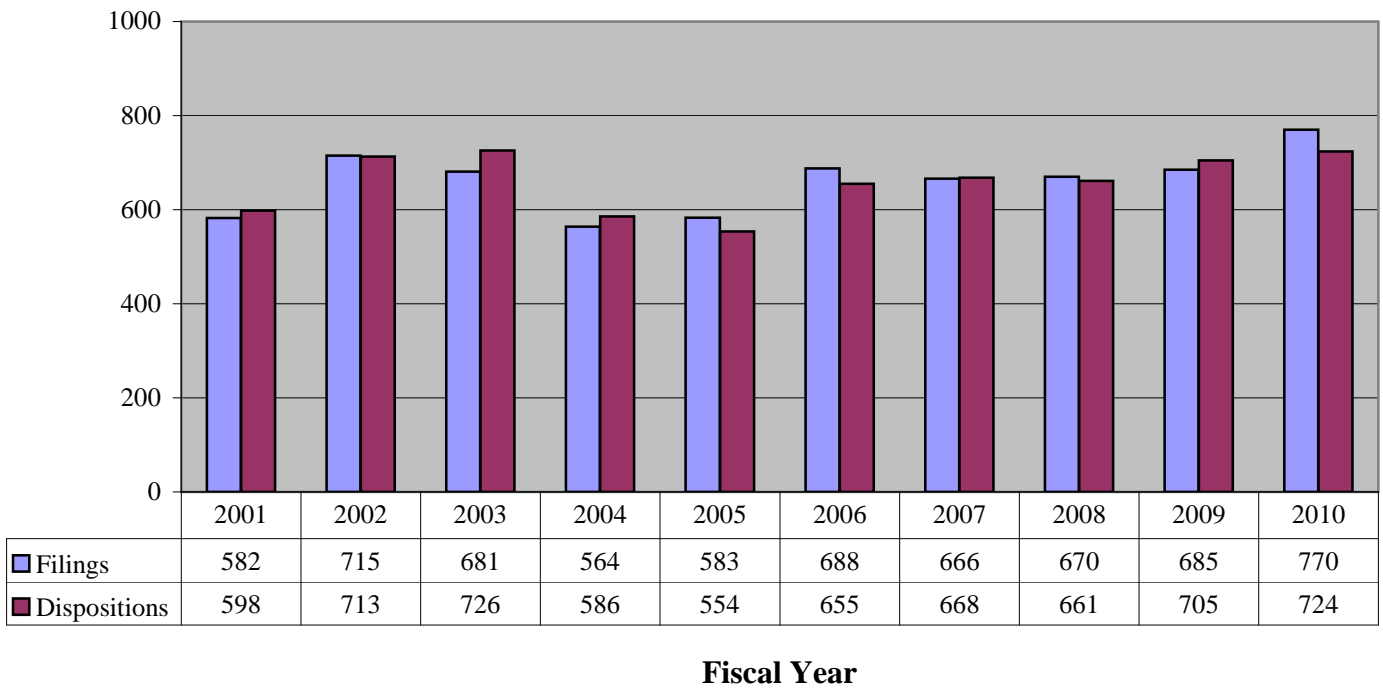
Bd. on Prof. Resp. = Board on Professional Responsibility

Bd. of Bar Exam. = Board of Bar Examiners

Un. Prac. Law = Board on the Unauthorized Practice of Law

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

Supreme Court 10 Year Total Caseload Trend



SUPREME COURT

Caseload Breakdowns Fiscal Year 2010 - Filings

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	-		410	100.0%	-		-		410	100%
Civil Appeals	78	25.7%	156	51.3%	70	23.0%	-		304	100%
Original Applications*	-		-		-		56	100.0%	56	100%
Total	78	10.1%	566	73.5%	70	9.1%	56	7.3%	770	100%

Caseload Breakdowns Fiscal Year 2010 - Dispositions

	Court of Chancery		Superior Court		Family Court		Non-Court Originated		Total	
Criminal Appeals	-		401	100.0%	-		-		401	100%
Civil Appeals	70	25.6%	140	51.3%	63	23.1%	-		273	100%
Original Applications*	-		-		-		50	100.0%	50	100%
Total	70	9.7%	541	74.7%	63	8.7%	50	6.9%	724	100%

*Original Applications include Certifications, Bd. On Prof. Resp., Bd. Of Bar Exam., Un. Prac. Law, Advisory Opinions, and Other.

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

Bd. of Bar Exam. = Board of Bar Examiners

Un. Prac. Law = Unauthorized Practice of Law

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

SUPREME COURT

Types of Dispositions Fiscal Year 2010 - Appeals																		
	Affirmed		Affirmed Part/ Reversed Part		Reversed		Remanded		Voluntary Dismissal		Court Dismissal		Leave to Appeal Denied		Other*		Total	
Criminal Appeals	262	65.3%	5	1.2%	17	4.2%	20	5.0%	43	10.7%	54	13.5%	0	0.0%	0	0.0%	401	100.0%
Civil Appeals	136	42.1%	8	2.5%	13	4.0%	0	0.0%	47	14.6%	79	24.5%	24	7.4%	16	5.0%	323	100.0%
Total	398	55.0%	13	1.8%	30	4.1%	20	2.8%	90	12.4%	133	18.4%	24	3.3%	16	2.2%	724	100.0%

Methods of Dispositions Fiscal Year 2010																		
	Assigned Opinion		Per Curiam Opinion		Written Order		Voluntary Dismissal		Other*		Total							
Criminal Appeals	49	12.2%	0		309	77.1%	43	10.7%	0		401	100%						
Civil Appeals	48	17.6%	0		179	65.6%	46	16.8%	0		273	100%						
Certifications	2	100.0%	0		0		0		0		2	100%						
Original Applications	0		0		34	100.0%	0		0		34	100%						
Bd. on Prof. Resp.	1	9.1%	1	9.1%	8	72.7%	1	9.1%	0		11	100%						
Bd. of Bar Exam.	0		0		1	100.0%	0		0		1	100%						
Un. Prac. Law	0		0		1	100.0%	0		0		1	100%						
Advisory Opinions	0		0		0		0		0		0							
Other	0		0		1	100.0%	0		0		1	100%						
Total	100	13.8%	1	0.1%	533	73.6%	90	12.4%	0	0.0%	724	100%						

* Includes any types or methods of dispositions not further broken down in these categories.

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

Bd. of Bar Exam. = Board of Bar Examiners

Un. Prac. Law = Unauthorized Practice of Law

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

SUPREME COURT

Performance Summary Fiscal Year 2010 - Average Elapsed Time to Disposition			
	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Criminal Appeals	401	169.5 days	35.9 days
Civil Appeals	273	152.4 days	28.4 days
Certifications	2	197.0 days	37.5 days
Original Applications	34	39.9 days	21.4 days
BPR&BBE	12	41.3 days	25.7 days
Un. Prac. Law	1	77.0 days	54.0 days
Advisory Opinions	0	-	-
Other	1	5.0 days	5.0 days
Total	724	153.0 days	32.3 days

Caseload Comparison - Fiscal Years 2009-2010 - Average Time From Filing to Disposition				
	2009	2010	Change	% Change
Criminal Appeals	185.9 days	169.5 days	-16.4 days	-8.8%
Civil Appeals	194.5 days	152.4 days	-42.1 days	-21.7%
Certifications	31.3 days	197.0 days	165.7 days	528.7%
Original Applications	78.0 days	39.9 days	-38.1 days	-48.9%
BPR&BBE	71.5 days	41.3 days	-30.2 days	-42.2%
Un. Prac. Law	-	77.0 days	-	-
Advisory Opinions	71.0 days	-	-	-
Other	-	5.0 days	-	-
Total	181.2 days	153.0 days	-28.1 days	-15.5%

*Average time from date submitted for judicial decision to actual date of disposition. The time for a case that is submitted and disposed in the same day is zero. Not all Supreme Court cases require a judicial decision.

BPR&BBE = Board on Professional Responsibility and Board of Bar Examiners

Un. Prac. Law = Unauthorized Practice of Law

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

SUPREME COURT

Performance Breakdowns Fiscal Year 2010 - Elapsed Time by Disposition Type			
Type of Disposition	Number of Dispositions	Average Time From Filing to Disposition	Average Time From Submission to Disposition*
Affirmed	398	200.8 days	43.8 days
Affirmed Part/Reversed Part	13	261.8 days	64.5 days
Reversed	30	309.5 days	59.8 days
Remanded	20	104.3 days	19.0 days
Voluntary Dismissal	90	60.7 days	0.0 days
Court Dismissal	133	69.3 days	17.2 days
Leave to Appeal Denied	24	10.4 days	6.9 days
Other	16	72.4 days	33.1 days
Total	724	153.0 days	32.3 days

Performance Breakdowns Fiscal Year 2010 - 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	100	279.7 days	49.3 days
Per Curiam Opinion	1	50.0 days	31.0 days
Written Order	533	145.0 days	34.6 days
Voluntary Dismissal	90	60.7 days	0.00 days
Other	0	-	-
Total	724	153.0 days	32.3 days

*Average time from date submitted for judicial decision to actual date of disposition. The time for a case that is submitted and disposed in the same day is zero. 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
State of Delaware

2010 Annual Report Statistical Information



COURT OF CHANCERY

Chancellor William B. Chandler III

LEGAL AUTHORIZATION

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

COURT HISTORY

The Court of Chancery came into existence as a separate court under the Delaware Constitution of 1792. Its creation contradicted an historical trend in eighteenth century America away from chancery courts. The Court consisted solely of a chancellor until 1939 when the position of vice chancellor was added. The increase of the court's workload, since then, has led to further expansions to its present complement of a chancellor and four vice chancellors, with the addition of the fourth vice chancellor occurring in 1989.

LEGAL JURISDICTION

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

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



Court of Chancery *(left to right)*

Vice Chancellor Donald F. Parsons, Jr.
Vice Chancellor Leo E. Strine, Jr.
Chancellor William B. Chandler III

Vice Chancellor John W. Noble
Vice Chancellor J. Travis Laster

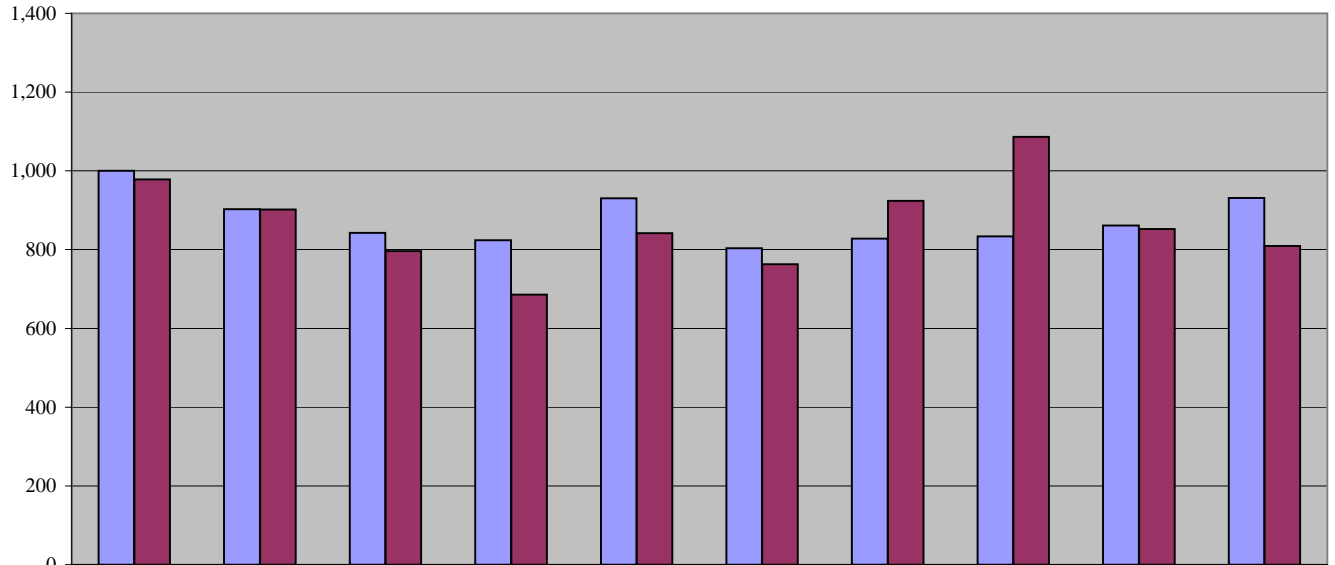
COURT OF CHANCERY

Caseload Comparison - Fiscal Years 2009-2010 - Civil Filings				
	2009	2010	Change	% Change
Statewide	861	931	70	8.1%

Caseload Comparison - Fiscal Years 2009-2010 - Civil Dispositions				
	2009	2010	Change	% Change
Statewide	852	809	-43	-5.0%

Source: Registers in Chancery; Administrative Office of the Courts

Court of Chancery 10-Year Civil Caseload Trend



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Filings	1,000	903	843	824	930	804	828	834	861	931
Dispositions	978	902	796	686	842	763	924	1,086	852	809

Fiscal Year

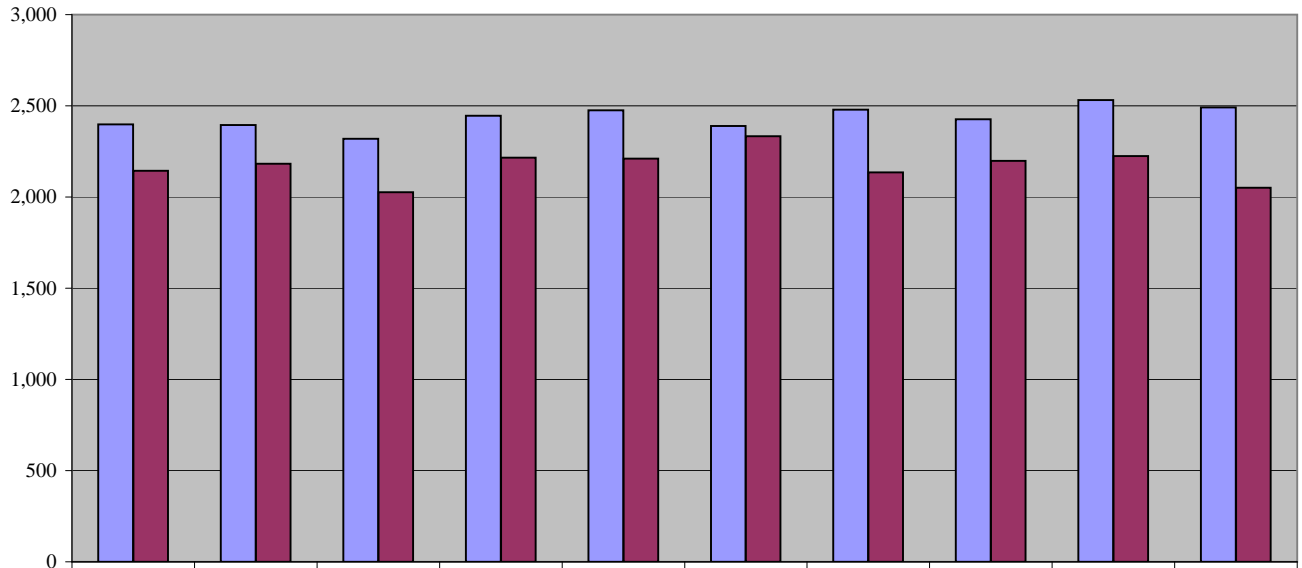
COURT OF CHANCERY

Caseload Comparison - Fiscal Years 2009-2010 - Estates Filings				
	2009	2010	Change	% Change
Statewide	2,531	2,492	-39	-1.5%

Caseload Comparison - Fiscal Years 2009-2010 - Estates Dispositions				
	2009	2010	Change	% Change
Statewide	2,225	2,051	-174	-7.8%

Source: Registers of Wills; Administrative Office of the Courts

Court of Chancery 10-Year Estates Caseload Trend



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Filings	2,399	2,394	2,319	2,445	2,476	2,390	2,479	2,427	2,531	2,492
Dispositions	2,143	2,183	2,027	2,215	2,210	2,333	2,135	2,199	2,225	2,051

Fiscal Year

COURT OF CHANCERY

Caseload Summary Fiscal Years 2009-2010- Miscellaneous Matters Filings				
	2009	2010	Change	% Change
Statewide	730	761	31	4.2%

Caseload Summary Fiscal Years 2009-2010- Miscellaneous Matters Dispositions				
	2009	2010	Change	% Change*
Statewide	423	864	441	104.3%

* The percentage change for miscellaneous matters dispositions reflects an on-going file maintenance of dormant civil miscellaneous cases on the Lexis Nexis system that should not have transferred as active.

Source: Registers in Chancery; Administrative Office of the Courts

COURT OF CHANCERY

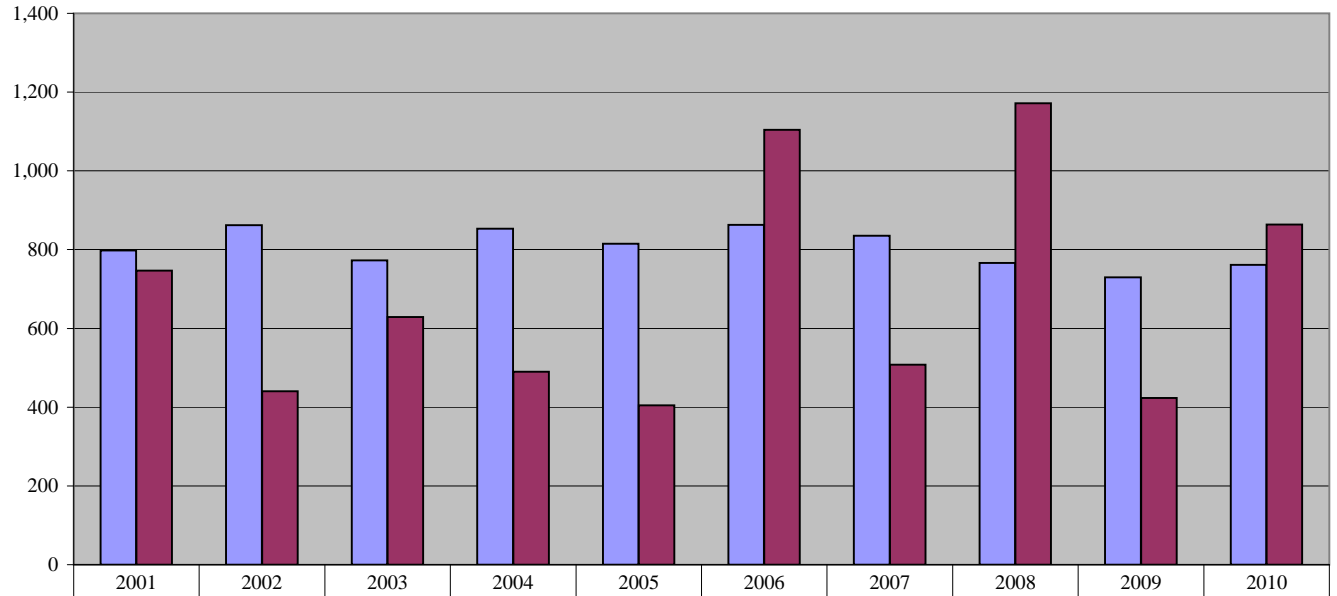
Caseload Summary Fiscal Years 2009-2010- Miscellaneous Matters Filings				
	2009	2010	Change	% Change
Statewide	730	761	31	4.2%

Caseload Summary Fiscal Years 2009-2010- Miscellaneous Matters Dispositions				
	2009	2010	Change	% Change*
Statewide	423	864	441	104.3%

* The percentage change for miscellaneous matters dispositions reflects an on-going file maintenance of dormant civil miscellaneous cases on the Lexis Nexis system that should not have transferred as active.

Source: Registers in Chancery; Administrative Office of the Courts

Court of Chancery 10-Year Miscellaneous Caseload Trend



Filings	798	862	773	853	815	863	835	766	730	761
Dispositions	747	440	629	490	405	1,104	508	1,172	423	864

Fiscal Year

COURT OF CHANCERY

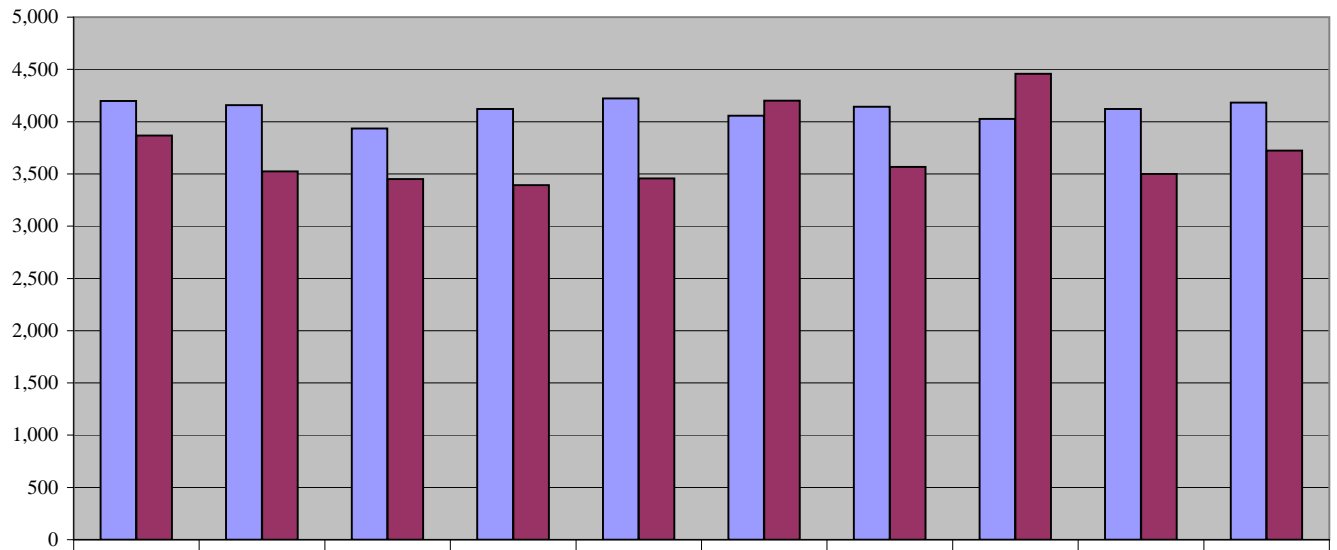
Caseload Comparison - Fiscal Years 2009-2010 - Total Case Filings*				
	2009	2010	Change	% Change
Statewide	4,122	4,184	62	1.5%

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Dispositions*				
	2009	2010	Change	% Change
Statewide	3,500	3,724	224	6.4%

* Total includes Civil, Miscellaneous, and Estates

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

Court of Chancery 10-Year Total Caseload Trend (Civil, Miscellaneous, & Estates)



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Filings	4,197	4,159	3,935	4,122	4,221	4,057	4,142	4,027	4,122	4,184
Dispositions	3,868	3,525	3,452	3,391	3,457	4,200	3,567	4,457	3,500	3,724

Fiscal Year



SUPERIOR COURT
State of Delaware

2010 Annual Report Statistical Information



SUPERIOR COURT

President Judge James T. Vaughn, Jr.

LEGAL AUTHORIZATION

The Constitution of Delaware, Article IV, Section 1, authorizes 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 nineteen 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, and condemnations. The Court has exclusive jurisdiction over felonies and drug offenses

(except most felonies and drug offenses involving minors and possession of marijuana and certain other drug-related possession cases). Superior Court has jurisdiction over involuntary commitments of the mentally ill to the Delaware Psychiatric Center. 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 fifty administrative agencies including the Industrial Accident, Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Superior Court are argued on the record before the Supreme Court.

SUPPORT PERSONNEL

Superior Court employs court reporters, law clerks, bailiffs, investigative services officers, a secretary for each judge, and other support personnel.

A prothonotary for each county serves as clerk of the Superior Court for that county. The prothonotary is directly involved with the daily operations of the Court. The prothonotary handles jury lists and property liens and is the custodian of costs and fees for the Court. That office also 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 Psychiatric Center and collects and distributes restitution monies ordered by the Court in addition to numerous other duties. The prothonotary is also charged with security, care, and custody of the Court's exhibits. Sheriffs for each county also serve Superior Court.

Commissioners

Superior Court created the position of commissioner in 1994 and currently five commissioners assist the judges in civil and criminal matters. Commissioners are attorneys at law who are appointed by the Governor and confirmed by the Senate for an initial four-year term and may be reappointed to six year terms thereafter.

Commissioners conduct hearings on a wide range of matters including arraignments, misdemeanor pleas, drug diversions, civil commitments to the Delaware Psychiatric Center, criminal and civil routine motions, and other duties as assigned by the resident judge of each county. Orders from Commissioners are subject to review by Superior Court judges.



Standing (left to right)

Commissioner Michael P. Reynolds
Commissioner Alicia B. Howard
Commissioner Mark Vavaka
Commissioner Andrea Maybee Freud
Commissioner Lynne Parker



Front row (sitting left to right)

Judge T. Henley Graves (SC Resident Judge)
 Judge John E. Babiarz (retired January, 2010)
 President Judge James T. Vaughn, Jr.
 Judge Jerome O. Herlihy
 Judge Charles H. Toliver, IV

Back row (standing left to right)

Judge M. Jane Brady
 Judge Mary M. Johnston
 Judge Jan R. Jurden
 Judge Joseph R. Slights, III
 Judge Calvin L. Scott, Jr.
 Judge Robert B. Young
 Judge John A. Parkins, Jr.

Second row (standing left to right)

Judge E. Scott Bradley
 Judge William L. Witham, Jr. (KC Resident Judge)
 Judge Fred S. Silverman
 Judge Richard R. Cooch (NCC Resident Judge)
 Judge William C. Carpenter, Jr.
 Judge Richard F. Stokes
 Judge Peggy L. Ableman

Not Pictured:

Judge Diane Clarke Streett (Sworn in February, 2010)

SUPERIOR COURT

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Filings				
	2009	2010	Change	% Change
New Castle County	9,848	10,176	328	3.3%
Kent County	2,064	2,380	316	15.3%
Sussex County	2,225	2,504	279	12.5%
State	14,137	15,060	923	6.5%

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Dispositions				
	2009	2010	Change	% Change
New Castle County	9,329	9,498	169	1.8%
Kent County	1,791	1,940	149	8.3%
Sussex County	2,031	2,105	74	3.6%
State	13,151	13,543	392	3.0%

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

SUPERIOR COURT

Caseload Breakdowns Fiscal Year 2010 - Civil Case Filings

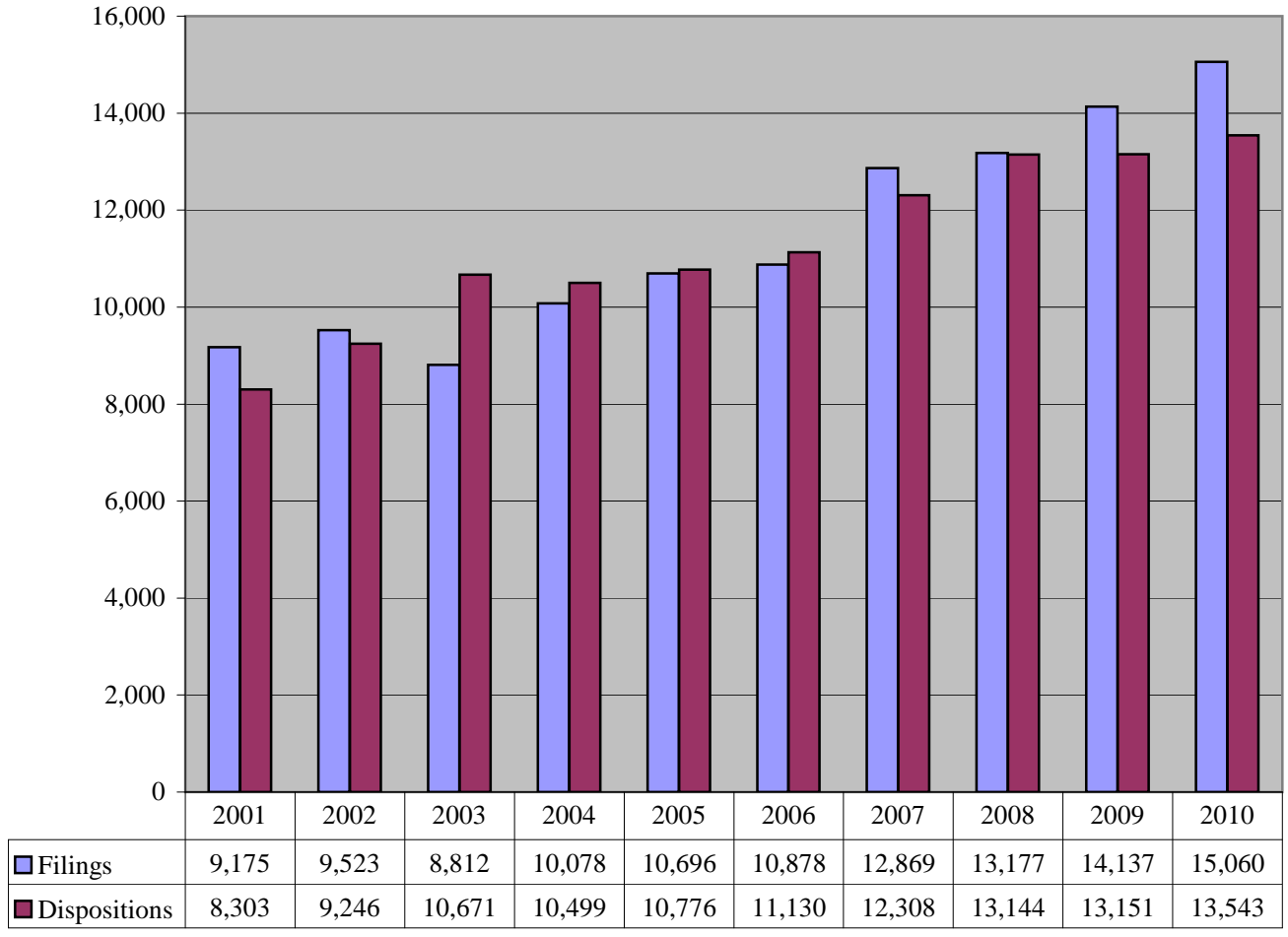
	Mechanic's Liens				Involuntary				Total		
	Complaints		and Mortgages		Appeals		Commitments	Miscellaneous			
New Castle County	3,350	32.9%	3,829	37.6%	169	1.7%	1,100	10.8%	1,728	17.0%	10,176
Kent County	576	24.2%	1,282	53.9%	47	2.0%	146	6.1%	329	13.8%	2,380
Sussex County	481	19.2%	1,543	61.6%	56	2.2%	0	0.0%	424	16.9%	2,504
State	4,407	29.3%	6,654	44.2%	272	1.8%	1,246	8.3%	2,481	16.5%	15,060

Caseload Breakdowns Fiscal Year 2010 - Civil Case Dispositions

	Mechanic's Liens				Involuntary				Total		
	Complaints		and Mortgages		Appeals		Commitments	Miscellaneous			
New Castle County	3,475	36.6%	3,028	31.9%	147	1.5%	906	9.5%	1,942	20.4%	9,498
Kent County	531	27.4%	977	50.4%	49	2.5%	93	4.8%	290	14.9%	1,940
Sussex County	417	19.8%	1,250	59.4%	40	1.9%	0	0.0%	398	18.9%	2,105
State	4,423	32.7%	5,255	38.8%	236	1.7%	999	7.4%	2,630	19.4%	13,543

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

Superior Court Civil 10 Year Caseload Trend



Fiscal Year

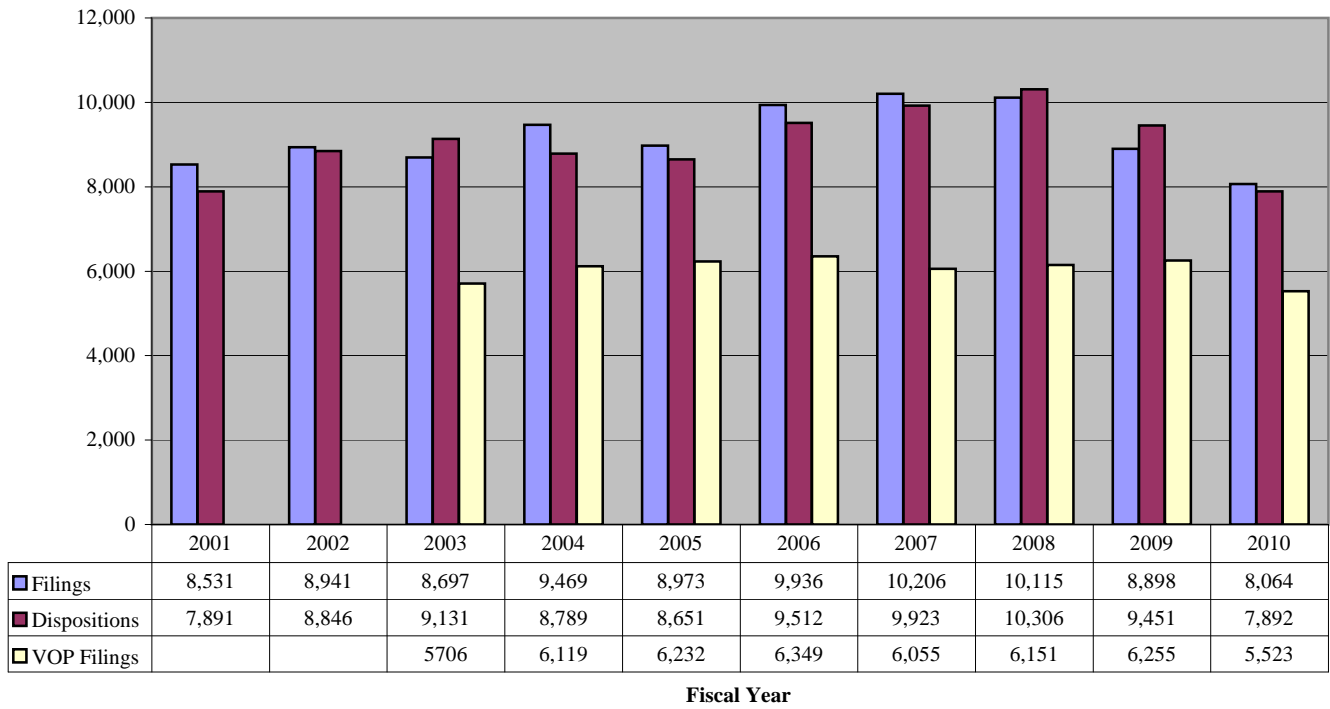
SUPERIOR COURT

Caseload Comparison - Fiscal Years 2009-2010 - Criminal Case Filings				
	2009	2010	Change	% Change
New Castle County	4,826	4,137	-689	-14.3%
Kent County	1,798	1,844	46	2.6%
Sussex County	2,274	2,083	-191	-8.4%
State	8,898	8,064	-834	-9.4%

Caseload Comparison - Fiscal Years 2009-2010 - Criminal Case Dispositions				
	2009	2010	Change	% Change
New Castle County	5,192	4,060	-1,132	-21.8%
Kent County	2,058	1,789	-269	-13.1%
Sussex County	2,201	2,043	-158	-7.2%
State	9,451	7,892	-1,559	-16.5%

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

Superior Court Criminal 10-Year Caseload Trend



The numbers of VOP filings are not available for 2001 and 2002.

SUPERIOR COURT

Caseload Breakdowns - Fiscal Year 2010 - Criminal Filings									
	Indictment		Rule 9 Warrant		Information		Other*		Total
New Castle County	3,160	76.4%	178	4.3%	771	18.6%	28	0.7%	4,137
Kent County	1,668	90.5%	11	0.6%	156	8.5%	9	0.5%	1,844
Sussex County	660	31.7%	272	13.1%	1,151	55.3%	0	0.0%	2,083
State	5,488	68.1%	461	5.7%	2,078	25.8%	37	0.5%	8,064

Caseload Breakdowns - Fiscal Year 2010 - Criminal Dispositions									
	Trial		Guilty Plea**		Nolle Prosequi		Remand/Transfer		
New Castle County	125	3.1%	2,815	69.3%	561	13.8%	1		0.0%
Kent County	31	1.7%	1,252	70.0%	237	13.2%	12		0.7%
Sussex County	21	1.0%	1,562	76.5%	224	11.0%	4		0.2%
State	177	2.2%	5,629	71.3%	1,022	12.9%	17		0.2%

Caseload Breakdowns - Fiscal Year 2010 - Criminal Dispositions (cont.)									
	Dismissal		FOP/Drug Court		Consolidation		Total		
New Castle County	89	2.2%	311	7.7%	158	3.9%			4,060
Kent County	60	3.4%	76	4.2%	121	6.8%			1,789
Sussex County	7	0.3%	67	3.3%	158	7.7%			2,043
State	156	2.0%	454	5.8%	437	5.5%			7,892

* Includes appeals, transfers, reinstatements and severances.

** Includes Probation Before Judgment

FOP = First Offender Program

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

SUPERIOR COURT

Types of Dispositions Fiscal Year 2010 - Criminal Trials - Part One							
	Jury Trial		Non-Jury Trial		Total		
New Castle County	117	83.0%	24	17.0%	141	100.0%	
Kent County	26	83.9%	5	16.1%	31	100.0%	
Sussex County	21	100.0%	0	0.0%	21	100.0%	
State	164	85.0%	29	15.0%	193	100.0%	

	Guilty		Not Guilty*		No Final Disposition**		Total	
New Castle County	101	71.6%	24	17.0%	16	11.3%	141	100.0%
Kent County	19	61.3%	10	32.3%	2	6.5%	31	100.0%
Sussex County	14	66.7%	6	28.6%	1	4.8%	21	100.0%
State	134	69.4%	40	20.7%	19	9.8%	193	100.0%

Types of Dispositions Fiscal Year 2010 - Criminal Trials - Part Two								
Jury Trial								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty At Trial	Nol Pros/ Dismissed at Trial	Mistrial	Hung Jury	Total
New Castle County	65	9	18	7	4	6	8	117
Kent County	12	3	4	3	2	2	0	26
Sussex County	11	2	6	1	0	0	1	21
State	88	14	28	11	6	8	9	164

Non-Jury Trial								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty	Nol Pros/ Dismissed at Trial	Mistrial	Total***	
New Castle County	16	4	1	0	1	0	22	
Kent County	1	0	2	0	2	0	5	
Sussex County	0	0	0	0	0	0	0	
State	17	4	3	0	3	0	27	

All Trials								
	Guilty	Guilty LIO	Not Guilty	Pled Guilty at Trial	Nol Pros/ Dismissed at Trial	Mistrial	Hung Jury	Total***
New Castle County	81	13	19	7	5	6	8	139
Kent County	13	3	6	3	4	2	0	31
Sussex County	11	2	6	1	0	0	1	21
State	105	18	31	11	9	8	9	191

Types of Dispositions Fiscal Year 2010 - Criminal Nolle Prosequis						
	Nolle Prosequis By Special Condition		Nolle Prosequis By Merit		Total	
New Castle County	173	30.8%	388	69.2%	561	100.0%
Kent County	136	57.4%	101	42.6%	237	100.0%
Sussex County	39	17.4%	185	82.6%	224	100.0%
State	348	34.1%	674	65.9%	1,022	100.0%

* Includes Dismissals at Trial and Nolle Prosequis at Trial

** Hung Juries, Mistrials, and Reserved Decisions

*** Does not include Reserved Decisions

LIO = Lesser Included Offense

Nol Pros = Nolle Prosequi

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

SUPERIOR COURT

Types of Dispositions Fiscal Year 2010 - Criminal Felony Guilty Pleas						
	Pled Guilty Original		Pled Guilty Lesser		Total	
New Castle County	1,702	90.1%	187	9.9%	1,889	100.0%
Kent County	664	84.5%	122	15.5%	786	100.0%
Sussex County	1,095	83.5%	216	16.5%	1,311	100.0%
State	3,461	86.8%	525	13.2%	3,986	100.0%

Types of Dispositions Fiscal Year 2010 - Criminal Misdemeanor Guilty Pleas						
	Pled Guilty Original		Pled Guilty Lesser*		Total	
New Castle County	507	54.8%	419	45.2%	926	100.0%
Kent County	216	46.4%	250	53.6%	466	100.0%
Sussex County	161	71.6%	64	28.4%	225	100.0%
State	884	54.7%	733	45.3%	1,617	100.0%

Types of Dispositions Fiscal Year 2010 - Criminal Total Guilty Pleas						
	Pled Guilty Original		Pled Guilty Lesser*		Total	
New Castle County	2,209	78.5%	606	21.5%	2,815	100.0%
Kent County	880	70.3%	372	29.7%	1,252	100.0%
Sussex County	1,256	81.8%	280	18.2%	1,536	100.0%
State	4,345	77.5%	1,258	22.5%	5,603	100.0%

* Includes Probation Before Judgment

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

SUPERIOR COURT

Performance Summary Fiscal Year 2010 - Criminal Cases - Elapsed Time			
	Total Number of Cases Disposed	Average Time from Arrest to Disposition	Average Time from Indictment to Disposition
New Castle County	4,060	120.2 days	87.2 days
Kent County	1,789	116.0 days	69.5 days
Sussex County	2,043	137.1 days	89.0 days
State	7,892	124.4 days	81.9 days

Performance Summary Fiscal Year 2010 - Criminal Cases - Compliance With Speedy Trial Standards							
	Total Number of Cases Disposed	Disposed of within 120 Days of Indictment (90%)		Disposed of within 180 Days of Indictment (98%)		Disposed of within 365 Days of Indictment (100%)	
New Castle County	4,060	2,898	71.4%	3,719	91.6%	4,000	98.5%
Kent County	1,789	1,490	83.3%	1,655	92.5%	1,764	98.6%
Sussex County	2,043	1,670	81.7%	1,959	95.9%	2,043	100.0%
State	7,892	6,058	76.8%	7,333	92.9%	7,807	98.9%

Criminal Cases Performance Explanatory Notes

1. The performance summary charts measure the average time from the date of arrest to the date of disposition as well as the average time from the date of indictment/information to the date of disposition.
2. In measuring the elapsed time for defendants for the purpose of determining the rate of compliance with the speedy trial standards, the following are excluded by the Court:
 - a. For all capiases, the time between the date that the capias is issued and the date that it is executed.
 - b. For all Rule 9 summonses and Rule 9 warrants, the time between the arrest and the indictment/information, if any.
 - c. For all nolle prosequis, the time between the scheduled trial date and the actual filing date of the nolle prosequis.
 - d. For all mental examinations, the time between the date that the examination is ordered and the date of the receipt of the results.
 - e. For all defendants deemed to be incompetent, the period in which the defendant is considered incompetent.

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

SUPERIOR COURT

Performance Comparison - Fiscal Years 2009-2010 - Criminal Cases				
Average Time From Arrest to Disposition				
	2009	2010	Change	% Change
New Castle County	123.8 days	120.2 days	-3.6 days	-2.9%
Kent County	115.6 days	116.0 days	0.4 days	0.3%
Sussex County	132.2 days	137.1 days	4.9 days	3.7%
State	123.9 days	124.4 days	0.5 days	0.4%

Performance Comparison - Fiscal Years 2009-2010 - Criminal Cases				
Average Time From Indictment to Disposition				
	2009	2010	Change	% Change
New Castle County	86.8 days	87.2 days	0.4 days	0.5%
Kent County	75.5 days	69.5 days	-6.0 days	-7.9%
Sussex County	85.4 days	89.0 days	3.6 days	4.2%
State	82.6 days	81.9 days	-0.7 days	-0.8%

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

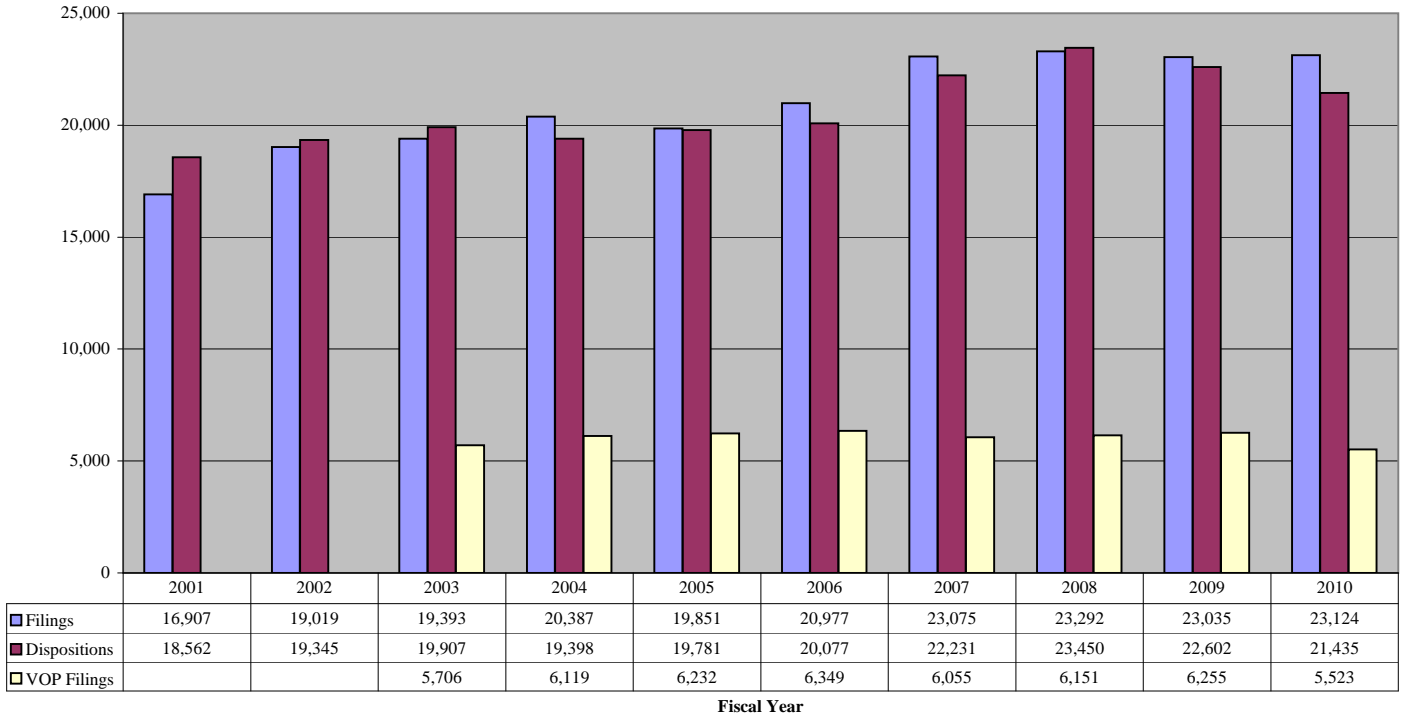
SUPERIOR COURT

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Filings				
	2009	2010	Change	% Change
New Castle County	14,674	4,137	-10537	-71.8%
Kent County	3,862	1,844	-2018	-52.3%
Sussex County	4,499	4,587	88	2.0%
State	23,035	10,568	-12467	-54.1%

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Dispositions				
	2009	2010	Change	% Change
New Castle County	14,521	4,060	-10,461	-72.0%
Kent County	3,849	1,789	-2,060	-53.5%
Sussex County	4,232	4,148	-84	-2.0%
State	22,602	9,997	-12,605	- 55.8%

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

Superior Court Total 10-Year Caseload Trend



The numbers of VOP filings are not available for 2001 and 2002.



FAMILY COURT
State of Delaware

2010 Annual Report Statistical Information



FAMILY COURT

Chief Judge Chandlee Johnson Kuhn

LEGAL AUTHORIZATION

The Constitution of Delaware, Article IV, Section 1, 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 1930s, there was a campaign to establish a Family Court in the northernmost county, and this idea came to fruition 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 1950s, 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.

In 2005 Family Court was granted Constitutional status by an act of the General Assembly.

GEOGRAPHIC ORGANIZATION

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

LEGAL JURISDICTION

The Family Court has had conferred upon it by the General Assembly jurisdiction over statutorily enumerated juvenile delinquency matters, child neglect, dependency, child abuse, adult misdemeanor crimes against juveniles, child and spousal 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.

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

JUDGES

Family Court has 17 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.

The Governor nominates the judges, who must be confirmed by the Senate. The judges are appointed for 12-year terms. Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and children's issues. They shall not practice law during their tenure and may be re-appointed.

COMMISSIONERS

Family Court has 16 commissioners of equal judicial authority. Commissioners are attorneys at law who are nominated by the Governor, confirmed by the Senate and serve an initial four-year term. Upon second and subsequent appointments and confirmation, commissioners serve six-year terms.

Commissioners hear a broad range of cases including child support, misdemeanor crimes and delinquency, civil protection petitions, bail hearings and other cases as assigned by the Chief Judge. Orders from commissioners are subject to review by Family Court judges.

ADMINISTRATIVE SUPPORT PERSONNEL

The Family Court has an administrative support staff of 300 full-time positions in addition to the above-referenced judges and commissioners. The Court's administrative support staff includes positions such as the court administrator, directors of operations, supervisors, clerks of court, administrative specialists, accountants, judicial assistants, mediation/arbitration officers, intake officers, program coordinators and interns working in all areas of the Court.



Front row (sitting left to right)

Judge William M. Nicholas
Judge Jay H. Conner
Chief Judge Chandlee Johnson Kuhn
Judge Kenneth M. Millman
Judge William J. Walls, Jr.

Second row (standing left to right)

Judge Arlene Minus Coppadge
Judge Aida Wasserstein
Judge Barbara D. Crowell
Judge Joelle P. Hitch
Judge Mardi F. Pyott

Back row (standing left to right)

Judge Mark D. Buckworth
Judge Peter B. Jones
Judge Michael K. Newell
Judge William L. Chapman, Jr.
Judge Robert B. Coonin
Judge John E. Henriksen
Judge Alan N. Cooper

FAMILY COURT

Caseload Summary Fiscal Years 2009-2010 - Adult Criminal Case Filings				
	2009	2010	Change	% Change
New Castle County	3,098	3,023	-75	-2.4%
Kent County	982	870	-112	-11.4%
Sussex County	746	656	-90	-12.1%
State	4,826	4,549	-277	-5.7%

Caseload Summary Fiscal Years 2009-2010 - Adult Criminal Case Dispositions				
	2009	2010	Change	% Change
New Castle County	2,531	2,964	433	17.1%
Kent County	1,146	858	-288	-25.1%
Sussex County	471	679	208	44.2%
State	4,148	4,501	353	8.5%

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

FAMILY COURT

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Filings				
	2009	2010	Change	% Change
New Castle County	21,726	21,856	130	0.6%
Kent County	9,104	8,328	-776	-8.5%
Sussex County	11,186	10,646	-540	-4.8%
State	42,016	40,830	-1,186	-2.8%

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Dispositions				
	2009	2010	Change	% Change
New Castle County	22,639	20,803	-1,836	-8.1%
Kent County	9,083	8,032	-1,051	-11.6%
Sussex County	10,875	11,745	870	8.0%
State	42,597	40,580	-2,017	-4.7%

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

FAMILY COURT

Caseload Breakdown Fiscal Year 2010 - Civil Case Filings												
	Divorces and Annulments		RTSC/Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle County	1,997	9.1%	672	3.1%	3,515	16.1%	3,363	15.4%	2,048	9.4%	2,559	11.7%
Kent County	783	9.4%	191	2.3%	1,540	18.5%	1,139	13.7%	715	8.6%	816	9.8%
Sussex County	730	6.9%	165	1.5%	1,978	18.6%	2,417	22.7%	1,180	11.1%	801	7.5%
State	3,510	8.6%	1,028	2.5%	7,033	17.2%	6,919	16.9%	3,943	9.7%	4,176	10.2%
	Visitation		Protection From Abuse		Adoptions		Termination of Parental Rights		Remaining Petition Types		Total	
New Castle County	484	2.2%	2,193	10.0%	106	0.5%	92	0.4%	4,827	22.1%	21,856	100%
Kent County	173	2.1%	1,026	12.3%	34	0.4%	31	0.4%	1,880	22.6%	8,328	100%
Sussex County	136	1.3%	745	7.0%	39	0.4%	30	0.3%	2,425	22.8%	10,646	100%
State	793	1.9%	3,964	9.7%	179	0.4%	153	0.4%	9,132	22.4%	40,830	100%
Caseload Breakdown Fiscal Year 2010 - Civil Case Dispositions												
	Divorces and Annulments		RTSC/Other Civil Contempts		New Non-Support		Support Arrearages		Support Modifications		Custody	
New Castle County	1,491	7.2%	921	4.4%	2,997	14.4%	3,489	16.8%	1,942	9.3%	2,356	11.3%
Kent County	560	7.0%	328	4.1%	1,430	17.8%	1,101	13.7%	829	10.3%	796	9.9%
Sussex County	504	4.3%	358	3.0%	2,596	22.1%	2,528	21.5%	1,361	11.6%	875	7.4%
State	2,555	6.3%	1,607	4.0%	7,023	17.3%	7,118	17.5%	4,132	10.2%	4,027	9.9%
	Visitation		Protection From Abuse		Adoptions		Termination of Parental Rights		Remaining Petition Types		Total	
New Castle County	471	2.3%	2,100	10.1%	92	0.4%	108	0.5%	4,836	23.2%	20,803	100%
Kent County	151	1.9%	977	12.2%	32	0.4%	3	0.0%	1,825	22.7%	8,032	100%
Sussex County	167	1.4%	708	6.0%	43	0.4%	47	0.4%	2,558	21.8%	11,745	100%
State	789	1.9%	3,785	9.3%	167	0.4%	158	0.4%	9,219	22.7%	40,580	100%

RTSC = Rules to Show Cause

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

FAMILY COURT

Caseload Comparison - Fiscal Years 2009-2010 - Juvenile Delinquency Case Filings				
	2009	2010	Change	% Change
New Castle County	5,147	4,108	-1,039	-20.2%
Kent County	1,896	1,546	-350	-18.5%
Sussex County	1,912	1,547	-365	-19.1%
State	8,955	7,201	-1,754	-19.6%

Caseload Comparison - Fiscal Years 2009-2010 - Juvenile Delinquency Case Dispositions				
	2009	2010	Change	% Change
New Castle County	3,449	4,021	572	16.6%
Kent County	1,859	1,594	-265	-14.3%
Sussex County	1,719	1,657	-62	-3.6%
State	7,027	7,272	245	3.5%

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

FAMILY COURT

Caseload Breakdowns Fiscal Year 2010 - Juvenile Delinquency Case Filings										
	Felony		Misdemeanor		Traffic		VOP		Total	
New Castle County	739	18.0%	2,589	63.0%	270	6.6%	510	12.4%	4,108	100%
Kent County	267	17.3%	1,030	66.6%	101	6.5%	148	9.6%	1,546	100%
Sussex County	291	18.8%	973	62.9%	151	9.8%	132	8.5%	1,547	100%
State	1,297	18.0%	4,592	63.8%	522	7.2%	790	11.0%	7,201	100%

Caseload Breakdowns Fiscal Year 2010 - Juvenile Delinquency Case Dispositions										
	Felony		Misdemeanor		Traffic		VOP		Total	
New Castle County	691	17.2%	2,619	65.1%	265	6.6%	446	11.1%	4,021	100%
Kent County	234	14.7%	1,078	67.6%	98	6.1%	184	11.5%	1,594	100%
Sussex County	317	19.1%	1,075	64.9%	131	7.9%	134	8.1%	1,657	100%
State	1,242	17.1%	4,772	65.6%	494	6.8%	764	10.5%	7,272	100%

VOP - Violations of Probation

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

FAMILY COURT

Caseload Comparison - Fiscal Years 2009-2010 - Mediation Filings				
	2009	2010	Change	% Change
New Castle County	7,172	8,262	1,090	15.2%
Kent County	2,787	3,097	310	11.1%
Sussex County	4,212	4,404	192	4.6%
State	14,171	15,763	1,592	11.2%

Caseload Comparison - Fiscal Years 2009-2010 - Mediation Dispositions				
	2009	2010	Change	% Change
New Castle County	6,813	8,048	1,235	18.1%
Kent County	2,504	3,128	624	24.9%
Sussex County	3,877	4,042	165	4.3%
State	13,194	15,218	2,024	15.3%

Mediation Explanatory Notes Fiscal Year 2010

1. Mediation is the process prior to adjudication in which a trained mediator attempts to assist the parties in reaching an agreement. If the parties are unable to reach an agreement, the matter is scheduled to be heard before a commissioner or judge.
2. Custody, support, visitation, guardianship, imperiling family relations, and rule to show cause filings are scheduled for mediation.

Note: Mediation data was reported as Arbitration data in some previous fiscal years.

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

FAMILY COURT

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Filings				
	2009	2010	Change	% Change
New Castle County	29,971	28,987	-984	-3.3%
Kent County	11,982	10,744	-1,238	-10.3%
Sussex County	13,844	12,849	-995	-7.2%
State	55,797	52,580	-3,217	-5.8%

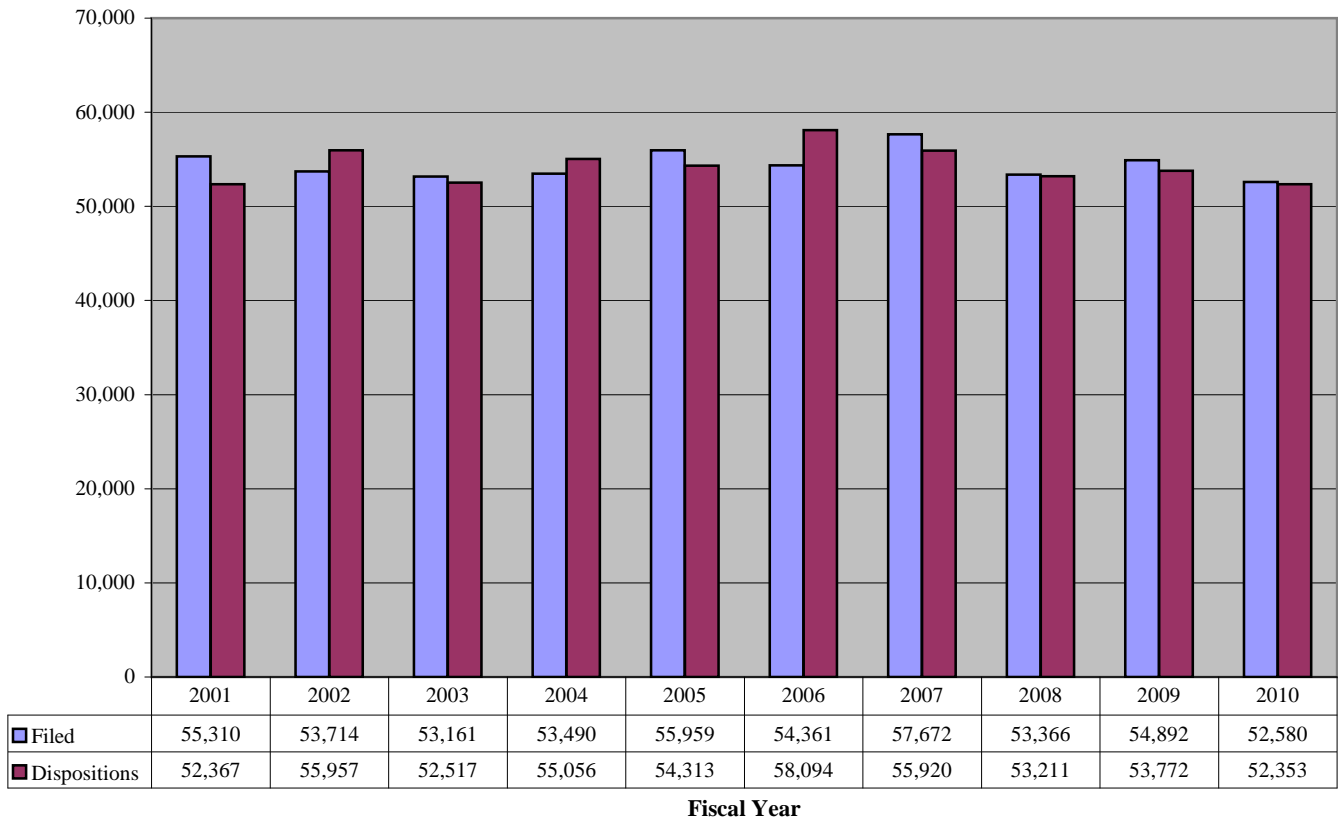
Caseload Comparison - Fiscal Years 2009-2010 - Total Case Dispositions				
	2009	2010	Change	% Change
New Castle County	28,619	27,788	-831	-2.9%
Kent County	12,088	10,484	-1,604	-13.3%
Sussex County	13,065	14,081	1,016	7.8%
State	53,772	52,353	-1,419	-2.6%

Total Caseload Explanatory Notes Fiscal Year 2010

1. A civil filing is defined as one petition or one single civil incident filed with Family Court. In a divorce matter, although the petition may contain multiple ancillary matters to the divorce, it is counted as one filing.
2. A criminal or delinquency filing is defined as one incident filed against one individual or defendant. A single criminal or juvenile delinquency filing may be comprised of a single charge, or of multiple charges relating to a single incident.

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

Family Court 10-Year Total Caseload Trend



FY 2006, 2008 dispositions amended.

FY 2003, 2004, 2005, 2006, 2009 filings amended.



COURT OF COMMON PLEAS
State of Delaware

2010 Annual Report Statistical Information



COURT OF COMMON PLEAS

Chief Judge Alex J. Smalls

LEGAL AUTHORIZATION

Art. IV, Sec. 1 of the Delaware Constitution authorizes the Court of Common Pleas.

COURT HISTORY

Common Pleas Courts were established in Pennsylvania's three lower counties (now Delaware) during the colonial period. The Delaware Constitution of 1792 continued their existence in the State of Delaware for a few decades. These, however, were courts of general jurisdiction and, as such, the antecedents of the present Superior Court.

The modern day Court of Common Pleas was established in 1917 when a court of limited civil and criminal jurisdiction was established in New Castle County. A Court of Common Pleas was later established in Kent County in 1931 and Sussex County in 1953. In 1969, the three county Courts of Common Pleas became state courts and, in 1973, the three Courts merged into a single statewide Court of Common Pleas.

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's Report vested significant new areas of jurisdiction in the Court in 1995. On May 1, 1998, the Municipal Court was merged into the State court system, and pending cases were transferred to the Court of Common Pleas.

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 matters where the amount in controversy, exclusive of interest, does not exceed \$50,000 on the complaint. There is no limitation in amount on counterclaims and cross-claims. It also has jurisdiction over change of name petitions and habitual offender motor vehicle hearings. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except certain drug-related offenses. In addition, it has jurisdiction over traffic offenses (other than those that are felonies). It is also responsible for conducting preliminary hearings in felony cases. Jury trial is available to all criminal 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 Division of Motor Vehicles and from the Dog Control Panel.

JUDGES

There are nine judges of the Court of Common Pleas, of which five serve in New Castle County, two in Kent County, and two in 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 chief judge serves as the administrative head of the Court.

SUPPORT PERSONNEL

The staff of the Court of Common Pleas includes a court administrator and one clerk of the court for each county as well as bailiffs, court reporters, secretaries, clerks and investigative services officers.



Front row (standing left to right)

Judge Andrea L. Rocanelli
Chief Judge Alex J. Smalls
Judge Rosemary Betts Beauregard

Second row (standing left to right)

Judge Charles W. Welch, III
Judge Joseph F. Flickinger, III
Judge Anne Hartnett Reigle
Judge Eric Davis
Judge Kenneth S. Clark, Jr.
Judge John K. Welch

COURT OF COMMON PLEAS

Caseload Summary Fiscal Year 2009-2010 - Civil Case Filings				
	2009	2,010	Change	% Change
New Castle County	8,756	8,918	162	1.9%
Kent County	2,853	2,933	80	2.8%
Sussex County	3,285	3,340	55	1.7%
State	14,894	15,191	297	2.0%

Caseload Summary Fiscal Year 2009-2010 - Civil Case Dispositions				
	2009	2,010	Change*	% Change
New Castle County	4,582	13,087	8,505	185.6%
Kent County	1,492	3,466	1,974	132.3%
Sussex County	2,452	3,558	1,106	45.1%
State	8,526	20,111	11,585	135.9%

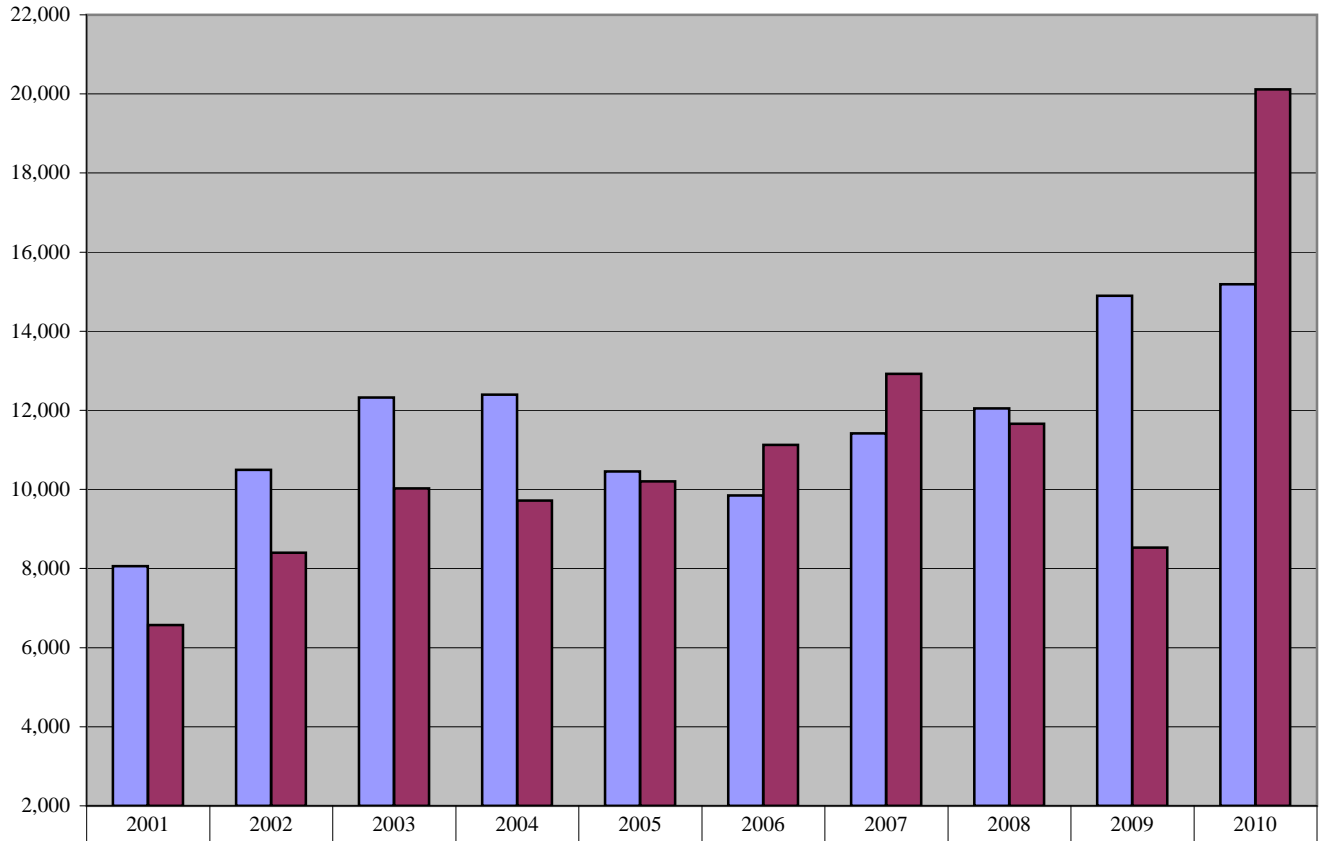
Caseload Breakdowns Fiscal Year 2010 - Civil Case Filings					
	Complaints		Civil Judgments, Name Changes, Appeals		Total
New Castle County	8,443	94.7%	475	5.3%	8,918
Kent County	2,771	94.5%	162	5.5%	2,933
Sussex County	3,199	95.8%	141	4.2%	3,340
State	14,413	94.9%	778	5.1%	15,191

Caseload Breakdowns Fiscal Year 2010 - Civil Case Dispositions			
	Court Action	Counsel Action	Total
New Castle County	0	13,087	13,087
Kent County	0	3,466	3,466
Sussex County	0	3,558	3,558
State	0	20,111	20,111

* The significant increase in civil case dispositions is a result of several factors, including the implementation of more efficient case processing procedures, attention to Rule 41(e) dismissals, and the implementation of an expedited docket for debt collection cases.

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

Court of Common Pleas 10-Year Civil Caseload Trend



■ Filings	8,058	10,496	12,322	12,396	10,455	9,850	11,420	12,045	14,894	15,191
■ Dispositions	6,574	8,400	10,026	9,718	10,206	11,127	12,921	11,657	8,526	20,111

Fiscal Year

COURT OF COMMON PLEAS

Caseload Summary Fiscal Year 2009-2010 - Criminal Misdemeanor Case Filings*				
	2009	2010	Change	% Change
New Castle County	59,905	68,825	8,920	14.9%
Kent County	23,867	19,802	-4,065	-17.0%
Sussex County	28,025	27,255	-770	-2.7%
State	111,797	115,882	4,085	3.7%

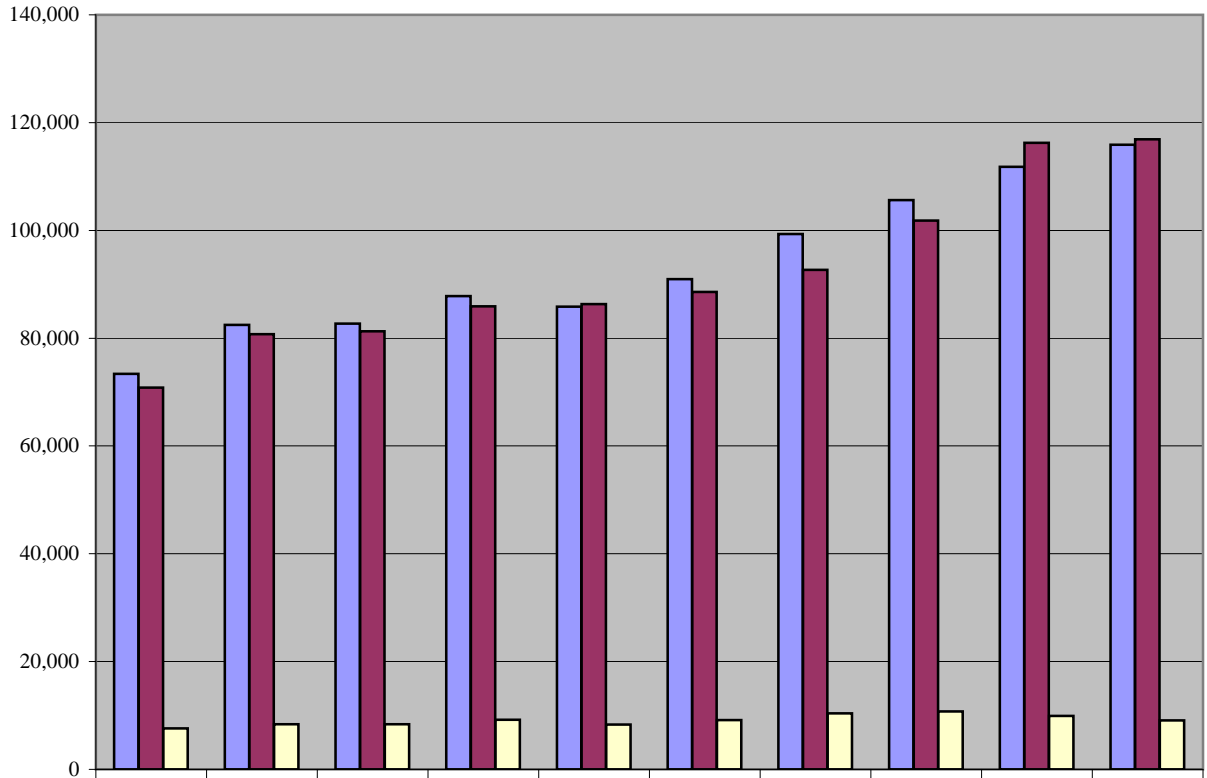
Caseload Summary Fiscal Year 2009-2010 - Criminal Misdemeanor Case Dispositions				
	2009	2010	Change	% Change
New Castle County	64,151	68,690	4,539	7.1%
Kent County	24,435	20,343	-4,092	-16.7%
Sussex County	27,692	27,893	201	0.7%
State	116,278	116,926	648	0.6%

Caseload Summary Fiscal Year 2009-2010 - Criminal Preliminary Hearing Case Filings				
	2009	2010	Change	% Change
New Castle County	5,566	5,066	-500	-9.0%
Kent County	2,235	2,133	-102	-4.6%
Sussex County	2,139	1,867	-272	-12.7%
State	9,940	9,066	-874	-8.8%

* Includes Contempt of Court cases.

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

Court of Common Pleas 10-Year Criminal Caseload Trend



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Misdemeanor Filings	73,393	82,469	82,719	87,836	85,867	90,964	99,345	105,607	111,797	115,882
Misdemeanor Dispositions	70,811	80,757	81,257	85,893	86,319	88,577	92,691	101,823	116,278	116,926
Preliminary Hearings	7,616	8,362	8,386	9,189	8,329	9,165	10,413	10,720	9,940	9,066

Fiscal Year

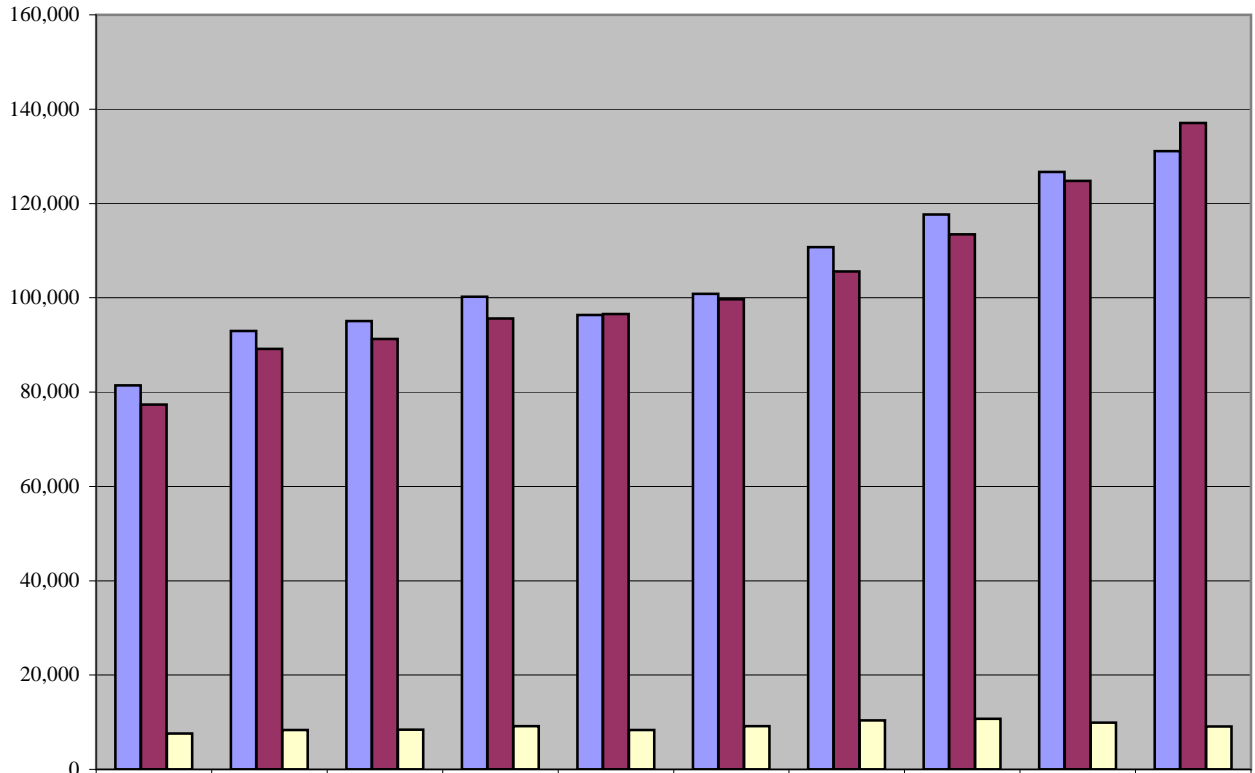
COURT OF COMMON PLEAS

Caseload Comparison - Fiscal Years 2009-2010 - Total Criminal Misdemeanor and Civil Case Filings				
	2009	2010	Change	% Change
New Castle County	68,661	77,743	9,082	13.2%
Kent County	26,720	22,735	-3,985	-14.9%
Sussex County	31,310	30,595	-715	-2.3%
State	126,691	131,073	4,382	3.5%

Caseload Comparison - Fiscal Years 2009-2010 - Total Criminal Misdemeanor and Civil Case Dispositions				
	2009	2010	Change	% Change
New Castle County	68,733	81,777	13,044	19.0%
Kent County	25,927	23,809	-2,118	-8.2%
Sussex County	30,144	31,451	1,307	4.3%
State	124,804	137,037	12,233	9.8%

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

Court of Common Pleas 10-Year Total Caseload Trend (Civil & Criminal)



	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Filings	81,451	92,965	95,041	100,232	96,322	100,814	110,765	117,652	126,691	131,073
Dispositions	77,385	89,157	91,283	95,611	96,525	99,704	105,612	113,480	124,804	137,037
Preliminary Hearings	7,616	8,362	8,386	9,189	8,329	9,165	10,413	10,720	9,940	9,066

Fiscal Year



JUSTICE OF THE PEACE COURT
State of Delaware

2010 Annual Report Statistical Information



JUSTICE OF THE PEACE COURT

Chief Magistrate Alan G. Davis

LEGAL AUTHORIZATION

The Justice of the Peace Court is 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 from 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. In 1966 the individual justices of the peace were absorbed into the state judicial system, and the first chief magistrate was installed in 1980 as the administrative head of the Court.

LEGAL JURISDICTION

The [Justice of the Peace Court](#), the initial entry level into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount is less than \$15,000 and over summary possession (landlord-tenant) actions. In criminal cases, the Justice of the Peace Court hears certain misdemeanors and most motor vehicle cases (excluding felonies) and the Justices of the Peace may act as committing magistrates for all crimes. All permissible appeals are to the Court of Common Pleas, with two exceptions: findings of juvenile delinquency for contempt of court related to truancy proceedings are appealed to Family Court and summary possession cases are appealed to a three judge panel in the Justice of the Peace Court.

GEOGRAPHIC ORGANIZATION

The jurisdiction of the Court is statewide and sessions are held throughout the state. Of the 15 courts currently operating, five are in New Castle County, four are in Kent County, and six are in Sussex County. The Voluntary Assessment Center, which handles mail-in fines, is located in Dover.

SUPPORT PERSONNEL

A court administrator, a staff attorney, two operations managers, and additional administrative support personnel for human resources, fiscal, truancy and other management operations help the chief magistrate direct the Justice of the Peace Court on a daily basis. The Court also employs clerks, constables, and other support personnel.

JUSTICES OF THE PEACE

The Delaware Code authorizes a maximum of 60 justices of the peace. The maximum number of justices of the peace permitted in each county is 29 in New Castle County, 12 in Kent County and 19 in Sussex County. All justices of the peace are nominated by the Governor and confirmed by the Senate. 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 the justice of the peace serves. In addition to the 60 justices of the peace, the Governor nominates a chief magistrate, subject to Senate confirmation.

JUSTICE OF THE PEACE COURT JUDGES

SUSSEX COUNTY



Seated (left to right)

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

Standing (left to right)

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

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



KENT COUNTY

Seated (left to right)

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

Standing (left to right)

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

Not pictured:

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



NEW CASTLE COUNTY

Seated (left to right)

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

Standing middle row (left to right)

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

Standing back row (left to right)

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

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

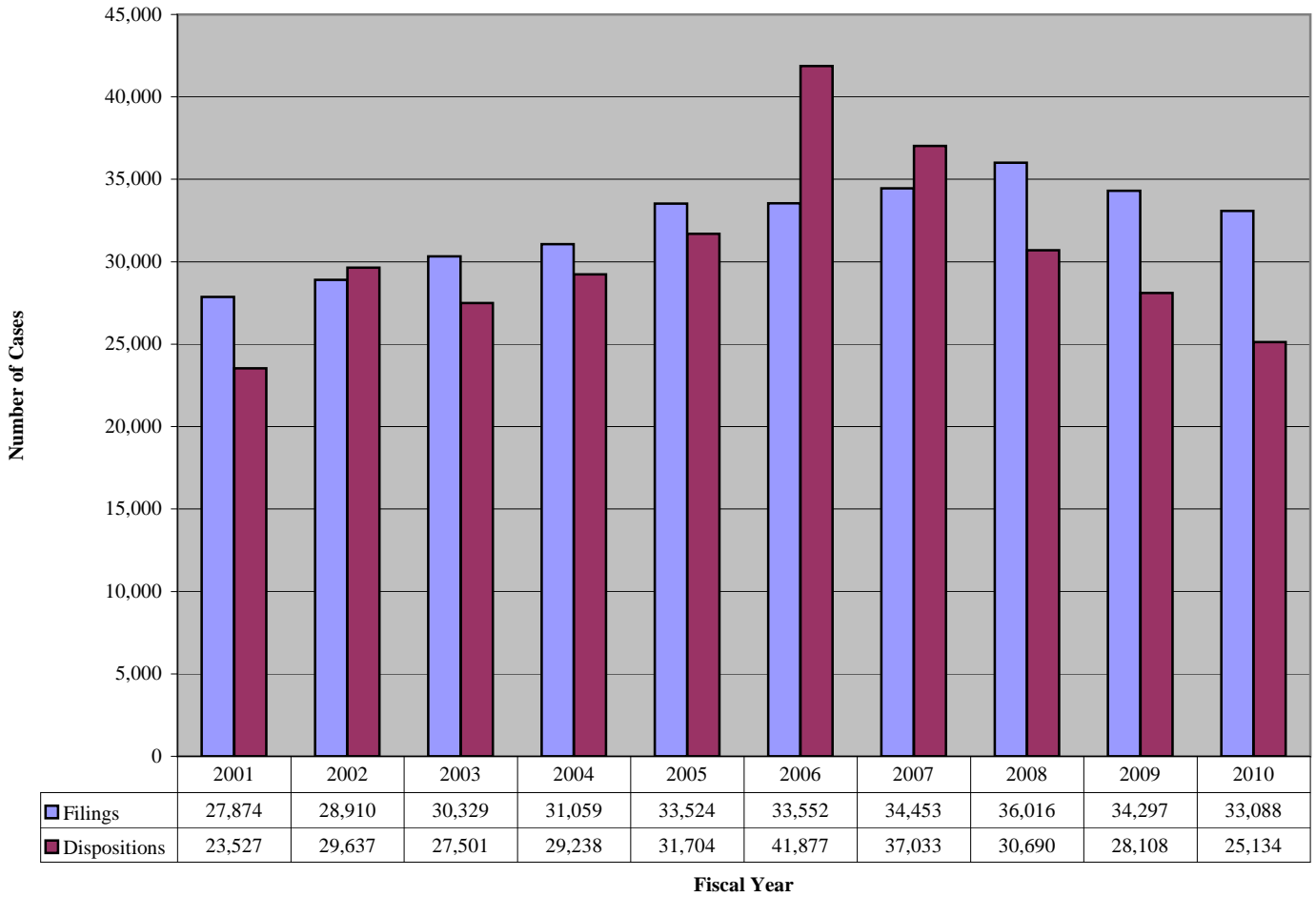
JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Filings				
	2009	2010	Change	% Change
New Castle County				
Court 9	1,497	1,581	84	5.6%
Court 13	19,633	18,712	-921	-4.7%
Kent County				
Court 16	7,466	7,381	-85	-1.1%
Sussex County				
Court 17	5,701	5,414	-287	-5.0%
State	34,297	33,088	-1,209	-3.5%

Caseload Comparison - Fiscal Years 2009-2010 - Civil Case Dispositions				
	2009	2010	Change	% Change
New Castle County				
Court 9	1,021	1,141	120	11.8%
Court 13	17,073	15,167	-1,906	-11.2%
Kent County				
Court 16	5,555	5,406	-149	-2.7%
Sussex County				
Court 17	4,459	3,420	-1,039	-23.3%
State	28,108	25,134	-2,974	-10.6%

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

JP Court - 10 Year Civil Caseload Trend



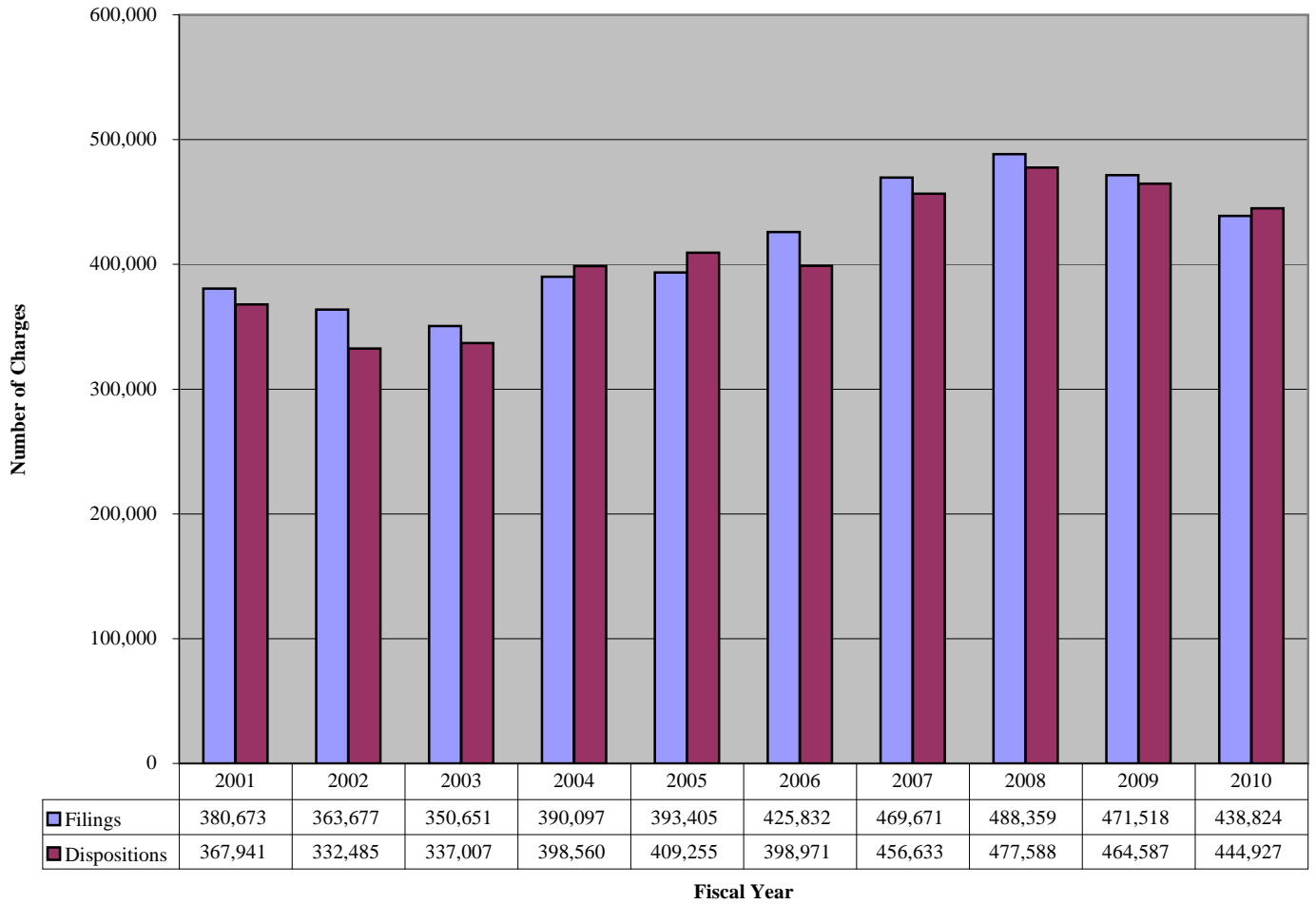
2005 Dispositions Amended

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2010 - Civil Case Filings						
	Complaints		Landlord/Tenant		Total	
New Castle County						
Court 9	1,091	69.0%	490	31.0%	1,581	100%
Court 13	6,961	37.2%	11,751	62.8%	18,712	100%
Kent County						
Court 16	4,267	57.8%	3,114	42.2%	7,381	100%
Sussex County						
Court 17	2,465	45.5%	2,949	54.5%	5,414	100%
State	14,784	44.7%	18,304	55.3%	33,088	100%

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

JP Court - 10 Year Criminal and Traffic Caseload Trend



2004 Dispositions Amended

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2010 - Criminal and Traffic Filings (defendants)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	175	3.7%	152	3.2%	4,135	88.3%	220	4.7%	4,682	100%
Court 10	101	1.0%	774	7.5%	8,472	82.1%	969	9.4%	10,316	100%
Court 11	294	1.1%	6,618	23.9%	18,260	65.8%	2,558	9.2%	27,730	100%
Court 15	12	0.4%	306	9.8%	2,722	87.3%	79	2.5%	3,119	100%
Court 20	116	0.7%	4,858	29.4%	8,500	51.5%	3,023	18.3%	16,497	100%
Kent County										
Court 6	38	0.8%	369	7.3%	4,520	89.8%	106	2.1%	5,033	100%
Court 7	396	2.2%	4,551	25.0%	11,923	65.6%	1,316	7.2%	18,186	100%
Court 8	0	0.0%	118	5.4%	2,000	92.0%	55	2.5%	2,173	100%
Sussex County										
Court 1	49	1.7%	137	4.7%	2,412	82.2%	337	11.5%	2,935	100%
Court 2	337	2.4%	8,363	59.4%	4,228	30.0%	1,145	8.1%	14,073	100%
Court 3	521	4.8%	3,306	30.4%	6,023	55.3%	1,040	9.6%	10,890	100%
Court 4	16	0.2%	843	10.3%	7,124	86.9%	214	2.6%	8,197	100%
Court 14	0	0.0%	43	2.7%	1,482	94.6%	42	2.7%	1,567	100%
State without VAC*	2,055	1.6%	30,438	24.3%	81,801	65.2%	11,104	8.9%	125,398	100%
VAC*	681	0.5%	0	0.0%	131,577	98.7%	1,094	0.8%	133,352	100%
State with VAC*	2,736	1.1%	30,438	11.8%	213,378	82.5%	12,198	4.7%	258,750	100%

* VAC = Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Caseload Breakdowns Fiscal Year 2010 - Criminal and Traffic Filings (charges)										
	Title 7 - Fish/Game		Title 11 - Criminal		Title 21 - Traffic		Miscellaneous		Total	
New Castle County										
Court 9	230	2.6%	216	2.5%	7,954	91.5%	291	3.3%	8,691	100%
Court 10	114	0.6%	1,150	5.6%	18,120	87.9%	1,225	5.9%	20,609	100%
Court 11	438	0.6%	14,942	22.0%	46,045	67.9%	6,408	9.4%	67,833	100%
Court 15	20	0.3%	515	7.6%	6,055	89.8%	150	2.2%	6,740	100%
Court 20	145	0.4%	10,181	29.0%	18,399	52.3%	6,428	18.3%	35,153	100%
Kent County										
Court 6	51	0.5%	791	7.9%	9,035	89.9%	178	1.8%	10,055	100%
Court 7	743	1.8%	11,715	28.3%	25,701	62.0%	3,285	7.9%	41,444	100%
Court 8	0	0.0%	245	5.1%	4,457	92.4%	119	2.5%	4,821	100%
Sussex County										
Court 1	65	1.1%	214	3.6%	5,241	88.1%	430	7.2%	5,950	100%
Court 2	368	1.0%	22,856	60.3%	10,410	27.5%	4,257	11.2%	37,891	100%
Court 3	840	2.7%	12,031	38.3%	15,305	48.7%	3,244	10.3%	31,420	100%
Court 4	17	0.1%	1,890	10.5%	15,551	86.6%	491	2.7%	17,949	100%
Court 14	6	0.1%	98	2.0%	4,712	95.3%	129	2.6%	4,945	100%
State without VAC*	3,037	1.0%	76,844	26.2%	186,985	63.7%	26,635	9.1%	293,501	100%
VAC*	682	0.5%	0	0.0%	143,526	98.8%	1,115	0.8%	145,323	100%
State with VAC*	3,719	0.8%	76,844	17.5%	330,511	75.3%	27,750	6.3%	438,824	100%

* VAC = Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Criminal and Traffic Filings (defendants)				
	2009	2010	Change	% Change
New Castle County				
Court 9	4,604	4,682	78	1.7%
Court 10	13,063	10,316	-2,747	-21.0%
Court 11	24,554	27,730	3,176	12.9%
Court 15	7,325	3,119	-4,206	-57.4%
Court 20	17,576	16,497	-1,079	-6.1%
Kent County				
Court 6	5,251	5,033	-218	-4.2%
Court 7	19,496	18,186	-1,310	-6.7%
Court 8	3,473	2,173	-1,300	-37.4%
Sussex County				
Court 1	3,007	2,935	-72	-2.4%
Court 2	14,710	14,073	-637	-4.3%
Court 3	12,122	10,890	-1,232	-10.2%
Court 4	7,086	8,197	1,111	15.7%
Court 14	1,763	1,567	-196	-11.1%
State without VAC*	134,030	125,398	- 8,632	-6.4%
VAC*	139,598	133,352	-6,246	-4.5%
State with VAC*	273,628	258,750	-14,878	-5.4%

* VAC = Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Criminal and Traffic Filings (charges)				
	2009	2010	Change	Change
New Castle County				
Court 9	8,650	8,691	41	0.5%
Court 10	28,196	20,609	-7,587	-26.9%
Court 11	61,344	67,833	6,489	10.6%
Court 15	16,231	6,740	-9,491	-58.5%
Court 20	38,092	35,153	-2,939	-7.7%
Kent County				
Court 6	9,691	10,055	364	3.8%
Court 7	44,962	41,444	-3,518	-7.8%
Court 8	7,295	4,821	-2,474	-33.9%
Sussex County				
Court 1	5,898	5,950	52	0.9%
Court 2	40,522	37,891	-2,631	-6.5%
Court 3	35,102	31,420	-3,682	-10.5%
Court 4	17,990	17,949	-41	-0.2%
Court 14	5,391	4,945	-446	-8.3%
State without VAC*	319,364	293,501	-25,863	-8.1%
VAC*	152,154	145,323	-6,831	-4.5%
State with VAC*	471,518	438,824	-32,694	-6.9%

* VAC = Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Court Rankings - Fiscal Year 2009-2010 - Total* Filings (charges)				
Rank w/o VAC	Total Filings		% of Total w/o VAC	
1	Court	11	67,833	20.8%
2	Court	7	41,444	12.7%
3	Court	2	37,891	11.6%
4	Court	20	35,153	10.8%
5	Court	3	31,420	9.6%
6	Court	10	20,609	6.3%
7	Court	13	18,712	5.7%
8	Court	4	17,949	5.5%
10	Court	9	10,272	3.1%
11	Court	6	10,055	3.1%
12	Court	16	7,381	2.3%
9	Court	15	6,740	2.1%
14	Court	1	5,950	1.8%
15	Court	17	5,414	1.7%
16	Court	14	4,945	1.5%
13	Court	8	4,821	1.5%
State w/o VAC			326,589	100.0%
VAC			145,323	
State w/ VAC			471,912	

* Includes civil, criminal, and traffic

VAC = Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Court Rankings Fiscal Year 2009-2010 - Total Cases Filed (defendants)			
Rank w/o VAC		Total Filings	% of Total w/o VAC
1	Court 11	27,730	17.5%
2	Court 13	18,712	11.8%
3	Court 7	18,186	11.5%
4	Court 20	16,497	10.4%
5	Court 2	14,073	8.9%
7	Court 3	10,890	6.9%
6	Court 10	10,316	6.5%
10	Court 4	8,197	5.2%
8	Court 16	7,381	4.7%
11	Court 9	6,263	4.0%
12	Court 17	5,414	3.4%
13	Court 6	5,033	3.2%
9	Court 15	3,119	2.0%
15	Court 1	2,935	1.9%
14	Court 8	2,173	1.4%
16	Court 14	1,567	1.0%
State w/o VAC*		158,486	100%
VAC*		133,352	
State w/ VAC*		291,838	

* VAC = Voluntary Assessment Center

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

JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Total Cases Filed (charges)				
	2009	2010	Change	% Change
Criminal & Traffic	471,518	438,824	-32,694	-6.9%
Civil	34,297	33,088	-1,209	-3.5%
Total	505,815	471,912	-33,903	-6.7%

Caseload Comparison - Fiscal Years 2009-2010 - Total Cases Disposed (charges)				
	2009	2010	Change	% Change
Criminal & Traffic	464,587	444,927	-19,660	-4.2%
Civil	28,108	25,134	-2,974	-10.6%
Total	492,695	470,061	-22,634	-4.6%

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

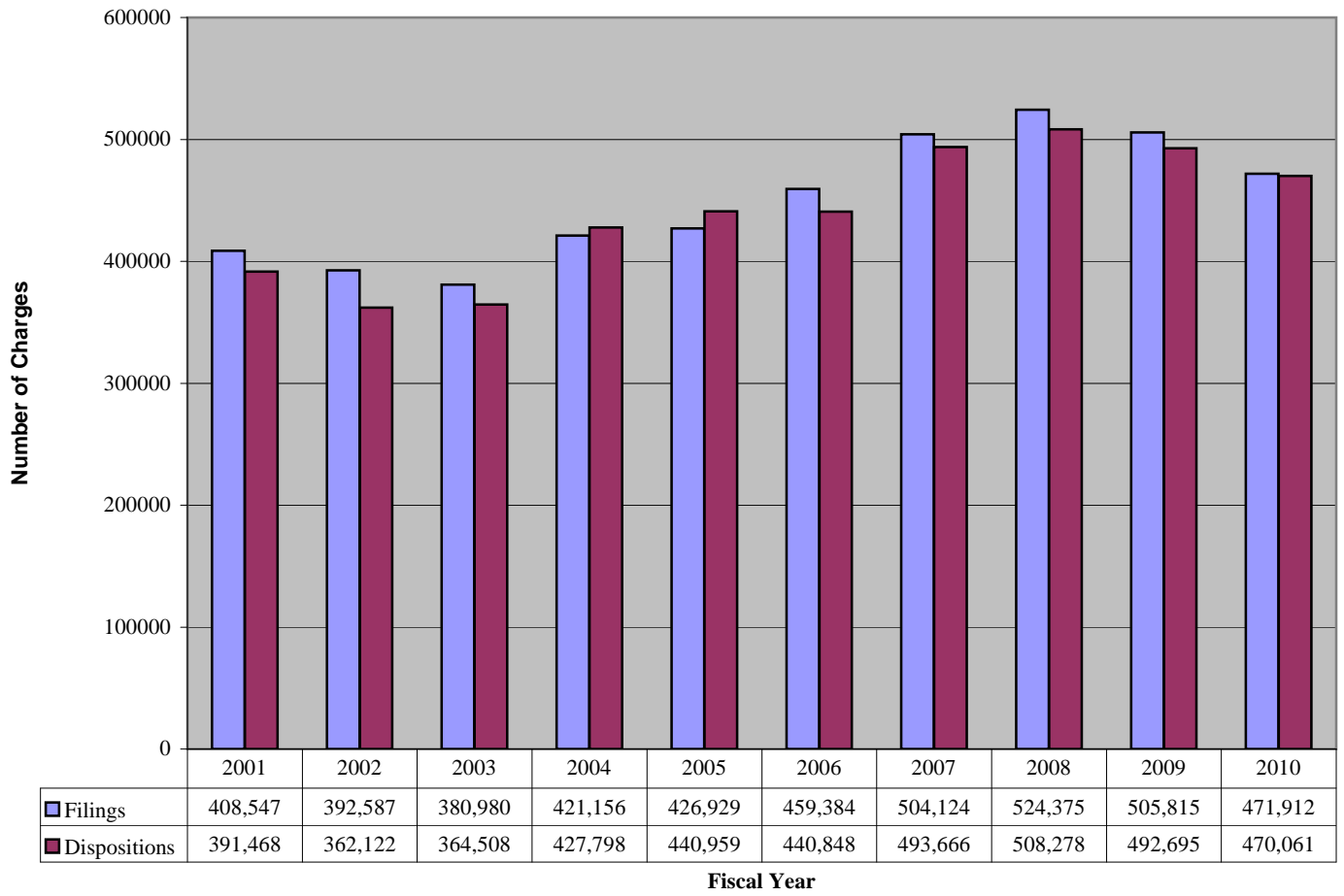
JUSTICE OF THE PEACE COURT

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Filings (defendants)				
	2009	2010	Change	% Change
Criminal & Traffic	273,628	258,750	-14,878	-5.4%
Civil	34,297	33,088	-1209	-3.5%
Total	307,925	291,838	-16,087	-5.2%

Caseload Comparison - Fiscal Years 2009-2010 - Total Case Dispositions (defendants)				
	2009	2010	Change	% Change
Criminal & Traffic	266,547	265,081	-1,466	-0.5%
Civil	28,108	25,134	-2974	-10.6%
Total	294,655	290,215	-4,440	-1.5%

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

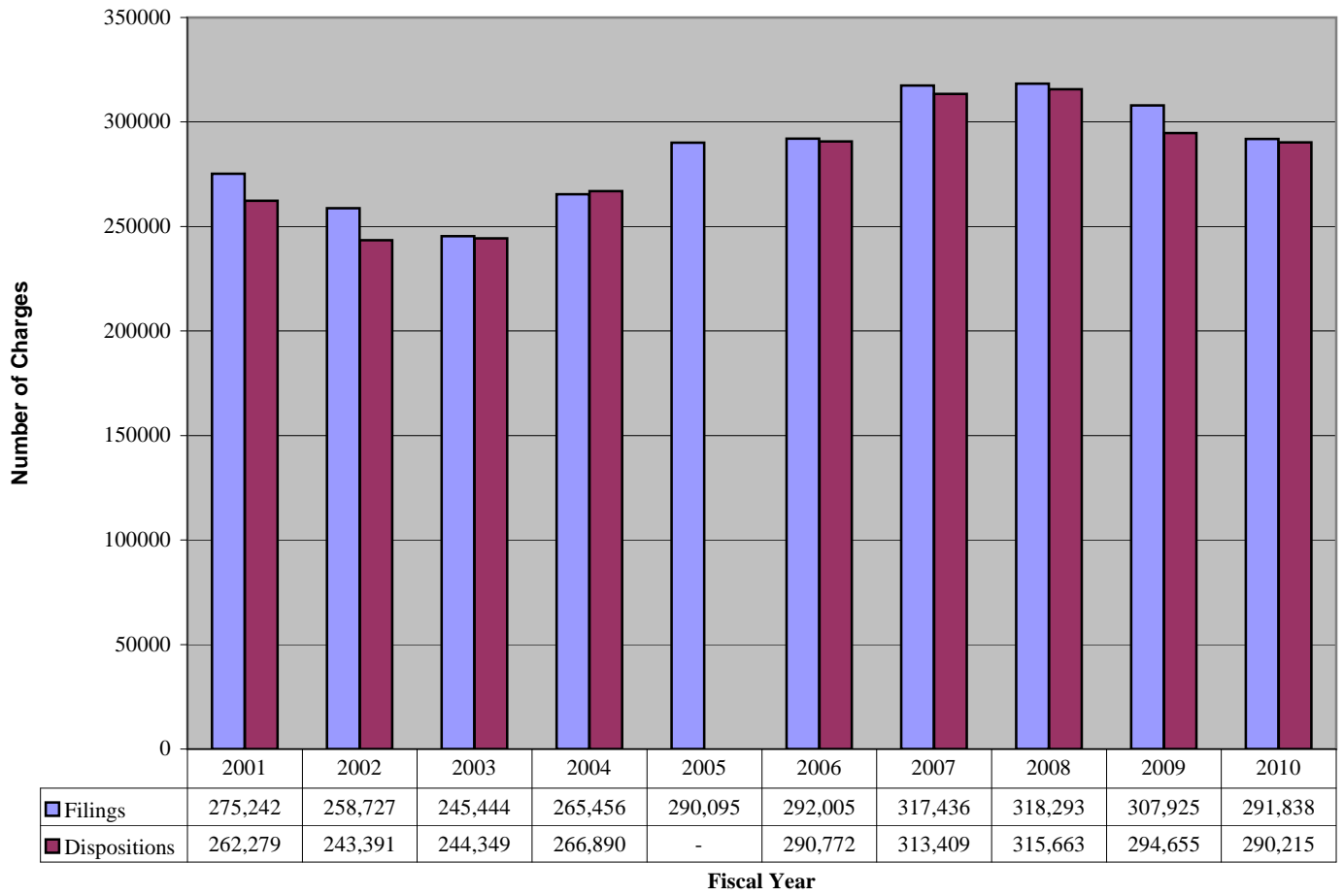
JP Court - 10 Year Total Caseload Trend (Civil, Criminal & Traffic)



2003 Filings Amended

Criminal/Traffic filings are based on charges because data by defendants is not available for all years.

JP Court - 10 Year Total Caseload Trend (Civil, Criminal & Traffic)



Criminal filings and disposition information is by Defendant, which is similar to case information provided by the other courts.

Disposition information for 2005 is not available.



ALDERMAN'S COURTS
State of Delaware

2010 Annual Report Statistical Information

ALDERMAN'S COURTS*

Caseload Comparison - Fiscal Years 2009-2010 - Total Filings				
	2009	2010	Change	% Change
New Castle County				
Newark	15,888	13,197	-2,691	-16.9%
Newport	6,752	5,969	-783	-11.6%
Sussex County				
Bethany Beach	3,202	2,565	-637	-19.9%
Dewey Beach**	1,467	1,000	-467	-31.8%
Laurel	3,302	2,051	-1,251	-37.9%
Rehoboth Beach***	1,653	1,568	-85	-5.1%
State	32,264	26,350		

Caseload Comparison - Fiscal Years 2009-2010 - Total Dispositions				
	2009	2010	Change	% Change
New Castle County				
Newark	16,828	14,327	-2,501	-14.9%
Newport	6,805	5,969	-836	-12.3%
Sussex County				
Bethany Beach**	3,202	2,565	-637	-19.9%
Dewey Beach	1,467	772	-695	-47.4%
Laurel	4,009	2,228	-1,781	-44.4%
Rehoboth Beach***	1,971	1,537	-434	-22.0%
State	34,282	27,398		

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

* Alderman's Courts are not part of the Delaware court system. They are independent entities within their respective Municipalities. However, cases may be transferred or appealed to a State court.

** Incomplete - FY2010 includes July 2009 and March, April, May, June 2010 data only.

*** Incomplete for FY2010 - May report unavailable

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