

STATE OF DELAWARE



EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER SIXTY-THREE

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: MAGISTRATE'S SCREENING COMMITTEE

WHEREAS, pursuant to Article IV, Section 30 of the Delaware Constitution the Governor is charged with the responsibility of appointing, by and with the consent of a majority of members elected to the Senate, persons to the position of Justice of the Peace; and

WHEREAS, citizens of the State of Delaware are more likely to have contact with Justice of the Peace courts than any other courts of the State; and

WHEREAS, the experience of citizens in Justice of the Peace courts profoundly influence their perception of justice on a state and local level; and

WHEREAS, it is therefore important that qualified individuals be appointed to serve as Justices of the Peace; and

WHEREAS, the appointment of qualified Justices of the Peace can best be assured through a bi-partisan screening committee which can interview candidates, assess their qualifications, and furnish the names of qualified persons to the Governor; and

WHEREAS, in 1970 Governor Russell Peterson informally established a Magistrates Screening Committee to perform such functions and the Committee was continued and expanded by Governor Sherman Tribbit; and

WHEREAS, it is desirable that the Committee be formally constituted by Executive Order.

NOW, THEREFORE, I, PIERRE S. du PONT, IV, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby declare and order that:

1. A Magistrate's Screening Committee, as formally established by Governor Russell Peterson and continued by Governor Sherman W. Tribbitt, is hereby constituted and established.

2. The Commission shall consist of 9 members, appointed by the Governor, who shall serve at his pleasure. At least two members shall be appointed from each County of the State and at least two members shall be appointed from the City of Wilmington. The remaining member shall be appointed from any subdivision of the State. At least three members shall be members of the Bar of the Delaware Supreme Court. No more than five members shall be members of the same major political party. The President of the Delaware Bar Association or his designate shall serve as ex officio member of the Committee.

3. The Governor shall designate the Chairperson of the Committee from among its members.

4. The duties of the Committee shall be to screen persons who have applied for or have been recommended to serve as Justices of the Peace; to adopt procedures and criteria for the screening process; and periodically to furnish to the Governor the names of individuals whom the Committee has found to be qualified to serve as Justices of the Peace.

5. Persons shall be considered by the Committee without regard to race, religion, sex, national origin, age, or physical handicap.

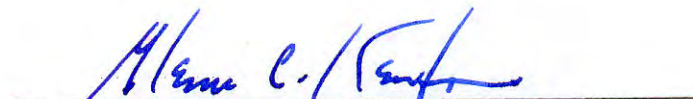
6. The Governor shall appoint as Justices of the Peace and send the names thereof to the Senate for confirmation only individuals who have been found qualified for the position by the Magistrate's Screening Committee.

IN WITNESS WHEREOF, I have hereunto
set my Hand and Seal this 3rd
day of November , 1978.




Governor

ATTEST:


Secretary of State