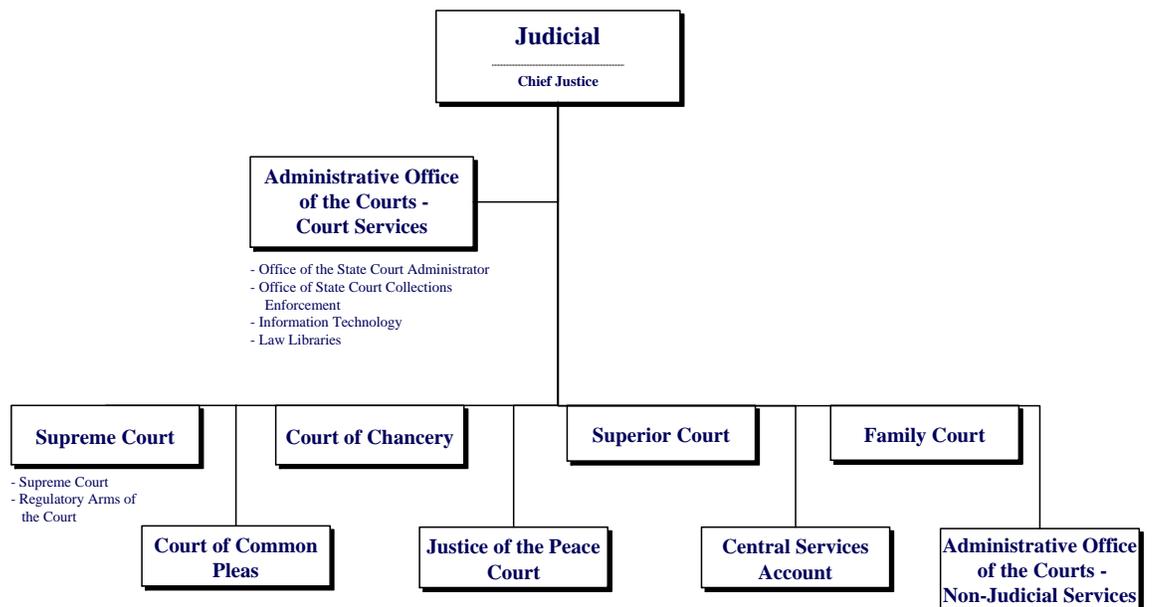


# JUDICIAL

## 02-00-00



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.

- Office of the Public Guardian
- Child Placement Review Board
- Office of the Child Advocate
- Child Death, Near Death and Stillbirth Commission
- Delaware Nursing Home Residents Quality Assurance Commission

### 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

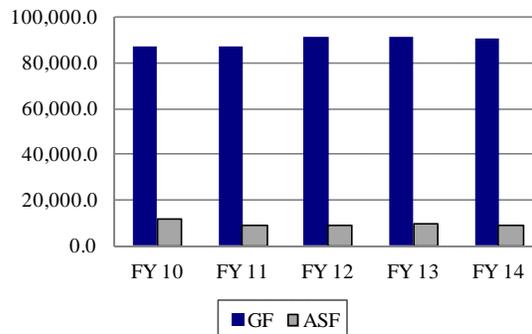
- Dispose of cases within time standards set by the Chief Justice.
- Enhance safety and security of courthouses.
- Develop technology solutions to support business needs.
- Develop additional alternative dispute mechanisms.
- Develop and expand existing problem-solving courts.
- Develop transnational practices.

### BACKGROUND AND ACCOMPLISHMENTS

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.

### Five-Year Appropriation History



## JUDICIAL 02-00-00

### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	90,580.4	94,063.9	95,073.8
ASF	9,101.8	11,774.2	10,318.5
<b>TOTAL</b>	<b>99,682.2</b>	<b>105,838.1</b>	<b>105,392.3</b>

### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	1,118.5	1,121.5	1,120.5
ASF	104.5	112.5	113.5
NSF	13.3	13.3	13.3
<b>TOTAL</b>	<b>1,236.3</b>	<b>1,247.3</b>	<b>1,247.3</b>

## 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 of the 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 2015, 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 was 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 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 (AOC) to manage the non-judicial aspects of court administration.

Under Article IV, Section 11 of the Delaware Constitution, the Supreme 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. In civil cases, the Supreme Court has final appellate jurisdiction 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.

# JUDICIAL

## 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, established by Article IV, Section 37 of the Delaware Constitution, 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 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 on Professional Responsibility, 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 (CLE) is authorized by Supreme Court Rule 70 and Mandatory Continuing Legal Education Rule 3. The purpose of the commission is to ensure minimum requirements for continuing legal education are met by attorneys 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 and 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 Supreme Court's major accomplishment within the past year was the disposition of most cases within 28.1 days of the date of submission. This disposition rate is well under the 90-day standard the court has set in accordance with ABA standards.

### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	3,395.9	3,411.1	3,368.8
ASF	44.3	151.5	151.1
<b>TOTAL</b>	<b>3,440.2</b>	<b>3,562.6</b>	<b>3,519.9</b>

### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	27.0	28.0	27.0
ASF	--	--	--
NSF	11.3	11.3	11.3
<b>TOTAL</b>	<b>38.3</b>	<b>39.3</b>	<b>38.3</b>

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## ***SUPREME COURT***

### ***02-01-10***

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### ACTIVITIES

- Dispose of appeals.
- Monitor time schedules.

## JUDICIAL 02-00-00

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

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of filings	661	685	715
# of dispositions	712	720	725
Average # of days from under advisement to final decision:			
criminal	31.2	31.0	30.0
civil	25.1	25.0	24.0
Average # of days from initial filing to final decision:			
criminal	171.5	170.0	169.0
civil	133.5	132.0	131.0
% of cases disposed of within:			
30 days of the date of submission	69.9	70.0	72.0
90 days of the date of submission	98.3	99.4	99.5
290 days of the date of filing of the notice of appeal	87.8	88.0	89.0
One year of filing of the notice of appeal	92.8	93.0	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 processes claims with the fund and audits lawyers' financial accounts.
- Board of Bar Examiners processes applications to take the bar examination.
- CLE processes lawyer compliance affidavits and evaluates CLE programs.

### PERFORMANCE MEASURES

#### Office of Disciplinary Counsel

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of new matters filed	318	325	340
# of matters disposed	224	240	250
# of cases pending or stayed	98	99	100
# of private admonitions with or without probation	11	15	17
# of public reprimands with or without probation	0	1	2
# of suspensions and interim suspensions	11	10	10
# of disbarments	1	2	2
# of reinstatements	0	1	1

#### Lawyers' Fund for Client Protection

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of claims:			
paid	2	3	3
denied or withdrawn	5	5	5
pending	3	2	2
\$ amount of claims:			
made	155,662	200,000	225,000
paid	1,717	2,500	3,000
pending	17,180	25,000	30,000

#### Board of Bar Examiners

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of applications processed	212	215	220
# of applicants passing Bar exam	152	155	158

#### Commission on Continuing Legal Education

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of transcripts processed	5,250	5,350	5,450
# of programs evaluated	5,717	5,800	5,900
\$ amount of fines and sponsor fees paid	99,400	100,000	105,000

# 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 and promptness 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 trial court of limited jurisdiction and is the sole Delaware court with general power to issue temporary restraining orders and preliminary injunctions. Its jurisdiction includes both corporate and non-corporate litigation matters. The judges spend approximately 70 percent of their time on corporate, alternative entity and other complex commercial disputes involving Delaware businesses. This specialization and expertise contribute to the fact that Delaware is a preferred site for entity formation in the United States. The remainder of the court's resources are spent handling non-corporate litigation regarding the fiduciary administration of guardianships, trusts and estates and other non-litigation matters.

The Court of Chancery consists of one Chancellor, four Vice-Chancellors and two Masters in Chancery. The Chancellor and Vice-Chancellors are nominated by the Governor and are confirmed by the Senate.

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, guardianships and in cases involving corporate law. The Chancellor assigns to the Masters in Chancery various matters, and parties have a right to appeal to a judge if they so choose.

#### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	3,239.5	3,164.5	3,196.7
ASF	1,827.8	2,203.6	2,104.2
<b>TOTAL</b>	<b>5,067.3</b>	<b>5,368.1</b>	<b>5,300.9</b>

#### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	28.5	28.5	28.5
ASF	22.5	21.5	20.5
NSF	2.0	2.0	2.0
<b>TOTAL</b>	<b>53.0</b>	<b>52.0</b>	<b>51.0</b>

### 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 attorneys' 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.
- Review fiduciary accountings of guardianship and trust estates.

#### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
% of decisions rendered within 90 days after readiness for adjudication	97.4	95.5	95.5
# of matters filed	4,155	4,196	4,217

# 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 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 litigants similarly and ensure the court's actions and the consequences thereof are consistent with established law;
- To be accountable for the use of resources at its disposal;
- To ensure 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

- 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 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.
- Reduce the number of violations of probation to reduce recidivism and reduce prison populations.
- Develop recruitment and training programs for staff that recognize diversity as a core value of the court.

- Maximize staff productivity through enhancements to automated case management systems.

#### BACKGROUND AND ACCOMPLISHMENTS

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

- Criminal felony cases;
- 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.

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 the Superior Court is to offer the most superior service in the nation among courts of general jurisdiction. Superior Court's core values 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.

Superior Court has partnered with other criminal justice agencies and piloted problem-solving courts to improve court outcomes for victims, litigants and communities through problem-solving court strategies, including extended probation, frequent appearances before judges, meetings with probation officers and regular alcohol and other drug testing. The mission of problem-solving courts is to divert eligible defendants from the criminal justice system and provide defendants with tools to lead a productive and law abiding life. Superior Court's problem-solving courts include Drug Court, Mental Health Court, Re-entry Court and Veterans Court.

The Mortgage Foreclosure Mediation program and Operation Rightful Owner initiative are active in assisting victims of mortgage foreclosure. The Mortgage Foreclosure Mediation program gives homeowners an opportunity to negotiate an alternative to foreclosure with the assistance of housing counselors. Project Operation Rightful Owner is designed to assist residents who have lost their homes to sheriff's sale by returning excess proceeds to the rightful owners.

## JUDICIAL 02-00-00

### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	23,427.1	24,791.6	25,034.2
ASF	--	115.0	91.6
<b>TOTAL</b>	<b>23,427.1</b>	<b>24,906.6</b>	<b>25,125.8</b>

### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	306.5	306.5	306.5
ASF	--	--	--
NSF	--	--	--
<b>TOTAL</b>	<b>306.5</b>	<b>306.5</b>	<b>306.5</b>

### ***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 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
Criminal case filings:			
New Castle	4,411	4,508	4,660
Kent	1,760	1,800	1,825
Sussex	2,500	2,750	2,900
Civil case filings:			
New Castle	8,737	8,938	9,180
Kent	1,378	1,460	1,500
Sussex	1,611	1,700	1,780
Criminal case dispositions:			
New Castle	4,124	4,300	4,390
Kent	1,714	1,890	1,950
Sussex	2,125	2,155	2,179
Civil case dispositions:			
New Castle	8,438	8,889	9,000
Kent	1,348	1,402	1,485
Sussex	857	900	960
Criminal cases pending:			
New Castle	1,126	1,175	1,207
Kent	411	489	503
Sussex	501	530	550
Civil cases pending:			
New Castle	6,980	7,200	7,389
Kent	1,303	1,328	1,360
Sussex	827	838	840

## COURT OF COMMON PLEAS 02-06-00

### MISSION

The mission of the Court of Common Pleas is to provide a neutral forum for the people and institutions of Delaware in the resolution of everyday problems, disputes and more complex legal matters in a fair, professional, efficient and practical manner.

### KEY OBJECTIVES

- Adjudicate cases fairly and with integrity.
- Improve service to the residents of Delaware.
- Resolve cases timely and expeditiously.
- Provide a safe, accessible and secure environment for the residents of Delaware.
- 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;
- Certain traffic offenses;
- Civil cases where the amount in controversy does not exceed \$50,000 on the complaint;
- Civil and criminal appeals from the Justice of the Peace (JP) Court;
- Criminal appeals from Alderman Courts;
- Appeals from the Division of Motor Vehicles (DMV) 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 JP Court and a small percentage of filings from Alderman Courts. Approximately 3 percent of cases are filed 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 serve in New Castle County,

## JUDICIAL 02-00-00

two in Kent County and two in Sussex County. One commissioner serves in New Castle County and one is shared between Kent and Sussex Counties.

In Fiscal Year 2013, the Court of Common Pleas realized a 2 percent increase in its reported criminal caseload; however, the court has developed the capability of more accurate criminal statistic gathering than was available in prior years. This eliminates the probability of the underreporting of statistics, which may have occurred in years prior.

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 7,256 participants since the program's inception in 1998. In Fiscal Year 2013, 403 participants entered the program.

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 11,396 cases for mediation, with a success rate of nearly 88 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 both civil and criminal cases. More than 1,139 referrals were made in Fiscal Year 2013.

In November 2003, the State's first Mental Health Court was instituted in New Castle County. The goal of the specialized court is to serve the special needs of the mental health population in the criminal justice system through continuous judicial oversight and intensive case management. In Fiscal Year 2012, the court received a federal grant to provide for the expansion of Mental Health Court to Kent and Sussex Counties. In Fiscal Year 2013, approximately 120 defendants entered Mental Health Court statewide.

The court introduced Traffic Court in New Castle County in November 2003 to reduce the number of court appearances for traffic offenses and to manage the large number of motor vehicle cases. Through the application of aggressive case management techniques, the court has reduced the time to disposition for these cases.

The Trauma Informed Probation (TIP) calendar, now in its second year, is a problem-solving court aimed at identifying defendants, including women in prostitution, who have experienced significant trauma in their past. The goal is to provide trauma-informed care to help improve outcomes for TIP participants and to reduce recidivism rates. In Fiscal Year 2013, 24 participants entered the TIP program.

The Court of Common Pleas is a high volume court that manages a diverse caseload. Keeping pace with the caseload requires the commitment of judges and staff and the implementation of aggressive case management techniques to ensure prompt and fair justice for all litigants.

### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	9,468.3	9,947.9	10,089.1
ASF	266.4	350.1	430.5
<b>TOTAL</b>	<b>9,734.7</b>	<b>10,298.0</b>	<b>10,519.6</b>

### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	130.0	130.0	130.0
ASF	4.0	4.0	6.0
NSF	--	--	--
<b>TOTAL</b>	<b>134.0</b>	<b>134.0</b>	<b>136.0</b>

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

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### ACTIVITIES

- Oversee courtroom activities.
- Manage case processing activities.
- Oversee accounting and collections activities.
- Provide court security.
- Manage statewide court operations management.

### PERFORMANCE MEASURES Criminal Filings/Dispositions/Collections

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of misdemeanor filings	112,004	117,604	123,484
# of felony filings	9,398	9,868	10,361
\$ amount collected (thousands)	6,785.1	7,104.7	7,424.0

### Criminal Misdemeanor Filings

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
New Castle	55,015	57,765	60,653
Kent	29,307	30,773	32,312
Sussex	27,682	29,066	30,519

# JUDICIAL

## 02-00-00

### Civil Case Filings

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
New Castle	4,005	4,205	4,415
Kent	1,234	1,296	1,361
Sussex	1,172	1,361	1,429

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

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
Traffic	10	10	10
Non-jury	10	10	10
DUI	16	16	16
Domestic violence	8	8	8
Drug	9	9	9
Jury trial	16	16	16

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

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
Non-jury	4	4	4
Jury trial	6	6	6
Drug diversion	2	2	2

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

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
Non-jury	6	6	6
Jury trial	5	5	5
Drug diversion	1	1	1

## FAMILY COURT

### 02-08-00

### MISSION

To provide equal access to justice for the families and children under Family Court's jurisdiction in a manner that is fair and efficient and that maintains the public's trust and confidence in an independent and accountable Judiciary.

### 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 with an emphasis on those who elect to represent themselves.
- Increase the effectiveness of calendaring and continuance practices.

### BACKGROUND AND ACCOMPLISHMENTS

Family Court was created by Article IV, Section 1 of the Delaware Constitution. Family Court has its origin in the Juvenile Court for the City of Wilmington founded in 1911. In 1933, the Juvenile Court expanded to include all three counties in Delaware. A statewide Family Court with jurisdiction over all family matters was achieved with the statutory authorization of the court in 1971.

Family Court is a unified statewide court with facilities in New Castle, Kent and Sussex Counties. The court consists of a Chief Judge, 16 judges and 16 commissioners, each of whom is appointed by the Governor and confirmed by the Senate.

Family Court has both criminal and civil jurisdiction and disposes of adult misdemeanor crimes against a child; intra-family misdemeanor crimes; juvenile delinquency matters; child neglect, abuse and dependency matters; child and spousal support matters; paternity determinations; custody and visitation of children; adoptions; terminations of parental rights; divorces and annulments; property divisions; specific enforcement of separation agreements; guardianship over minors; imperiling the family relationship; orders of protection from abuse; child abuse substantiation matters; and other legal matters involving the family unit. Family Court judges review the decisions of Family Court commissioners upon the filing of a timely request. Family Court decisions are appealed directly to the Supreme Court with the exception of adult criminal cases, which are appealed to the Superior Court.

# JUDICIAL

## 02-00-00

Family Court requires court mediation in a number of its case filing types facilitated by court-employed mediators in recognition of the importance of empowering individuals to make decisions regarding their families in a non-adversarial setting. In Fiscal Year 2013, 13,800 matters were scheduled for mediation statewide.

Arbitration is available for eligible first-time juvenile offenders. Arbitration allows eligible juveniles that accept responsibility for their conduct and who comply with specific conditions to have their charges dismissed.

Family Court has several specialty courts designed to meet the needs of the populations they serve effectively. These specialty courts include Gun Court, Juvenile Drug Court and Mental Health Diversion Court.

Family Court administers the Court Appointed Special Advocate program to recruit, train and assign volunteers to represent the best interests of children in the child welfare system.

Family Court provides services to self-represented litigants in its resource centers and through its website.

### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	19,732.2	20,581.2	20,946.4
ASF	4,597.5	6,235.1	5,165.1
<b>TOTAL</b>	<b>24,329.7</b>	<b>26,816.3</b>	<b>26,111.5</b>

### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	274.0	274.0	274.0
ASF	68.0	68.0	68.0
NSF	--	--	--
<b>TOTAL</b>	<b>342.0</b>	<b>342.0</b>	<b>342.0</b>

## ***FAMILY COURT*** ***02-08-10***

### ACTIVITIES

- Accept and decide criminal, delinquency and civil matters under Family Court's jurisdiction.
- Conduct alternative dispute resolution.
- Administer the Court Appointed Special Advocate program.
- Exercise powers of review on orders issued by Family Court commissioners.

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
% of adult and juvenile criminal cases disposed of within 45 days of filing	43	90	90
% of adult and juvenile criminal cases disposed of within 90 days of filing	69	100	100
% of protection from abuse petitions disposed of within 90 days of filing	100	99	99
% of child support matters disposed of within 90 days	65	80	80
% of civil decisions rendered within 90 days of taking the matter under advisement	90	90	90
Average number of days from adjudication decision date to permanency decision date for proceedings involving dependent, neglected or abused children in the custody of the Department of Services for Children, Youth and Their Families (DSCYF)	336	290	290
Average number of days from ex-parte date to adjudicatory decision date	34	30	30

### Adult Criminal Case Filings

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
New Castle	2,863	2,920	2,978
Kent	749	764	779
Sussex	719	733	748

### Juvenile Delinquency Case Filings

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
New Castle	3,109	3,171	3,234
Kent	1,220	1,244	1,269
Sussex	1,193	1,217	1,241

### Civil Case Filings by County

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
New Castle	21,406	21,834	22,271
Kent	8,803	8,979	9,159
Sussex	10,302	10,508	10,718

# JUDICIAL

## 02-00-00

### JUSTICE OF THE PEACE COURT

#### 02-13-00

#### MISSION

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

- Serve the people of Delaware through 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.
- Improve security for all court facilities.
- Work in conjunction with the DMV, law enforcement agencies, other courts and the Department of Safety and Homeland Security to reduce the flow of paperwork between the courts and other agencies.

#### BACKGROUND AND ACCOMPLISHMENTS

JP Court is authorized by Article IV, Section 1 of the Delaware Constitution. JP Court is Delaware's entry-level court, through which the great majority of all criminal cases pass. JP 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 Department of Natural Resources and Environmental Control offenses;
- Truancy cases;
- Alcoholic beverage violations; and
- Miscellaneous violations initiated by other state agencies.

JP 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.

JP 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 capias; and
- Process capias issued by Family Court, Court of Common Pleas and Superior Court.

There are 15 JP trial court sites located in 13 court facilities, with one court in each county 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.

JP 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.

#### Truancy Court

Truancy Court operates in cooperation with schools and social service agencies to reduce truancy. During Fiscal Year 2013, the 147th General Assembly enacted House Bill 24, resulting in school districts being required to report on grades K-12 no later than the 20th unexcused absence. This legislation in conjunction with the Truancy Task Force, established by the Juvenile Justice Collaborative, assists JP Court to further improve intervention processes and extend available resources aimed at reducing the overall truancy rate.

#### Statewide Videophone Court

The statewide Videophone Court at JP Court 2 in Rehoboth Beach creates time and staffing efficiencies by providing specialized one-stop videophone proceedings for law enforcement. Videophone arraignments, initial presentments, capias returns and warrant requests by police are processed through JP Court 2. The statewide Videophone Court currently handles over 2,000 videophone cases each month.

# JUDICIAL

## 02-00-00

### Capias Processing

The court continues its capias reduction plan to eliminate stale capiases in which there is no real likelihood of bringing to justice those who failed to appear in court or failed to pay fines while providing for a clear understanding of capiases that are still viable. JP Court has the policy to permit any JP site to handle another JP Court's capiases. This has resulted in time and transport savings for law enforcement, correctional officers and defendants. The court has also implemented an enhanced collections program, with the assistance of the Office of State Court Collections Enforcement (OSCCE), to further reduce outstanding capiases.

### Pro Se

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

In the Civil Division of the JP Court, nearly every case has at least one self-represented litigant. With nearly 34,000 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 people from their homes.

To help these self-represented landlords and tenants, JP Court continued with the pilot monthly outreach program: Seminars for the Self-Represented in Landlord/Tenant Issues. Members of the private bar, nonprofit legal assistance providers, 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 staff 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.

### Police Prosecution

JP Court established the Police Prosecution Process to facilitate the goal of speedy resolution of traffic and minor criminal cases. The Police Prosecution Process was initiated at JP Court 6 in Harrington and has since expanded to JP Courts throughout New Castle, Kent and Sussex Counties. Speedy resolution provides significant cost savings, convenience and procedural benefits to the court, law enforcement agencies, attorneys, Department of Correction (DOC), victims, defendants and the public in general.

### Facilities

In an effort to reduce operating expenses and increase operational efficiency, JP Court has developed and implemented plans to consolidate facilities over the past several years. In Fiscal Year 2010, for example, JP Court consolidated the location of JP Court 11, JP Court 15, JP Court Administrative Office and Constable Central to one location. Efforts are still under way to continue to consolidate and find more effective and efficient locations for JP Courts statewide.

#### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	17,468.4	18,125.9	18,313.5
ASF	--	2,564.7	2,221.8
<b>TOTAL</b>	<b>17,468.4</b>	<b>20,690.6</b>	<b>20,535.3</b>

#### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	246.5	246.5	246.5
ASF	--	18.0	18.0
NSF	--	--	--
<b>TOTAL</b>	<b>246.5</b>	<b>264.5</b>	<b>264.5</b>

### 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 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
% of shifts per week with security coverage*	95	97	97
% of warrant applications statewide reviewed by JP Court	99	99	99
% of videophone proceedings that take place within 45 minutes of receipt	100	100	100

\*Includes casual/seasonal support.

**JUDICIAL  
02-00-00**

**Criminal and Traffic Filings (by defendant)**

	<b>FY 2013 Actual</b>	<b>FY 2014 Budget</b>	<b>FY 2015 Gov. Rec.</b>
New Castle	59,403	59,997	61,197
Kent	27,569	27,845	28,402
Sussex	42,604	43,030	43,890
Voluntary Assessment Center (VAC)	141,867	143,285	146,151

**Civil Case Filings**

	<b>FY 2013 Actual</b>	<b>FY 2014 Budget</b>	<b>FY 2015 Gov. Rec.</b>
New Castle	19,589	19,785	20,180
Kent	7,569	7,645	7,798
Sussex	6,823	6,891	7,029

**CENTRAL SERVICES ACCOUNT  
02-15-00**

**BACKGROUND AND ACCOMPLISHMENTS**

The 144th General Assembly enacted Senate Bill 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 of Management and Budget (OMB), Controller General and 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 the security assessment funds were accessible to the courts through the implementation of a security plan that enhanced physical security structures in several courthouses, as well as established new court security positions to cover additional shifts of operation.

**FUNDING**

	<b>FY 2013 ACTUAL</b>	<b>FY 2014 BUDGET</b>	<b>FY 2015 GOV. REC.</b>
GF	--	--	--
ASF	2,332.4	44.1	44.1
<b>TOTAL</b>	<b>2,332.4</b>	<b>44.1</b>	<b>44.1</b>

**POSITIONS**

	<b>FY 2013 ACTUAL</b>	<b>FY 2014 BUDGET</b>	<b>FY 2015 GOV. REC.</b>
GF	--	--	--
ASF	10.0	--	--
NSF	--	--	--
<b>TOTAL</b>	<b>10.0</b>	<b>--</b>	<b>--</b>

**CENTRAL SERVICES 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 OMB and Controller General.

**JUDICIAL  
02-00-00**

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

**MISSION**

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

**BACKGROUND AND ACCOMPLISHMENTS**

AOC was established in 1971 pursuant to 10 Del. C. § 128. The office assists the Chief Justice in carrying out the responsibilities as administrative head of all courts in the Judicial Branch.

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 organizations 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, 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, JP Court and limited services to several non-judicial agencies. The components are the Office of the State Court Administrator, OSCCE and the Information Technology (IT) division. 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 (OPG), Child Placement Review Board (CPRB), Office of the Child Advocate (OCA), Child Death, Near Death and Stillbirth Commission (CDNDSC) and Delaware Nursing Home Residents Quality Assurance Commission.

**FUNDING**

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	11,279.7	11,464.1	11,526.5
ASF	33.4	33.4	33.4
<b>TOTAL</b>	<b>11,313.1</b>	<b>11,497.5</b>	<b>11,559.9</b>

**POSITIONS**

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	77.5	77.5	77.5
ASF	--	--	--
NSF	--	--	--
<b>TOTAL</b>	<b>77.5</b>	<b>77.5</b>	<b>77.5</b>

**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 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.

## JUDICIAL 02-00-00

Several accomplishments during the past fiscal year included:

- Facilitating the review and improvement of safety protocols as directed by the Chief Justice;
- Coordinating the efforts of problem-solving courts by facilitating community partnerships;
- Supporting the Supreme Court and Delaware Bar Association iCivics project;
- Analyzing the financial stability of the Victim's Compensation Assistance Program (VCAP);
- Staffing the Supreme Court's Task Force on Criminal Justice and Mental Health;
- Expanding the Limited Pro Bono Legal Assistance program, which offers consultation services to self-represented litigants in Family Court;
- Enhancing language access services;
- Staffing the Racial Justice Improvement Project Task Force, which provided training on bias-free decision making; and
- Implementing the Victim Advocacy and Safety project, in an attempt to reduce recidivism by allowing victims the opportunity to address their problems.

### ACTIVITIES

- Provide centralized services to New Castle County Courthouse, including safety and security planning and coordination, management of operations for the information desk, filing and payment center, Limited Legal Assistance program and mail room.
- Provide education and staff training services for the Judiciary.
- Administer the statewide Court Interpreter program.
- Conduct research and analysis related to all issues affecting the Judicial Branch.
- Prepare the annual report of the Judiciary.
- Administer the Judicial Branch public information program, including a newsletter highlighting its 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 and administrative assistance to Judicial Branch courts and committees.
- Provide staff support and administrative assistance to various courts and committees within the Judicial Branch.

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of court events for which interpreter services were provided	3,354	4,025	4,830
# of pro bono attorney volunteers	41	12	62
# of pro bono attorney volunteer hours	88	100	110

### *OFFICE OF STATE COURT COLLECTIONS ENFORCEMENT 02-17-03*

#### MISSION

To assist the Delaware Judiciary and the criminal justice community and enforce the collection of financial sanctions and court assessments as ordered by the Courts.

#### KEY OBJECTIVES

- Assist in the collection of court-ordered financial assessments, which include victim restitution, VCAP funds, Drug Education Fund, Delaware Criminal Justice Information System (DELJIS) fees, court security fees, court fees and DOC supervision fees.
- Develop policies and procedures to support one-stop judicial payment centers.
- Develop and implement new initiatives to assist in the collection of delinquent receivables.
- Participate in efforts to develop and implement standard financial policies and procedures related to the courts' automated processes.
- Improve the operational efficiency and effectiveness of OSCCE.

#### BACKGROUND AND ACCOMPLISHMENTS

OSCCE functions as a one-stop judicial collections center. There are three judicial payment centers and five payment kiosk locations that provide cashiering services for Superior Court, Family Court (pre-2002 receivables), JP Court, DOC receivables and the recently added Court of Common Pleas.

In an effort to provide efficient services to state residents, OSCCE continues to collaborate with all branches of government. OSCCE assists DOC with the collection of supervision and interstate compact fees, the Department of Elections with felony voting restoration rights and the

## JUDICIAL 02-00-00

Division of Revenue with offsetting state tax refunds and lottery winnings against delinquent state receivables.

OSCCE continues to implement and/or expand several new programs to improve collection efforts. These include:

- Expanding the wage garnishment program to enforce the collection of outstanding Superior Court receivables; and
- Expanding the use of payment kiosks to increase payment accessibility to the public for Superior Court, JP Court, DOC fees and the Court of Common Pleas.

OSCCE continues to research, develop and implement new technologies to assist the Judiciary and State with the handling of delinquent receivables. These include:

- Working with DELJIS and DOC to automate the data entry and payment processing functions for the collection of supervision fees and interstate compact fees; and
- Developing procedures to improve client repayment accountability through financial reporting, focusing on delinquent restitution cases within the courts.

### ACTIVITIES

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

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of contacts made to administer accounts:			
face to face	3,911	4,000	4,200
verbal	9,269	10,000	11,000
written	60,569	55,000	55,000
\$ collected on behalf of:			
Superior Court	2,803,000	2,700,000	2,700,000
Family Court	64,000	50,000	50,000
JP Court	118,000	138,000	138,000
DOC	634,000	750,000	750,000

### *INFORMATION TECHNOLOGY* 02-17-04

#### MISSION

The mission of the IT division is to provide strategic vision, leadership and enterprise solutions to the Judicial Branch and its customers, ensuring efficient operations and secure, reliable and timely access to information.

#### KEY OBJECTIVES

- Provide technology solutions to achieve the courts' goals and objectives.
- Provide leadership and oversight of technology efforts supporting the courts' business needs.
- Develop systems that integrate with other criminal justice agencies and stakeholders in the exchange of information.

#### BACKGROUND AND ACCOMPLISHMENTS

Throughout Fiscal Year 2013, IT remained focused on addressing longstanding infrastructure and personnel needs.

Recent accomplishments include:

- Continued the Systems Stabilization initiative;
- Continued infrastructure improvements; and
- Continued to support courthouse technology planning.

#### ACTIVITIES

- Analyze business issues and processes related to the flow, management and use of information.
- Develop and support applications to enhance the operations of the courts and agencies.
- Provide telephone and audiovisual installation and desktop support services.

## JUDICIAL 02-00-00

- Manage, design and support local and wide-area network resources.
- Lead initiatives related to technology planning, use and effective implementation.

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
% cyber security training compliance	100	100	100
% customer satisfaction	84	90	90
% system availability	99.6	99.5	99.5

### **LAW LIBRARIES** **02-17-05**

#### MISSION

The law libraries provide legal information resources for the Judicial Branch, Attorney General, Public Defender, other state agencies, members and prospective members of the Delaware Bar Association and *pro se* litigants and function as the official depository of state laws, agency rules and regulations, administrative and board regulations, court opinions, 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 law libraries is to provide legal information to the 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 maintains a collection of 25,000 volumes. The library has multiple computer terminals and a hybrid of both print and electronic resources available to patrons free of charge. The New Castle County Law Library accommodates other state agencies and organizations by providing the use of rooms for meetings, conferences and the weekly Pro Bono Legal Assistance program for Family Court.

The Kent County Law Library is designated as the State Law Library as per 10 Del. C. § 1942. The library incorporates both print and electronic media. The library

maintains a legal reference collection of approximately 25,000 volumes. Some books in the collection are quite rare and considered invaluable in terms of their historical significance. The library offers computer-assisted online legal research and also offers wireless access services.

The Sussex County Law Library in Georgetown maintains approximately 20,000 legal resources in a hybrid of print and electronic form. The Sussex County Law Library works with other legal and non-legal libraries across the country to procure legal information for the Judiciary via the inter-library loan program. The Sussex County Law Library has implemented new procedures, as well as conventional methods, to further assist patrons by providing wireless computer access, multiple computer terminals and a wide spectrum of legal online databases and print resources.

#### ACTIVITIES

- Provide legal tools and information to the Judiciary, legal community, *pro se* applicants and other state agencies.
- Structure, organize and evaluate the library inventory based on current legal needs of the Judiciary, while maintaining and preserving archival materials.
- Collaborate with other organizations and libraries to provide a diverse and comprehensive coverage of legal materials.
- Conduct yearly law library tours to familiarize judicial law clerks and staff with the law libraries.
- Research and retrieve information from books, periodicals, reference materials, other law libraries or commercial databases in response to judicial requests.
- Provide and maintain a physical environment conducive to researching the law.

# JUDICIAL 02-00-00

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

### FUNDING

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	2,569.3	2,577.6	2,598.6
ASF	--	76.7	76.7
<b>TOTAL</b>	<b>2,569.3</b>	<b>2,654.3</b>	<b>2,675.3</b>

### POSITIONS

	FY 2013 ACTUAL	FY 2014 BUDGET	FY 2015 GOV. REC.
GF	28.5	30.5	30.5
ASF	--	1.0	1.0
NSF	--	--	--
<b>TOTAL</b>	<b>28.5</b>	<b>31.5</b>	<b>31.5</b>

## OFFICE OF THE PUBLIC GUARDIAN 02-18-01

### MISSION

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

### KEY OBJECTIVES

- Advocate for the agency, its mission and its service to individuals through education and networking with the public and other professional communities.
- Provide guardianship services in a manner which best enables individuals to live in the least restrictive environment safely available while respecting the individual's wishes and needs.
- Continue community education and outreach to provide information to the public on guardianship and alternatives to guardianship with the goal of reducing the need for public guardianship.
- Participate in legal action against those who have financially exploited individuals for whom OPG is appointed as guardian.
- Develop the Guardianship Monitoring program to assist the Court of Chancery in monitoring private guardianships in Delaware.

## BACKGROUND AND ACCOMPLISHMENTS

OPG was created in 1974 and serves as interim and permanent guardian for persons with severe 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.

### ACTIVITIES

OPG is working collaboratively with other state agencies and entities to ensure that wards receive the best care and care transition. Due to the increasing complexity of property and financial issues, OPG is working to improve property and financial case management. In addition, OPG is working toward implementing the Guardianship Monitoring program to effectively educate, mentor and monitor private guardians.

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of referrals received	123	150	150
# of referrals accepted for public guardianship	40	50	50
# of current guardianships	220	235	235

### Legal Case Management

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of petitions/other OPG filed	225	250	250
# of reports filed	349	460	460
# of accountings prepared	50	65	65
# of inventories performed	13	20	20

### Financial Case Management

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of individuals to whom OPG has been appointed guardian of property	74	80	80
# of checks written	1,725	1,750	1,750
# of bank accounts managed	106	125	125

## 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 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

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## 02-00-00

educational programs to increase independent living skills.

### KEY OBJECTIVES

- Perform the tasks and functions defined in 31 Del. C. c. 38 in a professional, informed and efficient manner to have a positive impact on the State's effort to 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 needs.
- Administer the Ivyane Davis Memorial Scholarship and, in partnership with the Division of Family Services, 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 wellbeing of children when adjudicated and non-adjudicated youth are placed together.

### BACKGROUND AND ACCOMPLISHMENTS

CPRB is a statewide child advocacy agency. It is chartered by Delaware's General Assembly with three main tasks:

- Use resident-based panels to complete regular reviews of children placed by Family Court in Delaware's foster care system;
- Use resident-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 regarding the work of CPRB.

In carrying out these directives, 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 volunteers and the work of a small professional staff, creating a cost-effective, independent review system.

Since 1979, CPRB has been serving Delaware's child welfare system by holding independent reviews of the status of individual children in foster care. The board was chartered to advocate for a permanent home or placement for each child in foster care and monitor provision of services to children in foster care to avoid "foster care drift," in which children remain in care year after year without plans or progress toward adoption or other permanent placement.

CPRB reviews are completed by volunteers trained in monitoring foster care placements. During Fiscal Year 2013, CPRB held 720 individual reviews on 608 unduplicated children in foster care.

In addition to children in foster care, CPRB also reviews the placement and status of adjudicated youth. Placement arrangements and supervision for these cases are managed through the Division of Youth Rehabilitative Services (YRS). CPRB reviewed 34 YRS cases this year; three of the 34 offenders were female; 31 were male.

CPRB administers the Ivyane Davis Memorial Scholarship and the federal ETV program, both of which support post-secondary education for Delaware's former foster children. These programs motivate children in foster care to embrace the opportunity for post-secondary education. In Fiscal Year 2013, 49 recipients received scholarships and grants with a value of \$147,500. Twenty-five students used their grants at two-year colleges, and 21 attended four-year colleges. Three are in other post-secondary programs.

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of volunteer hours generated	3,040	2,888	2,744
# of volunteer training hours	300	285	271
# of children being served	608	578	549

### 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.

# JUDICIAL

## 02-00-00

### KEY OBJECTIVES

- Secure legal representation for every dependent, neglected and abused child in the custody of 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 wellbeing of Delaware's dependent, neglected and abused children.

### BACKGROUND AND ACCOMPLISHMENTS

OCA was created in 1999 in response to numerous child abuse-related deaths in Delaware. 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 2013, OCA received 568 appropriate referrals on children, made 261 attorney appointments and completed 41 case reviews to ensure the child welfare system was adequately protecting those children. Throughout Fiscal Year 2013, OCA represented a total of 761 children.

On June 30, 2013, 707 children were in the legal custody of DSCYF. OCA represented 364 of those children, the CASA program represented 333 children, and the remaining 10 were unrepresented on the last day of the fiscal year, although most secured representation shortly thereafter.

During Fiscal Year 2013, 359 volunteer attorneys represented children for OCA, with 36 new attorneys trained in four sessions. By the end of Fiscal Year 2013, OCA boasted a roster of 216 volunteer attorneys with at least five years experience representing children through OCA. Sixty-five of those volunteers had 10 years of experience or more.

OCA worked diligently to deliver training on mandatory reporting of child abuse to professionals throughout Delaware and continued to support efforts to improving permanency and stability for teens aging out of foster care.

### ACTIVITIES

- Secure legal representation for DSCYF children by employing Deputy Child Advocates and recruiting volunteer attorneys to represent children.
- Provide support to CPAC, chair committees, participate on committees and workgroups, and draft reports and legislation.
- Educate the public on the services and accomplishments of OCA and CPAC.
- 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 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
# of appropriate referrals	568	688	610
# of DSCYF children represented by OCA:			
New Castle	243	295	241
Kent	53	88	80
Sussex	68	80	81
# of DSCYF children unrepresented:			
New Castle	8	5	6
Kent	1	3	2
Sussex	1	5	3
# of children represented by OCA	761	803	778
# of volunteer attorneys	376	380	385
# of volunteer attorneys with over five years of OCA service	216	211	225

### *CHILD DEATH, NEAR DEATH AND STILLBIRTH 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.

## JUDICIAL 02-00-00

- 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 on July 19, 1995, after a pilot project showed the effectiveness of such a review process for preventing future child deaths. CDNDSC 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 2013, reviews were conducted by each of the three panels (consisting of New Castle County, Kent/Sussex Counties and Abuse/Neglect) to determine whether reasonable standards of practice were met by the systems involved. The Fetal and Infant Mortality Review (FIMR) teams in New Castle County, Kent and Sussex Counties continue to meet monthly to review cases of any fetus over 20 weeks gestation or infant through one year of age. The Maternal Mortality Review (MMR) program was implemented in 2011 by statutory authority granted to the CDNDSC. The goal of MMR is to conduct in-depth, multidisciplinary reviews of pregnancy-related deaths and some pregnancy-associated deaths to make system recommendations to decrease maternal mortality.

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

Statistics for Fiscal Year 2013 include:

- 46 deaths were reviewed by the child death panels;
- 15 initial cases were reviewed by the child abuse/neglect panel;
- 22 cases were final reviews of child abuse/neglect;
- 124 fetal and infant deaths were referred to CDNDSC;
- 54 cases were reviewed by FIMR case review teams;
- 26 maternal interviews were conducted with mothers who have had a fetal/infant loss;
- Two of the maternal interviews were conducted jointly with a spanish speaking interpreter; and

- Seven maternal deaths were reviewed by MMR.

### 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 and maternal mortality.
- Collect and analyze data related to child deaths, near-deaths and maternal deaths.
- Issue annual reports and expedited review reports on recommendations and data.
- Engage community partners for prevention programs, such as Cribs for Kids and the statewide hospital abusive head trauma education program.
- Collaborate with CPAC and the Delaware Healthy Mother Infant Consortium.
- Oversee the Delaware Cribs for Kids program.

### PERFORMANCE MEASURES

	FY 2013 Actual	FY 2014 Budget	FY 2015 Gov. Rec.
% of triage cases reviewed within the office	100	100	100
% of Cribs for Kids referrals receiving a crib and training	91	93	95
% of eligible FIMR cases reviewed by case review teams	89	91	100
% of FIMR cases with a completed maternal interview	43	45	50

## *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 complaints of abuse, neglect, mistreatment, financial exploitation and other complaints are responded to in a timely manner 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.

**JUDICIAL**  
**02-00-00**

- Review and make recommendations to the Governor, the Secretary of the Department of Health and Social Services and the 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 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 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.
- Review the performance of various agencies charged with protecting long-term care residents and 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 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.

**PERFORMANCE MEASURES**

	<b>FY 2013 Actual</b>	<b>FY 2014 Budget</b>	<b>FY 2015 Gov. Rec.</b>
# of reviews performed	10	13	11
# of legislative recommendations made	2	3	2
# of long-term care facility visits	38	40	39
# of assisted living facility visits	21	20	20