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DELAWARE'S SUPREME COURT AND COURT OF CHANCERY NAMED AS MOST INFLUENTIAL IN CORPORATE GOVERNANCE

In its September 2007 issue, the *Directorship*, a leading magazine for public company board directors, named the Delaware Courts — the Court of Chancery and the Supreme Court — on its list of the most influential individuals and institutions that are shaping agendas in boardrooms across America. In placing the Delaware Courts as number 5 on its list of the top 100 influential players in corporate governance, the *Directorship* noted that the Delaware Courts have frequently “established the tone and legal direction of corporate governance in America” and that the Court of Chancery is often referred to as “the chief arbiter of right and wrong in Corporate America.” No other courts were included in the top *Directorship* 100.

The Directorship concluded that the: “Delaware courts are seen as fair and reasonable with the most efficient litigation practices, and their influence on corporate governance matters rivals that of the SEC or Congress.”



Chancery Court, Georgetown

Chief Justice Myron T. Steele’s “keen leadership” and Chancellor William B. Chandler III’s “level-headed decisions” were highlighted as both were recognized as influential in the corporate governance area, along with the Delaware Courts. Former Chief Justice E. Norman Veasey’s contributions during his tenure as chief justice were also recognized.

The *Directorship* 100 was compiled by the editors of the *Directorship* magazine based on input from a reader survey and a panel of 12 corporate governance experts. Chief Justice Steele and Chancellor Chandler were recognized at a luncheon on December 11, 2007 at the Union League in New York City. *Directorship* is a bi-monthly magazine written for corporate board members and executives and is owned and published by NewsMarkets LLC, a privately held media company based in Boston.

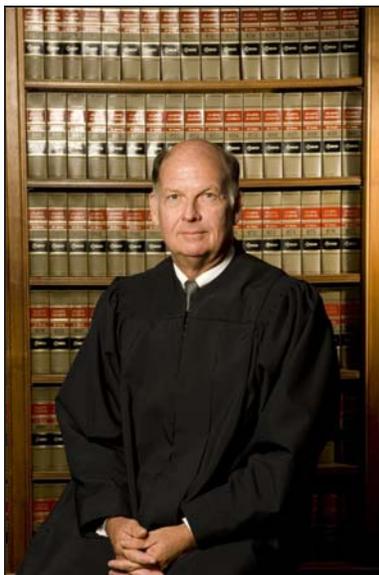


Supreme Court, Dover

RECENT ARTICLE BY CHIEF JUSTICE STEELE DISCUSSES CHALLENGES JUDGES FACE

When he was invited recently to write about the challenges jurists face in resolving difficult disputes for the fall 2007 issue of the UVA Lawyer, a publication of his alma mater, the University of Virginia, Chief Justice Myron T. Steele decided to focus, not on the numerous corporate cases that Delaware's courts handle, but on those cases that impact the daily lives of Delaware's citizens. In the article entitled "Consistency and Balance: A Judge's Job," Chief Justice Steele noted that as of April 2007, over 62% of all Fortune 500 companies were incorporated in Delaware and that Delaware's courts and bar are highly respected for their expertise in corporate matters. However, Chief Justice Steele emphasized that, "[m]y colleagues on the bench and I serve all of Delaware's citizens, not just our corporate citizens" and many of the Supreme Court's opinions "directly impact the daily lives of our neighbors in this small state." It is cases directly affecting Delaware citizens which frequently provide the greatest challenges for the Court. Chief Justice Steele explained:

"In Delaware, we are fortunate to have appointed judges who do not have to focus on funding their next reelection or retention campaign. Nevertheless, we are certainly mindful that the decisions we make can set far-reaching precedents and inevitably will disappoint or even anger legislators and citizens whose respect and support are vital to our



work. Public opinion is never far away, especially in the small, highly personalized environment that is Delaware. But being aware of the community in which one lives in order to find pragmatic solutions to disputes must ultimately be balanced with the independence and objectivity each jurist must possess. Our task is to apply the law to the facts of the specific case before us and not to use cases to express personal views or to make policy consistent with those views."

Another difficult task for judges, Chief Justice Steele stated, is applying existing precedent to new areas of the law. An example he cited was a recent case decided by the Court involving the first amendment rights of bloggers, in which the Court was called upon to "appropriately balance one person's right to speak anonymously against another person's right to protect his reputation."

Concluding that consistency in successfully balancing competing interests is a key component to judging, Chief Justice Steele stated:

"Regardless of legal context, all judges daily face the difficult task of understanding the competing interests of parties, providing a fair and impartial forum for advancing those interests, and ultimately balancing those interests by disposing of disputes in a way that is just, comports with law and equity, and preserves the integrity of the system. We can only hope we do it consistently well."

RECYCLING IN THE COURTHOUSES

In an effort to stay current with the national trend of the "Green" campaign, this year the NCCCH offered recycling as an option to its occupants. The program has been very successful as every court and most of the agencies located in the

NCCCH now have bins picked up weekly for recycling paper. It appears as though Kent and Sussex County Courthouses were ahead of the times regarding recycling as they have been recycling for quite a while. **GO GREEN!**

DELAWARE DOCKET PROFILE: JUDGE MICHAEL K. NEWELL

This is the first article of a new feature profiling a member of the Delaware Judiciary that the Delaware Docket anticipates continuing in each issue.

When Judge Michael K. Newell became a Family Court judge in the fall of 2004, he was returning to a familiar place. Back in the late 70's and early 80's he had spent several years working at the Court, first as an executive assistant to former Chief Judge Robert Thompson and later as a master. Judge Newell credits his work in the Court for his eventual choice of a family law practice. Between the time of his early work in Family Court and his appointment as a judge, he developed a busy practice in that area of the law - working first with the Bayard Firm and later with Connolly Bove Lodge & Hutz. A highly regarded attorney, he received the first Delaware State Bar Association Family Law Section "Family Law Practice and Professionalism Award" in 2001 and was voted best Divorce Lawyer in 2004 and best Family Law Attorney in 1996 by Delaware Today Magazine. In addition, he was listed in "Best Lawyers in America" from 1989-2004 and received the top peer review rating from Martindale Hubbell.



Honorable Michael K. Newell

Over the years, while practicing family law, the idea of becoming a Family Court judge was always present. Friends encouraged him to apply for the position he currently holds. Now, he is able to help children and families from the "other side of the bench," and hopes that through his decisions he is able to guide families through their troubled times.

Making the transition from attorney to judge was interesting, according to Judge Newell. Having spent approximately 20 years as a family law practitioner,

he was well acquainted with the legal issues facing a Family Court judge. However, he says that the unique skills needed to be a good judge take time to develop, and he has enjoyed focusing on continually refining these skills. When he first came to the bench, Judge Newell also reports the number of unrepresented litigants was a big surprise to him. He says that "coming from private practice, I had no idea how large the population of unrepresented litigants was in Family Court" and that "it was important to learn how to handle cases when there is an attorney on one side and an unrepresented litigant

on the other in a way that both are treated appropriately and fairly."

While serving on the bench in Family Court requires addressing many emotionally charged situations, chief among the rewards Judge Newell cites is the sense of satisfaction he feels when he is able to help a family or when a litigant tells him that they feel that a decision, not necessarily totally in their favor, is

still a fair one. Another very satisfying aspect which he mentions is "the wonderful collegiality among the members of the Court and the Judiciary as a whole."

A Delaware native, Judge Newell is a graduate of the University of Delaware and has a master's degree in criminal justice administration from Northeastern University and a law degree from Widener University Law School. In his spare time, he enjoys relaxing by reading, exercising, and spending time with his family.

JUSTICE RANDY J. HOLLAND GIVES KEYNOTE ADDRESS AT 2007 CORPORATE GOVERNANCE SUMMIT IN TAIWAN

In December, Justice Randy J. Holland of the Delaware Supreme Court gave the keynote address at the 2007 Corporate Governance Summit sponsored by the Taiwan Corporate Governance Association, the State of Delaware Taipei Office, the Taiwan Stock Exchange Corporation, and the Gre-Tai Securities Market. He also gave a keynote address at the Soochow University College of Law and participated in a symposium at the National Taiwan University Center for Corporate and Financial Law. Justice Holland's appearance was widely reported in the financial pages of several Taipei newspapers.

While in Taiwan, Justice Holland also visited the Judges and Prosecutors Training Institute of the Ministry of Justice and met with the Chief Justice of Taiwan,

In-Jaw Lai, who is a graduate of Harvard Law School. When Chief Justice Lai took office earlier this year, he stated that Taiwan could learn much about corporate law from the Delaware Supreme Court and the Delaware Court of Chancery. Taiwan is particularly interested in Delaware's high fiduciary duty standards, the business judgment rule, and the role of independent directors. The Chief Justice of Taiwan invited Justice Holland to return next year to address all of the judges in Taiwan. The Delaware delegation to Taiwan included attorneys Zhun Lu and Matthew Greenberg of Connolly, Bove, Lodge & Hutz and John Pastor from the Office of Management and Budget (OMB), who coordinated the arrangements.



Honorable Randy J. Holland of the Delaware Supreme Court in Taiwan with four students. From left Kuan-chieh Chen, Hsiang-yu Huang, Shu-chin Jen, and Jia-huey Lin.

DELAWARE TO HOST NATIONAL HIGH SCHOOL MOCK TRIAL CHAMPIONSHIP

This spring, the New Castle County Courthouse will be the hub of even more activity than usual when the National High School Mock Trial Championships are held in the courthouse in May. Planning for the Championships began back in the spring of 2005 when Delaware's bid to host them was accepted by the National Board. Since then, many hours of work by representatives of the courts, the Bar, and other organizations have been devoted to raising funding for and organizing this event which is expected to draw more than 1000 visitors to Wilmington. The effort is being spearheaded by a Host Committee

appointed by Chief Justice Steele and headed by Superior Court Judge Joseph R. Slights III, Francis J. (Pete) Jones Jr., Esq. of Morris, James, and Franny M. Haney of the Administrative Office of the Courts.

The teams who come to Wilmington will have survived the rigors of mock trial competitions in their home states or areas and will be ready for competition at a national level. There will be a minimum of 44 teams participating who will come from a variety of states, as well as from Guam, the Northern

Mariana Islands, and South Korea. The mock trial competition at all levels provides a chance for high school students to learn more about the justice system and helps them to acquire lifetime skills in such diverse areas as analytical thinking, public speaking, and persuasion.

While the teams will spend much of their time in Wilmington practicing and competing, their time in Delaware will not be all work and no play. The Championship organizers have planned several social events for them, including an outing aboard the Twin Capes Ferry, a banquet, and a dance.

Volunteers are needed to assist with a number of different jobs such as assisting with registration

and social events, serving as greeters, and escorting participants to courtrooms between May 8th and May 10th. In addition, attorney volunteers who have had prior high school mock trial judging experience are being sought to serve as judges. Volunteer judges will attend an orientation session and devote four hours of their time on either May 9th or May 10th during the actual mock trials. Continuing legal education credit will be given to Delaware attorneys for their participation as judges.

For further information or to volunteer, please visit the Mock Trial website at <http://mocktrial.delaware.gov/index.stm> or contact Franny Haney at franny.haney@state.de.us.

SUPREME COURT APPROVES RULES FOR THE COURT INTERPRETER PROGRAM

New rules recently approved by the Supreme Court for the Delaware Court Interpreter Program should assist the program's operations. The rules, which were adopted September 4, 2007 in Administrative Directive 163, formalize the establishment of the program's advisory board and define disciplinary procedures to ensure that court interpreters meet high standards of integrity and competence. Under the new rules, the advisory board, which is appointed by the Supreme Court and is currently chaired by Family Court Judge Aida Wasserstein, is given broad oversight of the program, including the authority to develop and administer a certification program, to develop fiscal policies and procedures, and to exercise jurisdiction over disciplinary matters with regard to court interpreters.

The adoption of the rules reflects the need to address a large and growing demand for court interpreter services in a variety of languages. This

growth is shown by the fact that the program provides interpreters for approximately 215 court cases per week, and during the past fiscal year, over 1500 hours more of interpreter services were provided through the program than during the previous year. The predominant language for which interpreters are required continues to be Spanish, but interpreters are also being frequently used for Russian, Korean, Mandarin, Punjabi, and some rare African languages.

A new position of program coordinator has been created within the Administrative Office of the Courts to assist in managing this burgeoning program. Maria Perez-Chambers, who was hired as the program's first coordinator in February 2007, has been focusing on policy development, the recruitment and training of interpreters, as well as developing cooperative relationships with Delaware's neighboring states in order to create a larger pool of qualified interpreters.



Marta Goldstein and Maria Perez-Chambers in front of interpreter candidates at a training session.

For further information, please contact Maria.Perez-Chambers@state.de.us

BOARD OF BAR EXAMINERS – VOLUNTEERS ASSISTING WITH BAR ADMISSIONS

One of the highlights of the year for both the Delaware Supreme Court and the members of the Board of Bar Examiners is the admission ceremony for new members of the Delaware Bar. Held annually in December, the ceremony is the culmination of the efforts not only of the new admittees, but also of all those who have participated in the admission process. That process starts, from the applicant's perspective, back in the spring when individuals who have graduated or are in their third year of law school complete an application for admission. However, for members of the Board of Bar Examiners, who assist the Supreme Court with bar admissions, the process starts back in January when the Board has its first meeting of the year and begins an annual process that starts with the development of the essay portions of the upcoming year's bar exam.

At that time, essay topics are determined and assigned to each of the eight members of the Essay Committee who, along with an associate member, are responsible for drafting an essay question and proposed answer. Once the first draft is completed, an essay question is subjected to several reviews to ensure the fairness of the test. The first review is done in March when the full Board reviews each question. The final review occurs later in the spring when the Review Committee undertakes a detailed review with an eye to minimizing ambiguities and irrelevant information in the question, as well as ensuring the completeness and accuracy of proposed answers and appropriateness of proposed scoring.

Following the exam, which is held at the end of July, Essay Committee Members work on grading the essay portion of the exams. After a scoring calibration for each question is conducted, each essay is graded by two separate readers. (A separate examination, the Multi-State Performance Test, is also scored at this time by other members of the Delaware Board of Bar Examiners.) Finally, the raw scores are sent to a statistical expert who places them on the same scale as the Multi-State Exam and then to an accounting firm which verifies the work of the statistician.



Newly admitted Delaware Attorney Santino Ceccotti shown seated; standing from left to right, Honorable Henry duPont Ridgely, Honorable Randy J. Holland, Honorable Carolyn Berger, Honorable Myron T. Steele, Honorable Donald Parsons and Honorable Jack Jacobs.

By early October, the scoring has been completed and the results of the exam are announced. Due to Delaware's emphasis on complete anonymity, which assures that no one knows the name of the person whose exam they are grading, results are first announced only by number. Thereafter, the lock-box which has contained the slips with the applicants' secret exam numbers and signatures since the time they entered the exam site,

is opened and numbers and names are matched so that scores can be announced by name.

At this point, the work of the Character and Fitness Committee begins. Members of this Committee interview each individual who has passed the bar exam and review their applications and supporting documentation to ensure the fitness of each candidate for admission to the Delaware Bar.

Unlike in many states, most tasks associated with admitting lawyers to the bar in Delaware, are undertaken by volunteers. Not only do they devote

countless hours to the functions described above, members of the Board, who are appointed by the Supreme Court for three year terms, also serve on the Board's Administrative Committee, which addresses such matters as facilitating the use of computers for taking the bar exam, as well as the ADA (Americans with Disabilities Act) Committee, which reviews requests for and determines how to provide exam accommodations necessary for applicants with disabilities, and the Investigation Committee which reviews and makes recommendations concerning applications in which a problem has arisen. In addition, to all of the work of Board members, other attorneys assist by serving as as-

sociates in drafting and grading the essays or by helping to proctor the exam.

And so, when the date of the Admissions Ceremony arrives in December, the new admittees are not the only ones with something to celebrate. The Delaware Supreme Court also celebrates - both the success of the newly admitted lawyers and the dedication of the members of the Board of Bar Examiners and others who have worked so hard to ensure that those admitted truly have the ability and character to become members of the Delaware Bar.

BOARD OF BAR EXAMINERS 2008

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CHIEF JUSTICE STEELE IDENTIFIES TOP BUDGET PRIORITIES FOR FY 2009

The top operating and capital budget priorities for the Judicial Branch for FY 2009 identified by Chief Justice Myron T. Steele are:

Operating Budget. Additional judges and related court staff for the Superior Court are the top new priority of the Judiciary's operating budget. The Superior Court last added new judges in New Castle County in 1994. Since that time, caseloads in that county have increased by 54%.

Capital Budget. Top among the list of capital budget requests is funding for the continued expansion and renovation of the Kent County Courthouse, which is the final phase of the State's program to acquire and modernize court facilities in each county. The project will provide for the construction of a new courthouse on the site of the O'Brien Building, the construction of a connecting structure between the new and the historic courthouses, and renovations to the historic courthouse.

DELAWARE JUDICIARY RECOGNIZED

Chief Justice Myron T. Steele of the Supreme Court was named second in their list of the 100 most influential persons in business ethics for 2007 by Ethisphere magazine. The list was compiled to honor leaders in business ethics throughout the world and was compiled by an advisory panel composed of experts from major universities and institutions. Chief Justice Steele was named for his impact on government rules and enforcement trends.

Justice Randy J. Holland of the Supreme Court received the American Inns of Court A. Sherman Christensen Award at the American Inns of Court Celebration of Excellence hosted by Supreme Court Justice Samuel A. Alito, Jr. in the Great Hall of the United States Supreme Court on October 20, 2007. The award, which is named after the founder of the first American Inn of Court, is bestowed upon a member of an American Inn of Court who has provided distinguished, exceptional, and significant leadership to the American Inns of Court movement.

Chief Justice Myron T. Steele and **Vice Chancellor Leo E. Strine, Jr.** of the Court of Chancery were again named in the *Lawdragon 500 Leading Lawyers in America*. *Lawdragon*, a legal online publication, combines online balloting and legal research to select its list of the top attorneys in the country who have demonstrated leadership, sustained achievement in the field, and outstanding reputations.

Vice Chancellor Stephen P. Lamb of the Court of Chancery presented at three seminars for the Practising Law Institute in New York City this year - the April program, "What All Business Lawyers Must Know About Delaware Law Developments in 2007," a one-day program which he co-chaired; the September program, "Securities Litigation & Enforcement Institute 2007," where he presented recent developments in Delaware law; and the November 2007 program, "39th Annual Institute on Securities Regulation," where he spoke on merger and acquisition trends and developments, and Delaware developments in special committee practice.

Vice Chancellor Donald F. Parsons, Jr. of the Court of Chancery received the Award for Dedication to Legal Services to the Poor by Delaware Volunteer Legal Services at their 25 year celebration dinner on November 8, 2007. The award is presented to a member of the Bar who has demonstrated a sterling commitment to *pro bono* work throughout his or her career by dedicating time and energy to the support and provision of legal services.

Judge Richard R. Cooch of the Superior Court presented the American Judicature Society Dwight D. Opperman Award for Judicial Excellence to The Honorable Pascal Calogero, Jr., Chief Justice of the Louisiana Supreme Court, in a ceremony held on October 2, 2007 in New Orleans. Judge Cooch was part of a three-member AJS panel which selected the winner.

Judge Mary M. Johnston of the Superior Court was awarded the 2007 Women's Leadership Award at the October 24, 2007 Bench and Bar Conference. The award honors a member of the Delaware Bar whose character and achievement have served as an inspiration and model for women lawyers.

Judge Susan C. Del Pesco and **Special Master Daniel M. Kristol** of the Family Court were featured on a WHYY-TV segment on September 14, 2007 to publicize the Superior Court's Project Rightful Owner.

Judge Aida Wasserstein of the Family Court was honored by Channel 6, ABC, in Philadelphia on October 10, 2007 as an outstanding Hispanic woman in the Delaware Valley. Judge Wasserstein also received a resolution from the House of Representatives of the Commonwealth of Pennsylvania honoring her for receiving the award and for her commitment to the community and helping others.

Commissioner David A. White of the Superior Court spoke at the Delaware Trial Lawyers Association convention in June 2007 on the topic of Toxic Tort Litigation in Superior Court. In addition, he was

awarded the 2007 Outstanding Teaching Award from the University of Delaware, Division of Professional and Continuing Studies, for his civil litigation course. Commissioner White also celebrated his fifth year as a member of the Executive Committee of the Delaware State Bar Association, for which he currently serves as Treasurer.

The Family Court received the 2007 John Neufeld award from the Mid-Atlantic Association of Court Managers for its implementation of two initiatives to provide assistance to self-represented litigants. The two programs are the statewide self-help centers and the customer call center piloted in New Castle County.

MENTAL HEALTH DIVERSION COURTS OFFER NEW SOLUTIONS

National studies have shown that persons with mental health problems are frequently involved in the criminal justice system for minor offenses and do not receive treatment for the underlying causes of their behavior. In Delaware, mental health diversion courts in the Family Court and the Court of Common Pleas are offering new ways to address this situation by offering treatment as an alternative to a criminal conviction.

The recently created Family Court mental health court which started in New Castle County in January 2007 can already point to a number of success stories. The program, which receives federal funding through the Criminal Justice Council, offers juveniles with mental health problems who are charged with delinquency a chance to obtain treatment and avoid being found delinquent. To participate in the program, a juvenile must be approved by the Attorney General's Office and must plead guilty to the charge. However, the charge will be dismissed if the juvenile successfully completes the program which requires compliance with the individualized treatment plan recommended by their caseworker, as well as other conditions imposed by the court,

including attending all required court appearances to review the status of the case. The Court, defense counsel and two case managers (Jimia Redden of the YMCA and Eileen Cozzi-Bodner of Child Mental Health) review the progress of the children, including their educational needs, twice a month and revise the treatment plan as needed.



Honorable Joseph F. Flickinger, III of the Court of Common Pleas with Mental Health Court staff Colleen Rapposelli and Stefanie Garbatowski, BSW. Not pictured are Mental Health Court staff members Daina Gunther and Tom Beardsley.

Martha Claverie, Esquire, a public defender who represents juveniles in the Court, says that the Court has been instrumental in changing lives for many juveniles and cites, as an example, a young man who entered the program as a shy and withdrawn youngster with both mental health and educational problems. One of the first "graduates" of the Court, he turned around his school performance and became more confident and outgoing. Commissioner Loretta Young, who presides over the mental health court calendars, concurs with Ms. Claverie that the diversion program is making an incredible difference in the lives of children. Commissioner Young says: "These children and their family networks are being intensely guided, encouraged, and applauded for their efforts and

success and it has yielded dramatic results.” She credits the dedication and skills of all of those involved in the mental health court with making it a success.

Similar successes are also occurring for adults who participate in the Court of Common Pleas mental health court which has been in operation since 2003. Located in New Castle County, the court was Delaware’s first mental health court and works to provide treatment to adults with mental health problems who are charged with a misdemeanor offense. Since its inception, 109 individuals have completed the program and have been diverted from the criminal justice system, with only 11 individuals having been unsuccessfully terminated.

Judge Joseph F. Flickinger, III who presides over the mental health court describes as an example of the Court’s success a young man originally charged with Assault 2nd and Terroristic Threatening who was being held at the Level V facility at the Delaware Psychiatric Center when he entered the mental health court. During his seven months in the program, he progressed to living in a group home and became a full time college student. He currently has his own apartment and has remained arrest free for more than two years. Judge Flickinger said, “In almost all cases our participants have achieved our goals of avoiding conviction on the original charges, having no further arrests and learning how to deal with their mental illness in order to lead happier and more productive lives.”

For further information, please contact Chris.Sudell@state.de.us

STATE COURT ADMINISTRATOR TESTIFIED AT CONGRESSIONAL BRIEFING ON COURT INTERPRETATION

Patricia W. Griffin, Esquire, Delaware’s State Court Administrator, presented testimony as part of a panel on Court Interpretation and Access to Justice at a Congressional briefing on Friday, September 7, 2007 at the request of Senator Herb Kohl of Wisconsin. Senator Kohl is the prime sponsor of S. 702, “The State Court Interpreter Grant Program Act of 2007.” Ms. Griffin’s testimony focused on developing a court interpreter program and the challenges that each state is facing along with national trends and budget issues. She is the co-author, with Alaska’s State Court Administrator, Stephanie Cole, of a paper entitled “Court Interpretation: Fundamental to Access to Justice” which was recently presented to the Conference of State

Court Administrators and the Conference of Chief Justices.

Serving on the panel with Ms. Griffin were The Honorable Sergio Gutierrez of the Idaho Court of Appeals and Javier Soler, Court Interpreter Program Administrator with the Maryland Administrative Office of the Courts. The panel discussion was sponsored by the National Center for State Courts. Delaware is a member of the National Consortium of State Court Interpreter Programs, which is a joint initiative of the National Center for State Courts and the 40 member states of the Consortium. Patricia Griffin served as chair of the National Consortium from 2000 – 2002.



From left to right: Javier Soler, Maryland’s Court Interpreter Program Administrator, and Judge Sergio Gutierrez, Idaho Court of Appeals, and Patricia Griffin, Delaware State Court Administrator, (standing) presenting testimony on court interpretation issues at a congressional briefing in September 2007.

SECURITY ASSESSMENTS IMPLEMENTED

Several courts have begun assessing special fees to help fund vital court security needs. The fees, which were authorized by recently enacted legislation (Senate Substitute No. 1 for Senate Bill 75), will be used for such critical needs as additional security personnel, security cameras, and access card readers in accordance with a needs plan developed jointly by the courts. Although the legislation permitted a fee of up to \$10 to be assessed, each court tailored the amount of the fee it would actually assess to its unique circumstances.

The fees enacted, by court, are as follows:

Supreme Court	\$10 fee is assessed for all civil and criminal appeals
Court of Chancery:	\$10 fee is assessed for all filings of any initial complaint petition, counterclaim, third party complaint, amended complaint, or other action
Superior Court:	\$10 fee is assessed on all initial civil filings for which the filing fee is currently \$175 and on all criminal and traffic charges for which there is a conviction
Court of Common Pleas:	\$3 fee is assessed on each initial civil filing and on all criminal and traffic charges for which there is a conviction
Family Court:	\$10 fee is assessed on all initial civil filings and criminal filings for which there is a conviction
Justice of the Peace Court:	The fees are as follows:
	Landlord-Tenant Claims involving possession \$10
	Distress for Rent Claims \$10
	Debt claims (including Landlord-Tenant claims seeking only money Damages) or Trespass claims where the amount in controversy exceeds \$5,000 \$10
	Debt claims (including Landlord-Tenant claims seeking only money Damages) or Trespass claims where the amount in controversy equals or is between \$1,000-5,000 \$5
	Replevin Claims \$5
	Garagemen Lien Claims \$7
	Abandoned Property Claims \$10
	Traffic or criminal charges for which there is a conviction or a finding or an admission of responsibility for an infraction for which a civil penalty may be assessed \$10

KRIS KRINGLE WINS CASE IN SUPERIOR COURT

Children throughout the State were able to share in the holiday spirit and gain a civics lesson when they came to the Superior Court to watch the competency hearing of Kris Kringle in a reenactment of the courtroom scene of the *Miracle on 34th Street*. Almost 2,000 children attended the event, which was held several times in each county from December 11 through December 14, 2007. As in the past three years, Kris Kringle, this year was played by Don Slipetsky and represented by Richard Herrmann, Esquire, managed to win each of his competency hearings in spite of able prosecution by former Attorney General, and now Superior Court Judge, M. Jane Brady. Presiding over the courtroom was Supreme Court Justice Henry duPont Ridgely who sat in the Superior Court by designation.

According to Richard Herrmann, Esquire, the event is a joint project of the courts and the Delaware State Bar Association and is presented with

permission of 20th Century Fox. "This holiday favorite is a wonderfully rewarding experience" said Herrmann, who proposed the idea to use a movie scene as a civics lesson for school children by setting it in a real courtroom and using real lawyers, a real judge and other legal officials.

Tom Russo, Jr., Esquire, directed the all star cast which, in addition to those mentioned above, included Kirsten Morris of the AOC as Dr. Westover; Sarah Lubin of the AOC, and Tom Russo, alternating as R.H. Macy; Eric Robbins of the Delaware State Bar Association as the postmaster; and Superior Court Bailiffs Ed Joyner, Frank Satterfield, and Tom Ervin. Madeleine Hughes and Carly Volker of Ursuline Academy shared the spotlight in portraying Prosecutor Brady's daughter in the performance. Franny Haney of the AOC had a behind the scenes role in coordinating with the schools. "But", says Russo, "of course, the real star of the day was Kris Kringle."



Left to right: in front Sarah Lubin of the AOC, Honorable Henry duPont Ridgely of the Delaware Supreme Court, Richard Herrmann, Esquire, Honorable M. Jane Brady of the Superior Court, Carly Volker, Dan Slipetsky known as "Kris Kringle", and in back, Eric Robbins, Bailiff Frank Satterfield, and Kirsten Morris of the AOC.

For further information, please contact Franny.Haney@state.de.us

We are pleased to present the winter 2007 issue of the *Delaware Docket*, the Newsletter of the Delaware Judiciary, which is published semi-annually to provide updates on activities and events in the Judicial community. All are welcome to suggest topics, contribute articles for future editions, and provide suggestions on the newsletter.

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