

2013 ANNUAL REPORT OF THE DELAWARE JUDICIARY



ON THE FRONT COVER:

Courtroom #1 was originally constructed in 1874 as part of the Kent County Courthouse. Currently, this Courtroom is used by the Superior Court, although the Court of Chancery and the Court of Common Pleas also may use Courtroom #1 for trials. In 2012-13, this Courtroom was carefully remodeled to incorporate modern trial technology needs while maintaining the historical significance of Courtroom #1. The renovations included returning the Colonial revival style paint to this Courtroom and retaining the wooden tipstuffs on the dock. The tipstuffs are painted white on one side and red on the other. Historically, the tipstuffs would be turned to the white or red sides depending upon whether the defendant was found guilty or innocent.

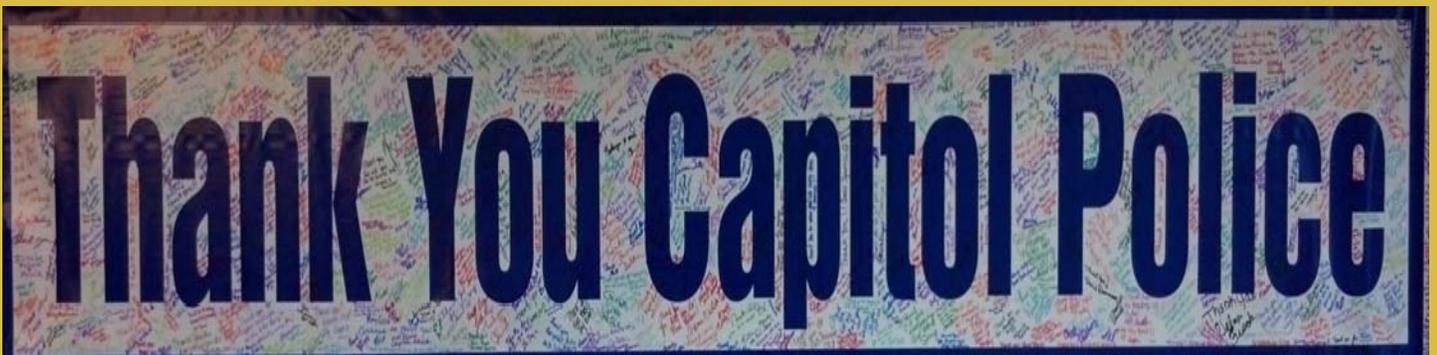


The AOC would like to offer special thanks to Richard K. Herrmann, Esquire, for his photographic expertise and assistance with the cover page of this Annual Report.

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This banner was hung in the New Castle County Courthouse on February 13, 2013, the first day the courthouse was open following the shootings at the New Castle County Courthouse on February 11, 2013.

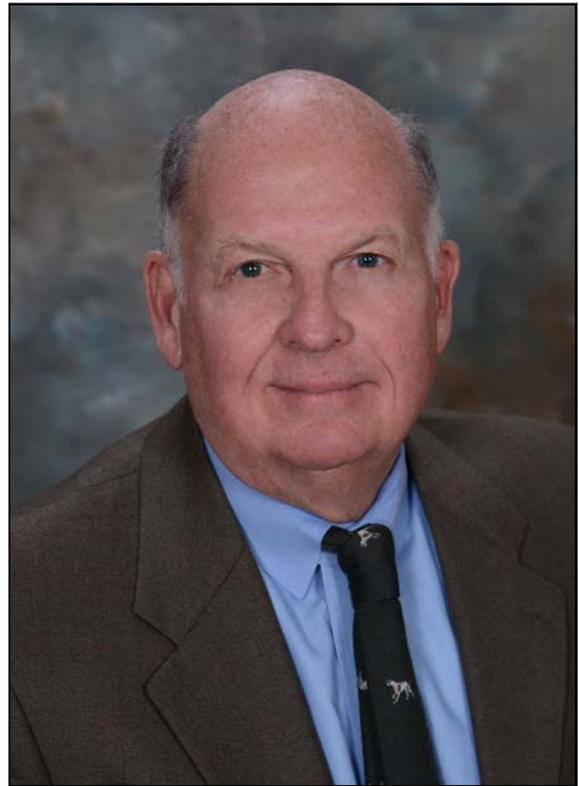
MESSAGE FROM CHIEF JUSTICE MYRON T. STEELE

This is my tenth, and final, fiscal year message for the Judiciary. The last nine and one-half years, during which I have had the honor of serving as Chief Justice of the Delaware Supreme Court, have proven challenging, at times, and also immensely rewarding, given the many accomplishments of the Judicial Branch during those years. I must begin by acknowledging, and expressing my gratitude for, the outstanding efforts and wisdom of individual judges and, collectively, the Courts, the Administrative Office of the Courts, and other branch employees. It is because of the talents and resourcefulness of my colleagues and staff within the Judicial Branch that we have achieved notable success in implementing efficiencies and streamlining practices. These initiatives have squeezed the most possible out of every state dollar, while helping us provide better and more effective services to Delaware citizens.

Looking back on my tenure as Chief Justice, I have maintained a consistent focus on a number of areas impacting the Judicial Branch. One area of major concern has been protecting the role of the Judicial Branch as an independent, co-equal branch of government. The Judiciary must be adequately funded, with sufficient resources and compensation for judges and staff, to function consistently with its constitutional mandate and to deliver fair and impartial justice. The fiscal challenges have been particularly difficult during my time as Chief Justice, as we have navigated through funding cutbacks, hiring freezes, and other measures to help address the fiscal challenges which impacted state government beginning in 2008 and have continued, for the most part, since then.

The Judiciary's efforts since the inception of the fiscal crisis have resulted in almost \$9 million in personnel cost savings and additional millions in increased state revenue, through our filing fee increases and innovations. Our willingness to join with the other branches of government to ensure fiscal stability has proven costly, at times, when considering overall court operations. My concern has grown with the widening gap between court caseloads, which experienced a 19% increase between FY 2003 and FY 2013, and declining resources.

Even considering the fiscal challenges which the Judicial Branch has faced, Fiscal Year 2013 proved to be an extremely difficult time for the Judicial Branch. The shootings which occurred at the New Castle County Courthouse on February 11, 2013 affected all of us in Delaware personally, and indelibly etched the importance of court security in our psyches. One doesn't often think about some-



Chief Justice, Delaware Supreme Court (2004-2013)
Justice, Supreme Court (2000-2004)
Vice Chancellor, Court of Chancery (1994-2000)
Resident Judge Kent County, Superior Court (1990-1994)
Judge, Superior Court (1988-1990)

thing like that happening. But it did, costing two victims their lives, injuring two others, and representing a direct attack on the very core of the justice system – the courts. Those tragic events will have a rippling effect on all of our lives for years to come.

Another focal point during my tenure has been the Courts' ability to obtain secure and dignified court facilities. The Courts have recognized the difficulties in providing a safe environment for all who enter our courthouses, while maintaining an open forum to ensure access for all. In the wake of the violence on February 11th, I faced questions about the safety and security of our Courts head on – both for the public who access our justice system and for the employees who work within the system. Instead of jumping into an instant, and perhaps flawed, response to those questions, we followed a thoughtful process and developed a rational security plan – focused on ensuring that the best possible court security measures are in place. We conducted thorough security reviews of Delaware courthouses statewide, relying on our security experts, includ-

ing the U.S. Marshal's Service and the Delaware Office of Safety and Homeland Security. In addition to seeking guidance from those experts, we solicited suggestions from employees and others on security issues, and developed a list of critical court security needs that was submitted to the Executive and Legislative Branches in April of 2013.

Those court security priorities included additional security staffing for both Capitol Police and the Justice of the Peace Court; improvements to the configuration of the lobbies of the New Castle County Courthouse and other courthouses; extra cameras, ballistic security barriers, and other security equipment; policy and training enhancements; as well as other structural improvements to enhance security. We left no stone unturned in scouring all possible funding sources and, as a result, we developed a funding plan to support these critical priorities, which included \$1 million from resources under our control. With the support of the Governor and the Legislature, an additional \$2.2 million, and 25 positions, were included in the FY 2014 budget to address these critical security priorities.

We remain gratefully in debt to the Capitol Police, and others, whose quick actions on February 11th prevented a very tragic event from becoming catastrophic. That event brought into focus the need to ensure that the Capitol Police has sufficient resources, equipment and training, to meet the growing security risks at our courthouses. Although the Judiciary has supported addressing the Capitol Police's court security resource needs in the past, I am pleased that combined recent efforts resulted in the addition of 17 new Capitol Police positions for court security in FY 2014.

We made tremendous progress with a number of security initiatives in the months that followed the shootings, including instituting branch-wide security policies, such as the establishment of courthouse security committees and a statewide court security committee to provide guidance to the Supreme Court on security issues, a statewide emergency notification system, courthouse emergency procedures booklets and related computer-based training, and training for court security officers, Capitol Police, and court staff to enhance our emergency preparedness. Substantial progress has been made on physical security projects, such as the installation of ballistic materials for public access counters in the New Castle County Courthouse, the

establishment of statewide priorities for additional security cameras and ballistic or Kevlar materials in public areas, and the redesign of the New Castle County Courthouse lobby, with the completion of those projects anticipated by the spring of 2014.

Besides progress on security, I would like to mention two budget highlights during my tenure as Chief Justice. First, the two new, much needed, Superior Court judgeships and associated court staff, have helped to address burgeoning caseloads since the last new Superior Court judges were added in New Castle County in 1994. The full funding of the new judgeships, although it took longer than we wished, demonstrated the other Branches' appreciation of the Judiciary's disciplined approach in determining when to ask for new judges based upon quantified needs. Second, the completion of the Kent County Courthouse renovations represented a significant accomplishment. The new wing of the Kent County Courthouse, along with the renovated old courthouse, provides a well-designed and secure court facility, which should serve the people of Kent County well for many years to come.



Representative Melanie George Smith presenting a House Tribute, on January 16, 2014, to Chief Justice Steele and Beth Steele, recognizing his outstanding judicial service.

One very serious budget concern that I regret has worsened while I have been Chief Justice is the compensation rates paid to Judicial Branch employees and Delaware judges, which have continued to fall further and further behind inflation and benefit cost increases. The inability of the Delaware Compensation Commission process to address Delaware judges' pay since 2005 – when the last functioning Compensation Commission report went into effect – has compounded judicial pay issues. While Delaware judges and court staff know that they are foregoing better pay opportunities in

the private market when they answer to the higher calling of public service, they do not expect that the value of their pay will continue to diminish throughout their years in state service. Just considering inflation (not including benefit cost increases), the salary of a court employee paid \$34,000 annually has, effectively, dropped by close to \$3,000 because of inflation in the last nine years. I realize that each court employee can ill afford that loss, while trying to cope with increasing transportation and, in Wilmington, parking costs, along with their families' growing living expenses. Although I am proud of the Judicial Branch's many accomplishments during my tenure, I leave this position disheartened by the declining financial positions that the dedicated public servants in the Judicial Branch are facing.

Continued on next page

A MESSAGE FROM THE CHIEF JUSTICE

Finally, I am grateful that the Delaware Courts continue to be viewed as the nation's top court system. We have been ranked number one in the country for our "climate of fairness" by a U.S. Chamber of Commerce study for 10 times in a row. Delaware Courts are consistently recognized as "most influential" by the *Directorship*, a magazine for corporate board members and high level corporate executives. In addition, individual Delaware judges are frequently recognized on a national basis, and have been repeatedly included on the *Lawdragon* legal magazine's list of leading attorneys nationwide in the area of corporate governance, and on the *Ethisphere* magazine's list of the most influential persons in business ethics.

Through amendments to the Delaware Constitution in 2007 and 2013, the Delaware Supreme Court was provided jurisdiction to consider certified questions of Delaware law submitted by the Securities and Exchange Commission (SEC) and the United States Bankruptcy Courts. Following the 2007 amendment, the SEC's use of the new certification process in 2008 demonstrated the Delaware Supreme Court's important national role in corporate law.

I am keenly aware that Delaware's national, and international, preeminence results directly from the individual, and collective, efforts of those in the Judicial Branch. Some recent programs and innovations instituted by the Courts to enhance the services we provide, include problem-solving courts in all of the criminal trial courts, electronic filing and payment initiatives, Court of Chancery's guardianship program, Superior Court's mortgage foreclosure mediation and project rightful owner programs, Court of Common Pleas' SPEED docket for expediting civil litigation and procedures for consumer debt collection litigation,

Family Court's statewide call center, risk assessment for pre-adjudicated juveniles, and website enhancements, and Justice of the Peace Court's Prosecution Project, Community Court initiative, online resources, and security efforts.

We have established a number of task forces, such as the Racial Justice Improvement Project, the Task Force on Criminal Justice and Mental Health, and the Fairness for All Task Force, all of which have resulted in significant systemic improvements. We have strengthened our liaison activities with the other branches of government, through initiatives such as the establishment of the Judicial Branch legislative team, which has enabled us, as a Branch, to speak with a unified voice. In addition, the Administrative Office of the Courts (AOC) has worked hard to enhance its support of Branch initiatives through coordination of security projects, grant-related activities and services for problem-solving courts, the expanded court interpreter program, facilities' projects, community education, and staff training, technology-related projects, court collections enforcement, and other initiatives.

I am immensely proud of the Judicial Branch's many achievements during my time as Chief Justice and the exceptional services we provide. Although I look forward to the next "chapter" in my life, I will greatly miss working with the many talented judges and staff in all of the Courts and the AOC.



"A judiciary is only as good as the men and women who serve in it—and quite simply, Chief Justice Steele is as good as they get. In addition to serving as Chief Justice, he has served on our Superior Court and Court of Chancery. He is a tireless and forceful advocate for our state's judiciary and indeed, for the entire State of Delaware. We don't always agree, but I can say with confidence that no one cares more about our state courts than Chief Justice Myron Steele.

With no disrespect to any of the men and women in this room, I believe Delaware's judiciary is the 'gold standard' – and I want to thank Chief Justice Steele for all of his work in building and maintaining what I believe is the finest state judiciary in the nation. Thank you, Chief Justice Steele.

As you know, the Chief Justice's passion and commitment do not stop at the borders of our State. Before he ever became President of the Conference of Chief Justices, he was an avowed defender of state courts and of the role of states in the governance of our republic. A proud graduate of Mr. Jefferson's university – the University of Virginia – and its law school, the Chief Justice has always been a student of history and of government. He is someone who knows that the strength of our courts depends on their independence. But he is also someone who knows that independent branches of government do not exist in silos; and that in the real world the different branches of government work best when they work together."

Governor Jack Markell, Remarks to the Conference of Chief Justices, July 30, 2013

MESSAGE FROM THE STATE COURT ADMINISTRATOR

This past year has been one of great progress for the Administrative Office of the Courts. We have made great strides in enhancing current programs, and developing new initiatives, including those that focus on increasing access to justice. The enduring effects of the State's fiscal challenges, coupled with increasing demands on limited judicial resources, have led the AOC to redouble its efforts this year to maximize system-wide efficiencies and bolster existing resources. The tragic New Castle County Courthouse shootings on February 11, 2013 brought security issues, which have long been a Judicial Branch priority, to the forefront during this past year. Although the event shook our judicial system at its core, the overwhelming support from judges and Judicial Branch staff, Capitol Police and other security personnel at all levels, the other branches of government, and many others, fostered advancement in security initiatives promoting the safety of all who work in, or enter into, our courthouses. Those efforts are on-going and are discussed below, along with some of the many AOC initiatives.

The FY 2013 Message of the State Court Administrator would not be complete without acknowledging Chief Justice Myron T. Steele's strong and deft leadership of the Judicial Branch and tremendous support of the AOC over the past nine and one-half years. Although his retirement on November 30, 2013 was well-deserved after his 24 years serving on the Bench, I personally feel the loss of his outstanding and decisive management, his strong advocacy for the Delaware Courts and his long-standing commitment to enhancing the core services provided by the Courts. The AOC is honored to have served a key role in helping to advance Chief Justice Steele's outstanding legacy in the area of court administration.

Court Security/Facilities

While security has been a long-recognized critical need of the Delaware Courts and a primary focus area for the AOC, the tragic shooting on February 11, 2013 at the New Castle County Courthouse raised a new awareness about court security. The AOC has worked with the Courts, Capitol Police, Facilities Management, and others, to coordinate the response to the shooting and to implement the security plan and priorities which were developed based upon the statewide security reviews conducted by security experts following last February's tragic events. Those initiatives have included new branch-wide security policies, including the establishment of courthouse security committees and a statewide emergency notification system, training for court security officers, the development of other security resources for court staff, installation of addi-

tional ballistic materials and security cameras in all state courthouses, and the redesign of the New Castle County Courthouse and Family Court Kent County Courthouse lobbies, as well as other structural security projects.

Self-Represented Litigants/Procedural Fairness

The AOC continued its efforts to implement the recommendations of the *Delaware Courts: Fairness for All Task Force* to better serve self-represented litigants. This past year brought advances in ongoing initiatives and the implementation of new programs to address gaps in access to justice services for self-represented litigants and Delaware's Limited English Proficient (LEP) population. Those efforts included the following:

- Doubled the volunteer attorney roster for the AOC's Limited Legal Assistance program (LLAP) which offers consultation services to self-represented litigants in Family Court. Over 95% of participants report that the program provides a valuable service. With the numbers of self-represented litigants on the rise, calls for assistance continue to increase and the AOC has stepped up efforts to meet this growing need;
- Enhanced language access services by expanding the LLAP to Spanish speaking litigants (who report a 100% satisfaction rate with the new program) and developing an online video series in Spanish explaining civil case processes in Delaware Courts;
- Served on the advisory committee organizing the National Summit on Language Access in the Courts, and coordinated a team of Delaware Judges and AOC staff to attend the Summit. Participants joined teams from 48 other states, three territories and the District of Columbia to develop strategies for addressing language access issues. In addition, the AOC's Court Interpreter Program received the 2013 John Neufeld Court Achievement Award in October, which recognized our leadership role in language access on a national level and the program's many initiatives to advance services provided to LEP litigants in Delaware;



Honorable Patricia W. Griffin

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ADMINISTRATIVE OFFICE OF THE COURTS

- Supported national language access initiatives through work related to the Conference of State Court Administrators' Language Access Advisory Committee and the Council for Language Access Coordinators;
- Participated in the Delaware State Bar Association Committee on Access to Justice which reviewed proposed changes to consumer debt collection cases in the Court of Common Pleas.

Delaware Supreme Court Task Force Initiatives/Committees

The AOC continued to support Delaware Supreme Court Task Force initiatives that focus on access to justice and procedural fairness issues for Delaware's underserved populations including:

◇ **Delaware Access to Justice Commission:** Initial work began on the potential establishment of an Access to Justice Commission in Delaware in FY 2013. Following the recommendations of the Access to Justice Exploratory Committee, which was convened by Justice Jack B. Jacobs on behalf of the Delaware Supreme Court, staffed by the AOC, and included representatives from the Courts, Delaware State Bar Association, legal services organizations and others, the Delaware Supreme Court entered an Order on November 13, 2013 establishing a Delaware Access to Justice Commission. The Commission, established for an initial two-year period, will focus on providing a coordinated approach to investigating and addressing gaps and critical needs related to access to justice in Delaware.

◇ **Delaware Racial Justice Improvement Project (RJIP):** The work of the RJIP, led by Supreme Court Justice Henry duPont Ridgely, completed its work on a number of initiatives supported by a grant sponsored by the Bureau of Justice Assistance and the American Bar Association. The RJIP, comprised of several members from the Judicial Branch, other criminal justice system partners and staffed by the AOC, focused its reform on the Department of Probation's policies and standards to guide probation officers in the supervision of probationers. The Task Force took the following steps, among others, related to the possible influence of race on discretionary decisions of probation officers:

- All supervisory probation officers received training on implicit bias and bias-free decision making. Implicit bias training has now been incorporated into the mandatory training received by all new

probation officers;

- The Department of Probation & Parole Professional Conduct Policy was amended to expressly prohibit discriminatory decisions by probation officers;
- Modifications to the Delaware Department of Correction's (DDOC) case management system will enable officers to manage and track probation violations and the type of sanctions that are implemented on probationers as a result of violation. These new functions will provide the Department with a tool to better manage its offender population and will allow the probation officers to have a guideline that drives the sanctions based on predefined, objective criteria. The hope is that this evidence-based approach to guide probation officers' discretion in imposing graduated sanctions for probation violations will assist the DDOC in efforts to promote bias-free decision-making and reduce the number of violation reports to the Courts or Board of Parole;
- An additional initiative to promote bias-free decision-making was undertaken by the Delaware State Police. That effort involved the development of automated traffic "warnings" so that information about warnings, in addition to traffic tickets, would be stored electronically and be easily accessible for later review;
- The Delaware Criminal Justice Council's *Declaration of Leading Practices to Protect Civil Rights and Promote Racial and Ethnic Fairness in the Criminal Justice System* was implemented. The Declaration mandates that Delaware criminal justice agencies and the courts adopt policies on bias-free decision-making, use of deadly force, internal and external complaint process, and other areas that will promote racial and ethnic fairness, in order to receive preference to receive grant funding allocated through the Criminal Justice Council;
- The Task Force sponsored a train-the-trainer session on implicit bias for Probation and Parole as well as for judicial staff;
- Judicial Officers participated in educational sessions on implicit bias in October 2012.

◇ **Mental Health and Criminal Justice Task Force:** The AOC continues to facilitate the work of the Delaware Supreme Court Task Force on Criminal Justice and Mental Health (co-chaired by Supreme Court Justice Henry duPont Ridgely and Superior Court Judge Jan R. Jurden), including publication of the Updated Strategic

Plan which sets forth the revised recommendations of the Task Force.

- ◇ The General Assembly's **Victims' Compensation Assistance Program Review Committee**, chaired by the State Court Administrator and staffed jointly by the AOC and the Controller General's office, was established to review the financial stability of the VCAP program resulting in a report setting forth the committee's analysis and recommendations which was submitted to the General Assembly on January 7, 2013.

Grant Writing

The AOC coordinated numerous grant applications on behalf of the Courts and was successful in obtaining federal grant funding to support several judicial branch initiatives. Examples included:

- Coordinated the preparation of the Justice of the Peace Court's grant application that resulted in an award from the State Justice Institute to fund a project coordinator to assist the Justice of the Peace Court's community court project. The project coordinator will assist with the planning and development of a resource center which will serve as a centerpiece for the newly created community court in the City of Wilmington;
- Secured funding from the Office on Violence Against Women and managed the planning and implementation of the Victim Awareness and Safety Enhancement Project in the New Castle County Superior Court Mental Health Court and Court of Common Pleas Trauma Informed Probation Court. The project's goals are to provide justice-involved victims of domestic violence and/or sexual assault with the tools to end the cycle of violence and abuse, address the root cause of the problem that may have led to their involvement with the criminal justice system, and help reduce recidivism;
- Obtained grant funding from the National Highway Traffic Safety Administration to support a State Judicial Outreach Liaison officer who will assist the Court of Common Pleas with the creation of a Driving Under the Influence Court in Delaware (pursuant to H.B. 378, 146th General Assembly (De. 2012)), educate the Judiciary on the issue of impaired driving and traffic safety, and provide community outreach services;



From left: Robin Jenkins, founder of the Summer Youth Volunteer Program; Amy Quinlan, Deputy State Court Administrator; Karlis Johnson, Court Administrator for Court of Chancery; and Patricia Griffin, State Court Administrator.

- Additionally, the AOC partnered with the Criminal Justice Council to prepare the Courts' cooperative applications for grant solicitations including the FY 2013 Adult Drug Court Discretionary and the Byrne Criminal Justice Innovation Programs.

Community Outreach

The AOC continued to expand its community outreach efforts in 2013 through enhanced programming and new initiatives focused on providing educational opportunities to Delaware youth and the community.

- FY 2013 represented another successful year for the Supreme Court and Delaware Bar Association iCivics project. Founded in 2009 by former United States Supreme Court Justice Sandra Day O'Connor, iCivics provides a free civics curriculum that meets Common Core State standards. The Delaware Supreme Court, in conjunction with the Women and the Law Section of the Delaware State Bar Association and the AOC, brought iCivics into the state's elementary and middle schools during the month of May for the last two years. Judges and lawyers volunteer to demonstrate online lessons in the classroom and share their knowledge of working in the legal system.
 - The AOC continues to work with schools and community organizations to bring innovative civics educational opportunities to the schools and community, including the Youth Forum for middle school students which provides an opportunity for students to learn about the court system by working with real life judges and attorneys in an impromptu mock trial held in a real courtroom.
- The Summer Youth Volunteer Program celebrated its fifth year by expanding its services into the Court of Chancery and the Division of Revenue. The "brain child" of the AOC's Manager of Support Services, Robin Jenkins, the program continued to expand with 49 students enrolled this summer. Through this volunteer program, students involved in the foster care system and others receive invaluable work experience and learn new work and life skills.
- The AOC continued its efforts with a myriad of other community outreach projects, including facilitation of the Delaware high school mock trial program and coordination of, and participation in, the Miracle on the 34th Street program (for younger students, the Delaware

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ADMINISTRATIVE OFFICE OF THE COURTS



Cast from Miracle on 34th Street presentation, New Castle County Courthouse, December 12, 2013

State Bar Association, in partnership with the Judiciary, stages a reenactment of a Miracle on 34th Street's courtroom scene).

- The AOC partnered with the Salvation Army's Keep a Job program to present a job skills seminar at the New Castle County Courthouse on April 19, 2013. The one-day conference entitled "Brighten Your Path for Success" introduced the participants of the Keep a Job program to the Delaware Judiciary, provided information about how the courts serve the public, and discussed employment opportunities within the Judicial Branch. Representatives from the Court of Common Pleas, Family Court, Capitol Police, the AOC, and the Salvation Army presented information on a variety of topics related to employment skills and the courts. Participants were given an opportunity to practice their newly acquired skills through mock interviews and received tips from experts on resume writing and the job application process.
- Serving on the steering committee, AOC staff assisted in the planning and presentation of the first Sisters in Success Conference on May 13, 2013 at Baylor Women's Correctional Institution. Delaware's First Lady, Carla Markell, presented the keynote address for the day-long conference which was led by the Honorable Jan R. Jurden, Delaware Superior Court Judge. The conference brought together a team of professional women from the local community to offer a se-

ries of workshops designed to provide Delaware's justice-involved women with the tools necessary to make a successful transition back into the community.

Collections

The AOC's Office of State Court Collections Enforcement (OSCCE) continued its efforts to implement new collection initiatives and improve the efficiencies of our current operations. In 2013, OSCCE was successful on several fronts:

- Extended its collections support to Court of Common Pleas outstanding judgments, with future support of Court of Chancery judgments in process;
- Expanded and enhanced the Tax Intercept Program which included the automation of the Department of Correction Fees database through the Delaware Criminal Justice Information System;
- Incorporated web payments (ePay) and five payment kiosks into daily operations;
- Continued to work on other technology advancements and cooperative partnerships with other state and national agencies to increase information sharing capability, capacity, and response time.



First Lady Carla Markell speaking at Baylor Women's Correctional Institution during the Sisters in Success Conference

Measuring Performance

Efforts continue to revamp and implement performance measures and process improvement in the Judicial Branch. The AOC sponsored internal strategic planning initiatives in FY 2013 which focused on finding ways to better assess its performance and existing processes and programming. Moving forward, ongoing process improvement and enhanced performance measures will serve as the underpinning of

many of the Courts' planned initiatives, including technology enhancement projects, grant requests, access to justice initiatives and Judicial Branch training.

Training

The AOC aggressively expanded its judicial staff training program in 2013. Existing programming was updated and additional classes on a number of new subject areas

and new computer-based training were added to the course catalog geared towards providing more effective and accessible training to a broader audience of judicial branch staff. Some examples include:

- Created New Employee Development Program with a web-based component that includes added content such as customer service and information on providing legal information as opposed to legal advice;
- Sponsored Process Improvement Training for AOC and court personnel;
- Expanded available training modalities including the addition of computer-based training (CBT). Specific examples include:
 - Obtained Lynda.com licenses for court staff use. The new tool allows court staff to access, either at their desk or through newly created on-site learning labs as their schedule permits, training on many of the off-the-shelf software programs used by the courts, such as Microsoft Outlook, Word or Excel.
 - Developed new CBT on a variety of topics such as the Employees' Code of Conduct, Emergency Notification, and Safety and Emergency Procedures for the New Castle County Courthouse, Family Court and Justice of the Peace Courts. Safety and Emergency Procedures for the Kent and Sussex County courthouses are currently under development and will include training on the location of emergency exits and an overview of the courts;
 - Rolled out a new Lunchtime Learning Series. These one hour training sessions are designed to accommodate busy schedules and heavy workloads. Past topics include E-mail Etiquette, Time Management, Legal Information vs. Legal Advice, and Organizational Tools;
 - Launched new Supervisor Series designed for those who either supervise others, or are on the path to doing so. Series topics include developing your employees, setting performance objectives, delivering feedback, conducting effective interviews and coaching employees;
 - Designed a new AOC staff learning and development website that allows court employees to register for courses, access computer-based training, provide feedback or suggestions for future classes, and obtain information regarding the New Employee Development program, the Judicial Administration Certificate program and statewide training programs.

Information Technology

The Judicial Information Center (JIC) continues to work to enhance its service-oriented approach for technology to

better meet the Courts' needs. FY 2013 has been a period of change and growth as JIC strives to meet the technology needs of the Judicial Branch. JIC's focus during the past year has remained on establishing a secure technology foundation through stabilization of its technical and human resources infrastructure and completion of small projects as it builds that foundation. In addition to completing a number of outstanding technology projects, key accomplishments in the last year included:

- The addition of wireless capabilities to all main court-houses statewide
- Contexte Case Management system stabilization
- Supreme Court Oral Arguments (Online Video)
- Completion of critical infrastructure and process improvements including:
 - * Documentation of current Enterprise and Business Architecture and Information Technology (IT) hardware inventories
 - * Establishment of System Performance Metrics and a monthly dashboard
 - * Development of an IT Information Security Plan
 - * Full overhaul of JIC COOP Plan
 - * Development and implementation of Performance Management Process/Cycle for JIC employees

JIC's five-year strategic plan concentrates on the following key success factors: accomplishing system stability and reliability; excellent customer service and support; documentation of existing and future architecture, inventories, processes, policies and procedures; collaboration with Courts and partner agencies and business process improvement; and accountability. Significant strides are being made in the following areas: implementing additional critical systems stabilization and infrastructure improvements (hardware and software), which is on target for completion in the winter of 2014; improving response time and effectiveness of responses to helpdesk inquiries and better tracking capabilities for trouble calls; upgrading of equipment and software; staffing critical managerial and other positions; and enhancing staff skills.

Looking ahead to FY 2014, I anticipate that the AOC will continue to experience change over the next year, with the departure of long-term friends and staff members, including Franny Haney, who retired from the AOC after almost 29 years of service to the Judiciary, and the evolution which will occur with a new Chief Justice at the helm. We look forward to the challenges and finding new ways to enhance the support services that the AOC provides the Courts.

LEGISLATION

The Judiciary's Legislative Core Team approach brings together representatives of all the state courts and the Administrative Office of the Courts to promote effective interaction between the Judicial Branch and the General Assembly. The Legislative Core Team monitors and analyzes legislation that impact on the Judiciary while serving as the Judicial Branch's main contact for legislative matters. The following legislation affecting the Judicial Branch was passed during FY 2013 by the 147th session of the General Assembly:

BILL NUMBER	DESCRIPTION
SB 5	Second Leg of a Constitutional Amendment that permits a Justice of the Peace Court Judge to be reappointed for an eight year term after completing three successful terms of office.
SB 10	Second Leg of a Constitutional Amendment that adds United States Bankruptcy Courts to the list of entities that may certify questions of law to the Delaware Supreme Court.
SB 77	Designate upper level management positions in the Justice of the Peace Court as exempt from classified services in the merit system for State of Delaware employees.
SB 109	Removes social security numbers from child support orders and requires that the Family Court collect, maintain and limit access to, social security numbers.
HB 17	Removes from the Delaware Code reference to Justice of the Peace Court No. 5, which is no longer in operation after being consolidated into Court No. 6.
HB 18	Brings the designation of judges who act as the board of canvass for Kent and Sussex counties into compliance with Article V, § 6 of the Delaware State Constitution.
HB 24	Implements changes recommended by the Truancy Task Force by changing provisions of the Delaware Code regarding compulsory attendance and when a truancy case must be brought to the Truancy Court.
HB 57	Reinstates the 2010 amendments to section 1007, based upon the recommendations of the Juvenile Justice Collaborative, that were critical in improving the process and conceptualization of secure juvenile detention in Delaware.
HB 128	Updates statutory language to conform to modern practices of the Court of Common Pleas.



FISCAL OVERVIEW

SUMMARY OF JUDICIAL BUDGETS - FISCAL YEARS 2012-2014

GENERAL FUNDS - State Judicial Agencies and Bodies

	FY 2012	FY 2013	FY 2014
	Enacted Budget	Enacted Budget	Enacted Budget
Supreme Court	\$ 3,239,400	\$ 3,296,800	\$ 3,411,100
Court of Chancery	3,122,500	3,081,700	3,164,500
Superior Court	22,323,300	23,431,500	24,791,600
Family Court	19,725,300	20,052,800	20,581,200
Court of Common Pleas	9,433,600	9,725,100	9,947,900
Justice of the Peace Court	17,413,800	17,682,500	18,125,900
Administrative Office of the Courts (AOC)	3,449,100	3,612,100	3,668,700
AOC Custodial Pass Through Funds*	5,655,200	3,043,700	3,043,700
Office of State Court Collections Enforcement	533,600	541,000	553,400
Information Technology	3,617,800	3,662,600	3,730,700
Law Libraries	461,300	463,600	467,600
Office of the Public Guardian	512,400	537,600	637,400
Child Placement Review Board	514,600	521,300	532,000
Office of the Child Advocate	867,500	898,200	917,600
Child Death, Near Death, and Stillbirth Commission	414,800	420,500	429,600
DE Nursing Home Residents Quality Assurance Commission	59,000	59,800	61,000
TOTAL	\$ 91,343,200	\$ 91,030,800	\$ 94,063,900

* 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 other similar funds.

Source: Administrative Office of the Courts

FISCAL OVERVIEW

COURT GENERATED REVENUE* - FISCAL YEAR 2013					
SUBMITTED TO THE STATE GENERAL FUND					
	Fees & Costs	Fines	Interest	Miscellaneous	Total
Supreme Court	\$ 94,400	\$ -	\$ -	\$ -	\$ 94,400
Court of Chancery	8,700	-	200	1,457,600	1,466,500
Superior Court	2,783,600	275,400	1,000	249,000	3,309,000
Family Court	323,100	26,300	-	12,400	361,800
Court of Common Pleas	2,752,800	288,600	-	92,900	3,134,300
Justice of the Peace Court	2,695,400	2,258,400	-	4,000	4,957,800
OSCCE - DOC Fees**	633,400	-	-	-	633,400
State Total	\$ 9,291,400	\$ 2,848,400	\$ 1,200	\$ 1,815,900	\$ 13,957,200
SUBMITTED TO COUNTIES AND MUNICIPALITIES					
	Fees & Costs	Fines	Interest	Miscellaneous	Total
Superior Court	\$ 122,000	\$ 42,100	\$ -	\$ -	\$ 164,100
Court of Common Pleas	1,300	454,800	-	-	456,100
Justice of the Peace Court	-	3,290,500	-	-	3,290,500
Counties and Municipalities Total	\$ 123,300	\$ 3,787,400	\$ -	\$ -	\$ 3,910,700
GRAND TOTAL	\$ 9,414,700	\$ 6,636,100	\$ 1,200	\$ 1,815,900	\$ 17,867,900

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

** 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 2013			
RESTITUTION - FISCAL YEAR 2013			
	Assessed	Collected	Disbursed*
Superior Court	\$ 8,058,600	\$ 2,195,200	\$ 2,206,800
Family Court	78,900	211,000	211,500
Court of Common Pleas	746,500	674,000	642,400
Justice of the Peace Court	34,500	56,800	30,300
Office of State Court Collections Enforcement**	-	64,100	41,500
RESTITUTION TOTAL	\$ 8,918,500	\$ 3,201,100	\$ 3,132,500
ASSESSMENTS AND COLLECTIONS FOR THE TRANSPORTATION TRUST FUND			
	Assessed	Collected	
Superior Court		\$ 330,700	\$ 116,500
Family Court		7,500	4,400
Court of Common Pleas		685,600	393,600
Justice of the Peace Court		3,203,400	2,675,600
TRANSPORTATION TRUST FUND TOTAL		\$ 4,227,200	\$ 3,190,100
COLLECTIONS BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT ON BEHALF OF COURTS AND AGENCIES***			
			Total
Superior Court			\$ 2,803,200
Family Court			64,100
Justice of the Peace Court			118,500
Department of Correction			633,400
OSCCE - TOTAL COLLECTIONS			\$ 3,619,200

*The amount disbursed is greater than the amount collected for Superior Court and Family Court because some funds collected in FY 2012 were disbursed in FY 2013.

**The figures shown in this table for the Office of State Court Collections Enforcement (OSCCE) reflect restitution only 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 2013, 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.

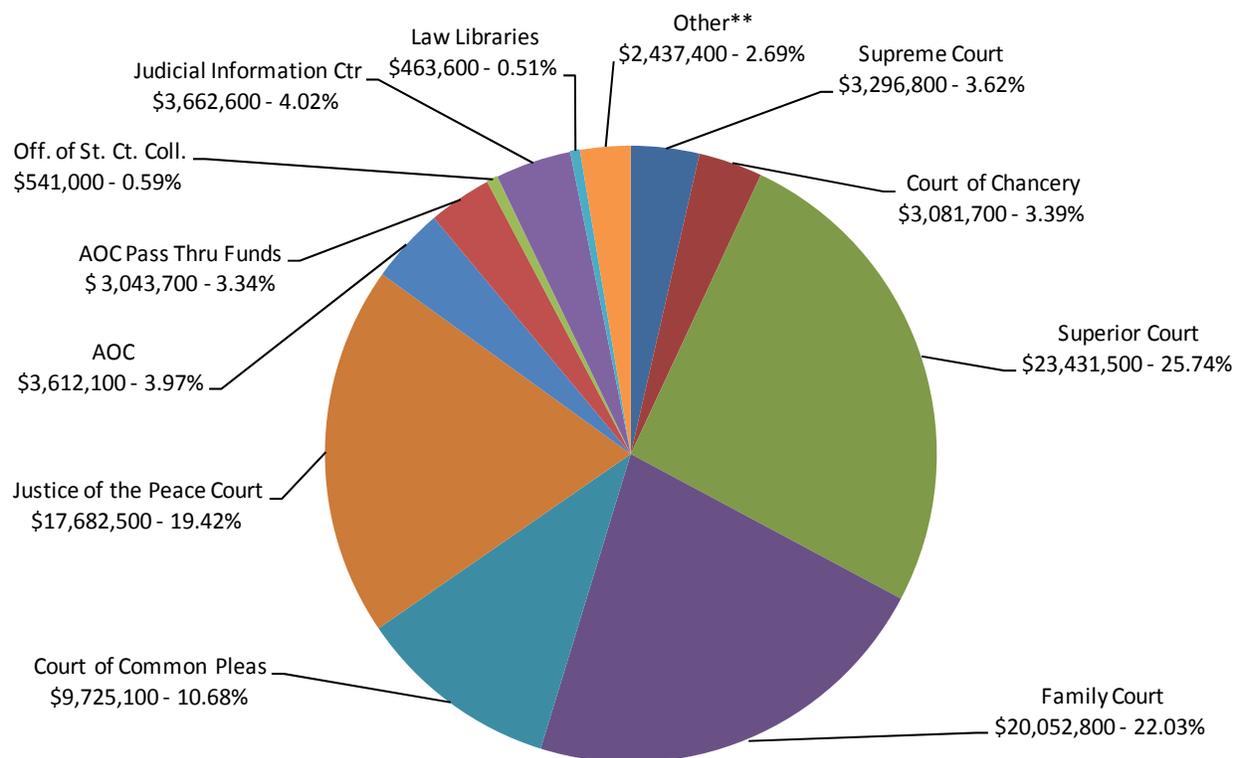
Source: Administrative Office of the Courts

FISCAL OVERVIEW

GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2013

Public Education	\$1,168,662,800	32.58%
Health and Social Services	1,047,299,500	29.20%
Correction	262,262,500	7.31%
Higher Education	216,492,700	6.04%
Children, Youth and Their Families	139,966,200	3.90%
Safety and Homeland Security	136,535,400	3.81%
Judicial Branch	91,030,800	2.54%
All Other	524,502,500	4.62%
TOTAL	\$3,586,752,400	100%

JUDICIAL APPROPRIATIONS* - FISCAL YEAR 2013



* General Fund Appropriations.

**Other: Office of the Public Guardian; Child Placement Review Board; Office of the Child Advocate; Child Death, Near Death & Stillbirth 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 various state agencies, boards and commissions. 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.

THE DELAWARE COURT SYSTEM

Supreme Court

- Court of last resort.
- 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.
- Jurisdiction over questions of law certified to the Supreme Court by other Delaware Courts, U.S. Supreme Court, a U.S. Court of Appeals, a U.S. District Court, a U.S. Bankruptcy Court, U.S. Securities & Exchange Commission, or the highest appellate court of any state.

Court of Chancery

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

Superior Court

- Law 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 various state agencies, boards and commissions.

Family Court

- Extensive legal and equitable jurisdiction over all domestic relation 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) and 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

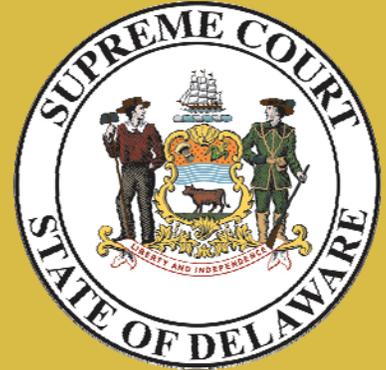
- Statewide jurisdiction over civil cases that do not exceed \$15,000.
- Jurisdiction over certain misdemeanors and most motor vehicle cases (except felonies).
- May act as committing magistrate for all crimes.
- Jurisdiction over landlord/tenant (possession) disputes.

Alderman's Courts

Alderman's Courts

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

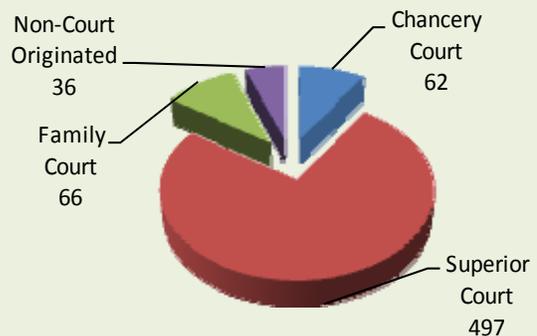
SUPREME COURT



In Fiscal Year 2013, the Delaware Supreme Court received 661 appeals and disposed of 712 appeals by opinion, order or dismissal. On average, the appeals were decided 28.6 days from the date of submission to the date of final decision. In 98.3% of the appeals decided in FY 2013, 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 87.8% 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 disposed of 92.8% of all cases within this one year timeframe.

Supreme Court Chief Justice Myron T. Steele retired on November 30, 2013 after serving 25 years on the Delaware bench. Appointed Chief Justice in 2004, he joined the Supreme Court as a Justice in 2000 and previously served on both the Superior Court and the Court of Chancery. Most recently, the Chief Justice completed a term as

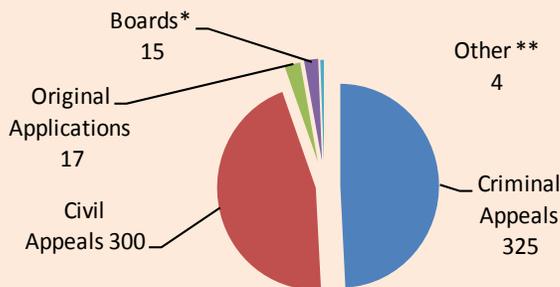
NUMBER OF SUPREME COURT FILINGS BY COURT OF ORIGINATION FY 2013



President of the Conference of Chief Justices and Chairman of the Board of Directors for the National Center for State Courts in August 2013. His legal career has spanned more than four decades, including eighteen years in private litigation practice prior to taking the bench.

By Order dated July 1, 2013, the Court established the Commission on Law and Technology and adopted the Rules of the Commission on Law and Technology – both effective as of September 15, 2013. The mission of the Commission is to provide Delaware lawyers with sufficient guidance and education in the aspects of technology and the practice of law, so as to facilitate compliance with the recently updated Delaware Lawyers' Rules of Professional Conduct. The Delaware Lawyers' Rules of Professional Conduct were amended in January of 2013 to specifically focus on the need for lawyers to understand and maintain a level of competence in advancements in technology. This change followed the American Bar Association's amendments to its Rules in August of 2012. The Commission will be co-chaired by Richard K. Herrmann, Esquire, a partner in the law firm of Morris James LLP and Kevin F. Brady, Esquire, a partner in the firm of Eckert Seamans Cherin & Mellott, LLC. Justice Henry duPont Ridgely is the Court's Liaison Justice to this new Arm of Court.

NUMBER OF SUPREME COURT FILINGS BY TYPE FY 2013



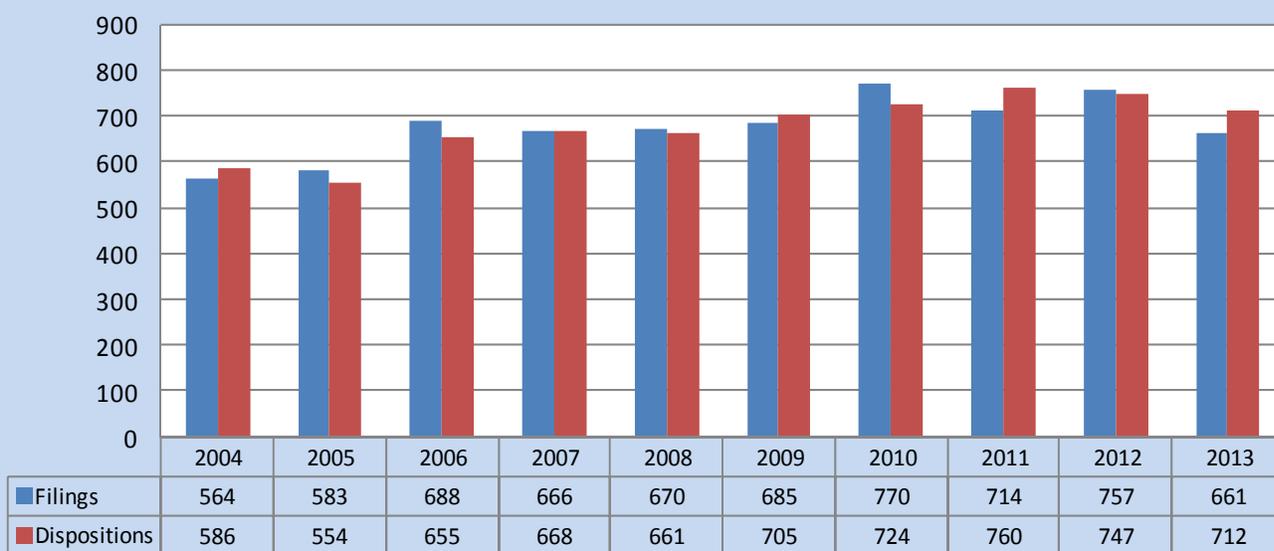
*Includes Board on Professional Responsibility, Board of Bar Examiners, and Board on the Unauthorized Practice of Law.

**Includes two certifications and two other.

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SUPREME COURT

SUPREME COURT FILINGS & DISPOSITIONS BY FISCAL YEAR



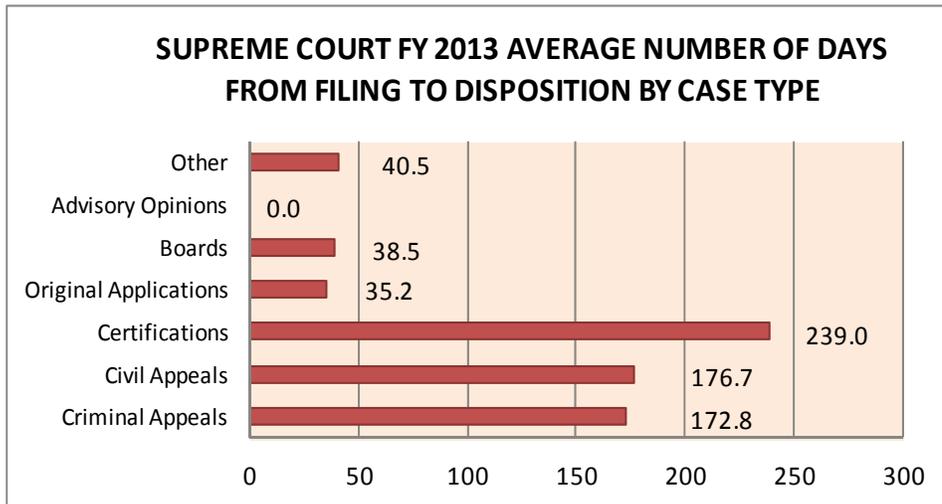
The Supreme Court recently updated its website to provide additional content to the public. With assistance from Administrative Office of the Courts staff, video recordings of oral arguments and related Supreme Court briefs and opinions are available online, free of charge, through the Supreme Court’s website. The video recordings date back to October 9, 2013 and future videos may be viewed one to two days after the argument date. Audio recordings of Supreme Court arguments have been accessible on the website since 2004. Future website enhancements include possible plans to live stream arguments and other upgrades which would make information available closer to real time. Only recordings of non-confidential cases are available on this web page. On-demand video or audio of oral arguments may be accessed on the website for one year from the date of the argument.

Under Administrative Directive No. 182 dated August 1, 2013, the Chief Justice established courthouse security committees including a statewide court security committee. It is the responsibility of the courthouse security committees to oversee court policies applying to individual court buildings to address court security and safety issues in that courthouse, including emergency preparedness, disaster recovery/continuity of operations plans, security classifications for personnel and card access, and evacua-

tion planning. Security-related policies developed by individual courthouse security committees shall be reviewed by the statewide court security committee with the purpose of enhancing statewide consistency of security policies, although individual court needs should be considered, where appropriate. The courthouse security committee policies, along with the recommendations of the statewide court security committee, shall be referred to the Chief Justice for review.

During the past fiscal year, 4,049 Delaware lawyers filed Annual Registration Statements with the Court pursuant to Supreme Court Rule 69. The Court implemented an electronic system for Delaware lawyers to file their Annual Registration Statements, Certificates of Compliance and Pro Hac Vice Renewals. 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



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



The primary goal of the Court of Chancery has been to continue to deliver timely, cost-effective justice in the face of demanding caseloads, the enormous growth in the evidentiary records of many cases due to technology that generates huge amounts of discoverable evidence, and limited state budget growth.

During the past year, the Court has remained true to that focus. Continuing its commitment to use electronic filing to reduce the cost of storing paper records and allow the court and its litigants to process cases more efficiently, the Court is within sight of achieving its longstanding goal of having all Court of Chancery filings e-filed. The major remaining part of the

Court's caseload that had not been e-filed were cases emanating from estate matters filed with the County Registers of Wills. With leadership from and cooperation by the three County Registers of Wills, estate matters will soon all be filed electronically. New Castle County began electronic filing on December 1, 2012, Kent County will commence e-filing in October 2013, and Sussex County is scheduled to finalize the statewide implementation by March 2014. When that process is completed, virtually all cases in Chancery will be e-filed, providing consistency and efficiency for practitioners, reducing storage costs and pressures to add staff, and limiting the fiscal impact of an aging population and a resulting growth in the number of estate cases on the Court and the Register of Wills offices. To complete the goal of having all cases e-filed, the Court will require all trusts under wills cases to be filed electronically no later than the first quarter of 2015.

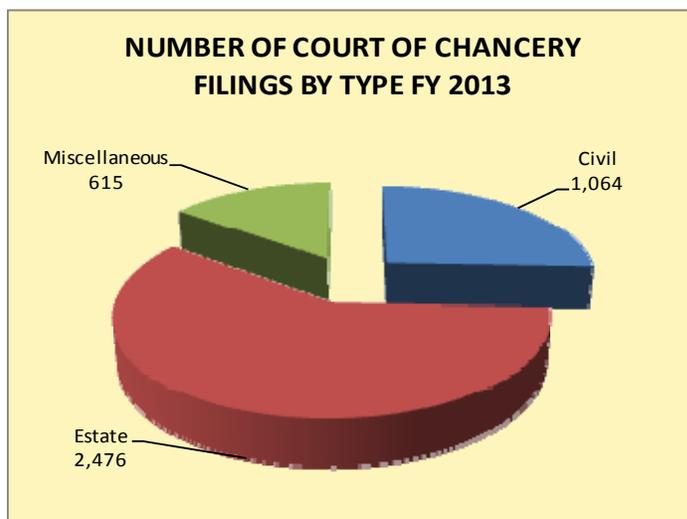
Likewise, the Court has continued to take important steps this past year to truly make the Register in Chancery a cohesive statewide unit that helps the court adjudicate cases in a timely way that meets the needs of our diverse



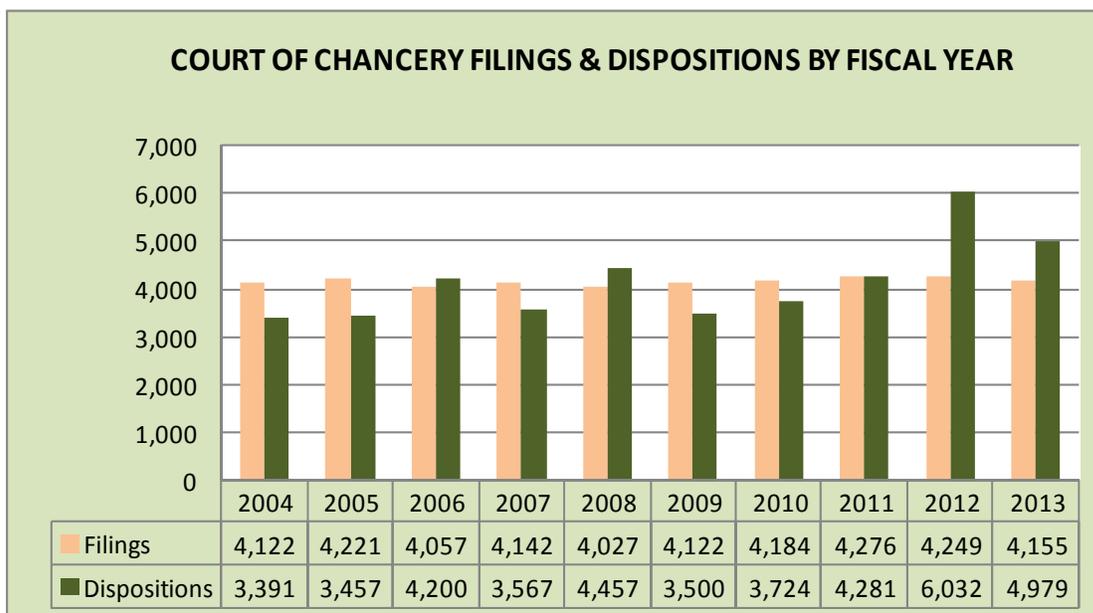
Chancellor Leo E. Strine, Jr.

litigants. The statewide standards for case management that were put in place have resulted in more timely processing of cases and a reduction in pending cases, especially older ones. Consistent with the objective of making sure that all cases are diligently processed, a special effort is underway to address a backlog in the Court's guardianship docket that had built up over past decades. This backlog primarily consisted of guardianships of minors' property and involved relatively modest sums where the guardians had not timely filed proof of compliance with their obligation to account for the proper use of the wards' funds. This effort is designed to ensure that these guardians of the property met their obligations to the beneficiary or are held

accountable for failing to do so, and, as important, involves a forward-looking initiative to develop a method to handle smaller guardianships in the future that better balances the need to protect beneficiaries while not running up administrative costs for guardians and wards disproportionate to what is at stake. The guardianship and



COURT OF CHANCERY



trusts and estates subcommittee of our Rules Committee and our colleagues on Superior Court are providing critical help toward the latter goal. By the end of calendar year 2013, the historical backlog is targeted to be eliminated and all guardianships brought current. By that same time, we hope to have proposals to handle future guardianship cases in a manner that is more beneficial for the families involved and for state taxpayers.

With the same end in mind of ensuring appropriate fiduciary protection at an efficient level of cost, the Court of Chancery is working with the Registers of Wills of the Counties to help them address similar backlog issues involving situations where estates have not been timely administered. By implementing e-filing, the Registers of Wills will have better tools to address their workload and ensure that estates are administered properly.

In concert with our Rules Committee, the Court has also developed useful guidance for litigants practicing in the Court. That guidance is designed to help practitioners litigate cases more cost-effectively and to focus more on the merits, and less on costly, procedural jousting. In 2013, that guidance was supplemented to address the area of practice that most vexes practitioners – discovery. The guidance covers troublesome issues like the obligations of Delaware counsel in the discovery process, the

preparation of privilege logs, and how to better match the scope (and thus cost) of discovery to what is at stake in the litigation is available. The guidance reflects hundreds of hours of thoughtful consideration by experienced Chancery practitioners and we hope, as a result, that it will help our bar address these difficult topics with less stress and contentiousness.

With further help from the Rules Committee, the Court also adopted important revisions to the rule of procedure governing what documents can be filed under seal, a rule that had not been amended since its adoption over a generation ago. These revisions address the problematic increase in filings under seal that has occurred during the lengthy period since the rule was originally adopted by more specifically identifying the types of sensitive information that may be legitimately filed under seal and making clear that redactions of information from the public record must be justified as an exception to the general rule of public access.

The goal of all these efforts is to ensure that the Court of Chancery and its bar continue the tradition of resolving the important cases within the Court’s jurisdiction in a timely and effective way.

COURT OF CHANCERY



Court of Chancery :

Front row (sitting left to right)

Vice Chancellor John W. Noble
Chancellor Leo E. Strine, Jr.
Vice Chancellor Donald F. Parsons, Jr.

Back row (standing left to right)

Vice Chancellor J. Travis Laster
Vice Chancellor Sam Glasscock, III

SUPERIOR COURT



This fiscal year, the Superior Court Bench in New Castle County (NCC) underwent a transition period never seen before. In December, 2012, a chain of events was triggered which did not end until June, 2013. On November 2, 2012, Judge Joseph R. Slights, Jr., completed his term and retired to private practice. Judge Peggy L. Ableman completed her term on October 31, 2012, and retired from the Superior Court bench.

The two NCC judicial vacancies were filled in December. Judge Charles E. Butler, former Chief Deputy Attorney General, took the oath of office on December 7, 2012. Judge Eric M. Davis, former Court of Common Pleas judge, took the oath of office on December 21, 2012.

Two additional NCC judges' positions were added to the Superior Court bench this fiscal year. Judge Paul R. Wallace, former Chief of Appeals for the Department of Justice, began work on January 25, 2013. Judge Vivian L. Rapposelli, who previously held the office of Cabinet Secretary for Delaware Children's Department, came on board February 5, 2013.



*President Judge
James T. Vaughn, Jr.*

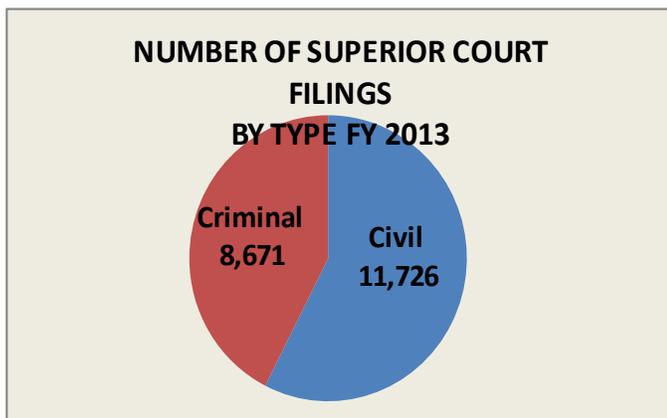
Then, on May 18, 2013, Judge Jerome O. Herlihy retired from the NCC bench after 24 years. However, pursuant to a special part-time judicial appointment, Judge Herlihy continues his work with Superior Court's New Castle County Drug Court. Superior Court welcomed Judge Andrea L. Rocanelli, former judge with the Court of Common Pleas, as one of ours, on June 5, 2013.

Meanwhile, in Kent County, another kind of transition was taking place. The newly renovated Kent County Courthouse opened for business this past June. The renovation began in May of 2011. This old courthouse, which first opened in 1874, is now a show place—hardly recognizable from its pre-renovation state. Courtroom No.1, the stately historic courtroom, is now open to the public. Tours of the courtroom are being offered by the First State Heritage Park, as part of its monthly First Saturday program.

Superior Court's workload, both civil and criminal, continues at a steady pace. Statewide, there were 11,726 civil case filings. Civil dispositions statewide were 11,619, and pending civil cases came in at 9,020. Criminal statewide case filings numbered 8,671. Dispositions came to 7,908, statewide and the pending cases were 2,038 for the state. The total of these filings added up to 20,397 new cases in Superior Court for FY13. Potential Murder First Degree trials numbered 52 this year, statewide. Our Violations of Probation (VOP) cases, statewide, numbered 5,520 filed, 4,540 disposed, and 1,254 pending.

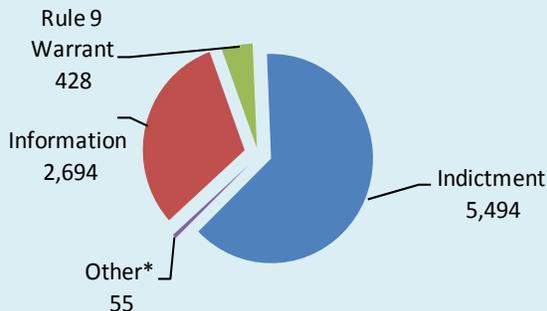
Jurors are summoned by this Court for service in Superior Court Criminal and Civil trials in all three counties, for the Court of Common Pleas Civil Trials, and the Justice of the Peace Court for Landlord-Tenant trials. For Fiscal Year 13, there were 96,255 citizens who appeared in all three counties for jury duty, and 31,156 served in all three counties.

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SUPERIOR COURT

NUMBER OF SUPERIOR COURT CRIMINAL FILINGS BY TYPE FY 2013

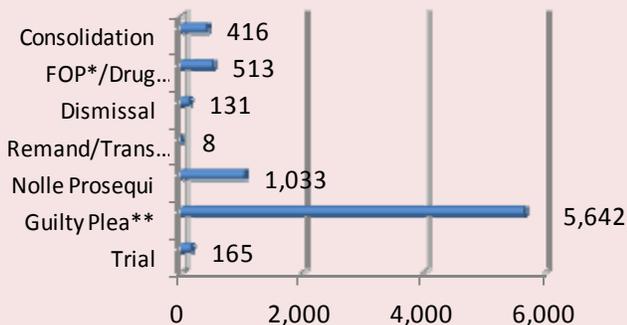


*Includes appeals, transfers, reinstatements

Those civic-minded citizens who appear at each county's courthouse for jury service help the courts dispose of cases, whether they serve on a trial or not. Many criminal trials have been disposed before trial because there were judges, jurors, and courtrooms available for jury selection. It is the same for civil trials. Trials are expensive and can consume a lot of people's time and energy. When cases settle because a jury is waiting to be selected, it's a win/win situation as the Court has disposed a case and has also saved money for the citizens of this state.

Along with the cases on our trial calendars, our **Problem Solving Courts** are helping dispose of cases in all three counties. More importantly, they are helping people in ways that were not available in the past. In 1997, Superior Court's **Drug Court** became the first statewide Drug Court in the nation. This year, the statewide Superior Court Diversion Drug Court had 461 entries, and 257 of those graduated successfully.

NUMBER OF SUPERIOR COURT CRIMINAL DISPOSITIONS BY METHOD FY 2013



*First Offender Program.

**Includes Probation Before Judgment.

New Castle County's **Reentry Court** targets repeat offenders who have been incarcerated at least one year and have a community service obligation as a condition of their release. Judge Charles H. Toliver IV presides over the New Castle Reentry Court. At the end of FY13, there were 27 successful graduates, and 10 participants were discharged from the program as Unimproved. The remaining defendants in the NCC program are currently awaiting a violation of probation hearing, are actively attending ReEntry court status conferences, and/or awaiting their probation sentence to begin in order to attend the regular status conferences.

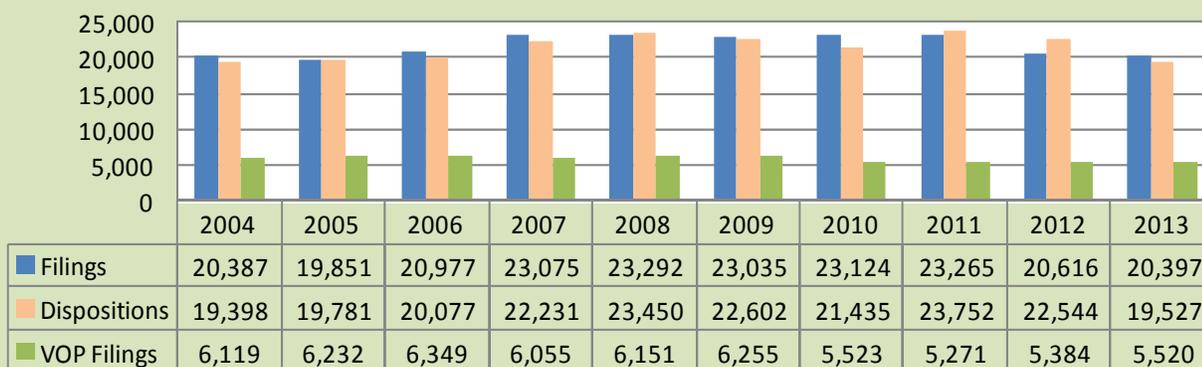
Instituted in 2008, Superior Court's **Mental Health Court** (MHC) resides in New Castle, Kent, and Sussex Counties. This collaborative mental health court project is designed to identify persons involved in the criminal justice system as a result of serious mental health issues. It provides them with intensive services and support to guide them to recovery and self sufficiency as an alternative to repeated incarceration for violations of probation or commission of new offenses. Judge Jan R. Jurden presides over the New Castle MHC, Judge Robert B. Young presides in Kent County, and Resident Judge T. Henley Graves presides in Sussex County.

The MHC recently received a grant from the Office on Violence Against Women. The funding from this grant will be used to educate Superior Court defendants who are victims of domestic violence. Also included in the grant are defendants in the Court of Common Pleas Trauma Informed Court who are victims of domestic violence. Statewide for Superior Court this year, there were 80 entries, 33 graduations, 6 terminations, 23 VOP's and 3 neutral discharges.

The **Veterans Treatment Court** (VTC) was initiated by [Judge William L. Witham, Jr.](#), as a pilot project in Kent County in February, 2011. Since that time, Resident Judge L. Witham, a former member of the armed services, has presided over this Court. Sussex County Veterans are referred to Kent County. New Castle County's VTC began on January 2, 2013. [Judge Jan R. Jurden](#), also a former member of the armed services, presides over this Court. The program is designed to assist justice-involved veterans with mental health and substance abuse issues to obtain necessary services and reduce recidivism. Statewide VTC numbers for FY 13 are 59 entries, 15 graduates, 1 termination.

SUPERIOR COURT

SUPERIOR COURT CIVIL & CRIMINAL FILINGS & DISPOSITIONS BY FISCAL YEAR



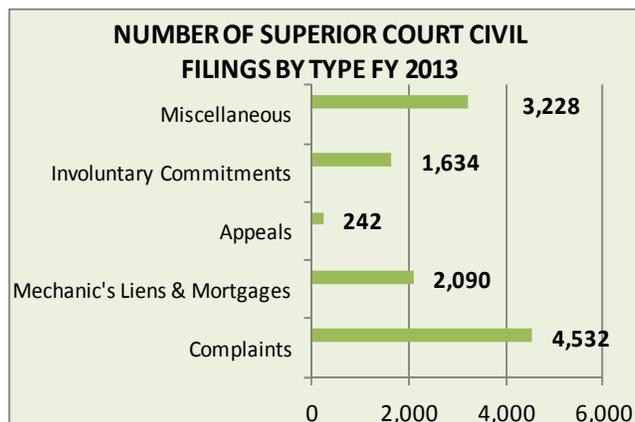
Programs to assist disposition of Civil cases are also available to our constituents. This year, through our **Residential Mortgage Foreclosure Mediation** program, 1,285 mediations were conducted. The ongoing **Project Rightful Owner** held 36 hearings this year, processed 23 orders, and disbursed \$443,624.59. The total monies disbursed since the beginning of this project is \$5,709,895.38. The Court's NCC **Complex Commercial Litigation Division (CCLD)** also assists in disposing cases. Here, cases must include either a claim asserted by any party (direct or declaratory judgment) with an amount in controversy of \$1 million or more (designated in the pleadings for either jury or non-jury trials), or cases that involve an exclusive choice of court agreement, or a judgment resulting from an exclusive choice of court agreement, or is so designated by the President Judge to qualify for assignment to the CCLD. When a case qualifies, it will then be assigned to one of four CCLD judges.

As part of a judiciary-wide initiative for **Living Disaster Recovery Planning/Continuity of Operations Planning**, the Superior Court Web Master, Margaret Derrickson, is focusing on getting the **Notifind** system ready for action when we need it. Notifind is a Web-based emergency notification system that the judiciary will use to provide timely information and instructions to all employees during emergencies or urgent situations. It will also be used to announce weather-related closings. New Castle County will be the pilot the Notifind system for Superior Court.

During FY13, **Superior Court's Website** provided 644 judicial orders and opinions to the legal community and to the public. Our **Listserv** information service added 442

new members, for a 16% increase from last year. Nineteen separate Listservs are maintained on the website, with a membership of 3,196. The **ICourt Clerk** Internet initiative is provided for those who use Internet communications as their primary communication tool, and who cannot find the information they need through online searches. This year over 825 non-iCourtClerk queries were answered-- a 21% increase from last year. These queries are in regard to jury service forms, fees, records, procedures, Alternative Dispute Resolution, orders, and opinions, as well as other requests.

Another **eFiling** first occurred in FY13 for Kent County Superior Court. On June 19, 2013, the Kent County Sheriff's Office became the first in the nation to electronically file its sheriff's returns via *File & Serve Express* batch filing. The process enables the office to quickly and efficiently load multiple returns in multiple cases. The process will save time and resources for both the office and the Kent County Superior Court. File & Serve users can now view,

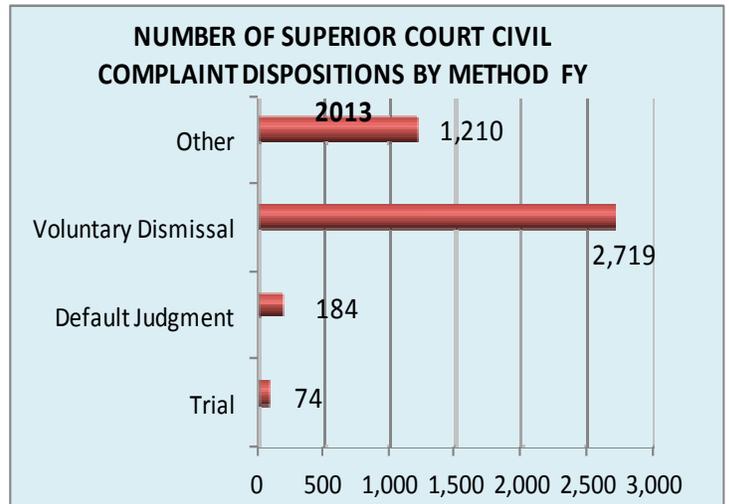


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SUPERIOR COURT

print, or download their returns for Kent County Superior Court cases free of charge.

Superior Court has grown this year, not only in number, but also in technology, and in workload. Our thanks go to the Delaware Legislature, and Governor Markell, for approving our two new judgeships, and also for the fine judges appointed to fill the retirement vacancies. Our vision is to be the best Superior Court, with the best service. I think that we are trying our best to be just that. This vision may be justified as, again this year, the Delaware Judiciary was ranked number one overall in the Harris Interactive Inc.'s *State Liability Systems Ranking Study*. The Superior Court, specifically, was recognized by general counsel and senior litigators as doing the best job of "having a litigation environment perceived to be a fair and reasonable litigation environment." This honor goes to all our dedicated employees, whose pride in their work makes this Court what it is—Superior.



Front row (sitting left to right)

Judge Charles H. Toliver, IV
 Judge Jerome O. Herlihy (retired July 18, 2013)
 President Judge James T. Vaughn, Jr.
 Judge T. Henley Graves (SC Resident Judge)
 Judge Richard R. Cooch (NCC Resident Judge)

Second row (standing left to right)

Judge Mary M. Johnston
 Judge Jan R. Jurden
 Judge Richard F. Stokes
 Judge William C. Carpenter, Jr.
 Judge Fred S. Silverman
 Judge William L. Witham, Jr. (KC Resident Judge)
 Judge E. Scott Bradley
 Judge Calvin L. Scott, Jr.

Back row (standing left to right)

Judge Vivian Rapposelli
 Judge Eric M. Davis
 Judge Diane Clarke Streett
 Judge M. Jane Brady
 Judge Robert B. Young
 Judge John A. Parkins, Jr.
 Judge Charles E. Butler
 Judge Paul R. Wallace

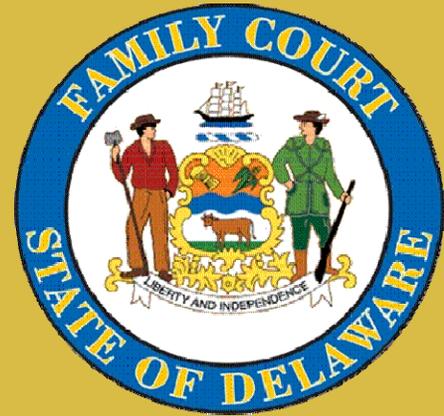
Not Pictured: Judge Andrea L. Rocanelli



Standing (left to right)

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

FAMILY COURT



Family Court remains committed to its goal of providing equal access to justice for the families and children under its jurisdiction in a manner that is fair and efficient and that maintains the public's trust and confidence in an independent and accountable judiciary.

The impact of the work of the Family Court to Delaware's residents is significant. Last Fiscal Year, Family Court's civil filings came from approximately 29,538 Delaware families. Family Court received more than 46,000 civil filings, more than 5,500 juvenile delinquency filings, and over 4,300 criminal filings. During this same period, the court disposed of more than 50,000 civil matters, more than 6,000 juvenile delinquency cases, and over 4,300 criminal matters.



*Chief Judge
Chandlee Johnson Kuhn*

Approximately one third of Family Court's civil cases were scheduled for mediation hearings facilitated by court employed mediators. The mediation process recognizes the importance of empowering individuals to make decisions regarding their families in a non-adversarial setting. In FY13, 13,800 matters were scheduled for mediation statewide.

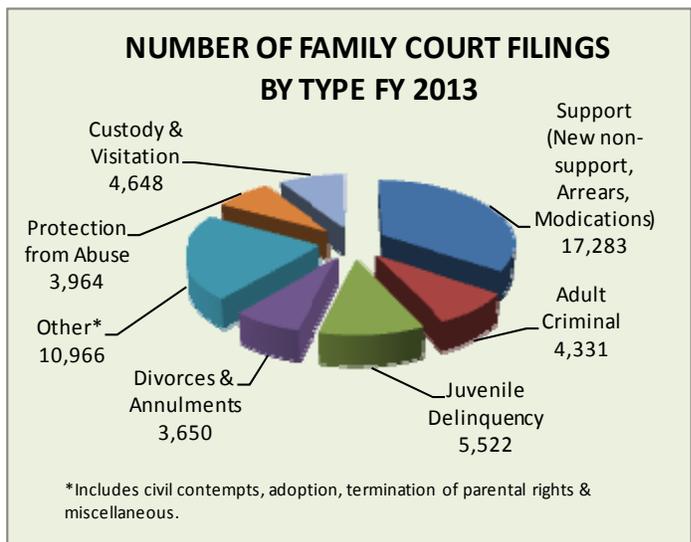
In the delinquency area, Family Court offers arbitration for eligible first time juvenile offenders. Arbitration allows eligible juveniles that accept responsibility for their conduct and who comply with specific conditions, to have their charges dismissed.

Family Court continues to preside over several specialty courts designed to meet the special needs of the populations they serve. These specialty courts include, Gun Court, Juvenile Drug Court, and Mental Health Diversion Court.

The Court Appointed Special Advocate program continued its efforts in Fiscal Year 2013 to recruit, train, and assign volunteers to represent the best interests of children in the child welfare system under the direction of its new statewide director, Gwen Stubbulo, a former CASA Coordinator.

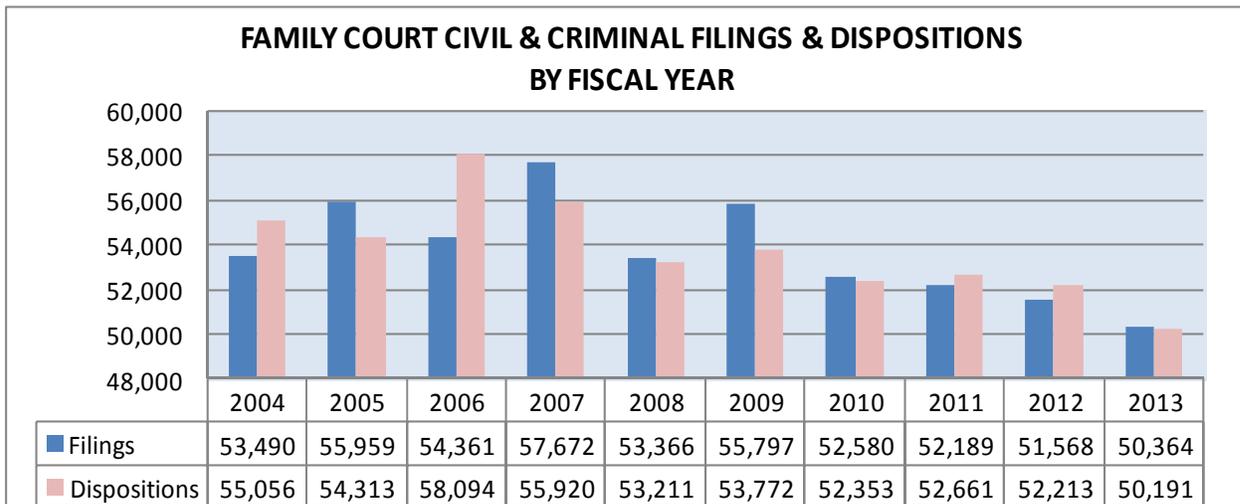
Family Court continues to increase the resources available to its self-represented population both on its website and in its Resource Centers. These resources help ensure that the services of Family Court are accessible and fair for all of Delaware's residents.

This year, the Family Court focused significant effort to enhancing security in its facilities to ensure that justice is served in a safe environment. To that end, in November 2012, Family Court asked that the United States Marshal Service for the District of Delaware complete a security audit for the court's facilities in Kent



Continued on next page

FAMILY COURT



County and in Sussex County. A survey of Family Court’s facilities in the New Castle County Courthouse was completed in 2011. As a result of the Marshal Service’s reports, Family Court identified its security needs.

In partnership with the Administrative Office of the Courts, the Division of Facilities Management, and Capitol Police, Family Court began to implement the recommendations of the U.S. Marshal’s reports. These efforts include increased Capitol Police presence in the Family Court buildings, security training and resources for Family Court staff, and physical security enhancements to the facilities.

During Fiscal Year 2013, more than 99,660 people came into the Family Court in Sussex County. In Kent County’s Family Court building, more than 76,890 people entered. The security projects that Family Court has begun to undertake will ensure that Delaware’s residents, Family Court staff and its Judges and Commissioners are as safe as possible in its current facilities.

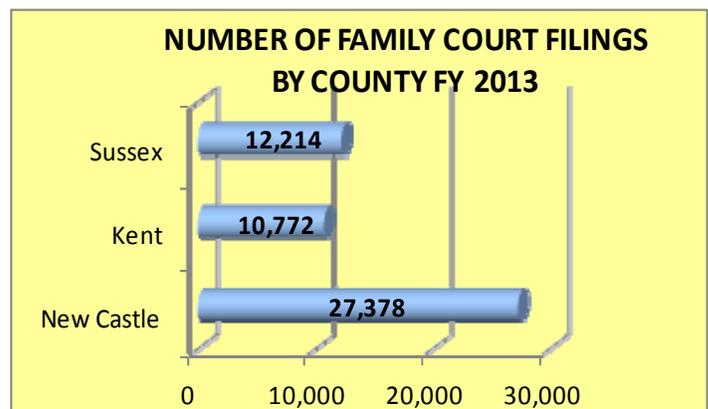
Fiscal Year 2013 brought many new faces to Family Court’s bench and administration.

In January, Family Court welcomed a new Judge and two new Commissioners to its bench. The Honorable Paula T. Ryan joined Family Court as a Judge for Sussex County. The Honorable James J. Maxwell and the Honorable Dawn M. Williams joined Family Court as Commissioners serving in New Castle County. All three were confirmed unanimously by the 147th General Assembly during a Special Session in December 2012. While new to Family Court’s bench, both Judge Ryan and Commissioners Max-

well and Williams were not strangers to the court. Judge Ryan and Commissioner Maxwell came from Delaware’s Department of Justice, where both tried cases in Family Court. Commissioner Williams served as the Supervising Attorney for the Family Court Unit in the Office of the Public Defender.

Family Court’s Administrator, Guy Sapp, retired on October 31, 2012, ending a distinguished 42 years of service in Delaware’s criminal justice community, eleven of which were served at Family Court. Leann M. Summa became Family Court’s Administrator on November 1, 2012. In addition, Family Court welcomed Carrie Hyla as Director of Special Court Services; Mary Crabbe as Director of Case Processing; Warren Cook as Director of Human Resources; Renee Cicone as Director of Operations in New Castle County; and Ron Mattox as Director of Operations in Sussex County.

Finally, in FY13, Heather Morton, serving as a Judicial Case Processor for Sussex County, was named the Judicial Branch Employee of the Year.



FAMILY COURT



Front row (sitting left to right)

Judge Aida Waserstein
 Judge Mark D. Buckworth
 Judge William M. Nicholas
 Judge Jay H. Conner
 Judge Kenneth M. Millman
 Judge William J. Walls, Jr.
 Judge William L. Chapman, Jr.
 Judge Barbara D. Crowell

Back row (standing left to right)

Judge Robert B. Coonin
 Judge Alan N. Cooper
 Judge Peter B. Jones
 Judge Arlene Minus Coppadge
 Chief Judge Chandlee Johnson Kuhn
 Judge Mardi F. Pyott
 Judge Joelle P. Hitch
 Judge Michel K. Newell

COMMISSIONERS:

Standing (left to right)

Dawn Williams
 Mary Ann Herlihy
 David Jones
 Pamela Holloway
 Lester Blades
 Chief Judge Kuhn
 Janell Ostroski
 Susan Tussey
 John Carrow
 Sonja Wilson
 Loretta Young

Seated middle row (left to right)

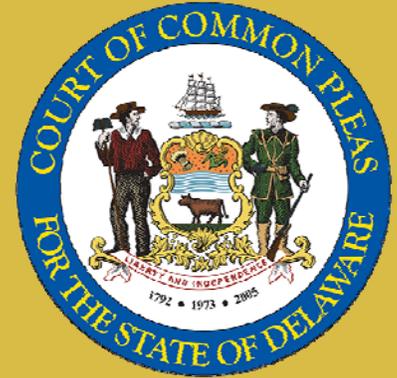
Mary Much
 DeSales Haley
 Louann Vari
 Jennifer Mayo

Seated front (left to right)

Andrew Southmayd
 James Maxwell



COURT OF COMMON PLEAS



FY 2013 was a busy and challenging 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. While criminal and civil caseloads indicate a slight decline from prior years, the complexity of the case load and the number of cases proceeding forward to trial continue to increase, placing an ever growing demand on Court and Judicial resources.

Changes in the Court

In Fiscal Year 2013 the Honorable Joseph F. Flickinger III retired from his position with the Court of Common Pleas and the Honorable Eric Davis was appointed to the Superior Court, leaving two vacancies on the Court of Common Pleas. Judge Robert J. Surles was sworn in to fill the vacancy left by Judge Flickinger on January 18 and Judge Carl C. Danberg was sworn in to fill the vacancy left by Judge Davis on February 15. In July of Fiscal Year 2013, the Court of Common Pleas long time Court Administrator, Carole Kirshner retired after 42 years of dedicated service to the Court and the Court's Deputy Court Administrator, Stephanie Fitzgerald was appointed and presently serves in that position.

Civil Initiatives

The Court of Common Pleas received 5,599 new civil cases in FY 2013. Though this number reflects a drop in the civil caseload from prior years, the cases are of greater complexity which results in more extensive motion practice and more trial time.

In FY 2011 the Court of Common Pleas adopted Administrative Directive 2010-3, creating the Court's SPEED



*Chief Judge
Alex J. Smalls*

Docket (**S**pecial **E**lection and **E**xpedited **D**ocket) available in all civil cases filed in the Court and appeals de novo from the Justice of the Peace Court where the amount in controversy is between \$10,000 and \$50,000, excluding consumer debt cases and appeals on the record. Special scheduling rules are applied to SPEED cases which ensure an expedited resolution, than that which is available through traditional scheduling tracks. Additionally, the case is specially assigned to a Judge to handle all matters until the case is resolved. A scheduling conference is scheduled within 30 days of the filing of an answer or a motion by any party and the trial scheduled within five months of the scheduling conference. In FY 2013 there were 25 SPEED cases filed with the Court of Common Pleas.

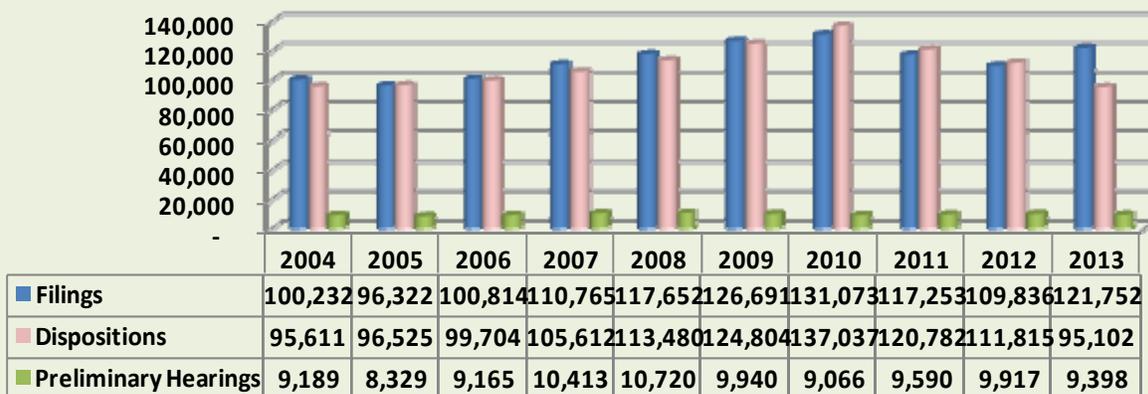
In FY 2011, the Court of Common Pleas adopted Administrative Directive 2011-1 pertaining to Consumer Debt Collection cases. This directive was rescinded and replaced with Administrative Directive 2012-2 following the Delaware Bar Committee study and report. The directive set forth procedural guidelines in consumer debt collection cases, aimed at ensuring fairness to all litigants and improving efficiency in the administration of Justice.

Criminal Initiatives

The number of criminal misdemeanor filings in the Court of Common Pleas in FY 2013 was 112,004, a slight increase in the reported number of misdemeanor filings from last year. The Court has developed a more accurate criminal statistic gathering system which will improve the quality of statistical data reported by the Court. The Court of Common Pleas had 9,383 preliminary hearing

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS & DISPOSITIONS & PRELIMINARY HEARINGS BY FISCAL YEAR



filings in FY 2013. The Department of Justice continues to aggressively review felony arrests prior to their scheduled hearings and the Court of Common Pleas continues to take a significant number of pleas at preliminary hearing. This has a positive effect on the entire criminal justice system because it eliminates the need for these cases to be handled twice in the Court of Common Pleas and once in the Superior Court, which occurs when felony charges are reduced to Misdemeanors and returned to the Court following Preliminary Hearings. Many such cases, if not pled, would be re-filed in the Court of Common Pleas after the defendant is bound over to the Superior Court.

Grant Funded Initiatives and DUI Court

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 reduced the time to disposition in most case categories. The Court continued to receive funding in FY 2013 from a Byrne Justice Assistance Grant to provide resources for the expansion of the mental health court to Kent and Sussex Counties. Additionally, the Court received grant funding from the Office on Violence Against Women for a coordinator to staff on a part-time basis the Court's Trauma Informed Probation Calendar.

On September 23, 2012, the Administrative Office of the Courts received funding to support the creation of a part-time State Judicial Outreach Liaison to assist with educational and training initiatives. The grant position will provide assistance to the Court of Common Pleas in the coordination, planning and implementation of a DUI Court.

The Court of Common Pleas received 3,018 DUI cases in FY 2013.

Mediation

Since 2001, the Court has referred over 11,600 cases for mediation, with more than 1,609 referrals made to the program in FY 2013. Mediation provides an alternative to criminal prosecution, assists the Court in the management of its busy calendars, and leaves participants with an increased sense of satisfaction with the justice system. In FY 2013, the Court's mediation program had a success/satisfaction rate of nearly 88%.

In recent years, the Court of Common Pleas extended its successful criminal mediation program to include civil cases. This option has been well received by civil litigants and has been responsible for the successful settlement of an increasing number of cases.

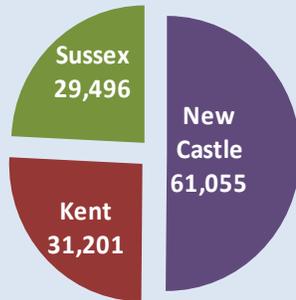
Treatment Courts

The Court continued to operate its highly successful 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 Defenders, the private bar, the treatment providers, and the Treatment Research Institute (TRI) at the University of Pennsylvania. (The TRI program is limited to New Castle County.) Collaboration with the Treatment Research Center (TRI) has pro-

Continued on next page

COURT OF COMMON PLEAS

COURT OF COMMON PLEAS CIVIL & CRIMINAL FILINGS BY COUNTY FY 2013



vided the basis for observation, research, and analysis to launch scores of other drug diversion programs throughout the United States and internationally. The Court has handled more than 7,256 participants since its inception in 1998.

To address the needs of all participants, the New Castle County Drug Diversion Court introduced a new tool on July 1, 2010. The tool referred to as the "RANT Assessment" a web-based placement tool developed by the Court's partners at the Treatment Research Institute at the University of Pennsylvania. "RANT" is an acronym for Risk and Needs Assessment Triage. The assessment tool is used to assess each client's risks and needs. Base upon the results a defendant is placed into one of four quadrants, those with: low risks/low needs; low risks/high needs; high risks/low needs; and high risks/high needs. Identifying these risks/needs groups allows treatment to be tailored to meet the individual needs of the client, promote successful program completion, and to reduce recidivism rates.

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. The Court, through the receipt of grant funding, was able to expand its mental health court in FY 2012 to Kent and Sussex Counties. Approximately 120 Defendants entered Court of Common Pleas mental health court statewide.

In Fiscal Year 2012, the Court introduced the Trauma Informed Probation calendar (TIP). TIP is a new treatment

court designed to handle female defendants who have experienced significant trauma in their backgrounds. The goal is to provide trauma-informed care to help improve outcomes for the TIP participants and to reduce recidivism rates. Trauma Informed Probation entered 24 participants into the program in FY 2013.

Technology Initiatives

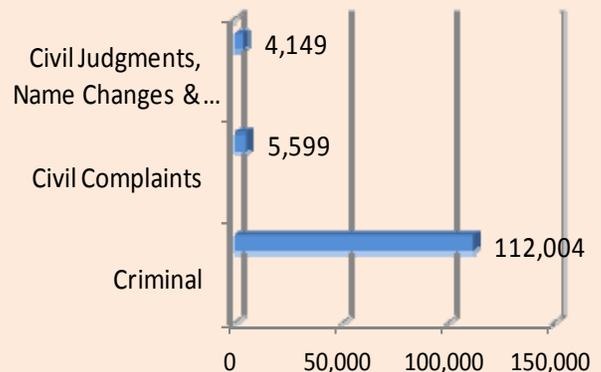
The Court continues to explore avenues to increase efficiency through technology. The success of the civil e-filing initiative; increased use of a web-based system for the payment of fines, costs, and restitution through an internet application; and increased use of, and reliance on the Court's web site have afforded the Court productivity gains. The Court continues to explore other opportunities by which it can serve its customers through improved public access, such as through the future implementation of Interactive Voice Response System and through expansion of E-payment and E-filing.

The continued success of the civil automation implementation has significantly improved access to the civil cases and civil case information. E-filing has been extremely successful, with more than 90% of the Court's civil caseload being e-filed.

Enforcement of Court Orders

The Court of Common Pleas in FY 2013 collected approximately \$6,785,000 in fines, costs and assessments. The Court returns more than 45% of its operating budget to the State's General Fund. A significant portion of the Court's collections also represents restitution and compensation payments for victims of crime.

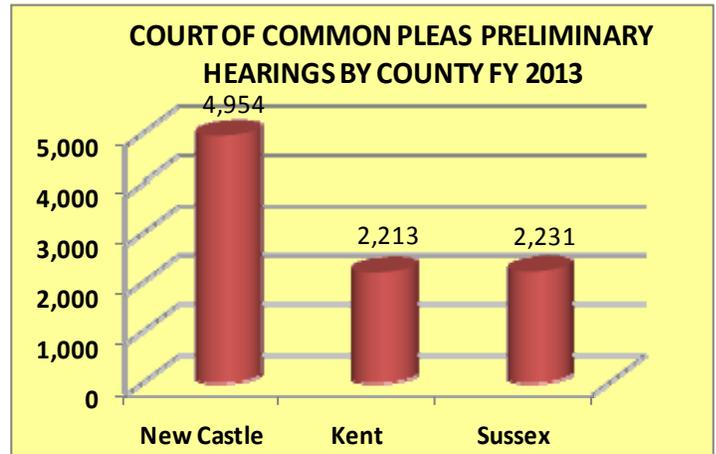
COURT OF COMMON PLEAS NUMBER OF FILINGS BY TYPE FY 2013



COURT OF COMMON PLEAS

Conclusion

Notwithstanding 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 a neutral forum for the people and institutions of Delaware in the resolution of everyday problems, disputes, and more complex legal matters in a fair, professional, efficient, and practical manner.



Front row (standing left to right)

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

Judge Kenneth S. Clark, Jr.
Judge John K. Welch
Judge Charles W. Welch, III
Judge Anne Hartnett Reigle
Judge Carl C. Danberg

Second row (standing left to right)

Judge Robert H. Surles

JUSTICE OF THE PEACE COURT

Fiscal Year 2013 represented another extremely busy year for the Justice of the Peace Court. While total statewide filings of 479,835 were a little higher than the previous year, they continued to be lower than the all-time high experienced in FY 08, which was 524,375. That statistic represents every criminal charge and civil case that the Justice of the Peace Court handled, and is almost three times as many as the combined filings of all the other courts in the state. Whether it was transferred to another court for further proceedings or eventually resolved in this court, each of those cases represents judicial work that has to be done – from an initial bail hearing to a full trial – and all of the administrative processing necessary to keep the cases moving along.

Because of the volume of our casework, the Justice of the Peace Court has traditionally not only relied upon its outstanding judicial officers and staff to work hard, but we have continually embraced technologies and practices that allow for the most efficient and effective handling of our matters while ensuring just and equitable consideration of each and every matter brought before the court. Here are just a few ways that we have sought to modify our practices to meet demand over the years: establishment of a Voluntary Assessment Center for mail-in traffic tickets; early implementation of both civil and criminal automated case processing systems; consolidation of court facilities; and development of a police prosecution process that provides for earlier disposal of challenged traffic violations.

These and countless other similar efforts, large and small, have contributed to our success in always being able to



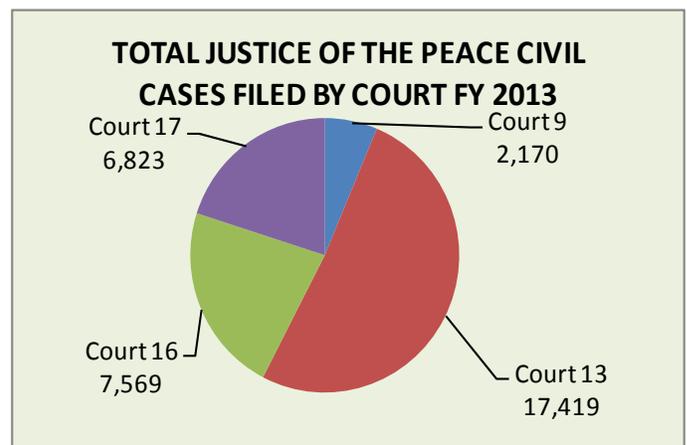
*Chief Magistrate
Alan G. Davis*

handle the caseload demands placed upon us. However, programs and initiatives to improve are only as good as the human elements of attitude and aptitude that underlie them. A willingness to be flexible, seek out opportunities and embrace the change that comes with them has been a hallmark of this organization. Our judicial, clerical, administrative and uniformed staffs all adapt like no other, and our ability to handle cases shows that.

Though efficiency and justice have been our watchwords for decades and will continue to be necessary to our success, a new initiative that the Justice of the Peace Court has embarked upon tends to turn the focus

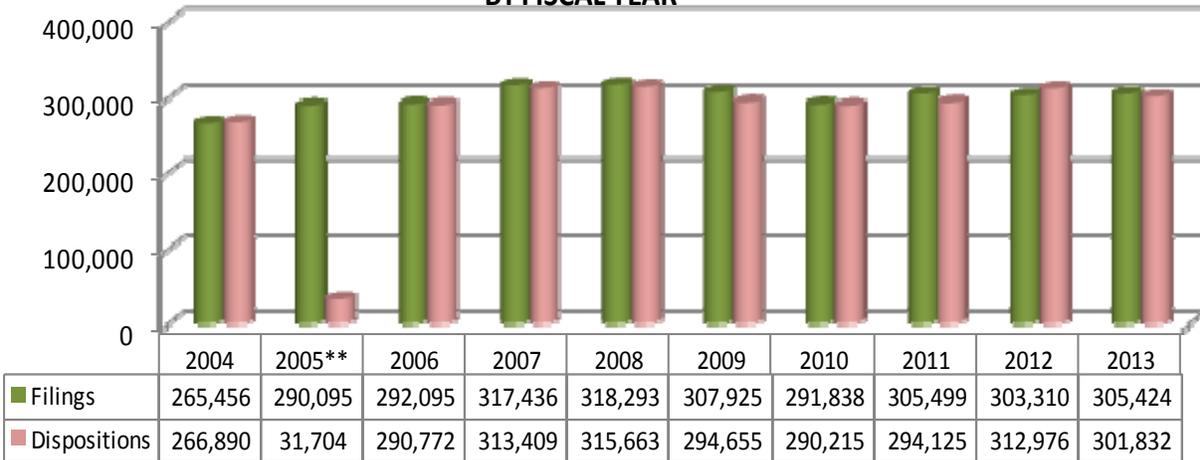
in a new direction. In conjunction with the proposed consolidation of Justice of the Peace Courts #10 and #20 in New Castle County, the Court spent much of FY 13 developing plans for the establishment of a Community Justice Center in Wilmington.

The centerpiece of this Community Justice Center is a “community court” that will take into account the commu-



JUSTICE OF THE PEACE COURT

**JUSTICE OF THE PEACE COURT CIVIL & CRIMINAL/TRAFFIC FILINGS & DISPOSITIONS
BY FISCAL YEAR***



*Criminal filings & dispositions are by defendant.

nity needs in its manner of dispensing justice. This is a new concept for Delaware, though it has been successful in many other places where it has been tried. Because every community is different, every community court is different as well, but below are some of the ways that we hope this community court will change our approach to criminal matters before us:

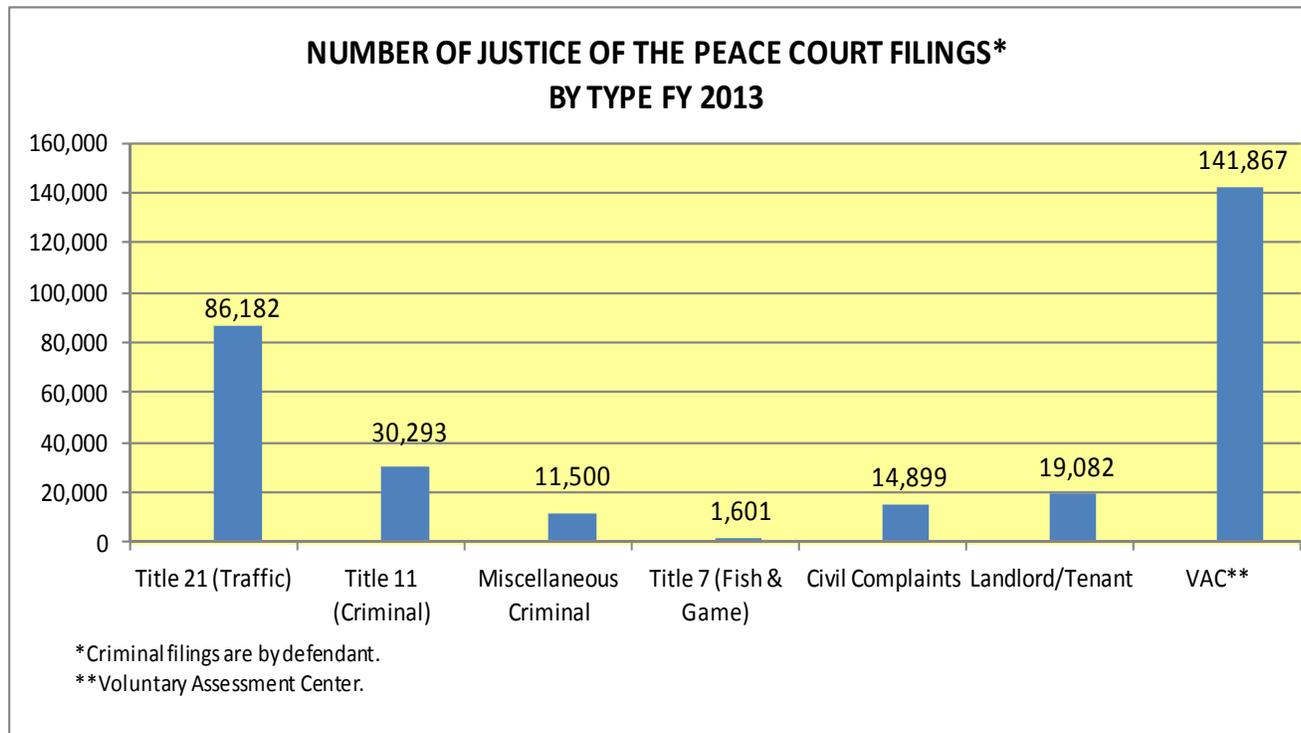
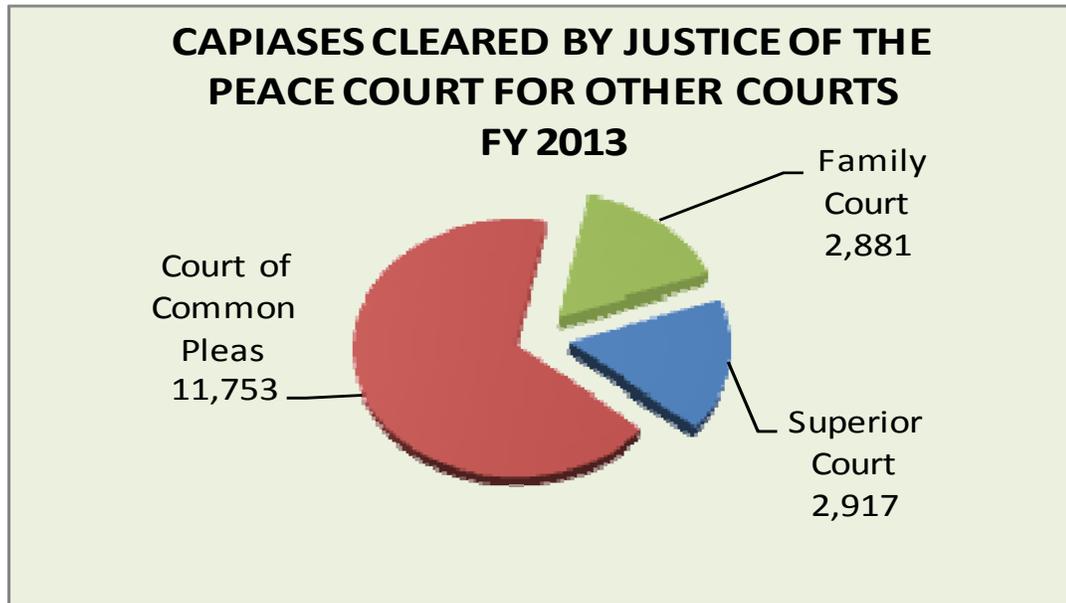
- Deliver new and creative responses to low level offending that support individual needs while improving accountability;
- Position the court to be a player in helping solving neighborhood problems;
- Provide meaningful sanctions to defendants that will break the cycle of crime;
- Establish a mechanism for communities to have a role in court processes;
- Lessen any fear that the public currently has for the court;
- Provide for visible justice with offenders making meaningful contributions to the communities where they offended;
- Provide equity for defendants with limited English proficiency;
- Create opportunities for defendants to get assistance for real life problems above and beyond their court case; and
- Establish collaboration with service providers and other Justice system partners.

The Community Justice Center will include a Resource Center within the Court, to connect individuals with outside groups and stakeholders such as residents, merchants, churches and schools that can provide assistance to them in an effort to address the root causes of criminal activity. The goal of this approach is to resolve court cases with more meaningful outcomes for defendants and to increase the community's confidence in the criminal justice system to reduce "quality of life" offenses. Research has shown that community courts are effective in increasing the feeling of safety within communities. Additionally, community courts are proven to decrease quality-of-life crimes and increase community engagement.

This is an exciting opportunity for the Court and we look forward to moving forward with the planning and community outreach that has taken place in the past fiscal year. Even though it is a departure from our traditional focus on efficiency, we believe that improved outcomes and meaningful justice for both individual defendants and the community we serve are worth slowing things down a bit. With a little luck and a lot of hard work, next year in this space I will have the opportunity to detail the successes of this new endeavor.

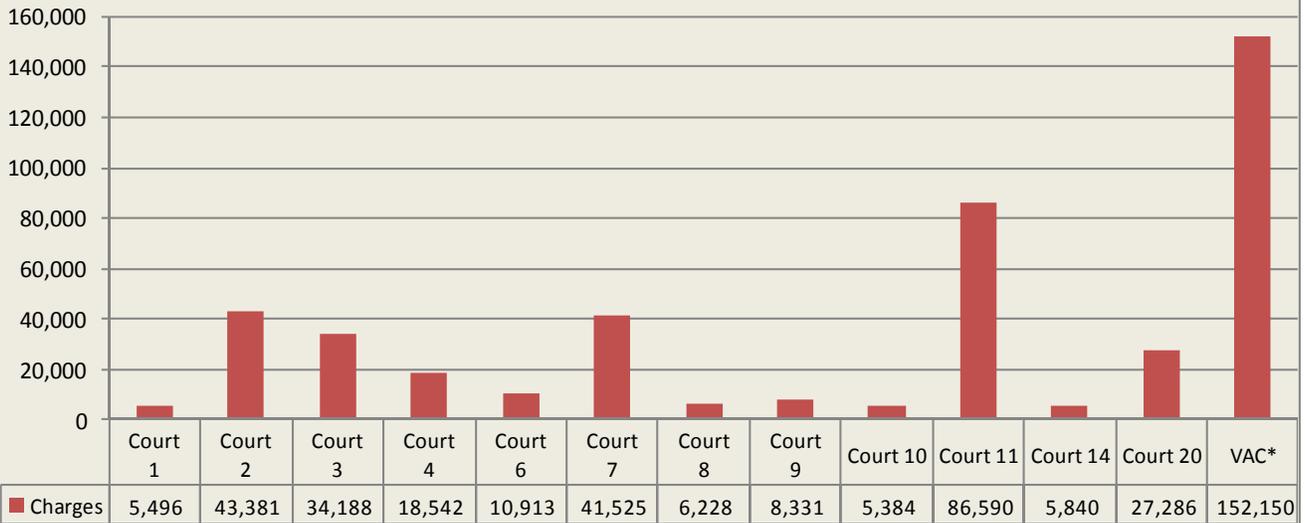
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JUSTICE OF THE PEACE COURT



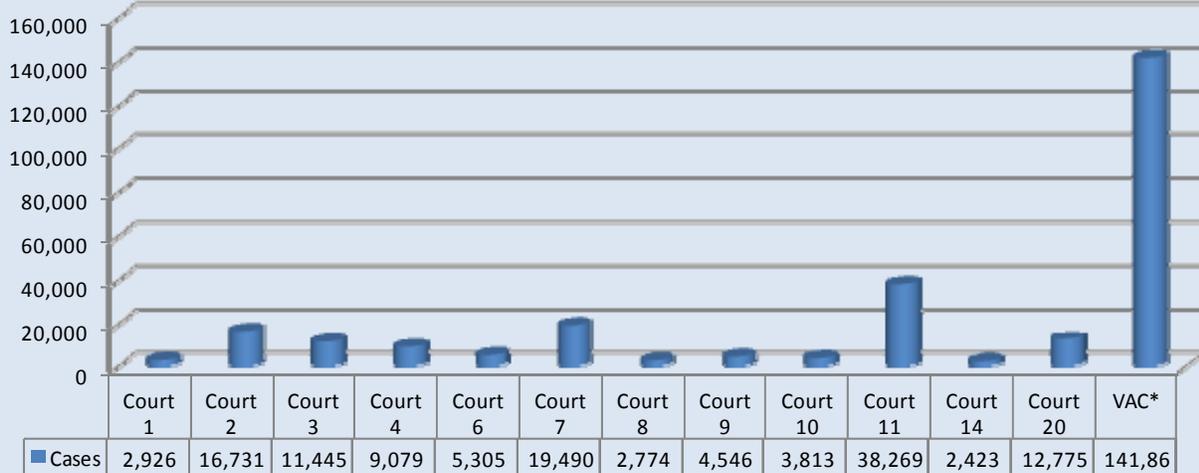
JUSTICE OF THE PEACE COURT

**JUSTICE OF THE PEACE COURT CRIMINAL & TRAFFIC CHARGES
BY COURT FY 2013**



*Voluntary Assessment Center.

**JUSTICE OF THE PEACE CRIMINAL & TRAFFIC CASES BY DEFENDANT BY
COURT FY 2013**



*Voluntary Assessment Center.

JUSTICE OF THE PEACE COURT

NEW CASTLE COUNTY JUDGES



Bottom row (left to right)

Deputy Chief Magistrate Bonita Lee
Marie Page
Kathleen Lucas
Beatrice Freel
Rosalie Rutkowski
Nancy Roberts

Second row (left to right)

Deborah McNesby
Kathy Gravell
Chief Magistrate Alan Davis
Cheryl McCabe-Stroman
Cheryl Stallmann

Third row (left to right)

Susan Cline
Katherine Ross
Marilyn Letts
Susan Ufberg

Fourth row (left to right)

Vernon Taylor
William Moser
Roberto Lopez
James Hanby, Sr.
Sean McCormick

Fifth row (left to right)

William S. Young, III
Christopher Portante
James Tull

Sixth row (left to right)

Paul Smith
Vincent Kowal
Thomas Brown
Donald Callender, Jr.

Not Pictured: Nina Bawa, Thomas Kenney, David Skelley, Terry Smith

JUSTICE OF THE PEACE COURT

KENT COUNTY JUDGES



Bottom row (left to right)

Pamela Darling
Debora Foor
Cathleen Hutchison

Middle row (left to right)

Chief Magistrate Alan Davis
Dwight Dillard
D. Ken Cox

Back row (left to right)

Robert Wall, Jr.
William J. Sweet

Not Pictured:

R. Hayes Grapperhaus
Michael Sherlock
James Murray
Deputy Chief Magistrate Ernst Arndt

JUSTICE OF THE PEACE COURT

SUSSEX COUNTY JUDGES



First row (left to right)

Deborah Keenan
Deputy Chief Magistrate Sheila Blakely
Rochelle Knapp
Michelle Jewell
Jana Mollohan

Second row (left to right)

John Martin
John McKenzie
John Hudson
Chief Magistrate Alan Davis
Jeni Coffelt

Third row (left to right)

Christopher Bradley
John J. Adams
William Boddy, III
Richard Comly

Fourth row (left to right)

Herman Hagan
James Horn
Larry Sipple

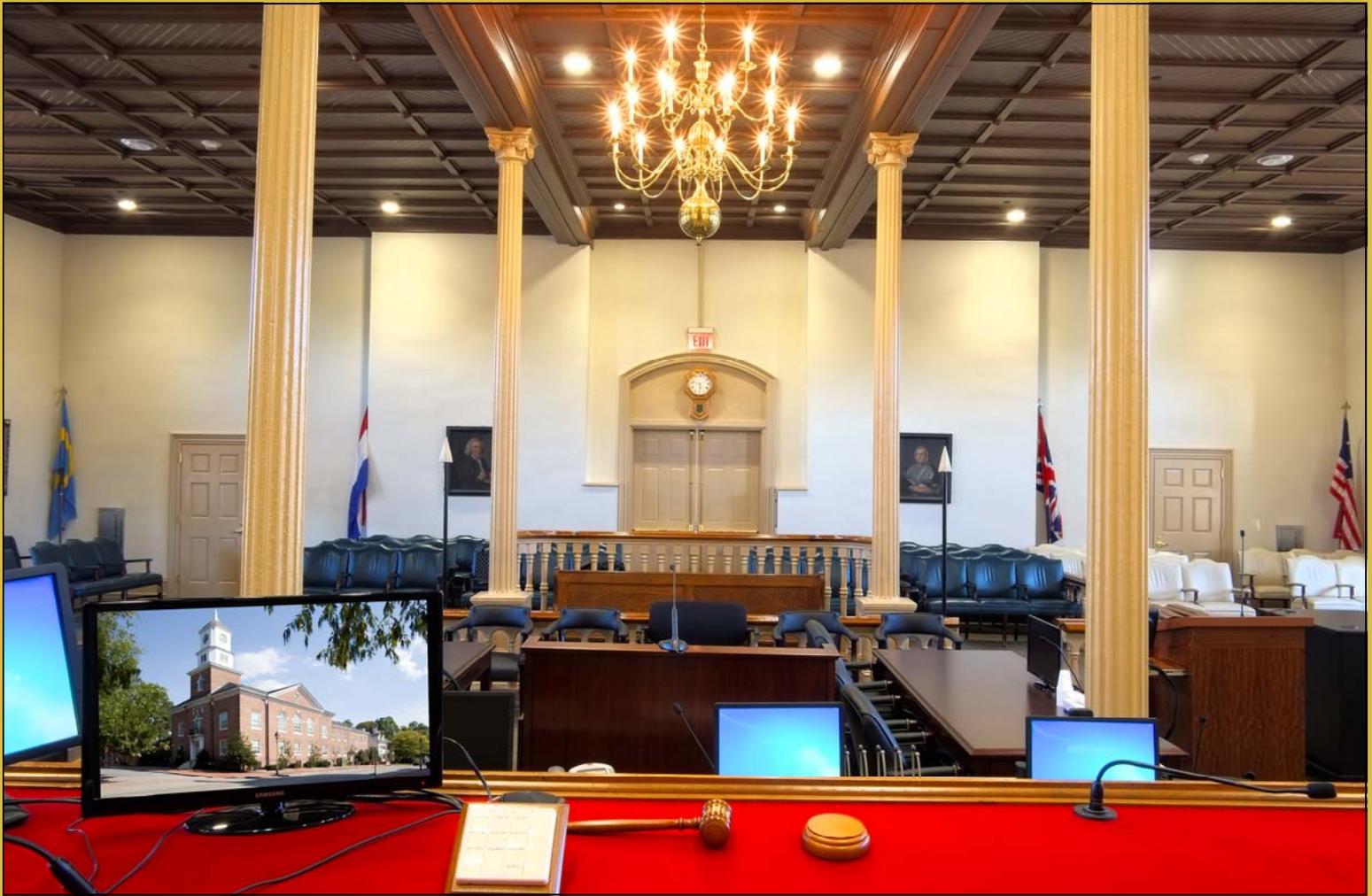
Not Pictured: Stephani Adams, William P. Wood



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

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

*<http://courts.delaware.gov/AOC/AnnualReports/FY13>
(2013 Annual Report, Statistical Report of the Delaware Judiciary and additional Delaware Courts background information)*



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