

Judicial District Summary Worksheet – Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheet in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint. Complete one worksheet or one for each county if you are a joint judicial district.

Judicial District Number:	32	County:	Delaware	Class of County:	2A
<p>1. List the existing magisterial districts in your judicial district (##-#-##):</p> <p>32-1-20, 32-1-21, 32-1-22, 32-1-23, 32-1-24, 32-1-25, 32-1-27, 32-1-28, 32-1-30, 32-1-31, 32-1-32, 32-1-33, 32-1-34, 32-1-35, 32-1-36, 32-2-37, 32-2-38, 32-2-39, 32-2-40, 32-2-42, 32-2-43, 32-2-44, 32-2-46, 32-2-47, 32-2-48, 32-2-49, 32-2-51, 32-2-52, 32-2-53, 32-2-54.</p>					
Caseload Analysis					
2. Average total caseloads:		<i>Avg for Judicial District</i>		<i>Avg for Class of County</i>	
		A. 5,137	B. 5,525		
3. Compare the difference between the caseload average of your judicial district to the class of county.		<i>Difference (2A - 2B)</i>		<i>Ranking Total</i>	
		-388	5th	out of 5	
4. Is your judicial district caseload average at the lower end of the caseload range when compared to the other judicial districts in your class of county?				Yes	
Proposed Actions					
5. Are any magisterial districts proposed for reestablishment?					Yes
<p>If YES, list the magisterial districts proposed for reestablishment (no changes).</p> <p>32-2-44, 32-2-48, 32-2-49</p>					
6. Are any magisterial district proposed for realignment?					Yes
<p>If YES, list the magisterial districts proposed for realignment (changes).</p> <p>32-1-20, 32-1-21, 32-1-22, 32-1-23, 32-1-27, 32-1-28, 32-1-30, 32-1-32, 32-1-33, 32-1-34, 32-1-36, 32-2-37, 32-2-38, 32-2-39, 32-2-40, 32-2-42, 32-2-43, 32-2-46, 32-2-47, 32-2-51, 32-2-52, 32-2-53, 32-2-54.</p>					
7. Are any magisterial districts proposed for elimination?					Yes
<p>If YES, list the magisterial districts proposed for elimination.</p> <p>32-1-24, 32-1-25, 32-1-31, 32-1-35</p>					

Additional Workload Factors

8. Do you have a night court operating within the judicial district?	No
9. Do you have a central court within your judicial district?	No
10. Do you have any special programs that will entail effort by the MDJs such as truancy programs or drug, DUI, veteran, or mental health diversion programs? If YES , briefly explain the types of programs. <small>There are two specially courts: a Drug Court and a Special Victims Court. Also, some school districts have their truancy matters combined to one court for the school district. PA State Police cases related to Interstate Highways will be combined to three specific courts.</small>	Yes

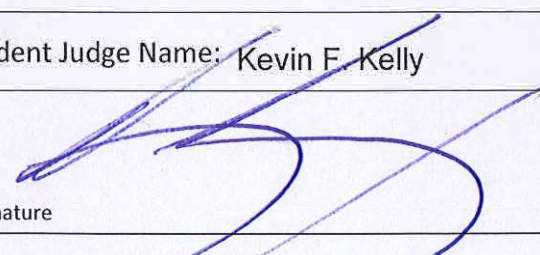
Final Checklist

11. Was a request for public comment posted?	Yes
12. Method of posting - electronic, physical copy, or both?	Both
13. Were media outlets notified?	Yes
14. Were public comments received?	Yes
15. Did you include a copy of the posting and public comments in your submission?	Yes
16. Did you complete summary worksheets for all magisterial districts?	Yes
17. Did you include your petition and all supporting documentation, if applicable?	Yes
18. Did you confer with the MDJs in your county?	Yes

19. Additional Remarks

Please see the attached Summary of Recommendation

Verification of Submission

20. Date submitted to AOPC: 3/1/2022
21. President Judge Name: Kevin F. Kelly
 Signature _____

**Summary of Final Recommended Reestablishment Plan for the
Magisterial District Courts of the 32nd Judicial District
of the Commonwealth of Pennsylvania for 2022**

By The Honorable Kevin F. Kelly, President Judge

Background

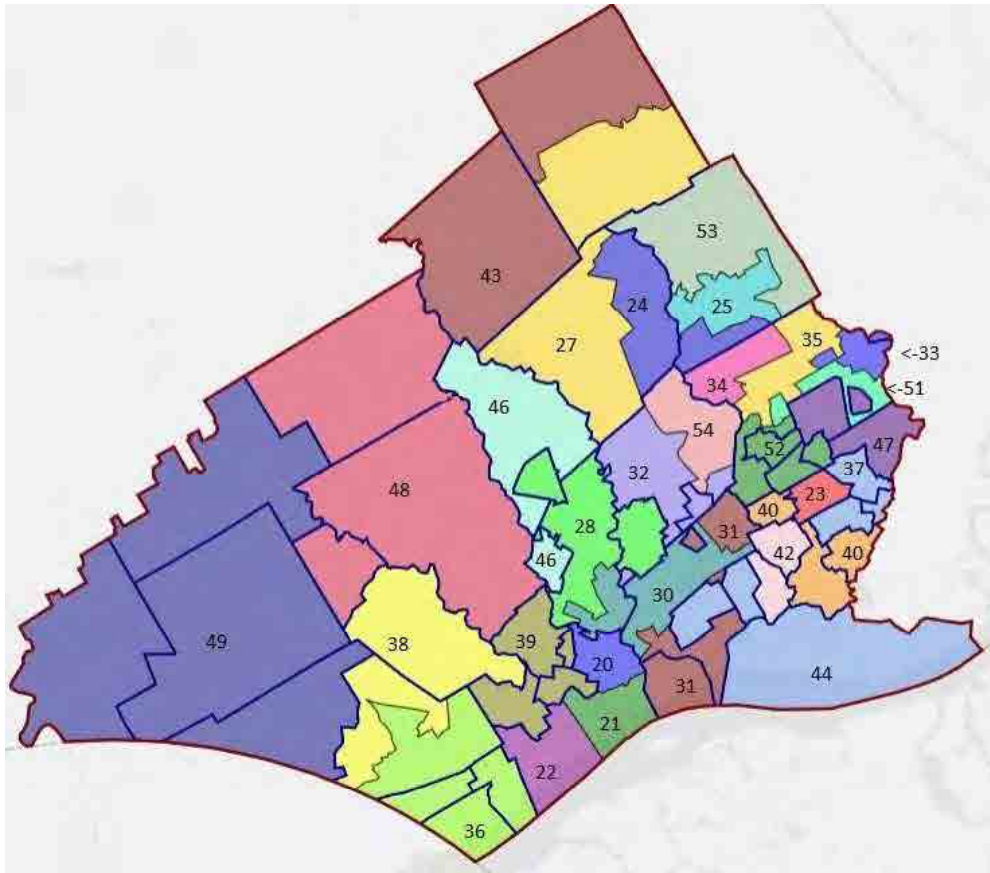
Pursuant to the directions of the Supreme Court of Pennsylvania (“Supreme Court”), a Preliminary Recommendation for the Reestablishment of the Magisterial District Court (“MDCs”) of Delaware County was crafted and posted for public comment on Friday, January 14, 2022. The public comment deadline was advertised as ending at the close of the business day on Tuesday, February 22, 2022, a period of thirty-eight (38) days. On receipt of the various public comments, all were fully reviewed and after a most thorough ensuing deliberative process, the Preliminary Recommendation has been modified and a resultant final version is being submitted for consideration as is more further described below.

The Supreme Court’s guidelines instructed that a final recommendation be forwarded by Monday February 28, 2022. However, a request for an extension was made and granted to allow this submission to be made on or before Friday March 11, 2022.

Contemporaneous with this summary, the following items are being submitted with the filing of the Final Recommendation:

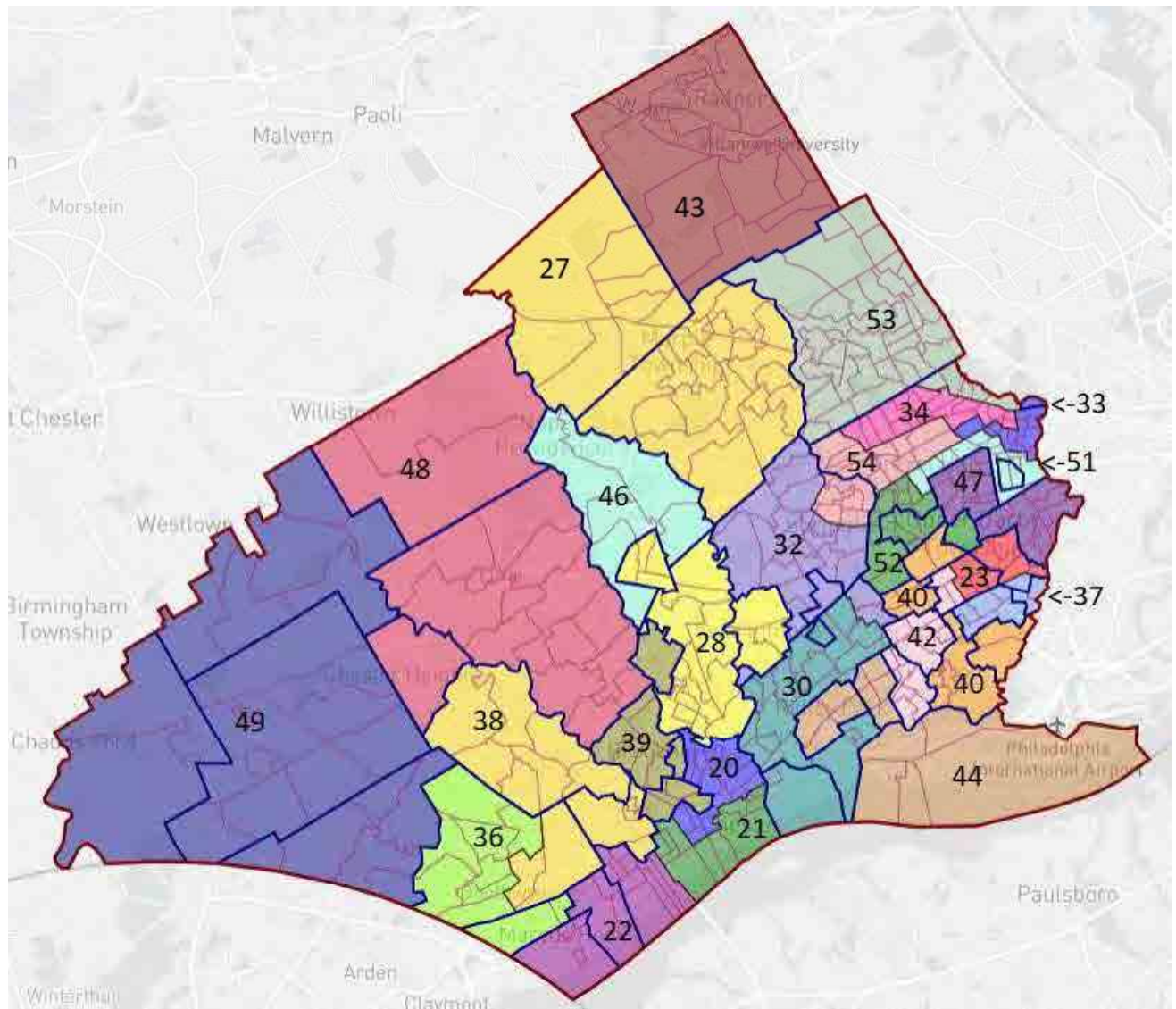
- Copies of the emails relating to the request and granting of the extension for submission.
- The 32nd Judicial District Summary Worksheet.
- A Magisterial District Worksheet for every district in Delaware County.
- A copy of the Notice of posting of the Preliminary Recommendation, and documents relating thereto (*i.e.* email notices and news articles).
- A copy of the Preliminary Recommendation and the related Worksheets as posted.
- A Summary of the Preliminary Recommendation as posted.
- A copy of the web site Notice seeking public comment prior to the crafting of the Preliminary Recommendation.
- A copy of the data provided as requested from the Delaware County Planning Commission relating to expected population, business development and employment projections for each of the forty-nine (49) municipalities in Delaware County over the next decade.
- Input received prior to drafting the Preliminary Recommendation, including recommendations from the local Magisterial District Judge’s Association.
- A copy of the PowerPoint that was utilized at two (2) presentations with various stakeholders prior to the crafting of the Preliminary Recommendation.
- Copies of all public comments received regarding the posted plan.

Current Map of 30 Magisterial District Courts



Magisterial District Courts are labeled by last two digits of District Number; e.g. 32-2-49 is 49.

Map of 26 Recommended Magisterial District Courts



Magisterial District Courts are labeled by last two digits of District Number; *e.g.* 32-2-49 is 49.

For specific descriptions of each District, please refer to the Magisterial District Worksheets.

Description of the Twenty-Six (26) Recommended Magisterial District Courts

Effective as of January 1, 2024, unless otherwise noted

32-1-20 - City of Chester Wards 1 and 2; Ward 6 (Precinct 2); and Ward 7 (Precincts 1, 3 and 4). The Court will also handle all matters for the Chester-Upland School District.

32-1-21- City of Chester Wards 3; 4; 5; Ward 6, (Precinct 1); Ward 7, (Precinct 2); and Wards 8 and 9.

32-1-22 - City of Chester Wards 10 and 11; Marcus Hook and Trainer.

32-1-23 - Collingdale Borough Wards 1, 2, 3, and 7; and Darby Borough Wards 1; 2; and Ward 3 (Precinct 2).

32-1-24 - Eliminated

32-1-25 -Eliminated

32-1-27 - Marple and Newtown

32-1-28 - Media, Nether Providence and Swarthmore

32-1-30 - Ridley Township Wards 2, 3, 5 and 7; and Rutledge until 12/31/2027. Eddystone, Ridley Township Wards 1, 2, 3, 5, 6, 7, 8 and 9; and Rutledge after 12/31/2027 when District Court 32-1-31 is eliminated. The court will also handle all matters for the Ridley School District and all Pennsylvania State Police matters related to I-95 north of I-476.

32-1-31 - Eddystone and Ridley Township Wards 1, 4, 6, 8 and 9 until 12/31/2027, after which this court will be eliminated.

32-1-32 - Morton Borough; Springfield Ward 1 (Precincts 1 and 2); Wards 2, 3; 4; 5; and 7 as of January 1, 2024. Also, add Ridley Township Ward 4 after December 31, 2027 when District Court 32-1-31 is eliminated. This court will also handle all matters for the Springfield School District.

32-1-33- Millbourne Borough and Upper Darby Ward 5 (Precincts 1 and 7); Ward 6 (Precincts 1, 2, 3, 4, 5, 9, 10 and 12); and Ward 7 (Precincts 3, 5, and 11).

32-1-34 - Upper Darby Ward 3 (Precincts 2, 4 and 6 thru 10); Ward 4 (Precincts 1 thru 4, 8, 9 and 10); Ward 5 (Precinct 3); and Ward 7 (Precincts 2, 4, 8 and 10). The Court currently handles all matters for the Upper Darby School District. It is recommended this assignment continue.

32-1-35 - Eliminated

32-1-36 - Lower Chichester, and Upper Chichester Wards 1, 3, 4 and 5. The Court will also handle all of the Chichester School District cases.

32-2-37 - Colwyn; Darby Borough Ward 3 (Precinct 1); and Sharon Hill. The Court will handle all of the School District matters for its own jurisdiction as well as all the school district matters for all of Collingdale (Southeast Delco SD) and all of Darby Borough (William Penn School District).

32-2-38 - Aston Township, Chester Township and Upper Chichester Ward 2. The court will also handle all matters for the Penn Delco School District, as well as all PA State Police cases related to I-95 south of I-476.

32-2-39 - Brookhaven, Parkside, Rose Valley and Upland.

32-2-40 - Aldan, Darby Township and Folcroft

32-2-42 - Collingdale Wards 4, 5 and 6; Glenolden and Norwood.

32-2-43 - Radnor Township.

32-2-44 - Prospect Park, Ridley Park and Tinicum. The court will as well handle all of the cases filed by the Interboro School District.

32-2-46 - Upper Providence Township. The court will also handle the cases for a new countywide "Special Victims" criminal court, as well as all PA State Police cases related to I-476, and all the matters for the Rose-Tree-Media School District.

32-2-47 - Lansdowne and Yeadon. The court will also handle all of the cases filed by the Wm. Penn School District from its own jurisdiction as well for Aldan Borough.

32-2-48 - Chester Heights, Edgmont and Middletown. The court will as well handle all cases filed by the county wide Drug Task Force.

32-2-49 - Bethel, Chadds Ford, Concord and Thornbury.

32-2-51 - East Lansdowne and Upper Darby Ward 5 (Precincts 2, 4, 5, 6 and 8); Ward 6 (Precincts 6, 7, 8, and 11); and Ward 7 (Precincts 1, 6, 7, and 9).

32-2-52 - Clifton Heights and Upper Darby Ward 1 (Precincts 4 and 7); Ward 2; and Ward 5 (Precinct 9).

32-2-53 - Haverford Township and Upper Darby Ward 4 (Precincts 5, 6, 7 and 11); and Ward 5 (Precinct 10).

32-2-54 - Springfield Ward 1 (Precinct 3); and Ward 6; Upper Darby Ward 1 (Precincts 1, 2, 3, 5, 6, 8 and 9); and Ward 3 (Precincts 1, 3, 5 and 11).

Recommendation Statistical Comparison

	Current	Proposed
Number of Districts	30	26
Maximum Number of Districts within a 15% Workload Range	8 of 30	23 of 26
Number of Facilities	22	19
Split Municipalities	9	7
Non-Contiguous Districts	6	3*
*All three Non-Contiguities are due to Municipal Non-Contiguities		
Current Average Workload for 30 Delaware County Magisterial District Courts		33,873
Current Average Workload for the 113 Class 2A County Magisterial District Courts		38,685
Projected Average Workload for 26 Realigned Delaware County Magisterial District Courts		39,085
Number of Magisterial Districts Reestablished as is		3
Number of Magisterial Districts Realigned		23
Number of Magisterial Districts Eliminated		4

Development of Final Recommendation

In anticipation of possibly recommending the elimination of one or more Magisterial District Court ("MDC"), each incumbent MDJ was asked to notify the President Judge, in writing, if they would not be seeking reelection at the end of their current term. Several MDJs indicated that they would not in the future be seeking reelection.

All Delaware County MDJs were invited to a presentation regarding Reestablishment, which was held on October 29, 2021. A majority of the local MDJs attended the meeting. After a PowerPoint presentation many MDJs participated in the subsequent discussion. The president of the local MDJ association was invited to submit an omnibus recommendation on behalf of all the MDJs, the same being timely received on November 22, 2021. Individual MDJs were also encouraged to submit their personal recommendations and comments in writing to the President Judge, which many did.

A similar meeting and presentation was held on November 17, 2021, for other stakeholders. Invitees included: all members of Delaware County Council, the county Solicitor, the District Attorney, the Public Defender and representatives from local law enforcement agencies. After the PowerPoint presentation a comprehensive discussion took place. These attendees were also encouraged to submit their individual recommendations and comments in writing to the President Judge, and some did so over the following weeks.

Notice of the Reestablishment process beginning and an invitation to submit public comment was as well posted on the county website in the fall of 2021.

Resulting from that of the above, a significant amount of input was offered regarding many aspects of the process and the related effect on various MDCs, municipalities, local agencies and/or school districts.

Number of Courts

Pursuant to the guidelines, comparisons were made relative to the average case filings and workload for the Delaware County as relating to all five (5) Class 2A Counties. Bucks, Chester, Lancaster and Montgomery are the other Class 2A Counties per the 2020 US Census data. The data provided by the AOPC clearly shows that Delaware County has the lowest average workload among the five (5) Class 2A Counties. The current average workload for the one-hundred-thirteen (113) MDCs in those 2A counties is 38,685. The present average workload for the thirty (30) MDCs in Delaware County is 33,873. The average workload for the eighty-three (83) MDCs in the other four (4) Class 2A Counties is 40,424, 19.3% higher than the Delaware County MDCs.

The AOPC also provide data which was published by PennLive in a prominent news story during the fall of 2021 relating to the Magisterial District Courts statewide. In those articles, it was noted that Delaware County had five (5) of the ten (10) MDCs in the Commonwealth with the lowest number of hearing days, and twelve (12) of the lowest (20).

While mathematical averaging and comparison was applied to considering the number of MDCs to properly handle the workload of Delaware County, the fluid process revealed that other considerations also impacted this determination. For example, a reduction to twenty-four (24) or twenty-five (25) MDCs was considered. However, these further reductions resulted in much greater splitting of municipalities and school districts in order to meet the goal of distributing the Workload equitably. Likewise, omnibus plans for twenty-seven (27) or twenty-eight (28) MDCs also resulted in less fairly distributed Workload volumes. After consideration of many options, it is recommended that twenty-six (26) is the appropriate number of MDCs to address the needs to the 32nd Judicial District over the next ten (10) years.

The average workload volume for the thirty (30) present MDCs in Delaware County is 33,873 and as noted above, the average Workload volume for the one-hundred-and-thirteen (113) current MDCs in the five (5) Class 2A Counties is 38,685. The new adjusted average Workload volume for the twenty-six (26) proposed MDCs in Delaware County is projected to be 39,085. Thus, this Recommendation brings the average Workload for the MDCs in the 32nd Judicial District to a level slightly higher than the average Workload for all of the one-hundred-and-thirteen (113) current Class 2A County MDCs.

The November 22, 2021 recommendations from the local Magisterial District Judge's Association also suggested eliminating four (4) MDCs, and possible consideration to eliminating a fifth. However, as noted above, the elimination of four (4) MDCs is recommended as twenty-six (26) is the suggested, appropriate number of MDCs for the next decade.

Elimination of Certain MDCs

It is fair to say that every MDC, with the exception of those having the highest Workload volumes, was considered for possible elimination at some point in the process of creating this Recommendation. Aside from the effect on the incumbent MDJ and local community, the elimination of each MDC was weighed against the obvious rippling effect such would cause as Workload volume shifted to other MDCs. In some instances, the possible elimination of a certain MDC would impact the Workload volume of many other local courts, some of which were several districts away on the far side of the county.

Consideration was given to eliminating the MDCs of MDJs who were approaching mandatory retirement age, as articulated by the Supreme Court's guidelines. Thought was also given to eliminating or combining MDCs with low Workload volumes. The three (3) MDCs with current vacancies were the first districts considered for elimination.

The Preliminary Recommendation proposed eliminating the same four (4) MDCs as the November 22, 2021, suggested plan from the local Magisterial District Judge's Association. Those MDCs were:

MDC 32-1-28 (Media, Swarthmore and parts of Nether Providence) has a current vacancy. This MDC, with below average Workload, is entirely surrounded by other MDCs with below average Workload.

MDC 32-1-35 (parts of Upper Darby) has a current vacancy. This MDC, with slightly below average Workload, borders two (2) MDCs with below average Workloads and two (2) MDCs with very high Workloads.

MDC 32-1-24 (parts of Marple and parts of Haverford) has a very low Workload volume and is surrounded by other MDCs with low Workload volume. The current term of the incumbent MDJ ends on December 31, 2023, when the incumbent MDJ will be within two (2) years of mandatory retirement age.

MDC 32-1-25 (parts of Haverford) has a very low Workload volume and is surrounded by other MDCs with low Workload volume. The current term of the incumbent MDJ ends on December 31, 2023, when the incumbent MDJ will be within two (2) years of mandatory retirement age.

Upon reflective consideration of the public comments received, this Final Recommendation differs from that above by not eliminating MDC 32-1-28. However, given that twenty-six (26) is still viewed as the appropriate number of MDCs, it is now recommended that MDC 32-1-31 be eliminated at the end of the term of the incumbent MDJ on December 31, 2027. The incumbent MDJ in MDC 32-1-31 will be seventy-two (72) years of age at that time. Thus, the MDCs proposed for elimination include one (1) with a current vacancy and three (3) others each with an incumbent who would not be able to fulfill another full term due to the constitutionally mandated retirement age.

The consideration leading to changing the recommendation to keep MDC 32-1-28 included significant input from the communities served by that court. Also, it is noteworthy that the court is in Media, the county seat, easily accessible to most of the local attorneys. The facility is located two (2) blocks from the Delaware County Courthouse, and is designated for essential emergency use under the Continuity of Operation Plan (COOP). The facility was used by the Court of Common Pleas several times during the recent pandemic when the Delaware County Courthouse was shut down due to COVID-19 exposures. MDC 32-1-28 is also utilized for Emergency Protection From Abuse hearings when a conflicts arise with the Court of Common Pleas.

Significant public comment was also received opposing the elimination of MDC 32-1-35 in Upper Darby. Such oppositional commentary noted MDJs from “other municipalities” presiding over Upper Darby matters. Paradoxically, MDJs from Upper Darby have for decades been presiding over matters from other municipalities (Aldan, Clifton Heights and Milbourne). Currently, twenty-nine (29) of the forty-nine (49) municipalities in Delaware County are served by an MDJ who resides in another municipality. This is an obvious necessity, unless the patently frivolous and result of at least forty-nine (49) MDCs were created for the county.

Convenience and accessibility were considered when crafting the plan to have two (2) other MDCs serve parts of Upper Darby. The parts of Upper Darby which will be covered by MDC 32-2-54 are in many cases closer than the current location in Upper Darby. By way of example, the large Drexelbrook apartment complex is a short drive and much shorter trolley ride to the Springfield court than it is to the Upper Darby Court facility. The parts of Upper Darby which will be served by MDC 32-2-53 in Havertown are in most cases also closer than the current

location in Upper Darby. MDC 32-2-53 in Havertown is arguably the most accessible court in the county from the point of public transportation, the SEPTA Route 104 bus stops directly in front of the entrance.

While public accessibility to MDC 32-2-53 in Havertown and MDC 32-2-54 in Springfield should not be problematic, it could be for the Upper Darby Police to have to cover hearings at additional locations. In response to the concerns of the UDPD, the Final Recommendation contemplates that MDC 32-2-53 in Havertown and MDC 32-2-54 will hear all of their Upper Darby traffic, non-traffic and criminal matters in the existing Upper Darby court facilities. Also, consistent with the Preliminary Plan, all matters filed by the Upper Darby School District will continue to be heard by MDC 32-1-34, as they have been for decades.

The concept of assigning five (5) Upper Darby precincts to MDC 32-2-53 in Havertown is wholly consistent with the November 22, 2021 recommendations from the local Magisterial District Judge's Association. The Association's proposal also included assigning Milbourne to MDC 32-2-53, however, this Final Recommendation leaves Milbourne with MDC 32-1-33 in Upper Darby.

Consideration was given to having all matters from Upper Darby Township limited to MDCs based solely in that municipality. However, this was not reasonably feasible as the same causes a significant imbalance of workload equity among the MDCs in the eastern part of the county.

Splitting Municipalities

Currently, several of the forty-nine (49) municipalities in Delaware County are split by more than one (1) of the present thirty (30) MDCs. For this Recommendation, splitting municipalities was required to balance the Workloads in a fair manner among the suggested twenty-six (26) MDCs. The preference was to minimize the number of such splits. Upper Darby Township, with over 86,000 residents and a significant case volume undoubtedly requires more than one (1) MDC. Similarly, the City of Chester with a high volume of cases also requires splitting.

Additional current splits remain in the following Municipalities: Ridley, Springfield, and Upper Chichester. Both MDCs covering Springfield are co-located in the same building, thus minimizing the impact of that split.

New splits were required in Darby Borough and Collingdale to balance the significant caseload in those adjoining and contiguous communities. Like Springfield, MDCs covering Darby Borough are proposed to be co-located in the same building, thus minimizing the impact of that split also.

Current splits will be eliminated in the following Municipalities: Marple, Nether Providence, Radnor and Haverford (currently split three (3) ways). The total number of Municipalities being split under this Recommendation is less than the current total.

Public comments in opposition to splitting Collingdale were received and considered. The reason for suggesting splitting the borough among two (2) MDCs was to balance the workload in the region. The excessively high workload in adjoining MDC 32-2-37 must be shifted to another

court. MDC 32-1-23, which presently serves only Collingdale in its entirety has a relatively low workload. Assigning most of Darby Borough to MDC 32-1-23 will increase its Workload from below average currently to slightly above the new adjusted County average. It will also alleviate the excessive burden in MDC 32-2-37, which covers Colwyn, Darby Borough and Sharon Hill currently, and has a Workload which is twice the County average presently. In order to balance the Workloads of both MDCs, 32-1-23 will need to lose some of its Workload from Collingdale. MDC 32-2-42, which currently has a below average Workload, borders Collingdale to the south, and thus can benefit from the added contiguous Workload. The proposed reassignment of these Workloads will bring all three (3) MDCs (32-1-23, 32-2-37 and 32-2-42) close to the adjusted twenty-six (26) Court County average.

The Collingdale Police concerns of having to cover hearings at two (2) locations have been considered. The Final Recommendation includes proposing that the two (2) MDCs serving Collingdale will have coordinated schedules for Traffic, Non-Traffic and Criminal matters eliminating the need for the Collingdale Police to attend hearings in two (2) different buildings at the same time. It is noteworthy that MDC 32-2-42 in Glenolden is only 1.3 mile away from the Collingdale Police station, and MDC 32-1-23 will only be 1.1 mile away when relocated to Darby Borough.

Other Public Comments

Many other public comments were received regarding the posted Preliminary Plan. All of the received comments were given due consideration. While many objections and a significant lesser number of suggestions were proffered relating to specific municipalities, MDCs and regions of the county, none addressed the affect such proposed changes would have on the plan as a whole.

While it is understandable that commentors limited suggestions to their parochial concerns, a thorough contemplation of each reveals that the rippling affect would cause other notable concerns and/or problems in other MDCs. Changes in one aspect of the plan cannot be considered in a vacuum. By way of example, consider the decision to retain MDC 32-1-28 and alternatively eliminated MDC 32-1-31. This change impacted more than those two (2) MDCs; it affected eight (8) other MDCs (32-1-30, 32-1-32, 32-2-39, 32-2-44, 32-2-46, 32-2-48, 32-2-49 and 32-2-54) and three (3) school districts. Similarly, retaining MDC 32-1-35 instead of eliminating it as proposed would necessitate eliminating some other yet to be determined MDC and require further realignment of many other districts throughout the county.

Equitable Distribution of Workload

The current Workload among the thirty (30) MDCs is grossly inequitable. The highest volume MDCs currently have Workload volumes which are three (3), four (4) and even five (5) times that of the lowest volume MDCs. When considering the 15% range goal articulated in the Supreme Court's guidelines, currently only eight (8) MDCs fall in such a range near the average Workload for the County. The table below shows this current extreme Workload disparity, with the highest

MDC having 520.4% of the Workload of the lowest MDC (67,051 divided 12,884 = 520.4%).

Current 32nd Judicial District (Delaware County) Magisterial Courts by Workload

<i>Average Annual Workload per MDC/County = Total Workload/# of years (6, 3 for MD)/# of commissioned</i>									
County/MDC	Criminal	Non-Traffic	Private Criminal	Private Summary	Traffic	Civil	Landlord/Tenant	Misc. Docket	Total Workload
32-2-37	26286	22280	6	535	6557	2794	6130	2464	67051
32-1-33	21164	14280	9	177	10684	2248	6185	2064	56812
32-2-47	11928	9763	5	1377	11598	3422	13768	1868	53728
32-1-36	20019	10674	20	2066	8428	2788	6053	3182	53229
32-2-44	18783	8865	4	41	8986	2606	2438	2780	44501
32-2-39	17877	8397	14	1156	9575	2489	3905	782	44195
32-2-52	9125	7720	7	143	12972	3134	5659	2247	41008
32-1-21	20582	5599	65	1824	2047	959	2920	2649	36645
32-1-22	17112	3879	61	1751	2091	1786	8010	1955	36643
32-2-51	12699	3063	4	261	3540	2609	8111	3800	34087
32-2-43	10857	4697	0	201	13697	2486	722	879	33538
32-2-46	14713	2541	9	93	12176	887	533	1672	32625
32-1-35	10062	3295	0	133	9423	2692	3659	2529	31792
32-2-49	16653	2643	11	302	6101	2506	722	2824	31762
32-1-31	14285	6544	0	68	4289	1686	3103	1477	31452
32-2-40	8966	7126	7	104	7809	3113	2942	1205	31272
32-1-30	9902	8302	0	64	5974	2348	3403	706	30700
32-1-28	10783	4028	13	86	7181	3138	845	2617	28689
32-1-20	11812	2816	52	1192	1818	1433	8215	1293	28629
32-2-42	7859	7815	2	23	6624	1707	3350	478	27858
32-1-34	4327	11164	2	77	6907	1487	2160	1499	27622
32-1-23	8005	6124	5	70	7048	1433	2399	967	26049
32-1-27	9064	5406	0	9	8554	1517	350	631	25531
32-2-48	13733	3544	4	115	4045	1611	599	1455	25106
32-2-38	10392	4547	9	904	3091	2799	1303	1542	24587
32-1-32	11096	4128	4	344	3350	0	0	1358	20278
32-1-24	8391	1666	0	9	2740	1647	632	1064	16149
32-1-25	5410	2275	0	224	4690	1404	531	804	15338
32-2-54	3398	3573	199	33	1456	3343	1820	684	14504
32-2-53	4566	2368	9	45	2860	1566	862	609	12884

Under this Final Recommendation, the projected Workload volume for twenty-three (23) of the twenty-six (26) realigned MDCs fall within a 15% deviation from lowest to highest, and therefore also are within 15% from highest to lowest. Two (2) MDCs which do not currently fit within this range, MDC 32-2-48 and MDC 32-2-49, encompass areas which are expected to develop at a much higher rate in both population and job growth than the rest of County according to the Delaware County Planning Commission. Thus, consistent with the guidelines, the consideration of this expected growth suggests that the Workload volume of both MDC 32-2-48 and MDC 32-2-49 will move into the 15% range before the next reestablishment in ten (10) years.

MDC 32-2-47 is expected to have a Workload which is 18.4% higher than the lowest MDC not expecting significant growth, and 16.6% higher than the second lowest MDC not expecting significant growth. MDC 32-2-47 will still experience a 21.8% reduction in its excessive Workload under the proposal. The district covers Lansdowne and Yeadon in their entireties. It is recommended that this exception to the 15% range goal is preferable to splitting another municipality, particularly in this case as MDC 32-2-47 is surrounded by other MDCs with high expected Workload volumes.

Residence of Incumbent MDJs

The residence of the incumbent MDJ is within the district for twenty-five (25) of the twenty-six (26) proposed MDCs in the Recommendation. The one (1) exception is MDC 32-2-43, where the term of the current MDJ ends on December 31, 2023, when the incumbent MDJ will be within two (2) years of mandatory retirement age. Significantly, the incumbent MDJ in 32-2-43 informed the President Judge in writing that he would not be seeking reelection to a new term. Thus, this only and slight deviation from the guidelines should have no negative impact. To the contrary, it furthers a goal of the guidelines by forestalling the need to split another municipality, Newtown Township.

Contiguity

The guidelines require that all parts of each MDC be contiguous. That is, the MDC should be one (1) continuous stretch of geography with no gaps separating it into more than one (1) piece. Currently, six (6) of the thirty (30) MDCs in Delaware County have non-contiguous parts.

This recommended reestablishment plan reduces the number of non-contiguous districts to only three (3) MDCs. Notably, each proposed non-contiguities is related to a municipal non-contiguity.

The proposed realigned MDC 32-1-32 would have the same non-contiguity it presently has relating to Springfield Township, which is comprised of two (2) non-contiguous pieces. Likewise, the proposed realigned MDC 32-2-40 would have the same non-contiguity it currently has relating to Darby Township, which is also comprised of two (2) non-contiguous pieces. The proposed realigned MDC 32-2-52 includes Upper Darby Township, which as well has two (2) non-contiguous parts. In each of these circumstances, it is preferable to recommend that these municipal non-contiguities be incorporated into the recommended plan, as opposed to further splitting neighboring municipalities and school districts to strictly comply with the guideline.

Court Facilities

Presently, several MDCs share facilities, and have for many years done so. This Recommendation anticipates that the following shared facilities continue to operate in the same manner:

- City of Chester MDCs 32-1-20, 32-1-21 and 32-1-22
- Newtown Square MDCs 32-1-27 and 32-2-43
- Springfield MDCs 32-1-32 and 32-2-54
- Upper Darby MDCs 32-1-33, 32-1-34 and 32-2-51

Currently, MDC 32-1-25 shares a facility with MDC 32-2-53. However, with the elimination of MDC 32-1-25, MDC 32-2-53 will remain at the location, which will be within its boundaries.

The precinct where the facility of MDC 32-2-37 is located is proposed to be reassigned to MDC 32-1-23. A separate petition will be filed asking that both District Courts share the facility at the current location in Darby Borough. This combination also will have the added advantage of combining staff resources, and relocating MDC 32-1-23 to a newer, larger, better all around facility, while keeping MDC 32-2-37 at its current location. Both MDCs serve Darby Borough under this Recommendation.

This proposed Recommendation would call for the closure of the facility where MDC 32-1-23 is presently located, as well as for the closing of the facility where MDC 32-1-24 is presently situated. Upon the elimination of MDC 32-1-31, its facility will be closed, unless MDC 32-1-30 is relocated there, which would necessitate the closing of MDC 32-1-30's current location.

Specialty Courts

Presently, there is one (1) countywide specialty court, in which Drug Task Force cases are assigned to MDC 32-2-48. The Recommendation proposes to keep that arrangement. Additionally, per the request of the District Attorney of Delaware County, another specialty court will be created for "Special Victims", criminal cases with young victims. This proposal recommends that this new specialty court be assigned to MDC 32-2-46, which is centrally located in the county, and would benefit from the added Workload.

Pursuant to the request of the Pennsylvania State Police, this Final Recommendation includes Specialty Courts to efficiently address matters related to Interstates 476 and 95. This application is similar to the November 22, 2021, recommendations from the local Magisterial District Judge's Association. PSP cases attendant to I-95 north of I-476 will be adjudicated at MDC 32-1-30. PSP matters related to I-95 south of I-476 will be heard at MDC 32-2-38. All PSP matters related to I-476 will be adjudicated at MDC 32-2-46.

School Districts

Many school districts are currently served by multiple MDCs. In some cases, all truancy and general school related matters are assigned to one (1) MDC, while in other school districts the cases are not so combined. The jurisdiction related to each school district in the County was reviewed for the Recommendation. An assessment for each school district and MDC was made based on convenience for the district, the residents and the need to distribute Workload volume equitably among MDCs. In all but two (2) school districts, such matters are now assigned to just one (1) MDC under this Recommendation.

The table below outlines the recommended assignment of School District cases:

School District	SD Municipalities in Delaware County	District Court
Chester Upland	All	32-1-20
Chichester	All	32-1-36
Garnet Valley	All	32-2-49
Haverford	All	32-2-53
Interboro	All	32-2-44
Marple Newtown	All	32-1-27
Penn Delco	All	32-2-38
Radnor	All	32-2-43
Ridley	All	32-1-30
Rose Tree/Media	All	32-2-46
Southeast Delco	Darby Twp. & Folcroft	32-2-40
Southeast Delco	Collingdale & Sharon Hill	32-2-37
Springfield	All	32-1-32
Unionville	All	32-2-49
Upper Darby	All	32-1-34
Wallingford Swarthmore	All	32-1-28
West Chester	All	32-2-49
Wm. Penn	Colwyn & Darby Borough	32-2-37
Wm. Penn	Aldan, East Lansdowne, Lansdowne & Yeadon	32-2-47

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-1-20	County:	Delaware	
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024		
Caseload Analysis				
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>	
	A. 3,095	B. 5,137	C. 5,525	
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking</i>	<i>Total</i>
		-2042	24th	out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>	
		-2430	-44 %	
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.				
Workload Analysis				
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>		
	A. 39,023	B. 39,085		
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
		-62	-.2 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.				

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Wilden H. Davis

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

529 Penn Street, Chester, Pennsylvania 19013-6033

12. Is this court within the boundaries of the magisterial district?

No*

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Chester Police and PA State Police

17. List any major highways within this magisterial district.

Interstate 95

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

City of Chester Wards 1 & 2

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

City of Chester Wards 1 & 2; Ward 6 (Precinct 2); and Ward 7 (Precincts 1, 3 and 4).

20. Additional Comments:

The Court will also handle all matters for the Chester-Upland School District. The court has for many years been at a combined location with District Courts 32-1-21 and 32-1-22. It is recommended to keep the court at its current location.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-21	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 2,855	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-2282	25th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-2670	-48 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 39,574	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		489	1.3 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">Dawn L. Vann</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">529 Penn Street, Chester, Pennsylvania 19013-6033</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Chester Police and PA State Police</p>	
<p>17. List any major highways within this magisterial district.</p> <p style="margin-left: 40px;">Interstate 95</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">City of Chester Ward 3, 4, 5, 6 and 7</p>	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
<p style="margin-left: 40px;">City of Chester Wards 3; 4; 5; Ward 6, (Precinct 1); Ward 7, (Precinct 2), and Wards 8 and 9.</p>	
20. Additional Comments:	
<p style="margin-left: 40px;">The court has for many years been at a combined location with District Courts 32-1-20 and 32-1-22. It is recommended to keep all three courts at this current location.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-22	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 3,774	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-1363	22nd out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1751	-32 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 38,564	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-521	-1 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-23	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,680	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		543	9th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		155	2.8 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 40,669	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		1,584	4.1 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Lee C. Grimes

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

100 Clifton Avenue, Collingdale, Pennsylvania 19023-3828 presently. Recommendation is to move to 150 S. MacDade Blvd. Suite E Darby, Pennsylvania 19023-1814 and share a facility with District Court 32-2-37 at its present facility.

12. Is this court within the boundaries of the magisterial district?

Yes

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Collingdale Police, Darby Borough Police

17. List any major highways within this magisterial district.

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Collingdale Borough

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

Collingdale Borough Wards 1, 2, 3, and 7; and Darby Borough Wards 1; 2; and Ward 3, (Precinct 2).

20. Additional Comments:

It is recommended that the Court move into the facility currently occupied by District Court 32-2-37, which would be within the new jurisdiction of this Court. A separate Petition will be filed seeking permission to co-locate both District Courts at that location.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-24	County:	Delaware
1. Proposed plan for this magisterial district: Eliminate		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	Avg for Magisterial District	Avg for Judicial District	Avg for Class of County
	A.	B.	C.
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		Difference (3A - 3B)	Ranking Total
		0	out of
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		Difference (3A - 3C)	% Above/Below
		0	%
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	Avg for Magisterial District	Avg for Judicial District	
	A.	B.	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		Difference (7A - 7B)	% Above/Below
		0	%
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Robert M. D'Agostino

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

796 Parkway Boulevard, Broomall, Pennsylvania 19008-4212

12. Is this court within the boundaries of the magisterial district?

13. Is the MDJ's residence within the boundaries of the magisterial district?

14. Are all portions of the magisterial district contiguous?

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Haverford Township Police, Marple Police

17. List any major highways within this magisterial district.

Interstate 476

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Haverford Township Ward 9, and Marple Wards 1, 3 and 4

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

20. Additional Comments:

The proposed elimination of this court will increase the overall workload to bring our county closer to the average for class 2A counties.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-25	County:	Delaware
1. Proposed plan for this magisterial district: Eliminate		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	Avg for Magisterial District	Avg for Judicial District	Avg for Class of County
	A.	B.	C.
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		Difference (3A - 3B)	Ranking Total
		0	out of
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		Difference (3A - 3C)	% Above/Below
		0	%
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	Avg for Magisterial District	Avg for Judicial District	
	A.	B.	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		Difference (7A - 7B)	% Above/Below
		0	%
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Robert R. Burke

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

525 West Chester Pike, Suites 103 and 105 Havertown, Pennsylvania 19083-4539

12. Is this court within the boundaries of the magisterial district?

No*

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Haverford Township Police, Marple Police

17. List any major highways within this magisterial district.

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Haverford Township Wards 1, 2, and 7

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

20. Additional Comments:

The proposed elimination of this court will increase the overall workload to bring our county closer to the average for class 2A counties.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-27	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,614	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		477	10th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		89	1.6 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 37,682	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-1,403	-4 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

David H. Lang

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

4655 West Chester Pike, Newtown Square, Pennsylvania 19073-2226

12. Is this court within the boundaries of the magisterial district?

Yes

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Marple Police and Radnor Police

17. List any major highways within this magisterial district.

Interstate 476, Route 3 and Route 30

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Marple Wards 2, 5, 6 and 7 and Radnor Wards 4, 5 and 7

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

Marple and Newtown Townships

20. Additional Comments:

The court has shared a facility with District Court 32-2-43 for many years. It is recommended to keep both courts at this current location.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-1-28	County:	Delaware	
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024		
Caseload Analysis				
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>	
	A. 5,158	B. 5,137	C. 5,525	
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking</i>	<i>Total</i>
		21	14th	out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>	
		-367	-7 %	
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.				
Workload Analysis				
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>		
	A. 39,259	B. 39,085		
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
		174	0.4 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.				

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Vacant

<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
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11. Magisterial District Court Information - Physical Location:

349 West Baltimore Avenue Media, Pennsylvania 19063-2609

12. Is this court within the boundaries of the magisterial district?	Yes	<input type="button" value="v"/>
--	-----	----------------------------------

13. Is the MDJ's residence within the boundaries of the magisterial district?		
---	--	--

14. Are all portions of the magisterial district contiguous?	Yes	<input type="button" value="v"/>
--	-----	----------------------------------

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure	<input type="button" value="v"/>
---	-------------	----------------------------------

16. List any police departments located within this magisterial district.

Nether Providence PD, Media PD, Swarthmore PD and PA State Police

17. List any major highways within this magisterial district.

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Nether Providence Wards 2, 3, 4, 6 and 7; Media and Swarthmore Boroughs

19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
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Nether Providence, Media and Swarthmore Boroughs

20. Additional Comments:

The court will also handle all matters from the Wallingford-Swarthmore School District

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-30	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 6,678	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		1541	5th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		1153	21 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 41,640	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		2,555	6.5 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">George B. Dawson</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">Ridley Township Municipal Building 100 MacDade Boulevard, Folsom, Pennsylvania 19033-2594</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Eddystone Police, Ridley Police and PA State Police</p>	
<p>17. List any major highways within this magisterial district.</p> <p style="margin-left: 40px;">Interstate 95 and Interstate 476</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">Nether Providence Wards 1 and 5; Ridley Township Wards 2, 3, 5, 7 and 8.</p>	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
<p style="margin-left: 40px;">Eddystone, Ridley Township Wards 2, 3, 5 and 7; and Rutledge until 12/31/2027.</p> <p style="margin-left: 40px;">Eddystone, Ridley Township Wards 1, 2, 3, 5, 6, 7, 8 and 9; and Rutledge after 12/31/2027 when District Court 32-1-31 is eliminated.</p>	
20. Additional Comments:	
<p>The court will also handle all matters for the Ridley School District and all PA State Police matters related to I-95 north of I-476.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-31	County:	Delaware
1. Proposed plan for this magisterial district: Eliminate <input type="button" value="v"/>		2. Effective date: 1/1/2028	
Caseload Analysis			
3. Average total caseloads:	Avg for Magisterial District	Avg for Judicial District	Avg for Class of County
	A.	B.	C.
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		Difference (3A - 3B)	Ranking Total
		0	<input type="button" value="v"/> out of
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		Difference (3A - 3C)	% Above/Below
		0	%
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	Avg for Magisterial District	Avg for Judicial District	
	A.	B.	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		Difference (7A - 7B)	% Above/Below
		0	%
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-1-32	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,467	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		330	12th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-58	-1 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 40,740	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		1,655	4.2 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-1-33	County:	Delaware	
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024		
Caseload Analysis				
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>	
	A. 4,876	B. 5,137	C. 5,525	
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking</i>	<i>Total</i>
		-261	16th	out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>	
		-649	-12 %	
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.				
Workload Analysis				
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>		
	A. 40,675	B. 39,085		
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
		1,590	4.1 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.				

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Harry J. Karapalides

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

1550 Garrett Road, Upper Darby, Pennsylvania 19082

12. Is this court within the boundaries of the magisterial district?

No*

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Milbourne Police, SEPTA Police and Upper Darby Police

17. List any major highways within this magisterial district.

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Milbourne Borough and Upper Darby Ward 5 (Precincts 1, 7 and 10); Ward 6 (Precincts 1, 2, 3, 4, 5, 10 and 12); and Ward 7 (Precincts 2, 3, 4, 5, 8 and 10).

19. Are the **proposed** municipalities the same as above?

No

If **NO**, please list all proposed municipalities (alphabetically).

Milbourne Borough and Upper Darby Ward 5 (Precincts 1 and 7); Ward 6 (Precincts 1, 2, 3, 4, 5, 9, 10 and 12); and Ward 7 (Precincts 3, 5, and 11).

20. Additional Comments:

The court has shared a facility with District Courts 32-1-34, and 32-2-51 for many years. It is recommended to keep the court at its current location.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-1-34	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 7,698	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		2561	2nd out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		2173	39 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 41,566	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		2,481	6.3 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-1-35	County:	Delaware
1. Proposed plan for this magisterial district: Eliminate		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A.	B.	C.
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		0	out of
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		0	%
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A.	B.	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		0	%
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Vacant

<i>Magisterial District Judge Name</i>	<i>Birthdate</i>	<i>Term Expiration Date</i>	<i>Mandatory Retirement Date</i>
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11. Magisterial District Court Information - Physical Location:

1550 Garrett Road, Upper Darby, Pennsylvania 19082

12. Is this court within the boundaries of the magisterial district?

13. Is the MDJ's residence within the boundaries of the magisterial district?

14. Are all portions of the magisterial district contiguous?

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

16. List any police departments located within this magisterial district.

Upper Darby Police

17. List any major highways within this magisterial district.

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Upper Darby Ward 1 (Precinct 4, 5, 6 7 and 9); Ward 3 (Precinct 1, 3, 5 and 11);
Ward 4 (Precincts 2, 3 and 5 thru 11); Ward 5 (Precincts 3 & 8)

19. Are the **proposed** municipalities the same as above?
If **NO**, please list all proposed municipalities (alphabetically).

No

None

20. Additional Comments:

The proposed elimination of this court will increase the overall workload to bring our county closer to the average for class 2A counties.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-1-36	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 4,462	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-675	17 out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1063	-19 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 39,453	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		368	1 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-2-37	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 3,894	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-1243	20th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1631	-30 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 40,487	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		1,402	3.6 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">Tammi Forbes</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">150 S. MacDade Blvd. Suite E, Darby, Pennsylvania 19023-1814</p>	
12. Is this court within the boundaries of the magisterial district?	No*
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Colwyn PD, Darby Borough PD, and Sharon Hill PD</p>	
<p>17. List any major highways within this magisterial district.</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">Colwyn, Darby Borough and Sharon Hill</p>	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
<p style="margin-left: 40px;">Colwyn; Darby Borough Ward 3, (Precinct 1); and Sharon Hill</p>	
20. Additional Comments:	
<p>The Court will handle all of the School District matters for its own jurisdiction as well as all the school district matters for all of Collindale (Southeast Delco SD) and all of Darby Borough (William Penn SD). The precinct where the court is currently located will be reassigned to District Court 32-1-23. It is recommended to co-locate both courts at the current location, 150 MacDade Blvd, Darby, PA.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-2-38	County:	Delaware	
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024		
Caseload Analysis				
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>	
	A. 4,894	B. 5,137	C. 5,525	
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking</i>	<i>Total</i>
		-243	15th	out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>	
		-631	-11 %	
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.				
Workload Analysis				
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>		
	A. 40,428	B. 39,085		
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
		1,343	3.4 %	
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.				

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">Diane Holefelder</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">2901 Dutton Mill Road, Suite 120, Aston, Pennsylvania 19014-0185</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Aston PD, Upper Chichester PD and PA State Police</p>	
<p>17. List any major highways within this magisterial district.</p> <p style="margin-left: 40px;">Interstate 95, PA Rte 322 and PA Rte 452</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">Aston Township, and Upper Chichester Wards 3 and 4.</p>	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
<p style="margin-left: 40px;">Aston Township, Chester Township and Upper Chichester Ward 2.</p>	
20. Additional Comments:	
<p>The court will handle all matters for the Penn Delco School District, as well as all PA State Police cases related to I-95 south of I-476.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-39	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,205	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		68	13 out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-320	-6 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 36,844	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-2,241	-6 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-2-40	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,752	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		615	7th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		227	4.1 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 38,119	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		-966	-3 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">Steven A. Sandone</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">11 Bartram Avenue, Glenolden, Pennsylvania 19036-1802</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	No
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Darby Township PD and Folcroft PD</p>	
<p>17. List any major highways within this magisterial district.</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">Darby Township and Folcroft</p>	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
<p style="margin-left: 40px;">Aldan, Darby Township and Folcroft</p>	
20. Additional Comments:	
<p>The district has a current non-contiguity related to Darby Township being two noncontiguous portions. Allowing this non-contiguity is preferable to splitting another municipality to make the district contiguous.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-42	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,478	B. 6,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-659	11th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-47	-1 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 39,824	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		739	1.9 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-43	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 7,462	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		2325	3rd out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		1937	35 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 39,882	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		797	2 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Leon Hunter, III

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

4655 West Chester Pike, Newtown Square, Pennsylvania 19073-2226

12. Is this court within the boundaries of the magisterial district?

No*

13. Is the MDJ's residence within the boundaries of the magisterial district?

No*

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Newtown Police and Radnor Police

17. List any major highways within this magisterial district.

Interstate 476, Route 3 and Route 30

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Newtown Township and Radnor Wards 1, 2, 3 and 6

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

Radnor Township

20. Additional Comments:

The incumbent MDJ has indicated in writing that he will not be seeking re-election at the end of his current term, when he will be two years from the mandatory retirement age. The court has shared a facility with District Court 32-1-27 for many years. It is recommended to keep both courts at that same location.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-44	County:	Delaware
1. Proposed plan for this magisterial district: Reestablish		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 4,095	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-1042	19th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1430	-26 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 41,572	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		2,487	6.4 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

Jack D. Lippart

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

1028 Lincoln Avenue, Prospect Park, Pennsylvania 19076-1414

12. Is this court within the boundaries of the magisterial district?

Yes

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

Prospect Park PD, Ridley Park PD, Tinicum PD and PA State Police

17. List any major highways within this magisterial district.

Interstate 95

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

Prospect Park, Ridley Park and Tinicum

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

Yes

Prospect Park, Ridley Park and Tinicum

20. Additional Comments:

The court will also handle all of the cases filed by the Interboro School District.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-46	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 8,063	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		2926	1st out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		2538	46 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 36,284	B. 3,905	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		32,379	-7 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">Andrew Goldberg</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">939 N. Providence Road, Media, Pennsylvania 19063-1403</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
<p>15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES, please summarize your response below.</p> <p style="margin-left: 40px;">According to the Delaware County Planning Commission, employment in the district projected to grow at a rate twice as high as the county average over the next decade.</p>	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Upper Providence PD and PA State Police</p>	
<p>17. List any major highways within this magisterial district.</p> <p style="margin-left: 40px;">Route 1 and Baltimore Pike</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">Rose Valley and Upper Providence</p>	
<p>19. Are the proposed municipalities the same as above? If NO, please list all proposed municipalities (alphabetically).</p> <p style="margin-left: 40px;">Upper Providence</p>	No
20. Additional Comments:	
<p style="margin-left: 40px;">The court will also handle the cases for a new countywide "Special Victims" criminal court, as well as all PA State Police cases related to I-476 and all the matters for the Rose-Tree-Media School District.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-47	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 6,039	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		902	6th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		514	9.3 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 42,952	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		3,867	9.9 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information

10. Magisterial District Judge (MDJ) Information:

W. Keith Williams

Magisterial District Judge Name

Birthdate

Term Expiration Date

Mandatory Retirement Date

11. Magisterial District Court Information - Physical Location:

60 W. Marshall Road, Lansdowne, Pennsylvania 19050

12. Is this court within the boundaries of the magisterial district?

Yes

13. Is the MDJ's residence within the boundaries of the magisterial district?

Yes

14. Are all portions of the magisterial district contiguous?

Yes

15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If **YES**, please summarize your response below.

No/Not Sure

16. List any police departments located within this magisterial district.

East Lansdowne PD, Lansdowne PD and Yeadon PD

17. List any major highways within this magisterial district.

Baltimore Pike

18. List the **current** municipalities for this magisterial district (alphabetically). For a list, click [HERE](#) for Realignment Orders submitted in the past.

East Lansdowne, Lansdowne and Yeadon

19. Are the **proposed** municipalities the same as above? If **NO**, please list all proposed municipalities (alphabetically).

No

Lansdowne and Yeadon

20. Additional Comments:

The court will also handle all of the cases filed by the William Penn School District from its own jurisdiction as well for Aldan Borough.

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-2-48	County:	Delaware	
1. Proposed plan for this magisterial district: Reestablish <input type="button" value="v"/>		2. Effective date: 1/1/2024		
Caseload Analysis				
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>	
	A. 2,830	B. 5,137	C. 5,525	
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking</i>	<i>Total</i>
		-2307	26th	out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>	
		-2695	-49 %	
<p>6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.</p> <p>While the proposed district has a projected current volume which is low, the area is projected to undergo significant growth over the next decade. According to data provided by the Delaware County Planning Department, the population of this district will grow at a rate which is much higher than the County average over the next decade. Additionally, job growth in the district is expected to be higher than the County average for the next ten years. There are numerous housing and commercial developments planned in the district, which will cause the case volume to expand and will likely bring the workload of the district court above the county average by the end of the decade.</p>				
Workload Analysis				
7. Average total workloads:		<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
		A. 28,070	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
		-11,015	-28 %	
<p>9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.</p> <p>Per data received from the Delaware County Planning Commission, the district is projected to have much higher than expected growth in population and employment over the next decade as compared to the average for the county.</p>				

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p>Walter Strohl</p> <p><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p>27 S. Pennell Road, Lima, Pennsylvania 19037-0093</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	Yes
<p>15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES, please summarize your response below.</p> <p>According to the Delaware County Planning Commission, Middletown Township is expected to undergo both Population and Job growth at a much higher rate than the rest of Delaware County over the next ten years.</p>	Yes
<p>16. List any police departments located within this magisterial district.</p> <p>PA State Police,, Nether Providence PD</p>	
<p>17. List any major highways within this magisterial district.</p> <p>Route 1 and Route 3</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p>Chester Heights, Edgmont and Middletown</p>	
<p>19. Are the proposed municipalities the same as above? If NO, please list all proposed municipalities (alphabetically).</p> <p>Chester Heights, Edgmont and Middletown.</p>	Yes
20. Additional Comments:	
<p>The court will handle all cases filed by the county wide Drug Task Force.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-49	County:	Delaware	
1. Proposed plan for this magisterial district: Reestablish <input type="button" value="v"/>		2. Effective date: 1/1/2024		
Caseload Analysis				
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>	
	A. 3,820	B. 5,137	C. 5,525	
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking</i>	<i>Total</i>
		-1317	21st	out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>	
		-1705	-31 %	
<p>6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.</p> <p>While the proposed district has a projected current volume which is low, the area is projected to undergo significant growth over the next decade. According to data provided by the Delaware County Panning Department, the population of this district will grow at a rate which is four times higher than the County average over the next decade. Additionally, job growth in the district is expected to be almost three times the County average for the next ten years. There are numerous housing and commercials developments planned in the district, which will cause the case volume to expand and will likely bring the workload of the district court above the county average by the end of the decade.</p>				
Workload Analysis				
7. Average total workloads:		<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
		A. 33,197	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>	
		-5,888	-15 %	
<p>9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.</p> <p>While the proposed district has a projected current volume which is low, the area is projected to undergo significant growth over the next decade. According to data provided by the Delaware County Panning Department, the population of this district will grow at a rate which is four times higher than the County average over the next decade. Additionally, job growth in the district is expected to be almost three times the County average for the next ten years. There are numerous housing and commercials developments planned in the district, which will cause the case volume to expand and will likely bring the workload of the district court above the county average by the end of the decade.</p>				

Magisterial District Summary Worksheet - Reestablishment 2021-2022

Start by saving the fillable worksheet template locally on your system as a PDF form. Then, open and complete the worksheets in a PDF browser (not a web browser) to ensure all options and functionality are available. Answer the questions by typing or selecting responses. Press TAB or click on a field to advance. Hover the fields for tips and instructions. Save and upload the completed form to SharePoint.

Magisterial District Court Number:	32-2-51	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 3,576	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-1561	23rd out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1949	-35 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 40,402	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		1,317	.7 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-52	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 7,194	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		2057	4 out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		1669	30 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 40,257	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		1,172	3 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Information	
<p>10. Magisterial District Judge (MDJ) Information:</p> <p style="margin-left: 40px;">Kelly Micozzie-Aguirre</p> <p style="margin-left: 40px;"><i>Magisterial District Judge Name</i> <i>Birthdate</i> <i>Term Expiration Date</i> <i>Mandatory Retirement Date</i></p>	
<p>11. Magisterial District Court Information - Physical Location:</p> <p style="margin-left: 40px;">409 Ashland Avenue, Suite 1, Secane, Pennsylvania 19018-2705</p>	
12. Is this court within the boundaries of the magisterial district?	Yes
13. Is the MDJ's residence within the boundaries of the magisterial district?	Yes
14. Are all portions of the magisterial district contiguous?	No
15. To the best of your knowledge, are there any planned developments such as a mall, highway expansion or gas drilling that will likely cause an increase in the case filings for this office? If YES , please summarize your response below.	No/Not Sure
<p>16. List any police departments located within this magisterial district.</p> <p style="margin-left: 40px;">Aldan PD, Clifton Heights PD, and Upper Darby PD</p>	
<p>17. List any major highways within this magisterial district.</p> <p style="margin-left: 40px;">Baltimore Pike</p>	
<p>18. List the current municipalities for this magisterial district (alphabetically). For a list, click HERE for Realignment Orders submitted in the past.</p> <p style="margin-left: 40px;">Aldan, Clifton Heights and Upper Darby Ward 2.</p>	
19. Are the proposed municipalities the same as above? If NO , please list all proposed municipalities (alphabetically).	No
<p style="margin-left: 40px;">Clifton Heights and Upper Darby Ward 1 (Precincts 4 and 7); Ward 2; and Ward 5 (Precinct 9).</p>	
20. Additional Comments:	
<p style="margin-left: 40px;">The district has a non-contiguity related to a noncontiguous portion of Upper Darby Township, one precinct Ward 2, Precinct 1.</p>	

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-53	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 5,717	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		580	8th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		192	3.5 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 40,241	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		1,156	3.0 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

Magisterial District Summary Worksheet - Reestablishment 2021-2022

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Magisterial District Court Number:	32-2-54	County:	Delaware
1. Proposed plan for this magisterial district: Realign		2. Effective date: 1/1/2024	
Caseload Analysis			
3. Average total caseloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	<i>Avg for Class of County</i>
	A. 4,190	B. 5,137	C. 5,525
4. Compare the difference between the caseload average of this magisterial district to your judicial district caseload average.		<i>Difference (3A - 3B)</i>	<i>Ranking Total</i>
		-947	18th out of 26
5. Compare the difference between the caseload average of this magisterial district to your class of county caseload average.		<i>Difference (3A - 3C)</i>	<i>% Above/Below</i>
		-1335	-24 %
6. If this magisterial district is at the lower end of the caseload range and you are proposing to reestablish (no changes), please summarize your response from the plan that explains why you are departing from caseload equity.			
Workload Analysis			
7. Average total workloads:	<i>Avg for Magisterial District</i>	<i>Avg for Judicial District</i>	
	A. 39,313	B. 39,085	
8. Compare the difference between the average total workloads of this magisterial district to the judicial district.		<i>Difference (7A - 7B)</i>	<i>% Above/Below</i>
		228	.6 %
9. If this magisterial district's average workload is fifteen (15%) percent <i>higher or lower than</i> your judicial district average workload and you are proposing to reestablish this magisterial district, please explain (<i>summarize your response from the plan</i>) why this does not result in an unwarranted inequity among the judges.			

McDonald, Charles

From:
Sent: Thursday, February 24, 2022 10:41 AM
To: Kelly, Kevin F.
Cc: Montella, Gerald; McDonald, Charles; Christy Beane
Subject: (EXTERNAL) RE: Reestablishment Plan Submission Extension

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department

Judge Kelly:

Your request for an extension is granted. Although you hope to submit the plan by March 4, you are granted an extension until March 11, 2022.

Regards,
Joe Mittleman

From:
Sent: Wednesday, February 23, 2022 4:46 PM
To: Joseph Mittleman
Subject: Reestablishment Plan Submission Extension

CAUTION: This is an external email. Please think before you click on an attachment or link!

Mr. Mittleman,

I'm writing to request a modest extension for submission of the thirty-second (32nd) judicial district's magisterial district court reestablishment plan. The posting period which closed this past Tuesday, February 22, 2022, has prompted numerous responses all of which are being fully reviewed and carefully considered and may likely result in changes to the current proposal. Although I've been meeting this week with Jerry Montella and Chuck McDonald to work through this process and finalize the plan for submission, I'm not available the balance of this week having past committed to attend the State Trial Judges Conference.

Should an extension be allowed, I anticipate the reestablishment plan will be forwarded no later than next Friday, March 4, 2022, if not sooner.

Your consideration in this and the many other concerns of mutual interest is very much appreciated.

Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Delaware County Magisterial District Judge Association input prior to
creating Draft Recommendation

McDonald, Charles

From: Kelly, Kevin F.
Sent: Monday, November 29, 2021 10:25 AM
To: McDonald, Charles
Cc: Montella, Gerald
Subject: FW: (EXTERNAL) MDJ Association Reestablishment Proposal
Attachments: Reestablishment Proposal MDJ Association Submitted.pdf

Chuck,

As discussed.

Kevin

From: Michael A. Burns, Esq. <legal@burnslaw.org>
Sent: Monday, November 22, 2021 3:22 PM
To: Kelly, Kevin F.

Subject: (EXTERNAL) MDJ Association Reestablishment Proposal

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department

President Judge Kelly

On behalf of the MDJ Association, please find the attached proposal for reestablishment of the district courts. Should your Honor require a hard copy, please advise the same so I can meet that accommodation.

It is my hope to discuss this proposal at our scheduled meeting of December 7th or when time should permit. I have copied MDJ Holefelder who will be the incoming President and attending the next monthly meeting.

Thank you for the opportunity to present this plan as the association's members and their constituents will be directly affected by the redistricting. The association's input was a collaborative effort and best reflects what we believe to be in the best interest of our respective communities.

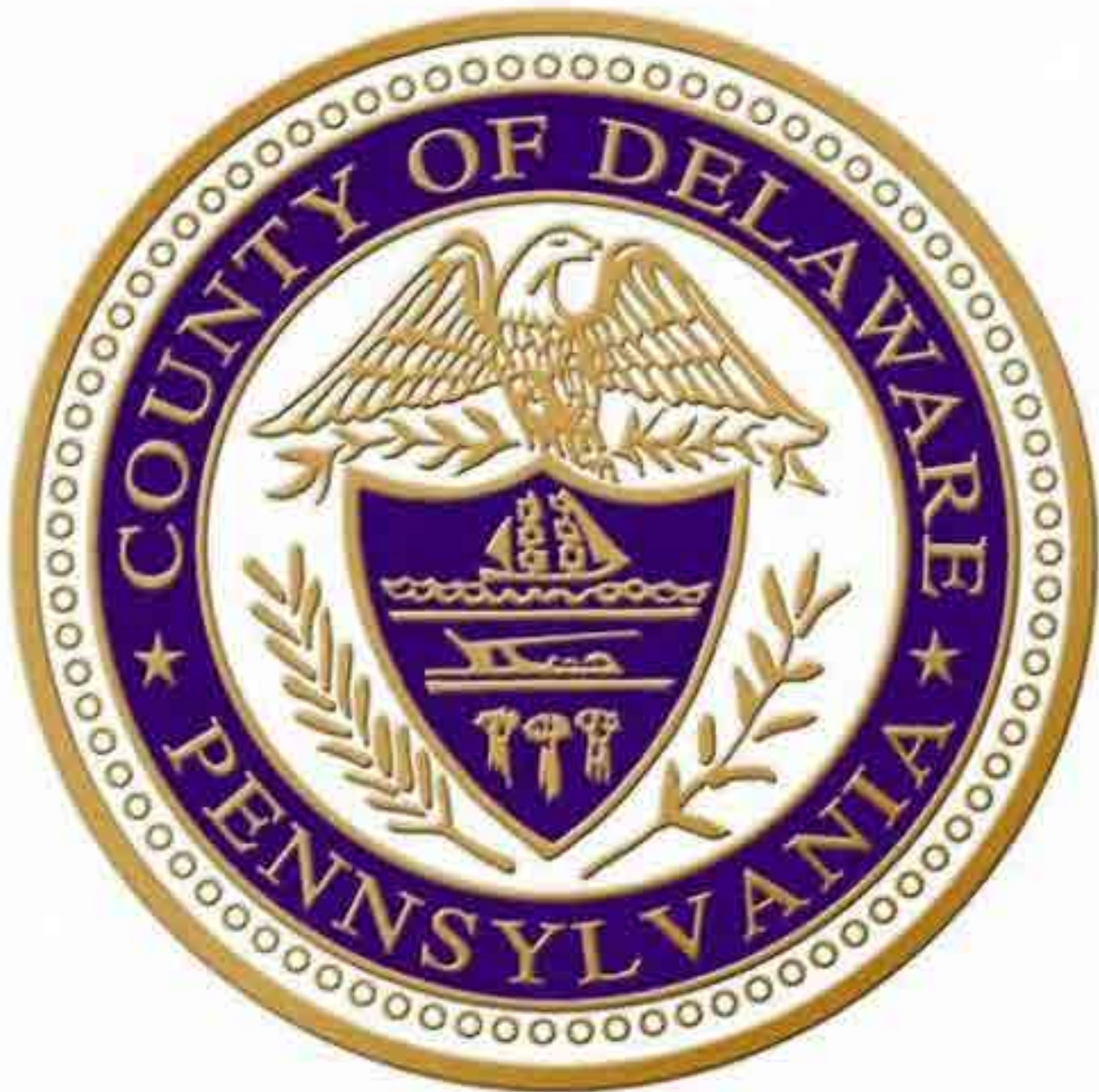
I look forward to hearing from your Honor in the near future.

All the best to you and your family during the upcoming Thanksgiving holiday.



michael a. burns, esq.
110 w front street
media pa 19063
p: 610.566.1606
f: 610.566.1616

DELAWARE COUNTY
MAGISTERIAL DISTRICT REESTABLISHMENT



MDJ ASSOCIATION PROPOSAL
NOVEMBER 22, 2021

RULE/CONSIDERATIONS FOR REESTABLISHMENT

Assessment of the workload calculation

Rule: No district should have a total workload which is 15% higher or lower than the workload of any other district

Exception: If a departure of that degree exists, an explanation must be provided that describes why this does not result in an unwarranted inequity among the judges in the judicial district

- Projected caseload growth in the affected districts
- Projected caseload reduction in the affected districts
- Use of a central court that would redirect caseload and ameliorate the inequity
- Use another mechanism that would redirect caseload and ameliorate the inequity

Additional Factors

Consideration: Location

- Every magisterial district court facility must be located within the magisterial district boundaries

Consideration: Contiguous Districts

- All portions of the magisterial district must be contiguous
- Voting districts cannot be split

Consideration: Incumbents

- No district can be eliminated during the term of an incumbent MDJ
- District boundaries cannot be redrawn in such a way that would move an **incumbent magisterial district judge's** residence into another magisterial district

Consideration: Special Courts

- Note any special programs in your county that will entail effort by MDJs, such as truancy programs or drug, veteran, or mental health diversion programs

Consideration: Public Access/Safety

- Public access should be considered and weighed along with all others

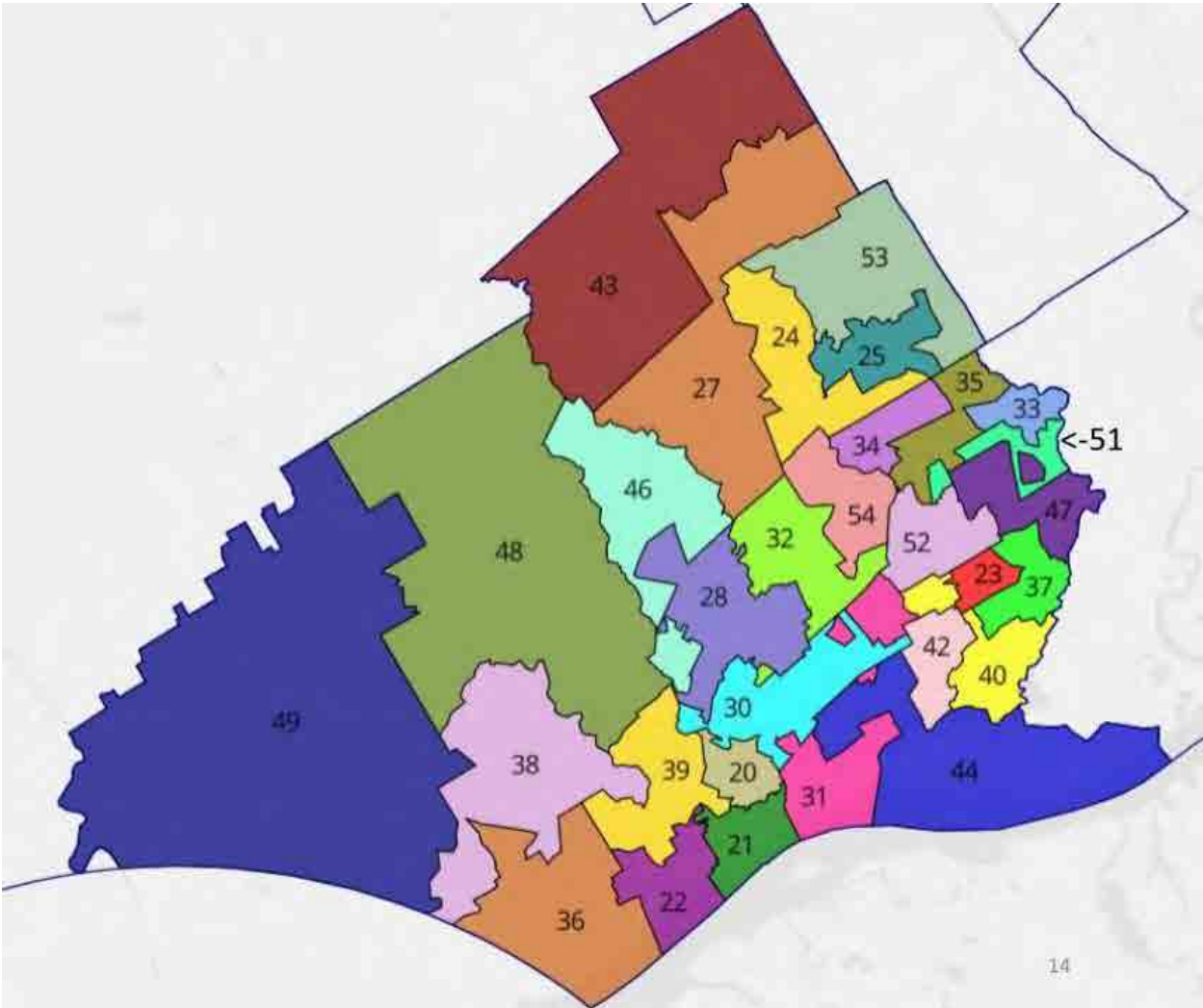
- Safety should be considered and weighed along with all others

Ten (10) Year Period

- Proposed changes do not have to be effective immediately, but can take place years in the future if a proposed change is dependent upon a retirement or term ending which will occur years hence
- Any planned commercial or infrastructure changes in the county such as highway expansion, housing developments, or business closures that will likely cause an increase or decrease in the case filings of the magisterial districts should be accounted for.

DELAWARE COUNTY JUDICIAL DISTRICTS

➤ 30 District Courts



County/JD#	MDC	Jurisdiction
Delaware/32	32-1-20	Chester City, wards 1, 2-2, 2-4 Delaware County
	32-1-21	Chester City, wards 3,4,5,6 and 7 Delaware County
	32-1-22	Chester City, wards 8, 9, 10, 11 Delaware County
	32-1-23	Collingdale Boro Delaware County
	32-1-24	Delaware County Haverford Twp, ward 9 Marple Twp, wards 1, 3, 4
	32-1-25	Delaware County Haverford Twp, wards 1, 2, 7
	32-1-27	Delaware County Marple Twp, wards 2, 5, 6, 7 Radnor Twp, wards 4, 5, 7
	32-1-28	Delaware County Media Boro Nether Providence Twp- wards 2, 3, 4, 6, 7 Swarthmore Boro
	32-1-30	Delaware County Nether Providence Twp wards 1, 5 Ridley Twp, wards 2, 3, 5, 7, 8
	32-1-31	Delaware County Eddystone Boro Ridley Twp, wards 1, 4, 6, 9 Rutledge Boro
	32-1-32	Delaware County Morton Boro Springfield Twp, wards 2-2, 3, 4, 7
	32-1-33	Delaware County Milbourne Boro Upper Darby Twp - Ward 5, precinct 1,7 and 10 Upper Darby Twp - Ward 6, precincts 1-4, 10, 12 Upper Darby Twp - Ward 7, precincts 2-6, 8 and 10
	32-1-34	Delaware County Upper Darby Twp - Ward 1, precincts 1-3, 8 Upper Darby Twp - Ward 3, precincts 2, 4, 7-10

County/JD#	MDC	Jurisdiction
		Upper Darby Twp - Ward 4, precinct 1 and 4
32-1-35		Delaware County Upper Darby Twp - Ward 1, precinct 4-7, 9 Upper Darby Twp - Ward 3, precinct 1, 3, 5, and 11 Upper Darby Twp - Ward 4, precincts 2, 3, 5-11 Upper Darby Twp - Ward 5, precincts 3, 8
32-1-36		Delaware County Lower Chichester Twp - (Linwood Boro) Marcus Hook Boro Trainer Boro Upper Chichester Twp, wards 1, 2, 5
32-2-37		Colwyn Boro Darby Boro Delaware County Sharon Hill Boro
32-2-38		Aston Twp Delaware County Upper Chichester Twp, wards 3, 4
32-2-39		Brookhaven Boro Chester Twp Delaware County Parkside Boro Upland Boro
32-2-40		Darby Twp Delaware County Folcroft Borough
32-2-42		Delaware County Glenolden Boro Norwood Boro
32-2-43		Delaware County Newtown Twp Radnor Twp (Wards 1, 2, 3, 6)
32-2-44		Delaware County Prospect Park Boro Ridley Park Boro
32-2-46		Delaware County Rose Valley Boro Upper Providence Twp
32-2-47		Delaware County Lansdowne Boro Yeadon Boro

32-2-48	Chester Heights Boro Delaware County Edgmont Twp Middletown Twp
32-2-49	Bethel Twp Chadds Ford Twp Concord Twp Delaware County Thornbury Twp
32-2-51	Delaware County Upper Darby Twp - Ward 5, precincts 2, 4-6, 9 Upper Darby Twp - Ward 6, precincts 5-9, 11 Upper Darby Twp - Ward 7, precincts 1, 6, 7, 9, 11
32-2-52	Clifton Heights Boro Delaware County Upper Darby Twp - Ward 2, precincts 1-7
32-2-53	Delaware County Haverford Twp, wards 3, 4, 5, 6, 8
32-2-54	Delaware County Springfield Twp, wards 1, 2-1, 2-3, 5, 6

➤ 16 Buildings

Lansdowne	47
Darby	37
Collingdale	23
Darby Township	40
Glenolden	42
Ridley	30
Ridley	31
Prospect Park	44
Springfield	54/32
Upper Darby	33/34/35/51
Secane	52
Haverford	25/53
Marple	24
Newtown Square	27/43
Chester	20/21/22
Linwood	36
Concord	49
Media	28
Aston	38
Brookhaven	39
Upper Providence	46
Lima	48

CONSIDERATION: LOCATION

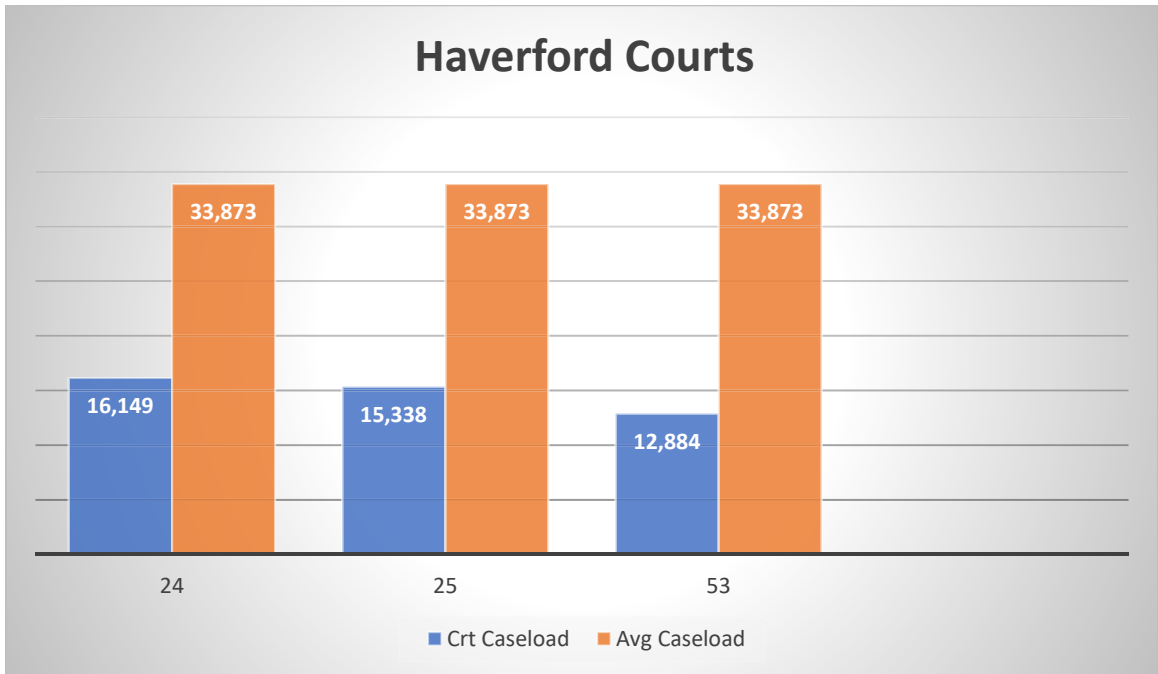
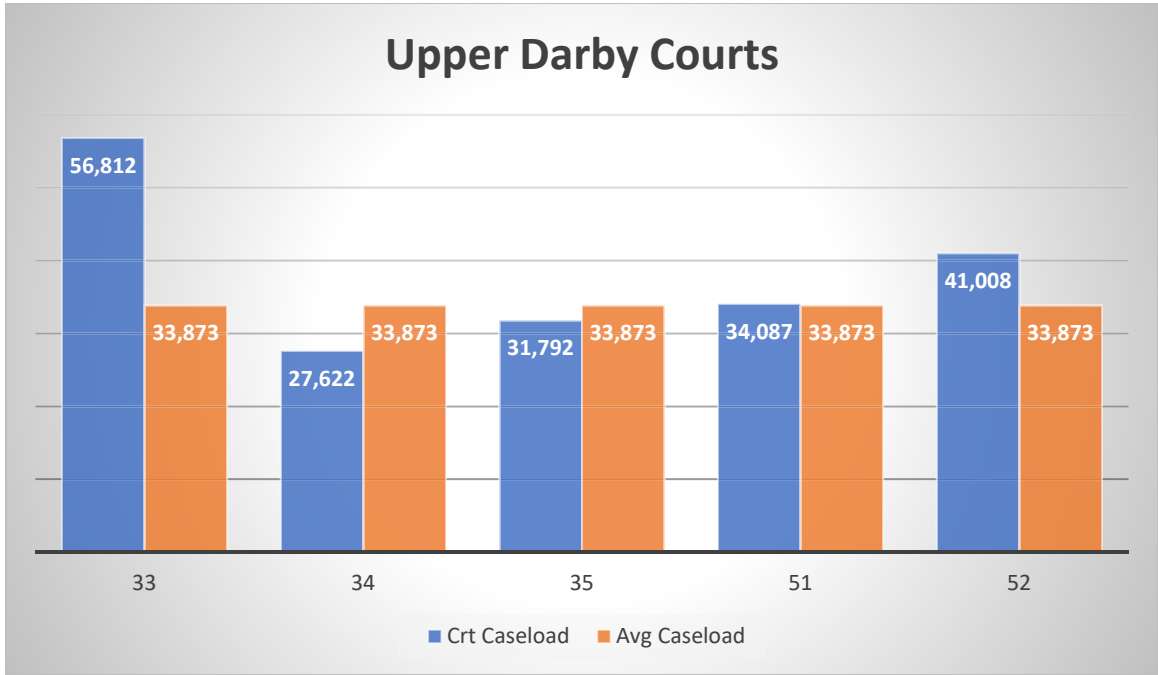
- Every magisterial district court facility must be located within the magisterial district boundaries

MUNICIPALITIES WITH MORE THAN ONE (1) MAGISTERIAL DISTRICT

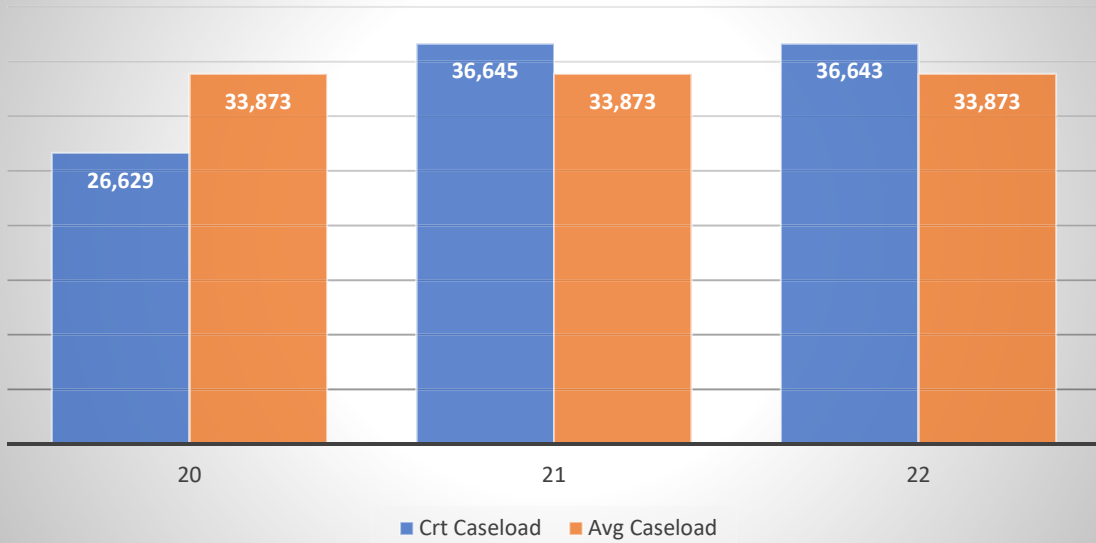
Municipality	# Court Districts	Districts	Judges	Buildings
Upper Darby Township	5	33/34/35 /51/52	Karapalides/Radano/VACANCY/Mattox/Micozzie-Aguirre	1
Haverford Township	3	24/25/53	D'Agostino/Burke/Duerr	2
Chester City	3	20/21/22	Davis/Vann/VACANCY	1
Marple Township	2	24/27**	D'Agostino/Lang	2
Ridley Township	2	30/31	Dawson/Turner	2
Springfield Township	2	32/54	Culp/Merkins	1
Nether Providence Township	2	28/30	Dawson/VACANCY	2
Upper Chi Chester Township	2	36/38	Griffin/Holefelder	2
Radnor Township	2	27/43	Lang/Hunter	1

** Represents Court facility outside of the district boundaries

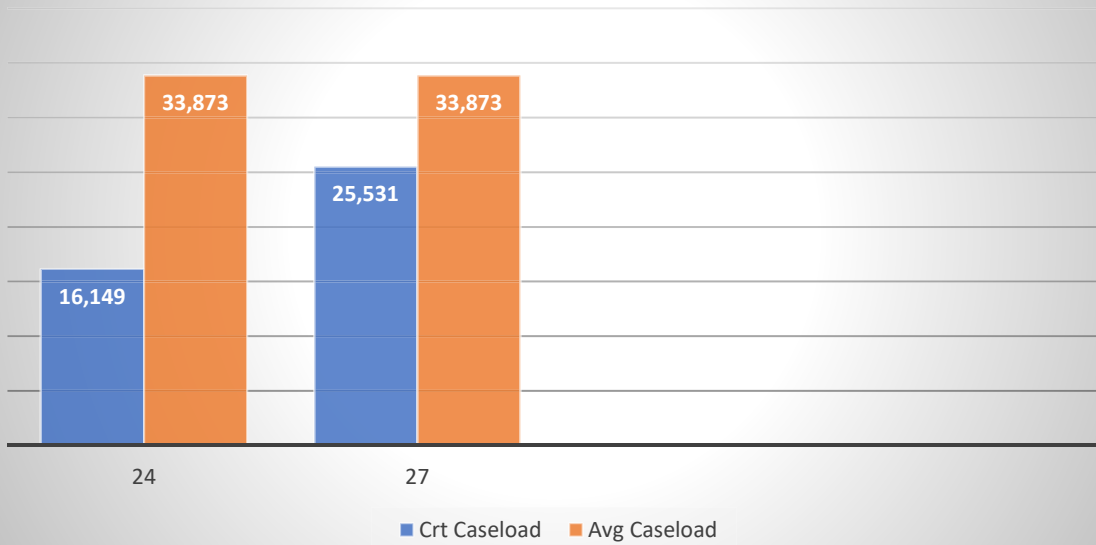
MUNICIPALITIES WITH MORE THAN ONE (1) MAGISTERIAL DISTRICT - CASELOAD



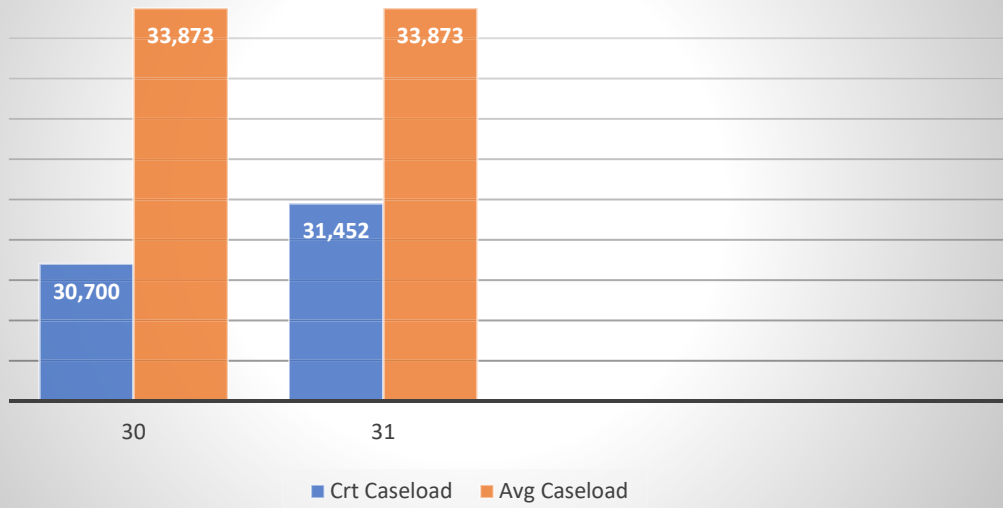
Chester Courts



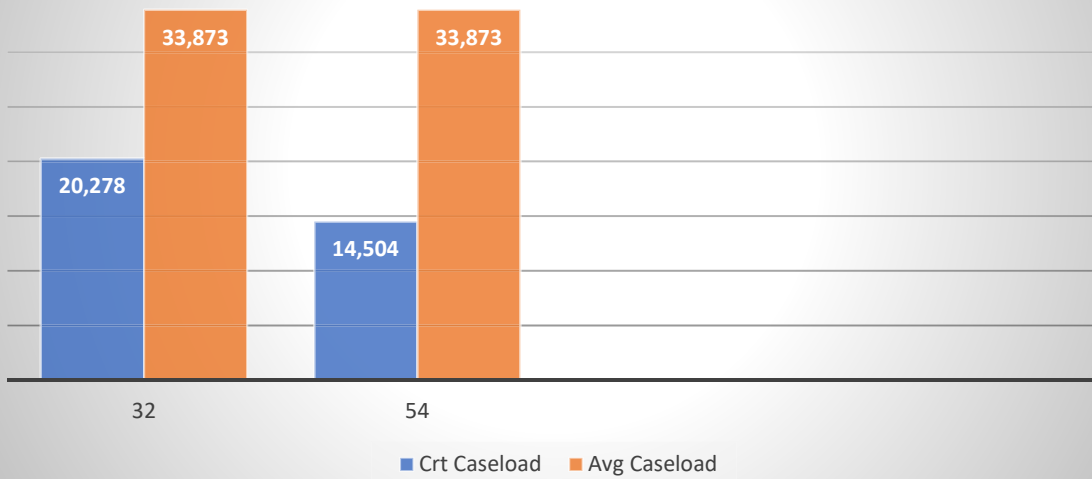
Marple Courts



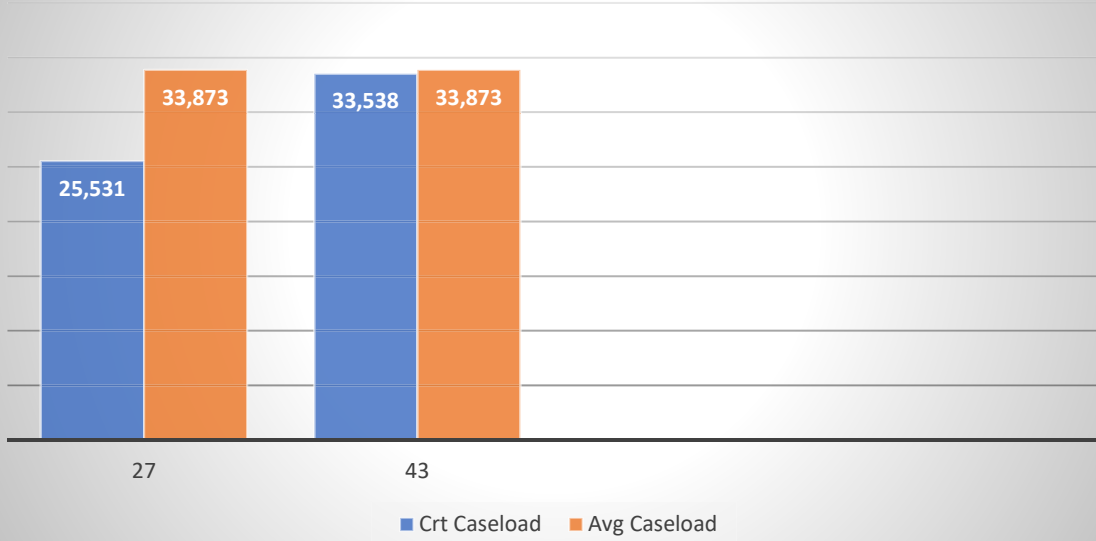
Ridley Courts



Springfield Courts

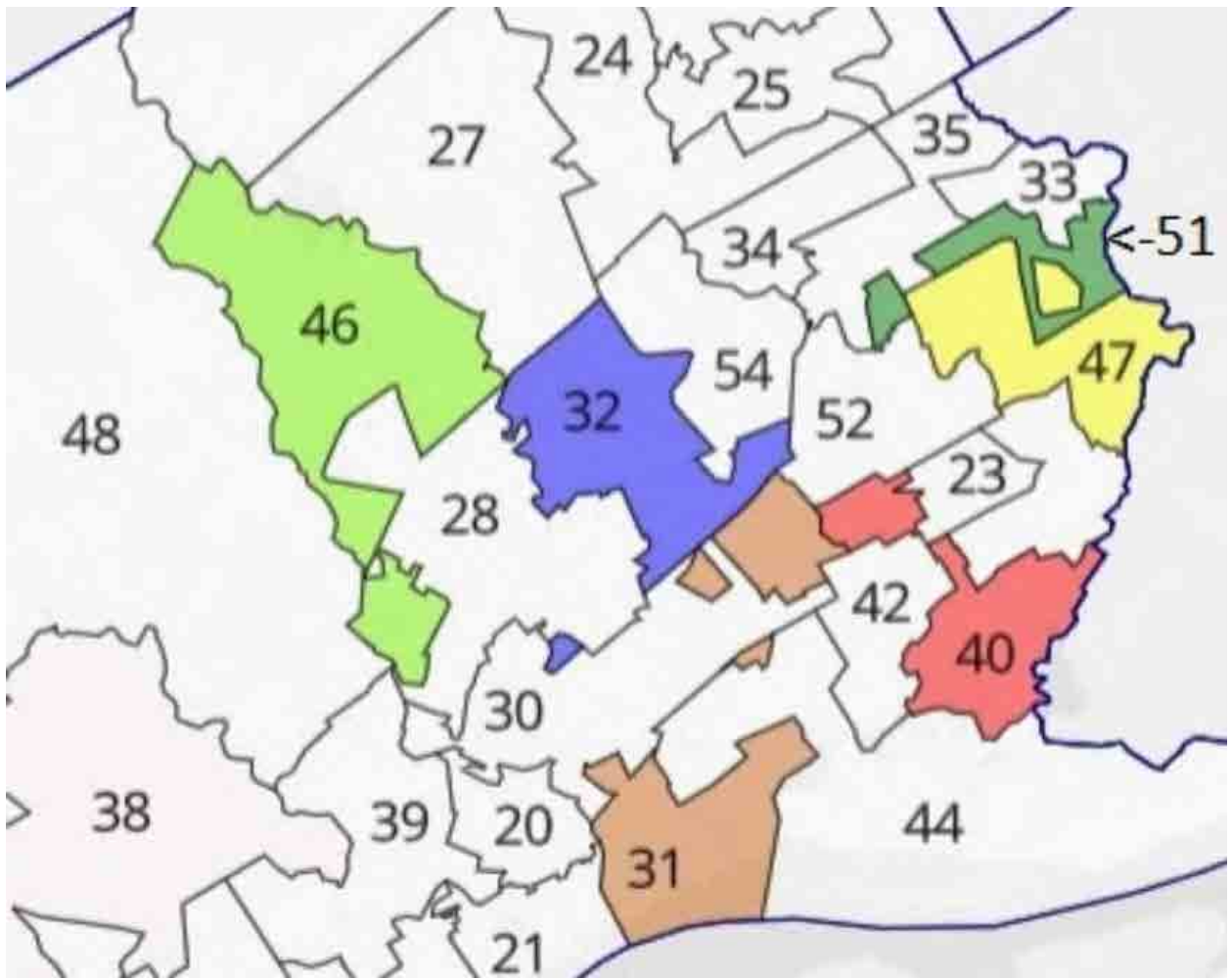


Radnor Courts



CONSIDERATION: CONTIGUOUS DISTRICTS

- All portions of the magisterial district must be contiguous
- Voting districts cannot be split



Conclusion: Six (6) Courts are non-contiguous

CONSIDERATION: INCUMBENTS

- During the term of an incumbent, a district cannot be eliminated
- MDJ District boundaries cannot be redrawn in such a way that would move an incumbent magisterial district judge's residence into another magisterial district

VACANT/MANDATORY RETIREMENT
DURING TEN (10) YEAR REESTABLISHMENT

	Appointed	Election Year	Term Expiration	Date of Birth	Mandatory Retirement Year
32-1-22: VACANT					
32-1-24: Robert M. D'Agostino					
32-1-25: Robert R. Burke					
32-1-27: David Hamilton Lang					
32-1-28: VACANT					
32-1-31: Philip S. Turner, Jr.					
32-1-34: Robert J. Radano					
32-1-35: VACANT					
32-2-43: Leon Hunter, III					
32-2-44: Jack D. Lippart					

Conclusion: Three (3) Courts currently VACANT & Seven (7) Judges
MANDATORY RETIREMENT in next ten (10) years

CONSIDERATION: SPECIAL COURTS

- Note any special programs in your county that will entail effort by MDJs, such as truancy programs or drug, veteran, or mental health diversion programs

Current Special Courts:

- Drug Court 48 (Strohl)
- Game/Wildlife 54 (Merkins)
- Commodore Barry Bridge 39 (Stone)

Common Pleas Special Courts with no District Court Special Assignments:

- Veterans Court
- Mental Health Court

Considerations for Additional Special Courts:

- State Police Highway Reassignment to Designated Court(s)
- Special Victims Court (SVU Matters/Domestic Abuse Matters)
- Truancy Matters Reassigned

Conclusion: Special Courts establishment to coincide with Common Pleas matters is recommended which would also allow for redistribution of caseloads

CONSIDERATION: PUBLIC ACCESS/SAFETY

- Public access should be considered and weighed with all other considerations
- Safety should be considered and weighed with all other considerations

Conclusion: It is recommended to slightly reduce the number of Court facilities to increase the quality, safety, and security features of the facility. This must be weighed against the burden to the public for further travel and the additional costs to the county for increase in rent and/or improvements.

RULE: NO DISTRICT SHOULD HAVE A TOTAL WORKLOAD WHICH IS 15% HIGHER OR LOWER THAN THE WORKLOAD OF ANY OTHER DISTRICT

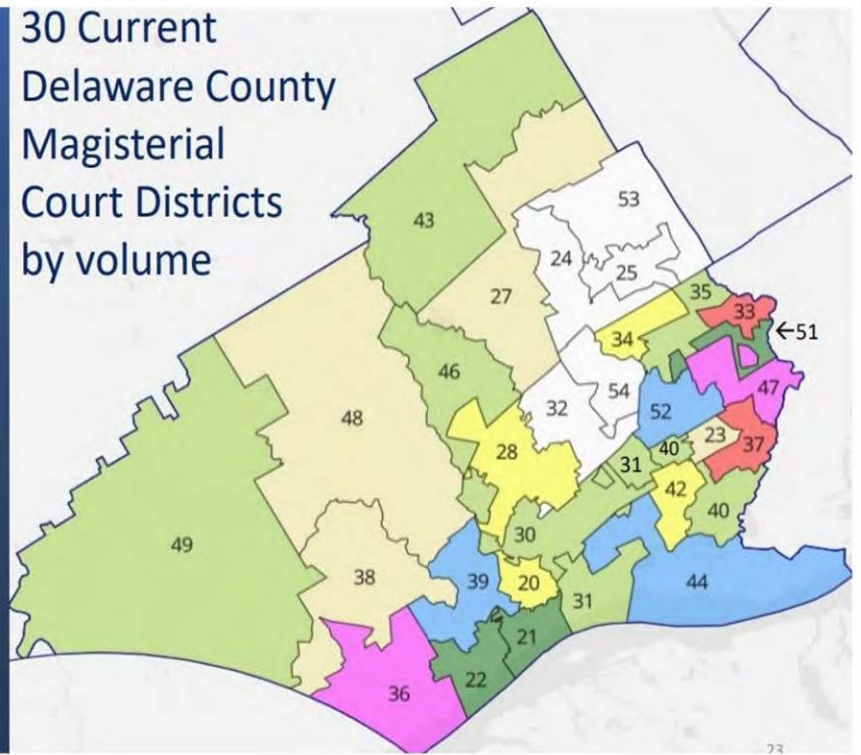
- Exception: If a departure of that degree exists, an explanation must be provided that describes why this does not result in an unwarranted inequity among the judges in the judicial district
 - Projected caseload growth in the affected districts
 - Projected caseload reduction in the affected districts
 - Use of a central court that would redirect caseload and ameliorate the inequity
 - Use another mechanism that would redirect caseload and ameliorate the inequity

Average Annual Workload per MDC/County = Total Workload/# of years (6, 3 for MD)/# of commissioned MDJs										Workload Range		
County/M DC	Crimin	Non-Traffic	Private Crimin	Private Summa	Traffic	Civil	Landlord/Tenan	Misc. Docke	15% Below	Total Workload	15% Above	
Delaware	12661	6660	17	456	6738	2175	3497	1669	28793	33874	38955	
Forbes	22588	22180	6	386	3537	2784	3110	2404	38988	57053	79118	
Karap	21283	18281	9	127	3288	3285	1183	1058	42286	55223	68131	
Williams	14328	3788	3	1877	1258	3402	18358	1868	45438	52728	61288	
Griffin	20819	19813	10	1085	4818	3783	3813	1187	43588	52328	61319	
Lippart	18783	8889	4	81	888	1808	2488	1788	31528	42811	51778	
Stone	17813	8181	14	1318	3875	1889	3885	287	37588	48388	59881	
Micozzie	3125	3728	17	112	12872	2114	3858	2247	34817	41888	47128	
Vann	20582	5599	65	1824	2047	959	2920	2649	31148	36645	42142	
VACANT	17112	3879	61	1751	2091	1786	8010	1955	31147	36643	42140	
Mattox	12699	3063	4	261	3540	2609	8111	3800	28974	34087	39200	
Hunter	10857	4697	0	201	13697	2486	722	879	28507	33538	38569	
Goldberg	14713	2541	9	93	12176	887	533	1672	27731	32625	37518	
VACANT	10062	3295	0	133	9423	2692	3659	2529	27023	31792	36560	
Roberts	16653	2643	11	302	6101	2506	722	2824	26998	31762	36526	
Turner	14285	6544	0	68	4289	1686	3103	1477	26734	31452	36170	
Sandone	8966	7126	7	104	7809	3113	2942	1205	26581	31272	35963	
Dawson	9902	8302	0	64	5974	2348	3403	706	26095	30700	35304	
VACANT	10783	4028	13	85	7181	3138	845	2617	24386	28685	32992	
Davis	11812	2816	52	1192	1818	1433	8215	1393	24335	28629	32924	
Burns	7859	7815	2	23	5624	1707	3350	478	23679	27858	32037	
Radano	4827	11184	2	77	6907	1487	2160	1499	23479	27622	31765	
Grimes	8005	6124	5	70	7048	1433	2399	967	22142	26049	29957	
Lang	9064	5406	0	9	8554	1517	350	631	21701	25531	29360	
Strohl	13783	3544	4	115	4045	1611	599	1455	21340	25106	28873	
Holefelder	10382	4547	9	904	3091	2799	1303	1542	20895	24887	28275	
Culp	11096	4128	4	944	3350	0	0	1358	17237	20278	23320	
D'Agostino	8891	1686	0	9	2740	1647	632	1054	18727	16149	18572	
Burke	5410	2275	0	224	4690	1404	531	804	17037	15338	17639	
Merkins	3398	3573	198	33	1456	3343	1820	684	12329	14504	16580	
Duerr	4566	2368	9	45	2860	1566	861	609	10951	12884	14817	
	Above 15% Max											
	Within 15% Min/Max											
	Below 15% Min											

30 Current Delaware County Magisterial Court Districts by volume

- Extremely Above Average
- Significantly Above Average
- Above Average
- Slightly Above Average
- Slightly Below Average
- Below Average
- Significantly Below Average
- Extremely Below Average

Identifier is last two digits of court number...example: 32-2-49 is 49



DISTRICT COURT

32-1-20

MDJ Wilden H. Davis

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court serves the City of Chester
-

Rule: Total workload within 15%

- The Court is slightly below the 15% range and could use an additional caseload

Conclusion: The Court is slightly below the average caseload and could benefit from the assignment of a special court. Court 21 is slightly above average and could benefit from a reassignment of cases from its venue. Court 39 is significantly above average and needs reassignment of cases from its venue.

It is recommended that all matters from Court 21 **Harrah's Casino** be specially assigned to Court 20. It is further recommended that all matters from Court 39 Commodore Barry Bridge be assigned to Court 20.

DISTRICT COURT

32-1-21

MDJ Dawn L. Vann

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment **but has Harrah's Casino in its** boundaries and parts of Interstate 95

Consideration: Public Access/Safety

- Public access is positive as the court serves the City of Chester
-

Rule: Total workload within 15%

- The Court is slightly above the 15% range and could remain the same or have reduced workload

Conclusion: The Court is slightly above the average caseload and could benefit from a reassignment of cases from its venue. It is recommended that all **matters from the Harrah's Casino** are specially assigned from Court 20 to Court 21. It is also recommended that all **Pennsylvania State Police ("PSP")** Interstate 95 matters are specially assigned from Court 21 to Court 38, as Court 38 is below the average caseload.

DISTRICT COURT

32-1-22

VACANT

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ has retired and the Court is being covered by a Senior Judge

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court serves the City of Chester
-

Rule: Total workload within 15%

- The Court is slightly above the 15% range and could remain the same

Conclusion: The Court is slightly above the average but no change is recommended at this time. It is suggested that truancy matters be considered to be reassigned from Court 39 to Court 22 to reduce the number of cases in Court 39, which is significantly above the average caseload.

DISTRICT COURT

32-1-23

MDJ Lee C. Grimes

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court serves the Borough of Colingdale
-

Rule: Total workload within 15%

- The Court is below the 15% range and needs additional workload

Conclusion: The Court is slightly below the average caseload and could benefit from the assignment of another district. Court 52 is above average and could benefit from a reassignment of cases from its venue. It is recommended that Aldan Borough is assigned from Court 52 to Court 23, which will slightly increase the caseload. It is further recommended that Darby Borough Ward 1 be reassigned to Court 23. This will create a contiguous district with Court 23 and lessen the caseload for Court 37. The Court 23 facility should be closed and move into the Darby Court location.

DISTRICT COURT

32-1-24

MDJ Robert M. D'Agostino

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent but is must retire by 2025

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves the Marple Township but the municipality is split between two (2) courts and serves Haverford Township but is located in Marple Township
-

Rule: Total workload within 15%

- The Court is significantly below the 15% range and needs additional workload

Conclusion: The Court is significantly below the average caseload. Upon retirement of the MDJ (mandatory in 2025), it is recommended the Court should be closed. Closing of this Court will save the County resource as rent would no longer be needed for this Court which has its own building.

Upon closing of this Court, Haverford Township Ward 9 should be reassigned to Court 53 which is also below average and could benefit from a reassignment of cases to its venue. This assignment would move the only outstanding Ward in Haverford Township back to the municipality.

Upon closing of this Court, Marple Township Ward 1,3,4 should be reassigned to Court 54 which is also below average and could benefit from a reassignment of cases to its venue.

DISTRICT COURT

32-1-25

MDJ Robert R. Burke

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent but must retire by 2025

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves Haverford Township
-

Rule: Total workload within 15%

- The Court is significantly below the 15% range and needs additional workload

Conclusion: The Court is significantly below the average caseload. Upon retirement of the MDJ (mandatory in 2025), it is recommended the Court should be closed.

Upon closing of this Court, Haverford Township Ward 1,2,7 should be reassigned to Court 53 which is also below average and could benefit from a reassignment of cases to its venue.

DISTRICT COURT

32-1-27

MDJ David H. Lang

Consideration: Location

- The Court is not within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent but must retire by 2026

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is negative as the court serves Marple Township but is located in Newtown Township
-

Rule: Total workload within 15%

- The Court is below the 15% range and needs additional workload

Conclusion: The Court is below the average caseload. Court 27 could benefit from a Special Court assignment at this time.

Upon retirement of the MDJ (mandatory 2026), it is recommended Court 27 should be redistricted. It is suggested that if Court 53 does not absorb portions of the Route 3 corridor into Upper Darby, that Court 53 be combined with Radnor Township and the Court relocated to a more central location. Court 43 should close, and Newtown Township relocated to Court 27.

DISTRICT COURT

32-1-28

VACANT

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ has won an election to Common Pleas and the Court will be covered by a Senior Judge

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves the multiple venues but is closely located
-

Rule: Total workload within 15%

- The Court is below the 15% range and needs additional workload

Conclusion: The Court is below the average caseload. In January of 2022, it is recommended the Court should be closed. Closing of this Court will save the County resource as rent would no longer be needed for this Court which has its own building.

Upon closing of this Court, Media and Swarthmore should be reassigned to Court 46 which is also below average and could benefit from a reassignment of cases to its venue. Court 46 data suggests that it is in the average range but the data omits the removal of drug court in 2018 which significantly lowered the criminal matters in the venue.

Upon closing of this Court, Nether Providence should be reassigned to Court 30 which has the additional Nether Providence Wards and is also below average and could benefit from a reassignment of cases to its venue.

DISTRICT COURT

32-1-30

MDJ George Dawson

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is newly elected and will be taking office in January 2022

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves multiple venues but is closely located to Nether Providence
-

Rule: Total workload within 15%

- The Court is slightly below the 15% range and could benefit from an additional workload

Conclusion: The Court is slightly below the average caseload. Upon closing of Court 28, it is recommended that Nether Providence should be reassigned to Court 30 which has the additional Nether Providence Wards. Upon the retirement of Court 31, it is recommended that a realignment of Wards be considered.

DISTRICT COURT

32-1-31

MDJ Philip S. Turner

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is not contiguous and requires realignment
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent but must retire by 2030

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves the multiple venues but is closely located
-

Rule: Total workload within 15%

- The Court is slightly below the 15% range and could benefit from an additional workload

Conclusion: The Court is slightly below the average caseload. It is recommended that Rutledge Borough be relocated to Court 32 and removed from Court 31 as it is not contiguous.

Upon retirement of the MDJ, it is recommended Court 31 be realigned. It is further recommended that Court 31 be moved from its building to share a building with Court 30. Closing of this Court building will save the County resource as rent.

Two (2) Wards in Court 30 should be reassigned to Court 31 to allow for even caseload and contiguous districts but those Wards cannot be determined at this time without the home address of MDJ Dawson.

DISTRICT COURT

32-1-32

MDJ Michael Culp

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is not contiguous as a small portion of the Township is not attached to the rest of the municipality
- Voting districts are not split

Consideration: Incumbents

- The MDJ is newly elected and will be taking office in January 2022

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court serves parts of Springfield Township and is located in Springfield Township
-

Rule: Total workload within 15%

- The Court is significantly below the 15% range and needs additional workload

Conclusion: The Court is significantly below the average caseload and could have benefited other Courts by closing prior to the election in 2021. Court 32 needs reassignment of cases to its venue. It is recommended that Rutledge Borough be relocated to Court 32 and removed from Court 31 as it is not contiguous. It is further recommended that Court 31 PSP traffic and criminal cases from I-95 in be specially assigned to Court 32. Additionally, all PSP Interstate 476 matters should be specially assigned to Court 32.

DISTRICT COURT

32-1-33

MDJ Harry J. Karapalides

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is negative as the court serves the Upper Darby Township and is not centrally located and also lacks any holding cells for prisoners
-

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court is significantly above the average caseload. It is recommended that Ward 5 Precinct 10 and Millbourne Borough be reassigned to Court 53 to reduce the caseload of Court 33 and increase the caseload of Court 53, which is significantly below the average caseload.

DISTRICT COURT

32-1-34

MDJ Robert J. Radano

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent but must retire by 2027

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is negative as the court serves the Upper Darby Township and is not centrally located and also lacks any holding cells for prisoners
-

Rule: Total workload within 15%

- The Court is below the 15% range and needs an additional workload

Conclusion: The Court is slightly below the average caseload. Upon the closing of Court 35, it is recommended that the remainder of precincts in Ward 3 and Ward 4 Precincts 2,3,8,9, and 10 (which excludes the precincts being assigned to Court 53) should be realigned into Court 34. This will allow for a contiguous district and will realign Court 34 with the average caseload. There is also a mandatory retirement of this MDJ in 2027, which could be considered for redistricting.

DISTRICT COURT

32-1-35

VACANT

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ will retire at the end of 2021

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is negative as the court serves the Upper Darby Township and is not centrally located and lacks holding cells for prisoners
-

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court should be closed and reassigned. Upon the closing of Court 35, it is recommended that Ward 1 Precincts 4,5,6 and 7 be assigned to Court 52. The remainder of precincts in Ward 3 and Ward 4 Precincts 2,3,8,9, and 10 should be assigned to Court 34. Ward 4 Precincts 5,6,7 and 11 should be assigned to Court 53, to further increase Court 53 caseload, which is significantly below the average caseload.

DISTRICT COURT

32-1-36

MDJ David R. Griffin

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment but has a portion of Interstate 95 in its venue

Consideration: Public Access/Safety

- Public access is positive as the court serves is centrally located to its districts
-

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court is significantly above the average caseload and needs reassignment of cases from its venue. It is recommended that all Court 36 PSP traffic and criminal cases from I-95 be specially assigned to Court 38. This will add an additional seven hundred twenty-five (725) cases to Court 38, removing the same from Court 36.

DISTRICT COURT

32-1-37

MDJ Tammi L. Forbes

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court serves is centrally located to its districts
-

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court is significantly above the average caseload and needs reassignment of cases from its venue. It is recommended that Darby Borough Ward 1 be reassigned to Court 23. This will create a contiguous district with Court 23, lessen the caseload for Court 37 and allow Court 23 to move into the Darby Court location.

DISTRICT COURT

32-2-38

MDJ Diane L. Holefelder

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court is centrally located
-

Rule: Total workload within 15%

- The Court is below the 15% range and requires an additional caseload

Conclusion: The Court is below the average caseload. It is recommended that all Court 36 PSP traffic and criminal cases from I-95 be specially assigned to Court 38. This will add an additional seven hundred twenty-five (725) cases to Court 38, removing the same from Court 36.

It is further recommended that all Court 39 PSP traffic and criminal cases from I-95 be specially assigned to Court 38. This will add an additional two hundred fifty (250) cases to Court 38, removing the same from Court 39.

It is further recommended that all Court 21 traffic and criminal PSP cases from I-95 be specially assigned to Court 38.

Court 38 could also benefit from a specially assigned court.

DISTRICT COURT

32-1-39

MDJ Georgia L. Stone

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court is specially assigned the Commodore Barry Bridge and has parts of Interstate 95 in its venue

Consideration: Public Access/Safety

- Public access is positive as the court serves is centrally located to its districts
- or

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court is significantly above the average caseload and needs reassignment of cases from its venue. It is recommended that all Court 39 PSP traffic and criminal cases from I-95 be specially assigned to Court 38. This will add an additional two hundred fifty (250) cases to Court 38, removing the same from Court 39. It further recommended that all cases from the Commodore Barry Bridge be assigned to Court 20. Additionally, it is recommended that truancy matters be considered to be reassigned from Court 39 to Court 22.

DISTRICT COURT

32-1-40

MDJ Steven A. Sandone

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court serves is centrally located to its districts
-

Rule: Total workload within 15%

- The Court is within the 15% range

Conclusion: The Court is slightly below the average but no change is recommended at this time. Court 40 may be able to assist Court 37, which is significantly above the average caseload, by having matters specially assigned to Court 40.

DISTRICT COURT

32-2-42

MDJ Michael A. Burns

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court is centrally located to its districts
-

Rule: Total workload within 15%

- The Court is slightly below the 15% range and could benefit from an additional caseload

Conclusion: The Court is slightly below the average and could benefit from a special court assignment. Court 44 also has a large volume caseload and reassigning International airport matters and/or truancy matters to Court 42 may resolve this issue.

DISTRICT COURT

32-2-43

MDJ Leon Hunter, III

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court is within Newtown Township but outside of Radnor Township
-

Rule: Total workload within 15%

- The Court is within the 15% range

Conclusion: The Court is within the average caseload and no change is recommended at this time. There is also a mandatory retirement of this MDJ in 2025, which could be considered for redistricting. It is suggested that if Court 53 does not absorb portions of the Route 3 corridor into Upper Darby, that Court 53 be combined with Radnor Township and the Court relocated to a more central location.

DISTRICT COURT

32-2-46

MDJ Andrew Goldberg

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment but is assigned a number of conflict matters

Consideration: Public Access/Safety

- Public access is neutral as the court is close in proximity to its municipalities
-

Rule: Total workload within 15%

- The Court is slightly below the 15% range but that data is skewed

Conclusion: The Court is below the average caseload and could benefit from a reassignment of cases to its venue. Court 46 data suggests that it is in the average range but the data omits the removal of drug court in 2018 which significantly lowered the criminal matters in the venue. It is recommended that upon closing Court 28, Media and Swarthmore be reassigned to Court 46.

DISTRICT COURT

32-2-47

MDJ W. Keith Williams

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is positive as the court is centrally located
-

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court is significantly above the average caseload and needs reassignment of cases from its venue. East Lansdowne Borough should be removed from Court 47 and relocated to Court 51, to create a contiguous district and reduce the number of cases in Court 47.

DISTRICT COURT

32-2-48

MDJ Walter A. Strohl

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court is specially assigned drug cases

Consideration: Public Access/Safety

- Public access is negative as the court serves a larger geographic area and has no parking. The public must walk across a busy road to access the court.
-

Rule: Total workload within 15%

- The Court is significantly below the 15% range and needs an increased workload

Conclusion: The Court is significantly below the average caseload and needs reassignment of cases to its venue. However, Court 48 statistics are greatly skewed as multiple factors have affected this district. Court 48 was assigned drug court in 2018 so the increase in cases is not reflected in the data. Court 48 also saw the closing of the Granite Run Mall which created a high volume of retail theft matters. There has been a revitalization of that land and new facilities have been established. Additionally, Court 48 has an increase in development with the creation of new housing, a train station and the construction of an Amazon warehouse. One (1) of the municipalities in Court 48 will be establishing a police department which will increase the caseload. Therefore, no change is recommended at this time.

DISTRICT COURT

32-2-49

MDJ Wendy B. Roberts

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves a large geographic area
-

Rule: Total workload within 15%

- The Court is slightly below the 15% range and could benefit from an increased caseload

Conclusion: The Court is slightly below the average caseload. However, there is real estate development in the area of Court 49, which will likely affect the caseload in the next ten (10) years. Court 49 could benefit from a special assignment during this development period.

DISTRICT COURT

32-2-51

MDJ Christopher R. Mattox

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is not contiguous Ward 5 Precinct 8 is located in Court 35 and has East Lansdowne Borough in the middle of its venue, which is currently part of Court 47
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is negative as the court serves the Upper Darby Township and is not centrally located
-

Rule: Total workload within 15%

- The Court is within the 15% range

Conclusion: The Court is within the average caseload. It is recommended that Ward 5 Precinct 8 should be removed from Court 35 and reassigned to Court 51 to create a contiguous district. It is further recommended that East Lansdowne Borough be removed from Court 47 and reassigned to Court 51 to create a contiguous district.

Court 47 is also significantly above average and needs reassignment of cases from its venue.

DISTRICT COURT

32-2-52

MDJ Kelly A. Micozzie-Aguire

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is an incumbent

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves a portion of Upper Darby Township as well as Clifton Heights and Aldan
-

Rule: Total workload within 15%

- The Court is significantly above the 15% range and needs a reduced workload

Conclusion: The Court is significantly above the average caseload and needs reassignment of cases from its venue. It is recommended that Aldan Borough be removed from Court 52 and relocated to Court 23. It is further recommended that Upper Darby Ward 1 Precincts 4,5,6, and 7 be reassigned from Court 35, which is currently vacant, to Court 52, to increase a portion of the caseload from the removal of Aldan Borough.

DISTRICT COURT

32-2-53

MDJ Elysia Mancini-Duerr

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is newly elected and will be taking office in January 2022

Consideration: Special Courts

- The Court has no Special Court assignment

Consideration: Public Access/Safety

- Public access is neutral as the court serves Haverford Township
-

Rule: Total workload within 15%

- The Court is significantly below the 15% range and needs an increased workload

Conclusion: The Court is significantly below the average caseload and needs reassignment of cases to its venue. It is recommended that upon the retirement of Court 24, Ward 9 be assigned to Court 53 to unify the municipality. It is further recommended that upon the retirement of Court 25 Wards 1, 2 and 7 be assigned to Court 53 to create one (1) Haverford Township Court. These additions however, will still leave Court 53 at least 5,600 cases short of the average caseload.

Therefore, it is recommended that Ward 4 Precincts 5,6,7 and 11 from the vacant Court 35 are added to Court 53. Further, Ward 5 Precinct 10 and Millbourne Borough from Court 33, which is significantly higher than the average caseload, are also added to Court 53. These additional areas are north of Route 3 (West Chester Pike) and in a straight line from the existing Court 53 court location. The line is also inclusive of the 69th Street Terminal and provides for easy access to the Court for the added areas. The addition of these areas should bring Court 53 in line with the average caseload or slightly above.

DISTRICT COURT

32-2-54

MDJ James J. Merkins

Consideration: Location

- The Court is within the magisterial district boundaries

Consideration: Contiguous Districts

- The magisterial district is contiguous
- Voting districts are not split

Consideration: Incumbents

- The MDJ is newly elected and will be taking office in January 2022

Consideration: Special Courts

- The Court is assigned all Game and Wildlife matters and routinely receives conflict cases

Consideration: Public Access/Safety

- Public access is positive as the court serves parts of Springfield Township and is located in Springfield Township
-

Rule: Total workload within 15%

- The Court is significantly below the 15% range and needs an increased workload

Conclusion: The Court is significantly below the average caseload and needs reassignment of cases to its venue. It is recommended that upon the closing of Court 24, Marple Township Ward 1,3 and 4 be reassigned to Court 54.

It is further recommended that all PSP traffic and criminal cases from I-95 in Court 44 be specially assigned to Court 54. This will add an additional two thousand (2,000) cases to Court 54, removing the same from Court 44, which is significantly over the average caseload.

SUMMARY OF RECOMMENDATIONS

- Four (4) Courts shall be eliminated reducing the total number of Courts from thirty (30) to twenty-six (26)
- Four (4) Court locations shall be eliminated reducing the total number of Court buildings to twelve (12)
- Special assignment of Interstate 476, Interstate 95, the International airport, **Harrah's Casino and the Commodore Barry Bridge** matters, which are handled by the Pennsylvania State Police, will allow for an equitable caseload amongst Courts, while not impacting the voting precincts, its residents, or the municipal police departments.
- Special assignment of drug court, and future special victims, domestic violence, and/or mental health and veterans matters can assist Courts with slightly below average caseloads
- The realignment of Haverford Township better serves the municipality and its residents
- The redistribution of Upper Darby Court 35 better serves the surrounding Upper Darby District Courts in handling a more balanced caseload

RESPECTFULLY SUBMITTED

ON BEHALF OF THE MAGISTERIAL DISTRICT JUDGE'S ASSOCIATION
FOR THE 32nd JUDICIAL DISTRICT

/s/Michael A. Burns

Michael A. Burns, Esquire
President, MDJ Association

Date: November 22, 2021

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Public Comment Received from Magisterial District Judges related to
Posted Draft Recommendation

McDonald, Charles

From: Diane Holefelder
Sent: Friday, February 11, 2022 11:47 AM
To: Kelly, Kevin F.
Cc: McDonald, Charles
Subject: (EXTERNAL) DCMDJ Assoc.

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Dear Judge Kelly,

I am sending this email to you as a follow-up from our meeting this past Tuesday wherein there was brief discussion in reference to the proposed re-districting of MDJ courts plan.

When we met on Tuesday, I relayed to you that the Delaware County Magisterial District Judges Association would be taking a vote at our regularly scheduled monthly meeting on Thursday evening in reference to the pending proposal for re-established districts.

Last night, the attending Magisterial District Judges did vote in majority to submit to your honor comments and a revision of the associations' original plan submission. The overwhelming basis for the successful vote was due to the fact that the association's original plan was submitted to your honor in the absence of supplied quantitative and qualitative data as well as a lack of collaboration with District Court Administration.

The association welcomes further information and discussion with you in an effort to collaborate and create a successful plan that will be an example of an inclusive plan for all of the stakeholders in Delaware County specifically the citizens that deserve easier access to their local community court.

Thank you.
Diane Holefelder, President
DCMDC Association

McDonald, Charles

From: Kelly, Kevin F.
Sent: Friday, February 11, 2022 4:29 PM
To: Diane Holefelder
Cc: Montella, Gerald; McDonald, Charles; Burns, Michael
Subject: RE: (EXTERNAL) DCMDJ Assoc.
Attachments: FW: Data; FW: (EXTERNAL) Updated County Class Summary Case Filings

Magisterial District Judge Holefelder,

For the below update, thank you. While I truly appreciated this subject matter is of obvious and significant concern to the local judges and the association generally, I'm not going to idly sit by and allow blatant mischaracterizations of the process through which this court crafted its current reestablishment proposal to go unaddressed.

Your suggestion that the MDJ's and/or the local association were not part of this court's considerations in drafting the present reestablishment plan is simply specious. Letters about the mandated need to proceed with a reestablishment plan were sent to every active magisterial district judge. These same correspondences included a general description of the procedure this court would follow to assure the local judges had a deserved voice in this process. Wholly in accord with that which this letter detailed, an in-person meeting about reestablishment was held and every magisterial district judge was invited. Stemming from the same, I readily agreed to the association submitting its suggested plan and at such time as was convenient for its president, along with any individual MDJ also being welcomed to forward his or her concerns. I relatedly met with, was readily available to, and did speak with MDJ Burns, the then association president, as he believed helpful about reestablishment. This level of MDJ and its association's involvement in my deliberative processes is well above and beyond that directed by the Pennsylvania Supreme Court.

Your suggestion that this court was unmindful of " ... all of the stakeholders in Delaware County ... " in fashioning its present reestablishment plan is likewise equally specious. A public solicitation for comments about reestablishment has been long posted and resulted in individual, group and municipal submissions, all which were considered in formulating the pending proposal. An in-person meeting was held with Delaware County Council, the county solicitor, the District Attorney's Office, the Office of the Public Defender, the president of the county's police chiefs' association and the local FOP. The thoughts then conveyed by all these county stakeholders, as well as those they subsequently relayed, were all considered.

Regarding your claim that the association's previously submitted plan was the result of "... the absence of supplied quantitative and qualitative data as well as a lack of collaboration with [Magisterial] District Court Administration.," all such information requested by MDJ Burns was timely forwarded and was promptly updated on the administration's office receipt from AOPC of more current data. While the attached emails patently evidence this timely providing of sought after information, the same obviously cannot reflect the various telephone calls to the administration office for additional information and/or clarifications by MDJ Burns, all of which were as well promptly provided.

The proposal the association forwarded, as well as every letter and/or email I received from any MDJ was read, considered and part of this court's deliberative thoughts in finalizing its present recommended reestablishment. In certain material respects, this court's current plan is wholly consistent with that the association submitted, most notably an aggregate number of twenty-six (26) local judges with a wholesale agreement on the four (4) districts to be eliminated.

As for you having advised me at our meeting of this Tuesday (February 8, 2022) your intention to have the association "vote" on the present proposal at its upcoming meeting, my apologies as I must have been inadvertently inattentive and missed the same. To the contrary, it's my recollection you related that I could expect to receive additional letters and/or email expressing individual concerns.

I will as we discussed this past Tuesday (February 8, 2022) review and consider all comments and/or proposals submitted, whether by individual MDJ's and/or collectively via the association, as part of my deliberative processes in finalizing the reestablishment plan for submission to the Supreme Court of Pennsylvania, along with all those other salient circumstances the Pennsylvania Supreme Court has instructed.

Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District

-----Original Message-----

From: Diane Holefelder
Sent: Friday, February 11, 2022 11:47 AM
To: Kelly, Kevin F.

Subject: (EXTERNAL) DCMDJ Assoc.

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department

Dear Judge Kelly,

I am sending this email to you as a follow-up from our meeting this past Tuesday wherein there was brief discussion in reference to the proposed re-districting of MDJ courts plan.

When we met on Tuesday, I relayed to you that the Delaware County Magisterial District Judges Association would be taking a vote at our regularly scheduled monthly meeting on Thursday evening in reference to the pending proposal for re-established districts.

Last night, the attending Magisterial District Judges did vote in majority to submit to your honor comments and a revision of the associations' original plan submission. The overwhelming basis for the successful vote was due to the fact that the association's original plan was submitted to your honor in the absence of supplied quantitative and qualitative data as well as a lack of collaboration with District Court Administration.

The association welcomes further information and discussion with you in an effort to collaborate and create a successful plan that will be an example of an inclusive plan for all of the stakeholders in Delaware County specifically the citizens that deserve easier access to their local community court.

Thank you.
Diane Holefelder, President
DCMDC Association

McDonald, Charles

From: McDonald, Charles
Sent: Friday, February 11, 2022 12:23 PM
To: Kelly, Kevin F.
Subject: FW: (EXTERNAL) Updated County Class Summary Case Filings
Attachments: Summary Filings Updated Class 2A 3 7 8_091321.xlsx

Charles E. McDonald, Esquire
Administrator for Magisterial District Courts
Delaware County, PA

Sent: Monday, September 13, 2021 6:14 PM
To: [Burns, Michael](#)
Subject: Fwd: (EXTERNAL) Updated County Class Summary Case Filings

Please see the attached and below, update it County stats from the AOPC

Best regards,
Charles E. McDonald, Esquire
Magisterial District Court Administrator
Delaware County
610-565-6990

From: Amy Kehner <Amy.Kehner@pacourts.us>
Sent: Monday, September 13, 2021 4:31:48 PM
To: District Court Administrators List Query - 365 <DistrictCourtAdministratorsListQuery@UJSPA.onmicrosoft.com>; Deputy District Court Administrators List Query - 365 <DeputyDistrictCourtAdministratorsListQuery@UJSPA.onmicrosoft.com>; Minor Court Administrators List Query - 365 <MinorCourtAdministratorsQuery@UJSPA.onmicrosoft.com>
Cc: Reestablishment <reestablishment@pacourts.us>; Common Pleas President Judges Query - 365 <CommonPleasPresidentJudgesQuery@UJSPA.onmicrosoft.com>
Subject: (EXTERNAL) Updated County Class Summary Case Filings

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Good Afternoon:



Attached is a table with revised case filing averages by county class. These revisions only affect Classes 2A, 3, 7 and 8 as follows:

- Chester and Lancaster Counties changed class from 3 to 2A. This change is based on population.
- Chester County has a pending district court closure that is effective in January 2022. This closure changes the Annual Average Filings per Court (case filings are divided by 16 instead of 17) for the judicial district and Class 2A counties.
- Sullivan County was incorrectly categorized as a Class 7 county and was moved to the correct category, Class 8.

- Affected county and class averages were recalculated and updated.

A copy of this worksheet will be added to each judicial district worksheet in SharePoint over the next few days. The worksheet will have a yellow tab (**Summary_Filings_2A 3 7 8 update**) and will be located in front of the tab titled Summary Workload. The original Summary_Filings tab can be accessed by clicking on the right arrow button to the left of the workbook tabs. It is the last tab in the workbook and is renamed Summary_Filings original.

Class ?	237	135	3	46	1100	150	35	77	3601
Juniata	135	600	7	21	2183	118	19	35	3118
Snyder	2	325	0.75	91	2954	174	50	84	3958
Union	2	99	1	33	2621	157	35	56	3625
Wyoming	27	236	2	37	2248	161	33	50	3047

Please send any questions to reestablishment@pacourts.us.

Thank you!

McDonald, Charles

From: McDonald, Charles
Sent: Friday, February 11, 2022 12:24 PM
To: Kelly, Kevin F.
Subject: FW: Data
Attachments: Delaware County Data - Reestablishment 2021-2022.xlsx

Charles E. McDonald, Esquire
Administrator for Magisterial District Courts
Delaware County, PA
610-565-6990

From: [McDonald, Charles](#)
Sent: Wednesday, September 8, 2021 12:10 PM
To: [Burns, Michael](#)
Subject: Data

Per our conversation, please see the attached.

Best regards,
Charles E. McDonald, Esquire
Administrator
Delaware County Administrative Office for Magisterial District Judges
610-565-6990

From: [Holefelder, Diane](#)
To: [Kelly, Kevin F.](#)
Cc: [McDonald, Charles](#)
Subject: Comment of Reapportionment
Date: Tuesday, February 15, 2022 9:06:48 AM

Dear President Judge Kelly,

Court 32-2-38 is amenable to the proposed redistricting and stands ready for any other special assignment by His Honor.

Two questions for clarification purposes.

1. Does this new proposed area include the portion of the Commodore Barry Bridge that is currently assigned to court 32-2-39
2. Does this new proposed area include the portion of I-95 that is currently assigned to court 32-1-36

I appreciate Your Honors' time and consideration.

Respectfully,

Diane M. Holefelder, MDJ

McDonald, Charles

From: Kelly, Kevin F.
Sent: Tuesday, February 15, 2022 1:17 PM
To: Holefelder, Diane
Cc: McDonald, Charles
Subject: RE: Comment of Reapportionment

Magisterial District Judge Holefelder,

For the update, thank you. Regarding your below questions, please be advised that your local court under the presently proposed plan would assume cases arising from the Commodore Barry Bridge as the same terminates in Chester Twp. Your currently suggested district would also take approximately 70% of that section of I-95 presently with local court No. 36, as well as a very modest section of that interstate (I-95) crossing through Chester Twp.

Kevin F. Kelly
President Judge
Thirty-Second (32nd) Judicial District

From: Holefelder, Diane
Sent: Tuesday, February 15, 2022 9:07 AM
To: Kelly, Kevin F. <KellyKF@co.delaware.pa.us>
Cc: McDonald, Charles <McDonaldC@co.delaware.pa.us>
Subject: Comment of Reapportionment

Dear President Judge Kelly,

Court 32-2-38 is amenable to the proposed redistricting and stands ready for any other special assignment by His Honor.

Two questions for clarification purposes.

1. Does this new proposed area include the portion of the Commodore Barry Bridge that is currently assigned to court 32-2-39
2. Does this new proposed area include the portion of I-95 that is currently assigned to court 32-1-36

I appreciate Your Honors' time and consideration.

Respectfully,

McDonald, Charles

From: Forbes, Tammi
Sent: Tuesday, February 22, 2022 3:51 PM
To: Kelly, Kevin F.; McDonald, Charles
Cc: Holefelder, Diane
Subject: Re-establishment

Good evening Judge Kelly,

I write to you with additional information that I would like to add. The current plan keeps precinct 3-2 with court 32-2-37. I would like to offer that precinct 3-1 in Darby of court 32-2-37 is directly aligned with Sharon Hill, Darby, and Colwyn. Precinct 3-1 is on the same side of Main Street as Colwyn. It is preferred that precinct 3-1 remain with court 32-2-37. It would make sense to law enforcement that one side of Main Street is one court and the other side another.

I also propose that I be considered for a special court for Juveniles charged as adults if you would consider removing all of Darby from 32-2-37. I believe that it is needed in order to maximize scheduling and to preserve confidentiality. I have extensive experience working with detained juveniles.

Please consider my request.

Judge Forbes

Tammi L. Forbes

Magisterial District Judge

District Court 32-2-37

150 S. MacDade Blvd. Suite E

Darby Pennsylvania 19023

O: [610-534-3504](tel:610-534-3504)

F: [610-534-0714](tel:610-534-0714)



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McDonald, Charles

From: Forbes, Tammi
Sent: Tuesday, February 22, 2022 3:44 PM
To: Kelly, Kevin F.; McDonald, Charles
Subject: ReEstablishment

Good evening Judge Kelly,

I write to you with additional information that I would like to add. The current plan keeps precinct 3-2 with court 32-2-37. I would like to offer that precinct 3-1 in Darby of court 32-2-37 is directly aligned with Sharon Hill, Darby, and Colwyn. Precinct 3-1 is on the same side of Main Street as Colwyn. It is preferred that precinct 3-1 remain with court 32-2-37. It would make sense to law enforcement that one side of Main Street is one court and the other side another.

I also propose that I be considered for a special court for Juveniles charged as adults if you would consider removing all of Darby from 32-2-37. I believe that it is needed in order to maximize scheduling and to preserve confidentiality. I have extensive experience working with detained juveniles who have been allege to commit all offenses including but not limited to theft through murder.

Please consider my request.

Sincerely,

Judge Tammi L. Forbes

On Feb 11, 2022, at 4:12 PM, Tammi Forbes
<forbestammi@gmail.com> wrote:

Good afternoon Judges,

This is Tammi Forbes. I would like to offer that precinct 3-1 in Darby of court 32-2-37 is directly aligned with Sharon Hill, Darby, and Colwyn. Precinct 3-1 is on the same side of Main Street as

Colwyn. It is preferred that precinct 3-1 remain with court 32-2-37. It would make sense to law enforcement that one side of Main Street is one court and the other side another.
Thank you for hearing my concerns.

Judge Forbes

Tammi L. Forbes

Magisterial District Judge

District Court 32-2-37

150 S. MacDade Blvd. Suite E

Darby Pennsylvania 19023

O: [610-534-3504](tel:610-534-3504)

F: [610-534-0714](tel:610-534-0714)

forbest@co.delaware.pa.us



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McDonald, Charles

From: Forbes, Tammi
Sent: Friday, February 4, 2022 5:44 PM
To: McDonald, Charles; Kelly, Kevin F.; Diane Holfelder
Subject: Re-Establishment

Good evening,

I write to respond to the plan that was sent on January 14, 2022. I appreciate the work that was put into creating this plan. I would like to advocate to have all of ward 3 in Darby or precinct 3-1 opposed to 3-2. Precinct 3-1 is continuous to Sharon Hill and Colwyn. Precinct 3-2 is adjacent to 2-2. Please consider making this change to the map. In addition my property in Darby is located in 3-1.

Thank you for your consideration.

Tammi L. Forbes
Magisterial District Judge
District Court 32-2-37
Delaware County

McDonald, Charles

From: Kelly, Kevin F.
Sent: Thursday, February 10, 2022 1:06 PM
To: McDonald, Charles
Subject: FW: Delaware County Magisterial District Re-Districting Proposal

Chuck,

FYI.

Kevin

From: Roberts, Wendy
Sent: Thursday, February 10, 2022 12:28 PM
To: Kelly, Kevin F. >
Subject: Delaware County Magisterial District Re-Districting Proposal

President Judge Kelly,

I have had the opportunity to review the proposed redistricting plan. The proposal adds Chester Heights to my district, which is especially appropriate as those students attend Garnet Valley schools with the rest of my current district. If the proposed plan is implemented, and I imagine even if there are some changes to the proposed plan, my "numbers" will, for the immediate future at least, be significantly lower than those of my colleagues. The purpose of writing this comment to you is simply to let you know that I stand ready to serve Delaware County in any way you see fit, and if that requires me to travel to another court or to Media to handle matters that require the attention of a Magisterial District Judge, I am at your service.

Very truly yours, Wendy B. Roberts

McDonald, Charles

From: Elysia, Mancini Duerr <Elysia.Mancini-Duerr@mdjs.pacourts.us>
Sent: Tuesday, February 8, 2022 12:37 PM
To: Kelly, Kevin F.
Cc: McDonald, Charles
Subject: (EXTERNAL) Response to proposed district court redistricting
Attachments: Statement about proposed district for 32.docx

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To the Honorable Judge Kevin Kelly
(copy Chuck McDonald)-

Attached is my statement in response to the proposed re-districting. In short, I have NO objection to the proposed district for my court (32-2-53), however, I believe I will need new or remodeled bigger facilities and additional staff to accommodate the new workload.

Thank you,
Judge Elysia J. Mancini Duerr, Esq.
District 32-2-53

McDonald, Charles

From: Elysia, Mancini Duerr
Sent: Friday, February 11, 2022 10:44 AM
To: Kelly, Kevin F.
Cc: McDonald, Charles; Diane Holefelder
Subject: (EXTERNAL) Re: (EXTERNAL) Response to proposed district court redistricting

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department

To the Honorable Judge Kevin Kelly:
(copied, Charles McDonald and Judge Diane Holefelder, President of the Magisterial District Judge Association)

I am retracting my comments in the below email chain in support of my proposed district, 32-2-53. I have learned that the Upper Darby Police Department believes the proposed district spreads them too thin, and I would like to advocate for what is in the best interests of everyone.

It has also been pointed out to me that the proposed district looks gerrymandered, and I am against gerrymandering or the appearance of gerrymandering as an ethical matter.

It is my understanding that the Magisterial District Judges Association will submit a different proposed plan, and I will support that proposal.

It should be noted that what I liked most about your proposed district change for 32-2-53 is that there will be more work allotted, which makes the district more equitable. The Association's proposal may also allot more work to the district by expanding it to include all of Haverford Township and add all of Radnor; I support the proposal of the Association.

Thank you,
Judge Elysia J. Mancini Duerr, Esq.
District 32-2-53

From: Kelly, Kevin F.
Sent: Tuesday, February 8, 2022 12:41 PM
To: Elysia, Mancini Duerr
Cc: Charles McDonald
Subject: RE: (EXTERNAL) Response to proposed district court redistricting

CAUTION: This is an external email. Please think before you click on an attachment or link!

Judge Mancini-Duerr,

Receipt is appreciatively of your attached correspondence. The concerns your letter details will be considered once the plan is finalized on the close of the public comment period.

As always, thank you.

Kevin Kelly

From: Elysia, Mancini Duerr

Sent: Tuesday, February 8, 2022 12:37 PM

To: Kelly, Kevin F.

Cc: McDonald, Charles

Subject: (EXTERNAL) Response to proposed district court redistricting

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department

To the Honorable Judge Kevin Kelly
(copy Chuck McDonald)-

Attached is my statement in response to the proposed re-districting. In short, I have NO objection to the proposed district for my court (32-2-53), however, I believe I will need new or remodeled bigger facilities and additional staff to accommodate the new workload.

Thank you,
Judge Elysia J. Mancini Duerr, Esq.
District 32-2-53

(Statement from Judge Elysia Mancini Duerr about proposed district for 32-2-53 after interviewing her clerks, constable, and the Haverford Township Police department):

I have no objection to the proposed district, which will include all of Haverford Township and the part of Upper Darby which borders Haverford Township, continuing down West Chester Pike and culminating at the 69th Street Terminal. This area of Upper Darby is the gateway from Philadelphia to Haverford Township and what happens in one community affects the other, so it certainly makes sense socially, as well as geographically, to merge these areas into one district. It also seems to be a much more fair (and bigger) workload than the current district, which currently has the lightest workload in the County - an unconscionably light workload.

However, our concerns are that the current Court facilities and staff are too small for the proposed district. The proposed district will be three times busier than the current district. Therefore, it is logical to conclude that we will need a courtroom that may be up to three times bigger (ours is currently already at capacity most court days). We would need much bigger holding cells – ours currently hold a maximum of 3 prisoners, and we would be holding between 9-21 prisoners during the proposed district's criminal court days. We would need a bigger parking lot – our current parking lots (which are shared with a medical office building) are often at capacity already. And, we would need two to four more court clerks, considering that we are already functioning with two full time clerks. Even if our criminal days are held at the Lansdowne court (which has bigger holding cells), as Upper Darby's current criminal days currently are, we would still need a bigger courtroom for traffic-court days, which would undoubtedly have more defendants than the current amount of defendants.

If Court Administration would consider creating a new space for the proposed District, we suggest modeling the new court after the recently renovated courts in Lansdowne, Chester and Aston: with a spacious courtroom, two holding cells with bathrooms inside, a separate entrance for the prisoners and the rest of the public, and Judge's chambers without an entrance which is accessible by the rest of the public. And, for the morale of the court clerks, as well as for sanitary reasons, the clerks should have a

lunch room with running water (currently they do not), a refrigerator, cabinet space and counter space for a microwave and toaster oven.

Thank you for your consideration to these matters.

Sincerely,

Judge Elysia Mancini Duerr, Esq.

McDonald, Charles

From: Kelly, Kevin F.
Sent: Wednesday, February 2, 2022 4:40 PM
To: McDonald, Charles
Subject: FW: Proposed Redistricting/Reestablishment Change Request
Attachments: Judge Kelly Redistricting.doc

Chuck,

FYI.

Kevin

From: Vann, Dawn
Sent: Wednesday, February 2, 2022 3:33 PM
To: Kelly,

Request

Dawn L. Vann
Magisterial District Judge
Chester District Court 32-1-21
(O)610-874-7180
(F)610-874-7864
(E)VannD@co.delaware.pa.us

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

CITY OF CHESTER

DAWN L. VANN
MAGISTERIAL DISTRICT JUDGE

Magisterial District 32-1-21
5529 Penn St.
Chester, Pennsylvania 19013

OFFICE:
TEL (610) 874-7180
FAX (610) 874-7864

Honorable Judge Kevin F. Kelly
Media Court House
201 Front St
Media, Pa 19063

February 2, 2022

Dear Judge Kelly,

This is a correspondence in reference to the proposed redistricting assignments for the 32nd Judicial District, Delaware County.

I would like to appeal to you for your consideration and making a few changes to the current proposed reassignments of Wards & Precincts in Chester City.

I would like to requests the switch from **Ward 6 and 1st Precinct** to **Ward 6 and 2nd Precinct**. My request is because Chester High School is in 6-2. I'm a proud Chester High School 1982 graduate and it was with great pride that I presided over matters concerning my Alma Mater. I have a great professional relationship with the Camelot School Director and Truancy Coordinator for the past 14 years and want to continue the progress.

Also, I would like to request the switch from **Ward 7 and 2nd Precinct** to **Ward 7 and 3rd Precinct**. **This** request is because of the Crozier Hills Development which is located in this area. I lived where I live my whole life and have a strong interest in relocating in that area. If given the opportunity, that is my plans. However, I need to continue to retain this area.

Judge Kelly, again, I humbly ask if you could please take into consideration my requests, I would greatly appreciate it. Please advise and I look forward to hearing from with you.

Sincere Regards,
Dawn L. Vann
Magisterial District Judge

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

CITY OF CHESTER

DAWN L. VANN
MAGISTERIAL DISTRICT JUDGE
Magisterial District 32-1-21
5529 Penn St.
Chester, Pennsylvania 19013

OFFICE:
TEL (610) 874-7180
FAX (610) 874-7864

Honorable Judge Kevin F. Kelly
Media Court House
201 Front St
Media, Pa 19063

February 2, 2022

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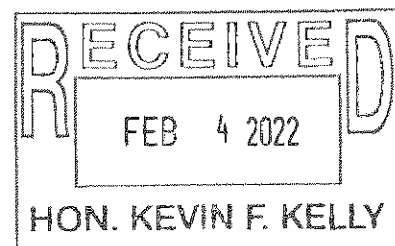
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Judge Kelly, again, I humbly ask if you could please take into consideration my requests, I would greatly appreciate it. Please advise and I look forward to hearing from with you.

Sincere Regards,

Dawn L. Vann
Magisterial District Judge



COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

MAGISTERIAL DISTRICT JUDGE ASSOCIATION OF DELAWARE COUNTY

DIANE HOLEFELDER
PRESIDENT
WENDY ROBERTS, ESQ.
PRESIDENT-ELECT
ROBERT RADANO, ESQ.
VICE-PRESIDENT
KELLY MICOZZIE-AGUIRRE
TREASURER
TAMMI FORBES
SECRETARY

OFFICE:
TEL 610-558-3520
FAX 610-558-3528

February 22, 2022

Dear President Judge Kelly,

The following comment is on behalf of the members of the Delaware County Magisterial District Judges Association. RE: Redistricting Proposal

The Delaware County Magisterial District Judges Association preliminarily discussed the reestablishment in 2021, our then Association President (Burns), reviewed the criteria in July and August. September through November, the Association met to discuss the reestablishment requirements set forth. Twenty-nine (29) of the thirty (30) judges responded and participated in the process.

The Association meetings focused on factors and procedures set forth by the AOPC Memo that included the framework to ensure the "efficient" administration of justice. During this period, there was not a "proposal" of changes provided for review or consideration; merely a discussion of the criteria of the 15 % caseload and a slide show presentation by Court Administration depicting numerical caseloads of courts and a current map. MDJs were then asked for a submission of a letter that provided Your Honor with plans of re-election or retirement and to articulate any "changes" proposed to individual communities as well as any other information relevant to our judicial district generally.

The Association focused on the number of districts needed in the future as The Association was aware the Commonwealth of Pennsylvania had increased in population since the last census by 2.4% growth. The Association was further aware that Delaware County specifically, had increased 3.2%, outpacing the total Commonwealth growth.

As part of the Association's process, we spoke with MDJs in Bucks County wherein the consensus was that the MDJs had too few courts since the last redistricting in their county. In speaking with MDJs in Chester County, the consensus was that the MDJs were concerned that growth of 7.1% would result in too few courts over the next ten (10) years.

The AOPC memo stressed that the input of the MDJ's could provide valuable information in the area of trends and issues they have seen in their districts.

The Association plan looked to establish the boundaries of the districts so that the workload was equitably distributed. However, a key component in the Association's plan was the need to keep neighborhoods/districts in tact as feasibly as possible for stakeholder access to their community court, especially in diverse and economically challenged areas. The Association attempted to keep municipalities and school districts with one court and to keep police departments in their own jurisdictions for LEO court scheduling as well as constable availability and scheduling. Safety for all stakeholders was a valued concern.

As directed, workload considerations were also a factor in the plan. Access to the courts by the public was paramount, as was the ability and feasibility of each MDJ to handle matters in their judicial district. It was intended that specialty courts or particular geographical assignments could be utilized to balance the numbers and court filings where necessary in an effort to comply with the 15% work load guidelines and close the amount of courts necessary without "substantially" altering boundary lines of Judicial Districts.

The Delaware County Magisterial District Judges Association put forth a "plan" to re apportion the case load, acknowledging and agreeing to the need for 3 possibly 4 court closures in a vacuum of provided case load numbers not specific to municipal, agency, geographical, or current special assignments i.e. recusal case load and the like or police filings by municipality (ward/precinct) or by state police. A thorough review of case load equity could not be attained without that information. A preliminary plan was submitted in the "spirit" of further collaboration.

The reveal of the proposed plan occurred when the general public link was advertised and unfortunately, that plan takes a much different path than that of the Association, heavily if not entirely emphasizing the 15% deviation and essentially formulated in nature. The proposed plan focuses strictly on the numbers to the disadvantage of the other necessary considerations.

The proposed plan creates merely one (1) new specially assigned court, separates communities and reassigns police and judges to new areas some of which are unrelated to the Judges Judicial District.

The proposed plan seems to create divides and strains in lower income areas that the association would like to address.

Unfortunately, in its current state, the Proposed Plan for Delaware County specifically addressed equity in case load figures but is deficient regarding equity in communities that have special and significant socioeconomic needs that cannot be ignored as to access to justice.

In some instances, the proposed plan does not “minimize unnecessary travel” times or impediments for numerous stakeholders and communities.

The conversation about diversity and inclusion has profound implications for the legitimacy and efficacy of community access and possible barriers to court access for citizens.

The Delaware County Magisterial District Judges Association did encourage individual Judges as well as any concerned individual to submit comments to Your Honor for consideration. **The Association supports the comments and efforts of the individual courts in their desire to discuss and unify the proposed plan for the areas that are perceived adversely affected. The Association is aware that some communities in whole or in part does not have representation at our reapportionment meetings.** The Association remains available to Your Honor for any conversation and collaboration for desired synergism.

The Association is requesting that the Proposed Plan be considered for revision to reflect the concerns of all stakeholders as this plan will impact our entire community for the next decade.

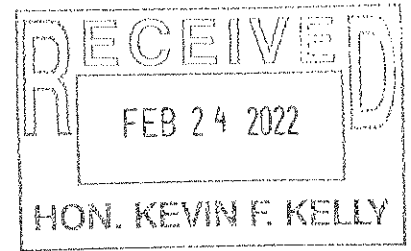
Respectfully Submitted,

Magisterial District Judge’s Association of Delaware County

Sincerely,

Hon. Diane M. Holefelder
President, MDJ Association
Delaware County, Pa

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

CITY OF CHESTER

WILDEN H. DAVIS
MAGISTERIAL DISTRICT JUDGE

Magisterial District 32-1-20
529 Penn St.
Chester, PA 19013

OFFICE:
TEL 610-876-2151
FAX 610-874-7864

Honorable Kevin F. Kelly, President Judge
Delaware County Court House
201 West Front Street
Media, Pennsylvania 19063

February 22, 2022

Dear President Judge Kelly,

We the Magisterial District Judges duly elected to represent the Chester District Courts take this opportunity to submit our response to the recent re-establishment proposal.

After thoroughly reviewing the statewide proposal and more specifically, Delaware County, it is with great concern to potentially close four of our thirty Magisterial District Courts. In addition, in realigning the other twenty-six judicial districts including Chester.

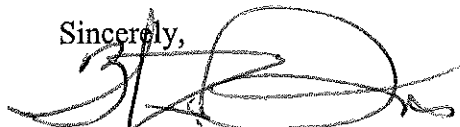
As you are aware the Chester District Courts are comprised of three Magisterial District, all within the limits of the City of Chester. Moreover, one District Court is currently vacant. According to the past three census, the City of Chester, the only city in Delaware County continues to decline in population. However, still increasing in crime. Chester is supported by a single police department that is underman powered. Chester police are allocated for one-hundred twenty-five officers while they are currently operating with sixty-six officers active and ten who are out on injured leave.

The current proposal would include the boroughs of Trainer and Marcus Hook to court 32-1-22. If the purpose realignments to court 32-1-22 were to be implemented this would be a burden not only to the constituents, but the stakeholders as well. Magisterial District Court 32-1-22 is currently sixty in Delaware County in criminal proceedings. Thus, the administrative office of the Pennsylvania guidelines indicates "no magisterial district court should have a total workload which is 15 percent higher or lower than the workload of any other magisterial court in the judicial district". In addition, this may create confusion to the police departments when filing criminal complaints and traffic and non-traffic citations.

The current proposal to district court of 32-1-20 would keep wards 1 and 2. While adding ward 6, precinct 2 and ward 7, precincts 1,3,4. If the proposed realignment to district courts 32-1-20 were to be implemented this could cause a conundrum. With the current expansion and development of Widener University the numbers of traffic and non-traffic citations have seen a steady increase. Again, reiterating the AOPC guidelines specify "No magisterial district court should have a total workload which is 15 percent higher or lower than the workload of any other magisterial district court in the judicial district".

In conclusion, Your Honor I would ask that you take these concerns into consideration before submitting your final proposal of the reestablishment for Delaware County.

Sincerely,



The Chester District Court

Cc: President of Delco MDJ Association, Diane M. Holfelder
Past President of Delco MDJ Association, Mike Burns, Esquire

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Miscellaneous Public Comment Received relating to Posted Draft
Recommendation

McDonald, Charles

From: Madden, Kevin
Sent: Saturday, January 15, 2022 8:59 AM
To: Kelly, Kevin F.
Cc: Lazarus, Howard; Montella, Gerald; McDonald, Charles
Subject: Re: MDJ Reestablishment Recommendation

Your Honor, Mr Montella and Mr McDonald-

I can only imagine the countless hours this work product reflects. While I am certain it would be impossible to take on a task like this one and make everyone happy with the outcome, from my amateur eye, you have done an extraordinary job making the rubik's cube fit. And the thorough explanation of how you got to this result should be welcomed by all stakeholders.

Thank you for your efforts and for the dedication you put to your work.

I hope you can enjoy a weekend to relax.

Best,

Kevin

On Jan 14, 2022, at 5:43 PM, Kelly, Kevin F.

Howard,

Once approved by the Supreme Court of Pennsylvania, the plan would thereafter be implemented in phases. I'm given to believe from discussions with AOPC that those recommended changes attendant to presently vacant local judge seats would be effectuated on the High Court's approval via a president judge's administrative order parceling those areas to immediately proximate MDJ's per the plan. The balance of the recommendations will take place at the end of the terms of those MDJ's whose districts are suggested for elimination which should allow the same to come to fruition approximately January 2024.

The budget implications of the plan include the closing of two (2) existing local court facilities and the related saving of those rents. One of these sites slotted for closure may be able to be effectuated over the next several months; however, the same does require that I secure permission for the same from the Pennsylvania Supreme Court as I'm seeking to have a local court site outside of the MDJ's district. The second closing would occur at the end of December 2023 on that local judge's district being eliminated. The Media district court is currently being used for the video central arraignment processing given the wholesale absence of such an appropriate space otherwise. Should a central booking center as has been discussed open at Lima, I intend to relocate that operation to the booking center and that rent will then be saved. Please note that the plan does recommend a "new" MDJ district in Radnor Township

which may necessitate the renting of such an appropriate space in that community. Lastly, the plan does not result in a reduction of needed local court staff as the number of those personnel required is a function of caseload and not the number of MJD's and nothing in the recommendation and/or its underlining data indicates a decrease in the aggregate, countywide workload, but to the contrary concludes over the next ten (10) years such will increase.

Should you have any additional questions, comments and/or concerns about that above and/or this subject matter generally, please don't hesitate to contact me.

Kevin Kelly

From: Lazarus, Howard
Sent: Friday, January 14, 2022 4:40 PM
To: Kelly, Kevin F.
Subject: RE: MDJ Reestablishment Recommendation

Judge Kelly:

Thank you for copying me on this communication. If the recommendation is adopted, when would it become effective and what would be the impact on the MDJ budget? Thank you.

Howard S. Lazarus
Executive Director
County of Delaware
Government Center Building
201 W. Front Street, Room 202

From: Kelly, Kevin F.
Sent: Friday, January 14, 2022 4:30 PM

Subject: MDJ Reestablishment Recommendation

Dear Council Members,

Attached should be various documents salient to this court's magisterial district court reestablishment plan which was posted this afternoon, *inter alia*, on the magisterial district judges page of the court's website for public comment through February 22, 2022, as follows: <https://delcopa.gov/courts/districtjudges/index.html>.

If you've any questions, comments and/or concerns about that attached and/or this subject matter generally, please don't hesitate to contact me.

Your continued support in this and the many other matters of mutual interest is very much appreciated.

Kevin Kelly

McDonald, Charles

From: Kelly, Kevin F.
Sent: Tuesday, February 15, 2022 4:17 PM
To: McDonald, Charles
Subject: FW: (EXTERNAL) MDJ redistricting

Chuck,

FYI. Not an unreasonable suggestion.

Kevin

From: Sunderlin, Jonathan S <jsunderlin@pa.gov>
Sent: Tuesday, February 15, 2022 8:27 AM
To:
Subject: (EXTERNAL) MDJ redistricting

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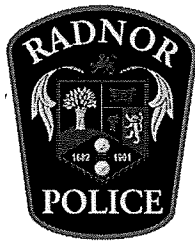
Good Morning Judge,

I just wanted to reach out to you regarding the proposed changes to the District Court coverage areas. PSP covers all of I-95 and I-476 and we currently end up filing charges/citing in whichever district court the arrest is made in on that corresponding portion of the highway. Our Department is in a unique situation compared to the other local departments in the county in that our troopers are required to appear in numerous different district courts for their cases, often on the same days and same times. This historically has caused scheduling issues for our members and increased continuance requests due to unavailability of troopers for court due to conflicts.

Since arrests made on the highway don't necessarily always represent constituents of the judicial district that charges are filed in, and for consolidation of case purposes, would it be possible to examine the idea of consolidating all PSP arrests on portions of the highway to less district courts? For example, it would be much more convenient and cost effective to have all PSP arrests on I-95 (south of the Blue Route) get routed through Judge Strohl's court (48) because it's right up the street from our station and his case volume has decreased over the past several years. Then all of the cases on I-95 (north of the Blue Route) could get routed through either Judge Turner (31) or Judge Lippart's (44) courts.

It just seems to make more sense to try and consolidate the PSP cases on the highway since it runs through so many different district courts. Thank you for your time and consideration.

Lieutenant Jonathan Sunderlin | Station Commander
Pennsylvania State Police | Troop K – Media



Christopher B. Flanagan
Superintendent of Police

**RADNOR TOWNSHIP POLICE
DEPARTMENT**

301 Iven Avenue
Wayne, Pennsylvania 19087-5297
(610) 688-0503 □ Fax (610) 687-8852

Shawn C. Dietrich
Lieutenant

Joseph W. Pinto
Lieutenant

November 12, 2021

President Judge Kevin F. Kelly
Delaware County Court of Common Pleas
201 Front Street
Media, PA 19063

Dear Honorable Judge Kelly,

Radnor Township has been without a Magisterial District Court located within its borders after the court districts were realigned several years ago. Unfortunately, this has increasingly caused strain on our Citizens, Township staff, as well as the Radnor Police Department.

At present, Radnor does not have a District Court within the Township, which means Radnor residents must also travel to the Newtown Square court location, thereby adding substantially to an already time-consuming task to handle court business or testify. The District Court is almost at the County border as well.

Radnor Officers must travel a forty (40) minute round trip to drop off court mail and other official documents and are out of service for a much longer timeframe if they are needed for a hearing. Additionally, due to safety concerns and staffing necessities, only one (1) officer can respond to court at a time leaving a backlog of officers waiting for their turn to testify, which often results in portions of the Township being without police coverage. Finally, not having officers available to respond to 911 emergencies creates a public safety delay in response due to the court's physical location.

On behalf of the Radnor residents and Radnor Police Department, we respectfully request Radnor Township be given its own Magisterial District Court.

In Service,

Christopher B. Flanagan #500
Christopher B. Flanagan #500



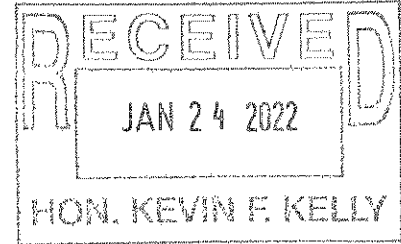
DEPARTMENT OF POLICE
TOWNSHIP OF SPRINGFIELD
DELAWARE COUNTY
50 Powell Road, Springfield, PA 19064
Police 610-544-1100
Administration 610-544-6900
Fax 610-544-6219



JOSEPH J. DALY
Chief of Police

January 20, 2022

Honorable Kevin F. Kelly
Delaware County President Judge
201 West Front Street
Media, Pa., 19063



Dear President Judge Kelly:

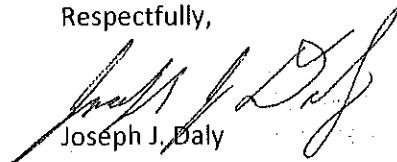
I had the opportunity to review the voluminous information regarding the proposed redistricting of the Magisterial District Courts in Delaware County and specially the district courts located in Springfield Township. I confess that I am not aware of all the constraints that you are operating under in the redistricting process, but I respectfully request that you reconsider the implementation of this plan as I believe in its current format, it may significantly impact police operations in Springfield and Upper Darby Townships.

One of the deciding factors is the impact on public access to the courts and safety. District Courts 32-1-32 and 32-1-54 share the same campus with the Township Building, the Police Department, and the Public Library. The Township Building also hosts numerous community programs. As a result, parking on site and in the adjacent residential community is at a premium and is exacerbated on court dates. The proposal of adding an additional 39,716 cases annually will have an adverse impact on accessibility and safety.

There is also a significant difference between the types of cases generated in Upper Darby Township as opposed to Springfield Township and I have a concern of a dissatisfied defendant acting out in the community.

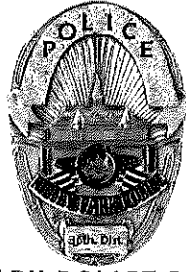
Thank you for your consideration of this correspondence. Again, I am simply requesting that this plan be reconsidered. If you so desire, I will remain available to discuss at your convenience.

Respectfully,


Joseph J. Daly
Chief of Police
Springfield Township

Borough of Ridley Park

Robert M. Frazier
Chief of Police



Henry A. Eberle, Jr.
Mayor

RIDLEY PARK POLICE DEPARTMENT
230 W. Chester Pike · Ridley Park, Pennsylvania · 19078
Tel: 610-362-7401 · Fax: 610-362-7403

February 15, 2022

To: President Judge Kevin Kelly

Ref: Magisterial District Court Redistricting

You Honor,

I write to you to consider not moving the Borough of Ridley Park out of Magisterial District Court 32-2-44. The Borough and The Police Department have a collaborative partnership with the Judge Jack Lippart. His partnership with our community acts in good collaboration to keep the borough as an outstanding town with its residents and juveniles.

Moving Ridley Park out of Court 32-2-44 I believe will cause extreme financial burdens on the borough as we are not a big department and overtime costs will rise, along with staffing issues by going to Crum Lynn court. Officers have been known to be in Crum Lynn court for hours just waiting for the judge to sit and come to adjudications.

For the last 2 decades the borough has had a great working relationship with Judge Lippart to move cases along in a timely matter. Judge Lippart takes great pride and interest in the community as a stakeholder with the residents, business association and juveniles.

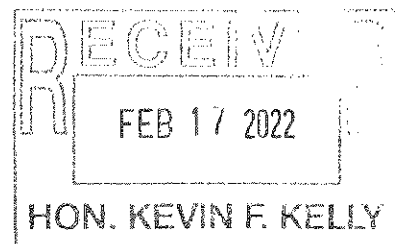
By moving Ridley Park out of his court I believe will be detrimental to the community in regards to financial and positive relationships with their magisterial district justice. I believe, as Judge Lippart does, that he can handle the cases that Ridley Park flows into his court.

I ask you to reconsider the long term affects that this move may cause the residents and Police Officers of the Borough of Ridley Park

Respectfully,

A handwritten signature in cursive script, appearing to read "Robert M. Frazier".

Robert M. Frazier
Chief of Police





Borough of Marcus Hook

February 22, 2022

Honorable Kevin F. Kelly
President Judge
Delaware County Court of Common Pleas
201 West Front St.
Media, PA 19063

**RE: Proposal to Reestablish the Magisterial Districts within the 32nd Judicial District
(Delaware County)**

Your Honor,

On behalf of the people of the Borough of Marcus Hook, the Marcus Hook Borough Council actively participates in the Public Comment Period on the Draft Proposal to Reestablish the Magisterial Districts within the 32nd Judicial District. Specifically, Borough Council, comments on the proposed changes to District Court 32-1-36 and District Court 32-1-22.

1. Borough Council *supports* all cases from Chichester School District remaining with Judge Griffin in District Court 32-1-36. Judge Griffin has been handling this school district for multiple terms and the people of Marcus Hook support this relationship continuing.
2. Borough Council respectfully, *objects* to the removal of all other cases from judicial district 32-1-36 and reassigned to judicial district 32-1-22. This places an undue burden on an already stressed police force.

At any given time, there are two Marcus Hook patrol cars on the street patrolling the borough. Currently, District Court 32-1-36 is exactly one mile away the police station at 1015 Green Street. It would take a civilian car, traveling at the speed limit, three minutes to get from the police station to the district court. This allows for officers to be able to patrol the streets and be available to testify in district court. This condition has been enjoyed by the Marcus Hook Police Officers for many years.

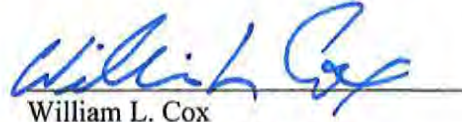
The new proposal would significantly and negatively alter this process for our officers. Not only would the voting lines for district judge change to include areas that have never traditionally been governed with Marcus Hook, forcing our residents to travel a much greater distance for access to the courts, but it also extends the travel for our police from one mile to four miles. The estimated travel time increases from three minutes to 11 minutes. This one change would greatly affect the Borough's budget for overtime, witnesses, patrol officers and would eliminate the ability of officers to patrol and be present in district court on the same day.

Marcus Hook Borough Council prays that Your Honor reconsider this portion of the proposal and allow the Borough of Marcus Hook to remain in judicial district 32-1-36, or at least keep those cases that have police participation to remain in the current judicial district.

Respectfully Submitted on Behalf of the Borough of Marcus Hook,



Josephine M. Laird
Council President



William L. Cox
Council Vice-President

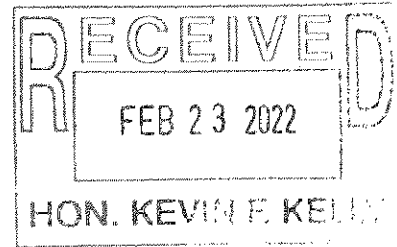


Domestic Abuse Project of Delaware County, Inc.

14 West Second Street, Media, PA 19063-2802
Main Office: 610-565-6272 • Fax 610-565-9911

The Domestic Abuse Project of Delaware County works to prevent domestic violence and empower victims towards self-sufficiency.

Magisterial District Court Reestablishment Plan
c/o President Judge Kevin F. Kelly
201 West Front Street
Media, PA 19063



President Judge Kelly,

Founded in 1976, the Domestic Abuse Project (DAP) of Delaware County's mission is to prevent domestic violence and empower victims to move towards self sufficiency. A cornerstone of our work is providing direct support to victims of domestic violence while they navigate the court systems across Delaware county. DAP is respectfully submitting this letter as an opportunity to provide comments on the proposed plan for Magisterial District courts and to advocate on behalf of the victims we serve.

After reviewing the reestablishment plan for the Magisterial District Courts, DAP believes this proposed plan could negatively affect victims of domestic violence in our county. Unfortunately, we find victims of domestic violence are often revictimized when they are required to come to court and navigate a complex system. As a result, our role is to advocate on behalf of our clients to ensure a streamlined process that provide accessibility, safety, confidentiality and consideration to our victims.

Here are a list of concerns we would like the opportunity to highlight, as we, from our experience feel, this would deter victims from participating in criminal court procedures:

- ***Along with the anticipated growth in volume in areas within the Judicial District, the safety and security for victims should be considered.***
 - We often hear frustration and fear from domestic violence victims due to long waiting times, confusing processes, and unreasonable delays in processing and moving their cases forward. This sometimes results in the offender being released from prison, which presents a danger to the victim and the public
 - Consolidation of court rooms causes a concern due to the potential of increasing the volume of cases being heard within already overly packed court rooms. This increases the threat of danger for victims, as they are required to wait for their cases to be heard often times with their abusers just a few feet away. Additionally, most courtrooms do not have metal detectors, which is also safety risk for victims. With the increased volume of cases, which can often times involve extreme violence, will adding metal detectors to all District Courts in Delaware County be explored as an additional safety tool in place?

Empowering Victims of Domestic Violence since 1976

Legal | Safe House | Counseling | Outreach



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The Domestic Abuse Project of Delaware County works to prevent domestic violence and empower victims towards self-sufficiency.

- We know the more crowded the docket is the longer the process may be. This also impacts the right for victims to have support services, including advocates, or family/friends who may want to accompany them, but unable to do to overly packed court rooms and long waits.
- Proposed changes will further impede upon the sense of dignity and measure of privacy, as court rooms are packed with an increased number of cases that may range both in type and severity.
- ***Public access should be considered.***
 - Many of the victims we serve have to arrange for child care, take off of work, and testify against their abuser in a court room full of people. Victims often have to sit in court all day just for the case to be continued. With the proposed redistribution of courts, we believe the already existing barriers for victims will only be exasperated if they are now required to travel outside of their district to attend court. Having to travel outside of their district to attend court will require additional time and money from victims who are already under resourced. This will likely result in a increase of continuances as well as uncooperative victims.
- ***Judges will preside over cases outside of their district***
 - The reestablishment plan will leave residents having to travel outside of their district to have cases heard by a Judge outside their current voting district. This leaves victims to rely on the decision making of judges they have not had the opportunity to vote for. DAP believes victims have the right to have their cases heard by Judges that they have participated in the voting process for.

DAP appreciates and values your hard work and dedication as President Judge. We thank you for the opportunity to participate in the commenting process, as we hope to provide insight on how this proposed plan will affect victims of domestic violence.

Julie Avalos, MSW
Executive Director
Domestic Abuse Project of Delaware County.

Empowering Victims of Domestic Violence since 1976

Legal | Safe House | Counseling | Outreach

02/11/2022

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, PA 19063

Dear Judge Kelly,

I am submitting this letter in response to the **Recommended Reestablishment Plan for the Magisterial District Courts of the 32nd Judicial District of the Commonwealth of Pennsylvania for 2022** and its potential impact on the residents of Chester, Pennsylvania. Chester's current district boundaries are already too ridged and do not give to community the appearance of unity and connectedness. Aligning Chester with Marcus hook and Trainer would only exasperate the issue and would prohibit those communities (Marcus hook and Trainer) from having the familiarity with the first point of contact in the judicial realm. Those boroughs deserve to remain aligned with the Magisterial District they are accustomed too and should not have to come outside of their familiar zone, to have matters heard.

Chester's district courts would appear more unified if we had a more holistic district structure, which spans the length of the city limits. Below I have outlined a proposal for realignment consideration for Chester's district courts, which not only has the potential to more evenly distribute the workload, but also accounts for establishing more connectedness to the community at large.

Proposed Holistic Reestablishment:

32-1-20: Wards 1, 2, Ward 7 Precinct 3, Ward 7 Precinct 4, Ward 9 Precinct 2, Ward 9 Precinct 3, Ward 11 Precinct 4, Ward 11 Precinct 5, Ward 11 Precinct 6 and CUSD Truancy

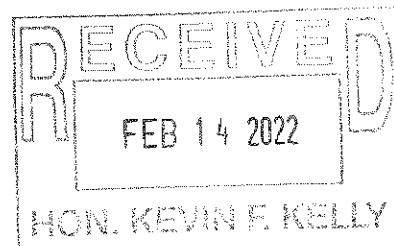
32-1-21: Ward 3, Ward 5 Precinct 1, Ward 6 Precinct 1, Ward 7 Precinct 2, Ward 8 Precinct 1, Ward 10 Precinct 1, Ward 10 Precinct 2, Ward 10 Precinct 3, Ward 11 Precinct 1

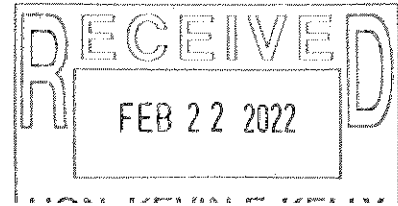
32-1-22: Ward 4, Ward 5 Precinct 2, Ward 6 Precinct 2, Ward 7 Precinct 1, Ward 8 Precinct 2, Ward 9 Precinct 1, Ward 11 Precinct 2, Ward 11 Precinct 3

Warm regards,



Joy Taylor
Chester Resident





To; Honorable Judge Kevin F. Kelly

My name is Jason Heacock I live at 19061. I have been an Upper Chichester Township Resident for 47 years. This letter is pertaining my public comment to the Recommended Reestablishment of Judicial Boundaries.

The changes as proposed would move my household and my neighbors should we need the services of the district court from Lower Chichester District Court to Aston District Court. I understand that changes sometimes need to be made to ensure that the court system can run more efficiently. I strongly disagree with having my MDJ district changed to Aston District Court. I believe that there are better ways to go about this and they may even make it more efficient.

The issues I have with the proposed MDJ boundaries are as follows; I feel as though the District Courts need to be "Local" Lower Chichester is more Local than Aston to someone living in the 2nd Ward of Upper Chichester. For those needing public transportation it would be less convenient to travel to Aston District court via public transportation. I don't even believe that the second ward of Upper Chichester is a natural boundary of Aston Twp. It is my understanding that Lower Chichester Court and Aston Court have the same criminal proceeding days. This may cause police officers to be needed in both courts at the same time.

Being unaware of the courts review of the MDJ Judicial boundaries being reviewed every 10 years has taken me by surprise. The plan looks great on paper who ever did it did a bang-up job making each MDJ and their workload look balanced. However, you are allowing massaged numbers and statistics to dictate what court will serve the people. The volume of case numbers used were weighted heavier for criminal cases than other case types. In reality, a case is a case in district court, for example, ask the lady who got her purse stolen and the husband and wife who show up because the neighbor put a fence on their property which case is more important? I also understand that many judges hear cases that are not tracked such as filling in for judges that are absent or out sick, cases from other venues....

To offer some ideas; One solution would be for the entirety of Upper Chichester to be in Lower Chichester District Court give Aston Court the I-95 corridor. Simply move all the State Police cases off the Highway to the Aston MDJ. Or you could stick with the current map. The amount of court cases in Delaware County is not going to go down in the near future I am sure court services have a steady upward trend. If you are a Judge in Upper Darby or Chester their Court is going to be busier than most other MDJ in the County and no number of changes or shifts in work load will resolve the issue entirely.

Thank you for affording me this opportunity to express my thoughts and opinion on this matter. Please keep my local district court "Local". Please consider numbers are what they are, or are they what we make them?

Sincerely,

A handwritten signature in black ink that reads "Jason Heacock". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Jason Heacock

Upper Chichester Township Resident

Borough of Aldan

One W. Providence Road
Aldan, Pennsylvania 19018
(610) 626-3554
Fax (610) 622-3597



February 16, 2022

Dear Judge Kelly:

We are writing on behalf of the residents of Aldan Borough to express our concerns and displeasure with the current, proposed plan to move Aldan from Magisterial District Court 32-2-52 to MDC 32-2-40. An important factor for consideration in the redistricting process must be the right of the people to have a vote on their Magisterial District Judges every six years. If this current plan is finalized, this will be the second time in a row that the voters of Aldan have been deprived of this right.

After voting in MDC 32-1-26 in 2011, Aldan residents should have had the opportunity to vote for their next MDJ in 2017. Instead, having been moved to 32-2-52, we were forced to wait to vote for this office until 2019. Now, the current, proposed plan would require Aldan voters to wait another eight years before being permitted to vote for their MDJ. We respectfully ask you to consider allowing Aldan to remain in its current MDC or to move to a neighboring MDC whose judge will be up for election in 2025.

Please see attached the Council resolution passed unanimously at our meeting on February 16, 2022.

Thank you,

Handwritten signature of Michael Ceci in black ink.

Michael Ceci
Mayor

Handwritten signature of Joyce Lambert in black ink.

Joyce Lambert
Council Vice President

Handwritten signature of Kate Blunt in black ink.

Kate Blunt
Council Member

Handwritten signature of Marlene Smythe in black ink.

Marlene Smythe
Council Member

Handwritten signature of Dan Procopio in black ink.

Dan Procopio
Council President

Handwritten signature of Caroline McKernan in black ink.

Caroline McKernan
Council Pro Tempore

Handwritten signature of Harold Borders in black ink.

Harold Borders
Council Member

Handwritten signature of Scott Walker in black ink.

Scott Walker
Council Member

RESOLUTION NO. 2022- 10
A RESOLUTION OF ALDAN BOROUGH,
DELAWARE COUNTY, PENNSYLVANIA

WHEREAS, the Borough of Aldan ("Borough") is a Borough located in Delaware County, Pennsylvania; and

WHEREAS, residents of the Borough have a constitutional right to elect justices, judges and justices of the peace in municipal elections pursuant to Section 13 of the Constitution of the Commonwealth of Pennsylvania; and

WHEREAS, magisterial district judges serve six year terms pursuant to Title 42, Chapter 31, Subchapter D of the Pennsylvania Consolidated Statutes; and

WHEREAS, the County of Delaware is currently considering a court redistricting plan that will move the Borough of Aldan from the jurisdiction of Magisterial District Court 32-2-52 to Magisterial District Court 32-2-40 with an election scheduled for 2027; and

WHEREAS, the current redistricting proposal under consideration would move the Borough of Aldan under the jurisdiction of a new Magisterial District Court for the second time since 2018, effectively granting the residents of the Borough only one opportunity to select a magisterial district judge over an 8 year period; and

WHEREAS, the Magisterial District Court is the first level of judicial authority in the Commonwealth, and is the court where most citizens experience the judicial system for the first time as it hears traffic cases, landlord/tenant disputes, summary criminal offenses, criminal arraignments and preliminary hearings, municipal code enforcement matters, and civil cases involving amounts up to \$12,000;


WHEREAS, because of its jurisdictional requirements, it is of prime importance that a magisterial district judge be selected by and responsive to the community which he or she serves, and have an understanding of the unique local issues facing residents and local police officers and departments within their jurisdiction;

WHEREAS, the current redistricting plan deprives the residents of the Borough the ability to exercise their right to vote for a magisterial district judge until every 6 years, having last voted for such office in 2019;

NOW THEREFORE, be it resolved that the Borough Council of the Borough of Aldan hereby respectfully objects to and opposes the current redistricting plan before the County of Delaware, and asks that the Honorable President Judge Kevin F. Kelly consider alternatives that will allow the residents of the Borough of Aldan to exercise their right to vote for a magisterial district judge no later than 2025.

RESOLVED and ENACTED this 16th day of February, 2022.

BY:



Daniel Procopio

Daniel Procopio
Borough Council President

SEAL

ATTEST:

John White

John White
Borough Secretary



Borough of Ridley Park
COUNTY OF DELAWARE, PA

Council Chambers

105 East Ward Street Ridley Park, Pennsylvania 19078
610-532-2100 • FAX: 610-532-2447
www.ridleyparkborough.org

Mayor
Henry A. Eberle, Jr.

Borough Manager
Richard Tutak, Jr.

Borough Secretary
Danielle Staccione

Accounts Payable
Colleen Scattolini

Administrative Assistant
Megan Dewar

Council President
Dane Collins

Vice President
Richard C. Guerra

Council Members
Kimberly Collins
Michele Endriss-Dalessio
Richard C. Guerra
Michelle Stock Mattus
Michael McGinley
Len Pinto

February 24, 2022

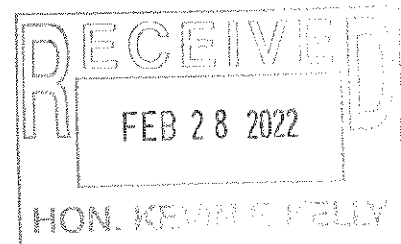
President Judge Kevin F. Kelly
201 W Front Street
Media, PA 19063

President Judge Kelly,

On behalf of the of Ridley Park Borough Council, I write this letter with the utmost concern regarding the prospect of relocating our Magisterial District Court in Ridley Park from 32-2-44 under the Honorable Jack D. Lippart to 32-1-31 under the Honorable Philip S. Turner, Jr..

For over two decades, our Borough has enjoyed a strong working relationship with Judge Lippart in relation to myriad matters- from police violations down to code enforcement issues. Our court has been located in our backyard for nearly a decade and Judge Lippart has been a staple of the community of Ridley Park, particularly with his relationship with its officers, employees, and residents. Our concern from the Borough would be losing this relationship, which has taken decades to cultivate. This strong relationship between the court and community is a value and asset to the Borough and the administration of justice in Borough as well as our neighboring boroughs.

Beyond the strong ties to the community, moving our cases would have a drastic impact on how our police department patrols our street resulting in more time traveling and spending in the courtroom. In our small community, we have two officers patrolling our streets every day. The District Court Office, 32-2-44, is ideally situated for the Borough and provides our officers with ease access to the court and efficient operation, which increases the time our officers spend keeping the community safe. Relocating the offices will undoubtedly require our officers to spend additional and needless hours waiting for a case to be heard which, in turn, will leave our Borough on the hook for additional overtime for manpower and create This in a financial impact on the taxpayers in our community. Judge Lippart has always worked with our Police Department to schedule these matters in a way that optimizes the time officers are spending outside of the courtroom.



I urge you to consider the needs and wishes of the community of Ridley Park, and the strong interest it has in remaining at the District Court, 32-2-44, with Judge Jack Lippart.

I thank you for your time and consideration on this matter.

Sincerely,

A handwritten signature in black ink that reads "Dane Collins". The signature is written in a cursive style with a long horizontal flourish at the end.

Dane Collins, Esq.
Borough Council President

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Data from the Delaware County Planning Commission referenced for
creating Draft Recommendation

McDonald, Charles

From: DelMuto, Julie
Sent: Friday, October 8, 2021 12:57 PM
To: McDonald, Charles
Cc: Shaffer, Thomas P.
Subject: Population Forecasts
Attachments: 2050 Employment Forecasts.xlsx; 2050 Population Forecasts.xlsx

Hi Chuck,

Tom Shaffer passed me your inquiry on population and employment growth in the county. We use the regional planning commission's data on forecasts. At the link you will find an interactive map of the data. I like this because you can zoom around, but you can also download the data in the link at the top right of the application.

<https://www.dvrpc.org/webmaps/popforecast/> . I have attached the data tables for population and employment forecasts to this as well.

Now that we have 2020 population data coming out I believe these forecasts will be updated in the next few years. The 2020 population numbers showed that even in our first generation suburbs the population held steady or grew. You can view the maps and data for that on our website:

<https://delcopa.gov/planning/demodata/Census2020UpdatesandReleases.html>

Please don't hesitate to reach out if there is something more specific you are looking for or I can help with!

Thanks,
Julie

Julie Del Muto
GIS Manager, GIS & Information Services
Delaware County Planning Department: <https://delcopa.gov/planning/>
Mapping and Data Portal: <https://portal-dcpd.opendata.arcgis.com/>

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Items related to Posting of Draft Recommendation for Public Comment



**COUNTY OF DELAWARE
ADMINISTRATIVE OFFICE
FOR
MAGISTERIAL DISTRICT JUDGES**

Charles E. McDonald, Esquire
Administrator

Joan E. Van Horn
First Assistant Administrator

100 West Front Street
Media, Pennsylvania 19063-3208

610-565-6990
Fax: 610-891-7849

NOTICE

NOTICE is hereby given that a proposal to Reestablish the Magisterial Districts within the 32nd Judicial District (Delaware County) is available on the 32nd Judicial District's website at:

<https://delcopa.gov/courts/districtjudges.html>

The proposal is also available for in-office examination and review Monday thru Friday (except holidays) between 8:30 am to 4:30 pm at the following location:

The Administrative Office for Magisterial District Judges
100 West Front Street
Media, PA 19063

Public comment regarding this proposal is invited and may be submitted, in writing, and received no later than February 22, 2022, addressed as follows:

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, PA 19063

January 14, 2022

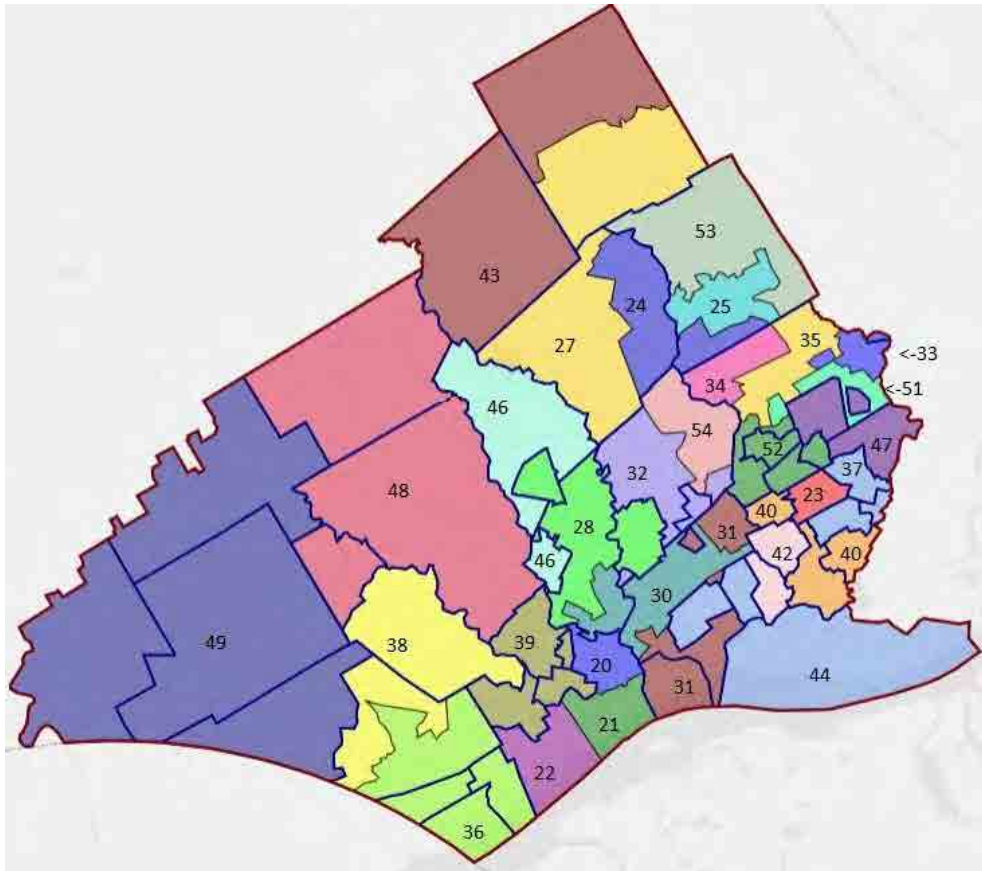
**Summary of Recommended Reestablishment Plan for the
Magisterial District Courts of the 32nd Judicial District
of the Commonwealth of Pennsylvania for 2022**

By The Honorable Kevin F. Kelly, President Judge

This is a summary of the proposed 2022 Magisterial District Court Reestablishment Recommendation by the President Judge of the 32nd Judicial District of the Commonwealth of Pennsylvania, which encompasses Delaware County. Also being made publicly available for review are the accompanying draft specific recommendations for each Magisterial District, and for the County as a whole, in the format which will be submitted for the consideration of the Supreme Court of Pennsylvania. Public comment regarding this proposal is invited and may be submitted, *in writing*, no later than February 22, 2022, addressed as follows:

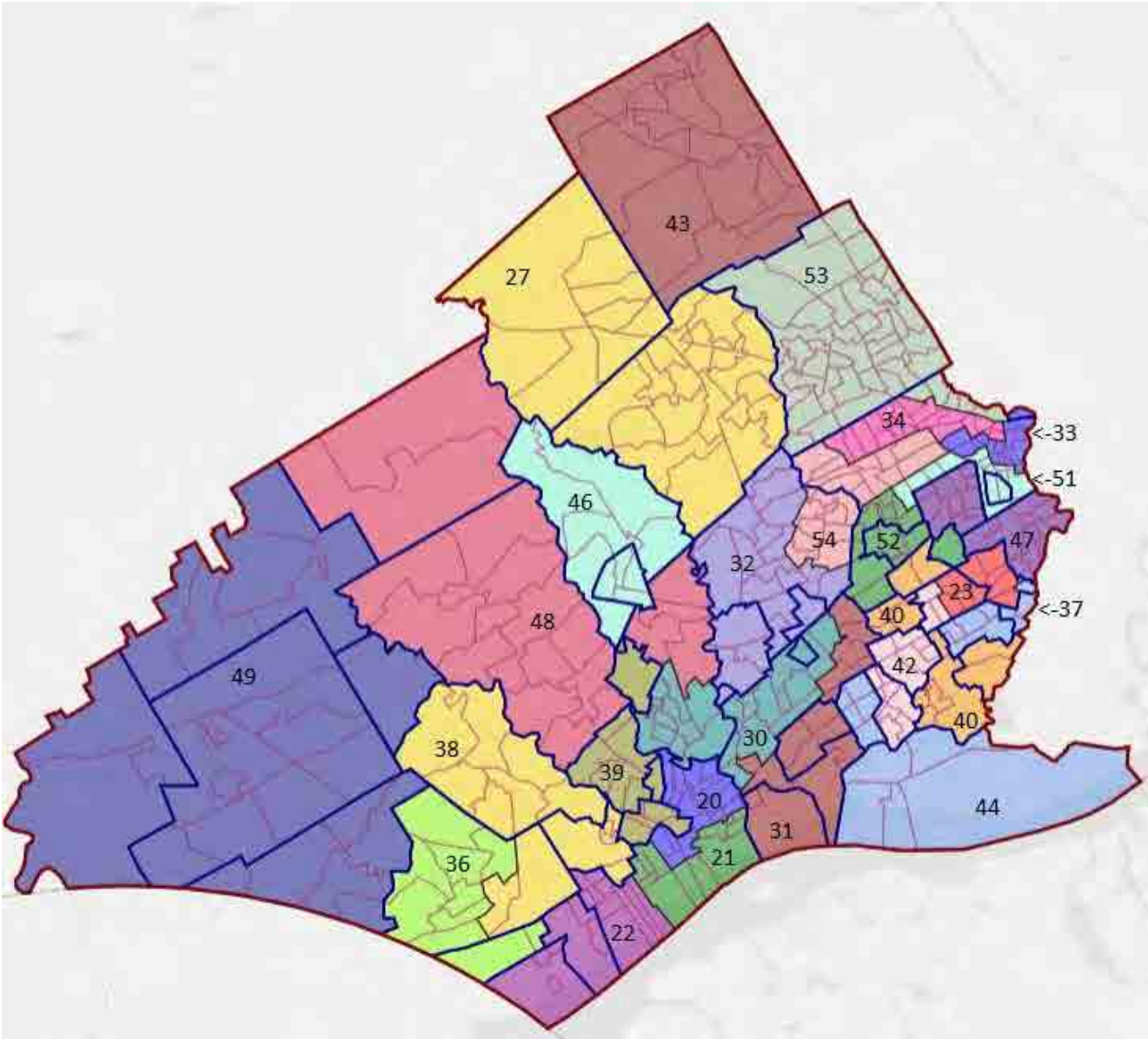
Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 West Front Street
Media, PA 19063

Current Map of 30 Magisterial District Courts



Magisterial District Courts are labeled by last two digits of District Number; e.g. 32-2-49 is 49.

Recommended Map of 26 Realigned Magisterial District Courts



Magisterial District Courts are labeled by last two digits of District Number; e.g. 32-2-49 is 49.

For specific descriptions of the changes to each District, please refer to the accompanying draft Recommendations.

Recommendation Statistical Comparison

	Current	Proposed
Number of Districts	30	26
Maximum Number of Districts within a 15% Workload Range	8 of 30	25 of 26*
Total Workload Deviation Range	520.4%**	23.92%***
Number of Facilities	22	20 (Possibly 19)
Split Municipalities	9	8
Non-Contiguous Districts	6	2****
*One District with a high expected growth rate will initially have slightly lower volume		
** Please refer to the Table on Page 8 for Workload data and deviation calculations		
*** Please refer to the Table on Page 9 for Projected Workload deviation calculations		
****Both Non-Contiguities are due to Municipal Non-Contiguities		
Current Average Workload for 30 Delaware County Magisterial District Courts	33,873	
Current Average Workload for the 113 Class 2A County Magisterial District Courts	38,685	
Projected Average Workload for 26 Realigned Delaware County Magisterial District Courts	39,085	
Please refer to Page 5 for a summary of Workload calculations		
Number of Magisterial Districts Reestablished as is	Zero	
Number of Magisterial Districts Realigned	26	
Number of Magisterial Districts Eliminated	4	

Background

As required under Pennsylvania statute, every ten (10) years the Magisterial District Courts (“MDCs”) must undergo a redistricting process, referred to as Reestablishment, in the year following the delivery of the Federal Decennial Census data. The Supreme Court of Pennsylvania (“Supreme Court”) directed the President Judge of each Judicial District in the Commonwealth to provide a recommendation relating to reestablishing their local Magisterial District Courts by February 28, 2022. The Supreme Court provided guidelines for crafting such recommendations, which may be summarized as follows:

- Each President Judge must recommend the total number of MDCs for their Judicial District after comparing their county workload volumes to that of the other counties of the same class within the Commonwealth;
- The jurisdiction of the MDCs within the Judicial District should be crafted in such a manner as to provide workload equity among the MDCs, with a maximum of no more than 15% deviation in workload, unless justification for a greater deviation exists;
- The residence of the Magisterial District Judge (“MDJ”) must be within the MDC;
- The court facility must be within the Magisterial District, unless an accompanying petition for an exception is simultaneously provided to the Supreme Court;
- No MDC can be eliminated during the term of an incumbent MDJ;
- All parts of each Magisterial District must be contiguous;
- Voting precincts cannot be split;
- Anticipated growth or decline in volume in areas within the Judicial District over the next decade should be considered;
- Public access and safety should be considered;
- The plan may be phased in over time;
- Input from stakeholders should be sought; and,
- The recommendation plan should be made available and posted for public comment for at least 30 days prior to submission to the Supreme Court, with a submission deadline of February 28, 2022.

Input and Data

In addition to the above guidelines, a substantial quantity of case filing and workload data was provided by the Administrative Office of the Pennsylvania Courts (“AOPC”) to each President Judge. This data included filing information by case type (*e.g.* criminal, traffic, civil, etc.) for the years 2014 thru 2019. These guidelines and data were also made available to the local MDJs through their local association, as well as their statewide association. 2020 data was not included as the COVID-19 pandemic impacted court filings and operations in a unique and unprecedented manner.

Additionally, data was acquired from the Delaware County Planning Commission relating to expected population, business development and employment projects for each of the forty-nine (49) municipalities in Delaware County. Data was also garnered by Court staff relating to more

detailed case filing information, *e.g.* truancy filings by school district as affiant, property maintenance (Non-Traffic Summary) filings by municipalities as affiants, and PA State Police traffic case filings in MDCs with state highways within their jurisdiction. The president of the local MDJ association and some individual MDJs requested some similar data from Magisterial District Court staff, which was provided per all such requests.

In anticipation of possibly recommending the elimination of one or more MDCs, each incumbent MDJ was asked to notify the President Judge, in writing, if they knew they would not be seeking reelection at the end of their current term. Several MDJs indicated that they would not in the future be seeking reelection.

All Delaware County MDJs were invited to a presentation regarding Reestablishment, which was held on October 29, 2021. A majority of the local MDJs attended the meeting. After a PowerPoint presentation many MDJs participated in the subsequent discussion. The president of the local MDJ association was invited to submit an omnibus recommendation on behalf of all the MDJs, the same being timely received in November of 2021. Individual MDJs were also encouraged to submit their personal recommendations and comments in writing to the President Judge, which many did.

A similar meeting and presentation was held on November 17, 2021, for other stakeholders. Invitees included: all members of Delaware County Council, the county Solicitor, the District Attorney, the Public Defender and representatives from local law enforcement agencies. After the PowerPoint presentation a comprehensive discussion took place. These attendees were also encouraged to submit their individual recommendations and comments in writing to the President Judge, and some did so over the following weeks.

Notice of the Reestablishment process beginning and an invitation to submit public comment was as well posted on the County website in the fall of 2021.

Resulting from that of the above, a significant amount of input was offered regarding many aspects of the process and the related effect on various MDCs, municipalities, agencies and school districts. While it is impractical to include all of the suggestions into the Recommendation to the Supreme Court as some of them conflict with each other and/or do not fit within the proffered guidelines, each suggestion was afforded due consideration. Many of the suggestions received through this process have been incorporated into this Recommendation.

Number of Courts and Workload Calculations

The guidelines, *inter alia*, direct each President Judge to compare the average case filings and workload for his/her Judicial Districts to the other Judicial Districts of the same class of county. Currently, as shown by a review of the data received from AOPC, the 32nd Judicial District (Delaware County) has thirty (30) MDCs and the lowest workload volume of any of the five (5) Class 2A Counties. Bucks, Chester, Lancaster and Montgomery are the other Class 2A Counties per the 2020 US Census data.

Workload is calculated by multiplying the total case filings of each type by a weighted value which was attributed after a comprehensive study conducted by AOPC of MDC operations throughout the Commonwealth. The weights assigned for each type of case for calculation of Workload are as follows:

Case Type	Weight
Criminal	36.72
Non-Traffic	10.74
Traffic	2.28
Misc. Docket	32.57
Civil	11.28
Landlord Tenant	14.48

As a result of this formula and assessment method, an MDC with high case filing numbers may have a Workload which is lower than an MDC with less total cases.

The guidelines given to each President Judge state, *inter alia*, the following: “No magisterial district should have a total workload which is 15% higher or lower than the workload of any other district in the judicial district.” Therefore, Workload, as opposed to case filings, is the main consideration for assessing the balance of MDC volumes.

While mathematical averaging and comparison was applied to considering the number of MDCs to properly handle the workload of Delaware County, the fluid process revealed that other considerations also impacted this determination. For example, a reduction to twenty-four (24) or twenty-five (25) MDCs was considered. However, these further reductions resulted in much greater splitting of municipalities and school districts in order to meet the goal of distributing the Workload equitably. Likewise, omnibus plans for twenty-seven (27) or twenty-eight (28) MDCs also resulted in less equitably distributed Workload volumes. After consideration of many options, it is recommended that twenty-six (26) is the appropriate number of MDCs to address the needs to the 32nd Judicial District over the next ten (10) years.

The average workload volume for the thirty (30) current MDCs in Delaware County is 33,873. The average Workload volume for the one-hundred-and-thirteen (113) current MDCs in the five (5) Class 2A Counties is 38,685. The new adjusted average Workload volume for the twenty-six (26) proposed MDCs in Delaware County is projected to be 39,085. Thus, this Recommendation brings the average Workload for the MDCs in the 32nd Judicial District to a level slightly higher than the average Workload for all of the one-hundred-and-thirteen (113) current Class 2A County MDCs.

Elimination of Certain MDCs

It is fair to say that every MDC, with the exception of those having the highest Workload volumes, was considered for possible elimination at some point in the process of creating this Recommendation. Aside from the effect on the incumbent MDJ and local community, the proposed elimination of each MDC was weighed against the obvious rippling effect such

elimination would cause as Workload volume shifted to other MDCs. In some cases, the elimination of a certain MDC would impact the Workload volume of many other courts, some of which were several districts away on the other side of the county.

Consideration was given to eliminating the MDCs of MDJs who were approaching mandatory retirement age, as articulated by the guidelines. Consideration was also given to eliminating or combining MDCs with low Workload volumes. The three (3) MDCs with current vacancies were the first districts considered for elimination.

MDC 32-1-22 (City of Chester) has a current vacancy. However, the high workload volume in the district itself, as well as in the surrounding area, prohibit the elimination of this district without causing other significant negative effects.

MDC 32-1-28 (Media, Swarthmore and parts of Nether Providence) has a current vacancy. This MDC, with below average Workload, is entirely surrounded by other MDCs with below average Workload. The elimination of this MDC and redistributing the Workload to other nearby MDCs will create a more equitable distribution of Workload volume throughout.

MDC 32-1-35 (parts of Upper Darby) has a current vacancy. This MDC, with slightly below average Workload, borders two (2) MDCs with below average Workloads and two (2) MDCs with very high Workloads. Elimination of this MDC and redistributing the Workload to other nearby MDCs will create a more equitable distribution of Workload volume in the region.

MDC 32-1-24 (parts of Marple and parts of Haverford) has a very low Workload volume and is surrounded by other MDCs with low Workload volume. The current term of the incumbent MDJ ends on December 31, 2023, when the incumbent MDJ will be within two (2) years of mandatory retirement age. The elimination of this MDC and redistributing the Workload to other nearby MDCs will create a more equitable distribution of Workload volume throughout this area.

MDC 32-1-25 (parts of Haverford) has a very low Workload volume and is surrounded by other MDCs with low Workload volume. The current term of the incumbent MDJ ends on December 31, 2023, when the incumbent MDJ will be within two (2) years of mandatory retirement age. Elimination of this MDC and redistributing the Workload to other nearby MDCs will create a more equitable distribution of Workload volume in the region.

Residence of Incumbent MDJs

The residence of the incumbent MDJ is within the district for twenty-five (25) of the twenty-six (26) proposed MDCs in the Recommendation. The one (1) exception is MDC 32-2-43, where the term of the current MDJ ends on December 31, 2023, when the incumbent MDJ will be within two (2) years of mandatory retirement age. Significantly, the incumbent MDJ in 32-2-43 informed the President Judge in writing that he would not be seeking reelection to a new term. Thus, this only and slight deviation from the guidelines should have no negative impact. To the contrary, it furthers a goal of the guidelines by forestalling the need to split another municipality, Newtown Township.

Equitable Distribution of Workload

The current Workload among the thirty (30) MDCs is far from equitably shared. The highest volume MDCs currently have Workload volumes which are three (3), four (4) and even five (5) times that of the lowest volume MDCs. When considering the 15% range goal articulated in the guidelines, currently only eight (8) MDCs fall in such a range near the average Workload for the County. The table below shows this current extreme Workload disparity, with the highest MDC having 520.4% of the Workload of the lowest MDC (67,051 divided 12,884 = 520.4%).

Current 32nd Judicial District (Delaware County) Magisterial Courts by Workload

<i>Average Annual Workload per MDC/County = Total Workload/# of years (6, 3 for MD)/# of commissioned</i>									
County/MDC	Criminal	Non-Traffic	Private Criminal	Private Summary	Traffic	Civil	Landlord/Tenant	Misc. Docket	Total Workload
32-2-37	26286	22280	6	535	6557	2794	6130	2464	67051
32-1-33	21164	14280	9	177	10684	2248	6185	2064	56812
32-2-47	11928	9763	5	1377	11598	3422	13768	1868	53728
32-1-36	20019	10674	20	2066	8428	2788	6053	3182	53229
32-2-44	18783	8865	4	41	8986	2606	2438	2780	44501
32-2-39	17877	8397	14	1156	9575	2489	3905	782	44195
32-2-52	9125	7720	7	143	12972	3134	5659	2247	41008
32-1-21	20582	5599	65	1824	2047	959	2920	2649	36645
32-1-22	17112	3879	61	1751	2091	1786	8010	1955	36643
32-2-51	12699	3063	4	261	3540	2609	8111	3800	34087
32-2-43	10857	4697	0	201	13697	2486	722	879	33538
32-2-46	14713	2541	9	93	12176	887	533	1672	32625
32-1-35	10062	3295	0	133	9423	2692	3659	2529	31792
32-2-49	16653	2643	11	302	6101	2506	722	2824	31762
32-1-31	14285	6544	0	68	4289	1686	3103	1477	31452
32-2-40	8966	7126	7	104	7809	3113	2942	1205	31272
32-1-30	9902	8302	0	64	5974	2348	3403	706	30700
32-1-28	10783	4028	13	86	7181	3138	845	2617	28689
32-1-20	11812	2816	52	1192	1818	1433	8215	1293	28629
32-2-42	7859	7815	2	23	6624	1707	3350	478	27858
32-1-34	4327	11164	2	77	6907	1487	2160	1499	27622
32-1-23	8005	6124	5	70	7048	1433	2399	967	26049
32-1-27	9064	5406	0	9	8554	1517	350	631	25531
32-2-48	13733	3544	4	115	4045	1611	599	1455	25106
32-2-38	10392	4547	9	904	3091	2799	1303	1542	24587
32-1-32	11096	4128	4	344	3350	0	0	1358	20278
32-1-24	8391	1666	0	9	2740	1647	632	1064	16149
32-1-25	5410	2275	0	224	4690	1404	531	804	15338
32-2-54	3398	3573	199	33	1456	3343	1820	684	14504
32-2-53	4566	2368	9	45	2860	1566	862	609	12884

Under this Recommendation, the projected Workload volume for twenty-five (25) of the twenty-six (26) realigned MDCs fall within a 15% deviation from lowest to highest, and therefore also are within 15% from highest to lowest. Only one (1) MDC does not fit within this range, MDC 32-2-49. However, MDC 32-2-49 encompasses an area which is expected to grow at a much higher rate in both population and job growth than the rest of County according to the Delaware County Planning Commission. Thus, consistent with the guidelines, the consideration of this expected growth suggests that the Workload volume of MDC 32-2-49 will move into the 15% range well before the next reestablishment in ten (10) years.

The table below shows the projected Workloads for each MDC under this Recommendation:

Projected Workloads under Recommended Reestablishment Plan

Reassigned MDC	Projected Workload
32-2-47	42,018
32-1-34	41,566
32-1-33	41,187
32-1-23	40,669
32-2-37	40,487
32-2-51	40,310
32-2-52	40,257
32-2-53	40,241
32-2-43	39,882
32-1-30	39,856
32-2-42	39,824
32-2-46	39,654
32-1-36	39,601
32-1-21	39,574
32-1-31	39,548
32-1-20	39,023
32-1-22	38,532
32-2-44	38,411
32-2-40	38,119
32-2-48	37,953
32-1-27	37,682
32-2-54	37,315
32-1-32	37,183
32-2-39	36,844
32-2-38	36,558
32-2-49	33,907

Deviation without Lowest MDC (expecting significant growth) = Difference between Highest and Second Lowest Divided by Second Lowest (all but one (1) MDC), or
 $42,018 - 36,558 = 5,460$; $5,460$ Divided by $36,558 = 14.94\%$

Maximum Deviation = Difference between Highest and Lowest Divided by Lowest, or
 $42,018 - 33,907 = 8,111$; $8,111$ Divided by $33,907 = 23.92\%$

**Comparison of Workloads of Current MDCs to Projected Workloads
after Realignment and Eliminations per Recommendation**

MDC	Workload 2014-2019	Projected Workload
32-1-20	28,629	39,023
32-1-21	36,645	39,574
32-1-22	36,643	38,532
32-1-23	26,049	40,669
32-1-24	16,149	Eliminated
32-1-25	15,338	Eliminated
32-1-27	25,531	37,682
32-1-28	28,689	Eliminated
32-1-30	30,700	39,856
32-1-31	31,452	39,548
32-1-32	20,278	37,183
32-1-33	56,812	41,187
32-1-34	27,622	41,566
32-1-35	31,792	Eliminated
32-1-36	53,229	39,601
32-2-37	67,051	40,487
32-2-38	24,587	36,558
32-2-39	44,195	36,844
32-2-40	31,272	38,119
32-2-42	27,858	39,824
32-2-43	33,538	39,882
32-2-44	44,501	38,411
32-2-46	32,625	39,654
32-2-47	53,728	42,018
32-2-48	25,106	37,953
32-2-49	31,762	33,907
32-2-51	34,087	40,310
32-2-52	41,008	40,257
32-2-53	12,884	40,241
32-2-54	14,504	37,315

For specific details outlining the changes to each District, please refer to the accompanying draft recommendations.

Workload Considerations Effecting the Realignment or Elimination of each District

Assigning most of Darby Borough to MDC 32-1-23 will increase its Workload from below average currently to slightly above the new adjusted County average. It will also alleviate the excessive burden in MDC 32-2-37, which covers Colwyn, Darby Borough and Sharon Hill currently, and has a Workload which is twice the County average presently. In order to balance the Workloads of both MDCs, 32-1-23 will need to lose some of its Workload from Collingdale. MDC 32-2-42, which currently has a below average Workload, borders Collingdale to the South, and thus can benefit from the added contiguous Workload. The proposed reassignment of these Workloads will bring all three (3) MDCs (32-1-23, 32-2-37 and 32-2-42) close to the adjusted twenty-six (26) Court County average.

MDC 32-2-44, which currently has a very high Workload, encompasses Tincum Township, Prospect Park and Ridley Park Boroughs. The Workload of MDC 32-2-44 will be brought close to the new County average by reassigning Ridley Park Borough to MDC 32-1-31. This will have a synergistic benefit of not only giving 32-1-31 needed Workload, but it will also enable 32-1-31 to be wholly contiguous. Currently 32-1-31 has four (4) non-contiguous parts.

MDC 32-1-20, one (1) of the three (3) Courts in the City of Chester, has a low volume currently. This can be corrected by adding additional precincts from the City, from both MDCs 32-1-21 and 32-1-22. MDCs 32-1-21, which will need more Workload to be close to the adjusted County average, will lose two precincts to 32-1-20, but gain two (2) Wards from 32-1-22. 32-1-22 will retain two (2) of its four (4) Wards in the City of Chester and add Trainer and Marcus Hook Boroughs to the South. These Boroughs are currently in 32-1-36, which presently has an excessive Workload requiring reduction.

MDC 32-1-36 will retain Lower Chichester and net one (1) Ward in Upper Chichester Township, as well as handle all matters filed by the Chichester School District, which includes Lower Chichester, Upper Chichester, Trainer and Marcus Hook Boroughs. This realigned Court is projected to be close to the adjusted County average Workload.

MDC 32-2-38 will lose two (2) Wards in Upper Chichester but add a different Ward from Upper Chichester which has a higher Workload Volume. 32-2-38 will also add Chester Township, which also has a significant Workload relative to its size. With the addition of all Penn Delco School District matters, this Court is projected to be close enough to the adjusted County average Workload to meet the 15% range goal set in the guidelines.

MDC 32-2-39 will lose Chester Township, but add Rose Valley which has a much lower Workload. The net effect will reduce the overall Workload of MDC 32-2-39 which is currently well above the County average. However, the Workload is still projected to be close enough to the adjusted County average Workload to meet the 15% range goal set in the guidelines.

By losing Rose Valley, MDC 32-2-46 will no longer have a non-contiguous part. MDC 32-2-46 which currently has a lower than average Workload, will benefit from adding the Borough of Media from MDC 32-1-28, which is being eliminated. MDC 32-2-46 will also be assigned the new Special Victims Court, which will bring its overall Workload close to the County average.

The elimination of MDC 32-1-28 also necessitates that most of Nether Providence Township be reassigned. MDC 32-1-30, which currently has the Southern part of Nether Providence will add additional precincts. By also including all of the cases from the Wallingford-Swarthmore School District 32-1-30 will increase its Workload to be above the adjusted County average.

The remainder of Nether Providence Township will be assigned to adjoining MDC 32-2-48. With this addition, and the retention of the Drug Task Force specialty court, 32-2-48 will have an appropriate Workload, even with losing Chester Heights to MDC 32-2-49.

MDC 32-2-49 will still be an outlier on the lower end of the Workload projections with the addition of Chester Heights. However, according to data provided by the Delaware County Planning Commission, over the next ten (10) years the District is expected to experience extensive growth in population, jobs and business development relative to the rest of the County. It is anticipated that MDC 32-2-49 will thus have a Workload above the County adjusted average before the end of the decade.

The elimination of MDC 32-1-28 also necessitates the reassignment of the Borough of Swarthmore. Swarthmore Borough will be assigned to 32-1-32, which has a low Workload currently. This will also eliminate the non-contiguity in 32-1-32 caused by a municipal non-contiguity in Springfield Township. With this reassignment, and some additional precincts from Springfield Township, 32-1-32 will have an appropriate Workload.

Four (4) Contiguous municipalities at the northwestern end of the County (Radnor, Newtown, Marple and Haverford Townships) are currently divided by five (5) MDCs. Radnor and Marple are split by two (2) MDCs currently, and Haverford is split by three (3). Three (3) of the current MDCs have Workloads which are less than half of the current thirty (30) Court County average, and the other two (2) MDCs are also below that average. Two (2) of the incumbent MDJs were elected to new terms in November of 2021. The terms of the other three (3) MDJs all end on December 31, 2023, when each of those three (3) incumbents will be only two (2) years from their mandatory retirement age.

Case filing data suggests that Marple and Newtown together would have a projected Workload close to the adjusted County average. Likewise, Radnor by itself would also have enough Workload for one (1) MDC. Both can be achieved by assigning all of Marple and Newtown to MDC 32-1-27, with a recently reelected incumbent; and, assigning all of Radnor to MDC 32-2-43. This is proposed to be done as of December 31, 2023, the end of the term of the incumbent MDJ from 32-2-43, who will be two (2) years from mandatory retirement age, and who has also indicated in writing that he will not be seeking reelection. This is the sole and sensible exception where the incumbent MDJ's residence would not be in the realigned District.

To accomplish the unification of Marple, MDC 32-1-24 would be eliminated as of December 31, 2023, the end of the term of the incumbent MDJ, who will also be two (2) years from mandatory retirement age at that time. With this elimination, and the elimination of MDC 32-1-25, Haverford Township could be unified into MDC 32-2-53. MDC 32-1-25 would also be eliminated as of December 31, 2023, the end of the term of the incumbent MDJ, who will also be two (2) years from mandatory retirement age.

Even with these proposed eliminations, MDC 32-2-53 would still have a low Workload without adding more cases. This can be accomplished by assigning part of neighboring Upper Darby Township.

Upper Darby must be significantly redrawn to balance the Workloads, and to reassign the volume from MDC 32-1-35, which has a current vacancy and is proposed for elimination. An omnibus reconfiguration of the MDCs in Upper Darby, which is the sixth (6th) largest municipality in Pennsylvania with a high overall Workload, is achievable in a manner allowing for equitability.

MDC 32-2-40, with a slightly below average Workload, will take Aldan Borough from adjoining Upper Darby MDC 32-2-52, which has a higher than average volume presently. MDC 32-1-33, which has very high Workload will shift some of its cases to 32-1-34 and 32-2-53, while adding some volume from 32-2-51, resulting also in 32-2-51 taking some of the excessive volume from neighboring 32-2-47. Assigning East Lansdowne to 32-2-51 will also resolve the current non-contiguity in 32-2-47. MDC 32-1-34, will shift eastward, allowing MDC 32-2-54 to also move eastward and raise its Workload significantly, bringing it close enough to the County adjusted average to meet the 15% range goal.

For specific details outlining the changes to each District, please refer to the accompanying draft Recommendations.

Contiguity

The guidelines require that all parts of each MDC be contiguous. That is, the MDC should be one (1) continuous stretch of geography with no gaps separating it into more than one (1) piece. Currently, six (6) of the thirty (30) MDCs in Delaware County have non-contiguous parts.

This recommended reestablishment plan reduces the number of non-contiguous districts to only two (2) MDCs. Notably, both proposed non-contiguities are related to municipal non-contiguities.

The proposed realigned MDC 32-2-40 would have the same non-contiguity it presently has relating to Darby Township, which is comprised of two (2) non-contiguous pieces. Likewise, the proposed realigned MDC 32-2-52 includes Upper Darby Township, which also has two (2) non-contiguous parts. In both cases, it is preferable to recommend that these municipal non-contiguities be incorporated into the recommended plan, as opposed to further splitting neighboring municipalities and school districts to strictly comply with the guideline.

Court Facilities

Currently, several MDCs share facilities, and have done so for many years. This Recommendation anticipates that the following shared facilities continue to operate in the same manner:

- City of Chester MDCs 32-1-20, 32-1-21 and 32-1-22
- Newtown Square MDCs 32-1-27 and 32-2-43
- Springfield MDCs 32-1-32 and 32-2-54
- Upper Darby MDCs 32-1-33, 32-1-34 and 32-2-51

Currently, MDC 32-1-25 shares a facility with MDC 32-2-53. However, with the elimination of MDC 32-1-25, MDC 32-2-53 will remain at the location, which will be within its boundaries.

The precinct where the facility of MDC 32-2-37 is located is proposed to be reassigned to MDC 32-1-23. A separate petition will be filed asking that both District Courts share the facility at the current location in Darby Borough. This combination also will have the added advantage of combining staff resources, and relocating MDC 32-1-23 to a newer, larger, better all around facility, while keeping MDC 32-2-37 at its current location. Both MDCs serve Darby Borough under this Recommendation.

The proposed Recommendation would call for the closure of the facility where MDC 32-1-23 is currently located, as well as for the closure of the facility where MDC 32-1-24 is presently situated. It is recommended that the facility where MDC 32-1-28 is currently located remain the site of the video arraignment court. However, should the pending proposal for a countywide central booking facility come to fruition, this facility would also be closed if the On-Duty arraignment MDJ operation can be relocated to that facility.

Splitting Municipalities

Currently, several of the forty-nine (49) municipalities in Delaware County are split by more than one (1) of our thirty (30) MDCs. For this Recommendation, splitting municipalities was required to balance the Workloads in an equitable manner among the suggested twenty-six (26) MDCs. The preference was to minimize the number of such splits. Upper Darby Township, with over 86,000 residents and a significant case volume undoubtedly requires more than one (1) MDC. Similarly, the City of Chester with a high volume of cases also requires splitting.

Additional current splits remain in the following Municipalities: Nether Providence, Ridley, Springfield, and Upper Chichester. Both MDCs covering Springfield are co-located in the same building, thus minimizing the impact of that split.

New splits were required in Darby Borough and Collingdale to balance the significant caseload in those adjoining communities. Like Springfield, MDCs covering Darby Borough are proposed to be co-located in the same building, thus minimizing the impact of that split also.

Current splits will be eliminated in the following Municipalities: Marple, Radnor and Haverford (currently split three (3) ways). The total number of Municipalities being split under this Recommendation is modestly less than the current total.

Specialty Courts

Currently, there is one (1) countywide specialty court, in which Drug Task Force cases are assigned to MDC 32-2-48. The Recommendation proposes to keep this arrangement. Additionally, per the request of the District Attorney of Delaware County, another specialty court will be created for “Special Victims”, criminal cases with young victims. This proposal recommends that this new specialty court be assigned to MDC 32-2-46, which is centrally located in the County, and would benefit from the added Workload.

School Districts

Many school districts are currently served by multiple MDCs. In some cases, all truancy and other school related matters are assigned to one (1) MDC, while in other school districts the cases are not so combined. The jurisdiction related to each school district in the County was reviewed for the Recommendation. An assessment for each school district and MDC was made based on convenience for the district, the residents and the need to distribute Workload volume equitably among MDCs. In all but two (2) school districts, such matters are assigned to just one (1) MDC under this Recommendation.

The table below outlines the recommended assignment of School District cases:

<u>School District</u>	<u>SD Municipalities in Delaware County</u>	<u>District Court</u>
Chester Upland	All	32-1-20
Chichester	All	32-1-36
Garnet Valley	All	32-2-49
Haverford	All	32-2-53
Interboro	All	32-2-44
Marple Newtown	All	32-1-27
Penn Delco	All	32-2-38
Radnor	All	32-2-43
Ridley	All	32-1-31
Rose Tree/Media	All	32-2-48
Southeast Delco	Darby Twp. & Folcroft	32-2-40
Southeast Delco	Collingdale & Sharon Hill	32-2-37
Springfield	All	32-2-54
Unionville	All	32-2-49
Upper Darby	All	32-1-34
Wallingford Swarthmore	All	32-1-30
West Chester	All	32-2-49
Wm. Penn	Colwyn & Darby Borough	32-2-37
Wm. Penn	Aldan, East Lansdowne, Lansdowne & Yeadon	32-2-51

McDonald, Charles

From: McDonald, Charles
Sent: Friday, January 14, 2022 5:01 PM
To: editor@delcotimes.com;
cbrennan@inquirer.com;
vella@inquirer.com;
pbennett@myspiritnews.com; dbjorkgren@delco.today

Subject: Notice of Posting
Attachments: 32nd Judicial District Reestablish Recommendation Notice of Posting.pdf

Good afternoon: Please see the attached Notice of Posting of the Recommended Reestablishment Plan for the 32nd Judicial District (Delaware County).

Charles E. McDonald, Esquire
Administrator for Magisterial District Courts
Delaware County, PA
610-565-6990

McDonald, Charles

From: McDonald, Charles
Sent: Friday, January 14, 2022 4:51 PM
To: Bill Baldwin
Subject: Notice of Posting
Attachments: 32nd Judicial District Reestablish Recommendation Notice of Posting.pdf

Good afternoon Bill: Per our conversation, please see the attached regarding the Notice of Posting of the Recommended Reestablishment Plan for the 32nd Judicial District (Delaware County). Thanks for your help.

Best regards,
Charles E. McDonald, Esquire
Administrator
Delaware County Administrative Office for Magisterial District Judges
610-565-6990

McDonald, Charles

From: Bill Baldwin <bill@delcobar.com>
Sent: Friday, January 14, 2022 5:25 PM
To: McDonald, Charles
Subject: (EXTERNAL) RE: Notice of Posting

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. When in doubt, contact your IT Department

Thanks, Chuck. I will get this onto our website and publish it in the January 28th edition of the Legal Journal. Have a good weekend!

Bill

From: McDonald, Charles <McDonaldC@co.delaware.pa.us>
Sent: Friday, January 14, 2022 4:51 PM
To: Bill Baldwin <bill@delcobar.com>
Subject: Notice of Posting

Good afternoon Bill: Per our conversation, please see the attached regarding the Notice of Posting of the Recommended Reestablishment Plan for the 32nd Judicial District (Delaware County). Thanks for your help.

Best regards,
Charles E. McDonald, Esquire
Administrator
Delaware County Administrative Office for Magisterial District Judges
610-565-6990

McDonald, Charles

From: Kelly, Kevin F.
Sent: Friday, January 14, 2022 4:30 PM
To: Taylor, Monica; Schaefer, Elaine; Madden, Kevin; Reuther, Christine; Womack, Richard
Cc: Stollsteimer, Jack; Welsh, Christopher; Martin, William; Lazarus, Howard; jviola; Eiserman, Chris; Montella, Gerald; McDonald, Charles
Subject: MDJ Reestablishment Recommendation
Attachments: 32nd Judicial District Reestablish Recommendation Summary.pdf; 32nd Judicial District Reestablish Recommendation Jan162022.pdf; 32nd Judicial District Reestablish Recommendation Notice of Posting.pdf

Dear Council Members,

Attached should be various documents salient to this court's magisterial district court reestablishment plan which was posted this afternoon, *inter alia*, on the magisterial district judges page of the court's website for public comment through February 22, 2022, as follows: <https://delcopa.gov/courts/districtjudges/index.html>.

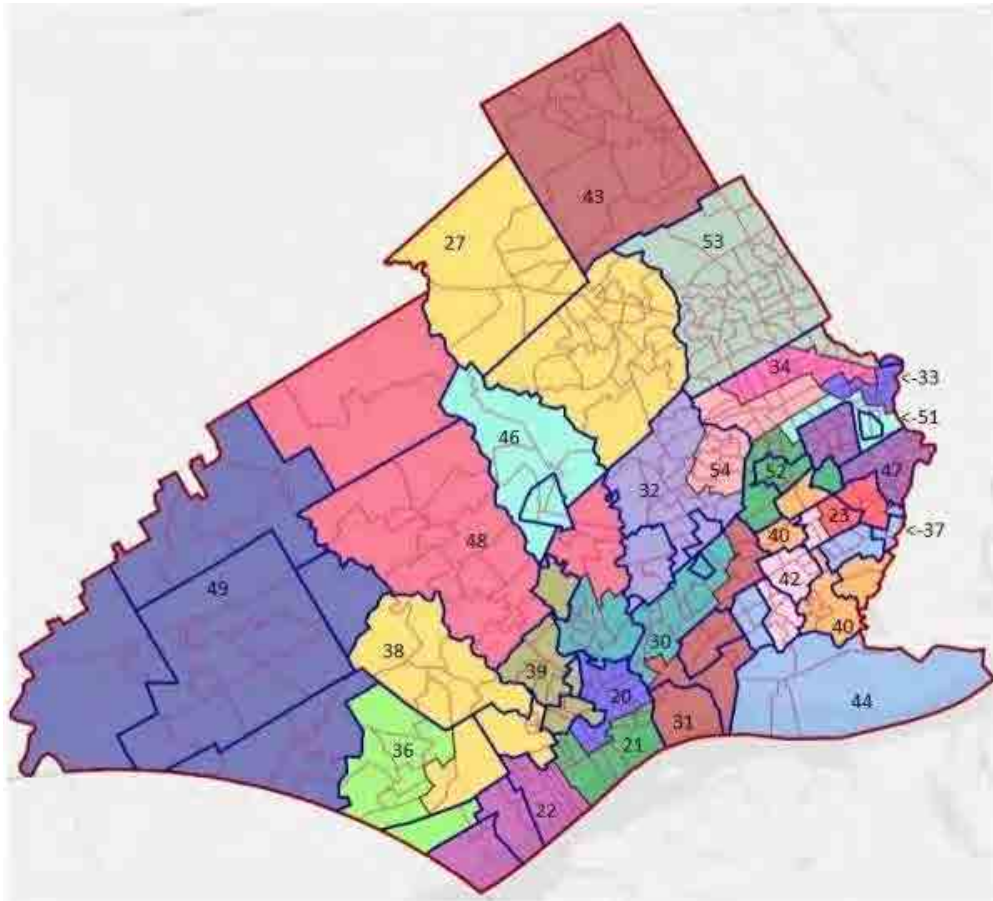
If you've any questions, comments and/or concerns about that attached and/or this subject matter generally, please don't hesitate to contact me.

Your continued support in this and the many other matters of mutual interest is very much appreciated.

Kevin Kelly

NEWS > POLITICS > ELECTION

New Magisterial Districts unveiled for Delaware County



A new Magisterial District Judge map has been proposed for Delaware County. (submitted)

By **PETE BANNAN** | Pbannan@Mainlinemedianews.com | The Delaware County Daily Times

PUBLISHED: February 1, 2022 at 3:52 a.m. | UPDATED: February 1, 2022 at 4:38



Redistricting is a hot topic as the once-in-a-decade change in voting districts occurs not just for Congress and state government, but also at the local level with Magisterial District Judges.

In Delaware County, that process is nearing its completion. Superior Court puts the task to each county's top judge and in Delco, it's President Judge Kevin F. Kelly in charge.

After gathering data, working with existing district justices, and consulting other officials and law enforcement, Kelly has released a proposed map for county Magisterial District Judges positions who are elected to six-year terms.

Though at the first level of the judicial system, District Judges have a fair amount of power handling all traffic cases, minor criminal cases and civil cases involving amounts up to \$12,000. They also set bail and conduct preliminary hearings in misdemeanor and felony criminal cases to determine if the cases should be dismissed or transferred to the Court of Common Pleas for further proceedings.

The MDJ position can be a stepping stone to higher office, as with newly elected Common Pleas Judge Deborah Krull, who was formerly Media's District Justice. And while they don't earn the \$220,000 the President Judge is paid, the latest cost-of-living adjusted salary for a Magisterial District Judge in Pennsylvania is \$98,565 a year.

The newly proposed map calls for a reduction of the number of district courts in Delaware County from 30 to 26. Three of the existing court positions are presently vacant – one in Upper Darby, one in Chester, and the one serving Swarthmore-Nether Providence-Media.

As with many such subjective decisions as assigning elected districts, not everyone is happy with the proposals.

Delaware County Councilwoman Christine Reuther said as a resident and Democratic leader of Nether Providence, she has some concerns with the new maps.

"Our township and school district are broken up in ways that can only make sense if you assume a partisan gerrymander," Reuther said. "There is no community of interest with Middletown, where the north wards now go for MDJ proceedings. Nether and Middletown are contiguous in a way that can best be described as



Reuther said with that split, incumbent Republican MDJs will not have to face a competitive race, absent major demographic shifts.

“I knew we would lose the court that served Media, much of Nether and Swarthmore, because Judge Krull was elected to the Common Pleas Court. Unfortunately, this now breaks up municipalities that do have a community of interest internally,” Reuther said. “We are not the only place where this happened.”

At the Upper Darby Council meeting in January, Brian Burke, councilman-at-large, brought up concerns that the changing District Justice seats will affect residents in the township.

“Where I live...the people of that district will not be able to vote for district judge for six years because that judge just won in Springfield. So Springfield’s judge will be overseeing our residents in some parts of the first (council district). I don’t think Springfield gets Upper Darby,” Burke said. “I don’t think it is fair to our residents.”

Burke also noted that the Haverford District Court will be responsible for a different section of Upper Darby.

One of Burke’s concern was that police officers will need to spend more time traveling to distant District Courts, which will keep them off street patrol.

Upper Darby Chief Operating Officer Vincent Rongione agreed, saying that District Courts are incredibly important on the local level. At present, there are six different districts in the township.

“All of those judges are Upper Darby people who know Upper Darby and their neighborhoods, and I think we would do well putting pressure on people drawing those maps,” Rongione said.

Councilman Andrew Hayman pointed out that District Courts are drawn using the number of cases they have as part of the criteria.

“I haven’t read through every new district but I have a very hard time believing that all of Haverford Township and half of the fourth council district have as many cases as 12,000 people in Secane and Clifton Heights,” Hayman said.

In creating the maps, population is not the key concern; workloads for the judges is the priority. Kelly is required to compare county workloads to other counties of the same class in the state, as well as providing similar workloads among the



With the proposed maps, court documents state that 25 of the new 26 courts will have cases within 15 percent of the workload range, compared to only eight that currently fall in that range.

Other requirements officials take into consideration when creating the maps include: making each district contiguous; no sitting judge can have their seat eliminated; the residence of the incumbent judge must be within their district as well as the court facility. There are exceptions to the latter if the President Judge petitions to the Supreme Court.

Officials are also told to consider population changes over time and the ability of residents to access the facility.

As part of the process, residents have until Feb. 22 to make their views known, in writing, to Magisterial District Court Reestablishment c/o President Judge Kevin F. Kelly, 201 W. Front St., Media, PA 19063. The Judge will submit the final plan to the Supreme Court six days later.

The caseload is determined through a formula comparing average case filings with a variety of cases which are weighted from least to most time intensive. From traffic, non-traffic, civil, landlord/tenant, miscellaneous being given lower weight and criminal cases given the highest. The aim is to have all courts within 15 percent of the others.

Most District Courts throughout the county will see some changes. For example, Radnor will go from having two district courts to one, while Haverford Township will also be consolidated into one since two judges in that area are nearing mandatory retirement.

Marcus Hook and Trainer will be moved out of Judge David's Griffin's Lower Chichester Court into a court with parts of Chester. Griffin will gain one voting ward in Upper Chichester and will handle all matters filed by the Chichester School District.

Ridley Park will move from Tinicum's court to Ridley Township. Most of Darby Borough will join Collingdale District Court with the rest of the borough remaining in Darby along with Colwyn and Sharon Hill.

Concord's District Court will fall below the average of 15 percent guideline of other courts but with expected population growth in that area, it should become one of



McDonald, Charles

From: Kelly, Kevin F.
Sent: Friday, January 14, 2022 5:43 PM
To: Lazarus, Howard
Cc: Madden, Kevin; Montella, Gerald; McDonald, Charles
Subject: RE: MDJ Reestablishment Recommendation

Howard,

Once approved by the Supreme Court of Pennsylvania, the plan would thereafter be implemented in phases. I'm given to believe from discussions with AOPC that those recommended changes attendant to presently vacant local judge seats would be effectuated on the High Court's approval via a president judge's administrative order parceling those areas to immediately proximate MDJ's per the plan. The balance of the recommendations will take place at the end of the terms of those MDJ's whose districts are suggested for elimination which should allow the same to come to fruition approximately January 2024.

The budget implications of the plan include the closing of two (2) existing local court facilities and the related saving of those rents. One of these sites slotted for closure may be able to be effectuated over the next several months; however, the same does require that I secure permission for the same from the Pennsylvania Supreme Court as I'm seeking to have a local court site outside of the MDJ's district. The second closing would occur at the end of December 2023 on that local judge's district being eliminated. The Media district court is currently being used for the video central arraignment processing given the wholesale absence of such an appropriate space otherwise. Should a central booking center as has been discussed open at Lima, I intend to relocate that operation to the booking center and that rent will then be saved. Please note that the plan does recommend a "new" MDJ district in Radnor Township which may necessitate the renting of such an appropriate space in that community. Lastly, the plan does not result in a reduction of needed local court staff as the number of those personnel required is a function of caseload and not the number of MJD's and nothing in the recommendation and/or its underlining data indicates a decrease in the aggregate, countywide workload, but to the contrary concludes over the next ten (10) years such will increase.

Should you have any additional questions, comments and/or concerns about that above and/or this subject matter generally, please don't hesitate to contact me.

Kevin Kelly

From: Lazarus, Howard
Sent: Friday, January 14, 2022 4:40 PM
To: Kelly, Kevin F.
Subject: RE: MDJ Reestablishment Recommendation

Judge Kelly:

Thank you for copying me on this communication. If the recommendation is adopted, when would it become effective and what would be the impact on the MDJ budget? Thank you.

Howard S. Lazarus
Executive Director

County of Delaware
Government Center Building
201 W. Front Street, Room 202
Media, PA 19063
T: 610.891.4453
F: 610.891.0647

From: Kelly, Kevin F.
Sent: Friday, January 14, 2022 4:30 PM
To: Taylor, Monica

Subject: MDJ Reestablishment Recommendation

Dear Council Members,

Attached should be various documents salient to this court's magisterial district court reestablishment plan which was posted this afternoon, *inter alia*, on the magisterial district judges page of the court's website for public comment through February 22, 2022, as follows: <https://delcopa.gov/courts/districtjudges/index.html>.

If you've any questions, comments and/or concerns about that attached and/or this subject matter generally, please don't hesitate to contact me.

Your continued support in this and the many other matters of mutual interest is very much appreciated.

Kevin Kelly

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Items related to input prior to creating Draft Recommendation



URGENT MESSAGE

The Thirty-Second (32nd – Delaware County) Judicial District will this fall pursuant to 42 Pa.C.S. §1503 and the related direction of the Pennsylvania Supreme Court undergo the decennial magisterial district court reestablishment review with the present intention to finalize before this year's end a Magisterial District Reestablishment Plan.

The overarching goal of the reestablishment process is to determine a proper number of magisterial district judges necessary to timely process in a fairly apportioned manner the judicial district's caseload that recognizes and accommodates for the next decade those judicial needs of the county.

The Supreme Court of Pennsylvania has instructed, among other things, that as part of this deliberative process consideration is to be given to the relevant concerns and thoughts of the Delaware County community, whether through individual residents and/or via local organizations.

Any persons and/or community groups interested in submitting comments, concerns and/or public input otherwise for consideration as part of the magisterial district court reestablishment review process are invited to forward the same as follows:

President Judge Kevin F. Kelly

Delaware County Court House

201 West Front Street

Media, PA 19063

ATTN: Magisterial District Court Reestablishment

*All interested parties to assure sufficient time for such consideration must submit relevant materials and/or documentation no later than **NOVEMBER 15, 2021**.*

McDonald, Charles

From: Kelly, Kevin F.
Sent: Tuesday, November 16, 2021 4:21 PM
To: McDonald, Charles
Subject: FW: SVU District Court
Attachments: Letter in Support of SVU Court.pdf

Chuck,

FYI. As discussed, I do want as part of the reestablishment process to make a local court designation for child complainants.

Regarding any needed and confirmed case numbers should you believe such are needed beyond those referenced in Mr. Rouse's letter, please contact the DA's SVU Chief, Kristin Kemp (610 891-4390).

Thank you as always.

Kevin

From: Rouse, Tanner
Sent: Tuesday, November 16, 2021 3:20 PM
To: Kelly, Kevin F.
Cc: Stollsteimer, Jack <StollsteimerJ@co.delaware.pa.us>
Subject: SVU District Court

Your Honor-

Please consider the attached letter as a formal request for the creation of a district court designated to the handling of Special Victims Unit cases.

Thank you in advance for your consideration,

Tanner Rouse
First Assistant District Attorney
Delaware County District Attorney's Office



OFFICE OF THE DISTRICT ATTORNEY
DELAWARE COUNTY COURTHOUSE
MEDIA, PENNSYLVANIA 19063

(610) 891-4162

JACK STOLLSTEIMER
DISTRICT ATTORNEY

President Judge Kevin Kelly
Re: Special Victims Cases at the District Court Level

Your Honor:

I write today to follow-up on a conversation that we had several months ago and to formally request that Your Honor consider the creation of a specialty court, akin to Judge Strohl's Drug Court, to effectuate the handling of criminal cases involving child victims and victims of sexual assault.

As Your Honor is aware, the pandemic has been both a trying and learning experience for all of us. One of the most troubling ramifications of our collective state of existence has been an influx in cases involving children as victims of abuse. Simultaneously, the pandemic has heightened our own awareness of the difficulties that some of our District Court facilities posed for children and victims of sexual trauma as they readied themselves to testify. Simply put, with over 30 different venues in use, it is impossible for our SVU ADAs and the victim advocates working throughout the county to create a comfortable environment in each space. While every Defendant deserves his or her day in court, so too do our victims deserve every effort we can spare to make them feel safe telling the truth. It is our firm belief that this would best be accomplished through the utilization of one court facility wherein we could file and conduct hearings for all child victim and sex assault victim cases.

This influx of cases has had a practical effect, as well. Currently, members of our SVU have approximately 150 cases involving child victims, a significant percentage of which are still at the District Court level. With the advent of the new Major Crimes Unit in the Public Defender's Office and the recent departure of ADA Boggs, there are very real physical constraints that lead us to request consideration. Asking a representative from each office to be present and accounted for at a specific court two days a week is a demand that each office should meet without question and should be effectuated without interruption to any other courtroom or proceeding in the County. Their appearance in one of 30 locations at any time during the week while also managing to appear promptly in Common Pleas courtrooms is a strain on lawyers, judges and victims alike. With the increase in cases occurring during the pandemic, this strain stands to grow, not relent.

Finally, establishing regularity would greatly benefit our partners in law enforcement and would allow us to expand the use of the Child Abuse Task Force. As I'm sure Your Honor would agree, cases in which children are victimized and crimes of a sexual nature should be handled by officers with familiarity and training in these areas. The DA's creation of the Child Abuse and Exploitation Task Force was designed to ensure exactly that. As time has gone by, however, practical hurdles have

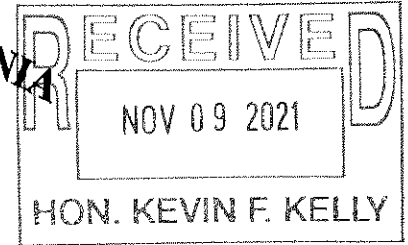
hindered participation and utilization of this Task Force. Simply put- it's not all it could be. We firmly believe that further systematizing the County's handling of these matters allows us to further incentivize that participation, granting victims the professionalism they deserve and using all of the means at our disposal to guarantee that only the right cases are brought to Common Pleas courtrooms.

On behalf of this office and of the victims of crime that whose lives would be made even slightly less painful by this change, I thank you for your consideration.

Sincerely,

Tanner Rouse
First Assistant District Attorney
Delaware County District Attorney's Office

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

GEORGIA L. STONE

DISTRICT JUDGE

Magisterial District 32-2-39
2 Cambridge Road
Suite 300
Brookhaven, PA 19015

OFFICE:

TEL 610 874-8178
FAX 610 874-7893

BROOKHAVEN BOROUGH
CHESTER TOWNSHIP
PARKSIDE BOROUGH
UPLAND BOROUGH

November 8, 2021

Honorable Kevin F. Kelly
President Judge
201 W. Front Street
Media, PA 19063

Re: Redistricting plan

Dear Judge Kelly,

To start I want to express my appreciation for your time and consideration of the numerous differing thoughts regarding the redistricting plans. I am sure that there are as many opinions as there are stakeholders and considering them all fairly is no small endeavor. To add my position to the mix, I offer the following:

Court 32-2-39 serves Brookhaven, Parkside, Upland, and Chester Township. This court also has jurisdiction for all cases generated from the Commodore Barry Bridge. A portion of I95 runs through this court's geographical territory and produces a significant number of traffic and criminal cases. There is also a current order that specially assigns all of the truancy cases from the Penn-Delco School District to court 32-2-38 (J. Holefelder's court in Aston). In terms of volume, this court currently is ranked as the 6th busiest court using the formula provided by the AOPC. Therefore, I have crafted my recommendations in such a way as to reduce the overall caseload.

In terms of volume, Upland and Chester Township are the highest case producing jurisdictions for this court. I do not expect that to change in the next decade. The Crozier Chester Medical Center is located in Upland Borough which produces a significant number of cases. Recently, an agreement has been reached between the hospital and the police department to provide on-site police presence at the hospital. I am hopeful this will help resolve matters before they become criminal complaints and help expedite cases once they enter the judicial system. I do not think it is wise to separate hospital cases to

another jurisdiction as Upland is a small police department and asking them to be available for multiple criminal court days would be burdensome. I do not anticipate much change in case volume from Chester Township.

While Brookhaven and Parkside generate a lower proportion of this court's case load, they (Brookhaven in particular) are still busy police forces. There has been considerable commercial development in Brookhaven Borough in the last few years including several large retail stores that has resulted in an uptick in retail theft crime. Several of the retail establishments have hired full time loss prevention officers who assist local police and I anticipate a continued increase in those cases. As those loss prevention officers are usually full time day time employees, they are usually available for court and those cases tend to move more quickly.

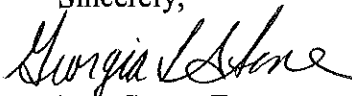
There has been some suggestion of reassigning cases generated from the I95 corridor to other jurisdictions. I would be supportive of that proposal. Most of the I95 cases involve the State Police who are difficult to schedule as they are needed in multiple courts. Relieving this court of jurisdiction of I95 cases would reduce this court's caseload and presumably help the State Police as their presence would be necessary in fewer courts.

I would also be supportive of reassigning jurisdiction of cases generated from the Commodore Barry Bridge. While these cases do not represent a large portion of the total workload, this would also help decrease the caseload of Court 32-2-39.

Finally, I would propose specially assigning my remaining truancy cases to a single court that would handle all truancy cases from boundaries of the Chester Upland School District. Currently, this court handles truancy cases from Toby Farms Elementary, Main Street Elementary and a few Charter schools. The concern is that because older siblings are often enrolled in middle and high schools within the boundaries of Chester City and truancy matters tend to involve multiple siblings, families with several children must appear before different judges who handle these cases differently. School district personnel are also required to appear in different courts at different times for the same family. I think there is a benefit to having one judge hear cases for the whole family and therefore I propose assigning all of the cases that originate within the boundaries of the Chester Upland School District to a singular court in Chester City. This would also help reduce the caseload of this court. I propose that Penn Delco truancy cases continue to be assigned to Court 32-2-38 for the same reasons. County wide, I think there is a benefit to specially assigning each school district to a single court for the same rationale.

In sum, my personal position is that Court 32-2-39 should retain the current geographical boundaries of Brookhaven, Parkside, Upland, and Chester Township while being relieved of the cases generated from I95 and the Commodore Barry Bridge and any remaining truancy jurisdiction.

Again, I thank you for your time and consideration. Please feel free to contact me with any questions. 1

Sincerely,

Georgia L. Stone, Esq.

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

MIDDLETOWN TOWNSHIP
CHESTER HEIGHTS
EDGMONT TOWNSHIP

WALTER A. STROHL
MAGISTERIAL DISTRICT JUDGE
Magisterial District 32-2-48
27 S. Pennell Road
Media PA 19063

OFFICE:
TEL 610-565-4110
FAX 610-565-1640

November 10, 2021

Attn: Michael Burns, Esq.

Factors to consider to District Court 32-2-48 (Lima District Court) and the redistricting process.

Middletown Twp. Is experiencing a major growth period. Granite Run Mall redevelopment is underway with numerous retail stores, several bars and restaurants along with addition of 300 apartments.

Penn State Brandywine has gone under major expansions and has added dormitories and now has its own police force.

The Franklin Mint property is adding 500 townhouses with a bank, Wawa, new state police barracks, a proposed Amazon facility, proposed Hilton and proposed restaurants. On property adjoining the Franklin mint project there is an additional 120 townhomes development.

There also is a major residential development on the former Sleighton School property that will add hundreds of additional units.

Septa is in it finals stages of building a large \$150,000,000 train-bus depot rail extension on the Middletown border with Chester Heights.

With the above named factors together with the real possibility Middletown Twp could have their own Police Department in the very near future. I believe the stats for this district will increase to a much higher level.

Sincerely,

Walter A Strohl
Magisterial District Judge

McDonald, Charles

From: Kelly, Kevin F.
Sent: Wednesday, November 3, 2021 6:02 PM
To: McDonald, Charles
Subject: FW: Reestablishment Input Follow-up

Chuck,

FYI.

Kevin

From: Vann, Dawn
Sent: Wednesday, November 3, 2021 4:16 PM
To:
Subject: Re: Reestablishment Input Follow-up

Judge Kelly,

Thank you so very much.

Also, I did not include the Commodore Barry Bridge which entrance and exits are is located in Chester. Recently learning that those cases are heard in Brookhaven's Court Judge Kelly, I would be more happy to be assigned those matters.

Sincere regards,
Dawn L. Vann
Magisterial District Judge
Chester District Court 32-1-21

From: Kelly, Kevin F.
Sent: Wednesday, November 3, 2021 1:25 PM
To: Vann, Dawn
Subject: RE: Reestablishment Input Follow-up

Judge Vann,

Receipt is appreciatively acknowledged of you below referenced correspondence.

Kevin Kelly

From: Vann, Dawn
Sent: Monday, November 1, 2021 3:53 PM
To: Kelly, Kevin
Subject: Reestablishment Input Followup

COMMONWEALTH OF PENNSYLVANIA



COUNTY OF DELAWARE

DAWN L. VANN

MAGISTERIAL DISTRICT JUDGE

521 PENN ST

CHESTER, PA 19013

32-1-21

(O) (610-874-7180 * (F) (610)874-7864

Honorable Kevin F. Kelly
President Judge
201 W. Front Street
Media, PA 19063

November 1, 2021

Dear Judge Kelly,

Please find this correspondence as additional information for your consideration.

There were suggestions given by the President of Delco MDJ Association, Judge Burns. I would like to speak specifically on the suggestions for all Pennsylvania State Police cases to be held in one court. Judge Holefelder, echoed by including the Casino, Harrah's Philadelphia.

Judge Kelly, Harrah's Philadelphia is in my direct jurisdiction. The Gaming Floor is the only area that the PSP has authority, Corporal Rayna Todd of the Pennsylvania State Police. All other areas, including the Simulcast Horse Racing and the Garage, are handled by the City of Chester Police Department. I know the Chester Police Department often work hand in hand with the Pennsylvania State Police who are assigned to Harrah's Philadelphia. I only ask that the Harrah's Philadelphia not be considered in that possibility of sending PSP cases to a specific court.

My relationship with that entity has been exemplary and I would like to continue having that location in my jurisdiction.

Also, mentioned was the geographic make up of Chester in the next ten years. A developer has made contact with me in reference to a 200,000,000.00 Project, Velar Properties, LLC, 600 Ave. of the States, Chester, Pa 19013. This Project is in my jurisdiction and has an increase in residents projected in the next ten years. I've attached a layout that I asked them to send.

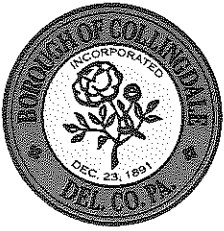
Thank you Judge Kelly for allowing further input in the Reestablishment and Redistricting process.

Sincere Regards.

Dawn L. Vann
Magisterial District Judge

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Public Comment Related to Collingdale Borough

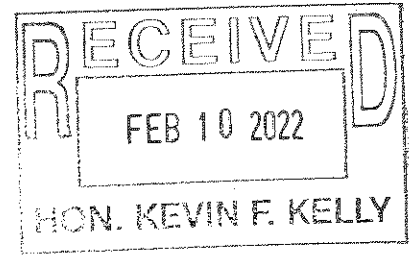


BOROUGH OF COLLINGDALE

Delaware County, Pennsylvania

MUNICIPAL BUILDING
800 MAC DADE BOULEVARD
COLLINGDALE, PA 19023-8524
610-586-0500 FAX: 610-586-9065

February 7, 2022



Magisterial District Court Reestablishment
C/O President Judge Kevin F. Kelly
201 West Front Street
Media, PA 19063

Dear President Judge Kevin Kelly,

We have reviewed your proposal regarding the redistricting of the local district courts. In the document we see that Collingdale is being split in half geographically and yet several courts in large townships have been put back together.

Collingdale is .87 square miles and has a population of 8,500 people. We understand and see the need for large areas such as townships and cities to be sectioned off but cannot see such a small area as ours. Per your report our court handled 8,005 criminal cases, 6,124 Non-traffic cases and 7,048 traffic cases along with civil and landlord tenant. In the same report there were 8 courts that were less busy than Collingdale in total and there were 5 courts who handled less criminal cases, 16 courts who handled less non-traffic and 17 courts who handled less traffic.

The other issue with the split for our town is the increased work load for our office staff. Not only will we have our 1 fulltime position code enforcement officer going to two courts at two different times and days on a weekly basis but our small office staff will have to help residents figure out where to go to court and take time to ensure the correct court address is on every violation. This will be a huge financial burden on our small borough over the long run and potentially cost the borough as much as \$106,000 per year going forward (\$60,000 in court rent, \$26,000 to hire a part time Code Officer and another \$20,000 in Police overtime).

We understand the need for redistricting from time to time. However, splitting Collingdale Borough in half would cause more work load for staff, remove hard to come by financial gains from rental income and would be a burden to which we simply cannot subject our constituents. We are requesting the court to re-evaluation this plan and keep Collingdale Borough in one court. We appreciate your consideration.

Most Respectfully,

Council President Dorothy Gallagher

Dorothy Gallagher

Council V. P. Ryan Hastings

Ryan Hastings

Council Member Brianna Rush-Green

Brianna Rush-Green

Council Member Nancy Cotton

Nancy Cotton

Mayor Donna Matteo-Spadea

Mayor Donna Matteo Spadea

Council Member Daryl Booker

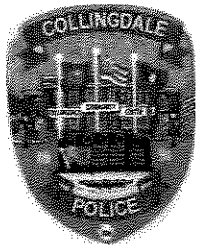
Daryl Booker

Council Member Stacey Calhoun

Stacey Calhoun

Council Member Stephen Zane

Stephen Zane



BOROUGH OF COLLINGDALE

POLICE DEPARTMENT

MUNICIPAL BUILDING
P.O. BOX 1524
800 MAC DADE BOULEVARD
COLLINGDALE, PA
19023-8524
610/586-0502 FAX:
610/586-0340

HON. DONNA SPADEA
Mayor
KENNETH FELKER
Chief of Police

Dear President Judge Kevin Kelly,

I have reviewed your proposal regarding the redistricting of the local district courts. In the document I see that Collingdale is being split in half geographically and a small part of Darby is being kept in Sharon Hill Court located in Darby Borough. In your document you have realigned several courts to put large townships back together. Darby and Collingdale are the only two small boroughs being taken apart.

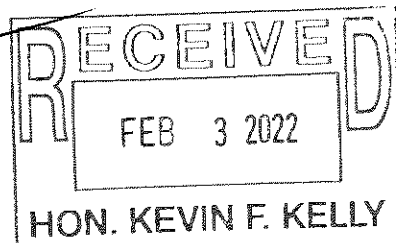
Collingdale is .89 square miles and has a population of 8,500 people. I understand large areas such as townships and cities being sectioned off but not such a small area as ours. Using your numbers in your report our court handled 8,005 criminal cases, 6,124 Non-traffic cases and 7,048 traffic cases along with civil and landlord tenant. There were 8 courts that were less busy than Collingdale in total and there were 5 courts who handled less criminal cases, 16 courts who handled less non-traffic and 17 courts who handled less traffic.

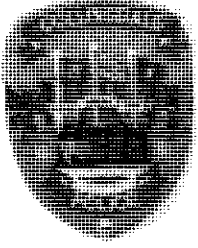
The other issue I have with the split is now I will have officers going to two courts at two different times and days on a weekly basis, thus doubling the overtime I need to spend. In 2020 I spent \$20,346 in district court overtime. That on top of the loss of revenue of \$60,000 from the court closing in our complex will be a huge financial burden on our small borough over the long run, potentially costing the borough over \$80,000 per year going forward. (\$60,000 in rent and another \$20,000 in more overtime).

I understand the need for redistricting as I have seen several over my 30 plus years of police work. I think splitting Collingdale and removing the financial gains will be a burden that we should not have to be subjected to by the redistricting plan. I plead with you to re-evaluate the plan and keep Collingdale Borough in one court.

Respectfully,

Chief Kenneth Felker





BOROUGH OF COLLINGDALE

POLICE DEPARTMENT

MUNICIPAL BUILDING
P.O. BOX 1524
800 MAC DADE BOULEVARD
COLLINGDALE, PA
19023-8524
610/586-0502 FAX:
610/586-0340

HON. DONNA SPADEA
Mayor
KENNETH FELKER
Chief of Police

President Judge Kevin Kelly,

I would like to submit this letter as a follow up to my previous letter in opposition of splitting Collingdale Borough for court purposes. I have tried to rationalize how this would work. I see a public safety nightmare.

The first part is our borough uses a street sweeper. When tickets go unpaid they are printed out in batches of hundreds several times per year. With the splitting of our court my office staff will have to go through each ticket and figure out to which court the ticket should be filed. This will increase her work load.

I am very concerned that my officers will have court two days a week. I am already stretched thin and sometimes I am short staffed on the street. Finding people to work in law enforcement is becoming extremely difficult. My officers will not have days off leading to fatigue and low morale. Officers working night work would have to stay awake two days a week in order to make court leading to them reacting slower or not at all. I fear that officers will begin to not make the discretionary arrests for quality of life issues so they do not have to go to court.

My thought was to have them go to court while working, which will be bigger public safety problem. My officers work in platoons, so if one officer has court they both will have to go. If this is two days a week I do not have any patrol officers in my town since they will have to go to Darby or Glenolden.

I am a small borough with two officers working daytime and one sergeant who work 2pm to 2am. My officers have to cover school crossing, answer calls for service and if we have a prisoner who needs to be arraigned the officers will not make it to court and will have to get a continuance leaving the prisoner in jail longer. Then the judge gets upset when the officers will be tied up and ask for a short notice continuance. When this occurs several times the judge will dismiss cases that will have to be refiled.

I will again mention that we are on a tight budget. Moving our court will cost the borough \$50,000 to \$60,000 in income from the court rental. It will also lead to doubling of my court overtime from \$21,000 a year to possibly \$42,000 a year.

I reiterate the trepidation I have that my officers will be exhausted due to not having time off. The other scenario of sending them while working is even scarier. I again ask that you reconsider your decision and ask that we stay in court. Thank you in advance for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read "Chief Kenneth Felker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chief Kenneth Felker

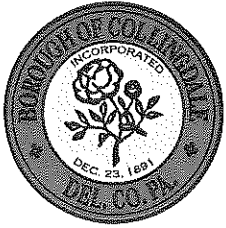
02/16/2022

Dear Delaware County Council,

My name is George Boothby and I am one of the code officers for Collingdale borough. I'm writing this letter to oppose the decision to redistrict Collingdale court. Moving the court out of Collingdale will cause increase travel for myself and the other code officers. Instead of bringing citations to the building we currently work in, we will need to travel outside Collingdale to other townships to file citations. The time it takes to bring the citations to the other townships will also take away time that should be devoted to completing my duties as code officer. Lastly, I will now have to coordinate my court appearances between the two townships, which will be inconvenient for me and take more time out of my day. I hope you will take this into consideration and rethink your decision.

Sincerely,


George Boothby



BOROUGH OF COLLINGDALE

Delaware County, Pennsylvania

MUNICIPAL BUILDING
800 MAC DADE BOULEVARD
COLLINGDALE, PA 19023-8524
610-586-0500 FAX: 610-586-9065

Dear President Judge Kevin Kelly,

We have reviewed your proposal regarding the redistricting of the local district courts. In the document we see that Collingdale is being split in half geographically and yet several courts in large townships have been put back together. While our borough is small it is densely populated. Per your report our court has handled just as many cases, and in some instances more than other courts in Delaware County. Splitting our court would cause inconvenience, confusion and frustration for our residents of which there are nearly 8600.

In my capacity as Assistant Borough Manager of Collingdale PA, I will have to pull my Code Enforcement Officer from his duty to go to 2 different courts which will jeopardize the health and safety of our residents and also the level of housing quality. Our small office staff will have to help residents figure out where to go to court and take time to ensure the correct court address is on every violation. Not to mention the financial burden on our small borough over the long run. This could potentially cost the borough as much as \$106,000 per year going forward (\$60,000 in court rent, \$26,000 to hire a part time Code Officer and another \$20,000 in Police overtime).

We understand the need for redistricting from time to time. However, splitting Collingdale Borough in half would cause more work load for our staff, remove hard to come by financial gains from rental income and would be a burden to which we simply cannot subject our residents. We are requesting the court to re-evaluate this plan and keep Collingdale Borough in one court. We appreciate your consideration.

Respectfully,

Keisha Williams

IN THE SUPREME COURT OF PENNSYLVANIA

IN RE: REESTABLISHMENT OF THE : NO:
MAGISTERIAL DISTRICTS WITHIN THE : MAGISTERIAL RULES
32ND JUDICIAL DISTRICT OF THE : DOCKET
COMMONWEALTH OF PENNSYLVANIA :

**BRIEF IN COMMENT TO PROPOSAL TO REESTABLISH
MAGISTERIAL DISTRICTS IN THE 32ND JUDICIAL DISTRICT
(DELAWARE COUNTY)**

AND NOW comes Magisterial District Judge Lee Cullen Grimes of
Magisterial District 32-1-23 of Delaware County, and presents this brief in
comment to the proposal to reestablish Magisterial Districts in the 32nd Judicial
District.

TABLE OF CONTENTS

INTRODUCTION 1

BACKGROUND 1

ARGUMENT 3

- I. ADOPTION OF THE PROPOSAL WOULD CAUSE CONTINUOUS AND UNMITIGABLE VIOLATIONS OF THE CONSTITUTIONAL RIGHTS OF THE ACCUSED 3**
 - A. REESTABLISHMENT UNDER THE PROPOSAL WILL DIRECTLY LEAD TO VIOLATIONS OF PROCEDURAL DUE PROCESS RIGHTS 3**
 - B. THE PROPOSAL WILL PREVENT MEANINGFUL BAIL HEARINGS 11**
 - C. THE PROPOSAL WOULD CAUSE VIOLATIONS OF SUBSTANTIVE DUE PROCESS AND INCREASE SPEEDY TRIAL PROBLEMS 12**
- II. REESTABLISHMENT UNDER THE PROPOSAL WOULD NEEDLESSLY HARM THE COMMUNITY 14**
 - A. REESTABLISHMENT UNDER THE PROPOSAL WOULD HARM THE POLICE DEPARTMENT 14**
 - B. REESTABLISHMENT UNDER THE PROPOSAL WOULD HARM THE CODE ENFORCEMENT DEPARTMENT 19**
 - C. REESTABLISHMENT UNDER THE PROPOSAL WOULD UNDERMINE PUBLIC CONFIDENCE IN THE JUDICIARY 21**
- III. THE PROPOSAL VIOLATES THE REQUIREMENTS FOR MAGISTERIAL DISTRICT REESTABLISHMENT 30**
 - A. THE PROPOSAL DOES NOT COMPLY WITH 42 PA.C.S. § 1503(C) 30**
 - B. THE PROPOSAL IS BASED ON INSUFFICIENT AND UNRELIABLE DATA 38**
 - C. APPLICATION OF THE REQUIRED DATA REVEAL AN IMPERMISSIBLE IMBALANCE IN MAGISTERIAL DISTRICTS 42**
- IV. THE COURT HAS READILY AVAILABLE ALTERNATIVES TO THE PROPOSAL THAT MEET LEGAL REQUIREMENTS AND BEST SERVE THE COMMUNITY 45**
 - A. OPTION 1: MAINTAINS BOROUGH INTEGRITY AND IS SLIGHTLY BELOW POPULATION AVERAGE 45**

B. OPTION 2: MAINTAINS BOROUGH INTEGRITY AND IS SLIGHTLY ABOVE POPULATION AVERAGE 46

C. OPTION 3: DIVIDES THE LARGEST BOROUGH AND IS ACCEPTABLY BELOW AVERAGE POPULATION 47

CONCLUSION 50

EXHIBITS 52

INTRODUCTION

This brief in comment aims to do three things: (1) provide this Court with information lacking in the Proposal but necessary for a just decision, (2) explain the problems that would result if the Court adopted the Proposal without amendment, and (3) detail legally sound, fair, and readily actionable alternatives to the Proposal. In support of these aims, this brief will give information to explain the danger posed by the Proposal to the constitutional rights of defendants and to the public safety of the community. This brief will then explain why the Proposal currently fails to meet the relevant constitutional and statutory requirements for reestablishment. Finally, this brief will detail clear and operable amendments to create a reestablishment that best serves this Commonwealth.

BACKGROUND

Collingdale is a small borough in southeast Delaware County, less than one square mile in area, and a population of 8,939.¹ The U.S. Census Bureau states that about 62 percent of Collingdale's residents are minorities, and one in ten residents is foreign-born.² Additionally, 14 percent of Collingdale's residents live with disabilities, and ten percent of residents are elderly.³ The college graduate

¹ U.S. Census Bureau: Collingdale Borough, Pennsylvania.
<https://www.census.gov/quickfacts/collingdaleboroughpennsylvania>

² Id.

³ Id.

rate in Collingdale is about half the national average.⁴ Nearly one in five Collingdale residents live in poverty, a rate 166 percent of the Pennsylvania average.⁵

Collingdale has a governmental building in its geographic center, which houses its municipal offices, its state representative's office, its police department, and its magisterial district court. The borough has 13 full time and 8 part time police officers, as well as two part time code enforcement officers.⁶ Collingdale currently rests entirely within Magisterial District 32-1-23. The magisterial district court is allotted by the county administrative office one day per week for preliminary hearings, due to the need to coordinate the transportation of pretrial detainees by a team of constables, which serve the entire county. This schedule works well for Collingdale's police department, as it is usually able to accommodate sending officers to court for preliminary hearings one day per week.

The Proposal calls for the division of Collingdale into two magisterial districts. This would cause a drastic increase in the number of continuances needed, resulting in extended pretrial detention and violating the constitutional rights of defendants. Reestablishment under the Proposal would diminish the

⁴ Id.; Federal Reserve Bank of St. Louis. Educational Attainment, Annual: Bachelor's Degree or Higher by State. 2020.

<https://fred.stlouisfed.org/release/tables?rid=330&eid=391444&snid=391485>

⁵ Id.; U.S. Census Bureau: Pennsylvania. <https://www.census.gov/quickfacts/PA>

⁶ Figures provided by police Chief Kenneth Felker and Mayor Donna Matteo-Spadea.

ability of the police department to ensure the safety of the community. Finally, the Proposal fails to meet constitutional and statutory requirements for reestablishment. For these reasons the Court should reject the Proposal as it is currently written.

ARGUMENT

I. ADOPTION OF THE PROPOSAL WOULD CAUSE CONTINUOUS AND UNMITIGABLE VIOLATIONS OF THE CONSTITUTIONAL RIGHTS OF THE ACCUSED

A. REESTABLISHMENT UNDER THE PROPOSAL WOULD DIRECTLY LEAD TO VIOLATIONS OF PROCEDURAL DUE PROCESS RIGHTS

In 2020 the Pennsylvania Supreme Court issued a landmark ruling in *Commonwealth v. McClelland*. *McClelland* turned on whether allowing the prosecution to make a prima facie case solely on hearsay violated procedural due process rights.⁷ The Court held that it did, and that the prosecution was required to produce at least some legally competent evidence to bind a defendant for trial.⁸

What was *not* in question in *McClelland* was whether procedural due process rights apply at a preliminary hearing.⁹ The Commonwealth conceded that, when a state provides the protections of a preliminary hearing, it must comport with procedural due process.¹⁰ This requires that a defendant be given notice, an

⁷ *Commonwealth v. McClelland*, 233 A.3d 717, 737 (Pa. 2020).

⁸ *Id.*

⁹ *Id.*, at 729.

¹⁰ *Id.*

opportunity to be heard, and the opportunity to defend themselves in front of a neutral and detached decision maker.¹¹ This definition of procedural due process comes from numerous U.S. Supreme Court cases, supporting the proposition that procedural due process applies to the states through the incorporation of Fifth Amendment protections through the Fourteenth Amendment, which states that “[n]o state shall . . . deprive any person of life, liberty, or property without due process of the law.”¹²

A defendant has due process rights throughout their case. At the initial step, a defendant has the right to be free from seizure and detainment unless a neutral and detached judicial officer or grand jury finds probable cause that a crime has been committed, and that the defendant is probably the one who committed the crime.¹³ The judicial officer makes the determination of probable cause either before the arrest by issuance of an arrest warrant, or “promptly after” a warrantless arrest.¹⁴ If a state combines probable cause determinations with preliminary

¹¹ *Commonwealth v. McClelland*, 233 A.3d 717, 747 (Pa. 2020) citing *Albright v. Oliver*, 510 U.S. 266, 114 S.Ct. 807, 127 L.Ed.2d 114 (1994).

¹² *Wolff v. McDonnell* 418 U.S. 539 (1974) citing *Cafeteria Workers v. McElroy*, 367 U. S. 886, 367 U. S. 894 (1961). *Vitek v. Jones*, 445 U.S. 480, 100 S.Ct. 1254, 63 L.Ed.2d 552 (1980); *Mathews v. Eldridge*, 424 U.S. 319, 96 S.Ct. 893, 47 L.Ed.2d 18 (1976) citing *Joint Anti-Fascist Comm. v. McGrath*, 341 U.S., at 171-172, 71 S.Ct., at 649. (Frankfurter, J., concurring).

¹³ U.S. Const. amend.IV.; PA. Const. Art. I § 8.

¹⁴ *Gerstein v. Pugh* 420 U.S. 103, 125 95 S.Ct. 854, 43 L.Ed.2d 54 (1974).

arraignment proceedings, as Pennsylvania does, they must occur without “unreasonable delay.”¹⁵

Timing is an indispensable component of due process. “The fundamental requirement of due process is the opportunity to be heard ‘at a meaningful time and in a meaningful manner’” (emphasis added).¹⁶ *Gerstein v. Pugh* and *County of Riverside v. McLaughlin* established the due process required for an initial seizure and immediate detention of a defendant, and the same rationale for requiring a finding of probable cause for seizure applies to extended detention. The Pennsylvania Supreme Court identified this principle in *McClelland*, stating that “[t]he primary reason for the preliminary hearing is to protect an individual's right against unlawful arrest and detention.”¹⁷

Pennsylvania protects the rights of the detained by requiring the prosecution to prove a prima facie case against a detained defendant within 14 days from the date of preliminary arraignment.¹⁸ The efficient manner of these proceedings is critical to their purpose. The Pennsylvania Constitution recognizes rights inherent to all, including “enjoying and defending life and liberty, of acquiring, possessing

¹⁵ *County of Riverside v. McLaughlin*, 500 U.S. 44, 111 S.Ct. 1661, 114 L.Ed.2d 49 (1991); Pa.R.Crim.Pro. 540(E) “Preliminary Arraignment.”

¹⁶ *Mathews v. Eldridge*, 424 U.S. 319, 333 96 S.Ct. 893, 47 L.Ed.2d 18 (1976), citing *Armstrong v. Manzo*, 380 U.S. 545, 552, 85 S.Ct. 1187 1191, 14 L.Ed.2d 62 (1965). See *Grannis v. Ordean*, 234 U.S. 385, 394, 34 S.Ct. 779, 783, 58 L.Ed. 1363 (1914).

¹⁷ *Supra* note 7, citing *Commonwealth ex rel. Maisenhelder v. Rundle*, 414 Pa. 11, 198 A.2d 565, 567 (1964).

¹⁸ Pa.R.Crim.Pro. 540(G)(1).

and protecting property and reputation, and of pursuing their own happiness.”¹⁹ Pretrial detention in non-viable cases at the preliminary stage endangers these constitutional rights. As the U.S. Supreme Court stated, for those detained pretrial and ultimately discharged “the time spent in jail is simply dead time.”²⁰

Liberty interests created federally and by states both receive due process protection. Procedural due process applies even when a state creates a liberty interest stronger than U.S. Constitutional requirements.²¹ Among the specific procedural due process rights recognized by the U.S. Supreme Court are the “right of access to the courts,” which it has construed broadly, even for those who have a diminished liberty interest due to previous conviction.²² Additionally, due process protects individuals from changes in their incarceration status without notice and an opportunity to be heard before an independent decisionmaker.²³

McClelland established that the preliminary hearing shall not be “a mere formality.”²⁴ This is because there is a great deal at stake in a preliminary hearing, for the defendant, the prosecution, and society at large. There must be sufficient evidence against a defendant to warrant their binding to trial, an ordeal which has

¹⁹ Pa. Const. Art. I § 1.

²⁰ *Barker v. Wingo* 407 U.S. 514, 532 92 S.Ct. 2182, 33 L.Ed.2d 101 (1972).

²¹ *Supra* note 12, citing *Dent v. West Virginia*, 129 U.S. 114, 123 (1889).

²² *Younger v. Gilmore*, 404 U.S. 15, 28 (1971), *aff'g Gilmore v. Lynch*, 319 F. Supp. 105 (ND Cal. 1970); *Johnson v. Avery*, 393 U.S. 483 (1969); *Ex parte Hull*, 312 U.S. 546 (1941).

²³ *Vitek v. Jones*, 445 U.S. 480, 493 100 S.Ct. 1254, 63 L.Ed.2d 552 (1980).

²⁴ *Commonwealth v. McClelland*, 233 A.3d 717, 741 (Pa. 2020).

vast implications for the well-being of the defendant and their family.²⁵ "The jurist presides over the hearing in order to 'prevent a person from being imprisoned or required to enter bail for a crime which was never committed, or for a crime with which there is no evidence of his connection.'"²⁶

The Court in *McClelland* was unequivocal in holding that the rights of the accused at a preliminary hearing shall not be disregarded. These rights include a preliminary hearing conducted in a "meaningful manner," as it is a proceeding protected by the Fourteenth Amendment, and also at a "meaningful time."²⁷ To provide a preliminary hearing only after the timeframe for which it was designed would usurp its purpose and violate procedural due process.

Delaware County allots each Magisterial District Court one day per week for preliminary hearings. The county MDJ Administrative Office sets the day of the week for each court, based on the availability of the constable transport team, which transports pretrial detainees to and from preliminary hearings. Police departments that fall within one magisterial district need mark only that day of the week for criminal cases.

²⁵ Pa.R.Crim.Pro. 600(A)(2)(a).

²⁶ Supra note 7, citing *Commonwealth ex rel. Maisenhelder v. Rundle*, 414 Pa. 11, 198 A.2d 565, 567 (1964).

²⁷ Supra note 16.

Currently Collingdale Police Department falls entirely within Magisterial District 32-1-23, which the MDJ Administrative Office has scheduled for preliminary hearings on Fridays. Although this schedule is not ideal for the Department, it has done its best to adjust, keeping scheduling conflicts relatively low. To ensure it gets its officers to court, it must many times send them on their days off from patrol. Doing so requires the borough to incur an overtime cost, which ran \$20,346 in 2020.²⁸ At any given time there are three police officers on duty.²⁹ In his letter in response to the Proposal, Collingdale Police Chief Kenneth Felker stated that a split of Collingdale into two magisterial districts would vastly increase the problems that lead to police unavailability at court.³⁰

There is a fundamental difference between delay caused by unforeseen individual circumstances, and one caused systematically by the court system itself. "An application for a continuance is an appeal to the discretion of the trial judge . . ."³¹ In exercising that discretion, the judge is to consider the individual circumstances of a case, and the specific reasons for the continuance request.³² The judge must consider continuance requests "with due consideration of (the)

²⁸ Exhibit A: Letter of Chief Kenneth Felker.

²⁹ Id.

³⁰ Id.

³¹ *Anderson v. Guerrein Skyway Amusement Co.*, 144 A.L.R. 1258, 29 A.2d 682, 346 Pa. 80 (Pa. 1943) citing *Davidson v. Davidson*, 262 Pa. 520, 106 A. 64; *Gurdus v. Philadelphia National Bank*, 273 Pa. 110, 116 A. 672, 23 A.L.R. 1227; *Galloway v. Schweisfurth*, 333 Pa. 507, 3 A.2d 916.

³² *Commonwealth v. Robinson*, 364 A.2d 665, 468 Pa. 575, 675 (Pa. 1976).

defendant's rights."³³ In particular, a defendant's liberty interest in avoiding or minimizing incarceration is something the court must consider in making a continuance decision.³⁴ In previous cases, "courts have refused continuances based on (the) need to minimize disruptions, (and) avoid inconvenience and delay," and those decisions have been upheld on Supreme Court review.³⁵

A change in the status of an incarcerated individual invokes due process protections.³⁶ A status change violation of due process happens when the change occurs contrary to a defendant's "right or justifiable expectation" that no change would occur.³⁷ Due process protections are necessary to ensure that a status change is not "determined arbitrarily rather than by rule of law."³⁸

The split of Collingdale Borough into two magisterial districts would necessarily cause a spike in the number of continuances needed by the police department. Despite their best efforts, it is a mathematical impossibility that the officers would be able to attend their hearings as scheduled each week. The police department is simply too small to maintain the scheduling tempo required by assignment to two separate courts. This will place the department, assistant district

³³ *Commonwealth v. Fencez*, 226 Pa. 114, 75 A. 19, 20 (Pa. 1910).

³⁴ *Commonwealth v. Ross*, 350 A.2d 836, n. 3 465 Pa. 421 (Pa. 1976).

³⁵ *Commonwealth v. Brooks*, 104 A.3d 466, 628 Pa. 524, 539 (Pa. 2014).

³⁶ *Supra* note 23.

³⁷ *Id.*

³⁸ *Johnson v. Avery*, 393 U.S. 483, 89 S.Ct. 747, 21 L.Ed.2d 718 (1968).

attorneys, the defense, and the judge in a continual triage situation of determining how to best manage a docket designed to fail.

It will be nearly impossible for the judge to determine the merits of the continuance requests under available caselaw frameworks. The judge is required, under clearly articulated caselaw, to analyze the individual circumstances of each case, but these continuances will be for the exact same reason every time: officer unavailability due not to an individualized occurrence, but because of irreconcilable and perpetual conflicts between duty and court schedules.³⁹ The judge will be required to consider the rights of the defendant under due process, as well as the liberty interest of the detained, and the absence of police witnesses will require entertaining motions to dismiss what would have been viable cases if only the police witness could have been present.⁴⁰

If the judge were to attempt to mitigate the problem of widespread police unavailability at preliminary hearings with wholesale, automatic continuances, this would effect a de facto status change for pretrial detainees and violate their procedural due process rights. Such defendants would have a status closer to that of someone already bound for trial and held for further detention, rather than

³⁹ Supra note 31.

⁴⁰ Supra note 33; *Commonwealth v. Ross*, 350 A.2d 836, n. 3 465 Pa. 421 (Pa. 1976).

someone awaiting a timely preliminary hearing.⁴¹ Pennsylvania has created a right to a preliminary hearing, and thus that right must comply with due process.⁴²

B. THE PROPOSAL WOULD PREVENT MEANINGFUL BAIL HEARINGS

A defense of the Proposal would undoubtedly invoke bail hearings as a way to mitigate the perpetual violation of preliminary hearing rights. This argument fails for two reasons. Firstly, a bail hearing is not, and was not designed to be, a substitute for a preliminary hearing. The bail hearing serves the purpose of determining the conditions upon which the defendant should be released pending further proceedings. The possibility that a defendant may be released after a bail hearing does not extinguish the defendant's right to a timely preliminary hearing, and it does not mitigate the numerous collateral consequences of being the subject of an ongoing criminal prosecution.⁴³

The second reason that bail hearings could not mitigate violations of preliminary hearing rights is that meaningful bail modification hearings can rarely be held in the absence of police witnesses. Pennsylvania's Rules of Criminal Procedure allow bail hearings to be held independently of preliminary hearings under Rule 529. The comment to Rule 529 makes clear that such an independent

⁴¹ See Pa.R.Crim.P. 540(G)(1).

⁴² *Wolff v. McDonnell* 418 U.S. 539 citing *Dent v. West Virginia*, 129 U.S. 114, 123 (1889).

⁴³ Non-incarcerated defendants are entitled to a preliminary hearing within 21 days from the date of preliminary arraignment. Pa.R.Crim.P. 540(G)(1).

bail hearing is contemplated to occur “when, for example, *new information* becomes available concerning the defendant that would affect the issuing authority’s decision concerning the type of release and the conditions of release imposed at the preliminary arraignment” (emphasis added).⁴⁴

The absence of police witnesses at a bail hearing leaves the MDJ with the exact same information that was available at the preliminary arraignment, and thus no “new information” with which to justify a bail modification. Justice Wecht in *McClelland* recognized this fact, stating that “[a]dmissible evidence, such as that of the affiant and other witnesses, is crucial to bail modification, including both monetary and non-monetary conditions.”⁴⁵ Without evidence to justify a modification of bail, the judge is left with the “affidavit of probable cause and the prosecutor’s proffer, neither of which are legally competent evidence” needed for a bail hearing, according to the Pennsylvania Supreme Court in its 2021 decision in *Commonwealth v. Talley*.⁴⁶

C. THE PROPOSAL WOULD CAUSE VIOLATIONS OF SUBSTANTIVE DUE PROCESS AND INCREASE SPEEDY TRIAL PROBLEMS

The Sixth Amendment to the U.S. Constitution states that “[i]n all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial . . .”⁴⁷

⁴⁴ Pa.R.Crim.P. 529, cmt.

⁴⁵ *Commonwealth v. McClelland*, 233 A.3d 717, 739 (Pa. 2020) (J. Wecht concurrence).

⁴⁶ *Commonwealth v. Talley*, 47, 49 (Pa. 2021).

⁴⁷ U.S. Const. Amend. XI.

The U.S. Supreme Court has held that speedy trial rights attach upon charging by “indictment or information or else the actual restraints imposed by arrest and holding to answer a criminal charge . . .”⁴⁸ Thus, by the time that a case is scheduled for a preliminary hearing, the implications of speedy trial rights have already begun.

The right to a speedy trial is fundamental, and thus protected under substantive due process.⁴⁹ This means that the right does not rest on any state-created interest, but rather interests established entirely as part of a defendant’s federal constitutional rights. The U.S. Supreme Court has identified three interests within the right to a speedy trial: “(i) to prevent oppressive pretrial incarceration; (ii) to minimize anxiety and concern of the accused; and (iii) to limit the possibility that the defense will be impaired.”⁵⁰

Although defendants have speedy trial rights under the U.S. Constitution, Pennsylvania has enacted further protections under its Rules of Criminal Procedure. Rule 600(A)(2)(a) provides that the “[t]rial in a court case in which a written complaint is filed against the defendant shall commence within 365 days from the date on which the complaint is filed.” Because complaints originate in

⁴⁸ *United States v. Marion*, 404 U.S. 307, 320, 92 S. Ct. 455, 463, 30 L. Ed. 2d 468, 479 (1971).

⁴⁹ *Barker v. Wingo* 407 U.S. 514, 92 S.Ct. 2182, 33 L.Ed.2d 101 (1972) citing *Smith v. Hooyey*, 393 U.S. 374, 89 S.Ct. 575, 21 L.Ed.2d 607 (1969); *Dickey v. Florida*, 398 U.S. 30, 90 S.Ct. 1564, 26 L.Ed.2d 26 (1970).

⁵⁰ *Supra* note 20.

the magisterial district courts, delays at the preliminary stage can reduce the amount of time left to bring the defendant to trial.⁵¹ If the time runs out, the defendant can move for dismissal with prejudice.⁵²

Preliminary-stage delays are particularly pernicious to both the prosecution and the defense. For both sides, the preliminary hearing is the first test of the evidence against the defendant. It is the prosecution's first opportunity to gauge the strength of its case. It is the defense's first opportunity to do the same, and to develop strategies to use in plea bargaining or preparing for trial. The longer it takes for each side to make it through this first step, the less time there is for substantive discussions about the appropriate ultimate outcome of the case, whether that be a plea or a trial. While delays may be advantageous to a particular side once the defendant has been bound for trial, depending on the individual circumstances of the case, delays at the preliminary stage benefit neither side. Delays at the preliminary stage are, to echo the sentiment of the Court in *Barker*, simply dead time.⁵³

II. REESTABLISHMENT UNDER THE PROPOSAL WOULD NEEDLESSLY HARM THE COMMUNITY.

A. REESTABLISHMENT UNDER THE PROPOSAL WOULD HARM THE POLICE DEPARTMENT.

⁵¹ Pa.R.Crim.P. 600(C)(1).

⁵² Pa.R.Crim.P. 600(D)(1).

⁵³ *Supra* note 50.

Magisterial districts are to be reestablished for the “efficient administration of justice.”⁵⁴ The realignment of a magisterial district’s borders does not only affect the court itself, but also everyone who comes into contact with the court. This includes individual litigants, as well as stakeholders who frequently deal with the court. The stakeholders who most often deal with the courts are the police departments.

Collingdale Police Chief Kenneth Felker calls the proposition of his department being assigned to two magisterial district courts “a public safety nightmare.”⁵⁵ In his public comment Letter, Chief Felker warned that reestablishment under the Proposal would result in a diminished ability to complete their mission of public safety.⁵⁶ This will happen through negative effects both inside and outside of the courtroom.

Because the Collingdale Police Department is so small, scheduling is a difficult task. Fully staffed, the Department has very little margin for missed hours by officers before it cannot fully staff its duty roster. The Department has one chief and four supervisors, and at least one of these individuals are required to be on duty at any given time to supervise patrol officers. At forty hours per week each, these officers account for 200 hours per week total. If only one of these

⁵⁴ Pa. Const. Art. V § 7(b); 42 Pa. C.S. § 1503(a).

⁵⁵ Exhibit A: Letter of Collingdale Police Chief Kenneth Felker.

⁵⁶ Id.

individuals is out of work in a given 168-hour week due to injury or training, for example, overtime is immediately required by the others in order to cover the duty roster.

The Department has 16 non-supervisor officers. Eight of these are full-time officers, and eight are part-time. These officers account for 480 total non-supervisor duty hours $[(8 \times 40) + (8 \times 20)]$. One of these officers is an investigator, and the rest are assigned to patrol duty. Of the patrol officers, there are an available 440 duty hours per week $\{[(8-1) \times 40] + [8 \times 20]\}$. Again, this assumes a completely operation roster, in which no one is on vacation and no one is training.

If each officer is allotted three weeks' vacation per year, the actual number of available duty hours per week is 414 hours $[(365-21 \text{ days}) \times 440 \text{ hours}]$. Subtracting the needed 336 patrol hours per week (24 hours x 7 days x 2 officers at any given time), there are 78 duty hours left to divide among the patrol officers for the week. This works out to about five hours per officer per week for non-patrol tasks.⁵⁷ Each officer must come to court to handle their summary citation matters (traffic and non-traffic citations), plus for the criminal cases in which they are the affiant or witness. It is not difficult to see why Chief Felker stated that the Department has a hard enough time meeting the scheduling demands of being assigned to one magisterial district court.

⁵⁷ 78 hours/15 patrol officers = 5.2 hours/week per patrol officer.

The Collingdale officers generally work in 12-hour shifts, in teams of two patrol and one supervisor. Inevitably, officers' patrol shifts eventually fall right before or during times when they are needed to be present in court to testify or coordinate civilian witnesses. Going to court right after coming off a 12-hour shift is difficult for the officers because they are, of course, fatigued. Nevertheless, the officers make a commendable effort to keep up with their court duties, even when they are tired. Being assigned to one court minimizes the number of times they have to go to court right after a shift, as it can only happen a maximum of one time per week.⁵⁸ This not only helps the officers maintain the regular rest needed to maintain their well-being at a high-stress job, but it minimizes the number of instances in which they need to testify while fatigued.

Requiring the Collingdale Police Department to double its court presence would be a mathematical impossibility without spiking the number of continuances needed by the officers and pulling the officers off patrol duty. As outlined above, the number of non-patrol hours available for matters like court barely cover the Department's needed presence under one court. Through its close relationship with the court, the Department is able to meet its scheduling obligations most of

⁵⁸ For traffic citations, the Department may designate a single officer to handle the day's cases per Pa.R.Crim.P. 454(B). On request, Magisterial District Court 32-1-23 schedules an officer's non-traffic citations to coincide with their preliminary hearings.

the time. Scheduling problems do arise, and continuances are occasionally needed, but they are kept to a reasonable level.

Chief Felker stated that, in order to attempt to meet the demands of assignment to two courts, he would have to pull officers off patrol to go into court, at times leaving zero patrol officers in the Borough of Collingdale.⁵⁹ This scenario is the furthest thing imaginable from the “efficient administration of justice,” and is inviting tragedy within the community of Collingdale. The mission of police departments is to ensure the safety of a community, and any reestablishment proposal that prevents a department from fulfilling that mission fails its own objective.

Assignment of the Collingdale Police Department to two courts would take a devastating toll on the officers. Even assuming the officers were able to somehow mostly keep up with the two court schedules, doing so will have a pernicious effect on their well-being. Officers’ off time will be cut in half, leading to increased fatigue on and off the job, according to Chief Felker.⁶⁰ This will not only affect the officers themselves, but the community at large, as officers’ reaction times will be slower.⁶¹ Finally, such a brutal schedule will make it even more difficult to keep

⁵⁹ Exhibit A: Letter of Collingdale Police Chief Kenneth Felker.

⁶⁰ Id.

⁶¹ Id.

and recruit new officers for the Department.⁶² In sum, splitting the Collingdale Police Department into two courts truly would be “a public safety nightmare.”⁶³

B. REESTABLISHMENT UNDER THE PROPOSAL WOULD HARM THE CODE ENFORCEMENT DEPARTMENT

The Code Enforcement Department would be harmed by reestablishment under the Proposal for many of the same reasons as would the Police Department. Currently Collingdale’s Code Enforcement Department consists of two part-time officers. The bulk of the responsibilities include addressing matters such as sidewalk repair, trash accumulation, unauthorized construction, and structure inspections for the borough’s 3,500 housing units and businesses, for example.⁶⁴

Enforcement of the borough code is central to the mission of ensuring the safety and health of the community. Magisterial District Court 32-1-23 schedules the Code Enforcement Department’s cases for one day per week, as the officers have requested. This allows them to effectively handle their cases while minimizing the amount of time in court and away from their primary duties. Critical to their mission is being able to access the courts in a timely and efficient manner, as the sooner problems can be addressed, the sooner they can be corrected

⁶² Exhibit A: Letter of Collingdale Police Chief Kenneth Felker.

⁶³ Id.

⁶⁴ U.S. Census Bureau, Collingdale borough, Delaware County, Pennsylvania. <https://data.census.gov/cedsci/profile?q=Collingdale%20borough,%20Delaware%20County,%20Pennsylvania&g=0600000US4204515232>

to a safe conclusion. The officers alternate their days in court due to their part-time availability.

Splitting the borough into two magisterial districts would have an immediate and debilitating effect on the Code Enforcement Department's ability to ensure the safety and health of the community. Requiring the Code Enforcement Department to take its matters to two separate courts would increase the number of scheduling difficulties, create complications as to which court has jurisdiction over a certain matter, and confuse court participants whose presence is necessary to resolve community safety and health issues. Increased time in separate courts will directly decrease the code enforcement department's resources needed to fulfill their mission.

The borough has budgeted for its precise code enforcement needs, and predicts that it will need to hire a third officer just to be able to handle assignment to two courts and keep up with its inspection and investigation requirements.⁶⁵ Every hour the code enforcement officers are required to be in court is an hour they are unable to complete their primary mission, so minimizing court time is crucial.⁶⁶ For these reasons, reestablishment under the Proposal would greatly harm the

⁶⁵ Exhibit C: Letter of Assistant Borough Manager Keisha Williams.

⁶⁶ Exhibit B: Letter of Code Enforcement Officer George Boothby.

ability of the Collingdale Code Enforcement Department to ensure the health and safety of the Borough.

C. REESTABLISHMENT UNDER THE PROPOSAL WOULD UNDERMINE PUBLIC CONFIDENCE IN THE JUDICIARY

Section I discussed the detrimental effects the Proposal would have on the rights of the accused. As discussed above, reestablishment under the Proposal would cause a surge in the number of continuances, as the Collingdale Police Department could not keep up with the schedules of two separate courts. Additionally, officer unavailability would prevent the holding of meaningful bail hearings. The end result of these occurrences would be that defendants initially detained after a preliminary arraignment would experience an extended period of incarceration. The reasons this constitutes a violation of procedural due process are detailed in Section I. This section describes the indirect negative effects of unwarranted extended pretrial detention for defendants, their families, and the community as a whole. These effects would combine to undermine confidence in the judiciary and its ability to deliver justice.

Defendants who experience extended pretrial detention have worse case outcomes than those who do not. Unnecessarily lengthy pretrial detention inhibits a defendant's ability to assist in the preparation and defense of their case, a fact backed up by studies showing that pretrial detention correlates to a 13-15 percent

increase in the likelihood of conviction.^{67 68 69 70} Furthermore, lengthy pretrial detention drives up the incentive for defendants to plead guilty in the hopes of obtaining release upon time served, undermining fairness in the justice system.^{71 72} One study “found that pretrial detention was the strongest predictor of guilty pleas, controlling for more than a dozen case and defendant characteristics,” and at least three studies show a “causal relationship between pretrial detention and case

⁶⁷ Digard, L. & Swavola, E. Justice Denied: The Harmful and Lasting Effects of Pretrial Detention. April 2019. <https://www.vera.org/downloads/publications/Justice-Denied-Evidence-Brief.pdf>

⁶⁸ Dobbie, Golden, & Yang. The Effects of Pre-Trial Detention on Conviction, Future Crime, and Employment: Evidence from Randomly Assigned Judges, p. 3. July 2016. <https://perma.cc/7NAN-S7HB>

⁶⁹ See generally Stevenson, Megan T. Distortion of Justice: How the Inability to Pay Bail Affects Case Outcomes. *The Journal of Law, Economics, and Organization*, Volume 34, Issue 4, November 2018, 511–542. <https://doi.org/10.1093/jleo/ewy019> citing ten previous studies on the subject.

⁷⁰ This phenomenon is observed not only nationally but also in Philadelphia, where felony defendants held in pretrial detention were 12 percent more likely to be convicted. Joki, P., Nworah, A., & Farrell, J. The Cost of Buying Freedom: Strategies for Cash Bail Reform and Eliminating Systemic Injustice, at 11. Temple University Beasley School of Law, Sheller Center for Social Justice, 2017, citing Gupta, A., Hansman, C., & Frenchman, E. The Heavy Costs of High Bail: Evidence from Judge Randomization, *Journal of Legal Studies* Vol. 45, 23 (2016). <https://law.temple.edu/cs/publication/cost-buying-freedom/>

⁷¹ “Detained defendants are 25% more likely than similarly situated releasees to plead guilty.” Heaton, Mayson, & Stevenson. The Downstream Consequences of Misdemeanor Pretrial Detention. *Stanford Law Review* Vol. 69, 711-794, 717. <https://perma.cc/B7MF-9RLV>. In misdemeanor cases, this figure may jump to as much as 42 percent more likely. Human Rights Watch. *The Price of Freedom: Bail and Pretrial Detention of Low Income Nonfelony Defendants in New York City*, at 31. 2010. https://www.hrw.org/sites/default/files/reports/us1210webwcover_0.pdf

⁷² A New York City study found that over 99 percent of misdemeanor convictions came from guilty pleas. The same study found that one out of every three misdemeanor cases were ultimately dismissed. Human Rights Watch, *supra* note 14, at 31.

outcomes.”⁷³ ⁷⁴ In reviewing previous studies, one researcher put it succinctly:

“detention strongly predicts more severe treatment at judicial disposition.”⁷⁵

Unnecessarily lengthy pretrial detention is particularly insidious considering that only about 3-5 percent of cases end in a sentence of imprisonment.⁷⁶ This phenomenon holds true even for defendants who are held in pretrial detention throughout the entirety of their case; only 14 percent of those defendants are ultimately sentenced to imprisonment, with 25 percent of such defendants actually having their case dismissed, and another nine percent of cases end with deferred

⁷³ Phillips, Mary T. Pretrial Detention and Case Outcomes, Part 1: Nonfelony Cases, at 4. New York City Criminal Justice Agency, Inc. November 2007. Citing Kellough, Gail, and Scot Wortley. 2002. “Remand For Plea: Bail Decisions and Plea Bargaining as Commensurate Decisions.” *British Journal of Criminology* 42:186-210.

<https://www.nycja.org/assets/NonFelonyDetentionOutcomes07.pdf>

⁷⁴ Joki, P., Nworah, A., & Farrell, J. The Cost of Buying Freedom: Strategies for Cash Bail Reform and Eliminating Systemic Injustice, at 11. Temple University Beasley School of Law, Sheller Center for Social Justice, 2017, <https://law.temple.edu/cs/publication/cost-buying-freedom/> citing Kellough & Wortley 2002, as well as Leiber, Michael J., and Kristan C. Fox. 2005. “Race and the Impact of Detention on Juvenile Justice Decision Making.” *Crime & Delinquency* 51(4):470-497. and Williams, Marian R. 2003. “The Effect of Pretrial Detention on Imprisonment Decisions.” *Criminal Justice Review* 28(2):299-316.

<https://www.nycja.org/assets/NonFelonyDetentionOutcomes07.pdf>

⁷⁵ Leiber, Michael J. & Peck, Jennifer H. Race in Juvenile Justice and Sentencing Policy: An Overview of Research and Policy Recommendations. *Law and Inequality*, Vol. 31, 331-368, 353. https://lawandinequality.org/wp-content/uploads/2020/11/13_31Law_Ineq3312012-2013.pdf

⁷⁶ Schnake, Timothy R. Fundamentals of Bail: A Resource Guide for Pretrial Practitioners and a Framework for American Pretrial Reform, at 12. National Institute of Corrections. September 2014. <https://perma.cc/EV8F-3YVY>

adjudication or diversion.^{77 78 79} In addition to the threat to individual rights, unnecessary pretrial detention has spillover effects that negatively impact families and the community at large.

Pretrial detention can be catastrophic for defendants and their families. When a defendant is detained awaiting a preliminary hearing, their financial contribution to their family stops. Not only is the defendant not able to work while detained, the longer a defendant is held in pretrial detention, the greater the chance that they will lose their job, endangering the well-being of all those who rely on their income.⁸⁰ This danger to families is stark, as over 50 percent of male inmates “were the primary source of financial support for their children” before their

⁷⁷ Id.

⁷⁸ The increase in the likelihood of sentences of imprisonment for those held in pretrial detention was studied controlling for the “type of charge(s), prior criminal history, and prior community ties . . . (and) the findings of this research are fully consistent with the argument that something about detention (awaiting trial) itself leads to harsher outcomes.” The Pretrial Justice Institute. Rational and Transparent Bail Decision Making: Moving From a Cash-Based to a Risk-Based Process. March 2012. Citing Mary T. Phillips, Bail, Detention, and Non-Felony Case Outcomes, Research Brief Series No. 14, New York City Criminal Justice Agency, 2007.

https://www.ncsc.org/_data/assets/pdf_file/0012/1623/rational-and-transparent-bail-decision-making.ashx.pdf. Phillips herself explains in more detail that “the relationships between detention and conviction, and between detention and incarceration, were not accounted for by these other factors, leading to the conclusion that the findings “provide strong support for the notion that a causal relationship exists between detention and unfavorable disposition” (citing Rankin, Anne. 1964. The Effect of Pretrial Detention. New York University Law Review 39:641-655, 655), at 2. file:///C:/Users/leecg/Downloads/NonFelonyDetentionOutcomes07.pdf

⁷⁹ Reaves, Brian A. Felony Defendants in Large Urban Counties, 2009 - Statistical Tables, at 22. U.S. Department of Justice, Office of Justice Statistics. December 2013. <https://bjs.ojp.gov/content/pub/pdf/fdluc09.pdf>

⁸⁰ Dobbie, Goldin, & Yang, *supra* note 68, finding that those subject to pretrial detention have lower income for “three to four years after (release),” and are more than 10 percent less likely to be employed during that time. <https://perma.cc/7NAN-S7HB> 13

incarceration, and over two-thirds of inmates were employed prior to incarceration.⁸¹ The longer a family is without this income, the more likely they are to lose their home.⁸² 22 percent of children with an incarcerated parent live in poverty, more than double the Pennsylvania poverty rate.⁸³

The depressive effects on family income of those incarcerated persist even after release.⁸⁴ Some researchers have pointed to pretrial detention-related job loss as a factor that increases the likelihood of future arrest, creating a cycle that repeats

⁸¹ Western, Bruce & Pettit, Becky. *Collateral Costs: Incarceration's Effect on Economic Mobility*. The Pew Charitable Trusts, 3, 19 citing Isaacs, Julia, Isabel Sawhill, and Ron Haskins. 2008. *Getting Ahead or Losing Ground: Economic Mobility in America*. Economic Mobility Project. Washington, DC: The Pew Charitable Trusts.

https://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2010/collateralcosts1pdf.pdf

⁸² Defendants unable to secure pretrial release were 40 percent more likely to lose their home. *Bailing on Baltimore: Voices from the Front Lines of the Justice System*. Justice Policy Institute. September 2012. <https://justicepolicy.org/wp-content/uploads/justicepolicy/documents/bailingonbaltimore-final.pdf> citing The Abell Foundation, *The Pretrial Release Project: A Study of Maryland's Pretrial Release and Bail System* (Baltimore, MD: The Abell Foundation, 2001). See also generally Morsy, L. & Rothstein, R. *Mass Incarceration and Children's Problems*, at 14. Economic Policy Institute. December 15, 2016.

⁸³ Turney, K. *Stress Proliferation across Generations? Examining the Relationship between Parental Incarceration and Childhood Health*. *Journal of Health and Social Behavior* Vol. 55(3) 302–319, 308. 2014. See also Tanner, Michael D. *Poverty and Criminal Justice Reform*. <https://www.cato.org/study/poverty-criminal-justice-reform#upgrade-programs-within-prison-system-better-prepare-offenders-transition-society> citing Rucker C. Johnson, "Ever-Increasing Levels of Parental Incarceration and the Consequences for Children," in *Do Prisons Make Us Safer? The Benefits and Costs of the Prison Boom*, eds. Steven Raphael and Michael A. Stolls (New York: Russell Sage Foundation, 2009), pp. 177–206, finding that children with incarcerated fathers are 38 percent more likely to fall into poverty; see also generally Morsy, L. & Rothstein, R. *Mass Incarceration and Children's Problems*, at 13. Economic Policy Institute. December 15, 2016; U.S. Census Bureau, *supra* note 5.

⁸⁴ In the year after release, a former inmate's income is on average 15 percent less than it was the year prior to incarceration, and incarceration reduces total lifetime earnings of black men by an average of 44 percent. Western, Bruce & Pettit, Becky. *Collateral Costs: Incarceration's Effect on Economic Mobility*, at 5, 12.

https://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2010/collateralcosts1pdf.pdf

itself.⁸⁵ The longer a defendant spends in pretrial detention, the more likely they are to commit future offenses, with an increase of 51 percent in as little as eight additional days of pretrial detention.⁸⁶ The U.S. Supreme Court recognized this effect in *Barker v. Wingo*, stating that "[l]engthy exposure to (incarceration) has a destructive effect on human character and makes the rehabilitation of the individual offender much more difficult."⁸⁷

Families who are suddenly without the household assistance of the defendant struggle to ensure that their children attend school or are sufficiently supervised at home.^{88 89} A child with an incarcerated parent is about six times more likely to be expelled or suspended than other children.⁹⁰ Children of incarcerated parents are more prone to aggressive behavior than are other children,

⁸⁵ Supra note 68.

⁸⁶ Lowenkamp, VanNorstrand, and Holsinger. The Hidden Costs of Pretrial Detention. Laura and John Arnold Foundation. November 2013. <https://perma.cc/PX7G-N6BC>

⁸⁷ Supra note 20.

⁸⁸ Supra note 83.

<https://www.asanet.org/sites/default/files/savvy/journals/JHSB/Sept14JHSBFeature.pdf>

⁸⁹ Children with an incarcerated parent drop out of school at a higher rate than other children, even "controlling for race, IQ, home quality, poverty status, and mother's education." Morsy, L. & Rothstein, 2016, at 9-10, citing Lauren Aaron and Daniel H. Dallaire, "Parental Incarceration and Multiple Risk Experiences: Effects on Family Dynamics and Children's Delinquency," *Journal of Youth and Adolescence* 39, no. 12 (2010), 1471; and Emily Bever Nichols and Ann Booker Loper, "Incarceration in the Household: Academic Outcomes of Adolescents with an Incarcerated Household Member," *Journal of Youth and Adolescence* 41, no. 11 (2012), 1463. <https://files.epi.org/pdf/118615.pdf>

⁹⁰ Western, Bruce & Pettit, Becky. Collateral Costs: Incarceration's Effect on Economic Mobility. The Pew Charitable Trusts, at 5, 25 citing Isaacs, Julia, Isabel Sawhill, and Ron Haskins. 2008. *Getting Ahead or Losing Ground: Economic Mobility in America*. Economic Mobility Project. Washington, DC: The Pew Charitable Trusts. https://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2010/collateralcosts1pdf.pdf

and have a higher risk of juvenile delinquency.⁹¹ These children “are 33 percent more likely to have speech or language problems,” as well as depression, Post Traumatic Stress Disorder, anxiety, learning disabilities, and even 25-33 percent more likely to suffer from high cholesterol, migraines, and asthma.^{92 93} They are also 43 percent more likely to use marijuana.⁹⁴

The problems don’t end at childhood. When these children of incarcerated parents grow up, they are less likely to vote and engage in community service.⁹⁵ They are more likely than other children to one day be imprisoned themselves.⁹⁶ Society at large also pays a cost, as those subject to pretrial detention file taxes at a rate “much lower than would be typical for the average working-age adult,” and incarceration inhibits defendants’ ability to pay restitution and child support, for example.⁹⁷ Incarcerated mothers are more likely to have children in foster care.⁹⁸

⁹¹ Morsy, L. & Rothstein, R. Mass Incarceration and Children’s Problems, at 12. Economic Policy Institute. <https://files.epi.org/pdf/118615.pdf>

⁹² Id., at 11.

⁹³ Turney, K. Stress Proliferation across Generations? Examining the Relationship between Parental Incarceration and Childhood Health. *Journal of Health and Social Behavior* Vol. 55(3) 302–319, 311. 2014.

<https://www.asanet.org/sites/default/files/savvy/journals/JHSB/Sept14JHSBFeature.pdf>

⁹⁴ Id.

⁹⁵ Morsy, L. & Rothstein, R. Mass Incarceration and Children’s Problems, at 12. Economic Policy Institute. <https://files.epi.org/pdf/118615.pdf>

⁹⁶ Id.

⁹⁷ *Supra* note 81, at 23

https://www.pewtrusts.org/~media/legacy/uploadedfiles/pes_assets/2010/collateralcosts1pdf.pdf

⁹⁸ *Supra* note 91, at 14.

As the *Barker* Court pointed out, "[l]engthy pretrial detention is costly."⁹⁹ "Unnecessary detention," the American Bar Association (ABA) states, "leads directly to overcrowded jails and ultimately to large expenditures of scarce public resources" for detention facility operation.¹⁰⁰ The price is not small: the average daily cost to the public to house an inmate is \$80; Delaware County spends \$78.83 per inmate per day.¹⁰¹ ¹⁰² Given that each Delaware County MDJ is allotted only one day per week for preliminary hearings, every single continuance will cost Delaware County taxpayers a minimum of \$551.¹⁰³ Many continuances are for longer than one week, due to witness or police unavailability, doubling or tripling this cost.

The cost to human life also increases with lengthy pretrial detention. The incarcerated suffer COVID-19 infections at a rate 550 percent the general public,

⁹⁹ Supra note 20.

¹⁰⁰ American Bar Association. ABA Standards for Criminal Justice, 3rd Ed., at 33. 2007. https://www.americanbar.org/content/dam/aba/publications/criminal_justice_standards/pretrial_release.pdf

¹⁰¹ Supra note 81, at 25

https://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/collateralcosts1pdf.pdf

¹⁰² The 2022 Delaware County prison budget is \$50.1 million. Divided by the 1,740 inmates on the roster reported by Delaware County Coalition for Prison Reform, this is \$28,968 annually and \$78.83 daily per inmate. Delaware County Adopted 2022 Budget, Vol. 1, at D-8.

https://delcopa.gov/departments/pdfs/Vol1OperatingBudget_12.22.21.pdf. Delaware County Coalition for Prison Reform. Proposed Enhancements to George W. Hill Correctional Facility during the Return to Public Management, at 1. <https://delcocpr.org/s/Proposed-improvements-final.pdf>

¹⁰³ 7 days x \$78.83 per day = \$551.81

and their death rate is 300 percent that of the general public.¹⁰⁴ Prisons accounted for “the 15 largest coronavirus clusters” reported in the U.S in 2020.¹⁰⁵ These statistics are particularly alarming for Pennsylvania, where one in four inmates are over age 50, nearly twice the national rate.¹⁰⁶ 58 percent of Pennsylvania inmates reported being dissatisfied with their access to health care, a statistic especially alarming for Delaware County, where 40 percent of inmates suffer mental health issues.¹⁰⁷

Reestablishment under the Proposal would necessarily increase the time spent by Defendants in pretrial detention. This would negatively affect the defendants themselves, as they would experience worse case outcomes. It would

¹⁰⁴ Pennsylvania Prison Society. Prison Conditions During the COVID-19 Pandemic: Preliminary Findings from a Survey of People in Pennsylvania State Custody, at 3. September 24, 2020. https://issuu.com/prisonsociety3/docs/covid-19surveyreport_jc_9.23__, citing the *Journal of the American Medical Association*, <https://jamanetwork.com/journals/jama/fullarticle/2768249>

¹⁰⁵ Pennsylvania Prison Society. Prison Conditions During the COVID-19 Pandemic: Preliminary Findings from a Survey of People in Pennsylvania State Custody, at 3. September 24, 2020. https://issuu.com/prisonsociety3/docs/covid-19surveyreport_jc_9.23__, citing the *Journal of the American Medical Association*, <https://jamanetwork.com/journals/jama/fullarticle/2768249>

¹⁰⁶ Medication alone for these inmates aged 50+ costs Pennsylvania taxpayers \$34 million annually. Pennsylvania Prison Society. Three State Prison Oversight During the COVID-19 Pandemic, at 14, citing Pennsylvania Department of Criminal Justice, “FY 21-22 Budget Testimony” <https://www.cor.pa.gov/About%20Us/Statistics/Documents/Budget%20Documents/Budget%20Testimony%202021-22.pdf>

https://www.prisonsociety.org/_files/ugd/4c2da0_d039019f12824020b2712eae7d976d4a.pdf

¹⁰⁷ Pennsylvania Prison Society. Three State Prison Oversight During the COVID-19 Pandemic, at 31; 737 of 1,740 inmates were reported to be “on psychotropic med(ication)” as of Ja. 31, 2019. Delaware County Coalition for Prison Reform. Proposed Enhancements to George W. Hill Correctional Facility during the Return to Public Management, at 3. <https://delcocpr.org/s/Proposed-improvements-final.pdf>

negatively affect their families, as they would lose the support of the defendant. Finally, society as a whole would be negatively affected through the increased financial and human cost of unnecessarily lengthy pretrial detention.

III. THE PROPOSAL VIOLATES THE REQUIREMENTS FOR MAGISTERIAL DISTRICT REESTABLISHMENT.

A. THE PROPOSAL DOES NOT COMPLY WITH 42 PA.C.S. § 1503(C)

Art. V § 7(b) of the Pennsylvania Constitution states that:

“The number and boundaries of magisterial districts of each class within each judicial district shall be established by the Supreme Court or by the courts of common pleas under the direction of the Supreme Court as required for the efficient administration of justice within each magisterial district.”

In 1973 this Court found that such power to “establish” magisterial districts also carried the implicit power to “reestablish” those districts in *Collins v. Gessler* (emphasis added).¹⁰⁸ A few years later the General Assembly confirmed this power in its adoption of Title 42, The Judiciary Act of 1976. § 1503 of Title 42, titled “Reestablishment of districts” states:

(a) General rule. In each year following that in which the Federal decennial census is officially reported as required by Federal law the court shall reestablish the number, boundaries and classes of magisterial districts within each judicial district except:

- (1) The first judicial district.
- (2) Any judicial district where a community court has been established and not discontinued.

¹⁰⁸ 307 A.2d 892, 896 452 Pa. 471 (Pa. 1973).

The number, boundaries and classes of magisterial districts within each judicial district may be revised from time to time as required for the efficient administration of justice within each magisterial district.

(b) *[omitted here, as concerning only community courts]*

(c) Standards for establishment of magisterial districts. In the case of a political subdivision containing within its boundaries two or more magisterial districts, the court shall divide the political subdivision into magisterial districts as nearly equal as possible in population and area, and the court may presume that the population density of each part of a political subdivision is the same population density as for the whole political subdivision. The court in establishing the number and boundaries of magisterial districts shall not subdivide political subdivisions unless either:

(1) the political subdivision contains two or more noncontiguous parts; or

(2) the political subdivision contains within its boundaries two or more magisterial districts, in which case wards or other election districts of the political subdivision shall not be subdivided.

(d) *[omitted here, as concerning only compensation]*

§ 1503(a) sets two times for the reestablishment of magisterial districts: (1) the year following each decennial federal census reporting, and (2) “from time to time as required for the efficient administration of justice.” § 1503(c) sets the “standards for establishment of magisterial districts.” Specifically, § 1503(c) requires that, if a “political subdivision” has two or more magisterial districts, the division shall be “as nearly equal as possible in population and area.” Chapter 15 of Title 42, in which § 1503(c) rests, defines a “political subdivision” as “any municipality except the City and County of Philadelphia.”¹⁰⁹

¹⁰⁹ 42 Pa.C.S. § 1501.

Chapter 15 does not directly define “municipality,” and Title 42 does not provide a single, encompassing definition for the word; rather, it gives two definitions applicable only to other individual subchapters.¹¹⁰ Because Title 42 gives no generally applicable definition of “municipality,” one must turn to Title 1 of the Pennsylvania Consolidated Statutes. 1 Pa.C.S. § 1991 (under Part V of Title 1, “Statutory Construction”) states that:

The following words and phrases, when used in any statute finally enacted on or after September 1, 1937, unless the context clearly indicates otherwise, shall have the meanings given to them in this section:

...

“Municipality.”

- (1) When used in any statute finally enacted on or before December 31, 1974, a city, borough or incorporated town.
- (2) When used in any statute finally enacted on or after January 1, 1975, a county, city, borough, incorporated town or township.

Title 42 was enacted on July 9, 1976, and any of its amendments, of course, all came after that date.¹¹¹ Therefore, 42 Pa.C.S. § 1503(c) must be read according to the post-1974 definition of “municipality,” which includes “county,” “unless the context *clearly indicates otherwise*” (emphasis added). No language in § 1503 could be interpreted as context excluding counties from the definition of “municipality.” In fact, the only mention of “municipality” in § 1503 specifically

¹¹⁰ See 42 Pa.C.S. § 9799.12; 42 Pa.C.S. § 9799.53; in both instances: “The following words and phrases *when used in this subchapter* shall have the meanings given to them in this section unless the context clearly indicates otherwise” (emphasis added).

¹¹¹ 42 Pa.C.S. Ch. 1 “Enactment.”

includes a county (“City and County of Philadelphia”).¹¹² 42 Pa.C.S. § 102 specifically defines “county” as “includ(ing) the City and County of Philadelphia,” and therefore that phrase necessarily invokes “county.”

§ 1503 is in good company; the only definition that exists for “municipality” in the Pennsylvania Constitution itself also specifically includes “county.”¹¹³ Title 1 also defines “political subdivision” to include counties.¹¹⁴ The only definitions of “municipality” in Title 42 were specifically restricted to their subchapters alone, and none of those subchapters have any applicability to Chapter 15.¹¹⁵ The Pennsylvania Rules of Criminal Procedure state that “‘political subdivision’ shall mean county . . . township . . . (and) borough,” among others.¹¹⁶ MDJs are prohibited from simultaneously holding an “office or position of profit in the government of the United States, the Commonwealth or any political subdivision thereof, except in the armed services . . . ,” a definition that clearly includes county-level offices, as there would be no rational basis for creating a county-level

¹¹² 42 Pa.C.S. § 1501.

¹¹³ Pa.Const. Art. IX § 14.

¹¹⁴ 1 Pa.C.S. § 1991.

¹¹⁵ *Supra* note 9. [See 42 Pa.C.S. § 9799.12; 42 Pa.C.S. § 9799.53; in both instances: “The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise” (emphasis added).]

¹¹⁶ 234 Pa. Code § 103, Definitions.

carve-out while disallowing borough level dual-officeholding, as it does in Title 8.^{117 118}

At least one Pennsylvania State Ethics Opinion referenced the “county” as “the only logical ‘political subdivision’” in which to file MDJ Statements of Financial Interest.¹¹⁹ The Commonwealth Court stated that “*the county is the political subdivision* which is required to be in possession of the statement of financial interests . . .” for an MDJ candidate (emphasis added).^{120 121} For these reasons, the term “political subdivision” within § 1503(c) includes “county.”

Because § 1503(c) includes the “county,” as well as any “city, borough, incorporated town or township” in the judicial district, two requirements arise. First is that the county must be divided “as nearly equal as possible in population and area” among its magisterial districts. Secondly, if that county-level division happens to place two or more magisterial districts in a “city, borough, incorporated

¹¹⁷ 207 Pa. Code § 3.10(C) Incompatible Practices and Limitations.

¹¹⁸ “No person holding the office of magisterial district judge may at the same time hold any elected or appointed borough office.” See also 8 Pa.C.S. § 10A02, § 806(a)(2): “No . . . person holding the office of magisterial district judge may at the same time be capable of holding the office of mayor.”; “A magisterial district judge may not hold the office of tax collector and the office of magisterial district judge at the same time.”

¹¹⁹ ETH 97-006 (February 21, 1997) (Pennsylvania State Ethics Opinions, 1997).

¹²⁰ *In re Prosperino*, 972 A.2d 92,96 (Pa. Commw. Ct. 2009).

¹²¹ See also *In re Nomination Petition of McMonagle*, in which the court held that the county was the proper “political subdivision” in which to file MDJ statements of financial interests. 793 A.2d 174, 178 (Pa. Commw. Ct. 2002).

town or township,” their division, too, must be “as nearly equal as possible in population and area.”¹²²

Examining § 1503(c) closely shows its strength as a formula to create fair magisterial districts. § 1503(c) drives reestablishment plans to meet the Art. V § 7(b) “efficient administration of justice” standard by doing the two most critical things: (1) balancing dockets, and (2) ensuring people can get to their court. The inherent fairness of using population and area as the two factors in district reestablishment is echoed by the Pennsylvania Constitution’s requirement that legislative districts be of “contiguous territory as nearly equal in population as practicable.”¹²³

The decennial nature of reestablishment, shortly after the release of new census data, cannot be overlooked as mere coincidence: it is a deliberate requirement that the Court use the most reliable, readily available population data in the country.¹²⁴ Additionally, the requirement that area be calculated using “the official publication of the Bureau of Statistics of the Department of Commerce” evinces the will of the General Assembly that the reestablishment be based on

¹²² See *Flack v. Barbieri*, in which the court interpreted as applying to a borough “Section 202(c) of the Magisterial Districts Reform Act of 1976, 42 P.S. § 2202(c) (which became § 1503(c))” *Flack v. Barbieri*, 378 A.2d 500, 32 Pa.Cmwlth. 170, n.1 (Pa. Commw. Ct. 1977).

¹²³ Pa.Const. Art. II § 16.

¹²⁴ § 1501 defines “population” as “[t]he number of persons residing within a political subdivision or part thereof as determined by the then current Federal decennial or Federal special census.”

widely available and verifiable data, rather than the concoction of ad hoc alternatives.

Previous reestablishment guidelines promulgated by the Administrative Office of Pennsylvania Courts (AOPC) seem to have recognized the “population and area” equity requirements of § 1503(c), until this year. In its 2019 “Magisterial District Court Reestablishment: Past, Present, and Future,” AOPC indicated that population and area were a part of the specific considerations it put forth to president judges in every decennial period from 1981-2011.¹²⁵ While AOPC mentioned other factors, such as “case filings,” “caseload equity,” and “workload equity,” it was always in *addition* to population and area.¹²⁶ And this was the correct context in which to place these factors, because, while important, they are not specifically statutorily mandated, while population and area are. The Court may use other means to smooth workloads among MDJs in between reestablishments, but the basis on which reestablishment must be made is clear: population and area.

The Court has a responsibility to administer the magisterial district courts for the “efficient administration of justice.”¹²⁷ In doing so, the Court can certainly

¹²⁵ Administrative Office of Pennsylvania Courts. “Magisterial District Court Reestablishment: Past, Present, and Future” PowerPoint, April 12, 2019, page 5 slide 2, page 6 slide 1 and 3, page 8 slide 1. <https://www.pacourts.us/Storage/media/pdfs/20210517/021633-file-7831.pdf>

¹²⁶ Id. [AOPC PowerPoint April 12, 2019]

¹²⁷ Pa.Const. Art. V § 7(b).

attempt to gather and use statistics relating to caseload and workload, but it cannot use that data to supplant the “population and area” statistics as the means by which reestablishment is determined. Caselaw and statutory law firmly support the idea that the Court’s “efficient administration of justice” measures are always to be temporary in nature, changing as needed, but in no case to be the basis to make a 10-year-long decision.

Art. 5 § 10(a) of the state Constitution reads: “The Supreme Court shall exercise general supervisory and administrative authority over all the courts and justices of the peace, including authority to *temporarily* assign judges and justices of the peace from one court or district to another as it deems appropriate” (emphasis added). 42 Pa.C.S. § 4122 further details this authority, stating that “magisterial district judge may be *temporarily* assigned to any other magisterial district . . .” (emphasis added). The Pennsylvania Rules of Criminal Procedure put this power into action, creating specific authority for president judges to create a coverage schedule,¹²⁸ a central court,¹²⁹ and to “assign temporarily” one MDJ to serve in another’s district.¹³⁰ President judges would need such authority even if all magisterial districts were perfectly even, down to the last person and square foot, because scheduling dilemmas occur in any system, and even judges have to

¹²⁸ See comment to Pa.R.Crim.Pro. 117.

¹²⁹ Pa.R.Crim.Pro. 131(B).

¹³⁰ Pa.R.Crim.Pro. 132(A).

call out sick, and deserve a vacation every now and then. This does not change the nature of these powers; they are to implement temporary smoothing measures between reestablishments.

Even *Collins v. Gessler*, in which this Court staked its claim “to supervise (magisterial) districts” even before § 1503(c) existed, did not result in any statement or even suggestion that the Court would formulate its own factors on which to base decennial reestablishment.¹³¹ And while the guidelines given to president judges by AOPC for this decennial reestablishment did make vague mentions of population and area, they have proven so delphic that Delaware County now has a Proposal that seemingly abandons population and area entirely.

B. THE PROPOSAL IS BASED ON INSUFFICIENT AND UNRELIABLE DATA

One cannot blame president judges and court administrators for confusion over the 2021-2022 decennial reestablishment guidelines. On June 2, 2021, AOPC sent president judges a memo that declared “*population is not a driving factor in reestablishment,*” then went on to mention the Census eight times and promise that it would get Census data to president judges as soon as possible (emphasis added).¹³²

¹³¹ *Collins v. Gessler*, 307 A.2d 892, 452 Pa. 471 (Pa. 1973).

¹³² Administrative Office of Pennsylvania Courts. RE: Decennial Magisterial District Reestablishment. June 2, 2021. <https://scjap.org/wp-content/uploads/2021/06/PJ-Reestablishment-memo.pdf> [include as Exhibit]

AOPC followed up this memo with a webinar for president judges on August 30, 2021, the slide deck of which included the statement “[a] steady increase or decrease in population, especially if projected to continue for the next decade, is a factor that should be considered” in a reestablishment proposal.¹³³ While this sounds appealing in theory, it (1) does not comport with § 1503(c), and (2) invites speculation, the accuracy of which could never be achieved because AOPC lacked the detailed data president judges needed to make any successful predictions. § 1503(c) states that the president judge (under the supervision of the Supreme Court) “shall divide the political subdivision into magisterial districts as nearly equal as possible in population and area.” § 1503(c) does not define “population” as a trend, or to be coupled and weighted with do-it-yourself statistics; it defines population clearly as “[t]he number of persons residing within a political subdivision or part thereof as determined by the then current Federal decennial or Federal special census.”

AOPC left the door wide open and invited president judges to speculate about such questions as “[h]ow do we estimate future filings?” Answer: “Review population trends and demographics and correlate to caseload.”¹³⁴ Setting aside the potentially disturbing question of just what demographics AOPC wanted

¹³³ AOPC Reestablishment Information Webinar slide deck, Aug. 30, 2021, page 17 slide 34. [Include as Exhibit]

¹³⁴ AOPC Reestablishment Information Webinar slide deck, Aug. 30, 2021, page 24 slide 48.

president judges to make predictions of future caseloads based on, its caseload data itself was highly suspect, as anyone who works day-to-day in the district courts could attest to.

AOPC based its data off “weighted caseload results” from a 2011 “study.”¹³⁵ That “study” consisted of 30 participants recording their own time doing certain court tasks, for four weeks.¹³⁶ 30 participants logged their time, amounting to about three hours per working day.¹³⁷ The first questions that come to mind are why the sample size was so small, why the rest of the working day hours were not logged, and if they had been, would they have produced different results? It seems likely, given the results that AOPC put forth.

AOPC weighted a criminal case at 36.72, which works out to about 3.4 times the amount of time spent on a summary citation, and 16 times the amount of time spent on a traffic citation. While these numbers may or may not be accurate, one part of the study undoubtedly severely skewed results: miscellaneous dockets, or “MD” cases. AOPC weighted MDs at 32.57, almost as much as a criminal case. Some examples of MDs are emergency Protection From Abuse (PFA) hearings, search warrants, and *weddings*. While some emergency PFA hearings do take a substantial amount of time, because they are by definition *ex parte* hearings, they

¹³⁵ AOPC Reestablishment Information Webinar slide deck, Aug. 30, 2021, page 12 slide 24.

¹³⁶ AOPC Reestablishment Information Webinar slide deck, Aug. 30, 2021, page 12 slide 24.

¹³⁷ AOPC Reestablishment Information Webinar slide deck, Aug. 30, 2021, page 12 slide 24.

are usually not drawn out. Additionally, while some search warrant applications are long, and can take a fair amount of time to review, even those do not come close to the amount of time needed to complete a criminal case. Finally, weddings are the least resource-consuming of the MDs, by far. No staff hours are required, as the judge need only fill out the certificate and perform the ceremony. Yet some judges perform a large number of weddings, and according to AOPC, a wedding and a preliminary hearing in a criminal case require essentially the same amount of work.

The badly skewed case weight numbers could be a reflection of an absurdly small sample size. Out of roughly 500 magisterial district courts, AOPC sampled 30 individuals. If each magisterial district court had a staff size of four, the minimum sample size would need to have been 322, or nearly 11 times the actual sample size, to achieve a 95 percent confidence level, the standard in statistical analysis.¹³⁸ Even using numbers as generous as possible to AOPC (three staff per court and a confidence level of only 70 percent), the sample size would have needed to be 101, or more than three times what it was.¹³⁹ The sample size used by

¹³⁸ Necessary Sample Size at 2,000 total population and 95 percent confidence level:

$$n = \frac{z^2 \times p(1-p)}{e^2} = \frac{(384.16)}{1 + \frac{(384.16-1)}{2000}}$$
, where n is population size, e is margin of error, z is z score (1.96 here), and p is population proportion (50% here).

¹³⁹ Id., using z = 1.036

AOPC falls far short of anything that could be considered statistically reliable for *any* results, much less to serve as a basis in the reestablishment of 500 courts.

Coupled with its inability to accurately reflect case weights, AOPC was “unable” to furnish president judges with any data from the ward or precinct level.¹⁴⁰ AOPC seemed to brush this off, calling on president judges to simply fill in the gaps with more amaurotic prognostication. This may work fine for those counties that have no need to divide down to wards or precincts to reestablish magisterial districts. But many, including Delaware County, have some large townships and boroughs, and needed the ward and precinct level data to make accurate decisions for their proposals. The devil is in the details, and the closer one looks at AOPC data, the more one appreciates the straightforward population and area requirements of § 1503(c).

C. APPLICATION OF THE REQUIRED DATA REVEAL AN IMPERMISSIBLE IMBALANCE IN MAGISTERIAL DISTRICTS

The Proposal must reestablish its magisterial districts “as nearly equal as possible in population and area.”¹⁴¹ The boundaries of the magisterial districts must be “determined by the then current Federal decennial or Federal special

¹⁴⁰ “The statistics are broken down by municipality . . . but we are not able to provide a breakdown by ward within a municipality” Administrative Office of Pennsylvania Courts. Decennial Magisterial District Reestablishment memo, June 2, 2021, at 5.

¹⁴¹ 42 PA.C.S. § 1503(c).

census.”¹⁴² The U.S. Census Bureau reports the total population of Delaware County at 576,830.¹⁴³ This population, divided by the current number of magisterial districts in the county (30), would put the population of each district, if equally balanced, at 19,227. Under the Proposal the county would have 26 magisterial districts, equaling an average population of 22,185.

The Proposal calls for Magisterial District Court 32-1-23 to consist of the following wards and precincts: Precincts 1, 2, 3, 7 of Collingdale Borough,¹⁴⁴ and Wards 1, 2, and 3 (Precinct 1) of Darby Borough. The total population of this district as drawn in the Proposal would be 14,068, based on 2020 Census calculations.¹⁴⁵ This district would be less than two-thirds the population size it should be, according to the 26-court average.¹⁴⁶

¹⁴² Id. [42 PA.C.S. § 1503(c)]

¹⁴³ U.S. Census Bureau. Delaware County, Pennsylvania.
<https://data.census.gov/cedsci/profile?g=0500000US42045>

¹⁴⁴ Incorrectly called “Wards” in the Proposal. Collingdale has no wards, only precincts.

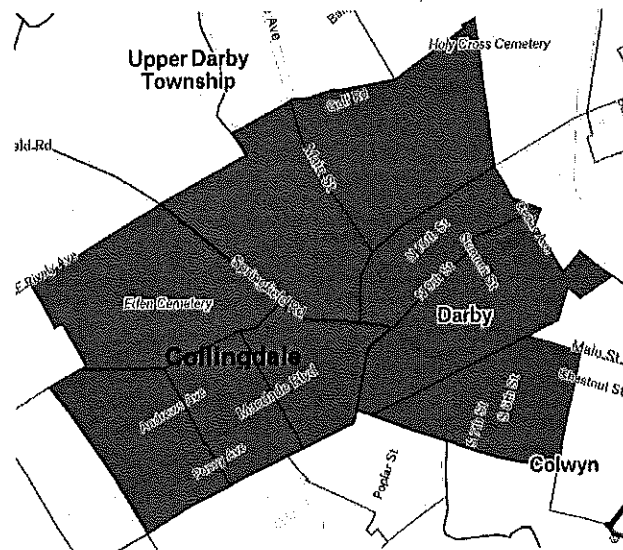
¹⁴⁵ Calculated using a modifiable precinct and ward level map template as part of the Pennsylvania Legislative Redistricting process, found on
<https://www.redistricting.state.pa.us/maps/#/house-districts>

¹⁴⁶ $14,068/22,185 = 63.4\%$

Population of Magisterial District 32-1-23 Under Proposal

Ward/Precinct	Population
Collingdale Borough Precinct 1	1,409
Collingdale Borough Precinct 2	1,141
Collingdale Borough Precinct 3	1,559
Collingdale Borough Precinct 7	849
Darby Borough Ward 1 Precinct 1	1,383
Darby Borough Ward 1 Precinct 2	2,194
Darby Borough Ward 2 Precinct 1	2,358
Darby Borough Ward 2 Precinct 2	1,268
Darby Borough Ward 3 Precinct 1	1,907
Total District Population	14,068

Map of Magisterial District 32-1-23 Under Proposal



IV. THE COURT HAS READILY AVAILABLE ALTERNATIVES TO THE PROPOSAL THAT MEET LEGAL REQUIREMENTS AND BEST SERVE THE COMMUNITY

Reestablishment is an exceedingly complex task. Given the poor quality of data given to president judges by AOPC, coupled with its instructions which did not emphasize the legal requirements for reestablishment, it is no surprise that the Proposal fails to meet the standards for reestablishment. Fortunately, some minor changes would result in a reestablishment that both meets legal requirements and best serves the community. The three examples below highlight some options for the reestablishment of Magisterial District 32-1-23.

A. OPTION 1: MAINTAINS BOROUGH INTEGRITY AND IS SLIGHTLY BELOW POPULATION AVERAGE

For the reasons mentioned previously, splitting a small borough or township has severe negative consequences for all stakeholders involved in the court system. Because of these far-reaching and sometimes catastrophic problems, reestablishments should try to keep boroughs and townships together when possible. This is not always possible: the larger the borough or township, the less likely that a reestablishment plan can keep it together. But the division of smaller boroughs and townships is far less defensible. Fortunately, this Court has several options available to keep small Collingdale intact.

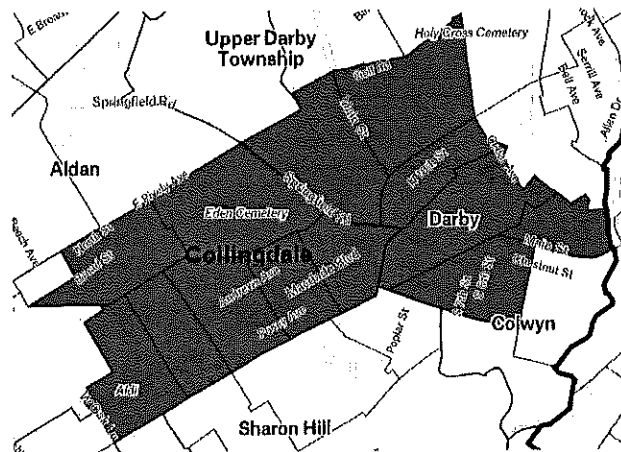
Option 1 keeps both Collingdale and Darby boroughs intact, putting them wholly within Magisterial District 32-1-23. The benefits of Option 1 are myriad.

Option 1 allows both police departments to continue on their current court schedule, reducing fatigue and increasing public safety. It resolves the convoluted jurisdictional problems under the Proposal: both boroughs fall under one court, not three. It eliminates the confusion to the public caused by the Proposal: wherever a person lives in either borough, regardless of street, they go to the same court. Option 1 enlarges the population of Magisterial District 32-1-23 to 19,722, or within 11.1 percent of the 26-court average.¹⁴⁷

Population of Magisterial District 32-1-23 Under Option 1

Borough	Population
Collingdale Borough (all)	8,939
Darby Borough (all)	10,783
Total District Population	19,722

Map of Magisterial District 32-1-23 Under Option 1



B. OPTION 2: MAINTAINS BOROUGH INTEGRITY AND IS SLIGHTLY ABOVE POPULATION AVERAGE

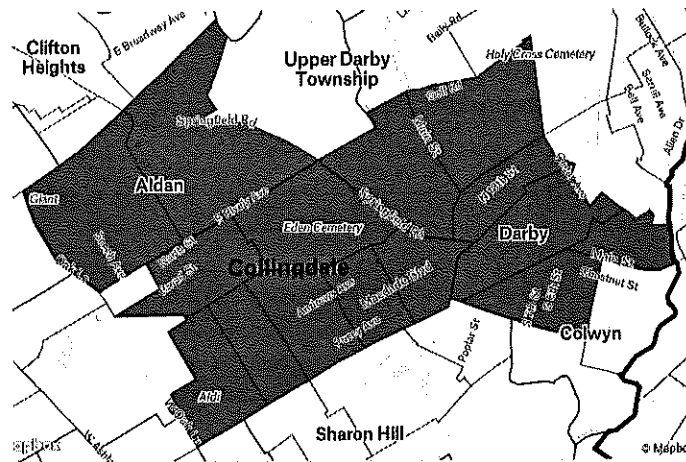
¹⁴⁷ 19,722/22,185 = 88.9%

Option 2 features all of the previously mentioned benefits of Option 1. Instead of being slightly below the average district population, however, Option 2 is slightly above average population by the addition of Aldan Borough. This allows Aldan Borough to reap the benefits of Option 1, such as ensuring public safety and avoiding jurisdictional confusion. The total district population under Option 2 is 23,969, or 8 percent higher than the 26-court average.¹⁴⁸

Population of Magisterial District 32-1-23 Under Option 2

Borough	Population
Collingdale Borough (all)	8,939
Darby Borough (all)	10,783
Aldan Borough (all)	4,247
Total District Population	23,969

Map of Magisterial District 32-1-23 Under Option 2



C. OPTION 3: DIVIDES THE LARGEST BOROUGH AND IS ACCEPTABLY BELOW AVERAGE POPULATION

¹⁴⁸ 23,969/22,185 = 1.08%.

The Proposal found it necessary to divide Darby Borough. If a borough division in the southeast region of Delaware County is absolutely necessary, it should be done in Darby Borough because it has the largest population in the region. However, if a division occurs, it must be “as nearly equal as possible in population and area” to comply with 42 Pa.C.S. § 1503(c). Option 3 meets this requirement, dividing Darby Borough such that Magisterial District 32-1-23 takes about 45 percent of its population.¹⁴⁹ The total population of the district would be 18,031, or 81 percent of the 26-court average.¹⁵⁰ This is lower than Options 1 and 2, but it is a vast improvement over the Proposal’s 63 percent.

Additionally, Option 3 is the only possible division of Darby Borough that meets the requirements of § 1503(c) while allowing Magisterial Districts 32-1-23 and 32-2-37 to maintain their contiguity. Therefore, if Darby Borough is to be split, it must be done according to the ward/precinct division represented below. Additionally, this split has the added benefit of mitigating jurisdictional confusion, as the boundary line is composed entirely along Darby Borough’s 9th Street. Stakeholders simply need to answer one question to know which court has venue: did the event occur north or south of 9th Street?

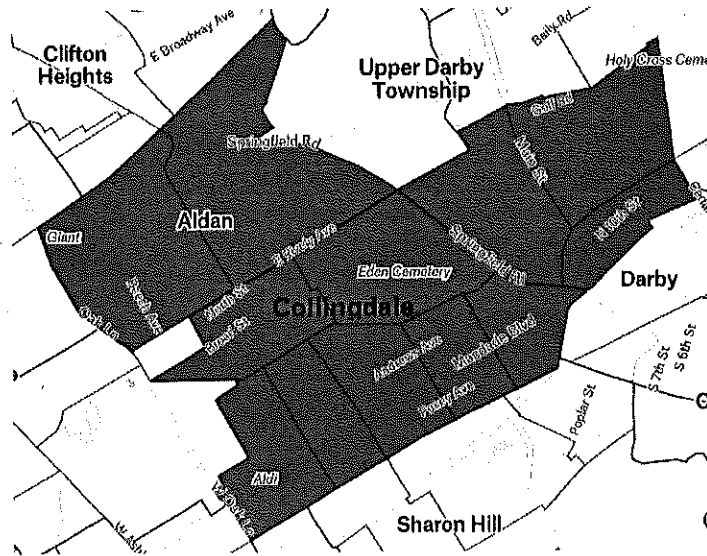
¹⁴⁹ $4,845/10,783 = 44.93\%$

¹⁵⁰ $18,031/22,185 = 81.27\%$

Population of Magisterial District 32-1-23 Under Option 3

Borough/Precincts	Population
Collingdale Borough (all)	8,939
Darby Borough Ward 1 Precinct 1, Ward 1 Precinct 2, Ward 2 Precinct 2	4,845
Aldan Borough (all)	4,247
Total District Population	18,031

Map of Magisterial District 32-1-23 Under Option 3



Any of the above options would be a vast improvement over the current Proposal in terms of meeting the needs of the public. Additionally, they each correct the Proposal's problem of not meeting constitutional and statutory requirements for reestablishment. For these reasons, the Court should consider these options when examining the Proposal.

CONCLUSION

Reestablishment is more than a rote exercise done every decade. The decisions this Court makes about reestablishment will affect human lives every day. It will affect defendants held in extended pretrial detention. It will affect their families. It will affect police officers stretched beyond their limits with unmanageable court schedules. It will affect the community's confidence in their judiciary.

The purpose of a reestablishment is to better serve the people of the Commonwealth of Pennsylvania. Decennial reestablishment is an opportunity to examine how the Unified Judicial System can better meet its goal of delivering justice. This Proposal would harm the communities of Collingdale and Darby by thwarting the constitutional rights of defendants to a timely preliminary hearing and meaningful bail hearings. It would harm the families of those communities by jeopardizing their police forces' ability to accomplish their mission of public safety. Finally, adoption of this Proposal with its clear violations of constitutional

and statutory requirements would undermine the public's confidence in the judicial branch's commitment to upholding the law. For these reasons, the Proposal should not be adopted until it is amended to comply with the law and best meet the needs of the community.

EXHIBITS

EXHIBIT A: LETTER OF COLLINGDALE POLICE CHIEF KENNETH FELKER

EXHIBIT B: LETTER OF COLLINGDALE CODE ENFORCEMENT OFFICER GEORGE BOOTHBY

EXHIBIT C: LETTER OF COLLINGDALE ASSISTANT BOROUGH MANAGER KEISHA WILLIAMS

Exhibit A



BOROUGH OF COLLINGDALE
POLICE DEPARTMENT

MUNICIPAL BUILDING
P.O. BOX 1524
800 MAC DADE BOULEVARD
COLLINGDALE, PA
19023-8524
610/586-0502 FAX:
610/586-0340

HON. DONNA SPADEA
Mayor
KENNETH FELKER
Chief of Police

Dear President Judge Kevin Kelly,

I have reviewed your proposal regarding the redistricting of the local district courts. In the document I see that Collingdale is being split in half geographically and a small part of Darby is being kept in Sharon Hill Court located in Darby Borough. In your document you have realigned several courts to put large townships back together. Darby and Collingdale are the only two small boroughs being taken apart.

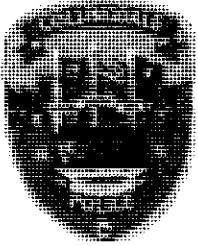
Collingdale is .89 square miles and has a population of 8,500 people. I understand large areas such as townships and cities being sectioned off but not such a small area as ours. Using your numbers in your report our court handled 8,005 criminal cases, 6,124 Non-traffic cases and 7,048 traffic cases along with civil and landlord tenant. There were 8 courts that were less busy than Collingdale in total and there were 5 courts who handled less criminal cases, 16 courts who handled less non-traffic and 17 courts who handled less traffic.

The other issue I have with the split is now I will have officers going to two courts at two different times and days on a weekly basis, thus doubling the overtime I need to spend. In 2020 I spent \$20,346 in district court overtime. That on top of the loss of revenue of \$60,000 from the court closing in our complex will be a huge financial burden on our small borough over the long run, potentially costing the borough over \$80,000 per year going forward. (\$60,000 in rent and another \$20,000 in more overtime).

I understand the need for redistricting as I have seen several over my 30 plus years of police work. I think splitting Collingdale and removing the financial gains will be a burden that we should not have to be subjected to by the redistricting plan. I plead with you to re-evaluate the plan and keep Collingdale Borough in one court.

Respectfully,

Chief Kenneth Felker



BOROUGH OF COLLINGDALE

POLICE DEPARTMENT

MUNICIPAL BUILDING
P.O. BOX 1524
800 MAC DADE BOULEVARD
COLLINGDALE, PA
19023-8524
610/586-0502 FAX:
610/586-0340

HON. DONNA SPADEA
Mayor
KENNETH FELKER
Chief of Police

President Judge Kevin Kelly,

I would like to submit this letter as a follow up to my previous letter in opposition of splitting Collingdale Borough for court purposes. I have tried to rationalize how this would work. I see a public safety nightmare.

The first part is our borough uses a street sweeper. When tickets go unpaid they are printed out in batches of hundreds several times per year. With the splitting of our court my office staff will have to go through each ticket and figure out to which court the ticket should be filed. This will increase her work load.

I am very concerned that my officers will have court two days a week. I am already stretched thin and sometimes I am short staffed on the street. Finding people to work in law enforcement is becoming extremely difficult. My officers will not have days off leading to fatigue and low morale. Officers working night work would have to stay awake two days a week in order to make court leading to them reacting slower or not at all. I fear that officers will begin to not make the discretionary arrests for quality of life issues so they do not have to go to court.

My thought was to have them go to court while working, which will be bigger public safety problem. My officers work in platoons, so if one officer has court they both will have to go. If this is two days a week I do not have any patrol officers in my town since they will have to go to Darby or Glenolden.

I am a small borough with two officers working daytime and one sergeant who work 2pm to 2am. My officers have to cover school crossing, answer calls for service and if we have a prisoner who needs to be arraigned the officers will not make it to court and will have to get a continuance leaving the prisoner in jail longer. Then the judge gets upset when the officers will be tied up and ask for a short notice continuance. When this occurs several times the judge will dismiss cases that will have to be refiled.

I will again mention that we are on a tight budget. Moving our court will cost the borough \$50,000 to \$60,000 in income from the court rental. It will also lead to doubling of my court overtime from \$21,000 a year to possibly \$42,000 a year.

I reiterate the trepidation I have that my officers will be exhausted due to not having time off. The other scenario of sending them while working is even scarier. I again ask that you reconsider your decision and ask that we stay in court. Thank you in advance for your time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Chief Felker', with a long horizontal flourish extending to the right.

Chief Kenneth Felker

Exhibit B

02/16/2022

Dear Delaware County Council,

My name is George Boothby and I am one of the code officers for Collingdale borough. I'm writing this letter to oppose the decision to redistrict Collingdale court. Moving the court out of Collingdale will cause increase travel for myself and the other code officers. Instead of bringing citations to the building we currently work in, we will need to travel outside Collingdale to other townships to file citations. The time it takes to bring the citations to the other townships will also take away time that should be devoted to completing my duties as code officer. Lastly, I will now have to coordinate my court appearances between the two townships, which will be inconvenient for me and take more time out of my day. I hope you will take this into consideration and rethink your decision.

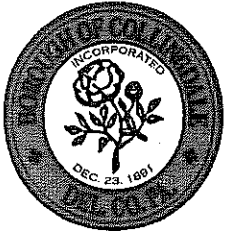
Sincerely,


George Boothby

Exhibit C

BOROUGH OF COLLINGDALE

Delaware County, Pennsylvania



MUNICIPAL BUILDING
800 MAC DADE BOULEVARD
COLLINGDALE, PA 19023-8524
610-586-0500 FAX: 610-586-9065

Dear President Judge Kevin Kelly,

We have reviewed your proposal regarding the redistricting of the local district courts. In the document we see that Collingdale is being split in half geographically and yet several courts in large townships have been put back together. While our borough is small it is densely populated. Per your report our court has handled just as many cases, and in some instances more than other courts in Delaware County. Splitting our court would cause inconvenience, confusion and frustration for our residents of which there are nearly 8600.

In my capacity as Assistant Borough Manager of Collingdale PA, I will have to pull my Code Enforcement Officer from his duty to go to 2 different courts which will jeopardize the health and safety of our residents and also the level of housing quality. Our small office staff will have to help residents figure out where to go to court and take time to ensure the correct court address is on every violation. Not to mention the financial burden on our small borough over the long run. This could potentially cost the borough as much as \$106,000 per year going forward (\$60,000 in court rent, \$26,000 to hire a part time Code Officer and another \$20,000 in Police overtime).

We understand the need for redistricting from time to time. However, splitting Collingdale Borough in half would cause more work load for our staff, remove hard to come by financial gains from rental income and would be a burden to which we simply cannot subject our residents. We are requesting the court to re-evaluate this plan and keep Collingdale Borough in one court. We appreciate your consideration.

Respectfully,

Keisha Williams

A handwritten signature in black ink, appearing to read "Keisha Williams", is written over a horizontal line.

Magisterial District Court Reestablishment

c/o President Judge Kevin F. Kelly

201 W front Street

Media PA 19063

2-7-2022

Dear Honorable Kelly,

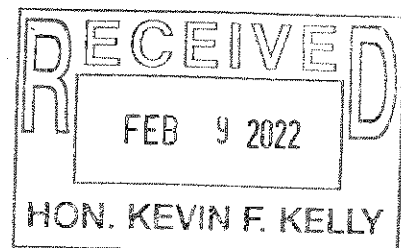
As a 30 year resident of the Borough of Collingdale I strongly ask you to consider against
The Reestablishment of Collingdale District Court 32-1-23. Many years ago we lost our Post Office
Which was combined with Darby for delivery and Sharon Hill for our Box Section.

As a resident, I would like to keep or District Justice in Collingdale where he was duly elected.
And keep our identity in Collingdale in tact.

Respectfully,



William J. Mellon



Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Public Comment Related to Proposed Elimination of Magisterial District
Court 32-1-28



Swarthmore
BOROUGH

OFFICE OF THE BOROUGH MANAGER

121 Park Avenue
Swarthmore, Pennsylvania 19081
Telephone 610•543•4599
Fax 610•543•1833

February 9, 2022

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, PA 19063

Dear President Judge Kelly,

The Council Members and Mayor of Swarthmore* have received and reviewed the proposal for the re-establishment of the Magisterial Districts within the 32nd Judicial District. While fully appreciating and understanding the complex redistricting task before you, we write to explain our strong opposition to this plan and to request that you reconsider the elimination of the Media District Court. We are aware of and support the comments that our Chief of Police Ray Stufflet submitted separately.

With respect to the need to maintain contiguity, we understand that Swarthmore Borough is just as geographically contiguous with Springfield as it is with the parts of Nether Providence, Rose Valley and Media that make up the current Media District Court region. However, when considering the school community, Swarthmore is more connected with the current Media District Court region than Springfield.

The splitting of Swarthmore Borough from the Magisterial District serving Wallingford Swarthmore School District has troubling implications for long-standing community-based programs that handle common youth matters such as truancy and underage drinking. Even if these programs are continued, it will be challenging for one Magisterial District to implement effective programs for students who reside within other Districts. Effective truancy and community service programs have interventions that occur within both the student's home and school communities.

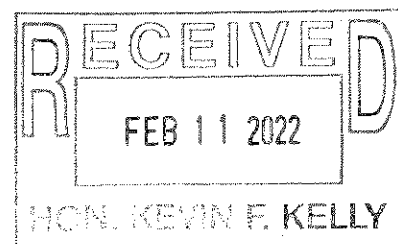
Other than Rutledge, all of the other municipalities that comprise the Wallingford Swarthmore School District, namely Nether Providence and Rose Valley, have also historically been routed to the Media District Court. The current proposal further divides the school district and we hope that you will reconsider this and instead bring the entire school district community together within the Media District Court.

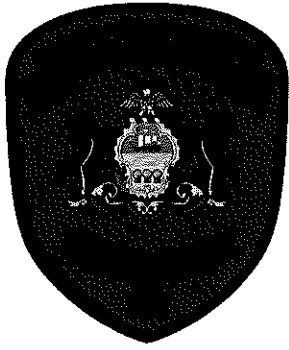
We respectfully request that the Media District Court be maintained and continued to include Swarthmore. Thank you for your consideration and for your time and effort on this redistricting task.

Respectfully,

Swarthmore Borough Council* and Mayor Marty Spiegel

** Council President Mary Walk recused herself from this discussion and subsequent vote due to her position as County Clerk of Courts.*





Swarthmore Borough Police Department

121 Park Avenue
Swarthmore, Pennsylvania 19081

Administrative (610) 543-0123

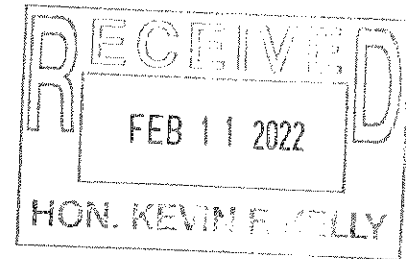
Fax (610) 543-7268

Emergency 911

Raymond C. Stufflet

Chief of Police

RStufflet@SwarthmorePD.org



February 2nd, 2022

To: President Judge Kevin F. Kelly
Subject: Media District Court/District Court Reassignment
201 W. Front Street
Media, PA 19063

Dear President Judge Kelly,

Thank you for your most recent work on the re-assignment of the Magisterial Districts within Delaware County (32nd Judicial District). After reviewing the reassignments, I wish to express some of my concerns regarding my departments proposed move to Springfield district court.

I first want to express my understanding of how difficult a task this must have been. After reading the proposal, I have total respect for the methodology that went into the realignment.

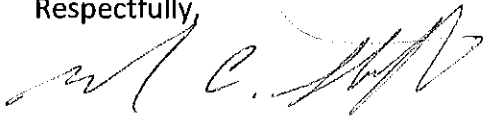
However, I do have some concerns I wish to express with Swarthmore Borough being assigned to Springfield District Court (32-1.32). I feel the communities of Swarthmore, Nether Providence and Media have much more in common with each other than Springfield or Ridley Twp's. The communities in general have more continuity with each other. It is with this in mind, I would like to see the Media District Court remain as is, and to continue the community connections that currently exists. Not only to keep the communities together but to try to keep as much of the school district issues going to the Media District Court Judge. It is this issue, above all else, that I have the greatest concerns. Having our school district issues going before the same district court office, will assist police, school district employees, and the overall communities. It also will continue a relationship that the Media District court has with Swarthmore College and its student population.

I feel keeping all the areas that cover the Wallingford / Swarthmore School district responding to the Media District court would continue to develop police services and allow for continued court, police, school

district interactions. Having the same Judge handling all of the school districts issues, will undoubtedly help all parties reach solutions to pending issues. Keeping the Media District court open would assist our department in court attendance, keep all schools within the Wallingford / Swarthmore School District at the same district court, and would enhance the overall effectiveness of both municipalities and the school community.

I appreciate your time in this matter, which I'm sure was filled with difficult decisions. I would be happy to discuss my concerns and any other questions that may need clarification.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. C. Stufflet', written in a cursive style.

Chief Raymond C. Stufflet
Swarthmore Borough Police Department



TOWNSHIP OF NETHER PROVIDENCE

214 Sykes Lane, Wallingford, PA 19086-6350

Phone: (610) 566.4516 Fax: (610) 892.2890

www.netherprovidence.org

February 16, 2022

Kaitlin McKenzie
President
4th Ward

Matthew Garson
Vice President
2nd Ward

Max Cooper
1st Ward

Micah Knapp
3rd Ward

Shaina Barnes
5th Ward

Robert E. O'Connor
6th Ward

Marty Molloy
7th Ward

Dave Grady
Township Manager

Kris Laubscher
Treasurer

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, Pa 19063

Dear President Judge Kelly,

The Board of Commissioners of Nether Providence Township has reviewed the proposal for the re-establishment of the Magisterial Districts within the 32nd Judicial District. While fully appreciating and understanding the complex redistricting task before you, we write to explain our opposition to this plan and to respectfully request that you reconsider the elimination of the Media District Court for three important reasons.

A significant portion of the township is now within the Lima District Court, which is twice as far from the Nether Providence Police Department than the current Media District Court. Police officer travel to and from Middletown will be an additional cost for the Township, and with the Police Department already the Township's single largest expense, this is concerning. As addressed in more detail by Chief Splain, having our on-duty officers a significant distance away in Middletown is also a safety concern for our residents. We are aware of and support the comments that our Chief of Police David Splain submitted separately on this point.

The closure of the Media District Court will also result in travel and transportation impediments for Nether Providence residents. The northern portion of Nether Providence is not contiguous with Middletown in any real sense. It is culturally and geographically separate and as noted above, it is significantly further away. Most Nether Providence residents who currently access District Court have the option of doing so by walking as the Media District Court is about 1.5 miles away from the heart of Nether Providence with sidewalks and crosswalks available. Accessibility for Nether Providence residents is paramount and we are concerned that the current proposal will require residents to travel at least twice this distance to the Lima District Court, with no realistic option for access other than by vehicle.

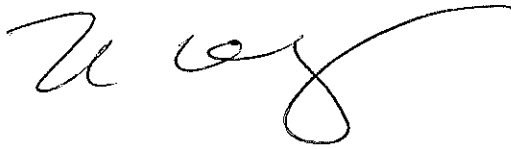
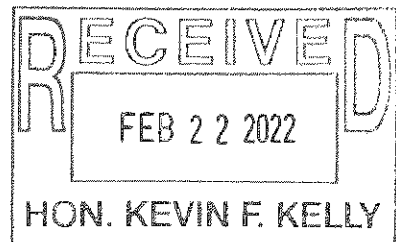
Finally, the matter of Wallingford Swarthmore School District students has caused consternation amongst residents. With all matters arising within the District

being routed to the Ridley District Court, about half of Nether Providence residents could find themselves in a situation where a matter related to their child is being handled by a judge with whom they have no communal relationship and from a district where they will not have the opportunity to participate in an election.

For these reasons we respectfully request that the Media District Court be maintained and expanded to include all of Nether Providence. We would be happy meet to discuss our concerns.

Respectfully,

The Nether Providence Board of Commissioners

A handwritten signature in black ink, appearing to be 'U. Kay', written in a cursive style.



NETHER PROVIDENCE TOWNSHIP POLICE DEPARTMENT

214 Sykes Lane
Wallingford, PA 19086

"An Accredited Law Enforcement Agency"



David M. Splain
Chief of Police

Headquarters 610-892-2875
Facsimile: 610-566-6496

January 28, 2022

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, Pa 19063

Dear President Judge Kelly,

I have received and reviewed the proposal for the re-establishment of the Magisterial Districts with the 32nd Judicial District (Delaware County). I want to express some concerns regarding the proposed re-establishment that directly affects the Nether Providence Community and the Police Department.

I want to preface by saying that I understand and respect the complex decision you have been tasked with by the Pennsylvania Supreme Court to reduce the number of Magisterial District Courts here in Delaware County. I understand that the Magisterial seat at the Media District Court was recently vacated by Judge Krull's elevation to the Court of Common Pleas, therefore making that court an easy target for closure.

I completely understand and agree with the proposed realignment concerning District Court 32-1-30 (Ridley District Court- Judge Dawson), where Wards 1 and 5 will remain there, and Ward 2 (Precinct 2), Wards 6, 7, and all matters involving the Wallingford-Swarthmore School District will join District Court 32-1-30 (Ridley Twp.). I do not foresee this decision having a negative impact on the community or the Police Department.

However, I do have some concerns with the closure of 32-1-28 (Media District Court). The re-establishment proposal would move Ward 2 (Precinct 1), Wards 3 & 4 to 32-2-48 (Lima District Court-Judge Strohl). The concern I have with this decision is the extended distance our officers would now have to travel to return to the community in the event of an emergency. Before this transition, our officers attended court at the Media District Court, which is 1.7 miles from our Police Department and is contiguous to Nether Providence Township. Under the proposed re-establishment, the officers would now be required to travel to the Lima District Court, 3.9 miles from the Police Department. This location is not contiguous to Nether Providence Township. The additional 2.2 miles (Total of 3.9 miles) would create an extended response time for the officers to respond to the community in an emergency, therefore compromising public safety to the citizens of Nether Providence Township.

If the Media District Court were to be closed, I propose an alternative plan for Ward 2 (Precinct 1), Wards 3 & 4 to be assigned to District Court 32-2-46 (Upper Providence-Judge Goldberg). The Upper Providence District Court is 2.2 miles from the Nether Providence Police Department and only 6/10 a mile further than Media District Court. Upper Providence Township is contiguous to Nether Providence Township. The court is located on the same main artery that runs into our community (Route 252).

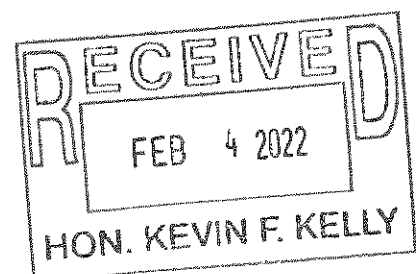
The only additional clarification that I would ask, the re-establishment proposal specifies that all matters involving the Wallingford-Swarthmore School District be handled by District Court 32-1-30 (Ridley Twp.). We have four public schools: Strath Haven High School, Strath Haven Middle School, Nether Providence Elementary School, and Wallingford Elementary School. Wallingford Elementary School is the only school outside the proposed jurisdiction given to District Court 32-1-30 (Ridley Twp.). Would any cases involving the Wallingford Elementary School be assigned to District Court 32-1-30, given that the school is outside that jurisdictional border?

I appreciate you allowing me to express my concerns. I would be glad to discuss these concerns in greater detail if you have additional questions or need clarification.

Respectfully,



David M. Splain
Chief of Police

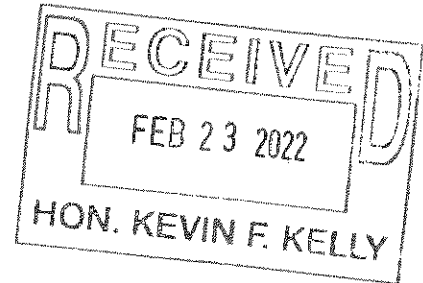


WALLINGFORD  SWARTHMORE
SCHOOL DISTRICT

200 SOUTH PROVIDENCE ROAD, WALLINGFORD, PENNSYLVANIA 19086-6334

February 22, 2022

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, Pa 19063



Dear President Judge Kelly,

I write to express our strong opposition to the proposed Delaware County Magisterial District Court redistricting plan which eliminates the Media District Court. The plan will have a profound negative impact on our community, disrupting and likely eliminating long standing community-based programs for handling truancy, underage drinking and other issues with our youth. We respectfully request that you reconsider the elimination of the Media District Court.

I understand the complexity of redistricting and respect the difficult decisions that must be made. We are also aware that you have been tasked by the Pennsylvania Supreme Court to reduce the number of Magisterial District Courts here in Delaware County. The recent vacancy in the Media District Court resulting from Judge Krull's elevation to the Court of Common Pleas makes that court an easy target for closure; however, the fact that it is vacant does not require its elimination. As set forth in this letter, there are compelling reasons to keep the seat in place.

Nether Providence, Swarthmore, Rutledge, Rose Valley, and Media are municipalities with shared community standards, distinct from our neighbors. The Nether Providence, Rutledge, Swarthmore, and Rose Valley communities are closely knit together and have been so since the creation of the Wallingford Swarthmore School District decades ago. The physical borders between our municipalities are blurred and several neighborhoods are shared across municipal lines. For example, the historic neighborhood of South Media straddles Media and Nether Providence while the neighborhood bordered by

Woodward Rd. and West Rose Valley Rd. hovers between Nether Providence and Rose Valley.

Since 1996, we have elected District Judges that reflect the values of our community. We have expected – indeed demanded – that our District Judge be an experienced lawyer committed to impartiality and balance, and most important, to giving everyone their day in court. Our District Judges have employed a community-oriented approach that prioritized working with children, families, school officials and the police to keep our kids in school and utilized innovative community service programs to avoid permanent blemishes on their records. Their work has been lauded by the community and public officials.

The proposed judicial districts ignore our history and our experience. Because cases from the Wallingford Swarthmore School District will now be handled by the Ridley District Court, all of the systems currently in place to handle school issues will be lost. Ridley and Wallingford are distinct communities. It will be six years before voters will have the opportunity for redress if they are unhappy with the situation.

Equally problematic, summary offenses other than truancy that involve students will be handled by five different courts: Swarthmore cases will go to Springfield, Rutledge and Wards 1 and 5 of Nether Providence will go to Ridley, while the rest of Nether Providence cases will go to Middletown; Media cases will go to Upper Providence; and Rose Valley cases will go to Brookhaven. All of the experience and existing systems of the Media Court will be lost. It also will undoubtedly result in disparate treatment of our youth. The Middletown, Springfield and Brookhaven District Judges have no relationship whatsoever to our community. They have had no contact with the Wallingford Swarthmore School District. They never had to campaign and speak with voters here. They have never worked with our municipal police departments.

The Wallingford-Swarthmore School district uses Positive Behavioral Interventions and Support (PBIS) to meet the Pennsylvania Department of Education requirement for a Safe and Supportive School. PBIS works by documenting all relevant student data before developing a unique system of support and safety for all students. For students needing the most intensive level of supports, a formal assessment is conducted, and all relevant student data is gathered. This data includes grades, attendance, discipline record, and student supports that are in place. At the court's request, PBIS documentation is shared with the District Judge along with the supports that have been tried and their outcomes. This well-documented system of student support helps inform magisterial decisions. Our District Judges have been well acquainted with PBIS and how it is implemented in the Wallingford-Swarthmore School District.. Building a similar

level of understanding and trust across four different courts that have no experience with the Wallingford-Swarthmore School District may well be out of reach.

In addition, my administrative team would need to spend precious time learning how to interact with each court, tracking student addresses and matching them to the correct district, traveling to different and farther locations, and developing relationships with new judges and hoping that these judges will treat Wallingford-Swarthmore students with the same consideration as judges who are from and understand our community.

I request that the Media District Court be maintained.

Respectfully,

A handwritten signature in black ink, appearing to read 'Wagner Marseille', is written over a horizontal line. The signature is stylized and somewhat cursive.

Dr. Wagner Marseille
Superintendent of Schools
Wallingford-Swarthmore School District

February 3, 2022

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 West Front Street
Media, PA 19063

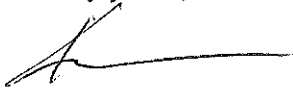
Dear Judge Kelly,

I am concerned about the proposed re-districting changes. There is a critical need to assign as much of the Wallingford Swarthmore School District to the same judicial district as possible in order to keep a community of interest under a single judge. Our kids deserve a unified voice, especially in today's era of Covid and questions about school funding.

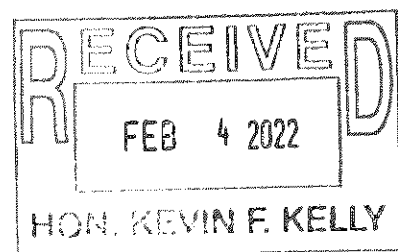
The proposed changes would also create a lack of representation by assigning WSSD cases to a judge that most WSSD voters cannot vote for. This removes our rightful ability to voice our opinions through voting for the judge who we feel would best represent our desires and interests.

I ask for your consideration of these issues and keep the WSSD intact moving forward.

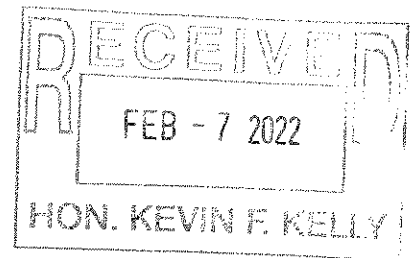
Sincerely yours,



Kathleen Raffaele



Judge Kevin F. Kelly
President, Court of Common Pleas
201 West Front Street
Media, PA 19063



February 4, 2022

Dear Judge Kelly,

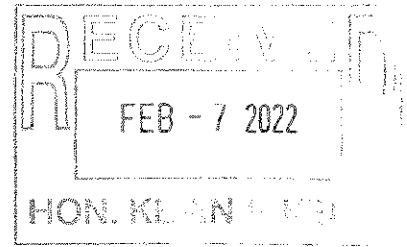
I wanted to let you know how distressed I am to learn about the magisterial court's redistricting plan - which is clearly partisan gerrymandering. The plan breaks our school district (Wallingford-Swarthmore) into pieces, violating the imperative to keep communities of interest under a single judge.

It will hurt our community to leave us with a judge who does not understand our community and has no track record with the important youth-aid programs the Media court has instituted.

I hope you will reconsider this decision. We need a contiguous and judicial district that keeps our community intact.

Sincerely,


Rachel Pastan



Judge Kevin F. Kelly
President, Court of Common Pleas
201 West Front Street
Media, PA 19063

February 4, 2022

Dear Judge Kelly,

I am writing to you today to strongly object to the magisterial court redistricting plan - which amounts to partisan gerrymandering - and leaves the WSSD school district broken into pieces, violating the imperative to keep communities of interest under a single judge. This decision, if it stands, will significantly reduce accountability in the WSSD area and it will leave our jurisdiction with a judge who has no track record with the youth-aid programs the Media court has instituted. And indeed with a judge who never appeared on a ballot for many of the district residents.

I urge you to reconsider this decision and to redraw the judicial district so that it is contiguous and compact and gives residents a say over how our community is run.

Sincerely,

A handwritten signature in black ink, appearing to be "DHC", written over a horizontal line.

David H. Cohen

Magisterial District Court Re-establishment
c/o President Judge Kevin F. Kelly
201 West Front Street
Media, PA 19063

Dear Judge Kelly:

I am writing to express my strong opposition to the proposed judicial redistricting plan for Delaware County. Carving up the current Media-Nether Providence-Swarthmore seat is inappropriate for a number of reasons:

- The contiguous communities that compose the Wallingford-Swarthmore School District would be split into 3 different judicial districts, which ensures that uneven justice for students in the same school district would result.
- The judge to which Swarthmore would be assigned is new and is unfamiliar with our community and the rehabilitation programs for youth and community service that were established by the Media court.
- Much of Nether Providence Township would be inconvenienced by having to go to a further court, and those assigned to Sonny Strohl would lose the opportunity to go before a judge who is a lawyer.
- All WSSD school-related issues would be handled by the judge in Ridley Township, who has no relationship with the school district and will never appear on the ballot of the majority of WSSD voters.

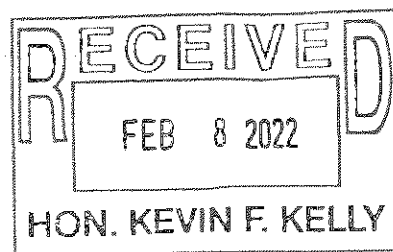
I urge you to take the following factors into account:

- Allow for as much of the Wallingford-Swarthmore School District as possible to be in the same judicial district to continue a community of interest under a single judge.
- Ensure that Wallingford-Swarthmore School District community members have representation by being able to vote for their judges. We should not be assigned to a judge for or against whom we cannot vote.

Thank you for your consideration of this important matter.

Sincerely,


Virginia Thompson



Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, PA 16093

February 10, 2022

Dear Sir or Madam,

You have asked for public comments regarding the proposed new Magisterial Districts. We strongly object to the following three aspects of the proposal:

- The Wallingford-Swarthmore School District (WSSD) is proposed to be split into 4 districts. As much as possible of it should be in a single one to keep our community intact.
- Under the proposed plan, all WSSD cases are to be assigned to a judge that most of the WSSD voters can't vote for, removing a degree of accountability that is supposed to be in the system.
- Joining Upper Providence to Middletown also splits a community of interest, for no good reason that we can see.

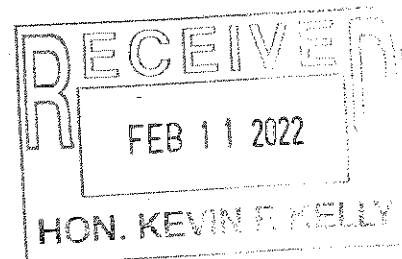
Yours sincerely,



Travis Mitchell



Kristen Herzel



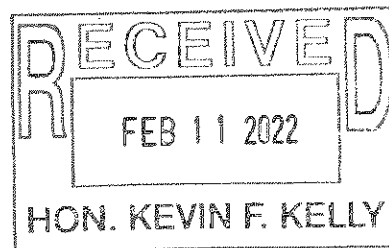
To: President Judge Kevin F. Kelly,

I am writing regarding the planned changes for the Magisterial District Courts. I want to first echo Chief Splain's letter to the court. This plan does not serve the interests of Nether Providence Township or its surrounding communities. This will delay response times, cost our township resources and place court offices outside our immediate area and result in further hardship for our residents to attend. It also splits Nether Providence off from its nearby communities with which it shares much in common. This division would place court cases involving the schools outside the district where the schools are and the residents live, breaking our right to elect the judges that hear our cases.

The plan also divides Nether Providence's Ward 2 between districts, complicating Nether Providence's own upcoming redistricting. Many in our community desire to redraw precinct lines so that precincts are more even – and Ward 2 is one of those with a micro-precinct that should be altered to achieve this aim. Also, to an outside observer, WSSD appears to have been gerrymandered to serve partisan interests. This view is common among many I know and serves to further erode trust in the judiciary.

As a newly elected constable, I am heading to basic training in a few weeks. However, without a court in my community, it appears I'll be of little service beyond the constable's election duties.

Sincerely,
Paul Jacobs
Nether Providence Township Constable



February 10, 2022

Magisterial District Court Reestablishment
C/o President Judge Kevin F. Kelly
201 W. Front St. Media, PA 19063

Re: Proposed Closure of District Court 32-1-28 serving
Media, Nether Providence and Middletown Township

Dear Judge Kelly:

I am dismayed over the above proposed closure. As a resident of Nether Providence, it has always been comforting to know our Police Department and our Magisterial District Judge were geographically located near each other.

We are proud of Judge Deborah Krull's election to The Court of Common Pleas; but very disappointed to find she would not be replaced in her position as Media's District Justice. Is this really cost effective?

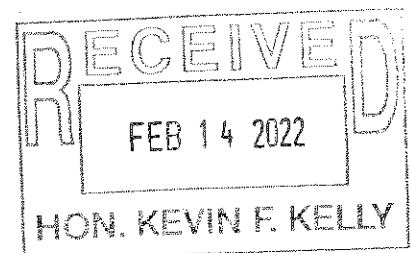
We did read of the salary savings of \$98,565.00 for Delaware County by not filling the vacant position at the Media District Court; but we do not believe this lack of a District Court in our community will be well served.

Loss of Media District Court's geographic central location to the population of our towns and boroughs will indeed cause a Work Overload for the remaining Magisterial District Judges in Delaware County. Time and Travel Costs will surely increase for all Police Departments that use Media District Court's central location.

We do request that you reconsider the proposed closure of Media District Court 32-1-28.

Sincerely yours,

Timothy L. D'Ignazio



Magisterial District Court Re-establishment
Judge Kevin F. Kelly
201 West Front Street
Media PA, 19063

February 21, 2022

Dear Judge Kelly,

I am writing in regards to the proposed judicial redistricting plan for Delaware County.

I am deeply concerned that the Media - Nether Providence - Swarthmore seat would be broken up and assigned to several different judges.

The Wallingford Swarthmore School District is a contiguous community of interest. The idea that all WSSD school-related cases would be handled by a judge in Ridley with no relationship to the district is troubling. Even more so is the fact that people in the district would not be able to vote for a judge whose decisions impact their lives. This clear lack of representation or redress is deeply unfair – and alone would be a reason to rethink this plan.

However, there are even more reasons why this plan is problematic.

Swarthmore would be assigned to Judge Michael Kulp, who has no familiarity with our community nor a track record with the rehabilitation programs for youth aid and community service established by the Media Court.

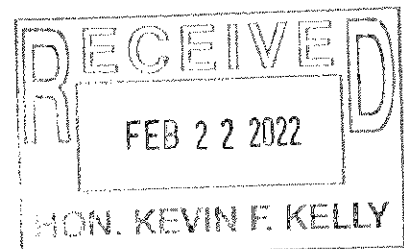
Further, much of Nether Providence would have to go to a farther court; those assigned to Judge Sonny Strohl would lose the opportunity to go before a judge with additional expertise of being an experienced lawyer.

Please reconsider this plan.

Sincerely,



Helen R. Nadel, Ed.M.



February 22, 2022

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, Pa 19063

Dear President Judge Kelly,

We write to express our strong opposition to the proposed Delaware County Magisterial District Court redistricting plan which eliminates the Media District Court. The plan will have a profound negative impact on our community, disrupting and likely eliminating long standing community-based programs for handling truancy, underage drinking and other issues with our youth. We respectfully request that you reconsider the elimination of the Media District Court.

We understand the complexity of redistricting and respect the difficult decisions that must be made. We are also aware that you have been tasked by the Pennsylvania Supreme Court to reduce the number of Magisterial District Courts here in Delaware County. The recent vacancy in the Media District Court resulting from Judge Krull's elevation to the Court of Common Pleas makes that court an easy target for closure; however, the fact that it is vacant does not require its elimination. As set forth in this letter, there are compelling reasons to keep the seat in place.

Nether Providence, Swarthmore, Rutledge, Rose Valley, and Media are municipalities with shared community standards, distinct from our neighbors. The Nether Providence, Rutledge, Swarthmore, and Rose Valley communities are closely knit together and have been so since the creation of the Wallingford Swarthmore School District decades ago. The physical borders between our municipalities are blurred and several neighborhoods are shared across municipal lines. For example, the historic neighborhood of South Media straddles Media and Nether Providence while the neighborhood bordered by Woodward Rd. and West Rose Valley Rd. hovers between Nether Providence and Rose Valley.

Since 1996, we have elected District Judges that reflect the values of our community. We have expected – indeed demanded – that our District Judge be an experienced lawyer committed to impartiality and balance, and most important, to giving everyone their day in court. Our District Judges have employed a community-oriented approach that prioritized working with children, families, school officials and the police to keep our kids in school and utilized innovative community service programs to avoid

permanent blemishes on their records. Their work has been lauded by the community and public officials.

The proposed judicial districts ignore our history and our experience. Because cases from the Wallingford Swarthmore School District will now be handled by the Ridley District Court, all of the systems currently in place to handle school issues will be lost. Ridley and Wallingford are distinct communities. It will be six years before voters will have the opportunity for redress if they are unhappy with the situation.

Equally problematic, summary offenses other than truancy that involve students will be handled by five different courts: Swarthmore cases will go to Springfield, Rutledge and Wards 1 and 5 of Nether Providence will go to Ridley, while the rest of Nether Providence cases will go to Middletown; Media cases will go to Upper Providence; and Rose Valley cases will go to Brookhaven. All of the experience and existing systems of the Media Court will be lost. It also will undoubtedly result in disparate treatment of our youth. The Middletown, Springfield and Brookhaven District Judges have no relationship whatsoever to our community. They have had no contact with the Wallingford Swarthmore School District. They never had to campaign and speak with voters here. They have never worked with our municipal police departments.

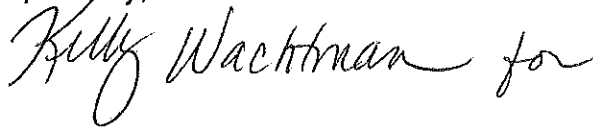
The Wallingford-Swarthmore School district uses Positive Behavioral Interventions and Support (PBIS) to meet the Pennsylvania Department of Education requirement for a Safe and Supportive School. PBIS works by documenting all relevant student data before developing a unique system of support and safety for all students. For students needing the most intensive level of supports, a formal assessment is conducted, and all relevant student data is gathered. This data includes grades, attendance, discipline record, and student supports that are in place. At the court's request, PBIS documentation is shared with the District Judge along with the supports that have been tried and their outcomes. This well-documented system of student support helps inform magisterial decisions. Our District Judges have been well acquainted with PBIS and how it is implemented in the Wallingford-Swarthmore School District. Because of the trust our school administrators have with the court, they have been willing to gather and share important PBIS student documentation with our District Judges. Building a similar level of understanding and trust across four different courts that have no experience with the Wallingford-Swarthmore School District may well be out of reach.

In addition, school administrators will need to spend their precious time learning how to interact with each court, tracking student addresses and matching them to the correct district, traveling to different and farther locations, and developing relationships

with new judges and hoping that these judges will treat Wallingford-Swarthmore students with the same consideration as judges who are from and understand our community.

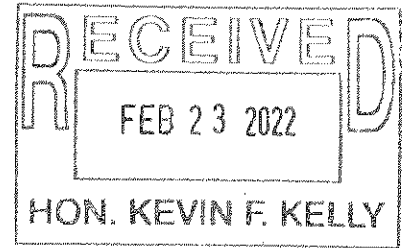
We request that the Media District Court be maintained. We would be happy meet to discuss our concerns

Respectfully,

A handwritten signature in cursive script that reads "Kelly Wachtman for". The signature is written in black ink and is positioned below the word "Respectfully,".

The Wallingford-Swarthmore Board of School Directors

Magisterial District Court Reestablishment
c/o President Judge Kevin F. Kelly
201 W. Front St
Media PA 19063



February 19, 2022

Dear President Judge Kelly,

We, the undersigned, are residents of the northern wards of Nether Providence Township and are writing to express our concerns with the proposed redistricting of the Delaware County Magisterial District Courts (MDCs), specifically the elimination of the MDC that currently serves Media, Swarthmore, and parts of Nether Providence.

The elimination of the Media MDC would also divide Nether Providence Township and the Wallingford-Swarthmore School District (WSSD) into new and more distant districts. The proposed plan would inevitably result in our residents travelling farther to the Middletown MDC while those in other parts of the current district would travel to MDCs in Springfield, Ridley, and Upper Providence.

We object to the proposed plan for the following reasons:

1. Travel to the current Media Court from our homes can now easily be done by car, trolley, or walking. On the other hand, travel to the proposed Middletown MDC would require a car or taxi as well as a longer time commitment for those appearing before the court, resulting in an unnecessary and unwarranted burden on our residents.
2. For cases before the court, police officers from the Nether Providence Township Department who are asked to appear before the court would increasingly be unavailable here in our Township for emergencies, patrol duty, and other responsibilities. This could potentially result in new public safety concerns and increased staffing hours and costs that would be borne by residents.
3. The WSSD school district would be divided into at least four new districts so that the current youth aid program could not continue. Furthermore, voters in our Township will inevitably not reside in the same voting district as the judge deciding student cases so that voters will have no mechanism to express their views at the ballot box on the quality of the court. The proposed divisions will also complicate the forthcoming redistricting of Nether Providence Township and the WSSD.
4. Finally, MDCs are required to have contiguous boundaries and this is not the case for the boundary between Nether Providence and Middletown Townships. You cannot get by road from Nether Providence to Middletown without going through another township or borough. Nether Providence and Middletown touch at only a single point, not even a line, in the woods near Ridley Creek. This provides even less connection than the old 7th Congressional District whose boundaries were highly criticized by the Pennsylvania Supreme Court in part because of narrow connections between portions of the district.

Given these objections, please revise the redistricting plan that would close the Media MDC, affecting us as residents of Nether Providence Township. While rebalancing the workload of MDC judges and staff in Delaware County is a worthwhile objective, it should not be done by transferring the burden and costs to our residents and to our Township and school district staff.

We strongly recommend that the Media MDC be reinstated in the new redistricting plan.

Sincerely,

Sharon and Allan Baron

Barbara Carfolite and Joan Kaminski

Sharon and William Daly

Carol and Bruno Fanconi

Rebecca and Samuel Flint

Joan and John Gallagher

Lynne Griffiths and Kenneth Rose

Amy Moulton and William Silverstein

Karen Sutton

Diane and Rich Trout

Nancy and Paul Woolf

Accompanying Documents Related to 32nd Judicial District
Reestablishment Recommendation

Public Comment Related to Proposed Elimination of Magisterial District
Court 32-1-35



Upper Darby

A Home Rule Community
Established 1736

February 16, 2022

President Judge Kevin F. Kelly
Delaware County Courthouse
201 W. Front Street
Media, PA 19063

RE: 2022 Magisterial District Court Reestablishment Public Comment

Dear Judge Kelly:

The Council of Upper Darby Township (“Council”) submits the attached Resolution in opposition to the Proposed Magisterial District Court Reestablishment (“Proposed Plan”).

The Proposed Plan provides that Upper Darby Township’s Magisterial Districts will be significantly altered by combining sections of the Township with smaller municipalities to redistribute the workloads of the Magisterial Judges. However, the proposed alteration will complicate cases which presents hardships for Upper Darby residents, the police department, the municipality, the school district, and businesses for reasons outlined in the Resolution.

In conclusion, Council notes its opposition to the Proposed Plan and fully supports the redrawing of the lines to keep the courts in the confines of Upper Darby Township to ensure equity for the community of Upper Darby Township.

Sincerely,

Brian K. Burke
Upper Darby Township, President

Laura A. Wentz
Upper Darby Township, Vice President

Michelle Billups
Upper Darby Township, Secretary

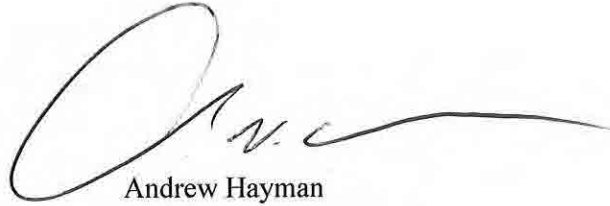
Meaghan Wagner
1st District Councilor

Lisa Faraglia
2nd District Councilor

Brian Andruszko
3rd District Councilor



Danyelle Blackwell
4th District Councilor



Andrew Hayman
5th District Councilor



Sheikh M. Siddique
6th District Councilor

Hafiz Tunis Jr
7th District Councilor



Matt Silva
Council-At-Large

**UPPER DARBY TOWNSHIP
DELAWARE COUNTY, PENNSYLVANIA**

RESOLUTION NO. 06-22

**A RESOLUTION OF UPPER DARBY TOWNSHIP, DELAWARE COUNTY,
REQUESTING CHANGES TO THE PROPOSED 2022 MAGISTERIAL COURT
REDISTRICTING**

WHEREAS, Upper Darby Township (“Township”) is the sixth largest municipality in the Commonwealth of Pennsylvania (“Commonwealth”). The Township is culturally diverse with 85,000 residents speaking over 70 languages; and

WHEREAS, the Township is the most culturally and linguistically diverse of all of its surrounding municipalities and as a result, its issues and by logical extension, the issues of its courts are also different from those of the surrounding municipalities; and

WHEREAS, the Magisterial District Court is the first level of judicial authority in the Commonwealth and is the court where most people experience the judicial system for the first time; and

WHEREAS, the Commonwealth requires that every ten (10) years, in the year following the delivery of the Federal Census data, the Magisterial District Courts must undergo a redistricting process; and

WHEREAS, the Supreme Court of Pennsylvania directed the President Judge of each Judicial District in the Commonwealth to provide a recommendation to the Supreme Court relating to the redistricting process; including input from stakeholders by February 28, 2022;

WHEREAS, President Judge of the 32nd Judicial District of the Commonwealth of Pennsylvania, which encompasses Delaware County, Kevin F. Kelly, has submitted a recommendation regarding 2022 Magisterial District Court Reestablishment (“Proposed Realignment Plan”) and public comment regarding the plan may be submitted no later than February 22, 2022; and

WHEREAS, the Proposed Realignment Plan, *inter alia*, proposes that Upper Darby must be significantly redrawn to balance the Workloads, combining sections of the Township with other, smaller municipalities, which will invariably complicate cases because it has been shown that having a member of the community serve as the finder of fact most often promotes public safety, justice with mercy, and common-sense solutions to help establish the sense of trust that enables faith in the judicial system; and


WHEREAS, the Magisterial District Courts provide Township residents access to justice and as a result, the courts need to be physically accessible to the residents, the police department, the municipality, the school district, and businesses of Upper Darby Township; and

WHEREAS, for these reasons, Upper Darby Township Council (“Council”) finds it is the most equitable to keep the court districts inside the confines of Upper Darby Township; and

NOW THEREFORE, be it resolved by the Upper Darby Township Council requests that the President Judge of the 32nd Judicial District of the Commonwealth of Pennsylvania Kevin F. Kelly reconsider the Proposed Realignment Plan, and redraw Magisterial Districts which are accessible to all residents of Upper Darby Township, respectful of school district and municipal boundaries, and ensure the communities served by these courts are being judged by a member of their community.

BE IT FURTHER RESOLVED, that this Resolution be delivered to President Judge Kevin Kelly to serve as the Township’s submission for public comment.

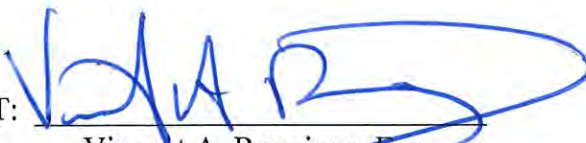
RESOLVED ON THIS 16th DAY OF FEBRUARY, 2022.

BY: 
Brian K. Burke
President of Council

ATTEST: 
Michelle Billups
Secretary of Council

APPROVED ON THIS 16th DAY OF FEBRUARY, 2022

BY: 
Barbarann Keffer
Mayor

ATTEST: 
Vincent A. Rongione, Esq.
Chief Administrative Officer

UPPER DARBY TOWNSHIP

DEPARTMENT OF POLICE
7236 WEST CHESTER PIKE
UPPER DARBY PA 19082
610-734-7693

Superintendent of Police
TIMOTHY M. BERNHARDT



Police Captains
DANIEL LANNI
STEPHEN ORESKOVICH
ANTHONY VAUGHN

February 17, 2022

Magisterial District Court
c/o President Judge Kevin F. Kelly
201 W. Front Street
Media, PA 19063

Dear President Judge Kevin F. Kelly,

It has come to our attention that the magisterial districts are being redrawn, and that Upper Darby Township will soon be comprised of six districts, two of which are not districts within Upper Darby Township. This is deeply concerning for many reasons:

- Currently, cases are held in Upper Darby Township, presided over by individuals who were fairly elected by the citizens of Upper Darby Township.
 - The members of the community voted for these individuals with the utmost trust and confidence that they would perform their duties fairly, professionally, and without bias.
 - An elected official has a fiduciary obligation to the community in which that person serves.
 - Having a member of another community preside over cases involving the well-being of the citizens of Upper Darby is unfair to the citizens who expect a representative from their respective areas
 - We would not have the mayor of another municipality oversee parts of Upper Darby Township, so why would we have a judge from another municipality preside over Upper Darby cases?
 - If an elected official, such as a district judge, has a fiduciary obligation to the taxpayers of that judge's community, which cases will that judge tend to

prioritize, those from that judge's community, or cases from an unrelated community?

- Victims and witnesses are extremely inconvenienced, just by being victims and witnesses.
 - First, being a crime victim or witness requires one to suffer at the hands of another, or witness someone suffering at the hands of another. If that were not terrible enough, they have to relive their trauma over and over again interviewing with law enforcement, and later testifying in the courts.
 - Victims and witnesses often suffer lost wages as a result of making court appearances.
 - Victims and witnesses often have to pay for transportation to court or arrange to inconvenience someone else for transportation.
 - Victims and witnesses often bring family, friends, and other people to court for emotional support.
 - Not all victims and witnesses have the socioeconomic resources or support to be able to travel to and from court hearings without the costly assistance of the police department or the county.
 - District judges from other municipalities physically hear cases within their own communities.
 - Forcing Upper Darby victims and witnesses to commute to other municipalities in order to testify in court for Upper Darby cases is systematically and economically unfair to the victims, witnesses, their families, and their loved ones.
 - Forcing Upper Darby victims and witnesses to commute to other municipalities in order to testify in court for Upper Darby cases is a financial burden on the taxpayers of Upper Darby Township; one that could clearly be avoided, or at least mitigated, by holding court within Upper Darby Township.

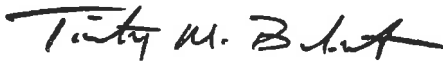
- Physically holding court proceedings outside of Upper Darby Township places a strong financial burden on Upper Darby taxpayers.
 - As mentioned with victims and witnesses, Upper Darby taxpayers should not have to foot the bill for unnecessary transportation to and from court.
 - Currently, the Upper Darby Township Police Department has resources focused specifically on providing the most efficient, but cost-effective system of getting officers to/from court, while minimizing costs to the taxpayers of Upper Darby Township.
 - A full-time civilian court liaison currently handles the staffing, scheduling, and smooth flow of the district court criminal cases.
 - She communicates with the courts and the DA's office to determine which officers will be needed for specific cases and which cases will need to be continued prior to the listings.
 - She works with the courts to get hearings scheduled when officers are assigned to their regular shifts.
 - A full-time police officer from the Upper Darby Township Police Department Detective Division currently handles the staffing, scheduling, and smooth flow of the district court traffic and non-traffic cases, as well as the Delaware County Court of Common Pleas.

- He communicates with the courts to determine which officers will be needed for specific cases and which cases will need to be continued prior to the listings.
 - He is able, per the Pennsylvania Rules of Criminal Procedure, to testify on behalf of other police officers in most traffic and non-traffic cases.
 - He works with the courts to get hearings scheduled when officers are assigned to their regular shifts.
 - Having these two positions in place within the police department has saved the taxpayers of Upper Darby Township millions of dollars in court overtime related expenses.
 - In addition to financial savings, the effectiveness of these two employees has ensured that officers and detectives on their regular duty assignments can stay on their regular duty assignments, in Upper Darby Township, assisting citizens, instead of spending their time waiting to testify.
- The citizens of Upper Darby Township pay taxes in order to have a full time professional police department, in town and ready to serve. The citizens deserve officers patrolling the streets, interacting with the community, conducting crime prevention, and investigating crime.
 - Sending officers to other communities unreasonably deprives the Upper Darby taxpayers of the service for which they pay.
 - Sending officers to other communities to testify in court puts undue wear and tear on township vehicles; and will thus cause more consistent instances of vehicle maintenance, not to mention fuel consumption and other related issues and expenses.
 - There is no justifiable reason for an officer to be involved in a crash or other emergency within the borders of another jurisdiction.
 - In addition to regular patrol duties, crime prevention, and investigation, the Upper Darby Township Police Department contends, on a daily basis, with the largest public transportation hub in the county, a bustling shopping district, and the responsibility of ensuring the safety of thousands of school children traveling to and from school.
 - Aside from monitoring the travel of the children, we have an entire unit dedicated to investigate suspicious and criminal activity within the schools.
 - For reference, the high school alone encounters several lock-in/out incidents monthly, all of which require a mass response.
 - This operation requires a daily coordinated effort that would be impossible to conduct without a full complement of manpower.
 - Having officers attend hearings outside the borders of Upper Darby Township would devastate this effort, and make it nearly impossible for us to provide the quality of service our school children deserve.
- The Upper Darby Township Police Department, over the past year, has worked very hard to bring crime victim services from two outside agencies to our public safety building.
 - These advocates are dedicated specifically to work with Upper Darby crime victims.
 - Having Upper Darby crime victims travel to district courts outside Upper Darby Township places an unreasonable financial and logistical hardship on these non-profit

agencies, which, for all intents and purposes, are here to assist people in times of need.

Overall, incorporating outside magisterial districts does not make sense for the citizens of Upper Darby Township, or for the citizens of other municipalities, who expect their representatives' undivided attention. This is a hardship for everyone involved, even the judges, who will be assigned to preside. Proceeding with this plan, as outlined, will place an unfair hardship and a logistical and economic burden on everyone involved. Because of this, we respectfully ask that the plan be reconsidered, and that the magisterial districts be aligned and more reasonably suited to benefit the needs of the citizens.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy M. Bernhardt". The signature is fluid and cursive, with the first name being the most prominent.

Timothy M. Bernhardt
Superintendent of Police

GINA H. CURRY, MEMBER

25A EAST WING
P.O. BOX 202164
HARRISBURG, PA 17120-2164
(717) 783-4907
FAX: (717) 780-4750

BARCLAY SQUARE SHOPPING CENTER
1500 GARRETT ROAD, SUITE 2G
UPPER DARBY, PA 19082
(610) 259-7016
FAX: (610) 259-5575



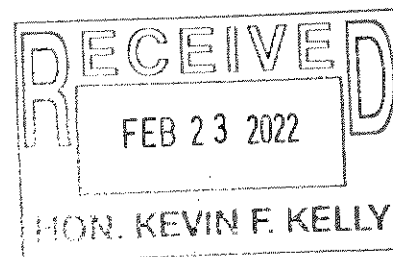
COMMITTEES

CHILDREN AND YOUTH
EDUCATION
LOCAL GOVERNMENT
TRANSPORTATION

House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

February 22, 2022

VIA HAND DELIVERY
President Judge Kevin F. Kelly
Delaware County Courthouse
Front Street and Veterans Square
Media, PA 19063



Re: Proposed Magisterial District Judicial Reestablishment

Dear President Judge Kelly,

I am writing today to express my serious concerns about the recently proposed reestablishment plan for the magisterial district courts, here in Delaware County and specifically the impact that it will have on the community members in the state legislative district 164th. As a community member in Upper Darby and a member of the House of Representatives elected to serve the community members of Upper Darby and the areas that will cover the new proposed reestablishment of the magisterial justice districts, I know without a doubt, my constituents will be severely affected by the proposed changes. The direct inequities and economic disparities will prove to present tremendous challenges for community members in every local municipality, police department, school district, business, and every resident in the 164th.

It is my understanding that civil and landlord tenant cases, parking, traffic, and non-traffic citations will ultimately be handled by the Springfield and Havertown Courts for those Upper Darby residents now assigned to their jurisdiction. This will require police attendance in neighboring jurisdictions for some of the parking and all the traffic and non-traffic matters. Some Upper Darby landlords and tenants will be required to litigate their matters in these neighboring courts rather than in their local courts, where they are familiar with the community members, and their elected presiding judges. The increased travel will increase a financial burden for both the community members and the police.

Most concerning is that the Upper Darby police, the witnesses and victims, the criminal defendants and their counsel will now have to litigate their criminal, traffic, and non-traffic cases with 6 Judges, 4 from Upper Darby, 1 from Springfield, and 1 from

Havertown in 5 different courtrooms: 1550 Garrett Road Upper Darby, Lansdowne Secane, Springfield, and Havertown. Scheduling, patrol hours lost to court attendance, excessive overtime, inconvenience to all the litigants jeopardizing their reluctance to already be involved in the court system, and a host of other logistical nightmares are likely to ensue.

The 2020 census data reveals: Upper Darby had 82,795 in 2010, only Reading, Erie, Allentown, Pittsburgh, and Philadelphia were larger. Upper Darby now has 10,580 residents per square mile. Of the residents in the 2020 census 21.3% were foreign born; 34.5% were black or African American; 5.5% Hispanic or Latino. Of the total households 25% had a language other than English spoken at home. 14.1% of the total households are below the poverty line. This data alone makes a compelling case that traditionally underserved communities' access to justice, the need to have their cases heard by fellow resident judges and the trust in the criminal justice system will suffer needlessly by the current proposed realignment. The faith in the criminal justice system in general is currently eroding.

As the state legislature is experiencing its own set of challenges with the redistricting process, we know that there is no perfect map, but I am a strong advocate for the best possible map for those that we serve in the community. I respectfully object to the current plan. I urge that it be reviewed and reconsidered to address all the concerns stated in this letter, to lend itself to a more equitable, inclusive and fair administration of justice, that further considers keeping the district courts that serve Upper Darby within the boundaries of the 164th.

Thank you for your attention to this important matter.

Respectfully Submitted,



State Representative Gina H. Curry
164th District

CC: Pennsylvania Supreme Court Chief Justice Max Baer

AOPC Court Administrator Geoff Moulton
201 Commonwealth Avenue

MICHAEL P. ZABEL, MEMBER
163RD LEGISLATIVE DISTRICT

117B EAST WING
P.O. BOX 202163
HARRISBURG, PENNSYLVANIA 17120-2163
(717) 783-8099
FAX: (717) 772-9947

5248 TOWNSHIP LINE ROAD
DREXEL HILL, PENNSYLVANIA 19026
(484) 200-8262
FAX: (484) 200-8273

236 W. BALTIMORE AVENUE
CLIFTON HEIGHTS, PENNSYLVANIA 19018
(484) 200-1563

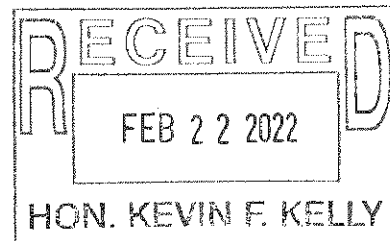


House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

COMMITTEES

JUDICIARY
EDUCATION
TOURISM & RECREATIONAL DEVELOPMENT
SUB-COMMITTEE ON RECREATION, CHAIR
SOUTHEAST DELEGATION, VICE CHAIR
JUVENILE JUSTICE TASK FORCE, CO-CHAIR

WEBSITE: WWW.REPZABEL.COM
EMAIL: REPZABEL@PAHOUSE.NET



February 22, 2022

President Judge Kevin F. Kelly
Delaware County Courthouse
Front Street and Veterans Square
Media, PA 19063

VIA HAND DELIVERY

Re: Proposed Reestablishment Plan for Magisterial District Courts of the 32nd Judicial District

Dear President Judge Kelly,

I write to convey serious concerns with the recently proposed reestablishment plan for the magisterial district courts for the 32nd Judicial District here in Delaware County. As a member of the Pennsylvania House of Representatives elected to serve the residents of Upper Darby, I am particularly troubled by the proposed shifts in the boundaries of the Upper Darby magisterial districts. In the interests of equity, efficiency, and judicial economy, I believe the proposed districts, specifically those in Upper Darby, should be reconsidered and ultimately redrawn.

My primary concern is with the unnecessary and wholly avoidable strain that this proposed reestablishment would place on Upper Darby residents and the Upper Darby Police Department. Under the proposal, participants in the court system in Upper Darby - whether criminal defendants, police, victims, witnesses, or attorneys - will be scattered across five separate courtrooms with six different judges. The excessive compulsory travel from this plan will take a heightened toll on virtually everyone's ability to participate in the judicial process and will present major logistic and financial challenges to Upper Darby's police force and government.

Similarly, for landlord-tenant cases, the proposed plan forces many Upper Darby residents into courts located outside their municipality. This is fundamentally unfair. Upper Darby Township is one of the largest municipalities in the Commonwealth of Pennsylvania, and it is ill served by a plan that slices and dices the township into magisterial district courts shared with other municipalities with no discernible benefit.

As the state legislature undergoes its own redistricting process, I can certainly appreciate the significant challenges that the reestablishment process presents. No proposed map will ever be perfect. At the same time, I firmly believe that Upper Darby Township and its residents will be adversely affected by the proposed reestablishment plan. For that reason, I object to the plan, and urge that it be revisited with an eye toward keeping the district courts that serve Upper Darby within the boundaries of Upper Darby.

Thank you for your consideration.

Sincerely,

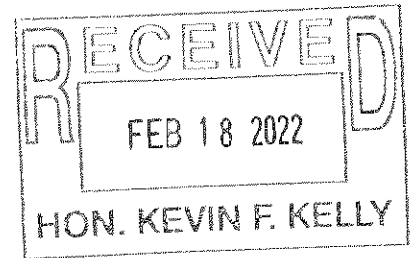
A handwritten signature in black ink, appearing to read "Mike Zabel". The signature is written in a cursive, somewhat stylized font.

State Representative Mike Zabel

CC:
Pennsylvania Supreme Court Chief Justice Max Baer

AOPC Court Administrator Geoff Moulton

February 17, 2022



President Judge Kevin F. Kelly
Delaware County Courthouse
Front Street And Veterans Square
Media, PA 19063

Re: MDJ Judicial Reestablishment

VIA HAND DELIVERY

Dear President Judge Kelly,

We the undersigned Judges of the Upper Darby Courts object to the current Delaware County MDJ Judicial Reestablishment Plan.

For the 2021-2022 Reestablishment process, the PA Supreme Court has approved a process in which **there is no goal to eliminate any districts and no presumption that districts should be eliminated.** Instead, the guiding principle for reestablishment is for each president judge for each county / judicial district to determine if they have the proper number of MDJs needed to handle the caseload in their judicial district.

In fact, to date there have been 59 county plans submitted to our Special Court Judges Association with only 14 proposed eliminations- 4 from Delaware County. Allegheny County, with 46 Magisterial District Judges has proposed only ONE elimination in 2031.

The Delaware County Plan is deficient based upon submitting 4 Courts for closure. This creates all types of unintended consequences which we believe results in an unworkable split of the Upper Darby Courts.

The Magisterial District Courts are the local courts throughout Pennsylvania's communities that should enable all residents an equal access to local justice. Reestablishment of Magisterial Districts is therefore an important process that affects every community. Each district Court that is eliminated or realigned affects every local municipality, police department, school district, business, and every resident.

With regard to the specific plan submitted by the County of Delaware and particularly the Upper Darby Courts we note that District Court 32-1-35 (Berrardocco) is earmarked for closure. This Court should NOT close. Specifically, there is no reason to eliminate this Court and then through all kind of unnecessary machinations cut and paste parts of the other remaining four Courts and ADD Judges from two out of town adjoining districts in its place. The Plan also has Court 32-2-51 (Mattox) hearing truancy cases from outside his Magisterial District.

We are extremely concerned that eliminating Court 32-2-35 will not only reduce the number of Judges but will dilute justice in a time when people do not have great faith in law enforcement, the Courts and their government in general. The proposed elimination of 32-1-35 will decrease the quality and effectiveness of the current system of justice. It will dramatically increase the caseloads of the remaining Courts to such an extent that the times for hearings will be compressed, crucial communication between lawyers and their clients will be curtailed, extend wait times between hearings, and negatively impact the Court's ability to mediate disputes or engage in settlement of cases prior to hearing. In short, creating a courtroom environment that is more concerned with completing cases quickly than resolving issues that brought the matter to Court in the first place.

District Courts 32-1-34 (Radano) and 32-2-51(Mattox) have been greatly expanded. Courts 32-2-52 (Micozzie-Aguirre) and Courts 32-1-33 (Karapalides) have been reduced in size in an effort to make the distribution of work more equitable system wide.

Court 32-2-51(Mattox) not only adds the borough of East Lansdowne, originally subsumed under Court 32-2-47, but adds the truancy of the entire William Penn School District which includes the communities of Aldan, Colwyn, Darby, East Lansdowne, Lansdowne and Yeadon Boroughs. (The Proposed Plan submitted by the County of Delaware indicates ALL for Mattox but the explanatory comments attached to the plan indicate Darby and Colwyn will be with Judge Forbes)

Court 32-2-51(Mattox) has never handled truancy cases. Truancy cases are best heard by judges who reside in the towns of their school district. The judges partner with all stakeholders to craft solutions, not just to remedy the student's specific case, but also bring in those members of the community best able to help end the growing problem of truancy. We need Court 32-2-51(Mattox) to serve the many residents of the community where it resides. The addition of East Lansdowne to court 32-2-51(Mattox) can include its truancy cases, if appropriate.

People should be judged by their fellow citizens. This means electing a qualified member of the community who serves as the finder of fact, while having a keen sense of the norms, values, mores and resources of that community. It has consistently proven to promote public safety, justice with mercy and common sense solutions.

Courts 32-2-52 (Micozzie-Aguirre) and Court 32-1-33 (Karapalides) have also been realigned which includes adding parts of 32-2-51(Mattox) and Court 32-1-34 (Radano). If both of these Courts needed to be reduced due to realignment suggestions and goals then there certainly was no need then to ADD parts of 32-2-51(Mattox) and Court 32-1-34(Radano) to those Courts and other out of town Courts.

With the loss of Court 32-1-35 (Berrardocco) there should have been enough work to add to Courts 32-1-34 (Radano) and 32-2-51's (Mattox) existing Courts and not

affecting Court 32-2-52 (Micozzie- Aguirre) and Court 32-1-33 (Karapalides) which were losing jurisdiction anyway. It makes no sense to subtract territory from 32-1-34 (Radano) and 32-2-51(Mattox) and give it to Courts 32-2-52 (Micozzie-Aguirre) and Court 32-1-33 (Karapalides) which is done in the current proposal.

Whether or not you agree that Court 32-1-35 (Berrardocco) should be eliminated or not the current jurisdictions of these other Upper Darby Courts need not be changed other than to allow for the increased workload from Court 32-1-35 (Berrardocco).

Perhaps more unnecessary was adding part of the existing Court 32-1-34 (Radano) to Court 32-2-54 (Springfield-Merkins). Additionally, part of Court 32-1-35 (Berrardocco) was added to 32-2-53 (Havertown-Duerr). The result of this displaces those specific voters in Upper Darby, the largest township in Pennsylvania, 85,681 residents according to the 2020 census.

Most concerning is that the Upper Darby police, the witnesses and victims, the criminal defendants and their counsel will now have to litigate their criminal, traffic and non-traffic cases with 6 Judges, 4 from Upper Darby, 1 from Springfield and 1 from Havertown and 5 different Courtrooms; 1550 Garrett Road Upper Darby, Lansdowne Secane, Springfield and Havertown. Scheduling, patrol hours lost to court attendance, excessive overtime, inconvenience to all the litigants jeopardizing their reluctance to already be involved in the court system, and a host of other logistical nightmares are likely to ensue.

Additionally, civil and landlord tenant cases, parking, traffic and non-traffic citations would now be handled by the Springfield and Havertown Courts for those Upper Darby residents now assigned to their jurisdiction. This will require police attendance in neighboring jurisdictions for some of the parking and all of the traffic and non-traffic matters. Some Upper Darby landlords and tenants will be required to litigate their matters in these neighboring Courts rather than in their hometown Courts.

The 2020 census data reveals: Upper Darby had 82,795 in 2010, only Reading, Erie, Allentown, Pittsburgh and Philadelphia were larger. Upper Darby now has 10,580 residents per square mile. Of the residents in the 2020 census 21.3% were foreign born; 34.5% were black or African American; 5.5% Hispaic or Latino. Of the total households 25% had a language other than English spoken at home. 14.1% of the total households are below the poverty line.

Over 80 languages are natively spoken in the Upper Darby School District. The truancy for this district is currently handled by Court 32-1-34 (Radano). Court 32-1-34 (Radano) also currently handles all the property maintenance for all of Upper Darby Township.

The current alignment of District Judges (not the proposed realignment) is acclimated to the need of frequent interpreters and other cultural nuances and has proven to be successful and efficient for all stakeholders.

The CURRENT alignment of Upper Darby Courts has met and will continue to meet the needs of these traditionally underserved communities ensuring an equitable and inclusive access to the Courts that is unmatched throughout the Commonwealth.

The overall population of Upper Darby is expected to increase as more and more people are projected to be leaving cities to reside in suburbs nationally.

The 2020 census data alone makes a compelling case that traditionally underserved communities' access to justice, the need to have their cases heard by fellow resident judges and the trust in the criminal justice system will suffer needlessly by the current proposed realignment. The faith in the criminal justice system in general is currently eroding- why further contribute to this by a realignment plan that does not accomplish the goals of better serving the community with fair access to all courts by all residents?

A simple inspection of the case numbers provided in the Plan demonstrate that Upper Darby has more than enough cases to justify the current compliment of 5 Judges. The numbers supplied by the Plan indicate a total of 191,321 cases for an average of 38,264 cases per Judge at 5 Judges. These numbers are well within the 15% number recommended by the Supreme Court of Pennsylvania. The Plan proposes to take advantage of an early retirement by a Judge to the detriment of the remaining Judges and the overall application of justice in Upper Darby.

Accordingly, we respectfully propose that you reevaluate the MDJ Judicial Reestablishment Plan and we propose the following plan that addresses all of the above concerns and lends itself to a more equitable, inclusive and fair administration of justice.

Court 32-1-24

All precincts in Upper Darby District 1 and 3 and this Court's current responsibilities of all Truancy and License and Inspection citations for all of Upper Darby.

Court 32-2-52

All precincts in Upper Darby District 2 and Borough of Clifton Heights.

Court 32-2-51

District 5 precincts 2,4,5,6,8,9.
District 6 precincts 5,6,7,8,9,11.
District 7 precincts 1,6,7,9,11.
Borough of East Lansdowne.

Court 32-1-33

District 5 precincts 1,7.
District 6 precincts 1,2,3,4,10,12.
District 7 precincts 3,4,5.

Court 32-1-35

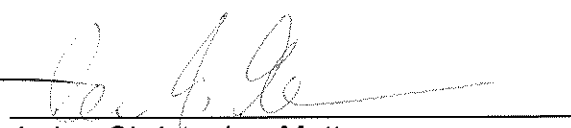
All precincts in Upper Darby District 4.
District 5 precincts 3,10.
District 7 precincts 2,8,10.

We thank you for your attention to this matter. We would be happy to meet with you to further discuss this alternative plan.

Respectfully,



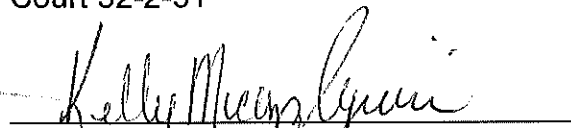
Judge Robert Radano
Court 32-1-24



Judge Christopher Mattox
Court 32-2-51



Judge Harry Karapalides
Court 32-1-33



Judge Kelly Micozzie-Aguirre
Court 32-2-52

cc.

AOPC Court Administrator Geoff Moulton
601 Commonwealth Avenue
P.O. Box 61260
Suite 1500
Harrisburg, Pa 17106

**PETITION in OPPOSITION to the PROPOSED ELIMINATION
of MAGISTERIAL DISTRICT COURT 32-1-35**

in Response to the 32nd Judicial District of Pennsylvania's Reestablishment Plan of 2022









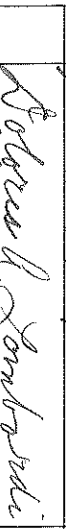


Submitted to the Justices of the Supreme Court of Pennsylvania
c/o Delaware County Court of Common Pleas President Judge Kevin F. Kelly
February 22, 2022













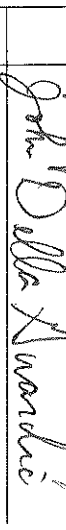



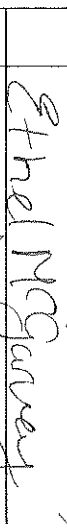

We, the undersigned residents of 32-1-35 and concerned stakeholders, oppose the elimination of Magisterial District Court 32-1-35 (Upper Darby) as proposed in the 32nd Judicial District's 2022 Magisterial District Court Reestablishment Plan ("the Plan") for the following reasons:

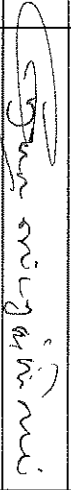


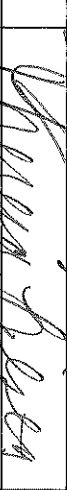


1. **The public was not provided with true notice or opportunity to comment.** No official or actual notice was given to the residents and stakeholders of 32-1-35 that their local court might be eliminated. (We only heard about it accidentally a neighbor's attorney who knows court administrators in the CCP in Media.) The Plan was only "published," for lack of a better word, where someone having court business would see it; it is only available on a subpage on the Delaware County CCP's website and at the Administrative Office for MDJ Courts in Media. True public notice of the Plan was never given; it was apparently not published in the "Delaware County Times" or in any other mass print or social media, and it is not available at libraries, courts, or other County and Municipal buildings. This token gesture at "publication" is grossly inadequate and is far from a meaningful effort at actual public notification and affirmative solicitation of public comment. It almost appears as if the authors of the Plan did not actually desire public comment but are merely gesturing weakly toward the Pennsylvania law requiring publication of MDJ reestablishment plans.
2. **Our right to due process and right to the franchise would be infringed.** As judges are elected officials in Pennsylvania, to permit the elimination of a local district court - to which the residents of 32-1-35 duly elected a judge in 2017 for a term to end on 12/31/2023 - without providing adequate public notice and opportunity for public comment would be both an abridgement of our due process rights and our right to the franchise, which is entirely unacceptable.
3. **There has been a lack of transparency, creating an appearance of impropriety.** The judge whom we most recently re-elected to 32-1-35 in 2017 voluntarily declined to serve out her full term, apparently resigning very quietly at the end of 2021, two years before her term expired and years prior to her mandatory retirement age. Curiously, her untimely resignation is not ascertainable in the newspaper or on social media; Google and Ballotpedia.org still list her as 32-1-35's current judge; and there are still Facebook posts under her apparent authorship wherein she holds herself out as the incumbent judge. Nevertheless, the Plan cites this clandestine "vacancy" on the 32-1-35 bench as a primary rationale for the court's elimination. Between this very premature and curiously hushed retirement of the elected 32-1-35 judge and the lack of public notice about the Plan in general and the proposed elimination of 32-1-35 in particular, there has been an appalling lack of transparency in the communicating with the 32-1-35 constituents and stakeholders. In a Commonwealth where judges are elected officials, the totality of these circumstance creates an appearance of impropriety to which we vociferously object.
4. **Even the statistics do not provide persuasive rationale for elimination of 32-1-35.** MDJ 32-1-35 has historically had a caseload and workload that place it among the top half of busiest MDJ courts in the County, yet the Plan bases its court-by-court analysis on statistics from 2022, after the early resignation of 32-1-35's MDJ judge resulted in "zero" cases docketed in 2022. This is distinctly misleading. Surely a statistically sound analysis comparing dockets among the County MDJ courts would have been based on 32-1-35's caseload and workload totals the last full calendar year before 32-1-35's elected judge decided not serve out her full term, particularly as 32-1-35 is situated in the most densely populated township in the County?

5. District 32-1-35 is so densely populated that losing its district court would create judicial inefficiency and impair our access to justice. Why is one of the four busy MDJ courts that serves Upper Darby Township, the sixth most densely populated municipality in the Commonwealth and the most populous municipality in Delaware County, being proposed for elimination when there are County MDJ courts in much less densely populated municipalities with lower caseloads and workloads that could be merged or eliminated without impairing their constituents' access to justice? Elimination of 32-1-35 would overburden the other three Upper Darby MDJ courts and create judicial inefficiency and would impair residents of the County's most densely populated municipality from accessing swift justice at the MDJ level. This is unacceptable.

6. It is the will of the people. Had we been given sufficient notice of the Plan, we would have been able to solicit many more signatures on this Petition. As it stands, the undersigned residents and stakeholders of 32-1-35 adamantly oppose the Plan's proposal to eliminate Magisterial District Court 32-1-35 on the due process, disenfranchisement, ethical, statistical, and population/density grounds discussed above, and respectfully request that the Justices of the Supreme Court of Pennsylvania reject the proposal to eliminate Magisterial District Court 32-1-35.

SIGNATURE	PRINTED NAME	HOUSE #, STREET, and ZIP
	Margaret Kane	
	Paul Kane	
	Peter Kane	
	Bernard Kane	
	Joan Kane	
	Andrea Kane	
	Mahanme J. Fodor	
	Inna A. Howell	
	Robert Lombardi	
	Joseph H. Harrison	
	John Kane	

SIGNATURE	PRINTED NAME	HOUSE #, STREET, and ZIP
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		
		

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The Honorable Justices of the Supreme Court of Pennsylvania
c/o Honorable Kevin Kelly, Chief Judge
Delaware County Court of Common Pleas
201 W. Front Street
Media, PA 19063

February 19, 2022

Re: Opposition to the 32nd Judicial District of the Commonwealth of
Pennsylvania's Magisterial District Court Reestablishment Plan

The Honorable Justices of the Supreme Court of Pennsylvania and
the Honorable Kevin F. Kelly:

As an attorney that has practiced before all of the Delaware County Magisterial District Courts over the years, I am surprised to hear that one of the busiest and most congested Delaware County MDJ courts, 32-1-35 (Barclay Square, 1550 Garrett Rd., Upper Darby) is being proposed for elimination in the 32nd Judicial District Magisterial District Court Reestablishment Plan of 2022.

It is my understanding that Upper Darby Township is not only the sixth most populous municipality in the entire Commonwealth, but also the most populous and the most densely populated municipality in Delaware County.

It is also my understanding from AOPC's statistics cited in the Reestablishment Plan that, historically, 32-1-35's caseload and workload fall in the middle of the statistical ranking of Delaware County's MDJ courts, barely separated by the court that precedes it in the rankings.

As 32-1-35 is nowhere near one of the least busy MDJ courts in the County, it makes no sense to propose closing 32-1-35 when there are other MDJ courts with much smaller dockets in much less densely populated areas of Delaware County that could be eliminated with less deleterious effect on the administration of justice and the public's access to justice.

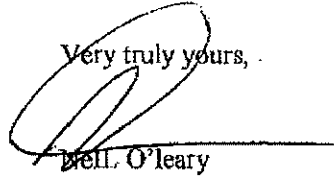
Most importantly, the four extant Upper Darby MDJ courts are already overburdened as-is; the wait times for cases to be docketed and heard are already very long at all four courts. Requests for continued hearings are rarely rescheduled in less than 3-4 weeks and civil hearing dates are almost always standing-room-only.

While I dispute that the proposal to eliminate MDJ 32-1-35 is even sound in theory, to actually eliminate 32-1-35 and require one the three remaining very busy Upper Darby MDJ courts to

assume 32-1-35's busy docket is a disastrous proposal in practice, one that will burden the public's access to justice and the judiciary's efficient administration of justice, as a practicing attorney such as myself is well-equipped to bear witness.

For the foregoing reasons, I strongly yet respectfully encourage you to reject the proposal to eliminate Magisterial District Court 32-1-35. Thank you for your consideration of my opinion, which I base on many hours of practical experience in the Upper Darby MDJ courts.

Very truly yours, .

A handwritten signature in black ink, appearing to be "Bill O'leary", written over a horizontal line. The signature is stylized and somewhat cursive.

Bill O'leary

**LAW OFFICE of
KAREN E. O'BRIEN**

February 21, 2022

Honorable Justices of the Supreme Court of Pennsylvania
c/o Honorable Kevin Kelly, Chief Judge
Delaware County Court of Common Pleas
201 W. Front St.
Media, PA 19063

Re: Opposition to the Proposed Elimination of Magisterial District
Court 32-1-35 (Upper Darby)
(32nd Judicial District's Reestablishment Plan of 2022)

The Honorable Justices of the Supreme Court of Pennsylvania
and the Honorable Kevin F. Kelly:

As an attorney who practices in the Upper Darby Township district courts and as a homeowner and resident¹ of Judicial District 32-1-5, I wholeheartedly oppose the elimination of Magisterial District Court 32-1-35 (Upper Darby) proposed in the 32nd Judicial District's Reestablishment Plan of 2022.

First and foremost, notice was not provided to the residents and stakeholders of District 32-1-35 that their elected district judge had even voluntarily retired two years prior to her term expiration and years prior to mandatory retirement age – nor was actual public notice provided of the proposed Reestablishment Plan *per se*.

True public notice of a district court elimination, if not also an elected judge's voluntary early retirement, would have included, *at a bare minimum*, publication in the "Delaware County Times," if not also publication on the County's many social media accounts and print dissemination throughout County and Municipal offices. Otherwise, the electorate's right to comment will have been abrogated *by the government itself*.

As an attorney and a citizen, I am at a loss to comprehend how the proposed elimination of an entire electorate's local district court could occur in such a clandestine, *sub rosa* fashion while satisfying the rigors of due process, which is required in a Commonwealth where residents have the legally guaranteed right to vote for their judges, and which is required under Pennsylvania law mandating public notice and opportunity to comment on changes to the local judiciary. This absence of transparency gives rise to an appearance of impropriety that, quite frankly, is entirely unacceptable, especially when initiated by the Judiciary.

Moreover, District Court 32-1-35 serves one of the most populous and densely populated area of Delaware County, in the sixth most populous township in the Commonwealth, in a neighborhood that is overwhelmingly residential. As per AOPC's statistics, District Court 32-1-35 has a docket that places it among the top half of the busiest in Delaware County. As population, density, and caseload are the objective elements considered by the Honorable Justices of the Pennsylvania Supreme Court, and as the current "vacancy" on the 32-1-35 bench was both clandestine and not due to mandatory retirement age, death, or impeachment and removal, 32-1-35 fails to meet the objective standards for elimination.

In short, I cannot sufficiently articulate how dire the elimination of 32-1-35 would be as a practical concern for the efficient administration of justice and for the electorate's access to justice at the local level, but moreover, as a violation of the electorate's due process rights. For these reasons, I respectfully urge you in the strongest possible terms to reject the proposal to eliminate Magisterial District Court 32-1-35 set forth in the Delaware County's 32nd Judicial District's Reestablishment Plan of 2022.

Respectfully submitted,

A handwritten signature in cursive script that reads "Karen E. O'Brien". The signature is written in black ink and is positioned below the typed name.

Karen E. O'Brien

THE
DELIBERTY
LAW FIRM PC
DEBT RELIEF & CONSUMER RIGHTS

Suburban Philadelphia Office:
2809 West Chester Pike, Suite 100 Broomall, PA 19008
Phone: (610) 353-0322 Fax: 1-888-588-4119
E: dan@delibertylaw.com
www.CreditCardLegalHelp.com

February 18, 2022

Honorable Justices of the Supreme Court of Pennsylvania
c/o Honorable Kevin Kelly, Chief Judge
Delaware County Court of Common Pleas
201 W. Front St.
Media, PA 19063

Re: Delaware County Magisterial District Court Reestablishment Plan,
32nd Judicial District of the Commonwealth of Pennsylvania

To the Honorable Justices of the Supreme Court of Pennsylvania and
the Honorable Kevin Kelly:

As the owner of a busy Delaware County law practice who frequently practices before local Magisterial District Courts, and as a former member of the Delaware County Bar MDJ Rules Committee, I write to voice my objection to the Recommended Reestablishment Plan for the Magisterial District Courts of the 32nd Judicial District of the Commonwealth of Pennsylvania for 2022, in particular to the proposals regarding the Upper Darby MDJ courts.

It defies logic to eliminate MDJ 32-1-35 (Barelay Square, Upper Darby), a busy court in the most densely populated township in the county. The published analysis shows that 32-1-35 is nowhere near the lower end of courts by caseloads. I have been counsel of record in dozens of cases in the Upper Darby Magisterial Courts in the past twenty years, and in 32-1-35 there is always a long wait for my cases to be docketed and once scheduled to be called, there always seems to be a full courtroom, often standing room only. According to the published statistics and to my own experience, this court has a higher workload than more than half the courts in the county.

I am of the belief that "if it isn't broke(n), don't fix it." The administration of justice and the public's access to justice will be significantly impaired if 32-1-35 is eliminated. I would even venture to say that this court could benefit by having its own separate facility, as parking is often an issue at Barelay Square and the "four courts in one building" is something not seen anywhere else in the state.

I urge you to reject the proposal to eliminate 32-1-35, which, until a few months ago when the incumbent judge retired prematurely mid-term, had a very busy caseload, which the other three Upper Darby MDJ Courts would be hard pressed to absorb.

Sincerely,



Daniel A. DeLiberty, Esq. - "The Credit Lawyer"

215-817-1797

The Honorable Justices of the Supreme Court of Pennsylvania
c/o Honorable Kevin F. Kelly, Chief Judge
Delaware County Court of Common Pleas
201 W. Front Street
Media, PA 19063

February 20, 2022

Re: Opposition to the 32nd Judicial District of the Commonwealth of
Pennsylvania's Magisterial District Court Reestablishment Plan

The Honorable Justices of the Supreme Court of Pennsylvania and
the Honorable Kevin F. Kelly:

Having practiced law extensively in all four Upper Darby Township Magisterial District
Courts for a number of years, I was quite surprised to hear through the grapevine that
one of these courts – MDJ 32-1-35 – might be permanently closed.

The local Upper Darby courts have extremely busy dockets, long wait times to get
hearings scheduled or continued, and long wait times for cases to be called; 32-1-35 is
no exception. I struggle to find the logic in proposing to eliminate 32-1-35 as it serves
such a densely populated and highly populated area in one of the most highly
populated counties in the Commonwealth.

To eliminate 32-1-35 would cause even further delays in the ability of litigants and
defendants to access justice swiftly, which would defeat one of the very mandates of
Pennsylvania's Magisterial District Courts: the efficient and accessible administration
of justice at the local level.

I urge you in the strongest terms to reject the flawed proposal to eliminate MDJ 32-1-
35.

Sincerely,


Lori Kliner-Krenzel, Esq.

February 18, 2022

Honorable Justices of the Supreme Court of Pennsylvania
c/o Honorable Kevin Kelly, Chief Judge
Delaware County Court of Common Pleas
201 W. Front Street
Media, PA 19063

Re: Opposition to 2002 Magisterial District Court Reestablishment Plan

The Honorable Justices of the Supreme Court of Pennsylvania and
the Honorable Kevin Kelly:

I was surprised and dismayed to hear from a neighbor just yesterday that there is a proposal buried on the Delaware County Court of Common Pleas website to change the County's local judiciary that includes, among other changes, a proposal to close one of the four Upper Darby Township local courts, Magisterial District Court 32-1-35, located at 1550 Garrett Road in Upper Darby.

What is disheartening is that I have searched the internet and can find no mention of the 32nd District's Reestablishment Plan anywhere online except for where it is obscurely buried on a subpage entitled "Magisterial District Judges" on the Delaware County Court of Common Pleas website,¹ where, unless one had court business, one would never be aware of the sweeping changes being proposed to our local *elected* judiciary.

This proposed Reestablishment Plan has apparently not been published in the Delaware County Times, which is the local paper of record in Delaware County, nor on Facebook, Twitter, or any other social media that I have been able to discover. It is apparently not available in print at the local libraries or other municipal buildings, except for in the Administrative Office for Magisterial District Judges, 100 W. Front Street, Media, where, again, only attorneys or judges would stumble upon it.

In contrast, even Westmoreland County, which is significantly less populated than Delaware County, noted that, "A key part of the [2021-2022 Westmoreland County Magisterial District Court] reestablishment process is the solicitation of public comment. In order to facilitate that process, this [reestablishment proposal] document is being distributed to the following:" the news and media; all municipal buildings, courthouses, the County Bar Association, state and local police stations, MDJ offices, DA and Public Defenders' offices, County Commissioners' Offices, the County municipal mayors and council presidents, among other public offices.²

¹ <https://www.delcopa.gov/courts/districtjudges/index.html>

² <https://www.co.westmoreland.pa.us/2929/Proposed-Plan-Magisterial-Court-District>

This raises the question of just how much opportunity the public has been given to comment on the proposed 32nd Judicial District Reestablishment Plan if the public has not been given adequate notice of the plan. One might posit that the authors of the Plan do not actually want public comment.

Public comment is also only being accepted via mail, which is curious in this day and age of mass electronic communications, U. S. Postal Service delays, and a worldwide pandemic. Again, even Westmoreland County invites public comment to be submitted via fax, email, or mail.³

One would think that a proposal to realign the local *elected* judiciary would have been published far and wide, particularly as public comment appears to be one of the elements that the Pennsylvania Supreme Court takes into consideration when deciding upon the recommendations contained in the Reestablishment Plan, and particularly as judges are elected officials in Pennsylvania, thereby implicating the public's constitutional right to vote. The fact that the 32nd Judicial District Reestablishment Plan was neither widely published nor gave the public adequate notice or chance to comment on proposed changes to its elected judiciary is an appalling breach of due process rights and smacks of underhandedness. For these reasons alone it should be rejected in whole.

In addition, due to how densely populated Magisterial District Court 32-1-35's district is, how busy 32-1-35's caseload and workload have historically been, and how ill-equipped 32-2-51 and 32-1-33 are to handle 32-1-35's large docket, I also oppose the elimination of MDJ 32-1-35 on substantive grounds as it would result in judicial inefficiency and would inhibit residents' access to justice.

For these reasons, I encourage you to reject the proposal to eliminate Magisterial District Court 32-1-35, if not to reject the Reestablishment Plan in its entirety. Thank you for your consideration.

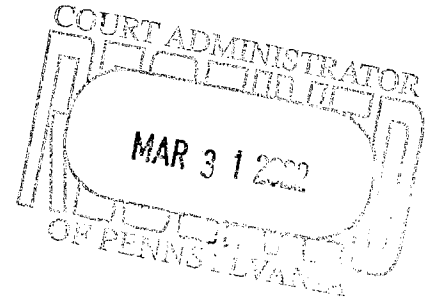
Very truly yours,


Mary Lisa Kostaneski

³ <https://www.co.westmoreland.pa.us/2929/Proposed-Plan-Magisterial-Court-District>

March 25, 2022

Honorable Judge Kevin F. Kelly
Delaware County Courthouse
Front Street And Veterans Square
Media, PA 19063



VIA HAND DELIVERY

Dear President Judge Kelly,

I am writing this letter to request that our street,
Drexel Hill remain in District 32-2-51.

We are a row house street which has become more renters than homeowners. I have lived on this street for 52 years. I believe it is important that Judge Mattox continue to be our Judge.

I worked in the Courthouse and also the Upper Darby District Courts in the late 70's and early 80's. I know what a good District Court is and how it works. We need a judge that is intimately aware of our particular issues. One who lives, works and raises a family in our community. A judge who is aware of the issues our community faces.

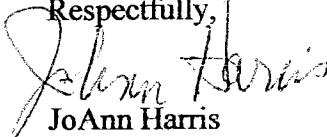
When I left work for the Courts I went on to work for the Sereni and Lunardi Law Firm. We were very proud when A. Leo Sereni became a Judge and then President Judge.

I have heard some of the Judges have objected to this redistricting for various reasons. I would like to add the perspective of a resident very familiar with how the courts operate. I believe in Judge Mattox and I fail to see how this minor piece of his district, that is so very important to us residents, should be cut off and given to another Judge.

Judge Mattox has fairly and faithfully served us for over 18 years. His mother and father raised 13 children in this specific area, a few blocks from me. He is so respected and loved by us residents and I am sure I am not alone. He understands service to the people in his district because of his deep family ties to this district.

Judge Mattox has been overwhelmingly re-elected by this very district term after term for all of the above reasons. Please reconsider this change that may appear minor but affects us so much.

I appreciate your courtesy and cooperation in this matter. If I can be of any assistance to you please let me know.

Respectfully,

JoAnn Harris

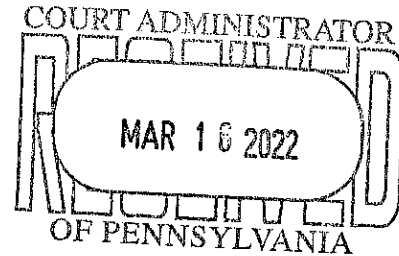
cc.

Chief Justice Max Baer

AOPC Court Administrator Geoff Moulton

March 10, 2022

President Judge Kevin F. Kelly
Delaware County Courthouse
Front Street And Veterans Square
Media, PA 19063



Re: MDJ Judicial Reestablishment

VIA HAND DELIVERY

Dear President Judge Kelly,

We the undersigned Judges of the Upper Darby Courts object to the revised Delaware County MDJ Judicial Reestablishment Plan submitted to the Pennsylvania Supreme Court dated March 1, 2022.

The Court's original plan was revised and submitted to the Pennsylvania Supreme Court without further public comment. We adopt our objections to the original plan, incorporate them here and attach the same to this document.

We are mindful and acknowledge the complexities of the revision process. We have a combined average of 17 years of judicial service. We fully appreciate the task that was placed before you. We realize you took into account some of our original objections

We limit our objections in this response to the issues raised by the new revised plan. However, just as the revised plan referenced that any change in the plan would affect the entire plan, so too we must look at how we arrived at this point in the first place to understand why this revision is inadequate.

The plan calls for the elimination of 4 courts for Delaware County while, there are only 12 courts slated for closure statewide in Pennsylvania's 67 counties. Between the last census and now Delaware County had previously closed Court 32-2-41(Folcroft) in 2016 and Court 32-1-26 (Lansdowne, Clifton Heights and Aldan) in 2017.

There was an opportunity to close Court 32-1-32 (Springfield) which was vacant when Judge Puppio was appointed to the Court of Common Pleas but did not close it even though it was ranked 26 out of 30 courts in case workload (see chart on page 12 of the revised plan). A Judge was just elected to that Court and is beginning a 6 year term.

Looking at that same chart on page twelve of the revised plan **4 of the Upper Darby Courts were in the top 13 out of 30 courts in case workload before the proposed redistricting plan.** Yet the plan calls for closure of Court 32-1-35 (Upper Darby) the 13th busiest court by case workload in the County.

The revised plan states on page 10..."Upper Darby Township, with 86,000 residents and a significant case volume undoubtedly require more than one (1) MDC." This is cited as justification for splitting municipalities. Yet, this wouldn't even have to be considered (splitting municipalities) if your plan didn't call for the elimination of the 13th busiest court in the county. This plan isn't a solution to a problem, it is a problem in search of a solution.

Further, at page 11 under the heading of "Other Public Comments" the revised plan states... "retaining MDC 32-1-35 instead of eliminating it as proposed would necessitate eliminating some other yet to be determined MDC and require further realignment of many other districts throughout the county." That is precisely what was done by eliminating Court 32-1-28 (Media) in the original plan and then adding it back in on the revision.

All 4 of the previously mentioned Upper Darby Courts (including Court 32-1-35 at number 13) were substantially busier than Court 32-1-28 which was 18 out of 30 in case workload pursuant to the chart on page 12 of the revised plan. Court 32-1-35 does not need to be eliminated either.

Additionally, the revised plan, like the original plan, after eliminating Court 32-1-35 then has Court 32-2-54 (Springfield) (ranked 29 out of 30 courts by case workload) and Court 32-2-53 (Haverford) (ranked 30 out of 30 courts by case workload) now encroach into Upper Darby.

The reality is Court 32-1-25 (eliminated under the revised plan) (number 28 out of 30 courts by case workload) and Court 32-2-53 now combined under the revised plan along with the assumption of the Haverford Township section of Court 32-1-24 should obviate the need for Court 32-2-53 to now include parts of Upper Darby. Similarly, Court 32-2-54 and Court 32-1-32 (number 26 out of 30 courts by case workload) should have been combined but for allowing Court 32-1-32 to remain open and now be occupied by a newly elected Judge.

With or without the closure of Court 32-1-35 it is simply unnecessary to split up a township that includes 4 of the top 13 Courts out of 30 by case workload as is done by the original and now revised redistricting plan. Court 32-1-35 should not be eliminated. **Under the revised plan Court 32-1-34, Court 32-1-33, Court 32-2-52 and court 32-2-51(all Upper Darby Courts) now became 4 of the top 10 courts in case workload in the entire county among the 26 redistricted courts.**

The revised plan references the flawed and soundly repudiated PennLive article regarding the Magisterial District Judge system as justification for this proposed revision. That article relied on courtroom time rather than case workload.

The reality is that until 2017, when Court 32-1-26 was eliminated, there were 5 Judges handling criminal cases at one courtroom in the Upper Darby Police

Station and those same Judges shared one courtroom at 1550 Garrett Road for all traffic, landlord and tenant, civil cases, marriages and other extraneous court matters. Since 2017 four Judges have been engaged in this situation.

There simply was not enough "courtroom time" to accommodate the number of Judges. In fact it was a testament to the Judges that the system operated reasonably well in spite of this obvious deficiency.

Additionally, when cases were again resumed in open court after closure due to Covid, 5 Judges heard criminal cases at one courtroom at Court 32-2-47 and 4 Judges share the one courtroom at 1550 Garrett Road for all traffic, landlord and tenant, civil cases, marriages and other extraneous court matters. The Township of Upper Darby and the Upper Darby Police did not allow the Courts to resume operations in the police station after the return to open court from the Covid closure.

The revision now calls for (5) Courts 32-1-33, 32-1-34, 32-2-52, 32-2-53, and 32-2-54 to hear their criminal cases, traffic and non-traffic cases involving the Upper Darby Police in one courtroom. Additionally Court 32-2-47 with an extremely high case workload of its own must schedule its cases in the same courtroom. That is a total of 6 Courts utilizing 1 courtroom for these cases.

This resulted because our previous objection and some other parties to the original plan challenged the fact that Upper Darby Police would have (under the original proposal) had to have there cases heard by 6 Judges in three separate courtrooms.

This revised proposal further limits courtroom time which will result in complicated scheduling problems, unacceptable delays in cases being heard, possible safety issues as Judges attempt to hear more cases with more prisoners on "court day", staffing issues and other logistical complexities. The Court is poorly serviced by public transportation.

At a bare minimum 5 out of 6 Judges will have to travel to the Court facility located in Lansdowne Township (court 32-2-47). They and their staff will be required to transport their supplies and files to the court each day. The mere scheduling of 6 Judges for a 5 day work week only serves to further unnecessarily delay access to justice solely caused by this untenable situation. The building has one judicial office which is occupied by the Judge of Court 32-2-47.

This revision which calls for 6 Judges to share one courtroom doesn't even satisfy the bare minimum of standards cited in the AOPC, Magisterial District Court Facility, Equipment and Security Guidelines April 2016 Version 2.0 (attached hereto). The current situation with the 4 Judges at 1550 Garrett Road does not either for that matter.

On top of the extraordinary effort that will be required to accommodate 6 Judges for 5 days of the workweek is the resultant severe disruption to Court 32-2-47 which must be taken into account because of this revised plan. **After the proposed revision Courts 32-2-47, Court 32-1-34, Court 32-1-33, Court 32-2-51 and Court 32-2-53 will represent 5 of the top 8 courts by case workload** and along with Court 32-2-54 with a greatly increased workload will all be asked to share Courtroom 32-2-47 for all Upper Darby Police criminal, traffic and non-traffic matters.

In fact, the revised plan amounts to a de facto consolidation of Courts which does not comply with 246 of the PA Code Rule 100. Rules and Standards with respect to Offices of Magisterial District Judges.(attached hereto) Rule100 A(1) states..." **the principal office should be located in a place convenient to the public and which will allow the business of the office to be conducted with dignity' decorum and dispatch**". A(3) provides..."**a Magisterial District Judge shall be provided with such staff, forms, supplies and equipment as shall be necessary for the proper performance of his or her duties**".

The action taken by the revised plan is tantamount to creating a "consolidated district" at least for the purpose of hearing criminal, traffic and non-traffic cases filed by the Upper Darby Police Department. The comment to Rule 100 states, Consolidated districts must provide separate courtrooms and facilities for separate staff of the magisterial districts that have been consolidated. Districts must comply with standards published by the Administrative Office of Pennsylvania Courts for magisterial district courtrooms.

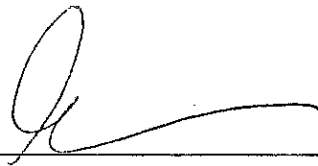
It is clear that there was a commitment to closing 4 courts in Delaware County even though our population is increasing (3.2% according to the 2020 Census) and will continue to increase. For the reasons stated above we respectfully disagree. Especially in light of the fact that in the entire Commonwealth of Pennsylvania, with 67 counties there are only 12 closures contemplated-4 by Delaware County. We think Delaware County and Upper Darby is paying too steep a price with this redistricting plan.

We thank you for your attention to this matter. We would be happy to meet with you to further discuss this alternative plan.

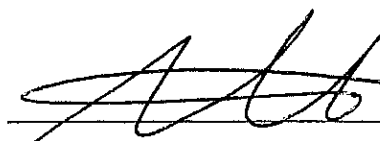
Respectfully,



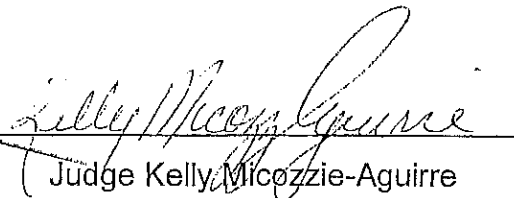
Judge Robert Radano
Court 32-1-24



Judge Christopher Mattox
Court 32-2-51



Judge Harry Karapalides
Court 32-1-33



Judge Kelly Micozzie-Aguirre
Court 32-2-52

cc.

Chief Justice Max Baer

AOPC Court Administrator Geoff Moulton

February 17, 2022

President Judge Kevin F. Kelly
Delaware County Courthouse
Front Street And Veterans Square
Media, PA 19063

Re: MDJ Judicial Reestablishment

VIA HAND DELIVERY

Dear President Judge Kelly,

We the undersigned Judges of the Upper Darby Courts object to the current Delaware County MDJ Judicial Reestablishment Plan.

For the 2021-2022 Reestablishment process, the PA Supreme Court has approved a process in which **there is no goal to eliminate any districts and no presumption that districts should be eliminated.** Instead, the guiding principle for reestablishment is for each president judge for each county / judicial district to determine if they have the proper number of MDJs needed to handle the caseload in their judicial district.

In fact, to date there have been 59 county plans submitted to our Special Court Judges Association with only 14 proposed eliminations- 4 from Delaware County, Allegheny County, with 46 Magisterial District Judges has proposed only ONE elimination in 2031.

The Delaware County Plan is deficient based upon submitting 4 Courts for closure. This creates all types of unintended consequences which we believe results in an unworkable split of the Upper Darby Courts.

The Magisterial District Courts are the local courts throughout Pennsylvania's communities that should enable all residents an equal access to local justice. Reestablishment of Magisterial Districts is therefore an important process that affects every community. Each district Court that is eliminated or realigned affects every local municipality, police department, school district, business, and every resident.

With regard to the specific plan submitted by the County of Delaware and particularly the Upper Darby Courts we note that District Court 32-1-35 (Berrardocco) is earmarked for closure. This Court should NOT close. Specifically, there is no reason to eliminate this Court and then through all kind of unnecessary machinations cut and paste parts of the other remaining four Courts and ADD Judges from two out of town adjoining districts in its place. The Plan also has Court 32-2-51 (Mattox) hearing truancy cases from outside his Magisterial District.

We are extremely concerned that eliminating Court 32-2-35 will not only reduce the number of Judges but will dilute justice in a time when people do not have great faith in law enforcement, the Courts and their government in general. The proposed elimination of 32-1-35 will decrease the quality and effectiveness of the current system of justice. It will dramatically increase the caseloads of the remaining Courts to such an extent that the times for hearings will be compressed, crucial communication between lawyers and their clients will be curtailed, extend wait times between hearings, and negatively impact the Court's ability to mediate disputes or engage in settlement of cases prior to hearing. In short, creating a courtroom environment that is more concerned with completing cases quickly than resolving issues that brought the matter to Court in the first place.

District Courts 32-1-34 (Radano) and 32-2-51(Mattox) have been greatly expanded. Courts 32-2-52 (Micozzie-Aguirre) and Courts 32-1-33 (Karapalides) have been reduced in size in an effort to make the distribution of work more equitable system wide.

Court 32-2-51(Mattox) not only adds the borough of East Lansdowne, originally subsumed under Court 32-2-47, but adds the truancy of the entire William Penn School District which includes the communities of Aldan, Colwyn, Darby, East Lansdowne, Lansdowne and Yeadon Boroughs. (The Proposed Plan submitted by the County of Delaware indicates ALL for Mattox but the explanatory comments attached to the plan indicate Darby and Colwyn will be with Judge Forbes)

Court 32-2-51(Mattox) has never handled truancy cases. Truancy cases are best heard by judges who reside in the towns of their school district. The judges partner with all stakeholders to craft solutions, not just to remedy the student's specific case, but also bring in those members of the community best able to help end the growing problem of truancy. We need Court 32-2-51(Mattox) to serve the many residents of the community where it resides. The addition of East Lansdowne to court 32-2-51(Mattox) can include its truancy cases, if appropriate.

People should be judged by their fellow citizens. This means electing a qualified member of the community who serves as the finder of fact, while having a keen sense of the norms, values, mores and resources of that community. It has consistently proven to promote public safety, justice with mercy and common sense solutions.

Courts 32-2-52 (Micozzie-Aguirre) and Court 32-1-33 (Karapalides) have also been realigned which includes adding parts of 32-2-51(Mattox) and Court 32-1-34 (Radano). If both of these Courts needed to be reduced due to realignment suggestions and goals then there certainly was no need then to ADD parts of 32-2-51(Mattox) and Court 32-1-34(Radano) to those Courts and other out of town Courts.

With the loss of Court 32-1-35 (Berrardocco) there should have been enough work to add to Courts 32-1-34 (Radano) and 32-2-51's (Mattox) existing Courts and not

affecting Court 32-2-52 (Micozzie- Aguirre) and Court 32-1-33 (Karapalides) which were losing jurisdiction anyway. It makes no sense to subtract territory from 32-1-34 (Radano) and 32-2-51 (Mattox) and give it to Courts 32-2-52 (Micozzie-Aguirre) and Court 32-1-33 (Karapalides) which is done in the current proposal.

Whether or not you agree that Court 32-1-35 (Berrardocco) should be eliminated or not the current jurisdictions of these other Upper Darby Courts need not be changed other than to allow for the increased workload from Court 32-1-35 (Berrardocco).

Perhaps more unnecessary was adding part of the existing Court 32-1-34 (Radano) to Court 32-2-54 (Springfield-Merkins)). Additionally, part of Court 32-1-35 (Berrardocco) was added to 32-2-53 (Havertown-Duerr). The result of this displaces those specific voters in Upper Darby, the largest township in Pennsylvania, 85,681 residents according to the 2020 census.

Most concerning is that the Upper Darby police, the witnesses and victims, the criminal defendants and their counsel will now have to litigate their criminal, traffic and non-traffic cases with 6 Judges, 4 from Upper Darby, 1 from Springfield and 1 from Havertown and 5 different Courtrooms; 1550 Garrett Road Upper Darby, Lansdowne Secane, Springfield and Havertown. Scheduling, patrol hours lost to court attendance, excessive overtime, inconvenience to all the litigants jeopardizing their reluctance to already be involved in the court system, and a host of other logistical nightmares are likely to ensue.

Additionally, civil and landlord tenant cases, parking, traffic and non-traffic citations would now be handled by the Springfield and Havertown Courts for those Upper Darby residents now assigned to their jurisdiction. This will require police attendance in neighboring jurisdictions for some of the parking and all of the traffic and non-traffic matters. Some Upper Darby landlords and tenants will be required to litigate their matters in these neighboring Courts rather than in their hometown Courts.

The 2020 census data reveals: Upper Darby had 82,795 in 2010, only Reading, Erie, Allentown, Pittsburgh and Philadelphia were larger. Upper Darby now has 10,580 residents per square mile. Of the residents in the 2020 census 21.3% were foreign born; 34.5% were black or African American; 5.5% Hispanic or Latino. Of the total households 25% had a language other than English spoken at home. 14.1% of the total households are below the poverty line.

Over 80 languages are natively spoken in the Upper Darby School District. The truancy for this district is currently handled by Court 32-1-34 (Radano). Court 32-1-34 (Radano) also currently handles all the property maintenance for all of Upper Darby Township.

The current alignment of District Judges (not the proposed realignment) is acclimated to the need of frequent interpreters and other cultural nuances and has proven to be successful and efficient for all stakeholders.

The CURRENT alignment of Upper Darby Courts has met and will continue to meet the needs of these traditionally underserved communities ensuring an equitable and inclusive access to the Courts that is unmatched throughout the Commonwealth.

The overall population of Upper Darby is expected to increase as more and more people are projected to be leaving cities to reside in suburbs nationally.

The 2020 census data alone makes a compelling case that traditionally underserved communities' access to justice, the need to have their cases heard by fellow resident judges and the trust in the criminal justice system will suffer needlessly by the current proposed realignment. The faith in the criminal justice system in general is currently eroding- why further contribute to this by a realignment plan that does not accomplish the goals of better serving the community with fair access to all courts by all residents?

A simple inspection of the case numbers provided in the Plan demonstrate that Upper Darby has more than enough cases to justify the current compliment of 5 Judges. The numbers supplied by the Plan indicate a total of 191,321 cases for an average of 38,264 cased per Judge at 5 Judges. These numbers are well within the 15% number recommended by the Supreme Court of Pennsylvania. The Plan proposes to take advantage of an early retirement by a Judge to the detriment of the remaining Judges and the overall application of justice in Upper Darby.

Accordingly, we respectfully propose that you reevaluate the MDJ Judicial Reestablishment Plan and we propose the following plan that addresses all of the above concerns and lends itself to a more equitable, inclusive and fair administration of justice.

Court 32-1-24

All precincts in Upper Darby District 1 and 3 and this Court's current responsibilities of all Truancy and License and Inspection citations for all of Upper Darby.

Court 32-2-52

All precincts in Upper Darby District 2 and Borough of Clifton Heights.

Court 32-2-51

District 5 precincts 2,4,5,6,8,9.

District 6 precincts 5,6,7,8,9,11.

District 7 precincts 1,6,7,9,11.

Borough of East Lansdowne.

Court 32-1-33

District 5 precincts 1,7.
District 6 precincts 1,2,3,4,10,12.
District 7 precincts 3,4,5.

Court 32-1-35


All precincts in Upper Darby District 4.
District 5 precincts 3,10.
District 7 precincts 2,8,10.

We thank you for your attention to this matter. We would be happy to meet with you to further discuss this alternative plan.

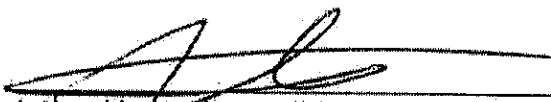
Respectfully,




Judge Robert Radano
Court 32-1-24



Judge Christopher Mattox
Court 32-2-51



Judge Harry Karapalides
Court 32-1-33



Judge Kelly Micozzie-Aguirre
Court 32-2-52

cc.

AOPC Court Administrator Geoff Moulton