

Announcement

Amendments to Rule 72.3 of the Court of Common Pleas Rules of Civil Procedure

Effective May 1, 2018, the Court of Common Pleas for the State of Delaware has amended Rule 72.3 of the Court of Common Pleas Rules of Civil Procedure.

The Court has amended Civil Rule 72.3 by abolishing the Mirror Image Rule as a basis for lack of jurisdiction. However, it still requires that the necessary parties be joined and the same issues be raised that were before the Court below. Further, upon motion of the parties or *sua sponte*, the Court may add or dismiss parties or claims in accordance with the Rules of the Court.

These amendments allow the judges to hear cases on their merits in order to eliminate any harsh outcome or unfair decision for failure to comply with the "mirror-image rule." This is pursuant to the Supreme Court decision in *Fossett v. DALCO Construction*, 858 A.2d 960 (Del.2004) (TABLE), and consistent with the American College of Trial Lawyers Report.