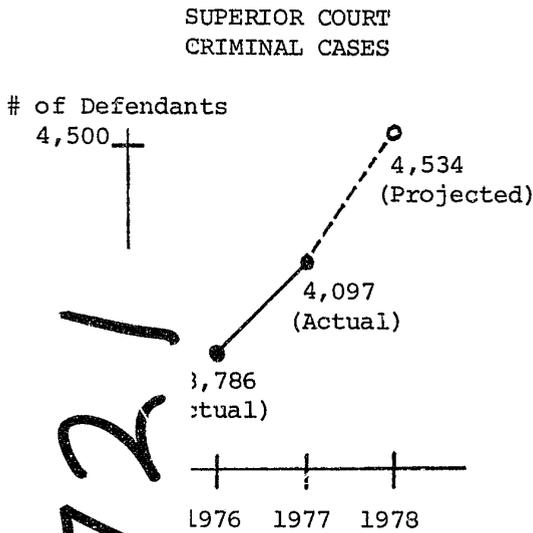
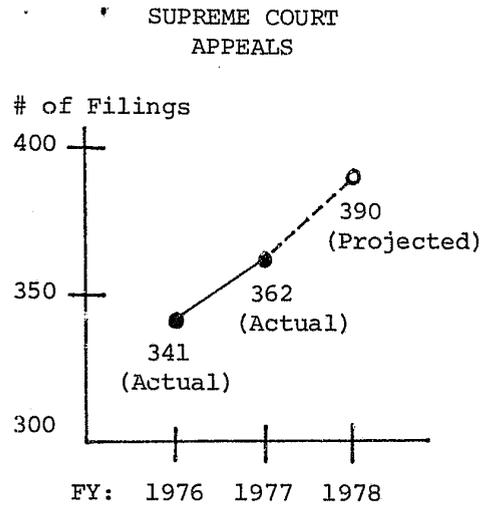


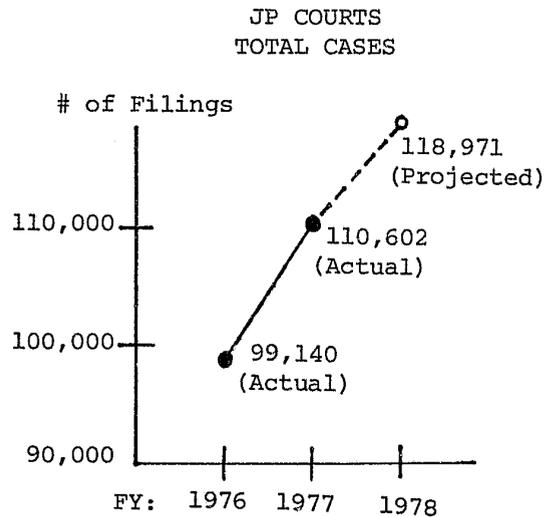
# THE 1977



# ANNUAL REPORT OF THE

# DELAWARE JUDICIARY

46721





NCJRS

APR 24 1978

ACQUISITIONS

The 1977 Annual Report of the Delaware Judiciary was researched, written, and distributed by the Administrative Office of the Courts of the State of Delaware. We hope that this publication will constitute a valuable resource document on the structure and operation of Delaware's courts both for those within the court system and those outside it.

Each succeeding Annual Report has contained more complete and detailed information than the one preceding it; the 1977 Report continues in this tradition. Yet it is still less complete than desired, and it is our hope that subsequent Reports will be prepared on a more timely basis and will include still further improvements.

The Administrative Office of the Courts wishes to thank the judges, court administrators, and staffs of all the courts in Delaware for their cooperation, particularly in providing statistical information. We also wish to acknowledge the staff of the Judicial Planning Committee of Delaware for its work in preparing this document.

PLEASE DO NOT DESTROY OR DISCARD THIS REPORT

If this report should become of no further value to the holder, please return it to the Administrative Office of the Courts, 11th floor, Wilmington State Office Building, 820 North French Street, Wilmington, DE 19801 so that copies will be available as replacements and for distribution to those who may request them in the future.

TABLE OF CONTENTS

I.	GENERAL INTRODUCTION AND OVERVIEW . . . . .	5
	Highlights of the 1977 Annual Report . . . . .	6
	Organization Chart of the Delaware Judiciary . . . . .	7
	Summary of Judicial Budgets - FY's 1976-77-78-79 . . . . .	8
	Court-Generated General Fund Revenue Submitted to State - FY 1977 . . . . .	9
	Delaware State Government Expenditures - FY 1978 . . . . .	10
II.	ADMINISTRATIVE OFFICE OF THE COURTS . . . . .	11
	Personnel . . . . .	13
	Budget . . . . .	14
III.	SUPREME COURT . . . . .	15
	Judiciary . . . . .	17
	Support Personnel . . . . .	18
	Statistics . . . . .	19
	Budget . . . . .	26
IV.	COURT OF CHANCERY . . . . .	27
	Judiciary . . . . .	30
	Support Personnel . . . . .	31
	Statistics . . . . .	34
	Budget . . . . .	44
V.	PUBLIC GUARDIAN . . . . .	45
	Personnel . . . . .	48
	Statistics . . . . .	49
	Budget . . . . .	51
VI.	SUPERIOR COURT . . . . .	53
	Judiciary . . . . .	56
	Support Personnel . . . . .	57
	Statistics . . . . .	65
	Budget . . . . .	136
VII.	LAW LIBRARIES . . . . .	137
	Personnel . . . . .	139
	Budget . . . . .	140
VIII.	FAMILY COURT . . . . .	141
	Judiciary . . . . .	144
	Support Personnel . . . . .	145
	Statistics . . . . .	152
	Budget . . . . .	156
IX.	COURT OF COMMON PLEAS . . . . .	157
	Judiciary . . . . .	160
	Support Personnel . . . . .	161
	Statistics . . . . .	163
	Budget . . . . .	172
X.	MUNICIPAL COURT . . . . .	173
	Judiciary . . . . .	176
	Support Personnel . . . . .	177
	Statistics . . . . .	178
	Budget . . . . .	184
XI.	JUSTICE OF THE PEACE COURTS . . . . .	185
	Map of Court Locations . . . . .	188
	Organization Chart . . . . .	189

TABLE OF CONTENTS (CONTINUED)

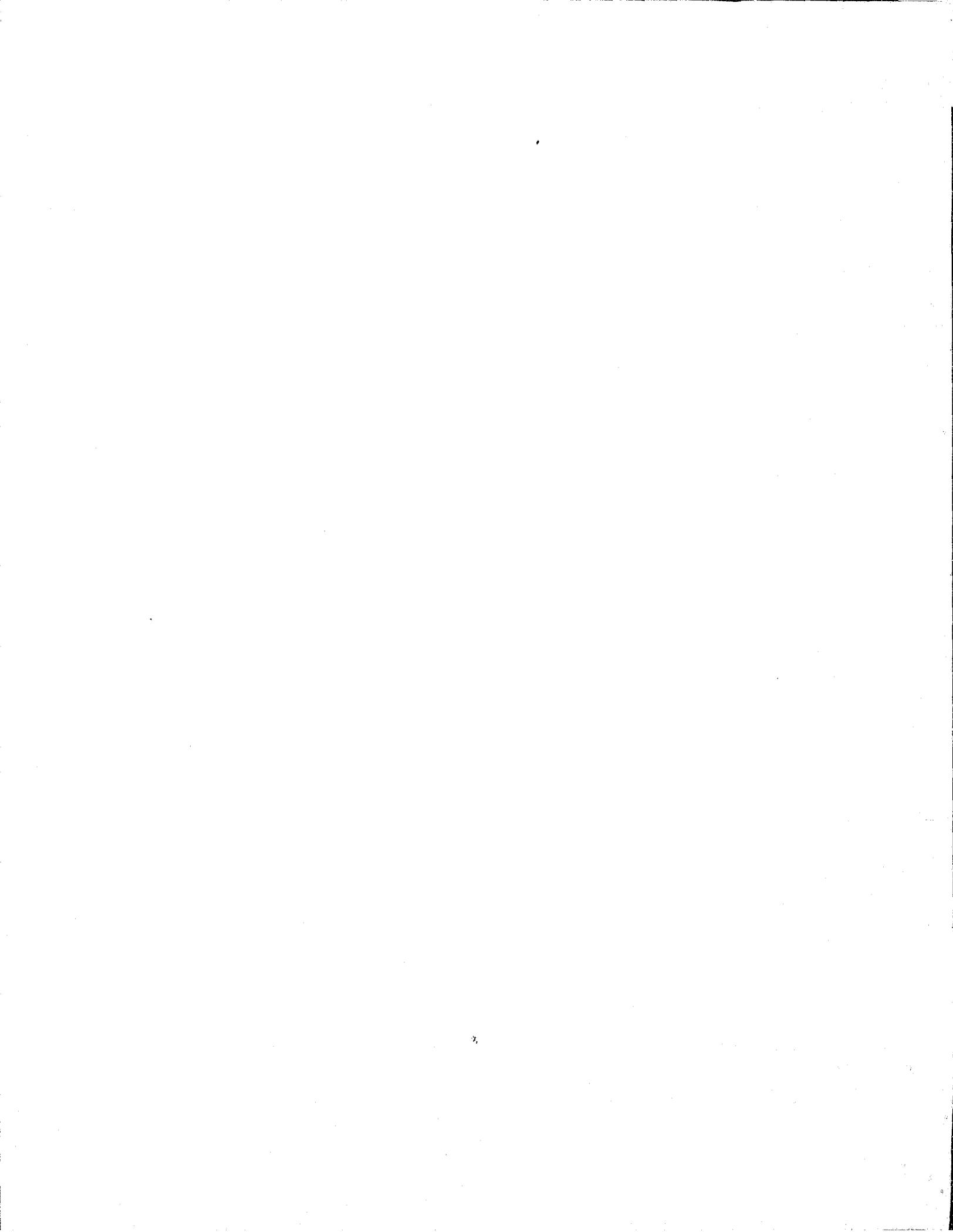
	Justices of the Peace . . . . .	190
	Support Personnel . . . . .	191
	Statistics . . . . .	197
	Budget . . . . .	210
XII.	ALDERMAN'S COURTS . . . . .	211
	Map of Court Locations . . . . .	213
	Aldermen . . . . .	214
	Statistics . . . . .	216
XIII.	CONFERENCES, COMMITTEES, COUNCILS, AND BOARDS . . . . .	221
	Judicial Conference . . . . .	222
	Judicial Planning Committee . . . . .	223
	Council on the Administration of Justice . . . . .	224
	Court on the Judiciary . . . . .	225
XIV.	PROJECTS SUPPORTED BY FEDERAL FUNDS . . . . .	227
XV.	COURT RULES CHANGES . . . . .	231
XVI.	LEGISLATION . . . . .	241

**General  
Introduction  
and  
Overview**

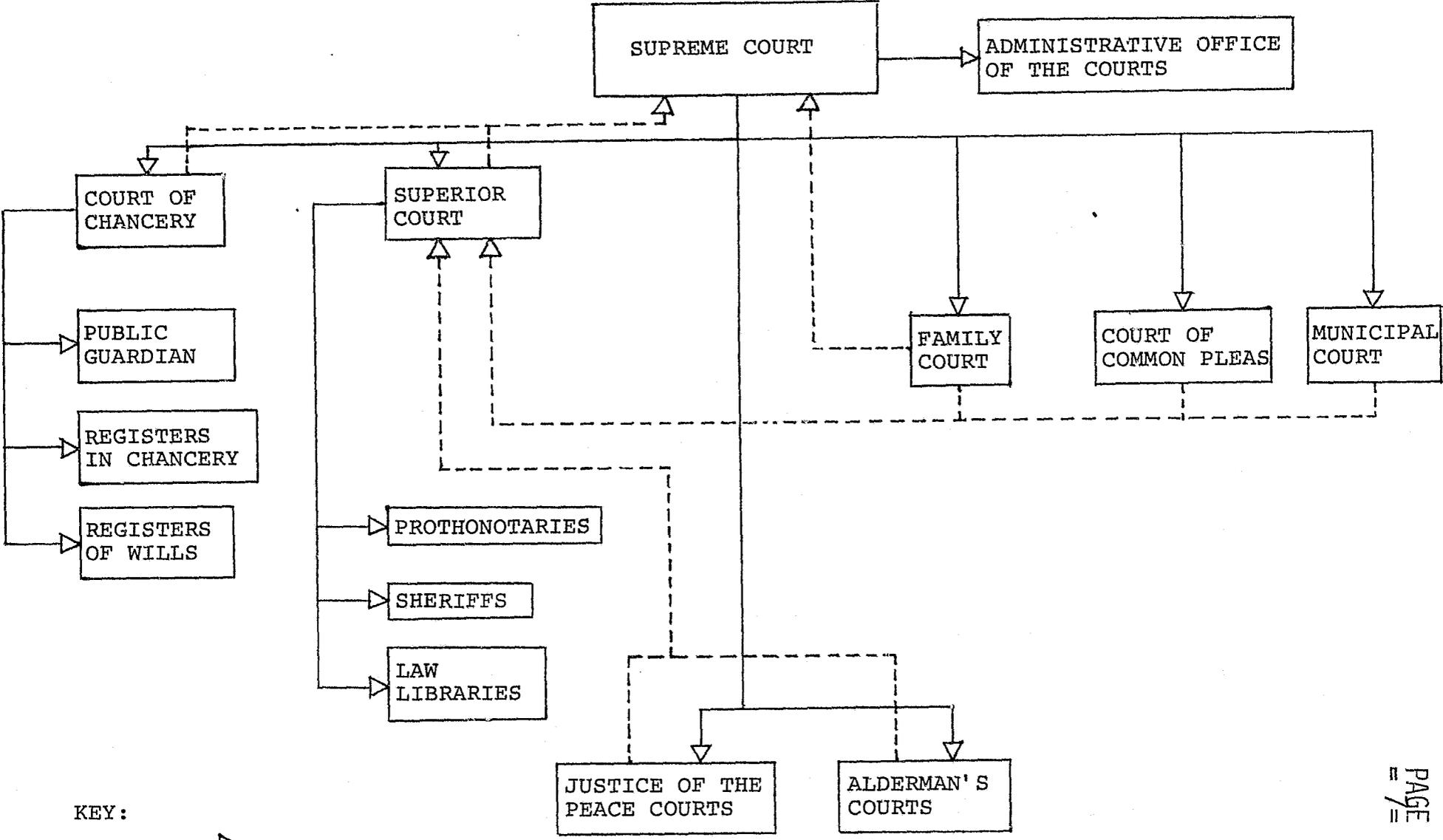
HIGHLIGHTS OF THE 1977 ANNUAL REPORT

New and/or improved features of this year's Annual Report include:

- Figures on court-generated revenue submitted to the State general fund (p. 9)
- Supreme Court appeals filed from 1950 to the present (p. 24)
- Projections on the workloads of the courts in the next 5 years, calculated using linear regression analysis:
  - Supreme Court (p. 25)
  - Court of Chancery (p. 37)
  - Superior Court (p. 93 & p. 135)
  - Family Court (p. 155)
  - Court of Common Pleas (p. 167 & p. 171)
  - Municipal Court (p. 181 & p. 183)
  - Justice of the Peace Courts (p. 209)
- Breakdowns of various types of Superior Court guilty plea dispositions (pp. 82-84)
- Breakdowns of various types of Superior Court nolle prosequi dispositions (pp. 85-88)
- Reasons for Superior Court trial reschedulings (pp. 94-97)
- Expanded workload, performance, and productivity data on Superior Court presentence offices (pp. 111-122)



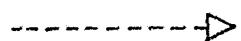
THE DELAWARE JUDICIAL SYSTEM



KEY:



Administrative Authority



Appeals

SUMMARY OF JUDICIAL BUDGETS

FISCAL YEARS 1976-1977-1978-1979

	FY 1976 Actual <u>Disbursement*</u>	FY 1977 Actual <u>Disbursement*</u>	FY 1978 <u>Budget*</u>	FY 1979 <u>Request*</u>
Administrative Office of the Courts	\$2,147,373.64	\$1,940,865.60	\$ 2,040,656.54	\$ 2,406,400.00
Supreme Court	289,539.90	312,618.11	345,030.00	382,235.00
Court of Chancery	256,445.54	255,483.49	304,514.75	334,600.00
Public Guardian	41,761.40	45,290.22	90,169.50	60,200.00
Superior Court	1,418,871.70	1,537,907.48	1,767,975.52	2,209,500.00
Law Libraries	106,595.77	106,705.82	113,728.00	175,800.00
Family Court	2,479,923.00	2,559,925.00	3,126,641.00	3,413,835.00
Court of Common Pleas	484,674.23	633,983.20	812,349.00	890,500.00
Municipal Court	409,630.00**	471,753.00**	556,514.00**	656,000.00#
Justice of the Peace Courts	<u>1,857,611.37</u>	<u>2,088,839.96</u>	<u>2,404,316.00</u>	<u>2,645,500.00</u>
TOTALS	\$9,492,426.55	\$9,953,371.68	\$11,561,896.31	\$13,174,570.00

\*Figures for all units except Municipal Court include State general funds, federal funds, and other funds.

\*\*City of Wilmington funds only.

#City of Wilmington and federal funds.

COURT-GENERATED GENERAL FUND REVENUE SUBMITTED TO STATE\*

FISCAL YEAR 1977

<u>Court</u>	<u>Fees</u>	<u>Costs</u>	<u>Fines</u>	<u>Interest</u>	<u>Other**</u>	<u>Total</u>	<u>Revenue as % of Operating Budget#</u>
Administrative Office of the Courts	\$ 0	\$ 0	\$ 0	\$ 0	\$ 6,820	\$ 6,820	0.4%
Supreme Court	6,764	0	50	0	0	6,814	2.2%
Court of Chancery	0	0	0	106,625¶	49	106,674	41.8%
Superior Court	0	11,997	25,678	8,145	816	46,636	3.0%
Family Court	205,190	20,275	32,859	0	10,948	269,272	10.5%
Court of Common Pleas	0	94,773	92,409	0	1,217	188,399	29.7%
Justice of the Peace Courts	1,547	897,906	1,186,810	0	8,365	2,094,628	100.3%
<b>TOTALS</b>	<b>\$213,501</b>	<b>\$1,024,951</b>	<b>\$1,337,806</b>	<b>\$114,770</b>	<b>\$28,215</b>	<b>\$2,719,243</b>	<b>28.7%§</b>

\* Figures represent only the amount of revenue actually collected, not the total amount of fees, costs, fines, etc. assessed.

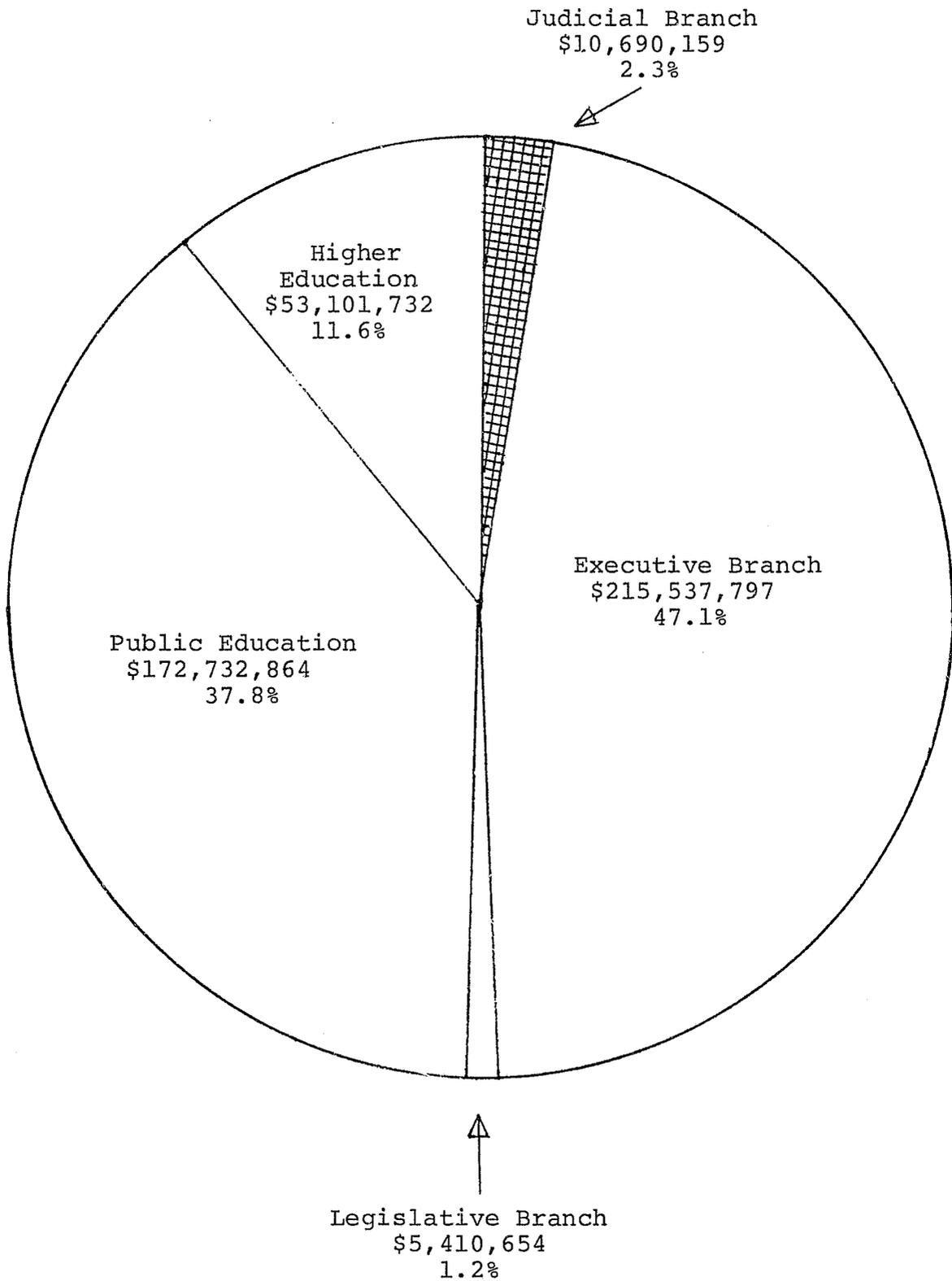
\*\* Bond forfeitures, transcript charges, fees for licenses of deadly weapons, refunds, book sales.

# FY 1977 Revenue divided by FY 1977 Actual Disbursement; the Actual Disbursement includes State general funds, federal funds, and other funds.

¶ Total represents slightly more than half of all interest money collected by the Court of Chancery; in New Castle County, interest money collected is split 50-50 between the State and the County.

§ Revenue as % of operating budget for entire State Judiciary, not just % of revenue-producing courts.

DELAWARE STATE GOVERNMENT EXPENDITURES  
FISCAL YEAR 1978  
Total: \$457,222,069



**Administrative  
Office  
of  
the  
Courts**

ADMINISTRATIVE OFFICE OF THE COURTS  
11th Floor, Wilmington State Office Building  
820 North French Street  
Wilmington, DE 19801

PERSONNEL

Director  
John R. Fisher  
Carolyn Walker, Secretary  
(571-2480)

Assistant Administrator  
Lowell L. Groundland  
(571-2480)

Adult Courts System Analyst  
Larry Clark (Federally Funded)  
(571-2481)

Secretary  
Maria Cook

Accounting Department

Supervisor  
E. Dawn Bowman  
(571-2481)

Clerks  
E. Lynn Deramo  
Christine Creegan

Judicial Planning Committee

Director of Planning  
Vincent P. Meconi (Federally Funded)

Research Assistant  
Adam Golby (Federally Funded)

Secretary  
Evelyn C. Dougherty (Federally Funded)



ADMINISTRATIVE OFFICE OF THE COURTSLegal Authorization

The Administrative Office of the Courts was established by 10 Delaware Code, Chapter 1, during the 1971 General Assembly.

Duties

The Administrative Office of the Courts serves as the focal point for coordination and communication concerning all court administrative activities in the judicial system. The office prepares budgets for the Supreme Court and the Court of Chancery and assists in preparation of the budgets of the Public Guardian and the Law Libraries. It administers the payment of all jurors and witnesses. The AOC is largely responsible for the acquisition of space or facilities for the judicial system, and is responsible for the supervision of lease negotiations and the payment of all rentals. The Administrative Office has assumed a role of general supervision over and assistance to the Alderman's Courts. It has primary responsibility for the acquisition, supervision and administration of federal funds received to assist the court system. Together with the Statistical Analysis Center, the Administrative Office of the Courts is developing a computerized judicial information system. Also, the AOC acts as the focal point between the court system and other government agencies on the local, state, and federal levels.

Personnel

The Director of the Administrative Office of the Courts is appointed by and serves at the pleasure of the Chief Justice of the Supreme Court of the State of Delaware.

The Director may, with the approval of the Chief Justice, appoint such assistants and clerical personnel as are required.

The staff of the Judicial Planning Committee is operationally part of the Administrative Office of the Courts.

SUMMARY OF ADMINISTRATIVE OFFICE OF THE COURTS BUDGET

Budget Code: 02-17-001

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: Employees	\$ 232,205.44	\$ 245,795.52	\$ 189,933.54	\$ 162,600.00
Employment Costs	27,537.56	24,127.80	117,641.00	34,000.00
Personal Services: 1) Jury	468,964.77	591,962.91	490,000.00	560,000.00
2) Witness	13,902.14	26,757.16	28,000.00	30,000.00
3) Other	37,088.07	19,032.72	20,000.00	0.00
Travel	8,407.39	3,299.74	5,300.00	3,500.00
Contractual Services:				
1) Court Rental	1,289,321.53	967,366.00	1,034,238.00	1,572,500.00
2) Other	57,660.09	41,034.54	66,187.00	38,000.00
Supplies and Materials	2,560.13	2,742.21	3,800.00	4,000.00
Capital Outlay	8,726.52	17,747.00	9,039.00	300.00
Special Items: 1) National Center for State Courts	1,000.00	1,000.00	1,500.00	1,500.00
2) Central Data Processing	0.00	0.00	75,000.00	to be determined*
GRAND TOTALS	\$2,147,373.64	\$1,940,865.60	\$2,040,658.54	\$2,406,400.00

Note: Figures include State general funds, federal funds, and other funds.  
 \*Data processing allocation is determined by the Division of Central Data Processing.



**Supreme  
Court**

SUPREME COURT

Legal Authorization

The Supreme Court was created by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The Supreme Court has statewide jurisdiction and sits in Dover.

Legal Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the penalty exceeds certain minimums and in civil cases as to final judgments and certain other orders of Superior Court, Chancery Court, and Family Court. Appeals are heard on the record. The Supreme Court has jurisdiction to issue writs of prohibition, quo warranto, certiorari, and mandamus.

Judges

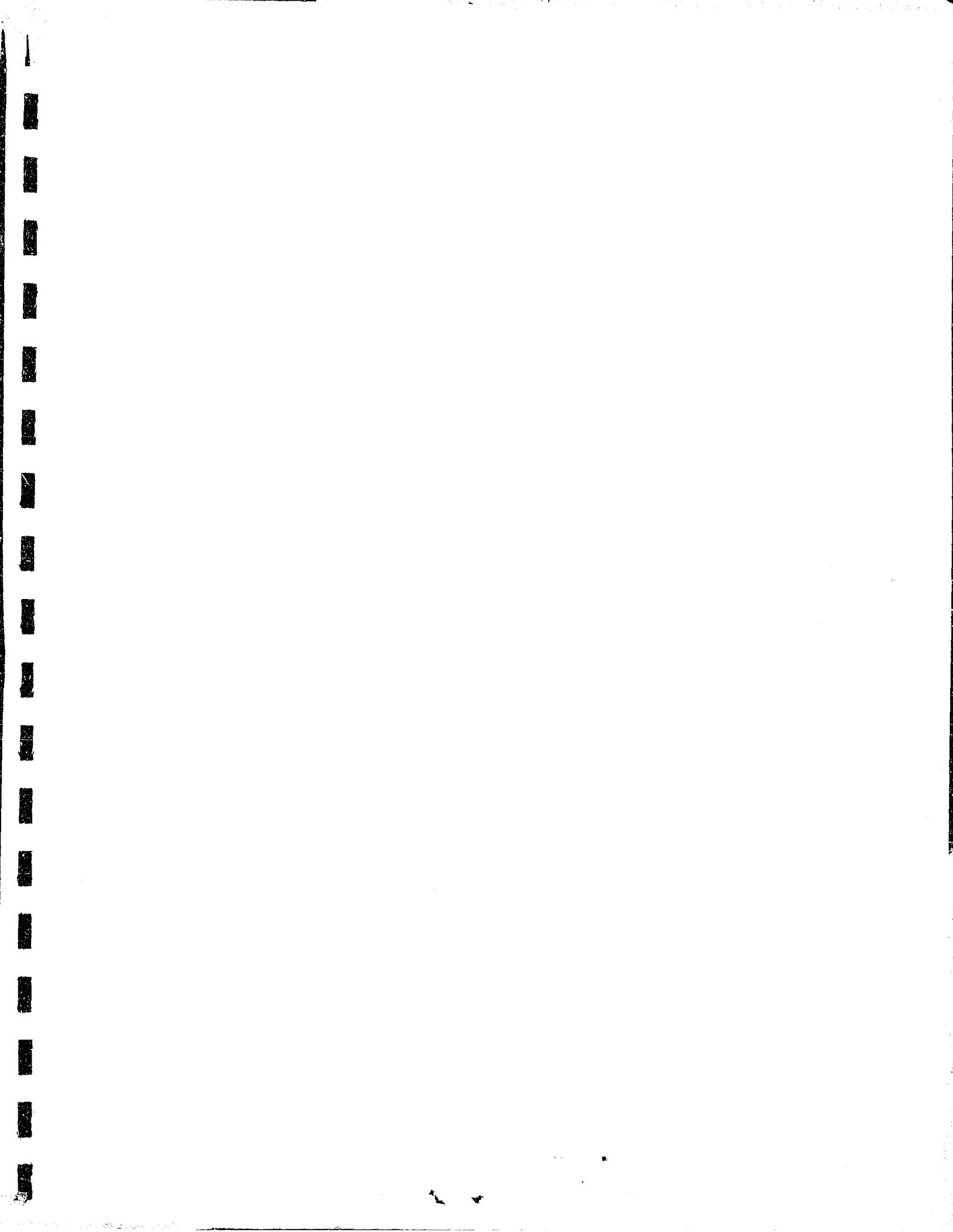
The Supreme Court consists of a Chief Justice and two Associate Justices, who are appointed by the Governor on a bipartisan basis with the consent of the Senate. The Justices are appointed for 12-year terms and must be learned in the law.

Support Personnel

The Chief Justice is responsible for the administration of all courts in the state and appoints a Director of the Administrative Office of the Courts to manage the non-judicial aspects of court administration.

Caseload Trend

The number of appeals filed in the Court continues to increase. During fiscal year 1977, a total of 362 civil and criminal appeals were filed - an increase of more than 200% over the same period ten years ago. But the Court still has the same number of Justices, and staff in the office of the Clerk of the Court has not increased since 1965. The Court urgently needs 2 additional Justices, a staff attorney and a calendaring clerk in order to cope with its responsibilities under the Constitution.



SUPREME COURT

JUDICIARY

Chief Justice

Hon. Daniel L. Herrmann  
Jane Obold, Secretary  
(571-2427)

Associate Justice

Hon. William Duffy  
Ruth Laird, Secretary  
(571-2426)

Associate Justice

Hon. John J. McNeilly  
Ida Mae Ellis, Secretary  
(856-5364)

SUPREME COURT

SUPPORT PERSONNEL

Clerk of the Supreme Court  
T. Edgar Townsend  
Ann Ayrey, Secretary  
(678-4155)

Bailiff  
Wesley Adkins  
(678-4155)

Administrative Secretary  
Lois DeWolfe  
(571-2429)

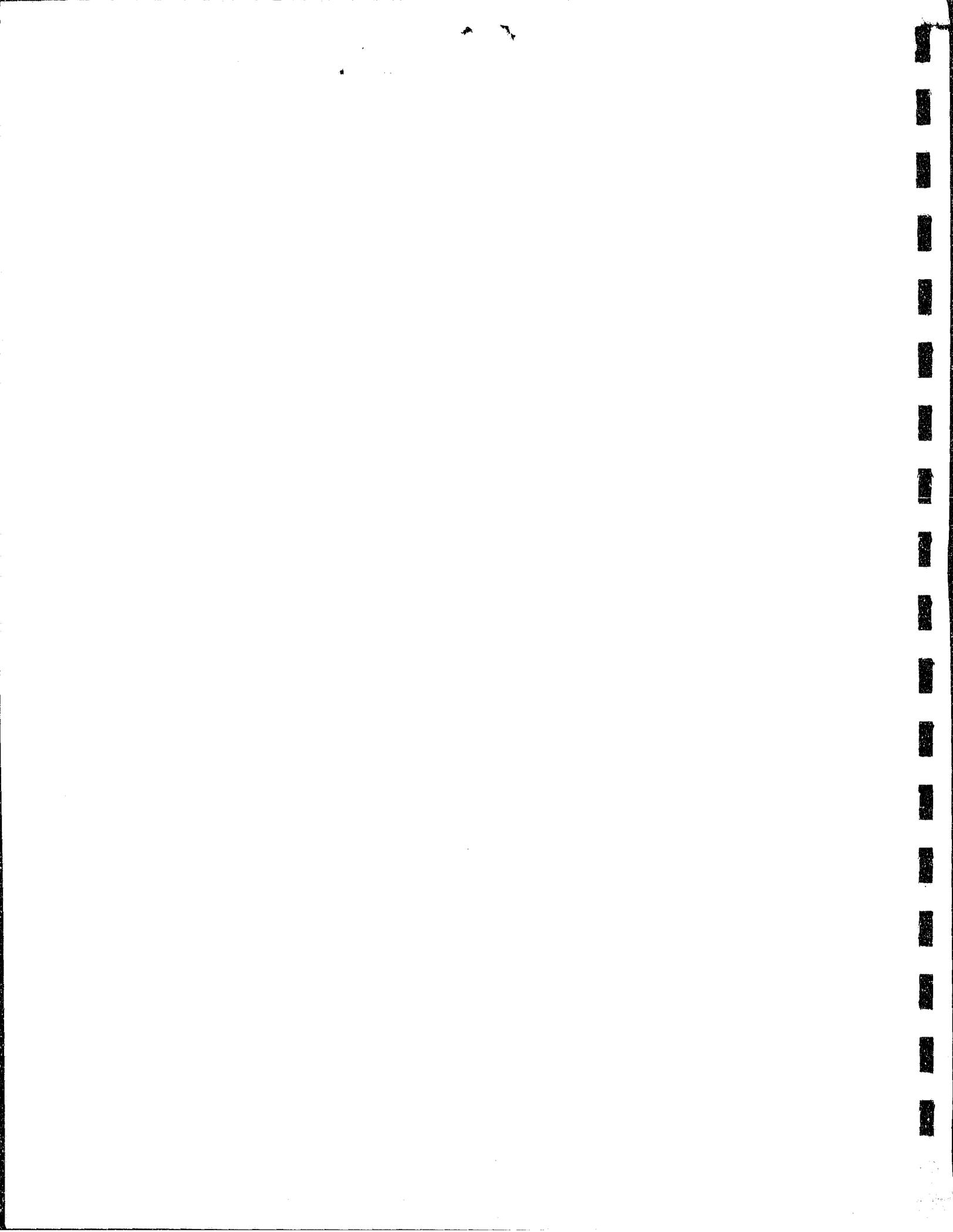
Law Clerks  
Roger Brown  
(571-2429)  
Sara Augenbraun  
(571-2429)  
Craig Krasnitz  
(856-5364)

ADDRESSES

Supreme Court Chambers  
Public Building  
1020 King Street  
Wilmington, DE 19801

Supreme Court Building  
55 The Green  
Dover, DE 19901

Supreme Court Chambers  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947



SUPREME COURT  
FISCAL YEAR 1977  
WORKLOAD

FILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Criminal	30	27	34	20	111
Civil	65	50	73	63	251
Total	<u>95</u>	<u>77</u>	<u>107</u>	<u>83</u>	<u>362</u>

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Criminal	35	23	31	39	128
Civil	46	58	55	64	223
Total	<u>81</u>	<u>81</u>	<u>86</u>	<u>103</u>	<u>351</u>

PENDING

	<u>6-30-76</u>	<u>9-30-76</u>	<u>12-31-76</u>	<u>3-31-77</u>	<u>6-30-77</u>
Criminal	101	96	100	103	84
Civil	175	194	186	204	203
Total	<u>276</u>	<u>290</u>	<u>286</u>	<u>307</u>	<u>287</u>

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Criminal	- 5	+4	+ 3	-19	-17
Civil	+19	-8	+18	- 1	+28
Total	<u>+14</u>	<u>-4</u>	<u>+21</u>	<u>-20</u>	<u>+11</u>

SUPREME COURT  
COMPARISON - FISCAL YEARS 1976-1977  
WORKLOAD

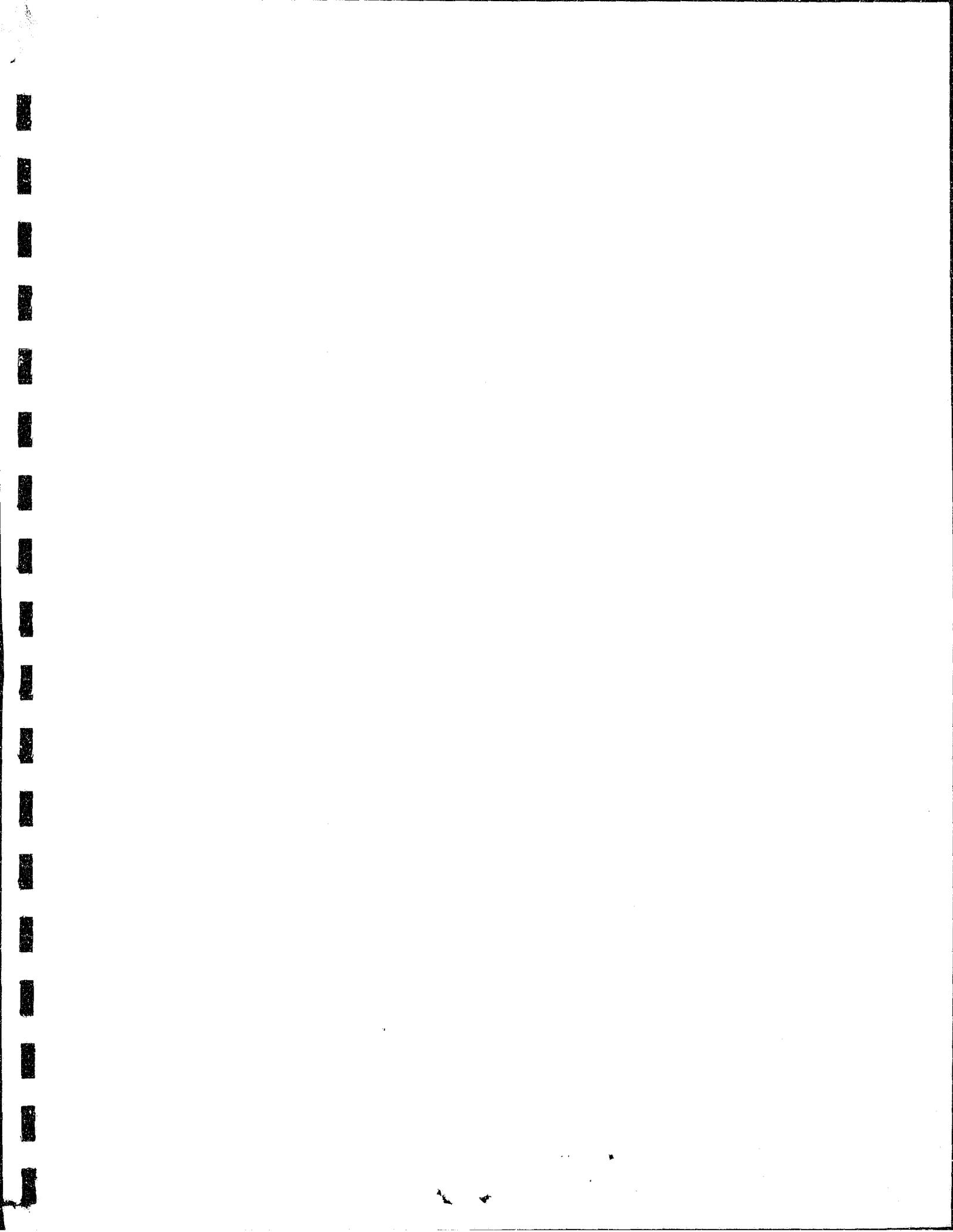
<u>FILINGS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Criminal	123	111	-12	- 9.8%
Civil	218	251	+33	+15.1%
Total	<u>341</u>	<u>362</u>	<u>+21</u>	<u>+ 6.2%</u>

<u>DISPOSITIONS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Criminal	93	128	+ 35	+37.6%
Civil	155	223	+ 68	+43.9%
Total	<u>248</u>	<u>351</u>	<u>+103</u>	<u>+41.5%</u>

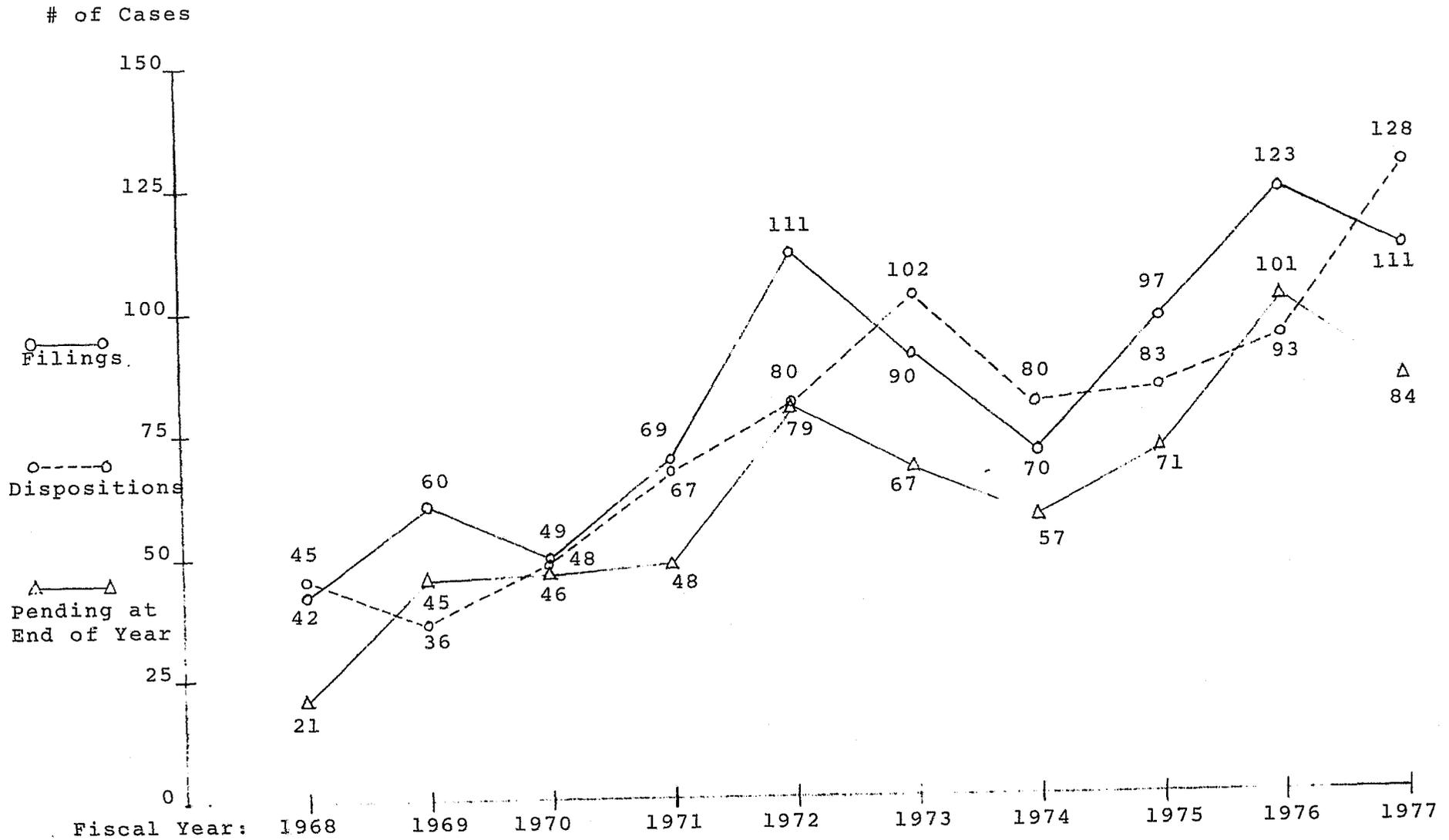
  

<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Criminal	101	84	-17	-16.8%
Civil	175	203	+28	+16.0%
Total	<u>276</u>	<u>287</u>	<u>+11</u>	<u>+ 4.0%</u>

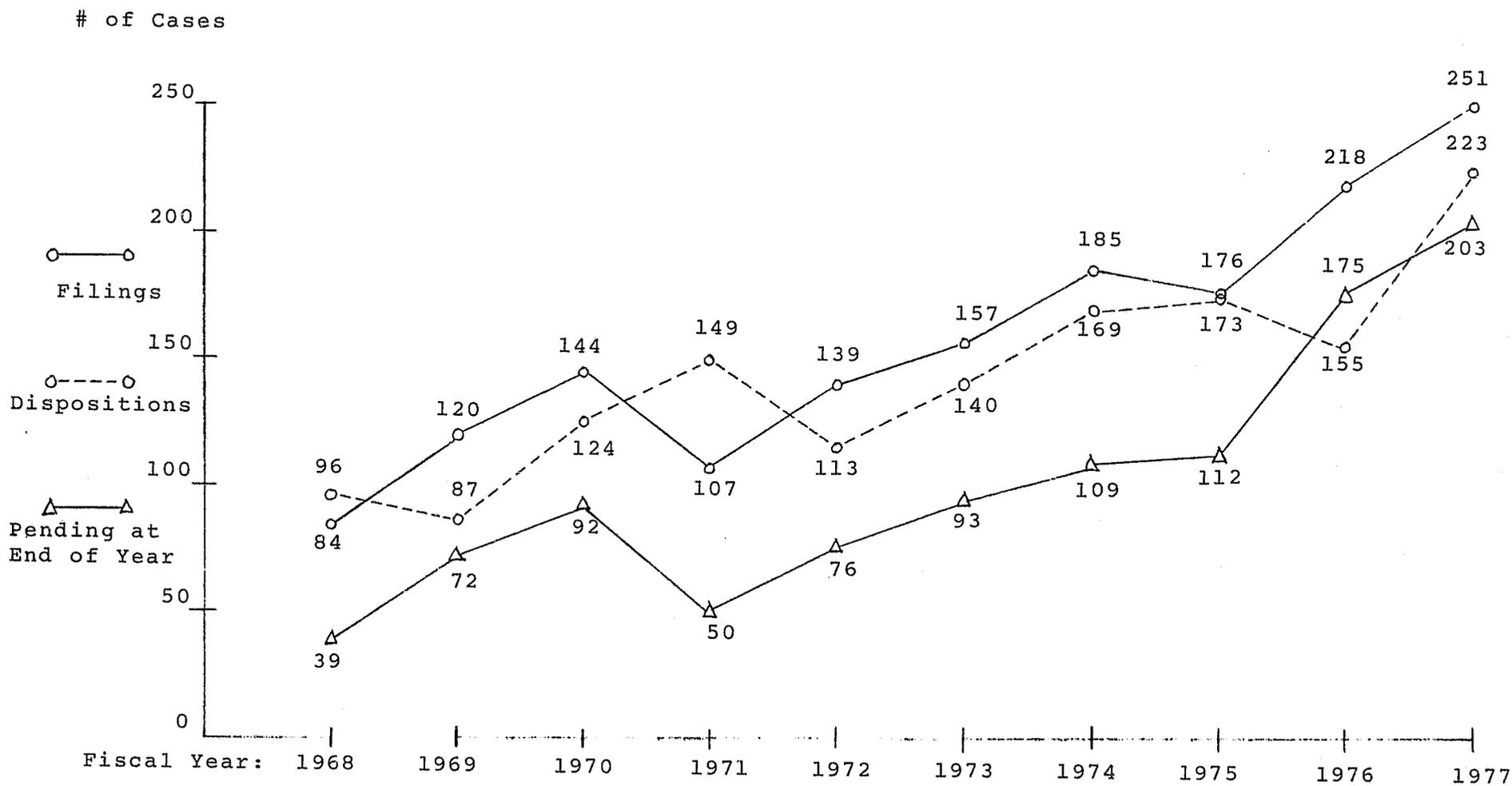


SUPREME COURT

10-YEAR WORKLOAD TREND  
CRIMINAL CASES



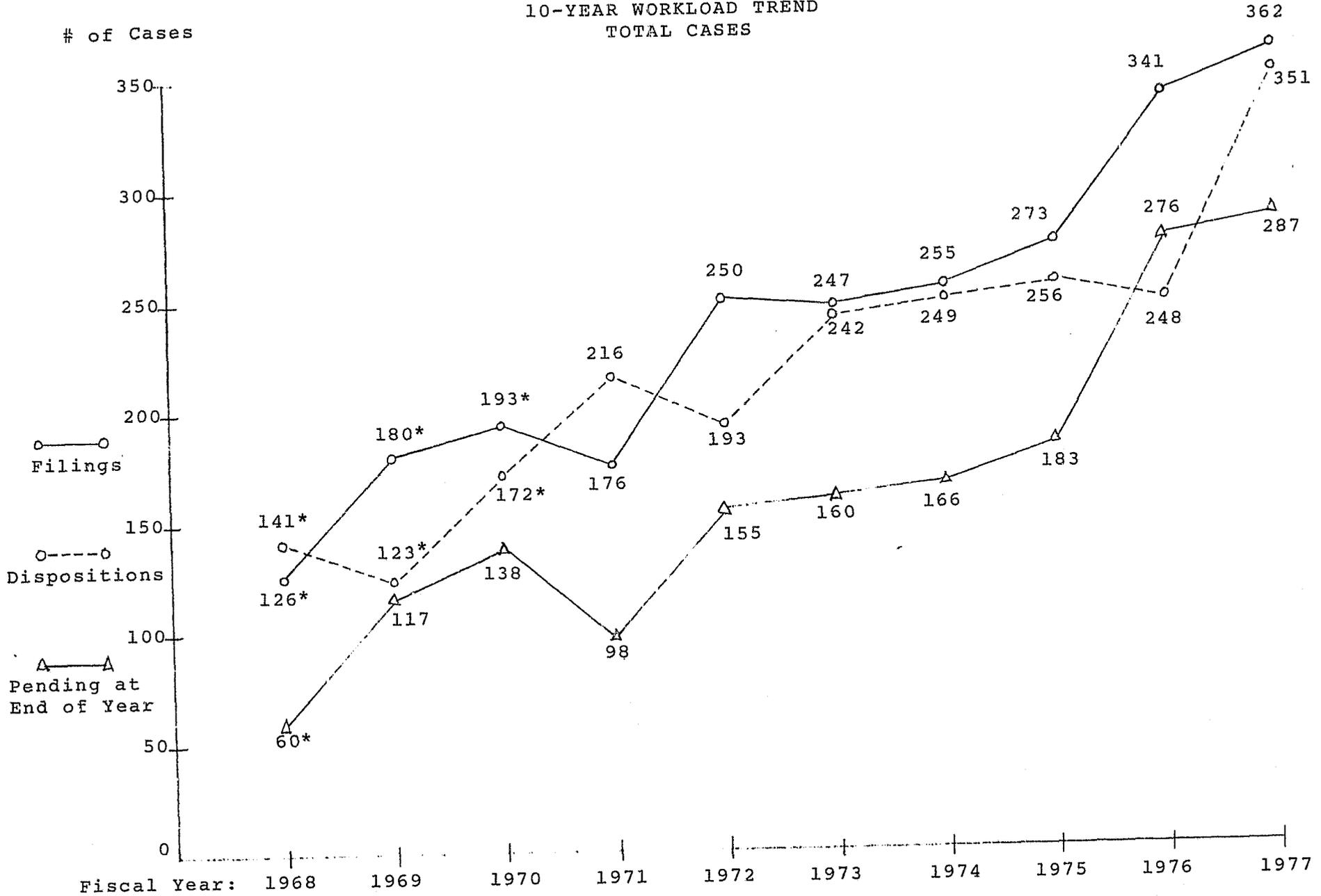
SUPREME COURT  
10-YEAR WORKLOAD TREND  
CIVIL CASES



SUPREME COURT

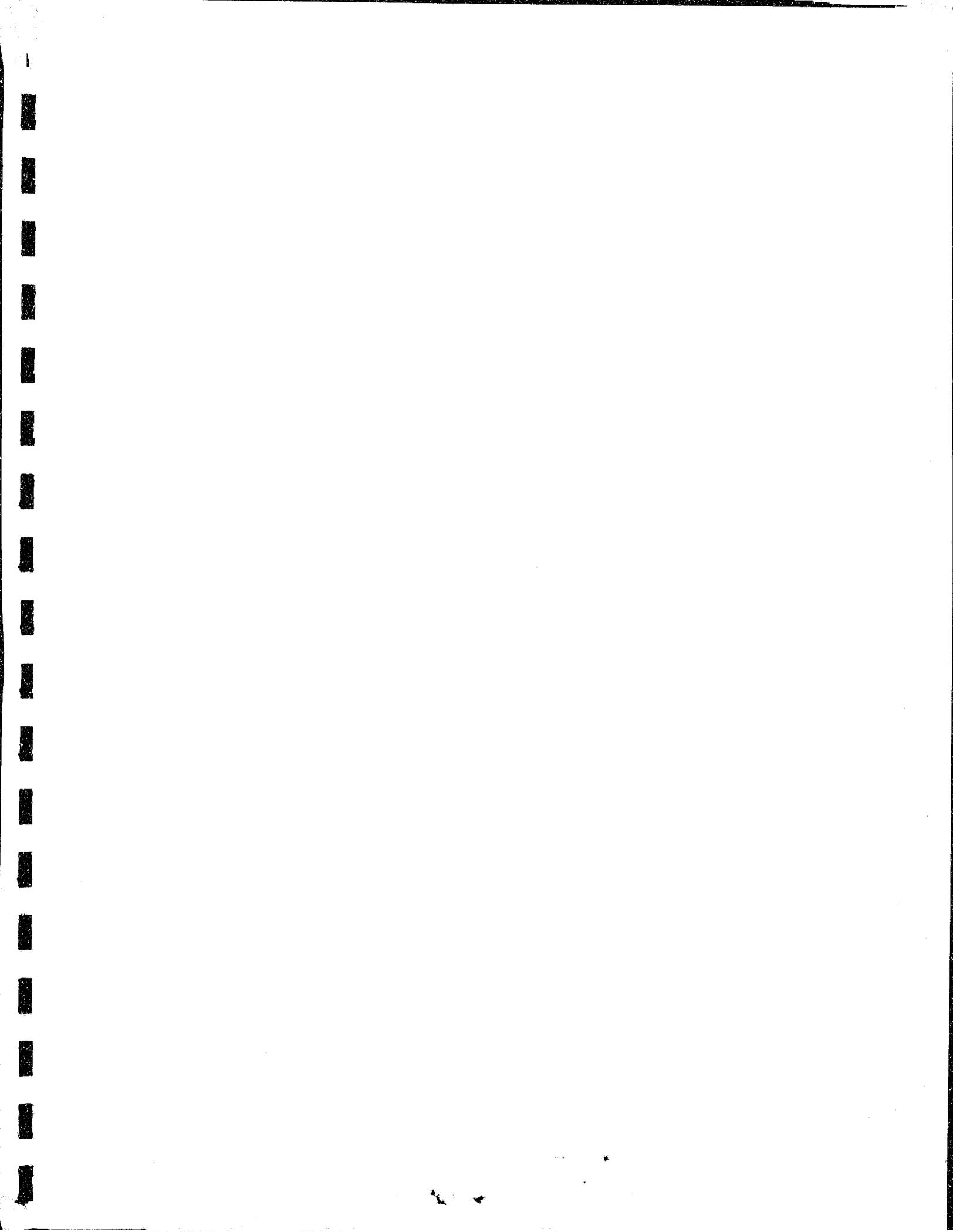
10-YEAR WORKLOAD TREND  
TOTAL CASES

# of Cases



\* Figure corrected from 1976 Annual Report.

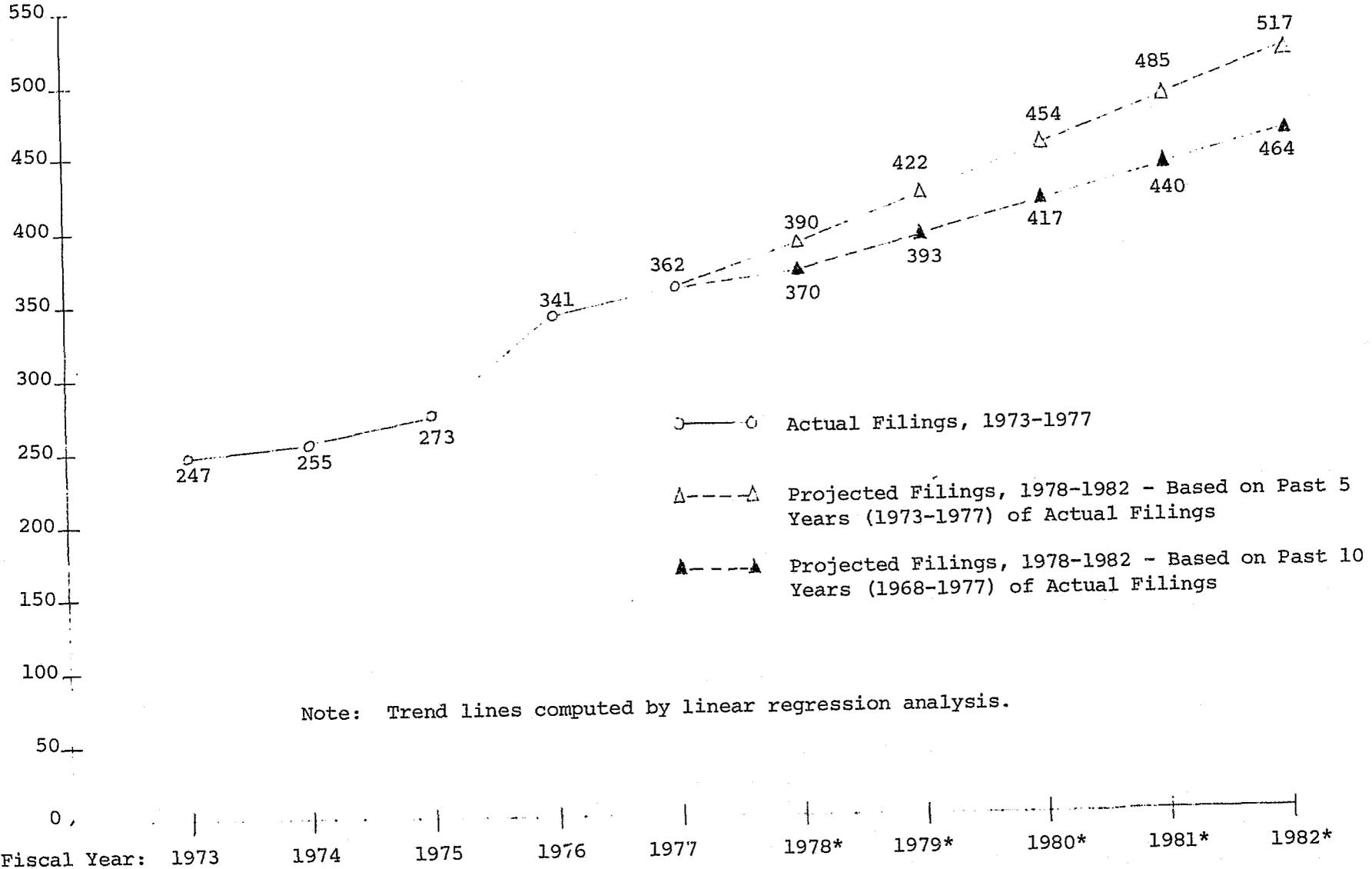




SUPREME COURT

5-YEAR WORKLOAD PROJECTIONS  
TOTAL CASES

# of Cases



Note: Trend lines computed by linear regression analysis.

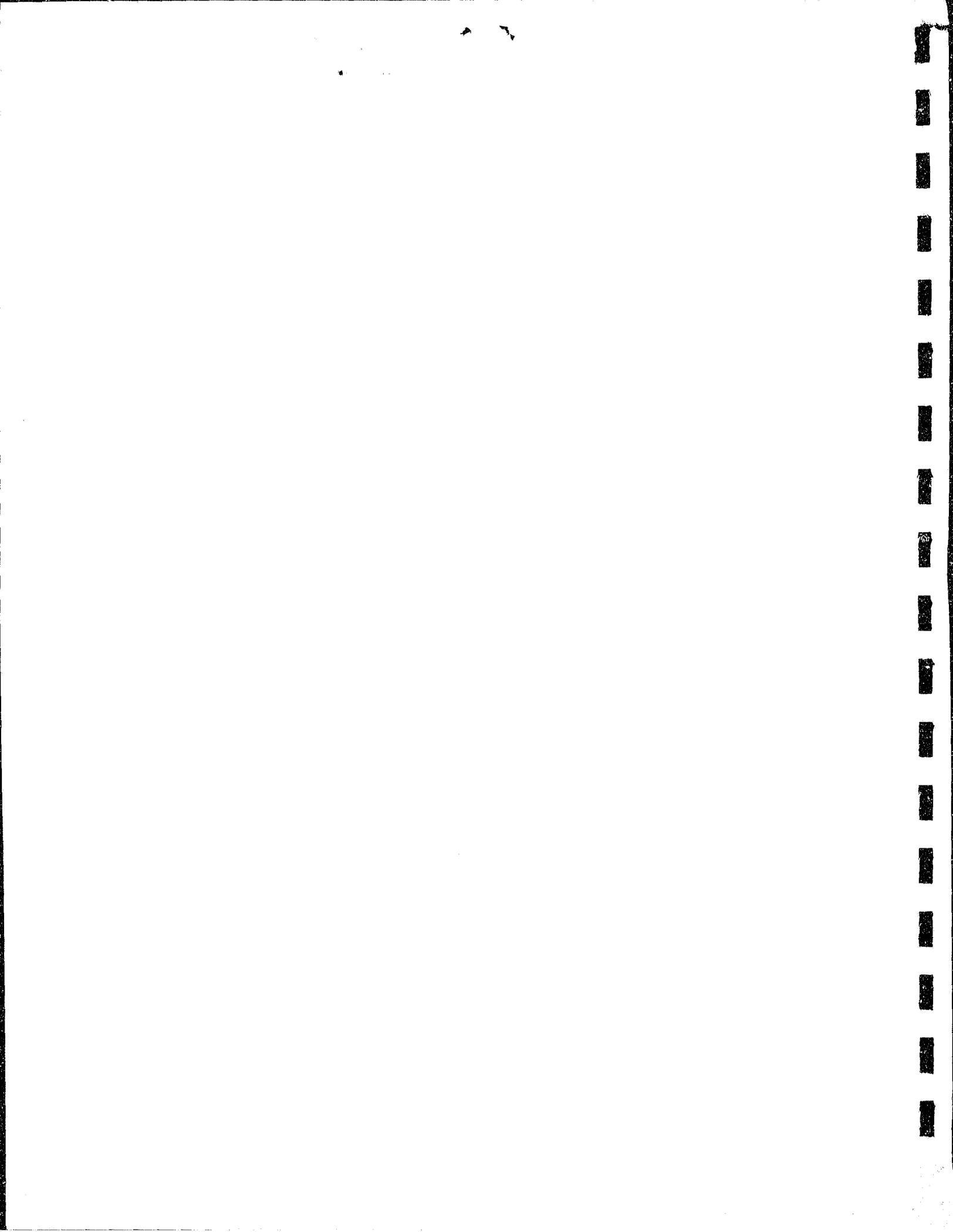
\* Projected

SUMMARY OF SUPREME COURT BUDGET

Budget Code: 02-01-000

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Judicial	\$126,500.00	\$126,500.00	\$126,500.00	\$126,500.00
2) Employees	100,896.54	124,697.72	133,177.00	140,800.00
Employment Costs	0.00	0.00	29,530.00	34,200.00
Personnel Services	0.00	1,425.50	1,000.00	2,000.00
Travel	3,280.35	3,096.69	2,500.00	6,800.00
Contractual Services	19,939.77	19,301.38	14,000.00	29,800.00
Supplies and Materials	5,857.32	6,142.99	7,600.00	9,500.00
Capital Outlay	2,379.56	2,728.83	2,943.00	5,800.00
Debt Services: 1) Principal	20,000.00	20,000.00	20,000.00	20,000.00
2) Interest	9,670.00	8,725.00	7,780.00	6,835.00
Special Items: Renovation - Annex	1,016.36	0.00	0.00	0.00
<b>GRAND TOTALS</b>	<b>\$289,539.90</b>	<b>\$312,618.11</b>	<b>\$345,030.00</b>	<b>\$382,235.00</b>

Note: Figures include State general funds, federal funds, and other funds.



**Court  
of  
Chancery**

COURT OF CHANCERYLegal Authorization

The Constitution of Delaware, Article IV, Section 1, authorizes the Court of Chancery.

Geographic Organization

The Court of Chancery holds court in Wilmington, Dover, and Georgetown, that is, at one location in each county in the county seat.

Legal Jurisdiction

The Court of Chancery has jurisdiction to hear and determine all matters and causes in equity. The general equity jurisdiction of the Court is measured in terms of the general equity jurisdiction of the High Court of Chancery of Great Britain as it existed prior to the separation of the American Colonies. The General Assembly may confer upon the Court of Chancery additional statutory jurisdiction. In today's practice, the litigation in the Court of Chancery largely consists of corporate matters, petitions concerning trusts, estates, and other fiduciary matters, disputes involving real property such as boundary and title disputes, and commercial and contractual matters. When issues of fact to be tried by jury arise, the Court of Chancery may order such facts to trial by issues at Superior Court.

Judges

There are one Chancellor and two Vice-Chancellors who hold the Court of Chancery. The Chancellor and Vice-Chancellors are appointed by the Governor with the consent of the majority of the Senate's elected members for 12 year terms. The Chancellor and Vice-Chancellors must be learned in the law.

Support Personnel

The Chancellor may appoint court reporters, bailiffs, criers of pages, and law clerks. Each of the judges may appoint one office secretary.

An elected Register in Chancery of each county is Clerk of the Court of Chancery for the county. The Judges appoint one Chief Deputy Register in Chancery in each county.

The Register of Wills acts as a Clerk of the Court of Chancery for probate matters. The majority of the Register's former judicial and quasi-judicial powers are now held by the Court of Chancery. A Register of Wills is elected in each county for the county. The Chancellor names a Chief Deputy Register of Wills for each county.

COURT OF CHANCERY (CONTINUED)

Public Guardian

The Chancellor has the duty to appoint the Public Guardian. The Public Guardian serves, when appointed by the Court, as the guardian of the person and/or property of the aged, the mentally infirm and the physically incapacitated. Under the law, the Public Guardian is intended to be the guardian of last resort.

Caseload Trend

Of the three categories of work handled by the Court of Chancery in FY 1977, two (civil cases and miscellaneous matters) experienced moderate declines in the number of filings, while the other (estates) experienced a slight increase. The number of statewide civil cases filed declined from 408 to 368, a 9.8% drop. The number of miscellaneous matters filed in Delaware during FY 1977 was 536, a decline of 13.8% from the previous year's total of 622. The number of estates opened increased from 1,634 in FY 1976 to 1,700 in FY 1977, a 4.0% upward change.

COURT OF CHANCERY

JUDICIARY

Chancellor

Hon. William Marvel  
Carolyn Hazen, Secretary  
(571-2441)

Vice-Chancellor

Hon. Maurice A. Hartnett, III  
Shirley D. Wood, Secretary  
Joyce D. Stockslager, Secretary  
(678-4397)

Vice-Chancellor

Hon. Grover C. Brown  
Mary Lou Wilcoxson, Secretary  
(856-5338)

COURT OF CHANCERY

SUPPORT PERSONNEL

Court Reporters

Henry D. Skogmo, Chief  
Lorraine B. Marino  
Marian Wagner, Secretary  
Dorothy Cordell, Secretary  
(571-2447)

Administrative Secretary

Carole S. Chmura  
(571-2440)

Law Clerks

Raymond Radulski  
Kevin Gross  
(571-2444)

ADDRESSES

Court of Chancery  
134 Public Building  
1020 King Street  
Wilmington, DE 19801

Court of Chancery  
45 The Green  
Dover, DE 19901

Court of Chancery  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947

REGISTERS IN CHANCERY

NEW CASTLE COUNTY

Registers in Chancery

John D. Kelly, III

Chief Deputies

Jane L. Koke  
Milton Roger Holmes

Deputies

Reta Handlin  
Alberta Maxwell

Court Clerks

Francis M. Donovan  
Valerie A. Ventura

KENT COUNTY

Stanley Wayne Anthony

Frances C. Crozier

Linda McClary

SUSSEX COUNTY

Harvey F. Donovan, Sr.

Mary P. Hill

Lorene C. Breasure

COURT OF CHANCERY

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Account Clerks

Madge S. Wells  
Carmella M. Wilson

Secretaries

Cynthia Ainis (Federally Funded)  
Theresa M. Mays  
Patricia G. Randolph

Clerk Typist

Edna H. May

ADDRESSES

Register in Chancery  
M-32 Public Building  
1020 King Street  
Wilmington, DE 19801  
(571-7540)

REGISTERS IN CHANCERY (CONTINUED)

KENT COUNTY

Loretta Wootten

Register in Chancery  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(734-2319, 678-3100 X205)

SUSSEX COUNTY

Register in Chancery  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-7702 X229)

REGISTERS OF WILLS

NEW CASTLE COUNTY

Registers of Wills

James P. D'Angelo

Chief Deputies

John A. Johnson  
Grover C. Luttrell, Jr.

KENT COUNTY

Ralph R. Smith

Betty A. Strobel

SUSSEX COUNTY

Wilson O. McCabe

Isabelle P. Morris

COURT OF CHANCERY

SUPPORT PERSONNEL (CONTINUED)

REGISTERS OF WILLS (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Deputies

Eleanor M. Riley

Emma D. Tarburton

Joanne S. Bacon

Accountant

John H. Williams, Jr.

Account Clerks

Adelaide D. Giacomia

Virginia Lovett

Ann McLean

Elva M. Phillips

Clerk

Rosie M. Perkins

Secretaries

Lillian T. Banks

Maria Ann Rendina

Clerk Typists

Victoria Bernice Clark

Donna S. Dougherty

John N. Drupieski

Lillian Kleveland

Brenda P. Lumpkin

ADDRESSES

Register of Wills  
M-32 Public Building  
1020 King Street  
Wilmington, DE 19801  
(571-7545)

Register of Wills  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(734-2789, 678-3100)

Register of Wills  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-7701)

## COURT OF CHANCERY

FISCAL YEAR 1977  
CIVIL CASESFILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	60	70	72	64	266
Kent	11	12	8	8	39
Sussex	<u>19</u>	<u>11</u>	<u>19</u>	<u>14</u>	<u>63</u>
State	90	93	99	86	368

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	45	57	75	93	270
Kent	3	4	11	11	29
Sussex	<u>6</u>	<u>5</u>	<u>18</u>	<u>11</u>	<u>40</u>
State	54	66	104	115	339

PENDING

	<u>6-30-76</u>	<u>9-30-76</u>	<u>12-31-76</u>	<u>3-31-77</u>	<u>6-30-77</u>
New Castle	512	527	540	537	508
Kent	65	73	81	78	75
Sussex	<u>72</u>	<u>85</u>	<u>91</u>	<u>92</u>	<u>95</u>
State	649	685	712	707	678

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	+15	+13	-3	-29	-4
Kent	+8	+8	-3	-3	+10
Sussex	<u>+13</u>	<u>+6</u>	<u>+1</u>	<u>+3</u>	<u>+23</u>
State	+36	+27	-5	-29	+29

COURT OF CHANCERY  
COMPARISON - FISCAL YEARS 1976-1977  
CIVIL CASES

<u>FILINGS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	305	266	-39	-12.8%
Kent	47	39	- 8	-17.0%
Sussex	56	63	+ 7	+12.5%
State	<u>408</u>	<u>368</u>	<u>-40</u>	<u>- 9.8%</u>

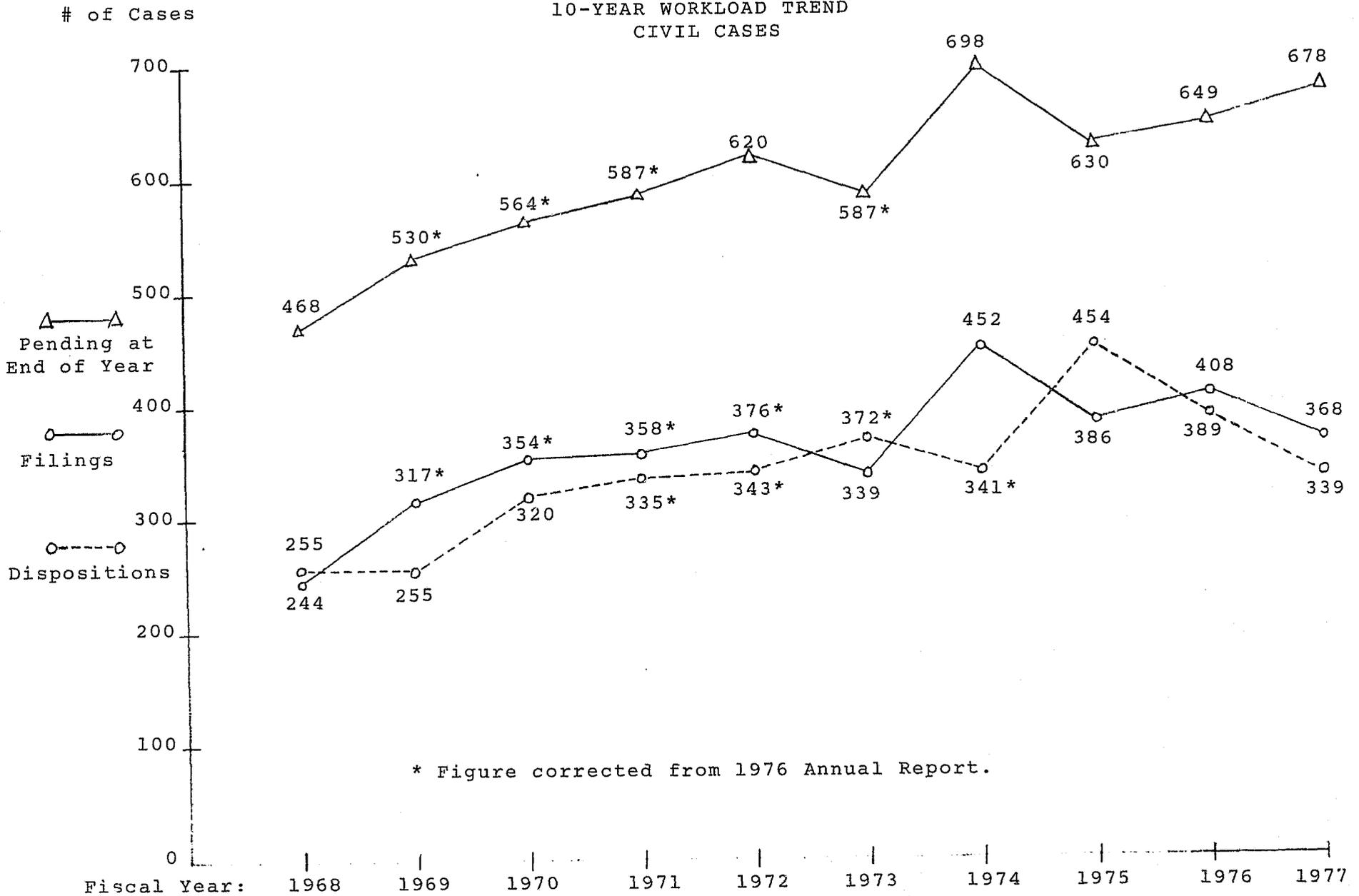
<u>DISPOSITIONS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	296	270	-26	- 8.8%
Kent	44	29	-15	-34.1%
Sussex	49	40	- 9	-22.5%
State	<u>389</u>	<u>339</u>	<u>-50</u>	<u>-12.9%</u>

<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	512	508	- 4	- 0.8%
Kent	65	75	+10	+15.4%
Sussex	72	95	+23	+31.9%
State	<u>649</u>	<u>678</u>	<u>+29</u>	<u>+ 4.5%</u>

COURT OF CHANCERY

10-YEAR WORKLOAD TREND  
CIVIL CASES





COURT OF CHANCERY  
FISCAL YEAR 1977  
MISCELLANEOUS MATTERS

<u>NEW CASTLE</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	601	102	108	595	- 6
Guardians for Infirm	456	87	56	487	+31
Trustees for Mentally Ill	133	5	2	136	+ 3
Other Matters	261	28	28	261	0
Trusts	1,529	70	109	1,490	-39
TOTALS	<u>2,980</u>	<u>292</u>	<u>303</u>	<u>2,969</u>	<u>-11</u>

<u>KENT</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	162	26	6	182	+20
Guardians for Infirm	69	16	4	81	+12
Trustees for Mentally Ill	11	0	1	10	- 1
Other Matters	15	11	17	9	- 6
Trusts	96	16	1	111	+15
TOTALS	<u>353</u>	<u>69</u>	<u>29</u>	<u>393</u>	<u>+40</u>

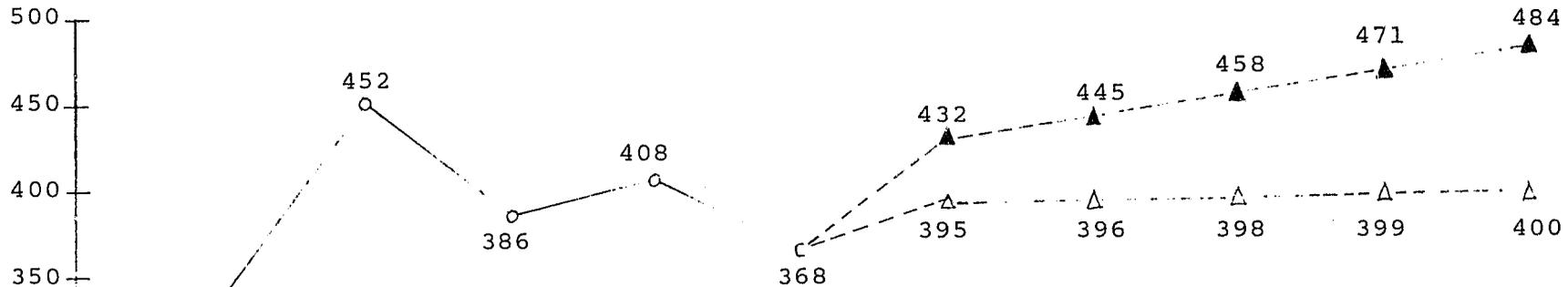
<u>SUSSEX</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	302	11	14	299	- 3
Guardians for Infirm	72	24	24	72	0
Trustees for Mentally Ill	16	6	6	16	0
Other Matters	18*	59	63	14	- 4
Trusts	247	75	17	305	+58
TOTALS	<u>655*</u>	<u>175</u>	<u>124</u>	<u>706</u>	<u>+51</u>

<u>STATE</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	1,065	139	128	1,076	+11
Guardians for Infirm	597	127	84	640	+43
Trustees for Mentally Ill	160	11	9	162	+ 2
Other Matters	294*	98	108	284	-10
Trusts	1,872	161	127	1,906	+34
TOTALS	<u>3,988*</u>	<u>536</u>	<u>456</u>	<u>4,068</u>	<u>+80</u>

\* Figure corrected from 1976 Annual Report.

COURT OF CHANCERY  
5-YEAR WORKLOAD PROJECTIONS  
CIVIL CASES

# of Cases



○-----○ Actual Filings, 1973-1977

△-----△ Projected Filings, 1978-1982 - Based on Past 5 Years (1973-1977) of Actual Filings

▲-----▲ Projected Filings, 1978-1982 - Based on Past 10 Years (1968-1977) of Actual Filings

Note: Trend lines computed by linear regression analysis.

0. | | | | | | | | | |  
Fiscal Year: 1973 1974 1975 1976 1977 1978\* 1979\* 1980\* 1981\* 1982\*

\* Projected

COURT OF CHANCERY  
FISCAL YEAR 1977  
MISCELLANEOUS MATTERS

<u>NEW CASTLE</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	601	102	108	595	- 6
Guardians for Infirm	456	87	56	487	+31
Trustees for Mentally Ill	133	5	2	136	+ 3
Other Matters	261	28	28	261	0
Trusts	1,529	70	109	1,490	-39
TOTALS	<u>2,980</u>	<u>292</u>	<u>303</u>	<u>2,969</u>	<u>-11</u>

<u>KENT</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	162	26	6	182	+20
Guardians for Infirm	69	16	4	81	+12
Trustees for Mentally Ill	11	0	1	10	- 1
Other Matters	15	11	17	9	- 6
Trusts	96	16	1	111	+15
TOTALS	<u>353</u>	<u>69</u>	<u>29</u>	<u>393</u>	<u>+40</u>

<u>SUSSEX</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	302	11	14	299	- 3
Guardians for Infirm	72	24	24	72	0
Trustees for Mentally Ill	16	6	6	16	0
Other Matters	18*	59	63	14	- 4
Trusts	247	75	17	305	+58
TOTALS	<u>655*</u>	<u>175</u>	<u>124</u>	<u>706</u>	<u>+51</u>

<u>STATE</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6-30-77</u>	<u>Change</u>
Guardians for Minors	1,065	139	128	1,076	+11
Guardians for Infirm	597	127	84	640	+43
Trustees for Mentally Ill	160	11	9	162	+ 2
Other Matters	294*	98	108	284	-10
Trusts	1,872	161	127	1,906	+34
TOTALS	<u>3,988*</u>	<u>536</u>	<u>456</u>	<u>4,068</u>	<u>+80</u>

\* Figure corrected from 1976 Annual Report.

COURT OF CHANCERY  
COMPARISON - FISCAL YEARS 1976-1977  
MISCELLANEOUS MATTERS

<u>FILINGS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	360	292	-68	-18.9%
Kent	68	69	+ 1	+ 1.5%
Sussex	194*	175	-19	- 9.8%
State	<u>622*</u>	<u>536</u>	<u>-86</u>	<u>-13.8%</u>

<u>DISPOSITIONS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	302	303	+ 1	+ 0.3%
Kent	41	29	-12	-29.3%
Sussex	101*	124	+23	+22.8%
State	<u>444*</u>	<u>456</u>	<u>+12</u>	<u>+ 2.7%</u>

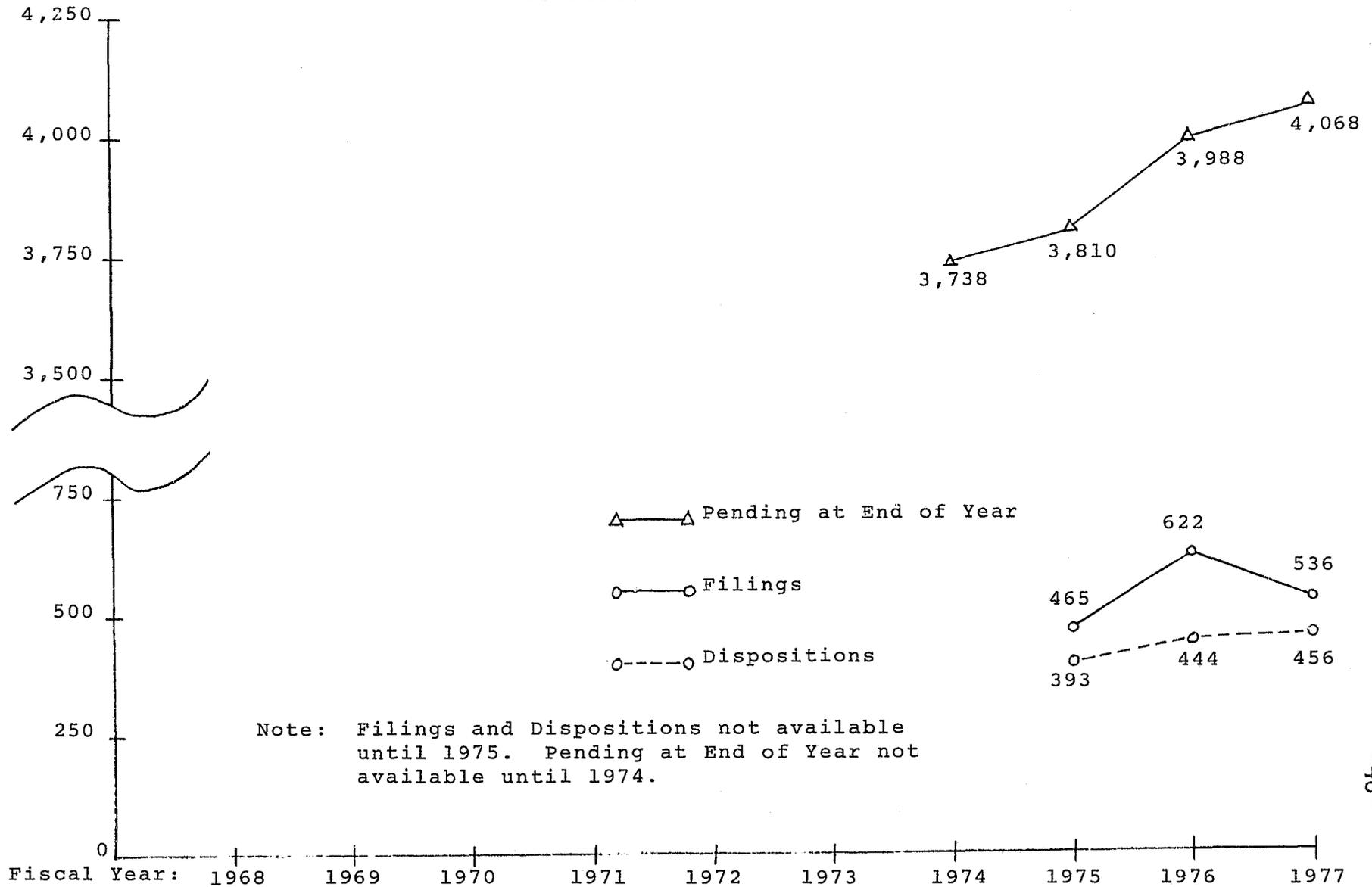
<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,980	2,969	-11	- 0.4%
Kent	353	393	+40	+11.3%
Sussex	655*	706	+51	+ 7.8%
State	<u>3,988*</u>	<u>4,068</u>	<u>+80</u>	<u>+ 2.0%</u>

\* Figure corrected from 1976 Annual Report.

COURT OF CHANCERY

10-YEAR WORKLOAD TREND  
MISCELLANEOUS MATTERS

# of Miscellaneous Matters



Note: Filings and Dispositions not available until 1975. Pending at End of Year not available until 1974.



## COURT OF CHANCERY

FISCAL YEAR 1977  
ESTATESESTATES OPENED

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	233	262	277	273	1,045
Kent	66	50	71	88	275
Sussex	<u>104</u>	<u>104</u>	<u>89</u>	<u>83</u>	<u>380</u>
State	403	416	437	444	1,700

ESTATES CLOSED

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	331	336	292	284	1,243
Kent	67	56	69	67	259
Sussex	<u>94</u>	<u>107</u>	<u>101</u>	<u>79</u>	<u>381</u>
State	492	499	462	430	1,883

ESTATES REMAINING OPEN

	<u>6-30-76</u>	<u>9-30-76</u>	<u>12-31-76</u>	<u>3-31-77</u>	<u>6-30-77</u>
New Castle	1,884	1,786	1,712	1,697	1,686
Kent	570	569	563	565	586
Sussex	<u>481</u>	<u>491</u>	<u>488</u>	<u>476</u>	<u>480</u>
State	2,935	2,846	2,763	2,738	2,752

CHANGES IN ESTATES REMAINING OPEN

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	-98	-74	-15	-11	-198
Kent	- 1	- 6	+ 2	+21	+ 16
Sussex	<u>+10</u>	<u>- 3</u>	<u>-12</u>	<u>+ 4</u>	<u>- 1</u>
State	-89	-83	-25	+14	-183

COURT OF CHANCERY  
COMPARISON - FISCAL YEARS 1976-1977  
ESTATES

ESTATES OPENED

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,047	1,045	- 2	- 0.2%
Kent	224	275	+ 51	+22.8%
Sussex	363	380	+ 17	+ 4.7%
State	<u>1,634</u>	<u>1,700</u>	<u>+ 66</u>	<u>+ 4.0%</u>

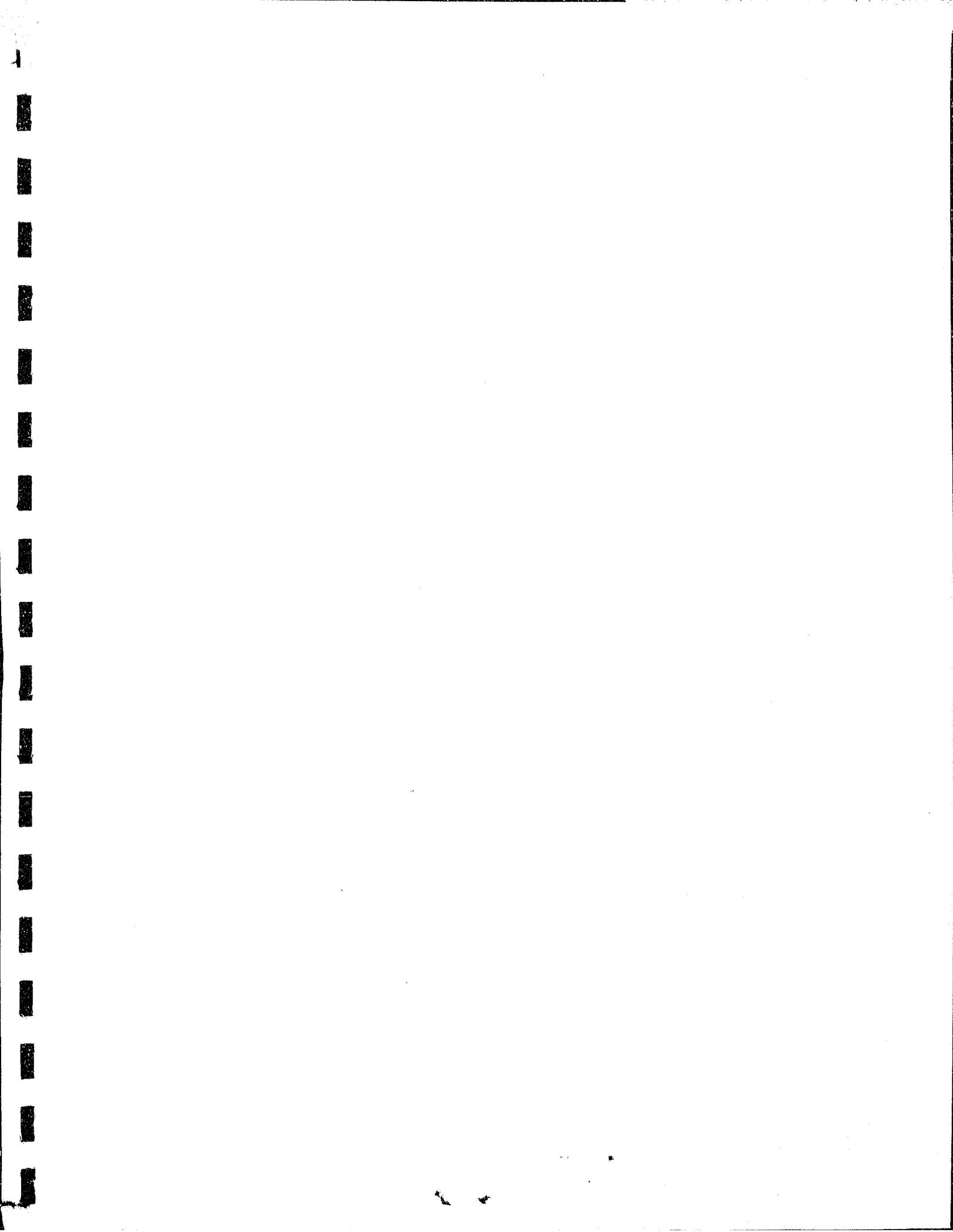
ESTATES CLOSED

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,045	1,243	+198	+18.9%
Kent	167	259	+ 92	+55.1%
Sussex	634*	381	-253	-39.9%
State	<u>1,846*</u>	<u>1,883</u>	<u>+ 37</u>	<u>+ 2.0%</u>

ESTATES REMAINING OPEN AT END OF YEAR

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,884	1,686	-198	-10.5%
Kent	570	586	+ 16	+ 2.8%
Sussex	481	480	- 1	- 0.2%
State	<u>2,935</u>	<u>2,752</u>	<u>-183</u>	<u>- 6.2%</u>

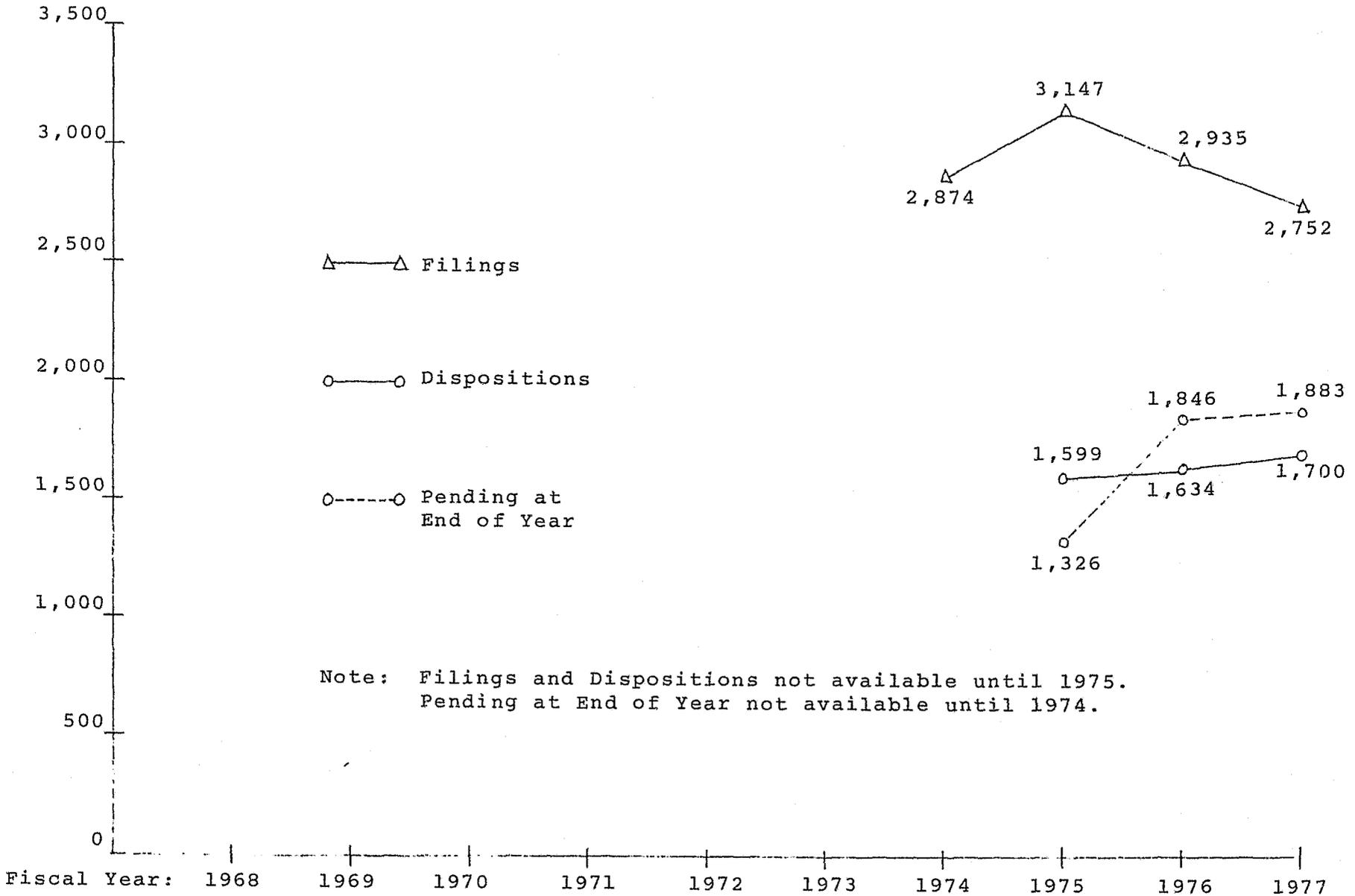
\* Figure corrected from 1976 Annual Report.



COURT OF CHANCERY

10-YEAR WORKLOAD TREND  
ESTATES

# of Estates



Note: Filings and Dispositions not available until 1975.  
Pending at End of Year not available until 1974.

SUMMARY OF COURT OF CHANCERY BUDGET

Budget Code: 02-02-001

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Judicial	\$117,500.00	\$106,683.26	\$117,500.00	\$117,500.00
2) Employees	119,184.36	127,716.22	136,297.00	144,200.00
Employment Costs	0.00	0.00	29,811.00	34,600.00
Personal Services	230.00	0.00	320.00	500.00
Travel	1,925.04	2,210.60	1,500.00	4,000.00
Contractual Services	8,932.04	8,161.63	10,000.00	17,100.00
Supplies and Materials	4,859.63	5,076.11	5,800.00	7,000.00
Capital Outlay	3,814.47	2,922.42	2,000.00	9,700.00
Special Items: Contingency	0.00	2,713.25	1,286.75	0.00
<b>GRAND TOTALS</b>	<b>\$256,445.54</b>	<b>\$255,483.49</b>	<b>\$304,514.75</b>	<b>\$334,600.00</b>

Note: Figures include State general funds, federal funds, and other funds.



**Public  
Guardian**

THE PUBLIC GUARDIAN

Legal Authorization

The authority for the Office of the Public Guardian is derived from Title 12, §3991, of the Delaware Code:

"There is established the Office of the Public Guardian. The Chancellor shall appoint the Public Guardian, who shall serve at his pleasure. The salary of the Public Guardian shall be \$18,500.00 per annum, to be paid from the General Fund. The Chancellor, in his discretion, may require the Public Guardian to post bond.

Geographic Organization

The Office of the Public Guardian has responsibility for the entire state and presents its petitions for guardianships in the Court of Chancery in all three counties.

Legal Jurisdiction

The powers and duties of the Public Guardian are spelled out in Title 12, §3992, of the Delaware Code:

"The Public Guardian, when appointed as guardian by Court Order, shall:

1. Serve as guardian for the property of aged, mentally infirm or physically incapacitated persons, pursuant to §3914 of this Title;
2. Serve as a guardian for the person of aged, mentally infirm or physically incapacitated persons where such persons are in danger of substantially endangering their health, or of becoming subject to abuse by other persons, or of becoming the victim of designing persons; or,
3. Serve as both guardian of the person and of property of such person."

The intent of the legislation creating the Office of the Public Guardian was to create a guardianship capability for those situations in which a person needing a guardian does not have any relative, friend or other person interested in or capable of serving as a guardian, whose estate is insufficient to purchase the services of a private guardian, or who would be best served by a neutral guardian.

Personnel

The Public Guardian is assisted by an Administrative Assistant and a Secretary.

Caseload

In the year of operation July 1, 1976 to June 30, 1977, the office received 80 referrals, of which 50 were from New Castle County,

16 from Kent, and 14 from Sussex. This total of 80 new referrals represents a slight decline from the total of 94 referrals in FY 1976. Of this number, 15 were determined to need the services of the Public Guardian as a guardian, and petitions were presented in the appropriate counties. As of June 30, 1977, the Public Guardian had responsibility for a total of 35 wards.

The remaining 65 cases were determined not to need guardianship for the solution of their problems and were served by mobilizing the resources of other state and private agencies to aid the client, involving the family of the client, helping the client to take some voluntary action on his own behalf, or simply offering counselling to help the client solve his own problems.

PUBLIC GUARDIAN  
310 Odd Fellows Building  
920 King Street  
Wilmington, Delaware 19801  
(571-2990)

PERSONNEL

Public Guardian  
Thomas J. Posatko

Administrative Assistant  
Karen H. Groundland

Counselors/Caseworkers  
Patricia E. Gesler  
Joseph M. DiSabatino

Secretary  
Barbara A. Walker



PUBLIC GUARDIAN  
FISCAL YEAR 1977  
WORKLOAD

NEW REFERRALS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Guardianships	2	4	5	4	15
Investigations	19	12	18	16	65
Total	<u>21</u>	<u>16</u>	<u>23</u>	<u>20</u>	<u>80</u>

CASES CLOSED

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Guardianships	0	3	0	2	5
Investigations	5	18	18	18	59
Total	<u>5</u>	<u>21</u>	<u>18</u>	<u>20</u>	<u>64</u>

PENDING

	<u>6-30-76</u>	<u>9-30-76</u>	<u>12-31-76</u>	<u>3-31-77</u>	<u>6-30-77</u>
Guardianships	22	24	25	30	32
Investigations	6	20	14	14	12
Total	<u>28</u>	<u>44</u>	<u>39</u>	<u>44</u>	<u>44</u>

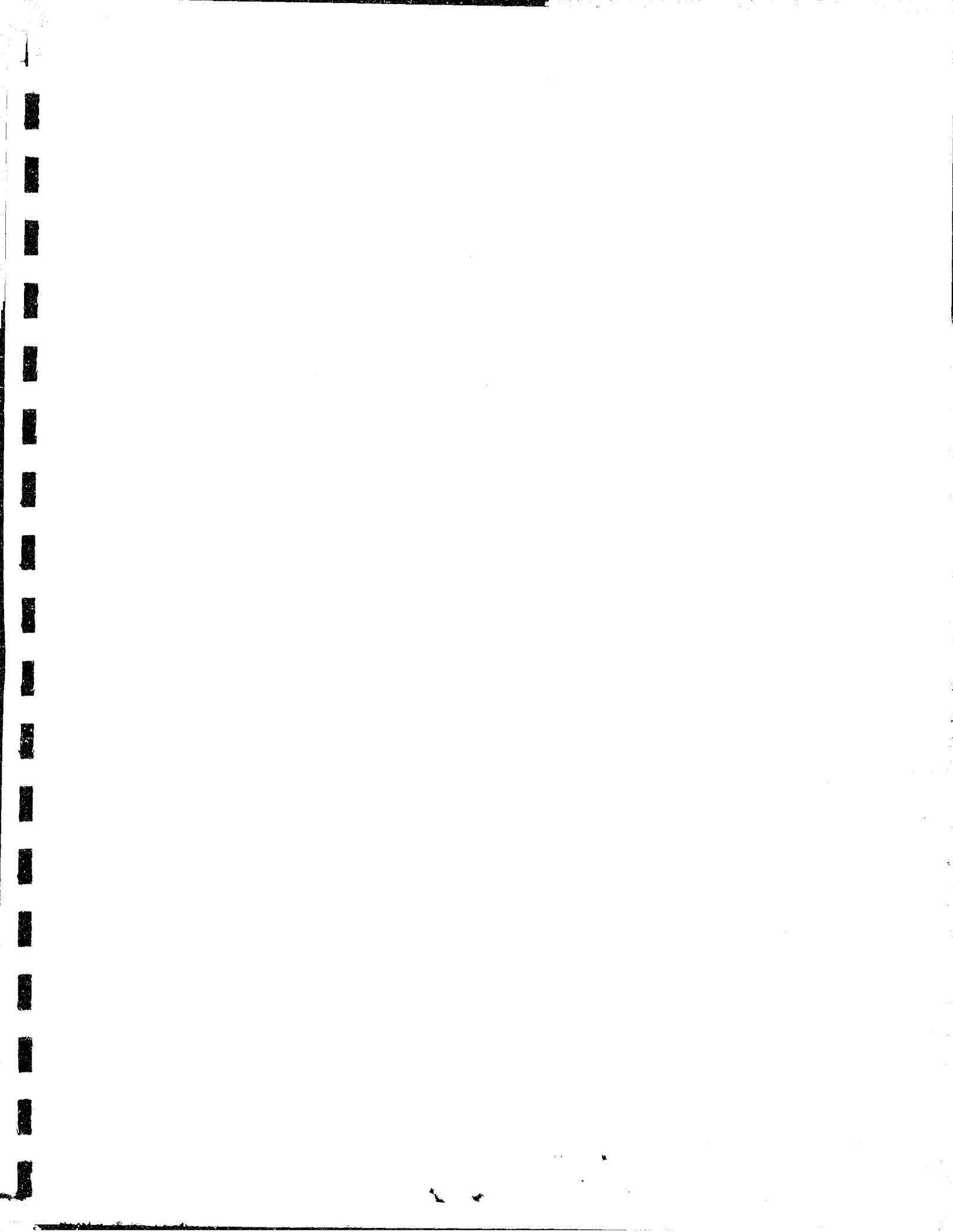
CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
Guardianships	+ 2	+1	+5	+2	+10
Investigations	+14	-6	0	-2	+ 6
Total	<u>+16</u>	<u>-5</u>	<u>+5</u>	<u>0</u>	<u>+16</u>

PUBLIC GUARDIAN  
COMPARISON - FISCAL YEARS 1976-1977  
WORKLOAD

<u>NEW REFERRALS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Guardianships	N.A.	15	N.A.	N.A.
Investigations	N.A.	65	N.A.	N.A.
Total	<u>94</u>	<u>80</u>	<u>-14</u>	<u>-14.9%</u>
<u>CASES CLOSED</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Guardianships	N.A.	5	N.A.	N.A.
Investigations	N.A.	59	N.A.	N.A.
Total	<u>91</u>	<u>64</u>	<u>-27</u>	<u>-29.7%</u>
<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Guardianships	22	32	+10	+ 45.5%
Investigations	6	12	+ 6	+100.0%
Total	<u>28</u>	<u>44</u>	<u>+16</u>	<u>+ 57.1%</u>

N.A. = Not Available



SUMMARY OF PUBLIC GUARDIAN BUDGET

Budget Code: 02-02-002

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: Employees	\$35,567.48	\$38,064.80	\$63,697.00	\$44,200.00
Employment Costs	0.00	0.00	11,892.00	9,400.00
Personal Services	21.00	2.00	2,000.00	2,000.00
Travel	95.83	310.68	950.00	300.00
Contractual Services	4,313.88	5,444.32	7,187.00	2,600.00
Supplies & Materials	955.72	858.42	1,830.00	1,300.00
Capital Outlay	807.49	135.00	1,340.00	400.00
Special Items: Contingency Fund	0.00	475.00	1,273.50	0.00
GRAND TOTAL	\$41,761.40	\$45,290.22	\$90,169.50	\$60,200.00

Note: Figures include State general funds, federal funds, and other funds.



**Superior  
Court**

## SUPERIOR COURT

### Legal Authorization

The Constitution of Delaware, Article IV, Section 1, created the Superior Court.

### Geographic Organization

Sessions of Superior Court are held in each of the three counties at the county seat.

### Legal Jurisdiction

This court has statewide original jurisdiction over criminal and civil causes, except equity causes, over which the Court of Chancery has exclusive jurisdiction. On November 21, 1975, divorce jurisdiction was transferred from Superior Court to the Family Court. The Court has exclusive jurisdiction over felonies and drug offenses (excepting most felonies and drug offenses involving minors) and jurisdiction over adoptions and terminations of parental rights. The Superior Court hears appeals on the law from the Court of Common Pleas, the Unemployment and Industrial Accident Boards, the Liquor Commission, the Zoning and Adjustment Boards, and other quasi-judicial bodies. Appeals from Alderman's Courts, Justice of the Peace Courts, and Municipal Court are heard as second trials (trials de novo) in this Court. Appeals from Superior Court are argued on the record in the Supreme Court.

### Judges

Number: There are eleven judges appointed to the Superior Court bench; one is appointed President Judge with administrative responsibility for the Court, and three are appointed as Resident Judges and must reside in the county in which they are appointed.

Appointment: The Governor appoints Superior Court Judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: The judges must be learned in the law and must be members of the Delaware Bar.

### Support Personnel

The Superior Court may appoint court reporters, law clerks, bailiffs, presentence officers, a secretary for each judge, and other personnel.

SUPERIOR COURT (CONTINUED)

An elected Prothonotary for each county serves as Clerk of Superior Court for that county. The Prothonotary is the recordkeeper for Superior Court, and as such, the Prothonotary is directly involved with the civil court calendar. The office also handles the jury list, court exhibits, property liens, registration of law students and attorneys, and is the custodian of fees for the courts and for the Attorney General. Functions of the Prothonotary's office are divided as follows: Civil, Criminal, Indexing and Entry of Judgments and Executions, Administrative, Terminations and Adoptions. Further, the Prothonotary's office is charged with the security, care and custody of Court's exhibits.

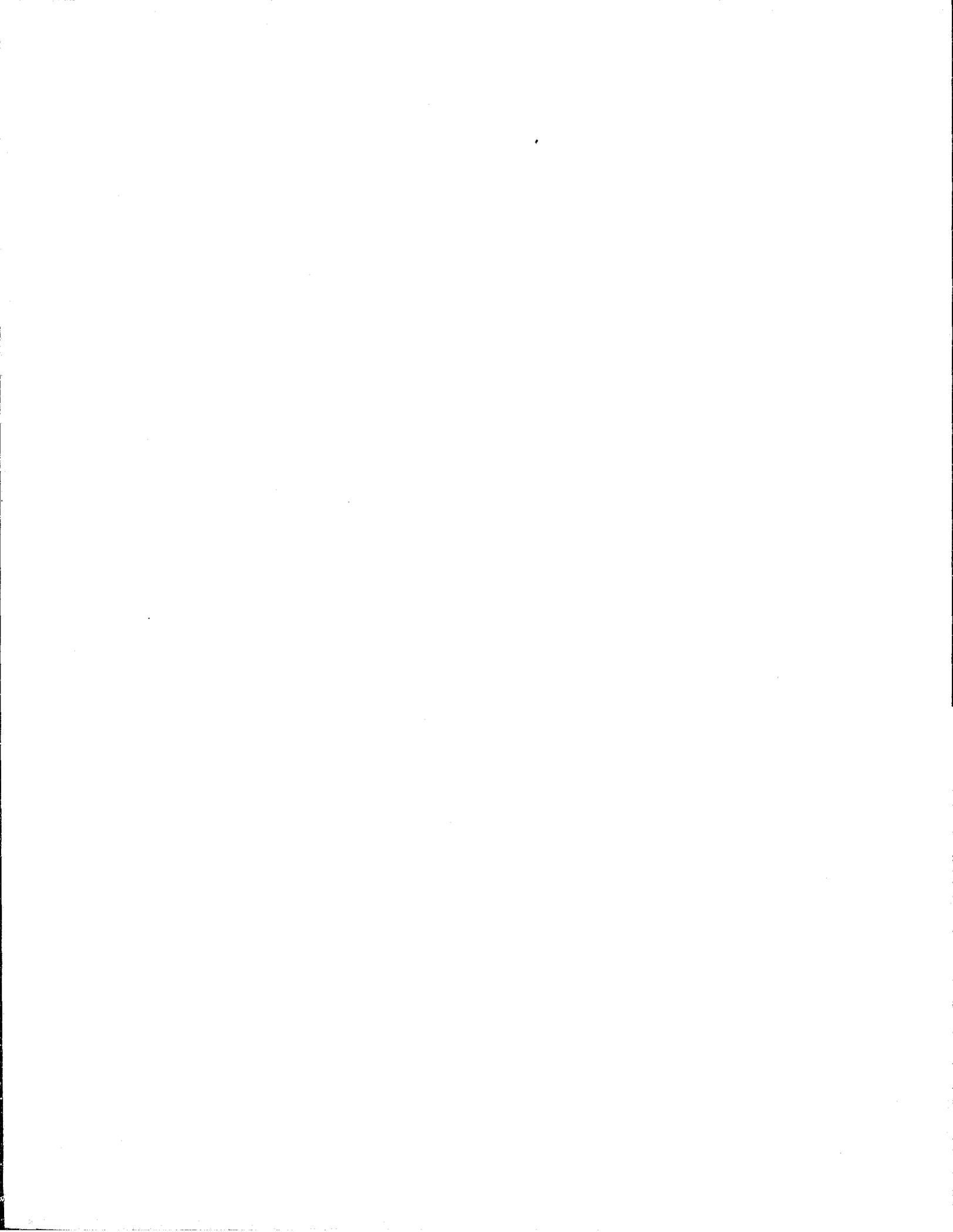
Elected Sheriffs, one per county, also serve Superior Court.

Caseload Trend

In September, 1975, Superior Court assumed control of the criminal calendar, which had formerly been handled by the Attorney General. The Criminal Case Scheduling Office was established to handle the criminal calendar in conjunction with the Criminal Office Judge.

During FY 1977 Superior Court changed its policy of holding periodic criminal case "Blitz" periods to deal with the backlog of pending criminal defendants in New Castle County to one of regularly assigning 5 of the county's 8 judges to criminal matters and 3 to civil matters. The success of this policy, together with the efforts of the Scheduling Office, enabled the court in FY 1977 to dispose of 73.8% of the defendants before it within 120 days of arrest, the time interval specified by the Chief Justice's Speedy Trial Directive. In each of the last 2 months of the fiscal year, compliance exceeded 84%. These success rates were achieved while Superior Court experienced an 8.2% rise in the number of filings. Projections indicate that the court will continue to experience increases in criminal filings over the next several years.

However, Superior Court's emphasis on criminal cases has continued to handicap its efforts in its civil jurisdiction. Despite the loss of divorce jurisdiction, and despite increasing dispositions by one quarter in the civil action categories other than divorces, the number of civil actions pending adjudication increased by 6%. Excluding divorces, the court's workload rose by 7.3%. The new category of Involuntary Commitments particularly provided new cases, with a sixfold increase in filings over the previous year. Projections again show that the number of civil filings in the court's present jurisdiction will continue to rise.



**CONTINUED**

**1 OF 5**

SUPERIOR COURT

JUDICIARY

President Judge

Hon. Albert J. Stiftel  
Ann Lafferty, Secretary  
(571-2355)

New Castle County Resident Judge

Hon. Andrew D. Christie  
Elaine M. Ryan, Secretary  
(571-2358)

Kent County Resident Judge

Hon. George R. Wright  
Janet L. Case, Secretary  
(678-5331)

Sussex County Resident Judge

Hon. Claud L. Tease  
Mary Ellen Greenly, Secretary  
(856-5256)

Associate Judges

Hon. Robert C. O'Hara  
Doris Myers, Secretary  
(571-2370)  
Hon. Vincent A. Bifferato  
Betty Gilson, Secretary  
(571-2361)  
Hon. Clarence W. Taylor  
Carol Edwards, Secretary  
(571-2374)  
Hon. Joseph T. Walsh  
Linda Flohr, Secretary  
(571-2369)  
Hon. Bernard Balick  
Ivone Marvel, Secretary  
(571-2367)  
Hon. Joseph J. Longobardi  
Anne Marie Brown, Secretary  
(571-2544)

Associate Judge

Hon. William G. Bush, III  
Eileen Masino, Secretary  
(678-5331)

SUPERIOR COURT

SUPPORT PERSONNEL

Administrator  
Frederick Kirch  
S. Maureen Golden, Secretary  
(571-2380)

Administrative Assistant  
Vacant

NEW CASTLE COUNTY

Accountant  
Michael Indellini  
(571-2376)

Receptionist  
Irma Whittington

Case Scheduling Office  
Sarah O. Jones, Chief  
Donald Marston  
(571-2409)

Administrative Assistant to  
Criminal Office Judge  
Vacant (Federally Funded)  
(571-2414)

Law Clerks  
Sandra Kaufmann  
Bernard O'Donnell  
Francis Murphy  
Colin Shalk

Jury Commissioners  
John N. Russo  
Delores G. Tatman

KENT COUNTY

Ralph Pepino

Wallace F. McFaul, Jr.  
John R. McDonald

SUSSEX COUNTY

Joyce Burnett  
(856-5256)

Ralph L. Swain  
Walter M. Betts

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Presentence Office

Frank T. Miller, Chief  
Gregory Fullhart, Assistant Chief  
Linden Ballance  
Kathleen Lucas  
William G. Echols  
Ronald Keen  
Barbara P. Holloway  
Deborah M. Wailes (Federally Funded)  
    Barbara Rogers, Secretary  
    Megan Proud, Secretary  
    Yvonne Keith, Secretary (Federally Funded)  
    Ramona Monsen, Secretary  
    Catherine Plamatary, Secretary  
    Vacant, Secretary (Federally Funded)  
    Carol A. Hames, Secretary  
    Janet George, Secretary (Federally Funded)  
    Karen Rivera, Secretary  
    (571-2420)

Court Reporters

Morris D. Pearson, Chief  
Betty J. Gleason  
Gary S. Kivelowitz  
Jerome Harrison  
David G. Meedings  
Thomas Aitken  
Kathleen Donahue  
Vacant  
Joel Leibow  
William Colvin  
John White, Jr.  
Frances Dawson

KENT COUNTY

Ralph D. Knotts, Jr.  
Horace B. Willey  
    Norma Jean Tribett, Secretary  
    (734-7522)

Linda McGrath

SUSSEX COUNTY

Robert D. Downes  
Charles G. Allen  
J. Milton Messick  
    Edna Snowden, Secretary  
    (856-5549)

Debra S. Mitchell  
Eileen Murawski  
    Priscilla Stuchlik,  
    Secretary  
    (856-5502)

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Court Reporters (Continued)

Charles Iuliano

Delores Blevins, Secretary

George Ackerman, Secretary

(571-2390)

Bailiffs

William Davis, Sr., Chief

Walter G. Darrell

Constance H. Harding

William A. Landon

Jean L. Luff

Rita McClaffery

Michael Tyrawski

John R. Whittington

Stanford V. Williams

Arnold Williams

Thomas Rogers

John Garrity

Madeline Powell

Earl E. Clark

Sydney Hitchens

William Marvel

ADDRESSES

Superior Court

Public Building

1020 King Street

Wilmington, DE 19801

Superior Court

Kent County Courthouse

38 The Green

Dover, DE 19901

Superior Court

Sussex County Courthouse

The Circle

Georgetown, DE 19947

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

PROTHONOTARIES

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Prothonotaries

George J. Fisher  
Dorothy Blythe, Secretary

John H. Shaffer

Lawrence E. Sammons

Chief Deputies

Elizabeth O. Richeson  
Frank Vari

Delores Chadwick

Carol B. Thomas

Deputies

Barbara Hrinak  
Wilma McDowell  
Bernice Holm  
Steven Catalano  
Mary Ann Humphry (Federally Funded)

Suzanne Brode

Sarah D. Washington  
Myrtle Shockley

Court Clerks

Judy Blomquist  
Elda DiMatteo  
Charles Fitzpatrick  
William McLaren  
Paul Reynolds  
Walter Tomlinson  
Roland Volzone  
Alice Wilson  
Ray Wilson

Diane McNamara  
Teresa Lindale  
Frances Bergold

Barbara Ward  
Myrtle Thomas

Clerks

Hattie Phelan  
Rita Casale

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

PROTHONOTARIES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Secretaries

Elizabeth Budney  
Joanne Szostkowski  
Vacant

Account Clerks

Vacant  
Linda Ketchum

Clerk Typists

Kathleen Buchanan  
Kimtha Dulin  
Thelma Emory  
Lillian Kemper (Federally Funded)  
Mary Frances Lofland  
Andrea Martin (Federally Funded)  
Josephine Pribish  
Henrietta Russell  
Sharon Agnew  
Lori Andreoli  
Debbie Cronk (Federally Funded)  
Carol Duffy  
Patricia Flinn  
Karen Kamalski  
Hattie Cummings  
Michelle Fox  
Cheryl Handlin (Federally Funded)  
Barbara J. Kellam  
Beatrice Bell  
Sandy Borowski  
Rosanna Dennis  
Margaret Figun (Federally Funded)  
Marlene Ousey  
Yvonne Seeley

Peni Galentine

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

PROTHONOTARIES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Clerk Typists (Continued)

Jean Trusczienski  
Cynthia Konkiel (Federally Funded)

ADDRESSES

Prothonotary  
Mezzanine  
Public Building  
1020 King Street  
Wilmington, DE 19801  
(571-2396)

Prothonotary  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(678-5328)

Prothonotary  
P.O. Box 49  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-5559, 856-7701 X235)

SHERIFFS

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Sheriffs

Gerald E. Reilly

George D. Hill, Jr.

Stephen E. Rogers

Chief Deputy Sheriff

Edward F. Bonk, Sr.

Assistant Chief Deputy Sheriff

William I. Houghton

Deputy Sheriffs

Anthony L. Carter, Jr.  
Keith V. Collins  
Theodore Czerwinski  
Luther M. Davis

Carl M. Wright  
George J. Dill

Vincent L. McCord  
John B. Marvel  
Neva R. McClary  
Violet P. Pepper

SUPERIOR COURT

SUPPORT PERSONNEL (CONTINUED)

SHERIFFS (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Deputy Sheriffs (Continued)

Daniel P. Freeberry  
Mark F. Grandell  
Vincent J. Grillo  
Julia A. Kemp  
Louis E. Moser  
James R. Osborne  
James F. Orth, Jr.  
Frank W. Page  
Lee Smith  
George W. Talley  
Ronald H. Wilson  
John Zewecke

Chief Deputy

Maryanne Cluff

Deputy

Clara R. Torrence

Accountant

Francis J. Cole

Account Clerks

Frank R. Behringer  
Sophia M. Puit

Clerks

Hazel M. Clendaniel  
Darla L. Clendaniel

Secretary

Dorothy P. Talley

Clerk Typists

Diane D. Baker  
Kelly A. Heeney



SUPERIOR COURTFISCAL YEAR 1977  
CRIMINAL FILINGS  
EXPLANATORY NOTES

1. All figures represent numbers of defendants only; they should not be confused with numbers of indictments, numbers of cases, criminal action numbers, or any other such figures.
2. A defendant is defined as an individual named in an indictment, so that an individual named in three indictments would be three defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day would be counted as one defendant.
3. In Kent County only, each charge indicted against each defendant is returned as a separate indictment. Due to this practice, each person indicted at a Grand Jury session is counted as one defendant, no matter how many charges are indicted against that defendant, and without regard to later actions of the Attorney General which lead to separate trials.
4. Informations represent defendants who have waived indictment.
5. Transfers are defendants brought before the Court of Common Pleas in New Castle County who request jury trials. Since the Court of Common Pleas in Kent and Sussex Counties holds jury trials itself, there are no transfers in those two counties.
6. Although New Informations are given separate criminal action numbers by Superior Court, they are not counted in these figures since they represent amendments to charges facing defendants already pending before the court, not new defendants. Inclusion of New Informations as filings would artificially inflate the number of defendants filed in any time period.
7. Reinstatements represent defendants who have had their cases disposed of who are brought back before Superior Court for one of the following reasons:
  - Mistrial
  - Hung Jury
  - Motion for new trial granted
  - Guilty plea withdrawn
  - Nolle prosequi withdrawn
  - Lower court appeal reinstated after being dismissed
  - Conviction overturned by Supreme Court; remanded to Superior Court for new trial

## SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL FILINGSNEW CASTLE

<u>Month</u>	# of Defendants Brought to Superior Court By:					<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Transfer</u>	<u>Reinstatement</u>	
July 1976	191	7	8	28	3	237
August 1976	169	4	9	31	2	215
September 1976	172	4	18	41	1	236
October 1976	240	7	21	53	4	325
November 1976	233	21	20	29	6	309
December 1976	153	11	23	49	3	239
January 1977	132	28	26	47	2	235
February 1977	156	16	35	32	1	240
March 1977	258	24	24	24	0	330
April 1977	173	20	12	39	2	246
May 1977	184	15	27	31	2	259
June 1977	<u>151</u>	<u>9</u>	<u>15</u>	<u>31</u>	<u>10</u>	<u>216</u>
TOTALS	2,212	166	238	435	36	3,087
Percentage of Total:	71.7%	5.4%	7.7%	14.1%	1.2%	100.0%

KENT

<u>Month</u>	# of Defendants Brought to Superior Court By:				<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Reinstatement</u>	
July 1976	44	0	1	0	45
August 1976	30	1	3	0	34
September 1976	103	2	5	0	110
October 1976	16	1	4	0	21
November 1976	19	4	12	0	35
December 1976	25	1	4	0	30
January 1977	19	0	3	0	22
February 1977	32	2	2	0	36
March 1977	12	0	0	0	12
April 1977	25	2	2	0	29
May 1977	26	2	3	0	31
June 1977	<u>53</u>	<u>7</u>	<u>5</u>	<u>0</u>	<u>65</u>
TOTALS	404	22	44	0	470
Percentage of Total:	86.0%	4.7%	9.4%	0.0%	100.0%

## SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL FILINGSSUSSEX

<u>Month</u>	# of Defendants Brought to Superior Court By:				<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Reinstatement</u>	
July 1976	62	1	15	0	78
August 1976	54	1	11	1	67
September 1976	41	2	8	0	51
October 1976	27	3	8	0	38
November 1976	0	1	5	0	6
December 1976	44	6	6	0	56
January 1977	31	4	3	0	38
February 1977	22	1	8	0	31
March 1977	33	6	7	0	46
April 1977	35	2	8	0	45
May 1977	37	1	5	0	43
June 1977	<u>29</u>	<u>5</u>	<u>7</u>	<u>0</u>	<u>41</u>
TOTALS	415	33	91	1	540
Percentage of Total:	76.9%	6.1%	16.9%	0.2%	100.0%

STATE

<u>Month</u>	# of Defendants Brought to Superior Court By:					<u>TOTALS</u>
	<u>Indictment</u>	<u>Information</u>	<u>Appeal</u>	<u>Transfer</u>	<u>Reinstatement</u>	
July 1976	297	8	24	28	3	360
August 1976	253	6	23	31	3	316
September 1976	316	8	31	41	1	397
October 1976	283	11	33	53	4	384
November 1976	252	26	37	29	6	350
December 1976	222	18	33	49	3	325
January 1977	182	32	32	47	2	295
February 1977	210	19	45	32	1	307
March 1977	303	30	31	24	0	388
April 1977	233	24	22	39	2	320
May 1977	247	18	35	31	2	333
June 1977	<u>233</u>	<u>21</u>	<u>27</u>	<u>31</u>	<u>10</u>	<u>322</u>
TOTALS	3,031	221	373	435	37	4,097
Percentage of Total:	74.0%	5.4%	9.1%	10.6%	0.9%	100.0%

SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
EXPLANATORY NOTES

1. All figures represent numbers of defendants only; they should not be confused with numbers of cases, criminal action numbers, or any other such figures.
2. A defendant is defined as an individual named in an indictment, so that an individual named in three indictments would be three defendants. An individual with a consecutively-numbered series of informations, appeals, or transfers filed on the same day would be counted as one defendant.
3. The trial dispositions refer to the number of defendants whose charges were disposed of at a trial, not the number of trials per se. The date of disposition is the trial date, unless the decision is reserved, in which case it is the date when the opinion is handed down.
4. A defendant is counted as being disposed of by nolle prosequi only if all charges in an indictment or information or all charges transferred or appealed simultaneously are dropped. If a defendant pleads to one charge in an indictment, and other charges in the same indictment are then nol-prossed, that defendant is considered to have been disposed of by guilty plea, and his disposition date is the date of the plea.
5. Defendants are not counted as disposed of by nol-pros if the nolle prosequi was filed to an original charge because the defendant entered a guilty plea to a New Information. Since the New Information represents essentially a further action in an existing case and is not counted as a separate filing, so also the nol-pros is not the primary disposition. Counting a defendant as nol-prossed and as having entered a plea to a new information would mean counting two dispositions for one case.
6. Only nol-prosses filed for defendants who were actually brought before Superior Court by indictment, information, appeal, transfer, or reinstatement are counted in the total number of Superior Court dispositions. Nolle prosequis of unindicted defendants are listed separately because such defendants were never formally before the Superior Court. Counting them as dispositions would be erroneously counting dispositions for cases which were never filed.

EXPLANATORY NOTES CONTINUED

7. Remands are defendants who appealed or transferred their cases to Superior Court and had them remanded back to lower court.
8. ADRR's and remands do not constitute the dispositions of all appeals that are filed; some are disposed of by trial de novo, plea, or nolle prosequi.
9. During FY 1977, all "Other" dispositions were appeals withdrawn by the defendant.
10. Unindicted nolle prosequis are felony or drug defendants who were arrested but never brought before the grand jury for indictment or whose indictments were ignored by the grand jury.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS

NEW CASTLE

Month	Trial	Guilty Flea	# of Defendants Disposed of By:					TOTALS	Unindicted	
			Nolle Prosequi	Dismissal	ADRR	Remand	Other		Nolle	Prosequi
July 1976	21	129	61	2	2	2	0	217	69	
August 1976	16	126	61	0	3	1	0	207	81	
September 1976	33	173	61	5	6	3	0	281	66	
October 1976	25	156	58	5	5	2	0	251	73	
November 1976	28	139	45	2	5	1	0	220	92	
December 1976	25	163	61	3	7	2	0	261	44	
January 1977	50	184	62	1	0	0	0	297	32	
February 1977	36	168	55	3	2	1	0	265	14	
March 1977	53	193	77	5	4	0	1	333	24	
April 1977	28	162	59	1	6	4	0	260	33	
May 1977	27	148	37	2	4	4	0	222	54	
June 1977	<u>33</u>	<u>126</u>	<u>58</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>0</u>	<u>221</u>	<u>51</u>	
TOTALS	375	1,867	695	31	45	21	1	3,035	633	
Percentage of Total:	12.4%	61.5%	22.9%	1.0%	1.5%	0.7%	0.0%	100.0%		

ADRR = Appeal Dismissed, Record Remanded

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS

KENT

Month	Trial	Guilty Plea	# of Defendants Disposed of By:					TOTALS	Unindicted	
			Nolle Prosequi	Dismissal	ADRR	Remand	Other		Nolle	Prosequi
July 1976	0	28	2	0	0	0	0	30	1	
August 1976	4	2	5	0	0	0	0	11	3	
September 1976	5	21	10	0	1	0	0	37	9	
October 1976	1	13	12	0	1	0	0	27	5	
November 1976	1	17	3	0	2	1	0	24	2	
December 1976	4	27	12	0	2	0	0	45	2	
January 1977	3	11	2	0	2	0	0	18	0	
February 1977	1	9	6	0	0	0	0	16	1	
March 1977	4	53	4	0	0	0	0	61	5	
April 1977	5	22	12	1	0	0	0	40	7	
May 1977	2	19	4	0	0	0	0	25	6	
June 1977	<u>2</u>	<u>18</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>23</u>	<u>5</u>	
TOTALS	32	240	75	1	8	1	0	357	46	
Percentage of Total:	9.0%	67.2%	21.0%	0.3%	2.2%	0.3%	0.0%	100.0%		

ADRR = Appeal Dismissed, Record Remanded

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS

SUSSEX

Month	Trial	Guilty Plea	# of Defendants Disposed of By:					TOTALS	Unindicted	
			Nolle Prosequi	Dismissal	ADRR	Remand	Other		Nolle	Prosequi
July 1976	0	18	4	0	2	0	0	24	6	
August 1976	3	21	6	0	1	0	0	31	10	
September 1976	9	43	7	1	9	0	0	69	1	
October 1976	1	23	10	0	1	0	0	35	1	
November 1976	3	17	6	2	1	0	0	29	5	
December 1976	5	39	10	2	0	0	0	56	3	
January 1977	4	16	10	1	0	0	0	31	6	
February 1977	4	22	8	1	0	3	0	38	13	
March 1977	3	41	5	1	2	0	0	52	7	
April 1977	4	26	8	0	1	0	0	39	12	
May 1977	2	17	6	0	1	0	0	26	8	
June 1977	<u>4</u>	<u>25</u>	<u>6</u>	<u>2</u>	<u>1</u>	<u>0</u>	<u>0</u>	<u>38</u>	<u>3</u>	
TOTALS	42	308	86	10	19	3	0	468	75	
Percentage of Total:	9.0%	65.8%	18.4%	2.1%	4.1%	0.6%	0.0%	100.0%		

ADRR = Appeal Dismissed, Record Remanded

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS

STATE

<u>Month</u>	<u>Trial</u>	<u>Guilty Plea</u>	# of Defendants Disposed of By:					<u>TOTALS</u>	<u>Unindicted</u>	
			<u>Nolle Prosequi</u>	<u>Dismissal</u>	<u>ADRR</u>	<u>Remand</u>	<u>Other</u>		<u>Nolle</u>	<u>Prosequi</u>
July 1976	21	175	67	2	4	2	0	271	76	
August 1976	23	149	72	0	4	1	0	249	94	
September 1976	47	237	78	6	16	3	0	387	76	
October 1976	27	192	80	5	7	2	0	313	79	
November 1976	32	173	54	4	8	2	0	273	99	
December 1976	34	229	83	5	9	2	0	362	49	
January 1977	57	211	74	2	2	0	0	346	38	
February 1977	41	199	69	4	2	4	0	319	28	
March 1977	60	287	86	6	6	0	1	446	36	
April 1977	37	210	79	2	7	4	0	339	52	
May 1977	31	184	47	2	5	4	0	273	68	
June 1977	39	169	67	4	2	1	0	282	59	
<b>TOTALS</b>	449	2,415	856	42	72	25	1	3,860	754	
Percentage of Total:	11.6%	62.6%	22.2%	1.1%	1.9%	0.6%	0.0%	100.0%		

ADRR = Appeal Dismissed, Record Remanded

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART ONE

NEW CASTLE

<u>Month</u>	<u># of Defendants</u>			<u>Guilty</u>	<u>Not Guilty</u>	<u>No Final Disposition*</u>	<u>Total</u>
	<u>Jury Trial</u>	<u>Non-Jury Trial</u>	<u>Total</u>				
July 1976	18	3	21	14	5	2	21
August 1976	15	1	16	13	3	0	16
September 1976	27	6	33	28	3	2	33
October 1976	19	6	25	15	9	1	25
November 1976	25	3	28	21	3	4	28
December 1976	23	2	25	16	6	3	25
January 1977	35	15	50	35	12	3	50
February 1977	33	3	36	26	5	5	36
March 1977	44	9	53	35	11	7	53
April 1977	24	4	28	18	4	6	28
May 1977	23	4	27	15	9	3	27
June 1977	<u>28</u>	<u>5</u>	<u>33</u>	<u>22</u>	<u>9</u>	<u>2</u>	<u>33</u>
TOTALS	314	61	375	258	79	38	375
Percentage of Total:	83.7%	16.3%	100.0%	68.8%	21.1%	10.1%	100.0%

\* Hung Juries, Mistrials, and Remands.

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART ONE

KENT

<u>Month</u>	<u># of Defendants</u>			<u>Guilty</u>	<u>Not Guilty</u>	<u>No Final Disposition*</u>	<u>Total</u>
	<u>Jury Trial</u>	<u>Non-Jury Trial</u>	<u>Total</u>				
July 1976	0	0	0	0	0	0	0
August 1976	4	0	4	2	2	0	4
September 1976	5	0	5	3	2	0	5
October 1976	1	0	1	1	0	0	1
November 1976	1	0	1	1	0	0	1
December 1976	4	0	4	2	1	1	4
January 1977	3	0	3	2	1	0	3
February 1977	1	0	1	1	0	0	1
March 1977	4	0	4	4	0	0	4
April 1977	3	2	5	2	2	1	5
May 1977	2	0	2	2	0	0	2
June 1977	<u>1</u>	<u>1</u>	<u>2</u>	<u>1</u>	<u>1</u>	<u>0</u>	<u>2</u>
TOTALS	29	3	32	21	9	2	32
Percentage of Total:	90.6%	9.4%	100.0%	65.6%	28.1%	6.3%	100.0%

\*Hung Juries, Mistrials, and Remands.

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART ONE

SUSSEX

<u>Month</u>	<u># of Defendants</u>			<u>No Final Disposition*</u>			
	<u>Jury Trial</u>	<u>Non-Jury Trial</u>	<u>Total</u>	<u>Guilty</u>	<u>Not Guilty</u>	<u>Disposition*</u>	<u>Total</u>
July 1976	0	0	0	0	0	0	0
August 1976	1	2	3	2	1	0	3
September 1976	4	5	9	5	4	0	9
October 1976	1	0	1	1	0	0	1
November 1976	1	2	3	1	2	0	3
December 1976	4	1	5	2	3	0	5
January 1977	3	1	4	2	2	0	4
February 1977	1	3	4	1	3	0	4
March 1977	1	2	3	3	0	0	3
April 1977	4	0	4	4	0	0	4
May 1977	1	1	2	1	1	0	2
June 1977	<u>2</u>	<u>2</u>	<u>4</u>	<u>2</u>	<u>2</u>	<u>0</u>	<u>4</u>
TOTALS	23	19	42	24	18	0	42
Percentage of Total:	54.8%	45.2%	100.0%	57.1%	42.9%	0.0%	100.0%

\* Hung Juries, Mistrials, and Remands.

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART ONE

STATE

# of Defendants

Month	# of Defendants			Guilty	Not Guilty	No Final Disposition*	Total
	Jury Trial	Non-Jury Trial	Total				
July 1976	18	3	21	14	5	2	21
August 1976	20	3	23	17	6	0	23
September 1976	36	11	47	36	9	2	47
October 1976	21	6	27	17	9	1	27
November 1976	27	5	32	23	5	4	32
December 1976	31	3	34	20	10	4	34
January 1977	41	16	57	39	15	3	57
February 1977	35	6	41	28	8	5	41
March 1977	49	11	60	42	11	7	60
April 1977	31	6	37	24	6	7	37
May 1977	26	5	31	18	10	3	31
June 1977	<u>31</u>	<u>8</u>	<u>39</u>	<u>25</u>	<u>12</u>	<u>2</u>	<u>39</u>
TOTALS	366	83	449	303	106	40	449
Percentage of Total:	81.5%	18.5%	100.0%	67.5%	23.6%	8.9%	100.0%

\* Hung Juries, Mistrials, and Remands.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
TRIAL DISPOSITIONS - PART TWO

NEW CASTLE

# of Defendants Disposed of By:  
Jury Trial

Non-Jury Trial

Month	# of Defendants Disposed of By: Jury Trial											Non-Jury Trial							TOTALS		
	Guilty	Guilty-LIO	PG at Trial	PG-LIO at Trial	PG-Lesser at Trial	Not Guilty	DVA	Dismissal at Trial	NP at Trial	Hung Jury	Mistrial	Guilty	Guilty-LIO	PG at Trial	PG-LIO at Trial	Not Guilty	Dismissal at Trial	NP at Trial		Remand at Trial	
July 1976	9	2	0	0	0	3	0	2	0	0	2	3	0	0	0	0	0	0	0	0	21
August 1976	11	0	0	0	1	3	0	0	0	0	0	1	0	0	0	1	0	0	0	0	16
September 1976	19	2	0	2	0	2	0	0	0	0	2	5	0	0	0	1	0	0	0	0	33
October 1976	11	2	1	0	0	3	0	0	1	1	0	0	0	1	5	0	0	0	0	0	25
November 1976	10	1	7	1	0	0	0	2	0	3	1	2	0	0	1	1	0	0	0	0	28
December 1976	9	3	1	2	0	5	0	0	0	0	3	0	1	0	0	1	0	0	0	0	25
January 1977	17	7	1	1	0	5	0	0	1	2	1	8	0	1	0	1	1	1	0	0	50
February 1977	15	4	0	4	0	5	0	0	0	2	3	3	0	0	0	0	0	0	0	0	36
March 1977	27	1	2	0	0	6	0	0	2	0	6	3	0	1	1	1	0	0	1	0	53
April 1977	13	0	1	1	0	1	0	2	0	2	4	3	0	0	0	1	0	0	0	0	28
May 1977	10	0	3	0	0	5	0	0	2	0	3	2	0	0	1	1	0	0	0	0	27
June 1977	10	4	2	1	0	8	0	1	0	1	1	4	1	0	0	0	0	0	0	0	33
TOTALS	161	26	18	12	1	46	0	7	6	13	24	34	2	2	2	15	4	1	1		375

LIO = Lesser Included Offense  
PG = Pled Guilty  
Lesser = Lesser Charge  
DVA = Directed Verdict of Acquittal  
NP = Nolle Prosequi

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART TWO

KENT

# of Defendants Disposed of By:  
 Jury Trial

Non-Jury Trial

Month	# of Defendants Disposed of By: Jury Trial											Non-Jury Trial								<u>TOTALS</u>	
	<u>Guilty</u>	<u>Guilty-LIO</u>	<u>PG at Trial</u>	<u>PG-LIO at Trial</u>	<u>PG-Lesser at Trial</u>	<u>Not Guilty</u>	<u>DVA</u>	<u>Dismissal at Trial</u>	<u>NP at Trial</u>	<u>Hung Jury</u>	<u>Mistrial</u>	<u>Guilty</u>	<u>Guilty-LIO</u>	<u>PG at Trial</u>	<u>PG-LIO at Trial</u>	<u>Not Guilty</u>	<u>Dismissal at Trial</u>	<u>NP at Trial</u>	<u>Remand at Trial</u>		
July 1976	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
August 1976	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
September 1976	3	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	5
October 1976	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
November 1976	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
December 1976	1	0	1	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	4
January 1977	2	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
February 1977	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
March 1977	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
April 1977	1	0	0	0	0	1	0	0	0	1	0	1	0	0	0	1	0	0	0	0	5
May 1977	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
June 1977	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	2
<b>TOTALS</b>	17	0	1	1	0	7	0	0	1	2	0	2	0	0	0	1	0	0	0	0	32

LIO = Lesser Included Offense  
 PG = Pled Guilty  
 Lesser = Lesser Charge  
 DVA = Directed Verdict of Acquittal  
 NP = Nolle Prosequi

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART TWO

SUSSEX

# of Defendants Disposed of By:  
 Jury Trial

<u>Month</u>	# of Defendants Disposed of By: Jury Trial											Non-Jury Trial							<u>TOTALS</u>		
	<u>Guilty</u>	<u>Guilty-LIO</u>	<u>PG at Trial</u>	<u>PG-LIO at Trial</u>	<u>PG-Lesser at Trial</u>	<u>Not Guilty</u>	<u>DVA</u>	<u>Dismissal at Trial</u>	<u>NP at Trial</u>	<u>Hung Jury</u>	<u>Mistrial</u>	<u>Guilty</u>	<u>Guilty-LIO</u>	<u>PG at Trial</u>	<u>PG-LIO at Trial</u>	<u>Not Guilty</u>	<u>Dismissal at Trial</u>	<u>NP at Trial</u>		<u>Remand at Trial</u>	
July 1976	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
August 1976	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	0	3
September 1976	2	0	0	0	0	2	0	0	0	0	0	3	0	0	0	2	0	0	0	0	9
October 1976	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
November 1976	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	3
December 1976	0	0	0	1	0	2	1	0	0	0	0	1	0	0	0	0	0	0	0	0	5
January 1977	1	0	0	1	0	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	4
February 1977	0	0	0	0	0	0	0	1	0	0	0	1	0	0	0	2	0	0	0	0	4
March 1977	1	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	0	0	3
April 1977	3	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4
May 1977	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	2
June 1977	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	4
<b>TOTALS</b>	13	0	1	2	0	5	1	1	0	0	0	8	0	0	0	11	0	0	0	0	42

LIO = Lesser Included Offense  
 PG = Pled Guilty  
 Lesser = Lesser Charge  
 DVA = Directed Verdict of Acquittal  
 NP = Nolle Prosequi

SUPERIOR COURT  
 FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 TRIAL DISPOSITIONS - PART TWO

STATE

# of Defendants Disposed of By:  
 Jury Trial

Month	# of Defendants Disposed of By: Jury Trial											Non-Jury Trial							TOTALS		
	<u>Guilty</u>	<u>Guilty-LIO</u>	<u>PG At Trial</u>	<u>PG-LIO at Trial</u>	<u>PG-Lesser at Trial</u>	<u>Not Guilty</u>	<u>DVA</u>	<u>Dismissal at Trial</u>	<u>NP at Trial</u>	<u>Hung Jury</u>	<u>Mistrial</u>	<u>Guilty</u>	<u>Guilty-LIO</u>	<u>PG at Trial</u>	<u>PG-LIO at Trial</u>	<u>Not Guilty</u>	<u>Dismissal at Trial</u>	<u>NP at Trial</u>		<u>Remand at Trial</u>	
July 1976	9	2	0	0	0	3	0	2	0	0	2	3	0	0	0	0	0	0	0	0	21
August 1976	14	0	0	0	1	5	0	0	0	0	0	2	0	0	0	1	0	0	0	0	23
September 1976	24	2	0	2	0	5	0	0	1	2	0	8	0	0	0	3	0	0	0	0	47
October 1976	13	2	1	0	0	3	0	0	1	1	0	0	0	0	1	5	0	0	0	0	27
November 1976	12	1	7	1	0	0	0	2	0	3	1	2	0	0	0	3	0	0	0	0	32
December 1976	10	3	2	3	0	8	1	0	0	1	3	1	1	0	0	0	1	0	0	0	34
January 1977	20	7	1	2	0	7	0	0	1	2	1	8	0	1	0	5	1	1	0	0	57
February 1977	15	4	0	5	0	5	0	1	0	2	3	4	0	0	0	2	0	0	0	0	41
March 1977	32	1	2	0	0	6	0	0	2	0	6	5	0	1	1	2	1	0	1	0	60
April 1977	17	0	2	1	0	2	0	2	0	3	4	4	0	0	0	2	0	0	0	0	37
May 1977	13	0	3	0	0	5	0	0	2	0	3	2	0	0	0	2	1	0	0	0	31
June 1977	12	4	2	1	0	9	0	1	0	1	1	5	1	0	0	2	0	0	0	0	39
TOTALS	191	26	20	15	1	58	1	8	7	15	24	44	2	2	2	27	4	1	1		449

LIO = Lesser Included Offense  
 PG = Pled Guilty  
 Lesser = Lesser Charge  
 DVA = Directed Verdict of Acquittal  
 NP = Nolle Prosequi

SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
GUILTY PLEA DISPOSITIONS  
EXPLANATORY NOTES

1. "PG-All" means that the defendant pled guilty to every charge facing him. These pleas of guilty are the only ones not plea-bargained.
2. "PG-Most Serious" indicates that the defendant pled guilty to the major charge of a multi-count indictment, appeal, transfer, or reinstatement.
3. "PG-LIO" denotes that a defendant pled guilty to a lesser included offense of the most serious charge.
4. "PG-Lesser" indicates a plea of guilty to a lesser charge of the same indictment or other filing.
5. "PG-LIO-Lesser" means that the defendant pled guilty to a lesser included offense of a lesser charge of a multi-count indictment or other filing. This is the weakest type of plea.
6. "PG-NI" indicates that a defendant pled guilty to a new information - always a less serious charge than the original one.
7. "PG-Information" denotes a defendant who waived indictment and pled guilty to an information filed by the Attorney General. This is always a reduced charge.
8. Pleas of guilty to amended informations (PG-AI) were counted in with the PG-LIO's.
9. A plea of nolo contendere was considered to be the equivalent of a guilty plea, e.g., a plea of Nolo Contendere to an LIO was counted in with the PG-LIO's.

## SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
GUILTY PLEA DISPOSITIONSNEW CASTLE

Month	# of Defendants Who:							TOTALS
	PG- All	PG- Most Serious	PG- LIO	PG- Lesser	PG- LIO-Lesser	PG- NI	PG- Information	
July 1976	14	43	47	11	1	6	7	129
August 1976	14	41	45	7	7	9	3	126
September 1976	27	62	55	17	0	10	2	173
October 1976	25	62	44	8	1	10	6	156
November 1976	21	37	45	7	4	18	7	139
December 1976	30	34	56	13	3	17	10	163
January 1977	25	60	52	10	2	19	16	184
February 1977	24	41	44	10	1	27	21	168
March 1977	33	64	41	13	1	23	18	193
April 1977	22	44	49	4	1	19	23	162
May 1977	20	38	52	5	0	25	8	148
June 1977	16	43	43	11	0	9	4	126
TOTALS	271	569	573	116	21	192	125	1,867
Percentage of Total:	14.5%	30.5%	30.7%	6.2%	1.1%	10.3%	6.7%	100.0%

KENT

Month	# of Defendants Who:							TOTALS
	PG- All	PG- Most Serious	PG- LIO	PG- Lesser	PG- LIO-Lesser	PG- NI	PG- Information	
July 1976	5	8	13	0	0	0	2	28
August 1976	0	1	1	0	0	0	0	2
September 1976	9	5	6	1	0	0	0	21
October 1976	6	0	5	2	0	0	0	13
November 1976	5	0	12	0	0	0	0	17
December 1976	17	1	7	2	0	0	0	27
January 1977	1	6	4	0	0	0	0	11
February 1977	5	3	1	0	0	0	0	9
March 1977	12	18	20	3	0	0	0	53
April 1977	4	3	13	0	2	0	0	22
May 1977	6	6	6	1	0	0	0	19
June 1977	4	8	5	1	0	0	0	18
TOTALS	74	59	93	10	2	0	2	240
Percentage of Total:	30.8%	24.6%	38.8%	4.2%	0.8%	0.0%	0.8%	100.0%

## SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
GUILTY PLEA DISPOSITIONSSUSSEX

Month	# of Defendants Who:							TOTALS
	PG- All	PG- Most Serious	PG- LIO	PG- Lesser	PG- LIO-Lesser	PG- NI	PG- Information	
July 1976	7	3	7	0	1	0	0	18
August 1976	3	1	17	0	0	0	0	21
September 1976	16	14	13	0	0	0	0	43
October 1976	14	4	5	0	0	0	0	23
November 1976	4	5	8	0	0	0	0	17
December 1976	10	11	17	0	1	0	0	39
January 1977	4	4	7	1	0	0	0	16
February 1977	8	0	11	1	2	0	0	22
March 1977	4	5	27	5	0	0	0	41
April 1977	4	6	15	0	0	1	0	26
May 1977	3	2	10	2	0	0	0	17
June 1977	<u>0</u>	<u>7</u>	<u>15</u>	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>25</u>
TOTALS	77	62	152	12	4	1	0	308
Percentage of Total:	25.0%	20.1%	49.4%	3.9%	1.3%	0.3%	0.0%	100.0%

STATE

Month	# of Defendants Who:							TOTALS
	PG- All	PG- Most Serious	PG- LIO	PG- Lesser	PG- LIO-Lesser	PG- NI	PG- Information	
July 1976	26	54	67	11	2	6	9	175
August 1976	17	43	63	7	7	9	3	149
September 1976	52	81	74	18	0	10	2	237
October 1976	45	66	54	10	1	10	6	192
November 1976	30	42	65	7	4	18	7	173
December 1976	57	46	80	15	4	17	10	229
January 1977	30	70	63	11	2	19	16	211
February 1977	37	44	56	11	3	27	21	199
March 1977	49	87	88	21	1	23	18	287
April 1977	30	53	77	4	3	20	23	210
May 1977	29	46	68	8	0	25	8	184
June 1977	<u>20</u>	<u>58</u>	<u>63</u>	<u>15</u>	<u>0</u>	<u>9</u>	<u>4</u>	<u>169</u>
TOTALS	422	690	818	138	27	193	127	2,415
Percentage of Total:	17.5%	28.6%	33.9%	5.7%	1.1%	8.0%	5.3%	100.0%

## SUPERIOR COURT

PAGE  
=85=FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
NOLLE PROSEQUI DISPOSITIONS - PART ONENEW CASTLE

<u>Month</u>	<u>Number of Defendants*</u>		<u>Total</u>
	<u>Plea-Related**</u>	<u>Non-Plea Related</u>	
July 1976	12	49	61
August 1976	18	43	61
September 1976	19	42	61
October 1976	22	36	58
November 1976	13	32	45
December 1976	24	37	61
January 1977	18	44	62
February 1977	11	44	55
March 1977	12	65	77
April 1977	21	38	59
May 1977	16	21	37
June 1977	<u>18</u>	<u>40</u>	<u>58</u>
TOTALS	204	491	695
Percentage of Total:	29.4%	70.6%	100.0%

\*Nolle prosequis for indicted defendants only.

\*\*Plea-related nolle prosequis are those defendants whose charges were dropped because they or codefendants pled guilty to or were found guilty of related charges, or because they cooperated with the Attorney General. Thus, for every plea-related nolle prosequi there is a finding of guilty for some defendant.

KENT

<u>Month</u>	<u>Number of Defendants*</u>		<u>Total</u>
	<u>Plea-Related**</u>	<u>Non-Plea Related</u>	
July 1976	0	2	2
August 1976	2	3	5
September 1976	0	10	10
October 1976	0	12	12
November 1976	0	3	3
December 1976	6	6	12
January 1977	0	2	2
February 1977	1	5	6
March 1977	4	0	4
April 1977	12	0	12
May 1977	1	3	4
June 1977	<u>2</u>	<u>1</u>	<u>3</u>
TOTALS	28	47	75
Percentage of Total:	37.3%	62.7%	100.0%

\*Nolle prosequis for indicted defendants only.

\*\*Plea-related nolle prosequis are those defendants whose charges were dropped because they or codefendants pled guilty to or were found guilty of related charges, or because they cooperated with the Attorney General. Thus, for every plea-related nolle prosequi there is a finding of guilty for some defendant.

## SUPERIOR COURT

PAGE  
=86=FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
NOLLE PROSEQUI DISPOSITIONS - PART ONESUSSEX

<u>Month</u>	Number of Defendants*		<u>Total</u>
	<u>Plea-Related**</u>	<u>Non-Plea Related</u>	
July 1976	0	4	4
August 1976	0	6	6
September 1976	7	0	7
October 1976	10	0	10
November 1976	6	0	6
December 1976	1	9	10
January 1977	3	7	10
February 1977	4	4	8
March 1977	2	3	5
April 1977	3	5	8
May 1977	1	5	6
June 1977	<u>2</u>	<u>4</u>	<u>6</u>
TOTALS	39	47	86
Percentage of Total:	45.3%	54.7%	100.0%

\*Nolle Prosequis for indicted defendants only.

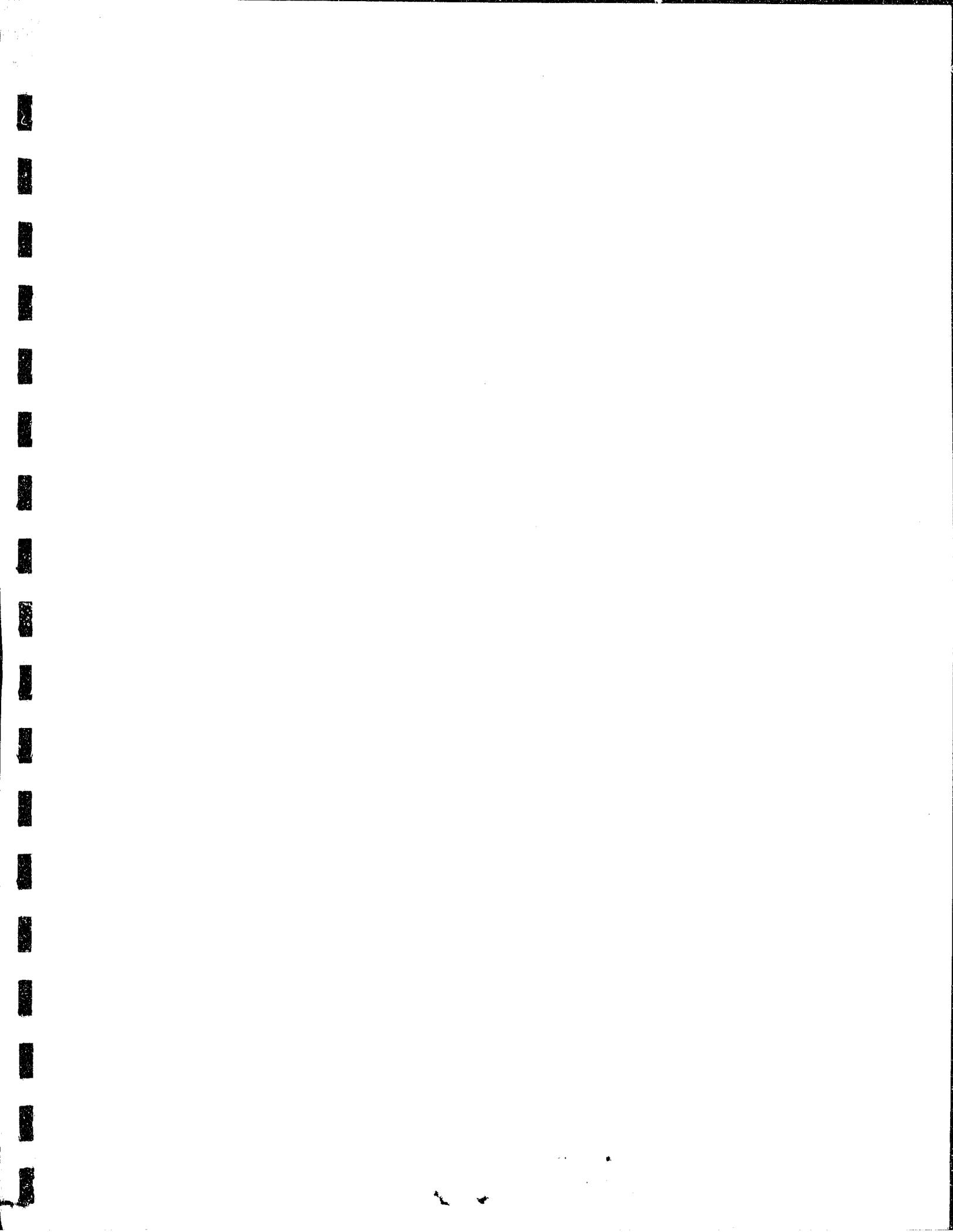
\*\*Plea-related nolle prosequis are those defendants whose charges were dropped because they or codefendants pled guilty to or were found guilty of related charges, or because they cooperated with the Attorney General. Thus, for every plea-related nolle prosequi there is a finding of guilty for some defendant.

STATE

<u>Month</u>	Number of Defendants*		<u>Total</u>
	<u>Plea-Related**</u>	<u>Non-Plea-Related</u>	
July 1976	12	55	67
August 1976	20	52	72
September 1976	26	52	78
October 1976	32	48	80
November 1976	19	35	54
December 1976	31	52	83
January 1977	21	53	74
February 1977	16	53	69
March 1977	18	68	86
April 1977	36	43	79
May 1977	18	29	47
June 1977	<u>22</u>	<u>45</u>	<u>67</u>
TOTALS	271	585	856
Percentage of Total:	31.7%	68.3%	100.0%

\*Nolle prosequis for indicted defendants only.

\*\*Plea-related nolle prosequis are those defendants whose charges were dropped because they or codefendants pled guilty to or were found guilty of related charges, or because they cooperated with the Attorney General. Thus, for every plea-related nolle prosequi there is a finding of guilty for some defendant.



SUPERIOR COURT

FISCAL YEAR 1977  
 CRIMINAL DISPOSITIONS  
 NOLLE PROSEQUI DISPOSITIONS - PART TWO

NEW CASTLE

Number of Defendants\*  
 Plea-Related\*\*

<u>Month</u>	Plea-Related**						Non-Plea-Related												<u>TOTALS</u>
	<u>Guilty of Other Charges, Different Indictment</u>	<u>Pled Guilty, New Information</u>	<u>Tried on Same Charges, Other Court</u>	<u>Codefendant Guilty</u>	<u>Granted Immunity, AG's Witness</u>	<u>Cooperated With AG</u>	<u>Insufficient Evidence</u>	<u>Witness Failed to Appear in Court</u>	<u>Victim Did Not Wish to Prosecute</u>	<u>AG Did Not Wish to Prosecute</u>	<u>Police Officer No Longer With Force</u>	<u>Police Officer Missed AG Intake Interview</u>	<u>Placed on AG Probation</u>	<u>Reindicted</u>	<u>Wrong Person Indicted</u>	<u>Without Prejudice to Renew</u>	<u>Other</u>		
July 1976	8	0	1	2	1	0	21	4	5	4	0	0	3	8	0	0	4	61	
August 1976	17	0	0	1	0	0	12	4	12	0	0	0	5	4	0	0	6	61	
September 1976	16	0	2	1	0	0	18	4	11	2	0	0	0	2	2	0	3	61	
October 1976	18	0	2	1	0	1	11	6	1	4	1	0	3	3	0	0	7	58	
November 1976	6	0	1	6	0	0	15	6	3	5	0	0	1	0	0	0	2	45	
December 1976	10	9	2	2	1	0	22	6	2	1	0	0	1	3	0	0	2	61	
January 1977	12	3	2	1	0	0	12	7	1	4	0	0	0	2	0	2	16	62	
February 1977	8	2	1	0	0	0	12	5	5	0	0	0	1	1	0	5	15	55	
March 1977	10	0	1	0	0	1	26	5	1	1	0	1	2	7	0	0	22	77	
April 1977	18	1	2	0	0	0	16	0	1	0	0	0	1	5	0	0	15	59	
May 1977	10	1	4	1	0	0	10	0	3	2	0	0	1	1	0	0	4	37	
June 1977	7	0	0	10	1	0	12	2	1	3	0	0	4	2	0	1	15	58	
<b>TOTALS</b>	140	16	18	25	3	2	187	49	46	26	1	1	22	38	2	9	111	695	

\*Nolle Prosequis for indicted defendants only.

\*\*Plea-related nolle prosequis are those defendants whose charges were dropped because they or codefendants pled guilty to or were found guilty of related charges, or because they cooperated with the Attorney General. Thus, for every plea-related nolle prosequi there is a finding of guilty for some defendant.

SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL DISPOSITIONS  
NOLLE PROSEQUI DISPOSITIONS - PART TWO

KENT - SUSSEX - STATE

Number of Defendants:  
Plea-Related

Non-Plea Related

Guilty of Other Charges,  
Different Indictment

Pled Guilty,  
New Information

Tried on Same Charges,  
Other Court

Codefendant Guilty

Granted Immunity,  
AG's Witness

Cooperated With AG

Insufficient Evidence

Witness Failed to Appear  
in Court

Victim Did Not  
Wish to Prosecute

Police Officer  
No Longer With Force

Police Officer Missed  
AG Intake Interview

Placed on AG Probation

Reindicted

Wrong Person Indicted

Without Prejudice  
to Renew

Other

TOTALS

Month

Not Available



## SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL, PENDINGNEW CASTLE

<u>Month</u>	<u>Total Defendants Pending at End of Month</u>	<u>Triable Defendants* Pending at End of Month</u>	<u>Triable Defendants as % of Total Defendants</u>
July 1976	1073	636	59.3%
August 1976	1081	647	59.9%
September 1976	1036	664	64.1%
October 1976	1110	585	52.7%
November 1976	1199	661	55.1%
December 1976	1177	710	60.3%
January 1977	1115	651	58.4%
February 1977	1090	600	55.0%
March 1977	1087	572	52.6%
April 1977	1073	518	48.3%
May 1977	1110	494	44.5%
June 1977	1105	523	47.3%

\* Defendants are not considered triable if a capias or Rule 9 Warrant has been issued for them or if the Attorney General has notified the court that the defendant will be nolle prossed, but has not yet filed the nolle prosequi.

KENT

<u>Month</u>	<u>Total Defendants Pending at End of Month</u>	<u>Triable Defendants* Pending at End of Month</u>	<u>Triable Defendants as % of Total Defendants</u>
July 1976	197	69	35.0%
August 1976	220	91	41.4%
September 1976	293	99	33.8%
October 1976	287	81	28.2%
November 1976	298	77	25.8%
December 1976	283	89	31.4%
January 1977	287	84	29.3%
February 1977	307	89	29.0%
March 1977	258	105	40.7%
April 1977	247	50	20.2%
May 1977	253	48	19.0%
June 1977	295	55	18.6%

\* Defendants are not considered triable if a capias or Rule 9 Warrant has been issued for them or if the Attorney General has notified the court that the defendant will be nolle prossed, but has not yet filed the nolle prosequi.

## SUPERIOR COURT

FISCAL YEAR 1977  
CRIMINAL PENDINGSUSSEX

<u>Month</u>	<u>Total Defendants Pending at End of Month</u>	<u>Triable Defendants* Pending at End of Month</u>	<u>Triable Defendants as % of Total Defendants</u>
July 1976	176	64	36.4%
August 1976	212	110	51.9%
September 1976	194	147	75.8%
October 1976	197	N.A.	N.A.
November 1976	174	113	64.9%
December 1976	174	104	59.8%
January 1977	181	90	49.7%
February 1977	174	102	58.6%
March 1977	168	90	53.6%
April 1977	174	76	43.7%
May 1977	191	76	39.8%
June 1977	194	90	46.4%

N.A. = Not Available

\* Defendants are not considered triable if a capias or Rule 9 Warrant has been issued for them or if the Attorney General has notified the court that the defendant will be nolle prossed, but has not yet filed the nolle prosequi.

STATE

<u>Month</u>	<u>Total Defendants Pending at End of Month</u>	<u>Triable Defendants* Pending at End of Month</u>	<u>Triable Defendants as % of Total Defendants</u>
July 1976	1,446	769	53.2%
August 1976	1,513	848	56.0%
September 1976	1,523	910	59.8%
October 1976	1,594	N.A.	N.A.
November 1976	1,671	851	50.9%
December 1976	1,634	903	55.3%
January 1977	1,583	825	52.1%
February 1977	1,571	791	50.4%
March 1977	1,513	767	50.7%
April 1977	1,494	644	43.1%
May 1977	1,554	618	39.8%
June 1977	1,594	668	41.9%

N.A. = Not Available

\* Defendants are not considered triable if a capias or Rule 9 Warrant has been issued for them or if the Attorney General has notified the court that the defendant will be nolle prossed, but has not yet filed the nolle prosequi.

SUPERIOR COURT  
COMPARISON - FISCAL YEARS 1976-1977  
CRIMINAL CASES

FILINGS

	<u>Number of Defendants</u>			<u>% Change</u>
	<u>1976</u>	<u>1977</u>	<u>Change</u>	
New Castle	2,928*	3,087	+159	+ 5.4%
Kent	431	470	+ 39	+ 9.0%
Sussex	427	540	+113	+26.5%
State	<u>3,786*</u>	<u>4,097</u>	<u>+311</u>	<u>+ 8.2%</u>

DISPOSITIONS

	<u>Number of Defendants</u>			<u>% Change</u>
	<u>1976</u>	<u>1977</u>	<u>Change</u>	
New Castle	3,051	3,035	- 16	- 0.5%
Kent	506	357	-149	-29.4%
Sussex	465	468	+ 3	+ 0.6%
State	<u>4,022</u>	<u>3,860</u>	<u>-162</u>	<u>- 4.0%</u>

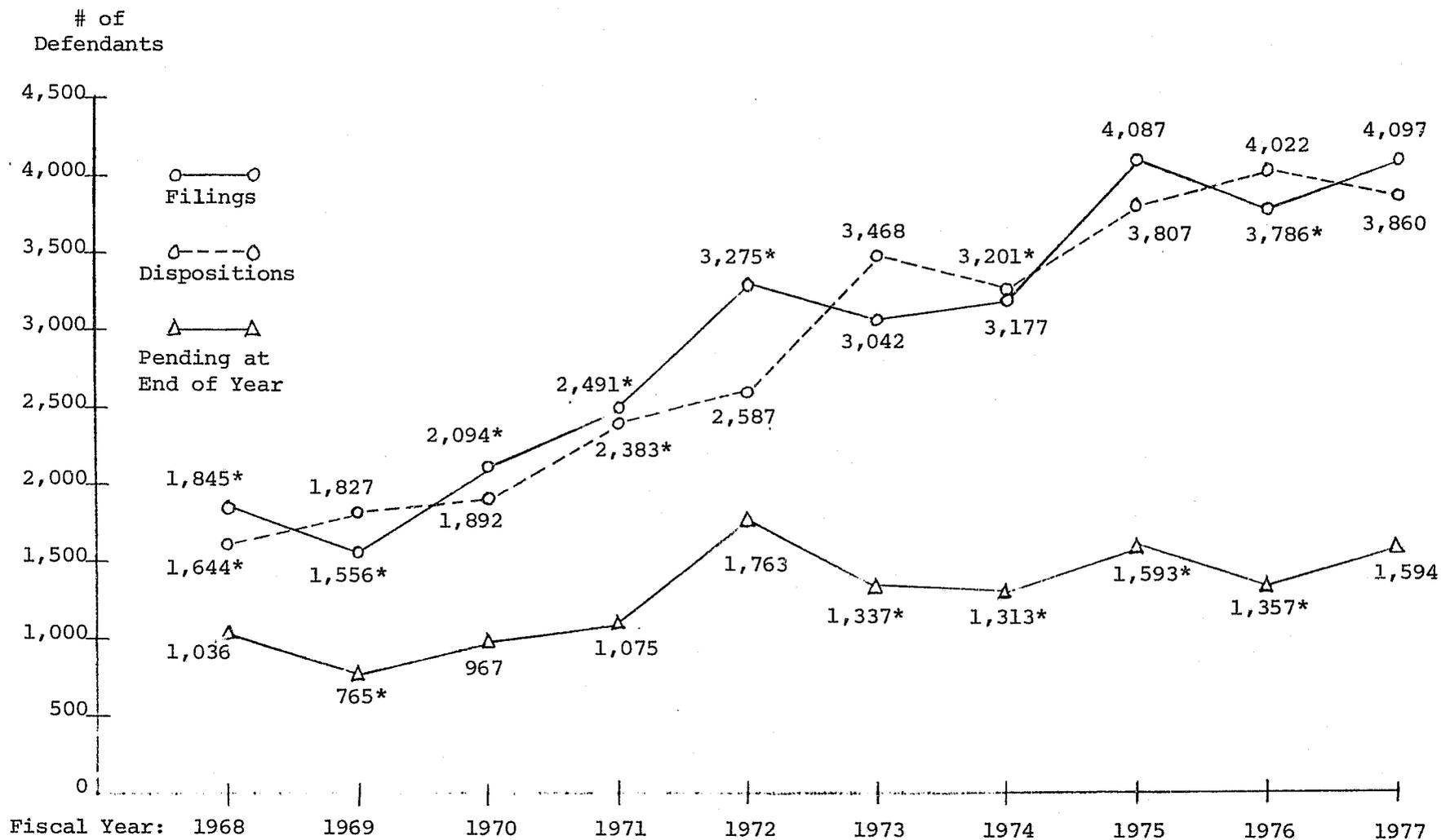
PENDING AT END OF YEAR

	<u>Number of Defendants</u>			<u>% Change</u>
	<u>1976</u>	<u>1977</u>	<u>Change</u>	
New Castle	1,053*	1,105	+ 52	+ 4.9%
Kent	182	295	+113	+62.1%
Sussex	122	194	+ 72	+59.0%
State	<u>1,357*</u>	<u>1,594</u>	<u>+237</u>	<u>+17.5%</u>

\* Figure corrected from 1976 Annual Report.

SUPERIOR COURT

10 - YEAR WORKLOAD TREND  
CRIMINAL CASES

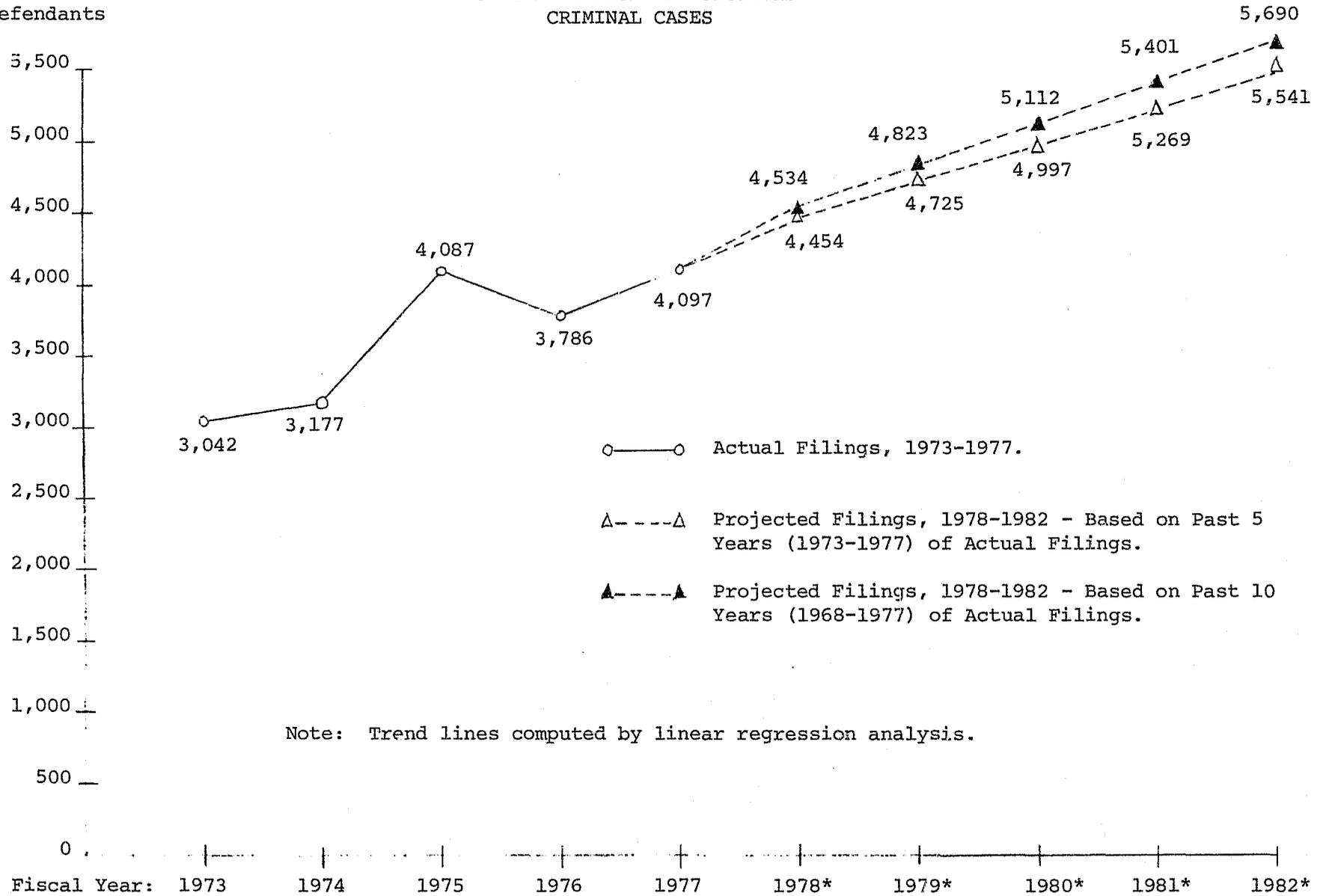


\* Figure corrected from 1976 Annual Report.

SUPERIOR COURT

5-YEAR WORKLOAD PROJECTIONS  
CRIMINAL CASES

# of  
Defendants



- Actual Filings, 1973-1977.
- △---△ Projected Filings, 1978-1982 - Based on Past 5 Years (1973-1977) of Actual Filings.
- ▲---▲ Projected Filings, 1978-1982 - Based on Past 10 Years (1968-1977) of Actual Filings.

Note: Trend lines computed by linear regression analysis.

\*Projected.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL RESCHEDULINGS

NEW CASTLE

Month	Total # of Defendants Scheduled*	# of Defendants Rescheduled	% of Defendants Rescheduled	Rescheduled at Defense Request	Rescheduled at Prosecution Request	Rescheduled at Mutual Request	Rescheduled at Court Request
July 1976	473	256	54.1%	98 38.3%	69 27.0%	79 30.9%	10 3.9%
August 1976	360	170	47.2%	50 29.4%	51 30.0%	62 36.5%	7 4.1%
September 1976	490	214	43.7%	73 34.1%	55 25.7%	74 34.6%	12 5.6%
October 1976	385	170	44.2%	79 46.5%	37 21.8%	28 16.5%	26 15.3%
November 1976	351	114	32.5%	47 41.2%	27 23.7%	24 21.1%	16 14.0%
December 1976	330	118	35.8%	43 36.4%	29 24.6%	42 35.6%	4 3.4%
January 1977	493	205	41.6%	95 46.3%	45 22.0%	48 23.4%	17 8.3%
February 1977	374	128	34.2%	60 46.9%	34 26.6%	22 17.2%	12 9.4%
March 1977	465	142	30.5%	52 36.6%	37 26.1%	36 25.4%	17 12.0%
April 1977	358	113	31.6%	48 42.5%	30 26.5%	31 27.4%	4 3.5%
May 1977	377	145	38.5%	50 34.5%	40 27.6%	44 30.3%	11 7.6%
June 1977	399	156	39.1%	64 41.0%	49 31.4%	38 24.4%	5 3.2%
TOTALS	4,855	1,931	39.8%	759 39.3%	503 26.0%	528 27.3%	141 7.3%

\* All schedulings included are schedulings for trial. Most defendants, however, will be disposed of other than by trial.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL RESCHEDULINGS

KENT

<u>Month</u>	<u>Total # of Defendants Scheduled*</u>	<u># of Defendants Rescheduled</u>	<u>% of Defendants Rescheduled</u>	<u>Rescheduled at Defense Request</u>	<u>Rescheduled at Prosecution Request</u>	<u>Rescheduled at Mutual Request</u>	<u>Rescheduled at Court Request</u>
July 1976	27	9	33.3%	3 33.3%	0 0.0%	5 55.6%	1 11.1%
August 1976	37	27	73.0%	10 37.0%	0 0.0%	17 63.0%	0 0.0%
September 1976	50	21	42.0%	4 19.0%	0 0.0%	17 81.0%	0 0.0%
October 1976	50	27	54.0%	7 25.9%	0 0.0%	20 74.1%	0 0.0%
November 1976	30	9	30.0%	4 44.4%	0 0.0%	5 55.6%	0 0.0%
December 1976	49	21	42.9%	7 33.3%	0 0.0%	13 61.9%	1 4.8%
January 1977	43	31	72.1%	12 38.7%	0 0.0%	18 58.1%	1 3.2%
February 1977	28	13	46.4%	5 38.5%	0 0.0%	8 61.5%	0 0.0%
March 1977	96	31	32.3%	6 19.4%	0 0.0%	24 77.4%	1 3.2%
April 1977	40	16	40.0%	5 31.3%	0 0.0%	11 68.8%	0 0.0%
May 1977	33	18	54.5%	3 16.7%	0 0.0%	15 83.3%	0 0.0%
June 1977	<u>46</u>	<u>23</u>	<u>50.0%</u>	<u>3 13.0%</u>	<u>4 17.4%</u>	<u>10 43.5%</u>	<u>6 26.1%</u>
TOTALS	529	246	46.5%	69 28.0%	4 1.6%	163 66.3%	10 4.1%

\* All schedulings included are schedulings for trial. Most defendants, however, will be disposed of other than by trial.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL RESCHEDULINGS

SUSSEX

<u>Month</u>	<u>Total # of Defendants Scheduled*</u>	<u># of Defendants Rescheduled</u>	<u>% of Defendants Rescheduled</u>	<u>Rescheduled at Defense Request</u>	<u>Rescheduled at Prosecution Request</u>	<u>Rescheduled at Mutual Request</u>	<u>Rescheduled at Court Request</u>
July 1976	14	8	57.1%	2 25.0%	0 0.0%	6 75.0%	0 0.0%
August 1976	51	20	39.2%	1 5.0%	1 5.0%	18 90.0%	0 0.0%
September 1976	91	41	45.1%	20 48.8%	7 17.1%	14 34.1%	0 0.0%
October 1976	26	15	57.7%	7 46.7%	5 33.3%	3 20.0%	0 0.0%
November 1976	40	21	52.5%	14 66.7%	2 9.5%	5 23.8%	0 0.0%
December 1976	62	25	40.3%	4 16.0%	1 4.0%	20 80.0%	0 0.0%
January 1977	43	16	37.2%	8 50.0%	4 25.0%	3 18.8%	1 6.2%
February 1977	33	11	33.3%	5 45.5%	1 9.1%	3 27.3%	2 18.2%
March 1977	49	20	40.8%	6 30.0%	2 10.0%	12 60.0%	0 0.0%
April 1977	32	9	28.1%	2 22.2%	0 0.0%	7 77.8%	0 0.0%
May 1977	23	12	52.2%	1 8.3%	3 25.0%	8 66.7%	0 0.0%
June 1977	<u>41</u>	<u>16</u>	<u>39.0%</u>	<u>6 37.5%</u>	<u>0 0.0%</u>	<u>8 50.0%</u>	<u>2 12.5%</u>
TOTALS	505	214	42.4%	76 35.5%	26 12.1%	107 50.0%	5 2.3%

\* All schedulings included are schedulings for trial. Most defendants, however, will be disposed of other than by trial.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL RESCHEDULINGS

STATE

<u>Month</u>	<u>Total # of Defendants Scheduled*</u>	<u># of Defendants Rescheduled</u>	<u>% of Defendants Rescheduled</u>	<u>Rescheduled at Defense Request</u>	<u>Rescheduled at Prosecution Request</u>	<u>Rescheduled at Mutual Request</u>	<u>Rescheduled at Court Request</u>
July 1976	514	273	53.1%	103 37.7%	69 25.3%	90 33.0%	11 4.0%
August 1976	448	217	48.4%	61 28.1%	52 24.0%	97 44.7%	7 3.2%
September 1976	631	276	43.7%	97 35.1%	62 22.5%	105 38.0%	12 4.3%
October 1976	461	212	46.0%	93 43.9%	42 19.8%	51 24.1%	26 12.3%
November 1976	421	144	34.2%	65 45.1%	29 20.1%	34 23.6%	16 11.1%
December 1976	441	164	37.2%	54 32.9%	30 18.3%	75 45.7%	5 3.0%
January 1977	579	252	43.5%	115 45.6%	49 19.4%	69 27.4%	19 7.5%
February 1977	435	152	34.9%	70 46.1%	35 23.0%	33 21.7%	14 9.2%
March 1977	610	193	31.6%	64 33.2%	39 20.2%	72 37.3%	18 9.3%
April 1977	430	138	32.1%	55 40.0%	30 21.7%	49 35.5%	4 2.9%
May 1977	433	175	40.4%	54 30.9%	43 24.6%	67 38.3%	11 6.3%
June 1977	486	195	40.1%	73 37.4%	53 27.2%	56 28.7%	13 6.7%
TOTALS	5,889	2,391	40.6%	904 37.8%	533 22.3%	798 33.4%	156 6.5%

\* All schedulings included are schedulings for trial. Most defendants, however, will be disposed of other than by trial.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL TRIAL ACTIVITY

NEW CASTLE

<u>Month</u>	<u># of Jury Trials</u>	<u># of Non-Jury Trials</u>	<u>Total # of Trials</u>	<u>Days In Trial</u>	<u>Average Length Per Trial</u>
July 1976	19	4	23	34½	1.50 days
August 1976	12	2	14	27	1.93
September 1976	19	4	23	35½	1.54
October 1976	18	5	23	53½	2.33
November 1976	19	3	22	41½	1.89
December 1976	20	2	22	56½	2.57
January 1977	32	14	46	54½	1.18
February 1977	24	3	27	46	1.70
March 1977	38	9	47	74½	1.59
April 1977	21	4	25	37	1.48
May 1977	21	4	25	35½	1.42
June 1977	<u>24</u>	<u>4</u>	<u>28</u>	<u>102½</u>	<u>3.66</u>
TOTALS	267	58	325	598½	1.84 days
Percentage of Total:	82.2%	17.8%	100.0%		

KENT

<u>Month</u>	<u># of Jury Trials</u>	<u># of Non-Jury Trials</u>	<u>Total # of Trials</u>	<u>Days In Trial</u>	<u>Average Length Per Trial</u>
July 1976	0	0	0	0	0.00 days
August 1976	3	0	3	7	2.33
September 1976	5	0	5	8	1.60
October 1976	1	0	1	1	1.00
November 1976	1	0	1	1	1.00
December 1976	4	0	4	4	1.00
January 1977	3	0	3	3	1.00
February 1977	1	0	1	1	1.00
March 1977	4	0	4	5	1.25
April 1977	3	2	5	9	1.80
May 1977	2	0	2	2	1.00
June 1977	<u>1</u>	<u>1</u>	<u>2</u>	<u>2</u>	<u>1.00</u>
TOTALS	28	3	31	43	1.39 days
Percentage of Total:	90.3%	9.7%	100.0%		

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL TRIAL ACTIVITY

SUSSEX

<u>Month</u>	<u># of Jury Trials</u>	<u># of Non-Jury Trials</u>	<u>Total # of Trials</u>	<u>Days In Trial</u>	<u>Average Length Per Trial</u>
July 1976	0	0	0	0	0.00 days
August 1976	1	2	3	4	1.33
September 1976	4	5	9	12	1.33
October 1976	1	0	1	1	1.00
November 1976	1	2	3	3	1.00
December 1976	4	1	5	7	1.40
January 1977	3	1	4	4	1.00
February 1977	1	3	4	4	1.00
March 1977	1	2	3	3	1.00
April 1977	4	0	4	6½	1.63
May 1977	1	1	2	5	2.50
June 1977	<u>3</u>	<u>1</u>	<u>4</u>	<u>11</u>	<u>2.75</u>
TOTALS	24	18	42	60½	1.44 days
Percentage of Total:	57.1%	42.9%	100.0%		

STATE

<u>Month</u>	<u># of Jury Trials</u>	<u># of Non-Jury Trials</u>	<u>Total # of Trials</u>	<u>Days In Trial</u>	<u>Average Length Per Trial</u>
July 1976	19	4	23	34½	1.50 days
August 1976	16	4	20	38	1.90
September 1976	28	9	37	55½	1.50
October 1976	20	5	25	55½	2.22
November 1976	21	5	26	45½	1.75
December 1976	28	3	31	67½	2.18
January 1977	38	15	53	61½	1.16
February 1977	26	6	32	51	1.59
March 1977	43	11	54	82½	1.53
April 1977	28	6	34	52½	1.54
May 1977	24	5	29	42½	1.47
June 1977	<u>28</u>	<u>6</u>	<u>34</u>	<u>115½</u>	<u>3.40</u>
TOTALS	319	79	398	702	1.76 days
Percentage of Total:	80.2%	19.8%	100.0%		

SUPERIOR COURTFISCAL YEAR 1977  
CRIMINAL JUDGE TIME UTILIZATION  
EXPLANATORY NOTES

1. Judge Days Assigned to criminal trial work are arrived at as follows. One judge is assigned to be Criminal Office Judge and one to be Civil Office Judge; they manage their respective calendars and do not hear criminal trials. No trials are assigned to Fridays, which are used for arraignments, motions, sentencings, and civil miscellaneous matters by all judges. Vacation days and holidays are removed from the schedule. The remaining time is trial time, approximately 65% of which is assigned to the criminal calendar, and 35% to the civil calendar.
2. Trial time is computed in  $\frac{1}{2}$  - day increments, with the luncheon recess considered to be the dividing point.
3. When more than 100% of assigned time is used, the extra time is found in one or more of three ways: 1) using the Criminal Office Judge to try criminal cases, 2) using Fridays to try criminal cases, or 3) transferring judges from the civil to the criminal calendar.
4. For FY 1977, only Criminal Judge Time Utilization was available. Beginning in FY 1978, Civil Judge Time Utilization is being calculated as well.

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL JUDGE TIME UTILIZATION

NEW CASTLE

<u>Month</u>	<u>Judge Days Assigned</u>	<u>Judge Days Used</u>	<u>% of Assigned Time Used</u>
July 1976	36	34½	95.8%
August 1976	40	27	67.5%
September 1976	68	35½	52.2%
October 1976	41	53½	130.5%
November 1976	42	41½	98.8%
December 1976	44	56½	128.4%
January 1977	38	54½	143.4%
February 1977	37	46	124.3%
March 1977	71	74½	104.9%
April 1977	54	37	68.5%
May 1977	41	35½	86.6%
June 1977	<u>62</u>	<u>102½</u>	<u>165.3%</u>
TOTALS	574	598½	104.3%

KENT

<u>Month</u>	<u>Judge Days Assigned</u>	<u>Judge Days Used</u>	<u>% of Assigned Time Used</u>
July 1976	6	0	0.0%
August 1976	10	7	70.0%
September 1976	11	8	72.7%
October 1976	13	1	7.7%
November 1976	5	1	20.0%
December 1976	12	4	33.3%
January 1977	7	3	42.9%
February 1977	5	1	20.0%
March 1977	18	5	27.8%
April 1977	12	9	75.0%
May 1977	9	2	22.2%
June 1977	<u>11</u>	<u>2</u>	<u>18.2%</u>
TOTALS	119	43	36.1%

SUPERIOR COURT  
FISCAL YEAR 1977  
CRIMINAL JUDGE TIME UTILIZATION

SUSSEX

<u>Month</u>	<u>Judge Days Assigned</u>	<u>Judge Days Used</u>	<u>% of Assigned Time Used</u>
July 1976	4	0	0.0%
August 1976	16	4	25.0%
September 1976	21	12	57.1%
October 1976	4	1	25.0%
November 1976	9	3	33.3%
December 1976	13	7	53.8%
January 1977	8	4	50.0%
February 1977	11	4	36.4%
March 1977	9	3	33.3%
April 1977	13	6½	50.0%
May 1977	6	5	83.3%
June 1977	<u>21</u>	<u>11</u>	<u>52.4%</u>
TOTALS	135	60½	44.8%

STATE

<u>Month</u>	<u>Judge Days Assigned</u>	<u>Judge Days Used</u>	<u>% of Assigned Time Used</u>
July 1976	46	34½	75.0%
August 1976	66	38	57.6%
September 1976	100	55½	55.5%
October 1976	58	55½	95.7%
November 1976	56	45½	81.3%
December 1976	69	67½	97.8%
January 1977	53	61½	116.0%
February 1977	53	51	96.2%
March 1977	98	82½	84.2%
April 1977	79	52½	66.5%
May 1977	56	42½	75.9%
June 1977	<u>94</u>	<u>115½</u>	<u>122.9%</u>
TOTALS	828	702	84.8%

SUPERIOR COURTFISCAL YEAR 1977  
PERFORMANCE ANALYSIS  
EXPLANATORY NOTES

1. The Speedy Trial Directive of Chief Justice Daniel L. Herrmann states that all criminal defendants brought before Superior Court must be tried within 120 days of arrest.
2. The Elapsed Time charts measure the average and median time intervals between arrest and disposition, and the average and median time intervals between indictment and disposition. Since Superior Court cases do not all originate by indictment, it is not possible to subtract the figures for indictment to disposition from the figures for arrest to disposition to determine pre-indictment time intervals.
3. In measuring the elapsed time of defendants for the purposes of computing compliance with speedy directives or average elapsed time, Superior Court excludes the following time intervals:
  - a. For all capiases, the time between the date the capias is issued and the date the capias is executed.
  - b. In the case of arraignment capiases, the interval between the execution of the capias and arraignment.
  - c. In the case of trial capiases, the time between execution of the capias and the first scheduled trial date.
  - d. For all Rule 9 Summonses and Rule 9 Warrants, the time between arrest and indictment, if any.
  - e. In the case of Rule 9 Warrants, the interval between indictment and arrest.
  - f. In the case of Rule 9 Summonses which are superseded by Rule 9 Warrants, the full interval between indictment and arrest.
  - g. For all nolle prosequis, all time between the scheduled trial date and the actual filing date of the nolle prosequi.

SUPERIOR COURT  
FISCAL YEAR 1977  
PERFORMANCE ANALYSIS  
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

NEW CASTLE

<u>Month</u>	<u># of Defendants Disposed Of Within 120 Days of Arrest</u>		<u># of Defendants Disposed Of 121 Days or More After Arrest</u>		<u>Total # of Defendants Disposed Of</u>	
July 1976	163	75.1%	54	24.9%	217	100.0%
August 1976	155	74.9%	52	25.1%	207	100.0%
September 1976	191	68.0%	90	32.0%	281	100.0%
October 1976	191	76.1%	60	23.9%	251	100.0%
November 1976	154	70.0%	66	30.0%	220	100.0%
December 1976	189	72.4%	72	27.6%	261	100.0%
January 1977	212	71.4%	85	28.6%	297	100.0%
February 1977	181	68.3%	84	31.7%	265	100.0%
March 1977	267	80.2%	66	19.8%	333	100.0%
April 1977	220	84.6%	40	15.4%	260	100.0%
May 1977	187	84.2%	35	15.8%	222	100.0%
June 1977	<u>193</u>	<u>87.3%</u>	<u>28</u>	<u>12.7%</u>	<u>221</u>	<u>100.0%</u>
TOTALS	2,303	75.9%	732	24.1%	3,035	100.0%

KENT

<u>Month</u>	<u># of Defendants Disposed Of Within 120 Days of Arrest</u>		<u># of Defendants Disposed Of 121 Days or More After Arrest</u>		<u>Total # of Defendants Disposed Of</u>	
July 1976	24	80.0%	6	20.0%	30	100.0%
August 1976	5	45.5%	6	54.5%	11	100.0%
September 1976	26	70.3%	11	29.7%	37	100.0%
October 1976	13	48.1%	14	51.9%	27	100.0%
November 1976	12	50.0%	12	50.0%	24	100.0%
December 1976	22	48.9%	23	51.1%	45	100.0%
January 1977	11	61.1%	7	38.9%	18	100.0%
February 1977	9	56.3%	7	43.8%	16	100.0%
March 1977	43	70.5%	18	29.5%	61	100.0%
April 1977	23	57.5%	17	42.5%	40	100.0%
May 1977	23	92.0%	2	8.0%	25	100.0%
June 1977	<u>19</u>	<u>82.6%</u>	<u>4</u>	<u>17.4%</u>	<u>23</u>	<u>100.0%</u>
TOTALS	230	64.4%	127	35.6%	357	100.0%

SUPERIOR COURT  
FISCAL YEAR 1977  
PERFORMANCE ANALYSIS  
COMPLIANCE WITH 120-DAY SPEEDY TRIAL MANDATE

SUSSEX

Month	# of Defendants Disposed Of Within 120 Days of Arrest		# of Defendants Disposed Of 121 Days or More After Arrest		Total # of Defendants Disposed Of	
July 1976	21	87.5%	3	12.5%	24	100.0%
August 1976	14	45.2%	17	54.8%	31	100.0%
September 1976	58	84.1%	11	15.9%	69	100.0%
October 1976	26	74.3%	9	25.7%	35	100.0%
November 1976	17	58.6%	12	41.4%	29	100.0%
December 1976	31	55.4%	25	44.6%	56	100.0%
January 1977	18	58.1%	13	41.9%	31	100.0%
February 1977	23	60.5%	15	39.5%	38	100.0%
March 1977	34	65.4%	18	34.6%	52	100.0%
April 1977	23	59.0%	16	41.0%	39	100.0%
May 1977	23	88.5%	3	11.5%	26	100.0%
June 1977	26	68.4%	12	31.6%	38	100.0%
TOTALS	314	67.1%	154	32.9%	468	100.0%

STATE

Month	# of Defendants Disposed Of Within 120 Days of Arrest		# of Defendants Disposed Of 121 Days or More After Arrest		Total # of Defendants Disposed Of	
July 1976	208	76.8%	63	23.2%	271	100.0%
August 1976	174	69.9%	75	30.1%	249	100.0%
September 1976	275	71.1%	112	28.9%	387	100.0%
October 1976	230	73.5%	83	26.5%	313	100.0%
November 1976	183	67.0%	90	33.0%	273	100.0%
December 1976	242	66.9%	120	33.1%	362	100.0%
January 1977	241	69.7%	105	30.3%	346	100.0%
February 1977	213	66.8%	106	33.2%	319	100.0%
March 1977	344	77.1%	102	22.9%	446	100.0%
April 1977	266	78.5%	73	21.5%	339	100.0%
May 1977	233	85.3%	40	14.7%	273	100.0%
June 1977	238	84.4%	44	15.6%	282	100.0%
TOTALS	2,847	73.8%	1,013	26.2%	3,860	100.0%

SUPERIOR COURT  
 FISCAL YEAR 1977  
 PERFORMANCE ANALYSIS  
 ELAPSED TIME

NEW CASTLE

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**</u>
July 1976	98.1 days	98.0 days	69.7 days	63.0 days
August 1976	108.2	92.0	81.7	58.0
September 1976	111.5	102.0	85.7	69.0
October 1976	97.6	90.0	76.6	60.0
November 1976	109.0	98.0	85.7	59.0
December 1976	100.9	89.0	71.9	51.0
January 1977	99.3	110.5	70.0	64.0
February 1977	100.8	91.0	82.1	72.0
March 1977	91.0	83.0	75.1	57.0
April 1977	81.6	65.0	65.9	55.0
May 1977	79.1	69.0	69.1	54.5
June 1977	<u>85.4</u>	<u>68.0</u>	<u>67.5</u>	<u>50.0</u>
TOTALS	96.9 days	88.5 days#	75.1 days	59.5 days#

\* Includes all defendants.  
 \*\* Includes indicted defendants only.  
 # Calculated using grouped medians method.

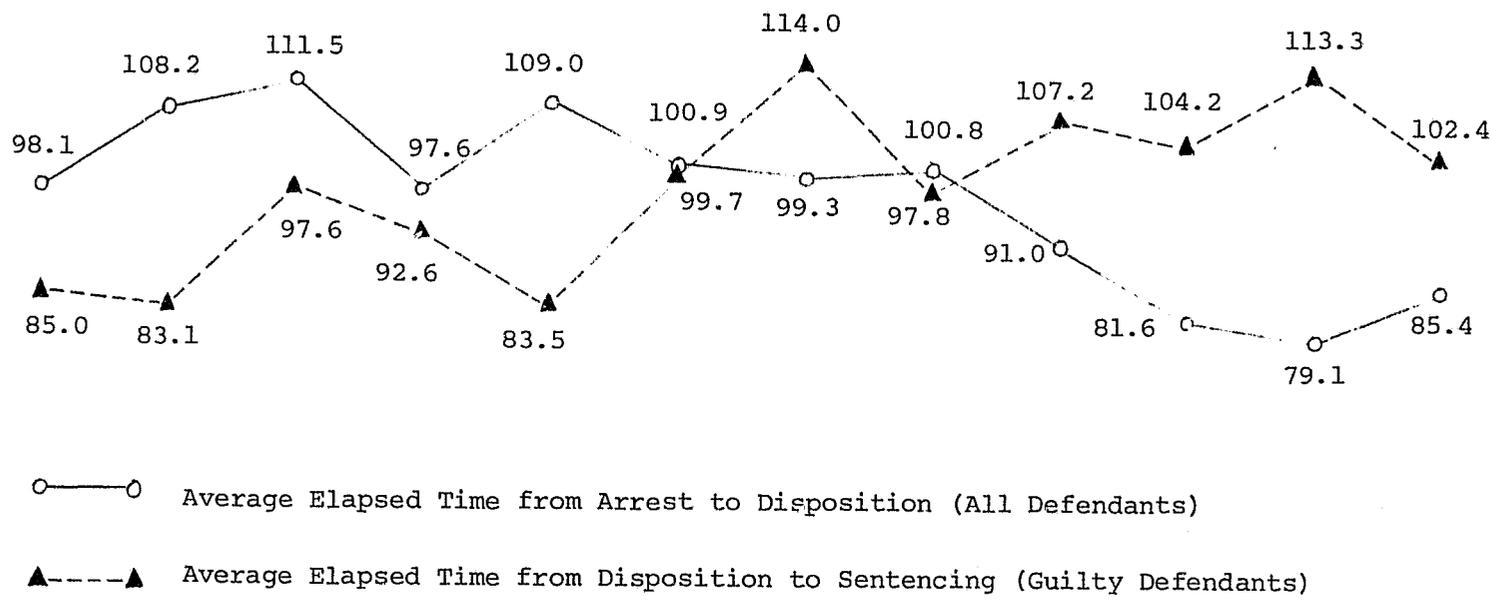
SUPERIOR COURT

FISCAL YEAR 1977  
 PERFORMANCE ANALYSIS  
 AVERAGE ELAPSED TIME

NEW CASTLE

Days

120  
100  
80  
60  
40  
20  
0



○—○ Average Elapsed Time from Arrest to Disposition (All Defendants)  
 ▲---▲ Average Elapsed Time from Disposition to Sentencing (Guilty Defendants)

Note: Information not included for Kent. Sussex and State information not available.

Month: July Aug. Sept. Oct. Nov. Dec. Jan. Feb. March April May June  
 Year: 1976 1977

FY  
1977  
TOTALS



▲ 99.9  
○ 96.9

+  
FY  
1977  
TOTALS

SUPERIOR COURT  
 FISCAL YEAR 1977  
 PERFORMANCE ANALYSIS  
 ELAPSED TIME

KENT

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**</u>
July 1976	102.1 days	75.0 days	73.9 days	50.0 days
August 1976	147.2	138.0	120.8	87.5
September 1976	122.0	117.0	90.4	72.0
October 1976	149.9	116.0	140.5	95.0
November 1976	117.7	123.0	100.4	112.5
December 1976	132.4	122.0	99.6	82.5
January 1977	121.5	108.0	119.2	85.0
February 1977	133.8	114.5	125.5	78.5
March 1977	112.2	93.0	86.1	65.5
April 1977	166.8	99.0	145.2	82.0
May 1977	77.5	66.0	59.7	29.0
June 1977	<u>103.1</u>	<u>85.0</u>	<u>76.3</u>	<u>45.0</u>
TOTALS	123.5 days	102.5 days#	100.3 days	72.0 days#

\* Includes all defendants.  
 \*\* Includes indicted defendants only.  
 # Calculated using grouped medians method.

SUPERIOR COURT  
 FISCAL YEAR 1977  
 PERFORMANCE ANALYSIS  
 ELAPSED TIME

SUSSEX

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**</u>
July 1976	73.5 days	63.5 days	28.6 days	18.0 days
August 1976	146.6	126.5	87.4	75.5
September 1976	88.0	79.0	57.4	58.0
October 1976	131.5	81.0	61.8	42.0
November 1976	114.3	108.5	77.4	67.5
December 1976	111.3	117.0	87.2	76.0
January 1977	126.7	113.0	111.2	106.0
February 1977	112.0	118.0	79.6	76.0
March 1977	114.8	95.0	83.9	68.0
April 1977	125.7	91.0	98.2	69.0
May 1977	91.3	86.5	57.2	56.5
June 1977	<u>112.9</u>	<u>97.0</u>	<u>72.7</u>	<u>61.0</u>
TOTALS	111.6 days	98.0 days#	75.8 days	65.0 days#

\* Includes all defendants.  
 \*\* Includes indicted defendants only.  
 # Calculated using grouped medians method.

SUPERIOR COURT  
 FISCAL YEAR 1977  
 PERFORMANCE ANALYSIS  
 ELAPSED TIME

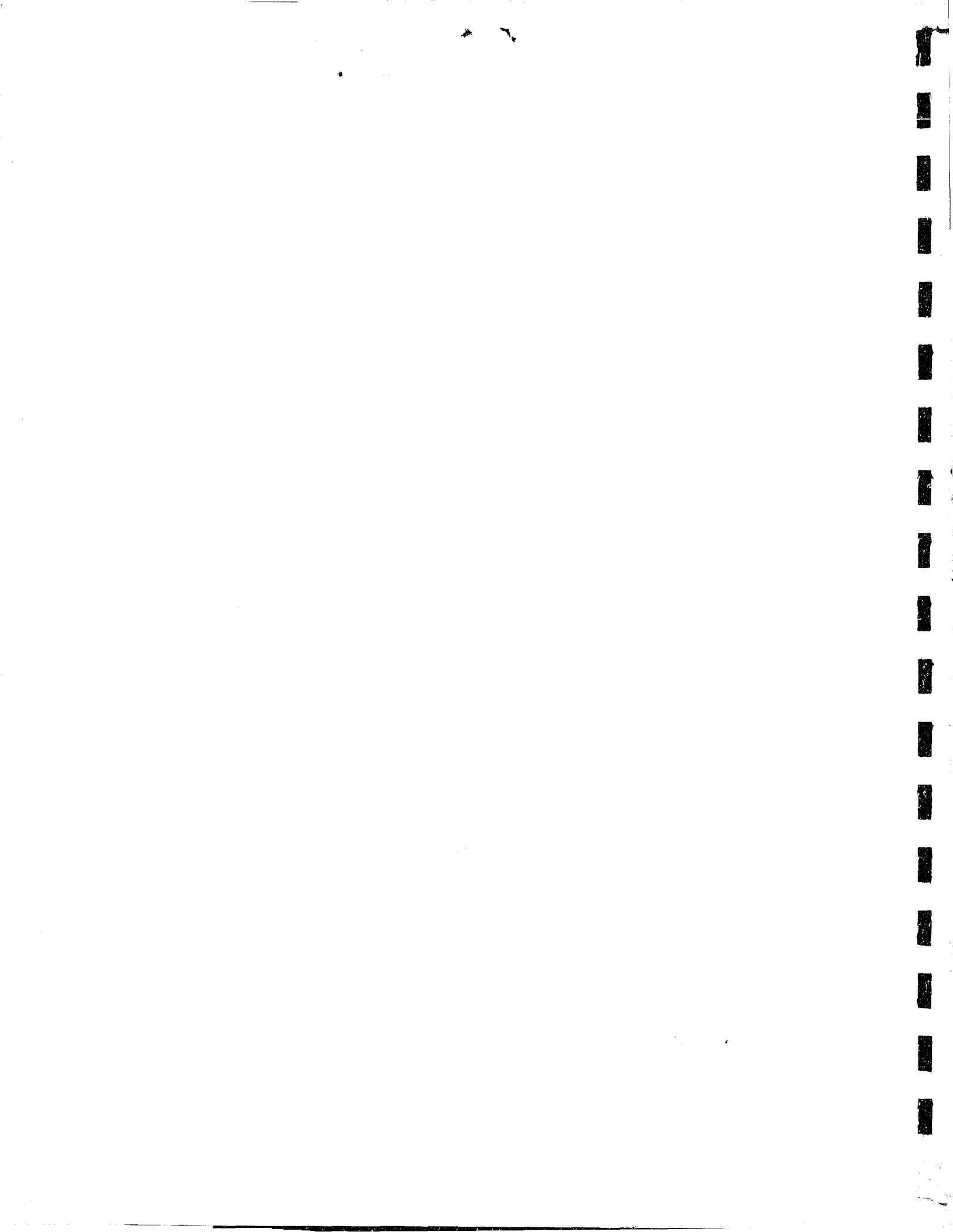
STATE

<u>Month</u>	<u>Average Elapsed Time from Arrest to Disposition*</u>	<u>Median Elapsed Time from Arrest to Disposition*,#</u>	<u>Average Elapsed Time from Indictment to Disposition**</u>	<u>Median Elapsed Time from Indictment to Disposition**,#</u>
July 1976	96.4 days	92.5 days	67.0 days	58.0 days
August 1976	114.8	98.5	84.3	61.5
September 1976	108.3	99.5	82.2	67.5
October 1976	105.6	91.0	80.4	61.0
November 1976	110.3	101.0	86.3	65.0
December 1976	106.4	97.5	77.5	58.5
January 1977	102.8	110.5	75.4	68.0
February 1977	103.7	95.0	83.7	73.0
March 1977	96.7	85.5	77.8	59.5
April 1977	97.0	72.0	81.8	61.0
May 1977	80.1	70.5	66.6	52.0
June 1977	<u>90.5</u>	<u>73.0</u>	<u>69.0</u>	<u>51.0</u>
TOTALS	101.1 days	91.0 days	77.8 days	61.5 days

\* Includes all defendants.

\*\* Includes indicted defendants only.

# All medians were calculated using grouped medians method.



SUPERIOR COURT  
FISCAL YEAR 1977  
PRESENTENCE OFFICE  
WORKLOADNEW CASTLE

<u>Month</u>	<u>Defendants Referred</u>	<u>Investigations Completed</u>	<u>Investigations Pending at End of Month</u>
July 1976	106	100	228
August 1976	77	105	200
September 1976	107	89	218
October 1976	117	86	249
November 1976	107	69	287
December 1976	103	90	300
January 1977	124	92	332
February 1977	113	93	352
March 1977	132	143	341
April 1977	110	117	334
May 1977	80	107	307
June 1977	<u>100</u>	<u>117</u>	290
TOTALS	1,276	1,208	

KENT

<u>Month</u>	<u>Defendants Referred</u>	<u>Investigations Completed</u>	<u>Investigations Pending at End of Month</u>
July 1976	25	16	24
August 1976	3	19	8
September 1976	22	7	23
October 1976	7	14	16
November 1976	14	14	16
December 1976	18	13	21
January 1977	9	17	13
February 1977	9	13	9
March 1977	48	16	41
April 1977	19	15	45
May 1977	17	23	39
June 1977	<u>17</u>	<u>25</u>	31
TOTALS	208	192	

SUPERIOR COURT  
FISCAL YEAR 1977  
PRESENTENCE OFFICE  
WORKLOADSUSSEX

<u>Month</u>	<u>Defendants Referred</u>	<u>Investigations Completed</u>	<u>Investigations Pending at End of Month</u>
July 1976	9	16	26
August 1976	17	13	30
September 1976	27	15	42
October 1976	9	15	36
November 1976	12	21	27
December 1976	22	5	44
January 1977	12	12	44
February 1977	14	16	42
March 1977	28	21	49
April 1977	18	15	52
May 1977	13	30	35
June 1977	<u>18</u>	<u>20</u>	33
TOTALS	199	199	

STATE

<u>Month</u>	<u>Defendants Referred</u>	<u>Investigations Completed</u>	<u>Investigations Pending at End of Month</u>
July 1976	140	132	278
August 1976	97	137	238
September 1976	156	111	283
October 1976	133	115	301
November 1976	133	104	330
December 1976	143	108	365
January 1977	145	121	389
February 1977	136	122	403
March 1977	208	180	431
April 1977	147	147	431
May 1977	110	160	381
June 1977	<u>135</u>	<u>162</u>	354
TOTALS	1,683	1,599	

SUPERIOR COURT  
COMPARISON - FISCAL YEARS 1976-1977  
PRESENTENCE OFFICE  
WORKLOAD

DEFENDANTS REFERRED

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,171	1,276	+105	+9.0%
Kent	N.A.	208	N.A.	N.A.
Sussex	N.A.	199	N.A.	N.A.
State	N.A.	1,683	N.A.	N.A.

INVESTIGATIONS COMPLETED

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,142	1,208	+66	+5.8%
Kent	N.A.	192	N.A.	N.A.
Sussex	N.A.	199	N.A.	N.A.
State	N.A.	1,599	N.A.	N.A.

INVESTIGATIONS PENDING AT END OF YEAR

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	222	290	+68	+ 30.6%
Kent	15	31	+16	+106.7%
Sussex	33	33	0	0.0%
State	270	354	+84	+ 31.1%

SUPERIOR COURT  
 FISCAL YEAR 1977  
 PRESENTENCE OFFICE  
 PERFORMANCE

NEW CASTLE

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
July 1976	95	58.7 days	5.7 days	64.4 days	20.7 days	85.0 days
August 1976	74	52.0	8.3	60.3	22.9	83.1
September 1976	102	55.0	9.6	64.7	32.9	97.6
October 1976	100	63.2	7.6	70.7	21.9	92.6
November 1976	37	46.8	6.4	53.2	30.3	83.5
December 1976	112	53.0	10.0	62.9	36.8	99.7
January 1977	86	62.4	11.7	74.1	39.9	114.0
February 1977	99	70.6	9.0	79.5	18.2	97.8
March 1977	109	70.2	11.2	81.4	25.8	107.2
April 1977	96	67.9	12.7	80.6	23.5	104.2
May 1977	130	62.3	14.2	76.6	36.7	113.3
June 1977	<u>102</u>	<u>56.5</u>	<u>17.0</u>	<u>73.5</u>	<u>28.9</u>	<u>102.4</u>
TOTALS	1,142	60.8 days	10.6 days	71.4 days	28.4 days	99.9 days



**CONTINUED**

**2 OF 5**

SUPERIOR COURT

FISCAL YEAR 1977  
PRESENTENCE OFFICE  
PERFORMANCE

KENT

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
July 1976	22	33.7 days	22.6 days	56.3 days	24.8 days	81.1 days
August 1976	7	18.0	10.4	28.4	16.7	45.1
September 1976	26	31.3	16.3	47.6	41.8	89.3
October 1976	25	20.4	7.4	27.8	29.8	57.5
November 1976	0	-	-	-	-	-
December 1976	23	49.7	8.3	58.0	23.7	81.7
January 1977	15	35.1	7.2	42.3	24.4	66.7
February 1977	15	39.5	2.0	41.5	20.8	62.3
March 1977	15	41.1	3.1	44.1	14.2	58.3
April 1977	14	20.1	0.4	20.4	13.0	33.4
May 1977	16	25.0	0.9	25.9	16.2	42.1
June 1977	<u>23</u>	<u>51.3</u>	<u>1.5</u>	<u>52.8</u>	<u>20.3</u>	<u>73.1</u>
TOTALS	201	34.6 days	8.0 days	42.6 days	24.2 days	66.8 days

SUPERIOR COURT

FISCAL YEAR 1977  
PRESENTENCE OFFICE  
PERFORMANCE

SUSSEX

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
--------------	---	---	---	---	---	---

----- Not Available -----

STATE

<u>Month</u>	<u># of Defendants Sentenced After Presentence Investigations</u>	<u>Average Time From Date Ordered to Date Written</u>	<u>Average Time From Date Written to Date Typed</u>	<u>Average Time From Date Ordered to Date Typed</u>	<u>Average Time From Date Typed to Date Sentenced</u>	<u>Average Time From Date Ordered to Date Sentenced</u>
--------------	---	---	---	---	---	---

----- Not Available -----

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1976-1977  
PRESENTENCE OFFICE  
PERFORMANCE

<u>NEW CASTLE</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	1,107	1,142	+35	+ 3.2%
Average Time From Date Ordered to Date Written	55.3 days	60.8 days	+ 5.5 days	+ 9.9%
Average Time From Date Written to Date Typed	6.8 days	10.6 days	+ 3.8 days	+55.9%
Average Time From Date Ordered to Date Typed	60.0 days	71.4 days	+11.4 days	+19.0%
Average Time From Date Typed to Date Sentenced	21.2 days	28.4 days	+ 7.2 days	+34.0%
Average Time From Date Ordered to Date Sentenced	79.6 days	99.9 days	+20.3 days	+25.5%

<u>KENT</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	N.A.	201	N.A.	N.A.
Average Time From Date Ordered to Date Written	N.A.	34.6 days	N.A.	N.A.
Average Time From Date Written to Date Typed	N.A.	8.0 dyas	N.A.	N.A.
Average Time From Date Ordered to Date Typed	N.A.	42.6 days	N.A.	N.A.
Average Time From Date Typed to Date Sentenced	N.A.	24.2 days	N.A.	N.A.
Average Time From Date Ordered to Date Sentenced	N.A.	66.8 days	N.A.	N.A.

<u>SUSSEX</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	N.A.	N.A.	N.A.	N.A.
Average Time From Date Ordered to Date Written	N.A.	N.A.	N.A.	N.A.
Average Time From Date Written to Date Typed	N.A.	N.A.	N.A.	N.A.
Average Time From Date Ordered to Date Typed	N.A.	N.A.	N.A.	N.A.
Average Time From Date Typed to Date Sentenced	N.A.	N.A.	N.A.	N.A.
Average Time From Date Ordered to Date Sentenced	N.A.	N.A.	N.A.	N.A.

<u>STATE</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
# of Defendants Sentenced After Presentence Investigations	N.A.	N.A.	N.A.	N.A.
Average Time From Date Ordered to Date Written	N.A.	N.A.	N.A.	N.A.
Average Time From Date Written to Date Typed	N.A.	N.A.	N.A.	N.A.
Average Time From Date Ordered to Date Typed	N.A.	N.A.	N.A.	N.A.
Average Time From Date Typed to Date Sentenced	N.A.	N.A.	N.A.	N.A.
Average Time From Date Ordered to Date Sentenced	N.A.	N.A.	N.A.	N.A.

N.A. = Not Available

SUPERIOR COURT  
 FISCAL YEAR 1977  
 PRESENTENCE OFFICE  
 PRODUCTIVITY

NEW CASTLE

Month	INVESTIGATIONS			TYPING		
	<u># of Investigations Written</u>	<u># of Investigators Available</u>	<u>Average # Completed Per Investigator</u>	<u># of Investigations Typed</u>	<u># of Typists Available</u>	<u>Average # Typed Per Typist</u>
July 1976	105	7.00	15.0	100	3.00	33.3
August 1976	96	5.40	17.8	105	2.50	42.0
September 1976	88	5.70	15.4	89	2.50	35.6
October 1976	93	6.70	13.9	86	2.50	34.4
November 1976	78	6.80	11.5	69	2.00	34.5
December 1976	80	6.40	12.5	90	2.00	45.0
January 1977	101	6.80	14.9	92	2.00	46.0
February 1977	113	6.90	16.4	93	2.00	46.5
March 1977	145	6.80	21.3	143	3.00	47.7
April 1977	117	6.30	18.6	117	3.00	39.0
May 1977	120	6.30	19.0	107	3.00	35.7
June 1977	<u>113</u>	<u>5.90</u>	<u>19.2</u>	<u>117</u>	<u>3.00</u>	<u>39.0</u>
TOTALS	1,249	6.42	16.2/Month 194.5/Year	1,208	2.54	39.6/Month 479.6/Year

SUPERIOR COURT  
FISCAL YEAR 1977  
PRESENTENCE OFFICE  
PRODUCTIVITY

KENT

Month	INVESTIGATIONS			TYPING		
	<u># of Investigations Written</u>	<u># of Investigators Available</u>	<u>Average # Completed Per Investigator</u>	<u># of Investigations Typed</u>	<u># of Typists Available</u>	<u>Average # Typed Per Typist</u>
July 1976	16	2.00	8.0	17	1.00	17.0
August 1976	19	2.00	9.5	23	1.00	23.0
September 1976	7	2.00	3.5	9	1.00	9.0
October 1976	14	2.00	7.0	12	1.00	12.0
November 1976	14	2.00	7.0	14	1.00	14.0
December 1976	13	2.00	6.5	17	1.00	17.0
January 1977	17	2.00	8.5	16	1.00	16.0
February 1977	13	2.00	6.5	12	1.00	12.0
March 1977	16	2.00	8.0	18	1.00	18.0
April 1977	15	2.00	7.5	14	1.00	14.0
May 1977	23	2.00	11.5	24	1.00	24.0
June 1977	<u>25</u>	<u>2.00</u>	<u>12.5</u>	<u>25</u>	<u>1.00</u>	<u>25.0</u>
TOTALS	192	2.00	8.0/Month* 96.0/Year*	201	1.00	16.8/Month** 201.0/Year**

\* Kent County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 18 reports written for the Court of Common Pleas during FY 1977 were included, the figures would be 8.8 reports completed per month per investigator and 105 reports completed per year per investigator.

\*\* These figures are for Superior Court only. Typists also typed presentence reports for the Court of Common Pleas.

SUPERIOR COURT  
FISCAL YEAR 1977  
PRESENTENCE OFFICE  
PRODUCTIVITY

SUSSEX

Month	# of Investigations Written	INVESTIGATIONS		# of Investigations Typed	TYPING	
		# of Investigators Available	Average # Completed Per Investigator		# of Typists Available	Average # Typed Per Typist
July 1976	16	3.00	5.3	17	1.00	17.0
August 1976	13	3.00	4.3	19	1.00	19.0
September 1976	15	3.00	5.0	18	1.00	18.0
October 1976	15	3.00	5.0	15	1.00	15.0
November 1976	21	3.00	7.0	10	1.00	10.0
December 1976	5	3.00	1.7	12	1.00	12.0
January 1977	12	3.00	4.0	15	1.00	15.0
February 1977	16	3.00	5.3	14	1.00	14.0
March 1977	21	3.00	7.0	20	1.00	20.0
April 1977	15	3.00	5.0	21	1.00	21.0
May 1977	30	3.00	10.0	16	1.00	16.0
June 1977	20	3.00	6.7	14	1.00	14.0
TOTALS	199	3.00	5.5/Month* 66.3/Year*	191	1.00	15.9/Month** 191.0/Year**

\* Sussex County Presentence Officers write reports for both Superior Court and the Court of Common Pleas. These figures are for Superior Court only. If the 15 reports written for the Court of Common Pleas during FY 1977 were included, the figures would be 5.9 reports completed per month per investigator and 71.3 reports completed per year per investigator.

\*\* These figures are for Superior Court only. Typists also typed 17 presentence reports for the Court of Common Pleas. Including the Court of Common Pleas typing would change the figures to 18.1 reports typed per typist per month and 218.0 reports typed per typist per year.

SUPERIOR COURT  
FISCAL YEAR 1977  
PRESENTENCE OFFICE  
PRODUCTIVITY

STATE

<u>Month</u>	<u>INVESTIGATIONS</u>			<u>TYPING</u>		
	<u># of Investigations Written</u>	<u># of Investigators Available</u>	<u>Average # Completed Per Investigator</u>	<u># of Investigations Typed</u>	<u># of Typists Available</u>	<u>Average # Typed Per Typist</u>
July 1976	137	12.00	11.4	134	5.00	26.8
August 1976	128	10.40	12.3	147	4.50	32.7
September 1976	110	10.70	10.3	116	4.50	25.8
October 1976	122	11.70	10.4	113	4.50	25.1
November 1976	113	11.80	9.6	93	4.00	23.3
December 1976	98	11.40	8.6	119	4.00	29.8
January 1977	130	11.80	11.0	123	4.00	30.8
February 1977	142	11.90	11.9	119	4.00	29.8
March 1977	182	11.80	15.4	181	5.00	36.2
April 1977	147	11.30	13.0	152	5.00	30.4
May 1977	173	11.30	15.3	147	5.00	29.4
June 1977	158	10.90	14.5	156	5.00	31.2
TOTALS	1,640	11.42	12.0/Month* 143.6/Year*	1,600	4.54	29.4/Month* 352.4/Year*

\* Figures are for Superior Court only. Court of Common Pleas presentence activity, also performed by the Kent and Sussex Presentence Offices, is excluded.

SUPERIOR COURT

COMPARISON - FISCAL YEARS 1976-1977  
PRESENTENCE OFFICE  
PRODUCTIVITY

<u>NEW CASTLE</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
# of Investigations Written	1,158	1,249	+ 91	+ 7.9%
Average # Completed Per Investigator Per Month	15.0	16.2	+ 1.2	+ 8.0%
Average # Completed Per Investigator Per Year	180.0	194.5	+ 14.5	+ 8.1%
# of Investigations Typed	1,143	1,208	+ 65	+ 5.7%
Average # Typed Per Typist Per Month	25.6	39.6	+ 14.0	+54.7%
Average # Typed Per Typist Per Year	306.8	479.6	+172.8	+56.3%
 <u>KENT*</u>	 <u>1976</u>	 <u>1977</u>	 <u>Change</u>	 <u>% Change</u>
# of Investigations Written	N.A.	192	N.A.	N.A.
Average # Completed Per Investigator Per Month	N.A.	8.0	N.A.	N.A.
Average # Completed Per Investigator Per Year	N.A.	96.0	N.A.	N.A.
# of Investigations Typed	N.A.	201	N.A.	N.A.
Average # Typed Per Typist Per Month	N.A.	16.8	N.A.	N.A.
Average # Typed Per Typist Per Year	N.A.	201.0	N.A.	N.A.
 <u>SUSSEX*</u>	 <u>1976</u>	 <u>1977</u>	 <u>Change</u>	 <u>% Change</u>
# of Investigations Written	N.A.	199	N.A.	N.A.
Average # Completed Per Investigator Per Month	N.A.	5.5	N.A.	N.A.
Average # Completed Per Investigator Per Year	N.A.	66.3	N.A.	N.A.
# of Investigations Typed	N.A.	191	N.A.	N.A.
Average # Typed Per Typist Per Month	N.A.	15.9	N.A.	N.A.
Average # Typed Per Typist Per Year	N.A.	191.0	N.A.	N.A.
 <u>STATE*</u>	 <u>1976</u>	 <u>1977</u>	 <u>Change</u>	 <u>% Change</u>
# of Investigations Written	N.A.	1,640	N.A.	N.A.
Average # Completed Per Investigator Per Month	N.A.	12.0	N.A.	N.A.
Average # Completed Per Investigator Per Year	N.A.	143.6	N.A.	N.A.
# of Investigations Typed	N.A.	1,600	N.A.	N.A.
Average # Typed Per Typist Per Month	N.A.	29.4	N.A.	N.A.
Average # Typed Per Typist Per Year	N.A.	352.4	N.A.	N.A.

N.A. = Not Available

\*Figures are for Superior Court only. Court of Common Pleas presentence activity, also performed by the Kent and Sussex Presentence Offices, is not included.

SUPERIOR COURT

FISCAL YEAR 1977  
CIVIL FILINGS

NEW CASTLE

<u>Month</u>	<u>Complaints</u>	<u>Divorces*</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	135	0	33	22	15	10	16	231
August 1976	110	0	37	23	17	17	18	222
September 1976	109	0	32	20	9	10	25	205
October 1976	133	0	25	21	34	14	29	256
November 1976	120	0	56	23	9	10	21	239
December 1976	89	0	24	22	29	29	29	222
January 1977	108	0	55	20	28	9	23	243
February 1977	130	0	61	11	44	12	23	281
March 1977	132	0	42	31	48	17	20	290
April 1977	123	0	36	14	27	19	25	244
May 1977	134	0	23	25	31	26	23	262
June 1977	<u>128</u>	<u>0</u>	<u>33</u>	<u>22</u>	<u>46</u>	<u>20</u>	<u>16</u>	<u>265</u>
TOTALS	1,451	0	457	254	337	193	268	2,960
Percentage of Total:	49.0%	0.0%	15.4%	8.6%	11.4%	6.5%	9.1%	100.0%

\* Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL FILINGS

KENT

<u>Month</u>	<u>Complaints</u>	<u>Divorces*</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	19	0	5	4	0	4	32
August 1976	22	0	2	5	1	3	33
September 1976	16	0	7	6	2	13	44
October 1976	14	0	6	2	2	4	28
November 1976	28	0	4	7	1	3	43
December 1976	16	0	5	6	1	5	33
January 1977	23	0	17	6	0	0	46
February 1977	19	0	8	3	0	2	32
March 1977	19	0	8	5	3	0	35
April 1977	20	0	11	9	3	0	43
May 1977	17	0	4	3	0	4	28
June 1977	<u>24</u>	<u>0</u>	<u>9</u>	<u>7</u>	<u>2</u>	<u>3</u>	<u>45</u>
TOTALS	237	0	86	63	15	41	442
Percentage of Total:	53.6%	0.0%	19.5%	14.3%	3.4%	9.3%	100.0%

\* Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL FILINGS

SUSSEX

<u>Month</u>	<u>Complaints</u>	<u>Divorces*</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	13	0	10	5	2	1	31
August 1976	21	0	8	7	0	1	37
September 1976	24	0	9	4	2	2	41
October 1976	11	0	10	9	5	2	37
November 1976	17	0	6	3	1	1	28
December 1976	19	0	5	5	2	4	35
January 1977	18	0	10	5	2	1	36
February 1977	19	0	4	4	4	3	34
March 1977	10	0	16	4	2	4	36
April 1977	15	0	7	7	1	0	30
May 1977	14	0	12	7	2	1	36
June 1977	<u>22</u>	<u>0</u>	<u>8</u>	<u>8</u>	<u>1</u>	<u>2</u>	<u>41</u>
TOTALS	203	0	105	68	24	22	422
Percentage of Total:	48.1%	0.0%	24.9%	16.1%	5.7%	5.2%	100.0%

\* Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT

FISCAL YEAR 1977  
CIVIL FILINGS

STATE

<u>Month</u>	<u>Complaints</u>	<u>Divorces*</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	167	0	48	31	15	12	21	294
August 1976	153	0	47	35	17	18	22	292
September 1976	149	0	48	30	9	14	40	290
October 1976	158	0	41	32	34	21	35	321
November 1976	165	0	66	33	9	12	25	310
December 1976	124	0	34	33	29	32	38	290
January 1977	149	0	82	31	28	11	24	325
February 1977	168	0	73	18	44	16	28	347
March 1977	161	0	66	40	48	22	24	361
April 1977	158	0	54	30	27	23	25	317
May 1977	165	0	39	35	31	28	28	326
June 1977	<u>174</u>	<u>0</u>	<u>50</u>	<u>37</u>	<u>46</u>	<u>23</u>	<u>21</u>	<u>351</u>
TOTALS	1,891	0	648	385	337	232	331	3,824
Percentage of Total:	49.5%	0.0%	16.9%	10.1%	8.8%	6.1%	8.7%	100.0%

\* Family Court assumed jurisdiction over divorces in November, 1975.

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL DISPOSITIONS

NEW CASTLE

<u>Month</u>	<u>Complaints</u>	<u>Divorces</u>	Mechanic's Liens and <u>Mortgages</u>	Terminations and <u>Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	67	75	40	29	5	14	16	246
August 1976	68	3	29	19	12	11	15	157
September 1976	91	3	27	21	12	19	24	197
October 1976	104	2	57	19	12	9	20	223
November 1976	99	3	34	14	14	8	11	183
December 1976	99	1	29	16	14	11	14	184
January 1977	113	0	47	30	23	18	36	267
February 1977	98	0	32	28	25	9	37	229
March 1977	142	1	44	21	49	9	15	281
April 1977	128	0	38	34	35	2	20	257
May 1977	135	0	9	31	30	11	22	238
June 1977	<u>115</u>	<u>0</u>	<u>46</u>	<u>25</u>	<u>34</u>	<u>15</u>	<u>14</u>	<u>249</u>
TOTALS	1,259	88	432	287	265	136	244	2,711
Percentage of Total:	46.4%	3.2%	15.9%	10.6%	9.8%	5.0%	9.0%	100.0%

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL DISPOSITIONS

KENT

<u>Month</u>	<u>Complaints</u>	<u>Divorces</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	11	0	6	4	0	3	24
August 1976	8	0	6	5	2	2	23
September 1976	11	0	3	6	1	1	22
October 1976	7	0	2	2	3	7	21
November 1976	10	0	5	4	3	3	25
December 1976	15	0	12	6	2	2	37
January 1977	19	0	6	4	1	4	34
February 1977	11	0	2	2	0	1	16
March 1977	15	0	3	4	1	3	26
April 1977	16	0	3	8	2	4	33
May 1977	13	0	8	2	1	0	24
June 1977	<u>2</u>	<u>0</u>	<u>7</u>	<u>7</u>	<u>0</u>	<u>3</u>	<u>19</u>
TOTALS	138	0	63	54	16	33	304
Percentage of Total:	45.4%	0.0%	20.7%	17.8%	5.3%	10.9%	100.0%

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL DISPOSITIONS

SUSSEX

<u>Month</u>	<u>Complaints</u>	<u>Divorces</u>	<u>Mechanic's Liens and Mortgages</u>	<u>Terminations and Adoptions</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	124	1	77	7	3	10	222
August 1976	11	0	6	5	3	2	27
September 1976	20	0	14	2	3	3	42
October 1976	17	0	11	1	2	1	32
November 1976	16	0	7	3	2	2	30
December 1976	10	0	7	9	2	1	29
January 1977	18	0	11	2	0	3	34
February 1977	23	0	13	7	1	4	48
March 1977	24	0	11	5	7	4	51
April 1977	12	0	11	7	1	0	31
May 1977	8	0	7	4	2	0	21
June 1977	<u>11</u>	<u>0</u>	<u>13</u>	<u>2</u>	<u>1</u>	<u>2</u>	<u>29</u>
TOTALS	294	1	188	54	27	32	596
Percentage of Total:	49.3%	0.2%	31.5%	9.1%	4.5%	5.4%	100.0%

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL DISPOSITIONS

STATE

Month	<u>Complaints</u>	<u>Divorces</u>	Mechanic's Liens and <u>Mortgages</u>	Terminations and <u>Adoptions</u>	<u>Involuntary Commitments</u>	<u>Appeals</u>	<u>Miscellaneous</u>	<u>TOTALS</u>
July 1976	202	76	123	40	5	17	29	492
August 1976	87	3	41	29	12	16	19	207
September 1976	122	3	44	29	12	23	28	261
October 1976	128	2	70	22	12	14	28	276
November 1976	125	3	46	21	14	13	16	238
December 1976	124	1	48	31	14	15	17	250
January 1977	150	0	64	36	23	19	43	335
February 1977	132	0	47	37	25	10	42	293
March 1977	181	1	58	30	49	17	22	358
April 1977	156	0	52	49	35	5	24	321
May 1977	156	0	24	37	30	14	22	283
June 1977	<u>128</u>	<u>0</u>	<u>66</u>	<u>34</u>	<u>34</u>	<u>16</u>	<u>19</u>	<u>297</u>
TOTALS	1,691	89	683	395	265	179	309	3,611
Percentage of Total:	46.8%	2.5%	18.9%	10.9%	7.3%	5.0%	8.6%	100.0%

SUPERIOR COURT

FISCAL YEAR 1977  
CIVIL CASES

<u>NEW CASTLE</u>	<u>Pending 6/30/76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/77</u>	<u>Change</u>
Complaints	1,610	1,451	1,259	1,802	+192
Divorces*	91	0	88	3	- 88
Mechanic's Liens and Mortgages	269	457	432	294	+ 25
Terminations and Adoptions	98#	254	287	65	- 33
Involuntary Commitments**	20	337	265	92	+ 72
Appeals	176	193	136	233	+ 57
Miscellaneous	<u>71</u>	<u>268</u>	<u>244</u>	<u>95</u>	<u>+ 24</u>
TOTALS	2,335#	2,960	2,711	2,584	+249

<u>KENT</u>	<u>Pending 6/30/76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/77</u>	<u>Change</u>
Complaints	N.A.	237	138	N.A.	+ 99
Divorces*	0	0	0	0	0
Mechanic's Liens and Mortgages	N.A.	86	63	N.A.	+ 23
Terminations and Adoptions	37	63	54	46	+ 9
Appeals	N.A.	15	16	N.A.	- 1
Miscellaneous	<u>N.A.</u>	<u>41</u>	<u>33</u>	<u>N.A.</u>	<u>+ 8</u>
TOTALS	835	442	304	973	+138

N.A. = Not Available

\* Family Court assumed jurisdiction over divorces in November, 1975.

\*\* Involuntary Commitment proceedings are held in New Castle County only.

# Figure corrected from 1976 Annual Report.

SUPERIOR COURT  
FISCAL YEAR 1977  
CIVIL CASES

<u>SUSSEX</u>	<u>Pending 6/30/76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/77</u>	<u>Change</u>
Complaints	259	203	294	168	- 91
Divorces*	1	0	1	0	- 1
Mechanic's Liens and Mortgages	136	105	188	53	- 83
Terminations and Adoptions	29#	68	54	43	+ 14
Appeals	18	24	27	15	- 3
Miscellaneous	<u>20</u>	<u>22</u>	<u>32</u>	<u>10</u>	<u>- 10</u>
TOTALS	463#	422	596	289	-174

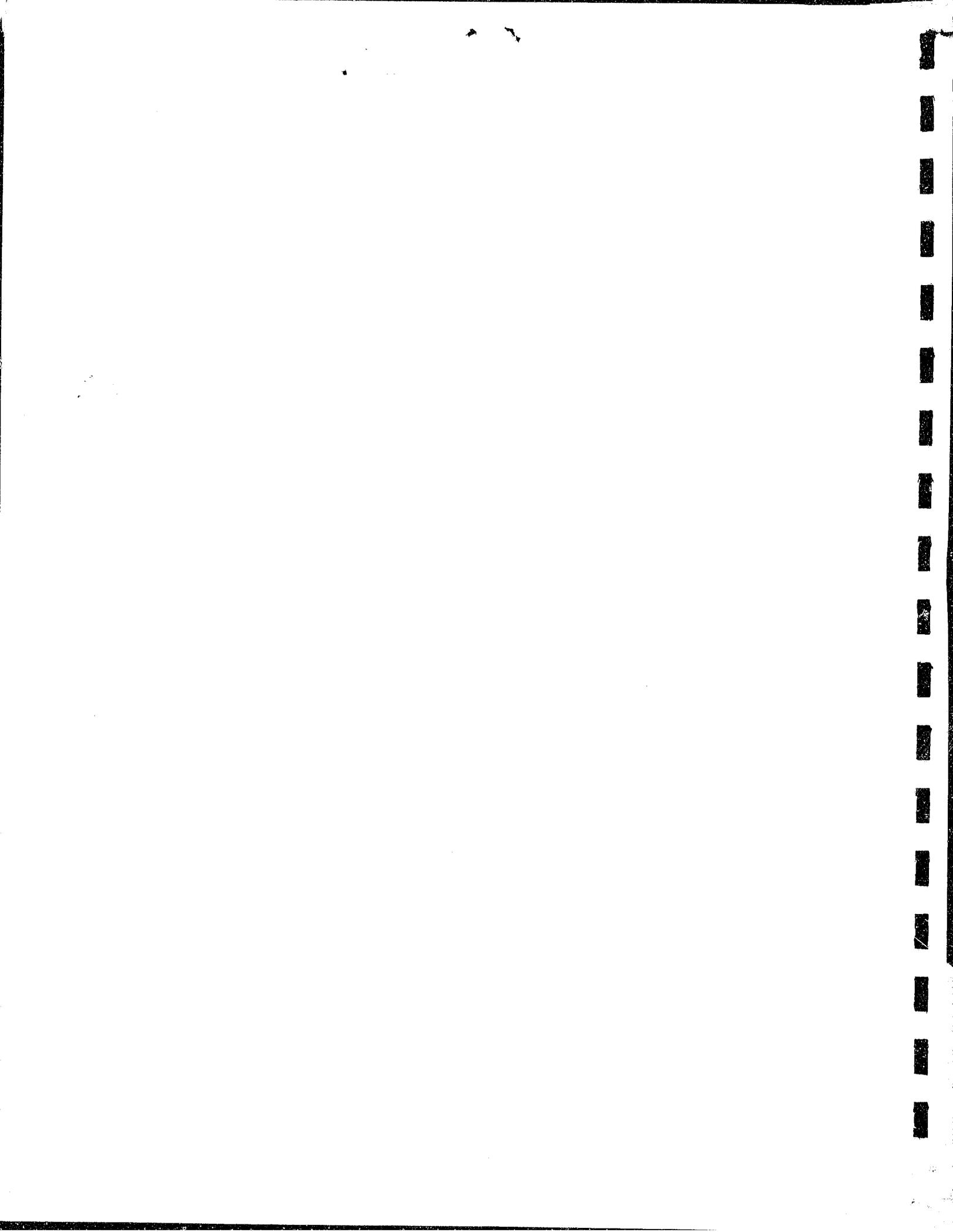
<u>STATE</u>	<u>Pending 6/30/76</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending 6/30/77</u>	<u>Change</u>
Complaints	N.A.	1,891	1,691	N.A.	+200
Divorces*	92	0	89	3	- 89
Mechanic's Liens and Mortgages	N.A.	648	683	N.A.	- 35
Terminations and Adoptions	164#	385	395	154	- 10
Involuntary Commitments**	20	337	265	92	+ 72
Appeals	N.A.	232	179	N.A.	+ 53
Miscellaneous	<u>N.A.</u>	<u>331</u>	<u>309</u>	<u>N.A.</u>	<u>+ 22</u>
TOTALS	3,633#	3,824	3,611	3,846	+213

N.A. = Not Available

\* Family Court assumed jurisdiction over divorces in November, 1975.

\*\* Involuntary Commitment proceedings are held in New Castle County only.

# Figure corrected from 1976 Annual Report.



SUPERIOR COURT  
COMPARISON - FISCAL YEARS 1976-1977  
CIVIL CASES

<u>FILINGS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,579*	2,960	- 619	-17.3%
Kent	761	442	- 319	-41.9%
Sussex	595	422	- 173	-29.1%
State	<u>4,935*</u>	<u>3,824</u>	<u>-1,111</u>	<u>-22.5%</u>

<u>DISPOSITIONS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,672*	2,711	- 961	-26.2%
Kent	887	304	- 583	-65.7%
Sussex	706	596	- 110	-15.6%
State	<u>5,265*</u>	<u>3,611</u>	<u>-1,654</u>	<u>-31.4%</u>

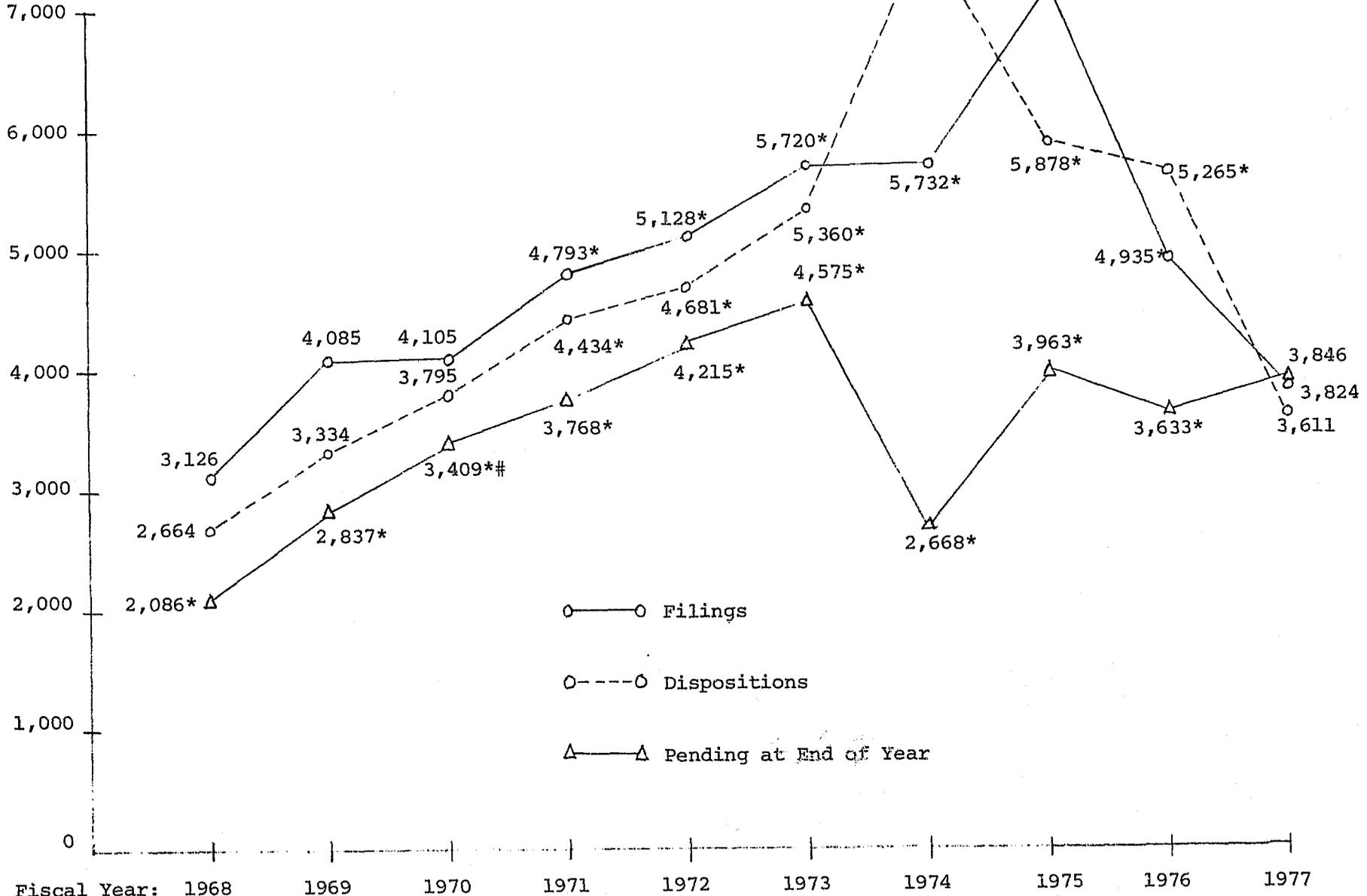
<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,335*	2,584	+249	+10.7%
Kent	835	973	+138	+16.5%
Sussex	463*	289	-174	-37.6%
State	<u>3,633*</u>	<u>3,846</u>	<u>+213</u>	<u>+ 5.9%</u>

\* Figure corrected from 1976 Annual Report.

SUPERIOR COURT

10-YEAR WORKLOAD TREND  
CIVIL CASES

# of Cases

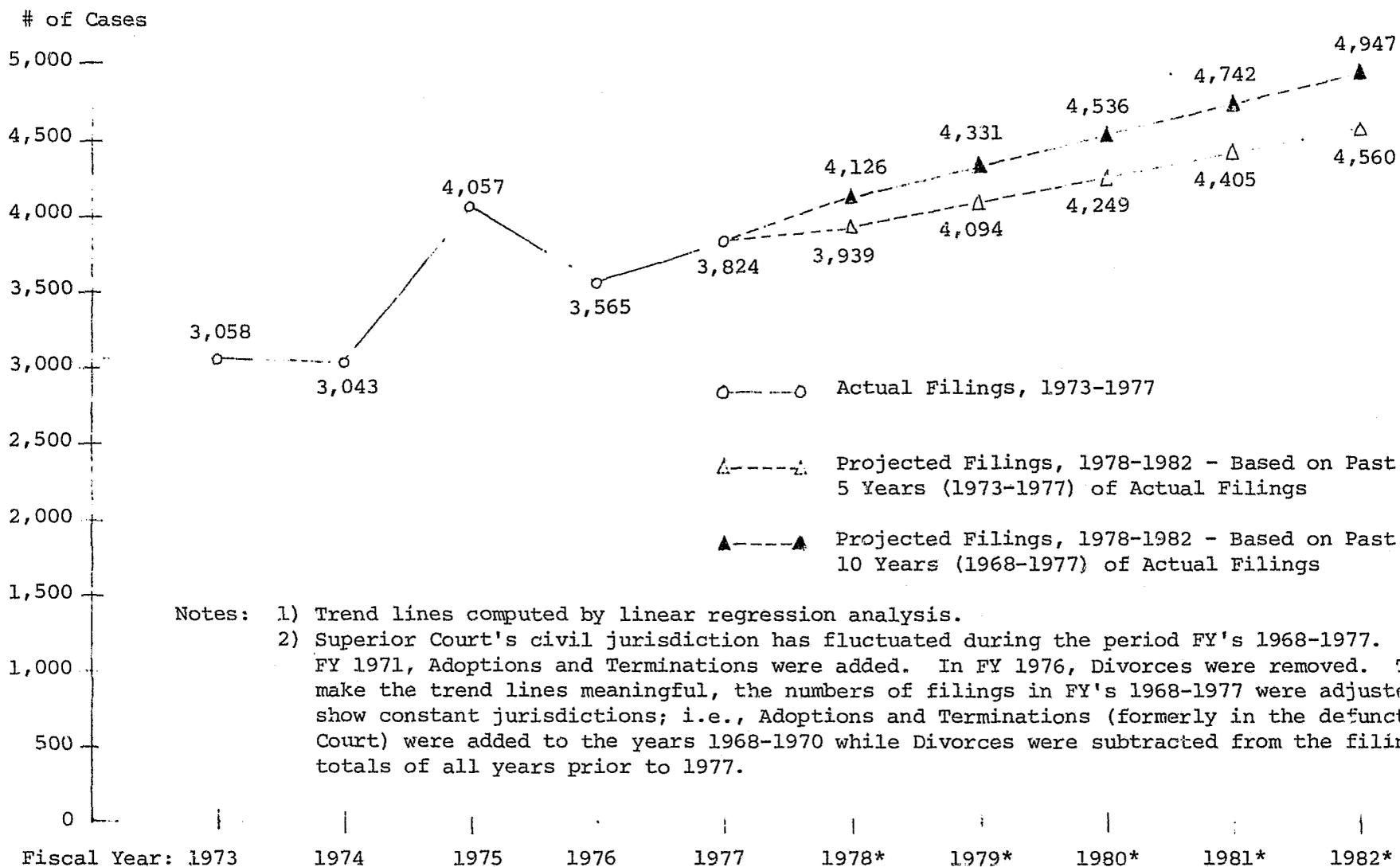


\* Figure corrected from 1976 Annual Report.

# On June 30, 1970, Orphan's Court was abolished and jurisdiction over Adoptions and Terminations was transferred to Superior Court. The pending count includes 262 such cases transferred on that date.

SUPERIOR COURT

5-YEAR WORKLOAD PROJECTIONS  
CIVIL CASES



- Notes: 1) Trend lines computed by linear regression analysis.  
 2) Superior Court's civil jurisdiction has fluctuated during the period FY's 1968-1977. In FY 1971, Adoptions and Terminations were added. In FY 1976, Divorces were removed. To make the trend lines meaningful, the numbers of filings in FY's 1968-1977 were adjusted to show constant jurisdictions; i.e., Adoptions and Terminations (formerly in the defunct Orphan's Court) were added to the years 1968-1970 while Divorces were subtracted from the filing totals of all years prior to 1977.

\* Projected

SUMMARY OF SUPERIOR COURT BUDGET

Budget Code: 02-03-000

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Judicial	\$ 429,500.00	\$ 429,500.00	\$ 429,500.00	\$ 429,500.00
2) Employees	851,262.95	984,249.24	1,013,116.52	1,135,300.00
Employment Costs	0.00	4,059.00	202,616.00	246,100.00
Personal Services:				
1) Involuntary Commitments	705.00	8,246.75	7,851.00	25,000.00
2) Medical Witnesses	990.00	1,600.00	872.00	4,000.00
3) Court Appointed Counsel	0.00	0.00	21,808.00	100,000.00
4) Other	18,294.70	262.10	2,617.00	15,000.00
Travel	12,919.94	14,395.95	8,287.00	20,600.00
Contractual Services	61,707.29	64,854.61	54,084.00	88,000.00
Supplies and Materials	17,370.25	16,702.94	18,500.00	22,700.00
Capital Outlay	26,121.57	14,036.89	8,724.00	123,300.00
<b>GRAND TOTALS</b>	<b>\$1,418,871.70</b>	<b>\$1,537,907.48</b>	<b>\$1,767,975.52</b>	<b>\$2,209,500.00</b>

Note: Figures include State general funds, federal funds, and other funds.



**Law  
Libraries**

There are three Law Libraries located in the State of Delaware. They are staffed and maintained by state funds and each is presided over by a Law Librarian. The libraries are named after the counties in which they are situated.

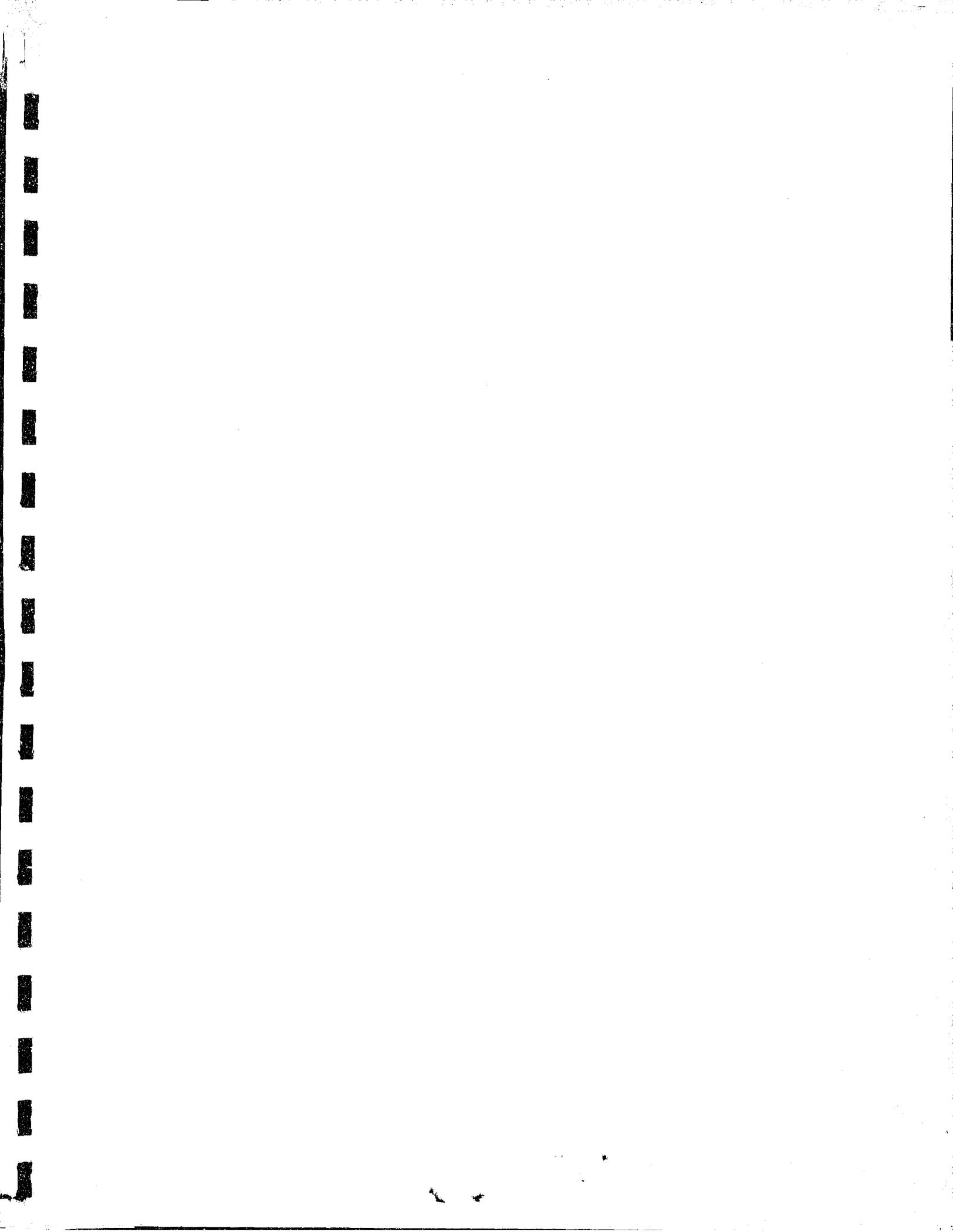
The primary function of the Law Libraries is to provide a legal information center for the Judiciary, Public Defender's Office, legal representatives of county and municipalities, city solicitors, and members of the Delaware Bar. They are also the official depositories for state laws, administrative regulations, and court rules. The libraries are made available to registered law students to assist them in preparation for state bar examinations and in their legal education. All three libraries are designated as official depository libraries by the U.S. Government Printing Office. As state-supported agencies the libraries are available to the general public during normal working hours. Aid and assistance is rendered to persons wishing to make use of the facilities.

The New Castle County Law Library, located in the Public Building, Wilmington, Delaware, is the busiest of the three libraries. It houses in excess of 19,000 books and there is presently seated working space for 26 persons at one time. In 1975, this library was enlarged in size by taking over space formally occupied by the Department of Justice. Shelving and carpeting were recently installed in the newly acquired space and it is hoped that the older section will conform with the new in decor. Even with this newly acquired space, the facilities will become inadequate within a year unless additional space, shelving, tables, and chairs are provided. Books are still stored in the Judges' quarters due to lack of storage space. The entire facility is maintained and administered by one full-time Law Librarian and one part-time assistant.

The Kent County Law Library, due to its location, is designated as the State Library. It houses the largest legal library maintained by the state and is staffed by one full-time librarian and one part-time assistant.

The Sussex County Law Library is staffed by one Law Librarian and houses approximately 12,000 volumes.

The Law Librarians are responsible for administrative library work as well as maintaining the bookkeeping records required by the State. These duties and responsibilities include but are not limited to the following: insertion of pocket parts, maintenance of loose leaf services, bookkeeping for the agency's accounts, preparing invoices for library expenditures, filing and indexing reported and unreported opinions from the several courts, obtaining and filing copies of rules and regulations promulgated by the governmental agencies, maintaining of books and their monetary values, obtaining and filing statutes from the legislative council and other states, handling requests from various persons for information contained in the library, handling special requests for research work from the judges, planning and recommending development and improvement of services, writing reports, and in general performing duties associated with library work.



LAW LIBRARIES

PERSONNEL

NEW CASTLE COUNTY

Law Librarian  
Harriet Yucht

Assistant Librarian  
Raymond E. Tomasetti, Jr.

KENT COUNTY

Law Librarian  
Carol Russell

Assistant Librarian  
Ruthanne Wright

SUSSEX COUNTY

Law Librarian  
Mary Tylecki

ADDRESSES

New Castle County Law Library  
Public Building  
1020 King Street  
Wilmington, DE 19801  
(571-2437)

Kent County Law Library  
Kent County Courthouse  
38 The Green  
Dover, DE 19901  
(678-5467)

Sussex County Law Library  
Sussex County Courthouse  
The Circle  
Georgetown, DE 19947  
(856-5483)

SUMMARY OF LAW LIBRARIES BUDGETS

Budget Codes: 02-09-000, 02-10-000, 02-11-000

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries - Employees	\$ 32,720.00	\$ 37,101.17	\$ 39,496.00	\$ 43,000.00
Employment Costs	0.00	0.00	7,084.00	8,900.00
Travel	0.00	0.00	0.00	1,500.00
Contractual Services	4,910.61	2,701.02	6,143.00	7,700.00
Supplies and Materials	1,104.69	608.08	1,005.00	1,500.00
Capital Outlay	67,950.47	66,295.55	60,000.00	113,200.00
GRAND TOTALS	\$106,595.77	\$106,705.82	\$113,728.00	\$175,800.00

Note: Figures include State general funds, federal funds, and other funds.



**Family  
Court**

FAMILY COURT

Legal Authorization

The Family Court Act, Title 10, Chapter 9, Delaware Code, authorizes the Family Court.

Geographic Organization

The Family Court is a unified statewide Court with branches in New Castle County at Wilmington, Kent County at Dover, and Sussex County at Georgetown.

Legal Jurisdiction

The Family Court has broad civil and criminal jurisdiction over domestic relations matters and over juveniles (persons under 18 years of age) who are dependent, neglected, or delinquent.

Domestic relations jurisdiction includes divorces and annulments, property settlements, separate maintenance of spouses, custody and visitation of children, non-support of dependents, and actions involving family discord.

Matters heard in the interest of a child include neglect, abuse, abandonment, and contributing to the delinquency of a minor, and juvenile delinquency.

The Family Court does not have jurisdiction over adults charged with felonies nor juveniles charged with first degree murder, rape, and kidnapping.

Appeals are made de novo to Superior Court, except divorce and contractual support agreements, which are appealed on the record to the Supreme Court.

Judges

Number: There are 11 judges of equal judicial authority; one is appointed Chief Judge with administrative responsibility for the Court, and the remaining 10 are Associate Judges.

Appointment: The Governor appoints Family Court judges with the consent of the Senate.

Tenure: The judges are appointed for 12-year terms.

Qualifications: Judges must have been duly admitted to the practice of law before the Supreme Court of Delaware at least five years prior to appointment and must have a knowledge of the law and interest in and understanding of family and child problems. They shall not practice law during their tenure and may be reappointed.

### Other Judicial Personnel

The Chief Judge appoints and commissions suitable persons, who must have resided in the State for at least five years prior to appointment, to act as masters in the Court. Masters may hear any matter properly before them, and their decisions become judgments of the Court unless disapproved by a judge. Parties may request a review de novo by a judge, by petitioning in writing within 15 days of the master's decision.

### Support Personnel

The Family Court employs a staff of approximately 190 persons in addition to the judiciary. The staff includes clerks of court, judicial secretaries, counselors, accounting personnel, clerks, clerk-typists, bailiffs, and process servers.

### Caseload Trend

The method of collecting statistics was modified in New Castle County beginning January 1, 1977, but was continued as previously in Kent and Sussex Counties. Therefore, an exact comparison of the caseloads in Fiscal Years 1976 and 1977 cannot be made. However, a statistical estimate indicates that the caseload statewide increased by approximately 12 percent in 1977 over the previous year.

Overall, there were increases in juvenile delinquency and adult criminal informations and decreases in civil petitions.

Over the past five years, the Court's caseload has increased over 100 percent while the number of personnel to deal with those cases has increased by only 16 percent.

FAMILY COURT

JUDICIARY

Chief Judge

Hon. Robert D. Thompson  
Grace Davis, Secretary  
(571-2205)

New Castle County  
Associate Judges

Hon. Elwood F. Melson, Jr.  
Ann Botto, Secretary  
(571-2251)

Hon. Herbert L. Cobin  
Nancy Kaper, Secretary  
(571-2226)

Hon. Roxanna C. Arsht  
Shelley Schwanker, Secretary  
(571-2257)

Hon. Robert W. Wakefield  
Janie Bebber, Secretary  
(571-2254)

Hon. Daniel F. Kelleher  
Sally McKendrick, Secretary  
(571-2229)

Hon. Hiram W. Warder  
Bernadette DiFrancesco  
(571-2417)

Hon. James J. Horgan  
Sharon Cooper, Secretary  
(571-2232)

Kent County  
Associate Judges

Hon. Roger D. Kelsey  
Karen Price, Secretary  
(678-0210)

Hon. David P. Buckson  
Ruth Potter, Secretary  
(678-0239)

Sussex County  
Associate Judge

Hon. William Swain Lee  
Mary Lu McCabe, Secretary  
(856-5417)

Note: Family Court Judges may sit in any of the three court locations. Judges are listed above according to their county of residence.

FAMILY COURT

SUPPORT PERSONNEL

Executive Assistants

James Murray  
Vacant

Administrative Assistants

Polly Bowen  
Odessa Thomas

Administrative Services Officers

Ralph Turner  
Jerry Bilton

ADMINISTRATION - STATE OFFICE

Program & Staff Development Officer

Emmett Partin

Personnel Officer

Robert Jackson

Statistician

Ocie Lindh

Clerk Typist

Susan Fromme

Custodian

H. Wilkerson

MASTERS

Chief Master

D. Thomas Reardon  
E. White, Secretary

Masters

William McDonough\*  
Nathan Rosbrow  
James Winfield  
Robert L. Halbbrook

\*Also Chief of Support.

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

LEGAL SERVICES

Director  
William Davies  
Barbara Mancuso, Secretary

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Chief Clerks  
William Boeck  
J. Gellens, Secretary

Richard Speed

R. Spicer

Clerks of Court  
Della Dunning  
Amanda Powell  
Terese Donovan

Wanda Haldeman

C. Kirsch

Deputy Clerks  
E. O'Neal  
J. Taggart  
A. Dorris  
D. Ward  
M. Dougherty  
A. Corby

Linda Lesser  
Doris Thompson

B. Short  
D. Cordrey

Clerks  
Velma Foertch  
Georgia McCluney  
Helen Marshall  
Helen Dryden  
Lorraine Brunk  
Nedra Murphy (Federally Funded)

Statistical Clerk  
A. Stark

Counselor  
Sharon Reges

Receptionists  
Mary J. Kidd

Jan McDowell

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

LEGAL SERVICES (CONTINUED)

NEW CASTLE COUNTY

Legal Stenographers

M. Creswell  
E. Barkovic  
E. McGaughan

Clerk Stenographers

P. Sobocinski  
S. Smith  
C. Gungui  
D. Faries  
A. Cafini

Clerk Typists

A. Sheldrick  
P. Sanchez  
M. Kidd  
P. Clymer  
D. Whye  
M. Antonio (Federally Funded)  
J. Dunn  
C. Klein  
C. Parker  
B. Deptula  
D. West  
J. Anderson  
M. Fedele  
M. Russo  
J. Nichols  
M. DiMartino  
C. Mawyer  
S. McKinney  
K. Schwanker  
A. Hackett  
D. Roberts

Arbitration Hearing Officers

Francine Gritz  
D. Haley

KENT COUNTY

M. Haldeman  
S. Wilson

B. Bates

D. Webb  
D. Ewing (Federally Funded)  
A. Vornholt  
C. Paisley  
J. Anderson

SUSSEX COUNTY

L. Smith  
S. Downs

B. Wise  
C. Bader (Federally Funded)

D. Mowbray  
A. Messick (Federally Funded)  
J. Maddox (Federally Funded)

R. Betts

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Process Servers

R. Jackson  
M. Wolanski  
K. Panella (Federally Funded)

Bailiffs

P. Dominick  
R. Jones  
R. Johnson  
F. Ginnocchio  
P. Pennell  
P. Seitenbecher  
E. Eggleston  
E. Ward  
S. DiSabatino (Federally Funded)  
D. Melton (Federally Funded)

Juvenile Group Leaders

C. Wynn  
L. Collins (Federally Funded)

LEGAL SERVICES (CONTINUED)

KENT COUNTY

T. Lavacca (Federally Funded)  
W. Palmer (Federally Funded)

R. Depuy  
W. Kuhns

SUSSEX COUNTY

W. Walls (Federally Funded)

G. Lynch  
J. Gorecki

FINANCIAL SERVICES

Director

William Breighner

KENT COUNTY

M. Millman

SUSSEX COUNTY

E. Baker

NEW CASTLE COUNTY

Accountants

V. Deskiewicz  
G. Dow, Assistant

Accounting Clerks

O. Neal  
D. DiStefano

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

FINANCIAL SERVICES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Accounting Clerks (Continued)

M. Homiller  
A. Kaiser  
B. Rago

Clerk Typists

S. Hodgson  
D. Shirk

COUNSELING SERVICES

Director

Ernest Goldsborough

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Counselor Supervisors

M. Lawson (Federally Funded)  
R. Johnson  
Anna DePaul  
J. King

Counselors

H. Daniels (Federally Funded)  
B. Lieberman (Federally Funded)  
P. Salzenberg  
H. Pringle (Federally Funded)  
T. Brandau  
E. Fahey  
M. Coon  
B. Benjamin  
M. DeCoster  
J. Fehnel  
E. Johnson  
K. Phillips

R. Wall (Federally Funded)  
D. Dickerson  
J. George  
L. Mayan  
S. Payne  
M. Guy (Federally Funded)

J. Howard (Federally Funded)  
R. Quillen  
M. Webb  
L. Tajen (Federally Funded)  
A. Maloney  
H. Marvel

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COUNSELING SERVICES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Counselors (Continued)

O. Pough  
J. Stanley  
W. Fromme  
F. Nuttal  
M. Sanborn  
K. Ryser  
M. Clemmons  
Vacant

Social Service Administrators

H. Bass

R. Betts  
J. Truitt

C. Truitt  
D. Myers

Social Service Specialists

Vacant  
P. Ryan  
M. Cathcart

K. Bundeck

M. Hudson

Clerk Typists

M. Jau  
J. Slagowski  
T. Wiggins  
C. Merena  
M. Wright (Federally Funded)  
Vacant

G. Rogers

Probation Officers

K. Smith  
K. O'Neal

D. Flanagan

L. Issacs

Presentence Officer

P. O'Neill

FAMILY COURT

SUPPORT PERSONNEL (CONTINUED)

COUNSELING SERVICES (CONTINUED)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Community Workers

Vacant

M. Eubanks

Clerk Stenographer

P. Quick

Support Officers

E. Wexler

E. Jackson

J. Sylvester

K. Folk

ADDRESSES

The Family Court  
P.O. Box 2359  
600 Market Street  
Wilmington, DE 19899  
(571-2200)

The Family Court  
P.O. Box 310  
North Street Arden Building  
Dover, DE 19901  
(678-4501)

The Family Court  
P.O. Box 609  
Family Court Building  
The Circle  
Georgetown, DE 19947  
(856-7702)

FAMILY COURT  
FISCAL YEAR 1977  
WORKLOAD - TOTAL PETITIONS AND INFORMATIONS

<u>NEW CASTLE</u>	<u>Pending 6-30-76</u>	<u>Filings</u>	<u>Dispositions*</u>	<u>Pending 6-30-77*</u>	<u>Change In Pending*</u>
Adult Criminal	N.A.**	1,294	N.A.	N.A.	N.A.
Juvenile Delinquency	1,686	6,567	N.A.	N.A.	N.A.
Traffic	159	936	N.A.	N.A.	N.A.
Divorces and Annulments	659	2,212	N.A.	N.A.	N.A.
Other Civil	N.A.**	6,150	N.A.	N.A.	N.A.
TOTALS	<u>3,613</u>	<u>17,159</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
 <u>KENT</u>					
Adult Criminal	N.A.**	N.A.	N.A.	N.A.	N.A.
Juvenile Delinquency	479	N.A.	N.A.	N.A.	N.A.
Traffic	56	N.A.	N.A.	N.A.	N.A.
Divorces and Annulments	143	636	N.A.	N.A.	N.A.
Other Civil	N.A.**	N.A.	N.A.	N.A.	N.A.
TOTALS	<u>1,041</u>	<u>3,741#</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
 <u>SUSSEX</u>					
Adult Criminal	N.A.**	N.A.	N.A.	N.A.	N.A.
Juvenile Delinquency	215	N.A.	N.A.	N.A.	N.A.
Traffic	51	N.A.	N.A.	N.A.	N.A.
Divorces and Annulments	167	509	N.A.	N.A.	N.A.
Other Civil	N.A.**	N.A.	N.A.	N.A.	N.A.
TOTALS	<u>671</u>	<u>3,613#</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>
 <u>STATE</u>					
Adult Criminal	N.A.**	N.A.	N.A.	N.A.	N.A.
Juvenile Delinquency	2,380	N.A.	N.A.	N.A.	N.A.
Traffic	266	N.A.	N.A.	N.A.	N.A.
Divorces and Annulments	969	3,357	N.A.	N.A.	N.A.
Other Civil	N.A.**	N.A.	N.A.	N.A.	N.A.
TOTALS	<u>5,325</u>	<u>24,513</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>

N.A. = Not Available

\*During FY 1977, the method of counting petitions and informations was changed. Formerly, each complaint was counted as a separate petition; now, multiple complaints arising from a single incident are counted as one petition. Because of this change, disposition and pending figures were not compiled.

\*\*In FY 1976, Adult Criminal Informations were not separated from Other Civil Petitions. The pending Adult Civil and Criminal figures on June 30, 1976 were: New Castle - 1,109; Kent - 363; Sussex - 238; State - 1,710.

#Kent and Sussex County figures are estimates, except for Divorces and Annulments, because the new method of counting petitions was initiated in December, 1976 in those two counties. In New Castle County, it was in effect for the entire fiscal year.

FAMILY COURT  
COMPARISON - FISCAL YEARS 1976-1977  
TOTAL PETITIONS AND INFORMATIONS

<u>FILINGS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	14,744*	17,159	+2,415	+16.4%
Kent	4,150	3,741	- 409	- 9.9%
Sussex	3,063	3,613	+ 550	+18.0%
State	<u>21,957*</u>	<u>24,513</u>	<u>+2,556</u>	<u>+11.6%</u>

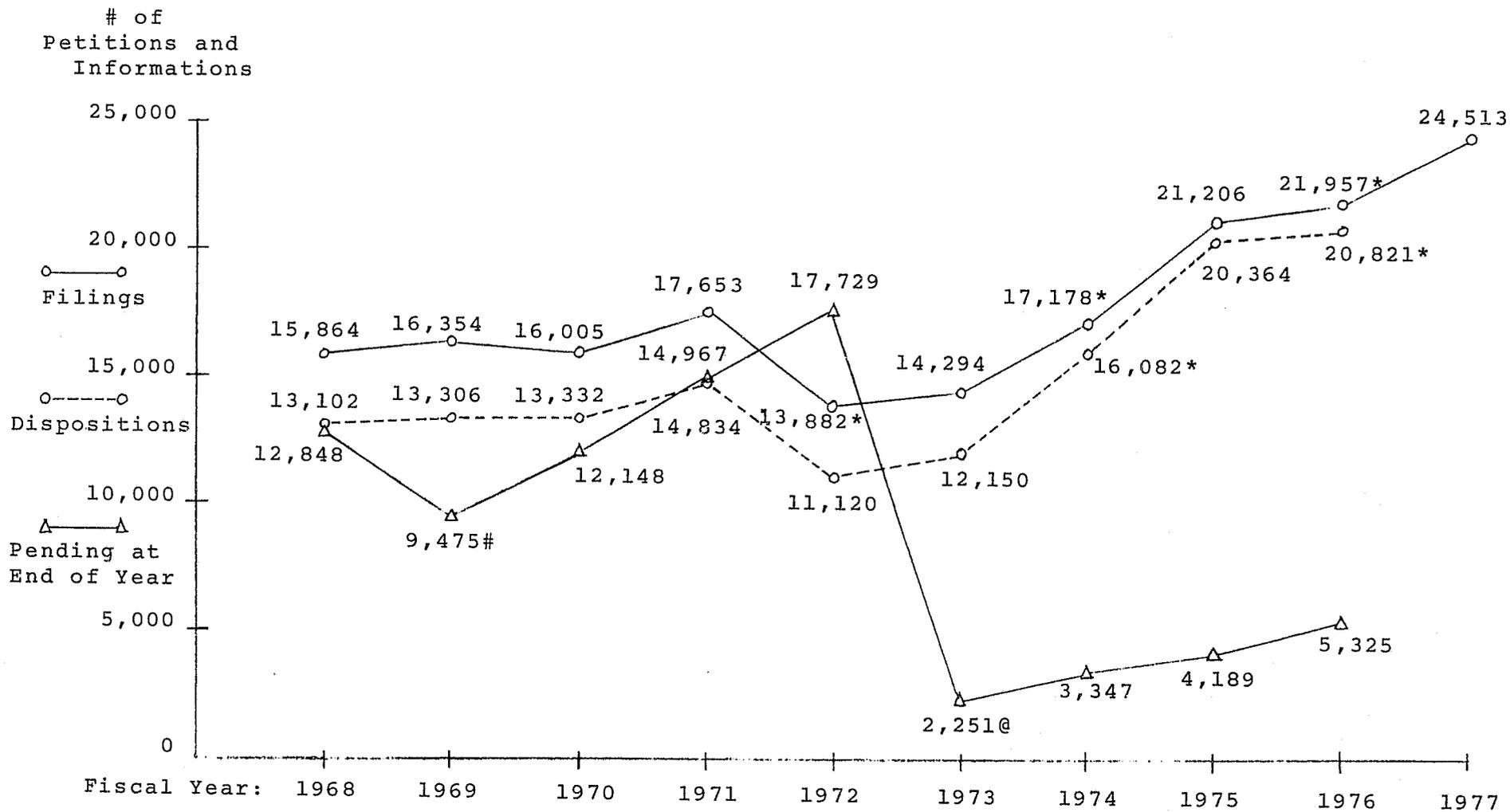
<u>DISPOSITIONS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	14,116*	N.A.	N.A.	N.A.
Kent	3,875	N.A.	N.A.	N.A.
Sussex	2,830	N.A.	N.A.	N.A.
State	<u>20,821*</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>

<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,613	N.A.	N.A.	N.A.
Kent	1,041	N.A.	N.A.	N.A.
Sussex	671	N.A.	N.A.	N.A.
State	<u>5,325</u>	<u>N.A.</u>	<u>N.A.</u>	<u>N.A.</u>

N.A. = Not Available

\*Figure corrected from 1976 Annual Report.

FAMILY COURT  
10 - YEAR WORKLOAD TREND  
TOTAL PETITIONS AND INFORMATIONS

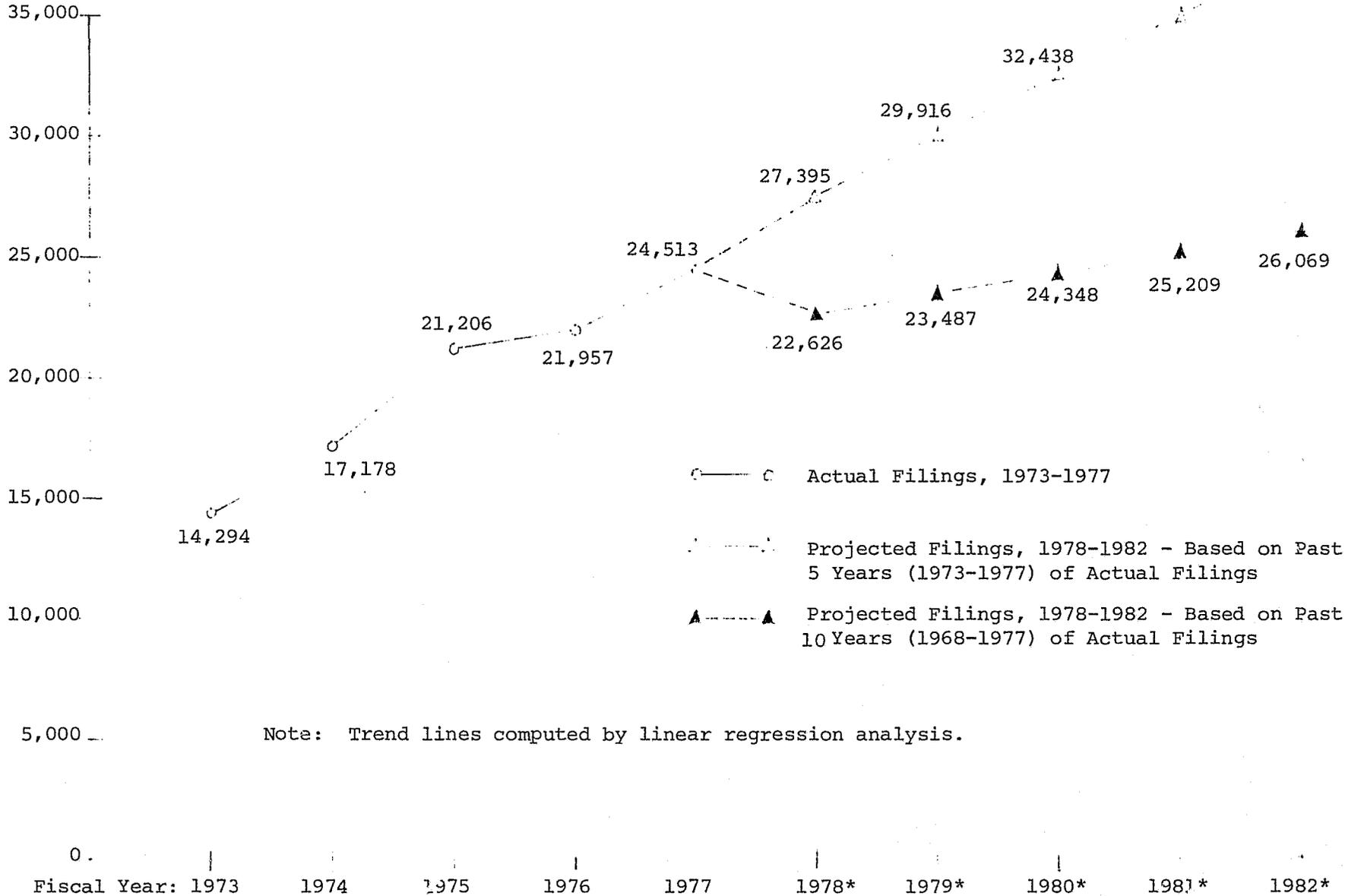


Note: Dispositions and Pending not available for FY 1977.  
 \*Figure corrected from 1976 Annual Report.  
 #Definition of pending changed; 6,421 cases removed.  
 @Definition of pending changed; 17,622 cases removed.

# of  
Petitions and  
Informations

FAMILY COURT

5-YEAR WORKLOAD PROJECTIONS  
TOTAL PETITIONS AND INFORMATIONS



Note: Trend lines computed by linear regression analysis.

\* Projected

SUMMARY OF FAMILY COURT BUDGET

Budget Code: 02-08-000

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Judicial	\$ 418,500.00	\$ 395,989.00	\$ 418,500.00	\$ 418,500.00
2) Employees	1,718,117.00	1,856,360.00	2,036,769.00	2,067,100.00
Employment Costs	44,549.00	27,561.00	388,165.00	455,800.00
Personal Services	42,133.00	41,048.00	49,095.00	95,800.00
Travel	18,676.00	13,503.00	15,840.00	23,200.00
Contractual Services	135,494.00	143,304.00	133,650.00	212,300.00
Supplies and Materials	42,321.00	35,313.00	37,430.00	50,800.00
Capital Outlay	24,475.00	22,285.00	19,800.00	70,800.00
Debt Service: 1) Principal	12,000.00	12,000.00	12,000.00	12,000.00
2) Interest	9,282.00	8,616.00	7,992.00	7,400.00
Special Items: Reverted Funds	14,376.00	3,946.00	7,400.00	135.00
<b>GRAND TOTALS</b>	<b>\$2,479,923.00</b>	<b>\$2,559,925.00</b>	<b>\$3,126,641.00</b>	<b>\$3,413,835.00</b>

Note: Actual Figures include State general funds, federal funds, and other funds.



**Court  
of  
Common  
Pleas**

COURT OF COMMON PLEAS

Legal Authorization

The statewide Court of Common Pleas was created by 10 Delaware Code, Chapters 13, 15, and 16, effective July 5, 1973.

Geographic Organization

The Court of Common Pleas sits in each of the three counties at the respective county seats.

Legal Jurisdiction

The Court of Common Pleas has statewide jurisdiction which includes concurrent jurisdiction with Superior Court in civil actions where the amount involved, exclusive of interest, does not exceed \$5,000 on the complaint. There is no limitation in amount on counterclaim. All civil cases are tried without a jury.

The Court has criminal jurisdiction over all misdemeanors occurring in the State of Delaware except drug-related cases and those occurring within corporate limits of the City of Wilmington. Jury trial is available to all defendants but in New Castle County jury trials are referred to Superior Court for disposition.

Appeals from the Court of Common Pleas are taken on the record to Superior Court.

Judges

There are five Judges of the Court of Common Pleas, one Chief Judge and four Resident Judges. The Judges are appointed by the Governor with the consent of the Senate for 12 year terms and must have been actively engaged in the general practice of law in the State of Delaware for at least five years. No more than a majority of one judge may be from the same political party.

Support Personnel

The Chief Judge of the Court of Common Pleas may appoint clerks, bailiffs, court reporters, and secretaries.

Caseload Trend

The number of civil and criminal cases filed in the Court continues to rise as it has year after year. During FY 1977 the increase in criminal actions filed was 11.9% in New Castle County, 6.7% in Kent County, and 3.6% in Sussex County. The increase in civil actions filed was 10.6% in New Castle County and 14.1% in Kent County, and for the first time there was a reduction of 42.3% in the number of civil cases filed in Sussex County. This is indeed an unusual event and has not happened before and by all appearances will not reoccur. The Court has been successful in keeping current

in disposition of the cases and prides itself in the absence of a "backlog". The help problem has been resolved for the moment and the problem of the limitation of space is in the process of being solved. Once the additional space has been properly renovated the immediate problems of the Court will have been met.

COURT OF COMMON PLEAS

JUDICIARY

Chief Judge

Hon. Robert H. Wahl

Beulah O. Goldsborough, Secretary  
(571-2410)

New Castle County Resident Judges

Hon. Arthur F. DiSabatino  
Margaret Renai, Secretary  
(571-2410)  
Hon. William C. Bradley  
Peggy Papili, Secretary  
(571-2410)

Kent County Resident Judge

Hon. Merrill C. Trader  
Mary Elyn Massey, Secretary  
(678-4617)

Sussex County Resident Judge

Hon. Paul E. Ellis  
Katherine Truitt, Secretary  
(856-5333)

SUPPORT PERSONNEL

Court Administrator  
Carole B. Kirshner  
(571-2804)

NEW CASTLE COUNTY

KENT COUNTY

SUSSEX COUNTY

Chief Deputy Clerks  
Gerry B. McGinnes  
(571-2430)

Ruth Biddle  
(478-4618)

Doris Wilkins  
(856-5333)

Deputy Clerks  
Angeline M. Pineault

Theresa Chippie

Jean Henry

Assistart Clerks  
Maryanne Hairsine  
Phyllis Feingold

Anna Benton

Account Supervisor  
James O'Brian

Court Reporters  
Carol Schatzman  
Roma Luciano  
Jacalyn Anstey  
Marie Fontello, Typist Transcriber  
(571-2863)

Sheila Toomey

Raymond Kenney  
Vera Elliott, Typist Transcriber

Presentence Officers  
John Jaremchuk, Jr.  
Carolyn Short  
Renee Coddington, Secretary  
Martha Embleton, Clerk Typist  
(571-2807)

COURT OF COMMON PLEAS

SUPPORT PERSONNEL (CONTINUED)

NEW CASTLE COUNTY

Clerk Typists

Helen M. Omlor

Ellen S. Reed

Patricia Aiello

Anita Hansen

Elizabeth Jonkiert

Zelda Butler

Bailiffs

Richard Hurst

Robert McGee, III

Timothy Donovan, Jr.

Andrew Robinson

John Sullivan (Federally Funded)

KENT COUNTY

George Manlove

Mary McFaul

SUSSEX COUNTY

Charles E. Riley

ADRESSES

Court of Common Pleas

Courthouse

1020 King Street

Wilmington, DE 19801

Court of Common Pleas

Kent County Courthouse

38 The Green

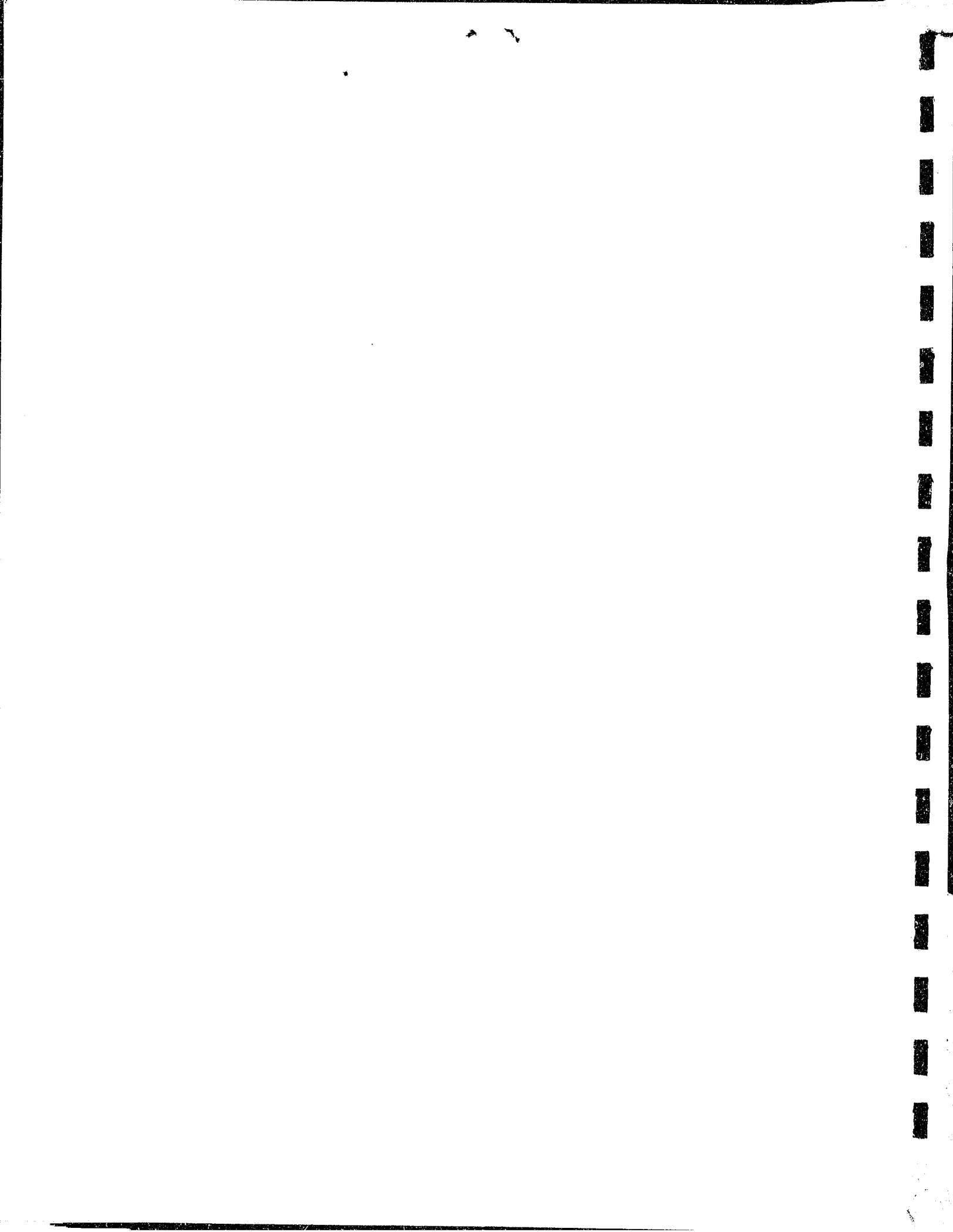
Dover, DE 19901

Court of Common Pleas

Sussex County Courthouse

The Circle

Georgetown, DE 19947



## COURT OF COMMON PLEAS

FISCAL YEAR 1977  
CRIMINAL CASESFILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Original Filings*	8	113	33	39	193
Optional Transfers#	969	832	813	860	3,474
Mandatory Transfers@	163	215	230	218	826
Total	<u>1,140</u>	<u>1,160</u>	<u>1,076</u>	<u>1,117</u>	<u>4,493</u>
Kent					
Original Filings*	19	23	19	14	75
Optional Transfers#	148	113	129	159	549
Mandatory Transfers@	60	20	15	56	151
Total	<u>227</u>	<u>156</u>	<u>163</u>	<u>229</u>	<u>775</u>
Sussex					
Original Filings*	3	5	5	5	18
Optional Transfers#	369	210	183	150	912
Mandatory Transfers@	5	5	30	87	127
Total	<u>377</u>	<u>220</u>	<u>218</u>	<u>242</u>	<u>1,057</u>
State					
Original Filings*	30	141	57	58	286
Optional Transfers#	1,486	1,155	1,125	1,169	4,935
Mandatory Transfers@	228	240	275	361	1,104
Total	<u>1,744</u>	<u>1,536</u>	<u>1,457</u>	<u>1,588</u>	<u>6,325</u>

\* Matters filed initially in the Court of Common Pleas.

# Cases originally filed in Justice of the Peace Courts which were transferred to the Court of Common Pleas at the option of the defendant.

@ Matters originally filed with Justices of the Peace which by statute must be transferred to the Court of Common Pleas.

DISPOSITIONS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Jury	0	0	0	0	0
Non-Jury	1,216	1,222	1,148	1,066	4,652
Total	<u>1,216</u>	<u>1,222</u>	<u>1,148</u>	<u>1,066</u>	<u>4,652</u>
Kent					
Jury	14	9	9	6	38
Non-Jury	166	174	143	187	670
Total	<u>180</u>	<u>183</u>	<u>152</u>	<u>193</u>	<u>708</u>
Sussex					
Jury	3	3	1	2	9
Non-Jury	282	235	228	165	910
Total	<u>285</u>	<u>238</u>	<u>229</u>	<u>167</u>	<u>919</u>
State					
Jury	17	12	10	8	47
Non-Jury	1,664	1,631	1,519	1,418	6,232
Total	<u>1,681</u>	<u>1,643</u>	<u>1,529</u>	<u>1,426</u>	<u>6,279</u>

COURT OF COMMON PLEAS

FISCAL YEAR 1977  
CRIMINAL CASES

PENDING

	<u>6-30-76</u>	<u>9-30-76</u>	<u>12-31-76</u>	<u>3-31-77</u>	<u>6-30-77</u>
New Castle					
Capiases	380	419	354	380	423
Triable	468	353	356	258	266
Total	<u>848</u>	<u>772</u>	<u>710</u>	<u>638</u>	<u>689</u>
Kent					
Capiases	2	2	2	2	3
Triable	6	53	26	37	72
Total	<u>8</u>	<u>55</u>	<u>28</u>	<u>39</u>	<u>75</u>
Sussex					
Capiases	5	12	9	12	20
Triable	83	168	153	139	206
Total	<u>88</u>	<u>180</u>	<u>162</u>	<u>151</u>	<u>226</u>
State					
Capiases	387	433	365	394	446
Triable	557	574	535	434	544
Total	<u>944</u>	<u>1,007</u>	<u>900</u>	<u>828</u>	<u>990</u>

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Capiases	+ 39	- 65	+ 26	+ 43	+ 43
Triable	<u>-115</u>	<u>+ 3</u>	<u>- 98</u>	<u>+ 8</u>	<u>-202</u>
Total	<u>- 76</u>	<u>- 62</u>	<u>- 72</u>	<u>+ 51</u>	<u>-159</u>
Kent					
Capiases	0	0	0	+ 1	+ 1
Triable	<u>+ 47</u>	<u>- 27</u>	<u>+ 11</u>	<u>+ 35</u>	<u>+ 66</u>
Total	<u>+ 47</u>	<u>- 27</u>	<u>+ 11</u>	<u>+ 36</u>	<u>+ 67</u>
Sussex					
Capiases	+ 7	- 3	+ 3	+ 8	+ 15
Triable	<u>+ 85</u>	<u>- 15</u>	<u>- 14</u>	<u>+ 67</u>	<u>+123</u>
Total	<u>+ 92</u>	<u>- 18</u>	<u>- 11</u>	<u>+ 75</u>	<u>+138</u>
State					
Capiases	+ 46	- 68	+ 29	+ 52	+ 59
Triable	<u>+ 17</u>	<u>- 39</u>	<u>-101</u>	<u>+110</u>	<u>- 13</u>
Total	<u>+ 63</u>	<u>-107</u>	<u>- 72</u>	<u>+162</u>	<u>+ 46</u>

COURT OF COMMON PLEAS  
COMPARISON - FISCAL YEARS 1976-1977  
CRIMINAL CASESFILINGS

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	4,016	4,493	+477	+ 11.9%
Kent	726	775	+ 49	+ 6.7%
Sussex	1,020	1,057	+ 37	+ 3.6%
State	<u>5,762</u>	<u>6,325</u>	<u>+563</u>	<u>+ 9.8%</u>

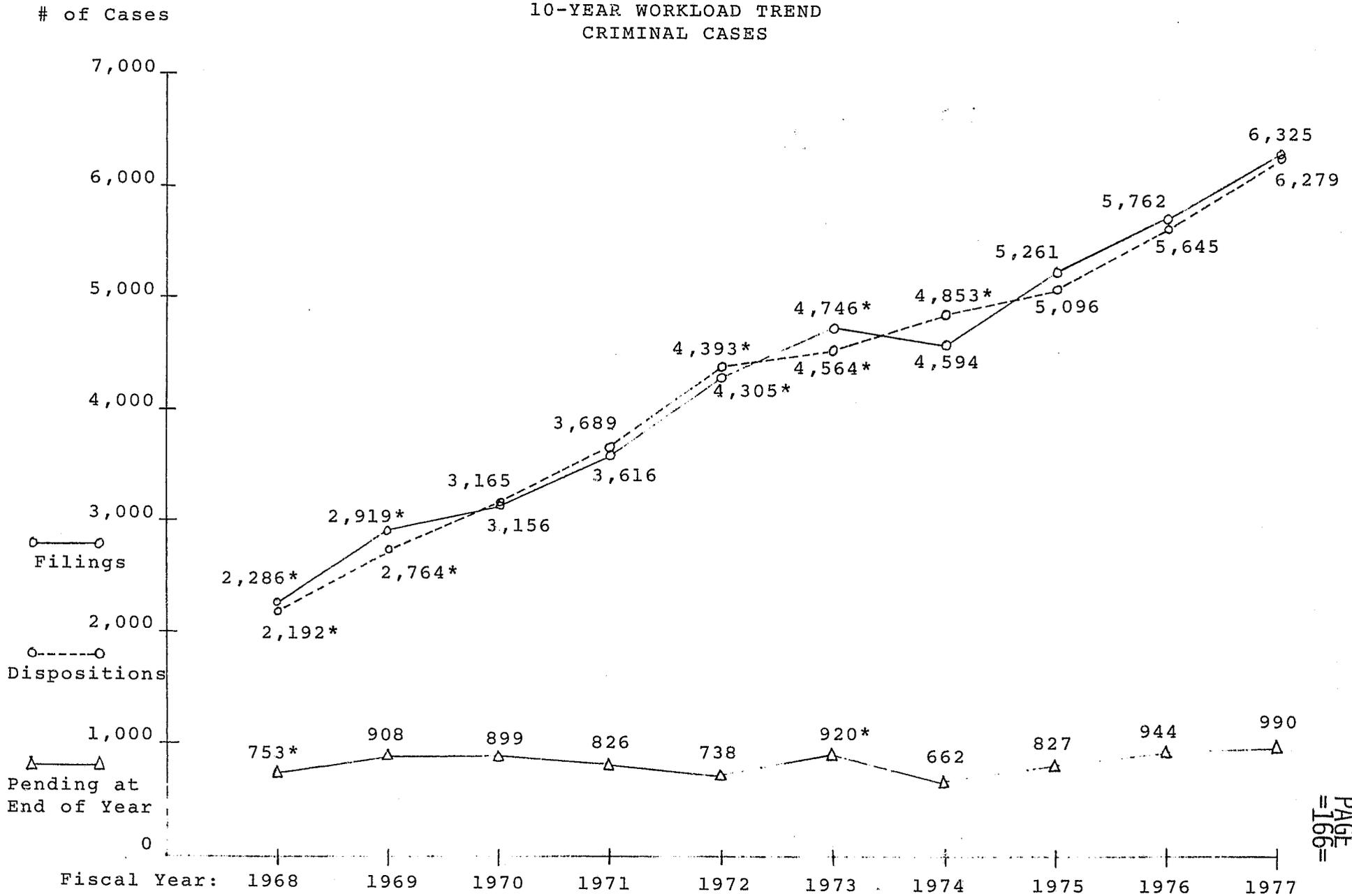
DISPOSITIONS

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	3,747	4,652	+905	+ 24.2%
Kent	814	708	-106	- 13.0%
Sussex	1,084	919	-165	- 15.2%
State	<u>5,645</u>	<u>6,279</u>	<u>+634</u>	<u>+ 11.2%</u>

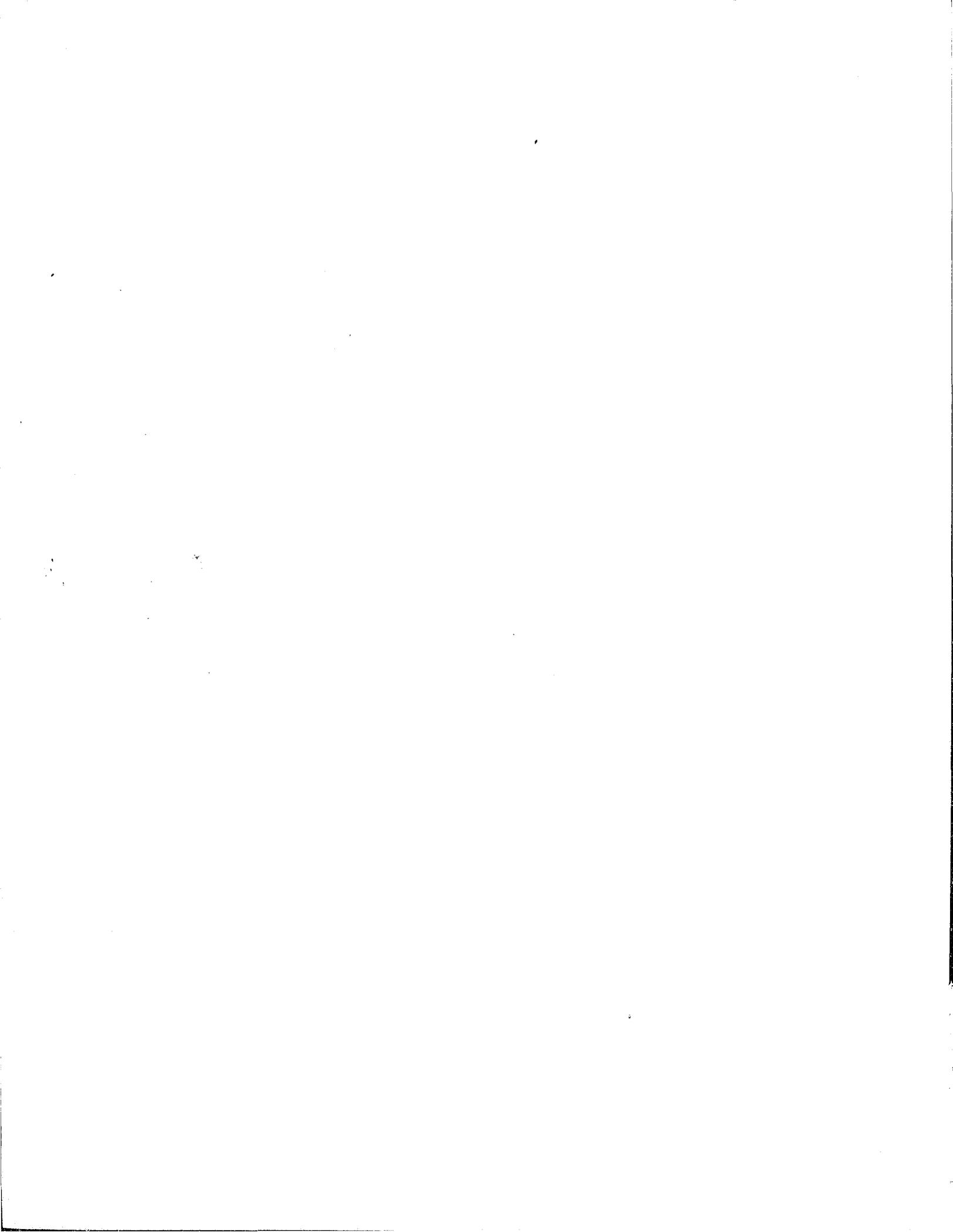
PENDING AT END OF YEAR

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	848	689	-159	- 18.8%
Kent	8	75	+ 67	+837.5%
Sussex	88	226	+138	+156.8%
State	<u>944</u>	<u>990</u>	<u>+ 46</u>	<u>+ 4.9%</u>

COURT OF COMMON PLEAS  
 10-YEAR WORKLOAD TREND  
 CRIMINAL CASES



\* Figure corrected from 1976 Annual Report.



**CONTINUED**

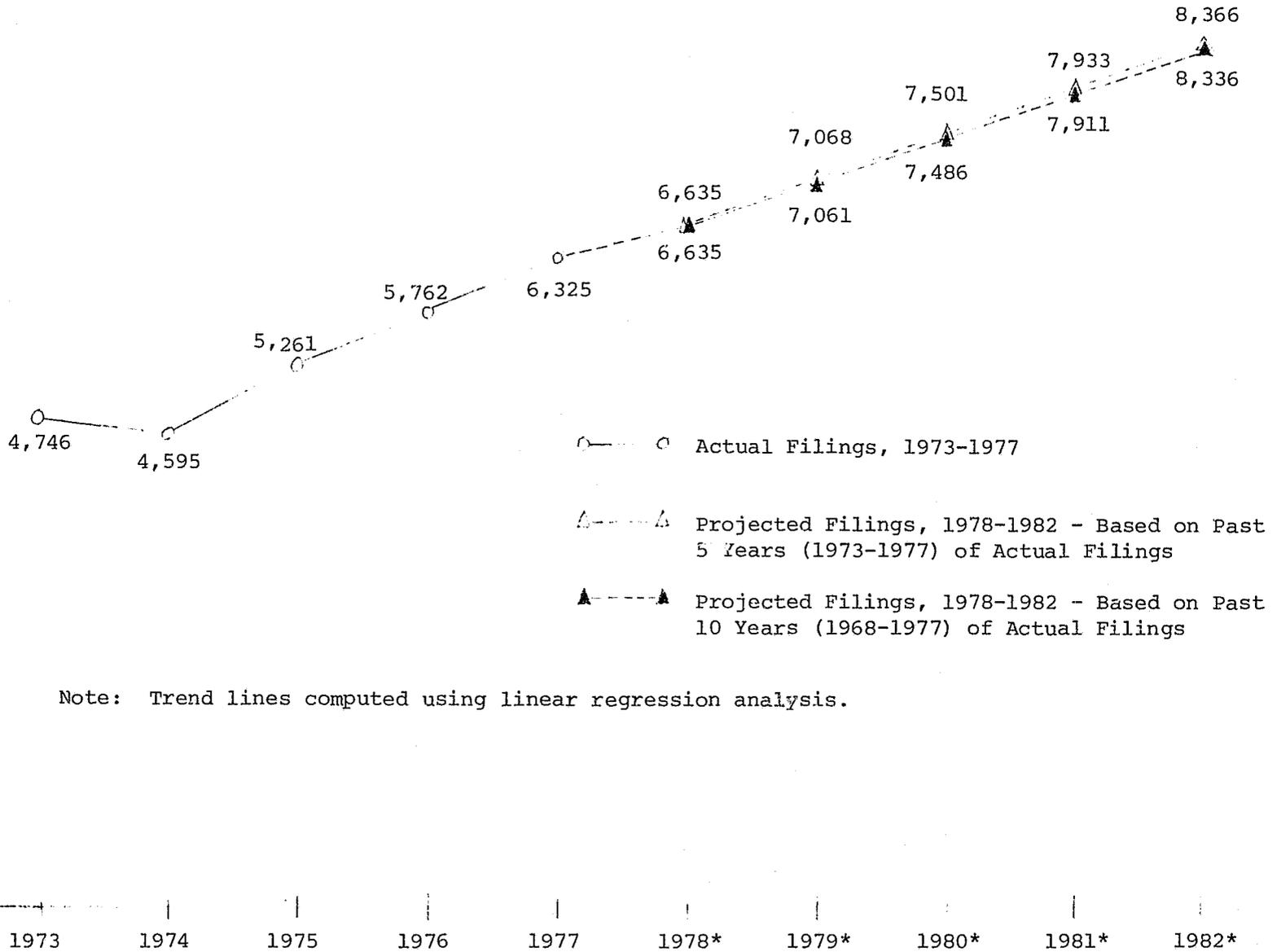
**3 OF 5**

COURT OF COMMON PLEAS

5-YEAR WORKLOAD PROJECTIONS  
CRIMINAL CASES

# of Cases

9,000  
8,000  
7,000  
6,000  
5,000  
4,000  
3,000  
2,000  
1,000  
0



Note: Trend lines computed using linear regression analysis.

\* Projected

COURT OF COMMON PLEAS

FISCAL YEAR 1977  
CIVIL CASES

FILINGS

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Automobile	70	75	138	70	353
Other	672	768	526	535	2,501
Total	742	843	664	605	2,854
Kent					
Automobile	0	6	3	8	17
Other	51	48	46	65	210
Total	51	54	49	73	227
Sussex					
Automobile	3	4	3	2	12
Other	63	78	78	100	319
Total	66	82	81	102	331
State					
Automobile	73	85	144	80	382
Other	786	894	650	700	3,030
Total	859	979	794	780	3,412

DISPOSITIONS

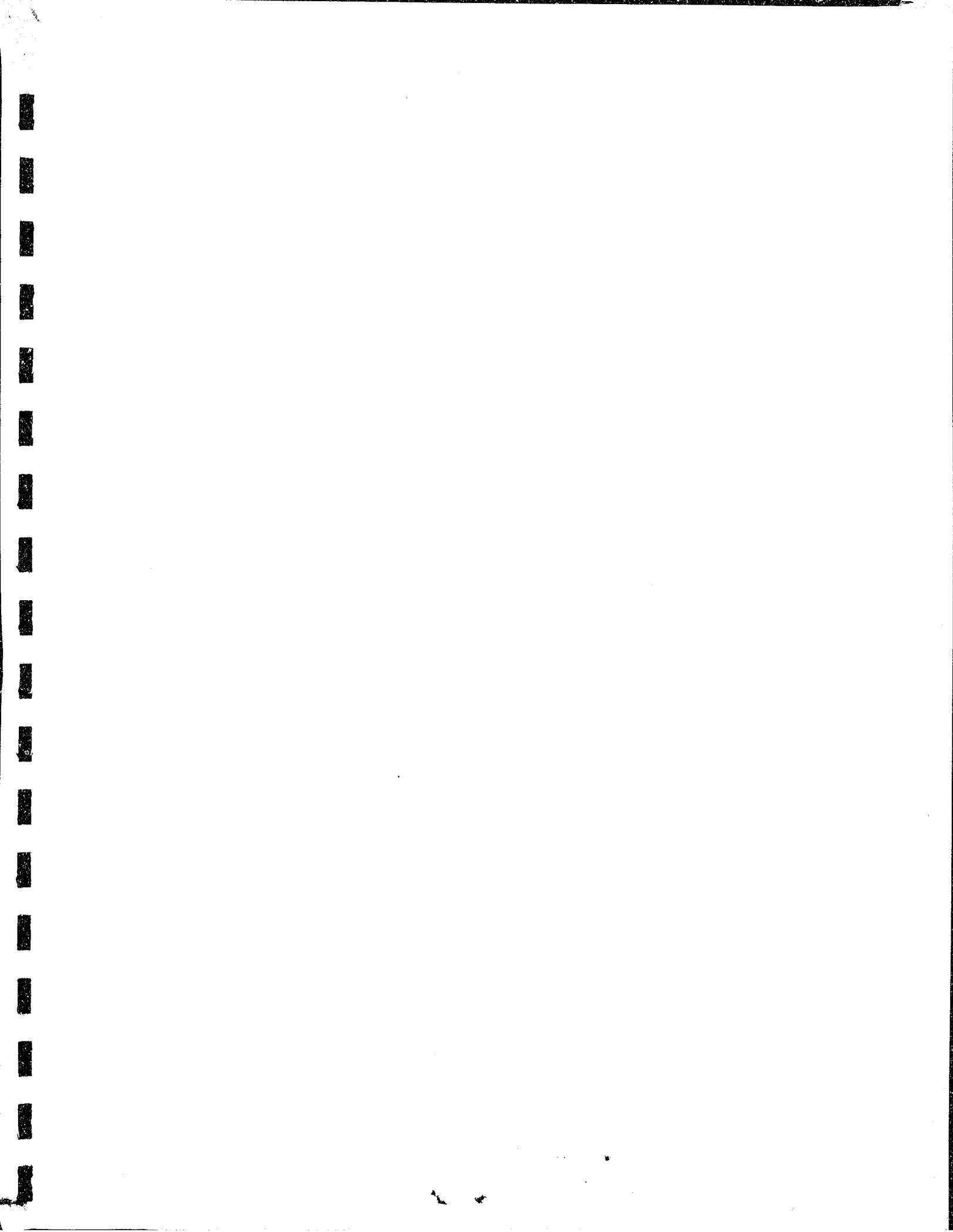
	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle					
Court	33	351	250	74	708
Counsel	753	612	666	599	2,630
Total	786	963	916	673	3,338
Kent					
Court	4	2	7	4	17
Counsel	39	31	58	54	182
Total	43	33	65	58	199
Sussex					
Court	17	27	10	22	76
Counsel	76	68	74	68	286
Total	93	95	84	90	362
State					
Court	54	380	267	100	801
Counsel	868	711	798	721	3,098
Total	922	1,091	1,065	821	3,899

PENDING

	<u>6-30-76</u>	<u>9-30-76</u>	<u>12-31-76</u>	<u>3-31-77</u>	<u>6-30-77</u>
New Castle	1,914	1,870	1,750	1,498	1,430
Kent	60	68	89	73	88
Sussex	192	165	152	149	161
State	2,166	2,103	1,991	1,720	1,679

CHANGES IN PENDING

	<u>July-Sept.</u>	<u>Oct.-Dec.</u>	<u>Jan.-March</u>	<u>April-June</u>	<u>TOTALS</u>
New Castle	-44	-120	-252	-68	-484
Kent	+ 8	+ 21	- 16	+15	+ 28
Sussex	-27	- 13	- 3	+12	- 31
State	-63	-112	-271	-41	-487





COURT OF COMMON PLEAS  
COMPARISON - FISCAL YEARS 1976-1977  
CIVIL CASESFILINGS

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,581	2,854	+273	+10.6%
Kent	199	227	+ 28	+14.1%
Sussex	574	331	-243	-42.3%
State	<u>3,354</u>	<u>3,412</u>	+ 58	+ 1.7%

DISPOSITIONS

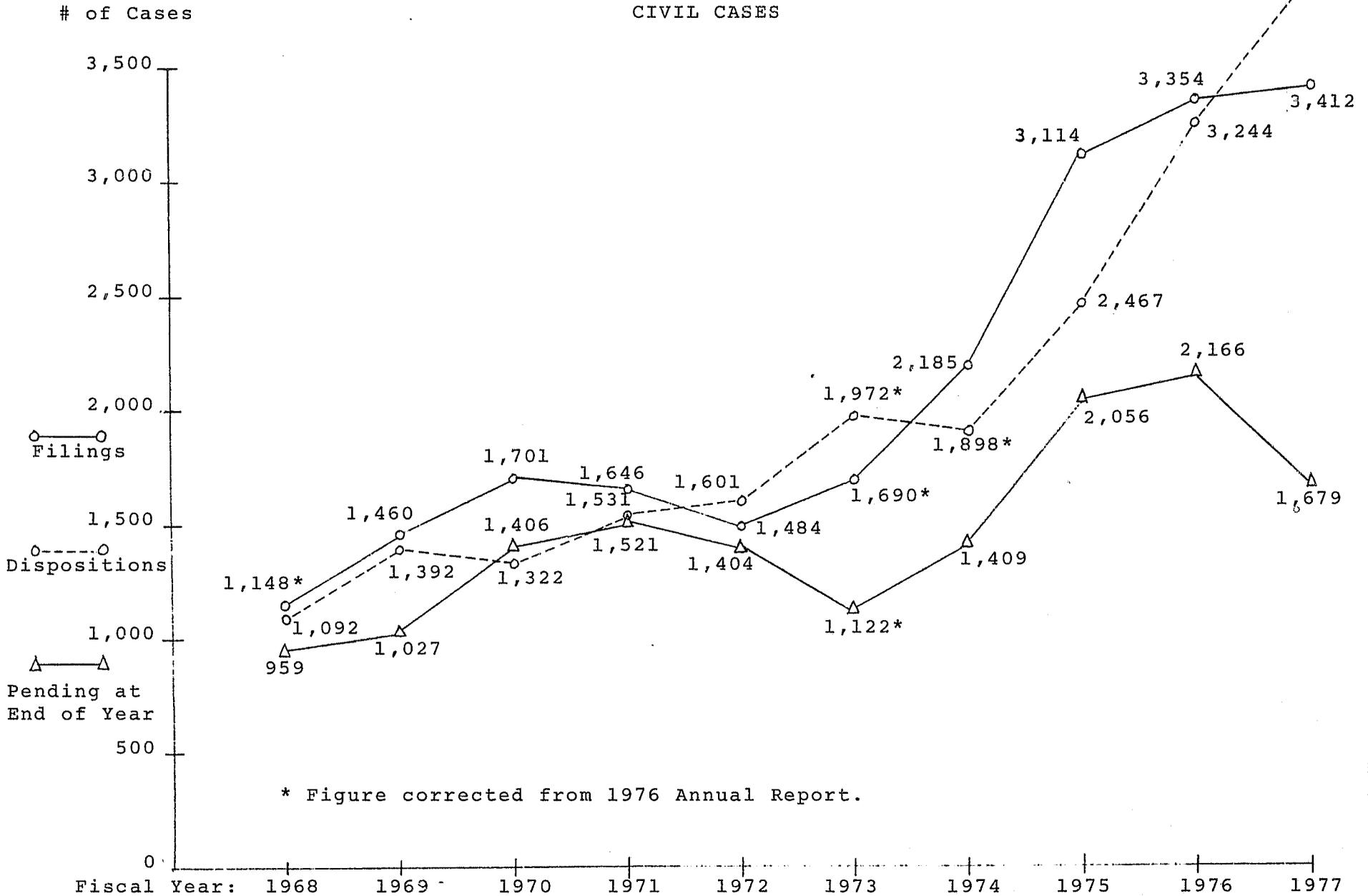
	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	2,393	3,338	+945	+39.5%
Kent	213	199	- 14	- 6.6%
Sussex	638	362	-276	-43.3%
State	<u>3,244</u>	<u>3,899</u>	+655	+20.2%

PENDING AT END OF YEAR

	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
New Castle	1,914	1,430	-484	-25.3%
Kent	60	88	+ 28	+46.7%
Sussex	192	161	- 31	-16.1%
State	<u>2,166</u>	<u>1,679</u>	-487	-22.5%

COURT OF COMMON PLEAS

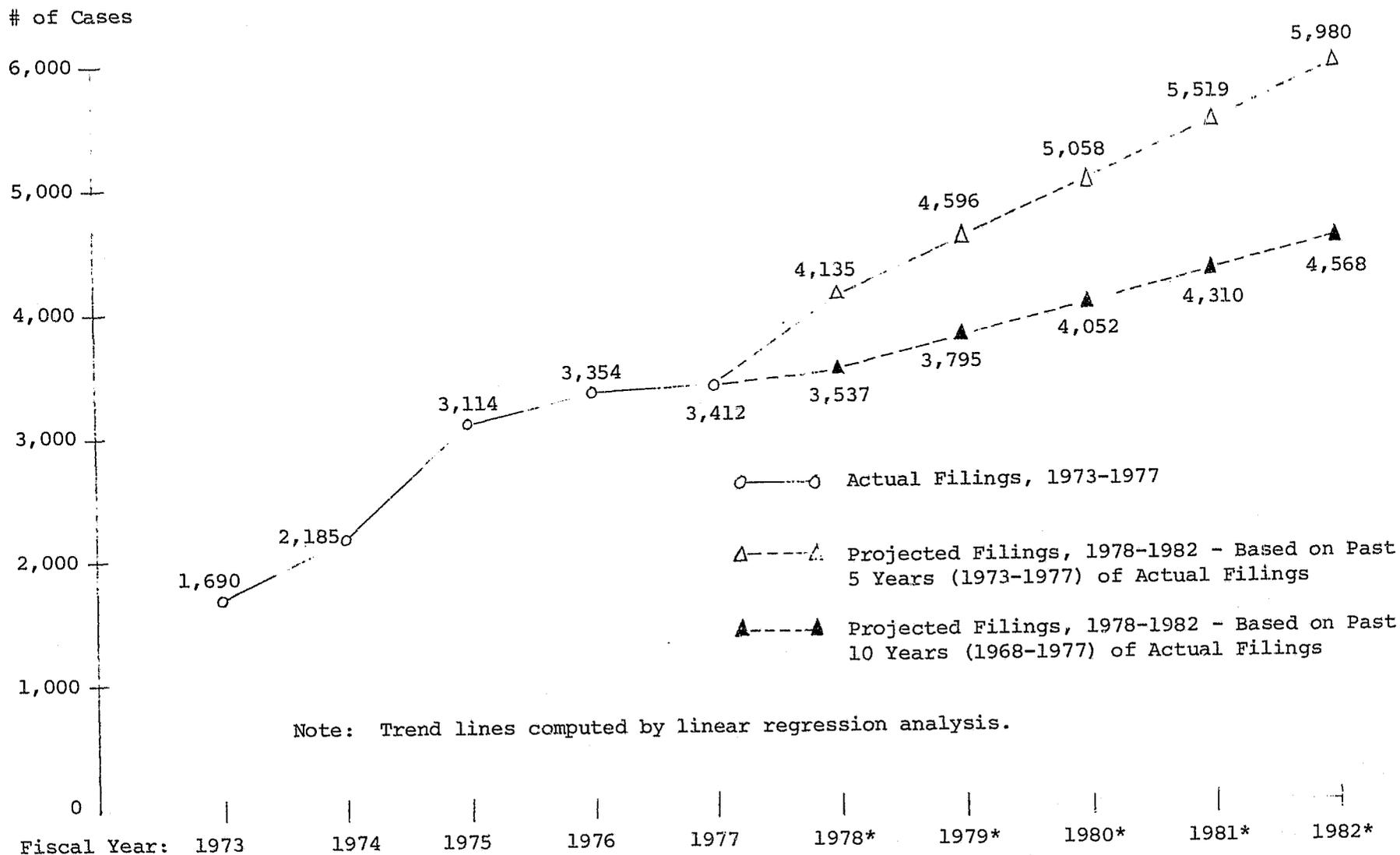
10-YEAR WORKLOAD TREND  
CIVIL CASES



\* Figure corrected from 1976 Annual Report.

COURT OF COMMON PLEAS

5-YEAR WORKLOAD PROJECTIONS  
CIVIL CASES



Note: Trend lines computed by linear regression analysis.

\* Projected

SUMMARY OF COURT OF COMMON PLEAS BUDGET

Budget Code: 02-06-000

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Judicial	\$152,500.00	\$173,083.00	\$190,500.00	\$190,500.00
2) Employees	276,577.08	397,210.85	454,669.00	501,200.00
Employment Costs	308.00	0.00	90,741.00	116,600.00
Personal Services	6,272.71	9,710.70	17,267.00	19,800.00
Travel	2,966.64	2,974.54	2,981.00	9,500.00
Contractual Services	28,514.43	32,554.39	36,828.00	33,900.00
Supplies and Materials	7,170.97	8,467.69	5,800.00	10,100.00
Capital Outlay	10,364.40	9,982.03	13,563.00	8,900.00
GRAND TOTALS	\$484,674.23	\$633,983.20	\$812,349.00	\$890,500.00

Note: Figures include State general funds, federal funds, and other funds.



**Municipal  
Court**

MUNICIPAL COURT

Legal Authorization

This court is authorized by 10 Delaware Code, Section 1701.

Geographic Organization

This court has jurisdiction within the geographic boundaries of Wilmington.

Legal Jurisdiction

Municipal Court has criminal jurisdiction over traffic, misdemeanor, and municipal ordinances concurrent with the Justices of the Peace and the Court of Common Pleas. The Court conducts preliminary hearings for both felonies and drug-related misdemeanors. Jury trials are not available. The court has a Violations Division which processes all moving and parking citations.

Judges

Number - There are 3 Judges of the Municipal Court of Wilmington.

Appointment - The Judges are appointed by the Governor, with approval by the Senate.

Tenure - Judges are appointed for 12 year terms.

Qualifications - The Judges must be licensed to practice law in the State of Delaware for 5 years preceding appointment.

Support Personnel

The Senior Judge of the Municipal Court appoints a Chief Clerk who may in turn appoint Deputies.

Caseload Trend

The Municipal Court caseload exceeded 9,000 criminal cases for the first time. This has kept the personnel of the Court working at maximum capacity to meet the demands of a constant flow of criminal cases. Two public defenders, four court commissioners, several prosecutors, and the three judges have barely kept pace with this workload. The record of 9,435 dispositions during the year permitted the Court to meet the stringent demands of processing misdemeanors and Superior Court Rule 5 committing magistrate requirements.

The activity of the court personnel is only partially reflected in these statistics. The court commissioners - working 24 hours of every day - in fact process far more than the final criminal case statistic. The commissioners process an average of 100 Family Court complaints monthly as well as rejecting a substantial number of cases for lacking probable cause. The increasing demand in time required by judges, commissioners, and staff may require increasing the number of each to handle these new demands.

The steady escalation of traffic offenses appears to have stabilized in recent years. This, added to the burden of processing the City of Wilmington parking citations, occupies a substantial amount of time of court personnel.

MUNICIPAL COURT  
Public Building  
1000 King Street  
Wilmington, DE 19801  
(571-4530)

JUDICIARY

Chief Judge  
Hon. Alfred R. Fraczkowski  
Margaret M. Eller, Secretary  
(571-4550)

Associate Judge  
Hon. Carl G. Goldstein  
Joyce Vietri, Secretary  
(571-4551)

Associate Judge  
Hon. Leonard L. Williams  
(571-4551)

MUNICIPAL COURT

SUPPORT PERSONNEL

Court Commissioners

Charles R. Lee, Chief

(571-4534)

T. Roger Barton

(571-4540)

Richard O. Douglas

(571-4541)

Thomas P. Murray

(571-4530)

Elizabeth A. Keller, Secretary

Case Coordinator

Patricia M. O'Connor (Federally Funded)

Law Clerks

Nina Adamson

Scott Naus

Process Server

Raymond Lehowit

Bailiffs

David Dempsey

Gerald Nolan

Mary Lou Robinson

Emilio Burgos

Criminal Clerical Staff

Furio Casale, Supervisor

Debra Flowers

Dartha Poteat

Josephine Smulski

Mary Dale

Denise Reason

Robin Henderson

Bernadette Kusz

Traffic Violation Staff

Shirley Cohen, Supervisor

Carolyn Ward

Carolyn Sylvester

Alice Clark

Parking Violation Staff

Dorothy Montero, Supervisor

Carlis Tate

Ann Collins

Catherine Sexton

Rosalie Rudd

MUNICIPAL COURT  
FISCAL YEAR 1977  
WORKLOAD

<u>Month</u>	<u>CRIMINAL CASES</u>		<u>Pending at End of Month</u>
	<u>Filings</u>	<u>Dispositions</u>	
July 1976	769	746	476
August 1976	873	880	469
September 1976	836	871	434
October 1976	771	781	424
November 1976	723	732	415
December 1976	815	808	422
January 1977	676	663	435
February 1977	600	572	463
March 1977	784	860	387
April 1977	845	746	486
May 1977	787	747	526
June 1977	<u>1,061</u>	<u>1,029</u>	558
TOTALS	9,540	9,435	

<u>Month</u>	<u>TRAFFIC CASES</u>		<u>Pending at End of Month</u>
	<u>Filings</u>	<u>Dispositions</u>	
July 1976	918	756	677
August 1976	997	1,118	556
September 1976	1,099	971	684
October 1976	693	839	538
November 1976	677	706	509
December 1976	645	559	595
January 1977	689	715	569
February 1977	862	895	536
March 1977	1,123	996	663
April 1977	1,194	1,227	630
May 1977	1,307	1,338	599
June 1977	<u>851</u>	<u>1,032</u>	418
TOTALS	11,055	11,152	

MUNICIPAL COURT  
COMPARISON - FISCAL YEARS 1976-1977  
WORKLOAD

<u>FILINGS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Criminal	8,754	9,540	+ 786	+9.0%
Traffic	<u>12,265</u>	<u>11,055</u>	<u>-1,210</u>	<u>-9.9%</u>
Totals	21,019	20,595	- 424	-2.0%

<u>DISPOSITIONS</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Criminal	8,979	9,435	+ 456	+5.1%
Traffic	<u>12,235</u>	<u>11,152</u>	<u>-1,083</u>	<u>-8.9%</u>
Totals	21,214	20,587	- 627	-3.0%

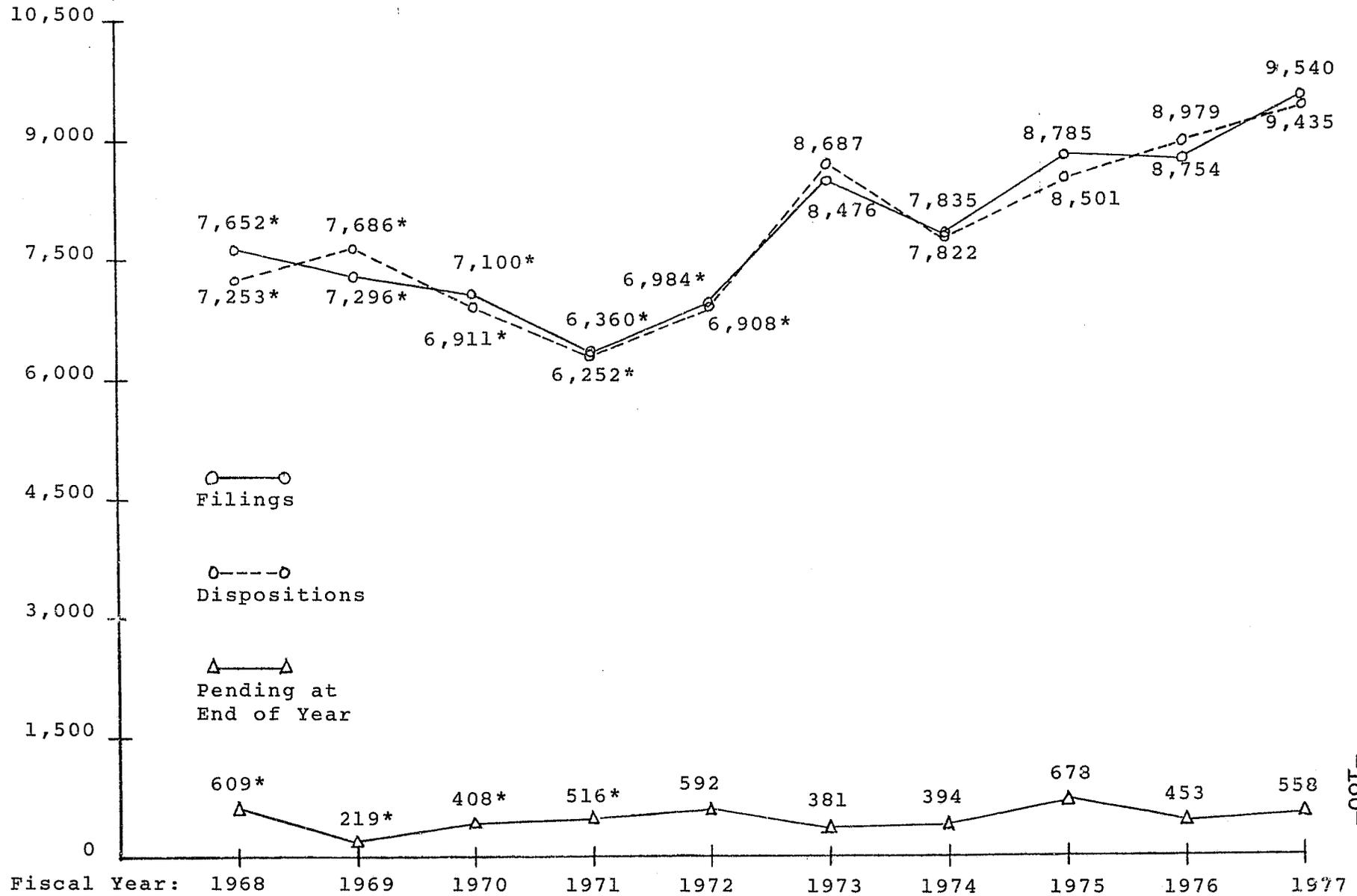
  

<u>PENDING AT END OF YEAR</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Criminal	453	558	+ 105	+23.2%
Traffic	<u>515</u>	<u>418</u>	<u>- 97</u>	<u>-18.8%</u>
Totals	968	976	+ 8	+ 0.8%

MUNICIPAL COURT

10-YEAR WORKLOAD TREND  
CRIMINAL CASES

# of Cases

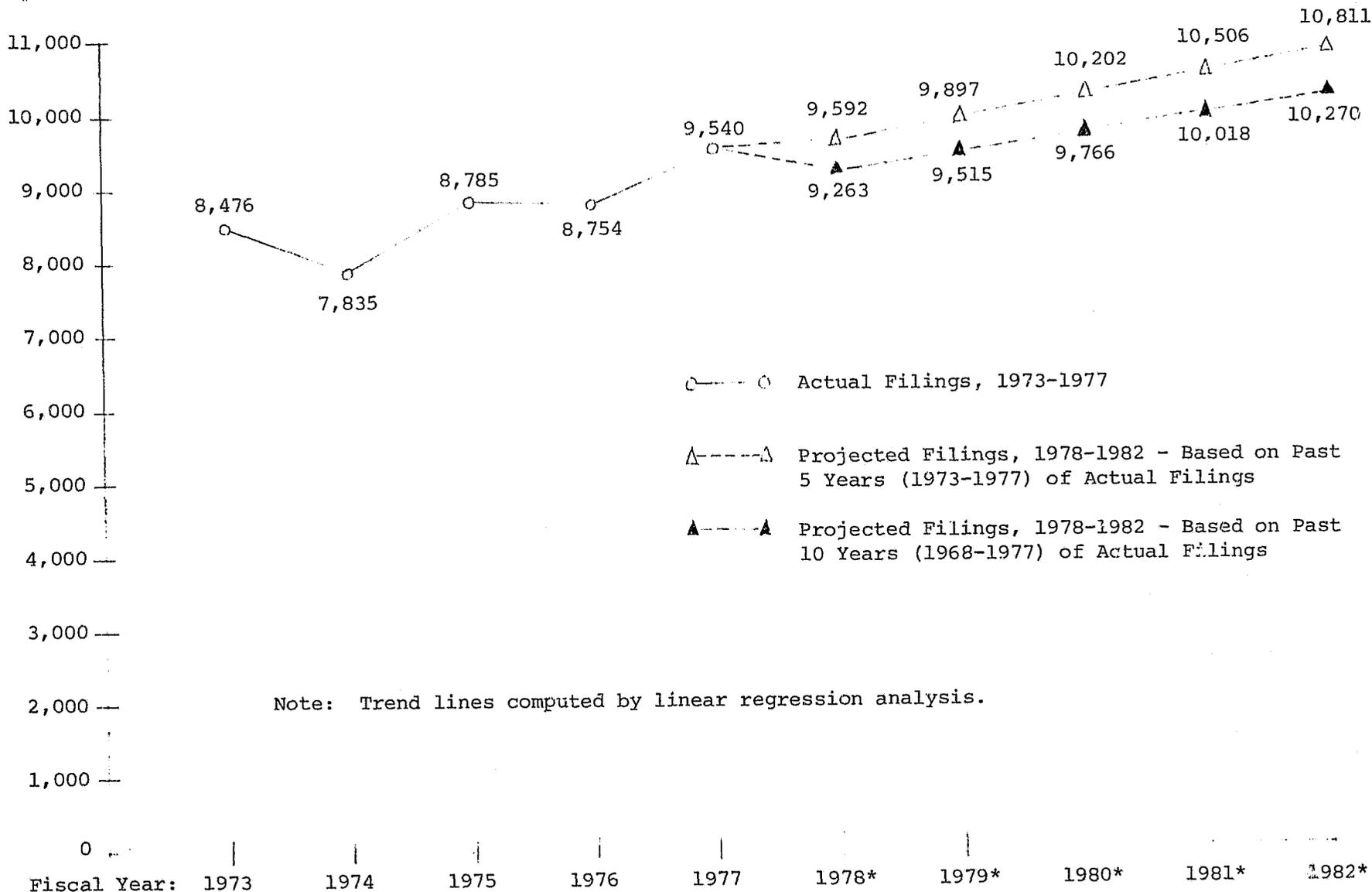


\* Figure corrected from 1976 Annual Report.

MUNICIPAL COURT

5-YEAR WORKLOAD PROJECTIONS  
CRIMINAL CASES

# of Cases



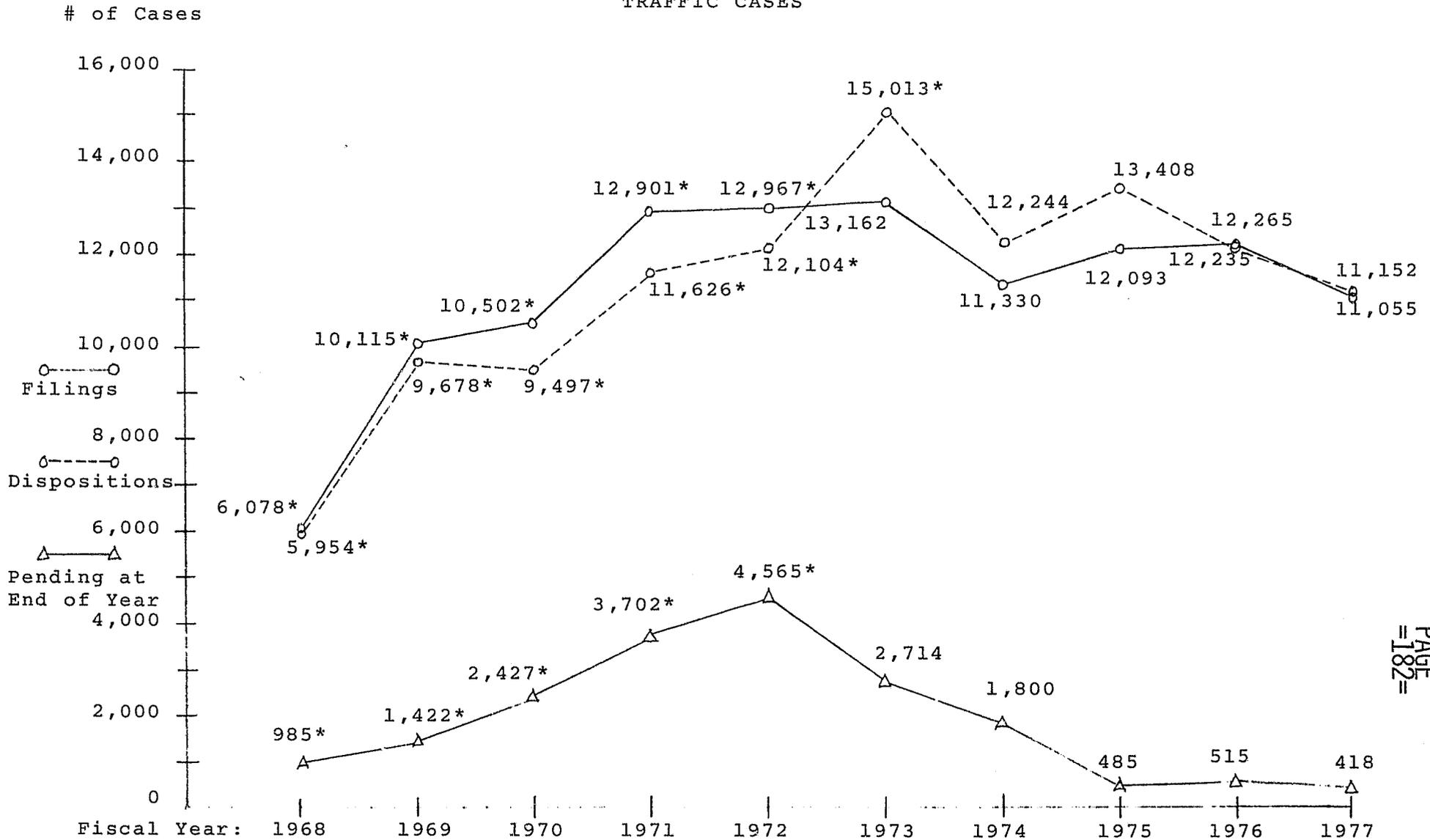
○---○ Actual Filings, 1973-1977  
 △---△ Projected Filings, 1978-1982 - Based on Past 5 Years (1973-1977) of Actual Filings  
 ▲---▲ Projected Filings, 1978-1982 - Based on Past 10 Years (1968-1977) of Actual Filings

Note: Trend lines computed by linear regression analysis.

\* Projected

MUNICIPAL COURT

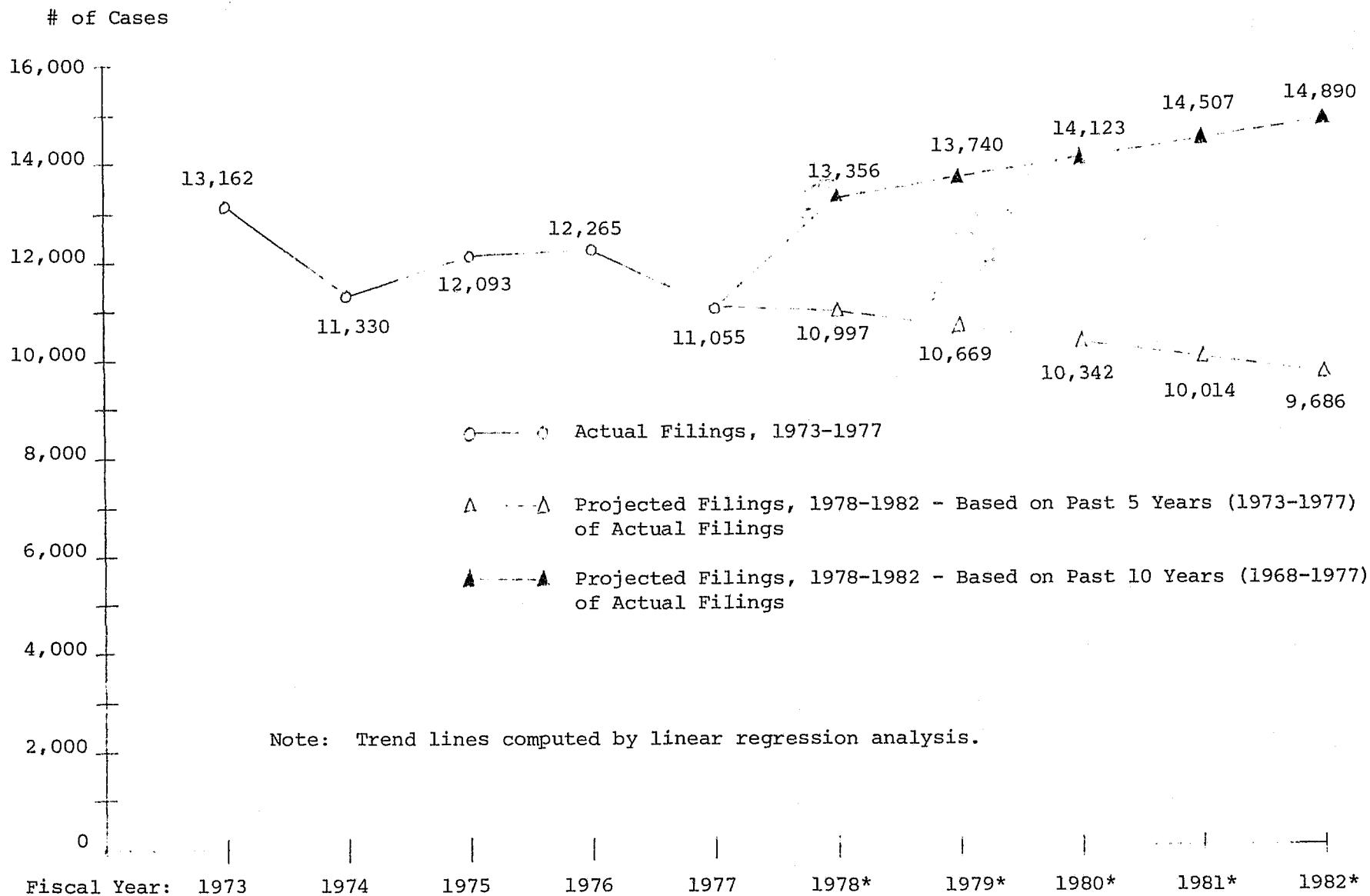
10-YEAR WORKLOAD TREND  
TRAFFIC CASES



\* Figure corrected from 1976 Annual Report.

MUNICIPAL COURT

5-YEAR WORKLOAD PROJECTIONS  
TRAFFIC CASES



\* Projected

SUMMARY OF MUNICIPAL COURT BUDGET

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Judicial	\$ 78,100.00	\$ 83,958.00	\$ 83,958.00	\$115,000.00
2) Employees	235,960.00	248,398.00	281,434.00	300,000.00
Employment Costs	41,455.00	45,332.00	73,220.00	80,000.00
Contractual Services	48,590.00	86,355.00	110,502.00	150,000.00
Materials, Supplies, and Repair Costs	4,025.00	4,760.00	5,400.00	8,000.00
Equipment	1,500.00	2,950.00	2,000.00	3,000.00
GRAND TOTALS	\$409,630.00	\$471,753.00	\$556,514.00	\$656,000.00

Note: Figures for FY 1976, FY 1977, and FY 1978 include City of Wilmington funds only.  
 FY 1979 figures include City of Wilmington and federal funds.



**Justice  
of  
the  
Peace  
Courts**

JUSTICE OF THE PEACE COURTS

Legal Authorization

These Courts are authorized by the Constitution of Delaware, Article IV, Section I.

Geographic Organization

The jurisdiction of the Courts is statewide and sessions are held throughout the state. 15 Courts are operating: 7 in New Castle County, 3 in Kent County, and 5 in Sussex County.

Legal Jurisdiction

The Justice of the Peace Courts have jurisdiction over civil cases in which the amount in controversy does not exceed \$1,500. In all Justice of the Peace Courts except 2 in New Castle County, criminal jurisdiction is exercised. These Courts are authorized to hear minor misdemeanors and motor vehicle cases (excluding felonies) and may act as committing magistrates for all crimes. Since Justice of the Peace Courts are not courts of record, appeals may be taken de novo to Superior Court. The subject matter jurisdiction of the Justice of the Peace Courts is shared with the Court of Common Pleas.

Judges

There are 53 magistrates authorized. Magistrates are appointed by the Governor with Senate approval for four-year terms. A Justice of the Peace must be at least 21 years of age and a resident of the State of Delaware and the county where he serves.

Support Personnel

A Deputy Administrator for the Justice of the Peace Courts is appointed by the Governor with Senate approval. The Chief Justice of the Supreme Court is the nominal Administrator. Two Assistant Deputy Administrators serve the Deputy. The state provides chief clerks, deputy clerks, constables, and bailiffs for each court.

Caseload Trend

Criminal cases filed in the Justice of the Peace Courts have increased for many and varied reasons, reaching an all-time high of over 95,000 during FY 1977. First, police apprehending capabilities have been increased by additional financial resources from federal funds. Second, all police forces, particularly the New Castle County Police, have increased the number of policemen who are now patrolling the streets. Thus, more arrests are made. Third, the level of competency among the Justices of the Peace has dramatically increased, and the service provided by this advantage has correspondingly increased. Therefore, more individuals are utilizing the Justices of the Peace in order to expeditiously dispose of their cases.

JUSTICE OF THE PEACE COURTS (CONTINUED)

Civil cases have increased, reaching a similar all-time high of over 14,000 cases filed during FY 1977. It should be noted that the Justice of the Peace Courts offer plaintiffs an inexpensive forum for litigating their minor legal matters. More litigants are also due to the increase of population within the counties, and this is particularly true in the landlord/tenant situation. Total criminal and civil filings combined reached a total of 110,602 cases during FY 1977, an increase of 11.6% over FY 1976 and an increase of 44.9% over just 3 years ago.

10-Kirkwood Highway

15-Concord Pike

13-Wilmington

14-Wilmington

12-Newport

11-New Castle

LEGEND

● active court

○ inactive court

9-Middletown

8-Smyrna

7-Dover

6-Harrington

5-Milford

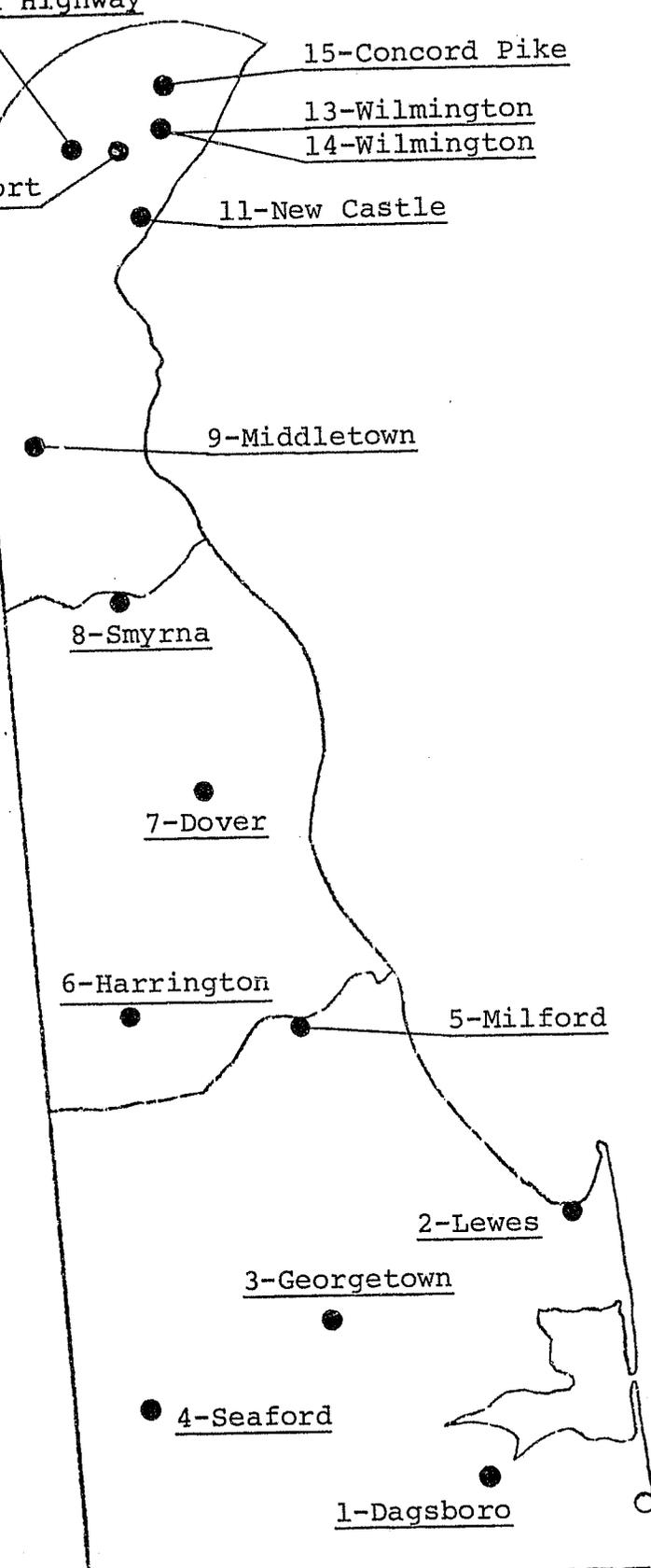
2-Lewes

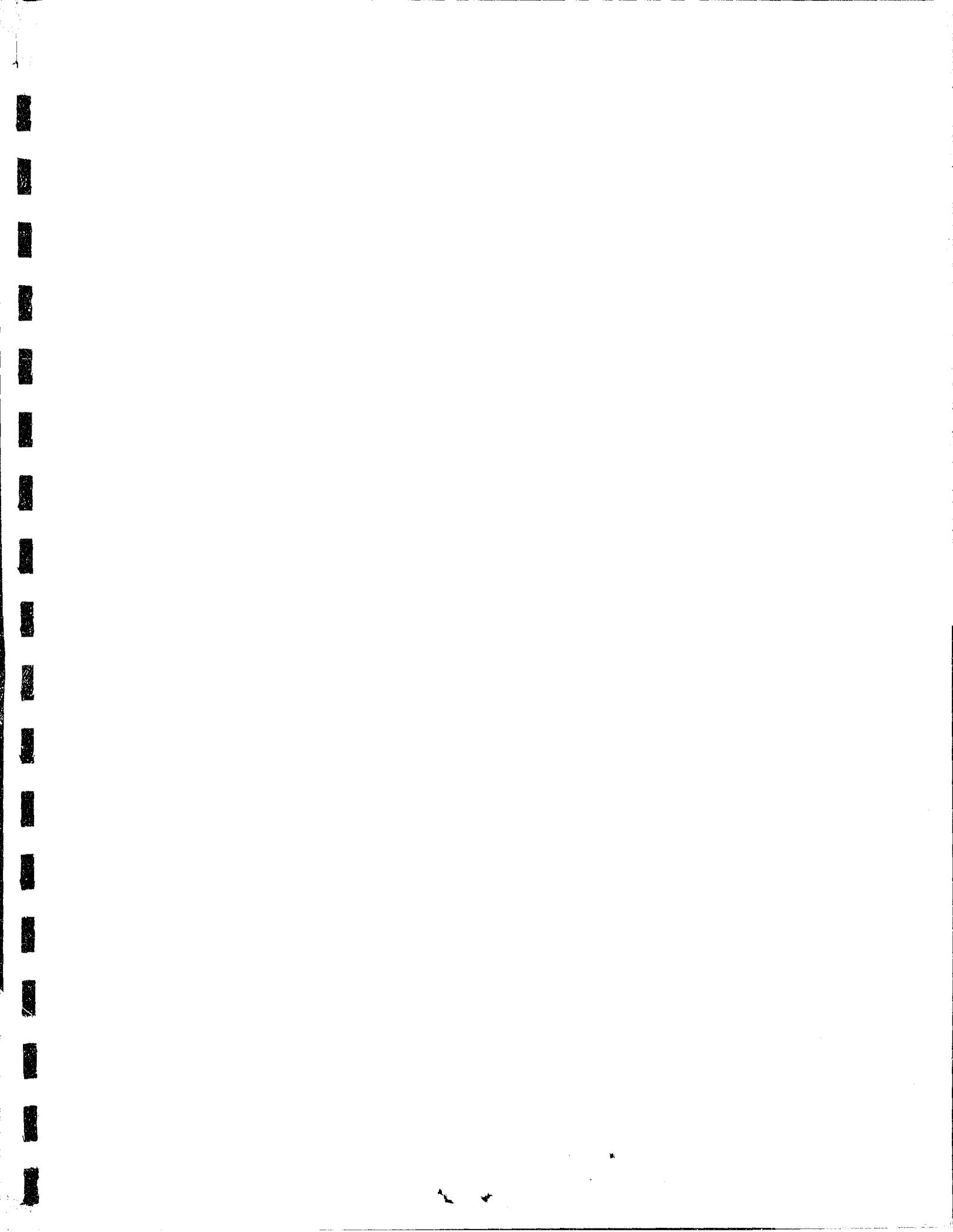
3-Georgetown

4-Seaford

1-Dagsboro

1A-Bethany Beach





JUSTICE OF THE PEACE COURTS

<u>Court #</u>	<u>Location</u>	<u>Hours Open Per Day</u>					<u>Sat</u>	<u>Sun</u>	<u>Total Hours Open Per Week</u>	<u>Jurisdiction</u>
		<u>Mon</u>	<u>Tu</u>	<u>Wed</u>	<u>Th</u>	<u>Fri</u>				
<u>New Castle County</u>										
9	Middletown	8	8	8	8	8	0	0	40	Criminal & Civil
10	Kirkwood Hwy.	24	24	24	24	24	24	24	168	Criminal
11	New Castle	24	24	24	24	24	24	24	168	Criminal
12	Newport	8	8	8	8	8	0	0	40	Civil
13	Wilmington	8	8	8	8	8	0	0	40	Civil
14	Wilmington	8	8	8	8	8	0	0	40	Preliminary Hearings
15	Concord Pike	16	16	16	16	16	16	8	104	Criminal
<u>Kent County</u>										
6	Harrington	8	16	16	16	16	8	0	80	Criminal & Civil
7	Dover	24	24	24	24	24	24	24	168	Criminal & Civil
8	Smyrna	8	16	16	16	16	8	0	80	Criminal & Civil
<u>Sussex County</u>										
1	Dagsboro	0	8	8	8	8	8	0	40	Criminal & Civil
1A	Inactive									
2	Lewes	8	8	16	16	16	16	0	80	Criminal & Civil
3	Georgetown	24	24	24	24	24	24	24	168	Criminal & Civil
4	Seaford	16	16	16	16	18	18	18	118	Criminal & Civil
5	Milford	8	8	8	8	8	0	0	40	Criminal & Civil

JUSTICES OF THE PEACE

NEW CASTLE COUNTY  
(vacancies - three)

Deputy Administrator's Office  
Morris Levenberg, Chief Judge

Court 9  
William McMullen

Court 10  
Louise T. Brothers  
Lynne E. Fitzwater  
Frederic H. Kenney  
Charles P. Manolakos  
Thomas J. Newell  
R. Spencer Wood

Court 11  
Rebecca P. Button  
Jean A. Crompton  
Mable M. English  
Ruth P. Malm  
Clayton W. Hewes, Jr.  
John H. Wilding

Court 12  
John P. McLaughlin  
Alan Trachten

Court 13  
William W. Brittingham  
William T. Garfinkel

Court 14  
John F. Lenderman

Court 15  
Ronald E. Cheeseman  
Doris E. Harris  
Barbara Hughes

KENT COUNTY  
(vacancy - one)

Court 6  
A. Tyson Cohee  
Paul Neeman

Court 7  
Russell T. Rash, Chief Judge  
John H. Fillmore  
John P. Greene  
Courtney P. Houston  
Donna R. Kramer  
Charles M. Stump  
Wallace P. Wootten

Court 8  
Joseph A. Knussman  
Harry M. Thompson

SUSSEX COUNTY

Court 1  
Thomas W. Hutson, Jr.

Court 2  
Thomas J. Orr, Chief Judge  
Emory B. Brittingham  
Robert F. Handy  
Henry F. Hill  
John H. McQuay

Court 3  
William A. Booth  
Aubrey T. Hudson  
William L. Jones  
Almetia J. Murray  
Emory R. West, Sr.

Court 4  
William J. Hopkins, Chief Judge  
Edward G. Davis  
Walter G. Dill, Jr.  
Horace W. Short  
Donald F. Yerkes

Court 5  
Norman D. Baker

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL

DEPUTY ADMINISTRATOR'S OFFICE  
Scott Street Plaza  
1228 North Scott Street  
Wilmington, DE 19806  
(571-2485)

Deputy Administrator  
Vacant  
Vacant, Secretary

Assistant Deputy Administrators  
Arthur R. Carello  
Thomas W. Nagle  
Ethel Jaremchuk, Secretary

Accounting Department  
Mary E. Cooper, Supervisor  
Sandra L. Cummings  
Pamela A. Manista

Note: The Chief Justice of  
the Supreme Court is  
the nominal Adminis-  
trator of the Justice  
of the Peace Court System.

Building Maintenance Mechanic  
John M. Joswick, Sr.

COURT 1  
Post Office Box 37  
Route 113  
Dagsboro, DE 19939  
(732-6772)

Clerk  
Margaret Ross, Chief

Constable  
William H. Prettyman

COURT 2  
Post Office Box 492  
Route 14  
Lewes, DE 19958  
(645-6477)

Clerks  
Joanne R. Willey, Chief  
Elizabeth B. Leister  
Rhyspa McCabe

Constable  
Howard L. Warrington

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONTINUED

COURT 3  
Post Office Box 605  
Laurel & Railroad Avenues  
Georgetown, DE 19947  
(856-5448)

Clerks

W. June Callaway, Chief  
Barbara E. Adams  
Carol Brown  
Elizabeth L. Hudson  
Janice L. Moore  
Doris Smith  
Tammy Kearney

Constables

Charles Graves  
Wendell Travis

Bailiff

Carrie J. Reed

COURT 4  
Poplar and King Streets  
Seaford, DE 19973  
(629-8101)

Clerks

Mary Lee Lowe, Chief  
Wanda Abbott  
Ida Mae Friedel  
Julia Price  
Esther Conner  
June Benson  
Olive Whitelock

Constables

Thomas McCrea, Jr.  
William R. Smith

Bailiff

David B. Joseph

Presentence Investigators

Jana R. Ellis  
Julia A. Evans, Assistant

COURT 5  
Causey and Maple Avenues  
Post Office Box 254  
Milford, DE 19963  
(422-8871)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONTINUED

Clerks

Leah Betts, Chief  
Virginia Dellinger

Constable

Richard J. Holleger

COURT 6

Post Office Box 3  
Route 13  
Harrington, DE 19952  
(398-8247)

Clerks

Betty Pleasanton, Chief  
Catherine A. Dimmitt

Constable

Leonard T. Rollison, Sr.

COURT 7

Railroad and Loockerman Streets  
Dover, DE 19901  
(678-4554)

Clerks

Marjorie Nolette, Chief  
Hope Ann Brown  
Gretha Custer  
Rella Goodson  
Kathy S. Hammond  
Deborah Palmer  
Evelyn A. Webb  
Betty Warner  
Diane P. McHugh  
Brenda Shepherd

Constables

Reginald Cross  
Herschel N. Poore  
Charles M. Snyder

Bailiff

Thomas Boyer

Capias Control Clerk

Beverly King

Presentence Investigator

Monica V. Rash

Stores Clerk

Georgia Purse

COURT 8

115 East North Street  
Smyrna, DE 19977  
(653-7083)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONTINUED

Clerks

Dorothea L. Gray, Chief  
Deborah L. Robinson

Constable

Samuel Mosley

COURT 9

18 South Broad Street  
Middletown, DE 19709  
(378-9533)

Clerks

Agnes B. Thompson, Chief  
Arlene Banning

Constable

Vickers S. LeCates

COURT 10

3808 Kirkwood Highway  
Wilmington, DE 19808  
(571-2496)

Clerks

Caroline F. Pini, Chief  
Linda Bell  
Mildred Dorris  
Jeannette Cheeseman  
Cynthia P. Blackway  
Katherine B. Ross  
Nancy Symonds  
Cynthia Walklet

Constables

Jack M. MacFarlane  
Charles E. Sharp

Bailiff

Margo Anderson

Presentence Investigators

Hazel D. Plant  
Marie R. Monaghan, Assistant

COURT 11

1202 Delaware Street  
New Castle, DE 19720  
(571-2498)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONTINUED

Clerks

Barbara J. Reed, Chief  
Deborah Jones (Federally Funded)  
Margaret E. Kenney  
Joyce P. Mitchell  
Deborah Palmer  
Sylvia Sporay  
Barbara Brown

Constables

Alexander Osowski  
John H. P. Tidwell

Bailiffs

Mary Dooling  
Michael Taylor (Federally Funded)

NEW CASTLE COUNTY CAPIAS CONTROL OFFICE  
Delaware State Hospital  
duPont Highway  
New Castle, DE 19720  
(421-5433)

Capias Control Clerks

Gaile M. Kerrigan, Supervisor  
Lynne Ambrosino (Federally Funded)  
Gladys B. Hewes

COURT 12  
1500 East Newport Pike  
Newport  
Wilmington, DE 19804  
(571-2561)

Clerks

Patricia Riley, Chief  
Ann Marie Gallagher  
Jean D. Puff  
Eleanor Masten

Constables

Ronald Kaminski  
John I. Walker  
Donald E. Watson

Bailiff

Jack Horgan

COURT 13  
Odd Fellows Building  
920 King Street  
Wilmington, DE 19801  
(571-2550)

JUSTICE OF THE PEACE COURTS

SUPPORT PERSONNEL CONTINUED

Clerks

Evelyn Bennett  
Deborah Collins  
Valerie Davis  
Marilyn E. Lemon  
Audrey R. Lord  
Veronica M. Reed  
Claire A. Wierzbicki  
Gaile Flynn  
Ethel Icano (Federally Funded)

Constables

Francis X. Coen  
Jack Cozamanis  
Robert M. Cummings  
Edgar Norfleet (Federally Funded)  
Thomas B. Candler

Bailiff

Joseph W. Hojnicky, Jr.

COURT 14

Odd Fellows Building  
920 King Street  
Wilmington, DE 19801  
(571-2552)

Clerks

Clara R. Lucas, Chief  
Patricia DiCampli

COURT 15

Suites 81-83  
Independence Mall  
1601 Concord Pike  
Wilmington, DE 19803  
(571-2493)

Clerks

Geraldine McLaughlin, Chief  
Janice I. Harvey  
LuAnne Shivone  
Nancy McGalliard

Constable

Robert E. Richardson



FISCAL YEAR 1977  
CRIMINAL CASESFILINGS

<u>Court</u>	<u>Title 7 Fish/Game</u>	<u>Title 11 Criminal</u>	<u>Title 21 Traffic</u>	<u>Other</u>	<u>Preliminary Hearings</u>	<u>TOTALS</u>
Court 1	81	94	1,233	7	8	1,423
Court 1A	106	8	1,081	2	0	1,197
Court 2	150	316	6,340	113	172	7,091
Court 3	61	1,255	7,495	199	424	9,434
Court 4	153	980	4,911	87	0	6,131
Court 5	108	70	1,225	50	5	1,458
Court 6	69	434	3,286	135	4	3,928
Court 7	329	1,944	10,495	946	497	14,211
Court 8	114	208	1,579	105	0	2,006
Court 9	64	206	1,665	152	0	2,087
Court 10	237	5,572	11,403	1,117	65	18,394
Court 11	190	3,813	13,674	0	0	17,677
Court 12	Inactive					
Court 13*	0	0	0	0	0	0
Court 14	0	0	0	0	3,795	3,795
Court 15	<u>123</u>	<u>2,423</u>	<u>8,362</u>	<u>0</u>	<u>0</u>	<u>10,908</u>
TOTALS	1,785	17,323	72,749	2,913	4,970	95,945**

\*Civil Court only.

\*\*Total excludes the 3,795 Preliminary Hearings at Court 14 which were held for cases already counted in the Title 11/Criminal column.

DISPOSITIONS

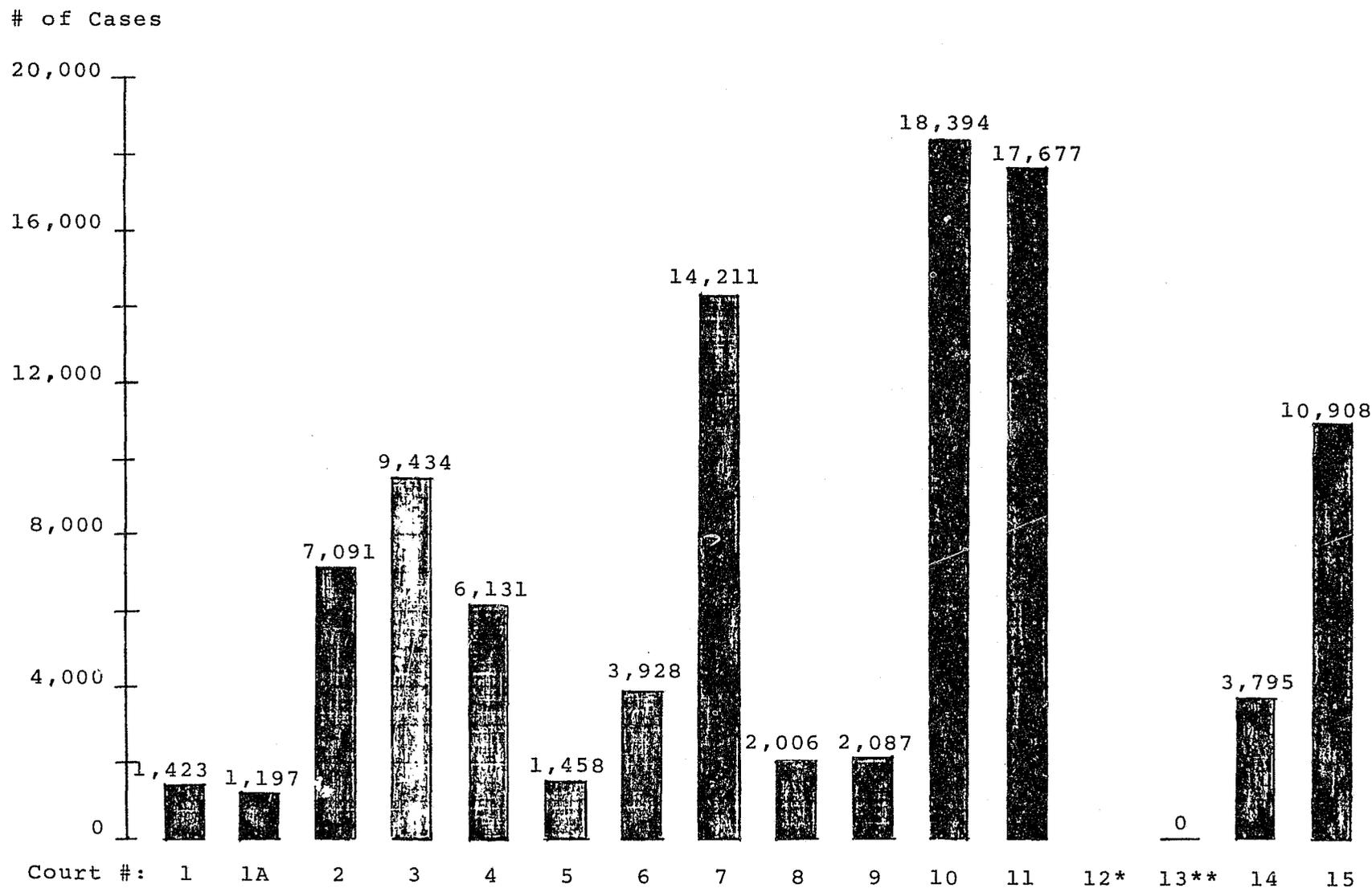
<u>Court</u>	<u>By Court</u>	<u>By Counsel</u>	<u>TOTALS</u>
Court 1	1,424	0	1,424
Court 1A	1,186	7	1,193
Court 2	7,100	0	7,100
Court 3	9,448	0	9,448
Court 4	6,129	0	6,129
Court 5	1,458	1	1,459
Court 6	3,876	41	3,917
Court 7	14,211	0	14,211
Court 8	2,011	0	2,011
Court 9	2,087	0	2,087
Court 10	18,248	373	18,621
Court 11	17,444	0	17,444
Court 12	Inactive		
Court 13*	0	0	0
Court 14	3,975	0	3,795
Court 15	<u>10,896</u>	<u>0</u>	<u>10,896</u>
TOTALS	95,518**	422	95,940**

\*Civil Court only.

\*\*Totals exclude the 3,795 Preliminary Hearings at Court 14 which were held for cases already counted in the Title 11/Criminal column.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1977  
CRIMINAL FILINGS



\*Inactive

\*\*Civil Court only.



JUSTICE OF THE PEACE COURTS

PAGE  
=199=

COMPARISON - FISCAL YEARS 1976-1977  
CRIMINAL CASES

FILINGS

<u>Court</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Court 1	967	1,423	+ 456	+47.2%
Court 1A	1,127	1,197	+ 70	+ 6.2%
Court 2	4,243	7,091	+ 2,848	+67.1%
Court 3	8,726	9,434	+ 708	+ 8.1%
Court 4	6,615	6,131	- 484	- 7.3%
Court 5	789	1,458	+ 669	+84.8%
Court 6	2,890	3,928	+ 1,038	+35.9%
Court 7	12,460	14,211	+ 1,751	+14.1%
Court 8	1,894	2,006	+ 112	+ 5.9%
Court 9	1,252	2,087	+ 835	+66.7%
Court 10	16,632	18,394	+ 1,762	+10.6%
Court 11	17,773	17,677	- 96	- 0.5%
Court 12	Inactive	Inactive	-	-
Court 13*	0	0	0	0.0%
Court 14	2,170	3,795	+ 1,625	+74.9%
Court 15	<u>9,931</u>	<u>10,908</u>	<u>+ 977</u>	<u>+ 9.8%</u>
TOTALS**	85,299	95,945	+10,646	+12.5%

\*Civil Court only.

\*\*Totals exclude preliminary hearings at Court 14 which were held for cases already counted by other courts.

DISPOSITIONS

<u>Court</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Court 1	971	1,424	+ 453	+46.7%
Court 1A	1,135	1,193	+ 58	+ 5.1%
Court 2	4,246	7,100	+ 2,854	+67.2%
Court 3	8,685	9,448	+ 763	+ 8.8%
Court 4	6,607	6,129	- 478	- 7.2%
Court 5	789	1,459	+ 670	+84.9%
Court 6	2,906	3,917	+ 1,011	+34.8%
Court 7	12,460	14,211	+ 1,751	+14.1%
Court 8	1,882*	2,011	+ 129	+ 6.9%
Court 9	1,249	2,087	+ 838	+67.1%
Court 10	16,519	18,621	+ 2,102	+12.7%
Court 11	18,009	17,444	- 565	- 3.1%
Court 12	Inactive	Inactive	-	-
Court 13**	0	0	0	0.0%
Court 14	2,170	3,795	+ 1,625	+74.9%
Court 15	<u>9,929</u>	<u>10,896</u>	<u>+ 967</u>	<u>+ 9.7%</u>
TOTALS#	85,387*	95,940	+10,553	+12.4%

\*Figure corrected from 1976 Annual Report.

\*\*Civil Court only.

#Totals exclude preliminary hearings at Court 14 which were held for cases already counted by other courts.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1977  
CRIMINAL CASES

<u>Court</u>	<u>Pending June 30, 1976</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending June 30, 1977</u>	<u>Change In Pending</u>
Court 1	1	1,423	1,424	0	- 1
Court 1A	1	1,197	1,193	0*	- 1
Court 2	14	7,391	7,100	10*	- 4
Court 3	101	9,434	9,448	87	- 14
Court 4	45	6,131	6,129	47	+ 2
Court 5	1	1,458	1,459	0	- 1
Court 6	6	3,928	3,917	17	+ 11
Court 7	0	14,211	14,211	0	0
Court 8	14	2,006	2,011	9	- 5
Court 9	4	2,087	2,087	4	0
Court 10	264	18,394	18,621	37	-227
Court 11	21	17,677	17,444	254	+233
Court 12	Inactive				
Court 13**	0	0	0	0	0
Court 14	0	3,795	3,795	0	0
Court 15	<u>6</u>	<u>10,908</u>	<u>10,896</u>	<u>18</u>	<u>+ 12</u>
TOTALS	478	95,945#	95,940#	483	+ 5

\*Court 1A was closed in September, 1976. 5 pending criminal cases were transferred to Court 2.

\*\*Civil Court only.

#Totals exclude the 3,795 Preliminary Hearings at Court 14 which were held for cases already counted by other courts.

## JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1977  
CIVIL CASES

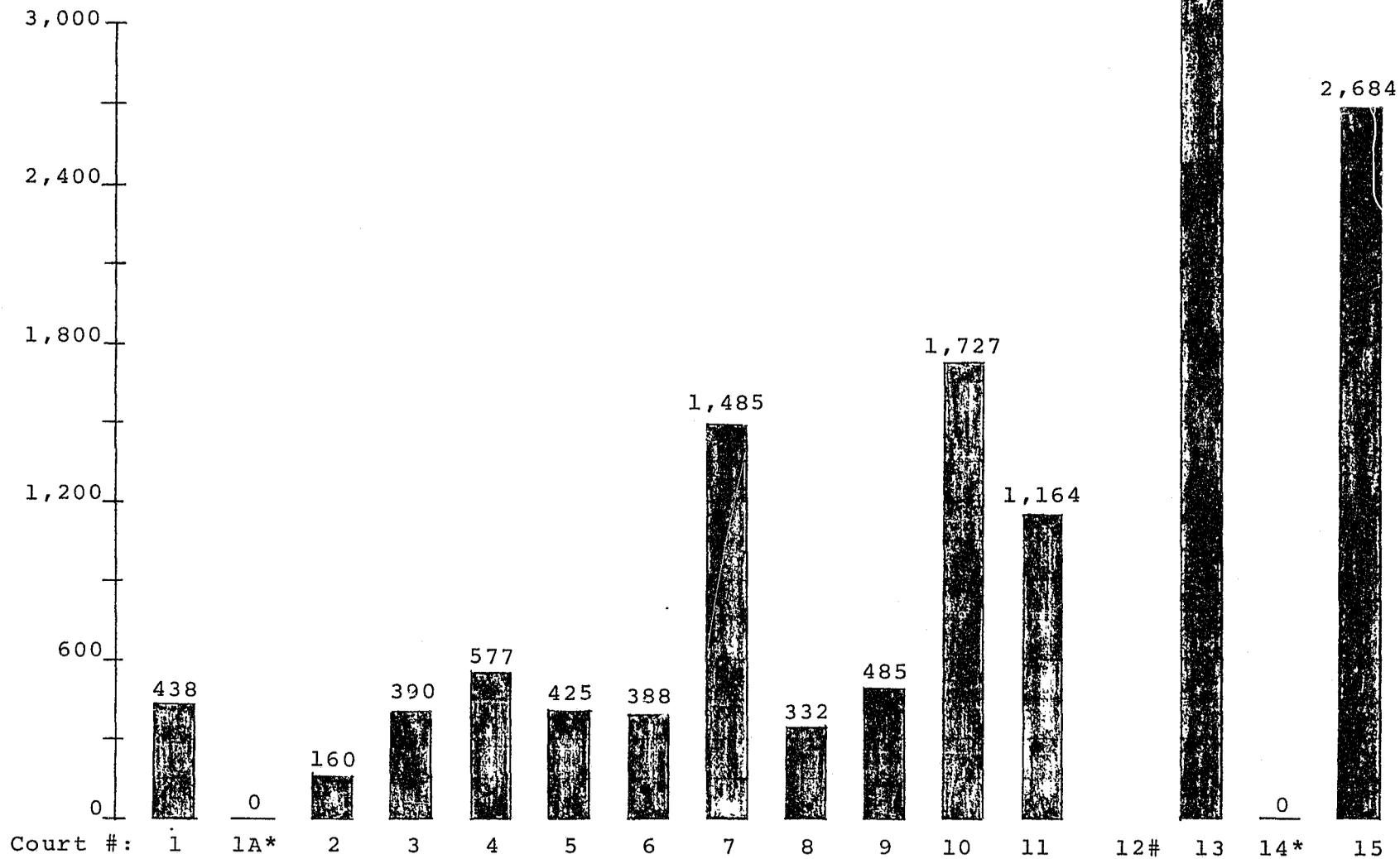
<u>Court</u>	<u>FILINGS</u>	<u>DISPOSITIONS</u>		<u>Total</u>
	<u>Total</u>	<u>By Court</u>	<u>By Counsel</u>	
Court 1	438	456	0	456
Court 1A*	0	0	0	0
Court 2	160	119	0	119
Court 3	390	358	0	358
Court 4	577	612	0	612
Court 5	425	394	0	394
Court 6	388	314	25	339
Court 7	1,485	1,392	0	1,392
Court 8	332	369	0	369
Court 9	485	415	0	415
Court 10	1,727	1,710	9	1,719
Court 11	1,164	1,057	0	1,057
Court 12	Inactive			
Court 13	4,402	3,980	743	4,723
Court 14*	0	0	0	0
Court 15	<u>2,684</u>	<u>2,683</u>	<u>0</u>	<u>2,683</u>
TOTALS	14,657	13,859	777	14,636

\* Criminal Court only.

JUSTICE OF THE PEACE COURTS

FISCAL YEAR 1977  
CIVIL FILINGS

# of Cases

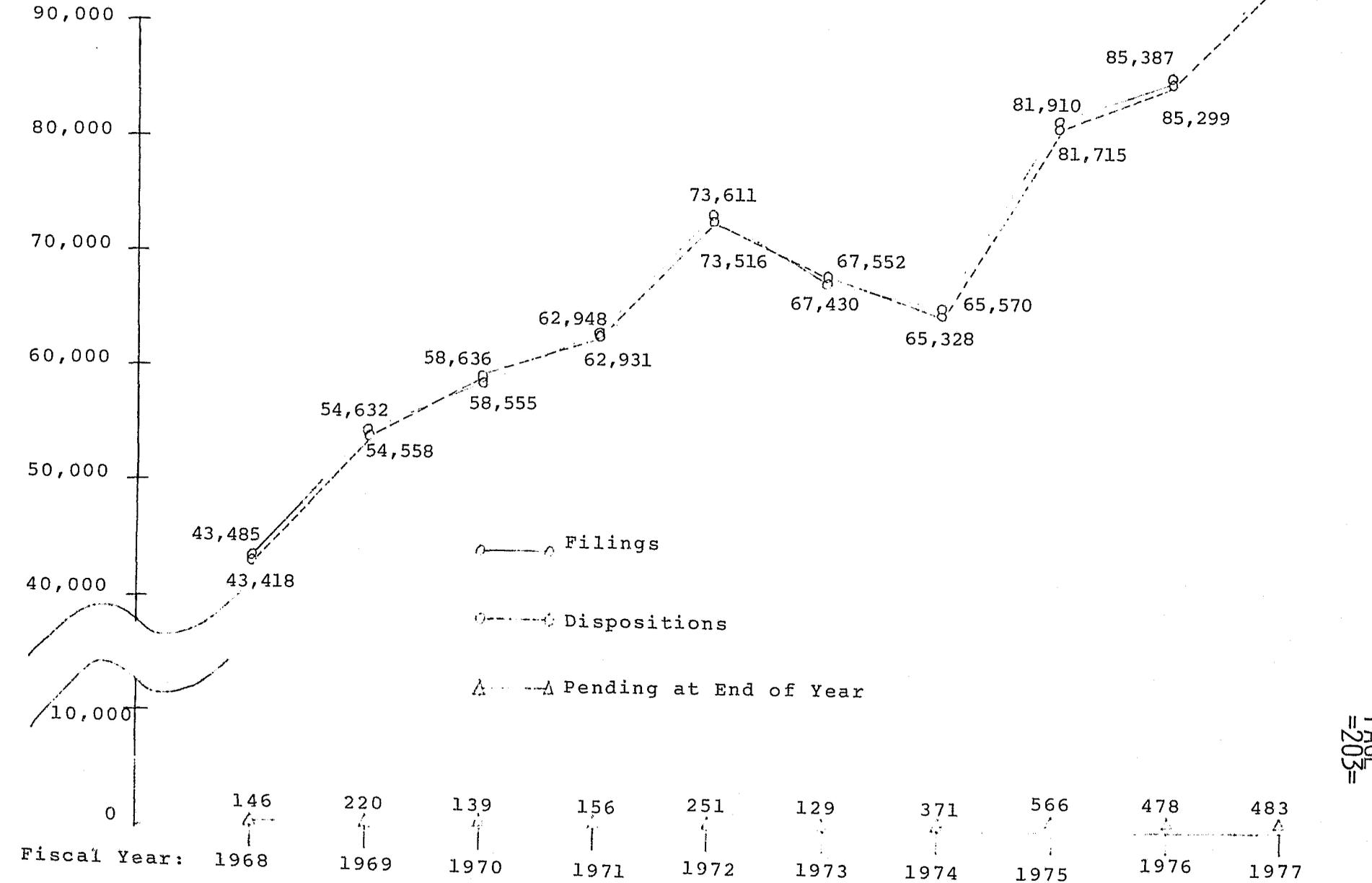


\*Criminal Court only.  
#Inactive.

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND  
CRIMINAL CASES

# of Cases



JUSTICE OF THE PEACE COURTS

COMPARISON - FISCAL YEARS 1976-1977  
CIVIL CASES

FILINGS

<u>Court</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Court 1	541	438	- 103	- 19.0%
Court 1A*	0	0	0	0.0%
Court 2	188	160	- 28	- 14.9%
Court 3	357	390	+ 33	+ 9.2%
Court 4	620	577	- 43	- 6.9%
Court 5	299	425	+ 126	+ 42.1%
Court 6	432	388	- 44	- 10.2%
Court 7	1,495	1,485	- 10	- 0.7%
Court 8	590	332	- 258	- 43.7%
Court 9	161	485	+ 324	+201.2%
Court 10	1,921	1,727	- 194	- 10.1%
Court 11	1,233	1,164	- 69	- 5.6%
Court 12	Inactive	Inactive	-	-
Court 13	3,959	4,402	+ 443	+ 11.2%
Court 14*	0	0	0	0.0%
Court 15	<u>2,045</u>	<u>2,684</u>	<u>+ 639</u>	<u>+ 31.2%</u>
TOTALS	13,841	14,657	+ 816	+ 5.9%

\*Criminal Court only.

DISPOSITIONS

<u>Court</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
Court 1	543	456	- 87	- 16.0%
Court 1A*	0	0	0	0.0%
Court 2	168	119	- 49	- 29.2%
Court 3	373	358	- 15	- 4.0%
Court 4	625	612	- 13	- 2.1%
Court 5	273	394	+ 121	+ 44.3%
Court 6	263	339	+ 76	+ 28.9%
Court 7	1,396	1,392	- 4	- 0.3%
Court 8	538	369	- 169	- 31.4%
Court 9	164	415	+ 251	+153.0%
Court 10	1,921	1,719	- 202	- 10.5%
Court 11	510	1,057	+ 547	+107.3%
Court 12	Inactive	Inactive	-	-
Court 13	4,181	4,723	+ 542	+ 13.0%
Court 14*	0	0	0	0.0%
Court 15	<u>2,046</u>	<u>2,683</u>	<u>+ 637</u>	<u>+ 31.1%</u>
TOTALS	13,001	14,636	+1,635	+ 12.6%

\*Criminal Court only.

## JUSTICE OF THE PEACE COURTS

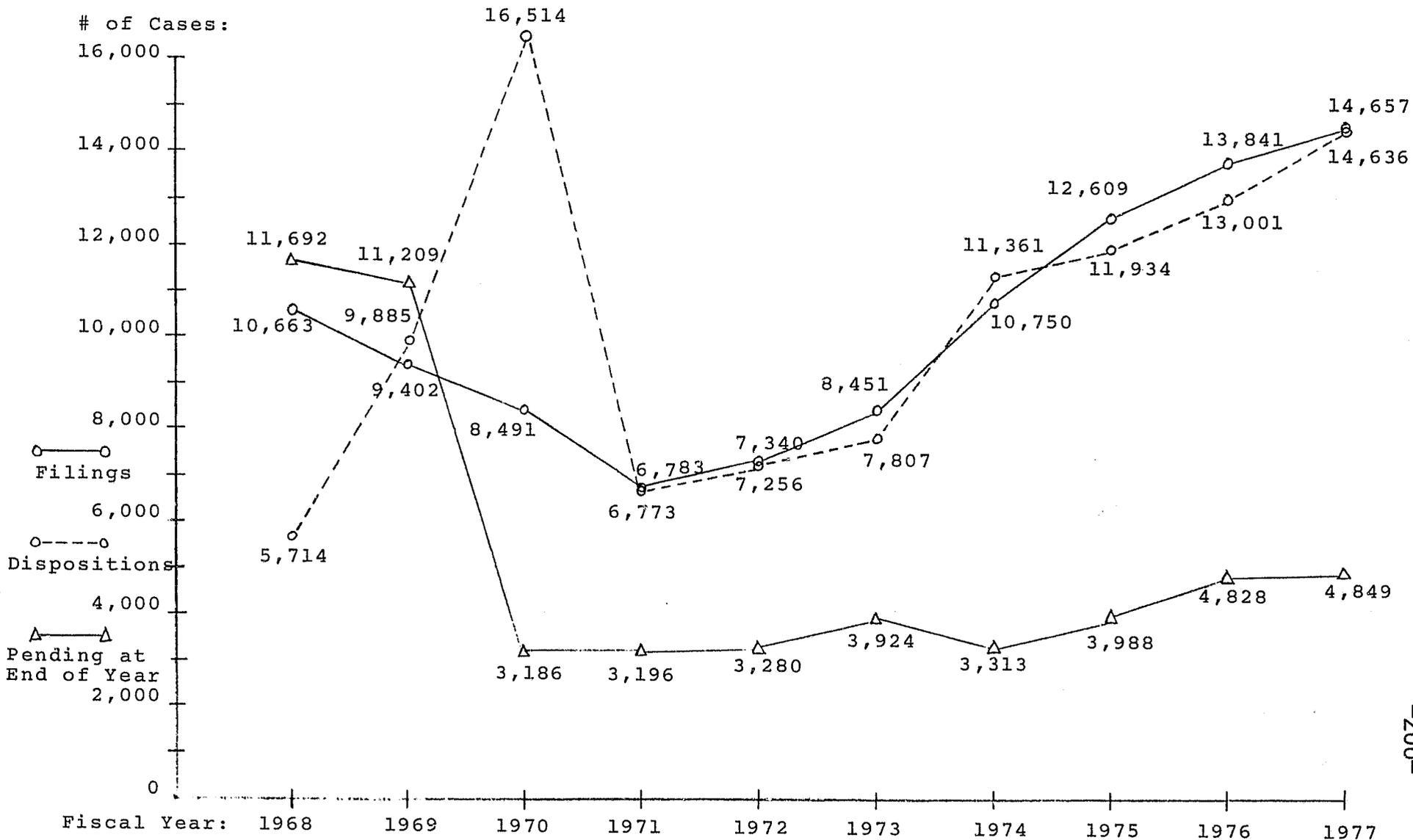
FISCAL YEAR 1977  
CIVIL CASES

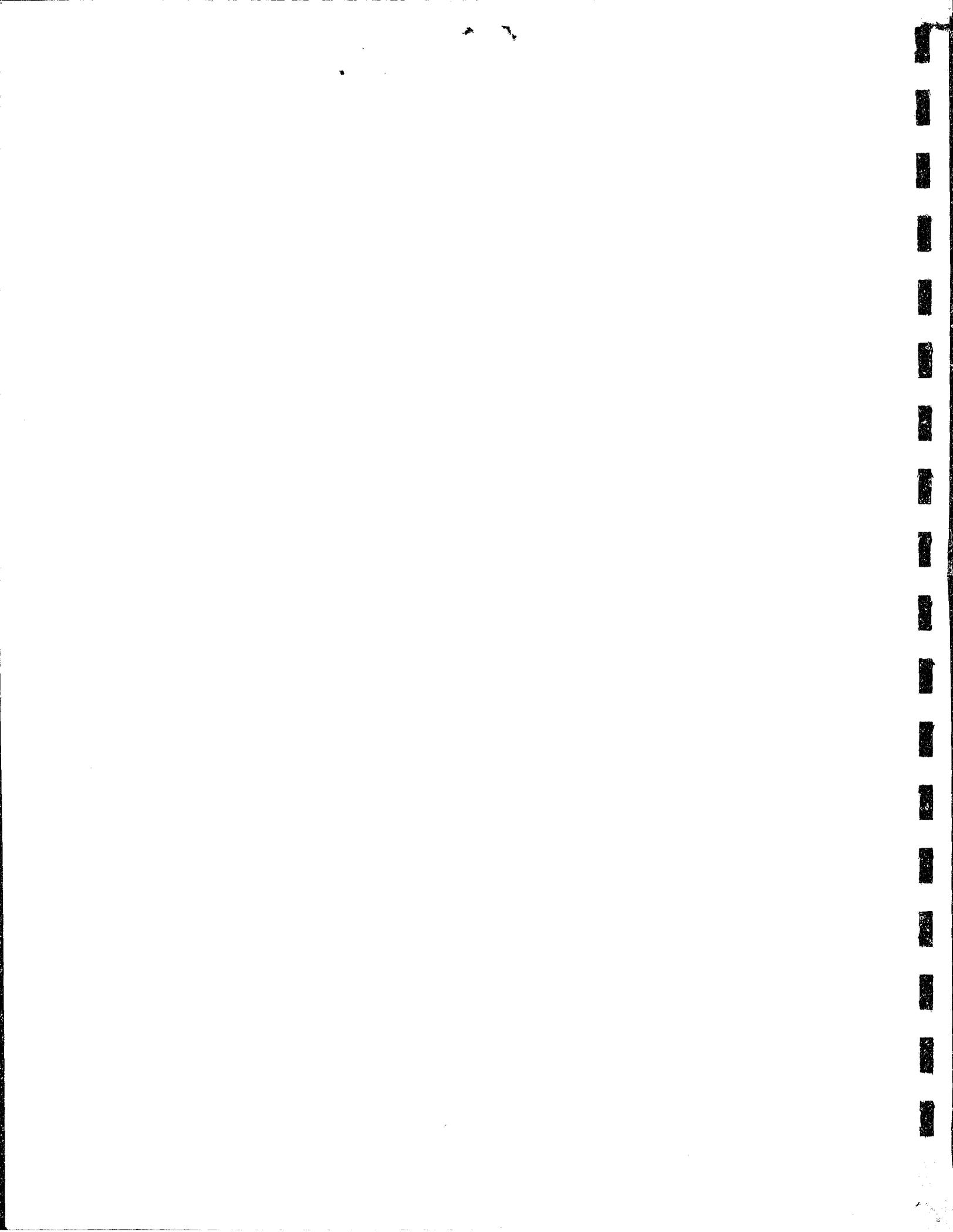
<u>Court</u>	<u>Pending June 30, 1976</u>	<u>Filings</u>	<u>Dispositions</u>	<u>Pending June 30, 1977</u>	<u>Change In Pending</u>
Court 1	37	438	456	19	- 18
Court 1A*	0	0	0	0	0
Court 2	146	160	119	187	+ 41
Court 3	75	390	358	107	+ 32
Court 4	66	577	612	31	- 35
Court 5	104	425	394	135	+ 31
Court 6	1,107	388	339	1,156	+ 49
Court 7	608	1,485	1,392	701	+ 93
Court 8	130	332	369	93	- 37
Court 9	5	485	415	75	+ 70
Court 10	0	1,727	1,719	8	+ 8
Court 11	1,402	1,164	1,057	1,509	+107
Court 12	Inactive				
Court 13	1,139	4,402	4,723	818	-321
Court 14*	0	0	0	0	0
Court 15	9	2,684	2,683	10	+ 1
TOTALS	4,828	14,657	14,636	4,849	+ 21

\* Criminal Court only.

JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND  
CIVIL CASES





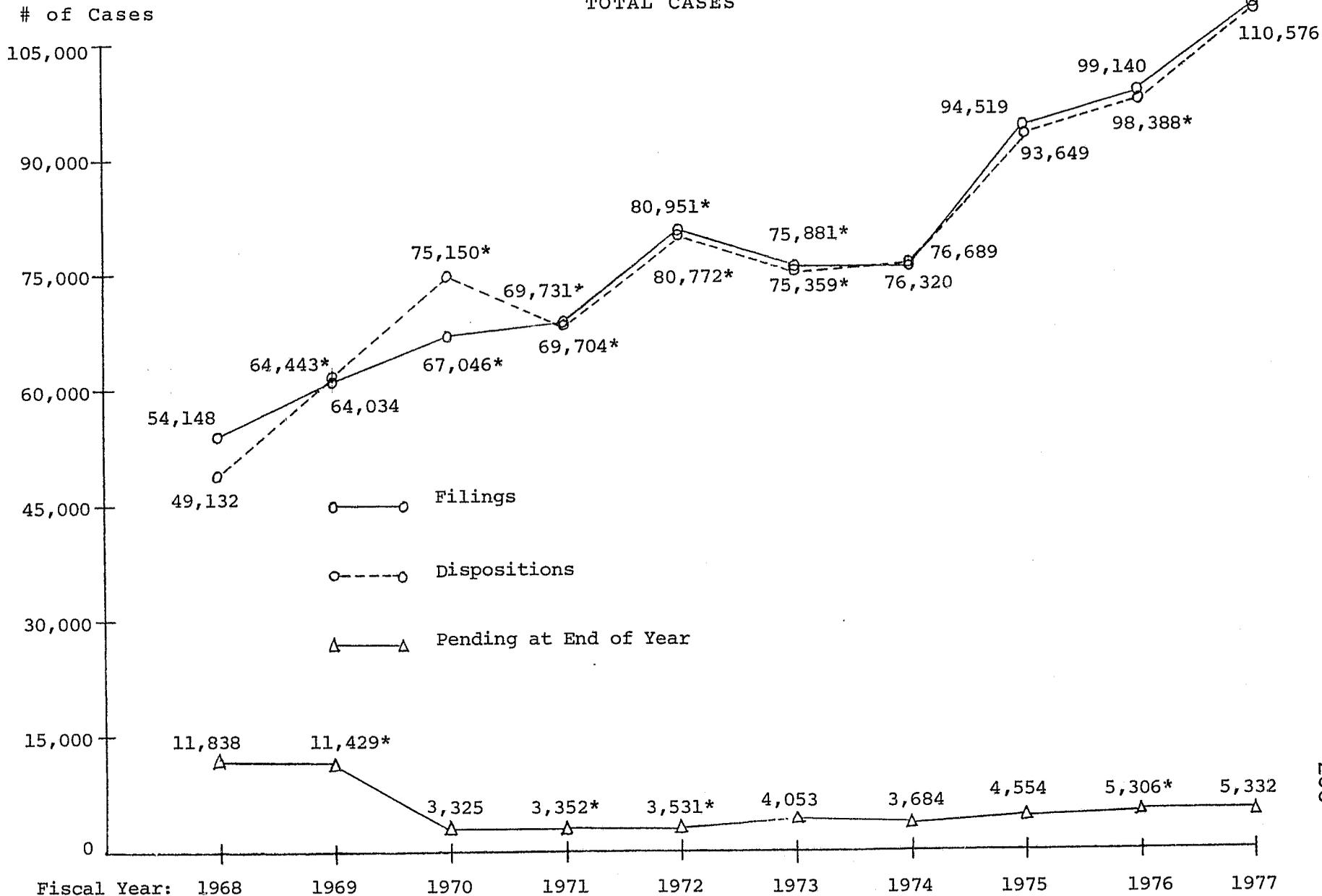
JUSTICE OF THE PEACE COURTS  
FISCAL YEAR 1977  
RANKINGS IN ORDER OF TOTAL CASES FILED

<u>Rank</u>	<u>Court</u>	<u>Total Cases Filed</u>	<u>Percentage of Total</u>
1	Court 10	20,121	18.2%
2	Court 11	18,841	17.0
3	Court 7	15,696	14.2
4	Court 15	13,592	12.3
5	Court 3	9,824	8.9
6	Court 2	7,251	6.6
7	Court 4	6,708	6.1
8	Court 13	4,402	4.0
9	Court 6	4,316	3.9
10	Court 14	3,795	-
11	Court 9	2,572	2.3
12	Court 8	2,338	2.1
13	Court 5	1,883	1.7
14	Court 1	1,861	1.7
15	Court 1A	1,197	1.1
16	Court 12	<u>Inactive</u>	<u>-</u>
	TOTALS *	110,602	100.0%

\*Totals do not include Court 14 cases which were already included in totals of other courts.

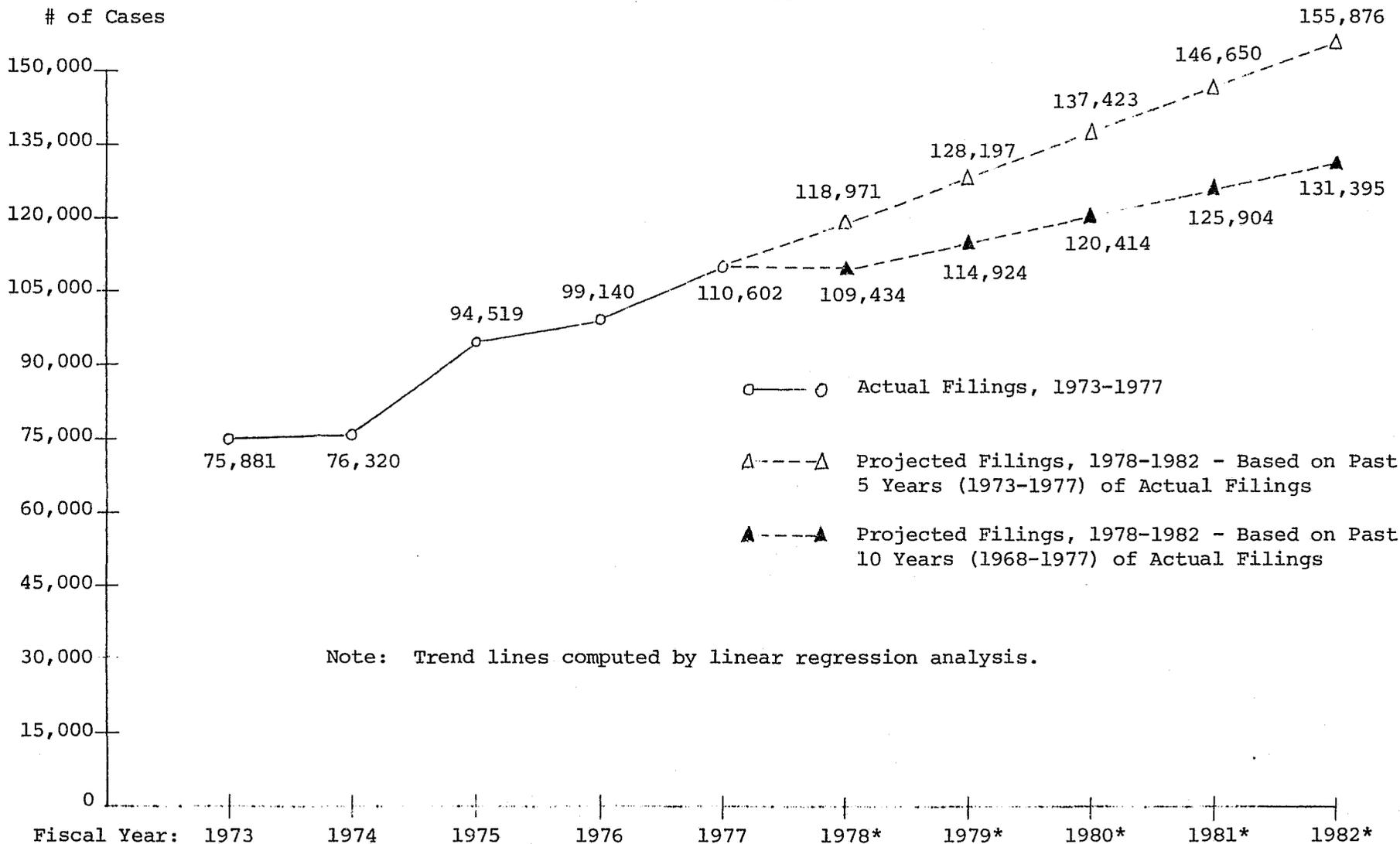
JUSTICE OF THE PEACE COURTS

10-YEAR WORKLOAD TREND  
TOTAL CASES



JUSTICE OF THE PEACE COURTS

5-YEAR WORKLOAD PROJECTIONS  
TOTAL CASES



\* Projected

SUMMARY OF JUSTICE OF THE PEACE COURTS BUDGET

Budget Code: 02-13-000

BUDGET CATEGORY	FISCAL YEAR 1976 ACTUAL DISBURSEMENT	FISCAL YEAR 1977 ACTUAL DISBURSEMENT	FISCAL YEAR 1978 BUDGET	FISCAL YEAR 1979 REQUEST
Salaries: 1) Magistrates	\$ 681,317.11	\$ 670,175.46	\$ 655,330.00	\$ 689,000.00
2) Employees	888,939.68	1,111,679.49	1,102,519.00	1,150,900.00
Employment Costs	6,780.67	4,276.69	333,229.00	394,600.00
Personal Services	5,554.66	3,831.92	3,200.00	8,700.00
Travel: 1) Constables	60,579.36	62,805.15	60,000.00	69,000.00
2) Other	6,160.77	7,326.53	5,348.00	9,600.00
Contractual Services:				
1) Court Rental	56,409.60	57,332.23	73,000.00	86,500.00
2) Other	93,638.23	126,560.98	110,000.00	155,400.00
Capital Outlay	18,621.52	10,507.31	20,690.00	32,100.00
Supplies & Materials	39,609.77	34,344.10	35,000.00	49,700.00
GRAND TOTALS	\$1,857,611.37	\$2,088,839.96	\$2,404,316.00	\$2,645,500.00

Note: Figures include State general funds, federal funds, and other funds.



**Alderman's  
Courts**

## ALDERMAN'S COURTS

### Legal Authorization

Alderman's Courts are authorized by the town charters of their respective towns.

### Geographic Organization

Alderman's Courts have jurisdiction within their own town limits only. There are 14 Alderman's Courts currently active, plus another 3 courts which were not active during FY 1977 but which have been active in the recent past. When a town is without a court or an alderman for any period of time, its cases are transferred to the nearest Justice of the Peace Court.

### Legal Jurisdiction

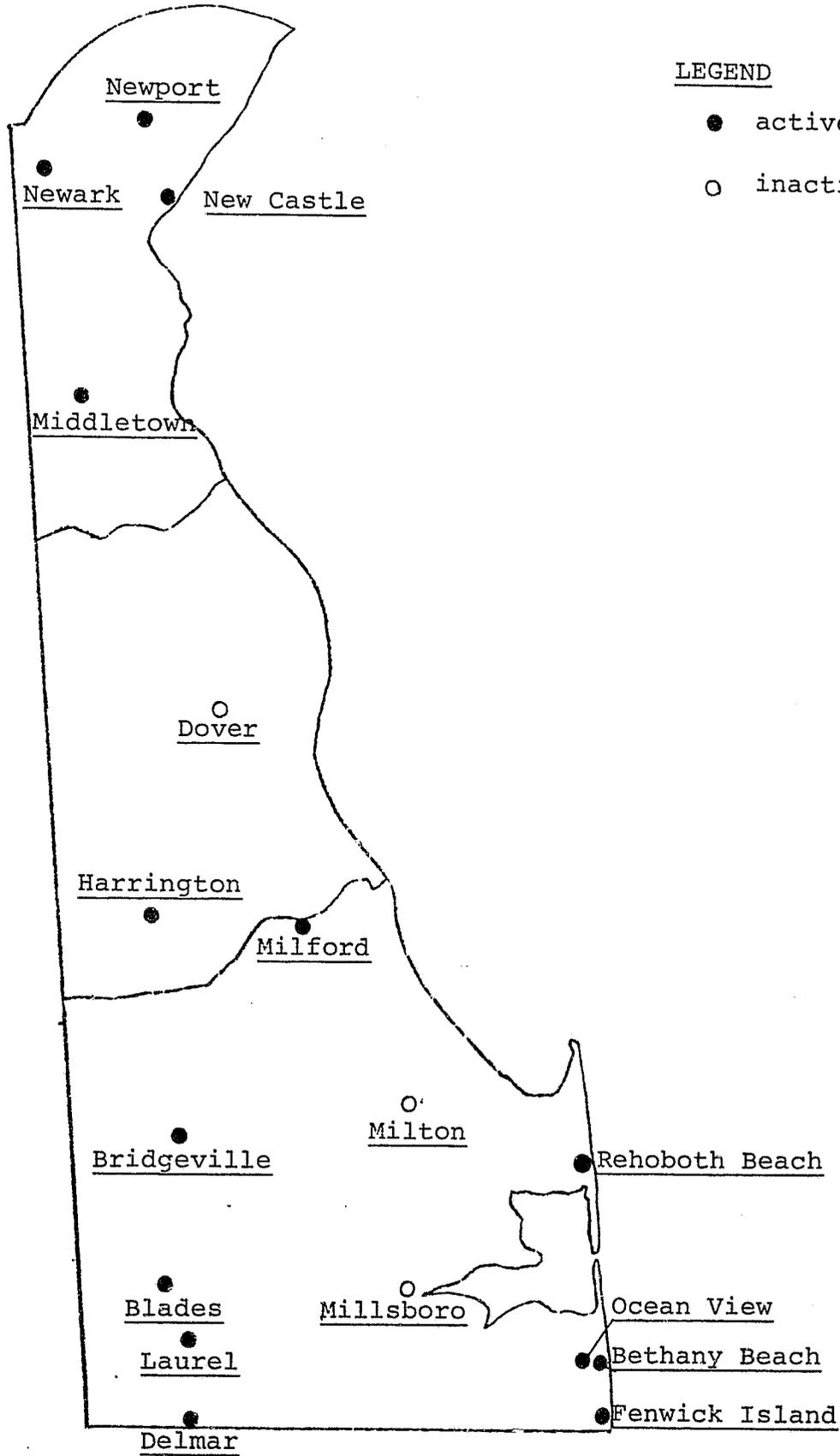
The jurisdiction of an Alderman's Court is limited to minor misdemeanors, traffic offenses, parking violations, and minor civil matters. The specific jurisdiction of each court again varies with the town charter (which is approved by the state legislature). Many courts handle only traffic and parking violations; only 4 handle a high number of criminal cases. Harrington's court handles primarily civil cases. Appeals are taken de novo to Superior Court within 15 days of the trial.

### Aldermen

The selection, number, tenure, and qualifications of aldermen are determined by the towns themselves. Some require lawyers; others choose ordinary citizens. A few Aldermen serve full-time, but most are part-time judges. In New Castle the mayor serves as judge of their court.

### Caseload Trend

FY 1977 was the second year during which complete workload statistics were collected. The number of active courts remained the same as Delmar's court became active while Milton's became defunct. Of the 13 courts active in both FY 1976 and FY 1977, 8 experienced increases ranging from 5% to 243%, while 5 courts declined by amounts from 2% to 41%. Overall, the total number of cases heard by aldermen in Delaware rose by over 1,000 - a 7.6% increase. One fact continues to be evident - most Sussex County courts have extremely seasonal fluctuations in their caseloads.



ALDERMEN

NEW CASTLE COUNTY

Middletown

Hon. G. Edgar Williams, Alderman  
Alderman's Court #39  
11 West Hoeffecker Street  
Middletown, DE 19709  
(378-2711, 834-5026)

Newark

Hon. Vance A. Funk, III  
Chief Alderman of Delaware  
Alderman's Court #40  
70 South Chapel Street  
Newark, DE 19711  
(366-7028, 366-7029)

New Castle

Hon. John F. Klingmeyer, Mayor  
Mayor's Traffic Court  
Old Sheriff's House  
Market Square  
New Castle, DE 19720  
(328-4804)

Newport

Hon. Joseph A. Palermo, Alderman  
Alderman's Court #42  
205 North Marshall Street  
P.O. Box 2053, Newport  
Wilmington, DE 19804  
(998-2707)

KENT COUNTY

Dover

Alderman's Court #38  
Inactive

Harrington

Hon. Anna R. Hampton, Alderman  
Hon. Lawrence Price, Alternate  
Alderman's Court #45  
City Hall  
103 Fleming Street  
Harrington, DE 19952  
(398-3772, 398-3530)

SUSSEX COUNTY

Bethany Beach

Hon. J. Joseph Tansey, Alderman  
Hon. Harold Barber, Assistant  
Alderman's Court #31  
P.O. Box 33  
Bethany Beach, DE 19930  
(539-8011)

Blades

Hon. Harvey W. Lee, Alderman  
Alderman's Court #48  
P.O. Box 691  
Blades, DE 19973  
(629-7329, 629-7366)

Bridgeville

Hon. Virgil L. Kinder, Alderman  
Alderman's Court #32  
200 Railroad Avenue  
Bridgeville, DE 19933  
(337-8302, 337-7371)

Delmar

Hon. Charles S. Riley, Alderman  
Hon. Robert Martin, Assistant  
Alderman's Court #33  
500 BiState Boulevard  
Delmar, DE 19940  
(846-2664)

Fenwick Island

Hon. Alfred T. Child, Alderman  
Hon. Richard Barton, Alternate  
Hon. May Felerski, Alternate  
Alderman's Court #34  
Town Hall  
Fenwick Island, DE 19944  
(539-3011)

Milford

Hon. Ralph F. Henderlong, Alderman  
Alderman's Court #36  
2 South Washington Street  
Milford, DE 19963  
(422-7782)

Milton

Alderman's Court #46  
Inactive

Rehoboth Beach

Hon. George H. Wilson, Alderman  
Hon. Phillip Kay, Assistant  
Alderman's Court #37  
P.O. Box C  
Rehoboth Beach, DE 19971  
(227-7917)

Laurel

Vacant, Alderman  
Alderman's Court #35  
P.O. Box 210  
Laurel, DE 19956  
(875-2855, 875-2277)

Millsboro

Alderman's Court #44  
Inactive

Ocean View

Hon. Marilyn F. Denny, Alderman  
Alderman's Court #43  
Oakwood Avenue  
Ocean View, DE 19970  
(539-9797)

ALDERMAN'S COURTS  
FISCAL YEAR 1977  
WORKLOADS - MONEY COLLECTED

	<u>Traffic</u>	<u>Number of Cases</u> <u>Criminal</u>	<u>Other</u>	<u>Total</u>	<u>Amount of Fines</u> <u>And Costs Collected</u>
<u>New Castle</u>					
Middletown	177	21	0	198	\$ 4,160.60
Newark	4,299	334	141	4,774	190,024.90
New Castle	719	0	0	719	13,744.00
Newport	3,191	4	0	3,195	90,755.45
<u>Kent</u>					
Dover	Inactive				
Harrington	1	2	101	104	3,077.79
<u>Sussex</u>					
Bethany Beach	589	5	12	606	19,250.25
Blades	272	12	13	297	10,290.00
Bridgeville	1,066	35	0	1,101	43,189.82
Delmar*	44	2	0	46	1,424.00
Fenwick Island	736	10	25	771	24,809.20
Laurel	668	294	18	980	21,825.50
Milford	410	173	4	587	9,403.00
Millsboro	Inactive				
Milton	Inactive				
Ocean View	341	0	0	341	10,424.00
Rehoboth Beach	461	336	9	806	18,723.60
TOTALS	12,974	1,228	323	14,525	\$461,102.11

\* Delmar Alderman's Court activated in April, 1977.



ALDERMAN'S AND JP COURTS IN SAME TOWN  
COMPARISON - FISCAL YEAR 1977

<u>Court</u>	<u>Traffic</u>	<u>Number of Cases Filed</u>		<u>Total</u>
		<u>Criminal</u>	<u>Other</u>	
<u>MIDDLETOWN</u>				
JP Court #9	1,665	206	701	2,572
Alderman's Court	177	21	0	198
<u>NEW CASTLE</u>				
JP Court #11	13,674	3,813	1,354	18,841
Mayor's Traffic Court	719	0	0	719
<u>HARRINGTON</u>				
JP Court #6	3,286	434	596	4,316
Alderman's Court	1	2	101	104
<u>BETHANY BEACH</u>				
JP Court #1A*	1,081	8	108	1,197
Alderman's Court	589	5	12	606
<u>MILFORD</u>				
JP Court #5	1,225	70	588	1,883
Alderman's Court	410	173	4	587

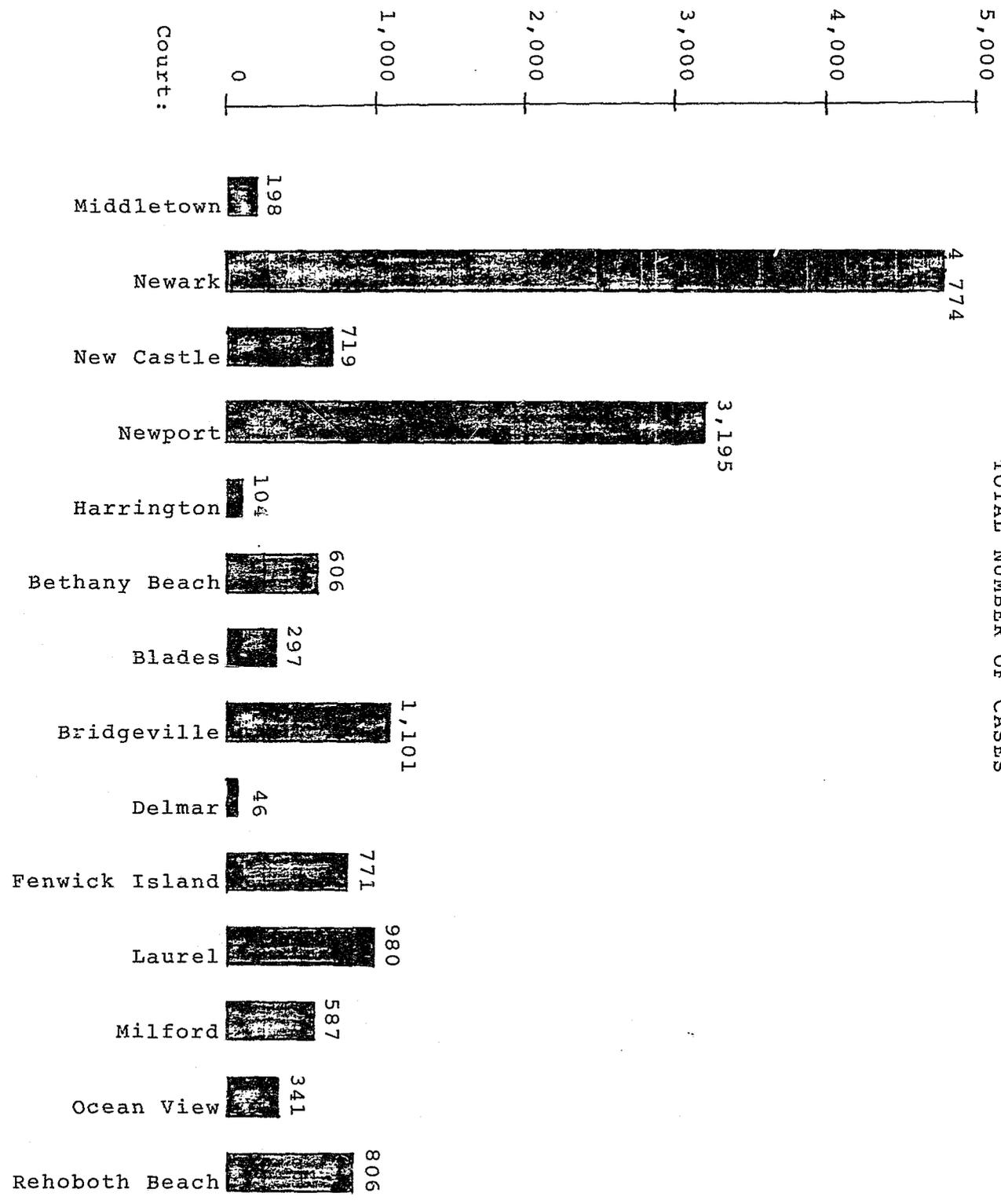
\* Justice of the Peace Court #1A closed in September, 1976.

ALDERMAN'S COURTS  
FISCAL YEAR 1977  
RANKINGS IN ORDER OF TOTAL NUMBER OF CASES

<u>Rank</u>	<u>Court</u>	<u>Total Number of Cases</u>	<u>Percentage of Total</u>
1	Newark	4,774	32.9%
2	Newport	3,195	22.0
3	Bridgeville	1,101	7.6
4	Laurel	980	6.7
5	Rehoboth Beach	806	5.5
6	Fenwick Island	771	5.3
7	New Castle	719	5.0
8	Bethany Beach	606	4.2
9	Milford	587	4.0
10	Ocean View	341	2.3
11	Blades	297	2.0
12	Middletown	198	1.4
13	Harrington	104	0.7
14	Delmar	46	0.3
	TOTALS	14,525	100.0%

# of Cases

ALDERMAN'S COURTS  
FISCAL YEAR 1977  
TOTAL NUMBER OF CASES



ALDERMAN'S COURTS  
COMPARISON - FISCAL YEARS 1976-1977  
TOTAL NUMBER OF CASES

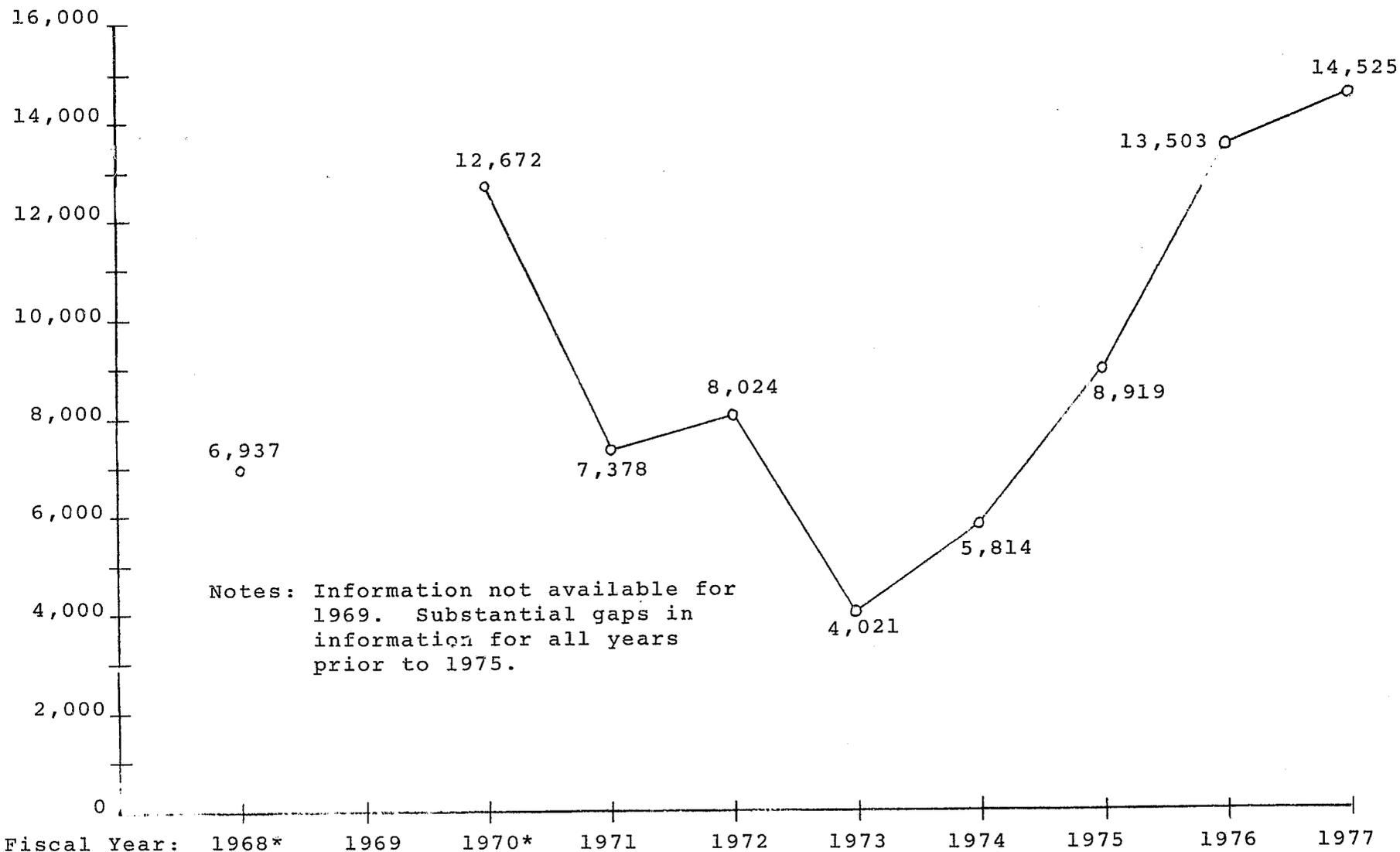
<u>Court</u>	<u>1976</u>	<u>1977</u>	<u>Change</u>	<u>% Change</u>
<u>New Castle</u>				
Middletown	280	198	- 82	- 29.3%
Newark	4,557	4,774	+ 217	+ 4.8%
New Castle	758	719	- 39	- 5.1%
Newport	3,254	3,195	- 59	- 1.8%
<u>Kent</u>				
Dover	Inactive	Inactive	-	-
Harrington	178	104	- 74	- 41.6%
<u>Sussex</u>				
Bethany Beach	454	606	+ 152	+ 33.5%
Blades*	122	297	+ 175	+243.4%
Bridgeville	926	1,101	+ 175	+ 18.9%
Delmar**	Inactive	46	+ 46	-
Fenwick Island	559	771	+ 212	+ 37.9%
Laurel	558	980	+ 422	+ 75.6%
Milford	968	587	- 381	- 39.4%
Millsboro	Inactive	Inactive	-	-
Milton***	26	Inactive	- 26	-
Ocean View	146	341	+ 195	+133.6%
Rehoboth Beach	717	806	+ 89	+ 12.4%
TOTALS	13,503	14,525	+1,022	+ 7.6%

\* Blades Alderman's Court was active for only 4 months in FY 1976.  
 \*\* Delmar Alderman's Court was activated in April, 1977.  
 \*\*\* Milton Alderman's Court was active for only 2 months in FY 1976.

ALDERMAN'S COURTS

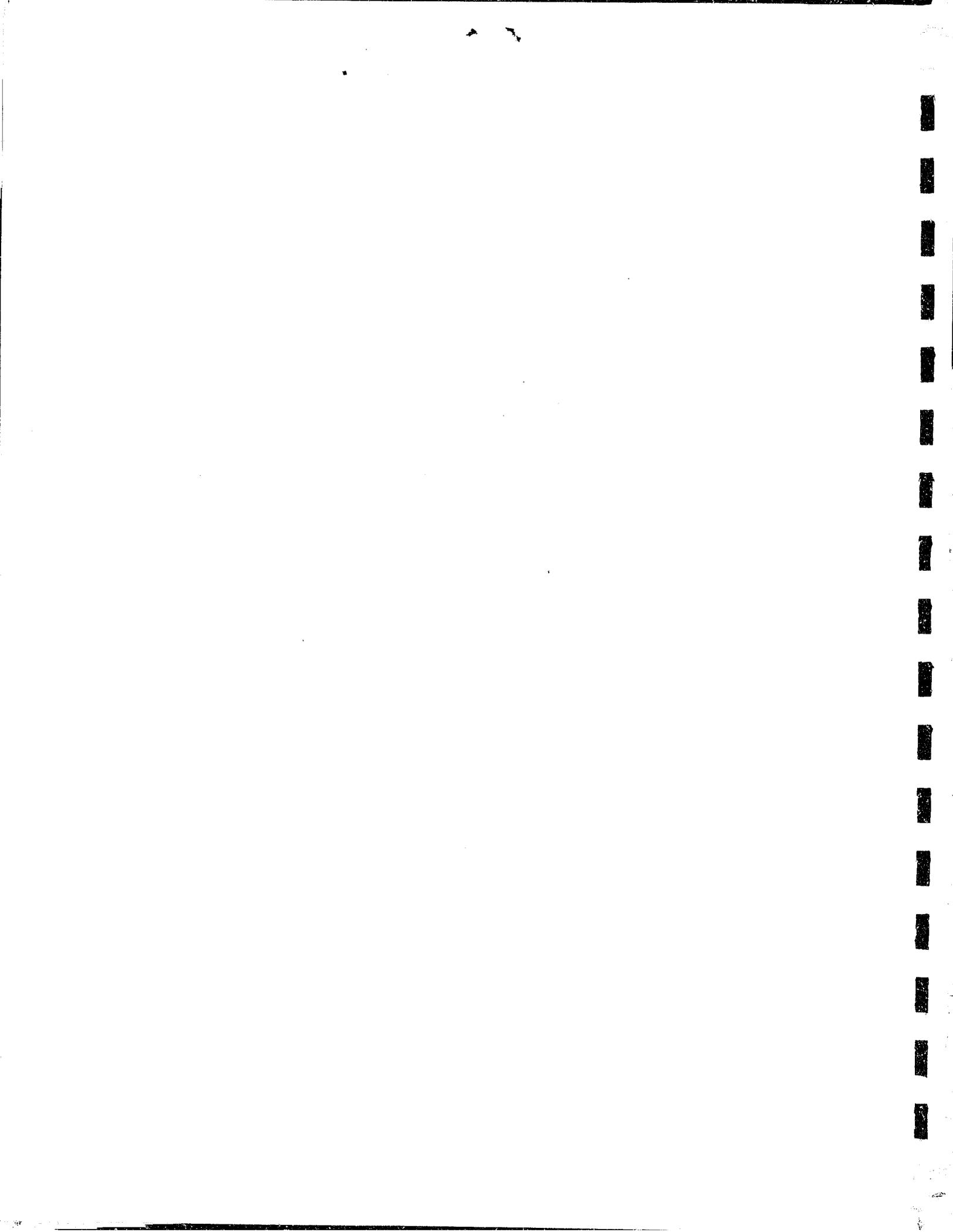
10 - YEAR WORKLOAD TREND  
TOTAL CASES

# of Cases

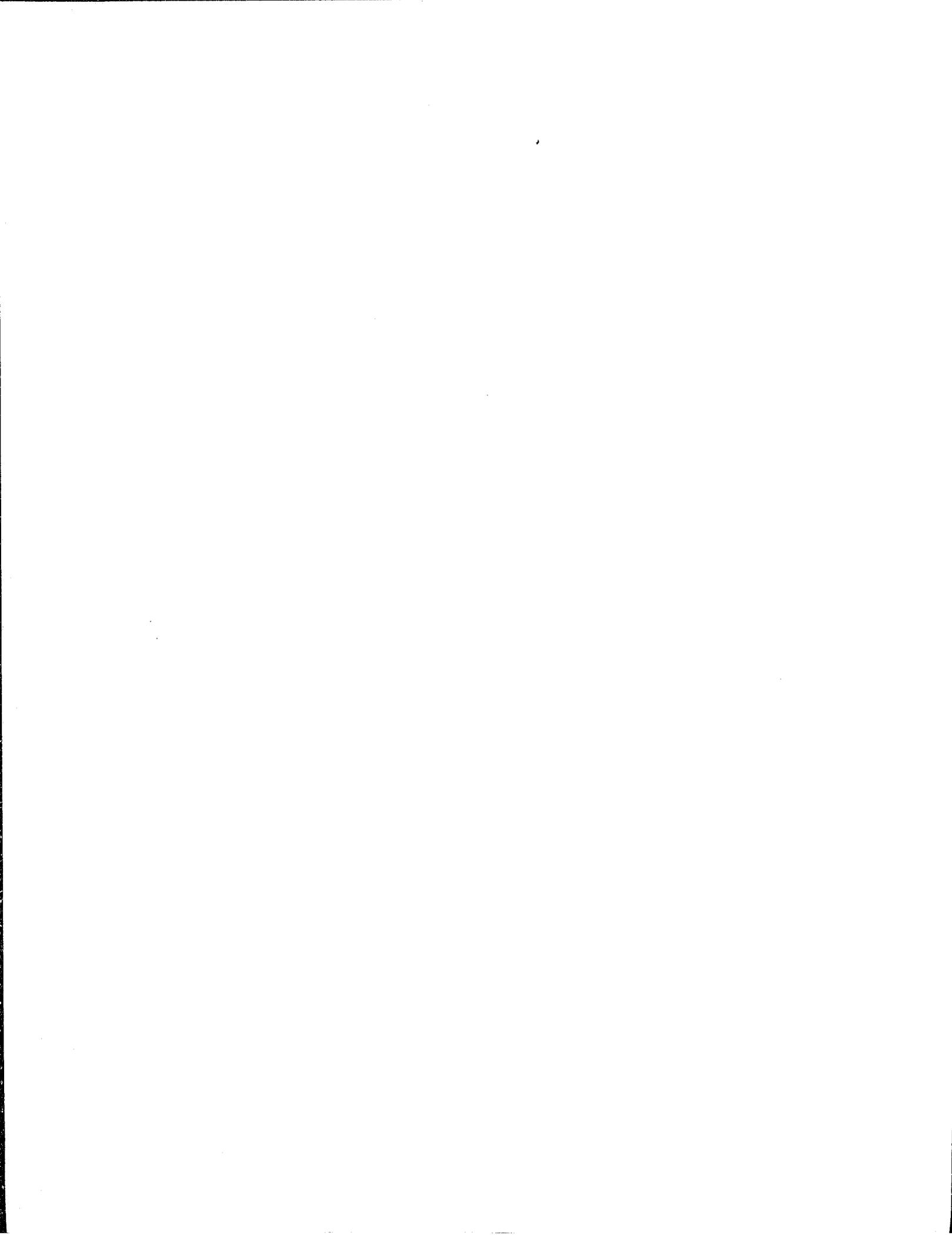


Notes: Information not available for 1969. Substantial gaps in information for all years prior to 1975.

\* Calendar Year



**Conferences,  
Committees,  
Councils,  
and  
Boards**



**CONTINUED**

**4 OF 5**

JUDICIAL CONFERENCE

Legal Authorization

The Judicial Conference is authorized by Supreme Court Rule 35.

Duties

The Judicial Conference studies the judicial business of the courts with a view of improving the administration of justice in the State. The Conference also considers improvements in procedure, considers and recommends legislation, considers and implements the canons of judicial ethics, and holds symposia of the Bench and Bar.

Membership

The membership of the Conference includes the members of the Supreme Court, Court of Chancery, Superior Court, Court of Common Pleas, Family Court and the Municipal Court of Wilmington. The Chief Justice is presiding officer of the Conference. The Director of the Administrative Office of the Courts serves as secretary for the Conference. Stated meetings of the Conference are held on the first Wednesday of December and June.

JUDICIAL PLANNING COMMITTEE

Legal Authorization

The Judicial Planning Committee (JPC) was created by Chief Justice Daniel L. Herrmann on December 20, 1976. Authorization for the expenditure of federal funds to support planning activities of the JPC is contained in Section 203(c) of Public Law 94-503, "The Crime Control Act of 1976."

Duties

The Judicial Planning Committee is charged with coordinating all requests for federal funds from the various courts to the Law Enforcement Assistance Administration. To this end, the JPC prepares an Annual Judicial Plan for the expenditure of such funds, and provides assistance in designing programs and preparing grant applications.

The Judicial Planning Committee's Advisory Subcommittee on Computerization has assumed the role of supervising and coordinating the ongoing computerization efforts of Delaware's court system.

Membership

Membership of the Judicial Planning Committee is appointed by the Chief Justice of the Supreme Court, and includes judges from all the state courts plus the Attorney General and a representative from the Public Defender's Office. Current membership is as follows:

Hon. Vincent A. Bifferato, Associate Judge, Superior Court, Chairman  
Hon. Robert D. Thompson, Chief Judge, Family Court  
Hon. William C. Bradley, Jr., Resident Judge, Court of Common Pleas  
Hon. Alfred R. Fraczkowski, Chief Judge, Municipal Court  
Hon. Richard R. Wier, Jr., Attorney General  
John R. Fisher, Esq., Director, Administrative Office of the Courts  
Richard M. Baumeister, Esq., Assistant Public Defender

The position representing the Justice of the Peace Courts is currently vacant.

Support Personnel

A Director of Planning is appointed by and serves at the pleasure of the Judicial Planning Committee. The Planner may, with the approval of the Chairman, appoint such other personnel as are necessary.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, §2001-2008.

Duties

The Council is charged with the continuous study of the administration of justice in the state, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the state, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts, or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Minority Leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court  
Hon. William Marvel, Chancellor, Court of Chancery  
Hon. Albert J. Stiftel, President Judge, Superior Court  
Hon. Kenneth W. Boulden, Speaker of the House of Representatives  
Hon. Richard S. Cordrey, President Pro Tempore of the Senate  
Hon. Richard Sincock, Minority Leader, House of Representatives  
Hon. Andrew G. Knox, Minority Leader, Senate  
Hon. Richard R. Wier, Jr., Attorney General  
E. A. Trabant, President, University of Delaware  
Gerald P. Kavanaugh, Esq., President, Delaware Bar Association  
Douglas A. Van Sant, Public Member  
Kenneth N. Meyer, Public Member  
Pearl Herlihy, Public Member  
Robert D. Mitchell, Public Member  
Lindsey Greenplate, Public Member

JUDICIAL PLANNING COMMITTEE

Legal Authorization

The Judicial Planning Committee (JPC) was created by Chief Justice Daniel L. Herrmann on December 20, 1976. Authorization for the expenditure of federal funds to support planning activities of the JPC is contained in Section 203(c) of Public Law 94-503, "The Crime Control Act of 1976."

Duties

The Judicial Planning Committee is charged with coordinating all requests for federal funds from the various courts to the Law Enforcement Assistance Administration. To this end, the JPC prepares an Annual Judicial Plan for the expenditure of such funds, and provides assistance in designing programs and preparing grant applications.

The Judicial Planning Committee's Advisory Subcommittee on Computerization has assumed the role of supervising and coordinating the ongoing computerization efforts of Delaware's court system.

Membership

Membership of the Judicial Planning Committee is appointed by the Chief Justice of the Supreme Court, and includes judges from all the state courts plus the Attorney General and a representative from the Public Defender's Office. Current membership is as follows:

Hon. Vincent A. Bifferato, Associate Judge, Superior Court, Chairman  
Hon. Robert D. Thompson, Chief Judge, Family Court  
Hon. William C. Bradley, Jr., Resident Judge, Court of Common Pleas  
Hon. Alfred R. Fraczkowski, Chief Judge, Municipal Court  
Hon. Richard R. Wier, Jr., Attorney General  
John R. Fisher, Esq., Director, Administrative Office of the Courts  
Richard M. Baumeister, Esq., Assistant Public Defender

The position representing the Justice of the Peace Courts is currently vacant.

Support Personnel

A Director of Planning is appointed by and serves at the pleasure of the Judicial Planning Committee. The Planner may, with the approval of the Chairman, appoint such other personnel as are necessary.

JUDICIAL PLANNING COMMITTEE

Legal Authorization

The Judicial Planning Committee (JPC) was created by Chief Justice Daniel L. Herrmann on December 20, 1976. Authorization for the expenditure of federal funds to support planning activities of the JPC is contained in Section 203(c) of Public Law 94-503, "The Crime Control Act of 1976."

Duties

The Judicial Planning Committee is charged with coordinating all requests for federal funds from the various courts to the Law Enforcement Assistance Administration. To this end, the JPC prepares an Annual Judicial Plan for the expenditure of such funds, and provides assistance in designing programs and preparing grant applications.

The Judicial Planning Committee's Advisory Subcommittee on Computerization has assumed the role of supervising and coordinating the ongoing computerization efforts of Delaware's court system.

Membership

Membership of the Judicial Planning Committee is appointed by the Chief Justice of the Supreme Court, and includes judges from all the state courts plus the Attorney General and a representative from the Public Defender's Office. Current membership is as follows:

Hon. Vincent A. Bifferato, Associate Judge, Superior Court, Chairman  
 Hon. Robert D. Thompson, Chief Judge, Family Court  
 Hon. William C. Bradley, Jr., Resident Judge, Court of Common Pleas  
 Hon. Alfred R. Fraczkowski, Chief Judge, Municipal Court  
 Hon. Richard R. Wier, Jr., Attorney General  
 John R. Fisher, Esq., Director, Administrative Office of the Courts  
 Richard M. Baumeister, Esq., Assistant Public Defender

The position representing the Justice of the Peace Courts is currently vacant.

Support Personnel

A Director of Planning is appointed by and serves at the pleasure of the Judicial Planning Committee. The Planner may, with the approval of the Chairman, appoint such other personnel as are necessary.

COUNCIL ON THE ADMINISTRATION OF JUSTICE

Legal Authorization

The Council on the Administration of Justice is authorized by 10 Delaware Code, §2001-2008.

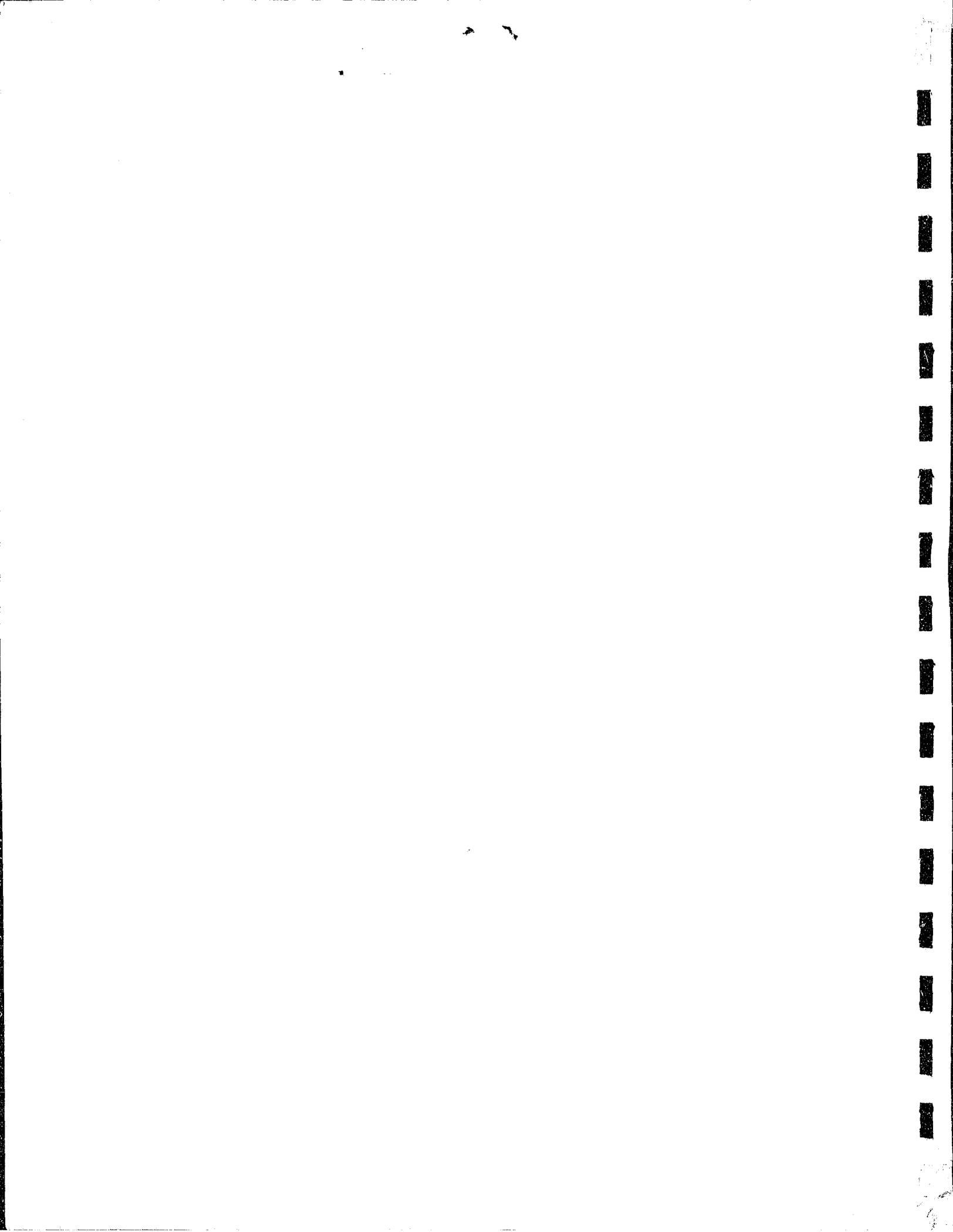
Duties

The Council is charged with the continuous study of the administration of justice in the state, and of the organization, procedure, practice, rules, and methods of administration and operation of each and all the courts of the state, whether of record or not of record. The Council collects and uses statistical and other information concerning the work of the courts and makes recommendations to the Governor, the General Assembly, the courts, or the bar.

Membership

There are 15 members including the Chief Justice, the Chancellor, the President Judge of Superior Court, the Speaker of the House, the President Pro Tem of the Senate, the Minority Leaders of the House and Senate, the Attorney General, the President of the Bar Association, the President of the University of Delaware, and five non-lawyers appointed by the Governor for a term coextensive with that of the appointing Governor. Current membership is as follows:

Hon. Daniel L. Herrmann, Chief Justice, Supreme Court  
Hon. William Marvel, Chancellor, Court of Chancery  
Hon. Albert J. Stiftel, President Judge, Superior Court  
Hon. Kenneth W. Boulden, Speaker of the House of Representatives  
Hon. Richard S. Cordrey, President Pro Tempore of the Senate  
Hon. Richard Sincock, Minority Leader, House of Representatives  
Hon. Andrew G. Knox, Minority Leader, Senate  
Hon. Richard R. Wier, Jr., Attorney General  
E. A. Trabant, President, University of Delaware  
Gerald P. Kavanaugh, Esq., President, Delaware Bar Association  
Douglas A. Van Sant, Public Member  
Kenneth N. Meyer, Public Member  
Pearl Herlihy, Public Member  
Robert D. Mitchell, Public Member  
Lindsey Greenplate, Public Member



COURT ON THE JUDICIARY

Article 4, Section 37, of the Constitution of the State of Delaware created this Court, consisting of the Chief Justice and the Associate Justices of the Supreme Court, the Chancellor, and the President Judge of the Superior Court.

Any judicial officer appointed by the Governor may be censured, removed, or retired by the Court on the Judiciary for willful misconduct in office, willful and persistent failure to perform duties, for commission of an offense involving moral turpitude, other misconduct in violation of the Canons of Judicial Ethics, or for permanent mental or physical disability interfering with the proper performance of these duties.

No censure, removal, or retirement will be effective until the judicial officer has been served with written charges and has had the opportunity to be heard in accordance with due process of law.

The Court on the Judiciary has the power to:

(a) summon witnesses to appear and testify under oath and to compel production of other evidence, and

(b) adopt rules establishing procedures for the investigation and trial of a judicial officer.

Funds for the Court to operate are included in the budget of the Administrative Office of the Courts. If no trials are necessary, all funds will revert to the State at the end of each fiscal year.



**Projects  
Supported  
by  
Federal  
Funds**

PROJECTS SUPPORTED BY FEDERAL FUNDS

During the past fiscal year, Delaware Courts received continued support in the effort to improve the Criminal Justice System from the Governor's Commission on Criminal Justice (GCCJ), which is the State Criminal Justice Planning Agency (SPA) that administers the Law Enforcement Assistance Administration (LEAA) block grant allocation.

GCCJ subgrant funds were expended for the following purposes:

1. To employ a Courts Data Analyst. This was a continuation of a subgrant which provided the services of a person to support the Director of The Administrative Office of the Courts and the Courts Consortium Planner in their varied duties. The Courts Data Analyst was primarily responsible for the development of the Annual Report of the Delaware Judiciary.
2. To employ a Detentioner Reporter. This was a continuation of a subgrant which provided a person to collect data and produce reports on detentioners and prisoners awaiting criminal trial.
3. To provide Training for Supervisory Personnel. This was a subgrant which provided the wherewithal to offer key supervisory personnel working in the judiciary training which was intended to improve their skills and enhance their performance as mid-level managers.
4. To offer an In-State Criminal Law Seminar. This subgrant has provided funds to enable the American Bar Association Standards and Goals Implementation Committee to develop materials and conduct a seminar on the ABA Standards and Goals. This seminar will focus upon new court rules and rule changes in the various State courts.
5. To provide Magistrates with Continuing Education. This subgrant provided orientation for newly appointed magistrates and on-going education for all Judges of the Justice of the Peace Courts. This program was administered by the Delaware Law School.
6. To provide Personnel for the Presentence Office. This subgrant enabled the Superior Court Presentence Office to continue to employ a Presentence Officer and 3 clerk typists to respond to the increasing demand for the timely production of presentence reports.
7. To employ an Administrative Assistant to the Criminal Office Judge. This subgrant enabled Superior Court to continue to employ an Administrative Assistant whose primary responsibilities were to provide the Criminal Office Judge with the means to coordinate the efforts of the Case Scheduling Office with the available Judges and Courtrooms and to provide information to assist in "pre-trying" complex criminal trials.

## PROJECTS SUPPORTED BY FEDERAL FUNDS (CONTINUED)

8. To employ a Coordinator of Referral Services. This subgrant enabled the Family Court to continue to employ a person to refer juveniles charged for the first time with a minor crime to non-correctional facilities.
9. To implement a File Room Project. This subgrant enabled Family Court to hire and assign one clerk to incoming cases in New Castle County to separate the legal records from the social records. This person also prepared individual records on new cases.
10. To provide Training and Resources. This subgrant provided sixteen training sessions for the Family Court counseling staff and resulted in the purchase of books for the three court libraries.
11. To maintain the Detentioner Project. This subgrant enabled the Family Court to continue to employ 4 persons who supervised juveniles in the Court Detention Center while awaiting a hearing and screened Bridgehouse detainees for possible release to their families prior to Court hearing.
12. To provide Supplemental Support Personnel. This subgrant provided a process server and a law clerk to assist the Municipal Court with Administrative and Legal assistance.
13. To provide Support Personnel. This subgrant continued to provide a process server to assist the Municipal Court. In addition, a Court Coordinator was also hired whose primary responsibility was to reduce the number of continuances in bringing cases to trial.
14. To provide a Case Coordinator. This subgrant enabled the Municipal Court to continue to employ the Case Coordinator whose primary duty has been described above.

Other federally funded programs were as follows:

1. Delaware Justice Information System - DELJIS  
Two systems analysts have been assigned to work with the Courts in the development of the Courts Module of the overall DELJIS Program. One analyst is dedicated to the information system for family and juvenile matters and is assigned to Family Court; the second analyst is working on the information system for adult matters (criminal and civil) and is assigned to the Administrative Office of the Courts. The current design work is federally funded from LEAA under the Offender Based Transaction Statistics/Computerized Criminal Histories (OBTS/CCH) component of the Comprehensive Date Systems (CDS) Program.
2. Judicial Planning Committee  
The Judicial Planning Committee of Delaware (JPC) was created

PROJECTS SUPPORTED BY FEDERAL FUNDS (CONTINUED)

by Chief Justice Daniel L. Herrmann during December, 1976 in accordance with the provisions of PL 94-503 which was the law authorizing LEAA for a period of three years. The Chief Justice appointed the Honorable Vincent A. Bifferato to serve as Chairman. In addition, Judges from each of the various courts were appointed along with the Attorney General, a representative of the Public Defender's Office, and the Director of the Administrative Office of the Courts. The mission of the JPC is to plan for the improvement of the Delaware Courts which includes planning for the utilization of limited federal block grant monies received through the Governor's Commission on Criminal Justice which are provided by LEAA. The Reauthorization Act provides \$50,000 annually to each participating State for the purpose of employing a professional planning staff who must produce an Annual Judicial Plan and meet whatever additional federal requirements that exist in order to ensure compliance with the Act.

**Court  
Rules  
Changes**

COURT RULES CHANGES

The following additions, deletions, or amendments were made to the rules of Delaware's courts during FY 1977. This material represents a synopsis of the changes, rather than verbatim copies of the rules themselves. The changes listed are those whose effective dates were between July 1, 1976 and June 30, 1977.

Supreme Court

## RULE 10B

Effective 1-7-77, a public officer or state employee named as a defendant in an action brought before the Delaware Supreme Court or the United States District Court for conduct arising from his employment with the state may petition for the appointment of counsel. The petition is to be verified by the petitioner and must state:

- 1) The caption of the action against the petitioner.
- 2) The name of the court in which the action was brought.
- 3) The nature of the claim against the petitioner.
- 4) Facts supporting the claim of the petitioner that the action against him originates from his employment with the state.
- 5) The reasons why the Department of Justice (civil action) or the Public Defender (criminal action) cannot provide representation for the petitioner, if he seeks private counsel.

If the petition is made before the United States District Court, the court may refer the petition to the President Judge of Superior Court for appropriate action.

Petition for appointment of counsel is to be made to the court in which the action against a public officer or employee of the state was brought originally. The petitioner shall serve a copy of the petition upon the Department of Justice. Petitions must be filed within 10 days upon service of complaints and summons, cross-claim or counterclaim in a civil action, or upon arrest or service of summons in a criminal action, unless extended by the court for good cause. A court receiving a petition for representation in an action for a state court shall rule on it promptly, with the time for filing of responsive pleadings, motions, or arraignment to be included. A court receiving a petition for representation in an action in Federal Court shall rule on it as promptly as possible.

A court in which the petition has been filed may order the record supplemented, at a hearing or otherwise, or motion of the petitioner, the Department of Justice or the Public Defender, or at the initiative of the court.

Private counsel appointed under this rule shall be compensated for their services and reimbursed for costs accumulated in representing the defendant at the ordinary rate for comparable cases.

## COURT RULES CHANGES (CONT'D)

Counsel must petition the Court in advance for permission to incur costs or charges for transcripts, interpreters, investigators, expert witnesses, and other costs of extraordinary amount, or for unusual services related to the litigation. Private counsel entitled to compensation or reimbursement for these reasons shall apply to the appointing court for payment at the conclusion of the litigation save upon a showing of sufficient need, in which case the application may be made at any time.

## RULE 10B(F)

This replacement of the previous Rule 10B(f), effective 4-28-77, states that if both the Department of Justice and the Court concur that a conflict of interest does or may exist, the Court may appoint an attorney from the private bar. Previously, the Court automatically appointed an attorney from the private bar in response to a certification from the Department of Justice.

## RULE 32A(5)

This addition to Rule 32A(5), effective 9-28-76, determined that the number of years of bar membership is to be calculated with the first calendar year beginning on January 1st of the year following admission to the bar, and annual assessments are not to be prorated.

Court of Chancery

## RULE 192

The amendment to Rule 192, effective 11-15-76, established the total commission and fees allowable for personal representatives and attorneys in estates for decedents dying on or after January 1, 1977. The minimum payment (total commission plus fees) allowable in a Commissionable Estate bracket must be greater than or equal to the maximum payment permitted for the previous Commissionable Estate bracket. The minimum payment levels have been raised from the previous Rule 192 by about 10%. The total payment increases with the size of the estate, but the payment as a percentage of the estate decreases as the estate increases in size.

The amended Rule 192 permits the gross estate to be determined as the Inventory and Appraisal plus one-half of the jointly owned property and one-half of the real property of the decedent not sold by the personal representative plus the additional assets received into the estate. The previous Rule 192 did not consider

COURT RULES CHANGES (CONT'D)

the sale of property by a personal representative prior to determining jointly-owned property value, nor did it consider the real property of the decedent.

Newly added to Rule 192 are the following factors to be used in determining the commission and fees:

- 1) Time spent.
- 2) Risk or responsibility involved.
- 3) Novelty and difficulty of questions raised.
- 4) Skill and experience of the personal representative or attorney.
- 5) Comparable rates for similar services in the same locality.
- 6) Character of the estate property.
- 7) Benefits obtained by the administration for the estate.
- 8) Loss of other business caused by acceptance of the administration.
- 9) Time limitations.

Any request for the allowance of additional fees as to any estate must be made by petition to the Court. The petition is to explain fully the grounds of the request as they exist, such as:

- 1) Where detailed time records aren't available, the Court may allocate additional fees in accordance with the customary amount of additional time to be spent.
- 2) Multiple representatives may be entitled to an aggregate sum which may exceed the maximum level for a single representative.
- 3) Fees for an ancillary personal representative due to the non-Delaware assets of a decedent whose estate is primarily administered in Delaware shall be added onto the total payment for the principle administration of the estate.

The latter two explanations are new to Rule 192.

Superior Court

CRIMINAL RULE 6(B)2

Effective 10-13-76, this amendment to Rule 6(b)2 adds a reference to the manner in which to move for dismissal. The rule specifies that the manner prescribed in Chapter 45, Title 10 of the Delaware Code is proper in making a motion to dismiss.

CRIMINAL RULE 6(G)

This addition to Rule 6, effective 10-13-76, states that the tenure and powers of a grand jury are independant of the terms of Court; grand jurors are to serve until discharged by the Court. Shown cause at any time, the Court may excuse a juror permanently, in which case the Court may impanel another juror in the vacated position, or temporarily.

## CRIMINAL RULE 7(G)

Rule 7(g) which provided that persons detained without bond have their trials scheduled within two months of their indictment or information or else be released on unsecured bond, was stricken effective 7-1-76.

## CRIMINAL RULE 9

Amended Rule 9 was effective 7-1-76. According to the ammended rule, the Prothonotary shall issue a warrant rather than a summons if:

- 1) The defendant has failed to appear in response to a past summons or if a prior summons is returned unserved; or,
- 2) The Attorney General certifies that the defendant has failed to respond to an outstanding summons or warrant by any Delaware Court in any criminal prosecution; or,
- 3) The Attorney General certifies the presence of a substantial risk to public safety or risk of departure from the state by the defendant unless he is arrested immediately; or,
- 4) The Attorney General certifies, and the Court approves, that a warrant should be issued in lieu of a summons.

The other change in amended Rule 9 is in part (c) (1). In the previous system, a person arrested under a warrant was brought before Superior Court or, in the case of admission to bail, to the Prothonotary, sheriff, or officer who deals with the process. Now, the arrested person is taken before a Justice of the Peace in the same county as the one in which the warrant was issued unless the defendant is entitled to release on bail. In that case, the arrested person is taken before a judge or court commissioner of Municipal Court to determine the level of bail required, if indeed bail is permitted. In lieu of the foregoing, a defendant may be brought before Superior Court for arraignment and setting of bail at the next regularly scheduled time for arraignment if this would not result in unreasonable delay.

## CRIMINAL RULE 24(A)

This amendment to the previous Rule 24(a), effective 10-13-76, adds a requirement that all questions proposed for usage by an attorney in voir dire examination be submitted to the Court in writing prior to the commencement of the drawing of the jury, or at such times as the Court orders.

## CRIMINAL RULE 24(D)

This amendment to Rule 24(d), effective 10-13-76, permits the Attorney General and defendant to challenge the array of jurors in the manner set in Chapter 45, Title 10 of the Delaware

## COURT RULES CHANGES (CONT'D)

Code, with the challenge to be granted under the conditions established in said statute. The previous Rule 24(d) dealt with the matter of the array of jurors without direct reference to the Delaware Code.

## CRIMINAL RULE 24(E)

An amendment of Rule 24(e), effective 10-13-76, states that pertinent information about prospective jurors (name, address, age, education, occupation, name of employer) to be used in the exercise of challenges shall be disclosed to the parties upon reasonable request prior to voir dire examination, unless ordered otherwise by the Court. The previous rule did not place a time constraint as to the availability of information on jurors for either the Attorney General or the defendant or his attorney. Previously, the length of residence in the county and state was also considered to be pertinent information.

## CRIMINAL RULE 24(F)

This replacement for the previous Rule 24(f) was effective 8-17-76. The rule simply states that there will be no sequestration of jurors unless it is ordered by the court.

## CRIMINAL RULE 37.1

Effective 7-1-76, Rule 37A was stricken and Rule 37.1 took its place. Rule 37.1 deals with notice to the Attorney General, appeal de novo, and appeals on the record. Rule 37.1(a), titled "Notice to Attorney General", is identical with paragraph one of Rule 37A, which states that the Prothonotary shall give written notice to the Attorney General's office in the county in which the appeal is lodged immediately upon the entry of an appeal in a criminal case. Rule 37.1(b), titled "Appeals de novo", indicates that the proceeding in an appeal de novo will continue in accordance with set rules once the Attorney General files an information with the Prothonotary. Rule 37A had set a 20 day limit for the Attorney General in which to file an information for a trial de novo. Rule 37.1(c), titled "Appeals on the Record", allows Superior Court Civil Rule 72 to govern for an action where the appeal is on the record from the lower court, unless it is inconsistent with express provision in these rules or inapplicable for other reasons.

## CRIMINAL RULE 39.1

Rule 39.1, effective 7-1-76, is adopted under the title "Dismissal of Appeals". According to Rule 39.1, an appeal may be dismissed due to lack of jurisdiction, failure to comply with a statutory requirement, or by rule or order of the Court.

## COURT RULES CHANGES (CONT'D)

## CRIMINAL RULE 44

This addition to existing Rule 44, effective 2-22-77, states that Supreme Court Rule 10B governs the process for the appointment of counsel for State officers and employees.

## CRIMINAL RULE 45(D)

Effective 1-1-77, this amendment changes the time in which a written motion and notice of the hearing may be served to not later than 2 days before the time set for the hearing, unless stated otherwise by the Court. Previously, the period for notice had been 5 days in advance, unless stated otherwise by the Court. This does not apply for ex parte motions.

For a motion supported by an affidavit, the affidavit is still to be served with the motion, and opposing affidavits still must be served at least 1 day before the hearing unless the Court rules otherwise.

## CRIMINAL RULE 46(A)

The original Rule 46(a) was stricken and replaced by a new Rule 46(a) on 7-1-76. The title of the rule was changed from "Right to Bail" to "Right to Bail; Modification for Delay". Both rules state that the defendant shall be admitted to bail before or after conviction and pending appeal as stated in the Constitution and State Laws. The new rule adds that unnecessary delay in presenting a charge to the grand jury, in filing an information, or in bringing a defendant to trial may cause the Court to modify the terms for release on bail.

## CRIMINAL RULE 48(B)

Effective 7-1-76, Rule 48(b) states that the Court may dismiss an indictment, information, or complaint if there is unnecessary delay in presenting a charge to the grand jury or in the filing of an information to bring a defendant to trial. The previous rule required either an indictment or an information against a person held in Superior Court no later than two terms after the person was held or else he was to be released without bail.

## CIVIL RULE 47C

Rule 47C, which required that the sheriff's return show the resident addresses of petit jurors, was repealed effective 10-13-76.

## CIVIL RULE 47D

Rule 47D, which contained the former regulations on juror challenges, was repealed on 10-13-76.

COURT RULES CHANGES (CONT'D)

CIVIL RULE 58A(F)

Effective 12-6-76, this rule states that publication of the notice letter, in response to the undelivered return of the certified mail sent to a debtor, shall be weekly for two weeks in a newspaper which circulates in the county in which the instrument is to be recorded. Also, there will be weekly publication of the letter of notice for two weeks in a newspaper of general circulation in the county in this state in which the debtor was last known to reside. Previously this publication was in the county in which the debtor was last known to reside, which need not have been in this state.

CIVIL RULE 58(H) (5)

This amendment, effective 12-6-76, makes changes similar to those in Rule 58A(f). The weekly publication for two weeks in a newspaper of general circulation is for the county in this state in which the debtor was last known to reside. This is a change from the former rule, which had the publication in the county in which the debtor was last known to reside regardless of what state that may have been.

CIVIL RULE 58A

Rule 58A was redesignated as Rule 58.1 on 7-1-76.

CIVIL RULE 58B

Rule 58B was redesignated as Rule 58.2, effective 7-1-76.

CIVIL RULE 58C

Rule 58C was redesignated as Rule 58.3 on 7-1-76.

CIVIL RULE 72(H)

Effective 7-1-76, Rule 72(h) was stricken. This rule formerly stated that appeals from the Court of Common Pleas for Kent and Sussex Counties were governed by local rules as adopted by Superior Court.

CIVIL RULE 77(B)

Effective 5-23-77, this amendment deletes the prohibition against civil trials during the June term of Superior Court.

CIVIL RULE 89

Effective 2-22-77, Supreme Court Rule 10B is to govern the appointment of counsel for State officers and employees.

## COURT RULES CHANGES (CONT'D)

## CIVIL RULE 90

Effective 6-1-77, only those admitted to the Delaware Bar or otherwise permitted to practice in the courts and administrative tribunals of this State by the Delaware Supreme Court are entitled to practice as an attorney in Superior Court.

The Court may admit pro hac vice (one-time) attorneys who are not members of the Delaware Bar. Applications for admission pro hac vice is to be in the form of a written motion by a member of the Delaware Bar who maintains an office in this state for the practice of law. He shall sign or receive service of all notices, orders, pleadings, or other papers filed in this action, and he shall attend before the Court, Prothonotary, or other Court officials. The applicant shall certify his status as a member in good standing of the Bar of another state, and that he shall be bound by the Delaware Lawyer's Code of Professional Responsibility in its applicability to litigation. Admission pro hac vice is at the pleasure of the Court.

The Court will not consider agreements between attorneys unless they are in writing and are filed with the Prothonotary or else stated on the record in the presence of the Court.

Justice of the Peace Courts

## MISCELLANEOUS RULE 2

Effective 1-7-77, Supreme Court Rule 10B governs the procedure to be followed in the appointment of counsel for State officers and employees.

Family Court

## RULE 435

Effective 1-7-77, Supreme Court Rule 10B governs the procedure to be followed in the appointment of counsel for State officers and employees.

Board of Bar Examiners

## RULE BR-55.3(B)

Effective 12-10-76, an individual may now be introduced to the Supreme Court by a member of the bar. The previous rule required that the individual be introduced to the Court by a member of the Board of Bar Examiners.

COURT RULES CHANGES (CONT'D)

Court on the Judiciary

RULE 3(D)

Effective 10-15-76, this amendment clarifies the rights of the complainant before the Investigatory Committee when investigated for misconducts or disabilities. If the Committee first determines that the complaint does allege misconducts or disabilities, it may permit the complainant reasonable opportunity to appear before member(s) of the committee. At that time, the complainant may present either orally or in writing such relevant evidence as he chooses.

# Legislation

LEGISLATION

House of Representatives

HOUSE BILL 40

This bill amends Chapter 5, Part 1, Title 11 by increasing the penalties for prostitution. It became law on 5/5/77.

HOUSE BILL 69

This is the second leg of a Constitutional Amendment which repeals the prohibition against change of venue in suits brought in the courts of Delaware. The amendment of Article 1, §9 eliminates the previous requirement that "every action shall be tried in the county in which it shall be commenced." It was enacted on 5/31/77.

HOUSE BILL 190

This bill changes Chapter 5, Subchapter II, Subpart D of Title 11 by increasing the age limit from 12 to 16 for sexual offenses, sexual assault, and sodomy. It was signed into law on 5/23/77.

HOUSE BILL 332

This supplemental appropriation, signed 6/30/77, added \$144,654 for the judiciary in fiscal 1977. Of this amount, \$97,561 (two-thirds of the total), was for jury fees.

HOUSE BILL 408

This new statute on obscenity forbids persons under age 12 on premises where material harmful to minors is sold or made available for commercial distribution and is readily accessible to or easily viewed by minors. Obscenity is set as a Class D Felony when involving persons under 18 years old. Where the criminality of conduct depends upon the age of the child, ignorance of the child's age is no defense for the action. The bill was signed 7/8/77.

HOUSE BILL 498

This bill, enacted on 7/20/77, deals with adoption and termination of parental rights. The statutes as amended now include further

information on what constitutes an acceptable affidavit for a petition when dealing with a child born out of wedlock. The term 'child', previously undefined, now is defined.

Senate

SENATE BILL 28

The new capital punishment law was signed 5/14/77. Punishment for first degree murder is set as either death or life imprisonment without probation or parole or any other reductions. Previously, the death penalty was mandatory except where found unconstitutional, in which case the sentence was life imprisonment without any reduction or probation. A separate hearing to determine the punishment for a first degree murder is to be held before the jury and trial judge, with alternate jurors available if needed. A new jury and a new group of alternates is chosen if a jury can't be chosen from the original jurors and alternates.

Any evidence deemed relevant and admissible to the determination of punishment may be presented at the punishment hearing. Matters relating to any mitigating circumstances and to any aggravating circumstances are admissible if the other side is given written notice about such information between the guilty verdict and the punishment hearing. The defendant's record of any prior criminal convictions and pleas, or the lack thereof, shall be admissible in evidence. The argument shall consist of opening statements by the State and by the defendant and/or his counsel, unless waived, opening summation by the State, rebuttal summation by the defendant and/or his counsel, and closing summation by the State. The judge shall then instruct the jury, including instructions to weigh any mitigating circumstances or any aggravating circumstances as well as any statutory aggravating circumstances. The jury is to weigh any mitigating factors against the aggravating factors.

The death sentence will not be imposed unless:

- 1) At least one statutory aggravating circumstance is found beyond a reasonable doubt and
- 2) The recommendation for the death penalty is unanimous.

If both of the above are found, it is to bind the court in the sentencing of the defendant to the death penalty. Refusal or failure by the court to follow the jury recommendation of the death penalty is appealable by the State to the Supreme Court within thirty days after sentencing.

The death sentencing shall be imposed upon terms and conditions as set by the trial court, with the method of execution to be hanging by the neck. The sentence is not to be imposed prior to final review by the Supreme Court, and the Court or the Governor may suspend the execution date in order to permit completion of the judicial review. A verdict of imposition of the death penalty is to be reviewed by the Supreme Court. If the defense has not presented an appeal within thirty days, the clerk of the Supreme Court shall request a transcript of the punishment hearing. Upon receipt of the transcript, the clerk shall have 10 days to prepare a notice to the Supreme Court containing certain specified points. The Supreme Court in review shall then determine if:

- 1) The evidence indicates that the recommended penalty was in contrast with similar cases arising under this act.
- 2) The evidence supports the finding of a statutory aggravating circumstance.

The defendant and the state may submit briefs within the time period set by the Supreme Court, and arguments may be presented to the Supreme Court. The Supreme Court then has the following choices:

- 1) Affirm the death penalty.
- 2) Require the trial court to reinstate the death penalty if it has been in error, as determined by the Supreme Court, in rejecting the jury's recommendation of the death penalty.
- 3) Set aside the death sentence and remand for correction of the errors involved. This does not change the guilty status of the defendant, and it does not restrict the new hearing from recommending the death penalty if so decided.

The Supreme Court is to set forth its findings for the reasons of its actions. The verdict of the trial may be reviewed as well.

#### SENATE BILL 52

This bill, which became law on 7/14/77, deals with recoupment of defense costs incurred by the state. A court may require a convicted defendant who has used court-appointed attorneys or the Public Defender's office to pay defense costs. Only costs incurred specifically by the defense shall be considered, with costs inherent in providing a constitutionally guaranteed jury trial and/or expenses due to maintenance and operation of government agencies which must be made public regardless of specific violations of law

not to be included. The amount, if any, and the method of payment is determined by the court. The defendant may petition the court for remission of any or all of such payments if he has not been in default of his payments.

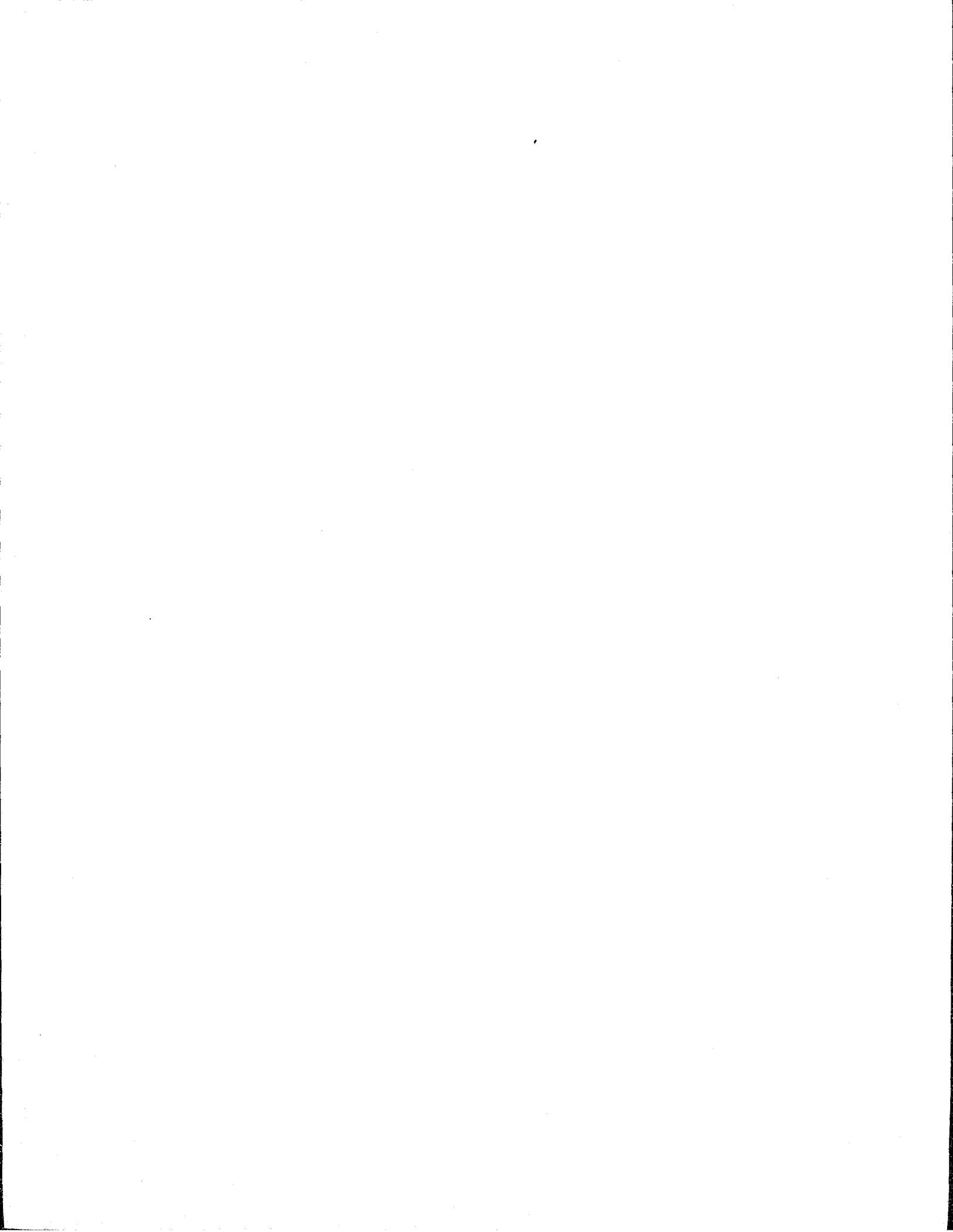
When the court determines that payment is required, the court may set a specified time period for installment payments, or it may demand full, immediate payment. Such payments may set as conditions for probation or suspension of sentence. Failure by the defendant may lead to his being cited for contempt of court.

SENATE BILL 114

This bill adds to Chapter 6, Title 31 of the Delaware Code a new §604, dealing with the penalties for the misuse of food stamps. It is illegal for any person to knowingly obtain or attempt to obtain or aid any person to obtain food stamps in a fraudulent manner. Food stamps or coupons or food obtained by food stamps are not transferable to a person not entitled to use them. Food stamps are to be exchanged only for foods or food products for human consumption, which is not to include alcoholic beverages, beer, or tobacco. The Court of Common Pleas is to have jurisdiction over such offenses. Any store which permits the purchase of one or more prohibited items as set by this chapter or by any other official regulation shall not be allowed to participate in the food stamp program. The bill became law on 7/11/77.

SENATE BILL 185

This bill, signed into law on 7/14/77, states that no sentence of confinement of a defendant will run concurrently with any other sentence of confinement for the defendant.



**END**