



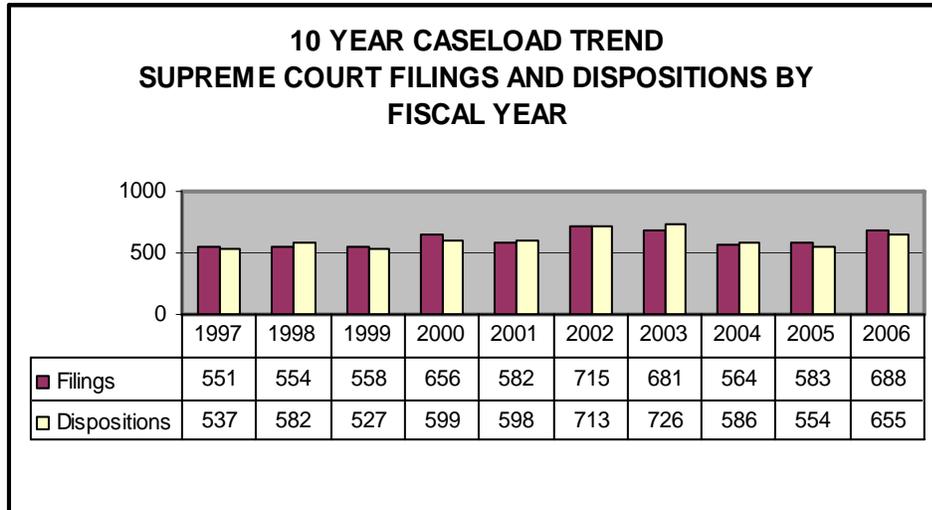
SUPREME COURT

In Fiscal Year 2006, the Delaware Supreme Court received 688 appeals and disposed of 655 appeals by opinion, order or dismissal. On average, the appeals were decided within 44.6 days from the date of submission to the date of final decision. In 93.4% of appeals decided in FY 2006, the Court met the standard of the Delaware Judiciary for deciding cases within the 90 days of the date of submission for decision. Based on the American Bar Association's Standards Relating to Appellate Courts, the Court set a performance measure for the disposition of 75% of all cases within 290 days of the date of the filing of the notice of appeal. The Court exceeded this objective by disposing of 85.3% of all cases within the 290 days timeframe. The Court set another performance measure for the disposition of 95% of all cases within one year of the date of the filing of the notice of appeal. The Court disposed of 92.7% within this one year timeframe.

On October 24, 2005, the Delaware Supreme Court became the first appellate Court in the nation to require electronic filing of appeal documents using the Lexis-Nexis e-Filing system. Taking an incre-

mental approach to e-Filing, the first e-Filing phase encompassed only those civil appeals from the Court of Chancery and the Superior Court that were previously e-Filed in those courts. In the second phase which was effective on June 1, 2006, the Court expanded its e-Filing initiative to all new civil appeals from the Court of Chancery and the Superior Court. The next phases of the project will be the e-Filing of all criminal appeals from the Superior Court, followed by all appeals from the Family Court.

During the past fiscal year, 3,311 Delaware lawyers filed Annual Registration Statements with the Court pursuant to Supreme Court Rule 69. The Court amended the Statement to provide for an assessment to be paid by each active Delaware lawyer to fund the Delaware Lawyers' Assistance Program. Under Supreme Court Rule 74(b), the purpose of the program is to provide assistance to Delaware attorneys and members of the State Judiciary with alcohol, drug, gambling, emotional, behavioral, or other personal problems that affect well-being and professional performance. The Program is overseen by the Delaware State Bar Association, which receives an annual grant from



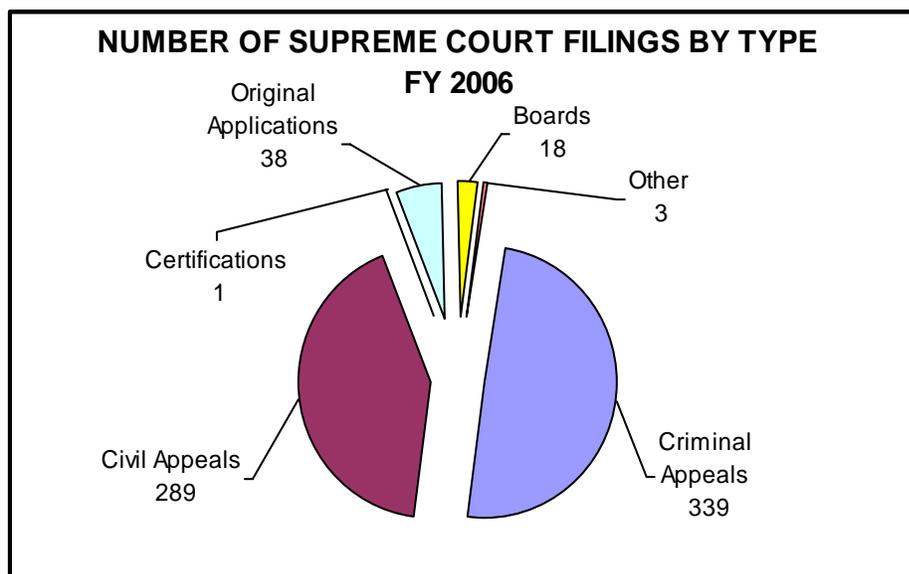
the Court's Rule 69 assessments, and operates through the Association's Lawyers' Assistance Program.

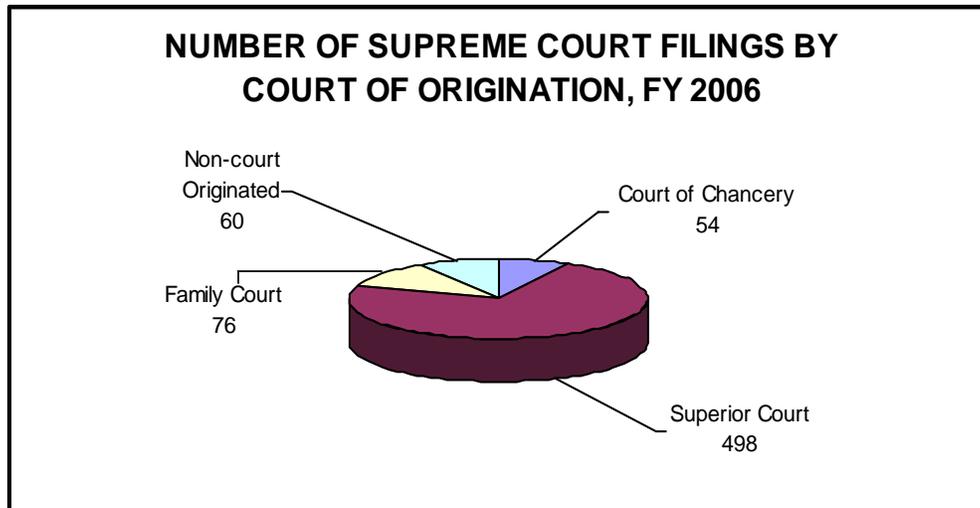
In FY 2006, the Court celebrated the fifty-fifth anniversary of the separate Supreme Court. After the second leg of the constitutional amendment was passed in the Delaware House of Representatives on May 14, 1951, Governor Elbert N. Carvel nominated Clarence A. Southerland as Chief Justice, and Daniel F. Wolcott and James M. Tunnell, Jr. as Justices, to serve

on the Court. They were confirmed by the Delaware State Senate and sworn in on June 5, 1951.

Legal Authorization

The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1. The Supreme Court sits in Dover but the justices maintain their chambers in the counties where they reside.





Court History

The modern Supreme Court was established in 1951 by constitutional amendment. The State’s first separate Supreme Court initially consisted of three justices and was enlarged to the current five justices in 1978.

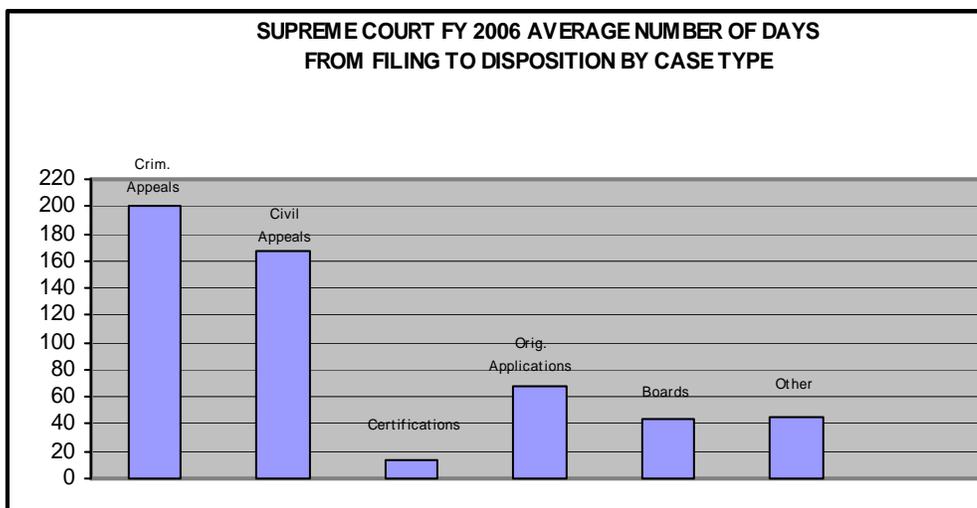
Prior to 1951, Delaware was without a separate Supreme Court. The highest appellate authority prior to the creation of a separate Supreme Court consisted of those judges who did not participate in the original litigation in the lower courts.

These judges would hear the appeal *en banc*

(collectively) and would exercise final jurisdiction in all matters in both law and equity.

Jurisdiction

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



SUPREME COURT

Justices

The Supreme Court consists of a chief justice and four justices who are nominated by the Governor and confirmed by the Senate. The justices are appointed for 12-year terms and must be learned in the law and citizens of the State. The Court may have no more than a majority of one justice from any political party.

Administration

The chief justice is responsible for the administration of all courts in the State and appoints a state court administrator to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a court administrator, clerk of the court, staff attorneys, an assistant clerk, law clerks, secretaries, and court clerks.



Supreme Court Justices:

Front Row (sitting left to right)

Justice Randy J. Holland
Chief Justice Myron T. Steele
Justice Carolyn Berger

Back Row (standing left to right)

Justice Henry duPont Ridgely
Justice Jack B. Jacobs