

**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**  
**ORDER REGARDING INTERIM SPECIAL RULE OF CRIMINAL**  
**PROCEDURE FOR PRETRIAL RELEASE**

This 13th day of December 2018, it appears to the Court that:

WHEREAS, the General Assembly enacted legislation in 2018 to reform the system under which courts subject defendants to pretrial conditions of release (the “Bail Reform Act” or “Act”);

WHEREAS, the Bail Reform Act takes effect on January 1, 2019, requiring the Judiciary to put in place an implementing rule by January 1, 2019 for an important systemic reform;

WHEREAS, the Bail Reform Act directs that its implementation and the procedure for pretrial release shall be as provided by the Rules of the Superior Court, but the procedure for pretrial release must apply across multiple courts, specifically the Superior Court, the Family Court, the Court of Common Pleas, and the Justice of the Peace Court;

WHEREAS, the Supreme Court and the presiding judges of the Superior Court, the Family Court, the Court of Common Pleas, and the Justice of the Peace Court agree that the unique, cross-court nature of the procedure for pretrial release mean that Interim Special Rule of Criminal Procedure for Pretrial Release should be adopted by the Supreme Court to establish the procedure for pretrial release in the

Superior Court, the Family Court, the Court of Common Pleas, and the Justice of the Peace Court;

WHEREAS, by order dated December 13, 2018, the Supreme Court, with the agreement of the presiding judges of the Superior Court, the Family Court, the Court of Common Pleas, and the Justice of the Peace Court, adopted Interim Special Rule of Criminal Procedure for Pretrial Release;

WHEREAS, by order dated December 13, 2018, the Supreme Court, directed the Superior Court, the Family Court, the Court of Common Pleas, and the Justice of the Peace Court, to follow Interim Special Rule of Criminal Procedure for Pretrial Release beginning January 1, 2019 and, as the Interim Rule is applied and refined, to amend their rules as necessary;

NOW, THEREFORE, IT IS ORDERED that, beginning January 1, 2019, this Court shall follow Interim Special Rule of Criminal Procedure for Pretrial Release. As the Interim Rule is applied and refined, this Court shall amend its rules as necessary.

  
President Judge