

FOR IMMEDIATE RELEASE
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Delaware Judiciary forms the Jurisdiction Improvement Committee to review court jurisdictional lines to improve the efficient resolution of citizens' disputes

The Committee will make recommendations on reforms and improvements based on input from the Delaware bar and each of Delaware's trial courts.

The Delaware Supreme Court, with the agreement of the state's five trial courts, formed the Jurisdiction Improvement Committee today to take a comprehensive look at reforming and updating the jurisdictional authority of each of Delaware's courts.

The Committee was created in direct response to the Joint Study of the Delaware Courts by the Delaware Chapter of the American College of Trial Lawyers (ACTL) and the Delaware State Bar Association (DSBA). After a comprehensive review of Delaware's court system, the ACTL/DSBA Study recommended, among other things, a number of changes to the trial courts' jurisdiction to help the Delaware Courts operate more productively and efficiently by eliminating unnecessary overlap in the trial courts' jurisdiction and by assigning certain types of cases to the trial court best positioned to address those cases cost-effectively and expertly.

The Committee will give priority to, but is not restricted to, considering ideas surfaced in the ACTL/DSBA Study, including transferring adult guardianship cases from the Court of Chancery to the Family Court and transferring truancy proceedings from the Justice of the Peace Court to the Family Court. Other recommendations include raising the monetary limit for civil cases filed in the Court of Common Pleas and the Justice of the Peace Court, allowing each to handle a greater caseload. On the criminal side, recommendations include centralizing all misdemeanors or misdemeanor drug charges in the Court of Common Pleas and all non-felony DUI cases in the Court of Common Pleas and Justice of the Peace Court.

The Committee will be led by David C. McBride, Esquire and former Family Court and Superior Court Judge Peggy L. Ableman. McBride is a veteran member of the Delaware Bar who specializes in corporate and commercial law, particularly mergers and acquisitions. He is also a former chairman and current member of the Executive Council of the DSBA's Corporate Law Section. Former Judge Ableman, who is now in private practice, served for nearly 30 years on the Delaware Bench both in Family Court and Superior Court. Judge Ableman was also the first female Assistant United States Attorney for the District of Delaware and the second woman ever appointed to the Delaware Bench.

The Committee co-chairs, like other Committee members, were selected for their breadth and depth of experience in practicing at a number of different levels — and serving in different capacities — in the Delaware Court system, giving them greater insight into the strengths of the various courts and the practical effect of changes to jurisdictional boundaries.

Other Committee members, who have been drawn from all parts of the state, have decades of experience in commercial litigation, criminal law (both as prosecutors and defense attorneys),

and in appeals. Individual members also bring with them a wide variety of expertise in specialized areas of the law including: corporate governance; bankruptcy and restructuring; complex commercial litigation; partnership and limited liability company matters; toxic tort; alternative dispute resolution; white collar crime; elder law; probate, estate and trust matters; real estate; personal injury; worker's compensation; and DUI.

The Committee will have two subcommittees, one focused on civil jurisdiction and the other focused on criminal jurisdiction. The Committee will coordinate its efforts with the Administrative Law Improvement Task Force, which was created by Senate Concurrent Resolution No. 33 to modernize the Administrative Procedures Act, including recommending improvements to the allocation of jurisdiction to the courts and various administrative bodies responsible for resolving administrative law disputes.

Each of the Delaware Courts will have a representative on the Committee but each will be non-voting, leaving the final recommendations to the non-judicial members of the Committee.

The Committee is to make a report on its preliminary progress on specific recommendations for administrative action or legislative changes to the Delaware Supreme Court by March 15, 2018.

The Committee's recommendations will not limit a citizen's right to bring certain causes of action, nor will the recommendations redefine crimes or criminal conduct. Instead, the recommendations will focus on which trial court is the proper venue to resolve certain types of cases in the most cost-efficient and expert manner.

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