IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

STANDING ORDER No. 4
CONCERNING COVID-19 PRECAUTIONARY MEASURES

WHEREAS, on March 9, 2020, the Superior Court entered a Standing Order Concerning COVID-19 Precautionary Measures ("Standing Order No. 1") in the interest of protecting jurors, parties, witnesses, lawyers, judges and court staff;

WHEREAS, the Delaware Supreme Court entered an Order Declaring a Judicial Emergency, effective 8:00 a.m. on Monday, March 16, 2020 (the "Judicial Emergency Order"), which provides the trial courts with the discretion to continue criminal and civil trials for a period of 30 days, and to utilize audiovisual devices to conduct proceedings, in order to limit the number of people gathering in public court buildings;

WHEREAS, the Delaware Supreme Court, on March 22, 2020, issued Administrative Order No. 3, closing all public courthouses in the State until April 15, 2020 and implementing certain other measures in response to the public health threat posed by COVID-19;

WHEREAS, the Superior Court has reviewed its practices and procedures in accord with Supreme Court's Administrative Order No. 3 and seeks to advise the members of the Delaware Bar, litigants and the public who have matters before the Superior Court in the coming months of updated operational protocols to handle essential matters;

NOW, THEREFORE, IT IS HEREBY ORDERED that this Standing Order No. 4 shall supplement Standing Order Nos. 1- 3 and is effective 8:00 a.m. on Tuesday, March 31, 2020, subject to further review:

1. Civil Jury Trials. All Civil Jury Trials are suspended through and including May 29, 2020. Trials scheduled to begin between April 15, 2020 and May 29, 2020 will be rescheduled by the assigned judge as early as reasonably practicable. All deadlines are suspended for the submission of pretrial stipulations, proposed jury instructions, and motions *in limine* for trials scheduled to begin between April 15, 2020 and May 29, 2020. All pretrial conferences are postponed. Once trial is

rescheduled, new dates for the pretrial conference and pretrial submission deadlines will be established by the assigned judge. The Superior Court will provide thirty days' advance notice of the resumption of Civil Jury Trials by notice on courts.delaware.gov and DESCLMS Listserv.

2. Civil Proceedings. Essential matters as the court may allow, e.g., civil commitments, gun relinquishments and public health quarantine and/or isolation petitions. To the extent possible, these matters will continue through the use of video and telephone instead of in-person appearances to the fullest extent possible throughout the state. Non-essential matters will be postponed until further notice.

3. Criminal Proceedings. Essential matters as the court may allow, e.g., bail, habeas petitions, pleas by appointment, violations of probation, capias returns, warrants and sex offender designations. To the extent possible, these matters will continue through the use of video and telephone instead of in-person appearances to the fullest extent possible throughout the state. Non-essential matters that do not alter a defendant's custody status will be postponed until further notice.

4. Bail. Bail for a Superior Court case may be posted 24/7 at any of the Justice of the Peace Courts listed below. Please call the Justice of the Peace Court prior to appearing at the location so that they will expect you and will have appropriate paperwork ready.

    - New Castle County
      Justice of the Peace Court 11
      2 Penns Way, Suite 100A New Castle, DE
      302-323-4450

    - Kent County
      Justice of the Peace Court 7
      480 Bank Lane
      Dover, DE
      302-739-4554

    - Sussex County
      Justice of the Peace Court 3
      23730 Shortly Rd Georgetown, DE
      302-856-1445

5. Dropbox for Paper Filings. The Superior Court has a mail depository at the entrances to the Kent and Sussex Courthouses. These mail depositories are available 24 hours 7 days a week. In New Castle County, the Superior Court has a dropbox in the lobby of the Leonard L. Williams Justice Center, which is available during business hours to accept filings from individuals who do not have the ability to file documents electronically in civil actions, and miscellaneous civil matters. Superior Court's New Castle County dropbox is labeled for use. Litigants who can file documents electronically using File&ServeXpress must continue to do so. In accord with Superior Court Standing Order No. 3, effective March 19, 2020, no courtesy or additional copies shall be submitted to chambers unless a judge makes a specific request for paper copies.

6. Contact Telephone Numbers. The Superior Court is each county established a telephone number where staff will answer calls during the work day. During all non-working hours, a caller may leave a message which will be responded to as soon as practicable.
    a. New Castle County: 302.255.0735
    b. Kent County: 302.735.1901
    c. Sussex County: 302.855.7055

7. Deadlines Imposed by Court Order. Deadlines imposed by court order continue to remain in place but may be extended, consistent with court practices, for good cause shown, including a COVID-19-related cause. This provision is particularly relevant where briefing and case schedules have been established by scheduling stipulations and orders rather than court rules. When such stipulations or orders are in place, the ability of litigants and the court to plan their time and manage cases in an orderly manner could be jeopardized. The court will be considerate of granting any reasonable requests for extensions. Practitioners are urged to be flexible and to work together cooperatively to reach agreement without the need for court involvement whenever possible.

8. Court's Calendar. Each county will post its daily calendar by the close of business for the Court's following day's events. The Court will work with counsel and parties on scheduling matters in advance of the posting of the calendar.

9. Additional Guidance. As matters require, supplemental guidance on changed protocols and/or practices, will be on the Court's website and may be set be forth in further Standing Orders.

President Judge Jan R. Jurden