# Delaware Judiciary

**Annual Report** 

# One Branch One Sion















2023

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## On the Cover:

Clockwise from the top:

The Delaware Supreme Court building in Dover
The Leonard L. Williams Justice Center in Wilmington
An architect's rendering of the renovated Custom House in Wilmington
The Kent County Courthouse in Dover
An architect's rendering of the new Family Court building in Georgetown
The Sussex County Courthouse in Georgetown

# MESSAGE FROM THE STATE COURT ADMINISTRATOR

# Annual Report 2023

At the close of every year, the Delaware Judicial Branch takes time to reflect on the past year and assess the progress that we have made, as individual courts and collectively as a branch, in fulfilling our mission to provide access to fair and effective justice for all. Our Annual Report gives us the opportunity to share important information with our partners in the other branches of government and with the public. Each Presiding Judge's message details the key accomplishments of their respective courts in 2023 and identifies areas for future growth and improvement.

This past year, the Administrative Office of the Courts, which includes the Judicial Information Center, Office of State Court Collections Enforcement, and the Law Libraries, advanced our mission of service to the courts through several milestone achievements, including:

- Unifying all Judicial Branch employees under a single, consistent system for personnel administration and updating our Judicial Branch Personnel Rules for clarity and fairness;
- Graduating our first cohort of branch employees who participated in a yearlong supervisor training program;
- Upgrading technology solutions in nearly half of all Judicial Branch courtrooms and completing the discovery phase of our statewide electronic filing and case management project for all of our courts;
- Coordinating multiple building and renovation projects throughout the state to ensure our courts have safe and adequate facilities;
- Advancing initiatives arising from our 2022 Bench and Bar Diversity Project, including
  - Offering enhanced diversity training for judges and staff;
  - Hosting more than 20 summer interns as part of the Department of State's Future Leaders internship initiative;
  - Supporting the renewal of the mission of the Delaware Law-Related Education Center and its expanded civics program offerings for K-12 students;
  - Strengthening Judicial Branch partnerships with local universities and law schools, as well as the local Leadership Council for Legal Diversity, to help build more accessible pathways to careers in the law;
- Working with partners from the other branches of government as part of the Criminal Legal System Imposed Debt Study Group created by House Bill 244 to evaluate future opportunities to help eliminate the disparate impact on marginalized communities caused by criminal justice fees and fines;
- Collaborating with the Department of Health and Social Services to host a two-day Behavioral Health and Criminal Justice Integration Summit that brought together more than 500 legal, law enforcement, and social service professionals and community members to address behavioral health issues in the criminal justice system; and
- With assistance from the National Center for State Courts and the State Justice Institute, leading the first Judicial Branch-wide strategic campaign to assess the state of the Delaware courts in the view of our 1400 employees and to align our courts' collective strategic vision for the future.

I hope this Report is a useful resource in helping to explain and demystify the work of the Delaware Judicial Branch. For more information, please visit the branch's website at https://courts.delaware.gov, where you will always find the most up-to-date information about the Delaware Courts.

Gayle P. Lafferty

State Court Administrator

Gazel Kafferty



# MESSAGE FROM CHIEF JUSTICE COLLINS J. SEITZ, JR.

# One Branch One Vision



I am pleased to report that in 2023 we finally emerged from the pandemic and resumed normal operations. With some exceptions, case backlogs have been cleared out, court operations are back at full strength and strict health safety measures have been eased.

We have emerged stronger from the pandemic through better use of technology, smarter ways to work and streamlined procedures. Equally important, we have felt a sense of optimism now that we can once again focus on ways to enhance, improve and modernize the way the Delaware Judiciary does business.

In 2023, we put into action many of the recommendations from our Strategic Plan to improve diversity in the Delaware Bench and Bar. We are making sure that the plan does not simply sit on a shelf and gather dust or exist only as a lofty goal in the distant future.

At the same time and along with that effort, we undertook an in-depth review of how we do business. Working with the State Justice Institute and the National Center for State Courts, we surveyed our 1,400 employees and sought their input, guidance, and suggestions for improvement. The effort pro-

duced the 2023 Delaware Judicial Branch Strategic Campaign or "One Branch, One Vision." It focuses on six key areas for the Judicial Branch:

- Our workforce,
- Technology,
- Facilities and security,
- Access to justice,
- Public trust and communication, and
- Strengthening the administration of justice.



Chief Justice Collins J. Seitz, Jr. meets with Master of Public Administration students from the University of Delaware in October 2023.

# MESSAGE FROM THE CHIEF JUSTICE

We describe this effort as a "strategic campaign" rather than a strategic plan. It will serve as a guide to keep us focused over the next three to five years.

As a part of this campaign, new mission and vision statements for the Judicial Branch were adopted. Our updated mission is "to provide access to fair and effective justice in a safe and transparent environment through a diverse, inclusive and dedicated

workforce." Our vision is "equal justice through transparency, integrity, innovation and Judicial Branch independence."

Many of the items in the report involve measures that are already underway, but the report helps better articulate the Judicial Branch's vision, focus those efforts and ensure we join together as one branch of government.

Starting with our first focus area – our work-force – the Administrative Office of the Courts worked with the General Assembly and the

Executive Branch to unify our court employees under the Judicial Branch's rules for personnel administration. Our unified system of personnel administration will give our managers greater flexibility to build and maintain our workforce. Our longterm goal is to work with our partners in the other branches of government to reaffirm the Judicial Branch's need, as a separate, coequal branch of government, to establish a Judicial Branch compensation and classification system — unique to the courts — which is necessary for the courts to attract and retain a quality workforce. We will also enhance employee training, to give our employees more opportunities to advance in their jobs and to help us promote and keep our best people from leaving to pursue careers elsewhere.

On technology, our Judicial Information Center (JIC) is responsible for Project CASCADE to bring our court filing, docketing and case management system into the 21st century. Once it is complete, all parts of the Delaware Judicial Branch will be on a unified, modern electronic case management system. The JIC has also been working on a multi-year project to modernize all our courthouses and courtrooms by improving Wi-Fi access, updating com-

puters and improving document-sharing technology.

For facilities and security, will undertake a comprehensive security survey of our facilities. This will help us identify areas to enhance the safety of our buildings. Once this is complete, we will also, over the next five years, look at undertaking a new space assessment study so we can maximize the space we have – including the Family two new Court facilities that

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The July 2023 Administration of the Delaware Bar Exam at the University of Delaware. Starting in 2024, the exam will be administered twice a year.

will be coming on line in the next two years – and plan for future growth of the courts.

Construction is underway on the new courthouses for Family Court in Georgetown and Dover. The court is also starting a renovation and expansion of the historic Custom House property in Wilmington directly across from the Leonard L. Williams Justice Center. When complete, the Custom House will provide a new home for the New Castle County chambers of the Supreme Court, the Arms of the Court, and the Administrative Office of the Courts. It will also house a Community Resource Center to serve City of Wilmington residents.

Continued on next page

# MESSAGE FROM THE CHIEF JUSTICE

Our fourth focus area, access to justice, revives our Access to Justice Commission and related efforts. The strategic campaign directs that our access to justice efforts examine physical barriers in our court facilities and services (like internet access) that may need to be upgraded to meet the needs those with disabilities, physical limitations limited English proficiency.



Graduates, their managers, and others in key leadership positions at the August 17, 2023 Judicial Branch Supervisor Series Certificate program graduation ceremony. Pictured from left to right; Jacquetta Livingston (JP Court), Ashley Grantham (JP Court), Lisa Robinson (Superior), Tammy Schofield (Family), Liz Petrick (JP Court), Jennifer Allen (Family), Stephanie Parker (JP Court), Lisa Dolph (Supreme), Allison Gallo (AOC), Chief Magistrate Alan Davis (JP Court), Jessica West (Court of Common Pleas), Toni Orem (Chancery), Levette Williams (Chancery), Tammy Burton (Chancery), Valerie Predeoux (JP Court), Faith Brown (Family), Lisa Vanish (Superior), Jennifer Brokus (Superior), Lois Sampson (Court of Common Pleas), Stephanie Fitzgerald (Court of Common Pleas), President Judge Jan Jurden (Superior), Courtney Mackey (Court of Common Pleas), Gayle Lafferty (AOC), Jennifer Figueira (AOC), Lori Moritz (Family), Chief Judge Michael Newell (Family), Angela Willin (JP Court) and Michelle Hoffman (Family). Pictured in the front: Nicole Gosa (Family) and Chief Elvira Cruz (JP Court).

The Justice of the Peace Court held two Safe Surrender events in 2023, which encouraged people with outstanding warrants and capiases to resolve their matters with the court system. The events proved an unqualified success as 449 people attended the Wilmington Safe Surrender on May 12, 2023 – clearing

Architect's rendering of the renovation and expansion of the historic Custom House in front of the Leonard L. Williams Justice Center in Wilmington.

 ${\it Image courtesy TEVEBAUGH Architecture}$ 

more than 875 capiases and warrants. In Dover, 137 attended the event, clearing an additional 203 capiases and warrants on November 3, 2023.

Several other access to justice changes took place stemming from the Delaware Bench and Bar Diversity Project. First, we made significant changes to the bar exam by reevaluating subject matter areas,

reducing costs, and offering the exam twice a year. The Delaware Law Related Education Center (DELREC) has been revamped from the ground up to expand its mission. Long known for the annual Delaware High School Mock Trial competition, DELREC now has a new, diverse Board of Trustees, who will work with the Delaware Judiciary to teach civics education in the schools and encourage students to pursue legal careers.

The Delaware Judiciary also offered paid summer internships to high school students in 2023 by working in partnership with the Future Leaders Internship Initiative (FLii), a Department of State initiative operating with Leading Youth Through Empowerment (LYTE). Twenty Delaware students, all rising juniors or seniors,

# MESSAGE FROM THE CHIEF JUSTICE

worked in jobs across all of the Delaware Courts and in the Administrative Office of the Courts. Students were able to observe court proceedings, interact with judicial officers and meet with practicing attorneys.

Finally, there is strengthening the administration of justice. This focus area calls for creating performance measures to help gauge the effectiveness of our ongoing projects and establishing the Judicial Branch identity as a separate and independent branch of government.

The Judicial Branch also will continue to work collaboratively with the executive and legislative branches. For example, in 2023 the Delaware Judiciary partnered with the Department of Health and Social Services to host the first ever Delaware Behavioral Health Criminal Justice



More than 500 legal, law enforcement and social service professionals and community members attended the first-ever Delaware Behavioral Health and Criminal Justice Integration Summit at the Chase Center on the Riverfront, organized in partnership between the Delaware Judiciary and the Delaware Department of Health and Social Services.

Integration Summit. The two-day conference at the Chase Center on the Riverfront brought together more than 500 legal, law enforcement and social service professionals along with members of the community to address the chalposed lenges those with mental and behavioral health issues in the courts.

We achieved a great deal in 2023 and are rightfully proud of our work. But there

is always much more to be done. With our One Branch, One Vision initiative, we look forward to the coming year and even greater achievements. •

# **LEGISLATION**

The Judiciary's legislative team brings together representatives of the Courts and the Administrative Office of the Courts to enhance the effectiveness of the Judicial Branch's relationship with the General Assembly by serving as the main Judicial Branch contact for legislative matters and by monitoring and analyzing legislation for impact on the Judiciary. The following legislation supported by the Judicial Branch was passed during FY 2023 by the 152<sup>nd</sup> General Assembly:

BILL NUMBER	DESCRIPTION
SB 133	Allows those with a VAC payment plan to be able to process matters such as license or tag renewal at DMV. The previous law required a VAC ticket to be paid in full before DMV can process.
SB 179	This Act replaces references to "Masters" in the Court of Chancery with "Magistrate." The title of "master" carries negative connotations due to the use of the term as the title of owners of slaves. Although the title "Master in Chancery" has no link to that historical context, the Court of Chancery is sensitive to the title's negative connotations and so has proposed a new title, "Magistrate in Chancery."

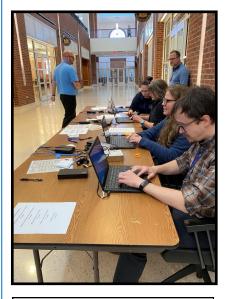
# THE YEAR IN PICTURES



ABOVE (Left to right) Justice Gary F. Traynor, Justice Karen L. Valihura, Chief Justice Collins J. Seitz, Jr., Justice Abigail M. LeGrow and Justice N. Christopher Griffiths participate in the groundbreaking for the expansion and renovation of the historic Custom House on Dec. 18, 2023.



ABOVE Gov. John Carney speaks in Courtroom 7E at the Leonard L. Williams Justice Center before the Dec. 18, 2023 groundbreaking at the historic Custom House.



ABOVE Court staff at the check-in table for the Safe Surrender event at the Kent County Courthouse on Nov. 3, 2023.

AT CENTER The waiting area in Jury Services during the May 12, 2023 Safe Surrender event at the Leonard L. Williams Justice Center.



BELOW Attorneys address the media crowd outside the Leonard L. Williams Justice Center following the announcement of a settlement in the Dominion Voting v. Fox News/Fox Corp. civil suit in Superior Court on April 18, 2023.



# 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 non-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 a cost savings in resources used to handle the matters and in a speedier resolution of the issues at hand.

The Justice of the Peace Court, the initial entry into the court system for most citizens, has jurisdiction over civil cases in which the disputed amount does not exceed \$25,000. 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 \$75,000. 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 of Common Pleas 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. Criminal cases maybe 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 Superior 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 hears 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 entire Judicial Branch.

The Administrative Office of the Courts, including the Judicial Information Center, the law libraries and the Office of 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 non-judicial agencies associated with the Delaware Judicial Branch include: Office of the Public Guardian, Office of the Child Advocate, Maternal and Child Death Review Commission, and the Delaware 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, the U.S. Supreme Court, a U.S. Court of Appeals, a U.S. District Court, a U.S. Bankruptcy Court, the U.S. Securities & Exchange Commission, the highest appellate court of any state, and any other entities as detailed in Article 4, Section 11(8) of the Delaware Constitution.

### **Court of Chancery**

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

### **Superior Court**

- Law court.
- Original statewide jurisdiction over all criminal and civil cases (except equity cases).
- Exclusive jurisdiction over felonies and drug offenses (except marijuana possession and most felonies/ drug offenses 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 relations cases, 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 criminal offenses except certain serious offenses.

#### **Court of Common Pleas**

- Statewide jurisdiction in civil actions that do not exceed \$75,000.
- 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 \$25,000.
- Jurisdiction over certain misdemeanors and most motor vehicle cases (except felonies).
- May act as committing magistrate for all crimes.
- Jurisdiction over landlord/tenant (possession) cases.



SUMMARY OF JUDICIAL BUDGETS - FISCAL YEARS 2022-2024							
G	ENERAL FUNDS						
	FY 2022	FY 2023	FY 2024				
	Enacted Budget	Enacted Budget	Enacted Budget				
Supreme Court	\$ 3,543,300	\$ 3,978,200	\$ 4,253,600				
Court of Chancery	4,066,800	4,597,200	4,850,900				
Superior Court	26,885,500	27,873,200	30,040,900				
Family Court	21,621,200	22,284,400	23,276,600				
Court of Common Pleas	11,157,800	11,389,400	12,069,800				
Justice of the Peace Court	19,997,100	20,858,500	21,996,000				
Administrative Office of the Courts (AOC)	4,139,100	4,482,400	4,777,100				
AOC Custodial Pass-Through Funds*	3,035,100	3,035,100	3,135,100				
Office of State Court Collections Enforcement (OSCCE)	626,200	633,800	670,300				
Information Technology	4,031,600	4,059,800	4,426,500				
Law Libraries	461,100	463,000	476,400				
Office of the Public Guardian	812,200	820,900	858,000				
Office of the Child Advocate	2,617,400	3,168,800	3,513,300				
Maternal and Child Death Review Commission**	459,300	463,700	485,700				
Delaware Nursing Home Residents Quality Assurance Commission	89,000	89,900	93,800				
TOTAL	\$ 103,542,700	\$ 108,198,300	\$ 114,924,000				

<sup>\*</sup> These programs are included in AOC funding but are shown separately because they are pass-through funds. They include the Superior Court Appointed Attorney Program, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, Law Related Education and other funds. Technology Maintenance consists of pass-through funding to other state departments and vendors for equipment and services Branch-wide.

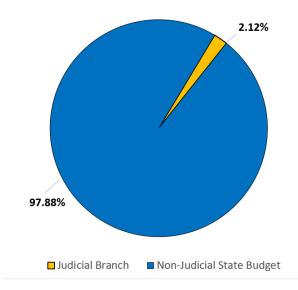
<sup>\*\*</sup> The Child Death Review Commission was renamed the Maternal and Child Death Review Commission with the passage of House Bill 340 of the 151st General Assembly.

## **GENERAL FUND APPROPRIATIONS - FISCAL YEAR 2023**

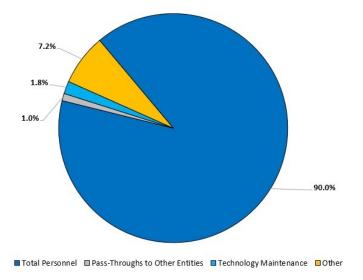
The Judiciary's FY 2023 appropriation is 2.12% of the State's General Fund Budget.							
Public Education	\$1,832,407,800	35.93%					
Health and Social Services	1,361,270,600	26.69%					
Department of Correction	376,141,800	7.38%					
Higher Education	266,806,000	5.23%					
Children, Youth and Their Families	204,743,000	4.02%					
Safety and Homeland Security	164,358,300	3.22%					
Judicial Branch	108,198,300	2.12%					
All Other	785,786,400	15.41%					
TOTAL	\$ 5,099,712,200	100.00%*					

<sup>\*</sup> Percentages may not total 100 due to rounding

The Judiciary's FY 2023 appropriation is 2.12% of the State GF Budget.



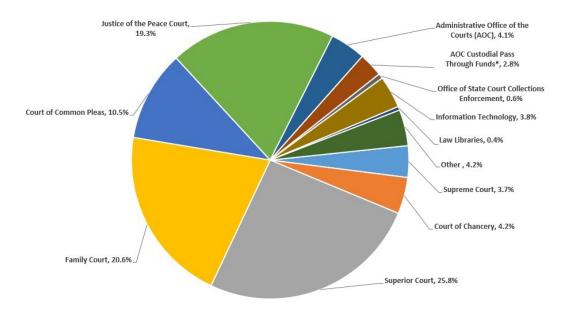
The FY 2023 Judicial Branch budget breakdown: 90% Personnel, 1.0% Pass-Throughs to Other Entities, 1.8% Technology Maintenance, and 7.2% Other.



## **JUDICIAL BRANCH APPROPRIATIONS - FISCAL YEAR 2023**

	<b>General Funds by Court or Unit</b>	
Supreme Court	\$3,978,200	3.68%
Court of Chancery	4,597,200	4.25%
Superior Court	27,873,200	25.76%
Family Court	22,284,400	20.60%
Court of Common Pleas	11,389,400	10.53%
Justice of the Peace	20,858,500	19.28%
Administrative Office of the Courts (AOC)	4,482,400	4.14%
AOC Pass Through Funds*	3,035,100	2.81%
Office of State Court Collections	633,800	0.59%
Information Technology	4,059,800	3.75%
Law Libraries	463,000	0.43%
Other**	4,543,300	4.20%
TOTAL	\$108,198,300	100%***

#### **JUDICIAL APPROPRIATIONS - FISCAL YEAR 2023**



<sup>\*</sup> AOC Pass-Through Funds consist of Court Appointed Attorneys/Involuntary Commitment, Court Interpreters, Victim Offender Mediation Program, Elder Law Program, and Technology Maintenance.

<sup>\*\*</sup> Other: Office of the Public Guardian; Office of the Child Advocate; Child Death Review Commission; and Delaware Nursing Home Residents Quality Assurance Commission.

<sup>\*\*\*</sup> Percentages may not total 100 due to rounding.

COURT GENERATED REVENUE* - FISCAL YEAR 2023											
SUBMITTED TO THE STATE GENERAL FUND											
	Fee	s & Costs		Fines	I	nterest***	M	iscellaneous		Total	
Supreme Court	\$	97,922	\$	-	\$	-	\$	-	\$	97,922	
Court of Chancery	1	,091,629		-		-		-		1,091,629	
Superior Court	2	,899,193		113,310		24,539		61,359		3,098,401	
Family Court		79,878		10,933		-		9,406		100,217	
Court of Common Pleas	1	,027,288		248,636		-		13,450		1,289,374	
Justice of the Peace Court	1	,561,416	1	,614,086		-		51,574		3,227,076	
OSCCE collecting DOC Fees**		739,586		-				-		739,586	
State Total	\$ 7	7,496,912	<b>\$</b> 1	1,986,965	\$	24,539	\$	135,789	\$	9,644,205	
e.	IDMIT	TED TO	COLIN	ITIES ANI	р Мі	JNICIPAL	4 11 1 1	C			
50		s & Costs	JOUN	Fines	D IVI	Interest		iscellaneous		Total	
Superior Court	\$	63,391	\$	21,782		-		-		\$ 85,173	
Family Court		-		1,061		-		-		1,061	
Court of Common Pleas		30		146,135		-		-		146,165	
Justice of the Peace Court		-	2	2,045,959		-		-		2,045,959	
Office of State Court Collections Enforcement		-				_		-			
Counties and Municipalities Total	\$	63,421	\$	2,214,937		-		-	\$	2,278,358	
GRAND TOTAL	\$ 7,	560,333	\$ 4	1,201,902	\$	24,539	9	§ 135,789	\$	11,922,563	

<sup>\*</sup> Figures represent only revenue actually received, not the total amount of fines and costs assessed. Figures include funds generated for the FY 2023 Fee Increase Spending Plan. Court Generated Revenue for this table does not include most criminal Statutory Assessments collected on behalf of other agencies, such as the Fund to Combat Violent Crime or the Videophone Fund.

<sup>\*\*</sup> Office of State Court Collections Enforcement (OSCCE) collected probationary fees on behalf of the Department of Correction (DOC). The assessment of DOC Supervision Fees was eliminated in April 2023 with the implementation of HB 244 with HA 2 of the 151st General Assembly.

<sup>\*\*\*</sup> From bail bond deposits.

STATUTORY ASSESSMENTS COLLECTED BY THE COUR	RTS	FY 2023						
Criminal Only								
Court Security Fee*	\$	1,227,943						
Drug Diversion Fee		8,988						
Drug Ed/Rehab SARTEP		19,803						
DELJIS		122,319						
Fund to Combat Violent Crime (State)		886,047						
Fund to Combat Violent Crime (Local)		884,981						
Senior Trust Fund		9,523						
Voluntary Ambulance Fund		1,175,848						
Victim Compensation		1,244,472						
Victim Rights Fund		22,346						
Video Phone Fund		109,439						
Transportation Trust Fund		2,000,988						
Civil Red Light Fee		21,248						
Statutory transfers from Court Fees to DELDOT:								
Inspection & Maintenance		2,618,566						
DMVT		23,982						

<sup>\*</sup>Revenue from Court Security totals \$1,660,251 when civil collections are added to the criminal collections.

# Percent of Judicial Branch Budget from Criminal Fees and Fines (Judicial Branch GF and Appropriated Special Funds Combined)

Judicial GF FY23 Budget	\$108,198,300
Judicial ASF FY23 Budget	\$13,325,900
Total GF + ASF FY 23 Budget	\$121,524,200
Authority from Criminal Fees and Fines **	\$1,449,854
Criminal Fees and Fines as a Percent of the total Judicial Branch Budget	1.19%

<sup>\*\*</sup> Criminal Only. Includes only those collections which are retained by the Judicial Branch.

What are (ASF) Appropriated Special Funds? ASF Funds are derived from fees that are collected and designated for a specific purpose to support program functions. Most court collections listed in the top table support programs that are outside of the Judicial Branch.

Note: There are additional ASF revenues which are indirectly associated with Fees and Fines, primarily civil. Specifically, there is an ASF line called "Judicial Services" for \$2,050,000 in FY 2023, appropriated in connection with certain fees. Nearly all of those fees were civil, although there is one fee which can be either civil or criminal.

In Section 1 and Section 41 of the FY 2024 Budget Act (HB 195 of the 152<sup>st</sup> General Assembly), ASF funds are also appropriated to the Court of Chancery and the Court of Common Pleas for their operating budgets from "the fees and fines that it collects"; no specific fees or fines are earmarked. The funds are appropriated through the budget process. The Court of Chancery's fines and fees are civil; the Court of Common Pleas collects both civil and criminal fines and fees. The Court of Common Pleas ASF appropriation related to this epilogue totals \$259,100 ASF, which is additional to the ASF authority listed in the table above.

Source: Administrative Office of the Courts, report CJJCM49P and the FY 2023 State Budget

# Total Criminal Collections by Type and Recipient – FY 2023

Recipient of Collections	Fines	Fe	es & Costs	Ass	sessments	Restitution	Total Criminal	Recipient Break- down
Courts	\$ _	\$	221,911	\$	1,227,943	\$	\$ 1,449,854	7.7%
Counties/ Municipalities including Statutory Funds	\$ 2,236,589	\$	63,946	\$	2,060,829	\$ _	\$ 4,361,364	23.1%
State Statutory Funds	\$ 4,448	\$	2,603,239	\$	4,445,173	\$ _	\$ 7,052,860	37.4%
General Fund/State	\$ 2,383,292	\$	981,926	\$	_	\$ _	\$ 3,365,218	17.8%
Victims	\$ _	\$	_	\$	_	\$ 2,638,266	\$ 2,638,266	14.0%
Total	\$ 4,624,329	\$	3,871,022	\$	7,733,945	\$ 2,638,266	\$ 18,867,562	100.0%

The above represents the criminal court collections from Delaware's criminal courts: Superior Court, Family Court, Court of Common Pleas, the Justice of the Peace Court, and the Office of State Court Collections. Much of the above is not defined as court revenue, but rather as court collections which is technically revenue for the State or other entities. Definitions below are not intended to be all-inclusive.

Fines: Includes state fines, town fines, criminal fines, DUI fines, and Forensic Fines.

Fees and Costs: Includes court costs, extradition, kiosks, PD fees, drug diversion fees, and capiases. The PD Fee was eliminated April 2023, the effective date of HB 244 w/ HA 2 of the 151st General Assembly. Some Fees and Costs collections - late fees and e-payment fees for the Voluntary Assessment Center - are no longer assessed with the implementation of HB 244 w/ HA 2.

Assessments: Includes Court Security, Senior Trust Fund, Victim Rights, Victim Compensation, Drug Ed/Rehab Substance Abuse (SARTEP), Civil Penalty/Drug Diversion Fees, Transportation Trust Fund Surcharge, Voluntary Ambulance Fund, the DELJIS Fund, the Videophone Fund, and the Fund to Combat Violent Crime.

Revenues for the Volunteer Ambulance Company Fund and the Fund to Combat Violent Crimes (Local) are pass-throughs from State agencies or commissions to municipalities or local entities. They are reported under "Counties/Municipalities including Statutory Funds".

Source: Administrative Office of the Courts using report CJJCM49P

COURT GENERATED REVENUE - FISCAL YEAR 2023									
RESTITUTION - FISCAL YEAR 2023									
	Assessed	Collected	Disbursed						
Superior Court	\$4,410,383	\$1,048,289	\$887,350						
Family Court	71,448	94,694	92,183						
Court of Common Pleas	1,081,568	498,291	464,341						
Justice of the Peace Court	7,272	18,791	17,446						
Office of State Court Collections Enforcement* (OSCCE)	-	978,200	823,819						
RESTITUTION TOTAL	\$ 5,570,671	\$ 2,638,265	\$ 2,285,139						

# COLLECTIONS ASSISTANCE BY THE OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT ON BEHALF OF COURTS AND AGENCIES\*\*

	Total
Superior Court	\$ 972,980
Family Court	183,400
Court of Common Pleas	124,987
Justice of the Peace Court	86,695
OSCCE Receivables	970,239
Department of Correction	739,856
Court of Chancery	2,122
Child Support	139,341

OSCCE ASSISTANCE TOTAL	\$	3,219,620
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<sup>\*</sup> Figures represent efforts made by OSCCE on behalf of the Delaware Judicial Branch.

<sup>\*\*</sup> These figures, in large part, overlap with amount collected by the various courts and agencies, and should not be considered additional (excluding OSCCE receivables). Performance results have been impacted by the implementation of HB 244. HB 244 eliminated DOC supervision fees and non-restitution Family Court fees for children from being assessed.

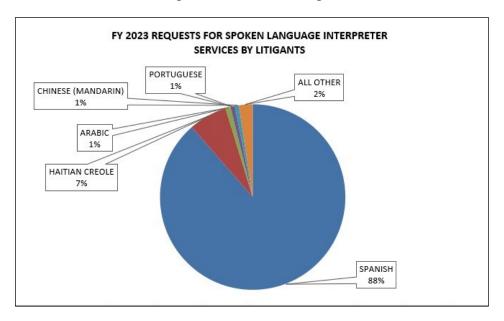
# INTERPRETER SERVICES

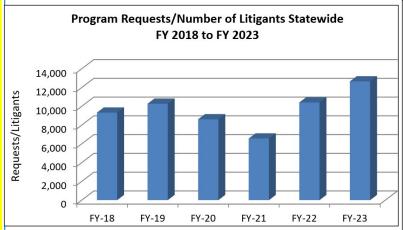


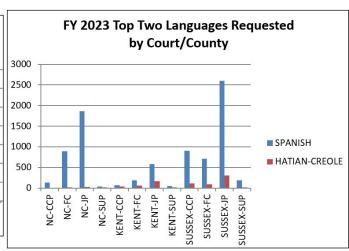
# Delaware Court Interpreter Program



The Delaware Judiciary provides language access to those with limited English proficiency and members of the Deaf and hard of hearing community. The Court Interpreter Program is managed by the Administrative Office of the Courts (AOC) under the direction of the Court Interpreter Advisory Board. Below are several charts detailing the demand for interpretation services.









# CHIEF JUSTICE COLLINS J. SEITZ, JR.



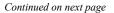
Fiscal Year 2023 was a time of change for the Delaware Supreme Court. Two Justices departed and two arrived to get the Court back to full strength. It was also a time to move past the COVID-19 pandemic and refocus our attention on Judicial Court helps and cases were

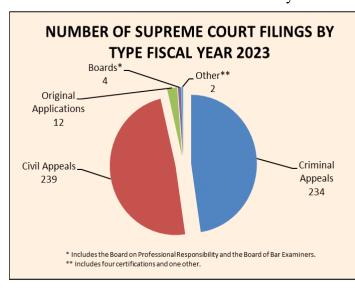
The Delaware Supreme Court received 491 appeals and resolved 453 cases by opinion, order, or dismissal. The Court decided appeals an average of 33 days from the date of submission to the date of final decision. In 99% of the appeals decided in FY 23, the Court met the Delaware Judiciary

standard for deciding cases within 90 days of submission. The Court resolved 85% of all cases within 290 days of filing of a notice of appeal and resolved 95% of all cases within a one-year timeframe. The Court held 72 oral arguments, and 120 cases were submitted for decision on the briefs.

Following a comprehensive review and recommendation from the Board of Bar Examiners, the Supreme Court approved significant changes to the Delaware Bar Exam. They include changing the passing score from a scale of 145 to 143, reducing

the number of essays from eight to four, and limiting the number of essay topics from 14 areas of law to 10. In perhaps the biggest change, the exam will be offered twice a year starting in February 2024. These changes were not made to make the Bar Exam "easier" or lower our already high standards for bar admission, but to increase access to the exam, improve the admissions process, and make Delaware more competitive in the nationwide market





# SUPREME COURT

for legal talent. In December, 137 new attorneys were admitted to the Delaware bar during a ceremony held at the Schwartz Center in Dover.

The Supreme Court and Administrative Office of the Courts partnered with the Leading Youth Through Empowerment ("LYTE") Scholars Program, and the Delaware Department of State Future Leaders Intern-

Initiative ship ("FLii") to offer paid summer internships to rising high school iuniors and seniors throughout the LYTE state. provides a wide range of academic programming to underrepresented students. TwenSUPREME COURT FISCAL YEAR 2023 AVERAGE NUMBER
OF DAYS FROM FILING TO DISPOSITION
BY CASE TYPE

Other
Advisory Opinions
Boards\*
Original Applications
Certifications
Civil Appeals

Other
Civil Appeals

Output

District Vaughn's judicial career beg

Court in Dover and attended proceedings in other courts. Additionally, they visited with judicial officers and legal practitioners and received valuable guidance on careers in the legal field.

Justice James T. Vaughn, Jr. retired after 25 years of distinguished service to the citizens of Delaware. Justice Vaughn's judicial career began in 1998 when

he was appointed to **Superior** Court as Resident Judge for Kent County. became He President Judge of Superior Court in 2004 and was appointed to the Supreme Court in

ty students were assigned to the courts for the sixweek summer program, which offered educational and work experience in the judicial system. The students attended oral arguments before the Supreme

Criminal Appeals

2014.

\*Includes the Board on Professional Responsibility and the Board of Bar Examiners.

150

165.0

200

Justice Tamika Montgomery-Reeves stepped down to accept her nomination to the U.S. Third Circuit Court of Appeals. Justice Montgomery-Reeves

250

300



(Left to right) Chief Justice Collins J. Seitz, Jr. and Justices Abigail M. LeGrow and N. Christopher Griffiths after the confirmation vote for both justices in the Delaware Senate.



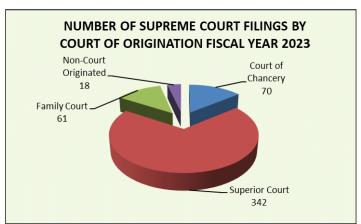
Attorney Richard K. Herrmann (left) receiving the Andrew D. Christie Pro Bono Publico Award from Justice Karen L. Valihura at the DSBA Law Day Luncheon on May 2, 2023.

Photo courtesy Delaware State Bar Assn.

from 2015 until her appointment to the Supreme service to the Court over the course of his career. Court in 2019. She was the first African American Mr. Herrmann served on several Supreme Court to serve on either court. We are grateful to the for- committees over the years, including the Commismer Justices for their service.

Following these departures, the Court welcomed two new members - Justice Abigail LeGrow and Justice N. Christopher Griffiths. Justice LeGrow was a Magistrate in Chancery starting in 2011. In 2016 she was appointed to the Superior Court. Before his appointment, Justice Griffiths was a partner at Connolly Gallagher and served on several Supreme Court committees. Justice Griffiths is the second African American and first African Ameri- Finally, a groundbreaking ceremony was held for can man to serve on the Delaware Supreme Court.

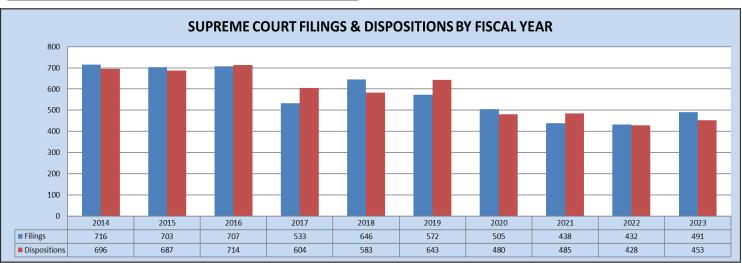
This year the Court was honored to present the Andrew D. Christie Pro Bono Publico award to Richard



served as Vice Chancellor in the Court of Chancery K. Herrmann in appreciation for his outstanding sion on Law and Technology. Before his retirement he was instrumental in helping the Judicial Branch navigate virtual meetings and court proceedings in the early days of the COVID-19 pandemic. Mr. Herrmann also created, and for many years performed in, the Delaware Judiciary's annual holiday reenactment of "Miracle on 34th Street" at our county courthouses for elementary school students, a tradition that is now in its 20th year.

> the renovation and expansion of the Custom House. located in front of the Leonard L. Williams Justice Center in Wilmington. This project will revitalize a long-vacant historic property in downtown Wilmington and become the permanent home of the Supreme Court in New Castle County and Administrative Office of the Courts in New Castle County. The Court will continue to hear oral arguments in the historic Dover Courthouse.

> With our building projects underway and continued support from the General Assembly, the Supreme Court is well-positioned to meet the challenges of an expanding docket and to address the needs of Delawareans now and into the future.



Continued on next page



# **Supreme Court Justices**

Standing left to right:

Justice Abigail M. LeGrow Justice Karen L. Valihura Chief Justice Collins J. Seitz, Jr. Justice Gary F. Traynor Justice N. Christopher Griffiths



# CHANCELLOR KATHALEEN ST. J. MCCORMICK

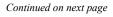
American actress and comedian Amy Poehler once advised: "Find a group of people who challenge and inspire you, spend a lot of time with them, and it will change your life." As the court's annual statistics reflect, its judges and staff spent an awful lot of time together this past year, as demands on the court continue to increase in volume and complexity. To share some of the highlights, case filings increased 10% and requests for expedition increased 8% over last year. The court held over 1,400 hearings and issued nearly 400

opinions excluding orders and bench rulings. Reflecting on the court's productivity in light of Poehler's wisdom, we can safely say that 2023 was life changing.

Our court's accomplishments are only made possible by our inspired judges and staff. We begin each year with the unrealistic but genuinely held hope that no judge or employee will leave our ranks. And this past year we marked the retirement of our court's leaders and glue — Administrator and Register in Chancery, Susan Judge, on

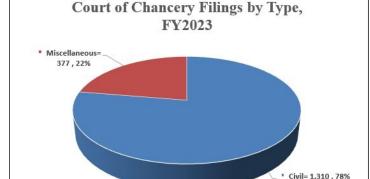
March 31, 2023, after fifteen years with the Judicial Branch. Judge held the position of Court Administrator and Register in Chancery for the past three years and prior to that served as Superior Court Administrator.

True to Judge's way, she made sure to leave us in good hands, and on April 1, 2023, we welcomed Tamara Burton the new Court Administrator and Register in Chancery. Burton joined the Court of Chancery after





# COURT OF CHANCE



Previous FYs reactivated cases were included in this count. Beginning FY23 they were excluded. FY23 saw 52 reactivated cases.

serving as Deputy Court Administrator for the Delaware Court of Common Pleas for the past ten years. Before joining the Judicial Branch, Burton spent over 20 years with the Department of Labor.

The court also welcomed Aaron Goldstein as the court's first-ever Chief Staff Attorney. Prior to joining the court, Goldstein served in various positions in the Delaware Department of Justice for 19 years. Most recently, he served as the Deputy Attorney General who provided advice to and representation for: the Department of State, the Secretary of State, the Division of Corporations, the Division of Small Business and the Delaware Economic Development Authority, among others. He also served as the Chief

Legal **Ethics** Officer to the Delaware Department of Justice. Prior to that, Goldstein served as State Solicitor under two Attorney Generals and also as Chief Deputy to Attorney General Matt Denn.



Winning art works in the Court of Chancery's Legal History Art Contest: At left is First Place winner "Our Segregated Worlds" by Cassius Hearne of Archmere Academy and at right is Second Place winner "Right to Ride" by Sophia Silverman of Tower Hill School.

In July, the court celebrated the retirement of one of our real-time court reporters, Jeanne Cahill, who worked for the State for over 30 years and the last 15 years with the Court of Chancery. Cahill contributed tremendously to the court's positive culture and will be sorely missed.

With Cahill's retirement the court gained Lorena Hartnett who is an excellent stenographer and came to the court from the freelance world. Hartnett is no stranger to the Court of Chancery. Having covered hearings for the court for years, she is already familiar with much of what we do making her a fantastic addition to the team.

Burton, Goldstein, and Hartnett have all hit the ground running and are immensely valuable to our organization.

A major highlight of 2023 was the reappointment of The Honorable Sam Glasscock III, who was sworn in for his second term as Vice Chancellor of the Delaware Court of Chancery on Friday, June 30, 2023, at the Court of Chancery Courthouse in Georgetown by Magistrate in Chancery Bonnie W. David. Vice Chancellor Glasscock was first appointed as Vice Chancellor by Gov. Jack Markell, taking his oath for

his initial term on June 29, 2011. Prior to accepting his appointment Vice Chancellor, he served the Court of Chancery as Magistrate in Chancery (formally called Master) from 1999 to 2011. Before joining the Court of Chancery, Vice Chancellor

Glasscock worked as a judicial clerk, as an associate at Prickett, Jones, Elliott, Kristol & Schnee in the litigation section, as a Superior Court special discovery master, and as a Deputy Attorney General in the Appeals Unit of the Department of Justice.

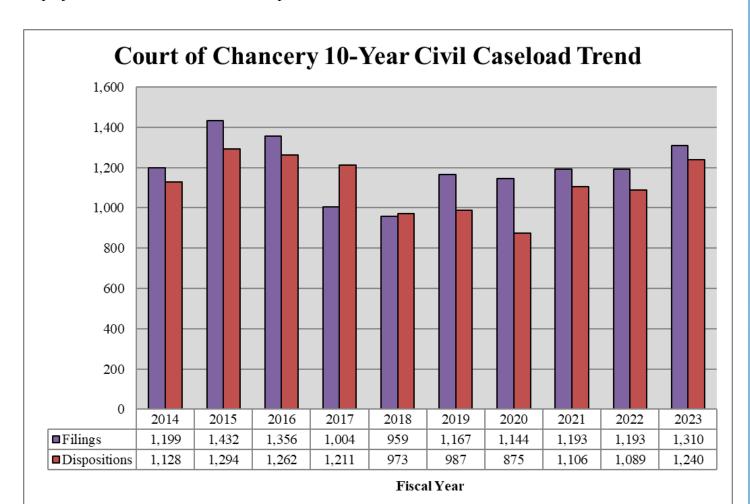
Another highlight of the year was the court's firstever Legal History Art Contest held in partnership with the Court of Chancery Historical Society. Open to students in grades 7-12, the contest marked the 70th anniversary of the U.S. Supreme Court's historic Brown v. Board of Education ruling desegregating public schools and the Delaware Court of Chancery's key role in that decision. Students were invited to

submit artwork representing Delaware's role in the historic case and its impact along with how the artwork addressed the theme. The winning students and their families were invited to attend a reception and award ceremony.

In addition, for the third year, the court welcomed high school interns participating in the Delaware Department of State's Future Leaders Internship Initiative ("FLii"). We have again enjoyed the company and enthusiasm of our high school interns as well as the collaboration with our sister branch of government.

Finally, the court kicked off its Rules Renovation project in 2023. Under the leadership of a subcom-

mittee of the Court of Chancery Rules Committee co-chaired by Vice Chancellor J. Travis Laster and Attorney Blake Rohrbacher, the project will look to "renovate" (and not demolish and rebuild) the Court of Chancery Rules. The project's goals are to modernize the rules and hew them more closely to the federal rules and the court's current practices. The rules will be reviewed and amended in tranches over two years, the first of which was implemented in September 2023. The project is ambitious and overdue, and our litigants will benefit from the hard work of those spearheading the project.



Continued on next page



# **Court of Chancery**

#### Standing left to right:

Magistrate in Chancery Loren Mitchell, Magistrate in Chancery Patricia W. Griffin (retired 12/2022), Vice Chancellor Lori W. Will, Vice Chancellor Nathan A. Cook, Magistrate in Chancery Selena E. Molina, Magistrate in Chancery Bonnie W. David.

## Seated left to right:

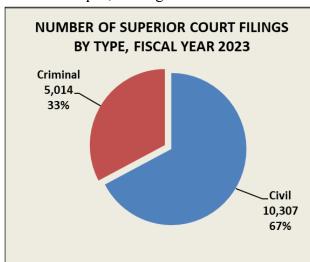
Vice Chancellor Morgan T. Zurn, Vice Chancellor J. Travis Laster, Chancellor Kathaleen St. J. McCormick, Vice Chancellor Sam Glasscock III, Vice Chancellor Paul A. Fioravanti, Jr.



# PRESIDENT JUDGE JAN R. JURDEN

The Superior Court looks back on 2023 with pride in the accomplishments of the Judicial Branch, and gratitude for the teamwork of all that enabled the Superior Court and our sister courts to effectively address pandemic backlogs, continue our efforts to enhance diversity, equity and inclusion, both internally and externally; and improve access to, and the administration of, justice. The last several years have made it clear that we stand as one unified branch with a shared vision. As discussed below, 2023 is no exception in that regard.

The year 2023 was a very busy one for the Court. In April, the high stakes *Dominion* 



v. Fox News defamation case captivated the public and drew intense media attention. The case was one of the largest ever filed in the Superior Court and required all hands on deck. For months leading up to the trial date, the trial judge, the Hon. Eric M. Davis met regularly and often with a team comprised of, among others, chambers staff, prothonotary staff, security officers, the Chief Staff Attorney, court reporters, jury services staff, court administration, Capitol Police, and members of the Administrative Office of the Courts. The extensive planning, cooperation, collaboration and coordination overseen by Judge Davis was masterful, and the parties

expressed their appreciation for the Court staff and all who helped make the pretrial phase and the jury selection seamless. The Court is proud of all those who helped ensure that the Court provided a fair, prompt, efficient, forum to assist the parties in resolving their dispute.

As the Court managed this highprofile matter (which required extensive resources and personnel for months), the Court experienced record increases in its civil filings. An increase of 2,425 civil filings in 2023

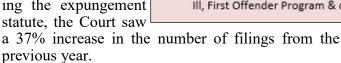
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# SUPERIOR COURT

resulted in a 31% increase over the civil filings in 2022 (7,882 compared to 10,307). Included in those FY 2023 civil filings were 1,527 product liability cases and 683 Mass Tort cases (Zantac, Pelvic Mesh, etc.). Also, due to the national recognition of our judicial officers' experience and expertise in handling Complex Commercial Litigation (CCLD) matters, the number of CCLD cases rose by 20%

(126)compared 159). Mortgage foreclosure filings more than doubled the filings in the previous year (580 compared to 1,215) as did Writ of Possession matters (14 compared to 39). Weapon Relinquishment and Lethal Violence Protective Order civil case filings increased from 39 in 2022 to 48 in 2023. Following the General Assembly's passage of legislation modifying the expungement

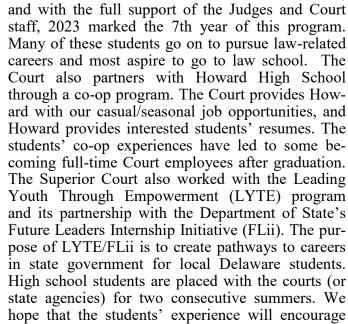


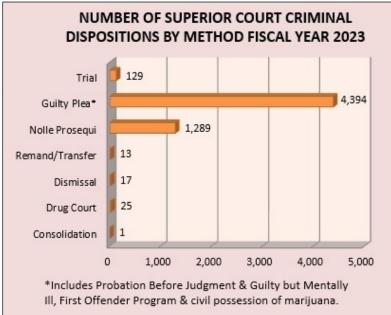
On the criminal side, although the number of criminal filings reduced slightly from 5,427 to 5,014 (approx. 8%), the number of criminal trials remained the same as the previous year.

While staffing shortages and retention challenges remain, efficiencies from the innovative use of technology, and the excellent support from the Judicial Information Center headed by Ken Kelemen, greatly assisted the Court in its day-to-day operations. The Court's ability to provide access to justice and efficiently manage its caseloads and court events depends on our dedicated staff and technology.

Under the superb leadership of the Chief Justice and the Administrative Office of the Courts, through various initiatives, the Superior Court continues its efforts to foster and embed diversity, equity and inclusion in all our internal and external operations. With the assistance of the Delaware State Bar Association (DSBA), we had the opportunity to work for eight weeks this past summer with first and second-year law students through its Diversity Clerkship Program. We worked closely with these students and hope their summer experience will make them







them to apply for Judicial Branch jobs following graduation.

In 2023, the Court happily welcomed two new judicial officers - the Hon. Sean P. Lugg and the Hon. Kathleen M. Miller - in 2023. Prior to joining the Superior Court bench, Judge Lugg served as deputy attorney general with the Delaware Department of Justice for over 25 years, and continues to serve on commissions, working groups and Inns of Court that focus on technology and the law. His extensive trial and appellate experience, coupled with his strong technology background, enhance the Court's ability to increase the use of technology in the future. Prior to joining the bench, Judge Miller served as a

partner at Smith, Katzenstein & Jenkins LLP, and over the last 30 years has represented clients in all Delaware courts. She served as President of the Delaware State Bar Association from 2021 to 2022, during which time she conceived and launched the DSBA Diversity Clerkship Program referenced



Chief Justice Collins J. Seitz, Jr. (right) administers the Oath of Office to the Hon. Sean P. Lugg at his investiture on July 27, 2023.

above and remains active on the committee overseeing the program.

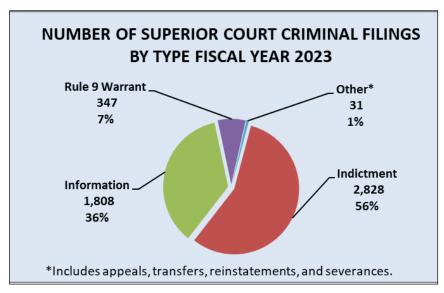
The Court is extremely proud of our beloved former colleague, the Hon. Abigail M. LeGrow, who was elevated to the Supreme Court in 2023. Her legal acumen, work ethic, professionalism, collegiality and leadership as the civil administrative judge contributed greatly to the Court and those we serve. We are honored to have served with her.

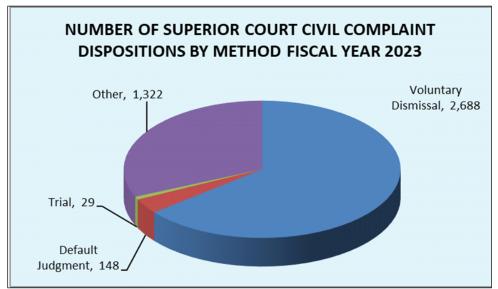
The mission of the Superior Court (now 191 years-old) is to serve the public by providing fair, prompt and well-reasoned decisions in all matters coming before the Court. We see our mission in the 21st century in-

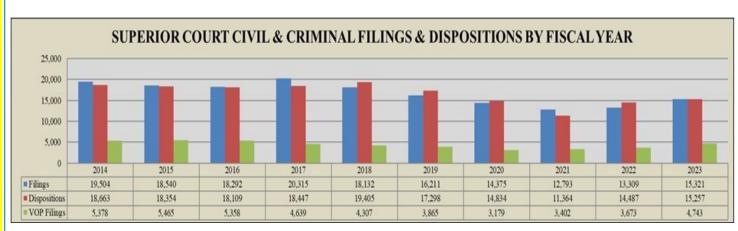
cluding far more obligations and responsibilities for the Court, and for the Judicial Branch as a whole. Thanks to the strong leadership of our Chief Justice, a shared commitment to equal justice for all, and a shared vision of a rich, diverse, equitable and inclusive justice system, we welcome that expanded mission and will continue to work together to fulfill it.



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# **SUPERIOR COURT JUDGES**

*Back Row (left to right)*: Judge Sean P. Lugg; Judge Danielle J. Brennan; Judge Robert H. Robinson; Judge Francis J. Jones Jr.; Judge Meghan A. Adams, Judge Mark H. Conner, Judge Reneta L. Green-Streett, Judge Patricia A. Winston; Judge Kathleen M. Miller

*Middle Row (left to right)*: Judge Sheldon K. Rennie; Resident Judge Jeffrey J Clark; Judge Vivian L. Medinilla; Judge Paul R. Wallace; Judge Ferris W. Wharton; Judge Noel Eason Primos; Resident Judge Craig A. Karsnitz

Front Row (seated left to right): Resident Judge Charles E. Butler; Judge Calvin L. Scott Jr.; President Judge Jan R. Jurden; Judge Mary Miller Johnston; Judge Eric M. Davis

Continued on next page



# **SUPERIOR COURT COMMISSIONERS**

Left to right: Commissioner Janine M. Salomone, Commissioner Alicia B. Howard, Commissioner Martin B. O'Connor, Commissioner Andrea M. Freud, Commissioner Lynne M. Parker.



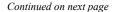
# CHIEF JUDGE MICHAEL K. NEWELL

Family Court continues to be guided by its mission: to provide 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. We strive each day to build an atmosphere that ensures all members of the public are treated with courtesy, dignity, and respect.

In Fiscal Year 2023, the court processed 38,969 filings, an increase of 4.6% from last year. While adult criminal filings declined by 4.7%, juvenile delinquent filings climbed by 18.6%, and the total number of civil filings with the court increased by 4.8%. Child support filings, which have historically represented the largest volume of civil cases for Family Court, decreased by 6.2%, continuing a

substantial trend that saw decreases of 12.6% in FY 22, 9.6% in FY 21, and 20.4% in FY 20.

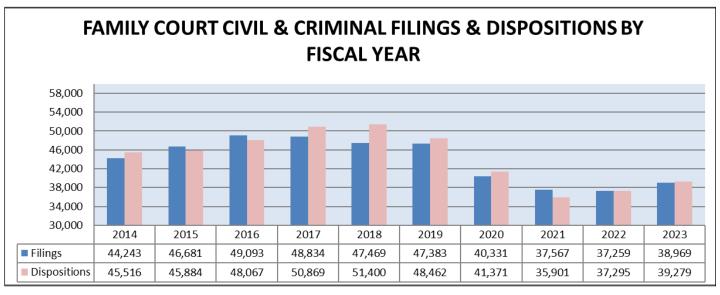
Although child support filings significantly decreased, all other civil filings, which are grouped together as non-support civil filings, increased by 14.2% to 18,390 petitions filed in FY 23. While visitation, rule to show cause, and spousal support filings





# FAMILY COURT

#### NUMBER OF FAMILY COURT FILINGS BY TYPE FISCAL YEAR 2023 Expungements (Juv. & Adult). Child Support Custody & 2,385 12,907 Visitation 3,302 Guardianship . 1,633 Protection from Abuse 4,647 Other\* Adult Criminal 4,511 3,337 Divorces & Juvenile Annulments Delinquency 3.086 3.161 \*Includes dependency/neglect, civil contempts, spousal support, adoption, termination of parental rights, imperiling family relationships, cases with ancillaries, minor name change & miscellaneous.



saw a statewide decrease from the previous year, termination of parental rights filings increased by 21.1% statewide, dependency/neglect filings increased by 3.6%, and minor name change filings increased by 18.6% statewide. Additionally, Protection from Abuse petitions increased 5.6%, and expungement filings increased by 43%.

In criminal and delinquency filings, there was an increase of 3.7%, with the most noticeable change being in juvenile misdemeanor filings that saw an increase of 32.4% from the previous fiscal year. While our adult criminal jurisdiction saw an overall decrease from last fiscal year as noted above, the court saw an increase of 27% in violation of probation filings.

Family Court has continued to engage with the National Council of Juvenile and Family Court Judges ("NCJFCJ") and now serves as a Mentor Site for other jurisdictions, providing expertise to other Implementation Sites while receiving technical assistance and training to enhance our Court Improvement Project ("CIP") work, improve outcomes for children and families, and support our ever-evolving child welfare practices. The court has engaged with the Division of Family Services in their Federal Child and Family Services Review (CFSR), a periodic review of the

state child welfare system to ensure conformity with the federal child welfare requirements. As mentioned in last year's annual report, the implementation of the new data management system has successfully enabled the court to track data and collaborate with child welfare stakeholders. CIP workgroups have engaged to update the statewide Leading Practice Report and to improve visitation or family time policies and practices statewide. Quality legal representation remains a focus of CIP with continued efforts to develop a multidisciplinary approach for parent representation. The Court continues its efforts to expand the teaming of social workers with parent attorneys and adding peer parent advocates to the multidisciplinary team for improved, holistic, parent representation.

Family Court partnered with the Administrative Office of the Courts for the first Delaware multidisciplinary problem-solving court conference in May of 2023. This two-day conference brought local and national speakers to present on various topics relating to youth wellness, truancy, and substance abuse recovery and treatment. More than 500 people from Delaware's public and private organizations attended.

Family Court continues to partner with the Department of Education, the Office of Defense Services, and the Department of Justice to ensure that our truan-

cy program improves, and that resources are triaged and delivered in a timely manner. Family Court and the Administrative Office of the Courts continue to collaborate on trauma initiatives for staff and lead Judicial Trauma and Wellness Committee workgroup activities, including distribution of journals and self-care resources. In 2023, Family Court launched a trauma survey to determine future initiatives. Family Court continues to meet as a court-

specific workgroup to construct trainings for staff, focuson Human Reing sources in 2023 to bolster resilience and connection with staff and supervisors. Within our technology workgroup, Family Court is exploring project management software, continuing to monitor our online public satisfaction survey, and continues to manage and oversee virtual hearings mediaand tions.

While the Family Court Enhancement Project (FCEP) concluded several years ago, Family Court continues to make improvements provided by FCEP recommendations. This

year, the Court received technical assistance from the St. Louis County Domestic Violence Court to implement a PFA Compliance calendar in each county. This specialized calendar was created to increase the engagement and completion of domestic violence intervention treatment by those PFA respondents that were ordered to have a domestic

violence evaluation. It is the court's intention to review compliance data in the coming months with the hope that our outcomes will align with national findings, affirming the value of this specialized monitoring calendar.

Family Court has also focused training efforts on improving our mediation process. Our mediation/arbitration officers have unique interactions with

families who have experienced domestic violence. This year's training initiatives have focused on recognizing patterns of coercive control in all case types. Family Court has equipped mediators with essential tools to effectively navigate mediation sessions where there is an unbalanced power dynamic.

The PFA/Custody Task Force, a workgroup born out of FCEP, continues to improve our forms and Orders of Protection from Abuse to make orders easier to read and better identify protected the parties. Also, Family Court has partnered with the Department of Correction Probation and Parole, Justice of the

Peace Courts, and the Court of Common Pleas to serve respondents with emergency ex parte or default PFA orders when the respondent appears in the other courts or probation office. Family Court is grateful for the support and partnership of our domestic violence stakeholders.





Construction at the site of the new Sussex County Family Court building in Georgetown, November/December 2023.

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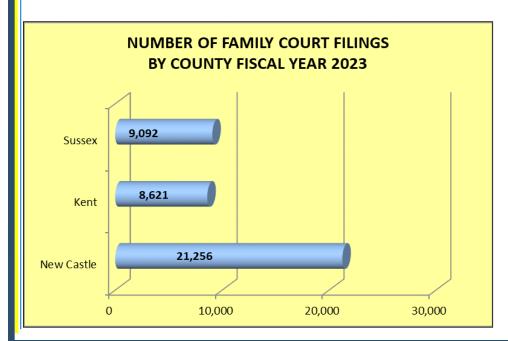
To address undersized, undignified, and unsafe court- Family Court's County Family Courthouse.

On December 7, 2022, the Honorable Andrew Southware and the administration of justice."

On September 8, 2023, the Honorable James Maxwell was confirmed for his third term as a Commissioner in New Castle County. Commissioner Kelly H. Sheridan resigned as a Commissioner in New Castle County effective September 29, 2023.

Council Racial Equity houses in Kent and Sussex County, Family Court ("C.O.R.E.") continued its work to "eliminate syscontinues working towards building two new facili- temic and institutional racism that serves as a barrier ties to adequately serve the litigants, stakeholders, to accessing and achieving justice for litigants of and staff. The Sussex County Family Courthouse is color, and to promote a supportive and inclusive currently under construction with an estimated com- environment for employees that is dedicated to celepletion date in mid-2025. The construction and com- brating diversity by removing any social, cultural or pletion of the Kent County Family Court building other inequities that stifle professional development." will be approximately six months behind Sussex CORE has moved into the implementation phase following the publication and distribution of its report with recommendations.

mayd received the Delaware State Bar Association's The Family Court is privileged to serve all citizens of Outstanding Service to the Courts and Bar award. Delaware, but especially its most vulnerable citizens, This award is presented to a "Delaware lawyer or its children. The court has a large caseload and hears judge who, by exemplary service to the Delaware some of the most intimate and sensitive issues that Courts and the Delaware Bar, has substantially assist- affect families, parents, and children. Our Judges, ed the courts and the Bar and has strengthened public Commissioners, administration, and staff strive to trust and confidence in the courts in the state of Dela- ensure equal access to justice for our citizens and are dedicated to the court's mission. We are proud of what we have accomplished during the past fiscal year and look forward to doing even more in the year ahead.♦





## **FAMILY COURT**



## **FAMILY COURT JUDGES**

*Back Row (left to right)*: Judge Joelle P. Hitch, Judge Peter B. Jones, Judge Theresa M. Hayes, Chief Judge Michael K. Newell, Judge Mary S. Much, Judge Michael W. Arrington, Judge Janell S. Ostroski, Judge Mardi F. Pyott.

*Front Row (left to right)*: Judge Felice G. Kerr, Judge Louann Vari, Judge Natalie J. Haskins, Judge James G. McGiffin, Jr., Judge Jennifer B. Ranji, Judge Mark D. Buckworth, Judge Paula T. Ryan, Judge Arlene Minus Coppadge.

Not Pictured: Judge Robert B. Coonin.

## **FAMILY COURT**

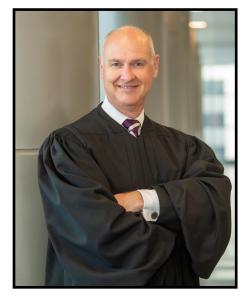


## **FAMILY COURT COMMISSIONERS**

Back Row (left to right): Commissioner Gretchen C. Gilchrist, Commissioner David W. Jones, Commissioner Jennifer Mayo, Chief Judge Michael K. Newell, Commissioner Francis E. Mieczkowski, III, Commissioner M. DeSales Haley, Commissioner James J. Maxwell.

*Front Row (left to right)*: Commissioner Danielle S. Blount, Commissioner Loretta Young, Commissioner Andrew K. Southmayd, Commissioner Kelly Hicks Sheridan (resigned in September 2023), Commissioner Craig R. Fitzgerald, Commissioner Sonja T. Wilson, Commissioner Para K. Wolcott, Commissioner Theresa A. Sedivec.

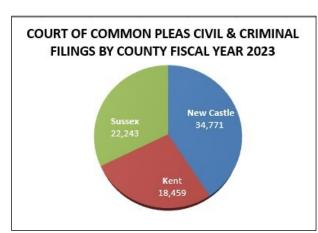
*Not Pictured:* Commissioner Emily A. Farley, Commissioner Kim DeBonte.



## CHIEF JUDGE CARL C. DANBERG

Fiscal Year 2023 marked the 50-year anniversary of the state-wide Court of Common Pleas. Since its inception in 1973, the Court of Common Pleas has been resolute in its goal of providing the citizens of the First State a fair and neutral forum for the efficient resolution of legal matters. FY 23 was no exception; faced with staffing shortages and a notable increase in case filings, the Court of Common Pleas worked closely with the community, its justice partners, and across the judiciary to ensure that access to justice remained strong throughout the state.

In FY 23, the combined efforts of Delaware's state courts proved to be greater than the sum of its parts. The Court of



Common Pleas worked alongside Superior Court, Family Court, and the Justice of the Peace Court to execute the Delaware Courts' Safe Surrender event. Thanks to the hard work of our dedicated staff and remarkable community participation, the Court of Common Pleas resolved nearly 300 outstanding capiases in a single day.

Also in FY 23, the Court of Common Pleas worked closely with Superior Court to create efficiencies in certain specialty court programs. The Court of Common Pleas Drug Court was consolidated with the Superior Court Drug Court into one adult Drug Court, which is administered in the Court of Common Pleas. The Mental Health Court was also advanced by the collaboration between the Court of Common Pleas and Superior Court. With the retirement of Superior Court Judge Andrea Roccanelli, Court of Common Pleas Judge Katharine Mayer was designated to preside over Superior Court Mental Health Court until a Superior Court Judge was able to resume the role. These cross-court efforts streamlined the process for participants and allowed for consistent judicial oversight, a critical function in treatment-focused court programs.

Continued on next page



## COURT OF COMMON PLEAS

The Court of Common Pleas is proud to have served the citizens of the State of Delaware for the past 50 years, and will continue to adapt and evolve to ensure that access to justice remains strong in the First State.

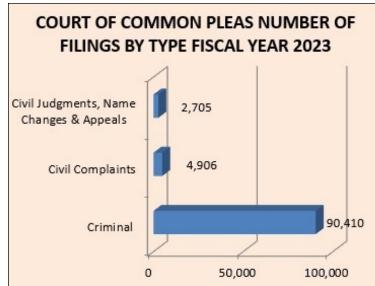
## **Statistical Overview**

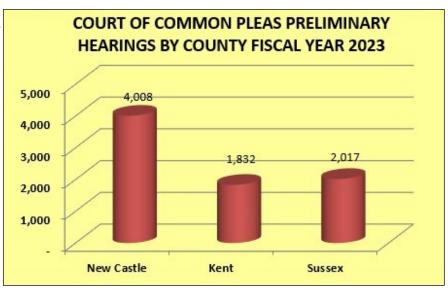
The Court of Common Pleas has continued to be one of the busiest courts in the State of Delaware with over 98,021 total case filings in FY 23 – an increase of 8.7% over FY 22.

The Court of Common Pleas saw a decrease in total civil case filings, down

9% from FY 22. The decrease in total civil filings was primarily attributable to a reduction in appeals and civil complaints; however, consumer debt filings increased by 3.4% and name change petitions increased by 38.6% compared to FY 22.

Criminal case filings increased significantly in FY 23. A total of 90,410 misdemeanor criminal cases were filed in the Court of Common Pleas, and 7,857 cases were before the court for a preliminary hearing. These figures represent a 10.5% increase in criminal misdemeanor filings and a 9.7% increase in total criminal caseload compared to FY 22. Additionally, the growth rate of more complex criminal cases, such as drug and alcohol cases, has consistently outpaced





other criminal filings. Over the past 10 years, Statewide DUI cases increased 87.5% – growing from 1,970 to 3,693 – between FY 13 and FY 23. In Sussex County, the portion of the court's caseload consisting of misdemeanor drug cases has doubled, from 5% of the county's total caseload to 11%, between FY 13 and FY 23.

The Court of Common Pleas Mediation Program continued to distinguish itself as a valuable resource for criminal disputants, civil litigants, and the community at large, providing a forum for justice through negotiated resolution and acceptance of responsibility, rather than prosecution. In FY 23 there were 853 cases referred for mediation statewide, and the Program boasted an impressive statewide success/

satisfaction rate of 91%.

## **Problem-Solving Courts**

The Court of Common Pleas is proud of its problem-solving courts, which provide court-monitored treatment and access to social services designed to minimize the likelihood of reoffending.

## Drug Diversion Program

The Court of Common Pleas continues to operate its highly successful court-supervised Drug Diversion Program, headed by Judge Robert Surles in New Castle County, Judge Anne Hartnett in Kent County, and Judge Kenneth Clark in Sussex Coun-

ty. The Drug Diversion Program represents a collaborative effort between the court, its justice partners, and the Public Health Management Corporation (PHMC). Collaboration with PHMC provides observation, research, and data analysis, which has assisted in launching scores of other drug diversion programs throughout the United States and internationally. The Drug Diversion Program has served 9,191 since its inception in 1998, and the program is continuing to grow and adapt with national best practices.

## DUI Treatment Court Program

The Court of Common Pleas continues to operate the statewide DUI Treatment Court Program, under the direction of Judge Monica A. Horton in New Castle County, Commissioner Gregory Babowal in Kent County, and Commissioner Donald Bucklin in Sussex County. Since its inception in December 2014, 435 individuals have entered the Program, with 327 having successfully completing the program. In FY 23, there were 69 active participants in the program.

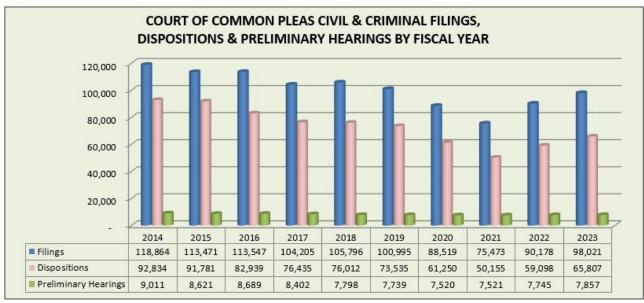
The Program is authorized under 21 Del. C.§ 4177 (d) (2) with its goal being to enhance community safety through the promotion of lifestyle changes through specialized treatment providers and community supervision under the direction of the Department of Corrections. The Program encourages its participants by reminding them that life does not get better by chance, it gets better by CHANGE.

## Wilmington Community Court

The Wilmington Community Court seeks to reduce crime and recidivism by addressing the quality-of-life issues in the community utilizing a restorative justice approach. Since opening in the Fall of 2019, Community Court has served 554 participants, offering those charged with certain misdemeanors the chance to complete mandated alternatives to the traditional jail time or fines. A Community Resource Center is located on the second floor of the Leonard L. Williams Justice Center in Wilmington. It is open to any member of the public and serves as a mechanism to connect individuals with a variety of social service providers. One goal of the Community Court is to have offenders invest in the communities they have harmed. To better understand the needs of those communities, and to facilitate community service, in FY 23 the Community Court partnered with a downtown community center.

## Conclusion

The Court of Common Pleas continues to operate as a busy, high-volume court despite limited resources. Thanks to its dedicated staff, the Court of Common Pleas perseveres in its mission "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." •



## **COURT OF COMMON PLEAS JUDGES**



*Back Row (left to right):* Judge Rae M. Mims, Judge Robert H. Surles, Judge Anne E. Hartnett, Chief Judge Carl C. Danberg, Judge Kenneth S. Clark, Jr., Judge Bradley V. Manning.

Front Row (left to right): , Judge Monica A. Horton. Judge Kathleen K. Amalfitano, Judge Katharine L. Mayer.

## COURT OF COMMON PLEAS COMMISSIONERS



*Left to right:* Commissioner Gregory R. Babowal, Commissioner Donald R. Bucklin, Commissioner Emily Ferrell

# JUSTICE

## **JUSTICE OF THE PEACE COURT**



## CHIEF MAGISTRATE ALAN G. DAVIS



The Justice of the Peace Court serves the citizens of Delaware with efficient and accessible justice. The court strives to provide experiences where all who enter are treated with integrity, fairness, and respect to build trust with those we serve. Due to the hard work of staff, the court returned to full operations at all locations and, despite staffing shortages caused by high turnover rates, has significantly reduced the backlogs from the pandemic and is reducing scheduling times for new cases.

### **Statistical Overview**

In Fiscal Year 2023, the court processed

355,334 filings. Criminal cases accounted for 324,919 of those filings, with the remaining 30,415 coming through civil matters. Although there was a 2.67% overall increase over Fiscal Year 2022 filings, the increase in civil filings (10.83%) was significantly higher than the increase in criminal filings (1.97%). Our civil locations, even with staffing challenges, increased dispositions by 25% over Fiscal Year 2022.

## **Investing in the Future**

The year 2023 was one of investment in facilities, operations, and staff pay to both offer improved access and technology for operational efficiency for members of the public as well as improve personnel recruitment and retention for court staff statewide.

To improve accessibility and technology, Justice of the Peace Court 2 moved from Hudson Way, Rehoboth to 16283 Willow Creek Road, Lewes. Justice of the Peace Court 2 had been located on Hudson Way since 1998 and needed to acquire a larger space for court staff as well as additional



The new Justice of the Peace Court 2 at 16283 Willow Creek Road, Building 5 in Lewes.

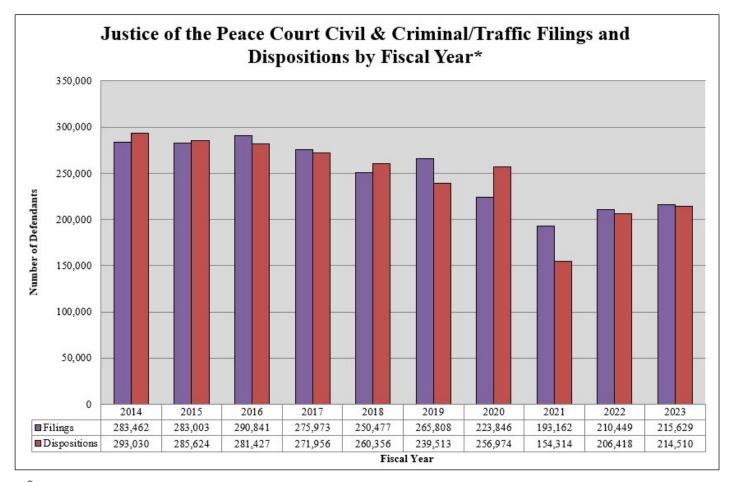
parking for the public. This new location, five miles north of the previous site, is easily accessible from Route 1. The new construction allowed for installation of a more modern security system and provided an additional 1,000 square feet of workspace for court staff.

To improve operational efficiency, the individual bail accounts at each criminal court location were consolidated into a new central bail account for the court. This eliminated the need to manually write checks to transfer bail between locations, and it strengthened internal controls. Reconciliations are performed by the accounting department instead of by each location. This change allows the court to take advantage of online reports provided by the case management system to track all bail transactions through a shared online bail log. Additional-

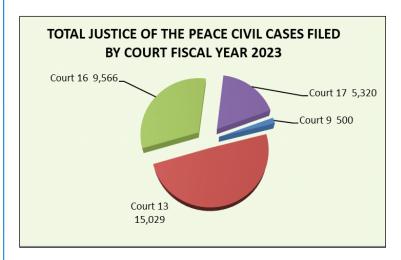
ly, the court is pursuing an option to electronically transfer bail to other courts with a pilot program with Family Court in New Castle County in development for 2024.

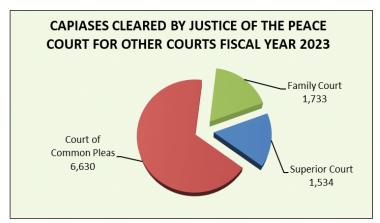
## Conclusion

As we move past the effects of the pandemic, the Justice of the Peace Court is poised to continue its mission of serving the public of this state efficiently, effectively and fairly. With better facilities, improved processes and dedicated staff we will meet and overcome our future challenges as a highly capable member of Delaware's Judicial Branch.



<sup>\*</sup>Criminal filings and disposition information is by defendant



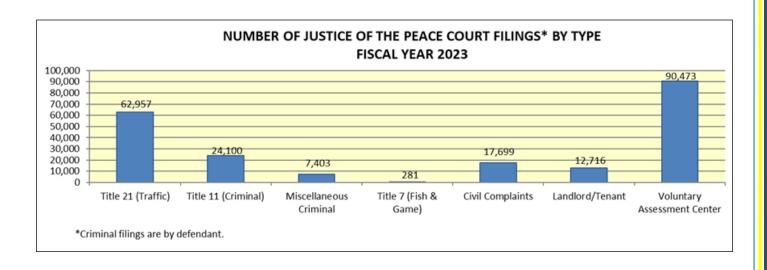


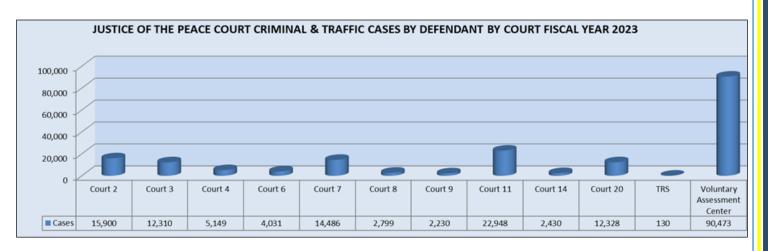


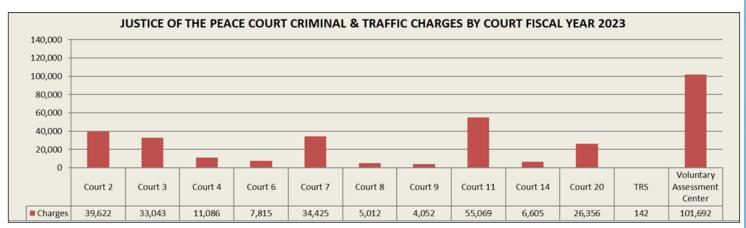
ABOVE: Justice of the Peace Court Deputy Chief of Security Richard Fanta at the University of Delaware Spring 2023 Career Fair.

AT LEFT: Justice of the Peace Court staff at a welcome/information table outside the Kent County Courthouse during the Nov. 2, 2023 Safe Surrender event.









JP Court 10 has been closed (merging with Court 20) prior to this Fiscal Year. As a result it has been removed from any charts.

## **NEW CASTLE COUNTY JUDGES**



*Back Row (left to right)*: Shameka Booker, Peter Burcat, John Potts, Gerald Ross, III, Earl MacFarlane, James Hanby, Sr., Michelle Michini-Adam, Christopher Portante, Alex Peterson, III, Rodney Vodery, Nicholas Brock, Bobby Hoof, Walter Newton

Front Row (left to right): Amanda Moyer, Susan Ufberg, Marie Page, Katharine B. Ross, Deputy Chief Magistrate Sean McCormick, Chief Magistrate Alan G. Davis, Mary Ellen Naugle, Nina Bawa, Cheryl McCabe-Stroman

*Not Pictured:* Bracy Dixon, Jr., Shanaya Eyong, Beatrice Freel, Thomas M. Kenney, Kerry Kowal, Shelley Losito, Maria Perez-Chambers, and David R. Skelley

## **KENT COUNTY JUDGES**



Back Row (left to right): Michael Green, Alexander Montano, James A. Murray, D. Kenneth Cox

Front Row (left to right): Deputy Chief Magistrate Kevin Wilson, Chief Magistrate Alan G. Davis, Judy Smith, Nicole Alston-Jackson

*Not Pictured*: Dwight D. Dillard, W. G. Edmanson, II, Jamie Hicks, Michael P. Sherlock, and Dana Tracy

## **SUSSEX COUNTY JUDGES**



**Back Row (left to right):** Scott Willey, Christopher A. Bradley, Richard D. Comly, John R. Hudson, Candace Whitelock, Kristine Kellenbenz, William Patrick Wood, Brett Graves, Matthew Tingle

Front Row (left to right): Terri Davis, Maria Castro, Deputy Chief Magistrate Deborah Keenan, Chief Magistrate Alan G. Davis, Catherine Hester, Leah Chandler, Stephani Adams

Not Pictured: John Adams, Mirta Collazo, Bethany Crowley, Jennifer Sammons.

## JUDICIAL BRANCH EMPLOYEES RECOGNIZED



Judicial Branch Employee of the Year 2022 Robin Jenkins

Robin Jenkins, Manager of Support Services at the Administrative Office of the Courts, was named the Judicial Branch Employee of the Year for 2022. and further was named one of five recipients of the Governor's award for Excellence and Commitment in State Service for 2022. Robin recently celebrated more than 35 years of service with the state and has a depth of knowledge about all of the Delaware courts that is unparalleled and makes her the go-to resource. In addition, Robin has always been willing to step in and lend a hand even when it is outside her usual duties. She is described by supervisors and colleagues alike as "an amazing team player."

Robin has also shown remarkable initiative and leadership by building a summer internship program from scratch. For more than 15 years, Robin has worked with the trial courts and partners at the Department of Health and Social Services to run a summer youth program that put kids who were aging out of the foster care system, and others, to work in the courts for several weeks in the summer to provide them with valuable real-life work experience. She also supplemented the program to teach the interns important life skills like creating a budget, resume writing and office etiquette, while also connecting them with professional mentors. Many have gone on to return to the courts as full-time employees and one even went on to law school and returned to clerk for a Supreme Court Justice.

More recently, Robin restructured the Support Services positions under her supervision – including the Filing and Payments Center, court collections, mail room and

information desk – to provide her employees with better cross-training and depth of knowledge that both improved efficiency in court operations and allowed all to be reclassified at higher pay grades.

According to her nominator, Robin "is a great role model for her employees — knowledgeable, fair, and generous with her time. She offers unfailing support and ensures that her employees have the resources they need to grow and be successful."

We also want to recognize the following employees nominated for the Judicial Branch's Employee of the Year Award:

Brian Clairmont, Judicial Operations Manager, Superior Court. Brian, who has been with Superior Court since 2010, is regarded as an in-house expert in a variety of areas including civil cases, expungements and even technology and jury operations. A common answer to questions in the office is "go ask Brian, he'll know." Colleagues say Brian can also be counted on to pitch in whenever necessary and is regarded as a "jack of all trades" in the Sussex County Superior Court. "Brian is a model employee. He is dedicated. He knows procedures in and out. He has a heavy workload and yet gets everything done every day," wrote one of his nominators.

Renee Julie Kinsey, Judicial Operations Manager, Court of Chancery. Renee was described as dedicated, knowledgeable, kind, and compassionate by her nominator, and a person who is key to smooth court operations. "Renee leads her guardianship team statewide, often picking up the slack from unfilled positions or underperforming employees. She is passionate about the work, has a wealth of practical experience, and is always looking to improve our system and protect those in need," wrote her nominator.

<u>Patricia</u> (<u>Patty</u>) <u>Licausi</u>, <u>Judicial Case Manager</u>, <u>Family Court</u>. Patricia was cited for her dedication and teamwork by her court. She routinely volunteers to help with incoming filings and leverages her many years of knowledge and experience in the courts to ease transitions during staffing changes and challenges. "She is a true team player and her dedication to the Court is truly appreciated," wrote her nominator.

Kristen Osborne, Judicial Operations Manager, Justice of the Peace Court. Kristen, who has been with the court since 2007, was nominated because of her "exceptional accomplishment, achievement, initiative, and leadership." Kristen is regarded as not only knowledgeable about her job, but also always willing to assist other staff, assist other Justice of the Peace court locations and is an excellent trainer. "Kristen is the go-to person ... She is always first to volunteer to help when help is needed. Kristen is an exceptionally valued member of the Justice of the Peace Court," wrote one of her nominators.◆





Many thanks to the Presiding Judges, Court Administrators, court staff 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/FY23
2023 Annual Report, Statistical Report of the Delaware Judiciary and additional Delaware Courts background information

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