

IN THE SUPREME COURT OF THE STATE OF DELAWARE

ORDER AMENDING RULES 25, §
29, 61, and 62 OF THE RULES OF §
THE SUPREME COURT OF §
DELAWARE §

Before **SEITZ**, Chief Justice; **VALIHURA**, **TRAYNOR**, **LEGROW**, and
GRIFFITHS, Justices, constituting the Court *en Banc*.

ORDER

This 22nd day of September 2025, it appears to the Court that it is
desirable to amend Rules 25, 29, 61, and 62. These amendments are effective
immediately.

(1) Supreme Court Rule 25(e) shall be amended to add the
underlined text as follows:

Expedited scheduling. Upon motion for good cause shown or
upon the Court's order *sua sponte*, the Court may order an
expedited schedule of any or all procedures, including a
shortened time for the filing of briefs and other papers, in any
appeal or other proceeding. All motions for expedited
scheduling shall include a proposed schedule and a statement that
all parties have agreed to the schedule or that movant's counsel
has conferred with opposing counsel in an attempt to reach
agreement but was unsuccessful.

(2) Supreme Court Rule 29(b) shall be amended to add the
underlined text as follows:

Involuntary dismissal upon notice of the Court. The Court may
order a complaint, petition or appeal dismissed, *sua sponte*, upon
notice of the Court. Dismissal upon notice may be ordered for
lack of subject matter jurisdiction, for untimely filing of an

appeal, for appealing an unappealable interlocutory order, for failure of a party diligently to prosecute the appeal, for failure to comply with any rule, statute, or order of the Court, or for any other reason deemed by the Court to be appropriate. In the event that the Court shall conclude, *sua sponte*, that dismissal upon any of the foregoing grounds appears appropriate, the procedure for such dismissal shall be as follows: The Clerk shall forward to the appellant a notice directing that the appellant show cause why the complaint, petition or appeal should not be dismissed for the reasons stated in the notice. The notice shall direct the complainant, petitioner or appellant to respond within 10 days after receipt of the notice. For unrepresented parties without access to a word processing program, the response shall not exceed four pages in length including the caption and signature block. For parties with access to a word processing program, the response shall not exceed 1,200 words and shall comply with Rule 30(d). After consideration of such response, the Court shall enter an order dismissing the complaint, petition or appeal or maintaining jurisdiction of the case. If a response is not filed within the time allowed, the dismissal shall be deemed to be consented to pursuant to Rule 3(b)(2). Upon entry of any order of dismissal, the Court shall specify the terms thereof including provision for payment of costs.

(3) Supreme Court Rule 61 shall be amended to add the underlined text and to delete the strikethrough text as follows:

Professional ethics. The Delaware Lawyers' Rules of Professional Conduct, ~~promulgated by order of this Court dated September 12, 1985, and effective October 1, 1985, and, as~~ amended from time to time, and, to the extent applicable, the accompanying INTERPRETIVE GUIDELINES, COMMENTS, CODE COMPARISONS, and COMMITTEE COMMENTS, as amended from time to time, shall govern the conduct of members of the Bar of this State and of attorneys admitted pro hac vice.

(4) Supreme Court Rule 62(a) shall be amended to add the underlined text and to delete the strikethrough text as follows:

Appointment and term of office. There shall be a Board on Professional Responsibility consisting of such persons as the Court shall from time to time designate by order of appointment, provided however, that at least one-third of the members of the Board shall be public members who live in Delaware and have not attended law school and the remainder shall be members of the Delaware Bar in good standing. Of the members who are members of the Delaware Bar, each of the counties shall be represented on the Board. The members of the Board as heretofore constituted upon the effective date of these Rules shall constitute the Board on Professional Responsibility hereby provided for and shall severally hold office until the expiration of their respective terms and until their successors shall be appointed and, with the approval of the Court, until the conclusion of any matter commenced before the member prior to the expiration of such term. The Court shall from time to time select a Chair, a Vice Chair and other such officers as it deems necessary and appropriate. Each member of the Board shall be appointed for a term of 3 years except that the Court may appoint for shorter terms so as to stagger the terminations. Unless otherwise determined by the Court, No member shall be appointed for serve more than 2 consecutive terms. The Rules of the Board are set forth in the Delaware Lawyers' Rules of Disciplinary Procedure.

(5) The Clerk of this Court is directed to transmit a certified copy of the Order to the clerk for each trial court in each county.

BY THE COURT:

/s/ Collins J. Seitz, Jr.
Chief Justice