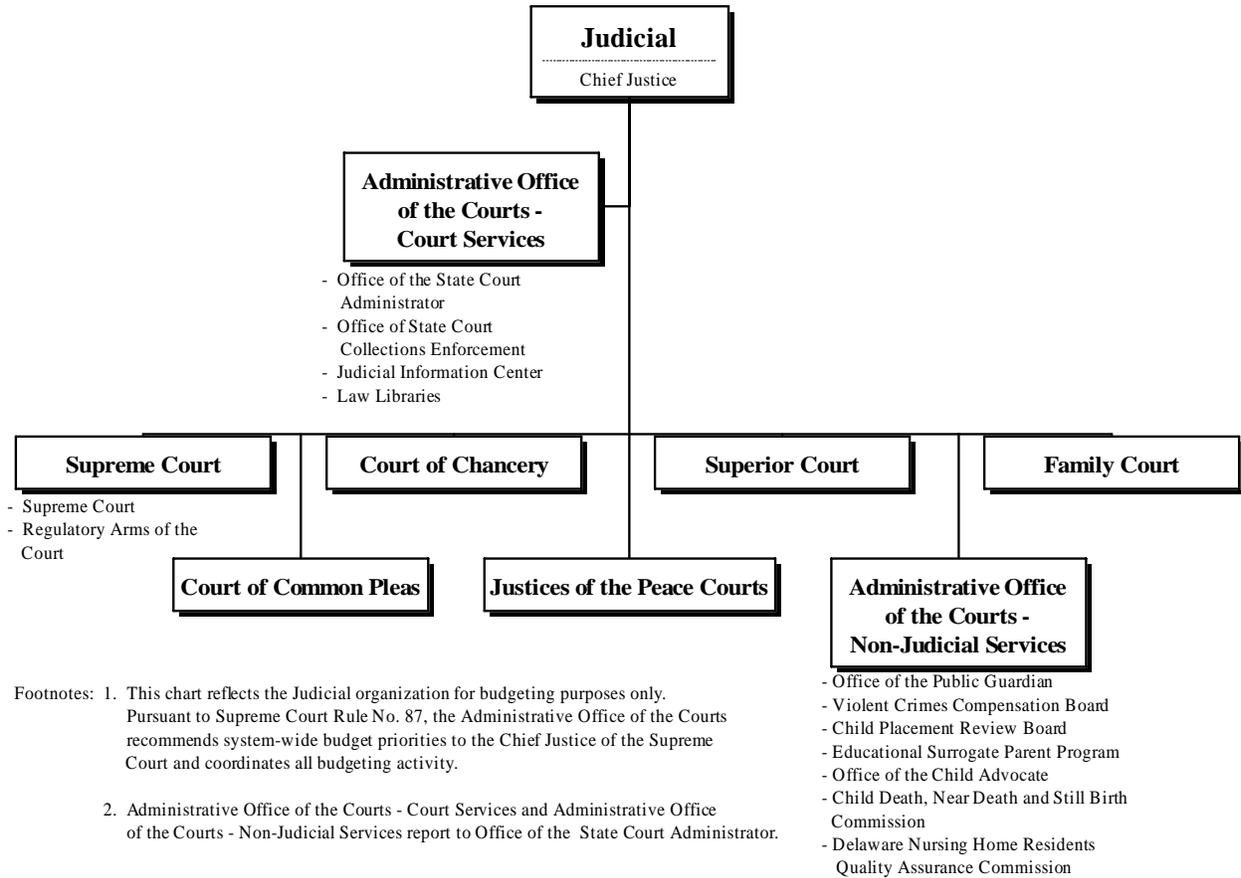


JUDICIAL

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MISSION

We are a co-equal, independent branch of government entrusted with the fair, just and efficient resolution of disputes under the rules of law and equity, and with the protection of all rights and liberties guaranteed by the Constitutions of the State of Delaware and the United States.

KEY OBJECTIVES

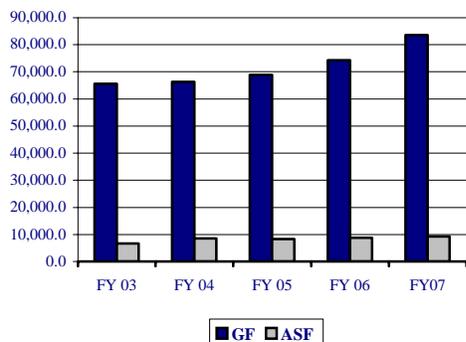
- Dispose of cases within time standards set by the Chief Justice.
- Support development of additional alternative dispute mechanisms.
- Develop and expand existing problem solving courts, as needed.
- Develop transnational practice in the courts.
- Enhance safety and security of courthouses.

- Continue implementation of the Courts Organized to Serve (COTS) initiative.

Goals and objectives contained within the Judiciary are based upon direction from the Chief Justice as outlined in various administrative directives, national goals promulgated by the American Bar Association (ABA) and individual objectives specific to the Delaware court system. In some cases, stated objectives are being met, while meeting others will take a concerted effort over several years.

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Five-Year Appropriation History



FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	84,955.7	83,561.0	89,074.4
ASF	7,645.6	9,323.9	9,587.8
TOTAL	92,601.3	92,884.9	98,662.2

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	1,096.5	1,108.8	1,123.8
ASF	97.0	98.7	98.7
NSF	14.3	12.3	12.3
TOTAL	1,207.8	1,219.8	1,234.8

FY 2008 BUDGET HIGHLIGHTS

OPERATING BUDGET:

- ◆ Recommend \$243.6 and 6.0 FTEs (Judge, Judicial Secretary, Court Reporter, Investigative Services Officer, and 2.0 Judicial Case Managers) to address increased caseloads in Superior Court. Recommend one-time funding of \$45.7 in the Office of Management and Budget's contingency for costs associated with recommended positions.
- ◆ Recommend \$34.8 and 1.0 FTE Electronic Court Reporter to meet the requirements of the court docket in Court of Common Pleas.
- ◆ Recommend \$221.7 and 6.0 FTEs Electronic Court Reporter to address transcription needs for Family Court.
- ◆ Recommend \$60.5 and 2.0 FTEs Judicial Case Processor to support shift coverage in the Justices of the Peace Courts.

- ◆ Recommend \$135.0 in Justices of the Peace Courts for costs related to the enhancement of the Truancy Court.

CAPITAL BUDGET:

- ◆ Recommend \$500.0 for the Minor Capital Improvements and Equipment program to prevent the deterioration of buildings and grounds and to improve the security of court facilities statewide.

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SUPREME COURT

02-01-00

MISSION

- Provide fair, just and efficient resolution of disputes under the rules of law and equity, and with the protection of all rights and liberties guaranteed by the Constitutions of the State of Delaware and United States.
- Regulate the practice of law through various committees appointed by the Supreme Court.
- Establish statewide goals and implement appropriate policies for judicial administration and support operations.
- Supervise other state courts pursuant to the Chief Justice's authority under Article IV, Section 13 of the Delaware Constitution.

KEY OBJECTIVES

During Fiscal Year 2008, the Court expects to accomplish the following:

- Continue to render final dispositions in most cases within 90 days from the under advisement date to the final decision date; and
- Continue to regulate the practice of law in Delaware.

BACKGROUND AND ACCOMPLISHMENTS

The Supreme Court is created by Article IV, Section 1 of the Delaware Constitution. The Supreme Court consists of a Chief Justice and four Justices, each of whom is appointed by the Governor and confirmed by the Senate. The Justices are appointed for 12-year terms. The Chief Justice, in consultation with the Justices, is responsible for the administration of all courts in the State under Article IV, Section 13 and appoints a State Court Administrator of the Administrative Office of the Courts to manage the non-judicial aspects of court administration.

Under Article IV, Section 11 of the Delaware Constitution, the Court has final appellate jurisdiction in criminal cases from the Superior Court in which the sentence shall be death, imprisonment exceeding one month or fine exceeding \$100 and in such other cases as shall be provided by law; and in civil cases as to final judgments and in certain other orders of the Court of Chancery, Superior Court and Family Court. Appeals are heard on the record established in the trial court.

Delaware is an appeal of right state. If an appeal is within the jurisdiction of the Supreme Court, the Court must accept the appeal. Appeal processing, from initial filing to final decision, is the primary activity of the Supreme Court.

The Court on the Judiciary is established by Article IV, Section 37 of the Delaware Constitution. The Court consists of the five members of the Delaware Supreme Court, Chancellor of the Court of Chancery, President Judge of the Superior Court, Chief Judge of the Family Court and the Chief Judge of the Court of Common Pleas. The purpose of the Court on the Judiciary is to investigate complaints filed against any judicial officer appointed by the Governor and to take appropriate action as set forth in the Constitution.

The Supreme Court regulates the practice of law in Delaware through various committees referred to as the Arms of the Court. Each committee member is appointed by the Court. Pursuant to Supreme Court rules, these committees are funded by annual assessments paid by Delaware lawyers, fees from applicants who take the Delaware Bar examination and assessments from non-Delaware lawyers who are admitted under Pro Hac Vice rules.

The Board on Professional Responsibility and Office of Disciplinary Counsel are authorized by Supreme Court Rules 62 and 64, respectively. Under Supreme Court Rule 62(c), the Court appoints a Preliminary Review Committee. The Board, Preliminary Review Committee and Office of Disciplinary Counsel are responsible for the regulation of the conduct of the members of the Delaware Bar. Matters heard by the Board are subject to review by the Delaware Supreme Court.

The Lawyers' Fund for Client Protection is authorized by Supreme Court Rule 66. The purpose of the Fund is to establish, as far as is practicable, the collective responsibility of the legal profession with respect to losses caused to the public by defalcations of members of the Bar.

The Board of Bar Examiners is authorized by Supreme Court Rule 51. It is the duty of the Board to administer Supreme Court Rules 51 through 55, rules that govern the testing and procedures for admission to the Bar of the Supreme Court of Delaware.

The Commission on Continuing Legal Education is authorized by Supreme Court Rule 70 and Mandatory Continuing Legal Education Rule 3. The purpose of the Commission is to ensure that minimum requirements for continuing legal education are met by attorneys in order to maintain their professional competence throughout their active practice of law.

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The Supreme Court Advisory Committee on the Interest on Lawyer Trust Accounts Program (IOLTA) is authorized by Supreme Court Rule 65. The function of the Committee is to oversee and monitor the operation of the Delaware Interest on Lawyer Trust Accounts program as established pursuant to Rule 1.15 of the Delaware Lawyers' Rules of Professional Conduct. The Committee reports annually to the Supreme Court on the status of the program and the work of the Committee. It is the exclusive responsibility of the Delaware Bar Foundation, subject to the supervision and approval of the Court, to hold and disburse all funds generated by the IOLTA program. The majority of these funds are used to provide legal representation to indigents.

The Board on the Unauthorized Practice of Law is authorized by Supreme Court Rule 86. It is the duty of the Board to administer Supreme Court Rule 86, to investigate matters sua sponte, or matters referred to it from any source, respecting issues involving the unauthorized practice of law.

The Chief Justice, in consultation with the Justices, has the responsibility to manage judicial administration for all courts. In this role, the Chief Justice monitors the performance of the entire judicial system by identifying areas for increased administrative focus, coordinating plans to deal with inter-court issues and reviewing individual court budgets.

The Court's major accomplishment within the past year was the disposition of most cases within 44.3 days of the date of submission. This disposition rate is well under the 90-day standard that the Court has set in accordance with ABA standards.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	3,031.3	3,014.2	3,195.1
ASF	46.0	149.4	149.4
TOTAL	3,077.3	3,163.6	3,344.5

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	27.0	27.0	27.0
ASF	--	--	--
NSF	11.3	11.3	11.3
TOTAL	38.3	38.3	38.3

SUPREME COURT

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ACTIVITIES

- Dispose of appeals.
- Monitor time schedules.
- Dispose of complaints against judicial officers appointed by the Governor.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
Average # of days from under advisement to final decision:			
Criminal	48.4	45	45
Civil	40.2	38	38
Average # of days from initial filing to final decision:			
Criminal	199.8	190	185
Civil	151.5	149	147
% of cases disposed of within:			
30 days of date of submission	40.1	40	40
90 days of date of submission	93.4	94	95
290 days of the date of filing of the notice of appeal	85.3	87.5	89.0
1 year of filing of the notice of appeal	92.7	93.5	94.0

REGULATORY ARMS OF THE COURT

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ACTIVITIES

- Office of Disciplinary Counsel and Board on Professional Responsibility:
 - Dispose of complaints against lawyers.
- Lawyers' Fund for Client Protection:
 - Process claims with the Fund, and
 - Audit lawyers' financial accounts.
- Board of Bar Examiners:
 - Process applications to take the Bar examination.
- Commission on Continuing Legal Education (CLE):
 - Process lawyer compliance affidavits, and
 - Evaluate CLE programs.

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PERFORMANCE MEASURES

Office of Disciplinary Counsel

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of new matters filed	586	625	640
# of matters disposed	546	550	580
# of cases pending or stayed	135	125	120
# of private admonitions with or without probation	9	15	18
# of public reprimands with or without probation	5	7	9
# of suspensions and interim suspensions	4	6	8
# of disbarments	1	2	3
# of reinstatements	1	2	2

Lawyers' Fund for Client Protection

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of claims	52	20	20
# of claims paid	43	10	10
# of claims denied or withdrawn	10	6	6
# of claims pending	5	8	8
\$ amount of claims made	241,613	300,000	300,000
\$ amount of claims paid	122,673	200,000	200,000
\$ amount of claims pending	39,736	100,000	100,000

Board of Bar Examiners

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of applications processed	265	280	285
# of applicants passing Bar exam	157	155	160

Commission on Continuing Legal Education

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of transcripts processed	1,331	1,500	1,500
# of programs evaluated	3,778	4,000	4,000
\$ amount of fines and sponsor fees paid	24,600	25,000	25,000

COURT OF CHANCERY

02-02-00

MISSION

To render justice in matters relating to corporate litigation, fiduciary and other matters within its jurisdiction in a way that is fair, prompt, efficient and highly expert.

KEY OBJECTIVES

- Maintain and enhance the Court's reputation for excellence in judicial work.
- Maintain and enhance the Court's automated capability to handle workload.
- Continue to improve the statewide functionality of the Register in Chancery.

BACKGROUND AND ACCOMPLISHMENTS

Delaware's Court of Chancery is a non-jury court of limited jurisdiction. Its jurisdiction includes both corporate and non-corporate litigation matters. The judges spend approximately 70 percent of their time on corporate litigation. This specialization and the resulting expertise contribute to the fact that Delaware is a preferred situs for incorporation in the United States. The remainder of the Court's resources are spent handling non-corporate litigation and on the appointment of guardians and trustees, the fiduciary administration of guardianships, trusts and estates and other non-litigation matters. The Court is the sole Delaware court with general power to issue temporary restraining orders and preliminary injunctions.

The Court consists of one chancellor, four vice-chancellors (who are appointed for 12-year terms) and two masters in chancery (who hold hearings and issue reports). The Court of Chancery holds court in all three counties.

Many areas of the Court's work are handled by the masters in chancery, who hold evidentiary hearings and write opinions in areas under the Court's jurisdiction such as wills, estates, real estate and guardianships, and in cases involving corporate law. The Chancellor assigns to the masters various matters and parties have a right to appeal to a judge if they so choose.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	2,940.7	2,888.8	3,079.0
ASF	1,361.3	1,971.2	2,135.1
TOTAL	4,302.0	4,860.0	5,214.1

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POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	29.0	29.0	29.0
ASF	21.0	23.0	23.0
NSF	--	--	--
TOTAL	50.0	52.0	52.0

COURT OF CHANCERY ***02-02-10***

ACTIVITIES

- Schedule and dispose of requests for temporary restraining orders and preliminary injunctions in a prompt manner.
- Hold trials.
- Rule on attorney's fees.
- Certify questions of law to Supreme Court.
- Order sales of real and personal property.
- Issue instructions to fiduciaries, executors, receivers, guardians or trustees to perform or refrain from performing deeds for which they lack the authority without court approval.
- Exercise powers of review on appeal from administrative proceedings.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
% of decisions rendered within 90 days after readiness for adjudication	98.6	95	95
# of matters filed*	4,057	3,895	3,733

*Includes all matters filed in the Court of Chancery.

SUPERIOR COURT

02-03-00

MISSION

To provide superior service to the public in pursuit of justice.

The following statements of purpose are based on the six performance areas in the Trial Court Performance Standards:

- To be accessible to all litigants and other court users within safe and convenient facilities;
- To provide prompt and efficient resolution of disputes and to meet its responsibility to everyone affected by its actions in a prompt and expeditious manner;
- To provide due process and individual justice in each case, treat similar litigants similarly and ensure that the Court's actions, and the consequences thereof, are consistent with established law;
- To be accountable for the utilization of the resources at its disposal;
- To ensure that the Court's personnel practices and decisions establish the highest standards of personal integrity and competence among its employees; and
- To instill public trust and confidence that the Court is fairly and efficiently operated.

KEY OBJECTIVES

Superior Court expects to accomplish the following during Fiscal Year 2008:

- Increase the rate of compliance with the Chief Justice's Speedy Trial Directive for the disposition of criminal cases;
- Increase the rate of compliance with ABA standards for the disposition of civil cases;
- Incorporate conflict management into the scheduling process, establish greater adherence to court schedules and tighten the notification process;
- Reduce the rate of capias issuance;
- Reduce the number of capiases outstanding by review of their status and by promoting efforts to apprehend those who fail to appear;
- Expand training opportunities for staff, particularly in management and supervisory skills;

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- Develop recruitment and training programs for staff that recognize diversity as a core value of the court; and
- Maximize staff productivity through enhancements to automated case management systems and provide basic tools needed to use those systems.

BACKGROUND AND ACCOMPLISHMENTS

Superior Court is Delaware's court of general jurisdiction. The Court's jurisdiction includes:

- Criminal felony cases;
- All civil cases where the claim exceeds \$100,000 and those under \$100,000 where a jury trial is demanded;
- Appeals arising from the decisions of more than 50 boards and commissions;
- Appeals from Court of Common Pleas; and
- Applications for extraordinary writs, such as habeas corpus and mandamus.

The nation's top corporate counsel and senior litigators for the fifth time in as many years recognized the Superior Court of Delaware as the premier court of general jurisdiction in the country. The Harris Poll State Liability Systems Ranking Study conducted for the U.S. Chamber Institute for Legal Reform measured corporate America's perception of which state is doing the best job of creating a fair and reasonable litigation environment. Among the areas surveyed were overall treatment of tort and contract litigation, treatment of class action suits, punitive damages, promptness of summary judgment/dismissal, discovery, scientific and technical evidence, judges' impartiality and competence, juries' predictability and fairness. The study's respondents, corporate general counsels and senior attorneys at companies with annual revenues of at least \$100 million, graded all 50 states in each of the categories. Delaware was ranked number one overall.

Superior Court continues its dedication to its vision, mission and core values through the collaborative efforts of its judges and staff from across Delaware. The vision of Superior Court is to have the most superior service in the nation among courts of general jurisdiction by providing superior service to the public in pursuit of justice. The Court has agreed that its core values as an organization are UNITED, which stands for unity, neutrality, integrity, timeliness, equality and dedication. The Court is committed to building on the quality of justice and public service for which the Superior Court of Delaware is well-known both in Delaware and throughout the nation.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	20,071.1	20,351.5	21,850.7
ASF	--	--	--
TOTAL	20,071.1	20,351.5	21,850.7

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	289.5	295.5	301.5
ASF	--	--	--
NSF	2.0	--	--
TOTAL	291.5	295.5	301.5

SUPERIOR COURT 02-03-10

ACTIVITIES

- Hear criminal, civil, administrative agency appeals, and involuntary commitment cases.
- Conduct jury operations.
- Conduct investigative services.
- Hold alternative dispute resolution.
- Perform administrative tasks.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
Criminal case filings:			
New Castle	5,506	5,947	6,482
Kent	2,070	2,443	2,907
Sussex	1,769	2,034	2,359
Civil case filings:			
New Castle	8,482	8,737	9,087
Kent	1,347	1,361	1,388
Sussex	1,212	1,345	1,506
Criminal case dispositions:			
New Castle	5,280	5,914	6,683
Kent	2,324	2,440	2,586
Sussex	1,907	2,193	2,544
Civil case dispositions:			
New Castle	8,048	8,129	8,292
Kent	1,272	1,284	1,310
Sussex	1,246	1,371	1,521
Criminal cases pending:			
New Castle	1,622	1,719	1,839
Kent	452	520	603
Sussex	366	370	377
Civil cases pending:			
New Castle	6,115	6,665	7,332
Kent	823	905	1,004
Sussex	343	377	418

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COURT OF COMMON PLEAS

02-06-00

MISSION

The Court of Common Pleas is dedicated to providing assistance and a neutral forum to people in the resolution of their everyday problems and disputes in a fair, professional, efficient and practical manner.

KEY OBJECTIVES

- Adjudicate cases fairly and with integrity.
- Improve service to the citizens of the State.
- Reduce delay in bringing cases to trial.
- Dispose of cases more efficiently.
- Provide a safe, accessible and secure environment for the citizens of the State.
- Responsibly use and account for public resources.

BACKGROUND AND ACCOMPLISHMENTS

The Court of Common Pleas has jurisdiction over:

- All misdemeanors except certain drug-related crimes;
- Preliminary hearings in all felony cases;
- Traffic offenses;
- Civil cases where the amount in controversy does not exceed \$50,000 on the complaint;
- Civil and criminal appeals from the Justices of the Peace Courts;
- Criminal appeals from Alderman Courts;
- Appeals from Motor Vehicles in license suspensions; and
- Appeals from the Animal Control Panel.

The Court receives most of its criminal caseload from the Justices of the Peace Courts and a small percentage of filings from Alderman Courts. Approximately three percent of cases are filed directly by the Attorney General.

Jury trials are available to all criminal defendants. Civil cases are tried without a jury. Appeals to the Court of Common Pleas are de novo appeals; appeals from the Court of Common Pleas are to the Superior Court on the record.

The Court has nine judges. Five judges sit in New Castle County, two in Kent County and two in Sussex County. The Court also has two court commissioners - quasi-judicial positions - one in New Castle County and one shared between Kent and Sussex counties.

In 1999, the National Center for State Courts conducted an operations assessment of the court clerks' offices and provided the Court with a series of recommendations designed to improve the Court's delivery of service to the public, many of which have been adopted.

The Court operates a court-supervised, comprehensive drug diversion program for non-violent offenders. This voluntary program includes regular appearances before a judge, participation in substance abuse education, drug testing and treatment, if needed. The Court has handled almost 3,700 participants since the program's inception. The program was established initially in New Castle County in 1998, expanded to Sussex County in 2003 and further expanded to Kent County in 2005.

The Court began a mediation dispute resolution program in 2001. In partnership with the Center for Community Justice and Delaware Center for Justice, the Court has referred more than 3,200 cases for mediation, with a success rate of nearly 90 percent. Mediation provides an alternative to criminal prosecution and leaves participants with an increased sense of satisfaction about the criminal justice process. In Fiscal Year 2005, the Court's mediation program was made available to parties in civil cases as well as criminal.

In November 2003, the State's first Mental Health Court was instituted in the Court of Common Pleas in New Castle County. The goal of the Mental Health Court is to effectively serve the special needs of the mental health population in the criminal justice system through continuous judicial oversight and intensive case management. To date, approximately 100 defendants have participated in Mental Health Court.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	8,465.7	8,412.3	9,039.0
ASF	193.5	219.8	219.8
TOTAL	8,659.2	8,632.1	9,258.8

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	125.0	128.0	130.0
ASF	4.0	4.0	4.0
NSF	--	1.0	1.0
TOTAL	129.0	133.0	135.0

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COURT OF COMMON PLEAS **02-06-10**

ACTIVITIES

- Courtroom activities.
- Case processing activities.
- Accounting and collections activities.
- Court security.
- Automation.
- Statewide court operations management.

PERFORMANCE MEASURES

Criminal Misdemeanor Cases

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of filings	90,964	91,000	91,000
# of dispositions	88,577	90,000	90,000
# pending	41,755	40,000	40,000
\$ amount collected (thousands)	6,319.7	7,200.0	7,350.0

Time from Transfer for Assignment to Trial by Case Type – New Castle County (# of weeks)

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
Traffic	30	25	20
Non-jury	18	16	16
DUI	28	25	23
Domestic violence	11	12	12
Drug	17	16	16
Jury trial	22	20	20

Time from Transfer for Assignment to Trial by Case Type – Kent County (# of weeks)

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
Non-jury	4	4	4
Jury trial	7	8	8

Time from Transfer for Assignment to Trial by Case Type – Sussex County (# of weeks)

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
Non-jury	8	8	8
Jury trial	8	8	8

Civil Case Filings

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of filings - State	9,850	11,500	11,500
# of months to disposition:			
New Castle County	17.3	15	15
Kent County	9.3	8	8
Sussex County	10.0	9	9

FAMILY COURT **02-08-00**

MISSION

The Family Court's mission is set forth in 10 Del. C. §902(a):

The Court shall endeavor to provide for each person coming under its jurisdiction such control, care, and treatment as will best serve the interests of the public, the family, and the offender, to the end that the home will, if possible, remain unbroken and the family members will recognize and discharge their legal and moral responsibilities to the public and to one another.

KEY OBJECTIVES

- Comply with all scheduling and dispositional standards in civil and criminal matters as prescribed by the Chief Justice and Chief Judge.
- Improve access to the Court for all citizens with an emphasis on those who elect to represent themselves.
- Provide appropriate legal representation to all parties in civil matters where due process dictates representation.

BACKGROUND AND ACCOMPLISHMENTS

The Family Court of the State of Delaware - its judicial officers and staff - is committed to: securing meaningful access justice for those who come before Family Court; striving for safety, permanency and rehabilitation of our children; protecting the peace and safety of the public; resolving disputes impartially and fairly; demanding respect, intellectual honesty, integrity, and accountability from ourselves as well as from those we serve; responding to the social changes and innovative ideas of the future; giving due deference to legal precedents; and, ultimately, enhancing the quality of life of the citizens, children and families of the State of Delaware.

Court Improvement Project (CIP) - The CIP is a multi-year, federally funded grant project designed to support state courts in efforts to improve their handling of cases involving children in foster care, termination of parental rights and adoption proceedings. Delaware has participated in this project since its inception in 1994.

Because of its sweeping systemic reforms, the Delaware Family Court was selected as a study site for the U.S. Department of Health and Human Services (HHS) to

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evaluate the impact of CIP. Planning and Learning Technologies, Inc. (Pal-Tech) will conduct the court-focused evaluation in New Castle County under contract with HHS. The study will begin in the fall of 2006 and take place over a five-year period. It will include observations and empirical information regarding the impact of court reforms, including their influence on the Division of Family Services and its ability to meet federal child welfare requirements.

Last fall, a team of judges, staff and child welfare professionals in Delaware had the opportunity to attend the National Leadership Summit on the Protection of Children. Each team at the summit was charged with developing an action plan for its state.

In order to further advance the goals and mission of the action plan written after the summit, the Family Court partnered with the Department of Services for Children Youth and Their Families to host a two-day statewide summit on the protection of children entitled Joining Forces for Delaware's Children.

The intent is to collaborate with the Department of Services for Children, Youth and Their Families to further the goal of providing all children with safe, permanent families in which their physical, emotional and social needs are met. Through this collaboration we plan to identify and obtain needed resources system-wide, better utilize data that is available and create performance measures for Family Court and the Division of Family Services specifically in the CIP area.

Juvenile Justice - The Court has created an internal committee to study juvenile justice practices in Delaware and offer recommendations for improvements that further public safety and rehabilitative outcomes.

The Delaware Girls Initiative (DGI) is a collaborative group that has partnered with the Delaware Center for Justice, National Council on Crime and Delinquency, and Practical, Academic, Cultural Education (PACE) Center for Girls to explore the need for a comprehensive continuum of services for at-risk adolescent girls in the State. There are over 125 participants from various national, state, and local government agencies; community for and not-for profit organizations; elected officials; law enforcement; and service providers.

In addition, Family Court in collaboration with the Public Defenders Office and Division of Child Mental Health has received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with criminal charges pending against them in New Castle County Family Court. The program will result in a treatment based resolution of criminal charges that will target both competent and incompetent offenders with mental health disorders. The participating agencies

are finalizing implementation plans and anticipate a start date in January 2007.

Services for Self-Represented Litigants - In its continued efforts to serve pro se litigants, Family Court helped over 48,000 people by providing assistance through resource centers statewide. Over 24,000 people in New Castle County utilized the services provided in the Self-Help Center. Kent County's resource center provided assistance to approximately 14,000 people, and Sussex County's resource center provided assistance to approximately 10,000 people. These numbers indicate that Delaware's citizens continue to benefit from the variety of services offered in the resource centers.

Court Appointed Special Advocate (CASA) program - The Family Court CASA program celebrated 25 years of service this year. In 1981, Family Court, in collaboration with the Junior League of Wilmington and the Wilmington Chapter of the National Council of Jewish Women, started a pilot program in New Castle County to address the needs of Delaware's abused and neglected children who appeared in the Court unrepresented. The program was called Guardian ad Litem and volunteers represent the abused, neglected and dependent children appearing before the Court.

Since its inception 25 years ago, the program was renamed Court Appointed Special Advocate Program (CASA) and continues to grow. The CASA Program provides trained volunteers to represent the best interests of abused and neglected children in court proceedings.

Security, Safety and Functionality of Family Court Facilities Statewide - Family Court, in conjunction with the Office of Management and Budget, Facilities Management, continues a multi-year initiative to renovate, modernize and expand the courthouse in Sussex County.

Last fiscal year two additional judicial assistant positions were added, one each in Kent and Sussex counties. Those positions will enhance the security profiles in the two courthouses.

Courts Organized to Serve - Family Court judges and staff continue with their commitment to the statewide COTS automation initiative, as the project nears the initial phase of implementation. Court personnel at all levels have continued to support our sister court, the Justices of the Peace Courts, as they prepare to implement the COTS case management software in three of their civil courts in November 2006. Family Court has continued to work diligently in evaluating the functionality of the system and in refining case management processes to assure that the COTS

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initiative is successful and beneficial to the public, judiciary and all partner agencies.

Human Resources Development - Family Court continues to focus on the professional development of its administrative support staff with the goal of enhancing overall organizational effectiveness and individual competencies. The emphasis is on providing our employees with the knowledge and skills needed to provide information and assistance to litigants effectively.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	17,795.2	18,044.3	19,398.2
ASF	3,529.2	3,845.2	3,945.2
TOTAL	21,324.4	21,889.5	23,343.4

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	269.0	272.3	278.3
ASF	64.0	63.7	63.7
NSF	1.0	--	--
TOTAL	334.0	336.0	342.0

FAMILY COURT

02-08-10

ACTIVITIES

- Administrative Support: operations, fiscal, personnel, automation, records management, statistics, planning and research.
- Case Management: intake, file preparation, schedule, notification, case preparation, conduct judicial officer hearings, case adjudication, pre-sentence investigation and ancillary matters.
- Diversion: intervention, amenability, substance abuse, interviews, evaluations, and arbitration/mediation hearings.
- Special Programs: acquire, implement, maintain and evaluate special programs, including those that are federally funded.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
% of adult and juvenile criminal cases disposed of within 45 days of the petition/information being filed	50	55	55
% of adult and juvenile criminal cases disposed of within 90 days of the petition/information being filed	86	90	90
% of proceedings involving dependent, neglected or abused children in the custody of DSCYF with a permanency plan established within 12 months of the removal of a child from the home	95	95	95
% of protection from abuse petitions shall be disposed of within 30 days of filing	89	95	95
% of child support matters disposed of within 90 days of the receipt of the petition	69	75	75
% of civil decisions rendered within 90 days of taking the matter under advisement	90	90	90

JUDICIAL

02-00-00

JUSTICES OF THE PEACE COURTS

02-13-00

MISSION

As the place where justice starts, the following is the mission of the Justices of the Peace Courts:

- Serve the people of Delaware by the efficient and accessible administration of justice for all, and
- Treat all persons with integrity, fairness and respect.

KEY OBJECTIVES

- Provide exemplary customer service.
- Improve the infrastructure of the Court.
- Provide convenient, safe and secure facilities for the public and court employees.
- Improve efficiency and the quality of justice.
- Promote modifications to the Motor Vehicle Point System and traffic charges process.
- Work in conjunction with the Division of Motor Vehicles, police agencies, other courts and Department of Safety and Homeland Security to reduce the flow of paperwork between the courts and other agencies, and to use mobile computers for citation information.
- Participate in the Courts Organized to Serve (COTS) initiative.

BACKGROUND AND ACCOMPLISHMENTS

The Justices of the Peace (JP) Courts are authorized by Article IV, Section 1 of the Delaware Constitution.

As early as the 1600s, Justices of the Peace were commissioned to handle minor civil and criminal cases. Along with a host of other duties, the administering of local government in the 17th and 18th centuries on behalf of the English Crown was a primary duty of the Justices of the Peace. With the adoption of the State Constitution of 1792, the Justices of the Peace were stripped of their general administrative duties, leaving them with only minor civil and criminal jurisdiction. Beginning in 1966, the Justices of the Peace were integrated into the State's judicial system.

JP Courts are Delaware's entry-level courts and are the courts through which the great majority of all criminal cases pass. JP Courts have criminal jurisdiction to hear:

- Criminal misdemeanor cases as listed in 11 Del. C. §2702 and all criminal violations;
- Most 21 Del. C. traffic offenses which do not involve physical injury or death;
- County code violations;
- Truancy cases;
- Alcoholic beverage violations; and
- Miscellaneous violations initiated by other state agencies.

Justices of the Peace Courts have civil jurisdiction over:

- Contractual disputes where the amount in controversy does not exceed \$15,000;
- Replevin actions (actions brought to recover possession of personal property unlawfully taken) where the amount in controversy does not exceed \$15,000;
- Negligence cases (not involving physical injury) where the amount in controversy does not exceed \$15,000;
- Landlord/tenant cases, including summary proceedings for possession where jury trials are authorized, and appeals from landlord/tenant cases to special courts consisting of a three-judge panel; and
- Traffic cases with civil penalties.

Justices of the Peace Courts also have jurisdiction to:

- Issue summons and search warrants for all criminal offenses based upon findings of probable cause;
- Conduct initial appearances to set bond for all criminal offenses and conduct bond review hearings when requested;
- Issue and execute capiases; and
- Process capiases issued by Family Court, Court of Common Pleas and Superior Court.

There are 19 Justices of the Peace trial courts located in 14 court facilities. Two courts in New Castle County and one court in both Kent and Sussex counties are open 24 hours a day, 365 days a year. The Delaware Code authorizes 60 Justices of the Peace and one Chief Magistrate to serve as the administrative head of the Court. Justices of the Peace are appointed by the Governor and confirmed by the Senate for a first term of four years and for second and subsequent terms of six years.

Justices of the Peace Courts are unique in that they are the only Delaware courts that employ constables, a quasi-police force charged with carrying out its judicial orders.

Accomplishments and Opportunities

Truancy Court - The statewide Truancy Court celebrated its tenth year of cooperative effort with

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schools and social service agencies to reduce truancy. All work has been accomplished through judges volunteering and court staff fitting truancy among other caseload duties. With a reassignment of a position within the Court, the Truancy Court program now has an additional staff person dedicated to assist the coordinator in administering this highly successful program. In addition to the staffing change, computer programming improvements developed by DELJIS and internal policy modifications regarding drug testing will ensure a strong program.

Statewide Videophone Court - The statewide Videophone Court at JP Court 2 in Rehoboth Beach is providing substantial benefits and resource savings to the criminal justice community because it distributes Justices of the Peace Courts videophone workload and provides quicker and more consistent service. The success of the statewide Videophone Court is demonstrated by Court 2's 32 percent caseload increase in Fiscal Year 2006, and its average 1,290 videophone proceedings per month.

Providing Legal Representation at JP Court 20 - At the beginning of its fifth year, the pilot project providing legal representation at JP Court 20 demonstrates the benefits of coordinated efforts among state agencies through the use of existing resources (for the Judiciary) and federal grant funds (for the Attorney General and Public Defender) to reduce delays and provide better services to victims and others in the courts. The availability of prosecutors and public defenders at Court 20 has benefited the criminal justice system by resolving cases earlier and providing victim services earlier in the process.

Technology - A project to implement electronic payment of traffic tickets is under development, with issues being resolved relative to online credit card arrangements. Tickets paid online would be instantly entered into the system with minimal involvement of clerical personnel.

- **COTS Implementation Preparations** - Three Justices of the Peace Court civil locations will serve as the pilot locations for the first implementation of the new case management system that will eventually provide branch-wide uniformity and an enhanced ability for the various courts to interact more efficiently. In the Justices of the Peace Courts, nearly every civil court manager and the vast majority of administrative staff have been involved in the planning and ultimate kick-off of the first phase of the civil COTS case management program.

- **Voluntary Assessment Center Lockbox project** - In conjunction with the Treasurer's Office, the Justices of the Peace Courts embarked on a program to speed the deposit of funds generated by payment of traffic tickets to the Voluntary Assessment Center.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	16,307.1	16,036.8	17,139.4
ASF	--	--	--
TOTAL	16,307.1	16,036.8	17,139.4

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	246.5	246.5	248.5
ASF	--	--	--
NSF	--	--	--
TOTAL	246.5	246.5	248.5

JUSTICES OF THE PEACE COURTS 02-13-10

ACTIVITIES

- Process criminal cases by conducting bond hearings, initial appearances, arraignments, trials and adjudicated cases.
- Process civil cases by accepting filings and scheduling trials.
- Process voluntary assessments using lockbox patent technology.
- Input case-related information, including, but not limited to: summonses, warrants, capiases, subpoenas, continuances, commitments, judgments, appearance notices and docket entries.
- Accept money representing fines, court costs, Victim Compensation Fund assessments or restitution.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
% of shifts per week with security coverage	53	55	58
% of videophone proceedings that take place within 45 minutes of receipt	100	100	100

JUDICIAL

02-00-00

ADMINISTRATIVE OFFICE OF THE COURTS - COURT SERVICES 02-17-00

MISSION

To assist the judicial branch and others in delivering the highest quality of justice by providing effective and efficient administrative, support and information services.

BACKGROUND AND ACCOMPLISHMENTS

The Administrative Office of the Courts (AOC) was established in 1971 pursuant to 10 Del. C. §128. The function of the office is to assist the Chief Justice in carrying out the responsibilities as administrative head of all courts in the State.

Since 1971, several administrative directives promulgated by the Chief Justice and Supreme Court Rule 87 have expanded and clarified the role and responsibilities of the AOC. The role described in these documents includes delivering services to courts, judicial agencies and external customers in the areas of budget development, personnel policies, fiscal policies, collections, technology policies and services, records management, interpreters, planning and research, facilities, education and law libraries. The AOC has recently initiated a new strategic planning process and is working on further defining its roles within the context of Supreme Court Rule 87.

To fulfill its responsibilities, the AOC is divided into three components that provide direct services to the Supreme Court, Court of Chancery, Superior Court, Family Court, Court of Common Pleas, Justices of the Peace Courts and limited services to several non-judicial agencies. The components are the Office of the State Court Administrator, Office of State Court Collections Enforcement (OSCCE) and Judicial Information Center (JIC). The AOC provides limited fiscal and administrative services to several agencies that receive policy direction and oversight from boards and governing bodies outside the Judicial Branch. These agencies establish their own missions, objectives and performance measures. This group is composed of the Office of the Public Guardian, Violent Crimes Compensation Board, Child Placement Review Board, Educational Surrogate Parent Program, Office of the Child Advocate, Child Death, Near Death and Still Birth Commission (CDNDSBC) and Delaware Nursing Home Residents Quality Assurance Commission.

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	14,469.8	12,677.9	13,067.5
ASF	--	33.4	33.4
TOTAL	14,469.8	12,711.3	13,100.9

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	81.5	81.5	80.5
ASF	--	--	--
NSF	--	--	--
TOTAL	81.5	81.5	80.5

OFFICE OF THE STATE COURT ADMINISTRATOR 02-17-01

MISSION

To assist the Judicial Branch and others in delivering the highest quality of justice by providing effective and efficient administrative, support and information services.

KEY OBJECTIVES

- Expand data collection and analysis capabilities; work with OSCCE to increase court collections; enhance safety and security of courthouses; develop a continuity of operations plan; and support efforts to recruit, hire and retain the most qualified candidates and to provide promotional opportunities.
- Enhance public access to the courts through provision of interpreters and information to unrepresented litigants.
- Enhance public trust and confidence in the courts through a public information program.

BACKGROUND AND ACCOMPLISHMENTS

Several of the accomplishments during the past fiscal year include:

- Provided support to the New Castle County Courthouse facility, including developing a safety plan for the Courthouse and coordinating the installation of an archiving facility.
- Provided assistance to 18,486 unrepresented litigants through the New Castle County Self-Help Center.

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- Instituted a newsletter for the Judicial Branch to provide information on branch accomplishments to the public and members of the Executive and Legislative branches.
- Provided staff support to the Court Interpreters Advisory Committee, Courthouse Operations Policy Committee, Law Library Committee, Resource Allocation Committee, various COTS committees, Council of Court Administrators, among others.
- Administered the Court Interpreters program through which court interpreters were provided on 1,888 occasions.

ACTIVITIES

- Provide centralized services to the New Castle County Courthouse including safety and security planning and coordination, operating the information desk, filing and payments center, pro se center, and mail room.
- Provide judicial education and staff training services.
- Administer the statewide Court Interpreter program.
- Conduct research and analysis related to justice and speedy trial issues.
- Coordinate and prepare the Annual Report of the Judiciary.
- Administer the Judicial Branch public information program.
- Assist in policy coordination and development for issues affecting all courts.
- Coordinate preparation, review and submission of the Judicial Branch budgets.
- Serve as legislative liaison for the Judicial Branch.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of prospective interpreters attending orientation programs	47	49	50
# of people assisted by NCCCH Self-Help Center staff*	18,967	19,200	19,400
# of NCCCH Self-Help Center volunteers	42	43	44
# of pro bono attorney volunteers	25	20**	21
# of pro bono attorney volunteer hours	132	104	106

**This statistic reflects only those individuals who requested assistance from Self-Help Center staff members. Many more individuals come into the center without seeking staff assistance.*

***The decline from Fiscal Year 2006 reflects the decision not to continue an experimental program for tenants' rights undertaken in Fiscal Year 2006.*

OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT 02-17-03

MISSION

Work with the Delaware Judiciary and the criminal justice community to hold offenders accountable for paying their court-ordered financial assessments.

KEY OBJECTIVES

- Increase the collection of delinquent receivables referred to the Office of State Court Collections Enforcement (OSCCE).
- Increase offender accessibility to satisfy financial sanctions by expanding the use of OSCCE locations as one-stop judicial payment centers.
- Develop and implement new initiatives to assist in the collection of delinquent receivables.
- Participate in branch-wide planning efforts to develop and implement standard financial policies and procedures as it relates to COTS.
- Continuously improve the operational efficiency and effectiveness of the office.

BACKGROUND AND ACCOMPLISHMENTS

OSCCE continues to evolve, increasing opportunities to function as a one-stop judicial financial center as envisioned at the time of its inception in Fiscal Year 1995. There are six judicial payment centers located throughout the State that provide cashing services for Superior Court, Family Court, Justices of the Peace Courts and Department of Correction receivables. OSCCE's specialized collection program, which includes letter dunning, monetary intercept programs and case management activities, continues to propel the organization forward in achieving the remarkable 97 percent growth in collections it has experienced since Fiscal Year 2000.

In an effort to provide efficient services to the citizens of Delaware, OSCCE continues to build positive working relationships with all branches of state government. Currently, OSCCE assists the Department of Elections with voter restoration rights; works with the Division of Revenue to offset state tax refunds against delinquent receivables owed to the State; and has obtained access to Department of Labor employment records, which allows verification of financial resources when instituting payment agreements. OSCCE is in the developmental

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stages of several new programs aimed at addressing the collection of outstanding court receivables. OSCCE continues to research and implement new technologies to better assist the judiciary with the handling of court receivables.

ACTIVITIES

- Accept monetary payment of court-ordered financial assessments.
- Document and record all financial transactions promptly and accurately.
- Explore alternate forms of payment processing in conjunction with the Judicial Branch.
- Pursue the collection of financial obligations referred by the courts.
- Refer offenders to non-monetary programs, administered by the Department of Correction to address court-ordered financial sanctions (excluding restitution).
- Work with statewide criminal justice agencies to promote cooperation and share automated data.
- Assist financial staff in the issuance of restitution funds collected against referred delinquent Family Court receivables.
- Provide financial reports as requested.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec
# of contacts necessary to administer accounts:			
Verbal	7,440	7,000	8,200
Written	47,013	30,000	52,000
\$ collected on behalf of:			
Superior Court	2,927.9	3,700.0	3,300.0
Family Court	153.3	100.0	120.0
JP Courts	63.2	70.0	70.0
Department of Correction (thousands)	379.1	400.0	400.0
% increase in \$ collected	(2.7)	10	10

JUDICIAL INFORMATION CENTER

02-17-06

MISSION

The Judicial Information Center (JIC) develops and maintains computerized information systems and provides technology support services to the Judicial Branch.

KEY OBJECTIVES

- Provide technology systems to support business goals, needs and objectives of the courts.

- Provide leadership and oversight of technology efforts supporting the courts' business needs.
- Provide systems that integrate with other criminal justice agencies and stakeholders in the exchange of information.
- Promote standardization of new technologies and methodologies.
- Provide information through technology systems for the citizens of Delaware.

BACKGROUND AND ACCOMPLISHMENTS

The JIC is responsible for the development and support of computer information systems and the infrastructure necessary to access those systems. The JIC is a full scale information technology unit.

Recent accomplishments include:

- Participated on the COTS project performing project management duties and serving in lead roles on the various implementation teams.
- Enhanced the intranet sites for the Judicial Branch using common look and feel guidelines.
- Continued development of system policies and procedures to be used throughout the Branch.
- Established presence with regional and national technology groups to educate other states with Delaware's technology initiatives.
- Participated in courthouse facility renovations in Kent and Sussex counties.
- Opened the Sussex County training facility in Georgetown.
- Relocated to a new facility with expanded training facilities and future organizational growth.
- Modified the Protection From Abuse (PFA) process.
- Addressed Department of Technology and Information policy regarding critical database applications running on desktop databases and converting to server based database applications.

ACTIVITIES

- Analyze business issues and processes that relate to the flow, management and utilization of information.
- Develop and support computer applications that enhance the operations of the courts and agencies.
- Provide telephone and audiovisual installation and support services.
- Manage, design and support local and wide-area network resources.
- Lead initiatives related to technology planning, utilization and effective implementation.

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PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
% of high priority software problems resolved within 4 business hours (not requiring procurement)	100	100	100
% of high priority hardware problems resolved within 7.5 business hours (not requiring procurement)	100	100	100
JIC problem calls initiated with Help Desk	10,281	10,000	10,100
JIC problem calls resolved	10,071	9,950	10,000

LAW LIBRARIES

02-17-05

MISSION

The law libraries provide legal information resources for the Delaware Judicial Branch, Attorney General, Public Defender, other state agencies, members and prospective members of the Delaware Bar Association and pro se litigants; and functions as the official depository of State laws, agency rules and regulations, administrative and board regulations, court opinions and the Chief Magistrate's advisory memoranda and policy directives.

KEY OBJECTIVES

- Effectively manage all types of legal information.
- Provide assistance and comprehensive legal resources to a variety of library users.

BACKGROUND AND ACCOMPLISHMENTS

The primary purpose of the law libraries is to provide legal information to the Delaware Judicial Branch. The libraries also support other legal agencies within the State, as well as members of the legal community and pro se litigants. Each law library strives to maintain as many current and archival Delaware legal resources as possible.

A law library is maintained in each county in Delaware as outlined in 10 Del. C. §1941. The New Castle County Law Library, located in Wilmington, maintains a collection of 25,000 volumes and is staffed by one law librarian. Due to the number of judicial officials in Wilmington, the number of cases filed and the proximity of the Pro Se Center, the New Castle County Law Library is the busiest of the three libraries.

The Kent County Law Library in Dover is designated as the State Law Library as per 10 Del. C. §1942. It maintains a legal reference collection of approximately 30,000 volumes and is staffed by one law librarian and two part-time assistants.

The Sussex County Law Library in Georgetown maintains approximately 20,000 legal resources in both print and microfiche form. The library is staffed by one law librarian.

ACTIVITIES

- Offer reference assistance and guidance to the judiciary, other state agencies, legal community and pro se litigants.
- Maintain and review the collection of legal materials and consider legal titles that should be acquired or cancelled.
- Participate in professional organizations and networks to benefit from resource sharing.
- Review and advise the judiciary and court staff of changing technology and new trends in legal research.
- Coordinate legal research training for court staff as applicable.
- Research and retrieve information from books, periodicals, reference materials, other law libraries or commercial databases in response to judicial requests.
- Assist resource sharing among the three judicial libraries by collecting shelf list holdings for the creation of a union list of the libraries.

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ADMINISTRATIVE OFFICE OF THE COURTS - NON-JUDICIAL SERVICES 02-18-00

FUNDING

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	1,875.1	2,135.2	2,305.5
ASF	2,515.2	3,104.9	3,104.9
TOTAL	4,390.3	5,240.1	5,410.4

POSITIONS

	FY 2006 ACTUAL	FY 2007 BUDGET	FY 2008 GOV. REC.
GF	29.0	29.0	29.0
ASF	8.0	8.0	8.0
NSF	--	--	--
TOTAL	37.0	37.0	37.0

OFFICE OF THE PUBLIC GUARDIAN 02-18-01

MISSION

To provide quality, comprehensive, protective guardianship services to adult citizens of Delaware who are severely mentally or physically disabled, who are unable to manage their personal and financial affairs, who are at risk for neglect, abuse and victimization and who have no one else able or willing to serve as a guardian.

KEY OBJECTIVES

- Promote the use of technology, computer networks, pagers and wireless phones to facilitate real-time information sharing among statewide staff.
- Redefine the roles and responsibilities of key social casework positions in an effort to respond to the needs of a client population that continues to grow in number and complexity.

BACKGROUND AND ACCOMPLISHMENTS

The Office of the Public Guardian was created in 1974. The office serves as interim and permanent guardian for persons with severe and significant disabilities. Referring agencies include the Court of Chancery, Adult Protective Services, Division of Developmental Disabilities Services, Division of Substance Abuse and Mental Health, other state agencies, long-term care facilities, hospitals, and private nursing care facilities. Additionally, the agency is

called upon by the Court of Chancery to serve as a neutral guardian or to mediate and serve as court investigator in contested guardianship matters. The State's long-term care facilities request public guardianship services for residents of their facilities with special social service needs as well as those who require a guardian in order to complete applications for long-term care Medicaid benefits on their behalf.

ACTIVITIES

Duties of a guardian of a person include, but are not limited to:

- Address all issues of the individual that require immediate action and ensure that provision is made for the support, care, comfort, health and maintenance of the ward;
- Assess the ward's situation, needs, preferences and support system and attempt to gather any missing or necessary information;
- Ensure that the individual is living in the most appropriate and least restrictive setting possible;
- Secure medical, psychological, therapeutic and social services that are appropriate and necessary to support the ward's well-being and quality of life;
- Maintain communication with the ward and his/her caregivers;
- Develop and monitor a written guardianship plan and maintain a separate file for each ward; and
- File with the Court all reports required by statute, regulations or court rule.

Duties of a guardian of property include:

- Address all issues of the estate that require immediate action;
- Prepare real estate and personal belongings for sale and obtain services of an appraiser, realtor, auctioneer and others as needed;
- Provide competent management, for the benefit of the ward, of all property and supervise all income and disbursements of the estate;
- Conduct all financial matters for the ward;
- Keep estate assets safe by maintaining accurate records of all transactions and submitting required annual accountings to the Court, with a final accounting to the Court upon the death of a ward;
- Facilitate the appropriate closing of the estate and assist in settling estates when necessary;
- Seek specific judicial authority to dispose of property when an extraordinary circumstance is being addressed; and
- Obtain all public benefits for which the ward is eligible.

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PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of referrals received	225	244	280
# of referrals accepted for public guardianship	45	75	150
# of current guardianships	222	250	300

VIOLENT CRIMES COMPENSATION BOARD *02-18-02*

MISSION

To promote the public welfare by establishing a means of meeting the additional hardships imposed upon the victims of certain violent crimes, including the family and dependants of those victims.

KEY OBJECTIVES

- Process all claims submitted to the Violent Crimes Compensation Board (VCCB) for a hearing within 30 days of receipt, and provide assistance to as many innocent victims of violent crime as annual revenue intake allows.
- Increase public outreach initiatives so that all crime victims have a general knowledge of the functions and benefits provided by the VCCB.
- Process payment of claims to victims and providers within ten days of the legal fulfillment requirements.
- Increase new application caseload and supplemental payments to victims of violent crimes reported each year in Delaware.

BACKGROUND AND ACCOMPLISHMENTS

The VCCB was organized in January 1975. The Board is comprised of five members: a chair, vice-chair and three commissioners. All members are appointed by the Governor and confirmed by the Senate.

Compensation is made available to people who are victimized in the State of Delaware. Residents of Delaware who are victimized outside state boundaries may apply to the Delaware VCCB if the state, possession or territory in which the person is injured does not have a functional program.

The purpose of the program is to alleviate some of the financial burden of crime victimization by providing compensation for certain pecuniary losses. Compensation is available for payment of medical and dental expenses,

psychiatric care, mental health counseling, prescription medication and eyeglasses, prosthesis, certain out-of-pocket costs, loss of earnings, funeral/burial costs, loss of support, temporary housing and moving or relocation costs. Secondary victims, including the parent(s), spouse, son(s), daughter(s), brother(s) or sister(s) of the primary victim, are eligible for payment of mental health counseling treatment for crime-related issues.

Recipients of VCCB awards must meet certain eligibility factors. Requirements include:

- The crime must be reported to law enforcement authorities within 72 hours of occurrence;
- The claim for victim compensation must be filed within one year of the crime's occurrence;
- Injuries sustained from the crime cannot be based on criminally injurious conduct;
- Victim must cooperate with law enforcement authorities in the apprehension and prosecution of the assailant(s) if their identity is known; and
- Claimant must cooperate with the VCCB in its investigation to validate a claim for compensation.

The agency is funded by appropriated special funds derived from an 18 percent surcharge that is levied on all criminal offenses, including moving motor vehicle violations. The surcharge is collected by the courts and turned over to the State Treasurer for deposit into the Victim Compensation Fund. The Fund is also replenished through restitution, probation interest, subrogation reimbursements, other miscellaneous revenue and a federal grant. The federal grant can equal up to 60 percent of the amount paid out to crime victims from state funds during the previous federal fiscal year.

From Fiscal Year 1976 through Fiscal Year 2006, the Board received 10,015 applications for compensation. In Fiscal Year 2006, a total of 655 claims were examined by the Board. Of this total, 500 of the claims examined were initial applications; 155 were cases that had been requested to be re-opened for additional consideration. A total of 570 were approved for compensation benefits, which included 434 initial cases and 136 re-opened cases. The total amount awarded by the Board was \$2,199,881, with an average award of \$3,358 for each claimant. Due to the statutory time frame for appeals, actual disbursements were \$2,147,633 with \$52,248 being disbursed during the first quarter of Fiscal Year 2007.

The Forensic Sexual Assault program has been in effect since May 1995 and pays for forensic medical examinations that could be used in prosecuting the offender. Defendants convicted of these sexual offenses are required to pay a special assessment to the VCCB.

The Child Counseling and Assessment program (CCAP) has been in effect since July 1998 and provides benefits

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with regard to psychological assessments and short-term counseling for children who have been victimized in the State of Delaware and have not reached their 18th birthday as of the date of the crime.

During Fiscal Year 2006, the Board received 248 Sexual Assault Nurse Examiner (SANE) requests and 100 CCAP requests.

The VCCB will continue outreach initiatives to promote public awareness of the program. The agency will target the general public as well as law enforcement, medical providers, legal professionals, social service providers and victim advocacy volunteer groups. Training and education is offered to professional groups who lead crime victims through the recovery process.

ACTIVITIES

- Expedite processing of claims and payment of approved claims.
- Increase public outreach initiatives so that all crime victims have a general knowledge of the functions and benefits provided by the VCCB.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
% of victim costs	79	80	80
% of operational costs	21	20	20

CHILD PLACEMENT REVIEW BOARD ***02-18-03***

MISSION

To provide and administer a volunteer-based board that acts as an independent monitoring system charged with identification and periodic review of all children in out-of-home placements. The purpose of these reviews is to ensure that every child in care has effective plans for permanency, receives adequate care for both physical and emotional needs, and participates at an appropriate age in educational programs to increase independent living skills.

KEY OBJECTIVES

- Perform the tasks and functions defined in 31 Del. C. c. 38 in a professional, informed and efficient manner in order to have a positive impact on the State's effort to promptly provide quality services to children in out-of-home placements.

- Collect, record and distribute statistical information regarding children in out-of-home placements with the goal of advocating for their unmet service needs.

BACKGROUND AND ACCOMPLISHMENTS

The Child Placement Review Board (CPRB) is a statewide child advocacy agency. It is chartered by Delaware's General Assembly with three main tasks:

- Use citizen-based panels to complete regular reviews of children placed by Family Court in Delaware's foster care system;
- Use citizen-based panels to complete reviews of adjudicated youth placed by Family Court in out-of-home, non-detention placements; and
- File an annual report with the General Assembly reporting on the work of the CPRB.

In carrying out these directives, the CPRB:

- Meets federal mandates requiring independent reviews of children in foster care;
- Submits review reports to Family Court and to the state agency responsible for their care;
- Studies and highlights trends affecting children in care;
- Develops and implements advocacy positions relating to children in care; and
- Combines the efforts of trained citizen volunteers and the work of a small professional staff, creating a cost-effective, independent review system.

The CPRB conducted 874 reviews in Fiscal Year 2006. Of those, 790 were in the custody of Family Services, 64 were adjudicated youth and 20 received a mixing review, which is designed to ensure that non-adjudicated children who are mixed with adjudicated children are not harmed by the experience.

The CPRB administers the Ivyane Davis Memorial Scholarship and partners with the Division of Family Services (DFS) to administer the federal Educational and Training Vouchers (ETV) programs. This year, 38 scholarship awards were made to young people who had spent at least one year in Delaware's foster care system. The Ivyane Davis Memorial Scholarship awards totaled \$32,560; this fund also furnished matching funds for the ETV program in the amount of \$17,040. The ETV program awards totaled \$88,576.

Among this year's award recipients, one student graduated from Temple University magna cum laude. Eighteen recipients attended Delaware Technical and Community College, six went to Delaware State University and one to the University of Delaware. Seven

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students attended out-of-state colleges or universities. Four recipients attended post-secondary trade or vocational schools, and one received support for a vocational licensing fee.

The Child Placement Review Board furnishes the independent reviews that enhance the State's system for its children in care. The CPRB offers a constructive avenue by which Delaware tax payers can monitor the provision of services to the State's most vulnerable children, improve their well-being through advocacy efforts, and focus public attention on the need for permanency and connection in their lives.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of volunteer hours generated	3,328	3,250	3,250
% of children being reviewed	100	100	100

EDUCATIONAL SURROGATE PARENT PROGRAM ***02-18-04***

MISSION

Provide well-trained volunteers to advocate for special education children and Part C children in state custody who do not have parents to represent them as required by the Individuals with Disabilities Education Act.

KEY OBJECTIVES

- Appoint an educational surrogate parent (ESP) to each eligible child within ten working days.
- Recruit and retain enough ESPs so that an adequate supply is available when an eligible child is identified.

BACKGROUND AND ACCOMPLISHMENTS

The Educational Surrogate Parent program (ESPP) continues to grow to meet the needs of the children it serves. The ESPP serves children ages 0-21 whose parents are unable to advocate for them, are in state custody and/or have been diagnosed or need evaluation to determine if they meet the eligibility criteria under the Individuals with Disabilities Education Act (IDEA) to receive special education services.

The ESPP coordinator is responsible for reviewing referrals of children submitted to the office for eligibility for admission, requesting additional material and information from various agencies and coordinating service delivery. The ESPP coordinator recruits and trains

prospective ESP candidates. Each completed referral of a child eligible for admission is matched with a trained and certified volunteer based on a particular child's specific anticipated needs and location. The prospective match is submitted as a recommendation of appointment to the Department of Education for approval.

ACTIVITIES

- Recruit and train volunteers to serve as ESPs.
- Provide ongoing training opportunities, support and materials for ESPs.
- Provide technical assistance to other agencies regarding ESP state and federal regulations to ensure identification of all eligible children.
- Select an appropriate ESP for each eligible child and process documentation for appointment by the Department of Education.
- Coordinate with the departments of Education and Health and Social Services to improve the ESP system.
- Collect and analyze data regarding ESPs and eligible children.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of ESP appointments	108	90	100
# of children exited	38	40	40
# of children served	285	260	275
# of ESPs trained	99	60	75
# of ESPs exited	61	50	50
# of ESPs available	207	215	220

OFFICE OF THE CHILD ADVOCATE ***02-18-05***

MISSION

To safeguard the welfare of Delaware's children through education advocacy, system reform, public awareness, training and legal representation of children as set forth in 29 Del. C. c. 90A.

KEY OBJECTIVES

- Ensure that every child's voice is heard in every court proceeding which affects his or her life.
- Ensure that every component of the child protection system has the necessary education and training to put a child's safety and well-being above all else.

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- Ensure that Delaware's child welfare laws reflect the needs of Delaware children and are a model for the nation.

BACKGROUND AND ACCOMPLISHMENTS

The Office of the Child Advocate (OCA) was created in 1999 in response to numerous child deaths in Delaware resulting from child abuse. These cases pointed to numerous deficiencies in the child protection system that could not be remedied solely by one entity. Instead, there needed to be education, training and multi-disciplinary collaboration to best serve Delaware's children. The General Assembly determined that an office that would oversee these efforts and advocate on behalf of children was necessary.

During Fiscal Year 2006, OCA received appropriate referrals on 774 children. A significant portion of these referrals continue to be Family Court orders. In Fiscal Year 2006, OCA compiled the more than 150 recommendations for child welfare change made by various death and near death review processes, and has used this to assist various committees and commissions in advocating for system change. The Child Protection Accountability Commission, which OCA staffs, and its regular attendees will continue to serve as the primary OCA vehicle for system change.

ACTIVITIES

- Recruit and train attorneys to represent the child's best interest in every child welfare proceeding.
- Advocate legislative changes to improve the lives of abused, neglected and dependent children.
- Educate the public on the services and goals of OCA and the Child Protection Accountability Commission.
- Develop and provide quality training to Division of Family Services' staff, deputy attorneys general, law enforcement officers, the medical community, Family Court personnel, educators, day care providers and others in the child welfare arena on the legal, sociological, cultural and behavioral nuances of child welfare.
- Review relevant policies, procedures and laws, and make recommendations for change with a view toward the rights of children.
- Collect and analyze data to determine how many children are not receiving services or representation in Delaware and why.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
# of children referred	785	900	800
# of pro bono attorneys available	350	375	375
# of children represented by the office	150	125	125
# of children represented by pro bono attorneys	873	760	900

CHILD DEATH, NEAR DEATH AND STILL BIRTH COMMISSION 02-18-06

MISSION

Safeguard the health and safety of all Delaware children as set forth in 31 Del. C. c. 3.

KEY OBJECTIVES

- Review in a confidential manner, the deaths of children under the age of 18, near-deaths of abused and/or neglected children and stillbirths occurring after at least 20 weeks of gestation.
- Provide the Governor, General Assembly and Child Protection Accountability Commission with recommendations to alleviate those practices or conditions that impact the mortality of children.
- Assist in facilitating appropriate action in response to recommendations.

BACKGROUND AND ACCOMPLISHMENTS

Delaware's child death review process was established by legislation passed on July 19, 1995, after a pilot project showed the effectiveness of such a review process for preventing future child deaths. The statute was amended in 2002 and again in 2004, changing the name from the Delaware Child Death Commission to the Child Death, Near Death and Stillbirth Commission (CDNDSC).

The CDNDSC has the authority to create up to three regional panels to conduct retrospective reviews of all child deaths, near deaths due to abuse/neglect and stillbirths (after 20 weeks gestation) that occur in the State. The Commission provides meaningful system-wide recommendations to prevent the deaths and/or near deaths of children and improve services to children. The process brings professionals and experts from a variety of disciplines together to conduct retrospective case reviews,

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create multi-faceted recommendations to improve systems and encourage interagency collaboration to end the mortality of children in Delaware.

The National Maternal and Child Health (MCH) Center for Child Death Review has developed a national web-based database for the collection of data related to child deaths. Delaware and other states participating in the pilot project collect data related to each child death utilizing a standardized data tool. This will allow the Commission, regional panels and staff the ability to analyze current data, as well as identify and make recommendations to eliminate longitudinal trends that may lead to child mortality in the State.

In Fiscal Year 2006, reviews were conducted monthly by each of the three panels (consisting of New Castle, Kent/Sussex, and abuse/neglect). The abuse/neglect panel was implemented in September 2005 and reviews deaths or near deaths due to abuse or neglect. A child death or near-death is considered to be preventable if one or more interventions (medical, community, legal, and/or psychological) might reasonably have averted the child's death or near-death. The joint reviews (where domestic violence was a factor in the death or near death) with the Domestic Violence Coordinating Council's Fatal Incident Review team are anticipated to begin January 2007.

The Commission has met at least quarterly to review and approve the work of the panels. Since 1997, the Commission has issued statewide reports to the Governor and General Assembly. These reports include aggregate data on the cases reviewed and recommendations developed by the panels and approved by the Commission.

Some statistics for Fiscal Year 2006 include:

- 85 deaths or near deaths were sent to the Commission for review;
- 56 of those cases were reviewed;
- 17 of those cases were infants < 28 days old; and
- 11 cases were expedited reviews of child deaths related to abuse and/or neglect.

ACTIVITIES

- Identify and triage cases for review.
- Prepare and review child death and near-death cases that meet the criteria for review.
- Make recommendations to decrease child mortality.
- Collect and analyze data related to child death and near deaths.
- Issue annual reports and expedited review reports on recommendations and data.

PERFORMANCE MEASURES

	FY 2006 Actual	FY 2007 Budget	FY 2008 Gov. Rec.
% of expedited reviews completed within statutory timeframes*	18	90	100
% of recommendations from expedited reviews submitted to Governor and General Assembly	100	100	100
% child deaths that were eligible for review	66	85	100
% eligible FIMR cases reviewed either by the Case Review Team or child death panel**	0	50	100

*Implementation of Fetal Infant Mortality Review (FIMR) case review teams will be implemented January 2007.

**Due to Executive Director and Child Death Specialist being on extended FMLA, actual number of reviews for FY 2006 is significantly lower than normal.

DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION 02-18-07

MISSION

To monitor Delaware's quality assurance system for nursing home residents in both privately operated and state operated facilities so that complaints of abuse, neglect mistreatment, financial exploitation and other complaints are responded to in a timely manner so as to ensure the health and safety of nursing home residents.

KEY OBJECTIVES

- Examine the policies and procedures, and evaluate the effectiveness of the quality assurance system for nursing home residents.
- Monitor data and analyze trends in the quality of care and life of individuals receiving long-term care in Delaware.
- Review and make recommendations to the Governor, Secretary of the Department of Health and Social Services and General Assembly concerning the quality assurance system and improvements to the overall quality of life and care of nursing home residents.
- Protect the privacy of nursing home residents.

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BACKGROUND AND ACCOMPLISHMENTS

The Delaware Nursing Home Residents Quality Assurance Commission was created in 1999 in response to the numerous complaints from long-term care residents in Delaware. These cases pointed to numerous deficiencies in Delaware's quality assurance system for nursing home residents. The General Assembly determined that a Commission would oversee these efforts and advocate on behalf of nursing home residents.

In Fiscal Year 2006, the Commission reviewed various legislative and policy initiatives and provided comments. The Commission worked closely with the Division of Long Term Care Residents Protection to secure its access to criminal history information from the FBI so that investigators can properly screen prospective employees of nursing homes.

ACTIVITIES

- Review relevant policies, procedures and laws and make recommendations for change with a view toward the rights of the long-term care residents.
- Review the performance of various agencies charged with protecting long-term care residents and provide recommendations for change and improvement.