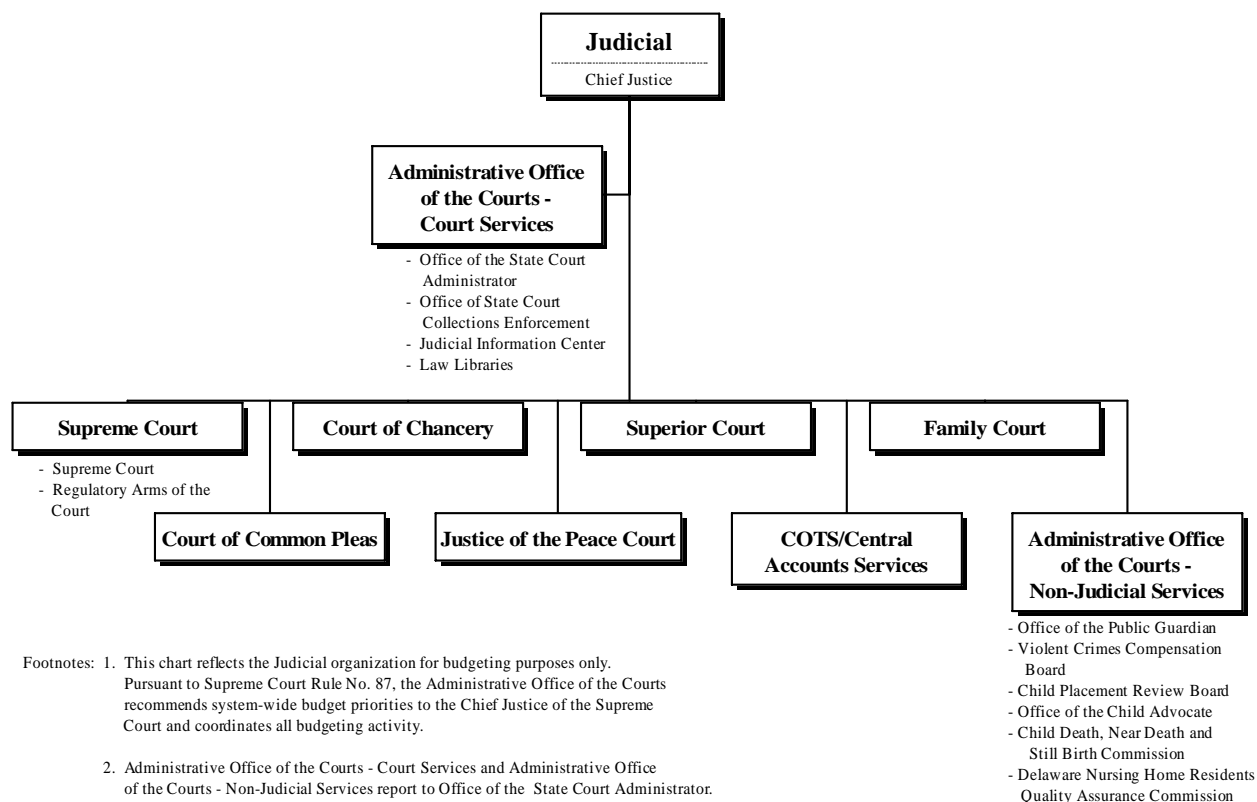


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Footnotes: 1. This chart reflects the Judicial organization for budgeting purposes only. Pursuant to Supreme Court Rule No. 87, the Administrative Office of the Courts recommends system-wide budget priorities to the Chief Justice of the Supreme Court and coordinates all budgeting activity.

2. Administrative Office of the Courts - Court Services and Administrative Office of the Courts - Non-Judicial Services report to Office of the State Court Administrator.

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.

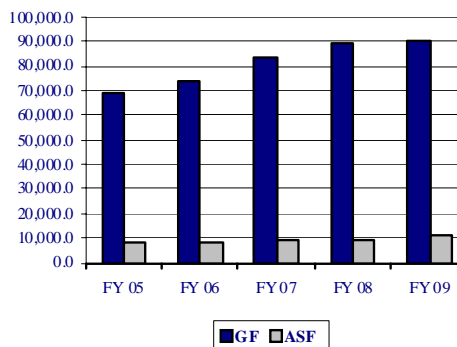
KEY OBJECTIVES

- 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.

Five-Year Appropriation History



JUDICIAL

02-00-00

FUNDING

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 92,278.2 | 90,368.9 | 88,805.6 |
| ASF | 7,651.7 | 10,646.1 | 11,366.1 |
| TOTAL | 99,929.9 | 101,015.0 | 100,171.7 |

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 1,118.8 | 1,132.2 | 1,132.2 |
| ASF | 98.7 | 107.8 | 107.8 |
| NSF | 12.3 | 11.3 | 12.3 |
| TOTAL | 1,229.8 | 1,251.3 | 1,252.3 |

FY 2010 BUDGET HIGHLIGHTS

OPERATING BUDGET:

- ◆ Recommend \$634.7 ASF in COTS Central Accounts Services to implement court security initiatives.
- ◆ Recommend (\$1,282.7) in Strategic Reduction/Investment Target to identify additional expenditure reductions and/or revenue enhancements necessary due to deteriorating economic conditions.
- ◆ Recommend the following reductions in operational expenditures: (\$10.4) in Court of Chancery, (\$55.0) in Superior Court, (\$199.8) in Justice of the Peace Court, (\$158.7) in Administrative Offices of the Courts, (\$20.0) in Judicial Information Center, (\$31.0) Law Libraries, (\$3.2) in Office of the Public Guardian, (\$8.9) in Child Placement Review Board, (\$8.4) in Office of the Child Advocate, and (\$9.0) in Child Death, Near Death and Still Birth Commission.
- ◆ Recommend (\$63.7) in Administrative Office of the Courts to reflect a 15 percent reduction in pass through funding for the Victim Offender Mediation program.

CAPITAL BUDGET:

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

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 2010, 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.

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02-00-00

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, the Chancellor of the Court of Chancery, the President Judge of the Superior Court, the 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. These rules 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.

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 39.4 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 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 3,218.6 | 3,219.5 | 3,225.4 |
| ASF | 44.7 | 149.4 | 149.4 |
| TOTAL | 3,263.3 | 3,368.9 | 3,374.8 |

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 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.

JUDICIAL

02-00-00

- Dispose of complaints against judicial officers appointed by the Governor.

PERFORMANCE MEASURES

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| # of filings | 670 | 675 | 685 |
| Average # of days from under advisement to final decision: | | | |
| criminal | 47.0 | 45.0 | 45.0 |
| civil | 31.8 | 30.0 | 30.0 |
| Average # of days from initial filing to final decision: | | | |
| criminal | 214.2 | 210.0 | 205.0 |
| civil | 171.5 | 170.0 | 168.0 |
| % of cases disposed of within: | | | |
| 30 days of date of submission | 49.9 | 48.0 | 48.0 |
| 90 days of date of submission | 93.9 | 95.0 | 95.0 |
| 290 days of the date of filing of the notice of appeal | 82.8 | 85.0 | 85.0 |
| 1 year of filing of the notice of appeal | 91.4 | 94.0 | 94.0 |

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.

PERFORMANCE MEASURES Office of Disciplinary Counsel

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| # of new matters filed | 708 | 700 | 680 |
| # of matters disposed | 395 | 420 | 450 |
| # of cases pending or stayed | 262 | 250 | 240 |
| # of private admonitions with or without probation | 16 | 14 | 12 |
| # of public reprimands with or without probation | 1 | 1 | 1 |
| # of suspensions and interim suspensions | 10 | 8 | 6 |
| # of disbarments | 2 | 2 | 2 |
| # of reinstatements | 2 | 2 | 2 |

Lawyers' Fund for Client Protection

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|----------------------|-------------------|-------------------|----------------------|
| # of claims: | | | |
| paid | 11 | 9 | 8 |
| denied or withdrawn | 11 | 9 | 8 |
| pending | 3 | 3 | 3 |
| Total | 25 | 21 | 19 |
| \$ amount of claims: | | | |
| made | 744,014 | 500,000 | 400,000 |
| paid | 114,826 | 100,000 | 100,000 |
| pending | 536,535 | 300,000 | 300,000 |

Board of Bar Examiners

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|----------------------------------|-------------------|-------------------|----------------------|
| # of applications processed | 258 | 265 | 270 |
| # of applicants passing Bar exam | 185 | 170 | 170 |

Commission on Continuing Legal Education

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| # of transcripts processed | 4,922 | 5,000 | 5,100 |
| # of programs evaluated | 4,550 | 4,750 | 7,950 |
| \$ amount of fines and sponsor fees paid | 36,455 | 37,000 | 37,000 |

JUDICIAL

02-00-00

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 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 3,133.9 | 3,105.1 | 3,105.6 |
| ASF | 1,359.0 | 2,231.0 | 2,228.0 |
| TOTAL | 4,492.9 | 5,336.1 | 5,333.6 |

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 29.0 | 28.9 | 28.9 |
| ASF | 23.0 | 23.1 | 23.1 |
| 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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| % of decisions rendered within 90 days after readiness for adjudication | 98 | 95 | 95 |
| # of matters filed* | 4,027 | 4,110 | 4,049 |

*Includes all matters filed in the Court of Chancery.

JUDICIAL

02-00-00

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 2010:

- 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;

- 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*.

Mortgage foreclosure filings rose 24 percent in New Castle County last fiscal year. From all indications, filings are expected to rise again this year. In response to these filings Superior Court implemented a program, Project Rightful Owner, designed to help citizens who have lost their homes to sheriff's sale. To date, over \$1 million has been distributed to petitioners. This project is ongoing in its goal to return excess from sheriff's sales to the rightful owners.

The nation's top corporate counsel and senior litigators for the seventh 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

JUDICIAL

02-00-00

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 2008 | FY 2009 | FY 2010 |
|--------------|-----------------|-----------------|-----------------|
| | ACTUAL | BUDGET | GOV. REC. |
| GF | 21,937.1 | 22,202.6 | 22,202.2 |
| ASF | -- | 37.0 | -- |
| TOTAL | 21,937.1 | 22,239.6 | 22,202.2 |

POSITIONS

| | FY 2008 | FY 2009 | FY 2010 |
|--------------|--------------|--------------|--------------|
| | ACTUAL | BUDGET | GOV. REC. |
| GF | 295.5 | 313.5 | 313.5 |
| ASF | -- | -- | -- |
| NSF | -- | -- | -- |
| TOTAL | 295.5 | 313.5 | 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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|-----------------------------|-------------------|-------------------|----------------------|
| Criminal case filings: | | | |
| New Castle | 5,504 | 5,666 | 5,800 |
| Kent | 2,243 | 2,373 | 2,500 |
| Sussex | 2,318 | 2,400 | 2,570 |
| Civil case filings: | | | |
| New Castle | 9,558 | 10,800 | 11,075 |
| Kent | 1,859 | 2,020 | 2,190 |
| Sussex | 1,758 | 2,150 | 2,200 |
| Criminal case dispositions: | | | |
| New Castle | 5,643 | 5,750 | 6,000 |
| Kent | 2,322 | 2,400 | 2,664 |
| Sussex | 2,324 | 2,420 | 2,720 |
| Civil case dispositions: | | | |
| New Castle | 9,975 | 10,375 | 10,686 |
| Kent | 1,509 | 1,684 | 1,869 |
| Sussex | 1,610 | 1,800 | 2,070 |
| Criminal cases pending: | | | |
| New Castle | 1,285 | 1,185 | 1,055 |
| Kent | 401 | 351 | 345 |
| Sussex | 449 | 399 | 359 |
| Civil cases pending: | | | |
| New Castle | 6,712 | 6,412 | 6,032 |
| Kent | 1,379 | 1,400 | 1,500 |
| Sussex | 849 | 980 | 1,000 |

JUDICIAL

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 5.5 percent, criminal misdemeanor filings rose by 7.5 percent and preliminary hearing cases increased by 3.0 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 4,700 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 4,900 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 2008 | FY 2009 | FY 2010 |
|--------------|----------------|----------------|----------------|
| | ACTUAL | BUDGET | GOV. REC. |
| GF | 9,378.7 | 9,260.4 | 9,289.8 |
| ASF | 229.8 | 254.3 | 255.3 |
| TOTAL | 9,608.5 | 9,514.7 | 9,545.1 |

JUDICIAL

02-00-00

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 130.0 | 130.0 | 130.0 |
| ASF | 4.0 | 4.0 | 4.0 |
| NSF | 1.0 | -- | -- |
| TOTAL | 135.0 | 134.0 | 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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---------------------------------|-------------------|-------------------|----------------------|
| # of misdemeanor: | | | |
| Filings | 105,280 | 110,544 | 116,071 |
| Dispositions | 101,823 | 106,914 | 110,121 |
| Pending | 52,193 | 54,803 | 53,351 |
| # of felony filings | 10,720 | 11,041 | 11,151 |
| \$ amount collected (thousands) | 6,498.3 | 6,693.2 | 6,760.2 |

Criminal Misdemeanor Filings

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|-------------------|-------------------|----------------------|
| New Castle | 53,926 | 56,508 | 59,253 |
| Kent | 23,734 | 24,807 | 26,087 |
| Sussex | 27,947 | 29,229 | 30,731 |
| Total | 105,607 | 110,544 | 116,071 |

Civil Case Filings

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|-----------------------------|-------------------|-------------------|----------------------|
| New Castle | 7,398 | 7,472 | 7,500 |
| Kent | 2,200 | 2,222 | 2,250 |
| Sussex | 2,447 | 2,471 | 2,500 |
| Total | 12,045 | 12,165 | 12,250 |
| # of months to disposition: | | | |
| New Castle | 10.8 | 10.0 | 10.0 |
| Kent | 4.6 | 4.5 | 4.5 |
| Sussex | 10.2 | 9.8 | 9.8 |

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

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|-------------------|-------------------|-------------------|----------------------|
| Traffic | 30 | 30 | 26 |
| Non-jury | 22 | 24 | 20 |
| DUI | 32 | 32 | 18 |
| Domestic violence | 15 | 15 | 12 |
| Drug | 21 | 22 | 18 |
| Jury trial | 26 | 28 | 20 |

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

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|-------------------|-------------------|----------------------|
| Non-jury | 7 | 8 | 6 |
| Jury trial | 10 | 10 | 8 |

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

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|-------------------|-------------------|----------------------|
| Non-jury | 12 | 12 | 6 |
| Jury trial | 12 | 12 | 8 |

JUDICIAL

02-00-00

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 of the past; 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 dynamic new 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.

Initial CIP efforts resulted in today's best practice of having all stages of a dependency and neglect case heard by the same judge within a schedule of hearings and reviews that meet federal standards. More children and parents have representation, case plans are more meaningful, orders more consistently include detailed reasoning, and reunification or permanency is achieved more timely.

The Court is building on that foundation through a more active partnership with others in the child welfare system, primarily DFS, but also with legal professionals, advocates and service providers. A number of judges serve as champions in particular subject areas, enabling the Court to participate more proactively than reactively with other stakeholders.

Mental Health Diversion Court

In 2006, the Family Court, in collaboration with the Office of the Public Defender and the Division of Child Mental Health received federal grant money through the Criminal Justice Council to pilot a Mental Health Diversion Court for juveniles with delinquency charges pending 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 2007 and quickly acquired a full caseload. During the first year of the program, 85 juveniles were referred to the program. Of those, 52 were entered into the program and 16 have graduated.

In conjunction with the Mental Health Court program, 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 100 advocates. DGI was developed as a result of the growing need for gender specific resources for at-risk girls. Its mission is to actively advocate for a continuum of services that ensures gender specific resources and programs for all girls at-risk in Delaware.

The second annual workshop calendar was developed and released to provide gender responsive training to professionals and individuals in Delaware.

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 resource centers statewide. These

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numbers indicate that Delaware's citizens continue to benefit from the variety of services offered in the resource centers.

Over the past year, the Court developed and implemented instruction booklets and informational resources in the areas of child support, arbitration, arraignments, protection from abuse, Review of Commissioner's Orders, and subpoenas. These materials are in addition to instructional booklets already available on divorce and annulment, custody, visitation, custody modification, guardianship, permanent guardianship, termination of parental rights, and adoption. These books provide extensive information to pro se litigants regarding how to complete court forms (including sample forms), the court process and information to assist them in preparing for their particular court hearing. The booklets and resources are available to pro se litigants in all Family Court resource centers and are accessible on the Family Court webpage. The Family Court webpage continues to be upgraded in order to be more user-friendly for pro se litigants.

Domestic Violence

Family Court created a specialized Domestic Violence Court. The intention of this specialized court is twofold: to create greater continuity in Family Court cases involving domestic violence and to create a more standardized system of compliance for offenders.

In January 2008, Family Court began conducting Protection from Abuse (PFA) review hearings. These hearings are scheduled before the Court when a respondent has not complied with the conditions of an active PFA order. This process will help with respondents being held accountable with the possibility of criminal complaints being filed.

Finally, in addition to conducting PFA review hearings, Family Court was able to secure federal grant money creating the position of Domestic Violence Court Project Coordinator to promote the efforts of the specialized Domestic Violence Court statewide. The Coordinator will monitor compliance, provide training to court staff as needed and attend various meetings of the Domestic Violence Coordinating Council on behalf of Family Court.

Court Appointed Special Advocate (CASA)

The CASA program provides volunteer advocacy for every child in the court system that has been abused and/or neglected. The current program has over 250 volunteers serving 560 children in Delaware. The program continues to represent children in foster care and those involved in custody and guardianship cases. Over 3,000 hours are given on a monthly basis by volunteers. The program launched an aggressive outreach campaign to recruit volunteers. This outreach

included public service announcements, advertisement with DART buses and participating in community activities.

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 effectively provide information and assistance to litigants.

Security, Safety and Functionality of Family Court Facilities Statewide

In August of 2008, the Sussex County Security Enhancement project was completed. Improvements in the entrance security profile were accomplished and secure payment, information and records retrieval windows were installed. The Self Help Center is more secure as a result of the renovations and a larger waiting area was also accomplished. In addition, victim services offices were made more accessible to those in need of domestic violence counseling.

Electronic Court Reporters

Since November of 2007, Electronic Court Reporters have played an integral role in improving Family Court's written and recorded record. Developments in New Castle County include an improved archiving and record retention procedure, structured annotation practices, advancements in audio quality throughout all 18 courtrooms through additional equipment, as well as increased accountability for our record. Each of these elements has brought Family Court closer to the quality and consistency that the record deserves.

FUNDING

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 19,307.5 | 19,619.9 | 19,672.9 |
| ASF | 3,785.1 | 4,080.9 | 4,082.4 |
| TOTAL | 23,092.6 | 23,700.8 | 23,755.3 |

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 278.3 | 278.3 | 278.3 |
| ASF | 63.7 | 63.7 | 63.7 |
| NSF | -- | -- | 1.0 |
| TOTAL | 342.0 | 342.0 | 343.0 |

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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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|---------------------------|---------------------------|------------------------------|
| % of adult and juvenile criminal cases disposed of within 45 days of the filing | 50 | 55 | 60 |
| % of adult and juvenile criminal cases disposed of within 90 days of the filing | 72 | 75 | 75 |
| % 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 | 99 | 100 | 100 |
| % of child support matters disposed of within 90 days of the receipt of the petition | 63 | 65 | 70 |
| % of civil decisions rendered within 90 days of taking the matter under advisement | 90 | 90 | 90 |

Adult Criminal Case Filings

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|---------------------------|---------------------------|------------------------------|
| New Castle | 2,969 | 2,881 | 2,868 |
| Kent | 826 | 801 | 798 |
| Sussex | 697 | 676 | 673 |
| Total | 4,492 | 4,358 | 4,339 |

Juvenile Delinquency Case Filings

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|---------------------------|---------------------------|------------------------------|
| New Castle | 5,022 | 4,872 | 4,851 |
| Kent | 1,750 | 1,698 | 1,691 |
| Sussex | 1,807 | 1,753 | 1,746 |
| Total | 8,579 | 8,323 | 8,288 |

Civil Case Filings by County

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|---------------------------|---------------------------|------------------------------|
| New Castle | 21,474 | 20,834 | 20,744 |
| Kent | 8,079 | 7,838 | 7,804 |
| Sussex | 10,742 | 10,422 | 10,377 |
| Total | 40,295 | 39,094 | 38,925 |

Total Case Filings by County

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|---------------------------|---------------------------|------------------------------|
| New Castle | 31,801 | 30,853 | 30,720 |
| Kent | 10,713 | 10,394 | 10,349 |
| Sussex | 13,114 | 12,723 | 12,668 |
| Total | 55,628 | 53,970 | 53,737 |

Mediation Filings by County

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|------------|---------------------------|---------------------------|------------------------------|
| New Castle | 7,795 | 7,563 | 7,530 |
| Kent | 2,458 | 2,385 | 2,374 |
| Sussex | 2,804 | 2,720 | 2,709 |
| Total | 13,057 | 12,668 | 12,613 |

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JUSTICE OF THE PEACE COURT

02-13-00

MISSION

As the place where justice starts, the following is the mission of the Justice of the Peace Court:

- 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 Justice of the Peace (JP) Court is 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.

The Justice of the Peace Court is Delaware's entry-level court through which the great majority of all criminal cases pass. The Justice of the Peace Court has 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;
- Many DNREC offenses;
- Truancy cases;
- Alcoholic beverage violations; and
- Miscellaneous violations initiated by other state agencies.

The Justice of the Peace Court has civil jurisdiction over:

- Contractual disputes in which the amount in controversy does not exceed \$15,000;
- Replevin actions (actions brought to recover possession of personal property unlawfully taken) in which the amount in controversy does not exceed \$15,000;
- Negligence cases (not involving physical injury) in which 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.

The Justice of the Peace Court also has jurisdiction to:

- Issue summonses and 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 Justice of the Peace trial court sites 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.

The Justice of the Peace Court is unique in that it is the only Delaware court that employs constables, a quasi-police force charged with carrying out its judicial orders.

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Truancy Court - The statewide Truancy Court celebrated its twelfth 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 provides 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 operates in New Castle and Kent counties, assists 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.

Truancy Court has partnered with James Groves Adult High School in an effort to offer 16-year-old students appearing in our court an education alternative. For those students who might have difficulty paying the fee and/or need the option of day classes which would allow them to work at their own pace, Groves is now offering the Adult Basic Education (ABE) program at four locations in New Castle County and two locations in Kent County. The program is free, and referrals from Truancy Court are given priority status.

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 by police 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 seventh year, the pilot project providing legal representation at JP Court 20 demonstrates the benefits of coordinated efforts among state agencies 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 continues its capias reduction plan in efforts to eliminate stale capias 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 capias that are still viable. JP Court changed its policy to permit any JP site to handle another JP Court's capias. This has resulted in significant time and transport savings for law enforcement, correctional officers and defendants.

Pro Se - In the Civil Division of the Justice of the Peace Court, nearly every case has at least one self-represented litigant. With over 33,000 civil cases filed annually in the Court, there is a tremendous need for assistance to these litigants. This is particularly true for landlord/tenant cases which represent about one-half of all civil cases and in which the stakes may include the displacement of a person from their home. To help these self-represented landlords and tenants, JP Court has initiated a pilot outreach program, Seminars for the Self-Represented in Landlord/Tenant Issues, which presents interactive programs monthly.

Members of the private bar, nonprofit legal assistance providers, Administrative Office of the Courts (AOC), JP Court, and others volunteer to plan, prepare and conduct the seminars. Apartment complex managers cooperate to provide a meeting room and distribute invitations to each tenant. AOC staffers prepare flyers and service the event, and the court organizes the event. The program is conducted by a judge with two attorneys, one presenting a landlord perspective, the other the tenants', to review the landlord/tenant code and impress upon the attendees the obligation of good faith dealing.

The Pro Se program is providing self-represented litigants with the information necessary for them to have a meaningful voice in court.

Technology - With the implementation of the statewide case management system, JP Court is rapidly expanding the e-filing program. E-filing provides filers the opportunity to electronically file and view civil case documents online from the convenience of work or home.

Also under development is a project to implement the electronic payment of traffic tickets. JP Court Voluntary Assessment Center, which processes mail-in fines, received 171,065 payments last fiscal year, collecting a total of \$6,169,438. The Court believes that many of these payments will eventually be diverted to the online payment project, providing 24 hour service to respondents.

Court Security Assessment - In June 2007, the 144th General Assembly passed Senate Bill 75, which provides for a court security assessment on most civil fines and all criminal/traffic pleas of guilt or adjudications of guilt. In Fiscal Year 2008, JP Court was able to collect significant funds which will allow for better secured facilities. The objective of this assessment is to provide security during all times that court business is being conducted, ensuring the safety of court personnel, case participants and the public.

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FUNDING

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 17,542.1 | 17,261.3 | 17,165.9 |
| ASF | -- | 726.2 | -- |
| TOTAL | 17,542.1 | 17,987.5 | 17,165.9 |

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 248.5 | 247.5 | 247.5 |
| ASF | -- | 9.0 | 9.0 |
| NSF | -- | -- | -- |
| TOTAL | 248.5 | 256.5 | 256.5 |

JUSTICE OF THE PEACE COURT

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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| % of shifts per week with security coverage | 57 | 88 | 99 |
| % of videophone proceedings that take place within 45 minutes of receipt | 100 | 100 | 100 |

Criminal and Traffic Filings

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|-----------------------------------|-------------------|-------------------|----------------------|
| New Castle | 66,791 | 70,732 | 74,905 |
| Kent | 29,182 | 30,904 | 32,727 |
| Sussex | 40,351 | 42,732 | 45,253 |
| Voluntary Assessment Center (VAC) | 145,953 | 154,564 | 163,684 |
| Total | 282,277 | 298,932 | 316,569 |

Civil Case Filings

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--------------|-------------------|-------------------|----------------------|
| New Castle | 22,877 | 24,227 | 25,656 |
| Kent | 8,017 | 8,490 | 8,991 |
| Sussex | 5,122 | 5,424 | 5,744 |
| Total | 36,016 | 38,141 | 40,391 |

Total Case Filings by County

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|-----------------------------------|-------------------|-------------------|----------------------|
| New Castle | 89,668 | 94,958 | 100,561 |
| Kent | 37,199 | 39,394 | 41,718 |
| Sussex | 45,473 | 48,156 | 50,997 |
| Voluntary Assessment Center (VAC) | 145,953 | 154,564 | 163,684 |
| Total | 318,293 | 337,072 | 356,960 |

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**COTS/CENTRAL ACCOUNTS SERVICES
02-15-00**

BACKGROUND AND ACCOMPLISHMENTS

The 144th General Assembly enacted Senate Bill No. 75, establishing a separate fund to provide supplemental funding for court security personnel, equipment and training based upon a plan submitted by the Chief Justice and approved by the Office Management and Budget, Controller General and the Joint Finance Committee. Monies for this fund shall come from court security assessments imposed as a part of court costs for civil initial filings and criminal and traffic convictions.

Fiscal Year 2009 was the first year that the security assessment funds were accessible to the courts, through the implementation of a security plan that enhanced physical security improvements in several courthouses, as well as, established new court security positions to cover additional shifts of operation in JP Court.

FUNDING

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|---------------------------|---------------------------|------------------------------|
| GF | -- | -- | -- |
| ASF | -- | -- | 1,483.7 |
| TOTAL | -- | -- | 1,483.7 |

**COTS/SECURITY CENTRAL ACCOUNT
02-15-10**

ACTIVITIES

- Administer the Court Security Fund as set forth in 10 Del. C. § 8505.
- Deposit court security assessment funding in a Court Security Fund.
- Distribute funds based upon the Court Security Plan as approved by the Office of Management and Budget and Controller General.

**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.

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, Justice of the Peace Court, 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, Office of the Child Advocate, Child Death, Near Death and Still Birth Commission (CDNDSBC), and Delaware Nursing Home Residents Quality Assurance Commission.

FUNDING

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|---------------------------|---------------------------|------------------------------|
| GF | 15,265.0 | 13,320.0 | 11,782.8 |
| ASF | -- | 33.4 | 33.4 |
| TOTAL | 15,265.0 | 13,353.4 | 11,816.2 |

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| | POSITIONS | | |
|--------------|---------------------------|---------------------------|------------------------------|
| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
| GF | 80.5 | 78.5 | 78.5 |
| ASF | -- | -- | -- |
| NSF | -- | -- | -- |
| TOTAL | 80.5 | 78.5 | 78.5 |

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

- Enhance public trust and confidence in the courts through the provision of information to the public about the court system and initiatives to promote fairness and the perception of fairness.
- Increase public access to the courts through provision of interpreters and assistance to unrepresented litigants.
- Ensure continuity of operations in the event of an emergency.
- Enhance service to the public by providing staff support for judicial education and staff training programs.
- Promote safety and security of courthouses.
- Assist courts in developing and reporting statistical measurements.
- Support efforts to recruit, hire and retain the most qualified candidates, and to provide promotional opportunities.
- Provide administrative support for Judicial branch agencies.

BACKGROUND AND ACCOMPLISHMENTS

The Office of the State Court Administrator provides a variety of support services to the courts, as well as limited fiscal and administrative assistance to Judicial branch agencies.

Several of the accomplishments during the past fiscal year included:

- Coordinated with the courts to develop a draft Judicial branch-wide Continuity of Operations plan with approval anticipated in Fiscal Year 2009.
- Provided staff support for the National High School Mock Trial Championships held in the New Castle County Courthouse in May. Forty-two teams from throughout the United States, as well as Guam, South Korea and the Northern Mariana Islands attended.
- Updated Judicial branch Personnel Rules for consideration by the courts during Fiscal Year 2009.
- Implemented new staff training programs, including Red Cross certification for security personnel, classes in computer skills, and racial and ethnic fairness training, and established a distance learning program leading to a certificate in court administration for court staff in concert with Michigan State University.
- Selected by the Council of State Governments to participate in Chief Justices' Criminal Justice Mental Health Initiative. Delaware was selected, on a competitive basis, to assist state Supreme Court Justices in developing strategic plans to improve responses to people with mental illness in the justice system.
- Enhanced the court interpreter program through increased court interpreter recruiting and training to expand the number of languages for which interpreters are available. Developed and distributed written information on best practices in using court interpreters.
- Assisted several courts in assessing and designing methods of implementing baseline performance measures to use in assessing the effectiveness of the COTS system.
- Developed an educational/community outreach section to the Judicial branch website.
- Hosted the Mid-Atlantic Conference of the Council of State Court Administrators on Procedural Fairness.

ACTIVITIES

- Provide centralized services to the New Castle County Courthouse (NCCCCH) including safety and security planning and coordination, operating the information desk, filing and payment center, self-help center, and mail room.
- Provide judicial education and staff training services for the court system.
- Administer the statewide Court Interpreter program.
- Conduct research and analysis related to justice and speedy trial issues.

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- Coordinate and prepare the Annual Report of the Judiciary.
- Administer the Judicial branch public information program, including a newsletter highlighting accomplishments.
- Assist in policy coordination and development for issues affecting all courts.
- Coordinate preparation, review and submission of the Judicial branch budgets.
- Serve as liaison to the legislative and executive branches.
- Provide staff support to Judicial branch committees, including the Court Interpreters Advisory Committee, Courthouse Operations Policy Committee, Operations Security Committee, and Council of Court Administrators.

PERFORMANCE MEASURES

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| # of prospective interpreters attending orientation programs | 75 | 110 | 110 |
| # of people assisted by NCCCH Self-Help Center staff* | 15,495 | 16,674 | 16,924 |
| # of NCCCH Self-Help Center volunteers | 2 | 6 | 7 |
| # of NCCCH Self-Help Center volunteer hours | 105 | 250 | 265 |
| # of pro bono attorney volunteers | 10 | 12 | 12 |
| # of pro bono attorney volunteer hours | 102 | 102 | 102 |

**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 (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.
- 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. There are six judicial payment centers located throughout the State that provide cashiering services for Superior Court, Family Court, Justice of the Peace Court, and Department of Correction receivables. OSCCE's specialized collection program, which includes letter dunning, outbound broadcast calls, monetary intercept programs, and case management activities, continues to propel the organization forward in achieving the remarkable 107 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; accesses Department of Labor employment records allowing for verification of financial resources when instituting payment agreements; and has been granted access to Department of Health and Social Services' Vital Statistic records to efficiently manage outstanding receivables. 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.

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- 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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| # of contacts necessary to administer accounts: | | | |
| verbal | 15,371 | 9,000 | 17,000 |
| written | 53,672 | 35,000 | 59,000 |
| \$ collected on behalf of: | | | |
| Superior Court | 2,930,029 | 3,600,000 | 3,600,000 |
| Family Court | 63,622 | 80,000 | 60,000 |
| JP Courts | 82,223 | 74,000 | 90,000 |
| Department of Correction | 721,529 | 500,000 | 800,000 |
| % increase in \$ collected | 6.2 | 9.0 | 10.0 |

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 various implementation teams. Successfully implemented Phase 3 which brought Superior Court and Court of Common Pleas (Sussex County) online with the new Context Case Management System (CMS) product while continuing to support the courts from the two previous phases of the COTS implementation.
- Continued to enhance intranet sites for the Judicial branch.
- Contributed to regional and national courts and technology groups to inform other states about Delaware's technology initiatives.
- Continued support of courthouse technology planning and participated in facility renovation activities.
- Continued to partner with the Government Information Center to provide citizen access to data and services.
- Created the Public Assistant program for public access.
- Ongoing progress toward addressing 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 2008 Actual | FY 2009 Budget | FY 2010 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 | 9,040 | 9,479 | 9,915 |
| JIC problem calls resolved | 8,761 | 9,420 | 9,737 |

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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 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 2,495.3 | 2,380.1 | 2,361.0 |
| ASF | 2,233.1 | 3,133.9 | 3,133.9 |
| TOTAL | 4,728.4 | 5,514.0 | 5,494.9 |

POSITIONS

| | FY 2008 ACTUAL | FY 2009 BUDGET | FY 2010 GOV. REC. |
|--------------|-------------------|-------------------|----------------------|
| GF | 30.0 | 28.5 | 28.5 |
| ASF | 8.0 | 8.0 | 8.0 |
| NSF | -- | -- | -- |
| TOTAL | 38.0 | 36.5 | 36.5 |

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, including management of individual clients' financial accounts, identification of client population trends, to track unmet needs and serve as a tool for program planning and review, including budget development.

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;

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- 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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| # of referrals received | 285 | 228 | 300 |
| # of referrals accepted for public guardianship | 88 | 85 | 100 |
| # of current guardianships | 238 | 270 | 285 |

VIOLENT CRIMES COMPENSATION BOARD 02-18-02

MISSION

The Delaware Violent Crime Compensation Board (VCCB) provides compensation to victims of violent crimes and assistance to their families for crime related expenses.

KEY OBJECTIVES

- Develop and implement a new procedures manual to explain VCCB services and application process, and how benefits are awarded.
- Enhance customer service and outreach to educate the public about VCCB services and claim status.
- Work closely with the police-based advocates to provide more effective outreach and education to victims who might benefit from VCCB programs.
- Process all claims submitted to the 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 VCCB.

- Process payment of claims to victims and providers within 10 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 Victim Compensation Fund was established by the General Assembly in 1974 to provide a means of meeting the additional hardships imposed upon the innocent victims of certain crimes, by indemnifying those persons for enumerated losses sustained as a result of those crimes.

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

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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 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 to work with the police-based advocates and interested agencies and organizations to do more public education and outreach about the services of the VCCB. VCCB staff is exploring what other states do for victim compensation to develop updated procedures and improved technology. The Board is also working to provide timely payment of claims to providers and victims once the VCCB disposition is final.

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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| % of approved claims paid within 30 days | * | 75 | 90 |
| % of claims processed and heard by the Board within 60 days | * | 65 | 90 |

**New performance measure.*

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.
- Administer the Ivyane Davis Memorial Scholarship and, in partnership with the DFS, Delaware's Educational 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.
- Perform functions as defined in 10 Del. C. § 1009 (j) (4), to assure the safety and well-being of children when adjudicated and non-adjudicated youth are placed together.

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 is charged by the State of Delaware with ensuring the safety and well-being of children in care, adjudicated youth and non-adjudicated youth housed in supervised facilities with those under the purview of Family Court. As an independent, citizen-based board, the CPRB provides in-depth reviews of each child in the system on a regular basis. This ongoing overview role also allows the CPRB to assess the efficacy of the State's systems. Finally, the leadership role of the CPRB in the National Foster Care Review Coalition

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(NFCRC) broadens the CPRB's perspective and allows it to consider Delaware's programming in comparison to those of other states.

During Fiscal Year 2008, Delaware had 1,635 children in foster care, an increase of only 20 children over Fiscal Year 2007. The CPRB completed 1,009 reviews of 803 children in foster care. Because the first CPRB review occurs 10 months after the child enters care, 625 children were in care but not yet eligible for a CPRB review. Another 207 children left care before they had a CPRB review.

The CPRB also completes status reviews of adjudicated youth in court-ordered residential treatment facilities. The purpose of these reviews is to ensure that treatment for behavioral management issues, sex offenses, chemical dependency, and other specialized needs is being supplied in accordance with the orders of Family Court. This year, the Board conducted 85 such reviews.

The CPRB administers the Ivyane Davis Scholarship and partners with DFS to administer the federal ETV program. In Fiscal Year 2008, 38 students received awards totaling \$123,570 through these programs and used these funds at four-year colleges, community colleges, and trade schools.

The CPRB's initial mixing review takes place two months after a non-adjudicated youth enters a mixed setting. Fifteen such reviews were held during Fiscal Year 2008. In accordance with revised policy, the CPRB will begin to hold follow-up reviews.

PERFORMANCE MEASURES

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--------------------------------|-------------------|-------------------|----------------------|
| # of volunteer hours generated | 4,443 | 4,500 | 4,500 |
| # of volunteer training hours | 326 | 350 | 400 |
| % of children being reviewed | 100 | 100 | 100 |

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.

During Fiscal Year 2008, OCA received appropriate referrals on 755 children, a 19 percent decrease from Fiscal Year 2007.

On June 30, 2008, 963 children were in the legal custody of DSCYF, a decline from the prior fiscal year. OCA represented 625 of those children, the Court Appointed Special Advocate (CASA) program represented 289 children, the court independently appointed counsel for four children, and the remaining 45 children navigated the foster care system without representation. Of those 45 unrepresented children, 30 were from Kent County. Only five children in New Castle and 10 children in Sussex were unrepresented. These outstanding achievements can be linked, in part, to the excellent volunteer attorney pool in New Castle County, and the addition of a second Deputy Child Advocate in Sussex County during Fiscal Year 2008. 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.

During Fiscal Year 2008, 444 volunteer attorneys represented children for OCA, with 78 new attorneys trained in 13 training sessions throughout the State. Fifty-five volunteer attorneys were recognized for five years of service to OCA and two plaques now hang at OCA in recognition of these lawyers who now total 123. OCA was also able to recruit six Rule 55.1 lawyers to volunteer.

As staff to CPAC, OCA worked with the training subcommittee, to provide Child Abuse and Neglect training in all three counties. In addition, CPAC co-sponsored Protecting Delaware's Children, a multidisciplinary child welfare conference, with the Child

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Death, Near Death and Stillbirth Commission (CDNDSC). CPAC also worked collaboratively with CDNDSC to address the multidisciplinary use of history in decision-making through recommendations for proper, relevant and accessible information sharing.

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, and 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 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---|-------------------|-------------------|----------------------|
| # of appropriate referrals | 755 | 900 | 800 |
| # of DSCYF children represented by OCA | | | |
| Total | 625 | 774 | 650 |
| New Castle | 454 | 584 | 475 |
| Kent | 74 | 70 | 70 |
| Sussex | 97 | 120 | 105 |
| # of DSCYF children unrepresented | | | |
| Total | 45 | 166 | 45 |
| New Castle | 5 | 53 | 5 |
| Kent | 30 | 65 | 30 |
| Sussex | 10 | 48 | 10 |
| # of children represented by OCA | 1,126 | 1,216 | 1,151 |
| # of volunteer attorneys | 444 | 456 | 472 |
| # of volunteer attorneys with over 5 years of OCA service | 123 | 90 | 173 |

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 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, and 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 2008, reviews were conducted monthly by each of the three panels (consisting of New Castle, Kent/Sussex and Abuse/Neglect) to determine whether reasonable standards of practice were met by the systems involved. The child death panels continue to meet bi-annually with the Domestic Violence Coordinating Council's Fatal Incident Review Team to review child deaths in which domestic violence was a significant factor.

The FIMR teams (New Castle County, Kent/Sussex County and Wilmington) continue to meet monthly to review cases of any fetus over 20 weeks gestation through infancy (one year of age or younger).

The Commission meets quarterly to review and approve the work of the panels. Recommendations from expedited reviews of abuse/neglect cases are immediately sent to the Governor, General Assembly, CDNDSC, and CPAC.

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The CDNDSC statute was amended during the past legislative session to include review of maternal deaths due to pregnancy related factors.

Some statistics for Fiscal Year 2008 include:

- 67 deaths or near deaths were sent to the Commission for review;
- 56 cases were reviewed by the child death panels;
- 9 cases were reviews of child deaths or near deaths related to abuse and/or neglect;
- Two cases were reviewed with the Fatal Incident Review Team (under the Domestic Violence Coordination Council);
- 86 fetal and infant deaths were referred to CDNDSC; five of these cases were reviewed by the child death panels due to cause of death;
- Fifty of the fetal and infant deaths were reviewed; and
- 28 maternal interviews were conducted with mothers who have had a fetal/infant loss.

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, near deaths and fetal deaths.
- Issue annual reports and expedited review reports on recommendations and data.
- Collaborate with CPAC and the Delaware Healthy Mother Infant Consortium.

PERFORMANCE MEASURES

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|--|-------------------|-------------------|----------------------|
| % of expedited reviews completed within statutory timeframes | 90 | 100 | 100 |
| % of recommendations turned into actions steps by CDNDSC or other entities | * | 55 | 75 |
| % eligible FIMR cases reviewed by case review teams | 62 | 70 | 75 |
| % of FIMR cases with a completed maternal interview | 35 | 40 | 45 |

*New performance measure.

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 (DLTCRP) and other agencies 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.
- Reviews the performances of various agencies charged with protecting long-term care residents and

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provide 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 an 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 submit such report to the Governor, the Secretary of the Department of Health and Social Services and the General Assembly.

PERFORMANCE MEASURES

| | FY 2008 Actual | FY 2009 Budget | FY 2010 Gov. Rec. |
|---------------------------------------|---------------------------|---------------------------|------------------------------|
| # of reviews performed: | 17 | 17 | 17 |
| # of legislative recommendations made | 6 | 4 | 3 |
| # of long-term care facility visits | 35 | 30 | 30 |
| # of assisted living facility visits | 21 | 20 | 20 |