

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.

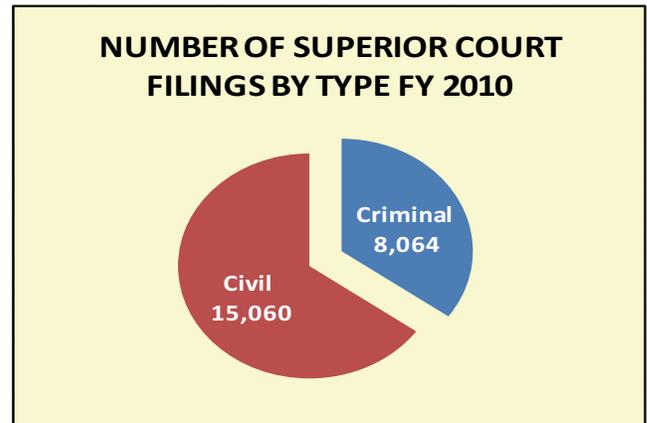
The Court saw an increase in each county's civil filings and dispositions this year. Filings were up seven percent, and disposition increased by three percent. This past year, communities statewide saw mortgage foreclosures rise by 19%. Unfortunately, there has been no decrease in foreclosures from the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

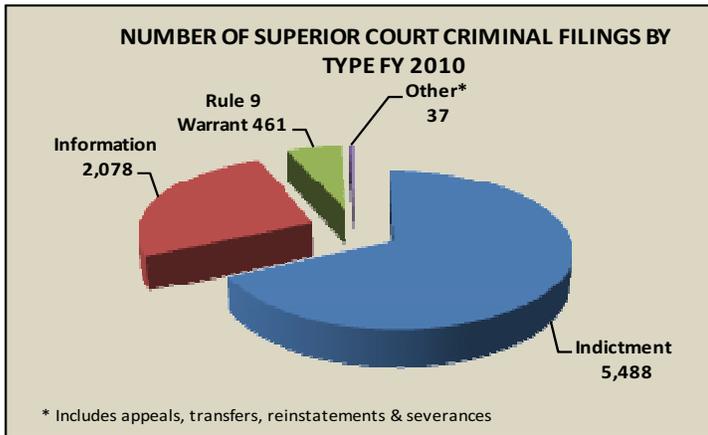


The CCLD's purpose is to improve upon the handling of complex commercial and business cases. Cases may be assigned to the CCLD when the controversy does not involve personal injury and the amount in controversy is one million dollars or greater, when an exclusive choice of court agreement is involved, 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.

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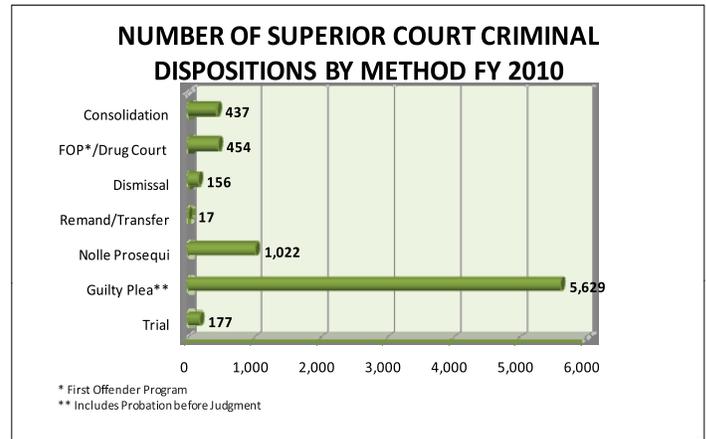
(CLASI). Chris was the driving force in creating and maintaining the program.



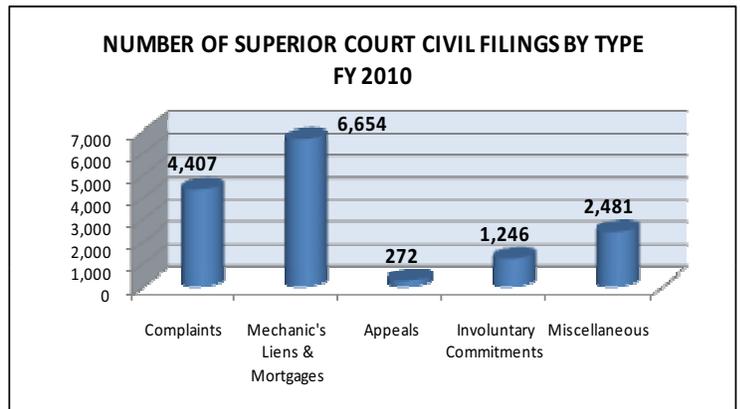
Statewide, our criminal statistics show that there were 8,064 criminal filings and 7,892 cases dispositions. These numbers represent a nine percent decrease in filings from last fiscal year, but there were 15 % fewer cases disposed of. As of June 30, 2010, there were 34 murder cases pending in Superior 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.



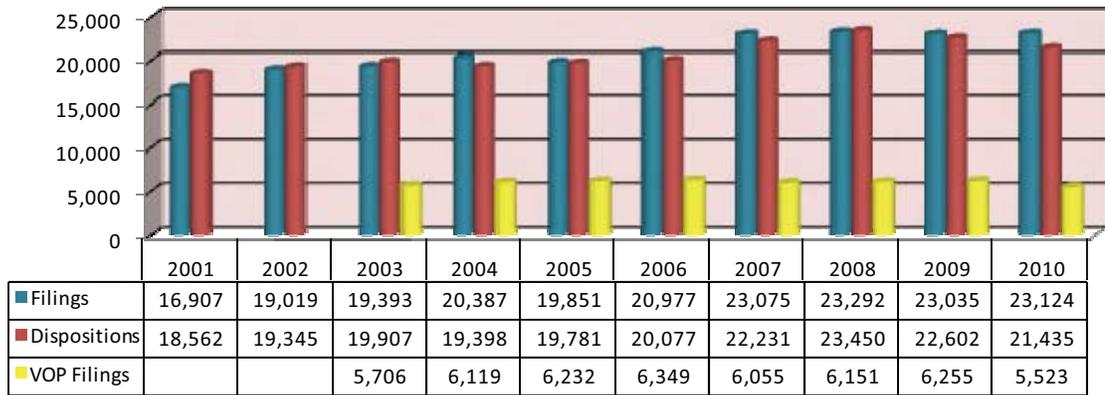
For the eighth year in a row, the Delaware Judiciary, and Superior Court in particular, were voted No.1 by a national survey which ranked Delaware's litigation environment first in the country for fairness. The survey, *Lawsuit Climate 2010: Ranking the States* by the Institute for Legal Reform, shows 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

