



SPONSOR: Sen. Gay & Rep. Lynn  
Sens. Hocker, Lopez; Rep. Bush

DELAWARE STATE SENATE  
151st GENERAL ASSEMBLY

SENATE BILL NO. 268

AN ACT TO AMEND TITLE 10 OF THE DELAWARE CODE RELATING TO THE ESTABLISHMENT OF UNITS  
WITHIN THE ADMINISTRATIVE OFFICE OF THE COURTS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1           Section 1. Amend § 128, Title 10 of the Delaware Code by making deletions as shown by strike through and  
2     insertions as shown by underline as follows:

3           § 128. Administrative Office of the Courts.

4           (d) The function of the office shall be to assist the Chief Justice in carrying out his or her constitutional  
5     responsibilities as administrative head of all the courts in the State, and the duties of the office shall be as prescribed by the  
6     Chief Justice or by rule of the Supreme Court of the State.

7           (e) The State Court Administrator may, with the approval of the Chief Justice, appoint such deputies,  
8     administrative assistants, and clerical personnel as are required.

9           (f) The State Court Administrator shall have oversight of the Judicial Information Center, the Office of State Court  
10    Collections Enforcement, and the law libraries.

11          Section 2. Amend § 1941, Title 10 of the Delaware Code by making deletions as shown by strike through and  
12    insertions as shown by underline as follows:

13          § 1941 Control and supervision of law libraries.

14          ~~The law library in each county maintained for the use of the judges of the courts shall be under the control and~~  
15    ~~supervision respectively of the judges of the Court of Chancery and of the Superior Court residing in the county, who are~~  
16    ~~empowered from time to time to purchase such law books as shall be necessary for the maintenance of the library. The~~  
17    ~~judges residing in New Castle County are authorized to employ a librarian for the law library of New Castle County at such~~  
18    ~~compensation as shall from time to time be fixed by the judges. The judges residing in Sussex County, if and when they~~  
19    ~~shall determine that a librarian is required in the Sussex County library, are likewise authorized to employ one at such~~  
20    ~~compensation as they may fix from time to time. The judges residing in Kent County, if and when they shall determine that~~  
21    ~~a librarian is required in the Kent County library, are likewise authorized to employ one at such compensation as they may~~  
22    ~~fix from time to time.~~

23           ~~The payment of bills for the purchase and rebinding of law books, and other necessary expenses, including~~  
24   ~~compensation of the librarian, shall, to the extent that other sources of income, if any, are insufficient, be made by the State~~  
25   ~~Treasurer out of funds regularly appropriated for the operation of said law libraries. [Repealed.]~~

#### SYNOPSIS

This Act reflects the Administrative Office of the Courts' current managerial authority and budgetary control over the Judicial Information Center, the Office of State Court Collections Enforcement, and the law libraries. Title 10 § 1941 is repealed in its entirety as the use of the law libraries is no longer limited solely to judges. Spaces have been modernized to accommodate use by lawyers, self-represented litigants, and members of the public to conduct legal research and access other legal resources.

Author: Senator Gay