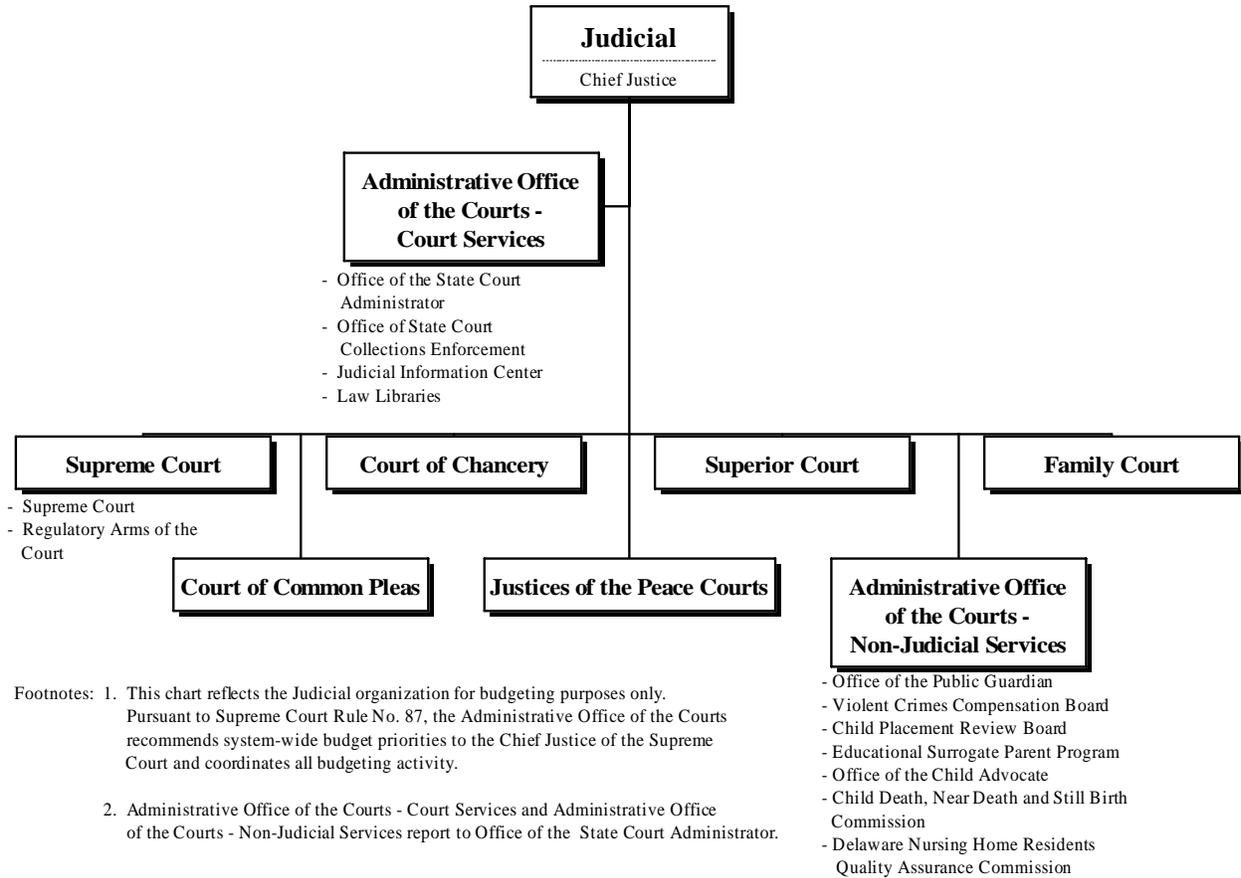


JUDICIAL

02-00-00



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.

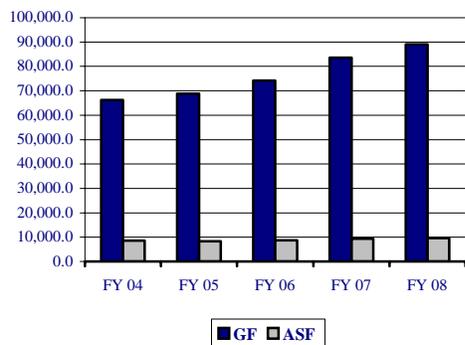
- Continue implementation of the Courts Organized to Serve (COTS) initiative.

BACKGROUND

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 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	89,389.8	89,108.3	91,390.3
ASF	7,151.9	9,625.3	9,793.8
TOTAL	96,541.7	98,733.6	101,184.1

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	1,108.8	1,118.8	1,136.8
ASF	98.7	98.7	98.7
NSF	12.3	12.3	11.3
TOTAL	1,219.8	1,229.8	1,246.8

telephone system upgrades at the New Castle County Courthouse.

CAPITAL BUDGET:

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

FY 2009 BUDGET HIGHLIGHTS

OPERATING BUDGET:

- ◆ Recommend \$737.4 and 18.0 FTEs to provide six month funding in Superior Court to staff two additional courtrooms to address increased caseloads. Recommend one-time funding of \$98.0 in the Office of Management and Budget's contingency for equipment and supplies.
- ◆ Recommend \$75.0 in the Court of Common Pleas for an expiring federal grant.
- ◆ Recommend \$129.5 in the Justices of the Peace Court for technology improvements and increased lease costs.
- ◆ Recommend \$91.0 in the Judicial Information Center for COTS maintenance agreement, lease costs and other technology improvements
- ◆ Recommend one-time funding in the Office of Management and Budget's Development Fund for

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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 2009, 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

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maintain their professional competence throughout their active practice of law.

The Supreme Court Advisory Committee on the Interest on Lawyer Trust Accounts (IOLTA) program is authorized by Supreme Court Rule 65. The function of the Committee is to oversee and monitor the operation of the Delaware IOLTA 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 37.6 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 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	3,189.8	3,195.0	3,256.9
ASF	108.5	149.4	149.4
TOTAL	3,298.3	3,344.4	3,406.3

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 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

02-01-10

ACTIVITIES

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

PERFORMANCE MEASURES

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of filings	666	685	705
Average # of days from under advisement to final decision:			
criminal	43.6	42.0	42.0
civil	31.6	30.0	30.0
Average # of days from initial filing to final decision:			
criminal	201.4	195.0	195.0
civil	165.4	160.0	160.0
% of cases disposed of within:			
30 days of date of submission	46.9	48.0	48.0
90 days of date of submission	95.1	96.0	96.0
290 days of the date of filing of the notice of appeal	84.6	86.0	86.0
1 year of filing of the notice of appeal	92.5	94.0	95.0

REGULATORY ARMS OF THE COURT

02-01-40

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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of new matters filed	645	660	675
# of matters disposed	292	300	315
# of cases pending or stayed	353	340	320
# of private admonitions with or without probation	6	10	14
# of public reprimands with or without probation	1	3	5
# of suspensions and interim suspensions	5	6	7
# of disbarments	6	5	5
# of reinstatements	2	2	2

Lawyers' Fund for Client Protection

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of claims:			
paid	38	40	45
denied or withdrawn	11	12	14
pending	6	8	10
Total	55	60	69
\$ amount of claims:			
made	274,101	300,000	325,000
paid	104,673	120,000	135,000
pending	533,276	500,000	475,000

Board of Bar Examiners

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of applications processed	240	250	260
# of applicants passing Bar exam	148	150	155

Commission on Continuing Legal Education

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of transcripts processed	1,449	1,600	1,600
# of programs evaluated	3,800	4,000	4,000
\$ amount of fines and sponsor fees paid	25,400	26,000	27,000

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.

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02-00-00

FUNDING

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	3,086.6	3,074.5	3,135.0
ASF	1,266.4	2,135.1	2,214.0
TOTAL	4,353.0	5,209.6	5,349.0

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	29.0	29.0	29.0
ASF	23.0	23.0	23.0
NSF	--	--	--
TOTAL	52.0	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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
% of decisions rendered within 90 days after readiness for adjudication	99.9	95.0	95.0
# of matters filed*	4,142	4,204	4,120

*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 2009:

- 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.

This year Superior Court proudly celebrated its 175th anniversary. A special ceremony was held on April 9, 2007, which was the anniversary of the first session of the Court in 1892.

The nation's top corporate counsel and senior litigators for the sixth 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, and 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 it is well known both in Delaware and throughout the nation.

FUNDING

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	21,645.6	21,605.1	22,693.4
ASF	--	--	--
TOTAL	21,645.6	21,605.1	22,693.4

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	295.5	295.5	313.5
ASF	--	--	--
NSF	--	--	--
TOTAL	295.5	295.5	313.5

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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
Criminal case filings:			
New Castle	5,718	6,061	6,485
Kent	2,258	2,439	2,585
Sussex	2,230	2,408	2,577
Civil case filings:			
New Castle	9,823	11,373	13,089
Kent	1,633	1,827	2,293
Sussex	1,413	1,717	2,009
Criminal case dispositions:			
New Castle	5,711	6,324	6,675
Kent	2,211	2,343	2,490
Sussex	2,001	2,105	2,210
Civil case dispositions:			
New Castle	9,646	11,672	13,889
Kent	1,363	1,472	1,575
Sussex	1,299	1,352	1,420
Criminal cases pending:			
New Castle	1,505	1,520	1,551
Kent	478	512	547
Sussex	524	561	617
Civil cases pending:			
New Castle	7,103	8,310	9,785
Kent	1,235	1,733	1,904
Sussex	686	891	1,258

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02-00-00

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.
- Ensure an environment free of bias and the perception of bias.

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;
- Appeals from the Animal Control Panel; and
- Confirmation of arbitration awards in consumer credit cases.

The Court of Common Pleas 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 are de novo appeals; appeals from the Court of Common Pleas are to the Superior Court on the record.

The Court of Common Pleas has nine judges and two commissioners. Five judges sit in New Castle County,

two in Kent County and two in Sussex County. One commissioner sits in New Castle County and one is shared between Kent and Sussex counties.

In Fiscal Year 2007, the Court of Common Pleas experienced statewide increases in all case categories. Civil caseload rose by 15.9 percent, criminal misdemeanor filings rose by 14.6 percent and preliminary hearing cases increased by 13.6 percent.

The Court operates a court-supervised, comprehensive drug diversion program for non-violent offenders. This voluntary program includes regular appearances before a judge, and participation in substance abuse education, drug testing and treatment. The Court has handled more than 4,100 participants since the program's inception in 1998.

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 3,900 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. The Court's mediation program has been expanded and is available to parties in civil cases as well as criminal cases.

In November 2003, the State's first Mental Health Court was instituted 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.

The Court also introduced Traffic Court in New Castle County in November 2003 to reduce the number of court appearances for citizens with traffic offenses and to manage the large number of motor vehicle cases the Court receives.

The Court of Common Pleas is a high volume court that continues to be challenged by significant caseload growth. Keeping pace with that caseload requires the daily commitment of judges and staff and the implementation of aggressive case management techniques to ensure prompt and fair justice for all litigants.

FUNDING

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	9,121.5	9,035.0	9,310.6
ASF	241.6	235.3	243.2
TOTAL	9,363.1	9,270.3	9,553.8

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POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	128.0	130.0	130.0
ASF	4.0	4.0	4.0
NSF	1.0	1.0	--
TOTAL	133.0	135.0	134.0

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 Filings/Dispositions/Collections

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of misdemeanor:			
filings	99,345	106,056	113,221
dispositions	92,691	93,000	93,000
pending	33,893	34,000	34,000
# of felony filings	10,413	10,500	10,500
\$ amount collected (thousands)	6,343.9	6,350.0	6,350.0

Criminal Misdemeanor Filings

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	52,437	55,980	59,762
Kent	21,471	22,921	24,469
Sussex	25,437	27,155	28,990
Total	99,345	106,056	113,221

Civil Case Filings

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	7,069	7,673	8,329
Kent	2,002	2,173	2,358
Sussex	2,349	2,550	2,768
Total	11,420	12,396	13,455
# of months to disposition:			
New Castle	13.9	10.0	10.0
Kent	5.3	4.5	4.5
Sussex	9.1	10.0	10.0

Time from Arraignment to Trial by Case Type New Castle County (# of weeks)

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
Traffic	25	26	18
Non-jury	16	31	18
DUI	23	24	18
Domestic violence	11	8	8
Drug	19	12	12
Jury trial	19	25	18

Time from Arraignment to Trial by Case Type Kent County (# of weeks)

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
Non-jury	5	5	5
Jury trial	10	6	6

Time from Arraignment to Trial by Case Type Sussex County (# of weeks)

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
Non-jury	7	8	5
Jury trial	8	8	8

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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 to justice for those who come before the 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) - 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 and continues to utilize this federal resource to embark on a partnership with the child welfare system by focusing on the common goal of improving the safety,

stability and well-being of children who have experienced abuse and neglect.

The Court is building a foundation through partnerships with others in the child welfare system, primarily the Division of Family Services, but also with legal professionals, advocates, service providers, and others.

The Court used federal resources to engage a full time Court Improvement Program Coordinator. Among other contributions, this has enabled the Court to develop a five-year strategic plan for data collection, training and collaboration, and to apply for additional federal funds to support the activities in the plan.

Mental Health Diversion Court - The Family Court, in collaboration with the Public Defender's Office and the 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 the New Castle County Family Court. The program offers a treatment-based resolution of the delinquency charges of juvenile offenders with mental health disorders. The program began in January of 2007 and quickly acquired a full caseload.

Juvenile Justice - In conjunction with the Mental Health Diversion Court program, the Family Court in New Castle County has created a dedicated juvenile competency calendar for conducting competency hearings and monitoring compliance with treatment recommendations for non-competent juveniles still facing open charges. One dedicated judge is assigned to hear and track all the competency hearings.

Delaware Girls Initiative (DGI) - DGI began as a statewide volunteer initiative comprised of more than one hundred advocates. Its mission is to advocate for a continuum of services that ensures gender specific resources and programs for all girls at risk in Delaware. DGI has grown from purely volunteer committee work into a program staffed with two full time employees.

Services for Self-Represented Litigants - In its continued efforts to serve pro se litigants, Family Court helped nearly 50,000 people by providing assistance through statewide resource centers.

Over the past year, the Court has developed and implemented instruction booklets and informational resources in the areas of termination of parental rights, adoption, registration of foreign custody orders, and registration of foreign protection orders. The booklets and resources are available to pro se litigants in Family Court Resource Centers and are accessible on the Family Court web page.

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Domestic Violence Court - Family Court began a pilot program in each county in September 2007, creating a specialized Domestic Violence Court. The intention of this specialized court is to create greater continuity in Family Court cases involving domestic violence; and to create a more standardized system of compliance for offenders, which will include review hearings.

Court Appointed Special Advocate (CASA) program

- The CASA program provides volunteer advocacy for every child in the court system that has been abused and/or neglected. In 2006, nearly 215 CASA volunteers represented 553 children in Delaware. Volunteers are recruited through a variety of outreach efforts such as public service announcements, radio interviews, print advertisements, DART bus campaign, and participation in festivals and community activities.

Human Resources Development - The 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 effectively provide information and assistance to litigants.

Call Center Pilot - The Family Court Customer Call Center is a pilot program in New Castle County with significant statewide potential. The Customer Call Center offers representatives who answer a variety of Family Court related questions.

The pilot program was initiated to enhance the image of the Court; reduce high call volume in the processing units; improve operating efficiencies; and enhance the level of service provided to the Court's internal and external customers.

The Customer Call Center representatives have taken 17,496 calls from January 24, 2007 through June 30, 2007. These calls were taken from the selection of options from the main number to the New Castle County Family Court. This number is not inclusive of the total number of calls Family Court receives.

FUNDING

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	19,153.0	19,393.2	19,728.2
ASF	3,687.6	3,945.2	4,019.9
TOTAL	22,840.6	23,338.4	23,748.1

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	272.3	278.3	278.3
ASF	63.7	63.7	63.7
NSF	--	--	--
TOTAL	336.0	342.0	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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
% of adult and juvenile criminal cases disposed of within 45 days of the filing	52	55	55
% of adult and juvenile criminal cases disposed of within 90 days of the filing	86	90	90
% of proceedings involving dependent, neglected or abused children in the custody of Department of Services for Children, Youth and Their Families 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 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

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Adult Criminal Case Filings

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	3,642	3,667	3,692
Kent	875	881	887
Sussex	793	799	804
Total	5,310	5,347	5,383

Juvenile Delinquency Case Filings

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	5,311	5,347	5,384
Kent	1,864	1,877	1,890
Sussex	1,703	1,715	1,726
Total	8,878	8,939	9,000

Civil Case Filings by County

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	24,124	24,290	24,457
Kent	8,986	9,048	9,110
Sussex	10,374	10,445	10,517
Total	43,484	43,783	44,084

Total Case Filings by County

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	33,077	33,304	33,533
Kent	11,725	11,806	11,887
Sussex	12,870	12,959	13,047
Total	57,672	58,069	58,467

Mediation Filings by County

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	9,147	9,210	9,273
Kent	2,577	2,595	2,613
Sussex	3,350	3,373	3,396
Total	15,074	15,178	15,282

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 reasonable court access and locations.
- 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 the 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.
- Complete implementation of the records retention policy as it relates to manual and automated systems.
- Participate in the 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.

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Justices of the Peace Courts are Delaware's entry-level courts and are where the great majority of all criminal cases pass. Justices of the Peace 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, arrest 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 18 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 court that employs constables, a

quasi-police force charged with carrying out its judicial orders.

Truancy Court - The statewide Truancy Court celebrated its eleventh year of cooperative effort with schools and social service agencies to reduce truancy.

The Truancy Court has partnered with Children and Families First to introduce a Truancy program, which will provide time-limited, intensive wraparound services for families of youth who have a history of truancy or are at risk of being truant. The program, which will operate in New Castle and Kent counties, will assist families across multiple life domains, including situations with environmental stressors (such as poverty, lack of social supports, educational advocacy, etc.); students that may have undiagnosed or newly diagnosed behavioral health issues; and caregivers that are struggling with a mental health or substance abuse problem.

Statewide Videophone Court - The statewide Videophone Court at JP Court 2 in Rehoboth Beach creates time and staffing efficiencies with specialization which includes one stop videophone proceedings for law enforcement. Videophone arraignments, initial presentments, capias returns and warrant requests throughout the state are processed through JP Court 2. The Statewide Videophone Court currently handles approximately 2,500 videophone cases each month.

Legal representation at JP Court 20 - At the beginning of its sixth 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 (Judiciary) and federal grant funds (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.

Capias processing - The Court piloted its capias reduction plan in two New Castle County and two Kent County JP Court locations in efforts to eliminate extremely stale capiases in which there is no real likelihood of bringing to justice those who failed to appear in court or failed to pay fines and costs while providing for a clear understanding of capiases that are still viable. JP Courts changed policy to permit individual JP courts to handle other JP Court locations' capiases which has resulted in significant time savings for law enforcement, correctional officers and defendants.

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Technology - This year the JP Courts implemented the second phase of the statewide case management system, COTS. COTS is now operating in all JP Court civil locations. Processes were honed, reports were refined, staff was trained, and data was reviewed to ensure a smooth transition to COTS. With implementation of the second phase, the advantages are improved financial processing; all case documents will be in electronic format; and availability of records will be enhanced by the ability of filing electronically.

The JP Courts Statewide Mail-In Fine Center received 171,065 payments last fiscal year, collecting a total of \$6,169,438. A project to implement electronic payment of traffic tickets is under development, with issues being resolved relative to online credit card arrangements.

FUNDING

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	17,205.3	17,182.5	17,321.8
ASF	--	--	--
TOTAL	17,205.3	17,182.5	17,321.8

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	246.5	248.5	248.5
ASF	--	--	--
NSF	--	--	--
TOTAL	246.5	248.5	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.
- 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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
% of shifts per week with security coverage	57	57	59
% of videophone proceedings that take place within 45 minutes of receipt	100	100	100

Criminal and Traffic Filings

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	61,623	65,388	69,383
Kent	27,603	29,289	31,078
Sussex	39,961	42,402	44,992
Voluntary Assessment Center (VAC)	153,796	163,191	173,160
Total	282,983	300,270	318,613

Civil Case Filings

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle	22,591	23,971	24,227
Kent	6,689	7,098	7,173
Sussex	5,173	5,489	5,548
Total	34,453	36,558	36,948

Total Case Filings by County

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
New Castle County	84,214	89,359	93,610
Kent County	34,292	36,387	38,251
Sussex County	45,134	47,891	50,540
Voluntary Assessment Center (VAC)	153,796	163,191	173,160
Total	317,436	336,828	355,561

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 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	13,804.7	13,205.3	13,433.3
ASF	9.5	33.4	33.4
TOTAL	13,814.2	13,238.7	13,466.7

POSITIONS

	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	81.5	80.5	80.5
ASF	--	--	--
NSF	--	--	--
TOTAL	81.5	80.5	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 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 and staff training program.

BACKGROUND AND ACCOMPLISHMENTS

Several of the accomplishments during the past fiscal year include:

- Initiated continuity of operations planning for the Judicial branch.
- Developed an AOC intranet site to provide information to employees in such areas as staff training programs, New Castle County Courthouse building information, information system resources, court interpreters, and human resources.

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- Enhanced the Court Interpreter program through the development of Court Interpreter Rules, a continuing education policy, and a pilot telephone program policy, as well as increased the number of persons attending the orientation program, and the number of certified court interpreters.
- Hosted a Mid-Atlantic Conference on Access to Court Records to discuss issues of concern to court systems in the region.
- Reinvigorated and revised the staff training program for Judicial branch employees and developed a new online sign-up system for training programs.
- Provided staff support and assistance in policy development to Judicial branch committees, including the Court Interpreters Advisory Committee, the Courthouse Operations Policy Committee, the Law Library Committee, the Council of Court Administrators, and various COTS committees.
- Implemented a fire safety plan for the New Castle County Courthouse.
- Addressed retention and recruitment problems for conflict counsel.

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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of prospective interpreters attending orientation programs	115	125	130
# of people assisted by NCCCH Self-Help Center staff*	16,295	17,110	17,700
# of NCCCH Self-Help Center volunteers	12	12	15
# of NCCCH Self-Help Center volunteers hours	243	243	255
# of pro bono attorney volunteers	15	15	20
# of pro bono attorney volunteer hours	102	102	110

**This statistic reflects those individuals who requested assistance from Self-Help Center staff members. Many more individuals come into the center without seeking staff assistance. In addition, staff shortages and service volume appear to have resulted in a significant number of requests for assistance not being recorded.*

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 (OSCE).
- Increase offender accessibility to satisfy financial sanctions by expanding the use of OSCE 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.
- Improve the operational efficiency and effectiveness of the office.

BACKGROUND AND ACCOMPLISHMENTS

OSCE continues to evolve, increasing opportunities to function as a one-stop judicial financial center. There are

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six judicial payment centers located throughout the State that provide cashiering 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 stages of several new programs aimed at addressing the collection of outstanding court receivables. OSCCE continues to research and implement new technologies to 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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of contacts necessary to administer accounts:			
verbal	7,135	8,200	9,000
written	28,870	52,000	35,000*
\$ collected on behalf of:		3,300,00	3,600,00
Superior Court	2,999,283	0	0
Family Court	81,871	80,000	80,000
JP Courts	64,182	70,000	74,000
Department of Correction	429,560	450,000	500,000
% increase in \$ collected	1.5	9.0	9.0

**Decrease in written communications due to improved efficiencies in agency dunning process implemented at the end of Fiscal Year 2007.*

JUDICIAL INFORMATION CENTER

02-17-04

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, supporting current COTS sites, and serving in lead roles on the various implementation teams. Successfully implemented Phase 1 and Phase 2 which brought all JP Civil

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Courts (9, 12, 13, 16, 17 and 19) online with the new Context Case Management System (CMS) product.

- Enhanced the intranet sites for the Judicial branch.
- Monitored current technology and developed system policies and procedures to be used throughout the Judicial branch.
- Established a presence with regional and national technology groups to inform other states about Delaware's technology initiatives.
- Participated in courthouse technology planning and facility renovations.
- Continued to partner with the Government Information Center to provide citizen access to data and services.
- Relocated to a new facility with expanded training facilities and future organizational growth.
- Modified the Protection from Abuse (PFA) process to provide enhanced linking to DELJIS and the National Crime Information Center.
- On going progress toward addressing Department of Technology and Information policy regarding the conversion of critical desktop database applications 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.

PERFORMANCE MEASURES

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
% of high priority software problems resolved within 4 business hours (not requiring procurement)	90	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	8,218	9,040	9,944
JIC problem calls resolved	7,965	8,761	9,638

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 pursuant to 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. The New Castle County Law Library is the busiest of the three libraries due to the number of judicial officials in Wilmington, the number of cases filed and the proximity of the Pro Se Center.

The Kent County Law Library in Dover is designated as the State Law Library pursuant to 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.

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- 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.

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

	FUNDING		
	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	2,183.3	2,417.7	2,511.1
ASF	1,838.3	3,126.9	3,133.9
TOTAL	4,021.6	5,544.6	5,645.0

	POSITIONS		
	FY 2007 ACTUAL	FY 2008 BUDGET	FY 2009 GOV. REC.
GF	29.0	30.0	30.0
ASF	8.0	8.0	8.0
NSF	--	--	--
TOTAL	37.0	38.0	38.0

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, are unable to manage their personal and financial affairs, are at risk for neglect, abuse and victimization and have no one else able or willing to serve as a guardian.

KEY OBJECTIVES

- Promote the use of wireless technology to facilitate communication, case documentation, and information sharing among staff, with statewide responsibilities, and with other individuals who are providing services and assistance to persons served by the agency.
- Advocate for the agency, its mission and its service to individuals through education and networking with the public and other professional communities.
- Maintain the certification as registered guardians of key staff in whom decision-making is vested.
- Develop an accessible and easily understood data system for management of client needs, identification of client population trends, to track unmet needs and serve as a tool for program planning and review, including budget development.

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02-00-00

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 Public Guardian may act as surrogate for a variety of reasons including consent to specific medical care and treatment, residential placement, management of income, bill-paying, application for benefits, protect assets, or dispose of real estate to pay for care. The State's long-term care facilities may request public guardianship services for residents of their facilities with special medical, personal or social service needs as well as those who require a guardian 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
- 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.

PERFORMANCE MEASURES

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of referrals received	189	209	228
# of referrals accepted for public guardianship	56	68	85
# of current guardianships	223	245	270

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.

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BACKGROUND AND ACCOMPLISHMENTS

The VCCB 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.

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) provides benefits 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.

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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
% of victim costs	80	80	80
% of operational costs	20	20	20

CHILD PLACEMENT REVIEW BOARD 02-18-03

MISSION

The Child Placement Review Board (CPRB) provides and administers 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 to have a positive impact on the State's effort to provide quality services to children in out-of-home placements.
- Collect, record and distribute statistical information regarding children in out-of-home placements with

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the goal of advocating for their unmet service needs.

- Administer the Ivyane D.F. Davis Memorial Scholarship, in partnership with the Division of Family Services, and the Delaware's Education and Training Voucher (ETV) program to support the higher education and training goals of eligible young adults who have been in, or aged out of, Delaware's foster care system.

BACKGROUND AND ACCOMPLISHMENTS

CPRB is a statewide child advocacy agency. It is chartered by Delaware's General Assembly with the following responsibilities:

- 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;
- Use citizen-based panels to administer the Ivyane D.F. Davis Memorial Scholarship and the ETV program; 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 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 is one of several important independent elements of Delaware's child welfare community with a board made up of more than 80 trained volunteers who contribute more than 4,000 volunteer hours each year. The CPRB has review committees with professional experience including teachers, school counselors, principals, therapists, lawyers, public health and pediatric nurses, and social workers. Adoptive parents, foster parents, and former foster children also serve on the CPRB.

During Fiscal Year 2007, the CPRB completed 827 reviews of children in foster care of which 75 were adjudicated youth and 27 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.

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 D.F. Davis Memorial Scholarship awards totaled \$47,442; some of which was used as matching funds to allow the State to bring in an additional \$74,586 in federal ETV funds. Eighteen recipients used these funds at four-year colleges, 22 used these funds at community colleges, and five for trade schools.

CPRB furnishes the independent reviews that enhance the State's system for its children in care. 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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of volunteer hours generated	3,956	4,000	4,000
# of volunteer training hours	287	300	300
% 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

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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 Services for Children, Youth and Their Families to improve the ESP system.
- Collect and analyze data regarding ESPs and eligible children.

PERFORMANCE MEASURES

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of ESP appointments	85	100	105
# of children exited	86	85	85
# of children served	264	265	266
# of ESPs:			
trained	141	125	125
exited	50	50	50
available	298	300	302

OFFICE OF THE CHILD ADVOCATE

02-18-05

MISSION

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

KEY OBJECTIVES

- Secure legal representation for every dependent, neglected and abused child in the custody of the Department of Services for Children, Youth and Their Families (DSCYF).
- Accomplish the goals and objectives of the Child Protection Accountability Commission (CPAC), including multi-disciplinary collaboration on child protection system issues, and the development of and participation in quality training programs for the child protection community.
- Advocate for legislative, policy and procedure initiatives designed to improve the safety, permanency and well-being of Delaware's dependent, neglected and abused children.

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 deficiencies in the child protection system that could not be remedied solely by one entity. The General Assembly determined that an office to oversee these efforts, staff CPAC and provide legal representation on behalf of children was necessary. This would provide education, training and multi-disciplinary collaboration to best serve Delaware's children.

During Fiscal Year 2007, OCA received appropriate referrals on 934 children, a 21 percent increase from Fiscal Year 2006.

On June 30, 2007, 1,160 children were in the legal custody of DSCYF. OCA represented 715 of those children, the Court Appointed Special Advocate (CASA) program represented 310 children, and the remaining 135 children navigated the foster care system without representation. Of those 135 children, 30 percent were from Sussex County and 21 percent were from Kent County. In sharp contrast, only 4 percent of New Castle County children were unrepresented. Great strides have been made by system partners to develop the database which enables OCA and other system partners to identify every child in DSCYF custody, and to generate representation statistics as demonstrated above.

As staff to CPAC, OCA worked with their training subcommittee and developed Child Abuse and Neglect training. CPAC worked collaboratively with the Child Death, Near Death and Stillbirth Commission to develop system improvement priorities which included the evaluation of how history is used in a multi-disciplinary setting to make decisions regarding at-risk children.

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ACTIVITIES

- Secure legal representation for DSCYF children by employing Deputy Child Advocates and recruit, train and retain volunteer Delaware attorneys to represent children.
- Provide support to CPAC, chair subcommittees, participate in subcommittees and workgroups, draft reports and legislation.
- Educate the public on the services and accomplishments of OCA and the Child Protection Accountability Commission.
- Develop, participate and provide quality training and education to the child protection community.
- 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 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
# of appropriate referrals	934	900	900
# of DSCYF children represented by OCA – Total*	715	735	774
New Castle	565	555	584
Kent	62	60	70
Sussex	88	120	120
# of DSCYF children unrepresented – Total*	135	109	166
New Castle	26	21	53
Kent	45	57	65
Sussex	64	31	48
# of children represented by OCA	1,082	1,147	1,216
# of volunteer attorneys	414	434	456
# of volunteer attorneys with over 5 years of OCA service	67	80	90

**Number of children in DSCYF custody as of June 30, 2007.*

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 CPAC 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 Review Commission to the Child Death, Near Death and Stillbirth Commission (CDNDSC).

CDNDSC has the authority to create up to three regional child death review panels and three regional fetal infant mortality review (FIMR) teams 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, create multi-faceted recommendations to improve systems and encourage interagency collaboration to end the mortality of children in Delaware.

In Fiscal Year 2007, reviews were conducted monthly by each of the three panels (consisting of New Castle, Kent/Sussex and Abuse/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 bi-annual 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 began in April 2007.

The Fetal Infant Mortality Review (FIMR) team is now fully staffed and functional. FIMR adopted the Baby Abstracting System and Information Network (BASINET) program that was developed by the Florida Healthy Start Coalition to track fetal and infant deaths. This program has been successfully implemented by several states and appears to meet the needs of the Commission. This program will also be used to provide information to the national database on children's deaths. The Commission has agreed to work with the Delaware Healthy Mothers and Infant Consortium, which will act as the Community Action Team for the FIMR process. The Commission meets quarterly to review and approve the work of the

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panels. Recommendations from expedited reviews of abuse/neglect cases are immediately sent to the Governor, General Assembly, CDNDSC, and CPAC.

Some statistics for Fiscal Year 2007 include:

- 68 deaths or near deaths were sent to the Commission for review;
- 88 cases were reviewed by the child death panels (some cases were from Fiscal Year 2006).
- 110 fetal and infant deaths were referred to CDNDSC;
- Five of the fetal and infant deaths were reviewed;
- 14 cases were reviews of child deaths or near deaths related to abuse and/or neglect; and
- One case was reviewed jointly with the Fatal Incident Review Team (under the Domestic Violence Coordination Council).

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 deaths and near deaths.
- Issue annual reports and expedited review reports on recommendations and data.
- Collaborate with CPAC.

PERFORMANCE MEASURES

	FY 2007 Actual	FY 2008 Budget	FY 2009 Gov. Rec.
% of expedited reviews completed within statutory timeframes	100	100	100
% of recommendations from expedited reviews submitted to Governor and General Assembly	100	100	100
% child deaths that were eligible for review	100	100	100
% eligible FIMR cases reviewed either by the Case Review Team or child death panel*	12.5	50.0	100.0

* FIMR case review teams were implemented April 2007.

DELAWARE NURSING HOME RESIDENTS QUALITY ASSURANCE COMMISSION

02-18-07

MISSION

To monitor Delaware's quality assurance system for nursing home residents and assisted living facilities 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.

BACKGROUND AND ACCOMPLISHMENTS

The Delaware Nursing Home Residents Quality Assurance Commission was established 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.

The Commission reviews various legislative and policy initiatives and provides comments. Members work closely with the Division of Long Term Care Residents Protection to aid in enhancing the quality of care for residents.

ACTIVITIES

- Review relevant policies, procedures and laws and make recommendations for change with a view toward the rights of the long-term care residents.

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- Review the performance of various agencies charged with protecting long-term care residents and provides recommendations for change and improvement.
- Visit long-term care and assisted living facilities to aid in promoting the quality of care for residents.
- Analyze trends in order to assess the value and efficacy of current procedures intended to improve the quality of care and life of individuals receiving long-term care in Delaware
- Prepare and publish annual report, including aggregate data with comprehensive analysis and monitoring of trends in the quality of care and quality of life of nursing home residents, and submitting such report to the Governor, the Secretary of the Department of Health and Social Services and the General Assembly.